

At a meeting of the Development Panel held on Zoom Virtual Meeting on Tuesday 25 August 2020 at 1.00 pm

### **Members**

Councillor Nicky Cockburn (Chair)  
Councillor Allan Daniels  
Councillor George Kemp  
Councillor Jim Lister  
Councillor Andrew Semple  
Councillor Alan Tyson

Councillor Malcolm Grainger (Vice-Chair)  
Councillor Janet Farebrother  
Councillor Adrian Kirkbride  
Councillor Elaine Lynch  
Councillor Alan Smith  
Councillor Will Wilkinson

Apologies for absence were received from Councillor Carole Armstrong, Councillor Daniel Horsley and Councillor Ron Munby MBE

### **Staff Present**

L Jardine, S Long, S Sharp and L Tomlinson

### **Also Present**

D Coyle (Cumbria CC)

#### **95. Declaration of Interests**

None declared

#### **96. Questions**

None received

#### **97. Development Panel - 2/2018/0493, Land East of Causeway Road, Seaton - Outline application for residential development comprising up to 100 dwellings with details of access and associated works**

##### **Representations**

Geoffrey Hall, on behalf of Adrian Johnstone spoke against the application

Kevin Taylor and Gill Brinicombe spoke against the application

A letter against the application was read out on behalf of Natasha Lyon

Amanda Wallace, on behalf of Workington Flood Action Group, spoke against the application

Councillor Danny Horsley (on behalf of Seaton Parish Council), spoke against the application

Councillor Joe Sandwith (on behalf of Seaton Ward), spoke against the application

Agents David Staniland and Scott Dawson spoke in support of the application.

## **Application**

The report recommended that the decision to grant permission subject to the conditions detailed in Annex 1 be delegated to the Planning and Building Control Manager upon the completion and signing of a s106 agreement securing the following:

- A. The surrendering of planning permission 2/2017/0277.
- B. 20% affordable housing contribution.
- C. Education commuted sum contribution- £233,791.
- D. Travel plan monitoring contribution -£6,600.
- E. Provision and maintenance of public open space

The Planning and Building Control Manager then went through the main issues as detailed in the report.

### Principle of Development

The application site is within the designated settlement limits for Seaton under Part 2 of the Allerdale Local Plan and overlaps part of a housing commitment under the extant permission 2/2017/0277. Seaton, as part of Workington's Principal Centre designation represents a sustainable location for additional housing growth. The principle of the scale of this development has been accepted through the earlier consent which would be revoked in the event of the current scheme being approved.

### Highway

The County Highways Authority note that the access details are not reserved for subsequent approval and advise that a new single vehicular access via Hill Farm onto Causeway Road is acceptable. The scale of the development is also acceptable in terms of its traffic generation subject to the revocation of the extant permission.

### Flood Risk/Damage

The proposal seeks to replicate the same means of surface water drainage as that of the permission, 2/2017/0277, with an attenuated discharge into Gale Brook. The discharge rate will account for greenfield run off rates and climate change. Existing identified blockages within the watercourse culverts, which would exacerbate flood risk in the vicinity of the site, have been remediated.

### Trees

The frontage trees to Hill Farm were considered of amenity value and therefore protected under a Tree Preservation Order. The insertion of a new estate road entrance will regrettably result in the loss of 3 category C trees. On balance, the scale of this loss is outweighed by the benefits derived from housing delivery including the affordable housing contribution (up to 20 dwellings).

S106

Any approval of the outline proposal would be subject to a s106 securing;

- A. The surrendering of planning permission 2/2017/0277.
- B. 20% affordable housing contribution.
- C. Education commuted sum contribution- £233,791.
- D. Travel plan monitoring contribution -£6,600.
- E. Provision and maintenance of public open space.

Members were also shown images and plans of the site including the location within the village of Seaton.

Members noted the representations received in respect of the application, the main grounds of which were set out in the report.

