Development Control Committee

Main Schedule

Schedule of Applications for Planning Permission

3rd October 2008

CARLISLE CITY COUNCIL

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The Schedule of Applications

This schedule is set out in five parts:

SCHEDULE A - contains full reports on each application proposal and concludes with a recommendation to the Development Control Committee to assist in the formal determination of the proposal or, in certain cases, to assist Members to formulate the City Council's observations on particular kinds of planning submissions. In common with applications contained in Schedule B, where a verbal recommendation is made to the Committee, Officer recommendations are made, and the Committee's decisions must be based upon, the provisions of the Development Plan in accordance with S54A of the Town and Country Planning Act 1990 unless material considerations indicate otherwise. To assist in reaching a decision on each planning proposal the Committee has regard to:-

- relevant planning policy advice contained in Government Circulars, Planning Policy Guidance Notes, Development Control Policy Notes and other Statements of Ministerial Policy;
- the adopted provisions of the Cumbria and Lake District Joint Structure Plan;
- the City Council's own statement of approved local planning policies including the Carlisle District Local Plan;
- established case law and the decisions on comparable planning proposals
- including relevant Planning Appeals.

SCHEDULE B - comprises applications for which a full report and recommendation on the proposal is not able to be made when the Schedule is compiled due to the need for further details relating to the proposal or the absence of essential consultation responses or where revisions to the proposal are awaited from the applicant. As the outstanding information and/or amendment is expected to be received prior to the Committee meeting, Officers anticipate being able to make an additional verbal report and recommendations.

SCHEDULE C - provides details of the decisions taken by other authorities in respect of those applications determined by that Authority and upon which this Council has previously made observations.

SCHEDULE D - reports upon applications which have been previously deferred by the Development Control Committee with authority given to Officers to undertake specific action on the proposal, for example the attainment of a legal agreement or to await the completion of consultation responses prior to the issue of a Decision Notice. The Reports confirm these actions and formally record the decision taken by the City Council upon the relevant proposals. Copies of the Decision Notices follow reports, where applicable.

SCHEDULE E - is for information and provides details of those applications which have been determined under powers delegated by the City Council since the previous Committee meeting.

The officer recommendations made in respect of applications included in the Schedule are intended to focus debate and discussions on the planning issues engendered and to guide Members to a decision based on the relevant planning considerations. The recommendations should not therefore be interpreted as an intention to restrict the Committee's discretion to attach greater weight to any planning issue when formulating their decision or observations on a proposal.

If you are in doubt about any of the information or background material referred to in the Schedule you should contact the Development Control Section of the Department of Environment and Development.

This Schedule of Applications contains reports produced by the Department up to the 19/09/2008 and related supporting information or representations received up to the Schedule's printing and compilation prior to despatch to the Members of the Development Control Committee on the 24/09/2008.

Any relevant correspondence or further information received subsequent to the printing of this document will be incorporated in a Supplementary Schedule which will be distributed to Members of the Committee on the day of the meeting.

Applications Entered on Development Control Committee Schedule

Item No.	Application Number/ Schedule	Location	Case Officer	Page No.
01.	08/0707 B	Newlands Farm, Carleton, Carlisle, CA4 0AE	ARH	1
02.	08/0779 A	Land At Newlands Farm, By Cumwhinton, Carlisle	ARH	96
03.	08/0687 A	22 Beck Road, Carlisle, CA2 7QL	SG	117
04.	08/0689 A	Caldew High School, Carlisle Road, Dalston, Carlisle	SE	130
05.	08/0735 B	Land At Former George P.H, Warwick Bridge, Carlisle, CA4 8RL	ARH	208
06.	08/0722 A	3 Crindledyke Estate, Kingstown, Carlisle, CA6 4BZ	RJM	276
07.	08/0806 A	Land to the rear of 1 Hillcrest Avenue, Carlisle, Cumbria, CA1 2QJ	ST	293
08.	08/0780 B	23 Newbiggin Road, Durdar, Carlisle, Cumbria, CA2 4UG	CG	306
09.	08/0904 B	Carlisle College, Victoria Place, Carlisle, Cumbria, CA1 1HG	ARH	332
10.	08/0700 A	Land Adjacent To 57 Cairn Wood, Heads Nook, Carlisle, CA8 9AH	BP	374
11.	08/0783 A	Oakghyll Farm, Fenton Road, Fenton, Carlisle, Cumbria	RJM	389
12.	08/0533 A	Kingswood Educational Study Centre, Greensyke, Cumdivock, Dalston, Carlisle, CA5 7JW	ARH	422
13.	08/0762 B	Archways, Station Road, Brampton, CA8 1EX	SE	446
14.	08/0527 D	46-48 London Road And 1 Woodrouffe Terrace, Carlisle, Cumbria, CA1 2EH	BP	461
15.	08/0528 D	46-48 London Road And 1 Woodrouffe Terrace, Carlisle, Cumbria, CA1 2EH	BP	462

Date of Committee: 03/10/2008

Applications Entered on Development Control Committee Schedule

Item No.	Application Number/ Schedule	Location	Case Officer	Page No.
16.	08/0594 D	Land At Hallfield, Dalston, Carlisle, Cumbria	BP	594
17.	08/0646 D	Moat School House, Kirkandrews Moat, Longtown, Carlisle, CA6 5PW	DNC	464
18.	08/0002 D	Land adjacent to 1, Central Avenue, Carlisle	SG	465

SCHEDULE A

SCHEDULE A

SCHEDULE A

SCHEDULE A

SCHEDULE A

SCHEDULE A

SCHEDULE B: Reports Requiring Further Information

08/0707

Item No: 01 Date of Committee: 03/10/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0707	Bolsterstone Innovative Energy Carlisle Ltd	St Cuthberts Without
Date of Receipt:	**Agent:**	**Ward:**
10/07/2008	Arcus Renewable Energy Consulting Ltd	Dalston

Location:
Newlands Farm, Carleton, Carlisle, CA4 0AE

Grid Reference:
344289 552199

Proposal: Erection On 3no. Wind Turbines And Associated Infrastructure Including Hard Standings, On-Site Tracks, Construction Compound, Permanent Meteorological Mast, Underground Cabling, Culverting, Control Building And Upgraded Site Access From The B6263

Amendment:

REPORT **Case Officer:** Angus Hutchinson

Reason for Determination by Committee:

This is an application of local significance which has generated numerous comments from interested parties some of whom wish to exercise their Right to Speak.

1. Constraints and Planning Policies

Joint St. Plan Pol ST1: A Sustainable Vision for Cumbria

Joint Str. Plan Pol ST2: Assessing impact on sustainability

Joint St.Plan Pol ST3: Principles applying to all new devel.

Joint Str. Plan Pol ST4: Major development proposals

Joint St. Plan Pol R44: Renew.energy out.LDNP & AONBs

Joint St. Plan Pol E34: Areas&feat. nat. & int.conservation

Joint St. Plan Pol E35: Areas&feat.of nature conservation

SCHEDULE B: Reports Requiring Further Information

Joint St. Plan Pol E37: Landscape character

Joint St. Plan Pol E38: Historic environment

District E1 - Agricultural Land

District E12 - Wildlife Sites

District E28 - Ancient Monuments

District E29 - Archaeological Signif.

District E30 - Arch. Evaluation Prior

District E31 - Arch. on Other Sites

District E35 - Affecting LBC's

District T3 - Affecting Road Network

Local Plan Pol CP1 - Landscape Character

Local Plan Pol CP2 - Biodiversity

Local Plan Pol CP3 - Trees and Hedges on Development Sites

Local Plan Pol CP4 - Agricultural Land

Local Plan Pol CP6 - Residential Amenity

Local Plan Pol CP8 - Renewable Energy

Local Plan Pol DP5 - Trunk Roads

Local Plan Pol DP9 - Areas of Outstanding Natural Beauty

Local Plan Pol LC8 - Rights of Way

Local Plan Pol LE3 - Other Nature Conservation Sites

Local Plan Pol LE5 - Hadrian's Wall World Heritage Site

Local Plan Pol LE7-Buffer Zone Hadrians Wall W.Herit.Site

Local Plan Pol LE8 - Archaeology on Other Sites

Local Plan Pol LE10 - Archaeological Field Evaluation

Local Plan Pol LE12 - Proposals Affecting Listed Buildings

Local Plan Pol LE19 - Conservation Areas

Local Plan Pol LE22-Historic Parks, Gardens&Battlefields

Local Plan Pol Policy LE23 - MOD Safeguarding Zone

2. Summary of Consultation Responses

Cumbria County Council - (Highway Authority): no objection to this application in principle; however given the proximity of the M6, there is a need for a response from the Highways Agency. Hence our comments only relate to access onto the B6263 and clearances between the turbines and the local highway network.

It is noted that the distance of turbine 3 from the M6 is approximately 150m, the distance of turbine 1 to the B6263 is approximately 100m.

As the affective height of a turbine is 115m to the tip of the blade in a vertical position, it is recommended that the turbines be placed at least 120m from the nearest highway and seek to have this minimum distance conditioned accordingly.

It is also recommended that the following conditions should be imposed:

The development shall not commence until visability splays providing clear visability of 2.4m measured down the centre of the access road, and 215m measured along the nearside channel line of the B6263 have been provided . Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to be grown which obstruct the visability splays. The visibility splays shall be constructed before general development of the site commences so that construction traffic is safeguarded.

Reason: In the interests of highway safety. To support Local Transport Plan Policies: LD7, LD8.

The whole of the prospective access area bounded by the carriageway edge, and to a point 15m from the carriageway edge and the visability splays shall be constructed and drained to the specification of the Local Planning Autority in consultation with the Highway Authority.

Reason: In the interests of road safety. To support Local Transport Plan Policies: LD5, LD7, LD8.

The use shall not be commenced until the access roads have been constructed in accordance with the Approved Plan and brought into use. Such provisions shall be retained, 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 is available during the construction phases and throughout the operational life of the windfarm. To support Local Transport Plan POlicies: LD5, LD7,LD8.

Cumbria County Council (Strategic Planning Authority) Wind Energy: the Committee resolved that an objection be raised due to the lack of an adequate assessment of the landscape, visual and cumulative effects of the proposal and the lack of a detailed archaeological evaluation of the site. The application should have been supported by an Environmental Impact Assessment. The scheme is contrary to Policies R44, E37 and E38 of the Cumbria Joint Structure Plan.

Should your Committee propose that the scheme be approved the Council may wish to have further discussions at a joint member meeting.

Development Services Planning & Housing Services - Local Plans (Trees): whilst the Applicant states that there are trees and hedges on the site at section 16 of the application form no tree survey has been submitted as part of the application as required.

Some hedgerow will have to remove to implement the proposal but no assessment of the hedgerows has been carried out to assess their species richness or if they are classified as important under the hedgerow regulations.

The landscape character as described in Planning Cumbria Technical Paper 5 Landscape Character is 5b Low farmland. When viewed from the site the area has a rolling topography with agricultural fields bounded by hedgerows with trees and groups of trees. There are a number of detractors that already affect the ability of the landscape to accept further man made intrusion including electricity pylons and the M6.

The turbines are large being 115m to the rotor tip. They will have a significant impact on the area being visible from the surrounding area. This impact will be increased by the rotor movement and flicker. The ability of the landscape to absorb further intrusion is limited and the addition of the turbines as well as those intrusions already present would have a significant impact on the character of the area. This is compounded by the fact the site is on a high point within the area at an AOD of approximately 70m. This elevation will increase the visibility of these large turbines both locally and from further afield.

Whilst the proposed wind farm site itself is not within any local, national, or internationally designated areas it will be visually intrusive when viewed from sites that are so designated.

The turbines are also in proximity to a number of settlements from where they will be the dominant feature in the landscape, and clearly visible from settlements further afield where they will detract from the overall rural character of the area.

In conclusion the applicant must supply the information required by virtue of their

answer at Section 16 of the planning application, carry out a hedgerow assessment to determine whether or not the hedgerows that they propose to remove are important as set out in the Hedgerow Regulations 1997. Also it is considered that the proposal due to the size and elevated position of the application would have a significant detrimental impact on the character of the immediate area and the area as viewed from further afield;

Development Services Planning & Housing Services - Local Plans: the total area affected by the proposal is 7.3 hectares, of which the actual land take for the development is 1.5 hectares. The land is grade 3 agricultural land.

The site lies in the Solway Plain Regional Character Area, a broad, exposed lowland plain. The Cumbria County Council Landscape character sub-type into which the site falls is Type 5b Lowland low farmland which is characterised by large fields, patchy woodland and undulating topography.

The relevant policies are Policy EM17 of the Draft Regional Spatial Strategy to be adopted on 30 September 2008. The Policy EM17 on Renewable Energy sets targets for the supply of renewable energy in the North West by 2010, 2015 and 2020. The development of new renewable energy generation capacity is encouraged to meet the indicative capacity targets. The May 2007 Energy White Paper urged planning professionals and local authority decision makers to look favourably on renewable energy developments. The Planning Policy Statement 1 Supplement, Planning and Climate Change (December 2007), in paragraph 40 advises that an applicant for planning permission to develop a proposal that will contribute to the delivery of key planning objectives set out in the PPS should expect sympathetic handling of the planning application. Planning authorities are asked to ensure that new development makes good use of opportunities for renewable energy. Key planning objectives include that spatial strategies should make a full contribution to delivering the Government's Climate Change Programme and energy policies. PPS22 Renewable Energy advises that small-scale renewable energy projects should be encouraged through positive policies. However, despite this encouragement there is still a need to locate such developments where environmental, economic and social impacts can be addressed satisfactorily through consideration of location, scale and design.

The Cumbria and Lake District Joint Structure Plan 2001-2016 Policy R44 is a positive policy encouraging renewable energy developments provided that three criteria are satisfied: firstly, there is no significant adverse effect on landscape character, biodiversity and the natural and built heritage; secondly, there is no significant adverse effect on local amenity, the local economy, highways or telecommunications and thirdly the proposal gives practical measures or mitigation to reduce any adverse impact on landscape, environmental, nature conservation, historical and local community interests.

The adopted Carlisle District Local Plan 2001-2016 Policy CP7 for Renewable Energy has 9 criteria which must be addressed. Two criteria concern landscape impact. Others concern biodiversity, environmental nuisance, harm to features of importance, transport and access, recreational routes and unacceptable cumulative

effects.

Setting aside landscape impact matters, the remaining impact concerns are commented on as follows.

With regard to the RSS targets there is a need for a trebling of the existing installed renewable energy capacity within 2 years if the 2010 target set is to be met. This factor does add some weight in favour of granting permission if any objections to impact are satisfactorily addressed. At present the total windfarm capacity in Cumbria, operational or consented, is 89 megawatts; the target for 2010 for the County is 210 megawatts and 247.5 megawatts in 2015.

The Phase 1 Habitat Survey of the site found that although suitable habitat existed on the site for Water Voles and Otter no evidence of these species was found. No evidence of Great Crested Newts or reptiles was found. The conclusion reached was that the construction of the windfarm was unlikely to affect any populations of protected species or reptiles. Bat roosts were discovered on the site associated with buildings at Newlands Farmhouse. Background bat activity from species flying low to the ground was found in a survey. The population of high flying Noctule bats using the site was found to be extremely small. It is concluded that as the development would not destroy bat roosts it would also be unlikely to affect the main areas of activity of bats.

Baseline field surveys of breeding and non-breeding birds were conducted on the site over 2007/8. A collision risk to lapwings was identified.

Windfarms and turbines may result in some increases to ambient noise levels. The nearest residents likely to be affected by noise from the turbines are at Newlands Farmhouse and at Cringles Farm, some 400 metres from the nearest turbines. The predicted increase in noise levels from wind turbines is considered not to be significant. Advice from Environmental Services should be sought as to whether ETSU-R-7 guidance has been satisfied.

No public rights of way including bridleways cross the site. The site is agricultural land used for grazing. There would be no effect on existing recreational or tourist facilities. The nearest facility in regular use by tourists outside the city is the Southwaite service area, over 7 km. to the south. The site is not access land for public recreation and is some distance, 16 kilometres, from the Lake District National Park boundary, 10 km from the Solway Coast AONB and the North Pennines AONB and 3.5 km from the Hadrian's Wall World Heritage Site buffer zone. Due to the distances from areas of designated landscapes any impact on tourism and visitor numbers in the area would be minimal. A Cumbria Tourist Board survey of opinions of windfarms on tourism found that the results strongly in favour of such developments. A BWEA Study, 2006, concluded that the effect on tourism is negligible.

With regard to heritage matters the site lies in close proximity to the A6 road. From historic maps it can be established that a Roman road ran close to the development site. The Environmental Appraisal report concludes that further archaeological investigation may be required to determine the nature and extent of any remains

surviving on the site. A watching brief should be secured.

Two criteria of the Local Plan Policy CP7 refer to landscape: one concerns the visual impact on the immediate and wider landscape/townscape, the other the extent to which the new structures would respect the local landscape character. The greatest impact of the development is on the landscape. Due to the scale of the turbines and their height in the landscape (115 metres to the blade tips) it is likely that their impact will be noticed over a wide area. However, the impact is moderated by the topography, the lowland being undulating, and by intervening landscape features such as trees and pylons. The Cumbria Wind Energy SPD, recently adopted by this Council, predicts blade movement would be perceptible up to 12 km if a site is located in an open landscape. The most sensitive area of visual impact is in close distances from the turbines, up to 2.4 km.

The Local Plan Policy CP7 requires that a proposal should not cause unacceptable harm to features of national and international importance. This would in this instance include the Lake District National Park and the AONBs in closest proximity. The EA concludes that the impact on the AONBs would be minor and on the nearest conservation area, Settle/Carlisle Railway, minor. The effects on the Hadrian's Wall and Buffer Zone is, surprisingly, assessed as moderate, despite intervening manmade structures in the city of Carlisle. The Lake District NP boundary is some 16 km away and views from it would be moderated by vertical structures in the landscape such as electricity transmission lines. One line runs close to the M6 on the eastern edge of Carlisle. This same line runs across the application site 200 metres from the proposed line of turbines in a north west to south east direction, the same orientation as the proposed turbines. The close proximity of the electricity transmission line with its horizontal emphasis from wires and vertical emphasis from pylons helps in the assimilation of turbines into the landscape in more distant views in the outer ZVI as it would form a backdrop and be part of the general 'clutter' of the scene including distracting movement of vehicles on the M6.

For the lowland landscape type 5b the Cumbria Wind Energy SPD assesses the landscape to have generally low sensitivity to this type of development but high sensitivity close to the site, giving overall moderate sensitivity and capacity. The guidance indicates that a key limiting factor is the open nature of this type so that any development is likely to be widely visible.

Table 2.3 in Part 2 of the CWESPD sets out different scales of turbine development. Three turbines fall within a small group. Map 8 showing landscape capacity shows landscape type 5, lowland, as having moderate capacity for the up to a small group of 3 to 5 turbines.

With regard to the visual impact on the landscape and on landscape character the Capita Symonds Assessment of the application makes the point that views are generally restricted by topography and tree cover. It nevertheless concludes that there would be a moderate negative effect on the local landscape character and a moderate to minor effect on the mid range distant landscape. The Planning Inspector in the Hoff Moor windfarm decision for three turbines near Appleby expressed the opinion that wind turbines would be likely to have significant impact at

distances up to 5 km. The CS assessment goes on to consider key sensitive viewpoints at close distances to the site. The visual impact is major on the western edge of Cumwhinton village where the highest numbers of residents are affected and the impacts are substantially adverse, particularly for houses facing west. The EA shows that shadow flicker may be a problem at certain times of the year at properties nearby and at certain times of the day. Mitigation measures may be applied which shut down the turbines. The Assessment picks out two nearby locations where the visual impact would be adverse, Cringles Farm, a listed building, and Beech Cottage, Carleton, neither of which are considered in the Environmental Appraisal.

A limited cumulative impact assessment is given of windfarm developments in the area. The only consented site within 10 km. is the Pirelli turbine, 5.5 km. from this site, which has not been implemented. The next nearest is the Great Orton farm, 13 km. distant. Three windfarms are under consideration by Eden District Council at sites -13.5 km, 17 km and 20 km away, all some distance away. The SPD does not specify any acceptable distances that should be maintained between individual schemes too prevent significant adverse effects.

In conclusion, there are concerns about the landscape and visual impact of the development at residential locations in close proximity to the site. The Local Plan Inquiry Inspector stated (April 2008) that 'Proposals for renewable energy developments will almost always have some local environmental implications'. New landscaping is not usually proposed as a mitigation measure as new planting would need to be on a large scale and would take a long time to gain impact; therefore it is ineffectual as a mitigation measure. The development would only result in a limited, temporary loss of moderate quality agricultural land with little ecological value. The overall quality and character of the wider landscape character is retained. A community fund would be created if permission were to be granted and this scheme would allow for the implementation of small schemes in the locality of benefit to local residents, tourists and wildlife.

The detrimental effects of the proposal should be balanced against the economic and community benefits. The scheme would result in farm diversification which is encouraged by the government as it makes a contribution to the strengthening of the rural economy. The EA puts forward the argument of the short- term benefits to local businesses, with opportunities for the supply of goods and services for the development. The output capacity of the turbines, 6 to 6.9 MW, would make a small contribution to the North West renewable energy targets and could provide electricity to 3,742 homes. PPS22 contains strong national guidance on the need for local authorities to support and encourage renewable energy proposals which is to gain impetus in the Climate Change Bill and forthcoming Act. Out of the 19 consented schemes in Cumbria only one is in Carlisle District. Together these have a capacity of 88 MW; the Carlisle District contribution is therefore currently very small. The scheme is not sited within a national designation, nor would it unacceptably affect the special character of nearby landscape designations. On balance the proposal should be given encouragement;

Environmental Services - Environmental Quality: comments awaiting;

Carlisle Airport: no objection to this proposal. We have been consulted by the applicant prior to receiving this consultation. Please remind the applicant that the turbines and meteorological mast will need to be lit with traffic avoidance lights;

BBC: comments awaiting;

Council for Protection of Rural England/Friends of the Lake District: comments awaiting;

Friends of Eden Lakeland and Lunesdale Scenery (FELLS): wish to register objection to the above proposal. It is considered that three turbines with an overall height of 115 metres (377 feet) would be misplaced in this location.

Though this application lies close to Carlisle and the M6 motorway and is outside the most beautiful and designated landscapes of Cumbria, FELLS are concerned that it is located too close to a number of small communities whose enjoyment of their natural environment may be seriously degraded. However, we recognise that this has to be assessed within the context of current and developing planning guidance.

Although emphasis is placed on encouraging renewable energy developments at all levels of Government planning guidance, all are accompanied by caveats. For example, PPS1 (paras 17 and 20) advises that the wider landscape is an important consideration when deciding on the acceptability of proposals, including renewal energy. PPS22 (para 19) is clear in its advice that landscape and visual effects of proposed developments must be taken into account and where they cause unacceptable harm, whether they are in designated areas or not, planning permission can, and in normal practice, should be refused. Similar caveats can be found throughout the planning hierarchy, from Regional, through County to Local Plans. In no circumstance is renewable energy given an entirely free reign - the key factor is balance.

In addition bodies such as English Heritage also emphasise that the 'setting' around historic sites and designated areas is especially sensitive to inappropriate developments such as wind farms. To quote, "....consideration should be given to the impact of wind energy developments on the wider landscape setting and visual amenity of historic sites" or again, "...consideration of the historic environment should include ..... historic buildings and areas; designated landscapes; and the historic character of the wider landscape". In the case of Newlands Farm, the applicant has identified a large number of listed buildings and makes several references to historic sites, including Hadrian's Wall World Heritage Site. Though these are largely dismissed in overall terms, FELLS believes that insufficient weight is given to the setting of these sites and the impact of this application on them.

FELLS believes that national planning guidance and the views of bodies such as English Heritage and the Council for National Parks provides a clear indication that the Newland Farm application should be rejected.

a) Over-dominance of the proposal

FELLS believe that locating turbines of this size so close to a several villages is

unacceptable. The villages are listed in Table 4.8, page 4-37 of the EA where it is acknowledged that the impact will be 'major' or 'major/moderate' to six communities (especially Cumwhinton – see section 4.5.2.2). Nine others are classified as 'moderate' or 'minor/negligible'. Similarly with the viewpoint analysis (Table 4.10, page 4-35) the applicant dismisses many of the impacts as only 'moderate', 'minor' or 'negligible' even when they are mostly within 5km of the site. Such down-playing of impacts is typical of the approach adopted by wind farm companies and ignores the fact that a fixed viewpoint is not how people moving through a landscape see them – they do not sit in one spot: The experience is dynamic.

More realistically, are the categories in the Cumbria Wind Energy SPD (CWESPD) (August 2007) which defines the visible impact of wind farms as dominant to a radius of 2.4km, prominent up to 6km, and conspicuous up to 12km, - a matter noted by the Newlands Farm application on page 4-7 of the EA. However, the applicant then tries to wriggle out of this classification by quoting another slightly more 'relaxed' view (PAN 45) of the Scottish Executive. FELLS rejects this approach which, in effect, amounts to 'cherry picking' the information that suites the developers ends. The impacts of this wind farm will bring about a major change to the whole Cumwhinton environment at least up to a distance of 6km. This will impact especially on local people, but also to anyone visiting the area. FELLS would draw the Council's attention to the views of the Inspector at the Hoff Moor Public Inquiry where he wrote in his decision letter:

> "The case for the appellant is that at distances of some 4 kilometres or more, the impact of these turbines would cease to be significant. In my view it is not as simple as that, and a great deal depends upon the context in which the turbines would be seen, the background against which they would be seen, whether they would be seen against or breaking the skyline, and whether they would break particular landscape features or fit into them. In my view, wind turbines are likely to, but not necessarily would have significant impact at distances up to 5km, and are unlikely to but may in some particular circumstances, have significant impact at distances beyond that".

Though FELLS can accept many of the applicant's assertions about long distance impacts, we disagree entirely with the assessments within the 6km radius. Even if invisible or screened by vegetations, landform, or buildings, at a particular house or window the turbines cannot be avoided and will impact the people in the area on a daily basis. In essence they will change the whole character and experience of the locality.

FELLS believes that this degree of intrusion into the public amenity enjoyed with 5km of the Newlands Farm site is not acceptable and that on these grounds the application should be rejected.

b) Impacts of noise on residents

Having studied many wind farm applications, it is clear that developers and their consultants also down-play the impact of large wind turbines on people in terms of noise. Moving structures of the size proposed are not only out of scale with the day-to-day human environment, they can also cause significant auditory

disturbance.

The consultants in this case have followed, as usual, the outdated ETSU-R97 guidelines on wind farm noise and have carried out background measurements from which they have calculated the permitted threshold for the turbines (+5DBa). This is fully set out in Chapter 5 of the Environmental Appraisal. As usual, they 'show' that the turbine noise will not exceed the permitted level. However, they cannot guarantee that there will be no noise disturbance as this cannot be predicted with certainty until after the installation is operational.

Experience in Cumbria confirms this. There are significant problems at Far Old Park wind farm (near Barrow) which remain unresolved after several years, and now at Wharrels Hill (Bothel) despite the latter being of modern design (operational July 2007). This also remains unresolved at the time of writing. Major problems have also been encountered at the home of the Davis family at Deeping St Nicholas (Lincolnshire) who recently won a Tribunal Hearing on this issue, and most recently at Bicker Fen where Lorraine and Steve Rashleigh describe their experience as '...like an old steam train in the distance 24 hours a day'. In their case only 7 of the 13 turbines have so far been erected.

In the light of the above, FELLS are especially concerned about the residents of Cumwhinton, where the village green is just over 600 metres from the nearest turbine and is down wind of a prevailing westerly. The risk of unacceptable turbine noise is significant for any dwelling within 1 km of the site (or occasionally even further) and, in some people, may cause what is loosely referred to as 'wind turbine syndrome'. This may manifest as an inability to sleep or rest, general heath issues, inability to enjoy ones home with friends or family, mood changes and tiredness. There may also be loss of property value, recently confirmed in a Lincolnshire Tribunal Hearing which approved a lowering of the council tax band and accepted that the property had, to all intents and purposes, become unsaleable.

In the face of these problems, Councils and Inspectors have adopted the practice of attaching noise control planning conditions to the consent. However, it has become clear in the last two years that such conditions cannot be relied upon and may be unenforceable. The view of the Local Government Ombudsman investigating the noise problem at Deeping St Nicholas was that the planning condition in that case was 'vague, open to interpretation, immeasurable and thus unenforceable'. This matter has now been referred up to the Parliamentary Ombudsman.

In the case of the Bradwell Wind Farm (nPower Renewables) the High Court likewise ruled that two noise conditions set by the Inspector in an Appeal Decision on 10th September 2007 were unenforceable. The matter was referred to the Secretary of State for Communities and Local Government so that the decision could be 'redetermined'.

Taken together (and with the knowledge that hundreds of complaints have been made to the Environmental Health Officer at Barrow Council without any satisfactory resolution) there is clearly a human rights issue for people in dwellings close to wind farms. Carlisle City Council cannot realistically approve this application without incurring liability should a noise nuisance emerge.

FELLS believe that these reasons alone are sufficient to reject the Newlands Farm application.

c) The performance of wind farms and the claims of wind farm developers

Developers make significant claims as to the benefits of their schemes. We comment here on just two, electricity production and carbon dioxide (CO_2) abatement.

Should Planning Officers or Councillors feel these are not relevant matters, FELLS wish to point out that the performance of wind farms in electricity generation and CO_2 reduction must be considered in the process of balancing the benefits against the disadvantages. This was made clear in the recent Den Brook wind farm (Devon) High Court Judicial Review case which granted permission for an appeal and which led the Secretary of State for Communities and Local Government to quash the approval for this wind farm. One of the grounds used (and we quote) was that '.....the planning inspector as part of the overall planning balance must consider the actual likely electricity contribution of the particular site' – something he did not do.

The following comments are made with that in mind. With regard to electricity production, the developer uses a reasonable, though perhaps optimistic, load factor of 27% and on that basis claims that this windfarm will provide energy for 3,742 homes. FELLS points out that this is a marketing gloss achieved by averaging out the assumed annual electricity produced and dividing it by the average household consumption in the Carlisle area. In reality, wind speed data from the Meteorological Office shows that for 55-110 days each year (depending on the site) the wind will blow at less than 10mph or above 55mph when the wind farm will produce no electricity at all and will supply no houses. For a further150 days (5 months) output will be less than 25% of installed capacity when very few homes would be supplied.

It is, of course a fallacy anyway to believe that any local houses are supplied unless they are directly connected to the wind farm. In truth, any power produced is fed into the National Grid

Regarding carbon dioxide claims by wind farm developers, all applications today make great play of the fact that they are addressing climate change by significantly reducing carbon dioxide emissions. Such claims are highly dubious. To understand why it is necessary to recognise that over time the amount of CO_2 that can be claimed as 'saved' has been sharply reduced.

In the early 1990s wind farms could claim to save 1 tonne of CO_2 for every megawatt hour (MWh) of electricity generated. By 2007 Government departments were using a lower figure of 0.37t/MWh due to the replacement of many heavily emitting coal-fired power stations by much cleaner combined cycle gas turbines (see Appendix for references to this). Projections show that as the UK phases out yet more coal plants by 2015 (due to the ECs Large Combustion Plants Directive) and replaces them by nuclear and gas 'new build' the CO_2 savings factor will fall still further to around 0.27t/MWh. Even this makes no allowance for the CO_2 emitted in

construction and installation of the wind farms or the inefficient running of fossil fuel power stations on standby. In truth, the CO_2 savings from wind farms will be negligible. This is placed into context by the fact that according to the power company, Eon, the Kingsnorth coal-fired power station planned for Kent will emit more CO_2 in one day than the Newlands wind farm will save in two whole years.

It is notable that even, the Government's National Audit Office has stated that wind farms are one of the most expensive and least effective ways of reducing CO_2 emissions – a cost which is rising week by week.

d) The issue of balancing the arguments

The importance of balance was made clear in the decision letters of both the Whinash and the Hoff Moor Public Inquiries. In rejecting the appeal against refusal of planning consent, the Whinash Inspector wrote;

'The Applicant's approach to the project relies on the rationale of national need for renewable energy:- there is nothing else to favour the development. But Government policy does not dictate renewable energy at any cost'.

In the case of Hoff Moor the Inspector was even more explicit when he wrote; 'Overall, I consider that it is the combination of local landscape and visual harm that outweighs the benefit of contributing towards National and Regional targets for the production of renewable energy'.

Conclusion

Key Principal 1(i) of PPS22 states that 'Renewable energy developments should be capable of being accommodated throughout England in locations where the technology is viable and environmental, economic and social impacts can be addressed satisfactorily'.

FELLS believes that in the case of the proposed Newlands Windfram, the potential environmental and social damage cannot be adequately mitigated and clearly outweighs the marginal contribution the scheme might make to electricity supply and the reduction of CO2 emissions. Consequently, in accordance with current planning guidance, the application should be refused;

Friends of the Earth (South Lakeland): write to express support for the proposed Newlands project and like the City Council's Committee to consider the following points when determining this planning application.

Climate scientists, politicians, and economists such as Stern, are stressing the need to cut greenhouse gas emissions as soon as possible. Global emissions must peak and then fall within 10 years if we are to prevent what is described as 'dangerous' climate change: a 2 degree C temperature rise which would have catastrophic consequences globally. Stern also warns that the cost of cutting emissions will increase with time and has already risen during the last year .

The Government is currently consulting on the Climate Change Bill, which commits the UK to 60% carbon dioxide reductions by 2050. Newer scientific evidence suggests that this target is inadequate, and a tougher 80% target is necessary, equivalent to cuts of at least 3% year on year. These reductions are necessary for the UK to play its role in global efforts to tackle climate change, and every part of the UK has a responsibility to help meet these targets. We are very pleased that the County and District Councils now have a draft climate change policy, but Cumbria's targets show that we need to more than double the capacity of renewable energy within the next two years.

A key component of the UK's strategy to cut emissions is the target of 10% electricity generation from renewable sources by 2010. Every community must take action on climate change. If Carlisle City Council is to play its part and with the recent flooding in mind you must surely make every effort to do so, it must contribute to achieving national and regional targets for renewable energy generation.

It is understood that there may be some concerns regarding the visual impact. However, these must be balanced against the future impacts of climate change on this area such as biodiversity loss, more flooding and drought and greater sea surges.

National planning guidance, strengthened by the recent PPS1 supplement, clearly prioritises consideration of climate change when assessing development proposals. The PPS1 supplement states that planning decisions should: "look favourably on proposals for renewable energy, including on sites not identified in development. plan documents"

"not require applicants to demonstrate either the overall need for renewable energy and distribution or

for a particular proposal for renewable energy to be sited in a particular location"

"avoid policies that set stringent requirements for minimising impact on landscape and townscape if these effectively preclude the supply of certain types of renewable energy, and therefore other than in the most exceptional circumstances such as within nationally recognised designations, avoid such restrictive policies"

The PPS1 supplement reinforces existing national planning policy. PPS1 para 13 (ii) Regional planning bodies and local planning authorities should ensure that:

"development plans contribute to global sustainability by addressing the causes and potential impacts of climate change - through policies which reduce energy use, reduce emissions... ... promote the development of renewable energy resources, and take climate change impacts into account in the location and design of development."

PPS 22 (i) Renewable energy developments should be capable of being accommodated throughout England in locations where the technology is viable and environmental, economic, and social impacts can be addressed satisfactorily.

The extracts above summarise the obligations which are now inherent on local authorities to deal with climate change via the planning process.

The City Council are encouraged to approve this application and furthermore consider that you will be failing in your duty of care to the community if you do not take this excellent opportunity to allow another wind farm in this district;

National Air Traffic Services: the proposed development has been examined from a technical safeguarding aspect and does not conflict with safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, this response refers specifically to this consultation and only reflects the postion of NERL based on the information supplied at the time of the application;

Radio Engineering & Systems Unit: comments awaiting;

Office of Communications -Wind Farm Enquiries: comments awaiting;

Cumbria Wildlife Trust: comments awaiting;

Natural England: We recognise that mitigation of climate change is essential to secure the future of the natural environment and support measures to increase the amount of energy generated from renewable resources in appropriate locations.

In relation to this particular application and it's associated Environmental Appraisal (EA) we wish to make the following comments.

The Environmental Appraisal recognised that insufficient information regarding the use of the site by bats was available and therefore further survey work was undertaken during the period May to July 2008. This survey work is discussed in the document Bat Transect Survey:Newlands Farm dated August 2008.

The report produced by Stuart Spray Wildlife Consultancy concludes that the wind farm would pose a medium to high risk to Noctule bats which currently use the site. Noctule bats are protected by domestic and international legislation. The covering letter which accompanies the August 2008 bat report states that the additional information supports the conclusion reached in the Environmental Appraisal that the design of the development will limit the impact on the local bat population.

Whilst Natural England agree that some evidence suggests that the greater the distance away from linear/habitat features, the greater the decline in activity, even for high flying bats like noctules that tend to fly in open areas. However, situations involving high or medium risk species may need to be assessed on a case by case basis. The 2008 bat survey seems to suggest that 20 noctule bats were detected in the area of turbine 3 and 3 bats were recorded at turbine 3. Without further assessment or more detailed information, it is difficult to assess the potential impacts on the local Noctule bat population.

Natural England recommend that more detail is obtained from the applicant about the location of the records of Noctule bats on 11th July 2008. The records show that 20 Noctule bats were detected between 22:35 and 22:45 within zone 3. It is difficult to ascertain from the report whether this shows a use by these bats of the adjacent linear features for commuting or whether it is a use of the open space around the site of the proposed turbine. Clarification of this point would assist the assessment of the proposal.

Carlisle City Council may also wish to consider further mitigation of visual impacts to this urban fringe landscape. A long term management plan for a wider area, taking the recommendations of the Cumbria Landscape Strategy, could be considered as part of the potential planning permission along with other community benefits. The management plan may also include efforts to enhance the environmental assets of the area in line with Planning Policy Statement 9;

Department for Transport (Highways Agency): no objections in principle to the proposed windfarm incorporating three wind turbine structures. It is noted that each of these would be a maximum height of 115 metres (to vertical blade tip); the nearest of these being around 275 metres from the perimeter boundary at the eastern side of the M6 motorway. It is understood that access for construction and maintenance purposes would be taken from the B6263 immediately to the south.

However , request is made that consideration might be afforded to the planting of a tree belt along the southern side approaching the motorway overpass along Cumwhinton Road in an east-west direction. This would help to reduce the visual impact of the northernmost wind turbine from drivers using the southbound carriageway of the adjacent M6 motorway; otherwise the latter is considered to be well screened via other potential viewpoints of the proposed development from users of the motorway. It is emphasised that this request does not amount to a direction made by the Highways Agency;

St Cuthberts Without Parish Council: this Parish Council considered the above application at a meeting on Tuesday 5 August 2008 and Members were unanimous in condemning the proposal and make the following objections:

Visual impact

- The Environment Impact Assessment has not been completed despite reaching the requirement threshold. Why has this application been accepted without a full EIA?
- The site has clearly been chosen because of the elevated location and the narrow development corridor available recognising the exclusion areas including the Pennines and Lake District National Park. Consequently the visual impact will be a radius of up to 30 miles, far greater than the developers appear to concede, and their intrusion will extend to Blencathra, Southern Scotland and Caldbeck – effectively the whole of North Cumbria
- The approach to Carlisle, from the south and west, is a most pleasant vista of countryside and this would be lost
- The beauty of LDNP remains protected whilst other areas are, largely, ignored
- The growth of wind turbine power in the Solway coupled with other similar

developments in SW Scotland will lead to an increase in power transmission through Cumbria – will this lead to an increase in the number of electricity pylons above those already in evidence? This would further add to visual intrusion

Changes to character of area

- The proposed development is on the doorstep of a working farming village and residential area. Those residents would suffer residential blight – this has already been proved in Lincolnshire with financial penalties accruing to the local authority
- Such a development would, effectively, mean the creation of a significant industrial enterprise in an unspoilt rural area. Not only is this wholly inappropriate and totally outwith the Carlisle District Local Plan it would also create a very dangerous precedent for any other industrial use of the rural area
- An immediate loss of natural beauty would follow any development of this type
- Any further development of Cumwhinton would be halted

Noise and other pollution

- Whilst the application includes data on noise it is noted that the likely noise pollution will be consistent and continuous
- The distance from residential development is 700metres whereas the minimum recommended distance is 1500metres. It is noted that 1.5km includes most of Cumwhinton, Carleton together with Carleton Grange, Pennine View and Parkland Village and parts of Harraby
- The residents of Carleton Grange, Pennine View and Parkland Village already suffer motorway blight and this development would aggravate unwelcome industrial noise
- During construction there is likely to be major disruption to traffic flow with the size of vehicles bringing components to site as well as serious traffic congestion caused by construction traffic in an area where the infrastructure is already suffering dramatically from the effects of the developments at Carleton Grange, Pennine View and Parkland Village where insufficient planning thought was given to the increase in vehicle movements.
- A recent planning application on behalf of the brick works in Brisco resulted in the applicant having stringent conditions imposed including restricted working hours, no Sunday working and noise restrictions. The turbines would operate continuously every day throughout the year without any respite (subject to wind speed)
- Light flicker is a real concern – it not only affects animals it is known to cause distress and more serious consequences to both adults and children

Local economy

- Three farming enterprises in Cumwhinton have diversified, at the recommendation of government and others, into livery stable and these businesses would be put at risk because of the reaction of the animals to the turbines – noise and light flicker. Therefore as one farmer sees a benefit potentially three others suffer hardship
- Adverse blow on visual amenity as housing market declines leading to property

owners reducing their investment in maintenance, care and development. This leads on to population drift with a consequent impact on local amenities – school, shop and public house/restaurant

- Whilst LDNP is protected from such proposals, and therefore its economy is largely similarly protected, this protection would not be afforded to local businesses

Tourism

- Tourism is one of the major industries in Cumbria and must be protected together with the Cumbrian Heritage
- Many hotels, guest houses and holiday cottage businesses are wholly reliant on the tourist market. This market is, at best, fragile (it is still recovering from the effects and public perception of the Foot and Mouth outbreak in 2001 and the floods in 2005) and visual intrusion in an area of beauty would impact adversely
- Likely adverse impact on tourism and negative perception by visitors leading to reduced inward investment within the City of Carlisle and north Cumbria
- Much is rightly made of Carlisle's Heritage and Hadrian's Wall. Tourists approaching from the south along M6 will have a turbine site as their first view of this historic city and this is completely out of context with the image that the various tourist boards are seeking to promote

Nature Conservation

- The submission papers include details of animal habitats and the actions proposed to minimise disruption. However the greater natural area would suffer disturbance – not only from noise and flight flicker, but over a larger area from vibration and noise disturbance and the effect of addition traffic volumes in the local and wider area

Risk factors

- Critical wind speeds are quoted in the data summary. However a major concern is the consequence of a failure of the braking system, within the turbine, in the event that the wind speed became higher than operationally safe. Defragmentation of the blades or the collapse of the mast may be a real and potentially dangerous consequence
- Comparison has been made with the height of Dixon's Chimney in Carlisle. The maximum height to the top of a blade at tdc is 115 metres but the base level of the proposed development site is some 30 metres above that of the chimney making the structure some 145metres above sea level. What is the lowest flight ceiling imposed on the RAF who frequently, and legally, fly at low level over this area? Whilst an air exclusion zone may be created any slight error in navigation could result in a major air accident. Similarly there are many micro-lites and other small aircraft flying out of Carlisle Airport and, to a much lesser extent, that at Great Orton. The proposed redevelopment and expansion of Carlisle Airport exacerbates the risk profile
- What consideration has been given to any interruption to the radio waves from the transmission masts at J42 M6, Cumwhinton Road, Carlisle and the transmission station at Brisco?

The following comments are relevant to the overall consideration by this Parish Council whilst not, strictly in isolation, matters of planning law:

- Central Government is imposing turbines on the country as a form of renewal energy but it should be recognised that with Sellafield located in West Cumbria the county can clearly be seen to have embraced this requirement for very many years
- Other countries in Western Europe only see wind turbines as making a minimal contribution to power requirements rather than a major contribution
- Potential for an explosion in the development of similar and potentially larger turbine farms throughout the immediate and wider area
- Balderstone plc, the would be developer, appears to be a modestly capitalised company that has previously been involved with residential and small industrial development with no evident experience in building windfarms or similar structures requiring significant and complex civil engineering works. Simultaneously there is likely to be major disruption to traffic flow with the size of vehicles bringing components to site as well as serious traffic congestion caused by construction traffic in an area where the infrastructure is already suffering dramatically from the effects of the developments at Carleton Grange, Pennine View and Parkland Village where insufficient planning thought was given to the increase in vehicle movements.
- There is a possibility that Balderstone plc could sell off the rights to the site should planning permission be granted
- Anecdotal evidence suggests that letters of support have been solicited in Carlisle city centre with 'slanted' questions and that children have also been subscribed. These figures are being floated as showing overall approval for the scheme but, for the reasons stated, these figures are effectively a misrepresentation
- The proposals are only viable because of significant subsidy
- Whatever contribution this proposed turbine site might make to the national requirement it should be noted that in times of overproduction any surplus cannot be stored
- The strong possibility of a reduction in property values, as a consequence of this development, throughout a large local area. This likelihood has already been commented upon in the Cumberland News by a spokesperson from Cumberland Building Society who indicated falls in valuations of up to 20%. Other recent press comment has highlighted the case of a Lincolnshire resident who was able to prove turbine blight and successfully secured a reduction in Council Tax Banding
- Many local residents do not appear to understand the sheer size of the development and other consequences on their lives and environment.

Conclusions, recommendations and requirements:

- This Parish Council is unanimously and totally opposed to this development
- Concern was noted that the public consultation was 'patchy' – many residents of Cumwhinton, Carleton, Carleton Grange, Pennine View and Parkland Village reported that they had not received any letter from Carlisle City Council and residents from Brisco had, apparently, received no consultation whatsoever. It is

appropriate that this matter is revisited as a matter of urgency to ensure transparency in this consultation which is of major importance to this area

- Members wish to undertake a site visit ahead of this matter being considered. Ideally, on the site visit, the precise location of each turbine should be clearly marked on the ground and a helium balloon flown to represent the maximum height of the blades at tdc. It is understood that Wetheral Parish Council is also being consulted on this application because of the proximity of proposal to the parish boundaries and the impact on residents of that parish. It would be sensible, and is strongly recommended, that a site visit is arranged with invitations to representatives from each parish council

Please do not hesitate to contact me if you require any amplification of any of the comments contained within this submission

Wetheral Parish Council: Wetheral Parish Council made the following observations:

1. The height and bulk of these turbines will be detrimental to the visual amenities of the area, being diomoe 114 metres high i.e. 374 Ft and will be visible over a large area of north Cumbria and Southwest Scotland. Cumwhinton is a picturesque Cumbrian village and will be overshadowed by these turbines.

2. The flicker effect on the 13 houses to the east of the proposed turbines can cause serious medical symptoms

3. The noise caused by the turbines (proven in case law) due to the nearness of the properties - Turbine No.1 Adjacent to Newlands Farm House, Turbine No.3 280m from the Cringles. Distance from the nearest Turbine: 350m from the houses on Cumwhinton/Golden Fleece Road B6263. 700m from the houses opposite the Lowther Arms

4. From a commercial aspect, there are three livery stables in Cumwhinton and it is proven that horses are badly affected by the 'wurring' noise made by the turbines and the flicker effect

5. These turbines will be detrimental to tourism in and around Carlisle, and especially to Bed and Breakfast establishments in the neighbouring villages.

6. Houses in the local area reducing in value, as stated by local/national estate agents- houses will be de-valued as a result of the wind farm.

Wetheral Parish Council request that the Development Control Meeting (Oct 08) be asked to have a site visit (Newlands Farm) to ensure they fully understand the impact of the proposed turbines on the dwellings and to show the exact position and to indicate the height of each turbine. Cllr.Earp has requested to speak at the Development Control Meeting on behalf of the Parish Council regarding this application.

Ministry of Defence/Defence Estates: this application relates to a site outside of Ministry of Defence (MOD) statutory safeguarding area. We can thereform confirm

that the MOD has no safeguarding objections to this proposal. However, we require the installation to be lit in the interests of air safety. The light should be steady and have a setting of 200 candelas. It should be placed at the highest practicable point and be visable from any angle.

Whilst we have no safeguarding objections to this application, the height of the development will necessitate that our aeronautical charts and mapping records are amended. Defence Estates Safeguarding therefore requests that, as a condition of any planning permission granted, the developer must notify Robert Graham at the Defence Geographic & Imagery Agency with the following information prior to development commencing:

- Precise location of development
- Date of commencement of construction
- Date of completion of construction
- The height above ground level of the tallest structure
- The maximum extension height of any construction equipment
- If the site will be lit

United Utilities: care should be taken during construction to ensure that there is no damage to the water main;

The Joint Radio Company Limited: JRC analyses proposals for wind turbine sites on behalf of the UK Energy Industry. JRC assesses their potential to cause interference to radio systems operated by Energy Industry companies in support of their regulatory operational requirements.

The Energy Industry considers that any wind energy development within 1km of a protected link location or path requires coordination. Unfortunately, part (or all) of the proposed development is located within 1km of a protected link site or path managed by JRC.

If constructed, the turbines may affect the operational radio systems of United Utilities and consequently the safe and efficient control of the Water supply network in that area could be diminished.

The grid references for this link have already been supplied to the developer along with notification of our objections as this document is likely to be in the public domain the references have been omitted from this objection.

As a consequence JRC objects to the proposed wind farm on behalf of United Utilities and itself;

British Gliding Association: no objection;

Civil Aviation Authority: as alluded to within the Environmental Appraisal (EA) the Newlands Farm development (like any wind turbine development) has the potential to impact upin aviation operations and activities in a number of ways; the Department for Trade and Industry sponsored document 'Wind Energy and Aviation Interests' and Civil Air Publication 764 refer.

It is advised that, as indicated within the EA, the CAA has been previously involved in consultation related to the subject proposal. During November 2006 the CAA advised Bolsterstone Plc that the development might have potential to impact upon operations associated with Carlisle Airport. It is recommended that the developer initiate consultation with the Airport licensee / operator to establish a related viewpoint. It is noted that the EA indicates consultation with Carlisle Airport was undertaken and the Airport licensee / operator advised as recently as May 2008 that they had no objections to the development. To validate this documented position, it is recommended that the licensee / operator of Carlisle Airport is provided the opportunity to comment upon the EA and planning application as a whole.

Additionally, from a more generic perspective, Bolderstone Plc were also advised during 2006 that;

- there may be a need to install aviation obstruction lighting to some or all of the associated wind turbines should the windfarm development be progressed. This comment was made specifically if there were concerns expressed by other elements of the aviation industry; i.e. the operators. For example, if the MoD or a local aerodrome had suggested such a need, the CAA would wish, in generic terms, ti support such a claim. We would do so if it could reasonably be argued that the structure(s) by virtue of their location and nature, could be considered a significant navigational hazard. That said, if the claim was clearly outide credible limites (i.e. the proposed turbine(s) was/were many miles away from any aeredrome or it/they were of a height that was unlikely to effect even military low flying) the Authority would play an 'honest-broker' role. Whilst it is the responsibility of the developer to undertake associated consultation, in isolation, the CAA would not make any case for lighting;

- The number of pre-planning enquiries associated with windfarm developments has been significant. It is possible that the proliferation of wind turbines in any particular area might potentially result in difficulties for aviation that a single development would not have generated. It is, therefore, not necessarily the case that, because a generic area was not objected to by the aviation industry, future, similarly located potential developments would receive the same positive response.

- There is a requirement in the UK for all structures over 300 feet high to be charted on civil aviation maps (the military use, I believe, a lesser threshold). Should this proposed wind turbine development progress, to achieve any charting requirement, developers will need to provide details of the development to the Defence Geographic Centre.

The EA does not appear to address or acknowledge the issues highlighted immediately above.

Furthermore, all parties should be aware that an anticipated amendment to international aviation regulatory documentation will require that the rotor blades, nacelle and upper 2/3 of the supporting mast of wind turbines that are deemed to be an aviation obstruction should be painted white, unless otherwise indicated by an

aeronautical study. It follows that the AA advice on the colour of wind turbines would align with these international criteria. As with the potential need for lighting, in isolation, the CAA would make no special case for marking. It is suggested that this marking requirement is linked to the lighting issue; if there is no requirement for lighting, there should be no specific requirement for special markings in respect of paint colours;

National Grid (NGN): based on the information you have provided and the proximity and sensitivity of these networks to your proposals we have concluded, using the enclosed tables, that the risk is moderate. However we have provided you with network plan(s) and general guidance that should enable you to manage this risk successfully;

Ramblers Association: as Countryside Secretary for the Cumbria Ramblers' Association, I would like to place on record our objections to the proposed Wind Turbines and associated infrastructure compound, permanent Meteorological Mast and Control Building at Newlands Farm, Carleton, Carlisle.

Also as representative of the general walking public, I have concerns about the environmental impact of such a project, and the way it will affect the distinctive local features. These large wind turbines will be out of scale with the local landscape and could lead to industrialisation of this tranquil area.

There is an increasing threat to the countryside caused by the proliferation of so called "wind farms" (but they could hardly be described as farms).This would have a negative impact on the quality of the walking environment experience, and impair its visual quality.

This proposal would have an unacceptable impact on an historical landscape that lies between the Areas of Outstanding Natural Beauty of the Solway Coast (SCAONB) and the AONB of the North Pennines (NPAONB). There is no need for major renewable energy developments in and around National Parks and valued Scenic Areas, which would cause the loss of a landscape character, leading to the degradation of the amenity value of the Eden Valley environmental green belt.

I would like to lead on to Government policy, which states "That the Countryside Should be Safeguarded for its Own Sake".

"We want Local Authorities to seek ways to Enrich the countryside as a whole, not just in protected areas, and maintain its distinctive local features". (Government White Paper 2000, CH 9, P108-109). "We will continue strict controls over developments in the open countryside". (Rural White Paper 2000).

At present less than 4% of electricity produced in the UK comes from renewable sources. The government's target is to produce 10% by 2010 and 20% by 2020. This is a considerable challenge. Renewable Energy (RE) has become almost synonymous with wind turbines.

The Ramblers Association does not oppose wind turbines and supports planning policies which reduce energy demand and which encourages RE development in the

right place, (this development will be in the wrong place and will be seen for miles around by all walkers and public alike), but has concerns about the impact on the landscape of certain installations that produce RE, such as wind turbines, and concerns about the proliferation of "wind farms" and other smaller wind turbines in the countryside and uplands of Britain and other areas targeted for commercial exploitation, due to the considerable adverse impacts such developments often have on the scenic, ecological, cultural and recreational assets of the countryside.

The impact of such a project that is harmonious with the landscape should and can be achieved. The Government's "Renewables Obligation" (RO) (replaced the non-fossil fuels obligation) (NFFO), has created a demand for large scale onshore wind farms, as these are cheaper and easier for industry to produce renewable energy. Currently the RO makes no difference between technologies which are advanced and therefore closer to commercial viability, and technologies which need further development. (Again, these Newland windmills would be in the wrong place). The RA would like to see a banding of different sorts of RE as we believe this would promote a wider range of renewable energy technologies.

We believe the current financial incentives need change so that support is moved away from large, on shore, wind developments to small scale projects.

It would be better on a smaller scale which has the advantage of less energy being lost in transmission and have a smaller impact on the surrounding landscape. Grants are available for households, through the "Clear skies Initiative" (CI), and community groups through the "Community Renewables Initiative" (CRI). These schemes should be encouraged wherever possible to reduce the need for RE on a large scale.

Wind Turbines should not be allowed to contribute to the clutter that increasingly affects our landscape. It is becoming increasingly difficult to find views of landscape that are free of evidence of human activity. Over reliance on Wind Turbines to provide RE, will be to the detriment of the development of other forms of RE and our countryside.

Onshore Wind Turbines are often in the remotest countryside areas, creating a conflict between a need to develop RE and protect our countryside and wild spaces.

PPS22 States: planning authorities set out criteria that will be applied in assessing planning applications for planning permission for RE projects, (it is assumed this has been done). Criteria should give protection to areas of high scenic value, and alternatives should be investigated. Some authorities are now actively removing electricity pylons and burying the cables underground, this also has the benefit of dissuading developers using the argument of "there are already pylons in the area, so why not Wind Turbines".

I would hasten to persuade the Local Authority (LA) to incorporate landscape access and nature conservation objectives into these and any other RE plans, and discuss why this site was chosen. The LA should take account of the nature and possible extent of potential impacts during the construction, operational phases, including any new roads or ancillary buildings that will be required.

To quote the Countryside and Rights of way Act (ROWA) 2000: "In exercising or performing any functions in relation to or so as to affect land in an AONB, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area".

This green belt area would be ruined by the development of these turbines and cause damage to the landscape, biodiversity and quiet enjoyment of the countryside.

MLL Telecom: without confirming the grid references we ask developers to leave a separation distance of at least 250m from proposed turbine locations and the path and ends of our links. The proposed turbine NGR 344289 552199 is more than 5km from our nearest link. The proposed turbine will have no affect on any of our existing links;

Conservation Officer: the site lies in reasonably close proximity to a section of the Carlisle & Settle Conservtaion Area and to a number of Listed Buildings, notably Cringles Farm (adjacent to turbine 3), Holme House in Cumwhinton, properties in the vicinity of The Beeches on Carleton Road and Newbiggin Hall. Given the proposed height of the turbines and their prominence on the skyline, these will inevitably have a detrimental effect upon the setting of a least one of the Listed Buildings - Cringle Farm. They may not be as dominant a feature viewed from the Carleton Road properties because of the local topography and landscape features, but are likely to be highly visable from Newbiggin Hall and Holme House and that they will probably be seen by passengers travelling on the Carlisle Settle line. Distant views of the turbines might be considered an attractive addition to the landscape when compared to electricity pylons, but the height and location of these proposed turbines will, in my opinion, be detrimental to the setting of a number of listed buildings and should, therefore, be refused;

Cable & Wireless: all windfarm developers should be consulting with Ofcom. The developer should state that this has been done as part of the application. Ofcom should highlight any potential probelms and direct the developer to the Companies concerned;

T Mobile: comments awaiting;

Vodaphone: comments awaiting;

Thus: comments awaiting;

Three: comments awaiting;

Orange: comments awaiting;

Royal Society Protection of Birds: comments awaiting;

NW Ambulance Service: comments awaiting;

CSS Spectrum Management: comments awaiting;

Cumbria County Council Archaeological Services: the Environmental Assessment acknowledges that the site lies in an area of high archaeological potential. There are several cropmark complexes in close proximity to the site that are indicative of two possible Roman camps and prehistoric and Roman settlement activity (Historic Environment Record nos. 510, 3813 & 3814). The course of a Roman road runs to the east and, in the wider vicinity, prehistoric settlement remains and burials have been archaeologically investigated. I therefore agree with the Environmental Assessment that there is the potential for important archaeological remains, conceivably of national importance, to survive on the site and that they would be damaged or destroyed by the proposed development.

Unfortunately, the Environmental Assessment lacks any information on the survival of archaeological remains below ground and so the impact of the proposed development on archaeological remains cannot be established. I therefore agree with the Environmental Assessment that the site should be subjected to an archaeological evaluation to determine the presence, nature and extent of surviving archaeological remains on the site. Given that there is the potential for prehistoric settlement and Roman military remains, which could be of national importance and therefore worthy of preservation in situ, the evaluation should be undertaken prior to the granting of any planning permission. The evaluation should comprise a geophysical survey in the first instance and, depending upon the results, a programme of trial trenching may also be necessary. An informed judgement can then be made as to whether any planning consent which may be forthcoming will need to include provisions for the preservation of important archaeological remains in situ or a mitigation scheme comprising the recording of remains disturbed by the development.

It is also suggested that you advise the applicant that such archaeological investigations are liable to involve some financial outlay;

Environment Agency: The Environment Agency has considered the proposal and wishes to comment as follows:

Development Control

The proposal to culvert the watercourse for access purposes will require the prior written consent on the Agency under the terms of the Land Drainage Act 1991.

The need for Agency consent is an entirely separate requirement to planning consent and it is necessary to be in receipt of all necessary consents and permissions before commencing work.

The applicant should note that the Agency has a period of two months to determine a valid application for Land Drainage Consent. We would advise that this period is taken into account when planning works which require such consent.

Recreation & Biodiversity

The Environment Agency is in general opposed to the culverting of watercourses as

it destroys wildlife habitats, damages the natural amenity and interrupts the continuity of the linear habitat. Destruction and fragmentation of this linear habitat invariably leads to a reduction in the ecological value of the affected watercourse.

The watercourse to the south of the site feeds into the River Petteril and, is a known salmonid river. With this in mind improvement to access should take into account the following best practice:-

1. The working area should be kept dry by the use of sandbags or other suitable means; to be agreed with the Agency prior to works commencing.
2. If required flow is to either be flumed or over pumped; to be agreed with the Agency prior to works commencing.
3. Any water entering the working area should be pumped to land in order to soakaway and not discharged direct into the watercourse.
4 Any newly cured concrete should be washed twice prior to the flow being allowed to pass over it, washings will be discharged via approved means.
5. No machine tracking through the water is to be permitted unless otherwise agreed with the Agency.
6. All machinery must be stored away from the watercourse, be free from leaks and cleaned before working in the watercourse.
7. Contractors must be made aware of relevant Pollution Prevention Guidelines and The Control of Pollution (Oil Storage)(England) Regulations 2001.
8. If salmon or trout are known to use the vicinity for spawning, work will be required to be restricted to between June and September inclusive.
9. In streams supporting salmonids, provision of free and unhindered passage for fish must be ensured for works occurring between October to May inclusive.

Environment Management

The Agency requests that any approval includes the following condition:

CONDITION

No development approved by this permission shall be commenced until a scheme for the disposal of foul drainage to the septic tank has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use until such septic tank has been constructed and completed in accordance with the approved plans.

REASON

To prevent pollution of the water environment.

The proposed means of foul drainage should be in accordance with DETR Circular 03/99 Planning requirements in respect of the use of non-mains sewerage incorporating septic tanks in new development.

Under the terms of the Water Resources Act 1991, the prior written Consent of the Environment Agency may be required for any discharge of sewage or trade effluent into water, including groundwater via soakaways, and may be required for any

discharge of surface water liable to contamination of such controlled waters or for any discharge of sewage or trade effluent from buildings or fixed plant or into waters which are not controlled waters. Such Consents must comply with the requirements of the Groundwater Regulations 1998 including prior investigation, technical precautions and requisite surveillance and may be withheld. (Controlled waters include rivers, streams, groundwater, reservoirs, estuaries and coastal waters).

The applicant should ensure that the land proposed for the soakaway has adequate permeability in accordance with Part H2 of the Building Regulations 2000.

It is suggested that the soakaway is sited not less than 10 metres from the nearest watercourse, 10 metres from any other foul soakaway area, and 50 metres from the nearest source of potable water supply.

The applicant/agent is advised to contact the Environment Agency's Permitting Support Centre, P O Box 4209, Sheffield. S9 9BS (Tel No. 08708 506 506) to discuss the matter in detail.

Eden District Council: comments awaiting;

British Horse Society: comments awaiting;

English Heritage (Archaeological) NW Region: comments awaiting;

Cumbria Tourism: comments awaiting;

NERL: no safeguarding objection to the proposal;

BT Openreach: it would appear from your proposals that alterations to Openreach apparatus will be necessary.

3. Summary of Representations

Representations Received

Initial:	Consulted:	Reply Type:
26 Skiddaw Road	22/07/08	Objection
Cherrystones	22/07/08	
Braeside	22/07/08	Objection
Brier Hill	22/07/08	Objection
Millfield House	22/07/08	Objection
The Conifers	22/07/08	Objection
Dale House	22/07/08	Objection
Dalegarth	22/07/08	Objection
Holme House	22/07/08	
Holme Lea	22/07/08	Objection
Howcroft Park	22/07/08	
Murray House	22/07/08	Objection
The Croft	22/07/08	

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Upna House	22/07/08	Objection
Ridgemeade	22/07/08	Objection
Farnham House	22/07/08	Objection
Beech Cottage	22/07/08	
Stonewood	22/07/08	
Balgownie	22/07/08	Objection
Woodlands	22/07/08	Objection
The Brambles	22/07/08	Objection
Cooper's Meadow	22/07/08	Objection
Cringles	22/07/08	Objection
Cringles Farm Cottage	22/07/08	
East		
Hollyside	22/07/08	Objection
Holme Acre	22/07/08	Objection
Holme Croft	22/07/08	Objection
Ivy Cottage	22/07/08	Objection
Lowther Arms	22/07/08	
Rose Cottage	22/07/08	Objection
Rose Garth	22/07/08	Objection
Rosehill	22/07/08	Objection
Swallow Cottage	22/07/08	
Ash Tree Cottage	22/07/08	Objection
Banks Villa	22/07/08	Objection
Chapel Cottage	22/07/08	Objection
Annex Chapel Cottage	22/07/08	
Greenways	22/07/08	Objection
Oaklands	22/07/08	Objection
Rhudil House	22/07/08	Objection
The Banks	22/07/08	Objection
Vermont	22/07/08	Objection
Westway	22/07/08	Objection
Laburnum Cottage	22/07/08	Objection
Tanglewood	22/07/08	
Ashdown	22/07/08	Objection
Beech Croft	22/07/08	Objection
Bold	22/07/08	Objection
Venture		
Crofton House	22/07/08	
Green End Cottage	22/07/08	
The Cottage	22/07/08	Objection
1 Holme Farm Court	22/07/08	Objection
2 Holme Farm Court	22/07/08	Objection
3 Holme Farm Court	22/07/08	Objection
4 Holme Farm Court	22/07/08	Objection
5 Holme Farm Court	22/07/08	Objection
6 Holme Farm Court	22/07/08	Objection
7 Holme Farm Court	22/07/08	Objection
1 Holme Meadow	22/07/08	Objection
2 Holme Meadow	22/07/08	Objection
3 Holme Meadow	22/07/08	Objection
4 Holme Meadow	22/07/08	
5 Holme Meadow	22/07/08	Objection
6 Holme Meadow	22/07/08	Objection
7 Holme Meadow	22/07/08	
8 Holme Meadow	22/07/08	Objection
9 Holme Meadow	22/07/08	Objection
10 Holme Meadow	22/07/08	Objection
11 Holme Meadow	22/07/08	Objection
12 Holme Meadow	22/07/08	Objection
Carmel House, Holme Meadow	22/07/08	Objection
14 Holme Meadow	22/07/08	Objection

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15 Holme Meadow	22/07/08	Objection
Cringles Farm	22/07/08	
West Cottage	22/07/08	
Gill Head Farm	22/07/08	
The Carleton Clinic	22/07/08	
Fairhaven	22/07/08	
Rose Wood	22/07/08	
, Carleton Filling Station	22/07/08	
Ardnaree	22/07/08	Objection
River Forge	22/07/08	
Kells Cottage	22/07/08	
Newlands Cottage	22/07/08	
Woodend	22/07/08	
Hamilton House	22/07/08	
Bordergate Travel Inn	22/07/08	
Newlands Farm Cottage	22/07/08	
Golden Fleece House	22/07/08	
Golden Fleece House	22/07/08	
Golden Fleece	22/07/08	
Exelby Services Ltd	22/07/08	
The Flat, Golden Fleece	22/07/08	
Golden Fleece Cottage	22/07/08	
Thistle Cafe, Golden	22/07/08	
Fleece		
Overwood	22/07/08	
Quarry Gate	22/07/08	
Hill Rise	22/07/08	
Ypsilanti	22/07/08	
. Lyndhurst	22/07/08	Objection
, Coomara	22/07/08	
, Glendale	22/07/08	
, Carleton Mill Cottage	22/07/08	
, Carleton Mill	22/07/08	
, Orchard View	22/07/08	Objection
, Orchard House	22/07/08	
, The Orchards	22/07/08	
, Park End	22/07/08	
, Broadfield	22/07/08	
, The Beeches	22/07/08	
, The Flat, The Beeches	22/07/08	
, Yew Tree House	22/07/08	
, The Elms	22/07/08	
, The Cottage	22/07/08	
Gifford House	22/07/08	Objection
Mount View	22/07/08	
1 White Cottages	22/07/08	Objection
2 White Cottages	22/07/08	
1 Petteril Villas	22/07/08	
2 Petteril Villas	22/07/08	
Craig Roy	22/07/08	
Arnside	22/07/08	
Corusik	22/07/08	
Aikbank	22/07/08	
Valdor	22/07/08	
The Willows	22/07/08	Objection
, Kielder	22/07/08	
, DaNene	22/07/08	
, Gleneagle	22/07/08	
, The Bungalow	22/07/08	
. Fell View	22/07/08	
, Carleton	22/07/08	Objection

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Farmhouse			
	Redlands	22/07/08	
	Bluerare Restaurant	22/07/08	
	Bluebell Cottage	22/07/08	
	Rose Cottage	22/07/08	
	Terracotta Bungalow	22/07/08	
	1 St Christophers	22/07/08	
	2 St Christophers	22/07/08	
	Motor Body Repairs	22/07/08	
	Dhaka Tandoori	22/07/08	
Restaurant			
	Carleton Depot	22/07/08	
	Greenbank Inn	22/07/08	
	Carleton Day Centre	22/07/08	
	1 Brisco View	22/07/08	
	2 Brisco View	22/07/08	
	3 Brisco View	22/07/08	
	4 Brisco View	22/07/08	
	5 Brisco View	22/07/08	
	Hill Howe	22/07/08	
	Croft House	22/07/08	Objection
	1 Carleton Farm Mews	22/07/08	
	2 Carleton Farm Mews	22/07/08	
	3 Carleton Farm Mews	22/07/08	
	4 Carleton Farm Mews	22/07/08	
	5 Carleton Farm Mews	22/07/08	
	6 Carleton Farm Mews	22/07/08	
	1 Meadow View	22/07/08	
	2 Meadow View	22/07/08	
	3 Meadow View	22/07/08	Objection
	1 Carleton Close	22/07/08	Objection
	2 Carleton Close	22/07/08	
	3 Carleton Close	22/07/08	
	4 Carleton Close	22/07/08	
	3 North Park Cottages	22/07/08	
	Mews Cottage	22/07/08	Objection
	22 The Beeches	22/07/08	
	Rosebank	22/07/08	Objection
	Wooden Walls		Objection
	Civic Centre	25/07/08	
	Airbank Farm	29/07/08	Objection
	Three Ashes	31/07/08	Objection
	33 Collingwood Street	31/07/08	Support
	Flat 20 Spencer House	31/07/08	Support
	1 Mount Florida	31/07/08	Support
	46 Chesterholm	31/07/08	Support
	10 Broad Street	31/07/08	Support
	31 South End	31/07/08	Support
	80 Welsh Road	31/07/08	Support
	Via Schopenhauer 66	31/07/08	Support
	2 Rue de Bricquebost	31/07/08	Support
	The Watsons	31/07/08	
	North Park Lodge	05/08/08	
	Beech Cottage	22/07/08	Objection
	Ashcroft	22/07/08	
	The Conifers, 1 Beech Tree Farm	22/07/08	Objection
	Camstraddan	22/07/08	
	3 Beech Tree Farm	22/07/08	Objection
	Ferrers	22/07/08	
	5 Beech Tree Farm	22/07/08	
	Auchrannie	22/07/08	

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7 Beech Tree Farm	22/07/08	
Granny Annexe, 7 Beech Tree Farm	22/07/08	
8 Beech Tree Farm	22/07/08	
9 Beech Tree Farm	22/07/08	Objection
10 Beech Tree Farm	22/07/08	
11 Beech Tree Farm	22/07/08	
12 Beech Tree Farm	22/07/08	Objection
13 Beech Tree Farm	22/07/08	
Maughan Holme	22/07/08	
Bengairn	22/07/08	Objection
34 Trafalgar Street		Support
4 Chiswick Street		Support
6 Leywell Drive		Objection
2 Low House Farm Cottages		Support
28 Byron Road		Support
303 Blackwell Road		Objection
3 Parklands Avenue		Support
2 Poplar Court		Support
Cold Harbour Cottage		Objection
53 Cumwhinton Road		Support
41 North Meggetland		Objection
39 Cumberland Street		Support
1 Churchill Avenue		Support
32 Sansome Walk		Support
Hill House Farm		Support
1A Rosslyn Crescent		Support
Flat 5		Support
University Of East Anglia		Support
The Nettles		Objection
Edenside House		Objection
205 Kingstown Road		Support
27 Middleton Street		Support
114 Stanhope Road		Support
Thatch Hair Technique		Objection
4 Eden View		Objection
Oakwood		Objection
Culneoch		Objection
School House		Objection
Southways		Objection
Palmer House		Objection
Wall End		Objection
Ash Croft		Objection
Haresfield		Objection
Prospect		Objection
Nebraska		Objection
4 Low Croft		Objection
Aikbank Farm		Objection
Mews Cottahe		Objection
Graylands		Objection
116 Welsh Road		Support
Troutbeck Farm		Support
205 Kingstown Road		Support
84 Stanhope Road		Support
Rose Cottage		Support
16 Beechwood Avenue		Support
11 Elm Garth		Objection

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23 Hayton	Support
18 Melbourne Road	Support
8 Hitchcock Close	Support
17 North Street	Support
94 Green Lane	Support
, 192 Raffles Avenue	Support
8 Cedar Grove	Support
4 Dee Close	Support
15 Dalston Street	Support
7 Applewood Close	Support
31 Eden Grange	Support
8 Netherby Drive	Support
1 Garden Street	Support
10 Broad Street	Support
16 Ellesmere Way	Support
33 Collingwood Street	Support
8 Millbank Court	Support
27 Summerville Crescent	Support
, 57 High Street	Support
30 Caulstram Street	Support
30 Coulstran Street	Support
, 31 South End	Support
1 Churchill Avenue	Support
15 Ferguson Road	Support
63 Denton Street	Support
3 East Norfolk Street	Support
, 114 Stanhope Road	Support
., 52 Burnett Road	Support
33 Vasey Crescent	Support
, 12 The Clumps	Support
76 Stonegarth	Support
, 26 Somerton Gardens	Support
10 Gledhill Crescent	Support
1 Logan Road	Support
, 33 Petteril Terrace	Support
, Badgercroft Cottage	Support
High Murber	Support
, 219 Greenlane	Support
53 Elders	Support
, 55 Brampton Road	Support
41 Wardle Bank	Support
37 Hazeldene	Support
12 Tarnside	Support
37 Hazeldene	Support
5 Hasell Street	Support
, Allfornaught	Support
5 Hill Head	Support
10 Woodhayes	Support
18 Warwick Place	Support
10 Webster Crescent	Support
11 Webster Crescent	Support
135 Whernside	Support
Lane Head Cottage	Support
Theydon	Support
41 Yeathouse Road	Support
14 Yeathouse Road	Support
, 5 North Street	Support
10 Hartley Avenue	Support
, 10 Robinson Avenue	Support
17 Bousteads Grassing	Support
, 126 Orton Road	Support

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, 29 Edenside	Support
2 South Croft	Support
, Flat 4, Willow Court	Support
r, Amberley House	Support
Amberley House	Support
Reseviour House	Support
1 Pennine View	Support
West Croft	Support
184 Denton Street	Support
49 Anstable road	Support
99 Newlaithes Avenue	Support
60 Castlesteads Drive	Support
39 Moor Park Avenue	Support
, Edenbank	Support
, 43 Netherton Road	Support
11 Stainton Road	Support
3 Finch Close	Support
47 Lido Village	Support
, 13 Flower Street	Support
, 6 Dewhist Way	Support
20 Hedingham	Support
, 20 Hedingham	Support
10 Peter Street	Support
20 Hedingham	Support
1 Mead Villas	Support
2 Ridley Place	Support
15 Gretna Avenue	Support
46 Marks Avenue	Support
, 22 Currock Street	Support
Mill Cottage	Support
29A Town Street	Support
43 Eden Park Crescent	Support
, 54 Currock Road	Support
9 Beckside	Support
, 2 West View	Support
Whitropefoot Farm	Support
, Rowan House	Support
24 Carlisle Road	Undelivered
, 13 Kirkstead Road	Support
Nor Ash	Support
11 Fusehill Street	Support
1 Birchdale Road	Support
13 Woodsghyll Drive	Support
71 Lightfoot Drive	Support
24 Rydal Street	Support
, 52 Gloucester Road	Support
108 Edgehill Road	Support
85 Sunnymeade	Support
Croft Head	Support
51 Westerkirk	Undelivered
2 Grove Street	Support
Marsh House	Support
26 Palmer Road	Support
20 Ashman Close	Support
, 32 Dale End Road	Support
1 Mead Villas	Support
2 Norfolk Road	Support
, 237 Denton Street	Support
Nentholme	Support
, 1 Smiths Croft	Support
, 7 Northfield Meadows	Support

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07 Blackwell Road	Support
72 Victoria Close	Support
28 Victoria Road	Support
12 Barras Close	Support
10 Knowefield Avenue	Support
87 Lingmoor Way	Support
48 gloucester Road	Support
1 Meadowcroft Cottages	Support
22 Sheenan Gardens	Support
5 Derrymore Road	Support
45 Coney Street	Support
1 Mardale Road	Support
23 Eden Grange	Support
Birnock Cottage	Support
Birnock Cottage	Support
23 Lime Street	Support
23 Lund Crescent	Support
82 Linden Terrace	Support
2 Hurrell Down	Support
111 Berkeley Grange	Support
54 Berkeley Grange	Support
48 Burgh Road	Support
17 Turnstone Drive	Support
2 Bushfield	Support
41 West Street	Support
41 West Street	Support
Hill Crest	Support
40 Houghton Road	Support
7 Peel Street	Support
The Walled Garden	Comment Only
Glengoyne	Support
20 Dalegarth Avenue	Support
Raeburnhead Cottages	Support
Lower Mill House	Support
Ravenstone Cottage	Support
Well Green	Objection
1 Dene Terrace	Objection
6 Beech Tree Farm	Objection
8 West View	Objection
1 Beech Tree Farm	Objection
3 West View	Objection
5 Chestnut Grove	Objection
12 High Garth Meadows	Objection
Patches House	Support
21 Blunt Street	Support
4 Whernside	Support
65 Warnell Drive	Support
Green	Support
Ltd	
1 West View	Objection
33 St Nicholas Street	Objection
31 Cammock Avenue	Objection
9 Patten Garth	Support
7 Mardale Road	Support
The Bothy	Support
4 Willow Place	Support
22 Sheehan Gardens	Support
56 Crown Road	Support
80 Edgehill Road	Support
19 Brookfields	Support
Dale View	Objection

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6 St Ninians Ave	Objection
309 Pennine Way	Objection
7 Highbank Close	Objection
Bramblea	Objection
14 St Edmunds Park	Objection
75 Scotby Road	Objection
18 High Green Croft	Objection
18 High Green Croft	Objection
Bungalow	Objection
393 London Road	Objection
Clenanen	Objection
18 Farbrow Road	Objection
19 Edgehill Road	Objection
4 Farbrow Road	Objection
14 Farbrow Road	Objection
16 High Green Croft	Objection
6 St Ninians Ave	Objection
20 Farbow Road	Objection
25 Jackson Road	Objection
10 Farbrow Road	Objection
23 Eden Road	Objection
20 Farbrow Road	Objection
New Bungalow	Objection
10 Farbrow Road	Objection
2 Nuneham Square	Objection
12 High Green Croft	Objection
77 Brantwood Ave	Objection
3 Farbrow Road	Objection
3 Farbrow Road	Objection
12 Farbrow Road	Objection
Dale Garth	Objection
16 Farbrow Road	Objection
Building & Maintenance, 26 Skiddaw	Objection
Pennine View	Objection
Farbrow Road	Objection
16 Farbrow Road	Objection
20 High Green Croft	Objection
170 Newtown Road	Objection
20 High Green Croft	Objection
281 Newtown Road	Objection
2 Farbrow Road	Objection
170 Newtown Road	Objection
8 Farbrow Road	Objection
Building & Maintenance, 26 Skiddaw	Objection
8 Farbrow Road	Objection
15 Eden Grange	Objection
Building & Maintenance, 26 Skiddaw	Objection
Yew Bank Cottage	Objection
2 Dee Close	Objection
10 The Oval	Objection
36 Burntscarth Green	Objection
26 Kendal Street	Objection
1 Undercraigs Road	Objection
Pennine View	Objection
14 Thortorton Road	Objection
1 Wellbank	Objection
	Objection
	Objection

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	Objection
	Objection
Harraby	Objection
5 West View	Objection
, 7 Chestnut Grove	Objection
Head-Dale	Objection
Ashleigh	Objection
, Meadow View	Objection
85 Watermans Walk	Objection
Kentmere	Objection
53 Cumwhinton Road	Support
30a Etterby Street	Support
15 Dale End Road	Support
20 Holmrook Road	Support
Hare Hill	Support
1 Vale Cottages	Support
Croft Head	Support
47 The Lido Village	Support
2 Ferguson Road	Support
136 Beaumont Road	Support
51 Colville Street	Support
42A Burleigh Road	Support
16 Cherry lane	Objection
Coachman's View	Objection
Hill House	Objection
, Leuktra Lodge	Support
	Support
Main Band House	
56 Mount Pleasant Road	Support
272 Kingstown Road	Support
70 Whinsmoor Drive	Support
, Wandales	Support
18 Warwick Place	Support
Murrayfield	Support
, 46 Sheffield Street	Support
4 Lime Street	Support
53 Borland Avenue	Support
Gill Head	Support
Gill Head	Support
42 Manor Road	Support
45 Weardale Road	Support
213 Wigton Road	Support
15 Beverley Rise	Support
Hildale	Support
10 Burnt Stones Close	Support
210 Yewdale Road	Support
60 Lediard Road	Support
5 Hillhead	Support
3 West View	Objection
Greenways	Objection
Willow Tree Cottage	Objection
, Willow Tree Cottage	Objection
1 Parkland Avenue	Objection
, Wooden Walls	Objection
3 The Chestnuts	Objection
9 Crossbank Walk	Objection
Townhead Farm	Objection
Fell View	Objection
Pennine View	Objection
Tommys Barn	Objection
Tommys Barn	Objection

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Fern Pasture	Objection
, Rosehill	Objection
44 Tullie Street	Support
12 Cherry Lane	Objection
5 Cherry Lane	Objection
South Cote	Objection
8 Sutton Court	Objection
Rosehill	Objection
	Objection
Rossendahl	Objection
7 Wellgate	Objection
21 Inglewood Crescent	Objection
44 Broomfallen Road	Objection
46 Scotby Village	Objection
	Objection
Lyndhurst	Objection
Lyndhurst	Objection
, 480 London Road	Objection
Eden Croft	Objection
Rose Cottage	Support
Vermont	Objection
5 Cherry lane	Objection
	Objection
8 Parkland Avenue	Objection
8 Parkland Avenue	Objection
192 Woodbridge Road	Support
, Acorn Cottage	Support
Ferbank Cottage	Objection
, 12 Scotby Green Steading	Objection
, 10 Wetlgate	Objection
0 Broomfallen Road	Objection
Court Lodge Farmhouse	Objection
51 Scotby Road	Objection
6 Ghyll Road	Objection
2 Beech Tree Farm	Objection
St Johns Close	Objection
room House	Objection
1 St Johns Close	Support
14a Scotby Green Steading	Objection
3 Beech Tree Farm	Objection
13 Beech Tree Farm	Objection
9 Nightingale Court	Objection
, 47 Broomfallen Road	Objection
32 Broomfallen Road	Objection
6 Scotby Green Steading	Objection
, Heathlands	Objection
Heathlands	Objection
, Hill House	Objection
Aikbank Farm	Objection
, Garth Cottage	Comment Only
Garth Cottage	Objection
	Objection
Smith, Acer	Objection
6 Wellgate	Objection
, Trewidden	Objection
, Netherby House	Objection
The Oaks	Objection
Ltd	Objection
11 Ladysteps	Objection
144 Cumwhinton Road	Objection
152 Cumwhinton Road	Objection

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he Oaks	Objection
, 4 West View	Objection
	Objection
401 Durdar Road	Objection
, 9 Simmerson Dr	Objection
9 Scotby Grange	Objection
2 Orchard Lane	Objection
High Garth	Objection
Foxfield	Objection
Wellgate	Objection
, Foxfield	Objection
Foxfield	Objection
Garth Foot Cottage	Objection
Holly House	Objection
10 St John's Close	Objection
Holly House	Objection
Maplewood	Objection
14 Holme Meadow	Objection
6 Holme Farm Court	Objection
Loxley, Ardnaree	Objection
Ash View	Objection
, Ash View	Objection
8 Holme Meadow	Objection
8 The Old Tannery	Objection
3 Croft Park	Objection
Vestways	Objection
5 Elm Garth	Objection
6 Near Park	Objection
10 Millcroft	Objection
15a Mallyclose Drive	Objection
1 Townhead Court	Objection
624 Alby Lodge	Objection
3 Nightingale Court	Objection
The Swallows	Objection
10 Millcroft	Objection
, Ash Leigh	
4 Tennet Croft	Objection
Abbeyfield	Objection
123a Scotby Road	Objection
Murray House Farm	Objection
1 Holme Farm Court	Objection
59 Greenacres	Objection
107 Cumwhinton Road	Objection
59 Greenacres	Objection
Dale House	Objection
Bold Venture	Objection
Bold Venture	Objection
The Golden Fleece	Objection
The Howard	Objection
3 North Park Cottages	Objection
, 16 Broomfallen Road	Objection
chard House	Objection
Courtyards	Objection
Prospecton Cottage	Support
	Support
Summerfield	Objection
7 Croft Park	Objection
Inch Farm	Objection
Inch Farm	Objection
Low Moat Farm	Objection
Bowling Green Lodge	Objection

SCHEDULE B: Reports Requiring Further Information

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Meadow Bank	Objection
3 Holme Meadow	Objection
The Old Tannery	Objection
Lyndhurst Cottage	Objection
Snowdrop Cottage	Objection
35 Dale View	Objection
Larch Holme	Objection
7 Hall Moor Court	Objection
The Station	Objection
10 Greenacres	Objection
184 Greenacres	Objection
Rooks Close	Objection
4 Greenacres	Objection
41 Greenacres	Objection
Saffron House	Objection
43 Greenacres	Objection
1 Chatsworth Cottage	Objection
	Objection
12 Hill Head	Objection
Barley Cottage	Objection
3 Near Park	Objection
Hillcrest	Objection
12 Croft Park	Objection
Occupier, Ardnaree	Objection
The Brambles	Objection
Park Head	Objection
6 Hall Moor Court	Objection
2 Cherry Lane	Objection
Cranham	Objection
Priory Oaks	Objection
Edenwood	Objection
Longridge	Objection
8 Faustin Hill	Objection
Brantwood	Objection
Cranham	Objection
The Brambles	Objection
3 Chatsworth Square	Objection
Highfield	Objection
Highfield	Objection
Highfield	Objection
Highfield	Objection
Balgownie	Objection
4 Hunters Crescent	Objection
4 Eskdale Avenue	Objection
2 Holme Garth	Objection
House Farm	Objection
22 Pennington Drive	Objection
169 Brampton Road	Objection
Whingate	Objection
Bog Farm	Objection
2 Harraby Green Road	Objection
Southwaite House	Objection
Housesteads	Objection
Holme Croft	Objection
21 High Rigg	Objection
6 Union Lane	Objection
34 Lawson Street	Objection
74 Crown Road	Objection
5 Bartow Dale	Objection
House Farm	Objection
The Warren	Objection

SCHEDULE B: Reports Requiring Further Information

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141 Holmrook Road	Objection
12 Irthing Park	Objection
11 Bartow Drive	Objection
Warwick Road	Objection
Blackdyke Farm	Objection
47 Tribune Drive	Objection
Four-Ways	Objection
53 Pennine Way	Objection
The Challenge	Objection
The Grange	Objection
Maplewood	Objection
	Objection
Wheatsheaf Gardens	Objection
5 Holme Meadow	Objection
5 Holme Meadow	Objection
Scotby Road	Objection
5 Wheatsheaf Gardens	Objection
5 Wellgate	Objection
White House	Objection
43 Dalesman Drive	Objection
154 Greenacres	Objection
20 Goosegarth	Objection
2 Fernbank Cottages	Objection
132 Watermans Walk	Objection
11 Turnstone Park	Undelivered
9 Look Lane Close	Objection
Causey View	Objection
29 Barrowmoor Road	Objection
Bordersyde House	Objection
Bordersyde House	Objection
17 Moorpark Avenue	Objection
28 Hadrians Avenue	Objection
377 Pennine Way	Objection
Sunnybank	Objection
3 Hollycake Terrace	Objection
58 Upperby Road	Objection
12 Holmrook Road	Objection
66 Yewdale Road	Objection
46 Newfield Drive	Objection
3 Jocks Hill	Objection
17 Edenside	Objection
Kingswood	Objection
7 Elm Field	Objection
1 Oak Bank	Objection
20 Muddleton Street	Objection
Trough House Farm	Objection
359 Warwick Road	Objection
Fern Garth	Objection
67 Croft Road	Objection
Storm	Objection
8 Jackson Road	Objection
19 Gilbert Road	Objection
9 The Beeches	Objection
Croft Cottage	Objection
Tavistock House	Objection
58 Broome Court	Objection
Broadview	Objection
Askbank	Objection
1 Greenacres	Objection
10 Millcroft	Objection

SCHEDULE B: Reports Requiring Further Information

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Lawn Cottage	Objection
South Street	Objection
Arkaig	Objection
94 Cumwhinton Road	Objection
126 Cumwhinton Road	Objection
51 Pennine View Close	Objection
57 Greenacres	Objection
9 West Tower Street	Objection
3 Front Street	Objection
Greenbank	Objection
Wragmire	Objection
6 Abbey Street	Objection
Eden Bank	Objection
Green Garth	Objection
Oak Eden	Objection
4 The Gabkes	Objection
1 Alby Terrace	Objection
58 Cumwhinton Road	Objection
North Park Lodge	Objection
Windyrigg	Objection
Wentworth House	Objection
Wentworth House	Objection
Wentworth House	Objection
8 Cawflands	Objection
Meadow Croft	Support
Robin Hill	Objection
	Objection
The Stables	Objection
The Barn	Objection
The Barn	Objection
Red Beeches	Objection
Raven Croft	Objection
5 Cherry Lane	Objection
37 Low Moorlands	Objection
15 Hall Moor Court	Objection
Oak House	Objection
The Nook	Objection
20 Cawflands	Objection
17 Cherry Lane	Objection
11 Cherry Lane	Objection
Town Head	Objection
Tilly's Cottage	Objection
Tilly's Cottage	Objection
6 Oval Court	Objection
13 Park Road	Objection
4 Holly Lane	Objection
Panorama	Objection
Oakdene	Objection
Riverside	Objection
20 Pennington Drive	Objection
Lomond	Objection
Ludgate Cottage	Objection
Lyndhurst	Objection
21 Hall Moor Court	Objection
5 Faustin Hill	Objection
1 Scotby Grange	Objection
Lyne View	Objection
24 Bedford Road	Objection
Brackenridge	Objection
Hillside	Objection
19 Wood Street	Objection

SCHEDULE B: Reports Requiring Further Information

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.yndhurst	Objection
awflands	Objection
Millcroft	Objection
, Wood Croft	Objection
, Acorn House	Objection
Acorn House	Objection
Acorn House	Objection
Jones, 16 Woodhayes	Objection
Turner, Cawdor	Objection
Wood Croft	Objection
7 The Willows	Objection
Jennet croft	Objection
Littlesway	Objection
31 Chiswick Street	Objection
1 Oak Lane	Objection
The Willows	Objection
17 The Willows	Objection
Forest Hill	Objection
12 Cawflands	Objection
North Holme	Objection
186 Greenacres	Objection
21 The Willows	Objection
FRICS	Objection
Carlholm	Objection
17 Greenacres	Objection
11 Woodhayes	Objection
1 Woodhayes	Objection
16 Woodhayes	Objection
Woodhayes	Objection
Stonelea	Objection
166 Greenacres	Objection
Eriscay	Objection
Brandlehow	Objection
4 Forest Hill	Objection
Merlin House	Objection
Upna House	Objection
Upna House	Objection
136 Greenacres	Objection
57 Pennine View	Objection
1 Edenside Cottage	Objection
Sgumain	Objection
Greystones	Objection
angdale	Objection
20 Highgreen Croft	Objection
9 High Green Croft	Objection
Croft Park	Objection
67 Scotland Road	Objection
1 Warwick Holme Cottages	Objection
6 Tanary Court	Objection
3 York Street	Objection
114 Kingstown Road	Objection
20 Vasey Crescent	Objection
Whinfell	Objection
Whinfell	Objection
7 Thornton Road	Objection
14 Grange Avenue	Objection
30 Fell View Close	Objection
91 Shadygrove Road	Objection
36 Dalesman Drive	Objection
15 Parkland Avenue	Objection
4 North Park Cottages	Objection

SCHEDULE B: Reports Requiring Further Information

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15 Parkland Avenue	Objection
15 Parkland Avenue	Objection
7 Hall Moor Court	Objection
103 Little Newton	Objection
41 Watermans Walk	Objection
Eden Gate Cottage	Objection
7 Thornton Road	Objection
21 Newbiggin Road	Objection
17 Newbiggin Road	Objection
151 Newbiggin Road	Objection
Coopers Meadow	Objection
Coopers Meadow	Objection
72 Blackwell Road	Objection
32 Cawflands	Objection
1 Cawflands	Objection
114 Kingstown Road	Objection
87 Scalegate Road	Objection
28 Wentworth Drive	Objection
Roseholme	Objection
Springbank	Objection
Craiktrees	Objection
Fir Trees	Objection
Anchor Lodge	Objection
4 Wheatsheaf Gardens	Objection
9 Wheatsheaf Gardens	Objection
50 Beaver Road	Objection
3 The Gables	Objection
Anchor Lodge	Objection
Riverbank	Objection
Meridale	Objection
Castle View	Objection
St Martins Cottage	Objection
35 Granville Road	Objection
The Cedars	Objection
13 Newbiggin Road	Objection
Irisco Hill Farm	Objection
Dian Bungalow	Objection
Eden	Objection
Eden Commercial Gardens	Objection
105 Balmoral Road	Objection
Monkwray Road	Objection
20 Whinlatter Way	Objection
Green Pastures	Objection
48 Hopeshill Drive	Objection
8 Faustin Hill	Objection
Lakeland & Lunesdale	Objection
62 Mallyclose Drive	Objection
203 Denton Street	Objection
203 Denton Street	Objection
The Hawthorns	Objection
7 Lime Grove	Objection
47 North View	Objection
246 Blackwell Road	Objection
38 Beverley Rise	Objection
9 Adelaide Street	Objection
Cottage	Objection
34 Criffel Road	Objection
45 Belah Road	Objection
18 Grace Street	Objection
10 Holmrook Road	Objection

SCHEDULE B: Reports Requiring Further Information

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, 66 Lund Crescent	Objection
Rower	Objection
14 Mayfield	Objection
49 Pennine View	Objection
Aikrigg	Objection
Shyll Cottage	Objection
81 The Hawthorn	Objection
81 The Hawthorns	Objection
Carrick	Objection
Carrick	Objection
96 Cumwhinton Road	Objection
219 Pennine Way	Objection
10 Blackburn Drive	Objection
, 122 Springfield Road	Objection
37 Gleneagles Drive	Objection
Alby View	Objection
49 Pennine View	Objection
295 Warwick Road	Objection
32 Gilsland Road	Objection
33 Whinsmoor Drive	Objection
46 Cherstey Bank	Objection
Aikrigg	Objection
71 Longholme Road	Objection
46 Chertsey Bank	Objection
492 London Road	Objection
Grosvenor Court	Objection
24 Ashman Close	Objection
2 Linden Terrace	Objection
7 Central Avenue	Objection
76 Cumwhinton Road	Objection
33 Whinsmoor Drive	Objection
12 Lingmoor Way	Objection
12 Lingmoor Way	Objection
10 Blackburn Drive	Objection
131 Oaklands Drive	Objection
30 Chesterholm	Objection
2 Woburd Court	Objection
Kirkstead Road	Objection
House	Undelivered
38 Millriggs	Objection
4 Cairnwood	Objection
11 Crindledyke Close	Objection
11 Crindledyke Close	Objection
Hollinbush Cottahe	Objection
Chapel Court	Objection
Croft House	Objection
Lowmoor House	Objection
14 Buttercup Close	Objection
18 Holmside Terrace	Objection
27 Ashburn Cottage	Undelivered
Central Avenue	Objection
Central Avenue	Objection
7 Central Avenue	Objection
10 Blackburn Drive	Objection
33 Housesteads Road	Objection
69 Queensway	Objection
69 Queensway	Objection
33 Housesteads Road	Objection
33 Housesteads Road	Objection
40 School Road	Objection
40 School Road	Objection

SCHEDULE B: Reports Requiring Further Information

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23 Lamb Street	Objection
15 Beveridge Road	Objection
9 Whiteclosegate	Objection
14 Mayson Street	Objection
69 Currock Road	Objection
26 Eden Grange	Objection
5 Watson Street	Objection
Kirkstead Road	Objection
South Cote	Objection
Westgate	Objection
Westgate	Objection
36 Forest Hill	Objection
Eden Park	Undelivered
96 Pennine Way	Objection
Forest Hill	Objection
4 Chestnut Lane	Objection
17 Border Close	Objection
22 Brantwood Avenue	Objection
The Willows	Objection
The Willows	Objection
1 School House	Objection
98 Union Road	Objection
3 Beech Tree Fram	Petition
4 Holly Lane	Objection
80 Greystone Road	Objection
1 Church House	Objection
8 Dunlin Avenue	Objection
Flat 5 Sutcliffe House	Objection
4 High Green Croft	Objection
22 Hill Head	Objection
2 Hill Head	Objection
8 Margery Street	Objection
27 Uldale Road	Objection
15 Hillhead	Objection
Glynt Wind	Objection
Glynt Wynd	Objection
Glynt Wynd	Objection
Glynt Wynd	Objection
13 Hill Head	Objection
13 Hill Head	Objection
Barras Brow	Objection
Barras Brow	Objection
11 Hillhead	Objection
15 Hill Head	Objection
12 The Steading	Objection
15 Hill Head	Objection
42 Criffle Road	Objection
3 Roachburn Six Cottages	Objection
7 Millfield	Objection
7 Millfield	Objection
58 Rosebank Crescent	Objection
34 Mayfield Avenue	Objection
21 Hespeck Raise	Objection
22 Hillhead	Objection
Sandraise	Objection
4 Eden Mount	Objection
Orchard View	Objection
18 The Willows	Objection
Lane End Cottage	Objection
Eden Grange	Objection
70 Greenacres	Comment Only

SCHEDULE B: Reports Requiring Further Information

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6 Border Close	Objection
Riversdale	Objection
54 Greenacres	Objection
41 Croft Park	Comment Only
50 Dalesman Drive	Comment Only
74 Newfield Park	Objection
76 Newfield Park	Objection
33 Helvellyn Rise	Objection
33 Helvellyn Rise	Objection
Newfield Park	Objection
Pennine View	Objection
Ludgate House	Objection
10 Blackbuin Drive	Objection
7 Ashford Way	Objection
6 River Street	Objection
4 Orchard Road	Objection
17 Raven Street	
96 Cumwhinton Road	Objection
20 Arnside Road	Objection
58 Hanson Road	Objection
2 Montreal Street	Objection
20 Arnside Road	Objection
76 Cumwhinton Road	Objection
2 Montreal Street	Objection
1 Gooselend	Objection
21 Pennine View	Objection
28 Pennine View	Objection
2 Montral Street	Objection
13 Hopeshill Drive	Objection
17 Hopeshill Drive	Objection
12 Hopeshill Drive	Objection
11 Hopeshill Drive	Objection
117 Arnside Road	Objection
33 Housesteads Road	Objection
27 Mayfield Ave	Objection
69 Queensway	Objection
46 Eskdale Avenue	Objection
	Objection
15 Irthing Street	Objection
25 Clementina Terrace	Objection
15 Irthing Street	
Millfield House	Objection
11 Beaver Road	Objection
23 Townhead Road	Objection
4 Gossegarth	Objection
46 Durranhill Rd	Objection
Cornhill House	Objection
44 Newfield Park	Objection
Beechwood Avenue	Objection
4 Mallyclose Drive	Objection
32 Ravenstone Way	Objection
1 Hedley Court	Objection
44 Hillary Gr	Objection
20 Mallyclose	Objection
28 Mallyclose Drive	Objection
47 Hopeshill Drive	Objection
18 Farbrow Rd	Objection
3 Longholme Road	Objection
61 Brantwood Avenue	Objection
154 Dalston Road	Objection
109 Beverley Rise	Objection

SCHEDULE B: Reports Requiring Further Information

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18 Farbrow Road	Objection
219 Pennine Way	Objection
1 Barn Close	Objection
17 Edgehill Road	Objection
66 Nelson Street	Objection
26 Hopeshill Drive	Objection
34 Buttermere Ave	Objection
29 Newfield Park	Objection
75 Mayfield avenue	Objection
3 Lingmoor Way	Objection
122 Springfield Road	Objection
75 Mayfield Avenue	Objection
90 Tribune drive	Objection
90 Tribune Drive	Objection
15 River Street	Objection
58 Newfield Park	Objection
40 Lansdowne Close	Objection
40 Lansdowne Close	Objection
54 Newfield Park	Objection
54 Newfield Park	Objection
60 Newfield Park	Objection
58 Newfield	Objection
20 Newfield Park	Objection
26 Newfield Park	Objection
40 Newfield Park	Objection
The Crowns View	Objection
51 Albert Street	Objection
34 Heathwaite	Objection
Edgehill Lodge	Objection
46 Durranhill Road	Objection
2 Petteril Street	Objection
9 Huntsman lane	Objection
10 Brantsy Road	Objection
20 Almery Drive	Objection
42 Broadoats Grange	Objection
37 Dalesman Drive	Objection
10 Osbrey Close	Objection
1 Barn Close	Objection
16 Little Corby Road	Objection
3 Cairn Crescent	Objection
11 Parkland Ave	Objection
10 Rectary Road	Objection
19 Moorhouse Road	Objection
3 Cairn crescent	Objection
Beaulieu Cottage	Objection
Green Noah	Objection
1 The Glebe	Objection
Dacre Road	Objection
2 Eden Court	Objection
2 Village House	Objection
5 Helvellyn Road	Objection
Holme Farm	Objection
2 Montreal Street	Objection
2 Wheatlands	Objection
Tarn End Farm	Objection
15 Haycock Lane	Objection
2 Montreal Street	Objection
3 Wylarn Close	Objection
The Nook	Objection
54 Cumwhinton Road	Objection
20 Allandale Road	Objection

Balgownie	Objection
18 Farbrow Road	Objection
Tallantyre	Objection
219 Pennine Way	Objection
Westlands	Objection
15 Hopeshill Drive	Objection
4 Mallyclose drive	Objection
10 Hopeshill Drive	Objection
10 Hopeshill Drive	Objection
44 Newfield Park	Objection
1 Gooseland Head	Objection
26 Hopeshill Drive	Objection
25 Newfield Park	Objection
26 Hopeshill Drive	Objection
10 Newfield Park	Objection
3 Shepherds Close	Objection
77 Cumwhinton Road	Objection
13 Hopeshill Drive	Objection
25 Newfield Park	Objection
17 Hopeshill Drive	Objection
76 Newfield Park	Objection
1 Gooseland Head	Objection
Cottage	Objection
Westlands	Objection
Hollyside	Objection
Wrayside Cottage	Objection
5 Wetheral Pasture	Objection
17 Scalegate Road	Objection
23 Glibe Road	Objection
Dale Garth	Objection
23 the meadows	Objection
46 Eden park crescent	Objection
211 Greystone Road	Objection
15 Coafell Avenue	Objection
The Darn	Objection
57 Almery Drive	Objection
86 Tribune Drive	Objection
4 Embleton Road	Objection
7 Claire Street	Objection
31 Harrison Street	Objection
49 Harold Street	Objection
3 Willow Park	Objection
Mayfield Ave	Objection
35 Whinsmoor Drive	Objection
22 Eldon Drive	Objection
37 Whinsmoor Drive	Objection
73 Mayfield Ave	Objection
51 Throstle Avenue	Objection
Lilac Cottage	Objection
The Gables	Objection
50 Lorne Street	Objection
104 Union Road	Objection
2 Eden Park Crescent	Objection
14 Crookburn Close	Objection
42 Lediard Avenue	Objection
42 Lediard Avenue	Objection
82 Currock Road	Comment Only
82 Currock Road	Objection
51 Sewell Road	Objection
54 Henderson Road	Objection
4 Marina Crescent	Objection

SCHEDULE B: Reports Requiring Further Information

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65 Summerfields	Objection
16 Skinburness Road	Objection
19 Greenacres	Objection
Orchard lodge	Objection
Ltd	Objection
18 Aglionby Street	Objection
18 Naworth Drive	Objection
27 Cawflands	Objection
28 Croft Road	Objection
17 Gilbert Road	Objection
3 Riverside Walk	Objection
Forest Hill	Objection
Forest Hill	Objection
3 Riverside Walk	Objection
Mill Hill Cottage	Objection
55 Hopeshill Drive	Objection
27 Thompson Street	Objection
124 Curwendale Estate	Objection
3 Patterdale Grove	Objection
Gill House	Objection
3 Patterdale Gardens	Objection
37 Fell View	Objection
14 Briar Lea Court	Objection
14 Briar Lea Court	Objection
25 Woodlands	Objection
2 Buebank Road	Objection
38 Knowe Road	Objection
Swan Cottage	Objection
1 Longthwaite Crescent	Objection
8 Crakegarth	Objection
6 Wellside Walk	Objection
6 Wellside Walk	Objection
262 Blackwell Road	Objection
Loansdene House	Objection
4 Buckabank Court	Objection
Inglewood	Objection
5 Ludgate Hill	Objection
13 Nine Rigg	Objection
Newton Hall	Objection
41 Watermans Walk	Objection
38 Knowe Road	Objection
11 Caldew Drive	Objection
44 Hallin Crescent	Objection
14 Hallin Crescent	Objection
150 Richardson Street	Objection
Nook View	Objection
Moss Side	Objection
75 Brampton Road	Objection
Inch Farm	Objection
8 Newfield Park	Objection
Moss Side	Objection
8 Longthwaite Road	Objection
7 Towton	Objection
18 Brow Nelson	Objection
37 Low Moorland	Objection
37 Low Moorlands	Objection
Grange House	Objection
Jack's Mill	Objection
Jack's Mill	Objection
Lilac Cottage	Objection
Waver House	Objection

SCHEDULE B: Reports Requiring Further Information

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Waver House	Objection
28 Wentworth Drive	Objection
28 Wentworth Drive	Objection
Hayways	Objection
Waver House	Objection
Walkmill House	Objection
Beckside House	Objection
Roe Head	Objection
Carlisle Road	Objection
5 Brisco Meadows	Objection
15 Brisco Meadows	Objection
King Harry Farm	Objection
27 Lingmoor Way	Objection
27 Lingmoor Way	Objection
11 Solway Park	Objection
Gill House	Objection
Westwinds	Objection
Wragmire Head Farm	Objection
36 Carlisle Road	Objection
The New Brewery	Objection
60 Caravan Way	Objection
Evening House	Objection
466 London Road	Objection
9 The Green	Objection
26 Kirkstead Close	Objection
31 The Green	Objection
26 Kirkstead Close	Objection
27 Queensway	Objection
28 Stainton Road	Objection
Orchard House	Objection
Orchard House	Objection
2 Buebank Road	Objection
41 Watermans Walk	Objection
Longthwaite Nook	Objection
Oakland House	Objection
26 Summervale Avenue	Objection
Cringles	Objection
11 Belgravia Road	Objection
8 London Road Terrace	Objection
8 London Road Terrace	Objection
Golden Dawn Nurseries	Objection
14 River Street	Objection
30 Murray Court	Objection
289d Blackwell Road	Objection
25 Beech Grove	Objection
Mallyclose Drive	Objection
40 Mallyclose Drive	Objection
Hill Crest	Objection
34 Greenways Drive	Objection
7 Carrick Court	Objection
57 Brisco Meadows	Objection
2 Carlatton Cottages	Objection
Red House	Objection
60 Valley Drive	Objection
12 Denholm Mill	Objection
12 Parkside Avenue	Objection
124 Greenacres	Objection
Ivy Cottage	Objection
30 Murray Court	Objection
Lyndene	Objection
73 The Crofts	Objection

SCHEDULE B: Reports Requiring Further Information

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5 Fernleigh Drive	Objection
5 Fernleigh Drive	Objection
Tsada Cottage	Objection
80 Larch Drive	Objection
Tsada Cottage	Objection
8 Coalfell	Objection
The Lodge	Objection
30 Pennine View	Objection
22 The Sands	Objection
2 Etterby Scaur	Objection
38 Manor Road	Objection
Greenbank	Objection
121 Dunmail Drive	Objection
13 Redwood Drive	Objection
Jerdan Croft	Objection
64 Mallyclose Drive	Objection
100 Greenacres	Objection
Beck House	Objection
80 Edenside	Objection
3 Arthur Street	Objection
3 Arthur Street	Objection
330 London Road	Objection
57 Dalegarth Avenue	Objection
25 Greenside Road	Objection
49 Vasey Crescent	Objection
25 Greenside Road	Objection
261 Green Lane	Objection
52 Lightfoot Drive	Objection
23 Swan Street	Objection
Rawesgarth	Objection
4 Ferguson Road	Objection
49 Vasey Crescent	Objection
167 Castlesteads Drive	Objection
49 Vasey Crescent	Objection
Sunny Croft	Objection
49 Vasey Crescent	Objection
56 Carliol Drive	Objection
330 London Road	Objection
23 Chapel Close	Objection
Beechwood House	Objection
2 Broadwath Cottage	Objection
49 Vasey Crescent	Objection
10 Manor Court	Objection
South Cote	Objection
26 Hendersons Croft	Objection
56 Cariol Drive	Objection
43 Queensway	Objection
4 Short Street	Objection
20 Parkland Ave	Objection
High Brackenthwaite	Objection
31 Housesteads Road	Objection
211 Penninewaу	Objection
9 Almery Drive	Objection
35 Keld Road	Objection
82 Cumwhinton Road	Objection
3 Ashford Way	Objection
3 Arnside Road	Objection
4 Short Street	Objection
Lt Salkeld	Objection
33 Lorne Street	Objection
380 Warwick Road	Objection

SCHEDULE B: Reports Requiring Further Information

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12 Hazeldene	Objection
14 River Street	Objection
Warnell Drive	Objection
48 Melbourne Road	Objection
Newtown Road	Objection
4 Ash Grove	Objection
Sheiling Bungalow	Objection
, 41 Blackwell Road	Objection
, 16 Highwood Crescent	Objection
4 Ash Grove	Objection
Sheiling Bungalow	Objection
115 Cumwhinton Road	Objection
47 Peel Street	Objection
17 Rowanburn	Objection
John St	Objection
22 Highwood Cre	Objection
68 Brisco Meadows	Objection
154 Springfield Road	Objection
83 Greystone Road	Objection
7 Carricks Court	Objection
82 Pennine Way	Objection
, Kohima	Objection
137 Wetherby Way	Objection
	Undelivered
117 Brampton Road	Objection
1 Windsor Place	Objection
Winter, 12 Skiddaw St	Objection
Hullet Syke	Objection
12 Longmans Close	Objection
8 Borrage Close	Objection
8 Borage Close	Objection
289 Blackwell Road	Objection
8 Carleton Village	Objection
11 Bruswick Road	Objection
Sanorfolk Place	Objection
28 Sutton Court	Objection
28 Sutton Court	Objection
73 Woodside North	Objection
66 Beamont Road	Objection
102 Currock Pk Ave	Objection
17 Alne Rd	Objection
33 Glebe Road	Objection
18 Wallace Lane	Objection
12 Percy Road	Objection
8 Armstrong Court	Objection
Hillcrest	Objection
34 Greenways Drive	Objection
3 Ramsay Rd	Objection
7 Mallyclose Drive	Objection
8 Drumlannig Place	Objection
, 6 Short Street	Objection
, 15 Hartley Ave	Objection
, 17 Short Street	Objection
, 9 Esther Street	Objection
63 Walkmill Cres	Objection
9 Red Bank Tce	Objection
42 Carvoran Way	Objection
35 Borland Ave	Objection
6 Short St	Objection
6 Short Street	Objection
78 Crummock St	Objection

SCHEDULE B: Reports Requiring Further Information

08/0707

1 Ashford Way	Objection
, 57 Brisco Meadows	Objection
33 Brisco Meadows	Objection
131 Scotby Road	Objection
, 15 Broadoaks Court	Objection
35 Lenton Street	Objection
1 Park Terrace	Objection
16 Eden Park Cres	Objection
19 Goschen Road	Objection
19 Goschen Road	Objection
11 St Josephs Gardens	Objection
117 Edgehill Road	Objection
8 Uirustead Close	Objection
9 Kirkandrews Moat	Objection
36 Suala St	Objection
, 38 Coguel T	Objection
Bishcors Mill	Objection
1 Mill Hats	Objection
Stob Deane	Objection
Brace Bank	Objection
Denbridge Cottage	Objection
57 Newlaiths Avenue	Objection
Thackwood Farm	Support
- Dalston	Objection
35 Newtown Road	Objection
, 5 Oak Lane	Objection
18 St Ninians Road	Objection
8 Hill Head	Objection
. 100 Cumwhinton Road	Objection
The Beeches	Objection
7 Claire St	Objection
7 Claire St	Objection
26 Linden Terrace	Objection
104 Watermans Walk	Objection
, 1 Holly Lane	Objection
, 15 Longmans Close	Objection
Fell View House	Objection
19 Ashford Way	Objection
21 Leywell Drive	Objection
68 Coney St	Objection
7 West View	Objection
, 5 Scawfell Rd	Objection
, 3 Scawfell Rd	Objection
, 27 York Gardens	Objection
, 14 Redbank Terrace	Objection
117 Upperby Road	Objection
, 25 Cresswell Ave	Objection
15 Heyton Road	Objection
3 Scawfell Road	Objection
33 Currock Road	Objection
, 5 Whimbrel Drive	Objection
96 Winscale Way	Objection
18 Lark Field	Objection
, 46 Caveran Way	Objection
48 Upperby Road	Objection
9 Inglewood	Objection
, 18 St Ninians Road	Objection
9 Inglewood	Objection
, 46 Carvoran Way	Objection
Rowan Dell	Objection
83 Warnell Drive	Objection

SCHEDULE B: Reports Requiring Further Information

08/0707

[redacted], 100 Cumwhinton Road	Objection
[redacted] 25 Cresswell Avenue	Objection
[redacted] 83 Warnell Drive	Objection
[redacted] 20 Jubilee Road	Objection
[redacted] 25 Cresswell Avenue	Objection
[redacted] 22 Hopeshill Drive	Objection
[redacted] 73 Greystone Road	Objection
[redacted], 21 Inglewood Crescent	Objection
[redacted] 15 St Edmunds Park	Objection
[redacted] 4 Lazonby Terrace	Objection
[redacted] Sunny Grove	Objection
[redacted], 70 Edenside	Objection
[redacted] 131 Oaklands Drive	Objection
[redacted] 33 Spencer Street	Objection
[redacted] 25 Cresswell Avenue	Objection
[redacted] 512 London Road	Objection
[redacted], 30 Broad Street	Objection
[redacted] 34 Africiana Road	Objection
[redacted], 16 Sumingdale Close	Objection
[redacted], 55 Lindisfarne St	Objection
[redacted], 55 Lindisfarne St	Objection
[redacted] 51 Marina Crescent	Objection
[redacted] Orchard House	Objection
[redacted] 155 Scotland Road	Objection
[redacted] 155 Scotland Road	Objection
[redacted] 28 Palmer Road	Objection
[redacted] 57 Richmond Green	Objection
[redacted] 38 Forest Hill	Objection
[redacted], 15 Irthing Street	Objection
[redacted] 38 Forest Hill	Objection
[redacted] 63 Whernside	Objection
[redacted] 16 Northwood Crescent	Objection
[redacted], Bramblea	Objection
[redacted] 150 Central Avenue	Objection
[redacted] Carlisle Golf Club	Objection
[redacted] 1 Alexandra Drive	Objection
[redacted] 38 Durranhill Road	Objection
[redacted], Vermont	Objection
[redacted] 161 Castlesteads Drive	Objection
[redacted], 161 Castlesteads Drive	Objection
[redacted] 107 Scotby Road	Objection
[redacted] Robin Hill	Objection
[redacted] 3 High Green Croft	Objection
[redacted] 3 High Green Croft	Objection
[redacted] Croftlands	Objection
[redacted] Croftlands	Objection
[redacted] 56 Greenacres	Objection
[redacted] 176 Oaklands Drive	Objection
[redacted] 9 Sanderson Close	Objection
[redacted], 7 Yewdale Road	Objection
[redacted] 41 Parham Drive	Objection
[redacted] 3 St Ninains Avenue	Objection
[redacted] 18 Cherrylane	Objection
[redacted] 2 Etterby Terrace	Objection
[redacted] 6 Parham Grove	Objection
[redacted] 16 Scalegate Road	Objection
[redacted] 23 Heathfield Close	Objection
[redacted] 92 Eden Park Crescent	Objection
[redacted], 63 Hopeshill Drive	Objection
[redacted] Meadowbank	Objection
[redacted] 42 Kirkstead Road	Objection

SCHEDULE B: Reports Requiring Further Information

08/0707

71 Scotby Road	Objection
Crossbank East	Objection
71 Scotby Road	Objection
Crossbank	Objection
18 Hillhead	Objection
7 Sunnymeade	Objection
57 Richmood Green	Objection
3 Skelwith Close	Objection
69 Castle Rigg Drive	Objection
7 Rectory Road	Objection
13 Nook Street	Objection
The Beeches	Objection
75 Pennine Way	Objection
100 Dunmail Drive	Objection
100 Dunmail Drive	Objection
Stable Cottage	Objection
Stable Cottage	Objection
52 Cumwhinton Road	Objection
100 Dunmail Drive	Objection
100 Dunmail Drive	Objection
22 Ravenstone Way	Objection
17 Glaramara Drive	Objection
65 Thomson St	Objection
1 South View	Objection
67 Springfield Road	Objection
95 Green Lane	Objection
95 Green Lane	Objection
Oakbarn	Objection
Barracks	Objection
7 Sunningdale Close	Objection
16 Beech Croft	Objection
38 Oxenholme Road	Objection
Cringles	Objection
Coopers Meadow	Objection
13 Watermans Walk	Objection
Greenways	Objection
Greenways	Objection
	Objection
3 Parkland Drive	Objection
- Dalston	Comment Only

3.1 The proposed development was subject to a pre-application consultation exercise undertaken by the developers earlier this year. As a result of which five letters of objection were received on the following grounds:

1. Impact on landscape
2. An independent feasibility study needs to be undertaken to identify optimum sites for wind power in the region
3. Concerns were raised about the amount of electricity which will be actually generated
4. The costs of the development
5. Reduction in property values

6. The developers influencing local residents by making offers of financial assistance

7. Objection to wind power as a renewable energy source

8. The constructions of the turbines and associated access roads and maintance are not green

3.2 Following receipt of the application it has been advertised in the form of a press notice, the display of 3 site notices around the perimeter of the application site, and written notification to the occupiers of 186 neighbouring properties inclusive of those who responded to the intitial consultation exercise undertaken by the developers.

3.3 At the time of preparing the report 1560 letters or e-mails have been received of which 1312 raise objections with 242 expressions of support and 2 making comments. One petition with 41 signatures objecting to the wind farm has also been received.

3.4 The objections cover a number of matters and these are summarised as follows:

1. Impact on the surrounding landscape namely the historic City of Carlisle,Hadrian's Wall, Listed Buildings, Lake District National Park, The Borders and The Solway Coast.

2. Damage to the local economy

3. Noise - will be intrusive and have an adverse impact on the living conditions of the residents of Cumwhinton

4. Windfarm will cause health complaints such as stress, depression, headaches and anxiety.

5. The proximity of the turbines to residential dwellings

6. The turbines will be out of scale with the local topography

7. Damage to the tourist economy.

8. Visability of the turbines - the turbines are completely out of proportion to any other natural or man made feature in the area

9. Effects on nature conservation.

10. Increases in noise and traffic during construction

11. The size of the turbines i.e. they will be taller than dixons chimney

12. The nearest house will be 413 metres away from the turbines

13. Impact on house prices

14. It is apparent from the Cumbria Wind Energy Supplementary Planning Document Map 1 that the wind speeds in the Cumwhinton area are low.

15. Impact on TV and Radio reception

16. Flicker effect from sunlight behind the rotating baldes

17. Potential danger related to the regular low flying military aircraft over the area

18. Threat to local employment and future investment

19. Future Precedent

20. Loss of good arable farmland

21. Is the planning application and the amount of power the wind farm will produce worth it?

22. Impact on Flooding and on existing watercourses

23. Safety - the site is close motorway and two minor roads and safety concerns relating to the turbines may result in the roads being closed during times of high winds. Drivers are also likely to be distracted, increasing the risk of accidents.

24. Noise from blades will cause sleep disturbance for residents of Cumwhinton, affecting performance at work and ability to safely drive etc.

25. Wind farm will result in people leaving the village, impacting on the viability of existing amenities

26. Impact on wildlife - many birds are killed by the blades

27. Building of the turbines will involve the removal of hedgerows and plants and amount of concrete required will deeply scar the landscape and alter local eco-systems

28. Lack of studies on the effect of tubine noise on human health mean that minimum acoustic safety distances have not been determined

29. Debatable as to whether value to national interests outweighs the harm it will cause to local communities

30. Inappropriate to a largely agricultural setting

31. Cumbria is favoured by RAF for low flying / training practice and large unlit structures would pose a considerable danger to such activities

32. Array of 60 wind turbines being built at Robin Rigg in the Solway Firth should provide sufficient wind power from Cumbria without building further land based arrays

33. Knock-on effect for Carlisle Renaissance

34. Unreliability of the wind supply (frequently too high and too low)

35. The development will not benefit the locality

36. They are not cost effective

37. Only acceptable location for turbines is out at sea

38. It will be located 628 metres from Cumwhinton Village Green

39. The developer has offered a fee to the community on a yearly basis i.e. the developer is trying to sugar coat the consequences of this profitable opportunity.

40. One only has to travel along the A595 between Carlisle and Cockermouth to see the adverse effect the windfarm near Bothel has on the countryside there.

41. Denmark were the pioneers in this method of power generation and now they are starting to dismantle because of poor performance and reliability.

42. Traffic safety

43. No planning conditions would be able to mitigate the visual effect the turbines would create

44. In Holland turbines are very intusive

45. Impact upon amenity value

46. Application is contary to Policy H17 of the Carlisle District Local Plan and Policy 25 of the Cumbria and Lake District Joint Structure Plan

47. How will turbines be payed for?

48. A site visit should be made

49. The application is departure from current land use

50. Adverse impact on businesses in the surrounding area

52. Full Economic Impact Assessment has not been undertaken

53. Proposal does not sit comfortably with the Councils plans for Carlisle Renaissance

54. In other areas of the country a precedent has been set for the reduction in council tax on properties located near to turbines, due to loss in their value and the noise pollution/stress caused to residents.

55. The central government drive to achieve a third of our energy capacity from wind farms is heavily subsidised; essentially the tax payer is funding profit making companies at the expense of investment in local communities.

56. Many of the arguments presented to support the application have been secured inappropriately, either through the distribution of letters in the town centre or by engaging young people without the consent of their parents. In gathering the view of people in the city centre the Company has sought to try and demonstrate a degree of support. It doing so it has failed to provide detailed information or ensure proper understanding about the location or impact of this development.

57. Ofgem have stated that the current grid system is incapable of delivering the targets for low carbon power set by the government – larger pylons with increased cabling will be required to carry electricity to the energy hungry areas of the Midlands and southern England. The Sunday Times (03/08/08) suggests this will cost customers over £400 per annum in addition to the increased subsidies needed to attract companies to invest in this type of energy source.

58. There will be an increase in traffic

59. There was a similar development in Denmark where the turbines were damaged in strong winds

60. Will there is compensation for loss of property values?

61. Do these windfarms produce more CO2 than they save?

62. The amount of concrete poured into the ground is environmentally damaging

63. The winds of change are mainly driven by big business with little regard to the individual who has little time to digest the outcome

64. A past report (14th March 2006) from the French Academie Nationale De Medecine, Paris recommended that any construction of wind turbines of over 2.5MW capacity within 1.5km of homoes should be suspended pending further research into the ill-effects of noise on human health.

65. Wind farm will be a serious threat to animals in their immediate vicinity. This is particularly relevant to horses which when ridden nearby can be easily spooked with the inevitable dangers to animal ans human safety.

66. Carlisle Planning Department is well known for applying meticulous detail to issues of visual amenity.

67. It is clear that 13 residential properties will be affected by the proposed turbines

68. There is a school with special needs facilities within 1.5km of one of these turbines. Surley their needs and education cannot be compromised.

69. Do any members of the Council have a financial interest in the project?

70. Proposal is a violation of E.U.Citizens rights

71. Fear that businesses/industries will be situated on the site after Bolderstones claim that the site may be returned to its original condition after 25 years

72. A blot on the landscape in an Area of Outstanding Natural Beauty

73. The owner of the land will receive £60,000 a year for 25 years

74. Nearby residents will be forced to abandon their homes as with the case of Mrs Jane Davies of Deeping St Nicholas, Lincolnshire (Daily Telegraph - 26/7/08).

75. Seek impartial cost benefit advice so that elected members can form a balanced view.

76. Proposal is on the edge of a Conservation Area

77. Government pressure

78. The liability of Sellafield should excuse Cumbria from Wind Turbines

80. Not all dwellings immediately and directly affected by Newlands Wind Farm received a consultation letter

81. Junction 42 is the main gateway from the south and route to Scotland

82. Further scars will be inflicted by the erection of pylons

83. Impact on radar at R.A.F radar base at Spadeadam

84. The national grid is not equipped to handle the wild peaks and troughs of wind turbine energy.

85. Did Carlisle City Council have any input to the Assembly recommendations, if so what?

86. There should be a public inquiry into wind turbines in Cumbria

87. Wind turbines are folly

88. All letters lodged by Balderstone for support should be disregarded

89. The effect on bats.

90. Misleading information from Bolsterstone when promoting the development in Carlisle.

91. Paragraphs 1 and 3 of Policy CP7 of the Carlisle District Local Plan 2001-2016 Revised Redeposit Draft could not be complied with on this site.

92. The application fails to satisfy its draft Policy on Renewable Energy as amended by the Inspectors recommendations.

93. The proposals are too close to a high quality urban village

94. Will completely destroy views over the fells

95. Wind power is intermittent requiring 100% back up from a reliable source

96. If we need wind power, less controversial sites are surely available

97. A site visit should be undertaken

98. Potential taxpayer liability

99. Fear of breakages

100. If the application is passed a financial bond from the developer should be lodged to ensure that the cost of the removal of the turbines at the end of their life time is met. This should be a condition of approval.

3.5 Four letters of objections have been received from Councillors. The objections cover a number of matters and these are summarised as follows

1. Scale of the turbines

2. Visual Intrusion

3. Implication for claims against the authority in relation to a case in Lincolnshire where a property had council tax re-banding and refund.

4. Effects on property and land value

5. Proximity of turbines to residential dwellings and an equestrian centre

6. What are the conclusions of a technicial study undertaken in 2003 to identify the potential for further grid connected renewable energy development in Cumbria?

7. A more measured and precise indication of the value of the energy in these area should be sought

8. What policies are in place to protect dwellings and businesses?

9. Company which has been contracted to erect turbines have no experience of this type of work

10. Visual impact on gateway to the city

11. Effect on furture development/investment to the south of Carlisle

12. Do not believe that residents who have shown support for the scheme can be aware of the real facts surrounding this sort of development, but have rather been seduced into thinking they are making some sort of 'green' contribution for the county and of course turbine sites are heavily subsidised.

13. Proposal conflicts with Criteria 1,2,3,4 and 6 of Policy CP7 of the Carlisle District Local Plan 2001-2016.

14. Impact on The Cringles, a listed building, less than 400 metres from one of the turbines.

15. Turbines would be visible for some 30 miles around Cumbria and Southwest Scotland

16. Noise

17. Flicker Effect

18. Impact on livery stables

19. Telecommunication interference

20. Impact on birds

21. Safety

22. The Zones of Theoretical Visibility (ZTV) from the turbine at Pirelli and the proposed turbines would overlap. Both developments will be visable from the southern approaches to the city.

23. There will be a Cumulative effect. No cumulative assessment has been undertaken in the EIA.

24. Proposal is inconsistant with Emerging Policy CP7 and EGY1.

25. It is questionable whether the benefits of this windpower project outweighs the dis-benefits with respect to the loss of amenity and the potential economic loss to the community at large.

3.6 The letters/emails of support cover a number of matters and these are summarised as follows:

1. The scheme contributes to the government target of 40% of all UK elecricity to be obtained by wind power and green energy.

2. The scheme contributes to combating climate change and alternative energy provision

3. The proposal will assist in the energy security and diversity of the electricity generation in the UK and will reduce carbon emissions

4. Windfarms are attractive

5. The windfarm will be located in an area which is not highly populated

6. It will reduce in less spending overseas and reduce our dependance on foreign oil

7. Wind energy is a technology which should be exploited and developed

8. The UK is the windest country in Europe and should be at the forefront of developing wind power

9. Studies have shown that turbines do not impact upon tourism

10. The site is isolated

11. The turbines are not as ugly and no worse than electricity pylons

12. Wind Power is more attractive than power stations

13. Less pollution

14. Visual effects are minimal

15. It will benefit future generations

16. Wind energy is abundant, reliable and cheap

17. The location has good wind speed and is not in a restricted area

18. The small sites are well received once built

19. Wind farms are better than nuclear power stations

20. It will be in a location which is already spoiled as it is near a motorway

21. This is an eminently suitable site where there will be no adverse impact on flora or flora as it is in farmland which is not species rich

22. As it is not in an area of high landscape value, visual impact will not be significant

23. Must be remembered that landscape changes likely to come from climate change are irreversible whereas the changes from installing wind turbines can be completely reversed after 25 years

24. Carlilse needs to consent more renewable energy schemes to reduce the pollution its residents cause

25. In January 2007 the Council demonstrated its commitment to tackling climate change by signing the Nottingham Declaration on Climate Change - to do this more powers should be generated from a clean and renewable source such as wind

26. Help to reduce carbon dioxide emissions, helping combat man made global warming

27. Need to consider future generations as well as current generation

28. Wind farms have a very small footprint and miniscule impact on the surrounding environment and although large, blend well with the existing landscape and provide an interesting local feature

29. Legacy we leave to the next generation should be a material consideration in determining the application

30. Wind technology is safe especially compared to the problems with nuclear waste and the potential for terrorist attack

31. Project would produce energy which is not only low carbon but also free of pollutants such as NOX and SOX which are a major healthy and safety hazard

32. A meaningful community fund is attached to the scheme which is a benefit to the local community

33. Burning of fossil fuels causes health problems - by converting to non-polluting forms of energy generation this trend can start to be

reversed

34. It will bring benefits to local energy users

35. Site lies close to the M6 which provides a almost constant traffic sound

36. The 'not in my back yard' attitude to such developments is pointless and selfish

37. A scheme like Newlands will set an example to other regions

38. We should take advantage of this opportunity.

39. Each part of the country should play a part in providing renewable energy for its own population. This site appears to provide an excellent opportunity for Carlisle to provide some of its share of renewable energy.

40. Wind farms provide important sources of income to rural communities.

41. Small wind farms such as proposed will have less overall impact on the rural landscape.

42. Wind farms provide a symbol of progress and enhance the rural landscape.

43. The community fund of £15,000 per annum will provide valuable services to the local community - that could be up to £375,000 over the life of the wind farm.

44. Any effects on local landscape will be comparatively temporary and insignificant compared to the changes climate change will make and the site is of little, if any, scenic value.

45. Cost effective way of producing power

46. Noise should not be a problem as the turbines will be situated a reasonable distance from dwellings and there should be no impact on health

47. There will be limited visual impact

48. Impact of the proposal on the public house and village shop in Cumwhinton

49. If something is not done soon to alter the damage man has done to earth then it may become irreversible.

50. Wind turbines last around 25 years, after that time modern technology may have perfected a way of harnessing energy from wave power of from some other source which has not even been thought of yet.

51. British people have a very negative perception of wind farms and yet we are major CO2 producers per square mile of land. The planning authority cannot always give in.

3.7 An extensive independant report undertaken by a reader in Environmental Sciences from the University of East Anglia has been received in support of the proposed development. In summary the report identifies the following:

1. Noise pollution will not be an issue with this development due to the proximity of the motorway, as traffic noise will drown out any noise for a wind turbine except within a very short distance.

2. The issue of what happens if the wind does not blow is not significant as the UK has a present wind generating capacity of 2300 MW.

3. Renewables need to be deployed, in particular wind and sensible use of biomass as these are the only technically developed renewable generating systems currently available which are also approaching cost effectiveness. Furthermore any onshore small scale generation will have an added benefit in that it avoids the 8.5% loss associated with remote generation with large scale fossil fuel plants or remote offshore wind.

4. Contary to popular belief, wind turbines are, after gas generation the most efficient form of electricity generation.

5. The incidence of bird strikes is dependant on location, but there are wind farms adjacent to RSPB reserves e.g. Burgar Hill (5 turbines) on Orkney where no problems are reported. The killing of birds needs to be put into perspective with the 1 million killed on the roads each year.

6. The flicker effect tends only to be an issue if the sunlight passes through a window into a slightly darkened room. Typically there is low cloud on the horizon which will screen any flicker effect on occasions. Careful siting of turbines will mitigate this.

7. It is often claimed that energy and carbon emissions associated with the construction of wind turbines outweighs the savings benefits. The issue of embedded carbon is very similar for all forms of generation and thus should not be an issue in decision making.

8. Construction of wind farms have little effect on house prices.

3.8 The comments received cover a number of matters and these are summarised as follows:

1. Wind power should be used for local people

4.1 This application needs to be viewed in the context of a current proposal, reference number 08/0779, permission for the erection of a 60m high meteorlogical monitoring mast for a three year period.

5. Details of Proposal/Officer Appraisal

Introduction

5.1 Newlands Farm is in an elevated location approximately 30 metres to the immediate east of the M6, 300 metres to the north of junction 42. The Farm is bound to the west by the M6, to the south by the B6263 road which runs from Junction 42 to Cumwhinton, and, the Garlands Road leading from Cumwhinton to Carlisle. At its closest, the application site is 660 metres to the east of the Carleton Clinic (Carlisle) and approximately 400 metres to the south-west of Cringles Farm.

5.2 The farmstead comprises the original farmhouse based around which there are a series of agricultural buildings varying in age, design and materials. There is a detached "new" farmhouse located approximately 200 metres to the east of the main steading.

5.3 The application site is relatively elevated at an AOD of approximately 70m set in an undulating landscape with agricultural fields bounded by hedgerows, isolated trees and mature copses. To the immediate east of the site there is an overhead power line running north to the Harker sub-station carried by pylons that are approximately 40/45 metres in height. The Caldbeck Transmitter Station, which has a mast 337m in height and is 17km to the south, can be clearly seen from the site.

5.4 Access to a public footpath (no. 138040), which runs to Cocklakes, lies to the south of the application site off the B6263. Cumwhinton is served by a number of public footpaths, such as nos. 138035, 138053 and 138059. There are additional public footpaths further afield inclusive of no. 129011 at Brisco.

Background

5.5 The current application seeks full permission for the erection of 3 wind turbines; access tracks; underground cabling; a control building and substation compound; and, a meteorological mast. The proposed control building/substation would enable the proposed wind farm to be connected to the local electricity grid.

5.6 The proposed turbines comprise of three-bladed machines of 74 metres to hub height, 115 metres to blade tip, and a rotor diameter of 82 metres. The blades would be constructed from fibre reinforced epoxy mounted on a

tapering tubular steel tower likely to be of a pale grey colour with a semi matt finish.

5.7 The applicant has confirmed that no logos or advertisements will be displayed on any part of the turbines. The proposed wind farm would include signs to provide directions and information on health and safety.

5.8 The concrete foundations required to support the turbines are proposed to be set below the finished soil level in order that vegetation can be restored right up to the base of each tower. The turbine foundations would take the form of reinforced concrete approximately 18m by 18m and 3m deep. The proposed turbines are shown to run in a parallel line with the existing overhead power lines running along a south – north axis that is perpendicular to the prevailing wind. Proposed turbine no.1 is located 170m to the east of the detached farmhouse; turbine no.2, 290m to the north-east of the main farmstead; and, turbine no.3, 120m to the south-west of the Garlands Road. The total area of the application site is 7.3ha of which the total land take (made up of the turbine foundations, access tracks, compound, control building and hard standings) is 1.5ha.

5.9 The main site access would involve improvements to the existing entrance via the B6263. It is estimated that the proposal will involve 1.4km of site access tracks of which 0.2km relates to widening and upgrading existing tracks. The proposed tracks are to be initially 5 metres in width and constructed from graded stone on top of a geo-textile membrane. The intention is for the access tracks to have an operational width of 3 metres. A turning area is to be located at each turbine measuring approximately 25m by 45m.

5.10 The submitted plans show the proposed construction compound and control building to be located to the east of the detached farmhouse. The control building measures 12 m by 6m with a ridge height of 5.5m and with the external materials to be agreed, although the submitted plan indicates facing stonework and a tiled roof.

5.11 The proposed meteorological mast will be a lattice type tower up to 74m high located approximately 170m to the south of proposed turbine no. 3.

5.12 The submitted Design and Access Statement explains that the proposal will have an 8 month construction period during which there will be approximately 25 abnormal loads associated with delivery of turbine components. The total number of off-site vehicle movements during the construction of the proposed wind farm is estimated to be 7,205 of which 3,200 are the movement of staff in cars or light vehicles.

5.13 The intention is for the current agricultural use of the application site to be maintained during the lifetime of the development. There are no proposals to make the land accessible to the general public; however this does not preclude the possibility of pre-arranged educational visits.

5.14 The proposed wind farm has been designed to have an operational life of 25

years at the end of which it would either be decommissioned, or an application made to extend its life. It is estimated that the decommissioning of the wind farm would take approximately six months.

5.15 The proposal also includes the creation of a community fund to support sustainable/environmental projects through the operational life of the wind farm. For each of the three turbines (with a generating capacity of 2MW or more), £5,000 per annum would be paid into a community benefit fund; making a total of £15,000 per annum, and a total of £375,000 over the 25 year life of the project. In addition, the applicant has confirmed that they would undertake to review the payment every five years and revise the new payment to the increase in energy prices over that previous period, any decrease in energy prices would not result in a decrease to the community fund. This could be secured by a Section 106 Agreement to establish a locally controlled community trust to administer the funds.

Assessment

5.16 The relevant national policy is contained in PPS1 "Delivering Sustainable Development" and its Supplement, PPS7 "Sustainable Development in Rural Areas", PPS9 "Biodiversity and Geological Conservation" and its associated Good Practice Guide, Circular 6/2005 "Biodiversity and Geological Conservation", PPG15 "Planning and the Historic Environment", PPG16 "Archaeology and Planning", PPS22 "Renewable Energy" and its Companion Guide, and, PPG24 "Planning and Noise". The Development Plan principally comprises the Secretary of State's proposed changes to the draft RSS for the North West (March 2008) which is due for adoption on the 30th September 2008, the Cumbria and Lake District Joint Structure Plan 2001-2016, and, the Carlisle District Local Plan 2001-2016. A wind energy SPD prepared by Cumbria County Council was adopted by the City Council on the 9th September 2008.

5.17 When assessing this application it is considered that there are six main issues, namely:

1. the contribution of the scheme towards the regional and county targets for the generation of renewable energy;

2. the impact of the proposed development on the landscape and visual character of the area;

3. the effect of the scheme on local ecology;

4. the effect of the proposal on local archaeology and the historic environment including listed buildings;

5. the effect of the proposed development on the living conditions of local residents inclusive of the occupiers of any dwelling associated with Newlands Farm; and,

6. the effect of the proposal on highway safety.

5.18 1. Regional and County Renewable Energy Targets

5.19 The importance attached by the Government to increasing the proportion of electricity generation derived from renewable sources is expressed in the Renewables Statement of Need included in The Energy Challenge published by the former Department of Trade and Industry in 2006. Amongst other matters, this states that new renewable projects may not always appear to convey any particular local benefit, but they convey crucial national benefits. Individual renewable projects are part of a growing proportion of low-carbon generation that provides benefits shared by all communities both through reduced emissions and more diverse supplies of energy, which helps to ensure reliability. This message is reinforced in the Energy White Paper 2007 which also explains that developers should not be required to show the need for a proposed development to be sited in a particular location.

5.20 The Climate Change Bill was introduced in Parliament on 14 November 2007 and completed its passage through the House of Lords on 31 March 2008. It has now moved to the House of Commons for consideration. This Bill puts into statute the UK's targets to reduce carbon dioxide emissions through domestic and international action by at least 60 per cent by 2050 and at least 26 per cent by 2020, against a 1990 baseline. It is also consulting on a draft Renewable Energy Strategy. The accompanying information explains that renewable energy has a critical role to play in meeting the Government's two key energy policy challenges: a) tackling climate change - unlike fossil fuel (oil, coal, gas) renewable energy emits little or no carbon or other greenhouse gasses; and, b) ensuring secure energy supplies - increasing use of renewable energy reduces our dependence on imported fossil fuel. The European Commission has proposed that 15% of the UK's energy (electricity, heat and transport) should come from renewables by 2020. It has been estimated that to meet this target, it will require a ten-fold increase in the level of renewable generation and use in the UK over the next 12 years.

5.21 The more directly relevant national policy documents are PPS 22 "Renewable Energy" and "Planning for Renewable Energy: A Companion Guide to PPS22". The aforementioned PPS identifies a number of key principles which local planning authorities and developers should adhere to in their approach to planning for renewable energy. Paragraph 1(i) explains that renewable energy developments should be capable of being accommodated throughout England in locations where the technology is viable and environmental, economic and social impacts can be addressed satisfactorily. Paragraph 1(iv) records that the wider environmental and economic benefits of considerations that should be given significant weight in determining whether proposals should be given planning permission. Paragraph 1(viii) requires that development proposals should demonstrate how environmental and social impacts have been minimised through careful consideration of location, scale, design and other measures. There is no specific requirement in PPS22 to provide precise calculations on the energy levels to be derived

from a particular proposal and/or examine alternative sites.

5.22 Paragraphs 2 to 5 of PPS22 highlight that the Regional Spatial Strategy should include the target for renewable energy capacity in the region. The targets should be reviewed on a regular basis and revised upwards if they are met. However, the fact that a target has been reached should not be used in itself as a reason for refusing planning permission for further renewable energy projects, nor should the potential for offshore generation be used as a justification to set lower onshore targets.

5.23 Policy EM17 of the draft RSS (March 2008) encourages the promotion and greater use of renewable energy sources and includes a target of having 10% of the region's electricity production from renewable sources by 2010 and rising to 15% in 2015 and 20% in 2020.

5.24 The sub-regional target for Cumbria is to have 15 - 21 onshore wind farms by 2010 with generating capacity of 210 MW increasing to 247.5 MW by 2015.

5.25 The available records indicate that there are currently 16 onshore wind farms operating in Cumbria and three more with consent with a total of 88 MW of generating capacity.

5.26 In effect, the county target has yet to be and, at the current rate, is unlikely to be met. A current shortfall of approximately 122 MW representing a serious deficiency.

5.27 The EA accompanying the current application explains that the installed capacity of the proposed wind farm will be between 6 to 6.9 MW. Based on an estimated average annual household electricity consumption of 4,361 KWh, the current proposal could provide enough energy to power up to approximately 3,742 dwellings. It is anticipated that the proposed wind farm will generate electricity for 25 years. The applicant estimates that the electricity generated by the wind farm could displace between 6,102 and 7,018 tonnes of CO2 from entering the atmosphere per year.

5.28 2. Landscape and Visual Impact

5.29 Paragraph 1 of PPS1 notes that poor planning can result in the loss of the finest countryside to development. PPS1 whilst identifying the need to ameliorate climate change through a range of measures (including renewable energy) also seeks development which enhances as well as protects the historic environment and landscape; and, address the causes and impacts of climate change.

5.30 Paragraphs 1(iv) and (v) of PPS7 explains that the Government's aim is to protect the countryside for the sake of its intrinsic character and beauty, the diversity of its landscape, heritage and wildlife, the wealth of its natural resources, and so that it may be enjoyed by all. All development in rural areas should be well designed and inclusive, in keeping and scale with its

location, and sensitive to the character of the countryside and its local distinctiveness. Paragraph 16(iv) also advises that planning determinations should provide for the sensitive exploitation of renewable energy sources in accordance with the policies set out in PPS22.

5.31 Paragraphs 19 and 20 of PPS22 highlight that landscape and visual effects should be assessed on a case by case basis using objective descriptive material and analysis wherever possible; and, of all renewable technologies, wind turbines are likely to have the greatest visual and landscape effects. However, when assessing a proposal planning authorities need to recognise that the impact of turbines on the landscape will vary according to the size and number of turbines and the type of landscape involved, and that these impacts may be temporary if a condition is imposed requiring the future decommissioning of the turbines. Paragraphs 5.16 to 5.24 of the Companion Guide to PPS22 describe common approaches that can be used when undertaking a landscape and visual assessment.

5.32 The application site comprises relatively large open fields of grassland set in an undulating agricultural landscape with the base of each turbine sited at approximately 65m AOD. When looking at the differences in landscape type, as opposed to its grading of natural beauty, the site falls within an area defined as Lowland Low Farmland in the Cumbria Landscape Character Assessment carried out for the County Council. The landform rises from the M6, B6263 and Garlands Road. The village of Cumwhinton is about 500-600m north-east of the application site. There is also scattered development based around junction 42 of the M6. The villages of Carleton and Brisco are respectively 1km and 1.8km to the north-west and west of Newlands Farm.

5.33 The Solway Firth AONB is approximately 10km to the north-west of the application site. The Hadrian's Wall Buffer Zone and Hadrian's Wall are respectively approximately 3.5 km and 6 km north of the application site. The Carlisle/Settle Conservation Area is 1.4km to the northeast. The North Pennines AONB lies approximately 10km to the east of the application site.

5.34 The EA submitted by the applicant includes a landscape and visual assessment of the scheme that involves looking at landscape sensitivity, the predicted magnitude of change and sensitivity of the receptors. Based upon which the EA explains that of the 14 identified viewpoints the proposal will have a major impact when seen from three locations, namely Garlands Bridge on the M6, the western edge of Cumwhinton and the entrance to Coomera veterinary practice on the A6. A moderate impact is predicted from Brisco Common. Major and/or moderate effects are predicted for the settlements of Scotby, Cumwhinton, Carleton, Brisco; and, the Botcherby and Harraby suburbs within Carlisle. "Locally Major" impacts are predicted when viewed from the M6, A6 (Carlisle-Penrith) and A6 (Cumwhinton/Wetheral). A moderate impact is predicted for the B6263. An assessment of the potential cumulative impact with other consented and built wind farms (such as Pirelli, Great Orton, Grise, Newlands Mill, Lamonby, and Berrier Hill) is assessed to be of minor significance.

5.35 In considering this issue, and with reference to the considerable number of representations made, it is evident that the perceived impact of such a proposal markedly varies. As a result the City Council commissioned Capita Symonds to provide an independent assessment. The aforementioned assessment reached the following four principle conclusions.

- The submitted EA is, in general, a thorough and accurate landscape and visual impact assessment. However some minor additions would help, such as details about alternative sites; a small number of notable gaps in the view points chosen for impact analysis; and, undertaking a full cumulative impact assessment in relation to other existing and proposed wind energy developments.
- The Cumbria Wind Energy Supplementary Planning Document states that the character of the immediate area (Lowland Low Farmland) is judged to have "moderate" capacity to accommodate turbine development that is defined as "a small group or, in exceptional circumstances a large group (which) could relate to the medium to large scale landform." A small group is 3-5 turbines. It is clear that this proposal is within the size limits suggested for this landscape type.
- The impact on landscape receptors in the near distance is generally moderate adverse with the impact on landscape receptors in the middle distance being generally moderate/minor adverse.
- The impact on visual receptors within 2.4km radius of the site varies from substantial adverse to moderate adverse with the greatest impact being on residents of Cumwhinton who directly overlook the development site where the proposed turbines would substantially dominate an existing rural outlook.

5.36 3. Ecology

5.37 The application site is not located within a Special Protection Area or any other statutorily protected area. The site also falls outside the most sensitive areas for birds as identified by the RSPB in "Wind Turbines and Sensitive Bird Populations:Spatial Planning for Wind Turbines in Cumbria". Natural England have highlighted that the report produced by Stuart Spray Wildlife Consultancy accompanying the application concludes that the wind farm would pose a medium to high risk to Noctule bats which currently use the site. It is, however, unclear at this stage how the design of the development will limit the impact on the local bat population as stated in the EA. The 2008 bat survey seems to suggest that 20 noctule bats were detected in the area of turbine 3 and 3 bats were recorded at turbine 3. Natural England have therefore recommended that more detail is obtained from the applicant about the location of the Noctule bats and whether this shows a use by these bats of the adjacent linear features for commuting or whether it is a use of the open space around the site of the proposed turbine.

5.38 The comments of the RSPB and Cumbria Wildlife Trust are awaited at the time of preparing the report.

5.39 4. Archaeology and the Historic Environment

5.40 There is a statutory duty under Section 66(1) of the Town and Country Planning Act 1990 to have special regard to the desirability of preserving the settings of Listed Buildings. Paragraph 1.1 of PPG15 explains that the effective protection for all aspects of the historic environment is fundamental and that the Government is committed to sustainable development ensuring that what future generations will value is not sacrificed for the sake of short term and illusory gains. Paragraphs 2.16 and 2.17 of PPG15 note that setting is often an essential part of a building's character. The setting of a building may include land some distance from it and that a high or bulky building might affect the setting of a building some distance away, or alter views of a historic skyline. Following advice in PPG15 there is a need to define the setting of the particular feature, then assess the effects of the proposed development on that setting, and, whether or not the proposal would cause harm on the setting. As per all the material issues a balancing exercise of weighing up the pros and cons of the proposed development would also have to take place.

5.41 There are two Listed Buildings over which there is potential concern, namely Cringles Farm and Holme House. In regard to Cringles Farm, turbine 3 is located on the opposite side of the road approximately 400 metres to the south-west. Turbines 1 and 2 are respectively 630m and 460m to the south. In the case of all three turbines, and with particular regard to turbines 2 and 3, it is considered that they are in relatively close juxtaposition when viewed from the public highway. The contrast between the domestic scale of Cringles Farm and the proposed turbines with their rotating blades would be self-evident. It is therefore considered that the setting of Cringles Farm and its associated buildings (East Cottage, West Cottage and Swallow Cottage) would, in this regard, not be preserved. It is recognised, and with particular regard to the pylons serving the overhead power lines, that the turbines are not the only tall structures in the landscape to the south and west of Cringles Farm.

5.42 In the case of Holme House, it is located approximately 750m to the north-east of turbine 1. The most significant approach to the building is from the main road running through Cumwhinton village. The proposed turbines are considered to be outside of this particular frame of view.

5.43 Corby Castle, a registered park and garden of Special Historic Interest, is 3.5 km to the east of the application site. In addition, the Carlisle-Settle Conservation Area is 1.4km to the northeast. The City Council's Conservation Officer has also made reference to other Listed Buildings, notably The Beeches on Carleton Road and Newbiggin Hall. It is considered that, because of the distances involved and intervening vegetation or buildings, in all of these cases it is such that the impact would be limited with the remaining views of the landscape unaltered.

5.44 PPG16 "Archaeology and Planning" explains that there should be a presumption against development that would have a significant impact on the setting of visible nationally important archaeological remains. The proposed

turbines are well outside the designated Buffer Zone of Hadrian's Wall and as such it is considered that the proposal would not interfere with either the understanding or nature of the remains to the surrounding landscape.

5.45 The submitted EA acknowledges that the site lies in an area of high archaeological potential. There are several crop mark complexes in close proximity to the site that are indicative of two possible Roman camps and prehistoric and Roman settlement activity. The course of a Roman road runs to the east and, in the wider vicinity, prehistoric settlement remains and burials have been archaeologically investigated.

5.46 In response to the comments of the County Archaeologist, the applicant is undertaking a geophysical survey of the site the results of which are awaited.

5.47 5. Living Conditions – Noise, Shadow Flicker and Outlook

5.48 Paragraphs 2 and 40 of PPS1 and paragraph 29 of the associated ODPM document "The Planning System:General Principles" explain that the planning system operates in the public interest. In the case of living conditions, public and private interests may coincide where the impact of a specific development is such as to acceptably affect amenities and the existing use of land and buildings that ought to be protected in the public interest.

5.49 In accordance with the provisions of paragraph 22 of PPS22, Chapter 5 of the EA considers the consequences of the proposed development by assessing and rating existing and anticipated noise levels. The chapter cites ETSU-R-97:"The Assessment and Rating of Noise from Wind Farms" which, as is highlighted in the Companion Guide to PPS22, has a twofold purpose to not only offer a reasonable degree of protection to the occupiers of properties neighbouring a wind farm, but also not place undue restrictions on wind farm development.

5.50 At the time of preparing this report the formal observations of the City Council's Environmental Services Section are awaited.

5.51 Shadow flicker is an effect that can occur when the shadow of a moving wind turbine blade passes over a small opening briefly reducing the intensity of light within the room. The submitted EA contains a shadow flicker analysis of 13 properties within 820m from each turbine. In response to the potential effects, the applicant has confirmed that a control system would be used to calculate whether shadow flicker may affect a property. When the control system calculates that the sunlight is bright enough to cast a shadow, and that a turbine shadow falls on a property, it automatically shuts the turbine down, re-starting it when the shadow has moved away from the property. In the case of larger properties and the village of Cumwhinton, the option to define an area to which the shutdown applies will be employed. In practice, meteorological conditions and other factors are likely to minimise the frequency of occurrence. It is concluded that there is a low risk of any significant impact on residential amenity.

5.52 When considering the matter of outlook, a distinction needs to be drawn between something that is prominent as opposed to being oppressive. In the case of the current proposal there would be permanent views of the proposed turbines from a number of residential properties at Cumwhinton. The closest of which such as (but not exclusively) Oaklands, Greenways, Orchard House, Woodlands, Beech Cottage and Cringles Farm are respectively 560m, 570m, 620m, 580m and 400m from the nearest proposed turbine(s). It is appreciated that the turbines would be visible to varying extents and aspects from these properties as well as those residents occupying the other properties within the vicinity. In some cases, they would be seen mainly from the associated gardens, whereas in other instances they would feature directly in views from the primary windows of main rooms. Undoubtedly the proposal, with the large rotating blades of the turbines, would have a noticeable impact on the outlook from these properties. The proposed turbines would also be viewed from residential properties further away, such as along the A6, Carleton and Brisco, but the distances are greater and therefore the turbines would appear smaller.

5.53 When assessing whether the proposed turbines can be considered oppressive, Members will be aware that in 2005, under application 05/0169, planning permission was given for a turbine with an overall height of 120m to serve the Pirelli factory that was to be sited so that the nearest dwellings at Cummersdale were between 390m to 490m away.

5.54 6. Highway Safety – Topple Distances

5.55 Although there are no statutory guidelines which recommend minimum separation distance from highways etc the turbines are designed so that the rotation of the blades could be slowed or stopped as necessary.

5.56 As far as the safety of the turbines is concerned, the Companion Guide to PPS22 indicates that there have been no cases of injury to any members of the public. The applicant's agent has, nevertheless, confirmed that if considered necessary, the final position of turbine 1 could be "microsited" so as to ensure adequate separation.

5.57 7. Other Matters

5.58 A number of representations have been made with regard to national energy policy. However, key principle (vi) of PPS22 is that small scale projects can provide a limited but valuable contribution to the overall output of renewable energy, and so assist in meeting energy needs both locally and nationally. Thus, projects should not be rejected simply because their output would be small.

5.59 Fears have been expressed that the proposal may have an adverse impact on the tourist potential of the area, lead to the devaluation of property, and, have implications with regard to Council Tax banding based on an appeal held in June 2008 concerning Greys Farm, Spalding, Lincs. It is appreciated

that holiday accommodation is provided nearby and that other businesses may be dependent on tourism. As previously indicated, the planning system does not exist to protect the private interests of one person against the activities of another, although private interests may coincide with the public interest in some cases. Paragraph 29 of "The Planning System:General Principles" explains that the basic question is not whether owners and occupiers of neighbouring properties would experience financial or other loss from a particular development, but whether the proposal would unacceptably affect amenities and the existing use of land and buildings which ought to be protected in the public interest. The Case Officer is not aware of evidence indicating a general correlation showing that wind farms lead to demonstrable harm on tourism. This aside, in March 2007, the RICS published a report ("What is the impact of wind farms on house prices?"). The provisional conclusions of the aforementioned report included that there was evidence that the "threat" of a wind farm may have a more significant impact than the actual presence of one. The presentation prepared by the British Wind Energy Association to the All-Party Parliamentary Group on Tourism in May 2006 concluded that it was not feasible to attempt to draw any conclusions about the effect of wind farms on tourism from national tourism statistics. The matter of Council Tax banding is distinct from the land use planning system. This aside, the applicant's agent has explained that there are over 2000 operational wind turbines in the UK, several of which are closer to residential property than the Council Tax appeal case concerning Greys Farm and the neighbouring residents in these instances have not experienced similar effects in terms of noise.

5.60 Concerns have been raised about the potential precedent that would be set should permission be granted. However, it is an established planning principle that each application is considered on its own merits.

5.61 The possibility has been raised of the turbines distracting drivers on the M6/adjoining highways and horse riders. It is acknowledged in the Companion Guide to PPS22 that the sun can be reflected by turbine blades, but the careful choice of blade colour and the use of a semi-matt finish can reduce the effect. The Guide also records that there are now a large number of wind farms adjoining or close to roads and there has been no history of accidents at any of them.

5.62 The British Horse Society (BHS) Guidance on wind farms is that:

"..as a starting point when assessing a site and its potential layout, a separation distance of 4 times the overall height should be the target for National Trails and Ride UK routes, as these are likely to be used by equestrians unfamiliar with turbines, and a distance of 3 times overall height from all other routes, including roads, with the 200m recommended in the Technical Guidance to PPS 22 being seen as the minimum, where it is shown in a particular case that this would be acceptable. The negotiation process recommended in PPS 22 should indicate whether, in the particular circumstances of each site, these guidelines can be relaxed or need strengthening to minimise or eliminate the potential difficulties."

5.63 In the case of the current proposal there are no bridleways within the immediate vicinity although proposed turbines 1 and 3 are to be located within 110m of either the B6263 or the Garlands Road. Paragraph 56 of the Companion Guide to PPS22 recognises that the BHS has "suggested" a 200m exclusion zone but goes on to explain that, although desirable, it is not a statutory requirement. In the case of the application site it is such that the turbines would be clearly visible upon approach and not be an unexpected feature in the landscape leading to a sudden disturbance. In this context it is considered that limited weight should be given to the conflict with a non-statutory policy when applied to the use of the public highway by horse riders.

5.64 When considering the impact of construction traffic on the local highways, and, impact of the proposed development on aviation interests no objections have been raised from the Highways Agency, the County Council, MoD, NATS, the British Gliding Association, or, the Civil Aviation Authority on these matters.

5.65 The City Council's independent consultants have recommended that a full cumulative impact assessment in relation to other existing and proposed wind energy developments needs to be undertaken. Figure 4.5 of the submitted EA illustrates what is termed a "Zone of Theoretical Visibility" (ZTV) i.e. areas where the proposed wind farm may theoretically be seen within a 10km zone. Figure 4.20 of the EA also specifies other known turbines within 20km which are either operational, consented or in planning. Based on Figures 4.5 and 4.20, there are no turbines (with the exception of the one consented at the Pirelli factory) which falls within the 10km ZTV. The applicant's agent has explained that the possibility of cumulative effects was identified by the environmental professional undertaking the appraisal but, in this instance, the potential cumulative effects are limited to landscape and visual and cultural heritage effects. The agent, based on reference to a Scottish Executive appeal decision (ref. no. PPA/110/456), highlights the unfairness and uncertainty of assessing one proposal against others which are yet to be determined. The logic of considering application stage windfarms as part of a cumulative assessment appearing to be fundamentally flawed because it misrepresents the baseline conditions to which the proposed wind farm will be added. When considering this issue of assessing the cumulative effects, three points need to be kept in mind.

1) The Companion Guide to PPS22 only states that 'in areas where there are existing renewable energy schemes it **may** be appropriate to consider the cumulative impact of further schemes'.

2) The Cumbria Wind Energy SPD was in the draft stage during the discussions. The section under G12 (guidance point 12) in the SPD concerns cumulative effects. The paragraph on the Solway Basin and West Cumbria under this heading mainly focuses on the impact of turbines along the coast and quotes the comment of the Inspector in the decision on the site at High Pow Farm, Wigton. It suggests that there is a need to look at

environmental capacity in the coastland strip. Point G12 of the Wind Energy SPD refers to cumulative effects being assessed within an area already containing one or more operational or approved developments. The Carlisle District area has no significant operational wind turbine development, only the single turbine approved but not erected at the Pirelli site.

3) The Landscape Institute's 'Guidelines for Landscape and Visual Impact Assessment' advises that cumulative landscape and visual effects from a development should be considered in conjunction with other developments likely to occur in the foreseeable future. Zones of Theoretical Visibility or ZVI are generally prepared for a 30 km. radius from a windfarm. The Capita Symonds Assessment points out that three other turbine sites are visible within the 30 km. ZVI: Great Orton (6 wind turbines, 13 km away), Hesket Newmarket (1 turbine, 18 km away) and High Pow (3 turbines, 22 km). Three other windfarm planning applications have been lodged with Eden District Council but are as yet undetermined: Grise (9 turbines, 13.5 km), Berrier Hill, Greystoke (9 turbines, 20 km) and Lamonby (5 turbines, 17 km). The applicant points out that there is uncertainty in assessing one proposal against others which are undetermined as these proposals are not part of baseline conditions. This leaves the cumulative impact of this proposal against three other turbine sites at distances of 13 km, 18 km and 22 km. distance, all medium to long range sites. Cumulative visual impact normally considers the degree to which a renewable energy development becomes a feature in particular views with regard to intervisibility or sequence of views from a major road. Sequential effects occur when an observer moves through a landscape and sees two or more schemes. The difficulty is in picking an elevated point where all three existing schemes would be visible and, in addition, the proposed scheme, without the viewer having to turn the head. The only elevated points are either on the edge of the North Pennines or on the northern edge of the Caldbeck Fells, both locations are far distanced from the Newlands site. The Wind Energy SPD Guidance point 13 concerns limiting thresholds for cumulative effects and generally advises that the judgement should be based on the degree or magnitude of change to an area and its sensitivity to change. It could be argued that as the Newlands site has no landscape designations it is not particularly sensitive to change.

4) The developer has followed the SPD guidelines G1-G11 and G15 – G20 in preparing the proposal. (Guidelines G12-13 concern cumulative assessment which is referenced above and it is agreed that G14 is in conflict with government policy) A recognised, logical, assessment technique has been followed in drawing up the Environmental Appraisal.

5) On this basis, the applicant's EA is not considered to be fundamentally flawed.

5.66 In addition, the County Council considers that a full Environmental Impact Assessment should have been carried out due to the scale and nature of the proposal. In the case of an Inquiry concerning a proposal for three turbines at Hoff Moor, Appleby (appeal ref. APP/H0928/A/07/2053230), a screening direction from the Secretary of State determined that a formal EIA was not

required.

5.67 The Joint Radio Company has objected to the proposed turbines on the basis that they may affect the operational radio systems of United Utilities and consequently the safe and efficient control of the Water supply network in that area could be diminished. However, a technical solution to this problem is likely following the completion of further investigations.

5.68 Account has also been made of the volume of representation. This matter is addressed in paragraph 27 of "The Planning System:General Principles" which explains that local opposition or support for a proposal is not in itself a ground for refusing or granting planning permission. The determining considerations are the merits or otherwise of the proposal.

Conclusion

5.69 The proposal is considered to conflict with elements of Government guidance and the Development Plan with particular regard to the impact on the landscape, the setting of a Listed Building and outlook from dwellings within the vicinity.

5.70 Conversely the proposal is in accordance with the overall objectives of Government energy policy. This is in the context where Cumbria has a target of providing 210 MW by 2010 with actual provision standing at 88MW. Key principle (iv) of PPS22 also requires that the wider environmental benefits of proposals be given significant weight. These benefits include effective protection of the environment through the reduction of greenhouse gas emissions and the prudent use of natural resources by reducing reliance on fossil fuels. In addition the County has relatively extensive areas designated as either a National Park or Areas of Outstanding Natural Beauty with other parts also sensitive, for example because of existing bird populations. The potential provision of on shore wind farms around Carlisle and its environs is also constrained by such features and designations as the Hadrian's Wall World Heritage Site, the Solway Coast AONB, North Pennines AONB, and RAF Spadeadam.

5.71 The application site falls within Landscape Character Sub Type 5b i.e. Lowland - Low Farmland. Under the Cumbria Wind Energy Supplementary Planning Document this landscape is acknowledged as having a capacity to accommodate schemes of 3-5 turbines, or exceptionally 6-9 turbines.

5.72 It is considered that no material harm is likely to arise incapable of effective control through conditions from other matters. Paragraph 9 of Annex 3 of Circular 8/93 "Costs in Planning and Other Proceedings" highlights that planning authorities are expected to thoroughly consider relevant advice from a statutory consultee. Nevertheless, it is always the authority's sole responsibility to ensure that, if they adopt such advice, their decision is based on a complete understanding of the consultee's advice. In addition, paragraph 11 of Annex 3 of Circular 8/93 advises that planning authorities will be expected to show that they have considered the possibility of imposing

relevant planning conditions on a grant of permission which would allow development to proceed.

5.73 On the basis that no objections are received in the interim from consultees and the outstanding information with regard to archaeology, bats, noise and the radio systems of United Utilities satisfactorily resolves matters, the proposal will be recommended for approval.

6. Human Rights Act 1998

6.1 Several provisions of the above Act 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 regularise any breach of planning control;

Article 8 recognises the "Right To Respect for Private and Family Life";

6.2 **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;

6.3 Submissions have been made that should the development proceed, this would amount to an interference or violation under Articles 8 or Article 1 of the First Protocol of the European Convention on Human Rights. It is recognised that the proposal would have some impact on the homes, family life and peaceful enjoyment of possessions by a number of local residents. However these effects must be balanced against the rights and freedoms of others in the community. It is considered that if the development goes ahead its effect would be neither disproportionate nor unbalanced and, therefore, determine that no violation of any persons' human rights would take place.

7. Recommendation

Reason For Including Report In Schedule B

At the time of preparing the report additional information from the applicant and comments from consultees are awaited.

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bolsterstonepic

arcus

Key

- Proposed Turbine Locations
- Planning Application Boundary

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10 JUL 2008
08/0707

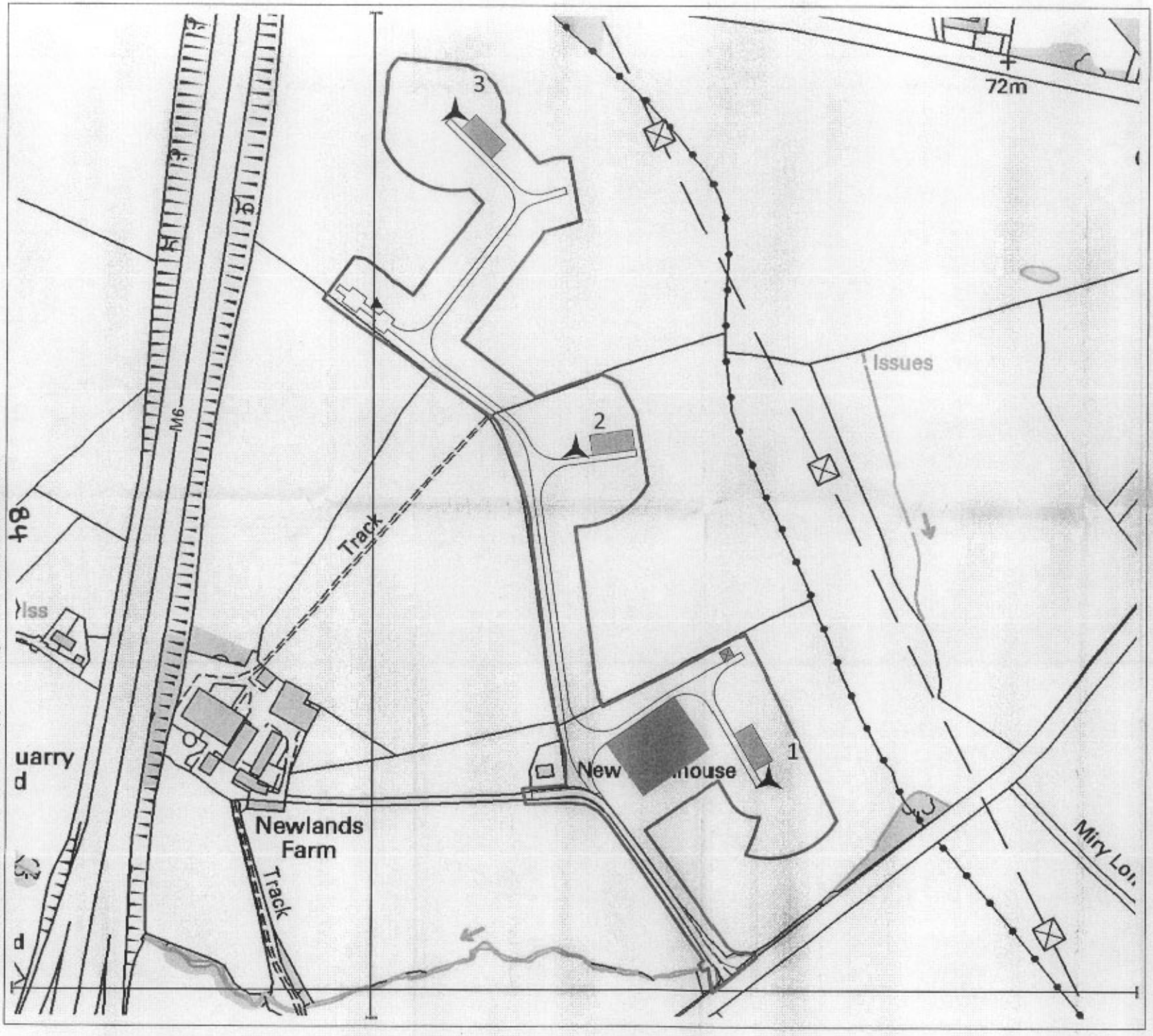
1:25,000 Scale @ A3

0 0.5 1 km

N

Site Location
Figure PA01

Newlands Windfarm
Environmental Appraisal



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Key

- Proposed Turbine Locations
- Meteorological Mast
- Control Building/Substation
- Planning Application Boundary
- Existing Tracks
- New Tracks
- Hardstandings
- Construction Compound

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Site Layout
Figure PA02

Newlands Windfarm
Environmental Appraisal

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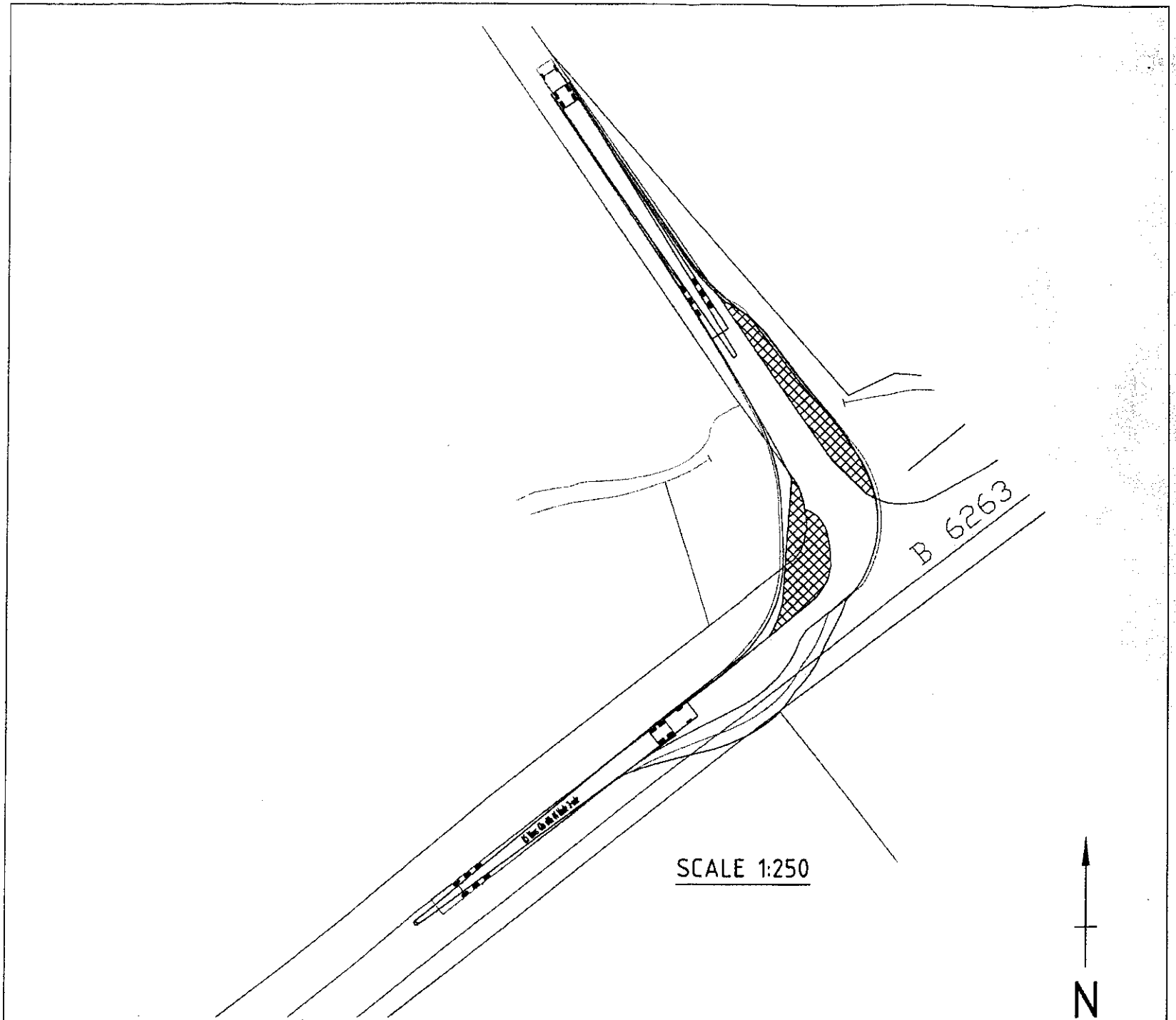

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Area covered by vehicle axles/wheels to be levelled or prepared for vehicle axle weights.

Outline of area covered by vehicle axles/wheels.

Outline of area covered by vehicle load projections.

Outline of area covered by vehicle body.

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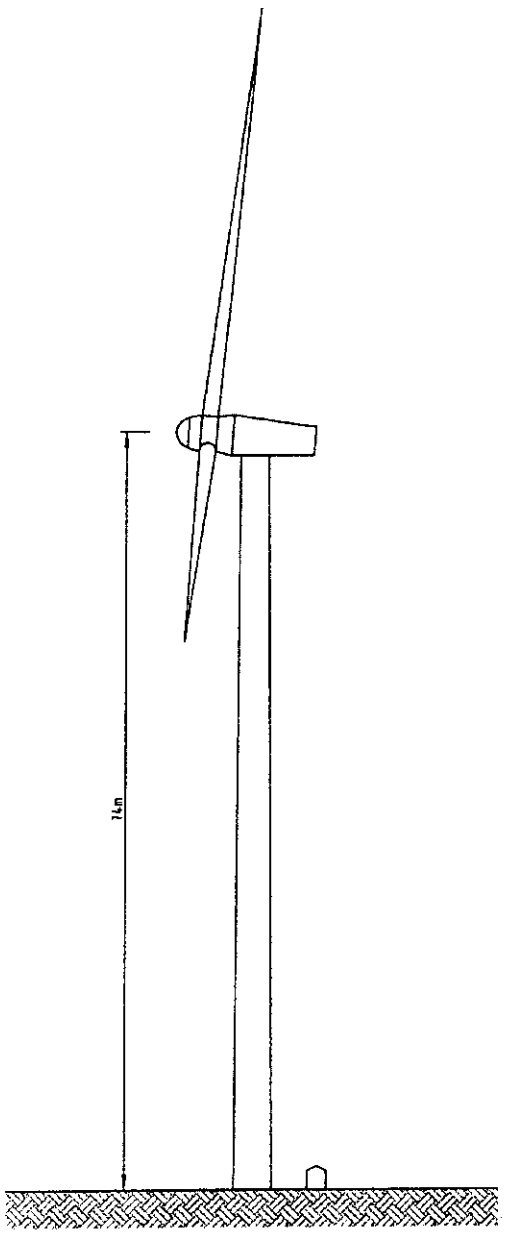
Scale as shown

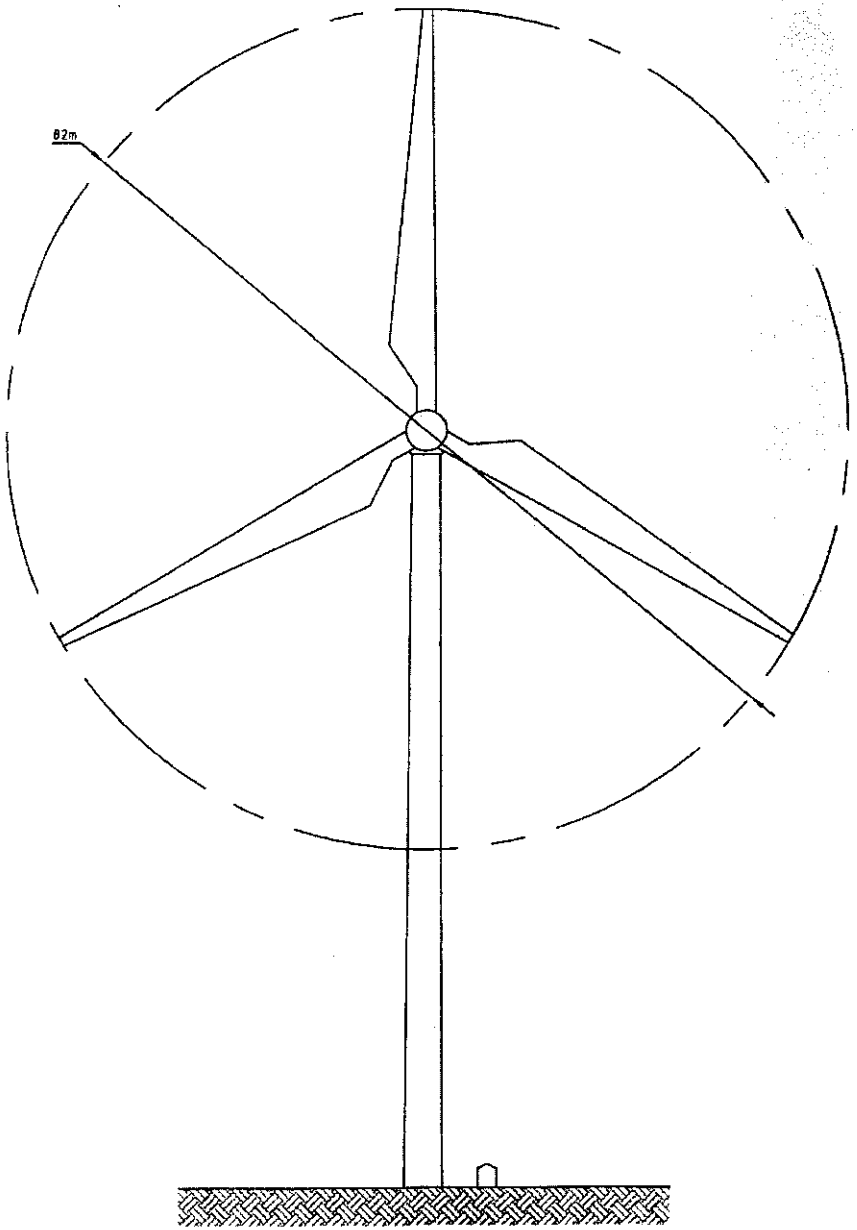
NOT FOR CONSTRUCTION

Site Access Details
Figure PA06

Newlands Windfarm
Planning Drawing



SIDE ELEVATION
SCALE = 1:500



FRONT ELEVATION
SCALE = 1:500

bolsterstone

arcus

NOTES:

1. This drawing is for illustrative purposes only.
2. Work to figured dimensions only. Do not scale from this drawing.

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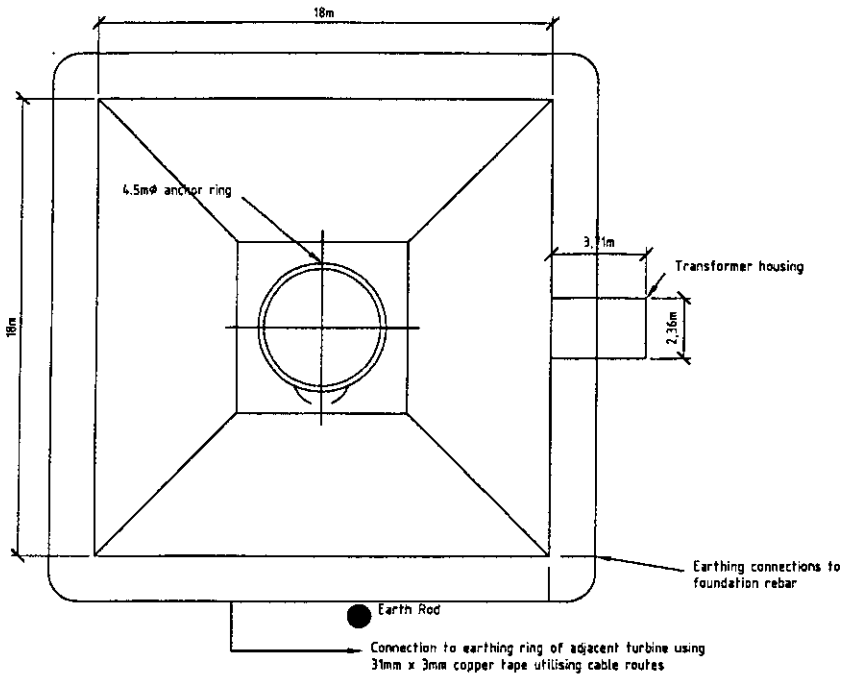
10 JUL 2008
08/0707

Scale as shown

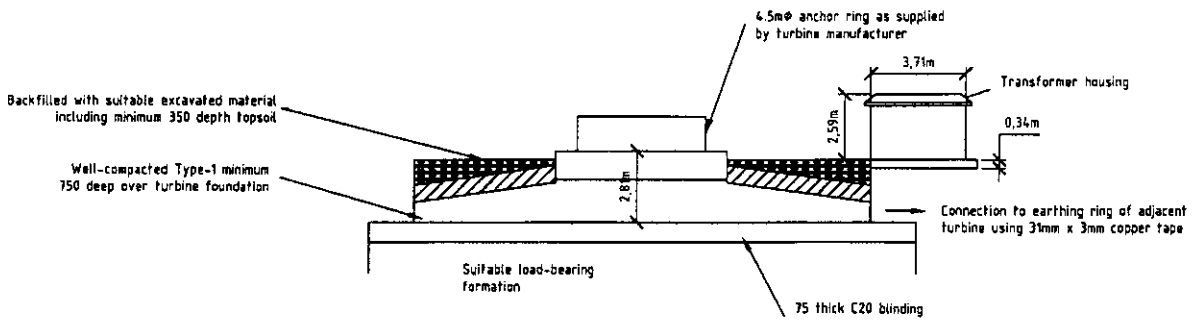
NOT FOR CONSTRUCTION

Typical Wind Turbine and Transformer
Figure PA03

Newlands Windfa[illegible]
Planning Drawing



FOUNDATION ON SUITAIBLE BEARING
SCALE 1:200



SECTION THROUGH TURBINE BASE
SCALE 1:200

bolsterstone

NOTES:

1. The foundation size is indicative only and will depend upon ground conditions, groundwater levels and wind loadings.
2. Inserts and ducting to be supplied by turbine manufacturer.
3. Earthing details are indicative, subject to trubine supplier approval.
4. Suitable formation to be specified by turbine supplier.

08/0707

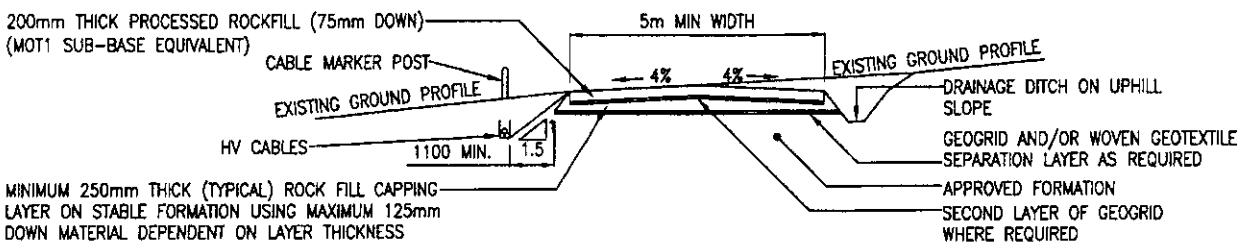
Scale as shown

NOT FOR CONSTRUCTION

Typical Turbine and Transformer Foundation
Figure PA04

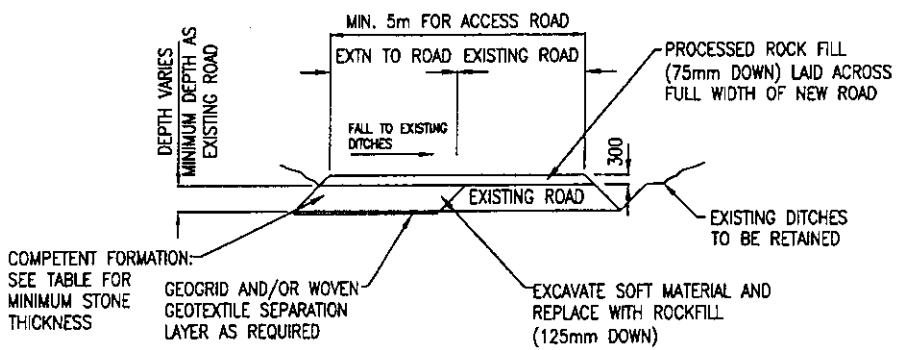
Newlands Windfarm Planning Drawing

87



TYPICAL SECTION THROUGH EXCAVATED ROAD (1:100)

(WHERE PEAT DEPTH GENERALLY LESS THAN 1.2m OR WHERE SIDE SLOPE >1:12 GRADIENT)



TYPICAL SECTION WIDENING OF EXISTING CUT ROAD (1:100)

88

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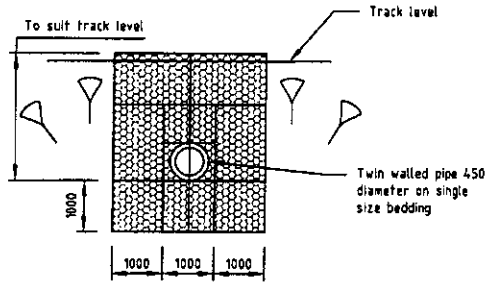
08/0707

Scale as shown

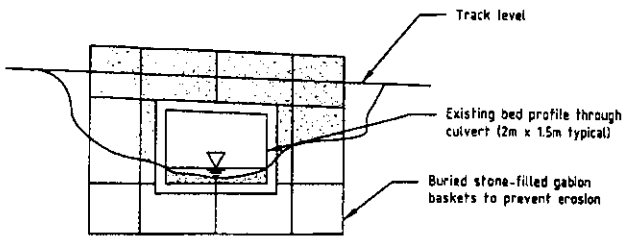
NOT FOR CONSTRUCTION

Typical Access Track Design
Figure PA07

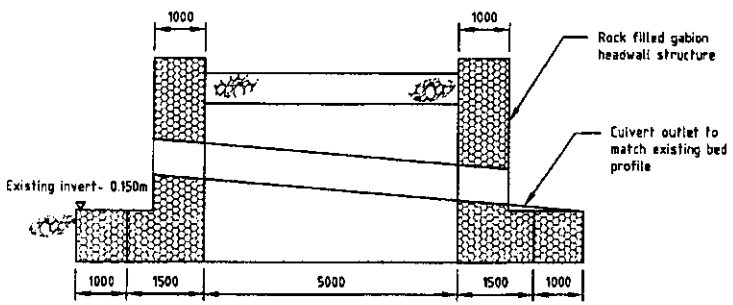
Newlands Windfarm
Planning Drawing



ELEVATION ON CULVERT HEADWALL
SCALE 1:100

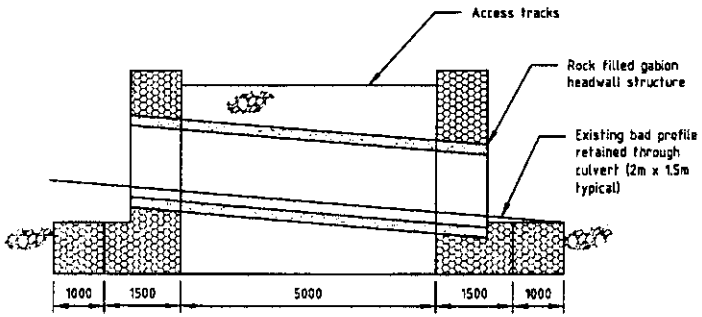


ELEVATION ON CULVERT HEADWALL
SCALE 1:100



CROSS SECTION THROUGH CULVERT

PIPE CULVERT DETAIL
(FOR SMALL WATER CROSSINGS)
SCALE 1:100



CROSS SECTION THROUGH CULVERT

BOX CULVERT DETAIL
(FOR MEDIUM SIZE WATER CROSSINGS)
SCALE 1:100

bolsterstone

NOTES:

1. All dimensions in millimetres unless otherwise stated.
2. The culvert details are indicative. The type and size of culvert specified will depend on further hydrological studies, design work and consultation with Natural England.
3. Minimum diameters and invert levels are based on CIRIA recommendations.
4. Edge protection barriers and track markers to be located as required.

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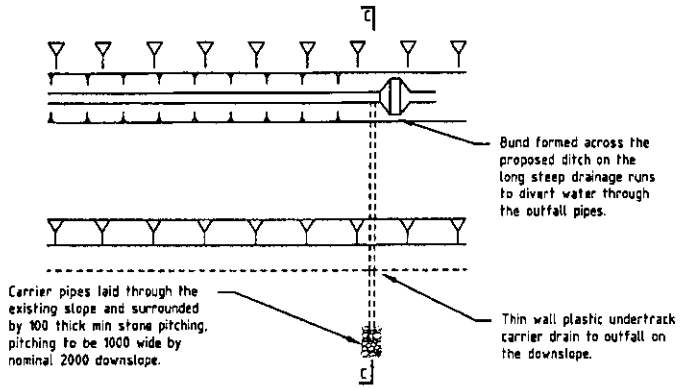
Scale as shown

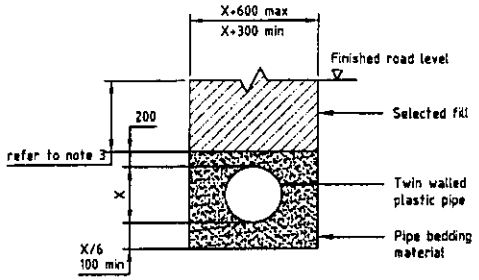
NOT FOR CONSTRUCTION

Typical Culvert Design
Figure PA08

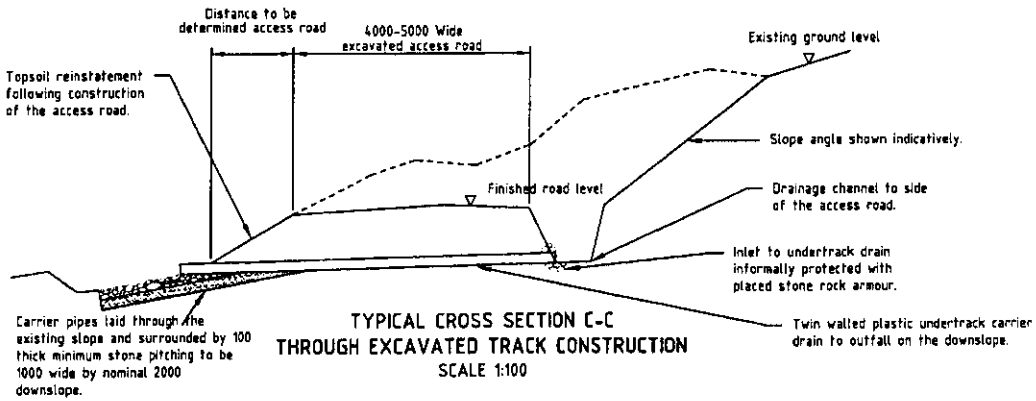
Newlands Windfarm
Planning Drawing



PLAN OF EXCAVATED TRACK
SCALE 1:100



DETAIL A
PIPE BEDDING DETAILS
SCALE 1:10



TYPICAL CROSS SECTION C-C
THROUGH EXCAVATED TRACK CONSTRUCTION
SCALE 1:100

bolsterstone

NOTES:

1. All dimensions in millimetres unless otherwise stated.

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08/0707

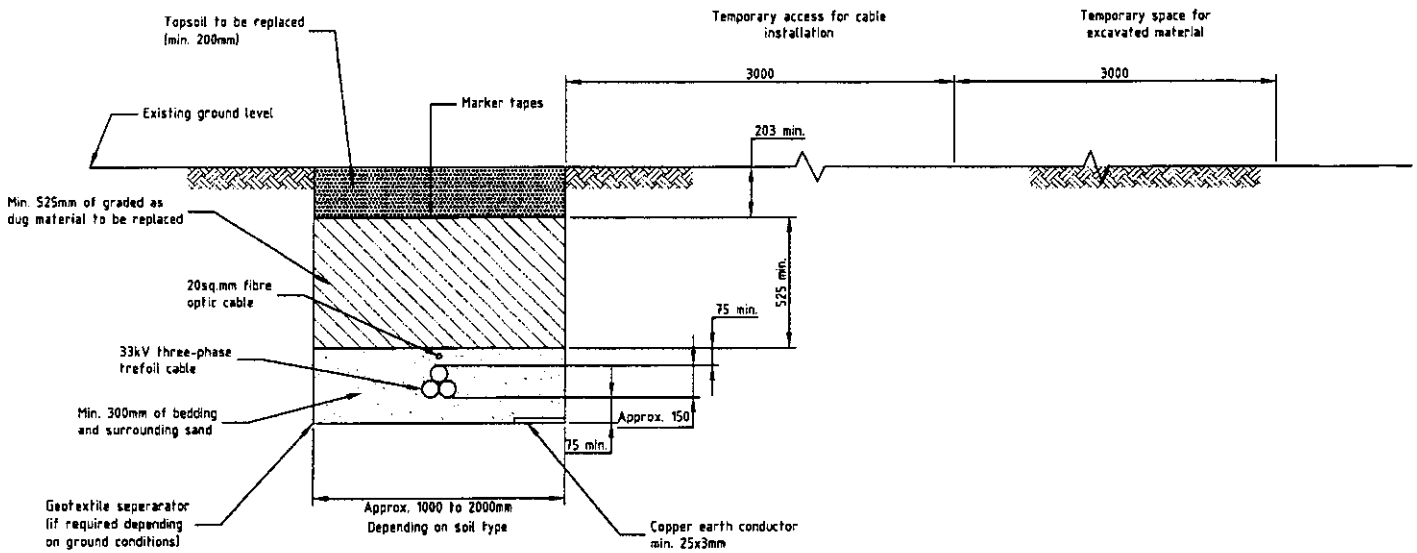
Scale as shown

NOT FOR CONSTRUCTION

Typical Access Track and Drainage Details
Figure PA09

Newlands Windfarm Planning Drawing

06



TYPICAL CABLE TRENCH DETAIL
SCALE = 1:20
(typically adjacent to track)

bolsterstone

NOTES:

1. All dimensions in millimetres unless otherwise stated.
2. Cable routes to run adjacent to site tracks.
3. Above ground cable markers to be located as required.

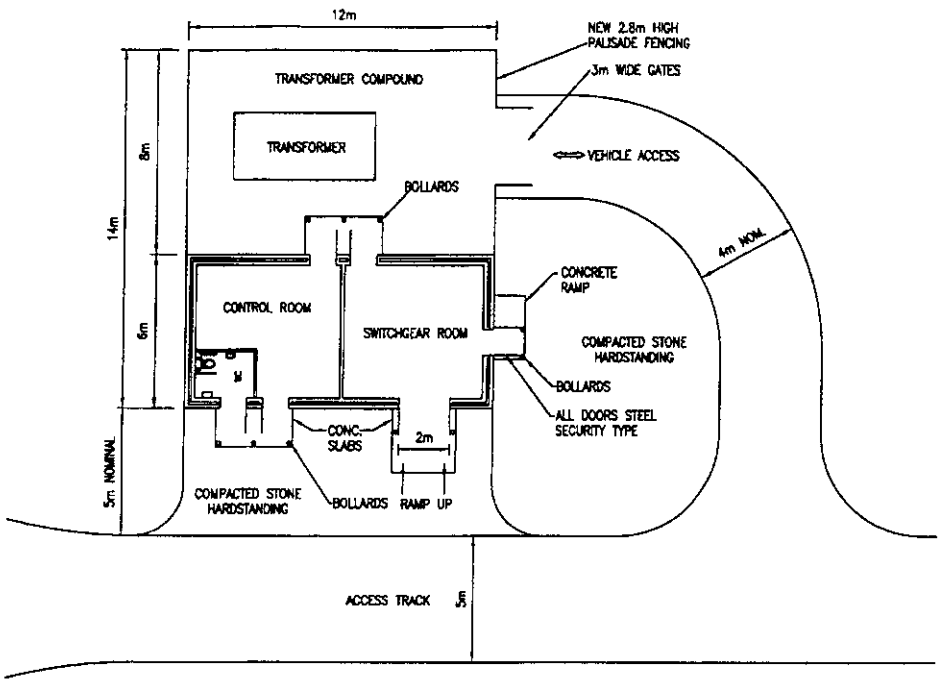
RECEIVED
08/0707

Scale as shown

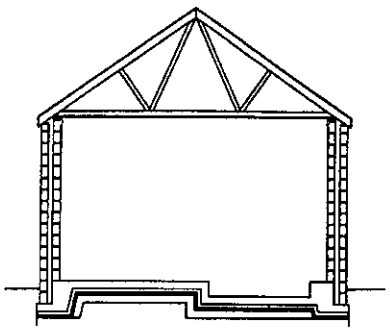
NOT FOR CONSTRUCTION

Typical Cable Trench
Figure PA10

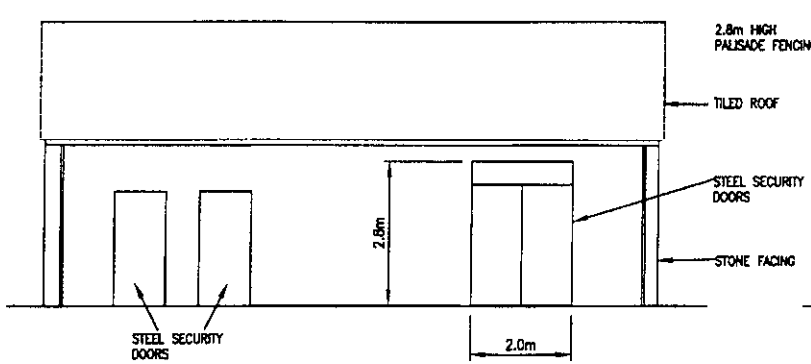
Newlands Windfarm
Planning Drawing



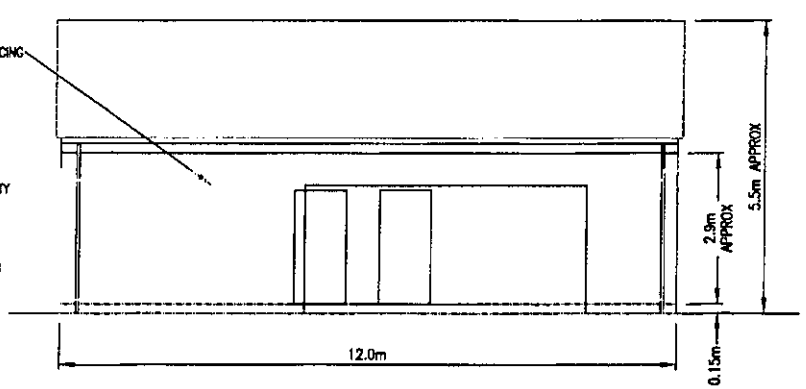
PLAN OF CONTROL BUILDING (1:200)



SIDE ELEVATION
SCALE 1:100



FRONT ELEVATION (1:100)



REAR ELEVATION (1:100)

bolsterstone

NOTES:

1. Compound layout is indicative only.
2. Work to figured dimensions only. Do not scale from this drawing.

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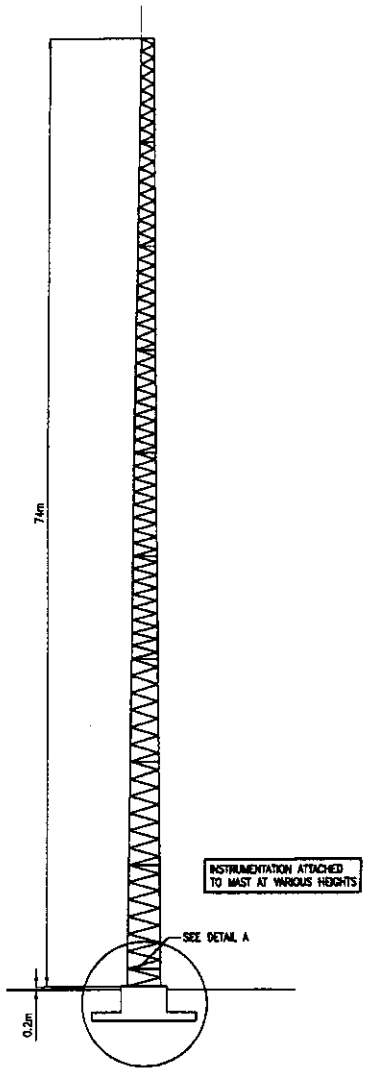
Scale as shown

NOT FOR CONSTRUCTION

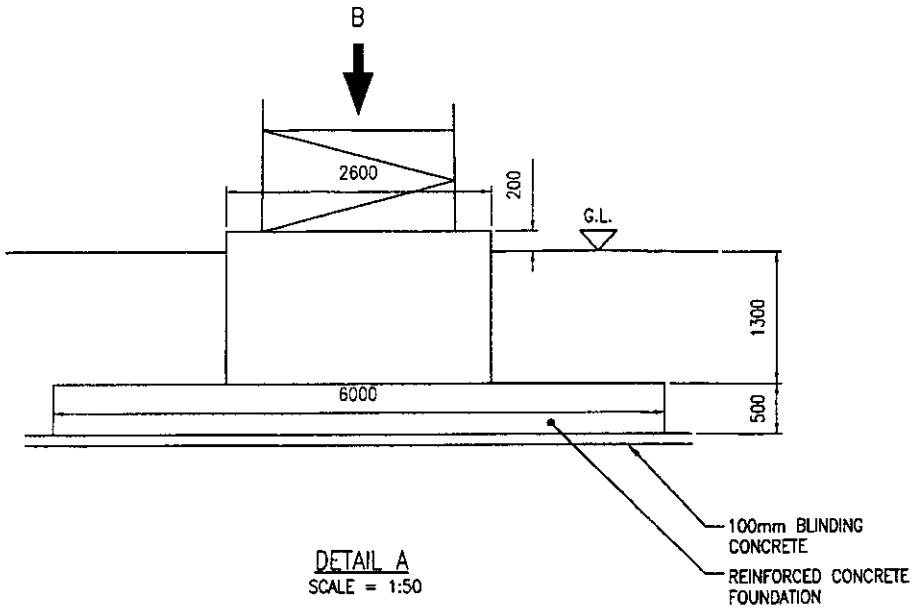
Typical Control Building and Substation Compound
Figure PA11

Newlands Windfarm Planning Drawing

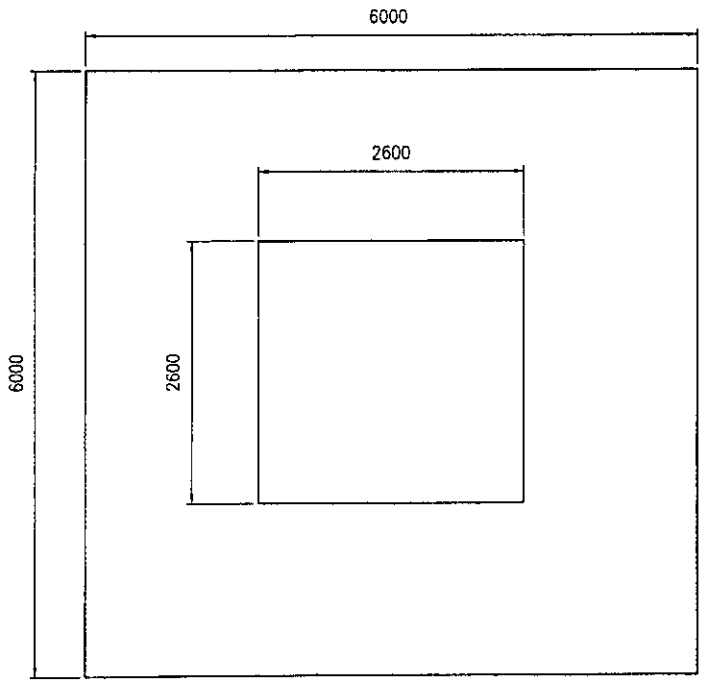
92



ANEMOMETER MAST ELEVATION
SCALE = 1:400



DETAIL A
SCALE = 1:50



PLAN VIEW B
SCALE = 1:50

bolsterstone

NOTES:

1. Work to figured dimensions only. Do not scale from this drawing.
2. All dimensions are millimetres unless stated otherwise.
3. All levels are in metres unless stated otherwise.
4. Foundation details are subject to confirmation following full site investigation relating to known locations, ground levels and to final loading information from turbine manufacturer.

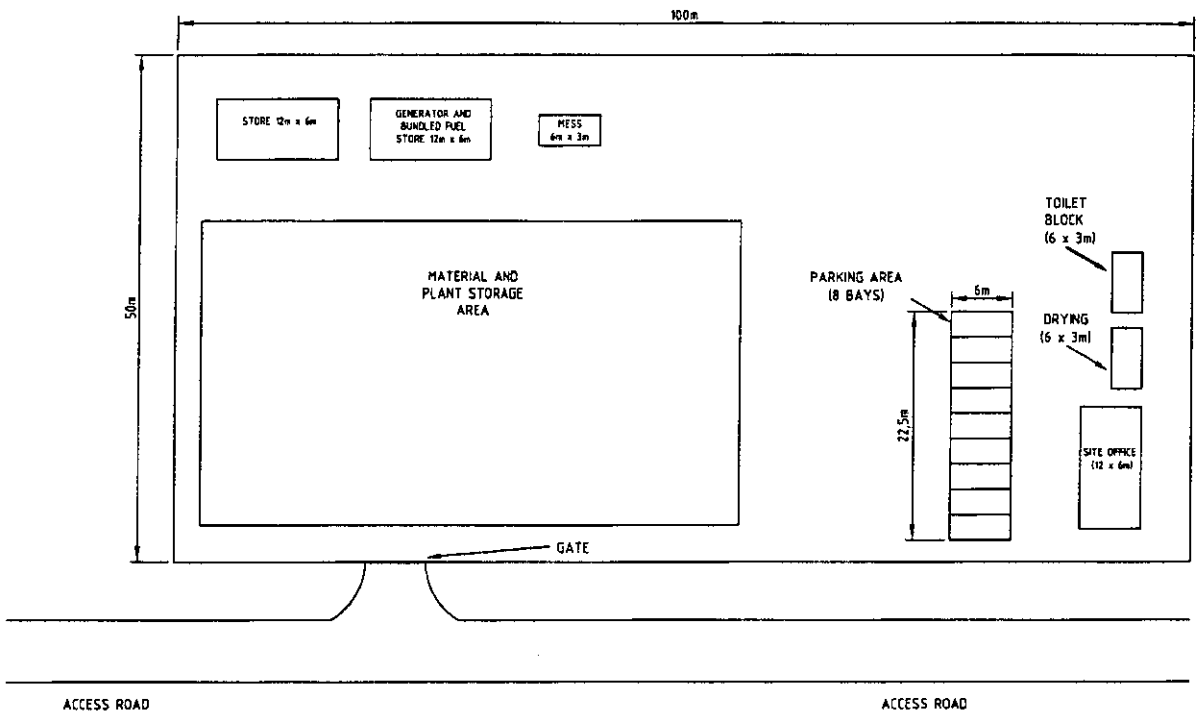
08/0707

Scale as shown

NOT FOR CONSTRUCTION

Typical Anemometer Mast
Figure PA12

Newlands Windfarm
Planning Drawing



TYPICAL TEMPORARY CONSTRUCTION COMPOUND
SCALE 1:500

bolsterstone

NOTES:

1. All dimensions in metres.
2. All drainage to be in accordance with CIRIA publications C251 and C253.

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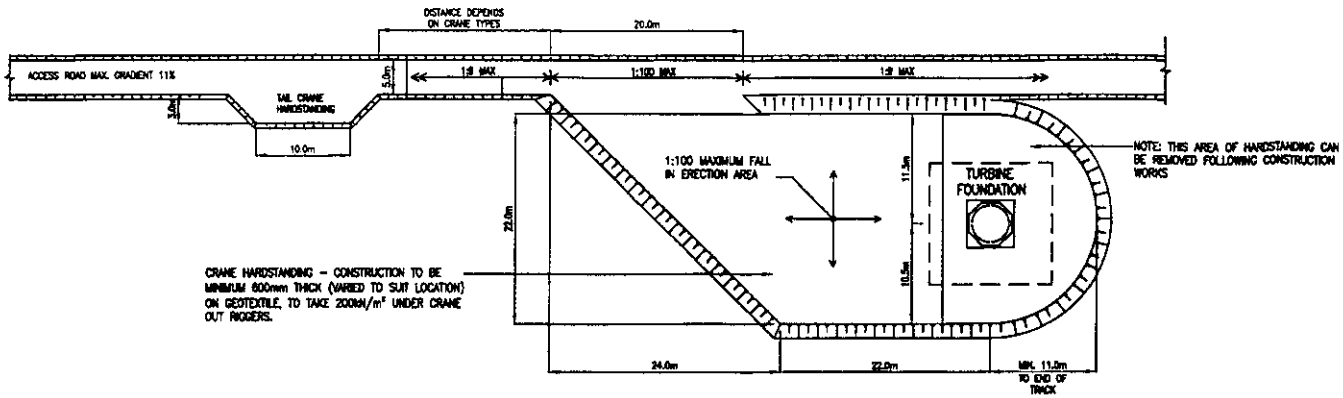
Scale as shown

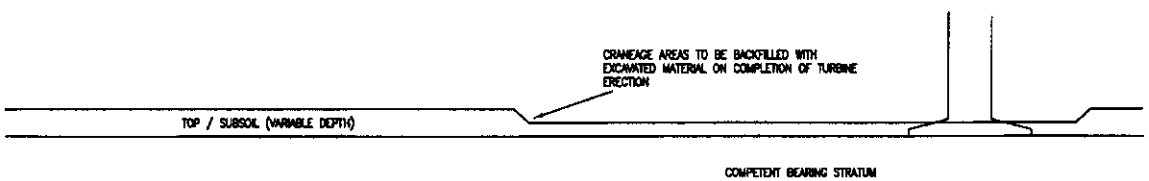
NOT FOR CONSTRUCTION

Typical Construction Compound
Figure PA13

Newlands Windfarm
Planning Drawing



LAYOUT
CRANE HARDSTANDING JOINED TO ACCESS ROAD
SCALE 1:750



PLAN
CRANE HARDSTANDING JOINED TO ACCESS ROAD
SCALE 1:750

bolsterstone

NOTES:

1. Craneage areas are to be accurately levelled.
2. If no suitable bearing stratum is found then piling will be required

08/0707

Scale as shown

NOT FOR CONSTRUCTION

Typical Crane Hardstanding
Figure PA05

Newlands Windfarm
Planning Drawing

Item No: 02 Date of Committee: 03/10/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0779	Bolsterstone Innovative Energy Carlisle Ltd	St Cuthberts Without
Date of Receipt:	**Agent:**	**Ward:**
08/08/2008	Arcus Renewable Energy Consulting Ltd	Dalston
Location:		**Grid Reference:**
Land At Newlands Farm, By Cumwhinton, Carlisle		344152 552458

Proposal: Erection Of A 60m High Meteorlogical Monitoring Mast For A Three Year Period

Amendment:

REPORT **Case Officer:** Angus Hutchinson

Reason for Determination by Committee:

This application is brought before the Development Control Committee as it is closely related to application 08/0707, the Erection of3no. Wind Turbines and Associated Infrastructure, which is also brought before the Committee;

1. Constraints and Planning Policies

Joint St. Plan Pol ST1: A Sustainable Vision for Cumbria

Joint Str. Plan Pol ST2: Assessing impact on sustainability

Joint St.Plan Pol ST3: Principles applying to all new devel.

Joint Str. Plan Pol ST4: Major development proposals

Joint St. Plan Pol R44: Renew.energy out.LDNP & AONBs

Joint St. Plan Pol E34: Areas&feat. nat. & int.conservation

Joint St. Plan Pol E35: Areas&feat.of nature conservation

Joint St. Plan Pol E37: Landscape character

Joint St. Plan Pol E38: Historic environment

District E1 - Agricultural Land

District E12 - Wildlife Sites

District E28 - Ancient Monuments

District E29 - Archaeological Signif.

District E30 - Arch. Evaluation Prior

District E31 - Arch. on Other Sites

District E35 - Affecting LBC's

District T3 - Affecting Road Network

Local Plan Pol CP1 - Landscape Character

Local Plan Pol CP2 - Biodiversity

Local Plan Pol CP3 - Trees and Hedges on Development Sites

Local Plan Pol CP4 - Agricultural Land

Local Plan Pol CP6 - Residential Amenity

Local Plan Pol CP8 - Renewable Energy

Local Plan Pol DP5 - Trunk Roads

Local Plan Pol DP9 - Areas of Outstanding Natural Beauty

Local Plan Pol LC8 - Rights of Way

Local Plan Pol LE3 - Other Nature Conservation Sites

Local Plan Pol LE5 - Hadrian's Wall World Heritage Site

Local Plan Pol LE7-Buffer Zone Hadrians Wall W.Herit.Site

Local Plan Pol LE8 - Archaeology on Other Sites

Local Plan Pol LE10 - Archaeological Field Evaluation

Local Plan Pol LE12 - Proposals Affecting Listed Buildings

Local Plan Pol LE19 - Conservation Areas

Local Plan Pol LE22-Historic Parks, Gardens&Battlefields

Local Plan Pol Policy LE23 - MOD Safeguarding Zone

2. Summary of Consultation Responses

Cumbria County Council - (Highway Authority): no objection;

Cumbria County Council (Strategic Planning Authority) Wind Energy Consultations: comments awaited;

Local Plans (Tree Preservation), Development Services: the proposed monitoring mast is located in a field to the northeast of Newlands Farm. The land is agricultural with a number of trees in the lines of the old hedgerows.

Although the applicant has indicated the presence of trees on site they have not supplied an arboricultural survey as required. Neither does the applicant indicate how they are to access the site to construct the mast. These omissions should be addressed by the applicant so that an informed decision can be made on the proposal;

Environmental Services - Environmental Quality: comments awaited;

Carlisle Airport: no objection to this proposal;

BBC: comments awaited;

Council for Protection of Rural England/Friends of the Lake District: comments awaited;

National Air Traffic Services: the proposed development has been examined from a technical safeguarding aspect and does not conflict with safeguarding criteria. Accordingly, NATS (En Route) Limited has no safeguarding objections to this proposal;

Radio Engineering & Systems Unit: comments awaited;

Office of Communications -Wind Farm Enquiries: comments awaited;

Cumbria Wildlife Trust: comments awaited;

Natural England: comments awaited;

Department for Transport (Highways Agency): it is understood that this proposal is for a monopole cylindrical mast in stainless steel and will be supported by guy wires. This would be 60 metres in height and be located 200 metres away from the M6 motorway managed by the Agency and immediately to the west.

To assist in the construction process, were planning permission to be granted for this proposal the accompanying Design and Access Statement does refer to there being a rough farm track, accessible using a 4 x 4 vehicle.

Provided that there is to be no access reguired for the construction/operation or maintenance of the mast direct from the M6 motorway, the Highways Agency is satisfied that this structure is located at a sufficient distance not to give rise to distraction to drivers of vehicles using the M6.

Nevertheless, to minimise what may be only a slight risk of glare from this structure it is requested that the mast should be finished/treated in materials which are not reflective

Therefore the given three above mentioned caveats on distance from the motorway, access and finish materials, the Highways Agency can confirm no objections to this proposed development;

St Cuthberts Without Parish Council: comments awaited;

Ministry of Defence/Defence Estates: comments awaited;

Cumbria County Council - (Archaeological Services): comments awaited;

Wetheral Parish Council: comments awaited.

3. Summary of Representations

Representations Received

Initial:	Consulted:	Reply Type:
Holme Lea	13/08/08	
Howcroft Park	13/08/08	
Ash Tree Cottage	13/08/08	
Banks Villa	13/08/08	
Chapel Cottage	13/08/08	
Annex Chapel Cottage	13/08/08	
Greenways	13/08/08	
Oaklands	13/08/08	Objection
Rhudil House	13/08/08	
The Banks	13/08/08	
Vermont	13/08/08	
Westway	13/08/08	
Laburnum Cottage	13/08/08	
Tanglewood	13/08/08	
Ashdown	13/08/08	
Beech Croft	13/08/08	
Bold	13/08/08	
Venture		
Crofton House	13/08/08	
Green End Cottage	13/08/08	

SCHEDULE A: Applications with Recommendation

08/0779

, The Cottage	13/08/08	
1 Holme Farm Court	13/08/08	
2 Holme Farm Court	13/08/08	
, 3 Holme Farm Court	13/08/08	
4 Holme Farm Court	13/08/08	
5 Holme Farm Court	13/08/08	
6 Holme Farm Court	13/08/08	
7 Holme Farm Court	13/08/08	
1 Holme Meadow	13/08/08	
2 Holme Meadow	13/08/08	
, 3 Holme Meadow	13/08/08	
4 Holme Meadow	13/08/08	
5 Holme Meadow	13/08/08	
6 Holme Meadow	13/08/08	
7 Holme Meadow	13/08/08	
8 Holme Meadow	13/08/08	
, 9 Holme Meadow	13/08/08	
10 Holme Meadow	13/08/08	
11 Holme Meadow	13/08/08	
12 Holme Meadow	13/08/08	
Carmel House, Holme Meadow	13/08/08	
14 Holme Meadow	13/08/08	
15 Holme Meadow	13/08/08	Objection
Cringles Farm	13/08/08	
West Cottage	13/08/08	
Gill Head Farm	13/08/08	
The Carleton Clinic	13/08/08	
Fairhaven	13/08/08	
Rose Wood	13/08/08	
Carleton Filling Station	13/08/08	
Ardnaree	13/08/08	
, River Forge	13/08/08	
, Kells Cottage	13/08/08	
, Newlands Cottage	13/08/08	
, Woodend	13/08/08	
, Hamilton House	13/08/08	
, Bordergate Travel Inn	13/08/08	
, Newlands Farm Cottage	13/08/08	
, Golden Fleece House	13/08/08	
, Golden Fleece House	13/08/08	
Golden Fleece	13/08/08	
Exelby Services Ltd	13/08/08	
The Flat, Golden Fleece	13/08/08	
Golden Fleece Cottage	13/08/08	
Thistle Cafe, Golden	13/08/08	
Fleece		
Overwood	13/08/08	
Quarry Gate	13/08/08	
Hill Rise	13/08/08	
Ypsilanti	13/08/08	
Lyndhurst	13/08/08	
Coomara	13/08/08	
Glendale	13/08/08	
Carleton Mill Cottage	13/08/08	
Carleton Mill	13/08/08	
Orchard View	13/08/08	
Orchard House	13/08/08	
The Orchards	13/08/08	
Park End	13/08/08	
Broadfield	13/08/08	
The Beeches	13/08/08	

	The Flat, The Beeches	13/08/08	
	Yew Tree House	13/08/08	
	The Elms	13/08/08	
	The Cottage	13/08/08	
	Gifford House	13/08/08	
	Mount View	13/08/08	
	1 White Cottages	13/08/08	
	2 White Cottages	13/08/08	
	1 Petteril Villas	13/08/08	
	2 Petteril Villas	13/08/08	
	Craig Roy	13/08/08	
	Arnside	13/08/08	
	Corusik	13/08/08	
	Aikbank	13/08/08	
	Valdor	13/08/08	
	The Willows	13/08/08	
	Kielder	13/08/08	
	DaNene	13/08/08	
	Gleneagle	13/08/08	
	The Bungalow	13/08/08	
	Fell View	13/08/08	
	Carleton Farmhouse	13/08/08	
	Redlands	13/08/08	
	Bluerare Restaurant	13/08/08	
	Bluebell Cottage	13/08/08	
	Rose Cottage	13/08/08	Undelivered
	Terracotta Bungalow	13/08/08	
	1 St Christophers	13/08/08	
	2 St Christophers	13/08/08	
	Motor Body Repairs	13/08/08	
	Dhaka Tandoori	13/08/08	
Restaurant			
	Carleton Depot	13/08/08	
	Greenbank Inn	13/08/08	
	Carleton Day Centre	13/08/08	
	1 Brisco View	13/08/08	
	2 Brisco View	13/08/08	
	3 Brisco View	13/08/08	
	4 Brisco View	13/08/08	
	5 Brisco View	13/08/08	
	Hill Howe	13/08/08	
	Croft House	13/08/08	
	1 Carleton Farm Mews	13/08/08	
	2 Carleton Farm Mews	13/08/08	
	3 Carleton Farm Mews	13/08/08	
	4 Carleton Farm Mews	13/08/08	
	5 Carleton Farm Mews	13/08/08	
	6 Carleton Farm Mews	13/08/08	
	1 Meadow View	13/08/08	
	2 Meadow View	13/08/08	
	3 Meadow View	13/08/08	
	1 Carleton Close	13/08/08	
	2 Carleton Close	13/08/08	
	3 Carleton Close	13/08/08	
	4 Carleton Close	13/08/08	
	6 Leywell Drive	13/08/08	
	Camstraddan	13/08/08	
	3 Beech Tree Farm	13/08/08	
	Ferrers, 4	13/08/08	
	5 Beech Tree Farm	13/08/08	
	Auchrannie, 6	13/08/08	

8 Beech Tree Farm	13/08/08	
9 Beech Tree Farm	13/08/08	
10 Beech Tree Farm	13/08/08	
11 Beech Tree Farm	13/08/08	
The Cottage, 12 Beech Tree Farm	13/08/08	
13 Beech Tree Farm	13/08/08	
Cherrystones	13/08/08	
Braeside	13/08/08	
Brier Hill	13/08/08	
Millfield House	13/08/08	
The Conifers	13/08/08	
Dale House	13/08/08	
Dalegarth	13/08/08	
Holme House	13/08/08	
The Conifers	13/08/08	
Maughan Holme	13/08/08	
Bengairn	13/08/08	
St John's Hall	13/08/08	Undelivered
Ashcroft	13/08/08	
Murray House	13/08/08	
The Croft	13/08/08	
Upna House	13/08/08	
Ridgemeade	13/08/08	
Farnham House	13/08/08	
Beech Cottage	13/08/08	
Stonewood	13/08/08	
Balgownie	13/08/08	
Woodlands	13/08/08	
The Brambles	13/08/08	
Cooper's Meadow	13/08/08	
Cringles	13/08/08	
Cringles Farm Cottage	13/08/08	
East		
Hollyside	13/08/08	
Holme Acre	13/08/08	Objection
Holme Croft	13/08/08	Objection
Ivy Cottage	13/08/08	
Lowther Arms	13/08/08	
Rose Cottage	13/08/08	
Rose Garth	13/08/08	
Rosehill	13/08/08	
Swallow Cottage	13/08/08	

3.1 This application has been advertised by means of a site notice as well as notification letters sent to 180 neighbouring properties. In response four letter of objection have been received which are summarised below:

1. it is totally undesirable to monitor this area for suitability for wind turbines;

2. the village is in a direct line with the proposed site in relation to the prevailing wind;

3. the site is undesirably close to the village which is unacceptable;

4. the application must be resisted for the general welfare of the village and

it's inhabitants;

5. visual impact on the area;

6. detrimental effect on the environment.

4. Planning History

4.1 This application needs to be considered in conjunction with application 08/0707 which seeks approval for the erection of 3no. Wind Turbines and Associated Infrastructure on the same site;

5. Details of Proposal/Officer Appraisal

Introduction

5.1 Newlands Farm is in an elevated location approximately 30 metres to the immediate east of the M6, 300 metres to the north of junction 42. The Farm is bound to the west by the M6, to the south by the B6263 road which runs from Junction 42 to Cumwhinton, and, the Garlands Road leading from Cumwhinton to Carlisle.

5.2 The farmstead comprises the original farmhouse based around which there are a series of agricultural buildings varying in age, design and materials. There is a detached "new" farmhouse located approximately 200 metres to the east of the main steading.

5.3 The application site is relatively elevated at an AOD of approximately 65m set within a rolling topography of glacial deposits with agricultural fields bounded by hedgerows, isolated trees and mature copses. To the immediate east of the site there is an overhead power line carried by pylons that are approximately 40/45 metres in height. The Caldbeck Transmitter Station, which has a mast 337m in height and is 17km to the south, can be clearly seen from the site.

5.4 Access to a public footpath (no. 138040), which runs to Cocklakes, lies to the south of the application site off the B6263. Cumwhinton is served by a number of public footpaths, such as nos. 138035, 138053 and 138059. There are additional public footpaths further a field inclusive of no. 129011 at Brisco.

Background

5.5 Further to the report concerning application 08/0707, this application seeks temporary permission for three years to erect a 60m meteorological monitoring mast.

5.6 The proposed mast is a cylindrical galvanised steel structure, approximately 20cm diameter, held in place by high tensile steel guy wires at an interval of approximately 10m.

5.7 The positioning of the mast is based on achieving suitable data in order to assess the wind resource at the site such that a wind speed and energy production report suitable for submission to financial institutions can be produced. The location of the mast coincides with that of proposed turbine 2 subject of application 08/0707; is accessible by a rough farm track; and, achieves the required separation distance from the overhead electricity power line.

5.8 The height of the proposed mast is determined by the need to allow for accurate projection of the likely performance in terms of their energy production. The intention would be to have anemometers at approximately 60m, 50m, 40m and 30m and wind vanes at approximately 58m and 38m. The proposed guy wires can be fitted with bird diverter discs to minimise the risk of collision if considered necessary. A lightning finial will be fitted at the top of the mast.

Assessment

5.9 When assessing application 08/0707 it was considered that there were six main issues, namely:

1. the contribution of the scheme towards the regional and county targets for the generation of renewable energy;

2. the impact of the proposed development on the landscape and visual character of the area;

3. the effect of the scheme on local ecology;

4. the effect of the proposal on local archaeology and the historic environment including listed buildings;

5. the effect of the proposed development on the living conditions of local residents inclusive of the occupiers of any dwelling associated with Newlands Farm; and,

6. the effect of the proposal on highway safety.

5.10 In relation to this proposal it is evident that the mast is a precursor to establish the viability and potential for the turbines subject of 08/0707 to contribute towards the targets for the generation of renewable energy. In the case of the remaining issues, the proposed mast markedly would have less of an impact.

Conclusion

5.11 Subject to the awaited comments from interested parties, the proposal is

recommended for approval.

6. Human Rights Act 1998

6.1 Several provisions of the above Act 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 regularise any breach of planning control;

Article 8 recognises the "Right To Respect for Private and Family Life";

6.2 **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;

6.3 The proposal has been considered against the above but in this instance it was not considered that there is any conflict. If it was to be alleged that there was conflict it is considered not to be significant enough to warrant the refusal of permission.

7. Recommendation - Grant Permission

1. The meteorlogical monitoring mast and associated guy wires shall be removed and there shall be carried out such works as may be required for the reinstatement of the land to the satisfaction of the local planning authority not later than the 31st day of October 2011.

Reason: The local planning authority wish to review the matter at the end of the limited period specified.

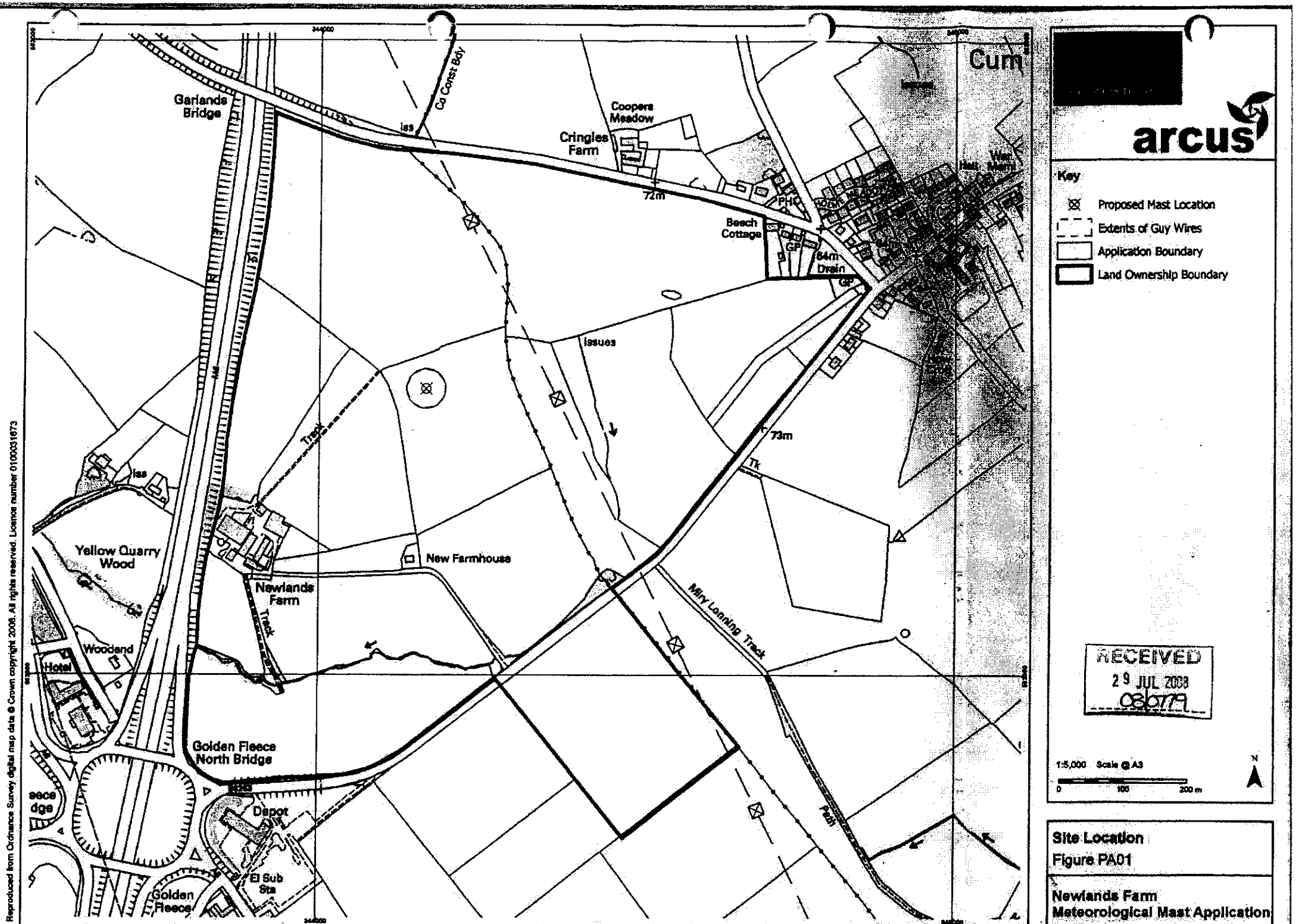
2. Before the commencement of development details of the proposed external finish of the mast hereby permitted shall be submitted to and approved in writing by the local planning authority.

Reason: To minimise any risk of glare to drivers of vehicles using the adjoining highways inclusive of the M6 motorway.

3. No guy wires associated with the meteorlogical mast heregy permitted shall be inplace unless fitted with bird diverter discs in accordance with details

submitted to and approved in writing beforehand by the Local Planning Authority.

Reason: To safeguard local biodiversity in accordance with Policy CP2 of the Carlisle District Local Plan 2001-2016.



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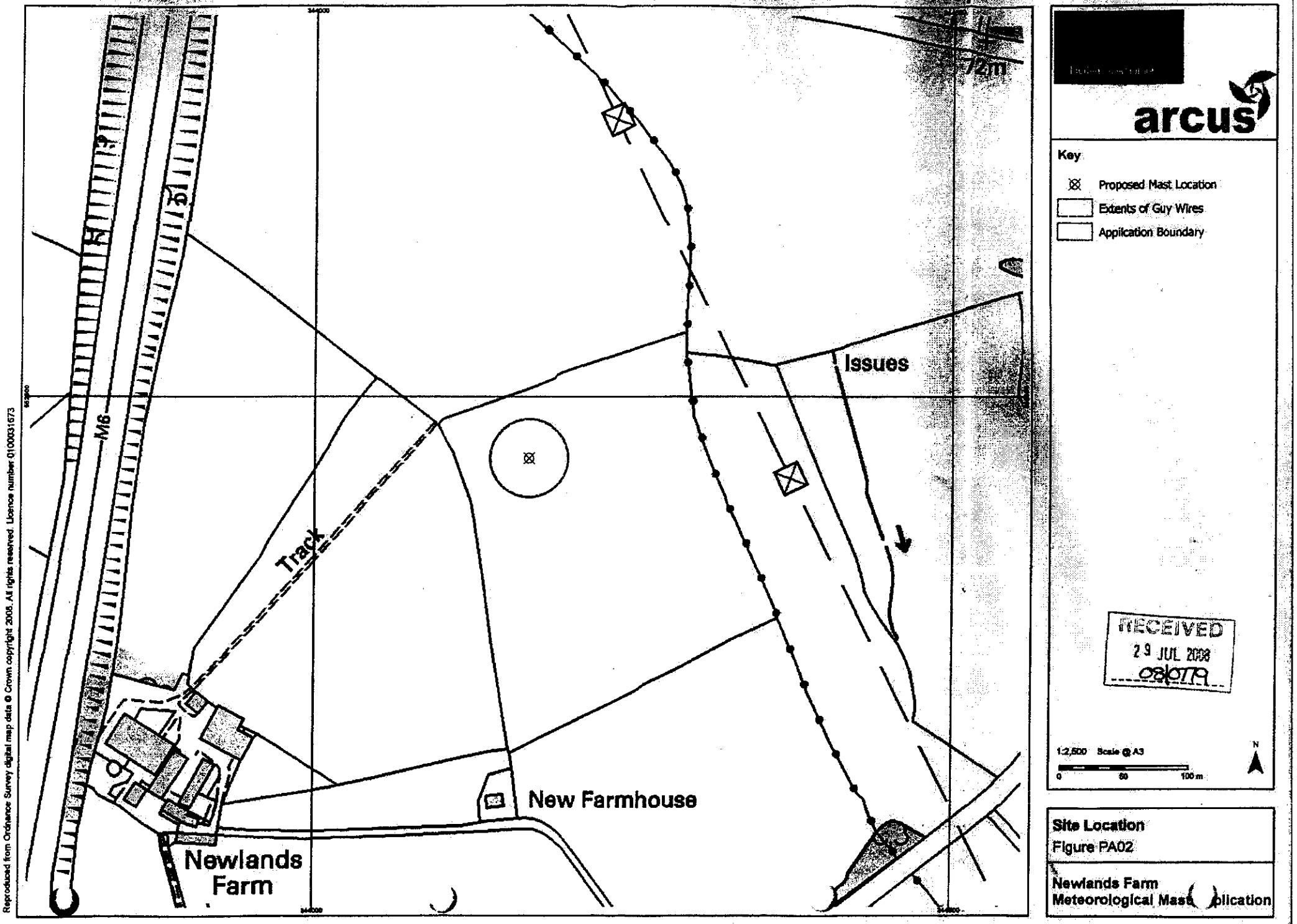
arcus
Key
Proposed Mast Location
Extents of Guy Wires
Application Boundary
RECEIVED
29 JUL 2008
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100 m
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Site Location
Figure PA02
Newlands Farm
Meteorological Mast Application
M6
Track
Issues
New Farmhouse
Newlands
Farm
72m
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Proposed Mast Location
Application Boundary
Extents of Guy Wires
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Block Plan
Figure PA03
Newlands Farm
Meteorological Mast Application
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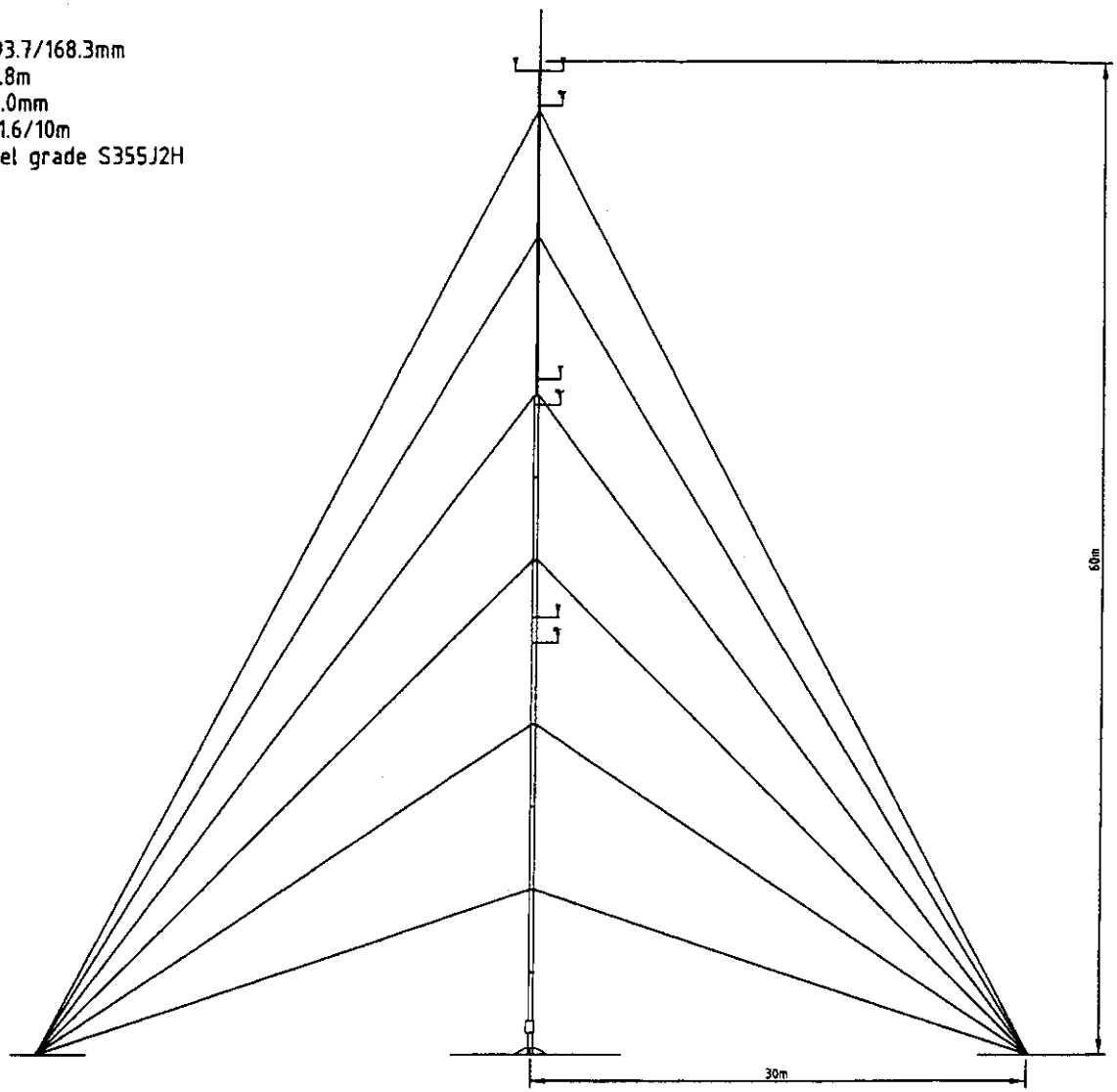
60m Mast

Specification
Mast Diameter: 193.7/168.3mm
Section Length: 5.8m
Wall Thickness: 4.0mm
Guying Interval: 11.6/10m
Material: CHS steel grade S355J2H



SCALE 1:300

bolsterstone

08/079

NOT FOR CONSTRUCTION

Meteorological Mast Elevation
Figure PA04

Newlands Farm
Meteorological Mast Application

BOLSTERSTONE PLC

METEOROLOGICAL MONITORING MAST AT NEWLANDS FARM DESIGN AND ACCESS STATEMENT

Prepared By:

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July 2008

08/0779

1. Introduction

This Design and Access Statement has been prepared to accompany an application by Bolsterstone Innovative Energy (Carlisle) Ltd for permission to erect a temporary 60 m meteorological monitoring mast at Newlands Farm, near Cumwhinton, Cumbria.

This Statement has been produced with reference to Carlisle City Council's website and to the 2006, Commission for Architecture and the Built Environment's (CABE) guide: Design and Access Statements, How to write, read and use them.

It considers the context of the site and details the reasoning behind the choice of location and height of the monitoring mast.

As there will be no alteration to any existing access arrangements or land use practices no further details are provided on these matters.

2. Site Context

Newlands Farm is located approximately 5.5 km south-east of the centre of Carlisle and immediately east of the M6 motorway It is located on farmland currently in agricultural use for grazing, with a rolling topography of glacial deposits. Immediately to the east of the proposed turbine sites, is the line of an existing 400 kV overhead electricity power line, running north to the Harker substation, and south towards Penrith.

The application is for a temporary consent for a three year period after which this mast will be removed in its entirety. It may be visible to a number of the surrounding properties during this period, due to its height. The nearest residential properties are Newlands Farmhouse and Bungalow (landowner properties) and Cringles Farm to the north-east.

The closest settlements are Cumwhinton just over 0.5 km to the east, Scotby at approx 1.5 km to the north and and Carleton (approx 1 km to the west on the far side of the M6). The outer suburbs of Carlisle begin at approximately 1.5 km from the proposed development, and the clinic at Garlands is approximately 700 m from the proposal.

The site is accessed from the M6 Motorway junction 42, which connects to the main A6 Carlisle to Penrith road and, has a spur road B6263 leading to Cumwhinton. The access road opens directly onto this route and is located some 550 m from the Junction 42 roundabout. There are no public roads or rights of way crossing the application site or within the Newlands Farm landholding as shown on Figure PA01 accompanying the planning application.

There are no environmental designations within the planning boundary for the mast, nor are there any designations within the overall Newlands's Farm landholding.

3. Design Statement

There are five design principles that require to be addressed within the design component of the Design and Access Statement. These are listed below:

- Amount – How much development is proposed
- Layout – The general arrangement and orientation of the development
- Scale – The size and extent of the development and any individual components

- Landscaping – Landscaping techniques to enhance or protect the amenity of the development site and surrounding environment
- Appearance – Measures incorporated into the design, including its built form, choice of materials, lighting, colour and texture

These 5 principals are dealt with in the following discussion, bearing in mind that wind monitoring masts are an 'off the shelf' product with limited design options.

3.1 Amount

The application area is just under 0.3 ha, although the land take will be a small percentage of this area. The mast, a cylindrical galvanised steel structure, is approximately 20 cm in diameter, and this is held erect with high tensile steel guy wires at an interval of approximately 10 m. This type of mast can be erected using galvanised iron ground anchors, which screw into the ground. These anchors can be completely removed at the end of the consent period.

3.2 Layout

The positioning of the mast is based on achieving suitable data in order to assess the wind resource at the site such that a wind speed and energy production report suitable for submission to financial institutions can be produced when the wind measurements are complete. The specification for the location and height/design of the mast is based on the following considerations:

- The final proposed wind turbine layout for the Newlands Windfarm (current application number 08/0707)
- As a "rule of thumb", for complex terrain masts should be installed such that no turbine is situated more than 1 km from an anemometry mast for a representative measurement. The location of the mast coincides with that of proposed Turbine 2 of the windfarm proposal and the distance from the remaining 2 proposed turbines is also well within the 1 km recommendation
- There is a rough farm track (accessible using a 4x4 vehicle) which leads from the main farm yard to the field containing the proposed mast
- The ground conditions at the proposed mast location were observed to be typical of farmland areas and with ground conditions not dissimilar to other sites in the UK where monitoring masts have been successfully installed
- Achieving required separation distance from the 400 kV overhead electricity transmission line and local distribution pylons running alongside the site
- Other considerations included minimising loss of land use for the farm and proximity of trees, which can act as a barrier to windflow. A mast sited too close to the trees can provide measurements that are not representative of the more open areas of the site.

3.3 Scale

The height of the mast is based on achieving representative measurements as outlined above and is determined by the potential hub height of the wind turbines that may be erected on the site.

Measuring wind speeds at hub height allows for accurate projection of the likely performance of the wind turbines in terms of their energy production and associated

emissions savings. The mast would also be employed during the initial commissioning of the wind farm in assessing the actual performance of the turbines against the manufacturer's specification.

At Newlands Farm the hub height of the wind turbines will not exceed 74 m and a 60 m monitoring mast has been assessed as being appropriate for the recording necessary data.

There would be anemometers at approximately 60 m, 50 m, 40 metres and 30 m and wind vanes at approximately 58 metres and 38 metres. In order to minimise the risk of bird collisions with the guy wires, these can be fitted with bird diverter discs should Carlisle City Council feel that it is necessary.

3.4 Landscaping

No changes are proposed to any of the existing land use practices around the mast location.

3.5 Appearance

Wind monitoring masts are an 'off the shelf' product with limited design options. A mast shall be supplied which is suitable for installation at the proposed site and which can be demonstrated to comply with the relevant standards regarding the expected meteorological conditions. The relevant British Standard is primarily BS8100.

- The mast shall be of hot dipped galvanised circular hollow section mild steel tubes
- A hinged base plate and gin-pole shall also be provided in hot dipped galvanised steel
- Mast sections shall either be interlocking (without the use of fastenings), or be flanged and bolted together
- Connected sections shall be prevented from fusing together by the use of suitable gaskets or other surface treatment during the installation process
- Guy wires shall be manufactured in stainless steel

Although it is not possible to provide absolute protection during a direct strike, precautions must be taken against damage from lightning strokes. The installation of a lightning finial at the top of the mast is recommended, providing a protection umbrella of 60 degrees to instruments mounted at the top of the mast.

All instrument mounting arrangements will comply with the definitive standard for the mounting of anemometry and wind vanes on wind measurement masts "*IEC 6-1400 Part 12-1 Ed.1: "Power performance measurements of electricity producing wind turbines , 2005".*

Using two instruments in parallel at the top of the mast is preferred, usually resulting in the individual anemometers being mounted further from the mast, lightning finial and other potential flow disturbances. Using two anemometers therefore reduces the uncertainty in the recorded wind speeds caused by the proximity of the mast. Additionally, at least one instrument will be unaffected by the lightning protection regardless of wind direction and the arrangement also gives some redundancy in the event that one of the two anemometers should fail.

The alternative mast design involves a lattice tower sited on a small concrete foundation. This design is not as easily erected or decommissioned as the guyed mast as it involves excavation and a concrete foundation. As the lattice tower is substantially larger than the cylindrical mast it is also more visible and birds may choose to roost on the tower itself. This design was therefore dismissed as an option.

SCHEDULE A: Applications with Recommendation

08/0687

Item No: 03 Date of Committee: 03/10/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0687	Mrs Vicky Russell	Carlisle
Date of Receipt:	**Agent:**	**Ward:**
03/07/2008	Hogg & Robinson Design Services	Belle Vue

Location: 22 Beck Road, Carlisle, CA2 7QL

Grid Reference: 337117 555967

Proposal: Erection Of Garage To Side Elevation And Two Storey Rear Extension To Provide An Extended Kitchen/Dining Area To The Ground Floor With An Extended Bathroom And Ensuite Above.

Amendment:

REPORT **Case Officer:** Sam Greig

Reason for Determination by Committee:

This application was brought before the previous meeting of the Development Control Committee due to the receipt of a single letter of objection from a neighbouring resident who requested the 'right to speak'. The objector exercised that right at the previous meeting; however, Members deferred the application in order to undertake a site visit.

1. Constraints and Planning Policies

Local Plan Pol CP5 - Design

Local Plan Pol H11 - Extns to Existing Resid. Premises

2. Summary of Consultation Responses

Cumbria County Council - (Highway Authority): no objection, as it is considered that the proposal will not have a material affect on existing highway conditions.

3. Summary of Representations

Representations Received

Initial:	Consulted:	Reply Type:
20 Beck Road	08/07/08	Objection
24 Beck Road	08/07/08	
24 Beck Road	08/07/08	
24 Beck Road	08/07/08	
27 Beck Road	08/07/08	
27 Beck Road	08/07/08	
27 Beck Road	08/07/08	
25 Criffel Road	08/07/08	
25 Criffel Road	08/07/08	
25 Criffel Road	08/07/08	
27 Criffel Road	08/07/08	

3.1 This application has been advertised by means of notification letters sent to four neighbouring properties. A single letter of objection has been received. The issues raised are indicated below:

1. the proposed development will induce a direct loss of sunlight to the patio area and the lounge area to the rear of 20 Beck Road. In this regard, during the hours of 12:00 and 16:00 there would be very little light during the summer months and none during the winter months;

2. the loss of natural light to the lounge area would necessitate the use of 'artificial lighting for most of the day';

3. the loss of passive solar heating to the rear of the house would necessitate the use of 'artificial heating';

4. the proposed development would result in a 'tunnelling effect' to the rear of No.20 and N0.22 Beck road, giving it a claustrophobic feel;

5. the proposed development will result in the loss of the view from the rear lounge window of No.20 Beck Road'; and

6. this is the third time similar plans have been submitted; however, the end results will still be the same when all of the above are take into account due to the 'position of the sun in relation to both properties'.

4. Planning History

4.1 In 2006 an application was submitted for the erection of a two storey extension to the side elevation and a single storey extension to the rear elevation (Application 06/0982). The application was withdrawn prior to determination.

4.2 Again in 2006 a revised application was refused for the erection of a two storey extension to the side elevation and a single storey extension to the

rear elevation (Application 06/1477). An appeal against the refusal of the application was dismissed by the Planning Inspectorate in December 2007.

5. Details of Proposal/Officer Appraisal

Introduction

5.1 This application was deferred at the last meeting of this Committee in order to undertake a site visit. The site visit is scheduled to take place on the 1st October. It will be recalled that this application seeks full planning permission for the erection of side and rear extensions to No.22 Beck Road, Carlisle to provide an attached garage, an extended kitchen and dining room on the ground floor level with an extended bathroom/ensuite to the first floor.

5.2 The property is a two storey semi-detached dwelling located 180 metres south of the junction of Beck Road with Moorhouse Road. The dwelling is primarily of smooth red brick construction with a concrete tiled hipped roof. The property is located centrally within a row of dwellings incorporating similar features and materials. The site is identified on the Urban Area Inset Map that accompanies the Carlisle District Local Plan 2001-2016, as being within a Primary Residential Area.

Background

5.3 This application is the third in a series of planning applications seeking consent to extend 22 Beck Road to provide additional living accommodation. The primary application received in August 2006 sought consent for the erection of a two-storey extension to the side elevation and a single storey extension to the rear elevation of the dwelling (Application 06/0982). The applicant withdrew the application prior to determination.

5.4 A revised scheme was resubmitted in December 2006 (Application 06/1477). This scheme reduced the scale of the proposed two-storey rear projection and proposed slight alterations to the fenestration. The Head of Planning and Housing Services refused this scheme on the 29th March 2007 under the Delegated Powers Procedure on the following grounds:

"The proposed two storey side and rear extension would be located 3 metres from a ground floor kitchen window on the side elevation of No.24 Beck Road. Policy CP5 of the Redeposit Draft requires that a minimum distance of 12 metres be maintained between a primary window and the gable end of any extension. As a result of the proximity of the proposed two-storey side extension in relation to the kitchen window the living conditions of No.24 Beck Road would be compromised by the extension being overbearing. The proposal is therefore contrary to the objectives of Policy H14 (Extensions to Dwellings) of the Carlisle District Local Plan, as well as the objectives of Policy H11 (Extensions to Existing Residential Premises) and Policy CP5

(Residential Amenity) of the Carlisle District Local Plan 2001-2016 Revised Redeposit Draft."

5.5 An appeal was made against the decision; however, the Planning Inspectorate dismissed the appeal on the 27th December 2007.

Proposal

5.6 The development comprises three constituent elements. It is proposed to erect an attached single storey garage to the south elevation of the dwelling measuring 8.2 metres in length and 2.85 metres in width, incorporating eaves and ridge heights of 2.45 metres and 3.3 metres respectively. This element replaces the two storey extension proposed and considered by the Planning Inspectorate (Application 6/1477). The proposed extension to the rear elevation of the dwelling, which is part single storey and part two storey in height would measure 7.5 metres in width and project 3 metres from the west elevation of the dwelling at ground floor level, incorporating eaves and ridge heights of 2.7 metres and 3.9 metres respectively. The first floor element is located directly above the existing off-shot kitchen, which is to be demolished to accommodate the new extension, and would measure 3 metres in width and project 3 metres from the west elevation incorporating eaves and ridge heights of 5.6 metres and 6.7 metres respectively.

Assessment

5.7 The relevant planning policies against which the application is required to be assessed are Policies CP5 and H11 of the Carlisle District Local Plan 2001-2016.

The proposals raise the following planning issues:

1. Whether The Proposal Is Appropriate To The Dwelling.

5.8 The scale and height of the proposed alterations are comparable and proportionate to the existing property. The extensions complement the existing dwelling in terms of their design and an appropriate condition is recommended to ensure that the external materials used are acceptable.

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

5.9 Taking into consideration the scale and position of the proposed extensions in relation to the residential properties located to the east on Beck Road and to the west on Criffel Road, no adverse impact upon the living conditions of the occupiers though overlooking, poor design, overbearing or loss of light will occur.

5.10 In relation to No.24 Beck Road, the semi-detached adjacent dwelling located to the south, no adverse impact upon the living conditions of the occupants through overlooking will occur. A condition is attached to prevent the

formation of windows within the south elevations of the extensions to perpetually protect the occupants of No.24 from overlooking. Distances of 3.7 metres and 5.5 metres respectively are maintained between the gable walls of the single storey and two storey elements of the proposal and the kitchen window within the north elevation of No.24. This distance is less than would normally be encouraged; however, the kitchen of No.24 Beck Road is served by a secondary window located within the rear elevation of the dwelling. Taking this into account, together with the position/orientation of the extensions in relation to No.24, it is unlikely that the extensions would adversely affect the occupiers of No.24 through loss of light or overdominance.

5.11 In assessing the impact of the proposed single and two storey extensions to the rear elevation upon the living conditions of the occupants of No.20 Beck Road, Members should note that the position and height of these aspects are unchanged from the application that was considered by the Planning Inspectorate. In assessing its impact, the issues also remain the same as those considered by the Planning Inspectorate when it determined the Appeal against the refusal of Application 06/0477. In this regard, the Planning Inspector concluded the following:

'The occupier of No. 20 has expressed concern about the potential "tunnel effect" as well as the loss of light and view. To some extent, I can understand their concern given the strong sense of enclosure caused by the two-storey projection to their own property. On balance however, and given that the proposal would be single storey at this side, I consider that any harm in these respects would be within tolerable limits'.

5.12 Taking into account the above and the fact that these aspects remain fundamentally unchanged no adverse impact upon the living conditions of the occupants through loss of light or overdominance will occur.

5.13 Members should note that there are no windows in the side elevation of the proposed extension; therefore, no direct overlooking of No.20 would occur. In order to safeguard the future privacy of the occupants a condition has been imposed removing the permitted development rights to the property, thereby preventing the insertion of a window at a later date.

3. Whether The Proposal Would Infringe The Human Rights Of The Occupiers Of No.20 Beck Road.

5.14 Members may recall that the person who spoke on behalf of the objectors at the previous meeting raised two issues in respect of the Human Rights Act and loss of light. In respect of the latter the speaker explained that the objectors required more time to contest the Officer's opinion that the rear extension would not result in a significant loss of light to the occupiers of No.20 Beck Road; however, at the time of writing this report no further information regarding this matter has been forthcoming.

5.15 In respect of the Human Rights Act, an issue not raised in the letters of

objection, no further information has been received to explain how the proposal infringes the objectors Human Rights. With regard to this matter Members are advised that Article 8 and Article 1 of Protocol 1 of the Human Rights Act are relevant to this application; however, for the reasons stated in paragraphs 5.11 to 5.13 of the report, the impact of the development in these respects will be minimal and the separate rights of individuals under this legislation will not be prejudiced.

4. Access And Parking.

5.16 The Highway Authority has raised no objections to the proposed development.

Conclusion

5.17 In overall terms, the proposal does not adversely affect the living conditions of adjacent properties by poor design, unreasonable overlooking or unreasonable loss of daylight or sunlight. The scale and design of the extension is acceptable in relation to the dwelling. In all aspects the proposals are compliant with the objectives of the relevant adopted Local Plan policies.

6. Human Rights Act 1998

6.1 Several provisions of the above Act 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 regularise any breach of planning control;

Article 8 recognises the "Right To Respect for Private and Family Life";

6.2 **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;

6.3 Article 8 and Article 1 of Protocol 1 of the Human Rights Act are relevant to this application, and should be considered when a decision is made. Members are advised that for the reasons identified in the report the impact of the development in these respects will be minimal and the separate rights of individuals under this legislation will not be prejudiced.

7. 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 external walling and roofing materials to be used in the building works hereby permitted shall be identical to those in the existing building. If any other material is proposed no development shall take place until such has been approved, in writing, by the Local Planning Authority.

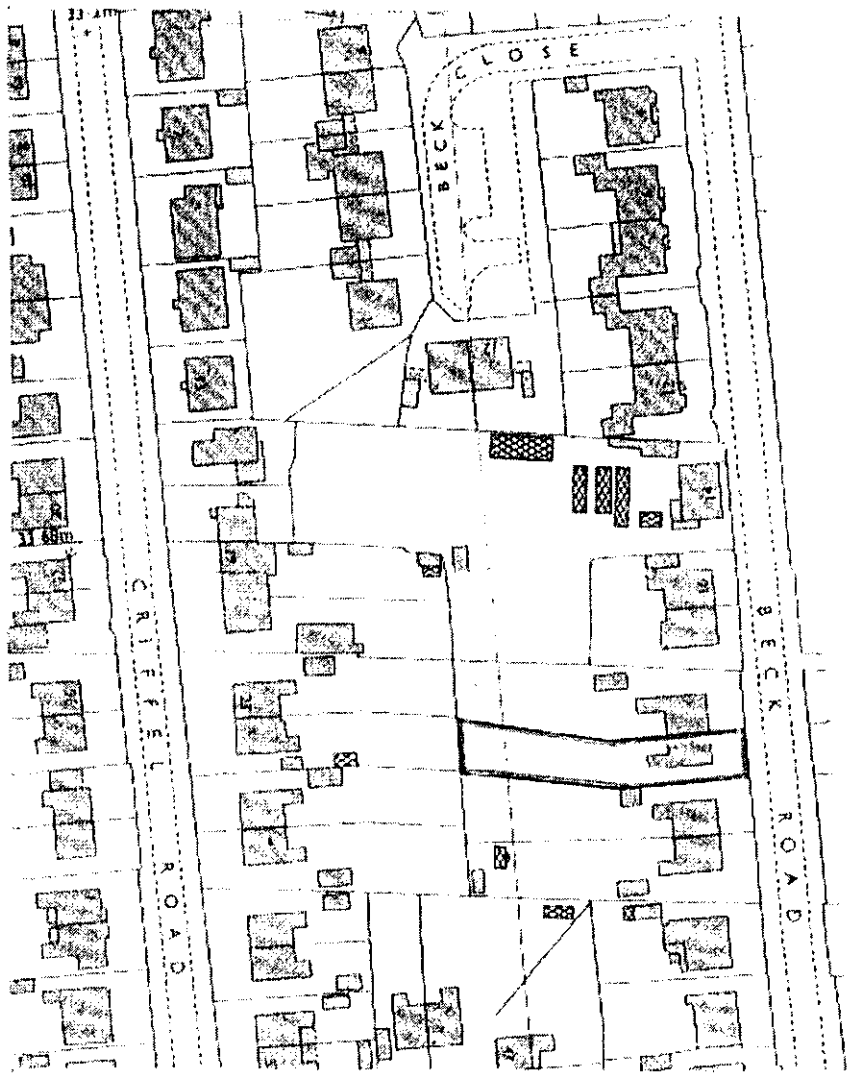
   Reason: To ensure an acceptable external appearance for the completed development and accordance with Policy H11 of the Carlisle District Local Plan 2001-2016.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order), no additional windows shall be inserted in either the north or south elevations of the extensions hereby permitted without the prior written approval of the Local Planning Authority.

   Reason: In order to protect the living conditions of residents in close proximity to the site and to ensure compliance with Policy H11 of the Carlisle District Local Plan 2001-2016.

08/0687

22 BECK ROAD
CARLISLE



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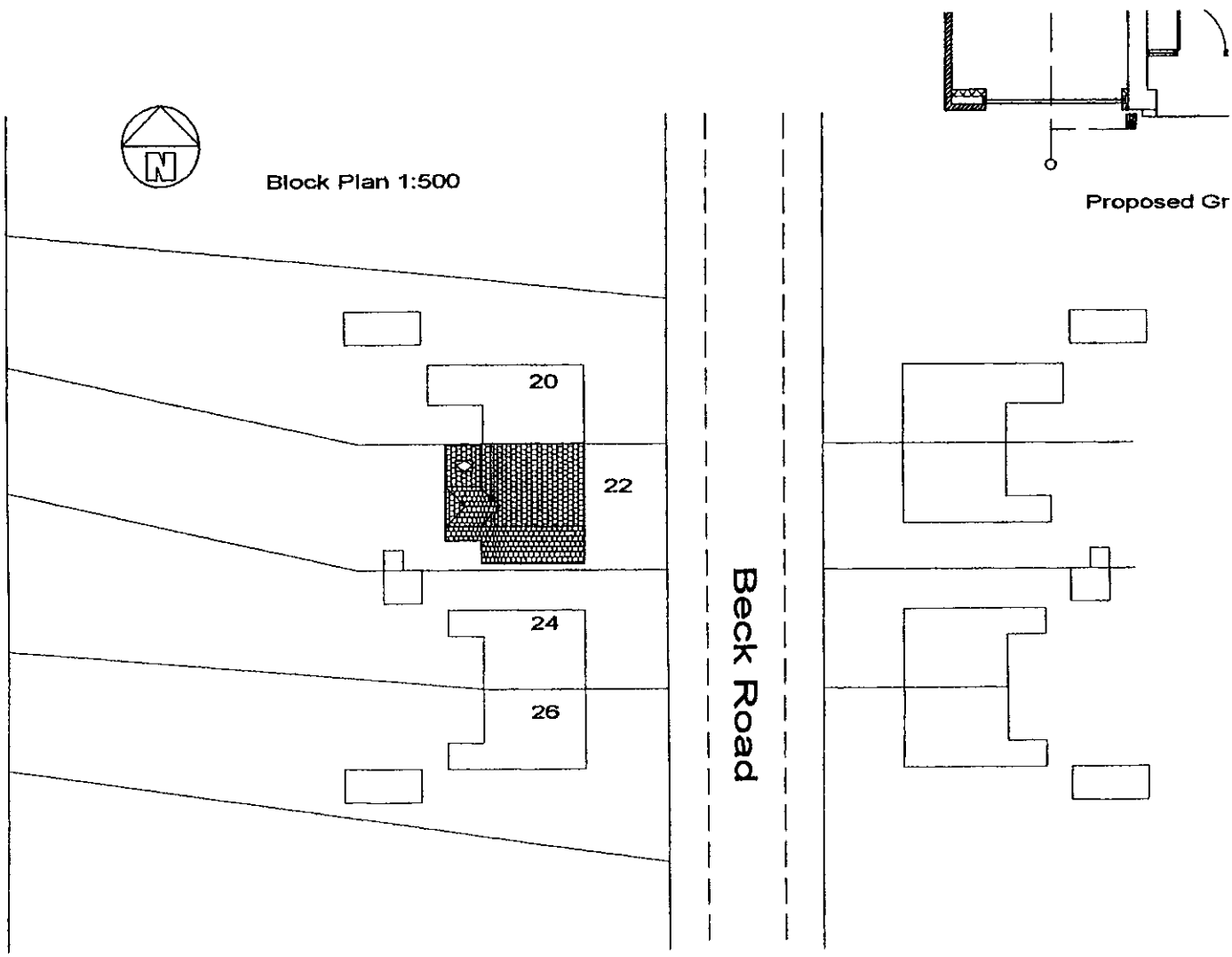

Block Plan 1:500
20
22
24
26
Beck Road
Proposed Gr

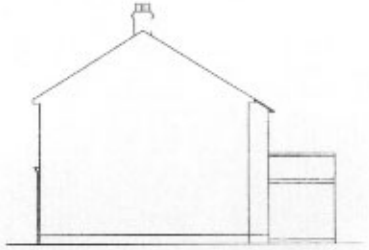
126

Existing rear elevation

Existing side elevation

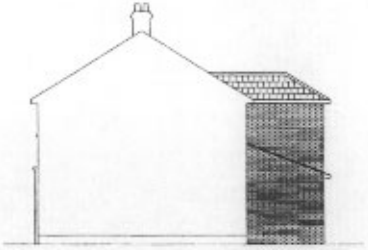
Proposed front elevation

Proposed side elevation



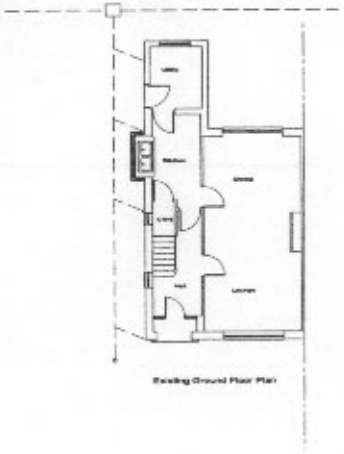
Existing side elevation

Existing front elevation

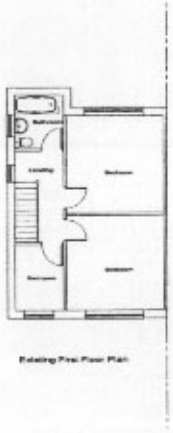


Proposed side elevation

Proposed front elevation



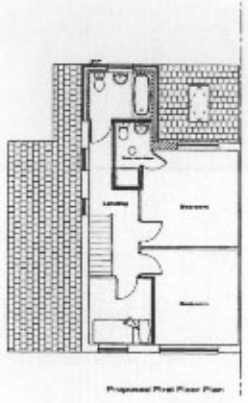
Existing Ground Floor Plan



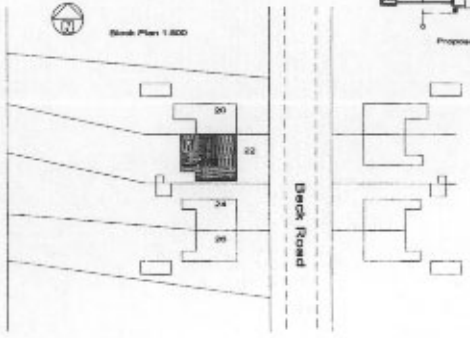
Existing First Floor Plan

Garage could be done as permitted development with a max of 70m3

Proposed Ground Floor Plan



Proposed First Floor Plan



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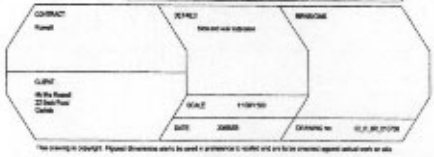
HOGG & ROBINSON BUILDERS LTD.
DESIGN SERVICES



Appeal Decision

Site visit made on 3rd December 2007

by Alison Roland BSc DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email:enquiries@pins.gsi.gov.uk

Decision date:
27 December 2007

Appeal Ref: APP/E0915/A/07/2053698
22 Beck Road, Carlisle, Cumbria, CA2 7QL.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr and Mrs Russell against the decision of Carlisle City Council.
- The application Ref: AH/DC/06/1477, dated 21 December 2006, was refused by notice dated 29 March 2007.
- The development proposed is two storey extension to the side elevation & single storey extension to the rear elevation.

Decision

1. I dismiss the appeal.

Main issue

2. The main issue in this appeal is the implications of the proposal for the living conditions of the occupiers of No 24 Beck Road in terms of overbearing effects.

Reasons

3. There are two windows serving the kitchen to No 24, one each in the side and rear elevation, but the parties disagree as to which is the primary window. Policy CP5 of the Revised Re-Deposit Draft Local Plan suggests a separation distance of 12 metres between a primary window and a gable end. This Policy carries significant weight as it has reached an advanced stage of preparation. It does not define primary window, although I note the Council have suggested an addition to the justification which interprets it as: *"Primary facing windows are those windows which serve the main habitable rooms and are situated in the front and rear elevations of standard dwellings. Where the internal layout and design of the property is not of traditional format primary facing windows are the large windows in sitting rooms, dining rooms and kitchens but exclude side windows, usually of smaller proportions, especially where there is a dual aspect".* However, as the revision relates to outstanding objections at the close of the Local Plan Inquiry, it remains to be seen whether this will be carried forwards. Even if it is, this does not to my mind mean that side facing windows serving habitable rooms should be completely disregarded for the purposes of assessing impact on residential amenity.

4. In this case both windows appear to me to be of broadly similar size (albeit that the side window takes the form of a small bay). It is thus difficult to accord one greater importance than the other. I accept that the presence of an additional window in the rear elevation renders the kitchen rather less

susceptible to overbearing effects than might otherwise be the case. It thus seems to me the 12 metre guideline could be considerably relaxed in this case. However, the evidence suggests the separation distance would be in the region of three metres which is only 25% of the normal requirement. In my view, given the two storey height of the proposal, this would simply be insufficient to avoid unacceptably overbearing and oppressive effects. I fully appreciate that the occupier of No 24 raised no objection to the proposals, but I consider it prudent to consider the living conditions afforded to future as well as existing occupiers. The proposal would thus conflict with Policy H14 of the adopted Local Plan and its replacement Policy H11 of the Revised Re-Deposit Draft, together with Policies CP4 and CP5, all of which seek to protect the amenities of adjacent occupiers. However, I consider Policy H16 is irrelevant as it clearly relates to new dwellings.

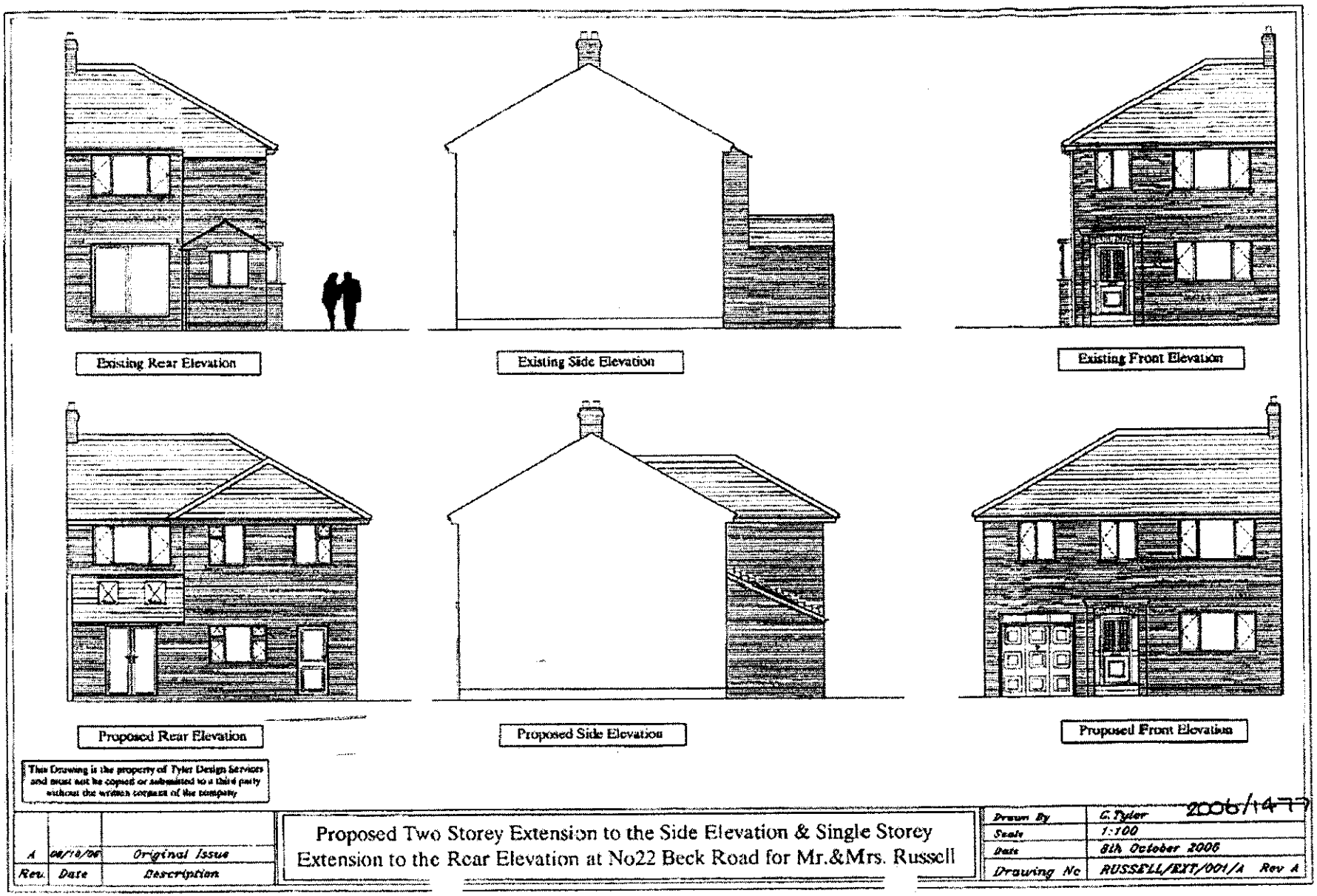
5. The appellant refers to similar proposals being allowed elsewhere, but without full details of the relevant material considerations and policy context taken into account at the time, it is difficult to make any meaningful comparison with the appeal proposal.

6. The occupier of No 20 has expressed concern about the potential "tunnel effect" as well as loss of light and view. To some extent, I can understand their concern given the strong sense of enclosure caused by the two storey projection to their own property. On balance however, and given that the proposal would be single storey at this side, I consider that any harm in these respects would be within tolerable limits.

ALISON ROLAND

INSPECTOR

Details of scheme proposed and considered by the Planning Inspectorate under planning application reference: 06/1477.
Note: This drawing does not form part of planning application reference: 08/0687 and is provided for information purposes only.



Item No: 04 Date of Committee: 03/10/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0689	Childrens Services	Dalston
Date of Receipt:	**Agent:**	**Ward:**
18/07/2008	Capita Symonds Limited	Dalston

Location:
Caldew High School, Carlisle Road, Dalston, Carlisle

Grid Reference:
337209 550567

Proposal: Single Storey Extension To Front Elevation To Provide An Enlarged Dining Area, Music Class Band Practice And New Entrance To Music/drama Area. Extension To Existing Bus Lane. Formation Of New Vehicular Access To Caretakers House And Kitchen Areas. Alterations To Window Openings To Courtyard Elevation Together With Provision Of 1 No. Storage Container For Sports Equipment To Replace The Existing Timber Shed Removed

Amendment:

REPORT **Case Officer:** Suzanne Edgar

Reason for Determination by Committee:

This application has been brought before Members of the Development Control Committee because the Parish Council have requested to address the Committee under the Right to Speak Policy.

1. Constraints and Planning Policies

Local Plan Pol CP3 - Trees and Hedges on Development Sites

Local Plan Pol CP5 - Design

Local Plan Pol CP6 - Residential Amenity

Local Plan CP15 - Access, Mobility and Inclusion

Local Plan Pol LC5 - Playing Fields

Local Plan Pol LC11- Educational Needs

Local Plan Pol T1- Parking Guidelines for Development

2. Summary of Consultation Responses

Cumbria County Council - (Highway Authority): No objection to the principle of the extension to the school building, the revised access and other alterations to the caretakers house, nor the provision of storage containers.

However, I am acutely aware both from working with the Parish Council and from personal experience as a regular user of the B5299 that there are significant traffic problems associated with schools. Currently, the Carlisle Local Committee has approved in principle, changes to traffic regulation (waiting restriction) orders. However, these still require to go through statutory procedures and be implemented. In view of the changes proposed to the school bus layby I suggest that the applicant be requried to make a contribution of £1500 towards the implementation costs. However, I would point out that any TRO relies on adequate enforcement which is the remit of your Parking Services Section and it would be improper to condition waiting restrictions as these have to follow a statutory process the outcome of which cannot be guaranteed. Essentially, the changes proposed would be that the school bus bay would be a 'Clearway', except for school buses around school muster times but time restricted parking would be allowed during the day and the western side of Carlisle Road would also be time restricted waiting 8am-6pm Monday-Friday with picking up/setting down restrictions 08:30am-09:00am and 14:30pm-15:30pm. They also include No Waiting restrictions on the Nine Rigg junction. However, I would add that the chief cause of problems with parents' cars relates to the Primary Schol, hence are outwith the control of the Applicant.

The school has significantly extended staff parking provision in recent years, the revised Caretaker's House access causes a loss of 3 parking spaces. The "bus turning area" that it is proposed to build over was, when I visted the school, occupied by 9 cars and would appear to have a national capacity for 12/13, however, these could have been accommodated in the car parks to the north or south on this day.

Currently, school buses reverse into the northern entrance of the school - this is far from ideal (but not illegal) manoeuvre, the revised Caretaker's house access will make this more difficultm though this could be beneficial in that it may make it more attractive to bus drivers to internally turn. It should be noted that there are only 4 bus and 1 mini-bus bays marked on Drawing No.4180506/004, not 6 as suggested in the futher information and depending on the sequence in which the buses park, could well leave insufficient space to manoeuvre into the bays. In making these analyses I am assuming the "extensions" will not result in a significant change in maximum pupil/staff numbers- you may wish to have clarification on this point.

The above are matters your Planning Committee need to be aware of but would not constitute Reason(s) for Refusal on Highway grounds.

It should also be noted that the changes proposed to the bus layby will require land to be dedicated as Highway by the Applicant and the new layby, footway associated drainage and street lighting will need to be carried out by Contractors approved by and to the constructional standards of the Local Highways Authority. I request that if

you are minded to give Consent, these conditions are included.

1. Construction

The school bus mayby extension shall be constructed, drained and lit to the Local Highway Authorities specifications and should be completed and brought into use before building works on the extension commence.

Reason: The commencement of building works without the provision of this facility would lead to inconvenience and danger to Highway users and school pupils.

2. Turning/parking/loading provisions

Details, showing the provision of 6 coach boarding bays in the area to the north of the school, including provision for such vehicles to turn so they leave and enter the site from/onto the B5299, in a forward motion, shall be submitted to the Local Planning Authority for approval. This approved provision shall be brought into use prior to the existing bus turning facilities being rendered inoperable (by extension of the bus layby) and shall be retained capable of use at all times thereafter, unless otherwise specified by the Local Planning Authority.

Reason: To ensure a minimum provision for school buses that need to turb and load within the site, in the interests of Road Safety. To Support LTP Policies LD7 & 8.

The applicant shall be required to make a contribution of £1500 to the Local Highways Authority's costs to make a variation to the existing Traffic Regulation Orders that pertain to the B5299, Carlisle Road, Dalston.

Reason: To minimise inconvenience to Highway users and local residents. To suppport LTP Policies RT7 & 9.

Keith Poole should be approached as to whether he requires an annual contribution to enforcement costs.

Development Services Planning & Housing Services - Access Officer: At present the access to the new extension from the outside appears to present problems to disabled people. The proposed site plan shows a narrowing of the new paved area/path, to the corner of the dining room/music room. It is recommended that it be widened.

It appears that if a disabled person is travelling by car they can be dropped off in the car/bus parking area to access the building via the new public entrance. This is however a long route to access the building.

If a disabled person is travelling to the school independently, it appears that they also have to access the school via the car park as the entrance from the existing pavement is stepped.

It is recommended that a ramp is installed beside the stepped access from the footpath.

Outward opening doors (and windows if applicable) should not present hazard to paths.

Please note that travelling distance from the furthest point of the new extension for someone requiring a disabled toilet facility should be no more than 40 metres.

After discussions with a member of staff from Capita it has been confirmed that the new paving alongside the stepped access to Caldew School is in fact a gentle slope with a gradient of 1 in 21. This is acceptable for disabled people accessing the building.

It has been agreed that the narrowing of the new paved area/path, to a disabled toilet facility is in fact more than 40 metres it has been argued that another toilet will be required.

It is assumed that any measures under ADM should be met whereby any outward opening doors or windows will not present any hazards to paths.

Following the submission of a revised site plan the Councils Access Officer has confirmed that the paving to the corner of the dining room/music room on the reviewed plan is now an adequate width for wheelchairs to pass.

Dalston Parish Council: Dalston Parish Council at its meeting held on 12th August 2008 resolved to object to planning application 08/0689 for the following reasons:

1. The design of the proposed extension was inappropriate and its location was considered
   to be an undesirable encroachment immediately adjacent to the highway.
2. The information received regarding the extension to the bus lane and traffic management of buses as well as private vehicles was inadequate without details being provided in a comprehensive traffic plan. There was concern about pick up and set down provision for pupils, especially in relation to safety.
3. A site visit was requested during school muster time i.e. 3pm.
4. It was felt that further consultation should take place with stakeholders (County, City and Parish Councils, Police, Residents) regarding the impact of the proposal on Dalston village.
5. The Parish Council took the concerns raised by residents regarding the potential for loss of privacy and noise arising from the proposed development seriously.

Dalston Parish Council requested that a representative was granted the right to speak at the Development Control meeting when the application was considered.

Dalston Parish Council were consulted on the revised site plan and have consulted as follows:

Dalston Parish Council as its meeting held on 9th September resolved to reiterate its objections to planning application 08/0689 made on 12th August 2008. The intital objections were as follows:

1. The design of the proposed extension was inappropriate and its location was considered to be an undesirable encroachment immediately adjacent to the highway

2. The information received regarding the extension to the bus lane and traffic management of buses as well as private vehicles was inadequate without details being provided in a comprehensive traffic plan. There was concern about pick up and set down provision for pupils, especially in relation to safety.

3. A site visit was requested during school muster time i.e. 3pm.

4. It was felt that further consultation should take place with stakeholders (County, City and Parish Councils, Police, Residents) regarding the impact of the proposal on Dalston village.

5. The Parish Council took the concerns raised by residents regarding the potential for loss of privacy and noise arising from the proposed development seriously.

In relation to the revised plan concern was expressed as to whether there was sufficent turning space for buses on the school site as well as the cars parked and arriving for picking up pupils. Councillors were also not convinced about the safety aspect for pupils in the car park and between vehicles in the bus lane area.

Dalston Parish Council requested that a representative was granted the right to speak at the Development Control Committee meeting when the application was considered and for two representatives to attend the preceding site visit.

Environmental Quality: no objections. Further to the additional information provided by Trevor Allison, I can confirm that the distances from the school and the nearest noise sensitive dwellings have been considered. From our records no noise complaints have ever been made to Environmental Protection Services. Given the nature and location of the development, noise nuisance from the music room is very unlikely because all the noise sensitive dwellings are separated from the school by the main road and the school is in operation during daytime hours only.

If there is concern that noise from the school will arise during the evening then the Planning Department may wish to consider a noise condition restricting the use of the music room between certain hours.

Environmental Quality has been reconsulted on the revised plan and have raised no objections.

Councils Landscape Architect/Tree Officer: I have no comments/observations to make other than to request a landscaping scheme in mitigation for the loss of the two trees.

Following the submission of a landscaping scheme the Councils Landscape Architect/Tree Officer has confirmed that the proposals are acceptable.

3. Summary of Representations

Representations Received

Initial:		Consulted:	Reply Type:
	11 Carlisle Road	24/07/08	
	22 Carlisle Road	24/07/08	
	23 Carlisle Road	24/07/08	
	24 Carlisle Road	24/07/08	
	25 Carlisle Road	24/07/08	
	26 Carlisle Road	24/07/08	
	27 Carlisle Road	24/07/08	
	28 Carlisle Road	24/07/08	
	29 Carlisle Road	24/07/08	
	Church of England School	24/07/08	
	18A Carlisle Road	01/08/08	Objection
	12 Carlisle Road	24/07/08	
	13 Carlisle Road	24/07/08	
	14 Carlisle Road	24/07/08	
	15 Carlisle Road	24/07/08	
	16 Carlisle Road	24/07/08	
	17 Carlisle Road	24/07/08	
	18 Carlisle Road	24/07/08	
	19 Carlisle Road	24/07/08	Comment Only
	20 Carlisle Road	24/07/08	Objection
	21 Carlisle Road	24/07/08	Objection
	- Dalston		Objection
Dalston Parish Council			Objection

3.1 This application has been advertised by means of a site notice and notification letters sent to 21 neighbouring properties. During the consultation period three letters of objection were received from the occupiers of 18a, 20 and 21 Carlisle Road as well as one letter of comment and a request for a right to speak from a Ward Councillor.

3.2 The letters of objection raise the following issues:

1. The school was originally built too near the road
2. The noise from the music room and band practice rooms will be intrusive
3. The removal of the trees and hedge will create exposure to new buildings
4. Proximity of the extension to the houses on Carlisle Road and likely impact upon privacy
5. There is already constant traffic obstruction on Carlisle Road. Concerns have been raised that adding a bus lane to the front will add more chaos. Where will the buses turn when the existing turning point has been removed?
6. Many extensions have been added over the years. The Business and

Enterprise centre is not an attractive addition.

7. The location of the music room would be better placed at the rear of the buildings.

8. Impact on property values

3.3 One letter of comment has been received from the occupier of 19 Carlisle Road who has raised the following concerns:

1. The proposal is too near the road and would infringe on the privacy of occupiers of Carlisle Road

2. There will be an increased volume of traffic

3. Extra noise created by the music room.

3.4 The Ward Councillor has raised concerns regarding traffic issue and loss of privacy and noise.

4. Planning History

4.1 This site has an extensive planning history. The most recent application was in 2007 when planning permission was granted, under application 07/1117, for the erection of a single storey extension to form an autism unit.

5. Details of Proposal/Officer Appraisal

Introduction

5.1 A Report on this application was deferred at the last meeting of the Committee to enable a visit to the site to be undertaken, as requested by the Ward Councillor.

5.2 Members will recall that, when submitted, planning permission was sought for the erection of a single storey extension to the front elevation of Caldew School, Dalston to provide an enlarged dining area, two music rooms, 5 music practice rooms together with a new entrance to music/drama area. The application also included an extension to the existing bus lane, formation of a new vehicular access to the caretakers house and kitchen areas, alterations to the windows facing the court yard together with the provision of 1no.storage container (to store sports equipment) to replace an existing timber shed.

Background

5.3 Caldew School is a two storey brick and render building with a green profiled metal pitched roof. The frontage of the School faces the Dalston/Carlisle Road with its associated play space and playing fields located to the immediate east. There is a 1.2 metre high beech hedge delineating the northern boundary of the site. The associated layby is situated adjacent to this boundary separating the School from Dalston/Carlisle Road.

5.4 In order to accommodate the single storey extension the existing one way system will be removed. The existing layby delineating the northern boundary of the site will be extended 60 metres to the east. A new access will also be formed to the rear of the School to service the kitchen area, boiler house, electrical substation and the existing recycling and waste facilities. The storage container (which will measure 6 metres by 2.4 metres with a total height of 2.5 metres and be constructed from a steel profile frame) is proposed to be adjacent to the electrical substation.

Assessment

5.5 The relevant planning policies against which the application is required to be assessed are Policies CP3, CP5, CP6, CP15, LC5, LC11 and T1 of the Carlisle District Local Plan (2001-2016).

5.6 The application raises the following planning issues:

1. Whether The Proposal Is Acceptable In This Location

5.7 Policy LC11 of the Carlisle District Local Plan (2001-2016) requires that development for educational facilities should be provided within existing educational sites and be in close proximity to existing buildings to minimise the visual impact of additional development. The proposed extensions will be situated within the existing school complex and will not result in any loss of existing play space/playing fields. In such circumstances the principle of the development is deemed acceptable.

2. Whether The Proposal Is Appropriate To The Building

5.8 The proposed single storey extension will have a total width of 52 metres, a total length of 10.6 metres and a total ridge height of 5.7 metres. The extension will be constructed from materials to match those of the existing building.

5.9 The existing front elevation of Caldew School comprises a two storey brick and rendered building together with a single storey extension with an extensive overhang serving a reception and entrance. In such circumstances it is considered that the proposed development would produce a more proportionate and aesthetically pleasing facade than existing. The alterations to the courtyard elevation are appropriate in scale and design and the proposed storage container is situated in a location which would not be detrimental to the surrounding area or the existing School buildings. In such circumstances the proposed development is considered to be appropriate to

the character of the site and would not be disproportionate in scale or would appear visually obtrusive or incongruous.

3. Traffic Impact

5.10 As stated above, as part of the proposed development the existing one way system in front of the School will be removed and the existing layby extended. The submitted Design and Access Statement indicates the following in relation to parking:

a) The School presently has a problem with cars parking in the existing bus lane and on the main street to pick up pupils at the end of the day. The removal of the one way system will ensure that the bus lane will be solely used for buses which will discourage parents parking in the area and reduce congestion.

b) A new access will be formed to the rear of the School to service the kitchen area, boiler house, electrical substation and the existing recycling and waste facilities which will ensure the separation of vehicles and pedestrians.

c) A new gated facility will be formed to the caretakers house. The combined effect of this means that there is no direct vehicular access from Carlisle Road the main entrance to the School will be clearly identified and a small pedestrian gate will be provided to the caretakers house.

5.11 Concerns have been raised from residents about where the School buses will turn once the one way system has been removed. In response the agent has confirmed:

a) Vehicles from the Carlisle area will turn into the Sports Hall Car Park which is already in use

b) Pupils will board in the car park

c) Those buses will turn right on exit to the school which will result in no buses having to turn in the village or outside the school premises.

d) The buses arrive and park up before the end of school when pupils are in lessons so there should be no mixing of buses and children when the buses arrive. This is no different to the current situation.

5.12 The Highway Authority has been consulted on the proposed development and have raised no objections subject to the imposition of two conditions within the decision notice, if Members are minded to approve the application, relating to construction and for the applicant to provide details illustrating the provision for the 6 coach boarding bays in the car parking area to the north of the school, so they turn and leave in a forward motion. The Highway Authority has also recommended that the applicants enter into a Section 106 agreement requiring a contribution of £1500 to local highway costs to make a

variation to the existing traffic order. This traffic order relates to both sides of Carlisle road and will enable the existing and proposed bus bay to become a clear way so parents/six formers can park their cars in the lay-by instead of in front of objectors properties on Carlisle Road.

5.13 Members are reminded that the traffic issue of people parking in front of objectors properties on Carlisle Road is an existing problem and will be there whether this application is approved or not. The existing problem mainly relates to the primary school in Dalston and not the Secondary school. The contribution towards the traffic regulation would infact improve the current situation as it would provide more parking spaces between school muster times. In such circumstances it is considered that the proposal is acceptable in terms of highway issues.

4. Impact Upon Living Conditions Of Neighbouring Residents

5.14 A neighbouring resident has raised concerns regarding the issue of noise because part of the proposed single storey extension will provide music rooms. A noise assessment has been submitted which has identified vehicular traffic travelling along Carlisle Road (which separates the application site from the objectors properties) as a dominant noise source in the area. Environmental Services have been consulted on the proposal and have raised no objections. The applicant has confirmed the following:

a) that the music rooms will be used for occasional after school practices/extra-curricular music and this is never likely to be more than two sessions after school per week and more often than not will be once a week.

b) The session times are generally between the end of the school (3.10pm) and 5.00pm at the latest.

c) As well as occasional use, on very rare occasions there may be some community use later in the evenings, but we anticipate that this will take place in the theatre rather than the rooms at the front of the school. This is certainty the current pattern - the main hall is used for a variety of events during the year, but the current music rooms are never let out.

5.15 The agent has also confirmed that the music rooms will have non opening windows as the extension will have a ventilation system with heat exchangers. In relation to the aforementioned matters, and in the context of the existing use, it is considered that the proposal will not exacerbate the existing situation sufficient to merit refusal of permission. A condition has been imposed within the decision notice should Members be minded to approve the application restricting the use of the music rooms to 6pm in evening.

5. Landscaping

5.16 The northern boundary of the site is delineated by a 1.2 metre high beech hedge. There is an existing lime tree located in the grassed area to the south

of the Carlisle Road vehicular access to the site and a cherry tree located to the north of the Carlisle Road vehicle access to the site. The submitted arboricultural report indicates that these two trees will be removed as part of the proposed development as the development design will encroach into the root protection areas of these trees. The report recommends that replacements are planted in mitigation. Since this application was last presented to Members a landscaping scheme has been submitted indicating the planting of five trees to compensate for the loss of the two trees which are to be removed. The five trees comprise of 3 Rowan and 2 Lime, these will be situated along the northern boundary of the application site. The Councils Landscape Architect/Tree Officer has been consulted on the proposed landscaping scheme and has raised no objections.

5.17 Furthermore part of the existing beech hedge will also be removed. The submitted proposed block plan indicates that a replacement beech hedge will be planted along the whole of the northern boundary. The agent has confirmed that this hedge will be the same height as the existing hedge. The Councils Landscape Architect/Tree Officer has also raised no objections to this.

6. Access

5.18 As stated above since this application was last presented to Members a revised site plan has been received illustrating a landscaping scheme and the widening of the path round the single storey extension to meet the needs of disabled persons. The Council's Access Officer has been consulted on the proposed development and has raised no objections.

Conclusion

5.19 In overall terms it is considered that the proposal will not adversely affect the living conditions of adjacent properties sufficient to merit refusal. The scale and design of the extensions are acceptable and it is considered that the proposal will not have an adverse impact upon the surrounding area. Approval is therefore recommended subject to the imposition of appropriate conditions and the applicants entering into a Section 106 agreement.

6. Human Rights Act 1998

6.1 Several provisions of the above Act 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 regularise any breach of planning control;

Article 8 recognises the "Right To Respect for Private and Family Life";

6.2 **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;

6.3 Articles 1/6/8 of the Human Rights are relevant to this application and should be considered when a decision is made. Members are advised that for the reasons identified in the report the impact of the development in these respects will be minimal and the separate rights of individuals under this legislation will not be prejudiced.

7. Recommendation - Grant Subject to S106 Agreement

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. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and maintained thereafter to the satisfaction of the Council; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that a satisfactory landscaping scheme is implemented and that if fulfils the objectives of Policy CP3 of the Carlisle District Local Plan (2001-2016).

3. The music rooms should not be used after the hours of 6pm.

Reason: To ensure that the noise which may emanate from the development is compatible with the existing noise levels in the area and does not lead to undue disturbance to adjoining occupiers.

4. The materials (and finishes) to be used in the construction of the proposed development shall be in accordance with the details contained in the submitted application, unless otherwise agreed in writing by the local planning authority.

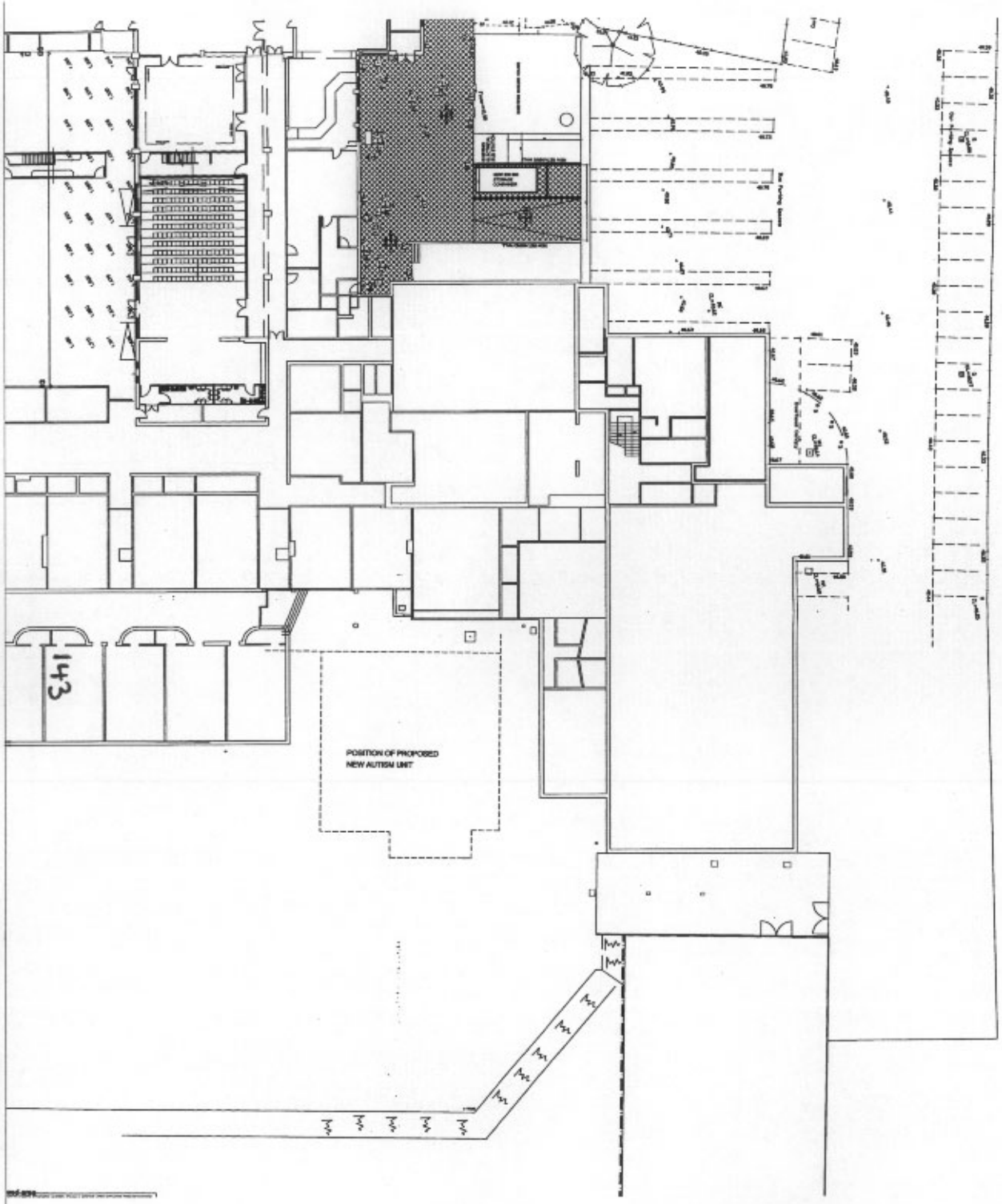
Reason: To ensure a satisfactory external appearance for the completed development.

5. The whole of the access area bounded by the carriageway edge, entrance gates and the splays shall be constructed and drained to the specification of the local planning authority.

Reason: In the interests of highway safety and in accordance with Policy CP5 of the Carlisle District Local Plan (2001-2016).

6. Details, showing the provision for 6 boarding bays in the area to the north of the school, including provision for such vehicles to turn so they leave and enter the site from/onto the B5299 , in a foward motion, shall be submitted to the Local Planning Authority, for approval. This approved provision shall be brought into use prior to the existing bus turning facilities being rendered inoperable (by extension of the bus lay-by) and shall be retained capable of use at all times thereafter, unless otherwise approved by the Local Planning Authority.

Reason: To ensure a minimum provision for school buses that need to turn and load within the site, in the interests of road safety. To support Local Transport Plan Policies LD7 & 8.



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CALDEW MUSIC AND DRAMA

LOCATION PLAN FOR STORAGE BINS

scale @ A1	designed by	drawn by	checked by	approved by	date drawn
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project no. 4180506 (CS /029968)

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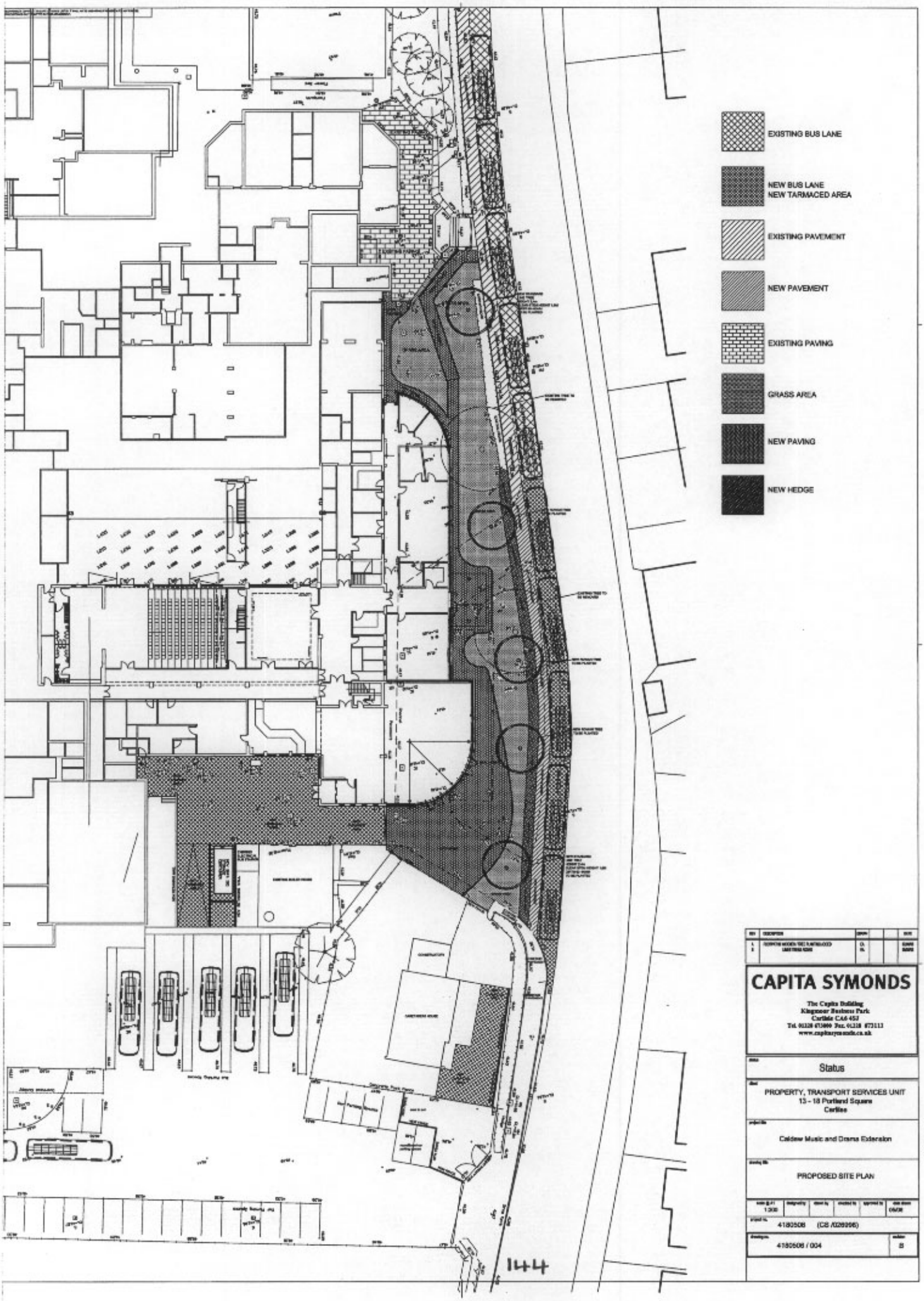

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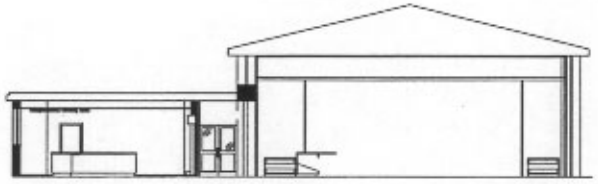
SECTION A - A

SECTION B -B

SECTION C - C



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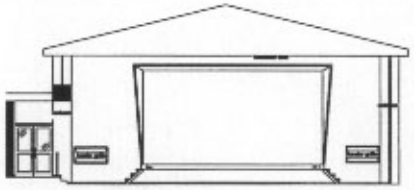

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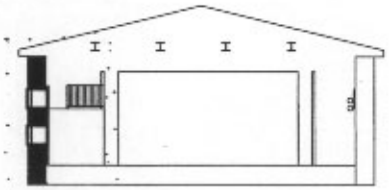

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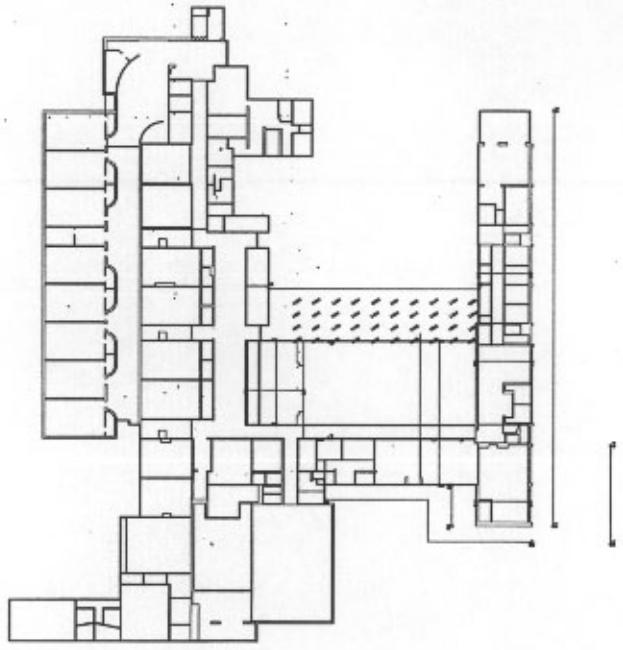

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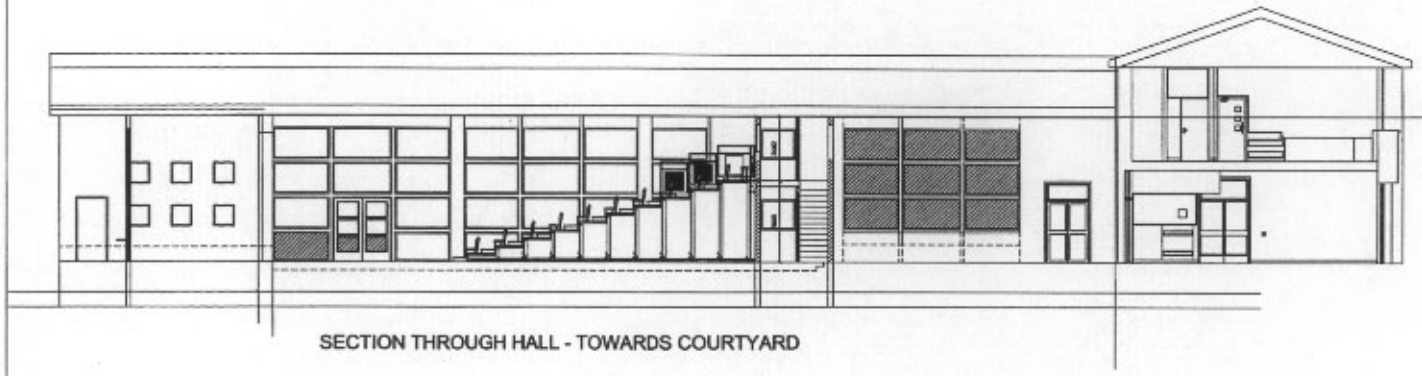

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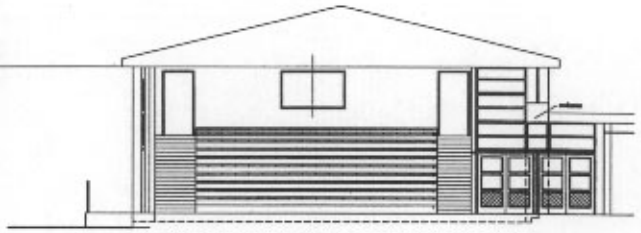

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TOWARDS SOUND GALLERY

SECTION THROUGH HALL AND NEW DINING ROOM

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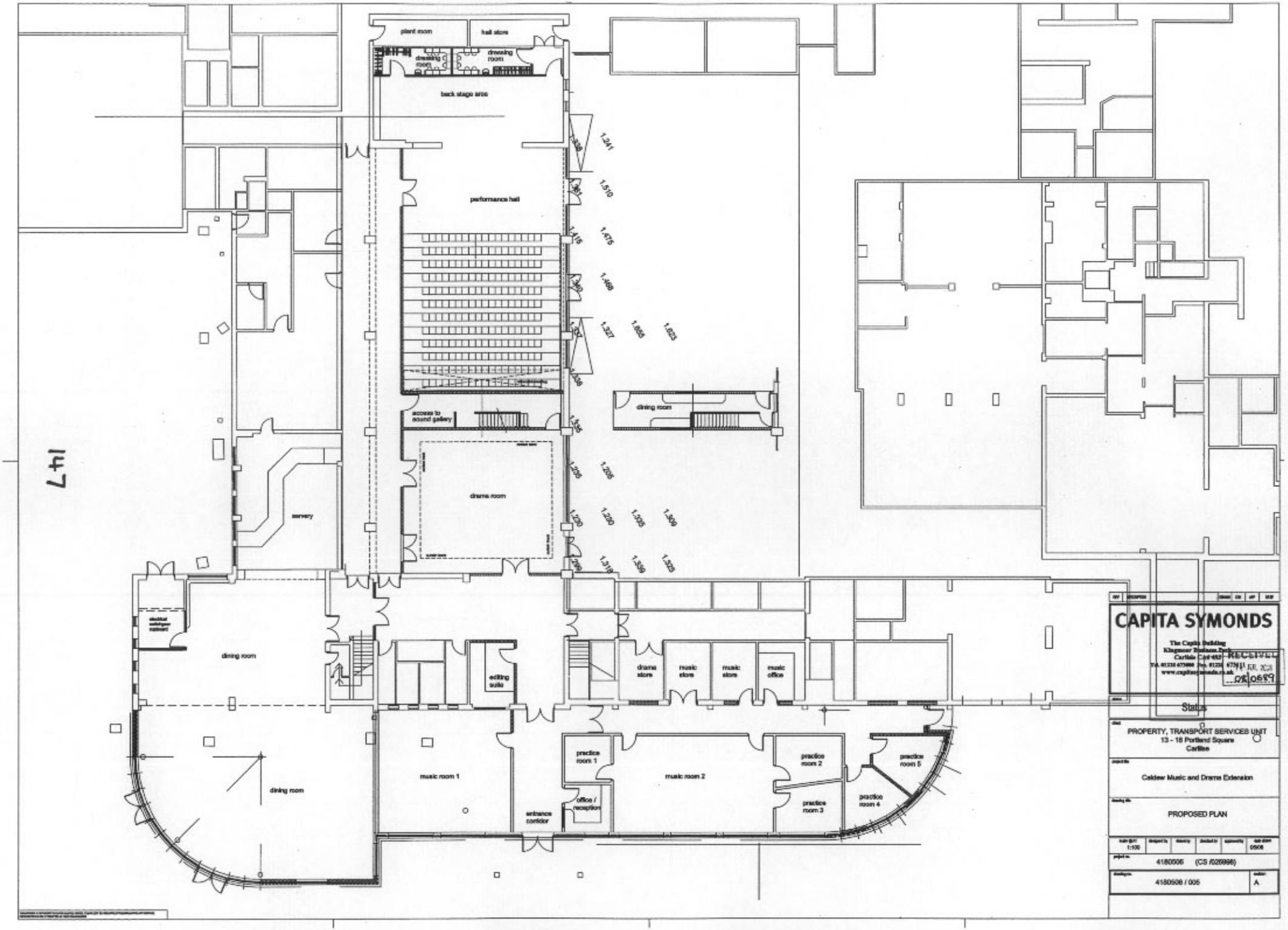
plant room
hall store
dressing room
dressing room
back stage area
performance hall
access to sound gallery
dining room
drama room
scenery
dining room
dining room
music room 1
editing suite
entrance corridor
office / reception
practice room 1
music room 2
practice room 2
practice room 3
practice room 4
practice room 5
drama store
music store
music store
music office
1.241
1.510
1.475
1.499
1.327
1.855
1.823
1.206
1.200
1.305
1.309
1.318
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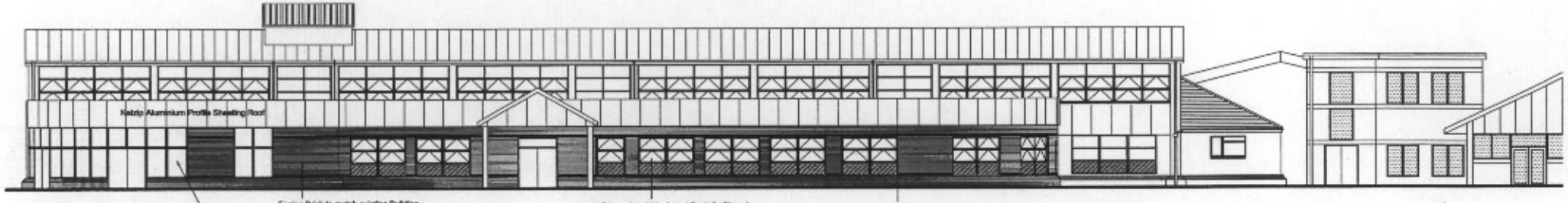

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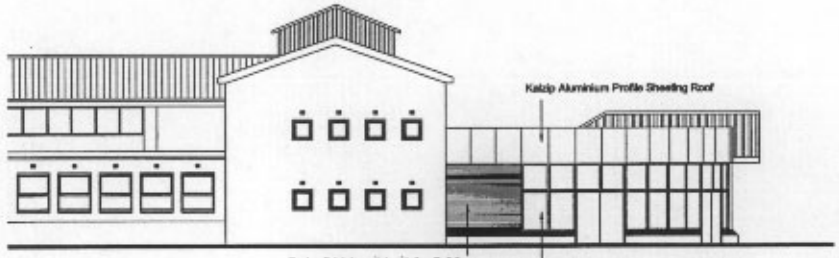

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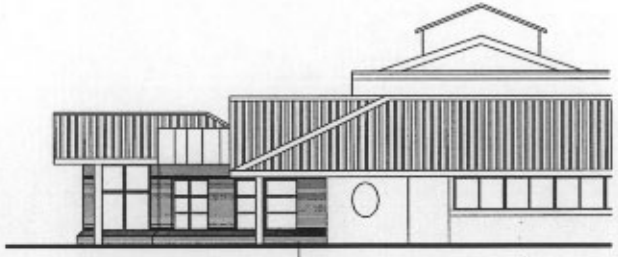

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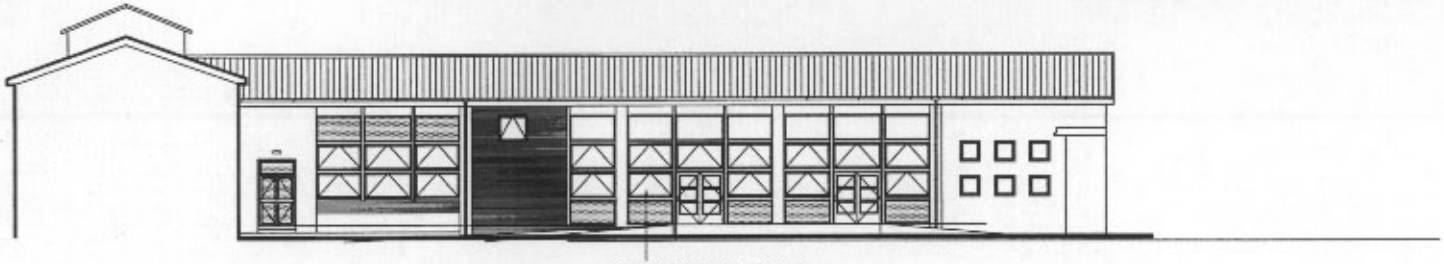

PROPOSED COURTYARD ELEVATION TO HALL

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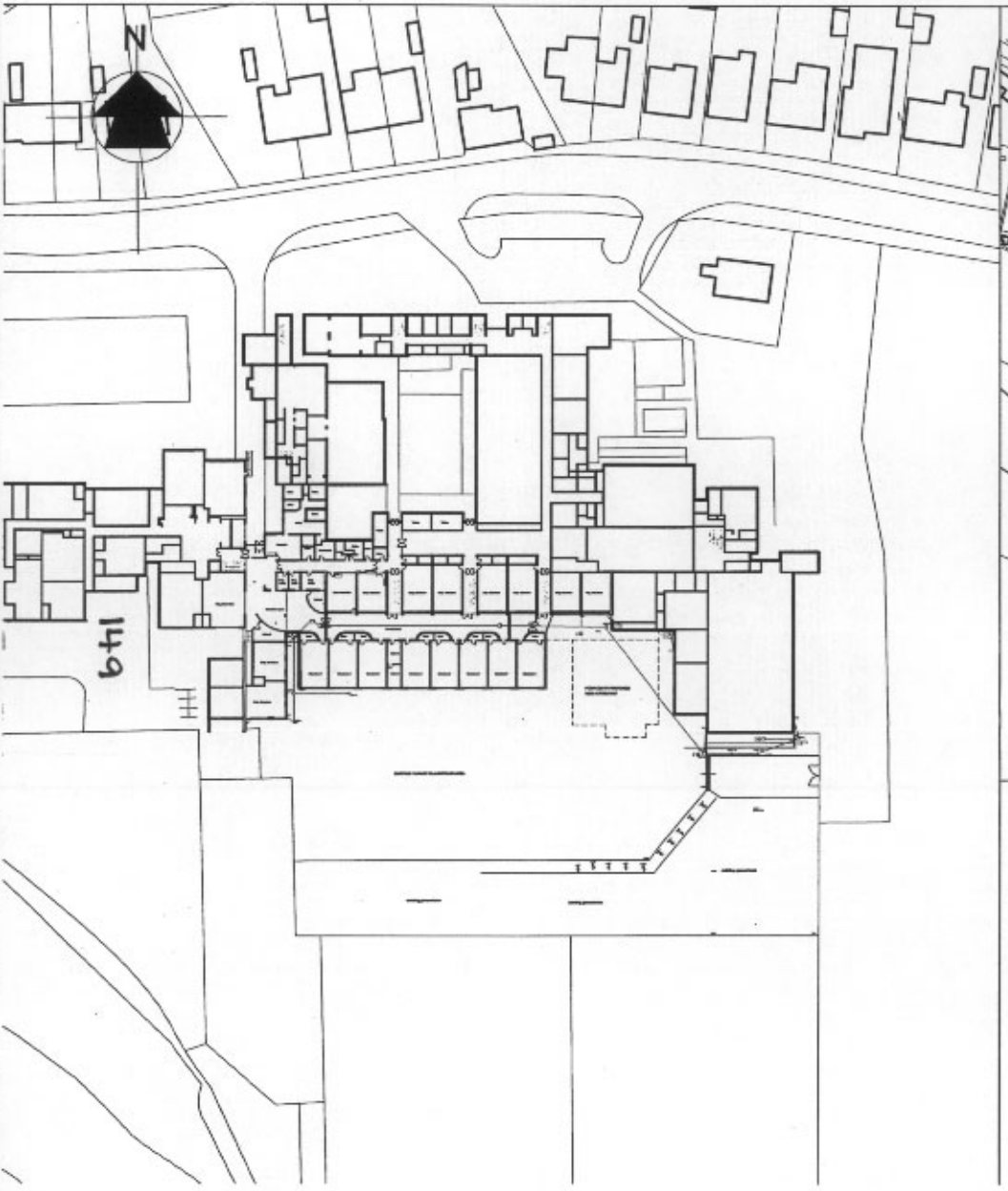

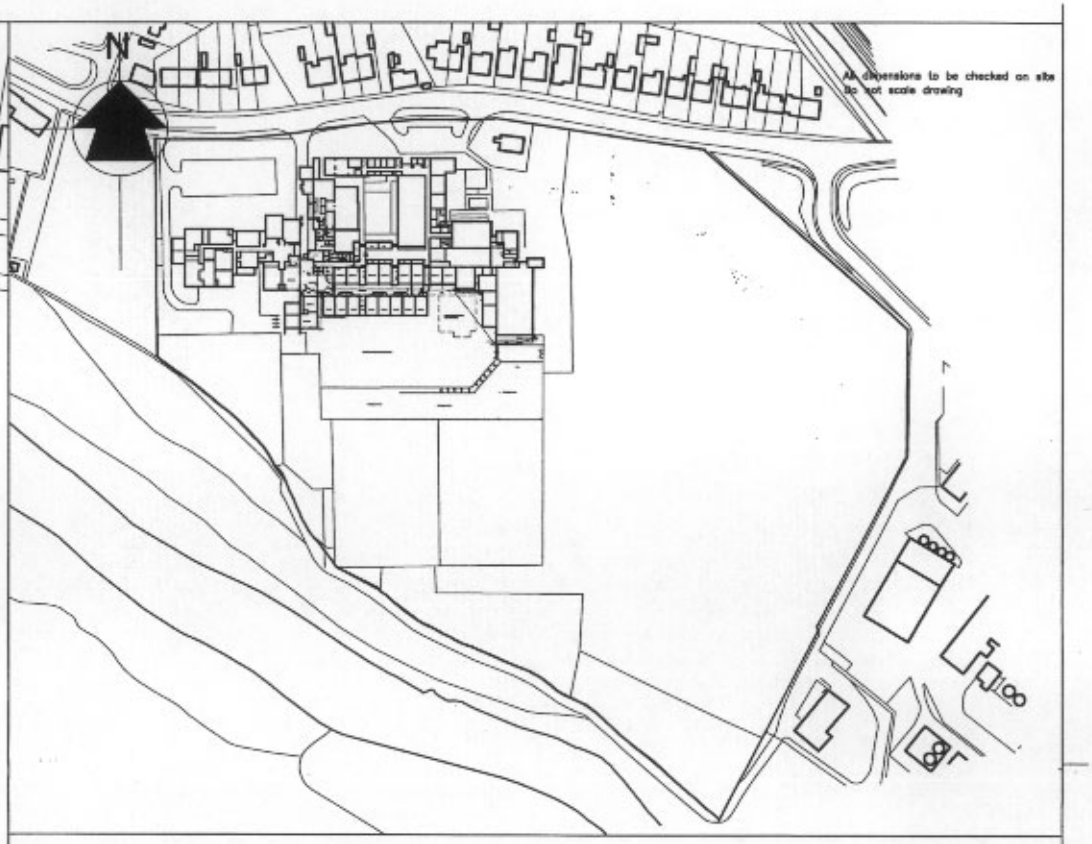

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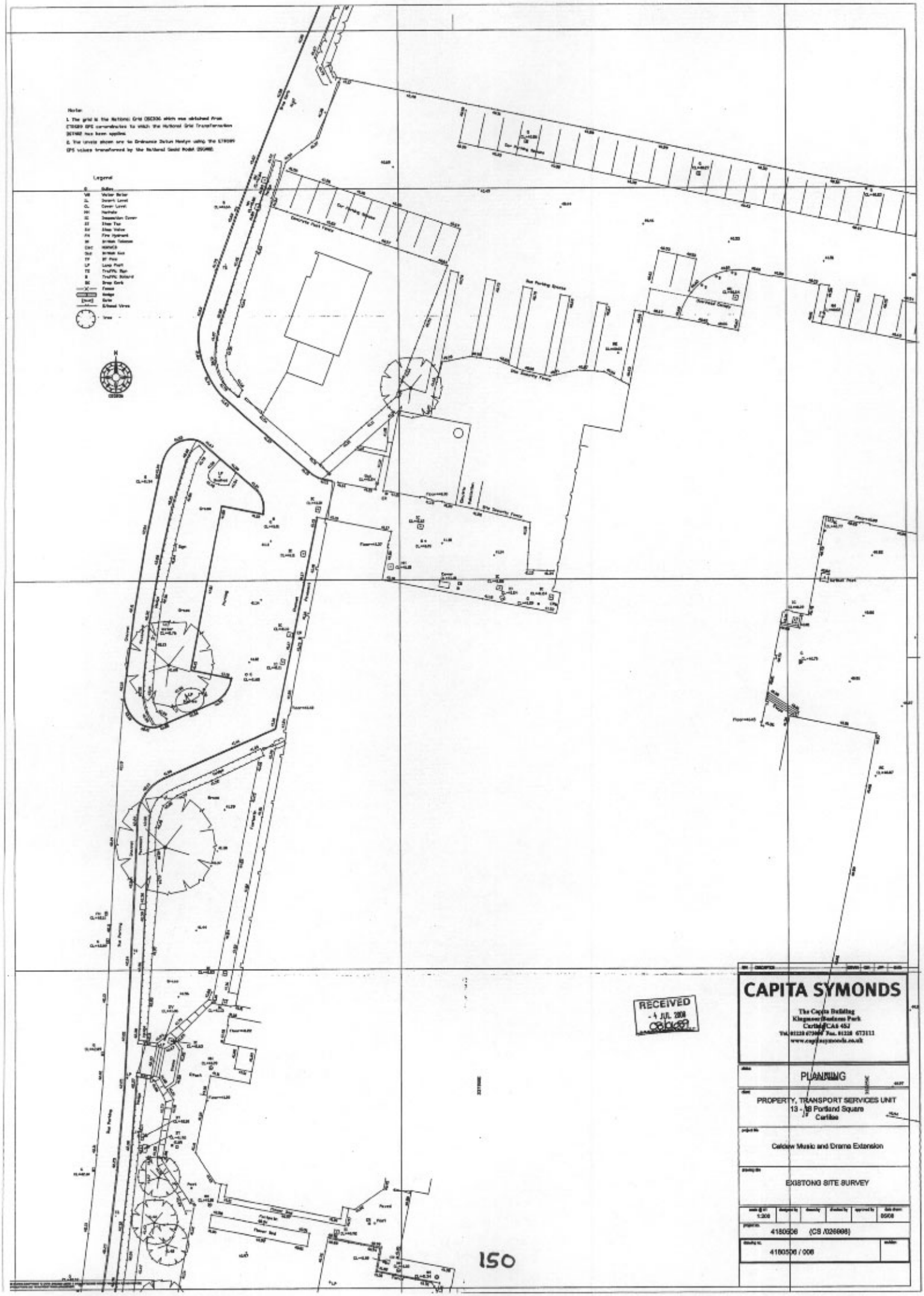
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4180506 / 006
150

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08/0089

ADDITIONAL INFO.

Alexander, Elaine (Capita Symonds)

From: Paul Harrison [p.harrison@caldew.cumbria.sch.uk]
Sent: 03 September 2008 10:15
To: Alexander, Elaine (Capita Symonds)
Subject: Buses

Hi Elaine

Below is the existing and proposed scheme for the school buses, I hope it makes sense!
We are also going to have a 'dry run' to see how buses will manage before school by blocking of the 'D'
If you need anything else please let me know

Paul

Buses at Caldew school

Currently three parking areas

1. Sports car park 5 buses 1 minibus
2. 'D' carpark 3 buses 1 minibus = 15 buses
3. Layby next to road 5 buses

In the P.E carpark 4 buses come from Carlisle with 3 returning to Carlisle and 1 to the south (country). 2 buses come from the south and return to the south.

In the 'D' carpark 3 buses come from the south and return to the south using the 'D' to turn. 1 bus comes from Carlisle and returns to Carlisle.

In the layby there are 5 buses all of which come from Carlisle and go to the south.

A number (?) of buses use the 'D' carpark on the morning to drop pupils off.
These could drop off on the lay by or in the P.E carpark.

I suggest that some of the buses heading to the south (9 of the 11) arrange to arrive from Carlisle and use the extended layby to head south.

The other 2 southbound buses use the P.E carpark along with the 4 that return to Carlisle

This email has been scanned for all viruses by the MessageLabs SkyScan service.

ADDITIONAL INFORMATION.

Alexander, Elaine (Capita Symonds)

From: Andy Abernethy [andyabernethy@caldew.cumbria.sch.uk]
Sent: 02 September 2008 12:01
To: Alexander, Elaine (Capita Symonds)
Cc: 'Jennie Wilkinson'; john@phoenixarchitects.co.uk; jan.cameron@cumbriacc.gov.uk
Subject: RE: Caldew Planning Application

Hi Elaine...just to confirm, following our telephone conversation: I presume you can confirm with Suzanne Edgar about the relocation and replacement of the hedge; the landscaping including replacement trees; the widened footpath to conform to disability access requirements; and that the development will not change the school's pupil admission number or total of pupils on roll.

I can confirm that the rooms will be used for occasional after school practices / extra-curricular music. This is never likely to be more than two sessions after school per week and more often than not will be once a week. The session times are generally between the end of school (3.10pm) and 5.00pm at the latest. As well as occasional school use, on very rare occasions there may be some community use later in the evenings, but we anticipate this will take place in the theatre rather than the rooms at the front of school. This certainly is the current pattern – the main hall is used for a variety of events during the year, but the current music rooms are never let out. I hope this clarifies the situation. Please don't hesitate to get in touch if you need more information on this.

We do not foresee a problem with bus turning, although certainly some buses do use the "D" to go back into Carlisle – most seem to arrive pointing in the right direction. However, since we aren't certain about numbers etc, Paul and I will do a quick visual check this afternoon and let you know the outcome. Our intention would be that we park any bus that has to change direction in the "bus bay" part of the sports hall car park, leaving all those that head south through Dalston (the vast majority) in the front of school bus bay. The buses arrive and park up before the end of school when pupils are in lessons so there should be no mixing of buses and children when the buses arrive. This is no different from the current situation which appears to work satisfactorily.

Hope this helps for now. Andy

CAPITA SYMONDS

Clint Mill, Cornmarket, Penrith Cumbria CA11 7HP

Tel: 01768 242342 Fax: 01768 242321

Arboricultural Report

Site:

CALDEW SCHOOL;
DALSTON
CARLISLE
CUMBRIA
CA5 7NN

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31 JUL 2008
0810689

Report Prepared By:

Graham Nicholson M.Arbor.A, HND Urb.For, RFS Cert. Arb.

Date:

4th July 2008

Reference No.

CS/04-07-08/GN

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1. INTRODUCTION

1.1. Brief

1.1.1. This report has been commissioned by Elaine Alexander of Capita Symonds, Carlisle. We have been instructed to provide a report for the following site:

Caldew School
Dalston
Carlisle
Cumbria
CA5 7NN

1.1.2. The report is required to address the following points of reference:

- provide a tree survey of the trees on the site that will be affected by the proposed development
- outline the implications that the proposed development will have on the trees
- make recommendations for any remedial works
- provide relevant supporting information for adequate protection of the retained trees

1.2. Scope of the report

1.2.1. The tree stem locations illustrated on the plan in Appendix 3, have been plotted on the plans supplied by Elaine Alexander.

1.2.2. All the trees on the site were surveyed from ground level using the Visual Tree Assessment methodology (*Ref. Body Language of Trees by C.Mattheck)*. None of the trees were climbed as part of this survey.

1.2.3. This report details the trees on the site that will be affected by the proposed development. It does not include any trees elsewhere on the school site, or on adjacent property. The surveyed trees are listed in the tree data schedule in Appendix 1.

1.2.4. No invasive decay testing equipment was used as part of this survey.

1.2.5. Further detailed inspections outlined in the survey recommendations are not included as part of this survey.

1.3. Relevant background information

1.3.1. We were provided with plan views of the existing and proposed development. These were provided in PDF and AutoCAD formats

1.4. Qualifications

1.4.1. I have based this report on my site observations and the information provided. I have come to my conclusions in the light of my experience. My qualifications include a Certificate in Arboriculture (RFS) and an HND Urban Forestry in addition to having over 8 years experience in the Arboricultural industry. I am a Professional Member of the Arboricultural Association and maintain an active continuing professional development programme. A detailed list of my Qualifications has been included in the section 6.2.

2. DATA COLLECTION

2.1. Site Visit

2.1.1. I carried out an unaccompanied visit of the site on the afternoon of Tuesday 1st July 2008.

2.1.2. The weather at the time of the visit was dry and clear, with a light breeze. The visibility was good.

2.2. Statutory Controls

2.2.1. The trees are not subject to a Tree Preservation Order.

2.2.2. The site is not within the Dalston Conservation Area.

2.3. Site Description

2.3.1. The site is located on the B5299 between the Village of Dalston and the Nestle processing plant. Vehicular access and parking for the site is accessed from the B5299 Carlisle Road.

2.3.2. The property is bordered by a beech hedge, which is approximately 1.2m high on the western edge of the site. To the north and south of the proposed site are grassed areas. To the east is the existing school building.

2.4. Data Collection and Schedule

2.4.1. The data collected was recorded on survey sheets. The detailed results can be found in the tabulated survey schedule in Appendix 1. The recorded data categories have been summarised in the list below:

- tree location and number
- tree species
- tree height
- trunk diameter
- crown spread in the four cardinal points
- height of the lowest branch
- tree age class
- physiological condition
- structural condition
- management recommendations
- remaining contribution
- amenity value
- tree retention category

2.4.2. Further detailed information regarding the recorded data is included in the explanatory notes in Appendix 1.

2.4.3. The information was manually recorded, using pre-printed data sheets.

2.4.4. No soil samples were analysed as part of this survey.

2.4.5. No electronic equipment was used in the recording of this data.

3. ARBORICULTURAL IMPLICATION ASSESSMENT

3.1. The two trees within the site of the proposed development are generally in good health and condition; however, they do present issues regarding the proposed development.

3.2. Lime tree No.2299, is located in a grassed area to the south of the Carlisle Road vehicular access for the site. The tree lies between the beech hedge and the school reception. The tree does not display any major visible defects and currently presents a low risk to the users of the site. This tree is considered to be of a moderate quality, fulfilling the requirements of BS 5837:2005 (Section 4.3) category B1. The current development design will encroach into the root protection area of this tree. It is considered that this tree could not be adequately protected as part of the current development proposal; therefore it is recommended that it is removed and replacements are planted in mitigation.

3.3. Cherry tree No.2304 is located to the north of the Carlisle Road vehicle access to the site. The tree does not exhibit any major visible defects, but the branches over the grassed area hang down low; however, the tree is currently considered to present a low risk to the users of the site. This tree is considered to be of a low quality, fulfilling the requirements of BS 5837:2005 (Section 4.3) category C1. BS 5837:2005 (Table 1) states that '*C category trees will usually not be retained where they would impose a significant constraint on the development*'. The current development design will encroach into the root protection area of this tree, and it is considered that this tree could not be adequately protected; therefore it is recommended that it is removed and replacements are planted in mitigation.

4. CONCLUSIONS

4.1. There is one lime tree and one cherry tree (Nos.2299 & 2304) on the site considered to be affected by the proposed development.

4.2. The current design proposal requires the removal of both trees.

4.3. Due to the requirement to remove both of the trees, it would be reasonable to recommend that a number of replacement trees are planted as mitigation. These can be incorporated into the grassed area between the proposed building and the main road once all construction works have been completed. Species selection and specification can be agreed between an Arboriculturist and the Architect.

Signed by Graham Nicholson, on behalf of CAPITA SYMONDS.

5. RECOMMENDATIONS

5.1. The following remedial works, highlighted as 'Site safety works', have been recommended in order to minimise the risk to the users of the site, and to maintain the trees in good arboricultural management.

5.2. The works outlined as 'development facilitation works' are to allow the development proposal to go ahead.

Tree No.	Recommended Works	Work Priority
T1	Crown Clean	A Site Safety Works
	Fell	D development facilitation works
T2	Crown Clean	A Site Safety Works
	Fell	D development facilitation works

5.3. It is recommended that the trees on the site are monitored on a regular basis, especially after stormy weather, for signs of crown, trunk, or root damage.

5.4. All tree work should be carried out to BS3998:1989 *Recommendations for tree work.*

5.5. Tree pruning can be a hazardous profession, so it is important that your contractor has the relevant training, health and safety, and insurance certification.

6. BIBLIOGRAPHY & QUALIFICATIONS

6.1. Bibliography

- B.S.5837:2005 *Trees in relation to construction – Recommendations.* BSI Publications.
- B.S.3998:1989 *Recommendations for tree work.* BSI Publications
- Body Language of Trees. C.Mattheck

6.2. Qualifications

6.2.1. Tree Related Qualifications:

- Professional Member of the Arboricultural Association (M.Arbor.A) – Professional membership from 2007.

- Higher National Diploma in Urban Forestry (HND Urb.For)– This is considered to be a competent level (level 4) of knowledge and education for arboricultural consultants. Studied at Newton Rigg Campus, University of Central Lancashire, Penrith. Three year part-time course. *Attained 2004.*

- *Royal Forestry Society* Certificate in Arboriculture (RFS Cert. Arb)– This qualification is understood to be the entry level (level 2) qualification into the industry. It comprises of two parts; a written examination for the theory portion of the qualification; and a variety of practical qualifications in arboriculture and Forestry for the practical portion. Studied at Newton Rigg College, University of Lancashire, Penrith. One year part-time course. *Attained 2001.*

6.2.2. Other Professional Qualifications:

- Quantified Tree Risk Assessment
  Training and Licensing - *February 2007*
  Licensed user update - April 2008

7. APPENDIX 1

7.1. Explanatory Notes for Tree Data Schedule

- The tree location has been measured from known datum points, and manually plotted on the site plan. The accuracy given for the tree stem locations is ±3m.
- The tree number is prefixed by a 'T' for individual trees, 'G' for groups of trees and 'H' for hedgerows. It is used to locate the tree in the data survey and the tree position on the plan.
- The tree species is given in the common name
- The tree height is measured using a Suunto Clinometer, and is given an accuracy of ± 2m.
- The trunk diameter is measured at 1.5m from the surrounding ground level. The accuracy is given as ± 50mm.
- The tree crown spread is measured in the four cardinal directions, N, S, E, and W. The accuracy for this measurement is given as ± 1m
- The height of the lowest branch in the crown is given an accuracy of ± 500mm
- The tree age classification indicates the maturity of the tree. Maturity is assessed as Young (Y) = a size which could easily be transplanted; Middle-aged (MA) = early maturity, not fully grown. Tree considered to be in the first ⅓ of its life cycle; Mature (M/Mat) = fully grown, annual growth is much reduced. Tree considered to be in the second ⅓ of its life cycle; Post-mature (PM) = old for the species, possibly starting to decline. Tree considered being in the final ⅓ of its life cycle. Veteran (V) = tree in decline, severe crown dieback, crown breaking up.
- The tree physiology examines the trees health and vitality and is indicated by Good, Fair, Poor and Dead; Good = very good growth extension, normally found in Y and MA specimens; Fair = normal growth and twig extension; Poor = low vigour and declining growth, many dead twigs and branches within the outer crown.

- The structural condition is given as Good, Fair or Poor, and any comments on notable conditions, problems, or peculiarities to do with the tree have been detailed.
- Management recommendations outline any works that are required for '**A**' arboricultural reasons, to abate a potential risk; or '**D**' to facilitate the building of the proposed development.
- Remaining contribution refers to the safe life expectancy of the trees, and has an input into the BS 5837: 2005 retention category.
- The amenity value of the tree indicates the trees value in the wider surroundings before the proposed development, and the considered value after the construction of the development.
- Details the tree retention category in accordance with BS5837:2005 section 4.3. These have been highlighted in colour to emphasise the category.

7.2. Tabulated Tree Data Schedule

See Table 1 – Tree data survey schedule

See Table 2 – Cascade chart for tree quality assessment

Table 1 – Tree Data Survey Schedule

Tree No.	Species	Height	Diameter @ 1.5m	Crown Spread				Crown Clearance	Age Class	Physiological Condition	Structural Condition	Management Recommendations A= Arboricultural Management. O= To facilitate development	Remaining Contribution	Amenity Value		Retention Category
				N	E	S	W							Pre	Post	
Notes:	*e = estimated*	*Units = m*	*Units = mm*	*Units = m*				*Units = m*	*Young/ Middle Aged/ Mature/ Over Mature/ Veteran*	*Good/ Fair/ Poor/ Dead*	*Good/ Fair/ Poor + Obvious defects*	*CC = Crown Clean/ CR = Crown Raise - state height (m)/ CT = Crown Thin by a %/ RC = Reduce Crown by a %/ P = Pollard/ RBT = Reduce Branch Tip - state amount and direction (m)/ BC = Balance Crown - state direction & %*	*10/ 10-20/ 20-40/ 40+*	*High/ Medium/ Low*		*R/ A/ B/ C + 1/ 2/ 3*
2299	Lime	14	540	7	6	4	5	2.0	M	Good	Good, minor included branch unions, low branches	A, CC D, RC 10%, CT 10%	20-40	H	H	
2304	Cherry	6	380	7	8	5	5	2.5	M	Good	Fair, crossing branches with included branch unions	A, CC D, Fell	10-20	M	M	C1

Table 1 – Tree Data Survey Schedule

Tree No.	Species	Height	Diameter @ 1.5m	Crown Spread				Crown Clearance	Age Class	Physiological Condition	Structural Condition	Management Recommendations A= Arboricultural Management. D= To facilitate development	Remaining Contribution	Amenity Value		Retention Category
				N	E	S	W							Pre	Post	
Notes:	*e = estimated*	*Units = m*	*Units = mm*	*Units = m*				*Units = m*	*Young/ Middle Aged/ Mature/ Over Mature/ Veteran*	*Good/ Fair/ Poor/ Dead*	*Good/ Fair/ Poor + Obvious defects*	*CC = Crown Clean/ CR = Crown Raise - state height (m)/ CT = Crown Thin by a %/ RC = Reduce Crown by a %/ P = Pollard/ RBT = Reduce Branch Tip - state amount and direction (m)/ BC = Balance Crown - state direction & %*	*10/ 10-20/ 20-40/ 40+*	*High/ Medium/ Low*		*R/ A/ B/ C + 1/ 2/ 3*
2299	Lime	14	540	7	6	4	5	2.0	M	Good	Good, minor included branch unions, low branches	A, CC D, RC 10%, CT 10%	20-40	H	H	
2304	Cherry	6	380	7	8	5	5	2.5	M	Good	Fair, crossing branches with included branch unions	A, CC D, Fell	10-20	M	M	C1

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Table 2 - Cascade chart for tree quality assessment

TREES FOR REMOVAL	
Category R Those in such a condition that any existing value would be lost within 10 years and which should, in the current context, be removed for reasons of sound arboricultural management.	• Trees that have a serious, irremediable, structural defect, such as their early loss is expected due to collapse, including those that will become unviable after removal of other R category trees, (i.e. where, for whatever reason, the loss of companion shelter cannot be mitigated by pruning) • Trees that are dead or are showing signs of significant, immediate, and irreversible overall decline. • Trees infected with pathogens of significance to the health and/or safety of other trees nearby (e.g. Dutch elm disease), or very low quality trees suppressing adjacent trees of better quality. NOTE Habitat reinstatement may be appropriate. (e.g. R category tree used as a bat roost: Installation of a bat box in nearby tree

TREES TO BE CONSIDERED FOR RETENTION			
Category and Definition	**Criteria - Subcategories**		
	1. Mainly Arboricultural Values	**2. Mainly landscape values**	**3. Mainly cultural values, including conservation**
Category A **Those of high quality and value:** in such a condition as to be able to make a substantial contribution (a minimum of 40 years is suggested)	Trees that are particularly good examples of their species, especially if rare or unusual, or essential components of groups, or of formal or semi-formal arboricultural features (e.g. the dominant and/or principal trees within an avenue)	Trees, groups or woodlands which provide a definite screening or softening effect to the locality in relation to views into or out of the site, or those of particular visual importance (e.g. avenues or other arboricultural features assessed as groups)	Trees, groups or woodlands of significant conservation, historical, commemorative or other value (e.g. veteran trees or wood pasture)
Category B **Those of moderate quality and value:** those in such a condition as to make a significant contribution (a minimum of 20 years is suggested)	Trees that might be included in the high category, but are downgraded because of impaired condition (e.g. presence of remediable defects including unsympathetic past management and minor storm damage)	Trees present in numbers, usually as groups or woodlands, such as they form distinct landscape features, thereby attracting a higher value than they might as individuals but which are not, individually, essential components of formal or semi formal arboricultural features (e.g. trees of moderate quality within an avenue that includes better A category specimens), or trees situated mainly internally to the site, therefore individually having little visual impact on the wider locality.	Trees with clearly identifiable conservation or other cultural benefits
Category C **Those of low quality and value:** currently in adequate condition to remain until new planting could be established (a minimum of 10 years suggested), or young trees with a stem diameter below 150mm	Trees not qualifying in higher categories	Trees present in groups or woodlands, but without this conferring on them significantly greater landscape value, and/or trees offering low or only temporary screening benefit	Trees with very limited conservation or cultural benefits
	NOTE Whilst C category trees will usually not be retained where they would impose a significant constraint on development, young trees with a stem diameter of less than 150mm should be considered for relocation.		

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8. APPENDIX 2

8.1. Development within the tree rooting area

8.1.1. The zone of influence for the rooting area of a tree has been determined using the calculation outlined in Table 2, of section 5.2.2 of BS5837: 2005 *Trees in relation to construction – Recommendations.* This calculation utilises the diameter of the trunk, at a height of 1.5m above the surrounding ground level; and multiplies this by a value of 12; the resultant is then used to calculate the total Root Protection Area (RPA).

8.1.2. The table below shows the RPAs for the trees on the site; these have been illustrated on the appended Tree Protection Plan (TPP) in Appendix 4.

RPA Calculations	Tree Identification Number	Tree Diameter @1.5m (in mm)	RPA Radius (m)	RPA (m^2)
	2299	540		
	2304	380		

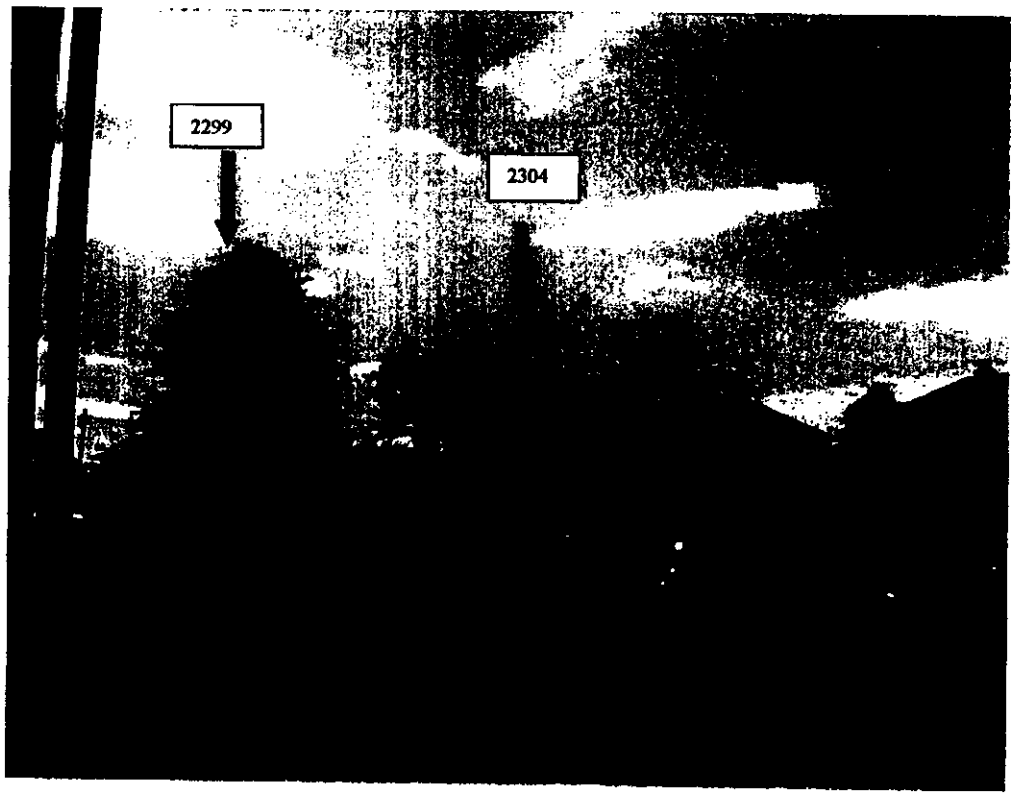
8.1.3. These values indicate the area of soil around the base of the tree to be retained undisturbed. This area should be protected with vertical barriers and considered sacrosanct. Signs should be erected on the fencing to indicate that the area is a Construction Exclusion Zone (CEZ).

8.2. Construction Exclusion Zone

8.2.1. This area is shown on the TPP included in Appendix 4. The perimeter of the RPA indicates the minimum distance of the CEZ, and should be protected with 'Heras' fencing, or similar; which must be supported with scaffold poles, to resist impacts. The CEZ barriers should follow the principles outlined in section 9 of BS 5837: 2005.

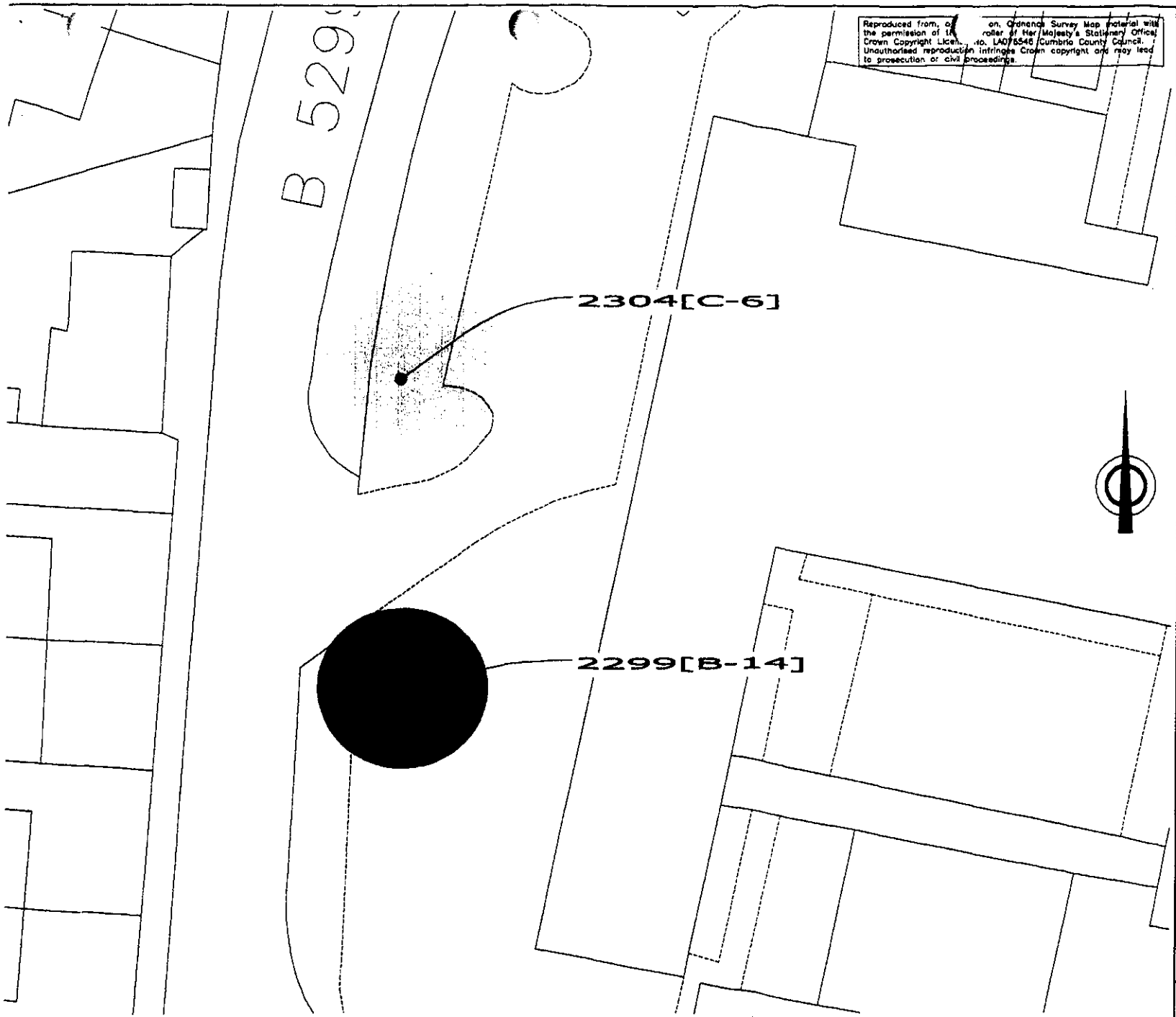
11. APPENDIX 5

11.1. Photograph 1 showing tree number 2299 and 2304 on the proposed development site



11.2. **Photograph 2** Shows the cherry tree 2304, viewed from the western side of Carlisle Road.

11.3. **Photograph 3** shows the lime tree 2299 viewed from the western side of Carlisle Road



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LEGEND

	TREE STEM LOCATION (+/- 2M)
	ACCURATE CROWN SPREAD - BS5837 RETENTION CATEGORY R (RED DASHED LINE)
	ACCURATE CROWN SPREAD - BS5837 RETENTION CATEGORY A (GREEN CONTINUOUS LINE)
	ACCURATE CROWN SPREAD - BS5837 RETENTION CATEGORY B (BLUE CONTINUOUS LINE)
	ACCURATE CROWN SPREAD - BS5837 RETENTION CATEGORY C (GREY CONTINUOUS LINE)
	CONSTRUCTION EXCLUSION ZONE - LINE OF PROTECTIVE FENCING TO BE INSTALLED IN ACCORDANCE WITH BS5837:2005
T1[C-12m]	TREE IDENTIFICATION NUMBER [TREE RETENTION CATEGORY - TREE HEIGHT IN METRES]

THIS TREE CONSTRAINTS PLAN IS TO BE READ IN CONJUNCTION WITH TREE REPORT

DRAWN BY:	CHECKED BY:
DC	AH-GN

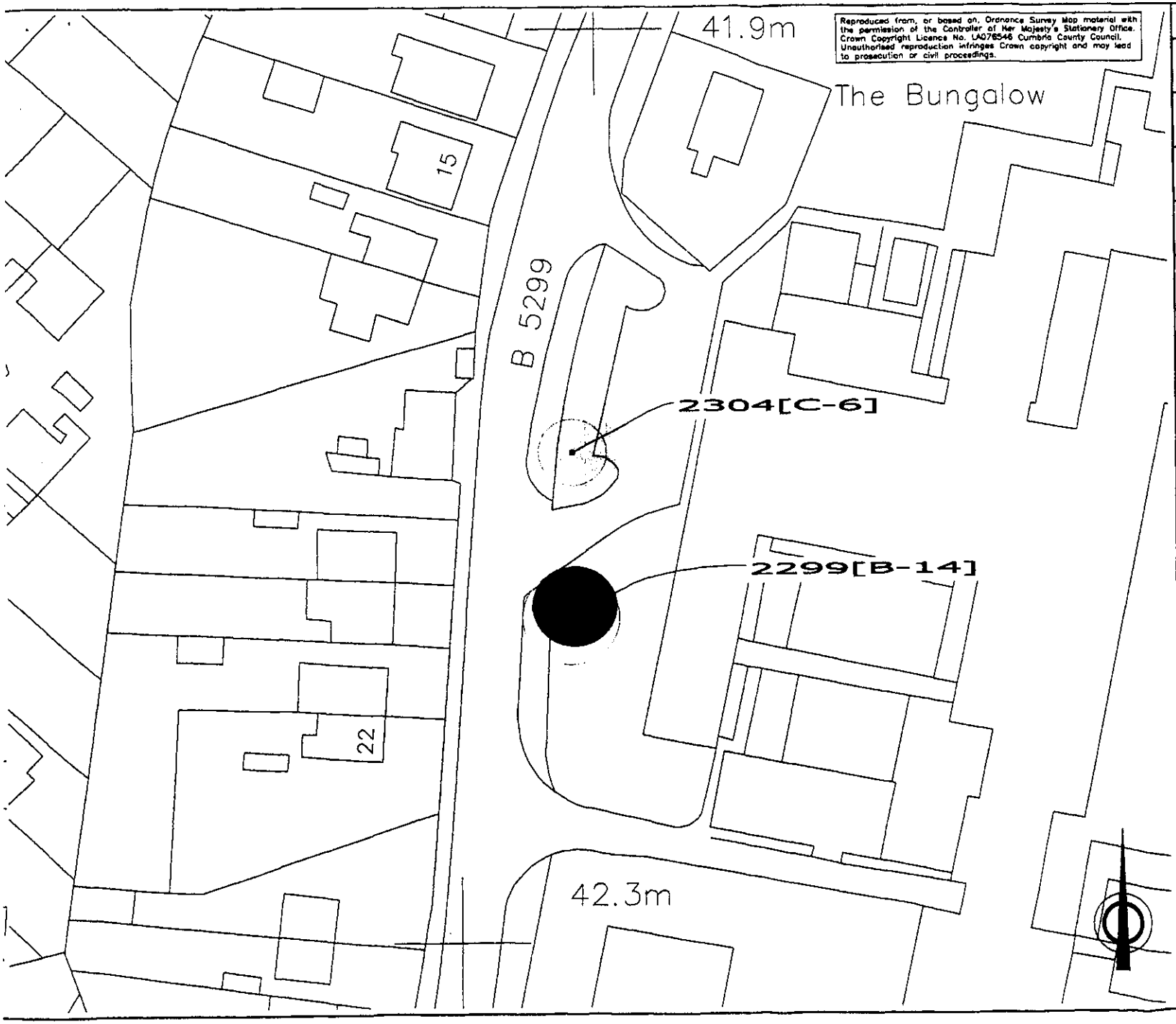
CAPITA SYMONDS
COUNTRYSIDE & HERITAGE MANAGEMENT SERVICES
CLINT MILL
CORNMARKET
PENRITH
CUMBRIA
CA11 7HP

01768 242322

TITLE: CALDEW SCHOOL, DALSTON
TREE PROTECTION PLAN

DRAWING No: CS/04-07-08/GN-02

SCALE:	DATE:
1:250 @ A3	02/07/08



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LEGEND

●	TREE STEM LOCATION (+/- 2M)
○	ACCURATE CROWN SPREAD - BS5837 RETENTION CATEGORY R (RED DASHED LINE)
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○	ACCURATE CROWN SPREAD - BS5837 RETENTION CATEGORY B (BLUE CONTINUOUS LINE)
	ACCURATE CROWN SPREAD - BS5837 RETENTION CATEGORY C (GREY CONTINUOUS LINE)
	ROOT PROTECTION AREA
T1[C-12m]	TREE IDENTIFICATION NUMBER [TREE RETENTION CATEGORY - TREE HEIGHT IN METRES]

THIS TREE CONSTRAINTS PLAN IS TO BE READ IN CONJUNCTION WITH TREE REPORT

DRAWN BY:	CHECKED BY:
DC	AH-GN

CAPITA SYMONDS
COUNTRYSIDE & HERITAGE MANAGEMENT SERVICES
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CA11 7HP

01768 242322

TITLE: CALDEW SCHOOL, DALSTON
TREE CONSTRAINTS PLAN

DRAWING No: CS/04-07-08/GN-01

SCALE:	DATE:
1:500 @ A3	02/07/08

CAPITA SYMONDS

RECEIVED
JUL 2008
08/0689

Design & Access Statement

Ref:	D&A Statement – LP		
Site address:	Caldew School Carlisle Road Dalston Carlisle CA5 7NN	**Date:**	30th June 2008
Project	Single Storey Extension to front of school to form new music & drama facility. New dining area adjacent to kitchen servery and kitchen. Refurbishment and upgrade of existing hall. Extending the existing Bus Lane		

Contact details

	Applicants name		**Agents name**
Name:	Cumbria County Council	Name:	CAPITA SYMONDS
Address:	c/o Children`s Service Unit. 18 Portland Square Carlisle	Address:	The Capita Building Kingmoor Business Park Carlisle
Post code:	CA1 1PE	Post code:	CA4 6SJ
Telephone:	01228	Telephone:	01228 673180
Contact:	Jan Cameron	Contact:	Elaine Alexander
School Contact:	Paul Harrison		
Telephone:	01228		

USE

The proposed extension will comprise of a complete new teaching suite for the delivery of the music and drama curriculum, along with the upgraded performance hall

The new dining area will be a designated dining space and will no longer intrude onto teaching resources

The extension of the existing bus lane will reduce the congestion that occurs to the front of the school,

LAYOUT

The intention is to provide a new facility, which will take the students though the curriculum to putting on a performance complete with all lighting and sound effects, which are now taught within the school

The layout of the new music and drama facility will operate as a complete unit, at present the facilities are located through the school, this will allow for an integrated approach to delivering the curriculum.

