

RECOMMENDATION FOR APPROVAL

07/0098

05.2.07

Mr and Mrs Parkinson

West Grange, Cadger
Bank, Lanchester

Erection of one dwelling
(resubmission)

Lanchester Ward

The Application

1. This application seeks planning permission to erect one 2 storey dwelling within the rear garden of the residential property of West Grange, located on Cadger Bank in Lanchester. The application site is located within the Lanchester Conservation Area and is 0.2 hectares in size. The property consists of a large detached stone built dwelling with attached garage to the western side, parking area to the northern side and existing outbuilding to the north eastern side. There are large surrounding gardens to the south, east and west. A dry stone wall of 1m in height forms the southern boundary with the houses located on Humberhill Drive.
2. The proposed dwelling would be situated to the north eastern corner of the existing garden, which is triangular in shape. The area is currently lawned and set to the east of existing outbuildings. It is separated from the rear of the house by a stone retaining wall. There are a number of substantial mature trees to the periphery of the garden, both inside and outside of the site.
3. The proposed dwelling would face westwards towards the existing property and be 17m in width. It would be 17m in length at the longest point (a proposed rear offshoot) and 13.6m in length closest to the dwellings at Humberhill Drive. It would have a pitched roof with gable ends and be 8.3m in height at ridge and 5.2m at eaves. Design features include two gable features and bay windows to the front elevation and dormer windows comprising the 2nd floor, to the rear elevation.
4. There are currently two vehicular accesses to the property from Cadger Bank and it is proposed that the 1st entrance directly to the north of the existing property, adjacent the existing outbuilding would be utilised. This extends onto a gravelled driveway and concrete hardstanding area to the south of the existing outbuilding. In order that this access may be used safely alterations and widening are necessary. This would involve the removal of fencing, a small amount of hedge and embankment on the

northeastern side of the access point. The drive would be regraded to form level access with the road and a 1.5 high random rubble wall constructed to form the roadside boundary. There would be a paved parking area to the front of the property and garden area to the north, west and south of the proposed dwelling. The existing property would continue to use the entrance and gravelled driveway further up the hill to the north west of the property.

History

5. In 1994 (reference: 1/1994/1529/DM) the owner of West Grange submitted a Section 211 Notice requesting consent to prune and fell trees in the Conservation Area. No objections were made to this proposal.
6. In 2001 (reference 1/2001/509/DM) planning permission was granted allowing the erection of a garage with playroom and a conservatory extension to the existing dwelling. Also in 2001 a further Section 211 Notice (reference 1/2001/694/DM) was submitted requesting consent to crown lift three trees and remove three trees. No objections were made to this proposal.
7. In 2003 outline planning permission was refused (reference 1/2003/0550/DM) to convert and alter an existing outbuilding to create 2 holiday homes and to erect two dwellings due to the unjustified loss of several mature trees at the point where the new vehicular access was proposed, that were particularly attractive and contributed greatly to the character and appearance of the Lanchester Conservation Area. Permission was though granted for the felling of two other trees and general pruning works (reference 1/2003/0969/DM).
8. In 2006 an application for the erection of one dwelling and associated outbuildings to provide a garage and two annexes and the demolition of the existing outbuildings and kennels was withdrawn (reference 1/2006/0092/DM) due to concerns regarding visibility from the proposed access, loss of the existing outbuilding, design of the proposed outbuildings, lack of information regarding the potential impact on trees. A conservation area consent application was also withdrawn to demolish the outbuilding and kennel (reference 1/2006/0099/DM). Permission was though granted for the felling of a conifer tree (reference 1/2006/0562/DM).
9. In February this year permission was granted to fell one Sycamore and prune one sycamore within the garden area (reference 1/2006/1048/DM).

Policy

The following policies of the adopted Local Plan are relevant in determining this application:

10. General Development Principles (GDP1)
Development on small sites (HO5)
Trees and development (EN11)
Development within Conservation Areas (EN13)
Materials in Conservation Areas (EN15)
Development and Highway Safety (TR2)
Protection of Sites and Settings of Ancient Monuments and Archeological Features (EN19)

The Layout of New Housing (SPG7)

The Lanchester Village Design Statement.

