

SCHEDULE A: Applications with Recommendation

20/0695

Item No: 02

Date of Committee: 26/03/2021

Appn Ref No:
20/0695

Applicant:
Mr Nicholson

Parish:
Burgh-by-Sands

Agent:

Ward:
Dalston & Burgh

Location: Sundown Cottage, Burgh by Sands, Carlisle, CA5 6AX

Proposal: Erection Of Detached Annexe

Date of Receipt:
15/10/2020

Statutory Expiry Date
10/12/2020

26 Week Determination
26/03/2021

REPORT

Case Officer: Suzanne Osborne

1. Recommendation

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

2. Main Issues

- 2.1 The principle of development;
- 2.2 Whether the proposal is appropriate to the dwelling and impact upon the existing street scene;
- 2.3 Impact of the proposal on the living conditions of neighbouring residents;
- 2.4 Impact upon Burgh by Sands Conservation Area;
- 2.5 Impact upon the Solway Coast Area of Outstanding Natural Beauty;
- 2.6 Impact upon Hadrian's Wall World Heritage Site;
- 2.7 Highway impacts;
- 2.8 Impact upon trees;
- 2.9 Impact upon biodiversity; and
- 2.10 Other matters.

3. Application Details

The Site

- 3.1 Sundown Cottage is a two storey semi-detached property located on the northern side of the main road leading through Burgh by Sands village. The

property is set back approximately 16.5 metres from the road and sits within a relatively large plot, approximately 1072m² in area. The dwelling is constructed from rendered walls under a slate roof with white UPVC windows. The gable to the west is however clad externally in slate tiling.

3.2 The surroundings to the property are wholly residential with an attached two storey property to the east "Hewitt Cottage" and three bungalows (No.s 1, 4 and 5 Beech Croft) to the west. No.1 Beech Croft is set further forward than the front elevation of Sundown Cottage however No.s 4 and 5 Beech Croft are located perpendicular to the application site with their rear elevations facing towards the garden of Sundown Cottage.

3.3 The site is situated within Burgh by Sands Conservation Area, the Solway Coast Area of Outstanding Natural Beauty and within the buffer zone of Hadrian's Wall World Heritage Site.

Background

3.4 In 2018 Members of the Development Control Committee granted Full Planning Permission for the erection of a two storey rear extension to the property to provide a kitchen/diner on the ground floor with bathroom, bedroom and balcony above together with erection of a detached garage (reference 18/0101). The submitted plans illustrated that an existing single storey conservatory, which wrapped round the north-western corner of the property, was to be demolished to provide the proposed development. An original section of part of the rear elevation was also to be rebuilt.

3.5 The submitted plans for application 18/0101 showed that the proposed extension was to project 6.75 metres from the original rear elevation of the property and be constructed from reclaimed brick work under a slate roof. The balcony was to be of oak frame construction with obscure glazed panels either side.

3.6 The proposed garage was to be set back in the rear garden of the property with a footprint of 37.12m², an eaves height of 2.5 metres and a ridge height of 4.1 metres. The garage was to be constructed from reclaimed brick work under a slate roof with the doors constructed from timber.

3.7 At the time of the officer site visit for the current application the proposed rear extension has been constructed only.

The Proposal

3.8 The application seeks full planning permission for the erection of a detached annexe within the rear garden of Sundown Cottage. The submitted plans illustrate that the annexe will have a total footprint of 46.8m², an eaves height of 3.2 metres and a ridge height of 5.6 metres. The submitted plans illustrate that the accommodation will comprise of a bathroom and kitchen/lounge on the ground floor with a mezzanine bedroom provided above. The annexe will be positioned 5.5 metres from the western boundary

of the site, with the ground level lowered by 0.5m to ensure that the ridge height of the development is lower than the adjacent bungalow at No.5 Beech Croft to the west of the site. The annexe will include no windows on the western boundary with the main elevation orientated north facing towards the agricultural land located beyond the rear boundary of the application site.

- 3.9 The submitted plans illustrate that the host property (Sundown Cottage) and the annexe will share a vehicular access and parking as well as a garden area. The applicant has verbally confirmed that the annexe is to share services with the host dwelling and will be predominately for family members.
- 3.10 Members should be aware that when the application was first submitted the application sought approval for an annexe located 2 metres from the western boundary of the site with a ridge height higher than the neighbouring bungalows to the west. The application details have since been amended to that described in paragraph 3.8 above.

4. Summary of Representations

- 4.1 This application has been advertised by the display of a site notice, press notice and by means of notification letters sent to 5 neighbouring properties. In response to the original consultation one objection was received from the Ward Councillor on behalf of the occupier of a neighbouring property.
- 4.2 The objection is summarised as follows:
1. application is described as an annexe to Sundown Cottage which has already been substantially extended to the rear;
 2. it is assumed the proposal is being considered as back-land development in a residential garden assessed against Policy HO3;
 3. presume close proximity to hedge is to enable a separate access;
 4. sun lounge extension of neighbouring property is not shown on the block plan;
 5. distance of blank wall elevation of the proposed building from sun lounge of neighbouring property is approximately 10-12m;
 6. apex of roof is 5.7m compared to 4.15m of earlier approved garage;
 7. neighbouring properties are bungalows with windows facing onto the proposed building;
 8. concern regarding loss of amenity, light and privacy to neighbouring property;
 9. annexe is described in the dictionary as a 'supplementary building' implying a connection between the two. Block plan shows considerable

development of the site. As a separate dwelling with its own access it suggests that the proposal is a discrete development rather than an annexe;

10. not clear from the block plan how far the driveway is extended to provide an access and turning point suggesting over development of the original property; and

11. request for a site visit by Members.

4.3 Amended plans have been received during consideration of the application repositioning the annexe further into the site (5.5 metres away from the boundary with No.5 Beech Croft opposed to 2 metres), showing the positioning of the conservatory of Beech Croft, lowering the ground level where the annexe is to be located to ensure that the ridge height of the development is lower than the bungalows and showing the positioning of trees on the block plan. A further comment from the Ward Councillor has been received in respect of the amended plans which is summarised as follows:

1. increasing distance from 2 to 5.5 metres from the boundary is more acceptable but would prefer the annexe to be moved in the direction of the main building rather than being in front of the neighbouring conservatory;
2. lowering of height is welcome;
3. no objection to the felling of the tree with pronounced lean and few branches;
4. general observation is that the proposal appears to be a separate dwelling in its own right rather than an annexe which you might normally see attached to a back of a building as such proposal has elements of back land development.

5. Summary of Consultation Responses

Cumbria County Council - (Highways & Lead Local Flood Authority): - no objection. Standing advice received regarding surface water drainage.

Burgh-by-Sands Parish Council: - the Parish has raised the following objections -

1. although this proposed free standing build is approximately on the site of a garage on the original plan (18/010) it would vary the height from a single storey garage to that of a house with a ridge height of 5.6m;
2. the building would 5.5m from adjacent properties of Beech Croft and would overshadow and diminish their natural light. The main living areas and gardens would face this building and result in loss of amenity;
3. the additional drainage would impact on the already overloaded and inadequate mains sewage system of the village with the additional run off

- from this larger building;
4. this new build would allow for independent living as a detached unit from the main dwelling. It is crucial to be clear as to how the annexe may be used should the annexe be commercially let at any time then this must be considered at the planning stage; and
 5. as some digging will be involved and the property is in the World Heritage Site buffer zone - relatively close to Mile castle 72 we would request that Historic England is contacted before any work can commence.

Parish has also raised the following observations:

1. this building would damage the root system of very large trees on to the North of this proposed building. These trees directly face the proposed buildings main windows;
2. very large mature trees face are sited directly to the North of this proposed building as shown on the submitted plan so impeding the view of open fields mentioned in the Statement provided by the Applicant; and
3. as it would be difficult to visualize the scale and position of the proposed building, Burgh Parish Council ask for a site visit.

Historic England - North West Office: - do not wish to offer any comments;

Solway Coast AONB Unit: - no response received;

Cumbria County Council - (Archaeological Services): - results of previous archaeological work at Sundown Cottage and other sites close by indicate that it is unlikely significant archaeological assets will be disturbed by the construction of the proposed development. In such circumstances there is no objections to the application.

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), Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990 (LBA) together with Policies SP6, HO8, HE1, HE7, IP6, CC5, GI2, GI3 and GI6 of the Carlisle District Local Plan (CDLP) 2015-2030. The City Council's Supplementary Planning Documents (SPD) on 'Achieving Well Designed Housing' (AWDH), 'Trees and Development' and 'Burgh by Sands Parish Design Statement' are also material planning considerations in the determination of this application.
- 6.3 The proposal raises the following planning issues:

1. The Principle Of Development

- 6.4 The proposal seeks Full Planning Permission for a detached one bedroom annexe in the rear garden of Sundown Cottage. The applicant has confirmed that the annexe will share services (gas/electric/water etc), parking and a garden area with the host dwelling. The occupation of the annexe will be predominately for family members.
- 6.5 The principle of a detached annexe within the curtilage of an existing residential dwelling is acceptable subject to an appropriate design, no adverse impacts upon neighbouring properties etc. The Council would not want to see the formation of an independent dwelling in this location due to the close proximity of the annexe to the host dwelling and lack of separate garden/car parking spaces. It has been established through previous appeal decisions (such as APP/E0915/A/06/205112 at Park Fauld Farm, Durdar) that restricting the use of a building for purposes ancillary to a residential use of a dwelling is enforceable. As the formation of an annexe, as demonstrated in previous appeal cases, can be controlled by a relevant planning condition, the principle of the proposed annexe is acceptable.

2. Whether The Proposal Is Appropriate To The Dwelling And Impact Upon The Existing Street Scene

- 6.6 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.
- 6.7 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.
- 6.8 In respect of new buildings The Burgh by Sands Parish Design Statement (adopted in 2003) states that there should be a consistent theme and/or style within new development which is related to locality and setting. New development should generally be single or two-storey in height. Building styles and materials should be in keeping with local vernacular and reflect and respect the nearby colours, textures, materials, shapes, styles and proportions of existing traditional buildings and the character of the surrounding area. Where garden walls and outbuildings are present in new development, these should utilise the same materials as the main building. Local distinctive features, such as date-stones, decorative brick work and gate posts, might be used to enhance new buildings.

- 6.9 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.
- 6.10 Sundown Cottage was built in the 1740s and has had various ad-hoc extensions to the rear of the property over the years which are not particularly sympathetic to its original design. The property was granted planning permission in 2018 for the demolition of existing extensions to the property and erection of a two storey rear extension and a detached garage. At the time of the officer site visit for the current application the two storey extension had been constructed and was near completion. The detached garage had not been constructed.
- 6.11 The proposed annexe will replace the previously approved garage and will be sited in the rear garden of the property 5.5 metres from the western boundary of the site. The submitted drawings illustrate that the annexe will provide a lounge/kitchen, bathroom on the ground floor with a mezzanine bedroom above. The annexe will have a total footprint of 46.8m², an eaves height of 3.2 metres and a ridge height of 5.6 metres. It is proposed to lower the ground level by 0.5m to ensure that the ridge height of the annexe is lower than the adjacent Bungalow at No.5 Beech Croft to the west of the site. The annexe will include no windows on the western boundary with the main elevation orientated north facing towards the agricultural land located beyond the rear boundary of the application site.
- 6.12 Given the relatively small footprint of the proposal in relation to the footprint of the existing dwelling and size of the existing curtilage, coupled with the scale of the development, the proposal will appear as a subservient building to the main dwelling commensurate to the size of the existing curtilage. The annexe will be constructed from materials (reclaimed brick walls under a slate roof with UPVC windows and feature stone headers and sills) which will correspond with the existing dwelling and the built form of the surrounding area. Accordingly, the proposal complements the existing dwelling in terms of design and materials to be used. In such circumstances and given the location of the annexe towards the western boundary, set significantly back from the front elevation of the host dwelling, it is not considered that the proposed annexe would dominate the existing dwelling or form a discordant feature within the street scene. The scale and design is therefore considered acceptable.

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

- 6.13 It is acknowledged that the Parish Council and the objector has raised concerns regarding potential overshadowing, loss of light and privacy.
- 6.14 The surroundings to the property are wholly residential with an attached two

storey property to the east "Hewitt Cottage" and three bungalows (No.s 1, 4 and 5 Beech Croft) to the west. No.1 Beech Croft is set further forward than the front elevation of Sundown Cottage however No.s 4 and 5 Beech Croft are located perpendicular to the application site with their rear elevations facing towards the garden of Sundown Cottage.

- 6.15 The City Council's SPD 'Achieving Well Designed Housing' (AWDH SPD) 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.
- 6.16 As the proposed annexe will be sited in the rear garden of Sundown Cottage the development will be off-set from the primary windows of Hewitt Cottage, No.1 Beech Croft and No.4 Beech Croft. In such circumstances the development will be compliant with the separation distances in the Council's AWDH SPD and will not have an adverse impact upon the occupiers of these properties in terms of over dominance, overlooking or loss of light.
- 6.17 It is acknowledged that the proposed annexe will however be located in front of the rear elevation of No.5 Beech Croft which has primary windows on the rear elevation facing towards the annexe. The proposed annexe will be sited 5.5 metres from the western boundary of the site with no windows on the west elevation facing towards No.5 Beech Croft enabling the minimum separation distance of 12 metres to be achieved as outlined in the AWDH SPD. The submitted plans also illustrate that the existing ground level within the application site will be reduced by 0.5 metres resulting in the eaves height of the development being 0.1 of a metre higher than the single storey bungalows to the west and the ridge height being no higher than the adjacent bungalows. In such circumstances and given the positioning of the annexe to the east it is not considered that the proposed development would result in a sufficient loss of light or over dominance to the occupiers of No.5 Beech Croft to warrant refusal of the application on this basis. In order to protect the living conditions of the occupiers of No.5 Beech Croft it is suggested, if Members are minded to approve the application, that a relevant condition is imposed within the decision notice removing permitted development rights for the insertion of any windows on the west elevation facing towards No.5 Beech Croft.
- 6.18 In overall terms given the positioning of residential properties that surround the site in relation to the proposed annexe, together with the scale and design of the proposal, the development would not have an adverse impact upon the living conditions of the occupiers of any neighbouring properties in terms of loss of light, over dominance or over looking.
- 6.19 Given that the annexe directly overlooks the private amenity space to Sundown Cottage itself an appropriate condition has been imposed within the decision notice to ensure that the annexe remains as an annexe in perpetuity to protect the living conditions of the occupiers of the host property.

4. Impact Upon Burgh by Sands Conservation Area

- 6.20 The site is wholly located within Burgh by Sands 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".

- 6.21 The aims of the 1990 Act are reiterated in both the NPPF, PPG and policies within both the adopted Local Plan. Policy HE7 of the Local Plan advises that proposals should preserve or enhance the special character and appearance of the conservation area and its setting. Development should seek to harmonise with their surroundings and be sympathetic to the setting, scale, density and physical characteristics of the conservation area. Policy HE7 also states that proposals should preserve and enhance features which contribute positively to the area's character or appearance, in particular the design, massing and height of the building should closely relate to adjacent buildings and should not have an unacceptable impact on the townscape or landscape. Important views into and out of conservation areas should be protected and a local pallet of materials should be used where ever practicable.
- 6.22 The Council's Heritage Officer has been consulted on the development and has not raised any objections/comments to the proposal.
- 6.23 As stated in paragraphs 6.6-6.12 above the scale and design of the proposed development is appropriate to the site. In such circumstances the development will not have an adverse impact upon the character/appearance of Burgh by Sands Conservation Area.

5. Impact Upon The Solway Coast Area of Outstanding Natural Beauty

- 6.24 Policy GI2 (Areas of Outstanding Natural Beauty) of the CDLP confirms that any development proposals within the AONB must conserve or enhance the natural beauty of the areas. Development proposals must be appropriate to the landscape setting in terms of scale, siting and design.
- 6.25 The Solway Coast AONB has been consulted on the proposal and has not raised any objections during the consultation period. As stated in sections 6.6-6.12 the scale and design of the proposed development is appropriate to the site. In such circumstances the development will not have a detrimental impact on the character/appearance of The Solway Coast Area of Outstanding Natural Beauty.

6. Impact Upon Hadrian's Wall World Heritage Site

- 6.26 The site is situated within the buffer zone of Hadrian's Wall World Heritage Site. Policy HE1 (Hadrian's Wall World Heritage Site) of the CDLP seeks to ensure that development within the buffer zone does not have an adverse impact upon key views both into and out of it. Development that would result in substantial harm will be refused.

- 6.27 Historic England has been consulted on the application and has confirmed that the proposal would not impact directly on any archaeological remains from the World Heritage Site. This is because previous archaeological work undertaken at Sundown Cottage indicates that it is unlikely that significant archaeological deposits would be disturbed by this proposed development.
- 6.28 Historic England has also confirmed that although the proposed development would be visible from the Wall, considering both the location and scale of the development as well as the likely functioning of the Frontier, it would not harm the understanding and appreciation of Roman military planning and land use.
- 6.29 The Historic Environment Officer for Cumbria County Council has also been consulted on the development and has confirmed due to the results of previous archaeological work at Sundown Cottage and other sites close by it is unlikely that significant archaeological assets will be disturbed by the construction of the proposed development.
- 6.30 Given that both statutory consultees raise no objection to the application it is not considered that the proposal would have an adverse impact upon the buffer zone of Hadrian's Wall World Heritage Site or any archaeological assets.

7. Highway Impacts

- 6.31 The annexe will result in one additional bedroom within the curtilage of Sundown Cottage. The property has a large driveway which can accommodate a significant number of incurtilage parking spaces. In such circumstances there will be no adverse impact upon existing highway conditions as a result of the proposal. The relevant Highway Authority has been consulted on the development and has raised no objections.

8. Impact Upon Trees

- 6.32 Policy GI6 of the Local Plan seeks 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. This aim is further reiterated in Policy SP6 which requires all developments to take into account important landscape features and ensure the enhancement and retention of existing hedges/trees.
- 6.33 Furthermore, the City Council's Supplementary Planning Document (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.

- 6.34 There are two existing sycamore trees along the rear boundary of the application site. The application is accompanied by a tree survey which suggests the felling of the sycamore tree in the north-western corner of the site as it exhibits poor crown form and is being suppressed by ivy and nearby trees. The arboriculturist recommends the felling of the tree for reasons of sound arboricultural practice as the tree will continue to be dominated and shaded out. The remaining sycamore tree is deemed to be in healthy and sound condition with no outward sign of any significant defects or decay.
- 6.35 The submitted block plan shows that the proposed garden annexe will result in 1% incursion into the root protection area (RPA) of the retained tree. In order to protect the roots of the tree the arboriculturist recommends that ground works undertaken in the RPA should be undertaken by hand with the tree protected by appropriate fencing during the construction period. Subject to the imposition of a relevant condition ensuring adherence to the suggested proposed construction and mitigation techniques it is not considered that the development will have an adverse impact upon the sycamore tree that is to remain on site. Accordingly there is no policy conflict.

9. Impact Upon Biodiversity

- 6.36 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. However, 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.

10. Other Matters

- 6.37 The submitted Design and Access Statement confirms that foul and surface water from the development will be tied into the system built for the rear house extension. The Parish Council has raised concerns that the increase in foul water from the development will further burden a system that is overloaded and inadequate. United Utilities has not made any representations in respect of capacity of their system during the consultation period therefore it is presumed they have no concerns. The Lead Local Flood Authority has confirmed that they no longer comment on the drainage associated with minor applications as this is picked up by Building Control. Given the specific concerns raised by the Parish Council a relevant condition has been imposed within the decision notice ensuring that surface water drainage details, in accordance with the hierarchy of drainage options in the NPPF are submitted and approved in writing before commencement of any development. Given that there is no objection from the relevant statutory consultees the application is not in conflict with the relevant drainage policies of the CDLP.

6.38 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".

6.39 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.

6.40 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

6.41 To conclude given the relatively small footprint of the proposal in relation to the footprint of the existing dwelling and size of the existing curtilage coupled with the scale of the development the proposal will appear as a subservient building to the main dwelling commensurate to the size of the existing curtilage. The proposal complements the existing dwelling in terms of design and materials to be used and given its location towards the western boundary, set significantly back from the front elevation of the host dwelling it is not considered that the proposed annexe would dominate the existing dwelling or form a discordant feature within the existing street scene. The scale and design are therefore considered acceptable and the proposal will not have an adverse impact upon the setting of Burgh by Sands Conservation Area, the Solway Coast Area of Outstanding Natural Beauty or Hadrian's Wall World Heritage Site.

6.42 Subject to the imposition of relevant planning conditions the proposal will not have an adverse impact upon the living conditions of the occupiers of any residential properties, existing drainage conditions or trees. The proposal will also not have a detrimental impact upon highway safety as there are sufficient parking spaces within the existing curtilage of the property. Furthermore, given the scale and design of the proposal there would be no adverse impact upon biodiversity. Overall, the proposal is compliant with the objectives of the relevant Development Plan Policies and approval is recommended.

7. Planning History

- 7.1 In 2018 Planning Permission was granted for the erection of a two storey rear extension to provide kitchen/diner on ground floor with bathroom, bedroom and balcony above together with erection of detached garage (reference 18/0101);
- 7.2 In 2020 a Non Material Amendment application was granted for a non material amendment of previously approved permission 18/0101 for the installation of 3no.conservatory velux windows in west facing roof (reference 20/0195).

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 14th October 2020;
 2. the site location plan received 14th October 2020;
 3. the proposed block plan received 16th February 2021 (Titled Proposed Block Plan Revised);
 4. the proposed floor plans received 16th February 2021 (Drawing No.20P/SC/001 Rev B);
 5. the proposed elevations and section received 16th February 2021 (Drawing No.20P/SC/002 Rev B);
 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.
3. The development hereby approved shall be occupied only in direct connection with the dwelling known as Sundown Cottage by dependant relatives of the occupiers of the principal dwelling, and shall at no time be sold off, let, occupied or otherwise disposed of in such a way that it becomes

a separate unit of residential accommodation.

Reason: To accord with Policy HO8 of the Carlisle District Local Plan 2015-2030, insofar as the development is permitted on the basis that it is to be occupied as ancillary accommodation to Sundown Cottage.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and/or re-enacting that Order) no windows shall at any time be placed in the west elevation of the annexe hereby permitted without the grant of a separate planning permission from the local planning authority.

Reason: To safeguard the amenities of the adjoining premises from overlooking and loss of privacy, to accord with Policies SP6 and HO8 of the Carlisle District Local Plan 2015-2030.

5. Prior to the commencement of any development, 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 sewage system with directly or indirectly.

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.

6. The development hereby approved shall be undertaken wholly in accordance with the Root Protection Mitigation Recommendations outlined in the Scheme of Root Protection produced by NICOL Landscapes Ltd Dated February 2021 received on 16th February 2021.

Reason: To protect retained trees during development works in accordance with Policy GI6 of the Carlisle District Local Plan 2015-2030.

7. Notwithstanding any description of materials in the application, the external walling and roofing materials to be used in the building works hereby

permitted shall be identical to those in the existing building.

Reason: For the avoidance of doubt, and to ensure that materials to be used are acceptable visually and harmonise with existing development, in accordance with Policies SP6 and HO8 of the Carlisle District Local Plan 2015-2030.

Sundown Cottage, Road Leading From Drumburgh To Monkhill Via Burgh-by-sands, Burgh By Sands, Cumbria, CA5 6AX



Site Plan shows area bounded by: 332114.84, 558937.11 332314.84, 559137.11 (at a scale of 1:1250), OSGridRef: NY32215903. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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WEST END

FENCE / BUSHES

SYCAMORE TREES

WALL

REAR GARDEN

FENCE

RAISED
POND

No. 4

No. 5

HEWITT
COTTAGE

SUNDOWN COTTAGE

MERSCEN

STONELEATH

HOLLY TREE
7m HIGH

PATH

FRONT GARDEN

DRIVEWAY

No. 1

No. 2

No. 3

GATE

WALL

GATE

MAIN ROAD

EXISTING BLOCK PLAN

SUNDOWN COTTAGE,
BURGH BY SANDS,
CA5 6AX

SCALE 1:250

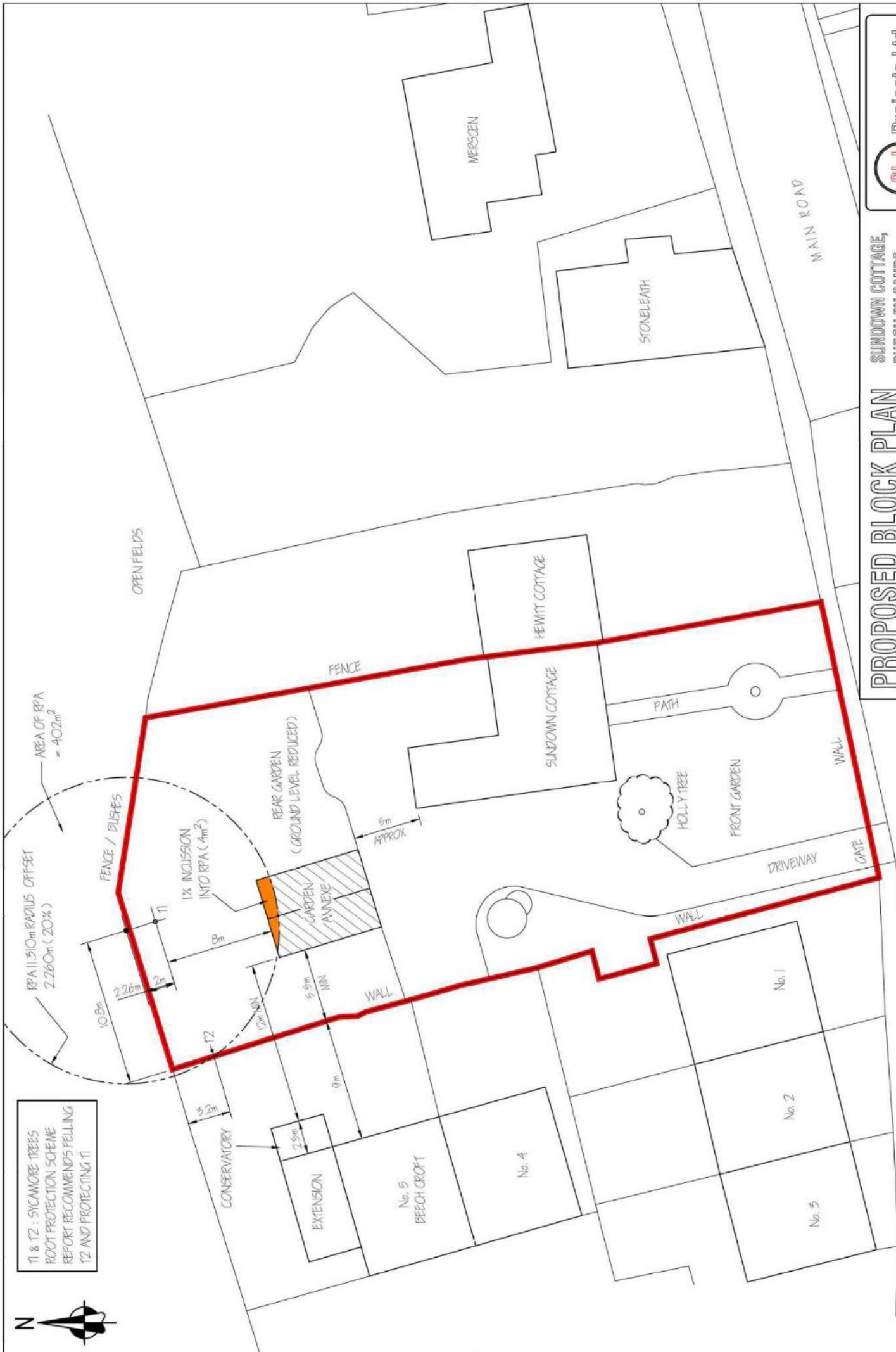


Projects Ltd

(DO NOT SCALE)



T1 & T2 : SYCAMORE TREES
ROOT PROTECTION SCHEME
REPORT RECOMMENDS FELLING
T2 AND PROTECTING T1



PROPOSED BLOCK PLAN

(REVISED)

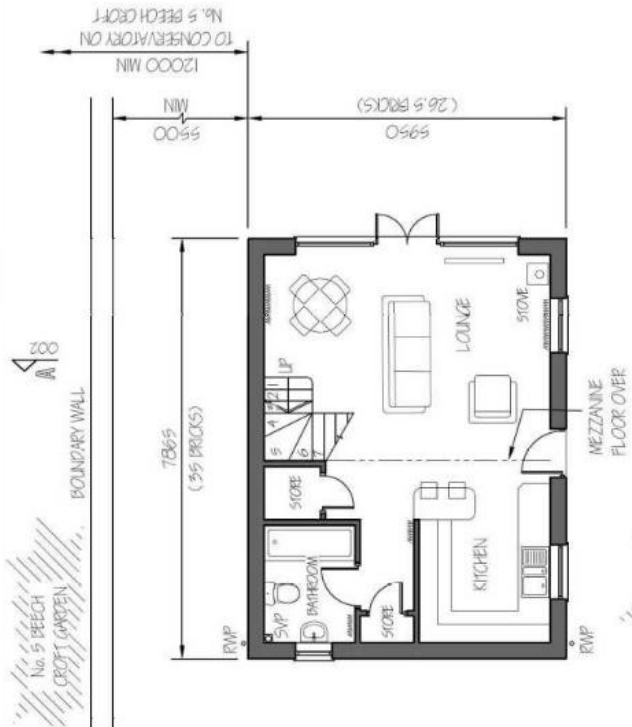
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SUNDOWN COTTAGE,
BURGH BY SANDS,
CA5 6AX

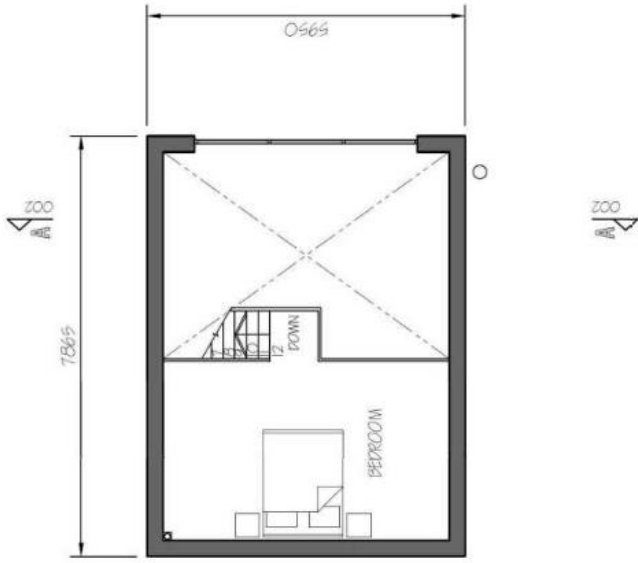


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(DO NOT SCALE)

