



**To all Members of the Planning Committee
Planning Committee Meeting Monday 26th February 2018**

Chairman: Cllr. M Shaw

**Councillors: K. Beer, P. Burrows, M. Hartnell, M. Pigott, S. Read,
H. Sanham, J Rowland**

20th February 2018

You are summoned to attend a meeting of the Planning Committee on
Monday 26th February 2018 at 7pm at Marshlands Centre, Harbour Road,
Seaton, EX12 2LT.

Amy Tregellas

Town Clerk

This meeting has been advertised as a public meeting and as such could be filmed or recorded by broadcasters, the media or members of the public. Please be aware that whilst every effort is taken to ensure that members of the public are not filmed, we cannot guarantee this, especially if you are speaking or taking an active role.

AGENDA

1. Apologies

To receive apologies for absence

2. Declarations of Interest

To receive Declarations of Interest

3. Minutes

To confirm the minutes of the Planning Committee held on Monday 12th February 2018

4. District Council Members

It is formally noted that the participation of those Councillors who are also members of the East Devon District Council in both the debate and the 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

5. Public Question Time

To allow questions or reports from members of the public.

6. Applications for consideration:

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|-----------------------|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7. 18/0322/FUL | Mr S Gibson | 14 THE SALTINGS,
SEATON, EX12 2XW
Two storey rear extension and alterations |
| 8. 18/0263/TCA | Mrs Ambery | 2 PARKLANDS,
SEATON, EX12
2PE
Crown reduction by 50% of 1 x sycamore in front garden of property as it has got overlarge resulting in shading and also advice given by building surveyor when the house was purchased that the tree would need to be reduced from time to time to avoid root damage to the property |
| 9. 18/0343/TRE | Mr M Stanford | 27 EYEWELL GREEN,
SEATON, EX12 2BN
T1 Ash: fell |

10. Planning Comments

To agree planning comments for circulation.

11. 17/2043/MRES Development of land north of Rowan Drive

East Devon District Council have asked the Council to reconsider its objection to this application. Natural England have now confirmed that they have no objection to the application (information under the comments section of the planning portal).

12. Decisions

To note planning decisions made by East Devon District Council:

13. Tree Preservation Orders

To note Tree Preservation Orders that have been granted by East Devon District Council:

18/0016/TPO – Land at 1 Fortfield, Seaton, EX12 2AW

Applications and plans are available for inspection on East Devon District Council's website www.eastdevon.gov.uk . Applications and plans are also available to view at the offices of Seaton Town Council, Marshlands, Harbour Road, Seaton, between 9.00am and 2.00pm, Monday to Thursday. Applications and plans may also be inspected on line at East Devon District Council, Knowle, Sidmouth during office hours. Any written representations received at the Town Council Offices before 9.30am on the day of the meeting will be considered by the Committee.



Minutes of the Planning Committee Monday 12th February 2018

Present:

Chairman: Cllr. M. Shaw

Councillors: K. Beer, P. Burrows, S. Read and H. Sanham

In attendance: Town Clerk
Two members of the public

214 Apologies for absence

Apologies were received and accepted from Cllrs Hartnell, Pigott and Rowland.

215 Declarations of Interest

Cllr Shaw declared a personal interest as a Member of Devon County Council (DCC).

Cllr Burrows declared a personal interest as a Member of East Devon District Council (EDDC)

Cllr Shaw declared a Disclosable Pecuniary Interest for agenda item 12 and left the room for this item of business

216 Minutes of the Planning Committee meeting held on Monday 29th January 2018

The Committee **RESOLVED** to agree the minutes of the meeting held on Monday 29th January 2018.

(moved Cllr Read; seconded Cllr Beer)

217 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 the 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.

218 Public Question Time (PQT)

Mr Graham Hutton from Baker Estates updated the Committee regarding the Rowan Drive development and conservatories. He explained that Baker Estates have put measures into place to mitigate

the objection from Natural England and they have now withdrawn their objection. In light of this Mr Hutton confirmed that he hoped that the Town Council would now withdraw their objection. He also confirmed that the S106 agreement in terms of the bat corridor was in place and that Baker Estates would be enforcing this condition through the contracts when the houses are sold.

Mr John Chilcott spoke in respect of agenda item 12 and he asked the Council to continue to object to this application. Mr Chilcott stated that two years ago the application was for three units on the site and that this was objected to by Seaton Town Council and others and refused by the Local Planning Authority. The applicant appealed the decision and lost the appeal. The latest application is for two units on site. Seaton Town Council objected to this application and it was refused by East Devon District Council. The objections remain the same, i.e. that the site is outside the designated town boundary, the units would affect the view of large sections of the coast path, it would adversely affect traffic, adverse effect on wildlife and the presence of a three storey flat would be overbearing on Mr Chilcott's property.

