



Seaford Town Council

Seaford Town Council Planning & Highways Agenda – 9th June 2022

To the Members of the Planning & Highways Committee

Councillors L Wallraven (Chair), L Boorman (Vice Chair), S Adeniji, D Argent, J Edson, M Everden, R Honeyman and J Lord .

A meeting of the **Planning & Highways Committee** will be held at the **Downs**

Leisure Centre (Studio 2), Sutton Road, Seaford, BN25 4QW on **Thursday**
9th June 2022 at 7.00pm, which you are summoned to attend.

Adam Chugg

Town Clerk

1st June 2022

- **The meeting will be video recorded and uploaded to the Town Council's YouTube channel after the meeting.**
- **See the end of the agenda for further details of public access and participation.**

AGENDA

1. Apologies for Absence

To consider apologies for absence.

2. Disclosure of Interests

To deal with any disclosure by Members of any disclosable pecuniary interests and interests other than pecuniary interests, as defined under the Seaford Town Council Code of Conduct and the Localism Act 2011, in relation to matters on the agenda.

3. Public Participation

To deal with any questions, or brief representations, from members of the public in accordance with relevant legislation and Seaford Town Council Policy.

In accordance with Town Council policy, members of the public wishing to speak on individual planning applications may do so immediately before each planning application.

4. Planning Applications

LDC Planning Applications received weeks commencing Monday 16th May 2022

[LW/22/0318](#) - **Land West Of Bönningstedt Beach Huts, Marine Parade** - Shipping container for use as an operations base for watersports and serving drinks F2(c) Areas or places for outdoor sport or recreation (not involving motorised vehicles or firearms) for Skipper Watersports.

[LW/21/0964](#) - **Seahaven District Scouts, Chichester Road** - Single-storey rear extension for Seahaven Scouts.

[LW/22/0327](#) - **5 Caroline Close** - Split level single storey and two storey side extension with flat roof for H Beauvais.

[LW/22/0317](#) - **28 Chyngton Road** - Erection of single storey side extension with 5no rooflights and single storey rear extension with 1no rooflight for Mr & Mrs Brown.

[LW/22/0358](#) - **42 Rookery Way, Bishopstone** - Prior Approval Under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 1, Class AA; for the enlargement of a dwellinghouse by construction of additional storeys to increase the total height from 4.85m to 7.40m.

[LW/22/0345](#) - **67 Saltwood Road** - Single storey rear extension with flat roof and alterations to fenestration for Mr C Woods.

3 x Applications for 3 Homefield Road for Mr J Palmer:-

[LW/22/0337](#) – Swimming Pool to the side/rear

[LW/22/0336](#) - Demolition of existing boundary wall and construction of a new wall and gates

[LW/22/0314](#) – Single storey front extension

[LW/22/0348](#) - **21 Grosvenor Road** - Variation to condition 1 (Plans) relating to approval LW/22/0096 - To make the roof hip to gable on both sides and to enlarge the dormer at the rear for V Waterman.

[LW/22/0357](#) – **8 Queensway** – Two-storey side extension for R Smith.

Applications received in the week commencing Monday 23rd May 2022

No applications notified.

Applications received in the week commencing Monday 30th May 2022

[LW/21/0967](#) - **83 - 89 (Odds) Sutton Road** - Redevelopment of the site to form 36no. retirement apartments including communal facilities, access, car parking and landscaping (AMENDED DESIGN) for Churchill Retirement Living

[LW/22/0362](#) - **31 Bodiam Close** - Alterations to garage including replacement rear window and installation of 1no front window and erection of storage box to front for Mr D Simmons.

[LW/22/0311](#) - **Garden Flat, 12 Esplanade** - Conversion of 1no 2 bed flat into 2no 1 bed flats for Mrs Macdiarmid.

LW/22/0361 – **Sheps, Cuckmere Road** - Erection of 1no two-storey and 2no single-storey rear extensions and installation of 2no roof windows to side for L Lever.

South Downs National Park Authority Tree Works Application

SDNP/22/02486/TCA - **Land adjacent to Bishopstone Manor, Manor Yard, Bishopstone Village** - Proposal: T1 - Oak - Hard reduction and removal of 3-4m of growth
T2 - Sycamore - Re-pollard to lowest point for Dr J Lourie.

5. Appeal by Churchill Retirement Living re site at 83-89 Sutton Road (LW/21/0660)

To consider report 22/22 of the Planning Officer presenting details of the appeal submitted by Churchill Retirement Living regarding the site at 83 – 89 Sutton Road (pages 6 to 10).

