

PLANNING APPLICATION REPORT

Case Officer: Oliver Gibbins
North

Parish: Okehampton **Ward:** Okehampton

Application No: 2232/19/FUL

Agent:

Mr Rob Constant
Modbox Spaces Ltd
40 Normandy Way
Walker Lines Ind. Est.
Bodmin
Cornwall
PL31 1EX

Applicant:

Mr P Newberry
3 West View Road
EX20 1NF

Site Address: Vicarage Gardens, Broadmoor Lane, Okehampton, EX20 1SH

Development: Replacement of existing agricultural buildings with single residential dwelling

Reason item is being put before Committee

Cllr Leech:

Having read the Officers report, I believe that this application should be determined by the full Planning committee. I feel that due to the fact that the application is for one dwelling, on private land that will be a self-build, makes it fit well with West Devon's current policies. The dwelling is for the landowner to live in, and by going down the self-build road, it will be affordable, where purchasing a new house within the area would not be.

Although the report states that it is in a flood zone, the Environment Agency has now agreed that there is no risk of flooding. The report also shows that the lane has potholes, which makes it unsuitable for any more traffic, where the Highways Department have no issues with the proposed development.

The land already has old buildings on it, and I believe a new property would actually enhance the area and not harm the special characteristic and role of the countryside in this area.

The proposed development is within easy access to the town centre, and development to the west of the town has to be more sustainable than the large developments that are over a mile to the east of the town centre.

The design of the property is seen as an issue, but the materials used can be conditioned to allow the building to blend in better with its surroundings.

Please note that Cllr Davies has seen this and has also agreed to call this in.



Recommendation: Refusal

Reasons for refusal:

The proposed dwelling in this location would result in harm to the special characteristics and role of the countryside in this area. As a result the development is contrary to Policy TTV26 of the Plymouth and South West Devon Joint Local Plan as well as Paragraph 170 of the NPPF 2019.

The proposed development will introduce an urban form of development that will be harmful to the character and appearance of the area and fails to conserve and enhance the historic environment. As a result the proposed development is contrary to Policies DEV10,DEV20 and DEV21 of the Plymouth and South West Devon Joint Local Plan.

Key issues for consideration:

The key issues for consideration relate to the principle of the development and the impact on the character and appearance of the area.

Site Description:

The application site refers to a parcel of land located on the southern side of Broadmoor Lane. It is laid out as a small holding with a collection of poor quality outbuildings located within the southern part.

The site falls from the north to the south and identified by the Environment Agency as being partly with a Flood Zone 3.

The area has a rural character with the Grade II* listed Church of All Saints and the Conservation Area prominently within the landscape.

The Proposal:

This application is to replace the buildings with a new detached dwelling which will be positioned on the southern part of the site. The dwelling will be two stories in height.

Car parking is provided on site and the access is via Broadmoor Lane.

Consultations:

- County Highways Authority – No objection – Standing Advice.
- Environment Agency - We have reviewed the revised Flood Risk Assessment which demonstrates that the dwelling and its access/egress are located in flood zone 1 and a suitable elevation above any predicted flood level.
- Environmental Health Section - Recommend the use of an unsuspected contamination condition.
- Town/Parish Council – Support.
- Drainage – Conditions to accommodate drainage would be required.

Representations:

4 Letters of support identifying:

Good to remove existing buildings;
Development supports local need;
Supports employment;

1 neutral letter reporting:

Concerns about construction, ecology, and services.

Relevant Planning History

None

ANALYSIS

Principle of Development/Sustainability:

Policy TTV1 identifies a settlement hierarchy. Okehampton is identified as a Main Town where growth will be prioritised.

The plan does not identify settlement boundaries. In this case, given the character of the site as a small holding and part of the rural edge of the settlement with field patterns, rolling hills and sporadic development it has a greater affinity with the rural surroundings rather than the built form of Okehampton, the site lies in the countryside for planning purposes. This is because it is physically separate from the urban form of Okehampton and whilst there are other dwellings to the north the site retains its rural undeveloped character which helps form the rural northern edge of the settlement.

Policy TTV1 (4) identifies that development in the Countryside will only be permitted where it can be demonstrated to support the principles of sustainable communities (SPT1 and 2) and provided for in Policies TTV26 and 27.

TTV27 can be discounted as this is a single dwelling and local need can be met in Okehampton.

Policy TTV26 identifies that the LPA will protect the special characteristics and role of the countryside. The site is not isolated so TTV26 (1) does not apply to this development.

Policy TTV26 (2) ii and iv identifies that development will be permitted that reuse traditional buildings that are structurally sound enough for renovation and where there is a proven agricultural, forestry or other occupational need.

This is a new build dwelling that will not reuse traditional buildings and whilst the applicant has noted a local need this is not meeting a specific need that requires a countryside location. It is also noted that the housing need within Okehampton is being met.

As a result it is concluded that this development will not protect the special characteristics and role of the countryside and cannot be supported in principle by TTV26.

Turning to the sustainability of the site whilst it is noted that the site does provide reasonable access to Okehampton as is within 400m walking distance to the edge of the settlement. However residential development in this location could alter the character of this edge of Okehampton which has several constraints, and have a harmful impact on the character and appearance of the area, including designated heritage assets, notably the grade II* listed Church of All Saints and Conservation Area located to the south-east.

In terms of significance the Grade II* listed church is a designated heritage asset. The listing description identifies that the church as a fine 15th Century west tower with the remainder rebuilt in 1842. The other two entries in the list are grade II listed Churchyard Cross and Beach Court Church House.

Paragraph 189 and 190 identifies that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by any development affecting the setting of a heritage asset).

In this case the elevated position of the designated heritage asset results in the buildings having a commanding impact on the landscape and they do contribute to the character of the landscape and historical significance of this part of the town. Whilst the proposed building is located approximately 190m from the church it will impact upon the setting of the heritage assets.

Policy DEV21 identifies that great weight should be given to the conservations of the Plans designated heritage assets. Where any harm to the significance of the designated heritage asset they must be fully justified against: the public benefits of the development; whether it has been demonstrated that all reasonable efforts have been made to sustain the existing use, find new uses, or mitigate the extent of the harm.

Whilst the development of an individual dwelling will not result in substantial harm the public benefit of providing an individual dwelling, and will provide short term construction employment and a small increase in the housing stock, these are not considered to provide significant public benefits. Furthermore allowing development of a dwelling could put pressure on further sites to come forward which would cumulatively impact on the landscape of this edge of Okehampton. As a result it is considered that the development is contrary to Policy DEV21.

The proposal would not meet with the National Planning Policy Framework (the Framework) requirement that decisions should recognise the intrinsic character and beauty of the countryside. As providing urban development would result in introducing an urban built form which would undermine the character of the rural edge of the settlement.

The applicant has detailed that this is a self-build scheme and will help support local need. Policy DEV9 does support self-build housing schemes, provided that they meet the overarching sustainable development, general amenity and design policies. In this instance there is a conflict with these policies for the reasons identified in this report.

In planning policy terms there has been a decision in the Joint Local Plan process to direct development away from this edge of Okehampton, through the allocation of sites to the east. As allocations for new major development have been identified towards the east where infrastructure has been provided. Whilst the local circumstances identified by the applicant to meet local need are acknowledged there are other housing sites

available in the town. Furthermore allowing piecemeal development on this edge will cumulatively undermine the character of the area, in an location where the quality of the access is limited.

To conclude this development will fail to protect the special characteristics and role of the countryside and as such cannot be supported in principle.

Design/Landscape:

Turning to the individual design the dwelling has been sited sensitively within the site, close to the natural boundaries and in landscape terms in the less visible part of the site. However a dwelling in this location would undermine the rural character of this location.

In addition the existing listed church and Conservation Area are particularly prominent in this part of the town. Part of the significance of this arrangement is the prominence in the landscape and the un-developed rural character which reinforces the significance. Whilst an individual house in this location would be unlikely to have a significant adverse impact on the setting of the church if residential development was to encourage more widely into this area, this certainly would.

As a result the proposal would cause harm to the character and appearance of the area and therefore conflict with Policies DEV10 and DEV20 of the Joint Local Plan.

Neighbour Amenity:

Given the location of the site it is not considered that a significant loss of residential amenity would occur.

Highways/Access:

The access arrangements to the site are satisfactory for a development of this scale.

However it is noted that the lane is in a poor state of repair with large pot holes and it would be difficult for domestic vehicles to use it.

Other Matters:

The site is partial located in a Flood Zone 3. But during the course of the application the applicant submitted a further Flood Risk Assessment. This was reviewed by the Environment Agency which identified that the dwelling had been sited further up the hill and now was no longer a risk to flooding. As a result the objection was withdrawn.

In terms of delivering a net gain in biodiversity the development will involve some site clearance work. It would be important that if approved a condition is used, , to provide a net gain.

Likewise it would be important that the development is demonstrated to comply with Policy DEV32, energy hierarchy.

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

Planning Policy

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 development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts South Hams and West Devon within Dartmoor National Park) comprises the Plymouth & South West Devon Joint Local Plan 2014 - 2034.

Following adoption of the Plymouth & South West Devon Joint Local Plan by all three of the component authorities, monitoring will be undertaken at a whole plan level. At the whole plan level, the combined authorities have a Housing Delivery Test percentage of 166%. This requires a 5% buffer to be 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 6.5 years at the point of adoption.

Adopted policy names and numbers may have changed since the publication of the Main Modifications version of the JLP.

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

SPT2 Sustainable linked neighbourhoods and sustainable rural communities

SPT3 Provision for new homes

TTV1 Prioritising growth through a hierarchy of sustainable settlements

TTV2 Delivering sustainable development in the Thriving Towns and Villages Policy Area

TTV26 Development in the Countryside

TTV27 Meeting local housing needs in rural areas

TTV28 Horse related developments in the countryside

TTV29 Residential extensions and replacement dwellings in the countryside

DEV1 Protecting health and amenity

DEV2 Air, water, soil, noise, land and light
DEV8 Meeting local housing need in the Thriving Towns and Villages Policy Area
DEV9 Meeting local housing need in the Plan Area
DEV10 Delivering high quality housing
DEV20 Place shaping and the quality of the built environment
DEV21 Development affecting the historic environment
DEV23 Landscape character
DEV26 Protecting and enhancing biodiversity and geological conservation
DEV27 Green and play spaces
DEV28 Trees, woodlands and hedgerows
DEV29 Specific provisions relating to transport
DEV30 Meeting the community infrastructure needs of new homes
DEV31 Waste management
DEL1 Approach to development delivery and viability, planning obligations and the Community Infrastructure Levy

Other material considerations include the policies of the National Planning Policy Framework (NPPF) including but not limited to paragraphs 79 and guidance in Planning Practice Guidance (PPG).

Neighbourhood Plan

Until adopted this cannot hold significant weight.

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.