

## SCHEDULE A: Applications with Recommendation

20/0058

Item No: 03

Date of Committee: 17/07/2020

**Appn Ref No:**  
20/0058

**Applicant:**  
Mrs Patricia Winder

**Parish:**  
Brampton

**Agent:**  
Mr G Gill

**Ward:**  
Brampton & Fellside

**Location:** School House, Moat Street, Brampton, CA8 1UJ

**Proposal:** Variation Of Condition 2 (Approved Documents) Of Previously Approved Application 19/0042 (Erection Of Single Storey Side Extension To Provide Dining Room/Sunroom; Installation Of Double Doors To Roadside Boundary Wall To Facilitate New Vehicular Access; Rendering Of Dwelling And Roadside Boundary Wall) To Install 4-Panel Bi-Fold Doors And Rebuild Of Front Boundary Wall; Rendering Of Base Plinth Zone On Front Elevation And Rendering Of Rear Proportion Of The Property

**Date of Receipt:**  
29/01/2020

**Statutory Expiry Date**  
25/03/2020

**26 Week Determination**

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### REPORT

**Case Officer:** Christopher Hardman

#### 1. Recommendation

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

#### 2. Main Issues

- 2.1 Principle of development
- 2.2 Whether the scale and design of the proposal is acceptable
- 2.3 Impact of the proposal on the living conditions of the occupiers of neighbouring properties
- 2.4 Impact of the proposal on Brampton Conservation Area
- 2.5 Proposed drainage methods
- 2.6 Impact of the proposal on highway safety
- 2.7 Impact of the proposal on biodiversity

#### 3. Application Details

## **The Site**

- 3.1 The application site is an existing two storey period dwelling house constructed from red sandstone with a dual pitch slate roof. The property includes a short section of stone wall leading out from its northern elevation to enclose a private yard area and forms a boundary with the adjacent public highway.
- 3.2 The property is located within the Brampton Conservation Area and its frontage is designated as Key Townscape Frontage. The surrounding area is characterised by a mix of traditional stone-built properties with slate roofs. There is a limited use of painted render to some properties in the area.

## **Background**

- 3.3 Planning permission was granted for the rear extension (Application 19/0042) however modifications were made to the proposal omitting full vehicular access to the side of the property.

## **The Proposal**

- 3.4 The application seeks planning permission to extend the existing dwelling house via the development of a single storey side extension to provide an extension to the existing kitchen and create a kitchen-diner. Alteration are also proposed to the boundary wall to increase the width of the existing doorway for vehicular access.
- 3.5 The proposed extension would project approx. 4m out from the existing side elevation and have a depth of 4m. Due to the shape of the existing yard the extension would be an irregular shape/footprint. It would have a flat roof incorporating a flat roof lantern rising to an overall height of approx. 2.6m. The structure would have a block and render finish to its elevations.

## **4. Summary of Representations**

- 4.1 The application has been published by means of neighbour notifications to two neighbouring properties and the posting of a site notice.
- 4.2 A single letter of response has been received. The respondent supports the development but with a concern regarding water supply and seeks reassurance from United Utilities that there will be no impact.

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

**Brampton Parish Council:** - OBJECT - members support the comments from the Highways Authority as follows-

As clear visibility of 2 metres cannot be achieved along the public highway in both directions from a point 2 metres from the carriageway edge measured

down the centre line of the driveway. Consequently traffic generated by the proposed development would be likely to create conditions prejudicial to highway safety

**Cumbria County Council: -  
Local Highway Authority (LHA) response:**

To conclude the Highways Authority recommends this application for refusal due to clear visibility of 2 metres cannot be achieved along the public highway in both directions from a point 2 metres from the carriageway edge measured down the centre line of the driveway. Consequently traffic generated by the proposed development would be likely to create conditions prejudicial to highway safety. To support Local Transport Plan Policy: LD7, LD8

**Lead Local Flood Authority (LLFA) response:**

The Lead Local Flood Authority has no objections with regards to the approval of planning permission as the proposed variation of condition application will not increase flood risk on site, or downstream of the development.

## **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 National Planning Policy Framework (NPPF), the Planning Practice Guidance (PPG), and Policies SP1, SP6, SP7, HE6, HE7, HO8, IP2 and IP3 of the Carlisle District Local Plan 2015-2030.

