

## SCHEDULE A: Applications with Recommendation

13/0559

Item No: 03

Date of Committee: 20/12/2013

**Appn Ref No:**  
13/0559

**Applicant:**  
Mr Gordon Park

**Parish:**  
Wetheral

**Agent:**  
Abacus Building Design

**Ward:**  
Wetheral

**Location:** Field to the East of The Strand, Aglionby, Carlisle, CA6 6NX

**Proposal:** Erection Of Dwellings (Outline)

**Date of Receipt:**  
19/07/2013 14:35:00

**Statutory Expiry Date**  
13/09/2013

**26 Week Determination**

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### REPORT

**Case Officer:** Shona Taylor

#### 1. Recommendation

- 1.1 It is recommended that this application is granted subject to the completion of a s106 agreement relating to affordable housing. If the s106 agreement is not completed within a reasonable time, Authority to Issue is requested to the Director of Economic Development to refuse the application.

#### 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 at field to the east of The Strand, Aglionby, on the eastern fringe of the village.  
3.2 The site is currently unused and has become overgrown. It is bounded to the

east by the road, to the south by existing residential properties, and to the north by an existing post and wire stock fence and hawthorn hedge.

## **Background Information**

- 3.3 This application is brought back before the Development Control Committee for determination as Members resolved to defer consideration of the proposal at the last Committee in order to undertake a site visit.

## **The Proposal**

- 3.4 The application is seeking Outline Planning Permission for residential development. The indicative layout plan shows five number detached properties. The block plan which accompanies this application outlines that three of the the dwellings will be two storey detached dwellings, and two will be bungalows.
- 3.5 The indicative plans show that the scale and massing of the proposed dwelling houses would be similar to those of their immediate neighbours.

## **4. Summary of Representations**

- 4.1 This application has been advertised by means of a site notice and a notification letter sent to seven neighbouring properties. In response thirteen letters of objection have been received along with one petition against the development. The grounds of objection are summarised as follows;
1. the proposal is outside of the defined settlement boundary of Aglionby;
  2. there is no need for the field entrance to be widened;
  3. the seven trees to be felled are of a a high quality and there removal is a significant loss;
  4. this development will put too much traffic onto a very narrow road;
  5. there will be effects on wildlife;
  6. the road is too narrow and there is a bend at the entrance to the site;
  7. Aglionby has no other amenities and is unsuitable for development;
  8. there are still brownfield sites elsewhere;
  9. the development of this site will set a precedent;
  10. there are already serious sewerage problems in the area;
  11. Aglionby has a high water table and many natural springs, this will cause issues with flooding;
  12. Plot 4 will overlook the surrounding dwellings;
  13. the development is too large and in the wrong place for this village;
  14. this proposal is not sustainable.

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

English Heritage - North West Region: - no direct impact upon any archaeological remains;  
Health and Safety Executive: - no response received;  
Cumbria County Council - Highways & Transport: - no objections subject to

four conditions;

Wetheral Parish Council: - Object to this development on grounds of i) Traffic and road safety, access is situated on a bend in the narrow country road.

With no pedestrian provision (no pavement) ii) Risk of flooding Poor drainage in this area with increased risk from foul & surface water sewerage, concerns regarding sewerage treatment (Policy CP12) and iii) Loss of trees and hedges on development site (SPD Trees & Development Nov 2009). They

also wish to request a site visit;

Cumbria County Council - Drainage: - no response received;

Cumbria Constabulary - North Area Community Safety Unit: - any future 'full' application must demonstrate compliance with Policy CP17 and indicate reference to the Councils SPD 'Designing out Crime' and 'Achieving Well Designed Housing'.

Local Environment - Environmental Protection: - no objections;

National Grid UK Transmission - Plant Protection: - no response received;

United Utilities: - no objections, subject to a condition relating to drainage.

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

### **Assessment**

- 6.1 The relevant planning policies against which the application is required to be assessed are Policies DP1, H1, H9, CP3, CP5, CP6, CP11 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 The application site is located to the east of the small village road which leads to Holme Gate from the A69 Carlisle to Newcastle road. The application site is located within part of a field which extends alongside the north east of Aglionby. The the immediate south and west of the site are No's 1-3 The Strand, and Beechcroft, all large detached properties.
- 6.4 When assessing the application site it is evident that this site is well related to Aglionby and would form a natural 'stop' to the built form of Aglionby given that it is adjacent to other residential properties and their domestic curtilages. Furthermore, Aglionby is close to Carlisle and the Key Service Centre of Scotby. In light of the foregoing, the site for housing is consistent with the policies in the NPPF and 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 dwellings 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 dwellings appear comparable to the existing properties within Aglionby. Accordingly, it is not considered that the development would form a discordant feature in the street scene.