219 Applications for consideration:

220

18/0109/VAR	Mr Aaron Lawford	FORMER RACAL SITE, RIVERSIDE WAY, SEATON, EX12 2UE Variation of condition 39 of planning permission 15/1107/VAR (erection of 90 no. two bedroom units, new access, public quayside and flood protection) and condition 1 of reserved matters approval 16/0503/MRES to vary the approved plans for units 1 - 16
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The Committee **RESOLVED** to agree no objection to this application
(moved Cllr Sanham; seconded Cllr Read)

221

18/0112/VAR	Mr Aaron Lawford	FORMER RACAL SITE, RIVERSIDE WAY, SEATON, EX12 2UE Variation of condition 39 of planning permission 15/1107/VAR (erection of 90 no. two bedroom units, new access, public quayside and
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flood protection) and condition
1 of reserved matters approval
16/0503/MRES to vary the
approved plans for units 79 -
90

The Committee discussed that this variation would take away the built in garages for this block but that there would still be two parking spaces per unit. The variation would also raise the site by 100mm.

The Committee **RESOLVED** to agree no objection to this application.

(moved Cllr Burrows; seconded Cllr Sanham)

222 Planning Comments for circulation

The comments will be as per the decisions listed under each application on the agenda and there was no need for any comments to be circulated to Ward Members.

223 Decisions

The Committee noted the following decisions made by East Devon District Council:

17/2673/OUT – 4 Court Lane, Seaton, EX12 2AT. Proposed two storey detached dwelling with single storey garage (approval sought for access, layout and scale). **APPROVED**

17/2804/FUL – Land and garages adjacent to 52 Riverdale Close, Seaton. Demolition of existing garage block and proposed new building to provide 3 no. flats. **APPROVED**

17/2617/FUL – Thornfield, 87 Scalwell Lane, Seaton, EX12 2ST. Construction of two storey extensions to eastern side to provide new entrance and ancillary space to ground floor and additional bedrooms to first floor; construction of two storey extension to north west side to provide additional bedrooms. **APPROVED**

17/2930/TRE – 9 Garrett Close, Seaton, EX12 2FE. T1 walnut – dismantle and fell. Reason in severe decline – has not responded to decompaction and mulching. **APPROVED**

17/2188/FUL – Seascape, Harepath Hill, Seaton, EX12 2TA. Proposed single storey garage to side elevation and conversion of existing garage to play room. **APPROVED**

18/0017/FUL – 47 Ash Grove, Seaton, EX12 2TT. Construction of a single storey rear extension. **APPROVED**

17/2595/RES – Calvados, Couchill Lane, Seaton, EX12 2JF. Reserved matters application for the erection of 1 no. dwelling (pursuant to 15/1924/OUT) seeking approval for access, appearance, landscaping, layout and scale. **APPROVED**

The Committee discussed its concerns that a number of the recent applications had been approved despite objections being made by the Council. The examples quoted were Thornfield, land and garages adjacent to 52 Riverdale Close and Calvados. The question was asked as to whether EDDC provide Ward Members with reasons for going against the wishes of the Council and local residents.

The Committee **RESOLVED** to write to Ward Members to express the Council's concern over the number of applications that have been approved despite objections from the Town Council and local residents (moved Cllr Shaw; seconded Cllr Read)

224 Tree Preservation Orders

The Committee noted the Tree Preservation Orders that have been granted by East Devon District Council:

17/0166/TPO – Land in the rear of 11 Axeview Road, Seaton, EX12 2JS

17/0070/TPO – Land in Wessiters, Seaton, Devon

225 Planning Appeal

Cllr Shaw declared a Disclosable Pecuniary Interest and left the meeting. Cllr Beer took over the chairmanship of the meeting.

Cllr Sanham proposed that the Committee objected on the grounds of:

- Site outside the Built Up Area Boundary. This proposal would result in harmful encroachment into the open countryside and is contrary to Strategy 6 of the Local Plan which seeks to limit outward expansion and prevent unregulated development across the countryside. It also conflicts with Strategy 7 which seeks to ensure that development does not harm the distinctive landscape including landforms and patterns of settlement.
- The proposed development is overbearing, out of scale and out of character in terms of its appearance compared with existing development in the vicinity, ie neighbouring properties on the Old Beer Road which are largely Victorian and Edwardian. It is therefore contrary to Policy D1
- The proposed dwellings are three storey in design, modern with wooden cladding. Their design does not therefore relate well (including density, height, fenestration and materials) to their context, therefore proposal is contrary to Policy D1.
- The environmental assessment is out of date and inadequate, contrary to Policy EN5
- The development is contrary to Local Plan priorities to protect and improve the quality and character of settlements, and to promote good design that respects and enhances local character and distinctiveness, and is contrary to Policy D1
- The development will result in an adverse effect on the residential amenity of neighbours by reason of noise, disturbance, overlooking, loss of privacy, etc., with neighbouring properties becoming subservient, and is therefore contrary to

