

## **DEVELOPMENT MANAGEMENT COMMITTEE**

**7 MARCH 2023**

Present: Councillor P Jeffree (Chair)  
Councillor  
Councillors N Bell, J Pattinson, A Saffery, G Saffery, R Smith,  
S Trebar and M Watkin

Also present: Ryan Smith, Applicant  
Andrew Mortimer, local resident

Officers: Strategic Applications Manager  
Principal Planning Officer  
Democratic Services Manager  
Democratic Services Officer  
Planning Officer

### **Conduct of the meeting**

Prior to the start of the meeting, the Chair explained the procedure that would be followed. The Chair also ensured that all participants were introduced and reminded all present that the meeting was being live streamed and that there would be a recording made.

#### **45 APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Martins.

#### **46 DISCLOSURE OF INTERESTS**

No disclosures of interest were made.

#### **47 MINUTES**

The minutes from the meeting on 7 February 2023 were approved and signed.

#### **48 22/01188/FULH, 8 ARMAND CLOSE**

The Planning Officer delivered her report to the committee.

The Chair thanked the officer and invited Mr Mortimer to speak against the application.

Mr Mortimer stated that he believed that the application was inappropriate, and pointed to some of the reasons why it was previously refused. He believed it would cause harm to the appearance and character of the area and that despite having been described as an annexe was in fact a self-contained dwelling and was a back land development. He continued to say that this would go against council guidelines. He acknowledged the personal condition entered in to by the applicant, however believed that there was a risk that this would not be adhered to or policed and was concerned that when the named person no longer lived there it would be used as an independent dwelling and would be at risk of it being used for holiday lettings. Mr Mortimer stated it exceeded the building height for an application of this nature. He finished by highlighting his main reason for objecting to the development, that it would cause harm to amenities, character and appearance of the area. He believed it was an independent residence and not an annexe, and if approved it would set an ominous precedent for the future.

The Chair thanked Mr Mortimer and asked the officer to respond to his points.

The Strategic Applications Manager agreed that an independent dwelling was not appropriate. However, this was not an independent dwelling as there was no independent access, parking, or garden and its use had been proposed for annexe use only. The inspector had stated that this arrangement was suitable. It would be considered unreasonable to go against an inspector's finding without good reason. The condition, as proposed by officers, was in order to prevent it from being used in an inappropriate manner. The enforcement team would be able to check to make sure it was only being used as it should be.

In relation to the discrepancy in height, the 2.5m height requirement related to permitted development for a building that would not need planning permission. With a height more than 2.5m, planning permission was required.

The Chair thanked the officer and invited the applicant, Mr Smith, to speak.

Mr Smith stated that prior to the application they had sought pre-planning advice and attempted to speak to all of their close neighbours to find out what impact it would have on them. They also had four tree surveys carried out in order to find the best site solution for everyone. He believed that the planning officers had sufficiently answered the questions and concerns raised. He emphasised that he was doing this to take care of his parents who had always taken care of him.

The Chair thanked Mr Smith. He stated that he believed the committee should follow the advice of the inspector. He believed that the location was the only thing that was open to any debate, however the proposed location was the best option.

The committee discussed the application. It was stated that members appreciated the efforts of the applicant to secure planning permission and did not believe that someone would engage so thoroughly if they intended to break the personal condition attached to the application.

There was a concern raised around the personal occupation condition with the feeling that it might have been a special case and a question was asked about the history of these being used in previous cases.

The Strategic Applications Manager explained that they were used on a case by case basis depending on the detailed matters of each case and had been used for previous applications. She highlighted that the applicant had agreed to accept the condition.

The committee commented that the development came with a history of applications and approval of a planning inspector where the principle of an annexe was accepted, so there was no reason for refusal.

In addition, it was stated that the planning process and ability to impose conditions existed for a reason and that they would trust the officers, community and the applicant to abide by these conditions.

The committee asked about the impact on the local woodland with the new proposed location, the officer advised that there would be no impacts to the ancient woodland and this was supported by tree assessments that had been undertaken. There was general support for the changes made to mitigate the impact on the woodland.

The Chair moved for the committee to vote on the officer's recommendation.

On being put to the committee the application was approved.

RESOLVED –

That planning permission be granted subject to the following conditions:

1. Time limit

The development to which this permission relates shall be begun within a period of 3 years commencing on the date of this permission.

## 2. Approved drawings and documents

The development hereby permitted shall be carried out in accordance with the following approved drawings and documents:

Site location SP REV 2

GA/ Elevation 5

GA/Plan V5

Tree method statement provides by Haden's 10034-D-AIA dated 19/01/2023

Tree Survey, Arboricultural Impact Assessment. Arboricultural Method Statement & Tree Protection Plan, prepared by Hayden's Arboricultural Consultants. Project No 10034 dated 20.01.2022.

## 3. Materials

All the external surfaces of the development shall be finished in materials as specified in approved drawing no.GA/Elevation 5 dated 01/11/22.

## 4. Personal Occupation Condition

The use of the outbuilding hereby approved as ancillary residential accommodation shall only be used for ancillary residential accommodation in conjunction with the occupation of the main dwelling by the applicant, Mr Ryan Smith. When the main dwelling ceases to be occupied by the applicant, the outbuilding shall only be used for purposes incidental to the enjoyment of the main dwellinghouse and not as residential accommodation.

## 5. Trees and landscaping

The approved landscaping scheme on drawing No. 10034-D-AIA dated 19/01/2023 shall be carried out not later than the first available planting and seeding season after completion of development. Any trees or plants whether new or existing which within a period of five years die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, or in accordance with details approved by the Local Planning Authority.

Chair

The Meeting started at 7.00 pm  
and finished at 7.35 pm