



# SIDMOUTH TOWN COUNCIL

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To: All Members of the Planning Working Group  
Town Clerk

22 February 2024

For Information:

Other Members of the Town Council  
District Councillor for Sidmouth not on the Town Council  
Sid Vale Association

Dear Sir/Madam,

**Meeting of Sidmouth Town Council's Planning Working Group  
Wednesday 28 February 2024 at 10.00am**

You are called upon to attend the above meeting where it is proposed that the matters set out on the agenda below will be considered and resolution or resolutions passed as the Planning Working Group considers appropriate.

The Planning Working Group will meet virtually via the Zoom software platform. Please note the start time of the meeting. Those members of the public wishing to view the meeting or speak on a planning application, are required to register by emailing [planning@sidmouth.gov.uk](mailto:planning@sidmouth.gov.uk) at least 24 hours before the start time of the meeting, after which virtual meeting details will be sent out to speakers.

The Chair of the meeting has the right and discretion to control questions to avoid disruption, repetition and to make best use of the meeting time. Individual contributions will be limited to a maximum period of three minutes. Where there is an interested group of objectors or supporters, a spokesperson should be appointed to speak on behalf of the group.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Ch Holland', written over a thin horizontal line.

**Christopher E Holland**  
Town Clerk

# AGENDA

## 1 Apologies

To receive apologies for absence.

## 2 Declarations of Interest

To receive Declarations of Interest.

## 3 Minutes

To agree and delegate to the Chair of the Planning Working Group to sign as a true and accurate record, the Minutes of the Planning Committee meeting of 14 February 2024.

## 4 District Council Members

It is noted that the participation of those Councillors who are also members of the Local Planning Authority of East Devon District Council, in both the debate and subsequent vote, is on the basis that the views expressed are preliminary views taking account of the information presently made available to the Town Council. The District Councillors reserve their final views on the application until they are in full possession of all the relevant arguments for and against.

## 5 Statutory Obligations - Applications for consideration

Town and Parish Councils are Statutory Consultees to the Local Planning Authority and as such do not make decisions apart from applications for advertising consents and trees. The Town Council's Planning Working Group is required to make known its willingness to support, or not, planning applications based on local knowledge and current planning policies in order that these views can be taken into account when the decision is made by the District Council as Planning Authority. In accordance with Sidmouth Town Council Standing Orders Item 3(d) – (i) Members of the public may speak on each planning application on the agenda for up to three minutes.

## 6 Urgent items or Amended Plans Received After Formulation of the Agenda.

To receive a report from the Planning Clerk of any urgent planning items or amendments to planning applications received after the publication of the agenda.

## 7 Responding to Planning Applications - A Discussion Paper.

A copy of the discussion paper is attached below for Members. (Pages 9-11).

## 8 Applications for consideration

Applications can be found at: <https://planning.eastdevon.gov.uk/online-applications/>

(Type in or copy the application number into the box next to the search button, click on the documents tab and then on view documents.)

- |           |                             |   |   |
|-----------|-----------------------------|---|---|
| <b>9</b>  | 23/2537/FUL<br>East Ward    | Mr Jorge<br>Pineda-<br>Langford<br>(EDDC) | Sidmouth Swimming Pool, Ham Lane, Sidmouth, EX10 8XR.<br><br>Erection of a new public toilet building. (Amendment).   |
| <b>10</b> | 23/2360/FUL<br>Sidbury Ward | Mr & Mrs<br>Webb                          | Castle Hill House, Greenhead, Sidbury, EX10 0QD.<br><br>Replacement of existing detached double garage with new detached double garage and games room with ancillary annex accommodation over. (Amendment). |

