Proposed Development: Application for proposed detached dwelling

Location: Land Adjacent To Westnewton Hall
Westnewton
Aspatria

Recommendation: REFUSE

Summary/Key Issues

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Proposal

The applicant seeks consent for the erection of a two storey detached dwelling. The dwelling will comprise of a kitchen, dining room, lounge, playroom, utility and garage at ground floor, with 5 bedrooms (2 en-suite, 1 with dressing room) and a bathroom at first floor level.

The footprint of the dwelling is approximately 134 square metres, resulting in an overall usable floor space of 258 square metres. The building will measure approximately 15.85m in length x 10.5m at its widest point x 7.8m to ridge, 4.7m to eaves. The roof height over the garage is 6.58m to ridge, eaves height 3.25m.
The dwelling has not been applied for in connection with any farming business.

Site

Westnewton, set in a gently rolling countryside, is laid out in linear form along a main street and stream that runs through the village. The varied properties along the street are set out informally, but generally face the street, and a spacious feeling is created by generous grass verges alongside the street and stream. The farms in the village are interspersed along the main street with other properties, including farm-workers cottages and more modern houses and bungalows.

The application site lies in the centre of the village of Westnewton and forms part of Westnewton Conservation Area. The proposed dwelling is to be sited in a field to the rear of two existing bungalows, with Westnewton Hall which is a Grade II listed building and agricultural buildings to the west, residential dwellings to the east and to the north open agricultural land.

Relevant Policies

**National Planning Policy Framework**
Building a strong, competitive economy
Meeting the challenge of climate change, flooding and coastal change
Conserving and enhancing the natural environment
Conserving and enhancing the historic environment
Requiring good design

**Allerdale Local Plan (Part 1), Adopted July 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 S27 - Heritage Assets
Policy S29 - Flood Risk and Surface Water Drainage
Policy S32 - Safeguarding amenity
Policy DM14 - Standards of Good Design

Representations

**Call In** – Councillor Lister wishes the design of the dwelling and its location to the Listed Building to be considered by members.

**Westnewton Parish Council** – No objections.

**Cumbria Highways** – No objections. Should the applicant seek to serve further
dwellings from this access in the future then improvements will need to be made to it’s width, construction and access arrangements.

Environment Agency – Flood Risk Standing Advise should be applied.

Environmental Health – Operational farm buildings are located within 25m of the proposed development. A buffer zone of 36m is recommended as the minimum distance to protect amenity of the residential development, and as such Environmental Health is not in a position to support this application.

Fire Officer – No reply to date.

The application has been advertised on site and in the local press. Adjoining owners have been notified.

No representations have been received to date.

Main Issues:

Principle of development

The policy framework for the supply of housing within the plan area is set out in Policy S3 - Spatial Strategy. Westnewton, along with a number of other villages, is identified as an Infill/Rounding Off Village in tier 5 of the hierarchy. Tier 5 villages together with those in tier 4 are expected, in accordance with Policy S3, to accommodate sites for 6% of the new dwellings required in the period up to 2029.

The historic development pattern of Westnewton has created an apparently ad-hoc layout with, in most parts, no obvious building line. This layout has derived mainly from the many farms that made up the village and the piecemeal development of the farm buildings around. As such, officers consider the development of the site would constitute an infill development and would not object to the principal of building a single dwelling on the site.

The Character of the Conservation Area

The Westnewton Conservation Area Appraisal (adopted in 2009) identifies with other aspects the following as positive characteristics of the village:

- Its distinctly agricultural character derived from the predominance of farm buildings and farm workers cottages.
- Its close containment with, and containment within, the cultivated fields of the valley sides.
- The combination of dwellings with gardens, paddocks and farmyards, resulting in a generously spaced and informal arrangement of buildings.
- A high proportion of traditional buildings retaining their original characteristics of simple rectangular forms.
- A sense of enclosure, physical self-containment and rural tranquillity.
The Conservation Officer considers that an important attribute and constituent of many of the above characteristics, is the fact that in front, between and behind many of the buildings are green spaces, and green fields. The fields that surround and enclose the village provide a backdrop to the village and provide the visual evidence of its agricultural and valley setting. The Conservation Officer considers, it is the variety of green spaces that provides much of the agricultural character and sense of containment, spaciousness and rural tranquillity identified as positive features in the character appraisal.

The Conservation Officer is concerned that the location of a house on the proposed site would lead to a loss of part of this visible green backdrop to the village, which will dilute the agricultural character and the sense of spaciousness of the village, as well as diluting the (currently large) proportion of high quality buildings of traditional architecture.

Planning Officers however, feel that the proposal would not result in a significant loss of visible green to the village. The grassed area to the east of the bungalows would remain with views along this stretch of the proposed site and the access lane between the existing bungalow Alberta and Westnewton Hall which will both look past the dwellings to the open fields retaining the green backdrop of the village.

Planning officers therefore consider the development of this site will not result in an unacceptable impact on the Character of the Conservation Area.

**The Setting of Westnewton Hall**

Westnewton Hall is a large, classically proportioned, symmetrical house with simple but delicate detailing. In officers opinion the setting of the Hall is a part of its historic significance. It is considered that its setting derives from two main aspects. The first is its central location within the village and the fact that it is set back from the road with a large front garden, with well detailed and delicate ashlar walls, gate piers and gate to the front. This shows that the House was owned by wealthy people who, presumably, had considerable status and importance in Westnewton. The second aspect, is its agricultural setting, derived from its adjoining barn to the west and the visible farmland to the east.

To some extent, its prominence has been compromised by the bungalows to its east. However, these are single storey and on land which is of approximately the same height, and therefore do not significantly visually compete with the Hall and agricultural land is still visible behind them, so the conservation and planning officers do not feel that the bungalows notably damage the agricultural setting of the Hall. However, officers consider that the proposed house would adversely affect the agricultural setting of the Hall, by removing and obscuring much of the visible agricultural land which currently contributes to its setting.

In addition to the loss of this agricultural element of the building’s setting, it is considered that the proposed design of the house, which has none of the simple or delicate architectural characteristics of Westnewton Hall, would detract from and further compromise the building’s setting, as it would be seen alongside the listed building in most views of it.

Allerdale Local Plan Policy S27 states that the impact of a proposal on the significance (including setting) of a heritage asset (in this case the listed building), will be taken into
account and that only proposals which do not harm any positive qualities of the heritage asset will be approved unless there is clear and convincing public benefit to the proposal that will outweigh that benefit. Officers are not aware of any wider public benefit of this proposal.

The proposal is also contrary to Allerdale Local Plan Policy S4 as it does not respond positively to the character, history and distinctiveness of its location, or enhance protect and integrate effectively with the listed building. It is also contrary to Policy S5 as it will, in officer’s opinion, give rise to significant harmful effects on this heritage asset.

**Design**

The proposed dwelling would be constructed in reclaimed sandstone and K render under a reclaimed slate roof with a stone ridge and the windows are to be sliding sash hardwood with timber doors.

The proposed design is of traditional materials, but the Conservation Officer and Planning Officers do not consider that its form or its details will either maintain or enhance the character of the Conservation Area. The form is much more complex than is typical of the village and the window proportions are neither traditional nor contemporary (but appear to be a part imitation of traditional sliding sash windows, but paired to create much more horizontal openings, without the classical proportions or delicate detailing). The gable projection, the asymmetrical design, the variety of roof heights, the broken eaves, the door case and door design are all reminiscent of houses seen on a modern (or at least C20) housing estates, rather than on a single site in a historic rural village. As such it would, in officer’s opinion, dilute the special character of the Village and Conservation Area.

Officers do not consider the proposal meets with the following criteria of policy S4 ‘Design Principles’, and S5 ‘Development Principles’ of the Allerdale Local Plan:

- Be visually attractive, of appropriate scale and appearance;
- Respond positively to the character, history and distinctiveness of its location and integrate well with existing development
- Enhance, protect and integrate effectively with the historic and natural environment.
- Be of a design which will not detract from the character of the settlement
- Protect, maintain and enhance the local distinctiveness, character and landscape and historic setting of the settlement

**Amenity**

The proposed two storey dwelling will be sited to the rear of two existing bungalows. A separation distance of 31m has been achieved between the proposed property and the existing bungalows. The applicant is also proposing new screening be planted along the south boundary dividing the site from the bungalows.

Officers consider an appropriate separation distance from existing properties to the east and south has been achieved with acceptable screening proposed to protect the amenity of the existing bungalows.
Operational farm buildings are located 20m to the west of the proposed development lying to the rear of Westnewton Hall. These buildings can be used to house livestock.

Environmental Health Officers recommend a minimum separation distance of 36m from new residential dwellings to existing livestock buildings to protect the amenity of the proposed residential development. As this has not been achieved for this proposal Environmental Health Officers are not in a position to support the application. The proposal is considered contrary to Policy S4, S32 of the Allerdale Local Plan (Part 1), Adopted July 2014.

Access and Parking

Access to the site will be gained from the highway along an existing access lane between Westnewton Hall and Alberta. Existing gate stoops into the site itself will be utilised with a drive to the front of the house constructed leading to the garage. The site will allow for adequate parking for the property and in-site turning area.

The Highways Authority have raised no objections to the proposal from a highway point of view and require no works to be carried out to the access lane.

Flooding

The levels of the land gradually slope upwards from south to east, resulting in different parts of the site falling with Flood Zone 1, 2 and 3. The siting of the dwelling itself and the land to the rear all fall within Flood Zone 1 the lowest risk of flooding. The front garden and access lane fall mostly within Flood Zone 3.

The Environment Agency have made no comments on the application and refer to their standing advice. Given the fact that the siting of the dwelling is within Flood Zone 1 officers have determined that there is not a requirement for this development to carry out a sequential test or exemption test. The access to the site however lies over land identified as been in Flood Zone 3. If the application was approved a condition could be attached requiring the applicant to provide an alternative evacuation plan from the site.

Officers are satisfied that the proposal is acceptable in terms of flooding.

Other Issues:

Drainage

The foul drainage from the dwelling will be via the mains sewer with surface water discharged via soakaways. Officers consider the drainage proposal to be acceptable and a condition could attached require full details of the surface water design to be provided.

Local Financial Considerations

Having regard to S70 (2) of the Town and Country Planning Act 1990 (as amended) the proposal could attract ‘New Homes Bonus’ and whilst this is a material planning consideration it is considered not to outweigh the conflict with planning policy.
Conclusion

Whilst officers do not object outright to the principle of a dwelling on this site, it is considered the proposal as a result of its siting and design, would detract from and further compromise the listed buildings setting, as it would be seen alongside the Grade II Listed building Westnewton Hall in most views of it. The proposal also fails to enhance, protect or integrate effectively with the listed heritage asset.

The wider character of the village needs to be considered, with the site lying within Westnewton Conservation Area. Whilst the design is of traditional materials, its form and detailing neither maintain or enhance the character of the conservation area with the design reminiscent of houses seen on a modern (or at least C20) housing estates, rather than on a single site in a historic rural village.

The location of the proposed dwelling in close proximity to existing agricultural buildings to the west is considered would adversely affect the amenity of the proposed dwelling by way of noise and odour nuisance and it has not been demonstrated by the applicant that this would not be the case.

The proposal is considered contrary to the National Planning Policy Framework Chapters 7 and 11 and Policies S4, S5, S27 and S32 of the Allerdale Local Plan (Part 1), Adopted 2014 for the reasons detailed in the report.
Annex 1

Conditions/Reasons

1. The proposed development by virtue of its siting and design would be harmful to the character of the village and the setting of Westnewton Hall Grade II Listed Building. The proposal would neither preserve or enhance the character or appearance of the Conservation Area and Listed Building and is therefore contrary to the National Planning Policy Framework Chapters 7 and 12 and Policy S4, S5 and S27 of the Allerdale Local Plan (Part 1), Adopted July 2014.

2. The Local Planning Authority considers that the future occupiers of the proposed development would suffer a poor standard of residential amenity by way of the proximity of the dwelling to the agricultural buildings to the west of the site contrary to the National Planning Policy Framework Chapter 11 and policy S32 of the Allerdale Local Plan (Part 1), Adopted 2014.

Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying planning policies, constraints, stakeholder representations and matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.