

**Minutes of the Planning
Committee Meeting on Monday
6 November 2023**

Present:

Chairman: P Burrows

Councillors: K Brooks, J Russell & A Singh

Officers: Town Clerk

Public: Fifty five members of the public were present

92. Apologies for absence

Apologies for absence were received and accepted from Cllr Beer & Cllr Haggerty.

93. Declarations of Interest

There were no declarations of interest.

94. Minutes of the Planning Committee meeting held on Monday 2nd October 2023

The Committee **RESOLVED** to agree the minutes of the meeting held on 2nd October 2023.

(moved Cllr Singh; seconded Cllr Russell)

95. 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.

96. 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.

97. Public Question Time

Richard Ayre from Baker Estates Ltd said that the amended plans submitted for consultation were in response to comments from some of the consultees and the application itself has not changed. Baker Estates have supplied the district council with more information in response to the Landscape and Green Infrastructure Officers report. There is an existing employment allocation on a large part of the application land so the residential proposals and context of employment which are larger will have a less visual impact than a commercial development on the site. Natural England have not objected to the application. The district council's ecologist has raised some issues which Baker Estates Ltd have responded to. The Environment Agency are not objecting to the application but just sought more information. There are flooding issues in the area which the applicant is aware of and the application proposals gives the applicants the opportunity to address those problems which would not have been available without the development. The County Highway Authority have raised no objections. The merits of the application are still the same as they were. The application will provide a much needed football pitch, affordable housing, a high quality development along with some environmental enhancements.

Eight members of the public spoke on planning application 22/2781/MOUT – Land Adjacent to Harepath Road, Seaton and raised the following points:

- Strength of feeling in the community regarding this application. We seem to be fighting the Council whereas we should all be working together to oppose the application. The outcome of the last meeting where this application was discussed was less convincing. Councillors need to represent the feelings of the community. Councillors are not elected to give guidance to a developer which is what happened at the last meeting. There is nothing good about this application so please would the Councillors show some leadership and push back and refuse the application.
- No decision should be made regarding this application until assessments from Devon County Council and outside bodies have been made available concerning flood risk from surface water and ordinary watercourses in Seaton along with East Devon District Councils water cycle reports.
- There is a proposal to build a public flood water sewer, a public storm sewer and several other projects to deal with surface water drainage in a submitted document which is difficult to read. A clearly worded explanation is needed and will Baker Estates pay to have these measures undertaken? It appears that surface water is to be diverted away to the south corner of the site and send it westwards. This is not a solution. It will only pass the problem of surface water drainage from the developer to the council. The water will be carrying nitrates and phosphates along with some chemicals. The weirs and ponds shown on the plan will help a little with the nitrates and phosphates but will require long term management which will be expensive. Are Baker Estates prepared to finance this in the long term?

- Seaton Wetlands brings in many visitors. The building and destruction caused by this application will seriously affect the Wetlands. Several species of birds have been seen for the first time this season. The Wetlands must be preserved for the enjoyment of future generations. This site should be removed from the Local Plan so the Wetlands can continue to thrive.
- The Baker Estates development at Rowan Drive is an important site for bat species connected to Beer Quarry and caves and lies just above the application site. A covenant was drawn up to protect the bats from light pollution from this development but they only last five years. Baker Estates are proposing that this application will be a dark development but this will be totally impossible. Bat flight paths on the Rowan Estate were supposed to be protected by the applicant but it appears that this has been handed to residents to look after. Who is going to be responsible for the bat flight paths on this much larger development? This development is an environmental disaster which is irreversible if approved.
- The ecology report for Baker Estates states that there would be no likely significant effects from the proposed development on the River Axe. Nitrates, phosphates and chemicals from the site could enter the ditch to the south of the site and continue downstream across to White Cross Farm and from there to the River Axe and the sea. Any water from the site which enters Stafford Brook on the Seaton/Colyford border will end up at Colyford Common Nature Reserve. So, any chemicals etc. in the water will flow into the wetlands. The East Devon District Councils Countryside team should be consulted as to whether they are happy about contaminated water flowing into the common considering the sixty seven species of different animals which are living there. Colyford Common is owned by the Burgesses of Colyford who have not been consulted over the use of the common as part of a flood prevention scheme for the development.

A letter was read out by the Town Clerk from a member of the public regarding planning application 22/2781/MOUT – Land Adjacent to Harepath Road, Seaton which raised the following points:

- Since 2005 there has been a significant increase in the frequency and intensity of short duration of rainfall and resulting flash flooding. These will increase over the coming decades. Why are Baker Estates using data that goes up to 2005 to inform their design of storm network.
- Sustainable Urban Drainage Systems require professional maintenance in perpetuity. This involves high costs and or potential poor quality work.
- Any subsequent upstream implementation SUD's in the Stafford and Holyford Brook catchment area including the industrial area will adversely affect their performance from the development site and down to the Wetlands. Even with upstream attenuation the likelihood of flooding downstream still increases.

One member of the public spoke on planning application 23/2222/FUL – Land At Rear of Chestnut House, Bunts Seaton and raised the following points:

- The combined Design and Access Statement and Planning Statement lack essential information. There is a complicated history attached to this application site. Since 2007 there have been approximately seven applications and three appeals relating to this site. It is not known which of the previous applications is integral to this current application and this is vital information for anyone wishing to comment on the current application. The following details have been requested from the planners at East Devon District Council:
 1. All previous applications still relevant to 23/2222/FUL to have their references included (e.g., 12/0966/OUT) and Document 16/00014/REF made available.
 2. Minutes of the Pre-application site meeting, and subsequent emails from Mr Upfield, to be made available.
 3. A Construction Management Plan for the whole site to include:- Access for construction vehicles and deliveries, parking for construction workers, traffic management, public safety, waste management, pollution prevention, construction working hours, liaison with neighbouring properties.
- The application seems to rely heavily on the pre-application site meeting. Access remains a major issue not only from a road safety point of view but also from the unacceptable access from Bunts Lane which has been unfit for its purpose for some time.
- Could the deadline for the application be extended from 18 November for a further three weeks so this vital information can be considered.

98. Amendment in the order of business

Cllr Singh proposed and the Planning Committee agreed to change the order of the meeting to allow agenda items 8, 9 and 10 to be considered first.

Cllr Singh proposed and the Planning Committee agreed to suspend Standing Orders so that agenda items 8,9 and 10 be considered first.
(moved Cllr Singh; seconded Cllr Brooks)

Applications for consideration:

99. 22/2781/MOUT Baker Estates Ltd

**Land Adjacent to Harepath Road
Seaton EX12 2WH**

Amended plans for consultation.
**These amendments relate to the
Surface Water Drainage Strategy
Plan.**

Discussion took place around:

- Regarding Margaret Leppards' statement why are Baker Estates using updated reports. More relevant data should be given by the applicant for consideration and consultation.
- Because of the recent storms there is a lot of surface water on the righthand side of the site and it is impossible to see how much as you cannot get access to the site.

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

- Current data regarding surface water drainage should be submitted for consideration and consultation as the data currently available is not up to date.
- More information must be supplied by the developer concerning surface water drainage proposals on the proposed site so that a proper and informed decision can be made by the Planning Committee regarding the amendments to the Surface Water Drainage Strategy Plan.

(moved Cllr Singh; seconded Cllr Brooks)

100. 22/2781/MOUT Baker Estates Ltd

**Land Adjacent to Harepath Road,
Seaton EX12 2WH**

Amended plans for consultation.
**These amendments relate to the
Technical Note which addresses
the comments made by East
Devon District Council's
Ecologist.**

Discussion took place around:

- On environmental grounds with the potential threat to wildlife habitat this application is not supported in its current form.
- The reply to the statement submitted by East Devon District Council's Ecologist from EAD Ecology does not go anywhere to mitigating what the district ecologist submitted in their report.

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

- The environmental impact the development would have and the potential threat to wildlife habitat.
- The reply to the statement submitted by East Devon District Council's Ecologist from EAD Ecology does not go anywhere to mitigating what the district ecologist submitted in their report.

(moved Cllr Burrows; seconded Cllr Singh)

101. 23/2222/FUL Mr David Rice

Land At Rear Of Chestnut House,

Bunts Lane, Seaton EX12 2HU

Proposed new dwelling and alteration to previously approved access.

Discussion took place around:

- An Outline planning application for a proposed dwelling in 2015 was dismissed on appeal as the Planning Inspector considered the site was unsuitable for the proposed dwelling as it would have a harmful impact upon highway safety.
- The application is for a proposed dwelling on the right hand side of the site. The 2015 application showed the proposed dwelling would be on the left hand side of the plot with access onto Bunts Lane. One cannot see traffic approaching from either direction at this point on Bunts Lane and traffic coming from either direction cannot see emerging traffic from the site. This makes it one of the most dangerous roads in Seaton.

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

- The new dwelling would negate the existing approved house being able to use Marlpit Lane and the alterations for the approved access at Bunts Lane should be refused as it is one of the most dangerous accesses in Seaton.

(moved Cllr Burrows; seconded Cllr Singh)

102. 23/2198/FUL Mr James Griffin

**139A Harepath Road, Seaton
EX12 2EB**

Proposed single storey rear extension.

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

(moved Cllr Singh seconded Cllr Russell)

103. 23/2237/FUL Mr M Tubbs

7 Greenway, Seaton EX12 2SE
Construction of garden room.

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

104. 23/1912/FUL Mr Pete Bull

**Seacot, 20 Havenview Road,
Seaton EX12 2PF**
Loft extension to include creation
and alteration of side-facing
dormers and small ground floor rear
extension.

The Committee **RESOLVED** to propose no objection to the application.
(moved Cllr Burrows: seconded Cllr Brooks)

105 22/1478/FUL Mr T Sidhu

**Axe Valley Mini Travel, 26
Harbour Road, Seaton EX12 2NA**
Amended plans for consultation.
**These amendments relate to
Amended Flood Risk
Assessment (rev F) and
Environmental Agency
comments dated 15/9/2023.**

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

106. Planning Comments

Comments to be circulated in respect of applications 22/2781/MOUT and
23/2222/FUL.

107. Decisions

To note planning decisions made by East Devon District Council:

- a) **23/1624/LBC – De La Pole Court, Fore Street, Seaton** Replacement of arched sash window on rear elevation – **APPROVED** with conditions.
- b) **23/1898/PDMA – Office 1, 14 Seafeld Road, Seaton** Prior notification for the change of use from office to a flat – **PDMA Prior Approval** granted
- c) **23/1702/TRE – Land Adjacent 25 Ryalls Court , Seaton T1: Holm Oak re-pollard,**



only removing re-growth – **DECIDED Split Decision**. Permission granted for the reduction of the new growth resulting from the previous 'topping' operation by up to

3m, to leave a finished height no less than 10.5m. Permission refused for T1: Holm Oak re-pollard, only removing re-growth.

- d) **23/1326/FUL – 106 Scalwell Lane, Seaton** Proposed alterations to roof of dwelling and insertion of dormer windows – **APPROVED** with conditions.
- e) **23/1643/RES – 9 Meadow Avenue, Seaton** Reserved matters planning application pursuant to outline planning approval 21/3315/OUT for the details of layout, scale, appearance and landscaping of the site for the construction of a dwellinghouse – **APPROVED** with conditions.
- f) **23/0741/FUL – 113-115 Harbour Road, Seaton** Erection of 2 no. buildings and storage container with refuge platform auxiliary to existing operations and demolition of existing buildings – **APPROVED** with conditions.
- g) **23/1969/FUL – Seaton Jurassic, The Underfleet, Seaton** Change of use from Exhibition Hall (Class F1) to a mixed use as Exhibition Hall, café and soft play area – **APPROVED** with conditions.
- h) **23/1845/TRE – 24 Ryalls Court, Seaton** T1, Lime: 1. Crown lift to approx. 4m over the footpath by shortening pendulous branches. 2. Lowest 1st order branch over the garden - reduce back pendulous growth by approx. 1.5m (pruning cuts distal to the old pruning point) 3. Reduce the height of the tree by up to 2.5m and the lateral spread by approx. 1.5m 4. Prune branches overhanging the lamp post to clear the lamp itself by 1.5m – **APPROVED** with conditions.
- i) **23/1456/FUL – Land North of Driftwood Close, Seaton** Construction of a new detached single storey dwelling with garage and the relocation of two existing garages, including access and landscaping – **REFUSED**.
- j) **23/1868/CPL – Honeywood, Seaton Down Close, Seaton** Certificate of Lawful Development for an outbuilding to be used for a swimming pool – **CPL Refuse Part 1** – no consultations were requested for this application.

The meeting closed at 6.24pm.

Signed _____

Dated _____