

**REPORT OF THE MEETING OF THE SITE INSPECTION GROUP HELD ON  
MONDAY, 27 APRIL 2009**

**(30/2419/08/O) Dwelling to rear of Gidleigh House – Building site rear of  
Gidleigh House, Higher Street, Kingswear, TQ6 0AG**

**Present:** Cllr Carter  
Cllr May  
Cllr Fielden (Chairman)  
Cllr Pennington  
Cllr Ward

**Also in attendance and participating:**

Cllr Newcombe – Kingswear Parish Council representative  
Dean Kinsella – Senior Planning Officer  
Kat Winterbottom – Senior Member Support Officer

In his introduction, the Senior Planning Officer (SPO) made particular reference to:-

- (A) the application seeking outline consent to erect a single dwelling to the rear of Gidleigh House. Members were reminded that, if minded to approve the application, all matters in relation to the details of any dwelling would be reserved for a future application;
- (B) letters of representation. The SPO advised that letters of representation received had raised concern in relation to loss of privacy, unstable land, poor access, disruption caused by construction traffic and no parking provision;
- (C) the draft Section 106 Agreement. Members were reminded that a draft S106 Agreement incorporated the provision of a parking space in the Dart Haven Marina and also an obligation that the owners would not attempt to obtain a parking permit from Devon County Council. In response to Member concerns raised at the Development Control Committee meeting of 15 April 2009, the SPO confirmed that both the agent and Dart Haven Marina confirmed that this was still the intention. However, it was noted that, Dart Haven Marina required car registration details in order to issue permits and therefore could not produce one prior to this;
- (D) the planning history of the site and the adjoining land. The SPO outlined the history of the site noting that in 1988 an application was refused for the erection of a detached dwelling in the rear garden of Gidleigh House (the current application site) for reasons as outlined in the officer report. In 2006, an outline application for a dwelling was granted for the adjoining site, Carlton House, following an initial refusal in 2005. The Carlton House application was submitted with a Section 106 Agreement regarding parking at the Dart Haven Marina site which was considered to have overcome the reasons for refusal in 2005. It was confirmed that the size of the plot at Carlton House was similar to that of the current application site;

(E) construction of a dwelling. Those present were informed that the method of constructing a dwelling was not a material planning issue. The SPO advised that he had been in discussions with the agent who stated that deliveries of building materials would be made with small suitable vehicles. Furthermore, the agent confirmed that any works carried out on the construction of a property would be outside the peak summer period and in conjunction with the neighbouring property application for a dwelling at the rear of Carlton House, in order to minimise the impact on local residents.

The Group proceeded to view the application site and its position in respect of neighbouring properties (NOTE: due to the steep nature of the site, Cllr Carter did not access the rear of Gidleigh House due to mobility concerns). The SPO confirmed that the existing outbuilding would be demolished and the access route for building materials onto the site would be shared with the neighbouring property of Carlton House. Following a question, the SPO reiterated that the movement of materials on and off the site was not a material planning consideration. However it was confirmed that, in terms of stability of the land, all structural calculations would be required by the Council prior to the commencement of any works.

The Group then proceeded to view the application site from Carlton Lodge, which was the dwelling situated in between Gidleigh House and Carlton House. Members viewed the retaining wall behind Carlton Lodge and the SPO highlighted the importance of the structural survey to ensure its stability, and noted that its conclusions would be a central consideration, prior to any works commencing on the application site.

Members also viewed the width restrictions of Higher Street and the suggested access path to the application site, which would be used if works were permitted on site (situated between Carlton Lodge and Carlton House).

In conclusion, and when taking everything into account, the SPO advised that officers had deemed that the proposal for outline planning permission on this site was acceptable and were therefore recommending that the application be conditionally approved in conjunction with a Section 106 Agreement.

When invited to address the Group, the Parish Council (PC) representative reiterated the concerns of overdevelopment, stability of land, loss of privacy, the resultant extra on-street parking and the parking permits at Dart Haven Marina not guaranteeing a parking space. Furthermore, the PC representative also made reference to an underground water spring which the PC was aware of which, it was felt, would add to concerns over the instability of the land.

In discussion, reference was made to:-

- (a) access onto the application site. Although it was not a material planning consideration, Members raised concern that the access on and off the site was very restricted;

- (b) objections raised by Devon County Council (DCC) Highways. Members made reference to the objections raised by DCC and echoed the concerns that, with or without external parking provision, the development would still lead to an exacerbation of traffic movements in the area of the Lower Ferry queue and the narrow and steep serving road network;
- (c) the outline planning permission granted for the neighbouring land to the rear of Carlton House. Following a query, it was confirmed that the outline permission for land to the rear of Carlton House was for works to commence within a 3 year period from the date the permission was granted, which was due to expire in August 2009. Members felt that as this permission had been granted, it would be difficult to refuse a similar application on adjoining land and therefore Members had been placed in a very difficult position;
- (d) disappointment that the local Ward Members were unavailable to attend the site inspection.

Taking into account all the evidence available, Members felt that the application was of such concern that it warranted further debate at the next meeting of the Development Control Committee, scheduled for 20 May 2009, where it was hoped that the local Ward Members would be available for further comment.