Consultations

11. County Council (Highways) – Initial comments: The junction access sight visibility with the B6296 is presently inferior to that of the previous application (reference 1/2006/0092/DM).
12. County Council (Design and Conservation)- In Lanchester Conservation Area. West Grange is a stone and slate house built in the second half of the C19 as the Vicarage. It is a large house set in large grounds. The Village Design Statement refers to it being built in 1851, states that development at the south end of the village is contained within the trees at the former vicarage and that Cadger Bank including the gardens of the old houses on either side is a wildlife corridor within the village. I objected to the previous outline application as follows: “Refuse. The proposed demolition of the traditional outbuilding would remove an historic building with a presence in the public realm. The proposed garage and annex would be poorly detailed and would not sit well within the natural contours of the site and the access and hard landscaping would have a harmful impact on the appearance of the roadside verge. The cumulative effect of the proposed changes would have a negative impact on the character and appearance of the Lanchester conservation area”. This application has addressed most of my concerns, the outbuilding would not be demolished and the garage and annex have been removed from the scheme. I cannot assess the impact of the access on the roadside verge and would like some more detail. With regard to the building I raised no objections previously. The site does naturally divide into 2 and there is sufficient

space for the layout to still read as large houses in large plots. The proposed house would also be located within a mature landscape setting and would not be highly visible in the public realm. The design is satisfactory. It is well proportioned and with some interesting detail. I note the use of dormer windows. I consider that they allow the ridge to be at a lower height, that they are complimentary to the gables and in sympathy with the style of the house. I also consider that the scale of the proposed dwelling is right for the size and character of the plot. I consider that the building should be constructed in stone with a slate roof. Details of the access should be provided to show its appearance and if acceptable approve with conditions. The finished appearance of the windows to be agreed. Samples of all materials to be agreed and for stone a sample panel to be agreed. Appearance of the access to be agreed.

13. County Council (Landscape Section) – views awaited.
14. County Council (Archaeology)- A previous application was submitted in May 2003 (1/03/0550), which we commented on. The same comments still apply with regards to the need to ensure that the archaeological potential of the site is assessed by means of an evaluation. West Grange is 250m east of Lanchester Roman Fort (SMR 1850) a Scheduled Ancient Monument (SAM 22) and Dere Street (SMR 3040/3041). The site also abuts the external settlement, or vicus, of the fort (SMR 6318) which is part of the SAM. Given the proximity of this proposed development to these important archaeological remains, there is a high probability that archaeological deposits may exist within the development site. Therefore I would recommend that the applicant carry out some archaeological investigation pre-determination to ascertain what, if any, mitigation may be required. This office would be happy to assist in this process by providing a brief for the required work to include trenching and/or trial pits. This route could in the long run save costly delays to the applicant; however, should the authority determine that the archaeology be investigated post-determination then I would recommend that the following condition be applied: No development shall take place until the applicant has secured the implementation of an agreed programmed of archaeological works (to include evaluation and mitigation) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority. Reason The site is in an area of high archaeological potential, near to the scheduled monuments of Lanchester Roman Fort, Vicus and Dere Street.
15. Northumbrian Water –no objection.
16. Lanchester Parish Council-Members are opposed to application and are concerned regarding the access, design and the close proximity to mature trees.

17. Lanchester Partnership- have inspected the submitted plans and consider there are three main issues involved with this application: firstly the architectural style of the building, secondly the effect of the development on the trees surrounding the site and thirdly the danger emanating from the proposed access.

On the first issue it seems to us that the rather ornate styling of the building has no precedent in Lanchester. The larger domestic properties and some of the other main buildings in the village have a Georgian influence about them, buildings like Lanchester House, The Lodge, Brook Villa and the Old Court House – now Library are prominent examples. In the vicinity of the application site West Grange itself and the four larger dwellings below the site on Cadger Bank - Alderdene House, Hill Rise, Linden Lodge and Prospect House - also reflect such influence. Although the proposed building is presently set amongst large trees, which we hope will remain, that cannot be assured. The site lies within the Conservation Area. The Village Design Statement mentions this architectural legacy in describing development in the Conservation Area - paragraph 2 of section 4.3 - and both the VDS and the Local Plan seek to preserve or enhance the existing character and appearance of the village. We consider it important that the proposed building should reflect its architectural context rather than introduce an entirely different concept.

