

## SCHEDULE A: Applications with Recommendation

13/0363

Item No: 09

Date of Committee: 19/07/2013

**Appn Ref No:**  
13/0363

**Applicant:**  
Mrs Diana Banks

**Parish:**  
Burtholme

**Date of Receipt:**  
03/05/2013

**Agent:**  
HTGL Architects Ltd

**Ward:**  
Irthing

**Location:**

1-2 Island Cottages, Lanercost, Brampton, Cumbria,  
CA8 2HN

**Proposal:** Conversion Of 2no. Cottages Into 1no. Dwelling Including Two Storey  
Side And Rear Extension To Provide Additional Accommodation

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### REPORT

**Case Officer:** Suzanne Edgar

#### 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
- 2.2 Impact of the proposal on the living conditions of neighbouring residents
- 2.3 Impact upon Hadrian's Wall World Heritage Site
- 2.4 Impact Upon Biodiversity
- 2.5 Highway Safety
- 2.6 Other Matters

#### 3. Application Details

##### The Site

- 3.1 This application relates to Nos. 1 & 2 Island Cottages, Lanercost. The Cottages are part of a terrace of four properties located on the northern side of the road leading from Lanercost to Banks. The Cottages are two storey constructed from stone walls under a slate roof located within an area of sporadic development.

## **The Proposal**

- 3.2 The application seeks approval for the conversion of Nos. 1 & 2 Island Cottages into 1no.dwelling including a two storey side and rear extension to provide additional accommodation. The proposed side extension will be located on the west elevation of No.1 Island Cottage and will have a width of 4.9 metres, a length of 10.7 metres, a total eaves height of 5.8 metres and a ridge height of 8.1 metres. The proposed rear extension will have a length of 3 metres, a width of 8.6 metres, a total eaves height of 4.5 metres and a ridge height of 7.6 metres. The extensions will provide a kitchen, study, hall and dining room on the ground floor together with 3no.bedrooms and hall above. The proposal also includes the reconfiguration of existing rooms within No.s 1 & 2 Island Cottages.
- 3.3 The proposed side extension will be constructed from natural stone walls under a slate roof to match the materials of the existing properties. The proposed rear extension will however be constructed from white painted render walls under a slate roof. All rainwater goods will match existing and all windows will be REHAU vertical sliding sash windows in PVC-U.
- 3.4 Notwithstanding the above Members should note that planning permission is not required to convert two properties into one dwelling.

## **4. Summary of Representations**

- 4.1 This application has been advertised by means of notification letters sent to six residential properties. In response 2 letters/emails of objection and one email raising comments have been received. Verbal comments have also been received from an occupier of a neighbouring property.
- 4.2 The letters/emails of objection are summarised as follows:
1. Allegations that the property may be used as a B & B
  2. Impact upon the living conditions of No.3 Island Cottages in terms of loss of light
  3. Can a condition be imposed if the application is approved regarding construction times
  4. Allegations of removal of trees prior to submission of planning application
  5. Scale of the proposal and impact upon the surrounding area
  6. Questions regarding the need for the development
  7. Questions whether the existing septic tank has sufficient capacity
  8. Impact on shared drains/electric
  9. Comments regarding proposed materials and demolition of back wall to provide extension
  10. Questions regarding the 45 degree rule

4.3 The comments received are summarised as follows:

1. Impact upon the living conditions of No.3 Island Cottages in terms of loss of light
2. Impact upon the house price of No.3 Island Cottages
3. Impact upon shared guttering
4. Proposed materials would not be in keeping with other properties within the terrace
5. 45 degree code should be respected.

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

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

Burtholme Parish Council: - concerned that the proposed development will cause problems and distress to some members of the community in particular the resident of no.3 Island Cottages. It is feared that the two storey development will greatly decrease the amount of natural light for the kitchen and rear entrance of this resident's property. She is also concerned that the increased size of the property, which presumably will lead to an increase in the occupancy of the house, will put a strain on the septic tank. It was noted at the meeting that there was no provision for a new septic tank.

English Heritage - North West Region: - no objection;

Hadrians Wall Heritage Limited: - no comments received;

Cumbria County Council - (Archaeological Services): - no objection.

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

### **Assessment**

6.1 The relevant planning policies against which this application is required to be assessed are Policies CP2, CP5, H11 and LE7 of the Carlisle District Local Plan 2001-2016. The Council's Supplementary Planning Document on Achieving Well Designed Housing is also a material planning consideration.

6.2 The proposal raises the following planning issues:

1. Whether The Proposal Is Appropriate To The Dwelling

6.3 The existing cottages are of traditional construction and although not statutorily listed, they make a positive contribution to the character of the area. The proposed extensions will be constructed from materials which will correspond with the existing dwellings within the terrace, and would employ similar detailing. Although the existing windows within the terrace are timber sliding sash and deeply recessed it is noted that the proposal will use REHAU

vertical sliding sash windows in PVC-U which will be set back to the same depth as the existing windows. The agent has also indicated that the existing windows serving Nos. 1 & 2 Island Cottages are to be changed to REHAU PVC-U. Members should note that planning permission is not required to change the existing windows to PVC-U provided that the window proportions and openings are the same as existing. Members should also be aware that REHAU windows have been previously accepted in some of the City Councils conservation areas in Carlisle. In such circumstances should Members approve the application it is recommended that a condition is imposed within the Decision Notice asking for sectional details of the proposed windows to ensure that the proposed profiles match those of the existing property. Accordingly, it is considered that the proposed extensions would complement the existing dwellings in terms of design and materials to be used and would therefore not form a discordant feature within the existing street scene.

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

- 6.4 All of the primary windows in the proposed extension will be compliant with the distances in the adopted Supplementary Planning Document on Achieving Well Designed Housing. No windows are to be inserted in the eastern gable thereby preventing loss of privacy to neighbouring properties.
- 6.5 Concerns have been raised during the consultation period with regard to the impact of the proposed development on the occupier of the attached property (No. 3 Island Cottages) in terms of loss of light. This property has two ground floor and two first floor windows on the rear elevation. The first floor windows serve a bathroom (which is not a habitable room) and a bedroom. The ground floor windows serve a utility room and kitchen. Whilst utility rooms are not regarded as habitable rooms, it is however noted from the Officer Site Visit that the applicant also uses this room as a secondary kitchen. Members should note that all of the windows within the terrace are deeply recessed. The proposed extensions will project 3 metres from the rear elevation of Nos.1-2 Island Cottages. Although the Council does not include the 45 degree approach when assessing likely impacts of extensions on neighbouring properties it is however noted that no part of the proposed extension would fall within 45 degrees of the windows of the attached property.
- 6.6 Given the positioning of the proposed extension in relation to the primary windows of neighbouring properties, together with the orientation of the application site and design of the proposal, it is not considered that the proposed extensions would have an adverse impact upon the living conditions of the occupiers of any neighbouring properties in terms of loss of daylight/sunlight, over looking or over dominance sufficient to warrant refusal of the application. In order to safeguard the living conditions of the occupier of the attached property (No.3 Island Cottages) a condition will be included within the Decision notice removing Permitted Development Rights for windows on the eastern gable of the rear extension.

## 3. Impact Upon Hadrians Wall World Heritage Site

- 6.7 The application site is within the buffer zone of Hadrian's Wall World Heritage Site. Policy LE7 of the Local Plan seeks to protect the World Heritage Site Buffer Zone from developments which would have an adverse impact on its character/and or setting.
- 6.8 No adverse comments have been received from Statutory Consultees during the consultation period. It is considered that the proposal is in keeping with the scale and design of the existing property and would therefore not have a detrimental impact upon the World Heritage Site.

#### 4. Impact Upon Biodiversity

- 6.9 The Councils GIS Layer has identified that the site is within the Kielder Complex Buffer and has the potential for breeding birds. The proposal seeks permission to extend existing dwellings and does not disturb any vegetation, it is unlikely that the development would harm a protected species or their habitat. However, 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.

#### 5. Highway Safety

- 6.10 The proposed development includes the widening of the existing access to achieve the visibility splays required by the Highways Authority. The Highways Authority has subsequently raised no objections to the proposal subject to the imposition of one condition. Accordingly it is not considered that the proposed development would have an adverse impact upon highway safety. The alterations to the access would also not have a detrimental impact upon the surrounding area sufficient to warrant refusal of the application.

#### 6. Other Matters

- 6.11 It is noted that a query has been raised from a third party as to whether the existing shared septic tank would have sufficient capacity for the proposed development. The Councils Building Control Section has confirmed that the proposed development will only have a net increase in one bedroom and should therefore not affect the capacity of the existing septic tank. A condition has however been included within the Decision Notice asking for details of the capacity of the septic tank prior to any works commencing. Surface water is to go to soakaways which will be dealt with under the relevant building control application.
- 6.12 Third parties have alleged that the property is going to be used as a B & B and questioned the need for such a large property. The size of the proposed extensions are considered to be commensurate to the size of the plot. The agent has also clarified that the extension is for domestic purposes only. Members are reminded that they have to deal with applications on their own merits. If the applicant wanted to operate a B & B from the property in the future planning permission would be required if more than 50% of rooms are

occupied (i.e. more than two bedrooms).

- 6.13 Concerns have been also raised from third parties regarding possible disturbance during construction. In such circumstances a condition has been imposed within the Decision Notice with regard to construction times.
- 6.14 Concerns have also been raised with regard to impacts upon shared guttering, drainage and electric. This is a civil matter between the occupiers of the properties within the terrace and cannot be dealt with under planning legislation.
- 6.15 There has also been allegations regarding the removal of trees prior to submission of the planning application. The trees within the curtilage of this property are not subject to a Tree Preservation Order therefore no permission would have been required for the removal of trees.

## **Conclusion**

- 6.16 In overall terms, the scale and design of the proposed extensions are acceptable in relation to the dwellings and would not form a discordant feature within the street scene. The proposal does not adversely affect the living conditions of adjacent properties by poor design, overlooking and unreasonable loss of daylight/sunlight. Nor does the proposal have an adverse impact upon highway safety/biodiversity.
- 6.17 In all aspects 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 approved documents for this Planning Permission comprise:

1. the submitted planning application form received 3rd May 2013;
2. the site location plan received 3rd May 2013 (Drawing No.2026.03);
3. the block plan received 26th June 2013;
4. the floor plans and elevations as existing received 3rd May 2013 (Drawing No.2026.01);
5. the floor plans and elevations as proposed received 3rd May 2013 (Drawing No.2026.02a)
6. the Notice of Decision; and
7. any such variation as may subsequently be approved in writing by the Local Planning Authority.

**Reason:** To define the permission.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order), no additional windows shall be inserted on the east elevation without the prior consent of the local planning authority.

**Reason:** In order to protect the privacy and amenities of residents in close proximity to the site and to ensure compliance with Policy H11 of the Carlisle District Local Plan 2001-2016.

4. No construction work associated with the development hereby approved shall be carried out before 07.30 hours or after 18.00 hours Monday to Friday, before 07.30 hours or after 13.00 hours on Saturdays, nor at any times on Sundays or Bank Holidays.

**Reason:** To prevent disturbance to nearby occupants in accordance with Policy CP6 of the Carlisle District Local Plan 2001-2016.

5. No development approved by this permission shall be commenced until a scheme for the conveyance of foul drainage, including details of the capacity of the existing septic tank, has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use until the scheme for the conveyance of foul drainage has been constructed and completed in accordance with the approved plans.

**Reason:** To ensure that adequate drainage facilities are available.

6. Details of all new windows and doors, in the form, of quarter or full-size drawings including sections, shall be submitted for prior approval by or on behalf of the local planning authority before any development takes place. Such details shall include the frames, means of affixing to the wall and the size and opening arrangements of the window.

Such details shall include the method of glazing, frames, cill and lintol arrangement, means of affixing to the wall and the size and opening arrangements of the window. Details of the existing windows should also be

submitted.

**Reason:** To ensure the works harmonise as closely as possible with the existing building in accordance with Policies CP5 and H11 of the Carlisle District Local Plan 2001-2016.

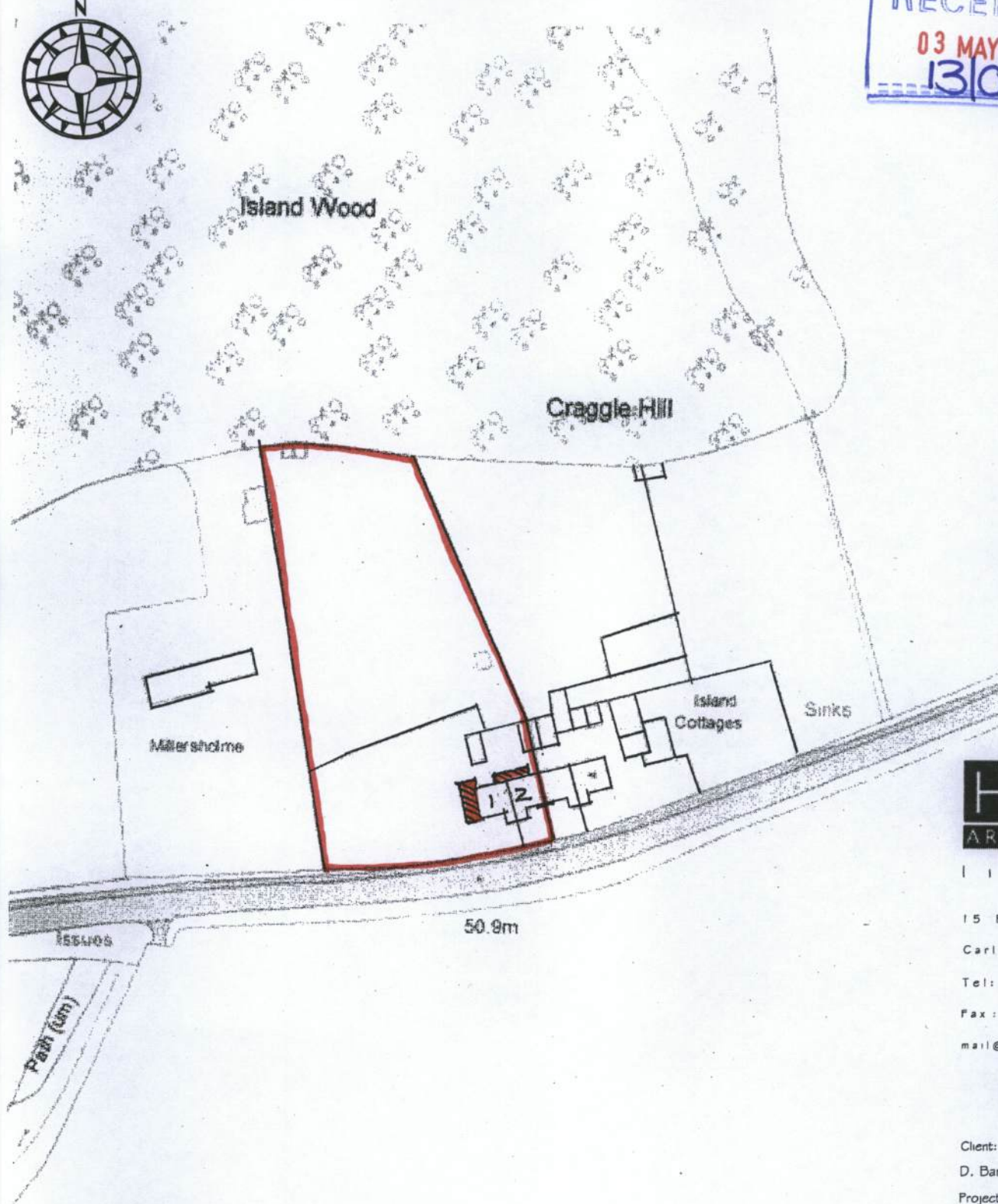
7. The whole of the vehicular access area bounded by the carriageway edge and the highway boundary shall be constructed and drained to the specification of the Local Highways Authority.

