

SCHEDULE A: Applications with Recommendation

13/0458

Item No: 07

Date of Committee: 30/08/2013

Appn Ref No:
13/0458

Applicant:
T Bell & Son

Parish:
Farlam

Date of Receipt:
05/06/2013

Agent:
Abacus Building Design

Ward:
Irthing

Location:

Land between Wood House & 1 Fellbeck View,
Hallbankgate, Carlisle

Proposal: Erection Of 1no. Dwelling (Outline Application)

REPORT

Case Officer: Shona Taylor

1. Recommendation

- 1.1 It is recommended that this application is approved subject to conditions.

2. Main Issues

- 2.1 Whether The Principle of Development Is Acceptable
- 2.2 Whether The Scale And Design Of The Dwellings Are Acceptable
- 2.3 The Impact Of The Proposal On The Living Conditions Of Neighbouring Residents
- 2.4 Impact Of The Proposal On Highway Safety

3. Application Details

The Site

- 3.1 The application site is located between Wood House and 1 Fellbeck View, Hallbankgate.
- 3.2 The site is currently an unused agricultural field. It is bounded to the north by the road leading from Hallbankgate to the Tindale Fells, to the east by residential property 1 Fell Beck View , to the west by the access track to Clement Leazes Farm and to the south by more agricultural land, planted

with trees and saplings. There is a small stream running through the centre of the site.

The Proposal

- 3.3 The application is seeking Outline Planning Permission for the erection of a single detached property. The accompanying information which accompanies this application outlines the dwelling will be a dormer bungalow.
- 3.4 The indicative plans show that the design, scale and massing of the proposed dwelling house would be similar to those of the surrounding neighbours.
- 3.5 It is proposed to access the site via a new entrance, off the access track to Clement Leazes Farm. The ditch/watercourse will be relocated further to the east of the site, and will be culverted under the proposed access.

4. Summary of Representations

- 4.1 This application has been advertised by means of a site notice and notification letters sent to six neighbouring properties. In response four letters of objection have been received. The grounds of objection are summarised as;
 - 1. the proposed moving of the watercourse will cause problems;
 - 2. there are trees and saplings to the rear of the site;
 - 3. it is a very wet site, often subject to significant flooding;
 - 4. this site falls outside of the designated village boundary;
 - 5. the site falls within the North Pennines AONB;
 - 6. this type of ribbon development is inappropriate in this location;
 - 7. there is a serious risk of flash flooding at this site;
 - 8. there is no comprehensive detail regarding the height and type of the dwelling;
 - 9. a new survey for Great Crested Newts should be carried out;
 - 10. the path of a natural watercourse runs through the site, any alteration to this will have consequences to low lying dwellings in the vicinity;
 - 11. this dwelling will increase the total housing in Hallbankgate to over 10% additional in the last two years;
 - 12. it is a greenfield site and should be retained.

5. Summary of Consultation Responses

Cumbria County Council - Highways & Transportation: - no objections subject to the inclusion of one condition;
Farlam Parish Council: - concerns have been raised regarding the watercourse within the site and potential flooding issues;
Cumbria County Council - Drainage: - no response received;
Local Environment - Environmental Protection: - no objections;

North Pennines AONB Partnership: - no response received;
Carlisle Airport: - no objections;
Ramblers Association: - no response received;
Cumbria County Council - Highway Authority - Footpaths: - no objections,
providing the footpath is not obstructed.

6. Officer's Report

Assessment

- 6.1 The relevant planning policies against which the application is required to be assessed are Policies DP1, DP9, LC8, H1, H3, H9, CP3, CP5, CP6, CP12 and T1 of the Carlisle District Local Plan 2001-2016.

The proposals raise the following issues:

1. Whether The Principle of Development Is Acceptable

- 6.2 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. Policy considerations in relation to this application state that whilst 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. The Framework seeks to promote sustainable development and in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.
- 6.3 When assessing the application site it is evident that this site is well related to Hallbankgate and would represent an infill site given the presence of housing either side of the site.
- 6.4 Accordingly, in light of the forgoing, it is considered that the principle of the site for housing is consistent with the policies in the NPPF, therefore, the principle of development is acceptable.

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

- 6.5 The submitted plans illustrate that the proposed dwelling would be of a similar scale and massing to the majority of their immediate neighbours. As this application is for outline consent, these plans are indicative only and any design/layout issues can be resolved within the reserved matters application.
- 6.6 In summary, the scale and massing of the proposed dwelling appears comparable to the existing properties within the street scene. Accordingly, it is not considered that the development would form a discordant feature.

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

- 6.7 The adjacent dwelling, Wood House, has windows facing towards the

proposal site, however, at a distance of over 30m to the proposed side elevation of the application site, it is not considered that there would be a detrimental impact that would justify the refusal of the proposal.

- 6.8 As such, taking into consideration the scale and position of the proposed application site in relation to the neighbouring properties, it is unlikely that the living conditions of the occupiers of these properties will be compromised through loss of light, loss of privacy or overdominance.

4. Impact Of The Proposal On Highway Safety

- 6.9 The proposal seeks approval to create a new access from the existing access to Clement Leazes Farm, and illustrates sufficient room for parking and turning within the curtilage. The Highway Authority have not raised any objections to the application as it will not take access directly onto the public maintained highway.

5. Impact Of The Proposal On Drainage

- 6.10 It is noted that a watercourse is located within the application site. This is too small for the Environment Agency to formally comment, and the County Councils drainage engineer has been consulted, but has not yet responded.
- 6.11 The site is not located within a designated flood zone, whilst it is noted that neighbours have commented that the site does seasonally flood, this is something for the applicant to resolve and a condition has been included.
- 6.12 Informal advice has been taken from the Environment Agency, who have commented that the proposed relocation of the watercourse would be acceptable. However, a condition has been included to request full engineers drainage details be submitted, to ensure that the proposal does not exacerbate any flooding issues.

Conclusion

- 6.13 In overall terms, the principle of the proposed development is acceptable. The scale, siting and massing of the proposed dwelling is acceptable in relation to the site and the surrounding properties. The living conditions of neighbouring properties would not be compromised through unreasonable overlooking or overdominance. Adequate car parking, access and amenity space would be able to be provided to serve the dwelling. In all aspects the proposal is compliant with the objectives of the Local Plan policies and the proposal is recommended for approval.

7. Planning History

- 7.1 The site has no relevant planning history.

8. Recommendation: Grant Permission

1. In case of any "Reserved Matter" application for approval shall be made not later than the expiration of 1 year beginning with the date of this permission, and the development shall be begun not later than whichever is the later of the following dates:
 - i) The expiration of 3 years from the date of the grant of this permission, or
 - ii) The expiration of 2 years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: In accordance with the provisions of Section 92 of the Town and Country Planning Act 1990. (as amended by The Planning and Compulsory Purchase Act 2004).

2. Before any work is commenced, details of the layout, scale, appearance, access and landscaping of the site (hereinafter called "reserved matters") shall be submitted to and approved by the Local Planning Authority.

Reason: The application was submitted as an outline application in accordance with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995.

3. The approved documents for this Planning Permission comprise:

1. the submitted planning application form;
2. the site location plan received 5th June 2013;
3. the existing site location block plan received 5th June 2013;
4. the proposed site location block plan received 5th June 2013;
5. the desk top study received 5th June 2013;
6. the design and access statement received 5th June 2013;
7. the Notice of Decision; and
8. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

5. No development hereby approved by this permission shall commence until samples or full details of all materials to be used on the exterior of the dwelling have been submitted to and approved in writing by the Local Planning Authority. The development shall then be undertaken in accordance with the approved details.

Reason: To ensure the works harmonise as closely as possible with the existing building and to ensure compliance with Policy CP5 of the Carlisle District Local Plan 2001 - 2016.

6. No development hereby approved by this permission shall commence until

details of the proposed hard surface finishes to all public and private external areas within the proposed scheme have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

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

7. No development hereby approved by this permission shall commence until a scheme for the provision of surface water drainage works has been submitted to and 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 accord with Policy CP12 of the Carlisle District Local Plan 2001-2016 and in order to protect the safety, operational need and integrity of the railway.

8. No development hereby approved by this permission shall commence until a scheme for the conveyance of foul drainage has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use until the approved drainage scheme has been constructed and completed in accordance with the approved plans.

Reason: To prevent pollution of the water environment in accordance with Policy CP12 of the Carlisle District Local Plan 2001-2016.

9. No development hereby approved by this permission shall commence until particulars of height and materials of all boundary fences have been submitted to and approved in writing by the Local Planning Authority. The development shall then be undertaken in accordance with the approved details.

Reason: To ensure that the appearance of the area is not prejudiced by lack of satisfactory screening which is not carried out in a co-ordinated manner and to ensure compliance with Policy CP5 of the Carlisle District Local Plan 2001-2016 and in order to protect the safety, operational need and integrity of the railway.

10. No development hereby approved by this permission shall commence until details of a landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include the proposed type and species of all planted material including particulars of the proposed heights and planting densities.

Reason: To ensure that a satisfactory landscaping scheme is prepared in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016 and in order to protect the safety, operational need

and integrity of the railway.

11. All works comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following occupation of the dwelling or completion of the development, whichever is the sooner.

Reason: To ensure that a satisfactory landscaping scheme is implemented in accord with Policy CP5 of the Carlisle District Local Plan 2001-2016.

12. Details of the relative heights of the existing and proposed ground levels and the height of the proposed finished floor levels of the dwellings and any proposed garages 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, that it satisfies the requirements of the Drainage Engineer in relation to flood risk and that it meets the objectives of Policies H1 of the Carlisle District Local Plan 2001-2016.

14. No tree or hedgerow existing on the site shall be felled, lopped, uprooted or layered without the prior consent in writing of the Local Planning Authority and the protection of all such trees and hedgerows during construction shall be ensured by a detailed scheme to be agreed with the Local Planning Authority.

Reason: The Local Planning Authority wishes to see existing hedgerows/trees incorporated into the new development where possible and to ensure compliance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) there shall be no enlargement or external alterations to the dwelling units to be erected in accordance with this permission, within the meaning of Schedule 2 Part (1) of these Orders, without the written approval of the Local Planning Authority.

Reason: To ensure that the character and attractive appearance of the buildings is not harmed by inappropriate alterations and/or extensions and that any additions which may subsequently be proposed satisfy the objectives of Policies CP5 and CP6 of the Carlisle District Local Plan 2001-2016.

16. The reserved matters application must provide details showing the provision within the site for parking (commensurate with the size of the dwelling and parking standards) and manoeuvring of vehicles, so they enter and leave the site in a forward direction. Building works shall not commence until such details have been approved and the facilities constructed. The approved parking, loading, unloading and manoeuvring areas shall be kept available

for those purposes at all times and shall not be used for any other purpose.

Reason: To ensure that all vehicles can be properly and safely accommodated clear of the highway and to support Local Transport Plan Policies LD7 and LD8.

17. No development hereby approved by this permission shall commence until full engineers details relating to the moving and culverting of the watercourse have been submitted to and 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 accord with Policy CP12 of the Carlisle District Local Plan 2001-2016 and in order to protect the safety, operational need and integrity of the railway.



RECEIVED

5 - JUN 2013

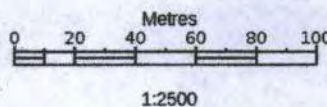
13/0458



Produced 08 May 2013 from the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date. Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey. © Crown Copyright 2013.

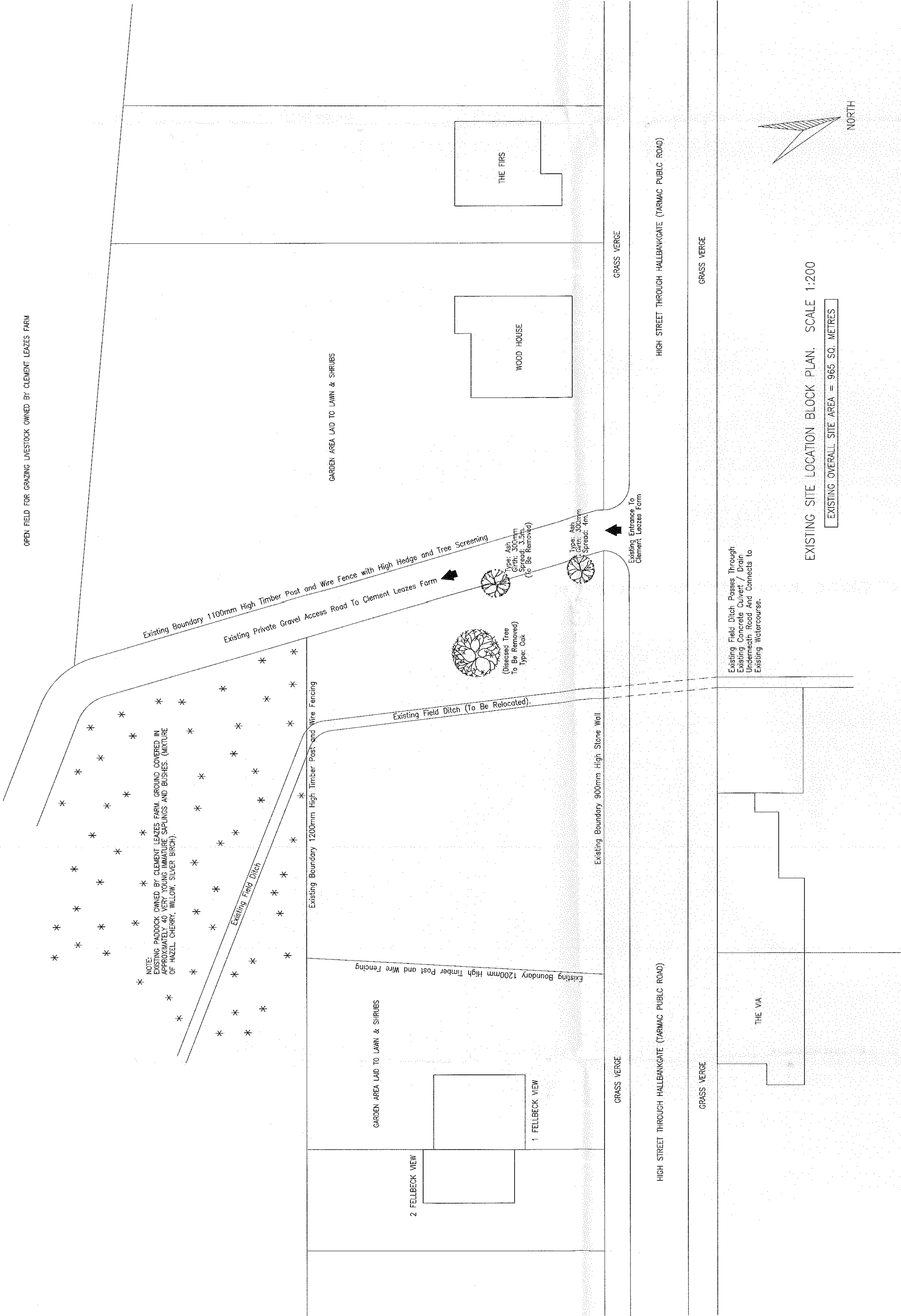
Ordnance Survey and the OS Symbol are registered trademarks of Ordnance Survey, the national mapping agency of Great Britain.

The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.



CLEMENT LEAZES
BRAMPTON
CA8 2PF

Supplied by: Latitude Mapping Ltd
Reference: O1572162
Centre coordinates: 358089 559494



13/04/18

Job Title:

PROPOSED CONSTRUCTION OF NEW RESIDENTIAL DORMER BUNGALOW WITHIN INFILL SITE BETWEEN WOOD HOUSE AND FELBECK VIEW, HALLBANKGATE, NR. BRAMPTON, CUMBRIA. CA8 2PF.

Client:

Mr. Ian Bell
Clement Leazes Farm,
Halbankgate, Brampton,
Cumbria. CA8 2PF.

Dwg No.

2013/600/01

Scale

1:200

Drawing By

J.A. SANDERSON

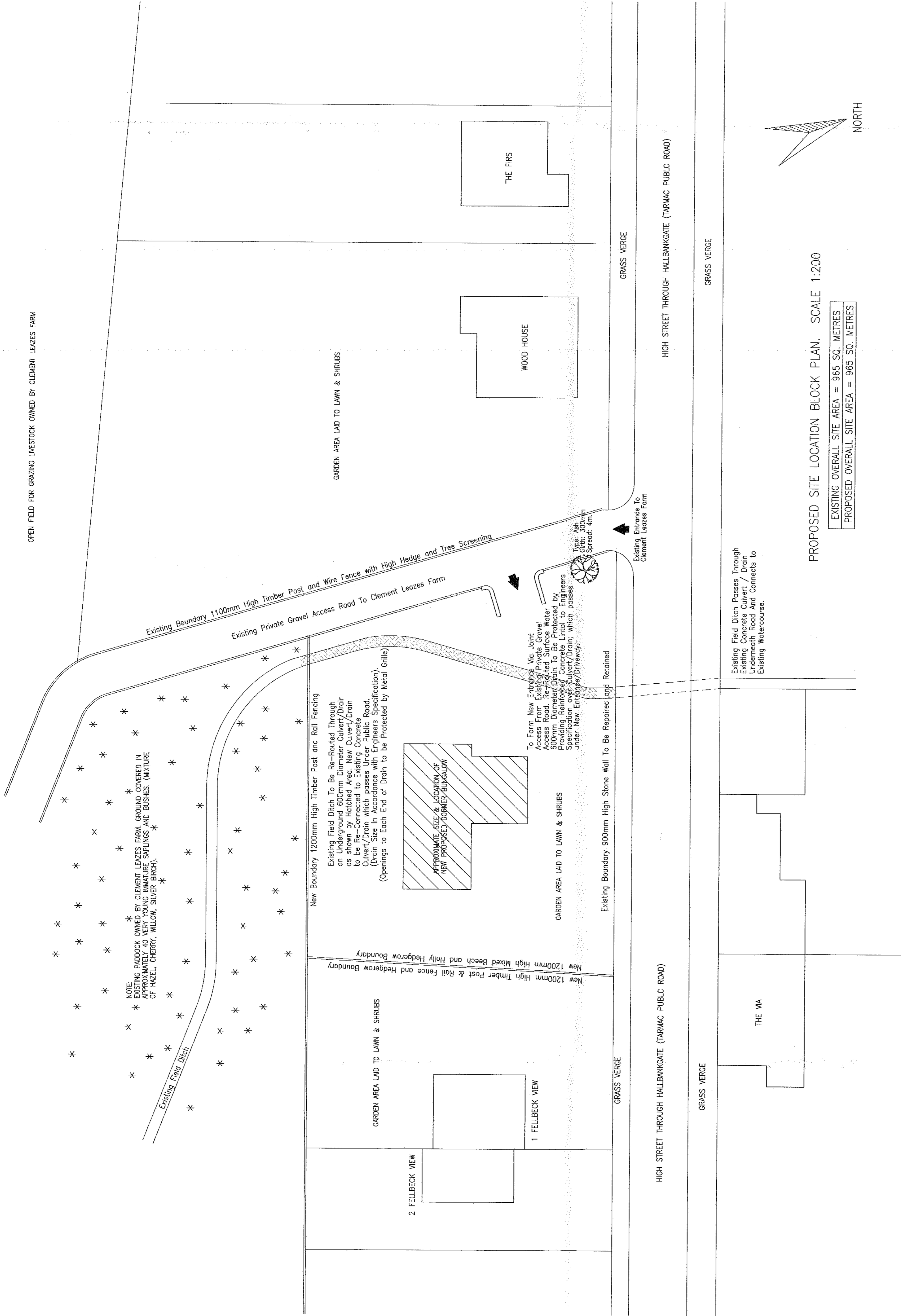
Date

20/05/2013

Amendments

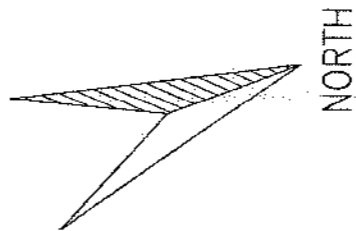
EXISTING SITE LOCATION BLOCK PLAN

OPEN FIELD FOR GRAZING LIVESTOCK OWNED BY CLEMENT LEAZES FARM



PROPOSED SITE LOCATION BLOCK PLAN. SCALE 1:200

| |
|---|
| EXISTING OVERALL SITE AREA = 965 SQ. METRES |
| PROPOSED OVERALL SITE AREA = 965 SQ. METRES |



Job title

PROPOSED CONSTRUCTION OF NEW RESIDENTIAL DORMER BUNGALOW WITHIN INFILL SITE BETWEEN WOOD HOUSE AND FELLBECK VIEW, HALLBANKGATE, NR. BRAMPTON, CUMBRIA. CA8 2PF.

PROPOSED SITE LOCATION BLOCK PLAN

Drawing by
J.A. SANDERSON

Date
20/05/2013

Amendments

Client

Mr. Ian Bell
Clement Leazes Farm,
Hallbankgate, Brampton,
Cumbria. CA8 2PF.

Eng No.

2013/600/02

Scale

1:200