Secondly, we are very concerned at the threat of this large building to the trees surrounding the site. All of the trees on this site are important to the overall setting of the village as explained in paragraph 6 of section 3.2 of the VDS and the following paragraph sets out the importance of those along the Cadger Bank road frontage as one of the tree-lined approaches into the built up area. The north corner of the proposed building will encroach within the crown spread of one of at least one of the frontage trees and the steps to the door on that corner will extend even closer to its trunk. It is not possible to comment in detail on the direct impact of the building on the surrounding trees without the opportunity to enter the property for the purpose of carrying out a detailed inspection and without details of existing ground levels and the extent of excavations. However, the proximity of the building to the trees gives caused for concern on two counts. Firstly, as regards any direct impact on their overhead canopy and root spread. And secondly, arising from the overshadowing of the restricted garden and the building by such large trees and the future prospect of requests for the lopping and or felling on that account. In that respect the trees along the southeastern boundary, equally important to the landscape of the village as a whole, are also of great value from the point of adjoining occupiers as a setting to the dwellings. We consider that if the application is to precede a detailed tree survey including a

detailed plan and full analysis of the trees should be carried out so that proper evaluation may be given to the impact of the proposal.

Thirdly, the access onto Cadger Bank is considered to be most dangerous. The existing access there is very much a secondary access to the existing property, particularly as access to the lower part of the curtilage can be obtained internally from the main entrance to West Grange. The access point is on the inside of a quite pronounced bend in the road and would afford very restricted visibility. It appears that the realignment of the access and the roadside retaining wall will afford only a 1.5m by 8m visibility splay to the right down the hill. Although the road is on a steep up hill gradient the visibility for nearside traffic would be wholly substandard bearing in mind that the wall almost abuts the carriageway and that beyond 8m the road bends sharply back on itself. We understand that the County Highway Engineer has expressed satisfaction with the proposed access. If that is so we are surprised. In this location there are the added dangers of traffic approaching up the hill turning right into an existing cul-de-sac almost opposite and vehicles on the opposite side of the road traveling downhill at excessive speed having just entered the 30mph limit. There are already more than enough accesses in Lanchester, if not elsewhere, where there is insufficient visibility, we all have unfortunate experience of them. This is a common sense matter of road safety not of engineering specification. Whilst ever we go on approving development with inadequate access the accident statistics will continue to mount. It is at the point of planning permission that we need to stop and ask the serious question is this adding to the dangerous condition on our roads or will it help to improve them? In this case it seems clear to us what the answer should be.

We are very concerned regarding this application on all three counts and would welcome discussion with you and your specialist advisers before further negotiations take place with the applicants. If the application proceeds in its present form we would wish to address the Committee about our concerns.

18. Neighbours have been consulted; a site notice has been posted and the proposal has been advertised in the press. Seven letters of objection have been received and these are summarised below:

- Loss of privacy/amenity/view/security and overlooking.
- Adverse impact on nature and character of area.
- Safety of trees.
- Should be no further loss of or damage to trees.
- Loss of and disturbance to wildlife and habitat .
- Loss of open space.

- Lack of visibility at access causing a hazard/Increase in traffic on already busy/dangerous road.
- Further development may outstrip facilities and infrastructure within the village.
- Noise and disruption from building works.
- Design of dwelling out of character/ does not harmonise.
- Architectural details/style not traditional.
- Should be high quality materials in accordance with local traditional practice.
- Overbearing effect/does not integrate sensitively into surroundings-damaging to the conservation area.
- Detract from the green approach to Lanchester.
- Landscape setting of large houses should be safeguarded.
- Does not respect existing pattern and form of development as does not face highway and would not site comfortably.
- Dry stone wall surrounding site should remain.
- No benefit to the community/local economy.
- Concerned that more land could be sold off.

