

AGENDA

Development Control Committee

Friday, 21 October 2016 AT 10:00

In the Council Chamber, Civic Centre, Carlisle, CA3 8QG

Apologies for Absence

To receive apologies for absence and notification of substitutions

Declarations of Interest

Members are invited to declare any disclosable pecuniary interests, other registrable interests and any interests, relating to any item on the agenda at this stage.

Public and Press

To agree that the items of business within Part A of the agenda should be dealt with in public and that the items of business within Part B of the agenda should be dealt with in private.

Minutes of Previous Meeting

To note the minutes of the meeting of 19 October 2016 (site visit meeting).

PART A

To be considered when the Public and Press are present

A.1 CONTROL OF DEVELOPMENT AND ADVERTISING

To consider applications for:

- (a) planning permission for proposed developments
- (b) approval of detailed plans
- (c) consents for display of advertisements.

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Item 01 - 16/0493 - Land to the rear of Culreouch & Emohruo, Station Road, Cumwhinton, Carlisle, CA4 8DJ	11 - 34
Item 02 - 16/0672 - Warathwaite Head Farm, Armathwaite, Carlisle, CA4 9TB	35 - 52
Item 03 - 16/0384 - Land to the rear of Stribers, 23 Newbiggin Road, Durdar, Carlisle, CA2 4UJ	53 - 74
Item 04 - 16/0722 - The Fraternity, 7 The Abbey, Carlisle, CA3 8TZ	75 - 122
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Item 06 - 16/0798 - Story Construction Depot, Thomas Lane, 133 - 146
Burgh Road Industrial Estate, Carlisle, CA2 7NA

SCHEDULE B - E 147 - 208

A.2 QUARTERLY REPORT ON PLANNING ENFORCEMENT 209 - 216

The Corporate Director of Economic Development to submit a report that updates Members of the Committee on the scope of activities undertaken by the Council's Planning Enforcement Officer.

(Copy Report ED.36/16 herewith)

PART B

To be considered when the Public and Press are excluded from the meeting

-NIL-

Members of the Development Control Committee

Conservative – Bloxham, Christian, Earp, Mrs Parsons, Shepherd, Bowman S (sub), Collier (sub), Nedved (sub)

Labour – Mrs Bradley, McDevitt, Ms Patrick (Vice-Chairman), Quilter, Sidgwick, Mrs Warwick (Chairman), Bowditch (sub), Burns (sub), McDonald (sub)

Enquiries, requests for reports, background papers, etc to Committee Clerk: Jacqui Issatt - 817557 or jacqui.issatt@carlisle.gov.uk

Development Control Committee Main Schedule

Schedule of Applications for Planning Permission

21st October 2016

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 S38(6) of the Planning and Compulsory Purchase Act 2004

<http://www.legislation.gov.uk/ukpga/2004/5/contents> unless material considerations indicate otherwise.

In order to reach a recommendation the reports have been prepared having taken into account the following background papers:-

- relevant planning policy advice contained in Government Circulars, National Planning Policy Framework, [https://www.gov.uk/government/publications/national-planning-policy-frame work--2](https://www.gov.uk/government/publications/national-planning-policy-frame-work--2),
- Planning Practice Guidance <http://planningguidance.planningportal.gov.uk/> and other Statements of Ministerial Policy;
- Carlisle District Local Plan 2001-2016; [http://www.carlisle.gov.uk/planning_and_buildings/carlisle_district_local _pla n.aspx](http://www.carlisle.gov.uk/planning_and_buildings/carlisle_district_local_plan.aspx) <http://www.legislation.gov.uk/uksi/1994/2716/contents/made>
- Carlisle District Local Plan 2015-2030 Preferred Options Consultation – Stage Two (2014) [http://www.carlisle.gov.uk/downloads/Carlisle_District_Local_Plan_2015-2030_Prefe rred_Options - Stage Two \(reduced size\).pdf](http://www.carlisle.gov.uk/downloads/Carlisle_District_Local_Plan_2015-2030_Prefe rred_Options_-_Stage_Two_(reduced_size).pdf)
- Conservation Principles, Policies and Guidance – <https://historicengland.org.uk/advice/constructive-conservation/conservation-principles/>

- Enabling Development and the Conservation of Significant Places
<https://historicengland.org.uk/images-books/publications/enabling-development-and-the-conservation-of-significant-places/>
- Consultee responses and representations to each application;
<http://publicaccess.carlisle.gov.uk/online-applications/>
- Condition 2 of each application details the relevant application documents

In addition, specific to this agenda the following background papers are relevant:

Cumbria Landscape Character Guidance and Toolkit

<http://www.cumbria.gov.uk/planning-environment/countryside/countryside-landscape/land/landcharacter.asp>

Natural Environment and Rural Communities Act
(2006)

<http://www.legislation.gov.uk/ukpga/2006/16/contents>

Wildlife and Countryside Act 1981

<http://www.legislation.gov.uk/ukpga/1981/69>

Community Infrastructure Levy Regulations 2010

<http://www.legislation.gov.uk/ukdsi/2010/9780111492390/contents>

EC Habitats Directive (92/43/EEC)

http://ec.europa.eu/environment/nature/legislation/habitatsdirective/index_en.htm

Conservation (Natural Habitats, &c.) Regulations 1994

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 Management Team of the Planning Services section of the Economic Development Directorate.

This Schedule of Applications contains reports produced by the Department up to the 07/10/2016 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 21/10/2016.

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 5 working days prior to the day of the meeting.

Applications Entered on Development Control Committee Schedule

Item No.	Application Number/ Schedule	Location	Case Officer	Page No.
01.	<u>16</u> /0493 A	Land to the rear of Culreouch & Emohruo, Station Road, Cumwhinton, Carlisle, CA4 8DJ	<u>ARH</u>	11
02.	<u>16</u> /0672 A	Warathwaite Head Farm, Armathwaite, Carlisle, CA4 9TB	<u>SO</u>	35
03.	<u>16</u> /0384 A	Land to the rear of Stribers, 23 Newbiggin Road, Durdar, Carlisle, CA2 4UJ	<u>BP</u>	53
04.	<u>16</u> /0722 A	The Fraternity, 7 The Abbey, Carlisle, CA3 8TZ	<u>SD</u>	75
05.	<u>16</u> /0723 A	The Fraternity, 7 The Abbey, Carlisle, CA3 8TZ	<u>SD</u>	123
06.	<u>16</u> /0798 A	Story Construction Depot, Thomas Lane, Burgh Road Industrial Estate, Carlisle, CA2 7NA	<u>ARH</u>	133
07.	<u>15</u> /0570 C	Land to rear of Hawthorns, Esk Bank, Longtown CA6 5PT	<u>BP</u>	149
08.	<u>15</u> /0607 C	Land to rear of dwellings between Raiselands Road, Levens Drive and Rosehill Drive, Carlisle	<u>SD</u>	154

Date of Committee: 21/10/2016

SCHEDULE A

SCHEDULE A

SCHEDULE A: Applications with Recommendation

16/0493

Item No: 01

Date of Committee: 21/10/2016

Appn Ref No:
16/0493

Applicant:
Magnus Homes Ltd

Parish:
Wetheral

Agent:
Bob Taylor Planning

Ward:
Wetheral

Location: Land to the rear of Culreouch & Emohruo, Station Road, Cumwhinton, Carlisle, CA4 8DJ

Proposal: Erection Of 8no. Dwellings (Outline)

Date of Receipt:
07/06/2016

Statutory Expiry Date
06/09/2016

26 Week Determination
21/10/2016

REPORT

Case Officer: Angus Hutchinson

1. Recommendation

- 1.1 The proposal is recommended for approval.

2. Main Issues

- 2.1 The consistency of the proposal with regard to the emerging Carlisle District Local Plan 2015-2030.
- 2.2 The impact on the living conditions of neighbouring residents.
- 2.3 Highway safety.
- 2.4 The impact on the visual amenity of the area.
- 2.5 The provision of affordable housing having regard to the viability of the scheme.
- 2.6 The impact on any wildlife interests.
- 2.7 The planning balance and sustainable development.

3. Application Details

Introduction

- 3.1 Members will recollect that during their previous Meeting consideration of the proposal was deferred in order to await receipt of pending advice on the

updated figures on viability submitted by the applicant, and the consequent comments of the Council's Housing Development section.

The Site

- 3.2 This application relates to 0.5 hectares of grazing land located on the northern side of Station Road to the immediate east of the on-going development at Thornedge; to the immediate north-east and north of the properties known as Wall End, Culreoch, and Emohruo; and north-west of Ashview and Station View. The application site rises to a summit from road level in a northerly direction set within a backdrop of relatively mature trees. The eastern boundary is delineated by a mature hedgerow whilst that to the south comprises the back gardens of the bungalows at Culreoch and Emohruo. A mature oak tree lies on the north-western boundary.
- 3.3 Access to the application site is currently achieved off Station Road (B6263) via a strip of land that runs between Culreoch and Emohruo. A public footpath runs northwards from the B6263 adjacent to Station View.
- 3.4 Cumwhinton has a primary school, public house, village hall, a post office and shop.
- 3.5 The Cumbria Landscape Character Guidance and Toolkit (CLCGT) (2011) identifies the site as falling within the Cumbria Landscape Character Type 5c: Rolling Lowland. The application site is approximately 350 metres to the west of Pow Maughan beck which flows into the River Eden and is part of the River Eden Special Area of Conservation catchment area. The wooded Cumbria Wildlife reserve at Quarry Bank is 850 metres to the east, and the Cotehill Pastures and Ponds SSSI neighbours Lonsdale Park to the south-east of the hamlet at Stripes.

Background

- 3.6 In relation to neighbouring land, in March 2015 (under application 14/0816) planning permission was given for the demolition of the existing house and stables at the property known as Thornedge, and the erection of 22no. dwellings. In July 2015, under application 14/0494, planning permission was given for the erection of five dwellings on land adjoining the property known as Lyndhurst. During the March 2016 Committee Meeting Members gave authority to issue an approval (subject to the satisfactory completion of a Section 106 Agreement) for the erection of 22 dwellings on land at Peter Gate, Cumwhinton.

The Proposal

- 3.7 The current application is seeking outline planning permission for the erection of 8 dwellings of which proposed plots 1-4 consist of single storey semi-detached bungalows; plot 5 is a single storey bungalow; plots 6 and 7 are dormer bungalows; and plot 8 is shown as a single storey bungalow. The submitted illustrative layout plan also shows the proposed garden serving plot 8 to be chamfered in the north-eastern corner with the area

planted to form a copse; a field gate and access to the remaining element of the field to be put in place; infill planting along the boundary with the development at Thornedge; and tree planting along the eastern and southern boundaries. The intention is for vehicular access to be achieved from the neighbouring development at Thornedge. As part of the development, the intention is to carry out works at the junction with Station Road including the widening of the existing pavement.

- 3.8 In addition to the submitted plans, the application is accompanied by a Planning Statement (Bob Taylor Planning); a Design and Access Statement (Bob Taylor Planning); a Desktop Study Environmental Assessment (Bob Taylor Planning); a Tree Survey; a Survey for Bats, Barn Owls & Breeding Birds (Cumberland Bat Group); a Transport Statement (Royal Haskoning DHV); a Landscape Statement (Eden Environment Ltd); a copy of a pre-development enquiry reply from United Utilities sent to A L Daines & Partners; and a confidential Viability Study prepared by the applicant.
- 3.9 An independent "Review of Appraisal of Financial Viability" has been undertaken by Carigiet Cowen on behalf of the City Council.

4. Summary of Representations

5. Summary of Consultation Responses

Cumbria County Council - (Local Highway & Lead Local Flood Authority): - no objection to this application but recommend the imposition of conditions regarding the design and construction of the carriageway, highway crossings, and the prevention of surface water discharging onto the highway.

Clerk to Wetheral PC: - no observations.

Local Environment - Environmental Protection: - no objection to this application.

Local Environment, Waste Services: - no objection in principle provided there is sufficient space for the waste collection vehicles to access the development.

United Utilities: - no objection subject to the imposition of relevant conditions regarding foul and surface water drainage, and the management/maintenance regime of the drainage systems.

Housing Development: - The Council's most recent SHMA (Strategic Housing Market Assessment) from September 2014 identified the need for 295 affordable homes per annum across Carlisle District, including 68 p.a. in the Carlisle Rural East Housing Market Area.

Policy HO4 of the emerging Local Plan requires 30% affordable units in Affordable Housing Zone A. Policy HO 4 stipulates that the affordable

housing provision should be 50% affordable/ social rent (usually through a Housing Association) and 50% intermediate housing (usually discounted sale at a 30% discount from market value through the Council's Low Cost Housing Register). However, on schemes of between 6 and 10 units in rural areas the Council can only require a financial contribution towards affordable housing rather than on site affordable provision.

In this context, the Housing Development section originally commented that the financial contribution, based on Local Plan policy HO4, would be equivalent to the cost of providing the units as affordable on site. Based on an 8 unit scheme with a 30% target in Affordable Housing Zone A, this would equate to 2 units (one intermediate unit at 30% discount & one affordable rent at 60% discount). This would be based on the values of the most 'affordable units 1 & 2. The market value in the applicant's viability study (per Hyde Harrington) is £175k for both of those units, which has been approved by Carigiet Cowen, acting on behalf of the Council. This would provide an affordable housing contribution of £157,500, calculated as follows:-

$$\begin{aligned}\text{£175,000 (x 30\%)} &= \text{£52,500} \\ \text{£175,000 (x 60\%)} &= \text{£105,000} \\ &\text{£157,500}\end{aligned}$$

Following receipt of the updated information provided by the applicant the Housing Development section has reappraised the build cost and compared this with the residue identified in the Review undertaken by Carigiet Cowen. In light of the results of this comparative exercise, Housing Development accept that the site could not viably deliver a financial contribution towards affordable housing.

6. Officer's Report

Assessment

- 6.1 Section 54a of the Town and Country Planning Act 1990/Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that an application for planning permission is determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.
- 6.2 At a local level, the relevant saved policies of the Carlisle District Local Plan 2001-2016 (CDLP) comprise DP1, CP1, CP2, CP3, CP5, CP6, CP7, CP10, CP11, CP12, CP15, CP16, CP17, H1, H3, LC4, and IM1; and those of the soon to be adopted Carlisle District Local Plan (CDLP) 2015-2030 are SP1, SP2, SP6, SP8, SP9, HO2, IP1, IP2, IP3, IP5, IP6, IP8, CC3, CC4, CC5, CM2, CM4, CM5, GI3, GI4, and GI6. At a national level, other material considerations include the National Planning Policy Framework, March 2012 (the Framework/NPPF), Planning Practice Guidance (April 2014), the Natural Environment and Rural Communities Act (2006), and the Community Infrastructure Levy Regulations 2010 (as amended). In addition, the Housing and Planning Act was enacted on the 12th May 2016. Due regard should also be made with regard to the requirements of the public sector equality duty in Section 149 of the Equality Act 2010 with particular regard in this

case to the provision of affordable housing and policy HO4 of the CDLP 2015-2030.

- 6.3 Paragraph 215 of the NPPF highlights that due weight should be given to the relevant policies in existing Plans according to their degree of consistency with the NPPF (the closer the policies in the Plan to the policies in the Framework, the greater the weight that may be given). Paragraph 216 of the National Planning Policy Framework identifies that:

“From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)”.*

- 6.4 Carlisle's emerging Local Plan (CDLP 2015-2030) is now at an advanced stage having received the Inspector's report and is now progressing through the Council's processes towards adoption by the Full Council on the 8th November 2016. As such, in view of the advanced stage of plan preparation, these policies carry significant weight.

- 6.5 Paragraph 6 confirms that the policies set out in paragraphs 8 to 219 of the Framework, taken as a whole, constitute the meaning of sustainable development. Paragraph 14 of the NPPF highlights the presumption in favour of sustainable development which is referred to as “a golden thread”. For decision-taking this means approving development proposals that accord with the development plan; and where the development plan is absent, silent or out of date, grant permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits; or
- specific policies in this Framework indicate development should be restricted.

- 6.6 Paragraph 17 of the Framework identifies 12 core planning principles including planning being a creative exercise in finding ways to enhance and improve the places in which people live their lives; always seeking to secure high quality design and good standard of amenity for all existing and future occupants of land and buildings; taking account of the different roles and character of different areas; contribute to conserving and enhancing the natural environment; encourage the effective use of land in urban and rural areas; focusing significant development in locations which are or can be made sustainable; and deliver sufficient community and cultural facilities and services to meet local needs.

- 6.7 Paragraph 47 of the Framework requires that local authorities should identify “a supply of specific deliverable sites to provide five years” worth of housing against their housing requirements with an additional buffer of 20% (to ensure choice and competition in the market for land) for those authorities where there has been a record of persistent under delivery.
- 6.8 Policy SP2 (Strategic Growth and Distribution) of the CDLP (2015-2030), as modified, states that sufficient land will be identified to accommodate 9,606 net new homes between 2013 and 2030 including a minimum annualised average of:
- 478 net new homes between 2013 and 2020; and
 - 626 net new homes between 2020 and 2030 (adjusted to have regard to delivery in the 2013-2020 period).
- 6.9 Policy HO2 ("Windfall Housing Development") states that new housing development on sites other than those allocated will be acceptable within Carlisle, Brompton, Longtown and villages within the rural area provided that the development will not prejudice the delivery of the spatial strategy of the Local Plan and compliance with a number of criteria.
- 6.10 The “Five Year Housing Land Supply Position Statement April 2015” indicated that on the basis of an average annual target of 480 net new homes, the District had a 6.1 year deliverable housing land supply. The Investment and Policy Section has subsequently confirmed that the City Council, based on the allocated sites in the CDLP 2015-2030 and windfall sites, can currently demonstrate a five year land supply for housing (inclusive of a 20% buffer).
- 6.11 The authority should consider securing measures to enhance the biodiversity of a site from the applicant, if it is minded to grant permission for an application in accordance with paragraph 118 of the NPPF. This is reflected in Section 40 of the Natural Environment and Rural Communities Act (2006) which states that every public authority must have regard to the purpose of conserving biodiversity. Local planning authorities must also have regard to the requirements of the EC Habitats Directive (92/43/EEC) when determining a planning application as prescribed by regulation 3 (4) of the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended), and Article 16 of the Habitats Directive before planning permission is granted.
- 6.12 Section 149(1) of the Equality Act 2010 establishes a duty to have due regard to three identified needs in the delivery of public services and the exercise of public powers, namely:
- a) to eliminate discrimination, harassment, victimisation etc;
 - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics include age, gender, disability and race.

- 6.13 In the context that the City Council (based on the allocated sites in the CDLP 2015-2030 and windfall sites) can currently demonstrate a five year land supply for housing (inclusive of a 20% buffer), it is considered that the main issues for this outline application revolve around: 1) the consistency of the proposal with regard to the emerging Carlisle District Local Plan 2015-2030; 2) the impact on the living conditions of neighbouring residents; 3) highway safety; 4) the impact on the visual amenity of the area; 5) the provision of affordable housing having regard to the viability of the scheme; 6) the impact on any wildlife interests; and 7) the planning balance and sustainable development.

1) Consistency With The Carlisle District Local Plan 2015 – 2030

- 6.14 Under the emerging CDLP 2015-2030 there are two sites allocated for residential development, namely “R8” (land west of How Croft) and “R9” (land adjacent to Beech Cottage already the subject of permission under 12/0856). In the context of the overall plan period for the CDLP 2015-2030 and the ongoing development in Cumwhinton, it is considered that the current proposal for 8 dwellings should not prejudice either the overall strategy of the emerging development plan nor the delivery of the two allocated sites.
- 6.15 On the basis of the foregoing it is considered that the application should be considered as a windfall site and therefore assessed in the context of Policy HO2 of the CDLP 2015-2030.

2) Living Conditions

- 6.16 Two core planning principles of the Framework are for planning to be a creative exercise in finding ways to enhance and improve the places in which people live their lives; and to always seek to secure a good standard of amenity for all existing and future occupants of land and buildings (para. 17).
- 6.17 Moreover, criterion 5 of Policy HO2 (Windfall Housing Development) of the CDLP 2015 - 2030 requires that proposals are “*compatible with adjacent land users*”, and criterion 7 of Policy SP6 (Securing Good Design) of the CDLP 2015 - 2030 seeks to ensure that proposals do not “*result in unacceptable conditions for future users and occupiers of the development*”.
- 6.18 When considering the impact of the proposal on existing residents it is recognised that potential issues can arise during both the construction phase and with regard to any scheme once completed. In the case of the former, this can be controlled by the imposition of relevant conditions. It is also the case that matters of design, layout etc would be the subject of a Reserved Matters application should permission be granted, and any other matters of detail (such as site levels, boundary treatment, landscaping etc) can also be the subject of any conditional approval. As an aside, the submitted illustrative layout plan shows a separation distance between the

proposed bungalows on plots 1 - 2 and Culreoch of 20 metres; separation distances between the end wall of Emohruo and plot 3 of 16.5 - 18 metres; and a separation distance between Ashview and plot 4 of 26 metres.

- 6.19 On this basis, it is considered that the scheme in principle will not lead to problems associated with losses in privacy or overshadowing/losses in light sufficient to merit the refusal of permission. It is recognised that the proposal could lead to increases in noise and disturbance, however, when viewed in the nature of the proposed development, this is also not considered to be of a scale or form that merits the refusal of permission.

3) Highway Safety

- 6.20 The submitted Transport Statement highlights that the local highway network would be able to accommodate the additional traffic associated with the proposed development. Based on the submitted information accompanying this application, the Highway Authority has not raised any objections.

4) Visual Amenity

- 6.21 In relation to this matter, it is evident that the application site can be viewed from the public footpath on the immediately neighbouring land (field number 3200) leading to Scotby. It also appears that the site, to varying degrees, can be viewed along the road leading to Wetheral Pasture; the public footpath that leads to Scotby to the east of Beck Bridge; along the road leading from Wetheral Pasture to Wetheral Shield; from Peter Gate; the road leading to Cumwhinton from junction 42 of the M6; and the road leading from Cumwhinton to Scotby.
- 6.22 The submitted Planning Statement (PS) accompanying the application explains that criterion 3 of Policy HO2 (Windfall Housing) in the CDLP 2015 - 2030 states that:

"...on the edge of settlements the site is well contained within the existing landscape features, is physically connected, and integrates with, the settlement, and does not lead to an unacceptable intrusion into open countryside"

Paragraph 5.16 of the justification for Policy HO2 says:

"Development is more likely to be acceptable on sites that are physically contained by existing landscape features such as hedges, trees, woodland or topography, physically and visibly connected to the village, and do not adversely impact on wider views into or out of a village."

The PS explaining that from the language used in this policy, some intrusion into open countryside is anticipated - the key test is one of acceptability.

- 6.23 The submitted Landscape Statement highlights the following:
- the development proposal is small in relation to the size of Thornedge, is

- fitted immediately adjacent to other housing and is contained within existing field boundaries;
 - the proposed buildings are to be set into the slope, uses single storey and dormer dwelling types, and will use appropriate tree and hedgerow species to suit the landscape character and benefit wildlife; and
 - the site is visually well contained and would cause minimal adverse impacts and some benefits to landscape character.
- 6.24 When assessing this issue, Members should also be aware that criterion 1 of Policy HO2 of the CDLP 2015 - 2030 requires that *"the scale and design of the proposed development is appropriate to the scale, form, function and character of the existing settlement"*.
- 6.25 Based on the foregoing it is considered that the proposed development extends the built form of Cumwhinton. As such, it will have an impact on the historic settlement pattern. However, the applicant has sought to minimise any adverse impact in terms of the height and massing of the proposed dwellings, site/floor levels, the provision of landscaping, and the shape of proposed plot 8. In this light it is considered that any impact on the visual amenity of the area is not of such an extent that would merit the refusal of planning permission in itself.

5) Affordable Housing and Viability

- 6.26 Policy HO4 of the CDLP 2015 - 2030, as modified, requires 30% affordable units in Affordable Housing Zone A. This is in the context of the Council's Strategic Housing Market Assessment (SHMA 2014) addresses the need for affordable housing and shows an overall calculation of housing need over a 17 year period from 2013 to 2020 as being an average of 295 per annum. Nevertheless, paragraph 5.27 of the justification accompanying Policy HO4 explains that:

"The Policy contains a viability cushion.....Therefore when the requirements of this policy make a site unviable, the Council will expect the developer to submit an appraisalbefore a departure from the policy will be allowed."

This ties in with paragraph 173 of the Framework:

"Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking.....To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable."

- 6.27 On the matter of planning obligations Policy IP 8, as modified, of the CDLP 2015-2030 makes clear that new development will be expected to provide infrastructure improvements which are directly related to and necessary to make the development acceptable. Where a developer seeks to depart from any planning obligations sought, it will be necessary for them to demonstrate

that such contributions are nevertheless being maximised as far as it is viable to do so, and that ultimately the wider economic, social and environmental benefits to be realised from approving the proposal in the absence of such contributions outweigh the harm doing so.

- 6.28 In this case, the City Council's Housing Services has confirmed that this site falls within Affordable Housing Zone B of the emerging Local Plan, which would normally require a 20% affordable housing contribution i.e. equivalent to two units (one intermediate unit at 30% discount and one affordable rent at 60% discount).
- 6.29 The applicant has submitted a Viability Study which concludes that the effects on viability would lead to a deficit such that no affordable housing provision is justified. By way of contrast, the City Council commissioned Carigiet Cowen to undertake an independent Review of viability which concluded that the site would be able to deliver an affordable housing contribution. When comparing the results of the Viability Study and Review the apparent differences revolve around the expected land value, disposal costs and what are headed as "other" costs. However, when the build costs are reappraised based on figures from the Building Cost Information Service (BCIS) of the Royal Institution of Chartered Surveyors and compared with the residue identified in the Review undertaken by Carigiet Cowen there is an evident shortfall such that the site could not viably deliver a financial contribution towards affordable housing.
- 6.30 This aside, the absence of any contribution towards affordable housing provision (and therefore the potential adverse impact on groups with relevant characteristics under the Equality Act 2010) represents a recognised drawback to this application. The Housing Development section has put this into a wider context by highlighting that the Council's most recent SHMA (Strategic Housing Market Assessment) from September 2014 identified the need for 295 affordable homes per annum across Carlisle District, including 68 p.a. in the Carlisle Rural East Housing Market Area.

6) the impact on any wildlife interests

- 6.31 Policy CP2 (Biodiversity) of the CDLP 2001-2016 and Policy GI3 (Biodiversity & Geodiversity) of the CDLP 2015-2030 both seek to ensure the protection and, where possible, enhancement of biodiversity assets across the District. These policies are consistent with Section 11 of the Framework.
- 6.32 The Survey for Bats, Barn Owls & Breeding Birds undertaken on behalf of the applicant by the Cumberland Bat Group explains that bat activity was observed around the hedgerow with likely emergence from the site to the south with wing warming in the sheltered hedge to the southeast of the Thornedge site then along the hedgerow on the way to the main feeding area in the fields and hedgerow to the north. The hedge that runs along the boundary of the application site with Thornedge is currently being used by most bats travelling from the roost areas in the village to the feeding area to the north. In the long term hedges and planting to the west and east

boundaries would form additional flight and feeding routes. The Survey recommends that bat boxes should be fitted prior to work starting to act as a safe refuge for the bats during the build.

- 6.33 Based on the foregoing it is considered that the above, inclusive of safeguarding existing hedgerows, can be the subject of relevant conditions.

7) Planning Balance and Sustainable Development

- 6.34 The economic, social and environmental dimensions of sustainable development are set out in paragraph 7 of the Framework. With regard to economic considerations, the proposed residential units would provide employment during the construction phase, the New Homes Bonus, Council Tax income, and the occupiers would contribute to the local economy. Environmentally, the proposed development extends the built form of Cumwhinton. As such, it will have an impact on the historic settlement pattern. However, the applicant intends to minimise any adverse impact in terms of the height and massing of the proposed dwellings, site/floor levels, the provision of landscaping, limiting the extent of the development, and the shape of proposed plot 8. On balance, it is considered that the environmental role of sustainable development would be satisfied. Any impacts on ecology can be mitigated and measures to enhance biodiversity also undertaken through the imposition of relevant conditions.
- 6.35 In social terms, the proposal would widen the choice of dwelling types with particular regard to the provision of bungalows, and provide an accessible location. This is, however, in the context that the City Council (based on the allocated sites in the CDLP 2015-2030 and windfall sites) can currently demonstrate a five year land supply for housing (inclusive of a 20% buffer) The absence of any provision in terms of affordable housing counts against the application.
- 6.36 When weighing the various advantages and disadvantages, it is considered that any harm to the social role of sustainable development would not in this case outweigh the remaining social, economic and environmental benefits of the scheme

Conclusion

- 6.37 In conclusion, it is considered that the current proposal will not prejudice either the overall strategy of the emerging development plan nor the delivery of the two allocated sites in Cumwhinton. Furthermore, it is considered that the scheme in principle will not be sufficiently detrimental to the living conditions of neighbouring residents/uses so as to merit the refusal of permission. The Highway Authority has not raised any objections on safety grounds, and any impacts on wildlife can be mitigated and the subject of enhancement through the imposition of relevant conditions.
- 6.38 The proposed residential units would provide employment during the construction phase, the New Homes Bonus, Council Tax income, and the

occupiers would contribute to the local economy. Environmentally, the proposed development extends the built form of Cumwhinton but, on balance, it is considered that the environmental role of sustainable development would be satisfied.

- 6.39 In social terms, the proposal would widen the choice of dwelling types with particular regard to the provision of bungalows, and relates to an accessible location. However, the absence of any provision in terms of affordable housing counts against the application.
- 6.40 In overall terms it is considered that any harm to the social role of sustainable development would not in this case outweigh the remaining social, economic and environmental benefits of the scheme, and the recommendation is for approval.

7. Planning History

- 7.1 The available records indicate that the current application site has not previously been the subject of an application for planning permission. In relation to neighbouring land, in March 2015 (under application 14/0816) planning permission was given for the demolition of the existing house and stables at the property known as Thornedge, and the erection of 22no. dwellings. In July 2015, under application 14/0494, planning permission was given for the erection of five dwellings on land adjoining the property known as Lyndhurst.

8. Recommendation: Grant Permission

1. 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).

2. Before any work is commenced, details of the layout, scale, appearance (inclusive of boundary treatment), access and 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.

3. The approved documents for this Outline Permission comprise:

1. the submitted planning application form received 3rd June 2016;
2. the Location Plan (drawing no. 15-C-13832/200 Rev A) received 7th June 2016;
3. the As Proposed Site Plan & Block Plan (drawing no. 005) received 7th June 2016;
4. the As Proposed Site Plan & Block Plan (drawing no. 004) received 7th June 2016;
5. the Illustrative Layout for 8 Units (drawing no. 06) received 3rd June 2016;
6. the Illustrative Elevations for 8 Units (drawing no. 07) received 3rd June 2016;
7. the Road Layout Plan (drawing no. 15-C-13832/141 Rev D) received 3rd June 2016;
8. the Tree Protection Plan (drawing no. 15-C-13832/142 Rev A) received 3rd June 2016;
9. the Design & Access Statement received 6th June 2016;
10. the Desk Top Study Environmental Assessment received 6th June 2016;
11. the Pre development Enquiry Reply from United Utilities received 3rd June 2016;
12. the Landscape Statement received 3rd June 2016;
13. the Tree Survey received 3rd June 2016;
14. the Survey for Bats, Barn Owls & Breeding Birds received 3rd June 2016;
15. the Transport Statement received 3rd June 2016;
16. the Planning Statement received 7th June 2016;
17. the Viability Study received 7th June 2016;
18. the Appendices received 3rd June 2016;
19. the Notice of Decision; and
20. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

4. Not more than 8 dwellings shall be erected on the site pursuant to this permission.

Reason: The local planning authority wish to control the scale of the development to enable a further assessment on viability should the nature of the proposal change in the future.

5. Prior to the commencement of development details of the relative heights of the existing and proposed ground levels and the height of the proposed finished floor and ridge heights of the dwellings hereby permitted shall be

submitted to and approved in writing by the local planning authority.

Reason: In order that the approved development overcomes any problems associated with the topography of the area.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking and re-enacting that Order), no additional windows shall be inserted above the ground floor on the south elevations of the proposed dwellings adjoining the southern boundary (plots 1 - 4 as shown on the submitted Illustrative layout for 8 units, drawing number 06 prepared by Eden Environment Ltd) without the prior approval of the local planning authority.

Reason: In order to protect the privacy and living conditions of residents in close proximity to the site.

7. Prior to the commencement of development bat boxes shall be provided based on the Survey for Bats, Barn Owls & Breeding Birds prepared by Steve Wake of the Cumberland Bat Group in accordance with details submitted to and approved in writing beforehand by the local planning authority.

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

8. No vegetation suitable for nesting birds shall be cleared or removed during the period 1 March to 15 August in any calendar year unless a breeding bird survey of the area to be cleared or removed has been undertaken (in accordance with a scheme previously submitted to, and approved in writing by, the Local Planning Authority) and the findings of the survey satisfies the standards and/or measures set out in the approved scheme.

Reason: In order not to disturb or deter the nesting of any birds to ensure compliance with Policy CP2 of the Carlisle District Local Plan 2001-2016.

9. Prior to the occupation of any dwelling hereby permitted the Proposed Highway Works as identified in Plan 5 attached to the Transport Statement prepared by Royal Haskoning DHV dated 02 June 2016 shall be carried out in full.

Reason: In the interests of highway safety.

10. The carriageway and footways shall be designed, constructed, drained and lit to a standard suitable for adoption and in this respect further details, including longitudinal/cross sections, shall be submitted to the local planning authority for approval before any work commences on site. No highway related work shall be commenced until a full specification has been approved. These details shall be in accordance with the standards laid down in the current Cumbria Design Guide. Any works so approved shall be

constructed before the development is completed.

Reason: To ensure a minimum standard of construction in the interests of highway safety in accord with Policy H1 of the Carlisle District Local Plan 2001-2016.

11. 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 works is likely to lead to inconvenience and danger to road users and to support Local Transport Plan Policies S3 and LD9.

12. Before any dwelling hereby permitted is occupied its respective off-street parking provision together with vehicular access thereto and the associated turning area shall be provided in accordance with the approved plans. The access, parking, and, turning area shall be used for no other purpose without the prior approval of the local planning authority.

Reason: To ensure that each dwelling is provided with parking to the satisfaction of the local planning authority.

13. Prior to the occupation of any dwelling hereby permitted the existing field access onto Station Road shall be permanently closed and the highway crossings and boundaries reinstated in accordance with details which have been submitted to and approved in writing beforehand by the local planning authority.

Reason: In the interests of highway safety.

14. No development shall take place until details of a landscaping scheme has been submitted to and approved by the local planning authority.

Reason: To ensure that a satisfactory landscaping scheme is prepared.

15. All works comprised in the approved details of landscaping shall be carried out contemporaneously in the first planting and seeding season following occupation or completion (by plastering out) of each respective dwelling hereby permitted whichever is the sooner.

Reason: To ensure that a satisfactory landscaping scheme is implemented.

16. For the duration of the development works existing trees and hedgerows to be retained shall be protected in accordance with drawing number 1557/011 Rev A. The local planning authority shall be notified at least seven days

before work starts on site so that barrier positions can be established. Within this protected area there shall be no excavation, tipping or stacking, nor compaction of the ground by any other means.

Reason: To protect trees and hedges during development works.

17. All works comprised in the approved details of boundary treatment shall be carried out contemporaneously with the completion (by the plastering out) of each dwelling hereby permitted.

Reason: To ensure that the appearance of the area is not prejudiced by lack of satisfactory screening which is not carried out in a co-ordinated manner.

18. Prior to the occupation of each dwelling hereby permitted suitable receptacles shall be provided for the collection of waste and recycling in line with the schemes available in the Carlisle district.

Reason: In accordance with Policy CP14 of the Carlisle District Local Plan 2001-2016.

19. Samples or full details of all materials to be used on the exterior of each dwelling hereby permitted shall be submitted to and approved in writing by the local planning authority before any work is commenced.

Reason: To safeguard the character of the area.

20. Details shall be submitted of the proposed hard surface finishes to all external areas within the proposed scheme and approved by the Local Planning Authority before any site works commence.

Reason: To ensure that materials to be used are acceptable.

21. Prior to the commencement of any development hereby approved, a scheme for the disposal of foul and surface water and for the provision and implementation of any necessary surface water regulation systems, that restrict surface water runoff to a maximum pass forward flow of 5 l/s regardless of storm event, shall be submitted to and be approved in writing by the Local Planning Authority. The scheme shall be implemented during construction in accordance with the approved plans and retained thereafter.

Reason: To reduce the risk of flooding, safeguard local watercourses, avoid pollution of the water environment, and to reduce the likelihood of overloading and pollution of the existing drainage system.

22. No construction work associated with the development hereby approved shall be carried out before 07.30 hours on weekdays and Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any times on Sundays or Bank Holidays).

Reason: To prevent disturbance to nearby occupants in accordance with Policy CP6 of the Carlisle District Local Plan 2001-2016.

