

SCHEDULE A: Applications with Recommendation

21/1143

Item No: 02

Date of Committee: 24/06/2022

Appn Ref No:
21/1143

Applicant:
D Routledge

Parish:
Stanwix Rural

Agent:
Summit Town Planning

Ward:
Stanwix & Houghton

Location: Land adjacent to Meadow Cottage, Tarraby, Carlisle, CA3 0JS

Proposal: Erection Of 4no. Dwellings And Associated Works

Date of Receipt:
14/12/2021 16:01:45

Statutory Expiry Date
08/02/2022 16:01:45

26 Week Determination
11/04/2022

REPORT

Case Officer: Stephen Daniel

This application was deferred at the April 2022 meeting due to Members raising concerns about the validity of the data in the submitted traffic survey and requesting further information be submitted on the traffic report.

Highway Matters

A new Automatic Traffic Count (ATC) report has been submitted. The new ATC report is based on a survey which was carried out between 25 April and 01 May 2022. A video camera was used to record vehicle movements between the start of the survey until the evening of Thursday 28 April. The ATC data was cross referenced with the available video data and this uncovered a minor anomaly whereby each time two bicycles went past (trailing one another in close proximity), the machine thought that it was a four-axle vehicle. The Highways Authority were consulted on the new ATC and asked for bicycles to be removed from the survey to ensure that the vehicles speeds were not distorted by the inclusion of bicycles.

An objector has raised the following concerns about the ATC report:

- the report states that the site speed limit is 30mph but the road is subject to the national speed limit;
- given the low volumes of traffic recorded is the summary a true reflection of the 85%ile;
- is it not appropriate to use the full data set?

The Parish Council has also raised the following concerns about the ATC Report:

- the lack of street lighting indicates that the U1170 Tarraby Lane is unrestricted and has a speed limit of 60mph;

- the Automatic Traffic Counter was positioned to record only those vehicles passing beyond the ATC. Only 4 dwellings lie beyond this point so the total traffic volume of Tarraby Lane is not recorded. This provides an incomplete and, therefore, misleading dataset as the hamlet contains a further 24 dwellings which also rely on access to Tarraby Lane and which are visited by a variety of vehicle types. As Tarraby Lane is a cul-de-sac a more appropriate site would be between the Near Boot Inn and 'Wensleydale'. This would enable the recording of every vehicle entering and leaving the hamlet and thus provide a comprehensive and meaningful count;
- the counting period included a Bank Holiday when traffic volume would be lighter than normal;
- the Parish Council considers the data provided in the ATC Report to be flawed and unreliable as a means of informing the decision-making process, it therefore strongly recommends a further, fully comprehensive, count inclusive of all traffic using Tarraby Lane.

The Highways Authority has considered the above comments.

- if the MfS2 calculations are done for the fastest 85%ile speeds recorded for a single day (22.1mph) then the splay should have been 28.07m. The splays conditioned are, therefore, considered robust and are in fact a slight overestimation of the stopping distances needed;
- the condition on visibility splays should be changed from 32m north bound and 36m south bound to 32m to the south and 36m to the north. The direction of travel of cars on the lane is the opposite from the direction you will look at when exiting the site (i.e. is you see a car travelling north bound then you will be looking south to see it coming);
- the statement in the survey that it is a 30mph road is incorrect - however, the survey was done to ascertain the 85%ile speeds of vehicles close to the proposed access(es). It was not a survey conducted to consider the capacity of the lane. The statement on the current limit, therefore, is immaterial and the location of it was acceptable;
- as it was not a capacity survey, content that it included a bank holiday. This will in most cases (on that day) generate less vehicles, but the speeds of them will normally be slightly higher than on a "normal" day.

In light of the above, the ATC is considered to be acceptable and condition 8 (visibility splays) has been amended in line with the comments from the Highways Authority (i.e. visibility splays providing clear visibility of 32 metres to the south bound and 36m to the north).

On the 24th May, the appeal decision for land adjacent to Shortdale Cottage, Tarraby Lane, Tarraby was issued (a full copy is contained within Schedule B). The appeal was allowed and outline planning permission was granted with condition 4 being changed to restrict the number of dwellings that could be built on the site to not more than four. The Inspector noted that:

- the traffic generated by 4 dwellings (each additional dwelling is predicted to add a further 5 to 6 vehicle movements per day) would not be a significantly high volume in the context of the lightly trafficked no through road;
- there is little substantive evidence that the additional vehicles generated by 4 rather than 2 new dwellings would compromise highway safety;
- there is little evidence that the village or the approach suffers from significant

congestion or highway safety issues;

- construction traffic associated with the proposal for 4 dwellings would have the potential to adversely impact highway safety.

The Inspector's findings are consistent with those of the Highways Authority, which has raised no objections to this application subject to the imposition of conditions. A new condition requiring the applicant to submit a Construction Traffic Management Plan prior to commencing work on site has been added to the permission.

Nutrient Neutrality

Alongside other local planning authorities, Carlisle City Council has received a letter dated 16th March 2022 from Natural England about nutrient pollution in the protected habitats of the River Eden Special Area of Conservation (SAC). The letter advised that new development within the catchment of these habitats comprising overnight accommodation (which includes new dwellings) can cause adverse impacts to nutrient pollution.

Local authorities have been advised that planning applications and plans in affected areas should be carefully considered and mitigation should be used to ensure there are no adverse effects to meet the requirements of the Conservation of Species and Habitats Regulations 2017. Whilst the council assesses the implications of these matters, it cannot lawfully conclude that development within the catchment of the River Eden SAC will not have an adverse effect. Therefore, until these matters are resolved, the council will not be able to grant planning permission for developments comprising overnight accommodation (including new dwellings) within the affected catchments. This application cannot, therefore, be approved until this issue is resolved.

Updated Recommendation:

It is recommended that authority to issue approval be given to the Corporate Director of Economic Development subject to conditions and a satisfactory solution to deal with nutrient neutrality.

The original report follows:

1. Recommendation

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

2. Main Issues

- 2.1 Principle Of The Development
- 2.2 Layout, Scale And Design
- 2.3 Impact on The Tarraby Conservation Area
- 2.4 Impact On Residential Amenity
- 2.5 Impact On Listed Buildings
- 2.6 Impact On Hadrian's Wall World Heritage Site
- 2.7 Highway Matters

- 2.8 Drainage Issues
- 2.9 Biodiversity
- 2.10 Contaminated Land

3. Application Details

The Site

- 3.1 The application relates to an irregular parcel of land to the immediate northeast of Meadow Cottage which is located on the edge of the village of Tarraby. The site extends to approx. 0.34ha and is largely bound by mature hedgerows, with some sections of 1.8m high close boarded fence. A track leading from the adjacent public highway provides access to the site and to the rear of Meadow Cottage.
- 3.2 The site, along with Meadow Cottage, is located on the eastern side of the public highway and forms the last property in the village on this side of the lane, beyond which is undeveloped countryside.
- 3.3 Meadow Cottage is a two-storey traditional brick built cottage fronting the highway along Tarraby Lane. Its domestic garden area is laid out primarily to the side (north) of the property with areas of hardstanding providing parking to its rear.
- 3.4 The area is framed by the surrounding rural landscape to the north and east with residential properties located along the highway to the west and the heart of the village located to the immediate south.
- 3.5 The westernmost part of the site, including Meadow Cottage and its garden area, fall within the Tarraby Conservation Area. The entirety of the site falls within the Buffer Zone of the Hadrian's Wall World Heritage Site.

Background

- 3.6 In March 2019, planning permission was granted for the erection of two detached dwellings on the application site (18/0928). Although two-storey in height, the proposed properties incorporated bedrooms within the roof space and therefore dormer roof features were proposed as part of the overall design along with two-storey bay windows and projecting gable features with stone detailing. The properties were to be laid out facing each other, with one to the north of the access road and one to the south. Materials included red heritage brick and buff sandstone to the elevations, Welsh blue slate to the roofs and white painted timber framed casement windows. The north-east corner of the site was retained as a paddock. Vehicular and pedestrian access was to be via the existing access track off Tarraby Lane which was to be widened via the removal of a single Ash Tree in order to meet highway requirements.
- 3.7 In April 2020, planning permission was granted for the erection of a detached garage on the site for use by the occupiers of Meadow View

(20/0161).

The Proposal

- 3.8 The site would be accessed from Tarraby Lane, with the access running through the centre of the site. Plot 1 and its detached garage and Plot 2 would occupy the northern part of the site, with the detached garage to Plot 2, Plots 3 and 4 (which have detached garages to the rear of the properties) and a new garage for Meadow Garage being located on the southern part of the site.
- 3.9 Plot 1 would have a two-storey projecting gable to the front and this would be adjoined by an open porch. A large two-storey section would project out from the rear of the dwelling and this would be glazed to the ground floor with a balcony above. The two-storey section would contain two bedrooms (one en-suite), with a further bedroom and a bathroom being provided in the roofspace of the remainder of the dwelling. The ground floor would contain a dining area/ sunroom, a lounge, a bedroom and a utility room. A detached double garage, with an attached single car port, would be located to the rear of the dwelling.
- 3.10 Plot 2 would have a two-storey projecting gable to the front and this would be adjoined by a catslide roof. The front elevation would also contain a pitched roof dormer window at eaves level. The rear elevation would contain a two-storey projecting gable, which would be adjoined by a projecting balcony. This would be adjoined by bi-fold door beyond which would lie a single-storey section, which would be adjoined by a chimney. The two-storey section of the dwelling would contain two bedrooms, with two further bedrooms and two bathrooms being provided within the roofspace of the remainder of the dwelling. The ground floor would contain an open plan lounge/ kitchen/ dining area, a living room, a family room, a utility and a w.c. A detached double garage would be located to the front of the dwelling.
- 3.11 Plots 3 and 4 would be one-a-half-storey properties. The ground floor of the dwellings would contain a lounge, kitchen, two bedrooms and a bathroom. An en-suite bedroom would also be provided in the roofspace this would be served by rooflights and a windows in the gables which would serve the staircase and bathroom. Detached single garages would be provided to the rear of the dwellings, with two parking spaces being provided in front of these.
- 3.12 The dwellings would be largely constructed of brick, with small elements of render on each of the dwellings, under slate roofs. The garages would be constructed of brick under slate roofs.
- 3.13 A detached single garage with an attached covered storage area, would also be provided within the site for use by the occupiers of Meadow Cottage. This would be finished in render under a slate roof.

4. Summary of Representations

- 3.1 This application has been advertised by means of site and press notices as well as notification letters sent to eleven neighbouring properties. In response, 4 letters of objections have been received which raise the following issues:

Impact On Tarraby Conservation Area

- who is the developer kidding with talk of a courtyard? This is no courtyard, it is a cul-de-sac - this cul-de-sac of homes would not look out of place in the Storey Homes development at Eden Gate, Houghton. The architects must do better;
- as it stands, the Conservation Area has three former Georgian farmsteads within it, where linked buildings sit opposite one another at right angles around a cobbled yard. Those yards are at Tarraby Farm, Beeches Farm/Clydesdale Stud and The Thorn / Thorn Farm. These yards bear no resemblance to the proposal and there are no other yards in the immediate vicinity;
- ironically, since Tarraby became a Conservation Area in 1969 it has been much spoiled by development that detracted rather than enhanced. Just look at the neighbouring homes around Meadow Cottage. Carvina, a modern looking bungalow was built around 1971. Red Nook Cottage was renovated in a modern style around the same time and its thatch was removed (admittedly the thatch was in a dilapidated state and was covered in sheets of corrugated metal). Aren't Planners only meant to allow planning applications that enhance a Conservation Area? Let Carvina and Red Nook Cottage be a lesson in how not to enhance a Conservation Area and apply that lesson to this application;
- in the Heritage Statement it states there is no overall building style in Tarraby. Regrettably that may be true these days because of poor scrutiny in the planning process, but up until the mid 20th century, it did have a building style of large brick built Georgian farmhouses and their associated outbuildings, together with white washed cottages. Just because there is a mix of styles now does not excuse poor architectural design that we see in this proposal. What house in Tarraby has dormer windows? None of them. What house in Tarraby has a first floor balcony? None of them;
- historically, the site was part of a large field that was pasture for the dairy herd of The Thorn. The field went right up to the farmyard of The Thorn until the 1990's when part of the field was purchased by the owners of Carvina and Meadow Cottage. Until then, the old field hedgerow was just about up to the kitchen windows of both Carvina and Meadow Cottage;
- recently, owners of properties along a field behind Whiteclosegate have been purchasing part of the field and extending their gardens. This process involves a planning application to change the use of the field from agricultural to domestic. I don't ever remember Carvina or Meadow Cottage making similar applications in the 1990's. If they had, it would have given the City Council an opportunity to consider extending the boundary of the Conservation Area to include the new garden land, thereby making this application wholly within the Conservation Area. Can this be considered now by the Council?;
- essentially, this planning application is on a green field site. Aren't green fields around a Conservation Area an enhancing feature in themselves, and

building on them would be a detraction?;

Highway Matters

- greatly concerned by the subsequent increase in traffic and the effect on the many pedestrians that use the lane, should the development go ahead;
- planning application 18/0928 (for two dwellings on this site) was actually recommended for refusal by the Planning Officer but sadly he was overruled. Let's hope permission is denied this time because it is now worse than ever, in that there are four houses planned instead of two, so twice the traffic than was anticipated in 18/0928;
- can Tarraby's unclassified road really take any more traffic when pedestrian use has soared since 18/0928 was given permission?;
- there is the possibility of the proposed dwellings having 8 vehicles or more;
- where will visitors park? - there is no extra parking within the development or outside the development;
- would like assurances that all vehicles will exit the development in a forward gear to ensure road safety;
- need regular cleaning of road surface to ensure road safety and minimal disruption;
- this proposal coupled with a possible approval for four further dwellings down Tarraby Lane adj to Shortdale Cottage (20/0692) will adversely impact residents living both in the vicinity of the site and in Tarraby;
- the current plan does not provide any indication of the vehicle access/ egress/ parking / turning space for Meadow Cottage;
- there is no indication of the proposed on-site parking arrangements of the site operatives' vehicles or proposal for dealing with delivery lorries, including turning areas and on-site material lay down areas;
- question the feasibility of lorries, refuse vehicles and fire engines using the proposed entrance and turning round on site;
- object to the Transport Assessment (TA) which asserts that the Highways Authority is allowing a reduction in visibility splays at the site entrance which is potentially dangerous;
- Tarraby Lane is an un-restricted single lane carriageway with a speed limit of 60mph, with no street lighting or designated footpaths - it has blind bends and is barely able to cope with the weekly visits by the Local Authority service vehicles;
- modern farm vehicles/machinery struggles to remain on the carriageway when gaining access to fields down the lane;
- a number of residents have no off-street parking, which reduces the width of the carriageway;
- the TA fails to consider the impact of the increase in traffic throughout the whole length of Tarraby Lane - the lane up to the junction with Houghton Road is effectively single carriageway with no designated footpath, street lighting or vehicle passing places;
- there are two large family dwellings and the public house car park entrance situated close to the junction with Houghton Road and planning permission has been granted for a further large family dwelling adjacent to Wensleydale, which would have its own access onto the lane;
- the TA has not considered the Persimmon development of 300 dwellings at the end of the lane - those residents now have pedestrian and cycle access on to Tarraby Lane to visit the Near Boot public house and the petrol station/

convenience store on Brampton Road;

- Tarraby Lane now provides access to an established amenity enjoyed by young families, cyclists and walkers from a wider area to enter the nearby Wildlife Trust site;
- there is no footpath provision along the length of Tarraby Lane so additional vehicles increase safety issues for cyclists, pedestrians and dog walkers;
- vehicles often park on the verges in the area;
- an objector has enclosed a letter from Cumbria Police which was sent to all residents of Tarraby in 2012 - this highlighted the number of complaints the police had received in relation to the manner of driving through Tarraby of which some incidents had resulted in near misses;

Drainage Matters

- the Drainage Report makes no mention of the fact that an important drain for Tarraby Farm, Nos. 1-4 Tarraby Mews and Paddock Cottage is on the proposed site. The drain will be 200 years old and takes rainfall away from the farmyard through the site, through the original garden of Meadow Cottage, under the road, through the garden of Red Nook Cottage and then through the field behind. Where it then goes downhill towards Stanwix and joins the gutter network in the next field. The drain was indicated in the plans for Paddock Cottage (14/0483) and needs to be plotted on this proposal too. The drain should not be disturbed by any proposed work;
- the drainage would discharge to the existing surface water drainage in the road just outside the site. The existing road gullies and below ground surface water drainage discharges to a minor water course/ field ditch some distance away to the west - this drain serves Meadow Cottage, the proposed development, but also paved areas, the carriageway and all other properties in Tarraby and is regularly overloaded and needs to be addressed. Flooding regularly occurs in this area.

5. Summary of Consultation Responses

Cumbria County Council - (Highways & Lead Local Flood Authority): - no objections subject to conditions (highway construction details; surfacing of access road; provision of visibility splays; surface water drainage scheme; Construction Surface Water Management Plan; condition and capacity survey of culverted watercourse downstream of the surface water discharge point to include any improvement that are required);

Historic England - North West Office: - does not wish to comment;

United Utilities: - foul water should drain to the public sewer with surface water draining in the most sustainable way;

Waste Services: - waste/ recycling containers would need to be brought to the end for emptying so space should be made for these;

Stanwix Rural Parish Council: - approved planning application reference 18/0928 proposed the construction of 2 large 4 bedroom, 2 storey dwellings. Strong objections were submitted by Parish Council and the application was recommended for refusal due to the adverse impact on the conservation area. Unusually, members of the Development Control Committee entirely disregarded the Planning Officer's reasoned advice and recommendation, and approved the application on 15 February 2019.

Application 20/0161, approved 15 April 2020, proposed to retrieve an area from the site approved above in order to build a large free-standing garage to lie within the curtilage of Meadow Cottage. In this application the longitudinal axis of the proposed garage is to be aligned in a northeast/southwest orientation. Garage G4 on the Site Plan is the only garage not related to a plot number and is therefore assumed to show a 90 degree re-alignment of the garage approved under Appn Ref 20/0161.

The Parish Council believes this and the amendment to the site boundary, should properly be addressed through a formal application to amend Condition 2 of the permission in respect of Appn Ref 20/0161, rather than via approval of an obscure reference included in the current application.

12 parking spaces are proposed and that this constitutes a difference of 12 spaces. This indicates an expected increase of 12 domestic vehicles accessing and exiting the proposed development, in addition to those of visitors and service vehicles and, of course any traffic associated with the existing Meadow Cottage.

In addition to this permanent increase, construction traffic would also be required to enter and exit the site, an operation incapable of being mitigated by visibility splays and the provision of on-site parking and turning areas.

All these vehicle movements would occur at a restricted point in Tarraby Lane that is also prone to flooding.

