

## SCHEDULE A: Applications with Recommendation

17/0979

Item No: 05

Date of Committee: 09/02/2018

**Appn Ref No:**  
17/0979

**Applicant:**  
Mr & Mrs Hutchinson

**Parish:**  
Stanwix Rural

**Agent:**  
Tsada Building Design  
Services

**Ward:**  
Stanwix Rural

**Location:** Madgwick, Green Lane, Crosby on Eden, Carlisle, CA6 4QN

**Proposal:** Replacement Of Flat Roof Dormer With Pitched Tile Roof To Provide En-Suite And Dressing Room At First Floor; Formation Of First Floor Balcony To Rear Elevation

**Date of Receipt:**  
14/11/2017 16:02:46

**Statutory Expiry Date**  
09/01/2018 16:02:46

**26 Week Determination**

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### 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 Hadrian's Wall World Heritage Site Buffer Zone;
- 2.4 Highway impacts;
- 2.5 Impact upon biodiversity;
- 2.6 Impact upon flooding;
- 2.7 Other matters.

#### 3. Application Details

**The Site**

- 3.1 Madgwick is a dormer bungalow located on the southern side of Green Lane in Crosby on Eden. The property is constructed from brick walls under a concrete tiled roof and is attached to another dormer bungalow "Riverside" to the north-east via a single storey utility room. There are no residential properties directly opposite the site however there is one other neighbouring dwelling "Barn End" located to the south which is set in a substantial plot.

## **The Proposal**

- 3.2 The application seeks full planning permission for the replacement of a flat roof dormer with a pitched tiled roof to provide an en-suite and dressing room at first floor together with formation of a first floor balcony to the rear elevation. The submitted plans illustrate that the proposed extension will be stepped in either side of the rear elevation and will be constructed from materials to match those of the existing dwelling.

## **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 during the consultation period.

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

Stanwix Rural Parish Council: - object to the proposed balcony which would provide significant opportunities for the overlooking of neighbouring properties to the detriment of the living conditions of their occupants through loss of privacy. The Parish Council draws the attention of officers and members to conditions in respect of application no.s 16/0808, 17/0087 and 17/0353 where consent for a similar feature was refused.

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

### **Assessment**

- 6.1 Section 54a 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, HE1, CC4 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, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that planning 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. The NPPF also indicates that planning decisions should not attempt to impose architectural styles or particular tastes. It is however proper to promote or reinforce local distinctiveness.
- 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 The proposed development will be stepped in either side of the rear elevation, will be flanked by existing roof structures and will be constructed from materials to match those of the existing dwelling. In circumstances the development will appear visually subservient to the existing property and the scale and design is therefore considered acceptable.
- 6.8 Given the location of the development to the rear of the property there will also be no adverse impact upon the existing street scene.

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

- 6.9 As stated in paragraph 3.1 Madgwick is attached to another dormer bungalow "Riverside" to the north-east via a single storey utility room. There are no residential properties directly opposite the site however there is one other neighbouring residential property "Barn End" located to the south which is set in a substantial plot. The rear elevation of Riverside is located approximately 2.5 metres further back than the rear elevation of Madgwick. Furthermore, the primary windows of Barn End are off set from the rear elevation of Madgwick and from the Officer site visit it was evident that there is mature landscaping and trees separating the application site from Barn End.
- 6.10 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.

- 6.11 The Parish Council's concerns regarding potential overlooking from the balcony are noted however given the positioning of neighbouring residential properties in relation to the proposed development and the fact that the proposed balcony will be stepped in either side of the rear elevation it is considered that any views of neighbouring properties from the balcony would be oblique. In such circumstances the balcony would not give rise to a significant degree of overlooking to neighbouring properties sufficient to warrant refusal of the application on this basis.
- 6.12 Furthermore given the positioning of 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 Hadrian's Wall World Heritage Site Buffer Zone**

- 6.13 The site is situated within the buffer zone of Hadrian's Wall World Heritage Site. Policy HE1 (Hadrian's Wall World Heritage Site) seeks to ensure that development within the buffer zone does not have an adverse impact upon key views both into and out of it. Development that would result in substantial harm will be refused.
- 6.14 As stated in paragraphs 6.4-6.8 above the proposed extension will appear subservient to the existing building and given its location to the rear of the property there will be no adverse impact upon the existing street scene. In such circumstances the development will not have an adverse impact upon the World Heritage Site.

