

SCHEDULE A: Applications with Recommendation

20/0081

Item No: 02

Date of Committee: 19/06/2020

Appn Ref No:
20/0081

Applicant:
Mr M Lund & Miss E Paton

Parish:
Stanwix Rural

Agent:
Aditus Architectural
Services Limited

Ward:
Stanwix & Houghton

Location: Land to the rear of 28 Beech Grove, Houghton, Carlisle, CA3 0NU

Proposal: Erection Of Detached Dwelling And Garage Together With Associated Access And Landscaping

Date of Receipt:
06/02/2020 17:00:43

Statutory Expiry Date
02/04/2020 17:00:43

26 Week Determination
22/06/2020

REPORT

Case Officer: Barbara Percival

1. Recommendation

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

2. Main Issues

- 2.1 Principle of development
- 2.2 Impact of the proposal on the character of the area
- 2.3 Whether the scale and design of the dwelling is acceptable
- 2.4 Impact of the proposal on the living conditions of neighbouring residents
- 2.5 Impact of the proposal on highway safety
- 2.6 Proposed methods for the disposal of foul and surface water drainage
- 2.7 Impact of the proposal on existing trees and hedgerows
- 2.8 Impact of the proposal on biodiversity
- 2.9 Other matters

3. Application Details

The Site

3.1 Number 28 Beech Grove is a detached property located at the head of a

cul-de-sac. The application site, equating to approximately 0.18 hectares, comprises of part of a paddock located to the rear of 28 Beech Grove. A wooden stable is located in the south western corner of the paddock.

- 3.2 The northern, southern and eastern boundaries of the paddock are enclosed by mature hedgerows with hedgerow trees. A post and rail fence together with a field access gate delineates the domestic curtilage of 28 Beech Grove from the application site. Residential properties are located adjacent to its northern, southern and western boundaries with open fields beyond its eastern boundary.
- 3.3 The topography of the land is such that the application site gently slopes from west to east.

The Proposal

- 3.4 The application seeks full planning permission for the erection of a 'L-shaped' single storey dwelling and detached double garage in the north western corner of the paddock. The measurements and accommodation of the proposed dwelling are as follows:

maximum 16.5 metres in length by a maximum width of 19.185 metres with a Ridge height of 6 metres. The accommodation would comprise of a kitchen, utility, living room, vestibule, cloakroom, master bedroom, 2no. bedrooms, 1no. bedroom/study, shower room and bathroom. The detached double garage located to the west of the proposed dwelling would be 6.55 metres long by 6.56 metres wide with a ridge height of 5.3 metres.

- 3.5 The proposed walling materials for the dwellings are a combination of facing bricks and render. The roofs would be finished in concrete roof tiles. Window frames and doors would be dark grey pvc/composite.
- 3.6 The submitted drawing illustrates the retention of the existing hedgerow along the northern, southern and eastern boundaries of the site. The existing vehicular access currently serving 28 Beech Grove and the paddock would be altered to facilitate access to both the existing and proposed dwellings together with the remaining paddock area.

4. Summary of Representations

- 4.1 This application has been advertised by the direct notification of the occupiers of seven neighbouring properties and the posting of a site notice. No verbal or written representations have been made during the consultation period.

5. Summary of Consultation Responses

Cumbria County Council - (Highways & Lead Local Flood Authority): - the infiltration tests undertaken rule out soakaways as a valid method of surface water disposal and the next logical place to discharge surface water is into the watercourse. The calculations are acceptable and show there is

sufficient storage on site to accommodate a 1 in 100 year plus 40% to account for climate change storm event without increasing flood risk. The discharge rate of 1l/s restricted through a hydrobrake is also acceptable as it mimics the greenfield runoff rate for the site. The applicant has submitted the drainage information regarding the proposed development which illustrates that sufficient treatment (gullies and underground attenuation) of the surface water is provided prior to the discharge into the ordinary watercourse. Therefore it would not be appropriate to ask for an interceptor for this application as the drainage layout meets the requirements set out within the Cumbria Development Design Guide.

In respect of highway safety there are no objections subject to the imposition of a conditions. The recommended conditions require: a construction phase traffic management plan; access drive to be surfaced in bituminous or cement bound materials; no access or egress from the site other than by the approved access; access and parking/turning requirements to be substantially met prior to any building works commencing; and no occupation of the dwelling until access/parking requirements have been constructed;

Stanwix Rural Parish Council: - recommends refusal of the application. In summary, the objections appear to centre on: scale and design; are of the opinion that application should be assessed against Policy HO3 of the local plan as land is an extended garden not a paddock; detrimental impact on the living conditions of neighbouring properties during construction phase; impact of the proposal on the future occupiers of existing dwelling; and questions acceptability of access on highway safety grounds due to suitability of access roads and existing parking problems within vicinity.