- |           |  |                                 |   |
|-----------|--|---------------------------------|---|
| <b>11</b> | 24/0222/FUL<br>Sidbury Ward  | Mr Ralph<br>Watson              | Bramley, Ridgeway, Sidbury, EX10 0SF.<br>Erection of a bungalow.  |
| <b>12</b> | 24/0184/FUL<br>Sidbury Ward  | Mr & Mrs<br>Mitchell            | Bundels, Ridgeway, Sidbury, Devon, EX10 0SF.<br>Demolition of existing garage and storage shed; construction of new garage; alterations to existing driveway and retrospective approval for existing garden office.   |
| <b>13</b> | 24/0185/LBC<br>Sidbury Ward  | Mr & Mrs<br>Mitchell            | Bundels, Ridgeway, Sidbury, Devon, EX10 0SF.<br>Demolition of existing garage and storage shed; construction of new garage; alterations to existing driveway and retrospective approval for existing garden office.   |
| <b>14</b> | 24/0281/AGR<br>Sidbury Ward  | Mr Andrew<br>Hall               | Chineway Farm, Putts Corner, Sidbury, Sidmouth, EX10 0QQ.<br>Agricultural building for hay, straw and storage of machinery.   |
| <b>15</b> | 24/0263/MFUL<br>South Ward   | Mr Paull                        | Former Council Offices Knowle, Sidmouth, Devon, EX10 8HL.<br>Redevelopment of site to provide: (a) Care home building (Class C2) with associated parking, landscaping, staff and resident facilities and associated works, (b) Extra care apartment building (53 units) with associated communal lounge, wellbeing suite, restaurant and care provision (class C2) (c) Retirement living apartment building (33 units) with associated communal lounge (Sheltered housing) and (d) Erection of 4 houses and 3 townhouses (Class C3). Along with accesses, internal car parking, roads, paths, retaining walls, refuse and landscaping associated with development; retention/refurbishment of building B, erection of habitat building and sub-stations. (Demolition of buildings other than building B) (Variation to previous application (23/0571/MFUL) showing removal of balconies and elevational changes to west elevation of Retirement Living block). (Amendment). |
| <b>16</b> | 24/0311/FUL<br>West Ward   | Mr & Mrs<br>Christopher<br>Mead | Uphills, Greenway Lane, Sidmouth, EX10 0LZ.<br>Proposed Change of Use from residential Annex (for ancillary accommodation) to a Holiday Let.  |
| <b>17</b> | <b>Trees in Conservation Areas</b>                                     |                                 |   |
| <b>a)</b> | 24/0138/TCA<br>South Ward  |                                 | Flat 1, Glenthorne, Convent Road, Sidmouth, EX10 8RL.<br>Pittisporum: crown reduce by no more than 1.5m and maintain clearance of 2.5m above footpath on Cheese Lane. (DR)  |
| <b>18</b> | <b>Tree Preservation Orders</b>  |                                 |   |
|           | Applications relating to Trees protected by a Tree Preservation Order. |                                 |   |
| <b>a)</b> | 24/0277/TRE<br>Salcombe Regis<br>Ward                                  | David Barlow                    | Sherwood, Salcombe Hill Road, Sidmouth, Devon, EX10 8JS.<br>T1, Lime: re-pollard to previous reduction points.  |

**19 Notification of a new Tree Preservation order.**

None received at the time of the publication of agenda.

**20 Notification of any works which constitute an exemption to a Tree Preservation Order**

None received at the time of the publication of agenda

**21 Unsupported decisions**

None received at the time of the publication of agenda.

**22 Appeals**

None received at the time of the publication of agenda.

**23 Enforcement Letters**

None received at the time of the publication of agenda.

**24 New East Devon Local Plan;** To receive any update as necessary on the current process to develop a new East Devon Local Plan.

**Forthcoming Council and Working Group meetings:**

04 March Council & Town Assembly

13 March Planning Working Group

20 March Tourism and Economy Committee

**Sidmouth Town Council's Planning Working Group**  
**held on Wednesday 14 February 2024**  
(The Working Group met virtually)

Councillors present: Kelvin Dent (Chair)  
Bernie Davis  
John Nicholson  
Louise Laybury  
Rachel Perram

Apologies: Cllr Chris Lockyear  
Cllr John Loudoun

Also present: Cllr Ian Barlow

The meeting started at 10.00am and finished at 11.25am

**757 Declarations of Interest**

Cllr Kelvin Dent	23/0571/MFUL	Personal	Left the Meeting during discussion and did not vote	Resident of Knowle Drive
Cllr Rachel Perram	24/0138/TCA	Personal	Stayed in the meeting. Item deferred.	Neighbour

**758 District Council Members**

It was formally noted that the participation of those Councillors who are also members of the East Devon District Council in both the debate and subsequent vote is on the basis that the views expressed are preliminary views taking account of the information presently made available to the Town/Parish Council. The District Councillors reserve their final views on the application until they are in full possession of all the relevant arguments for and against.

**759 Minutes**

Members agreed that delegated authority be given to the Chair of the Planning Working Group to sign as a true and accurate record the Minutes of the Planning Working Group meetings of 31 January 24.

**760 Applications for consideration**

**RECOMMENDED:** That in respect of the Planning Applications set out below, representations to the manner in which they should be determined, be made known to the East Devon District Council in accordance minute 230 of Council, 19 April 2021 and with schedule 16 of the Local Government Act 1972.

**761** 24/0146/ADV East Ward Sonja Critchley Joules, Market Place, Sidmouth, EX10 8AR.  
Banking hubs signage and branding including 1no. externally illuminated heritage brand fascia and 2no. illuminated projecting signs. 1no. directory of services sign and 2no. illuminated marketing posters. An A4 opening hours sign, an A5 Assistance sign and an A5 CCTV sign will be positioned on the entrance door.

**DEFERRED** for further advice from the Local planning Authority

**762** 23/2603/FUL Primely Ward Sue Wiltshire Byes Lodge, Drakes Avenue, Sidford, EX10 9QY.  
Proposed loft conversion with construction of second floor rear dormer with cladding.

**SPLIT DECISION:**

**SUPPORT:** Proposed loft conversion and second floor rear dormer with cladding.

**DO NOT SUPPORT:** Full length French doors and Juliette balcony.

Members were concerned about the privacy of neighbouring dwellings.

**763** 24/0179/FUL Salcombe Regis Ward Mr & Mrs Jones June Cottage, Hillside Road, Sidmouth, Devon, EX10 8JG.  
Demolish existing dwelling, construction of single storey detached replacement dwelling.

**SUPPORT**

**764** 24/0098/FUL Salcombe Regis Ward The Slade Centre, Mr Matthew Maslen The Slade Centre, Donkey Sanctuary, Mire Lane, Salcombe Regis, Devon, EX10 0NU.  
Construction of a new shelter building for donkeys to replace existing.

**SUPPORT**

**765** 24/0020/LBC Sidbury Ward Mr M Coman Sand Lodge, Sidbury, EX10 0QN.  
Internal alterations (part retrospective) including: Replace cement render replaster with lime at First Floor and Ground Floor. Introduce stud partition walls to provide an ensuite (bedroom 1) at First Floor. Provide underfloor heating, wall hung balance flue combi oil boiler, paint existing flint wall (internal partition wall) at Ground Floor. External alterations (part retrospective) including: Replacement first floor hay loft window with double glazed window; introduce a external glazed panel door to the existing stable doorway retaining the stable door in-situ, replace uPVC guttering with timber gutter, replacement external timber steps to the north elevation of the lodge building.

**SUPPORT:** Subject to the views of the Conservation Officer.

**766** 23/0571/MFUL The Knowle, Sidmouth, EX10 8HH.  
South Ward

Members considered the resolution of full Council made at its meeting held on Monday 5 February: “that the Planning Working Group be asked to prepare, as is considered necessary, for any potential appeal against the recent planning application 23/0571/MFUL relating to development at the Knowle.”

(Cllrs Kelvin Dent and Mike Goodman had declared Personal Interests in the planning application as they lived adjacent to the site. Cllr Ian Barlow declared a Personal interest in the application as he sat on East Devon District Council’s Development Management Committee).

Members agreed that they would like to see the Health Authority submit a formal letter highlighting the already stretched health care provision in the Sid Valley, including concerns over a lack of resources, both in health care and care support. Cllr John Nicholson would research potential legal costs and how best to progress.

**767 Trees in Conservation Areas**

a) 24/0138/TCA Mrs Deb Swift Flat 1, Glenthorne, Convent Road, Sidmouth, EX10 8RL.  
South Ward  
Pittisporum: crown reduce by no more than 1.5m and maintain clearance of 2.5m above footpath on Cheese Lane.

**DEFERRED:** Awaiting Officers report.

b) 24/0223/TCA 13 Cottington Court, Sidmouth, EX10 8HD.  
South Ward  
PROPOSAL: T1: Yew - reduce height by 1.5-2m, and reshape/prune back all lateral branches by 1-1.5 metres to leave a balanced form. Topping cuts of 6-9cm diameter. Lateral cuts of 3-6cm diameter.

**DEFERRED:** Awaiting Officers report.

**768 Trees with preservation order**

Applications relating to Trees protected by a Tree Preservation Order.

None received.

**769 Exemption to a Tree Preservation Order**

None received.

**770 Appeals**

None received.

**771 Unsupported decisions**

None received.

**772 Enforcement Letters**

None received.

**773 Urgent Items**

- a) 24/0041/TRE Little Hayes, Salcombe Hill Road, Sidmouth, EX10 8JR.  
x2 Ash - T12 and T13 of TPO 19/0003/TPO: fell.

