

## SCHEDULE A: Applications with Recommendation

13/0475

Item No: 09

Date of Committee: 30/08/2013

**Appn Ref No:**  
13/0475

**Applicant:**  
Mr Noble

**Parish:**  
Brampton

**Date of Receipt:**  
13/06/2013 16:02:24

**Agent:**  
Alpha Design

**Ward:**  
Brampton

**Location:**

The Grange, Craw Hall, Brampton, CA8 1TS

**Proposal:** Erection Of 2no. Detached Dwellings

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### REPORT

**Case Officer:** Richard Maunsell

#### 1. Recommendation

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

#### 2. Main Issues

- 2.1 Whether The Principle Of Residential Development Is Acceptable
- 2.2 Scale And Design
- 2.3 The Impact Of The Proposal On The Living Conditions Of Neighbouring And Future Residents
- 2.4 Highway Matters
- 2.5 The Impact On The Conservation Area
- 2.6 The Impact On Trees
- 2.7 Ecological Issues
- 2.8 Contamination

#### 3. Application Details

##### The Site

- 3.1 The Grange is located to the south east of the centre of Brampton and comprises of a large detached 2 storey property situated within substantial grounds. The building is Victorian in appearance and is faced in local stone under a slate roof and incorporates traditional joinery features. A modern

detached garage has been built adjacent to and in front of The Grange.

- 3.2 Access to The Grange is along a driveway which adjoins the County highway at the north west corner of the site. The land slopes upwards from north east to south west across the site. The built area of the site is contained to the south west corner with the remainder of the site, which is at a lower level, characterised by mature trees and an ornamental pond. A stone retaining wall and metal railings define the frontage along Craw Hall.
- 3.3 There are residential properties to the north and east and further to the south. To the west the land is in agricultural use. There are several small commercial units also to the east on the opposite side of Craw Hall. The site is within the Brampton Conservation Area.

## **Background**

- 3.4 Applications were submitted in 2011 and 2012 to develop the site and build houses within the grounds of The Grange. Following negotiations with Officers, these applications were withdrawn following concerns highlighted in relation to number of dwellings and their impact on the trees.

## **The Proposal**

- 3.5 Planning permission is sought for 2 detached properties within the grounds of The Grange. The first property would be located to the north east of The Grange and immediately adjacent and behind the ornamental pond when viewed from Craw Hall. To all intents and purposes the property will be single storey and will comprise of a kitchen/ dining/ lounge area, 2 bedrooms and a bathroom and an ensuite bedroom. The building will be set into the slope of the ground with a glazed facade and timber decked area facing the pond. An upper hall and attached garage would be built above ground to the rear of the dwelling.
- 3.6 The property will be constructed from local stone. The garage roof will be finished using dark grey slates whilst the main roof of the property will be covered using sedum. The large glazed openings that will face the ornamental pond will be formed within dark grey aluminium frames.
- 3.7 The second property will be located behind the first dwelling and adjacent to The Grange. This 2 storey building will be more "conventional" in appearance and will be constructed from local stone, dark grey slates and timber windows and doors. Full height glazed gables will dominate the east and west elevations. A single storey detached garage will be built adjacent to the property. A 1.5 metre high stone wall adjoining a vertically boarded timber fence of the same height will separate the property from The Grange. Notwithstanding this boundary treatment, the remaining boundaries to both plots will have no defining physical structures.

## **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 30 of the neighbouring properties. No representations have been received.

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

Brampton Parish Council: - object to the application on the basis that:

- the proposal does not compliment the existing character of the area contrary to Policy H2 of the Local Plan;
- overdevelopment of the site in a conservation area contrary to Policy LE19 of the Local Plan;

Carlisle Airport: - no objection;

Cumbria County Council - (Econ. Dir. Highways & Transportation): - no objection subject to the imposition of a condition;

Environment Agency (N Area (+ Waste Disp & Planning Liaison Team): - the proposed dwellings are not within the flood zone but are on the edge of the designation. Care should be taken with regard to the design of a good surface water management scheme;

Natural England: - no objection; however, an assessment for biodiversity in accordance with the Standing Advice needs to be undertaken;

Northern Gas Networks: - no objection;

Conservation Area Advisory Committee: - the following comments have been received:

- welcome the montages but would have appreciated clearer illustrations of how the units sit within the site (potentially clearer external montages);
- a site section would have helped assess the relationship between Craw Hall, the new structures and their neighbours;
- recommendation - no comment,

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

### **Assessment**

- 6.1 The relevant planning policies against which the application is required to be assessed are the National Planning Policy Framework (NPPF) together with Policies CP2, CP3, CP5, CP6, CP12, H1, LE19 and T1 of the Carlisle District Local Plan 2001-2016. The NPPF and The Supplementary Planning Document (SPD) "Achieving Well Designed Housing" is also of relevance. The proposal raises the following planning issues.

1. Whether The Principle Of Residential Development Is Acceptable

- 6.2 The main issue for Members to establish in the consideration of this

application is the principle of development. 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 Whilst the site is outside the settlement boundary identified in the Local Plan, the NPPF does not advocate the use of settlement boundaries but rather promotes locations of new housing relative to existing development. With regard to this issue, limited weight can, therefore, be given to the fact that the site is outwith the settlement boundary.

6.4 The site is well related to Brampton which has a high level of services and facilities. 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. Scale And Design

6.5 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 CP5 of the Local Plan which requires that development proposals should also harmonise with the surrounding buildings respecting their form in relation to height, scale and massing and make use of appropriate materials and detailing. Development of this frontage site will have a significant impact on the character of the area unless it is sympathetically designed.

6.6 Although the building on Plot 2 would have an expanse of glazing to both gables, the overall scale, design and use of materials is reflective of The Grange and the property would be well related and proportioned to the existing buildings on the site.

6.7 Plot 1 will have a contemporary frontage facing the pond; however this is a small but not insignificant element of the building and the structural pillars will be faced with stone rather than render as previously proposed. The remainder of the building would be set into the slope of the land and the garage building above ground would mirror the style and materials of The Grange and the dwelling on Plot 2. The introduction of natural materials such as sandstone and timber windows and doors will enhance the aesthetics of the building.

6.8 This scheme adopts an approach of sympathetically introducing 2 dwellings on the site and the development would be appropriate to the character and setting of the property and to the built environment. The curtilages would have no physical boundaries which would retain the character and setting of

the properties and it would be appropriate to impose a condition removing permitted development rights to ensure that inappropriate boundary structures are not erected in the future.

- 6.9 The Parish Council has raised concerns about the density of the development in a Primary Residential Area. The site is not within a Primary Residential Area but nevertheless the principle of development is acceptable as discussed in the preceding paragraphs. There is no minimum density requirement; however, the provision of 2 properties within the scale of curtilage which surrounds The Grange is not considered to be overdevelopment.

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

- 6.10 Given the orientation of the application site with adjacent properties, it is not considered that the living conditions of the occupiers would suffer from loss of privacy or unacceptable levels of noise or disturbance. The development would not result in an overall loss of daylight or sunlight due to the distances involved between the application site and the residential properties.
- 6.11 As the proposal involves the introduction of windows that face the neighbouring property, it is appropriate to consider the development against the Supplementary Planning Document "Achieving Well Designed Housing". It requires that a distance of 21 metres is provided between primary windows. The proposed building would be sited adjacent to residential properties; however, there would be no conflict with the minimum distances required by the SPD.
- 6.12 In respect of any increase in traffic generated by this proposal it is not anticipated that this factor alone would prejudice the living conditions of local residents to such an extent that would warrant refusal of the application.

### 4. Highway Matters

- 6.13 The site is served from an existing access that leads from the County highway. Each property would be served by a driveway and a garage and the existing parking arrangements for The Grange would be retained. The Highway Authority has raised no objection to the proposal subject to the imposition of a condition.

### 5. The Impact On The Conservation Area

- 6.14 The site is located within the Brampton Conservation Area. Proposals for development within such designated areas should enhance the character and appearance of the area and protect the specific characteristics of the Conservation Area. The fact that the site is within the Conservation Area does not preclude development per se. Consideration of any proposal has to be against the relevant planning policy.
- 6.15 The Parish Council has objected on the basis that the development would

result in overdevelopment and detract from the character of the Conservation Area. Initial comments from the Conservation Area Advisory Committee raised no objection on this basis and support the principle of an additional 2 dwellings over and above the numbers proposed under previous planning applications which sought permission for 4 and 3 houses on the site. The other comments read:

- it is suggested that the exposed rendered flanks of the underground structure are rendered – possible use of stone in preference to render on lower storey;
- there is a lack of detail over the context of the buildings e.g. no clarity on how they sit in conjunction with the main Hall or how they appear from various vantage points. This could be resolved by CAD/ sketchup model/ montages to better assess impact of scheme;
- the committee suggest that the proposal would be acceptable subject to clarification of the points raised.

6.16 In response to the revised details, the Conservation Area Advisory Committee has welcomed the additional information and raised no comment. Although the Committee has suggested that further additional montages would have been helpful, it is considered that the information submitted by the applicant is sufficient to assess the application.

6.17 The site is well contained within the site and the development would not have a significant impact on the street scene or the character of the Conservation Area. The scale, design and use of materials would be appropriate for a building in this context and the character of the Conservation Area would not be adversely affected.

## 6. The Impact On Trees

6.18 There are number of trees within the site and the application has been accompanied by a tree survey. Although this shows that several trees would be removed, the scheme has taken account of the remaining trees and their root protection areas. The trees to be removed have been identified as being in poor condition. The Council's Tree Officer has raised no objection subject to the imposition of a condition. In light of the retention of the majority of the trees and the support from the Council's Tree Officer, the proposal is acceptable in these terms. In order to ensure that future development does not adversely affect the trees or their setting, it would be appropriate to impose a condition removing permitted development rights for additional buildings to ensure that an appropriate evaluation can be undertaken prior to any development.

## 7. Ecological Issues

6.19 When considering whether the proposal safeguards the biodiversity and ecology of the area it is recognised that Local Planning Authorities 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), and

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.

- 6.20 In their response, Natural England advises that an assessment for biodiversity in accordance with the Standing Advice needs to be undertaken. The Decision Tree is used to assess development proposals and evaluate whether an assessment is required. In this instance, the matrix advises that where there are buildings with the features which include traditional timber framed buildings, traditional agricultural buildings and houses and/ or large gardens in suburban and rural areas, a survey for bats, breeding birds and reptiles may be required. The Council's GIS layer has not identified the presence of bats or reptiles in the vicinity. The potential presence of breeding birds is dealt with by way of a condition. In addition, an Informative has been included within the decision notice ensuring that if a protected species is found all work must cease immediately and the Local Planning Authority informed.

## 8. Contamination

- 6.21 As the site is within the curtilage of an existing property, the likelihood of contamination being present is low a fact supported by an accompanying report with the application entitled "Preliminary Risk Assessment". Notwithstanding this fact a condition is recommended that caters for the event that contamination is found during the construction phase.

## 9. Other Matters

- 6.22 Although the site is designated within the Local Plan as being Urban Fringe Landscape, such designations are not supported by the NPPF and the policy is therefore not relevant in the consideration of this application.
- 6.23 Article 8 and Article 1 Protocol 1 of the Humans Rights Act are relevant but the impact of the development in these respects would 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

- 6.24 In overall terms, the principle of residential development on the site is acceptable. The dwellings would be set back from the frontage of the site and the scale, design and massing takes account of the character and appearance of the surrounding built environment and to the advice within current planning policies and Supplementary Planning Documents. Further, it proposes an appropriate design and use of vernacular materials such that the development would not adversely affect the character or appearance of the Conservation Area. In all aspects the proposal is compliant with the objectives of the relevant Local Plan policies.

- 6.25 The building would not result in any demonstrable harm to the landscape character of the wider area or the living conditions of any neighbouring residential dwellings. In all other aspects the proposal is compliant with the objectives of the relevant Local Plan policies.

## **7. Planning History**

- 7.1 Applications for planning permission and conservation area consent were submitted in 2011 for the erection of 4 dwellings and a detached garage. The planning application was withdrawn and the conservation area consent application was returned as this consent was not required.
- 7.2 Revised applications for planning permission and conservation area consent were submitted in 2012 for the erection of 2 dwellings and a detached garage together with the remodelling of the pond. The planning application was withdrawn and the conservation area consent application was returned as this consent was not required.

## **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 approved documents for this Planning Permission comprise:
1. the Planning Application Form received 13th June 2013 as amended by page 2 received 2nd August 2013;
  2. the Site Location Plan received 13th June 2013 (Drawing no. 12/05/765-01);
  3. the Plot 2 - Plans & Elevations received 13th June 2013 (Drawing no. 12/05/765-02);
  4. the Plot 1- Plans & Elevations received 2nd August 2013 (Drawing no. 12/5/765-03a)
  5. the Plot 2 - Plans & Elevations received 13th June 2013 (Drawing no. 12/05/765-04);
  6. the Existing Views from Craw Hall B6413 received 2nd August 2013;
  7. the Photomontage - View from Craw Hall B6413 received 2nd August 2013;
  8. the Design and Access Statement received 13th June 2013;
  9. the Supporting Planning Statement received 13th June 2013;
  10. the Pre-Development Arboricultural Report received 13th June 2013;
  11. the Heritage Statement received 13th June 2013;
  12. the Flood Risk Assessment received 13th June 2013;
  13. the Habitat Assessment received 13th June 2013;



14. the Preliminary Risk Assessment received 13th June 2013;
15. the Notice of Decision;
16. any such variation as may subsequently be approved in writing by the Local Planning Authority.

**Reason:** To define the permission.

3. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

**Reason:** To ensure the materials used are appropriate to the character of the area in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

4. 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 prior written approval of the Local Planning Authority.

**Reason:** To ensure that the character and appearance of the Brampton Conservation Area is not harmed by inappropriate alterations and/or extensions in accordance with Policy LE19 of the Carlisle District Local Plan 2001-2016.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order), no gates, fences, walls or other means of enclosure shall be erected within the curtilage of the dwelling units to be erected without the prior written consent of the Local Planning Authority.

**Reason:** To ensure that the character and appearance of the Brampton Conservation Area is not harmed by inappropriate alterations and/or extensions in accordance with Policy LE19 of the Carlisle District Local Plan 2001-2016.

6. No dwelling shall be occupied until the vehicular access and parking requirements have been constructed in accordance with the approved plan and brought into use. These facilities shall be retained and capable of being of use at all times thereafter and shall not be removed or altered without the prior written consent of the Local Planning Authority.

**Reason:** To ensure a minimum standard of access provision when the development is brought into use and to support Local Transport Plan Policies LD5, LD7 and LD8.

7. Before development commences, the tree protection barriers must be

installed in accordance with Plan 2 in the Pre-Development Arboricultural Report dated 10 June 2013. The scheme must be retained until completion of the development to the satisfaction of the Local Planning Authority.

Within the fenced off area:

- No fires shall be lit within the fenced off area or within 10 metres of the nearest point of the canopy of any retained tree or hedge;
- 1. No equipment, machinery or structure shall be attached to or supported by a retained tree or by the tree protection barrier;
- 2. No mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area;
- 3. No alterations or variations to the approved works or tree protection schemes shall be made without prior written consent of the local planning authority;
- 4. No materials or vehicles shall be stored or parked within the fenced off area;
- 5. No alterations to the natural/existing ground level shall occur.

**Reason:** In order to ensure that adequate protection is afforded to all trees/hedges to be retained on site in support of Policies CP3 and CP5 of the Carlisle District Local Plan 2001-2016.

8. The dwellings shall not be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in Annex F of PPS25 (or any subsequent version), and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii) include a timetable for its implementation; and provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

**Reason:** To ensure a satisfactory means of surface water disposal and in accordance with Policy CP12 of the Carlisle District Local Plan 2001-2016.

9. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a

remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Site investigations should follow the guidance in BS10175.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

**Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy LE29 of Carlisle District Local Plan 2001-2016.

10. No site clearance or works to trees shall take place during the bird breeding season from 1st March to 31st August unless the absence of nesting birds has been established through a survey and such survey has been agreed in writing beforehand by the Local Planning Authority.

**Reason:** To protect nesting birds in accordance with Policy CP2 of the Carlisle District Local Plan 2001-2016.

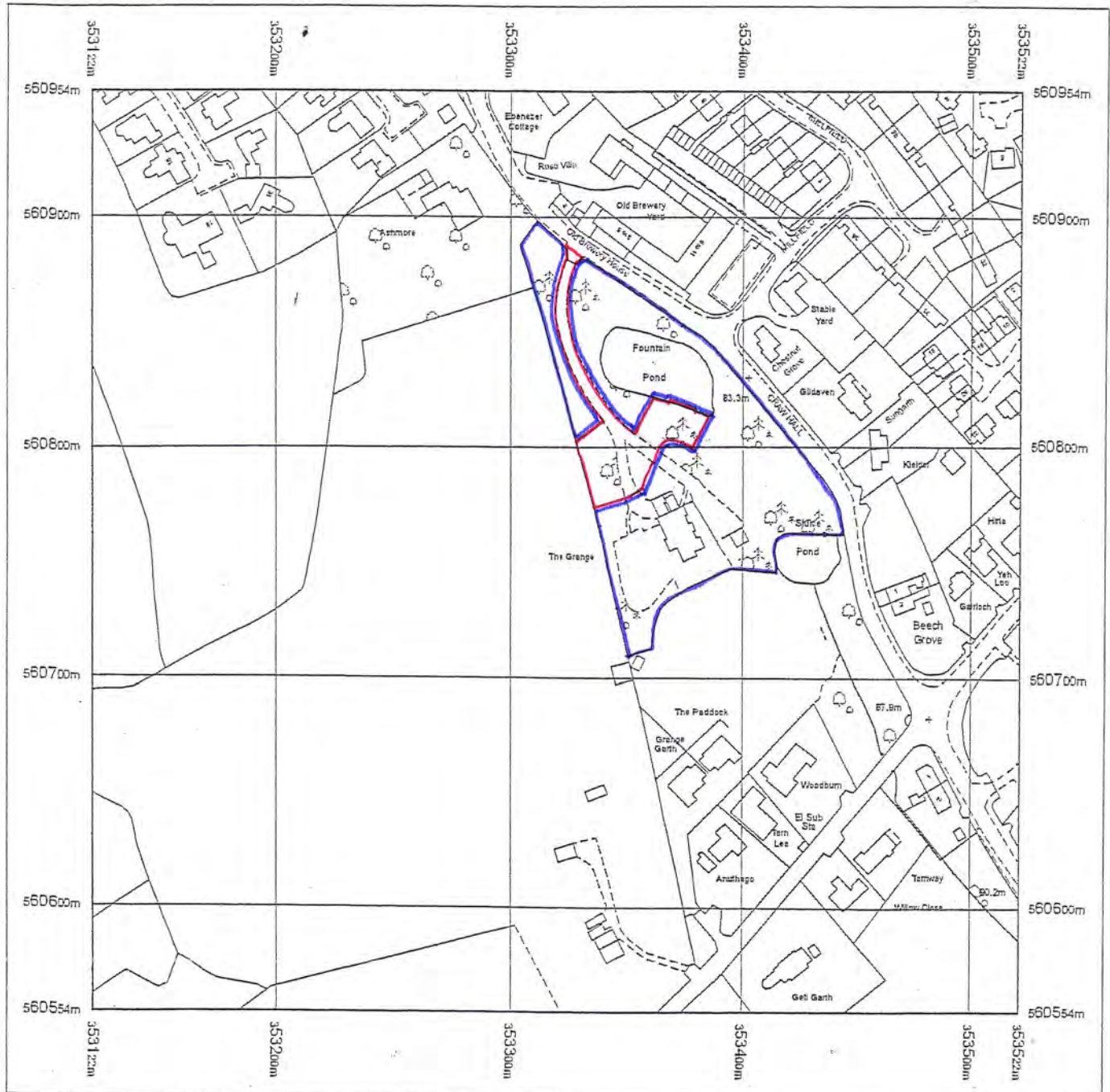
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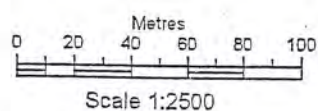
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Centre coordinates: 353321.5 560754.13

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[www.ordnancesurvey.co.uk](http://www.ordnancesurvey.co.uk)

The Grange

Craw Hall Road

Brampton

CA8 1TR





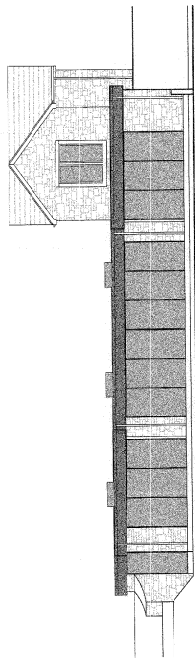
# EXTERNAL MATERIALS

Mix of Sedum (green) roof and dark grey slate roof.

