

## SCHEDULE A: Applications with Recommendation

12/0900

Item No: 13

Date of Committee: 19/04/2013

**Appn Ref No:**  
12/0900

**Applicant:**  
Irving Builders

**Parish:**

**Date of Receipt:**  
30/10/2012

**Agent:**  
Architects Plus (UK) Ltd

**Ward:**  
Morton

**Location:**

St Edmunds Social Centre, Newlaithes Avenue,  
Morton, Carlisle

**Proposal:** Demolition Of Former St Edmunds Social Centre And Redevelopment Of Site With 14No. Dwellings And Associated Parking

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### REPORT

**Case Officer:** Stephen Daniel

#### 1. Recommendation

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

#### 2. Main Issues

- 2.1 Whether The Proposal Is Acceptable In Principle
- 2.2 Whether The Scale And Design Are Acceptable
- 2.3 Impact Of The Proposal On The Living Conditions Of The Occupiers Of Any Neighbouring Properties
- 2.4 Highway Matters
- 2.5 Affordable Housing/ Developer Contributions

#### 3. Application Details

##### The Site

- 3.1 The site, which is currently vacant, is the former St Edmund's Social Centre. A building, which is in a poor state of repair, is located on the southern part of the site. The building is constructed of brick, with a shallow pitched felt roof. The northern side of the site is currently hard standing. The site is enclosed by a 2.4m high metal palisade fence, which is screened by

landscaping along Newlaithes Avenue and Levens Drive, and which has a low brick wall in front. The site falls away gradually from south to north and west to east.

- 3.2 The site is adjoined to the north by an unadopted service road, which runs to the rear of a parade of shops that front on to Newlaithes Avenue. Access to the site is currently taken from this service road. There is a wide grass verge to this road which is not under the applicant's control. Newlaithes Avenue adjoins the site to the west, with Levens Drive running along the southern boundary of the site, each having a wide grass verge and pavement adjacent to the highway. An existing bus stop is located adjacent to the site on Levens Drive. Residential properties on Levens Drive and Barras Close lie to the east of the application site.

## **The Proposal**

- 3.3 The proposal is seeking planning permission to demolish the social centre and to erect fourteen dwellings on the site. All of the dwellings would be small two-bed properties. A terrace of nine dwellings would face on to Newlaithes Avenue and would have small front gardens that would be separated from the highway by a low stone wall. The ridge line of the terrace would vary due to the change in ground levels across the site and the dwellings would incorporate different features to add visual interest, including small pitched roof porches and small pitched roofs at eaves level. A terrace of three dwellings would be provided in the north-east corner of the site which would face onto a communal parking area, with a pair of semi-detached properties being provided in the south-west corner, which would front onto Levens Drive. The dwellings would be constructed of meadow red clay facing brick, with buff artstone sills and heads, under a grey concrete tiled roof.
- 3.4 A new access would be provided off Levens Drive and this would provide access to the communal parking area, which would lie to the rear of five of the dwellings that front onto Newlaithes Avenue and to the front of the dwellings in the north-east corner of the site. This would be constructed of block pavements and would provide seventeen car parking spaces, one for each dwelling plus three visitor spaces.

## **4. Summary of Representations**

- 4.1 This application has been advertised by means of site and press notices as well as notification letters sent to fifteen neighbouring properties. A petition has been received, which has been signed by thirty-six people, and which raises the following concerns:

1. the proposed access to the site is located where an established bus stop exists. Where would the bus stop be re-located;
2. the existing bus services run frequently every hour and removal of this service would adversely affect the surrounding community;
3. the addition of an access road for vehicles to service 14 dwellings will

result in increased congestion on an already very busy section of road in a restricted space;

4. the proposed site access is close to the main T-junction at Newlaithes Avenue;

5. there is an existing access road off Newlaithes Avenue, which has been established for many years and access at this point will affect fewer residents. The road is less congested and provides a wider road area for vehicles. This access would cause less disruption to the surrounding area and less risk and stress to local residents. The residents request that this alternative access should be considered further.