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

- 6.7 The proposed dwellings would need to be orientated so as to achieve adequate separation distance between the primary windows of the existing residential properties and the proposed dwellings. This application is seeking outline consent, and as such any concerns regarding the layout will be able to be overcome at the reserved matters stage through sympathetic design. As such, taking into consideration the scale and position of the proposed application site in relation to these properties, it is unlikely that the living conditions of the occupiers of the surrounding properties will be compromised through loss of light, loss of privacy or overdominance.

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

- 6.8 The proposal seeks approval to construct a new access from the existing Highway, and illustrates parking and turning space for the dwellings within their curtilage. Subject to the slightly amended access point to allow better visibility, the Highway Authority have not raised any objections to the proposal.

## **5. Other Matters**

- 6.9 Housing services have requested a commuted sum for affordable housing, as the relevant policy contribution would be 0.5 of a unit. So, the figure for the commuted sum would be worked out as follows:

$(A \times 0.1) \times 30\%$  where 'A' is the market value of the relevant unit as at the relevant units practical completion date or sale.

- 6.10 The applicants agent, however, has confirmed that there intention is to make one of the proposed dwellings available as an affordable unit rather than pay a commuted sum.

The detail of this will be secured by the provision of a section 106 legal agreement.

- 6.11 Part of the south west corner of the site is a low lying wet marsh-type area.

The applicant proposes that this is to be retained and fenced off as a nature reserve/wildlife habitat. Ownership and responsibility for this shall be retained by the client. Full details of this are to be submitted as part of any subsequent planning application for reserved matters.

## **Conclusion**

- 6.12 In overall terms, the principle of the proposed development is acceptable. The scale, siting and massing of the proposed dwellings are acceptable in relation to the site and the surrounding properties. With minimal alterations to the layout, 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 dwellings. In all aspects the proposal is compliant with the objectives of the Local Plan policies and the proposal is recommended for approval subject to the completion of a S106 Agreement.

## **7. Planning History**

- 7.1 There is 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, 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 layout, location and block plan received 1st October 2013;
3. site layout and ground floor plans received 1st October 2013;
4. the topographical survey received 1st October 2013 ;
5. the design and access statement received 19th July 2013;
6. the desktop study received 19th July 2013;
7. the landscaping scheme received 19th July 2013;
8. the Notice of Decision; and
9. any such variation as may subsequently be approved in writing by the Local Planning Authority.

**Reason:** To define the permission.

4. 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.

5. 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.

6. 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.

7. 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.

8. 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.

9. 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.

10. 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.

11. 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.

13. 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.

14. 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.

15. No dwelling shall be occupied until its access and parking requirements have been completed in accordance with the approved plan. These facilities shall be maintained 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

16. The whole of the vehicular access area bounded by the carriageway edge and the bellmouth throat, shall be constructed and drained to the specification of the Local Highways Authority. The access road and turning requirements, shall be substantially met before any building work commences on site so that constructional traffic/plant can park and turn clear of the highway.

**Reason:** In the interests of road safety and to support Local Transport Plan Policies LD5, LD7 and LD8.

17. The access road, drives, parking areas etc shall be designed, constructed and drained to the satisfaction of the Local Planning Authority and in this respect the first reserved matters application shall include full engineering details, for approval before any work commences on site.