The Parish Council considers the DS is inadequate and that the proposal significantly increases the probability of localised flooding in Tarraby Lane, to the detriment of neighbouring properties.

The site abuts the northern boundary of Tarraby Conservation Area, designated in 1969 - the oldest, smallest and most vulnerable rural conservation area in Carlisle. Meadow Cottage, its curtilage and thus the site access do, however, lie within the Conservation Area.

Viewed objectively, the proposed development is patently incapable of maintaining the conservation area, or its setting, in its original or existing state. Nor can it be considered, even remotely, to enhance, intensify, increase, or further improve the quality, value, or extent of the Conservation Area.

It is the Parish Council's view that the proposal:

- Is contrary to Policy HE7 of the Local Plan;
- would have a major detrimental impact upon the character and setting of the conservation area.
- constitutes a wholly inappropriate and unacceptable over intensification of use of the site;
- would increase the incidence of localised flooding, to the detriment of neighbouring residential amenity;
- generate an increase in vehicle movements to an unacceptable level in a particularly restricted part of a narrow lane used by growing numbers of pedestrians, equestrians and cyclists.

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, SP2, SP6, SP7, HO2, HE1, HE3, HE7, IP2, IP3, IP6, CC4, CC5, GI3 and CM4 of the Carlisle District Local Plan 2015-2030. The Supplementary Planning Document Achieving Well Designed Housing is also a material planning consideration.
- 6.3 The proposal raises the following planning issues.
1. Principle Of The Development
- 6.4 Planning permission has previously been granted for the erection of two dwellings on this site. The principle of residential development on this site has, therefore, been established by this earlier permission.
2. Layout, Scale And Design
- 6.5 The site would be accessed from Tarraby Lane, with the access running through the centre of the site. Plot 1 and its detached garage and Plot 2 would occupy the northern part of the site, with the detached garage to Plot 2, Plots 3 and 4 (which have detached garages to the rear of the properties) and a new garage for Meadow Cottage being located on the southern part of the site.
- 6.6 Plot 1 would have a two-storey projecting gable to the front and this would be adjoined by an open porch. A large two-storey section would project out from the rear of the dwelling and this would be glazed to the ground floor with a balcony above. The two-storey section would contain two bedrooms (one en-suite), with a further bedroom and a bathroom being provided in the roofspace of the remainder of the dwelling. The ground floor would contain a dining area/ sunroom, a lounge, a bedroom and a utility room. A detached double garage, with an attached single car port, would be located to the rear of the dwelling.
- 6.7 Plot 2 would have a two-storey projecting gable to the front and this would be adjoined by a catslide roof. The front elevation would also contain a pitched roof dormer window at eaves level. The rear elevation would contain a two-story projecting gable, which would be adjoined by a projecting balcony. This would be adjoined by bi-fold door beyond which would lie a single -storey section, which would have a chimney attached. The two-storey section of the dwelling would contain two bedrooms, with two further bedrooms and two bathrooms being provided within the roofspace of the remainder of the dwelling. The ground floor would contain an open plan lounge/ kitchen/ dining area, a living room, a family room, a utility and a w.c. A detached double garage would be located to the front of the dwelling.
- 6.8 Plots 3 and 4 would be one-a-half-storey properties. The ground floor of the dwellings would contain a lounge, kitchen, two bedrooms and a bathroom.

An en-suite bedroom would also be provided in the roofspace and this would be served by rooflights and windows in the gables which would serve the staircase and bathroom. Detached single garages would be provided to the rear of the dwellings, with two parking spaces being provided in front of these.

- 6.9 The dwellings would be largely constructed of brick, with small elements of render on each of the dwellings, under slate roofs. The garages would be constructed of brick under slate roofs.
- 6.10 A detached single garage with an attached covered storage area, would also be provided within the site for use by the occupiers of Meadow Cottage. This would be finished in render under a slate roof.
- 6.11 In light of the above, the layout, scale and design of the proposed dwellings are considered to be acceptable.

3. Impact on The Tarraby Conservation Area

- 6.12 The site lies adjacent to the Tarraby Conservation Area. Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 highlights the statutory duties of Local Planning Authorities whilst exercising of their powers in respect to any buildings or land in a conservation area. The aforementioned section states that:

"special attention shall be paid to the desirability or preserving or enhancing the character or appearance of that area".
- 6.13 The aims of the 1990 Act are reiterated in both the NPPF, PPG and policies within the adopted Local Plan. Policy HE7 of the Local Plan advises that proposals should preserve or enhance the special character and appearance of conservation areas.
- 6.14 Case law (South Lakeland District Council v Secretary of State for the Environment (1992)) has established the principle that if development has a neutral impact on a conservation area, in that it made no positive contribution but left it unharmed, it could properly be said to preserve the character and appearance of that area.
- 6.15 The Conservation Area boundary incorporates the western part of the site alongside Tarraby Lane. It extends out of the village along Tarraby Lane incorporating a narrow band of land on each side of the highway. It includes all the buildings of Tarraby and some historic paddocks enclosures and field boundaries which add to its traditional village character.
- 6.16 The application for two dwellings on this site that was approved by committee in March 2019 was recommended for refusal by officers due to concerns that the development would "introduce a built form of development within the rural setting of the Tarraby Conservation Area that would harmfully erode its rural character and diminish views into, through and out of the designated area. The design, layout and orientation of the proposed

dwellings would be at odds with the historical character and appearance of the Conservation Area and as such the proposal would not preserve or enhance the Conservation Area".

- 6.17 The previous approval was for two large detached dwellings which had side elevations facing Tarraby Lane. Whilst this proposal is for four dwellings, Plot 1 would be orientated to face the lane. Plot 2 would be sited in the north eastern corner of the site to the east of Plots 1, 3 and 4 and would be partly screened by these dwellings. Plot 2 would also be orientated to face the lane. Whilst plots 3 and 4 would have gables facing the road, these dwellings would occupy the same position as one of the dwellings in the previous approval. The proposed garage for Meadow View would be located adjacent the garage to Plot 4 and this would replace a garage that was granted planning permission on this site in April 2020. The presence of landscaping and existing dwellings on the roadside would help to screen the proposed dwellings from the conservation area.
- 6.18 In light of the above, given the previous permission for two dwellings on the site which is currently being implemented, it is considered that the proposal would not have an adverse impact on the Tarraby Conservation Area but would have a neutral impact.

4. Impact On Residential Amenity

- 6.19 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 Policy SP6 of the Local Plan which seeks to ensure that development does not result in adverse impacts to the living conditions of existing residents and future occupants. To this end, policies set out a number of criteria which are aimed at ensuring that adequate privacy and outlook are provided for the occupants of new dwellings and maintained for the occupants of existing dwellings that adjoin development sites. Such criteria are set out in the Council's Supplementary Planning Document (SPD) 'Achieving Well Designed Housing'. The SPD requires that in order to demonstrate acceptable levels of privacy and outlook a minimum of distance of 21m between facing primary windows and 12m between such windows and a blank elevation is achieved.
- 6.20 In this case, the layout and orientation of the proposed development is such that the proposal would not adversely impact on the residential amenity of any neighbouring residents, including those at Meadow Cottage and Paddock Cottage. Whilst there would be one bedroom window in the upper floor of the side elevation of Plot 2, the window in the side elevation of Paddock Cottage, which would be 10.5m away, serves a bathroom and is obscure glazed. Paddock Cottage also has some lounge windows in the side elevation facing Plot 2 but these would be further away and are secondary windows (with the main windows being in the rear elevation) and given the layout would not lead to overlooking of the lounge. The proposed balconies on Plots 1 and 2 would face fields, with the balcony on Plot 1 having privacy screens, on that on Plot 2 being screened by the pitched roof of a

single-storey extension.

- 6.21 Overall it is considered that the proposed development, due to its design and layout, would not amount to any unacceptable impacts on the residential amenity of neighbouring properties as it would not result in any significant loss of light, over shadowing or visual intrusion. In addition, the proposal would not result in any unacceptable overbearing effects or loss of privacy to neighbouring residents and would maintain an acceptable level of outlook for existing and future occupiers.
- 6.22 Accordingly, the proposed development does not give rise to any concerns regarding residential amenity.

5. Impact On Listed Buildings

- 6.23 Section 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 highlights the statutory duties of Local Planning Authorities whilst exercising of their powers in respect of listed buildings. The aforementioned section states that:

"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".

- 6.24 Policy HE3 of the adopted Local Plan seeks to ensure that Listed Buildings and their settings will be preserved and enhanced.
- 6.25 Tarraby Farm, The Thorn and The Beeches are Grade II Listed Buildings located to the south and east of the application site, however, due to the orientation of the site, the distance to the designated heritage assets and the intervening built environment and landscaping, the proposal is unlikely to have an appreciable impact upon the setting of these buildings. Consequently, it is considered that the proposal would not result in any adverse impacts to the designated heritage assets or their settings.

6. Impact On Hadrian's Wall World Heritage Site

- 6.26 The site is located within the buffer zone of the Hadrian's Wall Roman Frontier World Heritage Site where policies SP7 and HE1 of the CDLP require that proposals for development be assessed against their impact on the outstanding universal value of the World Heritage Site (WHS) including consideration of views into and out of the WHS, with a presumption in favour of preserving the fabric, integrity and authenticity of the site. In addition, the area around the Roman frontier adds further significance to the World Heritage Site by allowing an appreciation of the siting of the Roman Frontier in relation to local topography, something which is crucial in understanding historical Roman military planning and land use.
- 6.27 Given the location of the application site within the Buffer Zone of the World

Heritage Site, Historic England has been consulted over the proposal but does not wish to submit any comments.

- 6.28 Given that the proposed layout, scale and design are acceptable, the proposal would not have an adverse impact on the Hadrian's Wall Buffer Zone.

7. Highway Matters

- 6.29 Policies IP2 and IP3 of the CDLP require all development proposals to be assessed against their impact on the transport network and to ensure adequate levels of parking provision.
- 6.30 Access is proposed by an existing vehicular access directly off Tarraby Lane that would be improved to provide adequate visibility splays. This is the same access that was approved in the previous application for two dwellings on this site.
- 6.31 The Local Highways Authority has been consulted on the application and confirms that there would be no significant effect on existing highway conditions and that an appropriate level of off-street parking has been provided. It offers no objection to the proposal on the basis that, should planning permission be granted, conditions could be attached to secure the required visibility splays and associated standards for the improved vehicular access.
- 6.32 The Parish Council and objectors have expressed concerns that the proposal would result in increased traffic movements on Tarraby Lane to the detriment of other road users. Officers acknowledge that the development of four properties at this location would increase vehicular and pedestrian movements, however, it is considered that this increase would be not be significant and would not compromise highway safety. This small increase in traffic would not in this case amount to a reason to refuse planning permission.
- 6.33 Accordingly, it is considered that the proposed development would not have an unacceptable impact on highway capacity, highway safety or parking provision.

8. Drainage Issues

- 6.34 In order to protect against pollution, local plan policies IP6 and CC5 seek to ensure that development proposals have adequate provision for the disposal of foul and surface water.
- 6.35 The site naturally drains to the western boundary which is formed by the U1170 Tarraby Lane. It would appear that the site eventually drains into the network of ditches and drains which discharge to the Gosling Syke, eventually entering the River Eden at Rickerby Park. There appears to be no formal land drainage present on the site.

- 6.36 It is proposed that a new foul drainage system should be discharged to a new packaged treatment plant suitable for the capacity of the development. It is proposed to discharge the surface water on the site to the existing drain located to the western boundary of the site currently servicing Meadow Cottage. This eventually discharges to the larger Gosling Syke catchment. The flows from the site should be attenuated and discharged at greenfield runoff rates to the drain, mimicking the natural discharge arrangements from the site.
- 6.37 The Parish Council and objectors have raised concerns about flooding from this site, with flooding regularly occurring on the road outside the site. The development of the site and the attenuation and discharge at greenfield runoff rates should provide betterment to the current situation in the wider community. The submitted FRA considers that flooding around Meadow Cottage would reduce by 2/3rds [based on 1 in 100 Y + 40% Climate Change] as a consequence of development and the storage of surface water runoff on the site.
- 6.38 The Lead Local Flood Authority (LLFA) has been consulted on the application. Following the receipt of a FRA, a CCTV survey of the existing outfall and additional information on the proposed drainage including confirmation that works to repair the highway outfall and to clean out any siltation is to be undertaken at the applicant's expense and prior to any construction being undertaken on site, the LLFA has confirmed that it has no objections to the proposal subject to the imposition of a conditions (surface water drainage scheme; Construction Surface Water Management Plan; condition and capacity survey of culverted watercourse downstream of the surface water discharge point to include any improvement that are required).
- 6.39 Similarly, United Utilities has no objections in principle to the proposed methods of foul and surface water drainage subject to conditions to secure further details.
- 6.40 In this regard, subject to conditions, the proposed drainage arrangements would be acceptable.

9. Biodiversity

- 6.41 Planning Authorities in exercising their planning and other functions must have regard to the requirements of the EC Habitats Directive (92/43/EEC) when determining a planning application as prescribed by regulation 3 (4) of the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended). Such due regard means that Planning Authorities must determine whether the proposed development meets the requirements of Article 16 of the Habitats Directive before planning permission is granted. Article 16 of the Directive indicates that if there is reasonable likelihood of a European protected species being present then derogation may be sought when there is no satisfactory alternative and that the proposal will not harm the favourable conservation of the protected species and their habitat.

- 6.42 The Council's GIS System has identified that the site has the potential for protected species to be present on or in the vicinity of the site. As the proposal would be development of a small area of agricultural land it is unlikely that any protected species or their habitats would be affected, however, to ensure this is the case, an informative note could be included with the decision notice should planning permission be granted.

10. Contaminated Land

- 6.43 The NPPF requires the planning system to address issues associated with the development of known or suspected contaminated land or ground instability. Accordingly, the development of contaminated or potentially unstable land is a material planning consideration and the actual or possible presence of contamination or instability and the associated risks must be established and appropriately mitigated through the planning system. In addition, a site assessment for contaminated land is required where the proposed use would be particularly vulnerable or sensitive to the presence of contamination.
- 6.44 As the proposal relates to the development of an agricultural field it is unlikely that the land would be contaminated. To support this assumption the applicant has provided a Preliminary Risk Assessment (PRA) for Land Contamination. This desktop risk assessment confirms the historical use of the site as agricultural land lying outside of the built up area of the village and therefore there is no reason to conclude that the land could be contaminated. Accordingly, the proposal raises no concerns with regard to ground conditions and would not pose a risk to future users of the site.

Conclusion

- 6.45 The proposed development would be acceptable in principle. The proposal would not have any unacceptable impacts with regard to residential amenity, highway safety, drainage matters, ecology or land contamination and it would not result in harm to the conservation area, nearby listed buildings or the appreciation of the Hardian's Wall WHS. In all aspects, the proposal is considered to be compliant with the relevant policies in the adopted Local Plan.

7. Planning History

- 7.1 In March 2019, planning permission was granted for the erection of 2 no. detached dwellings on land to the rear of Meadow View (18/0928).
- 7.2 In July 2019 a discharge of conditions application was approved for the discharge of conditions 4 (landscaping scheme); 7 (parking of construction vehicles) & 14 (surface water drainage scheme) of previously approved permission 18/0928 (19/0379).
- 7.3 In April 2020 a variation of condition application was approved for the variation of condition 2 (approved documents) of previously approved

permission 18/0928 (erection of 2no. detached dwellings) to modify red line site boundary in south west corner (20/0160).

- 7.4 In April 2020, planning permission was granted for the erection of a detached garage (20/0161).

8. Recommendation: Granted Subject to Nutrient Resolution

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

1. the submitted planning application form, received 15th Dec 2021;
2. Location Plan (Dwg T001/LP), received 15th Dec 2021;
3. Site Layout (Dwg T001/SL1/A Rev A), received 10th March 2022;
4. Plot 1 - Elevations (Dwg T001/P1/PE), received 15th Dec 2021;
5. Plot 1 - Floor Plans (Dwg T001/P1/PP), received 15th Dec 2021;
6. Plot 2 - Elevations (Dwg T001/P2/PE), received 15th Dec 2021;
7. Plot 2 - Floor Plans (Dwg T001/P2/PP), received 15th Dec 2021;
8. Plots 3 & 4 - Elevations (Dwg T001/P3-4/PE), received 15th Dec 2021;
9. Plots 3 & 4 - Floor Plans (Dwg T001/P3-4/PP), received 15th Dec 2021;
10. Plot 1 - Garage - Floor Plan & Elevations (Dwg T001/P1/G), received 15th Dec 2021;
11. Plot 2 - Garage - Floor Plan & Elevations (Dwg T001/P2/G), received 15th Dec 2021;
12. Plots 3 & 4 - Garage - Floor Plan & Elevations (Dwg T001/P3&P4/G), received 15th Dec 2021;
13. Garage 4 (for Meadow Cottage) - Floor Plan & Elevations (Dwg T001/MC/G4), received 15th Dec 2021;
14. Parking & Turning Plan (Dwg T001/PT), received 10th March 2022;
15. Construction Management Plan (Dwg T001/CMP), received 10th March 2022;
16. Planning Statement and Design & Access Statement, received 15th

Dec 2021;

17. Heritage Statement including Design & Access Statement, received 15th Dec 2021;
18. Flood Risk Assessment, received 10th March 2022;
19. Land Contamination Report, received 15th Dec 2021;
20. Geotechnical Investigations, received 15th Dec 2021;
21. Drainage Report, received 15th Dec 2021;
22. Site Entrance & Emergency Vehicle Access, received 15th Dec 2021;
23. Construction Management Plan, received 15th Dec 2021;
24. the Notice of Decision;
25. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

3. Notwithstanding any description of materials in the application hereby approved, no external materials for the development shall be used on site until samples of all external materials have been submitted for approval by the Local Planning Authority. The development shall then be undertaken in strict accordance with these details.

Reason: To ensure that the materials are suitable and do not have an adverse effect on the character and appearance of the surrounding area and conservation area in accordance with policies SP6, SP7 and HE7 of the Carlisle District Local Plan 2015-2030 and the associated requirements of the National Planning Policy Framework.

4. Other than the alterations to the highway access, no further development shall commence until details of hard and soft landscaped works has been submitted to, and approved in writing by, the Local Planning Authority. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and maintained thereafter to the satisfaction of the Local Planning Authority; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure a satisfactory landscaping scheme is implemented to fulfil the requirements of policy SP6 and HE7 of the Carlisle District Local Plan 2015-2030.

5. Notwithstanding the details shown on the approved plans, full details of the siting, height, design, materials and finish to be used for all boundary

treatments throughout the site shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall then be undertaken in strict accordance with these details.

Reason: To ensure that the appearance of the area is not compromised by a lack of satisfactory screening in accordance with policy SP6 and HE7 of the Carlisle District Local Plan 2015-2030.

6. Before any development takes place, a plan shall be submitted to, and approved in writing by, the Local Planning Authority reserving adequate land for the parking of vehicles engaged in construction operations associated with the development hereby approved, and that land, including vehicular access thereto, shall be used for or be kept available for these purposes at all times until completion of the construction works.

Reason: The carrying out of this development without the provision of these facilities during the construction works is likely to lead to inconvenience and danger to road users. The facilities are therefore required to comply with Cumbria Local Transport Plan policy LD8 and policies IP2 and SP6 of the Carlisle District Local Plan 2015-2030.

7. The carriageway, footways, footpaths, cycleways etc shall be designed, constructed, drained and lit to a standard suitable for adoption and in this respect further details, including longitudinal/cross sections, shall be submitted to the Local Planning Authority for approval before work commences on site. No work shall be commenced until a full specification has been approved. These details shall be in accordance with the standards laid down in the current Cumbria Design Guide. Any works so approved shall be constructed before the development is complete.

Reason: To ensure a minimum standard of construction in the interests of highway safety and to support Local Transport Plan Policies LD5, LD7 & LD8.

8. The development shall not commence until visibility splays providing clear visibility of 32m to the south bound and 36m to the north measured 2m 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 (as amended) (or any such 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 splays 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 in accordance with Local Transport Plan Policies LD7 & LD8.

9. The surfacing of the access road serving the new dwellings shall extend for at least 10 metres inside the site, as measured from the highway boundary prior to the dwellings being occupied and in accordance with details of construction which have been submitted to and approved by the Local Planning Authority. The access road shall be constructed in accordance with the specification approved by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with Policies IP2, IP3 and SP6 of the Carlisle District Local Plan 2015-2030 and to support Local Transport Plan Policies LD5, LD7 and LD8.

10. The new dwellings shall not be occupied until the access and parking arrangements have been fully constructed and made available in accordance with the approved details. The access and parking arrangements shall be retained and capable of use when the development is completed and shall not be removed or altered without the prior consent of the Local Planning Authority.

Reason: To ensure a minimum standard of access and parking provision for the development in accordance with Policies IP2, IP3 and SP6 of the Carlisle District Local Plan 2015-2030 and to support Local Transport Plan Policies LD5, LD7 and LD8.

11. Foul and surface waters from the development, hereby approved, shall be drained on separate systems with surface water draining in the most sustainable way.

Reason: To ensure that adequate drainage facilities are available and to ensure compliance with Policies IP6 and CC5 of the Carlisle District Local Plan 2015-2030.

12. Other than the alterations to the highway access, no further development shall commence until 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 drainage scheme submitted for approval shall also be in accordance with the principles set out in the Flood Risk Assessment & Drainage Statement dated 9 March 2022 proposing surface water discharging to the highway drain.

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. This condition is imposed in light of policies within the NPPF and NPPG.

13. 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.

14. 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

15. All external works associated with the implementation of the development, including deliveries to the site, shall be carried out only between the hours of 0730 hours and 1800 hours on Mondays to Fridays inclusive, 0800 hours and 1300 hours on Saturdays and at no time on Sundays or Bank Holidays.

Reason: To safeguard the amenity of neighbouring residential occupiers in accordance with policy SP6 of the Carlisle District Local Plan 2015-2030.

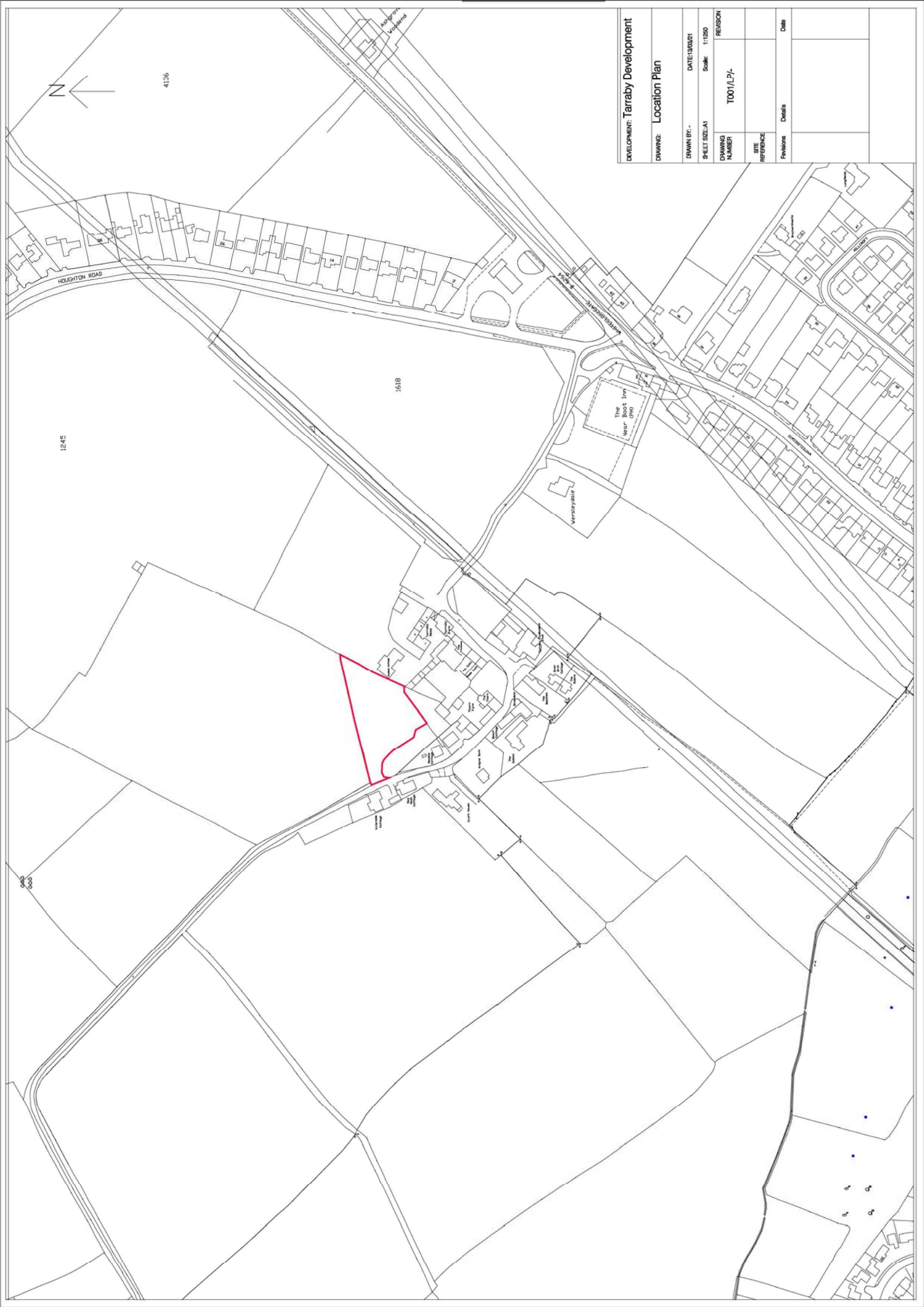
16. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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 in accordance with Policy CM5 of the Carlisle District Local Plan 2015-2030.

17. Development shall not commence until a Construction Phase 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

Reason: In the interests of highway safety



DEVELOPMENT: Tarraby Development

DRAWING: Location Plan

DRAWN BY: DATE: 13/03/21

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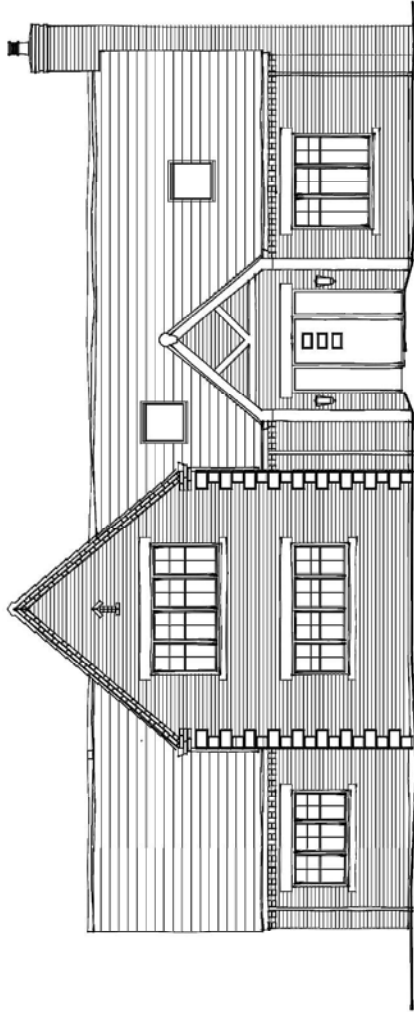
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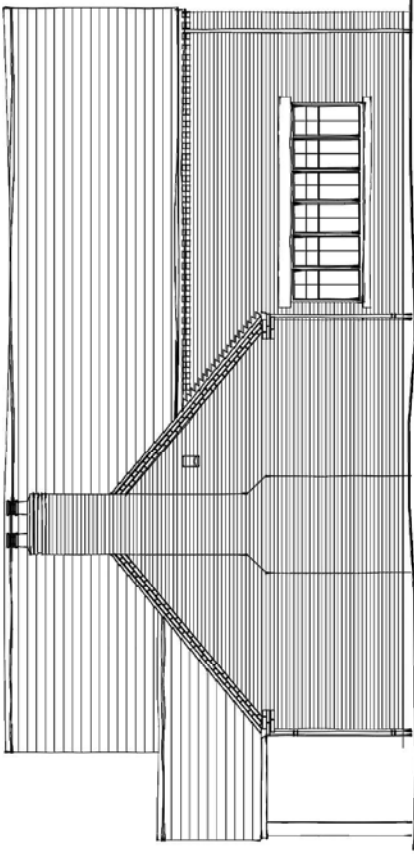
Revisions