Questions were asked of the officers and speakers in relation to several topics including the S106, Traffic and Highways including access and safety, Drainage/Flooding, Trees, the impact on existing infrastructure, overdevelopment and the existing planning permission in place for the site.

Doug Coyle (CCC Flood Manager) also provided clarity and answers to members questions in relation to flooding and drainage, including the culverts and the surrounding watercourses, explaining that downstream implications of volume and flow rates into Gale Brook.

The Planning and Building Control Manager explained to members that the application is an outline application with indicative plans but that access is not a reserved matter and to be determined at this panel, clarity was also provided in relation to the Tree Protection Orders that had been discussed throughout the meeting. In relation to Gale Brook, surveys and improvements had been made to the Brook and it evidenced to both the LPA and LLFA officers that the downstream watercourses were able to accommodate flows from the site including for 1 in 100 events plus 30% additional allowance for climate change. The officer also confirmed that this land is not within the applicant's control and that the maintenance of Gale Brook is the responsibility of external third parties and this can be enforced through the land drainage acts. Members were also made aware of the conditions in relation to maintenance of drainage on the site.

Extensive debate ensued in relation to flooding, drainage and trees with members sharing concerns that trees with TPOs were potentially to be removed, officers also provided clarification on the TEMPO method of tree assessment.

Some members were satisfied that the new proposal was an improvement on the existing planning permission for the site.

Councillor Lynch moved the motion to grant permission as per officer recommendations subject to conditions.

The motion to approve was seconded by Councillor Lister

Debate continued with members continuing to share their concerns over flooding, and the potential increased risk to Barepot.

A further motion was tabled by Councillor Smith to defer the application in order to consider and to receive further detail following the recommendations and conclusions made in the independent flooding reports.

The motion to defer was seconded by Councillor Farebrother.

The Head of Planning and Building Control then provided clarification following the motion - advising that there is already an extant planning permission in place on the site, with the same drainage implications and that the current proposal has a robust drainage strategy in place which has been analysed by the County Council.

Debate continued with some members commenting that the new proposal was better than the existing proposal and that the issue of drainage/flooding was now resolved, whilst some members voiced continuing concerns over the loss of trees and the increasing risk of flooding.

The first vote was taken on the vote to grant permission as per officers' recommendations, 2 voted in favour, 8 against and 2 abstentions,

The motion was lost.

Councillor Smith then amended his motion to defer to include a request for a site visit which will not only include the site, but also the surrounding watercourses.

Councillor Farebrother as seconder agreed to the amendment.

Councillor Wilkinson then moved an additional motion to refuse to grant permission due to the loss of protected trees, hedgerow and woodland contrary to policies S24C, S32B, 35F and DM17 of Allerdale Local Plan Part 1.

The motion to refuse was seconded by Councillor Kemp,

The Chair then went to the vote on the motion to defer the application, 6 voted in favour of the motion, 6 against and 0 abstentions

The chair made the casting vote and voted against the motion to defer.

The motion was lost.

A vote was then taken on the motion to refuse to grant permission, 4 voted in favour, 6 against and 2 abstentions.

The motion was lost

Councillor Lister then moved the motion to approve as per officers' recommendations

The motion was seconded by Councillor Lynch

Councillor Farebrother then moved the motion to defer the application to enable the officers to consider and provide comments on the third-party flood representations in conjunction with further consultation and engagement with the local flood authority and local flood action groups.

The motion was seconded by Councillor Smith

A vote was taken on Councillor Lister motion to approve as per officers' recommendations, 2 voted in favour, 10 against, 0 abstentions

The motion was lost.

A vote was then taken on Councillor Farebrother motion to defer, 9 voted in favour, 3 against and 0 abstentions.

The motion was carried

### **Resolution**

Application deferred to enable the officers to consider and provide comments on the third-party flood representations in conjunction with further consultation and engagement with the local flood authority and local flood action groups.

**The meeting closed at 5.45 pm**