

SCHEDULE A: Applications with Recommendation

13/0034

Item No: 08

Date of Committee: 19/04/2013

Appn Ref No:
13/0034

Applicant:
Mr & Mrs S Miller

Parish:
Castle Carrock

Date of Receipt:
17/01/2013

Agent:
Taylor & Hardy

Ward:
Great Corby & Geltsdale

Location:

Part OS Field No.0770, Castle Carrock, Cumbria

Proposal: Erection Of 1no. Dwelling (Outline Application) (Revised Application)

REPORT

Case Officer: Stephen Daniel

1. Recommendation

- 1.1 It is recommended that this application is refused.

2. Main Issues

- 2.1 Whether The Proposal Is Acceptable In Principle
- 2.2 Whether The Scale & Design Would Be Acceptable
- 2.3 Impact Of The Proposal On The Living Conditions Of The Occupiers Of Neighbouring Dwellings
- 2.4 Highway Matters

3. Application Details

The Site

- 3.1 This application is seeking outline planning permission for the erection of a dwelling on part of OS field no. 0770, Castle Carrock. The application site lies in the south-east corner of a field and is enclosed by hedgerows and a number of trees. A track, which is designated as a public footpath, runs along the southern side of the site and a field gate provides access from this to the site. A field lies to the south of the track, with a field also adjoining the site to the east, beyond which lies a large detached dwelling, which fronts onto the B6413.

Background

3.2 In October 2012, outline planning permission was refused for the erection of a dwelling on this site (12/0704) for the following reasons:

1. The application site lies outside the settlement boundary of Castle Carrock and is separated from the edge of the village by a field. It is physically and visibly separated from the built form of the settlement and intrudes into the open countryside. The National Planning Policy Framework (NPPF) states that Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances. No special circumstances have been put forward by the applicant that would justify a new dwelling in this location. The proposal is, therefore, contrary to Criterion 1 of Policy H1 of the Carlisle District Local Plan 2001-2016 and Paragraph 55 of the National Planning Policy Framework and does not comply with the Interim Housing Policy (May 2012).

2. The Cumbria Landscape Strategy (CLS) identifies that the site lies within an area of 'sandy knolls and ridges'. The sensitive characteristics or features include traditional vernacular villages which are sensitive to unsympathetic expansion. The CLS states that small scale development should be carefully sited and landscaped to exploit the natural potential for visual containment. This site is not visually contained and the erection of a dwelling on this site would, therefore, have an adverse impact on the character of the area. The urbanisation of the access track to bring it up to adoptable standard would also have an adverse impact on the rural character of the area. The proposal is, therefore, contrary to Criterion 2 of Policy CP5 of the Carlisle District Local Plan 2001-2016.

The Proposal

- 3.3 The proposal is seeking outline planning permission (with all matters reserved) for the erection of one dwelling. The illustrative site plan/illustrative sketch, which accompany the application, show a large detached dwelling with a double garage. The Design & Access Statement makes reference to a two-storey family home with a ground floor footprint in the order of 152 sq m and a ridge height of between 7.5m and 8m. The double garage would measure 6m by 6.5m and would be single-storey with a pitched roof.
- 3.4 The dwelling would provide accommodation for a local family, Mr & Mrs Miller and their three children. They currently live in a property associated with the nearby family farm, which is required to be used in the near future by Mr Miller's father, who is reducing his farming activities and intends to retire into the property that they currently occupy.
- 3.5 The application is accompanied by a Landscape and Visual Assessment. This includes some landscape design ideas which are intended to make the proposal more acceptable and make it fit better into the village. Suggestions include: strengthening existing hedgerows around the site and plant

hedgerow trees; plant garden boundaries with locally appropriate hedgerows and trees; plant additional trees in the south-eastern corner of the site; to leave the track unimproved; and to design the dwelling to be appropriate with the setting.

4. Summary of Representations

4.1 This application has been advertised by means of site and press notices as well as notification letters sent to two neighbouring properties. Thirteen letters of support and three letters of objections have been received.

4.2 The letters of support make the following points:

- the applicants have lived in this area all of their lives and want to stay in this area;
- the Miller family are very well known locally and have lived and worked in the area for generations;
- to be able to keep local people living within a village environment is essential for the way village life operates;
- it is a good thing that a young family want to stay and build a family house in their local area;
- often in small villages children move away to higher education or into cheaper homes in the cities to find work and they don't return due to work commitments or the cost of housing;
- the applicants have three young children and are keen to bring them up in Castle Carrock and send them to the local school, which would help maintain its viability;
- the village has a school and local amenities and this would be advantageous to the family;
- there is a shortage of good sized family houses in the village.

4.3 The letters of objection make the following points:

- most of the letters of support have been written by friends of the applicant who appear to have no direct connection with Castle Carrock and should be given little, if any, weight;
- the site lies outside the settlement boundary, in the AONB and intrudes into the open countryside and is contrary to Policy H1 of the adopted Local Plan;
- the site is not visually contained and will not complement the existing character of the area and will certainly adversely affect the amenity of the area;
- the proposal would adversely affect the privacy of the occupiers of 2 The

Courtyard and is an unneighbourly development;

- the policy replicates an earlier application which was refused - a local occupancy condition is now advanced there appears to be no hard evidence to support a demonstrable need and, therefore, an exception to policy;
- the track which will serve the site is a public footpath - it is difficult, if not impossible, to achieve a satisfactory means of access without compromising the rights of the public at large;
- the access lane is already over used by large vehicles causing irreparable damage to the lane and retaining walls - significant and permanent reinforcement would be necessary from the main road to the plot;
- if this application is permitted it will be virtually impossible to resist other applications on sites off the lane or track - this site would create an undesirable precedent.

5. Summary of Consultation Responses

Cumbria County Council - (Highway Authority): - has grave concerns over this application as it is some way along a track which is a Public Footpath 110001, the junction of this track with the public highway by Townhead Farm now serves a house on the north side of the junction and is the access to Townhead Farm, which is no longer a Farm and has various Consents for Barn conversions and 2 detached dwellings on the south side of the track. Concerned the proposal will also give rise to further ribbon development beyond the natural limits of the village; if there is to be such development it should be done in a controlled and comprehensive way, thus the application should be refused. It should be demonstrated by the applicant that they are in control of the land to allow a satisfactory means of access to be achieved, if this involves proprietors other than themselves then written undertakings should be sought that they would be in agreement with the upgrading of the Public Footpath to Highway. Suggested conditions if the application is approved;

Castle Carrock Parish Council: - this application is identical in all but a very few minor points of altered landscaping, to application 12/0704, which was refused permission by Carlisle City Council. As stated in the original objection, the Parish Council is in the process of consulting with the electorate on the issues of planning in conjunction with Carlisle City Council and is putting together a 'Local Plan' which will indicate the feelings of the electorate on these matters, and which will outline sites which might be suitable for future development. It is therefore inappropriate at this time to apply for permission to build outside the current village envelope whilst this process is on-going. This application does not fit in with the Draft Interim Planning Policy Statement for New Housing Development in Carlisle and the reasons for refusal of the earlier application reflect this.

Also feel that it is highly unlikely that development could be achieved sensitively or sympathetically in this setting as further screening would inevitably destroy the open landscape character which the Council you rightly

identified as requiring protection in original refusal of application 12/0704. As before, the Parish Council would like to note that highway access would be a problem due to dips in the road to the left, and you can't see to the right when exiting the lonning. The Parish Council would hope, given the fact that this application has already been refused, that the City Council will find no reason to grant permission in this instance;

Local Environment - Environmental Protection: - no objections, subject to conditions;

Carlisle Airport: - no objections;

Cumbria County Council - (Highway Authority - Footpaths): - comments awaited;

Ramblers Association: - comments awaited;

Local Environment-Neighbourhoods & Green Spaces, Countryside Officer - Rights of Way - Rural Area: - comments awaited;

United Utilities: - no objections. Surface water should discharge to a soakaway/ watercourse/ surface water drain.

6. Officer's Report

Assessment

6.1 The relevant planning policies against which the application is required to be assessed are Policies DP1, DP10, H1, CP3, CP5, CP12 and T1 of the Carlisle District Local Plan 2001-2016. The proposals raise the following planning issues:

1. Whether The Proposal Is Acceptable In Principle

6.2 The planning statement states that the proposal is on the edge of Castle Carrock, which is identified as a Local Service Centre in the adopted Local Plan, and policy supports residential development on the edge of such settlements. The proposed dwelling would lie near to the recently erected Castlegate House and in close proximity (about 4m) from a site to the rear of Townfoot Farm, that has planning permission for two dwellings (09/0718). The applicants own the site and this would allow them to provide the accommodation that they require in a sustainable location. Opportunities for further residential development in Castle Carrock are limited and the Strategic Housing Land Availability Assessment does not identify any potential housing sites in Castle Carrock. If the applicants occupied this dwelling in the future their children who are all below school age would attend Castle Carrock School, which would bring social benefits to the village. The applicant has indicated that they would be willing to discuss the possibility of a planning condition to restrict the occupancy of the dwelling to a local resident.

6.3 Whilst it is acknowledged that planning permission exists to erect two

dwellings on land to the rear of Townfoot Farm, these would lie to the east of the application site on the opposite side of a track. The land immediately to the front (north-east) of the proposed dwelling is an undeveloped field, which separates the application site from the dwelling that fronts onto the main road into the village. The site, therefore, appears physically and visibly separated from the built form of the settlement, is not well related to the built form of the village and it would form a prominent intrusion into the open countryside. The proposal is, therefore, contrary to Criterion 1 of Policy H1 of the Carlisle District Local Plan 2001-2016.

- 6.4 The Cumbria Landscape Strategy (CLS) identifies that the site lies within an area of 'sandy knolls and ridges'. The sensitive characteristics or features of this landscape include traditional vernacular villages which are sensitive to unsympathetic expansion. The CLS states that small scale development should be carefully sited and landscaped to exploit the natural potential for visual containment.
- 6.5 The applicant considers that the site is contained by existing vegetation and they have commissioned a Landscape & Visual Assessment, which includes some landscape design ideas which might make the proposal more acceptable and might make it fit better into the village. Suggestions include: strengthening existing hedgerows and field boundaries; planting new hedgerows and trees around the site to visually contain it; planting new trees, particularly in the south-east corner of the site, to soften the dwelling's appearance, give it a framework and reduce visibility between neighbours; sensitive earth modelling to the rear of the site to match the rolling landscape; leaving the track unmetalled; and ensuring that the design of the dwelling is sympathetic to its surroundings, in terms of architectural style and materials.
- 6.6 Whilst the landscape design issues set out in the Landscape & Visual Assessment would help to reduce the visual impact of the proposal, these are not considered sufficient to overcome the visual harm that would be created by the erection of a dwelling in this location, which is not visually contained and would, therefore, have an adverse impact on the character of the area.
- 6.7 The National Planning Policy Framework (NPPF) states that Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances. The applicants consider that they have a genuine local need to live in the area. Whilst it is acknowledged that the applicants are from the local area, would send their children to Castle Carrock School and would help to sustain local services, this is not sufficient justification to allow a dwelling in this location.
- 6.8 In light of the above, the proposal is contrary to Criterion 1 of Policy H1 and Criterion 2 of Policy CP5 of the Carlisle District Local Plan 2001-2016; and Paragraph 55 of the NPPF.

2. Whether The Scale & Design Would Be Acceptable

- 6.9 The application is in outline, with all matters, including scale and design reserved for subsequent approval.

3. Impact Of The Proposal On The Living Conditions Of The Occupiers Of

Neighbouring Dwellings

- 6.10 Given the relationship of the site to existing dwellings, any dwelling on this site would comply with the Council's standards on minimum distances between dwellings.

4. Highway Matters

- 6.11 Whilst County Highways has concerns about a dwelling in this location, the proposed access would be acceptable. If the application is approved, conditions should be added to ensure that the access track and adjacent verges are maintained and to ensure that there is provision within the site for the parking and turning of vehicles.

Conclusion

- 6.12 In overall terms, the proposed site is not well related to the existing settlement and erecting a dwelling on this site would, therefore, form a prominent intrusion into the open countryside and would have an adverse impact on the character of the area. The proposal is, therefore, contrary to Criterion 1 of Policy H1 and Criterion 2 of Policy CP5 of the Carlisle District Local Plan 2001-2016 and Paragraph 55 of the NPPF.

7. Planning History

- 7.1 In October 2012, outline planning permission was refused for the erection of 1 no. dwelling (12/0704).

8. Recommendation: Refuse Permission

1. **Reason:** The application site lies outside the settlement boundary of Castle Carrock and is physically and visibly separated from the built form of the settlement and intrudes into the open countryside. The National Planning Policy Framework (NPPF) states that Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances. No special circumstances have put been forward by the applicant that would justify a new dwelling in this location. The proposal is, therefore, contrary to Criterion 1 of Policy H1 of the Carlisle District Local Plan 2001-2016 and Paragraph 55 of the National Planning Policy Framework.
2. **Reason:** The Cumbria Landscape Strategy (CLS) identifies that the site lies within an area of 'sandy knolls and ridges'. The sensitive characteristics or features include traditional vernacular villages which are sensitive to unsympathetic expansion. The CLS states that small scale development should be carefully sited and landscaped to exploit the natural potential for visual containment. This site is not visually contained and the erection of a dwelling on this site would, therefore, have an

adverse impact on the character of the area. The proposal is, therefore, contrary to Criterion 2 of Policy CP5 of the Carlisle District Local Plan 2001-2016.

Hand-drawn site plan of Castle Carrock. The plan shows a main building labeled 'House' with a chimney, a 'Garage' attached to the right, and a 'Forecourt' area. Dimensions are marked: 11.2m, 16.6m, 11.5m, and 6.8m. A north arrow is present in the bottom right corner, and the number 124 is written near it. The plan is surrounded by a boundary line with trees and shrubs indicated by circles and star-like symbols.

17 JAN 2013

Location 1/2500

08/20/2

Castle Carrock

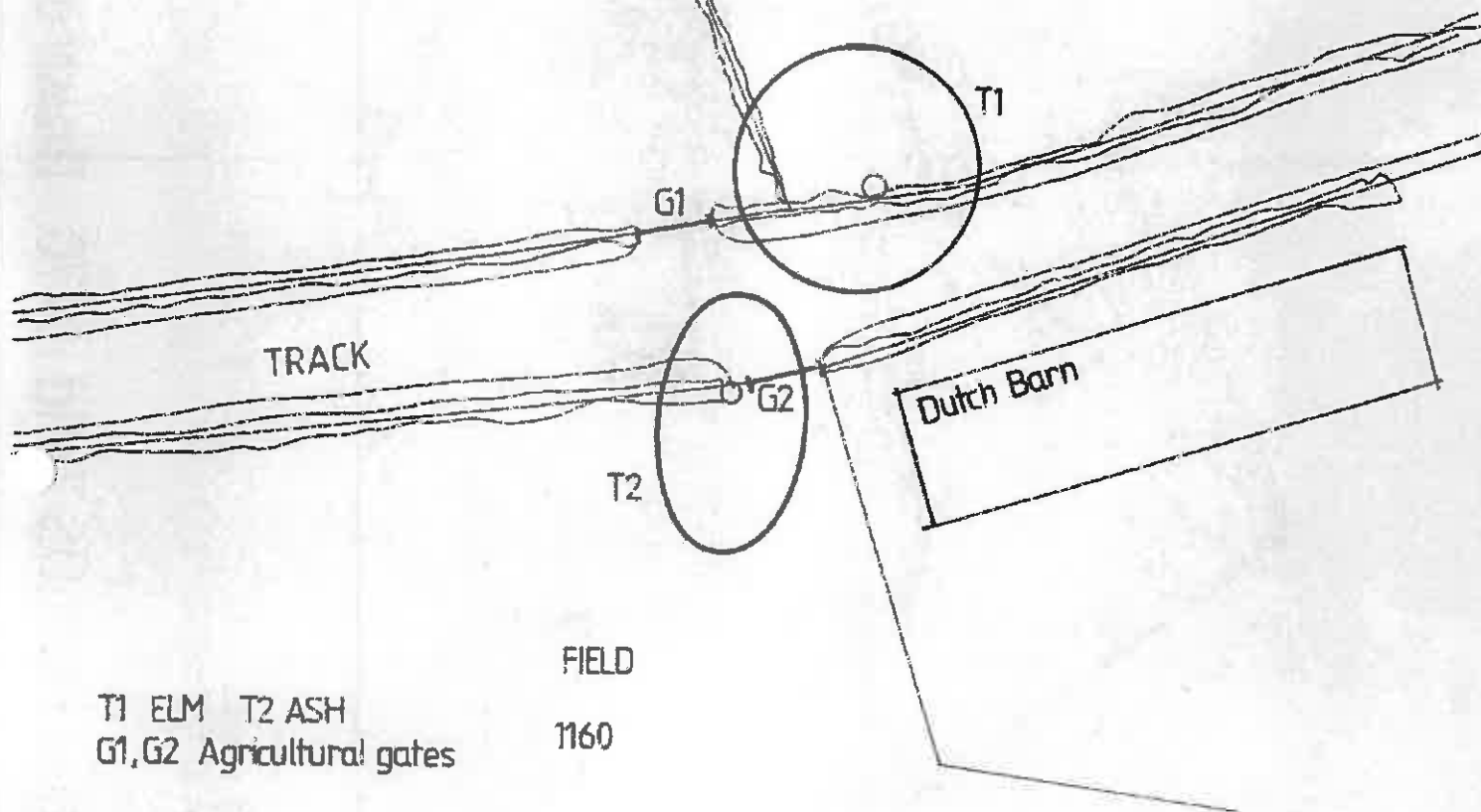


SITE

0770

FIELD

1570



T1 ELM T2 ASH

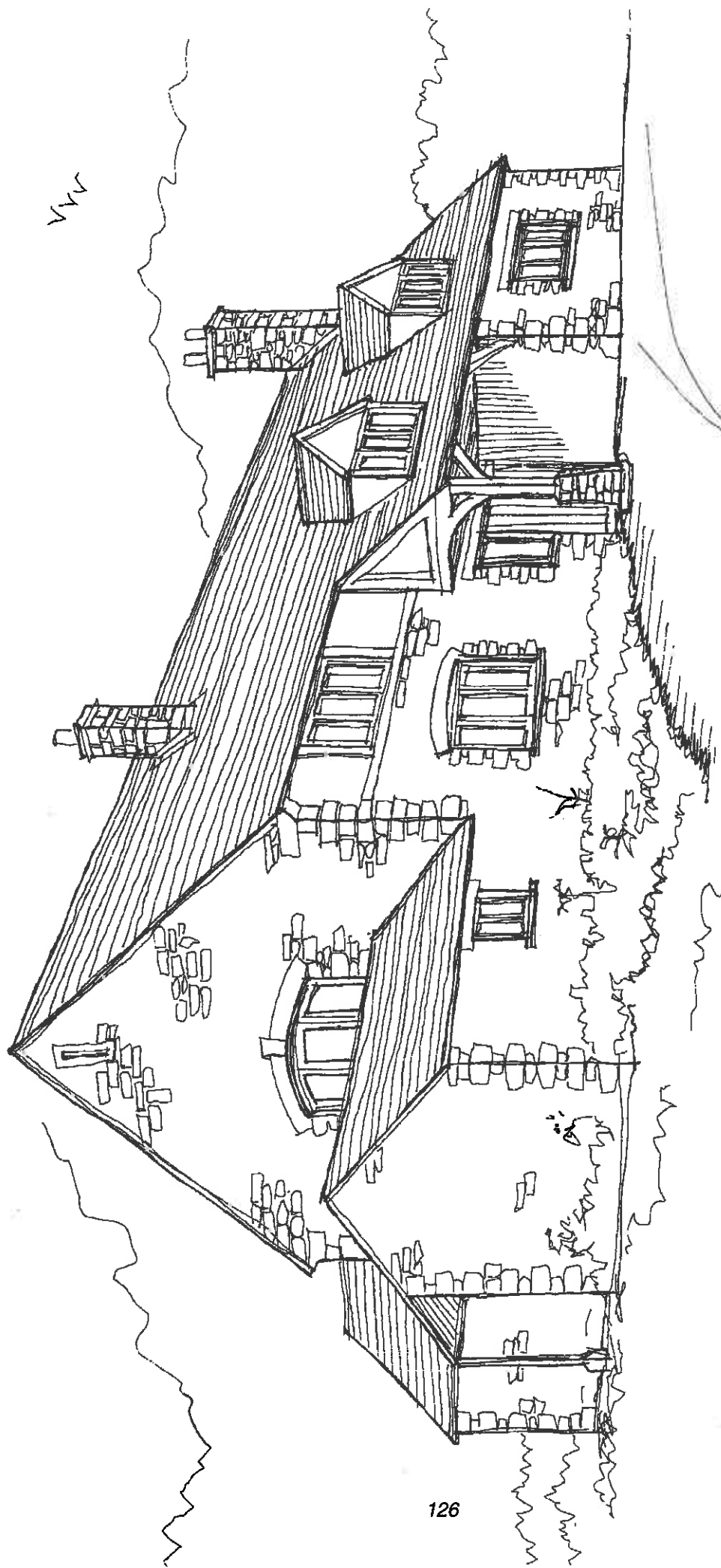
G1, G2 Agricultural gates

FIELD

1160

Outline Planning · Access Situation as Existing
Part OS Field 0770 · Drawing OPA2 · Scale 1/500 · 08/2012

Castle Carrock



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Outline Planning · Part OS Field 0770 · Illustrative Sketch · Drawing PA3 · 0°/2012¹¹