### **4. Highway Impacts**

- 6.15 The number of bedrooms in the property will remain unchanged as a result of the proposed development with the existing incurtilage parking spaces still retained. In such circumstances there will be no adverse impact upon existing highway conditions.

### **5. Impact Upon Biodiversity**

- 6.16 The Council's 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.

### **6. Impact Upon Flooding**

- 6.17 The site is located within flood zones 2 and 3. A Flood Risk Assessment has been submitted which acknowledges that the site is located within a flood zone, confirms that all development works will be taking place at first floor level and there will be no lowering of existing floor levels as a result of the proposal. The Environment Agencies standing advice has been referred to and as the development is taking place at first floor level it is not considered that the proposal would exacerbate flood risk at this site.

## **7. Other Matters**

- 6.18 It is appreciated that the Parish Council has cited several planning application references in respect of planning refusals/conditions for balconies. The applications that the Parish Council have cited are not directly comparable to the consideration of the current planning application as the applications are approvals for single storey rear extensions to semi-detached properties with conditions imposed prohibiting the use of flat roofed rear extensions being used as balconies/verandah's.

## **Conclusion**

- 6.19 On balance the proposed development 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 highway safety or biodiversity. Overall, the proposal is compliant with the objectives of the relevant Development Plan Policies and approval is recommended.

## **7. Planning History**

- 7.1 There is no relevant planning history on this site.

## **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 14th November 2017;
  2. the location plan, block plan and proposed floor plans, sections and elevations received 14th November 2017 (Drawing No.70/2017/2);
  3. the Notice of Decision; and

4. any such variation as may subsequently be approved in writing by the Local Planning Authority.

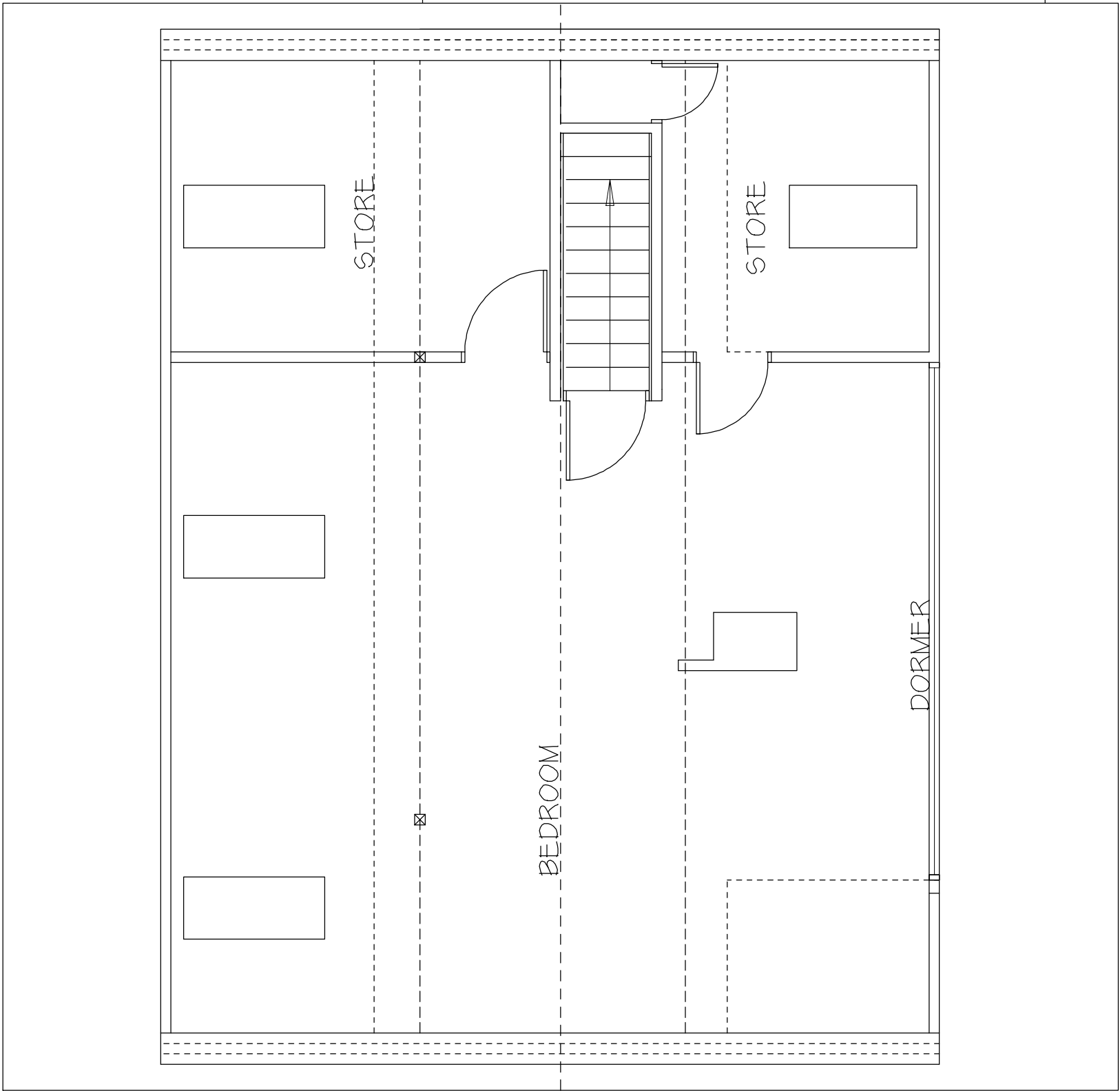
Reason: To define the permission.

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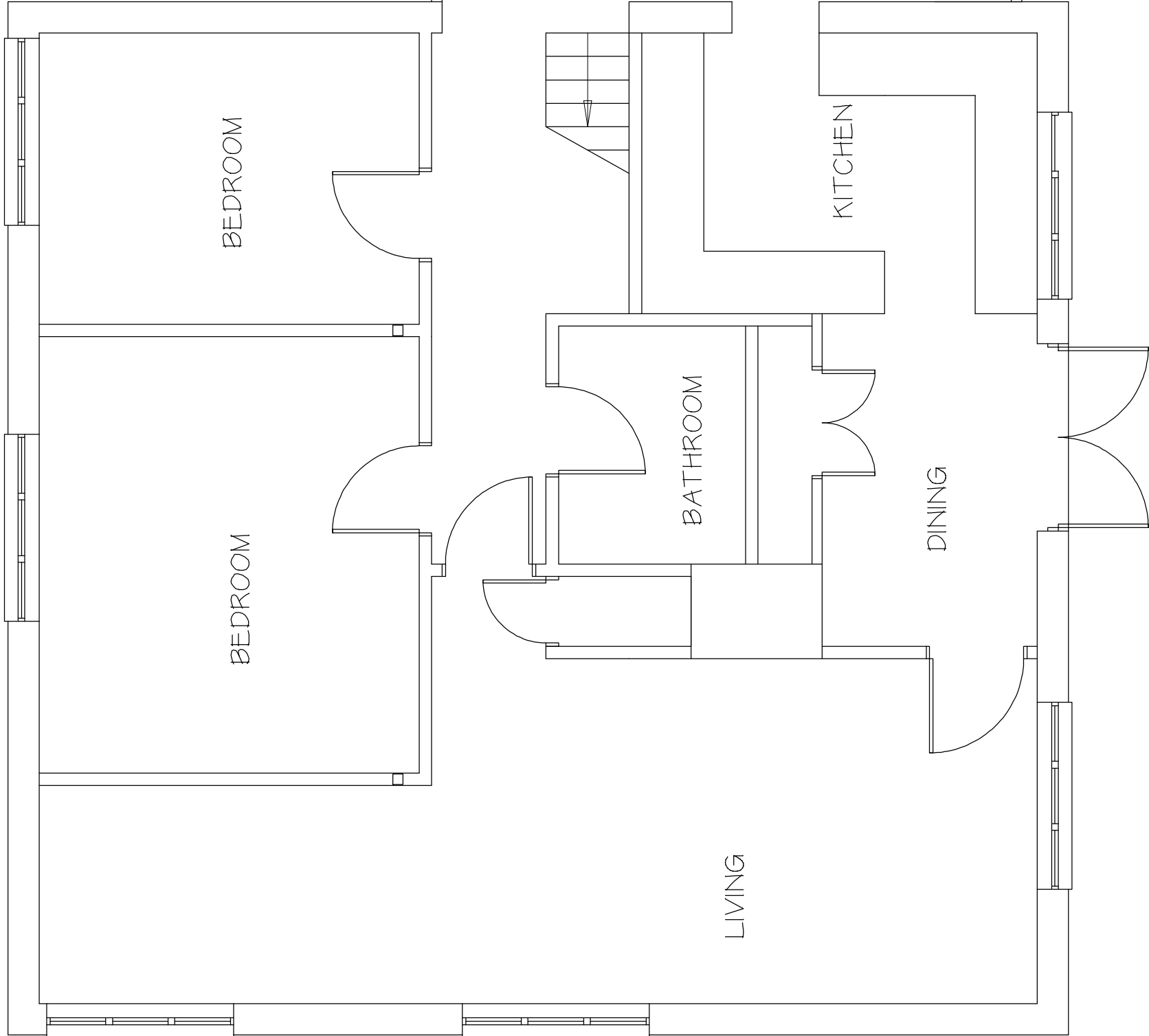




