



## Seaford Town Council

### **Seaford Town Council Planning & Highways Agenda – Thursday 1<sup>st</sup> June 2023**

#### **To the Members of the Planning & Highways Committee**

Councillors L Wallraven (Chair), L Boorman (Vice Chair), R Buchanan, R Clay, O Honeyman, R Honeyman and S Markwell.

A meeting of the **Planning & Highways Committee** will be held in the **Council Chambers, 37 Church Street, Seaford, BN25 1HG** on **Thursday 1<sup>st</sup> June 2023** at 7.00pm, which you are summoned to attend.

Adam Chugg

Town Clerk

24<sup>th</sup> May 2023

- **Public attendance at this meeting will be limited to 28 due to the size of the meeting, so public will need to register to guarantee a place**
- **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 in week commencing Monday 24<sup>th</sup> April 2023

[LW/23/0237](#) - 1 Grosvenor Mews Grosvenor Road- Demolition of side conservatory and erection of single storey side extension for Mr E Garritt.

[LW/23/0238](#) - 65 Upper Belgrave Road - Erection of dormer to the rear elevation with 2no. juliet balconies for Mr M Sheppard.

[LW/23/0245](#) - 90 Claremont Road - Replacement single-storey rear extension to comprise 2no. 1-bedroom flats (Class C3) to be used for emergency housing with provision of refuse storage and 2no.cycle storage units for BSJ Developments Ltd – Burrill.

[LW/23/0236](#) -1 Shepway Parade Broad Street- Installation of replacement mechanical plant, new palisade fence and gates to plant area at rear elevation and replace 7no. timber windows at first floor level with new uPVC windows at side elevation for the Co-operative Group.

##### LDC Planning Applications received in week commencing Monday 1<sup>st</sup> May 2023

[LW/23/0269](#) - Wykeham Hawth Hill - Extension of existing dormer, 3no. rooflights to side elevation and 1no. rooflight to rear elevation for Ms P Gorton.

[LW/23/0261](#) - Unit 24 Cradle Hill Industrial Estate Cradle Hill Road- Proposed first floor extension for Mr J Burrill.

[LW/23/0178](#) -13 Rodmell Road - Demolition of side garage and erection of two storey side and single storey rear extensions with fenestration alterations for Mr C Walsh

##### LDC Planning Applications received in week commencing Monday 8<sup>th</sup> May 2023

No notifications received.

##### LDC Planning Applications received in week commencing Monday 15<sup>th</sup> May 2023

[LW/23/0240](#) – 37 Southdown Road – Demolition of existing two storey dwelling and construction of a new two storey dwelling house – Robert and James

##### County Council Applications

[LW/3478/CC](#) - Seaford Head Lower School, Steyne Road, BN25 1AL - Temporary installation of 1no mobile classroom for a period of 5 years.

##### Tree Works Application

[TW/23/0038/TPO](#) - High Wood 51 Firle Road - T1 - Monterey Cypress - Dismantle and remove T2 - Poplar - Dismantle and remove T3 - Sycamore - Dismantle and remove T4 - Poplar - Re-pollard back to previous points for Mr D Law.

[TW/23/0035/TPO](#) – 35 St Peters Road - Ash - Completely remove to ground level and stump ground out for safety reasons to eliminate chances of future damage to the house for Aaron Bray Trees and Landscapes.

**5. [Tree Preservation Order – Crouch Gardens](#)**

To consider report 12/23 advising committee members on a Tree Preservation Order that has been served by Lewes District Council (pages 6 to 12).

**6. [Update Report](#)**

To consider report 11/23 reporting on decisions taken by Lewes District Council since the last meeting on applications previously considered by the Committee (pages 13 to 14).

## AGENDA NOTES

For further information about items on this Agenda please contact:

Adam Chugg, Town Clerk, 37 Church Street, Seaford, East Sussex, BN25 1HG

Email: [meetings@seafordtowncouncil.gov.uk](mailto:meetings@seafordtowncouncil.gov.uk)

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 [meetings@seafordtowncouncil.gov.uk](mailto:meetings@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.

Please note that the front door of the building will be locked at 7.00pm and remain locked during the meeting for security reasons. As such, if you arrive after this time, you will not be able to access the meeting.

