

SCHEDULE A: Applications with Recommendation

15/0079

Item No: 09

Date of Committee: 10/07/2015

Appn Ref No:
15/0079

Applicant:
Mrs Charlotte Tyson

Parish:
Wetheral

Agent:
KLR Building & Joinery Ltd

Ward:
Wetheral

Location: Meridale, Waterside Road, Wetheral, Carlisle, CA4 8HA

Proposal: Erection Of Two Storey Side Extension To Provide 1No. En-Suite Bedroom On Ground Floor With Lounge And Terrace Above.
Installation Of Package Treatment Plant

Date of Receipt:
09/04/2015

Statutory Expiry Date
04/06/2015

26 Week Determination

REPORT

Case Officer: Barbara Percival

1. Recommendation

- 1.1 It is recommended that this application is approved with conditions.

2. Main Issues

- 2.1 Impact of the development biodiversity and the Site of Special Scientific Interest
- 2.2 Impact of the proposal on the living conditions of neighbouring residents
- 2.3 Impact of the proposal on the Wetheral Conservation Area
- 2.4 Impact of the development on the developed floodplain
- 2.5 Other matters

3. Application Details

The Site

- 3.1 Meridale is a split level dwelling located in a substantial sloping plot immediately adjacent to the River Eden within the Wetheral Conservation Area. Riverbank, a two storey dwelling is located to the south of the application site whilst the Viaduct which carries the Carlisle to Newcastle

railway lies further to the north. The topography of the area is such that the access road, which runs along the western boundary of the site, is approximately 8 metres above the river bank level.

The Proposal

- 3.2 The proposal seeks Full Planning Permission for the erection of a two storey side extension on the northern elevation. The submitted drawings illustrate that the accommodation would consist of a ground floor en-suite bedroom and hallway with lounge and external terrace above. The proposed materials would be render with grey concrete roof tiles in keeping with the original dwelling.

4. Summary of Representations

- 4.1 This application has been advertised by the direct notification of the occupiers of three neighbouring properties and the posting of a Site and Press Notices. No verbal or written representations have been made during the consultation period.

5. Summary of Consultation Responses

Cumbria County Council - Highways & Transportation: - the existing and proposed car parking arrangements are not depicted within the accompanying documents; however, assuming that the existing parking area will remain unchanged confirm that the Highway Authority has no objection to the proposed development as it is considered that the proposal does not affect the highway;

Clerk to Wetheral PC: - no observations;

Northern Gas Networks: - no objections to the proposals, however, there may be apparatus in the area that may be at risk during construction works and should the planning application be approved, then it is required that the promoter of these works to contact United Utilities directly to discuss their requirements in detail. Should diversionary works be required these will be fully chargeable;

Conservation Area Advisory Comm: - have the following comments: no heritage statement was present despite conservation area impact and proximity to listed buildings; very poor standard of drawing making it hard to read proposal; lack of contextual information showing impact on surroundings; potentially refusible as the building is neither neutral nor positive in its impact on the conservation area. Recommendation – that the application be refused and the applicant be invited to consider a proposal which enhances the conservation area

6. Officer's Report

Assessment

- 6.1 Section 54a of the Town and Country Planning Act 1990/Section 38(6) of the

Planning and Compulsory Purchase Act 2004, requires that an application for planning permission is determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.

- 6.2 The Development Plan for the purposes of the determination of this application comprises the Carlisle District Local Plan 2001-2016 of which policies DP7, CP1, CP2, CP5, H11, LE2, LE19 and LE27 are of particular relevance.
- 6.3 At a national level, material considerations include the National Planning Policy Framework (NPPF), the Planning Practice Guidance (PPG) and Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 are also material planning considerations in the determination of this application.
- 6.4 Carlisle's emerging new Local Plan 'The Carlisle District Local Plan 2015 - 2030' was submitted to the Secretary of State on 22nd June 2015 under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Paragraph 216 of the National Planning Policy Framework identifies that:

"From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)".*

Carlisle City Council resolved at their meeting of the 10th February 2015, with regards to the emerging Local Plan, that *"once published for consultation, weight be given to the Carlisle District Local Plan (2015–2030) as a material consideration when exercising Development Management policy decisions, in accordance with paragraph 216 of the National Planning Policy Framework"*.

In exercising a decision on the proposal regard has therefore been had to the relevant policies and proposals within the emerging Carlisle District Local Plan 2015-2030. The particular weighting afforded to policies and proposals of relevance has been arrived at by considering each in turn and by way of reference to the provisions of paragraph 216 of the NPPF.

- 6.5 The relevant planning policies of the emerging Local Plan are GI3, GI1, SP6, HO8, HE7 and CC4.
- 6.6 The proposal raise the following planning issues:

1. Impact Of The Development On The Site Of Special Scientific Interest (SSSI) and Biodiversity

- 6.7 The application site is located adjacent to the River Eden which is identified as both a European Natura 2000 Site and SSSI, as such, proposals have to be carefully assessed against the likely impact on nature conservation. English Nature has been consulted and has verbally confirmed that the proposal is relatively low risk therefore is unlikely to have a detrimental impact on nature conservation. In such a context, it is appropriate that a condition be imposed ensuring that during construction works no storage or mixing of materials shall take place on the eastern side of the site fronting the River Eden.

2. Impact Of The Proposal On The Living Conditions Of Neighbouring Residents

- 6.8 The proposal is for an extension on the northern elevation of the existing dwelling. Accordingly, given the position of the proposed extension in relation to neighbouring residential properties, the proposal will not have a detrimental impact on the living conditions of adjoining occupiers on the basis of loss of light, overlooking or over dominance.

3. Impact Of The Proposal On The Wetheral Conservation Area

- 6.10 The application site is located on the northern periphery of the Wetheral Conservation Area. As highlighted earlier in the report Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, the NPPF, PPG and Policy LE19 of the Local Plan and Policy HE7 of the emerging Local Plan are relevant.

- 6.11 Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 highlights the statutory duties of Local Planning Authorities whilst exercising of their powers in respect to any buildings or land in a conservation area. The aforementioned section states that:

"special attention shall be paid to the desirability or preserving or enhancing the character or appearance of that area".

- 6.12 The aims of the 1990 Act is reiterated in both the NPPF, PPG and policies within both the adopted Local Plan and the emerging Local Plan. Policy LE19 of the adopted Local Plan advises that proposals should preserve or enhance their character and appearance. Any alterations to existing buildings should harmonise with their surroundings and be in sympathy with the setting, scale, density and physical characteristics of the conservation area, protecting important views into and out of conservation areas.
- 6.13 Members, therefore, must give considerable importance and weight to the desirability of preserving or enhancing the character and appearance of Wetheral Conservation Area. Members should also be mindful to case law South Lakeland District Council v Secretary of State for the Environment (1992) which established the principle that development that was neutral on a

conservation area, in that it made no positive contribution but left it unharmed, could properly be said to preserve the character and appearance of that area.

- 6.14 It is evident that the proposal is seeking permission to extend a 1960's style dwelling. The submitted Heritage Statement outlines that there are a variety of differing house types and styles within this part of the conservation area. The Statement goes on to highlight that Meridale was constructed in the 60's paying particular attention to the construction and design of that period. The Statement continues by stating that the extension has been designed to be in keeping with this time period and provide a good example of how properties were built and designed in that era.
- 6.15 As highlighted earlier in the report, the Conservation Area Advisory Committee (CAAC) has been consulted and recommend refusal of the scheme suggesting that the applicant be invited to consider a proposal which enhances the conservation area. It should also be noted that the Parish Council has raised no objections to the proposal.
- 6.16 When assessing the application in light of the foregoing, the dwelling is located within the northern periphery of the Wetheral Conservation Area which has no definite vernacular. Indeed, each of the individual designed dwellings along this section of Waterside Road is so orientated so as to take advantage of the views overlooking the adjacent River Eden and the Viaduct further to the north. The topography of the area together with existing boundary and landscape features is such that any views of the existing dwelling and the proposed extension are/would be limited from public viewpoints. Furthermore, any potential perceived visual impact would also be mitigated as the proposed extension would replicate the existing 1960's style dwelling through its proposed design and choice of materials.
- 6.17 The views of the CAAC are respected; however, in light of the foregoing assessment, it is recognised that the proposal does not represent an enhancement of the Conservation Area. However, it is considered that the proposal will preserve the nature of the existing character of the Conservation Area.

4. Impact Of The Development On The Developed Floodplain

- 6.18 The property is in Flood Zone 2 and 3 of the Environment Agency's Flood Map. The Environment Agency, therefore, request that applicants acknowledge such and provide a simple Flood Risk Assessment (FRA). The applicant has provided the FRA and acknowledged that there is a Flood Risk; however, it is felt that this proposal will not significantly affect the Flood Zone.

5. Other Matters

- 6.19 CAAC has raised questions as quality of the submitted drawings; however, the guidance notes in respect of planning applications does not specify that architectural drawings should accompany planning applications merely that any drawings should be accurate scaled drawings. A further issue, which

has subsequently been addressed by the Agent, is the submission of a Heritage Statement.

- 6.20 Members should note that a wooden boundary fence has been erected along sections of the perimeter of the property; however, this is a separate matter currently being dealt with by the Enforcement Officer and does not form part of the application currently before Members.

Conclusion

- 6.21 In overall terms, the proposal would not have a detrimental impact on the biodiversity or the SSSI. There would be no significant impact on the living conditions of adjacent properties by poor design, unreasonable overlooking and unreasonable loss of daylight or sunlight. The scale, design and choice of materials is considered to preserve the character of Wetheral Conservation Area. In all aspects the proposal is compliant with the objectives of the relevant adopted Local Plan policies.
- 6.22 In overall terms, the proposal is considered to be compliant with the relevant Local Plan policies. Accordingly, the application is recommended for approval.

7. Planning History

- 7.1 In 1997, an application for an extension to provide 2no. lounges, study and conservatory on ground floor with master bedroom above (application reference 97/0718).

8. Recommendation: Grant Permission

1. The development shall be begun not later than the expiration of 3 years beginning with the date of the grant of this permission.

Reason: In accordance with the provisions of 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 approved documents for this Planning Permission comprise:
1. the submitted planning application form received 4th February 2015;
 2. the Heritage Statement received 4th June 2015;
 3. the Drainage Statement received 18th May 2015;
 4. the Flood Risk Assessment received 9th April 2015;
 5. the site location plan received 9th April 2015;
 6. the block plan received 9th April 2015;
 7. the existing ground floor plan received 4th February 2015 (Dwg. No. 13/21);
 8. the existing first floor plan received 4th February 2015;
 9. the proposed ground floor plan received 26th June 2015 (Dwg. No.

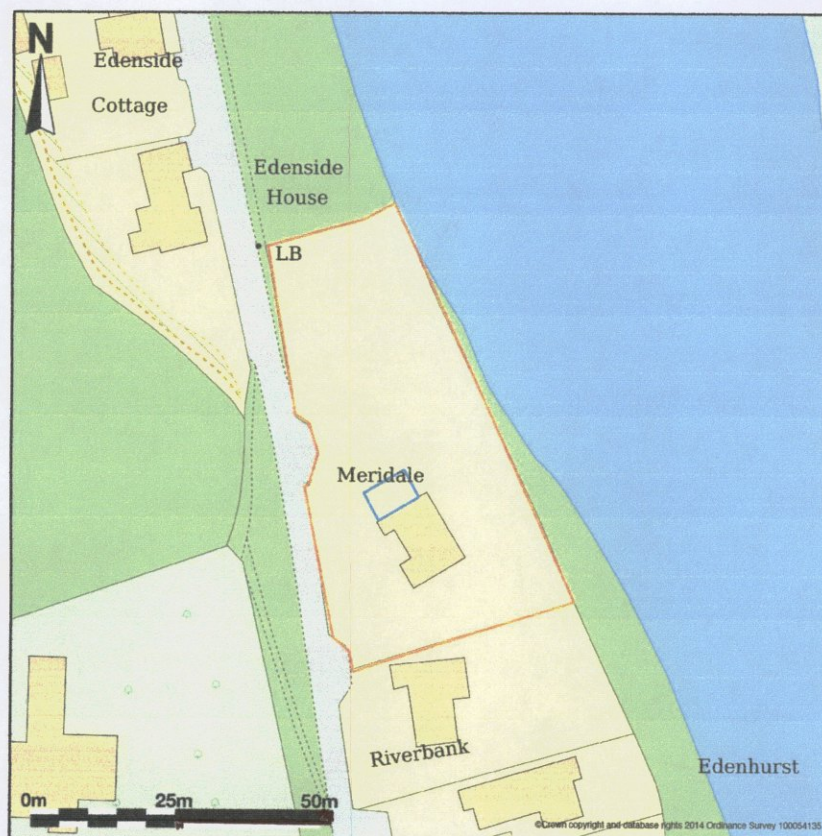
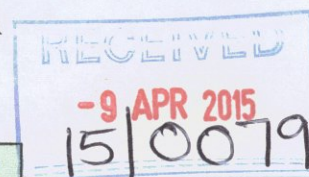
- 15/1);
10. the proposed first floor plan received 26th June 2015 (Dwg. No. 15/2);
 11. the existing north and west elevations received 4th February 2015 (Dwg. No. 15/3);
 12. the existing east and south elevations received 4th February 2015 (Dwg. No. 15/4);
 13. the proposed north and west elevations received 26th June 2015 (Dwg. No. 15/5);
 14. the proposed east and south elevations received 26th June 2015 (Dwg. No. 15/4);
 15. the Notice of Decision; and
 16. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

3. At no time shall the storage of materials or the mixing of materials be allowed to take place on the eastern side of the site fronting the River Eden during the construction of the works hereby approved.

Reason: To protect the biodiversity and water quality of the River Eden SSSI.

