

## PLANNING APPLICATION REPORT

**Case Officer:** Tom French

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

**Application No:** 2544/16/FUL

**Agent/Applicant:**

Stephen Blakeman

Rose Cottages

Exbourne

Okehampton

EX20 3SH

**Applicant:**

Mr Andrew Clark

Goldpark

Sticklepath,

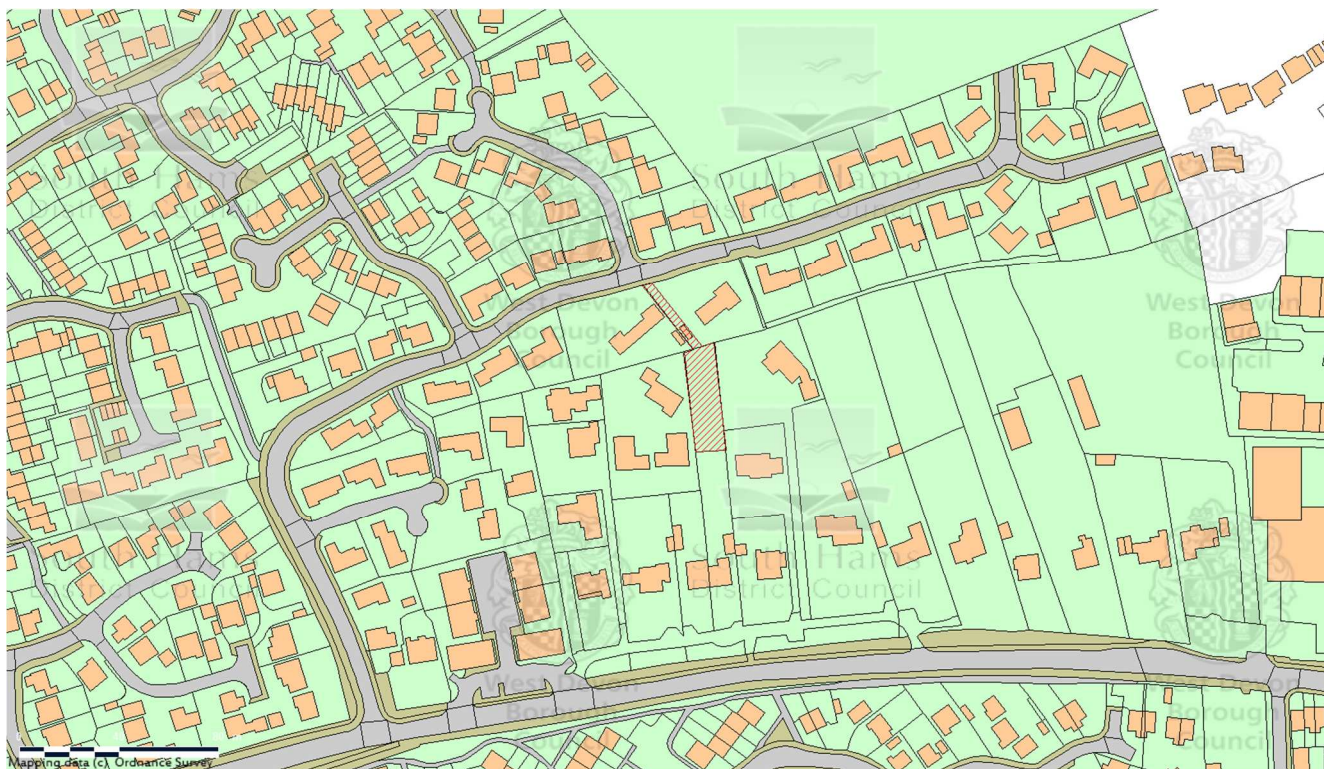
Okehampton

EX20 2NG

**Site Address:** Land To Rear Of 65 Exeter Road, Okehampton, Devon, EX20 1QF

**Development:** Alternative proposal for construction of dwelling

**Reason item is being put before Committee:** Referred by Cllr Leech, concerns over impact on adjacent occupiers and drainage.



**Recommendation:** Conditional approval

**Conditions:** (summary of conditions, see end of report for full list)

1. Standard time limit
2. Build in accordance with plans
3. Removal of PD
4. Samples of materials for the dwelling and boundary treatment to be submitted
5. Boundary treatments
6. Drainage details to be submitted/approved
7. Parking to be provided and retained
8. Landscape scheme
9. Environmental Health condition relating to unsuspected contaminated land

**Key issues for consideration:**

The main issues for consideration relate to whether the site can accommodate the dwelling proposed and what the subsequent impact upon amenity of the surrounding development would be. Highway safety, parking and drainage.

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**Site Description:**

The application site is located to the north of 65 Exeter Road, Okehampton. The plot is set within the substantial garden associated with 65, Exeter Road and access is proposed from Baldwin Drive to the north between 18 and 16 Baldwin Drive. The site is surrounded by residential development.

**The Proposal:**

Erection of dwelling and associated works including formation of vehicular access

**Consultations:**

- County Highways Authority: Standing advice applies
- Environmental Health Section: No objection subject to unsuspected contamination condition
- Okehampton Town Council: Objection, concern about surface water drainage not resolved. Visual amenity, ridge line higher than adjacent buildings and appearing overbearing/dominant.
- Drainage Officer: No objection, subject to drainage condition as further details are required.

**Representations:**

None received

## **Relevant Planning History**

00316/2013 - Erection of dwelling and associated works including formation of vehicular access – Conditional approval

## **ANALYSIS**

The application seeks consent for the erection of a 1 1/2 storey dwelling to the rear of 65 Exeter Road. A single storey dwelling was approved under 00316/2013.

### Principle of development

There is a strong history of dwellings being built to the rear of the properties which front Exeter Road with very few plots along this road remaining that do not have this type of development. Whilst some of these dwellings gain access from Exeter Road, there are dwellings which gain access from Baldwin Drive including three dwellings at Baldwin Court which is immediately to the west of the site. The site is within the settlement boundary and therefore there are no principle objections to a dwelling in this location. Policy H28 advises that within defined settlement limits, small scale development will be permitted providing it meets the set criteria. This criterion will be addressed below.

### Pattern of development

Policy H28 advises that the development should respect the form of the settlement and should not introduce or reinforce undesirable patterns of development. As outlined above there is a distinct pattern of development for small residential sites to the rear of the dwellings on Baldwin Drive and Exeter Road. The plots both immediately east and west of the proposal site have been built upon recently in a similar pattern of development. Given the consistent type of development in the area, it is not considered that the proposal would introduce or reinforce an undesirable pattern of development.

### Design

The proposed dwelling will have a natural slate roof with rendered walls and uPVC windows and doors, this is in keeping with the character of the area. The scale of the proposed dwelling is considered appropriate for the area, which contains a mixture of both single and two storey dwellings. As the site is bordered by single storey dwellings to the west in Baldwin Drive, a two storey house on the plot would be overbearing, however the proposed dwelling is considered to be compliant with policy H28 of the Local Plan.

### Highways

The application proposes two parking spaces for this three bedroom property and the level of parking is considered to be acceptable and will allow for off road parking to prevent an impact upon the local highway network. A condition will be attached to ensure that the parking is retained for the occupiers of the new dwelling. The proposal also provides for a turning area so that vehicles can enter and exit the driveway in a forward gear. The application proposes to gain access via a driveway which would pass between no's 16 and 18 Baldwin Drive. The arrangement for vehicular access is the same as was proposed under approved application 00316/2013.

The County Highways department has advised that standing advice applies to this proposal, no objections were raised in relation to the access by County Highways under the previous application. There are existing driveways on Baldwin Drive including the driveway serving three dwellings at Baldwin Court and pedestrians are required to cross the driveways for each individual dwelling on the road. Under the previous approved application, the Highways

engineer had advised that there are no concerns with visibility or the driveway crossing the footpath. The recommended drainage condition will ensure that surface water from the driveway does not affect Baldwin Drive.

### Amenity

The application site is located in a plot surrounded by residential development. To the south of the site is the garden of 65 Exeter Road. To the east is 69a Exeter Road and to the west are the three dwellings within Baldwin Court. To the north are No's 16 and 18 Baldwin Drive. No. 65 Exeter Road will be located at a significant distance from the application site.

The proposed dwelling has a ridge height of 7 metres, the approved scheme under 00316/2013 had a ridge height of 5.4 metres. It is considered that the increase of 1.6 metres in ridge height does not result in an over bearing impact on adjacent occupiers or the proposed dwelling being unduly prominent or out of character with its surroundings.

This application proposed accommodation within the roof of the proposed dwelling. This would consist of 2 bedrooms, a main bathroom and en-suite serving the one of the bedrooms. It is proposed to insert a window in either gable end of the proposed dwelling and 3No roof lights on each roof slope. On the eastern elevation, the roof lights would serve bedrooms and the landing, on the western side they would serve the 2 bathrooms and a bedroom. The distance between the southern elevation and the boundary with 65 Exeter Road is 14 metres, which is sufficient to prevent overlooking. The distance from the north elevation to the boundary with 18 Baldwin Drive is 11.5 metres, which is considered acceptable. The proposed roof lights are to be set 1.75 metres above the finished floor level of the first floor accommodation, due to the height of the windows and the angle they are set at, it is considered that they will not result in a loss of privacy to adjacent occupiers.

It is considered that the loss of direct sunlight to the garden areas of 1 Baldwin Court and 69a Exeter Road will be minimal due to the overall height of the building and the orientation of the roof slope in relation to the plot.

As the application now proposes roof accommodation, it is proposed to remove permitted development rights for extension, this will prevent dormer windows being constructed in the side elevations, which could impact on adjacent occupiers and prevent an over development of the plot.

It is proposed to erect a fence along the southern boundary to separate to two dwellings. Details of this will be requested by condition to ensure a suitable boundary is implemented. The northern boundary is currently a substantial hedge with trees present which will needed to be amended to allow vehicular access. The majority of this hedge will be retained which will prevent overlooking into 16 and 18 Baldwin Drive. Along the new drive there is currently a brick wall along the eastern boundary which prevents overlooking into 16 Baldwin Drive. The landscaping condition will also ensure that the boundary along the driveway is implemented to prevent loss of amenity to 18 Baldwin Drive. However, the majority of the private space of No. 18 is adjacent to 69a Exeter Road and will therefore not be significantly affected. To the east of the site is 69a Exeter Road and along the dividing boundary is a substantial hedge of conifers that offers substantial screening. The level of amenity is considered acceptable. To the west of the site it the development of Baldwin Court. The single storey dwellings are close to the western boundary of the site. However, due to the existing close board fence the private amenity space is not visible from the site and the siting of the roof lights do not result in overlooking.

The separation between the two dwellings is considered to be acceptable and the landscaping condition will ensure that additional landscaping is introduced along this boundary with the closest neighbours.

### Drainage

The drainage officer has reviewed the submitted information, which comprises the results of percolation tests and the proposed positions of soak-aways within the garden area of the proposed dwelling. The application is within the Okehampton Critical Drainage Area, the submitted details of the soak-aways are not sufficient based on the result of the percolation tests, however due to the area of land available, it is considered that there is sufficient room for a soak away scheme to accommodate surface water runoff on the site. Therefore a condition is recommended that notwithstanding the submitted details, the surface water drainage details shall be submitted and approved prior to the development commencing.

***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):*

#### **West Devon Borough Council Core Strategy 2011**

SP1 – Sustainable Development  
SP9 – Meeting Housing Needs  
SP17 – Landscape Character  
SP19 – Biodiversity  
SP20 – Promoting High Quality Design  
SP21 – Flooding

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

H28 – Settlements with Defined Limits  
T9 – The Highway Network  
PS2 – Sustainable Urban Drainage Systems  
PS3 – Sewage Disposal

### **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.

### **Conditions**

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: To comply with Section 91 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the approved plans and documents to be listed on the decision notice.

Reason: For the avoidance of doubt and in the interest of proper planning.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (and any Order revoking and re-enacting this Order), no development of the types described in the following Classes of Schedule 2 shall be undertaken without the express consent in writing of the Local Planning Authority other than those expressly authorised by this permission:-

- (a) Part 1, Class A (extensions and alterations including the insertion of windows or roof lights)
- (b) Part 1, Classes B and C (roof addition or alteration)
- (c) Part 1, Class D (porch)
- (d) Part 1, Class E (a) swimming pools and buildings incidental to the enjoyment of the dwellinghouse and; (b) container used for domestic heating purposes/oil or liquid petroleum gas)
- (e) Part 1, Class F (hardsurfaces)
- (f) Part 1, Class G (chimney, flue or soil and vent pipe)
- (g) Part 14, class A & B (Installation of domestic Microgeneration Equipment)
- (h) Part 1, (h) Including those classes described in Schedule 2 Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and any Order revoking and re-enacting this Order)
- (i) Part 2, Class A (means of enclosure)

Reason: To enable the Local Planning Authority to exercise control over development which could materially harm the character and visual amenities of the development and locality.

4. No development shall commence until a schedule of materials and finishes, and samples of the materials to be used in the construction of the external surfaces, including roofs, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out only in accordance with the details so approved.

Reason: To enable the Local Planning Authority to consider the details of the materials and their finishes.

5. Details of the proposed boundary treatment shall be submitted to and agreed in writing by the Local Planning Authority prior to their installation and shall be implemented prior to first occupation/use.

Reason: In the interest of visual amenity in order to protect and enhance the amenities of the site and locality.

6. Prior to the commencement of the development hereby approved, details of the surface water design including percolation test results and supporting calculations shall be submitted to and approved in writing by the local planning authority.

Details of maintenance and management responsibility for the drainage system must be submitted to and approved in writing by the local planning authority prior to commencement on site.

Such approved drainage details shall be completed and become fully operational before the development first brought into use. Following its installation the approved scheme shall be permanently retained and maintained thereafter.

Surface water drainage systems design and installation shall be accordance with CIRIA C697 The SuDS Manual and CIRIA C698 Site Handbook for the Construction of SuDS.

Reason: To safeguard the amenities of the locality and environment and to ensure that the development is adequately drained.

7. The dwelling hereby approved shall not be occupied until the parking, and garaging areas relating to them (and shown on the submitted drawings) have been properly consolidated, surfaced, laid out and constructed. The parking, servicing and garaging areas shall be kept permanently available for the parking and manoeuvring of motor vehicles in connection with the development hereby permitted.

Reason: To ensure that adequate and satisfactory provision is made for the garaging and parking of vehicles clear of all carriageways in the interests of road safety and amenity.

8. The building works/change of use shall not be implemented until a landscaping scheme has been submitted to and approved by the Local Planning Authority, indicating the boundary treatment of the proposed plots/development.

The scheme submitted shall be fully implemented in the planting season following the completion of the development and the plants shall be protected, maintained and replaced as necessary for a minimum period of five years following the date of the completion of the planting.

Reason: In the interest of visual amenity in order to protect and enhance the amenities of the site and locality.

9. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an investigation and risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with.

Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority.

Reason: No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately.