

**REPORT OF THE MEETING OF THE SITE INSPECTION GROUP HELD ON  
MONDAY, 30 JULY 2007**

**(53/2449/06/F) Demolition of existing bungalow and construction of two  
replacement dwellings –  
Valley View, Chillington, Kingsbridge TQ7 2JX**

**Present:** Cllr G J Fielden (Chairman)  
Cllr P W Hitchins  
Cllr I Longrigg  
Cllr J A Westacott

**In attendance and participating:**

Cllr P Greening (Stokenham Parish Council)  
D Kenyon (Area Planning Officer)

**In attendance but not participating:**

The applicants and neighbours

(Note: Apologies for absence were received from Cllrs H D Bastone and J H Baverstock).

Whilst introducing those in attendance, the Chairman read an email received from Cllr Baverstock, the local Member, which advised of his reasons for not being present at the inspection and his wish that the Group view the application site from No. 27 Gratton Drive, Chillington to gauge a true picture of the proposals.

The Area Planning Officer (APO) proceeded to introduce the application and, with the dimensions of the proposals being pegged out (the siting of the corners of the dwelling closest to Gratton Drive boundary, with indication of proposed eaves height) to assist, made particular reference to:-

- (a) the proposal seeking permission to demolish the existing bungalow and erect 2 dwellings. The APO proceeded to make reference to the pegged out markers illustrating the dimensions of the proposals and advised that a Council Engineer had earlier visited the site and had confirmed that these markers accurately portrayed the eaves height of the dwelling closest to the Gratton Drive boundary;
- (b) the site being located within the Development Boundary, Area of Outstanding Natural Beauty and Conservation Area. Whilst the Group noted that no objections had been raised by the standard consultees, reference was made to South West Water. Members were reminded that in light of recent major applications having been granted planning permission in the village, there had been an issue with regard to the capacity of the treatment works. It was noted that South West Water had concluded that the one extra dwelling associated with this application was not an overriding burden on the system;

- (c) objection letters received from third parties. The APO summarised the issues raised in the letters of objection (as stated in the case officer report). With regard to the access onto the A379, Members were informed that the Highways Authority had no overriding objections to an additional dwelling being constructed;
- (d) the planning history. Members were informed that an outline application had been refused in January 2006 (Application No. 53/2239/05/O refers) on this site. In addition, and following concerns expressed by objectors, it was noted that this fully detailed application had been deferred from the Committee meeting on 18 April 2007 to allow for further information to be gathered. Whilst the Building Inspector had subsequently raised no objections, a condition was being recommended which related to the structural details of the proposals;
- (e) loss of commercial car parking. The APO advised that a sworn affidavit had been submitted to the Council, which stated that the current car parking area was not a designated premise for parking. As a consequence, the Council's solicitors had investigated and confirmed that the document referred to 'sporadic' use for commercial parking and therefore loss of such parking could not be considered to be a justifiable reason to refuse this application;
- (f) details of the proposals. With the aid of drawings, the APO made reference to the elevations of the proposals during which it was noted that the ground levels were to be dropped by 0.8m to reduce the impact on the neighbouring properties;
- (g) the Conservation Area (CA). The APO asked the Group to consider whether there was a wider impact on the CA and the extent to where the proposals could be viewed from within the CA. It was also confirmed that the Conservation Officer was satisfied with the materials proposed, which included rendered walls and natural slate roofs;
- (h) the impact on the neighbouring dwellings. Members were advised that the issue of impact was not an easy one to determine and had resulted in a number of planning officers evaluating the proposals and the conclusion that a site inspection was critical for Members to gauge the application. It was noted that officers had visited the site and viewed the proposals from a number of vantage points and felt that on balance, they were minded to support the application.

In his conclusion, the APO stated that this application was finely balanced and whilst having a great deal of sympathy for the neighbours, officers believed that the positive factors just about outweighed the negatives and were therefore able to support the application.

Members proceeded to view the proposals from the gardens of Nos. 25 and 27 Gratton Drive. At this point, the APO made reference to the importance of gauging the proposals and the impact on these dwellings, with Members being requested to note in particular the eaves level heights and determine whether the proposals were unacceptably close, dominant or overbearing to these neighbouring dwellings. Members were informed that the eaves height was 4.5m to the ground, with the ridge height being 8m, and therefore 3.5m above the height of the pegged out poles.

The Parish Council (PC) representative advised that the PC had raised no objections to the application but had expressed considerable concern with regard to the access (which had limited visibility) onto the A379, particularly during the construction phase. In addition, the PC also wished to express its concern with regard to the long-term viability of the commercial enterprise.

In response, the APO advised that any proposals to change the use of the commercial premises would require planning permission and where at all possible, the Council sought to safeguard the future of employment land.

In discussion, the following points were raised:-

- (A) A Member questioned why bungalows were not being proposed for construction on this site. In response, the APO stated that it was felt that 2-storey dwellings reflected the character of the area and it tended to be that 2-storey dwellings provided a better design than bungalows;
- (B) Whilst it was suggested as a recommended condition, and there was no apparent intention to remove the hedge boundary, Members were advised that its ownership was currently in dispute;
- (C) With regard to the proposed roof lights, the APO admitted that ideally the proposals would not include any and it was not a typical design trait to have any in such a hipped roof. A Member felt that recommended condition 10 whereby these roof lights were to be obscure glazed should be extended to include that they also be fixed and non-opening;
- (D) In light of a concern, a Member also requested that an additional condition be included whereby the permitted development rights were removed, to ensure that the gable remained free of any additional doors and windows.

It was then unanimously:

### **RECOMMENDED**

That in respect of application number 53/2449/06/F, the application be conditionally approved.

### Conditions

- 1 – TIM3 (Standard time limit 3 years)
- 2 – RES22 (Exclusion Of G.D.O.)
- 3 – MAT8 (Roofing Natural Slate)
- 4 – RES30 (Windows)
- 5 – HGE2 (Hedge Protection Details: Full/Reserved Matters)
- 6 – MAT23 (Timber Doors And Windows Reserve Details Vents)
- 7 – MAT26 (Rooflights Conservation Type)
- 8 – RES42 (Parking)
- 9 – DRN4 (Drainage)
- 10 – Non Standard  
Obscure Fixed Glazed Rooflight
- 11 – Non Standard  
Submission of Geo-Technical Report
- 12 – Removal of PD Rights (windows and doors – gable elevation)

### Reasons for Approval

1. This application has been determined in accordance with Section 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 in respect of planning applications which affect a listed building or its setting which requires that special regard shall be had to the desirability of preserving the building or its setting or any features of special architectural or historic interests which it possesses. This application has been determined in accordance with approved Development Plan Policies (which are contained in the Devon County Structure Plan and the South Hams Local Plan); relevant Government planning policy guidance; and approved in the absence of any other overriding material considerations and having given due weight to all other matters raised in this application including technical and other representations received. The relevant Policies are LDF Core Strategy CS1, CS7 & CS9; Devon County Structure Plan C03 & C06; South Hams Local Plan SHDC1, SHDC15 & SHDC18; Local Plan Review DEV2, ENV2 & ENV10.
2. Special regard has been given to the representations about Loss of Privacy, Dominance, subsidence, drainage and the impact upon the commercial premises but these were not considered to be overriding because of an investigation in Local Policy and advice from experts.

### Informatives

This decision refers to drawings nos. PL.05, PL.06, PI.07, PI.108, AD.PL.01 & SHDC1 (location plan) received on 18 December 2007.