

# PLANNING APPLICATION REPORT

**Case Officer:** Nicola Glanville  
South

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

**Application No:** 2844/22/FUL

**Agent/Applicant:**

Mr Stephen Blakeman - Architecture &  
Design Technology  
1 Rose Cottages  
Exbourne  
Okehampton  
EX20 3SH

**Applicant:**

Mr Mike Yelland  
Builders Yard  
Crediton Road  
EX20 1LR

**Site Address:** 2 Crediton Road, Okehampton, EX20 1LU

**Development:** Alterations to roof structure & associated works



**Reason item is being put before Committee:** The applicant is related to Cllr Yelland.

**Recommendation:**

Conditional Approval

**Conditions** (list not in full)

1. Standard time limit
2. Adherence to plans
3. Adherence to Ecology Report
4. Installation of bat and bird box on completion of development

5. Details of fibre cement slates to be submitted and agreed in writing by LPA
6. Details of proposed Upvc windows to be submitted and agreed in writing by LPA

### **Key issues for consideration:**

The impact on the setting of the conservation area and neighbour amenity.

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### **Site Description:**

The site is located at the bottom of Crediton Road, a short distance from Wongs Take Away. The site is a two storey building with a shop at ground floor level (currently vacant) and storage above.

The site is situated in a row of Meldon stone built garages; some domestic and the one to the east being a commercial garage providing car wash and valeting services. There are terraced residential properties opposite the site on the north side of the street, which have rendered facades.

The site has white painted rendered walls and an asbestos cement slate roof. The existing shop front retains its large shop window and the storage above also has eaves height glazing.

The site is not Listed nor within the setting of Listed Buildings, but lies just outside Okehampton Conservation Area, within the 50m buffer zone.

### **The Proposal:**

The proposal is to raise the eaves height of the existing lean-to roof in order to increase the headroom, making it a more useable storage space. The highest part of the roof at the abutment with the adjacent stone building is shown 45mm higher than existing. The eaves of the lower lean-to section is 860mm higher than existing eaves. The existing asbestos cement tiles are to be replaced with fibre cement tiles and the timber window to the front (north) elevation is to re-sized to fit the new eaves height and is to be replaced in white upvc. No new windows are proposed at first floor level on the remaining elevations.

The proposed drawings show a bat and bird box on the south elevation (rear) which meets advice given within the consultant Ecology Report.

### **Consultations:**

- County Highways Authority - No Highways Implications
- Environmental Health Section - No comments
- Town/Parish Council - Support

### **Representations:**

None received.

## **Relevant Planning History**

None.

## **ANALYSIS**

### **Principle of Development/Sustainability:**

The site lies close to the centre of Okehampton Town in an area of mixed use. The principle of development is therefore acceptable. The acceptability of proposals will however need to be considered in terms of their visual impact in regards to the setting of the Conservation Area and impact on the amenity of nearby residents to the front and rear of the site.

### **Design / Heritage and Conservation:**

Officers are mindful of the duty noted at Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area in exercising planning functions.

The main building of the site sits just outside of the Okehampton Conservation Area within the 50m buffer-zone, but would affect the setting of the Conservation Area and forms part of the lower Crediton Road street-scene.

The proposal to raise the eaves height of the existing lean-to roof by 0.045mm at its highest point and 0.859mm at its lowest point is considered a modest change without significant visual impact.

The existing asbestos cement tiles are to be replaced with fibre cement tiles which is considered acceptable, providing they match those predominantly used elsewhere in the street. As such, Officers consider it appropriate to apply a condition requesting details/samples to be submitted and approved prior to their installation.

As the site falls within the 'buffer-zone' affecting the setting of the Conservation Area, the replacement of the front first floor timber window in upvc is only considered to be acceptable providing that upvc windows of a traditional appearance are to be installed. Therefore, Officers consider it appropriate to apply a condition requesting further details to ensure this.

Subject to the above conditions Officers consider that both the design and materials proposed would be acceptable and would be in-keeping with the setting of the Conservation Area and general wider street-scene. The proposal is therefore considered to accord with Policy DEV21.

### **Neighbour Amenity:**

The site sits in a street with mixed use. There is a terrace of residential dwellings to the north and commercial premises, including a garage to the east. Residential properties at the bottom of East Street also back onto the rear of the site.

The increase in eaves height to the existing roof is not significant (under 1m) and would bring the existing lean-to, just above the ridge height of the adjoining single storey building.

Therefore it is not considered that the proposed change will have a significant detrimental impact to present light levels received by the residents on the opposite side of the street or to the rear of properties situated in East Street to the rear of the site.

The timber window to the front (north) elevation is to be re-sized to fit the new eaves height. Although the replacement window is to be slightly taller than the original, the new window will replicate the proportions of the original. As the new window serves a storage area Officers do not consider that this increase in size would pose any greater amenity issue in over-looking neighbours opposite the site than was previously experienced. As this is an urban setting, issues of light-spill are not relevant.

No new windows are proposed at first floor level on the rear or side elevations. There is therefore no issue of over-looking to be considered.

#### **Highways/Access:**

Not affected by the proposal.

#### **Ecology:**

The Ecology report has not identified the presence of bats or nesting birds and given the context of the site no further surveys are deemed necessary.

The proposed drawings show a bat and bird box on the south elevation (rear) which meets advice given within the consultant Ecology Report.

Officers consider that in this instance it is appropriate to impose a condition to ensure that the bat and bird box are installed on completion of the development in accordance with the approved drawings to ensure compliance with the objectives of JLP Policy DEV26.