The Parish Council is, however, aware that consent for such tandem development has precedent in the area and should consent be forthcoming robust conditioning should be imposed in order to protect the quality of life and the safety of local residents. Conditions should: restrict if at all possible in law the permitted length and weight of construction vehicles accessing the site; limit the hours of work with no weekend or public holiday working; protect trees and hedges especially during the bird nesting season; limit noise, dust and other nuisance during construction; and require the provision of appropriate interception of contaminants prior to entering drainage to soakaway;

Northern Gas Networks: - no objections to the proposals, however, there may be apparatus in the area that may be at risk during construction works and should the planning application be approved, then it is required that the promoter of these works to contact Northern Gas Networks directly to discuss their requirements in detail. Should diversionary works be required these will be fully chargeable;

United Utilities: - no objections subject to imposition of a condition requiring foul and surface water drainage are drained on separate systems.

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 is the National Planning Policy Framework (NPPF), the Planning Practice Guidance (PPG) and Policies SP2, SP6, HO2, IP3, IP4, IP6, CC5, CM5, GI1, GI3 and GI6 of the Carlisle District Local Plan 2015-2030. Other material considerations are Supplementary Planning Documents adopted by the City Council, in particular 'Achieving Well Designed Housing' and 'Trees and Development'.

6.3 The proposal raises the following planning issues:

1. Principle of development

6.4 Paragraph 11 of the NPPF outlines that: *"at the heart of the NPPF is a presumption in favour of sustainable development"*. Paragraph 78 expands by highlighting that: *"To promote sustainable development and in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby"*.

6.5 The aims of the NPPF is reiterated in Policy HO2 of the local plan which outlines that new housing development other than those allocated will be acceptable within or on the edge of Carlisle, Brampton, Longtown and in the rural areas provided that the development would not prejudice the delivery of the spatial strategy of the local plan and be focussed in sustainable locations subject to satisfying five criteria.

6.6 The application site is well contained within existing and proposed boundaries and adjoins the domestic curtilages of existing residential properties within Houghton. Houghton has a high level of services which consist of a village hall, school, church, post office and village store. Accordingly, Houghton is considered to be a sustainable location, therefore, the principle for the development of the site for housing is consistent with the objectives of the NPPF and Policy HO2 of the local plan.

6.7 In overall terms, the application site is well contained within existing landscape features, it is physically connected, and integrates with, the settlement, and would not lead to an unacceptable intrusion into open countryside. The development of one dwelling is of an appropriate scale for the village to accommodate and would not be considered a threat to the delivery of the local plan's spatial strategy. Any perceived visual impact the proposal may have would be mitigated through the retention and implementation of a landscaping scheme. Compliance with other criteria

within Policies HO2 of the local plan will be discussed in the relevant sections below.

- 6.8 In light of the foregoing, the site for housing is consistent with both the NPPF and local plan, the principle of development is acceptable.

2. Impact Of The Proposal On The Character Of The Area

- 6.9 The Cumbria Landscape Character Guidance and Toolkit (March 2001) identifies that the site falls within the Cumbria Landscape Character Sub-Type 5b 'Low Farmland'. The toolkit advises that key characteristics of this landscape are: undulating and rolling topography; intensely farmed agricultural pasture dominates ; patchy areas of woodland provide contrast to the pasture; woodland is uncommon west towards the coast; fields are large and rectangular; hedges, hedgerow trees and fences bound fields and criss cross up and over the rolling landscape.
- 6.10 The application site forms part of a paddock located to the rear of 28 Beech Grove. The paddock has a wooden stable in its south western corner with its boundaries delineated by native hedgerows and mature trees. It is inevitable that the erection of a new dwelling within the paddock would have some visual impact on the landscape character of the area. In mitigation, the proposed dwelling would be well contained within existing landscape features utilising existing vehicular accesses. The proposed dwelling would be of single storey construction with the proposed palette of materials helping to soften any perceived visual impact. Furthermore, the dwelling would be viewed against the backdrop of the existing dwellings located along the application sites northern, southern and western boundaries. The proposal has also been so designed to achieve adequate amenity space and off-street parking to serve both the existing and proposed dwellings.
- 6.11 In light of the foregoing assessment, the proposal would respond to the local context and would not be disproportionate or obtrusive within the character of the streetscene.