6.3 The proposal raises the following planning issues:

#### **1. Principle Of Development**

6.4 Planning permission was granted under application 19/0042 for the extension and therefore the principle of this development has been accepted. This application looks to change those details in relation to the boundary wall of the property and the use of render. Whilst these latter aspects alter the original permission they are changes to the existing structure of the property and previous permission and therefore the principle of the development has already been established.

#### **2. Whether The Scale and Design Of The Proposal Is Acceptable**

6.5 The application seeks permission for a single storey side extension to provide a dining room and sunroom, the installation of double doors to the roadside

boundary wall and rendering of the base plinth and rear extension of the property. Carlisle District Local Plan (CDLP) policies SP6 and HO8 require development proposals to demonstrate a good standard of sustainable design that responds to, and is respectful of, the existing character and distinctiveness of the local area. Specifically with regard to householder development, CDLP policy HO8 requires that proposals relate to and complement the existing building in scale, design, form and materials. .

- 6.6 In this case the proposed scale and design of the development is considered appropriate in the context of the existing property. Whilst the render finish would be at odds with the host property and prevailing character of the surrounding area it is recognised that the extension and rear part of the property would not be visible in the streetscene as it would be obscured from view by the existing sandstone boundary wall. The extension would only be seen whilst the doors were temporarily open. In this context, the extension would not affect the character or appearance of the streetscene and could not therefore reasonably be considered as a discordant or incongruous form of development. The proposal also seeks to render the base plinth of the property. Whilst this is a change of material it does not affect the scale of the property and there are a number of examples in the streetscene which have rendered or painted base plinths.
- 6.7 Alterations are proposed to the sandstone boundary wall to insert double doors which would change the character of the wall and this is considered later in relation to the conservation area however the scale and overall retention of the parapet and coping of the wall would be appropriate.
- 6.8 Consequently, the proposed scale and design is considered to be acceptable as it accords with policies SP6 and HO8 of the CDLP and meets the requirements of the NPPF as it would not harm the character or identity of the existing property.

### **3. Impact Of The Proposal On The Living Conditions Of Neighbouring Residents**

- 6.9 The NPPF requires the planning process to achieve a good standard of amenity for all existing and future occupiers of land and buildings. This is a core principle of the planning system and is echoed by CDLP policies HO8 and SP6 which seek to ensure that development does not result in adverse impacts to the living conditions of future or existing occupiers. Accordingly, policies require that acceptable levels of privacy, outlook, and general amenity are maintained.
- 6.10 Having considered the scale and positioning of the proposed extension and alterations in relation to the adjoining neighbouring residential properties it is considered that there would be no adverse impacts to the residential amenity of this or any other property.

### **4. Impact Of The Proposal On Brampton Conservation Area**

- 6.11 The application site falls within the Brampton Conservation Area and

therefore regard is had to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which highlights the statutory duty of the LPA when considering proposals for development within conservation areas and that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. This approach is further supported by NPPF policies and CDLP policies SP6, SP7 and HE7 of the CDLP in that together these policies require that development within conservation areas harmonise with the surrounding area, is sympathetic to the setting, scale, density and physical characteristics of the conservation area while also preserving or enhancing any features which contribute positively to the area's character or appearance.

- 6.12 Considering the extension to the dwelling, due to its positioning, behind a substantial boundary wall, it does not give rise to any concerns regarding the visual amenity or character of the conservation area.
- 6.13 In relation to the rendering of the property there are two areas proposed. The rear of the property which is not seen from public views and other properties have render in part. This would not therefore affect the character or setting of the conservation area and would therefore be acceptable. At the front of the property it is proposed to render the base plinth as continual weathering at that level is causing problems with the existing sandstone. Having regard to the streetscene it is noted that there are several examples of painted or rendered base plinths which are different to the property above. The overall impact would be minimal and would not be out of character with other properties in the street. The rendering of the base plinth would therefore be acceptable.
- 6.14 The consented application proposes minimal alterations to the boundary wall and therefore would not materially alter its character or appearance resulting in a neutral impact that does not adversely affect the character and appearance of the conservation area. This proposal differs significantly by the installation of bi-fold access doors. The Council's Heritage Officer has raised concerns that the changes to the boundary wall would alter the character of the conservation area and are unacceptable. In considering this proposal it is worth noting that whilst the property is in a conservation area and has townscape heritage value the conversion of the former school opposite has removed a proportion of the front wall to attain vehicular access. Although the wall on the opposite side of the road is longer, the proposal to insert access doors retains a top section of wall and coping ensuring that reference to the historic feature of this wall is retained.
- 6.15 There is one feature in the wall which may have contained a window or hatch at some point but is not used and there is no reciprocating feature on the internal side of the property which would tie in with this small recess. It is the Heritage Officer's consideration that this is a feature of the character of this part of the street. Members need to consider, in terms of the significance of the conservation area, whether the loss of this feature harms the character or would have a neutral effect. In considering the character of the conservation area, a character appraisal was undertaken as part of the conservation area review when it was extended in 2007. The appraisal includes:

*"Proposals for new development and/or the alteration of buildings in conservation areas should harmonise with their surroundings: 1. the development should preserve or enhance all features which contribute positively to the area's character or appearance, in particular the design, massing and height of the building should closely relate to adjacent buildings and should not have an unacceptable impact on the townscape or landscape; 2. the development should not have an unacceptable impact on the historic street patterns and morphology, roofscape, skyline and setting of the conservation area, important open spaces or significant views into, out of and within the area; 3. development proposals should not result in the amalgamation or redrawing of boundaries between traditional buildings and plots, or demolition and redevelopment behind retained facades; 4. wherever practicable traditional local materials such as brick, stone and slate should be used and incongruous materials should be avoided; 5. individual features both on buildings and contributing to their setting, should be retained e.g. doorways, windows, shopfronts, garden walls, railings, cobbled or flagged forecourts, sandstone kerbs, trees and hedges, etc. Where features have deteriorated to the extent to which they have to be replaced, the replacement should match the original; 6. proposals which would generate a significant increase in traffic movements and heavy vehicles or excessive parking demands will not be permitted since these would be prejudicial to amenity; 7. proposals which would require substantial car parking and servicing areas which cannot be provided without an adverse effect on the site and its surroundings will not be permitted. "*

- 6.16 Point 5 notes that individual features should be retained and in line with all other properties the main features of School House would not be affected by this proposal. It has not been possible to confirm the intention of the original construction and therefore the significance or importance of the small recess within this boundary wall. In the context of the overall streetscene it forms a small element and its loss does not impact on the overall character. Whilst it may be considered that its removal and replacement by access doors is not a positive enhancement of the conservation area, the loss would have a neutral impact on the conservation area.
- 6.17 The only reference to Moat Street in the character appraisal is "Moat Street is narrow and straight with a variety of sandstone unrendered houses and cottages". This makes no reference to the walls or features of those walls and in relation to render the base plinth has been considered in the context of paragraph 6.13 above and would not significantly alter the character of the conservation area.
- 6.18 Consideration has to be given to the proposed replacement and it should be noted that on the opposite side of the road the removal of the wall results in a large open access point providing direct visibility into the development. In this instance the replacement by timber bi-fold doors and the retained construction of a surrounding wall with coping feature would retain the overall character of the existing structure. The use of timber would be an

appropriate traditional material avoiding the integration of modern composite materials in the streetscene which would otherwise be out of character.

- 6.19 Accordingly, the proposal is compliant with CDLP policies SP6, SP7, HE6, and HE7 and the associated policies of the NPPF along with the statutory requirements set out at Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

## **5. Proposed Drainage Methods**

- 6.20 The Lead Local Flood Authority has no objections with regards to the approval of planning permission as the proposed variation of condition application will not increase flood risk on site, or downstream of the development. One letter of support also included a question as to whether United Utilities were accepting of the development and its impact on services. It should be noted that the principle of development has already been accepted by the granting of a previous permission on this site and in the context of services this only seeks a small extension to an existing dwelling which by itself would not significantly increase service demand.

## **6. Impact Of The Proposal On Highway Safety**

- 6.21 The application under consideration involves the sandstone wall along the boundary of School House, Moat Street, Brampton being rebuilt with a 4 panel timber bi-fold door to allow for parking access. The Highways Authority has concerns regarding the proposed vehicular access into the dwelling. The applicant has not demonstrated that there is sufficient space to accommodate a vehicle within the curtilage of the development (2.4m x 5m) and also the pedestrian visibility of 2m x 2m has not been shown within any plans. It is deemed unlikely that the necessary visibility splays at this location can be achieved. As a consequence of this consideration, the Highways Authority recommends this application for refusal. The Parish Council has raised the same concerns considering that traffic generated by the proposed development would be likely to create conditions prejudicial to highway safety.
- 6.22 Policies IP2 and IP3 of the CDLP require all development proposals to be assessed against their impact on the transport network, to ensure adequate levels of parking provision and maintain highway safety.
- 6.23 Since application 19/0042 was granted the former Brampton Infant School and Refectory have been the subject of conversion schemes to residential use. This has resulted in new vehicular access points onto Moat Street to accommodate additional car parking in the narrow road. The access to the former infant school which is currently being converted is directly opposite School House and therefore the applicant is no longer able to park their vehicle outside his property as a result of that development otherwise it would impair manoeuvrability into the site. Whilst there is never any guarantee that people can park outside their properties, the amount of road space for parking in Moat Street is limited. It would therefore ease parking and movement if there was opportunity to remove another vehicle from the street.

- 6.24 The objection from the Highway Authority is a serious consideration but bearing in mind the previous paragraph it is worth considering this option further. School House is the last property on this side of the street and the wall links to the boundary of Brampton Junior School. As this is the last property it is unlikely that any pedestrians would be using the pavement at this point. The school gate has remained locked for some time and is very infrequently used. The proposal contains bi-fold doors which would clearly be either open for access or closed and as they lead to the rear of the property would remain closed for the majority of the time except when in use. Whilst it is acknowledged that the visibility splays cannot be attained it is questionable in this instance whether that would cause a highway safety issue.
- 6.25 The Highway Authority also raises concern that the length of the internal space is limited and combined with the extension would not achieve the necessary 5m clearance for a standard parking space. This will be a matter for the applicant to consider when determining at what point to provide off-street parking, build the extension or ensure that their vehicle is the required length however it should be made clear that it will not be acceptable to have a vehicle overhanging the highway which is covered by other legislation. Whilst this is not a planning matter it should be added as an informative to any approval to ensure that a longer vehicle is not parked over the pavement. Implementation of the entrance does mean that the permission would be extant and the applicant could build the extension at a later date.
- 6.26 The NPPF states that development should only be refused if there is an unacceptable impact on highway safety. It is considered that the proposed development would have an impact on highway safety as outlined by the Highway Authority but given the specific circumstances of this case and the location this would not be significant to refuse the application.

## **7. Impact Of The Proposal On Biodiversity**

- 6.27 The Councils GIS Layer has identified that there is the potential for several key species to be present within the vicinity. Using the guidance issued by Natural England, the development would not harm protected species or their habitat. To protect biodiversity during any construction works an informative is recommended within the decision notice drawing the applicant's attention to the requirement under conservation legislation such as the Wildlife and Countryside Act 1981.

## **Conclusion**

- 6.28 In overall terms, the principle of development is acceptable. The location, scale and design of the development is appropriate to the character of the area. In terms of impact on the conservation area, there will some minor loss of existing form however the replacement proposal is considered appropriate. With regards to highway safety whilst concerns remain from the Highway Authority the mitigating circumstances of this proposal mean that the proposed variation to the original consent is acceptable.



- 6.29 Accordingly, the proposal accords with the objectives of the NPPF, PPG and relevant local plan policies and the application is recommended for approval.
- 6.30 It is therefore recommended that planning permission be granted subject to conditions.

## 7. Planning History

- 7.1 Application 19/0042 for the erection of single storey side extension to provide dining room/sunroom; installation of double doors to roadside boundary wall to facilitate new vehicular access; rendering of dwelling and roadside boundary wall to which this application directly relates was granted permission in April 2019.

## 8. Recommendation: Grant Permission

1. The development shall be begun not later than the 11th April 2022.

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

1. the submitted planning application form received 29 January 2020;
2. the Location Plan and Block Plan (Drawing No.106) received 21 January 2019 for application 19/0042;
3. the Proposed Plans and Elevations (Drawing No.103 Revision C) received 29 January 2020;
4. the Proposed Plans and Elevations (Drawing No.104 Revision A) received 29 January 2020;
5. the Proposed 3D views (Drawing No.105 Revision C) received 29 January 2020;
6. the Additional Details (Drawing No.110) received 29 January 2020;
7. the list of changes received 29 January 2020;
8. the Notice of Decision; and
9. any such variation as may subsequently be approved in writing by the Local Planning Authority.

**Reason:** In order to ensure that the development is carried out in complete accordance with the approved documents and to avoid any ambiguity as to what constitutes the permission.

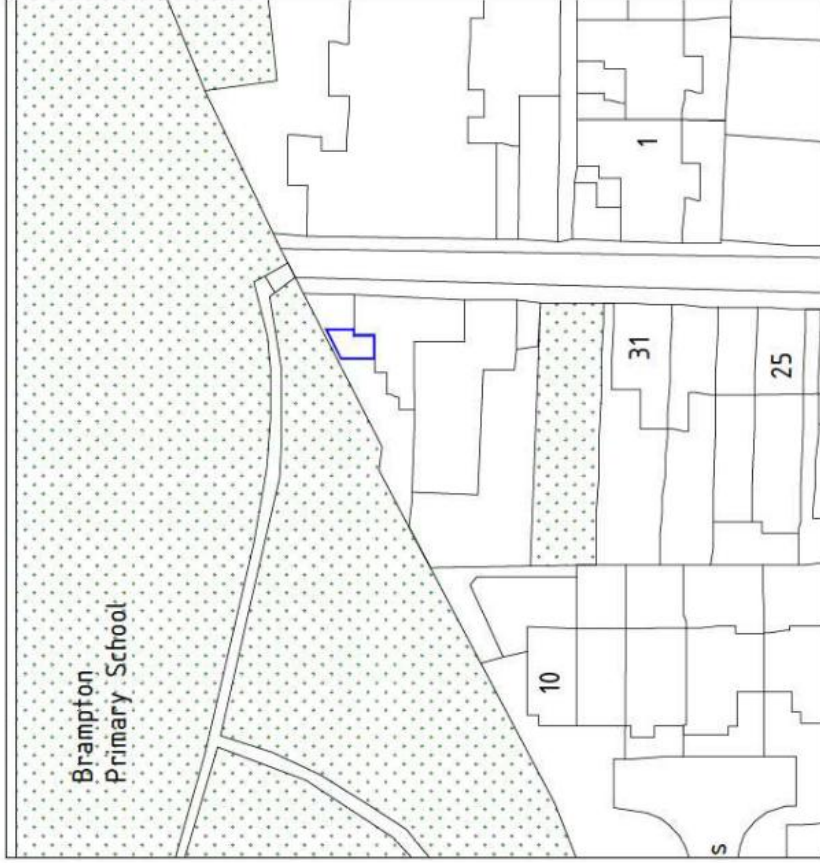
3. The alterations to the boundary wall shall be carried out using stonework identical to that of the existing structure and materials as specified in the application.

**Reason:** To ensure the materials harmonise with the existing building and to safeguard the visual amenity and character of the area in accordance with policies SP6, HE6 and HO8 of the Carlisle District Local Plan and the associated requirements of the NPPF.

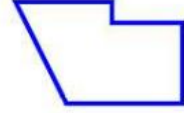
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Site Location Plan 1:1250



Proposed Block Plan 1:500



Denotes Extension

Date	Rev.	Comment

**DPP**  
**Domestic Property Plans**  
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Drawing Title: Site location & Proposed Block plan  
 Contract Address: 2 Pool House, Mast Street, Brampton, CA8 1UJ  
 Contract No: 200  
 Client: Miss Patricia Winder  
 Dwg No: 1006  
 Scale: @A3: 1:1250 1:500  
 Issue Date: 15.03.19  
 Revision Date:  
 Revision:

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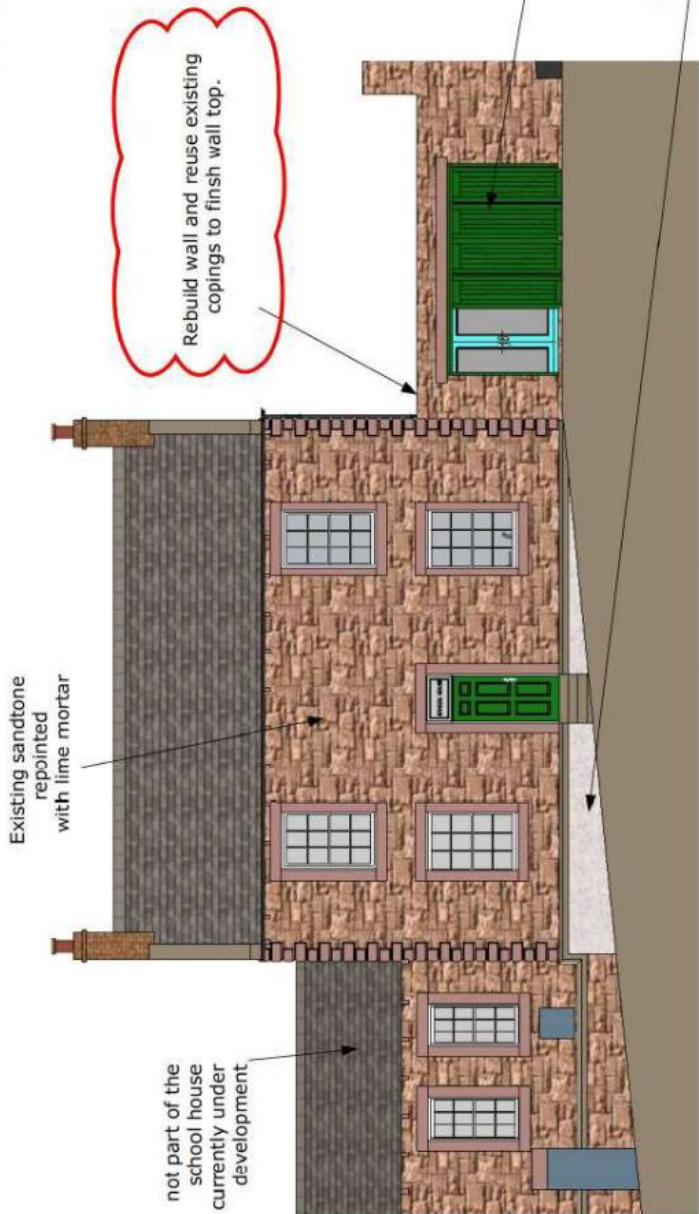
Based in Carlisle Cumbria    Telephone: 07427242328    Email: [dpplans@aol.co.uk](mailto:dpplans@aol.co.uk)    Website: [dpplans.co.uk](http://dpplans.co.uk)





Proposed Roof Plan  
Scale 1:100

Proposed Roof Plan  
Scale 1:50



Proposed Front Elevation  
Scale 1:100

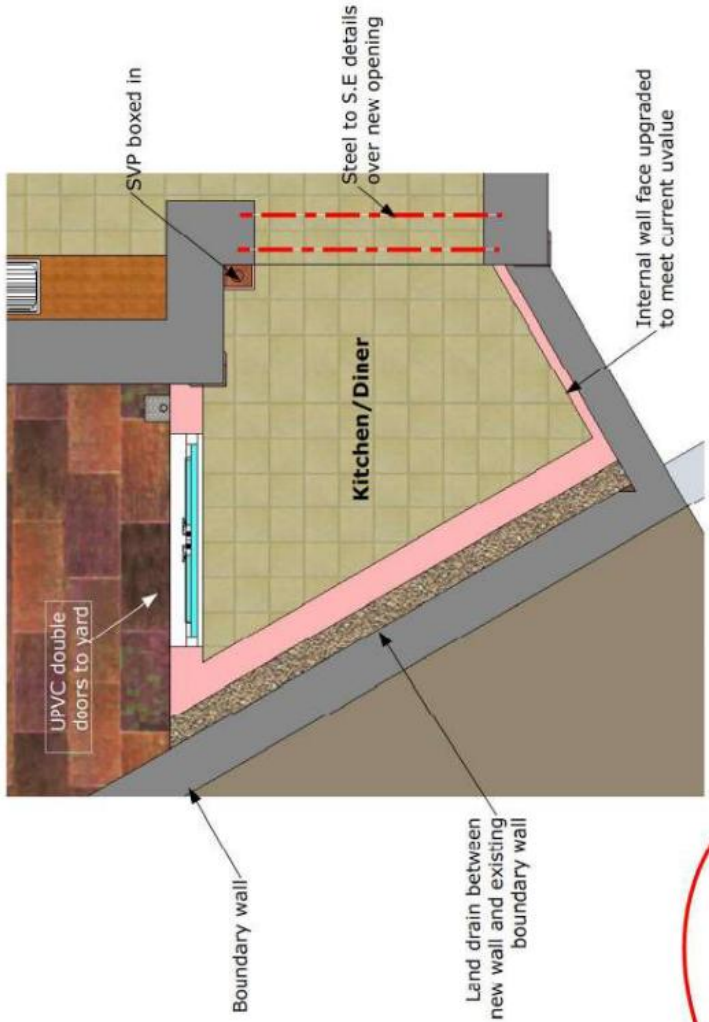
Date	Rev	Comment
38.01.20	C	Drawing revised inline with planning comments
38.03.19	B	Drawing revised inline with planning comments
15.02.19	A	Render detail and notes removed boundary wall to front height reduced double access door moved over

**DPP**  
**Domestic Property Plans**  
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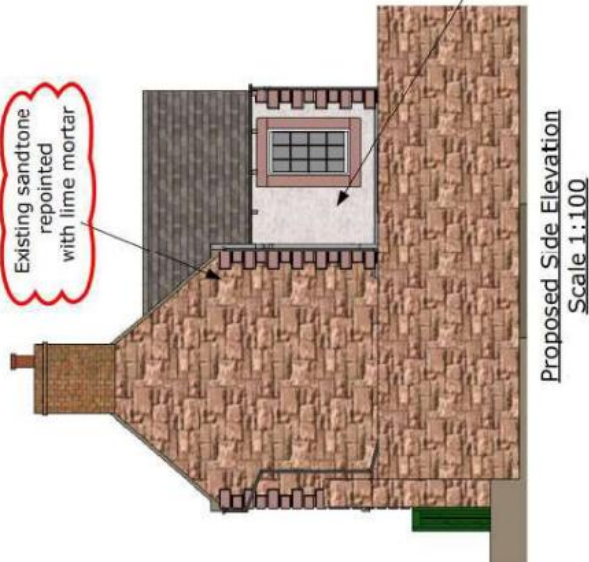
Drawing Title: Proposed Plans & Elevation  
Contract Address: School House, Moat Street, Brampton, CA8 1UJ  
Contract No. 190  
Client: Mrs Patricia Winder  
Issue date: 02.01.19  
Revision No. 103  
Revision date: 28.01.20  
Scale @ A3 1: 100 & 50  
Revision: C  
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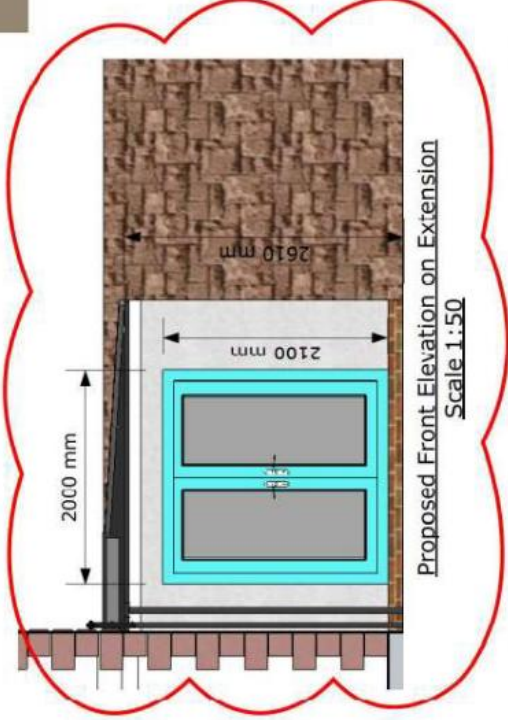
**Proposed Ground Floor Plan  
Scale 1:100**



**Proposed Ground Floor Plan  
Scale 1:50**



**Proposed Side Elevation  
Scale 1:100**



**Proposed Front Elevation on Extension  
Scale 1:50**

**Planning Notes:**

- 1) New walls to be block and render
- 2) New double doors light blue UPVC Double glazing
- 3) Velux roof windows 1No. 1200x900
- 4) Black gutters and downpipes to match existing
- 5) Flat roof to be felt or membrane

Date	Rev	Comment
38.01.20	C	Drawing revised inline with planning comments
38.03.19	B	Drawing revised inline with planning comments
15.02.19	A	Render detail and notes removed boundary wall to front height reduced double access door moved over

# DPP

## Domestic Property Plans

### Your Property Plans Made Easy

Drawing Title: Proposed Plans & Elevation  
 Contract Address: School House, Moat Street, Brampton, CA8 1UJ  
 Contract No. 190  
 Client: Mrs Patricia Winder  
 Drawing No. 104  
 Issue date: 02.01.19  
 Revision date: 28.01.20  
 Revision: A

Scale @ A3 1: 100 & 50  
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