When members of the public are looking to leave, they must be escorted out of the building by a Town Council officer. There is also a signposted back door which can be exited through if required.

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](mailto: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

<b>Report No:</b>	<b>12/23</b>
<b>Agenda Item No:</b>	<b>5</b>
<b>Committee:</b>	<b>Planning &amp; Highways</b>
<b>Date:</b>	<b>1<sup>st</sup> June 2023</b>
<b>Title:</b>	<b>Tree Preservation Order – Crouch Gardens</b>
<b>By:</b>	<b>Geoff Johnson, Planning Officer</b>
<b>Purpose of Report:</b>	<b>To advise committee members on a TPO (Tree Preservation Order) for Crouch Gardens that has been served by Lewes District Council.</b>

### Recommendations

#### The Committee is recommended:

1. It is recommended that the Committee Object the Tree Preservation order due to the reasons listed within this report.

### 1. Information

- 1.1 Lewes District Council, without prior consultation, has served a Tree Preservation Order on the Town Council covering the line of six trees at The Crouch on the south side of the area surrounding the football pitch close to the boundary with the rear of properties in Bramber Road.
- 1.2 The TPO letter from Lewes District Council is attached as Appendix A.
- 1.3 The trees in question have been owned and maintained by the Town Council since the transfer of assets from the District Council shortly after the formation of the Council in 1999.
- 1.4 The effect of the Order is to prohibit the Town Council from cutting down, lopping, topping, uprooting, or causing wilful damage to any of the trees without the written consent of the District Council.

- 1.5 The Order was served and took effect on 21<sup>st</sup> April. The Town Council has until Friday 2<sup>nd</sup> June to respond. Depending on the consideration of any representations received, the District Council can either confirm the Order or decline to confirm. If it declines to confirm the Order will lapse after a period of six months from service, i.e on 21<sup>st</sup> October 2023.

## 2. Background

- 2.1 The Order was originally requested by a local resident in an e-mail sent to Lewes District Council in late October 2022. In respect of the resident's privacy this email is included as exempt Appendix B. This will be circulated separately to committee members for confidential use.
- 2.2 The request refers to possible pressure on the Club from the Football Association to improve facilities at the ground in order to comply with the FA's rules which may put the trees in danger.
- 2.3 The Order in turn states that the reason for making it is to protect the trees from 'the expansion of the football club.
- 2.4 It should also be mentioned that the Club's lease from STC (Seaford Town Council) only covers the Pavilion / Changing Rooms. It has primary use rights over the use of the pitch for matches and training, but STC is the sole owner of the open area of The Crouch. Due to the sensitivity of the matter and the level of public interest in the use of the Club's use of The Crouch, officers confirm that any proposals from the Club for 'expansion' would first be the subject of public consultation and would then be referred to full Council for consideration as landowners prior to any application required being submitted to LDC.

## 3. Commentary

- 3.1 There is Government advice and guidance on the making of TPOs which is directly relevant to this case.
- 3.2 Firstly detailed guidance in the document 'Tree Preservation Orders: A Guide to the Law and Good Practice' states that:-  
**In the Secretary of State's view, it would very rarely be appropriate for one LPA (Local Planning Authority) to make a TPO for trees on land owned by another LPA in their area. Where such a TPO exists, the latter would generally have to make an application to the former before cutting down or carrying out work on the trees.**

