

SCHEDULE A: Applications with Recommendation

20/0834

Item No: 02

Date of Committee: 30/04/2021

Appn Ref No:
20/0834

Applicant:
Mr & Mrs JG & A Waugh

Parish:
Hethersgill

Agent:
G R Stephen

Ward:
Longtown & the Border

Location: Rose Cottage, Uppertown, Kirklington, Carlisle, CA6 6BD

Proposal: Proposed Rear Extension To Provide Annexe Accommodation
Comprising Living Room & W.C. On Ground Floor With 2no. Bedrooms
& 1no. Bathroom Above (Revised Application)

Date of Receipt:
03/12/2020

Statutory Expiry Date
28/01/2021

26 Week Determination
11/02/2021

REPORT

Case Officer: Leigh Thompson

REPORT UPDATE

Members deferred this application at the Development Control Committee on the Friday 26th March 2021 and resolved that the application be deferred in order for additional information and images to be provided to understand the potential impact of the proposal in its setting/context. Since consideration of the item the applicant has submitted amended proposed elevations. The four amended plans (North, East, South and Western elevations) have been submitted in colour and now show the proposals at Rose Cottage with the property to the north, Uppertown Farm, removed from the background so that the plans allow for a more focussed view of the proposals without the confusion of background buildings. This was a point which members had previously suggested would be useful for them in order to allow the proposals to be viewed more clearly within the context of the original Cottage.

Members will be presented with additional images of the site and its surroundings at the meeting.

The application is recommended for refusal.

ORIGINAL REPORT OF 26 MARCH 2021 FOLLOWS:

1. Recommendation

1.1 It is recommended that this application is refused.

2. Main Issues

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

3. Application Details

The Site

- 3.1 The application relates to Rose Cottage, a single storey detached property located within Uppertown. The dwelling constructed from a mix of sandstone and brick, a pitched slate roof, a mix of brown and white UPVC windows and doors.
- 3.2 The dwelling is located within a small cluster of properties made up of a mix of two and 1.5 storey detached, and single storey semi detached properties. Rose Cottage is situated at a T junction, with Uppertown Farm and its associated outbuildings to the north, and 1 Uppertown Cottages to the east, as its immediate neighbours. A small cluster of properties comprising of Bramley Dene, Bramley Cottage, Bramley Mews and Uppertown Court lie on the opposite side of the road to the south of the application site.

Background

- 3.3 In 2020 Planning Permission was granted for the erection of a two Storey Rear Extension To Provide Annexe Accommodation Comprising of Living Room & W.C. On Ground Floor With 2no. Bedrooms & 1no. Bathroom Above (Reference No.20/0374). The submitted plans illustrated two existing rear single storey flat roof extensions, of which the southernmost was to be left as is.
- 3.4 The submitted plans for application 20/0374 showed that the proposed extension was to project 7.5m in length by 5.9m in depth from the original rear elevation of the cottage and would be constructed from render and slate to match the original roof of the Cottage.

The Proposal

- 3.5 The application seeks full planning permission for a Two Storey Rear Extension To Provide Annexe Accommodation Comprising of Living Room & W.C. On Ground Floor With 2no. Bedrooms & 1no. Bathroom Above (Revised Application). The submitted plans illustrate that the proposed extension will be constructed from render and materials to match the existing dwelling. The extension will include no windows upon the northern elevations

apart from one rooflight to serve the proposed landing. The main elevation would be orientated to the south, facing into the rear garden of the application site.

- 3.6 Members should be aware that when the original application was first submitted (Reference No.20/0374) the application sought approval for the extensions ridge height to be higher than that of the original Cottage. Permission was granted following amendments to reduce the initial ridge height so that it was in line with the original cottage. This revised application now seeks approval for the previously refused ridge height.

4. Summary of Representations

- 4.1 This application has been advertised by means of notification letters sent to six neighbouring properties. During the consultation period there have been no representations made.

5. Summary of Consultation Responses

Cumbria County Council - (Highways & Lead Local Flood Authority): -
No objections;
Hethersgill Parish Council: - No representations.

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 SP6, HO8 & GI3 of the Carlisle District Local Plan (CDLP) 2015-2030. The 'Achieving Well Designed Housing' Supplementary Planning Document, adopted by the Council, and the Dalston Parish Neighbourhood Plan 2015-2030 are also material planning considerations.

