

## PLANNING APPLICATION REPORT

**Case Officer:** Tom French

**Parish:** Okehampton Hamlets **Ward:** Okehampton North

**Application No:** 1008/16/VAR

**Agent/Applicant:**

Mr Ben Warren  
5 Church Street  
Stoke  
Plymouth  
PL3 6DT

**Applicant:**

Ms Donna Johnson  
Eastbridge House  
Rooksbridge  
BS26 2TN

**Site Address:** Land Off Crediton Road, Hillside Drive, Okehampton, EX20 1UN

**Development:** Variation of condition 2 (Approved Plans) of planning consent 01324/2014 to allow for a minor material amendment

**Reason item is being put before Committee:** Referred by Cllr Leech due to concerns over compliance issues on the site and the impact on the Devon hedgebank, which is sited between the application site and Kellands Lane to the south



**Recommendation:** Conditional approval subject to deed of variation of the Section 106 Agreement

**Conditions:**

1. Development in Accordance with Approved Plans
2. Materials to be in accordance with approved details
3. Parking spaces to be provided prior to first occupation.
4. Surface water design and maintenance and management for drainage to be submitted
5. Unexpected contaminated land
6. Removal of PD rights (Classes A-E)
7. No new windows - the north-eastern or south-western side elevations of the proposed dwellings
8. Obscure glazing – first floor side windows to semi-detached dwellings and first floor bathroom window to front of detached dwelling.
9. Development to be in accordance with approved Construction Management Plan.
10. Devon hedgebank retained

**Advice notes:**

1. Requirement for adherence to Section 106 agreement

**Key issues for consideration:**

The principal of the development has been established through the approval of application 01324/2014, which was for the erection of 3 No affordable dwellings, a pair of semi-detached dwellings at the northern end of the site, which have been substantially completed and a detached dwelling at the southern end of the site. This application seeks to amend the detached dwelling therefore the considerations are the impact of this proposed change on;

- Impact on character of surrounding area;
- Impact on amenities of neighbouring occupiers;

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**Site Description:**

The application site is located immediately to the west of nos. 26 and 25 Hillside Drive and to the east of nos. 18 and 20 Long Barton Avenue. The application site is located within a recently constructed residential estate and surrounded to the north, west and eastern sides by two storey dwellings

**The Proposal:**

This applications seeks to vary the approved plans by raising the detached dwelling by 0.7 metres. This would result in the detached dwelling being 0.2 metres higher than the adjacent dwelling No 25 Hillside Drive

**Consultations:**

- County Highways Authority: No objection
- Okehampton Hamlets Parish Council: Councillors resolved to object to this application. They felt it would have a detrimental effect on neighbouring properties particularly those to the south. They are concerned that a retaining wall has already been built which appears to have not been included in the approved plans.  
In view of the fact that there are known outstanding issues with the other two properties being built, they would like to see this application and those issues considered together in order a complete picture is considered as a whole.

## **Representations:**

1 Letter of objection has been received

With regards to the building of 3 houses to the rear of my garden in Kellands Lane my husband and I would like to strongly object to any further removal and preferably replacement of plants in the Devon hedge at the end of our garden as we have already lost considerable privacy to an ancient hedge which we have been told by Aster Homes/Linden Homes should be protected and has dormice living in it.

We also object to houses any further towards our boundary or any higher than planned as we also feel this would cause privacy issues

## **Relevant Planning History**

01324/2014 - Erection of 3 dwellinghouses with associated access and parking – Conditional approval

## **ANALYSIS**

The italicised text below is the assessment of planning application 01324/2014 in relation to the detached dwelling which this application seeks to amend. The siting and design of the proposed dwelling remains unchanged. The modest increase in height does not result in the dwelling being overly dominant in the street scene. The distance between the proposed dwelling and the dwellings to the south in Kellands Lane remain unchanged, the dwelling will be marginally higher than the adjacent dwelling No 25 Hillside Drive and therefore the potential for mutual overlooking between the dwellings of Hillside Drive and Kellands Lane remains the same and is acceptable.

*The proposed detached dwelling would be set behind the rear building line of no. 18 Long Barton Avenue, although to the side and therefore views between the two properties would be at an oblique angle. In addition, the first floor window proposed to the side of the detached property closest to Barton Avenue would serve a bathroom. On this basis, it is considered reasonable to condition that this remains obscure glazed, to limit overlooking to neighbouring properties. In addition, the relationship of the proposed detached dwelling and the existing properties to Barton Avenue is not unusual in the surrounding development.*

The existing and proposed site plans show the retention of the Devon hedge bank at the rear, it is proposed to impose a condition requiring its retention in the interests of biodiversity.

This application does not proposed any changes to the 2no dwellings approved at the northern end of the site.

There are no retaining walls shown on the proposed plans, the applicants have indicated that the raising of the dwelling is proposed in order to remove the need for retaining walls to be constructed on the boundaries.

***This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004***

## **Planning Policy**

*All standard policies listed (delete where not relevant, add others as relevant, including NPPF):*

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**West Devon Borough Council Core Strategy 2011**

SP1 – Sustainable Development  
SP5 – Spatial Strategy  
SP6 – Density of Housing Development  
SP20 – Promoting High Quality Design  
SP22 – Okehampton

**West Devon Borough Council Local Plan Review 2005(as amended 2011)**

BE13 – Landscaping and Boundary Treatment  
BE19 – Development on Contaminated Land  
H28 – Settlements with Defined Limits  
T8 – Car Parking  
PS2 – Surface Water Run-off  
PS3 – Sewage Disposal

**National Planning Policy Framework (2012):**

Paras. 49 and 56

**Considerations under Human Rights Act 1998 and Equalities Act 2010**

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.