

SCHEDULE A: Applications with Recommendation

13/0468

Item No: 05

Date of Committee: 30/08/2013

Appn Ref No:
13/0468

Applicant:
Mr Meekley

Parish:

Date of Receipt:
25/06/2013

Agent:
Edenholme Architectural
Surveyors

Ward:
Currock

Location:

Garages Adjacent Robinson St/Almery Drive,
Carlisle

Proposal: Erection Of 3no Domestic Garages On Existing Site Together With
Alterations To Existing Access (Revised Application)

REPORT

Case Officer: Suzanne Edgar

1. Recommendation

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

2. Main Issues

- 2.1 The Principle Of Development
- 2.2 Whether The Scale And Design Is Acceptable
- 2.3 Highway Safety
- 2.4 Crime
- 2.5 Impact Upon Residential Properties
- 2.6 Drainage
- 2.7 Biodiversity
- 2.8 Other Matters

3. Application Details

The Site

- 3.1 This application relates to a group of lock-up garages which are located between Almery Drive, Robinson Avenue, Robinson Street and Rose Street

in Currock, Carlisle. The site consists of four blocks of garages located in a rectangular formation centred around an associated hard standing accessed from Almerly Drive. The site is enclosed from Robinson Street and Robinson Avenue by existing fencing/walling. There is an existing double lamp stand in the south-western corner of the site located between the gap of the two garage blocks adjacent to Almerly Drive and Robinson Avenue which provides some light into the site as well as an additional pedestrian access. The surroundings to the site are wholly residential.

Background

- 3.2 In November 2012 two applications were received seeking Full Planning Permission for the erection of 5no.garages on the existing site together with new access gates. One of these applications was never made valid (reference 12/0612) and one was withdrawn prior to determination (reference 12/0971).

The Proposal

- 3.3 The proposal seeks permission for the erection of 3no.domestic garages on the site together with alterations to the existing access.
- 3.4 Two of the proposed garages will be located in between the garage blocks which back onto Robinson Street and Rose Street. The garages will have a total width of 7 metres, a total length of 5.8 metres and a similar eaves and ridge height to the existing garages. Both of the garages will be constructed from materials to match the existing garage blocks. Access to the two garages will however be from Robinson Street which is a private street.
- 3.5 The remaining garage (which will have a total width of 3.8 metres and a total length of 5.4 metres) will be attached to the eastern gable of the block of three garages which back onto Almerly Drive. This garage will also be constructed from materials to match the existing garage blocks and will have a similar eaves and ridge height. The construction of this garage however involves alterations to the existing vehicular access to the site as the garage will be located in the position of the existing access. It is therefore proposed to move the existing access to the north-west of the proposed garage, creating an access which is 2.8 metres wider than the existing.

4. Summary of Representations

- 4.1 This application has been advertised by the display of three site notices and by means of notification letters sent to 56 residential properties. At the time of preparing this report 33 representations have been received of which 32 are against the proposal and 1 makes comment.
- 4.2 The letters/emails of objection cover a number of matters and are

summarised as follows:

1. Highway safety concerns particularly with regard to visibility, increased traffic, displaced parking, safety of children walking to school/playing together with location of the access near to the bend in the road
2. Land ownership
3. Land has a restrictive covenant in place regarding further building work
4. Queries regarding where building materials will be stored etc
5. Proposal will restrict access and parking in front of existing garages as well as vehicles being able to turn and manoeuvre
6. Impact upon existing drains
7. Accuracy of the plans
8. A site visit should be made
9. Concerns that the proposal may be used for commercial purposes;
10. Crime/Vandalism
11. Some of the garages are used for Business Purposes by the applicant as well as others at Manor Road
12. Concerns that the applicant may apply for gates if planning permission is granted
13. Application should be rejected because of the number of objections received

4.3 The email of comment raises a number of issues which are summarised as follows:

1. Double yellow lines should be placed on the blind corner to prevent parking
2. Pedestrian access is necessary for the community to access the local shopping area
3. Young children play around the area

5. Summary of Consultation Responses

Cumbria County Council - (Econ. Dir. Highways & Transportation): - no objections subject to the imposition of three conditions;

Local Environment - Environmental Protection (former Comm Env Services-

Env Quality): - no objections;

Cumbria Constabulary - North Area Community Safety Unit (formerly Crime Prevention): - no objections, advice received regarding crime prevention;

Northern Gas Networks: - no objections, advisory note attached;

Cumbria Fire Service: - verbally confirmed no objections;

United Utilities - (for water & wastewater comment) see UUES for electricity dist.network matters: - verbally confirmed no objections.

6. Officer's Report

Assessment

- 6.1 The relevant planning policies against which this application is required to be assessed are Policies CP2, CP5, CP6, CP17, H2 and T1 of the Carlisle District Local Plan 2001-2016.
- 6.2 The proposal raises the following planning issues:
 1. The Principle Of Development
- 6.3 The site is primarily used for domestic lock-up garages. The submitted Design and Access statement indicates that the proposed garages will be for domestic use. As the site is located within a Primary Residential Area, as defined in the proposal maps which accompany the Carlisle District Local Plan 2001-2016, the principle of the proposal is therefore acceptable.
 2. Whether The Scale And Design Is Acceptable
- 6.4 The proposed garages will be constructed from materials to match the existing garages on the site which are constructed from brick walls under a tiled roof. The proposed garages will also have a similar eaves and ridge height. Accordingly it is considered that the scale and design of the garages are appropriate to the site and will not have a detrimental impact on the character of the surrounding area.
 3. Highway Safety
- 6.5 As stated in paragraph 3.5 of the report the existing vehicular access to the site is to be altered to allow the construction of the single garage. The access will move to the north-west of the proposed garage, creating an access which is 2.8 metres wider than the existing. The existing pavement will be altered to create this access which will require separate consent from the Highways Authority under a Section 278 agreement. Access to the two garages in the northern corner of the site will be via Robinson Street which is a private road.
- 6.7 The relevant Highways Authority has been consulted on the proposed development and has confirmed no objections subject to the imposition of

three conditions relating to: 1) before the construction of the new garage adjacent to Almerly Drive the existing access shall be amended with the kerb/footway realigned in accordance with details which have been submitted to and approved in writing by the Local Highways Authority; 2) the new/extended vehicle access should be constructed and drained to the specification of the Highways Authority and 3) the garage doors facing Robinson Street shall have roller shutters.

- 6.8 It is noted that the majority of objectors to this proposal have objected on highway safety grounds particularly with regard to: visibility; increased traffic; displaced parking; safety of children walking to school/playing; location of the access near to the bend in the road; proposal restricting access and parking in front of the existing garages as well as vehicles being able to turn and manoeuvre.
- 6.9 In response to the issues raised the Highways Authority, following a site visit, has confirmed that the proposed single garage that will back onto Almerly Drive will not prohibit access in and out of any of the existing garages as the distance between the proposed garage and the existing garage blocks will exceed the Cumbria parking standards. The Highways Authority has however acknowledged that if cars were parked in front of the existing garages access to the site would be prohibited by the creation of the new garage however this would be only a transitory occurrence whilst garage doors are opened/shut. Members should note that ownership of the garage fore court has been disputed by objectors however the applicant's agent has confirmed that parking in front of the existing garages for a long period of time is not permitted due to the confined nature of the site which would impede the passage of others to and from their units. Whilst there is a difference of opinion between the applicant and objectors with regard to land ownership and parking in front of the existing garages Members should note that this is a civil matter and cannot be dealt with under planning legislation.
- 6.10 The Highways Authority has raised no objections with regard to visibility from the site onto Almerly Drive as the "set back" distance of the existing and proposed garages are in excess of the minimum requirement in the urban area of 2.4 metres. Members should be aware that the Highway Authority has confirmed that moving the access onto Almerly Drive actually improves visibility in the south west direction for vehicles leaving the site.
- 6.11 With regard to the two proposed garages which will be accessed from Robinson Street the Highway Authority has confirmed no objections but has advised that the garages should have roller shutter doors so that they don't open outwards onto the street. The Highway Authority has also advised that the existing footpath adjacent to the two proposed garages should have a dropped curve and be vertically realigned to tie in to the new garage floor levels. Whilst the alterations to the public footpath cannot be conditioned as this is outwith the application site and unrelated to the proposal the applicant has been advised that creating a dropped curve would be an improvement for disabled conveyances/pushchair users.
- 6.12 In relation to objectors concerns regarding displaced parking the Highways

Authority has confirmed that the development actually creates additional parking spaces. With regard to objectors concerns in relation to access and parking for construction vehicles the Highway Authority has confirmed no objection and that a construction management plan condition could be imposed within the Decision Notice. For Members benefit the applicant's agent has confirmed that materials are likely to be stored in one of the applicants existing garages during construction of the first garage. Once the single garage is secure this will then act as a storage facility for the remainder of the building works. Given objectors concerns regarding construction vehicles/storage should Members approve the application it is advised that a construction management plan condition is imposed within the Decision Notice.

- 6.13 Subject to the imposition of conditions and given no objection to the proposed development from the relevant Highways Authority the proposal would not have a significant impact upon highway safety.

4. Crime

- 6.14 Policy CP17 of the Carlisle District Local Plan states that the design of all new development must contribute to creating a safe and secure environment, integrating measures for security and crime prevention and minimising the opportunity for crime.
- 6.15 The proposed development seeks to retain the existing double lamp stand in the south-western corner of the site which provides light into the site. The two garages which will take their access from Robinson Street will make the site more secure as this will replace the existing 1.7 metre (approx) high wall which encloses the site between the two garage blocks facing Robinson Street and Rose Street. Cumbria Constabulary Crime Prevention Officer has been consulted on the proposed development and has confirmed no objections indicating that the surveillance opportunities from the direction of Almerly Drive are still sufficient to notice any repetition of any anti-social activity or nuisance occurring in the site. The Crime Prevention has however provided advice with regard to security measures for the proposed garages to resist forced entry. This advice has been forwarded to the applicant's agent for his clients attention.
- 6.16 As there has been no objections from Cumbria Constabulary it is not considered that there is any policy conflict.

5. Impact Upon Residential Properties

- 6.17 As stated within paragraph 6.3 domestic garages located within a primary residential area are an acceptable use.
- 6.18 Given the positioning of the proposed garages and altered access in relation to residential properties surrounding the site it is not considered that the proposed development will have an adverse impact upon occupiers of neighbouring properties in terms of loss of light, overlooking or over dominance sufficient to warrant refusal of the application.

6. Drainage

- 6.19 The proposal will connect to the existing surface water drainage system which discharges to the main sewer. United Utilities has been consulted on the proposed development and has verbally confirmed no objections. It is noted that objectors have raised concerns regarding disturbance/building over existing drains. A drainage plan has been submitted as part of this application which shows that the proposed garages will not be built over existing drains. Members should note that the garages require a separate building regulations application and the connection to the existing drainage system will be dealt with under the relevant Building Regulations Legislation.

7. Biodiversity

- 6.20 Given the scale and nature of the proposal it is not considered that the proposed development would have an adverse impact upon a protected species or their habitat. If Members approve the application an informative would be included within the Decision Notice regarding protected species.

8. Other Matters

- 6.21 A number of the objectors have raised concerns in relation to locked access gates at the front of the garage block. Members should be aware that a previous proposal for this site included locked access gates however this proposal does not include any gates to enclose the garage block. Members are reminded that each application should be treated on its own merits. Members should note that any access gates over 1 metre in height would require planning permission and if access gates were proposed in the future any such application would be treated on its own merits.
- 6.22 There has been allegations during the consultation period regarding land ownership. Members are reminded that this is a civil matter and cannot be dealt with under planning legislation.
- 6.23 Objectors have alleged that there is a restrictive building covenant on the land. This is a legal matter which cannot be dealt with under planning legislation.
- 6.24 Objectors have also raised concerns that the proposed garages will be used for commercial purposes. The application is seeking approval for domestic garages only. For the avoidance of doubt should Members grant the application a condition will be imposed within the Decision Notice ensuring that the garages are used for domestic purposes only.
- 6.25 Members should be aware that a number of objectors have raised concerns regarding the accuracy of the plans submitted. The original block plan submitted for this application corresponded with the ordnance survey plans for the area however it has transpired that the ordnance survey plans for the site are slightly incorrect and do not reflect what is on the ground. The plans have therefore been updated accordingly.

Conclusion

- 6.26 To conclude the principle of development is acceptable. The scale, design and use of materials in the proposal would be reflective of the existing development and would therefore not have an adverse impact upon the existing character of the area. The proposal can be accommodated within the site without resulting in any demonstrable harm to the living conditions of the occupiers of neighbouring residential dwellings, biodiversity or the existing watercourse. The proposal would also not have an adverse impact upon highway safety. The application is recommended for approval as the proposal is considered to be compliant with the relevant Development Plan Policies.

7. Planning History

- 7.1 On the 30th November 2012 an application was received seeking Full Planning Permission for the erection of 5no. garages (for domestic use) on existing site together with new access gates. The application was however withdrawn prior to determination (reference 12/0971).
- 7.2 On the 9th November 2012 an application was received seeking Full Planning Permission for the erection of 5no.garages on existing site together with new access gates. This application was however never made valid (reference 12/0612).

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 submitted planning application form received 16th June 2013;
 2. the site location plan received 25th June 2013 (Drawing No.ED/5003/01);
 3. the block plan received 14th August 2013 (Drawing No. ED/5003/04B);
 4. the block plan with dimension on (for information purposes) received 12th August 2013 (Drawing No. ED/5003/04B);
 5. the existing elevations received 14th August 2013 (Drawing No.ED/5003/02 Rev E);
 6. the proposed elevations received 14th August 2013 (Drawing NO. ED/5003/03 Rev E);
 7. the Design And Access Statement received 16th June 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.

3. The proposed garages hereby approved shall be used solely for private, domestic purposes and no trade or business shall be carried out therein or therefrom.

Reason: To preclude the possibility of the use of the premises for purposes inappropriate in the locality in accordance with the objectives of Policy H2 of the Carlisle District Local Plan 2001-2016.

4. Before the construction of the new garage adjacent to Almerly St. commences, the existing access shall have been amended with the kerb/footway realigned in accordance with details which have been submitted to and approved by the Local Highways Authority.

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

5. The whole of the new/extended vehicular access area bounded by the carriageway edge and the existing Mews surfacing, shall be constructed and drained to the specification of the Local Highways Authority.

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

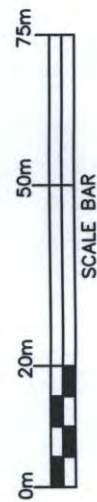
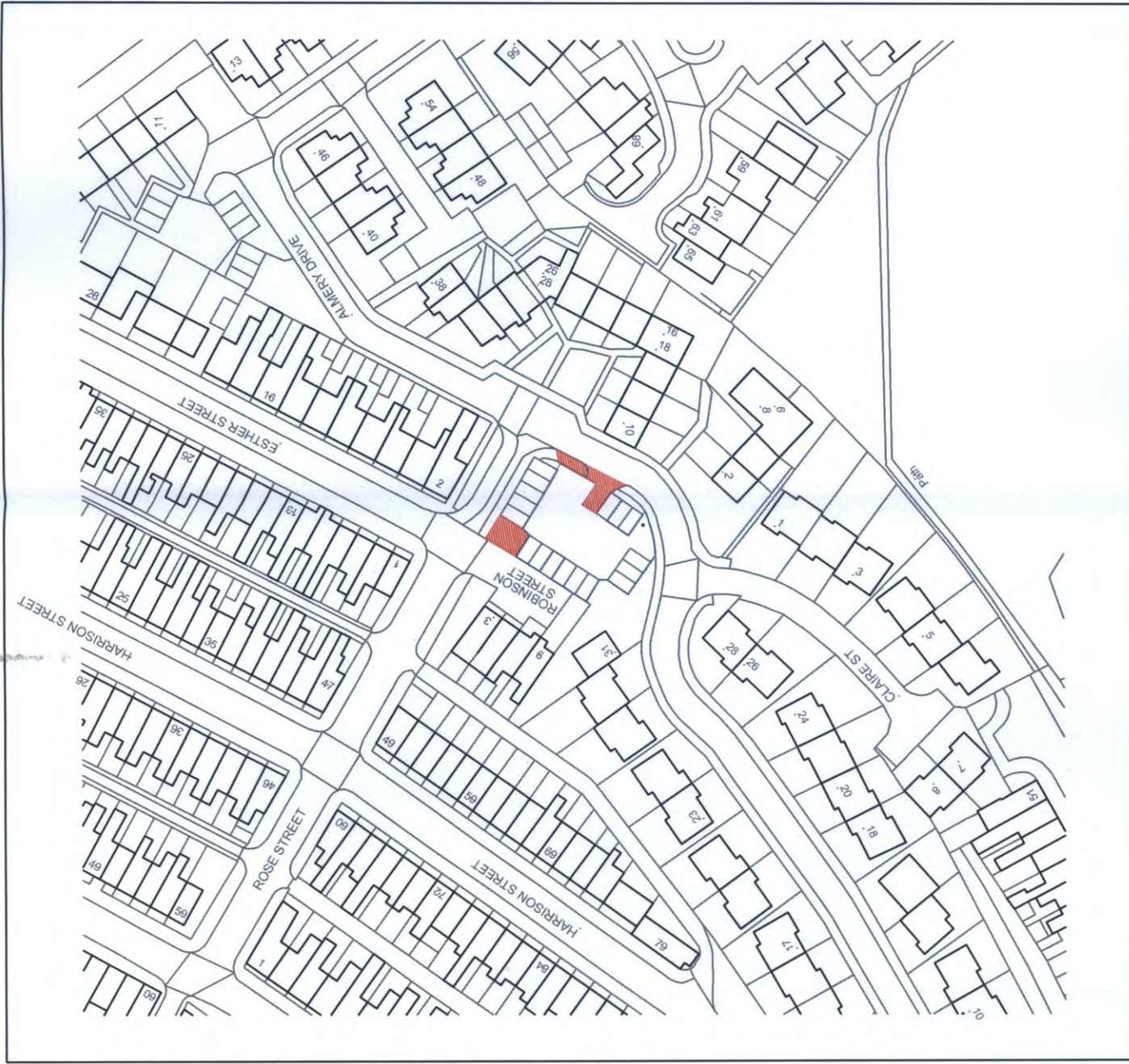
6. The two garages hereby approved which face onto Robinson Street shall have roller shutter doors. The details of which shall be submitted to and approved in writing by the Local Planning Authority

Reason: In the interests of road safety and visual amenities of the area.

7. Before the development hereby permitted commences a construction management plan should be submitted to and approved in writing by the Local Planning Authority describing the means by which construction activity at the site and construction traffic to and from the site shall be controlled. The development hereby permitted shall only be carried out and completed in accordance with the approved scheme.

Reason: In order to ensure that the construction of the development of this site is undertaken in a manner which minimises its effect on the local environment.

Robinson Street Garages, Carlisle.



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Tel 01228 545453 email info@edenholme-surveyors.co.uk

Project
**Robinson Garages
Carlisle
CA1**

Client **Mr E Meekley**

Drawing Title
Site Plan

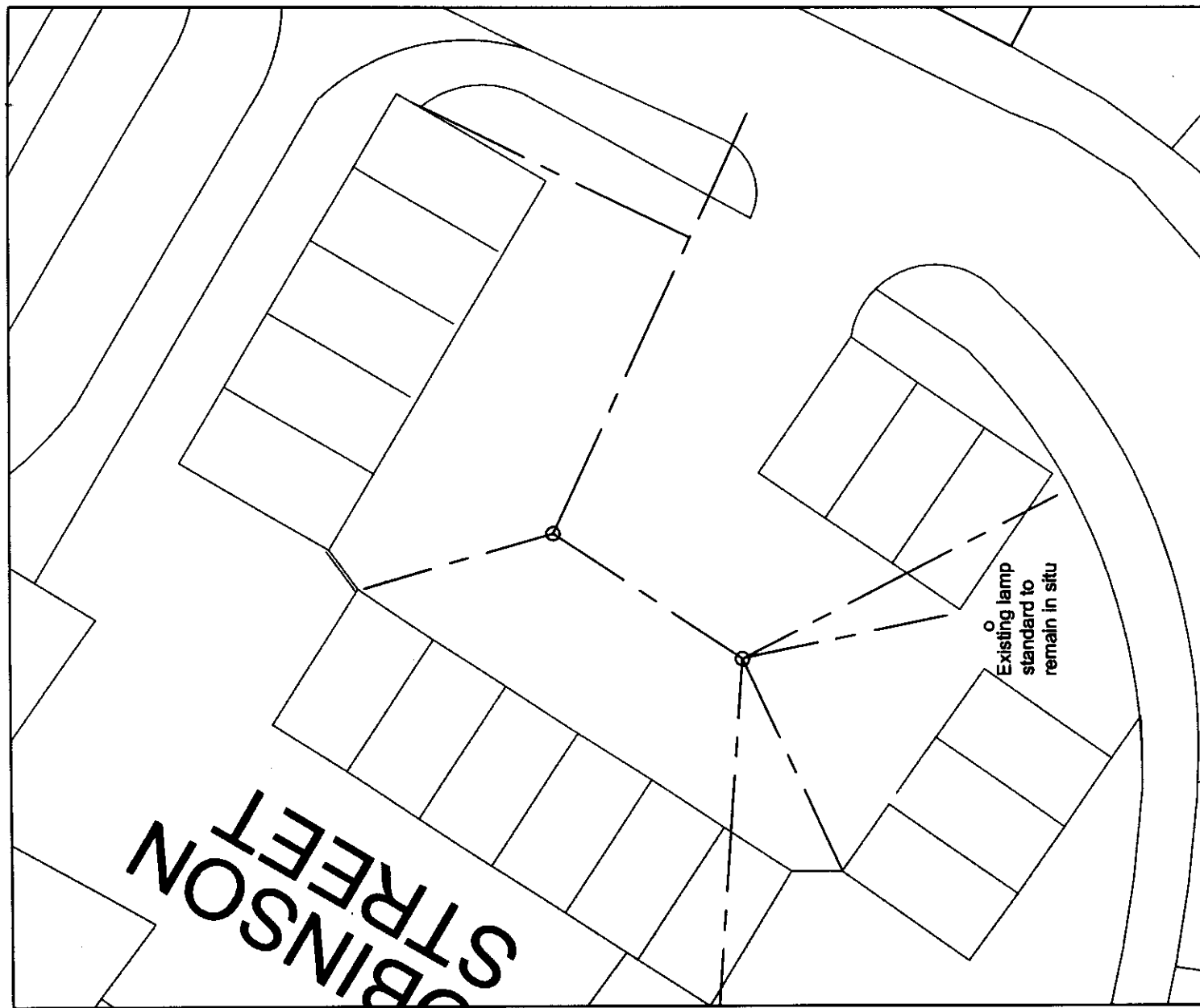
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10.06.2013

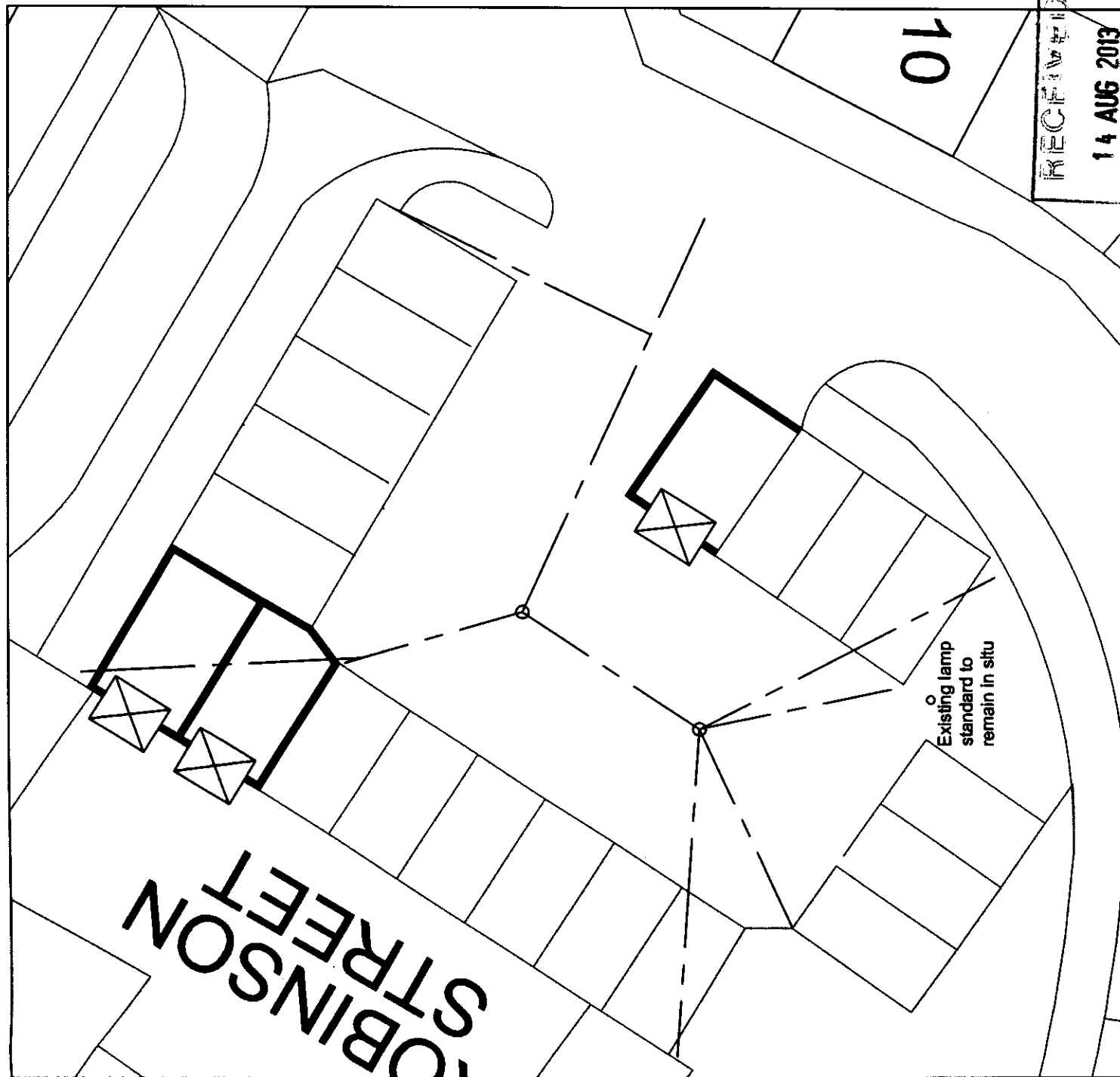
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Robinson Street Garages, Carlisle.



As Existing



As Proposed

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14 AUG 2013

13/0468



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9 St. Joseph's Garden's Carlisle CA1 2UQ
Tel 01228 545453 email info@edenholme-surveys.co.uk

Project
**Robinson Garages
Carlisle
CA1**

Client **Mr E Meekley**

Drawing Title
**Drainage and Landscape
As Existing & As Proposed**

Drawing Scale
1:200

Date
10.06.2013

Drawing Number
ED/5003/04B

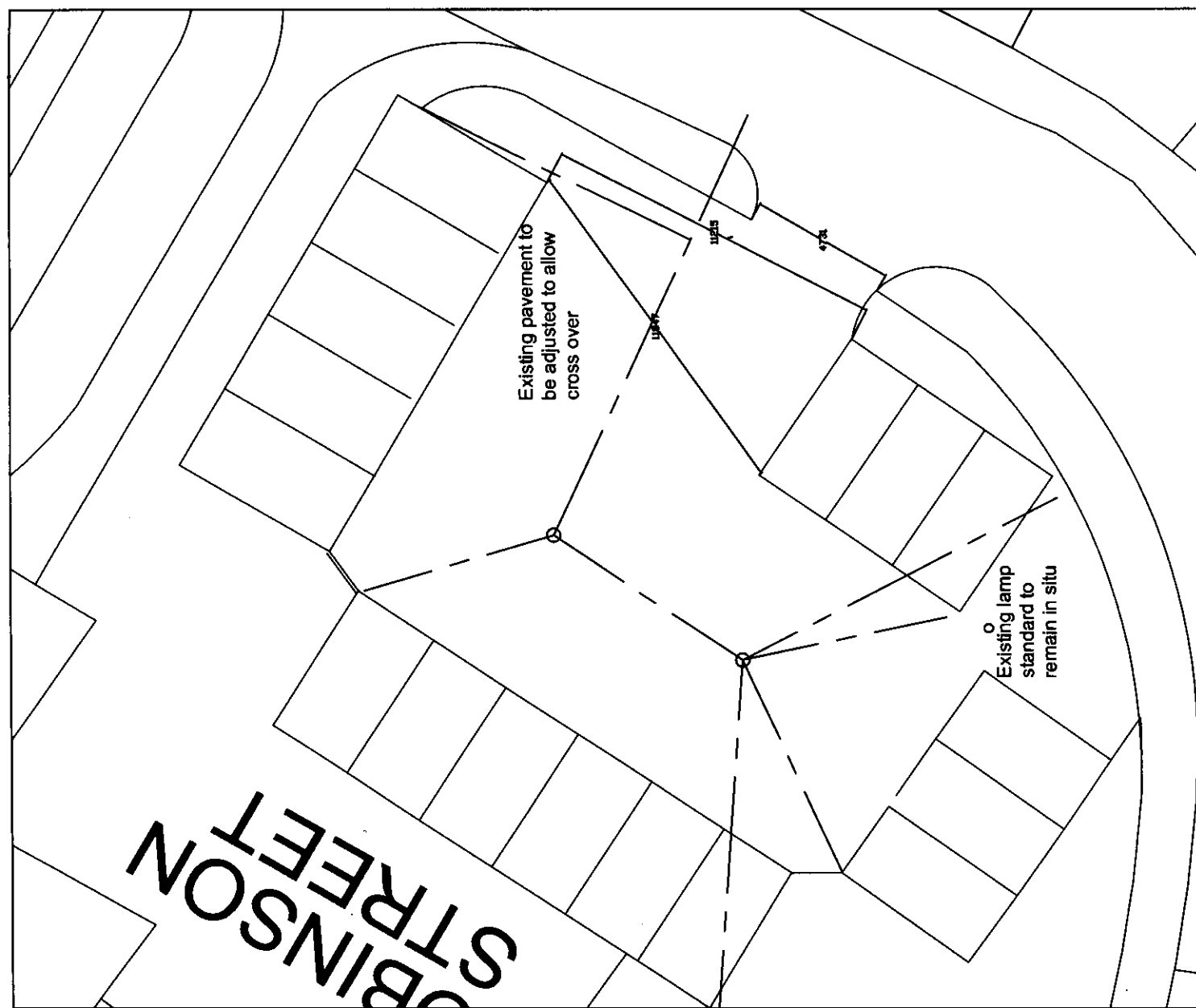
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Robinson Street Garages, Carlisle.

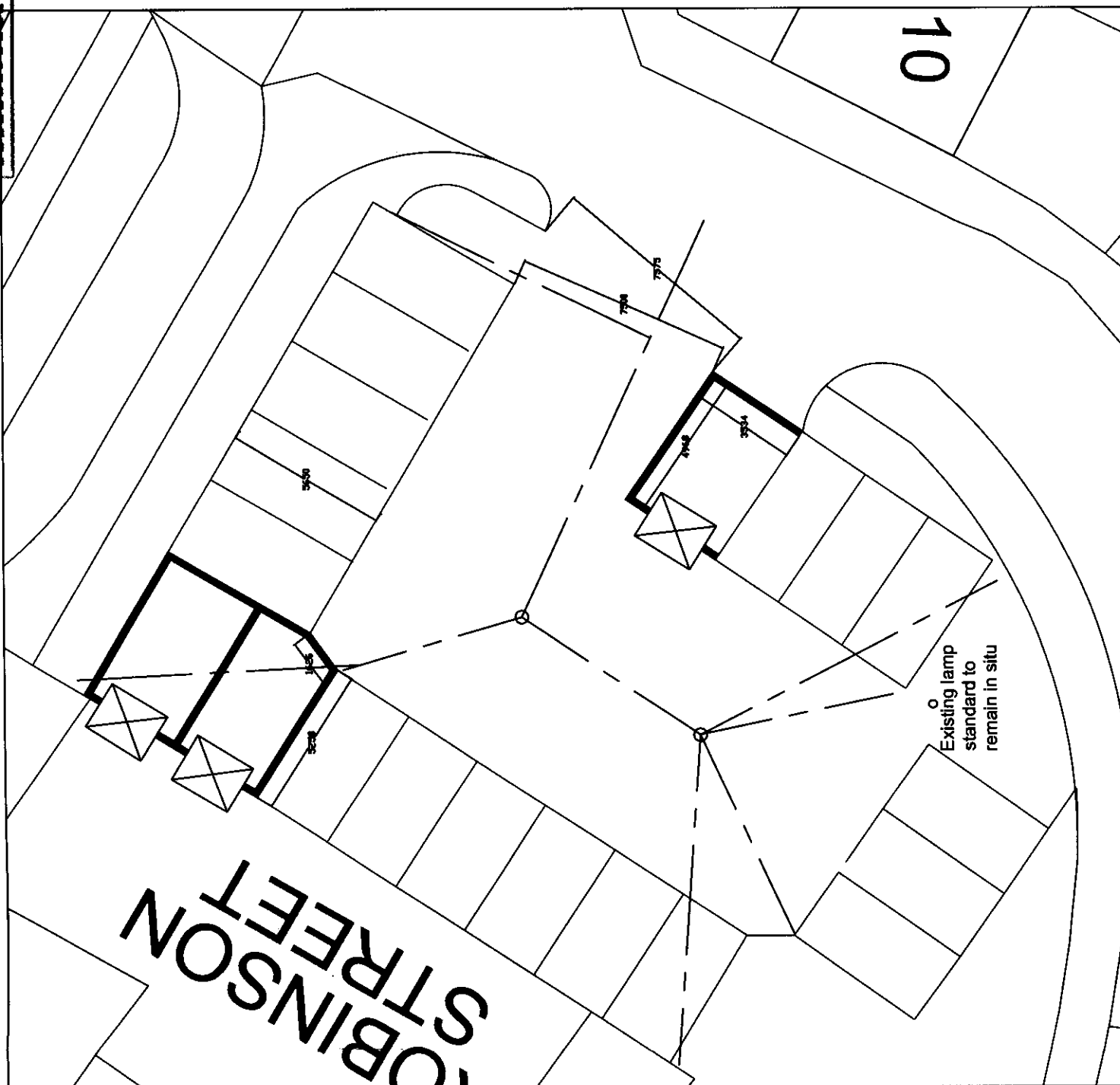
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12 AUG 2013
13/04/68



As Existing



As Proposed

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Project
**Robinson Garages
Carlisle
CA1**

Client **Mr E Meekley**

Drawing Title
**Drainage and Landscape
As Existing & As Proposed**

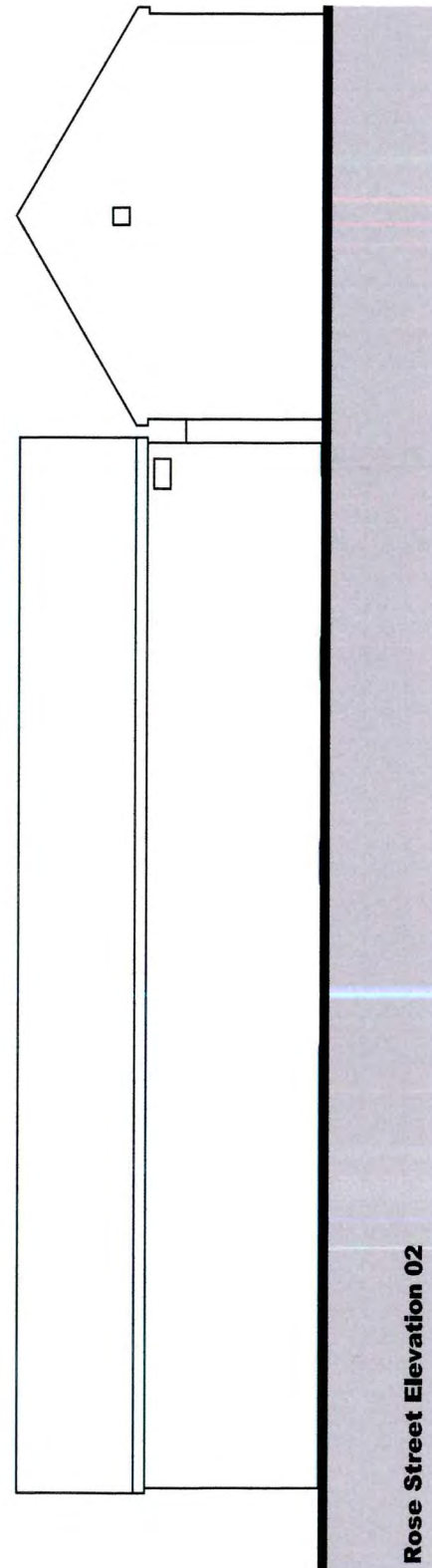
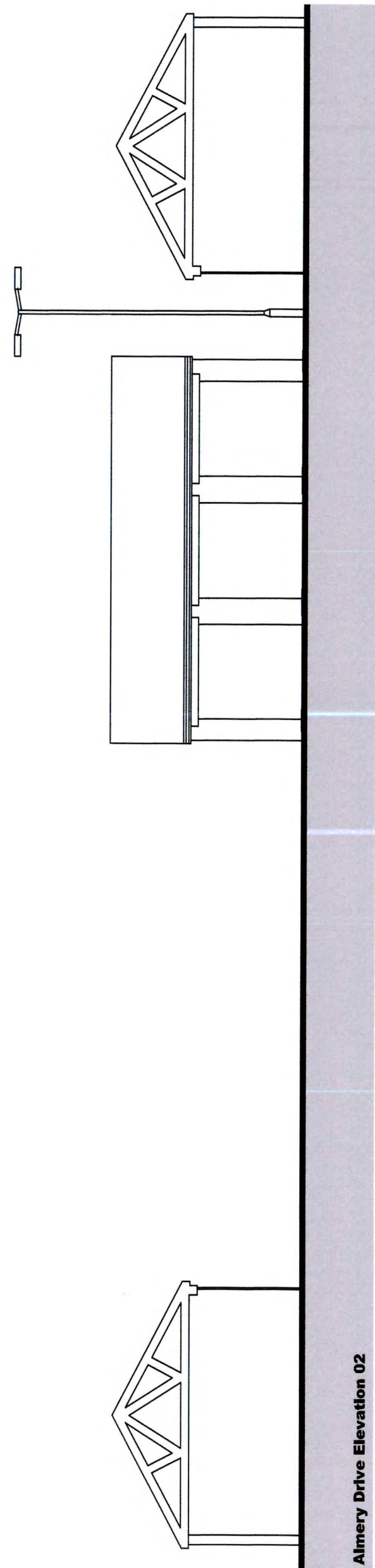
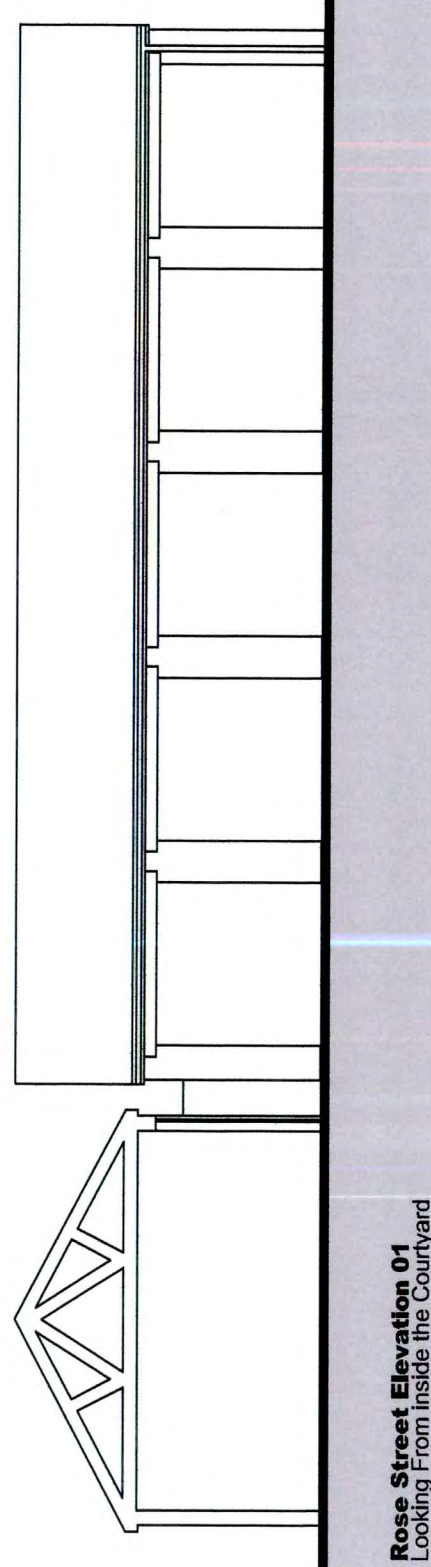
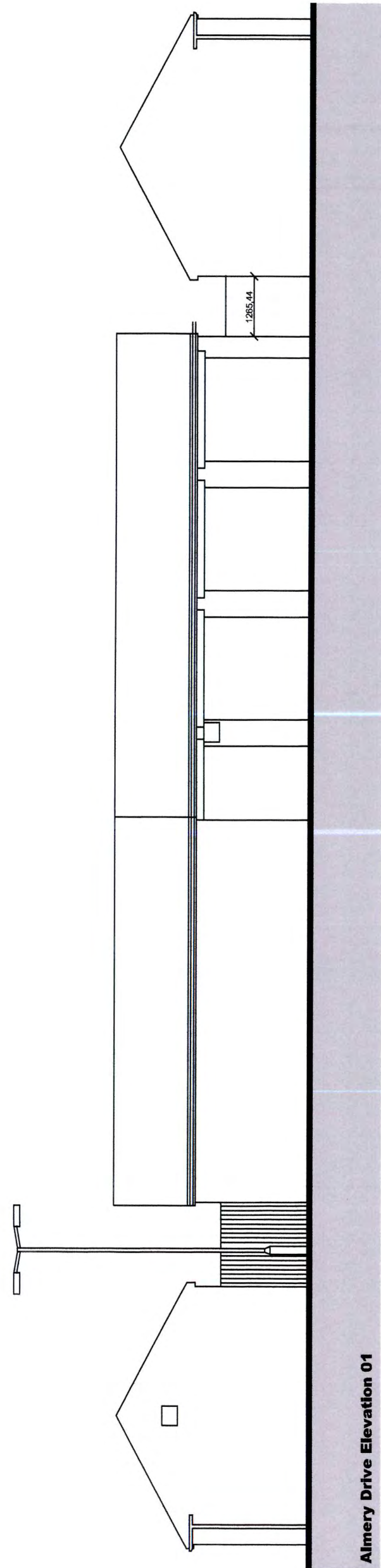
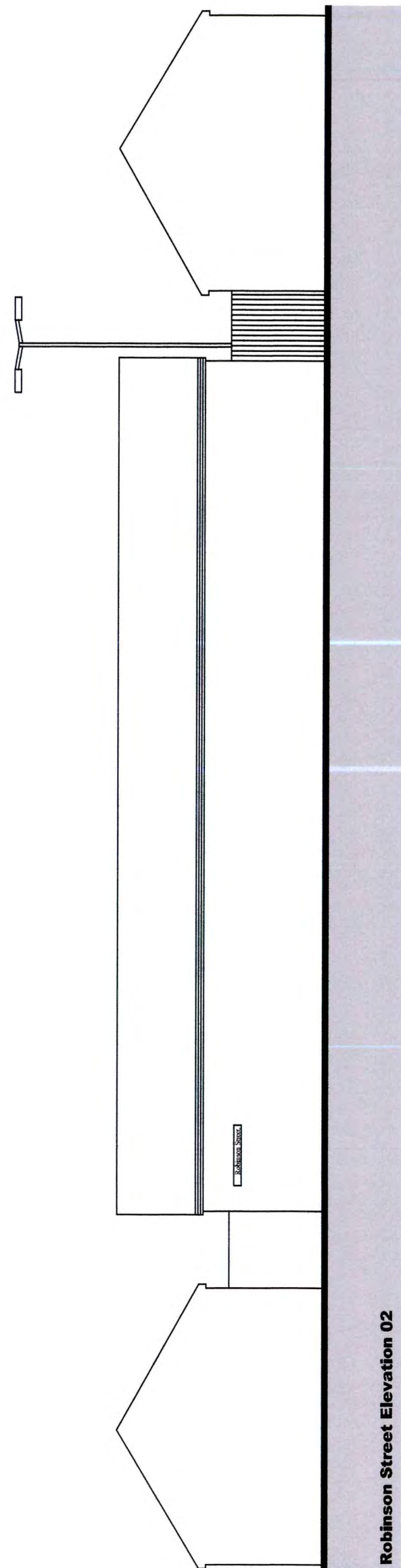
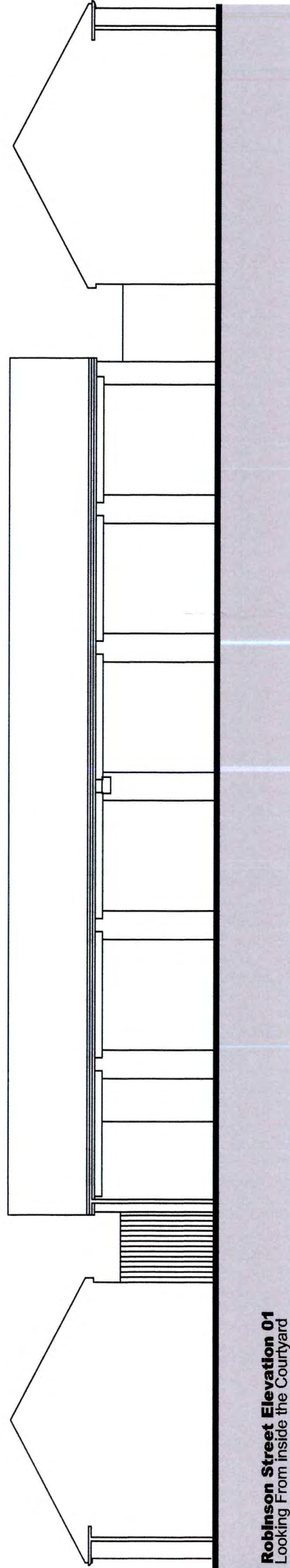
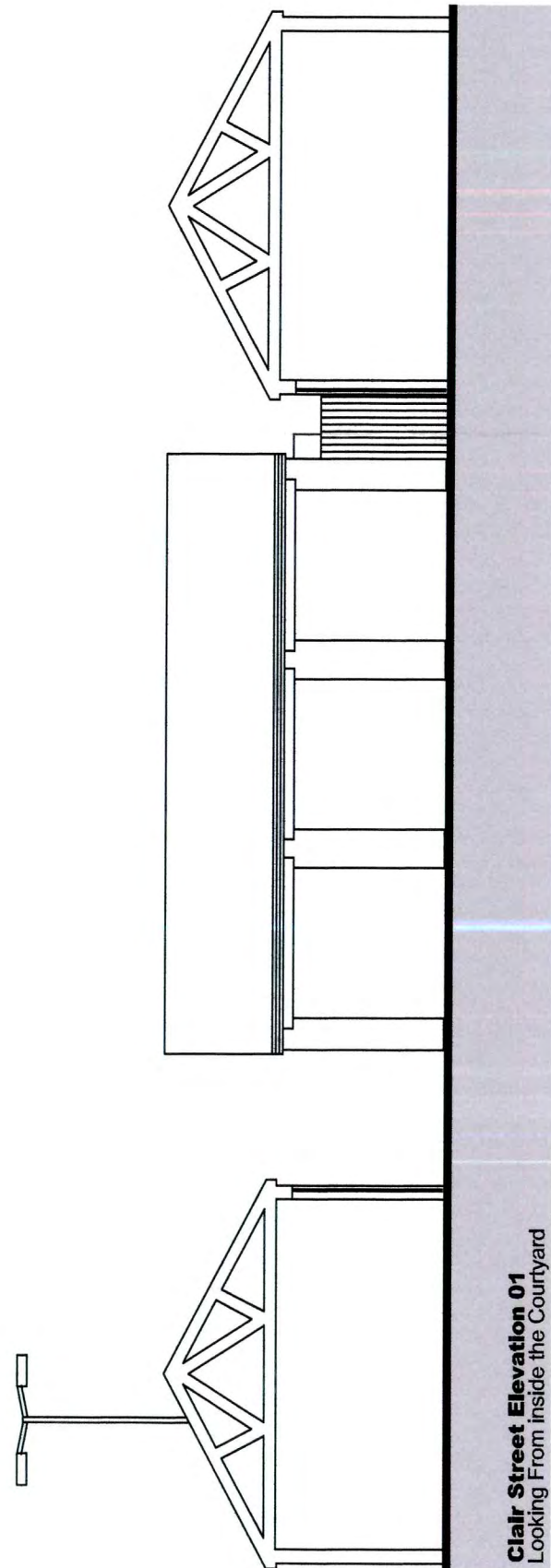
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Date
10.06.2013

Drawing Number
ED/5003/04B

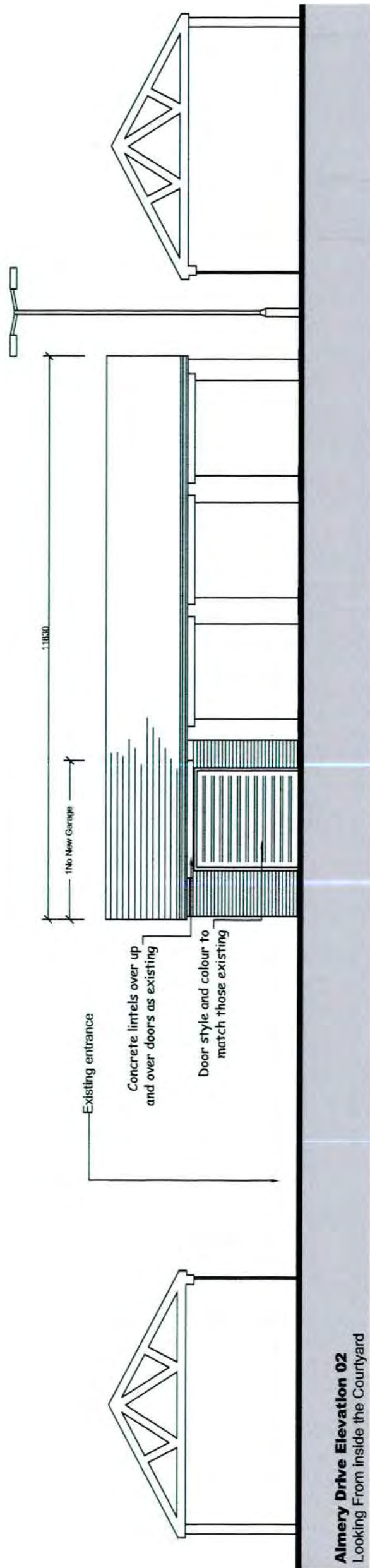
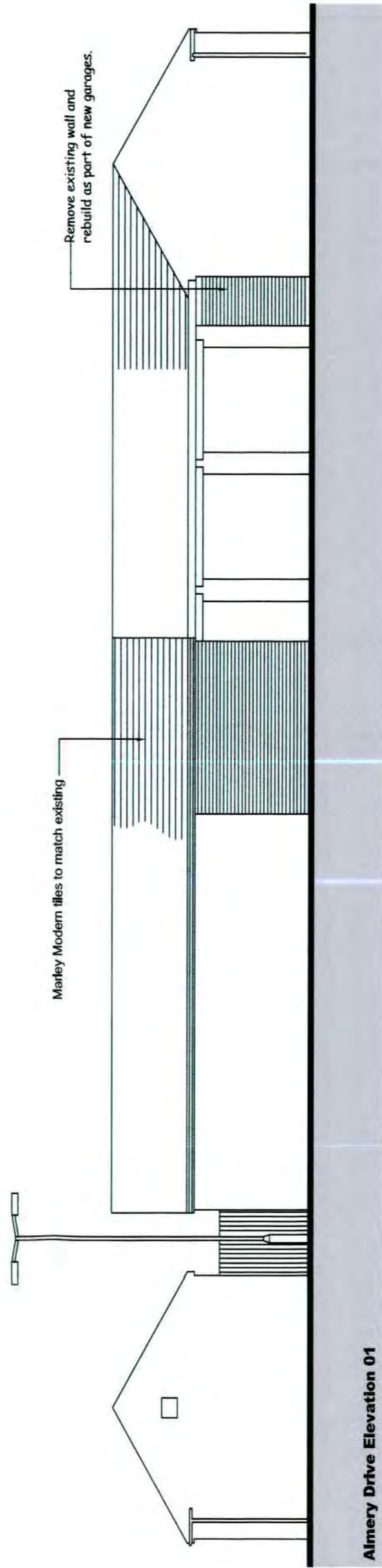
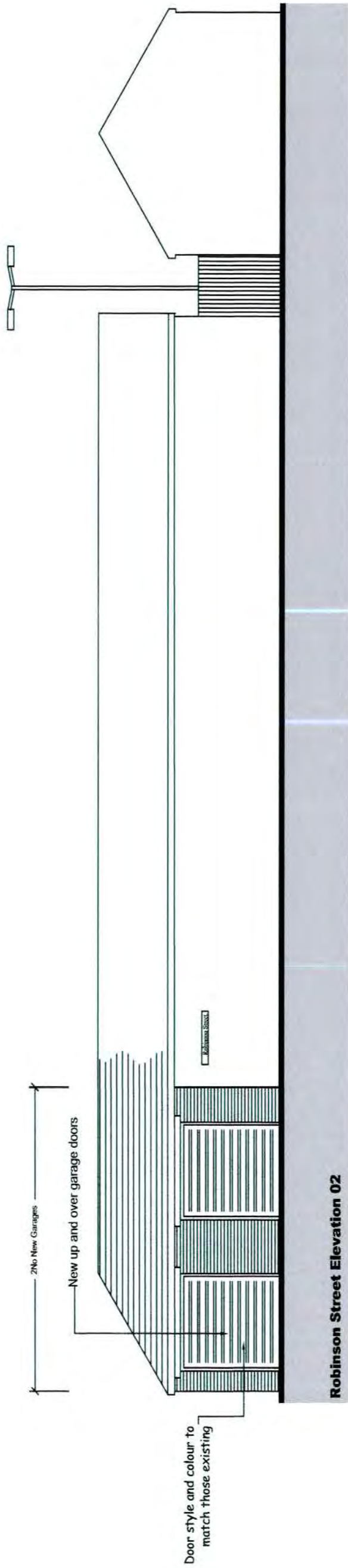
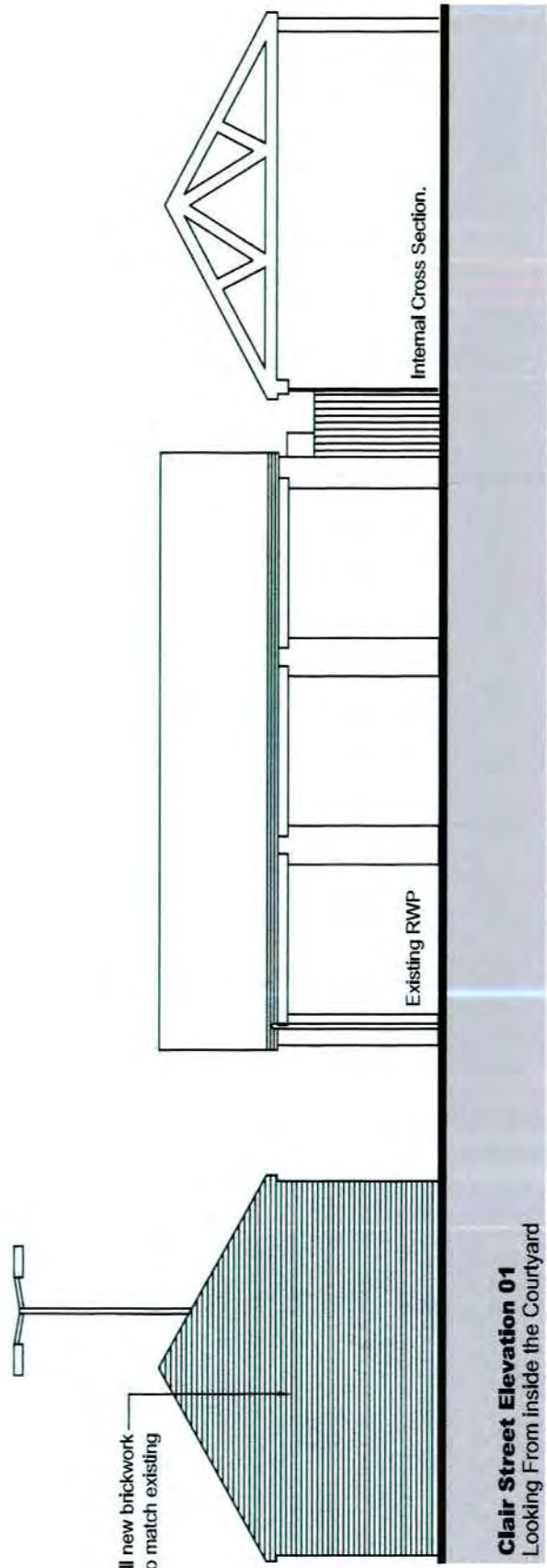
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Robinson Street Garages




 Edenholme Building & Architectural Surveyors 9-11, Trenchard's Garden • Cambridge CB1 7PL	Project	Client	Drawing Title	Drawing Scale	Drawing Number	Revision	Date	Details	Initials
	Additional 3 New Garages	Mr E Meekley	Existing Elevations	1:100 @ A1	ED/5003/02	E	17.12.2013	Amended to show street features	--
	Robinson Street	4 Lismore Pl					10.06.2013	Sections Added	
	Carlisle	Carlisle CA1 1LX					13.08.2013	Added Planning Information	
				Date	Drawing By				
					17.07.2012	JDS			

Robinson Street Garages



14 AUG 2013
13 0946

 Edenholme Building & Architectural Surveyors	Project Additional 3 New Garages Robinson Street Carlisle	Client Mr E Meekley 4 Lismore Pl Carlisle CA1 1Y	Drawing Title Proposed Elevations	Drawing Scale 1:100@ A1	Drawing Number ED/5003/03	Revision E	Date	Details	Initials	This drawing and information displayed must not be reproduced or used in any way without the written permission of Edenholme Building & Architectural Surveyors. All dimensions to be checked on site. Do not scale from this drawing.
							2011.12	Additional Information Added	JDS	
							10.06.2013	Planning review received		
							13.08.2013	Added Planning Detail		

SCHEDULE A: Applications with Recommendation

13/0540

Item No: 06

Date of Committee: 30/08/2013

Appn Ref No:
13/0540

Applicant:
HTE Limited

Parish:
Carlisle

Date of Receipt:
10/07/2013

Agent:

Ward:
St Aidans

Location:

175 Warwick Road, Carlisle, CA1 1LP

Proposal: Change Of Use From 2no. Flats To 1no. Dwelling To Be Used As A Shared Residential Property For Upto 6no. Occupants With Parking Provision To Rear (Retrospective)

REPORT

Case Officer: Barbara Percival

1. Recommendation

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

2. Main Issues

- 2.1 Whether the principle of development is acceptable
- 2.2 Impact of the proposal on the character of the area
- 2.3 Impact of the proposal on the living conditions of the occupiers of neighbouring properties
- 2.4 Impact of the proposal on highway safety
- 2.5 Impact of the development on the floodplain
- 2.6 Other matters.

3. Application Details

The Site

- 3.1 Number 175 Warwick Road is a mid-terrace property located on the northern side of Warwick Road close to its junction with Victoria Place. The property has two floors with further accommodation in the attic space. There is a small amenity area to the front of the property with further amenity space in a