6. Levelling Up and Regeneration Bill 2022

To consider report 23/22 of the Planning Officer presenting a brief summary of the proposed planning reforms within the Government's recently announced Levelling Up and Regeneration Bill 2022 (pages 11 to 15).

7. Update Report

To consider report 24/22 of the Planning Officer and the schedule of recent decisions made by Lewes District Council on applications previously considered by this Committee (pages 16 to 17).

AGENDA NOTES

For further information about items on this Agenda please contact:

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Telephone: 01323 894 870

Circulation:

All Town Councillors, Young Mayor, Deputy Young Mayor and registered email recipients.

Public Access:

Members of the public looking to access this meeting will be able to do so by:

1. Attending the meeting in person.

The Town Council asks that you contact admin@seafordtowncouncil.gov.uk or 01323 894 870 to register your interest in attending at least 24 hours before the meeting.

Spaces will be assigned on a first come, first served basis.

Please note that if you don't register and just attempt to turn up at the meeting, this could result in you not being able to attend if there is no space.

OR

2. Watching the recording of the meeting on the [Town Council's YouTube channel](#) , which will be uploaded after the meeting has taken place.

Public Access to the Venue:

If you are attending the meeting in person, please arrive for 6.55pm where you will be shown into the meeting for a 7.00pm start.

Public Participation:

Members of the public looking to participate in the public participation section of the meeting must do so in person, by making a verbal statement during the public participation section of the meeting.

Below are some key points for public participation in the meeting:

1. Your statement should be regarding business on the agenda for that meeting.
2. You will only be able to speak at a certain point of the meeting; the Chair of the meeting will indicate when this is.
3. You do not have to state your name if you don't want to.
4. If you are unsure of when best to speak, either query this with an officer/councillor ahead of the meeting or raise your hand during the public participation item of the meeting and ask the Chair – they will always be happy to advise.
5. When the Chair has indicated that it is the part of the meeting that allows public participation, raise your hand and the Chair will invite you to speak in order.
6. Statements by members of the public are limited to four minutes and you don't automatically have the right to reply. The Chair may have to cut you short if you overrun on time or try to speak out of turn – this is just to ensure the meeting stays on track.
7. Where required, the Town Council will try to provide a response to your statement but if it is unable to do so at the meeting, may respond in writing following the meeting.
8. Members of the public should not speak at other points of the meeting.
9. A summarised version of your statement, but no personal details, will be recorded in the minutes of the meeting.

Public Comments

Members of the public looking to submit comments on any item of business on the agenda can do so in writing ahead of the meeting and this will be circulated to all committee

members. Comments can be submitted by email to planning@seafordtowncouncil.gov.uk or by post to the Town Council offices.

Health & Safety Measures:

While Covid restrictions are no longer mandated the Town Council wishes to stay vigilant and mindful of the health and safety of its meeting participants by upholding the requirement that you should not attend the meeting if you are displaying any Covid-19 symptoms (or have tested positive) as identified on the [NHS website](#) or symptoms of any similarly contagious illness.



Seaford Town Council

Report No:	22/22
Agenda Item No:	5
Committee:	Planning & Highways
Date:	9th June 2022
Title:	Appeal by Churchill Retirement Living re site at 83-89 Sutton Road (LW/21/0660)
By:	Geoff Johnson, Planning Officer
Purpose of Report:	To present details of the appeal submitted by Churchill Retirement Living regarding the site at 83 – 89 Sutton Road

Recommendations

The Committee is recommended:

1. To note the report.
2. To authorise the Planning Officer to submit representations on the appeal to the Planning Inspectorate based on the Committee's previous objections resolved at the meeting on 21st October 2021, any other relevant issues arising from the applicant's Hearing Statement dated February 2022 and the amended plans referred to.

1. Introduction

- 1.1** Application LW/21/0660 for the construction of 37 retirement apartments in three linked blocks on the site of 83-89 Sutton Road was submitted to Lewes District Council (LDC) in June last year.
- 1.2** In November the applicants submitted an appeal in respect of the deemed refusal of the application by LDC. If a major application is not determined by the local planning authority within 13 weeks of submission the rules allow the applicant to treat it as having been refused to avoid delaying the planning process.

- 1.3** Negotiations between the applicants and LDC have continued but, as yet, the application has not been reported to LDC's Planning Applications Committee.

2. The Town Council's Objections

- 2.1** The application was considered by the Town Council's Planning & Highways Committee at the meeting on 21st October 2021 held at Seaford Head Lower School. Over 50 residents attended and several spoke at the meeting opposing the application.
- 2.2** The Committee resolved to object to the application on the grounds that:-
- (a)** The failure of the applicants to provide affordable housing units or an appropriate financial contribution is in direct contravention of Core Policy 1 in the Lewes Local Plan Part 1 of 2016. The conclusions of the viability report accompanying the application are unacceptable they are based on the exceptionally high current existing use value of the site. Government advice on viability clearly states that :-'Under no circumstances will the price paid for land be a relevant justification for failing to accord with relevant policies in the plan'.
 - (b)** The proposals will have a significant adverse impact on the amenities of no 81 Sutton Road and the properties in Sutton Drove and Mill Drive to the rear of the site. The scheme, by projecting the building into what are currently the rear gardens of 83-89 and intensifying the use of the remaining open garden area will impact on the amenities and enjoyment of the rear gardens of these neighbouring properties through overlooking, loss of privacy, general noise and disturbance and loss of outlook.
 - (c)** The fact that the proposed block takes up the entire width of the site, the proximity of the western boundary of the block to no.81, the three main elements of the block extending to three storeys, the continuous linked frontage and the projection to the rear, when considered together, clearly constitute overdevelopment of the site. The massing, height and scale of the proposed block which replaces four attractive detached houses on generous plots and with gaps in between and the general design is out of character with the area and will be detrimental to the current street scene. This would contravene Para 134 of the

NPPF and DM25 of the Local Plan Part 2 as well as the following Design Guidelines incorporated in the Seaford Neighbourhood Plan : GB01 – Building Lines; SE01- Two storey linear buildings with generous front gardens; SE02- Views in Residential Areas; SE03 – Matching Heights and Appearances; and SE04 - Generously proportioned front and rear gardens.

- (d)** The applicant's assumptions relating to the parking provision and traffic generation do not accord with the knowledge and experience of local residents. This is confirmed by the current problems arising from the under provision of parking and number of daily movements generated by Homeshore House opposite the application site. The increase in turning traffic from the additional deliveries, staff, visiting relatives and visits from doctors/nurses is bound to cause additional problems on an already busy stretch of the A259
- (e)** It is acknowledged that the applicants are having to develop higher priced units in this case in order to recoup the extremely high purchase price of the land and the general costs of development as well as extract their standard 20% profit. There are however currently numerous vacancies for accommodation of this type and quality at other similar schemes in the town including Hortsley, Stratheden and Eversley Courts and those operated by McCarthy and Stone. The evidence shows therefore that there is no pressing need for new accommodation in this category. What is required are units which are more affordable for older persons and couples wishing to downsize from 2 or 3 bed homes in a lower price bracket. This would enable more younger people to get on to the local housing ladder and would therefore be a far greater benefit for the town and its residents.
- (f)** The town's health services are currently over-subscribed and under great pressure. Any significant increase in the number of elderly patients is bound to exacerbate the situation and place services under an even greater strain.
- (g)** There must be some doubt regarding the alleged level of sustainability and energy efficiency in the scheme. The development is not within convenient walking distance from the Town Centre and local shops

and given its location in the town, it does not receive the full and regular no12 bus service. Also there is no provision for solar panels, electric car charging points and other similar facilities in the proposed scheme This is contrary to the Design Guideline GB07 – Energy Efficiency – incorporated into the Seaford Neighbourhood Plan

- (h) The measures to boost the ecology of the site in the long term are acknowledged but ,although policy dictates that the site should be treated as ‘brownfield’ ,in reality it is mostly ‘greenfield’, and the damage to the existing ecology on site in the short term at least will therefore be significant.
- (i) If LDC is minded to grant consent, the Town Council requests the following provisos:-
 - i. An appropriate financial contribution to the LPA towards affordable housing should first be secured via a s.106 Agreement
 - ii. In view of the nature and location of the site a comprehensive Construction Management Plan should be required by condition
 - iii. That taking into account the severe constraints on new residential development in Seaford, the significant net gain of 33 ‘windfall’ units towards the LPA’s Housing Delivery requirement should be taken fully into account when Seaford’s future housing allocation is assessed as part of the Local Plan process

3. Recent Developments

- 3.1 At the time the appeal was lodged in October last year, LDC were in the process of obtaining its own consultant’s report on the viability statement submitted by the applicants. That statement had concluded that any contribution to affordable housing under LDC’s core policy 1 of the Lewes Local Plan 2016 would not be viable.
- 3.2 LDC did not report back on the outcome of its consultant’s report but the expanded grounds of appeal now submitted indicate that the consultants had concluded that a contribution of £59,344 would be appropriate and this has been accepted by the applicants. The level of this contribution is far below the full contribution required under the Local Plan in lieu of provision of affordable housing ‘on site’.