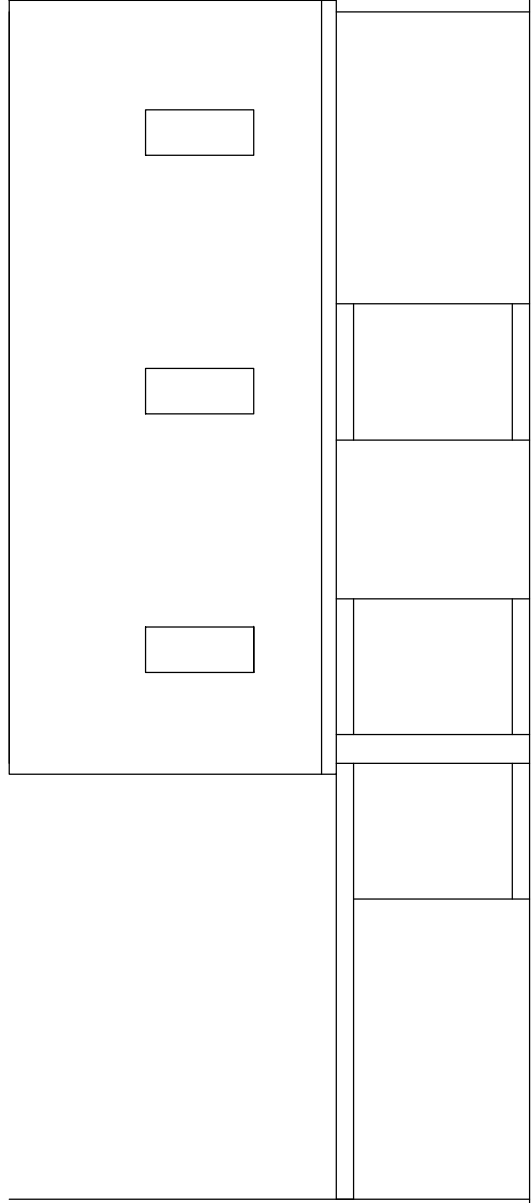
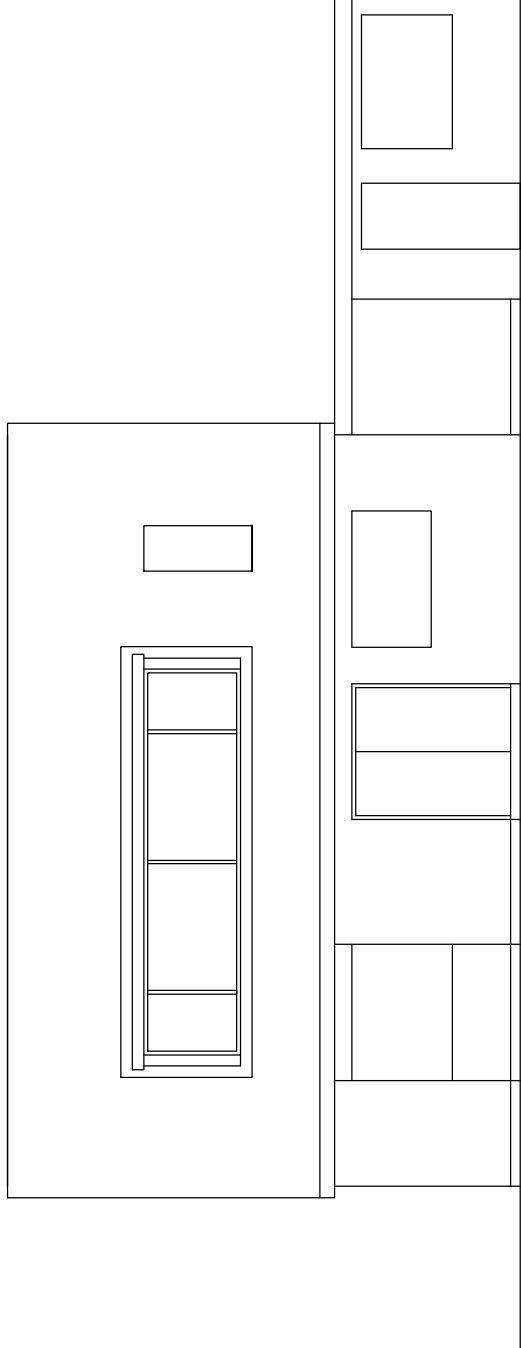