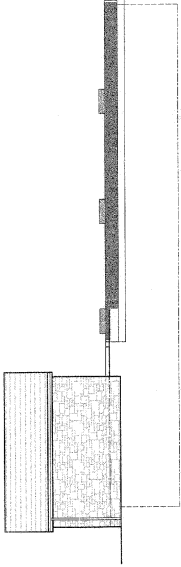
Local stone walls.

Mix of dark grey powder coated aluminium and timber windows.

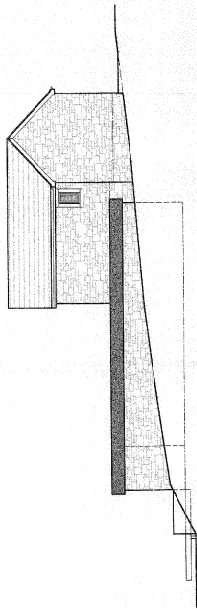
Mix of dark grey powder coated aluminium and timber doors.



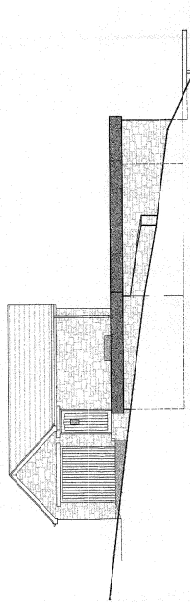
NORTH ELEVATION



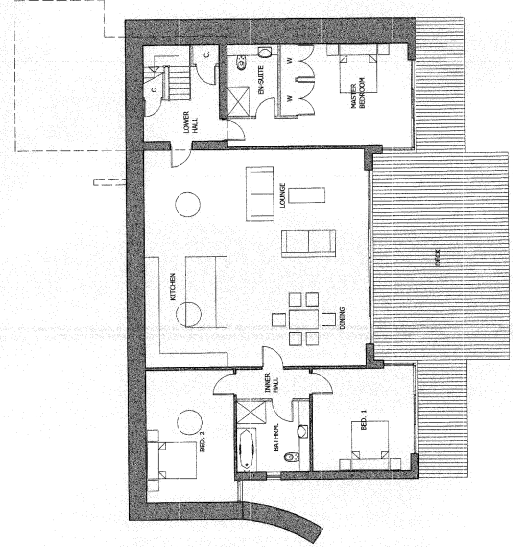
SOUTH ELEVATION



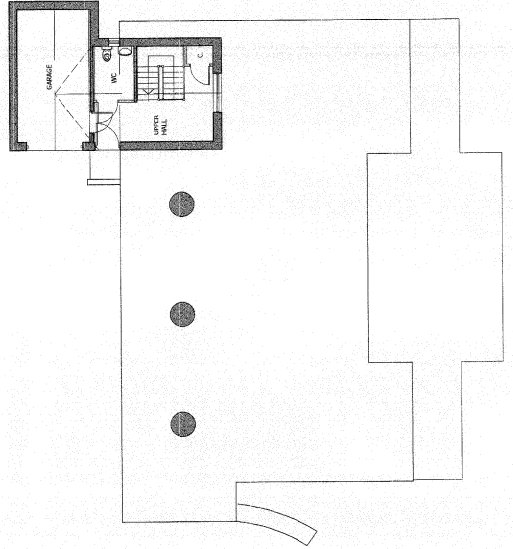
WEST ELEVATION



EAST ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN

## ALPHA DESIGN

Architectural Services  
Member of the Chartered Institute of  
Architectural Technologists

