

SCHEDULE A: Applications with Recommendation

17/0354

Item No: 02

Date of Committee: 07/07/2017

Appn Ref No:
17/0354

Applicant:
Mr & Mrs Todd

Parish:
Irthington

Agent:

Ward:
Stanwix Rural

Location: Land adjacent to Hawklemass, Irthington, Carlisle, CA6 4NN

Proposal: Proposed Residential Development With Entrance To Field Widened
Providing Access To The Residential Site And Field (Outline)

Date of Receipt:
21/04/2017 23:02:39

Statutory Expiry Date
16/06/2017 23:02:39

26 Week Determination

REPORT

Case Officer: Paul Fenton

1. Recommendation

- 1.1 It is recommended that this application is refused.

2. Main Issues

- 2.1 Whether The Principle Of The Development Is Acceptable
- 2.2 Impact On Living Conditions On Neighbouring Occupiers
- 2.3 Impact Upon Highway Safety
- 2.4 Impact Upon Trees and Hedgerows
- 2.5 Impact On Hadrian's Wall World Heritage Buffer Zone
- 2.6 Biodiversity

3. Application Details

Background

- 3.1 This application seeks outline planning permission for the erection of 1no. 4(+) bedroom dwelling with all matters reserved at Land adjacent to Hawklemass, Irthington.
- 3.2 The proposal site is located to the north of the village of Irthington and

immediately to the west of the junction of the road leading from Irthington to the settlement of Newtown.

- 3.3 The site is primarily green field agricultural land with a small number of existing agricultural storage buildings used for agricultural purposes. The site is currently vacant although the site was last used for grazing.
- 3.4 The site is bound to the north east by the unclassified road leading to the small settlement of Newtown; to the south east by the existing semi-detached two storey brick built dwelling known as Hawklemass; to the south west by the remainder of the agricultural land within the ownership of the Applicant; and, to the north west by the remainder of the agricultural land within the ownership of the Applicant beyond which is a stock proof fence and sporadic hedgerow facing the unclassified road.
- 3.5 The site, and surrounding land, is currently owned by the Applicant and has been within the family for over 30 years.
- 3.6 The agricultural sheds on the site would be removed and a shed relocated to the north of the field.
- 3.7 Although the access is a reserved matter, the Applicant has indicated that the existing field access would be widened to provide access. The access arrangements do not form a material consideration in the assessment of this application.

4. Summary of Representations

- 4.1 This application has been advertised by means of site notice and notification letters sent to four neighbouring properties. No verbal or written representations have been made during the consultation period.

5. Summary of Consultation Responses

Cumbria County Council - (Highways & Lead Local Flood Authority): -
Object as insufficient information has been provided in relation to access, visibility spays, off-street parking, surface water drainage and on site turning facilities.

Irthington Parish Council: -

Two observations:

- 1. Concerns regarding the existing access which may need widening to provide acceptable visibility.
- 2. Restrict any further development at the site.

Historic England - North West Office: -

No comments.

Carlisle Airport: -

No objections.

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 Development Plan for the purpose of the determination of this application is the Carlisle District Local Plan 2015-2030 from which Policies SP1, SP2, SP6, HO1, HO2, IP3, IP4, IP5, IP6, CC5, CM5, HE1, GI3 and GI6 are of particular relevance.
- 6.3 The National Planning Policy Framework (NPPF), the Planning Practice Guidance (PPG) and the Supplementary Planning Document (SPD) adopted by the City Council, 'Achieving Well Designed Housing', are also material planning considerations.
- 6.4 The proposal raises the following planning issues:

1. Whether The Principle Of The Development Is Acceptable

- 6.5 The main issue to establish in the consideration of this proposal is the principle of development.
- 6.6 At the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread through both plan-making and decision-taking. Paragraph 14 of the NPPF states that for decision taking this means approving development proposals that accord with the development plan without delay.
- 6.7 The NPPF seeks to promote sustainable development and in rural areas housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are small groups of smaller settlements, development in one village may support services in a village nearby.
- 6.8 In accordance with the NPPF it is therefore necessary for the principle of residential development to be considered in the context of the presumption in favour of sustainable development unless the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole or specific policies in the NPPF indicate development should be restricted.
- 6.9 The aim of the NPPF is reiterated in Policy HO2 of the Local Plan which makes provision for new housing development, other than those allocated, within or on the edge of Carlisle, Brampton, Longtown, and villages within the rural area provided that the development would not prejudice the delivery of the spatial strategy of the Local Plan and subject to a number of criteria

covering scale, design, location etc.

- 6.10 When assessing the principle of the proposal against the relevant policies it is noted that as the application is for outline planning permission with all matters reserved, some of the criteria of Policy HO2 cannot be assessed. For example, scale and design. However, the impact of the proposal on the form and character of the existing settlement can be considered.

- 6.11 It is therefore considered the key issues in determining whether the principle of development is acceptable in this instance is whether the proposal is compliant with criterion 1 (part) and criterion 3 of Policy HO2 which states that:

(1) "...the proposed development is appropriate to the scale, form, function and character of the existing settlement;" and,

(3) "On the edge of settlements the site is well contained within existing landscape features, is physically connected, and integrates with, the settlement, and does not lead to an unacceptable intrusion into open countryside;"

- 6.12 Paragraph 5.16 of the supporting text to Policy HO2 states:

"Development is more likely to be acceptable on sites that are physically contained by existing landscape features such as hedges, trees, woodland or topography, physically and visibly connected to the village, and do not adversely impact on wider views into or out of a village."

- 6.13 The policy assessment in this respect is therefore whether the proposal would be appropriate to the scale, form, function and character of the existing settlement; and, whether the site is well contained within existing landscape features.

- 6.14 When assessing the proposal against the foregoing policies, the application site is located adjacent to existing residential properties and on the edge of the village of Irthington.

- 6.15 Irthington is located approximately 8 miles east of Carlisle and approximately 2.5 miles from Brampton which is designated as a Local Service Centre. The village benefits from local services including a primary school, church, pub and a weekly bus service. The village also benefits from a village hall and equipped area of play in the nearby settlement of Newtown which is approximately 0.5 miles to the north of the site. The principle of residential development within the village is therefore acceptable.

- 6.16 However, the built form in Irthington is predominantly linear in nature with the majority of dwellings broadly following the line of the C3937 highway through the village. While it is acknowledged there are buildings which stray off the existing highway, away from the linear nature, this is predominantly to the south of the highway and on the lower lying ground. In addition, the built form

to the south of the highway comprises Irthington Primary School, the Grade II* Listed Church of St Kentigern, and the Grade II Listed farmhouse, barns and courtyard, known as The Nook, all of which have historical significance.