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

Cumbria County Council - (Econ. Dir. Highways & Transportation): - no objections, subject to conditions;

Local Environment (former Community Services) - Drainage Engineer: - comments awaited;

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

Northern Gas Networks: - no objections;

Housing Strategy: - in accordance with Policy H5, the proposal equates to an on-site affordable housing contribution of 4.2 dwellings - request that 4 dwellings be considered for the City Council's discounted sale scheme.

Prepared to enter into discussions with the applicant on the affordable housing contribution of this site, subject to the viability of the scheme;

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

## **6. Officer's Report**

### **Assessment**

6.1 The relevant planning policies against which the application is required to be assessed are Policies DP1, H1, H2, H5, CP5, CP12, CP15, CP17 and T1 of the Carlisle District Local Plan 2001-2016. The proposals raise the following planning issues:

1. Whether The Proposal Is Acceptable In Principle

6.2 The site, which is brownfield, lies within a Primary Residential Area. The proposal to redevelop the site for housing is, therefore, acceptable in principle.

2. Whether The Scale And Design Are Acceptable

6.3 The terrace that faces onto Newlaithes Avenue would have a varied ridge height and would be of varied design to improve visual interest. Small gardens would be provided to the front of the dwellings and these would be separated from Newlaithes Avenue by a low brick wall. A pair of semi-detached properties would front onto Levens Drive to the east of the new access. A terrace of three dwellings would be located in the north-east

corner of the site and these would face onto the communal parking area, that would be sited to the rear of the dwellings that front onto Newlaithes Avenue. The dwellings would be constructed of meadow red clay facing brick, with buff artstone sills and heads, under a grey concrete tiled roof. In light of the above, the scale and design of the proposal would be acceptable.

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

- 6.4 The dwellings that front onto Newlaithes Avenue would have front elevations a minimum of 25m away from the dwellings on the opposite side of Newlaithes Avenue. Unit 9 would have a side elevation 22m away from the nearest dwellings on Levens Drive, whilst the new semi-detached dwellings fronting onto Levens Drive would be 21m away from the dwellings on the opposite side of Levens Drive. The terrace of three dwellings would lie to the west of 34 Caslin Way and would sit at a 1.5m higher level. There would be no windows in the side elevation of the terrace. 34 Caslin Way has patio doors and a window in the rear elevation and a window in the side elevation. The terrace has been positioned so that it does not sit in front of the side window. Whilst there would be some overshadowing of part of the garden of 34 Caslin Way at certain times, the property has a long rear garden, the southern section of which would be unaffected. In light of the above, the proposal would not have an adverse impact on the living conditions of the occupiers of any neighbouring properties through loss of light, loss of privacy or over-dominance.

4. Highway Matters

- 6.5 A petition has been received which raises concerns about the creation of a new access onto Levens Drive and considers that the existing access to the site from Newlaithes Avenue should be used. The existing access is, however, onto an unadopted service road and cannot be improved, as the existing access and adjacent grass verges are not in the applicant's ownership.
- 6.6 County Highways has raised no objections to the creation of a new access onto Levens Drive, the position of which in relation to the existing junction with Newlaithes Avenue and the existing bus stop on Levens Drive, was agreed on site. The bus stop would remain in place. The level of parking (one space per dwelling and three visitor spaces) has also been agreed with County Highways. In light of the above, the proposed access and parking would be acceptable.

5. Affordable Housing/ Developer Contributions

- 6.7 The applicant has submitted a Viability Appraisal with the application, which identifies that the proposed scheme could viably provide £15 towards planning contributions, including affordable housing. The Council has appointed consultants to undertake a review of this appraisal and this has indicated that the developer could reasonably afford to provide two affordable units, to be either sold or rented at a discounted rate.

- 6.8 Following the site visit and at committee, Members raised concerns about the level of visitor parking within the development and also raised a local issue about the current and future condition of the grass verges adjacent to the site, especially if visitor parking increased in the area. The developer has considered this issue and has proposed to provide four car parking spaces in lay-bys on Newlaithes Avenue and to tarmac over the remaining grass verge on Newlaithes Avenue and the grass verge on Levens Drive. In addition, one affordable unit (Plot 5) would be provided on the site. This would be sold at a 30% discount or retained by the applicant and let at an affordable rent (80% of market value).
- 6.9 The provision of an affordable unit and the creation of extra parking bays on Newlaithes Avenue and the tarmacing over of part of the grass verge on Levens Drive is acceptable and is in line with Members resolution at the last committee meeting.

## **Conclusion**

- 6.10 In overall terms, the proposal is acceptable in principle. The scale and design of the proposal would be acceptable and it would not have an adverse impact on the living conditions of the occupiers of any neighbouring properties through loss of light, loss of privacy or over-dominance. The proposed access and parking would be acceptable and one affordable unit would be provided on site. In all aspects, the proposal is compliant with the relevant planning policies contained within the Carlisle District Local Plan 2001-2016.

## **7. Planning History**

- 7.1 In November 2001, planning permission was granted for the erection of 2.4m high palisade fencing around inner perimeter (01/0910).

## **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 approved documents for this Planning Permission comprise:
  1. the submitted planning application form received 30th October 2012;
  2. the Design and Access Statement received 30th October 2012;
  3. the Desk Top Study for Contamination report received 30th October 2012;
  4. the Location Plan (drawing reference 12055-00) received 30th October 2012;

5. the Block Plan (drawing reference 12055-03C) received 27th March 2013;
6. the Site Plan (drawing reference 12055-01D) received 27th March 2013;
7. the Site Section and Elevations (drawing reference 12055-02B) received 14th January 2013;
8. the Topographic Survey (drawing reference 2216/1) received 30th October 2012;
9. Typical Road & Paving Details (drawing reference 12055-04A) received 1 March 2013;
10. the Notice of Decision; and
11. any such variation as may subsequently be approved in writing by the Local Planning Authority.

**Reason:** To define the permission.

3. The materials (and finishes) to be used in the construction of the proposed development shall be in accordance with the details contained in the submitted application, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure a satisfactory external appearance for the completed development, in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

4. The hard and soft landscape works shall be undertaken in accordance with the details contained on the Site Plan (Dwg No. 12055-01A, received on 14 January 2013). These works shall be carried out as approved prior to the occupation of any part of the development or in accordance with a programme agreed by the Local Planning Authority. Any trees or other plants which die or are removed within the first five years following the implementation of the landscaping scheme shall be replaced during the next planting season.

**Reason:** To ensure that a satisfactory landscaping scheme is prepared and to ensure compliance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

5. The proposed boundary treatment to be erected shall be in accordance with the details contained on the Site Plan (Dwg No. 12055-01A, received on 14 January 2013) and on the Site Section & Elevations (Dwg No. 12055-02B, received on 14 January 2013).

**Reason:** To ensure the design and materials to be used are appropriate and to ensure compliance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

6. The proposed surface water drainage works shall be in accordance with the details contained on . Such a scheme shall be constructed and completed in accordance with the approved plans.

**Reason:** To ensure a satisfactory means of surface water disposal and in accord with Policy CP12 of the Carlisle District Local Plan 2001-2016.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) there shall be no enlargement or external alterations to the dwellings to be erected in accordance with this permission, within the meaning of Schedule 2 Part (1) of these Orders, without the written approval of the Local Planning Authority.

**Reason:** To ensure that the character and attractive appearance of the buildings is not harmed by inappropriate alterations and/or extensions and that any additions which may subsequently be proposed satisfy the objectives of Policy CP5 of the Carlisle District Local Plan 2001-2016.

8. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Site investigations should follow the guidance in BS10175. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

**Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy LE29 of the Carlisle District Local Plan 2001-2016.

9. Prior to the occupation of any of the dwellings hereby approved, the whole of the vehicular access area off Levens Drive and two parking areas off Newlaithes Avenue, bounded by the carriageway edge and the highway boundary shall be constructed and drained to the specification of the Local Highways Authority.

**Reason:** In the interests of road safety and the relief of potential parking congestion and to support Local Transport Plan Policies LD5, LD7 & LD8.

10. The access road/parking areas etc shall be designed, constructed, drained to the satisfaction of the Local Planning Authority and in this respect full constructional details 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. Any works so approved shall be constructed before first occupancy and shall be maintained operational

thereafter.

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

11. The access/parking/turning facilities, shown on the Plan, shall be substantially met before any building work commences on site so that constructional traffic can park and turn clear of the highway.

**Reason:** The carrying out of building works without the provision of these facilities is likely to lead to inconvenience and danger to road users. Retention of the facilities ensures an appropriate standard of parking and access for as long as the use continues and to support Local Transport Policies LD5, 7 & 8.

12. No dwelling permitted by this approval shall be occupied until a planning obligation pursuant to S106 of the Town and Country Planning Act 1990 has been made and lodged with the Local Planning Authority and the Local Planning Authority has notified the persons submitting the same that it is to the Local Planning Authority's approval. The said planning obligation will provide the provision of 1no affordable housing unit (Unit 5) either for sale with a discount of 30% or at an affordable rent.

**Reason:** To ensure the provision of affordable housing on the site, in accordance with Policy H5 of the Carlisle District Local Plan 2001-2016.

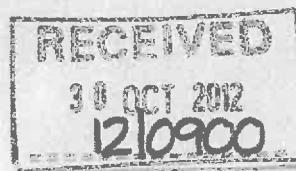
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Revision  
Rev. Date Description Revised by

Project  
**RESIDENTIAL DEVELOPMENT  
NEWLAITHES AVENUE, CARLISLE**

Drawing  
**LOCATION PLAN**

Client  
**IRVING BUILDERS**

PRELIMINARY  
**ARCHITECTS  
PLUS**

Scale	Date	Drawn	Comp.No.	Number
1:1250@A4	09/12	DB	E02	12055-00

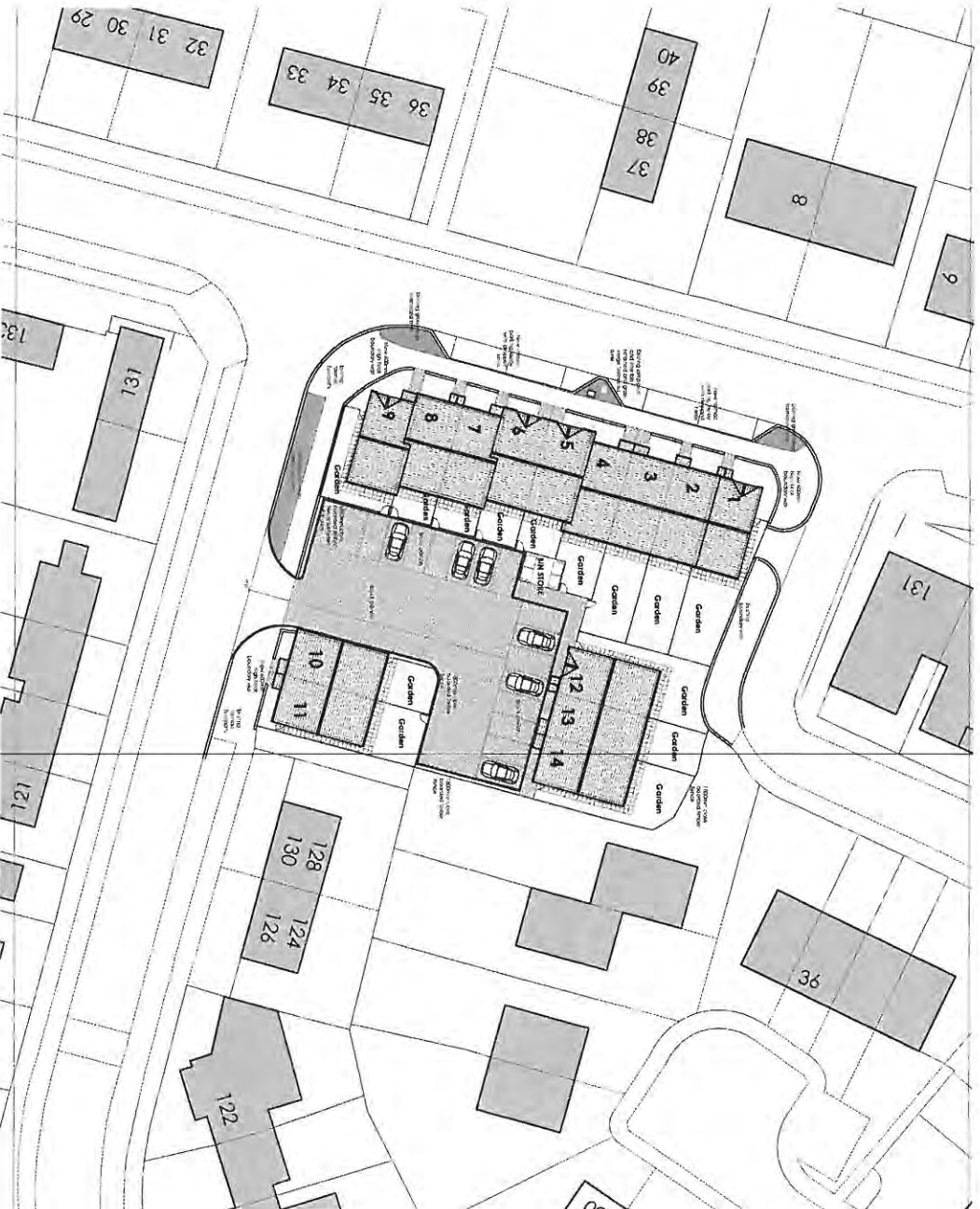
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Rev.	Date	Description	Revised by
REV A	11/01/13	Porch roofs added	DB
REV B	07/03/13	Perfiling for bins added to Newellthas Avenue	DB
REV C	27/03/13	Grass verges omitted to Newellthas Avenue & Levens Drive	DB



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## PLANNING

# ARCHITECTS P L U S

Project  
PROPOSED HOUSING DEVELOPMENT  
NEWELLTHAS AVENUE, MORION

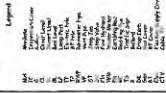
Client  
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Drawing  
BLOCK PLAN

Scale	Date	Drawn	Comp.No.	Number
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Former R.C. Chapel on  
Newlaithes Avenue, Morton.  
Carlisle for Irving Builders.

Topographic Survey.

Survey Station

7. Indicate location.

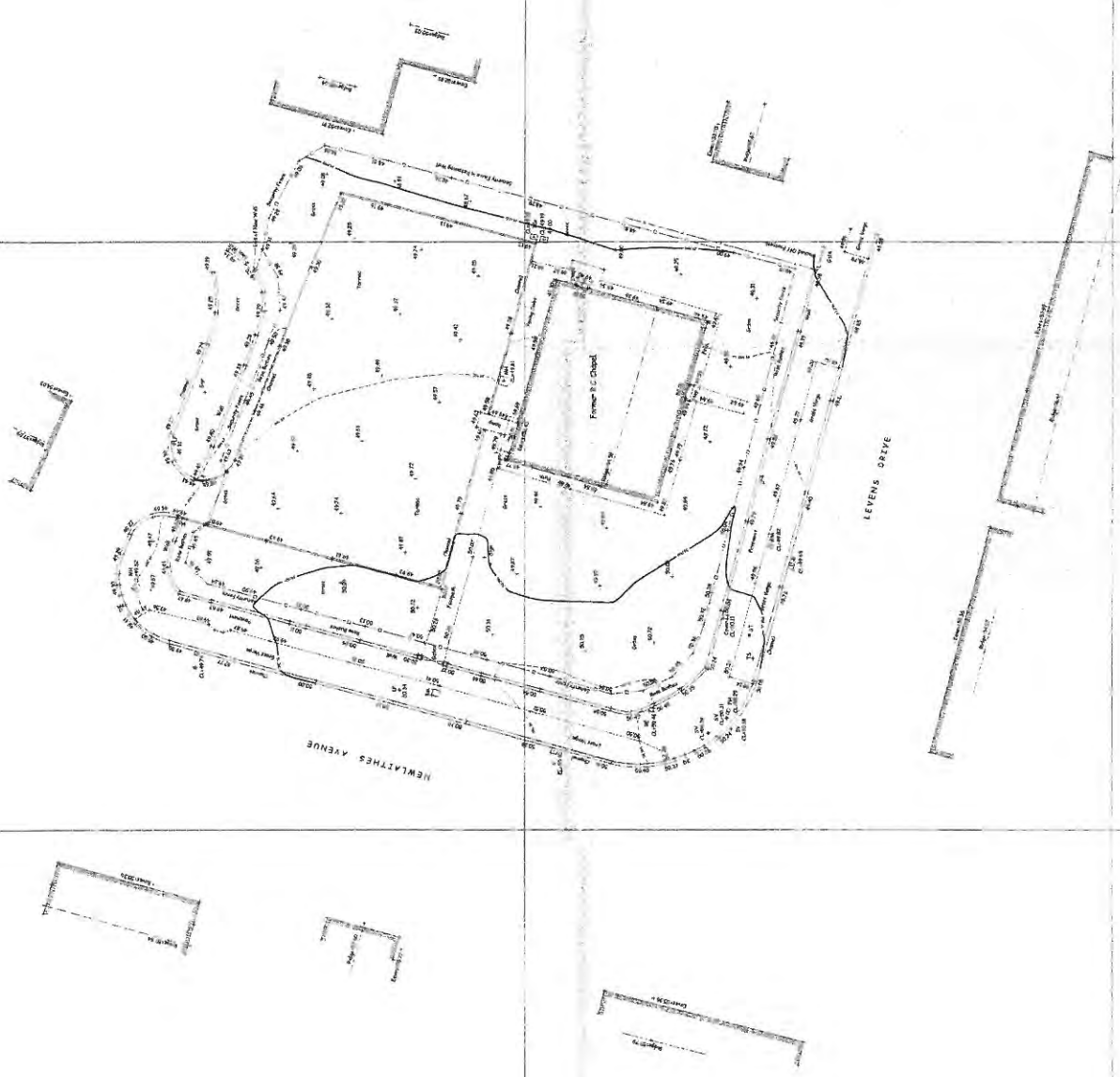
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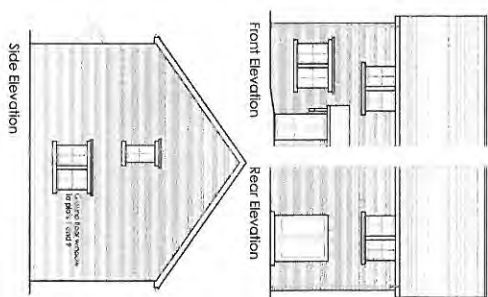
the map on page 12

E-mail: <a href="mailto:sam@industryinsider.de">sam@industryinsider.de</a>	(c) 2017 Industry Insider
Scale: 1 - 200 @ A1	File: 22LineendNotes

Summit	31st August, 2012.
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Draw	1st September, 2012
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PLANNING  
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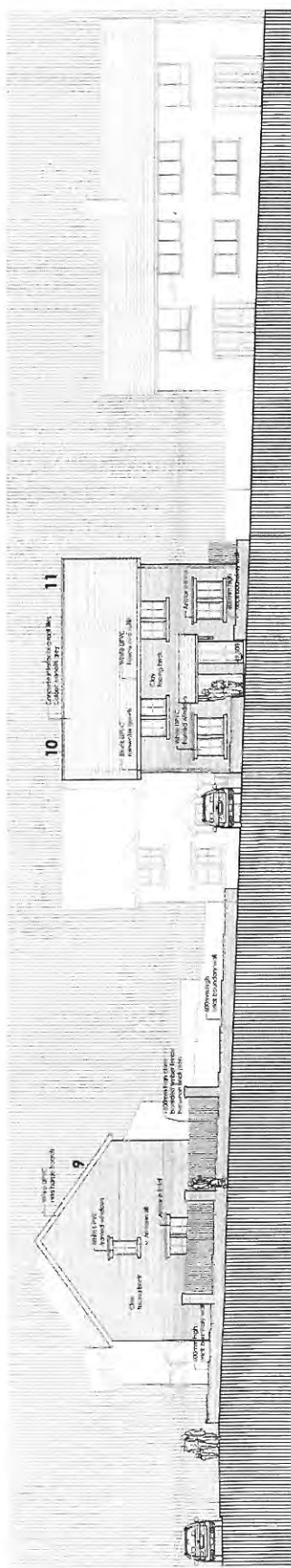
Propose  
PROPOSED HOUSING DEVELOPMENT  
NEWLAITHES AVENUE, MORTON  
Client  
IRVING BUILDERS

<p><b>SITE PLAN</b>  <b>HOUSE TYPE PLANS AND ELEVATIONS</b></p>			
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			Number
			12055-01D

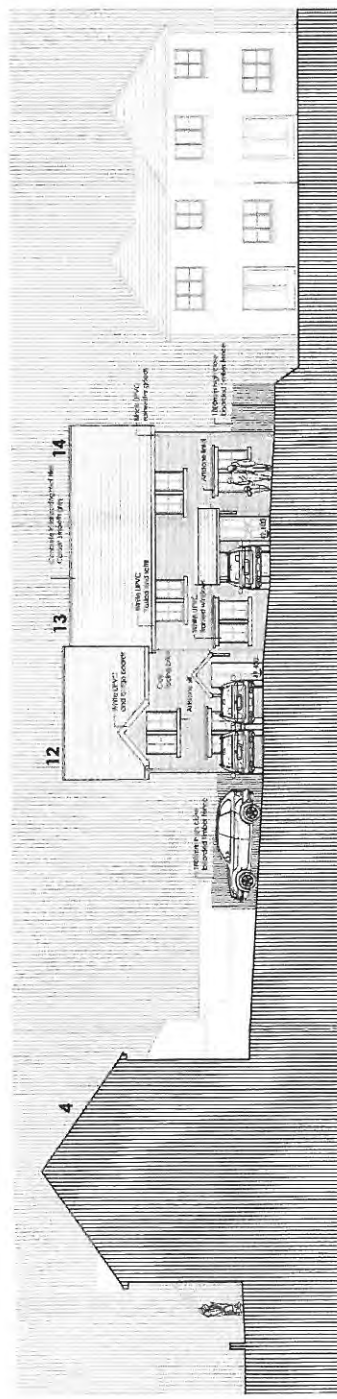
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Newlaithes Avenue Elevation



Levens Drive Elevation



Site Section A-A

Materials Schedule	Cost
Walls	-
Roofs	-
Windows/Doors	-
Rainwater goods	-
Boundaries	-
External Surfaces	-

# PLANNING ARCHITECTS PLUS

Principal  
PROPOSED HOUSING DEVELOPMENT  
NEWLAITHS AVENUE, MORTON  
Client  
IRVING BUILDERS  
Drawing  
SITE SECTION AND ELEVATIONS


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