Tel: 01990 829199

Project

TWO DETACHED DWELLINGS,  
THE GRANGE,  
BRAMPTON

Client

MR T. NOBLE

Drawing

PLOT 1 -  
PLANS & ELEVATIONS

Scale: 1:100 @ A1

Drawn GB

Checked

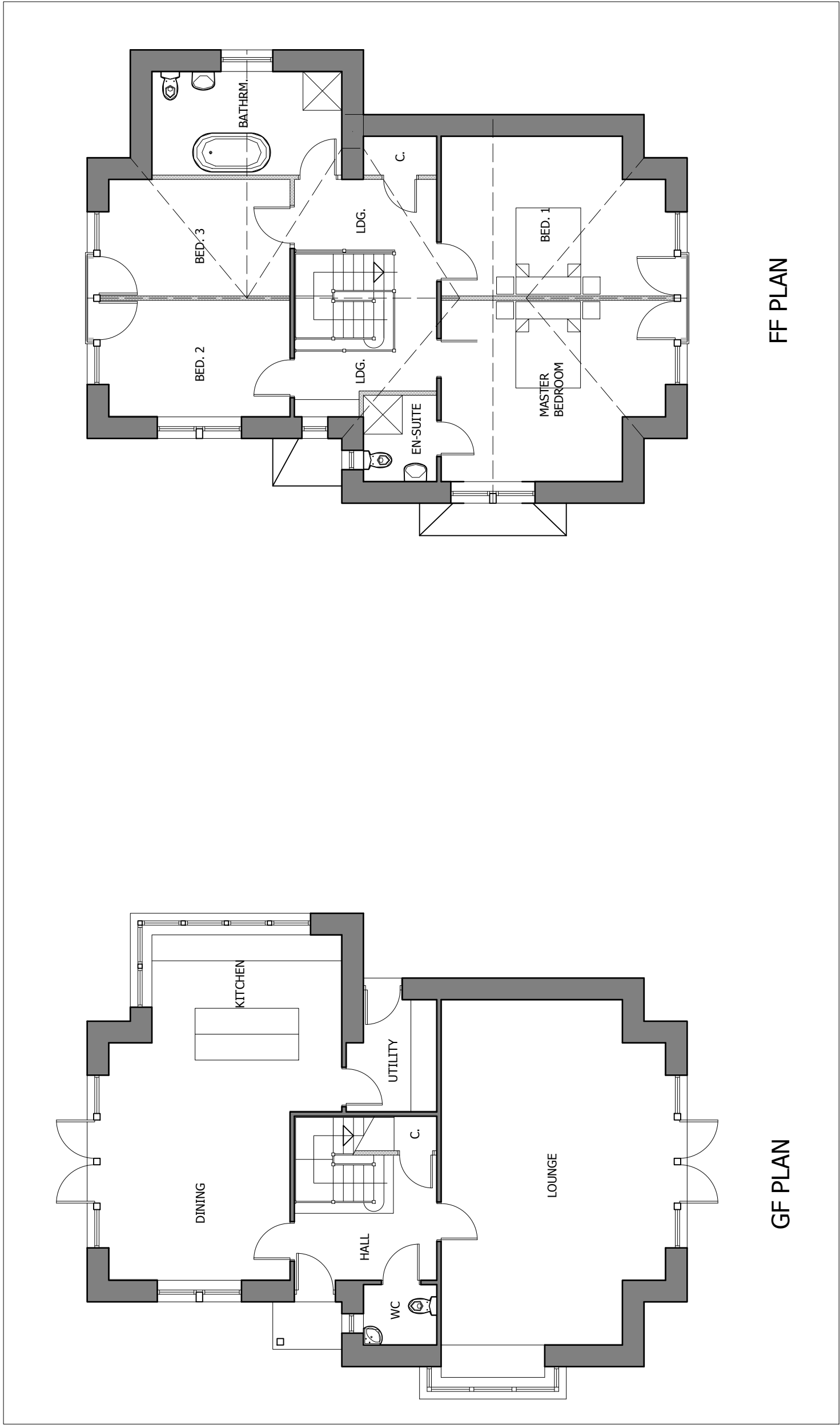