Date

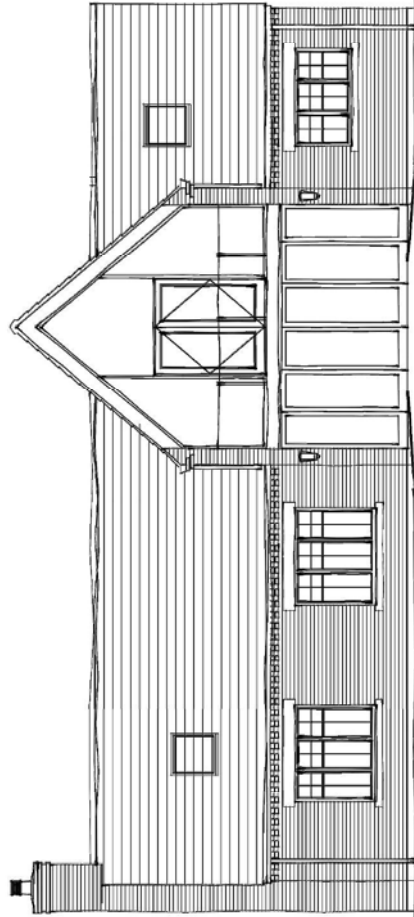




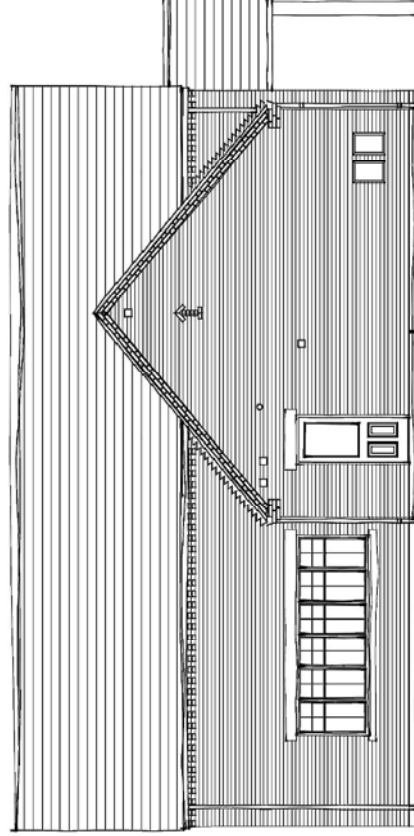
Front Elevation



Side Elevation



Rear Elevation



Side Elevation

HOUSE TYPE

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DRAWING

Elevations 1

DRAWN BY

DATE 27/03/18

CHECKED BY

SCALE 1:100

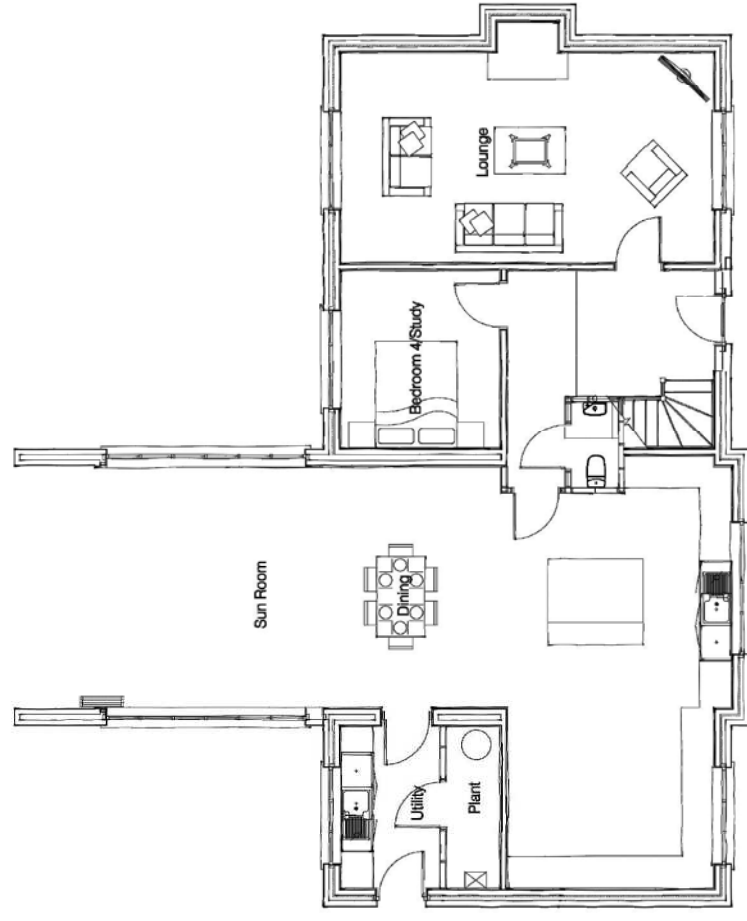
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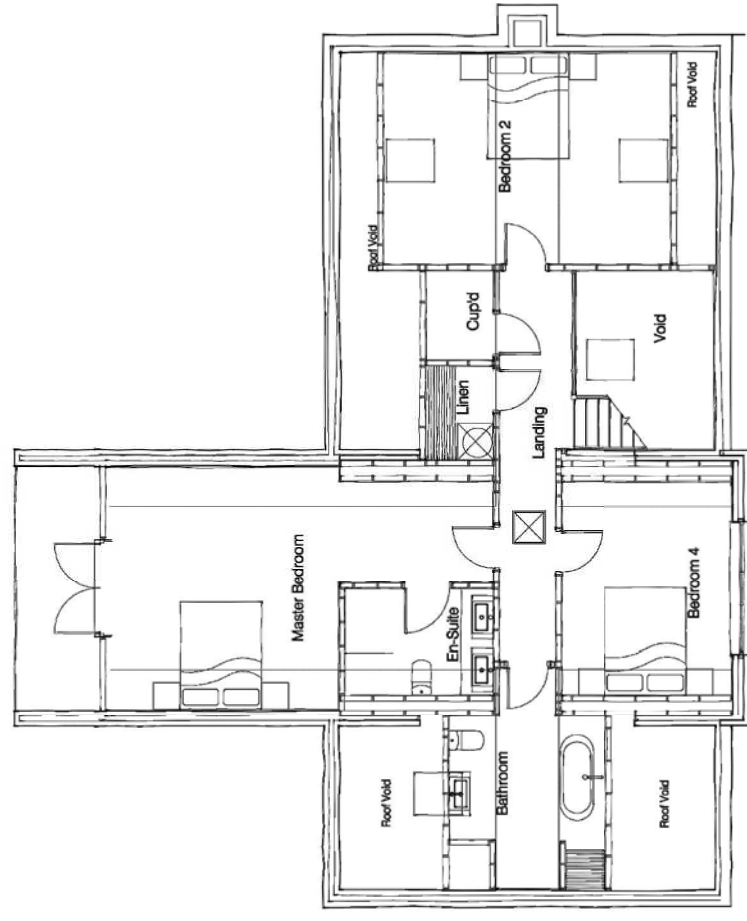
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REVISIONS