- 6.17 The land adjacent to Hawklemass would sit on the northern most aspect of the village and would protrude beyond the existing linear nature of the built form. While the proposal site would be physically connected to the existing built form, by way of being sited to the north of the junction and beyond the linear line, it would appear visually detached from the existing built form. It is therefore considered the form of the proposal would not be appropriate to the existing settlement. In this respect, the proposal site could be considered as intruding into the open countryside.
- 6.18 In addition, the land adjacent to Hawklemass sits at an elevated position compared to the existing dwellings off the C3937 highway through the village with open aspect views to the rear of the properties along the C3937. The site can be seen when travelling west to east along the highway.
- 6.19 The Applicant states in the supporting document that the “proposal will be well related to the scale and form of the settlement, with a roadside frontage with sufficient room to maintain the access to the agricultural land at the rear”. However, as there is no existing roadside frontage on this particular stretch of road from the junction of the road leading from Irthington to Newtown, it is considered the proposal site would not be well related to the existing settlement, which is very much linear in nature, in terms of scale and form.
- 6.20 While it is acknowledged the Applicant is prepared to undertake earthworks to change the levels to integrate the proposal, it is considered the extent of any earthworks would not be sufficient to address concerns relating to the form of the proposal and how the site is contained within existing landscape features.
- 6.21 In this respect, there are no existing landscape boundaries to the north west or south west of the proposal site. These boundaries would be exposed with open aspects and would be sited on a prominent, elevated, position. Although soft landscaping and boundary treatment could be utilised to soften the impact, it is considered in the absence of these details the proposal does not comply with Policy HO2 of the Local Plan as the site is not well contained within existing landscape features.
- 6.22 It is not disputed that the site is located immediately adjacent to existing residential dwellings and within walking distance to the centre of Irthington. And it is accepted that the site has the capacity to accommodate an appropriate scale and design. However, the form and character of this area of the village and the visual perception remains detached from the existing built form.
- 6.23 In summary, although it is recognised that Irthington is a sustainable location for new housing development which would support the vitality of the existing village. In this instance, it is considered the proposed location is not well related to the existing built form and would not be well contained within

existing landscape features, therefore leading to an unacceptable intrusion into the open countryside.

- 6.24 While it is understood the family are active members of the local community and contribute positively to the vitality of the village, it should be noted that they are existing residents of the village. The refusal of this proposal on the grounds outlined above would therefore not significantly impact on the vitality of the village.
- 6.25 The principle of the proposal is therefore considered to be contrary to Policy HO2 of the Carlisle District Local Plan 2015-2030 as it would not be appropriate in terms of form and character, and would not be well contained within existing landscape features.

2. Impact On Living Conditions On Neighbouring Occupiers

- 6.26 Policies within the Local Plan seek to ensure that development proposals should be appropriate in terms of quality to that of the surrounding area. One of the criterion of Policies SP6 and CM5 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 'Achieving Well Designed Housing' SPD. 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 be achieved. However, if a site is an infill, and there is a clear building line that the infill should respect, these distances need not strictly apply.
- 6.27 Although the scale, layout and design of the proposed dwelling are reserved matters, and while it is acknowledged that the site is located within a large plot and could well achieve the off-set distances as outlined in the 'Achieving Well Designed Housing' SPD, as things stand the lay of the land is approximately at eye level with principle windows on the rear elevation of the neighbouring dwellings. It is therefore considered that due to the existing landscape features, the proposal would have potential to adversely impact the living conditions of neighbouring occupiers. However, the full assessment of this impact could only be achieved by way of a detailed application.

3. Impact Upon Highway Safety

- 6.28 The submitted plan indicates an access via the existing field access on to the unclassified road.
- 6.29 The Highway Authority has been consulted on the proposal and advised that inadequate information has been submitted to satisfy the Highway Authority that the proposal is acceptable. In addition, the Parish Council has raised concern at the proposed access and the achievable visibility splays.
- 6.30 However, the access detail has been reserved for the detailed application and is not subject to this outline application. Any subsequent application would consider access, visibility, etc and this level of detail could be secured by way of condition.

4. Impact Upon Trees and Hedgerows

- 6.31 Policy GI6 of the Local Plan seek to ensure that proposals for new development should provide for the protection and integration of existing trees and hedges where they contribute positively to a locality, and/or are of specific natural or historic value.
- 6.32 Furthermore, the City Council's Supplementary Planning Document (SPD) 'Trees and Development' outline that not only should the design of developments seek to retain existing tree and hedgerow features, but sufficient space should be allocated within the schemes to ensure integration of existing features and space for new planting it is important that these issues are considered at the very start of the planning process.
- 6.33 There are no trees within the proposal site. However, there is a fragmented hedge along the north eastern boundary. It is proposed to retain the hedgerow as part of the application.

5. Impact On Hadrian's Wall World Heritage Buffer Zone.

- 6.34 The site is located within the Hadrian's Wall World Heritage Buffer Zone. Proposed development within the buffer zones should be assessed for its impact on the sites outstanding universal value and particularly on view both into and out of it. Policy HE1 of the Local Plan highlights that development that would result in substantial harm will be refused.
- 6.35 Although the proposal has the potential to be visible from the World Heritage Site, it is considered the proposal would not result in substantial harm.
- 6.36 Historic England has been consulted on the proposal and confirmed there are no comments to make on the application.
- 6.37 Nevertheless, the detailed application would be assessed against the impact on the Hadrian's Wall World Heritage Buffer Zone.

6. Biodiversity

- 6.38 The Council's GIS Layer has identified that the site has the potential for several key species to be present within the vicinity. As the proposed development seeks outline planning permission for one dwelling with minimum disturbance to vegetation, it is unlikely that the development would harm a protected species or their habitat. If permission was to be granted an informative could be included within the Decision Notice ensuring that if a protected species is found all work must cease immediately and the Local Planning Authority informed.

Conclusion

- 6.39 In overall terms, the proposal seeks outline planning permission for the erection of 1 no. 4(+) bedroom dwelling with all matters reserved at Land

adjacent to Hawklemass, Irthington. The form and character of the existing built form in this area of the village is predominantly linear in nature. The proposal site would be at the northern most aspect of the village and would protrude beyond the existing linear nature of the built form. The site does not benefit from existing landscape features to integrate the proposal into the surrounding environment and the site would be seen in the context of an elevated, open aspect. As such, the proposal would be perceived as being detached from the existing built form and could be considered as intruding into the open countryside.

- 6.40 In light of the foregoing, the proposal cannot be considered to be well related to the existing form and character of the village, nor can it be considered to be well contained within the existing landscape features.
- 6.41 In addition, given the elevated nature of the site, the proposal could have the potential to adversely impact the living conditions of neighbouring occupiers.
- 6.42 Further consideration would need to be made to access and impact on highway safety.
- 6.43 No issues are raised in relation to trees and hedgerows, the Hadrian's Wall World Heritage Buffer Zone or biodiversity.
- 6.44 The principle of the proposed development is considered to be contrary to both local and national planning policies and is therefore recommended for refusal.

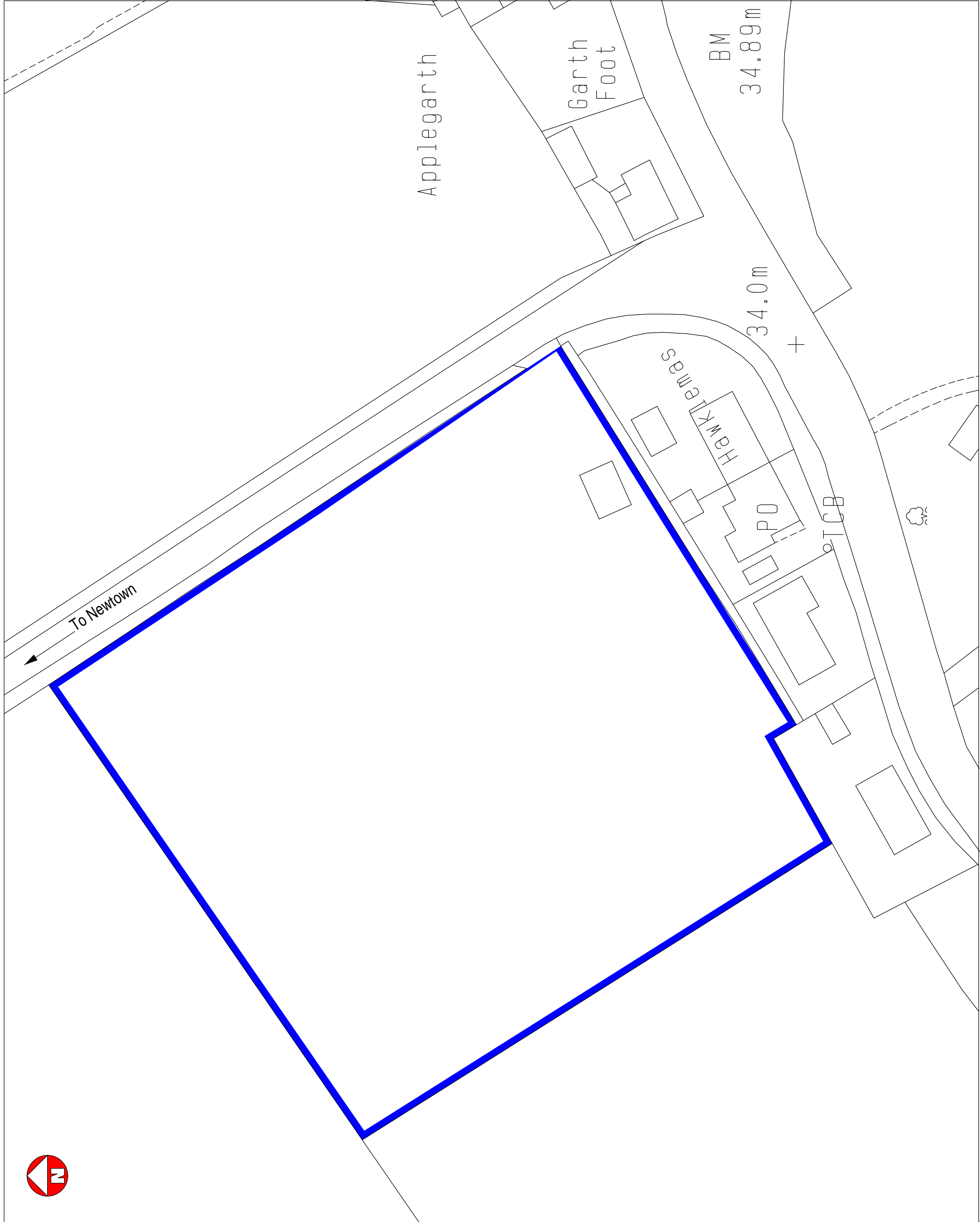
7. Planning History

- 7.1 There is no relevant planning history.

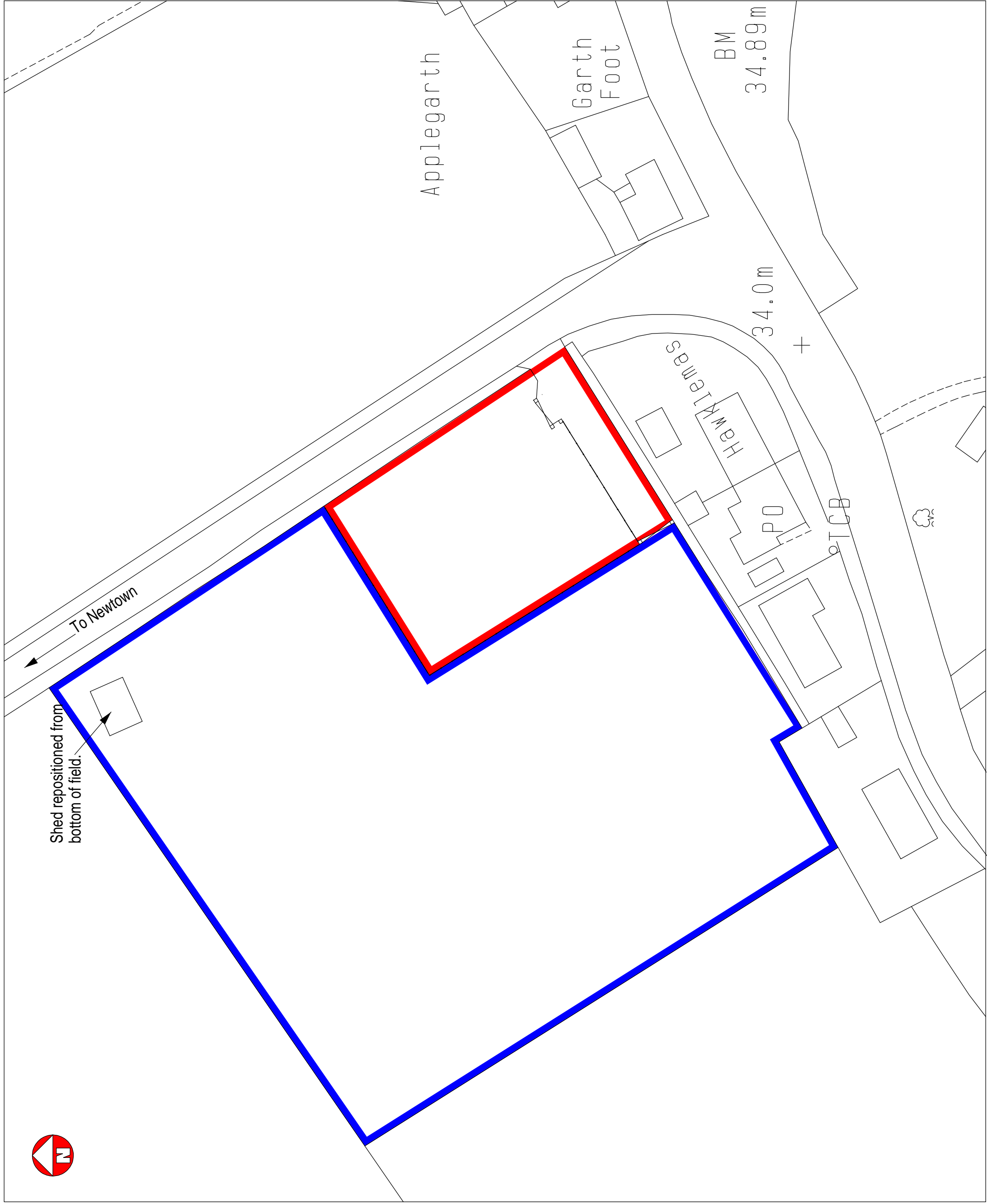
8. Recommendation: Refuse Permission

- 1. **Reason:** The application site is on the northern edge of the village of Irthington. The form and character of the existing built form in this area of the village is predominantly linear in nature. The proposal site would be at the northern most aspect of the village and would protrude beyond the existing linear nature of the built form at an elevated position. The proposal site would therefore not be appropriate to the form and character of the existing settlement and is contrary to criterion 1 of Policy HO2 of the Carlisle District Local Plan 2015-2030.
- 2. **Reason:** The application site is on the northern edge of the village of Irthington and is located at an elevated position in the context of open aspects which does not benefit from existing landscape features to contain the proposal. Although the site would be physically adjacent to the existing built form it would appear visually detached from the village. The proposal would