- 3.3** The failure of LDC to progress the determination of the application during the last 11 months has led to the applicants requesting that the appeal should be determined at a hearing and the date and arrangements for the hearing will be confirmed in due course.
- 3.4** The applicants have also submitted amended plans under the reference of the duplicate application LW/21/0967 in an attempt to overcome the District Council's concerns over the massing, scale and design of the scheme. These amended plans, which reduce the number of units by one to 36 are on the agenda for consideration at tonight's meeting.
- 3.5** In the meantime the interested parties, including the Town Council have been invited to submit any additional representations on the appeal by 14th June.
- 3.6** The date and other arrangements for the hearing will be reported to members as soon as they are confirmed by the Planning Inspectorate.

4. Recommendations

- 4.1** That the report be noted.
- 4.2** That the Committee authorises the Planning Officer to submit representations on the appeal to the Planning Inspectorate based on the Committee's previous objections resolved at the meeting on 21st October 2021, any other relevant issues arising from the applicant's Hearing Statement dated February 2022 and the amended plans referred to.

5. Financial Appraisal

- 5.1** There are no direct financial implications as a result of this report.

6. Contact Officer

The Contact Officer for this report is Geoff Johnson, Planning Officer.

Planning Officer	
Town Clerk	



Seaford Town Council

Report No:	23/22
Agenda Item No:	6
Committee:	Planning & Highways
Date:	9th June 2022
Title:	Levelling Up and Regeneration Bill 2022
By:	Geoff Johnson, Planning Officer
Purpose of Report:	To present a brief summary of the proposed planning reforms within the Government's recently announced Levelling Up and Regeneration Bill 2022

Recommendations
The Committee is recommended:
1.To note the report.

1. Introduction

- 1.1 The Levelling Up and Regeneration Bill was announced in the Queen's Speech earlier this month and published on 11th May.
- 1.2 Its main aim is to reverse geographical disparities between different parts of the United Kingdom by spreading opportunity more equally.
- 1.3 It is a lengthy Bill - the Explanatory Notes alone run to 247 pages - and covers a wide set of measures encompassing devolution, regeneration and planning.
- 1.4 This report will cover the proposed planning reforms in brief.

2. The Main Planning Reforms

- 2.1 One of the main themes of the planning reforms in the Bill is the widening of the Localism provisions introduced by the government in 2010 - 2011.
- 2.2 Neighbourhood planning is re-engineered in the 'levelled up' system. The draft legislation includes proposals for a 'neighbourhood priorities

statement' intended to provide communities with a simpler and more accessible way to set out priorities and preferences for their local areas.

- 2.3** These statements will need to be considered by local authorities in local plan preparation.
- 2.4** The Bill also includes enabling provisions (but no detail) to introduce a 'Street Votes' system that permits residents to propose development on their street and hold a vote on whether it should be given planning permission.
- 2.5** According to the Explanatory Notes the concept is to encourage neighbours 'to consider the potential for development, especially in areas of higher demand, and support a gentle increase in densities through well-considered, well-designed and locally supported proposals'.
- 2.6** However, other measures in the Bill on neighbourhood planning run contrary to the Localism agenda by reducing the influence of 'local democracy' in key areas.
- 2.7** In order to ensure that neighbourhood planning does not act as a brake on housing delivery, a new basic condition is proposed for neighbourhood plans, which provides that they must not result in the development plan for the area proposing less housing development than would have been the case if the plan were not to be made.
- 2.8** A further example of the move away from Localism towards more Central control is the weakening of the primacy of the local development plan. As the law now stands, and has stood for many years, the starting point for the determination of planning applications is the Local Plan. Its policies must be followed unless other material considerations strongly indicate otherwise
- 2.9** If enacted, clause 91 of the Bill would replace this test with a requirement that determinations must be made in accordance with the development plan together with national development management policies, unless material considerations strongly indicate otherwise.
- 2.10** In the event of conflict between the development plan and national development management policy, the latter will have primacy, which means that under the new arrangements national policy will trump local policy.
- 2.11** What is a 'national development management policy'?