Ground floor plan



First Floor Plan

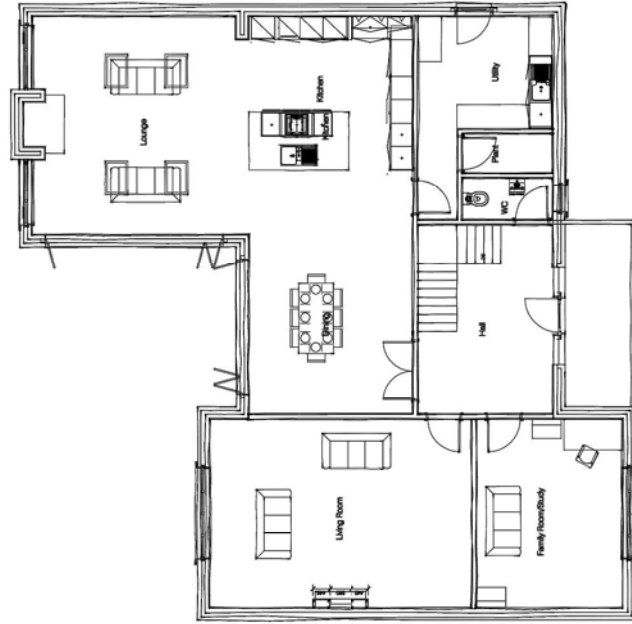
HOUSE TYPE

Plot 1

DRAWING

Planning Plans

DRAWN BY	adn	DATE	27.06.2
CHECKED BY		SCALE	1:100
ISSUE		DRAWING NUMBER	1001/P1/PP
REVISION		REVISION	



Ground Floor Plan



First Floor Plan

Rev No Rev Notes

Date

Project Tarraby Plot 2

Date Jun 2021

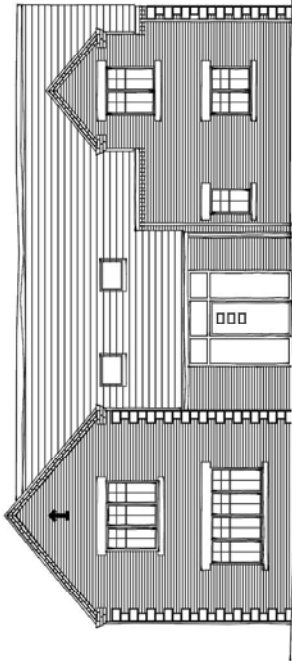
Client Mr N Roulledge

Drawing No T001/P2/PP

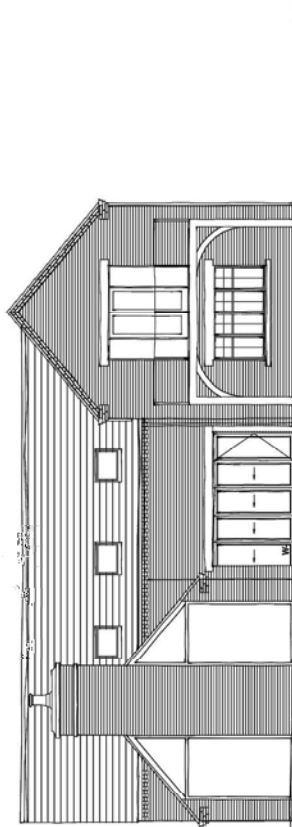
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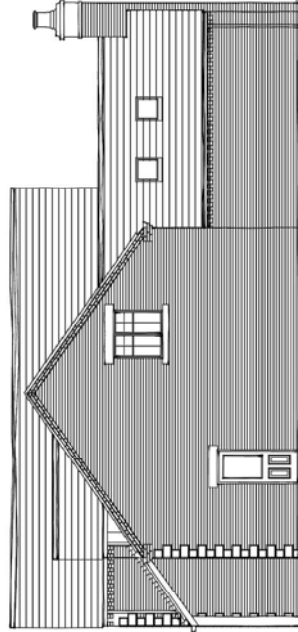
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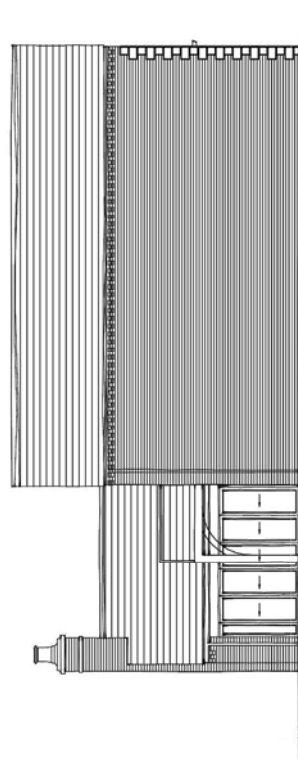
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Rear Elevation



Side Elevation



Side Elevation

Rev No Rev Notes

Date

Project Plot 2 House Tarraby

Client Mr N Rouledge

Drawing No T001/P2/PE

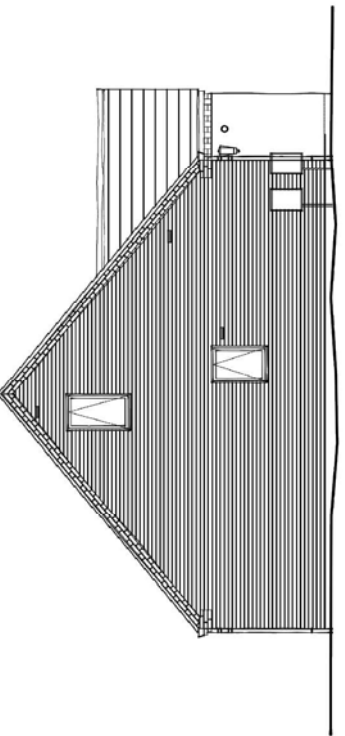
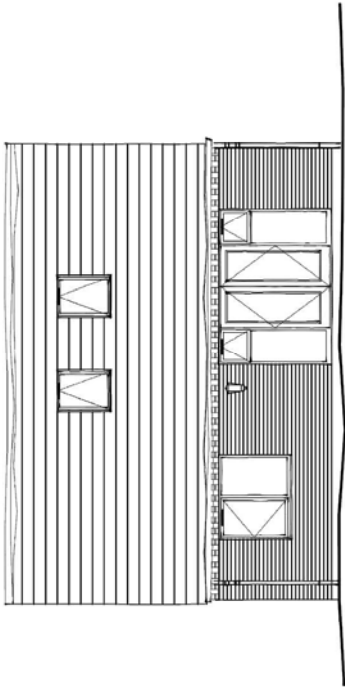
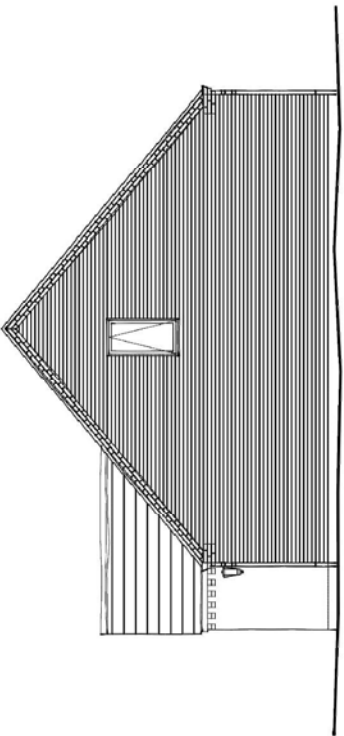
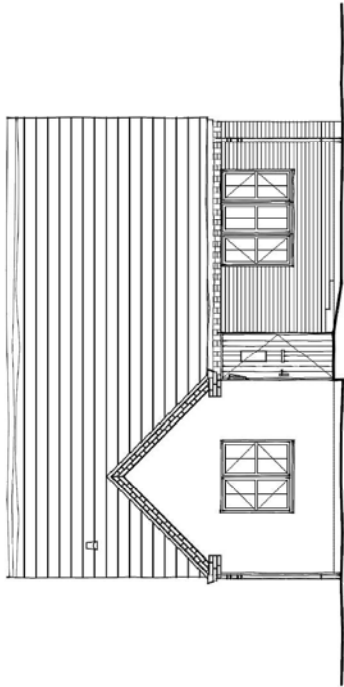
Elevations

Revision

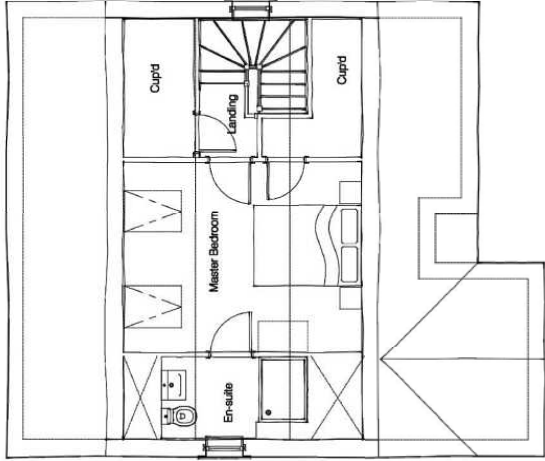
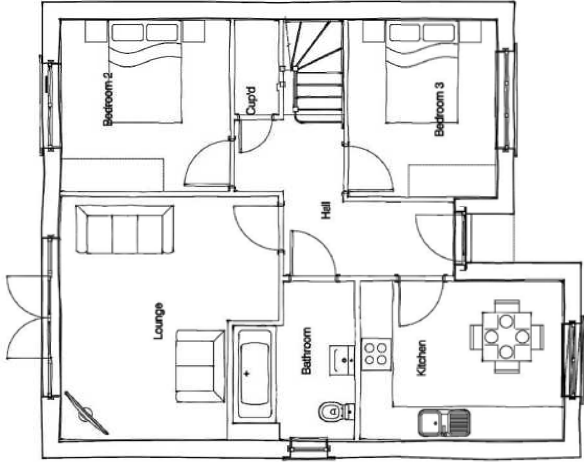
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Date Jun 2021

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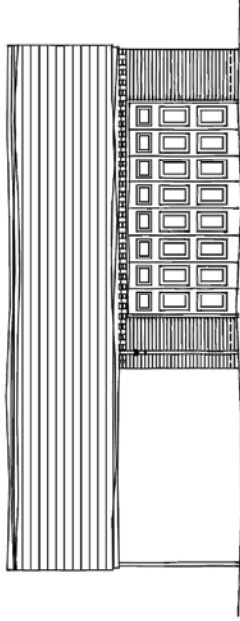
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DRAWING: Planning Elevations			
DRAWN BY:	DATE: 18.08.21		
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DATE REFERENCE	Tarraby		
Revisions	Details	Date	



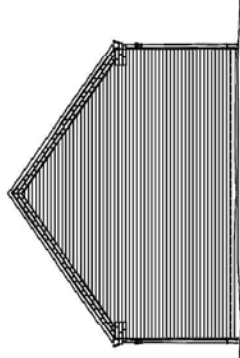
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DRAWING: Planning Plans

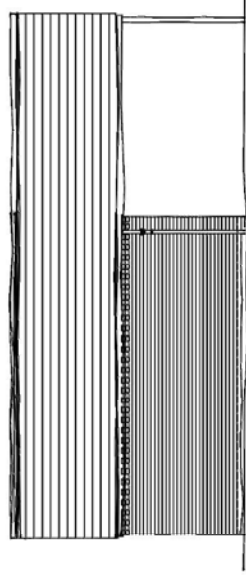
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Revisions	Details
Date	