3. Whether The Scale And Design Of The Dwelling Is Acceptable

- 6.12 Policies seek to ensure that development proposals are appropriate in terms of quality to that of the surrounding area and that development proposals incorporate high standards of design including siting, scale, use of materials and landscaping which respect and, where possible, enhance the distinctive character of townscape and landscape. This theme is identified in Policies SP6 and HO2 of the local plan which requires that development proposals should also harmonise with the surrounding buildings respecting their form in relation to height, scale and massing, make use of appropriate materials and detailing and achieve adequate amenity space.
- 6.13 When assessing the character of the area, it is evident that there are a variety of properties of differing ages and styles within the immediate vicinity. The dwellings within Green Lane to the north of the application site are two storey. Whilst, those dwellings along the southern and western boundaries, Tribune

Drive and Beech Grove respectively, are single storey.

- 6.14 In overall terms, the scale and massing of the proposed dwelling would respond to the form of other dwellings within this part of Houghton and achieve adequate external space and in-curtilage parking provision to serve both the existing and proposed dwellings. The proposed palette of materials would also respect and harmonise with those of the adjacent properties. Furthermore, the retention of existing boundaries would also help to soften and blend the proposed dwelling into the landscape.

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

- 6.15 Development should be appropriate in terms of quality to that of the surrounding area and do not have an adverse impact on the living conditions of the occupiers of adjacent residential properties. The City Council's SPD 'Achieving Well Designed Housing' provides guidance as to minimum distances between primary windows in order to respect privacy and avoid overlooking i.e. 12 metres between primary windows and blank gables and 21 metres between primary windows.
- 6.16 The orientation of the dwelling would ensure that the minimum distances between primary windows to protect against loss of privacy as outlined in the SPD 'Achieving Well Designed Housing' would be exceeded. In respect of intensification of use, it is inevitable that any development proposals in an otherwise undeveloped area would lead to increased levels of traffic and noise; however, given that the proposal is for a single dwelling it would be difficult to substantiate a refusal of the application on this basis.
- 6.17 Existing and proposed landscaping would also mitigate for any perceived impact in respect of the unacceptable loss of light, overlooking or over-dominance of neighbouring properties. In overall terms, the siting, scale and design of the dwelling would not adversely affect the living conditions of the occupiers of the neighbouring properties by virtue of loss of privacy, over-dominance or intensification of use. To further protect the residential amenity of the occupiers of neighbouring properties from unacceptable noise during construction, a condition is recommended that would restrict construction hours.

5. Impact Of The Proposal On Highway Safety

- 6.18 The submitted drawings illustrate that there would be adequate in-curtilage parking provision to serve both the existing and proposed dwellings. The existing vehicular access serving 28 Beech Grove would also be altered to facilitate access to serve both the existing and proposed dwelling. The entrance into the development would be 4.1 metre wide access extending for 10 metres into the site. This is in line with the objectives of the Cumbria Design Guide which highlights: *"a carriageway width of 4100mm will allow light vehicles such as cars and vans to pass each other without the need to give way .."*
- 6.19 The Parish Council has raised objections to the proposal on highway safety

grounds as access to the site would be: *"via narrow residential roads having sharp bends and corners ... cars and other vehicles habitually park along the sides of these roads ... roads leading to the site are unsuitable for long or heavy vehicles; the drivers of refuse collection trucks and delivery vans etc often finding great difficulty in manoeuvring safely"*.

- 6.20 Cumbria County Council, as Highways Authority, has been consulted and raise no objections to the proposal subject to the imposition of conditions. The recommended conditions require: the submission of a construction phase traffic management plan; access drive to be surfaced in bituminous or cement bound materials; no access or egress from the site other than by the approved access; access and parking/turning requirements to be substantially met prior to any building works commencing; no occupation of the dwelling until access/parking requirements have been constructed.
- 6.21 The objections of the parish council are noted; however, subject to compliance with the conditions recommended by the Highways Authority it would be difficult to substantiate a refusal of the application on highway safety grounds.