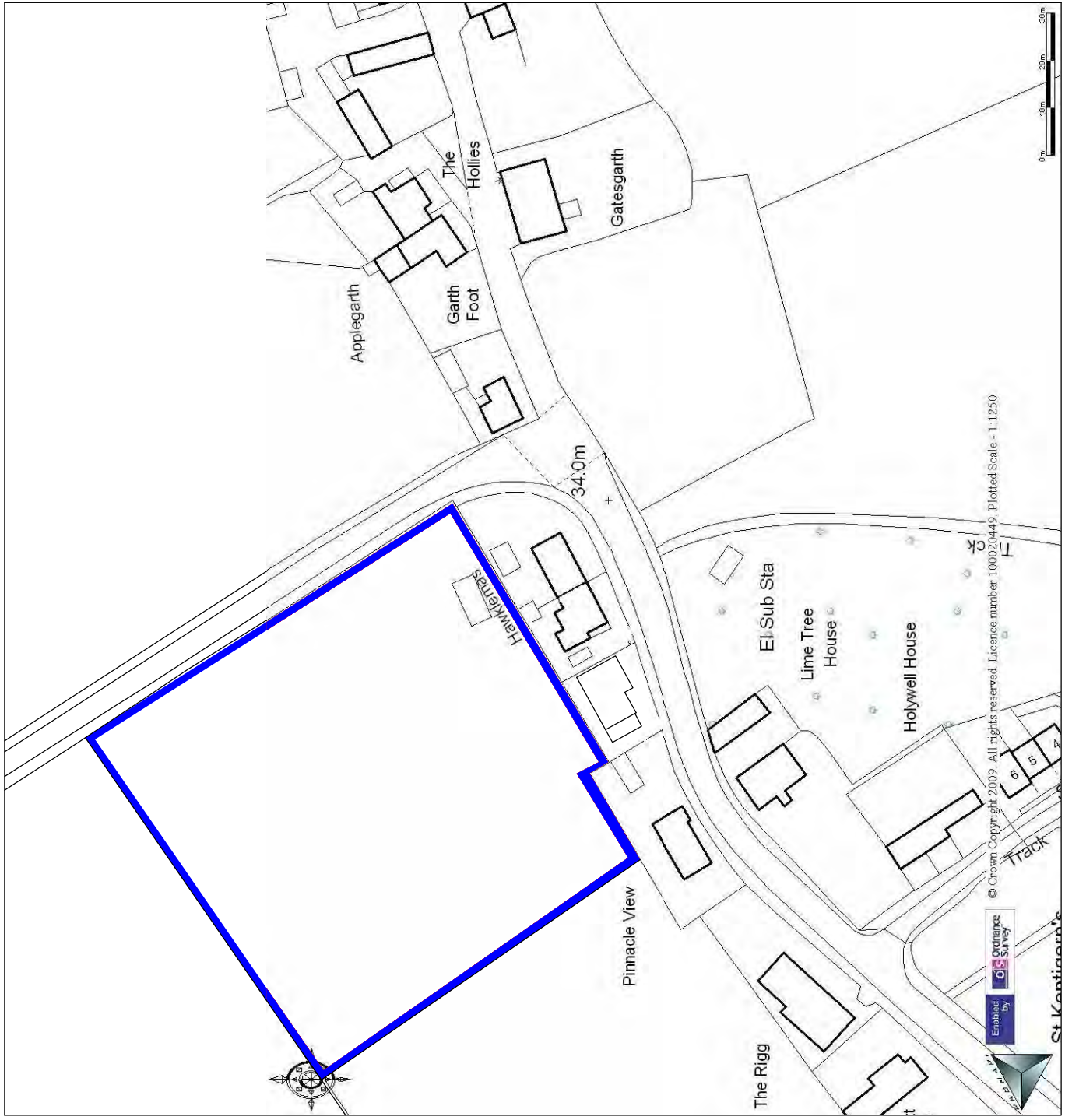
therefore not be well contained within existing landscape features and could be considered to intrude into the open countryside. The proposal is therefore contrary to criterion 3 of Policy HO2 of the Carlisle District Local Plan 2015-2030.



EXISTING BLOCK PLAN
Scale: 1:500



PROPOSED BLOCK PLAN
Scale: 1:500



Location Map
Scale 1:1250

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DETAILS

REVISIONS

CONTRACT:
Todd-Ittington

CLIENT:
Mr Mrs R Todd
Hillcrest Station
Infrington,
Cumbria,
CA8 8NN

Outline planning permission for single
a dwelling in Infrington, Cumbria.

SCALE:
As marked
A1 Sheet

DATE:
21/02/2017

DRAWING No.
00-T1-202017

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