- 3.3 While the Town Council is, strictly speaking, not a Local Planning Authority (LPA) it is a 'Local Authority' and the same advice should therefore apply. Unfortunately, in this case however although the resident requesting the Order had the courtesy to copy his request to STC, there was no contact from Lewes District Council even for an informal discussion despite the trees being owned and maintained by STC and despite six months elapsing between the submission of the request and the making of the Order.
- 3.4 Secondly, advice in a more recent document 'Tree Preservation Orders and Trees in Conservation Areas' (2014) states that:-
- Local planning authorities can make a Tree Preservation Order if it appears to them to be 'expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area Authorities can either initiate this process themselves or in response to a request made by any other party. When deciding whether an Order is appropriate, authorities are advised to take into consideration what 'amenity' means in practice, what to take into account when assessing amenity value, what 'expedient' means in practice, what trees can be protected and how they can be identified.**
- 3.5 The underlining is part of the original text of the guidance and has not been added.
- 3.6 It is not disputed that these six trees have a high level of 'amenity' They are as prized by the Town and the Town Council as they clearly are by the local residents and the person who submitted the request. The Town Council keeps the trees under close inspection and there is a maintenance programme in place.
- 3.7 The crucial issue is however whether it is expedient, or in plain terms 'necessary', for this Order to be confirmed.
- 3.8 The only reason given by LDC in the Order to justify the expediency ground is the proposed 'expansion of the football club'. However, STC is not aware of any expansion plans and given the distance between the pitch and the trees it would be difficult to envisage how any expansion plans could threaten the health of the trees. It should be made clear that STC is fully aware of the value local residents place on the need to retain unrestricted use of this part of The Crouch and, as mentioned above, any plans that are



put forward will be open to public consultation and closely scrutinised by STC as owners of the land and landlords of the Club.

- 3.9** If the Order is confirmed STC will have to submit a formal application for consent to LDC whenever it wishes or needs to carry out any tree maintenance work. From experience of reporting tree works applications to this committee it could take months for an application to be processed. This would add a potentially unnecessary layer of bureaucracy and consequential delay and expense to the process.
- 3.10** The fact that the trees are owned and maintained by a local authority must also mean that the case for the Order under the 'expediency' ground has not been given sufficient weight by LDC. There has been no prior consultation and no discussions about e.g STC's tree maintenance programme.
- 3.11** The main issue, however, is that LDC has made the Order on the grounds of the expansion of the Club when there are no agreed plans for expansion of the Club. In other words, there is no evidence to justify the confirmation of the Order.
- 3.12** Finally, it should be noted that STC has no problem with TPOs per se, and we work with a number of them now as part of our custodianship of many of the green and open spaces in the town.

#### **4. Recommendation**

It is considered that the above reasons for not confirming the Order should be endorsed by the Committee and forwarded to the District Council as a formal objection to the confirmation of this Tree Preservation Order

#### **5. Financial Appraisal**

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

#### **6. Contact Officer**

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

Planning Officer	
Town Clerk	



**Lewes District Council**

Seaford Town Council  
37 Church Street,  
Seaford  
BN25 1HG

**Quality Environment**

my ref:  
3852/0602  
your ref:  
date:  
21/04/2023

Dear Seaford Town Council,

**IMPORTANT – THIS COMMUNICATION MAY AFFECT YOUR PROPERTY**

Town & Country Planning Act 1990

The Town & Country Planning (Tree Preservation)(England) Regulations 2012

**Tree Preservation Order (No.2) 2023, Seaford Football Club, Crouch Gardens, Bramber Road**

**LEWES DISTRICT COUNCIL**

THIS IS A FORMAL NOTICE to let you know that the LEWES DISTRICT COUNCIL, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Tree Preservation Order on **21<sup>st</sup> April 2023**.

A copy of the Order is enclosed. In simple terms, no one is allowed to cut down, top or lop without our permission any of the trees described in the 1<sup>st</sup> Schedule of the Order and shown on the map. Some information about tree preservation orders is in the enclosed leaflet, Protected Trees: A guide to Tree Preservation Procedures.

We have made the Order because of the increasing risk of the removal of the trees due to the expansion of the Seaford Town Football Club and they are members of groups of trees that are important for their cohesion.

The Order came into force, on a temporary basis, on **21<sup>st</sup> April 2023**, and will remain in force for six months. During this time we will decide whether the Order should be given permanent status. People affected by the Order have a right to object or make comments on any of the trees or woodlands covered before we decide whether the Order should be made permanent.

If you would like to make any objections or comments, please make sure we receive them in writing by **[02/06/2023 – 6 weeks from the date of the Notice]**. Your comments must meet Regulation 6 of The Town & Country Planning (Tree Preservation)(England) Regulations 2012 (a copy is attached to the bottom of this letter). Please send your comments to me at the

**Lewes District Council**  
Southover House  
Southover Road  
Lewes  
East Sussex  
BN7 1AB

**Eastbourne Borough Council**  
1 Grove Road  
Eastbourne  
East Sussex  
BN21 4TW

address given below. We will carefully consider all objections and comments before deciding whether to make the Order permanent.

I will write to you again when we have made our decision. In the meantime, if you would like more information or have any questions about this letter, I can be contacted at the address given below.

[Jade.hendy@lewes-eastbourne.gov.uk](mailto:Jade.hendy@lewes-eastbourne.gov.uk)

Yours Sincerely

**Lewes District Council & Eastbourne Borough Council**

**COPY OF REGULATION 6 The Town & Country Planning (Tree Preservation)(England) Regulations 2012.**

Objections and representations:

6(1) Subject to paragraph (2), objections and representations:

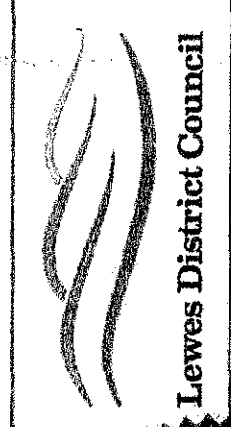
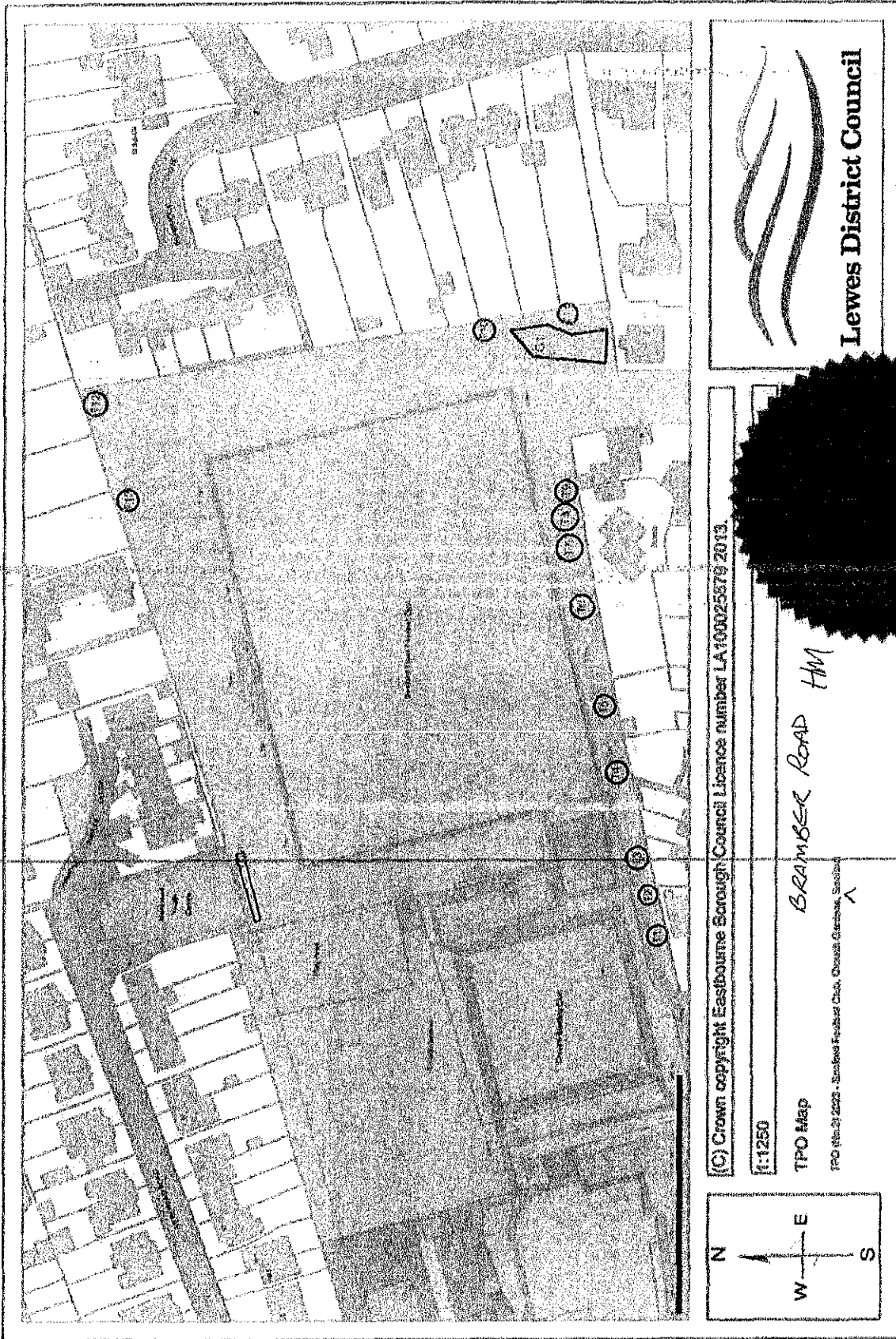
(a) shall be made in writing and:

- (i) delivered to the authority not later than the date specified by them under regulation 5(2)(c) or
- (ii) sent to the authority in a properly addressed and pre-paid letter posted at such time that, in the ordinary course of post, it would be delivered to them not later than that date;

(b) shall specify the particular trees, groups of trees or woodlands (as the case may be) in respect of which the objections or representations are made; and

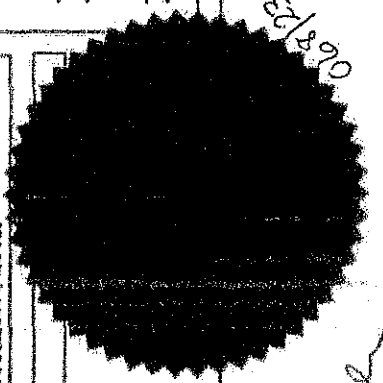
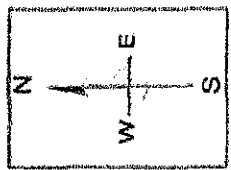
(c) in the case of an objection, shall state the reasons for the objection.

6 (2) The authority may treat as duly made objections and representations which do not comply with the requirements of paragraph (1) if, in the particular case, that are satisfied that compliance with those requirements could not reasonably have been expected.



Lewes District Council

(C) Crown copyright Eastbourne Borough Council Licence number LA100025579 2013.  
 1:1250  
 TPO Map  
 TPO No. 01 2022 - Scaled Footprint Data, Clough Gardens, Salsbery  
 BRAMBEC ROAD HM  
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028/23

*Monaghan*



## Seaford Town Council

<b>Report No:</b>	11/23
<b>Agenda Item No:</b>	6
<b>Committee:</b>	Planning & Highways
<b>Date:</b>	1 <sup>st</sup> June 2023
<b>Title:</b>	Update Report
<b>By:</b>	Geoff Johnson, Planning Officer
<b>Purpose of Report:</b>	To notify the Committee of decisions taken by Lewes District Council on applications previously considered by the Committee

<b>Recommendations</b>
<b>The Committee is recommended:</b> 1.To note the report and the decisions set out in the Schedule.

### 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 the Committee.

### 2. Financial Appraisal

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

### 3. Contact Officer

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

Planning Officer	
Town Clerk	

**Schedule of Decisions for Planning and Highways Committee –  
Thursday 1<sup>st</sup> June 2023**

**Approved by Lewes District Council – No objection from Seaford Town Council**

LW/23/0198 - 46 Richington Way - Rear and side wrap around single storey extension with second storey rear extension and balcony to rear.

N.B Obscure glazing condition included as requested.

LW/23/0176 - 32A Broad Street - Installation of 1no. illuminated fascia sign and 1no. non-illuminated projection sign.

LW/23/0321 - Flats 3, 4, 7 And 8 West Beach Court 54 Marine Parade - Replacement of 4 front balcony balustrades with glass and steel balustrades to first floor flats 3, 4, 7 and 8.

LW/23/0098 – 12 Fairways Road - Single storey rear extension.

**Approved by Lewes District Council – Objection by Seaford Town Council**

LW/23/0105 – 50 Kingston Way – Proposed single storey extensions to front and rear.

**Tree Works**

TW/23/0025/TPO – 2 Barn Close Firle Road - APPROVED