This will also provide a 'public' entrance for events and showings, and allow the letting out of the facilities without access throughout the whole school.
The new dining room will be directly connected to the existing servery, which will be altered and upgraded, and in turn connected to the existing kitchen. The new dining area will have open access to a paved area adjacent to the building.

SCALE
The single storey extension to the front of the school is intended to revitalise the existing tried façade, the sympathetic use of materials and scale are provide an aesthetic fascade to the school

LANDSCAPING
The existing soft landscaping will be retained as much as possible and reinstated where alterations are made to form the additional area of bus lane. The new extension will have paving externally to encourage the pupils to use the external space to the front of the school, and the reduction in access points to the school will aid in supervision, This will also deliver a cleared main access point to the school, and direct the public and pupils to the main entrance and reception, which at present is not obvious.

APPEARANCE
The existing building we are extending is a 2 storey brick and render building with a green profiled metal low pitched roof, the adjacent reception and entrance building is a recent extension, single storey, to a much different scale, brick building with a large pale grey metal profiled sheet roof and an extensive overhang, the gable of the roof is clad in pale grey panels, with while upvc windows. The existing building sit uncomfortably together at present , the proposed new extension to front of the two storey block, is single storey but with high internal ceiling heights which visually begins to draw your eye down to the smaller scale of the entrance building, The small porch to the front of the music / drama entrance echoes the large porch to the existing building. Continuing the facing brick construction to the new building brings a cohesive approach to the school campus.

ACCESS

TO THE SITE
Existing transport links are available to the school, as well as parking and cycle storage. Although we will loose 6no. parking spaces to the front of the school, parking facilities throughout the site are adequate. Please refer to the Schools Travel Plan which will be forwarded under separate cover.
At present the school has a problem with cars parking in the bus lane and on the main street to pick up pupils at the end of the school day, with the removal of the bus parking in the exiting 'D' area this will ensure that the bus lane will solely be used for a buses, as it will used, along with the proposed extension, to its full capacity. A more formal approach and a designated area for buses will hopefully discourage parents parking in this area and reduce the congestion at this time of the
A new access will be formed to the rear of the school to service the kitchen area, boiler house, electrical substation and the existing recycling and waste facilities. This will ensure the separation of vehicles and pedestrians to the front of the school.
At the existing gated access to the main car parking and sports facilities, a new gated vehicular access will be formed to the caretakers house, the combined effect of this means that there is no direct vehicular access from Carlisle Road, and that the main entrance to the school will be clearly identified, a small pedestrian gate will be provided to the caretakers house.

WITHIN AND ARROUND THE BUILDING AND SITE
Level access to the new unit is available either through the existing building or externally. And the finished floor level will be that of the finished floor level of the existing adjoining building. To allow external access by a minimal size ramp into the proposed unit, along with a gently sloping path (1:21) from the pavement level down to level access for both the new unit and the existing reception area

Student and staff toilet facilities are available in the existing buildings in close proximity to the unit.

The unit will be decorated in contrasting colours to aid the visually impaired

CAPITA SYMONDS

08/01089

Caldew School
Dalston
Cumbria

Noise Assessment

Technical Report

April 2008

Caldew School, Dalston, Cumbria
Technical Report
April 2008

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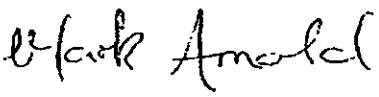
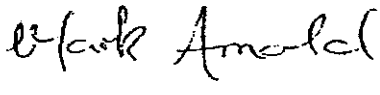
Capita Symonds Ltd				
Client Job Number: CS/026998 ZACY Job Number CS/029680				
Document Reference:	F: ZACY/IProjects/029680/Caldew/ REP 01 Caldew School			
	Name	Signature	Date	Position
Originated	Anne Unwin		22/04/2008	Junior Acoustic Technician
Checked	Mark Arnold		30/04/2008	Senior Acoustic Consultant
Approved	Mark Arnold		30/04/2008	Senior Acoustic Consultant

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1. INTRODUCTION

1.1 Capita Symonds has been commissioned by Cumbria County Council to undertake an environmental noise survey of ambient noise levels to assist the design for the proposed re-development of Caldew School, Daltson, Cumbria.

1.2 The noise survey has been carried out in accordance with the guidance given in Building Bulletin 93 (BB93) Acoustic Design of Schools.

1.3 To assist with the understanding of this report a glossary of acoustic terms is shown in Appendix A.

2. NOISE CRITERIA

Building Bulletin 93 Acoustic Design of Schools (BB93)

2.1 BB93 provides criteria for internal ambient noise levels within teaching and study spaces due to external noise sources attenuated by the building envelope.

2.2 All new schools, extensions to existing schools and redevelopments must be designed in accordance with the criteria outlined in BB93.

2.3 BB93 specifies an upper limit for the indoor ambient noise level of 35 dB LA(eq) for secondary school classrooms, class bases, general teaching areas and small group rooms. Please refer to BB93 for specific criteria for each type of teaching room.

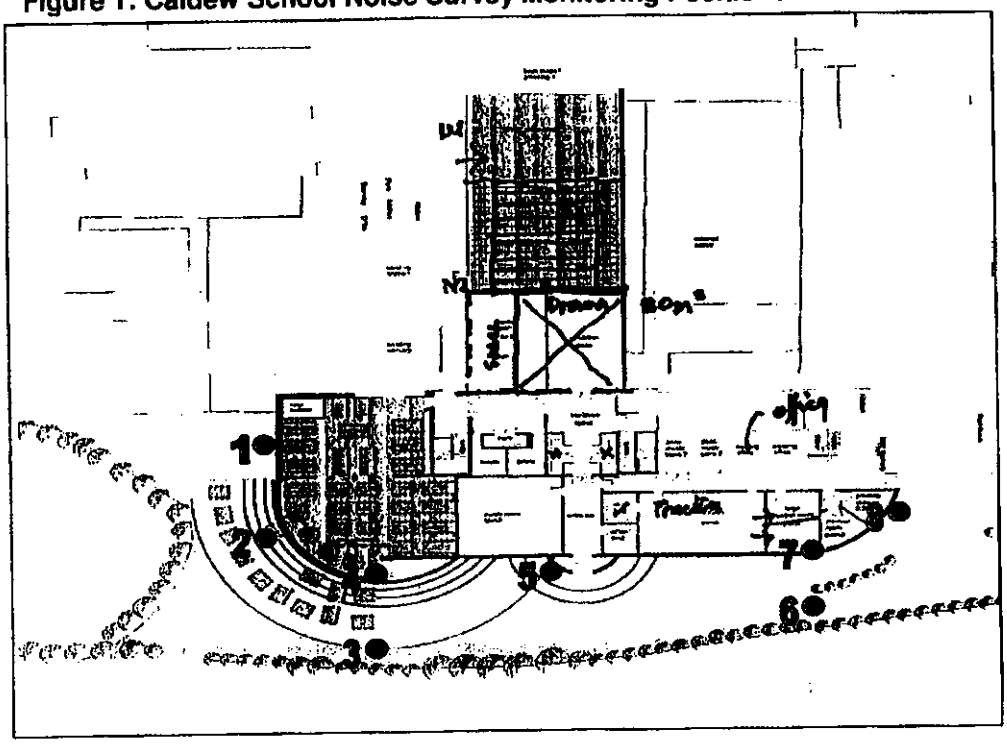
2.4 BB93 provides the following guidance relating to ambient noise levels in the external areas of schools, "*noise levels in unoccupied playgrounds, playing fields and other outdoor areas should not exceed 55dB* $L_{Aeq,30min}$."

3. NOISE SURVEY

3.1 Measurements of ambient noise levels were made on Wednesday 9th April 2008 at 8 positions consistent with the proposed location of the new school buildings:

3.2 An initial assessment of the school site was carried out to identify the most significant noise sources. This enabled measurement positions to be selected where the façades of the proposed school buildings may be located. Measurement locations are shown in Figure 1 below;

Figure 1: Caldew School Noise Survey Monitoring Positions



3.3 Vehicular traffic travelling along Carlisle Road was identified as the dominant noise source at all monitoring positions.

3.4 Weather conditions during the measurement period were sunny with a light breeze measuring between 1.3 – 2 mph. Nearby road surfaces were dry.

3.5 The noise monitoring equipment used during the surveys comprised four Larson Davis 824 Sound Level Meters. The meters were calibrated using a Larson Davis Cal 200 calibrator immediately before and on completion of the noise surveys and was found to be within the manufacturer's permitted tolerances.

4. NOISE SURVEY RESULTS

4.1 In order to obtain the most representative ambient noise level measurements were recorded over a slightly longer period than the 30 minutes required by BB93. The highest and lowest values have been discounted along with any incidents considered unrepresentative of the ambient noise climate, such as school children shouting into the microphone. These measurements are highlighted in peach. The logarithmic average of the remaining 5 minute measuring periods has been calculated to devise the LA(eq) 30 minute value.

Table 1: Measurements at Position 1

Position	Rec	Date	Time (hh:mm:ss)	Duration (mins)	LAeq (dB)	LAMin (dB)	LAMax (dB)	LA1.00 (dB)
1	1	09-Apr-08	10:14:25	05:00.0	56.4	46.9	67.9	65.3
	2	09-Apr-08	10:19:25	05:00.0	58.3	45.8	75.5	69.0
	3	09-Apr-08	10:24:25	05:00.0	58.0	45.7	71.1	68.2
	4	09-Apr-08	10:29:25	05:00.0	59.6	46.0	73.5	69.7
	5	09-Apr-08	10:34:25	05:00.0	59.7	47.2	79.8	70.6
	6	09-Apr-08	10:39:25	05:00.0	60.5	46.8	75.9	71.4
	7	09-Apr-08	10:44:25	05:00.0	59.3	49.5	72.6	68.3
	8	09-Apr-08	10:49:25	05:00.0	56.9	46.0	72.9	67.6
	9	09-Apr-08	10:54:25	05:00.0	57.7	46.5	71.3	67.3

Measurement discounted as highest measurement, lowest measurement or unrepresentative incident occurred

Table 2: Summary of Measurements for Position 1

Log. Avg. $L_{Aeq\ 30mins}$	58.8 dB
Lowest occurring L_{Amin}	45.7 dB
Highest occurring L_{Aeq}	59.7 dB
Highest occurring L_{A1}	70.6 dB

Table 3: Measurements at Position 2

Position	Rec	Date	Time (hh.mm.ss)	Duration (mins.)	LAeq	LAMin	LAMax	LA1.00
2	1	09-Apr-08	11:27:42	05:00.0	57.0	41.6	71.1	66.1
	2	09-Apr-08	11:32:42	05:00.0	57.6	40.8	71.5	68.1
	3	09-Apr-08	11:37:42	05:00.0	60.2	42.1	74.8	71.9
	4	09-Apr-08	11:42:42	05:00.0	59.3	44.3	73.0	70.5
	5	09-Apr-08	11:47:42	05:00.0	59.0	40.6	71.0	68.9
	6	09-Apr-08	11:52:42	05:00.0	57.8	42.2	70.1	66.8
	7	09-Apr-08	11:57:42	05:00.0	58.1	42.2	69.4	67.0
	8	09-Apr-08	12:02:42	05:00.0	58.5	42.9	71.1	68.2
	9	09-Apr-08	12:07:42	05:00.0	56.0	40.4	67.0	64.9

Measurement discounted as highest measurement, lowest measurement or unrepresentative incident occurred

Table 4: Summary of Measurements at Position 2

Log. Avg. $L_{Aeq\ 30mins}$	58.3 dB
Lowest occurring L_{Amin}	40.6 dB
Highest occurring L_{Aeq}	59.3 dB
Highest occurring L_{A1}	70.5 dB

Table 5: Measurements at Position 3

Position	Rec	Date	Time (hh.mm.ss)	Duration (mins.)	LAeq	LAMin	LAMax	LA1.00
3	1	09-Apr-08	10:03:40	05:00.0	67.3	43.5	83.8	78.4
	2	09-Apr-08	10:08:40	05:00.0	66.4	39.0	78.4	75.7
	3	09-Apr-08	10:13:40	05:00.0	64.6	37.0	78.8	75.3
	4	09-Apr-08	10:18:40	05:00.0	67.7	38.3	82.8	77.1
	5	09-Apr-08	10:23:40	05:00.0	66.8	37.7	79.7	77.7
	6	09-Apr-08	10:28:40	05:00.0	67.8	38.3	80.9	78.2
	7	09-Apr-08	10:33:40	05:00.0	69.2	46.1	81.8	79.9
	8	09-Apr-08	10:38:40	05:00.0	67.5	41.1	83.1	78.0
	9	09-Apr-08	10:43:40	05:00.0	66.8	40.0	84.8	77.2

Measurement discounted as highest measurement, lowest measurement or unrepresentative incident occurred

Table 6: Summary of Measurements for Position 3

Log. Avg. $L_{Aeq\ 30mins}$	67.1 dB
Lowest occurring L_{Amin}	37.7 dB
Highest occurring L_{Aeq}	67.8 dB
Highest occurring L_{A1}	78.4 dB

Table 7: Measurements at Position 4

Position	Rec	Date	Time (hh.mm.ss)	Duration (mins.)	LAeq	LAMin	LAMax	LA1.00
4	1	09-Apr-08	10:09:41	05:00.0	63.8	50.9	77.8	74.2
	2	09-Apr-08	10:14:41	05:00.0	61.2	51.2	72.2	69.7
	3	09-Apr-08	10:19:41	05:00.0	62.8	50.7	77.1	74.0
	4	09-Apr-08	10:24:41	05:00.0	61.4	50.8	75.6	71.5
	5	09-Apr-08	10:29:41	05:00.0	63.6	50.8	74.1	72.4
	6	09-Apr-08	10:34:41	05:00.0	63.6	51.2	75.3	73.9
	7	09-Apr-08	10:39:41	05:00.0	64.1	51.1	76.2	73.8
	8	09-Apr-08	10:44:41	05:00.0	63.4	51.9	77.4	72.8
	9	09-Apr-08	10:49:41	05:00.0	62.8	51.1	80.7	72.9

Measurement discounted as highest measurement, lowest measurement or unrepresentative incident occurred

Table 8: Summary of Measurements at Position 4

Log. Avg. $L_{Aeq\ 30mins}$	63.4 dB
Lowest occurring L_{Amin}	50.7 dB
Highest occurring L_{Aeq}	63.8 dB
Highest occurring L_{A1}	74.2 dB

Table 9: Measurements at Position 5

Position	Rec	Date	Time (hh.mm.ss)	Duration (mins.)	LAeq	LAMin	LAMax	LA1.00
5	1	09-Apr-08	10:06:25	05:00.0	62.1	39.1	76.4	73.6
	2	09-Apr-08	10:11:25	05:00.0	61.7	40.7	74.1	72.1
	3	09-Apr-08	10:16:25	05:00.0	61.2	38.0	77.8	74.3
	4	09-Apr-08	10:21:25	05:00.0	61.0	39.9	71.4	68.9
	5	09-Apr-08	10:26:25	05:00.0	61.3	38.7	74.8	71.0
	6	09-Apr-08	10:31:25	05:00.0	62.6	40.7	73.8	72.0
	7	09-Apr-08	10:36:25	05:00.0	64.3	41.5	77.6	74.1
	8	09-Apr-08	10:41:25	05:00.0	62.0	42.3	74.4	72.4
	9	09-Apr-08	10:46:25	05:00.0	61.8	41.5	82.5	69.8
	10	09-Apr-08	10:51:25	05:00.0	61.1	43.5	75.9	70.9

Measurement discounted as highest measurement, lowest measurement or unrepresentative incident occurred

Table 10: Summary of Measurements at Position 5

Log. Avg. $L_{Aeq\ 30mins}$	61.7 dB
Lowest occurring L_{Amin}	38.0 dB
Highest occurring L_{Aeq}	62.1 dB
Highest occurring L_{A1}	74.3 dB

Table 11: Measurements at Position 6

Position	Rec	Date	Time (hh.mm.ss)	Duration (mins.)	LAeq	LAMin	LAMax	LA1.00
6	1	09-Apr-08	11:27:35	05:00.0	64.6	50.8	78.5	74.8
	2	09-Apr-08	11:32:35	05:00.0	64.7	51.6	79.7	74.6
	3	09-Apr-08	11:37:35	05:00.0	67.1	51.2	81.8	78.8
	4	09-Apr-08	11:42:35	05:00.0	64.2	51.1	81.1	73.4
	5	09-Apr-08	11:47:35	05:00.0	66.1	50.9	79.4	76.8
	6	09-Apr-08	11:52:35	05:00.0	64.9	51.2	77.6	73.5
	7	09-Apr-08	11:57:35	05:00.0	64.7	51.2	78.6	75.3
	8	09-Apr-08	12:02:35	05:00.0	65.3	51.8	76.9	74.1
	9	09-Apr-08	12:07:35	05:00.0	64.6	51.6	75.6	73.4

Measurement discounted as highest measurement, lowest measurement or unrepresentative incident occurred

Table 12: Summary of Measurements at Position 6

Log. Avg. $L_{Aeq\ 30mins}$	64.8 dB
Lowest occurring L_{Amin}	50.8 dB
Highest occurring L_{Aeq}	65.3 dB
Highest occurring L_{A1}	75.3 dB

Table 13: Measurements at Position 7

Position	Rec	Date	Time (hh.mm.ss)	Duration (mins.)	LAeq	LAMin	LAMax	LA1.00
7	1	09-Apr-08	11:25:12	05:00.0	58.9	40.6	71.8	67.5
	2	09-Apr-08	11:30:12	05:00.0	60.4	40.3	75.6	69.3
	3	09-Apr-08	11:35:12	05:00.0	62.5	41.1	76.8	73.3
	4	09-Apr-08	11:40:12	05:00.0	60.9	40.1	77.8	71.4
	5	09-Apr-08	11:45:12	05:00.0	60.3	37.7	70.5	69.2
	6	09-Apr-08	11:50:12	05:00.0	60.0	41.5	70.9	69.6
	7	09-Apr-08	11:55:12	05:00.0	59.8	41.0	69.5	68.0
	8	09-Apr-08	12:00:12	05:00.0	60.4	44.1	70.7	69.2
	9	09-Apr-08	12:05:12	05:00.0	59.4	41.7	70.2	66.8

Measurement discounted as highest measurement, lowest measurement or unrepresentative incident occurred

Table 14: Summary of Measurements at Position 7

Log. Avg. $L_{Aeq\ 30mins}$	60.3 dB
Lowest occurring L_{Amin}	37.7 dB
Highest occurring L_{Aeq}	60.9 dB
Highest occurring L_{A1}	71.4 dB

Table 16: Measurements at Position 8

Position	Rec	Date	Time (hh.mm.ss)	Duration (mins.)	LAeq	LAMin	LAMax	LA1.00
8	1	09-Apr-08	11:26:48	05:00.0	57.6	42.3	74.7	65.9
	2	09-Apr-08	11:31:48	05:00.0	58.4	40.8	70.4	67.5
	3	09-Apr-08	11:36:48	05:00.0	61.2	42.4	74.0	71.6
	4	09-Apr-08	11:41:48	05:00.0	58.5	40.4	73.6	67.6
	5	09-Apr-08	11:46:48	05:00.0	59.3	39.7	69.2	67.5
	6	09-Apr-08	11:51:48	05:00.0	58.5	42.6	72.8	67.0
	7	09-Apr-08	11:56:48	05:00.0	57.8	41.6	67.4	65.4
	8	09-Apr-08	12:01:48	05:00.0	58.9	44.3	72.2	67.2
	9	09-Apr-08	12:06:48	05:00.0	58.4	42.9	69.7	65.4

Measurement discounted as highest measurement, lowest measurement or unrepresentative incident occurred

Table 16: Summary of Measurements at Position 8

Log. Avg. $L_{Aeq\ 30mins}$	59.2 dB
Lowest occurring L_{Amin}	39.7 dB
Highest occurring L_{Aeq}	59.3 dB
Highest occurring L_{A1}	67.6 dB

4.2 To assist with the design of the outer façades of the proposed school buildings 1/3 Octave Band frequency measurements have been taken at the same 8 positions. These are presented in Table 17 below.

Table 17: Averaged 1/3 Octave Measurements

	57.6	56.2	59.6	56.9	57.4	57.7	57.9	57.0
	56.2	55.9	58.4	57.2	56.4	59.0	56.9	57.3
	53.7	52.4	58.8	56.1	55.6	55.7	54.4	54.5
	52.6	51.3	58.7	55.7	53.6	56.0	53.3	54.5
	53.5	50.4	58.0	54.5	53.0	56.4	52.5	53.7
	52.5	50.5	57.2	51.8	51.6	54.9	51.3	51.7
	51.9	49.4	57.0	52.6	51.4	54.3	49.2	48.6
	51.5	48.7	58.3	53.3	51.7	55.5	49.9	48.3
	50.1	48.9	58.3	54.3	51.6	56.2	50.5	48.7
	49.2	49.8	58.6	55.1	52.4	57.2	51.5	50.2
	49.2	51.0	59.5	55.7	54.2	57.5	52.8	51.4
	49.2	49.9	59.1	54.6	53.6	55.7	52.2	50.3
	48.1	47.8	57.6	53.1	51.6	54.7	50.3	48.8
	45.4	45.0	54.8	50.8	49.3	51.7	47.7	46.1
	45.0	41.9	51.7	48.5	46.9	47.9	44.4	43.1
	41.4	39.4	47.7	45.8	45.7	45.9	42.6	43.6

5. CONCLUSION

5.1 Capita Symonds were commissioned by Cumbria County Council to undertake an environmental noise survey of ambient noise levels to assist the design for the proposed re-development of Caldew School, Carlisle.

5.2 The noise survey has been carried out in accordance with the guidance given in Building Bulletin 93 (BB93) Acoustic Design of Schools.

5.3 This report contains the results of the noise survey undertaken at Caldew School, Carlisle on Wednesday 9th April 2008.

5.4 These results should be used in the design of the building envelope which when combined with good acoustic specification within the proposed buildings will enable the required acoustic environments to be achieved.

5.5 Further acoustic data can be extrapolated from the measurement data contained in this report to provide additional noise levels at the proposed façade positions once they have been determined

5.6 We can provide advice and assistance on all acoustic aspects relating to the redevelopment of the school in accordance with BB93.

APPENDIX A: GLOSSARY OF TERMS

Definitions & Units

A1.1 Noise is defined as unwanted sound. The range of audible sound is from 0dB to 140dB, which is taken to be the threshold of pain. The sound pressure detected by the human ear covers an extremely wide range. The decibel (dB) is used to condense this range into a manageable scale by taking the logarithm of the ratio of the sound pressure and a reference sound pressure.

A1.2 The unit of frequency is Hz. 1 Hz is one pressure fluctuation in one second. The frequency response of the ear is usually taken to be about 16Hz (number of oscillations per second) to 18,000Hz. The ear does not respond equally to different frequencies at the same level. It is more sensitive in the mid-frequency range than at the lower and higher frequencies, and because of this, the low and high frequency component of a sound are reduced in importance by applying a weighting (filtering) circuit to the noise measuring instrument. The weighting which is most used and which correlates best with the subjective response to noise is the dB(A) weighting. This electronic filter matches the variation in the frequency sensitivity of the meter to that of the human ear. This is an internationally accepted standard for noise measurements.

A1.3 The ear can just distinguish a difference in loudness between two noise sources when there is a 3dB(A) difference between them. Also when two sound sources of the same noise level are combined the resultant level is 3dB(A) higher than the single source. When two sounds differ by 10dB(A) one is said to be twice as loud as the other.

A1.4 A few examples of noise of various levels are given below:

Sound Level dB(A)	Environmental Condition
0 – 10	Threshold of hearing
10 - 20	Broadcasting Studio
20 – 30	Bedroom at night
30 – 40	Library
40 – 50	Living room urban area
50 – 60	Typical Business Offices
60 – 70	Conversation Speech
70 – 80	Average traffic on street corner
80 – 90	Inside bus
100 – 110	Alarm Clock (1m away)
110 – 120	Loud car horn (1m away)
120 – 130	Pneumatic drill (1m away)
130 - 140	Threshold of pain

A1.5 The subjective response to a noise is dependent not only upon the sound pressure level and its frequency, but also its intermittency. Various statistical indices have been developed to try and correlate annoyances with the noise level and its fluctuations in a changing noise environment. The indices and parameters used in this report are defined below:

A1.6 L_{Aeq}: Equivalent Continuous Sound Pressure Level The A-weighted sound pressure level of a steady sound that has, over a given period, the same energy as the fluctuating sound under investigation. It is in effect the energy average level over the specified measurement period (T) and is the most widely used indicator for environmental noise.

A1.7 L_{AN}: the A-weighted sound level exceeded for N% of the measurement period. In BS7445 the L_{A90} is used to define the background noise level, i.e. the noise that would remain once all local noise sources were removed. The L_{A10} gives an indication of the upper limit of fluctuating noise and is used in the assessment of road traffic noise.

A1.8 L_{AMAX}: The maximum 'A' weighted noise level recorded during the measurement period.

A1.9 Vibration Dose Value (VDV) as defined in BS6472: 1992 is a measurement of vibration exposure calculated by taking the fourth root of the integral of the fourth power of acceleration after it has been frequency-weighted. The frequency-weighted acceleration is measured in m/s 2 and the time period over which the VDV is measured is in seconds. This yields VDVs in m/s 1.75

A1.10 Peak Particle Velocity (ppv) means the maximum rate of ground movement measured by any of the 3 mutually perpendicular components of ground motion.

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This Travel Plan specifically aims at reducing unnecessary car journeys to and from school and reducing casualties on these journeys.

1. SCHOOL DETAILS

Name of school	CALDEW SCHOOL
Type of school	FOUNDATION MIXED BUSINESS & ENTERPRISE COMPREHENSIVE
Number on roll	953
Number of staff (it is highly recommended that a supplementary travel plan for staff and other school users is also developed)	Teaching: 62 fte Associate: 40
Age range of pupils	11-18
[redacted]	
Head teacher	ANDY ABERNETHY
Address	DALSTON CARLISLE
Postcode.	CA5 7NN
Tel no	01228 710044
Fax	01228 710390
Email address	andyabernethy@caldew.cumbria.sch.uk
Website	www.caldewschool.net
[redacted]	
Name	STEVE ATKINSON
Address (if different to above)	As above
Tel no	As above
Email address	office@caldew.cumbria.sch.uk
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Catchment	Mixed rural and urban. Spread over a very large area from the M6 corridor to the Solway Firth and the northern fringes of the Lake District fells, encompassing the southern suburbs of Carlisle.
Facilities e.g. playground, car park, sports hall, community centre	Extensive facilities include: playing fields; full size astro-turf pitch; agricultural unit & fields; rear play yard; sports hall; gym; car parking for sports hall; main car park; sixth form/adult centre; roadside bus lane;
Number of entrances, vehicular/pedestrian	Vehicular: 3 principal entrances/exits all shared pedestrian / vehicular Pedestrian (only) 2
Core school times	8.30-3.30 School day: 8.45-3.10pm
Out of/after school activities times	3.10.-500pm Community use: W/days 5.00pm -10.00pm W/ends 9.00am-5.00pm
Community links	Extensive use of sports facilities on a daily basis by clubs and groups, including use by Carlisle United Centre of Excellence on two evenings per week. Limited use of sixth form block for adult education evening classes.

2. WORKING PARTY – to develop and implement the plan

Names of people in the working party could include:
Co-ordinator (main school contact), Pupils, Staff, Governors, Parents, BWTS Capita Contact, County/Local/Parish Councillors, Police, Outside Agencies, Local bus operator, Members of local community.

Name	Status	Responsibility
Andy Abernethy	Headteacher	Chair of Working Group
Steve Atkinson	H&S Coordinator	Route plotting and catchment survey
Paul Harrison	Site Manager	Building work, research and costings
Vimala John	Parent/Governor	Parent/governor consultant

3. SURVEYS & ROUTE PLOTTING CARRIED OUT

Please **attach survey results and analysis** from BWTS website & keep a record of survey/route plotting

Year	Date of survey	No. of pupils	% travelling by car	% walking	% cycling	% bus/taxi
2005	Dec 2004	74 (373)	27% (20.5%)	7% (11%)	0% (0%)	56% (68%)

This same year of pupils will be surveyed again when they reach year 10 – please see section 8 on monitoring

Figures in brackets represent a wider survey of pupils across year groups, showing a similar proportion to Year 7 pupils in the various modes of travel. It is not surprising given the school catchment area that the majority of pupils travel by bus. Sustaining or increasing this proportion and increasing numbers cycling whilst reducing reliance on car travel is the key objective of our plan. Over 6% of pupils expressed an interest in cycling to school. Also a very small proportion currently (0.5%) travel by train, but another 6% said they would like to travel by train.

Year	Date of route plotting	Year Groups	No. of pupils
2004	Dec 2004	Year 7	74

Notes: comments from pupils which emerged through the route plotting exercise:

- The main road through Dalston is very busy
- Roads are too busy for people walking to cross over, mainly outside school
- Sometimes it's difficult to pick people up
- School needs a new bike shed, would encourage 5 pupils to cycle to school
- The road gets very narrow through Raughtonhead, the bus has to go on the muddy verge when a car comes the other way
- Lots of hills; when weather is icy buses struggle to get up them

Add any additional local information known to the school

Notes: The school site is adjacent to St Michael's C of E Primary School and co-ordination of the two schools' Travel Plans is critical to achieving the aims of both. For example, the staggering of our end of school times enables safe dispersal of pupils, but the parking restriction on Caldew's bus lanes interferes with the sensible parking by primary school parents who pick up their children after the Caldew buses have departed. This objective of the St Michael's plan is supported by Caldew School.

4. SUMMARY OF TRANSPORT AND ROAD SAFETY PROBLEMS RESULTING FROM REPORT OF ROUTE PLOTTING

1. Significant proportions of Caldew pupils travel by school bus. These tend to come from rural areas to the south and east of the school, with some coming from the west. From the Y7 survey it is clear that few families rely on car transport from these areas: buses are well used.
2. It is also clear that relatively few pupils live in the immediate vicinity, within walking or easy cycling distance.
3. The most prominent issue to emerge from the survey was the high proportion of car journeys from the Carlisle direction. Some 20% of pupils come to the school from Carlisle. Most travel using service buses. One of these buses in particular is notorious for poor behaviour and it seems likely that parents opt to bring children by car rather than expose them to the risks of travelling on the bus.
4. The train from Carlisle offers an alternative, but accessibility at the Carlisle end is difficult and the walk at the Dalston end is moderately long and necessitates crossing the busy main road. Behaviour on the rain can also be an issue.
5. Because of the nature of its catchment, the school has to manage large numbers of buses, cars and pedestrians at the beginning and end of the school day – the end being particularly intense. The small "D" shaped drive is used by buses, staff cars and on occasion parents, which can cause particular congestion. The sports hall car park is also heavily used by parents dropping off and picking up at these times in an area which is used as an entrance for pupils. The "D" will no longer be an access point when the new buildings planned for the front of school are in place – anticipated 2009-10. The area to the front of the school at this point will be an extension of the existing bus lane.
6. The sports hall area is also heavily congested in the evening during periods of community use, with users accessing the astro-turf area and fields through the car park. There is no car park marking at present.
7. Access to the rear of the school site will be improved with the completion of the new ASD resourced facility and a ramp from the exiting level to the level of the rear yard. Traffic circulation to this access will require improved management to ensure the safety of students to the rear of the sports hall and on the back yard.

5. RECOMMENDATIONS FOR ACTION

1. To improve the safety and security of pupils who travel by bus
2. To reduce the number of car journeys
3. To improve off road parking and access to enhance the safety of pupils who continue to travel by car – in particular responding to the introduction of the ASD facility, considering safe routes around the school; separation of traffic and pedestrians; speed limiters.
4. To improve the safety of pupils who walk to school, particularly those who cross the main road
5. To facilitate safe cycling to school for those for whom this is a viable option, in particular considering the better use of the Denton Holme / Dalston cycle way, increasing the number of cyclists.
6. To enable pupils from our dispersed rural catchment to access extended school provision without reliance on individual car journeys
7. To enable movement to offsite provision (eg post-16 collaborative arrangements and post 14 Increased Flexibility Project link developments)
8. To instigate a walking train for pupils walking from the rail station to school.
9. To explore a car-share incentive scheme in order to reduce car journeys.

6. TARGETS – specific % targets for measured modal shift by 3 year review date

Car use	27	**Reduction to 15**
Walk	7	**Increase to/maintain at 10**
Cycle	0	**Increase to 5**
Bus/taxi/train	56	**Increase to/maintain at 70**

Notes: There is not much scope for reducing vehicular transport of one form or another, but there is scope for ensuring more pupils travel by bus and reducing reliance on car journeys. A limited proportion of pupils live in the village of Dalston so there is no great scope for increasing walking, but there is potentially some shift towards cycling from pupils in Dalston and adjacent rural areas, as well as from the Denton Holme area of the city using the cycle way. We expect that there might be some seasonal variation.

It is disappointing to report an increase in car travel to school amongst the target year group (now Y10), which runs at 30% - twice the targeted amount. This is however the highest year group in eth school, apart form Y13 which stands at 44%, with relatively little car sharing. This is clearly an area the school needs to address. Our original targets appear to be very optimistic in the light of experience.

7. ACTION PLAN

Go to 'guidelines section' for measures to include in the Action Plan

[redacted]

MEASURE	YR GROUP	NO.	COST	DATE	ACTION BY	COMPLETED?	NOTES
TEENAGE CYCLE TRAINING	7	30	BWTS funded	Sept 05	STA	yes	Updated summer 08
CRANKBUSTERS PRESENTATION			BWTS funded			yes	
ROAD AWARENESS TRAINING	12	50	BWTS funded	Autumn 05	STA	yes	
MOPED/MOTORBIKE TRAINING	12	10	?	Autumn /Spring 05 -06	STA	no	

MEASURE	COST	TIMESCALE	ACTION BY	COMPLETED?	NOTES
Widen gates to sports hall car park	£5000	Summer 05	PH	yes	Gates widened to allow cars to pass, avoiding waiting on roadside
Construct secure bike shed	£7000	Summer 05	PH	yes	Existing bike shed secured by additional cameras
Increase CCTV coverage to include new bike shed	Approx £1000	Summer 05	PH	yes	Must link in with existing system
Ramp area to rear of sports hall to provide vehicular access to ASD resourced facility	Approx £5000	Summer 08	PH		

MEASURE	COST	TIMESCALE	ACTION BY e.g. traffic engineer	DATE APPROVED BY CCC COMMITTEE	COMPLETED?	NOTES
Flashing speed warning sign by Nestle entrance	£2000	Spring 2006	Traffic engineer / Highways Dept		Yes	One sign – posted at either end of village
Erect pedestrian safety barriers at key entrance/exit points to main road	£2000	Spring 2006	Traffic engineer/ Highways Dept		No	
Place bollards or other parking disincentive for Carlisle Road immediately opposite school eg zigzag lines to replace single yellow line	£1000	Spring 2006	Traffic engineer/ Highways Dept		No	
Traffic calming - introduce 20 mph speed restriction in Dalston village between Co-op and Nestle	Further consultation required	Autumn 2006	Traffic engineer/ Highways Dept		No	

PROMOTIONAL/PUBLICITY MEASURES

MEASURE	YR GROUP	NO.	COST	DATE	ACTION BY	COMPLETED?	NOTES
School Bus seat belt campaign	All Year Groups	1000	£500	Autumn 05	STA	yes	
Healthy ways to school awareness programme	All Year Groups	1000	£500	Autumn 05	STA	yes	
Car sharing	Staff Parents 6th Formers	150	£500	Autumn 05	STA	no	Additional campaign planned for autumn 08 to address this issue with staff and sixth formers

MEASURE	YR GROUP	NO.	COST	DATE	ACTION BY	COMPLETED?	NOTES
Create Drivers' Code of Conduct	All	1000	?	Autumn 05	ANA/ Paul Shorrock	No	Consultation with bus companies and letter to pupil bus-users about bus conduct
Explore bus chaperones to enhance safety on buses / and or use of CCTV	All on specified bus routes	100	?	Ongoing	ANA / Governors LA Transport Section	No	Funding and logistics
Explore private bus to replace service bus	All on specified route	50	?	Ongoing	ANA/ Governors County Transport Section	No	Funding
Introduce school identity cards (to act as bus passes and facilitate identification of pupils on school transport)	All	1000	1500	Autumn 2005	ANA/	No	Issue of practicality
Run shuttle bus to and from the Morton School to facilitate collaborative post 16 provision	Y12 and Y13	150	£8000 pa	Ongoing	ANA/	Yes	Provision in place, but need to investigate extent students use own cars for such journeys

8. REVIEW AND MONITORING

This Travel Plan will be a working document and will be reviewed and updated annually by the working group.

The school will survey the original year group in three years time to assess any modal shift which may have occurred.

MODE	[illegible] 2008	[illegible]	[illegible]
Car use	**27**	**15**	**30**
Walk	**7**	**10**	**7**
Cycle	**0**	**5**	**1**
Bus/taxi	**56**	**70**	**59**

CYCLE COUNT				
Date of count before	**Cycle count**	**Measure implemented**	**Date of count after**	**Cycle count**
Feb 2005	**0**		**1**	
July 2008	**1**	**Improved security of bike storage**		

All activities/training/improvements will be recorded and monitored and notes will be added to the travel plan each time something is done.

9. MONITORING TRAINING

YEAR	200_	200_	200_	200_	200_

ACTIVITY	YR GROUP	NO.	YR GROUP	NO.	YR GROUP	NO.	YR GROUP	NO.	YR GROUP	NO.
SECONDARY										
TEENAGE CYCLE TRAINING										
CRANKBUSTERS PRESENTATION										
ROAD AWARENESS TRAINING										

10. COMMENTS/NOTES

Please include any photographic or informal records of activities/achievements and include details of any publicity gained.

Add details of relevant national awards given or working towards

Cumbria Healthy School Award – 2008

Received for programme of healthy eating run through the school canteen; promoting healthy lifestyles through PE; and education in healthy living and first aid through PHSCE.

11. SIGNED AGREEMENT

.....School agrees to this School Travel Plan and to undertake its objectives.

Headteacher	**Name:.....Andy Abernethy.....**
	Signed: .....
	Date:.....July 08.....
Chair of Governors	**Name:... Jennie Wilkinson.....**
	Signed:.....
	Date:.....July 08.....
Area Engineer	**Name:.....**
	Signed: .....
	Date:.....
BWTS Coordinator	**Name:.....**
	Signed: .....
	Date:.....

Thank you for completing this School Travel Plan.

SCHEDULE B: Reports Requiring Further Information

08/0735

Item No: 05 Date of Committee 03/10/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0735	Montgomery Homes (1970) Limited	Wetheral
Date of Receipt:	**Agent:**	**Ward:**
24/07/2008	HOLT Planning Consultancy	Great Corby & Geltsdale

Location:
Land At Former George P.H, Warwick Bridge, Carlisle, CA4 8RL

Grid Reference:
347661 556851

Proposal: Mixed Development Comprising Retail Development With 24 Apartments

Amendment:

REPORT **Case Officer:** Angus Hutchinson

Reason for Determination by Committee:

This is a Major application with a local resident wishing to exercise their Right to Speak.

1. Constraints and Planning Policies

Gas Pipeline Safeguarding Area

The proposal relates to land or premises situated within or adjacent to the Gas Pipeline Safeguarding Area.

Flood Risk Zone

Local Plan Pol DP1 - Sustainable Development Location

Local Plan Pol CP2 - Biodiversity

Local Plan Pol CP5 - Design

Local Plan Pol CP6 - Residential Amenity

Local Plan Pol CP7 - Use of Traditional Materials

Local Plan Pol CP9 - Devel., Energy Conservation and Effic.

Local Plan Pol CP10 - Sustainable Drainage Systems

Local Plan Pol CP12 - Foul&Surf.Water Sewerage/Sew.Tr.

Local Plan CP15 - Access, Mobility and Inclusion

Local Plan Pol CP16 -Public Trans.Pedestrians & Cyclists

Local Plan Pol CP17 - Planning Out Crime

Local Plan Pol DP5 - Trunk Roads

Local Plan Pol EC7 - Neighbourhood Facilities

Local Plan Pol EC13-Sustaining Rural Facilities&Services

Local Plan Pol H1 - Location of New Housing Develop.

Local Plan Pol H3 - Residential Density

Local Plan Pol H5 - Affordable Housing

Local Plan Pol H6 - Rural Exception Sites

Local Plan Pol LC4 - Children's Play and Recreation Areas

2. Summary of Consultation Responses

Cumbria County Council - (Highway Authority): as the A69 is a Trunk Road, the Highways Agency should be consulted.

Currently, the access road that serves the site, the Warwick Mill complex and other properties to the north of the A69 of Public Footpath 138002. Given the size of the development, the Developer should be required to bring this footpath up to a standard suitable for adoption as a Local Access Road along the entire eastern boundary of the site. This would require a minimum Highway corridor of 0.5m clearance strip of the western corner of the existing shops opposite the development site, followed by a 5.5m carriageway and a1.8m footway along the proposed parking bays.

Turning to the existing sub-standard junction and bus layby off the A69, it is requested that the bus layby be widened to 3m, off the A69 carriageway edge and the existing footway that is present on the A69 Cairn Beck bridge, be taken at the rear of the layby to the junction throat where appropriate dropped crossings are to

be provided with a minimum throat width of 6m.

It is presumed that it is not the Developer's intention for the access roads to the north and south of the development to become Public Highway - if it is these do not comply with the Cumbria Design Guide. The parking layout (which appears to be one space per apartment in the southern car park area) is only considered adequate if the developer enters into a legally binding agreement on property leases which restricts future dwellers in the apartment to one allocated parking space.

Environment Agency (N Area (+ Waste Disp)): the site is located within Flood Zone 3a as defined in Table D.3 of PPS25 Development and Flood Risk, with reference to the Agency's Flood Zone mapping the site is at high risk from fluvial flooding which shows the extent of floods with a 1% annual probability of occurance. Table D.1 of Planning Policy Statement 25: Development and Flood Risk (PPS25) recommends that for planning applictions within a high risk flood zone, a Flood Risk Assessment (FRA) appropraite to the sclae and nature of the development, should be provided by the applicant.

1) Flood Risk Assessment

The Agency have been involved in pre-application discussion with your Council and have assisted in the provision of information to the applicants consulting engineer, pursuant to the production of an FRA to support any application. The Agency has also confirmed the requirement to satisfactorily demonstrate sequential and exception test as required by PPS25, before the Agency will provide detailed comment on any FRA, which is just component of the exemption test.

The Agency have reviewed the FRA and the supporting information and are satisfied that the development can be designed to be 'safe' without increasing flood risk elsewhere and potentially reducing flood rosk overall.

Therefore, the Agency has no objection to the development as proposed providing the recommendations made in the FRA are taken forward into detailed design, we would therefore wish to make the following comments and recommendations for the inclusion of conditions.

Finished Floor Levels

The FRA recommends minimum floor levels at the northern edge of the site should be set at 26.5m AOD and at the southern edge of the site 26.9m AOD. It is not clear whether this relates to habitable floor levels or general floor levels for the development .

The Agency would recommend that a precautionary floor level across the proposed development in order to ensure that the development will be safe and would not be adversely affected by the ingress of any flood water. We would therefore suggest the inclusion of the following:

Condition

The finished floor levels of the development approved by this permission shall be set

no lower than 26.5m AOD at the northern edge of the development and no lower than 26.9m AOD at the southern edge.

Reason

To ensure a precautionary floor level and reduce the risk and impact of any flooding as it is proposed to protect the site via a barrier bank which may breach or overtop.

2) Surface Water Drainage

The Agency would recommend that any developer incorporates some form of Sustainable Drainage System (SuDS) to mitigate the impact that the creation of large impermeable areas would have on the local surface water drainage system.

Volumes of surface water run-off from the post development site should achieve betterment or at least be maintained at the existing pre-development run-off rates. Any surface water discharged to receiving watercourse (Cairn Beck) should receive the appropriate level of treatment prior to discharge as the watercourse is a trout stream and a tributary of the River Eden SSSI/ SAC.

Condition

No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been approved by the Local Planning Authority. Such scheme shall be implemented before the construction of impermeable surfaces draining to this system unless otherwise agreed in writing by the Local Planning Authority.

Reason

To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

3) Additional Information

The Agency is aware that the demolition of the existing oversite has resulted in damage to surface water infrastructure. This damage will need to be rectified as a flood risk to existing properties could be increased as a result. The Agency understand that the Highways Agency, who maintain this structure, are pursuing those responsible for the damage.

Informative

Cairn Beck is designated 'main river'. Therefore, under the terms of the Water Resources Act 1991 and Land Drainage Byelaws, the prior written consent of the Agency is required for any works in, over, under or within 8 metres of the 'main river'.

The need for Environment Agency consent is entirely separate requirement to the need for planning consent. Therefore it is imperative to have all consent and permissions in place before commencing works.

4) Ecology

Development that encroaches on watercourse has a potentially severe impact on their ecological value. This is contrary to government policy in PPS1 and PPS9 and to the UK Biodiversity Action Plan. Land alongside watercourses and wetlands is particularly valuable for wildlife and it is essential this is protected. Buffer zones also help to protect the receiving watercourses from the detrimental impacts of positive drainage of urban runoff.

We would therefore request the inclusion of the following condition on any permission granted:

Condition

No development shall take place until a buffer strip of land is defined between the development and Cairn Beck, in accordance with details which shall be submitted to, and approved in writing by the Local Planning Authority.

Reason

To protect ecological and amenity interests by providing a buffer between the development and the watercourse.

5) Environment Management

United Utilities Plc should be consulted and be requested to demonstrate that the sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate the additional flows, generated as a result of the development, without causing pollution.

Precautions should be taken during the construction phase to ensure that no polluting matter (oil, un-cured cement/concrete, debris, vehicle washings, etc.) is allowed to enter the local watercourses.

6) Contaminated Land

The Agency has no objection to the proposed development provided that any approval includes the following planning conditions:

Condition

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified:
- all previous uses
- potential contaminants associated with those uses

- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason

To prevent the pollution of controlled waters from potential contamination on site.

This condition has been recommended as the Environment Agency is satisfied that there are generic remedial options available to deal with the risks to controlled waters posed by contamination at this site. However, further details will be required in order to ensure that risks are appropriately addressed prior to development commencing.

In line with the advice given in Planning Policy Statement 23: Planning & Pollution Control we understand that the Authority must decide whether to obtain such information prior to determining the application or as a condition of the permission. Should the LPA decide to obtain the necessary information under condition we would request that this condition is applied

Condition

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason

To ensure that the development complies with approved details in the interests of the protection of controlled waters.

Contaminated soil that is excavated, recovered or disposed of, is controlled waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:

i.) Duty of Care Regulations 1991
ii.) Hazardous Waste (England and Wales) Regulations 2005
iii.) Waste Management Licensing Regulations 1994 (as amended)
iv.) Pollution Prevention and Control Regulations (England and Wales) 2000
v.) Landfill (England and Wales) Regulations 2002

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed off site operations is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

The Environment Agency recommends that developers should:

1) Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.

2) Refer to the Environment Agency Guidance on Requirements for Land Contamination Reports for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, e.g. human health.

3) Refer to our website at www.environment-agency.gov.uk for more information.

United Utilities (former Norweb & NWWA): object to this planning application. A public sewer crosses this site and we will not permit building over it. We will require an access strip of no less than 6 metres wide, measuring at least 3 metres either side of the centre line of the sewer, for maintenance or replacement. Therefore a modification of the site layout, or a diversion of the affected public sewer at the applicant's expense, may be necessary. To establish if a sewer diversion is feasible, the applicant must discuss this at an early stage with our Wastewater Adoptions Engineer, Eric Keasberry (0161 609 7513) as a lengthy lead in period may be required if a sewer diversion proves to be acceptable. Deep rooted shrubs and trees should not be planted in the vicnity of the public sewer and overflow systems.

The site must be drained on a seperate system, with only foul drainage connected into the foul sewer. Surface water should discharge to the watercourse/soakaway/surface water sewer and may require the consent of the Environment Agency. If surface water is allowed to be discharged to the public surface water sewerage system we require the flow to be attenuated to a maximum discharge rate determined by United Utilities.

If any sewers on this development are proposed for adoption then the developer should contact our Sewer Adoptions Team on 0161 609 7513.

A suitable metered water supply can be made available to the proposed development. A sepearte metered supply to each unit will be required at the applicant's expense and all internal pipework must comply with current water supply (water fittings) regulations 1999.

Should this planning application be approved, the aplicant should contact out Service Enquires regarding connection to the water mains/public sewers;

Department for Transport (Highways Agency): comments awaiting;

Community Services - Drainage Engineer: comments awaiting.

Northern Gas Networks: no objections to these proposals, however there may be apparatus in the area that may be at risk during construction works and should the planning application be approved, then we require the promoter of these works to contact us directly to discuss our requirements in detail. Should diversionary works be required these will be fully chargeable;

Wetheral Parish Council: the visual amenity of the 3 storey building is far out of character for this dominant site, a 2 storey building would be preferred. Grave reservations regarding the impact of motor vehicles egressing the site;

Ramblers Association: comments awaiting;

East Cumbria Countryside Project: comments awaiting;

Northumbria Water Ltd: comments awaiting;

Cumbria Constabulary, Northern Community Safety Unit: referrence has been to the SPD 'Designing Out Crime in Residential Areas' (DOCRA) and 'Secured by Design' (SBD) guidance on New Homes.

It is disappointing to note that the Design and Access Statement makes no reference to an intention to implement any crime prevention measures within this development. (Paragraph 87 DCLG Circular 1/2006- Guidance on Changes to the Development Control System).

Historically, anti-social behaviour and youth nuisance have been precalent around the area of the public house and adjacent commercial premises for several years. The proposal to include retail premises as part of the development (in particular a hot food retail outlet) is likely to attract unwelcome gathering in the vicinity, which may lead to conflict with new residents. In my view, the application does not consider domestic spaces to deter nuisance gatehring and anti-social activity.

The nearby post office suffered a ram-raid type burglary in february 2007, demonstrating the appeal of commercial premises to the crime fraternity. Consideration should be given to the intended retail uses and if additional security measures are required.

Accordingly, clarification would be welcome from the applicant on the proposals for

- Site perimeter treatment
- Definition of public realm and semi-private spaces
- Car park security
- Surveillance opportunities afforded by landscaping scheme
- Cycle Parking

- Security lighting
- Physical security for domestic exterior doors, apartment doors and accessible windows
- Physical security of commercial premises (commensurate with intended business activity)
- Intruder Alarm Systems
- Deployment of CCTV

Housing Services: the affordable housing requirement in rural areas is for 20% on medium sites (below 25 units) so we would require 4 apartments, based on a 30% discounted sale basis to be allocated to qualifying local persons in need of affordable accommodation through the Council's Low Cost Home Ownership Register;

Environmental Services - Green Spaces: comments awaited.

3. Summary of Representations

Representations Received

Initial:		Consulted:	Reply Type:
	Kutabuv Hair & Beauty Salon	29/07/08	
	Kutabuv Hair & Beauty Salon	29/07/08	
	Burnside Cottage	29/07/08	
	Burnside Cottage	29/07/08	
	Jasmine House	29/07/08	
	Jasmine House	29/07/08	
	Warwick Mill Business Centre	29/07/08	
	Warwick Mill Business Centre	29/07/08	
	1 Low Buildings	29/07/08	
	1 Low Buildings	29/07/08	
	2 Low Buildings	29/07/08	
	2 Low Buildings	29/07/08	
	3 Low Buildings	29/07/08	
	3 Low Buildings	29/07/08	
	4 Low Buildings	29/07/08	Comment Only
	4 Low Buildings	29/07/08	Comment Only
	1 High Buildings	29/07/08	
	1 High Buildings	29/07/08	
	2 High Buildings	29/07/08	
	2 High Buildings	29/07/08	
	3 High Buildings	29/07/08	
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	5 High Buildings	29/07/08	
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	6 High Buildings	29/07/08	
	6 High Buildings	29/07/08	
	7 High Buildings	29/07/08	
	7 High Buildings	29/07/08	
	8 High Buildings	29/07/08	
	8 High Buildings	29/07/08	

9 High Buildings	29/07/08	
9 High Buildings	29/07/08	
10 High Buildings	29/07/08	
10 High Buildings	29/07/08	
11 High Buildings	29/07/08	
11 High Buildings	29/07/08	
12 High Buildings	29/07/08	
12 High Buildings	29/07/08	
Longthwaite Farmhouse	29/07/08	
Longthwaite Farmhouse	29/07/08	
1 Longthwaite Farm Court	29/07/08	
1 Longthwaite Farm Court	29/07/08	
2 Longthwaite Farm Court	29/07/08	
2 Longthwaite Farm Court	29/07/08	
3 Longthwaite Farm Court	29/07/08	Objection
3 Longthwaite Farm Court	29/07/08	Objection
4 Longthwaite Farm Court	29/07/08	
4 Longthwaite Farm Court	29/07/08	
5 Longthwaite Farm Court	29/07/08	
5 Longthwaite Farm Court	29/07/08	
5 Longthwaite Farm Court	04/08/08	
Cairn Cottage	12/09/08	
Co-op	29/07/08	
Co-op	29/07/08	
Post Office	29/07/08	
Post Office	29/07/08	
Troutbeck Cottage	29/07/08	Objection
Troutbeck Cottage	29/07/08	Objection
1 Cairn Mill	29/07/08	
1 Cairn Mill	29/07/08	
2 Cairn Mill	29/07/08	
2 Cairn Mill	29/07/08	
3 Cairn Mill	29/07/08	
3 Cairn Mill	29/07/08	
4 Cairn Mill	29/07/08	Comment Only
4 Cairn Mill	29/07/08	Comment Only
5 Cairn Mill	29/07/08	
5 Cairn Mill	29/07/08	
6 Cairn Mill	29/07/08	
6 Cairn Mill	29/07/08	
2 Waters Meet	29/07/08	
2 Waters Meet	29/07/08	
Beck Grange	29/07/08	Objection
Beck Grange	29/07/08	Objection

3.1 This application has been advertised by means of site and press notices as well as notification letters sent to thirty seven neighbouring properties. Three letters of objection and two letters of comment have been received during the consultation period.

3.2 The letters of objection relate to:

1. Resulting noise and anti-social behaviour resulting from a hot food takeaway;

2. Concerns over increased traffic volumes at the junction of the A69 and road which presumably access the development. The road is already

dangerous at this location, largely as a result of vehicles disregarding the speed limit: The development of the site should therefore be considered in assocaition with some kind of junction improvement and/or traffic calming measure to ensure that residents and users of the proposed retail outlets may access and egress the new development in safety;

3. the proposal will result in three storey properties in close proximity to one storey properties;

4. loss of light to neighbouring property;

5. loss of privacy to garden;

6. the storeroom for the superstore is close to a bedroom and the noise from the trucks reversing will be unbearable;

7. contrary to Surveyors report, news article from March 3rd 1999 suggests the land is subject to flooding;

8. more delivery lorries may result in serious congestion of the A69;

9. the car parking allowance for 24 flats and a retail park plus delivery wagons etc., is inadequate - where exactly is the access/accesses is / are going to be for the area as the lane is very narrow and there is already a lot of vehicles using it;

10. where will refuse bins be stored and collected;

11. object to a hot-food takeaway on the ground of litter, noise and anti-social behaviour, obstruction particularly in combination with the increased traffic from flats and convenience store and impact on residents including those in the new flats

12. residential homes would be overlooked by 20+ windows - what of the remaining half of the plot adjacent to our house and the proposal, would that be earmarked for further commercial development?

13. the application states that there are no trees or hedges on the site - this is because they were all knocked down and removed - Over half the site used to be covered with trees and there was a hedge along the side of the lane to the mill. Obviously it is now an eyesore and I am sure this is doing the job of making people think anything would be better than what is there now. Is this considered as greenfield or brownfield development? It is obviously dubious infill.

14. the recycling provision is not for public use but is for the housing - we already have recycling pick-up. Do they gain extra points for this?

15. is there a need for housing in Warwick Bridge? Did the houses at the Walled Garden sell well? Who is meant to buy a two bedroom apartment with no garden? A professional couple?- is that needed in this area? A family

with a child? - would they not want some outdoor space? Is the developer just trying to pack as many houses as possible into the area for maximum profit?

16. The building which houses the Post Office and the Co-op flooded in 2005 yet they may not be within the 'Flood Zone' - If the area adjacent to it is no longer permeable this will increase the likelyhood of flooding to the other properties around. Is this taken into account in the Environmental Assessment?

17. The drawings clearly show the new retail development being a Co-op but the management in the shop assure me that they will not be moving to new premises. This is very misleading for those looking at the proposal.

18. The existing shops are stated as being fragile - what backs this up? If the new retail development is going to be more popular then where are the shoppers going to park? and is there not a better way then for people to be reversing onto the main trunk road?

19. The application mentions the desire for the George Public House to go. Apart from the fact that this remains a policing problem - would providing shelter not just increase the problem of the gang of youths hanging around? And the idea of a hot food take away - is that the health conscious approach we want to take

20. The application also states it shows 'a compelling urban design' - please remember this is a rural community?

21. The application states that it is the 'physical regeneration of previously developed sites' - there was only one pub and some parking - and lots of mature trees!

22. the 'variety' of building materials mentioned are only on the other side of the road - all the buildings on the site side are old sandstone buildings - surely this design would not go ahead in accordance with your Policy H1?

3.3 The Case Officer met the owners of the following properties: Beck Grange, Cairn Cottage and Troutbeck Cottage during a site visit on the 12th September 2008. The owners raised the following allegations/points:

1. Mr Montgomery has cut down trees and harmed wildlife

2. Site has been cleared but in the process has spread Japanese Knotweed

3. Site previously 'open' now closed off

4. Concerns over the way things have been done

5. Approx 1yr ago a lady was killed at the junction, vehicles are going very quickly including HGV's

6. Co-op delivery lorries block access and refuse vehicles this leads to

backing up and congestion

7. Not enough parking spaces/parking spaces involves vehicles reversing

8. Additional retail unit will double delivery vehicles and refuse - arctics going to Mill already

9. Wall by junction blocks visibility

10. Disabled parking space 'tight'

11. Location of bin stores will mean refuse wagons closing off Mill Road

12. Noise from delivery vehicles - at present delivery vehicles arrive approx 4am (paper and milk) for Co-op x3 deliveries by 8am x2 on top during day

13. Overshadowing (loss of light to bedroom window)

14. Proposed sitting room and bedrooms overlook properties (leaves will drop off trees)

15. Co-op/Post office have flooded in past, concern that this will make situation worse

4. Planning History

4.1 In 1983, under application 83/0430, permission was given for an extension to the car park.

4.2 In 1990 and 1991, under application no.s 90/0134 and 90/0383, planning permission and advertisement consent were given for the erection of an extension to the public house and installation of signage.

4.3 In 1993 and 1994, under application no.s 93/0014 and 94/0674, advertisement consent were given for the installation of additional signage.

4.4 In 1996, application 96/0222, permission was given for the enclosure of part of scrubland to form a beer garden and childrens play area.

5. Details of Proposal/Officer Appraisal

Introduction

1 The site of the former George P.H. is located on the southern side of the A69 opposite the junction with Waters Meet. To the west there is Cairn Beck and its associated weir; a terrace of three dwellings in the form of Beck Grange, Burnside Cottage and Jasmine House; and, two semi-detached houses known as Cairn Cottage and Ivy Cottage. Beck Grange and Burnside Cottage are single storey properties constructed externally with sandstone

and rendered walling with slate roofs. A principle bedroom of Beck Grange has four windows facing east towards the site, although the same room is also served by a three pane opening on the north elevation. Jasmine House, Cairn Cottage and Ivy Cottage are two storey houses. On the opposite side of the road there are the two storey houses at Waters Meet and the three storey block of flats at Cairn Mill. The flats at Cairn Mill have brick and rendered walls with a tiled roof. To the east there is Mill Lane, which is also a public footpath, leading to the terraced houses at Low and High Buildings, Warwick Mill (Business Village) and Longthwaite Farm. The access to the aforementioned Lane also serves the neighbouring commercial properties, namely Troutbeck Cottage (B&B), a post office, Kutabuv (hair salon) and a Co-op shop.

5.2 The George P.H. has been demolished, the site cleared and fenced off although there are mature trees still present following Cairn Beck. A 150mm drainage pipe crosses the site.

5.3 There are currently two pedestrian islands opposite Beck Grange and Troutbeck Cottage to help pedestrians cross the A69. A bus stop is also located to the immediate north of the application site. The vehicular access for Beck Grange, Burnside Cottage, Jasmine Cottage and Cairn Cottage is approximately 40 metres to the west of the application site.

5.4 Warwick Mill and High Buildings, located approximately 220 metres to the south of the site, are grade II Listed Buildings .

Background

5.4 The current application involves the redevelopment of the site by the erection of a three storey building to provide two retail units (respectively 3,380 sqft/314 sqm and 660 sqft/61 sqm) and five two bed flats on the ground floor; ten two bed flats on both the proposed first and second floors. The proposed building has been split into a series of elements (including a clock tower) with two linking glazed features, reinforced externally through the proposed use of either brick or rendered walls but unified by Artstone detailing under primarily slate roofing. The proposed layout plan shows the proposed retail units to be served by a total of 13 parking spaces of which four are designated for disabled drivers. The proposed flats are shown to have 28 parking spaces, a secure residents' cycle store, and, a recycling compound. The larger retail unit is to have a store and a service area. It is understood that the end users for the proposed retail units remain undecided despite the illustrative annotation on the submitted plans. The applicant's agent has confirmed that there is no intention of including dominant A3 (restaurant and cafe), A4 (drinking establishment) and A5 (hot food takeaway) uses and would be happy for a condition to be imposed restricting the retail use to Class A1.

5.5 The application is accompanied by a Planning-Design Statement, Sequential Test and Exceptions Test, Flood Risk Assessment, and, Transport Statement.

5.6 The Planning-Design Statement explains, amongst other things, that:

1) the site as a public house gained an unenviable reputation that was the focus of much attention for all the wrong reasons; in marked contrast to the popularity of the adjacent small convenience store, post office and hairdressers. The proposal is principally founded in the strongly held notion that this is a vitally important site to the future of this local service centre;

2) Under the Local Plan Warwick Bridge is one of the larger local service centres.

3) Policy EC12 of the Local Plan considers economic and commercial growth in particular proposals for sustaining rural services. Ministerial advice in PPS6 regards villages like Warwick Bridge as possibly performing the role of a "local centre" in retail planning terms. The area for retail provision is well below the nominal 1500sqm advised in the Local Plan for neighbourhood stores in/adjacent district centres. It is considered that the scale of the proposed retail provision to be modest (gross c.420sqm including ancillary office, internal amenity and storage provision). The application site has immediate access to public transport and affords the opportunity for more effective "one stop" shopping in relation to adjacent outlets.

4) Paragraph 2.57 of PPS6 advises that "The need for local shops and services is equally important within urban and rural areas...local authorities should take a positive approach to strengthening local centres..."

5) The existing adjacent provisions, in particular the Co-op is cramped and constrained yet still very popular. Nonetheless, this, along with the post office are regarded as relatively fragile in terms of their long term viability with no opportunity to improve and/or expand. It is considered that the proposal would prove mutually beneficial to these existing provisions and secure a more robust long-term future for local amenities; bearing in mind the advice in PPS6 confirming that competition is not a planning matter.

6) In the case of housing, the Local Plan provides for an 80-20% split between the City and rural areas with the focus upon Brampton and Longtown at a rate of c.65 units per annum (JSP – Policy H17). The current proposal is for 24 apartments, which due to its nature is impossible to physically phase. This represents just over one-third of one year's housing provision for the rural area of the District. Warwick Bridge is recognised as one of the largest service centres and certainly one of the most sustainable in terms of its strategic location on the A69. An additional 24 units would equate to just a c.6% increase in the number of households in the settlement.

7) The scheme is to provide a "landmark" building accentuating this pivotal location within the communal heart of the settlement, onto the A69 at the juncture with Warwick Mill and adjacent well-used local services.

8) Only a scheme for apartments built adjacent/over the ground floor retail provision would be operationally suited to this environment, on this scale. The idea of providing dwellinghouses in this situation would be unworkable and highly inefficient. The development of apartments makes for a highly

efficient use of this most sustainable site within Warwick Bridge, equating to c. 90dph (gross). The small-medium sized two bed apartments would be relatively affordable at just c.£120k, help smaller households and those downsizing, add to the mix and choice of housing in the locality.

9) There is no recorded or apparent/evidential archaeological or biodiversity interest on or adjacent this cleared previously developed land, and there are no listed buildings nearby, nor is it materially affecting a conservation area or any other area based designation or landscape of special interest.

10) The building will be fully Part M compliant.

11) Opportunities for sustainable design solutions are limited in respect of energy use, although measures will be put in place for composting of garden waste, the attenuating and storage of surface water for use on-demand, and facilitating other waste collection and recycling.

13) The applicant is prepared to make a financial contribution to improvements to an identified local play area facility, as well as provide a bus shelter on the A69.

5.7 The Sequential Test and Exceptions Test statement has been submitted in recognition that the land lies within Flood Risk Zone 3a wherein proposals for "more vulnerable" uses including housing are made subject to the Sequential Test. It is argued that this site is an important regenerative asset which is needed to sustain the local community and accordingly it is believed that there are no reasonable alternatives outside this settlement. The Exceptions Test demonstrating that wider sustainability benefits of the proposal outweighing the flood risk, and that the development is "safe" and residual flood risk can be overcome to the satisfaction of the Environment Agency.

5.8 The submitted Flood Risk Assessment (FRA) recommends the provision of storm water storage tanks and grey water recycling facilities; the discharge of surface water to Cairn Beck through a non-return valve so as much storage capacity as possible may be conserved during the onset of a storm; building up the river banks adjacent Cairn Beck to retain a 1 in 100 year storm; setting minimum floor levels across the site in line with EA advice. The FRA advises that these measures will address the flood risk facing this site without causing material harm elsewhere.

5.10 The Transport Statement concludes that the volumes of proposed traffic generated by the proposed development are not significant in that they fall below the threshold of a 10% increase over existing flows normally set to define a significant impact on the adjacent highway network.

Assessment

5.11 On the information so far available it is considered that there are nine principle issues.

1. Whether the proposal represents a sustainable form of development in

terms of its location, and, in the context of PPS1: Delivering Sustainable Development inclusive of its Supplement: Planning and Climate Change, PPS3:Housing, PPS6: Planning for Town Centres, PPS7:Delivering Sustainable in Rural Areas, and, PPG 13:Transport.

2. Whether the proposal complies with the Sequential Test of PPS25:Development and Flood Risk.

3. Whether the application would be detrimental to highway safety.

4. Whether the application accords with PPS 3:Housing with particular regard to provision of affordable housing in a sustainable location.

5. Whether the proposal safeguards the character of the area.

6. Whether the application has fully taken into consideration the requirements of PPS1 and PPS 9:Biodiversity and Geological Conservation re. ecology.

7. Whether the application safeguards the living conditions of neighbouring residents.

8. Whether the proposal is contrary to Policy EC13 of the Local Plan.

9. Whether there are any material considerations which are sufficient to outweigh any conflict.

5.12 Items 1 to 9 are, in addition, tied up with an overall assessment of whether the proposed development accords with the Development Plan having regard to the provisions of Section 38 (6) of the Planning and Compulsory Purchase Act 2004.

5.13 When considering 1. the relevant question revolves around sustainability in the sense of the appropriateness of the proposed use to the location. A Key Principle identified in paragraph 13 of PPS 1, and re-iterated in paragraphs 30-32, is that a spatial planning approach should be at the heart of planning for sustainable development. This is also reiterated in PPS 7 with the emphasis on good quality development within existing towns and villages. It is an approach which underpins Policies DP1, H1 and EC12 of the Carlisle District Local Plan 2001-2016 of the Local Plan that seek to encourage development (inclusive of residential schemes) within identified sustainable locations.

5.14 In the case of the current proposal, Warwick Bridge is identified as a Local Service Centre. It is evident that a significant proportion of the site falls outside the settlement boundary.

15 Government advice contained in PPS 25 (for example para. D2) highlights that a risk-based Sequential Test should be applied at all stages of planning. The overall aim being to steer new development to areas at the lowest probability of flooding (Zone 1). Only where there are no reasonably available sites in Flood

Zones 1 or 2 should decision makers consider the suitability of sites in Flood Zone 3, taking into account the flood risk vulnerability of land uses and applying the Exception Test if required.

16 The application site falls within flood zone 3a and involves residential development which falls within the "more vulnerable" category and retail floor space which is classed as "less vulnerable" under Table D2 of PPS 25. In such a policy background there is an obvious worry that the proposal involves going from a less vulnerable to a more vulnerable use in flood zone 3a. This aside, Table D1 of PPS 25 highlights that "more vulnerable" development should only be permitted in this zone if the Exception Test, as identified in para. D9 of PPS 25 is passed, namely: a) the development provides wider sustainability benefits to the community that outweigh flood risk; b) should be on developable previously developed land or, if it is not on previously developed land, that there are no reasonable alternative sites on previously developed land; and, c) a Flood Risk Assessment must demonstrate that the development will be safe without increasing flood risk elsewhere, and, where possible, reduce flood risk overall.

5.17 When considering the issue of affordable housing, PPS 3 explains in para. 30 that such provision should be within market towns and villages but also within small rural communities as rural exception sites. This is reflected in para. 8 of PPS 7 which states that: "...the focus for most additional housing in rural areas should be on existing towns and identified service centres. But it will also be necessary to provide for some new housing to meet identified local need in other villages." This situation is reflected in Policies H5 and H6 of the Carlisle District Local Plan 2001-2016. Policy H5 sets thresholds for the provision of affordable housing; whilst H6 acknowledges that residential development may be permitted in locations where such development would not usually be permitted provided that it meets certain criteria. The criteria of Policy H6 include that the proposal is for low cost affordable housing to meet an identified need; and, the proposal is well related to the settlement were the need has been identified. In the case of issue 4), the applicant has agreed to the recommendations of the Council's Housing Strategy Officer.

5.18 In relation to ecology, the application site is located within close proximity of a tributary of the River Eden SSSI/SAC. In the light of the distances involved it is not considered that there will be any direct adverse impact on the integrity of the SSSI/SAC. However, because the tributary feeds into the River Eden there is the potential for adverse affects from pollutants and sediments etc reaching the Beck and then being transported downstream to the SSSI/SAC. In this context it is considered appropriate to impose relevant conditions concerning the provision of a non permeable barrier and ensuring no plant and/or machinery are stored near the Beck during construction; the undertaking of a satisfactory means of surface water drainage; and, the provision of a buffer strip between the development and Cairn Beck.

5.19 When assessing the proposal with regard to the living conditions of the neighbouring residents, the potential areas of concern relate to the extent of any overshadowing/losses in light, overlooking (with particular regard to proposed flats 9, 10, 19 and 20, and their relationship to Beck Grange),

delivery and opening hours of the proposed retail units, the use of the proposed service yard, the nature of the retail use, and, the location/design of the bin store. At the time of preparing the report further information on these matters is awaited.

5.20 When considering highway safety and the character of the area, the comments of the Highways Agency and further information from the applicant are awaited. It is acknowledged that there is a statutory duty under Section 66(1) of the Town and Country Planning Act 1990 to have special regard to the desirability of preserving the settings of Listed Buildings. This is reiterated in PPG15:Planning and the Historic Environment. In the case of High Buildings and Warwick Mill it is considered that, because of the distances involved and intervening vegetation or buildings, that the impact of the proposal would be limited with the remaining views of the landscape unaltered.

5.21 In regard to Policy EC13 and the need to sustain rural facilities, it is evident that the former public house has been demolished and the site cleared. This decision was made by the applicant not only in the context of the vandalism and anti-social behaviour taking place at the premises, but also, with acknowledgement to the presence of The Haywain P.H. at Little Corby.

Other Matters

5.22 It is appreciated that United Utilities and Cumbria Constabulary have raised objection/concerns over the proposal. In the case of United Utilities it is anticipated that this can be resolved through the diversion of the existing sewer, whilst for the latter the matters of detail can be resolved through the submission of additional details. Any potential remediation of contamination can be resolved through the imposition of a relevant condition as suggested by the Environment Agency. The comments from the Council's Green Spaces Team are also awaited.

Conclusion

5.23 It is acknowledged that the proposal is contrary to the sequential test contained in PPS 25. Nevertheless, this is considered to be outweighed in terms of the potential benefits that the proposal would represent to the settlement in terms of brownfield development, an employment opportunity for local people, potential less reliance on travelling to main centres for "everyday" goods and social inclusion. The scheme can also be designed to take account of any flood risk. This aside, there are matters of detail and/or comments awaited from interested parties with particular regard to highway safety, the impact of the proposal on the character of the area, living conditions of neighbouring residents, and, any contribution required towards public open space.

5.24 An updated report will be presented to Members following receipt of the awaited information and responses.

6. Human Rights Act 1998

6.1 Several provisions of the above Act 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 regularise any breach of planning control;

Article 8 recognises the "Right To Respect for Private and Family Life";

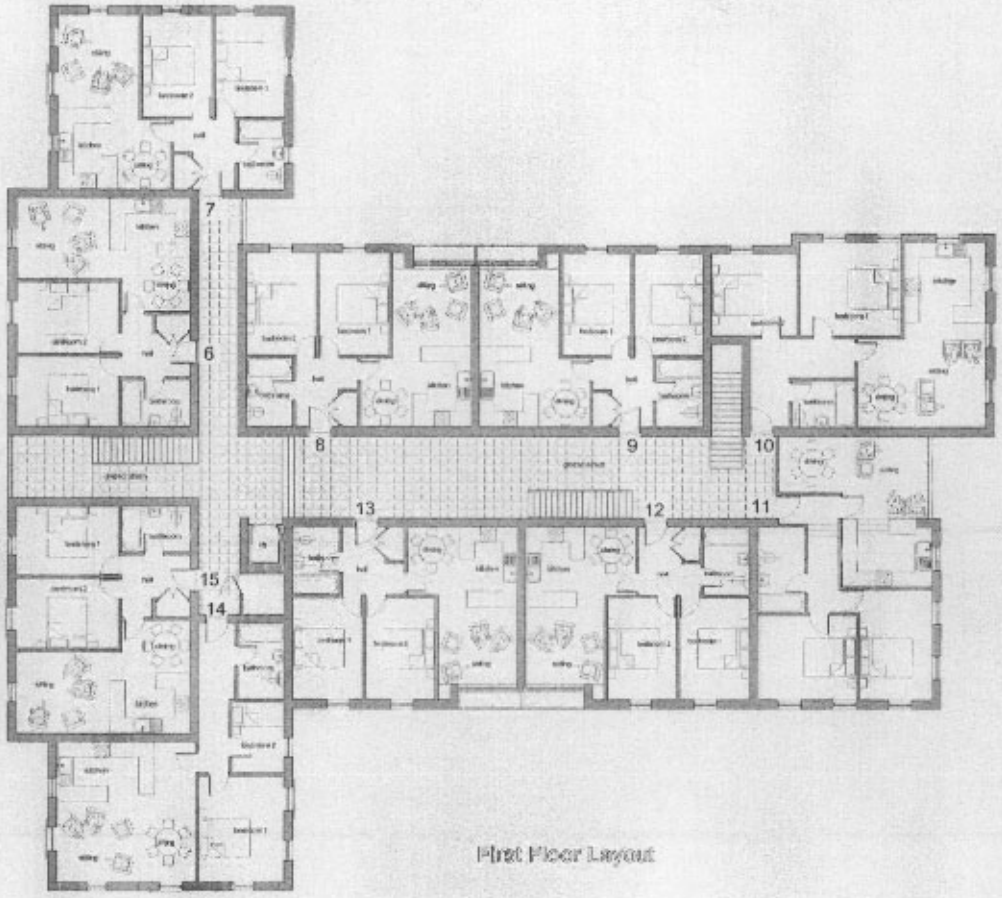
6.2 **Article 1 of Protocol 1** relates to the "Protection of Property" and bestows the right for the peaceful enjoyment of possessions. This right, however, does not impair the right to enforce the law if this is necessary.

7. Recommendation

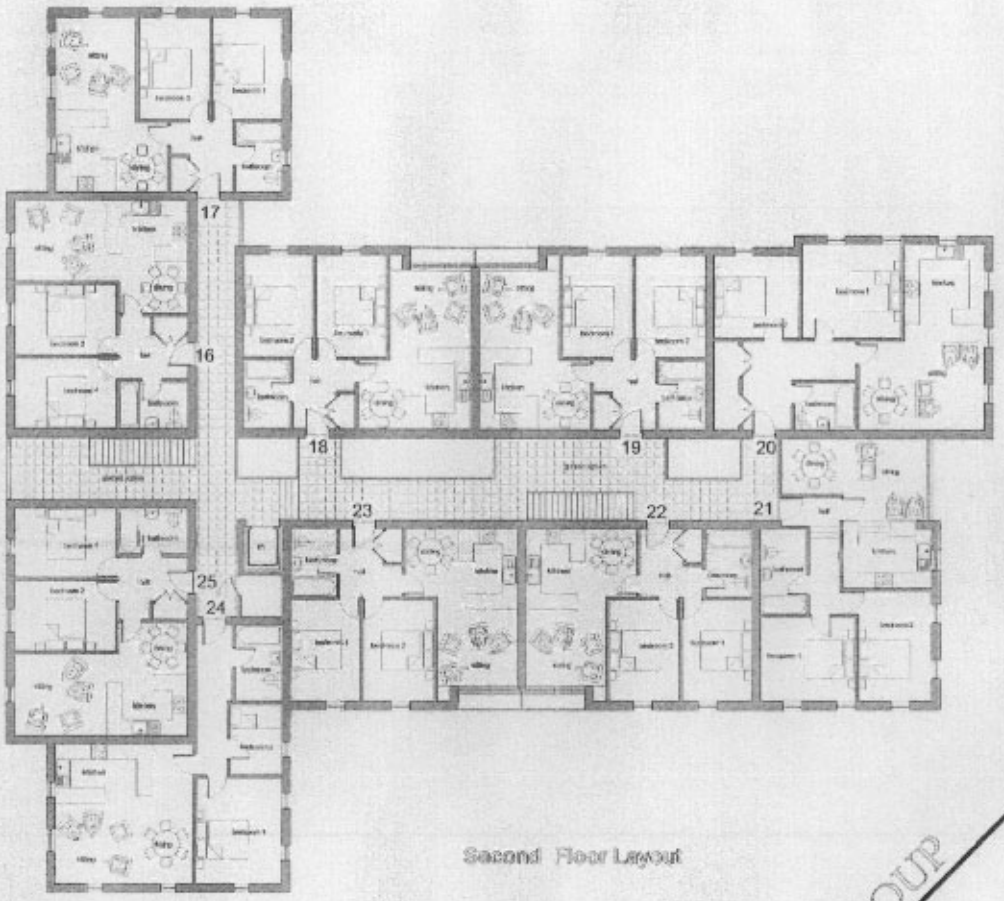
Reason For Including Report In Schedule B

At the time of preparing the report further information from the applicant and consultation responses are awaited.

GREENWDESIGN GROUP
Ground Floor Layout



First Floor Layout



Second Floor Layout

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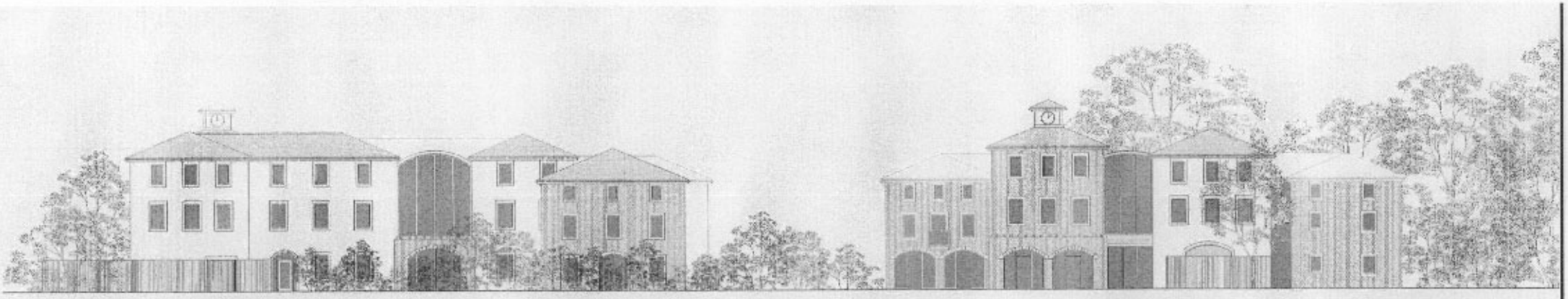
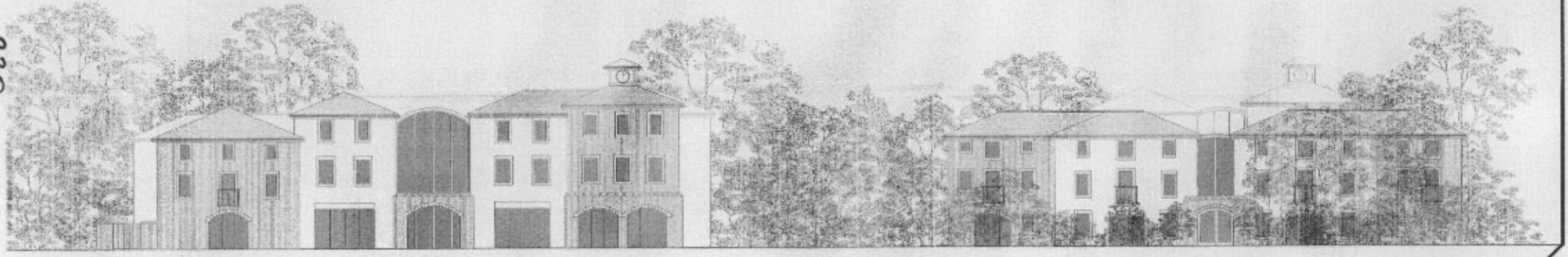
08/0735

1st & 2nd Floor Layouts
The Glenane,
Waterfall, Belfast
Proposed and Retail Outlets
1:100 Aug 2008
08/1703/03B



South West Elevation

North West Elevation



North East Elevation

South East Elevation

GREEN DESIGN GROUP

05/0735

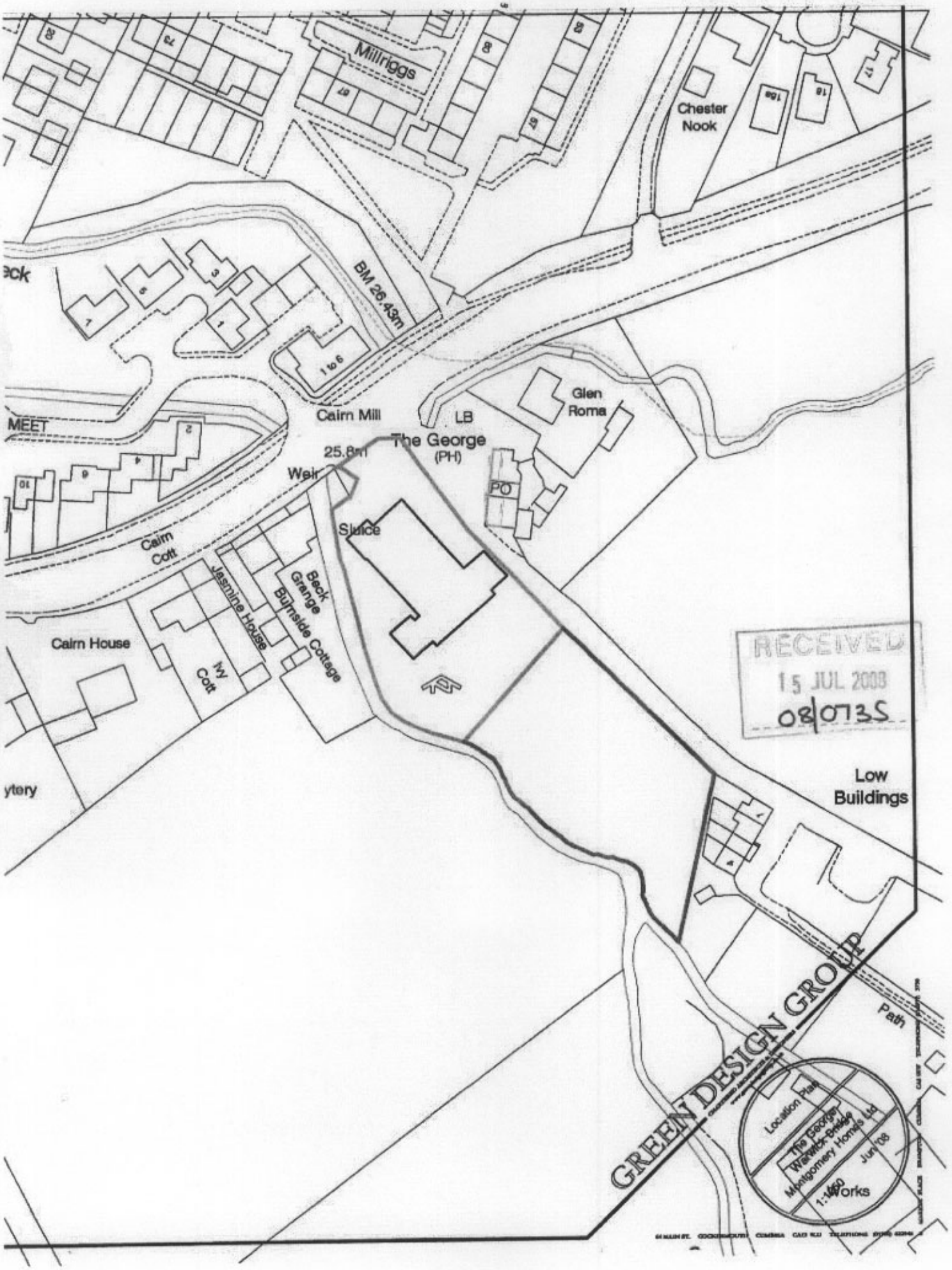
Elevations
The Granary
Wetlands Estate
Hawkins and Pocock Chatham

1:50 08/1793/04D Arch

230

GREEN DESIGN GROUP
08/0735
Roof plan
The Chapel
Warwick Bridge
1:200 July 2008
curved lead roof
lead flat roof
patent glazed atrium roof
lead flat roof
lead roof to clock tower
curved lead roof

GREEN DESIGN GROUP
RECEIVED
08/07/25


Millriggs
Chester Nook
BM 26.43m
Cairn Mill
LB
The George (PH)
Glen Roma
PO
Weir
25.8m
Sluice
MEET
Cairn Cott
Jasmine House
Beck Grange
Burnside Cottage
Cairn House
Ivy Cott
Low Buildings
RECEIVED
15 JUL 2008
08/0735
GREEN DESIGN GROUP
Path
Location Plan
The George, Warwick Bridge
Montgomery Homes Ltd
Jun '08
1:1250
Works

George Inn Site - Warwick Bridge - Carlisle
Flood Risk Assessment

08/0735

1. Introduction

In February 2008 Mr. D T Montgomery of Montgomery Homes (MH) asked G A Noonan, Consulting Engineer (GAN), to comment on the risk of flooding at a site (The Site) at The George Inn at Warwick Bridge, Carlisle, which MH wish to develop.

Details of The Site and surveys:	Environment Agency (EA) and MH
Flood flow data:	EA

2. The Development Site

The Site, shown on the attached plan, is approximately 0.5ha in area and is at NGR NY 477 568. The Site slopes from a level 27.4m AOD at its southern edge to a 25.2 AOD on its northern edge.

The proposed use of The Site is for 24 two bedroom apartments and a 35000 sq. ft. A1 retail superstore.

3. Flood Risk

Cairn Beck is on the western side of The Site and Trout Beck is to the East of The Site. Over a century ago the water from Cairn Beck was used in mills at Warwick Bridge. Immediately to the West of the existing George Inn Cairn Beck divides into two water courses (Point F on the plan).

During dry and medium rainfall conditions most of the flow in Cairn Beck flows into a Mill Race. In heavier rainfall, flows pass over a weir (point F on the plan) and then into a culvert underneath the A69; from there it continues in open channel in a westerly direction, to rejoin with the Mill Race (point B on the plan) before passing underneath Little Corby Road and eventually to the River Eden.

Trout Beck is piped into the culvert (point C on the plan) taking Cairn Beck under the A69. In 2003 a fish pass was constructed alongside the weir at point F to ensure that some flow always ran from the Mill Race into Cairn Beck to facilitate the passage of migratory fish into the upper reaches of Cairn Beck.

The estimated 1 in 100 stream flows are:

Cairn Beck 14 cumecs and
Trout Beck 1.8 cumecs

he Site is on the flood plains of Trout Beck and Cairn Beck with the greater risk of flooding from the larger watercourse, Cairn Beck, with virtually no risk to The Site from Trout Beck

Calculations in the Appendix to this report indicate that the system of open channels, culverts and weirs will accept a 1 in 100 storm in Cairn Beck. as long as there are no blockages in the system. Should such blockages occur (e.g. at point F at the culverts and weir) there is a risk of flood water coming out of Cairn Beck and crossing the A69 road to rejoin Cairn Beck to the North of the A69.

It is worth noting that Cairn Beck is relatively flashy. In extreme conditions the Beck builds up to it's peak flow in 1 - 2 hours after rainfall starts, taking a similar time to fall back to more normal flows.

The freeboard recommended by the EA (para. 7 below) should be sufficient to ensure that flooding does not occur above floor levels in the proposed development in a 1 in 100 year storm even if marginal flooding caused by blockages takes place across the A69. Should blockages occur in the system at present, before any new developments take place, there is an equal risk of river water passing over the A 69

4. Effect of the Development on Other Sites

Clearly any building work on The Site will result in the loss of some ground permeability but this can be mitigated by some on-site storage, although this loss of permeability is not likely to significantly affect any other sites.

5. Surface Water Drainage

All surface water on The Site will be collected into a drain(s) which will discharge into Cairn Beck through traps to collect any pollutants. Water storage could be introduced before the surface water passes into Cairn Beck

6. Foul Drainage

Foul drainage from The Site will be connected into an existing main foul sewer

7. EA Requirements

The EA recommend that the finished floor level of any occupied premises be at the height of the forecast 1 in 100 year river level plus 200 mm to allow for climate change plus 600 mm freeboard - a total of 800mm..

The 1 in 100 water level in Cairn Beck at the northern end of The Site (point F on the plan) is estimated at 25.7m AOD and at the southern end of The Site 26.1m AOD. This indicates that the recommended minimum floor levels at the northern edge of The Site should be 26.5m AOD and, at the southern edge of The Site, 26.9m AOD

Any work, permanent or temporary, within 8m of a Main River requires Land Drainage Consent from the EA.

8. Summary

8.1 The Site, 0.5ha in area, is on the flood plain of Trout Beck and Cairn Beck and as such there is always a possibility of flood.

8.2 The proposed development is for 24 two bedroom apartments and a 35000 sq.ft. A1 retail superstore.

8.3 Surface water drainage from The Site will be taken through suitable traps to Cairn Beck

8.4 Foul sewage will be to local main sewers.

8.5 Land Drainage Consent will be required for any permanent or temporary work within 8m of any Main River.

9. Recommendations

9.1 The developer is strongly advised to provide facilities for storage of storm water (e.g. honeycombed storage crates underneath car parking) and recycling of grey water to at least mitigate for the loss of ground permeability caused by the proposed developments.

9.2 Discharge(s) of surface water to Cairn Beck should be passed to Cairn Beck through a non-return valve to conserve as much storage capacity as possible during the onset of a storm.

9.3 Discharge of surface water from existing properties at the northern end of the proposed developments should be checked to ensure that any discharges into Cairn Beck are controlled by non-return valves.

9.4 River banks on Cairn Beck adjacent to the development should be built up to retain a 1 in 100 year storm.

G A Noonan.
Consulting Engineer

May 2008

George Inn Site - Warwick Bridge - Carlisle
Flood Risk Assessment

Appendix

1. Introduction

The Site at Warwick Bridge by the George has Cairn Beck to the West (G - F) and Trout Beck to the East (A - C). At F most of the flow from Cairn Beck runs into a Mill Race (F - E - B), through a culvert under the A69, over a weir (E) to rejoin Cairn Beck at (B). From (F) Cairn Beck runs through a culvert (C) under the A69 to (B), then under Little Corby Road to flow eventually to the River Eden.

Trout Beck enters Cairn Beck at (C) through pipes into the Culvert under the A69.

2. Flows

The 1 in 100 storm flow in Cairn Beck is estimated to be 14 cumecs and in Trout Beck 2 cumecs.

3. Estimated Flood Levels

To estimate the flood levels through the system of open channels, culverts and weirs levels have been estimated for each section (Graphs 1 to 7) and then a balance between the levels of the various parts of the system has been examined to estimate the overall 1 in 100 flood levels.

3.1 Levels G to F

1 in 100 level in channel (14 cumecs) = 1.2 m (Graph 1)
Bed level at F = 24.3m AOD
On this basis flood level at F (upstream of culverts and weir) = 25.5m AOD
However it is assumed that a further 0.2 m is needed at this point to give a water balance making the level at F 25.7m AOD.

Top of weir level at F is 24.75m AOD
Head over weir = 0.95m (Graph 4)
Flow over weir = 11.5 cumecs going to Cain Beck
Therefore flow to Mill Race = 2.5 cumecs

3.2 Levels F to E

Loss of head in Mill Race culvert under A69 = 0.2m (Graph 7)
Water level immediately upstream of A69 culvert = 25.7m AOD
Water level immediately downstream of A69 culvert = 25.5m AOD
Bed level immediately downstream of A69 culvert = 24.2
Therefore water depth immediately downstream of A69 culvert = 1.3m
Both the Mill Race channel (Graph 2) and the weir at E (Graph5) can readily accept the 2.5 cumec flows at this water depth

3.3 Levels F through C to B

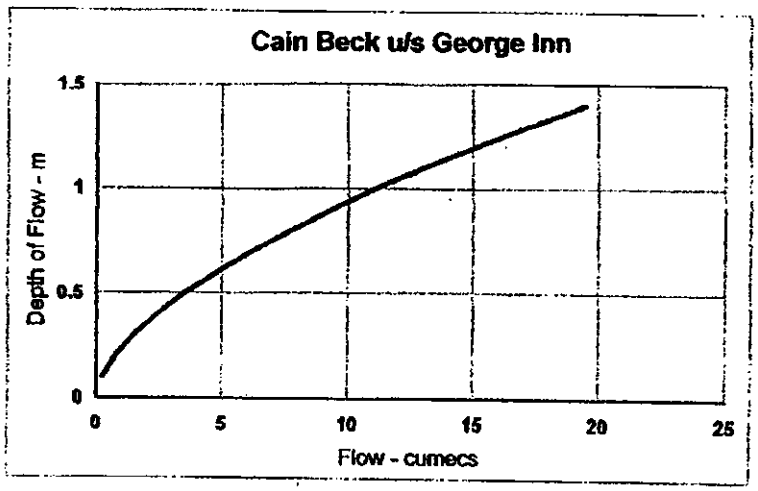
Flow in this section over weir at F = 11.5 cumecs
Flow entering from Trout Beck = 2 cumecs
Total flow = 13.5 cumecs although for loss of head in culvert, since Trout Beck flow enters part way down the culvert and does not contribute to culvert entry losses, assume a flow of say 12 cumecs in considering head losses through the culvert.
Bed level immediately downstream of A69 culvert (F through C) = 22.7m AOD
Depth of flow in channel = 1.2m (Graph 3)
Water level immediately downstream of A69 culvert = 23.9m AOD
Head loss in A69 culvert (Graph 6) = 1.4m
Level upstream of A69 culvert = 25.3m AOD (i.e. 0.4m below the water level over the weir at F)

4. Limitations on Level Estimates

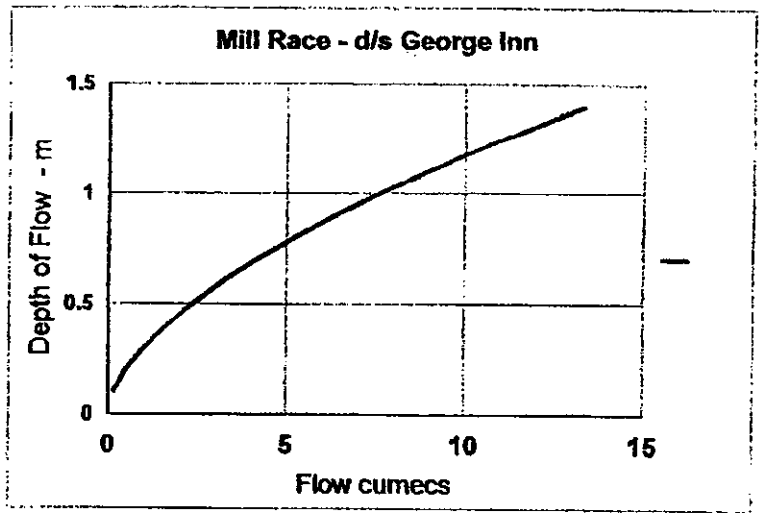
The flood level estimated above are based on flows in this complex system of channels, weirs and culverts. The flow calculations do not allow for any blockages in the system and an appropriate freeboard should be allowed in floor levels in the development to take care of this contingency. It is considered that the freeboard recommended by the EA - 600mm plus 200mm for climate change - is a reasonable amount

G A Noonan.
Consulting Engineer

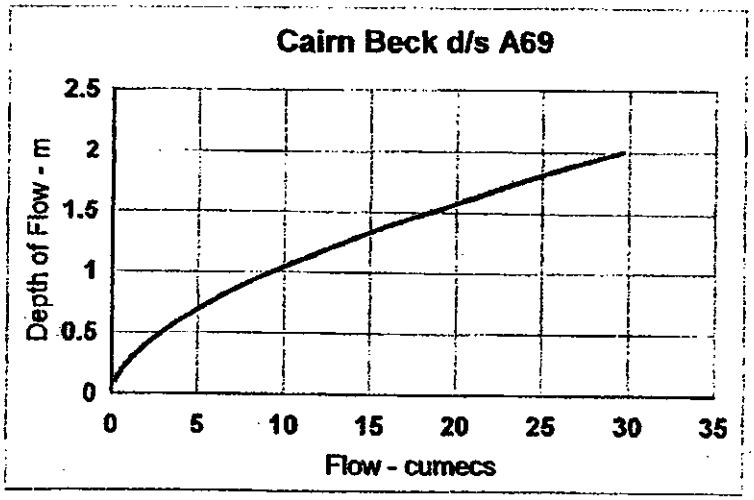
May 2008



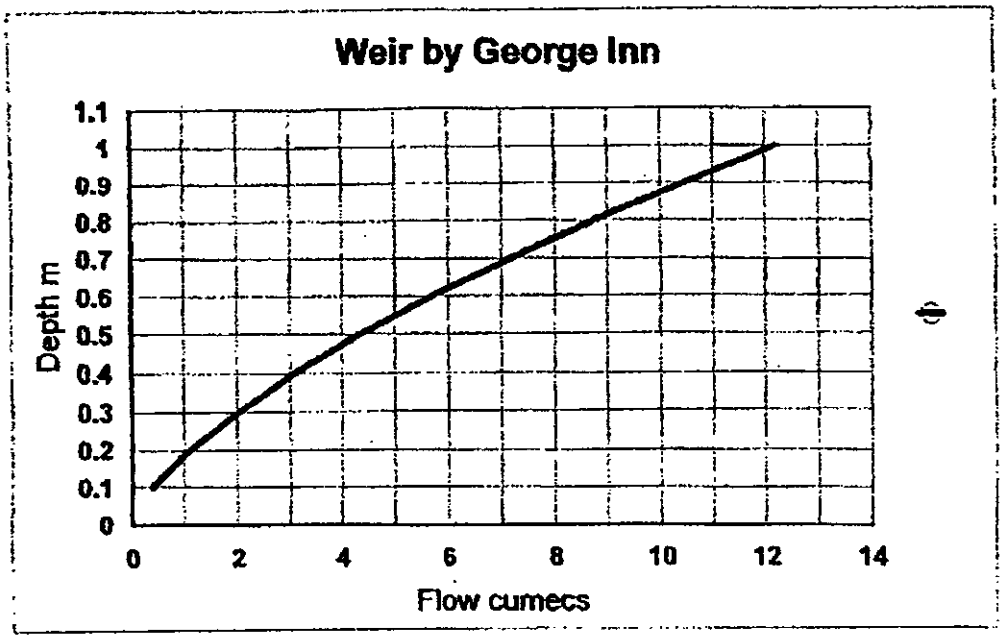
Graph 1 - Channel G - F



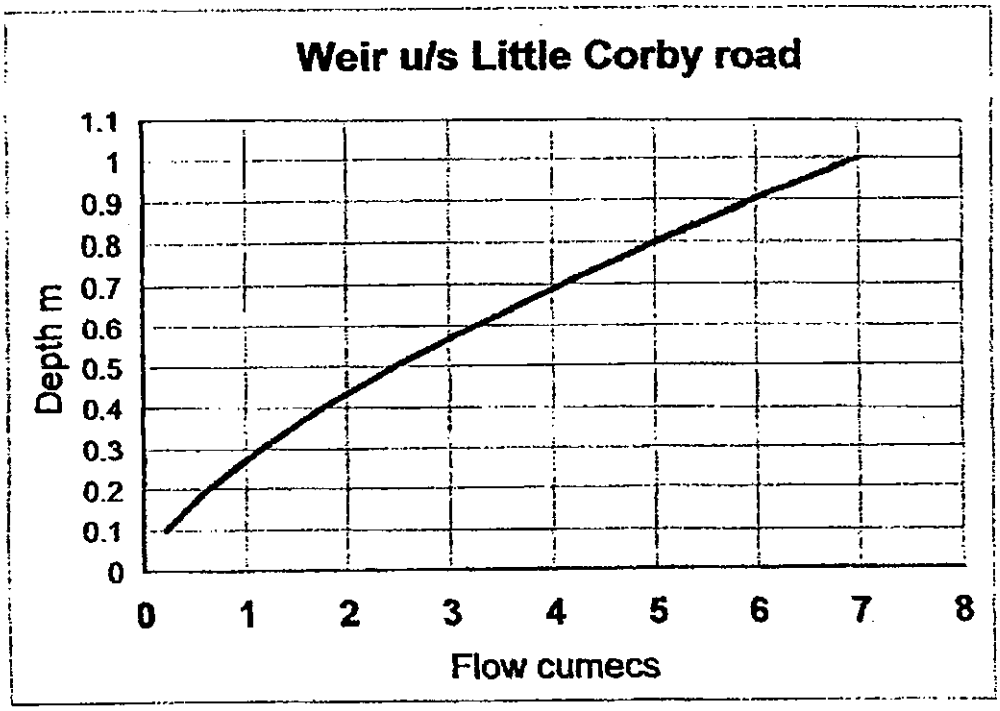
Graph 2 - Channel F - E



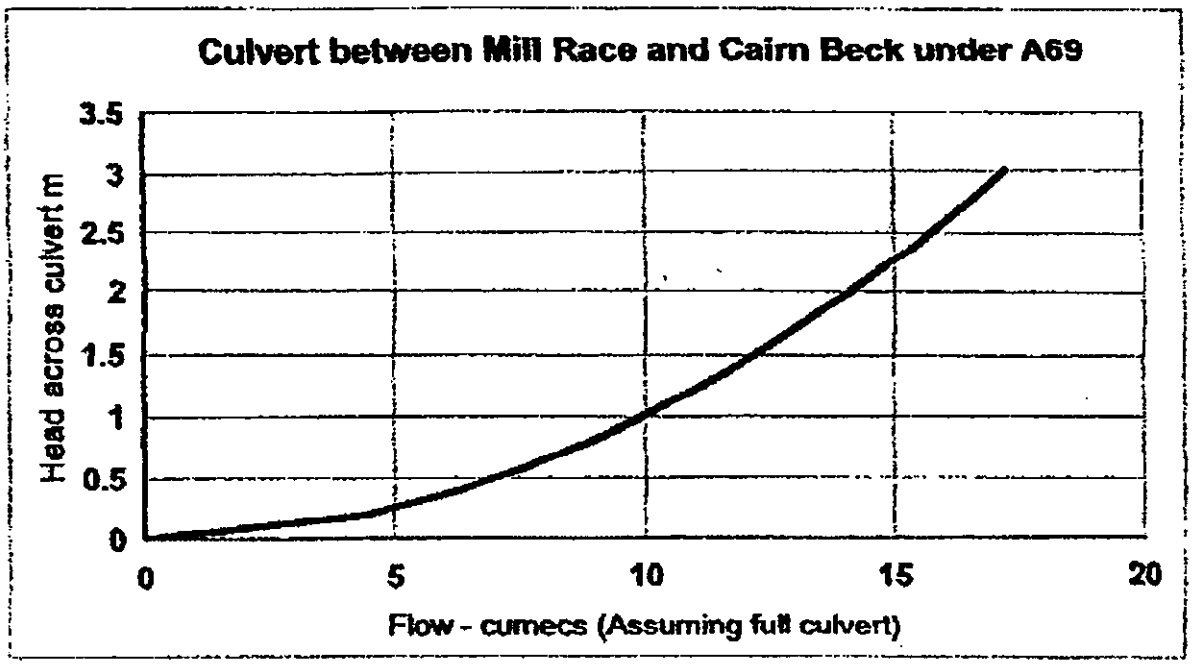
Graph 3 - Channel C - B



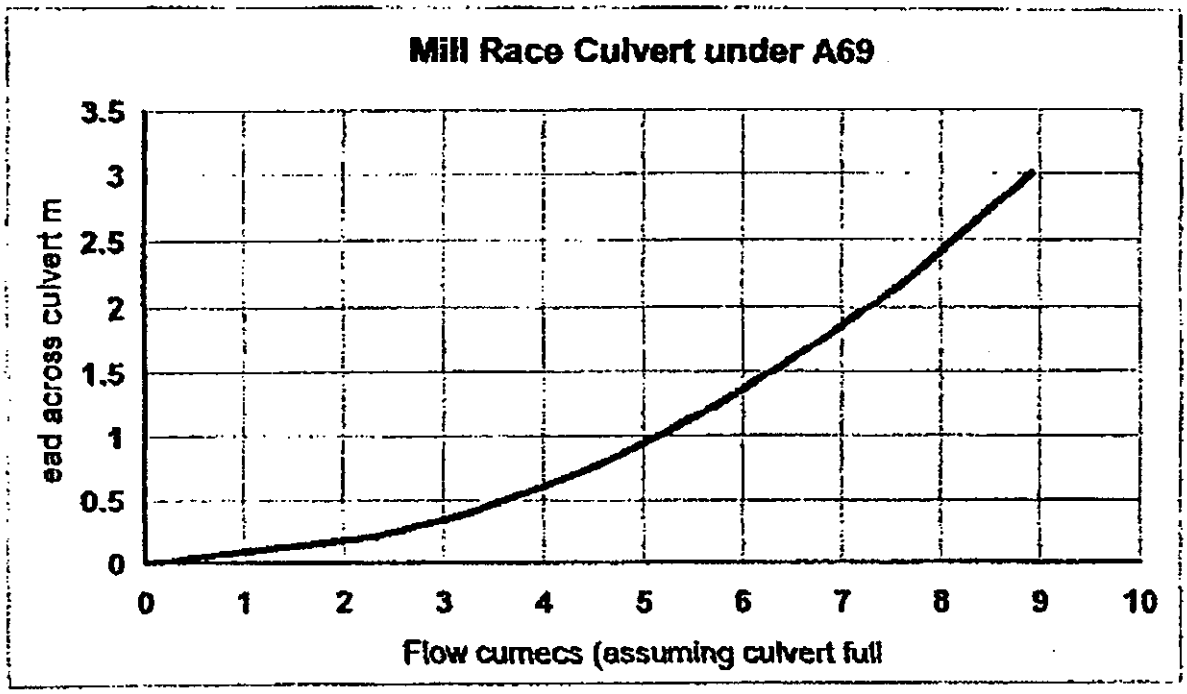
Graph 4 - Weir at F



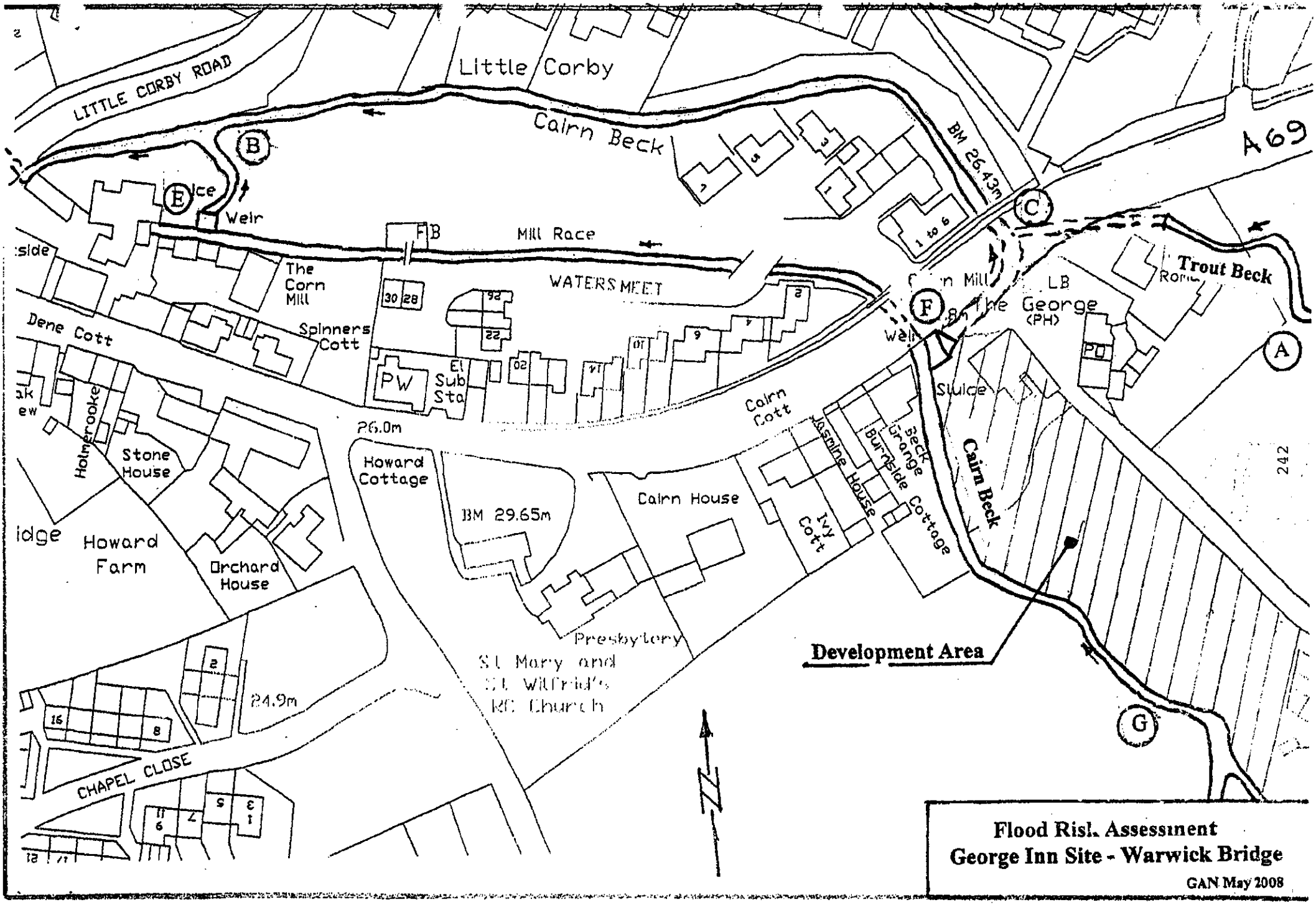
Graph 5 - Weir at E



Graph 6 - Culvert at C



Graph 7 - Culvert at F



Flood Risk Assessment
George Inn Site - Warwick Bridge
GAN May 2008

08/0735

PLANNING-DESIGN STATEMENT

Proposed Mixed Retail/Housing Development

Land at formerly "The George", Warwick Bridge, Carlisle

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1. INTRODUCTION

2. MAIN ISSUES

3. DESIGN & ACCESS STATEMENT

❖ **Design Component**

- Site & Context Appraisal
- Design Concept – Development Objectives
- Design Principles

❖ **Access Component**

- The Proposal – Achieving "Good Design"

4. CONCLUDING REMARKS

[Other Supporting Documents

1. Transport Statement

2. Flood Risk Assessment]

July 2008

1. INTRODUCTION

1.1 This Statement provides a straightforwardly cogent summary of the Proposal; what it is, and the main issues it raises with reference to the Site & Context, and relevant Planning Policy and Advice.

1.2 As the title indicates; the Design component, in its widest sense, is paramount to the essence and indeed the success of the scheme. It's scale, design, appearance, layout and profile etc. marks a response to what are compelling urban design issues and opportunities, founded principally in the strongly held notion that this is a vitally important site to the future of this local service centre; a centre that, ironically, is devoid of a meaningful focus; dominated unduly by the passage of the A69 that has resulted in a disjointed scattering of services, and an illegibly dispersed variety of built forms.

1.3 The site as a public house gained an unenviable reputation that was the focus of much attention for all the wrong reasons; in marked contrast to the evidential popularity of the adjacent small convenience store, post office, and hairdressers. To a degree, the public house blighted the vicinity, severely compromising its otherwise untapped potential for revitalising what is arguably the heart and focal point for this village, located accessibly off the A69 at the juncture with Warwick Mill – itself "living proof" of what is achievable through imaginative regeneration, and a real credit to the area.

1.4 This development seeks to deliver that same success; building upon the site's strengths and opportunities both architecturally and functionally to deliver a real "sense of place" within a place; bridging at its most appropriate and sustainable point, Warwick Bridge with Warwick Mill; recognising and responding to the widest community to reinforce a shared sense of identity.

1.5 This is a mixed use scheme in the sense that it includes a mix of uses; retailing and residential uses within one appreciable whole. The drive to enhance and expand upon the vicinity's community-service role meant incorporating flexible shopping space at ground floor; arranged to effect a balanced provision/layout with the existing neighbouring provisions. This is turn dictated to a large degree the overall form as will be detailed later below.

1.6 Generally, the principles involved are relatively straightforward; certainly with regards the site's location and the acceptability of promoting retailing and housing thereon. Consequently, the Statement will address broadly the main topic areas and land use Planning issues; leaving matters of detail to be addressed below under **3. Design & Access Statement**.

2. MAIN ISSUES ~ policy overview

2.1 Regard was paid to the up-to-date Revised Redeposit Draft Local Plan (2001-2016), and more recently the Inspector's Report into the same following last year's public inquiry into the Plan, which takes on board latest Ministerial Advice and Regional guidance.

2.2 In the interests of clarity and wider understanding, this section of the Statement chooses to address broadly the main themes inherent within this proposal. In summary, it addresses the following aspects, with brief reference to relevant up-to-date policy:

- Spatial Planning Strategy;
- Retail Development;
- Housing Development;
- Design Matters ~ local amenity ~ energy conservation ~ recycling ~ infrastructure ~ servicing ~ highway safety/accessibility ~ flood risk.

Spatial Planning Strategy

2.3 The emerging 'Local Plan, in line with the adopted 'Joint Structure Plan, seeks to focus new development on key service centres ('JSP – ST5) whilst leaving it to the relevant local authority to determine suitable locations at "lower" levels; in this instance by the identification of "local service centres". Warwick Bridge (including Corby Hill) is one of the larger local service centres identified under 'Local Plan Policy DP1, and in these locations, the sequential test shall be applied to the precise location therein for, amongst other things, retail and housing development.

2.4 Broadly, the Strategy adopted by the 'Local Plan seeks to make effective use of suitable locations that play a substantive service role, with new development therein being reasonably proportionate and commensurate with the parent settlement, taking account of all other Policies in the Plan. Broadly, the sustainability of new development is bound mutually with the sustenance and capacity of the location, with due regard paid to safeguarding the strategic roles and responsibilities afforded Carlisle and the two key service centres of Brampton and Longtown, whilst stressing the importance of accessibility, and the re-use of previously developed land.

Retail Development

2.5 Policy EC12 of the emerging 'Local Plan considers economic and commercial growth; in particular proposals for sustaining rural services. Ministerial Advice in PPS6 regards villages like Warwick Bridge as possibly performing the role of a "local centre" in retail planning terms wherein one could find *"a range of small shops of a local nature, serving a small catchment. Typically, local centres might include, amongst other shops, a small supermarket, a sub-post office and a pharmacy. Other facilities could include a hot food takeaway and laundrette."* (Annex A)

2.6 AS an analogy; the area for retail provision proposed here is well below the nominal 1500sqm limit advised in the emerging 'Local Plan for "neighbourhood stores" in/adjacent "district centres". Otherwise, it is considered the scale of the proposed retail provision to be modest (**gross** c.420sqm including ancillary office, internal amenity and storage provision) and wholly commensurate with the scale and character of the parent settlement/locality.

2.7 PPS6 (para. 2.50) states: *"In rural areas, local planning authorities should focus town centre development in local service centres, such as market towns and villages, where there is potential to maximise accessibility by public transport and by walking and cycling..."* Within Warwick Bridge, the application site is located at the focus for existing community retailing activity. Sequentially, it is the premium location for such, with immediate access to public transport, and the opportunity for providing more effective "one-stop"/combined shopping in relation to existing adjacent outlets/services.

2.8 PPS6 (para.2.51) goes on to identify other relevant matters, which crossover with other rural topics and broader sustainability objectives. Important aspects for suitable site selection include:

- Physical Regeneration: the benefits of developing on previously-developed sites;
- Employment: net additional employment opportunities for local people;
- Economic Growth: increased investment in the area; wider choice; less reliance on/travelling to main centres for "everyday" goods;
- Social Inclusion: improving accessibility for local people to a wider range of competitive goods and services, particularly for the more vulnerable/less mobile.

2.9 PPS6 (para.2.55) continues by stating that, *"A network of local centres in an authority's area is essential to provide easily accessible shopping to meet people's day to day needs..."* Moreover under para.2.57, it advises that *"The need for local shops and services is equally important within urban and rural areas...local authorities should take a positive approach to strengthening local centres.."*

2.10 **Policy EC 12** ("Sustaining Rural Facilities and Services") of the Revised Redeposit Draft Local Plan (2001-2016), it states:

"....Proposals for the development of or extension to village services and facilities, including proposals which will assist in their retention, will be permitted provided that:

1. The scale and design does not adversely affect the local built environment and respects local landscape character; and

2. It does not have an adverse impact upon residential amenity; and

3. Appropriate parking and servicing arrangements can be made.

The proposed retail element would be commensurate with the scale and role of Warwick Bridge and its catchment, and would offer greater stability and choice for local shoppers. The existing adjacent provisions, in particular the Co-op is cramped and constrained yet still very popular. Nonetheless, this, along with the post-office are regarded as relatively fragile in terms of their long term viability with no opportunity to expand/improve. It is considered that the proposal would prove mutually beneficial to these existing provisions, and secure a more robust long-term future for local amenities; bearing in mind the advice in PPS6 confirming that "competition" is not a Planning matter – one is left to consider the future of local shopping provision over the coming decades and whether the existing provision is indeed commercially sustainable. We believe that is a risk that should be addressed positively now.

