

SCHEDULE A: Applications with Recommendation

19/0100

Item No: 04

Date of Committee: 22/03/2019

Appn Ref No:
19/0100

Applicant:
Mr & Mrs Robert & Joan
Tweddle

Parish:
Kirkandrews

Agent:

Ward:
Longtown & Rockcliffe

Location: 5 Kirkandrews Moat, Longtown, Carlisle, CA6 5PH

Proposal: Single Storey Rear Extension To Provide Sunroom

Date of Receipt:
07/02/2019

Statutory Expiry Date
04/04/2019

26 Week Determination

REPORT

Case Officer: Suzanne Osborne

1. Recommendation

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

2. Main Issues

- 2.1 Whether the proposal is appropriate to the dwelling and impact upon the existing street scene;
2.2 Impact of the proposal on the living conditions of neighbouring residents;
2.3 Impact upon biodiversity; and
2.4 Other matters.

3. Application Details

The Site

- 3.1 Number 5 Kirkandrews Moat is a two storey semi-detached property located on the western side of the main road which leads through Kirkandrews Moat. The property is constructed from rendered walls under a tiled roof and is surrounded by two storey residential properties to the north and south.

The Proposal

- 3.2 The application seeks full planning permission for the erection of a single storey rear extension to provide a sunroom. The submitted plans illustrate that the proposed extension will be constructed from facing brick walls under a flat roof which will have a resin finish and a glass lantern. Windows and doors will be white PVCu and rainwater goods will be black to match the existing dwelling.
- 3.3 In order to provide the proposed extension an existing single storey lean to store (constructed from painted brick walls under a corrugated roof) will be demolished.

4. Summary of Representations

- 4.1 This application has been advertised by means of notification letters sent to two neighbouring properties. No verbal or written representations have been received in response to the consultation undertaken.

5. Summary of Consultation Responses

Kirkandrews Parish Council: - no observations;
Cumbria County Council - (Highways & Lead Local Flood Authority): - no objection.

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 are the National Planning Policy Framework (NPPF), the Planning Practice Guidance (PPG) together with Policies SP6, H08 and GI3 of the Carlisle District Local Plan (CDLP) 2015-2030. The City Council's Supplementary Planning Document (SPD) 'Achieving Well Designed Housing' is also a material planning consideration in the determination of this application.
- 6.3 The proposal raises the following planning issues:

1. Whether The Proposal Is Appropriate To The Dwelling And Impact Upon The Existing Street Scene

- 6.4 The NPPF attaches great importance to the design of the built environment recognising that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. The NPPF states that planning decisions should ensure developments function well and add to the overall quality of the area; are visually attractive; are sympathetic to local character and history whilst not preventing or discouraging appropriate innovation or change; establish or maintain a strong sense of place; and, optimise the potential of the site to accommodate and sustain the appropriate mix of development. Paragraph 130 of the NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Paragraph 131 goes on to confirm that in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.
- 6.5 The relevant design policies of the CDLP seek to ensure that proposals respond to the local context in terms of height, scale and massing and by using appropriate materials and detailing. Local landscape character should be respected and development should be fully integrated into its surroundings.
- 6.6 Policy H08 of the CDLP (which relates to house extensions) confirms that house extensions and alterations should be designed to complement the existing building and be visually subservient. Policy H08 goes on to state that proposals should maintain the established character and pattern of the existing street scene and be a positive addition as well as retain gaps between buildings where they are characteristic of the area and contribute to the existing street scene.
- 6.7 As the proposed extension only projects 4.05 metres from the rear elevation and is single storey in height it will appear as a subservient feature to the main dwelling. Although the rear extension has a flat roof, which incorporates a roof lantern, and will be constructed from brick it is considered that the contemporary design of the extension complements the architecture of the existing building. The proposed fenestration details will correspond with those of the main dwelling and the proposed materials would be harmonious with the overall visual appearance of the existing dwelling. Accordingly, the scale and design of the extension is acceptable.
- 6.8 Furthermore, given the location of the extension to the rear of the property there will be no adverse impact upon the existing street scene.

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

- 6.9 The City Council's SPD 'Achieving Well Designed Housing' outlines minimum distances between primary facing windows together with primary windows and

walls serving habitable rooms in order to protect against loss of amenity and privacy i.e. 21 metres between primary facing windows and 12 metres between primary windows and walls. The proposed development will be compliant with these distances and will therefore not give rise to any undue overlooking.

- 6.10 Given the positioning of the primary windows of the residential properties that surround the site in relation to the proposed extension, the proposal would also not have an adverse impact upon the living conditions of the occupiers of any neighbouring properties in terms of loss of light or over dominance.

3. Impact Upon Biodiversity

- 6.11 The Councils GIS Layer has identified that the site has the potential for several key species to be present within the vicinity. Given the scale and nature of the proposal it is unlikely that the development would harm a protected species or their habitat.

4. Other Matters

- 6.12 The human rights of the occupiers of the neighbouring properties have been properly considered and taken into account as part of the determination of the application. Several provisions of the Human Rights Act 1998 can have implications in relation to the consideration of planning proposals, the most notable being:

Article 6 bestowing the "Right to a Fair Trial" is applicable to both applicants seeking to develop or use land or property and those whose interests may be affected by such proposals;

Article 7 provides that there shall be "No Punishment Without Law" and may be applicable in respect of enforcement proceedings taken by the Authority to regularize any breach of planning control;

Article 8 recognises the "Right To Respect for Private and Family Life".

- 6.13 Article 1 of Protocol 1 relates to the "Protection of Property" and bestows the right for the peaceful enjoyment of possessions. This right, however, does not impair the right to enforce the law if this is necessary, proportionate and there is social need.

- 6.14 Article 8 and Article 1 Protocol 1 are relevant but the impact of the development in these respects will be minimal and the separate rights of the individuals under this legislation will not be prejudiced. If it was to be alleged that there was conflict it is considered not to be significant enough to warrant the refusal of permission.

Conclusion

- 6.15 On balance the proposed extension is appropriate in terms of scale and design to the existing dwelling and will not have a detrimental impact upon the character/appearance of the surrounding area or the living conditions of the occupiers of any residential properties. The development will also not

have an adverse impact upon biodiversity. Overall, the proposal is compliant with the objectives of the relevant Development Plan Policies and approval is recommended.

7. Planning History

- 7.1 In 2011 planning permission was granted for the erection of a two storey side extension to provide lounge and dining room on ground floor with bedroom and bathroom above (reference 11/0193).

8. Recommendation: Grant Permission

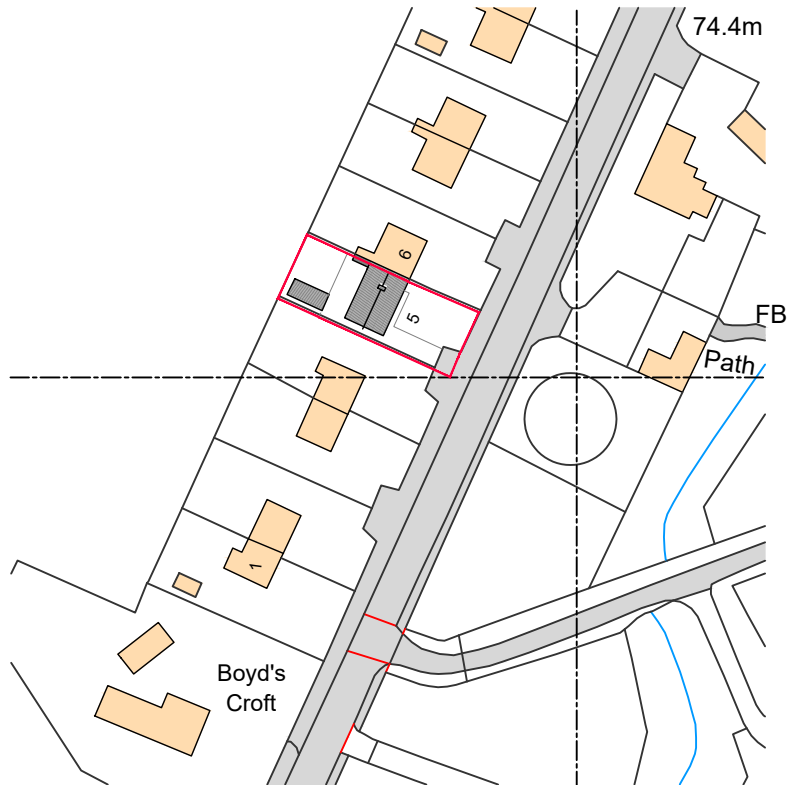
1. The development shall be begun not later than the expiration of 3 years beginning with the date of the grant of this permission.