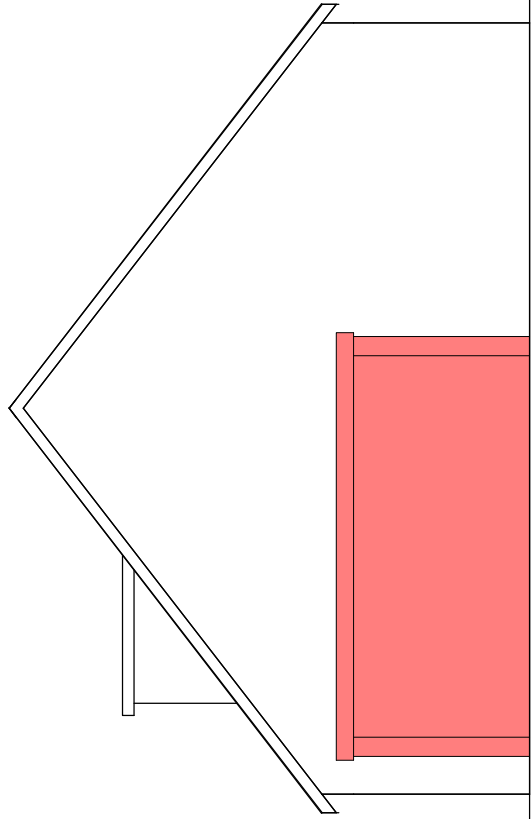
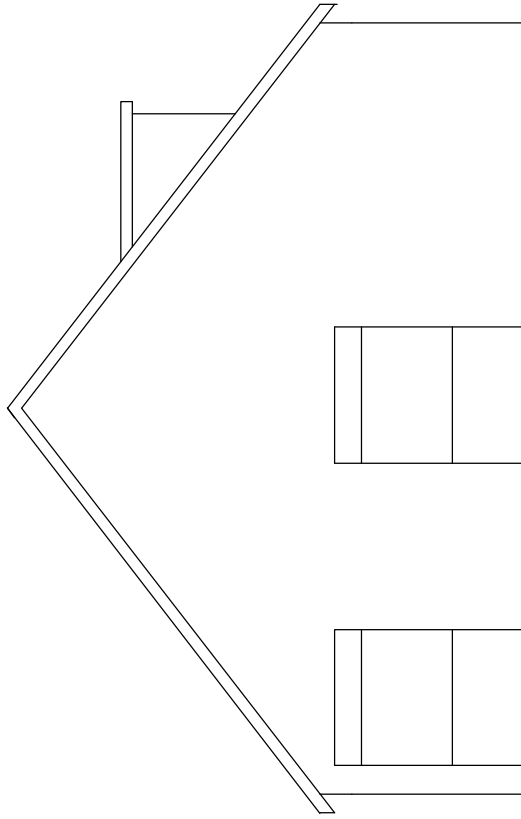
FIRST FLOOR PLAN 1:50



GROUND FLOOR PLAN 1:50



ELEVATIONS 1:100



## TSADA BUILDING DESIGN SERVICES

Croft House ,Newtown Irthington, Carlisle,Cumbria, CA6 4PF  
Telephone: (01228) 791807  
Mobile : 07436801368

**Job title**  
AS EXISTING FLOOR PLANS AND ELEVATION  
TO MADGWICK.

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Before Ordering Materials. Work Starting On The Element Of Work.

**Drawing by**  
W.R.FAULDER

**Date**  
10/11/2017

### Amendments

### Client

MR & MRS D HUTCHINSON  
MADGWICK  
GREEN LANE  
CROFT, IRTHINGTON  
CARLISLE  
CA64 4GN

### Drig No.

70/2017/1

### Scale

As Shown @A1