6. Proposed Method For The Disposal Of Foul And Surface Water Drainage

- 6.22 There is a clear policy requirement to provide adequate provision for foul and surface water facilities to ensure that sufficient capacity exists prior to commencement of any development. A Drainage Strategy has subsequently been submitted which details that: surface water drainage would be attenuated prior to its connection to an existing surface water pipe before entering an existing ditch which drains into Brunstock Beck located approximately 100 metres to the south east; foul drainage would enter the existing mains foul drainage network.
- 6.23 Cumbria County Council, as Lead Local Flood Authority (LLFA), has been consulted and raise no objections to the proposed method for the disposal of surface water drainage. The LLFA consultation response detailing that: *"the infiltration tests undertaken rule out soakaways as a valid method of surface water disposal and the next logical place to discharge surface water is into the watercourse. The calculations are acceptable and show there is sufficient storage on site to accommodate a 1 in 100 year plus 40% to account for climate change storm event without increasing flood risk. The discharge rate of 1 litre per second restricted through a hydrobrake is also acceptable as it mimics the greenfield runoff rate for the site"*.
- 6.24 The parish council requests that a condition is imposed requiring the installation of a contaminants interceptor to prevent any pollutants entering Brunstock Beck. The requirement for an interceptor has been raised with the LLFA who have confirmed that: *"sufficient treatment (gullies and underground attenuation) of the surface water is provided prior to the discharge into the ordinary watercourse. Therefore it would not be appropriate to ask for an interceptor for this application as the drainage layout meets the requirements set out within the Cumbria Development Design Guide"*.

- 6.25 Foul water from the development would enter the mains sewer currently serving Beech Grove. The submitted Drainage Strategy document highlighting that: *"a formal connection will be made with United Utilities for this connection in due course"*. United Utilities has been consulted and raise no objection to the proposal subject to the imposition of a condition requiring foul and surface water be drained on separate systems.
- 6.26 In light of the views of the statutory consultees the proposed methods for the disposal of foul and surface water drainage are acceptable.

7. Impact Of The Proposal On Existing Trees And Hedgerows

- 6.27 Policy GI6 of the local plan seek to ensure that proposals for new development should provide for the protection and integration of existing trees and hedges. In respect of new development, the City Council will resist proposals which cause unacceptable tree loss, and which do not allow for the successful integration of existing trees and hedges. This aim is further reiterated in Policy SP6 of the local plan which requires all developments to take into account important landscape features and ensure the enhancement and retention of existing landscaping.
- 6.28 The City Council's SPD 'Trees and Development' outlines that native large growing species are intrinsic elements in the landscape character of both rural and urban areas alike and acquire increasing environmental value as they mature. Large trees need space in which to grow to maturity without the need for repeated human intervention. Not only should the design of the development seek to retain existing tree and hedgerow features, but sufficient space should be allocated within the schemes to ensure integration of existing features and space for new planting it is important that these issues are considered at the very start of the planning process.
- 6.29 The application site is enclosed along its northern, eastern and southern boundaries by a mature hedgerow with some hedgerow trees. The submitted drawings illustrating that the hedge would be retained and be unaffected by the development. Nevertheless, in order to protect existing hedgerows during construction works a condition is recommended which would ensure that tree and hedge protection barriers are erected prior to the commencement of any works and remain in situ during construction works. In overall terms, existing landscaping would help to soften and blend the development into the landscape.

8. Impact Of The Proposal On Biodiversity

- 6.30 The Council's GIS Layer has identified that there is the potential for several key species to be present within the vicinity. Using the guidance issued by Natural England it is unlikely that the proposed development would harm protected species or their habitat. To further protect biodiversity and breeding birds, informatics are recommended within the decision notice drawing the applicant's attention to the requirement under conservation legislation such as the Wildlife and Countryside Act 1981, The Conservation of Habitats and

Species Regulations 2010 etc.

9. Other Matters

- 6.31 The parish council disputes the use of the land is that of a paddock and contends that the application should be assessed against Policy HO3 (Housing in Residential Gardens) of the local plan. The views of the parish council are respected, however; the application site to the rear of 28 Beech Grove is separated from the domestic curtilage of 28 Beech Grove by a post and rail fence and access gate. There is also a wooden stable located to the south western corner of the land with the remaining land having the appearance of a uncultivated field.

Conclusion

- 6.32 In overall terms, the principle of residential development on the site is acceptable under the provisions of the NPPF and the local plan. The application site is well contained within existing landscape features, it is physically connected, and integrates with, the settlement, and would not lead to an unacceptable intrusion into open countryside. The development of a dwelling is of an appropriate scale for the village to accommodate and would not be considered a threat to the delivery of the local plan spatial strategy.
- 6.33 The scale, design and massing of the proposed dwelling would be appropriate and would not have a have a detrimental impact on the occupiers of neighbouring properties through unacceptable overlooking, over-dominance or intensification of use. Existing landscaping together with the proposed palette of materials would also help to soften and blend the proposed dwelling into the landscape, thereby, minimising any perceived visual impact. The proposal is unlikely to have a detrimental impact on biodiversity. No highway or drainage issues have been raised by Cumbria County Council or United Utilities as the relevant consultees.
- 6.34 In all other aspects, the proposal is compliant with the objectives of the NPPF, PPG, relevant local plan policies and SPDs. Accordingly, the application is recommended for approval.

7. Planning History

- 7.1 There is no relevant planning history.

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 6th February 2020;
 2. the Desk Study Assessment for Contamination received 6th February 2020;
 3. the Drainage Strategy received 14th May 2020;
 4. the plans and elevations received 6th February 2020 (Drawing No. 1936-01);
 5. the sections received 6th February 2020 (Drawing No. 1936-02);
 6. the block and location plans received 9th March 2020 (Drawing No. 1936-03A);
 7. the Notice of Decision;
 8. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

3. Prior to their use as part of the development hereby approved, full details of all materials to be used on the exterior of the buildings, including roofs, walls, cladding, doors, windows, external frames and rainwater goods shall be submitted to and approved in writing by the local planning authority. The development shall then be undertaken in strict accordance with the approved details.

Reason: To ensure the development is acceptable visually and harmonises with existing development, in accordance with Policies SP6 and HO2 of the Carlisle District Local Plan 2015-2030.

4. Details shall be submitted of the proposed hard surface finishes to all public and private external areas within the proposed application site and approved in writing by the local planning authority before their use as part of the development hereby approved. The approved development shall be carried out in strict accordance with the details approved in response to this condition.

Reason: To ensure that materials to be used are acceptable visually and harmonise with existing development, in accordance with Policy SP6 and HO2 of the Carlisle District Local Plan 2015-2030.

5. Development shall not be begun until a Construction Phase Traffic Management Plan (CPTMP) has been submitted to and approved in writing by the local planning authority. The CPTMP 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; and
- 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 in accordance with Policy IP2 of the Carlisle District Local Plan 2015-2030.

6. The access drive shall be surfaced in bituminous or cement bound material, or otherwise bound and shall be constructed and completed before the development is brought into use. This surfacing shall extend for a distance of at least 10 metres inside the site, as measured from the carriageway edge of the adjacent highway.

Reason: In the interests of highway safety in accordance with Policy IP2 of the Carlisle District Local Plan 2015-2030.

7. There shall be no vehicular access to or egress from the site other than via the approved access, unless otherwise agreed by the local planning authority.

Reason: To avoid vehicles entering or leaving the site by an unsatisfactory access or route, in the interests of road safety in accordance with Policy IP2 of the Carlisle District Local Plan 2015-2030.

8. The dwelling shall not be occupied until the vehicular access and turning requirements have been constructed in accordance with the approved plan and has been brought into use. The vehicular access turning provisions shall be retained and capable of use at all times thereafter and shall not be removed or altered without the prior consent of the local planning authority.

Reason: To ensure a minimum standard of access provision when the development is brought into use in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

9. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution in accordance with Policies IP6 and CC5 of the Carlisle District Local Plan 2015-2030.

10. As part of the development hereby approved, adequate infrastructure shall be installed to enable telephone services, broadband, electricity services and

television services to be connected to the premises within the application site and shall be completed prior to the occupation of the dwelling.

Reason: To establish an acceptable level of access to connectivity resources, in accord with Policy IP4 of the Carlisle District Local Plan 2015-2030.

11. Before any development is commenced on the site, including site works of any description, a protective fence in accordance with Fig. 2 in B.S. 5837: 2012 shall be erected around the trees and hedges to be retained at the extent of the Root Protection Area as calculated using the formula set out in B.S. 5837. Within the areas fenced off no fires shall be lit, the existing ground level shall be neither raised nor lowered, and no materials, temporary buildings or surplus soil of any kind shall be placed or stored thereon. The fence shall thereafter be retained at all times during construction works on the site.

Reason: In order to ensure that adequate protection is afforded to all trees/hedges to be retained on site in support of Policies SP6 and GI 6 of the Carlisle District Local Plan 2015-2030.

12. No work associated with the construction of the development hereby approved shall be carried out before 0730 hours on weekdays and Saturdays nor after 1800 hours on weekdays and 1300 hours on Saturdays (nor at any times on Sundays or statutory holidays).

Reason: To prevent disturbance to nearby occupants in accordance with Policy CM5 of the Carlisle District Local Plan 2015-2030.

13. 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.