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:

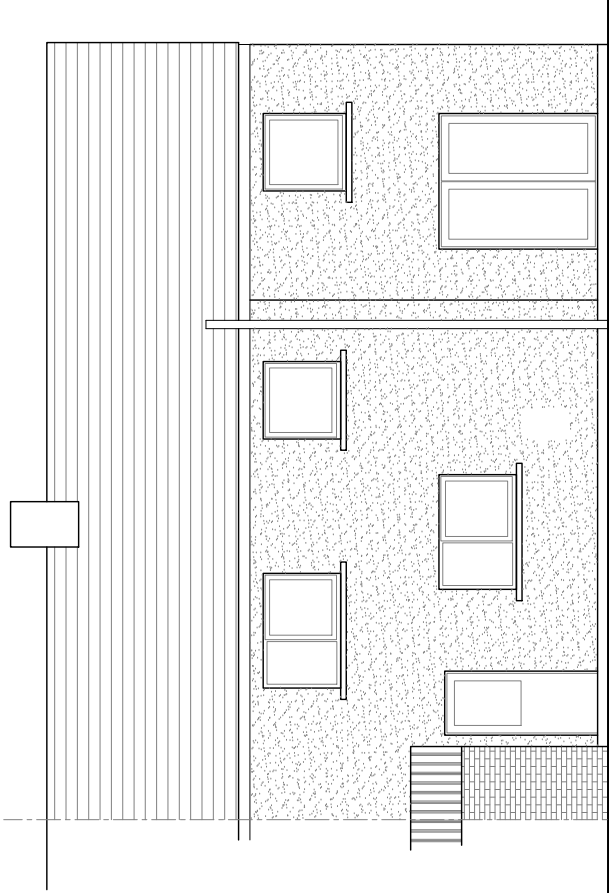
1. the submitted planning application form received 7th February 2019;
2. the site location plan received 7th February 2019 (Drawing Ref: Site Location Plan Rev A);
3. the proposed floor plans and elevations received 7th February 2019 (Drawing Ref: Proposed Plans Rev A);
4. the Notice of Decision; and
5. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

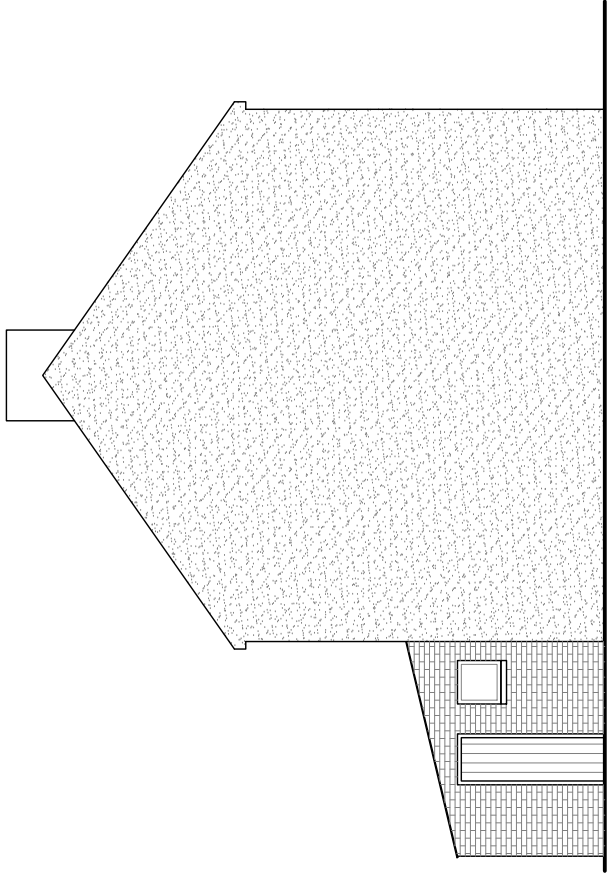


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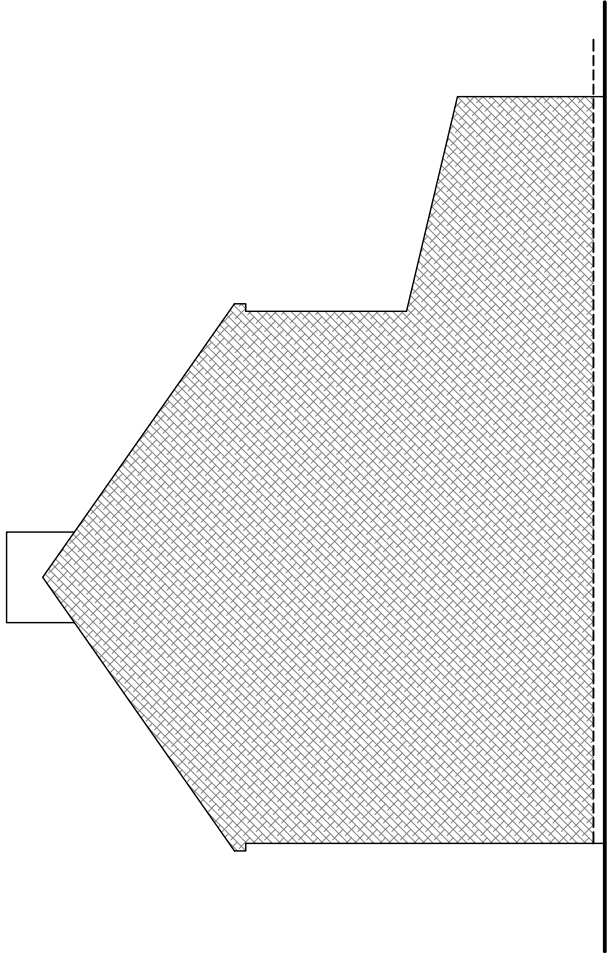
A	Scale Amended	Dec 18
Revisions		
SITE ADDRESS 5 Kirkandrews Moat		
DESCRIPTION Proposed Rear Extension		
SCALE 1:1250 @ A4	DATE 20-09-17	SITE LOCATION PLAN
DRAWING NUMBER		



Rear Elevation



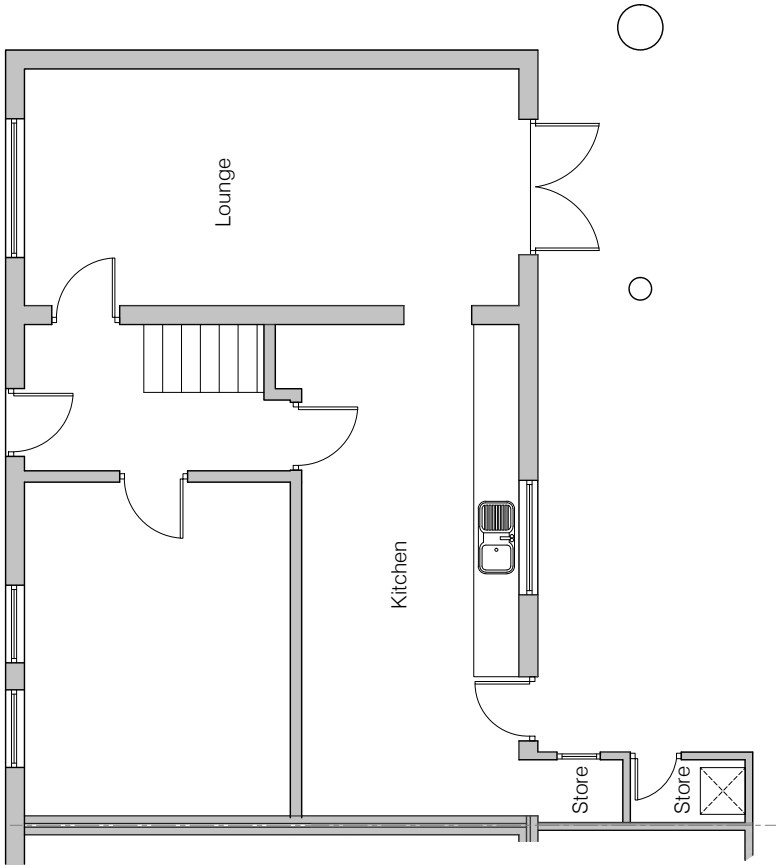
Side Elevation



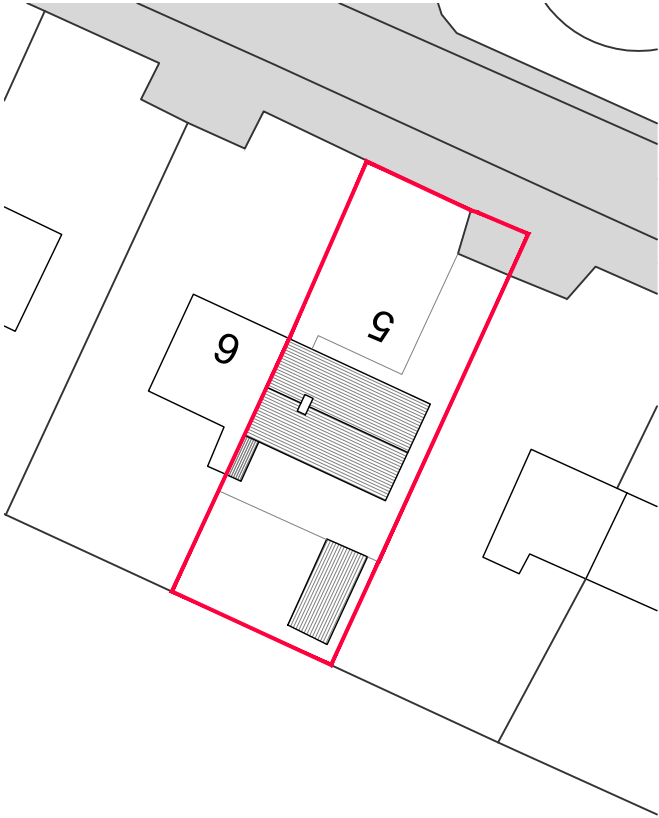
Side Elevation

Existing Materials:

- Walls - Rendered to main dwelling, with painted brick to rear lean-to
- Roof - Pitched roof with plain concrete tiles, with corrugated Low level roof
- Windows - White PVCu
- Rain water goods - Half round black.



Ground Floor Plan



Block Plan 1:500

Revisions	Full GF Plan Shown	Dec 18
A		

SITE ADDRESS

5 Kirkandrews Moat

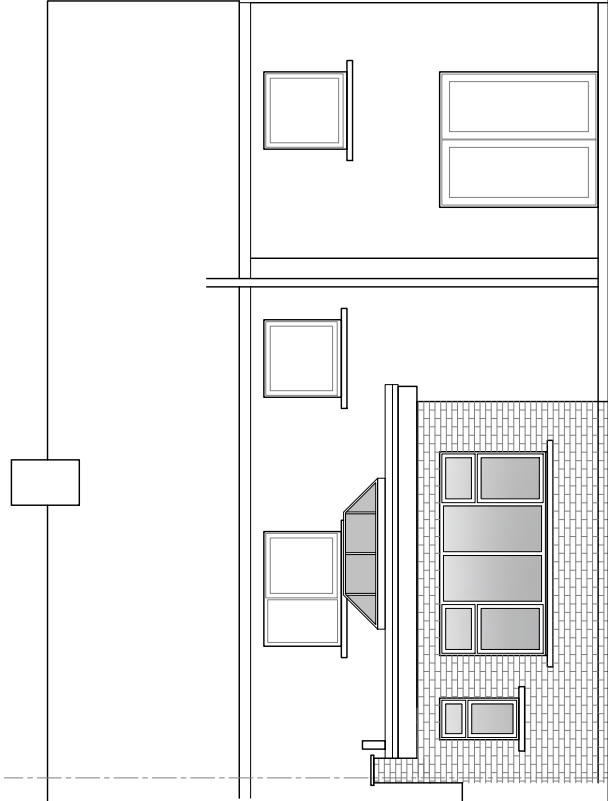
DESCRIPTION

Proposed Rear Extension

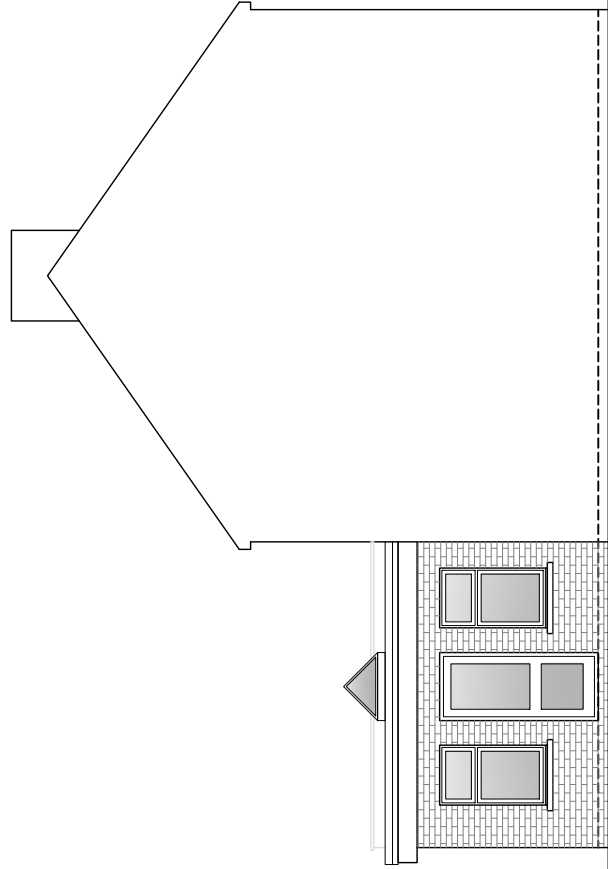
SCALE 1:100 @ A3
DRAWING NUMBER

DATE 20-09-17

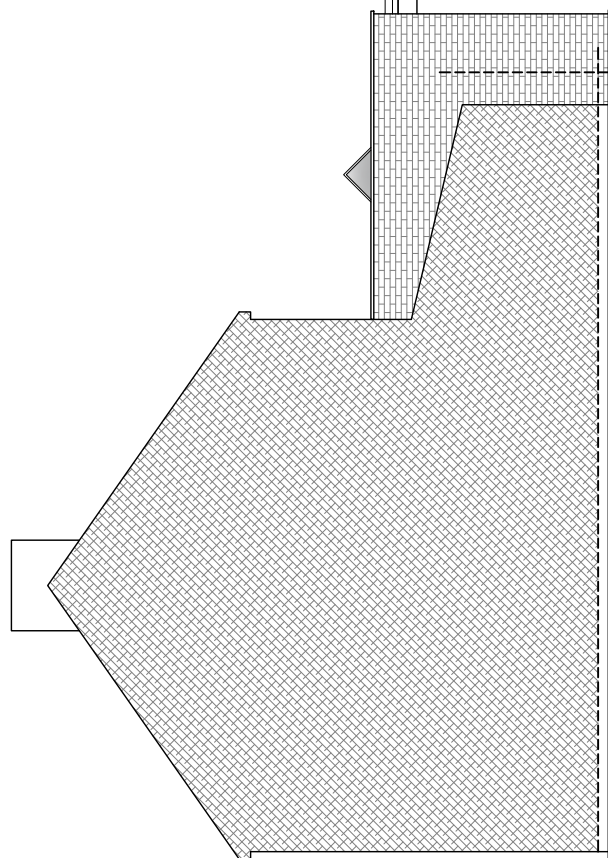
EXISTING PLANS



Rear Elevation



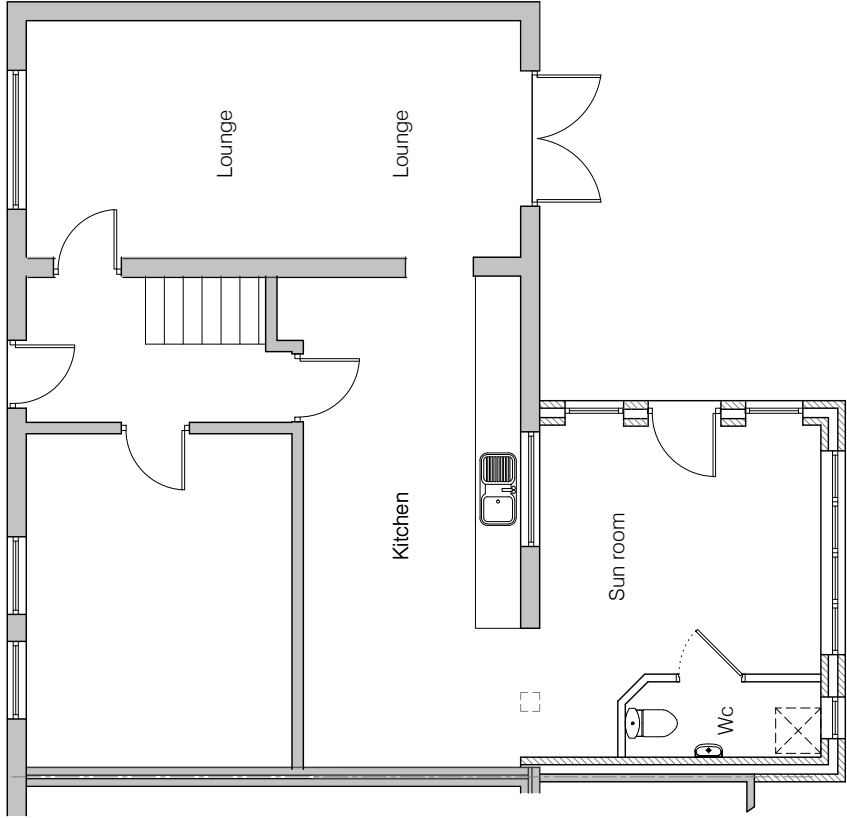
Side Elevation



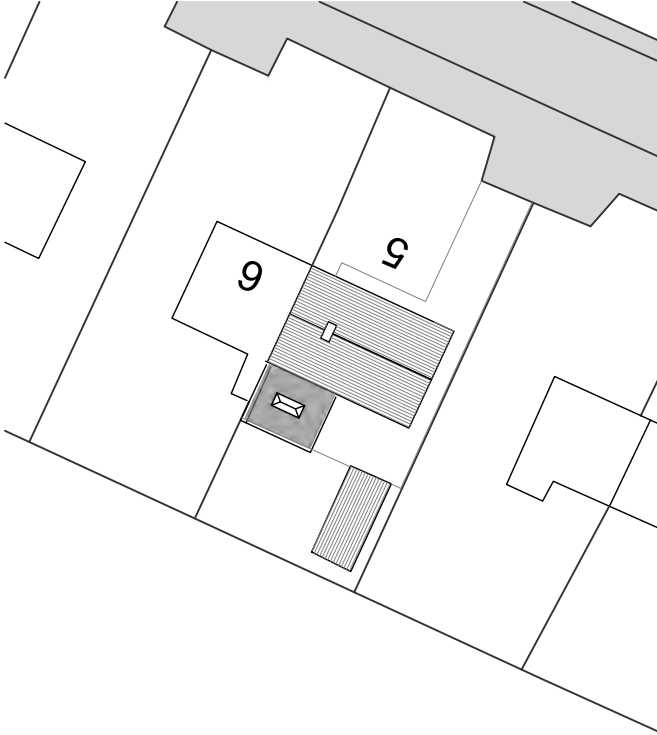
Side Elevation

Proposed Materials:

- Walls - Facing brick
- Roof - Flat roof with Resin Finish and Glass Lantern
- Windows - White PVCu to match existing
- Rain water goods - Black to match existing.



Ground Floor Plan



Block Plan 1:500

Revisions		Dec 18
A	Full GF Plan shown	
SITE ADDRESS		
5 Kirkandrews Moat		
DESCRIPTION		
Proposed Rear Extension		
SCALE 1:100 @ A3		
DRAWING NUMBER		
DATE 20-09-17		
PROPOSED PLANS		