Officer Assessment

19. The main issues in determining this application are the principle of the development, the design and layout of the development within the conservation area, residential amenity, potential impact on trees and archeology and highways issues. Each are discussed below:

The Principle of the Development

20. Lanchester is a settlement to which Policy H05 of the Local Plan applies. In terms of this policy the site is considered to be a small site (of less than 0.4 hectares) within the village which has no formal Local Plan designation and is capable of being developed. New development may be acceptable if it is in keeping with the character of the village and preserves its rural setting.
21. Under current Government guidance as outlined in PPS3 'Housing' the application site represents the type of site on which new residential development is being encouraged i.e. previously developed land within or on the edge of urban areas. The site is defined as 'brownfield', being a garden attached to a dwelling. It is also within the settlement of Lanchester and is close to local shops, services and public transport routes. Therefore the development of the garden area for a dwelling is acceptable in principle.

The design and layout of the development within the conservation area

22. The property is a large house set in large mature landscaped grounds within the Conservation Area. Any proposed development must not compromise the character and appearance of the site nor the village. It should be integrated into its rural setting and respect the existing scale, pattern and form of the existing dwelling and village.
23. The proposed house would be located within a mature landscape setting and would not be highly visible in the public realm. The site is considered large enough for a further dwelling, especially given that the existing property is situated to the far north of the site with a large surrounding garden. The site naturally divides into two and there is sufficient space for the layout to still read as large houses in large plots thus the character of the site would be retained. The siting of dwelling would sit well within the natural contours of the site and the scale of the proposed dwelling is appropriate for the size and character of the plot.
24. The design is considered satisfactory. It is well proportioned and with some interesting detail. The use of dormer windows allows the ridge to be at a lower height, they are complementary to the gables and in sympathy with the style of the house. Guideline 4A of the Village Design Statement discourages the use of dormers but this is one instance where it is considered that they are appropriate. It is felt that the size and massing of the proposed development and the existing dwelling is such to allow both the dwellings to sit comfortably in this locality and not adversely impact upon its setting. This is in accordance with design guideline 3A of the Village Design statement which seeks to ensure that the scale, height and design of development should not be obtrusive when viewed from the surrounding countryside and approaching roads. There is good space around the dwellings and adequate car parking. It is therefore considered that there would be no harmful impact on the character of the Conservation Area.
25. The existing outbuilding, a historical building which has a strong presence within the public realm is now to remain and would not be demolished and the previously proposed garage and annex have also been removed from this scheme.
26. Conditions are however attached to require details of the appearance of the alterations and widening of the existing access on the roadside verge and the finished appearance of the windows would need to be agreed. The dwelling would also be required to be constructed from stone with a slate roof.

Residential Amenity

27. Objectors residing on Humberhill Drive have raised concerns regarding loss of privacy and overlooking resulting from the erection of the proposed dwelling within the garden site. However, it is considered that the dwelling can be accommodated on site without adversely affecting neighbour's residential amenity to any significant extent. The orientation of the rear of properties on Humberhill Drive facing north west and the rear of the proposed dwelling facing north east help in this respect. In addition there is also a number of large mature trees to the south-eastern boundary of the site with these properties.
28. There would be a distance of 25m between the rear elevation of no. 43 Humberhill Drive and the gable elevation of the proposed dwelling and 16m between the gable end corner of the proposed property and the nearest rear window at no. 41. There would be 15m from the nearest rear window of no. 39 and the proposed gable end corner. Given the orientation of the rear elevation of the proposed dwelling facing north-east and the rear windows of no. 39 facing north-west, the acuteness of the line of sight angle would not result in any significant overlooking between these two properties. There would also be approximately 22m from the rear of the proposed dwelling to the rear corner of no. 37.

Potential Impact on trees

29. The application site is bounded to the north by a steep tree lined embankment as well as trees to the periphery of the site. Many of these trees are attractive, dominant mature specimens and are protected by virtue of being located within the Lanchester Conservation Area. They form an overall canopy effect, and are an attractive entrance to the village, greatly contributing to the character of the area.
30. In support of the application a tree survey and implications study has been submitted. No trees are required to be removed or pruned as part of the proposal. This is in accordance with guideline 3G of the Lanchester Village Design statement which seeks to retain existing trees. It does however highlight that the footprint of the dwelling would encroach within the root areas of two trees, a semi-mature ash to the northern boundary and a mature sycamore to the southern boundary. Given the proposed development would encroach into the root protection area by less than 5% and 10% respectively, the report concludes it is likely that the effects upon these two trees would be minimal.
31. There is a mature ash tree adjacent the south of the access point. Given that the ground level to the north and northeast of this tree is lower than where the tree is, the majority of the trees roots will be growing in a westerly and southerly direction. The proposed access improvement and

widening works would have minimal effect of the trees. The access improvement may encroach into the root protection zone of a mature sycamore situated to the north east of the access. However the root area of this tree already lies beneath an existing hardstanding access road and encroachment will therefore also have a minimum effect of this tree.