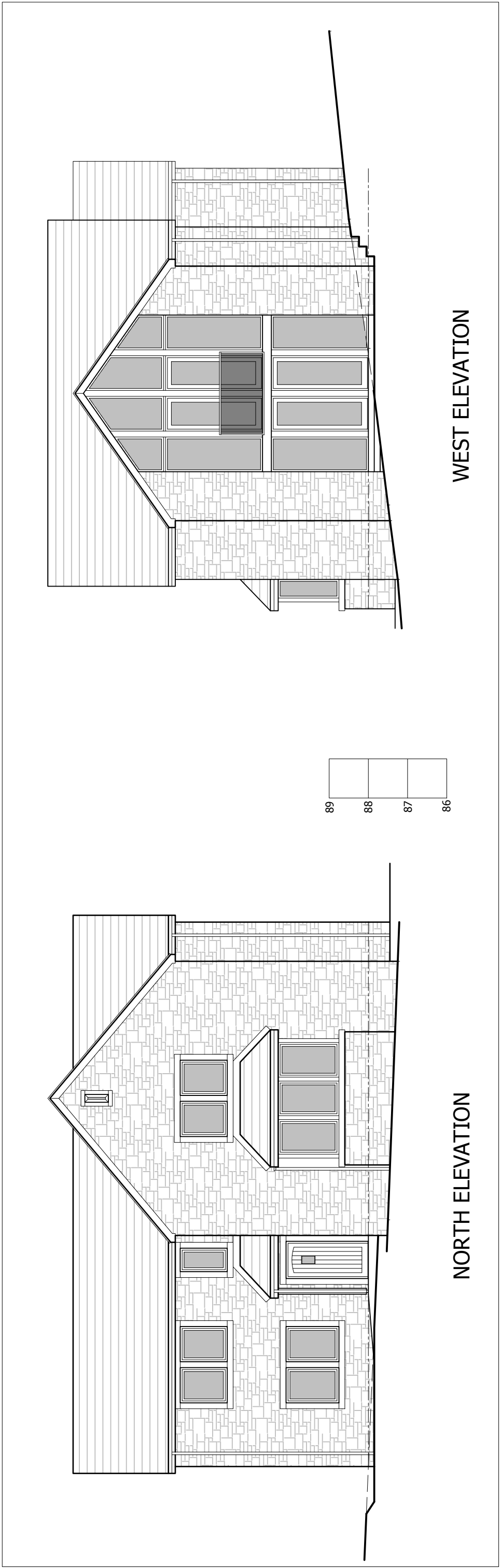
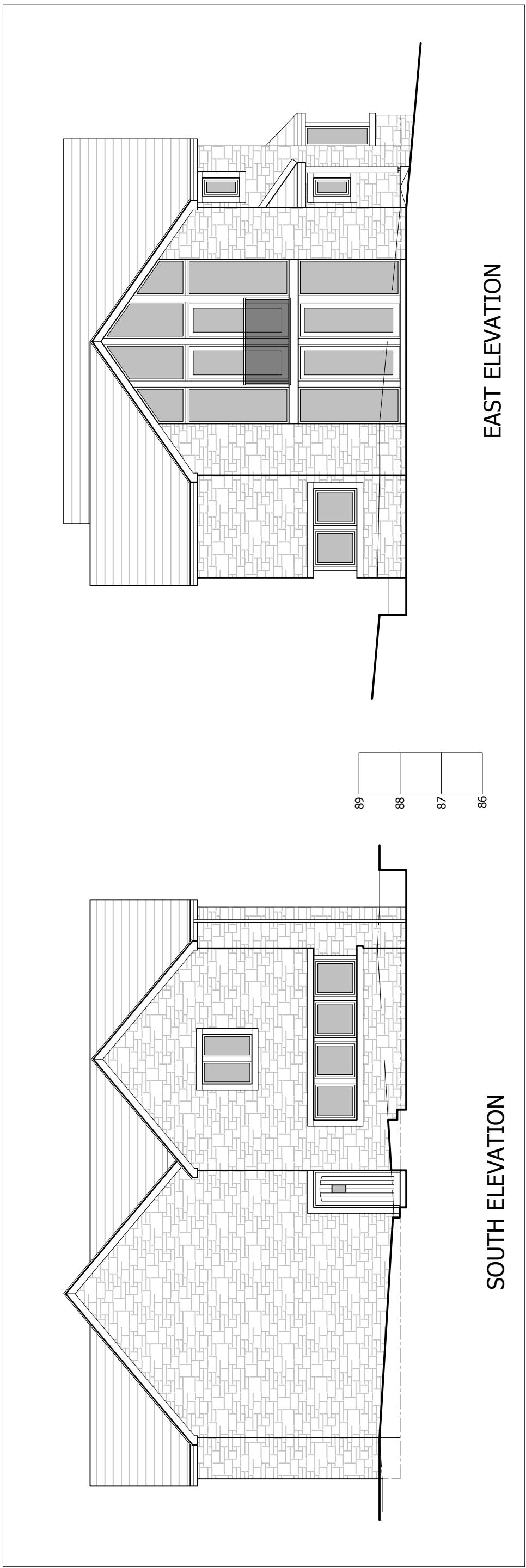
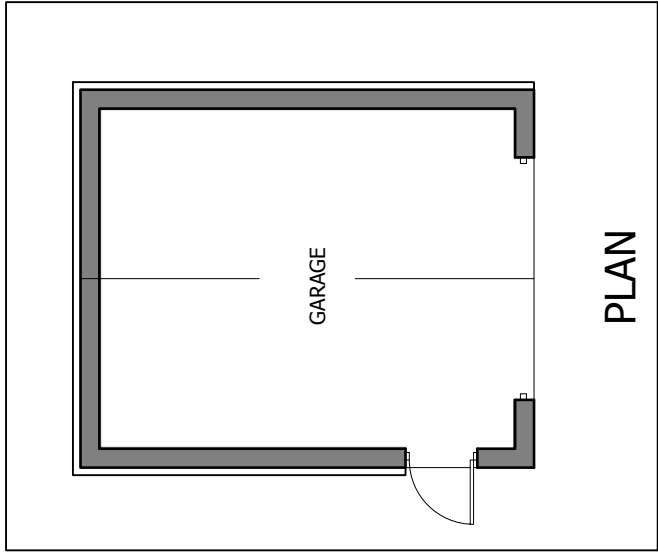
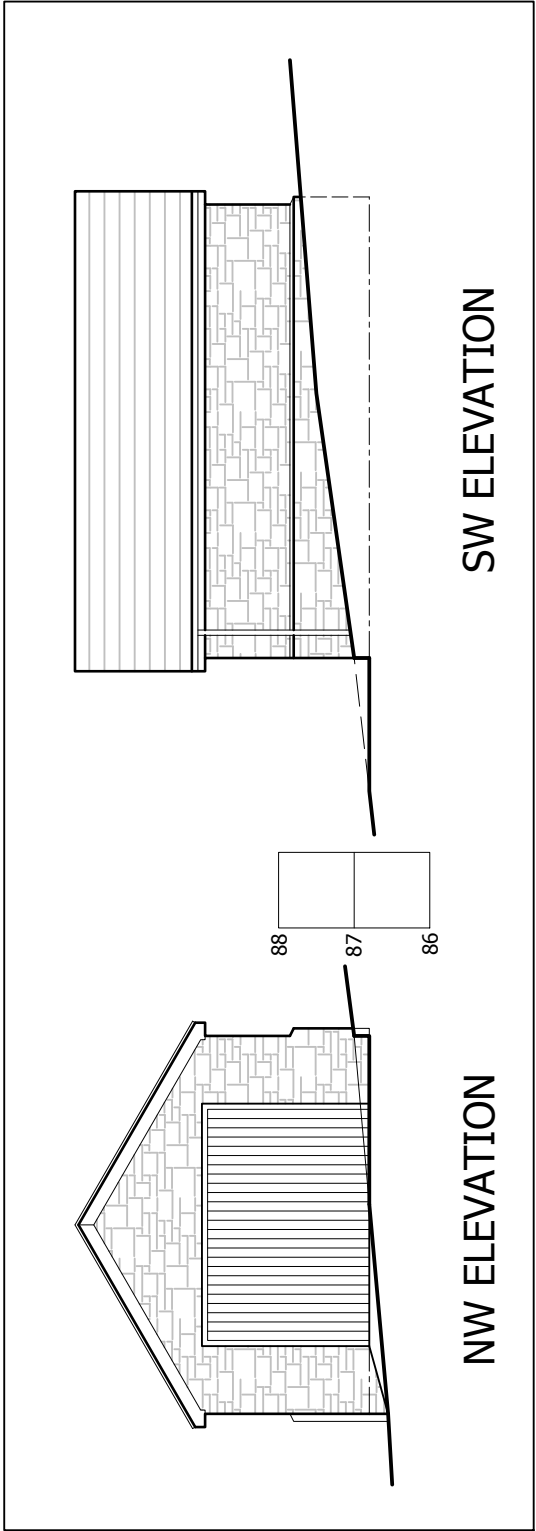
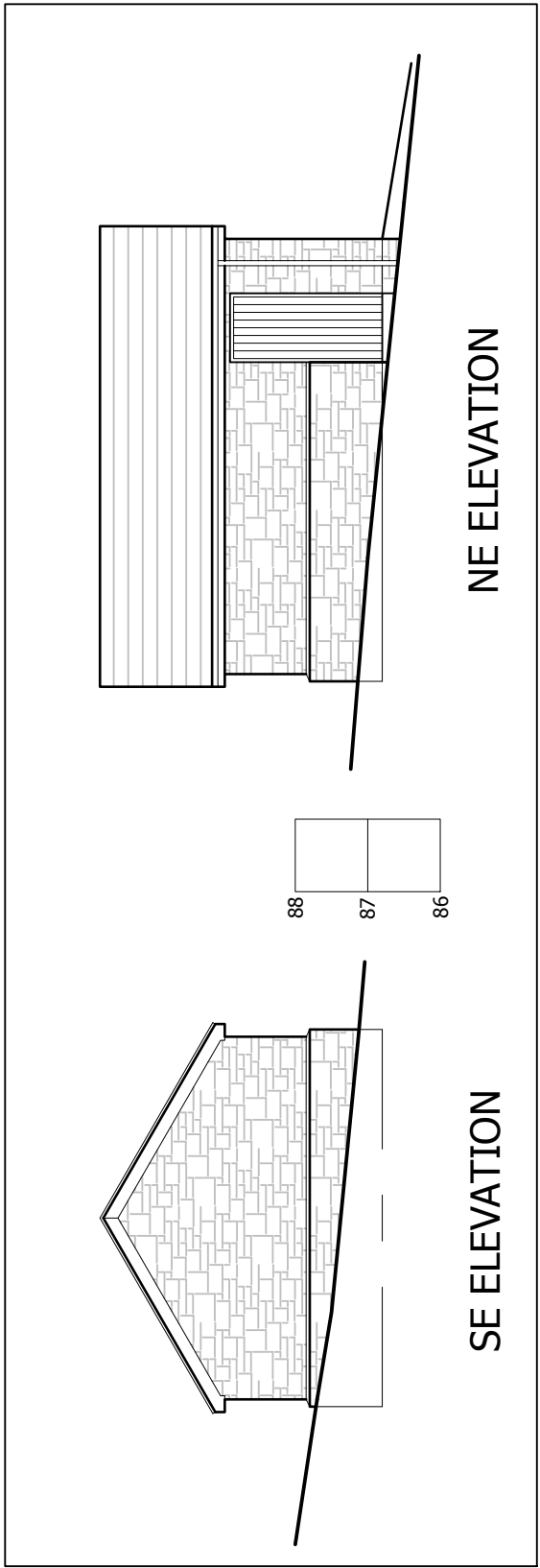
Date MAY 2013

Drawing No.

12/05/765 - 03 a)

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EXTERNAL MATERIALS  
Dark grey slate roof.  
Local stone walls.  
Timber windows.  
Timber doors.

	No.	Date	Revision	Initial
<div>ALPHA DESIGN</div> <div>Architectural Services</div> <div>Member of the Chartered Institute of</div> <div>Architectural Technologists</div> <div>Tel: 01900 829199</div>				
<div>Project</div> <div>TWO DETACHED DWELLINGS,</div> <div>THE GRANGE,</div> <div>BRAMPTON</div>				
<div>Client</div> <div>MR T. NOBLE</div>				
<div>Drawing</div> <div>PLOT 2 -</div> <div>PLANS &amp; ELEVATIONS</div>				
Scale 1:100 @ A1		Drawn	GB	
Checked		Date	MAY 2013	
<div>Drawing No.</div> <div>12/05/765 - 04</div>				
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02 AUG 2013  
13/0475

Viewpoint direction A.

Viewpoint direction B.

Viewpoint A.



307

Viewpoint B.



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Existing Views from Craw Hall B6413

The Grange  
Alpha Design

M2259  
nts @A3  
July 2013

Barnes Walker  
ARCHITECTS & PLANNERS





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13/0475

Viewpoint direction.



Before.



After.