Policy D1

- The proposed development is on a steeply sloping site which will exacerbate the subservience of the existing properties to the proposed properties. This is especially true of the Plot 2 property which appears to be a three storey house.
- The proposal will be overdevelopment of the site as it involves loss of garden land and the open aspect of the neighbourhood and is therefore contrary to Policy D1
- The proposed development has the potential to block views from the South West Coastal Path which now passes directly in front of the site following a recent landslip, which is contrary to Policy EN2. It conflicts with paragraph 114 of the NPPF
- The proposal is generally contrary to the Seaton Design Statement for the above reasons
- The appellant claims that the design of the proposed dwellings is in accord with the Seaton Design Statement, basing this claim on the design of houses on the north side of Beer Road. In reality the proposed properties will overlook not Beer Road, but Old Beer Road. Although Old Beer Road is now breached, the properties on this road are predominately large Victorian villas, including Seaforth Lodge. It is these properties that any development should be in accordance with in order to comply with the Seaton Design Statement.
- Seaton Town Council also continues to raise concerns on highway safety grounds. Local concerns remain that speed limits are often not followed on this section of road and with the closure of the Old Beer Road following the landslip, traffic has increased considerably. It is therefore contrary to Policy TC7.
- Finally, there is no requirement for additional development in Seaton as the town has already delivered its housing allocation to 2031 as specified in the Local Plan, and EDDC can demonstrate a housing supply in excess of 5 years.

The Committee **RESOLVED** to submit the objections listed above to the Planning Inspectorate and to send a copy to East Devon District Council. (moved Cllr Sanham; seconded Cllr Read)

The meeting ended at 19:35

Chairman:

Date:

**PLANNING COMMITTEE
17/2043/MRES – Land North of Rowan Drive**

The original comment from Natural England, made on 20th November 2017 is as follows:

**SUMMARY OF NATURAL ENGLAND'S ADVICE
FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON
DESIGNATED SITES**

As submitted, the application could have potential significant effects on Beer Quarry and Caves Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC). Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

The following information is required:

1. Further assessment of lux levels likely to result from this design change to include conservatories.

2. Further assessment of the environmental impact of this change

Without this information, Natural England may need to object to the proposal.

Please re-consult Natural England once this information has been obtained.

Natural England's advice on other issues is set out below.

Additional Information required Lighting

Light levels in excess of 0.5 lux can have an adverse effect on some species of bats. It is necessary to ensure that light spill from the development is mitigated to avoid having a detrimental impact on this key strategic bat commuting area. The Design and Access Statement concludes that this change is not likely to have a significant environmental impact. However it does not provide sufficient detail on the extent of additional light levels throughout the development that may result from this change. The inclusion of the conservatories has the potential to increase overall light levels within the development and therefore it is considered important to fully understand 1) how much additional light is likely to result from this proposed change, what impact this is likely to have in terms of lux levels within the site and 2) what impact this is likely to have on the bat species associated with Beer Quarry and Caves SSSI/ SAC. Therefore we advise that this additional information is required before the full impact can be properly understood.

Natural England have now withdrawn their objection stating:

Re: 17/2043/MRES 36 dwellings & associated works Land North Rowan Seaton reserved matters

Further to the correspondence between Natural England and Matt Jones' (EAD) regarding the above development, please take Steve's email of 7th December 2017 as confirmation for your Authority that the additional information provided satisfied Natural England's request for further information.

Email from Matt Jones (EAD) to Stephen Panks Natural England 29th November 2017

Stephen

Further to your response to the above application (attached for ease of reference), please find attached a letter from Ms Bonnie Brooks, specialist lighting engineer with SDS. It is Bonnie's professional opinion that the proposed conservatories will not increase significantly the lux levels adjacent to the site boundaries; all levels would be <0.5lux. She does not consider that further assessment, including a lux contour plan, is required. Accordingly, it is my opinion that there would be no risk or probability of a likely significant effect of these proposals on bats from the Beer Quarry and Caves SAC (or SSSI). The conclusions of the previous HRA Statement (attached for ease of reference) would not be changed; Figure 4 of this document also contains a lux contour plan.

Please can you let me know if the letter from Bonnie Brooks satisfies your request for further information and would enable you to confirm to EDDC that there would be no risk or probability of a likely significant effect. If so, we will submit Bonnie's letter to EDDC, with a covering letter from myself, so that a formal response can be made.

Thank you for your help. Please do not hesitate to ring to discuss.

Kind regards

Matt