

SCHEDULE A: Applications with Recommendation

21/0212

Item No: 02

Date of Committee: 11th June 2021

Appn Ref No:
21/0212

Applicant:
Haddon Construction Ltd

Parish:
Burgh-by-Sands

Agent:
Robinson Drafting &
Design

Ward:
Dalston & Burgh

Location: Land adjacent to Chapelfield Lane, Thurstonfield, Carlisle, CA5 6HP

Proposal: Erection Of 9no. Dwellings & Associated Access/Infrastructure (Outline)

Date of Receipt:
11/03/2021

Statutory Expiry Date
14/06/2021

26 Week Determination

REPORT

Case Officer: Stephen Daniel

1. Recommendation

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

2. Main Issues

- 2.1 Whether The Proposal Is Acceptable In Principle
- 2.2 Whether The Scale And Design Of The Dwellings Would Be Acceptable
- 2.3 Impact Of The Proposal On The Living Conditions Of The Occupiers Of Neighbouring Properties
- 2.4 Highway Issues
- 2.5 Drainage Issues
- 2.6 Impact On Biodiversity

3. Application Details

The Site

- 3.1 The application site, which measures 0.79 hectares, is currently an agricultural field. The previous use of the site was general agricultural land for housing/feeding live-stock but the site is currently vacant. The eastern and western site boundaries consist of hedgerows.

- 3.2 Residential properties (The Briars, Thornleigh and Kimberley) adjoin the site to the north and would be separated from it by a strip of land. Chapelfield Lane adjoins the eastern site boundary, with a road also adjoining the site to the west. The land to the south would be retained as a field and this can be accessed from the road that lies to the west of the site.

The Proposal

- 3.3 The proposal is seeking outline planning permission for residential development, with all matters reserved for subsequent approval. The indicative layout plan that has been submitted with the application shows nine detached bungalows. The Design and Access Statement states that this approach has been taken to address the significant lack of single-storey accommodation available in the current housing stock, particularly in semi-rural locations.
- 3.4 Access is shown being taken from Chapelfield Lane, close to the junction with Chapelfield. A buffer, which varies in depth from 13m to 18m, is shown between the proposed dwellings and the existing dwellings that lie to the north and this area lies outside the application site.
- 3.5 The type, size and style of the proposed dwellings would be determined through a subsequent reserved matters/full planning application. The Design and Access Statement states that the size of the dwellings would be commensurate with typical three/ four bedroom properties and would provide a comfortable living environment whilst maintaining sufficient amenable space externally. The surrounding properties consist of a mixture of red facing brick, natural sandstone and cement render finishes, with a mixture of dark timber or white PVC windows and doors. Roof coverings typically consist of a natural slate or concrete tiled finish. It is generally envisaged that the finished palette would be consistent with the finishes of the neighbouring vernacular.

4. Summary of Representations

- 4.1 This application has been advertised by means of two site notices and notification letters sent to seven neighbouring properties. In response, two letters of objection and one letter of comment have been received.
- 4.2 The letters of objection raise the following concerns:
- there are a lack of amenities in Thurstonfield - there is only a village hall, a primary school and two religious institutions in Kirkbampton. The site is beyond walking distance to get to any shop, pub or surgery. Villagers are reliant on cars and there is a very limited bus service;
 - trust the intention is to build bungalows and this is not a ploy to obtain outline planning permission;

- am re-assured to an extent by the proposals for bungalows;
- the proposal is incomplete and leaves important details unspecified - e.g. what the bungalow will look like, the road layout, details of parking, build quality etc. Every important decision is deferred to the Reserved Matters stage;
- the development doesn't mimic the layout of existing dwellings on the eastern side of Chapelfield Lane - the layout is arbitrary and unimaginative;
- have some concerns with adding traffic to Chapelfield Lane itself. It is a narrow road and only suitable for two vehicles to pass with care;
- Chapelfield Lane is quite narrow and a single car parked in the lane presents an obstacle to larger vehicles - has thought be given to widening Chapelfield Lane?
- there is no turning circle at the end of the access road which must be essential for any cul-de-sac;
- only last year, this field was advertised for sale as "agricultural land" - unless things have changed, isn't a change of use application necessary and doesn't notice of this have to be given?;
- the Council previously looked at this field and concluded that drainage issues made it unsuitable for use for residential properties. How has this changed?;
- who is responsible for maintaining the landscaped buffer between the existing and proposed dwellings? - there does not seem to be any access;
- what will happen to the southern part of the field? - it seems too small to be of any agricultural value;
- the field is very wet - is the land suitable for building?;
- periodic flooding occurs in the centre of Thurstonfield - any drainage solution must not exacerbate the situation downstream;
- hope due consideration will be given to climate change considerations.

4.3 The letter of comment makes the following point:

- Chapelfield Lane is quite narrow and does not have a pavement for its full length. There are currently 12 dwellings and the Chapel without this resource. The planning application does not appear to provide one for these 9 extra dwellings. As there would then be 21 dwellings plus the chapel we feel a pavement must be an essential addition for the safety of residents and visitors.

5. Summary of Consultation Responses

Cumbria County Council - (Highways & Lead Local Flood Authority): - no objections subject to conditions (visibility splays; provision of parking/ turning within the site; Construction Traffic Management Plan; surface water drainage scheme; Construction Surface Water Management Plan; condition and capacity survey of culverted watercourse);

Burgh-by-Sands Parish Council: - object to the application.

Policy HO2 (Windfall sites) - states that new residential developments in the rural areas will be focussed in sustainable locations. There is a chapel in Thurstonfield and a very infrequent bus service and no other facilities and the site was not included in Policy HO1. There have already been other houses built or approved in the village and a pending application, amounting to over 22 houses plus this application and another pending (15) in total.

Notes that both the Highways and the LLFA have concerns and that Carlisle City Council Development Management have recommended refusal of this application because of 10 points regarding inadequate details - outlined in their consultation on this application 21/0212 - there have already been flooding problems within the village.

Feels that this site although within the village is an unacceptable intrusion into the countryside and will not enhance the community being in a prominent location;

Local Environment - Waste Services: - no objections to the revised layout that shows a turning head - this needs to be 15m long but can be sorted at RM stage;

Local Environment - Environmental Protection: - no objections subject to conditions (contamination; installation of 32Amp single phase electrical supply; working hours; Construction Management Plan).

6. Officer's Report

Assessment

- 6.1 Section 70(2) of the Town and Country Planning Act 1990/ Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that an application for planning permission is determined in accordance with the provisions of the development plan, unless material considerations indicate otherwise.
- 6.2 The relevant planning policies against which the application is required to be assessed are the NPPF, Policies SP2, SP6, HO2, CC5, IP2, IP3, IP6, GI3 and GI6 of the Carlisle District Local Plan 2015-2030 and the council's Supplementary Planning Document (SPD) Achieving Well Designed Housing.
- 6.3 The proposal raises the following planning issues:
 1. Whether The Proposal Is Acceptable In Principle

6.4 The application site is located in Thurstonfield, which given its proximity to Kirkbampton (which contains a range of services) is considered to be a sustainable location for new housing. The proposal to site a small residential development within the village would, therefore, be acceptable in principle.

2. Whether The Scale And Design Of The Dwellings Would Be Acceptable

6.5 These matters are reserved for subsequent approval and do not form part of this application. The indicative layout plan that accompanies the application shows nine detached bungalows within the site. A condition has been added to the permission to limit the number of dwellings on the site to nine and to ensure that any dwellings constructed on this site are bungalows or dormer bungalows.

3. Impact Of The Proposal On The Living Conditions Of The Occupiers Of Any Neighbouring Properties

6.6 Three residential properties lie to the north of the site and are separated from it by a buffer that would vary in width from 13m to 17m. The Briars is a two-storey dwelling and this has a side elevation (which doesn't contain windows at first floor level) facing the site. Thornleigh and Kimberley are single-storey dwellings.

6.7 The indicative layout submitted with this application shows that Plot 6 would have a side elevation 22m from the side elevation of The Briars. Plots 7 and 8 would lie to the rear of Thornleigh and would be over 30m away. Plot 9 would lie to the rear of Kimberley and would have a rear elevation over 35m from this property. Although indicative only at this stage, the required distances to meet the Council's SPD on "Achieving Well-Designed Housing" can be complied with.

6.8 Three dwellings and a chapel on Chapelfield Lane adjoin the site to the east, with one of the dwellings having a front elevation directly facing the site. The side elevations of the proposed bungalows would face Chapelfield Lane and would partly be screened by the existing hedge which is largely to be retained. The existing dwellings would be separated from the site by Chapelfield Lane and this would ensure that the separation distances would be acceptable.

6.9 In light of the above, it is clear that dwellings could be accommodated on this site without having an adverse impact on the living conditions of the occupiers of any neighbouring properties through loss of light, loss of privacy or over-dominance. This is a reflection of the indicative layout and therefore it would be appropriate to limit the number of dwellings on the site to reflect this.

4. Highway Issues

6.10 The access would be reserved for subsequent approval. The proposed development is onto the U1381 which has a 30mph speed limit. The visibility

splays required for the proposed access onto the U1381 are 2.4m x 60m at a height of 1.05m above the carriageway in accordance with the Cumbria Development Design Guide. The applicant should note that within the visibility splay there should be no obstructions to vision such as walls or vegetation etc within the vertical profile. If any obstructions need to be reduced or removed within the visibility splay, it should be within the applicant's ownership.

- 6.11 The access width into the development is to be 4.8m for the first 15m then 4.1m, with 6m kerb radii. Within the suite of documents submitted as part of this outline application, no details relating to the car parking provision have been provided. In accordance with the Cumbria Development Design Guide, 2 car parking spaces would be required for 2, 3 & 4 bedroom dwellings, with 3 spaces being required for 5 bedroom dwellings. A garage may form part of the parking provision only if its minimum internal size is at least 3m by 7m. A turning head would also need to be provided within the site so that refuse vehicles can turn within the site and enter and leave the site in a forwards gear.
- 6.12 The Highways Authority has determined that the information required regarding the visibility splays, car parking provision and bin storage areas can be provided at a later stage of the planning process and secured through the use of planning conditions. Therefore to conclude the Highways Authority has no objections with regards to the approval of planning permission subject to the conditions (visibility splays; provision of parking/turning within the site; Construction Traffic Management Plan).
- 6.13 Objectors have asked if a pavement could be installed on Chalepfield Lane or if the road could be widened. The road is not currently wide enough to provide a pavement. The widening of the road would not be possible as not all of the land is in the applicants ownership, with part being within the garden to Kimberley. The Highways Authority does not consider that the proposed development of nine dwellings would justify Chapelfield Lane being widened or a pavement being provided along this road.

5. Drainage Issues

- 6.14 Surface water for the development would discharge into an existing culverted watercourse. As part of the suite of documents submitted it is noted that the applicant has provided details of working through the hierarchy of drainage options as stated within the Cumbria Development Design Guide. As such a series of infiltration tests in accordance with the BRE 365 method to ascertain if soakaways are a valid method of surface water disposal have been undertaken. The Lead Local Flood Authority (LLFA) has reviewed the results of the infiltration tests and has determined that soakaways are not a viable method of surface water disposal for the development site. As such it can be considered discharging surface water into an ordinary watercourse in line with the hierarchy of drainage discharge options.
- 6.15 The discharge rate from the development into the ordinary watercourse is to

be equal to the greenfield runoff rate for the development site. The applicant is to calculate the greenfield runoff rate and agree the discharge rate with the LLFA. Attenuation would also be required on site to accommodate a 1 in 100 year plus 40% to account for climate change storm event.

- 6.16 The applicant at a later stage of the planning process is to submit detailed calculations stating how the drainage network is accommodating this attenuation and also that the discharge rate from the site is controlled through a hydrobrake to the greenfield runoff rate. The attenuation is to be provided through a series of rain gardens, permeable paving, attenuation ponds and swales. It is the preference of the LLFA that drainage features are not piped but surface features which are easily maintainable and provide additional biodiversity benefits. It is also likely that any surface water strategy to meet the requirements of the NPPF and Carlisle's Local Plan will require above ground storage which will have an impact on the landscape proposal. The applicant is also to demonstrate that the drainage proposals incorporate sufficient treatment of the surface water prior to discharge for a residential development in accordance with the SuDS manual.
- 6.17 It is deemed that the information stated above regarding the surface water discharge method and treatment can be submitted at a later stage of the planning process and secured through the use of planning conditions. Therefore, to conclude the LLFA has no objections with regards to the approval of planning permission subject to conditions (surface water drainage scheme; Construction Surface Water Management Plan; condition and capacity survey of culverted watercourse).

6. Impact On Biodiversity

- 6.18 The existing field is of low ecological value. The hedgerows around the edge of the field, which provide the most ecological value, would largely be retained. The erection of dwellings on the site, with front and rear gardens and additional planting is likely to enhance the biodiversity value of the site.

Conclusion

- 6.19 In overall terms, the proposal would be acceptable in principle. The scale and design of the dwellings would be addressed through a Reserved Matters application but conditions have been added to the permission to limit the number of dwellings on the site to nine and to ensure that the proposed dwellings are either bungalows or dormer bungalows. The indicative layout plan illustrates that dwellings could be accommodated on the application site without having an adverse impact on the living conditions of the occupiers of any neighbouring properties. The proposed access and foul and surface water drainage would be dealt with through subsequent applications. The proposal would not have an adverse impact on biodiversity. In all aspects, the proposal is considered to be compliant with the objectives of the relevant adopted Local Plan policies.

7. Planning History

- 7.1 There is no relevant planning history relating to this site.

8. Recommendation: Grant Permission

1. In case of any "Reserved Matter" application for approval shall be made not later than the expiration of 3 years beginning with the date of this permission, and the development shall be begun not later than whichever is the later of the following dates:

- i) the expiration of 3 years from the date of the grant of this permission, or
- ii) the expiration of 2 years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: In accordance with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended by The Planning and Compulsory Purchase Act 2004).

2. Before any work is commenced, details of the layout, scale, appearance, access and landscaping of the site (hereinafter called "reserved matters") shall be submitted to and approved by the local planning authority.

Reason: The application was submitted as an outline application in accordance with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995.

3. The development shall be undertaken in strict accordance with the approved documents for this Planning Permission which comprise:

- 1. the submitted planning application form, received 11th March 2021;
- 2. Location & Block Plan (Dwg No. RDD-431-21-01 Rev A), received 11th March 2021;
- 3. Design & Access Statement, received 11th March 2021;
- 4. Desk Top Study, received 11th March 2021;
- 5. Initial Infiltration Assessment, received 11th March 2021;
- 6. Drainage Investigation Report, received 11th March 2021;
- 7. the Notice of Decision; and
- 8. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

4. Samples or full details of all materials to be used on the exterior shall be submitted to and approved in writing by the Local Planning Authority prior to their first use on site. The development shall then be undertaken in strict accordance with the approved materials.

Reason: To ensure the design of the dwellings is appropriate to the area and to ensure compliance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

5. No development shall take place until full details of hard and soft landscape works, including a phased programme of works, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved prior to the occupation of any part of the development or in accordance with the programme agreed by the Local Planning Authority. Any trees or other plants which die or are removed within the first five years following the implementation of the landscaping scheme shall be replaced during the next planting season.

Reason: To ensure that a satisfactory landscaping scheme is prepared and to ensure compliance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

6. No development shall commence until details of any walls, gates, fences and other means of permanent enclosure and/or boundary treatment to be erected have been submitted to and approved, in writing, by the Local Planning Authority. The development shall then be undertaken in strict accordance with the approved details.

Reason: To ensure the design and materials to be used are appropriate and to ensure compliance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

7. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

8. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution and this condition is imposed in light of policies within the NPPF and

NPPG.

9. No development shall commence until a construction surface water management plan has been agreed in writing with the local planning authority.
Reason: To safeguard against flooding to surrounding sites and to safeguard against pollution of surrounding watercourses and drainage systems.
10. Prior to the commencement of any development, a condition and capacity survey of the culverted watercourse (or piped drainage system) downstream of the surface water discharge point shall be provided to the Local Planning Authority. The information provided should also include mitigation measures where it is deemed the improvements are required.
Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.
11. No development shall commence until full details of the wildlife enhancement measures to be undertaken at the site (together with the timing of these works) have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in strict accordance with the agreed details.
Reason: In order to enhance the habitat for wildlife in accordance with Policy GI3 of the Carlisle District Local Plan 2015-2030.
12. Prior to the occupation of each dwelling hereby permitted suitable receptacles shall be provided for the collection of waste and recycling in line with the schemes available in the Carlisle District.
Reason: In accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.
13. Adequate infrastructure shall be installed to enable telephone services, broadband, electricity services and television services to be connected to the premises within the application site and shall be completed prior to the occupation of the dwellings.
Reason: To ensure adequate provision of infrastructure and to accord with Policy IP4 of the Carlisle District Local Plan 2015-2030.
14. 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.

15. Prior to the occupation of any dwelling, a 32Amp single phase electrical supply shall be installed to allow future occupiers to incorporate an individual electric car charging point for the property. The approved works for any dwelling shall be implemented on site before that unit is first brought into use and retained thereafter for the lifetime of the development.

Reason: To ensure the provision of electric vehicle charging points for each dwelling, in accordance with Policy IP2 of the Carlisle District Local Plan 2015-2030.

16. 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 SP6 of the Carlisle District Local Plan 2015-2030.

17. Prior to the commencement of development, the applicant shall submit a Construction Management Plan (CMP) for approval in writing by the Local Planning Authority. The development shall then be undertaken in strict accordance with the details contained within the CMP.

Reason: In order to protect the residential amenity of the occupiers of neighbouring properties in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

18. Prior to the commencement of development, the applicant shall submit details of hedgerow protection fencing to be installed on the site for approval in writing by the Local Planning Authority. This fencing shall be erected prior to the commencement of development and shall remain in place until the works are completed.

Reason: To ensure that the existing hedgerow is protected in accordance with Policy GI6 of the Carlisle District Local Plan 2015-2030.

19. The development shall not commence until visibility splays providing clear visibility of 60 metres measured 2.4 metres down the centre of the access road and the nearside channel line of the carriageway edge have been provided at the junction of the access road with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splay which obstruct the visibility splays. The visibility splays shall be constructed before general development of the site commences so that construction traffic is safeguarded.

Reason: In the interests of highway safety and to support Local Transport Plan Policies LD7 and LD8.

20. Details showing the provision within the site for the parking, turning and loading and unloading of vehicles visiting the site, including the provision of parking spaces for staff and visitors, shall be submitted to the Local Planning Authority for approval. The development shall not be brought into use until any such details have been approved and the parking, loading, unloading and manoeuvring facilities constructed. The approved parking, loading, unloading and manoeuvring areas shall be kept available for those purposes at all times and shall not be used for any other purpose.

Reason: To ensure that vehicles can be properly and safely accommodated clear of the highway and to support Local Transport Plan Policies LD7 and LD8.

21. Development shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority. The CTMP shall include details of:

- Pre-construction road condition established by a detailed survey for accommodation works within the highways boundary conducted with a Highway Authority representative; with all post repairs carried out to the satisfaction of the Local Highway Authority at the applicants expense;
- Details of proposed crossings of the highway verge;
- Retained areas for vehicle parking, maneuvering, loading and unloading for their specific purpose during the development;
- Cleaning of site entrances and the adjacent public highway;
- Details of proposed wheel washing facilities;
- The sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway

- Construction vehicle routing;
- The management of junctions to and crossings of the public highway and other public rights of way/footway;
- Details of any proposed temporary access points (vehicular / pedestrian)

Reason: To ensure the undertaking of the development does not adversely impact upon the fabric or operation of the local highway network and in the interests of highway and pedestrian safety and to support Local Transport Plan Policies WS3 & LD4.

22. Any existing highway fence/wall boundary shall be reduced to a height not exceeding 1.05m above the carriageway level of the adjacent highway in accordance with details submitted to the Local Planning Authority and which have subsequently been approved (before development commences) (before the development is brought into use) and shall not be raised to a height exceeding 1.05m thereafter.

Reason: In the interests of highway safety and to support Local Transport Plan Policies LD7 & LD8.

23. A maximum of nine dwellings shall be erected on the site.

Reason: To ensure that the proposal fits in with the character of the area, in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

24. The dwellings hereby approved shall be single-storey or one-and-a-half-storey, with accommodation on one floor only or on one floor and within the roofspace, and shall be retained as such unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of preserving the privacy and amenity of the neighbouring residents and to ensure that the development respects the scale and character of the built environment in the locality, to accord with Policy SP6 of the Carlisle District Local Plan 2015-2030.

This Drawing is the property of Tyler Design Services and must not be copied or submitted to a third party without the written consent of the company

VISIBILITY SPLAY
2.4 M X 60 M.
(Hedge / fence to be maintained at a max. height of 1.05 M (within the visibility splay).

INDICATIVE
SITE LAYOUT
PLAN



Proposed Housing Development of 9 No Bungalows at Land adjacent to
Chapelfield Lane, Thursonfield, Carlisle, Cumbria CA5 6HP.

C	24 / 05 / 21	Amended	G.Tyler	IR / DEV / SITE1	Rev C
B	23 / 05 / 21	Visibility Splays added	Scale 1:500 A3		
A	12 / 04 / 21	Original Issue	Date 12th April 2021		
Rev.	Date	Description	Drawing No		