

**Minutes of the Planning Committee
Meeting on Monday 5 July 2021**

Present:

- Chairman:** Cllr M Hartnell
- Councillors:** M Macaskill, J Russell & D Wright
- Officers:** Planning Committee Clerk
- Public:** Six members of the public were present

42. Apologies for absence

Apologies were received and accepted from Cllr Beer and Cllr Ledger due to personal commitments.

43. Declarations of Interest

Cllr Hartnell declared a personal interest as a Councillor with Devon County Council (DCC) and East Devon District Council (EDDC).

44. Minutes of the Planning Committee meeting held on Monday 21st June 2021

The Committee **RESOLVED** to agree the minutes of the meeting held on 21st June 2021.
(moved Cllr Russell; seconded Cllr Macaskill)

45. 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 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.

46. Environment Policy

Members are reminded that in reaching decisions they should take into consideration the Town Council's Environment Policy that the Planning Committee will consider sustainability, environmental impact and biodiversity when commenting on planning applications in Seaton.

47. Public Question Time

Mr Bernard Hanson spoke on agenda item 13, planning application 21/1101/FUL, stating he objected to the application. Mr Hanson said he objected to the application when it first came before the committee on 4th May 2021 and after looking at the amended plans they had not overcome any of his objections stated on 4th May. Mr Hanson said the dormer window on the rear elevation should be a Velux window which would be in keeping with other residencies in the road. He raised objections regarding the size of the proposed studio in the back garden saying it was the size of a small bungalow. It would spoil the environment enormously and included the provision of an access point from the back garden onto a path leading from Beer Road, through Ryalls Court to Marlpit Lane which has never existed before. Mr Hanson said he thought the studio/office in the back garden had the potential to be used as a holiday let along with the accommodation on the first floor and the attic space.

Mrs Thelma Clarke spoke on agenda item 13, planning application 21/1101/FUL, stating she objected to the application. Mrs Clarke said she was the owner of the bottom flat at 36 Beer Road. She said she had sought legal advice concerning the application as both herself and the applicant own the freehold and the lease of the property. Mrs Clarke had been advised that she can refuse to allow the insertion of any windows going into the roof as if anything went wrong with them there would be complications as both she and the applicant are freeholders of the property. Also, if the proposed office in the garden was used by anyone apart from the person living in the flat it would be against the lease. Mrs Clarke also said there has never been a back entrance into the garden for all the years she has known the property and she had concerns regarding the size of the proposed studio/office and the effect it would have on the environment.

Mrs Wendy Bowdrey spoke on agenda item 13, planning application 21/1101/FUL, stating she objected to the application. Mrs Bowdrey raised concerns that firstly the proposed structure in the garden was going to be used as sleeping accommodation. This was then changed to office accommodation and now on the submitted amended plans the building was referred to as studios. The applicant had sent a letter to neighbouring properties stating that this was not their primary dwelling but the applicant and her husband were wanting to come down to the property more often to work. Mrs Bowdrey said the proposed structure in the garden covered two thirds of the part of the rear garden which belonged to the applicant. It appears on the location plan submitted with the application that the applicant owns the front garden but they do not. They only own the back section of the rear garden.

48. Amendment in the order of business

Cllr Macaskill proposed and the Planning Committee agreed to change the order of the meeting to allow agenda item 13 to be considered next.

Cllr Macaskill proposed and the Planning Committee agreed to suspend Standing Orders so that agenda item 13 could be considered next.
(moved Cllr Macaskill, seconded Cllr Hartnell)

Applications for consideration:

- | | | |
|------------------------|-----------------------|--|
| 49. 21/1101/FUL | Mrs Jo Beckett | Flat 2 Stanmore, 36 Beer Road, Seaton EX12 2PG
Amended plans for consultation. These amendments relate to The Scheme has been amended to remove the front dormer window and replace it with rooflight, and reduce the size and design of rear dormer window. |
|------------------------|-----------------------|--|

Discussion took place around:

- Members thought that the home office/studio in the garden should have a Change of Use planning application submitted for it as it will be primarily used as an office/studio and therefore an application for a Class E – Commercial, Business and Service use should have been submitted which would cover the proposed use of this building. Therefore, two separate planning applications should have been submitted for this proposal.
- Members thought the size, scale and mass of the office/studio did not relate well to their context. The applicant only owns half of the rear garden and the building appears to take up half of their part of the garden. This would be overdevelopment of the plot and would make the building appear cramped and out of keeping with the surrounding area.
- Members noted the replacement of the juliet balcony with a dormer window. They said this was still out of keeping with the surrounding properties and the juliet balcony should be replaced with a Velux window which would match and be more in keeping with existing properties.
- The submitted plans show a new access point from the rear garden onto a path leading from Beer Road, through Ryalls Court to Marlpit Lane. There has never been an access point from the garden onto this path. The new access would lead onto publicly owned land which is not in the control of the applicant. Members wondered why this access was required now as it had not been needed in the past.
- Members stated that if permission were to be granted for this application, they would like conditions attached to the granting of planning permission that the office/studio was retained as a home office/studio only for use by the owners

and would not be used for overnight accommodation or any other commercial use. Also, if permission were granted Members would like to see the office/studio built to the highest energy efficiency rating and that all materials used were sustainable and locally sourced. This would comply with the recently adopted Town Council Environment Policy.

The Committee **RESOLVED** to object to the application on the grounds of:

- The home office/studio should have a Change of Use planning application submitted for a Class E – Commercial, Business and Service use as it appears that more than one room will be used for business purposes.
- The size, scale and mass of the office/studio did not relate well to their context. Over half of the applicants' portion of the garden would be taken up by the home office/studio which was overdevelopment of the site and out of keeping with the surrounding area.
- The juliet balcony should have been replaced with a Velux window, not a dormer window which would be more in keeping with existing properties.
- The inclusion of an access point from the rear garden as there had not been one there before and it would lead onto publicly owned land which was not in the control of the applicant.
- If permission were granted for the application Members would like to see conditions imposed that it was used only as a home office/studio by the applicant and their partner and not used as holiday/overnight accommodation or any commercial use and that the building was built to the highest energy efficiency rating and local sourced sustainable materials were used in the construction of the building.

(moved Cllr Hartnell; seconded Cllr Wright)

50. 21/1470/FUL

Mrs Lynda Windsor

**Baycliffe, East Walk, Seaton
EX12 2NW**

Insulation of the front elevation and part of the east side elevation with alterations to the cladding and fenestration.

The Committee **RESOLVED** to propose no objection to the application.

(moved Cllr Macaskill; seconded Cllr Russell)

51. 21/1598/FUL

Mrs Vivian To

**7A Poplar Tree Drive, Seaton
EX12 2TW**

Single storey front extension with tiled roof over; replace PVC rear conservatory with brick built conservatory with flat roof.

The Committee **RESOLVED** to propose no objection to the application.
(moved Cllr Hartnell; seconded Cllr Macaskill)

**52. 21/1672/FUL Mr & Mrs Gibson 16 Townsend Avenue, Seaton
EX12 2BE**
Single storey side extension,
addition of front porch, enlargement
of front roof dormer, enlargement of
driveway.

The Committee **RESOLVED** to propose no objection to the application.
(moved Cllr Hartnell; seconded Cllr Wright)

**53. 21/1640/FUL Robert Oldfield 2 Springmead, Colyford Road,
Seaton EX12 2SN**
Construction of single storey front
extension to extend garage and
creation of porch.

The Committee **RESOLVED** to propose no objection to the application.
(moved Cllr Wright; seconded Cllr Russell)

**54. 21/1676/FUL Mr I Cawthorn 52 Scalwell Lane, Seaton
EX12 2DJ**
Single storey rear extension and
conversion of roof space to
habitable use to include a rear
dormer and two side rooflights.

The Committee **RESOLVED** to propose no objection to the application.
(moved Cllr Hartnell; seconded Cllr Russell)

55. 21/1304/FUL Rev Anthony Cockram 1 Hillymead, Seaton EX12 2LF
Replacement of existing terrace
and erection of retaining wall to
enlarge lawn.

The Committee **RESOLVED** to propose no objection to the application.
(moved Cllr Hartnell; seconded Cllr Wright)

55. 21/1473/FUL Mr Tom Badham 15 York Road, Seaton EX12 2PG
Change of use from storage and
distribution (Use Class B8) to

dwellinghouse (Use Class C3) and associated building operations to create 1 x 1-bed house (retrospective).

Discussion took place around:

- Concerns were expressed about whether the bedroom met the minimum size for a double bedroom.

The Committee **RESOLVED** to object to the application on the grounds of:

- The bedroom looks very small for a double bedroom and Members were concerned that the room did not meet the minimum size for a double bedroom.

(moved Cllr Hartnell; seconded Cllr Macaskill)

57. Planning Comments

Comments to be circulated in respect of application 21/1101/FUL and 21/1473/FUL.

58. Decisions

To note planning decisions made by East Devon District Council:

- a) **21/1214/FUL – 17 Ryalls Court, Seaton** Side single storey extension to provide enlarged study – **APPROVAL** – standard time limit.
- b) **21/1124/PD20A – Kings Court, Harbour Road, Seaton** Prior approval of construction of additional top floor providing 5no. dwellings (Resubmission 20/2874/PD20A) – **PD20A Prior approval refused.**

The meeting closed at 6.27pm.

Signed _____



Dated _____