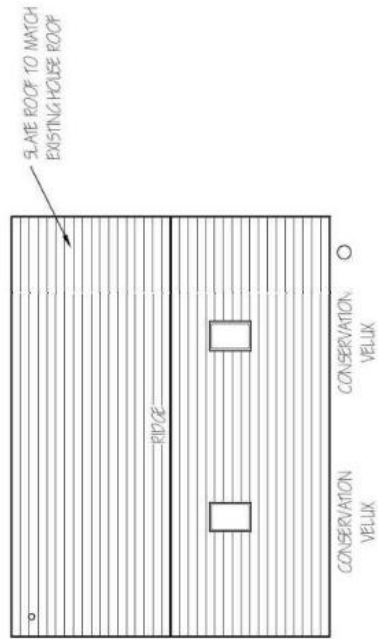


PROPOSED GROUND FLOOR PLAN



PROPOSED MEZZANINE FLOOR PLAN

A 8



PROPOSED ROOF PLAN

B	06.11.20	REVISED TO SUIT LOCAL AUTHORITY	SDW
A	14.10.20	ISSUED TO LOCAL AUTHORITY	SDW
Rev.	Date	Amendments	By

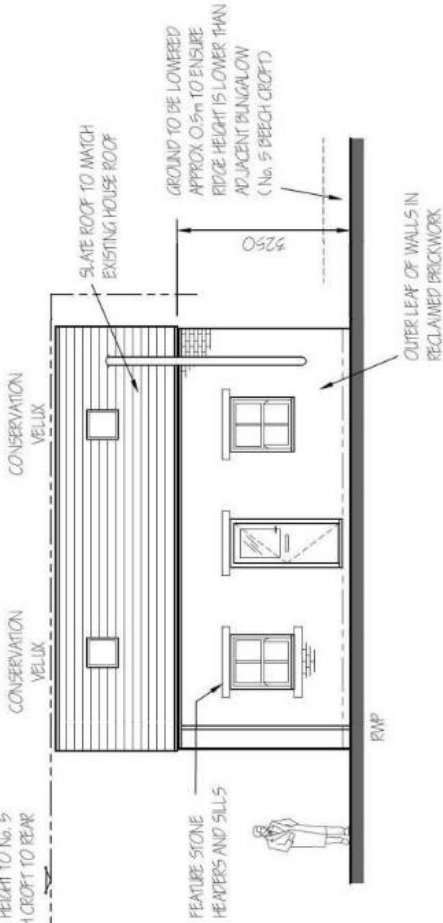
SLJ Projects Ltd

35 Barrington Meadows,
Bishop Auckland,
DL14 6NT

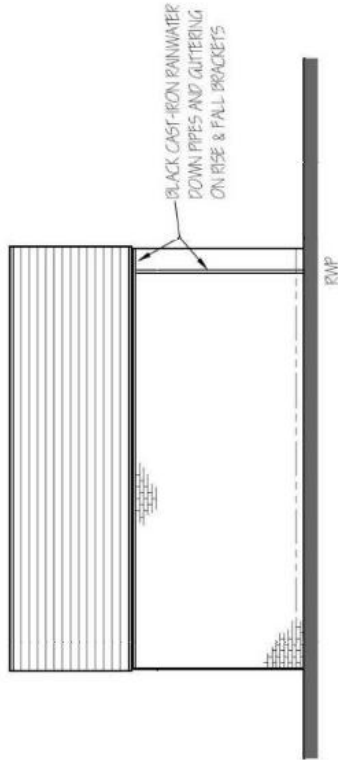
Client:	Mr. JONATHAN NICHOLSON		
Project:	PROPOSED GARDEN ANNEXE TO SUNDOWN COTTAGE, BURGESS SANDS, CAS BAY		
Drawing Title:	PROPOSED PLANS		
Scale at A3:	1:100	Drawn By:	SDW
Date:	OCT 2020	Status:	
Dwg No:	20P/SC/001	Rev:	8



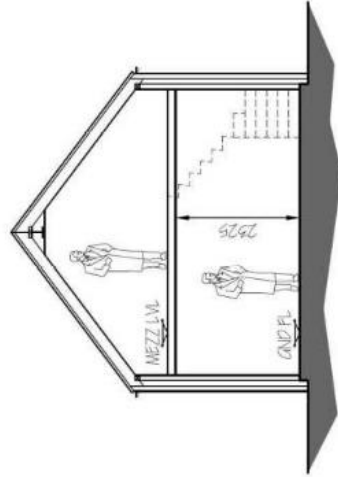
RIDGE HEIGHT TO NO. 5
BEECH CROFT TO REAR



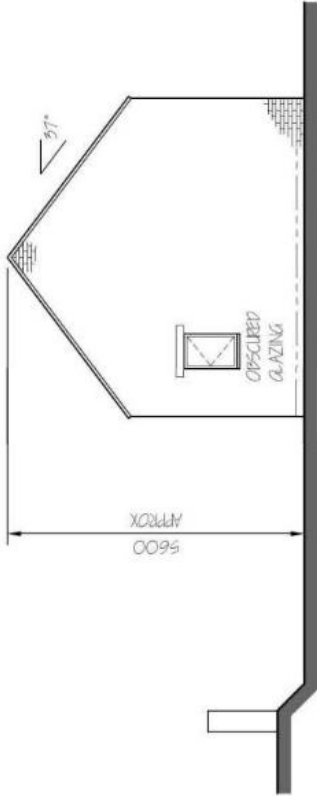
PROPOSED EAST ELEVATION



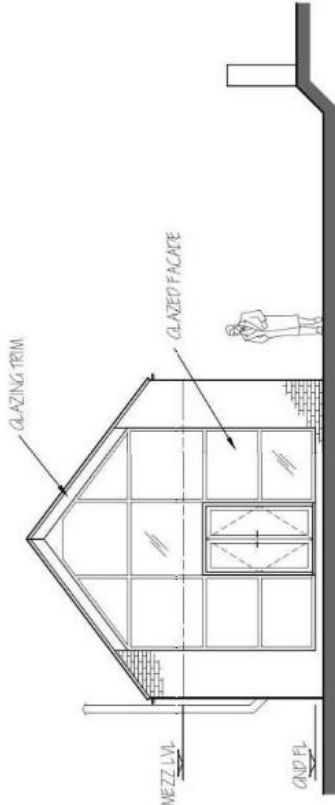
PROPOSED WEST ELEVATION



PROPOSED SECTION A-A



PROPOSED SOUTH ELEVATION



PROPOSED NORTH ELEVATION

Rev.	Date	Amendments	By
B	06.11.20	REVISED TO SUIT LOCAL AUTHORITY	SDW
A	14.10.20	ISSUED TO LOCAL AUTHORITY	SDW

SLJ Projects Ltd 35 Barrington Meadows,
Bishop Auckland,
DL14 6NT

Client:	MR. JONATHAN NICHOLSON
Project:	PROPOSED GARDEN ANNEXE TO SUNDOWN COTTAGE, BURGH BY SANDS, CWS GAX
Drawing Title:	PROPOSED ELEVATIONS & SECTION
Scale at A3:	1:100
Drawn By:	SDW
Date:	OCT 2020
Status:	
Dwg No:	20P/SC/002
Rev:	8

