

Ward Seaton

Reference 20/1399/FUL

Applicant Mr Richard Drysdale

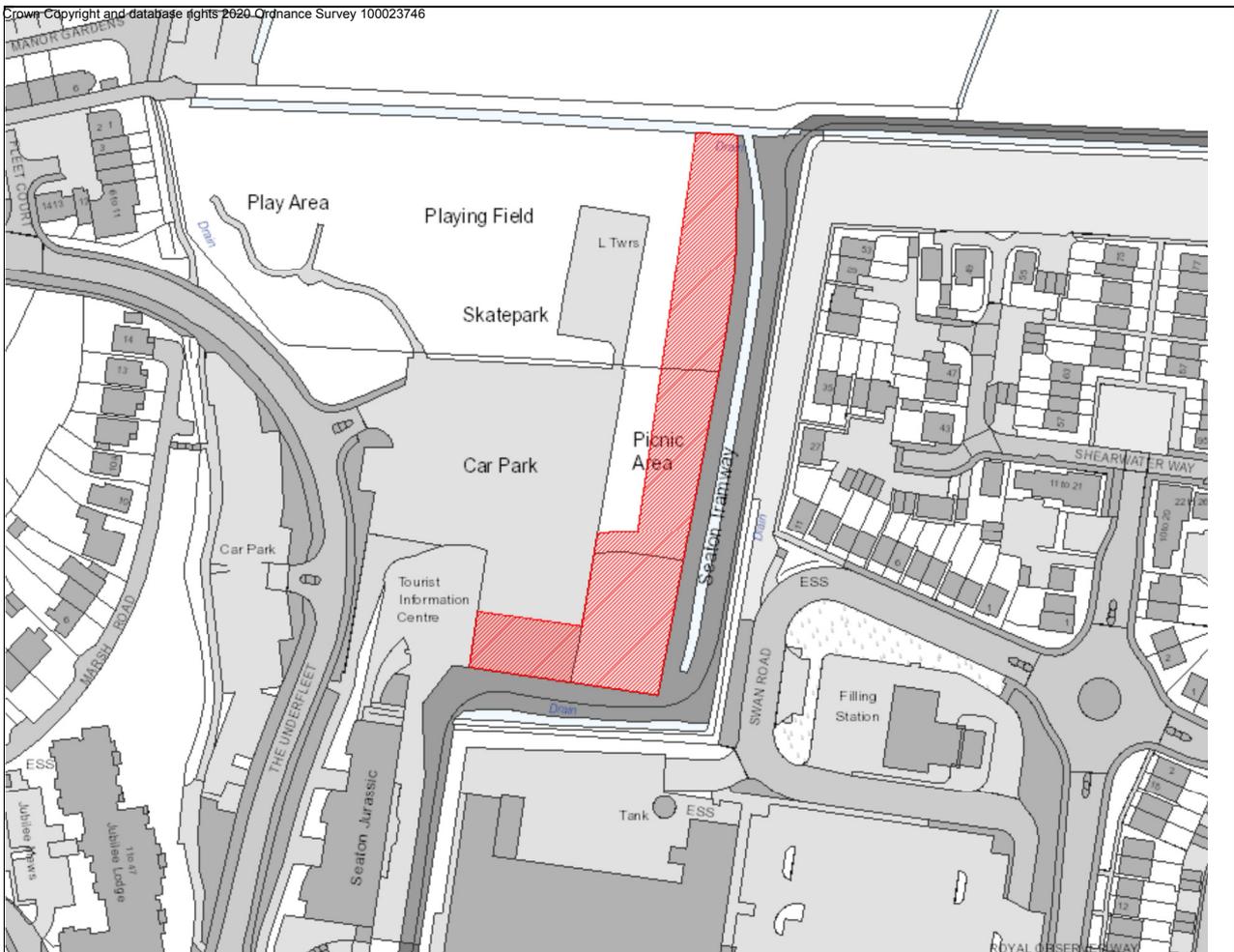
Location Seaton Jurassic The Underfleet
Seaton EX12 2WD

Proposal Extension to existing external area to visitor centre to include change of use of part of existing car park; raising of site levels to provide level access path; creation of play and interpretation features (to include 3 metre high earth mound) and seating areas; creation of footpath link to north.



RECOMMENDATION: Approval with conditions

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		Committee Date: 2nd December 2020
Seaton (Seaton)	20/1399/FUL	Target Date: 16.11.2020
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Location:	Seaton Jurassic The Underfleet	
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EXECUTIVE SUMMARY

The application is before committee because there are financial implications for the Council, in that EDDC owns the land to which the application relates, and there is an objection to the development.

Seaton Jurassic is an established visitor attraction located close to the town centre and adjacent to another visitor attraction, Seaton Tramway. At present the site consists of the visitor centre buildings and an outside area to the north of these adjoining the EDDC Underfleet car park. The proposal looks to extend the outside areas associated with Seaton Jurassic to the east, incorporating part of the existing car park, and then northwards on an area of vacant land between the car park and tramline. To the north of the area to be enclosed as part of Seaton Jurassic, a pathway is proposed across the existing grassed picnic area to link through the play area to the north to Sheep's Marsh.

The proposed development is supported in principle by policies of the Local Plan and would enhance the visitor experience for one of the town's principal tourist attractions, as well as providing improvements to an existing area of public open space.

In terms of impacts the development is small scale and would be visually well related to existing development, it is not considered likely to give rise to harm to residential amenity.

The proposal lies in a high risk flood zone but the nature of the development is considered to be 'water compatible' and would not give rise to flood risk concerns on, or off site.

The proposal would result in the loss of 18 no. parking spaces but this loss was planned, as a second phase of development, as part of the original approval for Seaton Jurassic and has subsequently been compensated for by the creation of additional parking spaces to the other side of The Underfleet.

In all other respects the application is considered to be acceptable and is recommended for approval.

CONSULTATIONS

Local Consultations

Parish/Town Council

Seaton Town Council have no objections to this application as Members thought it would be a welcome addition to Seaton Jurassic.

Technical Consultations

Environment Agency

We have no objections to the proposal.

I have consulted internally with one of our flood risk engineers and we provide the following advice:

The site is located in flood zone 3, identified by Environment Agency flood maps as having a high probability of flooding. The proposed development, including the land raising / landscaping does not increase flood risk elsewhere. The change in elevations are located on a level lower than that of the existing tramway embankment and are within a tidal flood zone. There is therefore no reduction in flood storage capacity. We have no flood risk concerns for the erection of the proposed fencing.

Other Representations

4 no. representations of support (including from Seaton Visitors Centre Trust) and 1 no. objection (from the operators of Seaton Tramway) have been received, those comments are summarised as follows:

Reasons for support:

- The extension to Seaton Jurassic will enhance the visitor experience, increase community interest and also awareness of environmental concerns.
- The proposal will increase the offer of Seaton Jurassic and help its viability.
- Proposal further highlights Seaton's natural heritage for residents and visitors alike, support conservation and address issues of climate change.

- The application as another step towards EDDCs initiative linking Seaton to Sheep's Marsh and onwards.
- The loss of parking spaces is offset by the new car park on the opposite side of the Underfleet.
- The proposed fencing would replace unsightly old fence round a dumping area and trams would be visible above this.
- Any new signage should be focused on directing visitors to the town centre.

Objections:

- Reduction in car parking spaces reducing provision for visitors to both, on top of those lost when the centre was first constructed.
- Proposed fencing would obscure views of tramway
- Signage should be proposed to direct visitors to Seaton Jurassic and Seaton Tramway
- Access from the site to the tramway must be maintained.

PLANNING HISTORY

Reference	Description	Decision	Date
10/1587/FUL	Demolition of existing Tourist Information Centre, land-fill operations and other infrastructure improvements including extinguishing existing car park access and forming a new highways junction and car park access; erection of new-build Jurassic Coast Interpretation Centre and associated external works.	Approval with conditions	14.06.2013
14/2493/VAR	Demolition of existing tourist information centre, land-fill operations and other infrastructure improvements including extinguishing existing car park access, formation of new highways junction and car park access, erection of new build Jurassic Coast Interpretation Centre and associated external works (amendments to application 10/1587/FUL)	Approval with conditions	21.01.2015

19/1409/FUL	Installation of three sculptures	Approval - standard time limit	06.09.2019
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POLICIES

Adopted East Devon Local Plan 2013-2031 Policies

Strategy 5 (Environment)

Strategy 6 (Development within Built-up Area Boundaries)

Strategy 3 (Sustainable Development)

Strategy 25 (Development at Seaton)

Strategy 33 (Promotion of Tourism in East Devon)

D1 (Design and Local Distinctiveness)

D2 (Landscape Requirements)

D3 (Trees and Development Sites)

EN21 (River and Coastal Flooding)

EN22 (Surface Run-Off Implications of New Development)

E20 (Provision of Visitor Attractions)

TC2 (Accessibility of New Development)

TC7 (Adequacy of Road Network and Site Access)

TC9 (Parking Provision in New Development)

Government Planning Documents

National Planning Practice Guidance

NPPF (National Planning Policy Framework 2019)

Site Location and Description

Seaton Jurassic is located on land to the east of The Underfleet and between this and the tramway line that runs long its eastern border, separating the site from the Tesco superstore and housing development to this side. The application site relates to land to the east and north of the Seaton Jurassic site. At present the site area is partly used for car parking as part of the EDDC Underfleet car park, partly as adjoining incidental amenity open space and partly forming part of the play area to the north of the car park. Further to the south beyond the Seaton Jurassic visitor centre lies the Seaton Tramway Terminus.

The site is level, lies within the built-up area boundary of the town and is designated as Flood Zone 3.

Background

Planning permission was granted for a visitor centre in 2013 under application 10/1587/FUL and a variation to this permission was subsequently agreed under application 14/2493/VAR. Both permissions included all of the car park within the application site area and proposed alterations to the layout and access to the car park, both also indicated an area of car parking to the northeast of the visitor centre as forming part of a second phase of development of the site.

Proposed Development

The application proposes an extension to the existing external area to the visitor centre as part of a second phase of development. Site levels would be partially raised and access paths created through the site to link with existing play area to the north of the car park. Within the site areas for play, interpretation features and seating would be created. The proposal includes change of use of part of the existing car park with the resulting loss of 18 no. car parking spaces.

ANALYSIS

The main issues in the determination of the application are considered to be:

- The principle of the development
- Flood Risk
- Parking and Highway Issues
- Impact on the character and appearance of the area
- Tourism/Economic benefits
- Other Issues

The principle of the development

The application involves extensions to the outside areas associated with an existing visitor attraction. It takes place within the defined built-up area boundary of the town. and as such the principle of the development, subject to consideration of other relevant factors, finds support under Strategies 6 (Development within Built up Area Boundaries) and 25 (Development at Seaton) of the East Devon Local Plan, the latter of which specifically looks to promote Seaton's role as a green tourism destination. In addition, the proposal is also considered to find support from Strategy 33 (Promotion of Tourism in East Devon).

Policy E20 (Provision of Visitor Attractions) of the Local Plan provides more direct policy support for development of this nature, stating the provision of new tourist attractions, or extensions to existing tourist attractions, will be permitted subject to a number of listed criteria being met. Those criteria require the development to be acceptable in terms of terms of landscape impact and in relation to features of natural, cultural or heritage interest; to relate sensitively to its surrounding and include

landscaping where necessary to mitigate adverse impacts; the locality being capable of accommodating increased visitors numbers without adverse impact; being accessible by a variety of modes of transport and acceptable in terms of amenity impact. These criteria, together with other relevant planning considerations, are considered under the following sub-headings.

Flood Risk

The whole of the application site, as well as land to the north and south of it, lies within Flood Zone 3 (this being a site having a 1 in 100 or greater annual probability of river flooding (>1%), or a 1 in 200 or greater annual probability of flooding from the sea (>0.5%) in any year.). In this case the site is determined to be in Flood Zone 3a and the flood risk is tidal relating to extreme surge tide events and wave overtopping of the Esplanade.

