

**MINUTES OF THE MEETING OF THE DEVELOPMENT CONTROL COMMITTEE
HELD AT FOLLATON HOUSE, TOTNES, ON WEDNESDAY, 18 JULY 2007**

MEMBERS

* Cllr G J Fielden - Chairman

* Cllr I Longrigg - Vice-Chairman

* Cllr N A Barnes	* Cllr D W May
* Cllr H D Bastone	* Cllr D M O'Callaghan
* Cllr J Brazil	∅ Cllr J T Pennington
* Cllr B F Cane	* Cllr R Rowe
∅ Cllr R J Carter	* Cllr J W Squire
* Cllr S E Cooper	* Cllr R C Steer
* Cllr P Coulson	* Cllr R J Vint
* Cllr J D Hawkins	* Cllr A Ward
* Cllr M J Hicks	* Cllr J A Westacott
* Cllr P W Hitchins	

* Denotes attendance

∅ Denotes apology for absence

Also in attendance at the invitation of the Chairman:

Cllr J H Baverstock (for application number 53/1191/07/O – Resubmission of outline application 53/1841/060/O for residential development – New development site rear of Penn Cottage, Shindle Park, Chillington, Kingsbridge);

Officers in attendance:

All Agenda Items: Head of Planning and Building Control; Area Planning Officers (Eastern and Western Areas) and Monitoring Officer;

For Application Numbers: 53/1673/06/CA & 53/1674/06/CA & 53/1675/06/O – Affordable Housing Manager.

DC.13/07 MINUTES

The minutes of the meeting of the Committee held on 23 May 2007 were confirmed as a correct record and signed by the Chairman.

DC.14/07 CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised those present that application number 54/0640/07/F (Resubmission of application 54/1824/06/F for retrospective installation of heat pump with acoustic enclosure and boundary rendered wall – 14 Crestway, Strete, Dartmouth TQ6 0SF) had been deferred prior to the start of the meeting. In addition, application number 34/0807/07/F (Erection of dwelling – Westerland Dale, Westerland, Marldon, Paignton TQ3 1RU) had been withdrawn by the applicant prior to the start of the meeting.

DC.15/07 DECLARATIONS OF INTEREST

Members and officers were invited to declare any interests in the items of business to be considered during the course of the meeting. These were recorded as follows:-

Cllrs A Ward and R J Vint declared personal interests in application numbers 56/0710/07/F (Resubmission of application 56/2014/06/F for conversion and extension to provide dwelling – The Studio Barn, Collins Road, Totnes TQ9 5PJ) and 56/1216/07/F (Retrospective application for the erection of decking and fencing, and raised ridge level to extension (approved under application 56/0835/06/F) – 18 Hilldown, Bridgetown, Totnes TQ9 5RE). Both Members remained in the meeting and took part in the discussion and vote on both applications;

Cllr J Brazil declared a personal interest in application number 53/2449/06/F (Demolition of existing bungalow and construction of two replacement dwellings – Valley View, Chillington, Kingsbridge TQ7 2JX) and remained in the meeting and took part in the discussion and vote thereon;

Cllr J Brazil declared a prejudicial interest in application number 09/0773/07/DC (Resubmission of 09/0173/07/DC for the provision of new, permissive, pedestrian footpath adj. the A379 – Regulation 3 LPA own development, Chief Executive delegated authority dated 10 January 2007 – West Charleton footpath link, West Charleton, Kingsbridge) and left the meeting during consideration of this application;

Cllr J A Westacott declared a personal interest in application number 56/1216/07/F (Retrospective application for the erection of decking and fencing, and raised ridge level to extension (approved under application 56/0835/06/F) – 18 Hilldown, Bridgetown, Totnes TQ9 5RE) by virtue of the applicant being an employee of Totnes Town Council and remained in the meeting during consideration of this item;

Cllr P W Hitchins declared a personal interest in application number 15/0815/07/F (Demolition of existing pavilion and construction of temporary timber building to form new Lifeboat Station – Coronation Park, North Embankment, Dartmouth TQ6 9NL) and remained in the meeting and took part in the discussion and vote thereon;

Cllr H D Bastone declared a personal interest in application number 53/1191/07/O (Resubmission of outline application 53/1841/06/O for residential development – New Development site rear of Penn Cottage, Shindle Park, Chillington, Kingsbridge) by virtue of him being a friend of one of the objectors but had left the meeting prior to consideration of this application. Cllr Bastone also declared a personal interest in application number 56/1216/07/F (Retrospective application for the erection of decking and fencing, and raised ridge level to extension (approved under application 56/0835/06/F) – 18 Hilldown, Bridgetown, Totnes TQ9 5RE) by virtue of his and the applicant's mutual interest in rowing but had left the meeting prior to consideration of the application.

Cllrs B F Cane, G J Fielden, R C Steer and R Rowe declared personal interests in application numbers (53/1673/06/CA & 53/1674/06/CA & 53/1675/06/O – Conservation Area Consent for the demolition of 5 lean-to additions to barns; Conversion of barns to 4 dwellings; Outline application for erection of 40 new dwellings, conversion of building to one dwelling, erection of community hall and construction of roads and footpaths – Land between Shorneywall and Orchard Way, Chillington, Kingsbridge) by virtue of their association with members of the Helmer Trustees.

DC.16/07 **PUBLIC PARTICIPATION**

The Chairman announced that the following members of the public had registered their wish to speak at the meeting:-

- 53/1673/06/CA & 53/1674/06/CA & 53/1675/06/O – Supporter – Mr Rossiter
Conservation Area Consent for the demolition of 5 lean-to additions to barns; Conversion of barns to 4 dwellings; Outline application for erection of 40 new dwellings, conversion of building to one dwelling, erection of community hall and construction of roads and footpaths – Land between Shorneywall and Orchard Way, Chillington, Kingsbridge;
- 53/2449/06/F – Objector – Mr Norris; Supporter – Mr Beesley
Demolition of existing bungalow and construction of two replacement dwellings – Valley View, Chillington, Kingsbridge TQ7 2JX;
- 21/0466/07/F – Supporter – Mrs Harrison
Erection of new dwelling – Gypsy Copse, Cadleigh Park, Hunsdon Road, Ivybridge, PL21 9JP;
- 56/0710/07/F – Objector – Mr Hill; Supporter – Mr Lana
Resubmission of application 56/2014/06/F for conversion and extension to provide dwelling – The Studio Barn, Collins Road, Totnes, TQ9 5PJ;

- 15/0815/07/F – Objector – Mr Bridges; Supporter – Mr Mansell
Demolition of existing pavilion and construction of temporary timber building to form new Lifeboat Station – Coronation Park, North Embankment, Dartmouth, TQ6 9NL;
- 55/0837/07/F – Objector – Mr Marshall
Extension to dwelling – West Wing, Warren Road, Thurlestone, Kingsbridge, TQ7 3NT;
- 04/0919/07/F – Supporter – Mr Kingdon
Erection of field shelter – Field north of Hampool Cottages, Bickleigh, Plymouth;
- 28/0987/07/F – Supporter – Mr Patrick
Construction of external balcony – The Regal Club, Regal House, Church Street, Kingsbridge, TQ7 1JB;
- 11/0995/07/F – Objector – Mr Steventon; Supporter – Mr Baxter
Extension to dwelling, conversion of existing garage into granny annex and erection of double garage – Meadow Cottage, Aveton Gifford, Kingsbridge, TQ7 4NY;
- 53/1191/07/O – Objector – Mr Wakeling; Supporter – Mr Donald
Resubmission of outline application 53/1841/060/O for residential development – New development site rear of Penn Cottage, Shindle Park, Chillington, Kingsbridge;
- 56/1216/07/F – Supporter – Mr Langmaid
Retrospective application for the erection of decking and fencing, and raised ridge level to extension (approved under application 56/0835/06/F) – 18 Hilldown, Bridgetown, Totnes, TQ9 5RE.

DC.17/07 **SITE INSPECTIONS**

(a) **Applications deferred at this meeting**

RESOLVED

That a Site Inspection Group comprising the Chairman and four other Members who were present at the meeting be appointed to consider applications deferred at this meeting for that purpose.

- (b) **Report of Site Inspection Groups held on 2 July 2007**
- (i) **53/1673/06/CA & 53/1674/06/CA & 53/1675/06/O – Conservation Area Consent for the demolition of 5 lean-to additions to barns, conversion of barns to 4 dwellings, outline application for erection of 40 new dwellings, conversion of building to one dwelling, erection of community hall and construction of roads and footpaths – Land between Shorneywall and Orchard Way, Chillington, Kingsbridge**

Consideration was given to a report of the full Committee site inspection undertaken in respect of the above planning application.

As an update since the inspection, the Head of Planning and Building Control (HPBC) informed the Committee that he had invited the Council's Affordable Housing Manager to advise Members on the housing need for the village of Chillington. In response, the Affordable Housing Manager confirmed that as of 18 July 2007, there were 13 households having expressed a need for social rented houses in Chillington. Therefore, the proposal for 8 social rented houses in this scheme was considered to be broadly acceptable.

The HPBC also advised that it was proposed that the Community Hall should be removed and replaced either with an increased number of car parking spaces (to be connected via a footpath) or 3 additional discounted open market houses. Members were reminded that this was an outline application and therefore, should the application be approved, the detailed aspects of the scheme would emerge only when the land was sold and a developer was involved.

Whilst Members on the site inspection could gauge the relationship and distance between the facing windows, the HPBC felt that (in accordance with planning guidance) any recommendation for approval must include a condition whereby facing windows were not within a distance of 20 metres of one another.

The HPBC also reported that concern had been raised by some residents that the parish council representative who had attended the site inspection had not adequately represented the views of the parish council or its residents and his comments had been too favourable towards the application.

In conclusion, the HPBC reminded Members of the principal issues (which had been highlighted in the presented report) which should be borne in mind when determining these applications.

In accordance with the Council's Public Participation Scheme, a supporter of the proposals, Mr Rossiter proceeded to address the Committee and outlined his respective points in support of the applications.

The Chairman questioned whether the local Ward Member wished to address those present. In response, the Member advised that whilst he had no additional comments to make to those he had expressed at both the Committee meeting on 20 June 2007 and the site inspection, he would be happy to reiterate his comments. In light of this, the Chairman stated that Members had already heard his viewpoint and there was little benefit in repeating the same remarks.

In discussion, it was apparent that a number of Members had a difference of opinion on the applications. In expressing their lack of support for the proposals, some Members made reference to:-

- (a) the applications being a departure from local plan policies and the concept statement. A number of Members felt there to be no justification for this departure and requested that the application be refused and that a re-designed development be sought;
- (b) the proposed housing density. Some Members believed that the effective density of approximately 40 houses per hectare comprised overdevelopment and the original idea for a smaller scale development was preferable;
- (c) the lack of sustainability of the proposals. Some Members raised the point that the applications were unsustainable and constituted too much housing being built at once without any provision for employment units, for which there was high demand. As a consequence, there would be an increase in both car use and traffic movement on what they considered to be a treacherous highway;
- (d) the lack of community support. A Member questioned the point of the local community creating a concept plan which was overlooked by these proposals;
- (e) the pressure on the capacity of the public sewer. Reference was made to the comments of South West Water that the capacity of the public sewer could only withstand approximately an additional 55 dwellings and these proposals would constitute a large element of this capacity;
- (f) no traffic surveys having been undertaken during the peak summer season.

In contrast, Members who expressed their support for the applications made reference to:-

- (i) the proposals presenting an opportunity to build some much needed affordable housing. A number of Members referred to affordable housing being the Council's top priority and felt that this presented an opportunity which should not be passed up;

- (ii) the need to reverse the trend of local people leaving villages in the district;
- (iii) the interpretation of speed on the A379. Whilst acknowledging that the A379 was a busy road, a Member commented that it was often the interpretation of speed through villages which resulted in the belief that vehicles were travelling faster than they actually were in reality;
- (iv) the Local Plan policies referring to the need to reinforce Chillington's role as a Local Centre;
- (v) the land being earmarked for development and creating an ideal in-fill site;
- (vi) the lack of provision for employment units. Whilst some Members had expressed concern at this lack of provision (see (c) above), the view was expressed that such units could further increase traffic on the A379 and encourage unsocial working hours;
- (vii) the additional car parking proposed. Some Members felt that the additional public car parking would be of significant benefit to the village of Chillington.

It was then:

RESOLVED

That in respect of application numbers 53/1673/06/CA & 53/1674/06/CA & 53/1675/06/O, the applications be conditionally approved, subject to:

- delegated authority being given to the Head of Planning and Building Control, in consultation with the Chairman of the Development Control Committee, to finalise the wording of the conditions;
- a formal presentation being made to the Government Office for the South West as a departure; and
- a Section 106 Agreement which secures 22 affordable houses, £100,000 towards village hall facilities, £46,160 towards education facilities, £45,000 towards play area provision, provision of a pedestrian bridge and implementation of traffic calming measures being in place.

(ii) **15/0452/07/F – Resubmission of application 15/0076/07/F for the erection of two new dwellings – 113 Britannia Avenue, Dartmouth TQ6 9LQ**

Members considered a report of the Committee site inspection group undertaken in respect of the above planning application, which had included the recommendation that planning permission be conditionally approved.

The Head of Planning and Building Control advised that the applicants had indicated a willingness to make a contribution towards play provision by virtue of a Section 106 Agreement. As a consequence, officers were suggesting a further condition whereby the granting of planning permission also be subject to an agreed S106 Agreement.

It was then:

RESOLVED

That in respect of application numbers 15/0452/07/F, the application be conditionally approved.

Conditions:

- 1 – TIM3 (Standard time limit 3 years)
- 2 – MAT2 (Samples)
- 3 – NEO1 (Landscaping NE1)
- 4 – RES22 (Exclusion of G.D.O)
- 5 – RES30 (Windows)
- 6 – RES29 (Obscured Glazing)
- 7 – RES43 (No Standard Parking – two spaces for each new dwelling)
- 8 – Non Standard Parking two spaces for existing dwelling
- 9 – S106 Agreement towards play provision contributions

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 (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 Devon County Structure Plan C06; South Hams Local Plan SHDC1, SHDC13 & SHDC15; Local Plan Review DS3 & DEV2; LDF Core Strategy CS1 & CS7.

Informative

This decision refers to drawings nos. Britannia AV11302 (includes block plan) received on 26 February 2007.

- (iii) **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**

Members considered a report of the Committee site inspection group undertaken in respect of the above planning application, which had included the recommendation that planning permission be refused.

It was then:

RESOLVED

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 dominant feature detrimental to the character and appearance of the visual amenities of the locality which is within 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.

DC.18/07 **PLANNING APPLICATIONS**

The Head of Planning and Building Control submitted details of planning applications as indicated in Appendix A to these minutes.

During discussion of these planning applications, the following motions (which were in contradiction to the planning officer recommendations in the published agenda report or were determined by a Chairman's casting vote) were **PROPOSED** and **SECONDED** and on being put to the vote were either **CARRIED** or **LOST**:-

- (a) In respect of application number 53/2449/06/F (Demolition of existing bungalow and construction of two replacement dwellings – Valley View, Chillington, Kingsbridge TQ7 2JX), the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **CARRIED**:-

‘That a site inspection be undertaken.’

- (b) In respect of application number 21/0466/07/F (Erection of new dwelling – Gypsy Copse, Cadleigh Park, Hunsdon Road, Ivybridge, PL21 9JP), the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **CARRIED**:-

‘That a site inspection be undertaken.’

- (c) In respect of application number 15/0582/07/F (Alterations to windows to Unit 1 (approval 15/2058/05/F) – Unit 1, 51 Southford Road, Dartmouth TQ6 9QT), the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **CARRIED**:-

‘That a site inspection be undertaken.’

- (d) In respect of application number 56/0710/07/F (Resubmission of application 56/2014/06/F for conversion and extension to provide dwelling – The Studio Barn, Collins Road, Totnes TQ9 5PJ), the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **CARRIED**:-

‘That a site inspection be undertaken.’

- (e) In respect of application number 55/0837/07/F (Extension to dwelling – West Wing, Warren Road, Thurlestone, Kingsbridge TQ7 3NT), the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **CARRIED**:-

‘That a site inspection be undertaken.’

- (f) In respect of application number 04/0919/07/F (Erection of field shelter – Field north of Hampool Cottages at SX5280 6308, Bickleigh, Plymouth), the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **LOST**:-

‘That planning permission be refused.’

- (g) In respect of application number 53/1191/07/O (Resubmission of outline application 53/1841/06/O for residential development – New development site rear of Penn Cottage, Shindle Park, Chillington, Kingsbridge), the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was, by a Chairman’s casting vote, declared **LOST**:-

‘That planning permission be refused.’

The following matter was reported and noted by the Committee during consideration of DC.18/07 and Appendix A:-

- (i) 56/1216/07/F (Retrospective application for the erection of decking and fencing, and raised ridge level to extension (approved under application 56/0835/06/F) – 18 Hilldown, Bridgetown, Totnes, TQ9 5RE);

The inclusion of an additional condition: ‘That the fencing height be retained.’

RESOLVED

That the planning applications considered at this meeting be determined as indicated in Appendix A to these minutes.

(Meeting commenced at 2.00 pm and concluded at 6.10 pm).

Chairman

DEVELOPMENT CONTROL COMMITTEE – 18 JULY 2007

The following matters were reported to and noted by the Committee during consideration of DC.17/07(b)(i); (ii), (iii); DC.18/07 and Appendix A:-

53/1675/06/O & 53/1674/06/CA & 53/1673/06/CA	Letters circulated	6 of objection
53/2449/06/F	Letters circulated	4 of objection 4 of comment 1 of concern
15/0582/07/F	Letters circulated	2 of objection 1 of comment 1 of concern
54/0640/07/F	Letters circulated	8 of objection 2 of comment 3 of concern
56/0710/07/F	Letters circulated	1 of objection 6 of comment 1 of concern
34/0807/07/F	Letters circulated	3 of comment 1 of concern 3 of support
15/0815/07/F	Letters circulated	28 of objection 18 of comment 5 of concern 63 of support
(and a petition in support of the proposals containing approximately 2,900 signatories)		
55/0837/07/F	Letters circulated	16 of objection 1 of concern
04/0919/07/F	Letters circulated	2 of objection
28/0987/07/F	Letters circulated	2 of objection 3 of comment
11/0995/07/F	Letters circulated	22 of objection 6 of comment 7 of concern
53/1191/07/0	Letters circulated	1 of objection 1 of comment
56/1216/07/F	Letters circulated	1 of objection 1 of comment

APPENDIX A

53/2449/06/F

Demolition of existing bungalow and construction of two replacement dwelling – Valley View, Chillington, Kingsbridge, TQ7 2JX – M Johnson

STOKENHAM

Parish Council's Views – No objection

Officer Update – None

Recommendation – Conditional Approval

Committee Decision – Site Inspection

21/0466/07/F

Erection of new dwelling – Gypsy Copse, Cadleigh Park, Hunsdon Road, Ivybridge – Mr & Mrs D & J Harrison

ERMINGTON

Parish Council's Views – Support

Officer Update – None

Recommendation – Refusal

Committee Decision – Site Inspection

15/0582/07/F

Alterations to windows to Unit 1 (approval 15/2058/05/F) – Unit 1, 51 Southford Road, Dartmouth, TQ6 9QT – Mr K Hanafee

DARTMOUTH

Town Council's Views – Objection, loss of privacy, anti-social

Officer Update – None

Recommendation – Conditional Approval

Committee Decision – Site Inspection

54/0640/07/F

Resubmission of application 54/1824/06/F for retrospective installation of heat pump with acoustic enclosure and boundary rendered wall – 14 Crestway, Strete, Dartmouth, TQ6 0SF – Mr & Mrs Beck

STRETE

Parish Council's Views – Objection

Officer Update – Environmental Health Officer unavailable so recommend deferral

Recommendation – Conditional Approval

Committee Decision – Deferral

56/0710/07/F

Resubmission of application 56/2014/06/F for conversion and extension to provide dwelling – The Studio Barn, Collins Road, Totnes, TQ9 5PJ – Mr & Mrs W Lana

TOTNES

Town Council's Views – No objection

Officer Update – None

Recommendation – Conditional Approval

Committee Decision – Site Inspection

34/0807/07/F

Erection of dwelling – Westerland Dale, Westerland, Marldon, Paignton, TQ3 1RU – Mr D Webber

MARLDON

Parish Council's Views – No objection

Officer Update – Application withdrawn prior to the start of the meeting.

15/0815/07/F

Demolition of existing pavilion and construction of temporary timber building to form new Lifeboat Station – Coronation Park, North Embankment, Dartmouth, TQ6 9NL – Royal National Lifeboat Institution

DARTMOUTH

Town Council's Views – No objection in principle to the placing of a temporary timber building for RNLi in Coronation Park but would strongly recommend that it and the associated car parking be sited at the north end adjacent to the slipway.

Officer Update – None

Recommendation – Conditional Approval

Committee Decision – Conditional Approval

Conditions:

1 - USE7 (Temporary 5 years)

2 - Non Standard

Finish of timber cladding

3 - Non Standard

Parking

55/0837/07/F

Extension to dwelling – West Wing, Warren Road, Thurlestone, Kingsbridge, TQ7 3NT – Mr & Mrs Walker

THURLESTONE

Parish Council's Views – Objection. The Council feels that this site would be totally overdeveloped especially with the development to the adjacent South View property. There would also be parking problems envisaged if the property is fully occupied. The Council strongly recommend that the District Council have a site meeting and would like to be informed if this is planned in order to have representatives present.

Officer Update – Letters of representation reported

Recommendation – Conditional Approval

Committee Decision – Site Inspection

04/0919/07/F

Erection of field shelter – Field north of Hampool Cottages at SX5280 6308, Bickleigh, Plymouth – Mr T Kingdon

BICKLEIGH

Parish Council's Views – No objection – subject to personal permission and temporary for three years

Officer Update – None

Recommendation – Conditional Approval

Committee Decision – Conditional Approval

Conditions:

- 1 - TIM3 (Standard time limit 3 years)
 - 2 - USE6 (Temporary)
 - 3 - HOR3 (Stables Etc Lighting)
 - 4 - DRN8 (Manure Heaps)
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28/0987/07/F

Construction of external balcony – The Regal Club, Regal House, Church Street, Kingsbridge, TQ7 1JB – the Regal Club

KINGSBRIDGE

Town Council's Views – Recommend refusal of the application on grounds of noise pollution, negative impact on the community and safety concerns (i.e. people drinking alcohol and passers by in vehicles/on foot below in Church Street).

Officer Update - None

Recommendation – Refusal

Committee Decision – Refusal

Reasons for Refusal:

1. By reason of the likely noise generated by people using the balcony the proposal would have an adverse effect on the living conditions of occupiers of nearby residential properties, particularly by reason of unacceptably increased noise and disturbance. Such development, if allowed, would be in conflict with the objectives of South Hams Local Plan Policy SHDC1; South Hams Local Plan Review Policy DS3; established Planning Principles, and relevant Central Government guidance.
2. The proposed development, by reason of the change to the fenestration of the building and the addition of a projecting balcony, combined with the prominent position of the building within the Conservation Area would result in an unacceptable visual impact on the building, its setting, and the character and appearance of the Conservation Area. Such development, if allowed, would be contrary to the objectives of South Hams Local Plan Policies SHDC1, SHDC15, SHDC18, Structure Plan Policies CO6 and CO7, South Hams Local Plan Review Policies DS3, DEV2, ENV10 and relevant Central Government guidance.
3. The location of the balcony above the adjacent road and pavement, and the possibility of items being dropped from the balcony onto passers by, would have an unacceptable effect on the safety of users of the public highway. Such development, if allowed, would be in conflict with the objectives of South Hams Local Plan Policy SHDC1; South Hams Local Plan Review Policy DS3; and relevant Central Government guidance.

11/0995/07/F

Extension to dwelling, conversion of existing garage into granny annex and erection of double garage – Meadow Cottage, Aveton Gifford, Kingsbridge, TQ7 4NY – Dr & Mrs J Baxter

CHURCHSTOW

Parish Council's Views – No objection

Officer Update – None

Recommendation – Refusal

Committee Decision – Refusal

Reasons for Refusal:

1. The proposed extension to the existing dwelling, by reason of its size, design and close proximity to the boundary, does not respect the authentic, traditional character and appearance, or historic origins of the converted barn. Such development is considered to have an adverse impact upon the historic identity, character and appearance of the building in an area recognised for its special landscape character through its designation as an "Area of Outstanding Natural Beauty". Such development is therefore contrary to the objectives of Devon County Structure Plan Policies C03, CO6, C07, South Hams Local Plan Policies SHDC3, SHDC4, SHDC15, SHDC19, South Hams Local Plan Review Policies DS4, DEV2, ENV12, HO11, EMP4, relevant Central Government guidance and the Council's adopted Supplementary Planning Guidance "Traditional Farm Buildings in the South Hams Their Adaptation and Re-Use."
2. The proposed position and scale of the garage block and the change of use from field to parking area would result in a significant alteration to the setting of the group of converted barns. The development would as a result cause material harm to the vernacular setting of the traditional farm buildings within the Area of Outstanding Natural Beauty. Such development would not result in the conservation and enhancement of the area and would be in conflict with Structure Plan Policies C03, CO6, CO7; Policies SHDC3, SHDC4, SHDC15, SHDC19 of the South Hams Local Plan; Policies DS4, DEV2, ENV12, H011 and EMP4 of South Hams Local Plan Review, and the advice contained in the Council's adopted Supplementary Planning Guidance "Traditional Farm Building in the South Hams – Their Adaptation and Reuse".
3. The proposed extension to the existing dwelling and conversion of the existing garage would, by reason of the close proximity to the boundary and the design and scale of the extension, result in an unneighbourly form of development and an unacceptable level of amenity for the occupiers of the resulting development.
4. In the absence of details of the capacity of the existing foul drainage system, the Local Planning Authority is not satisfied that the existing septic tank will be able

to accept additional flows without risk of pollution. Such development, if allowed, would be contrary to South Hams Local Plan Policy SHDC1; South Hams Local Plan Review Policy DEV6; Devon County Structure Plan Policy C013 and the Planning Principles stated in the Local Development Plan.

53/1191/07/O

Resubmission of outline application 53/1841/06/O for residential development – New development site rear of Penn Cottage, Shindle Park, Chillington, Kingsbridge – Allcroft Ltd

CHILLINGTON

Parish Council's Views – Views awaited

Officer Update – Reported PC comments and advised that the EHO had no objection, subject to a contaminated land survey being carried out. Condition not deemed reasonable however as application on a Greenfield site.

Recommendation – Outline approval, subject to the prior satisfactory completion of a Section 106 Agreement requiring payment of contributions to education and open space, sport and recreation, and payable prior to commencement of the development.

Committee Decision – Conditional Approval subject to Section 106 Agreement

Conditions:

- 1 - TIM1 (Outline reserved matters to be made in 3 years)
 - 2 - TIM2 (Outline - Reserved matters time limit 3 and 2 years)
 - 3 - RES2 (Outline Small Schemes)
 - 4 - RES16 (Completion of Roads)
 - 5 - RES37 (Parking to Standards)
 - 6 - LAN5 (Landscape Plan: Details)
 - 7 - LAN7 (Landscape Plan Management & Delivery)
 - 8 - Non Standard
Tree & Hedge Protection
 - 9 - Non Standard
Tree & Hedge Retention
 - 10 - Non Standard
Archaeological Investigation
 - 11 - RES22 (Exclusion of G.D.O.)
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56/1216/07/F

Retrospective application for the erection of decking and fencing, and raised ridge level to extension (approved under application 56/0835/06/F) – 18 Hilldown, Bridgetown, Totnes, TQ9 5RE – Mr A Langmaid

TOTNES

Town Council's Views – No objections

Officer Update – Letter update reported

Recommendation – Conditional Approval

Committee Decision – Conditional Approval

Conditions:

1 - TIM3 (Standard time limit 3 years)

2 - Finishing Materials

3 - Non Standard

Retention of 2.3m fencing

09/0773/07/DC

Resubmission of 09/0173/07/DC for the provision of new, permissive, pedestrian footpath adj. the A379 – Regulation 3 Local Planning Authority own development, Chief Executive delegated authority dated 10 January 2007 – West Charleton footpath link, West Charleton, Kingsbridge – South Hams District Council

CHARLETON

Parish Council's Views – No objections

Officer Update – None

Recommendation – Conditional Approval

Committee Decision – Conditional Approval

Conditions:

1 - TIM3 (Standard time limit 3 years)