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

Note: No works can be undertaken within the Highway (including verge area) until the developer has obtained a Highways Act 1980, Section 184 Streetworks licence.

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Client:

D. Banks

Project:

1 & 2 Island Cottages,  
Lanercost, Brampton, CA8 2HN.

Title:

Site Location Plan

Drawn: R.King

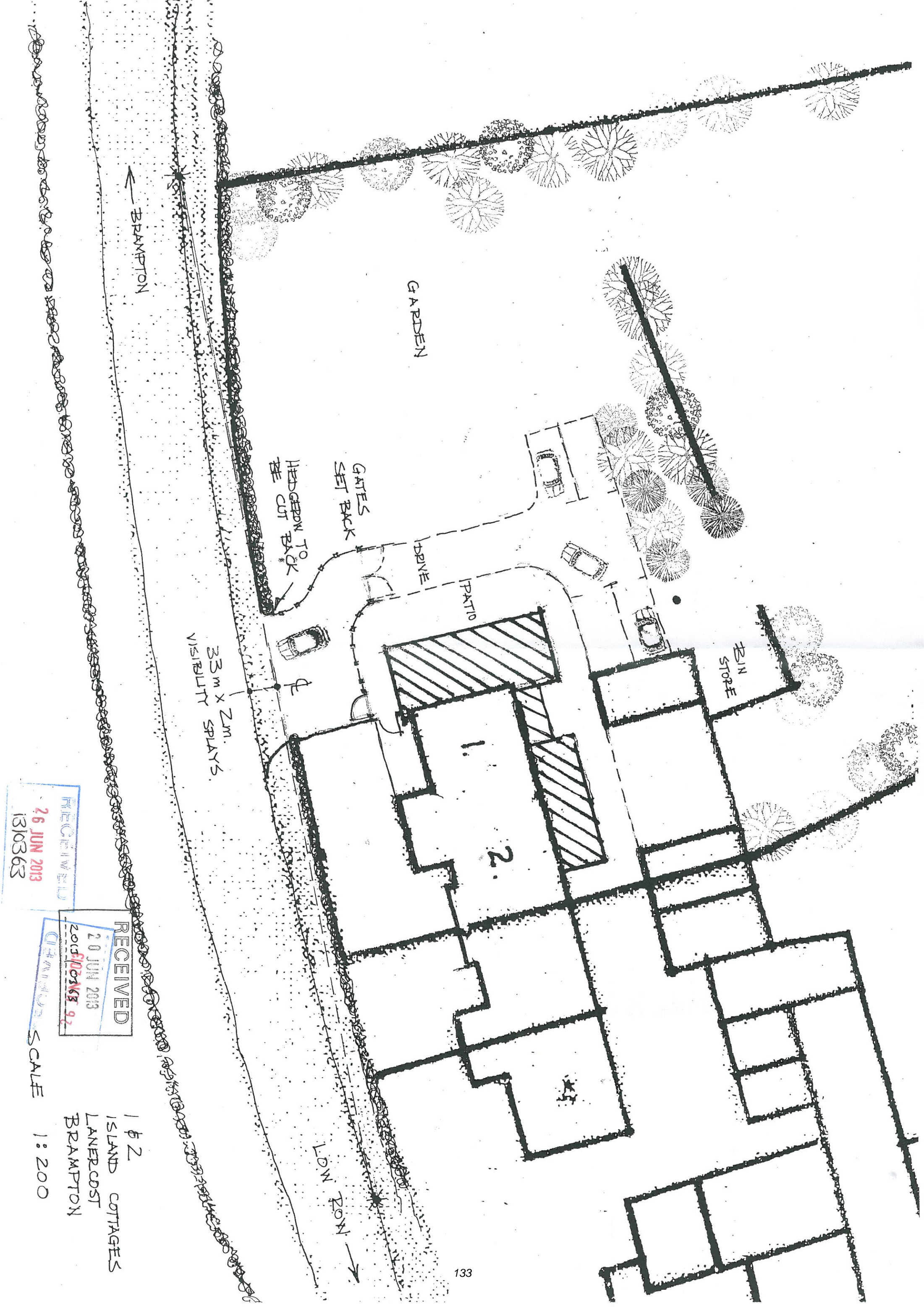
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DRAWING No.

2026.03





GARDEN

← BRAMPTON

HEDGE ROW TO  
THE CUT BACK

GATES  
SET BACK

DRIVE

PATIO

BIN  
STORE

33m x 2m  
VISIBILITY SPLAYS

HEDGE ROW →

RECEIVED  
26 JUN 2013  
1310363

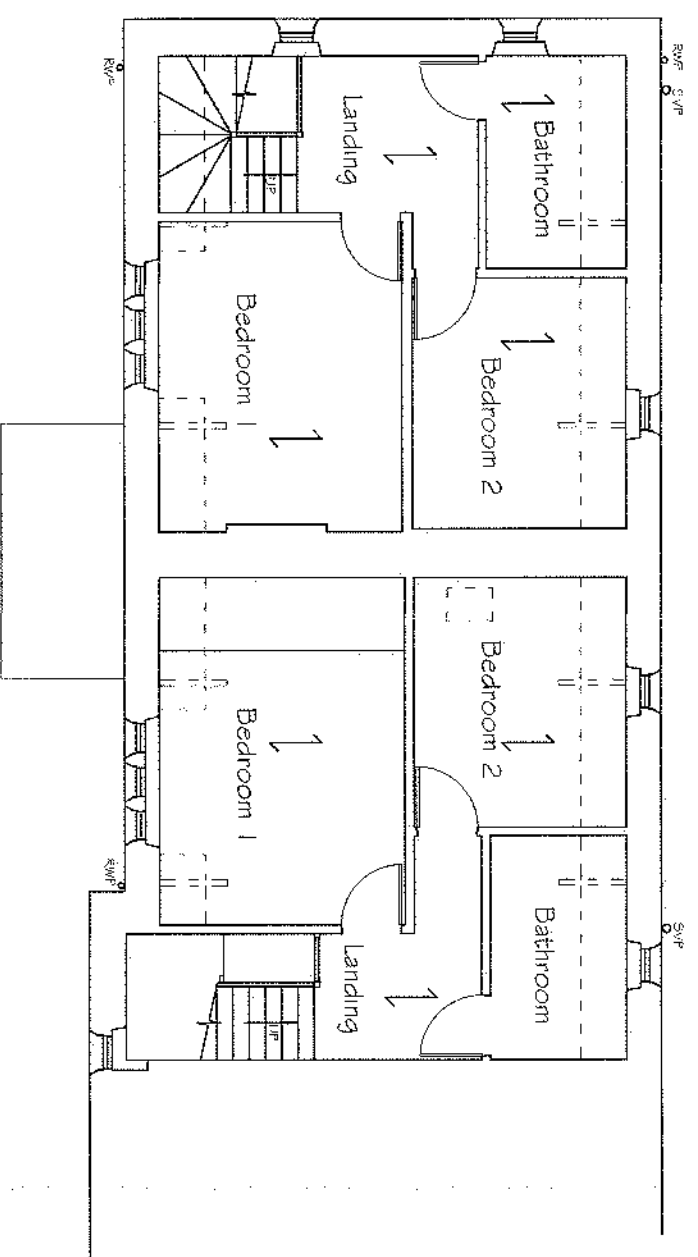
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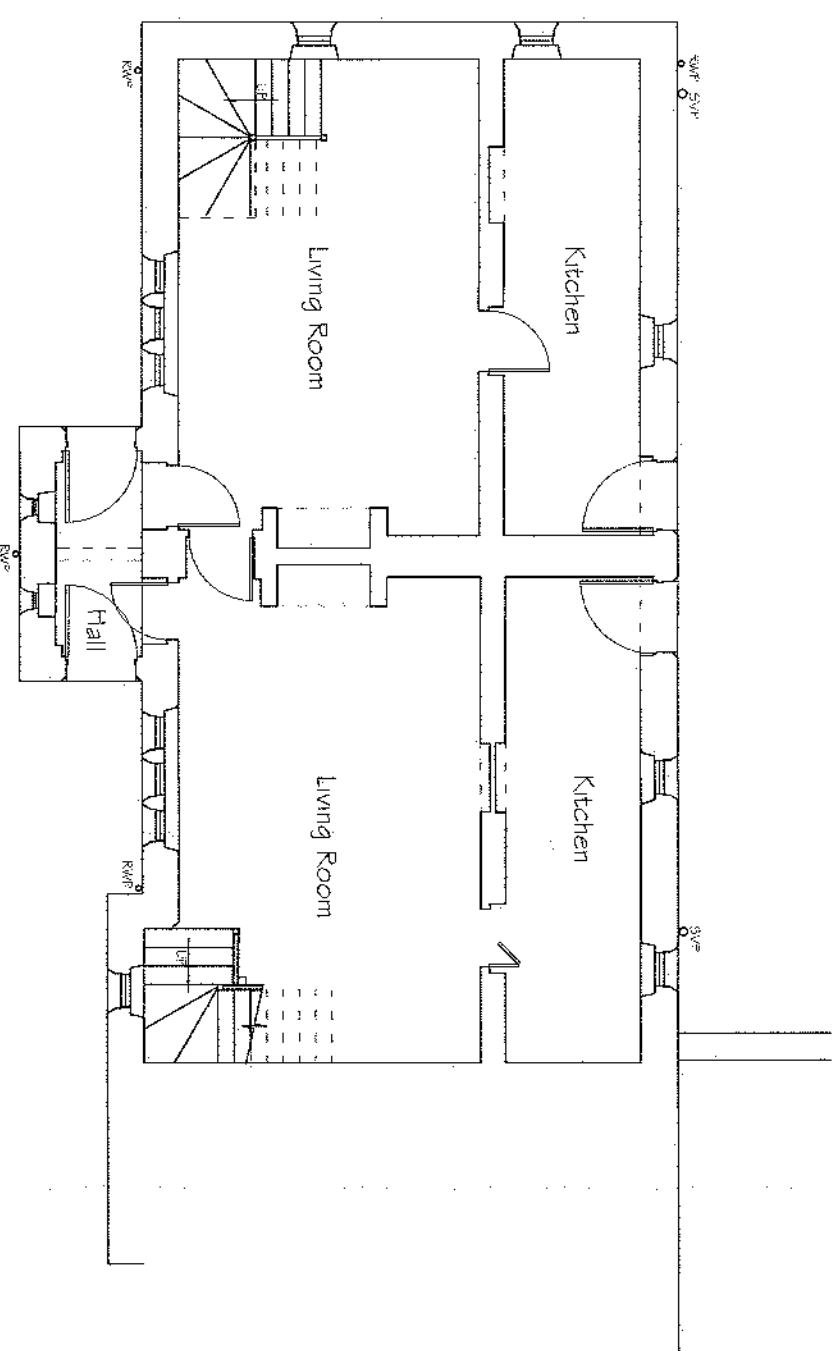
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1 & 2  
ISLAND COTTAGES  
LANERCOST  
BRAMPTON

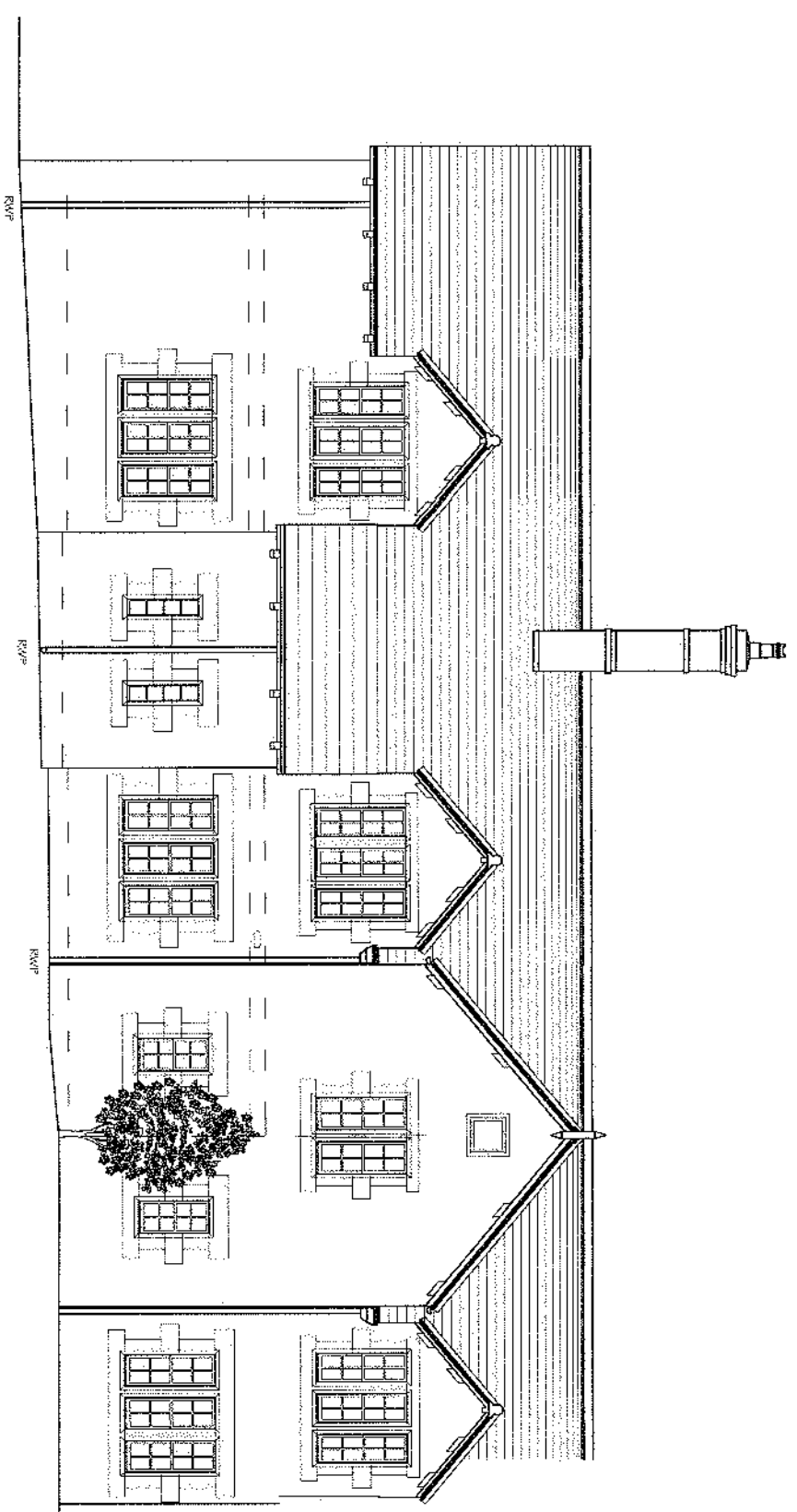




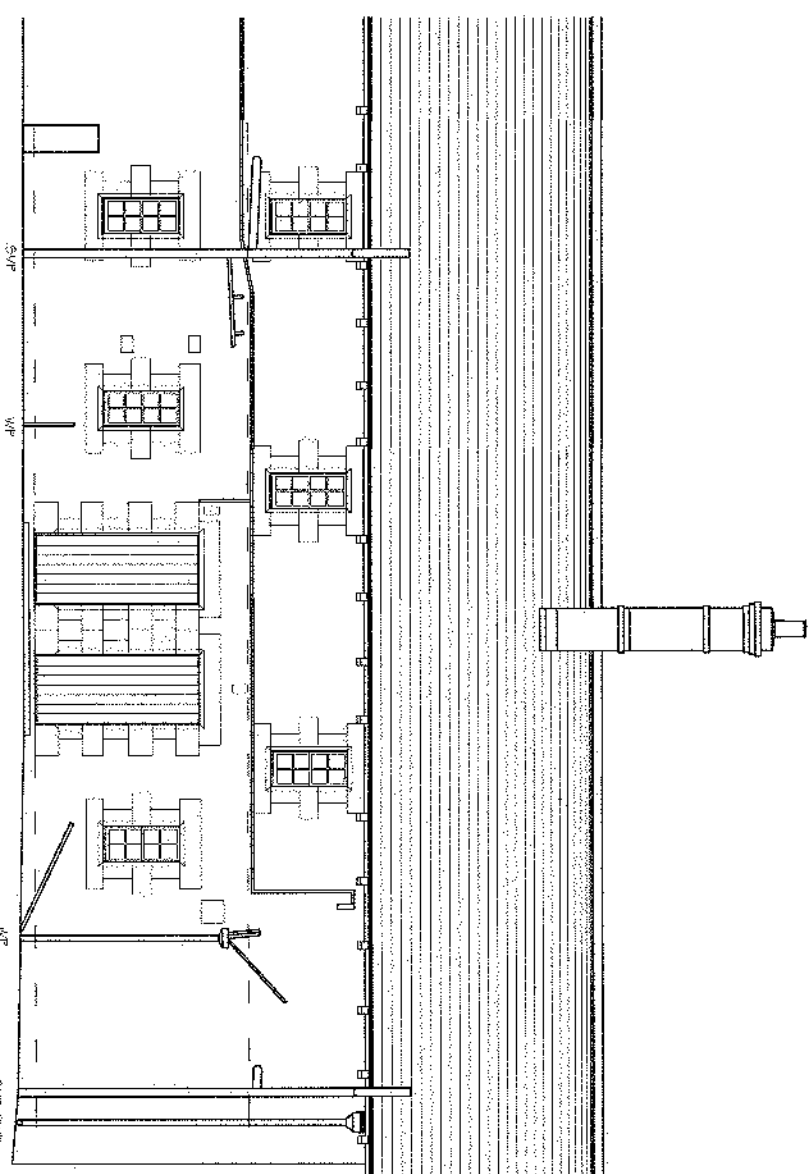
FIRST FLOOR PLAN



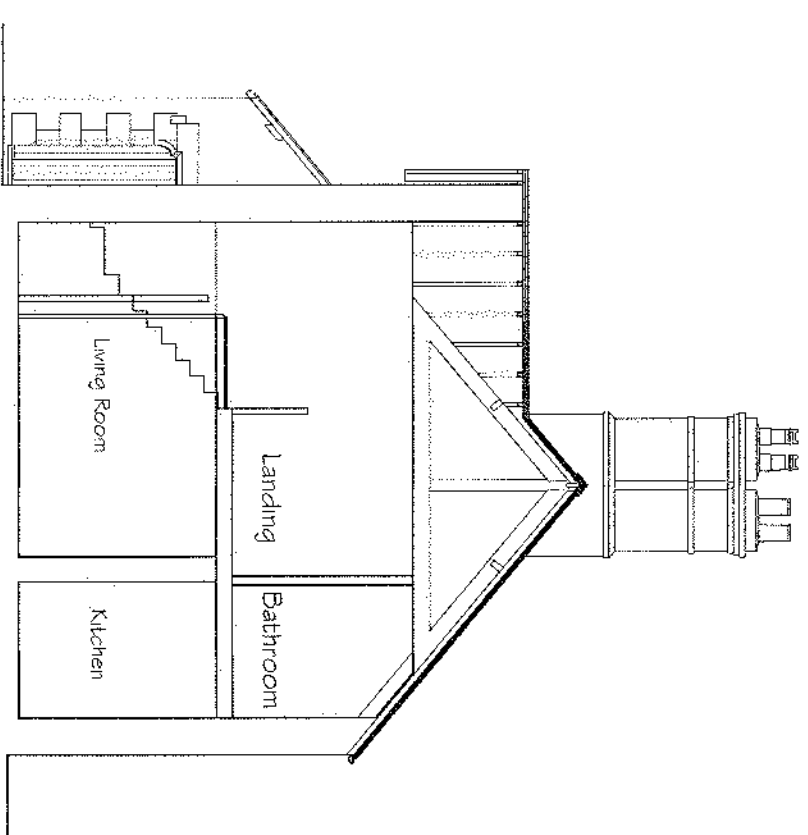
GROUND FLOOR PLAN



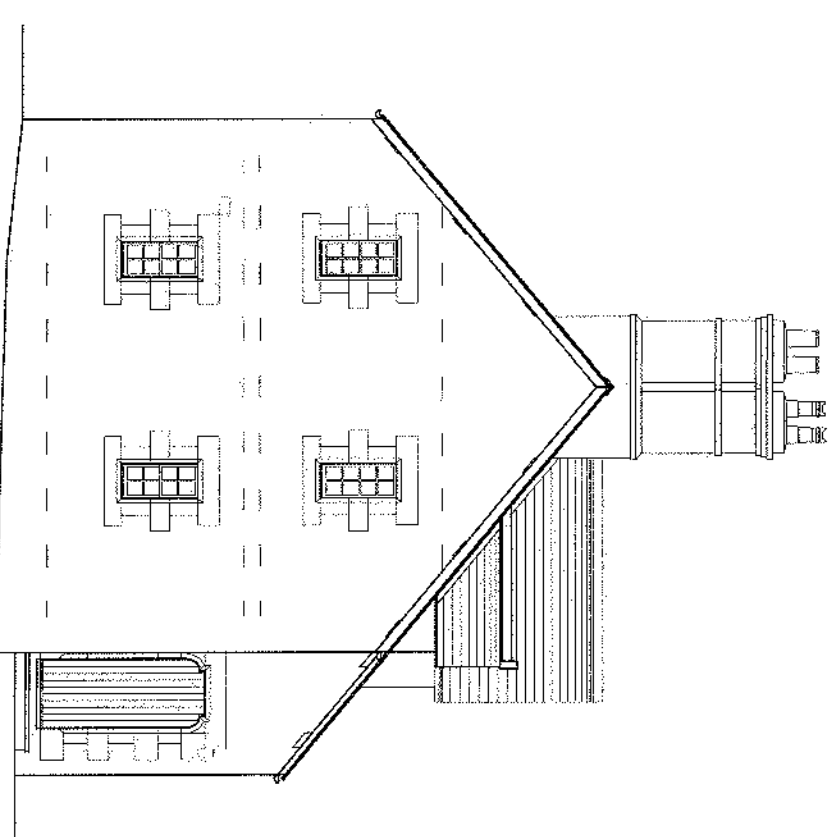
FRONT ELEVATION (South)



REAR ELEVATION (North)



SECTIONAL ELEVATION (West)



END ELEVATION (West)



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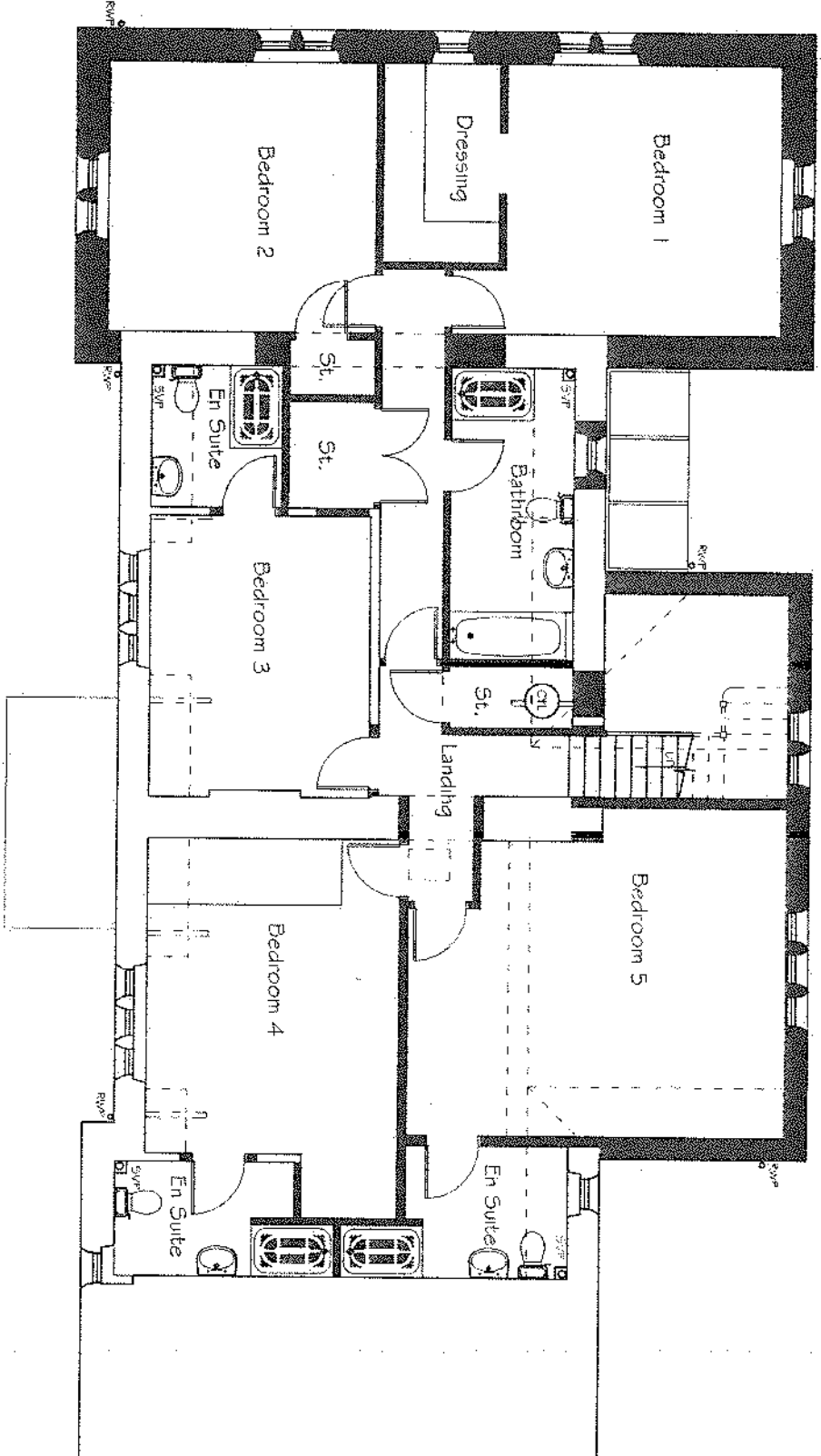
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Carlisle CA1 1PB  
Tel: 01228 521887  
Fax: 01228 818582  
mail@htgl.demon.co.uk



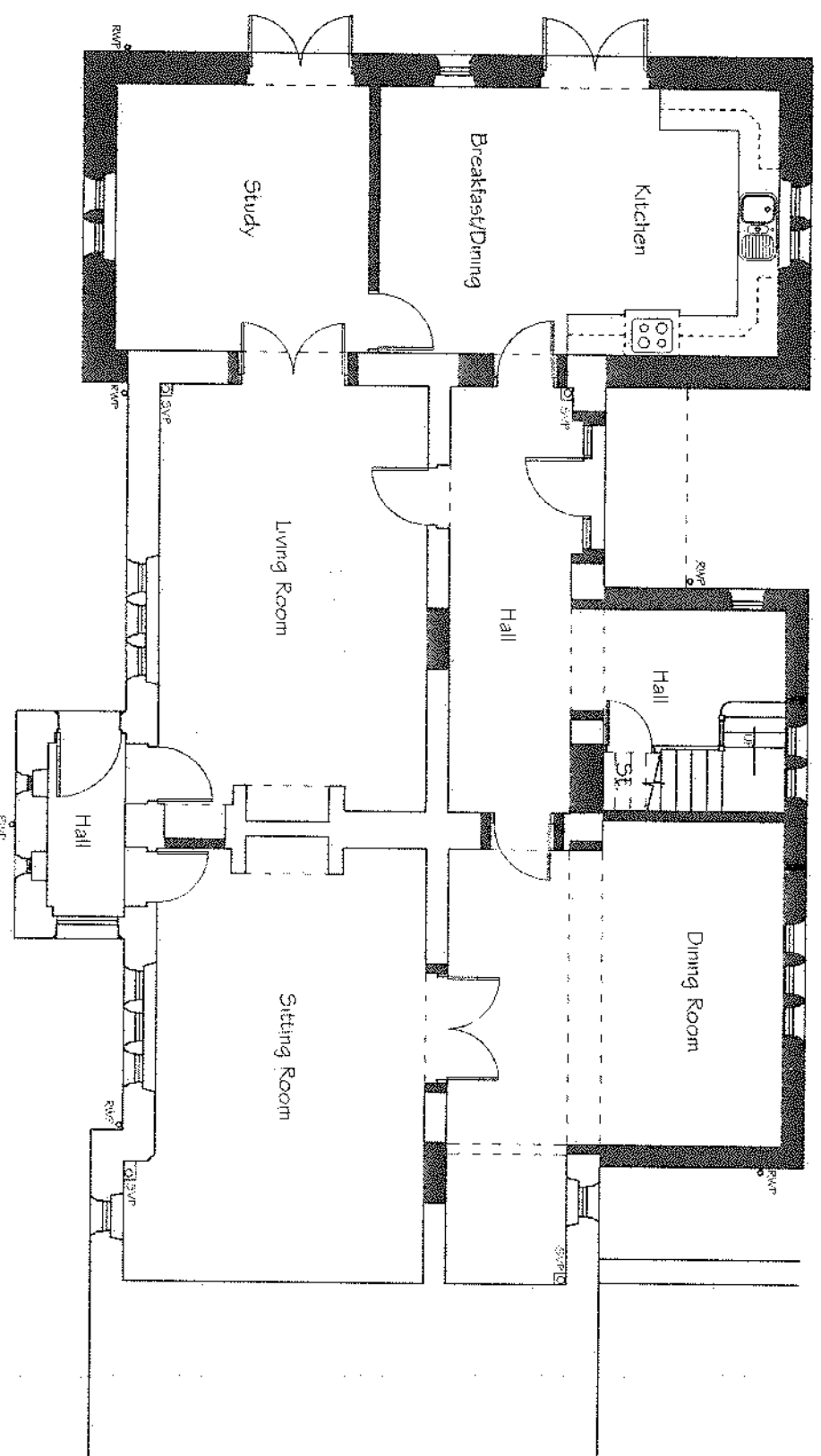
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Project: 1 & 2 Island Cottages,  
Lanercost, Brampton, CA8 2HN  
Title: Plans & elevations as existing.