31. In terms of other trees on this site, these are located some distance from the proposed dwelling. The dwelling would be situated outside of the canopy spread of the trees and thus the effects will be of no significance to the general health and condition of the surrounding trees. The proposed development would be only be marginally affected by the shade from the trees during daylight hours which reduces to potential likelihood of future occupiers wishing to undertake further works to nearby trees in the future. The report does however recommend that the trees should be protected outside the root protection area by scaffolding barriers during construction works. This recommendation would therefore be conditioned.

Highway Issues

32. The proposal would provide an acceptable amount of paved car parking space. In terms of access into the site there are currently two vehicular accesses to the property from Cadger Bank and it is proposed that the first entrance directly to the north of the existing property, adjacent the existing outbuilding would be utilised. This extends onto a gravelled driveway and concrete hardstanding area to the south of the existing outbuilding. In order that this access may be used safely alterations and widening would be necessary. This would involve the removal of fencing, a small amount of hedge and embankment on the northeastern side of the access point. The drive would be regraded to form level access with the road and a 1.5 high random rubble wall constructed to form the roadside boundary.
33. At present the County Council Highways Officer has concerns that the proposed sight visibility at the access with the main road of Cadger Bank is presently inferior to that which has been previously been agreed between the applicant and the Highways Authority. The applicant has therefore been advised of the appropriate sight visibility requirement at the existing access point and it is envisaged that an appropriately amended plan will be submitted before the planning committee meeting and members will be updated verbally of the acceptability of this.

Archeology

34. Given the proximity of this proposed development to the important archaeological remains identified by the County Archaeologist, there is a high probability that archaeological deposits may exist within the development site. Therefore the County Archeologist recommends that the applicant carry out some archaeological investigation to ascertain

what, if any, mitigation may be required.. This element can be conditioned accordingly.

Recommendation

35. Conditional Permission subject to the submission of an amended showing an acceptable sight visibility from the proposed access point onto Cadger Bank

