

## SCHEDULE A: Applications with Recommendation

17/0048

Item No: 08

Date of Committee: 17/03/2017

**Appn Ref No:**  
17/0048

**Applicant:**  
L & N D Development and Design Limited

**Parish:**  
Wetheral

**Agent:**  
Taylor & Hardy

**Ward:**  
Wetheral

**Location:** Land between 61 & 63, Scotby Road, Scotby, Carlisle, CA4 8BD

**Proposal:** Proposed New Entrance And Improvements To The Existing Vehicular Access To Enable The Retention Of No. 61 And The Omission Of The Internal Road Narrowing

**Date of Receipt:**  
23/01/2017

**Statutory Expiry Date**  
20/03/2017

**26 Week Determination**

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### REPORT

**Case Officer:** Stephen Daniel

#### 1. Recommendation

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

#### 2. Main Issues

- 2.1 Whether The Proposed Access Would Be Acceptable  
2.2 Scale And Design Of The Proposal

#### 3. Application Details

##### The Site

- 3.1 The application site includes the road that provides access to the properties that are currently being constructed to the rear of 55 to 65 Scotby Road, number 61 Scotby Road and a small strip of garden at 63 Scotby Road.

##### Background

- 3.2 In August 2016, planning permission was granted for the erection of eight

dwelling (16/0159). Under this proposal, 61 Scotby Road was to be demolished in order to form an improved means of vehicular access to the proposed dwellings. Visibility splays of 2.4m by 50m were to be provided in both directions along Scotby Road. The proposal also included the creation of a pinch point along Scotby Road as a traffic calming measure.

- 3.3 An application for the erection of 34 dwellings to be served by this improved access (17/0131) has recently been received.

## **The Proposal**

- 3.4 This proposal is seeking to amend the approved access arrangements and to retain 61 Scotby Road. The applicant has now acquired 59 Scotby Road and also a section of the garden of 63 Scotby Road. This has allowed the access to be widened to a minimum width of 4.8m with a 1.8m wide pavement. The first 15m of the access would be a minimum of 5.5m, with the junction adjacent to Scotby Road being over 10m wide.
- 3.5 The previous scheme proposed the removal of 61 Scotby Road, which is a semi-detached property that adjoins 59 Scotby Road. This proposal is seeking to retain 61 Scotby Road. The area to the front of the dwelling would be surfaced in stone setts and would contain a feature tree. A curved wall would separate this area from a lawned area to the front of the property. Two car parking spaces for 61 Scotby Road would be provided to the rear of 59/61 Scotby Road and these would be accessed from the new road.
- 3.6 The applicant is also proposing a number of changes to 61 Scotby Road which would constitute permitted development and do not form part of this application. These works include: the erection of brick walls to the northern boundary; adding a monopitch roof to an existing flat roof rear extension; replacing a window with french doors in the rear elevation of the extension; and bricking up ground floor windows and doors in the side elevation of the dwelling and rear extension. A new wall is also proposed to the southern boundary of 63 Scotby Road but this would also be permitted development and does not form part of this application.

## **4. Summary of Representations**

- 4.1 This application has been advertised by means of a site notice and notification letters sent to seven neighbouring properties. In response, two letters of objection have been received, which make the following points:
- as part of the original permission 61 Scotby Road had to be demolished to provide adequate visibility and traffic calming measures were proposed - how can an integral part of achieving safe visibility be cast aside for developer's profit?;
  - doubt the requirements can be met - a 1.8m wide footpath has appeared, the road width is reduced to 4.8m whilst allowing 61 to remain and be developed and the passing places have been removed

- from the original road layout;
- a standard carriageway of 9m is needed to allow 2 vehicles to pass (including refuge, emergency and delivery vehicles) and fail to see how restricting the width will improve the efficiency of the access road;
- concerned about the narrowing of the proposed access road;
- how do the residents of the development enter and exit this road without meeting head on?
- forcing reversing out onto Scotby Road, an already heavily trafficked road with excessive speeds, is an accident waiting to happen;
- is the proposal to the benefit of the development and the residents of Scotby Road;
- if measures need to be considered and implemented to achieve a safe viability then surely the access to the development is not viable;
- cars exiting the development onto Scotby Road will meet traffic coming head on from the proposed narrowing on Scotby Road;
- how will the proposed narrowing on Scotby Road be communicated to road users? Will there be traffic calming signs on the roads/ pavements further cutting down on parking places on Scotby Road;
- has the application been approved as works seem to have already started on the boundary walls to the front of 61 Scotby Road;
- the number of applications that have been submitted for this site show that it has not been thought out correctly and should be looked at again.

## **5. Summary of Consultation Responses**

Cumbria County Council - (Highways & Lead Local Flood Authority): - the changes are acceptable as the applicant has removed the narrowing section within the proposed development. The applicant has provided carriageway in access of 5.5m wide for over 15m from the carriageway edge of Scotby Road before it narrows to 4.8m within the development. The new proposed car parking for no 61 Scotby Road provides a minimum area of 6m from the edge of the footpath to the boundary at the rear of the area. Information needs to be provided on the visibility splays for the parking area and the junction with Scotby Road before any permission is granted;

Clerk to Wetheral PC: - object to the application - considers that the access is not complying with the Cumbria County Council requirements - i) this proposal reduces the road width to 4.8 metres and this will inhibit the passing of large vehicles e.g. refuse vehicles causing traffic issues on Scotby Road; ii) the tree indicated at the roadside of No 61 should not be permitted as it will obstruct the visibility splays; iii) 61 should be demolished to enable a safer access and exit from this development as the number of vehicle movements will increase as the site extends to include additional dwellings.

## **6. Officer's Report**

### **Assessment**

- 6.1 The relevant planning policies against which the application is required to be assessed are Policies HO2, HO8, IP2 and SP6 of the Carlisle District Local Plan 2015-2030.
- 6.2 The proposal raises the following planning issues:
1. Whether The Proposed Access Would Be Acceptable
- 6.3 Wetheral Parish Council has objected to the application as it considers that the access is not complying with Cumbria County Council requirements. It considers that a road width of 4.8m would inhibit the passing of large vehicles e.g. refuse vehicles causing traffic issues on Scotby Road. Two letters of objection have also been received which raise concerns about the width of the proposed road and the potential conflict between cars exiting the site and cars travelling along Scotby Road.
- 6.4 Cumbria County Council has confirmed that a road 4.8m wide is sufficient to serve up to 50 dwellings. The previously approved road contained sections that were 4.8m wide but also contained a section that narrowed to 3.2m. The proposed access would now have a minimum width of 4.8m and would be an improvement on the previously approved scheme. The road would be over 5.5m wide for over 15m from the carriageway edge of Scotby Road before it narrows to 4.8m and would be over 10m wide at its junction with Scotby Road. A road width of 4.8m would allow cars and HGVs to pass one another without the need to give way, whilst a road width of 5.5m would allow two larger vehicles (e.g. fire appliance, bin lorry, bus) to pass each other.
- 6.5 A condition attached to the earlier consent for the eight dwellings required visibility splays of 49m to be provided at the junction of the new access road and Scotby Road. The provision of these splays ensures that cars exiting the development onto Scotby Road can do so safely. The Parish Council has raised concerns that the tree shown to the front of 61 Scotby Road would obstruct the visibility splays. This tree would, however, be clear of the visibility of the splays. The condition on the earlier consent states that no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splay which obstruct the visibility splays.
2. Scale And Design Of The Proposal
- 6.6 No. 61 Scotby Road is a semi-detached property that is a mirror image of 59 Scotby Road. Both properties have projecting two-storey gables in the centre, first floor windows that sit above the front door, hipped roofs and chimneys which are joined. Under the previous permissions, 61 Scotby Road was to be demolished. This would have resulted in 59 being retained with a hip to one side and a gable to the other. The proposal to retain the pair of semi-detached properties would be a significant improvement and would have a positive impact on the street scene.
- 6.7 When viewed from Scotby Road, the proposed access would be similar to

the previously approved scheme but would be located further to the north. New brick walls would be created adjacent to the access road under Permitted Development Rights and these would be visible from Scotby Road. In light of the above, the proposed changes to the road would not have an adverse impact on the street scene.

- 6.8 Two car parking spaces would be provided to the rear of 61 Scotby Road which would be acceptable. A paved area would be provided to the front of the dwelling, new brick walls would be erected on the boundaries and changes would be made to the rear extension but these works would constitute permitted development and do not form part of this application.
- 6.9 The Parish Council has requested that 61 Scotby Road should be demolished to ensure that a safer access can be created to the dwellings to the rear. As outlined above, the applicant has now acquired part of the garden of 63 Scotby Road and 59 Scotby Road and this will allow the provision of a suitable access, without the need to demolish number 61 Scotby Road, which meets County Council standards and is an improvement on the previously approved access .

## **Conclusion**

- 6.10 In overall terms, the proposal would improve the previously approved access and allow the retention of 61 Scotby Road which would have a positive impact on the street scene. In all aspects the proposals are compliant with the objectives of the relevant adopted Local Plan policies.

## **7. Planning History**

- 7.1 Outline planning permission granted under 13/0905 for the erection of three dwellings.
- 7.2 Under application numbers 14/0787 and 14/0788 permission has been given for the upgrading of the existing vehicular access, between numbers 61 and 63 Scotby Road, and the erection of a single dwelling on land to the immediate south-west of the current application site.
- 7.3 Under application 14/1091 outline permission was granted subject to a Section 106 Agreement for the erection of 14 dwellings on land to the south of the current application site.
- 7.4 Under application 16/0159 full planning permission was given (in lieu of the previous outline approval for three dwellings approved under 13/0905) for the erection of a total of eight dwellings.
- 7.5 In February 2017, a non material amendment of previously approved planning permission 16/0159 was approved (16/0988).

## **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 19th January 2017;
2. the Existing Site Location Plan (drawing ref RD/Entrance SLP1) received 19th January 2017;
3. the Existing Site Block Plan (drawing ref RD/New Entrance SBP1 Rev A) received 19th January 2017;
4. the Proposed New Entrance Plan (drawing ref RD/New Entrance 61&63SR Rev C) received 19th January 2017;
5. the Typical Layout Arrangement of New Boundary Brickwork Walls (drawing ref RD/Entrance Walls Rev A) received 19th January 2017;
6. the Existing Elevations (drawing ref RD 61SR ELEV1 Rev A) received 19th January 2017;
7. the Proposed Elevations (drawing ref RD 61SR ELEV2 Rev A) received 19th January 2017;
8. the Public Notice (Cumberland News Friday 29th January 2016) received 19th January 2017;
9. Kerb Re-alignment at Site Access Details (drawing B8825/13 Rev A), received 24th February 2017;
10. Visibility Splays (for parking area for 61 Scotby Road) (drawing RD NEW GARAGE 63SR VS Rev A), received 1 March 2017;
11. the Notice of Decision;
12. any such variation as may subsequently be approved in writing by the Local Planning Authority.

**Reason:** To define the permission.

3. Prior to the occupation of any of the dwellings approved under application 16/0159, visibility splays providing clear visibility of 49 metres measured down the centre of the access road and the near side channel line of the major road shall be provided at the junction of the access road with the county highway. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splay which obstruct the visibility splays.

**Reason:** In the interests of highway safety, to support Local Transport Plan Policies LD7 and LD8.

4. The whole of the access area bounded by the carriageway edge, entrance gates and the splays shall be constructed and drained to the specification of

the Local Planning Authority in consultation with the Highways Authority.

**Reason:** In the interests of road safety and to support Local Transport Plan Policies LD5, LD7 and LD8.

5. Ramps shall be provided on each side of every road junction to enable wheelchairs, prams and invalid carriages to be safely manoeuvred at kerb lines. The ramps shall be constructed in accordance with the details contained on Dwg B8825/13 Rev A (Kerb Re-Alignment at Site Access Details, received 24 February 2017). Any details so approved shall be constructed as part of the development.

**Reason:** To ensure that pedestrians and people with impaired mobility can negotiate road junctions in relative safety and to support Local Transport Plan Policies LD5, LD7 and LD8.

6. The carriageway, footways, footpaths, cycleways etc shall be designed, constructed, drained and lit to a standard suitable for adoption and in this respect further details, including longitudinal/cross sections, shall be submitted to the Local Planning Authority for approval. These details shall be in accordance with the standards laid down in the current Cumbria Design Guide. Any works so approved shall be constructed before the development approved under application 16/0159 is completed.

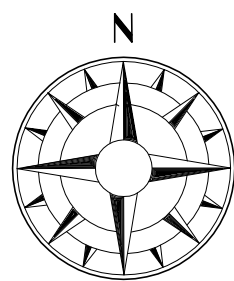
**Reason:** To ensure a minimum standard of construction in the interests of highway safety and to support Local Transport Plan Policies LD5, LD7 and LD8.

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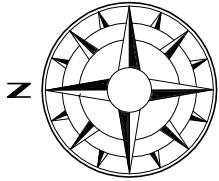
**EXISTING SITE LOCATION PLAN  
DRAWING NUMBER  
RD / ENTRANCE SLP1**



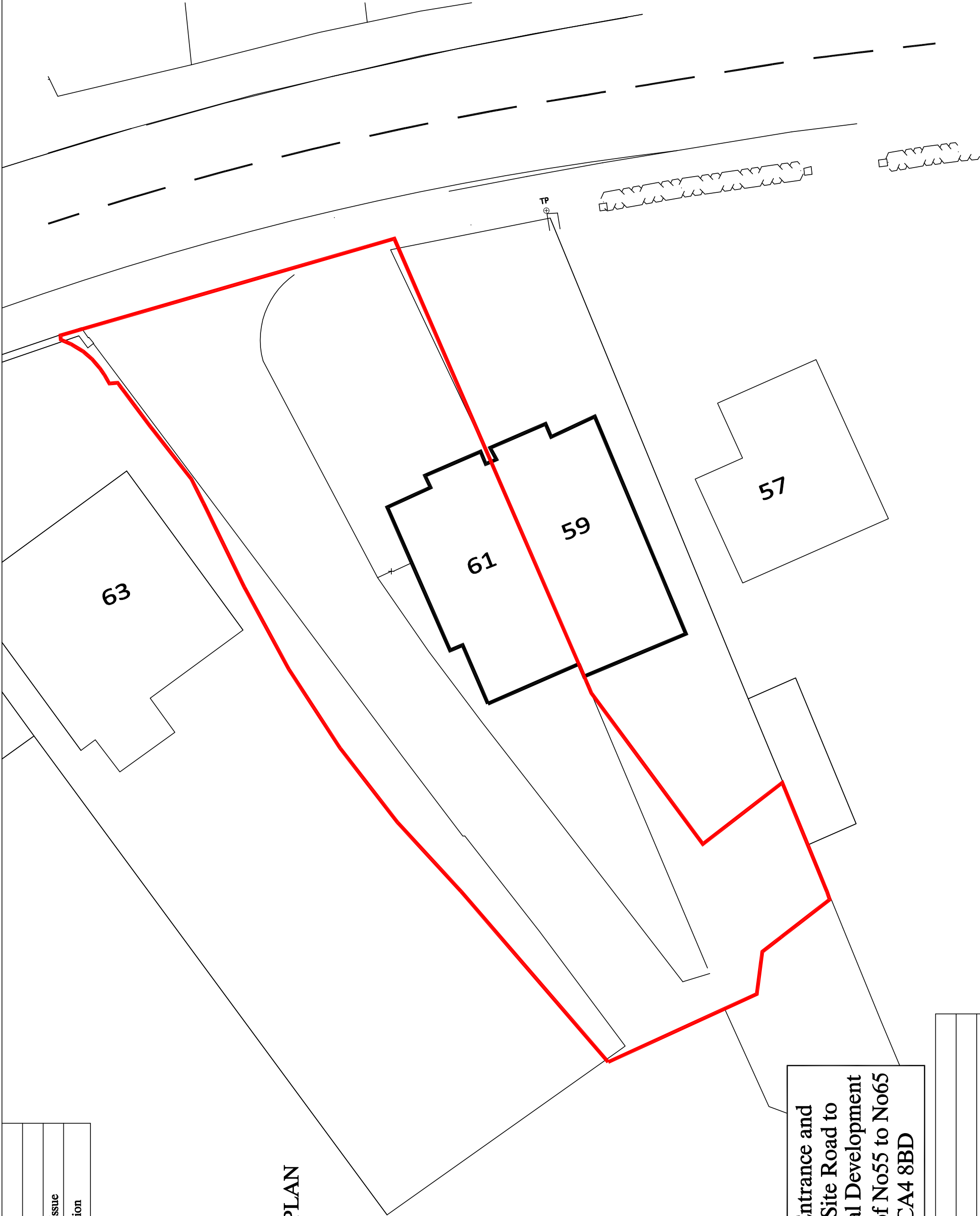
Scale 1:1250



A	05 / 12 / 16	Original Issue	
Rev.	Date	Description	



Scale 1:200  
EXISTING  
SITE BLOCK PLAN

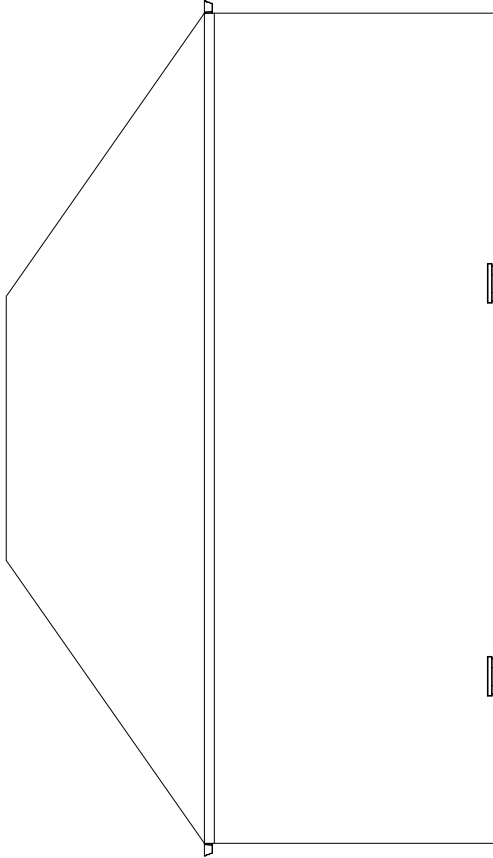


Proposed New Entrance and  
5.5 > 4.8 Metre Site Road to  
Proposed Residential Development  
on land to the rear of No55 to No65  
Scotby Road CA4 8BD

Drawn By	G.Tyler
Scale	1:200 @ A3
Date	5th December 2016
Drawing No	RD NEW ENTRANCE SBP1
	Rev A

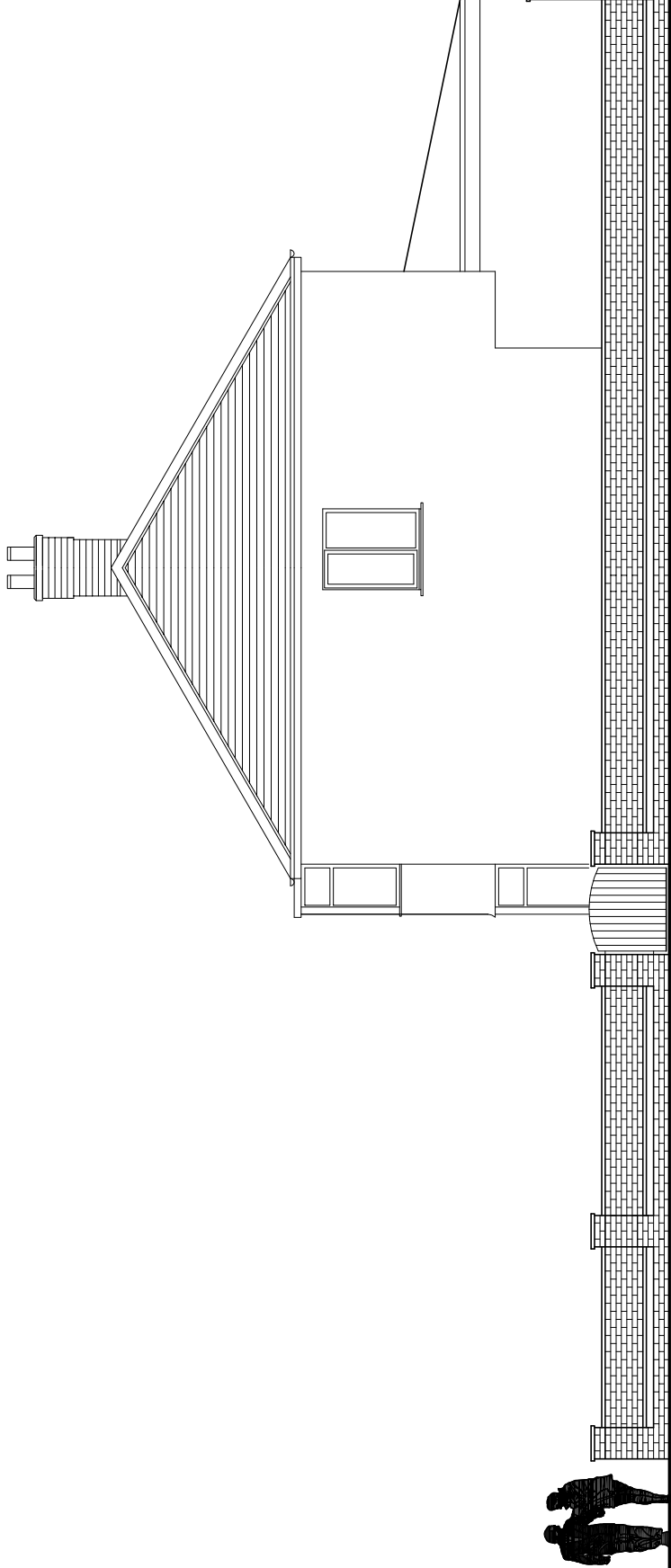


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THE  
PLAINS

Wall adjacent to No63 Scotby Road

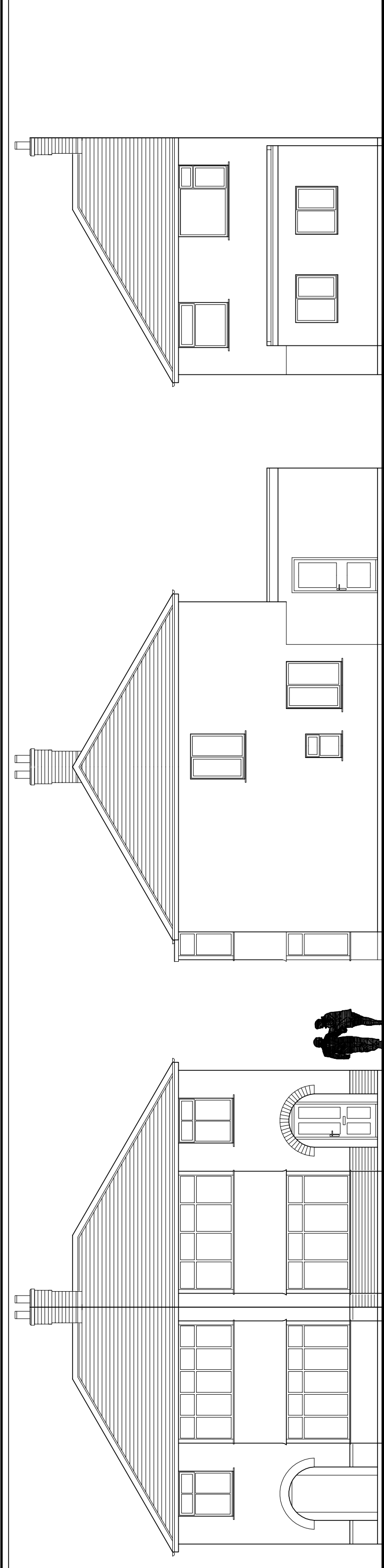


Wall adjacent to No61 Scotby Road

A	17 / 01 / 17	Original Issue
Rev.	Date	Description

Typical Layout Arrangement of New Boundary Brickwork Walls		

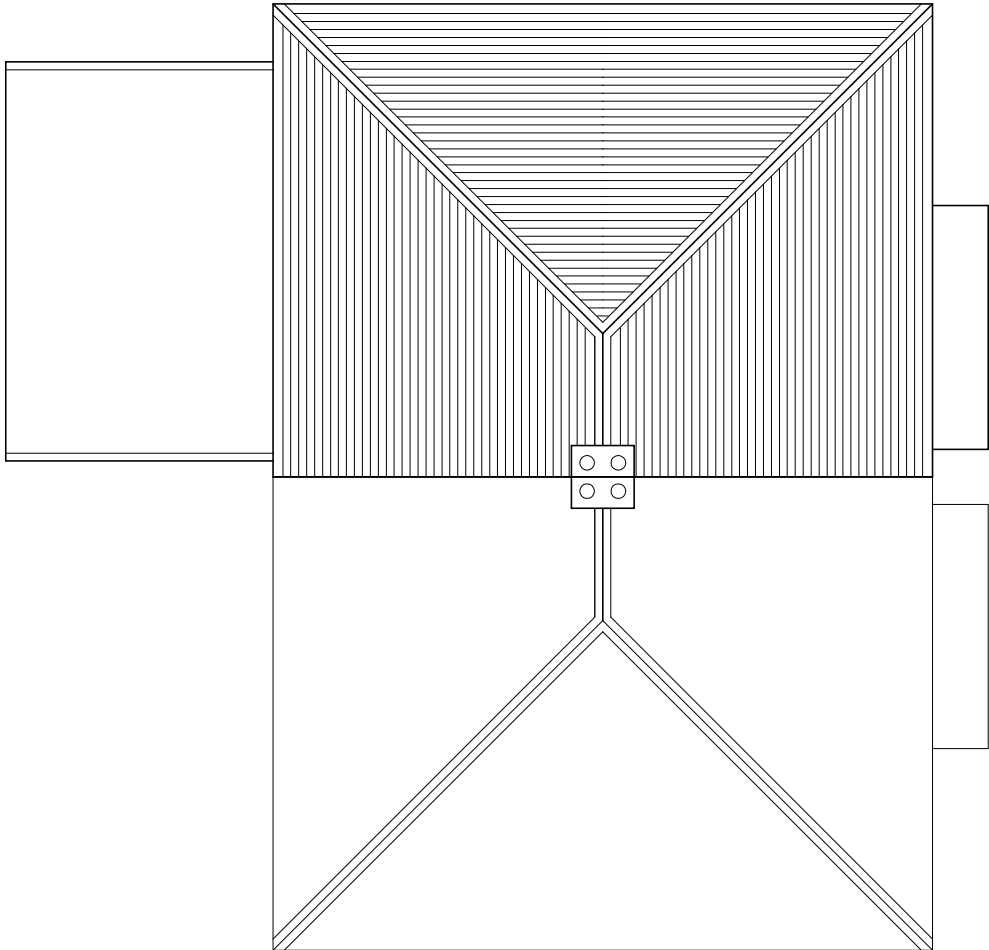
Drawn By	G.Tyler
Scale	1:100
Date	18th January 2017
Drawing No	RD ENTRANCE WALLS
	Rev A



Existing Front Elevation

Existing Side Elevation

Existing Rear Elevation

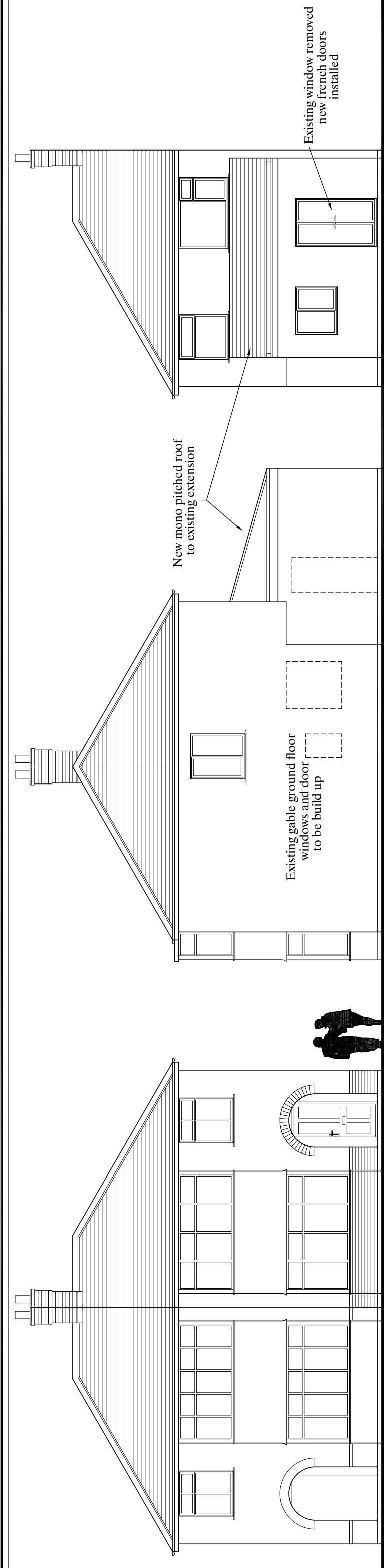


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A	30/11/16	Original Issue	
Rev.	Date	Description	

Existing Elevations of No61 Scotby Road,  
Carlisle, Cumbria CA4 8BD.

Drawn By	G.Tyler
Scale	1:100
Date	30th November 2016
Drawing No	RD 61SR ELEV1
	Rev A



Proposed Front Elevation

Proposed Side Elevation

Proposed Rear Elevation

The physical alterations to No61 Scotby Road constitute permitted development under Schedule 2, Class A of the Town and Country Planning ( General Permitted Development ) ( England ) Order 2015. These alterations are shown for completeness only.

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Design Limited

A	30/11/16	Original Issue	
Rev.	Date	Description	

Existing Elevations of No61 Scotby Road, Carlisle, Cumbria CA4 8BD.			
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Drawn By	G.Tyler
Scale	1:100
Date	30th November 2016
Drawing No	RD 61SR ELEV2
	Rev A