- 6.3 The proposals raise the following planning issues:

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

- 6.4 Rose Cottage is a corner plot situated at a T junction, with a small garden area adjacent to the road surrounding the western front and southern side elevations. The western, and a portion of the southern, boundary treatment comprises of a low stone wall. Uppertown Farm lies to the north of the site with its associated outbuildings immediately adjacent to the sites northern

boundary. No.1 Uppertown Cottages lie to the east, separated by the applicants large rear garden which contains a large southern facing garage and associated outbuildings. A small cluster of properties comprising of Bramley Dene, Bramley Cottage, Bramley Mews and Uppertown Court lie to the south of the application site. The rest of the boundary treatment along the southern edge of the application site comprises of a relatively low hedgerow which leaves the rear of the site completely exposed and in full view from the aforementioned properties to the south of the site. Overall, there is a variety of surrounding properties which include two storey, 1.5 storey and single storey detached and semi-detached properties.

- 6.5 The proposed extension would be situated upon the eastern rear elevation of the existing dwelling. All proposed windows and doors would be situated upon the southern facing elevation, bar one rooflight which would be located upon the northern facing roof slope to serve the proposed landing. A total of three dormer windows would be inserted upon the southern facing roof slope to serve the proposed 2no. bedrooms and 1no. bathroom. The proposed dormers would meet the required distances set out within the Council's Supplementary Planning Document, 'Achieving Well Designed Housing', in order to respect privacy between neighbouring properties. Upon the southern ground floor elevation of the extension, a relocated entrance door and patio doors would serve the proposed lounge. There would be no windows or doors upon the eastern side elevation.
- 6.6 Given the position of the proposed rear extension in relation to neighbouring residential properties, the proposals will not have a detrimental impact on the living conditions of adjoining occupiers on the basis of loss of light, overlooking or over dominance.

2. Whether The Proposal Is Appropriate To The Dwelling

- 6.7 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 confirms that 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, taking into account any local design standards or style guides in plans or supplementary planning documents. It goes on to confirm that in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings. 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.
- 6.8 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.

- 6.9 Policy HO8 of the CDLP which refers to household extensions also seeks to ensure that the design of an extension should respond to the characteristics of the specific site as well as the distinctiveness of the wider setting. Policy HO8 specifically states that house extensions/alterations should be designed to: 1) relate to and complement the existing building in scale, design, form and materials; 2) be visually subservient to the main building; 3) ensure there is no loss of amenity to surrounding properties by overlooking, overbearing nature of the proposal, or increase in on street car parking caused by the loss of an existing garage or off street parking space; 4) ensure adequate natural light within the building, garden or other outdoor amenity space; 5) maintain the established character/pattern of the street scene and be a positive addition; and, 6) retain gaps between buildings where they are characteristic of the area and contribute to the street scene.
- 6.10 The Achieving Well Designed Housing SPD also echoes the requirements of Policy HO8 of the CDLP by seeking to ensure that extensions are of an appropriate scale and do not dominate the original dwelling.
- 6.11 It is appreciated that planning permission has previously been granted under application reference 20/0347 for an identical scheme, comprising of a Rear Extension To Provide Annexe Accommodation Comprising Living Room & W.C. On Ground Floor With 2no. Bedrooms & 1no. Bathroom Above. However, the extension approved under application 20/0347 was considered to be a subservient addition to the existing dwelling as the extensions ridge height was in line, and would not over dominate the host dwelling.
- 6.12 Rose Cottage currently has two single storey, flat roof rear extensions which provide the occupants with a bathroom, kitchen and additional room. The proposals would extend the existing bathroom to come in line with the existing kitchen, and provide additional annexe accommodation which would include a lounge and WC upon the ground floor, and 2no. bedrooms and a bathroom upon the first floor. The proposals would measure 7.5m in length by 5.9m in depth.
- 6.13 The proposed materials of the extension would include a render finish with slate roof tiles to match that of the existing dwelling. Accordingly, the proposals would complement the existing dwelling in terms of design and materials to be used.
- 6.14 The proposals would be 1.5 storey high, comprising of a pitched roof which would extend above the original ridge height of the main dwelling. The proposed ridge height was previously refused within the original application (Reference No. 20/0347) and further amended to come in line with the existing ridge height of Rose Cottage in order to comply with relevant policies. The proposed ridge height within this revised application would create an extension that would not appear subservient to the main dwelling and would ultimately overdominate the existing Cottage. Therefore, the scale and height of the proposals are not comparable to the existing property as they would over dominate. The proposals would not be compliant with Policy HO8

(Criteria 2) of the Carlisle District Local Plan 2015-2030 which states that house extensions and alterations should 'be visually subservient to the main dwelling', alongside para 5.57 of the Council's 2011 Supplementary Planning Document 'Achieving Well Designed Housing' which states that 'extensions should be clearly subordinate to the original dwelling'.

- 6.15 In such circumstances the proposed extension will dominate the original cottage and would result in an obtrusive development that would be inappropriate to the character of the existing dwelling. With that, the visual and physical dominance of the extension would be overpowering, inappropriate and unacceptable. The proposals would therefore not appear subordinate and would therefore be contrary to the objectives of criterion 1 of Policy SP6 of the CDLP, criteria 1 and 2 of Policy HO8 of the CDLP together with the objectives of Carlisle City Council's Supplementary Planning Document 'Achieving Well Designed Housing'.

3. Impact Of The Proposal On Highway Safety

- 6.16 The proposals would be located within a large rear garden space of the property and would not result in a loss of garage or parking spaces. The Highway Authority has been consulted on the development and has raised no objections to the proposal. In such circumstances the development will not have an adverse impact upon highway safety.

4. Impact Of The Proposal On Biodiversity

- 6.17 The Council's GIS Layer has identified that the site has the potential for several key species to be present within the vicinity. As the proposed development seeks permission to extend an existing dwelling with minimum disturbance to vegetation, it is unlikely that the development would harm a protected species or their habitat. It is suggested that if the application is approved an informative should be included within the Decision Notice ensuring that if a protected species is found all work must cease immediately and the Local Planning Authority informed.

5. Other Matters

- 6.18 Within correspondence between the agent and case officer, the agent has cited two examples of applications recently approved that they believe to be of a similar nature to the proposals at Rose Cottage. These examples include application No.20/0662 - Demolition of existing house and erection of 1no. dwelling at The Cottage, Lees Hill, Brampton, CA8 2BB and application No.20/0208 - Conversion Of Garage, Workshop, Utility And Store To Form 3 Bedroomed Dwelling Including Raising Of Roof To Provide First Floor Accommodation at Midcroft, Burgh By Sands, Carlisle, CA5 6AX.
- 6.19 Application No.20/0662 was to demolish the existing property and the erection 1no. dwelling. Applications seeking to erect new dwellings would be assessed against the relevant housing policies such as policy HO2 with the Carlisle District Local Plan 2015-2030. The cited application No.20/0208, approved for

the conversion of an existing garage, workshop, utility and store to form 3 bedroomed dwelling, would also be assessed against policy HO2. The proposals at Rose Cottage seek to extend the original dwelling which would be assessed against policy HO8 which relates to house extensions, rather than policy HO2.

- 6.20 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".

- 6.21 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.

- 6.22 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

- 6.23 In overall terms, the proposed rear extension by virtue of its overall scale and relationship with the original dwelling would not appear subservient. The development is therefore contrary to the objectives of criterion 1 of Policy SP6 of the CDLP, criteria 1 and 2 of Policy HO8 of the CDLP, together with the objectives of Carlisle City Council's Supplementary Planning Document 'Achieving Well Designed Housing'.

- 6.24 There have been no highway or biodiversity issues are raised with the application.

- 6.25 It is therefore recommended that the application be refused.

7. Planning History

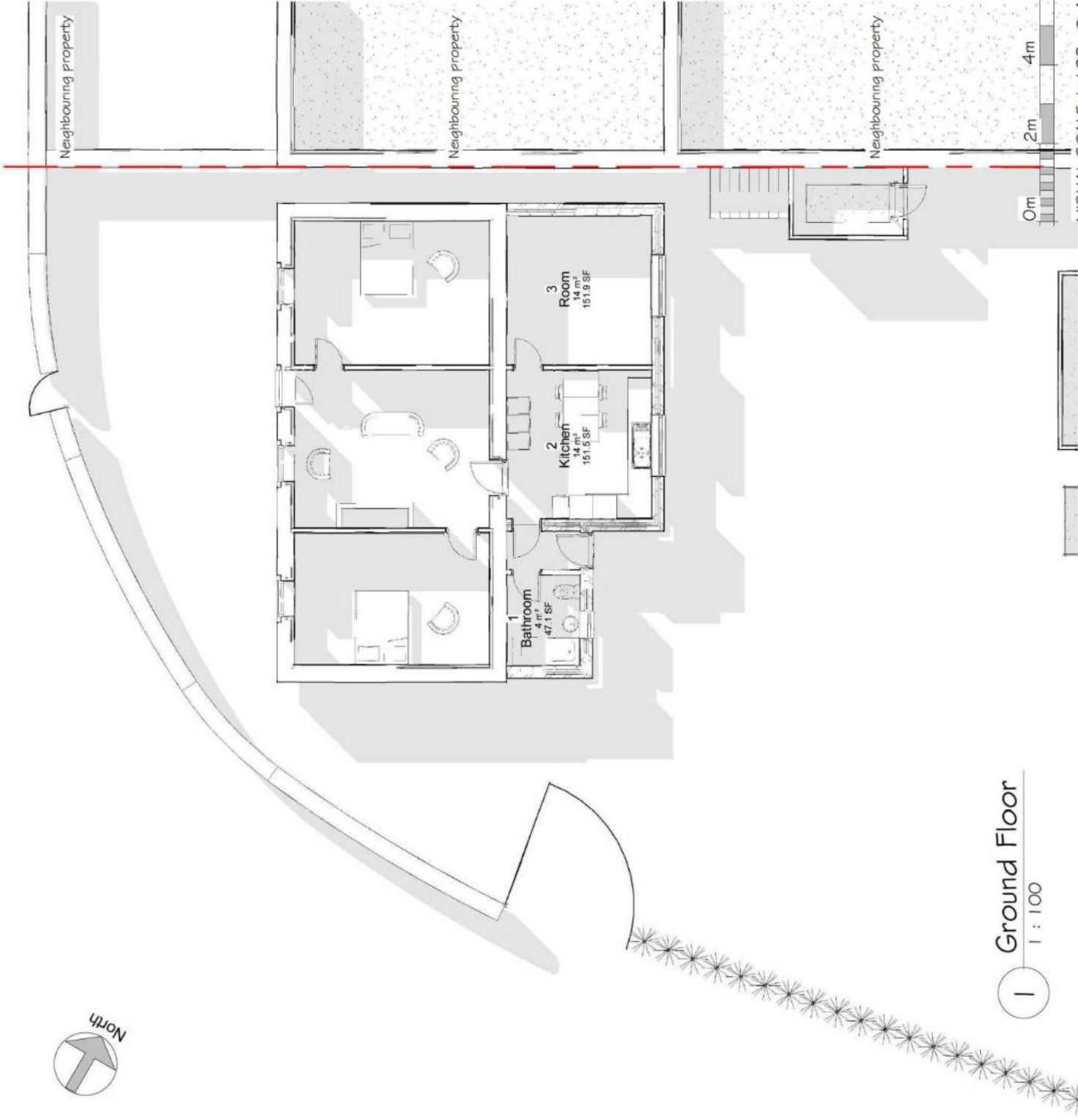
- 7.1 In 2020 planning permission was granted for Proposed Rear Extension To Provide Annexe Accommodation Comprising Living Room & W.C. On Ground Floor With 2no. Bedrooms & 1no. Bathroom Above (Reference No.20/0347).

8. Recommendation: Refuse Permission

1. **Reason:** The proposed extension would dominate the original cottage and would result in an obtrusive development that would be inappropriate to the character of the existing dwelling. With that, the visual and physical dominance of the extension would be overpowering, inappropriate and unacceptable. The proposals would therefore not appear subordinate and would therefore be contrary to the objectives of criterion 1 of Policy SP6 of the Carlisle District Local Plan 2015-2030, criteria 1 and 2 of Policy HO8 of the Carlisle District Local Plan 2015-2030 together with the objectives of Carlisle City Council's Supplementary Planning Document 'Achieving Well Designed Housing'.
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Drawing no.
 A006




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VISUAL SCALE 1:100 @ A3

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Revision

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Id# 2020013 Scale@ A3 1 : 100

Date : Issue Date
 Scale@ A3 : 1 : 100
 Revision :

Drawing Title

Ground Floor
As Existing

Client: Mr J G Waugh & Ms A Waugh
Project:

Rose Cottage
Uppertown, Kirklington
CARLISLE, CA9 6BD

Drawn By George	Version Planning
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Drawing no.
A101

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Notes

Revision	No.	Description	Date
1	1	Initial design	27/11/2020
2	2	Final design	03/12/2020

Issue
03/12/2020 15:02:20

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Job: 2020 013 Scale: A3 1:100
Date: Issue Date Revision: A

Drawing Title
Ground Floor
as Proposed

Client: Mr J G Waugh & Ms A
Project: Waugh

Rose Cottage
Uppertown, Kirklington
CARLISLE, CAG 6BD

Drawn By: George
Version: Planning
Drawing no: E101 A

Neighbouring property

Neighbouring property



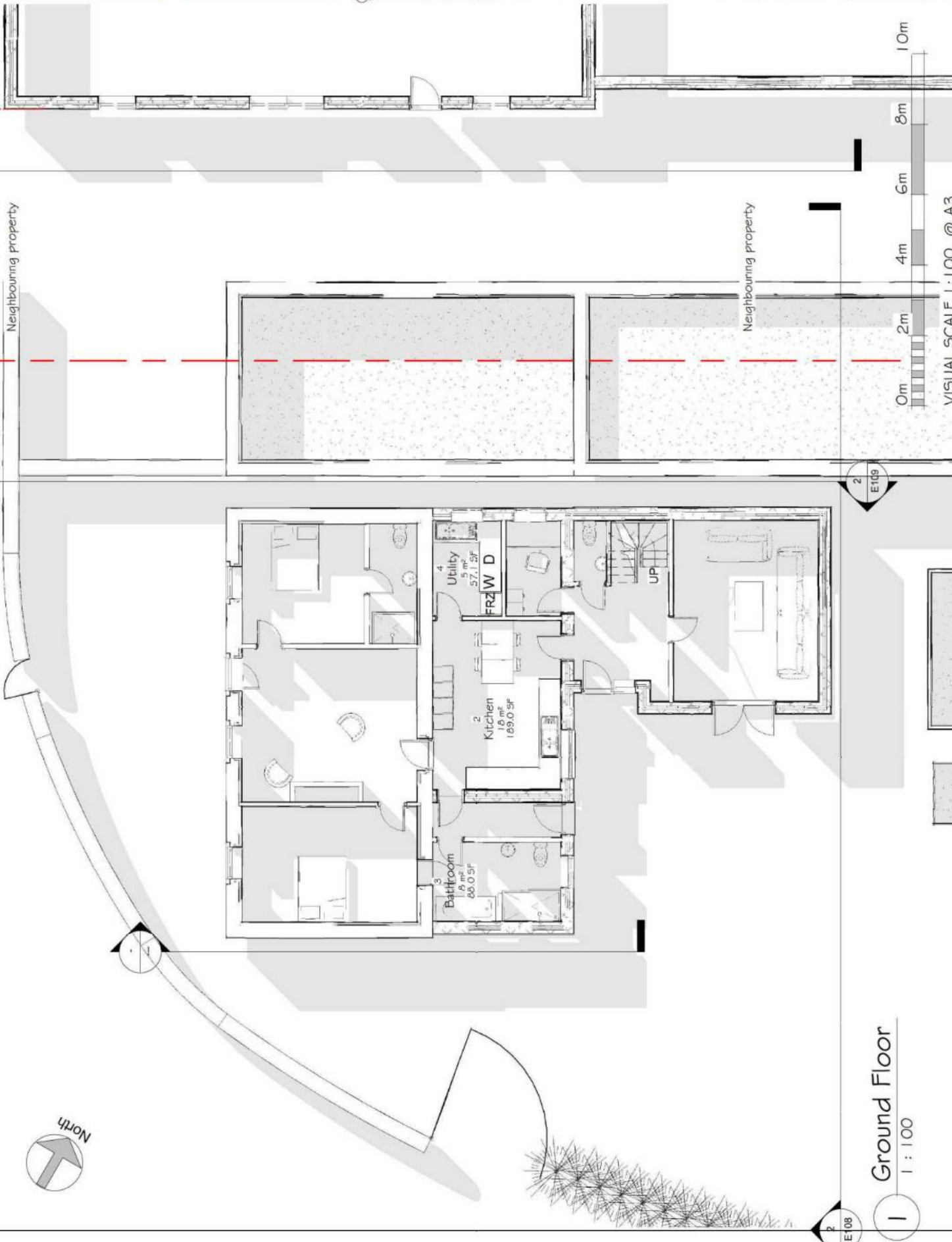
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Ground Floor
1:100

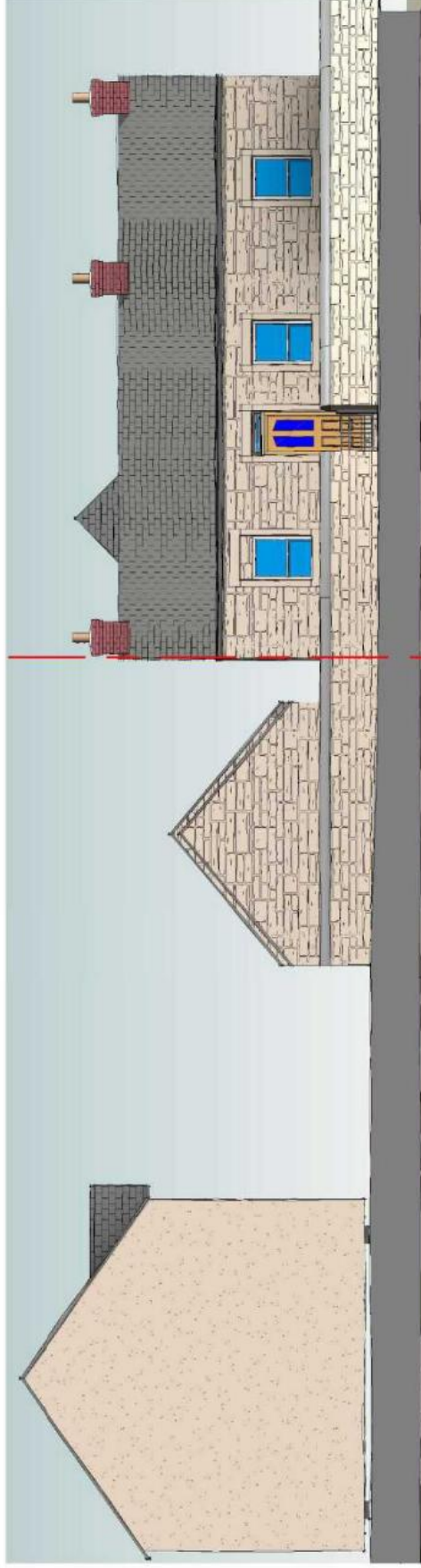
E108

E109



1
First Floor
1 : 100

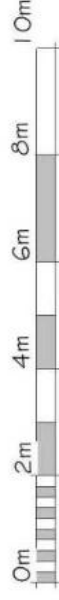
Neighbouring property



1 West (Front Elevation)

1 : 100

Neighbouring property



VISUAL SCALE 1 : 100 @ A3

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Revision

No.	Description	Date
1	Issue	27/11/2000
2	Revised	
3		
4		
5		
6		
7		
8		
9		
10		

Issue

07/04/2021 09:40:26

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Job: 2020 013 Scale: A3 1 : 100

Date: Issue Date Revision: A

Drawing Title

Elevations West
as Proposed

Client: Mr J G Waugh & Ms A
Project: Waugh

Rose Cottage
Uppertown, Kirklington
CARLISLE, CA9 6BD

Drawn By: George
Version: Planning

Drawing no:
E106 A

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Notes

Revision	No.	Description	Date
A	1	Issued for planning	20/07/2020
B	2	Other comments	27/11/2020
C	3	Further floor amendments as client comment	
D	4		
E	5		
F	6		
G	7		
H	8		
I	9		
J	10		
K	11		
L	12		
M	13		
N	14		
O	15		
P	16		
Q	17		
R	18		
S	19		
T	20		
U	21		
V	22		
W	23		
X	24		
Y	25		
Z	26		

Issue 07/04/2021 09:41:19

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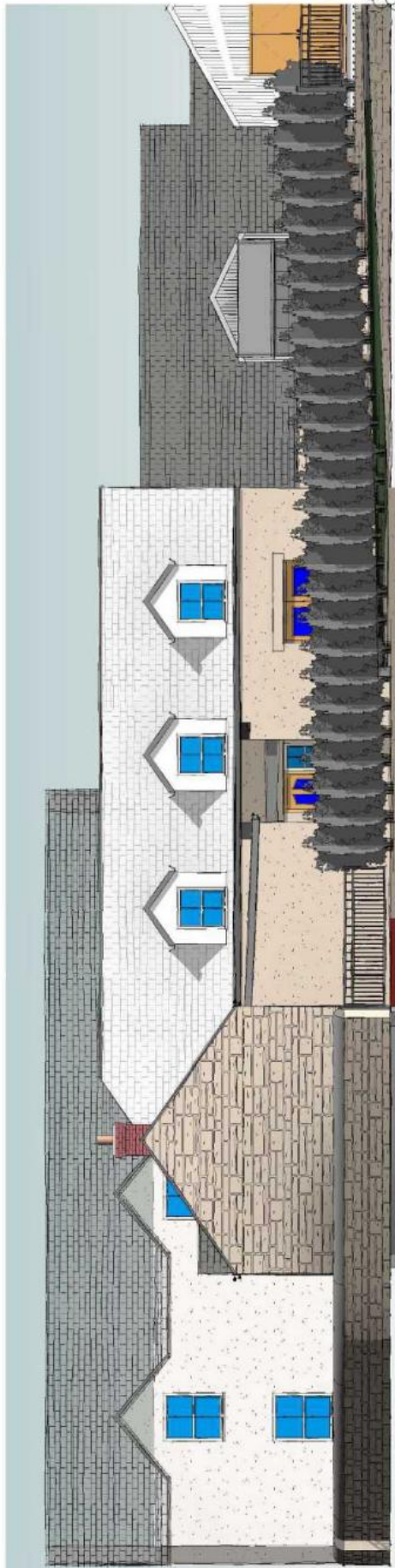
2020 013 Scale: A3 1:100
Date: Issue Date Revision: B

Elevations South
as Proposed

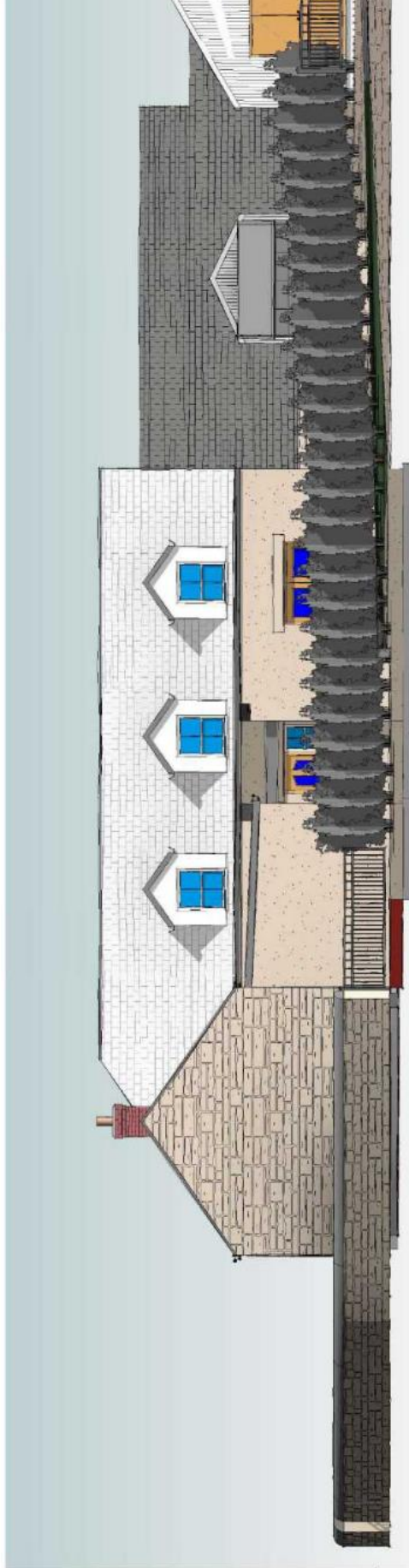
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Project: Waugh

Rose Cottage
Uppertown, Kirklington
CARLISLE, CAG 6BD

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Version: Planning
Drawing no: E107 B



2 South Side Elevation
1:100



1 South Side Elevation (Building behind removed)
1:100



VISUAL SCALE 1:100 @ A3

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Notes

Revision

No.	Description	Date
A	Roof amended further to planning prior comments	20/07/2020
B	Further roof amendments as client comment	27/11/2020

Issue

07/04/2021 09:42:09

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Date : Issue Date Revision : B

Drawing Title

Elevations East
as Proposed

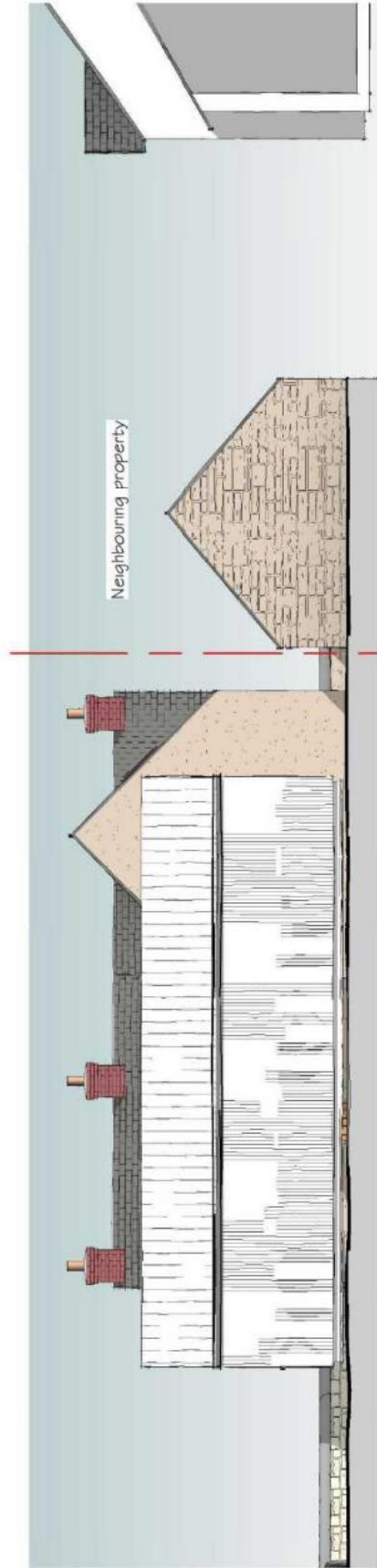
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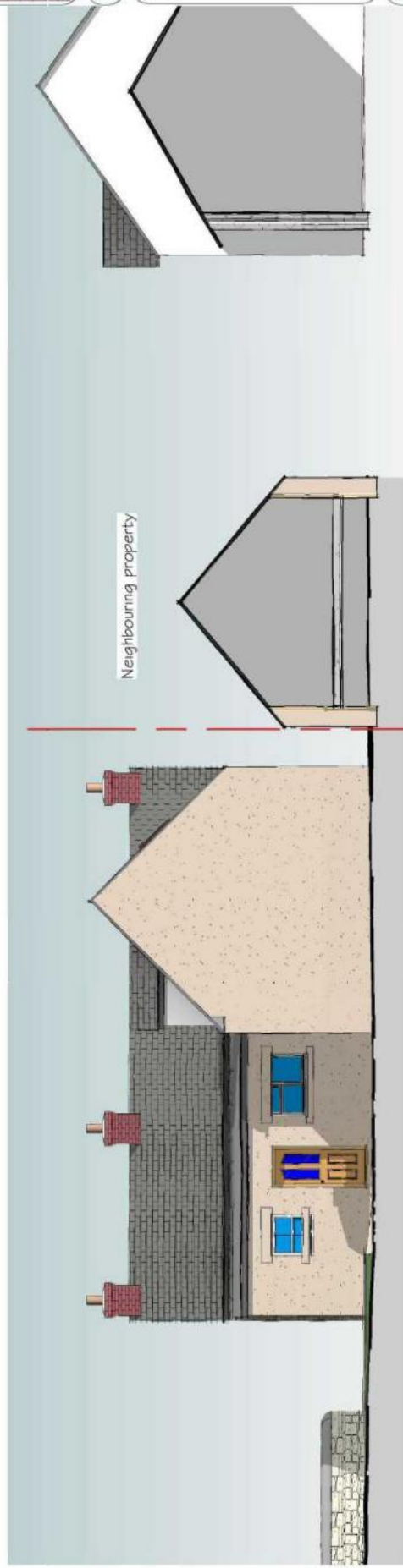
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1 East Rear Elevation

1 : 100

Neighbouring property



2 Section 2 From East

1 : 100

Neighbouring property