- 2.12** The answer in the Bill is that it is a policy, which the Secretary of State by direction designates as a national development management policy. So, the Secretary of State will have considerable latitude when it comes to steering planning decision making at local level.
- 2.13** Other provisions in the Bill take forward the less controversial proposals set out in the 2020 Planning White Paper.
- 2.14** Following on from the elevation of design to a 'higher order' policy consideration in the July 2021 National Planning Policy Framework (NPPF), there are measures to further embed good design in the planning system.
- 2.15** The Bill will require local planning authorities to have a design code in place covering their entire area. These are intended to act as a framework for the preparation of detailed design codes prepared for specific areas or sites and led either by the local planning authority, neighbourhood planning groups or by developers as part of planning applications.
- 2.16** Proposals to digitise the planning process contained in the white paper are also reflected in the Bill. For example, there are provisions which will require local planning authorities to follow set standards in how they store or publish local plan information, with the contents of a local plan to be in accordance with approved data standards.
- 2.17** The Bill proposes the introduction of a new mandatory infrastructure levy. Significantly, the new levy will fund the provision of affordable housing which is currently not covered by CIL.
- 2.18** However, the rates and thresholds will be set and raised by local planning authorities rather than nationally as was suggested in the white paper.
- 2.19** The levy is intended to replace the Community Infrastructure Levy (CIL) in England, but there will be a continuing role for section 106 planning obligations. These could be employed on the largest sites in place of the levy and also on sites where 'narrowly focused' planning obligations could be used to provide onsite infrastructure.
- 2.20** As with CIL, the new levy will be set out in charging schedules that will be subject to public examination. There will be a duty on local authorities to prepare infrastructure delivery strategies outlining how they intend to spend the levy.

3. Other Planning Measures

- 3.1** There are several other more minor proposals in the Bill that are intended to improve the operation of the current planning regime by strengthening powers, addressing gaps and closing loopholes.
- 3.2** These include reforms to enforcement, including the introduction of enforcement warning notices and making the enforcement timescales that currently apply more consistent, opting for a standard 10-year time period to enforce breaches of planning control.
- 3.3** Heritage protection is also to be enhanced with designated heritage assets, such as registered parks and gardens, World Heritage Sites, protected wreck sites, and registered battlefields to be given the same statutory protection in the planning system as listed buildings and conservation areas.
- 3.4** Procedural changes to the compulsory purchase (CPO) process are also included and the planning CPO power is to be amended to make it clear that the power facilitates regeneration.
- 3.5** A new system of Environmental Outcomes Reports will replace the EU processes of Environmental Impact Assessment and Strategic Environmental Assessment, while retaining the UK's obligations under the UN Aarhus and Espoo Conventions.

4. Conclusions

- 4.1** The Bill is complex and wide-ranging. Even though some of the more controversial measures in the White Paper of 2020 (e.g the zoning of land for automatic residential consent) have been dropped, mainly for political reasons, it is still anticipated that the Bill's journey through Parliament will be eventful.

5. Recommendation



- 5.1** That the report be noted.

6. Financial Appraisal

- 6.1** There are no direct financial implications as a result of this report.

7. Contact Officer

The Contact Officer for this report is Geoff Johnson, Planning Officer.

Planning Officer	
Town Clerk	



Seaford Town Council

Report No:	24/22
Agenda Item No:	7
Committee:	Planning & Highways
Date:	9th June 2022
Title:	Update Report
By:	Geoff Johnson, Planning Officer
Purpose of Report:	To notify the Committee of decisions taken by Lewes District Council on applications previously considered by the Committee

Recommendations

The Committee is recommended:

1. To note the report and the decisions.

1. Information

- 1.1 The attached schedule lists the decisions taken by Lewes District Council since the last Committee meeting on applications previously considered by this Committee.
- 1.2 The Committee is recommended to note the report and the decisions set out in the Schedule.

2. Financial Appraisal

- 2.1 There are no direct financial implications as a result of this report.

3. Contact Officer

The Contact Officer for this report is Geoff Johnson, Planning Officer.

Planning Officer	
Town Clerk	

Report 24-22 Appendix A

SCHEDULE OF DECISIONS TAKEN BY LEWES DISTRICT COUNCIL SINCE THE COMMITTEE'S LAST MEETING ON 9th JUNE 2022

Approved by LDC – No Objections from STC

LW/22/0146 – 11 HAMSEY LANE - Internal first floor alterations

LW/22/0172 – 56 CUCKMERE ROAD – Single storey rear extension

LW/22/0131 – 16 MAURICE ROAD – Two storey side extension and garage conversion

LW/22/0256 – AVONDALE HOTEL, 4/5 AVONDALE ROAD Single storey rear extension to an existing HMO to provide 2no 1-bedroom flats

Approved by LDC – Objection from STC

LW/22/0137 – 6 PELHAM PLACE – Demolition of garage and erection of a 1-bed dwelling

LW/21/0749 – 6 CINQUE PORTS WAY – Single storey side extension

LW/21/0791 & 0792 – BEACHLANDS CARE HOME, MARINE PARADE - Removal of requirements for obscure glazing on east facing windows