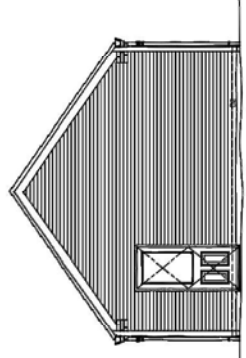
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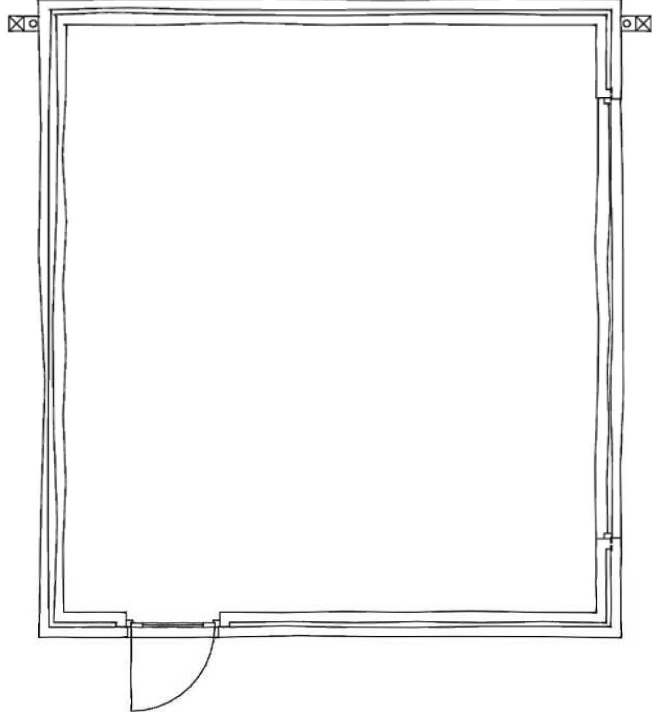
Side Elevation



Rear Elevation



Side Elevation



Ground Floor Plan

Plot 1

Garage

DATE 27/08/21

CHECKED BY

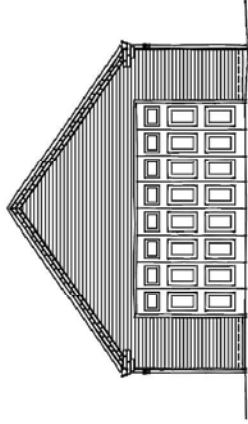
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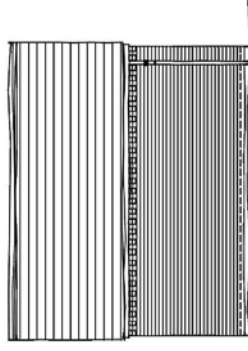
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T001/P1/G

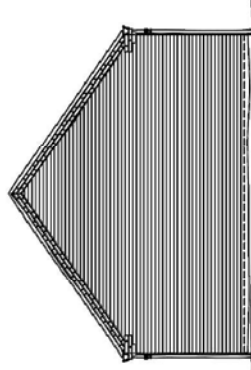
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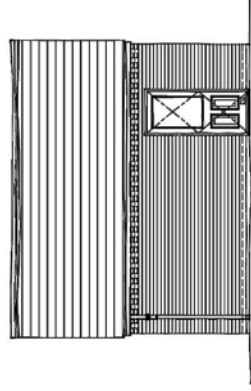
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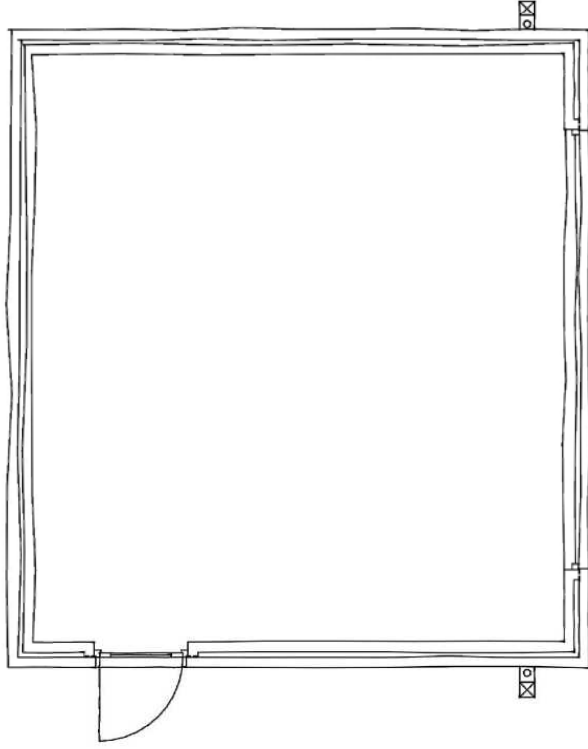
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Rear Elevation



Side Elevation



Ground Floor Plan

HOUSE TYPE

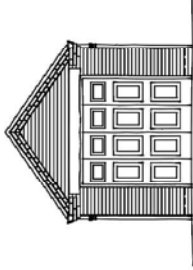
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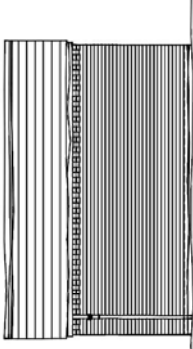
Garage

DRAWN BY	DATE	27/08/21
CHECKED BY	SCALE	1:50 A1:100
ISSUE	DRAWING NUMBER	REVISION
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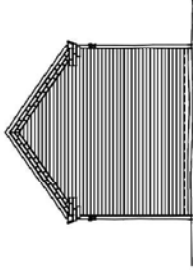
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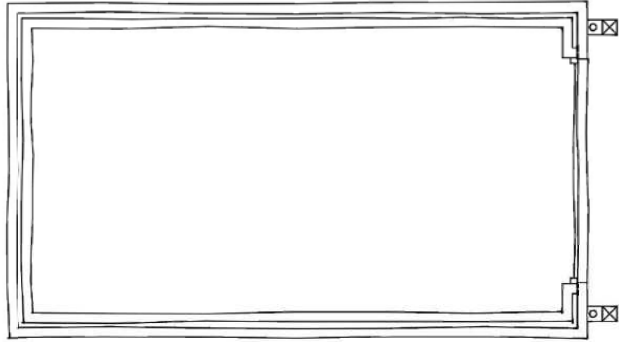
Front Elevation



Side Elevation



Rear Elevation



Ground Floor Plan

HOUSE TYPE

Plot 3 & 4

DATE

Garage

DRAWN BY

CHECKED BY

DATE

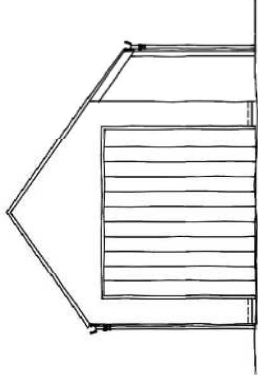
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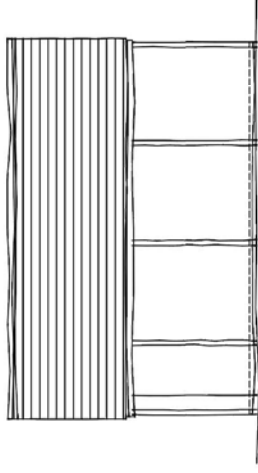
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1001/P3&4/G

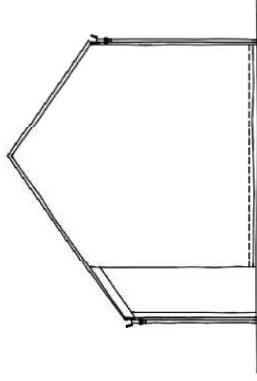
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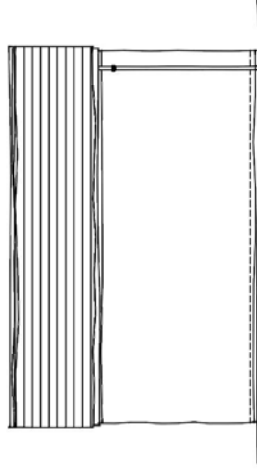
Front Elevation



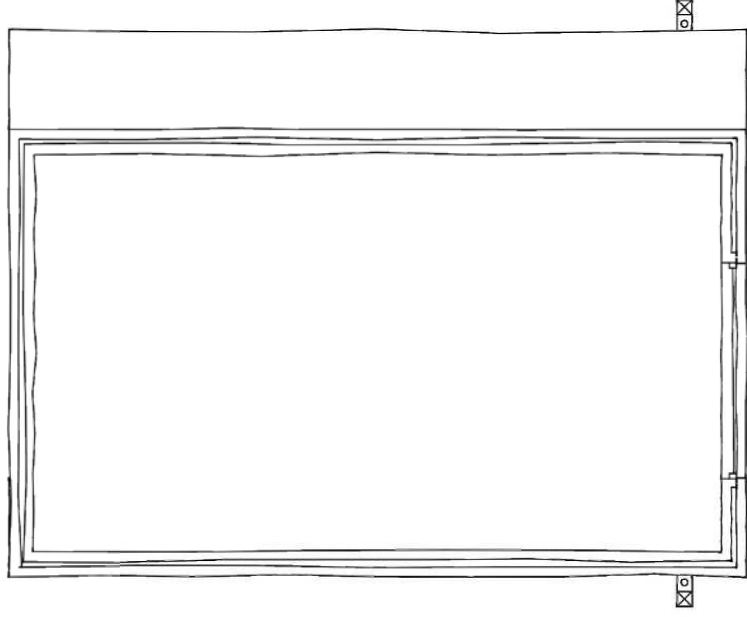
Side Elevation



Rear Elevation



Side Elevation



Ground Floor Plan

HOUSE TYPE

Garage 4

DRAWING

Garage

DRAWN BY

DATE

27/06/21

CHECKED BY

SCALE

1:50 A 1:100

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