## Appn Ref No:

18/0131

## Applicant:

c/o Blackbox Architects

## Agent:

Black Box Architects Limited

## Parish:

St Cuthberts Without
Ward:
Dalston

Location: Former White Quey Inn, Stoneraise, Durdar, Carlisle, CA5 7AT
Proposal: Conversion Of Existing Building To Form 2no. Dwellings, Together With The Erection Of 3no. Dwellings Within The Grounds Of The Property (Reserved Matters Application Pursuant To Outline Approval 17/0499)
Date of Receipt: Statutory Expiry Date 26 Week Determination

13/02/2018
10/04/2018

## REPORT

## Case Officer: Christopher Hardman

## UPDATE

Members deferred this application at the meeting of Development Control Committee on the 27 th April 2018 in order that the applicant could consider the visual relationship of the dwelling on Plot 1 and the proposed planting along with further consideration of the proposed drainage for the site.

Following on from the meeting a revised layout was received for Plot 1 which moves the property a further 2 metres back from the road and allows for additional planting along the road frontage. This information has been the subject of a further consultation and at the time of preparing the report no further responses have been received.

The applicant has also undertaken a bat survey which, whilst finding some activity in the general area, concluded that there were limited roosting opportunities for bats in walls and the damage to the roof resulted in an unsuitable habitat. No evidence of past or current use of the building by bats for roosting or hibernating could be found.

In relation to the drainage, discussions have been held directly with the Lead Local Flood Authority (LLFA) in order to address the outstanding planning conditions on the original Outline application 17/0499. The discussions resulted in revisions to the proposed drainage in order to ensure that surface water drains at the greenfield run-off rate plus an allowance for climate change. Flow control valves will be
incorporated into the drainage system which provides a higher rate of control than the calculations require. The formal response from the LLFA is currently awaited and Members will be updated regarding whether original conditions 20, 21 and 22 (17/0499) can now be discharged. If this is the case, condition 1 of this application will require updating to reflect those conditions.

Confirmation has been provided by the applicant that a management company will be set up and responsible for general areas along with maintenance of the septic tank.

Updated drawings have been attached to this report and Condition 2 of this application has been updated to reflect the updated drawing/report submissions.

The recommendation is that the application is approved with conditions.

## ORIGINAL COMMITTEE REPORT OF 27TH APRIL 2018 FOLLOWS:

## 1. Recommendation

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

## 2. Main Issues

2.1 The Principle Of Development
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 The Impact Of The Proposal On The Living Conditions Of The Occupiers Of Neighbouring Properties
2.5 Drainage
2.6 Highway Issues
2.7 Impact On Biodiversity
2.8 Impact On Existing Trees

## 3. Application Details

## The Site

3.1 The existing buildings on the site are the remains of a complex of stone farm buildings with slate roofs. The buildings were latterly used as a large public house, with ancillary residential accommodation to the first floor. Since permission was granted for the site's redevelopment a single storey flat roofed extension with a glazed octagonal conservatory has been demolished. There is also an extensive tarmac surfaced car park to the north and east of the site albeit that this has become overgrown whilst the site has remained vacant.
3.2 The pub closed in 2006. It is currently boarded up, and was the subject of break-ins and vandalism, along with demolition of the outbuildings, the building is now uninhabitable. The dilapidated state of the building and large
area of abandoned tarmac surfaced car parking has created an eyesore which has become a continuing concern for the local community. In recent months a caravan was illegally parked on the car park and abandoned. This has been removed and the new site owner has erected heras fencing around the site to increase security.

## Background

3.3 In 2012 approval was granted for the conversion of the pub into two luxury dwellings under delegated powers (12/0548). In 2014 Members approved application $14 / 0120$ for the change of use of The White Quey into five dwellings. The scheme included conversion of the original stone building which retained all of the existing internal and external stone walls, with infill and new external walls constructed in stone to match the existing. The roofs were to be natural slate and all windows painted timber, replacing the existing upvc and aluminium windows.
3.4 In 2017 Outline permission including access was granted for the conversion of the existing building to form 2 dwellings together with the erection of 3 dwellings within the grounds of the property. Matters including Appearance, Landscaping, Layout and Scale were Reserved for a later application.

## The Proposal

3.5 This application seeks Reserved Matters approval for Appearance, Landscaping, Layout and Scale. The proposal is for five dwellings including the conversion of the existing building to two dwellings. The plot locations broadly follow those indicated on the outline application with one new build plot to the north of the White Quey and two to the rear of the site. The dwellings comprise three detached 4-bedroom units and the conversion will also provide $2 \times 4$-bed units. Separate garages are included as well as a centralised parking area for visitor parking. As the access will serve only 5 units the road will not be an adopted highway and will remain private. Foul drainage will be by means of a treatment plant. The proposal is accompanied by a Design Statement.

## 4. Summary of Representations

4.1 This application has been advertised by means of a site notice, a press notice and direct notification to the occupiers of 8 nearby premises. In response, 6 letters of objection have been received from 5 properties and the main issues raised are summarised as follows:

1. Have serious reservations as to how sewage from the proposed new properties will be dealt with, the sewage system is already at the limits of its capacity;
2. When the White Quey was a functioning pub it was not unusual for the pipes to be blocked, resulting in effluent entering the local watercourse;
3. Clarification as to how the sewage is going to be dealt with and who will
be responsible for it in the future;
4. This development is situated in open countryside and will be detrimental to the visual aspect of the surrounding area;
5. Has a flooding assessment been carried out as all the drainage appears to be routed into the adjacent stream;
6. Given the current footprint and the fact that it is rural, I don't believe the plans are sympathetic or in keeping particularly as a garden village is planned in the local area;
7. The latest application is yet another incremental increase in the scale of the proposed development on the White Quey site;
8. There is no sign of the extensive landscaping to screen new houses from the road;
9. The illustration has the appearance of an urban housing estate and is entirely inappropriate for this location in open countryside;
10. Blatant example of developers securing by stealth, and objective that wouldn't have been entertained if it had been put forward in the initial application for change of use;
11. Deviates significantly from the proposal for which outline planning was approved by scale and design;
12. The proposal introduces an additional 3 footprints on the site with 9 separate buildings that traditionally only had one;
13. NPPF glossary makes clear that it should not be assumed that the whole of the curtilage should be developed;
14. Contrary to SP3, SP6 and HO6 the new proposal introduces inappropriate suburban design in a rural setting, large gravel drives and walls rather than trees and hedges on the periphery of the site. Outline referred to extensive tree planting and plot boundaries defined by hedgerows;
15. Proposal no longer includes proposed extensive landscaping or woodland setting for the houses, filtering views of the development along the road;
16. New design looks more like a suburban housing estate than a cluster of farm buildings envisaged at outline stage. Buildings at the rear were suggested to be subservient. The new design would have a significantly greater adverse impact on the character and appearance of the surrounding area than the original building on the site;
17. The approval of the outline represented a significant departure from planning rules and approval of this further intensification would be even more inappropriate;
18. We have seen at every past submission of planning applications a significant increase in the proposed total building footprint ( $300 \%$ or more), this reminds me of Rose Cottage so called extension allowed to grow to a monstrous $400 \%$ of original cottage footprint when most extensions are limited to much lower footprint growth;
19. Much emphasis on the last application was to extensive mature tree/hedges installed to make this less prominent from the road. It is now proposed to put a wall on the roadside, well short of what was promised to gain approval and now withdrawn is this to be allowed if so it gives little assurance of the Garden Villages;
20. Would hope restrictions imposed whereby the developer meets what was imposed on the last application. The wall around Rose Cottage is totally out of place to other walls in the hamlet.

## 5. Summary of Consultation Responses

Local Environment, Waste Services: - No objection in principle to the layout, need to ensure the turning area opposite plot 3 is long enough.
Cumbria County Council - (Highways \& Lead Local Flood Authority): - No objection in principle subject to conditions relating to design and construction of the carriageway; surfacing of the access drive; access and turning requirements; parking of construction vehicles, surface water drainage scheme and the requirement for land drainage/ordinary watercourse consent. St Cuthberts Without Parish Council: - Commented that they were concerned that this should not set a precedent for other development in the open countryside, however as the building is redundant and disused and in a prominent roadside position the proposed development is supported. They believe it meets the limited special circumstances and would lead to enhancement of the immediate setting. The parish council would like landscaping proposals which enhance the immediate setting to be a condition of any approval. The Parish Council would also want a condition relating to foul drainage in line with Policy IP6. There are significant concerns about the adequacy of the existing foul water treatment and drainage infrastructure and understand there was a condition imposed on an earlier permission.

## 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) and Policies SP6, HO6, CC5, CM5, GI3, GI6, IP2 and IP3 of the Carlisle District Local Plan 2015-2030. The City Council's Supplementary Planning Document 'Achieving Well Designed Housing' is also a material planning consideration. The Cumbria Landscape Character Guidance and Toolkit (March 2001) is a further material consideration.
6.3 The proposal raises the following planning issues:

## 1. Principle of Development

6.4 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". The NPPF seeks to promote sustainable development and two of the core principles seek to recognise the intrinsic character and beauty of the
countryside and encourage the effective re-use of brownfield land. This proposal seeks to convert the former White Quey along with the erection of three dwellings within the grounds of the building.
6.5 The Carlisle District Local Plan 2015-30 Policy HO6 Other Housing in the Open Countryside allows conversion of structurally sound redundant or disused buildings, provided that the development would lead to an enhancement of the immediate setting of the building and be able to access the road network without unacceptable access tracks. This is in accordance with paragraph 55 of the NPPF. The proposed conversion of the building is therefore consistent with planning policy and previous permissions on the site remain policy compliant. Members considered whether the additional three dwellings could be said to meet the Local Plan and NPPF objectives when considering outline application 17/0499.
6.6 Outline application 17/0499 established the principle of conversion of the building to two units, the provision of an additional three dwellings within the curtilage, and was granted permission in August 2017. There has been no change in planning policy since the previous approval that would warrant refusal to the principle of the current application.

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

6.7 The Cumbria Landscape Character Guidance and Toolkit (March 2001) identifies that the site falls within the Lowland sub-type 5b Low Farmland. The CLCG\&T explains that:

> "Much of this type is intensively farmed agricultural land. The predominant land cover is pasture. This is interspersed with arable land. Fields tend to be fairly large and bounded by hedges with hedgerow trees, or replacement fences. The hedges form an interlocking matrix across the undulating land. Tree clumps, riverside and hedgerow trees are notable features. Woodland is uncommon particularly close to the coast in the west. It increases as you move inland but is often found as patchy woodland.... The settlement pattern is varied, with large and small nucleated traditional settlements intermixed with many discrete farms dispersed across the landscape. Buildings are often rendered with rich red sandstone buildings dominant along the west coast, and lighter sandstone buildings around Carlisle."
6.8 Concern has been raised over the precedent of allowing such development and whether this would create an issue throughout the countryside. This matter was considered at the outline application stage and as a result the number of dwellings in this location were restricted to five units across the whole site. The current reserved matters application proposes five units.
6.9 Objections have raised concern over the size and scale of the development in relation to the scale of the dwellings and the additional provision of garaging. The individual plots are considered in the next section of this report however in terms of impact on the character of the area the additional buildings can create a more intensive feel to the development. The outline application
provided an indicative layout as to how a development may work. As a result of the objections to this application, the applicant has increased the level of landscaping provision within the site and provided a detailed layout including additional tree planting and hedgerows to reduce the impact from public viewpoints. This increased landscaping is welcomed in order to integrate the scheme into the rural area. It should be noted that indicative layouts on outline applications are purely indicative and not binding on the reserved matters application however in this instance the landscaping of the site is an integral part to ensure impacts on the character of the area are minimised.

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

6.10 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 SP6 of the Local Plan which requires that development proposals should also harmonise with the surrounding buildings respecting their form in relation to height, scale, massing and established street patterns and by making use of appropriate materials and detailing.
6.11 Paragraph 60 of the NPPF highlights that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is however, proper to seek to promote or reinforce local distinctiveness.
6.12 The appearance of the proposed dwellings was reserved for this application and the proposals provide the following:
6.13 Plot 1 - This is a farmhouse style detached dwelling fronting the roadside. It will be sandstone faced to the frontage with render on other elevations. Sandstone quoins, heads and cills with a natural slate roof. The unit comprises living room, snug, kitchen, utility and study to the ground floor with 1 en-suite bedroom and 3 bedrooms plus bathroom on the first floor. A detached double garage with store is to be built to the rear of oak frame with horizontal timber boarding.
6.14 Plots 2 and 3 - are handed versions of the same unit comprising living room, snug, kitchen, utility and study to the ground floor with 2 en-suite bedrooms and 2 bedrooms plus bathroom on the first floor. Plot 2 has a three bay garage with store above whilst plot 3 has a two-bay garage. The dwellings will be sandstone faced to some elevations with render on other elevations. Sandstone quoins, heads and cills with a natural slate roof. The garages will be oak framed with horizontal timber boarding.
6.15 Plots 4 \& 5 - These plots are the conversion of the remaining building. This is designed to work within the confines of the existing building with a new internal subdivision to create the two units. Plot 4 consists of ground floor
living, kitchen/dining, utility and wc/shower with 1 en-suite bedroom, 3 bedrooms plus bathroom on the first floor. Plot 5 being slightly larger, consists of living/dining, kitchen, utility, wc on the ground floor and 2 en-suite bedrooms, 2 bedrooms and bathroom on the first floor. The entrance to plot 5 will be on the northern side to reflect the previous pub entrance. Both these plots have very small frontages to the roadside and hedging is proposed along the road frontage with a stone wall entrance to the site to ensure visibility splays are retained.
6.16 Policies within the Local Plan seek to ensure that development proposals should be appropriate with one of the criterion of Policy SP6 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 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 normally be achieved. The proposed development significantly exceeds these levels.
6.17 Close to the entrance a bin store is proposed. Waste services noted that most of the plots are accessible with a turning facility within the site however the road will remain private and as such, should they choose not to access the development, the bin store area could be utilised for waste collection.
6.18 When considering the original application the indicative layout proposed dwellings in accordance with plots 1,4 and 5 . With regards to plots 2 and 3 these were suggested to be subservient to the frontage of the site however this reserved matters application proposes equivalent 4 bedroomed dwellings. In order to reduce the impact the style has been changed from a traditional looking farmhouse such as plot 1 , to one with varying roof lines with frontages facing into the site towards each other. The appearance from the road frontage will therefore be increasing in scale away from the frontage with the larger dominant two-storey aspect broken up by the differing levels. Whilst these are larger than the outline envisaged and noting that appearance and scale were reserved matters, the orientation of the dwellings attempts to reduce the massing effect. Given that the plots are very large they can accommodate such a scale of dwellings without being overdeveloped. However, in order to ensure that the scale is not increased it would be pertinent to remove permitted development rights for any extensions which could increase the size of the dwellings.
6.19 The proposed 3-bay garage for plot 2 whilst appearing large gives the appearance of a barn like structure which would not be out of character in the rural area.
6.20 Whilst noting that plots 2 and 3 are larger than originally envisaged the proposed dwellings are considered to be acceptable in this location.

## 4. The Impact Of The Proposal On The Living Conditions Of The Occupiers Of Neighbouring Properties

6.21 Due to the location of the buildings, and the distance to any neighbouring properties it is not considered that the proposal would have any impact as a result of loss of light, overlooking or overdominance.

## 5. Drainage

6.22 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. On the previous outline application for this site some neighbours raised concerns regarding the drainage of the site. The Local Lead Flood Authority requested a surface water drainage scheme based on the previous principles established on application 14/0120 to ensure the standards are met. Foul Drainage is also subject of this Reserved Matters application. A Land Drainage/Ordinary Watercourse consent will also be required as the site contains an existing drainage ditch. This application indicates both foul and surface water drainage however no details have been provided of the treatment plant. Neither does the surface water proposal indicate any attenuated flow to ensure a greenfield run-off rate prior to discharge into the drainage ditch. Accordingly, whilst the proposals indicate a general indication of a scheme the conditions on the outline application cannot be discharged until further details are provided.

## 6. Highway Issues

6.23 Access was considered at the outline application stage for this site. The existing access to the former public house is the main access road for this development with separate driveways off this road for each of the units. The Highway Authority has raised no objections to the proposal subject to the imposition of five standard highway conditions covering the standard of highway construction; surfacing of the access drive; footways within the site; construction of access and turning areas; and parking of construction vehicles. These conditions were placed on the outline application and remain in place.

## 7. Impact On Biodiversity

6.24 Planning Authorities in exercising their planning and other functions must have regard to the requirements of the EC Habitats Directive (92/43/EEC) when determining a planning application as prescribed by regulation 3 (4) of the Conservation (Natural Habitats, \&c.) Regulations 1994 (as amended). Such due regard means that Planning Authorities must determine whether the proposed development meets the requirements of Article 16 of the Habitats Directive before planning permission is granted. Article 16 of the Directive indicates that if there is reasonable likelihood of a European protected species being present then derogation may be sought when there is no satisfactory alternative and that the proposal will not harm the favourable conservation of the protected species and their habitat.
6.25 The Councils GIS Layer has identified that the site has the potential for protected species to be present on or in the vicinity of the site. As the
proposal would involve development on the previously developed White Quey site, the development would not harm a protected species or their habitat; however, an Informative was included on the Outline permission ensuring that if a protected species is found all work must cease immediately and the local planning authority be informed.

## 8. Impact On Existing Trees

6.26 There are a number of trees and a mature hedgerow around the site, none of which are protected by a Tree Preservation Order. This application proposes that the trees would be retained and additional landscaping incorporated within the scheme. The additional landscaping would be reflective of the local landscape character and is an integral element of making the scheme acceptable. The detailed landscaping scheme includes the provision of blackthorn/hawthorn/holly hedging with a variety of native/non-native shrubs and trees. The proposed scheme is appropriate to integrate with existing landscaping and the character of the area.

## Conclusion

6.27 In overall terms the proposed change of use of the property to form two residential units is in accordance with the NPPF and Local Plan Policy HO6. The reserved matters application conforms with the principles established through the outline application and subject to the further details required to discharge some of the conditions on the outline the proposal is considered acceptable and complies with the NPPF and Carlisle District Local Plan 2015-30.

## 7. Planning History

7.1 Application 17/0499 for the conversion of existing building to form two dwellings, together with the erection of three dwellings within the grounds of the property (Outline) was granted permission on the 11th August 2017.
7.1 Application 15/0664 for the discharge of conditions 3 (Materials); 4 (Hard \& Soft Landscape Works); 5 (Foul Drainage); 9 (Parking) \& 11 (Construction Site Management Plan) of previously approved permission 14/0120 was granted in September 2015;
7.2 In 2012 a change of use from public house to 2 no. dwellings, partial demolition and extension together with associated outbuildings was granted (12/0548);
7.3 In 2009 permission was granted for an extension to the bar/lounge area to provide play area (97/0660);
7.4 In 1991 Advertisement consent was given for the display of 3 elevational signs and 2 play area signs (91/0826);
7.5 In 1991 permission was granted for an extension to the public house and
7.6 In 1986 permission was granted for the conversion of the existing barn to a restaurant (86/0204).

## 8. Recommendation: Grant Permission

1. In discharge of requirements for the submission of detailed particulars of the proposed development imposed by conditions 2,5,6 and 11 attached to the outline planning consent (17/0499) to develop the site.
2. The development shall be undertaken in strict accordance with the approved documents for this Planning Permission which comprise:
3. the submitted planning application form;
4. the Location plan (dwg 17-135-09) received 6th April 2018;
5. the Block plan (dwg 17-135-10) received 6th April 2018;
6. the Site plan (dwg 17-135-11A) received 1st May 2018;
7. the Plot 1 Dwelling (dwg 17-135-01A Rev A) received 6th April 2018;
8. the Plot 2 Dwelling (dwg 17-135-02A Rev A) received 6th April 2018;
9. the Plot 3 Dwelling (dwg 17-135-03A Rev A) received 6th April 2018;
10. the Plot 4 \& 5 (dwg 17-135-05) received 6th April 2018;
11. the Plot 4 \& 5 Existing (dwg 17-135-005) received 6th April 2018;
12. the Roadside Elevation and Planting (dwg 17-135-08A Rev A) received 1st May 2018;
13. the design statement received 12th February 2018;
14. the Eixsting Site Layout (Dwg B9822/SK01) received 22 May 2018;
15. the Existing and Proposed Drainage Layout (Dwg B9822/01) received 22 May 2018;
16. the Typical Drainage Details Sheet 1 (Dwg B9408/100) received 22 May 2018;
17. the Typical Drainage Details Sheet 2 (Dwg B9408/101) received 22 May 2018;
18. the Drainage Calculations Sheets $1-8$ by Bingham Yates Ltd received 22 May 2018;
19. the Bat Survey by Wilde Ecology dated 11th May 2018;
20. the Notice of Decision; and
21. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (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 HO6 and HO8 of the Carlisle District Local Plan 2015-2030.


| Project | White Quey Durdar |  |  |  |  | Black Box Architects Limited. <br> 20 Devonshire Street <br> Carlisle. Cumbria. CA3 8LP |  |
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| Drawing | Planning Submission | Revision |  | Scale | 1:1250 |  |  |
| Detail | Location Plan | Job.no. | 17-135-09 | Date | Feb-18 | Tel: 01228402200 | BLACK BOX architects |



| Proje | White Quey Durdar |  |  |  |  | Black Box Architects Limited. 20 Devonshire Street Carlisle. Cumbria. CA3 8LP | BLACK BOX |
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|  | cistus $\times$ purpureus | 3L 30-40 | 3 |
|  | escallonia "apple blossom" | 3L 40-60 |  |
|  | euonymus fortunei "silver queen" | 3L 20-30 | 3 |
|  | hebe albicans | 3L 20-30 | 4 |
|  | hebe "carl teschner" | 3L 20-30 | 4 |
|  | potentilla "abbotswood" | 3L 20-30 | 4 |
|  | potentilla fruticosa " katherine dykes " | 3L 30-40 | 4 |
| PI | Prunus Lusitinacia | 3L 40-60 | 3 |
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New Trees:
All to be light
clear stem, bat
good duality

untreated timber stake to be no higher than $1 / 3$ rd of the height
of the tree and tied with 1 no expandabe tree tie, to be cenecked
annually and loosened as necessary. The stake and tie to be annually and loosened as necessary. The stake and tie to be
removed when the trees are established, usually after $3-5$
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TYPICAL ATTENUATION DETAILS

SVP TO DRAIN


| White Quey, Durdar, Carlisle |
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