

SCHEDULE A: Applications with Recommendation

20/0537

Item No: 03

Date of Committee: 09/10/2020

Appn Ref No:
20/0537

Applicant:
Mr P & Mrs Birks

Parish:
Carlisle

Agent:
Dave Andrew Architectural Design

Ward:
Belah & Kingmoor

Location: 2 Lyne Close, Carlisle, CA3 0EB

Proposal: Erection Of Single Storey Side/Rear Extension To Provide Extended Kitchen, Utility And WC

Date of Receipt:
17/08/2020

Statutory Expiry Date
12/10/2020

26 Week Determination

REPORT

Case Officer: Suzanne Osborne

1. Recommendation

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

2. Main Issues

- 2.1 Whether The Proposal Is Appropriate To The Dwelling And Impact Upon The Existing Street Scene;
- 2.2 Impact Of The Proposal On The Living Conditions Of Neighbouring Residents;
- 2.3 Highway Impacts;
- 2.4 Impact Upon Biodiversity; and
- 2.5 Other Matters.

3. Application Details

The Site

- 3.1 Number 2 Lyne Close is a detached bungalow located on the southern side of Lyne Close, in Lowry Hill, Carlisle. The property is constructed from brick walls with render panels under a tiled roof and is surrounded by bungalows

to the east, south and south-west together by a dormer bungalow to the west and two storey residential properties to the north.

The Proposal

- 3.2 The application seeks full planning permission for the erection of a single storey side and rear flat roofed extension to the west elevation of the property to provide an extended kitchen, utility and WC. The submitted plans illustrate that the proposed extension will be constructed from brick/rendered walls to match the existing property under a resin bonded flat roof. The proposed roof lanterns will be constructed from powder coated aluminium coloured black or dark grey.

4. Summary of Representations

- 4.1 This application has been advertised by means of notification letters sent to 7 neighbouring properties. No verbal or written representations have been received in response to the consultation undertaken.

5. Summary of Consultation Responses

Cumbria County Council - (Highways & Lead Local Flood Authority): - no objection.

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) together with Policies SP6, HO8 and GI3 of the Carlisle District Local Plan (CDLP) 2015-2030. The City Council's Supplementary Planning Document (SPD) 'Achieving Well Designed Housing' is also a material planning consideration in the determination of this application.
- 6.3 The proposal raises the following planning issues:
- 1. Whether The Proposal Is Appropriate To The Dwelling And Impact Upon The Existing Street Scene**
- 6.4 The NPPF attaches great importance to the design of the built environment recognising that good design is a key aspect of sustainable development, is

indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. The NPPF also indicates that planning decisions should not attempt to impose architectural styles or particular tastes. It is however proper to promote or reinforce local distinctiveness.

- 6.5 The relevant design policies of the CDLP seek to ensure that proposals respond to the local context in terms of height, scale and massing and by using appropriate materials and detailing. Local landscape character should be respected, and development should be fully integrated into its surroundings.
- 6.6 Policy HO8 of the CDLP (which relates to house extensions) confirms that house extensions and alterations should be designed to complement the existing building and be visually subservient. Policy HO8 goes on to state that proposals should maintain the established character and pattern of the existing street scene and be a positive addition as well as retain gaps between buildings where they are characteristic of the area and contribute to the existing street scene.
- 6.7 The proposed extension will replace an existing single storey store/laundry room which is linked to the property by a covered pathway. The extension will be built off the western wall of the existing laundry/store and will appear subservient to the main dwelling as it will be set back from the original front elevation. The scale and height of the proposed extension is comparable to the existing dwelling. The fenestration details and materials will also match those of the main dwelling. Accordingly, the scale and design of the extension is acceptable.
- 6.8 Furthermore, given the positioning of the development, set back from the front elevation of the property, the proposal would not form a discordant feature within the existing street scene.

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

- 6.9 The City Council's SPD 'Achieving Well Designed Housing' outlines minimum distances between primary facing windows together with primary windows and walls serving habitable rooms in order to protect against loss of amenity and privacy i.e. 21 metres between primary facing windows and 12 metres between primary windows and walls. The proposed development will be compliant with these distances and will therefore not give rise to any undue overlooking.
- 6.10 Given the positioning of residential properties that surround the site in relation to the proposed extension, the proposal would also not have an adverse impact upon the living conditions of the occupiers of any neighbouring properties in terms of loss of light or over dominance.

3. Highway Impacts

- 6.11 The existing vehicular access and incuttilage parking spaces will be unaffected by the application and the proposal will not result in any additional parking demand as the extension will not increase the number of bedrooms in the property. The relevant Highway Authority has been consulted on the proposal and has raised no objections. In such circumstances the development would not have an adverse impact upon existing highway conditions.

4. Impact Upon Biodiversity

- 6.12 The Councils GIS Layer has identified that the site has the potential for several key species to be present within the vicinity. Given the scale and nature of the proposal it is unlikely that the development would harm a protected species or their habitat.

5. Other Matters

- 6.13 The human rights of the occupiers of the neighbouring properties have been properly considered and taken into account as part of the determination of the application. Several provisions of the Human Rights Act 1998 can have implications in relation to the consideration of planning proposals, the most notable being:

Article 6 bestowing the "Right to a Fair Trial" is applicable to both applicants seeking to develop or use land or property and those whose interests may be affected by such proposals;

Article 7 provides that there shall be "No Punishment Without Law" and may be applicable in respect of enforcement proceedings taken by the Authority to regularize any breach of planning control;

Article 8 recognises the "Right To Respect for Private and Family Life".

- 6.14 Article 1 of Protocol 1 relates to the "Protection of Property" and bestows the right for the peaceful enjoyment of possessions. This right, however, does not impair the right to enforce the law if this is necessary, proportionate and there is social need.
- 6.15 Article 8 and Article 1 Protocol 1 are relevant but the impact of the development in these respects will be minimal and the separate rights of the individuals under this legislation will not be prejudiced. If it was to be alleged that there was conflict it is considered not to be significant enough to warrant the refusal of permission.

Conclusion

- 6.16 On balance the proposed extension is appropriate in terms of scale and design to the existing dwelling and will not have a detrimental impact upon the character/appearance of the surrounding area or the living conditions of the occupiers of any residential properties. The development will also not

have an adverse impact upon highway safety or biodiversity. Overall, the proposal is compliant with the objectives of the relevant Development Plan Policies and approval is recommended.

7. Planning History

- 7.1 The most recent planning history is as follows:
- 7.2 In 2011 planning permission was granted for erection of single storey front and rear extension to provide extended en-suite bedroom and kitchen/lounge (reference 11/1050).

8. Recommendation: Grant Permission

1. The development shall be begun not later than the expiration of 3 years beginning with the date of the grant of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

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

1. the submitted planning application form received 17th August 2020;
2. the site location plan received 7th August 2020 (Drawing No. 20.04.01);
3. the block plan received 7th August 2020 (Drawing No.20.04.02);
4. the proposed floor plans received 7th August 2020 (Drawing No.20.04.05);
5. the proposed elevations received 7th August 2020n (Drawing No.20.04.06);
6. the Notice of Decision;
7. any such variation as may subsequently be approved in writing by the Local Planning Authority.

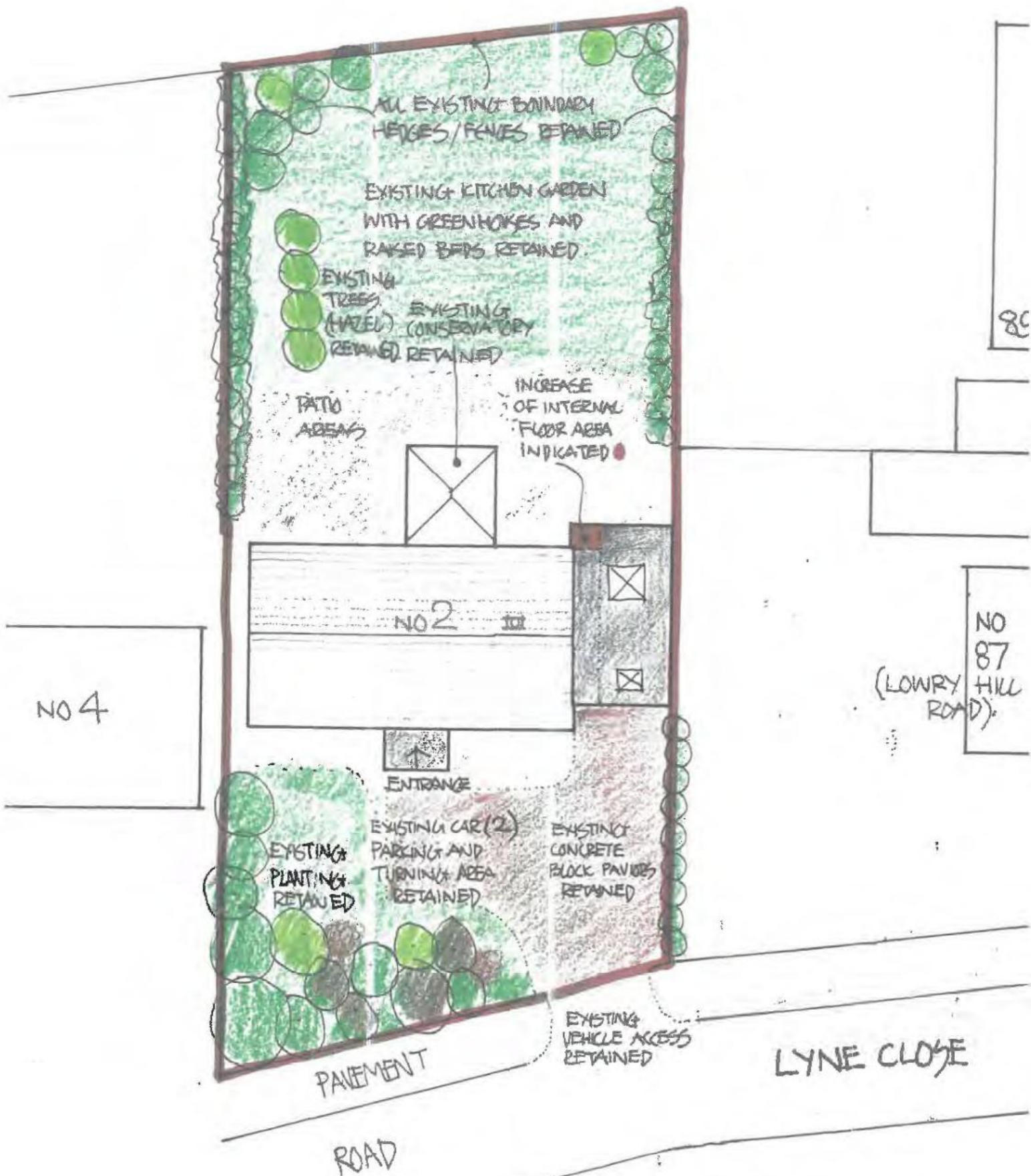
Reason: To define the permission.



LOCATION PLAN

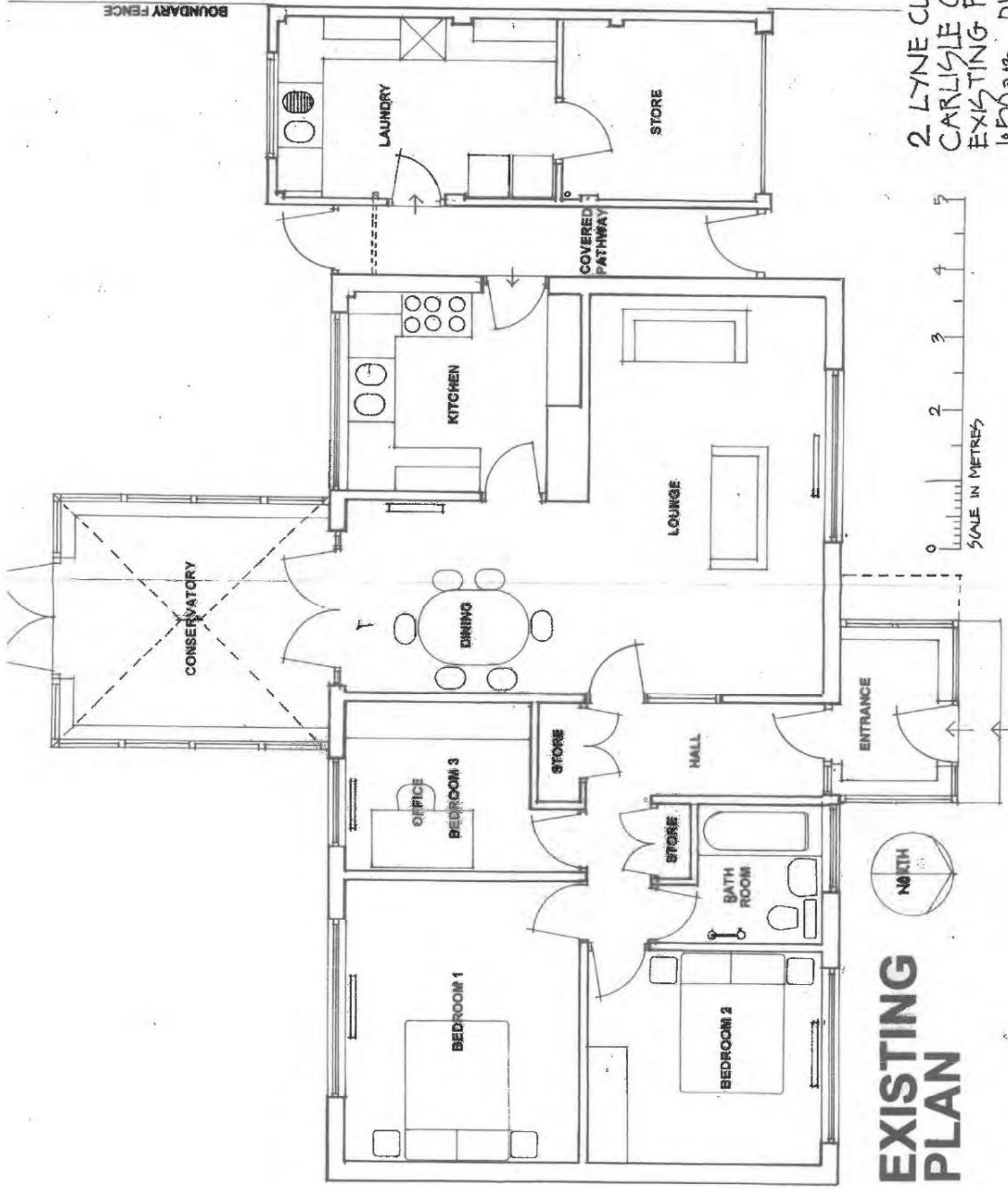


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 CARLISLE CA3 OED
 LOCATION PLAN
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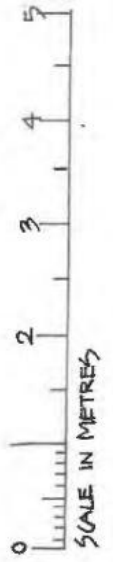


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BLOCK PLAN

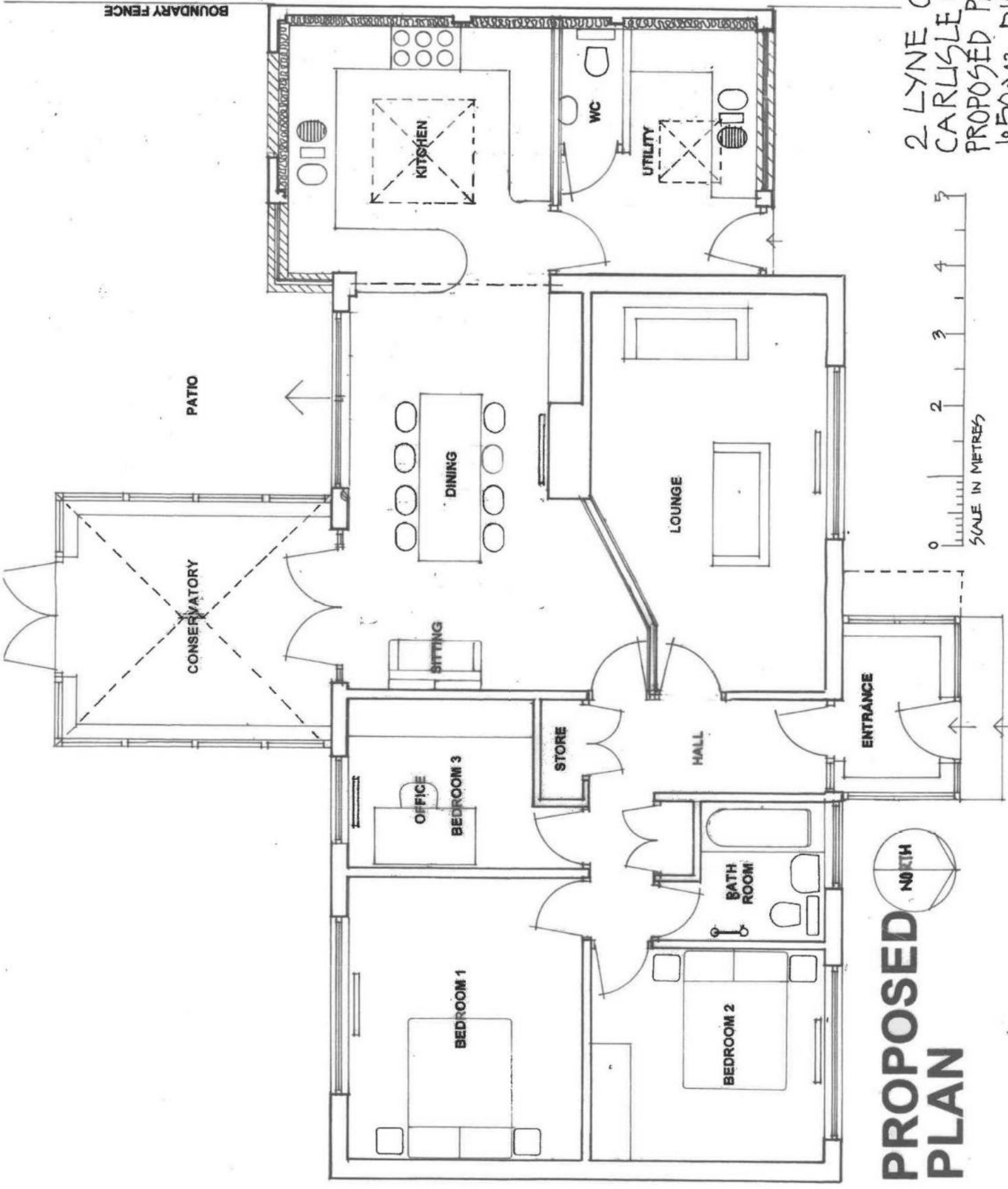
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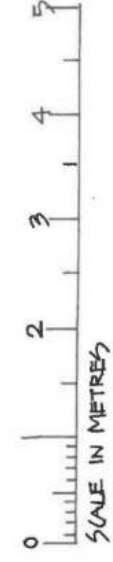
EXISTING PLAN



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EXISTING PLAN
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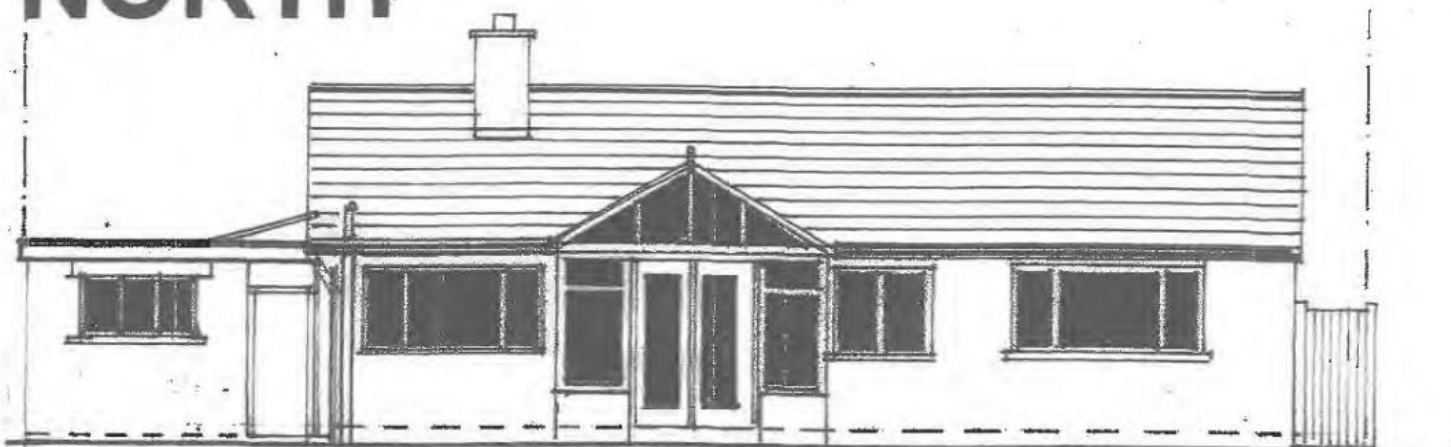
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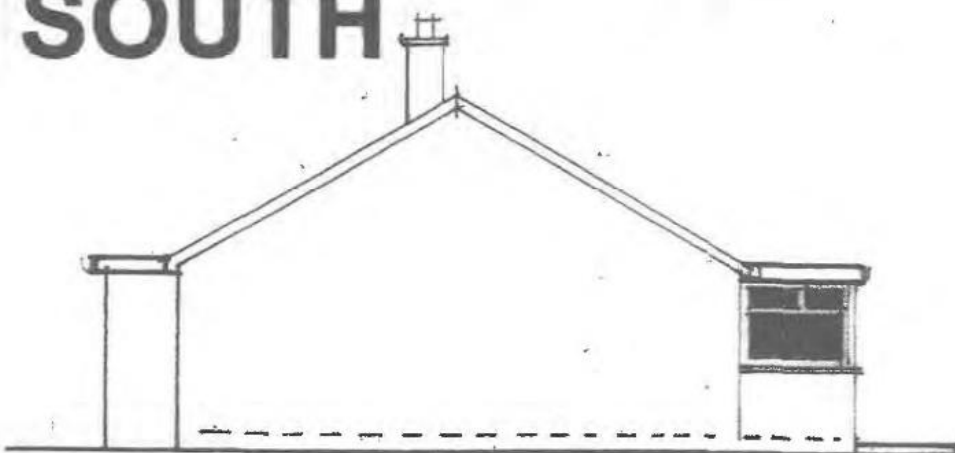
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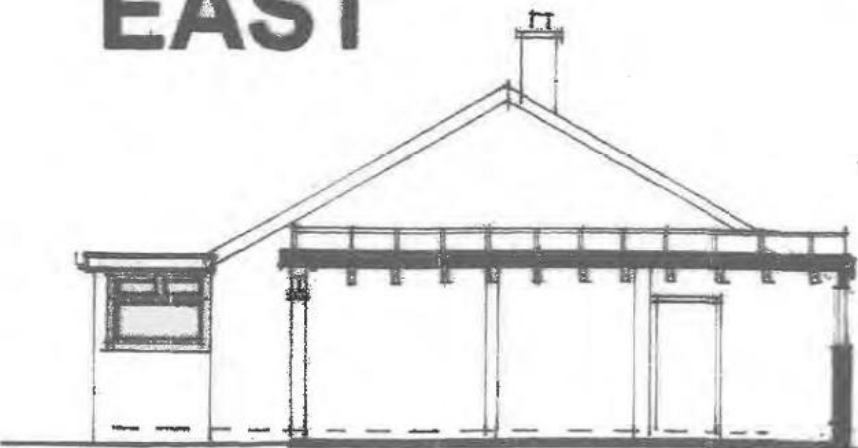
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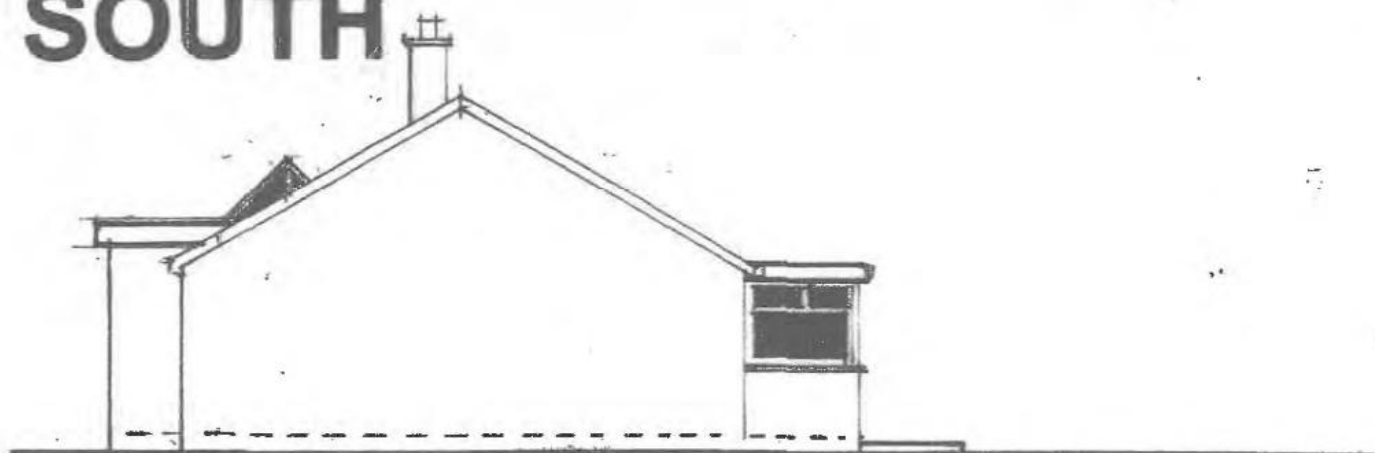
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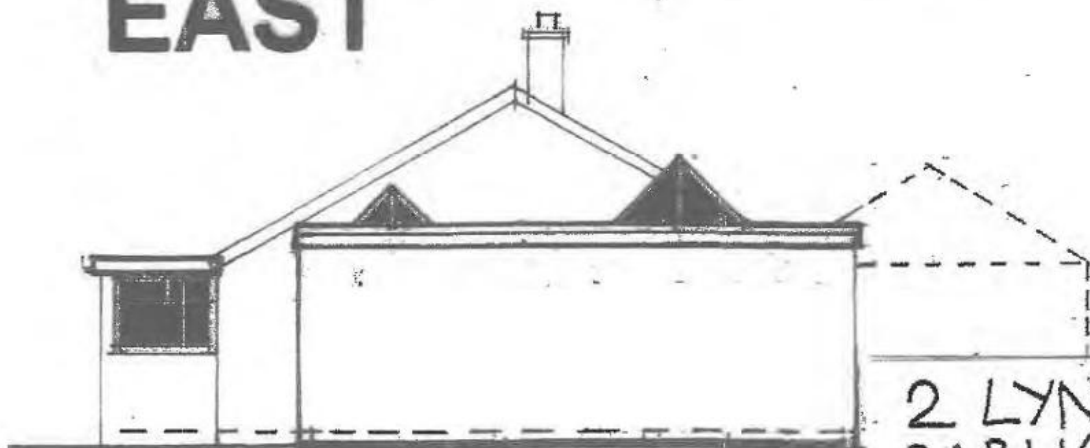
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