Housing Development

2.11 Pursuant the furtherance of the aims and objectives of sustainable development and spatial planning, there is natural congruence between planning for retailing and planning for housing in terms of location and applying the sequential test as it relates to various settlement types. Obviously, there are not the same geographical, and scalar constraints on housing, although the emphasis on sustaining and

focussing upon the City and the key service settlements of Brampton and Longtown in terms of numbers, remain crucial for considering housing proposals, alongside other issues regarding previously-developed land uptake, and accessibility.

2.12 The 'Local Plan provides for an 80-20% split between the urban (City), and the rural areas with the focus upon Brampton and Longtown; we understand at a rate of c.65 units per annum ('JSP – Policy H17). The current proposal is for 24 apartments, which due to its nature is impossible to physically phase as such. This represents just over one-third of one year's housing provision for the rural area of the District. Warwick Bridge (including Corby Hill and Little Corby) is recognised as one of the largest of the local service centres and certainly one of the most sustainable in terms of its strategic location on the A69. An additional 24 units would equate to just a c.6% increase in the number of households in the settlement.

2.13 This previously-developed site represents a highly sustainable location within this settlement by reason of its place adjacent the A69 with an immediate and well-used bus stop, directly adjacent a popular local shopping facility. The site's disposition, together with its perceived importance within the settlement in urban design terms (as relayed under the **Introduction**) provided compelling cues in support of the adopted design approach.

2.14 In general, in deciding planning applications, Local Planning Authorities should have regard to:

- Achieving high quality housing;
- Ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular, families and older people;
- The suitability of a site for housing, including its environmental sustainability;
- Using land effectively and efficiently;
- Ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in, and the spatial

vision for, the area and does not undermine wider policy objectives eg addressing housing market renewal issues.

2.15 The following summary points are worthy of note in respect of the proposed housing profile:

- The well-founded approach to provide a "landmark" building; accentuating this pivotal location within the communal heart of the settlement, onto the A69 at the juncture with Warwick Mill and adjacent well-used local services;
- Following on; achieving a complementary relationship between enhancing the existing local service provision adjacent, and new housing development. Only a scheme for apartments built adjacent/over the ground floor retail provision would be operationally suited to this environment, on this scale. The idea of providing dwellinghouses in this situation would be unworkable and highly inefficient, and would otherwise dilute completely the development-design objectives (see later under **3. Design & Access Statement**);
- Again, following on; the development of apartments makes for a mixed use development and greater social/community cohesion/collaboration;
- The development of apartments makes for a highly efficient use of this most sustainable site within Warwick Bridge; equating to c.90dph (gross);
- The small-medium sized 2-bed apartments would be relatively affordable at just c.£120k, and feedback from local housing market agents reveals a healthy demand for low-maintenance, accessible housing provision within this area, especially for smaller households desiring access to Carlisle and those "down-sizing"; adding to the mix and choice of housing in the locality, and the sustainability and flexibility of the local housing market;

Design Matters

2.16 Policy CP4 of the emerging 'Local Plan draws together a number of "good design" principles as detailed further under Policies CP1, CP2, CP5-CP16; re-iterating much that is found under PPS3, paras 12-19 regarding chiefly; paying respect to

and integrating with the local context/character, accessibility, inclusivity and safety, energy efficiency and recycling, and appropriate infrastructure provision.

2.17 The site is evidentially accessible, and is well-serviced in terms of drainage, water and power supply. There is little likelihood of archaeological or ecological interests being materially affected. Special regard was paid to townscape integration, to inclusive and safe design, to recycling, to highway safety, and to flood risk. The majority are addressed in the Design & Access section below. For now, the Statement focuses upon the 2 "technical" matters of highway safety and flood risk, both of which are supported by dedicated reports appended hereto.

Highway Safety

2.18 Detailed analysis of the Highways circumstances has been undertaken, as provided within the submitted **Transport Statement**. Otherwise, the proposal is duly cognisant of historic traffic movements in relation to the former public house, which during the mid-1990's was the subject of an extension including provision for 78 car parking spaces extending well-beyond the former public house car park boundary.

2.19 The detailed design has paid careful attention to existing and future traffic patterns; both private and public service vehicles in relation to the proposal, and it is considered the layout would not create problems in this respect, and otherwise incorporates adequate parking provision that is clearly distinguished and accessible. A number of improvements are incorporated, which are covered in the **Transport Statement**.

2.20 Accident records obtained from Roadlink, the Highways Agency's agents for the A69, do not show any record of accidents at the Mill Lane/A69 junction. (See Appendix 1 for **Transport Statement**.)

Flood Risk

2.21 Reference is made to the submitted **Flood Risk Assessment** and to the relevant Planning policy context provided within PPS25. In the absence of any reasonably comparable sites within the settlement, previously-developed or otherwise, the proposal satisfies the "Exceptions Test" as follows:

- The proposal would deliver a significant contribution to the vitality and sustenance of this service settlement, contributing the variety and choice of relatively affordable housing in the locality, and regenerating this important site at the heart of the community. Its development is significant to outweigh the (manageable) flood risk factor;
- the development is on developable previously-developed land; and,
- the submitted FRA demonstrates that the development will be safe, without increasing flood risk elsewhere.

3. DESIGN & ACCESS STATEMENT

Design component

3.1 The Design component, in its wider sense, is of great significance in this instance. "Design" is taken broadly to mean the *relationships* between all elements of the built and natural environment both functionally as well as aesthetically, and at the heart of the design process is the requirement to contribute to the objectives of sustainable development – to achieve a more *holistic* design response by considering:

- the relationship of buildings to their urban or rural landscape context, to biodiversity and to cultural heritage;
- the relationship of one part of a settlement with its other constituent parts;
- the relationship between buildings and the streets/other spaces which make up the public and private domain;
- the relationship between buildings, infrastructure and utilities;
- the nature and quality of the public domain;
- the relationship between different buildings or structures; and'
- the relationship between component parts of individual buildings.

3.2 This Statement approaches the matter logically by addressing:

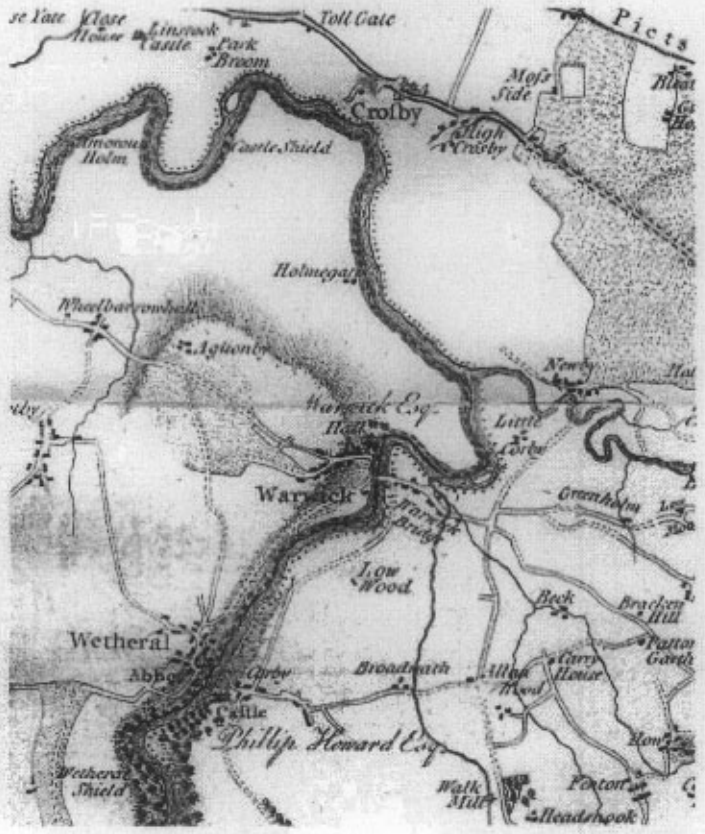
- **Context & Site Appraisal** – necessary precursor to formulating the Concept, and addressing the various Design Objectives (i.e Policy CP4); looking at:
  - *settlement history and pattern of growth;*
  - *natural heritage;*
  - *patterns of movement and use;* and,
  - *site constraints and opportunities;*

- **The Design Concept ~ Development Objectives;**
- **Design Principles;**
- **The Proposal ~ achieving "good design".**

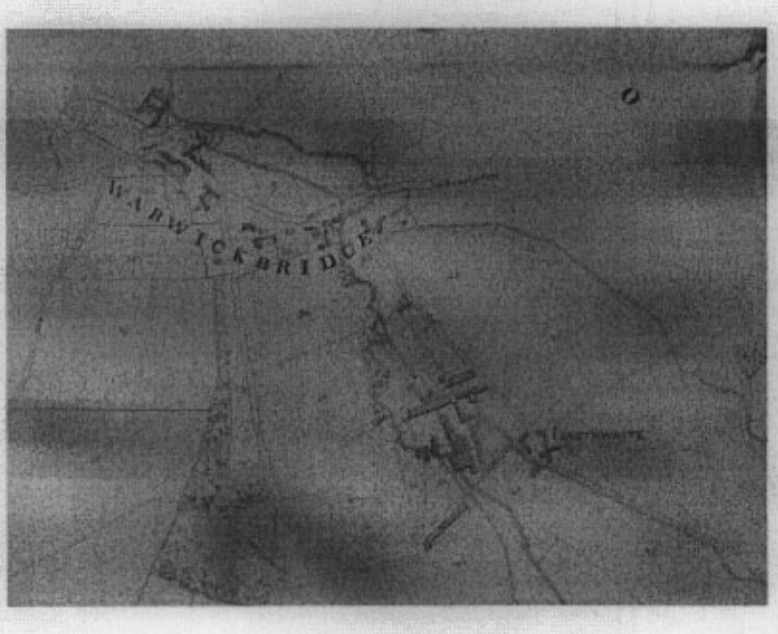
3.2 Context & Site Appraisal

3.2.1 *History and Pattern of Growth:*

The village of Warwick Bridge developed on the east bank of the Eden as a foil to the more coherent settlement of Warwick on the west bank situated on the high promontory overlooking the river.



The main period of early development centred on the church site and the crossing of the Cairn Beck. Indeed, the relationship with the Cairn Beck during the Industrial Revolution was responsible for much of the prosperity and character of the settlement bringing with it several important water powered mills, most importantly Warwick Mill for John Ferguson and later Peter Dixon.



As may be seen from early maps of the area, the village was in its early years fairly nuclear. Records of traders reveal that the minor commercial or village heart was traditionally around the bridge over the Cairn Beck.

The cross roads at Corby Hill always played an important role, however, serving as it did further mills at both Little Corby and Heads Nook. The increasing importance of the A69 and rapid 20th Century development of Little Corby/Corby Hill has diluted the traditional social heart of Warwick Bridge which has become almost synonymous with Corby Hill.

Many styles are represented; the early and originally thatched Howard Cottage, the renowned Pugin church....

....and the predominantly 18th and 19th Century domestic terraced cottages.....

Not surprisingly, the 20th century process of coalescence effected different (urban) design responses. The increasing significance and use of the A69 has undoubtedly figured highly in how successive growth patterns emerged. One can appreciate

immediately the "historic" affinity with the main highways found at the western end of the settlement and at the Corby Hill crossroads. As one travels east/north-east along the A69 past the site, more recent, and perfectly understandable values are expressed – greater mobility and self-reliance, privacy and amenity; historic enclosure, continuity, and functionality dissolves, giving way to greater introspection and estate-road Planning. One immediate result has been the loss of legibility and continuity as one travels toward Corby Hill; frontage gives way to defensible privacy, and open countryside.

The contrast is seen not just in plot density and "grain", but also built forms as inter and post-war suburban-ality prevailed, followed later by plot-referenced infilling.

The cultural heritage of the area is highlighted by the surrounding mill complexes, both big and small. These buildings including the listed Warwick Mill are appreciated nowadays for their socio-economic, historic-illustrative, and aesthetic-

design (architectural) significance. An informed understanding and appreciation of the area's heritage values can develop further the understanding of the context for the site; informing the sustainable management of a "place" based upon what makes that "place".

The 'Mills, and the settlement's aforementioned historic elements reinforce a linked sense of place that has no doubt influenced later development, certainly along the A69 from the west up to the site and the adjacent short vernacular terrace that accommodates the shops. The elevated apartment block opposite, as well as other recent housing mark arguably a return to more "traditional", vernacular designs in terms of their relative austerity, proportions and patterning. What they lack is the visual weight of the Mills, and/or the visual richness of the historic terraces,

3.2.2 *Natural Heritage*

Broadly, natural heritage has regard to the landscape quality and character of the site and the surroundings, and its biodiversity. In this instance, this cleared previously-developed site has no intrinsic biodiversity interest.

The site is prominent from the A69, albeit only at short range, and likewise from the 'Mill complex along the connecting highway. Despite the open countryside to the east/south-east, the surrounding built development, adjacent wooded cover, and

gently rising topography, limit visual reception to the degree that from the main A69 vantages, the site is primarily part of, and contributor to this street-scene.

3.2.3 *Patterns of Movement and Use*

The site is beside the A69, with a road to the Warwick Mill. The patterns of movement are relatively simple then. The historic use of the site, and the prevailing adjacent shops mark the site as a local services destination for all forms of traffic from the A69 and the 'Mill complex. The presence of bus stops nearby on either side of the main highway accentuates further its pivotal role.

Although a "barrier" to pedestrian movement, the A69 at this point has an excellent traffic record, and the vicinity would otherwise continue to prove very popular with local people including those using the main bus route stop.

Again, the Legibility of the layout will be improved with greater harmony between uses and a more appreciable sense of "public realm".

3.2.4 *Site Constraints and Opportunities*

The site is level, with facility to raise levels in relation to the adjacent highways. There is no recorded or apparent/evidential archaeological or biodiversity interest on or adjacent this cleared previously-developed land, and there are no listed buildings nearby, nor is it in or materially affecting a Conservation Area or any other area-based designation or landscape of special interest.

The site does lie within Flood Risk Zone 3a, wherein dwellings are regarded as more vulnerable, prompting the sequential test and thereafter the "exceptions test", as addressed earlier. In addition, whilst there is ready-mains drainage available, the 150mm pipe runs beneath the site, and such will in all likelihood require diversion.

The site is naturally hemmed by the A69, the road to Warwick Mill, and the watercourse, with no real discernible boundary features save for the mature riparian environs.

Neighbouring residential properties should be safeguarded from material undue harm from overlooking and overshadowing, as well as any likely disturbance from the proposed commercial element. The scheme achieves this by ensuring adequate separation distances, orientation, relative aspect displacement, and internal design to avoid causing undue material interference and harm from a site with an historic legacy of disturbance and intrusiveness.

With the adjacent shops consideration needed to be given the free and safe passage of all traffic thereabouts, and with the proposed scheme a more open, inviting and better defined sense of public realm will be achieved without causing prejudice to local highways conditions of the free and safe flow of all traffic thereon.

Already a focus for activity and traffic movement including pedestrians; in terms of "legibility" – actual presence and impact falls well short of its appreciable "mapped" significance – there is unfulfilled potential in broader urban design terms.

3.3 The Design Concept – Development Objectives

3.3.1 **To re-invigorate and claim back a "sense of place" and identity for this pivotal site within the "heart" of the village community; with comparative scale, boldness, visual richness, and contemporary relevance.**

The Proposal

Realising the **Concept** or "vision" for the site must be grounded by informed understanding of the context and how, holistically, the objectives of "good design" can be met. Such objectives included:

- Sustaining or enhancing character; townscape, landscape values;
- Achieving sustainable design solutions; prudence and efficiency;
- Promoting successful relations between the public and private realms;
- Accessibility with Legibility;
- Quality, choice and variety.

3.4 **Design Principles**

3.4.1 The **Design Principles** are derived from the **Context & Site appraisal**, and express aspects of design, which when understood in the particular context, inform the realisation of good design objectives. Based upon a robust "vision" for the site, the following **Principles** were regarded as particularly important.

- **Character & Context** – that the development should respond to local distinctiveness and culture; its defining qualities and characteristics, to achieve/restore a sense of place;
- **Compactness & Efficiency** – making effective use of a suitable site to deliver sustainable design solutions – tied with resource management;
- **Continuity & Enclosure** – well defined streets and spaces promoting social interaction and a sense of community ~ private/public realms;
- **Accessibility & Ease of Movement** – adopting inclusive design principles ~ public realm safety;
- **Variety & Diversity** – providing choice – promoting mixed inclusive uses – contributing to a sustainable mix of property types, tenures, and services.

3.4.2 From the **Site & Context** appraisal, a number of findings were made:

- Strong influence of history/village evolution; the effects of the A69 and the rejuvenation of the 'Mills; opportunities as well as obstacles to growth
- Weakened community focus; poor quality public realm; ill-defined townscape legibility;
- Compact site – short range visual reception – limited serial appreciation – "pinching" of the front part of the site – focus on dual north/east aspects;
- No firm overall "sense of place"; opportunities to "celebrate" local distinctiveness with strong themes on materials, public realm definition, scale and legibility;

Access Component

3.5 The site will be accessed from Mill Lane, an un-adopted highway which runs south from the A69 to serve Warwick Mill. The proposed layout will resolve a number of deficiencies in the layout that served the George Public House and in particular remove the extended cross-over onto the bus lay-by on the A69 that was a feature of the old layout.

Improved Legibility and reinforced public realm values will improve accessibility for all. The proposal introduces to this place, formal parking provision including spaces for those with disabilities, and the highway design will incorporate distinct surface patterning and dropped kerbs. The building will be fully Part M compliant, and there are lifts to all floors. The topography is most accommodating and there are no obvious barriers to the free and safe movement of all traffic through the site.

A cycle store is to be provided for the residents. The presence of the main route bus stop is a major factor, and it is planned to install a bus shelter incorporating the historic seat that has been salvaged and restored.

3.6 **The Proposal – Achieving Good Design**

The following describes how the physical characteristics of the submitted scheme were informed. Underpinning the whole process, is the unashamedly steadfast confidence in the "vision"; a design concept that has shaped a credible, sustainable and appropriate response to this site and its rightful place with the settlement – to create a "sense of place" that reflects legitimate aspirations for creating an effective and efficient mixed development. This has influenced every part of the design process, and which in turn has been influenced by the site and its context; the constraints and the opportunities for delivering a landmark development that can at the same time be woven into the fabric of the village – it is not more of the same; rather, it is making the most of, and capitalising upon its unique position and contemporary relevance.

Location - Use – Policy Framework

3.6.1 The site is arguably the most sustainable and accessible parcel of (previously-developed) land within the settlement. Excellent accessibility to public transport, serving the existing village community "facility" in the form of the adjacent shops, which will be further enhanced by both the installation of a bus shelter but also an improvement to the general character of the site in terms of legibility.

Warwick Bridge is one of the larger and more strategically influential local service centres/settlements, and an appropriate location for further limited development for housing as well as enhanced local services provisions. Its profile should reflect that of the surroundings; its location and place in the settlement should be reflected in its overall form and intensity.

The site (specifically the car park/amenity area) goes beyond the identified boundary limit. In the circumstances this is not felt to be significant; since the clearance of the trees (previously described on applications as "scrubland") this whole area is marked appreciably as an "infill".

Amount – Density & Mix

Principles: Compactness & Efficiency; Variety & Diversity

3.6.2 The site is a finite rectilinear parcel in respect of its containment on 3 sides with and A69 frontage. Already a focal point for the village and its residents, its setting is shared with that of the adjacent mixed use terrace row that includes existing shops overlooking a "public" parking area. The footprint was informed by the integrated retailing provisions with a strong desire to "connect" the residential element at ground floor.

The site extent was "influenced" by and respectful of the now arguably arbitrary settlement boundary line and the vestiges of the former public house use. The vision for a robustly responsive presence on this important site informed the decision to arrange accommodation over 3 floors, effecting a suitably balanced and economically viable profile with adequate service provision to achieve the desired intensity.

The resultant residential density of c.90dph is commensurate with apartment developments elsewhere; marking an efficiently compact use of the land, the effect of which is inexorably bound up with the design-architectural approach to scale and massing both overall and between the various elements.

Layout

Principles: Accessibility & Ease of Movement/Legibility; Continuity & Enclosure; Public & Private Realms ~ quality of public realm

3.6.3 Layout considerations had regard to the obvious dictats of the site's extent and its dual "frontage"; both immediately onto the A69 as well as paying respect to serial vistas afforded across the open foreground to the adjacent terrace when approaching the site from the elevated east.

The Layout had to pay respect to the shape of the site and how to respond to the main visual aspects whilst achieving a serviceable retailing element, and to complement the neighbouring commercial activity. The previous siting of the public house had an oppressively bland facade onto this foreground area. The reaction to this was to think about enhancing this space by a complementary drawing back of the building line along the 'Mill road and carry through the parking/circulation theme/character in order to "connect" better with the neighbours immediately sharing this junction. In contrast, the residents' parking/amenity/circulation is kept separate and private at the rear.

The Layout had to respect the narrowing at the front of the site, and in turn accept the foreground presence of relatively low-rise buildings to the west, which in turn increased the focus to the north-west/north-east. In contrast, the rear, south-east corner block feature maintains the original road width and sense of enclosure; adding to the desired containment and the focussed sense of enclosure at the front/side of the site and the adjacent retail outlets.

Scale

Principles: Legibility; Character and Context; Public Realm

3.6.4 The Site and Context analysis confirmed the pivotal significance of the location within the village, the influence of the industrial heritage, the divisiveness of the A69 through the pattern of settlement character and growth, and the opportunity for creating a more legibly determined focal point.

Pulling back the building would reduce appreciable contrast with the buildings to the west, and by opening the gap with the arrangement to the east would place greater emphasis upon the public space.

Both aspects afforded greater scope to realise a taller building; an objective reinforced by the appreciable presence and influence of the 'Mills, as arguably reflected already by the elevated apartment block on the opposite side of the A69.

3-storeys are tempered by shallow pyramidal roofs with the 2nd floor hard up under the eaves (save for the "clock tower" building where the eaves was actually raised for added effect).

The objective was to produce a building complex taller than the surroundings, proportionate to the significance and scale of the wide A69 as well as the adjacent shared foreground/setting in front of the adjacent terrace – to draw the eye, mark the junction, and complement the expansive public setting whilst appreciating the rising topography to the north/east.

Landscaping

Principles: Character & Context; Accessibility & Legibility

3.6.5 The emphasis here is on the quality of surface treatments, and maintaining an open, inviting aspect to the A69, with soft landscaping to the rear and along the water course environment (subject to flood preclusion works). Distinctions should be made between circulation and parking areas for shoppers/servicing, and between pedestrian and vehicle routes; complementing the colour and texture of the building, in particular the more striking and contextually influenced dark brickwork.

Suitably discrete, low maintenance shared amenity spaces are provided to the rear and these are considered appropriate in this situation, within a mixed development incorporating only apartments, and on balance against other land use Planning and good design objectives for making effective and efficient use of prime-located, previously developed land, and achieving compactness. In wider public interest terms, this is complemented by planned improvements to an identified local play area facility as agreed following local consultation.

The proposed scheme will achieve major improvements to the landscape and townscape quality and character of the site, and will achieve a high degree of accessibility and (safe-legible) freedom of movement.

Appearance & Materials

Principles: Character & Context; Legibility

3.6.6 The objective has been to develop a common language of materials, based upon those to be found throughout the more appreciably influential elements of the village's built environment, as well as the 'Mills.

Simple and solid proportions with a plain rhythm of fenestration are adopted for the key corner blocks that act as an important fulcrum for the junction. The overall mass of the group is visually reduced by lightweight intermediate areas reinforcing the solid, vertical proportions of the corners.

The buttressed ground floor on more substantive corner elements adds to the vital strength of the corner pivot point; reducing visual appreciation of height without undermining the much-desired verticality as reinforced by strongly patterned and proportioned openings and the elevated "clock tower".

The aim was to reduce any sense of overbearing, so that at its furthest point from the junction it is diminished to much the same height as a two and a half storey Georgian or Victorian domestic unit.

Overall, achieving a visual richness that integrates seamlessly a mix of uses that will weave into the social and economic fabric of the settlement and its community.

4. CONCLUDING REMARKS

4.1 The proposal would offer a landmark regeneration of this most important site; bringing with it a visually rich and striking enhancement of an established and popular focal point.

It will go some considerable way to reversing the divisiveness of the A69 by creating a more appreciable, robust "sense of place" that draws upon the more significant elements and influences from the parent townscape, to achieve a mixed use development that will be woven into the fabric of the area.

It will therefore sustain and enhance local character in townscape by responding to and reinforcing local distinctive patterns, and forms of development but in a way that strengthens the public realm by complementing and substantiating the role of this local community facility.

It will be accessible, and indeed offers a more legible and contained environment for shoppers and residents alike.

It will widen the choice and variety of (relatively affordable) residential accommodation within the settlement/surrounding area, as well as strengthening its commercial focus.

Opportunities for sustainable design solutions are limited in respect of energy use, although measures will be put in place for composting of garden waste, the attenuating and storage of surface water for use on-demand, and facilitating other waste collection and recycling – both private residential, and trade.

Again, the applicant, after local consultation, is prepared to make a financial contribution to improvements to an identified local play area facility, as well as provide a bus shelter on the A69.

Overall, the scheme furthers the aims and objectives of sustainability, in accord with the Council's spatial strategy, as well as substantiating local service provision with enhanced long-term viability and vitality without levying a disproportionate environmental cost or undue harm to local amenities.

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Sequential Test & Exceptions Test

Within the submitted Planning Statement, a précis of the response to the requirements of PPS25 was offered; in summary, that the pursuit of this site satisfied the Sequential Test, and thereafter there are grounds satisfying the "Exceptions Test" that point to this site being permissible for housing development in respect of flood risk.

The following offers a more in-depth analysis to allow the LPA to more fully appreciate our position on this issue.

Sequential Test

The Sequential Test is a decision-making tool designed to ensure that sites at little or no risk of flooding are developed in preference to areas at higher risk. In respect of this individual planning application, it is believed the area to apply the Sequential Test is defined by local circumstances relating to the catchment area of the development.

It is understood the land lies on land deemed within Flood Risk Zone 3a. Wherein proposals for "more vulnerable" uses including housing (incl. buildings containing housing) are made subject to the Sequential Test. So in the case of a "mixed use" the more "vulnerable" element dictates the required flood risk analysis.

It is believed that the local circumstances place this site as an important regenerative asset which is needed to sustain the existing community, and accordingly it is believed that there are no reasonable alternatives outside this settlement. This is the justification for the area of search for undertaking the Sequential Test – that area being Warwick Bridge and the surrounding "catchment" settlements.

From an inspection of the area, there was found to be no other suitable and "reasonably available" sites therein, nor indeed any sites of comparable scale, nature and disposition.

Accordingly, it is believed that the Exceptions Test may be applied; to show that the wider sustainability benefits to the community outweighs the flood risk, and that the development is "safe" and residual flood risk can be overcome to the satisfaction of the Environment Agency.

Exceptions Test

When applying the Exceptions Test for planning applications one should demonstrate evidence that will allow the LPA to decide whether the application delivers wider sustainability benefits that outweigh the flood risk implications of development this site.

The Exceptions Test is in three parts and each part needs to be satisfied.

(i) Wider Sustainability Benefits

- The site is "brownfield", is accessible to public transport provision, and is of pivotal significance at the communal "heart" of this important, relatively large local service centre;
- Its redevelopment would enhance and consolidate the service value status of this settlement thereby reinforcing the Council's spatial strategy and the furtherance of the aims and objectives of sustainability;
- The proposed retail element would again consolidate and enhance the existing adjacent services, by raising the profile of the site, expanding choice and variety, and substantiating its role as the commercial/communal hub of the settlement; thereby supporting its role as a sustainable service centre;
- The proposed housing element would make very good use of the land, achieving an appropriate compactness and efficiency to deliver effectively greater choice and variety within the local housing market thereby enhancing the sustainability of the settlement as a more balanced, equitable and inclusive community.

(ii) Previously Developed Land

With reference to Annex B. Of PPS3, the site is "previously-developed" land.

(iii) Safety

The approach adopted by the architects, and commissioning of the FRA was undertaken in full knowledge of the implications of PPS25 in respect of ensuring a "safe" development. The FRA provides the basis for any potential analysis that may flow from the same in respect of the provisions of PPS25; specifically part (c) of the Exceptions Test. It was advised that to contemplate the "safety" factor, it was necessary to understand and assess the risks, and thereafter consider the appropriate "design" in terms of the development's constructional and operational phases, any defences, access/egress, flood warning and evacuation. We are confident the measures recommended by the FRA (which have been agreed with the Environment Agency), coupled with the approach taken by the architect regarding the construction phase and adherence to CDM and Building Regulations, address effectively the "design" issues, and in turn, and in consideration of the site circumstances, lay the foundation for ensuring public safety.

- ***The FRA recommends***, on the basis of agreed methodology and analysis, the following:

  (i) that CDM Regulations be adhered to;

  (ii) providing storm water storage tanks and grey water recycling facilities to recompense any "loss" of ground permeability (on this slab brownfield site) caused by the proposed development;

  (iii) discharging surface water to Cairn Beck through a non-return valve so as much storage capacity as possible may be conserved during the onset of a storm;

  (iv) building up the river banks adjacent Cairn Beck to retain a 1 in 100 year storm;

  (v) setting minimum floor levels across the site in line with EA advice.

  The FRA advises that these measures will address the flood risk facing this site, without causing material harm elsewhere.

In terms of safe access and egress, the site is immediately adjacent the A69, and as such it is excellently disposed for the purposes of emergency access and evacuation should the need arise.

Information panels will be deployed around/within the building giving advice on evacuation procedures.

It is believed earnestly that on the basis of the measures recommended and the site's accessible disposition, sufficient mitigation by design will reduce significantly the risk of, and the scale of any flooding to within acceptable tolerances.

Finally, the site is, and will be more higher than existing shops therefore reducing significantly the likelihood of flooding/access/egress problems in relation to the proposal.

Conclusions

The proposal is acceptable against the Sequential Test, and thereafter we believe there are exceptional circumstances that support this potentially vital development proceeding.

SCHEDULE A: Applications with Recommendation

08/0722

Item No: 06 Date of Committee: 03/10/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0722	Mr Derek Schofield	Kingmoor
Date of Receipt:	**Agent:**	**Ward:**
14/07/2008	Taylor & Hardy	Stanwix Rural
Location:		**Grid Reference:**
3 Crindledyke Estate, Kingstown, Carlisle, CA6 4BZ		338337 560465

Proposal: Erection Of A Detached Garage

Amendment:

REPORT **Case Officer:** Richard Maunsell

Reason for Determination by Committee:

This application is brought for determination before Members of the Development Control Committee due to the neighbour wishing to exercise his right to speak.

1. Constraints and Planning Policies

Local Plan Pol H11 - Extns to Existing Resid. Premises

Local Plan Pol CP5 - Design

Local Plan Pol CP6 - Residential Amenity

2. Summary of Consultation Responses

Cumbria County Council - (Highway Authority): no objection;

Kingmoor Parish Council: comments awaited; and

Local Plans (Tree Preservation), Development Services: no comment.

3. Summary of Representations

Representations Received

Initial:	Consulted:	Reply Type:
2 Crindledyke Estate	15/07/08	
1 Crindledyke Close	15/07/08	
3 Crindledyke Close	15/07/08	Objection
5 Crindledyke Close	15/07/08	

3.1 This application has been advertised by means of direct notification to the occupiers of four of the neighbouring properties. At the time of writing this report, one letter of objection has been received and the main issues raised are summarised as follows:

1. The development will be very intimidating due to the height and close proximity to the neighbouring property which would give no outlook;

2. The objector alleges that the ground level on the applicant's land have been increased;

3. The height of the wall exceeds that which is permitted and legal action is being taken by the Council to reduce the height of the wall. Planning Inspectors have likened similar walls to that of a prison; and

4. The height and relationship of the garage will exaggerate the existing poor living conditions.

4. Planning History

4.1 Planning permission was granted in 1998 for the erection of a dining room and lounge extension.

4.2 Earlier this year, an application for the erection of a detached double garage was submitted but withdrawn prior to determination.

5. Details of Proposal/Officer Appraisal

Introduction

5.1 The application seeks approval for the siting of a detached garage at 3 Crindledyke Estate, Crindledyke, Carlisle. The property is a two storey detached dwelling that is finished in smooth painted render under a slate roof.

5.2 The curtilage of the property is reasonable in scale. The dwelling is located centrally within the plot and lies adjacent to residential properties to the north and east. To the west is a telecommunication mast compound and to the south bisected by the road, is Kingmoor Park.

5.3 The site is bounded to the north by a block work wall and an existing single garage; to the east, concrete posts and timber panels that measure approximately 1.25 metres in height form the boundary. Immediately adjacent to the north-east corner of the application site is a mature oak tree.

Proposal

5.4 It is proposed to construct a large detached garage adjacent to the northern boundary of the site. The garage will measure 10 metres in width by 7 metres in depth. The height to the eaves would measure 2.5 metres with the height to the ridge measuring 4 metres. The building will be immediately adjacent to the eastern boundary and 0.5 metres from the northern boundary.

5.5 The garage will be finished from render with concrete roof tiles to the roof. The main openings to the building will face south, towards the applicants dwelling, and will incorporate a roller shutter door, a window and rooflights. A pedestrian access door will be located on the west elevation.

5.6 The relevant planning policies against which the application is required to be assessed are Policies H11, CP5 and CP6 of the Carlisle District Local Plan 2001-2016.

Assessment

1. Whether The Proposal Is Appropriate To The Dwelling

5.7 Planning policies require that extensions are of good design and are of an acceptable scale and protect the amenity of adjacent properties from proposals that are of inappropriate scale, design or result in unreasonable overlooking. In assessing the current proposal, Members should note that the footprint of the garage would be located close to the rear boundary of the site, leaving a gap of approximately 0.5 metres. The eaves height at this point would be 2.5 metres and the ridge, which measures 4 metres in height, would be located approximately 4.2 metres from the rear boundary wall.

5.8 Given the length of the curtilage of the property and the fact that the garage is to the rear and partially screened by the applicant's property, only glimpsed views of the building would be apparent from the front of the property. The development would not, therefore, detract from the character or appearance of the site.

5.9 The existing single prefabricated garage would be shortened in width to accommodate the proposed building, and a gap of approximately 0.5 metres would exist between the two.

5.10 The design and fenestration of the current scheme is appropriate to the style and character of the existing property; furthermore, the extension would be constructed from materials that are appropriate to the existing buildings.

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

5.11 There are neighbouring residential properties to the north and east of the application site. The site is partially screened along the rear boundary by a block work wall that measures just over 2 metres in height from the applicant's side and approximately 2.4 metres from 3 Crindledyke Close. Due to the boundary wall and the difference in ground levels, views of the application site are very limited and an oblique view of the roof would exist at most.

5.12 The nearest property affected by the development is 3 Crindledyke Close, located to the north of the application site. The ground level of the application site is approximately 0.47 metres higher than the neighbouring property; furthermore, the rear elevation of this neighbouring property is positioned at an angle to the application site which at its closest point, is approximately 0.87 metres from the boundary. As a result, the ground floor windows of this property directly face the boundary wall and consequently, the boundary wall has a greater impact on the occupiers of this property that the proposed garage will. The first floor windows have a more open view of the site over the roof of the garage.

5.13 The objector raises the issue that the development will be very intimidating due to the height and close proximity to the neighbouring property which would give no outlook and that the height and relationship of the garage will exaggerate the existing poor living conditions. The development would undoubtedly increase the overall bulk and mass of the applicant's property and affect the aspect when viewed from the neighbouring property, particularly when viewed from the first floor bedroom windows. Clearly, the issue as to whether the extension would be overbearing and adversely affect the living conditions of the occupiers of this property through unacceptable loss of daylight or sunlight is subjective and in this instance is finely balanced. Given the physical relationship and orientation of these properties, the proposal will not affect the living conditions of the neighbouring occupiers to such a degree that the proposal would be contrary to current Local Plan policies.

5.14 A further role of planning policies is that they seek to safeguard the living conditions of neighbouring occupiers by ensuring that development does not result in overlooking and loss of privacy. In this respect, the development would increase the level of privacy afforded to occupants of both dwellings. At present, there is a direct view from the first floor bedroom window of 3 Crindledyke Close across the application site. The presence of the garage and associated roof structure would improve the level of privacy provide some screening for the applicant and the occupier of 3 Crindledyke Close.

5.15 The proposed garage would be to the south of the neighbouring property, 3 Crindledyke Close. During the winter months, it would be conceivable that there may be some loss of light to the kitchen window, particularly in the late

afternoon; however, given the proximity and height of the boundary wall, it is not considered that the presence of the garage would result in an unreasonable loss of daylight or sunlight or give rise to an unacceptable level of overshadowing or over-dominance.

3. Other Matters

5.16 The occupier of the neighbouring property also raises the issues that the ground level on the applicant's land have been increased and that the height of the wall exceeds that which is permitted and legal action is being taken by the Council to reduce the height of the wall which, a Planning Inspector in other case law, commented that such boundary walls resemble that of a prison.

5.17 The applicant raises the issue of the alteration in ground levels and the unauthorised height of the boundary wall. These matters are currently subject to investigation and proceedings by the Council's Planning Enforcement Officer and should not prejudice the determination of this application.

5.18 Planning policies ordinarily require that a minimum distance is maintained between the crown spread of existing trees and new development. The root system of the tree has previously been damaged, as has some of the branches. Given its condition, the owner of the tree has signified that it is his intention that the tree will be removed in the near future. The Council's Landscape Officer has raised no objection to the application.

4. Conclusion

5.19 In overall terms, the garage will be significant in scale and located close to the boundary of the neighbouring property. The building will not be wholly obtrusive or detrimental within the character of the streetscene. The impact of the development on the occupiers of the neighbouring property is finely balanced. On the one hand, the garage is unquestionably large with a significant roof height, dictated by the span of the building and the height of the door openings required by the applicant. On the other hand, the ground floor windows of the neighbouring properties are already obscured due to the difference in ground levels and the height of the boundary structure. Whilst there would be a view from the first floor bedroom windows of the proposed garage, the view would be across the roof as opposed to the applicant's existing curtilage and property. The current proposal does not affect the living conditions of adjacent properties by poor design and in all aspects the proposals are considered to be compliant with the objectives of the relevant adopted and emerging Local Plan policies.

6. Human Rights Act 1998

6.1 Several provisions of the above Act 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 regularise any breach of planning control;

Article 8 recognises the "Right To Respect for Private and Family Life";

6.2 **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;

6.3 The proposal has been considered against the above but in this instance it is not considered that there is any conflict. If it was to be alleged that there was conflict it is considered not to be significant enough to warrant the refusal of permission.

7. 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 garage hereby permitted shall not be used except for private and domestic purposes and shall at no time be used for any commercial or business purposes whatsoever.

Reason: To preclude the possibility of the use of the premises for purposes inappropriate in the locality and to ensure compliance with Policy CP6 of the Carlisle District Local Plan 2001-2016.

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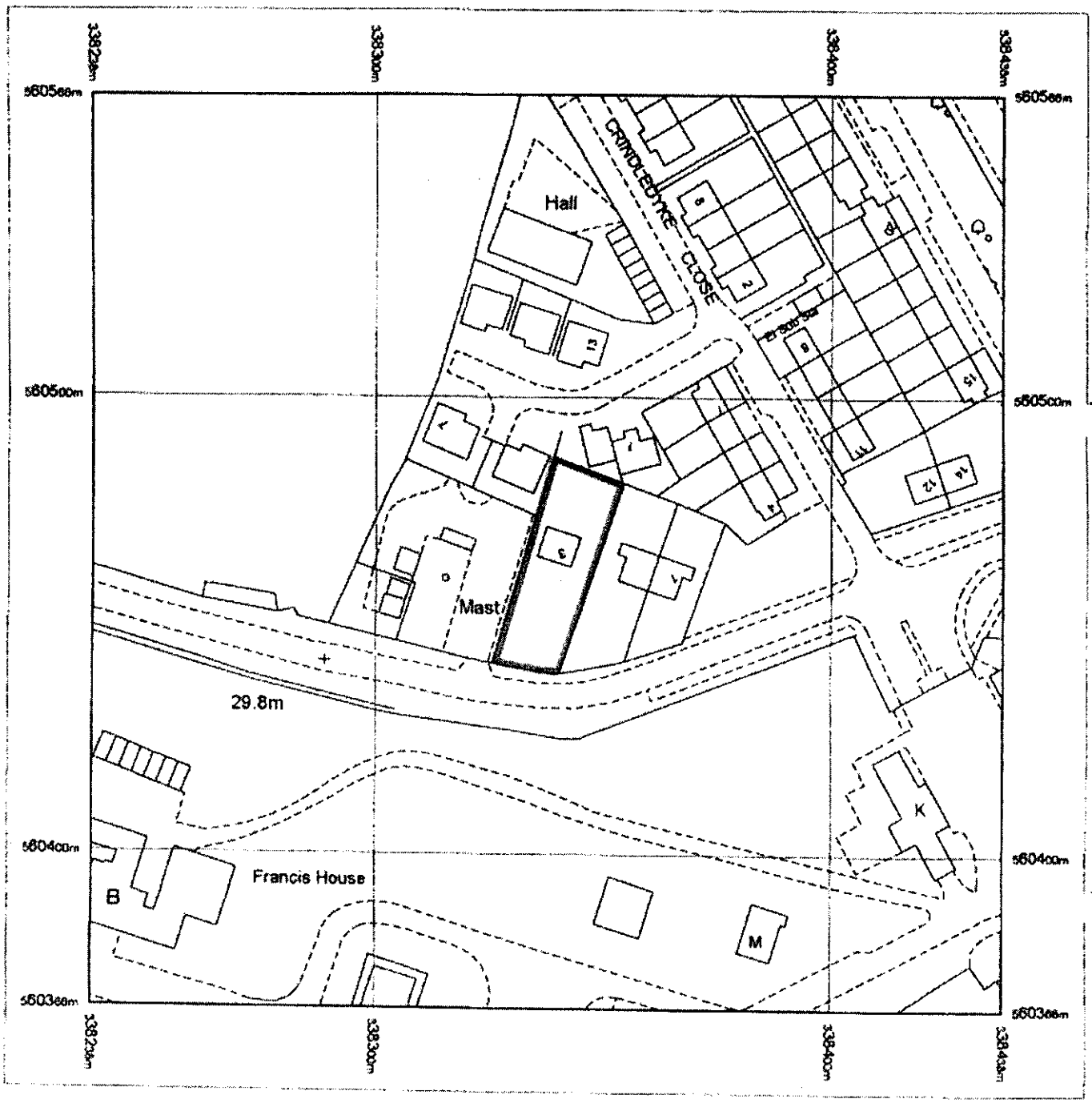

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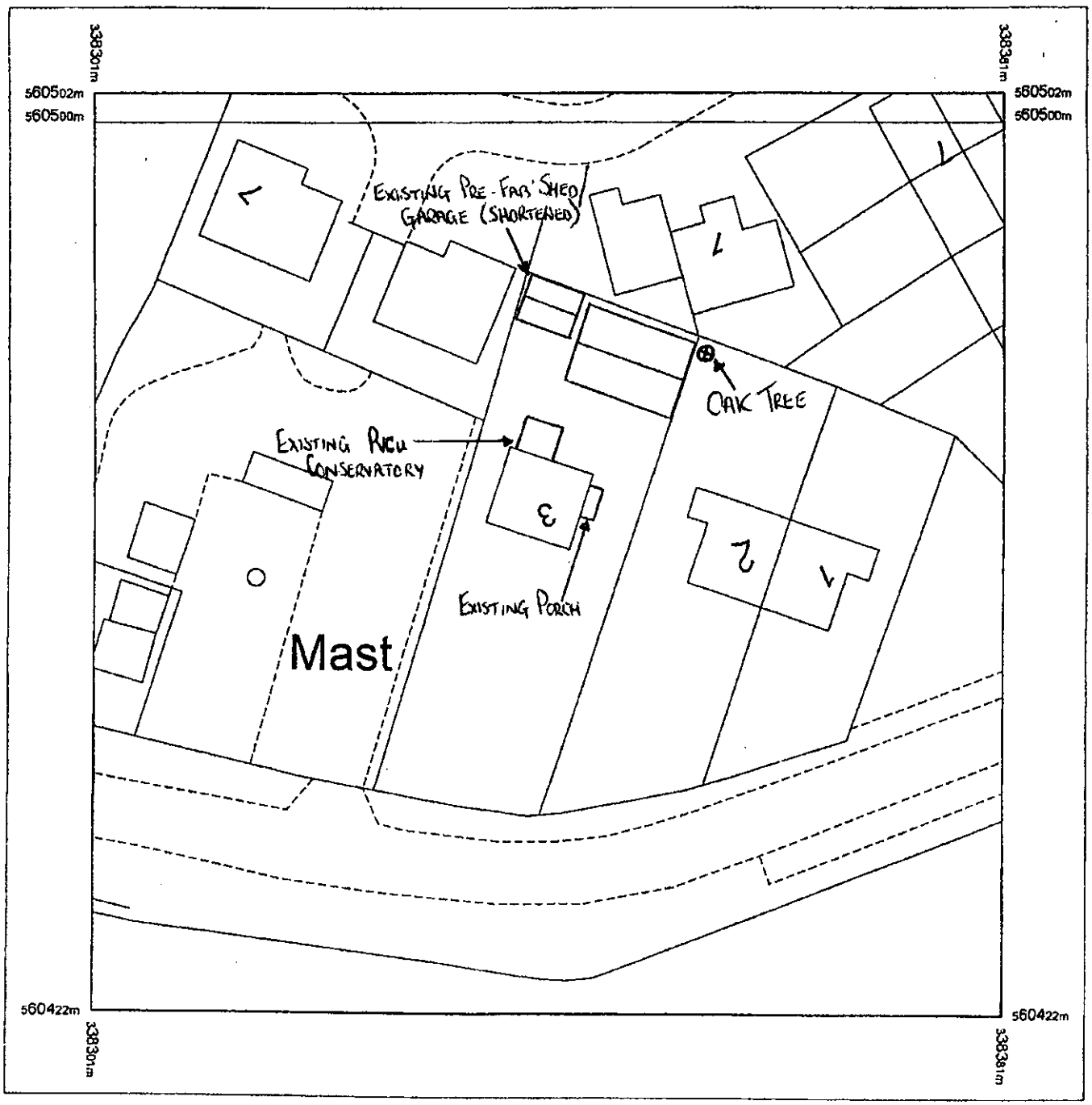

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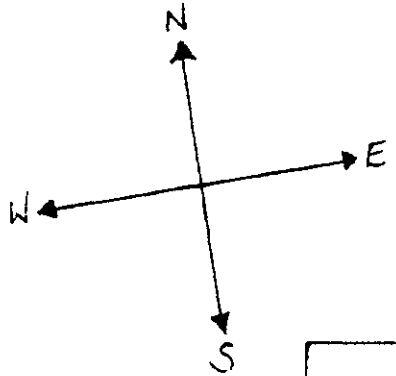
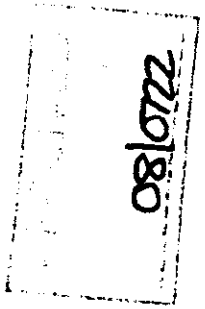
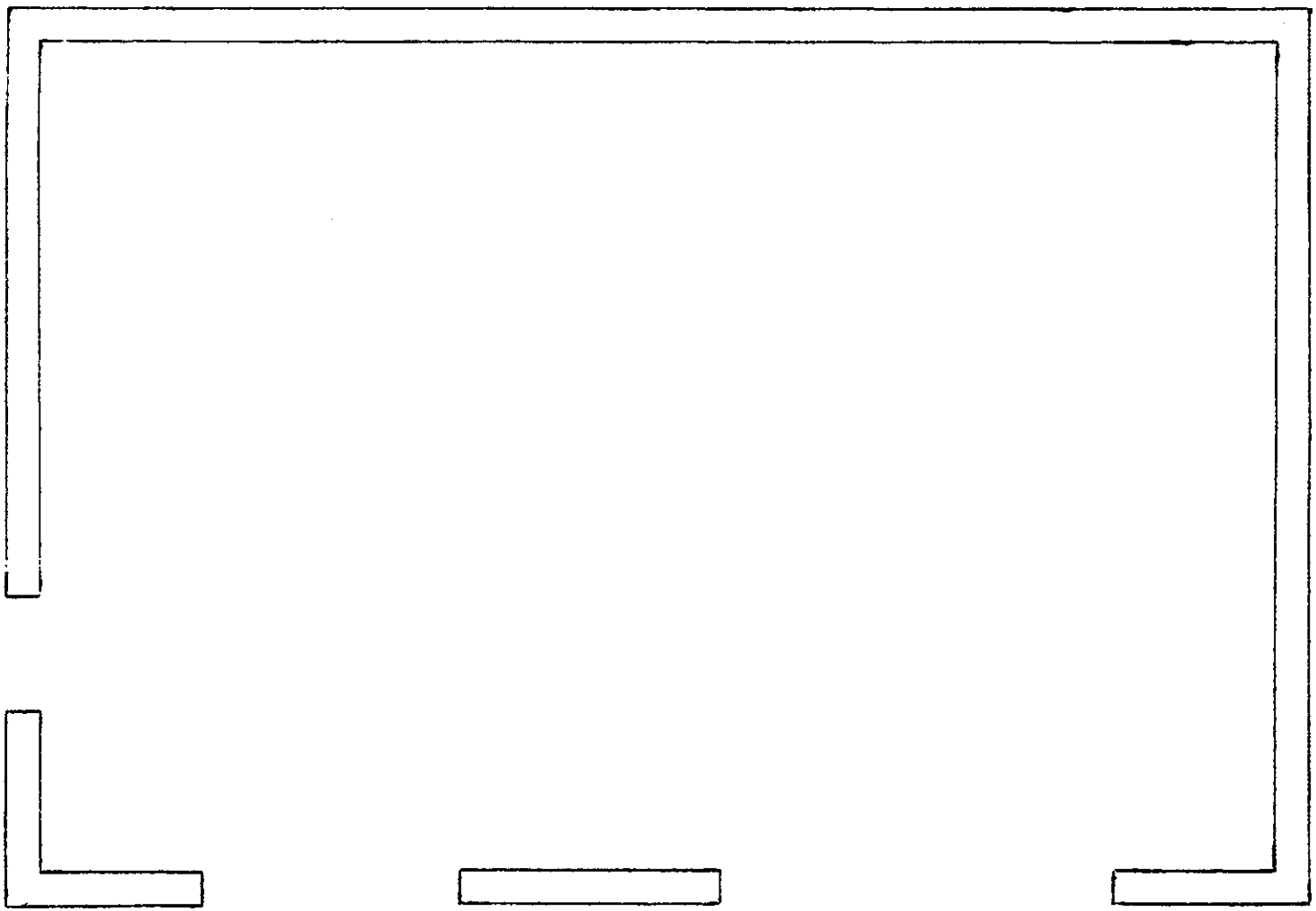


PROPOSED FLOOR PLAN LAYOUT.





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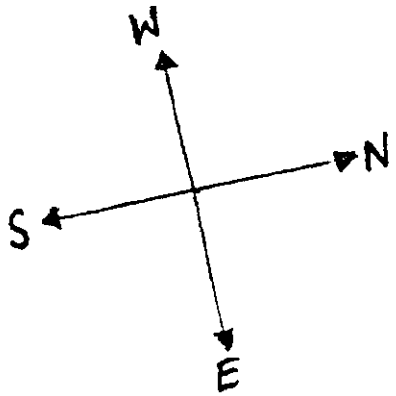
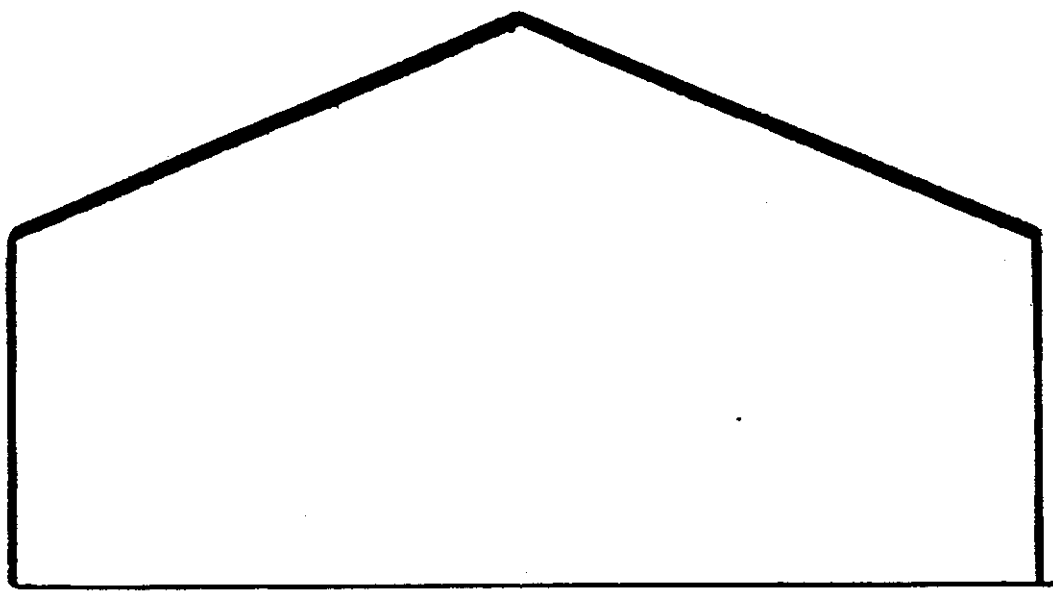


End Elevation - East Facing

Overall Width 7m
Wall Plate Height 2.5m
Ridge Height 4m
Roof Pitch 22.5°

08/07/22



Boundry Wall

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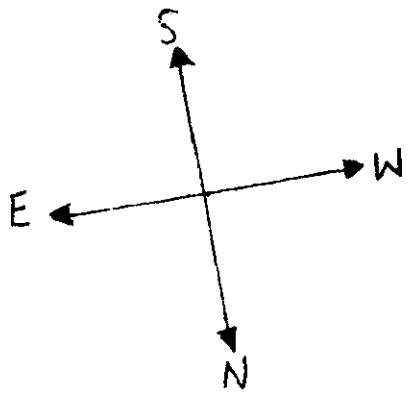

Rear Elevation - North Facing

Overall Length 10m
Wall Plate Height 2·5m
Ridge Height 4m

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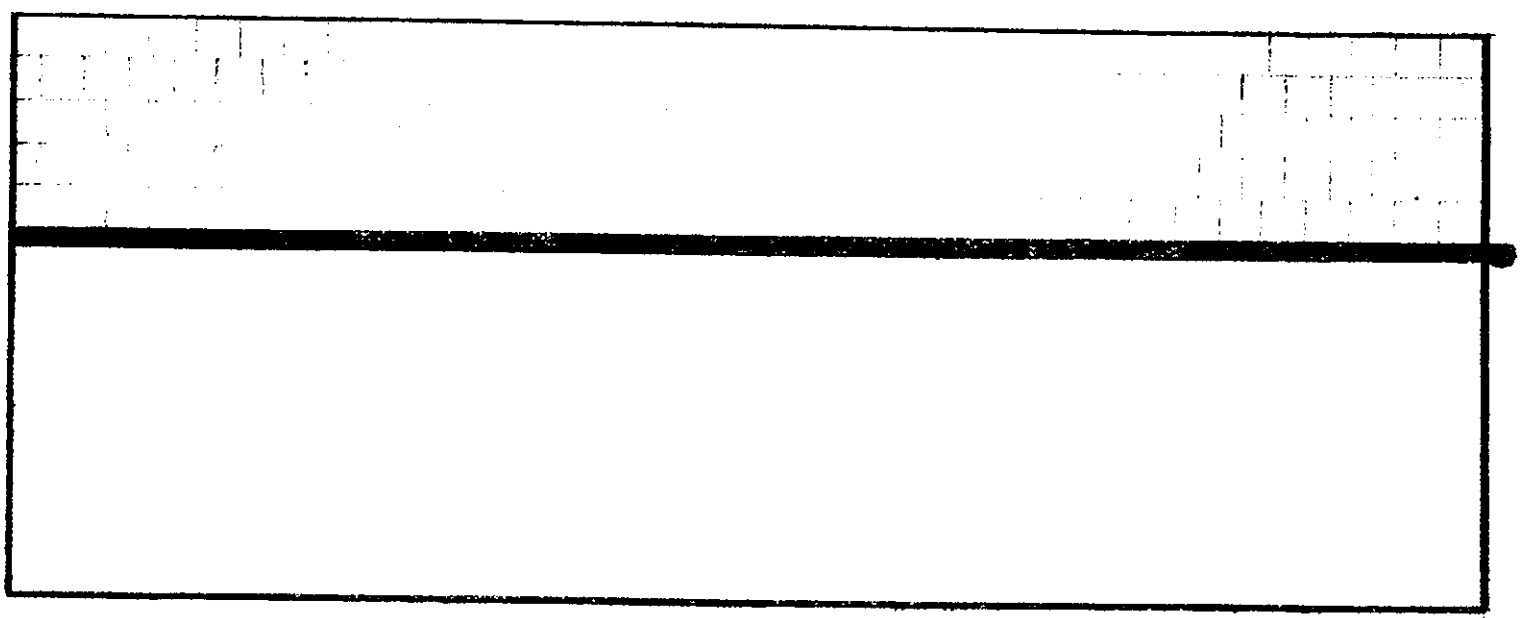

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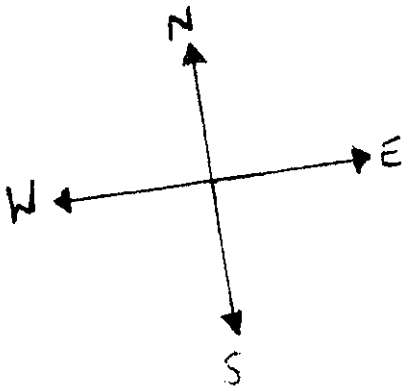
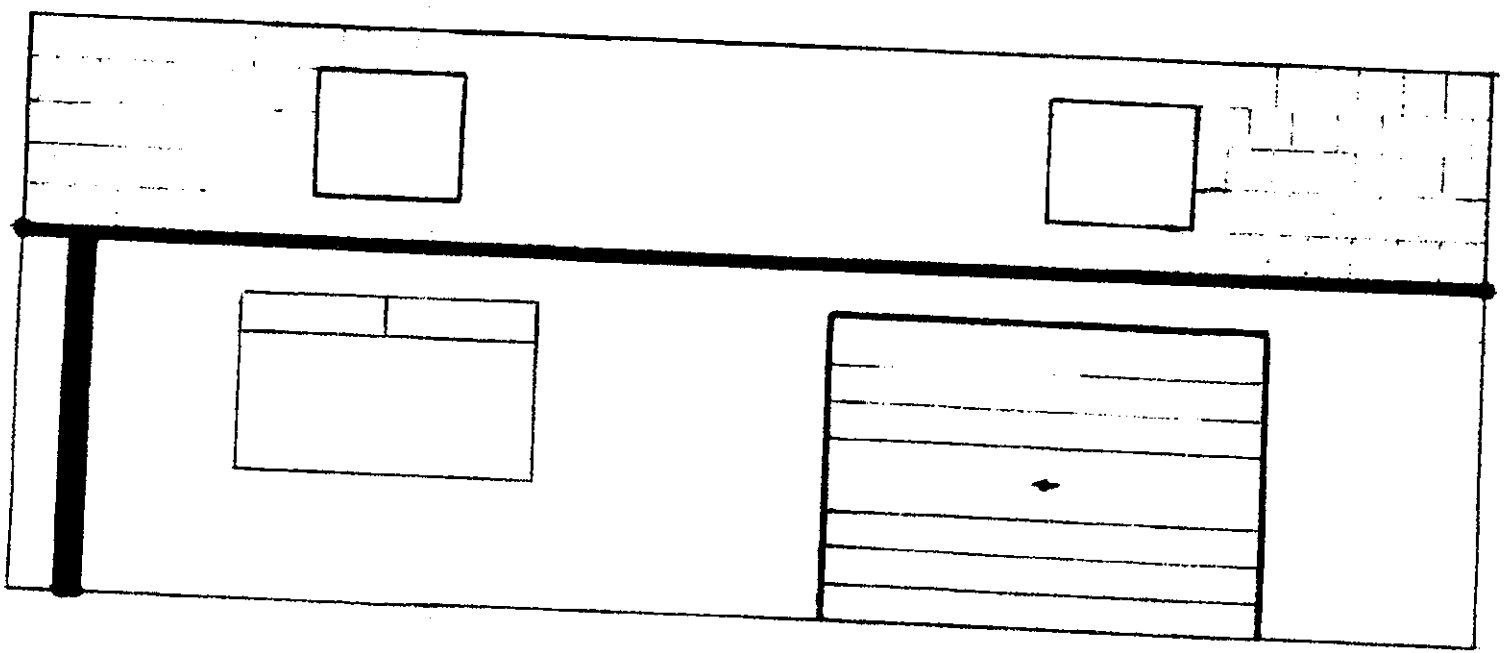


Front Elevation - South Facing

Overall Length	10m
Ridge Height	4 m
Wall Plate Height	2·5m
Door/Window Lintel	2·1m
Door Width	3·0m



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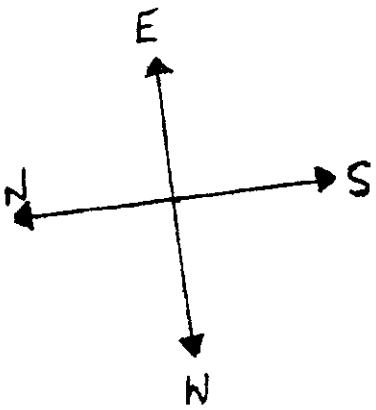


End Elevation - West Facing

Overall Width 7m

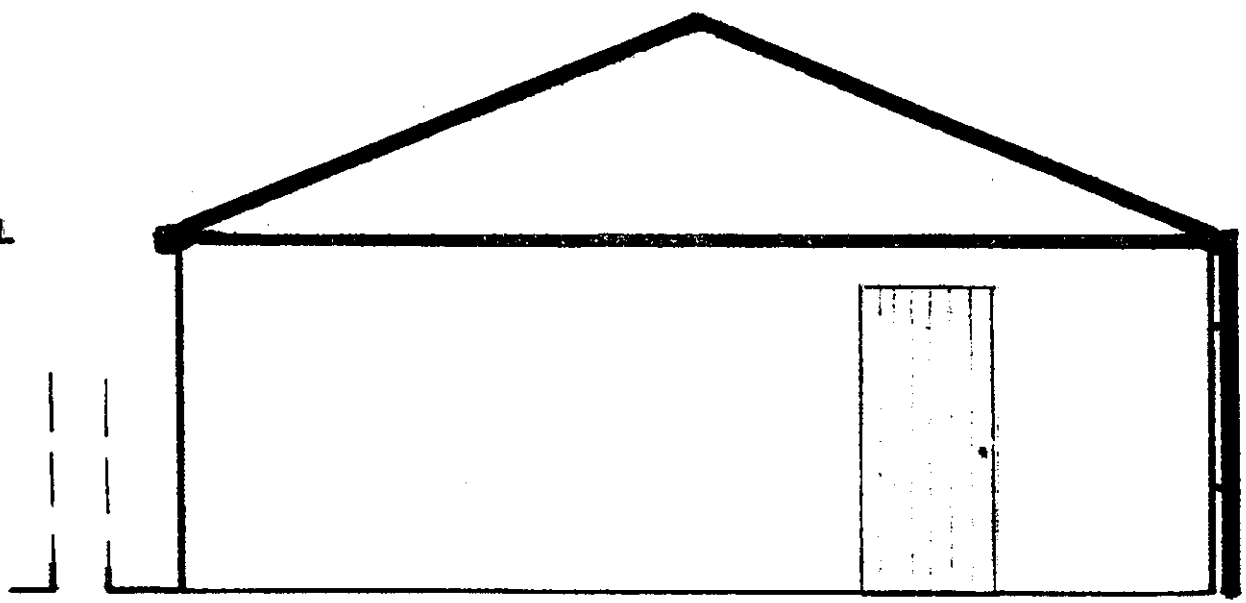
Wall Plate Height 2.5m

Lintel Height 2.1m

Ridge Height 4m

Roof Pitch 22.5°

08/07/22



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Photograph 1 – View looking from the entrance of the applicant's property to the proposed siting of the garage to the rear.

Photograph 2 – View of the proposed location of the garage with 3 Crindledyke Close in the background.

Photograph 3 – View of the existing boundary fence and wall from the kitchen window of 3 Crindledyke Close.

Photograph 4 – View of the application site from the first floor bedroom window of 3 Crindledyke Close.

SCHEDULE A: Applications with Recommendation

08/0806

Item No: 07 Date of Committee: 03/10/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0806	Mr B Gate	Carlisle
Date of Receipt:	**Agent:**	**Ward:**
19/08/2008		Harraby
Location:		**Grid Reference:**
Land to the rear of 1 Hillcrest Avenue, Carlisle, Cumbria, CA1 2QJ		341565 554550

Proposal: Erection of 1no. Detached Dwelling with Existing Access (Outline Application)

Amendment:

REPORT **Case Officer:** Shona Taylor

Reason for Determination by Committee:

This application is brought before the Development Control Committee for determination due to the receipt of an objection from a neighbouring resident who has requested the right to speak.

1. Constraints and Planning Policies

Local Plan Pol DP1 - Sustainable Development Location

Local Plan Pol CP5 - Design

Local Plan Pol CP11-Prot.Groundwaters &Surface Waters

Local Plan Pol H1 - Location of New Housing Develop.

Local Plan Pol H2 - Primary Residential Area

Local Plan Pol T1- Parking Guidelines for Development

2. Summary of Consultation Responses

Cumbria County Council - (Highway Authority): no objections to the application as shown on tthe indicative plan, subject to the inclusion of six conditions in any consent granted;

Community Services - Drainage Engineer: comments awaited;

United Utilities (former Norweb & NWWA): no objection to the proposal provided the site is drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to the watercourse/soakaway/surface water sewer and may require the consent of the Environment Agency. If surface water is allowed to be discharged to the public surface water sewerage system we may require the flow to be attenuated to a maximum discharge rate determined by United Utilities.

A seperate metered supply to each unit will be required at the applicant's expense and all internal pipework must comply with current water supply (water fittings) regulations 1999;

Development Services Planning & Housing Services - Local Plans (Trees): There are a number of trees on or adjacent the site. Whilst I have no objection to the principle of the proposal we will require a tree survey in accordance with B.S. 5837: 200 Trees in relation to construction â Recommendations as part of the reserved matters application. We will also require tree protection barriers for those trees that are to be retained.

3. Summary of Representations

Representations Received

Initial:	Consulted:	Reply Type:
3 Hillcrest Avenue	21/08/08	Objection
20 Hillcrest Close	21/08/08	Objection
Telephone Exchange	21/08/08	
, 20 Hillcrest Avenue	28/08/08	
17 Hillcrest Close	10/09/08	
18 Hillcrest Close	10/09/08	
19 Hillcrest Close	10/09/08	
5 Hillcrest Avenue	10/09/08	
7 Hillcrest Avenue	10/09/08	

3.1 This application has been advertised by means of a site notice and notification letters sent to nine neighbouring properties. At the time of writing this report, two letters of objection have been received. The issues raised are as follows:

1. The proposal will be uncomfortably close to the boundary with No. 20 Hillcrest Close, impacting upon privacy to the garden, lounge and bedroom of this property.

2. Proposal will impact upon the value of No 20 Hillcrest Close.

3. There are trees at No. 20 Hillcrest Close located close to the boundary with the application site which have Tree Preservation Orders. The proposal will affect the roots of these trees.

4. The proposal will result in overlooking and loss of light to the gardens of No 20 Hillcrest Close and No. 3 Hillcrest Avenue.

5. The plans indicate a driveway, however, it is likely that this would only accommodate one car. This will impact upon an already crowded parking situation.

6. The access is via an already busy road, which has daily traffic from both private houses and the business park.

7. A conveyance document states that no buildings should be erected upon the land to the rear of the gardens of the properties on Hillcrest Avenue.

4. Planning History

4.1 There is no relevant planning history.

5. Details of Proposal/Officer Appraisal

Introduction

5.1 This application seeks outline planning permission for the erection of a detached dwelling on land adjacent to No. 1 Hillcrest Avenue, which is adjacent to the entrance to Hillcrest Close. The site, which covers approximately 278m square metres, forms part of the rear garden of No.1, comprising a lawned area, a vegetable patch and a carport with gated access onto Hillcrest Avenue. There is an existing dropped kerb to the north west of the site, which gives access to a car port. The boundaries of the site are currently delineated by an approximately 1.8m high close boarded wooden fence above a 0.3m high brick wall.

5.2 The site is identified as located within a Primary Residential Area on the Urban Area Inset Map that forms part of the Carlisle District Local Plan 2001-2016.

Proposal

5.3 The indicative layout plan illustrates a detached dwelling, with a footprint of approximately 81 square metres. The dwelling would be positioned centrally within the site, and would be located 4m from the north western boundary which adjoins Hillcrest Avenue. The dwelling would incorporate a ridge height of between 8.3m and 8.4m and would measure a maximum of 9m in width and 10m in depth.

5.4 Access to the property is via the existing dropped kerb onto Hillcrest Avenue, to the northeast of the site. Parking will be provided to the side of the property, although as yet no specific details of the number of spaces have been provided.

5.5 Externally the property would be designed to match the surrounding dwellings. The external walling will be finished in facing brick, with a concrete tile roof and white UPVC framed windows and doors. The boundary will be delineated by a fence, the height of which has yet to be clarified.

5.6 It is proposed to discharge the foul drainage and surface water to the mains sewer.

Assessment

5.7 The relevant planning polices against which the application is required to be assessed are Policies DP1, CP5, CP11, H1, H2 and T1 of the Carlisle District Local Plan 2001-2016.

5.8 The proposals raise the following planning issues:

1. Whether The Principle Of The Proposed Development Is Acceptable

5.9 In policy terms, Members will appreciate that the land is 'Brown Field' land within the urban area (close to the city centre) and is well located in a relation to choice of modes of transport. Accordingly, the principle of its development for housing is not an issue, subject to compliance with the criteria identified in Policy H2 of the Local Plan.

2. Whether The Scale, Layout And Appearance Of The Development Is Acceptable

5.10 The indicative layout plan submitted illustrates that the proposed dwelling and plot in which it is situated are comparable to the surrounding properties, which are also of a similar height and scale, albeit that most of the neighbouring dwellings are semi detached. As such, the erection of a two storey dwelling would not appear out of place.

5.11 Members are advised that the footprint of the dwelling as shown on the indicative layout plan is larger than Officers would encourage; however, this aspect of the scheme can be regulated through the 'reserved matters' application, should planning permission be forthcoming.

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

5.12 Taking into consideration the scale and position of the proposed dwelling in relation to the residential properties located to the northeast and southwest of the site, there will be no adverse impact upon the living conditions of the occupiers through overlooking, overbearing or loss of light.

5.13 It is conceded that the gardens of those properties to the rear of the site would be overlooked; however, these gardens are already overlooked by the existing properties. A refusal of the application on this basis could therefore not be substantiated.

4. Access and Parking Provision

5.14 The occupiers of a neighbouring property have raised concern with regard to the amount of parking that will be provided on site, as they state that there is an existing parking problem in the area, and it is likely that there will only be one space provided within the curtilage of the proposed dwelling.

5.15 Whilst the objectors concerns are noted, it is the Highway Authority's view that the indicative access and parking details shown on the plan are acceptable and they have raised no objections to the proposal. If a reserved matters application is submitted, The Highways Authority will require either 2 or 3 parking spaces to be provided, depending on the number of bedrooms in the dwelling, which could be achieved within the dwellings curtilage.

5. Impact Of The Proposal On Trees

5.16 A neighbouring resident has raised a concern that there are several trees on their property with preservation orders which they feel will be adversely affected by the proposed development.

5.17 The Council's Landscape Architect/Tree Officer has been consulted on the application. He has confirmed that there are no trees with Tree Preservation Orders in the area, and that there are no objections to the proposal. However, he has stated that a Tree Survey will be required as part of a 'reserved matters' application and that any trees to be retained would have to be protected by tree protection barriers, which can be secured through the imposition of an appropriate condition.

6. Other Matters

5.18 A local resident has expressed concern regarding a conveyance document within their deeds stating that the extra land purchased at the bottom of the gardens in 1950 was sold on the condition that no buildings should be erected upon it. This is not a valid planning consideration that can be taken into account when assessing this application, as it is a civil matter rather than a planning issue.

Conclusion

5.19 In overall terms, the principle of the proposed development is acceptable. The dwelling can be accommodated on the site without detriment to the living conditions of the neighbouring properties through loss of light, privacy or over dominance. Adequate amenity space and incurtilage parking provision would be provided. The access to the site is existing and the anticipated level of traffic generated by the proposal would not prejudice highway safety. In all

aspects the proposals are compliant with the objectives of the relevant Local Plan Policies.

6. Human Rights Act 1998

6.1 Several provisions of the above Act 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 regularise any breach of planning control;

Article 8 recognises the "Right To Respect for Private and Family Life";

6.2 **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;

6.3 Article 8 and Article 1 of Protocol 1 of the Human Rights Act are relevant to this application, and should be considered when a decision is made. Members are advised that for the reasons identified in the report the impact of the development in these respects will be minimal and the separate rights of individuals under this legislation will not be prejudiced.

7. 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).

3. Before any work is commenced, details of the siting, design and external appearance of the building(s), the means of access thereto and the landscaping of the site (hereinafter called "reserved matters") shall be submitted to and approved by the local planning authority.

Reason: The application was submitted as an outline application in accordance with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995.

4. In case of any "Reserved Matter" application for approval shall be made not later than the expiration of 1 year beginning with the date of this permission, and the development shall be begun not later than whichever is the later of the following dates:

(i) The expiration of 3 years from the date of the grant of this permission, or

(ii) The expiration of 2 years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: In accordance with the provisions of Section 92 of the Town and Country Planning Act 1990. (as amended by The Planning and Compulsory Purchase Act 2004).

5. Samples or full details of all materials to be used on the exterior shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced.

Reason: To ensure the works harmonise as closely as possible with the existing building and to ensure compliance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

6. Details shall be submitted of the proposed hard surface finishes to all public and private external areas within the proposed scheme and approved, in writing, by the Local Planning Authority before any site works commence.

Reason: To ensure that materials to be used are acceptable and to ensure compliance with Policy CP5 of the emerging Carlisle District Local Plan 2001-2016.

7. Details of the relative heights of the existing and proposed ground levels and the height of the proposed finished floor levels of the dwelling and any associated garage shall be submitted to and approved in writing by the Local Planning Authority before any site works commence.

Reason: In order that the approved development overcomes any problems associated with the topography of the area and safeguards the amenity of neighbouring residents in accordance with Policy H11 of the Carlisle District Local Plan 2001-2016.

8. No development shall take place until full landscaping details, including identification of those trees/shrubs to be retained, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved prior to the occupation of any part of the development or in accordance with the programme agreed by the Local Planning Authority. Any trees or other plants which die or are removed within the first five years following the implementation of the landscaping scheme

shall be replaced during the next planting season.

Reason: To ensure that a satisfactory landscaping scheme is prepared and to ensure compliance with Policy CP5 of the Carlisle District Local Plan.

9. The development shall not commence until visibility splays providing clear visibility of 2.4metres by 23metres measured down the centre of the road have been provided at the junction of the access with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle, or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splay which obstruct the visibility splays. The visibility splays shall be constructed before general development of the site commences to that construction traffic is safeguarded.

Reason: In the interests of highway safety and to support Local Transport Plan Policies LD7 and LD8.

10. Any existing highway fence/wall boundary shall be reduced to a height not exceeding 1.0m above the carriage way level of the adjacent highway in accordance with the details submitted to the Local Planning Authority and which have subsequently been approved before development commences and shall not be raised to a height exceeding 1.0m thereafter.

Reason: In the interests of highway safety and to support Local Transport Plan Policies LD7 and LD8.

11. Details of all measures to be taken by the applicant/developer to prevent surface water discharging onto of off the highway shall be submitted to the Local Planning Authority for approval prior to development being commenced. Any approved works shall be implemented prior to the development being completed and shall be maintained operational thereafter.

Reason: In the interests of highway safety and environmental management and to support Local Transport Plan Policies LD7 and LD8.

12. No development shall commence until detailed drawings showing the development and means of access thereto have been submitted to the Local Planning Authority for approval. Any such approved means of access shall be completed in accordance with the approved details before the development is occupied.

Reason: In the interests of highway safety and to support Local Transport Plan Policies LD7 and LD8.

13. Before any development takes place, a plan shall be submitted for the prior

approval of the local planning authority reserving adequate land for the parking of vehicles engaged in construction operations associated with the development hereby approved, and that land, including vehicular access thereto, shall be used for or be kept available for these purposes at all times until completion of the construction works.

Reason: The carrying out of this development without the provision of these facilities during the construction work is likely to lead to inconvenience and danger to road users in order to support Local Transport Policy LD8.

14. Details showing the provision within the site for the parking of vehicles shall be submitted to the Local Planning Authority for approval. The development shall not be brought into use until any such details have been approved, and the parking, loading, unloading and maneuvering areas shall be kept available for those purposes at all times and shall not be used for any other purpose.

Reason: To ensure that all vehicles can be properly and safely accommodated clear of the highway to support Local Transport Plan Policies LD7 and LD8.

15. No development shall commence until the proposed means of surface water disposal have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the means of disposal is acceptable and to ensure compliance with Policy CP9 of the Carlisle District Local Plan 2001-2016.

16. Before any development is commenced on the site, including site works of any description, a protective fence shall be erected around the trees and hedges to be retained in accordance with B.S. 5837, at a distance corresponding with the branch spread of the tree or hedge, or half the height of the tree or hedge, whichever is greater, unless otherwise agreed in writing by the Local Planning Authority. Within the areas fenced off the existing ground level shall be neither raised nor lowered, and no materials, temporary buildings or surplus soil of any kind shall be placed or stored thereon without the written prior agreement of the Local Planning Authority. If any trenches for services are required in the fenced off area, they shall be excavated or back filled by hand and any roots encountered with a diameter of 50mm or more shall be left unsevered. The fence shall thereafter be retained at all times during construction works on the site.

Reason: In order to ensure that adequate protection is afforded to all trees/hedges to be retained on site in support of Policy CP5 of the Carlisle District Local Plan.

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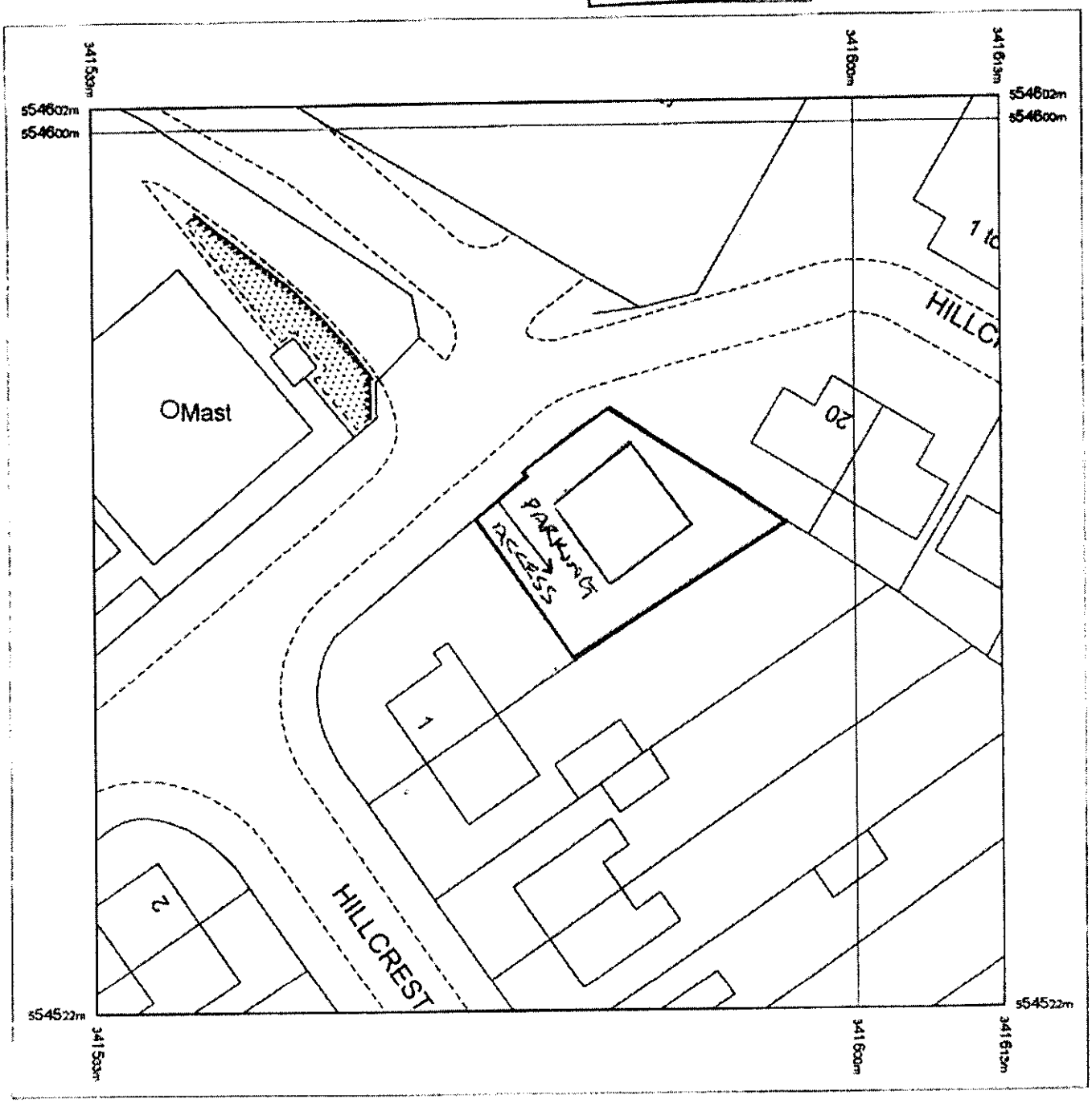

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08/0805

Design and Access Statement

Ref: Outline Planning Application to erect one three bed roomed dwelling on land to the rear of 1 Hillcrest Ave, Carlisle.

Introduction

This design and access statement is to support a application for outline planning permission to erect a single detached dwelling on land to the rear of 1 Hillcrest Ave, Carlisle

The Existing Site

The existing site is presently a overgrown rear garden with a mixture of part lawned areas, vegetable patch and borders with car port with gated access to public highway and reduced curbed access.
As present owner I have found the maintenance responsibility of the plot an increasing burden. Also I am very conscious the effect of the plot has on local residents especially the over growing weeds that spread into their gardens.

The Proposal

The outline proposal is for a detached three bed roomed property with a off road parking area.
The proposal has a footprint of approximately 81m² the ratio of the building to total site area is 39% comparable with many of the existing dwellings.

The Outline Design

In outline the property should be constructed in a design sympathetic to the surrounding properties. Thirty degree pitched roof with concrete tiles, facing brickwork to match existing properties. White UPVC windows and doors to compliment the style of surrounding houses but meeting with today's Building Regulations requirements. A medium height fence will surround the perimeter.

Design and Access Statement cont

Access

The present carport access site will be upgraded to meet any present Highway Authority requirements.

Environmental

The development will revitalise the presently vacant area preventing it from further degeneration and disrepair thus improving boundary contact with neighbors.
The new property will compliment the surrounding houses in design but also help maintain house values for neighbors new and old

Item No: 08 Date of Committee: 03/10/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0780	Mr Steven Wooldridge	St Cuthberts Without
Date of Receipt:	**Agent:**	**Ward:**
29/07/2008	Taylor & Hardy	Dalston
Location:		**Grid Reference:**
23 Newbiggin Road, Durdar, Carlisle, Cumbria, CA2 4UG		340768 551024

Proposal: Demolish Existing Bungalow, Replace With One 4 Bed House And Two 3 Bedroom Link Houses

Amendment:

REPORT **Case Officer:** Colin Godfrey

Reason for Determination by Committee:

This application is brought before the Development Control Committe as three objectors have requested their Right to Speak.

1. Constraints and Planning Policies

Gas Pipeline Safeguarding Area

The proposal relates to land or premises situated within or adjacent to the Gas Pipeline Safeguarding Area.

Local Plan Pol DP1 - Sustainable Development Location

Local Plan Pol H1 - Location of New Housing Develop.

Local Plan Pol H6 - Rural Exception Sites

Local Plan Pol CP5 - Design

Local Plan Pol CP6 - Residential Amenity

Local Plan Pol H10 - Replacement Dwgs in Rural Area

2. Summary of Consultation Responses

Cumbria County Council - (Highway Authority): the layout details shown on the submitted indicative plan are considered satisfactory from a highway perspective. From my point of view there is ample space for off road parking. An application of this size located at this location should provide at least 8 spaces. Of vital importance at this location, is the ability of the site to provide for turning space off road, thereby enabling vehicles to enter and exit the site in forward gear. Again , I am of the opinion that this can be accommodated. I would require that the applicant provide a plan showing the parking allocation and the turning space.

I can therefore confirm that I have no objection to this application but would recommend that the following conditions are included in any consent you may grant.

Ramps shall be provided on each side of every junction to enable wheelchairs, pushchairs etc. to be safely manoeuvred at kerb lines. Details of all such ramps shall be submitted to the Local Planning Authority for approval before development commences. Any details so approved shall be constructed as part of the development.

Reason: *To ensure that pedestrians and people with impaired mobility can negotiate road junctions in relative safety.*
To support Local Transport Plan Policies: LD5, LD7, LD8 and Structure Plan Policy L5

Access gates, if provided, shall be hung to open inwards only away from the highway, be recessed no less than 4.5m as measured from the carriageway edge of the adjacent highway and shall incorporate 45 degree splays to each side.

Reason: *In the interests of highway safety.*
To support Local Transport Plan Policies: LD7, LD8

Details showing the provision within the site for the parking, turning and loading and unloading of vehicles and for vehicles to enter and leave the site in a forward direction shall be submitted to the Local Planning Authority for approval. The development shall not be brought into use until any such details have been approved and the parking, loading, unloading and manoeuvring facilities constructed. The approved parking, loading, unloading and manoeuvring areas shall be kept available for those purposes at all times and shall not be used for any other purpose.

Reason: *To ensure that all vehicles can be properly and safely accommodated clear of the highway.*
To support Local Transport Plan Policies: LD7, LD8;

United Utilities (former Norweb & NWWA): No objection to the proposal;

This site must be drained on a separate system, with only foul drainage connected

into the foul sewer. Surface water should discharge to the watercourse/soakaway/surface water sewer and may require the consent of the Environment Agency. If surface water is allowed to be discharged to the public surface water sewerage system we may require the flow to be attenuated to a maximum discharge rate determined by United Utilities.

A separate metered supply to each unit will be required at the applicant's expense and all internal pipework must comply with current water supply (water fittings) regulations 1999.

Should this planning application be approved, the applicant should contact our Service Enquiries on 0845 7462200 regarding connection to the water mains/public sewers.

United Utilities offers a fully supported mapping service at a modest cost for our electricity, water mains and sewerage assets. This is a service, which is constantly updated by our Map Services Team (Tel No: 0870 7510101) and I recommend that the applicant give early consideration in project design as it is better value than traditional methods of data gathering. It is, however, the applicant's responsibility to demonstrate the exact relationship on site between any assets that may cross the site and any proposed development.

Community Services - Drainage Engineer: awaiting comments;

Development Services Planning & Housing Services - Local Plans: there are two elements to this application. The first involves the demolition of the existing property and its replacement by a four bed dwelling. Policy H1 will apply in this instance, as the Local Plan Inspector clarified in his report that Policy H10 (Replacement Dwellings in the Rural Area) only applies to those areas outwith the settlements listed in H1. Therefore, provided that the new property complies with the criteria listed in H1, there will be no policy objection.

The second element of the application involves the construction of two, three bed, semi detached properties. The application form states that these properties are intended to be intermediate housing for local occupancy. As the applicant has not submitted any evidence of local need, the application will be judged under Policy H6, which makes provision for rural exception sites. The third criteria of the policy is met. The second criteria will be met by a carefully drafted Section 106 agreement. However, the application needs to be closely assessed against the first criteria, which states that the proposal is for low cost affordable housing to meet an identified need.

The Council's Housing Market Needs Assessment shows that there is a high level of need in Carlisle Rural East for family housing. Although the greatest need is for rented housing, the Council accepts that a rented scheme would not be financially viable on this site. It is imperative to meet the actual need, and therefore the pricing mechanism is crucial. For discounted sale, a 30% discount is normally applied to the open market price. However, if the open market price is likely to be high, a 30% discount will result in the price still being too high to be affordable to those in need.

It is therefore important to clarify with the applicant the likely value of the properties, and then liaise with Jeremy Hewitson to ascertain whether an actual housing need is going to be met by this development;

Northern Gas Networks: no objection to the proposal, however, there may be apparatus in the area that may be at risk during construction works and should the planning application be approved, then the promoter of the works should contact Unitied Utilities direct to discuss requirements in detail. Should diversionary works be required these will be fully chargeable;

Development Services Planning & Housing Services - Housing Strategy: awaiting comments;

3. Summary of Representations

Representations Received

Initial:	Consulted:	Reply Type:
21 Newbiggin Road		
21 Newbiggin Road	19/08/08	
9 The Willows	19/08/08	Objection
10 The Willows		
10 The Willows	19/08/08	
11 The Willows		
11 The Willows	19/08/08	
12 The Willows		
12 The Willows	19/08/08	
13 The Willows		
13 The Willows	19/08/08	
14 The Willows		Objection
14 The Willows	19/08/08	Objection
18 The Willows		Objection
18 The Willows	19/08/08	Objection
19 The Willows		
19 The Willows	19/08/08	
20 The Willows		Objection
20 The Willows	19/08/08	Objection
21 The Willows		Objection
21 The Willows	19/08/08	Objection
22 The Willows		Comment Only
22 The Willows	19/08/08	Comment Only
17 The Willows	19/08/08	Objection
15 The Willows	19/08/08	
16 The Willows	19/08/08	
1 The Willows		
1 The Willows	19/08/08	
2 The Willows		Comment Only
2 The Willows	19/08/08	Comment Only
3 The Willows	11/08/08	Objection
4 The Willows		
4 The Willows	19/08/08	
5 The Willows		
5 The Willows	19/08/08	
6 The Willows		

6 The Willows	19/08/08	
7 The Willows		
7 The Willows	19/08/08	
8 The Willows		Petition
8 The Willows	19/08/08	Petition
9 The Willows		Objection

3.1 This application has been advertised by means of a site notice as well as notification letters sent to 20 neighbouring properties. In response, 9 letters of objection have been received and are summarised below:

1. Although the address of the proposed development is Newbiggin Road, this plot is perceived to be an integral part of The Willows and the inclusion of "Link Houses" is entirely contrary to the original design concept of the The Willows, which was for executive style housing.

2. The increase in the number of vehicles both garaged and visiting the plot will created additional congestion and hazard at the entrance to the willows and create a hazard on egress from the Willows to the already fast and dangerous Newbiggin Road.

3. Concern over limited nature of consultation in relation to the 2007 application

4. The applicant site lies at the entrance to The Willows development and to all intents and purposes is part of the development. The Willows comprises all four bedroom family homes on generous plots and was designed and laid out to strict and detailed conditions imposed by the City Council to create a very high quality development. The proposal submitted by the applicant's agent pays no regard whatsoever to the nature, character or density of the Willows development. What is proposed is a high density, low quality development on a restricted site with no garages and almost no garden space for homes purportedly intended for families. Although indicating the properties will be constructed from brick to match the existing, any objective assessment of the key characteristics of the willows development and the applicants proposal could not be more different in terms of density, quality, layout and space. In short, the proposed development would be entirely out of keeping with its surroundings.

5. No objection to the replacement of the existing bungalow with a single dwelling facing Newbiggin Road. However, the application seeks two additional dwellings and justifies this with reference to affordable housing. While it may be the case that there is an unmet need for housing in rural areas of the district, the Carlisle Local Plan makes it clear that such housing should be located within a Key or Local Service Centre. While exceptions can be made to Local Plan polices such exceptions must still have regard to other relevant Local Plan policies and cannot simply override them. On any test Durdar is not a sustainable location for affordable housing being poorly served as it is by public transport and

having few, if any, local amenities. Any development must also satisfy the requirements of Policy CP4 of the Local Plan's Core Development Principles as restated by the planning inspector in his letter of 7th April 2008. Again, the application fails substantially to satisfy many of these key design requirements and principles both as a development in its own right and in its relationship to surrounding buildings and the character of the area. To the extent, therefore, that there is an unmet need for affordable housing the application site is not a suitable location, and there are no compelling grounds to justify a departure from Local Plan policies. Rather, affordable housing needs should be met in a carefully planned way that does not involve over intensive and poor quality development of an unsuitable site in an unstainable location.

6. While a desktop survey would indicate no apparent highway implications a site inspection would show that there are indeed serious and important issues to be taken into account. The agents somehow indicates that spaces for four vehicles will be provided within the site for the two link properties, and a further two for the four bedroom property. It is not clear how this will be achieved or how vehicles will manoeuvre within the site to allow occupiers to exit onto Newbiggin Road safely.

7. Newbiggin is a busy link road for cars and heavy goods vehicles from the motorway to Dalston. While a 40 mph speed limit is imposed, this is rarely observed. In practice, vehicles will park at the entrance to the Willows or on the grass roadway verges. Quite apart from the adverse impact this would have on the character of the area the existing residents would be faced with a considerable additional risk to road safety on an estate road which is already subject to inconsiderate parking.

8. The agents indicate that surface water drainage would be by means of a soakaway. Given, however, that the vast majority of the application site would be occupied by buildings or have an impermeable surface, it is hard to see how this method of drainage would be achieved effectively and what the impact on other properties would be given increasing rainfall levels.

9. It would represent an over intensive use of a limited site on a busy traffic route

10. the development would be over very poor quality with little or no garage space

11. the occupiers of many properties on the Willows development would suffer a loss of amenity and privacy

12. the orignal design concept of The Willows was for executive style housing, therefore the inclusion of link housing as part of the proposed development is entirely out of keeping.

13. the position of number 23 Newbiggin Road is such that it is considered to

be an integral part of The Willows. The original intention was to arrange the various properties that make up The Willows in such a manner that no one was 'over-looked' by another. The proposed development would result in several properties being overlooked and therefore defeat the original design concept.

14. The proposal would mean a high density, over intensive development of the site, located at the entrance to The Willows estate and be entirely out of keeping with the character of the surrounding area. The Willows estate has been sensitively designed with larger well-spaced four bedroom detached properties all with double garages, adequate parking and large gardens. Thus the proposed development would contravene points two and three of policy H1 – Location of New Housing Development and point two of policy H13.

15. The development of three family homes rather than one, it is highly likely that the noise levels will increase significantly.

16. The proposed erection of three, two storey houses adjacent to our own would allow our house and garden to be overlooked. This would adversely affect our property by encroaching on our privacy and causing light depravation and over shadowing, contravening policy H1 point four.

17. We would like to express our concern that any potential soakaway should not be directed towards our property as there have already been water logging problems which needed remedial action on our part. This involved laying extensive drainage channels across our garden to help alleviate the situation and the ground will not cope with any additional overflow from neighbouring properties.

18. The agent's letter also indicates that development of the two 3 bedroom houses would help to offset the figure of 43 families per year who are in need of affordable housing. According to the Cumbria Housing Strategy 2006/2011 Housing Market Assessment report, this figure relates mainly to newly forming households who can not afford to buy at responsible lending levels. As the proposed development is located at the entrance of a high value estate, the final valuation of the 3 bedroom semi-detached houses will naturally be boosted by the price of the surrounding properties and be higher than they would be, should they be built in an area of houses of similar size and character. Thus they may still be beyond reach of the families in need of the low cost affordable housing. The likely valuation of the properties is therefore crucial. However, as only outline plans have been submitted, any valuation made can only be a vague estimate and as such, there is no way of knowing whether the development will meet this need or not.

19. We are concerned about the overall increase in the number of vehicles proposed for this site but in particular have serious concerns regarding parking facilities for the two linked houses. To accommodate on average, two cars per household would estimate four cars for these two properties.

The plan indicates using the existing single driveway entrance and opening up what appears to be a similarly scaled hammerhead parking area. It is not clear how this proposed space would be sufficient for the cars to manoeuvre within the site and both enter and exit the property safely, in a forward direction as required by the Local Transport Plan policy (Consultee 001 20.8.08)

20. Any manoeuvring of the cars would require mutual co-operation between the two neighbours. We anticipate this kind of inconvenience would in practice, inevitably lead to owners parking vehicles offsite, on the grass verges of Newbiggin Road and in the entrance of The Willows estate. This would adversely affect the character of the area, the movement of all residents on and off the estate by restricting visibility at the junction of this busy road, as well as representing a road safety hazard to other motorists and pedestrians. In addition this would contravene regulations by the Local Transport Plan policy (Consultee 001 20.8.08) which requires:-

21. While physically possible to build a four bedroomed property and 2 semi or link detached houses on the site, it is simply cramming in as much property as possible rather than to meet a priority need for local affordable housing.

22. The addition of two link detached houses to provide low cost affordable housing deviates considerably from the style of the Willows development and should not be approved.

23. The plans do not provide for garages for the two link detached properties. Access is via a short driveway onto Newbiggin Road and there are short turing areas in front of each property. The County Highways letter dated 18th October 2007 stated that '..Details showing the provision within the site for the parking, turning and loading and unloading of vehicles to enter and leave the site in a forward direction shall be submitted to the Local Planning Authority for approval...the approved parking, loading, unloading and manouevring areas shall be kept available for those purposes at all times and shall not be used for any other purpose'. I have not seen any plans which conform to these requirements but commonsense says that many householders have at least one and many have two vehicles. As there are no garages those vehicles will be parked in the turning areas and or / or on the driveway leading to Newbiggin Road itself. In addition to residents' own vehicles it is reasonable to expect they will occassionaly have visitors in addition. Access to that road at some level is practical but a much smaller sized development of the site would allow for a much more sensible and safety concious approach to which priority should be given.

24. I cannot recall a double garage being being specified on the plans for the four bedroomed property but that again should, along with open driveway space by a pre-requisite for any such development.

25. The agents state that the replacement dwelling is 'close' to the original

dwelling. The new dwelling is not on the site of the existing bungalow, it is sited where the garage and workshop are at present. It is the new link-detached properties which are on the site of the existing bungalow. The new 4 bedroomed property might well be in keeping with the scale and design appropriate to its location etc. but only if it is not crammed into a much smaller area to accommodate 2 further properties which would certainly not be of a scale appropriate to their location etc.

26. The completed buildings would create too much surface water and increase sewage waste for the present draining system to withstand, not to mention the extra surface water draining into neighbours gardens.

27. The increased number of vehicles parked at the entrance to the Willows and around that area. This would add to the problem I sometimes have gaining access and exiting the Willows with only one bungalow at either side of the entrance to the estate.

28. Concern about the entrance and exit onto Newbiggin Road, as I understand the proposal is to have one single driveway for both properties onto Newbiggin Road, that in itself is bad enough but with hardly anyone observing the 40 mph speed limit it would be an accident waiting to happen.

29. The proposed use of the plot would result in a subsequent three-fold increase in vehicles creating congestion and safety issues at the entrance to the willows.

30. Due to the location of this proposed build and indeed its placement within the plot close to the road, parking within the plot would be limited and therefore on street parking would be required which would cause problems. Indeed the grass verges located on the already fast and dangerous Newbiggin Road would inevitably be used for parking thus creating an additional set of problems.

31. If building work were to go ahead this would only exacerbate the above with the arrival of plant vehicles etc.

32. Messrs Taylor and Hardy's comment at the top of page 2 of their letter of 28th July 2008 relating to the previous application that no objections were raised in terms of matters such as siting ..... etc is simply incorrect. Only a few residents were consulted when the first application was submitted in 2007. I have spoken to the residents most directly affected who have told me that they raised serious concerns with the City Council about the over intensive development of the site, the poor access and parking and the loss of privacy and amenity. No doubt these letters will be available on your files. The City Council's more extensive consultation in relation to this latest application will no doubt show the great strength of feeling against the re-submitted proposal.

33. The housing market assessment figures contained in Messrs Taylor and

Hardy's letter are not in dispute taken as they are from the Cumbria Housing Strategy 2006/2011 Housing Market Assessment for Rural Carlisle West. The figures represent a general housing need for the whole of the area. The Local Plan makes clear in Policy H1, however, that such housing need should be met by development in Key Service Centres or Local Service Centres. In the case of Rural Carlisle West there are no Key Service Centres but several Local Service Centres, many of which are close to Durdar. These are Cummersdale, Dalston, Great Orton, Raughton Head, Wreay and the urban area of Carlisle. Local Plan policies encourage and promote appropriate development in these more sustainable locations. The applicant site in Durdar is in a significantly less sustainable location. Durdar is poorly served by public transport and has few amenities. My first submission, therefore, is that the City Council should refuse this second application on the same grounds as the first application was refused in 2007, namely, that the applicant site is not within a Local Service Centre and would result in additional dwellings in a less sustainable location.

34. Messrs Taylor and Hardy have then sought to argue that the development should be permitted under an exception provided for in the Local Plan which allows small-scale infilling in settlements such as Durdar. However, it is very important to make the point that such exceptions are not permitted unless certain specific criteria are met. This is a most important qualification which goes to the heart of my argument, and the arguments which I believe many residents will make, for the application to be refused.

35. The Local Plan specifies that all the criteria set out must be met to permit an exception to Policy H1 relating to small scale rural development. It is my argument and the argument of many residents that the proposal fails to meet at least three of the six criteria and I set out in detail below why this is the case. The paragraph numbers refer to those used in the Local Plan. I have not referred to paragraphs which are not relevant in relation to this particular application.

36. The proposal submitted by the applicant's agents pays no regard whatsoever to the nature, character or density of The Willows development. What is proposed is a high density, low quality development on a restricted site with no garages and little or no garden space for homes intended for families. The agents indicate that the "...design and appearance would be complementary to those in the near vicinity..." This is disingenuous. While there may be some similarities on matters of detail on any objective assessment the key characteristics of The Willows development and the applicant's proposal could not be more different in terms of density, quality, layout and space.

37. Essentially what is proposed is a cramped, urban development on a small footprint in a rural location which relates very poorly to surrounding properties. This is not immediately apparent from the limited information provided by the applicant's agents. The sketch plan is not to scale, the

dwelling footprints appear not to reflect the dimensions of the applicant site and no information at all is provided to show how the development would relate to surrounding properties. Such information is essential in this case to enable the Development Control Committee to judge whether the Local Plan criterion is satisfied.

38. I have made the point above that The Willows development was carefully planned and designed to respect the amenity of numbers 21 and 23 Newbiggin Road so that they were not overlooked and the occupiers did not suffer a loss of privacy. The proposals to develop three two-storey properties on the limited applicant site, on the other hand, will quite clearly lead to a loss of amenity and privacy by adjoining occupiers and an increase in noise levels. There is also a high risk of water penetration to neighbouring properties from run-off from surface water which is proposed to be dealt with by means of a soak away yet most of the surface area of the applicant site would necessarily be impermeable to accommodate the three dwellings and hard-standing for six vehicles in total.

39. The application site lies at the entrance to The Willows development and the access road serves all the properties within the development. While it might appear from a desktop inspection of the plans that there would be no apparent access issues a site inspection would show that there are indeed serious and important issues to be taken into account. The agents indicate that somehow spaces for four vehicles will be provided within the site for the two link properties, and a further two for the four bedroom property. Exactly how this would be achieved in practice is not clear, and it is even less clear how vehicles would manoeuvre within the site to allow the occupiers to exit on to Newbiggin Road safely. Newbiggin Road is a busy link road for cars and heavy goods vehicles from the motorway to Dalston, and there have been many complaints over a long period about vehicle speeds through Durdar. While a 40 mph limit is in operation this is rarely observed. In practice vehicles would park on the access road for The Willows or on the grass roadway verges. Quite apart from the adverse impact this would have on the character of the area the existing residents would be faced with a considerable additional risk to road safety on an estate road which is already subject to inconsiderate parking

40. It is clear from the above that the proposal fails not just on one but on three of the criteria that need to be satisfied to justify an exception to Local Plan policies and that therefore the application must be refused.

41. I would like to make clear that I have absolutely no objection to the replacement of the existing bungalow by a single dwelling fronting Newbiggin Road following the building line of the existing properties. The application for three dwellings to be built on the site, however, fails to meet the policies and requirements set out in the Local Plan. To the extent that there is an unmet need for affordable housing the applicant site is not a suitable location, as evidenced above, and there are no

grounds to justify a departure from Local Plan policies. Rather housing needs should be met in a carefully planned way that do not involve over intensive and poor quality development of an unsuitable site in a less sustainable location.

42. I would ask the City Council to refuse permission for the development of the applicant site as proposed in application reference 08/0780. The grounds for refusing the application in 2007 continue to apply, and there are no grounds for making an exception in this case because the proposed development fails to satisfy Local Plan policies as set out above.

45. The City Council rightly seeks to achieve through its planning and other policies high quality housing, whether for sale at market value or at discounted values. Unfortunately this application would fall far short of these standards and moreover fail to meet the criteria set by Local Plan policies as will be clear from this letter and the weight of objections.

3.2 In addition to the above objections, a petition opposing the development and signed by 15 local residents has been received. The petition raises the following points.

1. It is not in sympathy with the character of the area
2. It would represent an over intensive use of a limited site
3. The development would be of very poor quality with no garages and little or no garden space
4. The development would have serious road safety implications and risks
5. The occupiers of many properties on The Willows development would suffer a loss of amenity and privacy

3.3 In addition to the above objections, one letter offering comments has been received, raising the following points:

1. hopefully the new houses would be of a similar style and finish to the existing Executive Development at The Willows
2. Is there a real need for link houses in Durdar?
3. Concern as to access onto Newbiggin Road
4. Standing / area driveway to the 'Link Houses' could create restricted vision to traffic leaving The Willow development
5. Consideration should be given to improving lighting on Newbiggin Road along with Main Road drainage should the development proceed

6. Newbiggin Road is often standing in water and in Autumn the fall of leaves from the well established woodland opposite the proposed development often blocks existing sink chambers

7. The woodland itself often casts a dark shadow even on bright clear days onto Newbiggin Road and affects clear vision for traffic leaving The Willows development (recent accidents can support this)

8. Consideration should also be given to extendind the footpath on Newbiggin Road

9. Consideration should also be given to extendind the footpath on Newbiggin Road beyond the last property of the Brisco junction.

4. Planning History

4.1 In 2007, under application reference 07/1058, permission was refused for the demolition of the existing bungalow and replacement with one four bed house and two three bedroom link houses

5. Details of Proposal/Officer Appraisal

5.1 This application seeks outline approval for demolition and new build within the curtilage of 23 Newbiggin Road, Durdar. The site is located on the corner of Newbiggin Road and The Willows and has an area of approximately 1200 square metres. The site is bounded to the south by a 1m brick wall, to the north and east by a 2.0m wooden board fencing and to the west by a combination of brick walling and picket fencing. Residential properties are located to the north, west and east with agricultural fields to the south beyond the road.

5.2 The application seeks outline approval for the demolition of the existing bungalow and the erection of a four bedroomed detached property and two three bedroomed link properties on the site. As the application is in outline, the final form of the dwellings is to be determined. However, the indicative site layout plan identifies the four bedroomed detached property as being located to the north of the site, making use of the existing access to The Willows from the west. The two three bedroomed link properties are to be located to the south of the site and will make use of the existing access from Newbiggin Road. It is stated within the Design and Access Statement that the proposed dwellings will be of a design and appearance in keeping with, and complementary to, those in the near vicinity. It is indicated that foul sewage will be disposed of by means of a connection to a mains sewer and surface water will be disposed of by means of a soakaway.

5.3 The relevant planning policies against which this application is required to be assessed are Policies DP1, H1, H6, CP5, CP6 and H10 of the adopted Carlisle District Local Plan.

5.4 The Proposal Raises the Following Planning Issues:

1. Whether the Site is Appropriate for Additional Residential Use in Light of Local Planning Policy Objectives

5.5 Policy H1 of the Carlisle District Local Plan provides the framework against which applications for new housing in the District will be assessed. In general, new housing will be focussed on Carlisle and the Key Service Centres of Brampton and Longtown. Some new small scale housing development will also be acceptable in Local Service Centres - which are listed within the above Policy - providing that a number of specific criteria can be met on site.

5.6 Durdar is not identified as a Key or Local Service Centre. It is however identified as a location in which small scale infilling will be allowed where it would not conflict with the criteria contained within Policy H1 *and* is evidenced by a local need to be in that location.

5.7 In regard to the above, a planning statement has been submitted to support the application. This document indicates that discussions between the applicant and Carlisle City Council Housing Officers have taken place and the following has been identified:

(1) a significant level of housing need in the wider Housing Market Area of Carlisle Rural West;

(2) an annual figure of 43 for the number of affordable units required in Carlisle Rural West Housing Market Area over and above the supply of affordable units already committed;

(3) the highest need being for larger three bed roomed properties;

5.8 The Housing Officer has advised the applicant that the two three bedroomed link properties could provide intermediate family housing e.g. shared ownership or discounted sale at 70% of open market value to meet the identified need in the area. The applicant therefore concludes that the proposal meets the three tests required under Policy H6 as it would be:

a) low cost affordable housing to meet an identified need;

b) subject of a Section 106 Agreement which will be put in place to satisfy the requirement that once built the residential units will be retained for the benefit of successive as well as initial occupiers;

c) well related to the settlement and local landscape character;

5.9 While a 30% discounted rate could be achieved by means of the applicant entering into a Section 106 Agreement, this would only be appropriate if it can be ascertained that by doing so the cost of the units would be at a level which makes them affordable to those in need. At present discussions are still on-going between the Planning Officer, City Council Housing Officer and the applicant with regard to this aspect of the proposal and an update will be provided to Members at the Committee Meeting.

2. Other Issues

5.10 As this application seeks outline approval only, detailed information relating to the siting and form of the proposed dwellings has not been submitted. However, consideration needs to be given to the ability of the proposal to meet the requirements of the seven criteria listed in Policy H1 of the Carlisle District Local Plan, namely;

1. the site is well related to the landscape of the area and does not intrude into open countryside; and
2. the scale of the proposed development is well related to the scale, form and character of the existing settlement; and
3. the layout of the site and the design of the buildings is well related to existing property in the village; and
4. the siting and design of the buildings is well related to and does not adversely affect the amenity of neighbouring property; and
5. appropriate access and parking can be achieved; and
6. the proposal will not lead to the loss of amenity open space within or at the edge of the settlement; and
7. the proposal will not lead to the loss of the best and most versatile agricultural land.

5.11 As the proposed site falls within the existing curtilage of 23 Newbiggin Road and is clearly within the settlement of Durdar, it is considered that the requirements of criteria 1, 6 and 7 are met.

5.12 In relation to the remaining criteria, nine letters of objection and a petition have been received with the majority of objections primarily relating to four key issues i) impact on the character of the area; ii) impact on the living conditions of neighbouring residents; iii) Impact on parking and highway safety and iv) impact on local drainage. Each of these points is considered in detail below.

5.13 In relation to i) a number of objectors have stated that The Willows is an 'executive' estate of large detached properties set within significant gardens and that the proposed erection of two-linked properties and a four bedroomed detached property pays no regard to the nature, character or density of the existing estate. It is also considered that the proposal would lead to a low-quality form of development.

5.14 It is acknowledged that while the site address is Newbiggin Road, the

proposals are closely related to the Willows and will introduce a new element within this estate. However, it should be noted that the properties which form part of The Willows but front Newbiggin Road are not representative of the road frontage as a whole, which comprises a range of house types and styles. As such, it is not considered that the introduction of two sympathetically designed linked properties would unduly impact on the character of the area as there is no dominant style of housing along Newbiggin Road. Indeed, it could be argued that the existing bungalow, by virtue of its low form, is more at odds with the neighbouring large two storey properties than the proposed link houses which would be of similar two storey construction. In addition, the proposal does not fall within a Conservation Area or other area designated for its particular landscape sensitivity.

5.15 Whilst there has not been any specific objection to the erection of the four bedroomed detached property, there are concerns arising due to the in-combination effect with the link houses. Comments have been raised that houses within The Willows characteristically have large gardens and again, given the nature of the proposal, the development would be at odds with the existing form of development.

5.16 Whilst it is true to say that the average garden within The Willows is larger than that proposed, it is not considered that the size of garden would constitute a substandard form of development. For example, 7 and 8 The Willows, two neighbouring detached properties have a combined curtilage of approximately 1070 square metres. The application site has an area of approximately 1200 square metres. Number 17 Newbiggin Road, a detached property located three houses away from 23 Newbiggin Road, sits within a curtilage of less than 400 square metres. As such, while the size of the garden proposed for each of the properties would be generally smaller than properties within the Willows and on Newbiggin Road, it is not considered that this would be to a degree whereby development would be so alien to the existing character of the area that it would warrant refusal of the application.

5.17 It should also be remembered that if this application were to be approved, the applicants would be required to submit a further reserved matters application which would need to provide full details of all the house types and site layout. This further application would need to demonstrate to the satisfaction of the Local Planning Authority that the housing would be of a style and quality suitable to its location. Failure to do so would result in the refusal of the application. As such, while due consideration has been given to the comments raised by objectors, it is considered that, on balance, any harm to the character of the area would be insufficient to warrant refusal of the application.

5.18 In relation to ii), various issues have been raised regarding the adequacy of the proposed parking and access arrangements. Specific concerns have been raised in relation to the danger of additional cars directly accessing and leaving Newbiggin Road as although this is a 40mph zone, cars regularly drive at speeds far in excess of the legal speed limit. There have also been concerns as to whether the proposal would provide sufficient off-street

parking spaces. The concern is that insufficient off-street parking provision would lead to cars parking on the road, resulting in additional danger and inconvenience to both road users and pedestrians alike.

5.19 While the concerns are acknowledged, Cumbria Highways have been consulted and have raised no objection on highways grounds as they feel that the proposal offers ample off street parking. Furthermore, they have no concern over the potential access and egress arrangements to and from Newbiggin Road. They have however suggested that conditions relating to highway crossings, access gates and parking and turning arrangements are attached to any permission which may be granted. Given the comments from Cumbria Highways, it would be difficult to recommend refusal of the application on highway grounds. However, any subsequent reserved matters application would need to satisfactorily demonstrate that adequate off street parking and in-curtilage manoeuvring space can be provided to ensure no danger / inconvenience to users of the adjacent highway. Failure to do so would result in the reserved matters application being refused.

5.20 In relation to iii), concerns have been expressed that the proposal will lead to an adverse impact on the living conditions of neighbouring residents, primarily through a loss of privacy and also increased noise levels.

5.21 It is accepted that by virtue of introducing two extra dwellings within the plot, there is the potential for the generation of some extra noise. However, the proposal is for residential dwellings within a residential area and any noise generated would be expected to be of a type which would be acceptable in this context.

5.22 The indicative site layout shows the two link properties as having a similar front building line as the neighbouring property, 21 The Willows. As there are no windows in the western gable of this property, and as the indicative site plan suggests the link properties would have little or no projection beyond its front or rear building line, it is considered that any impact on the living conditions of the residents of 21 The Willows arising from this aspect of the proposal would be limited. It is not considered that any other properties would be adversely affected by the erection of the link properties.

5.23 The indicative site plan shows that the detached property will face towards the road, and have a similar front building line to the neighbouring property, 14 The Willows. As such, it is considered that direct impacts on this property would be limited. On the basis that windows would be restricted to the front and rear elevations, the property would front the road, and the gardens of 19, 21, 23 and Newbiggin Road to the rear. The only one of these properties to be directly faced would be 19 Newbiggin Road which is located at a distance in excess of 40m from the proposed dwelling.

5.24 In light of the above and based on the indicative site plan, it is considered that through careful scheme design and the imposition of appropriate planning conditions, impacts on the living conditions of neighbouring residents could be kept to an acceptable level. However, failure to demonstrate this in a

subsequent reserved matters application would result in its refusal.

5.25 The final major concern (iv) raised by objectors relates to the adequacy of the existing foul and surface water drainage arragements. However, again the statutory consultee, United Utilities, has raised no objection to the proposal and it is therefore not considered appropriate to refuse the application on these grounds. However, a condition would be attached to any permission which may be granted requiring the applicants to provide a scheme for the disposal of foul and surface water prior to the commencement of works. As the applicants have indicated that surface water would be dealt with by means of soakaways, there would be a need to include a percolation test report to demonstrate that soakaways would be feasible in this location.

5.26 In conclusion, it is considered that the requirements of Policy H1 of the Carlisle District Local Plan (paragraph 5.10) are achievable on site. However, discussions are ongoing as to whether the proposal meets the requirements of Policy H6 in relation to rural exception sites and an update will be provided to members at the Committee Meeting.

6. Human Rights Act 1998

6.1 Several provisions of the above Act 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 regularise any breach of planning control;

Article 8 recognises the "Right To Respect for Private and Family Life";

6.2 **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;

6.3 The proposal has been considered against the above but in this instance it was not considered that there is any conflict. If it was to be alleged that there was conflict it is considered not to be significant enough to warrant the refusal of permission.

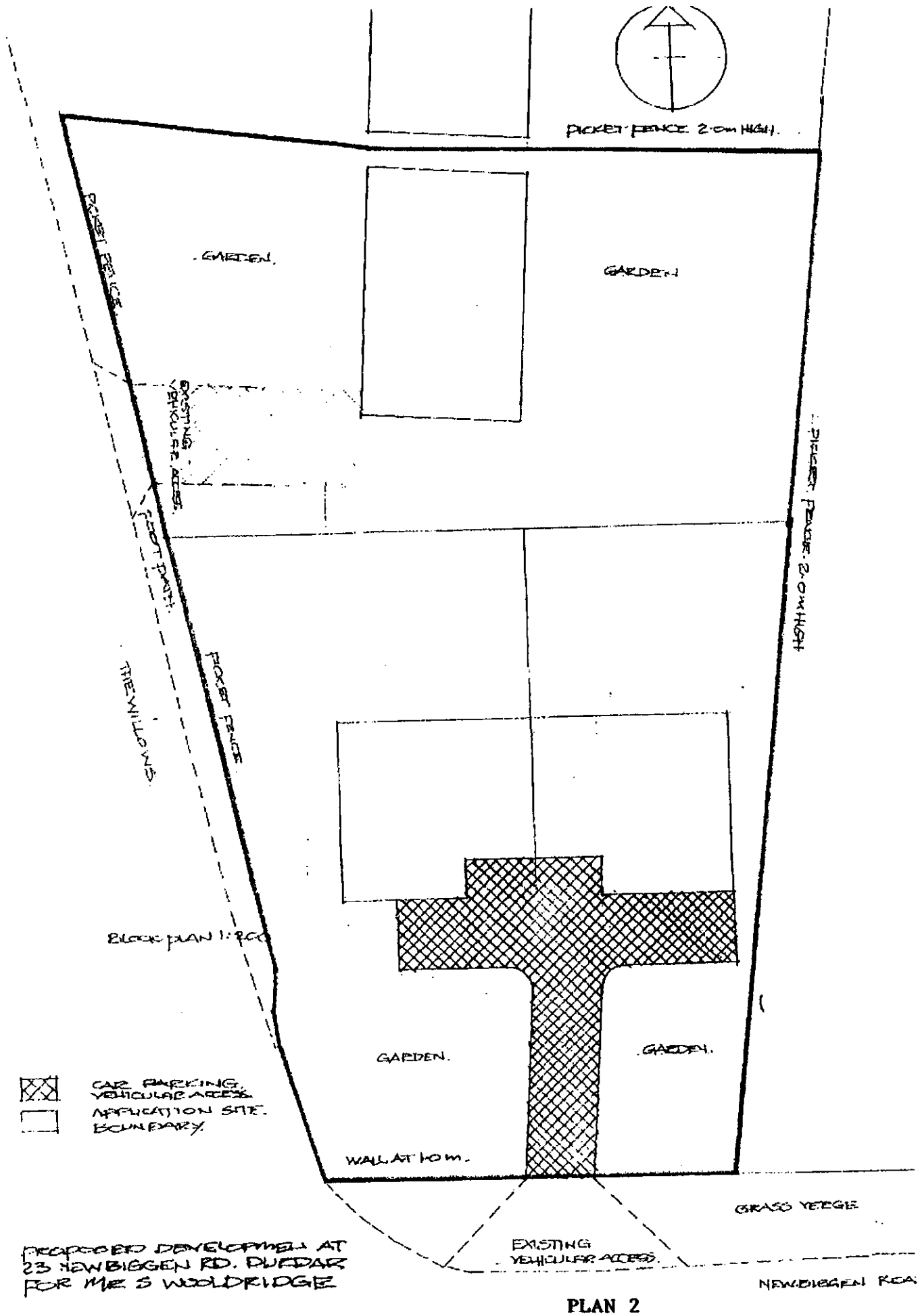
7. Recommendation

Reason For Including Report In Schedule B

SCHEDULE B: Reports Requiring Further Information

08/0780

The application is included on Schedule B as discussions are ongoing with the applicant.



PROPOSED DEVELOPMENT AT 23 NEWBIGGEN RD. DURHAM FOR MR S WOOLDRIDGE

PLAN 2

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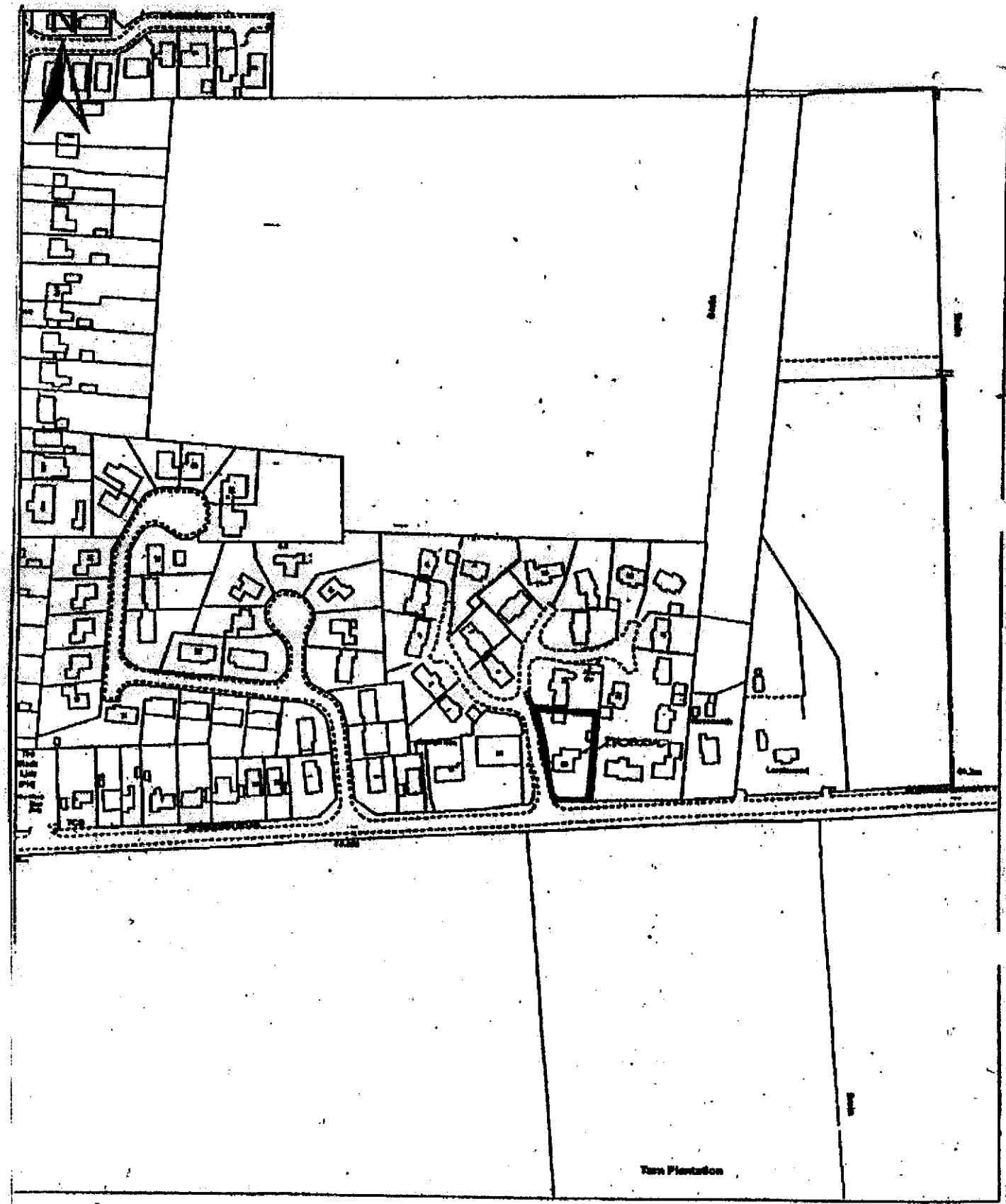
08/0780



23 NEWBIGGEN ROAD

PLAN 1
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Scale: 1:2,500 Date: 13/06/2006

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Carlisle City Council LA 0100024459. 2005.

29 JUL
08/0780

CARLISLE CITY COUNCIL
www.carlisle.gov.uk

Civic Centre
Rickergate
Carlisle
CA3 8QG

08/0780

OUTLINE PLANNING APPLICATION
PROPOSING THE DEMOLITION OF AN EXISTING DWELLING AND THE REDEVELOPMENT OF THE SITE FOR RESIDENTIAL PURPOSES AT NO.23 NEWBIGGIN ROAD, DURDAR, CARLISLE FOR MR. S. WOOLDRIDGE
THE RESIDENTIAL DEVELOPMENT COMPRISING THREE DWELLINGS OF WHICH ONE IS A REPLACEMENT FOR THE DWELLING WHICH IS EXISTING WHILST TWO ARE FOR LOCAL OCCUPANCY

DESIGN & ACCESS STATEMENT

DESIGN

The application detailing the proposal is made in outline, consequently there is limited information available as to the design and appearance of the three – two storey dwellings which are proposed. It is, however, envisaged that the dwellings will be of a design and appearance in keeping with and complementary to those in the near vicinity.

It is noted that the siting of the dwellings which are proposed are shown on Plan 2 which accompanies the application and that the outline application seeks consent for means of access and site layout.

ACCESS

The three dwellings which are proposed will gain access to/from the public highway via the existing access points to No.23 Newbiggin Road.

The access to the two – three bedroomed linked properties will be via the existing access on Newbiggin Road.

The access to the four bedroomed property will be via the existing access onto The Willows.

The County Highways, in a letter dated 18th October 2007, a letter prompted by the previous application, L.P.A. Reference No. 07/1058, stated a requirement for the proposal to meet three conditions, namely:

> ***"Ramps shall be provided on each side of every junction to enable wheelchairs, pushchairs etc. to be safely manoeuvred at kerb lines. Details***

of all such ramps shall be submitted to the Local Planning Authority for approval before development commences. Any details so approved shall be constructed as part of the development. ..."

"Access gates, if provided, shall be hung to open inwards only away from the highway, be recessed no less than 4.5 m as measured from the carriageway edge of the adjacent highway and shall incorporate 45 degree splays on each side. ..."

"Details showing the provision within the site for the parking, turning and loading and unloading of vehicles and for vehicles to enter and leave the site in a forward direction shall be submitted to the Local Planning Authority for approval. The development shall not be brought into use until any such details have been approved and the parking, loading, unloading and manoeuvring facilities constructed. The approved parking, loading, unloading and manoeuvring areas shall be kept available for those purposes at all times and shall not be used for any other purpose. ..."

It is confirmed that the details of the means of access to the development which is proposed will satisfy these conditions.

MEH/J/C07/186
28th July, 2008

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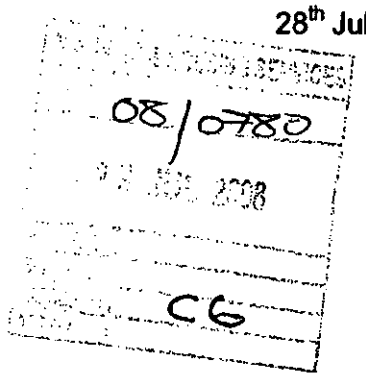
TAYLOR & HARDY

Chartered Town Planners

Our Ref : MEH/J/C07/186

28th July, 2008



Mr. Colin Godfrey,
Planning & Housing Services,
Carlisle City Council,
Civic Centre,
CARLISLE.
CA3 8QG

Dear Colin,

OUTLINE PLANNING APPLICATION
PROPOSING THE DEMOLITION OF AN EXISTING DWELLING AND THE REDEVELOPMENT OF THE SITE FOR RESIDENTIAL PURPOSES AT NO.23 NEWBIGGIN ROAD, DURDAR, CARLISLE FOR MR. S. WOOLDRIDGE
THE RESIDENTIAL DEVELOPMENT COMPRISING THREE DWELLINGS OF WHICH ONE IS A REPLACEMENT FOR THE DWELLING WHICH IS EXISTING WHILST TWO ARE FOR LOCAL OCCUPANCY

Please find enclosed, for your attention, an outline planning application which proposes the demolition of an existing dwelling, No.23 Newbiggin Road, Durdar, Carlisle and the redevelopment of the site for residential purposes.

Three dwellings are proposed of which one, a four bedroomed house, is a replacement for the dwelling which is existing, whilst the two additional ones, two - three bedroomed linked houses are for local occupancy, the occupancy of which will be controlled through a Section 106 Legal Agreement.

The application comprising the required copies of the application form, location and site layout plans and a Design and Access Statement. As the application is the resubmission of an application (L.P.A. Reference No. 07/1058) refused on the 20th November 2007 no fee is payable.

Application L.P.A. Reference No. 07/1058 was refused outline planning permission for one reason. This being that as the two additional dwellings which were proposed, i.e. the two – three bedroomed linked houses, were not detailed as being for local occupancy, the development would ***"... result in two additional dwellings in a less sustainable location, for which no local housing need had been satisfactorily demonstrated and, if permitted, would restrict development in more sustainable locations. ..."***

Bob Taylor Dip. T.P., M.R.T.P.I.
Margaret Hardy B.A. (Hons), M.R.T.P.I.

No objections were raised in terms of matters such as siting, layout, amenity, access and parking.

In the period since the application was refused "... the local housing need ..." for the two – three bedroomed dwellings has been appraised and there have been discussions and correspondence with both Jeremy Hewitson and Kerry Courts, Housing Development Officers, Carlisle City Council. The purpose of this dialogue being to establish the evidence of need for the two dwellings which are proposed.

This evidence has clearly shown that there is:

- a significant level of housing need in the wider Housing Market Area of Carlisle Rural West (results of the District Housing Survey 2006);
- an annual figure of 43 for the number of affordable units required in Carlisle Rural West Housing Market Area over and above the supply of affordable units already committed; and that
- the highest need for larger three bedroomed properties.

In this context the Housing Development Officers have advised that the two – three bedroomed linked properties which provide family accommodation which could be two intermediate properties, e.g. shared ownership or discounted sale, at 70% of open market value.

Whilst noting the above it is considered that the proposal would now meet the requirements of Policy H6 as the two additional dwellings which are proposed are clearly:

- low cost affordable housing to meet an identified need;
- to be the subject of a Section 106 Agreement which will be put in place to satisfy the requirement that once built the residential units will be retained for the benefit of successive as well as initial occupiers;
- well related to the settlement and local landscape character.

It is considered that this element of the proposal ought to be regarded as acceptable.

In addition, as no objections arose previously in respect of the replacement dwelling, and the relevant policy framework, Policy H13, has not significantly changed in the intervening period none ought to arise in respect of the accompanying application.

In particular, it is noted that the replacement dwelling:

- is located close to site of the original dwelling;
- is of a scale and design appropriate to its location and complementary to the character and size of other dwellings in the locality;
- is sited so as to ensure that it will not adversely affect the amenity of the area or adjoining properties; and has
- has appropriate access and parking arrangements.

All of these aspects being requirements of the Policy.

In light of the above I trust that you find all aspects of the application to be clear and acceptable. If, however, you have any queries please do contact me.

Yours sincerely,

MARGARET HARDY

SCHEDULE B: Reports Requiring Further Information

08/0904

Item No: 09 Date of Committee 03/10/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0904	Mr B Roge	Carlisle
Date of Receipt:	**Agent:**	**Ward:**
04/09/2008	Mr P Malthouse	Castle

Location:
Carlisle College, Victoria Place, Carlisle, Cumbria, CA1 1HG

Grid Reference:
340510 556100

Proposal: To Demolish Blocks B, C & D Of The Existing College And Erection Of A Replacement (9715 square metres) College Building (B, C, D & E) With Parking For 125 No Spaces

Amendment:

REPORT **Case Officer:** Angus Hutchinson

Reason for Determination by Committee:

This a Major application of local significance.

1. Constraints and Planning Policies

Public Footpath

The proposal relates to development which affects a public footpath.

Flood Risk Zone

Conservation Area

The proposal relates to land or premises situated within the Portland Square/Chatsworth Square Conservation Area.

District E19 - Landscaping New Dev.

District E22 - Sewers & Sew. Treat. Work

District E31 - Arch. on Other Sites

District E43 - Imps. to Cons. Areas

District T1 - Choice of Means of Travel

District T7 - Parking Guidelines

District H17 - Residential Amenity

Local Plan Pol CP5 - Design

Local Plan Pol CP6 - Residential Amenity

Local Plan Pol CP9 - Devel., Energy Conservation and Effic.

Local Plan Pol CP12 - Foul&Surf.Water Sewerage/Sew.Tr.

Local Plan CP15 - Access, Mobility and Inclusion

Local Plan Pol CP17 - Planning Out Crime

Local Plan Pol LC8 - Rights of Way

Local Plan Pol LE8 - Archaeology on Other Sites

Local Plan Pol LE10 - Archaeological Field Evaluation

Local Plan Pol LE19 - Conservation Areas

Local Plan Pol LE27- Developed Land in Floodplains

2. Summary of Consultation Responses

Cumbria County Council - (Highway Authority): comments awaited;

Environment Agency (N Area (+ Waste Disp)): comments awaited;

Community Services - Drainage Engineer: comments awaited;

Cumbria County Council - (Archaeological Services): comments awaited;

Ramblers Association: comments awaited;

Cumbria Constabulary - Crime Prevention: comments awaited;

East Cumbria Countryside Project: comments awaited;

Development Services Planning & Housing Services - Access Officer:

comments awaited;

Northern Gas Networks: United Utilities has no objections to these proposals however there may be apparatus in the area that may be at risk during construction works and should the planning application be approved, the the promoter of the works should contact NGN directly to discuss requirements in detail. Should diversionary works be required these will be fully chargeable;

Development Services Planning & Housing Services - Urban Designer: disappointed to see that the critique we presented at our meeting with the developers does not seem to have resulted in any significant changes to the design. The view that the design had been 'rationalised almost to nothing' was admitted and yet viewing the last four incarnations of the scheme is something of a 'spot the difference'.

The strong pediment feature present in version 2 of the scheme, and repeatedly requested as a measure to give visual weight to the top of the building remains absent;

The request to add additional verticality to the composition, instead of squat linearity, has not been responded to, and indeed vertical elements such as vertical window openings to the Strand Road elevation have now been replaced with additional horizontal openings;

The verticality of the glazed upper portions of the Strand Road elevation is now compromised by two linear bands of 'gun-slit' openings running across most of its length;

The request to present plausible visual connections between the masses of masonry on the Strand Road elevation has not been responded to, and window openings remain arbitrarily located in relation to one another and to the masses of brickwork that would usual convey the weight of the building downwards. This emphasises the artifice of the construction system and the expense of conveying an impression of solidity;

The Compton Road elevation remains substantially the same as in the previous four versions, with unrelieved masses of brickwork to either side of the entrance. On the northern portion this amounts to a five-storey expanse.

Further to this, the supposed main entrance to the college appears far too understated and not evidently different from escape doors on other elevations;

The introduction of the 'through colour insulated render system' to a significant portion of the Hartington Street elevation is incongruous given the use of facing brick on the adjacent portion of the same structure. There is also a missed opportunity to allow natural lighting/ventilation of rooms on this elevation;

Windows are shown at variance on the 'typical elevation detail' 'precedent' and the 'extract from the elevation'. The latter lack the soldier course that add some minimal visual interest to the precedent example. Lacking any detailing or architraving the windows as shown are brutally minimal;

It is not evident how the applicant has made efforts to consider and provide for sustainability elements, for example via SUDS. The single ply roofing system could have, as was suggested at an early stage, been a 'green roof' capable of ameliorating run-off and of enhancing the habitat value and visual appearance of the site;

In conclusion it is considered that the current proposal is a missed opportunity to provide a college building which is both modern and yet which responds to the special characteristics of urban Carlisle. It is considered to be a generic 'big box' which has not responded to the specific characteristics of the area or to be a significant improvement on the current building on the site. The current elevations are all significantly short of the aspirations indicated on the Strand Road elevation which we viewed at the outset of discussions on this development;

Development Services Planning & Housing Services - Conservation Section: following the consultations that have taken place over this last year with the Architects and the College, it is considered that the external appearance of the scheme now submitted for planning approval is a pale shadow of what might have expected to receive from the outset. This is despite encouragement at the last meeting to enliven the scheme.

The agent mentions in the Design & Access Statement that the Governing Body of the College is passionate that the learning environment for its students should be the 'best in class', and that the proposed scheme represents a 'bold statement of contemporary appearance'. Sadly I have to disagree on both counts.

The current scheme has a dark brooding feel – it may be that the colour of the brickwork is just too heavy, but there is a lack of detail too in the brickwork. Detail which we had asked for certainly at parapet level, but which could have been employed elsewhere to enliven the elevations.

There have been various attempts to provide some feature glazing on the corner of Compton Road and Strand Road. Whilst the current proposal presents a dramatic return of glazing seemingly held in a thin wrapping of brickwork cantilevering out above the pavement, the drama is diminished by the overall treatment of the whole corner and the elevation treatment along Strand Road.

Similarly there have been various attempts to provide a dramatic elevation along Compton Street by emphasising the 14/19 unit floating above the entrance foyer. My main concern is the mass of unrelieved brickwork, which flanks the glazed entrance screen and supports the cantilevered projection on Strand Road. It is also wondered, from the outset, whether this is the right place for the main entrance. Given that the car park will be located on Strand Road with a secondary access on that side of the new building, and that there is another entrance on Victoria Place, forming a north/south axis through the site. On this basis it is imagined that Strand Road would have been the more logical main entrance to the site.

The east side of the Strand Road elevation does not work for me – it does not have the slick contrasting planes of solid to glass that attracted me to an earlier scheme. Also the apparent change of material on this earlier scheme, possibly from brick to

render, helped to provide some visual and physical separation between the 5 and 3 storey blocks and to also give it a separate identity. It is considered that the present scheme does not provide that. It still reads as the same building separated by a zigzag of glass.

Finally there is the elevation along Hartington Street, which not only has to contend with the existing retained College building on Victoria Place, but must also encompass different building functions and treatments. Unfortunately there is nothing to unify this elevation, and perhaps a simplification of the return to the Strand Road elevation may have helped rather than the introduction of yet another material.

Following a more recent site visit, the stepped building mass of the existing College buildings on Strand Road are readily apparent. Whilst the design of the Victoria Place building leaves much to be desired in the context of its location on the fringe of the Chatsworth Square/Portland Square Conservation Area, its terraced elements present a strong feature, which could have been usefully incorporated into the new scheme. This would have helped to reduce the considerable bulk of the proposed new building in the same way that the existing Strand Road buildings reduce the scale and bulk of the principal building, and also complement the scale of the existing Victorian buildings to either side.

Overall, it is feared that an opportunity has been lost with this application, and the diminution of the scheme from earlier proposals and discussions suggests a cost cutting exercise. I feel quite saddened that the proposal has been diluted and that despite our encouragement, very little notice has been taken of the comments made at our last meeting. I regret that I am unable to support this application. Hopefully there is a way forward which will result in a fine piece of architecture which is not a compromise solution, but one which not only the Board Of Governors, but also the City of Carlisle can be proud of.

3. Summary of Representations

Representations Received

Initial:		Consulted:	Reply Type:
	36 Victoria Place	15/09/08	
	37 Victoria Place	15/09/08	
	Trinity School	15/09/08	
	School House	15/09/08	
	College House	15/09/08	
	1 Strand Road	15/09/08	
	2 Strand Road	15/09/08	
	3 Strand Road	15/09/08	
	4 Strand Road	15/09/08	
	5 Strand Road	15/09/08	
	6 Strand Road	15/09/08	
	7 Strand Road	15/09/08	
	8 Strand Road	15/09/08	
	9 Strand Road	15/09/08	
	20 Showfield	15/09/08	
	Trinity School	15/09/08	

38 Victoria Place	15/09/08
39 Victoria Place	15/09/08
40 Victoria Place	15/09/08
41 Victoria Place	15/09/08
42 Victoria Place	15/09/08
43 Victoria Place	15/09/08
44 Victoria Place	15/09/08
45 Victoria Place	15/09/08
46 Victoria Place	15/09/08
1 Compton Street	15/09/08
2 Compton Street	15/09/08
3 Compton Street	15/09/08
4 Compton Street	15/09/08
5 Compton Street	15/09/08
6 Compton Street	15/09/08
7 Compton Street	15/09/08
8 Compton Street	15/09/08
9 Compton Street	15/09/08
2 Chatsworth Square	15/09/08
50 Victoria Place	15/09/08
Christian Science Church	15/09/08
Central Clinic	15/09/08
Red Lodge	15/09/08
Houghton House	15/09/08

3.1 This application has been advertised by press and site notices and the direct notification of the occupiers of 40 neighbouring properties. No formal or informal comments have been received at the time of preparing the report.

3.2 Members should be aware that the publicity period for the application expires on the 6th October 2008.

4. Planning History

4.1 The site has a relatively extensive history. As a way of summarising the situation the most significant decisions comprise the following.

4.2 In 1949, under application number TP16, planning permission was given for the erection of a Technical College.

4.3 In 1971, application number C89, permission was given for extensions to the College.

4.4 In 1977, application number 77/0895, permission was given for the formation of a connecting corridor.

4.5 In 1983, application number 83/0319, permission was given for a projecting canopy along Victoria Place.

4.6 In 1991, 1996 and 1999, application numbers 91/0635, 96/0083, 96/0363 and 99/0863, has subsequently been granted for a series of additional extensions.

4.7 In 2004, under application numbers 04/0520 and 04/0521 planning permission and Conservation Area Consent were given for the redevelopment of the entire campus ("phases 1-5").

4.8 In 2005, application 05/0838, planning permission was given amended details to the scheme approved under 04/0520 including creation of a smoking platform, modified Victoria Road entrance, enclosure of bin storage area, re-siting of pedal/motorcycle storage, re-location of boiler, re-positioning of workshop doors, and, modification to the emergency escape stairs and doors.

5. Details of Proposal/Officer Appraisal

Introduction

5.1 Carlisle College campus comprises five property holdings namely:

a) the main collection of buildings contained by Victoria Place, Compton Street, Hartington Street and Strand Road;

b) the buildings located on the northern side of Strand Road linked by an overhead walkway;

c) Chatsworth House located at the corner of Victoria Place and Chatsworth Square;

d) St Paul's Church Hall at the junction of Strand Road and Compton Street; and,

e) Swifts Mews bounded by Georgian Way and Strand Road.

5.2 This application relates to those elements which front onto Compton Street, Hartington Street and Strand Road and for the purposes of this application have been annotated buildings "A", "B", "C" and "D". Building A is the recently constructed four storey block which fronts onto Victoria Place and houses engineering, science, general teaching areas. Building B is sandwiched between buildings A and C and is a five storey block which provides accommodation for catering, IT, management and administration. Building C consists of a single storey element fronting the southern side of Strand Road and an attached three storey block which originally housed engineering, car maintenance, electronics and plumbing. On the opposite side of Strand Road there is building D which has single and four storey elements that provide accommodation for construction, the refectory and temporary administration functions.

5.3 Carlisle College campus is set within the context of Trinity School and two semi-detached houses on the northern side of Strand Road; the terraced residential properties on the western side of Strand Road; the Central Clinic and two houses on the eastern side of Hartington Street; and, the terraced

houses on the southern side of Strand Road. The site slopes from south to north and west to east.

5.4 A public footpath (Zero Path) runs along the western side of building D leading to Dukes Road and the Sands Centre.

Background

5.5 A space-needs assessment was undertaken by the College in 2003 which identified the then gross internal area of the College was 22,699 square metres but on the basis of 2002/03 course provision the maximum area actually required was 9,886 square metres. A study of the College's future prospects concluded that by 2007/08 the "Guided Learning Hours" would have recovered from 817,410 in 2002/03 to 973,488. As a result it was determined that the most economic approach was to demolish all but 5,385 square metres of the current campus and then to re-build an area amounting to 6,067 square metres i.e. a total floor space of 11,452 square metres. In June 2004, under application 04/0520, planning permission was given to redevelop the entire campus with a revised scheme, application 05/0838, approved in 2005.

5.6 In 2005 the College commenced the implementation of the schemes approved under 04/0520 and 05/0838 by the demolition and replacement of building A which now has 5,326sqm of floor space. In May 2007 a further feasibility study concluded that the College could be redeveloped in a phased manner but based on a different scheme to that already given permission.

5.7 The current application shows the demolition of the existing buildings B, C and D providing over 9,000sqm of accommodation leading to a total floor space of over 15,000sqm which is 5,000sqm less than the current overall campus.

5.8 The submitted plans show the provision of a main "entrance plaza" and access via Compton Street with a centrally positioned secondary Strand Road entrance. Building D would become a 122/125 space car park with bicycle storage and a "linear park" for socialising. The Compton Street elevation consists of the replacement buildings B and C. Building B is shown to have a three storey brick stairwell and glazed atrium with a centrally positioned projecting bay framed by copper cladding on the second floor. The projecting bay serving what is referred to as the 14-19 Centre. Proposed building C has five floors with the walls externally faced in brickwork, glazing and Kalwall panels. At the corner of Compton Street with Strand Road there is a bay of three floors which projects beyond the glazed ground and first floors by 8.4m. Building C continues around and along Strand Road with the glazing on the ground and first floors with upper three floors clad in brickwork. The glazed entrance from Strand Road provides the linking element with the three storeys of replacement building D. The Hartington Street elevation consists of the gable end of building D and the three storey composite panelled eastern elevation of building B – see attached copies of plans.

5.9 Documents accomapnying the application include a Flood Risk Assessment,

Transport Assessment, Archaeological Assessment, Environmental Strategy, Landscape and Public Realm Strategy, and, Design and Access Statement.

5.10 The submitted Flood Risk Assessment concludes that the application site is situated in Flood Zones 1 and 2 classifying the site as being at low to medium vulnerability to flood risk from the River Eden - the College itself did not suffer from the January 2005 flood event. As the redevelopment is to be constructed over the existing site, the impermeable areas should not be increased by the proposed development. The Assessment concludes that soakways are not possible and therefore recommends that surface water should be discharged into the existing UU public combined sewage system; run off from the site should be attenuated; flood resilient construction measures should be utilised within the redevelopment area; a 30% increase in flows should be allowed within site attenuation design; and, the entire College should be logged onto the areas flood warning systems.

5.11 From the submitted Transport Assessment the following five points need to be highlighted.

1) The area is accessible to non-car modes of travel and benefits from high levels of access to/from public transport, walking routes and cycling routes/facilities.
2) Each element of the Learning Village will have multiple access points for pedestrians and cyclists and that parking provision accords with Cumbria Country Council's parking standards.
3) There are no clear accident trends/patterns either in type, casual factors or age groups. Development proposals should not detrimentally affect road safety.
4) The addition of development traffic to the network is predicted to result in satisfactory levels of operation at all junctions included in the assessment.
5) The Hartington Street/Victoria Place is predicted to experience capacity problems in 2022 with the Learning Village traffic included however, this junction would be over capacity even if the Learning Village were not developed.

5.12 The Archaeological Assessment explains that:

1) the development area lies within an area of unknown archaeological potential;
2) the potential for Roman activity on the site is high given the site close proximity to buried Roman ploughsoils and features discovered during archaeological work at the College directly to the south of Strand Street as well as other sites of Roman survival within the study area;
3) the potential for prehistoric remains surviving sub-surface is classed as medium;
4) the potential for medieval archaeological remains surviving sub-surface within the boundaries of the development is medium;
5) the potential for medieval archaeological deposits surviving on the site is high; and,
6) the extant College building may have destroyed archaeological features

within its footprint though without further fieldwork the nature of this destruction can not be ascertained.

5.13 The submitted Landscape and Public Realm Strategy has been prepared in consideration to the emerging Carlisle City Centre Public Realm Design Guide. The strategy indicates that in order to provide a step change in public realm quality a combination of natural stone and high quality concrete materials are proposed. Feature paving will be laid in the "linear park" area to provide visual interest and contrast to those areas, which have pedestrian priority. The main entrance to the College creates an external space allowing informal use of the area by students. The hard landscape will be complemented by soft landscaping to create a green and welcoming College campus and City Centre. There will also be ornamental planting providing a buffer between the College building and public realm. Street furniture and external lighting will also be used to emphasise the public realm. The overall strategy aims to facilitate both movement and gatherings and enrich students, staff and the public experience of the College campus.

5.14 The submitted Design and Access Statement states that a strong high quality design has been developed in response to the ambition and vision of the College. The design has embodied key concepts which follow operational requirements during construction and on completion of the works and will offer high quality teaching environments to complete the last phase of redevelopment at Carlisle College. The site and building will continue to offer free access to all members of the public. The guidance of Approved Document Part M of the Building Regulations will be adopted in the accessible parking bays, access to the main entrance, access to the building, vertical and horizontal circulation through the building, toilet and changing facilities as well as stairs. All areas of the integrated college will be accessible for all pupils with disabilities.

Assessment

5.15 In considering this application based upon the policies of the Development Plan the main issues are:

i) Whether the proposal either preserves or enhances the character of the Chatsworth Square Conservation Area, the setting of any listed buildings and character of the area within the immediate vicinity;

ii) Whether the proposal would be detrimental to the living conditions of neighbouring residents including secure by design;

iii) Whether the proposal, during and following construction, will lead to congestion and/or exacerbate the situation to the detriment of highway safety and the flow of traffic;

iv) Whether the proposal complies with the underlying objectives of Policy T1 of the Local Plan; and,

v) Whether any archaeological artefacts/interests would be safeguarded.

5.16 In the light of the awaited comments from consultees an updated report will be presented to Members during the Meeting.

6. Human Rights Act 1998

6.1 Several provisions of the above Act 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 regularise any breach of planning control;

Article 8 recognises the "Right To Respect for Private and Family Life";

6.2 **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.

7. Recommendation

Reason For Including Report In Schedule B

At the time of preparing the report the responses of consultees and comments of interested parties are awaited.

Issue	Date	Issue By
01	24/07/08	AAI
Title Block		
Amendment		

Status
Preliminary

Project
Carlisle College
Redevelopment

Drawing
Existing Site Plan

Project No	Drawing No.	Revision
1887	150_01	01
Scale at A1	Drawn By	
1:1250	AAI	

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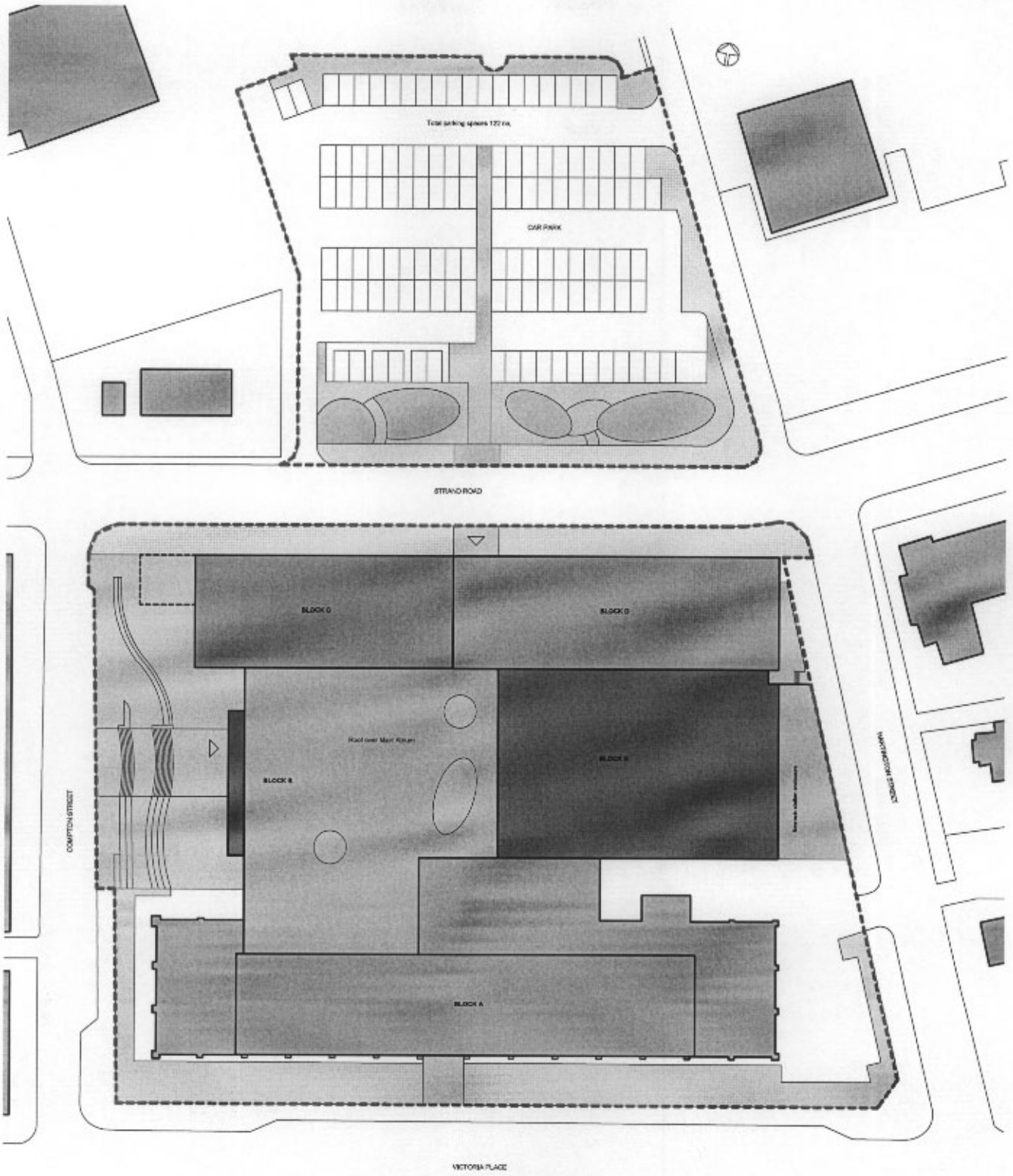
Site Boundary
Existing Block A retained
HARTINGTON STREET
BLOCK D
BLOCK C
BLOCK A
BLOCK G
BLOCK B
Roof over Main Atrium
CAR PARK
Total parking spaces 122 no.
VICTORIA PLACE
COMPTON STREET
Preliminary
Carlisle College
Redevelopment
Location Plan
1857
200_10_03
1 : 500
A4
Ryder



01
Preliminary
Carlisle College Redevelopment
Proposed Site Plan
1887
200_11_01
1 : 300
PSW

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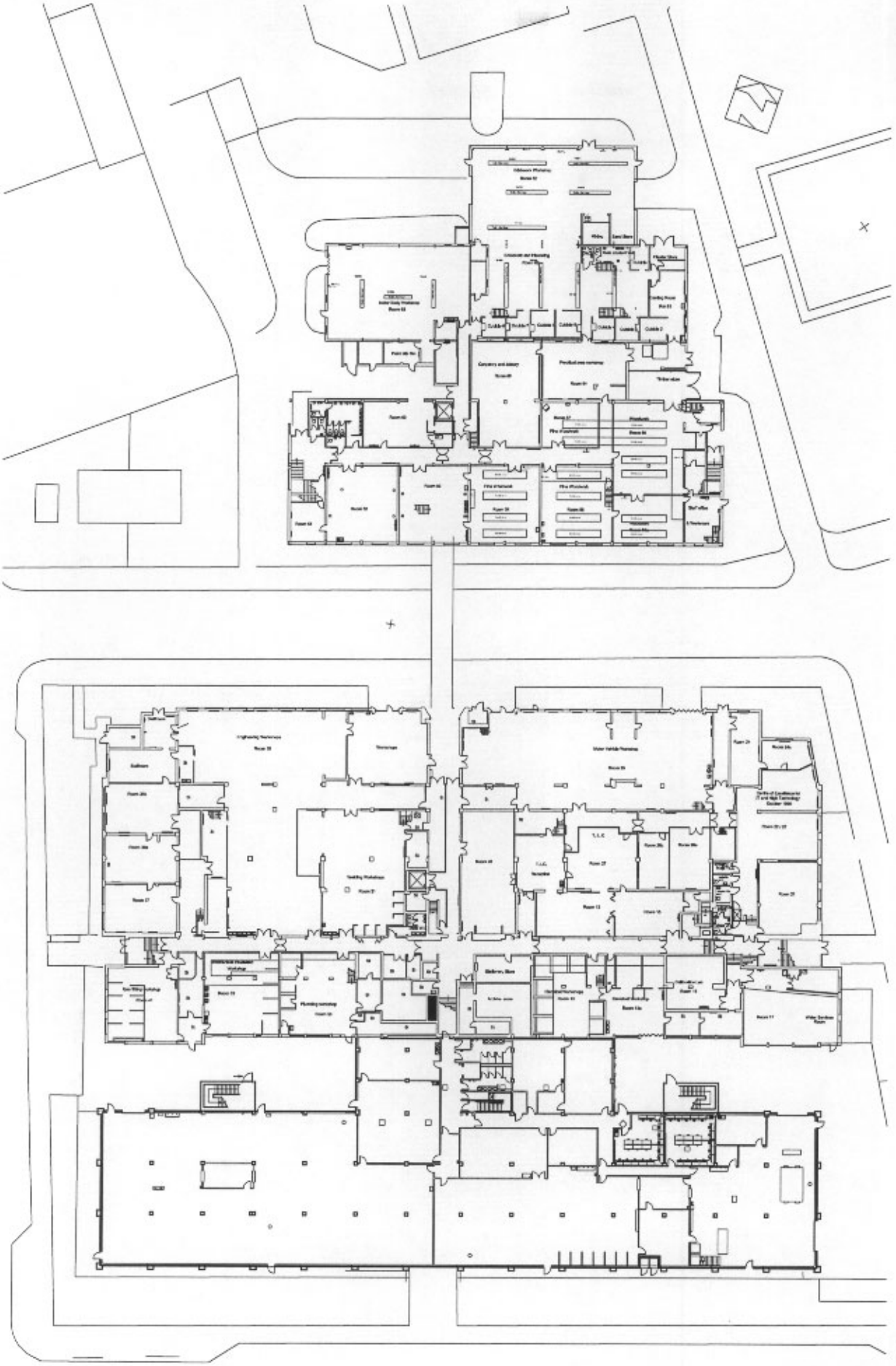

Preliminary

Carlisle College
Redevelopment

Existing Ground floor Plan

1887	150_10_01	01
1:250	AAI	

346

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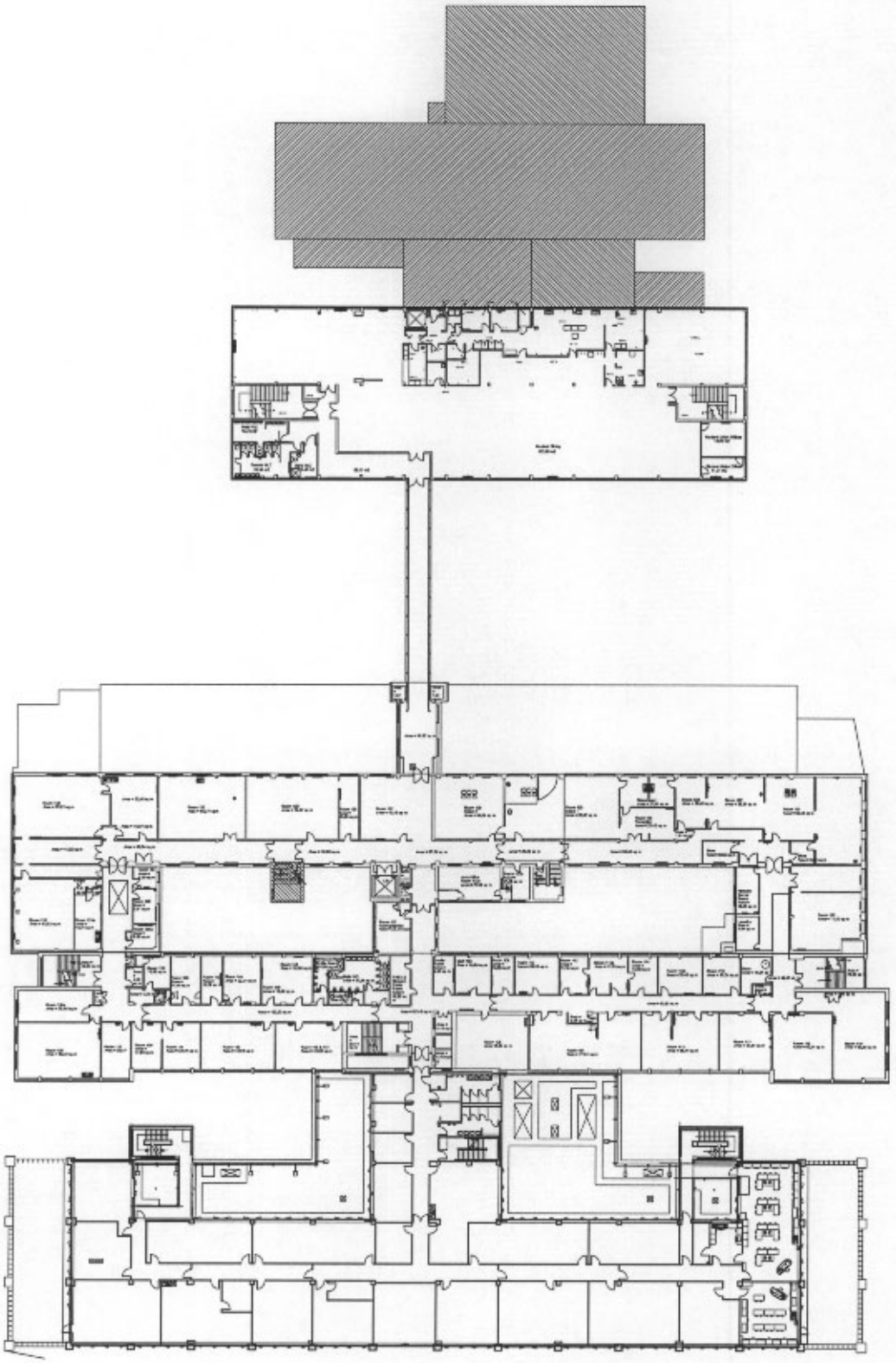

Number	Date	Amended
01	28/04/08	AAI

First Issue

Issued to/Issued by

Status
Preliminary

Project
Carlisle College
Redevelopment

Drawing
Existing First Floor Plan

Project No.	Drawing No.	Revision
1887	150_11_01	01
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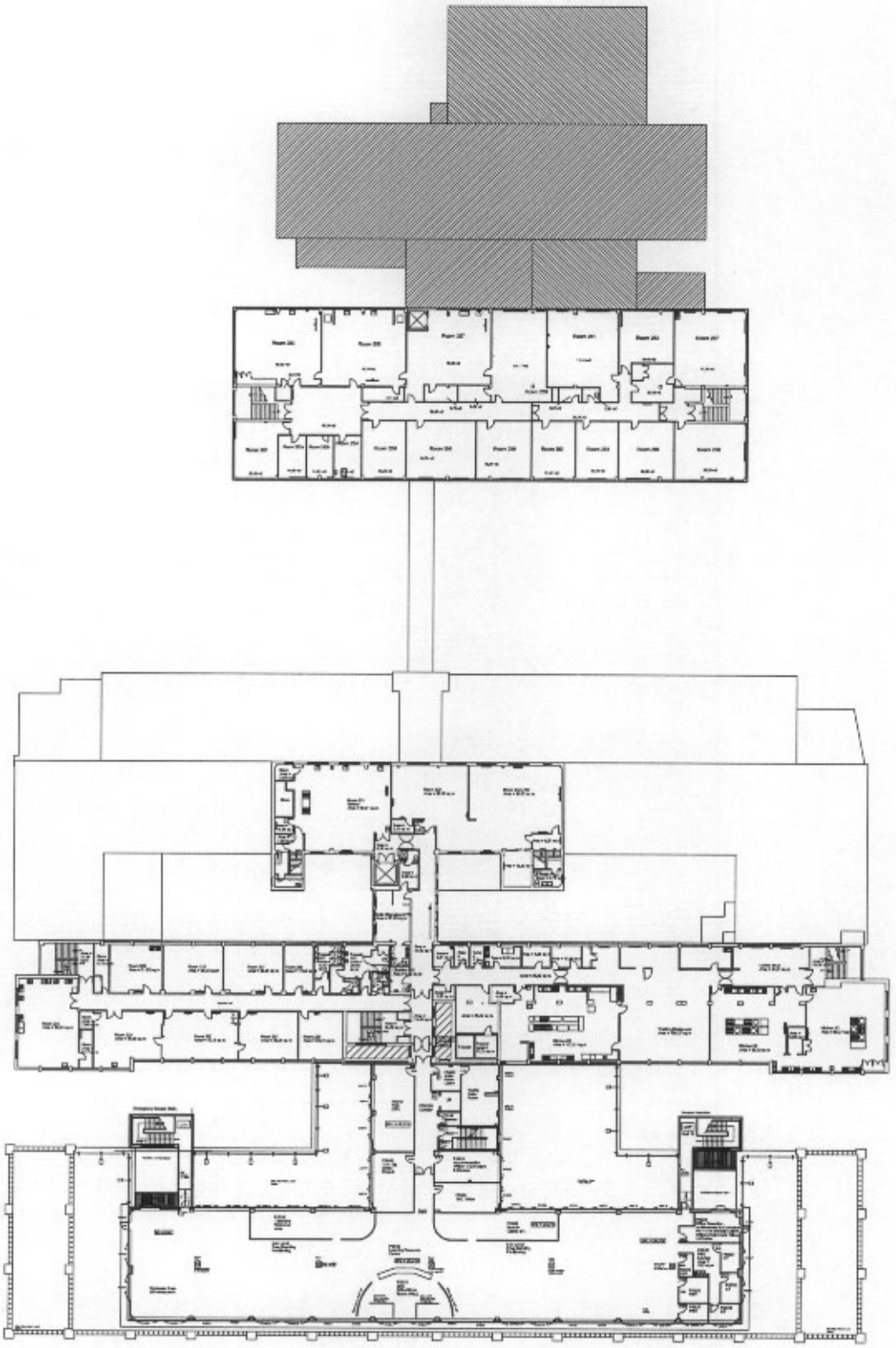

348

Number 01	Date	Drawn by AAI
Amendment		
Status Preliminary		
Project Carlisle College Redevelopment		
Drawing Existing Second Floor Plan		
Project No. 1887	Drawing No. 150_12_01	Revision 01
Scale at A1 1:250	Drawn By AAI	

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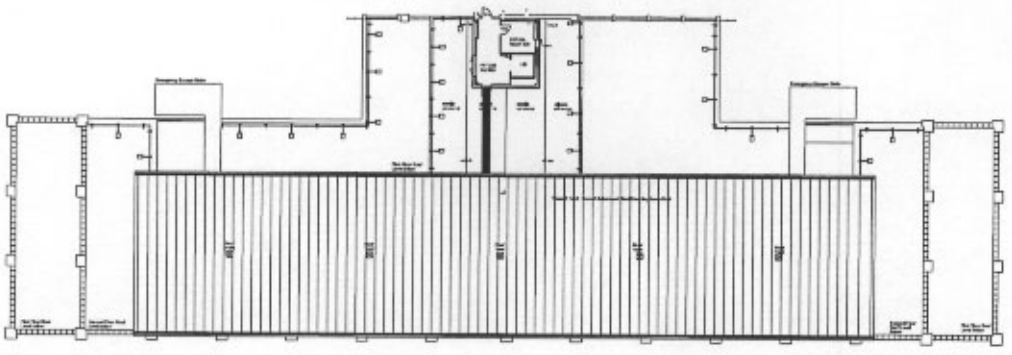

349

Number	Date	Drawn By
01	[illegible]	AAI

Amendment

Status
Preliminary

Project
Carlisle College
Redevelopment

Drawing
Existing Third Floor Plan

Project No.	Drawing No.	Revision
1687	150_13	01
Scale at A1	Drawn By	
1:250	AAI	

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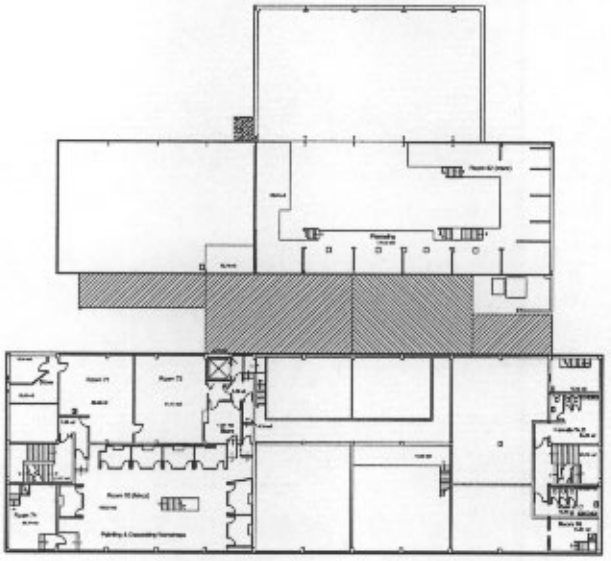

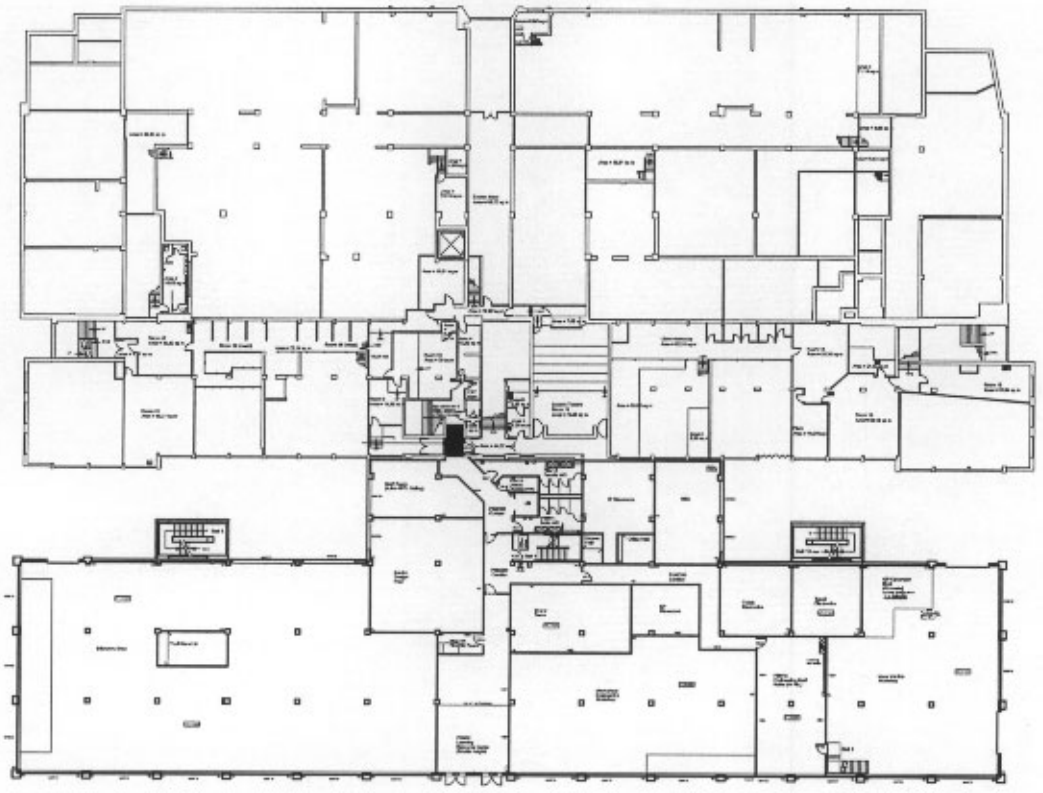

Compton Street

Victoria Place

350

01	25/05/05	AAI

Preliminary

Carlisle College

Existing Mezzanine Floor Plan

1887	150_14	01
1:250	AAI	

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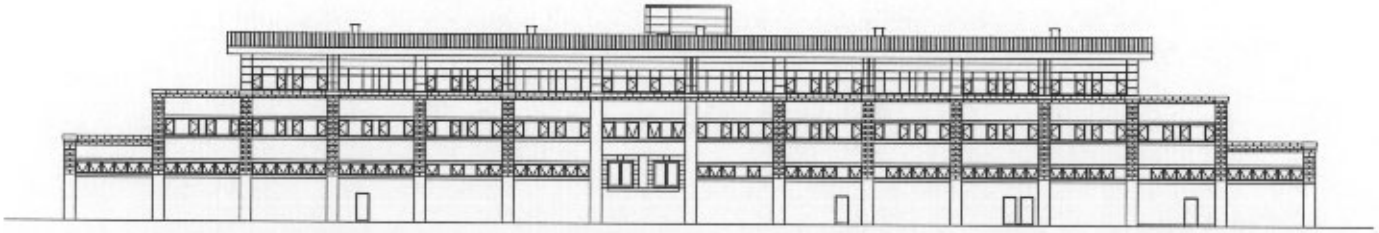
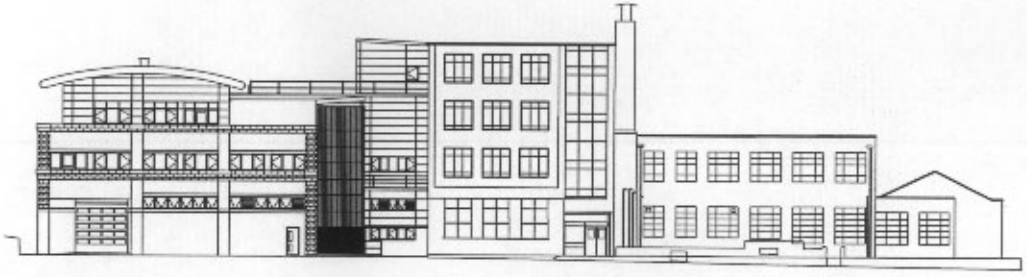


Elevation_South_Victoria Place
1:200



Elevation_East_Hartington street
1:200

Revision 01 First Issue	Date 25/05/2007	Drawn by AAI

Amendment

Status
Preliminary

Project
Carlisle College
Redevelopment

Drawing
Existing Elevations
Sheet 2

Project No.	Drawing No.	Revision
1587	155_01	01
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Elevation_North_Strand Road
1:200

Elevation_West_Compton Street
1:200

01		
First Issue		
Amendment		

Status
Preliminary

Project
Carlisle College
Redevelopment

Drawing
Existing Elevations
Sheet 1

Project No.	Drawing No.	Revision
1587	155_02	01
Scale on A3	Drawn By	
1:200	AAI	

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Ground Floor Plan

1 : 200

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Issue	Date	Drawn By
07	03/06/04	AAI
Re-location added		
06	24/05/04	AAI
Room tags updated to reflect new schedule External walls amended to show balconies Plan updated to show pedestrian provision		
05	17/05/04	PMar
Plan updated in line with client comments 07/05/04		
04	07/05/04	PMar
Plan updated in line with client comments		
03	29/04/04	AAI
Amendments following client feedback 14/04/04.		

Status: Preliminary

Project: Carlisle College Redevelopment

Drawing: Ground Floor Plan

Project no.	Drawing no.
1887	300_01_07
Scale @ A1	Drawn By
1 : 200	AAI

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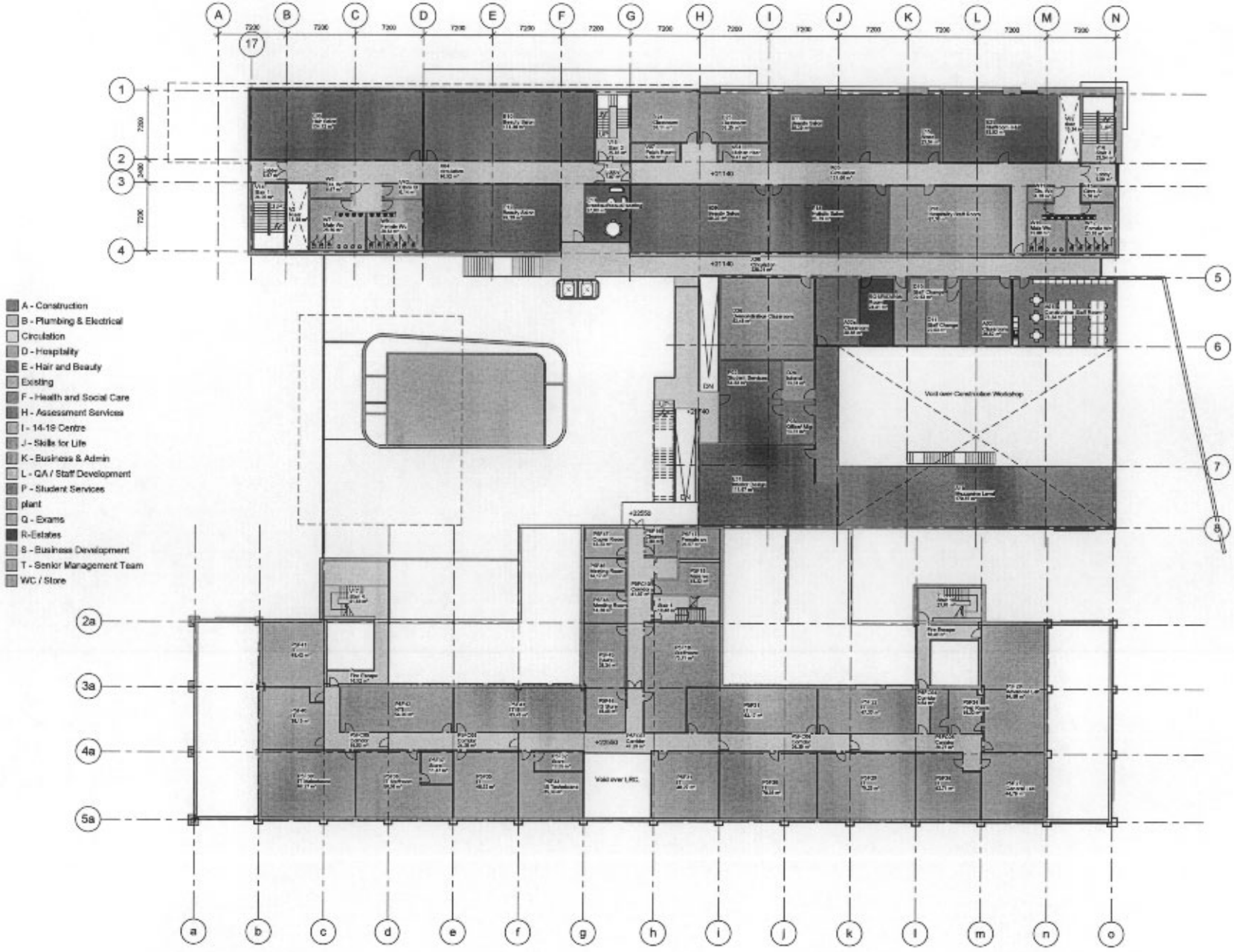


First Floor Plan

1 : 200

Preliminary

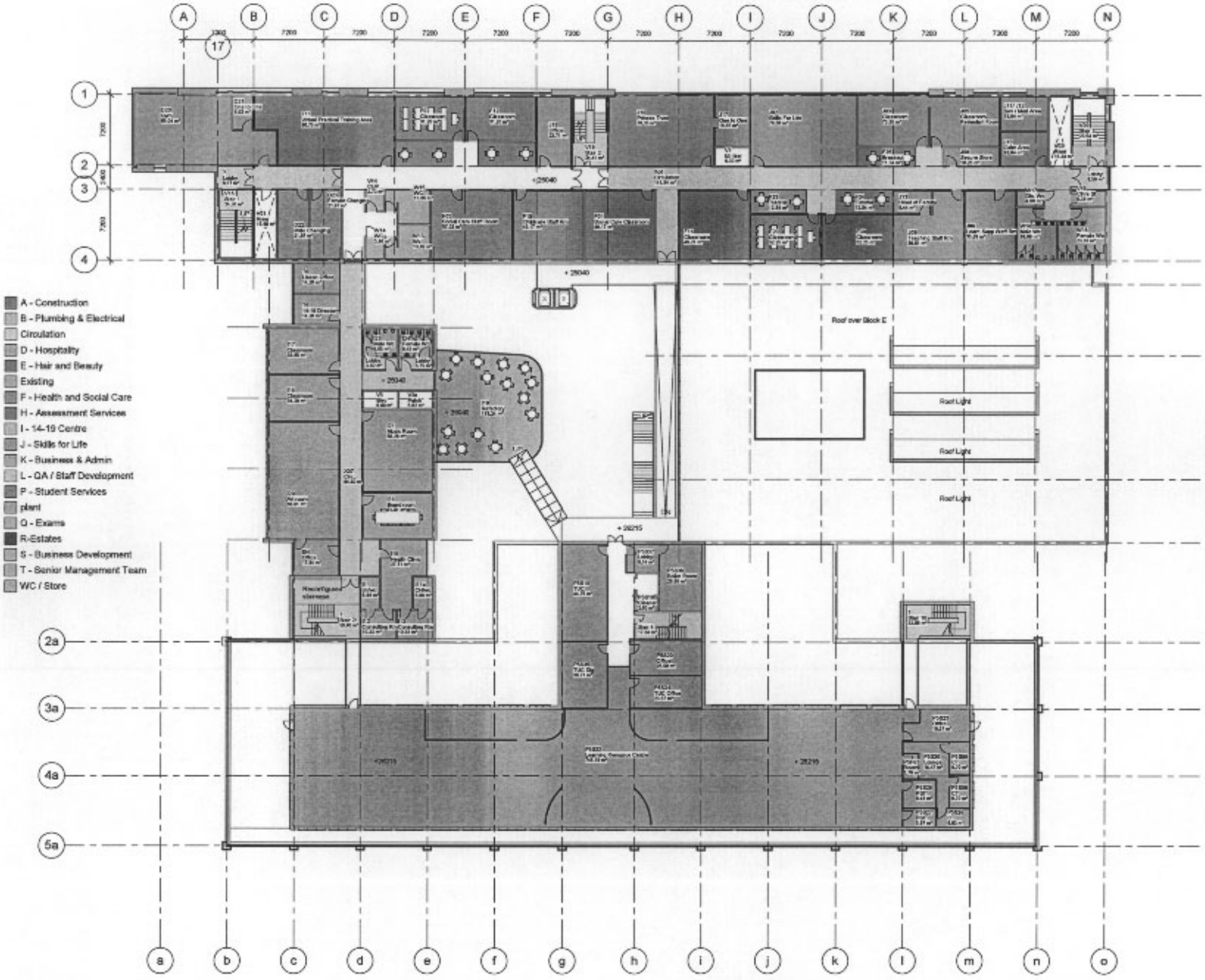
Carlisle College
Redevelopement

First Floor Plan

1887 | 300_02_00

1 : 200 | AAI

Ryder



Second Floor Plan

1 : 200

06 30/09/08 AM
Room tags updated to reflect area schedule.
Furniture added, removed to show kitchen etc.
Wire allowance via unpublished parameters

05 19/09/08 PBM
Plan updated in line with client comments 4/09/08

04 05/09/08 PBM
Plan updated in line with client comments

03 29/08/08 AAI
Amended plans following client feedback 19/08/08.

Assessment
Preliminary

Project
Carlisle College
Redevelopment

Drawing
Second Floor Plan

Project No. 1887
Drawing No. 300_03_06
Scale at A1 1 : 200
Drawn By AAI

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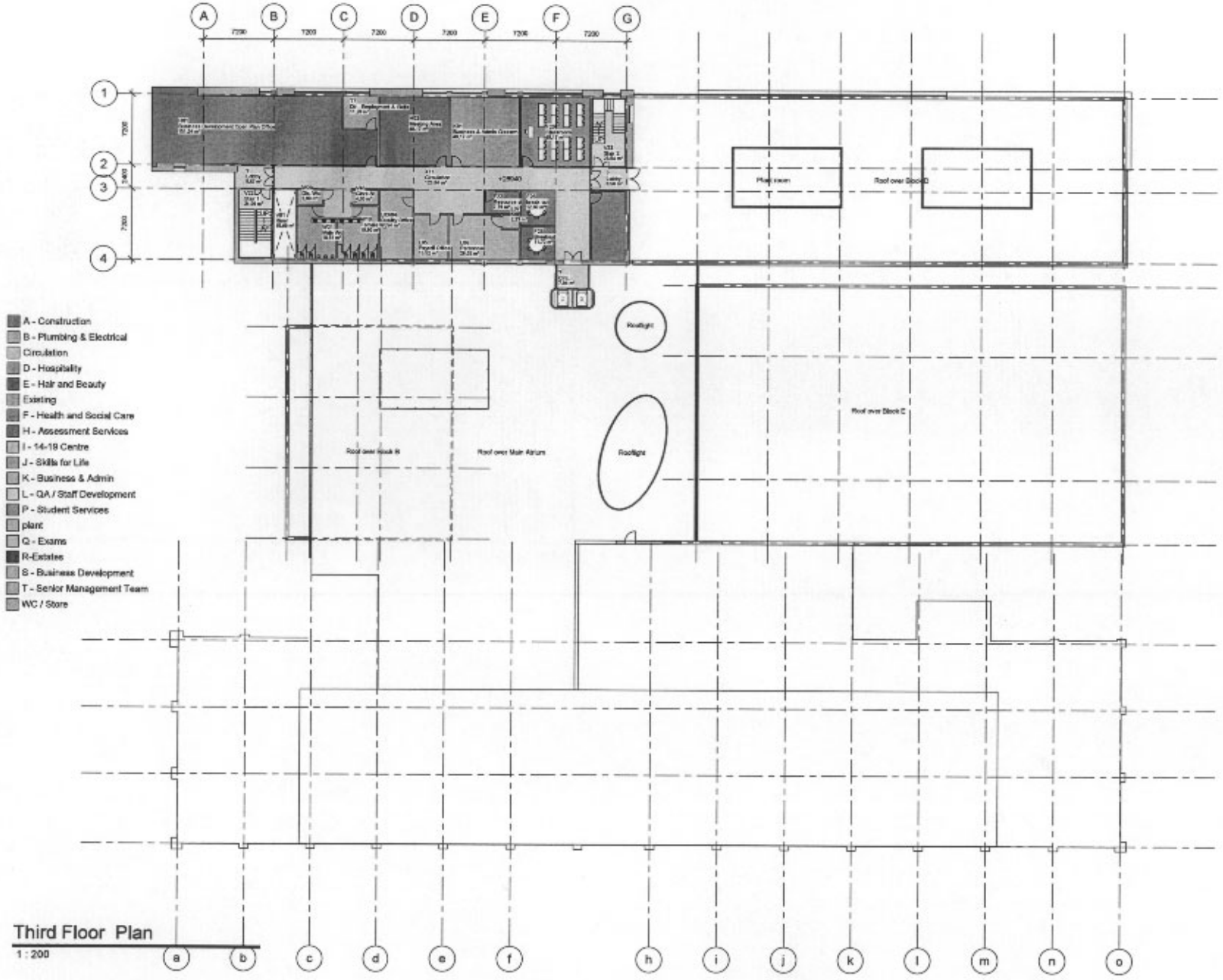

Third Floor Plan

1 : 200

Preliminary

Carlisle College
Redevelopment

Third Floor Plan

Project No.	Drawing No.
1887	300_04_05
Scale at A1	Drawn By
1 : 200	AM

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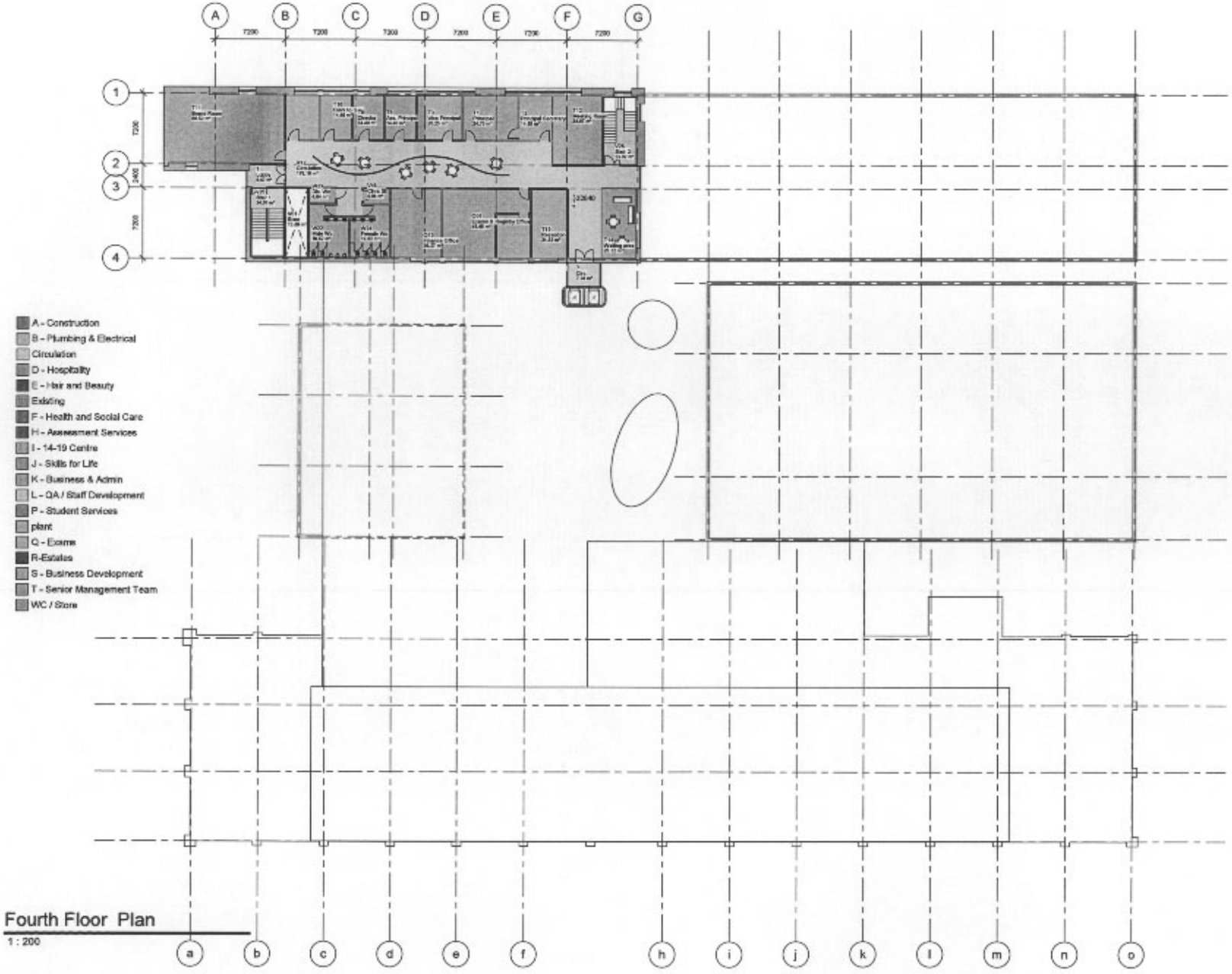

Fourth Floor Plan

1 : 200

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Revision	Date	Drawn by
05	24/06/09	AAI

Room tags updated to reflect area schedule
Rooms of walls amended to store/childcare
Plan updated to show preliminary provisions

Revision	Date	Drawn by
05	19/06/09	Final

Amended floor plans in line with client comments of 16 / 17 06

Revision	Date	Drawn by
04	17/06/09	PDw

Plan updated in line with client comments

Revision	Date	Drawn by
03	29/05/09	AAI

Amended plans following client feedback 11/06/09

Amendment

Status
Preliminary

Project
Carlisle College
Redevelopment

Drawing
Fourth Floor Plan

Project No.	Drawing No.
1697	300_05_06
Scale at A1	Drawn by
1 : 200	AAI

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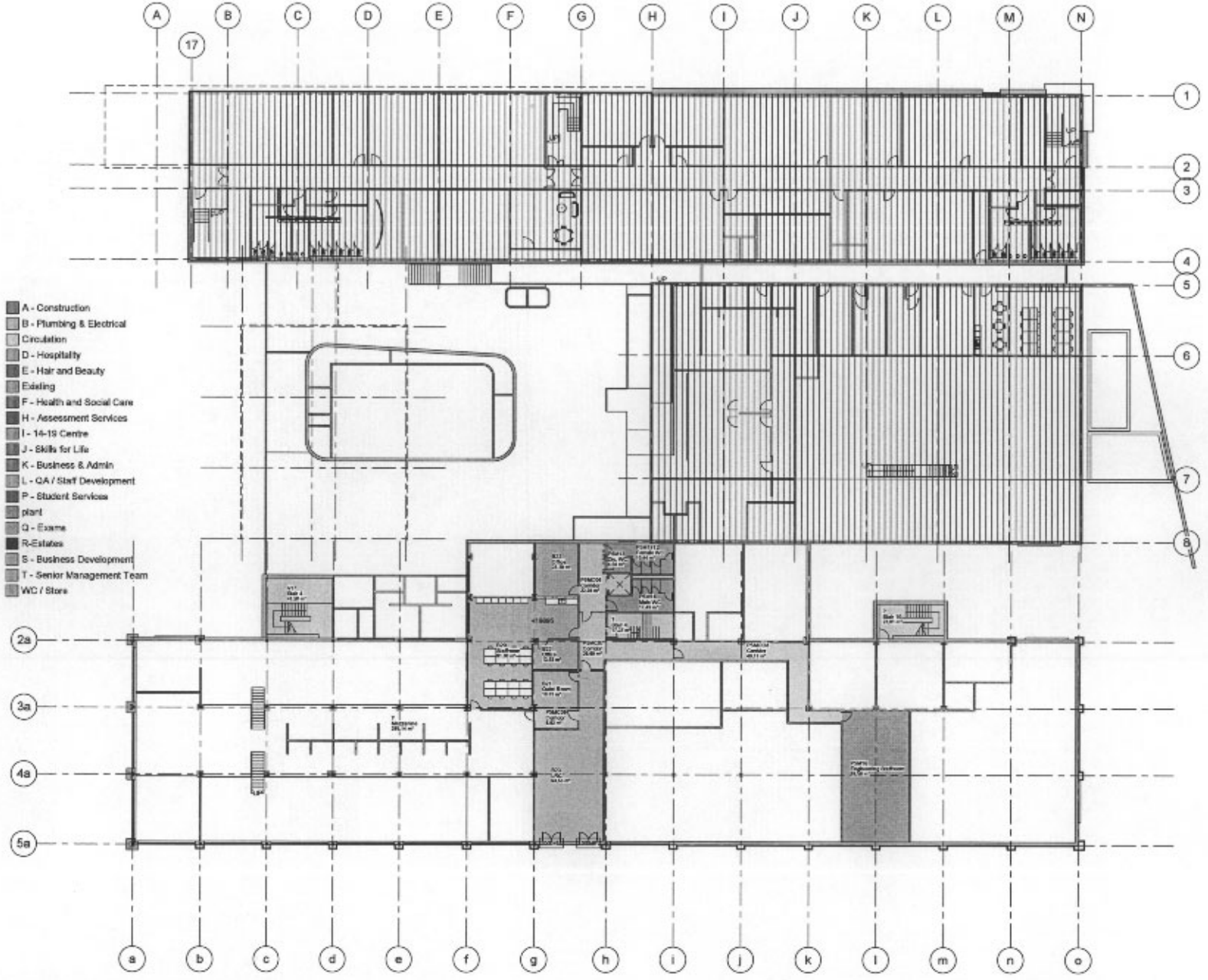

Block A Mezzanine Floor Plan

1 : 200

Preliminary

Carlisle College
Redevelopment

Block A Mezzanine Level +19595

1887 — 300_06_01

1 : 200 — PSw

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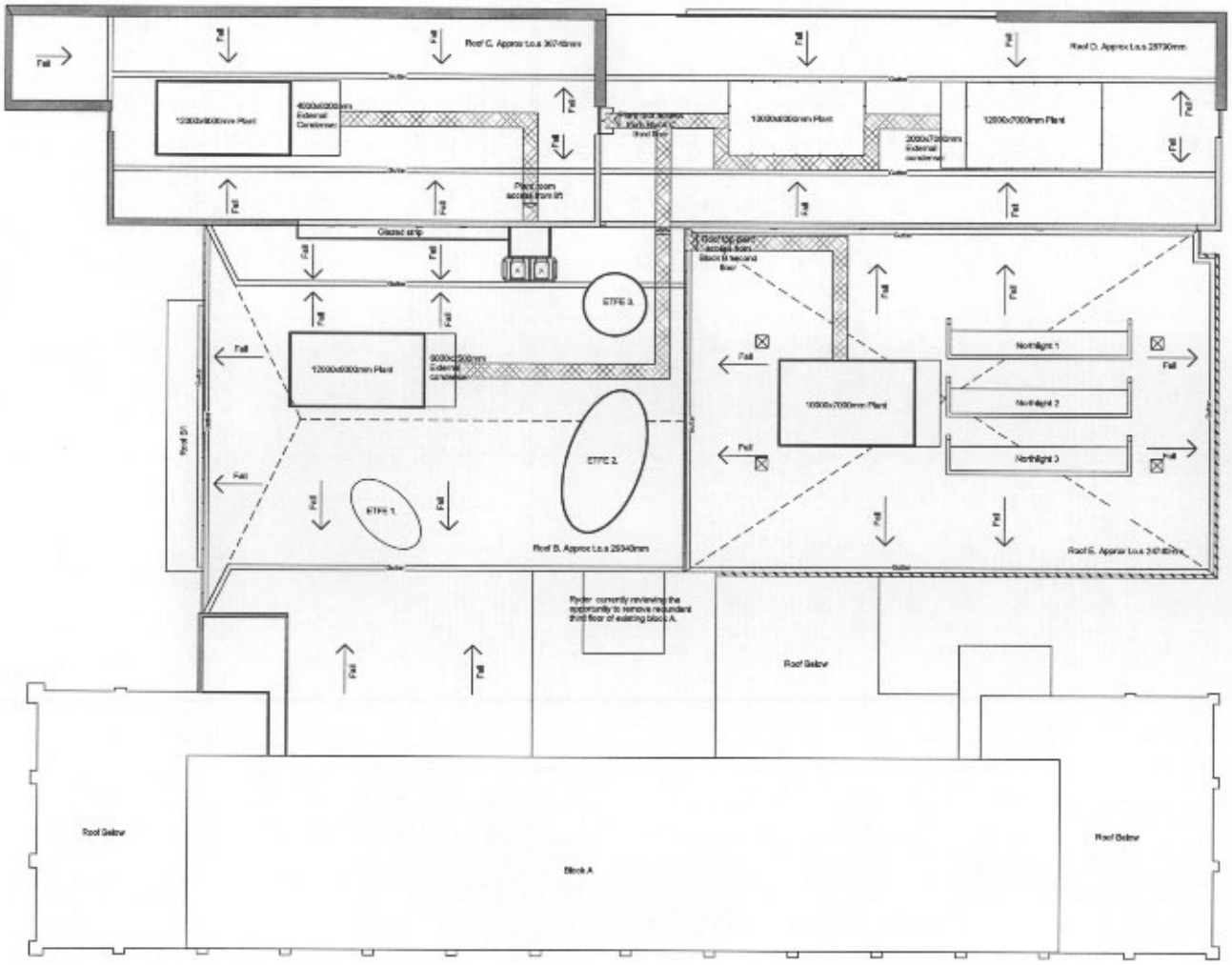

Roof GA Plan

1 : 200

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Reinforced roof area for access

Roof construction to be mechanically fixed high performance single ply polymeric membrane over rigid board insulation and breather membrane, on a profiled steel decking fed to falls on steel purlins to SE details.
Propriety walkway for maintenance areas. Insulation build up tbc.

Brick Parapet

Render Parapet

Kingspan Parapet

Direction of Fall

Issue	Date	Drawn By
01	[illegible]	AAI

First Issue

Amendment

Status: Preliminary

Project: Carlisle College Redevelopment

Drawing: Roof Plan

Project No.	Drawing No.
1887	300_07_01
Scale at A1	Drawn By
1 : 200	AAI

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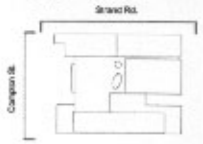
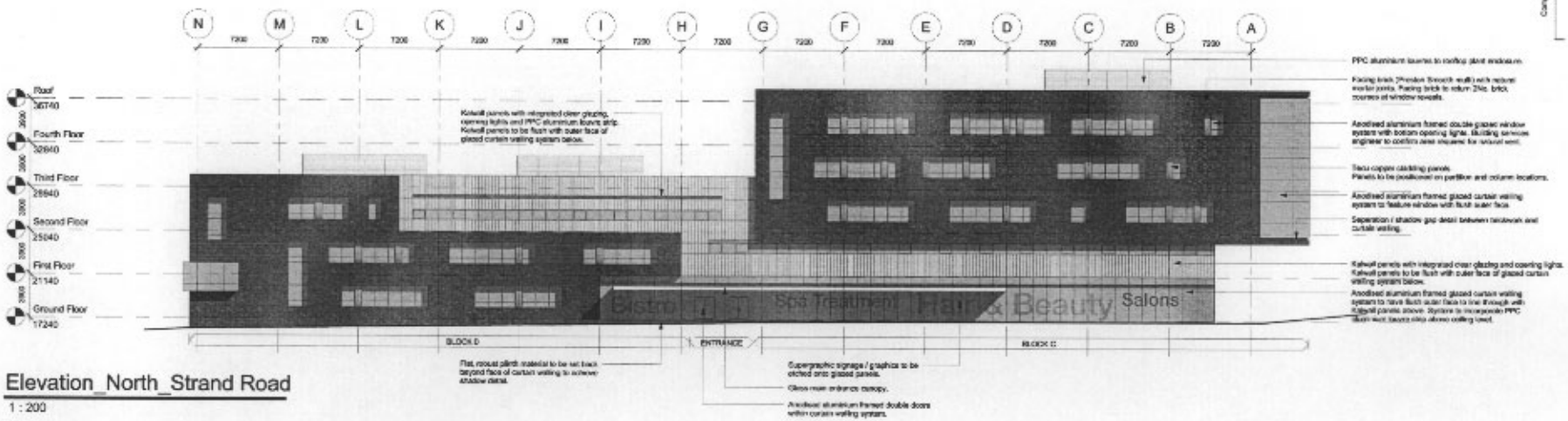
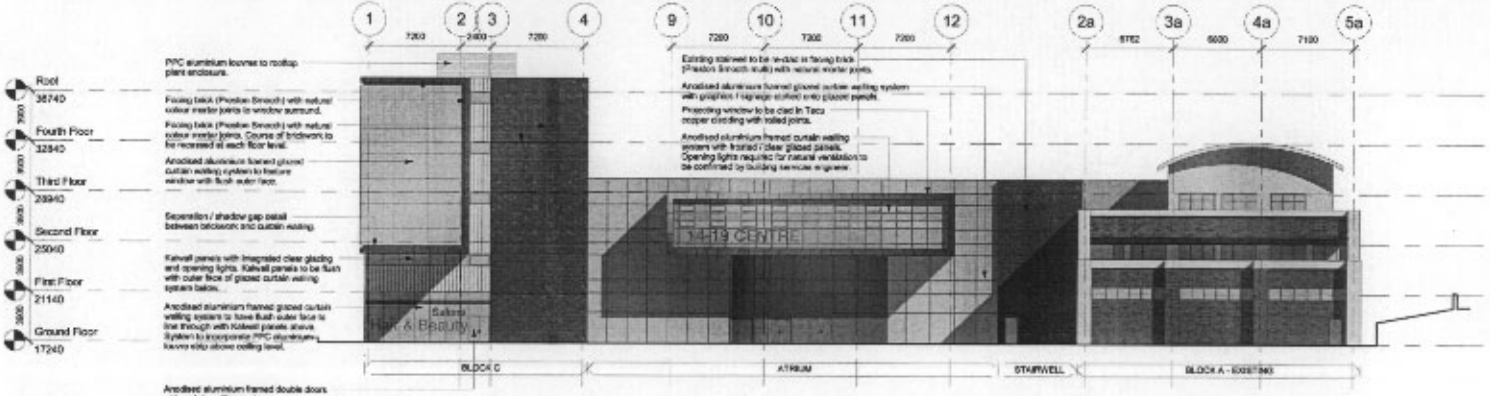


360



Elevation_North_Strand Road

1 : 200



Elevation_West_Compton Street

1 : 200

04		PSw

Window opening locations revised in line with planners comments.
Clear glazed screen, covering lights are now only across to raised area.
Curtain walling now revised. 1st & 2nd floor glazed elevation covering light weld visible.

03		PSw

Revisions made in line with planner's comments made at meeting on
Extent and location of fenestration revised. Proceeding Block C feature window revised. Extent of brick panels reduced. Extent of Kalwall® cladding panels at second floor block C increased. Size of entrance canopy increased. Main entrance added to Block D roof.

02		PSw

Plan status transferred from sketch to CAD format.
Minor site level revisions added.

01		PSw

First issue

Amendment

Status
Preliminary

Project
Carlisle College
Redevelopment

Drawing
GA Elevations
Sheet 1

Project No. 1007	Drawing No. 312_10_04
Scale at A1 As indicated	Drawn By PSw

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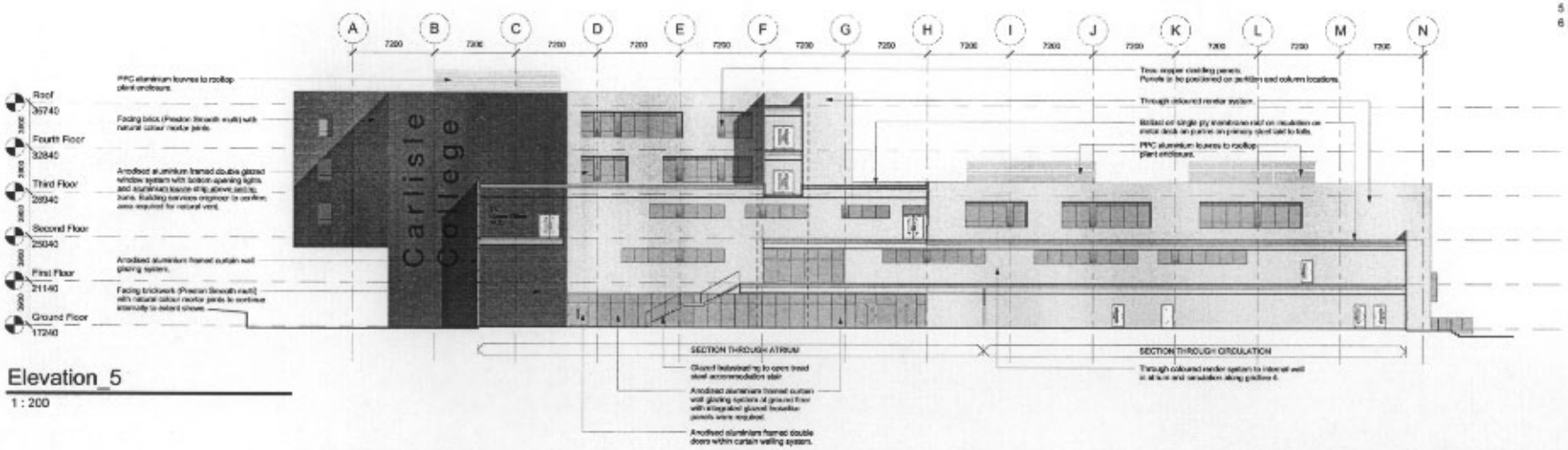
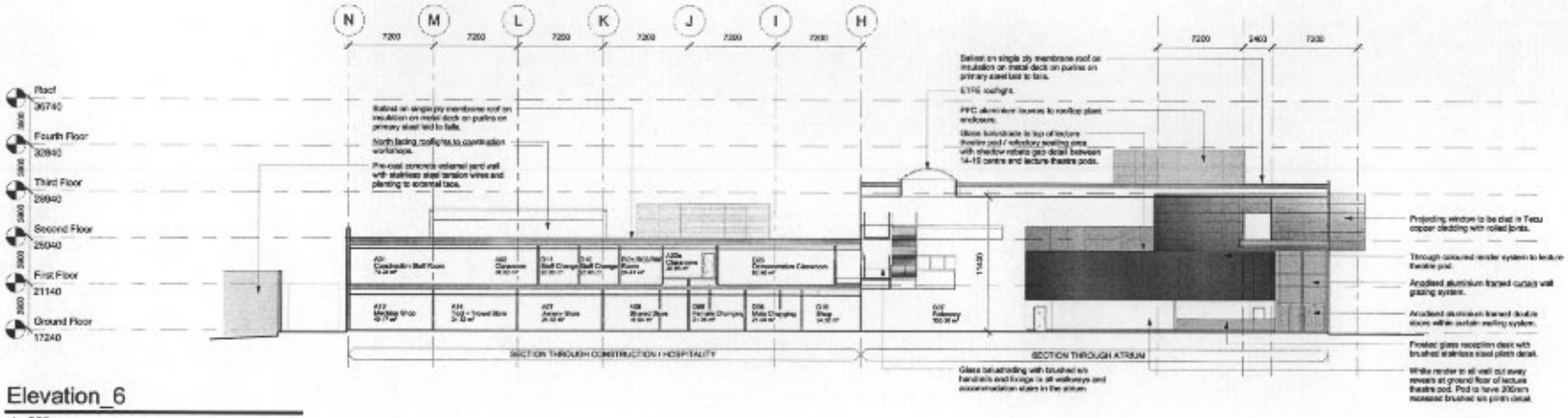


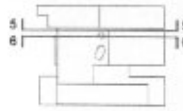
Elevation_5

1 : 200



Elevation_6

1 : 200



02 — Minor regarding curtain walling system revised.

01 — First issue.

Status: Preliminary

Project: Carlisle College Redevelopment

Drawing: GA Elevations / Sections Sheet 3

Project No.: 1897

Drawing No.: 312_14_02

Issue on A1: As Indicated

Drawn by: PSW

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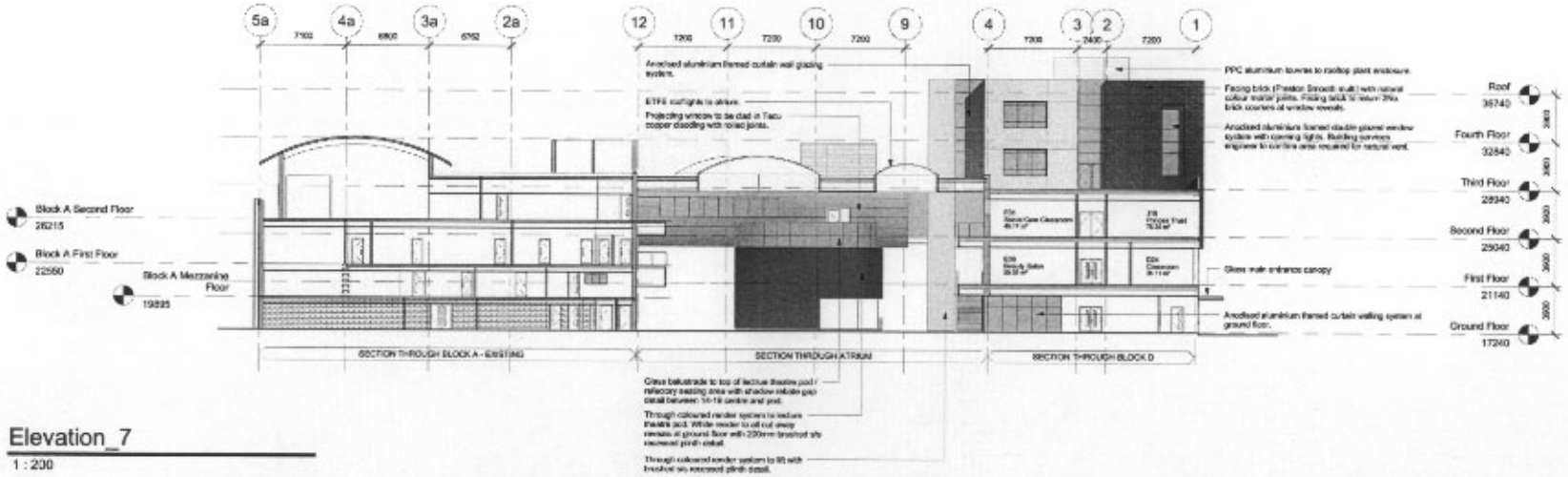
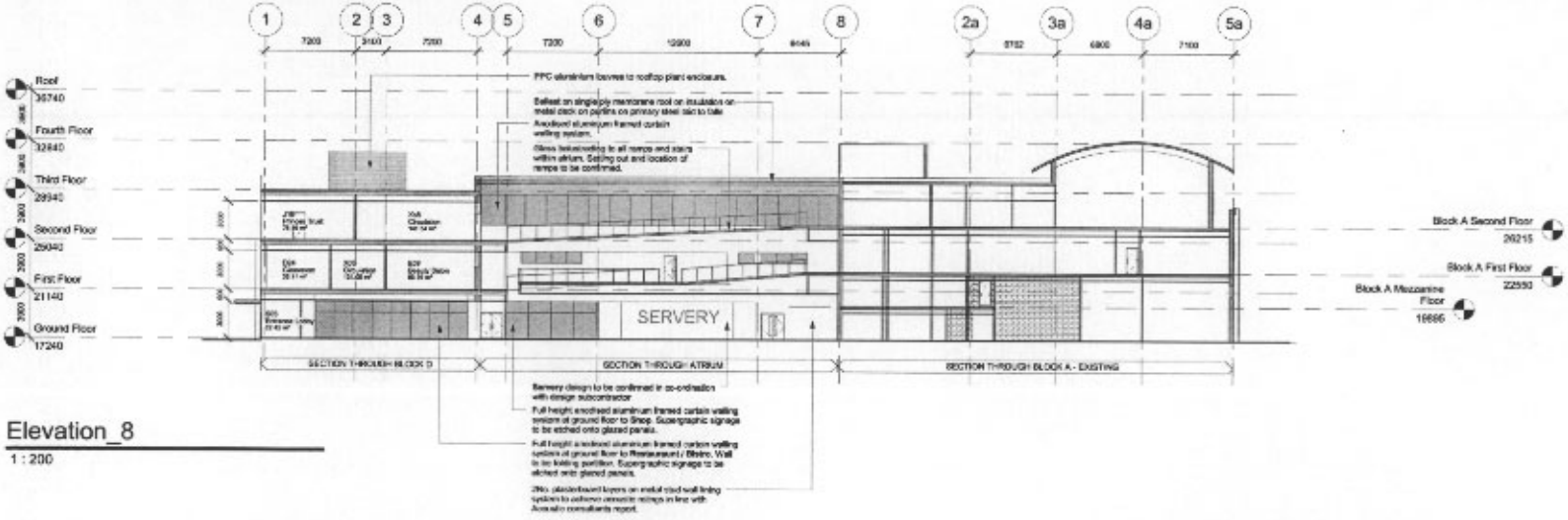


Elevation_7

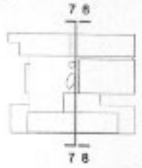
1 : 200



Elevation_8

1 : 200

7 8



02

01

Preliminary

Carlisle College
Redevelopment

GA Elevations / Sections
Sheet 4

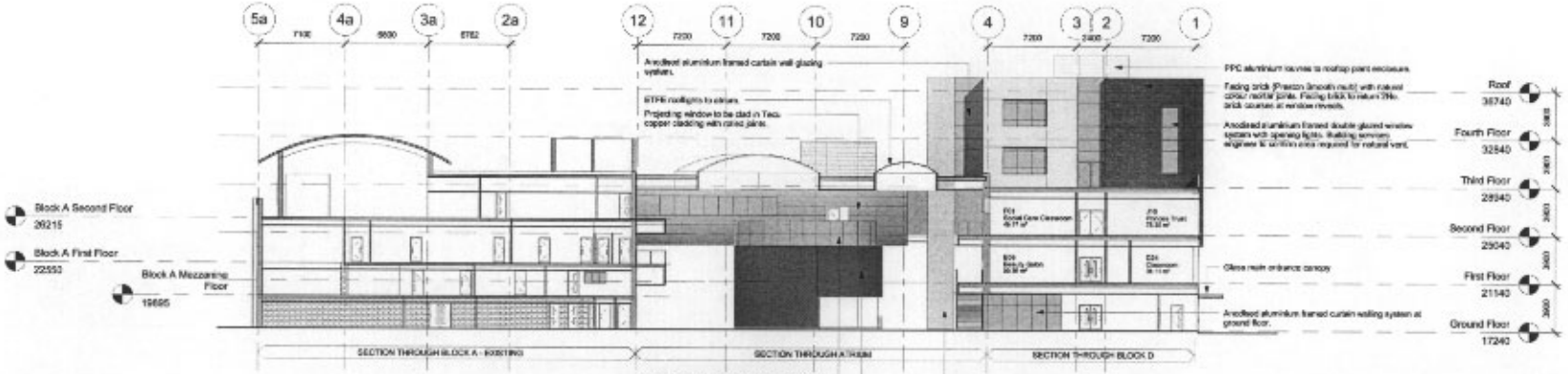
1807

312_16_02

As indicated

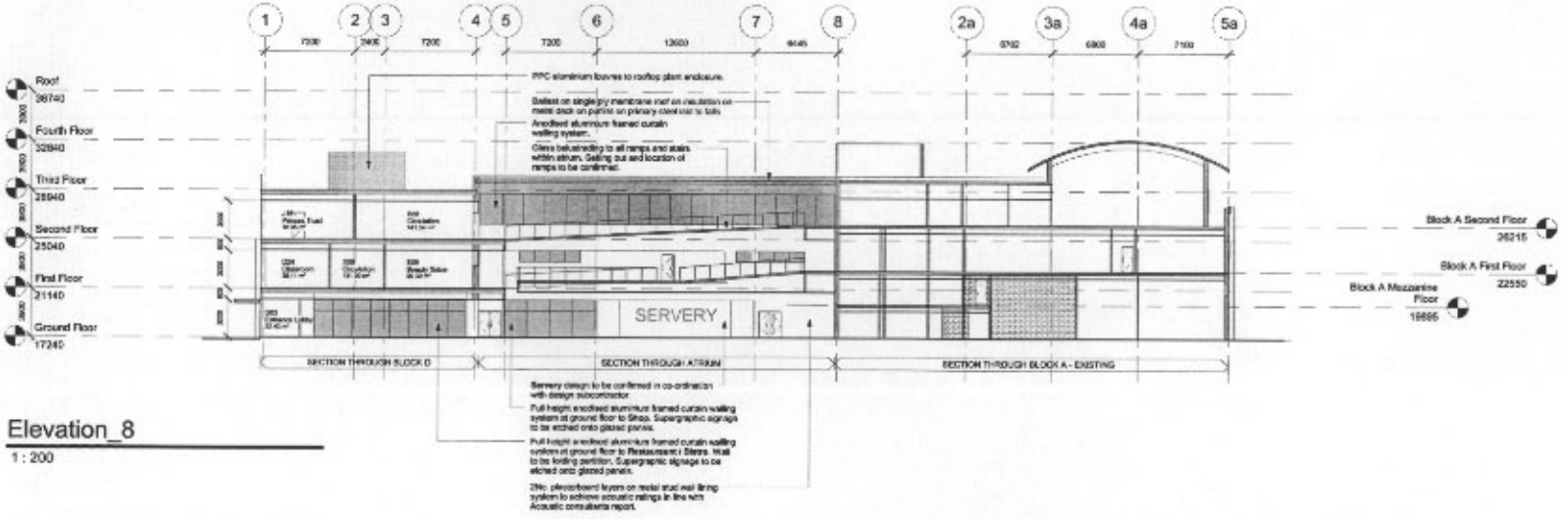
PSw

Ryder



Elevation_7

1 : 200



Elevation_8

1 : 200

7 8

02 Preliminary

01 Preliminary

Preliminary

Carlisle College Redevelopment

GA Elevations / Sections Sheet 4

1887 312_16_02

As Indicated PSH

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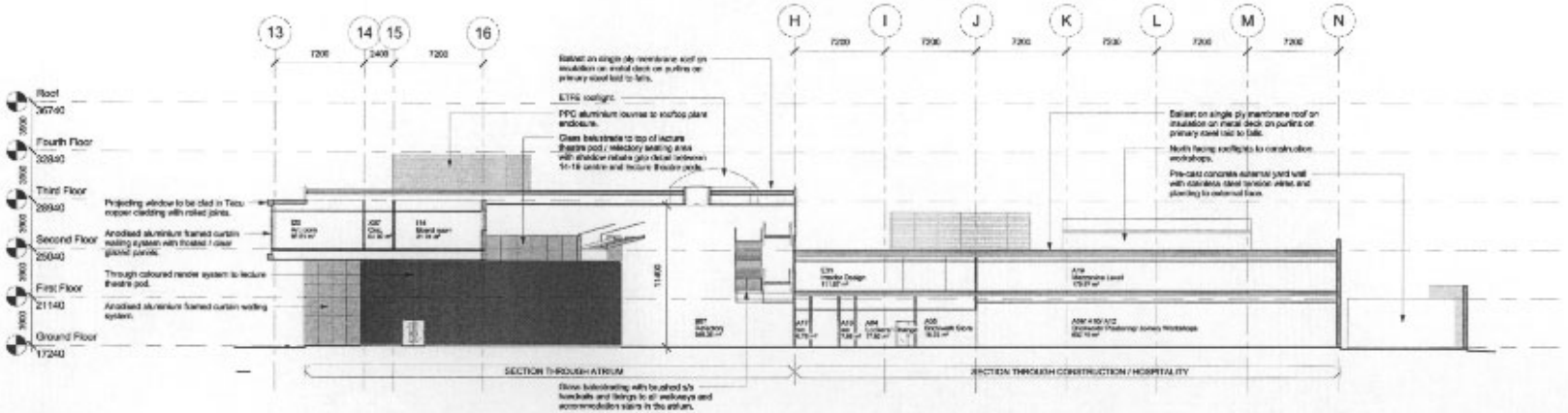
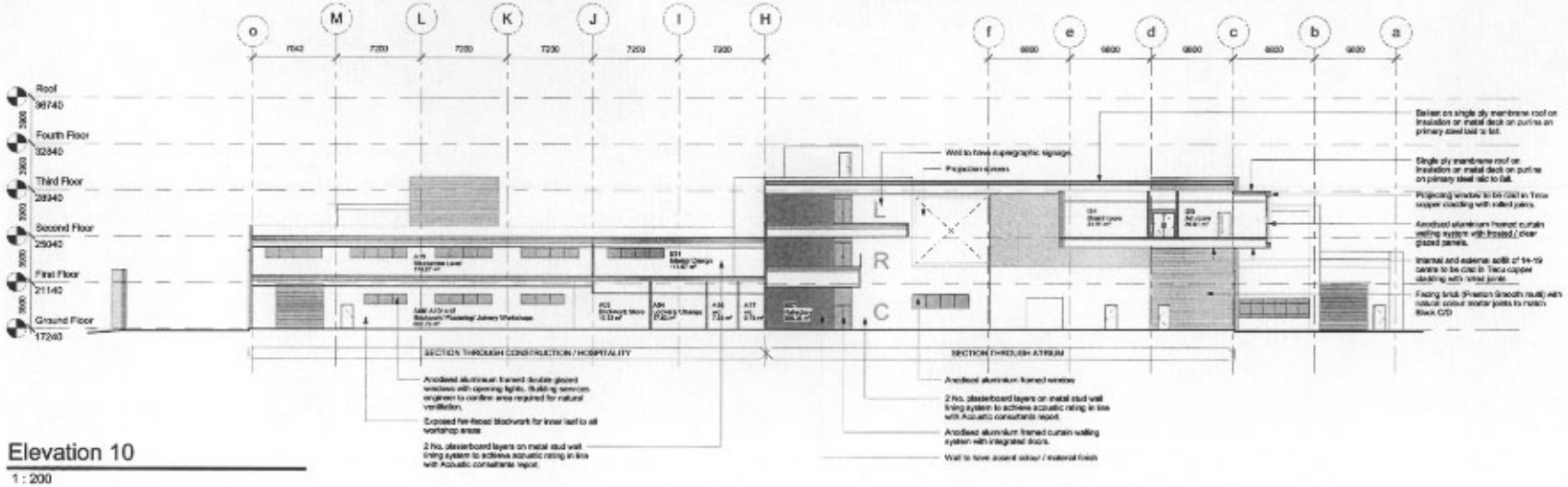


Elevation 9

1 : 200



Elevation 10

1 : 200

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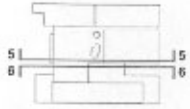

02		
Notes regarding curtain walling system revised.		
01		
First Issue		

Status: Preliminary

Project: Carlisle College Redevelopment

Drawing: GA Elevations / Sections Sheet 5

Project No. 1807	Drawing No. 312_10_02
Scale at A1 As indicated	Drawn By PSw

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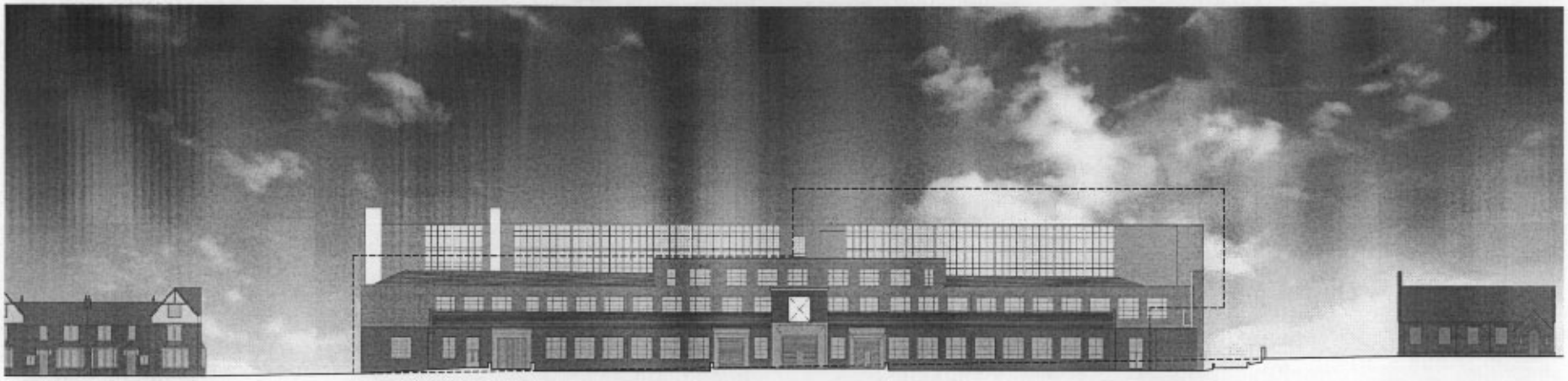
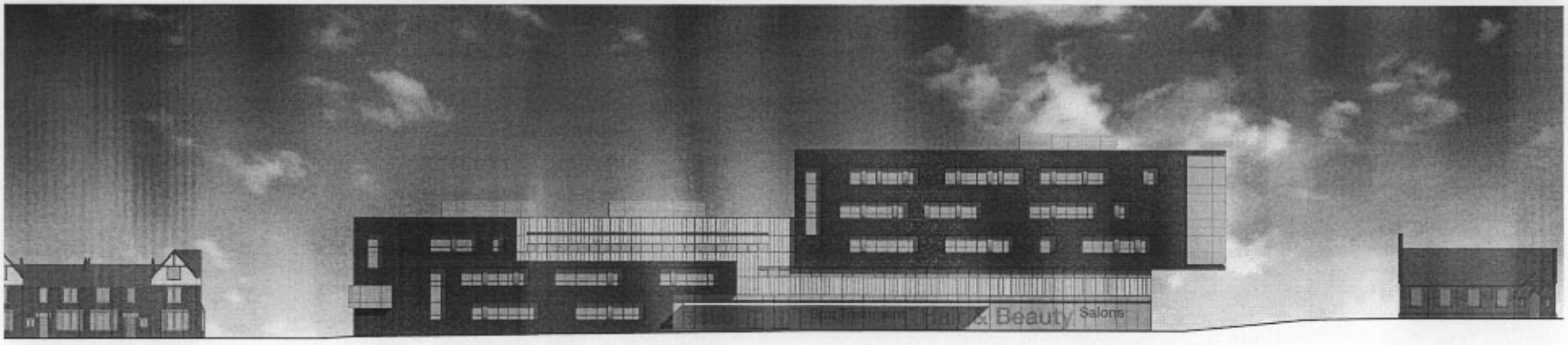


Existing Context Elevation_North_Strand Road

1 : 250



Context Elevation_North_Strand Road

1 : 250

01

Preliminary

Carlisle College
Redevelopment

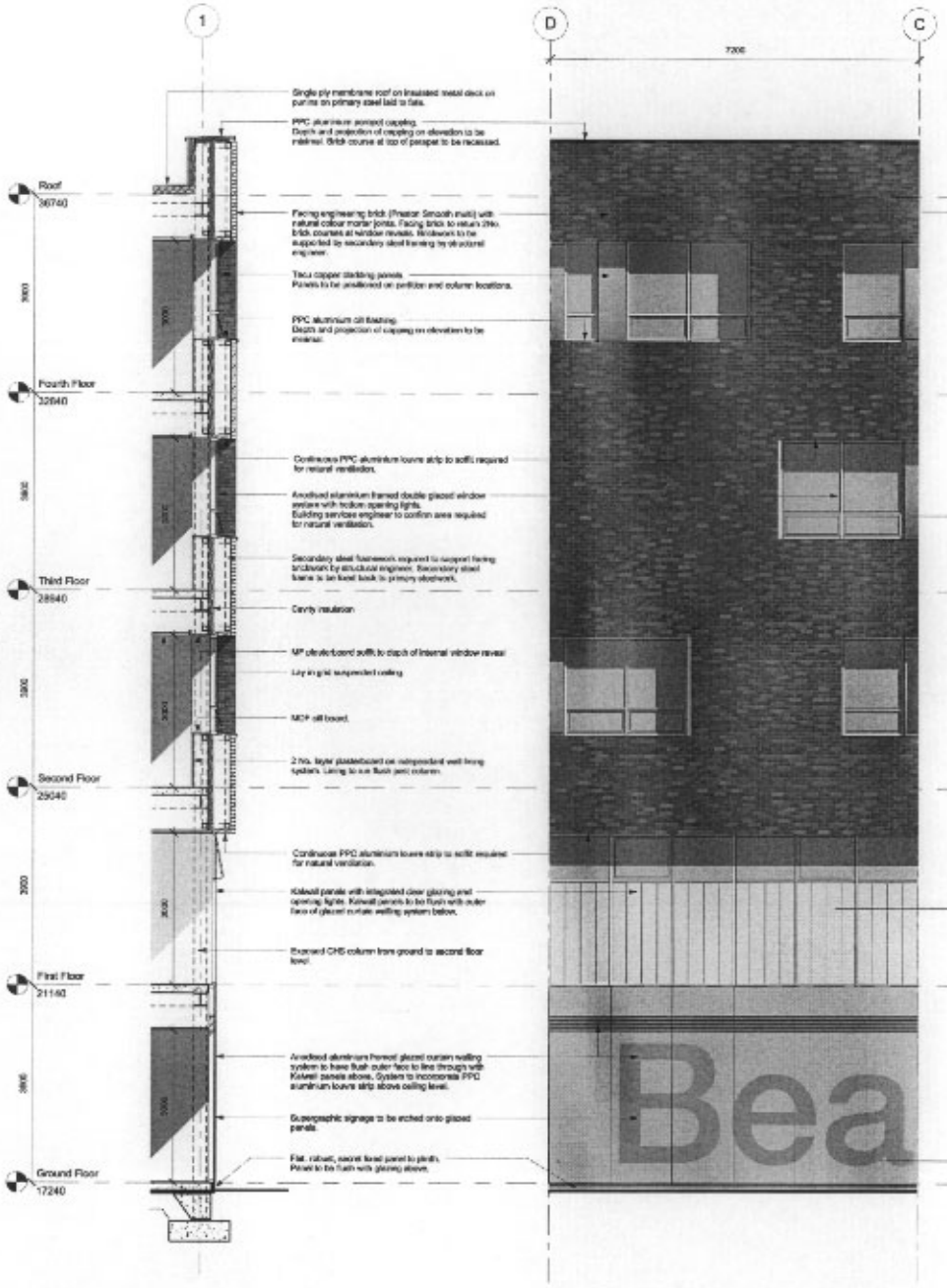
Elevation In Context - Strand Road

1887

312_19_01

1 : 250

PSw



Typical Section

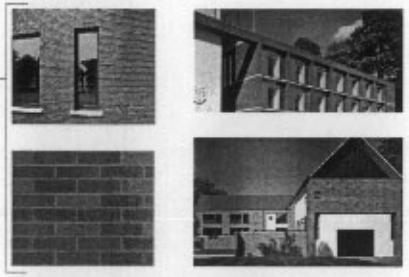
1 : 50

Typical Elevation_North_Strand Road

1 : 50

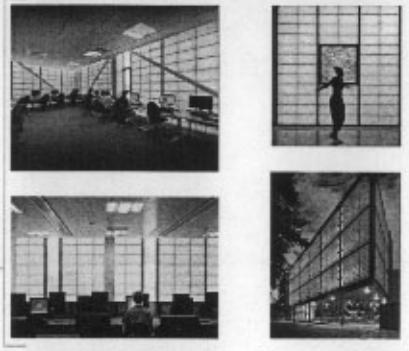
Precedents_Materiality & Articulation

Facing Brickwork



Tecu Copper Panels / Spandrel Panel

Kalwall



Flush Faced Glazing System

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03	07/09/20	PDw

Clear glazed panels are opening lights added to Kalwall area.
Louvre area added to ground floor glazed area.
Curtain walling areas revised. PPC aluminium panels included. Tecu copper cladding panels.

02	17/08/20	PDw

Revised in line with planner's comments received at meeting on 07/08/20
Refer to Revisions 1887_SK1_M_04 and 1887_SK1_M_05

01	17/07/20	PDw

First issue

Status
Preliminary

Project
Carlisle College
Redevelopment

Drawing
Typical Detail Elevation / Section
North / Strand Rd Elevation

Project No. 1887	Drawing No. S13_01_03
Scale at A1 1 : 50	Drawn By PDw

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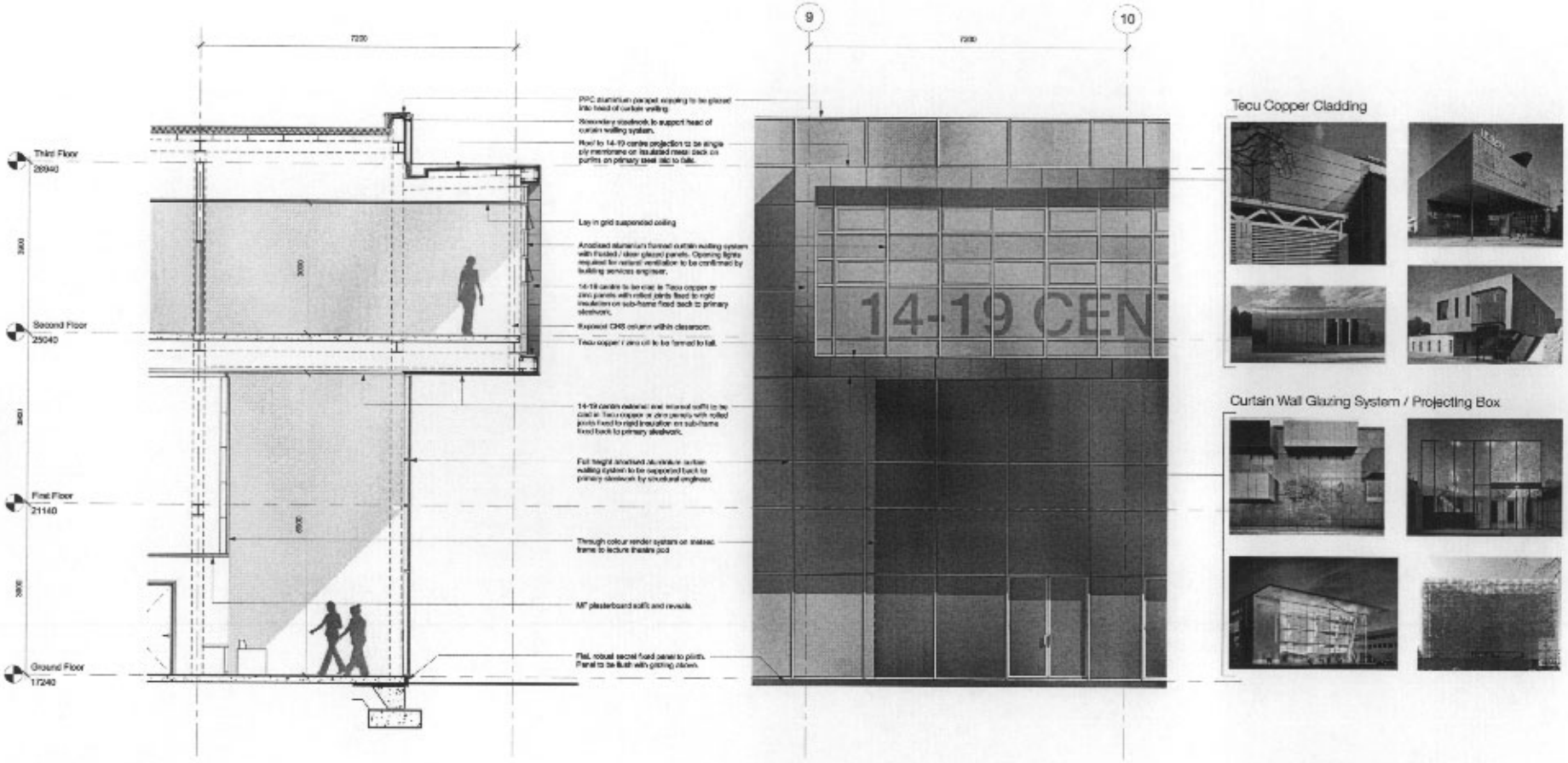

Typical Section_14-19 Centre

1 : 50

Typical Elevation_14-19 Centre

1 : 50

Precedents_Materiality

Tecu Copper Cladding

Curtain Wall Glazing System / Projecting Box

367

01

Preliminary

Carlisle College
Redevelopment

Typical Detail Elevation / Section
14-19 Centre

1887

313_02_01

1 : 50

PSw

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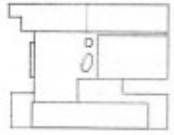

368

Amendment

Status
Preliminary

Project
Carlisle College
Redevelopment

Drawing
External view 03

Project No.	Drawing No.
1887	930_03_01
Scale at A3	Drawn By
1 : 3000	AAI

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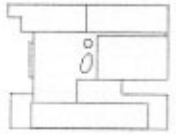

Amendment

Status
Preliminary

Project
Carlisle College
Redevelopment

Drawing
External view 04

Project no.	Drawing no.
1887	930_04_01
Scale @ A3	Drawn By
1 : 3000	AAI

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Carlisle
College

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379
Bistro

SCHEDULE A: Applications with Recommendation

08/0700

Item No: 10 Date of Committee: 03/10/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0700	Mr & Mrs Yare	Hayton
Date of Receipt:	**Agent:**	**Ward:**
07/07/2008	TSF Developments Ltd	Hayton

Location:
Land Adjacent To 57 Cairn Wood, Heads Nook, Carlisle, CA8 9AH

Grid Reference:
349657 554962

Proposal: Erection Of 1No. Detached Bungalow

Amendment:

REPORT **Case Officer:** Barbara Percival

Reason for Determination by Committee:

This application has been brought before Members of the Development Control Committee as a neighbouring occupier had exercised his Right To Speak at the Committee Meeting on 22nd August 2008. At this meeting it was resolved that the Committee undertake a site visit.

1. Constraints and Planning Policies

Joint St. Plan Pol ST1: A Sustainable Vision for Cumbria

Joint St.Plan Pol ST3: Principles applying to all new devel.

Local Plan Pol CP1 - Sustainable Development Location

Local Plan Pol H1 - Location of New Housing Develop.

Local Plan Pol H9 - Backland Development

Local Plan Pol CP3 - Trees and Hedges on Development Sites

Local Plan Pol CP5 - Design

Local Plan Pol CP6 - Residential Amenity

Local Plan Pol CP9 - Devel., Energy Conservation and Effic.

Local Plan Pol CP12 - Foul&Surf.Water Sewerage/Sew.Tr.

Local Plan Pol T1- Parking Guidelines for Development

2. Summary of Consultation Responses

Cumbria County Council - (Highway Authority): the layout details shown on the submitted plan are considered satisfactory from a highway perspective. Can therefore confirm that the Highway Authority has no objection to the proposed development;

United Utilities (former Norweb & NWWA): no objection to the proposal providing this site must be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to the watercourse/soakaway/surface water sewer and may require the consent of the Environment Agency. If surface water is allowed to be discharged to the public surface water sewerage system United Utilities may require the flow to be attenuated to a maximum discharge rate determined by United Utilities.

A separate metered supply to each unit be required at the applicant's expense and all internal pipework must comply with current water supply (water fittings) regulations 1999. Should this planning application be approved, the applicant should contact UU Service Enquiries on 08457462200 regarding connection to the water mains/public sewers;

Community Services - Drainage Engineer: comments awaited;

Hayton Parish Council: do not wish to make any representation on the proposal.

3. Summary of Representations

Representations Received

Initial:		Consulted:	Reply Type:
	53 Cairn Wood	09/07/08	
	54 Cairn Wood	09/07/08	
	55 Cairn Wood	09/07/08	Objection
	58 Cairn Wood	09/07/08	
	58 Cairn Wood	09/07/08	Objection
	Crossway	09/07/08	
	Crossway	09/07/08	
	Crookside	09/07/08	
	Skiddaw House	09/07/08	
	Cairnville	09/07/08	
	Kirk Lodge	09/07/08	

3.1 This application has been advertised by the direct notification of eleven

neighbouring properties. In response, two letters of concern have been received.

3.2 The letters identifies the following issues:

1. no objections to the erection of a detached bungalow but the writer has major concerns specific to the position of the access driveway;

2. outlining his concerns with regards to the contents of the Design and Access Statement submitted as part of the application. The Design and Access Statement states that the left hand edge of the driveway will be 1 to 2 metres away from the existing hedge. The writer assumes that the width of the entrance drive would be 3 to 3.5 metres this he considers would bring the new driveway very close to the driveways of 57 and 58 Cairn Wood. It is the writers belief that this would compromise the safety of the occupiers of those properties when reversing out of their drives;

3. in order to demonstrate his concerns the objector has submitted photographs (reproduced in the Third Party Correspondence Folder);

4. a separate writer raises the issue of landscaping. The writer would like assurances (at the present time and for the future) that all the trees and hedges that border the writers property would be left undisturbed by the proposed building of this property;

5. concerned that the access to this property would converge with three other driveways in a small turning circle. This the writer feels could present a hazard or obstruction;

6. there is some confusion over who owns Plot 56 and the writer wishes to clarify that Plot 56 is in her ownership;

7. if this proposal is passed, would welcome a covenant attached to the deeds limiting future development in the roof space of the bungalow.

4. Planning History

4.1 There is no relevant planning history.

5. Details of Proposal/Officer Appraisal

Introduction

5.1 Members may recall that this application was deferred at the Development Control Committee on 22nd August 2008 in order to undertake a site visit.

5.2 The proposal is located in the mature gardens of 57 Cairn Wood which forms part of a housing estate on the east side of the village road running through Heads Nook. Number 57 Cairn Wood is at the head of a cul-de-sac of 11 dwellings all of which, with the exception of 55 Cairn Wood, are bungalows. The property's existing rear boundary (south western) is a substantial mixed hedge approximately 3 metres in height with a leylandii hedge along its north eastern boundary. The south-eastern boundary is a combination of hedges and timber boarded fences ranging in height from 1.5m to 2 metres with a 1.2 metre high wall along the north western boundary.

Background

5.2 The application seeks Full Planning Permission for the erection of a bungalow with an attached garage, to be sited to the south east of 57 Cairn Wood. The submitted drawings illustrate that the proposed dwelling would follow the building line of 57 Cairn Wood, have an overall length of 7.2 metres and be 10 metres at its widest part. The submitted drawings further indicate that it would have an eaves height of 2.6 metres with a ridge height of 5 metres.

5.3 The accommodation provided would comprise of an attached garage, living room, kitchen, entrance hall, bathroom and 3no. bedrooms (one of which has en-suite facilities). Access would be via a new private driveway from the head of the cul-de-sac along the north eastern boundary, retaining the existing leylandii hedge.

5.4 The design, scale and massing of the proposed bungalow would be similar to those of its immediate neighbours using materials to match, the proposed materials being bricks and concrete roof tiles with upvc windows and doors.

Assessment

5.5 The relevant planning policies against which the application is required to be assessed are Policies ST1 and ST3 of the Cumbria and Lake District Joint Structure Plan and Policies DP1, H1, H9, CP3, CP5, CP6, CP9, CP12 and T1 of the Carlisle District Local Plan 2001-2016.

5.6 The proposals raise the following issues:

1. Whether The Principle of Development Is Acceptable

5.7 The application site is located in a large garden within the village of Heads Nook. Policies require that development proposals, and in this instance, residential development, should enhance the overall quality of life within Cumbria through the promotion of sustainable development that seeks to protect the environment, ensure prudent use of resources and maintain social progress and economic growth. In particular, H1 of the adopted Local Plan, identifies Local Service Centres that are considered to be sustainable and appropriate for additional development, subject to consideration against the relevant policy criteria. Heads Nook is one such Local Services Centre;

therefore, the principle of development is considered to be acceptable.

2. Whether The Scale And Design Of The Dwelling Is Acceptable

5.8 The submitted drawings illustrate that the proposed bungalow would be of a similar design, scale and massing to those of its immediate neighbour, 57 Cairn Wood and other properties within the immediate vicinity. The Design and Access Statement, submitted as part of the application, indicates that the proposed materials would also match the existing dwellings. Furthermore, the proposal would achieve adequate amenity space and off-street parking.

5.9 In summary, the scale and design of the proposed bungalow is comparable to the existing properties within the cul-de-sac. The bungalow would be constructed from materials to match the existing dwellings, and would employ similar detailing. Accordingly, it is considered that the development would not form a discordant feature in the street scene.

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

5.10 The proposed bungalow would be sited 4 metres from the gable of 57 Cairn Wood. In mitigation, however, the only gable window in either of two properties would serve an en-suite bathroom in the proposed dwelling.

5.11 The proposal has also addressed the issues of potential loss of privacy and overdominance. The residential properties which face onto the application site (54 and 55 Cairn Wood, Crossways, Crookside and Skiddaw House) are unlikely to be affected due to the orientation of the proposed dwelling and the existing boundary treatment which would be retained.

4. Impact Of The Proposal On Highway Safety

5.12 The occupiers of two neighbouring properties have submitted a letter and photographs expressing their concerns with regard to the proposed driveway on highway safety, citing in particular the possible danger to cars reversing out of the driveways of 57 and 58 Cairn Wood.

5.13 Following normal practice consultation has been undertaken with the Highway Authority. It is the Highway Authority's view that the layout details shown on the submitted plan are considered satisfactory from a highway perspective and there are no objections to the proposal.

5.14 The local residents' concerns regarding the access arrangements are noted; however, since the Highway Authority does not share these concerns it is the Officers view that a refusal of the application on this basis could not be substantiated.

5. The Impact Of The Proposal On Existing Landscaping

5.15 An adjoining neighbour has raised concern with regard to the loss of existing

landscaping. Members will note that the submitted plans and the Design and Access Statement both indicate that the scheme has been so designed to retain as much as possible of the existing landscape. Furthermore, the City Council's Landscape Architect has verbally confirmed that there are no objections to the proposal. It is therefore considered that this proposal would not have a detrimental impact on the existing landscape character of the area.

6. Other Matters

5.16 Members should be aware that the Design and Access Statement submitted as part of the application acknowledges the issue of energy conservation and efficiency, outlining that the building would adhere to the requirements of Building Regulations in order to construct an energy efficient building with a low carbon footprint.

5.17 Members should also be aware that one of the applicants is a retired employee of the City Council, however, he has not been involved in the determination of the application outside of his role as applicant.

Conclusion

5.18 In overall terms, the principle of the proposed development is acceptable. The scale, siting and design of the proposed dwelling is acceptable in relation to the site and the surrounding properties. The living conditions of neighbouring properties would not be compromised through unreasonable overlooking or overdominance. Adequate car parking, access and amenity space would be provided to serve the dwelling. In all aspects the proposal is compliant with the objectives of the adopted Local Plan policies.

6. Human Rights Act 1998

6.1 Several provisions of the above Act 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 regularise any breach of planning control;

Article 8 recognises the "Right To Respect for Private and Family Life";

6.2 **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;

6.3 The proposal has been considered against the above Protocol of the Act but in this instance, it is not considered that there is any conflict. If any conflict was to be alleged it is not felt to be of sufficient weight to refuse planning permission.

7. 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. Samples or full details of all materials to be used on the exterior shall be submitted to and approved in writing by the local planning authority before any work is commenced.

   Reason: To ensure the works harmonise as closely as possible with the existing building and to ensure compliance with Policy CP4 of the Carlisle District Local Plan 2001-2016 Revised Redeposit Draft (as amended by the Inspector).

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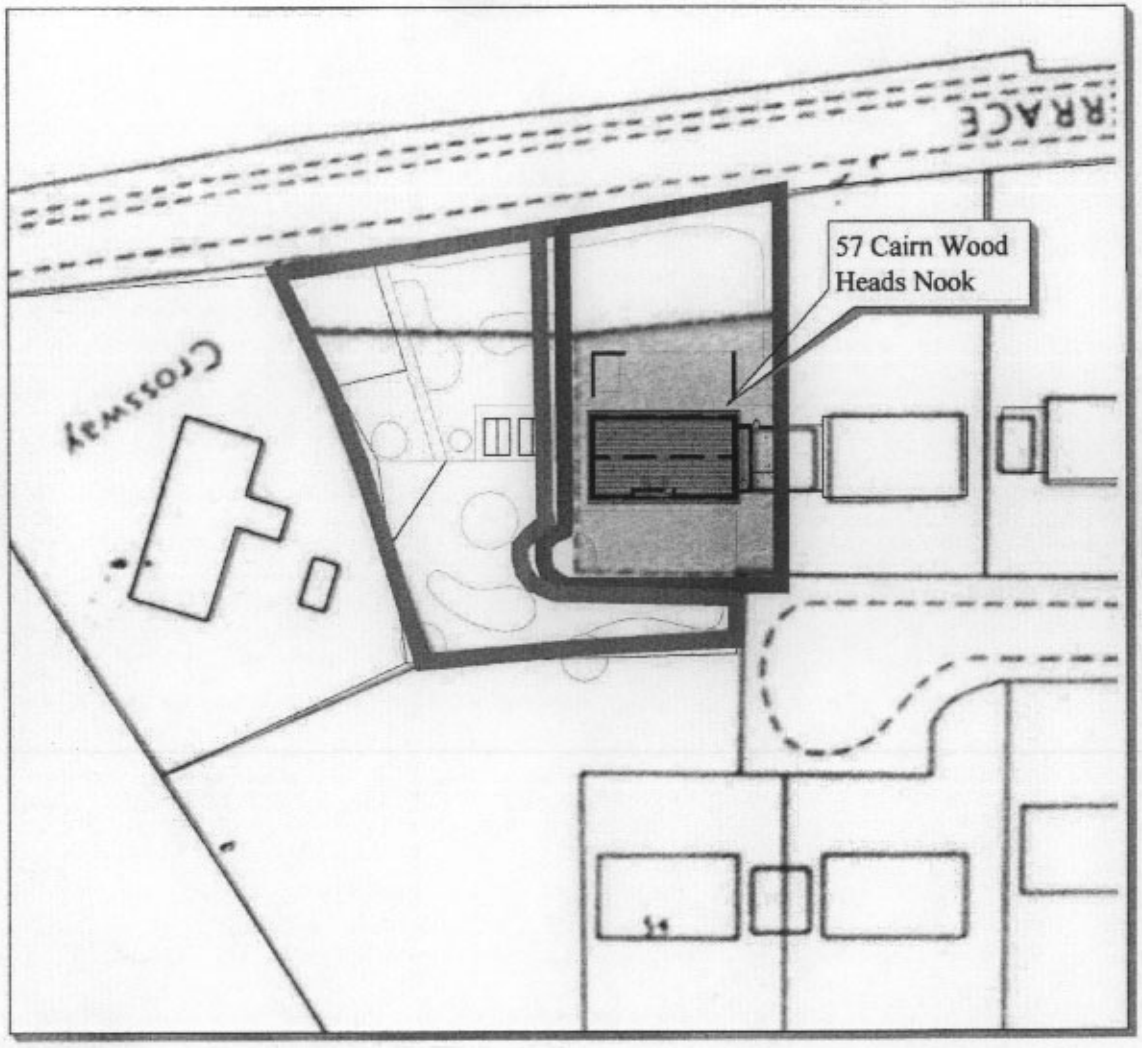

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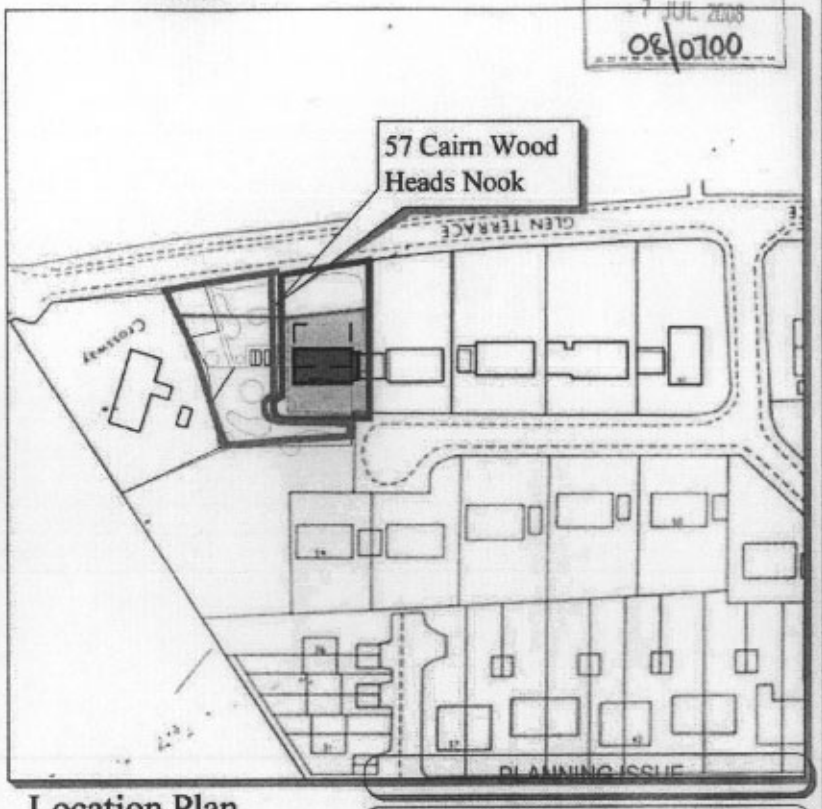

Location Plan
1 : 1250

New Dwelling

Heads Nook
Brampton
Cumbria
CA8 9AH

TSF Developments Ltd
The Barn,
Crooked Holme,
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Telephone 016977 3338
email address : george@grjstephen.co.uk
duncan@grjstephen.co.uk
Company No: 6504732

Job : 08 / 011
Date : May 2008
Scale : various
Revision :

Proposed New Dwelling at
57 Cairn Wood,
Heads Nook,
Carlisle , CA8 9AH
For Mr & Mrs Yare

Location Plan
001

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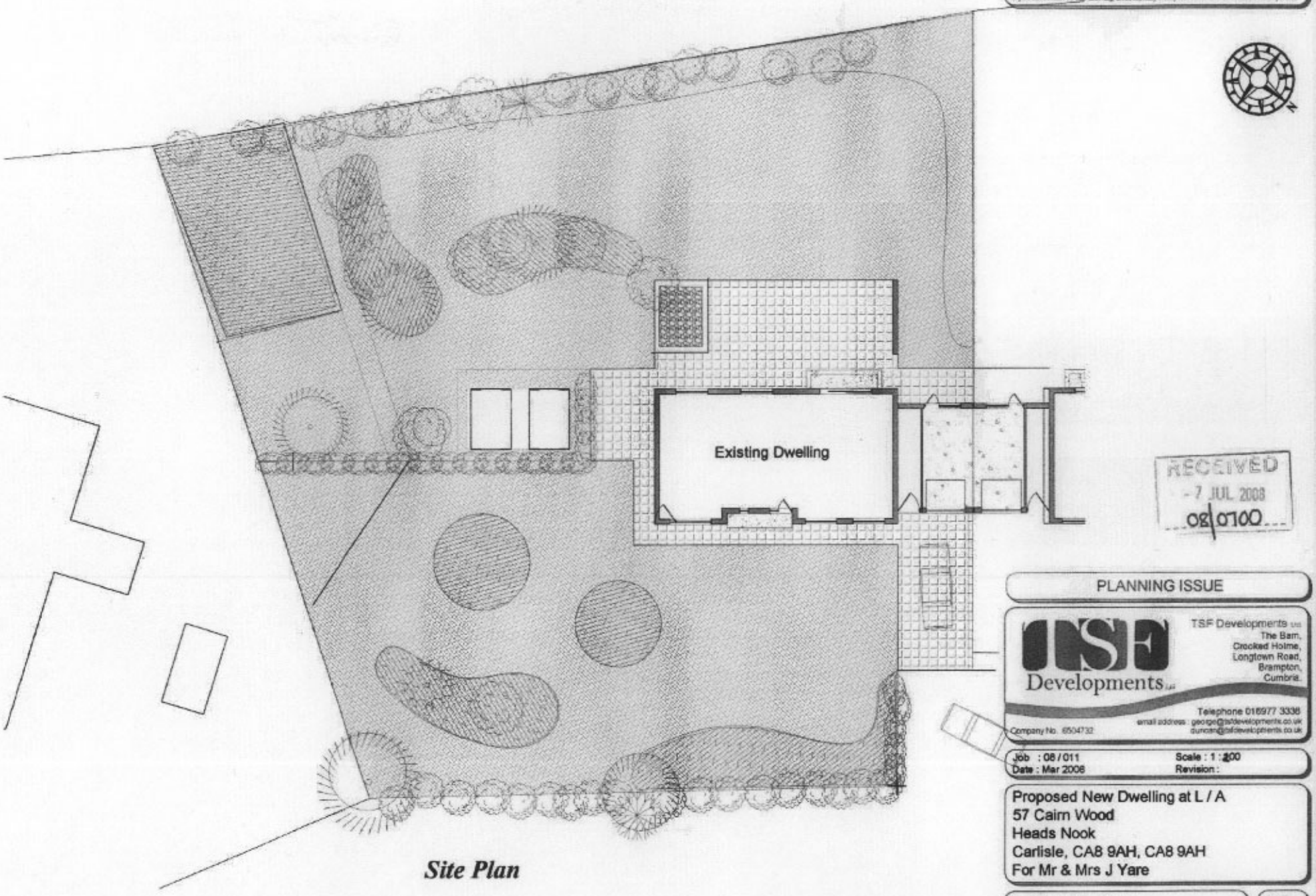

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Site Plan

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Company No. 6504732

Job : 08 / 011
Date : Mar 2008
Scale : 1 : 200
Revision :

Proposed New Dwelling at L / A
57 Cairn Wood
Heads Nook
Carlisle, CA8 9AH, CA8 9AH
For Mr & Mrs J Yare

Existing Site Plans

010

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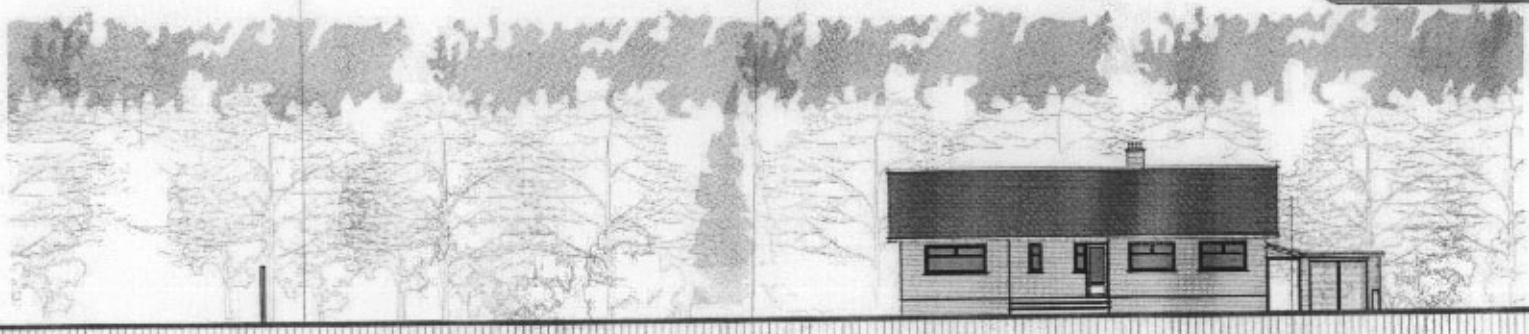

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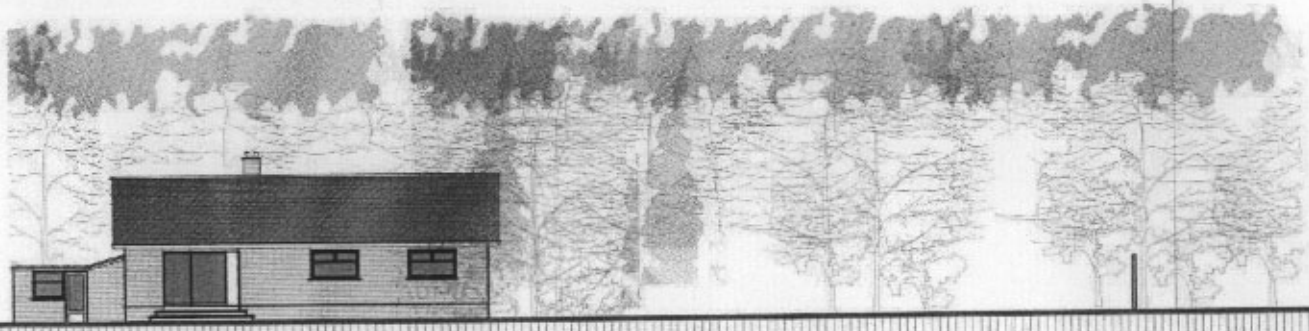

Existing Rear Elevation

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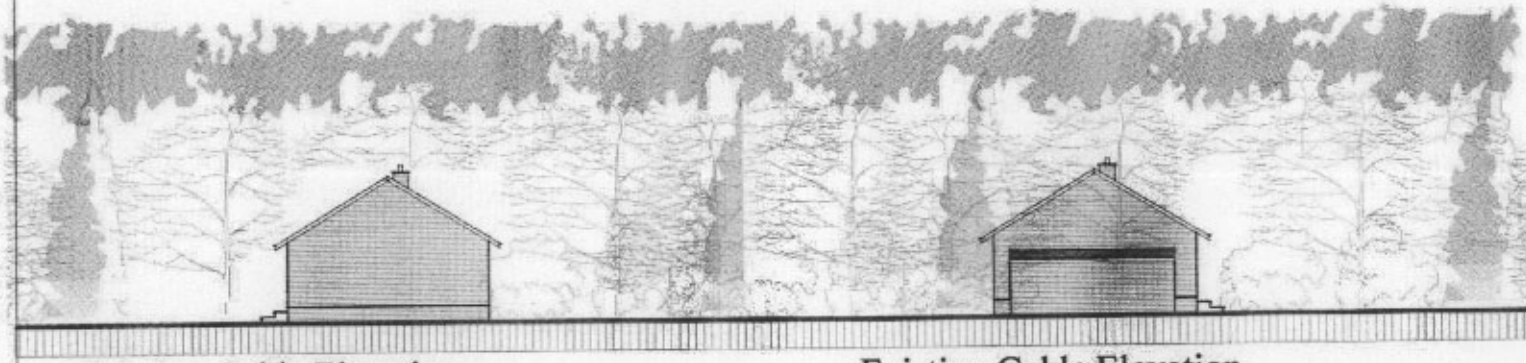

Existing Gable Elevation

Existing Gable Elevation

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Company No. 6504732

Job : 08 / 011
Date : May 2008

Scale : 1 : 200
Revision :

Proposed New Dwelling at
57 Cairn Wood,
Heads Nook,
Carlisle , CA8 9AH
For Mr & Mrs Yare

Existing Elevations

015

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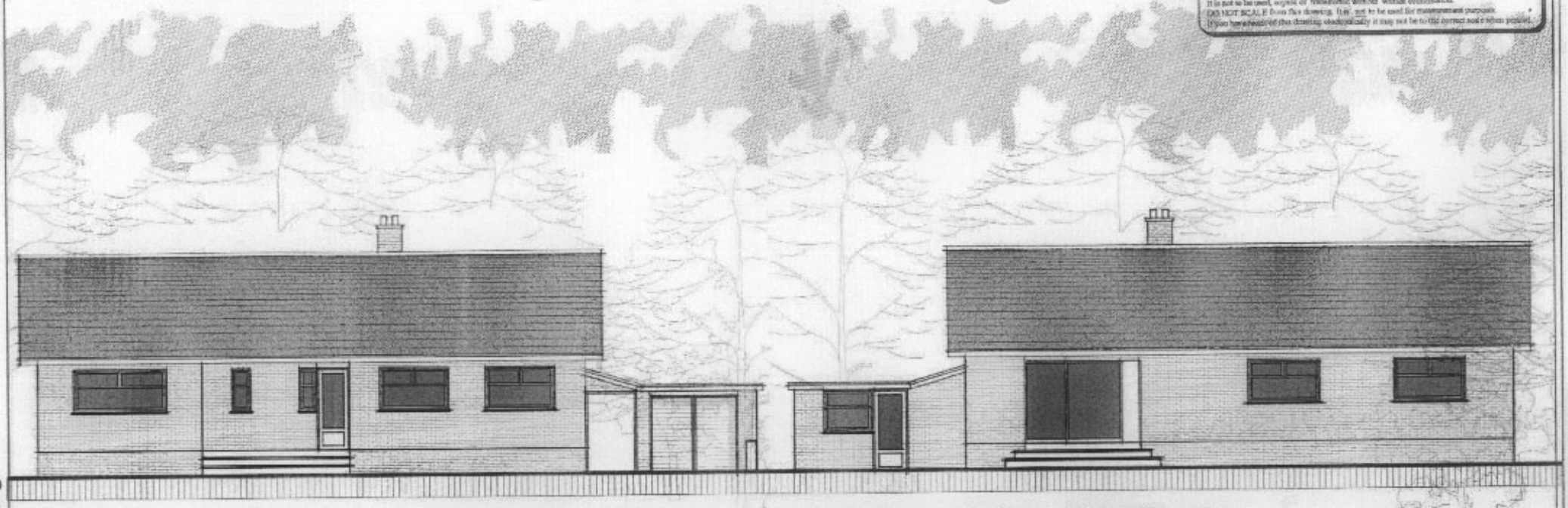

Existing Front Elevation

Existing Rear Elevation

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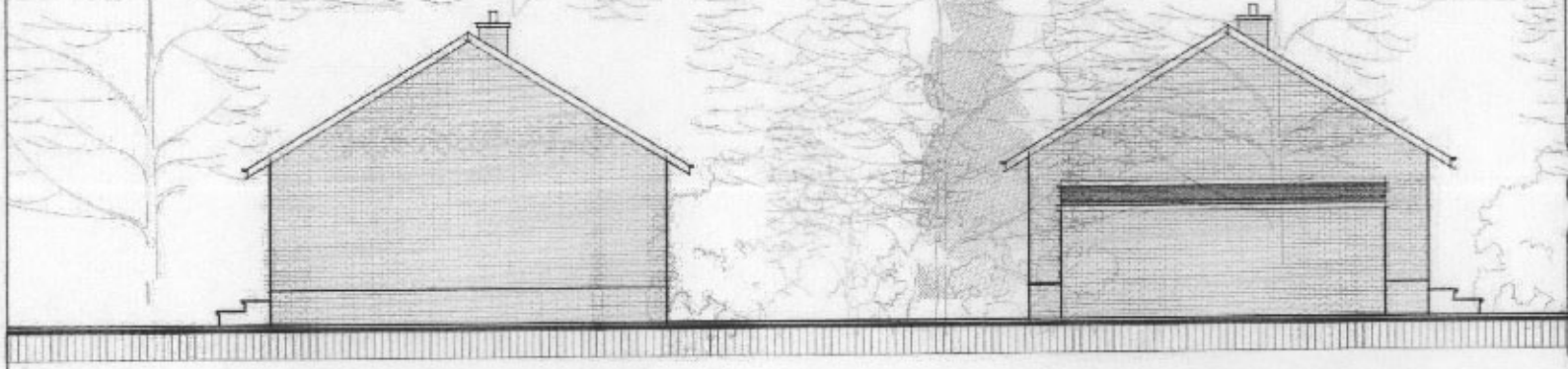

Existing Gable Elevation

Existing Gable Elevation

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Job : 08 / 011
Date : May 2008

Scale : 1 : 100
Revision :

Proposed New Dwelling at
57 Cairn Wood,
Heads Nook,
Carlisle , CA8 9AH
For Mr & Mrs Yare

Existing Elevations

016

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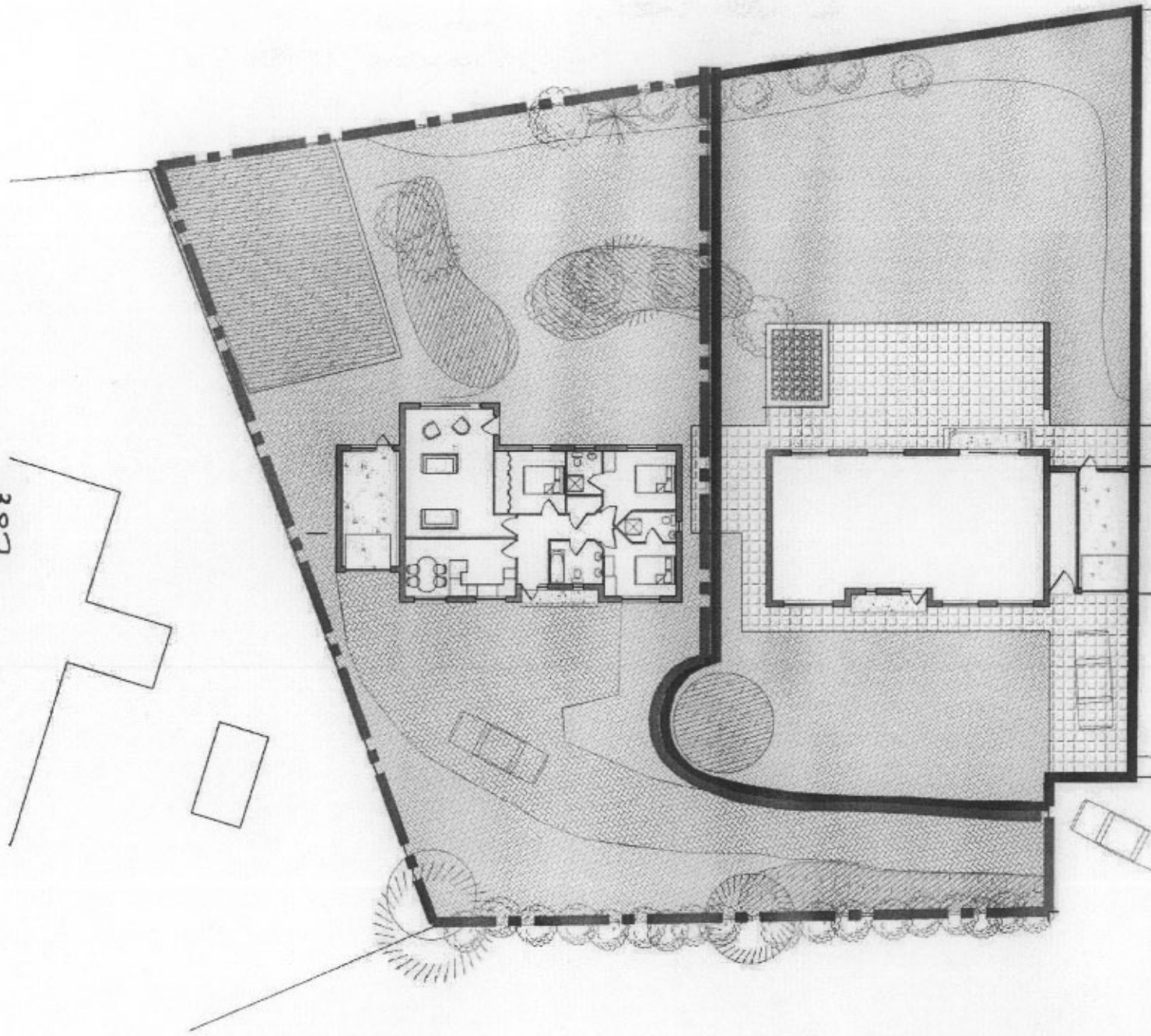

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Company No: 6504732

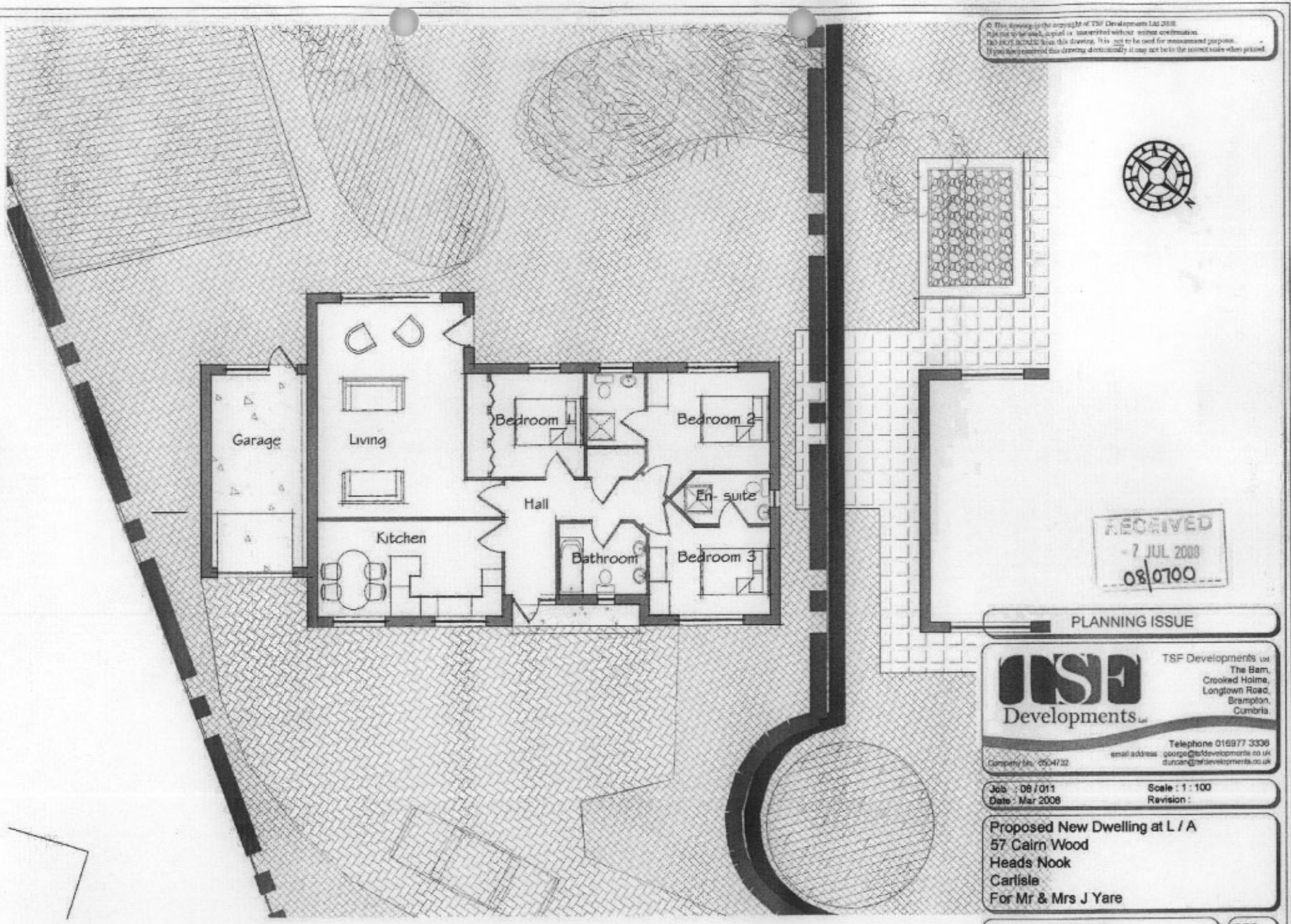
Job : 06 / 011
Date : Mar 2006

Scale : 1 : 200
Revision :

Proposed New Dwelling at L / A
57 Cairn Wood
Heads Nook
Carlisle
For Mr & Mrs J Yare

Proposed Site Plan

020


Garage
Living
Bedroom 1
Bedroom 2
Hall
En- suite
Kitchen
Bathroom
Bedroom 3
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duncan@tsfdevelopments.co.uk
Company No. 5504732
Job : 08 / 011
Date : Mar 2008
Scale : 1 : 100
Revision :
Proposed New Dwelling at L / A
57 Cairn Wood
Heads Nook
Carlisle
For Mr & Mrs J Yare
Proposed Site Plan
026

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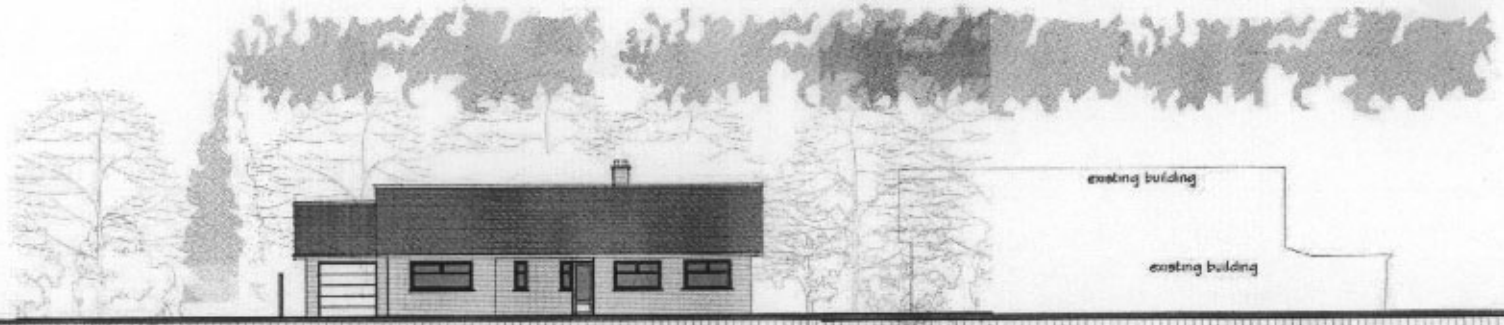

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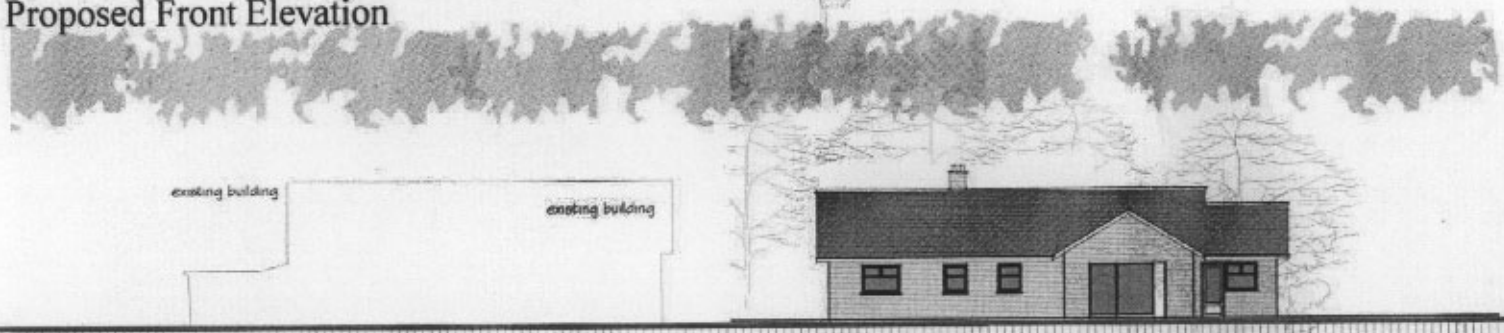

Proposed Rear Elevation

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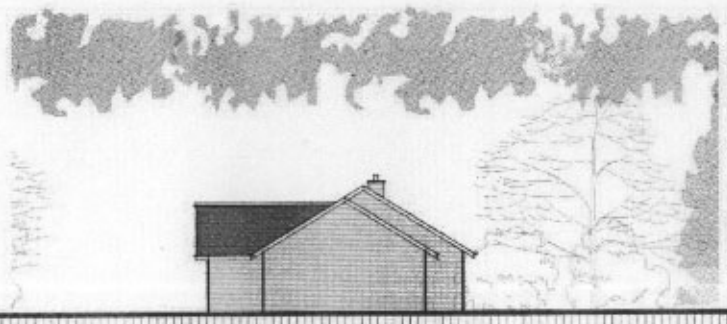
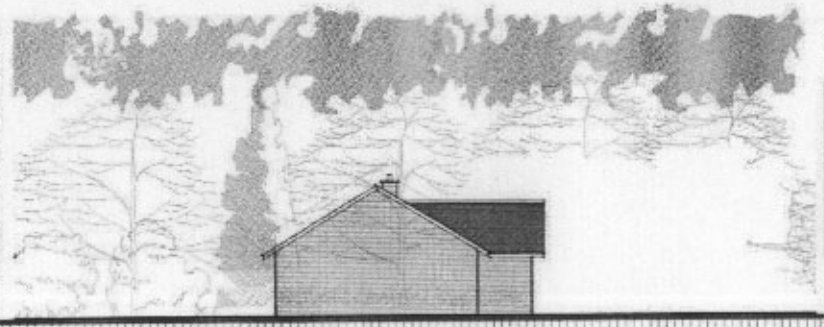


Proposed Gable Elevation



Proposed Gable Elevation

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Date : May 2008

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Revision :

Proposed New Dwelling at
57 Cairn Wood,
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Carlisle , CA8 9AH
For Mr & Mrs Yare

Proposed Elevations

030

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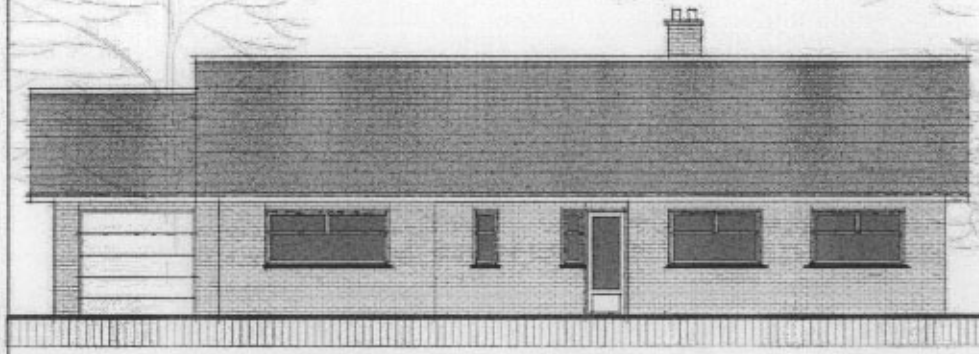

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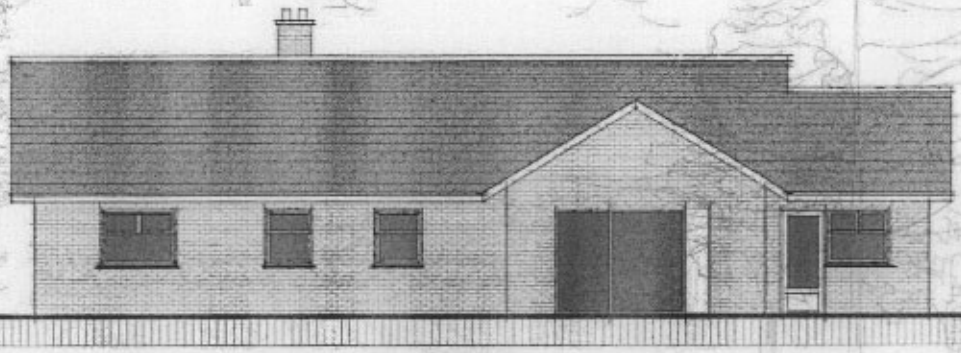

Proposed Rear Elevation

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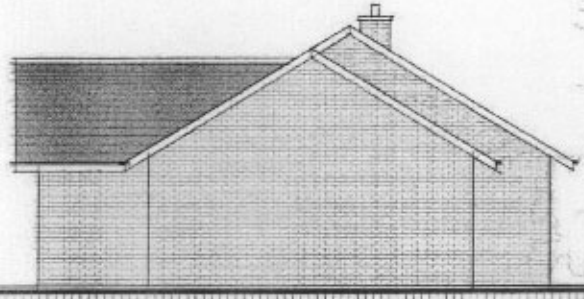
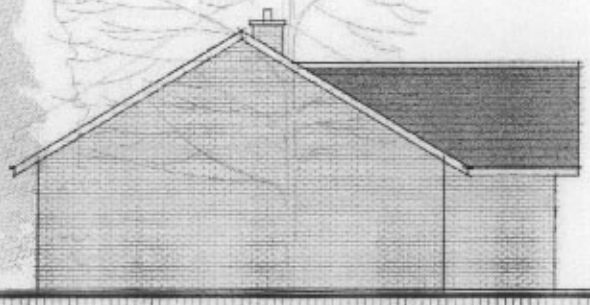


Proposed Gable Elevation



Proposed Gable Elevation

TSF Developments Ltd
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Proposed New Dwelling at
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For Mr & Mrs Yare

Proposed Elevations

031

Item No: 11 Date of Committee: 03/10/2008

Appn Ref No: 08/0783	**Applicant:** Mrs Louise Goddard	**Parish:** Hayton
Date of Receipt: 30/07/2008	**Agent:**	**Ward:** Hayton
Location: Oakghyll Farm, Fenton Road, Fenton, Carlisle, Cumbria		**Grid Reference:** 349478 555680

Proposal: Change Of Use Of Land For Siting Of Residential Caravan For Agricultural Use (Revised Application)

Amendment:

REPORT **Case Officer:** Richard Maunsell

Reason for Determination by Committee:

This application is brought for determination by Members of the Development Control Committee due to an objection having been received from Hayton Parish Council.

1. Constraints and Planning Policies

Local Plan Pol DP1 - Sustainable Development Location

Local Plan Pol CP1 - Landscape Character

Local Plan Pol CP5 - Design

Local Plan Pol CP6 - Residential Amenity

Local Plan Pol CP11-Prot.Groundwaters &Surface Waters

Local Plan Pol H7 - Agric,Forestry and Other Occup.Dwgs

Local Plan Pol T1- Parking Guidelines for Development

2. Summary of Consultation Responses

Cumbria County Council - (Highway Authority): no objection subject to the imposition of highway conditions;

Hayton Parish Council: the Council are fearful that this may lead to further developments in the future;

County Land Agent (Capita dbs): the report concludes by stating:

- there is an established functional need on this unit arising from the care of livestock. Once fully established with the enterprises proposed, it is calculated that there will be a functional need in relation to the care of livestock for one worker, actively involved in the management of the unit to be resident on, or immediatelyadjacentt to it;

- the applicants have demonstrated their intention to develop the proposed enterprises and are clearly motivated to do so;

- the proposed enterprises have been planned on a sound financial basis;

- the existing static caravan at Oakghyll would satisfy the requirement to house the one worker that will be required to be involved in the management of this unit and be required to be resident on it once the enterprises have been established;

Development Services Planning & Housing Services - Local Plans: this is for the permanent siting of a static caravan to provide new residential accommodation to support the further growth of the farm. Fenton does not fall within any identified settlement listed in policies H1 or DP1 and is therefore considered to be open countryside and as such is not a suitable location for residential development. The justification for the temporary dwelling in this instance is based upon agricultural need.

The key policies for this application to be considered against are PPS7 and H7 Agricultural, Forestry and Other Occupational Dwellings, of the Revised Redeposit Local Plan incorporating the Inspector's amendments April 2008 (which were significant to this policy).

The new H7 policy should read:

POLICY H7 Agricultural, Forestry and Other Occupational Dwellings

Outside of those areas covered by Policy H1 and Proposal H16, permission will not be given for dwellings other than those essential to agriculture, forestry or any other rural-based enterprise and supported by a proven need. The size of dwelling should be commensurate with the scale of the business to which it relates. Occupancy conditions will be used to ensure that such dwellings are only occupied by those working in agriculture, forestry or any other rural-based enterprise.

From the supporting information supplied with the application, it is clear that there is a genuine attempt to establish this farming business and the functional need for

residential accommodation arises to provide for the welfare of the animals. To fully meet this policy and in order to keep this dwelling (albeit a static caravan) for agricultural need purposes in the future, any permission granted should be subject to occupancy conditions. DOE Circular 11/95 gives model occupancy conditions for agricultural dwellings.

PPS7 : Sustainable Development in Rural Areas, Annex A, further guides us in granting permissions for agricultural dwellings. As this application is for a new dwelling on a newly established farm, then the dwelling should be of a temporary nature, of which a static caravan is, for the first 3 years. That is not to say that the static caravan to which this application is for, can only be present for 3 years, therefore it is to be treated as a permanent siting.

There are 5 criteria in paragraph 12 of Annex A, PPS7. This application clearly addresses i) the firm intention; ii) functional need & iii) sound financial basis. Criterion iv) requires the application to try and meet the functional need by another existing dwelling within that area. The applicant states that there are no other buildings on their land, houses to buy are rare and not affordable and that they have to travel from their current residence in Longtown. Whilst these factors are not disputed, there has been no evidence provided that their functional need could not be met in the local area. The proposed site is only just outside the large settlement of Heads Nook and the applicants' commute through Brampton. Both of these settlements have a supply of dwellings to buy and, certainly in Brampton, to rent. These options should be further explored in order to meet this criterion, as a dwelling in the village of Heads Nook may well be close enough to meet this functional need.

Finally, criterion v) normal planning matters, gives us the opportunity to minimise the impact of the caravan on the landscape. The applicants state that the proposed siting to form a group of buildings, existing typography and planting all lend themselves to reducing the visual impact of this proposal. Considering that this caravan may well be on site for a minimum of three years, opportunity must be taken to use landscaping to screen the caravan and vehicles as much as possible.

Overall this application seems to address the requirements of our Local Plan Policy and most of those of PPS7, however, Local Plans are not entirely satisfied that the functional need could not be provided for in, for instance, Brampton. The applicants need to expand on this point.

3. Summary of Representations

Representations Received

Initial:		Consulted:	Reply Type:
	Stockdale Hall	04/08/08	
	Dovedale	04/08/08	
The Croft		04/08/08	Objection
	Croft House	04/08/08	
	Croftlands	04/08/08	Objection

	Stockdale House	04/08/08	
	Sunnyside	04/08/08	
	Jonathan's Farmhouse	04/08/08	Objection

3.1 This application has been advertised by means of a site notice and direct notification to the occupiers of eight of the neighbouring properties. At the time of writing this report, three letters of objection have been received and the main issues raised are summarised as follows:

1. [*Enter text here]

2. [*Enter text here]

3.2 [*Enter text here]

1. [*Enter text here]

2. [*Enter text here]

3.3 [*Enter text here]

1. [*Enter text here]

2. [*Enter text here]

*

4. Planning History

4.1 Planning permission was granted in 2004 for the erection of a livestock and general purpose shed.

4.2 In 2007, planning consent was granted for the erection of a lean to livestock feeding shed.

4.3 An application was submitted in 2007 for the change of use of the land for the siting of a residential caravan for agricultural purposes but was withdrawn in 2008 prior to determination.

5. Details of Proposal/Officer Appraisal

Introduction

5.1 This application seeks retrospective temporary planning permission for the

siting of a static caravan for occupation by an agricultural worker at Oakghyll Farm, Fenton Road, Fenton.

5.2 The site is located approximately 750 metres west of Fenton and is accessed from the Fenton to Heads Nook road along a lonning that measures 450 metres. The topography of the land is such that it is relatively level but does slope down in a south-east direction. The caravan is sited adjacent to existing agricultural buildings is within open countryside with the nearest property, The Croft, located 250 metres south-east of the application site.

Background

5.3 Oakghyll Farm extends in total to 5.1 hectares (12.7 acres) which is farmed by Mr and Mrs Goddard. A further 8.1 hectares (20 acres) is held on a tenancy at Brisco; 5.25 hectares (13 acres) at Linstock; 4 hectares (10 acres) at Cotehill; and 3.6 hectares (9 acres) at Hayton.

5.4 Mr & Mrs Goddard currently rent a property in Longtown, which consequently involves travelling to the site on a daily basis. Mr Goddard owns and operates his haulage business but this is due to cease in October to concentrate on the agricultural enterprise. The farm itself consists of mainly grassland for grazing and fodder production together with arable land that is used for cash crops and stock food. The applicant has looked at buying a suitable property in the vicinity but has found that the current market prices of suitable properties are in excess of what can be justified by the current farm business.

Assessment

5.5 The relevant planning policies against which the application is required to be assessed are Policies DP1, CP1, CP5, CP6, CP11, H7 and T1 of the Carlisle District Local Plan 2001–2016. The proposals raise the following planning issues.

1. The Principle Of Residential Development

5.6 Planning Policy Statement 7: Sustainable Development in Rural Areas (PPS7) published in July 2004 is relevant to this application, as it sets out the Governments planning policies for rural areas that should be taken into consideration when making planning decisions.

5.7 Paragraph 1 of PPS7, states that "new building development in the open countryside away from existing settlements, or outside areas allocated for development in development plans, should be strictly controlled". By doing so it is the Governments aim to safeguard the character and beauty of the countryside, the diversity of its landscapes, heritage and wildlife, and its natural resources.

5.8 Paragraph 10 of PPS7 makes clear that isolated new houses in the

countryside require special justification for planning permission to be granted. One of the few circumstances in which isolated residential development may be justified is when accommodation is required to enable agricultural, forestry and certain other full-time workers to live at, or in the immediate vicinity of, their place of work. It will often be as convenient and more sustainable for such workers to live in nearby towns or villages, or suitable existing dwellings, so avoiding new and potentially intrusive development in the countryside; however, there will be some cases where the nature and demands of the work concerned make it essential for one or more persons engaged in the enterprise to live at, or very close to, the site of their work. Whether this is essential in any particular case will depend on the needs of the enterprise concerned and not on the personal preferences or circumstances of any of the individuals involved.

5.9 In assessing permanent agricultural dwellings such as that proposed in the current application, there are 5 criteria to consider. Temporary agricultural dwellings should only be allowed where essential to support a new farming activity, whether on a newly-created agricultural unit to support existing agricultural activities on well-established agricultural units and such applications are subject to consideration against five criteria.

(i) clear evidence of a firm intention and ability to develop the enterprise concerned

5.10 It is necessary to demonstrate a clear intention to develop the agricultural enterprise. There are existing agricultural buildings on site that were erected by the applicants a couple of years ago and work is progressing on the lean-to extension that was also granted planning permission. The applicants have stated that it is their intention to erect a poultry unit capable of accommodating 5,000 birds. At present, this is only the applicant's idea and there is no planning application to allow for the development and the granting of the temporary planning consent for the caravan is not dependant on the poultry unit being constructed, which would have to be considered against the relevant planning policies when an application has been submitted.

(ii) there is a clearly established existing functional need

5.11 A functional test is necessary to establish whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times. Such a requirement might arise, for example, if workers are needed to be on hand day and night. If a functional requirement is established, it will then be necessary to consider the number of workers needed to meet it, for which the scale and nature of the enterprise will be relevant.

5.12 In relation to the current proposal it is considered that there is a clearly established existing functional need on the holding in relation to the care of the livestock. This functional need relates to labour requirement for the all year round welfare of the livestock and general agricultural operations.

(iii) clear evidence that the proposed enterprise has been planned on a sound financial basis

5.13 PPS7 states that new permanent accommodation cannot be justified on agricultural grounds unless the farming enterprise is economically viable. A financial test is necessary for this purpose, and to provide evidence of the size of dwelling which the unit can sustain. In applying this test, authorities should take a realistic approach to the level of profitability, taking account of the nature of the enterprise concerned. Some enterprises, which aim to operate broadly on a subsistence basis, but which nonetheless, provide wider benefits (e.g. in managing attractive landscapes or wildlife habitats), can be sustained on relatively low financial returns.

5.14 Planning permission was granted for the agricultural buildings in 2004 and these were subsequently constructed. This indicates a level of financial commitment to the business. The applicant has further provided additional information that financial support from the bank is in place and that further capital will be available upon the cessation of the applicant's haulage business. The temporary planning consent will allow a further assessment at the end of the three year period which will determine whether a continued residential use on the land is applicable.

(iv) the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned

5.15 Today it is only really necessary for specialist workers to live on or immediately adjacent to agricultural holdings. This is to be available at most times in case animals or agricultural processes require essential care at short notice and to deal quickly with emergencies that could otherwise cause serious loss of crop or stock.

5.16 In conclusion to his report, the County Land Agent advises that there is clearly an established functional need for one full time worker actively involved in the management of the farm to be resident on it. The report continues that the applicants have demonstrated their intention to develop the enterprise which has been planned on a sound financial basis.

5.17 There are no other dwellings on the site. The Local Plans Officer has suggested that there may be dwellings in Heads Nook and Brampton that could fulfill the functional need.

5.18 Rural properties in the area are prohibitively expensive to an agricultural workers wage and no properties in the area are restricted by an agricultural occupancy restriction. Commuting from Brampton on a daily basis, several times a day, would not enable the business to operate efficiently and would not adequately allow for the management of the stock that is intended on the farm. Furthermore, this would be an unsustainable form of development. A

functional need has been established on the site and there is no justification to look at alternative locations.

(v) other normal planning requirements e.g. on siting and access are satisfied

5.19 The caravan is sited adjacent to an existing boundary, which comprises of hedgerow and trees. Furthermore, the caravan is located close to a group of existing buildings, and is not visually isolated in the open countryside. The scale, siting and appearance of the caravan are appropriate given that a temporary consent is being sought.

2. The Impact Of The Proposal On The Living Conditions Of Neighbouring Properties

5.20 In order to ensure residential amenity is not compromised, planning policies generally require that consideration is given to unreasonable loss of daylight or sunlight, overlooking and over-dominance.

5.21 Based on the application details, there is sufficient distance between the residential accommodation and the neighbouring dwellings. Whilst there may be glimpsed views of the caravan, the development will not result in any of the aforementioned issues and will not detrimentally affect the living conditions of the occupiers of these properties.

3. Other Matters

5.22 Reference is made on the submitted drawings and in the letters of objection to the poultry unit. Whilst this may form part of the applicant's overall development of the business, this does not form part of the application and any comments thereon cannot be given any material weight.

5.23 The applicant has indicated that the means of foul drainage will be by way of a septic tank. The issue of foul drainage has been raised as an area of concern by the objectors to the application. There is no objection to the principle of the use of a septic tank but as no details are included with the application, it would be appropriate to impose a planning condition requiring the submission and approval of the details.

5.24 A further issue raised by the objector relates to other structures within the site. At the time of the site visit, a touring caravan and a lorry body were also evident on site. When the matter was raised with the applicant, the response was that the lorry body is used for secure storage facilities and the touring caravan has been used as shelter and somewhere to enjoy refreshment prior to the siting of the static caravan. The applicant has confirmed that the touring caravan is due to be removed from site later in October this year. The lorry body is subject of separate discussion between Officers and the applicant.

Conclusion

5.25 In overall terms, the issue centres on the personal circumstances of the applicant. A need for the agricultural worker to be resident on the farm has been proven with the option of alternative accommodation elsewhere been discounted. The principle of the development, subject to the imposition of a restrictive occupancy condition, is acceptable. The proposal accords with all the relevant tests contained within PPS7. The development will not adversely affect the character or appearance of the area and will not affect the living conditions of adjacent properties by unreasonable scale or overlooking. In all aspects the proposals are considered to be compliant with the objectives of the relevant Local Plan policies.

6. Human Rights Act 1998

6.1 Several provisions of the above Act 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 regularise any breach of planning control;

Article 8 recognises the "Right To Respect for Private and Family Life";

6.2 **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;

6.3 The proposal has been considered against the above but in this instance it is not considered that there is any conflict. If it was to be alleged that there was conflict it is considered not to be significant enough to warrant the refusal of permission.

7. Recommendation - Grant Permission

1. The static caravan hereby permitted shall be removed and the land reinstated to its former condition in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and these works shall be completed by not later than 31st October 2011.

Reason: To ensure that the proposed development is undertaken in a manner which safeguards the visual amenities of the area.

2. Within three months from the date of this permission, details of a scheme for the conveyance of foul drainage to septic tank has been submitted to and approved in writing by the Local Planning Authority. Within six months from the date of this permission, the septic tank shall be installed and capable of being used in accordance with the approved details.

Reason: To prevent pollution of the water environment in accordance with Policy CP11 of the Carlisle District Local Plan 2001-2016.

3. Within one month from the date of this permission, details showing the provision of a vehicle turning space within the site, which allows vehicles visiting the site to enter and leave the highway in a forward gear, shall be submitted to and approved in writing by the Local Planning Authority. The turning space shall be constructed within two months from the date of approval of these details and shall not thereafter be used for any other purpose.

Reason: To ensure that provision is made for vehicle turning within the site in the interests of highway safety and to support Local Transport Plan Policies LD7 and LD8.

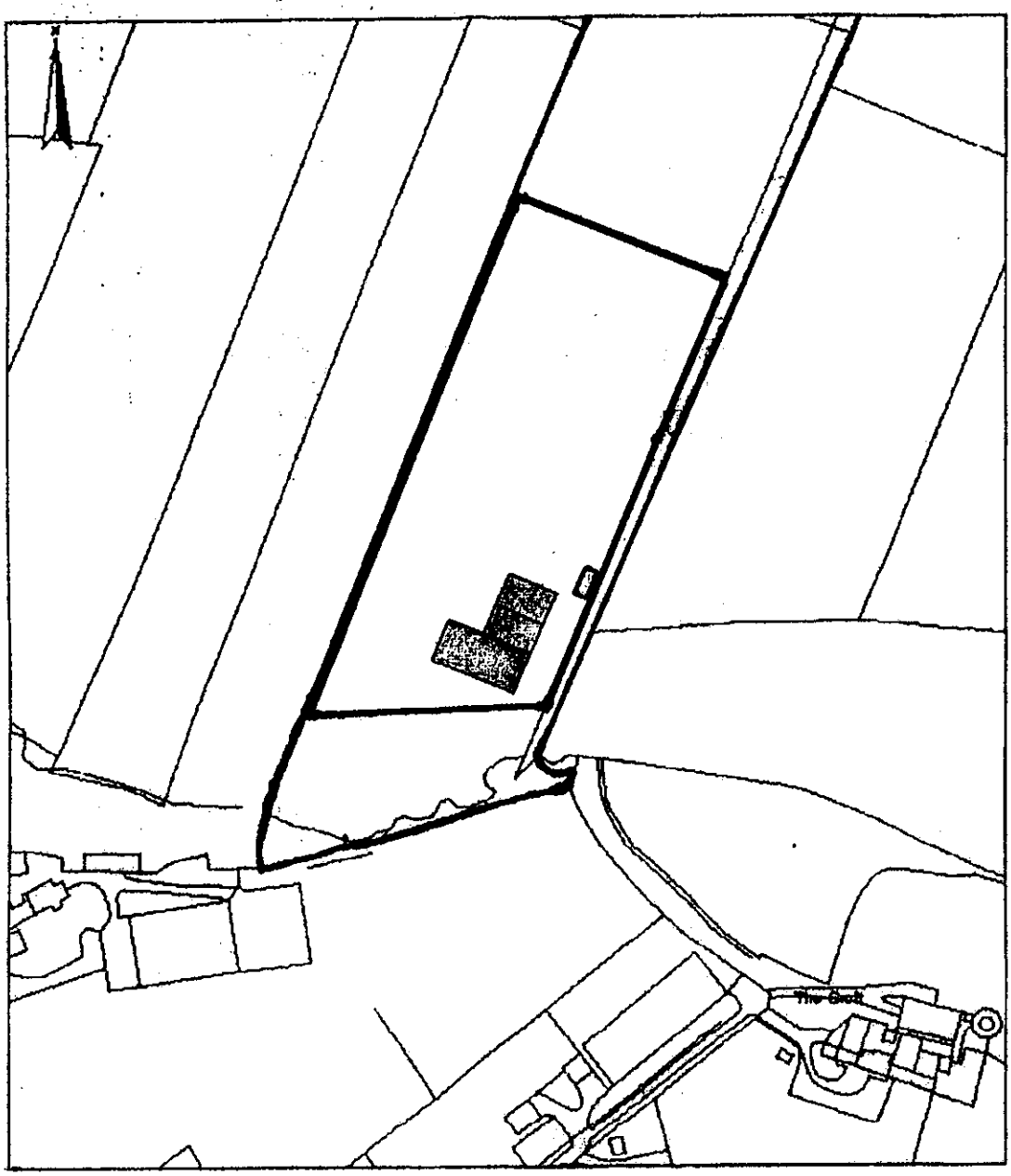
4. Within one month from the date of this permission, detailed drawings showing the development and means of access thereto shall be submitted to and approved in writing by the Local Planning Authority. The approved means of access shall be completed within two months from the date of the approved access details.

Reason: To ensure that provision is made for adequate access arrangements in the interests of highway safety and to support Local Transport Plan Policies LD7 and LD8.

5. The occupation of the caravan shall be limited to persons solely or mainly employed, or last employed, in the locality in agriculture as defined in Section 336 of the Town and Country Planning Act 1990, or in forestry, or dependants of such persons residing with him or her, or a widow or widower of such a person.

Reason: The unrestricted use of the caravan would be contrary to the provisions of Policy H7 of the Carlisle District Local Plan 2001-2016 which seeks to prevent additional sporadic development in the countryside unless demonstrated to be essential in the interests of agriculture or forestry.

08/0783

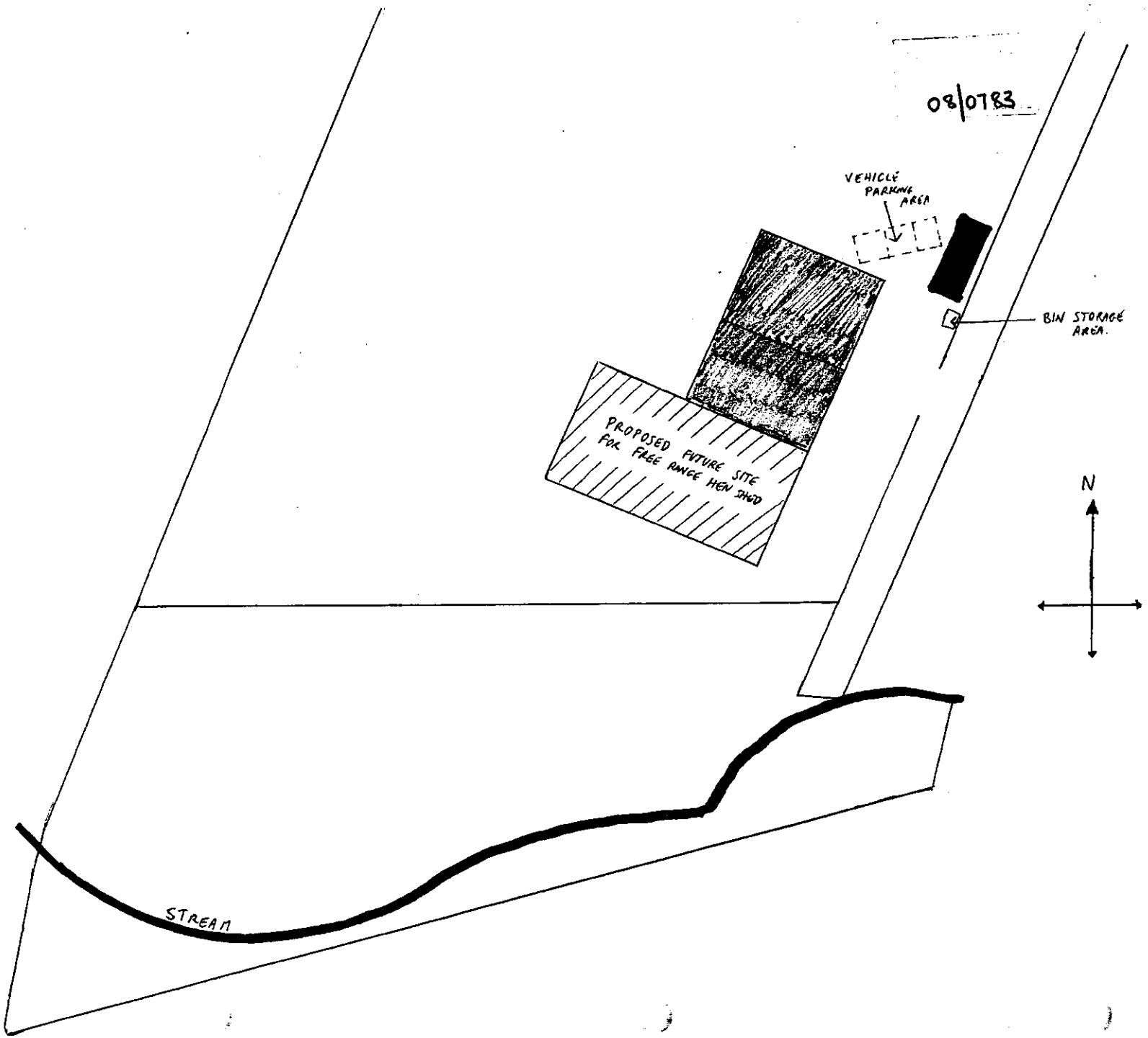


LOCATION PLAN 1.2500
OAKGHYLL
FENTON ROAD
CARLISLE (OS 4774)

MRS L. GODDARD
FLAT 3 NETHERBY STREET
LONGTOWN
CUMBRIA

BLOCK PLAN 1.500
OAKGHYLL
FENTON ROAD
CARLISLE

MRS L. GODDARD
FLAT 3 NETHERBY STREET
LONGTOWN
CUMBRIA



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OAKGHYLL FARM, FENTON ROAD, FENTON

REPORT ON A PROPOSED CHANGE OF USE OF LAND FOR SITING OF RESIDENTIAL CARAVAN FOR AGRICULTURAL USE (REVISED APPLICATION)

Capita Symonds
Clint Mill
Cornmarket
PENRITH
Cumbria
CA11 7HP

Tel: 01768 242345

CAPITA SYMONDS

August 2008

OAKGHYLL FARM, FENTON ROAD, FENTON - REPORT ON A PROPOSED CHANGE OF USE OF LAND FOR SITING OF RESIDENTIAL CARAVAN FOR AGRICULTURAL USE

1.0 Introduction

1.1 This report has been prepared at the request of Carlisle City Council who on the 4 August 2008 asked if I would report on a proposed change of use of land for the siting of a residential caravan for agricultural use at Oakghyll Farm, Fenton Road, Fenton.

1.2 I met the applicant Louise Goddard and her husband John at Oakghyll Farm on 15 August 2008. The following information was provided:-

Part 1 – The Existing Situation

2.0 Land Occupied

2.1 The following land is occupied by the Goddards as their farm business:

2.1.1 5.1 ha (12.7 acres) of owner occupied land at Oakghyll Farm.

2.1.2 8.1 ha (20 acres) of land held on a long term Farm Business Tenancy at Brisco.

2.1.3 5.25 ha (13 acres) of land at Linstock on seasonal agreement.

2.1.4 4 ha (10 acres) of land at Wragmire, Cotehill let on a seasonal basis.

2.1.5 3.6 ha (9 acres) of land rented at Hayton.

2.2 The combined holding totals 26.2 ha (64.7 acres) or thereabouts and it is understood that the land held on seasonal agreement has every likelihood of remaining available for the applicant in future years.

3.0 Livestock

3.1 The applicant and her husband presently have 18 suckler cows with calves (36 head in total) together with 52 breeding ewes and lambs. Some of this livestock is kept on the land at Oakghyll and the remainder is kept on their other grazing land.

4.0 Cropping

4.1 At the present time, the 8.1 ha (20 acres) of land at Brisco is growing a crop of spring barley. Most of this barley will be sold as a cash crop with the remainder kept for on-farm use. Straw will be retained for bedding. Approximately 7.7 ha (19 acres) of grassland will be cut and conserved for hay. The remainder of the unit is grazed grassland.

5.0 Farm Buildings

5.1 At the present time, there is a single 60' x 45' (4-bay) steel portal framed agricultural building on the land at Oakghyll Farm. This building, which just requires a small amount of work to complete, is constructed with concrete panel walls and Yorkshire Boarding to the eaves together with box profile roof sheeting and rooflights.

5.2 Planning permission has been obtained for a further similar building to adjoin the existing building on site and the steelwork and kit is ready for erection at Oakghyll.

6.0 Domestic Buildings

6.1 The Goddards live in rented accommodation in Longtown. The static caravan presently on site at Oakghyll is not occupied and was brought to the farm in good faith following an earlier misunderstanding of planning permission requirements.

7.0 Labour and Residence

7.1 At the present time, Louise Goddard checks the stock on a daily basis and enlists casual assistance as required. John Goddard presently runs his own haulage business and is away from the farm most of the week.

8.0 Other Information

8.1 John Goddard has a long-standing ambition to return to farming having come from an agricultural background. With the acquisition of the land at Fenton approximately 4 years ago this ambition is slowly being realised. In recent times, he has combined part-time farming with a full-time job as a haulier but now wishes to end his haulage business to concentrate on farming. In addition, he has a young family and wishes to spend more time with them.

Part 2 – The Proposed Situation

9.0 Land to be Occupied

9.1 The applicant will continue to farm the same landholding as at present but is mindful of the possibility of acquiring further land in the locality if it becomes available.

10.0 Proposed Livestock and cropping

10.1 The applicant intends to introduce two new enterprises as the mainstay of the farm business. These are:

- Calf rearing – The proposal is to batch-buy Belgian Blue and other continental beef calves at approximately 2 weeks of age and rear them to 5

months of age for sale as stores ready for fattening. Once the second steel portal framed building is completed at Oakghyll Farm, both buildings will require little further modification to make them suitable for calf rearing. It is proposed that the calves will be kept indoors until approximately 3 months of age before being put out to graze.

- Free range hens – In the near future, the applicant hopes to erect a further building to accommodate 5,000 free-range laying hens. The applicant reports that a preliminary agreement to supply the Lakes Free Range Egg Company has been made.

10.2 The existing sheep enterprise will be gradually wound up although the suckler cows will remain, but will play a relatively minor role in the overall business.

10.3 It is proposed that cropping will remain as at present with a small area of land continuing to be cultivated for a barley crop.

11.0 <u>Proposed Farm Buildings</u>

11.1 In addition to the existing building and the proposed adjoining steel portal framed building for which planning permission has been obtained, the applicant intends to construct a new building to house laying hens. The exact details of this building have yet to be decided.

12.0 Domestic Building

12.1 The Goddards hope to retain the existing static caravan on the site. In the event that planning permission is obtained for its occupation, they will move from their rented property in Longtown to live and work at Oakghyll

Part 3 – Guidance in Relation to the Requirements of PPS7

13.0 PPS 7 and the Need for Agricultural Worker's Dwellings

13.1 The need for Agricultural Workers Dwellings is covered in Planning Policy Statement PPS7 "Sustainable Development in Rural Areas" and in particular Annex A of that publication.

12.2 Guidance is given on the criteria to be met for Agricultural Worker's Dwellings and in relation to a temporary Agricultural Worker's Dwelling these criteria are set out in paragraph 12 of Annex A to PPS7.

These criteria are:-

i) ***Clear evidence of a firm intention and ability to develop the enterprise concerned.***

The applicants have experience of livestock and Mr Goddard has a farming background. Construction of a 4-bay steel portal framed agricultural building (together with permission and kit building prepared on site for another) indicates a firm intention and ability to develop one of the new enterprises proposed.

ii) ***The functional need.***

There is an existing functional need on this holding arising from the care of livestock and this will be significantly enhanced once the new enterprises are underway. In particular, the free range hen unit will require close monitoring and the calf rearing enterprise, by virtue of the age of stock involved, will also require regular supervision.

iii) ***Clear evidence that the proposed enterprise has been planned on a sound financial basis.***

From modest beginnings, the applicant hopes to establish a rewarding farm business. It was confirmed at my meeting that the Goddards are both able to arrange loans through their banks and Mr Goddard confirmed that

further capital would be available following the ending of his haulage business.

iv) ***The functional need could not be fulfilled by another existing dwelling on the unit or any other existing accommodation based in the area, which is suitable and available for occupation by the workers concerned.***

There are no other existing dwellings on the unit and neither are there any available properties in the locality which would provide the necessary cover.

v) ***Other normal planning requirements e.g. on siting and access are satisfied.***

These are beyond my instructions.

14.0 Conclusions

I therefore conclude by advising as follows:

1. There is an established functional need on this unit arising from the care of livestock. Once fully established with the enterprises proposed, I have calculated that there will be a functional need in relation to the care of

livestock for one worker, actively involved in the management of the unit to be resident on, or immediately adjacent to it.

2. The applicants have demonstrated their intention to develop the proposed enterprises and are clearly motivated to do so.

3. I am of the opinion that the proposed enterprises have been planned on a sound financial basis.

4. At the present time, the existing static caravan at Oakghyll would satisfy the requirement to house the one worker that will be required to be involved in the management of this unit and be required to be resident on it once the enterprises have been established.

David Rawle

David Rawle MRICS
August 2008

COMPLIANCE WITH RICS PRACTICE STATEMENT SURVEYORS ACTING AS EXPERT WITNESSES

I hereby declare that my Report complies with the requirements of the RICS Practice Statement "Surveyors Acting as Expert Witnesses" 2nd Edition Published in 2000 and in particular

(i) that the report includes all facts which the surveyor regards as being relevant to the opinion which he or she has expressed and that the judicial body's attention has been drawn to any matter which would affect the validity of that opinion; and

(ii) that the report complies with the requirements of The Royal Institution of Chartered Surveyors, as set down in *Surveyors acting as Expert Witnesses: Practice Statement;* and

(iii) That the expert understands his or her duty to the judicial body and has complied with that duty.

(iv) 'I believe that the facts I have stated in this report are true and that the opinions I have expressed are correct'.

LOUISE GODDARD
3, NETHERBY STREET
LONGTOWN
CARLISLE
CA6 5SA

08/0783

THE AGRICULTURAL APPRAISAL REPORT FOR OAKGHYLL FARM FENTON ROAD FENTON HOWMILL CARLISLE L/A FIELD 4774

PROPOSED TEMPORARY AGRICULTURAL ACCOMODATION

1, INTRODUCTION

1.1 This appraisal is prepared by Mr & Mrs J Goddard of 3, Netherby Street, Longtown, Carlisle. CA6 5SA. Permission is sought for the temporary sighting, for a period of three years, of a static caravan for occupation by the applicants. The accommodation is required to serve a newly established and expanding agricultural enterprise, which is operated by the applicants. In the absence of any other accommodation within the holding the sighting of a caravan provides the only accommodation available for operation of the unit.

1.2 The holding has been acquired and developed over the last four years in order to create a viable farming unit which at present totals sixty four acres. Mr Goddard has a long standing ambition to operate his own farming business which his mother says started from the age of four, every spare moment of his childhood was spent working on friends and neighbours farms in the valley of Ennerdale. As soon as he was old enough to leave school he started work full time on a Hill farm in Loweswater, and then moved to a substantial mixed farm on the Cumbrian coast near Seascale. His responsibilities on this farm extended over every aspect of the farming operations, except for the business administration. The owner he worked for suffered from ill health for many years. Mr Goddard was a very active member of Drigg young farmers club and has won many awards for stock judging, clipping, ploughing etc, holding the posts of treasurer and vice chairman. Mr Goddard attended day release courses at Whitehaven in order to gain formal qualifications in six subjects, up to farm business management on a weekly basis throughout each winter. Mr Goddard applied for the tenancy of several farms in his local area and regularly got into the last three applicants that each landlord considered, but found that the lack of finance available was the reason given by the landlords each time for picking other tenants, combined with the fact that he was not married at the time and most landlords considered a married couple, would look after the house better than a single man. As farm workers wages in 1978-1980 were very low (Mr Goddard's wages were less than £40 per week at the time) Mr Goddard moved to Talkin area to

work for a livestock haulage company in Carlisle as a driver in order to save enough money to purchase or rent his own farm, he eventually established his own haulage business to achieve this ambition. Mr Goddard intends to cease operations with his present haulage business by October 2008 and work fulltime in the development of the farm business at Oakghyll Fenton. Mr Goddard now has a young family, a daughter who is eight years old and would like to become a vet, and a son who is twenty one month. It is no longer practical or desirable to continue with a haulage business that involves him being away from home and family for five or six days at a time. Mrs Goddard is a local person and has spent the majority of her life living in rural areas, and does not enjoy living in an urban environment. Mrs Goddard was born in Brampton and lived less than a mile away from Oakghyll Fenton in the local village of Warwick Bridge, until she was eleven years old. She then moved with her parents to Hethersgill where her parents still live, she continued to attend William Howard School at Brampton. Mr & Mrs Goddard were married in 1999 and since marrying Mr Goddard, has always held a strong desire to return to this area and a rural environment. Mrs Goddard has operated two calf-rearing enterprises before purchasing Oakghyll Fenton, and this is a job that she loves doing. Since purchasing Oakghyll Fenton Mrs Goddard has taken all the day-to-day responsibility and work involved in looking after the present stock, whilst Mr Goddard has been away from home. Mrs Goddard is looking forward to be working on the farm with her husband as the business develops, and is also prepared to take other work to provide an income during the first months of development and expansion of the farm business if necessary.

1.3 As a new holding temporary accommodation only is proposed, in accordance with the requirements of PPS7.

1.4 This statement will set out the details of the holding, the business, which is proposed to be operated, and assessment of the proposal in the context of relevant national planning guidance. From this it will be demonstrated that there is a clear functional relationship arising from the development and operation of the new holding which requires that accommodation is available on the site.

2 DESCRIPTION OF AGRICULTURAL HOLDING

2.1 The agricultural holding consists of 64 acres in several parcels, the main part of which is 13 acres of land at Oakghyll Fenton which is owned by the applicants. The land consists of four fields with a natural water supply. The land is mainly used as grassland for grazing and fodder production with an access lonning and a large agricultural building. The second parcel of land is situated near Brisco and is just under 20 acres of land held on a long-term agricultural tenancy. This land consists of 2 large fields at present used for arable crops. The third parcel of land is 13 acres at Linstock this land is rented and consists of 2 fields of grassland used for grazing and fodder crop production. The fourth parcel of land is 10 acres rented on a seasonal grass-let basis at Wragmire Head Farm Cotehill, which is also used as grazing for cattle and sheep. The fifth area of land is land is 9 acres of grassland in several fields rented on a seasonal basis and used as grazing for the suckler herd. It is intended to increase the area owned by purchase of any land that comes available close to Oakghyll farm Fenton, and also to increase the area of land farmed, under agricultural tenancy as soon as possible within the next 12 months. If this is not possible extra land would be taken on a seasonal basis as a temporary increase until a tenancy becomes available.

2.2 A second building has received planning permission and construction has started on it. The foundations have been put in and most of the materials have been purchased and are on site to finish the construction. This building will be used for the new calf rearing enterprise the original building is used for crop storage, a feeding passage for suckler cows and loose housing for suckler's. part of this building will also be used for storage for tools, medicine, feed etc. A washing and calf feed preparation area, toilet and farm office. A small container is also being used as temporary storage for tools etc.

2.3 A third building is in the process of design and planning at the moment to be used as a free range egg production unit for five thousand hens, planning permission will be applied for as soon as possible and if approved this building would be erected at the rear of the two buildings already approved and a mixture of hard wood and fruit trees will be planted around this building to provid cover for the hens which will also allow us to receive a premium price for the eggs.

2.4 The land farmed at the moment consists of mainly grassland for grazing and fodder production which is used by the suckler cows, calves and sheep flock as well as the grassland there is also twenty acres of arable land which is used for barley production most of the grain will be sold as a cash crop and the rest will be kept for feeding to the stock, the straw will be used by the calf Rearing enterprise and suckler cows.

3, AGRICULTURAL OPERATION

3.1 The agricultural operation was originally established in 2003, when the land at Oakghyll Fenton was purchased with the intention of establishing a new holding. Mr and Mrs Goddard realised that it was impossible to buy an established small farm on which to start a new farming business because the demand by equestrian and lifestyle type buyers, means that these small farms are sold for much more than their agricultural value also as a lot of farms in local villages were traditionally built as part of the village, it is not often possible to find room or environmentally considerate to erect the modern type of agricultural building necessary for modern farming operations that involve mechanical feeding etc, within the village houses. Many of these types of properties are now converted to houses and barn conversions etc within the village and the land sold off to farms outside of the village. Mr and Mrs Goddard intend to purchase more of this type of land in order to grow their agricultural business, as funds will allow.

3.2 The present sixty four acres of land farmed is a mixture of land owned, land held under long term agricultural tenancy and short term tenancy /seasonal grazing, it is hoped to increase the land farmed in the short term by increasing the short term seasonal grazing and another long term farm business tenancy. The farming operation is primarily a traditional mixed farming operation with a bias to enterprises more suited to small acreage and high labour demands. Mr and Mrs Goddard realised that they could not compete with large farmers with big sheep, beef, or arable enterprises The new enterprises at present being developed i.e. the calf rearing operation and free range egg production enterprise are expected to produce two thirds of the farm income, the plans have been passed and approved for the construction of the new calf rearing building and the construction of this building has now started, most of the materials necessary have been purchased and are on site. This enterprise involves the purchase of young calves approximately one to three weeks old and rearing up to five months for sale to beef fattening enterprises. The first few months are critical and labour intensive whilst the calf is indoors, the last month or two of rearing may take place outside at grass depending on the season. A large acreage of grassland is therefore not required for this enterprise, other than for the last couple of months of rearing, and spreading of manure from the calves reared indoors. The calves will be purchased and sold on a regular basis throughout the year, and when fully operational will involve the rearing of approximately two hundred plus calves at any one time. The free- range egg enterprise involves the construction of one agricultural building to the rear of the present buildings which will be surrounded with trees, and a planning application for this building is being prepared at the moment, if successful this will involve a flock of five thousand layers from sixteen weeks old to end of lay at approximately seventy two weeks. A contract has been agreed, for the sale of ninety percent of the eggs produced to the Lakes free-range Egg Company limited, who would like us to start production as soon as possible the remaining ten percent of eggs, will be sold to local customers and shops under our own brand. The

suckler cow enterprise at present numbers thirty-six head and involves the production of beef calves for fattening or sale as stores each year, we hope this enterprise will increase each year as the acreage farmed can be increased. The present sheep enterprise will be phased out in the next few months and the money from the sale of the flock used towards the establishment of the calf rearing enterprise, which will leave extra grazing for the development of the suckler cow enterprise. The final enterprise is grain production, for feeding and as a cash crop at the moment this uses twenty acres and will continue to increase in the next few years. To summarise, the four main enterprises will be 1, Free- range egg production. 2, Calf rearing enterprise. 3, Suckler cow's enterprise. 4, Grain production. Cash flow and profit and loss projections show the combination of these four enterprises will produce a viable and sustainable farm income for two people with the potential for further growth.

4, PLANNING POLICY REQUIREMENTS

4.1 Annex A to PPS7 sets out the policy requirements and test, which should be applied to proposals for new agricultural accommodation. Paragraph 12 to annex A advises that if a new dwelling is essential to support a new farming activity, whether on a newly created agricultural unit or an established one, it should normally, for the first 3 years be provided by a caravan, wooden structure which can easily be dismantled, or other temporary accommodation. Incompliance with this requirement this application therefore proposes the siteing of a static caravan on the site.

4.2 The annex sets out 5 tests specifically related to proposals for temporary agricultural dwellings. These are

1 That there is clear evidence of a firm intention and ability to develop the enterprise. (The example of investment in new farm buildings is provided as an indicator of this).
2 A functional need to live on the site exists.
3 Clear evidence to show, that the proposed enterprise has been planned on a sound financial basis.
4 The functional need for a dwelling cannot be met by an existing dwelling on the site or in suitable available accommodation in the area.
5 Other planning requirements such as appropriate access and siting.

The statement will now examine the proposal and present evidence to demonstrate compliance with these 5 tests.

5 COMPLIANCE WITH PPS7 TESTS

Test 1

a. The intention to develop the enterprise is clearly established. This is demonstrated in a number of ways. The development of the farming business began in 2004, from nothing to its present size, through the commitment of the whole family. To reach its present size of 64 acres, with a significant investment in infrastructure and buildings has already taken place. The applicants intend to close their present haulage business by the end of October 2008, and to work full time in the future development of the present enterprises and the new Free-range egg production enterprise. As such it is a clear indication of the applicant's intention, in respect of the scale and development of the farming enterprise and its future function as their source of employment and income.
b. In tandem with this there is clear evidence of further investment in the newly formed holding, through the replacement of the old lonning, new fencing through and around all fields, the erection of a large agricultural building, and the construction in progress of a second large agricultural building. The first building was granted permission in 2004 and is 95% complete and is now in use. The second building was granted permission in February 2008 and is awaiting construction foundations have been installed and materials steelwork, roofing sheets, etc are on site. The investment in road stone and fencing was in excess of £9000, and the investment in the livestock buildings is more than £25,000 each, and as such represents a substantial investment in the farming enterprise. Funding has been agreed through a small extension of the mortgage facility for the erection of the free-range egg production building and a planning permission application will be applied for soon.
c. In relation to the ability to develop the enterprise concerned, the applicants have many years experience, and the growth of the enterprise on a part time basis to its present size, and the request from previous customers for more stock after previous sales confirms this.
d. Clear evidence therefore exists to demonstrate that the enterprise will be developed and that the applicants have a firm intention and commitment to continue this process. Test 1 of PPS7 is therefore met.

Test 2

e. The functional need for a person to live on site is established in line with the type of need identified in paragraph 4 of appendix A. The nature of the main enterprises being livestock enterprises means therefore all investment and economic return in the enterprises is based on the well being of this stock. Any loss of stock or failure to deliver healthy new stock is therefore fundamental in the financial viability of the enterprise.

f. The main enterprises of calf rearing and free range egg production based on site at Oakghyll Fenton, means that therefore the need for accommodation is adjacent to these buildings. There are no other buildings or suitable areas of land on which to develop the farm steading anywhere else within the current land farmed.

g. A functional requirement to live on site arises so that essential care to stock can be provided at all times. In relation to the sheep and cattle enterprises this relates to normal animal welfare throughout the year. This however is increased for a large part of the year through the lambing and calving periods. The scale of operation now existing and proposed on site in respect of approximately 230 calves and 5000 laying hens is a significant one. The ability to live on site in order to meet this specific need is a paramount one for the enterprises. Outside lambing and calving periods welfare in respect of operations such as worming and dosing of stock, early morning and late evening checks, as well as attending to sick or ill animals exists.

h. Calving which can occur at any time day or night requires a presents on site in order to ensure animal welfare is maintained.

i. Agriculture and farms have become a substantial and ever increasing targets for criminals according to the latest police reports, this requires a presence on site at all times in the interest of both security and animal safety. The applicants have already been the targets of thieves on two occasions attempting to steal fuel from tractors and have also lost a substantial number of roofing sheets. There exists therefore an on site requirement to live at the unit in order to maintain animal welfare standards and respond to emergencies at all times.

j. The building which has been erected on site and ongoing development of other buildings etc is effectively the establishment of a new steading to serve the livestock enterprises, as such the operation of the main enterprises entire operation is based around this new steading and accommodation at this location is accordingly required. It is considered therefore that the provision of accommodation at this location is entirely appropriate. It is on the basis of this accepted and well established requirement on animal welfare and husbandry grounds that the functional need is established.

Test 3

k. The enterprise is planned on a sound financial basis, as a consequence of the applicant's knowledge and experience in operating and developing the enterprise over the previous four years. The applicants have successfully developed the enterprise during this preceding period and the development planned later this year is a progression of this. The applicants therefore have significant experience already within the sector, and knowledge of the financial requirements of successfully developing the enterprise. Their success to date is evidence of their knowledge and an indication that the new expanding enterprise is planned on a sound financial basis.

l. In order to demonstrate that the business is based on sound financial planning, included with this appraisal are profit and loss forecasts and cash flows for the ma

enterprises, these have been prepared by the applicants accountant. These show a fully costed and profitable enterprise with year on year increases in profits with profit levels of not less than 16,000 pa. This is above the typical agricultural workers wage of 12,000 pa used as a guide to indicate minimum viability standards in such proposals. These details are supplemented by full cash flow forecasts, to demonstrate the projected profit and loss accounts are achievable and consistent. Also included are balance sheet forecasts, which demonstrate the stock prices on which accounts have been projected. These demonstrate that realistic valuations have been used in the preparation of the forecasts.

m. This evidence coupled with the history of the applicants successfully developing this agricultural enterprise all demonstrate that the enterprise is likely to be financially sound and will remain so over the next three years. Accordingly Test 3 is demonstrated to be met.

Test 4

n. There are at present no other dwellings or accommodation within the farm. The land farmed contains no other buildings other than the newly erected agricultural buildings at Oakghyll Fenton. There are therefore no other buildings or dwellings available for occupation on the farm.

o. In respect of accommodation in the surrounding area there are also no available alternatives. The area is defined as a rural area and accordingly the number of dwellings in the area is low. Where dwellings do exist and are on the market they are either not appropriate in functional need terms due to there location, or are prohibitively expensive, any properties currently on the market are not affordable based on an agricultural workers wage. The temporary accommodation proposed therefore, is the only option to meet the functional need which exists.

p. The location of Mr and Mrs Goddard's present accommodation in Longtown is inappropriate in functional need terms due to the separation which exists, the applicants desire to establish a new agricultural business and the significant investment required necessitated the rental of a small two bedroomed upstairs flat as cheap as possible. This flat is not suitable for a family of four, and was only expected to be a temporary accommodation to allow the maximum funds to be invested into Oakghyll Fenton. Also as stock numbers have increased, this has become a problem in stock welfare terms. As the cost of fuel has increased substantially over the last two years, the cost of travelling thirty minutes each way each time between the two properties, has become a substantial extra cost to the business for these reasons the present accommodation is inappropriate and unsustainable.

q. In the absence of any other appropriate or available accommodation either for rental or purchase, the temporary accommodation now proposed represents the only option. Accordingly permission is sought for the siting of the static caravan in this context, and it is considered therefore that Test 4 is met.

Test 5

r. With regard to other planning requirements, principal considerations that can be identified at this stage are siting, access and drainage requirements.
s. In respect of siting, the caravan is sited close to the existing building thereby forming a cohesive grouping. Policy guidance requires the siting must also be appropriate for any future dwelling, should one be sought, and in this respect the current siting is appropriate. The caravan is not regularly apparent in the wider landscape,and benefits from the local topography and planting which allows the successful siting of the new building with very little visual impact. In the same manner the caravan siting is considered appropriate and in no way visually detrimental to the amenity of the surrounding area. The nature of accommodation proposed, in the form of a static caravan is of relatively modest scale, and fully removable from site should this be required in three years time.
t. In respect of access to the site, existing vehicular access already exists. The road serving the site is extremely quiet with only the small village of Fenton one third of a mile past the entrance. The use of the access to the site therefore has no adverse impact on highway safety.
u. In respect of drainage for the site the caravan is proposed to be served by the septic tank already approved for the farm office and toilets. This should have no environmental impact during operation all water and drainage is well within the land owned and will have no impact on neighbouring environment.
v. It is considered all other normal planning requirements are acceptably addressed by the proposal in accordance with Test 5

6 CONCLUSION

a. This evidence is submitted in support of the application for siting of the temporary accommodation on site. The form in which the accommodation is proposed and the basis for it is entirely consistent with the requirements of PPS7 and relevant local planning policy. It can be demonstrated that there is functional need for the applicants to live on site, in order to serve an enterprise which is planned on a financially sound basis. The accommodation forms part of a genuine proposal by the applicants to continue and expand their enterprise. This is evidence by the significant investment in new land and buildings already undertaken. No other accommodation is available which can fulfil the functional need which exists, and the accommodation proposed is acceptable in visual, highway and environmental terms.
b. Accordingly it is considered that the proposal is appropriate and can be fully justified in order to serve the existing and ongoing enterprise. The proposed

temporary accommodation, represents the appropriate first step, in provision of accommodation at the holdings main steading and provides all necessary safeguard, to ensure removal should the enterprise not continue beyond the initial three year period. The proposal therefore fully complies with relevant local and national policy and permission is sought accordingly.

SCHEDULE A: Applications with Recommendation

08/0533

Item No: 12 Date of Committee: 03/10/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0533	Cliff Walsingham & Company	Dalston
Date of Receipt:	**Agent:**	**Ward:**
30/05/2008		Dalston

Location: Kingswood Educational Study Centre, Greensyke, Cumdivock, Dalston, Carlisle, CA5 7JW

Grid Reference: 335369 548364

Proposal: Variation Of Condition 10 From Six Months To Twelve Months, Retention Of Access Road In Current Position

Amendment:

REPORT **Case Officer:** Angus Hutchinson

Reason for Determination by Committee:

In the light of the history of the site and forthcoming Hearing.

1. Constraints and Planning Policies

District E8 - Remainder of Rural Area

District E14 - Protected Species

District E22 - Sewers & Sew. Treat. Work

District EM11 - Rural Diversification

District T1 - Choice of Means of Travel

District H17 - Residential Amenity

Local Plan Pol DP1 - Sustainable Development Location

Local Plan Pol CP1 - Landscape Character

Local Plan Pol CP2 - Biodiversity

Local Plan Pol CP3 - Trees and Hedges on Development Sites

Local Plan Pol CP5 - Design

Local Plan Pol CP11-Prot.Groundwaters &Surface Waters

Local Plan CP15 - Access, Mobility and Inclusion

Local Plan Pol EC11 - Rural Diversification

2. Summary of Consultation Responses

Cumbria County Council - (Highway Authority): the variation of Condition 10 applies for an extension from six to twelve months for the condition that 'no students, shall be present, attend or reside at the site until the proposed access and parking have been fully constructed, surfaced and drained in accordance with details approved beforehand by the Local Planning Authority'

The Highway Authority considered at that time that the development has been operating for a sufficient amount of time. As you are aware, it was in fact operating in its existing use before permission was granted in 2004.

Since the previous Application more than a year has passed there is no reason for yet a further extension of time. The Highway Authority would once again question why this work has not been completed or enforcement action taken.

It is Cumbria Highways opinion that this delay is unacceptable, that any further delay should be opposed and that enforcement action should commence without further delay.

Cumbria Highways are perplexed as to why the application has been made as it is understood that this Condition is in fact the subject of a Planning Inspectorate appeal Ref no APP/E0915/A/07/2060191 & 2060188. It is the intention of Cumbria Highways to oppose this at appeal hearing;

Development Services Planning & Housing Services - Local Plans (Trees): The Landscape Evidence document sets out the reasons why the Kingswood Group consider it reasonable for the Local Planning Authority to allow a period of three planting seasons for the completion of the landscaping works associated with the approved planning application 04/1203 condition 11 and 12.

Condition 12 of the approved application 04/1203 does not require that the landscaping be implemented within 6 months of approval as stated in the Landscape Evidence at paragraphs 2.5 and 2.6, but seeks to ensure that the landscaping works are completed before the arrival of students at the site should the landscaping take longer than six months to complete. This is to ensure that the landscaping works are

completed satisfactorily prior to the site being used, and is quite clearly reasonable.

Paragraph 3 of the Landscape Evidence document sets out the reasons why the Applicant considers it appropriate to have three planting seasons to complete the landscaping works.

It is worth noting that a period of three planting seasons could extend to nearly four years the time scale for implementing the landscaping scheme. Neither does the Applicant state when the three planting season period should commence.

Whilst the submitted Arboricultural survey is not to the standard set out in the current British Standard BS 5837:2005 the information supplied was sufficient at that time to determine the effect on the trees/hedges, and the proposed tree works were considered acceptable. The local planning authority did not originally request a tree survey to the standard set out in BS 5837: 2005 as the original 2004 application pre-dates the introduction of the current 2005 Standard.

It is notable that the Applicant has not supplied a tree survey to the current British for their application 08/0567 as required by virtue of question 16 of the application form. Had they done so this would have course been relevant to this application, 08/0533.

Paragraphs 3.3, and 3.5 of the Landscape Evidence document suggest that the landscape works can be completed only once the entire infrastructure is completed. Whilst I would not argue that some of the works, for example the roads, need to be completed before their associated landscaping can be completed the majority of the landscaping can be carried out at the same time as other works. This does not have to be a linear process as alluded to.

Paragraph 3.4 of the Landscape Evidence document states the Applicant is being delayed by lack of information on the height of the noise attenuation bund that is to be specified by Carlisle City Council. It is my understanding that the height of the bund cannot be determined until the Applicant has supplied an appropriate noise assessment to the local planning authority. At the time of writing the local planning authority is awaiting the appropriate noise assessment from the Applicant so that it is able to determine the height of the bund.

Paragraph 3.6 of the Landscape Evidence document suggests that no landscaping construction works can take place during the planting season, and that the number of plants as agreed in the Approved scheme would take the full planting season to plant. There is no reason why ground works cannot be undertaken during the

planting season, also the number of plants is small and should take a proficient landscaping team no more than a week to plant.

In my opinion there is no reason why, if the applicant plans the works appropriately and commits the necessary resources, both the landscape construction and planting cannot be carried out within 12 months as opposed to the three planting seasons the applicant proposes in their Landscape Evidence.

3. Summary of Representations

Representations Received

Initial:	Consulted:	Reply Type:
Greensvke Cottage	27/06/08	
Hollyoaks	27/06/08	
Bellgate House	27/06/08	
2 High Forge	27/06/08	
5 Bishops Mill	27/06/08	
Rose Villa	27/06/08	
Royal House	27/06/08	
Bellgate House	27/06/08	
Cartner House	27/06/08	
The Gill	27/06/08	
Greenlaw	27/06/08	Undelivered
Bannerdale	27/06/08	
Ashbridge	27/06/08	
- Dalston	27/06/08	
The Green Business Centre	27/06/08	
Clerk to Dalston Parish Council	27/06/08	
Cobbetts Manchester	27/06/08	
Bellgate House	27/06/08	
The White House	27/06/08	
Tarn Rigg	27/06/08	
Poplar House	27/06/08	
Ref MEH/J/C01/140	27/06/08	
Gill House	27/06/08	
Carlisle House	27/06/08	
Fountain Head	27/06/08	
Birch Garth	27/06/08	
DEFRA, Animal Health Office	27/06/08	
Pin Cushion	27/06/08	
Boulder Garth	27/06/08	
Stonethwaite	27/06/08	
Primrose Hill	27/06/08	
Ladywood	27/06/08	
Lakerigg Cottage	27/06/08	
Cartner House	27/06/08	
Gambling Croft	27/06/08	
Gray Garth	27/06/08	
Cardew Lodge	27/06/08	
Broomfield Farm	27/06/08	
North Cumbria Acute Hospitals	27/06/08	

	Lime House Estates	27/06/08
	Brackenbrae	27/06/08
	Cumdivock House	27/06/08
	Wannaroo	27/06/08
	28 Glendarvon Street	27/06/08
	Park Lodge	27/06/08
	Nook Lane Head	27/06/08
	Oakdale Cottage	27/06/08
	'Sondela'	27/06/08
	Hillside	27/06/08
	Hollin Bush	27/06/08
	House of Commons	27/06/08
	122 Feckenham Road	27/06/08
	Longthwaite	27/06/08
	Greenhead Cottages	27/06/08
	Nooklane Cottage	27/06/08
	Nook	27/06/08
	Merlin	27/06/08
	Broomfield House	27/06/08
	17 Barras Close	27/06/08
	Holme Cottage	27/06/08
	The Gill	27/06/08
	Cumbria Constabulary	27/06/08
	Fountain Cottage	27/06/08
	(PNW/MBB/WI1089.09995)	27/06/08
	Middle Farm	27/06/08
	Fayjurs Lodge	Objection

3.1 This application has been advertised by means of site and press notices as well as notification letters sent to 68 neighbouring properties. Responses are awaited at the time of preparing the report.

4. Planning History

4.1 The extensive history of the site has been detailed in the Background section of the Officer's report. Members should, nonetheless, be aware that the Council are also in the process of handling additional applications in the form of:

1. appn. 08/0532 seeking to discharge of condition 10 of approved application 04/1203;
2. appn. 08/0567 seeking permission for a mixed use development comprising (a) alterations and minor extensions to some of the existing buildings (b) change of use of the building known as Windermere from Use Class C2 to Use Class B1 (c) change of use of the remaining buildings as altered and/or extended (as relevant) from Use Class C2 to Use Class C3 (12 single dwellinghouses) (d) erection of car ports to serve the dwellinghouses (e) the alteration of existing access ways (f) the provision of parking areas for the offices and for visitors to the dwellinghouses (g) landscaping following removal of mounds surrounding

the quad bike track and removal of other earthworks and apparatus associated with existing activities

3. appn. 08/0644 seeking the variation of Condition 5 attached to 04/1203 to increase the number of students from 160 To 200.

5. Details of Proposal/Officer Appraisal

Forward

5.1 In July of this year Members resolved to give authority to issue approval for the proposal subject to the completion of a Deed of Variation and the re-imposition of the conditions imposed under application 04/1203.

5.2 Members may recollect that this application represents the re-submission of an earlier application, ref. no. 07/0379, which sought a variation of condition 10 from six months to twelve months for retention of access road in current position. The re-submission had been made to see if the Council had re-considered their position pending the outcome of an Appeal for non-determination.

5.3 In the case of the Appeal concerning application 07/0379 the Inspector in his decision letter dated the 20th August 2008 allowed development to take place without compliance with conditions 10 and 12 as previously imposed on planning permission 04/1203 but subject to the other conditions imposed therein and subject to the following new condition:

"The operational development hereby permitted shall be removed within six months of the date of the failure to meet either of the requirements set out below:
a) within six months of the date of this decision the vehicular access and parking area shall be constructed, surfaced and drained in accordance with the details approved by the Local Planning Authority (ref 08/0532);
b) the works set out in the approved landscaping scheme (ref KC.G.LP.01B and KC.G.LP.02A) shall be completed by 31 March 2011."

5.4 The Inspector also determined that a deed of variation was not required because the existing Section 106 Agreement would apply to the new permission.

5.5 Following receipt of the aforementioned Appeal decision, clarification was sought from the applicant's agent on whether they wished the current application to be processed. In the absence of any acknowledgement or response it is recommended that this application be determined in accordance with the Inspector's decision inclusive of the re-imposed conditions.

5.6 In order to clarify matters, what follows is a modified version of the report

originally presented to Members at their Meeting on the 11th July 2008.

Introduction

5.7 Greensyke House is a substantial Victorian property set within attractive grounds to the east of a farmhouse and outbuildings associated with the original steading. A cottage lies to the immediate north of Greensyke House. The property is located on the northern side of the Cumdivock Road, opposite Holly Oaks and the junction with the Broomfield Road. The White House is approximately 120 metres to the east of the driveway serving Greensyke House, whilst Bellgate is 320 metres to the north-west of the main access serving Greensyke Farmhouse and Greensyke House. A public footpath runs through field number 2874 between Bellgate and Greensyke and to the west of Holly Oaks.

5.8 The educational study use commenced in March 2002 and, as of September 2003, consists of:

a) The "farmhouse" on the ground floor has two classrooms, a staff kitchen and toilet, and, a two bed sanatorium/first aid room. The first floor has a staff common room, activity store, male and female staff toilets, Senior Instructor's office, and NVQ staff room.

b) Coniston (The Barn) is used for fencing and as an evening recreational room on the first floor with a laser tag facility on the ground floor.

c) The ICT Centre has 5 laboratories and a manager's office.

d) The Forum comprises on the ground floor the kitchen, dining/evening recreational/entertainment's room, toilets, and, reception. The first floor has the centre manager's office and the visiting teachers staff room.

e) The Cottage is the centre manager's residence adjoining which there are a drying room, linen room and laundry.

f) The indoor recreational areas comprise Coniston (The Barn), the dining room of The Forum, and, part of Lakerigg, which includes karaoke.

g) Teachers and children's accommodation comprise The Green, Windermere (Greensyke House), Ullswater, Lakerigg, and, Lakerigg Annexe.

5.9 The accommodation is arranged in each of the dormitories in the following manner: Ullswater: 58 students and 6 teachers; Windermere: 34 students and 5 teachers and a potential common room; Lakerigg Annexe: 20 students and 5 teachers; Lakerigg: 40 students and 5 teachers; and, The Green: 22 students and 6 teachers.

5.10 The Centre is currently closed.

Background

5.11 The site has an extensive planning history suffice to say that on the 9th-11th March 2004 a Public Inquiry was held concerning the following:

a) Application ref. No 03/0843 – refusal of permission for the use of the land and buildings as an educational study centre;

b) Application ref. No. 03/0844 – refusal to grant a lawful development certificate for the use of the premises for the provision of short residential courses for groups of school children;

c) Application ref. no. 01/1013 – enforcement notice issued seeking the cessation of the use of the site as an educational activity centre;

d) Application ref. no. 03/0024 – enforcement notice issued requiring the removal from the land of the dining/function hall, kitchens and teachers' retreat;

e) Application ref. no. 03/0025 – enforcement notice issued requiring the removal from the land of the above ground caving system;

f) Application ref. no. 03/0026 – enforcement notice requiring the removal from the land of the challenge course;

g) Application ref.no 03/0027 – enforcement notice requiring the removal from the land of the quad bike track;

h) Application ref. no. 03/0028 – enforcement notice requiring the removal of the "low ropes" and "nightline" challenge courses;

i) Application ref.no. 03/0029 – enforcement notice requiring the removal of a mechanical generator;

j) Application ref.no. 03/0030 – enforcement notice requiring the removal from the land of the climbing wall and shelter;

k) Application ref. no. 03/0031 – enforcement notice requiring the discontinuance of use of a barn for the purposes of "laser tag";

l) Application ref. no. 03/0032 – enforcement notice requiring the discontinuance of the use of dormitory accommodation;

m) Application ref. no. 03/0033 – enforcement notice requiring the discontinuance of the former dining room as student accommodation.

5.12 In relation to items a), d), e), f), g), h) and j) the appeals were dismissed but the remainder allowed. In effect the use of the land and previously authorised buildings for residential courses for groups of school children was

certified as lawful. The Inspector, nevertheless, dismissed those appeals relating to the various buildings and structures that had been constructed without planning permission and which enabled the site to be used in a more intensive manner than when it was a boarding school.

5.13 In reaching this decision the Inspector considered that the development has the potential to cause unacceptable harm to the living conditions of nearby residents through noise and disturbance, but that this harm could be overcome through effective management measures (para.37). The Inspector, nevertheless, concluded that the then Management Code proposed by the applicants/appellants would not prevent the developments having an unacceptable impact on the living conditions of near neighbours through noise and disturbance. In the absence of a satisfactory Management Code the Inspector concluded that the developments were unacceptable (para 43).

5.14 In paragraph 44 of the Decision Letter the Inspector, however, stated that:

"It will be apparent from my decision that, had there been a satisfactory Management Code, I would have come to a different conclusion on these appeals. That being so, I propose to extend the period for compliance with the enforcement notices to 12 months to give the appellants the opportunity of revising the code and re-applying for planning permission should they choose to do so".

5.15 In October 2006, under application 04/1203, planning permission was given for operational development comprising:

a) The retention of the dining/function hall and teachers' retreat, the underground caving system and shelter, the boundary fence, sub-station enclosure, souvenir shop, air handling plant room; and, drainage arrangements.

b) Revise the location of a challenge course, quad bike track and shelter, and, low ropes and nightline course;

c) The formation of an archery enclosure and shelter;

d) Amendments to the alignment of the access road and new parking layout;

e) Installation of external lighting system; and,

f) Landscaping and earth moving to create a planted soil bund.

5.16 The aforementioned permission, which had previously been considered by Members at their Meetings on the 19th November 2004, 7th January 2005, and, the 6th June 2005, was subject to a total of 26 conditions and the completion of a Section 106 Agreement. The aforementioned Section 106 Agreement covered:

a) The applicant agreeing to the non-implementation of the permissions for

the science labs approved under 95/0879 and dormitory annexe approved under 97/0312;

b) An annual review of the Green Travel Plan; and,

c) Adherence to the Management Code.

5.17 On the 4th April 2007 the following applications were received from the Kingswood Learning and Leisure Group:

- Application ref. no. 07/0374 - Amendment to condition 12 of 04/1203 to allow an extension of time to three planting seasons.
- Application ref. no. 07/0375 - Extension of period for compliance from six to twelve months (Condition 16 re. the implementation of the approved Green Travel Plan).
- Application ref. no. 07/0376 - Variation of time scale from four to three weeks – Condition 26 (ensuring that no students are present during a consecutive period commencing at any time during the last week of July or the first week of August in each year).
- Application ref. no. 07/0377 - Extension of time for twelve months from 05.04.07 to 04.04.08 with regard to conditions 21 and 24 concerning noise issues (i.e. the approval of a scheme of noise mitigation measures and a system for continuous monitoring of noise emanating from the site).
- Application ref. no. 07/0378 - Variation of condition 14 to allow for an extension of time from six to twelve months (re. the relocation of the climbing wall).
- a) Application ref. no. 07/0379 - Variation of condition 10 from six months to twelve months for retention of access road in current position.

5.18 In addition, letters and accompanying details were also received on the 4th April 2007 seeking not only to discharge conditions 10 (access) and 11 (landscaping), but also approval to relocate archery and the "nightline", and, to extend the area of the quad bike track pursuant to condition 7. On the 10th April the Council received application ref. no. 07/0392 for the widening of an existing service access.

5.19 The aforementioned planning applications were reported at the Meeting of the Development Control Committee on the 1st June 2007 during which it was decided that applications 07/0375, 07/0377 and 07/0378 be refused permission, and, the Head of Planning and Housing Services was authorised to serve relevant Breach of Condition Notices. Application 07/0376 was withdrawn prior to determination.

5.20 In the case of application 07/0374, Members resolved to give authority on the

basis that the extension in time was restricted to a single planting season and subject to: a) the results of a bat survey; and, b) the completion of a Deed of Variation to the existing Section 106 Agreement.

5.21 In regard to applications 07/0379 and 07/0392 Members resolved to give authority to issue approval subject to no objections from the Highway Authority, results of a bat survey, and, completion of a Deed of Variation to the existing Section 106 Agreement. In error, the decision notice concerning application 07/0392 was issued prior to the completion of the required Deed of Variation.

5.22 Condition 11 was subsequently discharged in a letter from the City Council dated the 12th July 2007.

5.23 The applicant subsequently lodged appeals against the failure of the City Council to determine four "applications":

a) APP/E0915/A/07/2060181 – Amendment to condition 12 of planning permission 04/1203 to allow an extension of time to three planting seasons (App. Ref. 07/0374);
b) APP/E0915/A/07/2060185 – Relocation of existing activities from the approved siting pursuant to condition 7 of planning permission 04/1203;
c) APP/E0915/A/07/2060188 – Details as required by condition 10 of planning permission 04/1203; and,
d) APP/E0915/A/07/2060191 – Variation of condition 10 from 6 months to twelve months and retention of access road in current position (App. Ref. 07/0379).

5.24 Appeal d) was subsequently withdrawn. Appeals a), b) and c) were allowed by the Inspector subject to the removal of conditions 10 and 12 previously imposed under 04/1203 and the re-imposition of the other conditions imposed therein.

5.25 The current application represents a re-submission of application 07/0379 involving the variation of condition 10 from six months to twelve months and the retention of the access road in its current position. The submitted forms indicate that the application has been submitted on the basis of avoiding the aforementioned appeal and in order to allow a reasonable period of time to undertake the proposed works.

Assessment

5.26 When assessing this application it is considered that the main issue revolves around ensuring that it does not derogate from the principle of the development based upon the planning permission already granted and the Section 106 Agreement referred to above which was the subject of extensive

discussion.

5.27 In the case of condition 10 and the associated appeals ref. APP/E0915/A/07/2060188 and 2060191 the Council has confirmed to the applicant's/appellant's agent that the submitted details are considered acceptable.

5.28 In the context of the Inspector's findings the issue concerning the need for a deed of variation is no longer pertinent

Conclusion

5.29 It is recommended that this application be determined in accordance with the Inspector's decision inclusive of the re-imposed conditions in accordance with Reid v the SoS for Transport and Local Government and the Regions, Mid-Bedfordshire District Council, 2002.

6. Human Rights Act 1998

6.1 Several provisions of the above Act 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 regularise any breach of planning control;

Article 8 recognises the "Right To Respect for Private and Family Life";

6.2 **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;

6.3 The proposal has been considered against the above but in this instance it was not considered that there is any conflict. If it was to be alleged that there was conflict it is considered not to be significant enough to warrant the refusal of permission.

7. Recommendation - Grant Permission

1. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or an Order revoking

and re-enacting or amending that Order), or the Town and Country Planning (Use Classes) Order 1987 (as amended) (or an Order revoking and re-enacting that Order), the operational development hereby approved shall not be used for purposes other than as a residential activity and educational centre (which means a centre where students are accompanied by teachers from their school for the purposes of partaking in recreational and educational facilities).

Reason: The premises contain a range of facilities which either individually or collectively could be used for purposes outside of a residential activity and educational centre and thus not under the direct control and management of the applicant. The condition has therefore been imposed to preclude the possibility of the use of the premises for purposes inappropriate in the locality which would be detrimental to the amenities of the neighbouring residents in accordance with policies EM11, T1 and H17 of the Carlisle District Local Plan.

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking and re-enacting or amending that Order), no permanent or temporary building and/or structure shall be erected within or brought onto the site of the residential activity and educational centre hereby permitted (other than those expressly authorised by this permission) without the prior permission of the local planning authority and the approval by it of the design, siting and external appearance of such structures.

Reason: The local planning authority wishes to retain full control over the mattes referred to in order to protect the character of the area and safeguard the amenities of neighbouring residents in accordance with Policy 25 of the Cumbria and Lake District Joint Structure Plan and Policies EM11 and H17 of the Carlisle District Local Plan.

3. Before installation details of the design, height, external finish, location and level of illumination of all floodlighting shall be submitted to and approved in writing by the local planning authority. The aforementioned details shall include a plan showing all existing floodlighting on the site which is proposed to remain.

Reason: In order to safeguard the amenities of the area in accordance with Policy 25 of the Cumbria and Lake District Joint Structure Plan and Policy EM11 of the Carlisle District Local Plan..

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking and re-enacting or amending that Order) no floodlighting or other external lighting of the site shall be installed other than those expressly authorised by this permission, without the permission of the Local Planning Authority.

Reason: In order to safeguard the amenities of the area in accordance with Policy 25 of the Cumbria and Lake District Joint Structure Plan and Policy EM11 of the Carlisle District Local Plan.

5. No more than 160 students shall be present, attend or be resident at the site at any one time.

Reason: The local planning authority wish to control the number of students in order to ensure that the nature of the proposal is not inappropriate for its location and the amenities of neighbouring residents are safeguarded in accordance with Policies EM11 and T1 of the Carlisle District Local Plan.

6. A register of students showing dates of arrival and departure shall be maintained by the site manager/ess and shall be freely available for inspection without notice during working hours by officers of the Local Planning Authority.

Reason: In order the ensure the effective monitoring and compliance with condition 5 in order to ensure that the proposal is not inappropriate for its location and the amenities of neighbouring residents are safeguarded in accordance with Policies EM11 and T1 of the Carlisle District Local Plan.

7. The outdoor activities hereby approved comprise: a caving system; climbing wall; quad bike track; challenge course; low ropes course; nightline course; problem solving course; and, archery enclosure. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking and re-enacting or amending that Order) or the Town and Country Planning (Use Classes) Order 1987 (as amended) (or an Order revoking and re-enacting or amending that Order) no additional outdoor activities shall be introduced on the site or the permitted activities relocated without the prior approval in writing by the local planning authority.

Reason: In order to ensure that the proposal is not inappropriate for its location and the amenities of neighbouring residents are safeguarded in accordance with Policy EM11 of the Carlisle District Local Plan.

8. The use by students of all of the outdoor areas and activities on the site hereby permitted (with the exception of the central courtyard) shall not commence before 09.00 hours or remain in operation after 18.15 hours.

Reason: In order to safeguard the amenities of neighbouring residents in accordance with Policy EM11 of the Carlisle District Local Plan.

9. The use by students of the central courtyard hereby permitted shall not commence before 08.00 hours or remain in operation after 21.30 hours.

Reason: In order to safeguard the amenities of neighbouring residents in accordance with Policy EM11 of the Carlisle District Local Plan.

10. The operational development hereby permitted shall be removed within six months of the date of the failure to meet either of the requirements set out below:

a) the vehicular access and parking area shall be constructed, surfaced and drained in accordance with the details approved by the Local Planning Authority (ref 08/0532) by the 4th February 2009; and,

b) the works set out in the approved landscaping scheme (ref KC.G.LP.01B and KC.G.LP.02A) shall be completed by 31 March 2011.

Reason: In the interests of highway safety and to ensure a satisfactory landscaping scheme is implemented in accordance with Policy EM11 of the Carlisle District Local Plan.

11. No students shall be present, attend or reside at the site unless a detailed landscaping scheme (including a management scheme) have been submitted to the local planning authority by the 4th February 2009. The aforementioned scheme(s) shall include details of the species of all planted material including particulars of the proposed heights and planting densities. If considered satisfactory, the said scheme(s) shall be approved in writing by the Local Planning Authority.

Reason: To ensure that a satisfactory landscaping scheme is prepared in accordance with Policy 25 of the Cumbria and Lake District Joint Structure Plan and Policy of the Carlisle District Local Plan.

12. Trees, hedges and plants shown in the landscaping scheme to be retained or planted which, during the development works or a period of five years thereafter, are removed without prior written consent from the local planning authority, or die, become diseased or are damaged, shall be replaced in the first available planting season with others of such species and size as the authority may specify.

Reason: To ensure as far as possible that the landscaping scheme is fully effective in compliance with Policies EM11 and E19 of the Carlisle District Local Plan.

13. No students shall be present, attend or be resident on the site until the applicant has submitted to and obtained approval in writing from the Local Planning Authority of the mechanism for review of the Green Travel Plan (as identified in Appendix B of the MVA report dated September 2003) by the 10th December 2008.

Reason: In order to ensure a choice of means of travel to and from the

site which takes account of local infrastructure in accordance with Policy T1 of the Carlisle District Local Plan.

14. By the 4th February 2009, and subsequently six months from the dates of the consequent reviews to be approved under condition13, no students shall be present, attend or be resident at the site until all the measures identified in the approved Green Travel Plan and subsequent reviews have been fully implemented.

Reason: In order to ensure a choice of means of travel to and from the site which takes account of local infrastructure in accordance with Policy T1 of the Carlisle District Local Plan.

15. No students shall be present, attend or be resident on the site unless all the measures identified in the hereby approved Management Code have been fully implemented by the 12th November 2008, and, shall be complied with at all times thereafter.

Reason: In order to safeguard the amenities of neighbouring residents in accordance with Policy EM11 of the Carlisle District Local Plan.

16. Any retail activities carried out at the premises shall be confined to the shop specified in the submitted plans; ancillary to the principal use; and, limited to sales to students attending courses and their supervisors.

Reason: To preclude the possibility of the use of the premises for purposes inappropriate in the locality in accordance with the underlying objectives of Policies T1 and S12 of the Carlisle District Local Plan.

17. Noise from the playing of electrically amplified music and / or electrically amplified speech that emanates from the site shall not exceed the levels and requirements set out in this condition. The levels shall be determined by measurement and / or calculation at those boundaries of residential property nearest to the site the subject of this approval and as shown delineated on the attached plan in red Ref Plan1 dated the 21/09/2006 which is used for identification purposes only:

a) Between 18.15 hours and 08.00 hours on any day, all day Sunday, additionally between 13:00 and 18:15 on Saturdays and at anytime on Bank Holidays:

45dB one eighth of a second average equivalent energy level (45dB Leq(125m/s)) in the 63 Hz octave band, not more than 10 times in any 5 minute period.

28dB one eighth of a second average equivalent energy level (28dB Leq(125m/s)) in the 125 Hz octave band not more than 10 times in any 5 minute period.

b) Between 08:00 hours and 18:15 hours on any day (that is not covered in paragraph a) above):

52dB one eighth of a second average equivalent energy level (52dB Leq(125m/s)) in the 63 Hz octave band not more than 10 times in any 5 minute period.

35dB one eighth of a second average equivalent energy level (35dB Leq(125m/s)) in the 125 Hz octave band not more than 10 times in any 5 minute period.

Reason: To protect residential amenity in accordance with Policy EM11 of the Carlisle District Local Plan.

18. Details shall be submitted of all machinery, plant and equipment to be installed, located or used on the site (other than motor vehicles) that is audible outside of the site boundary, (when it is in use or operation). Details to include the maximum (LAmax(f)) 'A' weighted sound levels produced by this equipment. All such machinery, plant and equipment shall not be used on the site except in accordance with the prior written approval of the Local Planning Authority. Any approved noise mitigation measures and the conditions attached to approval of the machinery, plant and equipment shall be fully implemented and thereafter maintained in accordance with the approved details.

Reason: To protect residential amenity in accordance with Policy EM11 of the Carlisle District Local Plan.

19. This consent is subject to the written approval by the Local Planning Authority of a scheme of noise mitigation measures designed to minimise the impact from permitted activities. Written approval by the Local Planning Authority, of the scheme, must be obtained by the 4th February 2009. The approved scheme of measures shall be fully implemented in accordance with the approved details and thereafter maintained in accordance with those details.

Reason: To protect residential amenity and minimise the impact of noise in accordance with Policy EM11 of the Carlisle District Local Plan.

20. Noise emanating from the site arising from human voices and in particular screaming, shouting, whoops or cheering shall not exceed the levels and requirements set out in this condition. The levels shall be determined by measurement and / or calculation at the boundaries of residential property that are nearest to the site the subject of this approval. These are delineated and shown on the attached plan in red Ref Plan 1 dated 21/09/2006 which plan is used for identification purposes only:

a) Between 18.15 hours and 08:00 hours on any day:

35dB LAmax(f) not more than twice in any five minute period.

e) Between 08:00 hours and 18:15 hours on any weekday and 08:00 and 13:00 hours on any Saturday:

40dB LAmax(f) not more than ten times in any hour.

c) At any time on a Sunday or Bank Holiday and between 13:00 and 18:15 hours on a Saturday.

40dB LAmax(f) not more than five times in any hour.

The levels and requirements of this condition are subject to two exceptions.

a) It shall not apply during three separate periods occurring between 08:00 and 18:15 hours on any weekday and 08:00 and 13:00 hours on any Saturday. The periods shall not exceed 30 minutes in length.

b) Where the exceedances are in accordance with the prior written approval of the Local Planning Authority (such approval not to be given by the Local Planning Authority without consulting persons in the locality beforehand) and the conditions of that approval are met.

Reason: To protect residential amenity in accordance with Policy EM11 of the Carlisle District Local Plan.

21. Noise emanating from the site arising from the use of motorised and mechanical sporting or motorised and mechanical recreational equipment (including motor vehicles and in particular motor bicycles and quad bikes) shall not exceed the levels and requirements set out in this condition. The levels shall be determined by measurement and / or calculation at the boundaries of residential property that are nearest to the site the subject of this approval. These boundaries are delineated and shown on the attached plan in red Ref Plan 1 dated the 21/09/2006 which plan is used for identification purposes only:

a) Between 18.15 hours and 08:00 hours on any day:

33dB LAmax(f) not more than twice in any five minute period

f) Between 08:00 hours and 18:15 hours on any weekday and 08:00 and 13:00 hours on any Saturday:

40dB LAmax(f) not more than ten times in any hour.

c) At any time on a Sunday or Bank Holiday and between 13:00 and 18:15 hours on a Saturday.

35dB LAmax(f) not more than five times in any hour.

Reason: To protect residential amenity in accordance with Policy EM11of the Carlisle District Local Plan.

22. At the expiration of six months from the date of this permission no students shall be present, attend or be resident on the site unless the applicant has submitted to and received approval in writing from the local planning authority the details and design of a system for continuous monitoring of noise emanating from the site. Such system shall provide for not fewer than two monitoring points at positions to be agreed in writing by the local planning authority. The systems shall provide both measured noise levels and audio recordings of all events likely to exceed the levels contained in any of conditions 19, 22 and 23 at the boundaries of the noise sensitive properties. Once the locations of the noise monitors have been agreed, the exceedance trigger level at each of the monitoring positions shall then be agreed with the local planning authority, these trigger levels to take account of the difference in distance from the noise sources to the monitoring positions and the noise sources and the noise sensitive premises. The systems so approved shall be installed and commissioned to the written satisfaction of the local planning authority within three months of the date of their approval of the system. It shall then be maintained and operated to the satisfaction of the local planning authority on that basis.

Reason: To enable monitoring of noise emanating from the site to accord with conditions 19, 22 and 23.

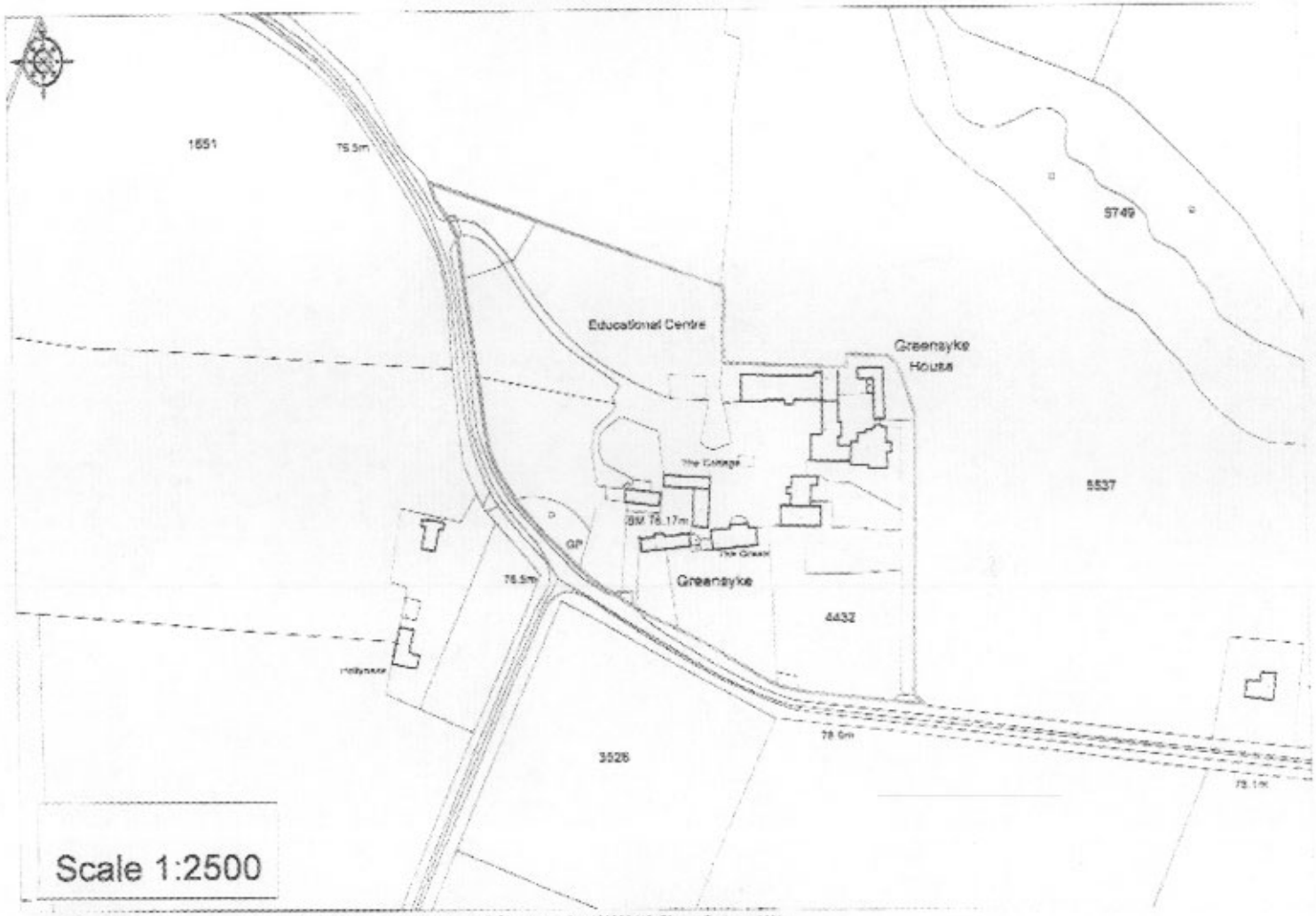
23. The information obtained from the approved system of noise monitoring detailed in Condition 24 above shall be submitted to the local planning authority in such form and at such time intervals as agreed in writing by the local planning authority when the system is approved.

Reason: To enable the local planning authority to monitor compliance with conditions 19, 22 and 23.

24. No students or organised groups shall be present/attend/or be resident on the site at any time during a consecutive period of four calendar weeks commencing at any time during the last week of July or the first week of August in each year.

Reason: To protect residential amenity in accordance with Policy EM11of the Carlisle District Local Plan.

The Kingswood Centre, Greensyke, Carlisle, Cumbria, CA5 7JW



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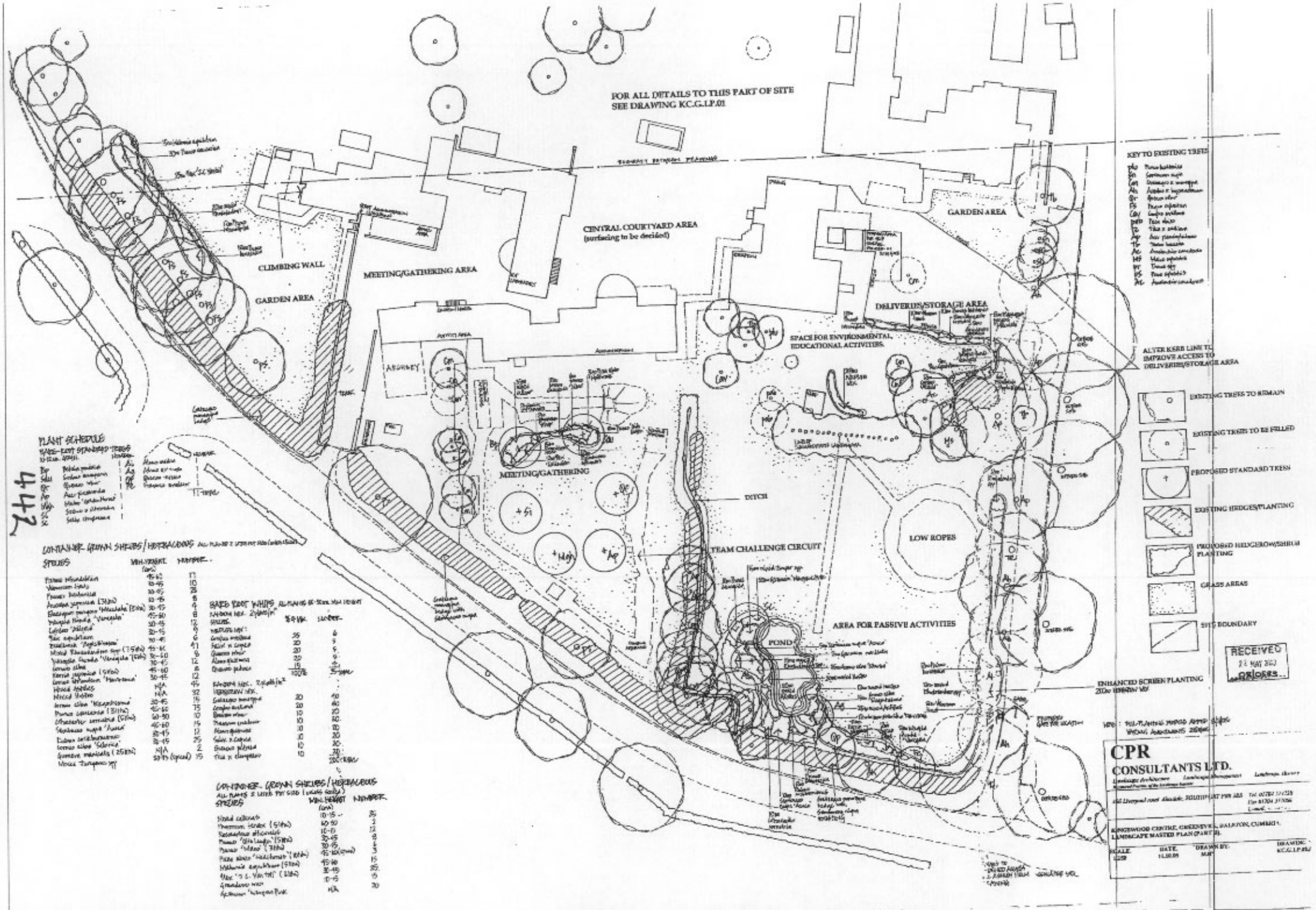
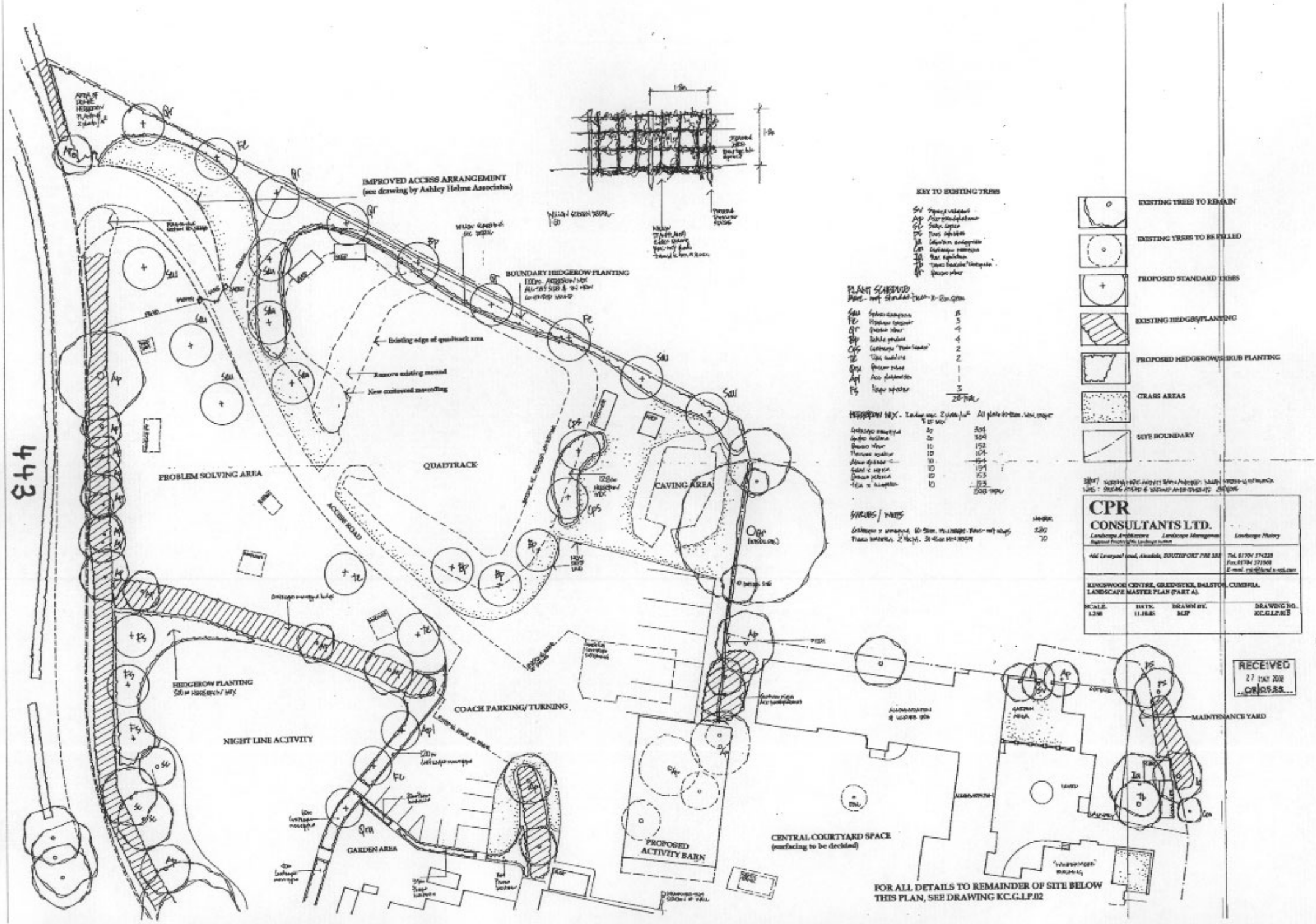
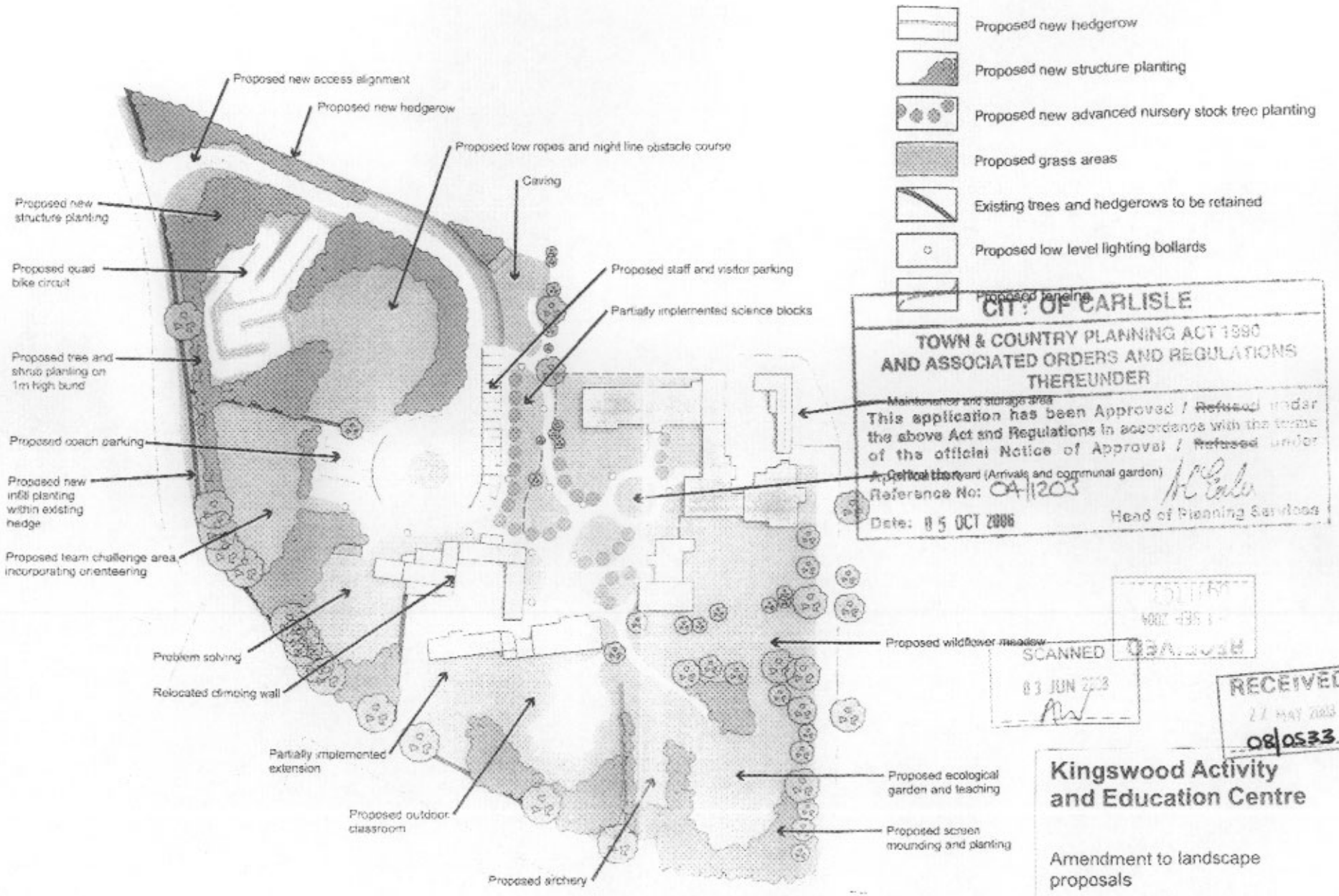
Cliff Walsingham & Company, Brandon House, King Street, Knutsford, Cheshire WA16 6DX
Tel: 01565 757500 Fax: 01565 757501
Email: knutsford@walsingplan.co.uk

RECEIVED
08/05/23


FOR ALL DETAILS TO THIS PART OF SITE
SEE DRAWING KC.G.LP.01
CENTRAL COURTYARD AREA
(surfacing to be decided)
CLIMBING WALL
MEETING/GATHERING AREA
GARDEN AREA
GARDEN AREA
DELIVERIES/STORAGE AREA
SPACE FOR ENVIRONMENTAL EDUCATIONAL ACTIVITIES.
ARBOREY
MEETING/GATHERING
DITCH
TEAM CHALLENGE CIRCUIT
LOW ROPES
AREA FOR PASSIVE ACTIVITIES
POND
ENHANCED SCREEN PLANTING
KEY TO EXISTING TREES
ALTER KERB LINE TO IMPROVE ACCESS TO DELIVERIES/STORAGE AREA
EXISTING TREES TO REMAIN
EXISTING TREES TO BE FELLED
PROPOSED STANDARD TREES
EXISTING HEDGES/PLANTING
PROPOSED HEDGEROW/SHRUB PLANTING
GRASS AREAS
SITE BOUNDARY
PLANT SCHEDULE
CONTAINER GROWN SHRUBS / HERBACEOUS
BARE ROOT WHIPS
CONTAINER GROWN SHRUBS / HERBACEOUS
RECEIVED
CPR
CONSULTANTS LTD.
KINGSWOOD CENTRE, GREENSIDE, WALTON, CUMBRIA
LANDSCAPE MASTER PLAN (PART II).


IMPROVED ACCESS ARRANGEMENT
(see drawing by Ashley Helme Associates)
BOUNDARY HEDGEROW PLANTING
Existing edge of quadtrack area
Remove existing mound
New contoured mounding
PROBLEM SOLVING AREA
QUADTRACK
CAVING AREA
ACCESS ROAD
HEDGEROW PLANTING
NIGHT LINE ACTIVITY
COACH PARKING/ TURNING
GARDEN AREA
PROPOSED ACTIVITY BARN
CENTRAL COURTYARD SPACE
(surfacing to be decided)
ACCOMMODATION & WORKS 'B'
GARDEN AREA
MAINTENANCE YARD
FOR ALL DETAILS TO REMAINDER OF SITE BELOW THIS PLAN, SEE DRAWING KC.G.L.P.02
KEY TO EXISTING TREES
PLANT SCHEDULE
EXISTING TREES TO REMAIN
EXISTING TREES TO BE FELLED
PROPOSED STANDARD TREES
EXISTING HEDGES/PLANTING
PROPOSED HEDGEROW/SHRUB PLANTING
GRASS AREAS
SITE BOUNDARY
CPR
CONSULTANTS LTD.
Landscape Architecture Landscape Management Landscape History
464 Liverpool Road, Ainsdale, SOUTHPORT PR8 3SS
Tel. 01704 574235
Fax.01704 571968
KENGSWOOD CENTRE, GREENSTICK, DALSTON, CUMBRIA.
LANDSCAPE MASTER PLAN (PART A).
SCALE. 1:250
DATE. 11.10.05
DRAWN BY. MJP
DRAWING NO. KC.G.L.P.01B
RECEIVED
27 FEB 2006
CP/05/55



CITY OF CARLISLE

TOWN & COUNTRY PLANNING ACT 1990
AND ASSOCIATED ORDERS AND REGULATIONS
THEREUNDER

This application has been Approved / ~~Refused~~ under the above Act and Regulations in accordance with the terms of the official Notice of Approval / ~~Refused~~ under Reference No: 04/1203

Date: 05 OCT 2006

Head of Planning Services

SCANNED
03 JUN 2008

RECEIVED
27 MAY 2008
08/0533

Kingswood Activity and Education Centre

Amendment to landscape proposals

Scale: NTS
Drawn By: TER
Checked By: DJD
Date: 08.01.04
DRL2176

RPS Planning, Transport and Environment

444

SCHEDULE B

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SCHEDULE B

Item No: 13 Date of Committee: 03/10/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0762	Mr Roberts	Brampton
Date of Receipt:	**Agent:**	**Ward:**
11/08/2008	Phoenix Architecture & Planning	Brampton

Location: Archways, Station Road, Brampton, CA8 1EX

Grid Reference: 353901 561082

Proposal: Erection Of Detached Dwelling To Garden

Amendment:

REPORT

Case Officer: Suzanne Edgar

Reason for Determination by Committee:

This application has been brought before Members of the Development Control Committee as Brampton Parish Council have objected to the proposed development.

1. Constraints and Planning Policies

Airport Safeguarding Area

Waste Disposal Site

The proposal site is within or adjacent to a Waste Disposal Site.

Conservation Area

The proposal relates to land or premises situated within the Brampton Conservation Area.

Local Plan Pol CP3 - Trees and Hedges on Development Sites

Local Plan Pol CP5 - Design

Local Plan Pol CP6 - Residential Amenity

Local Plan Pol DP1 - Sustainable Development Location

Local Plan Pol H1 - Location of New Housing Develop.

Local Plan Pol H2 - Primary Residential Area

Local Plan Pol LE19 - Conservation Areas

Local Plan Pol T1- Parking Guidelines for Development

2. Summary of Consultation Responses

Cumbria County Council - (Highway Authority): Considering the planning history of the site and the use of the existing access , I can confirm that the details submitted are acceptable. I therefore have no objection to this application.

Community Services - Drainage Engineer: The applicant indicates disposal of foul sewage to the mains (public) sewer, which is acceptable.

The applicant indicates disposal of surface water to the mains (public) sewer. However, in the first instance the applicant should investigate the use of soakaways for surface water disposal rather than to the mains (public) sewer, as this is the most sustainable method.

I have no knowledge of flooding issues at this site.

United Utilities (former Norweb & NWWA): No objection to the proposal. This site must be drained on a seperate system, with only foul drainage connected into the foul sewer. Surface water should discharge to the watercourse/soakaway/surface water and may require the consent of the Environment Agency. If surface water is allowed to be discharged to the public surface water sewerage system we may require the flow to be attenuated to a maximum discharge rate determined by United Utilities.

A separate metered supply to each unit will be required at the applicant's expense and all internal pipework must comply with current water supply (water fittings) regulations 1999.

Should this application be approved, the applicant should contact our Service Enquiries on 0845 7462200 reagrding connection to the water mains/public sewers.

United Utilities offers a fully supported mapping service at a modest cost for our electricity, water mains and sewage assets. This is a service, which is constantly updated by our Map Services Team (Tel No: 0870 7510101) and I recommend that the applicant give early consideration in project design as it is better value than traditional methods of data gathering. It is, however, the applicant's responsibility to demonstrate the exact relationship on site between any assets that may cross the site and any proposed development.

Development Services Planning & Housing Services - Conservation Section: The site is located within the Brampton Conservation Area adjacent to a site that has previously had approval for the erection of a number of individual dwellings within the grounds of Warren Bank, a prominent, large, non-listed building. The site of the proposed dwelling is well screened from the remainder of the site and its existing neighbours. The design of the proposed dwelling does not mimic the more traditional design of the proposed (but yet to be built) dwellings around Warren Bank, or its somewhat bland immediate neighbours, but neither is it outstandingly modern. In some respects there seems to be too much happening on the main elevation, whilst other elevations are left quite bland, perhaps deliberately so in order to avoid problems of overlooking the existing or future neighbours. The overall design is not to my personal taste. However, since the proposed dwelling will be well screened from view and since it does not lie adjacent to any listed buildings and is sufficiently distant from Warren Bank, it is not felt strongly enough to suggest that this application should not be approved.

Environment Agency (N Area (+ Waste Disp)): The Environment Agency has considered the proposal and on this occasion has no comments to make.

Brampton Parish Council: Refuse permission as it is overdevelopment of the site and inappropriate for the area.

Carlisle Airport: Comments awaiting.

Development Services Planning & Housing Services - Local Plans (Trees): The application site is within the Brampton Conservation Area and the trees on this site are protected by virtue of the location therein. The Applicant whilst stating that trees exist on the site and plotting them on the drawings has not as required submitted a tree survey in accordance with BS 5837 Trees in relation to construction Recommendations.

Also of concern is the gradient of the site and how the ground levels will be altered and the subsequent impact that this will have on the existing trees and hedges.

Before I am able to comment further the omitted information, tree survey and levels before and after development should be supplied as without out this I consider that there is insufficient information to determine the application.

Environmental Services - Environmental Quality: No objections.

3. Summary of Representations

Representations Received

Initial:		Consulted:	Reply Type:
	Courtyard Cottages	18/08/08	
	Warren Bank	18/08/08	
	Warren Lodge	18/08/08	

Warren Bank Cottage	18/08/08	Objection
Oaklea	18/08/08	
Stanehie	18/08/08	Objection
Ashcroft	22/08/08	Objection

3.1 This application has been advertised by means of a site notice, press notice and notification letters sent to seven neighbouring properties. Two letters of objection have been received from the occupiers of "Stanehie" and "Ashcroft" who have objected to the proposed development on the grounds of overdominance, overlooking, design of the proposal is unsympathetic, increase in traffic, effect on local wildlife and the effect on existing trees on the application site. The owner of "Warren Bank Cottage" has raised verbal concerns regarding impact of the development on her property in terms of noise during construction and impact on wildlife.

4. Planning History

4.1 There is no planning history on the application site. However, in 2004 Committee Members refused planning consent (under application 04/0992) for the erection of 4 dwellings at land within the grounds of "Warren Bank" adjacent to this application site. An appeal however was launched and was allowed on 25 May 2005.

5. Details of Proposal/Officer Appraisal

Introduction

5.1 This application seeks approval for the erection of a part single storey part two storey four bedroomed detached dwelling at land adjacent to the east of Archways, Station Road, Brampton. Archways is a two storey property constructed from brick walls under a slate roof. The application site is situated within the former grounds of "Warren Bank" a large and quite imposing, un-Listed house situated on an elevated site off the northern side of Station Road (A689) which runs eastwards from the Town Centre of Brampton.

Background

5.2 In 2004 Committee Members refused planning consent (under application 04/0992) for the erection of 4 dwellings at land within the grounds of "Warren Bank" adjacent to this application site. The grounds of refusal were that the development was inappropriate backland development and that the proposal resulted in a bad and inconvenient layout in relation to highway matters. An appeal however was lodged and was allowed on 25 May 2005. These dwellings are now in the process of being built. The application site is elevated from the properties situated on Station Road and is bounded by mature trees to the east, a stone boundary wall to the west and a large

leylandi hedge to the north. Residential dwellings are situated to the north, south and west of the application site.

Assessment

5.3 The relevant planning policies against which the application is required to be assessed are Policies CP3, CP5, CP6, DP1, H1, H2, LE19 and T1 of the Carlisle District Local Plan (2001-2016).

5.4 The proposal raises the following planning issues:

1. Whether The Principle Of The Proposed Development Is Acceptable.

5.5 In the context of this application it is noted that the application site falls within a primary residential area as defined by the adopted Proposals Map and is located within a sustainable development location as defined by Policies DP1 and H1 of the Carlisle District Local Plan (2001-2016). In such circumstances the principle of residential development in this general location is acceptable.

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

5.6 The proposed four bedroom dwelling will be part single storey part two storey in order to take advantage of the considerable changes in level on the site. As the site is elevated in regard to the dwellings fronting Station Road (to the south of the site) the dwelling has purposely been sited towards the west of the site to take advantage of existing screening. The design has been purposely kept low by cutting into the existing levels changes which take place to the west of the site in order to avoid significant wall length at the first floor.

5.7 There will be four ground floor windows (one serving a WC and Hall and two serving a family room) and one first floor window (serving a landing) situated on the southern elevation of the proposed dwelling. The southern boundary of the application site is delineated by a fence and existing landscaping. Gaps in existing boundary planting will be augmented with evergreen plant types. In such circumstances the proposed development will be well screened from residential properties situated to the south of the application site.

5.8 Objection letters has been received from the occupiers of "Stanehie" and "Ashcroft" located to the south-east of the site who have objected to the proposed development on the grounds of overdominance, overlooking, the design of the proposal, potential increases in traffic, effect on local wildlife and effect on existing trees on the application site. Furthermore concerns have been raised from the owner of "Warren Bank Cottage" regarding impact on wildlife. As stated above the proposed development will not have an adverse impact upon the occupiers of neighbouring properties as the site is screened from properties immediately to the south of the site "Oaklea", "Warren Lodge" and "Warren Bank Cottage" by existing and proposed

landscaping. The proposed dwelling is off set from objectors properties and will therefore not have an adverse impact upon the objectors' properties on the grounds of loss of light, overlooking or overdominance.

5.9 Furthermore as the site is screened to the north by a large leylandi hedge and to the west by an existing stone wall it is therefore considered that the proposed development will not adversely affect the occupiers of the properties to the north and west by overdominance, loss of light or overlooking.

3. Whether The Scale And Design Of The Dwelling Is Acceptable.

5.10 The proposed dwelling will be constructed from Western Red Cedar boarding and render together with random rubble plinth walls from local reclaimed stone. The design of the proposal is different to those properties within the immediate vicinity but does not itself merit refusal on the grounds that the design is different. The properties to the west and south are not architecturally significant and as the site is well screened it is considered that the proposal will not adversely affect the surrounding area by poor design.

4. Whether The Proposal Will Adversely Affect Brampton Conservation Area

5.11 The application site is set back from Warren Bank and Station Road and cannot be viewed from either frontage. The design of the proposed dwelling is different to the four dwellings approved at appeal in 2004 at Warren Bank however as the site is well screened the Councils Conservation Officer has raised no objections to the development. The Conservation Advisory Committee has also raised no objections to the proposal but raised the observation that the pyramidal roof was not a feature of local vernacular and a gabled roof would be more appropriate. However Members are aware that the Council has to deal with what has been proposed. In such circumstances it is considered that the proposal will not have an adverse impact upon Brampton Conservation Area.

5. Traffic

5.12 The proposed dwelling will have a shared access with Archways which is separate to the Warren Bank Access. The Highway Authority has been consulted on the proposed development and has raised no objections.

6. Landscaping

5.13 The submitted design and access statement accompanying the application indicates that no existing trees will be removed on the site. The Council's Landscape Architect has been consulted on the proposed development and has advised that a tree survey with floor levels is submitted in order to assess the impact of the proposal on the trees on the application site.

7. Drainage

5.14 The application form indicates that foul sewage will be disposed of by a mains sewer and that the proposed development will be connected to an existing drainage system. United Utilities and the Council's Drainage Engineer have both been consulted on the proposed development both of whom have raised no objections to the proposal but have recommended that the applicant should investigate the use of soakaways for surface water disposal rather than to the mains (public) sewer as this is the most sustainable method. In such circumstances if Members are minded to approve the application a condition would be attached to the decision notice ensuring a scheme for the disposal of surface water is submitted to and approved in writing by the Local Planning Authority prior to the commencement of works.

8. Construction Noise

5.15 One neighbouring resident has expressed concern that, if the scheme were approved, construction traffic/works would cause undue disturbance to neighbouring residents. It is normally reasoned that such disturbance is an inevitable temporary manifestation of any development project and is not the concern of the planning system unless there would be exceptional harm to amenity. Where this is the case, a planning condition restricting the construction hours could be applied. In this case such a condition is not considered necessary.

Conclusion

5.16 In overall terms it is considered that the proposal will not adversely affect the living conditions of adjacent properties sufficient to merit refusal. The scale and design of the proposed development is acceptable and it is considered that the proposal will not adversely affect Brampton Conservation Area. As a tree survey and floor levels are awaited an updated report will be presented to Members during the meeting.

6. Human Rights Act 1998

6.1 Several provisions of the above Act 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 regularise any breach of planning control;

Article 8 recognises the "Right To Respect for Private and Family Life";

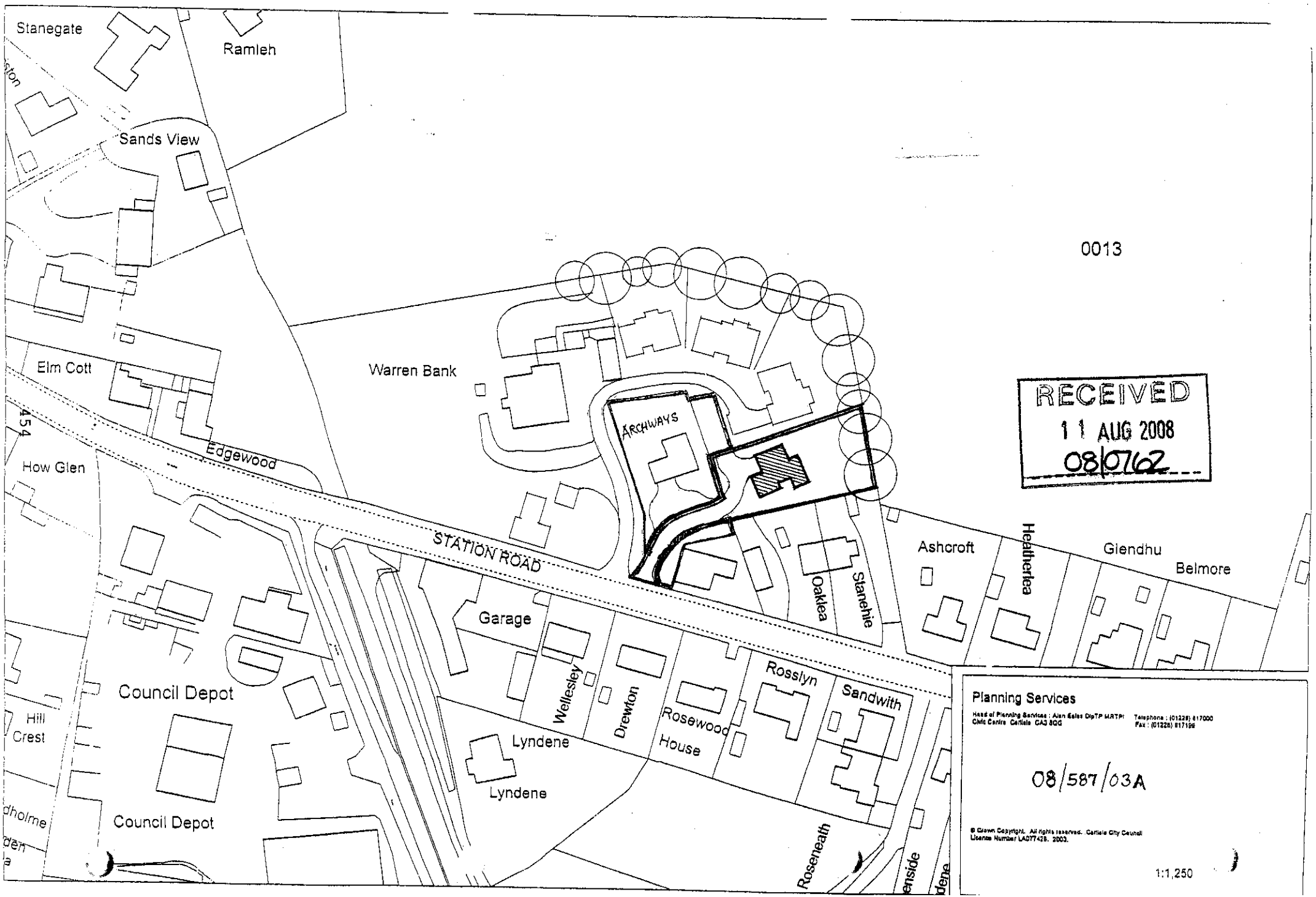
6.2 **Article 1 of Protocol 1** relates to the "Protection of Property" and bestows the right for the peaceful enjoyment of possessions. This right, however, does not impair the right to enforce the law if this is necessary;

6.3 Article 8 and Article 1 of Protocol 1 of the Human Rights Act are relevant to this application, and should be considered when a decision is made. Members are advised that for the reasons identified in the report the impact of the development in these respects will be minimal and the separate rights of individuals under this legislation will not be prejudiced.

7. Recommendation

Reason For Including Report In Schedule B

At the time of preparing the report a Tree Survey including floor levels are awaited.


Stanegate
Ramleh
Sands View
0013
Elm Cott
Warren Bank
ARCHWAYS
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11 AUG 2008
08/0762
454
How Glen
Edgewood
STATION ROAD
Oaklea
Stanehie
Ashcroft
Heatherlea
Glendhu
Belmore
Garage
Council Depot
Hill
Crest
Wellesley
Drewton
Rosewood
House
Rosslyn
Sandwith
Lyndene
Lyndene
Council Depot
Roseneath
Planning Services
Head of Planning Services : Alan Eales DipTP MRTPI
Civic Centre Carlisle CA3 8QG
Telephone : (01228) 817000
Fax : (01228) 817199
08/587/03A
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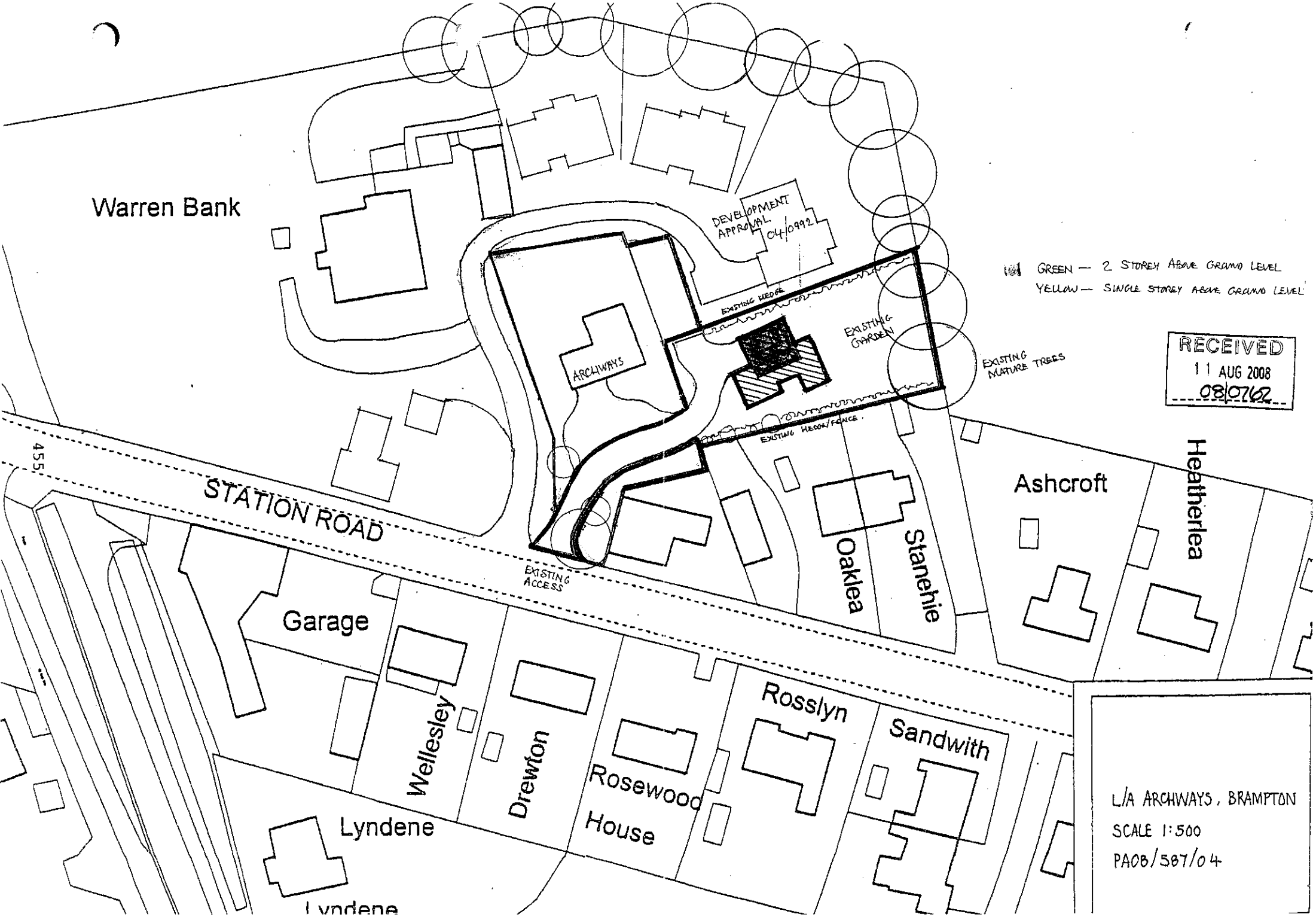
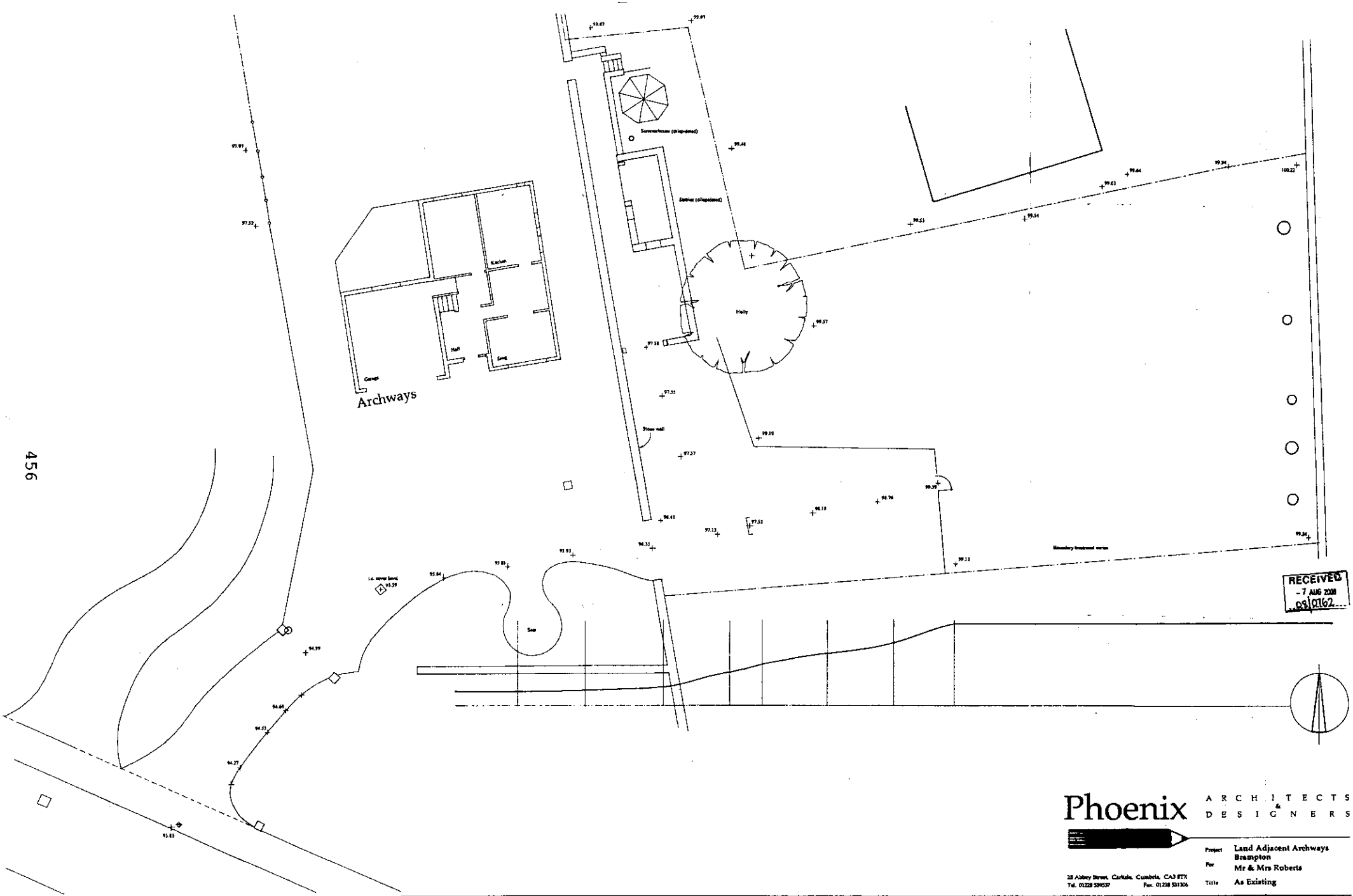

Warren Bank
DEVELOPMENT APPROVAL 04/0992
GREEN — 2 STOREY ABOVE GRAND LEVEL
YELLOW — SINGLE STOREY ABOVE GRAND LEVEL
EXISTING HEDGE
EXISTING GARDEN
ARCHWAYS
EXISTING MATURE TREES
EXISTING HEDGE/FENCE
RECEIVED
11 AUG 2008
08/0762
455
STATION ROAD
EXISTING ACCESS
Garage
Wellesley
Drewton
Rosewood
House
Rosslyn
Sandwith
Lyndene
Lyndene
Oaklea
Stanehie
Ashcroft
Heatherlea
L/A ARCHWAYS, BRAMPTON
SCALE 1:500
PA08/587/04



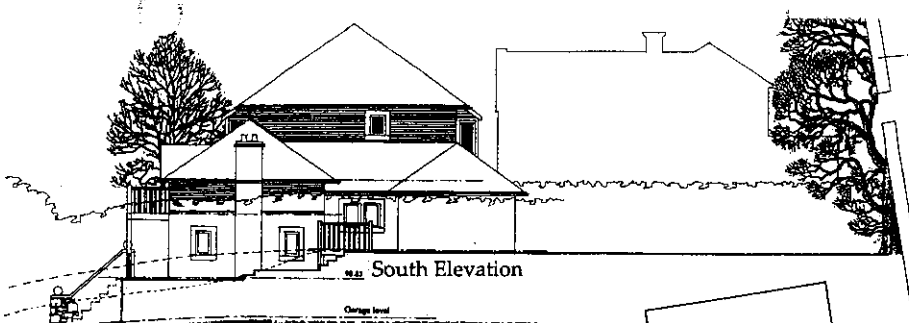
L/A Archways

Phoenix ARCHITECTS & DESIGNERS

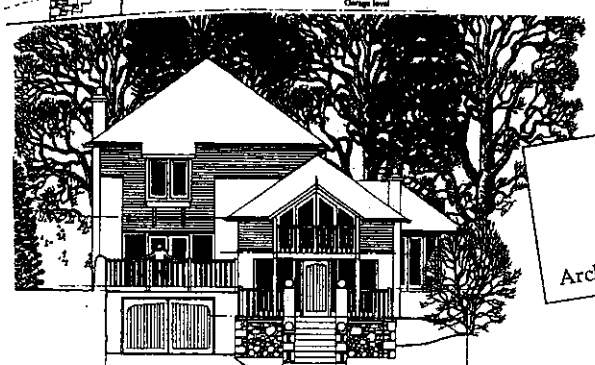
28 Abbey Street, Carlisle, Cumbria, CA3 8TX
Tel. 01228 539537 Fax. 01228 531306

Project: Land Adjacent Archways Brampton
For: Mr & Mrs Roberts
Title: As Existing

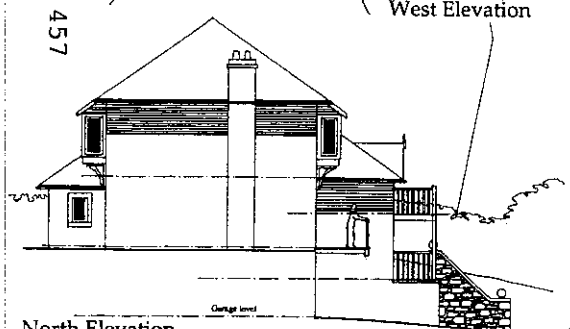
Scale: 1:100
Date: Marc
Dwg. No. PA08/5.



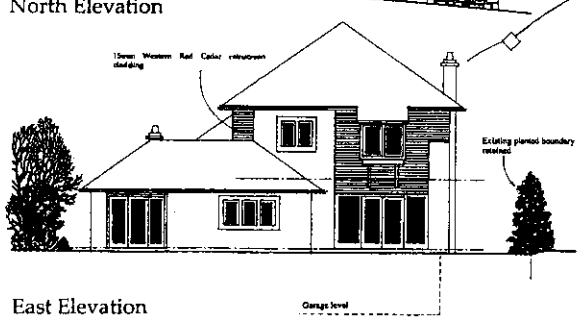
South Elevation



West Elevation



North Elevation



East Elevation

Warren Bank Development

siting of adjacent dwelling planning permission ref. 2004/0992

Archways

Ground Floor

Lounge

Kitchen

Family

Hall

WC

Dining

Verandah

Stone faced retaining wall

Flagged surface

Lawn

Garage (lower level)

Turning area for Archways

Existing stone wall opening widened

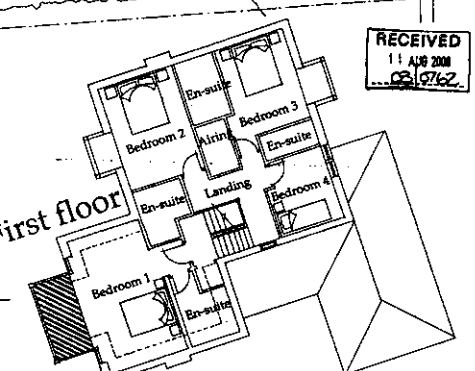
Shared access to existing entry area Sawon Road

Gaps in existing boundary planting augmented with evergreen plant types

Fernbank

Oaklea

457



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06/0762

Materials

Roof – Natural Welsh blue slate

Walls – Smooth render – self coloured off-white. Western Red Cedar boarding treated in matt natural colouring. Windows/doors & internal joinery hardwood stained to match natural colouring. Random rubble pilaster walls from same reclaimed stone on site

Groundscape – Tarmacadam shared access drive. Clay brick pavioors to forecourt/turning area. Stone flag paths & slope. Planted borders and lawned areas.

Phoenix ARCHITECTS & DESIGNERS

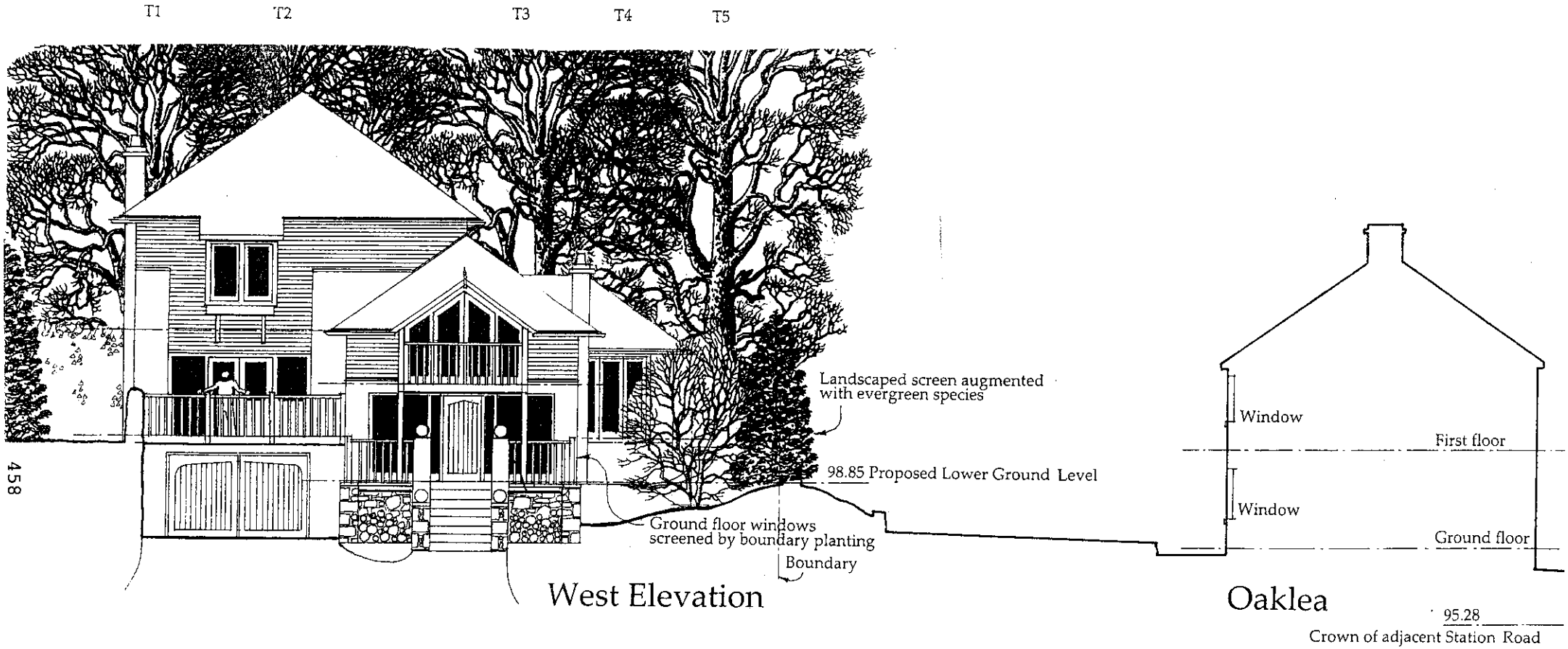
28 Abbey Street, Carlisle, Cumbria, CA3 8TX
Tel. 01228 539539 Fax. 01228 531306

© This drawing is Copyright and may not be copied without the express consent of the Architects. The use of information contained must not commence on the Assignment before permission.

Contractors should not rely on a single set of dimensions from working drawings issued for quoting purposes. Setting out measurements must not be transferred to site directly from dimensioned drawings which should be checked by the Contractor on site before work is to be carried out.

Project	Land Adjacent Archways Brampton
For	Mr & Mrs Roberts
Title	Sketch Scheme
Scale	1:100
Date	May 2006
Dwg. No.	PA06/587/02 A

L/A Archways



Section 1:100

RECEIVED
16 SEP 2008
08/0762

L/A Archways

L/A Archways, Station Rd, Brampton
for Mr & Mrs C Roberts

Section showing relationship of levels and property on Station Road.

September 2008 Dwg No. PA08/587/05

SCHEDULE C

SCHEDULE C

SCHEDULE C

NO APPN'S INCLUDED IN SCHEDULE C.

SCHEDULE C

SCHEDULE C

SCHEDULE C

SCHEDULE D

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SCHEDULE D

SCHEDULE D: Reports on Previously Deferred Decisions

Item No: 14 Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0527	Carlisle Glass Limited	Carlisle
Date of Receipt:	**Agent:**	**Ward:**
30/05/2008	Architects Plus (UK) Ltd	Currock

Location:
46-48 London Road And 1 Woodrouffe Terrace, Carlisle, Cumbria, CA1 2EH

Grid Reference:
340758 555187

Proposal: Change Of Use From Dwelling To Bed And Breakfast

Amendment:

REPORT **Case Officer:** Barbara Percival

Details of Deferral:

Members will recall at Committee meeting held on 22nd August 2008 that authority was given to the Head of Planning and Housing Services to issue approval subject to no new planning issues being raised during the expiration of the consultation period.

The consultation period has expired and the approval was issued on 26th August 2008.

Decision: Grant Permission **Date:** 26/08/2008

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. Upon completion of the annexe and before it is brought into use, the parking area shall be surfaced and marked out to indicate parking spaces 1-13 shown on drawing number 06064-12B and these shall be retained thereafter and be capable of use solely by the occupiers of 46-48 London Road and 1 Woodrouffe Terrace. These spaces shall not be subsequently removed or altered without the prior consent in writing of the Local Planning Authority.

   Reason: To ensure a minimum standard of access provision when the

development is brought into use. To support Local Transport Plan Policies: LD5, LD7, LD8 and Structure Plan Policy: T32.

Item No: 15 Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0528	Carlisle Glass Limited	Carlisle
Date of Receipt:	**Agent:**	**Ward:**
30/05/2008	Architects Plus (UK) Ltd	Currock

Location:
46-48 London Road And 1 Woodrouffe Terrace, Carlisle, Cumbria, CA1 2EH

Grid Reference:
340758 555187

Proposal: Change Of Use From Dwelling To Bed And Breakfast. Internal Alterations To Form En-suite Bedrooms. Replacement Of Existing First Floor UPVC Windows With New UPVC Windows. Repair Existing Ground Floor Timber Window With Secondary Double Glazing Internally (LBC)

Amendment:

REPORT

Case Officer: Barbara Percival

Details of Deferral:

Members will recall at Committee meeting held on 22nd August 2008 that authority was given to the Head of Planning and Housing Services to issue approval subject to no new planning issues being raised during the expiration of the consultation period.

The consultation period has expired and the approval was issued on 26th August 2008.

Decision: Grant Permission **Date:** 26/08/2008

1. The works shall be begun not later than the expiration of 3 years beginning with the date of the grant of this consent.

   Reason: In accordance with the provisions of Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

SCHEDULE D: Reports on Previously Deferred Decisions

Item No: 16 Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0594	Mr Steven Brough	Dalston
Date of Receipt:	**Agent:**	**Ward:**
11/06/2008	H & H Bowe Ltd	Dalston

Location:
Land At Hallfield, Dalston, Carlisle, Cumbria

Grid Reference:
337164 549179

Proposal: Change Of Use From Agricultural Land To Residential Garden

Amendment:

REPORT **Case Officer:** Barbara Percival

Details of Deferral:

Members will recall at Committee meeting held on 22nd August 2008 that authority was given to the Head of Planning and Housing Services to issue approval subject to no new planning issues being raised during the expiration of the consultation period.
This consultation period has expired and the approval was issued on 27th August 2008.

Decision: Grant Permission **Date:** 27/08/2008

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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking or re-enacting that Order), no building, garage, shed or other structure be erected within the curtilage of the garden area hereby permitted without the prior permission of the local planning authority and the approval by them of the design, siting and

external appearance of such structures.

Reason: The local planning authority wishes to retain full control over the matters referred to in order to protect the character, integrity and appearance of the land and its setting.

3. No existing trees or hedgerow identified on the approved plan received on 12th August 2008, shall be felled, lopped, uprooted or layered without the prior consent in writing of the local planning authority.

Reason: The local planning authority wishes to see existing trees incorporated into the new development where possible to ensure compliance with Policy CP2 of the Carlisle District Local Plan 2001-2016 Revised Redeposit Draft (as amended by the Inspector).

4. All planting comprised in the approved details of landscaping shall be carried out in the first planting season and maintained thereafter to the satisfaction of the Council; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that a satisfactory landscaping scheme is implemented and that if fulfils the objectives of Policy CP2 of the Carlisle District Local Plan 2001-2016 Revised Redeposit Draft (as amended by the Inspector).

Item No: 17 Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0646	Mrs & Mr Janet & David Blair	Kirkandrews
Date of Receipt:	**Agent:**	**Ward:**
25/06/2008	Mr David Blair	Longtown & Rockcliffe

Location:
Moat School House, Kirkandrews Moat, Longtown, Carlisle, CA6 5PW

Grid Reference:
341105 574066

Proposal: Amendments To Planning Permission 04/0123 Including Removal Of Chimney, Increased Window Size, Two Additional Windows To West

SCHEDULE D: Reports on Previously Deferred Decisions

Elevation, 4 Windows Removed From East Elevation And Relocation Of Side Door.

Amendment:

REPORT **Case Officer:** Dave Cartmell

Details of Deferral:

Members will recall at Committee meeting held on 11th July 2008 that authority was given to the Head of Planning and Housing Services to issue approval subject to no objections being received from statutory consultees or neighbours.

No objections have been received and the approval was issued on 21 August 2008.

Decision: Grant Permission **Date:** 21/08/2008

Item No: 18 Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0002 TEL	Telefonica O2 (UK) Ltd	Carlisle
Date of Receipt:	**Agent:**	**Ward:**
18/07/2008	Galliford Try Communications	Harraby

Location: Land adjacent to 1, Central Avenue, Carlisle

Grid Reference: 342193 554483

Proposal: Proposed Erection Of A 12.5 Metre High Telecommunications Monopole, 1 No. Ground Based Equipment Cabinet And Ancillary Development

Amendment:

REPORT **Case Officer:** Sam Greig

Details of Deferral:

SCHEDULE D: Reports on Previously Deferred Decisions

Members will recall at Committee meeting held on 22nd August 2008 that authority was given to the Head of Planning and Housing Services to issue approval following the expiry of the consultation period.
The consultation period has expired and the approval was issued on 1st September 2008.

Decision: Determination - Approved + add.conds. **Date:** 01/09/2008

1. The external finishes to be used shall be in accordance with the details contained in the submitted application, unless otherwise agreed in writing by the Local Planning Authority.

   Reason: To ensure acceptable appearance and to ensure compliance with Policy E52 of the Carlisle District Local Plan.

2. Before any development takes place, a plan shall be submitted for the prior written approval of the Local Planning Authority reserving adequate land for the parking of vehicles engaged in construction operations and subsequent maintenance, associated with the development hereby approved, and that land, including the vehicular access thereto, shall be used for or be kept available for these purposes at all times until completion of the construction works.

   Reason: The carrying out of this development without the provision of these facilities during the construction work is likely to lead to inconvenience and danger in accordance with Local Transport Policy LD8.

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SCHEDULE E: Decisions Issued Under Delegated Powers

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
06/1414	Barton Park Homes Ltd	Dalston
Date of Receipt:	**Agent:**	**Ward:**
04/12/2007		Dalston
Location:		**Grid Reference:**
Orton Grange, Wigton Road, Carlisle, CA5 6LA		335392 551982

Proposal: Erection Of 2no. Substations To House Electric Meters For Residents (Retrospective Application)

Amendment:

Decision: Grant Permission **Date:** 14/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
07/0992	Mr JC Stamper	Carlisle
Date of Receipt:	**Agent:**	**Ward:**
28/08/2007	Tsada Building Design Services	Castle
Location:		**Grid Reference:**
26 Aglionby Street, Carlisle, CA1 1JP		340640 555627

Proposal: Change Of Use Of House To House Of Multiple Occupation With Rear Extension & 2 Bedroom Basement Flat (Revised Application)

Amendment:

Decision: Refuse Permission **Date:** 03/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
07/1246	Mr & Mrs J Grieve	Wetheral
Date of Receipt:	**Agent:**	**Ward:**
12/11/2007	Johnston & Wright	Wetheral

SCHEDULE E: Decisions Issued Under Delegated Powers

Location:
The Grange, Broomeden Kennels, Broomfallen Road, Scotby, Carlisle, CA4 8DE

Grid Reference:
344100 554360

Proposal: Demolition Of Existing Kennels And Cattery Buildings. Erection Of New Cattery And Four Detached Private Dwelling Houses With Garages And Access Cul De Sac.

Amendment:

Decision: Granted Subject to Legal Agreement
Date: 26/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0143	Maris Properties Limited	Carlisle
Date of Receipt:	**Agent:**	**Ward:**
13/02/2008	Gray Associates Limited	Denton Holme

Location:
Old Church, Graham Street, Carlisle, CA2 5HA

Grid Reference:
339783 555003

Proposal: Demolition Of Existing Church And Erection Of Four Flats (Revised Application)

Amendment:

Decision: Grant Permission **Date:** 02/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0182	Russell Armer Ltd	Dalston
Date of Receipt:	**Agent:**	**Ward:**
27/02/2008		Dalston

Location:
Plots 1-3, Hawksdale Pasture, Welton Road, Dalston, Carlisle, CA5 7EJ

Grid Reference:
336025 547130

Proposal: Conversion Of And Extension To Existing Buildings To Provide 3no. 4 Bedroom Houses Including Garages For Plots 2 And 3

SCHEDULE E: Decisions Issued Under Delegated Powers

Amendment:

Decision: Grant Permission **Date:** 17/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0186	Russell Armer Ltd	Dalston
Date of Receipt:	**Agent:**	**Ward:**
23/02/2008		Dalston
Location:		**Grid Reference:**
Plots 1-3, Hawksdale Pasture, Welton Road, Dalston, Carlisle, CA5 7EJ		336025 547130

Proposal: Conversion Of And Extension To Existing Buildings To Provide 3no. 4 Bedroom Houses (LBC)

Amendment:

Decision: Grant Permission **Date:** 17/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0431	Briery Homes Limited	Arthuret
Date of Receipt:	**Agent:**	**Ward:**
21/05/2008	MCK Partnership Limited	Longtown & Rockcliffe
Location:		**Grid Reference:**
L/A former, Sawmill Site, Netherby Road, Longtown, Carlisle		338160 568945

Proposal: Residential Development Comprising 82 Dwellings Together With Associated Infrastructure

Amendment:

Decision: Grant Permission **Date:** 20/08/2008

SCHEDULE E: Decisions Issued Under Delegated Powers

Between 09/08/2008 and 19/09/2008

Appn Ref No:	Applicant:	Parish:
08/0502	People First	Carlisle
Date of Receipt:	**Agent:**	**Ward:**
25/06/2008		Castle
Location:		**Grid Reference:**
1-3 Abbey Street, Carlisle, Cumbria, CA3 8TZ		339687 556053

Proposal: Change Of Use From A1 To B1 (Business) And D1 (Non-Residential Institutions)

Amendment:

Decision: Grant Permission **Date:** 20/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	Applicant:	Parish:
08/0577	Mr Tyler	Farlam
Date of Receipt:	**Agent:**	**Ward:**
02/07/2008	Green Design Group	Irthing
Location:		**Grid Reference:**
High Cleugh Head, Hallbankgate, Brampton, CA8 1LY		357630 559142

Proposal: Replacement Of Existing Farmhouse With New Farmhouse, Conversion Of Existing Barn To Holiday Cottage, Replacement Of Existing Barn With Holiday Cottage And Replacement Of Outbuilding With Garage

Amendment:

Decision: Withdrawn by Applicant/or by default
Date: 27/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	Applicant:	Parish:
08/0583	Mr Paul Atkinson	Carlisle
Date of Receipt:	**Agent:**	**Ward:**

SCHEDULE E: Decisions Issued Under Delegated Powers

23/06/2008 — Castle

Location:
11 Cecil Street, Carlisle, Cumbria, CA1 1NL

Grid Reference:
340431 555710

Proposal: Display Of 1no. Non-Illuminated Projecting Hanging Sign

Amendment:

Decision: Grant Permission — **Date:** 18/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0588	Mr & Mrs Kirkup	Carlisle
Date of Receipt:	**Agent:**	**Ward:**
06/06/2008	Jock Gordon	Harraby

Location:
14 Blackburn Drive, Carlisle, CA1 3HY

Grid Reference:
342761 553735

Proposal: Erection Of First Floor Extension Over Existing Garage/Utility To Provide En-Suite Bedroom

Amendment:

Decision: Grant Permission — **Date:** 29/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0597	Mr & Mrs Pears	Dalston
Date of Receipt:	**Agent:**	**Ward:**
24/07/2008	Jock Gordon	Dalston

Location:
Wythmoor House, Stockdalewath, Dalston, Cumbria, CA5 7DN

Grid Reference:
338620 545065

Proposal: Change Of Use Of Building To 2no Holiday Cottages & A Studio

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission **Date:** 12/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0598	Mr & Mrs Pears	Dalston
Date of Receipt:	**Agent:**	**Ward:**
21/07/2008	Jock Gordon	Dalston

Location: Wythmoor House, Stockdalewath, Dalston, Carlisle, CA5 7DN

Grid Reference: 338658 545123

Proposal: Change Of Use Of Building To 2no Holiday Cottages & A Studio (LBC)

Amendment:

Decision: Grant Permission **Date:** 12/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0603	Mr Douglas Lake	Hethersgill
Date of Receipt:	**Agent:**	**Ward:**
13/06/2008		Lyne

Location: Field No 6244, Moss Edge, Hethersgill, Carlisle, Cumbria, CA6 6HJ

Grid Reference: 347632 568451

Proposal: Erection Of Agricultural Building For Feed And Machinery Storage (Revised Application)

Amendment:

Decision: Grant Permission **Date:** 12/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0612	Mr David Bimson & Ms	Beaumont

SCHEDULE E: Decisions Issued Under Delegated Powers

Patricia Martin

Date of Receipt:
18/06/2008

Agent:

Ward:
Burgh

Location:
Monkhill Hall Farm, Monkhill, Burgh By Sands, Carlisle, Cumbria, CA5 6DD

Grid Reference:
334387 558299

Proposal: Extension To Free Range Poultry Unit

Amendment:

Decision: Grant Permission

Date: 13/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:
08/0618

Applicant:
Allan Builders

Parish:
Carlisle

Date of Receipt:
14/07/2008

Agent:
Edenholme Building & Architectural Surveyors

Ward:
Castle

Location:
26 - 32, Lonsdale Street, Carlisle, CA1 1DB

Grid Reference:
340360 555860

Proposal: Change Of Use Of Former Print Works And Office Equipment Retailer To 8 Flats

Amendment:

Decision: Grant Permission

Date: 04/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:
08/0619

Applicant:
Miss K Dalgleish

Parish:

Date of Receipt:
29/07/2008

Agent:
Hadrian Homes

Ward:
Castle

Location:
51 Chiswick Street, Carlisle, CA1 1HJ

Grid Reference:
340636 555933

SCHEDULE E: Decisions Issued Under Delegated Powers

Proposal: Removal of Partition to Enlarge Basement Bedroom; Blocking up of Staircase; Conversion of Store to En-Suite Shower Room

Amendment:

Decision: Grant Permission **Date:** 04/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0620	Network Rail (Infrastructure) Ltd	Wetheral
Date of Receipt:	**Agent:**	**Ward:**
18/07/2008	Network Rail (Commercial Property)	Wetheral

Location: Wetheral Railway Station, Station Road, Wetheral

Grid Reference: 346765 554643

Proposal: Replacement Of Existing Vertical Grate Balustrades On Station Footbridge With Vertical Bar Balustrades

Amendment:

Decision: Grant Permission **Date:** 12/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0621	Mr Nairn	Nicholforest
Date of Receipt:	**Agent:**	**Ward:**
20/06/2008	Tsada Building Design Services	Lyne

Location: Rigg Croft, Penton, CA6 5QB

Grid Reference: 343442 575712

Proposal: Proposed 2 Bedroom Granny Annex

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission **Date:** 14/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0623	Mrs Christine Watson	Carlisle
Date of Receipt:	**Agent:**	**Ward:**
07/07/2008		Belle Vue
Location:		**Grid Reference:**
4 Strathclyde Avenue, Carlisle, Cumbria, CA2 7DS		338474 555521

Proposal: Single Storey Extension Of Utility Room And Bathroom To The Side Of Property And Wrap Around Pitched Roof To Make A Bay

Amendment:

Decision: Grant Permission **Date:** 12/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0626	The Tranquil Otter Limited	Burgh-by-Sands
Date of Receipt:	**Agent:**	**Ward:**
27/06/2008		Burgh
Location:		**Grid Reference:**
The Lough House, Thurstonfield, CA5 6HB		331974 556434

Proposal: Demolition Of Existing Timber Holiday Lodge (no. 1); Replacement Holiday Lodge To Accomodate Disabled Users

Amendment:

Decision: Grant Permission **Date:** 22/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0628	Stalkers Transport Services Ltd	Brampton

SCHEDULE E: Decisions Issued Under Delegated Powers

Date of Receipt: 04/07/2008

Agent: Michael Carigiet Associates Limited

Ward: Brampton

Location: Plot 8, Townfoot Industrial Estate, Brampton, Cumbria

Grid Reference: 351895 561180

Proposal: Change of Use of Site for Trailer Park in Connection with Applicants Existing Haulage Business on Townfoot Industrial Estate, Brampton

Amendment:

Decision: Grant Permission **Date:** 28/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No: 08/0631

Applicant: Mrs MConnon

Parish: Carlisle

Date of Receipt: 04/08/2008

Agent: Country Style Windows

Ward: Belah

Location: 20 Wentworth Drive, Lowry Hill, Carlisle, CA3 0PW

Grid Reference: 339568 558187

Proposal: White Upvc Conservatory With Glass Roof

Amendment:

Decision: Grant Permission **Date:** 08/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No: 08/0636

Applicant: Nicholson & Coulthard

Parish: Carlisle

Date of Receipt: 30/06/2008

Agent: Rol Design Limited

Ward: Castle

Location: 16 Crosby Street, Carlisle, CA1 1DQ

Grid Reference: 340307 555788

Proposal: Change Of Use From Workshop To Use Class A2, Financial & Proffessional Services, Together with Construction of New Shop Front.

SCHEDULE E: Decisions Issued Under Delegated Powers

Amendment:

Decision: Grant Permission **Date:** 19/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0641	Miss Helen Blake	Kingmoor
Date of Receipt:	**Agent:**	**Ward:**
23/06/2008		Stanwix Rural
Location:		**Grid Reference:**
Barn to the rear of The Hollies House, Cargo, Carlisle, Cumbria, CA6 4AW		336536 559129

Proposal: Conversion Of Barn To 1No Dwelling (Revised Application)

Amendment:

Decision: Grant Permission **Date:** 18/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0642	Miss Helen Blake	Kingmoor
Date of Receipt:	**Agent:**	**Ward:**
23/06/2008		Stanwix Rural
Location:		**Grid Reference:**
Barn to the rear of The Hollies House, Cargo, Carlisle, Cumbria, CA6 4AW		336536 559129

Proposal: Conversion Of Barn To 1No Dwelling (LBC) (Revised Application)

Amendment:

Decision: Grant Permission **Date:** 18/08/2008

Between 09/08/2008 and 19/09/2008

SCHEDULE E: Decisions Issued Under Delegated Powers

Appn Ref No:	**Applicant:**	**Parish:**
08/0645	Hermes Property Asset Management Ltd	Carlisle
Date of Receipt:	**Agent:**	**Ward:**
25/06/2008	Savills Commercial Planning	Currock

Location:
Former Focus Unit, St Nicholas Gate Retail Park, London Road, Carlisle, CA1 2EA

Grid Reference:
340825 555024

Proposal: Variation Of Condition 4 Attached To Planning Permission Ref:99/0123 To Allow Sale Of Toys And Games

Amendment:

Decision: Grant Permission **Date:** 20/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0648	Cavaghan & Gray Group Ltd	Carlisle
Date of Receipt:	**Agent:**	**Ward:**
02/07/2008	Ashwood Design Associates	Harraby

Location:
Cavaghan & Gray, Eastern Way 2, Brunel Way, Carlisle, Cumbria, CA1 3NQ

Grid Reference:
341867 554352

Proposal: Installation Of New Spiral Freezer With Revised Configuration Of Conveyors. Strip Out Main Production Area And Install Mezzanine Floor Over Half The Area. Introduce Water Cooled Condensor To Plant Room With Modifications To Provide The Necessary Louvres, Service Connections And Access

Amendment:

Decision: Grant Permission **Date:** 19/08/2008

Between 09/08/2008 and 19/09/2008

SCHEDULE E: Decisions Issued Under Delegated Powers

Appn Ref No: 08/0649
Applicant: Mr M Delany
Parish: Brampton

Date of Receipt: 24/06/2008
Agent: Green Design Group
Ward: Brampton

Location: Tree House, Tree Road, Brampton, Cumbria, CA8 1UA
Grid Reference: 353649 560948

Proposal: Proposed Garden Room Extension And Satellite Dish

Amendment:

Decision: Grant Permission **Date:** 14/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No: 08/0650
Applicant: Mr M Delany
Parish: Brampton

Date of Receipt: 24/06/2008
Agent: Green Design Group
Ward: Brampton

Location: Tree House, Tree Road, Brampton, Cumbria, CA8 1UA
Grid Reference: 353649 560948

Proposal: Proposed Garden Room Extension And Satellite Dish (LBC)

Amendment:

Decision: Grant Permission **Date:** 14/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No: 08/0652
Applicant: Carlisle Christian Fellowship
Parish: Carlisle

Date of Receipt: 24/06/2008
Agent:
Ward: Denton Holme

Location: Carlisle Christian Fellowship, Charlotte Street
Grid Reference: 339696 555576

SCHEDULE E: Decisions Issued Under Delegated Powers

Church, Charlotte Street, Carlisle, Cumbria, CA2 5BT

Proposal: Installation Of A Disabled Platform Lift And Provision Toilet Facility Together With Internal Repairs To Ceilings, Walls, Floors And Doors.

Amendment:

Decision: Grant Permission **Date:** 14/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0655	Mr Gordon Crawford	Carlisle
Date of Receipt:	**Agent:**	**Ward:**
25/06/2008		Stanwix Urban
Location:		**Grid Reference:**
45 Larch Drive, Stanwix, Carlisle, CA3 9FJ		340432 557677

Proposal: Conversion Of Existing Garage To Provide Study And Utility Room; Erection Of First Floor Extension Above Existing Garage To Provide Bedroom

Amendment:

Decision: Later found to be Permitted Development
Date: 20/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0656	Stanwix Rural Parish Council	Stanwix Rural
Date of Receipt:	**Agent:**	**Ward:**
14/07/2008	Stanwix Rural Parish Council	Stanwix Rural
Location:		**Grid Reference:**
Linstock Village Green, Carlisle, Cumbria		342657 558391

Proposal: Installation Of Play Equipment At Linstock Village Green

SCHEDULE E: Decisions Issued Under Delegated Powers

Amendment:

Decision: Grant Permission **Date:** 16/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0657	Mr M Birnie	Askerton
Date of Receipt:	**Agent:**	**Ward:**
26/06/2008	C & D Property Services	Irthing
Location:		**Grid Reference:**
Fawcettlees, Bewcastle, Carlisle, CA6 6PU		356665 573331

Proposal: Erection Of Agricutural Worker's Dwelling

Amendment:

Decision: Withdrawn by Applicant/or by default
Date: 21/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0661	Mr Brian Mallinson	Dalston
Date of Receipt:	**Agent:**	**Ward:**
27/06/2008	Mr Brian Child	Dalston
Location:		**Grid Reference:**
Shiel Green, Townhead Road, Dalston, Carlisle, CA5 7JF		336390 550060

Proposal: Demolition Of Garage/Utility And The Erection Of A New Garage/Utility (Pitched Roof To Replace Flat Roof)

Amendment:

Decision: Grant Permission **Date:** 20/08/2008

Between 09/08/2008 and 19/09/2008

SCHEDULE E: Decisions Issued Under Delegated Powers

Appn Ref No: 08/0663
Applicant: Michael Thompson Property Ltd
Parish: Carlisle

Date of Receipt: 30/06/2008
Agent: Jock Gordon
Ward: Upperby

Location: 42 St Ninian's Road, Upperby, Carlisle, Cumbria, CA2 4NE
Grid Reference: 341352 553604

Proposal: Erection Of Pitched Roof Over Existing Flat Roof

Amendment:

Decision: Grant Permission **Date:** 20/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No: 08/0664
Applicant: System Group Ltd
Parish: Irthington

Date of Receipt: 27/06/2008 11:30:21
Agent: Hyde Harrington
Ward: Stanwix Rural

Location: System Group Ltd, Carlisle Airport, CA6 4NW
Grid Reference: 347572 560776

Proposal: Extension Of Existing Office Building To Provide New Refectory Area And 2no Level Access Training Rooms.

Amendment:

Decision: Grant Permission **Date:** 12/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No: 08/0665
Applicant: Mr Antony Foster
Parish: Carlisle

Date of Receipt: 02/07/2008
Agent:
Ward: Belah

Location:
Grid Reference:

SCHEDULE E: Decisions Issued Under Delegated Powers

8 Penton Close, Lowry Hill, Carlisle CA3 OPX 339144 557984

Proposal: Erection of Conservatory to Rear Elevation

Amendment:

Decision: Grant Permission **Date:** 26/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0666	Mr Barry Cannon	Carlisle
Date of Receipt:	**Agent:**	**Ward:**
27/06/2008		Botcherby
Location:		**Grid Reference:**
48 Eldon Drive, Harraby, Carlisle, Cumbria, CA1 3RS		343017 554538

Proposal: Single Storey Ground Floor Extension Providing Additional Living Room

Amendment:

Decision: Grant Permission **Date:** 18/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0668	Mrs Walker	Wetheral
Date of Receipt:	**Agent:**	**Ward:**
11/07/2008	Shanks Design and Build Limited	Wetheral
Location:		**Grid Reference:**
Brundene, Plains Road, Wetheral, CA4 8LA		346336 555020

Proposal: New Pitched Roof Over Flat Roof

Amendment:

Decision: Grant Permission **Date:** 18/08/2008

SCHEDULE E: Decisions Issued Under Delegated Powers

Between 09/08/2008 and 19/09/2008

Appn Ref No: 08/0669

Applicant: Cumberland & Dumfriesshire Farmers Mart PLC

Parish: Kirkandrews

Date of Receipt: 11/07/2008

Agent: C & D Property Services

Ward: Longtown & Rockcliffe

Location: Longtown Auction Mart, Townfoot, Longtown, Carlisle, CA6 5LY

Grid Reference: 337549 568787

Proposal: Erection Of Building To Provide Covered Working Area For Persons Operating Sheep Shedding System

Amendment:

Decision: Grant Permission **Date:** 29/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No: 08/0670

Applicant: Mr & Mrs O'Neil

Parish: Carlisle

Date of Receipt: 30/06/2008

Agent: Jock Gordon

Ward: Belah

Location: 55 Lowry Hill Road, Carlisle, Cumbria, CA3 0DH

Grid Reference: 338990 558859

Proposal: Erection Of Second Storey Extension Over Existing Garage To Provide En-Suite Bedroom With Extended Kitchen At Ground Floor Level, Replacement Tiled Roof Over Modified Conservatory & Frontage Porch

Amendment:

Decision: Grant Permission **Date:** 19/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No: 08/0673

Applicant: Miss K Dalgleish

Parish: Carlisle

SCHEDULE E: Decisions Issued Under Delegated Powers

Date of Receipt: 10/07/2008
Agent: Hadrian Homes
Ward: Castle

Location: 51 Chiswick Street, Carlisle, CA1 1HL
Grid Reference: 340636 555933

Proposal: 1) Removal Of Existing Fibreboard Partition (Non Load Bearing) To Enlarge Basement Room.

2) Block Up Existing Staircase.

3) Convert Existing Store To En-Suite, Whilst Returning Existing Stone Shelves. (LBC)

Amendment:

Decision: Grant Permission **Date:** 04/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No: 08/0674
Applicant: Town & Country Estate Agents
Parish: Carlisle

Date of Receipt: 02/07/2008
Agent: Gray Associates Limited
Ward: Castle

Location: Bell Park and Kerridge Solicitors, 27 Portland Square, Carlisle, CA1 1PE
Grid Reference: 340469 555720

Proposal: Internal & External Alterations (LBC)

Amendment:

Decision: Grant Permission **Date:** 27/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No: 08/0677
Applicant: St Cuthberts Church
Parish: Carlisle

Date of Receipt: 03/07/2008
Agent:
Ward: Castle

SCHEDULE E: Decisions Issued Under Delegated Powers

Location:
The Tithe Barn, West Walls, Carlisle, Cumbria

Grid Reference:
339963 555789

Proposal: Removal of Existing Lighting and Associated Wiring and Installation of Chandeliers and Associated Wiring (LBC)

Amendment:

Decision: Grant Permission **Date:** 28/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:
08/0682

Applicant:
Cumbria County Council

Parish:
Carlisle

Date of Receipt:
02/07/2008

Agent:
Capita Symonds Limited

Ward:
Belah

Location:
Kingmoor Nature Reserve, Kingmoor Road, Carlisle

Grid Reference:
338793 557840

Proposal: Free Standing Sign At Entrance To Car Park For Kingmoor Nature Reserve

Amendment:

Decision: Grant Permission **Date:** 12/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:
08/0684

Applicant:
Mr Johnathan Boyko

Parish:
Carlisle

Date of Receipt:
10/07/2008

Agent:

Ward:
St Aidans

Location:
319 Warwick Road, Carlisle, Cumbria, CA1 2BX

Grid Reference:
341659 555926

Proposal: Single Storey Rear Extension Providing An Enlarged Kitchen, A Utility Room And A Downstairs Toilet/shower Room

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission **Date:** 27/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0685	Mr Douglas	
Date of Receipt:	**Agent:**	**Ward:**
03/07/2008 09:30:30	Jon Underwood Associates	Belah

Location: Land at Field 4159 And 3343, Stainton Road, Carlisle

Grid Reference: 338236 557443

Proposal: Construction Of Detached Stable Block

Amendment:

Decision: Grant Permission **Date:** 22/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0690	Mr Stewart Gray	Stanwix Rural
Date of Receipt:	**Agent:**	**Ward:**
10/07/2008		Stanwix Rural

Location: Rickerby Lodge, Rickerby Mews, Rickerby, Carlisle, CA3 9AA

Grid Reference: 341277 557081

Proposal: Single Storey Detached Garage and Store

Amendment:

Decision: Grant Permission **Date:** 29/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0691	Mr John Robinson	Brampton
Date of Receipt:	**Agent:**	**Ward:**

SCHEDULE E: Decisions Issued Under Delegated Powers

15/07/2008 TSF Developments Ltd Brampton

Location:
Land Adjacent To Brampton Business Centre

Grid Reference:
352972 561212

Proposal: Erection Of 1no. Detached Dwelling (Outline Application)

Amendment:

Decision: Grant Permission **Date:** 09/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:
08/0693

Applicant:
Mr & Mrs Mark & Agnes Harding

Parish:
Kingwater

Date of Receipt:
07/07/2008

Agent:

Ward:
Irthing

Location:
Hardhurst, Walton, Brampton, Carlisle, CA8 2BA

Grid Reference:
354638 566799

Proposal: Change Of Use Part Of Redundant Barn To Form Additional Domestic Accommodation And Conversion Into 2no. Holiday Lets

Amendment:

Decision: Grant Permission **Date:** 28/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:
08/0695

Applicant:
Mr & Mrs Cannon

Parish:
Carlisle

Date of Receipt:
04/07/2008

Agent:
S Buttler Chartered Architect

Ward:
Denton Holme

Location:
The Guard House, Shaddon Mill, Shaddongate, Carlisle, CA2 5WE

Grid Reference:
339463 555655

Proposal: Conversion From Site Office To Single Storey Dwelling House (LBC)

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission **Date:** 03/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No: 08/0696
Applicant: Mr & Mrs Cannon
Parish: Carlisle

Date of Receipt: 07/07/2008
Agent: Mr Stephen Buttler
Ward: Denton Holme

Location: The Guard House, Shaddon Mill, Shaddongate, Carlisle, CA2 5WE
Grid Reference: 339463 555655

Proposal: Conversion From Site Office To Single Storey Dwelling

Amendment:

Decision: Grant Permission **Date:** 03/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No: 08/0698
Applicant: Mr Colin Nelson
Parish: St Cuthberts Without

Date of Receipt: 10/07/2008
Agent:
Ward: Dalston

Location: Howgill Farm, Carleton, Carlisle, CA4 0BS
Grid Reference: 344700 550500

Proposal: Discharge Of Conditions of Application 03/1254

Amendment:

Decision: Partial Discharge of Conditions **Date:** 04/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No: **Applicant:** **Parish:**

SCHEDULE E: Decisions Issued Under Delegated Powers

08/0699	Mr & Mrs Philip Armstrong	Carlisle

Date of Receipt:	**Agent:**	**Ward:**
31/07/2008	HTGL Architects Ltd	Belah

Location:
Poseidon House, 10A Kingstown Broadway, Carlisle, CA3 0HA

Grid Reference:
338903 559035

Proposal: Extension To Form Staffroom & Toilets (Retrospective)

Amendment:

Decision: Grant Permission **Date:** 05/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0701	Mr McCormick	Carlisle

Date of Receipt:	**Agent:**	**Ward:**
07/07/2008 17:30:07	Edenholme Building & Architectural Surveyors	Botcherby

Location:
7 Cresswell Avenue, Carlisle, CA1 3RL

Grid Reference:
342845 554653

Proposal: Two Storey Side Extension To Provide Kitchen On Ground Floor With 1no. En-Suite Bedroom Above

Amendment:

Decision: Grant Permission **Date:** 21/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0702	Mr Gray	Dalston

Date of Receipt:	**Agent:**	**Ward:**
11/07/2008	Gray Associates Limited	Dalston

Location:
Moryn House, The Square, Dalston, CA5 7PH

Grid Reference:
336962 550045

SCHEDULE E: Decisions Issued Under Delegated Powers

Proposal: Extension To Existing Conservatory To Form Sunroom Together With A Single Storey Extension To Front Elevation To Form A Utility Room

Amendment:

Decision: Grant Permission **Date:** 18/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0704	Mr Neil Bowen	Burgh-by-Sands
Date of Receipt:	**Agent:**	**Ward:**
08/07/2008		Burgh
Location:		**Grid Reference:**
The Old Farmhouse, Moorhouse, Carlisle, Cumbria, CA5 6HA		333029 556824

Proposal: Change Of Use Of Office To Ancillary Living Accomodation (Revised Application)

Amendment:

Decision: Grant Permission **Date:** 12/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0709	Mrs Alyson Hookway	Carlisle
Date of Receipt:	**Agent:**	**Ward:**
18/07/2008		Morton
Location:		**Grid Reference:**
55 Newlaithes Avenue, Morton, Carlisle CA2 6PX		338529 554484

Proposal: Erection Of Single Storey Rear Extension To Provide A Lounge

Amendment:

Decision: Grant Permission **Date:** 04/09/2008

SCHEDULE E: Decisions Issued Under Delegated Powers

Between 09/08/2008 and 19/09/2008

Appn Ref No: 08/0710
Applicant: Mrs Jennifer Thomlinson
Parish: Carlisle

Date of Receipt: 10/07/2008
Agent:
Ward: Stanwix Urban

Location: 20 Waverley Road, Stanwix, CARLISLE CA3 9JU
Grid Reference: 339762 557824

Proposal: Erection Of Two Storey Side Extension Togerther With Single Storey Extension To Provide Kitchen and Sunroom

Amendment:

Decision: Refuse Permission **Date:** 04/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No: 08/0711
Applicant: Cumbria Partnership NHS Foundation Trust
Parish: Carlisle

Date of Receipt: 18/07/2008
Agent: Johnston & Wright
Ward: Castle

Location: 14 Portland Square, Carlisle, CA1 1PT
Grid Reference: 340624 555703

Proposal: Demolition of Outbuilding (LBC)

Amendment:

Decision: Grant Permission **Date:** 11/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No: 08/0713
Applicant: S & C Asbridge Ltd
Parish: Brampton

Date of Receipt: 21/07/2008
Agent: Jock Gordon
Ward: Brampton

Location:
Grid Reference:

SCHEDULE E: Decisions Issued Under Delegated Powers

Unit 3 Cumcatch Farm, Brampton CA8 2QR 354751 561153

Proposal: Conversion Of Redundant Farm Building Into A Dwelling With Addition Of A Two Storey Extension (Revised Application)

Amendment:

Decision: Refuse Permission **Date:** 12/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0715	S & C Asbridge Ltd	Brampton
Date of Receipt:	**Agent:**	**Ward:**
21/07/2008	Jock Gordon	Brampton

Location: Unit 3 Cumcatch Farm, Brampton, Cumbria

Grid Reference: 354777 561180

Proposal: Conversion Of Redundant Farm Building Into A Dwelling With Addition Of A Two Storey Extension (Revised Application) (LBC)

Amendment:

Decision: Refuse Permission **Date:** 12/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0716	Mr Damian Smith	Wetheral
Date of Receipt:	**Agent:**	**Ward:**
23/07/2008	Coniston Consultants Ltd	Wetheral

Location: Gable Cottage, Aglionby, Carlisle, Cumbria, CA4 8AQ

Grid Reference: 344798 556571

Proposal: Extension To Provide Kitchen/day Room On Ground Floor With Dormer Bedrooms & Bathroom In Roof Space Together With The Erection Of A Porch And A Detached Garage (Revised Application)

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Refuse Permission **Date:** 17/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0719	Irthing Vale Quality Foods	Carlisle
Date of Receipt:	**Agent:**	**Ward:**
11/07/2008	TSF Developments Ltd	Harraby

Location: Irthing Vale Quality Foods, Berlin Street, Carlisle, Cumbria, CA1 2NL

Grid Reference: 341061 554845

Proposal: Demolition Of Existing Single Storey Office And Replacement With Construction Of New Commercial Coldstore

Amendment:

Decision: Grant Permission **Date:** 05/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0720	Alexandros Restaurant	Carlisle
Date of Receipt:	**Agent:**	**Ward:**
14/07/2008	Ashwood Design Associates	Castle

Location: 66 Warwick Road, Carlisle, Cumbria, CA1 1DR

Grid Reference: 340457 555772

Proposal: Change Of Use And Internal Alterations Of Ground Floor To Restaurant And Delicatessen

Amendment:

Decision: Grant Permission **Date:** 15/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**

SCHEDULE E: Decisions Issued Under Delegated Powers

08/0723 | Mr John Hodgson | Beaumont

Date of Receipt: 23/07/2008 | **Agent:** H & H Bowe Ltd | **Ward:** Burgh

Location: Holmes Mill, Burgh By Sands, Carlisle, Cumbria, CA5 6EH | **Grid Reference:** 333700 561232

Proposal: Construction of Earth Banked Slurry Lagoon For Storage Of General Farm Slurry

Amendment:

Decision: Grant Permission | **Date:** 26/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No: 08/0725 | **Applicant:** Mr & Mrs Feghali | **Parish:** Carlisle

Date of Receipt: 14/07/2008 | **Agent:** Jock Gordon | **Ward:** Botcherby

Location: 1 Eden Park Crescent, Carlisle, Cumbria, CA1 2UG | **Grid Reference:** 342238 555764

Proposal: Erection Of First Floor Extension Over Existing Garage To Provide En-Suite Bathroom & Pitched Roof Over Garage Entrance

Amendment:

Decision: Refuse Permission | **Date:** 04/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No: 08/0726 | **Applicant:** Mr & Mrs Lea | **Parish:** Carlisle

Date of Receipt: 14/07/2008 | **Agent:** Jock Gordon | **Ward:** Stanwix Urban

Location: 8 Beechwood Avenue, Carlisle, CA3 9BU | **Grid Reference:** 340030 557707

SCHEDULE E: Decisions Issued Under Delegated Powers

Proposal: Erection Of Single Storey Side Extension To Provide Shower Room & Cloakroom

Amendment:

Decision: Grant Permission **Date:** 27/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0733	The Diocesan Trustees	Carlisle
Date of Receipt:	**Agent:**	**Ward:**
15/07/2008	Derek Hicks & Thew	Belah

Location:
St Augustine's Church, Waverley Road, Carlisle, CA3 4JU

Grid Reference:
339725 557906

Proposal: Extension To Church To Provide 2no. Social Rooms, Kitchen, Boiler Room, Entrance Foyer, Parish Office, Sacristy/Vestry, Toilet Facilities.

Amendment:

Decision: Grant Permission **Date:** 09/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0734	Mr Anthony Gardiner	Brampton
Date of Receipt:	**Agent:**	**Ward:**
15/07/2008	Mr Stewart Gray	Brampton

Location:
3 Townfoot Orchard, Brampton, Cumbria

Grid Reference:
352431 560965

Proposal: Erection Of Single Storey Rear Extension; Change Of Use Of Grass Verge To Garden With New Boundary Wall.

Amendment:

Decision: Grant Permission **Date:** 16/09/2008

SCHEDULE E: Decisions Issued Under Delegated Powers

Between 09/08/2008 and 19/09/2008

Appn Ref No: 08/0736
Applicant: Mr Ibo Kocaturkmen
Parish: Carlisle

Date of Receipt: 15/07/2008
Agent: Ward Architects
Ward: St Aidans

Location: 265 Warwick Road, Carlisle, Cumbria
Grid Reference: 341484 555930

Proposal: Change Of Use From A1 (Shop) To A5 (Hot Food Take-Away) And To Include Modification To Shop Front.

Amendment:

Decision: Refuse Permission **Date:** 05/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No: 08/0737
Applicant: Russell Armer Ltd
Parish: Carlisle

Date of Receipt: 16/07/2008
Agent:
Ward: Castle

Location: L/Adj, Salkeld Hall, Infirmary Street, Carlisle, CA2 7AN
Grid Reference: 338924 556009

Proposal: Discharge Of Conditions 2 (Samples Of Materials To Be Used Externally On Buildings), 3 (Hard Surface Details), 4 (Details Of Carriageway, Footways And Footpaths), 6 (Details Of Access To The Highway), 8 (Plan For Construction Vehicle Parking), 9 (Details Of Surface Water Discharge),10 (Ramp Details),11 (Ground Level Details),12 (Details Of Surface Water Drainage Works),13 (Screen Walls And Boundary Fence Details),14 (Details Of Trees And Shrubs) Attached To Planning Approval 03/0469 For The Development And Redevelopment Of Former Ambulance Station To 31no 2 Bed Houses And Car Parking

Amendment:

Decision: Partial Discharge of Conditions 27/08/2008 **Date:**

SCHEDULE E: Decisions Issued Under Delegated Powers

Between 09/08/2008 and 19/09/2008

Appn Ref No:	Applicant:	Parish:
08/0738	Dr Brian Freer	Farlam
Date of Receipt:	**Agent:**	**Ward:**
18/07/2008	Green Design Group	Irthing

Location: Farlam House, Farlam, Brampton

Grid Reference: 355548 558735

Proposal: (1) Extension And Alterations To Existing Garage To Incorporate Workshop And Garden Store And Retain Garage Together With First Floor Extension To Provide 1no. En-Suite Bedroom And Playroom and (2) erection of a porch on the front elevation. (Revised Application)

Amendment:

Decision: Grant Permission **Date:** 11/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	Applicant:	Parish:
08/0739	Dr Brian Freer	Farlam
Date of Receipt:	**Agent:**	**Ward:**
18/07/2008	Green Design Group	Irthing

Location: Farlam House, Farlam, Brampton

Grid Reference: 355548 558735

Proposal: (1)extension And Alterations To Existing Garage To Incorporate Workshop And Garden Store And Retain Garage Together With First Floor Extension To Provide 1no. En-Suite Bedroom And Playroom (2) Erection Of A Porch (3) Alterations To Existing, And Insertion Of New, Windows And One Door (4) Cleaning The Existing Facade And (5) Internal Alterations(lbc) (Revised Application)

Amendment:

Decision: Grant Permission **Date:** 11/09/2008

Between 09/08/2008 and 19/09/2008

SCHEDULE E: Decisions Issued Under Delegated Powers

Appn Ref No:	**Applicant:**	**Parish:**
08/0743	University of Cumbria	Carlisle
Date of Receipt:	**Agent:**	**Ward:**
06/08/2008	Swarbrick Associates	Stanwix Urban
Location:		**Grid Reference:**
Stanwix House, Brampton Road, Carlisle, CA3 9DR		340214 557084

Proposal: Renewal Of Planning Permission For Temporary Dance Studio & Classroom

Amendment:

Decision: Grant Permission **Date:** 17/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0746	Messrs Turnbull, Phillipson, West and Forsyth	Carlisle
Date of Receipt:	**Agent:**	**Ward:**
03/09/2008	Mr P Fitton	Castle
Location:		**Grid Reference:**
The Crescent, Carlisle, Cumbria, CA1 1QN		340301 555692

Proposal: Discharge Of Condition 2 (Details Of Joinery) Of Application 08/0228

Amendment:

Decision: Grant Permission **Date:** 03/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0751	Mr & Mrs Cuthbertson	Carlisle
Date of Receipt:	**Agent:**	**Ward:**
22/07/2008	Jock Gordon	Belle Vue
Location:		**Grid Reference:**
204 Newtown Road, Carlisle, Cumbria, CA2 7NJ		337938 556089

SCHEDULE E: Decisions Issued Under Delegated Powers

Proposal: Part Raising Of Roof To Enable Loft Conversion To Provide En-Suite Bedroom (Revised Application)

Amendment:

Decision: Refuse Permission **Date:** 16/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0753	Town & Country Estate Agents Ltd	Rockcliffe
Date of Receipt:	**Agent:**	**Ward:**
23/07/2008 11:30:09	Gray Associates Limited	Longtown & Rockcliffe
Location:		**Grid Reference:**
Border Garden Centre, Harker, CA6 4DS		339524 560920

Proposal: Change Of Use From Garden Centre And Coffee Shop To Eight Commercial Units. (Revised Application)

Amendment:

Decision: Grant Permission **Date:** 17/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0756	Mr Frank Turner	Kirkandrews
Date of Receipt:	**Agent:**	**Ward:**
30/07/2008	Eden Design Associates	Longtown & Rockcliffe
Location:		**Grid Reference:**
5 Rosetree Lane, Blackbank, Longtown, Carlisle, CA6 5LS		334932 567373

Proposal: Demolition Of Existing Garage And Store To Be Replaced With A Single Storey Side Extension To Provide Study, Games Room, Garage And Bathroom (Revised Application)

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission **Date:** 29/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0757	Lime House School	Dalston
Date of Receipt:	**Agent:**	**Ward:**
23/07/2008	Jock Gordon	Dalston

Location:
Lime House School, Holm Hill, Hawksdale, Dalston, Carlisle, CA5 7BX

Grid Reference:
337658 547161

Proposal: Renewal Of Temporary Permission For Temporary Classroom

Amendment:

Decision: Grant Permission **Date:** 20/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0758	Mr Amjed Malik	Carlisle
Date of Receipt:	**Agent:**	**Ward:**
23/07/2008	Paul Fitton	Castle

Location:
84 Newtown Road, Carlisle, Cumbria

Grid Reference:
338427 556002

Proposal: Demolition Of Existing Store And Erection Of Single Storey Rear Extension To Provide Kitchen And Dining Room

Amendment:

Decision: Grant Permission **Date:** 12/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0764	Mr Mahon	Farlam

SCHEDULE E: Decisions Issued Under Delegated Powers

Date of Receipt: 24/07/2008 13:30:12
Agent: Gray Associates Limited
Ward: Irthing

Location: 1 Woodend Cottages, Tindale Fell, Brampton, CA8 2QE
Grid Reference: 362152 559486

Proposal: Single Storey Extension To Front Elevation To Provide Sauna Room

Amendment:

Decision: Grant Permission **Date:** 17/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No: 08/0766
Applicant: Mr Iain Hannah
Parish: Carlisle

Date of Receipt: 24/07/2008
Agent:
Ward: Denton Holme

Location: 149 Richardson Street, Carlisle, Cumbria, CA2 6AL
Grid Reference: 339359 554450

Proposal: Erection Of Single Storey Garage Situated Towards The Rear Of The Property And Demolition Of Existing Garage (Revised Application)

Amendment:

Decision: Grant Permission **Date:** 05/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No: 08/0770
Applicant: Mr Jason Galvin
Parish: Arthuret

Date of Receipt: 31/07/2008
Agent: Alan Gosling & Associates
Ward: Longtown & Rockcliffe

Location: Carwinley Water Mill. Carwinley, Longtown, Carlisle, CA6 5PE
Grid Reference: 340347 572912

Proposal: Construction Of New Garage And Workshop (Revised Application)

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission **Date:** 17/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No: 08/0774
Applicant: Buckabank Farm Ltd
Parish: Dalston

Date of Receipt: 08/08/2008
Agent:
Ward: Dalston

Location: Buckabank Farm, Dalston, Carlisle, CA5 7AB
Grid Reference: 337949 549429

Proposal: Erection of Agricultural Livestock Building.

Amendment:

Decision: Grant Permission **Date:** 17/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No: 08/0775
Applicant: Buckabank Farm Ltd
Parish: Dalston

Date of Receipt: 08/08/2008
Agent:
Ward: Dalston

Location: Buckabank Farm, Dalston, Carlisle, CA5 7AB
Grid Reference: 337949 549429

Proposal: Erection Of Agricultural Livestock Building

Amendment:

Decision: Grant Permission **Date:** 17/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No: 08/0776
Applicant: Mr & Mrs Barrett
Parish: Solport

SCHEDULE E: Decisions Issued Under Delegated Powers

Date of Receipt: 05/08/2008
Agent: Taylor & Hardy
Ward: Lyne

Location: Land Adjacent To Lyne View, Rack Bridge, Hethersgill, Carlisle, CA6 6HX
Grid Reference: 347473 570749

Proposal: Erection Of A Log Cabin For Use As A Fishing Lodge (Revised Application)

Amendment:

Decision: Grant Permission **Date:** 11/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No: 08/0777
Applicant: Mr Smith
Parish: Wetheral

Date of Receipt: 28/07/2008 13:30:09
Agent: Gray Associates Limited
Ward: Wetheral

Location: 3 St Johns Close, Cotehill
Grid Reference: 346893 550123

Proposal: Single Storey Rear Extension To Provide Sun Room To Rear Of Property

Amendment:

Decision: Grant Permission **Date:** 18/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No: 08/0786
Applicant: Scotby Cyles
Parish: Carlisle

Date of Receipt: 31/07/2008
Agent: Mr Brian Child
Ward: Castle

Location: Scotby Cycles, Church Street, Caldewgate, Carlisle, Cumbria, CA2 5TL
Grid Reference: 339272 555835

Proposal: Discharge Of Conditions 2 (Samples Of Materials) And 3 (Samples Of

Mortar) Of Application 07/1217

Amendment:

Decision: Grant Permission **Date:** 12/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0788	Ian Bone & Sons	Rockcliffe
Date of Receipt:	**Agent:**	**Ward:**
04/08/2008	Jock Gordon	Longtown & Rockcliffe

Location:
Unit J, Heathlands Industrial Estate, Kingmoor Park, Carlisle, Cumbria, CA6 4RP

Grid Reference:
337720 560961

Proposal: Alterations To Facade Of Building & Erection Of Compressor House & Roof Flue Terminals

Amendment:

Decision: Grant Permission **Date:** 17/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0794	TSF Developments Ltd	Scaleby
Date of Receipt:	**Agent:**	**Ward:**
04/08/2008	T.S.F Developments Ltd	Stanwix Rural

Location:
Moss Side House, Scaleby Hill, Scaleby, Carlisle, CA6 4LY

Grid Reference:
343737 563745

Proposal: Demolition Of Existing Building And Construction Of New Dwelling

Amendment:

Decision: Grant Permission **Date:** 08/09/2008

SCHEDULE E: Decisions Issued Under Delegated Powers

Between 09/08/2008 and 19/09/2008

Appn Ref No: 08/0799
Applicant: Mr John Sinclair
Parish: Stanwix Rural

Date of Receipt: 05/08/2008
Agent: Phoenix Architects
Ward: Stanwix Urban

Location: 36 Whiteclosegate, Carlisle, Cumbria, CA3 0JB
Grid Reference: 341220 557958

Proposal: Discharge Of Conditions 2 And 4 (Archaeological Works And Time-Scaling)

Amendment:

Decision: Grant Permission **Date:** 15/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No: 08/0814
Applicant: Ms Handy
Parish: Carlisle

Date of Receipt: 07/08/2008 17:31:07
Agent: Black Box Architects Limited
Ward: Stanwix Urban

Location: 38 Knowefield Avenue, Carlisle, CA3 9BQ
Grid Reference: 340203 557583

Proposal: Two Storey Extension To Provide Office, Utility, Wc, Kitchen And Dining/breakfast Room On The Ground Floor With 2no Bedrooms Above

Amendment:

Decision: Grant Permission **Date:** 08/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No: 08/0816
Applicant: Mr W Shooter
Parish: Brampton

Date of Receipt: 08/08/2008
Agent: Green Design Group
Ward: Brampton

SCHEDULE E: Decisions Issued Under Delegated Powers

Location:
Greenside, Walton, Brampton, Cumbria, CA8 2DJ

Grid Reference:
352124 564539

Proposal: Erection Of Double Garage (Retrospective).

Amendment:

Decision: Grant Permission **Date:** 12/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0825	Mr &Mrs Wrightson	Nether Denton
Date of Receipt:	**Agent:**	**Ward:**
12/08/2008		Irthing

Location:
Burnside, Chapelburn, Village High Street, Low Row, Brampton, Cumbria, CA8 2LY

Grid Reference:
359885 564517

Proposal: Discharge Of Condition 2 (Samples Of Materials) Of Application 07/0585

Amendment:

Decision: Grant Permission **Date:** 26/08/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0836	Mr C Cook	Carlisle
Date of Receipt:	**Agent:**	**Ward:**
15/08/2008	Tsada Building Design Services	Botcherby

Location:
355 Warwick Road, Carlisle, Cumbria, CA1 2BS

Grid Reference:
341824 555923

Proposal: Discharge Of Condition 2 Relating To Application Reference 08/0082 (Details Of Materials)

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission **Date:** 01/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/0864	Mr Furesi	
Date of Receipt:	**Agent:**	**Ward:**
20/08/2008 13:30:07	Gray Associates Limited	Yewdale
Location:		**Grid Reference:**
174 Wigton Road, Carlisle, CA2 6JW		338272 555128

Proposal: Erection Of Two Storey Rear And Side Extension To Provide Enlarged Kitchen/dining Area, Utility Room And Cloakroom On Ground Floor, With Study And En-Suite To Master Bedroom At First Floor Level (Revised Application)

Amendment:

Decision: Grant Permission **Date:** 17/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No:	**Applicant:**	**Parish:**
08/9023	Cumbria Waste Management Ltd	Rockcliffe
Date of Receipt:	**Agent:**	**Ward:**
31/07/2008	Cumbria County Council	Longtown & Rockcliffe
Location:		**Grid Reference:**
Hespin Wood Waste Management Park, Todhills, Carlisle, CA6 4BJ		336379 563182

Proposal: Materials Recovery Facility

Amendment:

Decision: City Council Observation - Raise No Objection
Date: 27/08/2008

Between 09/08/2008 and 19/09/2008

SCHEDULE E: Decisions Issued Under Delegated Powers

Appn Ref No: 08/9024

Applicant: Humax Horticulture LTD

Parish: Kirkandrews

Date of Receipt: 01/08/2008

Agent: Cumbria County Council

Ward: Longtown & Rockcliffe

Location: Wood Villa & Adjoining Land, Mill Hill, Gretna, DG16 5HU

Grid Reference: 333789 567832

Proposal: Section 73 Application To Modify Condition 6 Of 1/02/9010 To Authorise The Use Of Wood Villa For Offices And The Construction Of The Revised Vehicular Access (Retrospective)

Amendment:

Decision: City Council Observation - Observations
Date: 04/09/2008

Between 09/08/2008 and 19/09/2008

Appn Ref No: 08/9025

Applicant: Houghton C of E School

Parish: Stanwix Rural

Date of Receipt: 12/08/2008

Agent: Cumbria County Council

Ward: Stanwix Rural

Location: Houghton C of E School, Houghton, Carlisle, CA3 0PA

Grid Reference: 340967 559257

Proposal: Single Storey Extension To Provide Extended Office And Staff Room Facilities

Amendment:

Decision: City Council Observation - Raise No Objection
Date: 26/08/2008