Planning guidance in relation to flood risk requires a sequential approach to development seeking first of all to site development in areas at lowest risk of flooding before sites in areas at higher risk are considered. In this instance as an extension to an existing site there are no alternatives to the site location. However, the nature of the development is considered to fall within a 'water compatible' use and is therefore an appropriate use in accordance with Table 3 (Flood Risk Vulnerability and Flood Zone Compatibility) of the National Planning Practice Guidance on Flood Risk and Coastal Change.

The application is accompanied by a site specific Flood Risk Assessment (FRA) this concludes that the risk of flooding is very low due to the nature of the proposed use and the flood compatible nature of the development. The addition of a small amount of fill is not considered to be an issue as this is not within a surface water flow path and is lower than the adjoining tramway embankment. It is not considered that the proposal would lead to an increase in flood risk off-site and the Environment Agency has confirmed that they have no objection to the proposal.

Parking and Highway Issues

The proposal would result in the loss of 18 no. existing car parking spaces and the operators of Seaton Tramway have objected to the application on this basis, considering such loss to be harmful to both visitor attractions by reducing the availability of parking facilities.

Under both application 10/1587/FUL and 14/2493/VAR the area of car parking in question was included within the application site as an area for development under a second phase. Whilst no details were provided at the time, it was clear that the area in question would be lost from the adjoining car park. In fact, under application 14/2493/VAR a greater extent of car parking was shown to be lost than is currently proposed.

In addition to the above and since the previous application (14/2493/VAR) was approved, permission has been granted for an additional public car park on land to the west side of the Underfleet. That permission (14/2293/FUL) created an additional 69

parking spaces and was promoted on the basis of providing alternative provision for, at least some of, the spaces lost through the creation of Seaton Jurassic.

On the basis of the above, it is clear that the loss of parking provision in the area proposed has already been sanctioned under earlier permissions for the development of the site. The current proposals would actually retain more parking spaces than was previously proposed and furthermore additional parking provision has previously been provided nearby, as such there is no objection to the loss of car parking provision as proposed.

In addition, it is understood that EDDC as the owners and operators of the car park will monitor demand for parking and any impact from the loss of the 18 spaces and consider the provision of further spaces in the future if required and justified.

Impact on the character and appearance of the area

The application on the whole proposes low key development that would be well related to and in keeping with the existing development at Seaton Jurassic. The most visible change would be at the southern end of the site where the existing boundary fencing would be extended further to the east to enclose an area of existing car parking and rough overgrown land in order to provide an extension to the existing outside area associated with the visitor centre. The development would involve raising of the site levels by 0.45 metres to provide level access across the site and the use of landscape planting and different surfacing materials to provide a visual interpretation of different landscapes forming part of the Jurassic coastline. In addition to the fencing, the construction on an earth mound feature in the southeast corner of the site ('Living Landscapes' Area) would be visible from outside of the site.

To the north of the 'Living Landscapes' Area a pathway would lead north, parallel to the tramway and would terminate at the northern side of the existing play area. Alongside the path would be a variety of interactive features and interpretation panels relating to the topic of climate change. The path itself would be at natural ground level and the features within this area would also be generally small in scale and feature natural materials.

Overall, the proposed visual impact of the development is considered to be limited and in keeping in relation to surrounding development which includes the existing visitor centre and an existing play area. Indeed the proposal is likely to add some visual interest to an area which currently lacks identity.

Tourism/Economic benefits

The development represents an extension to an existing tourist/visitor attraction and would assist in consolidating Seaton Jurassic's role as one of the town's key visitor attractions. In this way the proposal would help to promote the town's role as an important green tourism destination and is likely to provide knock on benefits to other tourism related businesses in the town. Given the scale of the development these benefits are likely to be limited but nonetheless weigh in favour of the proposal.

Other Issues

In relation to accessibility, the site is located close to the town centre and where access to it by a variety of modes of transport is available.

There are a number of residential properties on higher land to the east of the site. These properties are separated from the site by the tramline and a distance of a minimum of 25 metres. Given the existing uses of the site the low key nature of the development it is not considered that any harmful impact on residential amenity would arise.

A small area of land in the southeast corner of the site is indicated as being set aside for a future second tramline, however this does not form part of the current application. The operators of the tramway have in addition to comments on loss of parking raised concerns about the proposed fencing to the site obscuring views of the tramway. The fencing indicated is between 1.7 and 2 metres in height and therefore is likely to prevent views of trams using the line which would be seen above this, it should be noted however that maintaining views of adjoining land is not in itself a planning issue and erection of the fencing as proposed is of itself considered to represent permitted development. In addition, it is understood that the applicant has spoken to the Tramway about this and will liaise with them when the fencing is erected.

With regards to the suggestion that directional signage be provided to guide visitors to Seaton Jurassic and Seaton Tramway this does not form part of the current application, nor is this considered to be necessary to make the development acceptable in planning terms. Nevertheless, should the applicant propose such signage there is no objection in principle to this subject to design and any necessary consent being sought.

There is a line of trees at the eastern end of the play area to the north of the site and which the proposed footpath would run close to. Given the nature of the development proposed in the vicinity of these trees, it is not considered that these trees would be affected by the construction of the footpath or landscape features proposed. Nevertheless, a Tree Protection Plan is considered necessary to ensure they are appropriately protected during the construction phase and in accordance with policy D3 of the Local Plan.

RECOMMENDATION

APPROVE subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission and shall be carried out as approved.
(Reason - To comply with section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall be carried out in accordance with the approved plans listed at the end of this decision notice.
(Reason - For the avoidance of doubt.)

3. Prior to the initial use of the site for the purposes hereby approved the following further landscaping details shall have been submitted to and approved in writing by the Local Planning Authority:

- details of the tree planting, indicatively shown on 'Proposed Site Plan drawing', to include: layout, species mix, size and number
- details of any other areas of planting
- details of any other hard landscape features

The landscaping scheme shall be carried out in the first planting season after commencement of the development unless any alternative phasing of the landscaping is agreed in writing by the Local Planning Authority and the landscaping shall be maintained for a period of 5 years. Any trees or other plants which die during this period shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority.

(Reason - To ensure that the details are planned and considered at an early stage in the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Policies D1 - Design and Local Distinctiveness and D2 - Landscape Requirements of the Adopted East Devon Local Plan 2013-2031.)

4. Prior to commencement of any works on site (including demolition), tree protection details, to include the protection of hedges and shrubs, shall be submitted to and approved in writing by the Planning Authority. These shall adhere to the principles embodied in BS 5837:2012 and shall indicate exactly how and when the trees will be protected during the site works. Provision shall also be made for supervision of tree protection by a suitably qualified and experienced arboricultural consultant and details shall be included within the tree protection statement. The development shall be carried out strictly in accordance with the agreed details.

In any event, the following restrictions shall be strictly observed:

- (a) No burning shall take place in a position where flames could extend to within 5m of any part of any tree to be retained.
- (b) No trenches for services or foul/surface water drainage shall be dug within the crown spreads of any retained trees (or within half the height of the trees, whichever is the greater) unless agreed in writing by the Local Planning Authority. All such installations shall be in accordance with the advice given in Volume 4: National Joint Utilities Group (NJUG) Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2) 2007.
- (c) No changes in ground levels or excavations shall take place within the crown spreads of retained trees (or within half the height of the trees, whichever is the greater) unless agreed in writing by the Local Planning Authority.

(Reason - A pre-commencement condition is required to ensure retention and protection of trees on the site during and after construction. The condition is

required in interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Policies D1 – Design and Local Distinctiveness and D3 – Trees and Development Sites of the Adopted East Devon Local Plan 2013-2031.)

NOTE FOR APPLICANT

Informative:

In accordance with the aims of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 East Devon District Council works proactively with applicants to resolve all relevant planning concerns; however, in this case the application was deemed acceptable as submitted.

Plans relating to this application:

LIVING SEA ELEVATION	Proposed Elevation	17.09.20
LIVING LANDSCAPE ELEVATION	Proposed Elevation	17.09.20
LANDSCAPING FEATURES	Other Plans	17.09.20
FEATURES LIVING LANDSCAPE AREA	Proposed Elevation	17.09.20
	Proposed Site Plan	21.09.20
	Location Plan	21.09.20

List of Background Papers

Application file, consultations and policy documents referred to in the report.