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

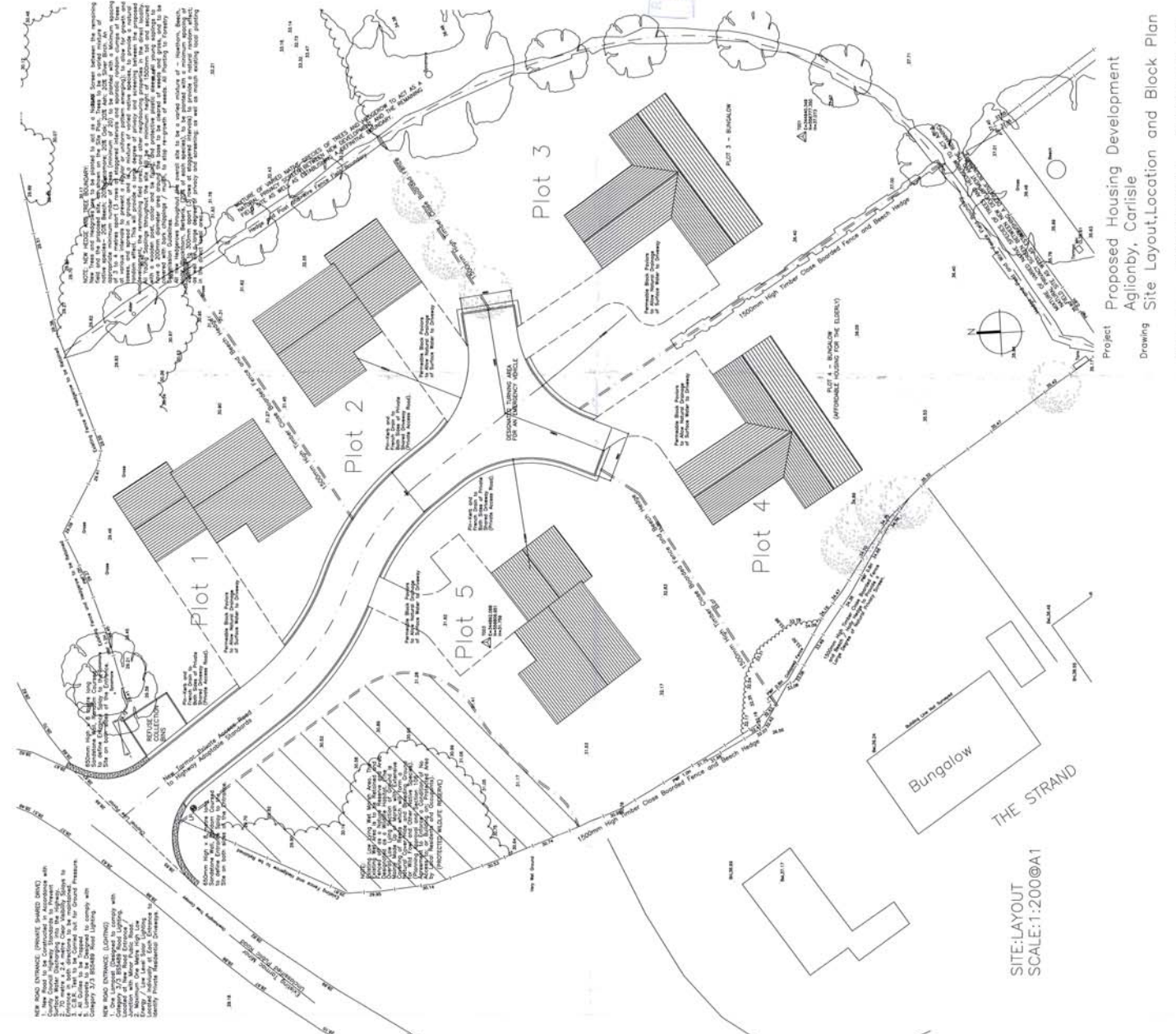
18. The access road junction design details shall include visibility splays providing clear visibility of 70 metres measured along the nearside channel lines of the public road from a position 2.4 metres inset from the carriageway edge, on the centre line of the access, at a height of 1.05 metres. These



shall have been provided before the use of the access commences.  
Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) order 1995 (or any Order revoking and re-enacting that order) relating to permitted development, no structure, or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be permitted to grow so as to obstruct the visibility splays.

**Reason:** In the interests of highway safety to support Local Transport Plan Policies LD7 and LD8.

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**SCHEDULE OF ACCOMMODATION**

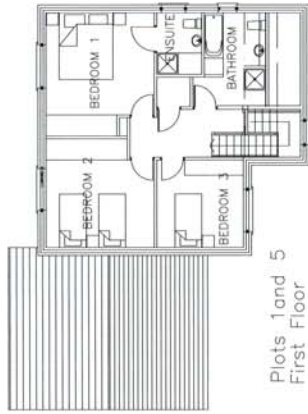
Plot	Accommodation	Units	Total Units
PLOT 1	3 Bedroom House (Full Residential/Market Led)	2	5
PLOT 2	3 Bedroom House (Full Residential/Market Led)	3	
PLOT 3	2 Bedroom Bungalow (Full Residential/Market Led)	3	
PLOT 4	2 Bedroom Bungalow (Affordable For The Elderly)	3	
PLOT 5	3 Bedroom House (Full Residential/Market Led)	2	
2 Bedroom Bungalow		2	5
3 Bedroom House		3	
<b>Total</b>		<b>5</b>	<b>total units</b>

