

**REPORT OF THE MEETING OF THE SITE INSPECTION GROUP HELD ON  
MONDAY, 2 JULY 2007**

**(30/0419/07/F) resubmission of application 30/0438/06/F for outdoor swimming pool with changing facilities and improved and extended drive - Falaise, Castle Road, Kingswear, Dartmouth, TQ6 0BT**

**Present:** Cllr P Coulson  
Cllr G J Fielden (Chairman)  
Cllr R Rowe  
Cllr J W Squire  
Cllr A Ward

**In attendance and participating:**  
D Kenyon (Area Planning Officer)  
Cllr Hawkins (local Ward Member)

**Also in attendance but not participating:**  
Objectors and supporters

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

- (A) the details of the application. The Group noted that the application sought approval for the erection of a double garage with swimming pool above the existing parking area to the front of the property; the erection of a two-storey side extension on the east elevation comprising of toilet/shower, changing room and plant room; and the extension of existing driveway to the rear of the property. It was noted that the extensions were subject to Building Regulations but the construction of the driveway was not. Therefore, a condition was recommended requiring prior submission of structural details and finishing materials of all retaining walls being strictly adhered to;
- (B) the associated policy context of the application. With both the aid of drawings and plans, the APO highlighted a number of relevant policies to this application. The Group noted the need to have due regard to the character and appearance as the property was situated within an Area of Outstanding Natural Beauty (AONB) and a Coastal Preservation Area. Moreover, it was highlighted that the application lay adjacent to but outside the development boundary for Kingswear;
- (C) the feedback received from consultees. Whilst the Highway Authority, Water Authority and Environment Agency had raised no objections, the Parish Council had raised no objections but did comment about the privacy screen design, drainage and the stability of the land. Letters of representation had also been received from a number of local residents which included concerns such as inappropriate design, detriment to character and appearance of the ANOB and Coastal Preservation Area, overdevelopment, noise pollution for changing rooms and pump room

(unacceptable detriment to residential amenity), loss of privacy, instability of the land to accommodate the proposal and drainage. The APO advised the Group that he had received correspondence from the applicant addressing a number of these concerns, in which it was noted that reasons for extending the drive included the creation of additional parking facilities and to access the rear of the garden where essential tree and hedge maintenance was required.

The Group walked up the drive way to Falaise to view the site for the proposed turning circle with situated swimming pool above. The Group also viewed the side and rear of the property where the APO demonstrated, with the use of plans, the gradient of the proposed driveway and the retaining walls required for its stability. Members aired concern over the amount of excavation required to complete the project and the cost of it. In response, the APO advised that the case consultants were satisfied that the work could be completed satisfactory and that the financial implications to the applicants were not a material planning consideration.

The Group then proceeded to view the application site from Castle Road adjacent to Inverdart, and from the properties of Inverdart and Inverdart Gate, to gauge the approximate height of the swimming pool level and its proximity these neighbouring properties.

The local Ward Member advised that the application should be refused on the basis that this was mass development on an instable hillside, that the proposed swimming pool, changing room and plant room would increase noise nuisance to neighbouring properties and it was located within the AONB and Coastal Preservation Area. Finally, the Ward Member had concern over the purpose of the driveway and the potential it gave to developing a further property.

In discussion, the following points were raised:-

- a) Members' concern over the proposed drive to the back of the property. A Member was concerned that this would give opportunity for a future application for a dwelling as access would already be in place. In response, Members were reminded that the area was outside the development boundary and therefore, as planning policies currently stood, such an application was likely to be recommended for refusal;
- b) Members aired concern over the aesthetic view of the proposal. The APO illustrated the location and approximate height of the proposed swimming pool and noted that a 1.8m privacy screen had been proposed to ensure loss of privacy was kept to a minimum;
- c) A Member stated that, on balance, she agreed with the Ward Member but felt it to be difficult to justify a sustainable objection against the proposal. As a consequence, the Member proposed that conditional approval be granted, however, this motion was not seconded.

In conclusion, Members felt that the proposal was detrimental to the character and appearance of the AONB and Coastal Preservation Area. The swimming pool would be un-neighbourly and the drive would constitute overdevelopment of the area.

It was then by 4 votes to 1:

### **RECOMMENDED**

That in respect of application 30/0419/07/F, the application be refused

### **Reason for Refusal:**

By virtue of their design, massing and height, and proximity to boundaries and resultant loss of established vegetation, the proposed extensions to the front and side of the existing dwelling are considered to comprise over development and will result in a dominate feature detrimental to the character and appearance of the visual amenities of the locality which is with an AONB and Coastal Preservation Area. As such this part of the proposal is considered contrary to Structure Plan Policies CO3, CO5 and CO6; Local Plan Policies SHDC3 and SHDC15; Local Plan Review Policies DS4, DEV2, DEV23, ENV2 and ENV4; adopted LDF Core Strategy Policies CS1, CS7 and CS9; and relevant Central Government Guidance.