#### **Asbestos Cement Roofing:**

The existing roofing to be removed is of asbestos cement slate.

Safe removal is covered under legislation outside the planning process and no further details/conditions are required.

#### **Planning Balance:**

The Site's last use was as a shop with storage above, which would currently fall under Class E of the Town and Country Planning (Use Classes) Order 1987 (as amended 2020). Given that the site is in an area of Okehampton Town where there is mixed use, the proposal is considered acceptable in principle.

The larger new window to the front elevation is not considered to accentuate issues of over-looking or light-spill. And, the raising of the roofline is not considered to result in a structure that would be over-dominant, nor would it have a significant impact on neighbour amenity through loss of light.

The proposed synthetic roofing materials are in-keeping with existing in the locality and providing that details of the type and colour to be used is agreed in writing with the LPA prior

to their installation, these materials are in-keeping with the Conservation Area. As the site borders the edge of the Conservation Area and there are already several buildings with replacement upvc windows, the use of upvc windows is acceptable. However, further details of the type and design of upvc window to be installed needs to be agreed in writing with the LPA prior to their installation. Providing the upvc windows are of a traditional design that is in-keeping with the Conservation Area these materials would be considered to respect and enhance the character and appearance of the setting of the Conservation Area and general local street-scene.

Therefore, on balance, in view of the above assessment the proposal is recommended for Conditional Approval, subject to the conditions listed.

***This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004 and with Sections 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.***

## **Planning Policy**

### Relevant policy framework

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, as of March 26th 2019, the Plymouth & South West Devon Joint Local Plan 2014 - 2034 is now part of the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts of South Hams and West Devon within Dartmoor National Park).

On 26 March 2019 of the Plymouth & South West Devon Joint Local Plan was adopted by all three of the component authorities. Following adoption, the three authorities jointly notified the Ministry of Housing, Communities and Local Government (MHCLG)\* of their choice to monitor the Housing Requirement at the whole plan level. This is for the purposes of the Housing Delivery Test (HDT) and the 5 Year Housing Land Supply assessment. A letter from MHCLG to the Authorities was received on 13 May 2019 confirming the change.

On 13<sup>th</sup> January 2021 MHCLG published the HDT 2020 measurement. This confirmed the Plymouth, South Hams and West Devon's joint HDT measurement as 144% and the consequences are "None".

Therefore a 5% buffer is applied for the purposes of calculating a 5 year land supply at a whole plan level. When applying the 5% buffer, the combined authorities can demonstrate a 5-year land supply of 5.8 years at end March 2021 (the 2021 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2021 (published 12th November 2021).

[\*now known as Department for Levelling Up, Housing and Communities]

The relevant development plan policies are set out below:

**The Plymouth & South West Devon Joint Local Plan was adopted by South Hams District Council on March 21st 2019 and West Devon Borough Council on March 26th 2019.**

SPT1 Delivering sustainable development  
TTV1 Prioritising growth through a hierarchy of sustainable settlements  
DEV1 Protecting health and amenity  
DEV2 Air, water, soil, noise, land and light  
DEV10 Delivering high quality housing  
DEV16 Providing retail and town centre uses in appropriate locations  
DEV18 Protecting local shops and services  
DEV20 Place shaping and the quality of the built environment  
DEV21 Development affecting the historic environment  
DEV26 Protecting and enhancing biodiversity and geological conservation  
DEV32 Delivering low carbon development  
DEV33 Renewable and low carbon energy (including heat)

## **Neighbourhood Plan**

A Neighbourhood Plan is currently under preparation for Okehampton but it has not yet reached a stage where it can be considered material to the decision making process.

Other material considerations include the policies of the National Planning Policy Framework (NPPF) including and guidance in Planning Practice Guidance (PPG). Additionally, the following planning documents are also material considerations in the determination of the application: SPD 2020.

## **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 in Full:**

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 approved shall in all respects accord strictly with drawing numbers:

A-2066-03 - Site Location Plan received by the Local Planning Authority on 24 August 2022;  
A-2066-01 - Floor, Site, First Floor, Section and Ground Floor Plans received by the Local Planning Authority on 11 August 2022; and,  
A-2066-02 - Elevations received by the Local Planning Authority on 11 August 2022.

Reason: To ensure that the proposed development is carried out in accordance with the drawings forming part of the application to which this approval relates.

3. The recommendations, mitigation and enhancement measures of the Ecological Report, by Lakeway Ecological Consultancy on 06 June 2022, shall be fully implemented prior to the commencement of the use hereby approved and adhered to at all times. In the event that it is

not possible to do so all work shall immediately cease and not recommence until such time as an alternative strategy has been agreed in writing with the local planning authority.

Reason: To safeguard the interests of protected species

4. The bat box and bird box shown on the proposed south elevation of drawing A-2066-02 - Elevations received by the Local Planning Authority on 11 August 2022 shall be fully installed following the completion of works to the roof hereby approved.

Reason: To safeguard the interests of protected species

5. The roofs hereby approved shall be clad in dark grey synthetic slates to match those found in the locality, details and a sample of which shall have been submitted to and approved in writing by the Local Planning Authority prior to their installation.

Reason: In the interests of the visual amenities of the area.

6. Notwithstanding the proposed drawings, details of the proposed upvc doors, window frames and sills to be used on the development shall be submitted to and agreed by the Local Planning Authority prior to their installation. Once approved in writing by the Local Planning Authority and installed the approved windows and doors shall be retained as such unless amendments have been agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity.