



Minutes of the Planning Committee Monday 16th October 2017

Present:

Chairman: Cllr. M. Shaw

Councillors: K. Beer, P. Burrows, M Hartnell, H Sanham

In attendance: Assistant to the Town Clerk
2 members of the public

116 Apologies for absence

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

117 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 Hartnell declared a personal interest as a Member of EDDC.

118 Minutes of the Planning Committee meeting held on Monday 2nd October 2017

The Committee **RESOLVED** to agree the minutes of the meeting held on Monday 2nd October 2017.

(proposed by Cllr Sanham, seconded by Cllr Beer)

119 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.

120 Public Question Time

Two members of the public spoke:

Mrs Lorraine Phipps spoke against application 17/2304/FUL, Ingon, Old Beer Road. Mrs Phipps has a property neighbouring the proposed development and is concerned that the continuing and increasing rate of cliff erosion makes this development unsafe in that it will further de-stabilize the cliffs. The vibrations from building work is likely to have a detrimental

structural effect on the foundations of her cottage given its close proximity to the development. The development will overlook and deny light to both her cottage and garden.

Mr Douglas Collyer spoke against application 17/2304/FUL, Ingon, Old Beer Road. Mr Collyer said that the address of the development had been incorrectly given on earlier iterations of the planning application and this gives cause for concern that EDDC Planning Department may have been remiss in accurately denoting other aspects of the application. Mr Collyer also cited cliff erosion as a key issue in further consideration of the application.

121 Applications for consideration:

122

17/2238/FUL	Dr Geoffrey Roberts	WELLFIELD BUNTS LANE, SEATON, EX12 2HT Construction of dormer window within detached outbuilding
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The Committee **RESOLVED** to agree no objection to this application (proposed by Cllr Beer, seconded by Cllr Hartnell)

123

17/2304/FUL	Mrs J Dodge	INGON, OLD BEER ROAD, SEATON, EX12 2PZ Construction of a dwelling and garage and modification of existing driveway (as previously approved under application no. 14/2426/FUL)
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The Committee **RESOLVED** to object to this application because:

- There has been a material change in the situation concerning land stability (which the Town Council first raised as a concern in 2006) since the 2012 Delegated Report which was still used as the basis for the decision in 2014.
- There was a major landslip in Old Beer Road in July 2012, very close to the site. The road itself was permanently closed westwards from Ashecliffe. EDDC commissioned a report on the stability of the cliff from Frederick Sherrell Ltd and they reported to the Council on 13 January 2013. In Paragraph 4-5, they state: "These falls have led to undercutting of the top edge of the cliff in this section and the loss of a footpath leading from the boundary between Seaforth Lodge and Ingon House. Further falls are likely to occur in the near future, probably resulting in loss of part of the gardens of Ashecliffe and Seaforth Lodge and the paved terrace at Ingon House. In our opinion the high probability of further failure, together with the potential for serious injury

or death to persons using the gardens, results in a high risk in this section.”

- As predicted by Sherrell, further cliff erosion in 2014 and subsequent winters has affected the gardens mentioned. Above the 2012 landslide, the roadway and northern footpath have now completely disappeared.
- Despite the Sherrell Report and this new evidence of instability, a land stability survey has not been carried out by the applicants.
- Sherrell established that rainwater has been the main cause of the recent erosion, and run-off from the development could also threaten the stability of the cliff, contrary to Policy EN22.
- Excavation in Old Beer Road may have been implicated in the 2012 landslide. Construction work, especially piling, could threaten the stability of the soft mudstone cliff.
- The NPPF requires that developments should be approved if they are sustainable. Given the new evidence of the danger of further erosion, this development can no longer be considered sustainable.
- The Council is also concerned that the development will overlook and block light from Seaforth Lodge and its garden.
- The proposed development is not in accord with the Seaton Design Statement.

(proposed by Cllr Sanham, seconded by Cllr Beer)

124 The Committee noted Tree Preservation Order

17/0056/TPO – Land at Nevada Court, The Close, Seaton, EX12 2PF

The meeting ended at 19.25

Chairman:

Date:
