

# Cumberland Council

## Delegated Planning Application

**Reference No:** FUL/2024/0179

**Valid Date:** 8 October 2024

**Location:** 53, Syke Road, Wigton, CA7 9LT

**Applicant:** Mr. & Mrs. P. Dobson

**Proposed:** Demolition of existing bungalow and erection of replacement two storey dwelling.

**Recommendation:** Granted with Conditions

### Site Description

The site relates to a single storey bungalow with existing parking to the side and a private garden to the front and rear. Two storey residential properties lie immediately to the west and with bungalows to the east and opposite.

### Site History

N/A

### Proposal

The application seeks planning permission for the demolition of the existing bungalow and the erection of a replacement two storey dwelling.

### Consultation Responses

### Wigton Town Council

No reply to date.

## **Highways / LLFA**

No objections subject to a condition requiring a Construction Traffic Management Plan be submitted.

## **Environmental Health**

No objections subject to conditions requiring a desk top study to be undertaken and Construction and Demolition Method Statement..

## **Historic Environment Officer**

The building is recorded prior to demolition. This recording should be in accordance with a Level 1 Survey as described by Historic England in Understanding Historic Buildings A Guide to Good Recording Practice.

## **Ecologist**

BNG required due to red line area.

The application has been advertised by site notice and neighbour letter. No third party representations have been received to date.

## **Duties**

Does the site affect the setting of a listed building?

No

Is the site within a designated conservation area?

No

Is the development likely to have a significant effect upon a Natura 2000 designation?

No

## **Environmental Impact Assessment**

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017

- The development is neither within Schedule 1 nor 2 and, as such, is not EIA development.

## **Development Plan Policies**

### **Allerdale Local Plan Part 1 (2014)**

Policy S1 Presumption in Favour of Sustainable Development

Policy S2 Sustainable Development Principles

Policy S3 Spatial Strategy and Growth

Policy S4 Design Principles

Policy S5 Development Principles

Policy S6 Area based

Policy S7 A Mixed and Balanced Housing Market

Policy S27 Heritage Assets

Policy S29 Flood Risk and Surface Water Drainage

Policy S30 Reuse of Land

Policy S32 Safeguarding Amenity

Policy DM14 Standards of Good Design

## **Allerdale Local Plan Part 2 (2020)**

Policy SA2 Settlement Boundaries

### **Other Material Considerations**

National Planning Policy Framework (NPPF) 2024

### **Weighting**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise. This means that the Allerdale Local Plan (Part 1) 2014 and the Allerdale Local Plan (Part 2) 2020 policies have primacy.

### **Assessment**

#### **Principle**

Policy S3 sets out the framework for development across the plan area. It defines the settlement hierarchy, which sets out the role of settlements, including the form and scale of development that would be expected within the towns and villages and what is acceptable in the open countryside. The application site is within the defined settlement limit of Wigton, which is a designated Key Service Centre predicted to receive 10% growth across the plan area. The proposal of one replacement dwelling is therefore acceptable in principle and complies with both local and national planning policy.

#### **Layout and Appearance**

A detached bungalow presently occupies the site. The proposal seeks to demolish the bungalow and erect a replacement two storey 3 bed dwelling, providing accommodation over two floors consisting of entrance porch, open plan kitchen and lounge, utility and en-suite bedroom on the ground floor, and two bedrooms (one en-suite), bathroom and

storage room at first floor. The proposed replacement dwelling is to be sited on a similar footprint to the existing, with parking spaces to the side, and both front and rear gardens retained. The dwelling will be completed in render, with Anthracite grey UPVC windows, under a tiled roof. The site is surrounded by a mixture of house types with single storey dwellings to the east and two storey dwellings to the west. Following advice from officers, the design of the proposed dwelling was amended to remove the two storey projecting element to its frontage. A sectional drawing was also provided to demonstrate the height of the dwelling in relation to the neighbouring properties. The proposal, as amended, relates well to the street scene, both in terms of its scale and design and is therefore considered to be an acceptable form of development for the locality.

## **Residential Amenity**

The proposal replaces an existing dwelling on the site with the direct neighbouring property to the east being a detached bungalow, and a two storey end link house to the west. Whilst both of these properties have one window in their gable elevations, the windows situated in the first floor gables of the proposal both serve bedrooms, therefore given the proposed use of these rooms, the first floor fenestrations are considered acceptable and will not result in any unacceptable adverse affects upon the residential amenity of neighbouring properties. The submitted sectional drawing demonstrating the height of the proposal in relation to the adjacent bungalow also demonstrates the dwelling will not be overbearing. In addition to this, an existing garage situated to the east of the site creates an adequate separation distance between the proposal and the dwelling to its east. The proposal is therefore considered acceptable in terms of residential amenity and accords with policy S32.

## **Highways**

The site is currently accessed from Syke Road and this existing access will be utilised for the development, as will the existing car parking arrangement to the side of the property for 3 vehicles. The proposal is considered acceptable in terms of highway safety and will not result in any detriment to users of the highway. Highway officers have recommended a condition be imposed regarding construction traffic, and EH recommended a construction and demolition method statement. However, given the development being for only one dwelling, with no alterations to the existing access, this is not considered reasonable, neither is it consistent with conditions imposed on similar applications. Officers therefore advise that this condition is not imposed.

## **Contamination**

Environmental Health have recommended standard land contamination conditions are imposed. Due to the residential nature of the area, and the existence of the dwelling on

site, these are considered onerous and unreasonable. Therefore only the condition regarding unexpected contamination is recommended to be imposed.

## **Heritage**

The response from the Historic Environment officer advises the existing dwelling is of local architectural and historic importance due to it being the former gate lodge to Highmoor House which dates back to 1810. Due to this, a condition requiring the building is recorded prior to demolition is recommended. This is considered reasonable and can be secured by condition.

## **Biodiversity Net Gain**

The Council's Ecologist advises the proposal triggers BNG due to the red line area. However, the updated PPG guidance details that a development which marginally impacts on a garden habitat, (the footprint of the dwelling is considered sealed surface and exempt from BNG, the area of the garden to be developed is less than 25sqm and therefore is also exempt), would not require BNG to be provided, which is the case with this application.

## **Drainage**

The replacement dwelling will be connected to main drainage for both foul and surface water disposal, as per the existing arrangement. Due to the built up nature of the area, this is considered acceptable in terms of surface water discharge and the submitted surface water drainage assessment demonstrates that the hierarchy has been followed.

## **Balance and Conclusions**

The proposal is considered acceptable and complies with local and national planning policy.

## **Conditions / Reasons for Refusal**

1

**The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

Reason: In order to comply with Section 91 of the Town and Country Planning Act 1990.

2

**The development hereby permitted shall be carried out solely in accordance with the following plans:**

**Dwg No. B 1 - Proposed site location and block plan - amended plan received 17.12.24**

**Dwg No. D 01 - Proposed Elevations - amended plan received 17.12.24**

**Dwg No. D 02 - Proposed Floor Plans - amended plan received 17.12.24**

Reason: In order to ensure that the development is carried out in complete accordance with the approved plans and any material and non-material alterations to the scheme are properly considered.

3

**The dwelling/land use hereby approved shall not be occupied until the vehicular access, parking and turning requirements have been constructed in accordance with the approved plan and have been brought into use. The vehicular access, parking and 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, parking and turning provision when the development is brought into use.

4

**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 immediately to the Local Planning Authority. Development on the part of the site affected must be halted and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These shall be implemented prior to the development (or relevant phase of development) being brought into use. All works shall be undertaken in accordance with current UK guidance, particularly CLR11.**

Reason: To minimise any risk arising from any possible contamination from the development to the local environment in compliance with the National Planning Policy Framework and Policy S30 of the Allerdale Local Plan (Part 1), Adopted July 2014.

5

**Prior to the carrying out of any demolition work the existing building affected by the proposed development shall be recorded in accordance with a Level 1 Survey as described by Historic England's document Understanding Historic Buildings A Guide to Good Recording Practice, 2016. Within 2 months of the commencement of construction works a digital copy of the resultant Level 1 Survey report shall be furnished to the Local Planning Authority.**

Reason: to ensure that a permanent record is made of the building of architectural and historical interest prior to its demolition as part of the proposed development.

**Pro-active Statement / Notes to Applicant**

## **Application Approved Following Revisions**

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against, primarily, the development plan policies, any duties applicable and also all material considerations, including Local Plan policy, the National Planning Policy Framework and any stakeholder representations that may have been received. In this context, having identified matters of concern with the application as originally submitted and, if applicable, following negotiations with the applicant, acceptable amendments and solutions to the proposal have been received. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal.