



Seaford Town Council

Minutes of a meeting of Seaford Town Council's Planning & Highways Committee on Thursday, 10th February 2022.

Held at The View, Seaford Head Golf Course, Southdown Road, Seaford at 7.00pm.

Present:

Councillors L Wallraven (Chair)

Councillors D Argent, L Boorman, J Edson, R Honeyman, J Meek and B Payne.

Adam Chugg, Town Clerk

Georgia Raeburn, HR & Governance Manager

There were 19 members of the public in attendance.

Councillor Sam Adeniji was in attendance in the public gallery.

P80/02/21 Apologies for Absence

Apologies for absence were received from Councillor M Everden and J Lord.

P81/02/21 Disclosure of Interests

There were no disclosures of interests.

P82/02/21 Public Participation

There was no public participation.

P83/02/21 Planning Application LW/21/0705 – 3 Homefield Road

(7.06pm – Standing Order 3 suspended in order to allow members of the public to participate at this stage)

<i>Resident A</i>	<i>As a neighbour of Easemore House, talked the committee through the serious failures that lead to the approval of this application. Felt the District Council failed to listen to their objections, the Town Council's, the County Councillor's and the those of 42 other objectors. Believes the application will cause permanent harm to the character of the road, the neighbour at number 5 and Easemore House itself. Talked the committee through aspects of the District Council's</i>
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	<p><i>Design & Conservation Officer's original report, which was withheld from the District Council's Committee. Queried how the application was taken to Committee when such strong advice from this officer should have seen this determined under delegated powers. Continued to explain that District Council members were distracted from valid objections, based on flawed directive from the applicant and not seeing the material information from the officer's original report, which was changed from refusal to approval overnight. Feels the Seaford Neighbourhood Plan was ignored, the request for the application to be deferred was ignored, information was suppressed and not given to members to allow them to reach a decision fairly based on planning grounds. The District Council's response to a County Councillor's complaint was that the officer 'changed their mind because of changes to the scheme', but there were no changes. Closed by asking how residents can trust the planning system and are they just to accept this injustice.</i></p>
<p>Town Council Response</p>	<p>Thanked for their contribution.</p>
<p>Resident B</p>	<p><i>As a neighbour to the property, living with children, expressed that there is so much wrong with this case and that this was set out in the list sent to the Town Council's committee. Believes the District Council failed to process the application or advise its committee appropriately and that these failures lead to approval without a knowledge of the implication or the planning grounds. Believes members would have refused the application had they known these facts. Explained how they have felt since the Design & Conservation Officer's report has come to light and how District Council officers have failed to assess the valid written objections based on planning grounds, despite invites to come and visit the property. The photos at the District Council's committee meeting didn't show the extent of the plans, the officer's presentation was misleading, inaccurate statements that went uncorrected and the Chair ignored</i></p>

	<p><i>pleas to halt the meeting. Talked the Committee through some of the key planning grounds that were forming their objection but were ignored. Clarified that this is not the first time that material has been withheld by the District Council to get an application approved – in 2021 3 Chyngton Way was the same. Feels this will continue unless challenged. Strongly believes the application would be refused with all the facts known. Feels the complaint going to the Local Ombudsman is not enough – the decision needs to be quashed so committee can see all the facts and reconsider. Believes that the application does affect the whole town, as the town needs to stand up to the District Council. Urged the Town Council to pursue a judicial review.</i></p>
Town Council Response	<p>Thanked for their contribution.</p>
Resident C	<p><i>As a neighbour of the property for almost 20 years, explained that they were appalled by the District Council's meeting; the inaccurate photos, the pure quality and bad lighting, the lack of site visits from members and as such, the reliance on the officers to present from the photos. Talked through their concerns following the unacceptable focus of the officer's presentation on the windows being reintroduced at the front of the building. Talked about some of the planning grounds their concerns were based around. Feels the officer convinced members that this plan was an improvement and diverted from the central problem. Feels disgusted at how the District Council has treated Seaford and the unfairness. Believes the Town Council should help rectify this particular situation to stop this happening in the future.</i></p>
Town Council Response	<p>Thanked for their contribution.</p>
Resident D	<p><i>As a resident of the road, explained their shock at witnessing the District Council's meeting – not because of the decision, despite the strong objections, but because it felt like the outcome had been determined before the meeting. The committee appeared briefed on what to do and homed in on one tiny aspect but ignored the objections and the massixe</i></p>

	<p><i>extension – this was reflected in the behaviour of the Chair and the two Seaford councillors. The Chair ignored the requests for the meeting to be deferred but just before the vote explained that they were not happy and that in the future all information should be made available. Believes the Chair admitted that the wrong decision was about to be made. Asked what the Town Council would be doing in response to this and feels concerned that a complaint is not enough. The County Councillor’s complaint was answered and then dismissed – the District Council’s planning office is policing itself. Believes that the residents have worked hard to provide the information and that the application needs to be heard fairly. Feels that there may not be such a strong case with such a number of residents opposing – now is the time to act.</i></p>
Town Council Response	<p><i>Thanked for their contribution.</i></p>
Resident E	<p><i>Having heard the critical comments about the District Council officer’s handling of this application, explained the similarities with the application at 3 Chyngton Way. The Town Council recommended objection but the District Council approved the application, despite contravening local plans in place and a very misleading report and officer’s presentation to committee. Explained that the meeting was recorded and that the misinformation was noted, enabling the application to be taken back to committee to reconsider and subsequently refuse, with the proper facts at hand. Believes that without their intervention, the application would have gone through and they are concerned as this application has parallels with the situation. Believes that there are no checks and balances on the activities of the District Council’s planning department and that it is unfairly affecting the lives of many in the District. Feels this needs to be stopped.</i></p>
Town Council Response	<p><i>Thanked for their contribution.</i></p>
Resident F	<p><i>Explained that they were impressed with how the Town Council had diligently appraised and objected to this application but were dismayed by the ineptitude and</i></p>

	<i>recklessness of the District Council's committee and the maladministering of the application beforehand. Feels the process surrounding this contentious application was shambolic. Feels the District Council was determined to steam roll this application regardless, showing utter contempt for the Town Council and the objectors – including with the unprofessional thumbs up gesture. Would welcome a review of the determination of this application and feels that the District Council warrants exposure and investigation at the highest level.</i>
Town Council Response	Thanked for their contribution.
<i>Cllr Adeniji from the public gallery</i>	<i>As County ward councillor and months of working with residents, expressed frustrations to see the application passed on what is a comedy of errors. During the 3 Chyngton Way application, also worked with residents and wrote a letter of complaint, which the District Council dismissed. Feels the District Council cannot be trusted or allowed to police itself. Expressed concern at the lack of following the Seaford Neighbourhood Plan. Feels it isn't enough to write a letter of complaint – a change in policy is needed as this problem goes beyond the planning department. Urged the Town Council to complaint to the councillors running the District Council that this is enough.</i>
Town Council Response	Thanked for their contribution.
<i>Resident G</i>	<i>Stated that the District Council members have been trained in such a way to know that they are not allowed to deal with anything outside policy making role, not case work. Believes the Lead Member was told very firmly to stay away from this particular case. Concerned that complaining to District Council members will not make a difference – this must go to judicial review. Urged the Town Council, on behalf of the residents and all of Seaford, to go to judicial review – show the District Council that they are accountable and will be held accountable in the future.</i>
Town Council Response	Thanked for their contribution.

<i>Resident H</i>	<i>Confirmed that they had been involved in the 3 Chyngton Way case and had paperwork and evidence able to be shared.</i>
Town Council Response	Thanked for their contribution.
<i>Resident I</i>	<i>Emphasised that the District Council's meeting felt predetermined – no-one spoke up or questioned the proceedings.</i>
Town Council Response	Thanked for their contribution.

(7.40pm – Standing Orders were reinstated)

Thanked members of the public for attending and for literature and communications shared. The Committee considered report 167/21 of the Planning Officer on the decision taken by Lewes District Council (LDC) on 12th January to grant permission on this application.

The Committee discussed dual-hatted councillors and whether they have any communication methods, LDC taking decisions against the Town Council's (STC) plans, any recourse given actions of LDC officers and incompetence in process, the hierarchy in the planning system, STC's power as an advisory committee, STC unanimously objecting to six designs, LDC ignoring STC's Planning Officer's statement including request to defer application, the Design & Conservation Officer's (DCO) objections within original report being withdrawn because of applicants letter claiming (falsely) that it was permitted development, residents putting LDC officers in the right and how they are meant to have confidence in system, a quote from Probitry in Planning (selfless in terms of public interest, integrity, objectivity without biased, accountability, honesty) a lot of which was circumvented, objections being brushed aside, partiality for applicant, no referral to the U-turn of the DCO, inaccurate representation of seriousness of objections, the Chair acknowledging that members were not informed of the permitted development issue but not doing a deferral, LDC's officer's presentation and use of misleading photos, whilst STC can't complain to the Local Government Ombudsman the residents can, and that the CEO of LDC should be involved in any complaints.

The Town Clerk thanked residents for their input, explained the unfortunate absence of STC's Planning Officer due to Covid and talked the committee through advice from the Planning Officer on these matters. The dominant process concerns were:

1. The abrupt change in position by the DCO
2. The mistake around permitted development being in the paperwork for some time and only being corrected on the day of the meeting itself

3. The Chair of the meeting expressing concerns about not receiving all relevant information and this not being followed up
4. The deferral request being made in the meeting but not listened to
5. The private briefing of members before the meeting not being in the public meeting and how it would be helpful to understand what was covered in that meeting due to process concerns

The Town Clerk explained that the options have been assessed carefully by officers. The Ombudsman option is not open for a local council, this is designed for cases of maladministration and enabling impacted individuals to seek personal remedy. Officers believe that this decision is not appropriate for the judicial review process, which is normally for an application impact that affected a significant part of town or large number of properties. It was suggested that communication with LDC to raise concerns and request meeting with relevant LDC officers, so concerns can be discussed and hopefully addressed, may be the best route to take. The Committee discussed judicial review costs and process and realistic view of what STC could achieve.

It was **PROPOSED** to **NOTE** the potential for an individual to raise this matter with the Ombudsman. **FURTHERMORE**, to write to Lewes District Council to raise concerns in strongest way possible and insist on a meeting (including the CEO and Head of Planning) to discuss concerns, noting that Town Council officers will work with the Chair of STC's Planning & Highways Committee to determine the list of concerns to be raised. Depending upon the response, Town Council officers in consultation with the Chair of STC's Planning & Highways Committee are to take further actions as deemed necessary and report back at the next available meeting; this **MOTION** was **CARRIED**.

(8.25pm – short break. 18 members of the public & Councillor Adeniji exited)

(8.34pm – meeting resumed)

P84/02/21 Planning Applications

LDC Planning Applications received in week commencing Monday 3rd January 2022

LW/21/0927 – Seaford Head School, Arundel Road - Reconfiguration of ground floor to form new reception area, meeting rooms and disabled WC, erection of single-storey entrance lobby to south elevation, replacement of ground floor and first floor windows on south elevation and widening of access and formation of vehicular crossover to Arundel Road to provide pedestrian and vehicular access.

It was **RESOLVED** to **SUPPORT** the application.

LDC Planning Applications received in week commencing Monday 10th January 2022

LW/22/0020 – 3 Green Walk - Removal of existing conservatory and replacement single storey rear extension with crown roof, rooflight, 3no. rear windows and patio doors to side access.

It was **RESOLVED** to **SUPPORT** the application.

LW/22/0012 – 55 Saltwood Road - Single storey rear extension with flat roof and 2no. roof lights, addition of window on front elevation and alterations to windows on side elevation.

It was **RESOLVED** to **SUPPORT** the application.

LW/22/0011 – Dane Lea, Dane Road - Conversion of dwellinghouse into 4no flats with single storey rear extension.

It was **RESOLVED** to **SUPPORT** the application subject to additional cycle rack provision.

LW/22/0007 – 6 Hawth Close - Creation of rear dormer with access to first floor terrace on top of proposed single storey rear extension.

It was **RESOLVED** to **SUPPORT** the application subject to the obscure glass screening being increased to 1.8 metres in height.

LW/22/0001 – 9 Beacon Road - First floor flat roof rear extension with skylight.

It was **RESOLVED** to **SUPPORT** the application.

LW/21/0981 – 31 Broad Street – Single storey rear extension for Greatglen Estates.

It was **RESOLVED** to **OBJECT** to the application on the same grounds used when the Committee objected in April 2021 (application LW/21/0639).

LDC Planning Applications received in week commencing 17th January 2022

LW/21/0951 – 7 Firle Close - First floor rear balcony with alterations to rear first floor and ground floor windows for Mr L Ayres.

It was **RESOLVED** to **OBJECT** to the application on grounds of lack of information on size and materials of balcony.

Tree Works Application

TW/22/0004/TCA – Land adj. to 154A Chyngton Lane - T1 (Group)- Native Broad Leaf - Removal of dangerous trees, respacing, thinning, underplanting in gaps over 3-year period. Intention of restructure to create mixed broadleaf woodland and increase biodiversity whilst maintaining continuous cover.

It was **RESOLVED** to **SUPPORT** the application.

P85/02/21 Exceat Bridge Update

The Committee considered report 168/21 of the Planning Officer on the recent update on the progress of this application received from East Sussex County Council and discussed this in great depth.

It was **RESOLVED** to **AGREE** that East Sussex County Council is contacted for a response on the issues relating to the plans at Exceat Bridge raised by the Town Council at its Planning & Highways Committee on 25th May 2021.

P86/02/21 Proposed Road Closures

The Committee considered report 169/21 of the Planning Officer on applications for temporary road closures for 1) a Queen's Platinum Jubilee Street Party in Sandore Road on Sunday 5th June 2022 and 2) Seaford Street Markets in Church Street, fortnightly on Saturdays from May to December 2022.

It was **RESOLVED** to **SUPPORT** both road closure applications.

P87/02/21 Update Report

The Committee considered report 170/21 of the Planning Officer and the schedule of recent decisions made by Lewes District Council on applications previously considered by this Committee.

The Committee discussed the number of approvals given despite objections from the Town Council.

Verbally updated on 3 Homefield Road Construction Environmental Management Plan and the working hours permitted for work on site.

It was **PROPOSED** to **SUBMIT COMMENTS** to the District Council requesting that the working hours for Saturdays be reduced to the standard 8am to 1pm. Furthermore, the Committee would encourage residents to keep a diary of working hours should enforcement action need to be sought; this **MOTION** was **CARRIED**.

It was **RESOLVED** to **NOTE** the report and the decisions notified within.

The meeting closed at 9.12pm.

Councillor L Wallraven

Chair of Planning & Highways