**REFUSED:** Refuse the felling the 2 ash trees, suggest they are surveyed during the summer months to assess Ash Dieback Disease. The 2 ash trees in the application, described as T12 and T13 can be seen easily from Salcombe Hill Road and make a significant contribution to the tree scape of the area and to local amenity. The felling of the trees would be detrimental to amenity and have a deleterious effect upon the character of the area. With reference to the reasons given in support of the application the harm is considered not to be justified and the Council refuses permission for the felling of the trees.

**774 New Draft Local Plan Update**

Work on preparing the new Local Plan was continuing, EDDC have been considering reducing the 'Green Wedge' between Sidford and Sidbury and including an allocation of housing adjoining the A375 road ref: LP\_Sidm\_06a to which the Town Council have already objected.

.....  
**CHAIR OF THE PLANNING WORKING GROUP**



## Responding to planning applications – A discussion paper

1. When planning applications are submitted to EDDC, the Planning Authority, Sidmouth Town Council, in common with all other Town and Parish Councils, are consulted and invited to submit observations which can be as broad or narrow as we wish.
2. On 12<sup>th</sup> February I e-mailed EDDC as follows:

*“I would appreciate your views, please, on the terminology which Town and Parish Councils in East Devon adopt when they respond to consultation by EDDC, as Local Planning Authority, on planning applications.*

*In Sidmouth, for many years, we have followed the following convention and replied as follows:*

**Do not support** (where the Town Council considers that an application is unacceptable - supported by planning policies)

**Object** (where the Town Council considers that a proposal is so unacceptable that we formally object. The only occasion I am aware of is the proposal for new public toilets and a changing room in front of the swimming pool - application 23/2537/FUL)

**Support** (this is our default response when we have no objection to a planning proposal. You might consider that it would be more appropriate if we responded by stating **No objections** and to respond by saying "support" only on those rare occasions when the Town Council actively support a planning proposal eg where an element of public benefit is involved.

*I would be very interested in your thoughts, please, and an indication of how other Town and Parish Councils respond.*

*Many thanks,*

*Kelvin Dent*

*(Chair of Planning, Sidmouth Town Council).”*

3. I received the following response from the Development Manager the following day.

*“The query is very relevant as how a Town or Parish Council responds impacts on whether a planning application is determined:*

- (i) At Senior officer level under delegated powers.*
- (ii) At Principal officer level under delegated powers.*
- (iii) At an informal meeting with the Chair of the Planning Committee with the Ward Members invited; or*
- (iv) At full Planning Committee.*

*If the parish comment is interpreted to be at odds with the officer recommendation it can result in the decision making for the application moving up the ‘hierarchy’ - this will also depend on the type of application, for example where the officer recommends approval, a householder application with a Town or Parish objection can be determined by a Principal planning officer, but a major application would have to be determined at Planning Committee.*

*We would interpret 'do not support' and 'object' both as being an objection to the application and 'support' as being positively in favour of the application.*

*If you prefer to differentiate between 'do not support' and 'object' the reasons for the comment would no doubt be clear from your explanatory text – but both comments would mean that if the officer was to recommend approval that it would be considered to be contrary to the view of the Town or Parish Council and would need to 'go up the hierarchy' in terms of how it is determined by EDDC.*

*What would be very helpful is that if you have no strong view either way, ie., you neither support nor object, that your response could be 'Neutral' rather than 'Support' – this could help to speed up decision making when the officer recommendation is for refusal.*

*I hope this is of some assistance and thank you for your enquiry."*

4. Although I did not ask specifically about the hierarchy of decision making, the response is very informative.
5. Regarding the terminology which we currently follow in responding to consultations:
  - a) Both "do not support" and "object" are taken by EDDC as an objection.
  - b) When we have no strong views either way, EDDC would prefer us to say "neutral" rather than "support". However,
  - c) I prefer the term "no objections" to "neutral". "No objections" suggests that we have looked carefully at the proposal, considered the effect on neighbours, taken into account any objections and relevant policies and come to an informed decision.

## **6. Recommendations:**

1. That where the Planning Working Group have no strong feelings either way about a planning application it responds, "**no objections**".
2. That the Planning Working Group responds "**do not support**" in cases where it has concerns about an application backed by policy reasons e.g. because of overlooking neighbours.
3. That the Planning Working Group responds "**support**" only in rare cases where it actively supports an application and would really like to see the proposed development carried out e.g. where the application includes an element of public benefit.
4. That the Planning Working Group responds "**object**" only in those rare cases where the application proposes palpable public harm to local amenities.

Kelvin Dent, Chair of Planning Working Group (in consultation with the Town Clerk)

February 2024