Drawn: R. King  
Date: 04/13  
Scale: 1:100

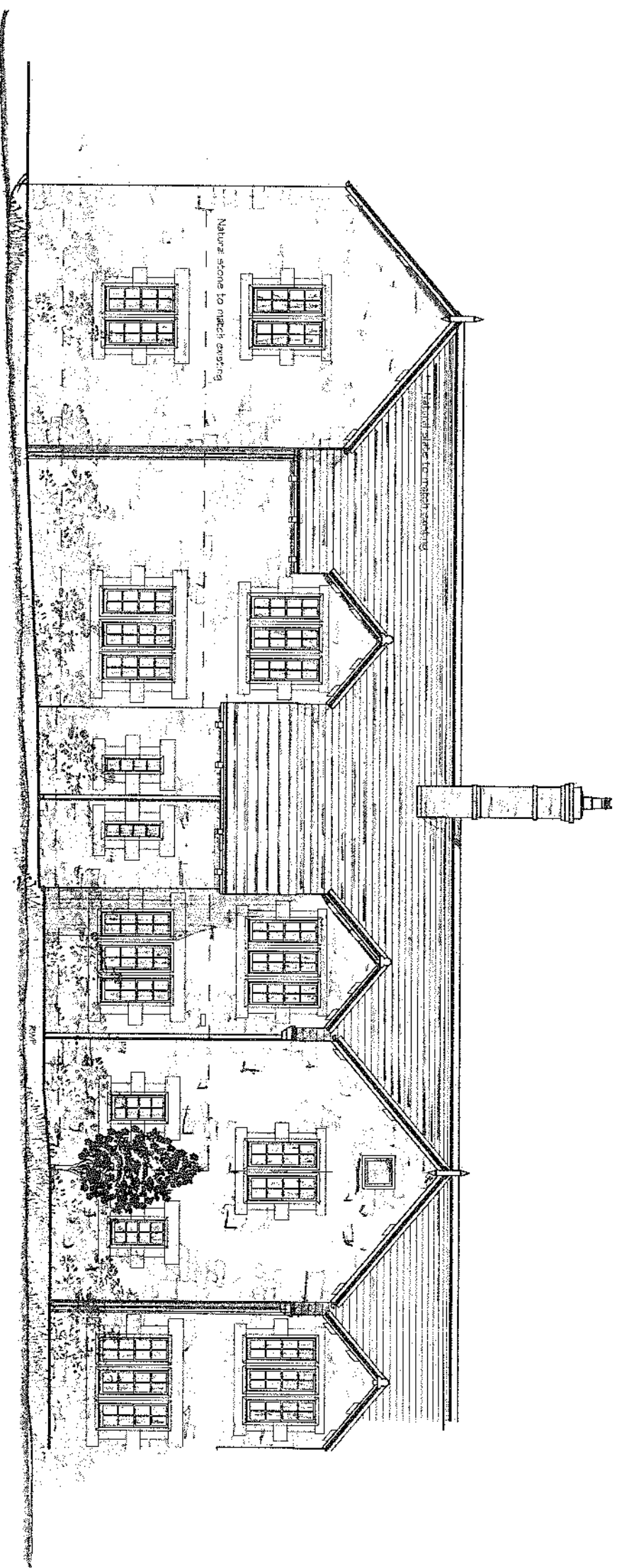
DRAWING No.  
2026.01



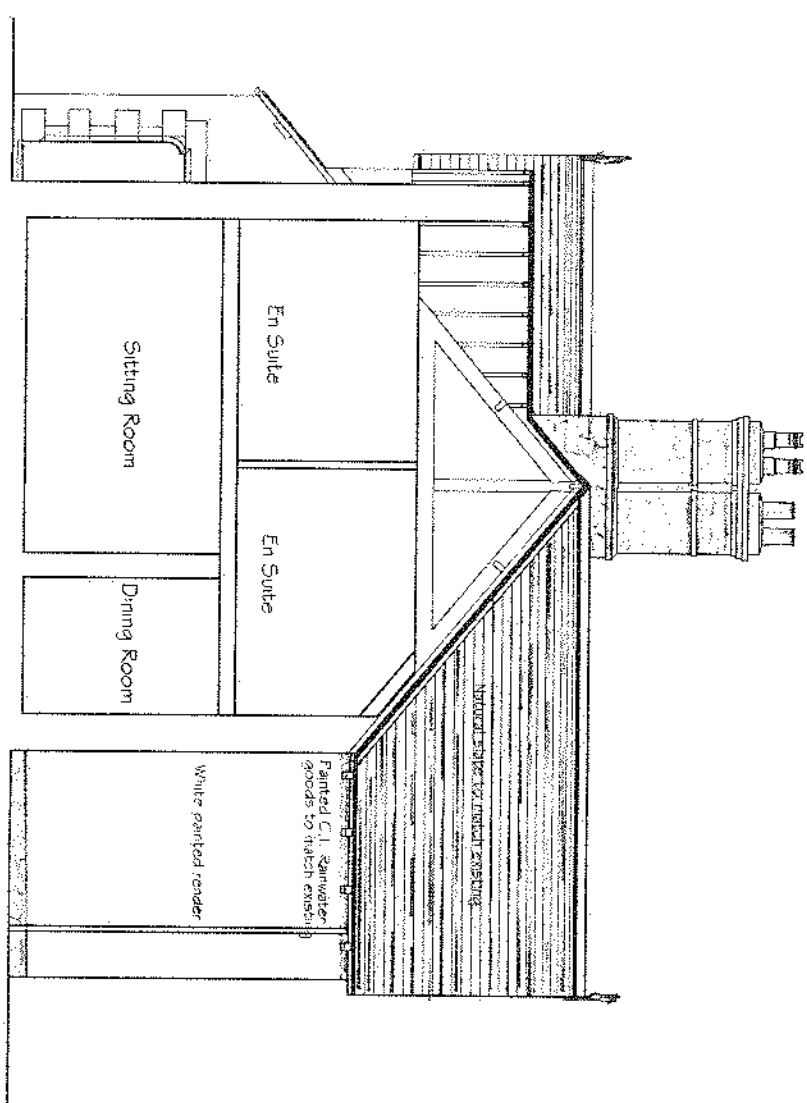
FIRST FLOOR PLAN



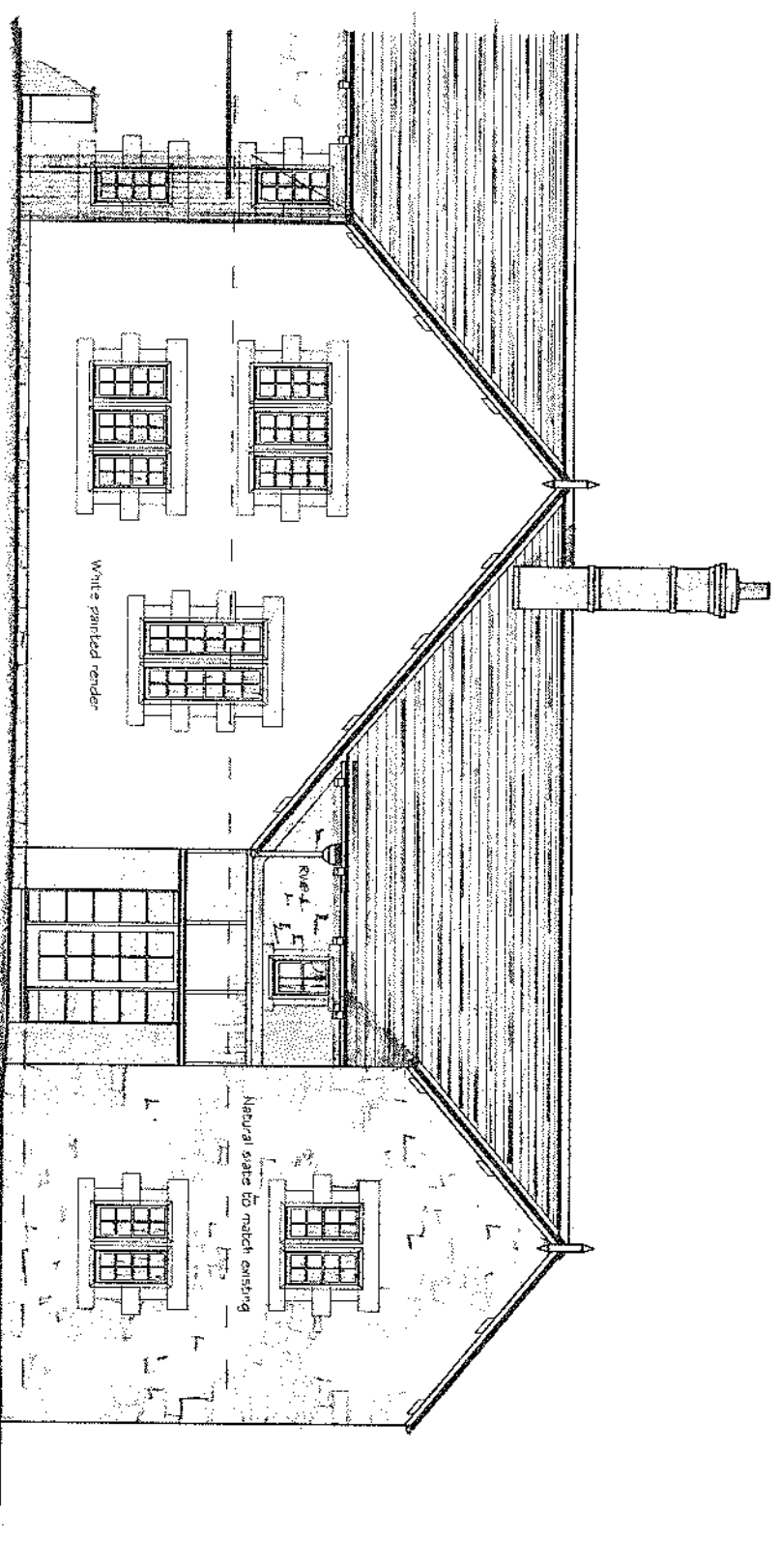
GROUND FLOOR PLAN



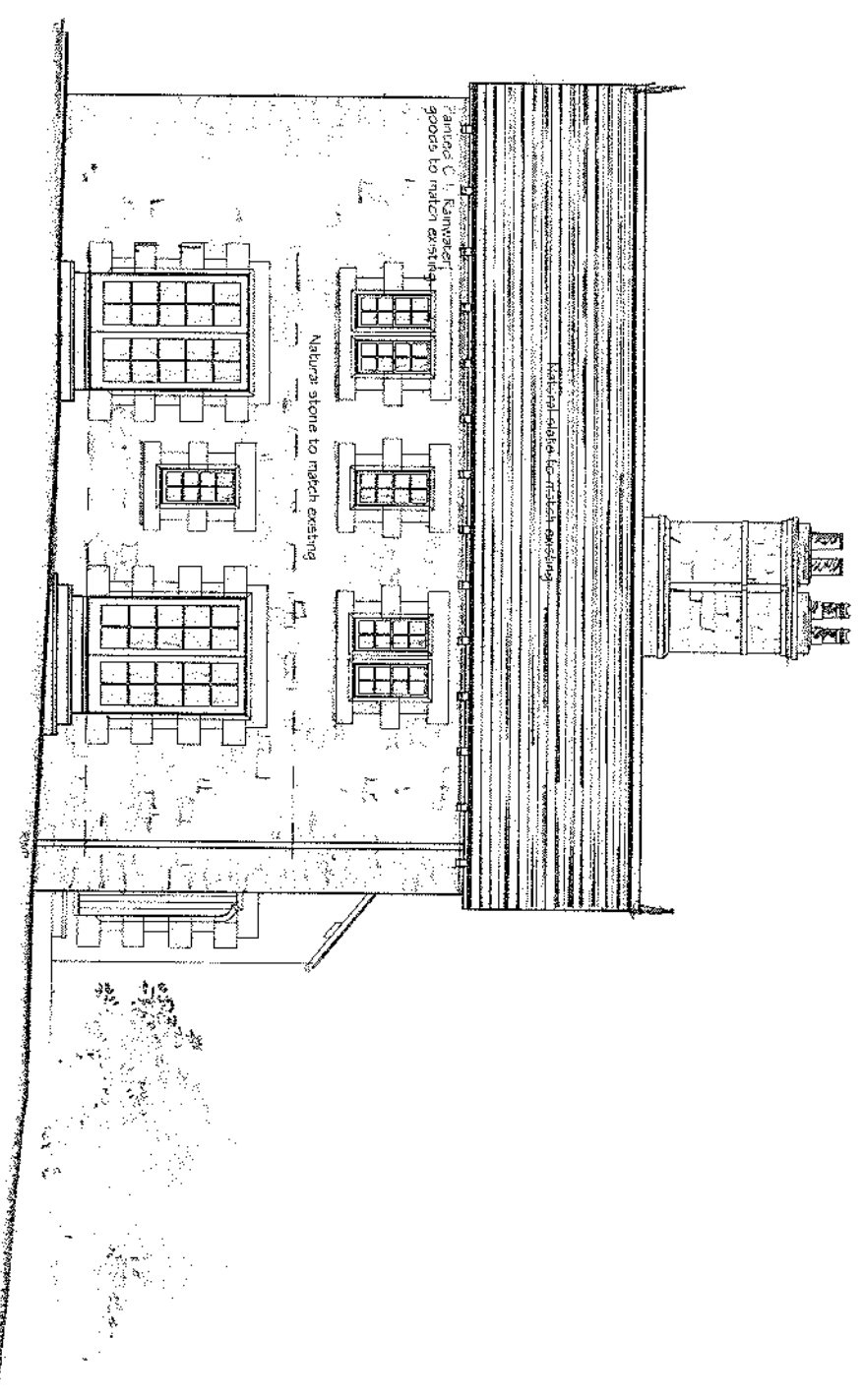
FRONT ELEVATION (South)



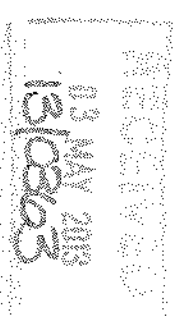
SECTIONAL ELEVATION (East)



REAR ELEVATION (North)



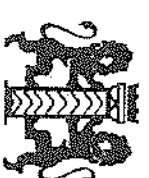
END ELEVATION (West)



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Client: D. Banks  
Project: 1 & 2 Island Cottages,  
Lanercoast, Brampton, CA6 2HN  
Title: Plans & Elevations as proposed.

Drawn: R.King  
Date: 04/13  
Scale: 1:100

DRAWING No.  
2026.02a

PROPOSED EXTENSION  
WITHIN THE 45° ZONE  
IN BOTH CASES

RWP

PROPOSED  
EXTENSION

EXISTING  
LOW WALL



NOTE 45° ANGLE  
TAKEN FROM  
1/4 POINT OF WINDOW CILL

45°

STONE  
WINDOW CILL

TIMBER  
WINDOW CILL

N. 2 ISLAND COTTAGE

SVP

N. 3 ISLAND COTTAGE  
(UTILITY ROOM)