Project Proposed Housing Development  
Aglionby, Carlisle  
Drawing Site Layout, Location and Block Plan

Scale shown Date 26/05/13 Drawn by: Number 1280-01

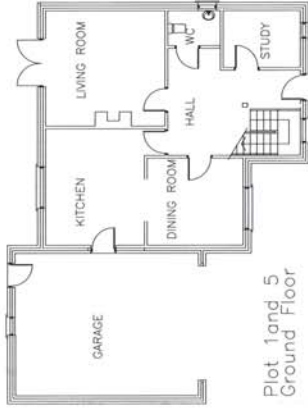
THIS DRAWING IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION. IT IS THE RESPONSIBILITY OF THE CLIENT TO ENSURE THAT THE DESIGN IS SUITABLE FOR THE INTENDED USE AND THAT ALL NECESSARY APPROVALS ARE OBTAINED BEFORE PROCEEDING WITH THE PROJECT.

Revisions:

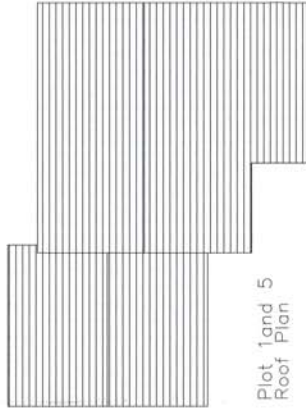


Plots 1 and 5  
First Floor

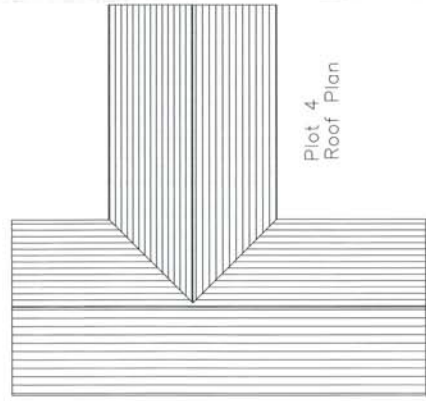
PROPOSED MATERIALS  
ROOF: BLUE BLACK NATURAL SLATE  
WINDOWS: WHITE FRAMED DOUBLE  
GLAZED UPVC WITH RED SANDSTONE  
RECONSTRUCTED SILLS AND HEADS  
DOORS: WHITE FRAMED UPVC WITH  
RED 'SANDSTONE' RECONSTRUCTED  
HEADS  
WALLS: CLAY FACING BRICK



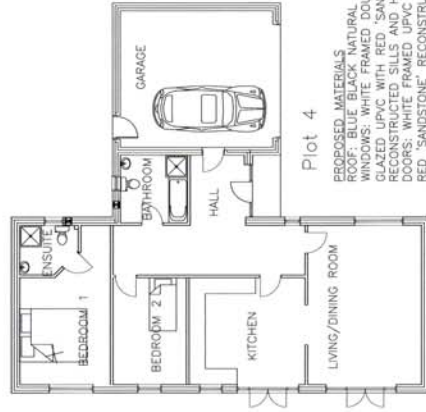
Plot 1 and 5  
Ground Floor



Plot 1 and 5  
Roof Plan

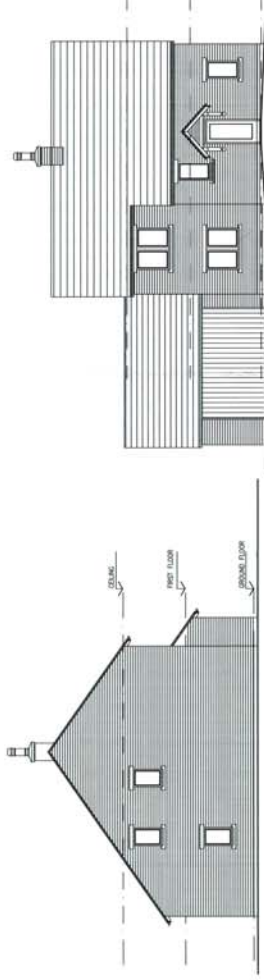


Plot 4  
Roof Plan



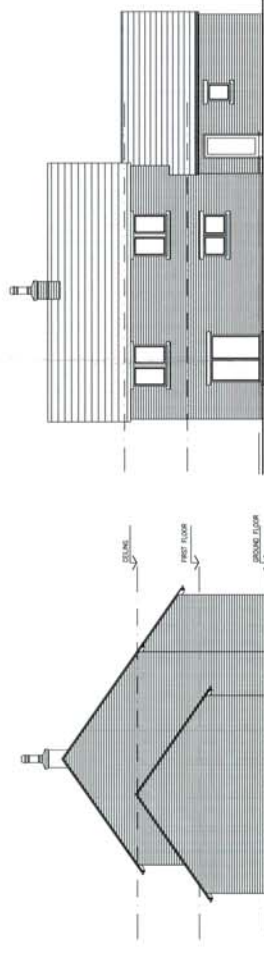
Plot 4

PROPOSED MATERIALS  
ROOF: BLUE BLACK NATURAL SLATE  
WINDOWS: WHITE FRAMED DOUBLE  
GLAZED UPVC WITH RED SANDSTONE  
RECONSTRUCTED SILLS AND HEADS  
DOORS: WHITE FRAMED UPVC WITH  
RED 'SANDSTONE' RECONSTRUCTED  
HEADS  
WALLS: CLAY FACING BRICK AND  
SMOOTH RENDER SELF COLOURED  
FINISH AS SHOWN



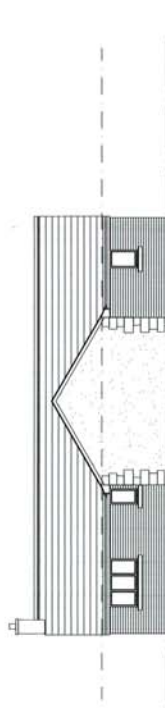
Front Elevation

Gable Elevation (left)

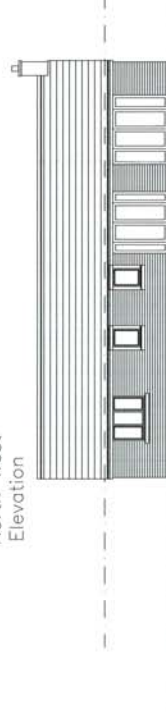


Rear Elevation

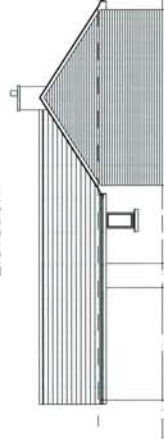
Gable Elevation (right)



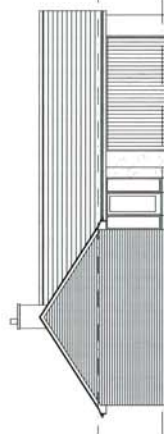
North West  
Elevation



South East  
Elevation

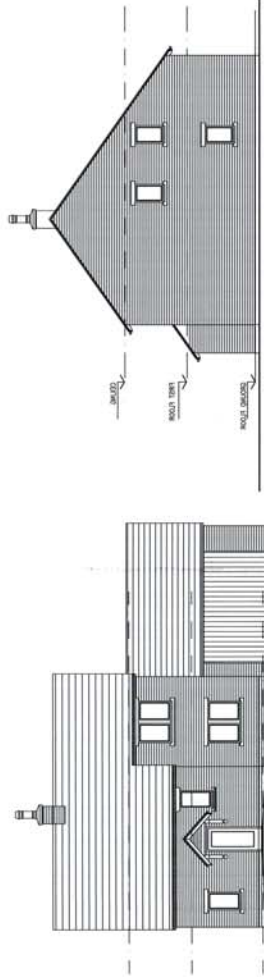


South West  
Elevation



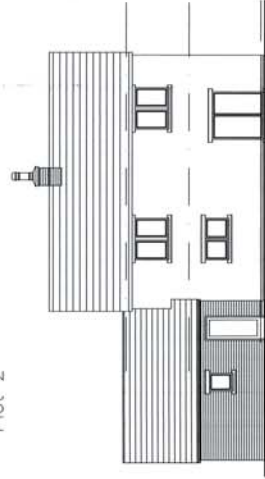
North East  
Elevation





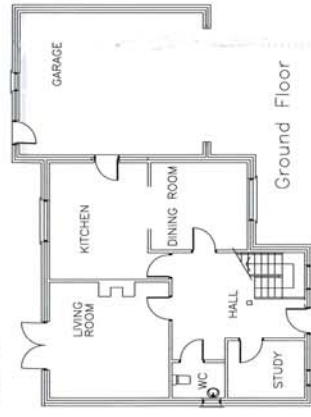
South West  
Elevation  
Plot 2

South East  
Elevation  
Plot 2

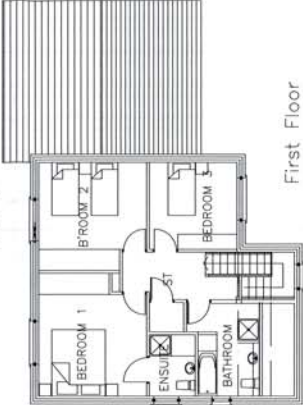


North West  
Elevation  
Plot 2

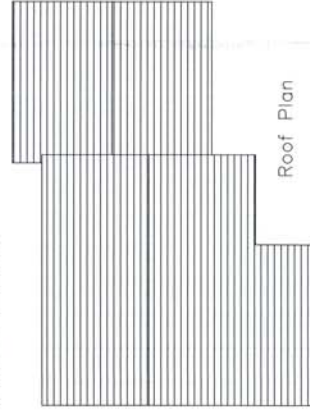
North East  
Elevation  
Plot 2



Ground Floor



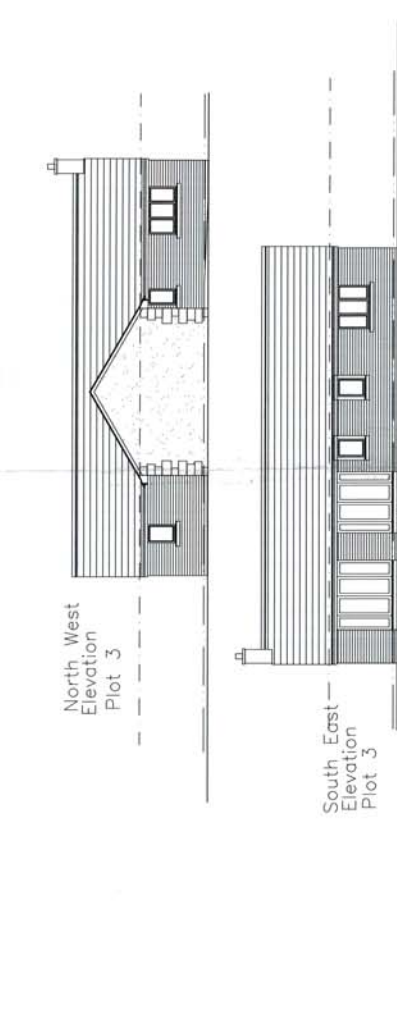
First Floor



Roof Plan

SCALE: 1:100 @ A1

PROPOSED MATERIALS  
ROOF: BLUE BLACK NATURAL SLATE  
WALLS: CLAY FACING BRICK  
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DOORS: WHITE FRAMED UPVC WITH  
RED 'SANDSTONE' RECONSTRUCTED  
HEADS



North West  
Elevation  
Plot 3

South East  
Elevation  
Plot 3



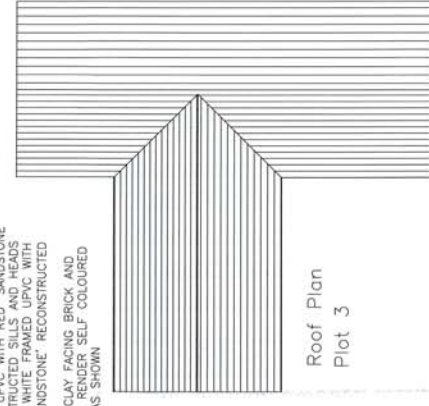
North West  
Elevation  
Plot 3

North East  
Elevation  
Plot 3

PROPOSED MATERIALS  
ROOF: BLUE BLACK NATURAL SLATE  
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DOORS: WHITE FRAMED UPVC WITH  
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HEADS



Ground Floor  
Plot 3



Roof Plan  
Plot 3

Revisions: