

## SCHEDULE A: Applications with Recommendation

13/0710

Item No: 13

Date of Committee: 20/12/2013

**Appn Ref No:**  
13/0710

**Applicant:**  
Mr Anthony Nutbrown

**Parish:**  
St Cuthberts Without

**Agent:**  
Mr Gary Tyler

**Ward:**  
Dalston

**Location:** Rose Cottage, Carleton, Carlisle, CA1 3DP

**Proposal:** Demolition Of Rose Cottage; Erection Of 4No. Dwellings

**Date of Receipt:**  
06/09/2013

**Statutory Expiry Date**  
01/11/2013

**26 Week Determination**

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### REPORT

**Case Officer:** Barbara Percival

#### 1. Recommendation

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

#### 2. Main Issues

- 2.1 Whether the principle of development is acceptable
- 2.2 Impact of the development on the character of the area
- 2.3 Whether the scale and design of the dwellings are appropriate
- 2.4 Impact of the proposal on the living conditions of neighbouring residents
- 2.5 Impact of the proposal on highway safety
- 2.6 Whether the method of disposal of foul and surface water are appropriate
- 2.7 Impact of the proposal on biodiversity

#### 3. Application Details

##### The Site

- 3.1 Rose Cottage, a vacant single storey dwelling, is located on the eastern side of the A6 Trunk Road at Carleton. Immediately to the north west of the site is Bluebell Cottage, a single storey property which is attached to the two storey Bluerare Restaurant. Numbers 1 to 3 Meadow View, a terrace of two storey properties, are located to the south east of the site whilst Terracotta

Bungalow, a substantial single storey dwelling, is located to the east. The A6 trunk road runs along its western boundary with open fields beyond that.

## **The Proposal**

- 3.2 The proposal seeks Full Planning Permission for the demolition of Rose Cottage and its replacement with 4no. two storey terraced dwellings. The accommodation provided within each of the dwellings would consist of kitchen, hallway, living room and w.c. with 1no. ensuite bedroom, bedroom and bathroom above. A further en-suite bedroom would be provided within the roof space.
- 3.3 Located within a plot extending to approximately 788 square metres each of the properties would have gardens to the front and rear. Parking would be to the rear of the properties, accessed by a shared vehicular access along the southern boundary of the site. The proposed materials are brick and render with stone detailing with a slate roof.

## **4. Summary of Representations**

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

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

Cumbria County Council - (Econ. Dir. Highways & Transportation): - no objections subject to the imposition of a condition and informative;  
Clerk to St Cuthberts Without PC: - objects to the proposal as the density is considered too high for the proposed site and the elevation of housing out of context with its surroundings;  
Local Environment - Environmental Protection : - no objections subject to the imposition of a condition;  
Cumbria County Council - Drainage: - no history of flooding.

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

### **Assessment**

- 6.1 The relevant planning policies against which the application is required to be assessed are Policies DP1, CP1, CP2, CP5, CP12, H1 and T1 of the Carlisle District Local Plan 2001-2016. The proposals raise the following planning issues:

#### **1. Whether The Principle of Development Is Acceptable**

- 6.2 The main issue for Members to establish in the consideration of this application is the principle of development. Since the adoption of the Local Plan, the National Planning Policy Framework (NPPF) has been published by

the Government and is a material consideration in the determination of this application.

- 6.3 Paragraph 14 of the NPPF outlines that *"at the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking"*. For decision-taking the NPPF highlights that this means: *approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted"*.
- 6.4 This is further reiterated in paragraph 215 of the NPPF which highlights that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given). Accordingly, in respect of this application whilst the development should be considered against Local Plan policies, the Council's Local Plan (in respect of the issue of housing) cannot be considered up to date under the NPPF.
- 6.5 Paragraph 55 of the NPPF outlines that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. The application site is located on the eastern side of the A6 which runs through Carleton. Carleton itself is located on the south eastern periphery of Carlisle. Given the proximity of Carleton to Carlisle it can be considered to be a sustainable location, therefore, the principle for the development of the site for housing is consistent with the objectives of the NPPF.

## **2. Whether The Scale And Design Of The Dwellings Are Acceptable**

- 6.6 Policies seek to ensure the development is appropriate in terms of quality to that of the surrounding area and that development proposals incorporate high standards of design including siting, scale, use of materials and landscaping which respect and, where possible, enhance the distinctive character of townscape and landscape. This theme is identified in Policy CP5 of the Local Plan which requires that development proposals should also harmonise with the surrounding buildings respecting their form in relation to height, scale and massing and make use of appropriate materials and detailing.
- 6.7 Carleton is predominantly linear in form with the majority of the dwellings being of two storey construction; however, the property immediately to the north west, Bluebell Cottage, is a single storey property attached to the two storey Bluerare Restaurant. Immediately to the south east are numbers 1-3 Meadow View, a terrace of three two storey residential properties, all of which have front gardens and are set back from the pavement and the A6 Trunk Road.
- 6.8 In respect of this proposal, the application seeks Full Planning Permission for the demolition of a single storey detached dwelling and its replacement with

four terraced properties. The building line would follow that of the adjacent terraced properties with gardens and parking to the rear. Furthermore, the ridge line of the proposed dwellings would follow that of the adjacent terrace with the scale, design and massing similar to others within the immediate vicinity. The proposed materials would also harmonise with the adjacent properties. In light of the foregoing assessment, the resultant impact of the development on the streetscene would not be obtrusive or be detrimental to the character of the area.

### **3. Impact Of The Proposal On The Living Conditions Of Neighbouring Residents**

- 6.9 Policies within the Local Plan seek to ensure that development proposals should be appropriate in terms of quality to that of the surrounding area. One of the criterion being that the living conditions of the occupiers of adjacent residential properties are not adversely affected by proposed developments. This is echoed and reinforced in Local Plan policies together with the City Council's Supplementary Planning Document (SPD) 'Achieving Well Designed Housing'. The SPD outlines that in order to protect against privacy loss a minimum of 21 metres between primary facing windows and 12 metres between any walls and primary windows should be achieved.
- 6.10 The proposed dwellings would be so orientated so as to not only meet but exceed the minimum distances as outlined in the aforementioned SPD. Given the physical relationship of the application site with adjacent properties, the occupiers of neighbouring properties would not suffer from an unreasonable loss of daylight or sunlight. Furthermore, the siting, scale and design of the development will not adversely affect the living conditions of the occupiers of the neighbouring properties by virtue of loss of privacy or over-dominance.

### **4. Impact Of The Proposal On Highway Safety**

- 6.11 The submitted drawings illustrate that an existing vehicular access, which runs along the southern boundary, would be utilised to access the nine parking spaces to the rear of the proposed dwellings. Cumbria County Council, as Highways Authority, has been consulted and raise no objections to the proposal subject to the imposition of a condition in respect of achieving access and parking for vehicles during construction works. Accordingly, the proposal is unlikely to have a detrimental impact on highway safety.

### **5. Whether The Method of Disposal of Foul And Surface Water Are Appropriate**

- 6.12 In order to protect against pollution, Policy CP12 seeks to ensure that development proposals have adequate provision for the disposal of foul and surface water. The application form, submitted as part of the application, outlines that foul sewage would be to the Mains Sewer whilst additional information has been received from the Agent which outlines that surface water would be to a soakaway.

- 6.13 As previously outlined, surface water is to be disposed of via a soakaway within the domestic curtilage of the proposed dwellings. Cumbria County Council, as Lead Flood Authority, has been consulted and has highlighted that no issues have been identified on the Surface Water Flood Maps whilst United Utilities has raised no objections during the consultation process. To ensure that a satisfactory method of disposal of foul and surface water can be achieved prior to commencement of any development a condition is therefore proposed.

## **6. Impact Of The Proposal On Biodiversity**

- 6.14 The Councils GIS Layer has identified that there is the potential for several key species to be present within the vicinity. Using the guidance issued by Natural England, the development would not harm a protected species or their habitat; however, an Informative has been included within the decision notice ensuring that if a protected species is found all work must cease immediately and the Local Planning Authority informed.

## **Conclusion**

- 6.15 The principle of development of the site is acceptable under the provisions of the NPPF. The scale and design of the dwellings are acceptable and would not have a significant detrimental impact on the character of the area or the living conditions of the occupiers of neighbouring properties. Adequate parking and access provision can be achieved whilst the method of disposal for foul and surface water is acceptable subject to the imposition of a condition.
- 6.16 In overall terms, the proposal is considered to be compliant under the provisions of the NPPF and the objectives of the relevant Local Plan policies. Accordingly, the application is recommended for approval.

## **7. Planning History**

- 7.1 There is no relevant planning history.

## **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 6th September 2013;
  2. the e-mail from Gary Tyler received 3rd December 2013;

3. the Desk Top Study for Contamination received 9th September 2013;
4. the site location plan received 6th September 2013 (Drawing No. TN/DWELL/SLP);
5. the site block plan received 29th October 2013 (Drawing No. TN/DWELL/SBP Rev B);
6. the proposed section plan received 29th October 2013 (Drawing No. TN/DWELL/SS Rev B);
7. the proposed layout plan received 29th October 2013 (Drawing No. TN/DWELL/SL1 Rev B);
8. the proposed ground and first floor plans received 29th October 2013 (Drawing No. TN/DWELL/PLAN1 Rev B);
9. the proposed second floor plan and roof plan received 29th October 2013 (Drawing No. TN/DWELL/PLAN2 Rev B);
10. the proposed elevations received 29th October 2013 (Drawing No. TN/DWELL/ELEV1 Rev A);
11. the Notice of Decision; and
12. any such variation as may subsequently be approved in writing by the Local Planning Authority.

**Reason:** To define the permission.

3. Details of the relative heights of the existing and proposed ground levels and the height of the proposed finished floor levels of the new dwellings shall be submitted to and approved in writing by the Local Planning Authority before any site works commence.

**Reason:** In order that the approved development overcomes any problems associated with the topography of the area in accordance with Policies H2 of the Carlisle District Local Plan 2001-2016.

4. Notwithstanding any description of materials in the application no development shall be commenced until samples or full details of materials to be used externally on the dwellings have been submitted to and approved by the Local Planning Authority. Such details shall include the type, colour and texture of the materials.

**Reason:** To ensure that materials to be used are acceptable and in accord with Policy CP5 of the Carlisle District Local Plan 2001-2016.

5. Notwithstanding any description of the hard or soft landscaping works in the application no development shall take place until full details of the hard and soft landscaping works, including the type and species of all planted material, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved prior to the occupation of the dwellings. Any trees or other plants which die or are removed within the first five years following the implementation of the landscaping scheme shall be replaced during the next planting season.

**Reason:** To ensure that a satisfactory landscaping scheme is prepared

and to ensure compliance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

6. Notwithstanding any description of boundary treatments in the application no development shall be commenced until particulars of the height and materials of any new screen walls and boundary fences to be erected has been submitted to and approved in writing by the Local Planning Authority and the development thereafter carried out in accordance therewith.

**Reason:** In the interests of privacy and visual amenity in accordance with Policy H2 of the Carlisle District Local Plan 2001-2016.

7. The new access road and parking/turning facilities shown on the Block Plan TN/DWELL/SBP, shall be substantially met before any building work commences on site so that constructional traffic can be accommodated clear of the highway. Once complete they shall be retained capable of use thereafter and shall not be altered within the written consent of the Local Planning Authority

**Reason:** The carrying out of building works without the provision of these facilities is likely to lead to inconvenience and danger to road users. Retention of the facilities ensures an appropriate standard of parking and access for as long as the use continues. To support Local Transport Policies: LD5, LD7 and LD8.

8. No development approved by this permission shall be commenced until a scheme for the disposal of foul and surface waters has been approved in writing by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans.

**Reason:** To ensure a satisfactory means of surface water disposal and in accordance with Policy CP12 of the Carlisle District Local Plan 2001-2016.

9. No work associated with the construction of the residential units hereby approved shall be carried out before 07.30 hours on weekdays and Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any times on Sundays or statutory holidays).

**Reason:** To prevent disturbance to nearby occupants in accordance with Policy H2 of the Carlisle District Local Plan 2001-2016.

10. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Site investigations should follow the guidance in BS10175.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

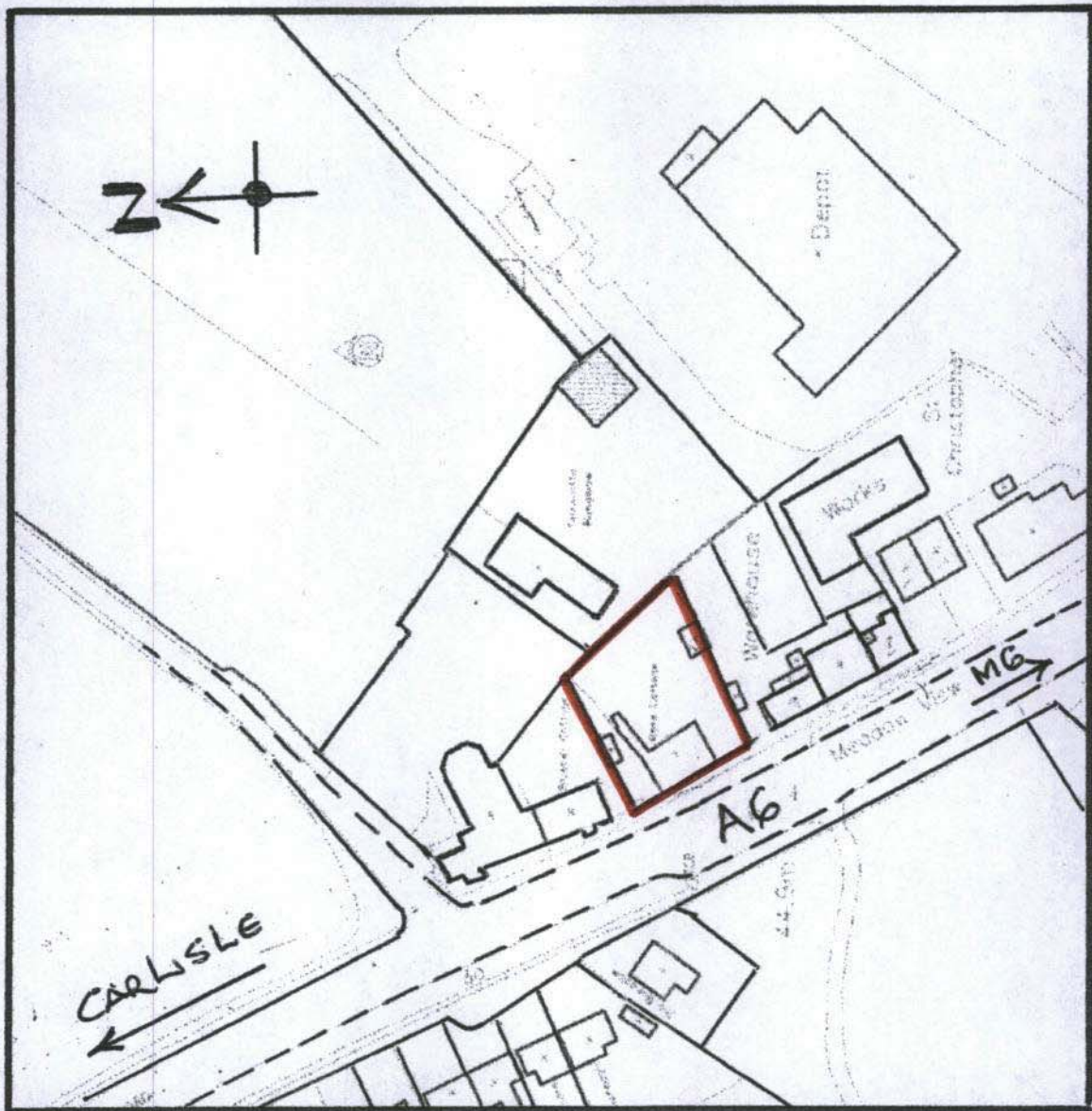
**Reason** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CP13 of the Carlisle District Local Plan 2001-2016.

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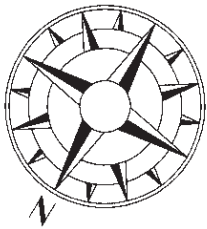


PROPOSED 4 NO NEW DWELLINGS  
TO LAND FORMERLY "ROSE COTTAGE"  
CARLETON CARLISLE CA1 3DP

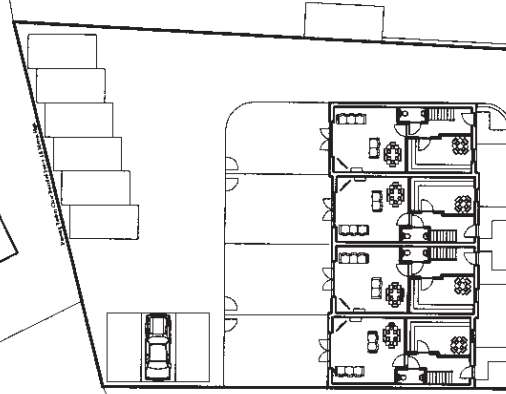
SITE BLOCK PLAN

TN/DWELLY/SLP

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Terracotta



Blue Rare Restaurant

Bluebell Cottage

Carlisle

A6

Junction 42  
M6

29 OCT 2013  
13/01/10

SITE BLOCK PLAN

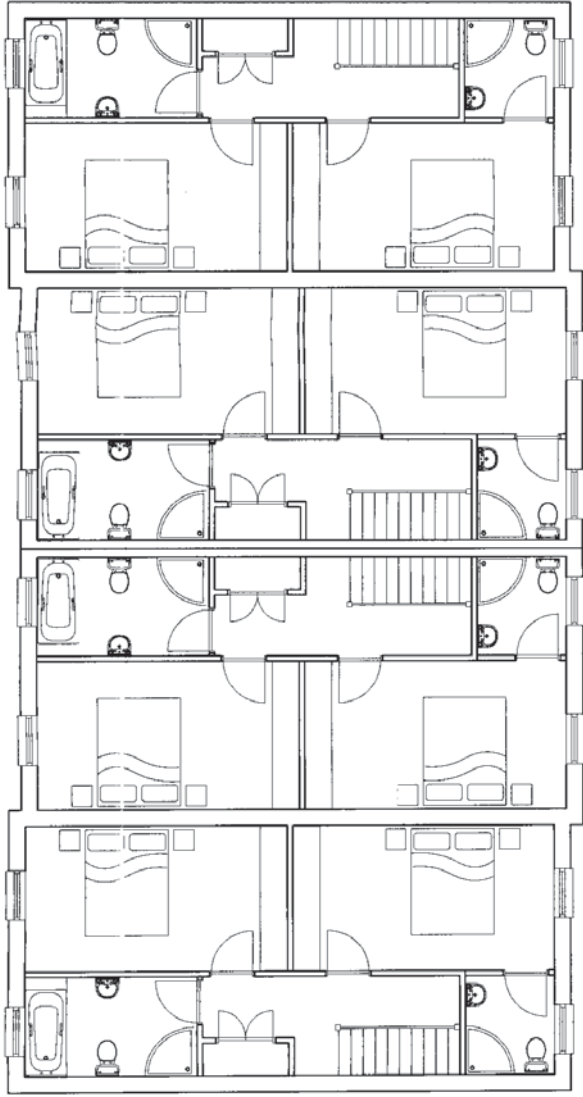
Proposed 4 No New Dwellings to land formerly "Rose Cottage"  
Carleton, Carlisle Cumbria CA1 3DP for Mr A. Nutbrown

Rev.	Date	Description	Drawing No	TN / DWELL / SBP	Rev B
B	21/10/13	Amended	Drawn By	G. Tyler	
A	01/07/13	Original Issue	Scale	1:500	
			Date	1st July 2013	

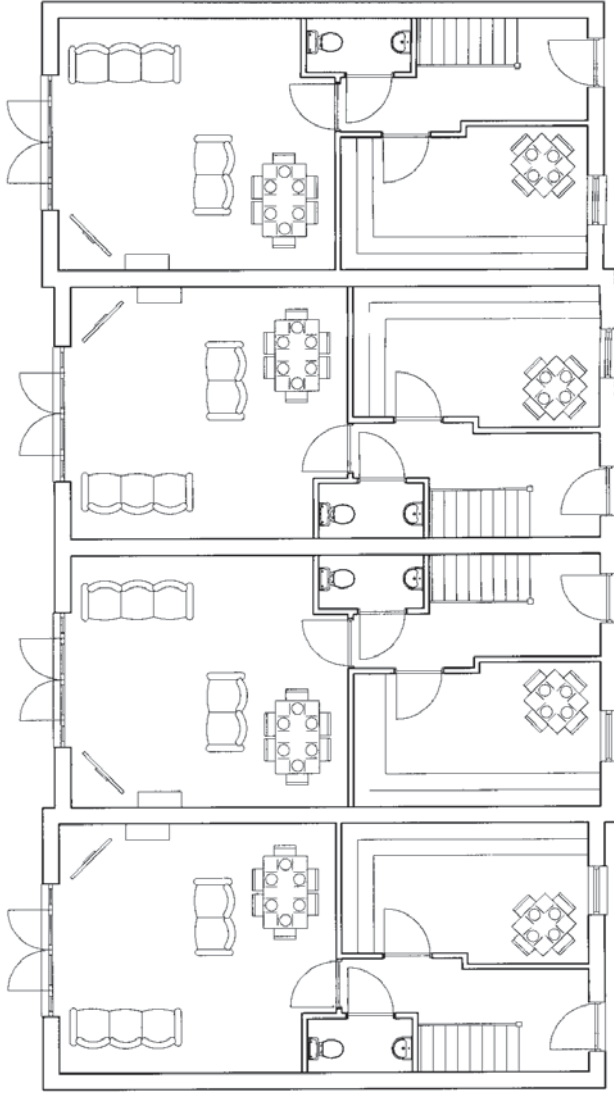
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13/0710

First Floor Plan



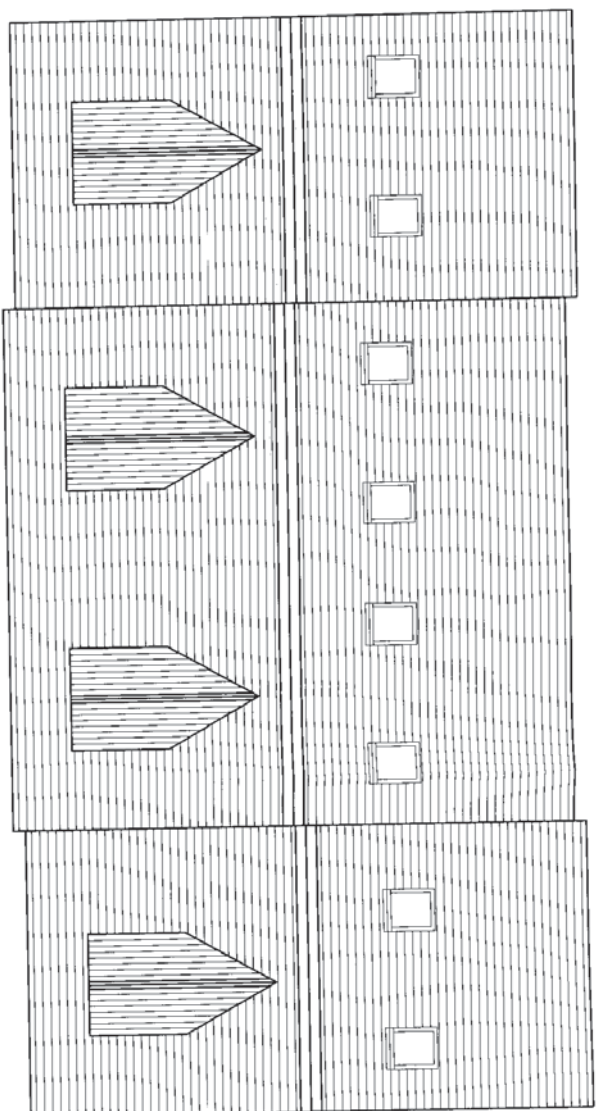
Ground Floor Plan



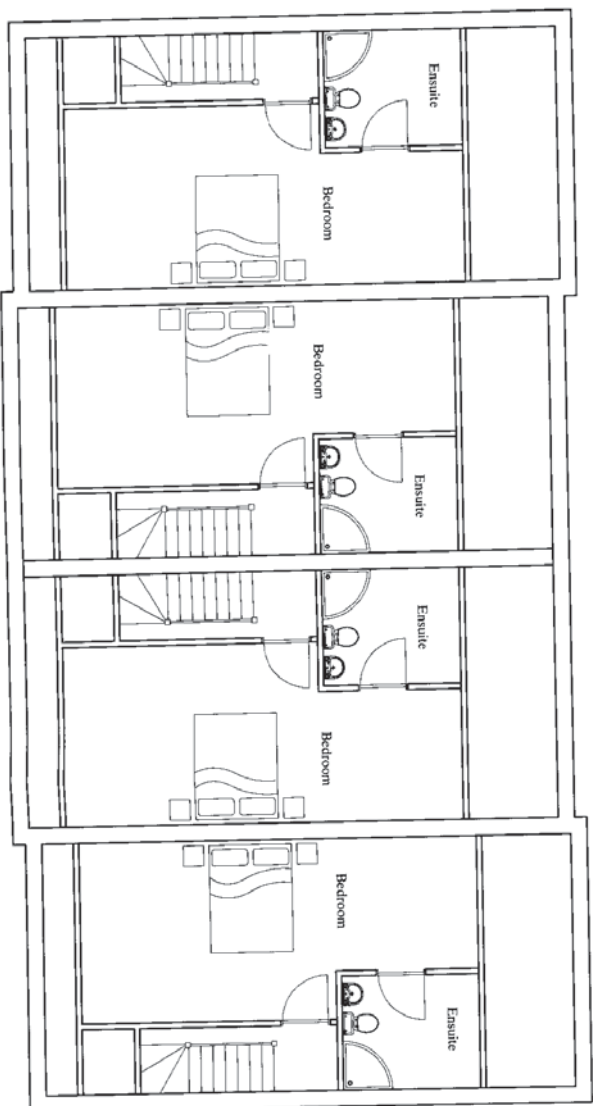
Proposed 4 No New Dwellings to land formerly "Rose Cottage"  
Carleton, Carlisle Cumbria CA1 3DP for Mr A. Nutbrown

Rev.	Date	Description	Drawing No	G. Tyler	1:100	1st July 2013	TN / DWELL / PLAN1	Rev B
B	21/10/13	Amended						
A	01/07/13	Original Issue						





Roof Plan View



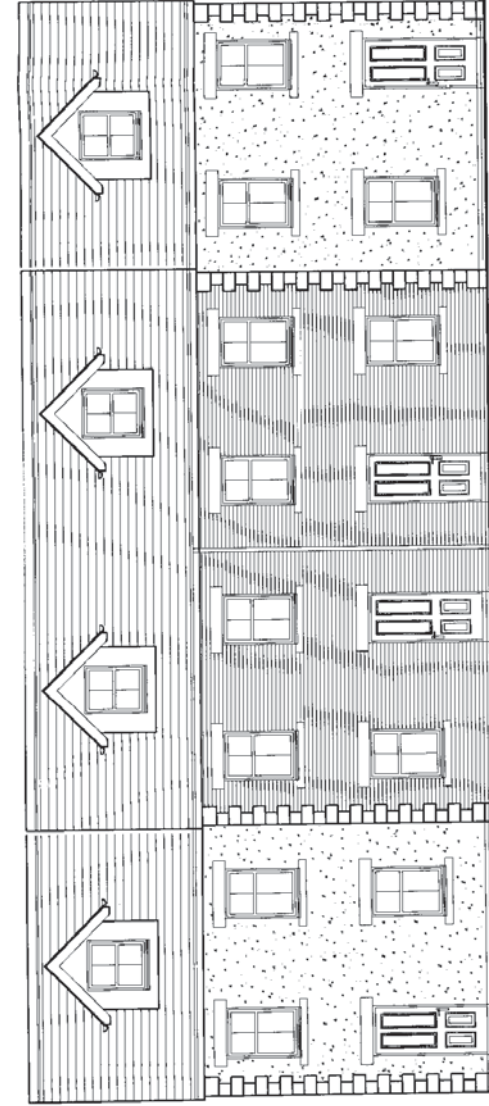
Second Floor Plan

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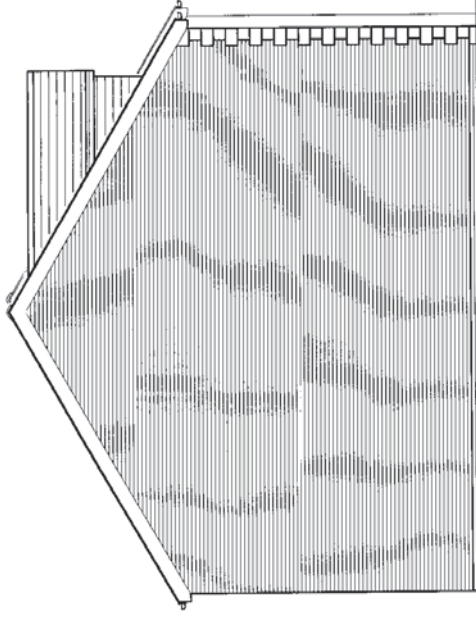
Proposed 4 No New Dwellings to land formerly "Rose Cottage"  
Carleton, Carlisle Cumbria CA1 3DP for Mr A. Nutbrown

Rev.	Date	Description
B	21/10/13	Amended
A	01/07/13	Original Issue
Drawn By	G.Tyler	
Scale	1:100	
Date	1st July 2013	
Drawing No	TN / DWELL / PLAN2	Rev B

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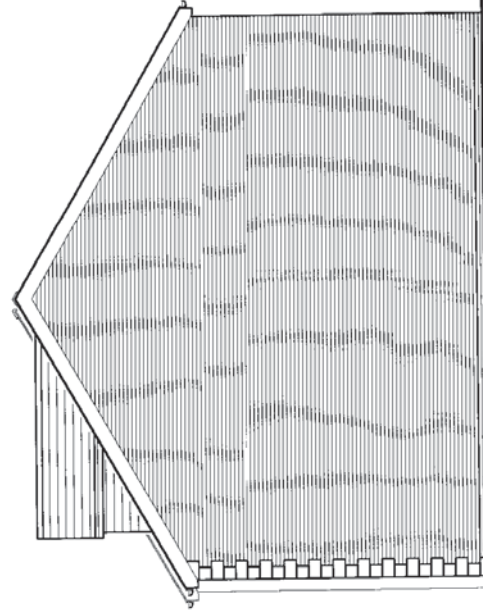


Proposed West Elevation



Proposed North Elevation

29 OCT 2013  
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Proposed South Elevation

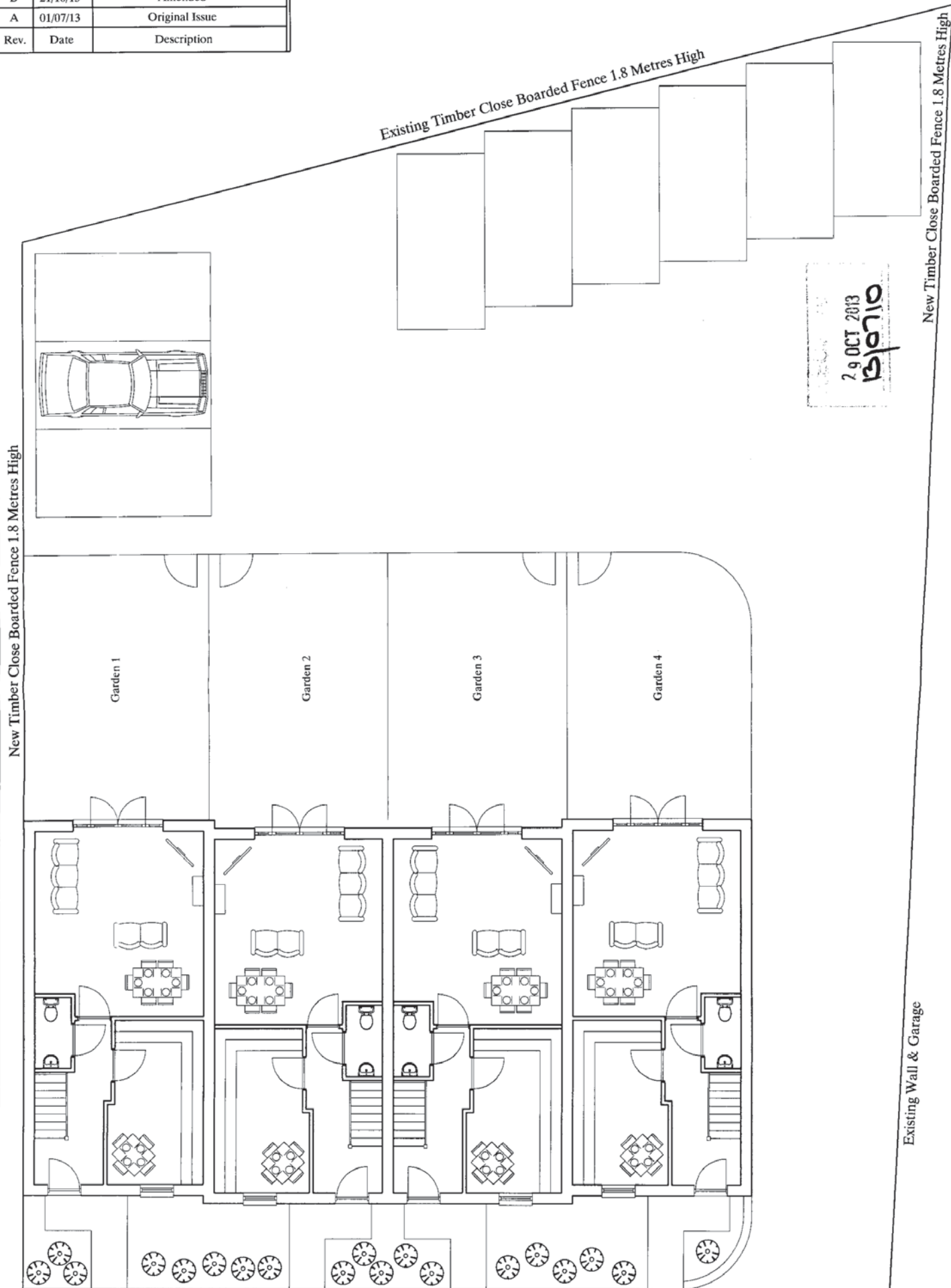


Proposed East Elevation

Proposed 4 No New Dwellings to land formerly "Rose Cottage"  
Carleton, Carlisle Cumbria CA1 3DP for Mr A. Nutbrown

Rev.	Date	Description	Drawn By	Scale	Date	Drawing No	Rev A
			G. Tyler	1:100	1st July 2013	TN / DWELL / ELEV1	Rev A
A	01/07/13	Original Issue					

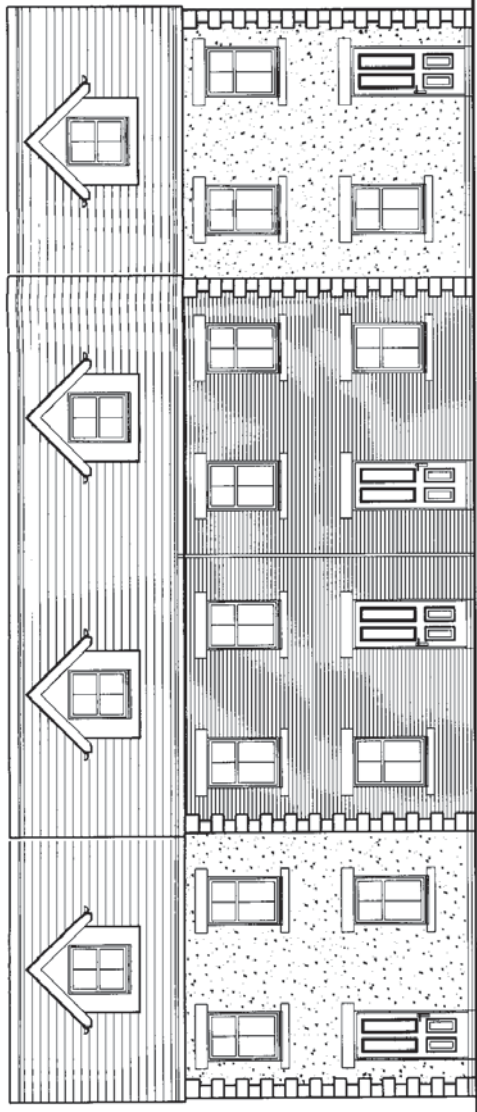
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A	01/07/13	Original Issue
Rev.	Date	Description



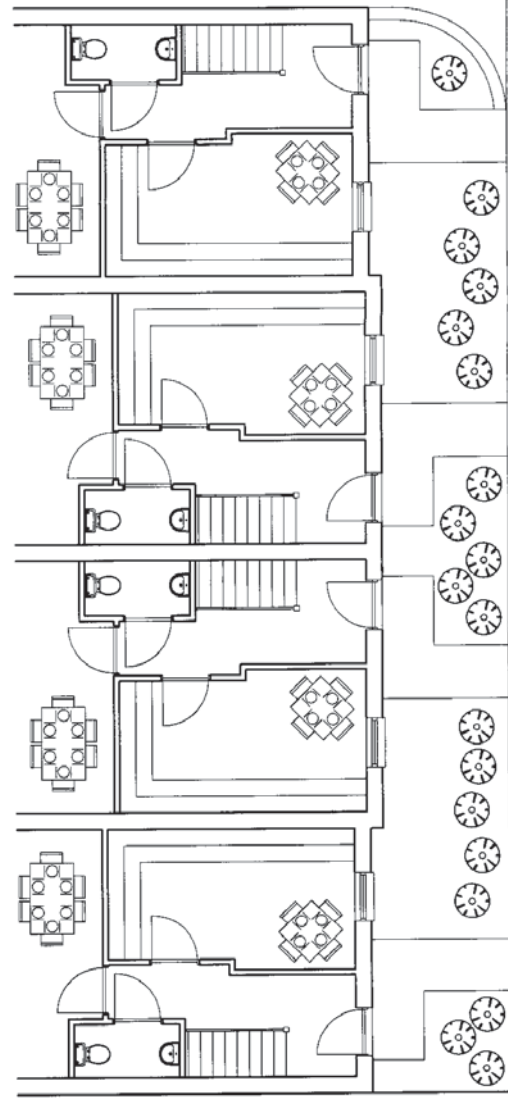
Proposed 4 No New Dwellings to land formerly "Rose Cottage"  
Carleton, Carlisle Cumbria CA1 3DP for Mr A. Nutbrown

Drawn By	G.Tyler	
Scale	1:100	
Date	1st July 2013	
Drawing No	TN / DWELL / SL1	Rev B

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Proposed Street Scene



24 OCT 2013  
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Proposed 4 No New Dwellings to land formerly "Rose Cottage"  
Carleton, Carlisle Cumbria CA1 3DP for Mr A. Nutbrown

Rev.	Date	Description	Drawing No			Rev B
			Drawn By	Scale	Date	
B	21/10/13	Amended	G.Tyler	1:100	1st July 2013	TN / DWELL / SS
A	01/07/13	Original Issue				