

SCHEDULE A: Applications with Recommendation

18/0506

Item No: 03

Date of Committee: 24/08/2018

Appn Ref No:
18/0506

Applicant:
Simpsons Builders

Parish:
Wetheral

Agent:
PFK Planning

Ward:
Wetheral

Location: Land to the rear of 46 Broomfallen Road, Scotby, Carlisle, CA4 8DE

Proposal: Demolition Of Lean To At 46 Broomfallen Road And Erection Of 5no. Dwellings With Associated Infrastructure

Date of Receipt:
05/06/2018 11:01:01

Statutory Expiry Date
31/07/2018 11:01:01

26 Week Determination
31/10/2018

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 proposal on the character of the area
- 2.3 Whether the scale and design of the dwellings are acceptable
- 2.4 Impact of the proposal on the living conditions of neighbouring residents
- 2.5 Provision of affordable housing
- 2.6 Impact of the proposal on highway safety
- 2.7 Whether the method for the disposal of foul and surface water are appropriate
- 2.8 Impact of the proposal on biodiversity
- 2.9 Impact of the proposal on existing trees and hedgerows
- 2.10 Impact of the proposal on archaeology
- 2.11 Crime prevention, safety and fear of crime
- 2.12 Other Matters

3. Application Details

The Site

- 3.1 Number 46 Broomfallen Road is a large detached property set within an extensive curtilage. The application site, equating to approximately 0.36 hectares, comprises of part of the rear garden of 46 Broomfallen Road together with a small section of the paddock immediately to the east of the rear garden. A large detached garage/workshop and summer house are currently located within the application site.
- 3.2 The northern boundary of the application is delineated by a post and wire fence beyond which lie a group of trees. The rear domestic curtilages of numbers 44 to 52 Broomfallen Road, two storey detached and semi-detached properties, form the site's western boundaries which consist of a combination of fencing, hedgerows, shrubs and trees; however, the rear boundary of 46 Broomfallen is currently devoid of a rear boundary. A post and wire fence runs along the eastern boundary with a hedgerow along its southern boundary. The topography of the application site is such that the land slopes from east to west.

Background

- 3.3 In 2014, Members of the Development Control Committee granted outline planning permission with all matters reserved, subject to the completion of a Section 106 Agreement (application reference 13/0950). The Section 106 Agreement, requiring a contribution towards off-site affordable housing, was subsequently entered into and the decision notice issued on the 12th November 2014.
- 3.4 In 2017, an application for the erection Of 3no. dwellings (renewal of outline permission granted under reference 13/0950) was approved under delegated powers (application reference 17/0617). This application again sought outline planning permission with all matters reserved; however, it was assessed against policies within the current adopted local plan. Policy HO4 of the local plan identifies that the site is located within Zone A which requires a contribution towards affordable housing for all sites of six units and over. The proposal fell below the aforementioned threshold, therefore, a contribution towards affordable housing was not required.

The Proposal

- 3.5 The site area of the previous outline application was approximately 0.26 hectares. This current application now seeks full planning permission for the erection of 5no. dwellings on land now equating to approximately 0.36 hectares.
- 3.6 The submitted drawings illustrate that the proposed dwelling would be orientated around the central access road. The measurements and accommodation provided for each property are as follows:

Plot 1 (single storey) - maximum 16.3 metres in length by a maximum width of 12.1 metres with a maximum ridge height of 5.9 metres. The

accommodation would comprise of a kitchen/family room, living room, hallway, utility, 1no. ensuite bedroom, 2no. bedrooms, bathroom and store. A detached garage to serve the proposed dwelling would be 8.4 metres long by 4.7 metres wide with a ridge height of 5.1 metres;

Plot 2 (split-level) - maximum 16.3 metres in length by a maximum width of 12.1 metres with a maximum ridge height of 8.5 metres. The ground floor accommodation would comprise of garage, ensuite office/guest bedroom, hallway, cloakroom, store utility room with living room, kitchen/family room, hallway, 1no ensuite bedroom, 2no. bedrooms, bathroom and store above;

Plot 3 (split-level) - maximum 17.2 metres in length by a maximum width of 12.1 metres with a maximum ridge height of 8.5 metres. The ground floor accommodation would comprise of garage, hallway, utility, ensuite office/guest bedroom with living room, kitchen/family room, hallway, 1no. ensuite bedroom, 3no. bedrooms and bathroom above;

Plot 4 (split-level) - maximum 17.2 metres in length by a maximum width of 12.1 metres with a maximum ridge height of 8.5 metres. The ground floor accommodation would comprise of garage, hallway, utility, ensuite office/guest bedroom with living room, kitchen/family room, hallway, 1no. ensuite bedroom, 3no. bedrooms and bathroom above;

Plot 5 - maximum 16.3 metres in length by a maximum width of 12.1 metres with a maximum ridge height of 5.9 metres. The accommodation would comprise of a kitchen/family room, living room, hallway, utility, 1no. ensuite bedroom, 2no. bedrooms, bathroom and store. A detached garage to serve the proposed dwelling would be 8.4 metres long by 4.7 metres wide with a ridge height of 5.1 metres.

- 3.7 The proposed walling materials for the dwellings are a combination of clay facing bricks, render and fibre cement weatherboarding with artstone cills, string courses and quoins. The roofs would be finished in concrete flat profile roof tiles.
- 3.8 The existing hedgerows along the northern and sections of the western boundary are to be retained. Native hedges would also form the application sites eastern and southern boundaries with further landscaping within the development site itself. Retaining walls and 1.8 metre high close boarded timber fences would delineate each of the plots.
- 3.9 Vehicular access to serve the proposed development would be from Broomfallen Road. The formation of the access road would involve: the demolition of a single storey lean-to extension on the southern gable elevation of 46 Broomfallen Road; the erection of a new boundary wall separating the shared boundary of 46 Broomfallen Road from the proposed access road; together with the formation of a bin store capable of accommodating 10 waste/recycling bins on collection day.

4. Summary of Representations

4.1 This application has been advertised by the direct notification of eight neighbouring properties and the posting of a Site Notice. In response, four representatives of objection have been received.

4.2 The representations identify the following issues:

1. increased disturbance, noise and loss of privacy from access road;
2. loss of privacy and security;
3. potential damage to adjoining boundaries;
4. questions the width of access to allow two vehicles to pass;
5. impact on highway safety;
6. questions capability of bin store to accommodate waste/recycling bins;
7. questions parking provision within the development;
8. potential impact on surface water flooding.

5. Summary of Consultation Responses

Cumbria County Council - (Highways & Lead Local Flood Authority): - no objection to the proposal subject to the imposition of conditions in respect of: access construction; provision of visibility splays ; construction of vehicular crossing; no access to the site other than approved access; height of any highway boundary treatment; provision of access and parking prior to building works commencing; construction traffic parking and submission of surface water drainage details;

Wetheral Parish Council: - observations – the committee noted that it is pleasing to see bungalows being planned, as this meets the needs of the local community and reduces overlooking for existing residents. However, there are concerns regarding the access onto Broomfallen Road. The road is already narrow and access for emergency and refuse vehicles would be difficult. There is no room for vehicles to pass and this could result in vehicles reversing onto Broomfallen Road. The committees previous objections (application 13/0950) still stand;

Local Environment - Waste Services: - the location of the bin store near the entrance is welcome, as the turning head at the top does not look long enough to turn our vehicles in. However; please ensure it is of sufficient size, as it would need to house at least 2 bins for each property (refuse and garden waste) and recycling containers (box and 2 bags each property);

Cumbria County Council - (Archaeological Services): - no objections;

Local Environment - Environmental Protection: - no objections subject to imposition of conditions requiring the submission of a construction method statement and further details should contamination be found;

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 Northern Gas Networks directly to discuss their requirements in detail.

6. Officer's Report

Assessment

- 6.1 Section 70(2) 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 relevant planning policies against which the application is required to be assessed is the National Planning Policy Framework (NPPF), the Planning Practice Guidance (PPG) and Policies SP2, SP6, HO2, HO3, HO4, IP3, IP4, IP6, CC5, GI1, GI3 and GI6 of the Carlisle District Local Plan 2015-2030. Other material considerations are Supplementary Planning Documents adopted by the City Council, in particular 'Achieving Well Designed Housing' and 'Trees and Development'.

1. Whether the principle of development is acceptable

- 6.3 Paragraph 11 of the NPPF outlines that: *"at the heart of the NPPF is a presumption in favour of sustainable development"*. Paragraph 78 expands by highlighting that: *"To promote sustainable development and in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby"*.
- 6.4 The aims of the NPPF is reiterated in Policy HO2 of the local plan which outlines that new housing development other than those allocated will be acceptable within or on the edge of Carlisle, Brampton, Longtown and in the rural areas provided that the development would not prejudice the delivery of the spatial strategy of the local plan and be focussed in sustainable locations subject to satisfying five criteria. The proposal seeks full planning permission for housing development within an existing residential garden, therefore, Policy HO3 of the local plan is also relevant. Policy HO3 of the local plan outlines that housing development in existing residential gardens will be permitted subject to compliance with five criteria.
- 6.5 By way of background, the principle of residential development of the application site was first established in 2014 when outline planning permission was granted by Members of the Development Control Committee (application reference 13/0950). A further application for outline planning permission was approved under delegated powers in 2017 (application reference 17/0617).
- 6.6 The application site is well contained within existing and proposed boundaries and adjoins the domestic curtilages of existing residential properties within Scotby. Scotby has a high level of services which consist of a public house, village hall, school and church. Accordingly, Scotby is considered to be a sustainable location, therefore, the principle for the development of the site for housing is still consistent with the objectives of the NPPF and Policy HO2 of the local plan.

- 6.7 In overall terms, the application site is well contained within existing landscape features, it is physically connected, and integrates with, the settlement, and would not lead to an unacceptable intrusion into open countryside. The development of 5no. dwellings is of an appropriate scale for the village to accommodate and would not be considered a threat to the delivery of the local plan's spatial strategy. Any perceived visual impact the proposal may have would be mitigated through the retention and implementation of a landscaping scheme. Compliance with other criteria within Policies HO2 and HO3 of the local plan will be discussed in the relevant sections below.
- 6.8 In light of the foregoing, the site for housing is consistent with both the NPPF and local plan, the principle of development remains acceptable.

2. Impact Of The Proposal On The Character Of The Area

- 6.9 Policy HO3 of the local plan acknowledges that gardens contribute significantly to the character and quality of housing areas within the City and also within the market towns and many villages within the rural area. Proposals for housing development in existing residential gardens will be permitted providing five criteria are met. The form and scale of any new development should respect the local character of the immediately surrounding area. In particular the scale, number of storeys and massing of new housing development should not exceed that of existing dwellings adjacent to the site. Policy SP6 of the local plan also seeks to ensure that development proposals harmonise with the surrounding buildings respecting their form in relation to height, scale and massing and make use of appropriate materials and detailing.
- 6.10 The application seeks the development of part of the rear garden and paddock of 46 Broomfallen Road, Scotby a detached two storey dwelling located on the eastern side of Broomfallen Road. A large detached garage/workshop and summer house currently occupy a central location within the application site.
- 6.11 The submitted drawings illustrate a development of 5no. detached dwellings consisting of 2no. single storey properties with detached garages and 3no. 'split-level' properties. It is inevitable that the erection of a new dwellings on the elevated rear garden area and paddock of 46 Broomfallen Road would have some visual impact on the character of the area. In mitigation, the existing and proposed landscaping together with the topography would help to mitigate for any perceived visual impact. The broken ridge lines and proposed palette of materials would also help to soften any perceived visual impact and would be viewed against the backdrop of the existing dwellings fronting onto Broomfallen Road. The proposal has also been so designed to achieve adequate amenity space and off-street parking to serve each of the proposed dwellings.
- 6.12 In light of the foregoing assessment, the proposal would respond to the local context and would not be disproportionate or obtrusive within the character of the streetscene.

3. Whether The Scale And Design Of The Dwellings Are Acceptable

- 6.13 Policies seek to ensure that development proposals are 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 Policies SP6 and HO3 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, make use of appropriate materials and detailing and achieve adequate amenity space.
- 6.14 When assessing the character of the area, it is evident that there are a variety of properties of differing ages and styles within the immediate vicinity; however, the properties immediately bordering the site are of two storey construction. The topography of the land is such that the land falls from east to west.
- 6.15 The submitted Planning Statement details that: "*... this revised application has been considered in order to ensure that the proposed houses can be 'sat down' in the landscape as far as possible, also to ensure that the land can be engineered without recourse to major engineering interventions such as large retaining walls with a more gentle landscaping scheme ... the rooflines of the proposed new dwellings directly behind the existing dwellings on Broomfallen Road are not in excess of those existing two storey dwellings. In relation to the units to the rear of the site these sit approximate 1.5 metre higher, they will be separated by the houses to the front of the site and garaging and are both over 25 metres to the boundary of the site*".
- 6.16 As highlighted earlier in the report, there are a range of differing styles and ages of properties within the immediate vicinity; however, the properties bordering the site are of two storey construction. The two properties adjacent to the rear boundaries of existing properties along Broomfallen Road would be of single storey construction with the 'split-level' properties occupying the rear portion of the site. In overall terms, the scale and massing of the proposed dwellings would respond to the form of other dwellings within this part of Broomfallen Road and achieve adequate external space and in-curtilage parking provision. The proposed palette of materials would also respect and reflect those of the adjacent properties. Furthermore, the retention of existing landscaping together with proposed landscaping would also help to soften and blend the proposed dwellings into the landscape.

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

- 6.17 Development should be appropriate in terms of quality to that of the surrounding area and do not have an adverse impact on the living conditions of the occupiers of adjacent residential properties. The City Council's SPD 'Achieving Well Designed Housing' provides guidance as to minimum distances between primary windows in order to respect privacy and avoid overlooking i.e. 12 metres between primary windows and blank gables and 21

metres between primary windows.

- 6.18 The orientation of the dwellings, arranged around a central access road, would ensure that the minimum distances between primary windows to protect against loss of privacy as outlined in the SPD 'Achieving Well Designed Housing' would be exceeded. As highlighted earlier in the report, the two properties closest to the rear boundaries of the existing properties on Broomfallen Road would be of single storey construction with the closest 'split-level' property (Plot 2) located 26 metres from the rear boundary of 46 Broomfallen Road. Plots 3 and 4 would be located 41 metres and 38 metres respectively from the rear boundaries of the closest properties on Broomfallen Road. In respect of intensification of use, it is inevitable that any development proposals in an otherwise undeveloped area would lead to increased levels of traffic and noise; however, given that the proposal is for five dwellings it would be difficult to substantiate a refusal of the application on this basis.
- 6.19 Existing and proposed landscaping would also mitigate for any perceived impact in respect of the unacceptable loss of light, overlooking or over-dominance of neighbouring properties. In overall terms, the siting, scale and design of the development would not adversely affect the living conditions of the occupiers of the neighbouring properties by virtue of loss of privacy, loss of light or over-dominance. To further protect the residential amenity of the occupiers of neighbouring properties a condition is recommended that would restrict construction hours.

5. Provision Of Affordable Housing

- 6.20 As outlined in paragraph 3.4 above the application site is located within Housing Zone A. Policy HO4 of the local plan identifies that within Housing Zone A all sites of six units and over will be required to provide 30% of the units as affordable. This proposal falls below the aforementioned threshold, therefore, a contribution towards affordable housing is not required.

6. Impact Of The Proposal On Highway Safety

- 6.21 The Parish Council and several objectors have raised objections to the proposal on highway safety grounds questioning the capability of the access road to accommodate traffic entering and leaving the site, capability of the access road to accommodate emergency and service vehicles and visibility.
- 6.22 The submitted drawings illustrate that a visibility splay of 45 metres can be achieved at the entrance of the site when measured from the centre line of the proposed access. The entrance into the development would be 4.8 metre wide access extending for 10 metres into the site. This width would allow two vehicles to exit the site and one vehicle to enter the site at the same time, thereby, reducing the need for waiting traffic on the highway. The width of the remainder of the proposed access (4 metres) could also accommodate emergency vehicles.
- 6.23 Cumbria County Council, as Highways Authority, has been consulted and subject to the imposition of conditions have no objections to the proposal.

The recommended conditions require: details of the access road construction including drainage; provision of visibility splays; vehicular crossing over the footway; access drive surface; no vehicular access or egress other than approved access; height of boundary wall/fence; access/parking requirements to be met before building works commence on site; no dwelling to be occupied until vehicular access and turning requirements have been constructed; and adequate land reserved for construction vehicles.

- 6.24 The concerns of the Parish Council and third parties have been noted; however, given that the Highways Authority do not share these concerns it would be difficult to substantiate a refusal of the application on highway grounds.

7. Whether The Method For The Disposal Of Foul And Surface Water Are Appropriate

- 6.25 There is a clear policy requirement to provide adequate provision for foul and surface water facilities to ensure that sufficient capacity exists prior to commencement of any development. In respect of surface water drainage, the submitted details outline that percolation tests have been undertaken on site and used to size individual soakaways which would serve each of the proposed dwellings. Permeable pavers to the shared surface areas would allow natural percolation into the underlying ground strata. At the junction of the access road to Broomfallen Road a drainage channel would collect surface water prior to it discharging into the existing highway drainage system.
- 6.26 Cumbria County Council, as Lead Local Flood Authority (LLFA), has been consulted and outlines that its surface water maps do not indicate that the site is of in an area of risk of flood and that the Environment Agency surface water maps do not indicate that the site is of in an area of risk. The LLFA goes on to state that the Drainage Strategy and Design, submitted as part of the application, identifies methods for the disposal of foul and surface water. In respect of surface water the proposed method is to individual soakaways. The LLFA requires that surface water drainage should not be greater than the already existing. If installing a soakaway system the LLFA advises that soakaways should be located at least 5 metres away from any highway and property. The Drainage Strategy and Design document contains calculations with the return period for the design of the soakaways for a 30 year period; however, the soakaways need to be designed for a 1 in 100 year plus 40% storm event to account for climate change events. The LLFA also requires the submission of the soakaway tests results not just the design of the soakaways. Accordingly, the submitted details in respect of surface water do not adequately demonstrate that the development would not increase the volume of water leaving the site which could potentially have a negative impact on existing developments downstream. Details of a maintenance plan should also be submitted. In light of the foregoing, the LLFA recommends the imposition of a condition requiring the submission of further details in respect of surface water drainage.
- 6.27 Foul water from the development would enter the mains sewer. The

submitted Drainage Strategy and Design document highlighting that: *"a new connection application will be made for the properties and the works will be installed in accordance with United Utilities requirements"*. United Utilities has been consulted and raise no objections subject to the imposition of a condition which would require the drainage works to be implemented in accordance with the details contained within the submitted Drainage Strategy and Design.

8. Impact Of The Proposal On Biodiversity

- 6.28 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 it is unlikely that the proposed development would harm protected species or their habitat. To further protect biodiversity and breeding birds, informatics are recommended within the decision notice drawing the applicant's attention to the requirement under conservation legislation such as the Wildlife and Countryside Act 1981, The Conservation of Habitats and Species Regulations 2010 etc.

9. Impact Of The Proposal On Existing Trees And Hedgerows

- 6.29 Policy GI6 of the local plan seek to ensure that proposals for new development should provide for the protection and integration of existing trees and hedges. In respect of new development, the City Council will resist proposals which cause unacceptable tree loss, and which do not allow for the successful integration of existing trees and hedges. This aim is further reiterated in Policy SP6 of the local plan which requires all developments to take into account important landscape features and ensure the enhancement and retention of existing landscaping.
- 6.30 The City Council's SPD 'Trees and Development' outlines that native large growing species are intrinsic elements in the landscape character of both rural and urban areas alike and acquire increasing environmental value as they mature. Large trees need space in which to grow to maturity without the need for repeated human intervention. Not only should the design of the development seek to retain existing tree and hedgerow features, but sufficient space should be allocated within the schemes to ensure integration of existing features and space for new planting it is important that these issues are considered at the very start of the planning process.
- 6.31 The application was accompanied by a landscaping plan which illustrates the retention of the northern and sections of the western hedgerow boundaries together with the planting of a new native species hedge along the southern and eastern boundaries of the site. Further landscaping would also undertaken within the development site. In order to protect existing hedgerows during construction works a condition is recommended which would ensure that tree and hedge protection barriers are erected prior to the commencement of any works and remain in situ during construction works. In overall terms, existing and proposed landscaping would help to soften and blend the development into the landscape.

10. Crime Prevention, Safety and the Fear of Crime

- 6.32 Objections have been raised by third parties in respect of potential loss of security through the formation of the access road and removal of existing boundary treatments. Paragraph 127 of the NPPF seeks to outline that: *"planning policies and decisions should aim to create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience"*. The aim of the NPPF is reiterated in Policy CM4 of the local plan, which seeks to ensure that all new development should make a positive contribution by creating a safe and secure environment by integrating measures for security and crime prevention and minimising the opportunity for crime.
- 6.33 Accordingly, planning policies together with planning case law confirms that people's perceptions, and in this case, the fear of crime is capable of being a material planning consideration but what needs to be considered is the weight to be attached to this matter in this case and whether this is sufficient to justify refusing the application. This requires an assessment of the concerns actually experienced, not a subjective and paternalistic view. In order to justify refusal of a planning application there needs to be some reasonable evidential basis for that fear.
- 6.34 Whilst the fear expressed by objectors to the proposal is understandable, these fears and perceptions must be considered in the context of the proposal and submitted documents. It is acknowledged that the creation of the access road to serve the proposed development would intensify activity along its shared boundaries; however, on balance, the layout of the development would afford natural surveillance opportunities from both existing and proposed dwellings. The occupier of the adjacent property could also provide increased security to their property through the erection of a boundary fence. Accordingly, there is little evidence to suggest that residents would be at greater risk from crime if the proposed development was approved. Refusal of permission on this basis would be therefore be unreasonable and unjustified.

11. Other Matters

- 6.35 Third parties have questioned the capacity of the bin store to accommodate both waste and recycling bins. The submitted drawings illustrate a bin store at the entrance to the site which can accommodate 10 waste bins/recycling bins/containers during collection days. The City Council's Waste Services Division and the Highway Authority did not raise any objections to the capacity or the location of the bin store.
- 6.36 An objector has raised concerns about the accuracy of the submitted documents and the information contained therein. These drafting errors have subsequently been corrected by the Agent by the submission of revised documentation.

- 6.37 A further issue raised was the potential damage of a hedge during construction works. This is a civil matter and can not be considered a material planning consideration.

Conclusion

- 6.38 In overall terms, the principle of residential development on the site is acceptable under the provisions of the NPPF and the local plan. The application site is well contained within existing landscape features, it is physically connected, and integrates with, the settlement, and would not lead to an unacceptable intrusion into open countryside. The development of 5no. dwellings is of an appropriate scale for the village to accommodate and would not be considered a threat to the delivery of the local plan spatial strategy.
- 6.39 The scale, design and massing of the proposed dwellings would be appropriate and would not have a detrimental impact on the occupiers of neighbouring properties through unacceptable overlooking, loss of light or over-dominance. Existing and proposed landscaping together with the proposed palette of materials would also help to soften and blend the proposed dwellings into the landscape, thereby, minimising any perceived visual impact.
- 6.40 No highway or drainage issues have been raised by Cumbria County Council or United Utilities as the relevant consultees. In all other aspects, the proposal is compliant with the objectives of the NPPF, PPG and relevant local plan policies. Accordingly, the application is recommended for approval.

7. Planning History

- 7.1 In 2014, outline planning permission was granted for the erection of 3no. dwellings (application reference 13/0950).
- 7.2 In 2017, outline planning permission was granted for erection of 3no. dwellings (renewal of outline permission granted under reference 13/0950 (application reference 17/0617).

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 development shall be undertaken in strict accordance with the approved documents for this Planning Permission which comprise:

1. the submitted planning application form received 5th June 2018;
2. the Planning Statement, incorporating Design and Access Statement received 6th August 2018;
3. the Contamination Statement received 5th June 2018;
4. the Drainage Strategy and Design received 12th June 2018
5. the site location plan received 26th June 2018;
6. the site plan received 6th July 2018 (drawing No. 17042-08E);
7. the house types, plots 1, 2 and 5 received 5th June 2018 (Drawing No. 17042-09B);
8. the house types, plots 3 and 4 received 5th June 2018 (Drawing No. 17042-10B);
9. the site sections received 5th June 2018 (Drawing No. 17042-18);
10. the site location and block plans received 6th July 2018 (Drawing No. 17042-19B);
11. the landscape plan received 12th June 2018 (Drawing No. APBRS-WW-01);
12. the Notice of Decision; and
13. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

3. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution in accordance with Policy IP6 and CC5 of the Carlisle District Local Plan 2015-2030.

4. The foul drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Drainage Strategy and Design compiled by by Kingmoor Consulting Limited dated 29 May 2018 (reference 18- 186r001). Any variation to the discharge of foul shall be agreed in writing by the local planning authority prior to the commencement of the development. The development shall be completed in accordance with the approved details.

Reason: To ensure a satisfactory scheme for the disposal of foul drainage in accordance with Policy IP6 of the Carlisle District Local Plan 2015-2030.

5. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the local planning authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG and Policy CC5 of the Carlisle District Local Plan 2015-2030.

6. The carriageway, footways, footpaths, cycleways etc shall be designed, constructed, drained to the satisfaction of the local planning authority and in this respect further details, including longitudinal/cross sections, shall be submitted to the local planning authority for approval before work commences on site. No work shall be commenced until a full specification has been approved. Any works so approved shall be constructed before the development is complete.

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

7. The development shall not commence until visibility splays providing clear visibility of 45 metres measured back 2.4m down the centre of the access road and the nearside channel line of the major road have been provided at the junction of the access road with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) 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 grown within the visibility splay which obstruct the visibility splays. The visibility splays shall be constructed before general development of the site commences so that construction traffic is safeguarded.

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

8. The vehicular crossing over the footway, including the lowering of kerbs, shall be carried out to the specification of the local planning authority in consultation with the Highway Authority.

Reason: To ensure a suitable standard of crossing for pedestrian safety. To support Local Transport Plan Policies: LD5, LD7, LD8.

9. The access drive shall be surfaced in bituminous or cement bound material, or otherwise bound and shall be constructed and completed before the development is brought into use. This surfacing shall extend for a distance of at least 10 metres inside the site, as measured from the carriageway edge of the adjacent highway.

Reason: In the interests of highway safety. To support Local Transport Plan Policies: LD5, LD7, LD8.

10. There shall be no vehicular access to or egress from the site other than via

the approved access, unless otherwise agreed by the local planning authority.

Reason: To avoid vehicles entering or leaving the site by an unsatisfactory access or route, in the interests of road safety. To support Local Transport Plan Policies: LD7, LD8.

11. Any existing highway fence/wall boundary shall be reduced to a height not exceeding 1.05 metres above the carriageway level of the adjacent highway in accordance with details submitted to the local planning authority and which have subsequently been approved before development commences and shall not be raised to a height exceeding 1.05 metres thereafter.

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

12. The access and parking/turning requirements shall be substantially met before any building work commences on site so that construction traffic can park and turn clear of the highway.

Reason: The carrying out of this development without the provision of these facilities during the construction works is likely to lead to inconvenience and danger to road users. To support Local Transport Plan Policies: LD8.

13. The dwellings shall not be occupied until the vehicular access and turning requirements have been constructed in accordance with the approved plan and has been brought into use. The vehicular access turning provisions shall be retained and capable of use at all times thereafter and shall not be removed or altered without the prior consent of the local planning authority.

Reason: To ensure a minimum standard of access provision when the development is brought into use. To support Local Transport Plan Policies: LD5, LD7, LD8.

14. Before any development takes place, a plan shall be submitted for the prior approval of the local planning authority reserving adequate land for the parking of vehicles engaged in construction operations associated with the development hereby approved, and that land, including vehicular access thereto, shall be used for or be kept available for these purposes at all times until completion of the construction works.

Reason: The carrying out of this development without the provision of these facilities during the construction works is likely to lead to inconvenience and danger to road users. To support Local Transport Plan Policy: LD8.

15. No dwelling shall be commenced until samples or full details of materials to be used externally on the dwellings have been submitted to and approved in writing 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 accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

16. No dwelling shall be commenced until samples or full details of all materials to be used on the proposed hard surface finishes to all public and private areas within the development have been approved in writing 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 accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

17. Development shall not be begun until a Construction Method Statement (CMS) has been submitted to and approved in writing by the local planning authority. The CMS shall include details of:

- implementation of noise mitigation measures i.e. use of noise attenuation barriers, storage/unloading of aggregates away from sensitive receptors, use of white noise reversing alarms where possible
- the sheeting of all HGVs taking spoil to/from the site
- provision and use of water suppression equipment
- covering of 'dusty' materials
- wheel washing facilities for vehicles leaving the development

Reason: To protect the living conditions of the occupiers of the adjacent residential properties in accordance with Policy CM5 of the Carlisle District Local Plan 2015-2030.

18. As part of the development hereby approved, adequate infrastructure shall be installed to enable telephone services, broadband, electricity services and television services to be connected to the premises within the application site and shall be completed prior to the occupation of the dwellings.

Reason: To maintain the visual character of the locality in accord with Policy IP4 of the Carlisle District Local Plan 2015-2030.

19. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the dwellings or the completion of the development, whichever is the sooner, and maintained thereafter to the satisfaction of the Council; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that a satisfactory landscaping scheme is

implemented and that it fulfils the objectives of Policy GI6 of the Carlisle District Local Plan 2015-2030.

20. Before any development is commenced on the site, including site works of any description, a protective fence in accordance with Fig. 2 in B.S. 5837: 2012 shall be erected around the trees and hedges to be retained at the extent of the Root Protection Area as calculated using the formula set out in B.S. 5837. Within the areas fenced off no fires should be lit, the existing ground level shall be neither raised nor lowered, and no materials, temporary buildings or surplus soil of any kind shall be placed or stored thereon. The fence shall thereafter be retained at all times during construction works on the site.

Reason: In order to ensure that adequate protection is afforded to all trees/hedges to be retained on site in support of Policies SP6 and GI6 of the Carlisle District Local Plan 2015-2030.

21. No work associated with the construction of the residential unit 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 SP6 of the Carlisle District Local Plan 2015-2030.

22. 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.

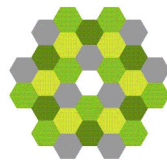
Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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 CM5 of the Carlisle District Local Plan 2015-2030.

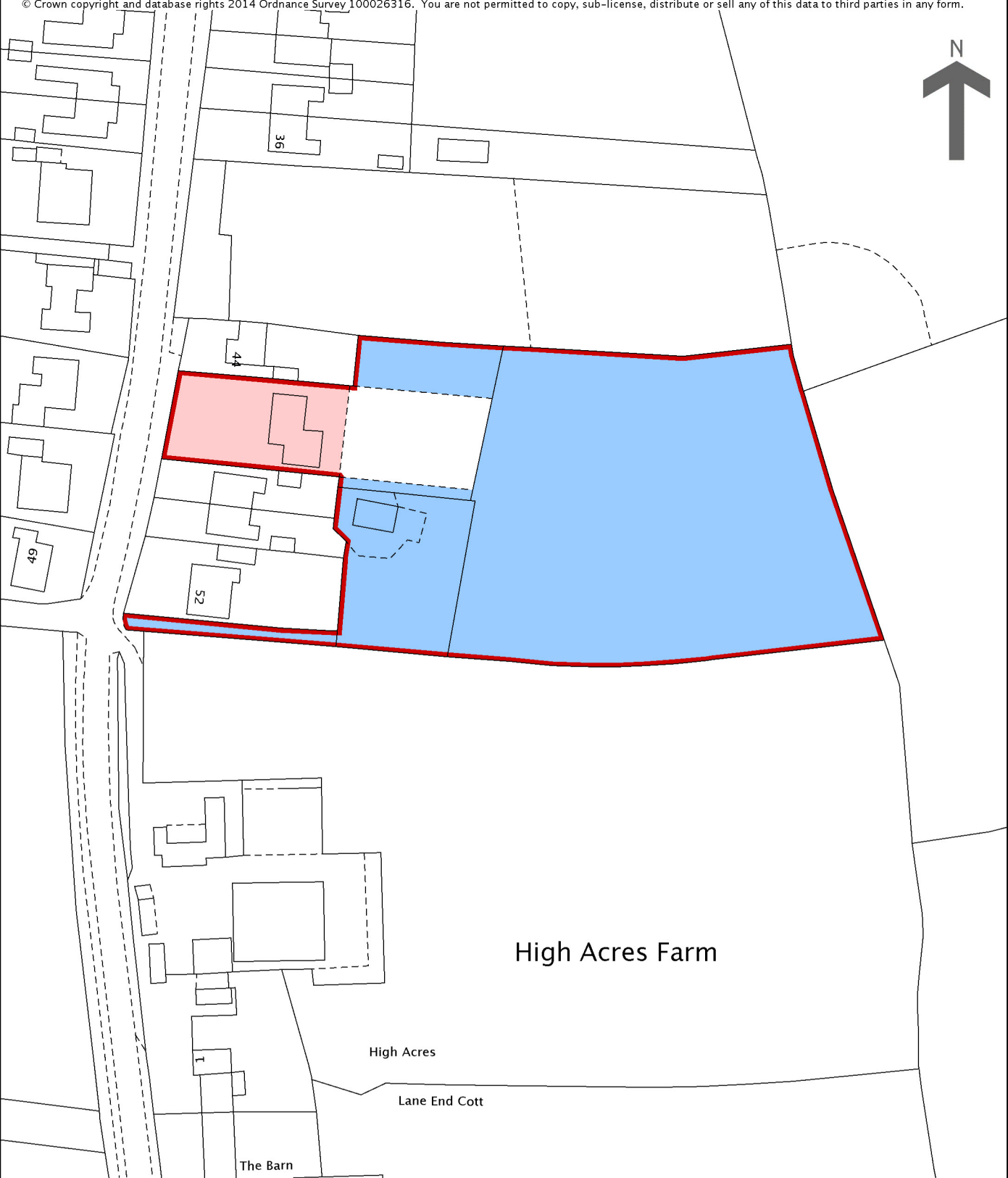
HM Land Registry

Current title plan

Title number **CU283247**
Ordnance Survey map reference **NY4454SW**
Scale **1:1250 enlarged from 1:2500**
Administrative area **Cumbria : Carlisle**



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This is a print of the view of the title plan obtained from HM Land Registry showing the state of the title plan on 01 August 2017 at 10:21:14. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

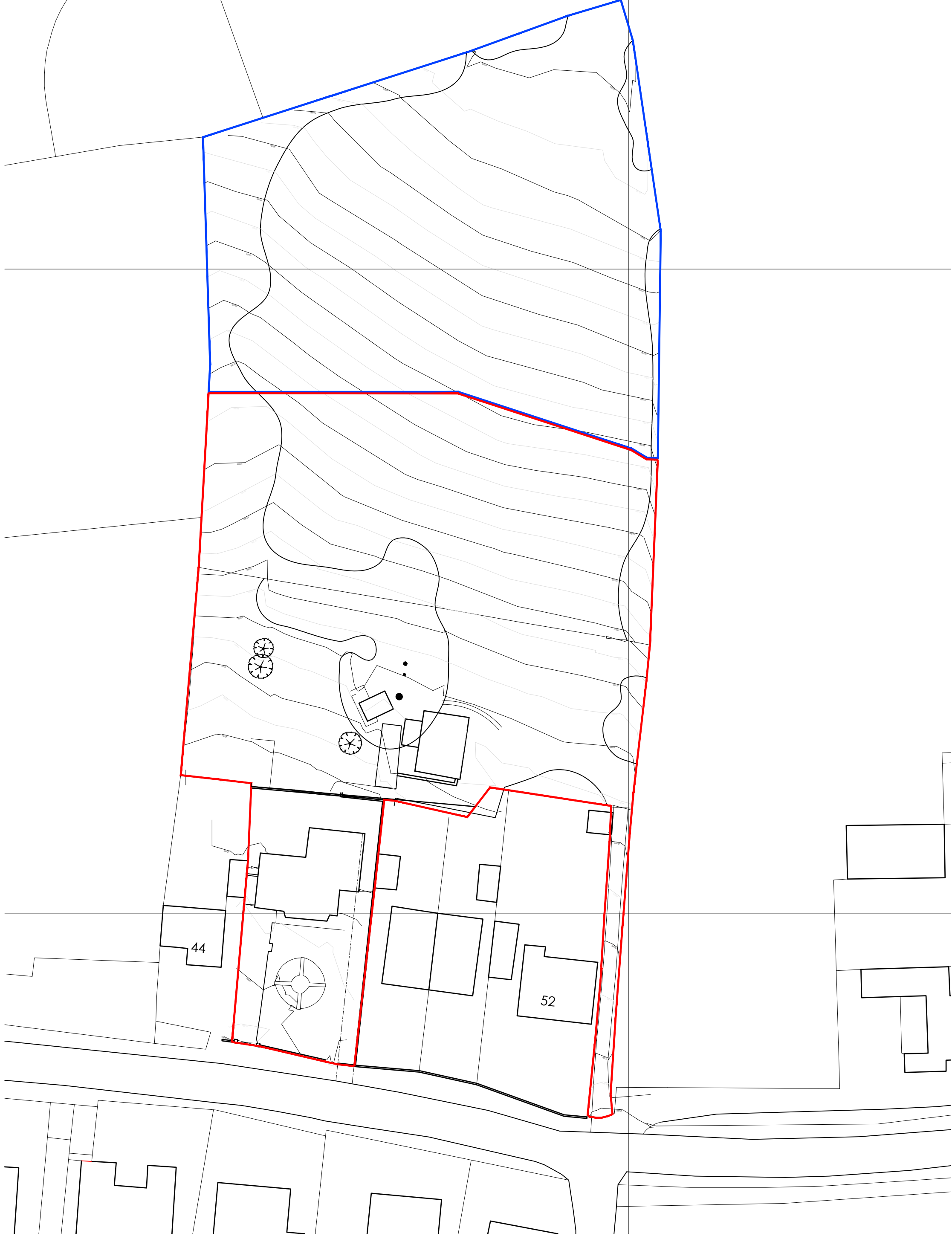
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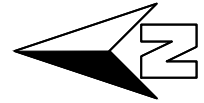
Rev.	Date	Description	Revised by
A	06/18	Site boundary amended	BG
B	07/18	Boundary to rear of No. 44 Broomfield Road corrected.	BG



PROPOSED BLOCK PLAN
SCALE 1:500



EXISTING BLOCK PLAN
SCALE 1:500



LOCATION PLAN
SCALE 1:1250

PLANNING

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Project
RESIDENTIAL DEVELOPMENT
46 BROOMFALLEN ROAD, SCOTBY

Client
SIMPSON THE BUILDERS

Drawing
SITE LOCATION AND BLOCK PLANS

Scale	Date	Drawn	Comp. No.	Number
1:1250	05/18	BG	P03	17042-19B
1:500				

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Rev.	Date	Description	Revised by
A	03/18	General update	BG
B	03/18	General update	BG
C	03/18	General update	BG
D	03/18	General update	BG
E	07/18	Boundary amended	BG
F	07/18	Boundary amended	BG



PLANNING

ARCHITECTS PLUS

Project
RESIDENTIAL DEVELOPMENT
46 BROOMFALLEN ROAD, SCOTBY

Client
SIMPSON THE BUILDERS

Drawing
SITE PLAN

Scale
1:200

Date
03/18

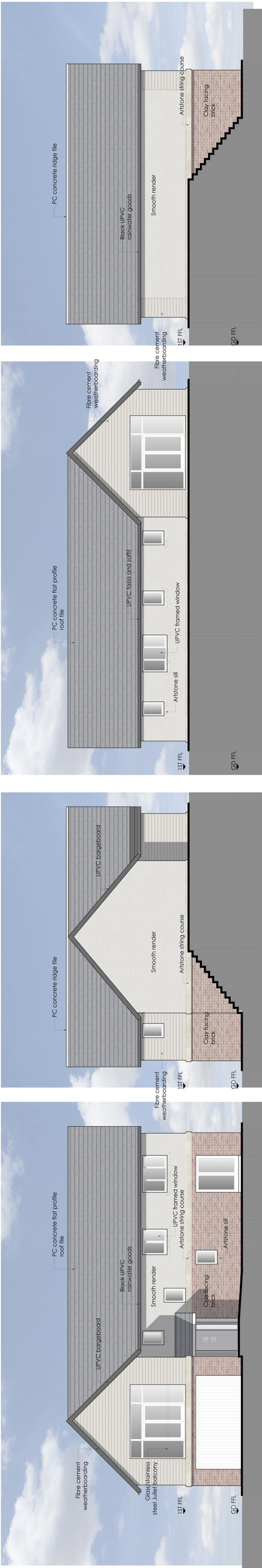
Drawn
BG

Comp. No.
P03

Number
17042-08E

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Rev.	Date	Description	Revised by
A	05/18	Revised plot plan, altered to block size and dim added	BG
B	05/18	Drawing status changed	BG



PLOTS 3 AND 4 FRONT ELEVATION

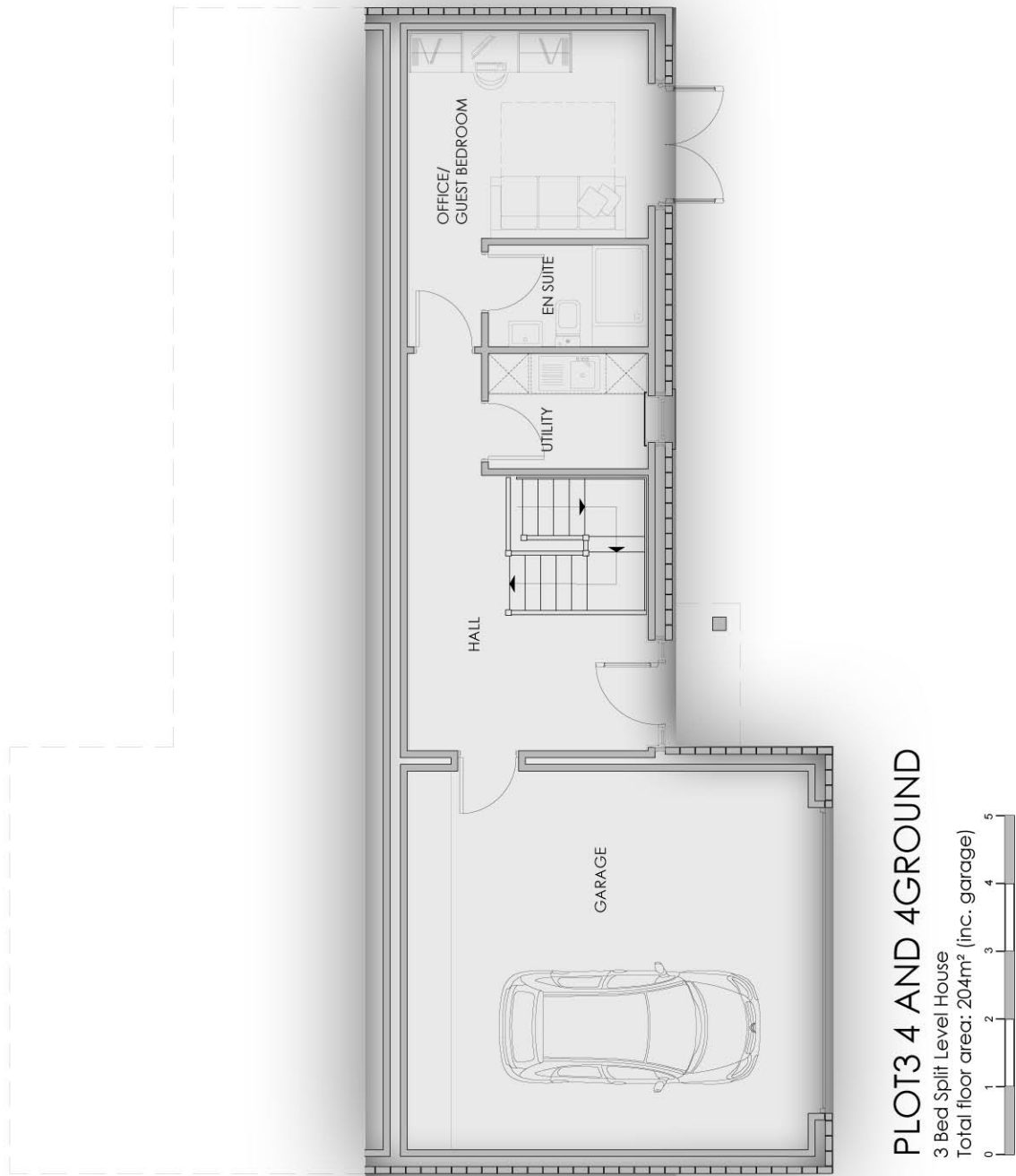
PLOTS 3 AND 4 REAR ELEVATION

PLOTS 3 AND 4 SIDE ELEVATION

PLOTS 3 AND 4 SIDE ELEVATION



PLOTS 3 AND 4 FIRST



PLOT3 4 AND 4GROUND

3 Bed Split Level House
Total floor area: 204m² (inc. garage)

NOTES:
Walls
Clay facing brick
Fibre cement weatherboarding
Fibre cement weatherboarding
Roof
Concrete flat profile roof tiles
UPVC bargeboard
Windows and Doors
UPVC framed windows
UPVC sills and string course
Boundary Treatment
Existing site boundary hedges to be retained, kept in good condition and maintained between plots. Close boarded sw fences between plots.
Surface Treatment
Tarmac to access road
Tarmac to access road
PC concrete flags to patios

PLANNING

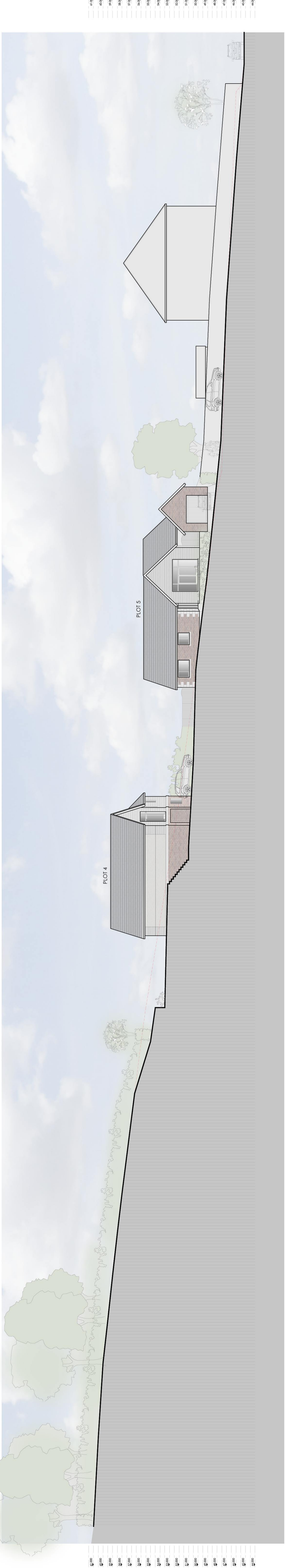
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Project	RESIDENTIAL DEVELOPMENT 46 BROOMFALLEN ROAD, SCOTBY				
Client	SIMPSON THE BUILDERS				
Drawing	HOUSE TYPES PLOTS 3 AND 4				
Scale	1:100	Date	02/18	Drawn	BG
				Camp No.	P03
				Number	17042-10B
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Rev.	Date	Description
A	03/18	General update
B	03/18	General update

Revised by
BG
BG



PLANNING

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Project
RESIDENTIAL DEVELOPMENT
46 BROOMFALLEN ROAD, SCOTBY

Client
SIMPSON THE BUILDERS
Drawing

SITE SECTIONS

Scale	Date	Drawn	Comp. No.	Number
1:200	05/18	BG	P03	17042-18