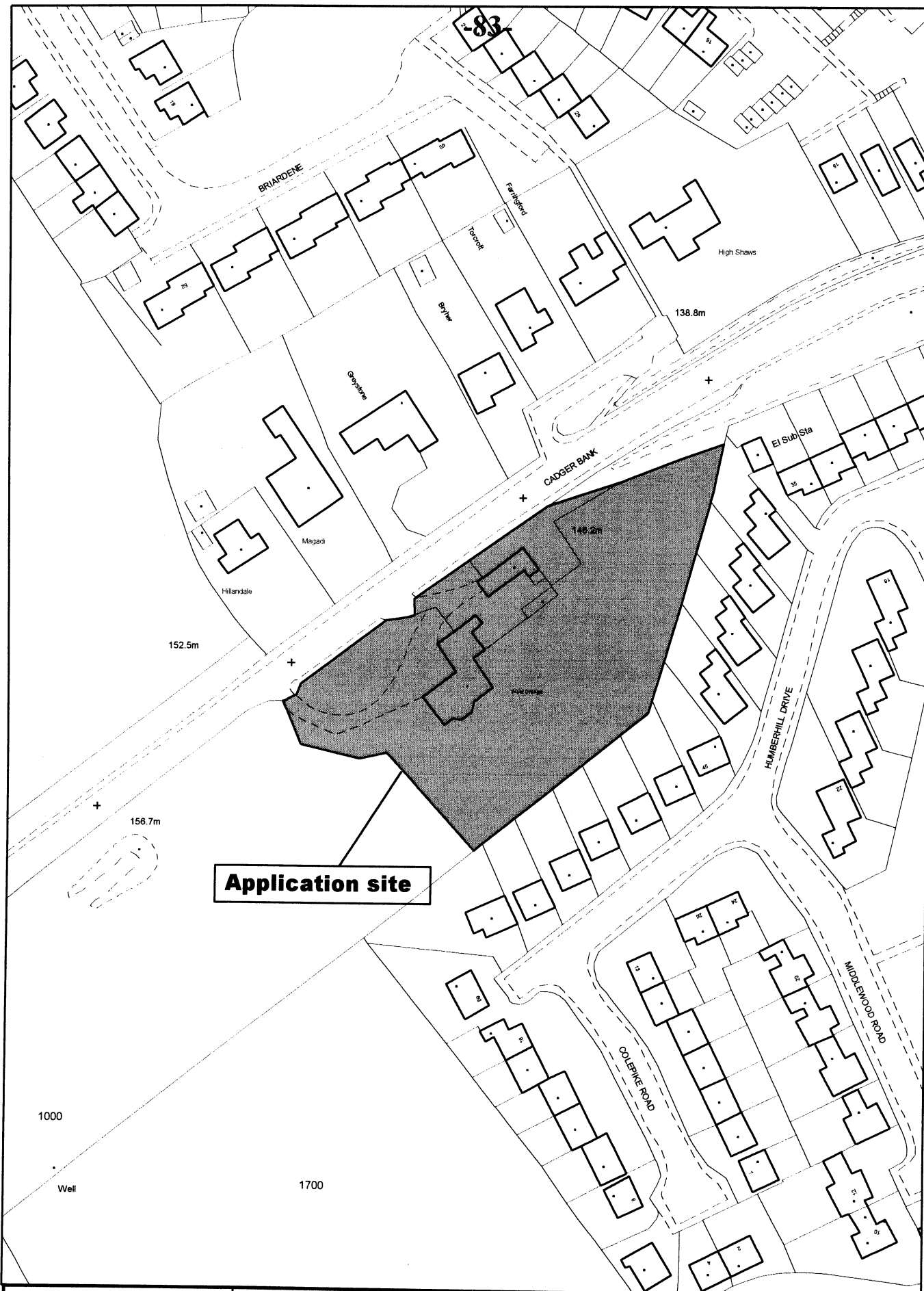
- Three year time limit (ST)
- Approved plans (ST01)
- Samples of materials (AO5)
- Method of stone laying (AO8)
- Sample stone panel (A06)
- Stone walls and slate roof (A10)
- Rainwater goods (A13)
- Surface water drainage scheme (DO4)
- Ground levels (GL01)
- Landscaping and tree protection measures (LO1)
- No removal or works to trees (LO8)
- Withdrawal of permitted development rights (PD01)
- Details of the appearance of the access alterations on the roadside verge shall be submitted to and agreed in writing with the Local Planning Authority before development commences.
Reason: In the interests of the character and appearance of the development in accordance with Policies HO5, EN13 and EN15 of the Local Plan.
- Details of the appearance of the windows shall be submitted to and agreed in writing with the Local Planning Authority before development commences.
Reason: In the interests of the character and appearance of the development in accordance with Policies HO5 EN13 and EN15 of the Local Plan.
- No development shall take place until the applicant has secured the implementation of an agreed programmed of archaeological works (to include evaluation and mitigation) in accordance with a written scheme of investigation which shall be submitted to and agreed in writing by the Local Planning Authority .
Reason: In the interests of recording, and protecting and archaeological remains in accordance with Policy EN19 of the Local Plan.

Reason for Approval

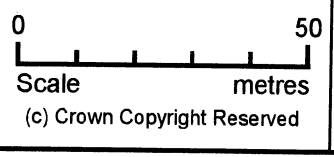
36. The decision to grant planning permission has been taken having regard to policies GDP1, HO5, EN13, EN15, EN11 TR2 of The Derwentside District Plan and relevant supplementary planning guidance and material considerations as detailed in the report to the Development Control Committee. In the view of the Local Planning Authority no other material considerations outweigh the decision to grant permission.

Report prepared by Ann Rawlinson, Senior Area Planning Officer.

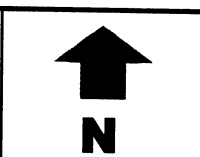
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Application site



Erection of one dwelling (resubmission)
 West Grange
 Cadger Bank
 Lanchester



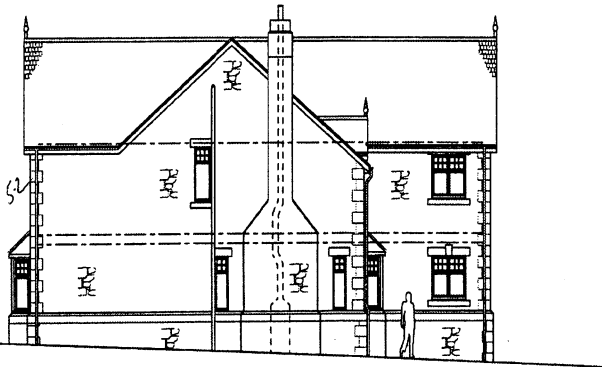
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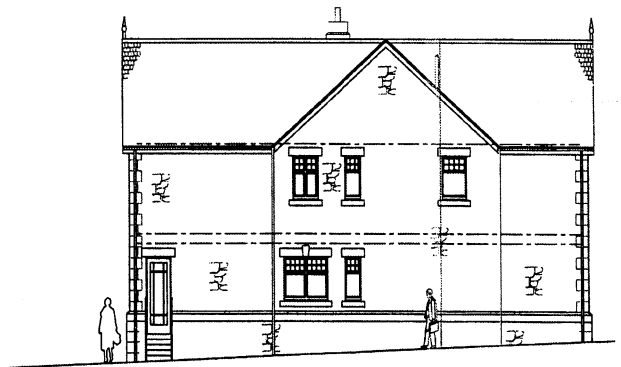
SOUTH WEST ELEVATION



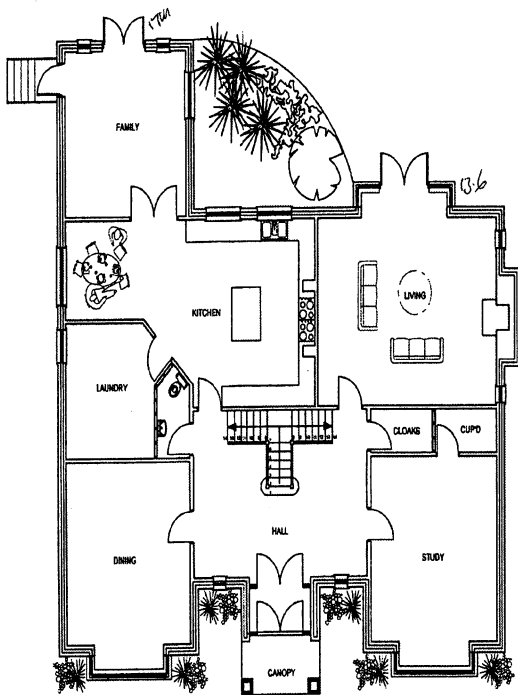
NORTH EAST ELEVATION



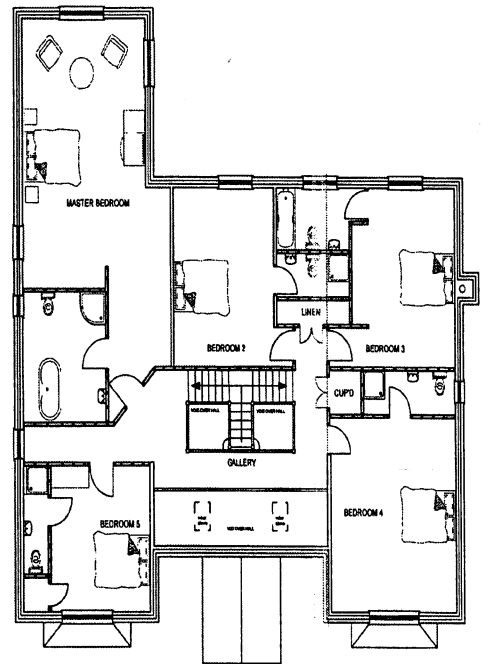
SOUTH EAST ELEVATION



NORTH WEST ELEVATION



GROUND FLOOR PLAN

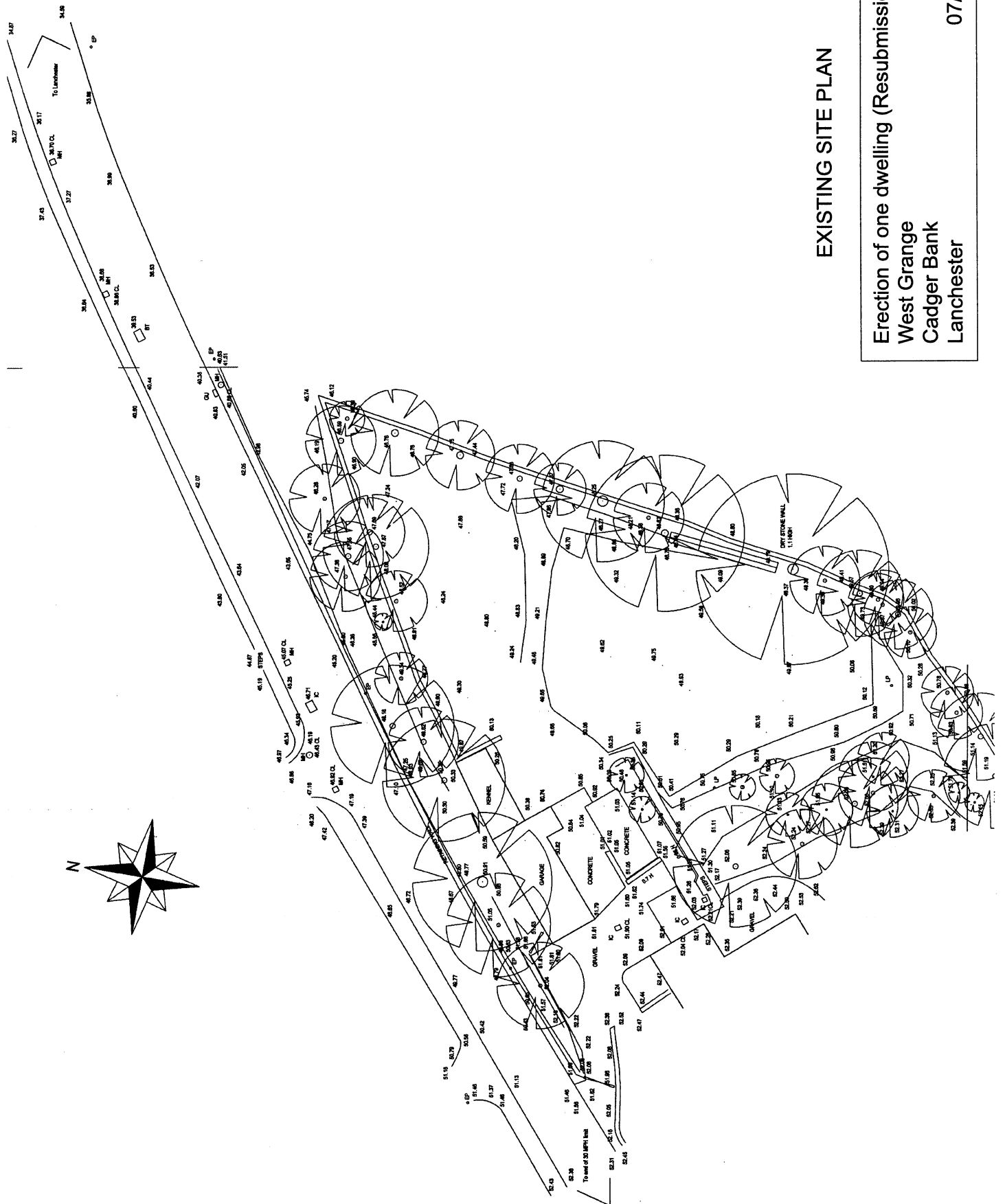


1st FLOOR PLAN

PROPOSED PLANS

Erection of one dwelling (Resubmission)
West Grange
Cadger Bank
Lanchester

07/098



EXISTING SITE PLAN

Erection of one dwelling (Resubmission)
West Grange
Cadger Bank
Lanchester

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