

ITEM

ITEM

**REPORT OF THE MEETING OF THE SITE INSPECTION GROUP HELD ON
MONDAY, 22 MARCH 2010**

37/2040/09/F – Retrospective householder application for amendments to planning consent 37/0410/08/F for alterations to landscaping to rear garden – Westfield, Riverside Road West, Newton Ferrers, Plymouth PL8 1AD

Present: Cllr Fielden (Chairman)
Cllr Carter
Cllr Hicks
Cllr Hitchins
Cllr Ward

Also in attendance and participating:

Cllr Cooper – local Ward Member
Malcolm Elliott – Area Planning Officer
Darryl White – Member Support Services Manager
Cllr Young – Newton & Noss Parish Council

In introducing the application, the Area Planning Officer (APO) made particular reference to:-

- a) the application being retrospective and seeking amendments to a previous planning consent for alterations to landscaping (application number 37/0410/08/F refers);
- b) the differences between the original planning consent and this application. With the aid of plans and drawings, the differences between the original application, in comparison to what had been constructed, were pointed out to the Group;
- c) two overriding issues. The APO stated that the first issue for the Group to assess was whether the impact (in terms of the height, formation and proximity of the terracing) on the neighbouring property (Maryknowle) was so significant to recommend that the application be refused. Secondly, the APO presented a photograph taken from the opposite side of the river at Noss Mayo and asked that Members reach a judgement on the visual impact of the terracing in the Area of Outstanding Natural Beauty (AONB) and the Conservation Area.

At this point, the Group proceeded to view the higher and lower elements of the terracing from the rear garden of the application site. In specifically highlighting the distance between the terracing and Maryknowle and the boundary wall, the Group was asked to gauge the level of neighbour impact. In addition, the APO also advised that the depth of the terraced areas had already been reduced. Therefore, if the Group was minded to support the officer recommendation of conditional approval, the APO wished to suggest the inclusion of a further condition whereby the finished depth would be restricted to the current level, with any future backfilling prevented.

The Group then viewed the proposals from the frontage and the raised garden area of Maryknowle. To assist in gauging the impact, the agent stood in the higher terraced area and some Members also observed the site from the three first floor windows which overlooked the terracing.

The Parish Council (PC) representative quoted the South Hams Local Plan Review document for Newton Ferrers and Noss Mayo and specifically highlighted the statement that 'development should not take place in these areas which would adversely affect the areas character/diversity/landscape'. To support the view of the PC that this application was contrary to this statement, the representative circulated photographs which had been taken from the Noss Mayo side of the river. The representative felt that these photographs illustrated the detrimental impact on the AONB, with the proposals resembling one large white wall on the landscape.

The local Ward Member reiterated that the site was located in the Conservation Area and the AONB and felt that when viewed from Noss Mayo, the proposals constituted overdevelopment. Before the Group made its recommendation, the local Member felt that it was important for the proposals to be viewed from Noss Mayo.

The APO acknowledged that the white walls were clearly visible. However, the application site was currently a work in progress and a condition had also been recommended with regard to the inclusion of an approved landscaping scheme. When considering the number of white dwellings on the immediate landscape, a Member commented that the white walls were not likely to stand out as much as if they were painted a different colour.

In discussion, reference was made to:-

- (i) the likelihood of some softening arising when the tree sited by the boundary wall was in full flower;
- (ii) a suggestion to erect trellising on the boundary wall. Members advised that they did not feel it necessary to recommend that trellising be erected, as it would also impact upon the owners of Maryknowle;
- (iii) the lack of support for viewing the application from Noss Mayo;
- (iv) the distance between the site and Maryknowle. A Member felt that there was overlooking on both sides, but did acknowledge that there was a sizeable distance between the two properties;
- (v) the belief that there was no material planning reasons which could be substantiated to recommend that the application be refused;
- (vi) the view that the additional condition relating to the prevention of any backfilling of the current terracing levels should also be included.

The following motion was then **PROPOSED** and **SECONDED** and on being put to the vote was unanimously declared **CARRIED**:-

RECOMMENDED

That in respect of application number 37/2040/09/F, the application be conditionally approved.

Conditions

- 1 - TIM3 (Standard 3 year time limit)
- 2 - MAT1 (Matching Materials)
- 3 - Non Standard
Retaining walls of hardstanding
- 4 - Non Standard
Railings
- 5 - Non Standard
Planting Details
- 6 - Non Standard
Highways
- 7 - NH05 (Accord with Plans)
- 8 – Prevention of increasing terrace levels from their current depth.

Reasons for Approval

- 1 This application has been determined in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004 which states that planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. This application has been determined in accordance with approved Development Plan Policies; 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 Devon County Structure Plan CO1, CO3; South Hams Local Plan SHDC1, SHDC13, SHDC15, SHDC18 and Local Development Framework Core Strategy CS1, CS7 and CS9.
- 2 Special regard has been given to the representations about privacy and visual impact but these were not considered to be overriding because the increase in ground level of the proposed terracing would not have a material impact on the privacy of the neighbouring property, greater than that experienced prior to development. Furthermore, the development is not considered to have a significant visual impact on the landscape.