



## Minutes of the Planning Committee Monday 12th August 2019

### Present:

**Chairman:** Cllr. S Read

**Councillors:** D Ledger, D Haggerty and H Sanham

**In attendance:** Locum Planning Officer  
2 members of public

### 65. Apologies for absence

Apologies were received and accepted from Cllr Rowland, Cllr Shaw and Cllr Beer

Cllr J Russell was absent.

### 66. Declarations of Interest

Cllr Ledger declared a personal interest as a Councillor with East Devon District Council (EDDC)  
All Councillors declared a personal interest in respect of application 19/1434/FUL as one of the applicants is a Seaton Town Councillor.

### 67. Minutes of the Planning Committee meeting held on Monday 29th July 2019

The Committee **RESOLVED** to agree the minutes of the meeting held on Monday 29th July 2019  
(moved Cllr Sanham; seconded Cllr Haggerty)

### 68. District Council Members

It was formally noted that the participation of those Councilor's, 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 Council. The District Councilor's reserve their final views on the application until they are in full possession of all the relevant arguments for and against.

### 69. Public Question Time (PQT)

Mr Nick Dodge spoke on agenda item 9, planning application 19/1141/FUL stating he objected to the application. He said the applicant had submitted a Landscape Visual Impact Appraisal and a supplementary Planning Statement as additional information for the application. The site for the agricultural storage building is so remote from the farm and there is no logic to the application. Is the location of the building 25 metres from the highway? It appears too close to the highway to get planning permission. There were discrepancies with the photographs in the Landscape Visual Impact Appraisal. There were arrows showing the proposed location of the barn and the access road to it from Harepath Hill which were wrong compared to the actual location plan submitted by the applicant. Local residents have done their own Visual Impact Assessment from different view



points in the valley to show that the building will impair the view from the valley and it will be able to be seen from different locations in the valley. The Landscape Appraisal had been carried out in the summer when the trees were in full leaf and hedgerows had not been cut back. The applicant has stated that the southern boundary of the site will protect the building from being viewed by residents and the public. This is not correct as it will need to be removed to accommodate the visibility splays at the entrance to the site. The site will become completely open and visible to the public and residents. Local residents will be submitting their own Visual Impact Assessment as they are not satisfied with the one submitted by the applicant.

#### Applications for consideration:

<b>70. 19/1434/FUL</b>	<b>Mr and Mrs Shaw</b>	<b>Lynwood, Old Beer Road, Seaton, EX12 2PX</b> New single storey outbuilding to accommodate an above ground therapy pool located in the existing front garden of the property.
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The Committee **RESOLVED** that as one of the applicants of the application was a Seaton Town Councillor they declined to make a comment on the application and would leave the final decision to East Devon District Council.

<b>71. 19/1491/FUL</b>	<b>Mr &amp; Mrs O'Carroll</b>	<b>Eyre Court Hotel, 2, Queen Street, Seaton EX12 2NY</b> Seating area including pergola.
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The Committee **RESOLVED** to propose no objection to the application.  
(moved Cllr Ledger; seconded Cllr Haggerty)

<b>72. 19/1650/FUL</b>	<b>Mr &amp; Mrs Mace</b>	<b>Sunny Side, Westwood Way, Seaton EX12 2DH</b> Construction of detached garage.
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The Committee **RESOLVED** to propose no objection to the application.  
(moved Cllr Haggerty; seconded Cllr Ledger)

<b>73. 19/1141/FUL</b>	<b>Mr Chris Hammett</b>	<b>Land Adjacent Harepath Hill, Seaton EX12 2TF</b> <b>Amended plans for consultation</b> Proposed agricultural storage building and associated works, including new access (resubmission of planning application 18/1626/FUL).
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Discussion took place around:

- The Planning Committee objected to this application in June on the grounds that it was contrary to the following policies/strategies of the East Devon Local Plan 2013-2031:
  - a) Strategy 7 – Development in the Countryside
  - b) Strategy 46 – Landscape Conservation and Enhancement and AONB's
  - c) Policy D1 - Design and Local Distinctiveness
  - d) Policy D7 – Agricultural Buildings and Development
  - e) Policy TC4 – Footpaths, Bridleways and Cycleways
  - f) Policy TC7 – Adequacy of Road Network and Site Access
- There were two outstanding issues which had not been addressed with the amended plans, those being there was no Waste Management Plan submitted with the application and it was not clear whether there was any intention of storing animals on the site, whether now or in the future.
- Due to the close proximity of the site to the Seaton Wetlands it was thought a Bat Survey should be undertaken to ensure the site was free of bats. No such report had been submitted with the amended plans.
- A number of changes had been made to the amended plans, but they were not significant.
- None of the objections the Council raised in their response dated 26th June have been addressed with the amended plans.
- The priority on the road opposite the site had to be changed because of the dangerous aspect of this part of Harepath Hill.
- Too many discrepancies with the plans. Simple arithmetic shows that the size of the barn and the slope of the roof does not add up. The plans are not clear and accurate.

The Committee **RESOLVED** to object to this application on the same grounds as before namely:

- Contrary to Policy D7-Agricultural Buildings and Development of the East Devon Local Plan 2013-2031 as it does **not** meet the following criteria:
  1. It is well integrated with its surroundings and closely related to existing buildings, being of appropriate location, scale, design and materials so as not to harm the character, biodiversity and landscape of the rural area particularly within the AONB.
  2. It will not be detrimental to the amenity of nearby residents on grounds of smell, noise or fly nuisance.
  3. It has been established that there are no other suitable buildings on the holding or in the vicinity which could meet the reasonable need.
  4. It will not lead to an unacceptable increase in traffic on the local highway network
- Impact on the bridleway, which will need to be widened to accommodate the access of agricultural vehicles to the main farm, from traffic interconnecting between the plots of land that adjoins the farm. This will impact on the enjoyment, use and safety of the bridleway for both pedestrians and horse riders
- The proposed entrance/exit to the site would be detrimental to the safe and satisfactory operation of the local highway network (Harepath Hill is on the A3052) and the development would adversely affect highway safety or the convenience of road users.



Contrary to Policy TC7 (Adequacy of Road Network and Site Access) of the Adopted East Devon Local Plan 2013 - 2031.

- The proposal does not respect the key characteristics and special qualities of the area in which the development is proposed, and it will be detrimental to the amenity of occupiers of adjoining residential properties. Contrary to Policy D1 - Design and Local Distinctiveness of the East Devon Local Plan 2013-2031
- Inconsistencies between the reports submitted for application 18/1626/FUL and the current application. There was no mention in application 18/1626/FUL about the storing of cattle waste on the site. With the current application there is mention of this and muck spreading.
- The Ecological Assessment submitted with the application refers to the removal of one tree identified with low potential for bat roosting. Because of the close proximity of the site to Seaton Wetlands there should be a requirement for a Bat Survey to be undertaken over a length of time to ensure the site is free of bats.
- Discrepancies with the plans. Simple arithmetic shows that the size of the barn and the slope of the roof does not add up. The plans are not clear and accurate. Lack of detail and conflicting information.
- Inconsistencies with the Landscape Visual Impact Appraisal submitted by the applicant.

(moved Cllr Sanham; seconded Cllr Haggerty)

#### 74. Planning Comments

Comments to be circulated in respect of application 19/1141/FUL. Also, the Committee declined to comment on application 19/1434/FUL as one of the applicants of the application was a Seaton Town Councillor. The Council would leave the final decision on the application to East Devon District Council.

#### 75. Decisions

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

- 19/0822/CPL – Land At Rear of Chestnut House, Bunts Lane, Seaton** Certificate of Lawful development for proposed development for the construction of dwelling without complying with condition 3 of approval of reserved matters granted under application 15/1949/RES – **CPL REFUSAL**
- 19/1302/FUL – 41, Eyewell Green, Seaton** Hip to gable extension, rear dormer and alterations to front dormer – **REFUSED**
- 19/1411/FUL – 28, Honey Ditches Drive, Seaton** Construction of balcony to rear – **APPROVED** – standard time limit
- 19/1130/FUL – 17, Seaton Down Road, Seaton** Retention of outbuilding– **REFUSED**
- 19/1381/FUL – 2, Townsend Road, Seaton** Construction of single storey front extension – **APPROVED** – with conditions
- 19/1468/FUL – Hamilton Lodge, Colyford Road, Seaton** Single storey garage extension – **APPROVED** – standard time limit

#### 76. Notification of Tree works considered an exception to 17/0063/TPO Bramble Hill, Seaton Down Hill, Seaton



The Committee noted the Notification of Tree works considered an exception to 17/0063/TPO  
Bramble Hill, Seaton Down Hill, Seaton

To carry out works to remove one fallen oak tree and fell two English oak trees which you consider to be an exception to the usual requirements of the tree protection legislation.

The works in question are considered to be an exception from the normal requirement to seek the consent of this Council under Regulation 14 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012. (This regulation of the Act provides for works to be carried out on dead and dangerous trees [or parts of trees] in the interests of safety).

There is a duty under the Act to plant replacement trees when trees are removed under this exception. In this instance, replanting will be required in the first planting season following removal (November to March). The trees should be 3 english oaks with a minimum girth of 8-10cms. This replacement tree will be covered by the existing Tree Preservation Order. The tree species, size and planting location should be agreed in writing with East Devon District Council prior to planting).

The meeting closed at 7.25pm

**Chairman:** \_\_\_\_\_

**Date:** \_\_\_\_\_