Meridale, Wetheral, Carlisle, CA4 8HA



Map shows area bounded by: 346810.28,554389.3,346951.72,554530.7 (at a scale of 1:1250) The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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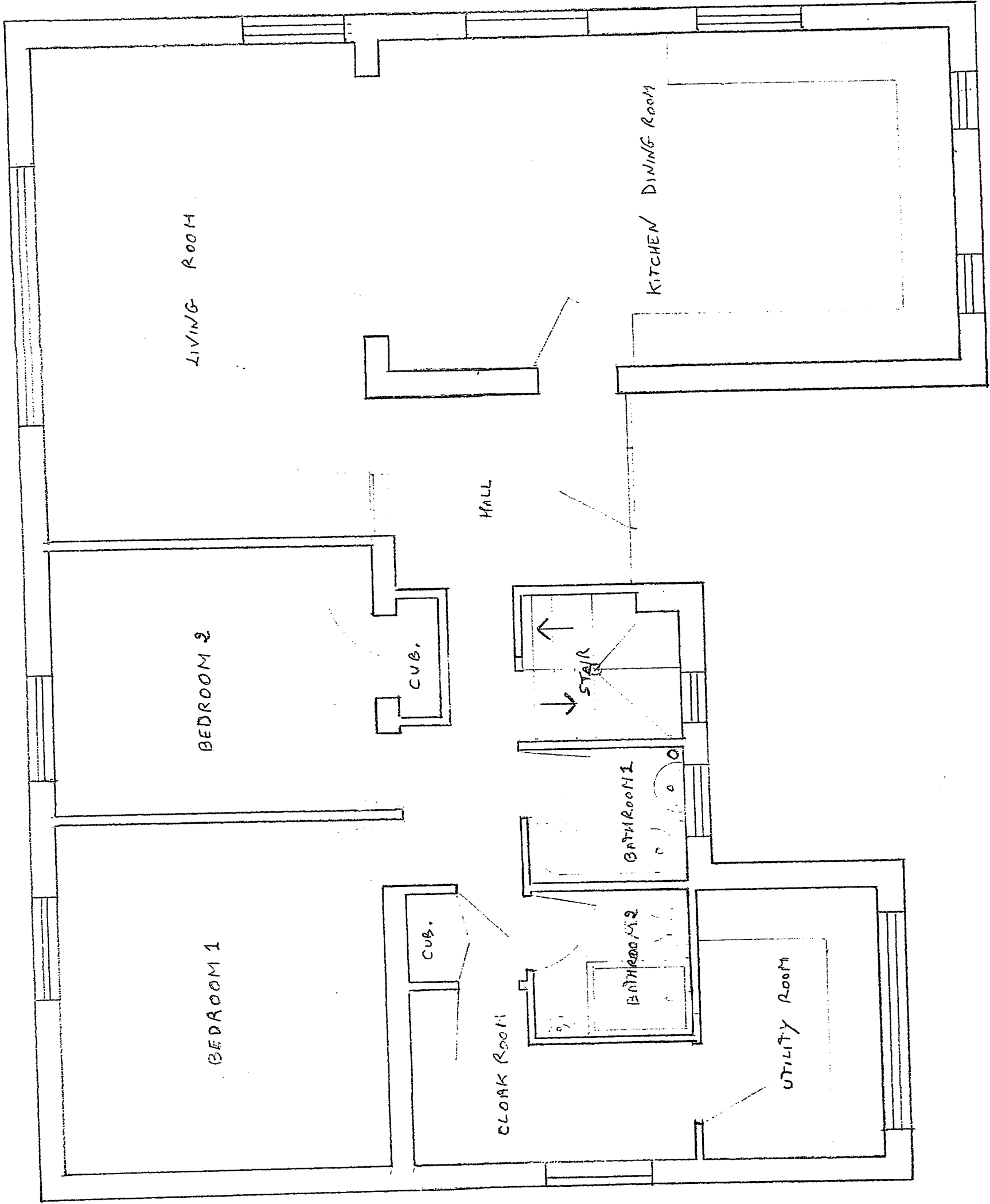
Meridale, Wetheral, Carlisle, CA4 8HA



Map shows area bounded by: 346837.0,554415.0,346927.0,554505.0 (at a scale of 1:500) The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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15/0079

GROUND FLOOR PLAN

DRG. No. 13/21



EXISTING GROUND FLOOR PLAN

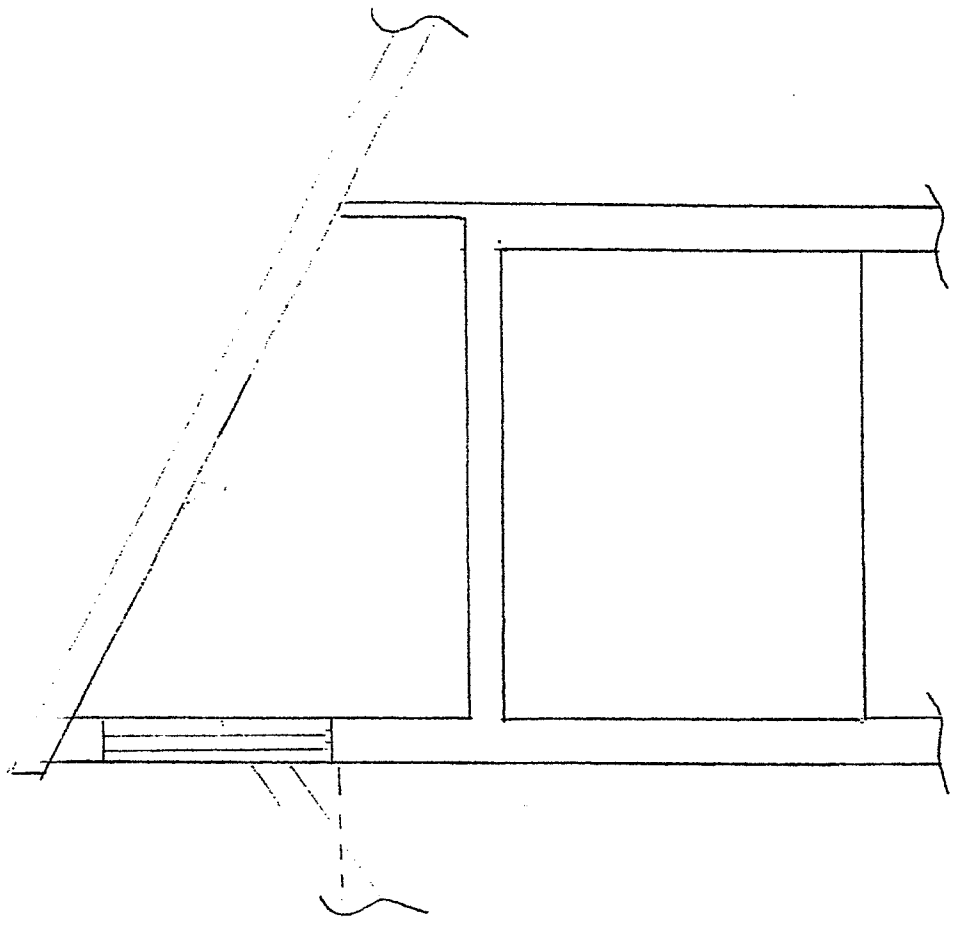
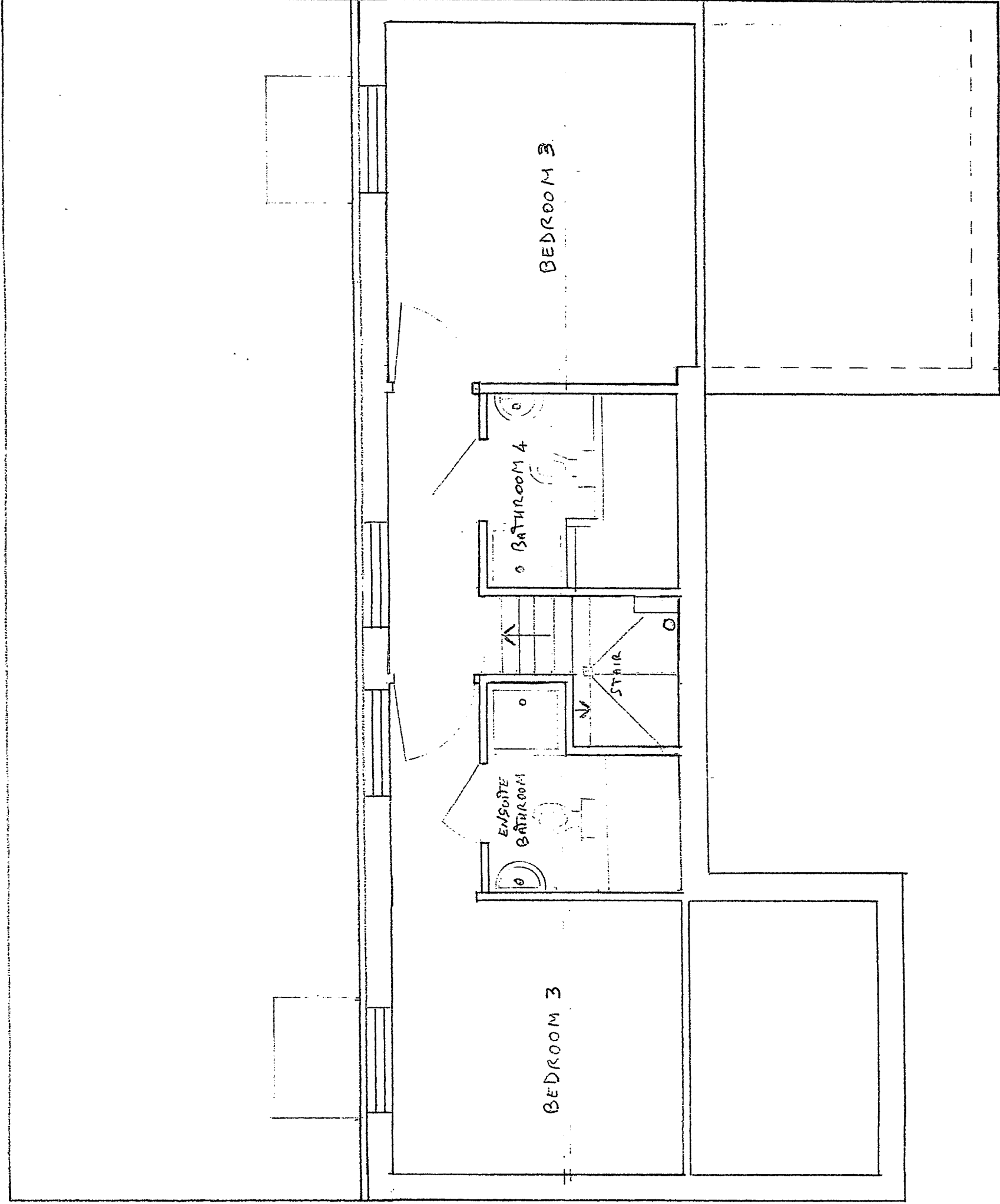
OF MERIDALE, EDENSIDE, WETHERAL

CARLISLE, CA4 8HA FOR M. TYSON

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KLR BUILDING & JOINERY LTD

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15/0079

FIRST FLOOR

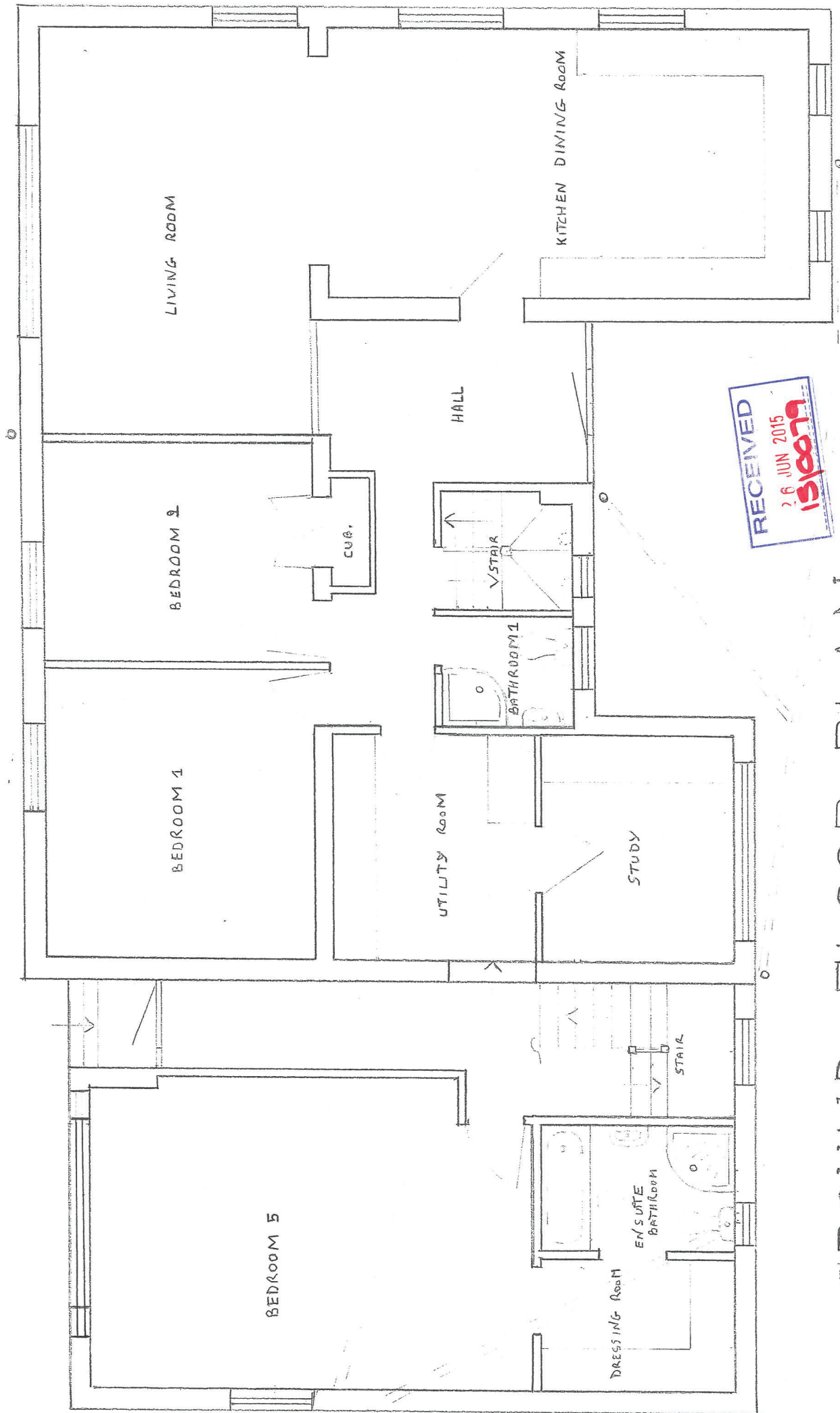
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DRG. No. 13/22



EXISTING FIRST FLOOR PLAN
OF MIRIDALE, EDENSIDE, WETHERAL
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DATE 26/09/2013 SCALE 1:50

KLR BUILDING & JOINERY LTD
T.E.D.P. LE-ROUX 07717442785



GROUND FLOOR PLAN

GROUND FLOOR PLAN AS PROPOSED OF MERIDALE,

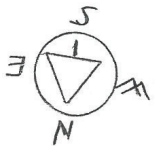
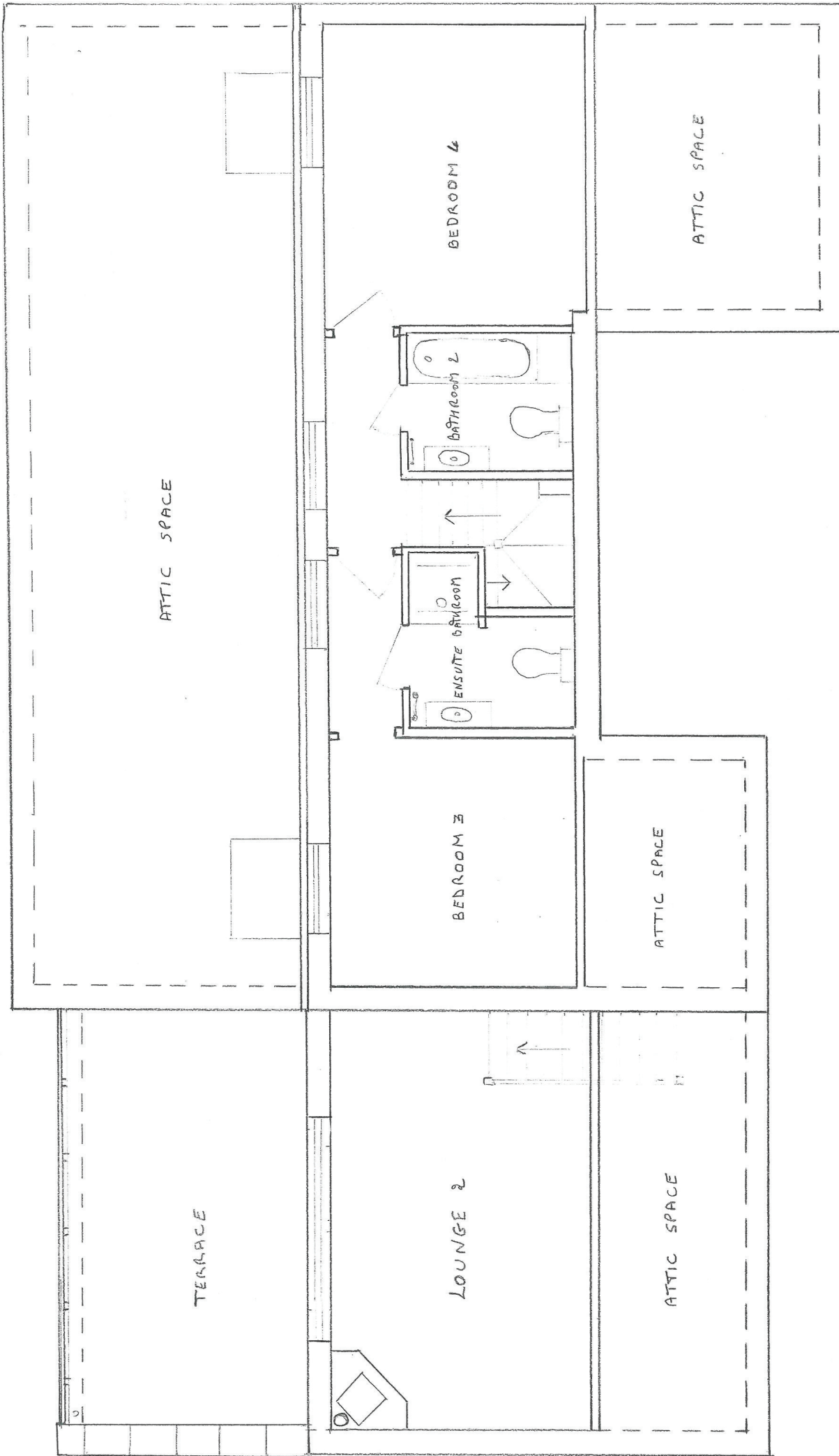
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FOR MR M. TYSON

DATE: 12/01/2015

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MR T. LE-ROUX 07717442785



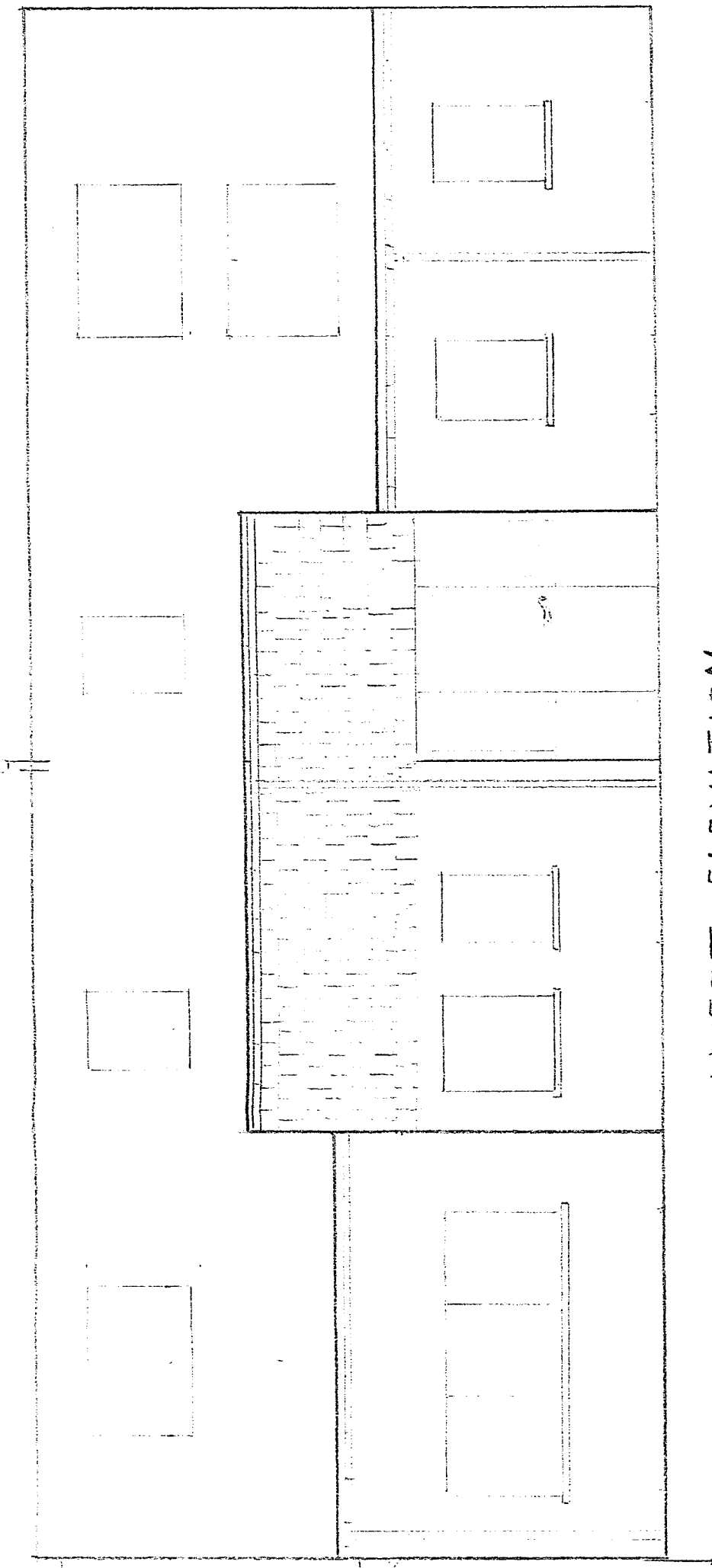
FIRST FLOOR PLAN

FIRST FLOOR PLAN AS PROPOSED OF MERIDALE,
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 FOR MR & MRS TYSON DATE 12/01/2015



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MR T. LE-ROUX 07717442785



WEST ELEVATION

15/0079
14 FEB 2015

ELEVATION PLAN

EXISTING OF MERIDALE

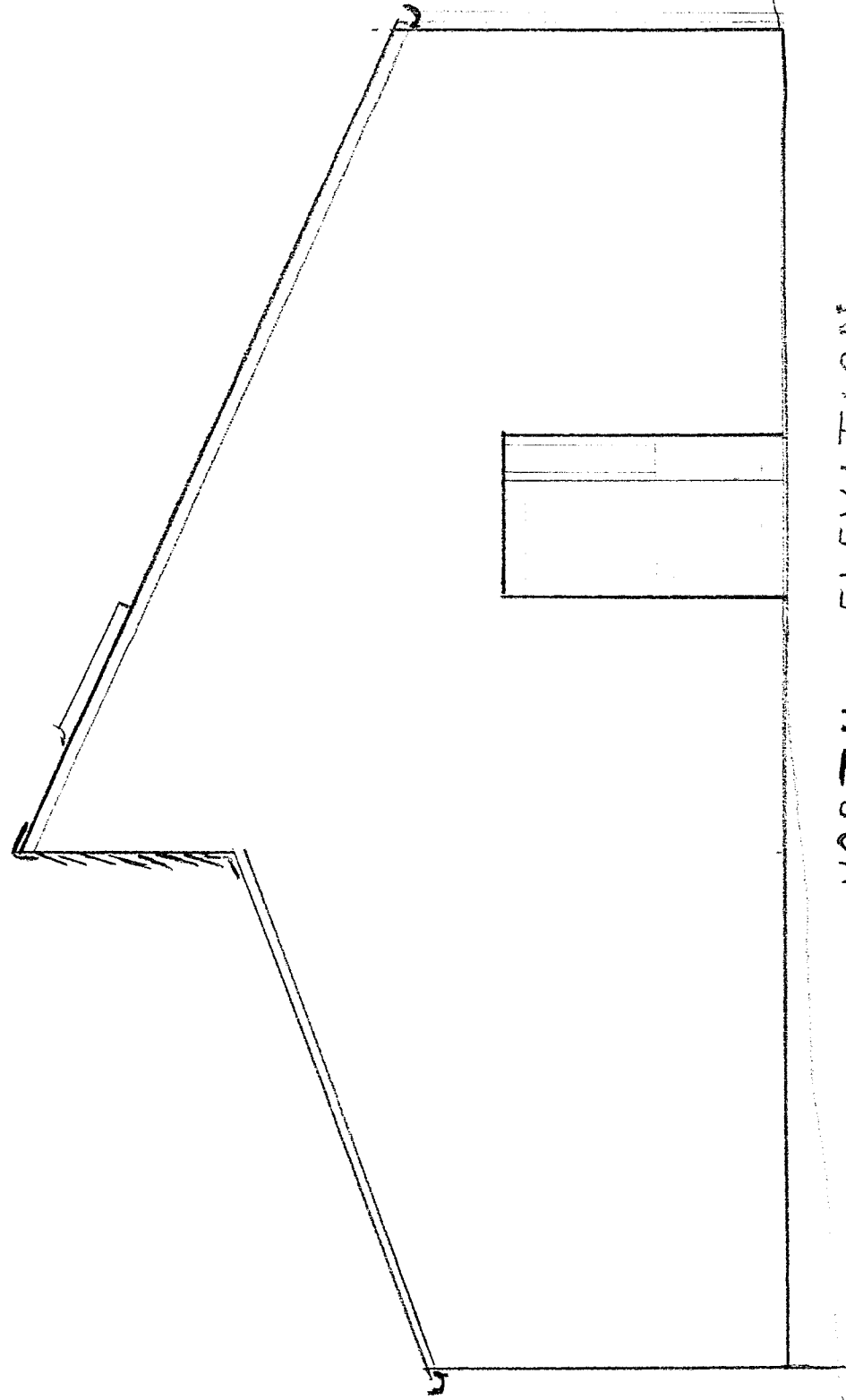
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FOR MR TYSON

DRG. No. 15/3

DATE: 12/01/15

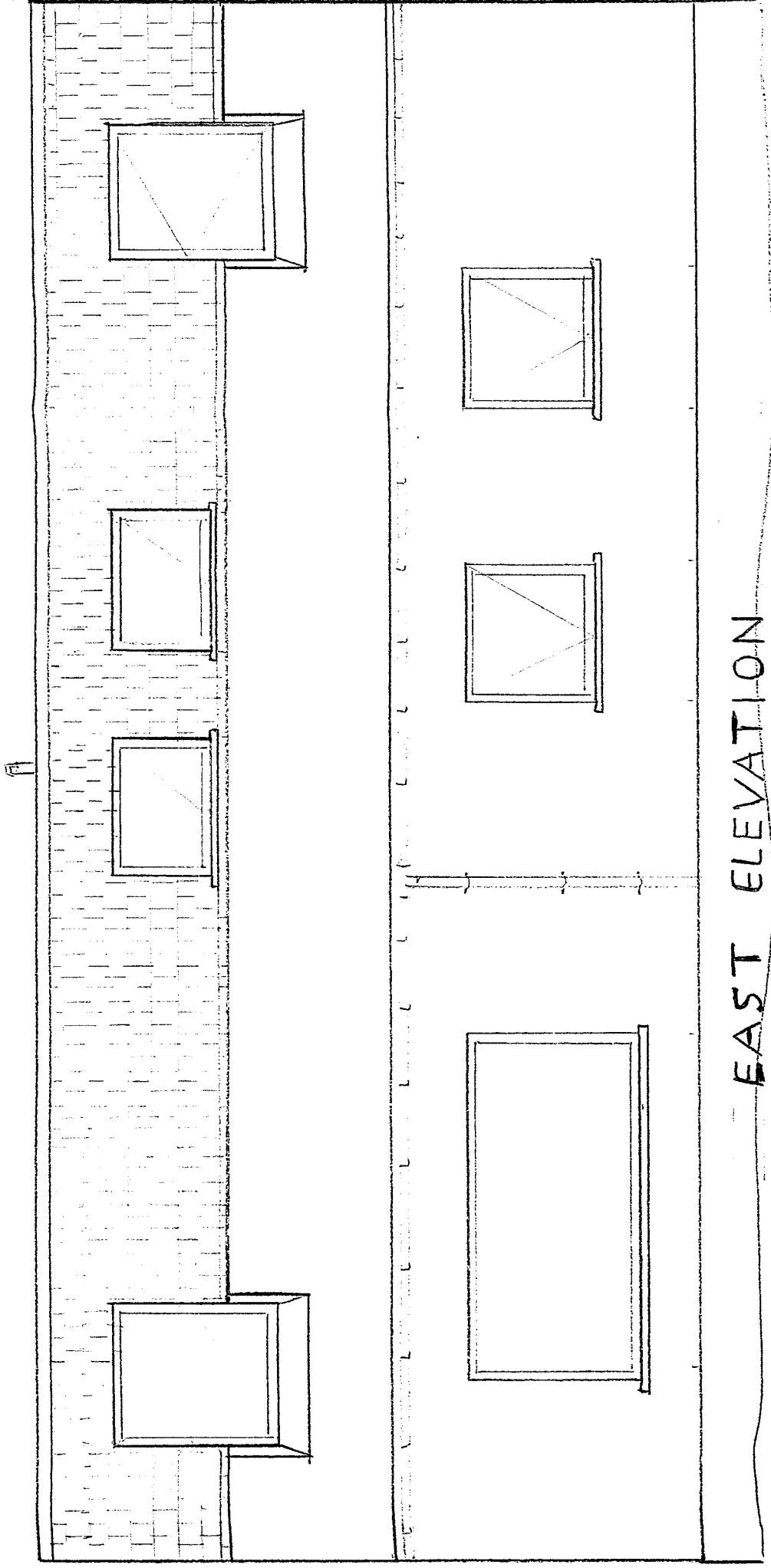
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NORTH ELEVATION



MR T, LE-ROUX 07717442785



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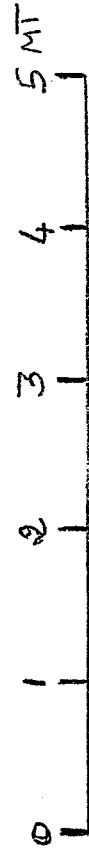
ELEVATION PLAN

EXISTING of MERIDALE

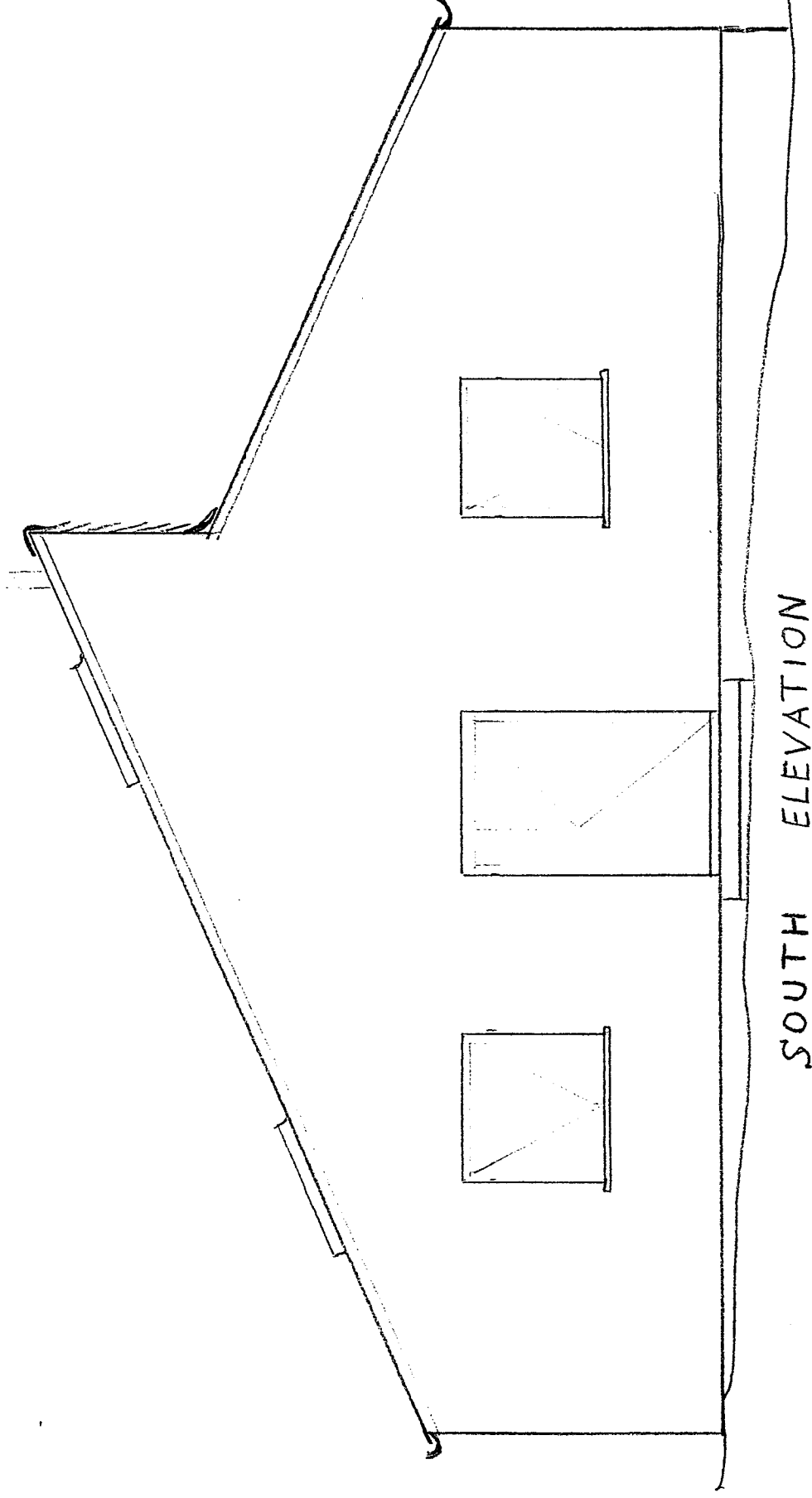
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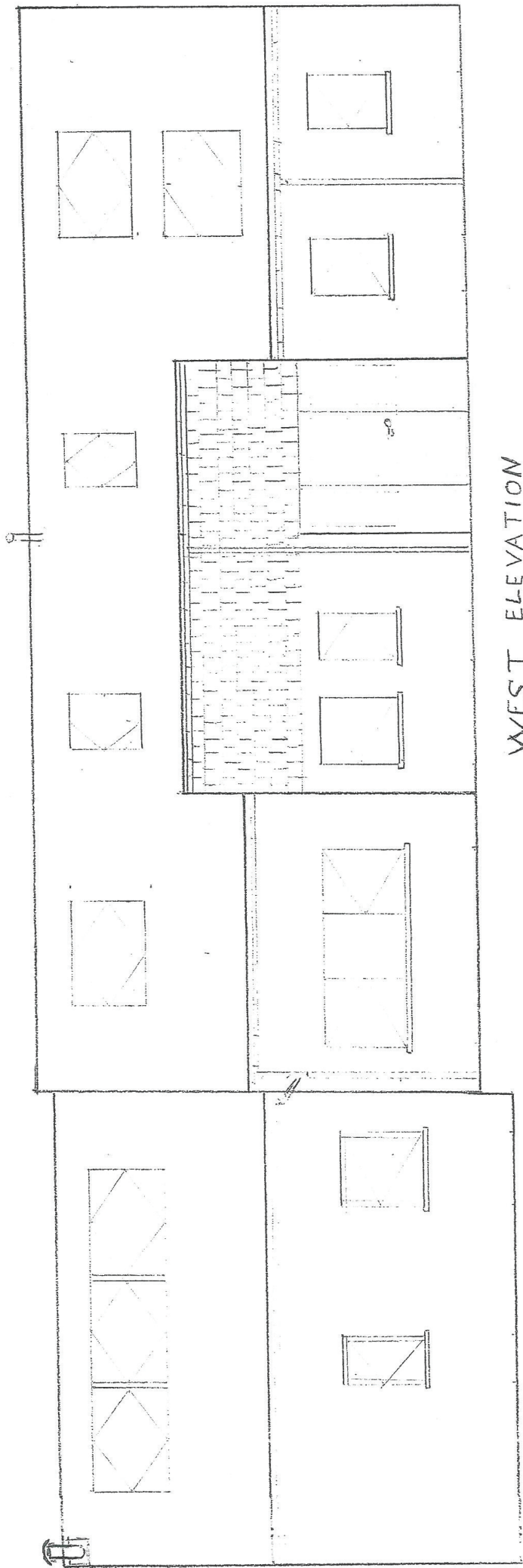
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M^r T, LE-ROUX 0771742785





WEST ELEVATION

ELEVATION PLAN

AS PROPOSED OF MERIDALE

WETHERAL, CARLISLE, CA 48 HA

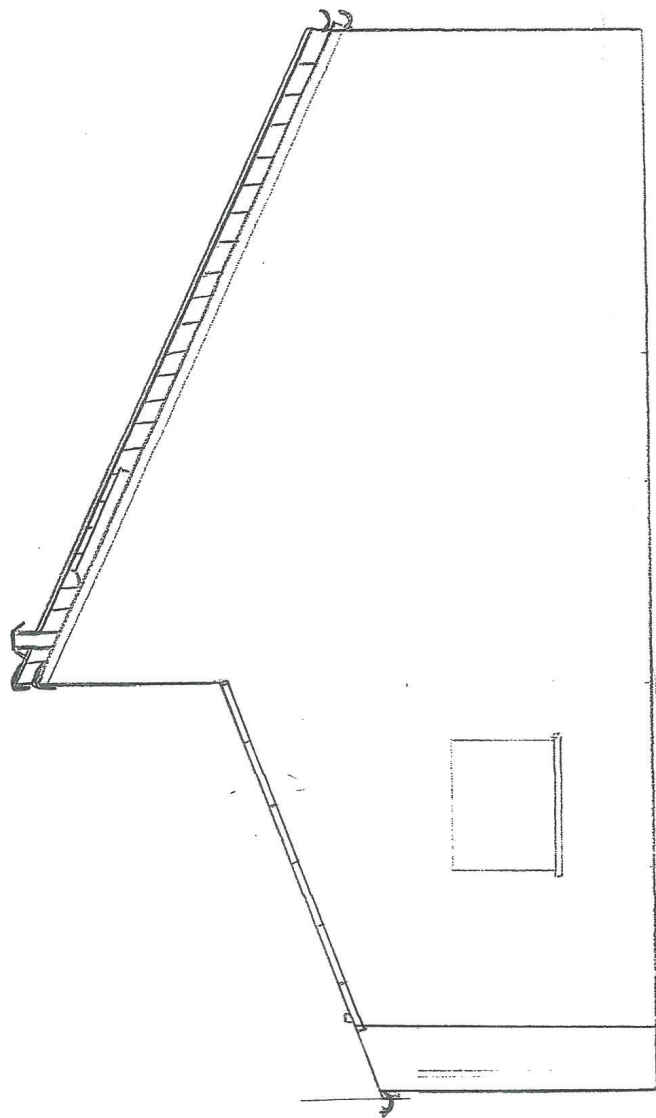
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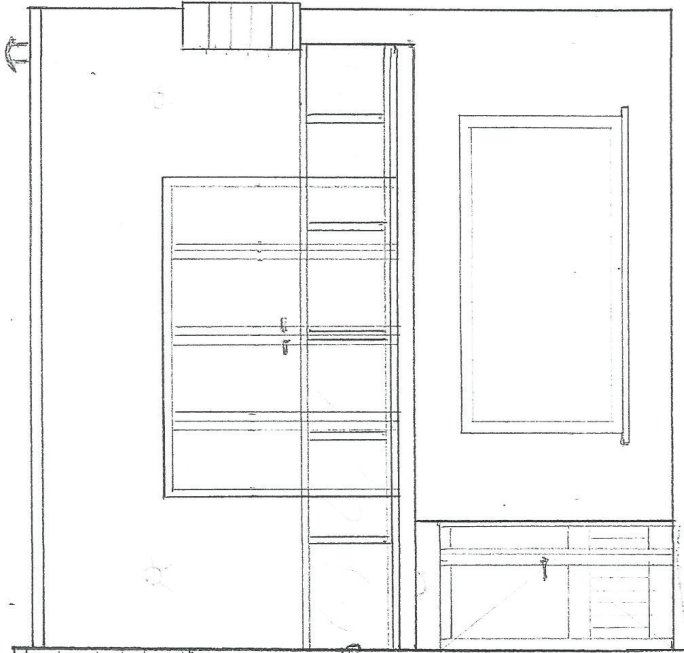
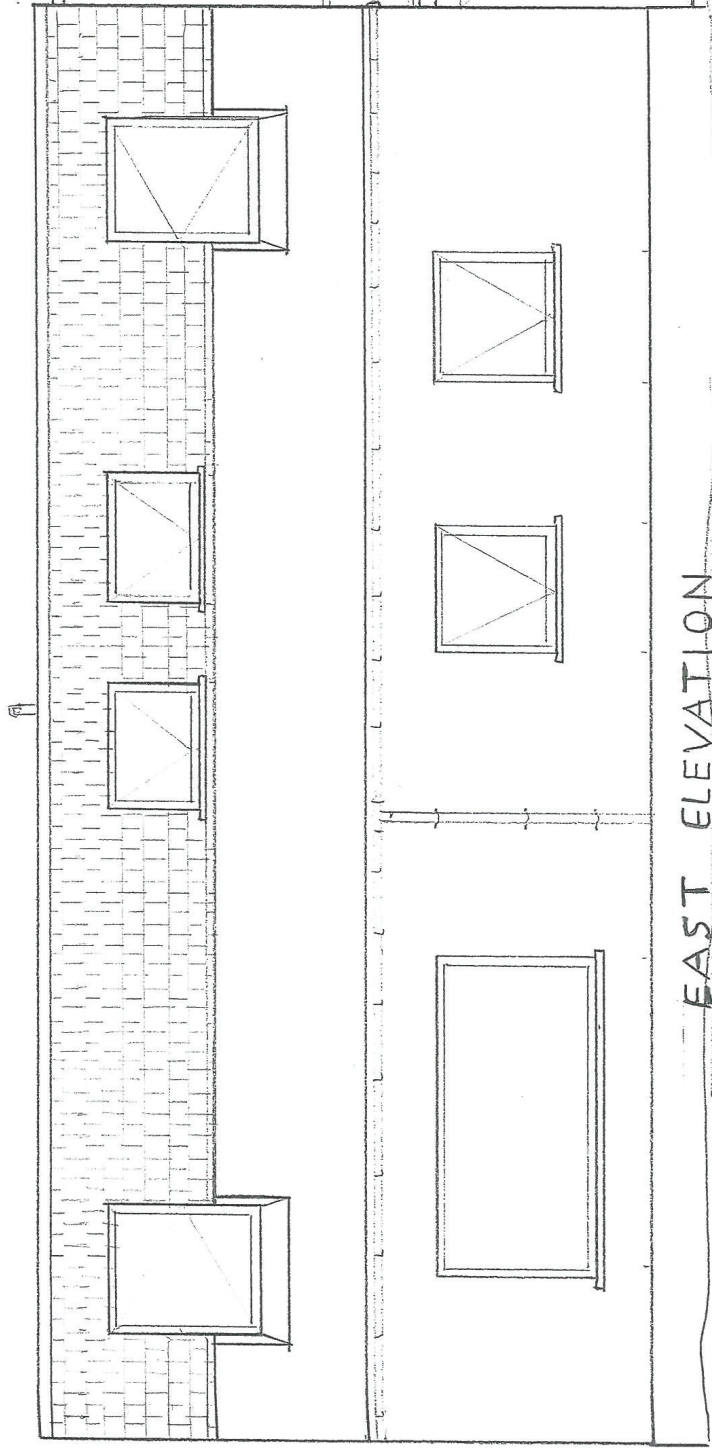


M^{rs} T. LE-ROUX

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NORTH ELEVATION



ELEVATION PLAN

PROPOSED OF MERIDALE

WETHERAL, CARLISLE, CA48HA

FOR MR M, TYSON DRG. No. 15/4

DATE: 12/01/15 SCALE 1:50



MR T, LE-ROUX 07717442785