PARTNERS

Consulting Civil and Structural Engineers
28 Castle Street, Carlisle, Cumbria CA3 8TP
01273 537748 email: enquiries@adhesives.co.uk

TITLE
HIGHCROFT, CUMWHINTON
CATION PLANT

DRAWN	SCALE 1:2500 @ A3
DATE	JUN 2016

RECEIVED
07 JUN 2016
2016/0493

Page 28 of 216

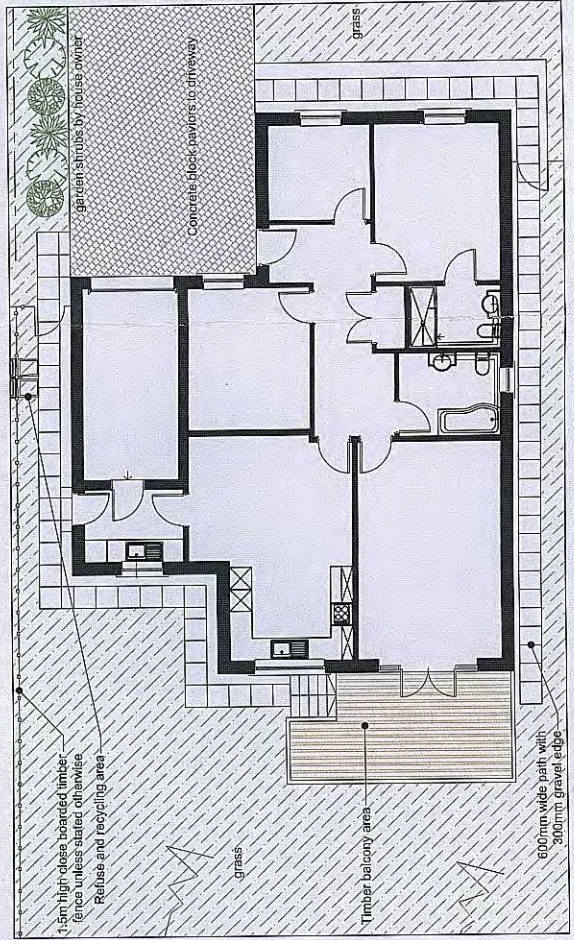
NOTES AND AMENDMENTS
The drawing is copyright ©. Figured dimensions are to be followed in preference to scaled dimensions and particulars are to be taken from the actual work where possible. Any discrepancy must be reported to the architect immediately and before proceeding.

REVISIONS	Rev	Description	Drawn	Date



Block Plan 1:500

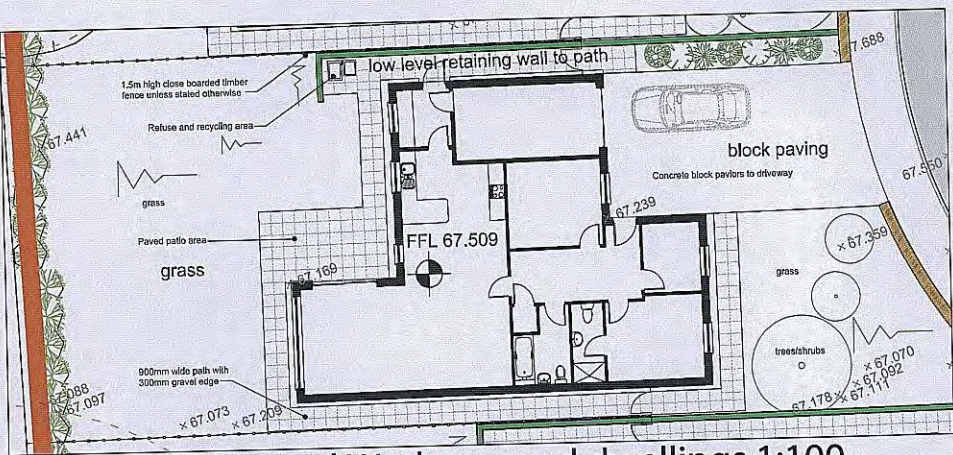
- LEGEND**
- Adoptable road
 - Adoptable footpath to contain services
 - 1.8m high close boarded timber fence unless stated otherwise
 - Garden wall 750mm high unless noted otherwise
 - low level shrub barrier by homeowner
 - Existing tree to remain
 - Root Protection Area (12 x trunk dia)
 - Paved Patio Area
 - Refuse & recycle area
 - Proposed Hedgerow/Tree
 - Existing Hedgerow
 - Proposed Hedgerow
 - Existing Levels for reference
 - Proposed Level
 - Proposed Root Protection zones provided by temporary chestnut pile fencing to BS 5837:2012.
 - Proposed Hedge Protection provided by temporary hedges fenced coupled together and secured with weighted plastic feet. Offset from hedge 1.5m from centre of hedge wherever possible.



Typical External Works around dwellings 1:100



Site Plan 1:200



Typical External Works around dwellings 1:100



Block Plan 1:500

Plot No.	Type	Style	Bedrooms
Plot 1	Type 1	Bungalow with integral garage	3
Plot 2	Type 1	Bungalow with integral garage	3
Plot 3	Type 1	Bungalow with integral garage	3
Plot 4	Type 2	Semi Detached with 2 no. parking spaces	3
Plot 5	Type 2	Semi Detached with 2 no. parking spaces	3
Plot 6	Type 2	Semi Detached with 2 no. parking spaces	3
Plot 7	Type 3	Detached with integral garage	4
Plot 8	Type 3	Detached with integral garage	4
Plot 9	Type 2	Semi Detached with 2 no. parking spaces	3
Plot 10	Type 3	Detached with integral garage	4
Plot 11	Type 3	Detached with integral garage	4
Plot 12	Type 2	Semi Detached with 2 no. parking spaces	3
Plot 13	Type 2	Semi Detached with 2 no. parking spaces	3
Plot 14	Type 7	Detached with integral garage	4
Plot 15	Type 6a	Link house with 2 no. parking spaces	3
Plot 16	Type 6a	Link house with 2 no. parking spaces	3
Plot 17	Type 6b	Link house with 2 no. parking spaces	3
Plot 18	Type 6b	Link house with 2 no. parking spaces	3
Plot 19	Type 6a	Link house with 2 no. parking spaces	3
Plot 20	Type 6a	Link house with 2 no. parking spaces	3
Plot 21	Type 5a	Farm house semi detached with detached garage	4
Plot 22	Type 5b	Farm house semi detached with detached garage	3

- LEGEND**
- 1.5m high close boarded timber fence unless stated otherwise
 - stone wall
 - facing brick wall
 - low level shrub barrier by homeowner
 - Existing tree to remain
 - Root Protection Area (12 x trunk dia)
 - Paved Patio Area
 - Landscaping by developer
 - Refuse & recycle area
 - Proposed Hedgerow Tree
 - Existing Hedgerow
 - Proposed Hedgerow
 - Existing Levels for reference
 - Proposed Level

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16/0493



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Planning
Client: Magnus Homes Ltd
Project: Residential Development
Thornedge, Cumwhinton

As Proposed
Site Plan & Block Plan

Scale	Sheet Size	Drawn	Date
Noted	A0	PM	07/2014
Project Ref	1557	005	

Site Plan 1:200

R 04	02.06.2016	hedgerow on western boundary retained
R 03	17.05.2016	internal road changes, additional trees
R 02	27.04.2016	copse added, hedges realigned
R 01	19.04.2016	house numbers and red line added
R 00	17.04.2016	original drawing
revision	date	notes

drawing number 06

drawing name

Illustrative layout for 8 units

project

Residential development land eas

of Thornedge, Cumwhinton

client

Magnus Homes

Eden Environment Ltd

www.edenenvironment.com

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Existing tall trees on crest provide a mature backdrop to the proposed housing

Existing mature oak (reference T8 in Tree Survey) to be retained.

Small copse at north eastern corner of site provides a backdrop to development. Hedge between copse and garden defines the boundary of plot 8.

Elevation line

Existing mature, dense hedgerows retained

Existing mature, dense hedgerow

Existing hedgerow contains site

Edge of existing (under construction) and proposed development broken up by avoidance of a 'straight' building line, and use of varied roof heights and profiles

Dwarf retaining walls (600mm) with fences above create level plots.

Tree planting along line of existing hedgerow frames, screens and softens edge of proposed development

Proposed tree planting between existing and proposed houses

Domestic scale trees within gardens

Smaller trees (native and ornamental) with seasonal interest and wildlife benefits (flowering and fruiting): snowy mespilus, apple, native crabapple, Kashmir rowan etc.

Hedgerow

Native species to match existing and consented hedgerows.

Ornamental trees along access road

Species with strong but neat shapes, with seasonal interest: fastigate hornbeam, white-stemmed birch, cherry, norway maple and 'Lutescens' whitebeam.

Structure trees around boundary

Medium to large native species, including oak, beech, alder, rowan, birch (and ash if die-back restrictions allow).

Existing hedge with additional tree planting forms a backdrop to both Thornedge and proposed development houses

Walls with piers on corners emphasises 'square' character

Retaining wall

Field gate and access for adjoining owner

Hedge and trees define garden boundary

Four larger formal trees mark corners of 'square'

Semi-formal lines of trees within the 'square'

single storey bungalow

garage for no. 4

single storey semi-detached properties

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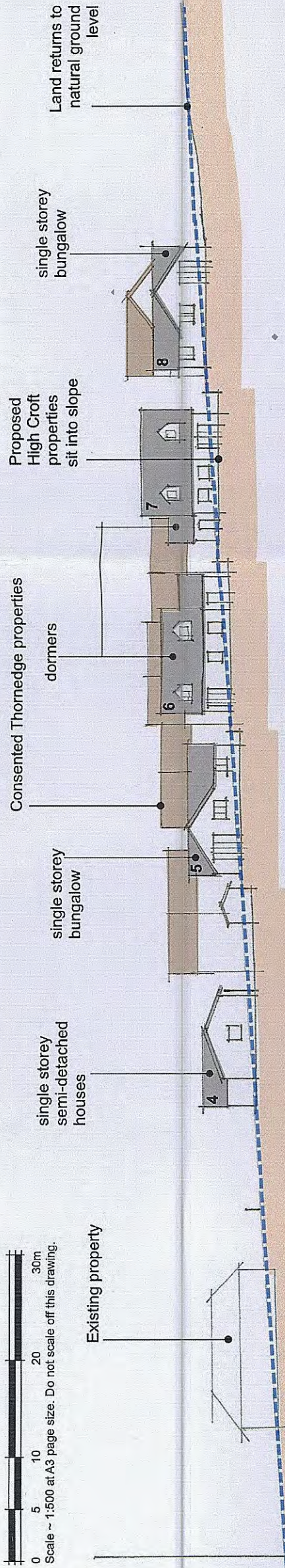
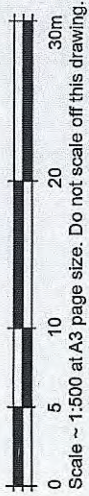
single storey bungalow

garage for no. 4

single storey semi-detached properties

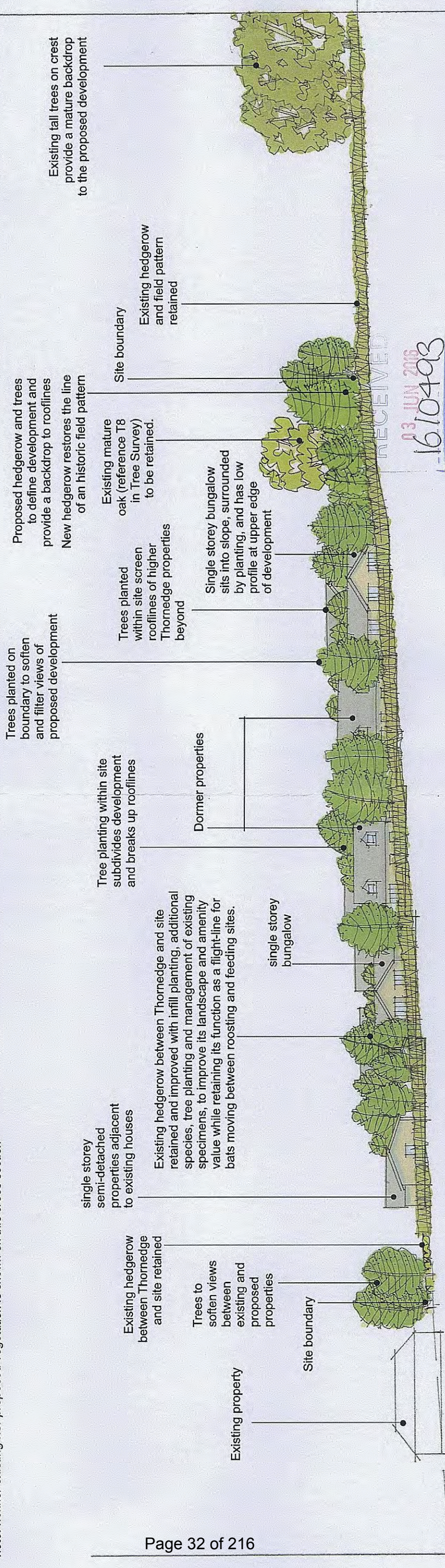
single storey bungalow

garage for no. 4



Sketch cross section through site showing comparative heights of consented Thornedge and proposed properties

note: neither existing nor proposed vegetation is shown on this cross section



Sketch elevation from north east

Key

	Section line: existing ground levels		Elevation line: Existing trees
	Section line: proposed ground level		Elevation line: existing hedgerow
	Section line: Thornedge houses		Elevation line: Proposed trees
	Section line: Proposed High Croft properties with house numbers indicated		Elevation line: Proposed shrubs

drawing number

07

drawing name

Illustrative elevation for 8 units

project
Residential development land east
of Thornedge, Cumwhinton

client

Magnus Homes

Eden Environment Ltd
www.edenenvironment.com

revision	date	notes
R 03	02.06.2016	hedgerow and oak on w boundary retained
R 02	27.04.2016	additional tree shown on elevation
R01	19.04.2016	house numbers & additional notes added
R 00	17.04.2016	original drawing

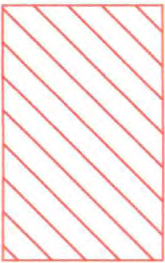


03 JUL 2016
16/04/16

CLIENT MAGNUS HOMES LTD		A.L.DAINES PARTNERS	
TITLE HIGHCROFT, CUMWHINTON ROAD LAYOUT		Consulting Civil and Structural Engineers	
DRAWN JAN 2016	SCALE 1:250 @ A1	D	
DRAWING NO. 15-C-13832/141		28 Castle Street, Carlisle, Cumbria CA3 8TP Tel. 01228 527428 Fax. 01228 532248 mail@aldaines.co.uk	

LEGEND

PROPOSED ROOT PROTECTION ZONES
PROVIDED BY TEMPORARY CHESTNUT
PALE FENCING TO BS 5837:2012



PROPOSED HEDGE PROTECTION
PROVIDED BY TEMPORARY HERMS
FENCING TOGETHER AND
SECURED WITH WEATHERED PLASTIC
FEET. OFFSET FROM HEDGE 1.5m
WHEREVER POSSIBLE.



STONE WALL



CLIENT
MAGNUS HOMES LTD

TITLE
HIGHCROFT, CUMWHINTON
TREE PROTECTION PLAN

DRAWN
JUN 2016

DATE
JUN 2016

SCALE
1:250 @ A1

DRAWING NO.
15-C-13832/142

Consulting Civil and Structural Engineers
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SCHEDULE A: Applications with Recommendation

16/0672

Item No: 02

Date of Committee: 21/10/2016

Appn Ref No:
16/0672

Applicant:
Mr John Briggs

Parish:
Wetheral

Agent:

Ward:
Wetheral

Location: Warathwaite Head Farm, Armathwaite, Carlisle, CA4 9TB

Proposal: Erection Of Dog Boarding Kennels

Date of Receipt:
11/08/2016

Statutory Expiry Date
06/10/2016

26 Week Determination

REPORT

Case Officer: Suzanne Osborne

1. Recommendation

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

2. Main Issues

- 2.1 The principle of development
- 2.2 Whether the scale and design is acceptable and the impact of the proposal on the character of the area
- 2.3 The impact on the living conditions of neighbouring residents
- 2.4 The impact on highway safety
- 2.5 Impact of the proposal on groundwaters
- 2.6 Impact of the proposal on biodiversity
- 2.7 Other matters

3. Application Details

The Site

- 3.1 Warathwaite Head Farm is situated in open countryside approximately 530 metres south of Cotehill Village. The farm steading is set back approximately 40 metres to the east of the road that leads from Cotehill to Armathwaite and is served by an existing access that links to a large concrete yard. The

farmhouse, a two storey property constructed from stone/rendered walls under a slate roof, is located to the south of the yard with single storey outbuildings attached to its western side. There are two detached farm buildings (constructed from block walls and Yorkshire boarding under a fabricated roof) situated to the north of the yard.

- 3.2 There are two bungalows (Warathwaite Head Bungalow and Warathwaite Head Cottage) located either side of the access track leading to the farm steading. The property to the north-west of the track, Warathwaite Head Bungalow, is within the ownership of the applicant and has a separate access from the Cotehill-Armathwaite road. Warathwaite Head Cottage, which is situated to the south-east of the track, and directly behind the outbuildings attached to Warathwaite Head Farmhouse is also accessed via the road leading from Cotehill-Armathwaite however the property has a rear access via the track leading to Warathwaite Head Farm. To the south-east of Warathwaite Head Cottage a field is located which is also within the ownership of the applicant.

The Proposal

- 3.3 The proposal seeks Full Planning Permission for the erection of a single storey building to provide dog boarding kennels on the site of a disused cattle shed to the north of the Warathwaite Head Farmhouse.
- 3.4 The submitted drawings illustrate the proposed building to have a width of 10 metres, a length of 24.1 metres with a maximum ridge height of 3.5 metres. The building would house 20 kennels each with their own covered external exercise area as well as a reception, food preparation area, store and grooming room. A secure corridor will run the entire length of the kennels. The proposed materials are insulated rendered block work walls with a insulated steel cladded roof. The west end of the building will be sunk into the ground by 1 metre to compensate for the incline in the land. A 2 metre Jakoustic reflective barrier with climbing plants and a native hedge is proposed immediately to the south of the proposed kennels to screen the 8 kennels which will face the existing concrete yard.
- 3.5 It is proposed to house an isolation kennel in the remaining cow shed situated to the east of the proposed kennels. A secured exercise paddock is proposed in the north-western corner of the field to the east of the site directly adjacent to the remaining cow shed. The exercise paddock will measure 12 metres in width by 15 metres in length and will be surrounded by a 1.8 metre security mesh fencing. A 2 m Jakoustic reflective barrier with a native hedgerow adjacent will be located to the south of the proposed exercise paddock to alleviate any potential noise issues.
- 3.6 Car parking/turning area to serve the development would be in the existing concrete yard immediately to the south of the proposed kennels. The development will be accessed via the existing track leading from the county highway.

4. Summary of Representations

4.1 This application has been advertised by the display of a site notice and by means of notification letters sent to two neighbouring properties and 6 other interested parties. In response to the consultation undertaken 7 letters of objection have been received.

4.2 The letters of objection cover a number of matters which are summarised as follows:

1. Impacts upon the health of the occupants of Warathwaite Head Cottage which was purchased due to the property being isolated with no noise;
2. Noise impacts of 20 dogs barking 24 hours 7 days a week;
3. Queries as to where dogs will be exercised;
4. Already had to complain to the applicant about dog fouling in the garden of Warathwaite Head Cottage;
5. How regular will waste collection be and where will it be stored for collection?
6. Plans do not show the rear access to Warathwaite Head Cottage ;
7. Loss of privacy to Warathwaite Head Cottage from customers using the adjacent access track;
8. Friends/Guests of the applicant currently park in front of Warathwaite Head Cottage therefore there are concerns that customers will also park in front of the property and block visibility from the access lane;
9. Potential for dog muck along the access track adjacent to Warathwaite Head Cottage;
10. Highway safety from those using the access track;
11. Proposal may have more activity than stated;
12. What time would the grooming dogs start to arrive;
13. Applicant breeds dogs. When will it become a licensed breeder and boarding kennels?
14. What are the proposed enforcement measures?
15. Warathwaite Head Cottage would never have been purchased if there had been kennels existing or in the planning stage;
16. Proximity of Warathwaite Head Cottage to the proposed kennels;
17. Impacts of the proposal on the Care Home nearby;
18. Impacts on the living conditions of neighbouring residents in terms of smell, hygiene and increased vehicular movements;
19. Commercial developments in the area should be limited to farm use only;
20. Dog barking and howling can be heard a mile down the road from the site already;
21. Potential for dogs to bark when on walks;
22. Already an established kennels 4.6 miles away. Is there a need for more

kennels?

5. Summary of Consultation Responses

Cumbria County Council - (Highways & Lead Local Flood Authority): - no objection subject to the imposition of one condition regarding surfacing of the access drive.

Clerk to Wetheral PC, Wetheral Council: - no observations

Local Environment - Environmental Protection (former Comm Env Services-Env Quality): - no objection providing the measures within the management plan are adhered to. To protect the amenities of nearby residents it is advised that three conditions are imposed limiting the times the dogs occupy the kennels on the south-west facing elevation and the use of the external kennel runs and secure paddock area.

Northern Gas Networks: - no objections, standing advice received.

6. Officer's Report

Assessment

- 6.1 Section 54a of the Town and Country Planning Act 1990/Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that an application for planning permission is determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.
- 6.2 The relevant planning policies against which the application is required to be assessed are the National Planning Policy Framework (NPPF), the Planning Practice Guidance (PPG), Policies DP1, CP1, CP2, CP3, CP5, CP6, CP12, EC11 and T1 of the Carlisle District Local Plan (CDLP) 2001-2016 and Policies SP1, SP6, EC11, IP3, IP6, CC5, CM5, GI1, GI3 and GI6 of the emerging (post submission) Carlisle District Local Plan (ECDLP) 2015-2030.
- 6.3 Carlisle's emerging (post submission) Local Plan 'The Carlisle District Local Plan 2015 - 2030' was submitted to the Secretary of State on 22nd June 2015 under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 6.4 Paragraph 216 of the National Planning Policy Framework identifies that:

"From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:

- *the stage of preparation of the emerging plan (the more advanced the*

- *preparation, the greater the weight that may be given);*
- *the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- *the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)".*

6.5 Carlisle City Council resolved at their meeting of the 10th February 2015, with regards to the emerging Local Plan, that *"once published for consultation, weight be given to the Carlisle District Local Plan (2015–2030) as a material consideration when exercising Development Management policy decisions, in accordance with paragraph 216 of the National Planning Policy Framework"*.

6.6 In exercising a decision on the proposal regard has therefore been had to the relevant policies and proposals within the emerging Carlisle District Local Plan 2015-2030. The particular weighting afforded to policies and proposals of relevance has been arrived at by considering each in turn and by way of reference to the provisions of paragraph 216 of the NPPF.

6.7 Carlisle's emerging Local Plan (CDLP 2015-2030) is now at an advanced stage having received the Inspector's report and is now progressing through the Council's processes towards adoption by the Full Council on the 8th November 2016. As such, in view of the advanced stage of plan preparation, these policies carry significant weight.

6.8 The proposal raises the following planning issues:

1. The Principle Of Development

6.9 Paragraph 28 of the NPPF states that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. The NPPF goes on to highlight that in order to promote a strong rural economy, local and neighbourhood plans should: support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings. The NPPF also promotes the development and diversification of agricultural and other land based rural businesses.

6.10 The aforementioned advice is elaborated in Policies DP1 and EC11 of the CDLP. Policy DP1 seeks to promote sustainable development through concentrating development in the urban area then Key and Local Service Centres. Outside of these locations, in the remote rural area, new development has to be assessed against the need to be in the location specified.

6.11 Policies EC11 of the CDLP and EC11 of the ECDLP highlight that changes in agriculture over recent decades has resulted in a decline in farm-related jobs. As a result there is now a need to strengthen the economy in rural areas,

thereby, helping the countryside to diversify, flourish and sustain itself. Both policies encourage the reuse and adaptation of existing traditional buildings for commercial uses. Both policies also support new buildings provided that they are well related to existing groups of buildings to minimise their impact. Both policies also sets out criteria against which proposals will be assessed seeking to ensure that proposals are: complementary to or compatible with the agricultural operations in the rural area; are compatible with the character and scale of the operation and its landscape character; not lead to an increase in traffic levels beyond the capacity of the surrounding local highway network; and be capable of providing adequate access and parking arrangements.

- 6.12 The proposal is for the erection of a dog boarding kennels at Warathwaite Farm, a non working farm approximately 530 metres south of Cotehill Village. It is proposed to demolish an existing cow shed within the farm yard and erect a single storey building to create kennels for up to 20 dogs including a room for grooming, food preparation and a reception. It is proposed to employ 4 full time kennel workers, 2 of these however will be the applicants that live in the existing farmhouse.
- 6.13 In the context of the foregoing policy advice, the proposal would help provide economic growth within the rural area. The new building would be closely related to an existing group of buildings on the farm stading and would not have an adverse impact upon the character of the area. The principle of the proposal is deemed acceptable. The impact on the highway network, the living conditions of neighbouring properties and scale of development is discussed below.

2. Whether The Scale And Design Is Acceptable And The Impact Of The Proposal On The Character Of The Area

- 6.14 The NPPF attaches great importance to the design of the built environment recognising that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. The NPPF also indicates that planning decisions should not attempt to impose architectural styles or particular tastes. It is however proper to promote or reinforce local distinctiveness.
- 6.15 The relevant design policies of the CDLP and ECDLP seek to ensure that proposals respond to the local context in terms of height, scale and massing and by using appropriate materials and detailing. Local landscape character should be respected and development should be fully integrated into its surroundings.
- 6.16 The kennels and associated exercise paddock would be erected adjacent to an existing group of farm buildings which are set back over 40 metres from the road leading from Cotehill towards Armathwaite. The scale and design of the development correspond with the variety of buildings which are situated

around the existing concrete yard at Warathwaite Head Farm and the development would therefore not form a discordant feature.

- 6.17 Given the positioning of the proposed development and intervening buildings there would be limited views of the proposal from any public viewpoints. Where views are afforded the proposal would be viewed within the context of other existing buildings at Warathwaite Head Farm. In such a context it is not considered that the proposal would have a detrimental impact on the character of the area.

3. The Impact On The Living Conditions Of Neighbouring Residents

- 6.18 Warathwaite Head Farm although situated in a relatively sparsely populated rural location 530 miles out of Cotehill Village has two neighbouring residential properties (Warathwaite Head Bungalow and Warathwaite Head Cottage) located either side of the access track leading to the farm stabling. As previously stated within this report the property (Warathwaite Head Cottage) to the south-east of the track and directly behind the outbuildings attached to Warathwaite Head Farmhouse is not within the ownership of the applicant. The occupiers of this property and other objectors amongst other issues have cited noise nuisance.
- 6.19 It is acknowledged that there may be some potential for noise to emanate from the kennels; however, in mitigation, the applicants have submitted a comprehensive management plan which confirms that the proposed kennels will be out of site from the none associated neighbouring property due to existing intervening higher farm buildings which would also deflect any air borne sound that may be produced on site. The kennel building will be of insulated block work construction and will be covered in stedmans AS35 insulated roof panels which will deaden the sound of barking from within. All doors in the kennels will be staggered and be constructed from uPVC which will insulate and prevent noise from dogs seeing each other. There will also be a window and tv in each kennel which will have a calming effect on the dogs, the kennel run walls will be breeze blocked to the roof to prevent dogs seeing each other, dogs will not have access to external runs after 7pm in the evening, each run will have a breeze block lip to prevent the dogs from barking at each other and noise will be prevented from the dogs in the 8 kennels which face towards the access and parking area by not allowing the dogs in the rooms during the opening times for customers to drop off or collect.
- 6.20 The management plan also confirms that the 8 kennels which face the access/parking area will be screened by a 2m Jakoustic reflective barrier with climbing plants and a native hedge. The grooming room will be for boarded dogs only and no 2 dogs not in the same family will be groomed at any one time. Dogs will be exercised in the secure paddock during the hours of 9am till 6pm and will be exercised individually to prevent barking unless they are from the same family. Dogs will not be left in the paddock unaccompanied and although noise is not envisaged a 2m Jakoustic reflective barrier will screen the paddock from the neighbouring bungalow.

- 6.21 The management plan goes on to state that the kennels are to be operated on an appointment only basis during the hours of 09:00-11:00 hours and 14:00-17:00 hours and a collection service will be offered.
- 6.22 It is acknowledged that the management plan submitted by the applicant incorporates a significant number of measures to prevent noise from dogs barking. The intervening buildings between the application site and Warathwaite Head Cottage would also help to disperse any noise that may be emitted from the proposal.
- 6.23 The City Council's Environmental Quality Section has been consulted on the proposal and has confirmed no objections to the proposal providing the measures within the management plan are adhered to. Environmental Services have advised that to protect the amenities of nearby residents three conditions should be imposed limiting the times the dogs occupy the kennels on the south-west facing elevation and the use of the external kennel runs and secure paddock area. In such circumstances Environmental Health have confirmed that the normal operation of the boarding kennels should not lead to excessive noise to neighbours i.e. from barking dogs etc.; however, should noise nuisance occur this would be subject to Environmental Legislation. Environmental Health has also confirmed that the kennels would also require a licence from the City Council.
- 6.24 In relation to the above it is considered that subject to a condition being imposed ensuring that all the measures in the management plan are adhered to (which includes time limits on the external kennel runs and exercise paddock) the proposal should not cause any noise nuisance to the occupiers of non-associated neighbouring properties. A condition is also recommended which ensures that the owner/manager of the kennels should reside at Warathwaite Head Farm, thereby, affording the opportunity to closely monitor potential noise issues. A further condition is recommended that would limit the number of dogs boarding at the kennels at any one time to 20.
- 6.25 In respect of the potential cumulative noise levels arising from this proposal and from domestic dogs at Warathwaite Head Farm and Warathwaite Head Bungalow should this be an issue it would be subject to Environmental Health Legislation. In light of the foregoing assessment, the proposal should not exacerbate the current situation to warrant a refusal of the application on intensification of use or unacceptable noise levels.

4. The Impact On Highway Safety

- 6.26 Concerns have also been expressed about highway safety, the submitted plans not showing the rear access to Warathwaite Head Cottage which is onto the existing un-adopted track leading to the proposed kennels and potential parking by visitors to the proposed development outside of Warathwaite Head Cottage adjacent to the county highway.
- 6.27 As previously stated within this report access to the kennels will be via the un-adopted access track leading to Warathwaite Head Farm. Parking will be in the existing concrete farmyard. Cumbria County Council, as Highways

Authority has been consulted and has no objections as the access and parking arrangements allows for vehicles to exit and enter the site without obstructing the highway; however, it does seek the imposition of one condition regarding surfacing of the access track. The views of the objectors are noted however, given that the Highways Authority do not share these views it would be difficult to substantiate a refusal of the application on highway grounds.

- 6.28 The objectors have also cited concerns regarding intensification of vehicular use to the site and the resulting impact upon their living conditions. Following a visit to Warathwaite Head Cottage it is evident that there are a number of windows on the side elevation and rear of the property facing towards the access track leading towards the application site. The applicants have confirmed that they anticipate 2 vehicular movements per day. Whilst it is inevitable that there would be an increase in vehicular traffic to the site as a result of the proposal it is not considered that the increase would be significant particularly given the site's historical use as a working farm.

5. Impact Of The Proposal On Groundwaters

- 6.29 It is proposed that dog waste will be stored in an animal waste bin to the east of the proposed kennels and collected by a waste removal company on a fortnightly basis. All other remaining foul sewage will go into the existing septic tank. Should pollution occur in the future this would be subject to Environmental Health Legislation. Surface water drainage would be to an existing sustainable drainage system within the applicant's ownership. There is no objection to the drainage methods proposed however it is recommended, should Members approve the application, that conditions are imposed within the Decision Notice requesting full drainage details.

6. Impact Of The Proposal On Biodiversity

- 6.30 The Council's GIS Layer has identified that there is the potential for several key species to be present within the vicinity. The applicant proposed planting next to the acoustic barriers which will help promote the biodiversity of the site. Using the guidance issued by Natural England, the development would not harm protected species or their habitat; however, an Informative is suggested within the Decision Notice ensuring that if a protected species is found all work must cease immediately and the Local Planning Authority informed.

7. Other Matters

- 6.31 Concerns have been raised by objectors with regard to the intended use of the kennels as there is concern that the kennels would become a licensed breeder and boarding kennels. The submitted application is for boarding kennels and has been assessed against relevant planning policies as such. Notwithstanding the foregoing, the applicant and his family do have several dogs in their ownership; however, under Environmental Health Legislation a Breeders Licence would only be required if, during any twelve month period five or more litters of puppies are born to bitches which are kept on the

premises.

- 6.32 Concerns have also been raised with regard to dog fouling however the submitted management plan indicates that the dogs would be exercised in the proposed paddock which would prevent any dog fouling within the surrounding area. Should dog fouling occur this would be dealt with under the relevant Environmental Health legislation.
- 6.33 An objector has also questioned the need for the kennels as there is an established kennels 4.6 miles away. The applicant is not required to demonstrate a need for the proposal and as stated in paragraphs 6.9-6.13 the relevant Development Plan Policies support the development of rural businesses.
- 6.34 The City Council has received objections on the basis that the proposal would have an adverse impact upon the health of the occupants of Warathwaite Head Cottage which was purchased due to the applicants having ill health and the property being isolated with no noise. As discussed in paragraphs 6.18-6.25 the applicant has submitted a comprehensive management plan and a number of measures to prevent noise nuisance. Should a statutory nuisance occur this would be dealt with under the relevant Environmental Health legislation.
- 6.35 The human rights of the occupiers of the neighbouring properties have been properly considered and taken into account as part of the determination of the application. Several provisions of the Human Rights Act 1998 can have implications in relation to the consideration of planning proposals, the most notable being:
- Article 6** bestowing the "Right to a Fair Trial" is applicable to both applicants seeking to develop or use land or property and those whose interests may be affected by such proposals;
 - Article 7** provides that there shall be "No Punishment Without Law" and may be applicable in respect of enforcement proceedings taken by the Authority to regularize any breach of planning control;
 - Article 8** recognises the "Right To Respect for Private and Family Life".
- 6.36 Article 1 of Protocol 1 relates to the "Protection of Property" and bestows the right for the peaceful enjoyment of possessions. This right, however, does not impair the right to enforce the law if this is necessary, proportionate and there is social need.
- 6.37 Article 8 and Article 1 Protocol 1 are relevant but the impact of the development in these respects will be minimal and the separate rights of the individuals under this legislation will not be prejudiced. If it was to be alleged that there was conflict it is considered not to be significant enough to warrant the refusal of permission.

Conclusion

- 6.38 It is considered that the proposed development would help to provide

economic growth within the rural area. The development is appropriate in terms of scale and design to the application site and will not have a detrimental impact upon the character/appearance of the surrounding area. Given the distances of the application site from neighbouring properties, the proposed construction method of the buildings, and, subject to the imposition of relevant conditions within the Decision Notice ensuring that the proposal adheres to the management plan and that the owner/manager of the kennels should reside at Warathwaithe Head Farm affording the opportunity to closely monitor potential noise issues it is not considered that the proposal would have such a significant adverse impact on the living conditions of the occupiers of non-associated neighbouring properties to warrant a refusal of the application on the basis.

- 6.39 Furthermore the proposal will not have an adverse impact upon biodiversity and subject to the imposition of relevant conditions the proposal should not have an adverse impact upon highway safety or existing drainage conditions.
- 6.40 On balance it is considered that the benefits of the proposed development (the creation of a new business to provide economic growth within the rural area) would significantly outweigh its limited adverse impact upon the living conditions of the occupiers of non-associated neighbouring properties. Accordingly the application is considered to be compliant with the criteria of the relevant Development Plan policies and is therefore recommended for approval subject to the imposition of relevant conditions.

7. Planning History

- 4.1 In 1981, planning permission was granted for the erection of a replacement farmhouse (81/0341). A condition was placed on the permission that required the existing dwelling to be retained for use as an agricultural barn only.
- 4.2 In November 1984, permission was refused for the removal of condition requiring existing dwelling to be retained for use only as an agricultural barn (84/0685).
- 4.3 In December 1985, permission was refused for the variation of condition to enable barn to be used as a dwelling (85/0916). A subsequent appeal was dismissed.
- 4.4 In January 2013, permission was granted for the removal of condition 7 of previously approved planning permission 81/0341 to allow the agricultural barn to be used as a dwelling (12/0981).
- 4.5 In July 2013 Full Planning Permission was granted for a replacement dwelling (reference 13/0303).

8. Recommendation: Grant Permission

1. The development shall be begun not later than the expiration of 3 years beginning with the date of the grant of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The approved documents for this Planning Permission comprise:

1. the submitted planning application form received 25th July 2016;
2. the site location plan received 13th September 2016;
3. the block plan received 13th September 2016;
4. the submitted floor plans and elevations received 11th August 2016;
5. the management plan received 13th September 2016;
6. the details of the jakoustic barriers received 13th September 2016;
7. the cross section of the kennels exterior walls received 13th September 2016;
8. the email from the applicant received 4th October 2016;
9. the Notice of Decision; and
10. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

3. This permission shall not be exercised by any person other than those person(s) residing at Warathwaithe Head Farm, Armathwaite.

Reason: But for the special circumstances of the applicant permission would not be forthcoming and in order to safeguard the amenity of the character of the locality in accordance with the objectives of Policy DP1 and EC11 of the Carlisle District Local Plan 2001-2016 and Policy EC11 of the Emerging Carlisle District Local Plan 2015-2030.

4. The building shall only be used for the boarding of not more than 20no. dogs at any one time.

Reason: The Local Planning Authority wish to control the precise nature of the use in order to safeguard the living conditions of the neighbouring residents in accordance with Policies CP5 and EC11 of the Carlisle District Local Plan 2010-2016 and Policies SP6 and EC11 of the Emerging Carlisle District Local Plan 2015-2030.

5. The grooming room shall be for boarded dogs only.

Reason: The Local Planning Authority wish to control the precise nature of the use in order to safeguard the living conditions of the

neighbouring residents in accordance with Policies CP5 and EC11 of the Carlisle District Local Plan 2010-2016 and Policies SP6 and EC11 of the Emerging Carlisle District Local Plan 2015-2030.

6. The kennels hereby approved shall be operated wholly in accordance with the management plan received on the 13th September 2016.

Reason: To prevent disturbance to nearby residential occupiers and in accord with Policy CP5 of the Carlisle District Local Plan 2001-2016 and Policy SP6 of the Emerging Carlisle District Local Plan 2015-2030.

7. The use of the kennels and exercise paddock hereby approved shall not be commenced until the acoustic barriers, as identified on the site location plan received 13th September 2016, have been erected.

Reason: To prevent disturbance to nearby residential occupiers and in accord with Policy CP5 of the Carlisle District Local Plan 2001-2016 and Policy SP6 of the Emerging Carlisle District Local Plan 2015-2030.

8. No development approved by this permission shall be commenced until a scheme for the provision of foul and surface water drainage works has been approved in writing by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans.

Reason: To ensure a satisfactory means of foul and surface water disposal and in accordance with Policy CP12 of the Carlisle District Local Plan 2001-2016 and Policies IP6 and CC5 of the Emerging Carlisle District Local Plan 2015-2030.

9. The access drive shall be surfaced in bituminous or cement bound materials, or otherwise bound and shall be constructed and completed before the development is occupied/brought into use.

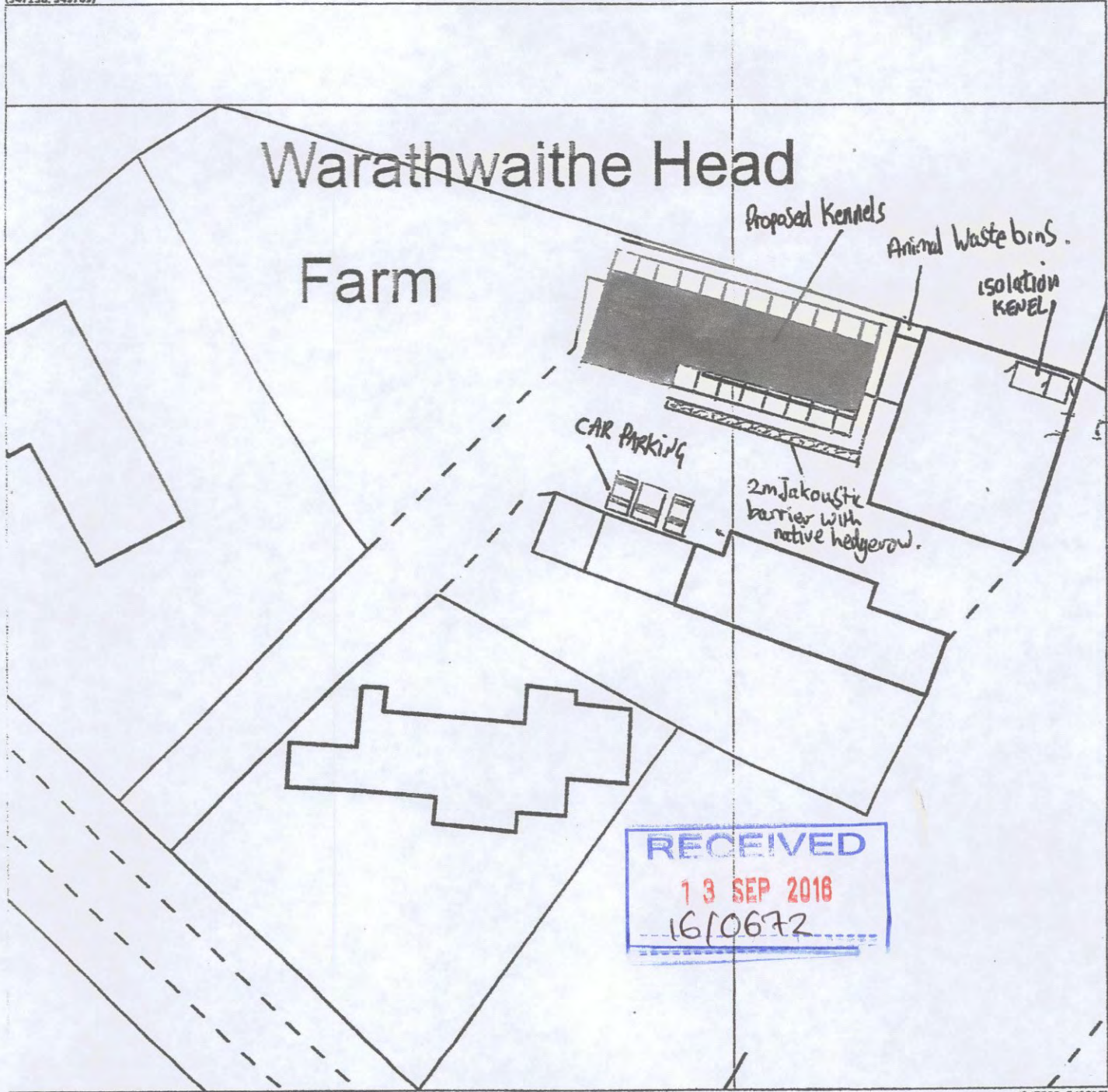
Reason: In the interests of highway safety. To support Local Transport Plan Policies LD5, LD7 and LD8.

10. The development shall be landscaped in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority which shall indicate the proposed types, species planting heights and planting densities of all trees and shrubs to be planted together with the heights and profiles of any proposed earth modelling. The scheme shall be implemented during the planting season following the completion of the development hereby approved and any trees or shrubs which die, become diseased or are lopped, topped, uprooted or wilfully destroyed within the following five years shall be replaced by appropriate nursery stock.

Reason: To ensure that a satisfactory landscaping scheme is prepared in accordance with Policies CP3 and CP5 of the Carlisle District Local Plan 2001-2016 and Policies SP6 and GI6 of the Emerging Carlisle District Local Plan 2015-2030.

(347188, 549709)

(347232, 549709)



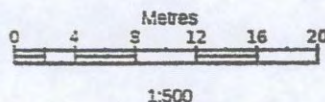
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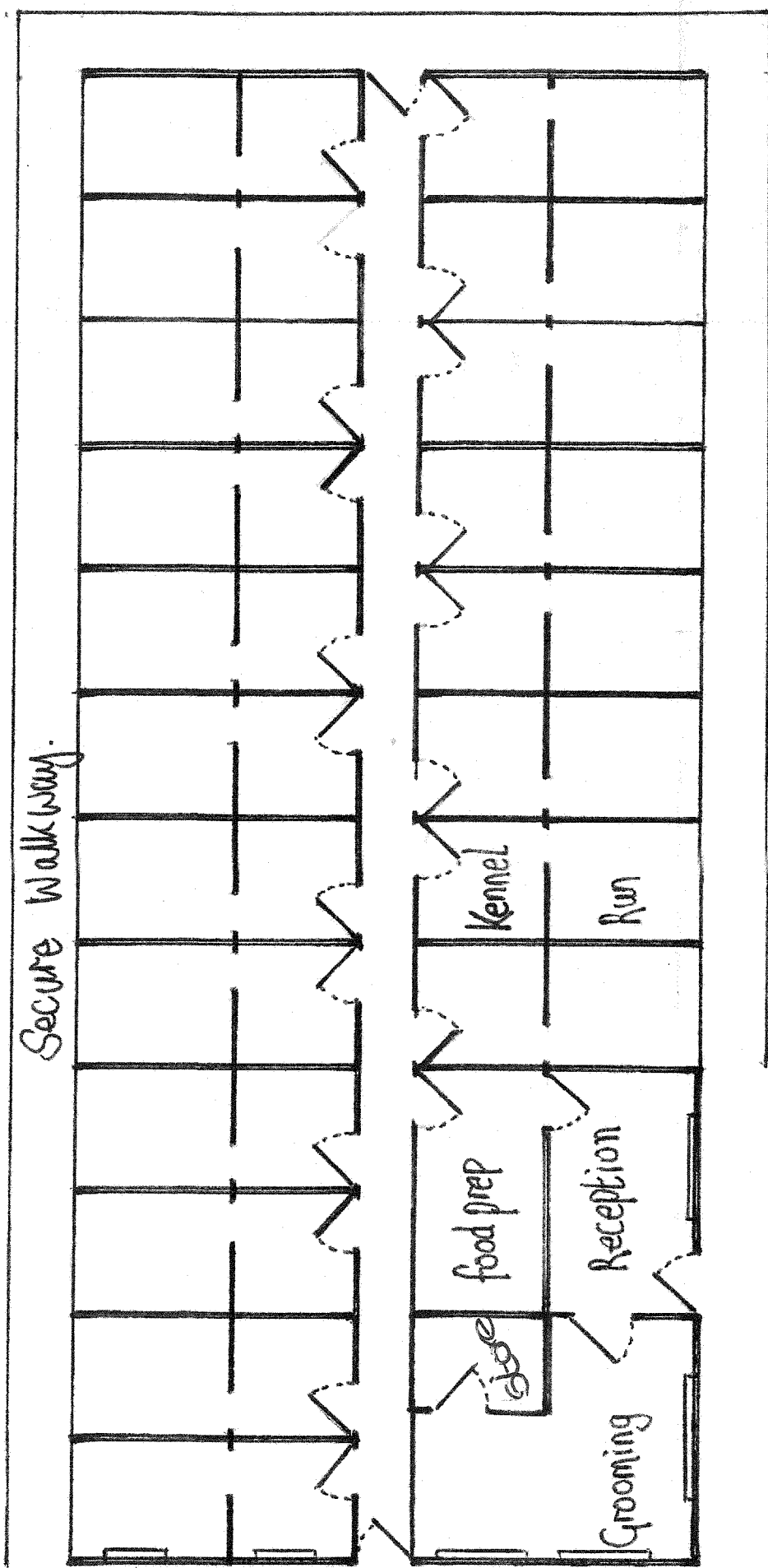


WARATHWAITE HEAD FARM
CARLISLE
CA4 9TB

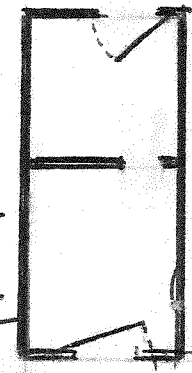
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Floor Plan

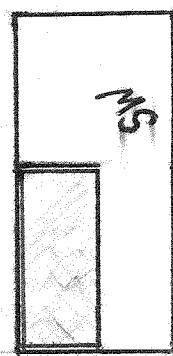
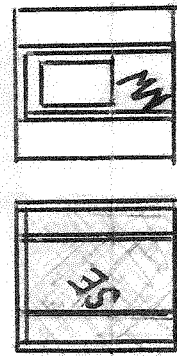


Isolation Kennel floor plan

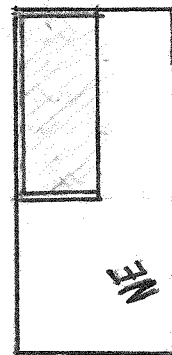


Isolation Kennel

Situated in existing
COW Shed 10metres
from proposed Kennels
as located on the
1:500 Scale Site plan.



Isolation Kennel elevations



PROPOSED LAYOUTS
FOR LUXURY BOARDING KENNELS

CA4 QTB

for

WARATHWATE HEAD FARM

ARMATHWATE

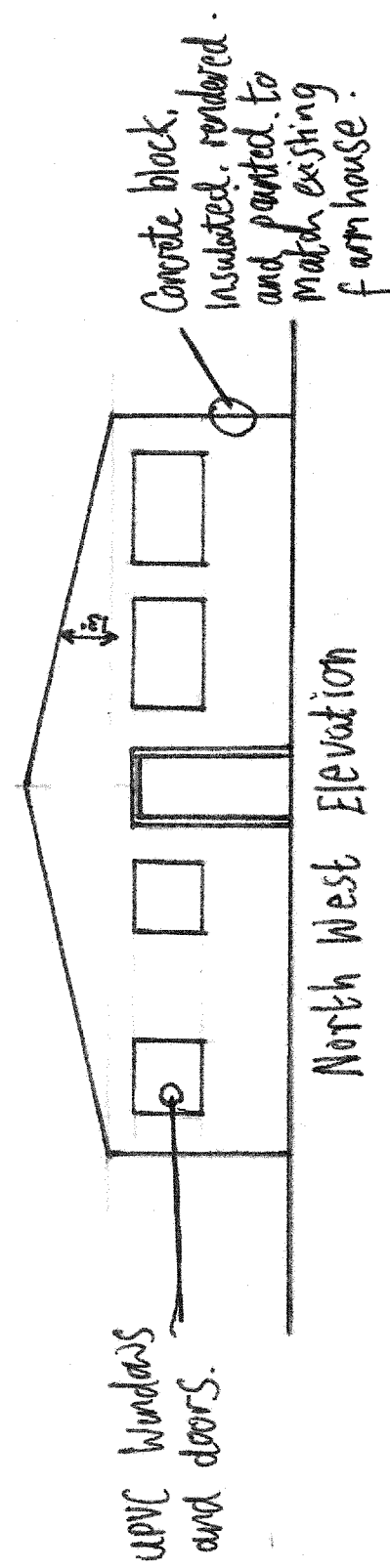
CARLSLE

CUMBRIA

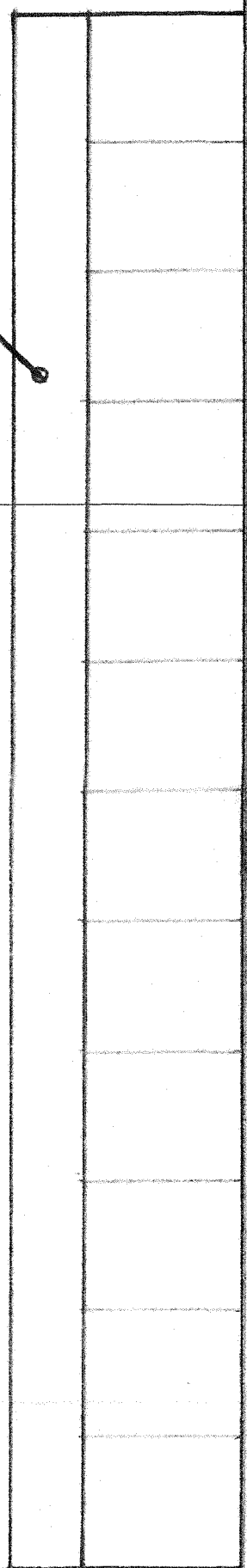
CA4 QTB

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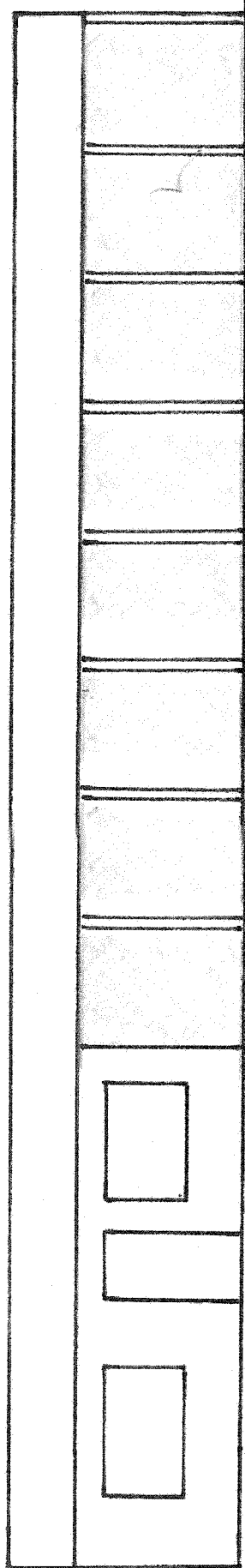
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BS EN ISO 140-3:1995



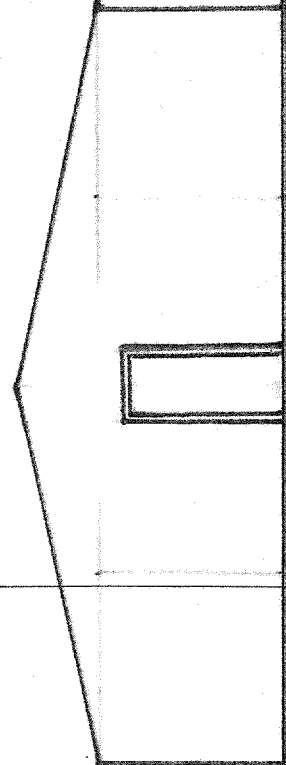
North West Elevation



North East Elevation



South West Elevation

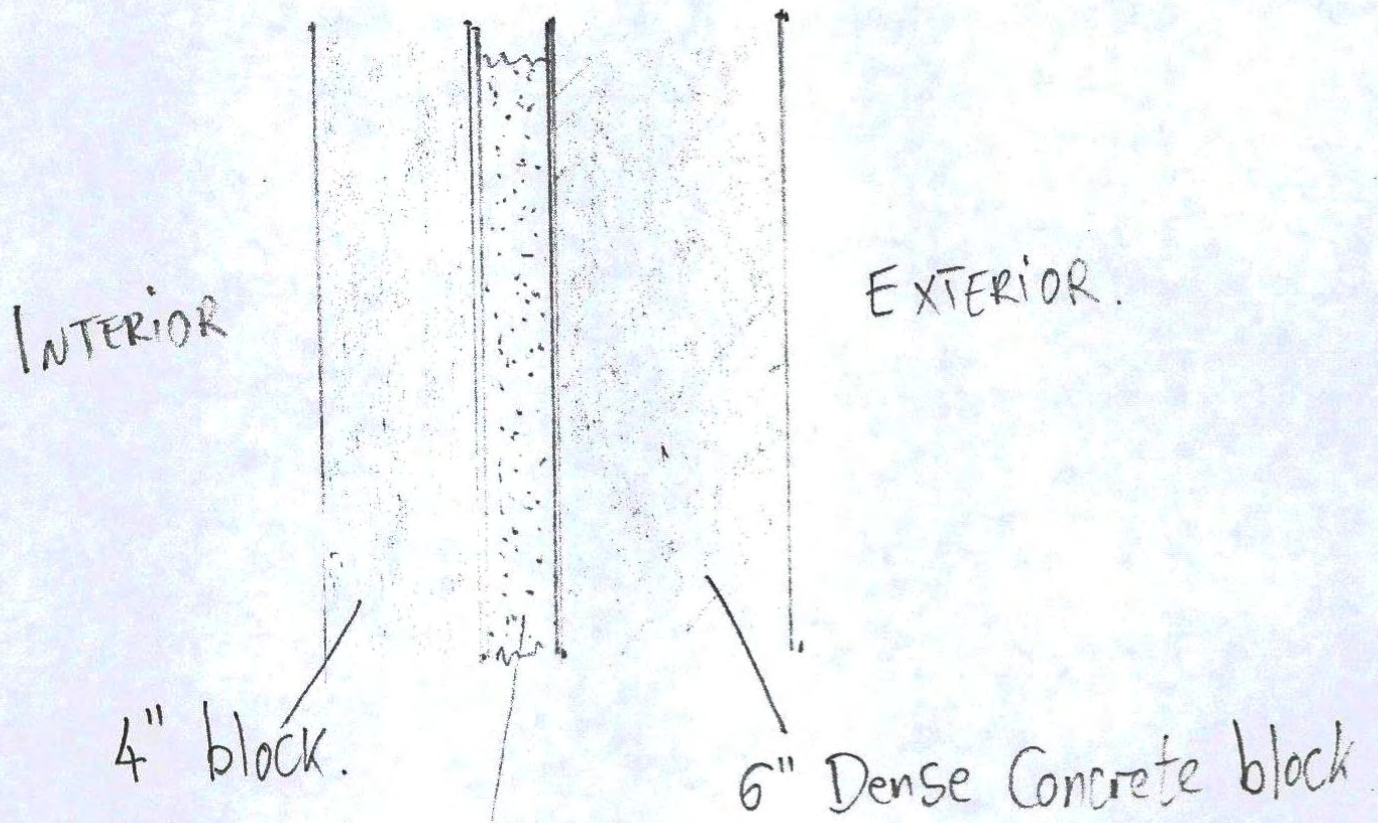


South East Elevation

RECEIVED
22 JUL 2016
16/0672

RECEIVED
11 AUG 2016
16/0672

Cross Section of kennels exterior walls



75mm Celotex insulation



SCHEDULE A: Applications with Recommendation

16/0384

Item No: 03

Date of Committee: 21/10/2016

Appn Ref No:
16/0384

Applicant:
Canvas Strecher Bars

Parish:
St Cuthberts Without

Agent:
Concept

Ward:
Dalston

Location: Land to the rear of Stribers, 23 Newbiggin Road, Durdar, Carlisle, CA2 4UJ

Proposal: Proposed Demolition Of Existing Garage And Erection Of 1no. Dwelling

Date of Receipt:
29/04/2016 13:00:13

Statutory Expiry Date
24/06/2016 13:00:13

26 Week Determination
30/10/2016

REPORT

Case Officer: Barbara Percival

Update

As Members are aware, this application was deferred by Members at the Development Control Committee Meeting of the 16th September 2016. The reason for deferral being:

"to allow Officers to negotiate amendments with the applicant and to await a further report on the application at a future meeting of the Committee".

Since the Committee Meeting the Agent has confirmed that the Applicant wishes Members to consider the scheme as submitted. The Project Manager has submitted a statement in support of the scheme which has been reproduced in the Schedule.

One of the issues raised is a procedural matter in respect of the Right to Speak Scheme. The Applicant's Project Manager has stated that there was no opportunity for the Applicant/Agent to address Members of the Development Control Committee. This was not the case, the Agent was contacted by e-mail and by telephone to advise that a third party had registered their Right to Speak and to offer him the opportunity to respond; however, the offer was declined.

In terms of the planning merits of the application the Minutes show that Members raised a number of issues, namely: overshadowing of the adjacent property, questioned the reason for the revised application in light of the fact that the applicant has an extant permission and referred to the means of foul drainage.

In respect of overshadowing of the adjacent property, number 14 The Willows, paragraph 6.16 acknowledges that due to the proposed relationship of the buildings it would be inevitable that there would be some over-shadowing of the adjoining rear garden. However, the extent of over-shadowing would change at differing times of the year and would not be detrimental to the occupiers of the dwelling. Accordingly, a judgement has to be made as to whether the extent of the over-shadowing would be so significant to warrant a refusal of the application.

In respect of the relocation of the dwelling within the plot to that of the extant permission. As Members are aware each application is dealt with on its own merits, therefore, Members have to determine the application currently before them. Nevertheless, the extant permission was for the erection of two dwellings located within the domestic curtilage of Stribers whilst this application seeks permission for one dwelling within the rear garden of Stribers.

In respect of the proposed foul drainage arrangements, paragraphs 6.19 and 6.20 have been revised in respect of the method of foul and surface water drainage.

1. Recommendation

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

2. Main Issues

- 2.1 Whether the principle of development is acceptable
- 2.2 Whether the scale and design of the dwelling is acceptable
- 2.3 Impact of the proposal on the living conditions of neighbouring residents
- 2.4 Impact of the proposal on highway safety
- 2.5 Whether the method of disposal of foul and surface water are appropriate
- 2.6 Impact of the proposal on biodiversity
- 2.7 Other matters

3. Application Details

The Site

- 3.1 The Stribers, 23 Newbiggin Road is a detached bungalow set within a large curtilage located on the northern side of the U1128 Durdar to the Golden Fleece Roundabout county highway. Located within the curtilage of the property is a double garage and several other domestic outbuildings. Vehicular access is directly onto Newbiggin Road; however, the property is also served by a wider vehicular access and parking area off The Willows which affords access to the detached double garage.

Background

- 3.2 In March 2014, Full Planning Permission was granted for the demolition of the existing bungalow and erection of 2no. dwellings (application reference 14/0035).

The Proposal

- 3.3 The proposal seeks Full Planning Permission for the demolition of the existing garage and the erection of 1no. dwelling. The block plan, submitted as part of the application, illustrates the retention the detached bungalow and the subdivision of its curtilage with the proposed new dwelling located to the north of Stribers. Access would be via The Willows with the boundaries of the site delineated by 1.8 metre high timber fences.
- 3.4 The proposed dwelling would have a ridge height of 8.59 metres with a maximum width of 13.6 metres including the garage and external chimney. The accommodation provided would consist of a living/kitchen/family room, hall, w.c., study/office, living room, utility and garage on the ground floor with 1no. ensuite bedroom, 3no. bedrooms and bathroom above. There would also be an en-suite master bedroom in the roof space. The proposed materials would be facing brickwork with sandstone features with slate roofs.

4. Summary of Representations

- 4.1 This application has been advertised by the direct notification of six neighbouring properties and the posting of a Site Notice. In response, five representations of objection have been received in respect of the originally submitted drawings.
- 4.2 The representations identifies the following issues:
1. design not in keeping with other in The Willows.
 2. no overall objection to the development of the site; however the design and location of the property would adversely affect the adjacent dwelling.
 3. potential overlooking and loss of privacy.
 4. overdominance of the property to neighbouring properties.
 5. impact of the proposal on surface water.
 6. disappointed that no consultation has taken place prior to the submission of the application.
 7. condition should be imposed in respect of working hours and deliveries.
 8. the development of this site and the potential adjacent site would result in nearby and adjacent properties virtually 'living on a building site' for some

considerable time.

9. the entrance of The Willows should be kept free of building materials and equipment whilst under construction.
 10. the property is a three storey dwelling adjacent two storey dwellings.
 11. potential overshadowing due to height and position of proposed dwelling.
 12. development of the site should not be piecemeal.
 13. the double garage would come forward of the main dwelling which has resulted in the dwelling being moved back.
 14. potential to exacerbate existing sewage problems.
- 4.3 Revised drawings were subsequently received and third parties notified. Five representation of objection have been received in respect of the revised drawings.
- 4.4 The representations on the revised drawings identifies the following issues:
1. revised plans do not address previous objections and all previous issues raised valid.
 2. the dwelling should be in keeping with others within The Willows.
 3. would the dwelling be subject to the same covenant as others within The Willows.
 4. potential highway obstruction during any building works.
 5. dwelling would set a precedent for any future dwelling within the curtilage of Striders.
 6. the garage is immediately adjacent to the shared boundary and will result in loss of light and overshadowing. This is out of keeping with the rest of the estate and should be relocated in the south east corner of the garden as originally approved.
 7. potential overshadowing due to height and position of proposed dwelling.
 8. the foul sewage should be connected directly into the main sewerage system and not into the secondary foul waste outlet which runs through the adjacent property.

5. Summary of Consultation Responses

Cumbria County Council - (Highways and Lead Local Flood Authority): - following the receipt of revised drawings now raise no objections subject to

the imposition of a condition requiring the boundary treatments to be retained as approved;

St Cuthberts Without Parish Council: - do not wish to make any representation on the revised proposal;

Northern Gas Networks: - no objections to the 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 it is required that the promoter of these works to contact United Utilities directly to discuss their requirements in detail. Should diversionary works be required these will be fully chargeable.

6. Officer's Report

Assessment

Reason For Recommending Delegated Power Decision

- 6.1 Section 54a of the Town and Country Planning Act 1990/Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that an application for planning permission is determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.
- 6.2. The relevant planning policies against which the application is required to be assessed is the National Planning Policy Framework (NPPF), the Planning Practice Guidance (PPG), Policies DP1, CP1, CP2, CP5, CP12, H1 and T1 of the Carlisle District Local Plan 2001-2016 and Policies SP1, GI1, GI3, SP6, IP6, CC5, HO2 and IP3 of the emerging Carlisle District Local Plan 2015-2030. A further material consideration is the Supplementary Planning Document 'Achieving Well Designed Housing'.
- 6.3 Carlisle's emerging new Local Plan 'The Carlisle District Local Plan 2015 - 2030' was submitted to the Secretary of State on 22nd June 2015 under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 6.4 Paragraph 216 of the National Planning Policy Framework identifies that:

"From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:
 - *the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*
 - *the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
 - *the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)".*

Carlisle City Council resolved at their meeting of the 10th February 2015, with

regards to the emerging Local Plan, that *“once published for consultation, weight be given to the Carlisle District Local Plan (2015–2030) as a material consideration when exercising Development Management policy decisions, in accordance with paragraph 216 of the National Planning Policy Framework”*.

6.5 In exercising a decision on the proposal regard has therefore been had to the relevant policies and proposals within the emerging Carlisle District Local Plan 2015-2030. The particular weighting afforded to policies and proposals of relevance has been arrived at by considering each in turn and by way of reference to the provisions of paragraph 216 of the NPPF.

6.6 The emerging Carlisle District Local Plan 2015-2030 (submission draft and proposed modifications) is now at an advanced stage having received the Inspector's report and is now progressing through the Council's processes towards adoption by the Full Council on the 8th November 2016. As such, in view of the advanced stage of plan preparation, these policies carry significant weight.

6.7 The proposal raise the following planning issues:

1. Whether The Principle of Development Is Acceptable

6.8 The principle of development of the site has been established since 2014 by the granting of Full Planning Permission for the demolition of existing bungalow and erection of 2no. dwellings (application 14/0035).

2. Whether The Scale And Design Of The Dwelling Is Acceptable

6.9 Policies seek to ensure the development is appropriate in terms of quality to that of the surrounding area and that development proposals incorporate high standards of design including siting, scale, use of materials and landscaping which respect and, where possible, enhance the distinctive character of townscape and landscape. This theme is identified in Policy CP5 of the Local Plan and Policy SP6 of the emerging Local Plan which requires that development proposals should also harmonise with the surrounding buildings respecting their form in relation to height, scale and massing and make use of appropriate materials and detailing.

6.10 Objections have been raised in respect of the scale, design and massing of the proposed dwelling and that it does not respect dwellings within The Willows. However, when assessing the character of the area, it is evident that whilst the majority of the dwellings within The Willows are of similar appearance some have been extended, thereby, providing a contrast to the original scale and design of the dwellings. Furthermore, paragraph 60 of the NPPF outlines that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.

6.11 In consideration of the proposal, the submitted drawings illustrate that the

proposed dwelling would incorporate features found in the adjoining properties within The Willows i.e. staggered frontages with two storey gabled projections whilst aiming to achieve an individual dwelling through the use of sandstone on sections of the dwelling and garage with slate roofs.

- 6.12 The proposed dwelling incorporates a master en-suite bedroom in the roof space resulting in the dwelling being approximately 0.79 metres higher than its neighbours; however, in mitigation it would be viewed against the gable elevation of the adjoining property, 14 The Willows, and have a similar footprint.
- 6.13 In overall terms, the proposed dwelling would harmonise with neighbouring properties whilst retaining its own identity. Adequate amenity space and incutillage parking/turning provision can be achieved, thereby ensuring that the development does not appear cramped or overdeveloped. The resultant impact of the development on the streetscene would not be obtrusive or be detrimental to the character of the area. In summary, the scale and massing of the proposed dwelling is comparable to the existing properties within the vicinity. Accordingly, the development would not form a discordant feature within the street scene.

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

- 6.14 Policies within the Local Plan seek to ensure that development proposals should be appropriate in terms of quality to that of the surrounding area. One of the criterion being that the living conditions of the occupiers of adjacent residential properties are not adversely affected by proposed developments. This is echoed and reinforced in Local Plan policies together with the City Council's Supplementary Planning Document (SPD) 'Achieving Well Designed Housing'. The SPD outlines that in order to protect against privacy loss a minimum of 21 metres between primary facing windows and 12 metres between any walls and primary windows should be achieved.
- 6.15 Objections have been received in respect of overlooking and loss of privacy; however, the proposed dwelling would be so orientated so as to not only meet but are well in excess the minimum distances as outlined in the aforementioned SPD. A further objection raised by a neighbour is the location of the dwelling within the plot which results in the double garage coming forward of the building line of 14 The Willows and projecting 2.6 metres past its rear elevation. The objector citing overdominance and over-shadowing from the proposed dwelling.
- 6.16 The views of the objector are respected, in mitigation the garage would be partially obscured by a 1.8 metre high timber fence and the roof would slope away from the adjacent property. Although the dwelling would be approximately 0.79 metre higher than the adjacent dwelling it would be stepped off the shared boundary by 2 metres with the majority of the dwelling located adjacent to the garage of its neighbour. Given the orientation of the dwelling in respect of the adjacent dwelling it would be inevitable that there would be some over-shadowing of the adjoining property's rear garden; however, the proposed dwelling would not be so dominant or result in such a

significant over-shadowing of the neighbouring garden to warrant a refusal of the application on these grounds.

- 6.17 Further objections raised by neighbours are the impact of the development in respect of construction noise and delivery times. It is inevitable that there would be noise resulting from construction works and deliveries. To order to safeguard the living conditions of the occupiers of neighbouring properties a condition is recommended that would restrict both construction hours and delivery times.

4. Impact Of The Proposal On Highway Safety

- 6.18 The originally submitted drawings illustrated the erection of an attached double garage with parking/turning provision within the site utilising an existing vehicular access. Cumbria County Council was consulted and raised concerns in respect of the adequacy of parking provision within the site, the proposed boundary treatment and that the garage should be set back 2.4 metres from the existing boundary wall. These issues have been raised with the Agent and revised drawings received upon which the Highway Authority has been consulted. The Highway Authority has removed its original objections subject to the imposition of a condition requiring the boundary treatments to the site to be retained in accordance with the approved drawings.

5. Whether The Method of Disposal of Foul And Surface Water Are Appropriate

- 6.19 In order to protect against pollution, Policy CP12 of the Local Plan and Policies IP6 and CC5 of the emerging Local Plan seek to ensure that development proposals have adequate provision for the disposal of foul and surface water. The application form, submitted as part of the application, outlines that foul sewage would be to the foul sewer whilst surface water would be to a soakaway. The objector raised concerns at the previous meeting of this committee that the foul drainage would pass through his curtilage; however, the mains infrastructure already passes through his garden and the proposal would connect into this. As such, the proposal is acceptable and would not result in any adverse effect on the neighbours. No formal response had been received from United Utilities (UU), therefore, in line with current practices it was assumed that they raised no objections to the foul drainage methods as proposed. Nevertheless, in light of the concerns of the objectors UU has subsequently been contacted to discuss this matter. UU raise no objections to the foul drainage discharging into the foul pumping station; however, require that foul and surface water should be drained on separate systems. The Lead Local Flood Authority do not foresee any issues with the disposal of foul and surface water subject to connecting to UU system.
- 6.20 To ensure adequate foul and surface water disposal can be achieved. Conditions are recommended ensuring that foul and surface water are drained on separate systems and the submission of foul and surface water drainage details prior to commencement of any development.

6. Impact Of The Proposal On Biodiversity

- 6.21 The Councils GIS Layer has identified that there is the potential for several key species to be present within the vicinity. Using the guidance issued by Natural England, the development would not harm protected species or their habitat; however, an Informative will be included within the decision notice, should Members approve the application, ensuring that if a protected species is found all work must cease immediately and the Local Planning Authority informed.

7. Other Matters

- 6.22 Objections have been raised in respect of the piecemeal development of the site. The objections are noted; however, each application is dealt with on its own merits and the application before Members is for the erection of one dwelling.
- 6.23 A further objection is that no informal consultations were undertaken by the applicant with neighbours. Pre-application consultation is not a requirement under planning legislation.

Conclusion

- 6.24 In overall terms, subject to overcoming the concerns of the Highway Authority, the proposal accords with the objectives of the relevant Local Plan and emerging Local Plan Policies and the application is recommended for approval.

7. Planning History

- 7.1 In 1984, Full Planning Permission was granted for a bathroom extension (application reference 84/0181).
- 7.2 In 2007, Full Planning Permission was refused to demolish existing bungalow, replace with one 4 bed house and two 3 bedroom link houses (application reference 07/1058).
- 7.3 In 2008, an application for Outline Planning Permission was withdrawn for the demolition existing bungalow, replace with one 4 bed house and two 3 bedroom link houses (application reference 08/0780).
- 7.4 In 2014, Full Planning Permission was granted for demolition of existing bungalow and erection of 2no. dwellings (application reference 14/0035).

8. Recommendation: Grant Permission

1. The development shall be begun not later than the expiration of 3 years beginning with the date of the grant of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The approved documents for this Planning Permission comprise:

1. the submitted planning application form received 31st August 2015;
2. the Desk Top Study received 29th April 2016;
3. the site location plan received 29th April 2016 (Drawing No. 16-12-03);
4. the as proposed floor plans, elevations and sections received 31st August 2016 (Drawing No. 16-12-01 Rev B);
5. the as existing & proposed site (block) plans received 31st August 2016 (Drawing No. 16-12-02 Rev C);
6. the Notice of Decision; and
7. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

3. Notwithstanding any description of materials in the application no development shall be commenced until samples or full details of materials to be used externally on the dwelling have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The development, thereafter, shall be completed in accordance with the approved details.

Reason: To ensure that materials to be used are acceptable and in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016 and Policy SP6 of the Carlisle District Local Plan 2015-2030.

4. Prior commencement of development details shall be submitted of the proposed hard surface finishes to all public and private external areas within the proposed development and approved in writing by the Local Planning Authority and the approved scheme shall be fully implemented before the dwelling is occupied.

Reason: To ensure that materials to be used are acceptable in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016 and Policy SP6 of the Carlisle District Local Plan 2015-2030.

5. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

6. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been approved in writing by the Local Planning Authority. Such a scheme shall be

constructed and completed in accordance with the approved plans prior to the occupation of the dwelling.

Reason: To ensure a satisfactory means of surface water disposal and in accordance with Policy CP12 of the Carlisle District Local Plan 2001-2016 and Policy CC5 of the Carlisle District Local Plan 2015-2030.

7. No development approved by this permission shall be commenced until a scheme for the conveyance of foul drainage to the pumping station has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved scheme prior to occupation of the dwelling.

Reason: To prevent pollution of the water environment in accordance with Policy CP12 of the Carlisle District Local Plan 2001-2016 and Policy IP6 of the Carlisle District Local Plan 2015-2030.

8. The boundary treatments shown on drawing numbers 16-12-02 Rev C 16-12-03 Rev A received 2nd September 2016 shall be constructed prior to the occupation of the dwelling hereby approved and shall be retained as approved thereafter unless otherwise agreed in writing by the Local Planning Authority. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) 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 so as to obstruct visibility when emerging from the site.

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

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), (or any Order revoking and re-enacting that Order), no additional windows above ground floor level shall be inserted on the northern and southern elevations of the dwelling without the prior consent of the Local Planning Authority.

Reason: In order to protect the privacy and amenities of residents in close proximity to the site and to ensure compliance with Policy CP5 of the Carlisle District Local Plan 2001-2016 and Policy SP6 of the Carlisle District Local Plan 2015-2030.

10. No construction work associated with the development hereby approved shall be carried out before 07.30 hours or after 18.00 hours Monday to Friday, before 07.30 hours and 13.00 hours on Saturdays, nor at any times on Sundays or Bank Holidays.

Reason: To prevent disturbance to nearby occupants in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016 and Policy SP6 of the Carlisle District Local Plan 2015-2030.

11. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CP13 of the Carlisle District Local Plan 2001-2016 and Policy CM5 of the Carlisle District Local Plan 2015-2030.

SUBMISSION TO DEVELOPMENT CONTROL COMMITTEE

PROPOSED DEMOLITION OF EXISTING GARAGES AND ERECTION OF 1 NO. DETACHED DWELLING ON LAND TO THE REAR OF “STRIBERS”, 23 NEWBIGGIN ROAD, DURDAR, CARLISLE [APPLICATION REFERENCE: 16/0384]

BACKGROUND

The information set out in this submission has been prepared in response to the manner in which the application was reported, considered and subsequently deferred by Members at the Committee at its' meeting held on 16th September.

Although the applicant was represented at that meeting no opportunity was accorded to respond to a presentation made by an adjoining occupier under the Council's "Right to Speak Policy" and so factually incorrect statements contained in those submissions were not able to be rebutted.

That highly unsatisfactory state of affairs was, further, compounded by the fact that the Case Officer and her Section head [both of whom have very detailed knowledge of the application and the series of modifications made to since it was lodged] were not in attendance when the Committee met.

Understandably, and without any intended slight to him, the Planning Officer substituting for the Case Officer was not sufficiently familiar with the proposal to correct, in particular, the accusation that the applicant was unresponsive to requests for variations to the proposals as initially submitted. The reality is that since the application was lodged in April 2016, revised proposals have been submitted on 5 occasions, all amendments being made to address any relevant concerns that were raised by Planning Officers and/or which had arisen through the consultation/publicity measures undertaken by the Council.

The Minute of the Committee discussion records that a Committee Member specifically asked the Officer presenting the application on the day to explain the relevant policy guidance that would assist the Committee when considering "proximity and overshadowing of applications". In responding that the Council relied upon its Supplementary Planning Document which stipulated "distances of separation in relation to windows and gables" the

Officer regrettably did not then inform the Committee that the submitted proposal fully complies with that guidance.

The Minute of the Committee meeting further records that the Officer, in elaborating on this matter, "acknowledged that the proposed dwelling's proximity to the adjacent property was an issue". However, that cannot logically be the case: the dwelling that is presented for the Committee's approval is actually positioned further from the gable of the objector's house than is the case with the dwelling for which planning permission on this specific plot was approved in 2014 [a permission which remains extant]. That increase in "separation" distance is demonstrated on the drawings attached.

The proposed house is also intended to be sited further from the property boundary with the neighbouring dwelling than the currently "approved" dwelling; consequently, it is unclear how the Officer could suggest that "proximity" is an issue when the spacing between the properties is actually greater than would be the case if the current approval was to be implemented.

That was not made clear to the Committee and, by being advised that "proximity" was an issue, the proposal was wrongly, and adversely, portrayed to Members of the Committee. In relation to the clarification sought the Committee should, instead, have been told that since the proposed house would be sited further away from the objector's living area, and also the boundary with his property, it would have a lesser impact in comparison with the permission that currently exists.

To avoid any doubt in relation to privacy, the Committee should also be aware that there is also no effect on the neighbour's privacy since the northern gable of the proposed dwelling contains one small window serving a habitable room, in this instance a ground floor study/office. That window would face directly onto the 1.8m high screen fence which forms the boundary with the neighbouring property: thus, there is no inter-visibility. The proposals also incorporate two landing windows inserted at higher levels in the northern gable. These are to admit natural light to stair accesses: both would be fixed lights i.e. not openable and would be obscurely glazed to safeguard the privacy of future occupiers of the proposed dwelling.

The objector's representations alluded to overshadowing and, in responding to this matter, the Planning Officer correctly advised the Committee that "overshadowing was determined

on a case by case basis". However, it is unfortunate that the objector's reference to the proposed dwelling being sited "2.6m behind his property" did not properly explain to Members the precise relationship between the proposal, his house and living conditions.

It is, in fact, the rear wall of the objector's substantial garage that the proposed dwelling would adjoin and would be set 2.6m back from [not his house and living space as might have been suggested]. That garage is itself positioned with its' rearmost wall set slightly back behind the rear wall of the objector's house. The actual distance between the gables of the two houses [as opposed to the neighbour's garage] would be approximately 11 metres.

A further consideration, which has been ignored to date, is that the footprint of the proposed house and garage [103 m² and 34.1m² respectively when measured externally] is, in overall terms, less than the equivalent footprint of the "approved" house and garage on this plot [119.5m² and 39.6m² respectively]. Members may also wish to note that the objector's house and garage are actually larger than what is proposed [159.4m² and 42.8m² respectively].

Despite the objector asserting that the proposed siting of the dwelling would result in a "significant loss of sunlight and over-shadowing", Planning Officers will confirm that for the purposes of assessing overshadowing and loss of sunlight, the appropriate Daylight/ Sunlight Indices issued by the BRE, require that any such perceived impact has to be in relation to the position of walls containing habitable windows.

That does not apply in the present circumstances: as stated earlier the closest wall of the objector's domestic accommodation would be in the order of 11 metres distant from the northern wall of the proposed house. In addition, that nearest "house" wall of the objector's home contains no windows serving habitable rooms i.e. the rooms against which the Daylight/Sunlight Indices should be assessed. Overshadowing which may or may not be caused to a garden is, put simply, not relevant.

Reference to the positioning of the proposed dwelling being 2.6m behind the objector's property may have mis-led Committee Members to think that the siting of the proposed house would seriously and unacceptably affect the living conditions of the neighbouring occupiers. It is hoped that Members now fully appreciate the relationship between the application proposals and the neighbouring dwelling and can conclude that this would demonstrably not be the case.

The other remaining "issue" expressed in the objector's written and verbal objections relates to the disposal of sewage and surface water. Both of these are regulated by the appropriate

statutory authorities and, as with all applications, it is for the applicant to satisfactorily demonstrate that suitable connections to existing services can be provided and to secure the necessary consents under appropriate legislation.

In common with the extant planning approval, which stated that foul waste will be discharged to the foul sewerage system, the applicant intends to connect to the existing foul sewer which passes through the application site.

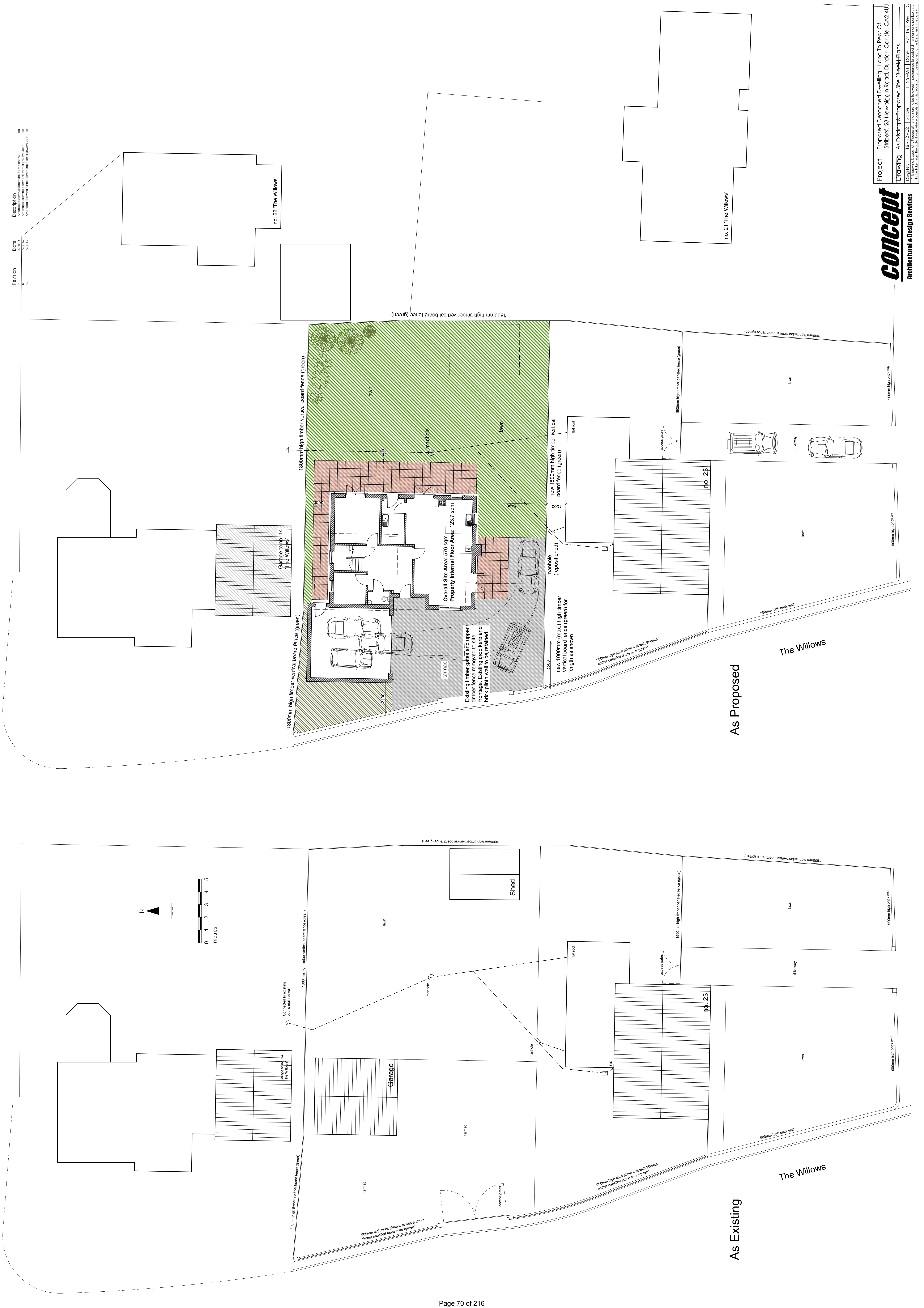
This sewer was installed consequential to the sale by a previous owner of the “Stribers” of a substantial area of land to the rear of his home to the developer who assembled, with other parcels of land, the overall site upon which “The Willows” housing development, which lies to the north and east of the application site, was subsequently built. The agreement for the sale of the land to facilitate “The Willows” development provided for sewerage from “Stribers” to be connected to the new trunk sewer that was to be provided to serve “The Willows” and so there is no legal impediment to the landowner exercising the right to connect to the sewer his predecessors facilitated.

Similarly, the applicant wishes to discharge surface water to an appropriate adopted receiving system. The Building Control submission, which would follow the grant of planning permission, will fully detail the surface water drainage scheme to ensure it will comply with the guidance provided by the statutory authority to achieve that in the most effective and efficient manner. The applicant is, nonetheless, happy for submission to, and approval by the Council, of the details of the precise proposals for foul and surface water drainage to be subject of a planning condition.

In conclusion, the applicant believes that the proposals would provide a well-designed, modest family home the design of which will complement neighbouring houses with no detrimental effect on the living conditions or environmental quality of the locality. In this regard it is particularly noted that there is no objection from the Parish Council.

RTM Consultancy

5th October 2016



Revision	Date	Description
A	Aug 18	Approved drawing
B	Aug 18	Approved drawing
C	Aug 18	Approved drawing

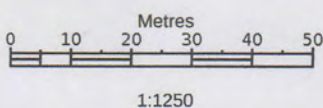
Project	Proposed Detached Dwelling - Land To Rear Of Stribers, 23 Newbiggin Road, Durdar, Carlisle - CA2 4JJ
Drawing	As Existing & Proposed Site (Block) Plans
Dwg No.	16-12-02
Scale	1:125 @ A1
Date	Aug 18
Rev.	C

concept
Architectural & Design Services



Produced 13 Apr 2016 from the Ordnance Survey MasterMap (Topography) Database and incorporating surveyed revision available at this date.

The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.



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Reference: OI984583
Centre coordinates: 340767 551022

23, Newbiggin Rd, Durdar, Carlisle
CA2 4UJ

16-12-03

LOCATION PLAN
(REV. A)

SCHEDULE A: Applications with Recommendation

16/0722

Item No: 04

Date of Committee: 21/10/2016

Appn Ref No:
16/0722

Applicant:
Carlisle Cathedral

Parish:
Carlisle

Agent:
Feilden Fowles Architects
Ltd

Ward:
Castle

Location: The Fraternity, 7 The Abbey, Carlisle, CA3 8TZ

Proposal: Removal Of 19th Century Porch And Erection Of New Entrance,
Hospitality Annexe With Cafe And Interpretation Spaces

Date of Receipt:
08/08/2016 23:03:34

Statutory Expiry Date
03/10/2016 23:03:34

26 Week Determination

REPORT

Case Officer: Stephen Daniel

1. Recommendation

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

2. Main Issues

2.1 Impact On The Listed Building

2.2 Impact On The Setting Of Listed Buildings And On The Character Of The
City Centre Conservation Area

2.4 Impact Of The Proposal On Archaeology

2.4 Impact Of The Proposal On Biodiversity

3. Application Details

The Site

3.1 The Fraternity is a Grade 1 Listed Building which stands prominently in the cathedral precinct. It is the surviving refectory of the former Augustinian Priory and it formed the south range of the now lost cloister to the south of the cathedral.

- 3.2 The date of the building is uncertain, but there is evidence of two phases of building, one perhaps in the 14th century, and the other in the late 15th century. The building was altered in the late 17th century and again between 1808-1811 when Sir Robert Smirke inserted a new doorway into the north west corner of the building. Further work was undertaken to the building between 1875 and 1880, by George Street, who removed the 17th century work, took out Smirke's doorway and reversed it and created a new porch.
- 3.3 The building has a fine vaulted undercroft which is accessed via steps. This space is currently occupied by a café and toilets. The first floor hall, which is also accessed via steps through the Street Porch, houses the cathedral's library, which includes the third largest cathedral collection of 17th century printed volumes in the country.

The Proposal

- 3.4 The proposal is seeking to remove the Street Porch and to add a new glazed link building which would connect the Fraternity to a new single-storey pavilion. The new extension would sit perpendicular to The Fraternity and would be connected to its north-west corner.
- 3.5 The link building would be constructed of fabricated bronze sheet and glass, under a standing seam zinc roof. The pavilion building would be constructed of local red sandstone to blend with the Fraternity and Cathedral, in a contemporary design which draws inspiration from the Gothic architecture of the medieval buildings.
- 3.6 The link building would contain stairs and a platform lift which would provide access to the both the undercroft and the hall. A viewing point would also be provided in the link building and this would give views across the Cathedral Precinct to the east and west.
- 3.7 The pavilion would incorporate a café space at its northern end and this would also function (out of hours) as a breakout space for events in the main hall. The southern end of the building would accommodate a kitchen and toilets. Entrance doors would be provided in both the east and west elevations of the pavilion.
- 3.8 The main Fraternity Hall would be used for interpretation, exhibitions and events. The inner screen and kitchen would be removed from the hall and the bookcases would be relocated. A large projection screen would be installed in the eastern end and exhibition panels would be added to the book cases. The Smirke doorway would also be repositioned and reversed. The undercroft would be used as a teaching and learning space and the kitchen, toilets and internal partitions would be removed, with new toilets and partitions being added. A new entrance would also be created to the undercroft through the external wall.
- 3.9 An enclosed courtyard would be created to the east of the pavilion building. This would be landscaped and would contain a planting bed and a pedestrian link to the main entrance to the pavilion. Natural stone pavers would be used in this area to mark out the cloister area. Street furniture

and outdoor seating would also be located in this area, together with the bronze model of the Cathedral Precinct.

- 3.10 A block paved and landscaped area would also be created to the west of the pavilion building and this would be accessed by a doorway in the west elevation of the pavilion building.

4. Summary of Representations

- 4.1 This application has been advertised by means of site and press notices as well as notification letters sent to nineteen neighbouring properties. In response one letter of objection and one letter of support have been received.

- 4.2 The letter of objection makes the following points:

- The buildings in the Cathedral Close, especially those between the Cathedral's doorway and the Prior Slea's (Abbey) Gate, form the finest urban space in the city. The buildings themselves are all of great architectural quality and historic significance. The construction of the pavilion centrally placed in the space would obstruct views to all of these buildings and would destroy the quality of the space.

- Whilst greater access to the Fraternity is desirable and the requirement for a café are understood there are alternative solutions and this proposal is too high a price to pay.

- 4.3 The letter of support makes the following points:

- Very few people have ever been into the Fraternity – it is a shame that such an important building has remained largely unused and unloved for so long.

- The opening up of this building along with the uses proposed will benefit those who live locally but will increase visitor numbers to Carlisle. A redeveloped Fraternity could prove to be a major tourist attraction.

- The previous design for the new building was strongly criticised. The present proposal which will now house the café as well as providing access to the Fraternity is a big improvement and probably the best we will ever get.

- A number of the existing buildings within the Cathedral grounds would once have been modern additions and that English Heritage used to ask that we should not try to copy existing buildings.

5. Summary of Consultation Responses

Historic England - North West Office: - no objections on historic environment grounds, subject to conditions;

Cumbria County Council - (Archaeological Services): - the proposed

development will impact upon the legally protected scheduled monument of Carlisle Cathedral Precinct and the listed grade I medieval Fraternity. Given the legal status of the designated heritage assets that will be affected, Historic England has been consulted and should comment on the proposals;

Georgian Group - Amenity: - no comments received;

Victorian Society - Amenity: - no comments received;

National Amenity Society: - no comments received;

Carlisle & District Civic Trust: - no comments received;

Conservation Area Advisory Committee: - no clear unanimity of views from CAAC members. Concern from some members over fundamental aspects of the design and a suggestion to return to the colonnaded detail seen in the previous public consultation; concern over physical junction with original building and over design quality of link building to the pavilion; concern that arch design to pavilion implied more weight above that was not present; observation that entrance to pavilion was too understated; view expressed that increasing verticality would help, by breaking through horizontal cornice/head of pavilion structure; other views that stone arched detail was inappropriate and that a simpler modern scheme was required as per early draft; other views that present scheme was an improvement on early draft;

Cumbria County Council - (Highways & Lead Local Flood Authority): - no objections;

Natural England: - the proposal is unlikely to affect any statutorily protected sites or landscapes;

Cumbria Constabulary - North Area Community Safety Unit: - no objections following receipt of additional information which addresses all the security issues raised and consequently demonstrates compliance with CP17;

Planning - Access Officer: - no objections;

Food Hygiene (Environmental Services): - the applicant should be advised to contact this department so as to be advised with regard to legislative compliance for food safety and occupational health and safety;

6. Officer's Report

Assessment

- 6.1 Section 54a of the Town and Country Planning Act 1990/Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that an application for planning permission is determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.
- 6.2 The relevant planning policies against which the application is required to be

assessed are the National Planning Policy Framework (NPPF), the Planning Practice Guidance (PPG), Policies LE6, LE12, LE13, LE19, LE20, CP2, CP5, CP7, CP15 and CP17 of the Carlisle District Local Plan 2001-2016 and Policies HE2, HE3, HE7, SP7, GI3, SP6 and CM4 of the emerging Carlisle District Local Plan 2015-2030.

6.3 Carlisle's emerging new Local Plan 'The Carlisle District Local Plan 2015 - 2030' was submitted to the Secretary of State on 22nd June 2015 under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

6.4 Paragraph 216 of the National Planning Policy Framework identifies that:

"From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)".*

6.5 Carlisle City Council resolved at their meeting of the 10th February 2015, with regards to the emerging Local Plan, that *"once published for consultation, weight be given to the Carlisle District Local Plan (2015–2030) as a material consideration when exercising Development Management policy decisions, in accordance with paragraph 216 of the National Planning Policy Framework"*.

6.6 In exercising a decision on the proposal regard has therefore been had to the relevant policies and proposals within the emerging Carlisle District Local Plan 2015-2030 (Proposed Submission Draft and Proposed Main Modifications). The particular weighting afforded to policies and proposals of relevance has been arrived at by considering each in turn and by way of reference to the provisions of paragraph 216 of the NPPF.

6.7 The proposal raises the following planning issues:

1. Impact On The Listed Building

6.8 Section 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 highlights the statutory duties of Local Planning Authorities whilst exercising of their powers in respect of listed buildings. The aforementioned section states that:

"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the

desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".

- 6.9 As set out in the NPPF, in determining planning applications Local Planning Authorities should take into account the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation (paragraph 131); when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (paragraph 132); Local Planning Authorities should refuse consent for any development which would lead to substantial harm to or total loss of significance of designated heritage assets (paragraph 133); and where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use (paragraph 134).
- 6.10 Policy LE12 (Proposals Affecting Listed Buildings) of the adopted Local Plan states that proposals for new development which adversely affects a listed building or its setting will not be permitted. Any new development within the setting of a listed building should preserve the building's character and its setting. This requirement is also contained within Policy HE3 (Listed Buildings) of the emerging Local Plan.
- 6.11 Policy LE13 (Alterations to Listed Buildings) of the adopted Local Plan states that applications for alterations or extensions to listed buildings must have regard to the scale, proportions, character and detailing of the existing building (both internally and externally) and of its windows and doorways. Any proposals which have an unacceptable impact on the listed building will not be permitted. Applications will be assessed against a series of criteria which include the importance of the building; the setting of the building and its contribution to the local scene; and the extent to which the proposed works would bring substantial benefits for the community. These requirements are carried forward into Policy HE3 (Listed Buildings) of the emerging Local Plan.
- 6.12 One of the main aims of the project is to improve access to The Fraternity by providing a new DDA compliant entrance to both the undercroft and the first floor. The project is also seeking to develop teaching and learning on site and a dedicated, secure and equipped teaching and learning space is, therefore, required.
- 6.13 The proposal would lead to the removal of the Street Porch and the addition of a new glazed link building which would connect the Fraternity to a new single-storey pavilion. The new extension would sit perpendicular to The Fraternity and would be connected to its north-west corner. This would reduce the impact of the extension on the Fraternity and would define a new cloister like space between the Cathedral and the Fraternity.
- 6.14 A previous proposal, which was drawn up in 2014, had a single-storey extension running along the full length of the north façade of the Fraternity, with a two-storey element at its eastern end but it was considered that this

proposal would have had a significant impact on The Fraternity building.

- 6.15 The new building has been designed to be subservient to the listed building in terms of scale and design and to avoid comparison with the existing building. This approach is advocated by Historic England where new work is clearly differentiated from old work but built to a respectful scale and form using similar materials.
- 6.16 The link building would be a light weight structure which would be constructed of fabricated bronze sheet and glass, under a standing seam zinc roof. The pavilion building, whilst being contemporary in style, draws inspiration from the Gothic architecture around it and would be constructed of local red sandstone to blend with the Fraternity and cathedral.
- 6.17 The removal of the existing Street Porch would cause some harm to the Listed Building. However, the level of harm would be less than substantial given that it is less significant than the rest of the Fraternity and a small component of the whole building, which was added at a later date. Historic England acknowledges that the Street Porch is a much later addition and whilst it was designed by an important architect of the late 19th century, it is a minor work which is not among Street's more important work and is certainly less significant than the medieval fabric of the building. The removal of the 19th century screen at the western end of the upper floor of the Fraternity and the relocation of the bookcases would also cause harm to the Fraternity as would the formation of a new entrance in the external wall.
- 6.18 Historic England considers that the proposed extension would provide enhanced facilities for education, interpretation and hospitality, whilst the new vertical access to the Fraternity would greatly improve accessibility to the building. These public benefits would significantly outweigh the harm which would be caused to the Fraternity. The proposed extension has been carefully designed, using appropriate materials, to be respectful of its context. Historic England, therefore, has no objections to the proposal on historic design grounds, subject to conditions requiring the approval of details of finishes of stonework and external features such as doors and windows and of the commissioning of agreed schemes of building recording of the Street Porch, internal features prior to their removal and of the Smirke doorway prior to dismantling and re-positioning. The applicant has also confirmed that Street Porch would be stored on site for possible future use. These conditions would largely mitigate the harm that would be caused to the Fraternity.
- 6.19 The Council's Heritage Officer agrees that the tabled design is of high quality and welcomes its modern-Gothic inspiration and use of a palette of materials which would allow it to 'blend in' to the other buildings in the precinct.
- 6.20 In light of the above, it is considered that the benefits of the proposal would outweigh the harm to the Fraternity building, which would not be significant.

2. Impact On The Setting Of Listed Buildings And On The Character Of The City Centre Conservation Area

- 6.21 Section 66 (1) of the Planning (Listed Building and Conservation Areas) Act

1990, the NPPF and policies in the adopted and emerging Local Plans also require the setting of Listed Buildings to be considered (see paragraphs 6.8 to 6.11 above).

- 6.22 Section 72 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 highlights the statutory duties of Local Planning Authorities whilst exercising of their powers in respect of conservation areas. This states *"with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area"*.
- 6.23 Policy LE19 (Conservation Areas) of the adopted Local Plan requires new development within conservation areas to preserve or enhance the character and appearance of the conservation area. This requirement is carried forward into Policy HE7 (Conservation Areas) of the emerging Local Plan.
- 6.24 The scale and design of the proposed building would be subordinate to the Fraternity and the adjacent Cathedral. The pavilion building, whilst being contemporary in style, draws inspiration from the Gothic architecture around it and would be constructed of local red sandstone to blend with the Fraternity and cathedral.
- 6.25 The extension would be seen from within the Cathedral Precinct, on the approach from the north-west gatehouse and in views westwards, along the south side of the Cathedral. It would have the effect of creating a partially enclosed space on the north side of the Fraternity, echoing the lost cloister. This is considered to be a positive impact as the space is currently undefined.
- 6.26 The enclosed courtyard would be landscaped, with a path being created in the centre of a planting bed, to link to the entrance to the pavilion. Natural stone pavers would also be used in this area to mark out the cloister area. Street furniture and outdoor seating would also be located in this area, together with the bronze model of the Cathedral Precinct. This new space would be a significant improvement on the current space, which is grass and tarmac and would improve the setting of both the Fraternity and Cathedral.
- 6.27 A block paved and landscaped area would also be created to the west of the pavilion building and this would be accessed by an entrance in the west elevation of the pavilion building.
- 6.28 Whilst views within the Cathedral Precinct to the east of west would be partially obscured by the extension, the use of a glazed link building and single-storey building would ensure that the other listed buildings within the Precinct are still visible.
- 6.29 The extension would also be glimpsed from outside the site, from Castle Street and Paternoster Row. It would be partially screened by trees and would be seen against the backdrop of the larger Fraternity building. It would not be visible in the majority of views from Castle Street, including the view of the eastern end of the cathedral, which is the finest view.

- 6.30 The Conservation Area Advisory Committee has been consulted on the application. Whilst there was no clear unanimity of views from CAAC members, there was concern from some members over fundamental aspects of the design. The design has been independently assessed by a Design Review Panel, who were broadly supportive of the design. The Council's Heritage Officer, whilst retaining some concerns over the impact of the building in its spatial relationship with the buildings of the precinct, notably that its interjection into the space of the precinct will obscure indivisibility between some of adjacent Listed Buildings, considers that the design is of high quality and welcomes its modern-Gothic inspiration and use of a palette of materials which would allow it to 'bed in' to the other buildings in the precinct.
- 6.31 Historic England considers that the proposed extension has been carefully designed, using appropriate materials, to be respectful of its context and that the public benefits of the scheme would significantly outweigh the harm which would be caused by the proposal. It notes that the proposed extension would impact on the setting of the Fraternity and the Cathedral but considers that the design, materials and scale of the extension should ensure that the new building has a limited impact on the setting of the buildings around it, as should its location, on approximately the site of the West Range of the former Cloister. Enhanced landscaping, as proposed for the area around the extension, should assist in limiting the impacts of the setting of the adjacent buildings.
- 6.32 In light of the above, the proposal would not have an adverse impact on the setting of any Listed Buildings or on the character of the City Centre Conservation Area.

3. Impact Of The Proposal On Archaeology

- 6.33 The below ground archaeology associated with the medieval Cathedral Priory, which includes the remains of medieval structures such as the cloister ranges and the Chapter House, as well as the underlying remains of the Roman town, is of the highest significance, recognised by its scheduling as an Ancient Monument.
- 6.34 Trial trenching has recently been undertaken at the Cathedral to support the proposals. Three trenches have been dug and an initial report has been produced which summarises the findings of the fieldwork.
- 6.35 The upper 0.5m to 0.6m of each trench contained redeposited fragments of Medieval building materials including ceramic floor tiles, stained glass and possible roof tiles, presumably deriving from the former cloister buildings. Below 0.6m a series of deposits were consistently encountered which probably represent the remains of Medieval construction activity, representing a combination of levelling deposits, potential floor surfaces and probable loading bearing walls associated with the range of former cloister buildings.
- 6.36 Construction of the extension would, therefore, have a direct and harmful impact on buried archaeology, although this should be limited by the

adoption of rafted and piled foundations as specified in the application. Archaeological supervision and the recording of ground works would be required and this would further mitigate the harm to the buried archaeology within the site.

- 6.37 Subject to these conditions, the proposal would not, therefore, have an adverse impact on buried archaeology.

4. Impact Of The Proposal On Biodiversity

- 6.38 A bat survey has been undertaken at the site. The site survey found no evidence of bats roosting although there is a possibility of opportunistic use by low numbers of bats at some times of the year. The level of use is not considered likely to be significant and with the retention/ creation of gaps at the eaves and precautionary mitigation, a significant disturbance and/ or the loss of roost sites is unlikely to occur.

Conclusion

- 6.39 In overall terms, it is considered that the benefits of the proposal would outweigh the harm to the Fraternity building, which would not be significant. The proposal would not have an adverse impact on the setting of any Listed Buildings, on the character of the City Centre Conservation Area, on buried archaeology or on any protected species. In all aspects, the proposal is considered to be compliant with the objectives of the relevant adopted Local Plan policies.

7. Planning History

- 7.1 There is no planning history relating to this site.

8. Recommendation: Grant Permission

1. The development shall be begun not later than the expiration of 3 years beginning with the date of the grant of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The approved documents for this Planning Permission comprise:
1. the submitted planning application form, received 8 August 2016;
 2. Planning, Design & Access Statement (including Heritage Impact Statement; Fraternity Porch Statement of Significance; Bat Survey; Archaeological Evaluation & Impact Statement; Statement of Community Involvement); received 8 August 2016;

3. Existing Site Location Plan, received 8 August 2016 (Dwg CFR_EX_000 Rev A);
4. Existing Block Plan, received 8 August 2016 (Dwg CFR_EX_001 Rev A);
5. Existing Landscape Plan, received 8 August 2016 (Dwg CFR_EX_010 Rev A);
6. Existing Undercroft Plan, received 8 August 2016 (Dwg CFR_EX_109 Rev A);
7. Existing Main Fraternity Space Plan, received 8 August 2016 (Dwg CFR_EX_111 Rev A);
8. Existing North Elevation, received 8 August 2016 (Dwg CFR_EX_200 Rev A);
9. Existing East Elevation, received 8 August 2016 (Dwg CFR_EX_201 Rev A);
10. Existing South Elevation, received 8 August 2016 (Dwg CFR_EX_202 Rev A);
11. Existing West Elevation, received 8 August 2016 (Dwg CFR_EX_203 Rev A);
12. Existing Section AA, received 8 August 2016 (Dwg CFR_EX_310 Rev A);
13. Existing Section BB, received 8 August 2016 (Dwg CFR_EX_311 Rev A);
14. Existing Section DD, received 8 August 2016 (Dwg CFR_EX_313 Rev A);
15. Existing Section EE, received 8 August 2016 (Dwg CFR_EX_314 Rev A);
16. Proposed Block Plan, received 8 August 2016 (Dwg CFR_001 Rev A);
17. Schematic Landscape Plan, received 8 August 2016 (Dwg CFR_010 Rev A);
18. Undercroft Plan, received 8 August 2016 (Dwg CFR_109 Rev A);
19. Pavilion Plan, received 8 August 2016 (Dwg CFR_110 Rev A);
20. Main Fraternity Space Plan, received 8 August 2016 (Dwg CFR_111 Rev A);

21. Pavilion Roof Plan, received 8 August 2016 (Dwg CFR_120 Rev A);
22. North Elevation, received 8 August 2016 (Dwg CFR_200 Rev A);
23. East Elevation, received 8 August 2016 (Dwg CFR_201 Rev A);
24. South Elevation, received 8 August 2016 (Dwg CFR_202 Rev A);
25. West Elevation, received 8 August 2016 (Dwg CFR_203 Rev A);
26. Section AA, received 8 August 2016 (Dwg CFR_310 Rev A);
27. Section BB, received 8 August 2016 (Dwg CFR_311 Rev A);
28. Section EE, received 8 August 2016 (Dwg CFR_314 Rev A);
29. Section FF, received 8 August 2016 (Dwg CFR_315 Rev A);
30. Section GG, received 8 August 2016 (Dwg CFR_316 Rev A);
31. Section II, received 8 August 2016 (Dwg CFR_318 Rev A);
32. Typical Bay Study, received 8 August 2016 (Dwg CFR_500 Rev A);
33. Link Bay Study, received 8 August 2016 (Dwg CFR_501 Rev A);
34. General Arrangement (Landscaping), received 8 August 2016 (Dwg P0253-LA-00-GA Rev A);
35. Cloister Garden, received 8 August 2016 (Dwg P0253-LA-00-(6) Rev A);
36. Sections (Landscaping), received 8 August 2016 (Dwg P0253-LA-10-(3) Rev A);
37. the Notice of Decision; and
38. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

3. 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. The materials used shall be in strict accordance with these details.

Reason: To ensure that the proposed materials are acceptable in accordance with Policies LE13 and CP5 of the Carlisle District Local Plan 2001-2016 and Policies HE3 and SP6 of the emerging Carlisle District Local Plan 2015-2030.

4. Samples or full details of the proposed windows and doors to be used in the extension hereby approved shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The windows and doors installed shall then be in accordance with these details.

Reason: To ensure that the proposed materials are acceptable in accordance with Policies LE13 and CP5 of the Carlisle District Local Plan 2001-2016 and Policies HE3 and SP6 of the emerging Carlisle District Local Plan 2015-2030.

5. No development shall take place until full details of hard and soft landscape works, including a phased programme of works, 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 2001-2016 and Policy SP6 of the emerging Carlisle District Local Plan 2015-2030.

6. Prior to the installation of any street furniture (including seating, bins and bollards) details shall be submitted to and agreed in writing with the Local Planning Authority.

Reason: To ensure that the proposed street furniture is acceptable and does not have an adverse impact on the setting of the Listed Buildings, in accordance with Policy LE12 of the Carlisle District Local Plan 2001-2016 and Policy HE3 of the emerging Carlisle District Local Plan 2015-2030.

7. Prior to the carrying out of any construction works, the following elements of the historic fabric of the building, which will be impacted upon by the development, shall be recorded in accordance with a Level 3 Survey as described by Historic England's document Understanding Historic Buildings A Guide to Good Recording Practice, 2016: the Robert Smirke doorway in the NW corner of the building; the GE Street porch that encloses Smirke's doorway; the 19th century screen at the west end of the upper floor and the associated bookcases. Within 2 months of the commencement of construction works a digital copy of the resultant Level 3 Survey report shall be furnished to the Local Planning Authority.

Reason: To ensure that a permanent record is made of the buildings of architectural and historic interest prior to their alteration as part of the proposed development, in accordance with Policy LE13 of the Carlisle District Local Plan 2001-2016 and Policy HE3 of the emerging Carlisle District Local Plan 2015-2030.

8. The Street Porch shall be carefully taken down and stored within the Cathedral Precinct in perpetuity, pending possible further re-use of the structure.

Reason: To ensure that the Street Porch is retained within the Cathedral Precinct so that it can be re-erected in the future, in accordance with Policy LE13 of the Carlisle District Local Plan 2001-2016 and Policy HE3 of the emerging Carlisle District Local Plan 2015-2030.

9. No development shall commence within the site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

Reason: To afford reasonable opportunity for an examination to be made to determine the existence of any remains of archaeological interest within the site and for the preservation, examination or recording of such remains, in accordance with Policy LE6 of the Carlisle District Local Plan 2001-2016 and Policy HE2 of the emerging Carlisle District Local Plan 2015-2030.

10. The development shall be undertaken in strict accordance with the details contained within the Bat Survey (undertaken by Envirotech in July 2016).

Reason: To ensure that the proposal does not have an adverse impact on Biodiversity, in accordance with Policy CP2 of the Carlisle District Local Plan 2001-2016 and Policy GI3 of the emerging Carlisle District Local Plan 2015-2030.

General Note:
1. All drawings are to be read in conjunction with the relevant Architect, Services and Structural Engineers' drawings.
2. Errors to be reported immediately to the Architect or Contract Administrator.
3. To be read in conjunction with all the relevant Architect, Services and Structural Engineers' drawings.
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6. To be read in conjunction with all the relevant Architect, Services and Structural Engineers' drawings.
7. To be read in conjunction with all the relevant Architect, Services and Structural Engineers' drawings.
8. To be read in conjunction with all the relevant Architect, Services and Structural Engineers' drawings.
9. To be read in conjunction with all the relevant Architect, Services and Structural Engineers' drawings.
10. To be read in conjunction with all the relevant Architect, Services and Structural Engineers' drawings.

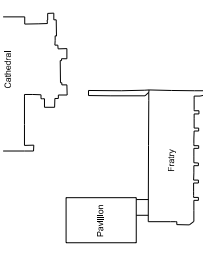


Proposed development area
Land owned by the applicant

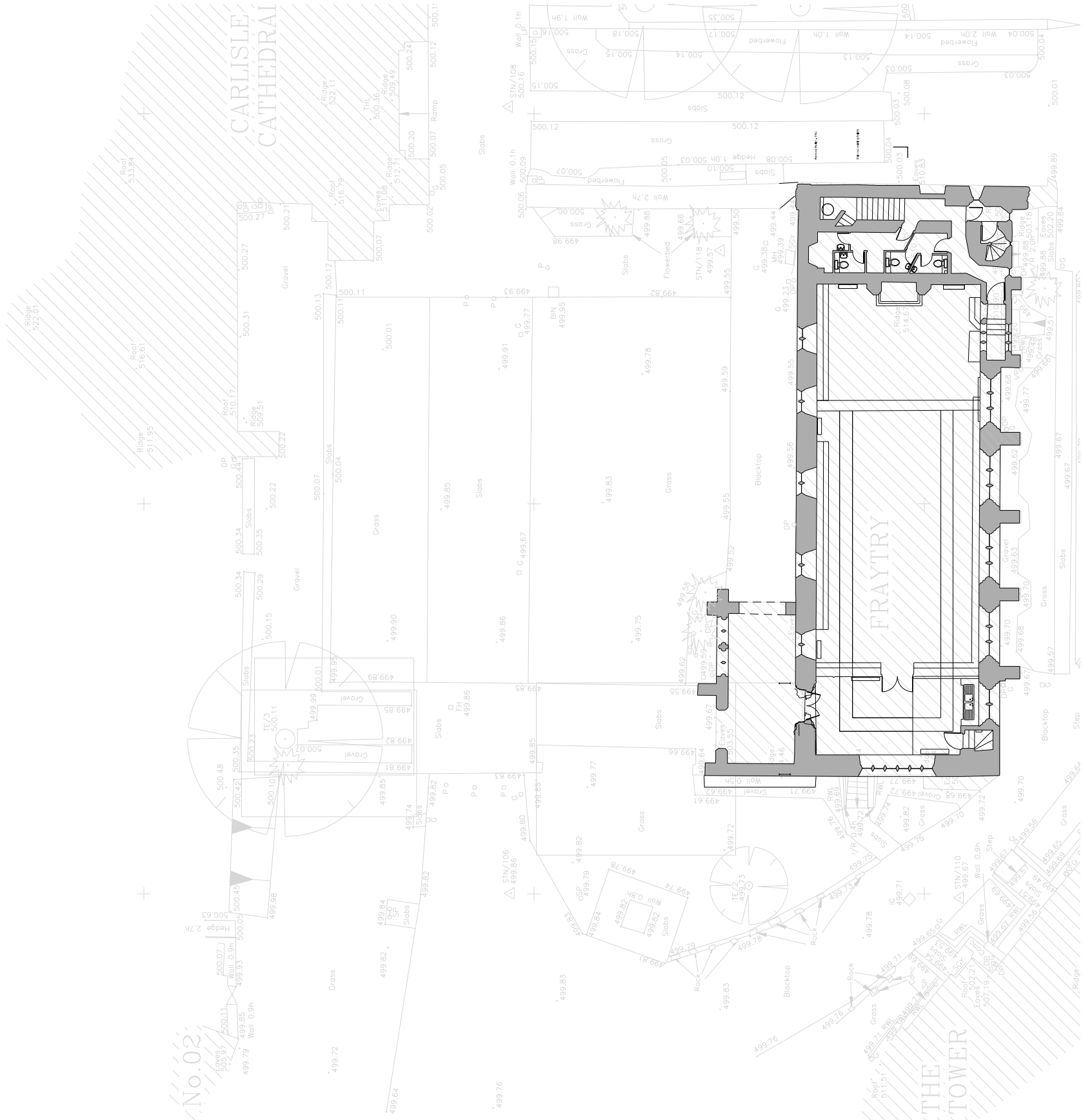
A	Scale 1:500	Planning and CPO Applications
Rev	Date	
Location:		
FEILDEN FOWLES		
Carlisle Cathedral		
The Fraternity Project		
Site Location Plan		
IP FF 1:12501:625 PLANNING		
CFR	000	A

General Notes:
1. Drawings are for information only.
2. All dimensions are in millimetres unless otherwise noted.
3. Errors to be reported immediately to the Architect or Contract Administrator.
4. To be read in conjunction with all the relevant Architect, Services and Structural Engineers' drawings.
5. The drawings are for information only and do not constitute a contract.
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A	Scale 1:5	Planning and CPOE Applications
Rev	Date	
Location:		
		
Architect:		
FEILDEN FOWLES		
Feilden Fowles Architects 100, The Quadrant, London EC4A 3DF www.feildenfowles.co.uk © Feilden Fowles		
+44 (0)20 7023 4894		
Client:		
Carlisle Cathedral		
Site Address: Carlisle Cathedral, Carlisle, Cumbria CA1 1PU		
Project:		
The Fraternity Project		
Drawing Title:		
Existing Block Plan		
Drawn: (Checked Scale @A2) Scale @A1: Status:		
IP FF 1:1000 1:500 PLANNING		
Project:		
CFR		
EX 001		
Rev:		
A		

General Notes:
1. Do not scale drawings.
2. Dimensions are given in metres unless otherwise noted.
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6. All dimensions to be checked and verified on site before proceeding with construction.
7. All dimensions to be checked and verified on site before proceeding with construction.
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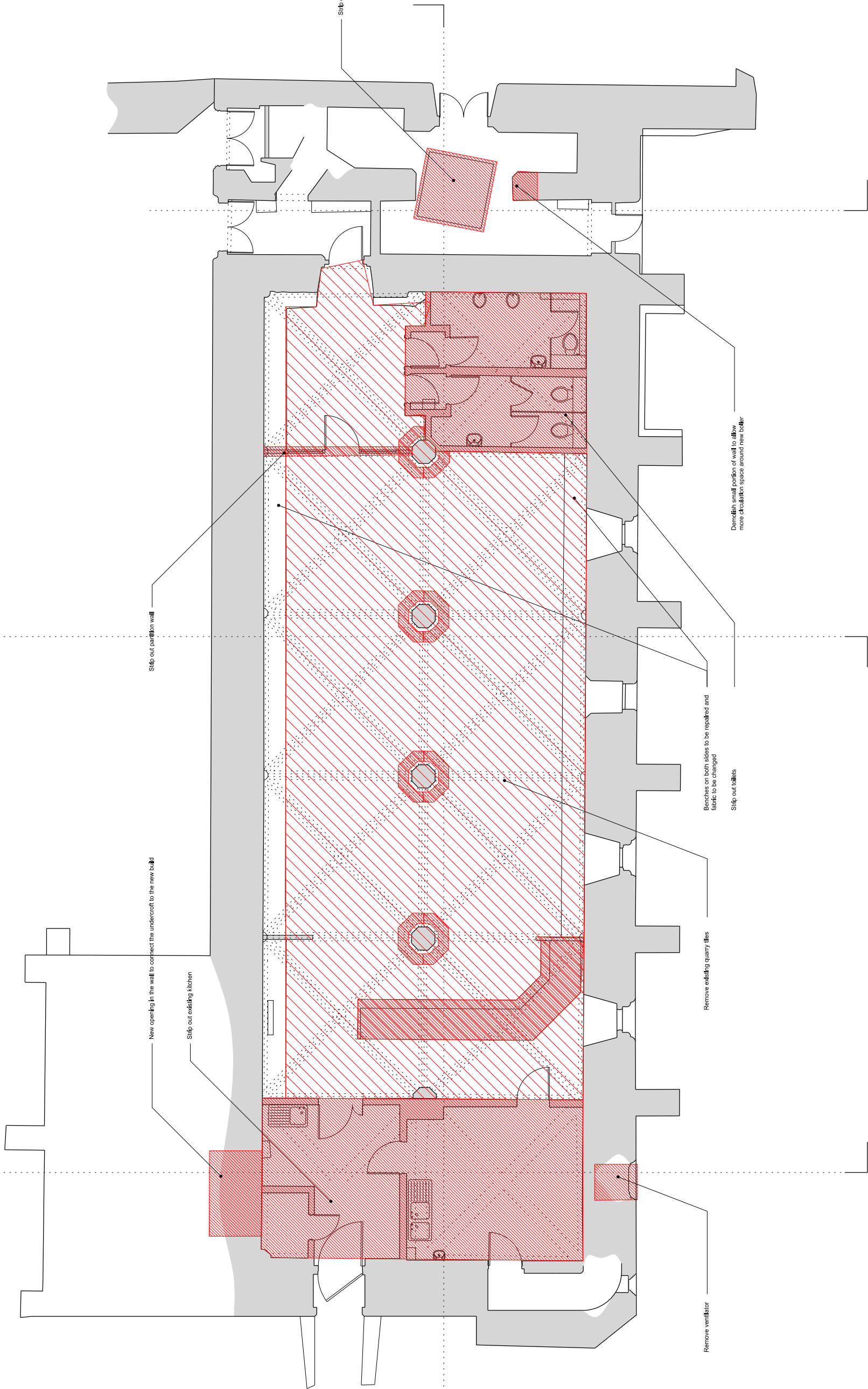


A		08.08.16	Planning and CPO Applications
Rev	Date		
Location:			
Architect			
Feilden Fowles Architects 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 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General Notes:
1. Drawings are for information only.
2. All dimensions are in millimetres unless otherwise noted.
3. Errors to be reported immediately to the Architect or Contract Administrator.
4. To be read in conjunction with all the relevant Architect, Services and Structural Engineers' drawings.
5. All dimensions and areas are approximate and should be checked from different sources.
6. All dimensions and areas are approximate and should be checked from different sources.
7. All dimensions and areas are approximate and should be checked from different sources.
8. All dimensions and areas are approximate and should be checked from different sources.

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AA

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BB



Planning and CPOE Applications	
A	08.03.16
Rev	Date
Location:	
Architect:	
FEILDEN FOWLES	
Feilden Fowles Architects 100, The Quadrant, London EC4A 3DF www.feildenfowles.co.uk © Feilden Fowles	
Client: Carlisle Cathedral	
Site Address: Chesham Estate Office, Edensor Balmoral, Derbyshire DE45 1PJ	
Project:	
The Fraternity Project	
Drawing Title:	
Fraternity Undercroft - EX Plan	
Drawn: Checked Scale @A2 Scale @A1 Status:	
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Project:	Drawn by no:
CFR	EX 109
Rev:	A

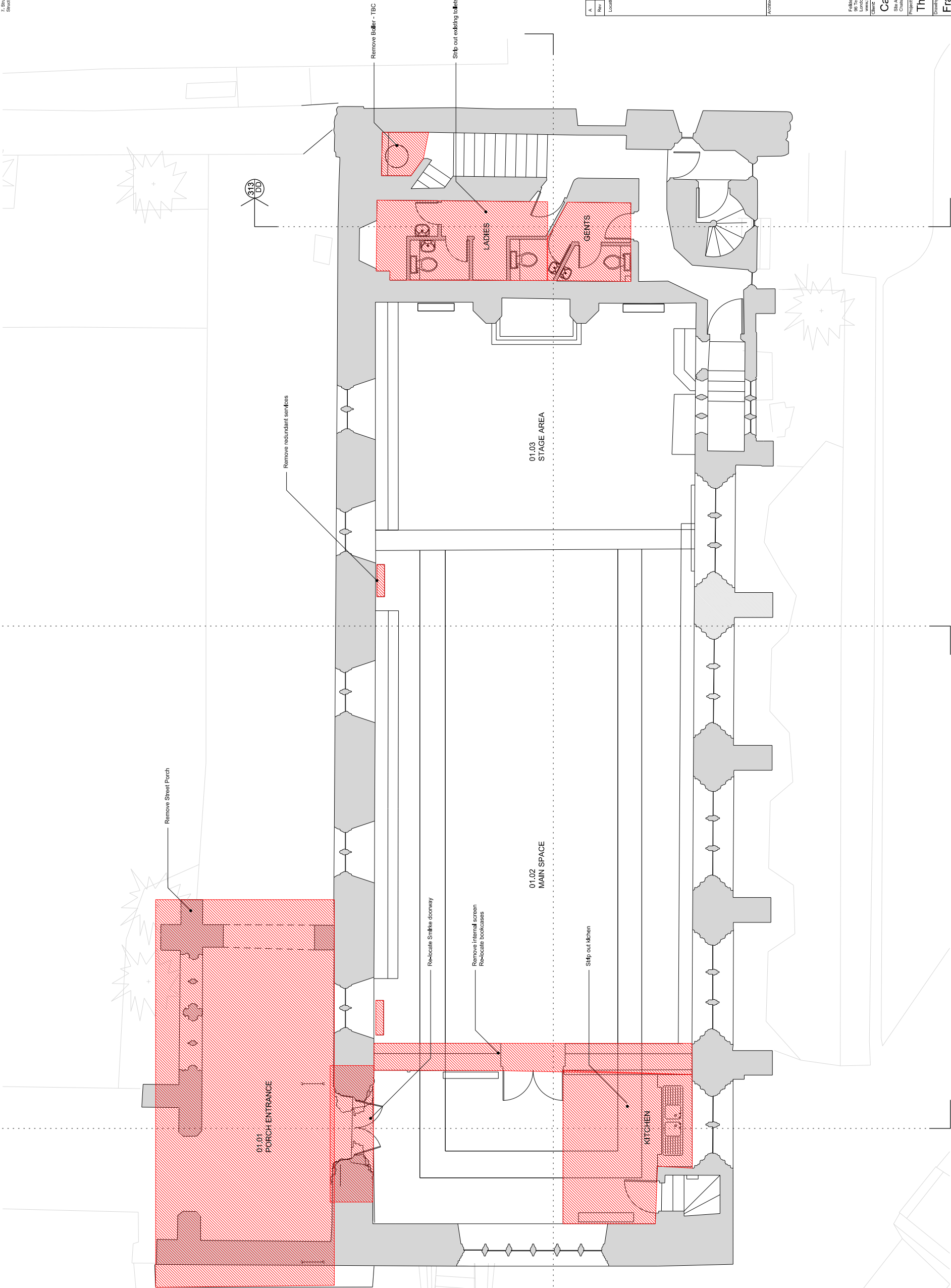
General Notes:
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5. The drawings are for information only and do not constitute a contract.
6. All dimensions are to be taken from the centre line of the structure unless otherwise stated.
7. All dimensions are to be taken from the centre line of the structure unless otherwise stated.
8. Structural Engineers' drawings.

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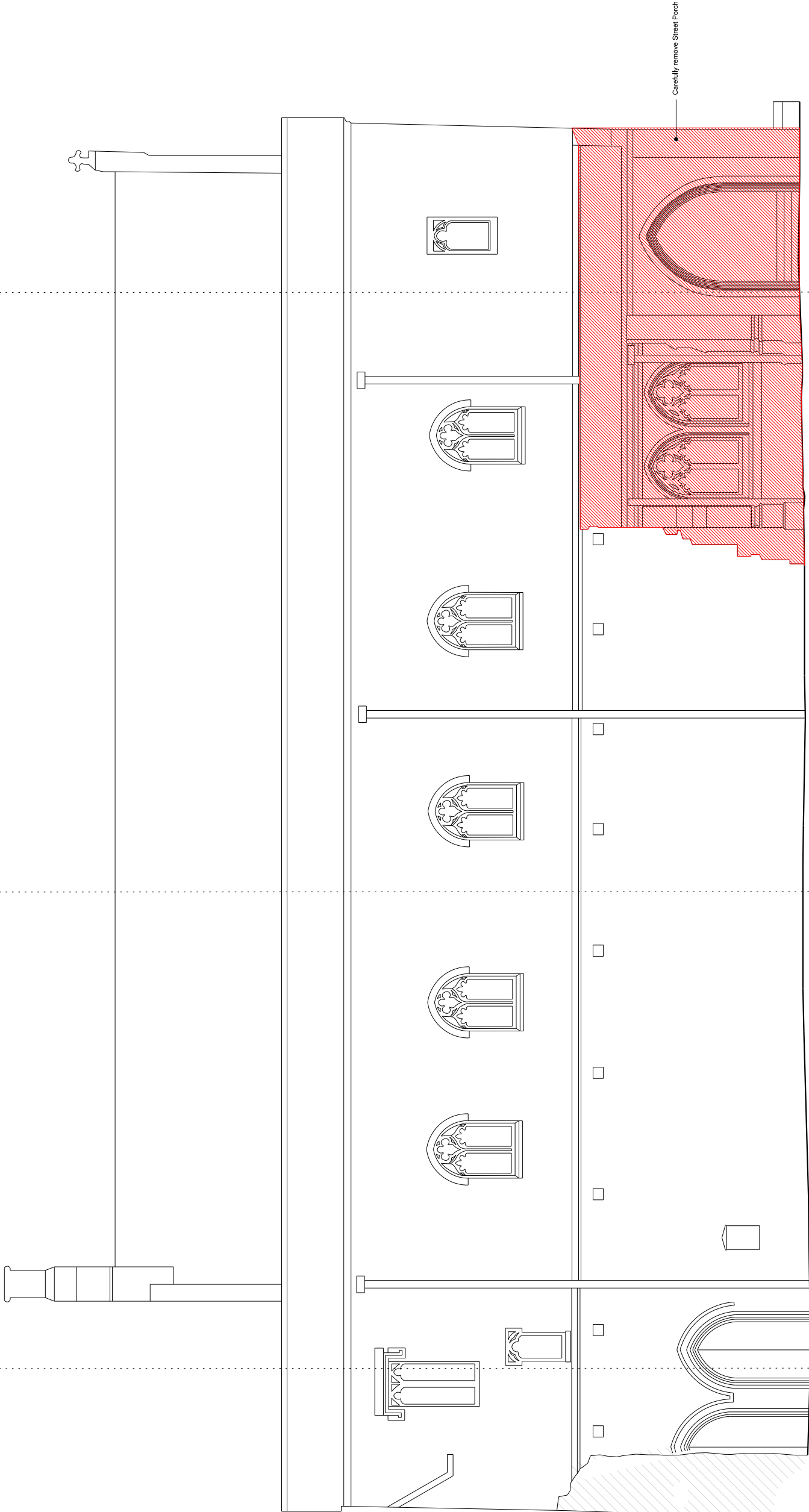
A	Rev	Date	Planning and CPCE Applications
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Location:			
Architect:			
FEILDEN FOWLES			
Feilden Fowles Architects 100, The Quadrant, London E1 6PU www.feildenfowles.co.uk © Feilden Fowles			
+44 (0)20 7023 4294			
Client:			
Carlisle Cathedral			
Site Address:			
Chesham Estate Office, Edensor Balmoral, Derbyshire DE45 1PU			
Project:			
The Fratry Project			
Drawing Title:			
Fratry Main Space - EX Plan			
Drawn: Checked Scale @A1: Scale @A1: Status:			
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Project:			
CFR EX 111			
Rev:			
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General Notes:

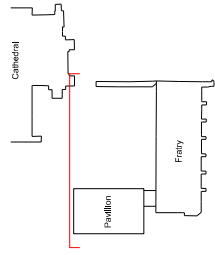
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9. All dimensions to be checked and verified on site before proceeding.
10. All dimensions to be checked and verified on site before proceeding.

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AA

311
BB



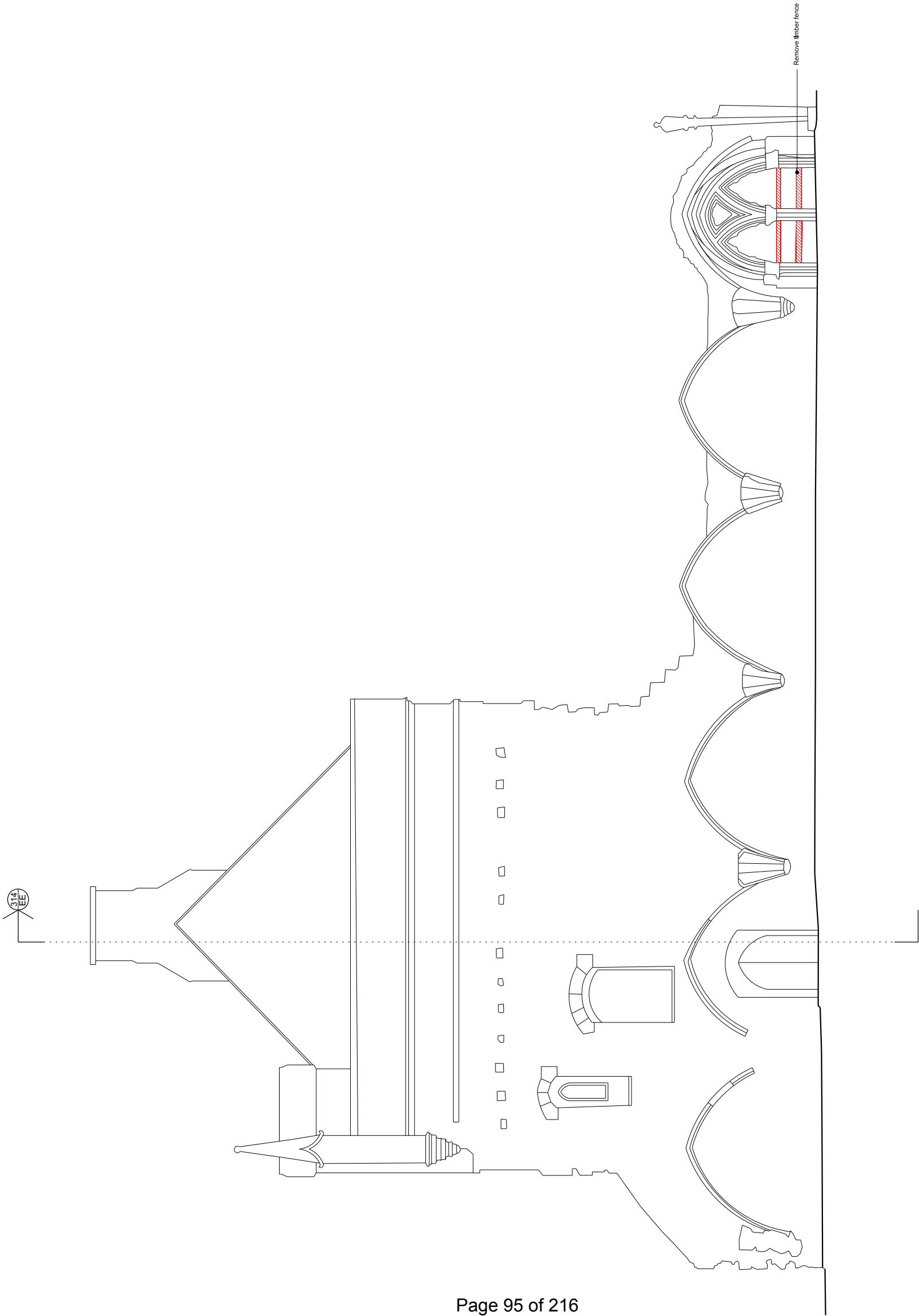
Carefully remove Street Porch

Rev	Planning and CPE Applications	
	Date	
A	08.06.18	
Location:		
		
Architect		

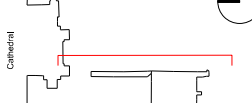
FEILDEN FOWLES	
Feilden Fowles Architects 10, The Quadrant London E2 6PU www.feildenfowles.co.uk © Feilden Fowles	
+44 (0)20 7033 4594 info@feildenfowles.co.uk www.feildenfowles.co.uk	
Client: Carlisle Cathedral Site Address: Chatterton Estate Office, Edensor Boulevard, Derbyshire DE45 1PJ	
Project: The Fratry Project	
Drawing Title: EX North Elevation	
Drawn: [Checked] Scale @A1: [Status]	
IP	FF 1:100 1:50 PLANNING
Project:	CFR EX 200 A

General Notes:

1. Do not scale drawings
2. All dimensions in millimeters unless otherwise noted
3. Errors to be reported immediately to the Architect or Contract Administrator
4. To be read in conjunction with all the relevant Architects' Services and Structural Engineers' drawings
5. All existing site, tree and building information has been compiled from different sources
6. All dimensions to be checked and verified on site before proceeding
7. Structure shown is indicative only. For structural layouts/details refer to Structural Engineers' drawings



A	08.08.16	Planning and CPOE Applications
New	Date	
Location:		



FEILDEN FOWLES

Site Address:
 The Priory, Feilden Architects
 66 Tinsell Street
 London E2 9PJ
 Tel: 020 7252 6000
 www.feildenfowles.co.uk

Client:
 © Feilden Fowles

Carlisle Cathedral
 The Priory
 The Priory Estate Office, Eborac Balmoral, Dornoch Road, PE4 5, PJ
 Project:
 Drawing Title:

EX East Elevation
 Drawn: Checkmate Scale @A2 Scale @A1: 1:50
 IP FF 1:100 1:50
 Project:
 Drawing no:

CFR
 EX 201
 A

Do not scale drawings
All dimensions in millimeters unless otherwise noted
Errors to be reported immediately to the Architect or Contract administrator
To be read in conjunction with all the relevant Architects', Services and Structural Engineers' drawings
All existing site, tree and building information has been compiled from different sources
All dimensions to be checked and verified on site before proceeding
Structure shown is indicative only. For structural layouts/details refer to Structural Engineers' drawings



creation.



FEILDEN FOWLES

Carlisle Cathedral

Site Address:

The Fraternity Project

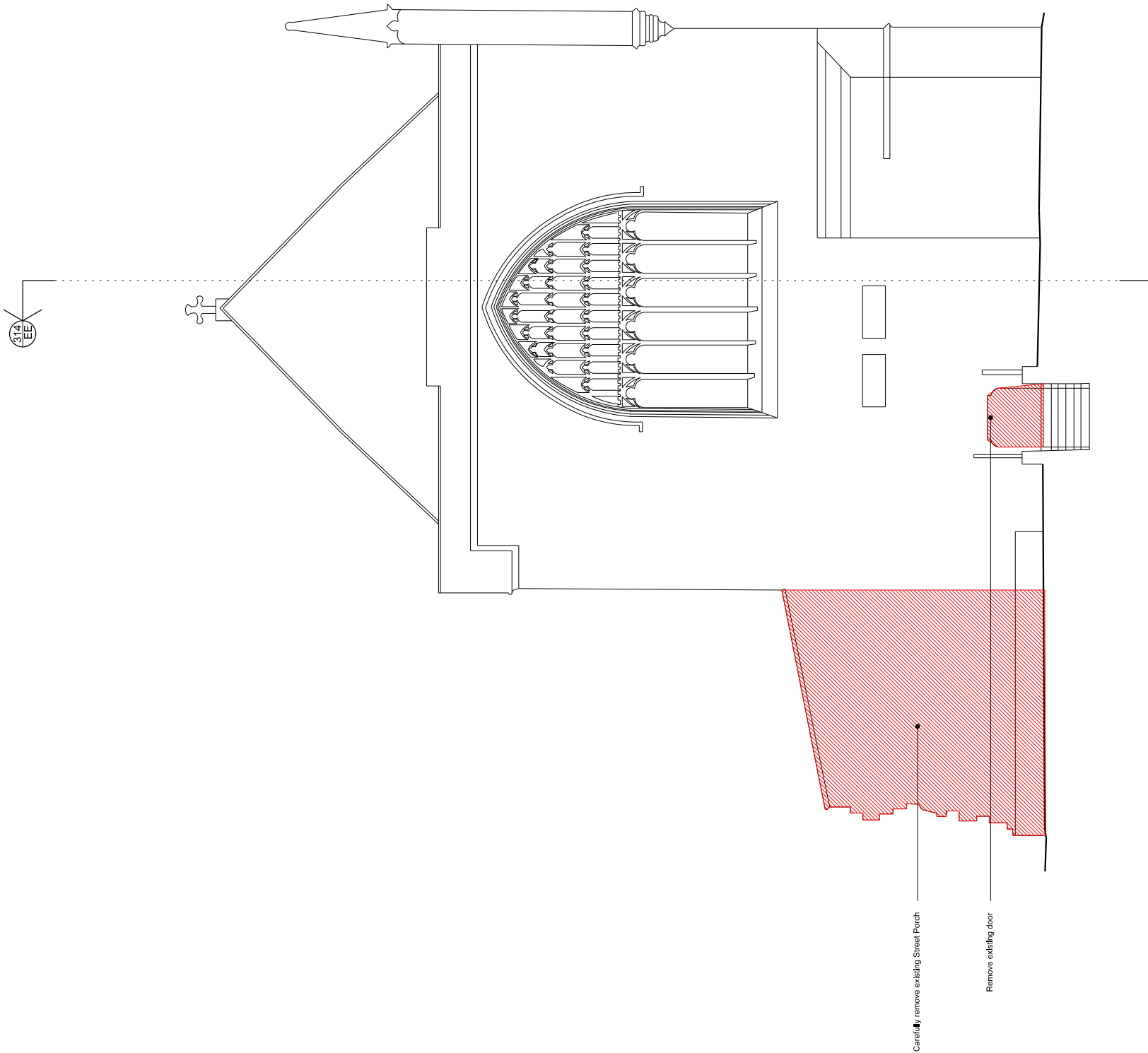
EX - South Elevation

P	FF	1:100	1:50	PLANNING
P	FF	1:100	1:50	PLANNING

object:	CFR	Drawing no:	EX 202	Rev:	A
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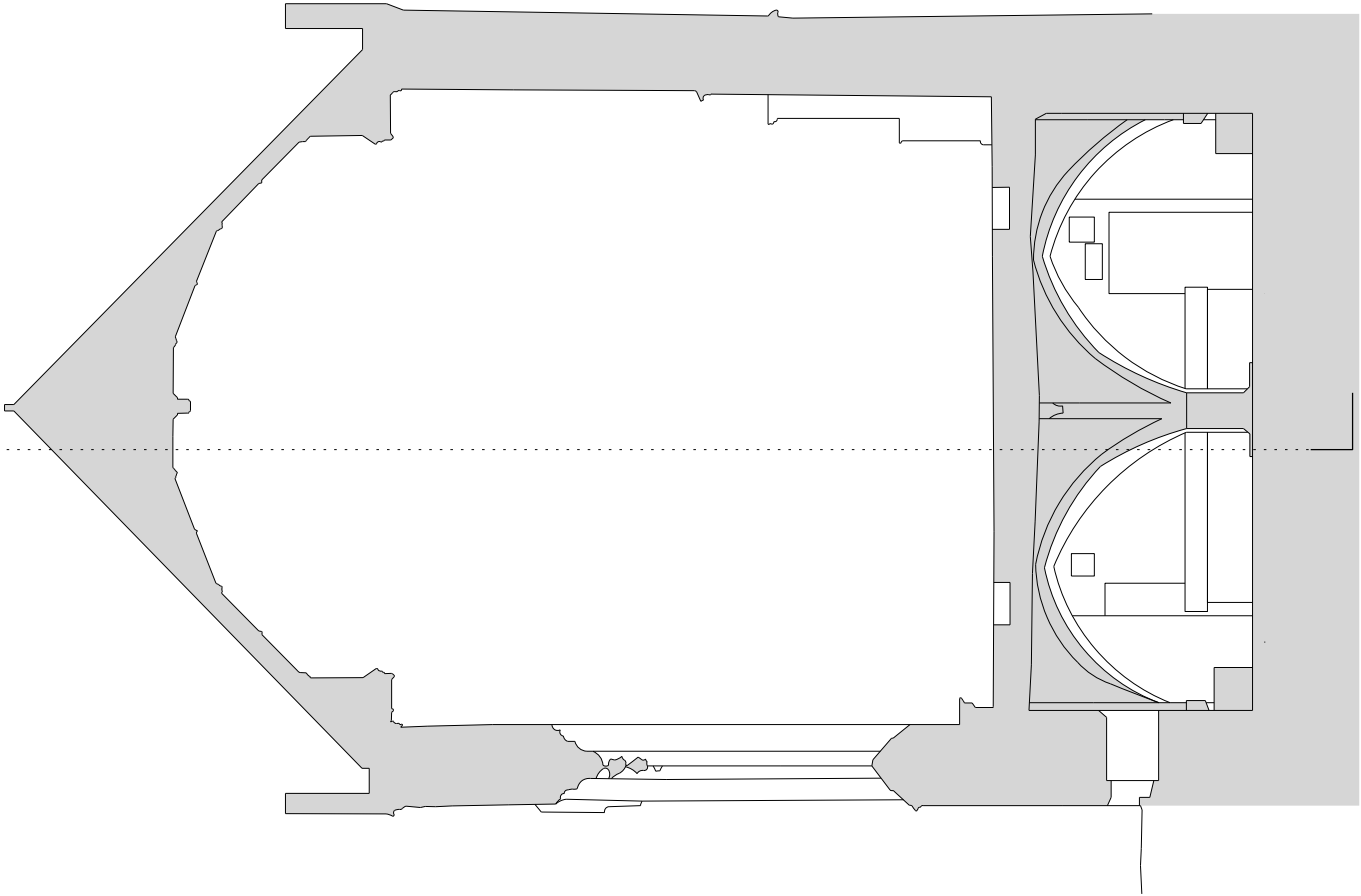
General Notes:

1. Do not scale drawings
2. All dimensions in millimeters unless otherwise noted
3. Errors to be reported immediately to the Architect or Contract Administrator
4. To be read in conjunction with all the relevant Architects', Services and Structural Engineers drawings
5. All existing site, tree and building information has been compiled from different sources
6. All dimensions to be checked and verified on site before proceeding
7. Structure shown is indicative only. For structural layouts/details refer to Structural Engineers drawings



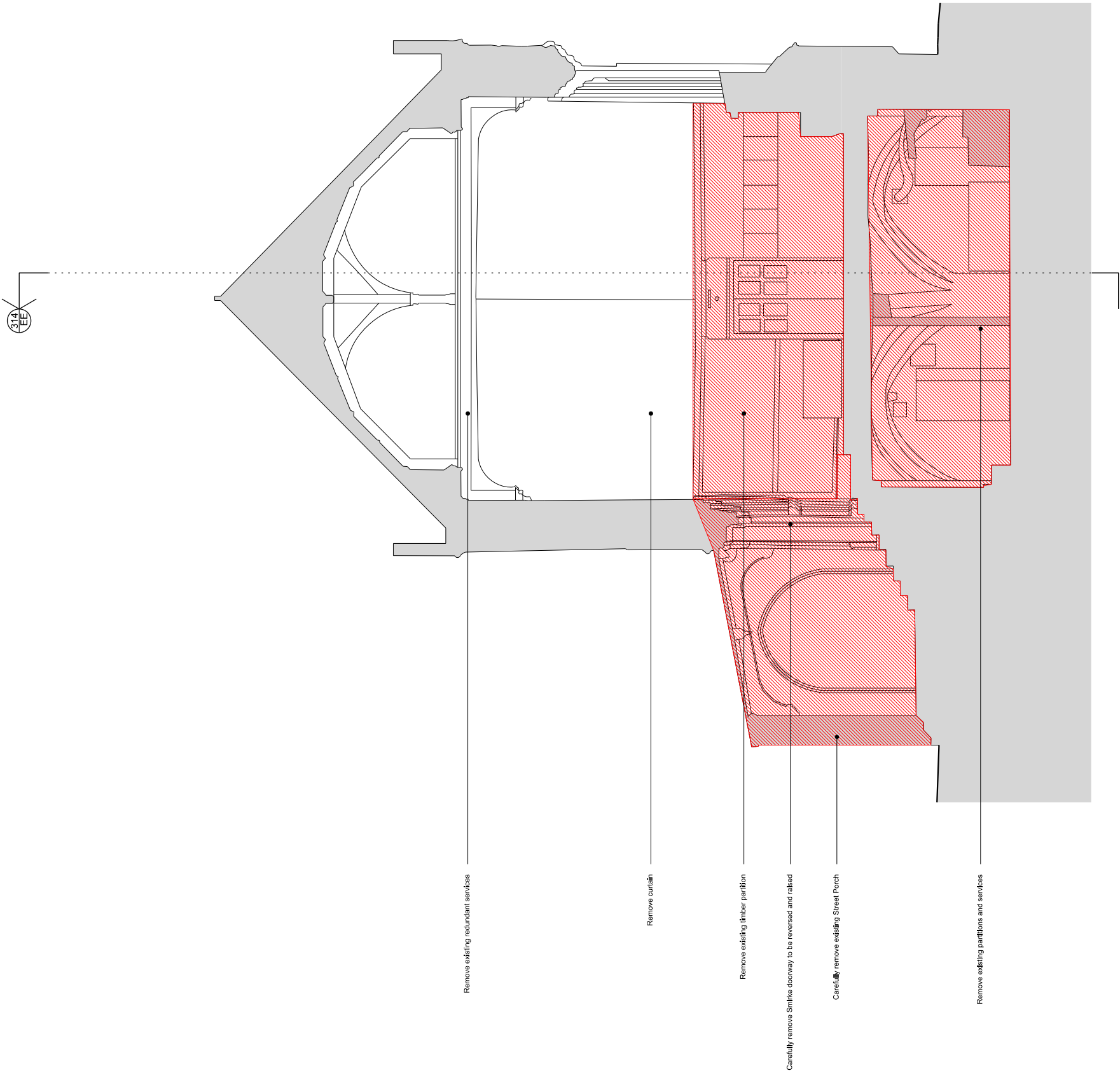
A	08.05.16	Planning and CFCF Applications
Location:		
<p>Feilden Fowles Architects 16, Upper Richmond Road London E2 6PU Tel: 020 7611 1000 www.feildenfowles.co.uk</p> <p>Site Address: St Martin Lane Office, Entrance Basement, Derbyshire House, 19 J</p> <p>Client: The Fraty Project</p> <p>Project: EX - West Elevation</p> <p>Scale: 1:100</p> <p>Drawn by: FF</p> <p>Project: EX 203</p> <p>Client: CFR</p> <p>Project: EX 203</p> <p>Client: A</p>		

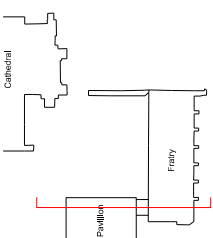
General Notes:
1. Do not scale drawings.
2. Errors to be reported immediately to the Architect or Contract Administrator.
3. Errors to be reported immediately to the Architect or Contract Administrator.
4. To be used in conjunction with all the relevant Architect, Services and Structural Engineers' drawings.
5. All dimensions to be checked and verified on site before proceeding.
6. All dimensions to be checked and verified on site before proceeding.
7. All dimensions to be checked and verified on site before proceeding.
8. All dimensions to be checked and verified on site before proceeding.
9. All dimensions to be checked and verified on site before proceeding.
10. All dimensions to be checked and verified on site before proceeding.



A	08.05.18	Planning and CPOE Applications
Rev:	Date:	
Location:		
Architect:		
FEILDEN FOWLES		
Feilden Fowles Architects 10, The Quadrant London E2 6PU www.feildenfowles.co.uk © Feilden Fowles		
+44 (0)20 7033 4594		
Client:		
Carlisle Cathedral		
Site Address: Carlisle Cathedral Carlisle, Cumbria, CA1 1PU		
Project:		
The Fraternity Project		
Drawing Title:		
EX - Section AA		
Drawn: Checked: Scale: 1:100		
IP FF 1:100 1:50		
Project: CFR		
Rev: A		

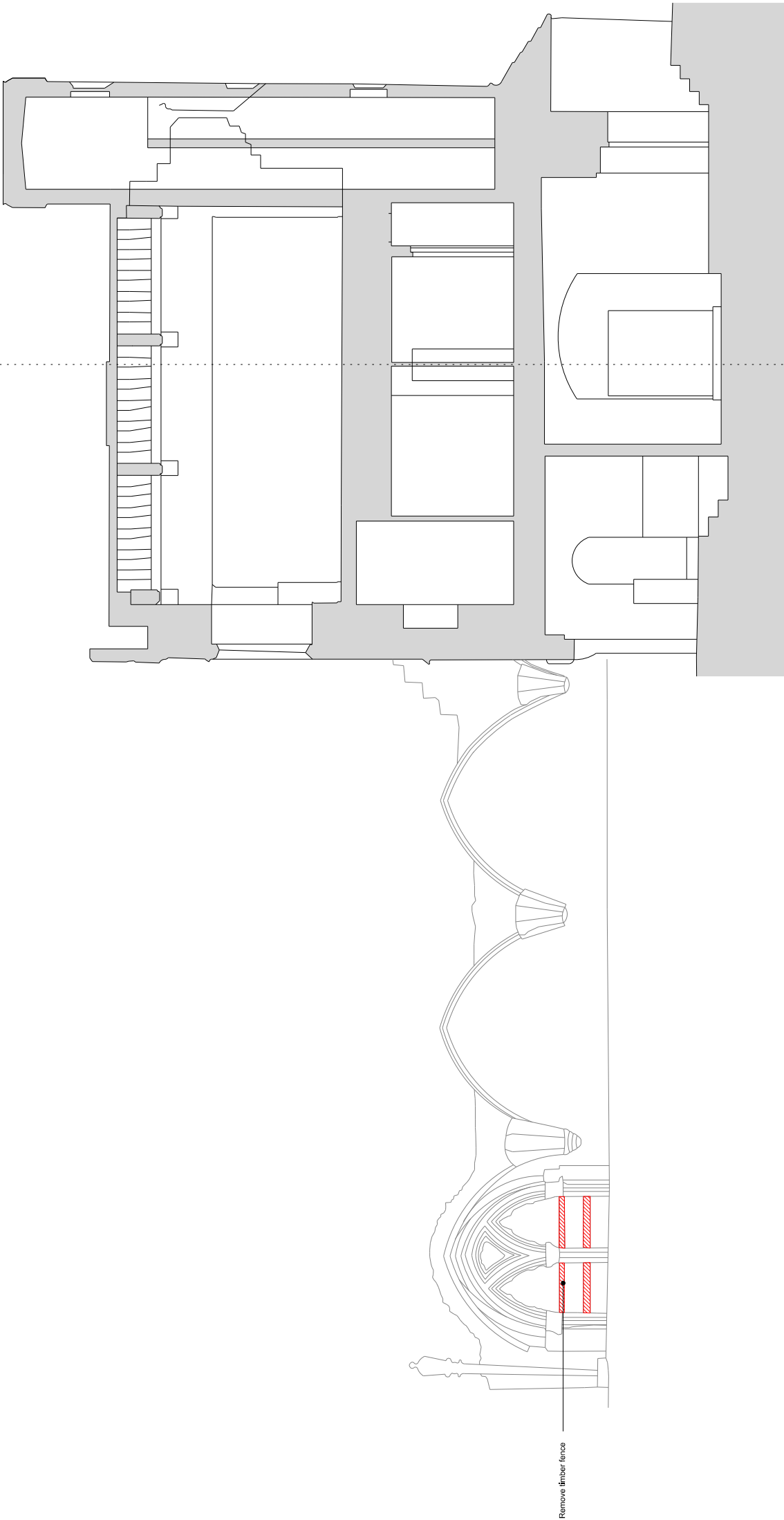
General Notes:
1. Drawings are for information only.
2. All dimensions are in millimetres unless otherwise noted.
3. Errors to be reported immediately to the Architect or Contract Administrator.
4. To be read in conjunction with all the relevant Architectural, Services and Structural Engineers' drawings.
5. All dimensions are to be taken from the finished floor level unless otherwise stated.
6. All dimensions are to be taken from the finished floor level unless otherwise stated.
7. All dimensions are to be taken from the finished floor level unless otherwise stated.
8. All dimensions are to be taken from the finished floor level unless otherwise stated.
9. All dimensions are to be taken from the finished floor level unless otherwise stated.
10. All dimensions are to be taken from the finished floor level unless otherwise stated.



A		16.06.16	Planning and CPCE Applications
Rev		Date	
Location:			
			
Architect			
FEILDEN FOWLES			
Feilden Fowles Architects 100, The Quadrant London E1 8PU www.feildenfowles.co.uk © Feilden Fowles			
+44 (0)20 7023 4594			
Client:			
Carlisle Cathedral			
Site Address: Chesham Estate Office, Edensor Boulevard, Derbyshire DE45 1PJ			
Project:			
The Fraternity Project			
Drawing Title:			
EX - Section BB			
Drawn: Checked Scale @A1: Scale @A1: Status:			
IP FF 1:100 1:50 PLANNING			
Project:			
CFR			
Rev:			
EX 311			
A			

General Notes:
1. Drawings are for information only.
2. All dimensions are in millimetres unless otherwise noted.
3. Errors to be reported immediately to the Architect or Contract Administrator.
4. To be read in conjunction with all the relevant Architect, Services and Structural Engineers' drawings.
5. The drawings are the property of the Architect and shall remain their property.
6. The drawings are to be used for the purpose of the project only.
7. The drawings are to be used for the purpose of the project only.
8. The drawings are to be used for the purpose of the project only.
9. The drawings are to be used for the purpose of the project only.
10. The drawings are to be used for the purpose of the project only.

314
EE



A		08.08.16		Planning and CPE Applications	
Rev	Date				
Location:					
Architect:					
FEILDEN FOWLES					
Feilden Fowles Architects 100 The Quadrant London EC4A 3DF www.feildenfowles.co.uk © Feilden Fowles					
Client:					
Carlisle Cathedral					
Site Address: Chesham Estate Office, Edensor Balmoral, Derbyshire DE45 1PJ					
Project:					
The Fraternity Project					
Drawing Title:					
EX - Section DD					
Drawn: Checked Scale @A2 Scale @A1 Status:					
IP FF 1:100 1:50 PLANNING					
Project:					
CFR		EX 313		Rev: A	

• Do not scale drawings
• All dimensions in millimeters unless otherwise noted
• Errors to be reported immediately to the Architect or Contract Administrator
• To be read in conjunction with all the relevant Architects', Services and Structural Engineers' drawings
• All existing site, tree and building information has been compiled from different sources
• All dimensions to be checked and verified on site before proceeding
• Structure shown is indicative only. For structural layouts/details refer to Structural Engineers' drawings

310
AA

Remove curtain

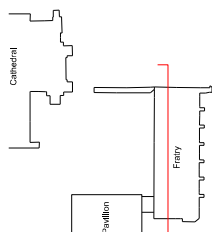
Remove partition

Door to be carefully taken down to be raised and reversed

Remove redundant services

Remove existing partitions and services

Remove existing partitions and services

location:

Architect

FEILDEN
FOWLES

Fellden Fowles Architects
96 Teesdale Street
London E2 6PU
www.felldenfowles.co.uk

Carlisle Cathedral

Site Address: Chatsworth Estate Office, Edensor Bakewell, Derbyshire DE45 1PJ

object:

The Fraternity Project

Learning Title:

EX - Section EE

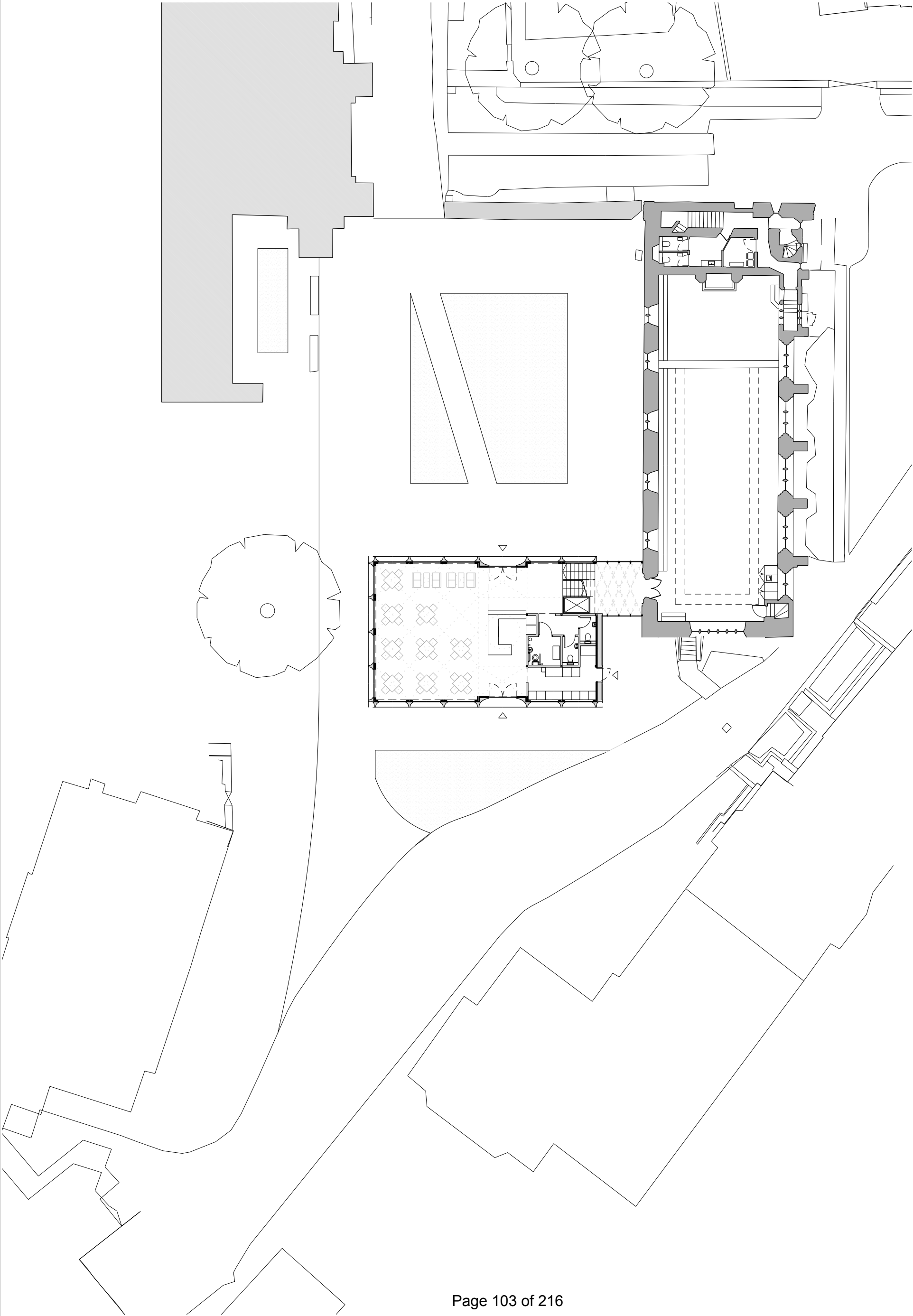
Item:	Checked;	Scale @A3:	Scale @A1:	Status
P	FF	1:100	1:50	PLANNING

Project:	CFR	Drawing no:	EX 314	Rev:	A
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General Notes:
1. Only scale drawings.
2. All dimensions are in metres unless otherwise noted.
3. Errors to be reported immediately to the Architect or Contract Administrator.
4. To be read in conjunction with all the relevant Architect, Services and Structural Engineers' drawings.
5. The drawings are the property of the Architect and shall remain his/her property.
6. The drawings are to be used for the purpose of the project only.
7. The drawings are to be used for the purpose of the project only.
8. The drawings are to be used for the purpose of the project only.
9. The drawings are to be used for the purpose of the project only.
10. The drawings are to be used for the purpose of the project only.



A	Scale 1:5	Planning and CPCE Applications
Rev	Date	
Location:		
Architect:		
FEILDEN FOWLES		
Feilden Fowles Architects 100, The Quadrant London E1 6PU www.feildenfowles.co.uk © Feilden Fowles		
+44 (0)20 7023 4294		
Client:		
Carlisle Cathedral		
Site Address: Carlisle Cathedral Carlisle, Cumbria CA1 1PU		
Project:		
The Fraternity Project		
Drawing Title:		
Proposed Block Plan		
Drawn: (Checked) Scale @A2 Scale @A1 Status:		
IP FF 1:1000 1:500 PLANNING		
Project:		
CFR		
Drawing no:		
001		
Rev:		
A		



General Notes:
1. Drawings are for information only.
2. All dimensions are in millimetres unless otherwise noted.
3. Errors to be reported immediately to the Architect or Contract Administrator.
4. To be read in conjunction with all the relevant Architect, Services and Structural Engineers' drawings.
5. The drawings are the property of the Architect and shall not be reproduced or used in any way without the written consent of the Architect.
6. The drawings are the property of the Architect and shall not be reproduced or used in any way without the written consent of the Architect.
7. The drawings are the property of the Architect and shall not be reproduced or used in any way without the written consent of the Architect.
8. The drawings are the property of the Architect and shall not be reproduced or used in any way without the written consent of the Architect.

A	15.05.15	Planning and CPCE Applications
Rev	Date	
Location:		
Architect:		
FEILDEN FOWLES		
Feilden Fowles Architects 15, The Quadrant London E1 8PU www.feildenfowles.co.uk © Feilden Fowles		
+44 (0)20 7023 4294		
Client:		
Carlisle Cathedral		
Site Address: Carlisle Cathedral Carlisle, Cumbria, CA1 1PU		
Project:		
The Fraternity Project		
Drawing Title:		
Schematic Landscape Plan		
Drawn:	Checked:	Scale @A1: 1:250
IP	FF	1:250 1:125
PLANNING		
Project:	Drawing no:	Rev:
CFR	010	A

Please refer to the Landscape Architect set of drawings for detailed landscape plan

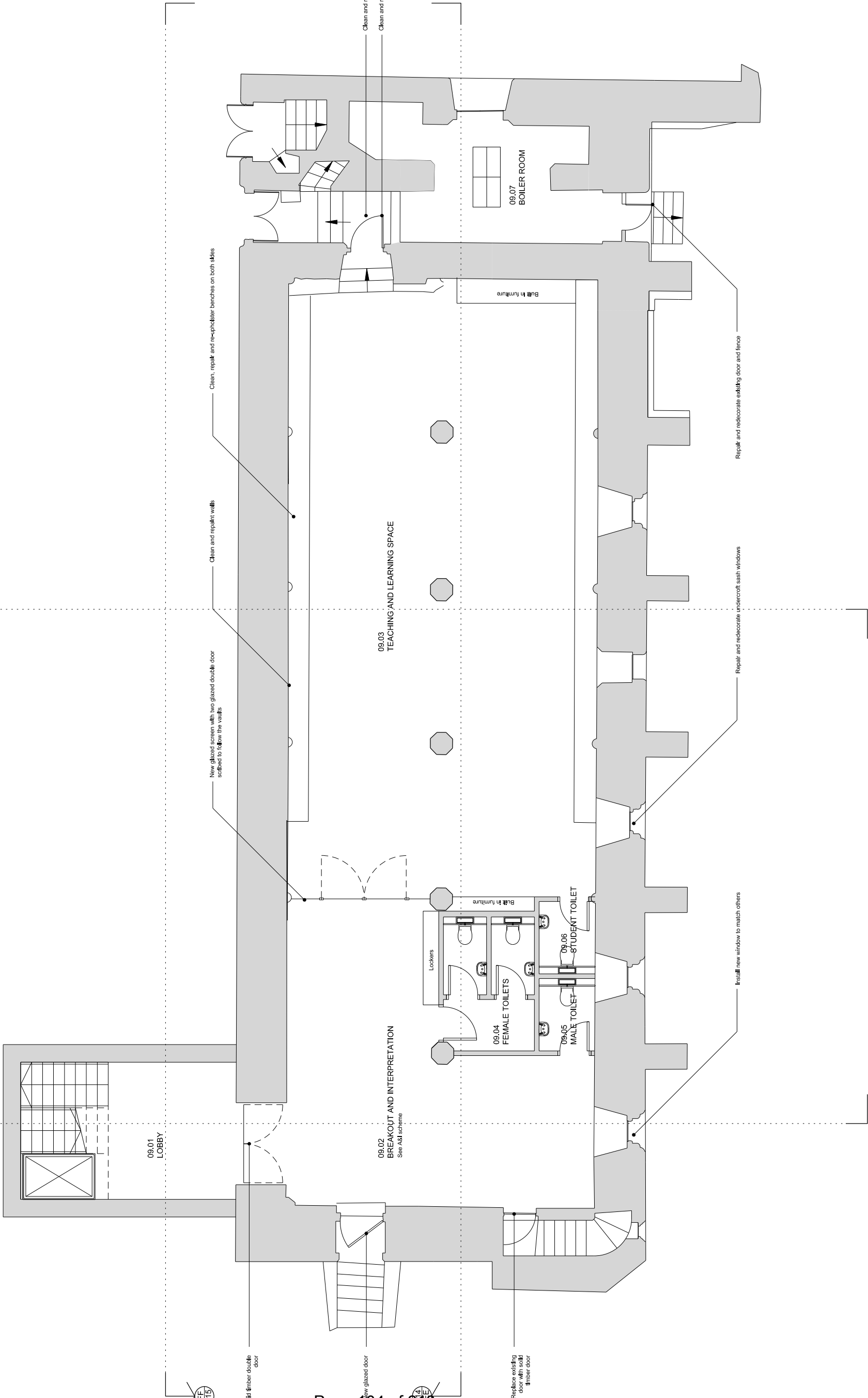
General Notes:
1. Drawings are for information only.
2. All dimensions are in millimetres unless otherwise noted.
3. Errors to be reported immediately to the Architect or Contract Administrator.
4. To be read in conjunction with all the relevant Architect, Services and Structural Engineers' drawings.
5. The drawings are for information only and do not constitute a contract.
6. All dimensions are to be taken from the centre line of the structure.
7. All dimensions are to be taken from the centre line of the structure.
8. All dimensions are to be taken from the centre line of the structure.
9. All dimensions are to be taken from the centre line of the structure.
10. All dimensions are to be taken from the centre line of the structure.

310
AA

311
BB

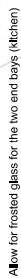
FE
315

FE
316



A	Scale 1:5	Planning and CPCE Applications
Rev	Date	
Location:		
Architect		
Feilden Fowles Architects 100, The Quadrant, London E1 6PU www.feildenfowles.co.uk © Feilden Fowles		
Client: Carlisle Cathedral Site Address: Chesham Estate Office, Edensor Balmoral, Derbyshire DE45 1PU Project: The Fraternity Project		
Drawing Title: Fraternity Undercroft - Plan		
Drawn:	Checked Scale @A1:	Scale @A1:
IP	FF	1:100 1:50
PLANNING		
Project:	Drawing no:	Rev:
CFR	109	A

1. Do not scale drawings.
2. All dimensions in millimeters unless otherwise noted.
3. Errors to be reported immediately to the Architect or Contract Administrator.
4. To be read in conjunction with all the relevant Architects' Services and Structural Engineers drawings.
5. All existing site, tree and building information has been compiled from different sources.
6. All dimensions to be checked and verified on site before proceeding.
7. Structure shown is indicative only. For structural layouts details refer to Structural Engineers drawings.



Location:

FEILDEN
FOWLES

Client:

Site Address: _____

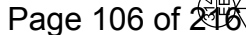
no further comment.

Pavillion - Plan

IP	FF	1:100	1:50	PLANNING
IP	FF	1:100	1:50	PLANNING

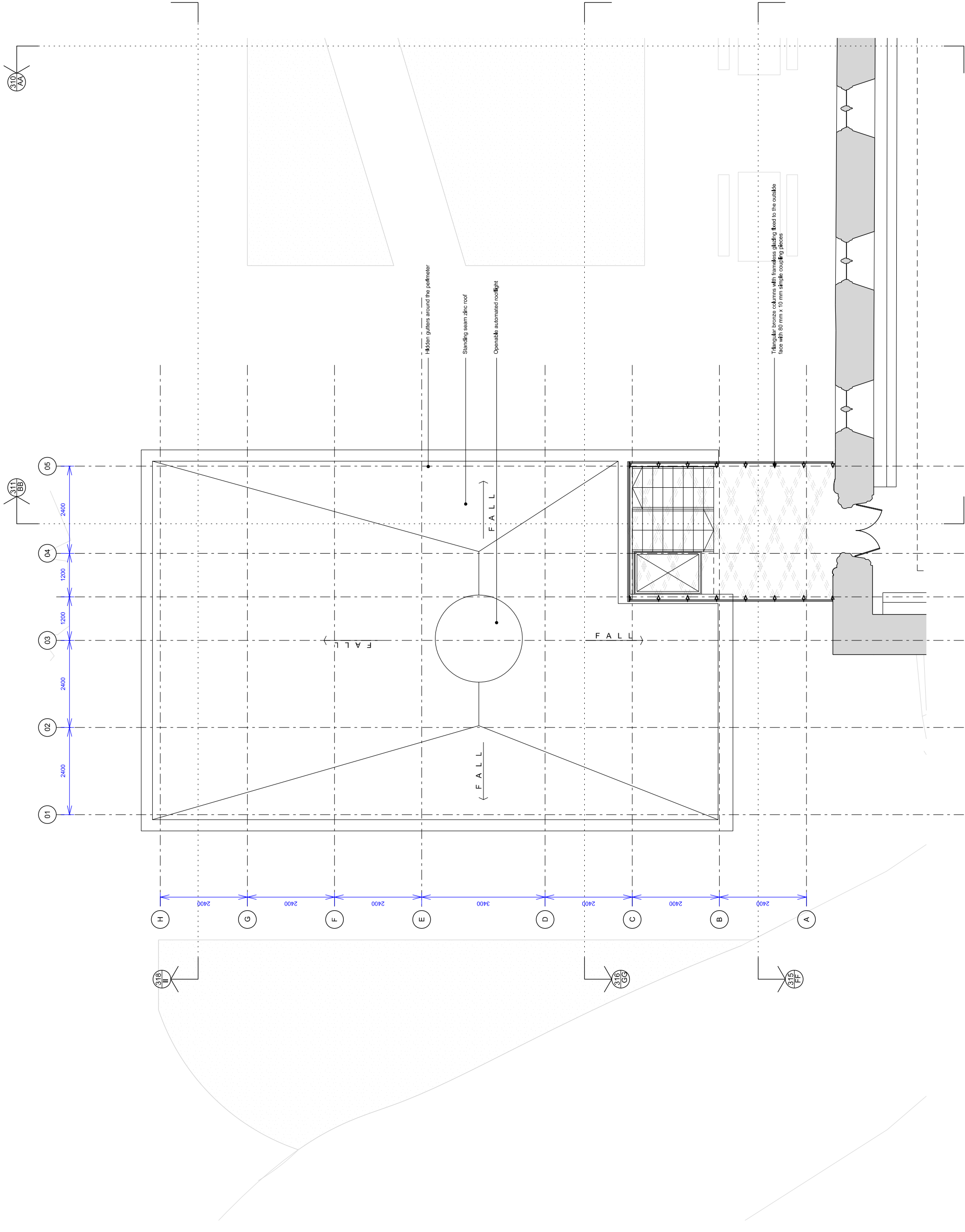
110
CER
A

• Do not scale drawings
• A1 dimensions in millimeters unless otherwise noted
• Errors to be reported immediately to the Architect or Contract Administrator
• To read in conjunction with all the relevant Architects', Services and Structural Engineers' drawings
• A1 detailing site, tree and building information has been compiled from different sources
• A1 dimensions to be checked and verified on site before proceeding
• Structure shown is indicative only. For structural layouts/details refer to Structural Engineers' drawings



A		04.08.16		Planning and CDFE Applications	
Rev	Date				
Location:					
<p>FEILDEN FOWLES</p> <p>Fielden Fowles Architects 58 Tinsdale Street London E2 9PJ Tel: 020 7736 6666 www.fielden-fowles.co.uk</p> <p>Client: Carlisle Cathedral</p> <p>Site Address: Carlisle Cathedral Office, Eleanor Roosevelt, Derwentholme EC45 1PJ</p> <p>Project: Fraternity Space</p> <p>Drawing Title: Fraternity Main Space - Plan</p> <p>Drawn: Charlotte Scale @A2 Scale @A1: 1:50</p> <p>Project: IP FF 1:100 1:50</p> <p>Project: CFR</p> <p>Drawing no: 111</p> <p>Rev: A</p>					

General Notes:
1. Do not scale drawings.
2. Errors to be reported immediately to the Architect or Contract Administrator.
3. Errors to be reported immediately to the Architect or Contract Administrator.
4. To be read in conjunction with all the relevant Architect, Services and Structural Engineers' drawings.
5. All dimensions to be checked and verified on site before proceeding with construction.
6. All dimensions to be checked and verified on site before proceeding with construction.
7. All dimensions to be checked and verified on site before proceeding with construction.
8. All dimensions to be checked and verified on site before proceeding with construction.
9. All dimensions to be checked and verified on site before proceeding with construction.
10. All dimensions to be checked and verified on site before proceeding with construction.

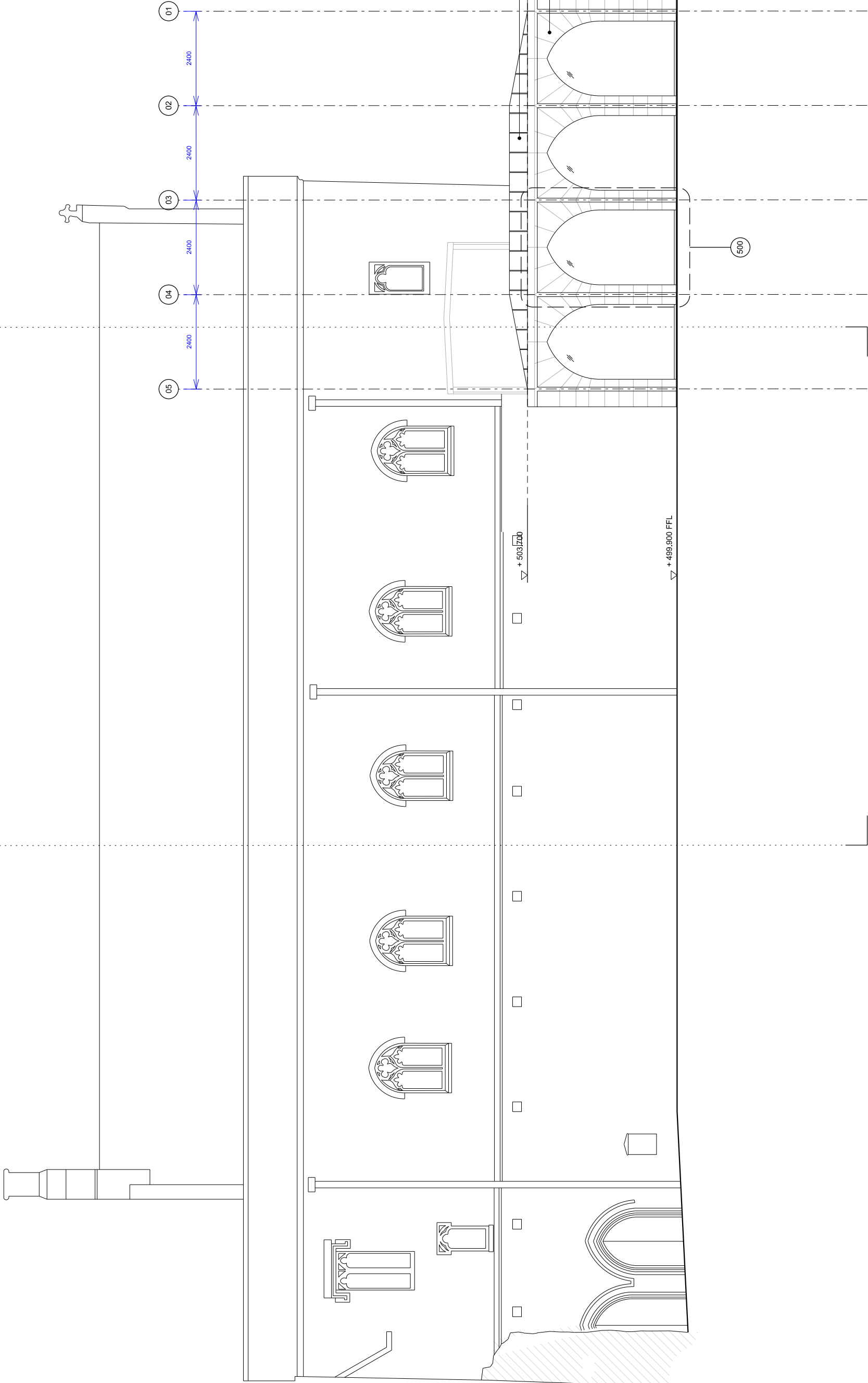


General Notes:

- 1. Do not scale drawings.
- 2. Dimensions are given in millimetres unless otherwise noted.
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- 4. To be used in conjunction with all the relevant Architect, Services and Structural Engineers' drawings.
- 5. All dimensions to be checked and verified on site before proceeding with construction.
- 6. All dimensions to be checked and verified on site before proceeding with construction.
- 7. All dimensions to be checked and verified on site before proceeding with construction.
- 8. All dimensions to be checked and verified on site before proceeding with construction.
- 9. All dimensions to be checked and verified on site before proceeding with construction.
- 10. All dimensions to be checked and verified on site before proceeding with construction.

310
AA

311
BB



+ 503.700

+ 499.900 FFL

Standing seam zinc roof

Stone arches

500

A	08.05.18	Planning and CPO Applications
Rev	Date	
Location:		

Plan

Section

Detail

Other

Project

Client

Architect

Structural Engineer

Services Engineer

Other

Project

Client

Architect

Structural Engineer

Services Engineer

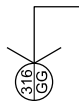
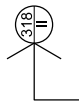
Other

FEILDEN
FOWLES

Feilden Fowles Architects
100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 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General Notes:

1. Do not scale drawings
2. All dimensions in millimeters unless otherwise noted
3. Errors in drawings shall be corrected by the Architect or Contract Administrator
4. To be read in conjunction with all the relevant Architects' Services and Structural Engineers' drawings
5. Structural Engineers' drawings shall be checked and verified on site and building information has been compiled from different sources
6. All dimensions to be checked and verified on site before proceeding
7. Structural drawings are indicative only. For structural layouts details refer to Structural Engineers' drawings

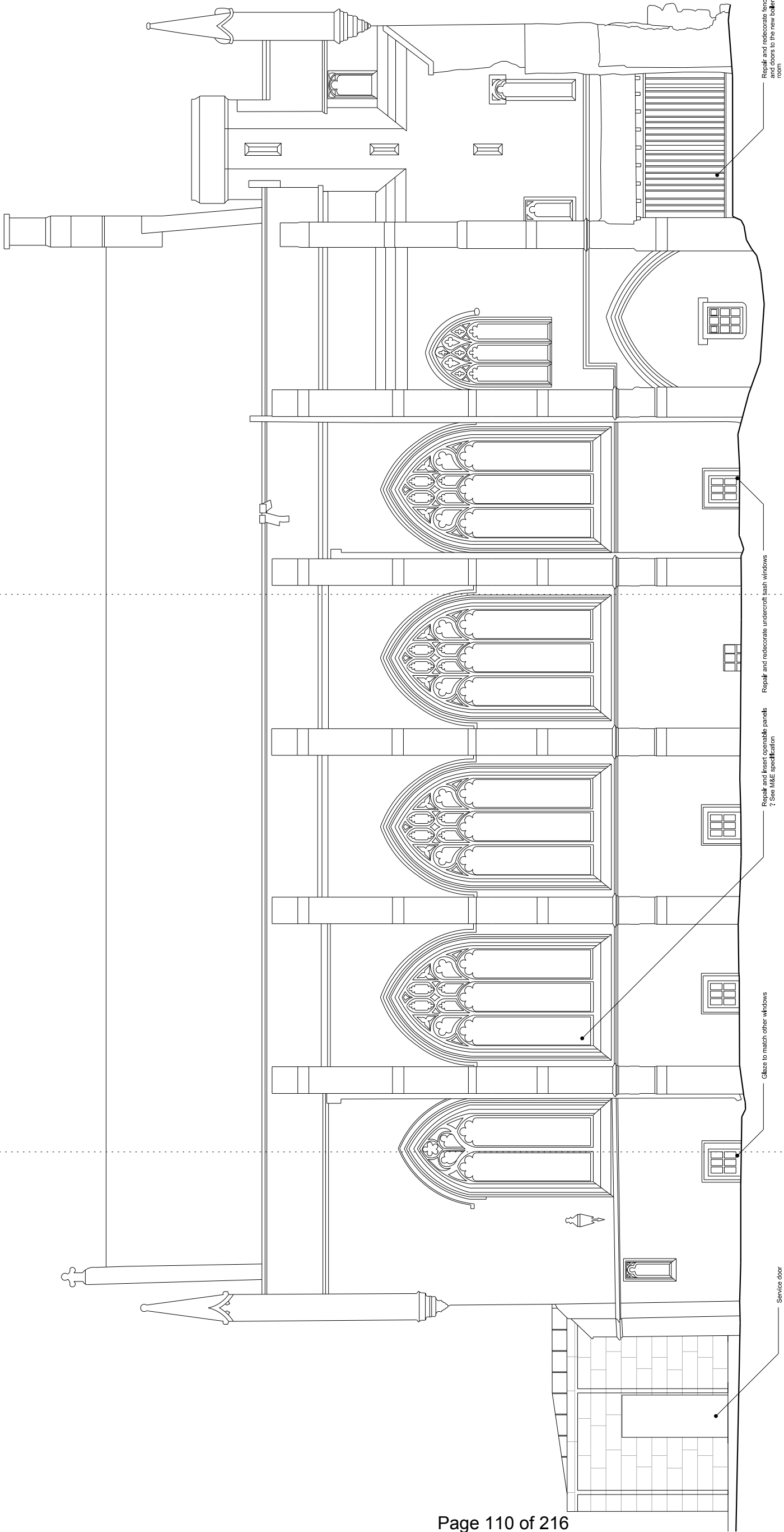
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General Notes:

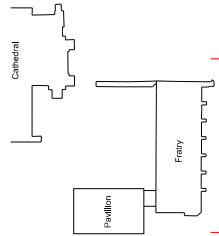
1. Do not scale drawings.
2. Errors to be reported immediately to the Architect or Contract Administrator.
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4. To be read in conjunction with all the relevant Architect, Services and Structural Engineers' drawings.
5. All dimensions to be checked and verified on site before proceeding with construction.
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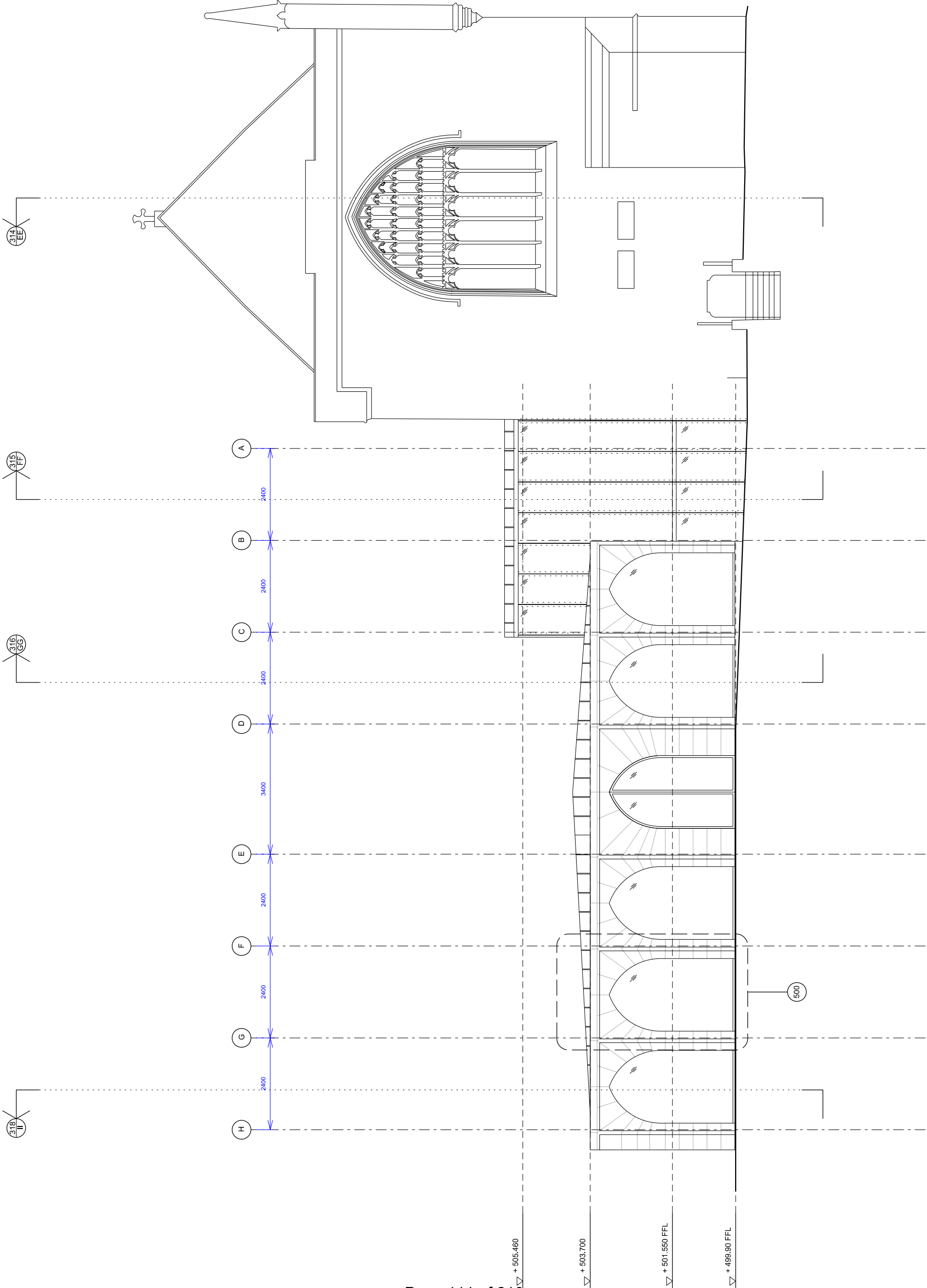
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Architect

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100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 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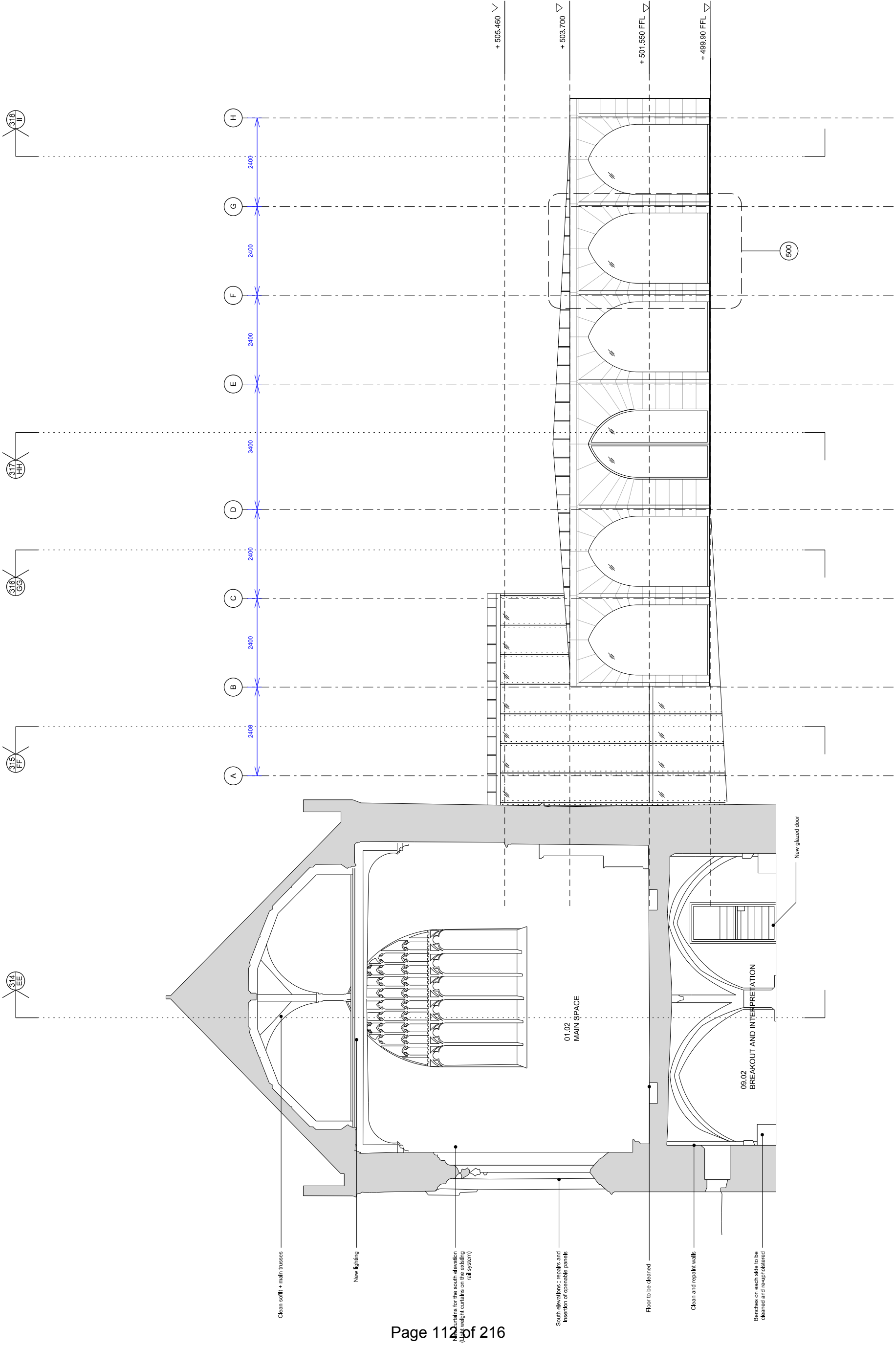
General Notes:
1. Drawings are for information only.
2. All dimensions are in millimetres unless otherwise noted.
3. Errors to be reported immediately to the Architect or Contract Administrator.
4. To be read in conjunction with all the relevant Architect, Services and Structural Engineers' drawings.
5. The drawings are for information only and do not constitute a contract.
6. The drawings are for information only and do not constitute a contract.
7. The drawings are for information only and do not constitute a contract.
8. The drawings are for information only and do not constitute a contract.
9. The drawings are for information only and do not constitute a contract.
10. The drawings are for information only and do not constitute a contract.



A	Rev	Date	Planning and CPCE Applications
1			
Location:			
Architect:			
Feilden Fowles Architects			
Feilden Fowles Architects			
London E1 6PU			
www.feildenfowles.co.uk			
© Feilden Fowles			
Client:			
Carlisle Cathedral			
Site Address:			
Chesham Estate Office, Edensor Balmoral, Derbyshire DE45 1PU			
Project:			
The Fraternity Project			
Drawing Title:			
West Elevation			
Drawn: Checked Scale @A1: Scale @A1: Status:			
IP	FF	1:100 1:50	PLANNING
Project:			
CFR		203	A

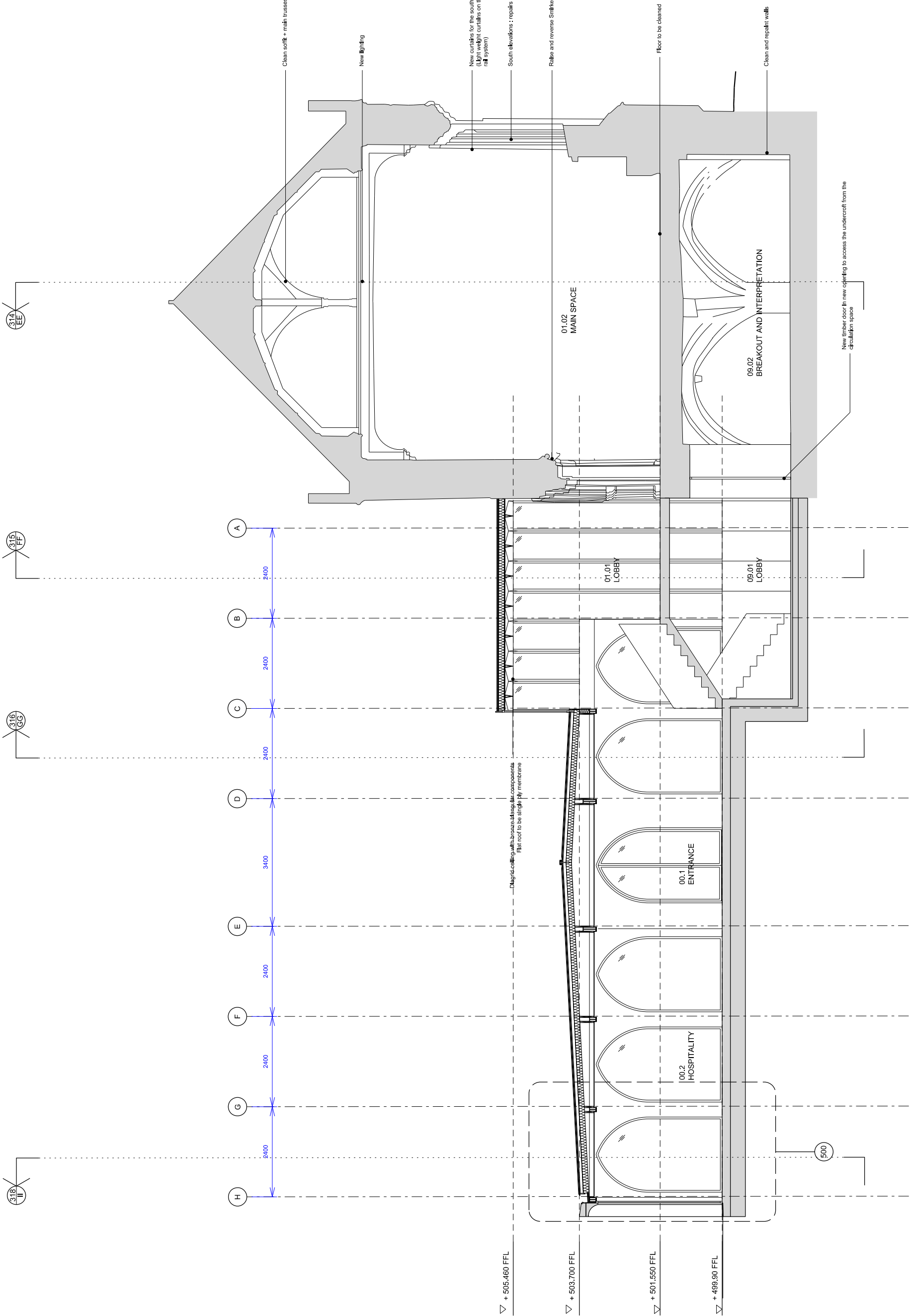
General Notes:

1. Do not scale drawings.
2. Errors to be reported immediately to the Architect or Contract Administrator.
3. Errors to be reported immediately to the Architect or Contract Administrator.
4. To be used in conjunction with all the relevant Architect, Services and Structural Engineers' drawings.
5. All dimensions to be checked and verified on site before proceeding with construction.
6. All dimensions to be checked and verified on site before proceeding with construction.
7. All dimensions to be checked and verified on site before proceeding with construction.
8. All dimensions to be checked and verified on site before proceeding with construction.
9. All dimensions to be checked and verified on site before proceeding with construction.
10. All dimensions to be checked and verified on site before proceeding with construction.



A		08.08.18	Planning and CPCE Applications
Rev		Date	
Location:			
Architect			
FEILDEN FOWLES			
Feilden Fowles Architects 100, The Quadrant, London E2 6PU www.feildenfowles.co.uk © Feilden Fowles			
+44 (0)20 7033 4594			
Client:			
Carlisle Cathedral			
Site Address:			
Chesham Estate Office, Edensor Boulevard, Derbyshire DE45 1PJ			
Project:			
The Fraternity Project			
Drawing Title:			
Section AA			
Drawn: [Checked] Scale @A1: [Status]			
IP FF 1:100 1:50 PLANNING			
Project: CFR			
Drawing no: 310			
Rev: A			

General Notes:
1. Do not scale drawings.
2. Errors to be reported immediately to the Architect or Contract Administrator.
3. Errors to be reported immediately to the Architect or Contract Administrator.
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6. All dimensions to be checked and verified on site before proceeding with construction.
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8. All dimensions to be checked and verified on site before proceeding with construction.
9. All dimensions to be checked and verified on site before proceeding with construction.
10. All dimensions to be checked and verified on site before proceeding with construction.



A	08.05.18	Planning and CPE Applications
Rev	Date	
Location:		

01.02 MAIN SPACE

01.01 LOBBY

09.01 LOBBY

09.02 BREAKOUT AND INTERPRETATION

00.1 ENTRANCE

00.2 HOSPITALITY

0500

Principle

Colonnade

Frisky

1

FEILDEN FOWLES

Architect

Feilden Fowles Architects
100, The Quadrant
London E2 6PU
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Client:
Carlisle Cathedral
Sheep Address:
Chesham Estate Office, Eton Road, Dorneyville DE45 1PU

Project:
The Fraty Project

Drawing Title:
Section BB

Drawn: [Checked] Scale @A1: [Status]
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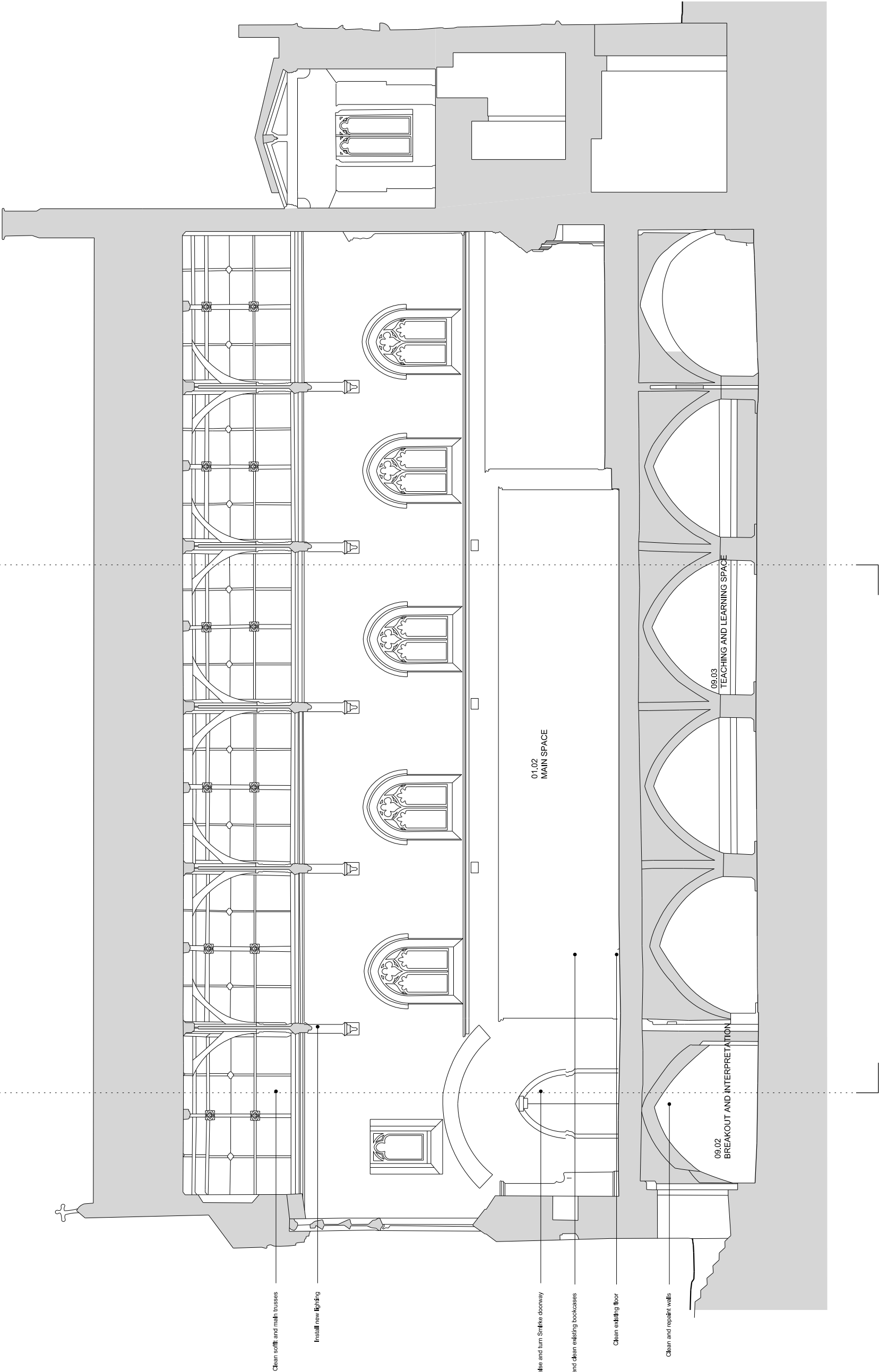
Project: CFR Rev: **311** A

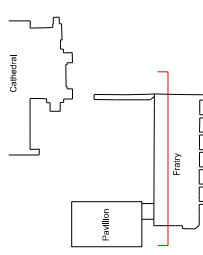
General Notes:

1. Do not scale drawings.
2. Errors to be reported immediately to the Architect or Contract Administrator.
3. Errors to be reported immediately to the Architect or Contract Administrator.
4. To be read in conjunction with all the relevant Architect, Services and Structural Engineers' drawings.
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6. All dimensions to be checked and verified on site before proceeding with construction.
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8. All dimensions to be checked and verified on site before proceeding with construction.
9. All dimensions to be checked and verified on site before proceeding with construction.
10. All dimensions to be checked and verified on site before proceeding with construction.

310
AA

311
BB

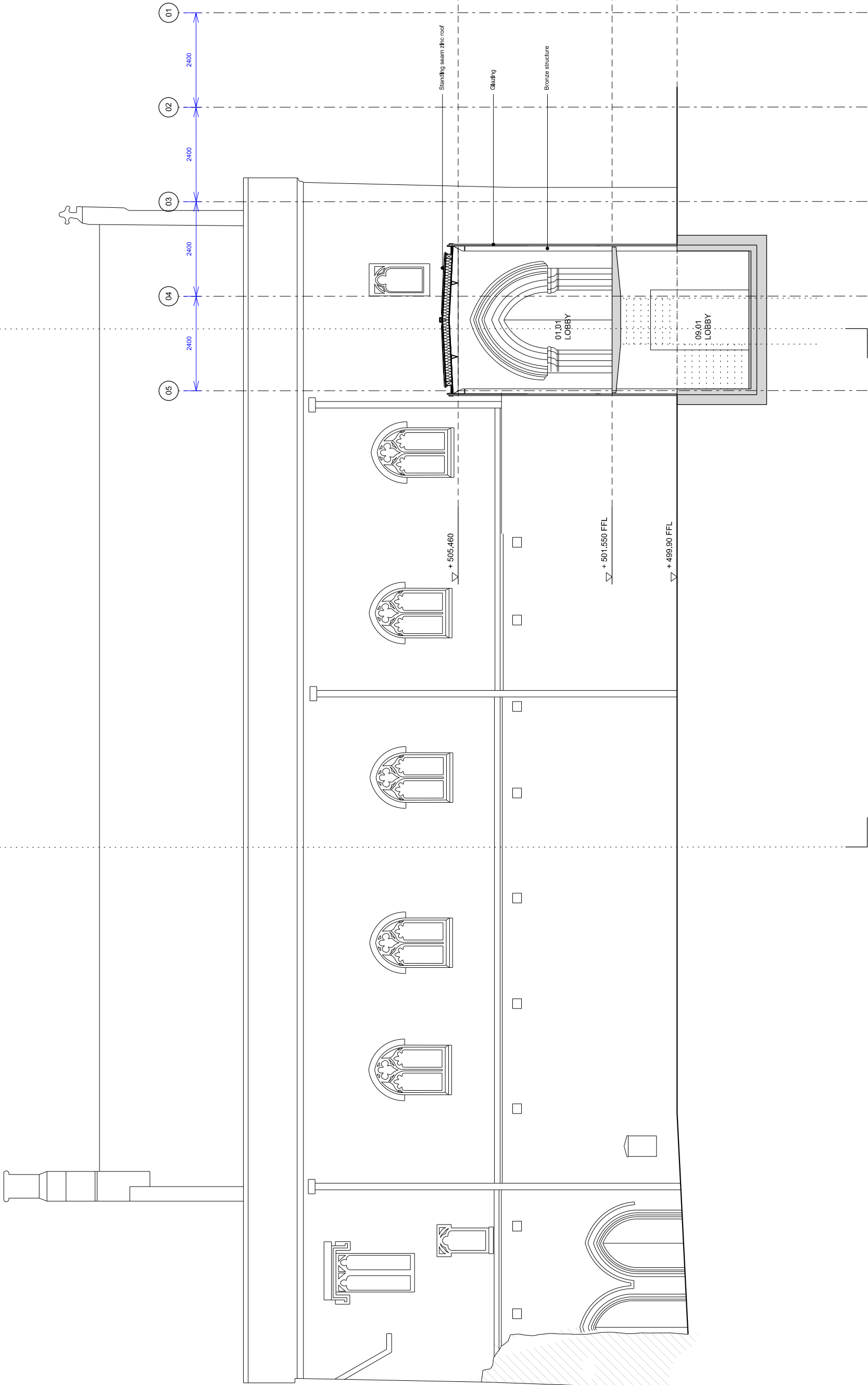


A		06.08.16	Planning and CPO Applications
Rev	Date		
Location:			
			
Architect			
FEILDEN FOWLES			
Feilden Fowles Architects 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000			
Client:			
Carlsie Cathedral			
Site Address:			
Cheltenham Estate Office, Edensor Boulevard, Derbyshire DE45 1PJ			
Project:			
The Fratry Project			
Drawing Title:			
Section EE			
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Project: CFR 314 A			
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General Notes:
1. Do not scale drawings.
2. Errors to be reported immediately to the Architect or Contract Administrator.
3. Errors to be reported immediately to the Architect or Contract Administrator.
4. To be used in conjunction with all the relevant Architect, Services and Structural Engineers' drawings.
5. All dimensions to be checked and verified on site before proceeding with construction.
6. All dimensions to be checked and verified on site before proceeding with construction.
7. All dimensions to be checked and verified on site before proceeding with construction.
8. All dimensions to be checked and verified on site before proceeding with construction.

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A		08.08.16		Planning and CPO Applications	
Rev	Date				
Location:					
Architect:					
Feilden Fowles Architects					
Feilden Fowles Architects 66 Trowdale Street London E2 9PQ 020 7736 2000 www.feildenfowles.co.uk					
Client:					
© Feilden Fowles					
Site Address: The Priory Estate Office, Eborac Balmoral, Doncaster DE4 5JF, RU Project:					
Carlisle Cathedral					
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Section FF					
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Project:		Drawing no:		315	
CFR		Rev:		A	

General Notes:

1. Do not scale drawings
2. All dimensions in all figures unless otherwise noted
3. Errors to be reported immediately to the Architect or Contract Administrator
4. To be read in conjunction with all the relevant Architects', Services and Structural Engineers' drawings
5. All existing site, tree and building information has been compiled from the following sources:
 - a. All existing site, tree and building information has been compiled from the following sources:
 - b. All existing site, tree and building information has been compiled from the following sources:
 - c. All existing site, tree and building information has been compiled from the following sources:
 - d. All existing site, tree and building information has been compiled from the following sources:
6. All drawings to be checked and verified on site before proceeding
7. Structure shown in Indication only. For structural layouts details refer to Structural Engineers' drawings



The diagram shows a site plan with three buildings. The 'Cathedral' is a large, irregularly shaped building on the left. The 'Pavillion' is a small, rectangular building at the bottom center. The 'Frisby' is a large, rectangular building on the right. A red line is drawn vertically between the Pavillion and the Frisby, indicating a boundary or a specific feature.

Architect:

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Carlisle Cathedral

Site Address:
City/State/Zip:
E-mail:
Phone:
Fax:

Project:

The Fraternity Project

Training Title:

Section II

Drawn:	Checked:	Scale @A:3:	Scale @A:1:	Status:
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project:	Drawing no:	Rev:
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Revisions

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Planning

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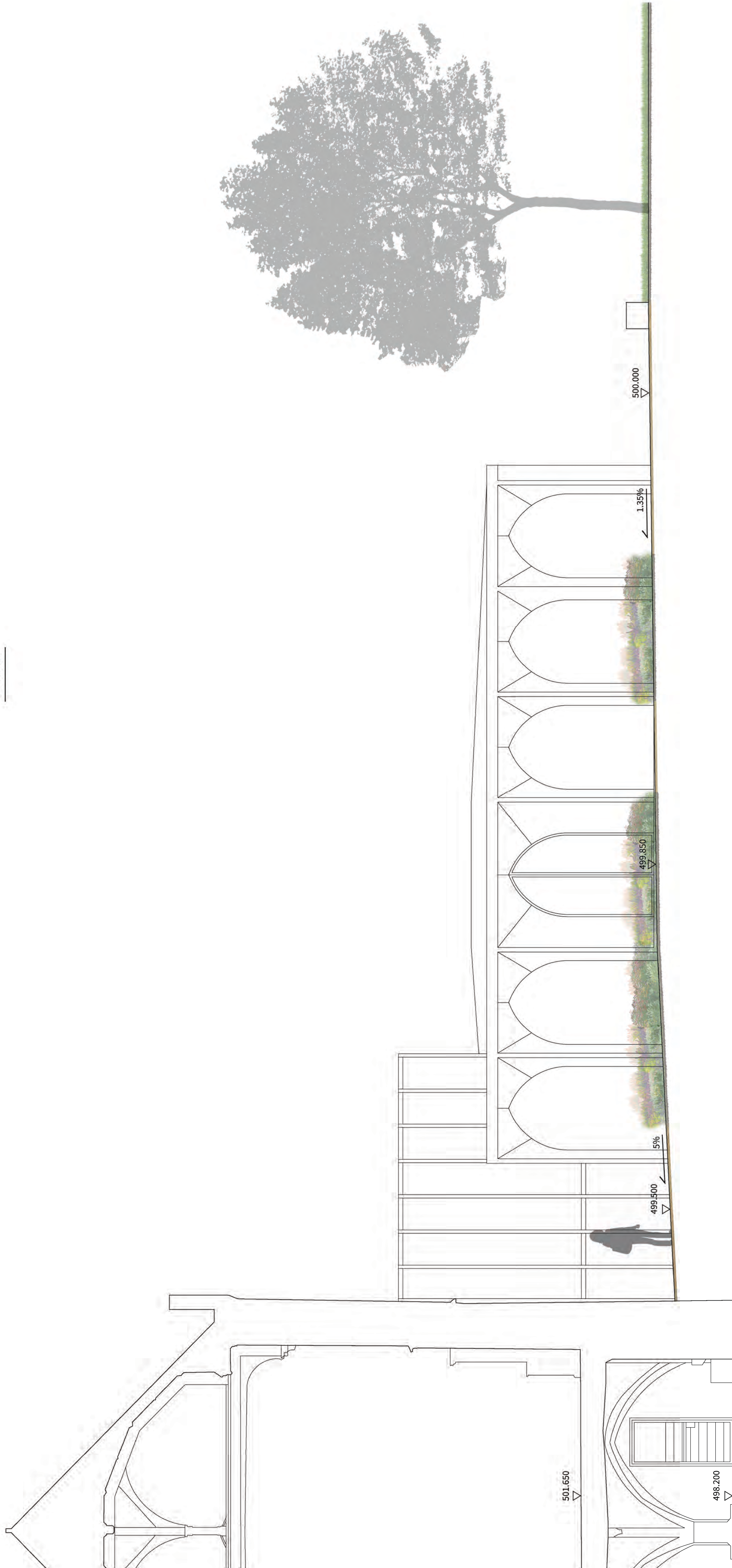
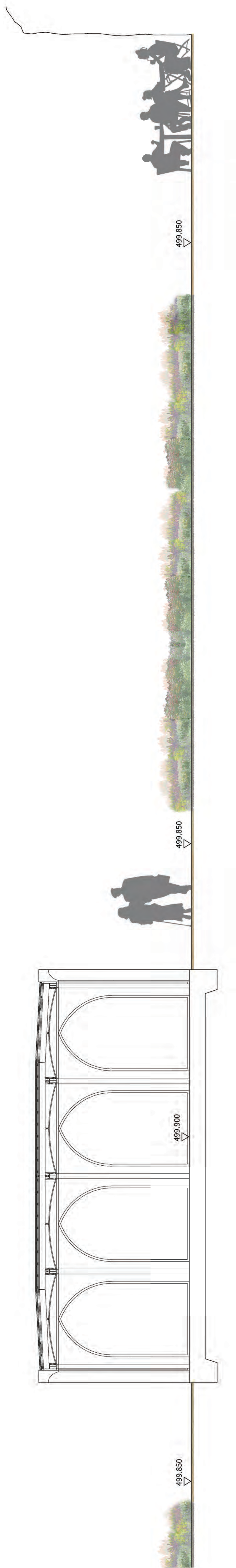
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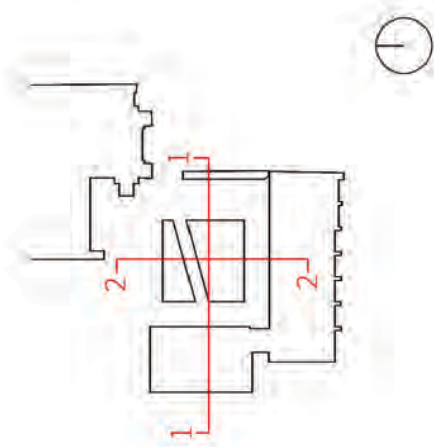


Norton House, 3 Christchurch Street West, Frome BA11 1FA

FRATRY



Location:

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Carlisle Cathedral

Carlisle, UK

Planning

Cloister Garden

P0253-LA-10-(3)	Revision:
SECTION	Date issued: 03/08/2016
Scale: 1:50 @ AI; 1:100 @ A3	Created by: YZ Checked by: AH

Do not scale from this drawing

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Carlisle Cathedral
Carlisle

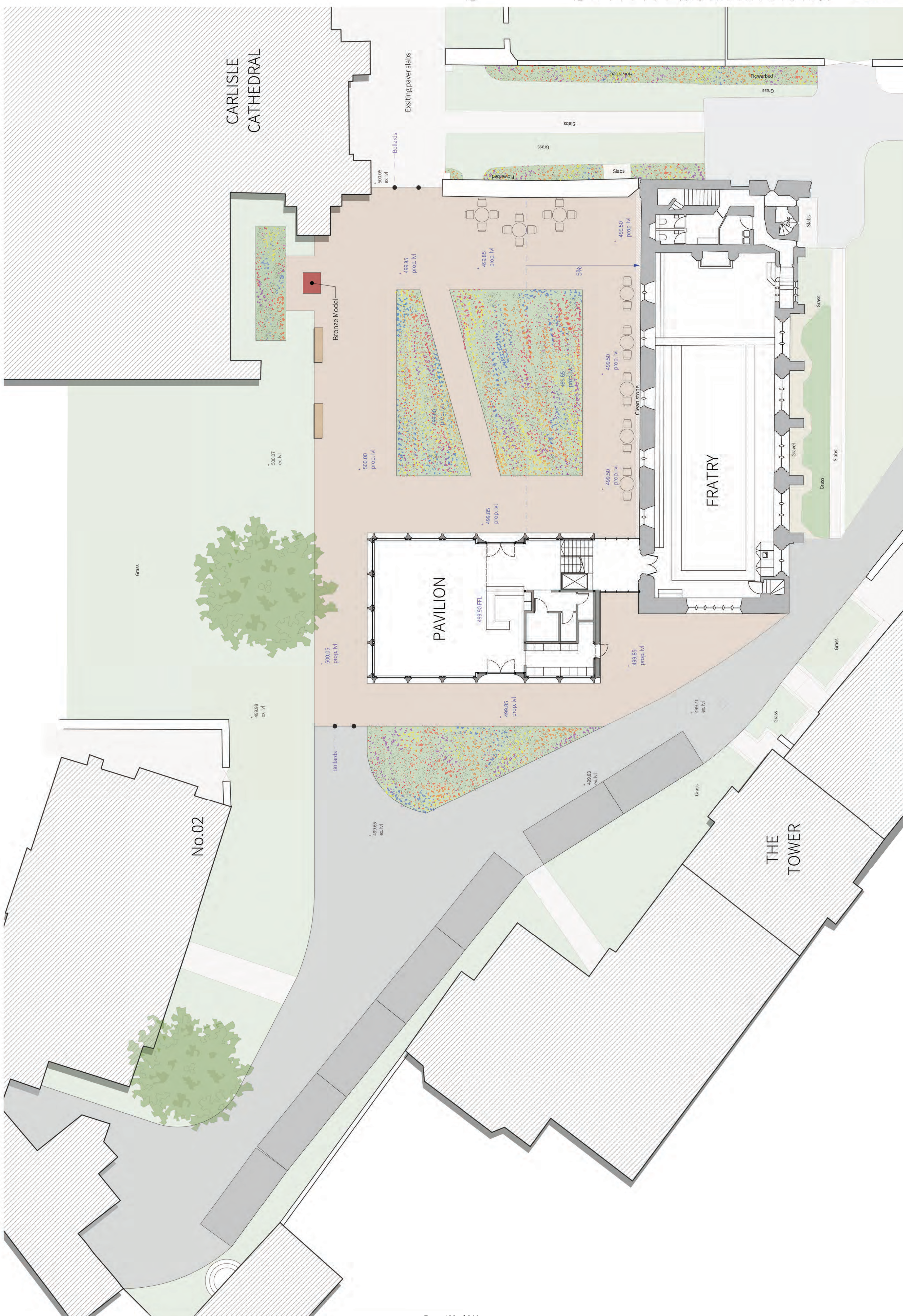
General Arrangement	Revision:	
Planning	Date issued:	04/08/2016
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SCHEDULE A: Applications with Recommendation

16/0723

Item No: 05

Date of Committee: 21/10/2016

Appn Ref No:
16/0723

Applicant:
Carlisle Cathedral

Parish:
Carlisle

Agent:
Feilden Fowles Architects
Ltd

Ward:
Castle

Location: The Fraternity, 7 The Abbey, Carlisle, CA3 8TZ

Proposal: Removal Of 19th Century Porch And Erection Of New Entrance,
Hospitality Annexe With Cafe And Interpretation Spaces; Modifications
To Existing Doorway To North Elevation And Internal Works (LBC)

Date of Receipt:
08/08/2016

Statutory Expiry Date
03/10/2016

26 Week Determination

REPORT

Case Officer: Stephen Daniel

1. Recommendation

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

2. Main Issues

- 2.1 Impact On The Listed Building

3. Application Details

The Site

- 3.1 The Fraternity is a Grade 1 Listed Building which stands prominently in the cathedral precinct. It is the surviving refectory of the former Augustinian Priory and it formed the south range of the now lost cloister to the south of the cathedral.
- 3.2 The date of the building is uncertain, but there is evidence of two phases of building, one perhaps in the 14th century, and the other in the late 15th century. The building was altered in the late 17th century and again

between 1808-1811 when Sir Robert Smirke inserted a new doorway into the north west corner of the building. Further work was undertaken to the building between 1875 and 1880, by George Street, who removed the 17th century work, took out Smirke's doorway and reversed it and created a new porch.

- 3.3 The building has a fine vaulted undercroft which is accessed via steps. This space is currently occupied by a café and toilets. The first floor hall, which is also accessed via steps through the Street Porch, houses the cathedral's library, which includes the third largest cathedral collection of 17th century printed volumes in the country.

The Proposal

- 3.4 The proposal is seeking to remove the Street Porch and to add a new glazed link building which would connect the Fraternity to a new single-storey pavilion. The new extension would sit perpendicular to The Fraternity and would be connected to its north-west corner.
- 3.5 The link building would be constructed of fabricated bronze sheet and glass, under a standing seam zinc roof. The pavilion building would be constructed of local red sandstone to blend with the Fraternity and Cathedral, in a contemporary design which draws inspiration from the Gothic architecture of the medieval buildings.
- 3.6 The link building would contain stairs and a platform lift which would provide access to the both the undercroft and the hall. A viewing point would also be provided in the link building and this would give views across the Cathedral Precinct to the east and west.
- 3.7 The pavilion would incorporate a café space at its northern end and this would also function (out of hours) as a breakout space for events in the main hall. The southern end of the building would accommodate a kitchen and toilets. Entrance doors would be provided in both the east and west elevations of the pavilion.
- 3.8 The main Fraternity Hall would be used for interpretation, exhibitions and events. The inner screen and kitchen would be removed from the hall and the bookcases would be relocated. A large projection screen would be installed in the eastern end and exhibition panels would be added to the book cases. The Smirke doorway would also be repositioned and reversed. The undercroft would be used as a teaching and learning space and the kitchen, toilets and internal partitions would be removed, with new toilets and partitions being added. A new entrance would also be created to the undercroft through the external wall.
- 3.9 An enclosed courtyard would be created to the east of the pavilion building. This would be landscaped and would contain a planting bed and a pedestrian link to the main entrance to the pavilion. Natural stone pavers would be used in this area to mark out the cloister area. Street furniture and outdoor seating would also be located in this area, together with the bronze model of the Cathedral Precinct.

- 3.10 A block paved and landscaped area would also be created to the west of the pavilion building and this would be accessed by a doorway in the west elevation of the pavilion building.

4. Summary of Representations

- 4.1 This application has been advertised by means of site and press notices as well as notification letters sent to nineteen neighbouring properties. In response one letter of objection and one letter of support have been received.
- 4.2 The letter of objection makes the following points:
- The buildings in the Cathedral Close, especially those between the Cathedral's doorway and the Prior Slee's (Abbey) Gate, form the finest urban space in the city. The buildings themselves are all of great architectural quality and historic significance. The construction of the pavilion centrally placed in the space would obstruct views to all of these buildings and would destroy the quality of the space.
 - Whilst greater access to the Fraternity is desirable and the requirement for a café are understood there are alternative solutions and this proposal is too high a price to pay.
- 4.3 The letter of support makes the following points:
- Very few people have ever been into the Fraternity – it is a shame that such an important building has remained largely unused and unloved for so long.
 - The opening up of this building along with the uses proposed will benefit those who live locally but will increase visitor numbers to Carlisle. A redeveloped Fraternity could prove to be a major tourist attraction.
 - The previous design for the new building was strongly criticised. The present proposal which will now house the café as well as providing access to the Fraternity is a big improvement and probably the best we will ever get.
 - A number of the existing buildings within the Cathedral grounds would once have been modern additions and that English Heritage used to ask that we should not try to copy existing buildings.

5. Summary of Consultation Responses

Historic England - North West Office: - no objections on historic environment grounds, subject to conditions;
Georgian Group - Amenity: - no comments received;
Victorian Society - Amenity: - no comments received;
National Amenity Society: - no comments received;
Carlisle & District Civic Trust: - no comments received.

6. Officer's Report

Assessment

- 6.1 Section 54a of the Town and Country Planning Act 1990/Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that an application for planning permission is determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.
- 6.2 The relevant planning policies against which the application is required to be assessed are the National Planning Policy Framework (NPPF), the Planning Practice Guidance (PPG), Policies LE12, LE13 and CP5 of the Carlisle District Local Plan 2001-2016 and Policies HE3 and SP6 of the emerging Carlisle District Local Plan (CDLP) 2015-2030.
- 6.3 Carlisle's emerging new Local Plan 'The Carlisle District Local Plan 2015 - 2030' was submitted to the Secretary of State on 22nd June 2015 under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 6.4 Paragraph 216 of the National Planning Policy Framework identifies that:
- “From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:*
- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*
 - the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
 - the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)”.*
- 6.5 Carlisle City Council resolved at their meeting of the 10th February 2015, with regards to the emerging Local Plan, that *“once published for consultation, weight be given to the Carlisle District Local Plan (2015–2030) as a material consideration when exercising Development Management policy decisions, in accordance with paragraph 216 of the National Planning Policy Framework”.*
- 6.6 In exercising a decision on the proposal regard has therefore been had to the relevant policies and proposals within the emerging Carlisle District Local Plan 2015-2030 (Proposed Submission Draft and Proposed Main Modifications). The particular weighting afforded to policies and proposals of relevance has been arrived at by considering each in turn and by way of reference to the provisions of paragraph 216 of the NPPF.
- 6.7 The proposal raises the following planning issues:
1. Impact On The Listed Building

- 6.8 Section 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 highlights the statutory duties of Local Planning Authorities whilst exercising of their powers in respect of listed buildings. The aforementioned section states that:

"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".

- 6.9 As set out in the NPPF, in determining planning applications Local Planning Authorities should take into account the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation (paragraph 131); when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (paragraph 132); Local Planning Authorities should refuse consent for any development which would lead to substantial harm to or total loss of significance of designated heritage assets (paragraph 133); and where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use (paragraph 134).
- 6.10 Policy LE12 (Proposals Affecting Listed Buildings) of the adopted Local Plan states that proposals for new development which adversely affects a listed building or its setting will not be permitted. Any new development within the setting of a listed building should preserve the building's character and its setting. This requirement is also contained within Policy HE3 (Listed Buildings) of the emerging Local Plan.
- 6.11 Policy LE13 (Alterations to Listed Buildings) of the adopted Local Plan states that applications for alterations or extensions to listed buildings must have regard to the scale, proportions, character and detailing of the existing building (both internally and externally) and of its windows and doorways. Any proposals which have an unacceptable impact on the listed building will not be permitted. Applications will be assessed against a series of criteria which include the importance of the building; the setting of the building and its contribution to the local scene; and the extent to which the proposed works would bring substantial benefits for the community. These requirements are carried forward into Policy HE3 (Listed Buildings) of the emerging Local Plan.
- 6.12 One of the main aims of the project is to improve access to The Fraternity by providing a new DDA compliant entrance to both the undercroft and the first floor. The project is also seeking to develop teaching and learning on site and a dedicated, secure and equipped teaching and learning space is, therefore, required.
- 6.13 The proposal would lead to the removal of the Street Porch and the addition

of a new glazed link building which would connect the Fraternity to a new single-storey pavilion. The new extension would sit perpendicular to The Fraternity and would be connected to its north-west corner. This would reduce the impact of the extension on the Fraternity and would define a new cloister like space between the Cathedral and the Fraternity.

- 6.14 A previous proposal, which was drawn up in 2014, had a single-storey extension running along the full length of the north façade of the Fraternity, with a two-storey element at its eastern end but it was considered that this proposal would have had a significant impact on The Fraternity building.
- 6.15 The new building has been designed to be subservient to the listed building in terms of scale and design and to avoid comparison with the existing building. This approach is advocated by Historic England where new work is clearly differentiated from old work but built to a respectful scale and form using similar materials.
- 6.16 The link building would be a light weight structure which would be constructed of fabricated bronze sheet and glass, under a standing seam zinc roof. The pavilion building, whilst being contemporary in style, draws inspiration from the Gothic architecture around it and would be constructed of local red sandstone to blend with the Fraternity and cathedral.
- 6.17 The removal of the existing Street Porch would cause some harm to the Listed Building. However, the level of harm would be less than substantial given that it is less significant than the rest of the Fraternity and a small component of the whole building, which was added at a later date. Historic England acknowledges that the Street Porch is a much later addition and whilst it was designed by an important architect of the late 19th century, it is a minor work which is not among Street's more important work and is certainly less significant than the medieval fabric of the building. The removal of the 19th century screen at the western end of the upper floor of the Fraternity and the relocation of the bookcases would also cause harm to the Fraternity as would the formation of a new entrance in the external wall.
- 6.18 Historic England considers that the proposed extension would provide enhanced facilities for education, interpretation and hospitality, whilst the new vertical access to the Fraternity would greatly improve accessibility to the building. These public benefits would significantly outweigh the harm which would be caused to the Fraternity. The proposed extension has been carefully designed, using appropriate materials, to be respectful of its context. Historic England, therefore, has no objections to the proposal on historic design grounds, subject to conditions requiring the approval of details of finishes of stonework and external features such as doors and windows and of the commissioning of agreed schemes of building recording of the Street Porch, internal features prior to their removal and of the Smirke doorway prior to dismantling and re-positioning. The applicant has also confirmed that Street Porch would be stored on site for possible future use. These conditions would largely mitigate the harm that would be caused to the Fraternity.
- 6.19 The Council's Heritage Officer agrees that the tabled design is of high quality and welcomes its modern-Gothic inspiration and use of a palette of materials

which would allow it to 'bed in' to the other buildings in the precinct.

- 6.20 In light of the above, it is considered that the benefits of the proposal would outweigh the harm to the Fraternity building, which would not be significant.

Conclusion

- 6.21 In overall terms, it is considered that the benefits of the proposal would outweigh the harm to the Fraternity building, which would not be significant. In all aspects, the proposal is considered to be compliant with the objectives of the relevant adopted Local Plan policies.

7. Planning History

- 7.1 There is no planning history relating to this site.

8. Recommendation: Grant Permission

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.

2. The approved documents for this Listed Building Consent comprise:
1. the submitted planning application form, received 8 August 2016;
 2. Planning, Design & Access Statement (including Heritage Impact Statement; Fraternity Porch Statement of Significance; Bat Survey; Archaeological Evaluation & Impact Statement; Statement of Community Involvement); received 8 August 2016;
 3. Existing Site Location Plan, received 8 August 2016 (Dwg CFR_EX_000 Rev A);
 4. Existing Block Plan, received 8 August 2016 (Dwg CFR_EX_001 Rev A);
 5. Existing Landscape Plan, received 8 August 2016 (Dwg CFR_EX_010 Rev A);
 6. Existing Undercroft Plan, received 8 August 2016 (Dwg CFR_EX_109 Rev A);
 7. Existing Main Fraternity Space Plan, received 8 August 2016 (Dwg CFR_EX_111 Rev A);
 8. Existing North Elevation, received 8 August 2016 (Dwg CFR_EX_200

Rev A);

9. Existing East Elevation, received 8 August 2016 (Dwg CFR_EX_201 Rev A);

10. Existing South Elevation, received 8 August 2016 (Dwg CFR_EX_202 Rev A);

11. Existing West Elevation, received 8 August 2016 (Dwg CFR_EX_203 Rev A);

12. Existing Section AA, received 8 August 2016 (Dwg CFR_EX_310 Rev A);

13. Existing Section BB, received 8 August 2016 (Dwg CFR_EX_311 Rev A);

14. Existing Section DD, received 8 August 2016 (Dwg CFR_EX_313 Rev A);

15. Existing Section EE, received 8 August 2016 (Dwg CFR_EX_314 Rev A);

16. Proposed Block Plan, received 8 August 2016 (Dwg CFR_001 Rev A);

17. Schematic Landscape Plan, received 8 August 2016 (Dwg CFR_010 Rev A);

18. Undercroft Plan, received 8 August 2016 (Dwg CFR_109 Rev A);

19. Pavilion Plan, received 8 August 2016 (Dwg CFR_110 Rev A);

20. Main Fraternity Space Plan, received 8 August 2016 (Dwg CFR_111 Rev A);

21. Pavilion Roof Plan, received 8 August 2016 (Dwg CFR_120 Rev A);

22. North Elevation, received 8 August 2016 (Dwg CFR_200 Rev A);

23. East Elevation, received 8 August 2016 (Dwg CFR_201 Rev A);

24. South Elevation, received 8 August 2016 (Dwg CFR_202 Rev A);

25. West Elevation, received 8 August 2016 (Dwg CFR_203 Rev A);

26. Section AA, received 8 August 2016 (Dwg CFR_310 Rev A);

27. Section BB, received 8 August 2016 (Dwg CFR_311 Rev A);

28. Section EE, received 8 August 2016 (Dwg CFR_314 Rev A);

29. Section FF, received 8 August 2016 (Dwg CFR_315 Rev A);
30. Section GG, received 8 August 2016 (Dwg CFR_316 Rev A);
31. Section II, received 8 August 2016 (Dwg CFR_318 Rev A);
32. Typical Bay Study, received 8 August 2016 (Dwg CFR_500 Rev A);
33. Link Bay Study, received 8 August 2016 (Dwg CFR_501 Rev A);
34. General Arrangement (Landscaping), received 8 August 2016 (Dwg P0253-LA-00-GA Rev A);
35. Cloister Garden, received 8 August 2016 (Dwg P0253-LA-00-(6) Rev A);
36. Sections (Landscaping), received 8 August 2016 (Dwg P0253-LA-10-(3) Rev A);
37. the Notice of Decision; and
38. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

3. 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. The materials used shall be in strict accordance with these details.

Reason: To ensure that the proposed materials are acceptable in accordance with Policies LE13 and CP5 of the Carlisle District Local Plan 2001-2016 and Policies HE3 and SP6 of the emerging Carlisle District Local Plan 2015-2030.

4. Samples or full details of the proposed windows and doors to be used in the extension hereby approved shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The windows and doors installed shall then be in accordance with these details.

Reason: To ensure that the proposed materials are acceptable in accordance with Policies LE13 and CP5 of the Carlisle District Local Plan 2001-2016 and Policies HE3 and SP6 of the emerging Carlisle District Local Plan 2015-2030.

5. Prior to the carrying out of any construction works, the following elements of the historic fabric of the building, which will be impacted upon by the development, shall be recorded in accordance with a Level 3 Survey as described by Historic England's document Understanding Historic Buildings A Guide to Good Recording Practice, 2016: the Robert Smirke doorway in

the NW corner of the building; the GE Street porch that encloses Smirke's doorway; the 19th century screen at the west end of the upper floor and the associated bookcases. Within 2 months of the commencement of construction works a digital copy of the resultant Level 3 Survey report shall be furnished to the Local Planning Authority.

Reason: To ensure that a permanent record is made of the buildings of architectural and historic interest prior to their alteration as part of the proposed development, in accordance with Policy LE13 of the Carlisle District Local Plan 2001-2016 and Policy HE3 of the emerging Carlisle District Local Plan 2015-2030.

6. The Street Porch shall be carefully taken down and stored within the Cathedral Precinct in perpetuity, pending possible further re-use of the structure.

Reason: To ensure that the Street Porch is retained within the Cathedral Precinct so that it can be re-erected in the future, in accordance with Policy LE13 of the Carlisle District Local Plan 2001-2016 and Policy HE3 of the emerging Carlisle District Local Plan 2015-2030.

SCHEDULE A: Applications with Recommendation

16/0798

Item No: 06

Date of Committee: 21/10/2016

Appn Ref No:
16/0798

Applicant:
Story Contracting

Parish:
Carlisle

Agent:
PFK Planning

Ward:
Belle Vue

Location: Story Construction Depot, Thomas Lane, Burgh Road Industrial Estate, Carlisle, CA2 7NA

Proposal: Change Of Use Of Storage Area To Rail Training Track Including Laying Of 4No. Test Tracks

Date of Receipt:
06/09/2016

Statutory Expiry Date
01/11/2016

26 Week Determination

REPORT

Case Officer: Angus Hutchinson

1. Recommendation

- 1.1 It is recommended that this application is approved with conditions pending receipt and approval of the awaited Assessment of Likely Significant Effects.

2. Main Issues

- 2.1 Whether the proposal is detrimental to the character and appearance of the site and area.
- 2.2 Impact on living conditions of the occupiers of neighbouring properties.
- 2.3 The effect of the proposal on nature conservation interests.
- 2.4 Flood risk/drainage.
- 2.5 Archaeology.
- 2.6 Benefits of the proposal.

3. Application Details

The Site

- 3.1 This application relates to a former area of rough ground that is approximately 1.44 hectares in area, which lies between Burgh Road and

Newtown Road Industrial Estates. The site is a north to south orientated valley landform with a steeply sided west bank and a gently sloping east bank, with a significant change in levels from south to north. A beck runs along the western boundary of the site, part of which is culverted and this flows into the River Eden to the north. A group of semi-mature trees are located towards the southern section of the site, with an area of Japanese knotweed also currently being treated along the eastern boundary.

- 3.2 The site is adjoined to the west and east by Burgh Road Industrial Estate and Newtown Road Industrial Estate respectively. Residential properties on Newtown Road adjoin the site to the south and a number of mature trees are located within the rear gardens of these properties. Along the north boundary a belt of trees adjoins the site. A public footpath runs close to the north boundary on higher ground beyond the tree belt and this links Newtown Road with the River Eden footpath (Cumbria Coastal Way and Hadrian's Wall Path).

Background Information

- 3.3 In 2015, under application 15/0440, planning permission was given to provide an additional storage area, in association with the existing Story Contracting Story Rail businesses on the adjacent site. Following the commencement of work on the site the needs of the company have changed with additional business derived from Network Rail.

The Proposal

- 3.4 The current application is seeking permission to change the use of the storage area approved under application 15/0440 to form a test and training area for rail employees including the laying of four test tracks. The tracks are shown to be placed on the levelled area created as part of the already undertaken work approved under 15/0440. The ground is to be surfaced in hardcore. Access is to be achieved via the Story Contracting/Rail site.
- 3.5 The proposed test tracks would enable such tasks as brake testing and machine handling to be carried out. The submitted form indicates that the proposed use would take place between 07.30 and 17.30 hours Monday to Friday; 09.00 to 12.00 hours on Saturday; and not at all on Sunday and Bank Holidays. The applicant does not anticipate any increases in traffic or pedestrian movements over and above those which already take place.
- 3.6 In addition to the submitted forms and plans, the application is accompanied by a Planning/Design & Access Statement; Noise Assessment Report (May 2016); an Assessment of Ecological Risk (July 2016); and a Flood Risk Assessment.

4. Summary of Representations

- 4.1 This application has been advertised by means of a site notice and notification letters sent to 58 neighbouring properties. In response eight

formal objections have been received although three do not include an address. The objections are on the following grounds:

- The proposal will be in close proximity to numerous residential properties on Newtown and Burgh Roads;
- The proposed facility is unsuitable for this area and should be relocated to the underused Kingmoor rail yard;
- All the affected residents on Burgh and Newtown Roads are already blighted by the excessive noise and heavy vehicular traffic emanating from the Story depot;
- Prior to the excavation works there was an abundance of wildlife in the area such as deer, foxes, badgers, hedgehogs, bats, squirrels, newts and frogs the majority of which have now been displaced by the on-going works;
- Expecting at least some sound barrier work to have been started;
- The use of machinery to flatten the area has been fairly constant and some of those machines have allegedly caused the dwelling to shake;
- A neighbouring resident includes a wheelchair bound mother who will not be able to stand it if the noises and ground shaking continues;
- The training of rail-crane operators appears to involve the use of horns to comply with health and safety;
- The proposed working hours of 07.30 to 17.30 still affects the elderly, retired and housebound;
- Noise has been heard coming from the Industrial Estate outside current allowed hours i.e. 05.00 and on bank holidays;
- There will be intolerable noise from the laying of the rail track, subsequent maintenance will be noisy along with the sound of rolling metal on metal, braking, running vehicles/engines, any generators, and safety warnings/alarms;
- Little space is now being left between developments and this prevents safe corridors for wildlife;

- The potential for noise nuisance, disturbance and disruption is endless;
- It is the Council's responsibility to protect the surrounding residents from any further noise/air pollution and road damage;
- The proposal will result in an increase in heavy plant activity and heavy goods vehicles – Burgh Road not designed for all the vehicles it now carries;
- The proposed radius curve on the track will cause the wheels to squeal;
- Warning horn sounds every time a piece of machinery moves which must be loud enough to be heard by all over any machinery that is working

5. Summary of Consultation Responses

Natural England: - The application site is in close proximity to a European designated site (also commonly referred to as Natura 2000 sites). European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010. The application site is in close proximity to the River Eden Special Area of Conservation SAC) which is a European site. The site is also notified at a national level as the River Eden and Tributaries Site of Special Scientific Interest (SSSI).

In advising your authority on the requirements relating to Habitats Regulations Assessment, NE offers the following advice:

- the proposal is not necessary for the management of the European site;
- the proposal is unlikely to have a significant effect on any European site and can be screened out from any requirement for further assessment.

When recording your HRA we recommend you refer to the following:

- all the earth moving and landscaping was approved under a previous planning application 15/0440 with conditions discharged under 154/0772;
- the proposal is minor in scale, laying down four railway tracks relocated from the adjacent site;
- provided the biosecurity measures previously agreed are observed, there should be no significant adverse effects on the SAC river;
- biosecurity measures should also be taken to prevent tracking the existing Japanese Knotweed off the site;
- the burn that flows down the west side of the proposal area and flows into the River Eden is protected from silt in run-off by fencing, interceptor ditches and silt traps; and
- there is a substantial grassland and scrub buffer between the northern boundary of the development and the SAC river.

SSSI site no objection.

Local Environment (former Comm Env Services- Env Quality): - Based on the data provided [in the report submitted prior to receipt of the application] would agree with the conclusions that the bund plus the barrier should provide sufficient attenuation so that the impact of the proposal on the adjacent residential premises would be minimal.

Historic England: - No comments received.

Cumbria County Council - (Econ. Dir. Highways & Transportation): - No comments received.

Environment Agency: - No comments received.

Cumbria County Council - (Archaeological Services): - No objections.

Northern Gas Networks: - No objections, however, there may be apparatus in the area that may be at risk during construction works and should permission be granted, we require the promoter of these works to contact us directly.

6. Officer's Report

Assessment

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 6.2 At a local level, the relevant saved policies of the Carlisle District Local Plan 2001-2016 (CDLP) comprise DP1, CP2, CP3, CP5, CP6, CP11, CP12, CP15, LE01, LE07, LE09, H2, H3, and EC01; and those of the soon to be adopted Carlisle District Local Plan (CDLP) 2015-2030 are SP1, SP2, SP6, SP8, SP9, IP2, IP3, CC4, CC5, CM4, CM5, GI3, and GI6.
- 6.3 In the CDLP 2015-2030, the application site is undesignated, and the Urban Fringe landscape designation no longer exists.
- 6.4 At a national level, material considerations include the National Planning Policy Framework, March 2012 (the Framework/NPPF), Planning Practice Guidance (April 2014), and the Natural Environment and Rural Communities Act (2006). Due regard should also be made to the requirements of the public sector equality duty in Section 149 of the Equality Act 2010.
- 6.5 Paragraph 6 of the NPPF confirms that the policies set out in paragraphs 8 to 219 of the Framework, taken as a whole, constitute the meaning of sustainable development. Paragraph 14 of the NPPF highlights the presumption in favour of sustainable development which is referred to as "a golden thread". For decision-taking this means approving development proposals that accord with the development plan; and where the development

plan is absent, silent or out of date, grant permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits; or
- specific policies in this Framework indicate development should be restricted.

6.6 Paragraph 17 of the NPPF identifies 12 core planning principles including taking account of the different roles and character of different areas; supporting the transition to a low carbon future; contribute to conserving and enhancing the natural environment and reduce pollution; and conserve heritage assets.

6.7 The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application in accordance with paragraph 118 of the NPPF. This is reflected in Section 40 of the Natural Environment and Rural Communities Act (2006) which states that every public authority must have regard to the purpose of conserving biodiversity. Local planning authorities must also have regard to the requirements of the EC Habitats Directive (92/43/EEC) when determining a planning application as prescribed by regulation 3 (4) of the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended), and Article 16 of the Habitats Directive before planning permission is granted.

6.8 Paragraph 215 of the NPPF highlights that due weight should be given to policies in such existing development plans according to their degree of consistency with the Framework. Paragraph 216 of the NPPF identifies that:

“From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:

- *the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*
- *the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- *the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)”.*

6.9 The CDLP 2015-2030 is now at an advanced stage having received the Inspector's report and is now progressing through the Council's processes towards adoption by the Full Council on the 8th November 2016. As such, in view of the advanced stage of plan preparation, these policies carry significant weight.

6.10 In this context, it is considered that the proposal raises the following planning issues:

1. Whether The Proposal Is Detrimental To The Character And Appearance Of The Site And The Surrounding Area

- 6.11 It is acknowledged that the site is designated as Urban Fringe Landscape in the Local Plan 2001-2016 but this designation has not been carried forward in the CDLP 2015-2030, and the land is not attributed any particular significance with regard to the setting of the City. Nevertheless, the site still remains “secluded” from public views, and lies between two industrial estates. The character and appearance of the proposed development reflects that of the neighbouring industrial estates, and locationally represents a logical area into which to extend.
- 6.12 The submitted Planning/Design and Access Statement prepared by the agent highlights that there would no longer be any significant storage of cabins etc on site and the landscaping as previously agreed would be implemented. Therefore, in terms, of visual amenity the proposed use will have a lower impact compared to the already accepted storage use.
- 6.13 In light of the above, it is considered that the proposal will not lead to a major change to the landscape character of the area with a limited adverse effect on visual amenity which should not be overbearing. The weight that can be attributed to the visual harm is less than the previous scheme; and this needs to be considered in the balance with the remaining issues.

2. Impact Of The Proposal On The Living Conditions Of The Occupiers Of Any Neighbouring Properties

- 6.14 The site is only readily visible from the adjacent industrial estates and from the residential properties on Newtown Road that adjoin the site to the south. The access into the site is approximately 40m away from the end of the rear gardens and approximately 80m from the rear elevations of the nearest dwellings. The test tracks would be at a lower level than the adjacent residential properties, which would help to reduce noise levels in the dwellings. A landscaped buffer would be provided between the storage area and these dwellings and this would contain an acoustic bund, which would include an acoustic fence, and which would be landscaped. This would further help to reduce noise levels in the dwellings on Newtown Road.
- 6.15 The use of the site could be restricted, including the ancillary storage of equipment and this would be ensured by condition. Conditions could also be imposed to restrict the height of the storage; to restrict the hours that the yard could be used; to ensure that the acoustic bund is suitably designed/implemented; and to require the details of any lighting to be agreed with the Council. In the context of the requirements of the public sector equality duty in Section 149 of the Equality Act 2010, it is considered that the imposition of these conditions would ensure that the proposal would not have an adverse impact on the living conditions of the occupiers of the neighbouring dwellings.
- 6.16 Members should note that the current Story site is not subject to such

conditions, and it is not possible to apply such conditions to the existing site as part of this application.

3. The Effect Of The Proposal On Nature Conservation Interests

6.17 The watercourse that runs through the site flows into the River Eden, which lies approximately 200m to the north. The proposal, therefore, has the potential to effect the River Eden, which is designated as a Special Area of Conservation (SAC) and a Site of Special Scientific Interest (SSSI), both during the construction phase and the operation of the site once established.

6.18 The submitted Assessment of Ecological Risk highlights that:

- seven reptile surveys were conducted in 2014 and no reptiles were found - the site has now been cleared;
- the main risk to wildlife relates to potential spills of oil and other fluids from the vehicles;
- the existing stream is not of ecological value, however, it does flow directly into the River Eden SAC and SSSI;
- the measures that Story have put in place include fencing, interception ditches, silt traps, the monitoring of vehicles, vehicles to carry a spill kit, and no vehicles are to be stored or repaired on site.

The Assessment concludes that the proposed work is unlikely to cause damage to important habitat or disturbance to protected species in the local or wider area if the measures are followed.

6.19 Japanese knotweed, which is an invasive non-native species, present on the site is currently being treated. It is proposed that a management plan is put in place to ensure that this plant is not spread across the site.

6.20 In relation to application 15/0440, an Assessment of Likely Significant Effects (ALSE) was undertaken by Lloyd Bore on behalf of the City Council. The ALSE concluded that:

- the production and implementation of an agreed Construction Environmental Management Plan and the use of appropriate mitigation measures during operation should ensure that there is no impact of turbidity, siltation or toxicity/pollution on the River Eden and Tributaries SSSI;
- the production of the scheme for mitigation for existing habitats and the provision and maintenance of compensatory habitats will help to compensate for the loss of potential breeding birds habitats on site;
- site clearance works should be undertaken outside of the breeding bird season, or if that is not possible, habitats will be checked for the presence of nesting birds before works are undertaken.

The ALSE considered that it was not anticipated the development, as proposed, will impact on the additional interest features of the River Eden and Tributaries SSSI. An updated ALSE is being prepared the results of which are awaited although it is not anticipated that the findings will have altered in

the intervening period.

4. Flood Risk/ Drainage

- 6.21 Hardcore is already in place to form the surface of the used area which allows the surface water that falls onto the site to continue to percolate naturally into the ground. The proposal should not, therefore, increase flood risk either within the site or downstream.

5. Archaeology

- 6.22 The site was previously the subject of an archaeological evaluation. The results of the evaluation indicated that no significant archaeological remains would be disturbed by proposed development. The County Archaeologist, therefore, has no objections to the proposal.

6. Benefits Of The Proposal

- 6.23 The Planning Statement accompanying the application explains that Story Contracting are a local business committed to staying in the City. The proposal will support the growth of the Carlisle economy.

Conclusion

- 6.24 In overall terms, it is considered that the proposal will not lead to a major change to the landscape character of the area with a limited adverse effect on visual amenity which should not be overbearing. It is considered that the proposal will not have an adverse impact on the living conditions of the occupiers of any neighbouring properties or archaeology, and not increase flood risk within or adjacent to the site.
- 6.25 On balance it is considered that the benefits of this proposal outweigh the harm and, therefore, the recommendation is for approval pending receipt and approval of the awaited Assessment of Likely Significant Effects.

7. Planning History

- 7.1 In 2013, under application 12/0829, planning permission was refused for the change of use of the field to create additional yard storage. A subsequent appeal was dismissed.
- 7.2 In July 2015, under application 15/0440, conditional planning permission was given to provide an additional storage area, in association with the existing Story business on the adjacent site.
- 7.3 In September 2015, application 15/0772, condition 7 imposed under 15/0440 was discharged in full, and conditions 3, 10, 11, 12 and 13 (imposed under 15/0440) were discharged in part pending implementation.

8. Recommendation: Grant Permission

1. The development shall be begun not later than the expiration of 3 years beginning with the date of the grant of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The approved documents for this Planning Permission comprise:

1. the submitted planning application form received 2nd September 2016 ;
2. the Location Plan (drawing no. SC/YE/002) received 2nd September 2016;
3. the Test Track Plan (drawing no. SC001) received 6th September 2016;
4. the Flood Risk Assessment received 2nd September 2016;
5. the Planning Statement, incorporating Design & Access Statement received 2nd September 2016;
6. the Noise Assessment Report received 2nd September 2016;
7. the Assessment of Ecological Risk received 2nd September 2016;
8. the Notice of Decision; and
9. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

3. The hereby permitted use shall not commence until the hard and soft landscape works have been fully carried out in accordance with the details approved under application 15/0772. 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 2001-2016.

4. During the undertaking of any site and construction works associated with the hereby permitted development, a protective fence shall be erected around the trees and hedges to be retained in accordance with BS5837, 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.

Reason: In order to ensure that adequate protection is afforded to all trees/hedges to be retained on site in support of Policy CP3 of the Carlisle District Local Plan 2001-2016.

5. The site shall only be used as a rail testing/training facility and for no other purpose with any associated materials, equipment or goods not stacked or deposited to a height exceeding 2 metres above the adjacent ground level.

No vehicles shall be stored or repaired/maintained on the site.

Reason: To protect the living conditions of the occupiers of the neighbouring dwellings in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016 and to protect the adjacent watercourse in accordance with Policy CP2 of the Carlisle District Local Plan 2001-2016.

6. The hereby permitted rail testing/training facility shall not be used except between 07.30 hours and 17.30 hours on Mondays-Fridays; 09.00 hours to 12.00 hours on Saturdays; and shall not be used on Sundays or Bank Holidays.

Reason: To prevent disturbance to nearby residential occupiers, in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

7. No external lighting associated with the development hereby permitted shall be installed until the respective details have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall then be installed in accordance with these details.

Reason: To limit light pollution and to the occupiers of neighbouring properties, in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

8. Prior to the hereby permitted use commencing an acoustic barrier designed to the specification proposed in the Environmental Noise Assessment (produced by Noise Control Services and received 12th May 2015) shall be installed in the position shown on the Setting Out And Cut/ Fill plan (Drawing No. AA2858/EW/05 rev. A) approved as under application 15/0440, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect the living conditions of the occupiers of the neighbouring properties in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

9. The development hereby permitted shall be carried out in accordance with the Flood Risk Assessment (FRA) given reference MD0494/rep/001 Rev A and compiled by M Design and the following mitigation measures detailed within the FRA:

1. The mitigation measures shall be fully implemented prior to occupation and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may be agreed, in writing, by the local planning authority.
2. There shall be no creation of impermeable areas draining to the existing watercourse.
3. The drainage scheme shall ensure that it is sufficiently resilient against a 1

in 100 year critical storm event. The surface water run off from the site must not exceed the amount of run off generated prior to the development taking place and must not increase the risk of flooding elsewhere.

Reason: To prevent and mitigate the risks of flooding on and off the site by ensuring the satisfactory storage of/disposal of surface water.

10. The control/eradication of Japanese knotweed on the site shall be carried out in accordance with the method statement approved under application 15/0772.

Reason: To prevent the spread of Japanese knotweed which is an invasive species included in Schedule 9 of the Wildlife & Countryside Act 1981, as amended. Any spread of this plant to the vicinity of the on site watercourse would provide a direct pathway to the River Eden SAC.

11. The development hereby permitted shall be implemented in accordance with the scheme for the mitigation of existing habitats and the provision and management of compensatory habitats as approved under application 15/0772.

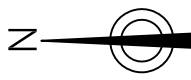
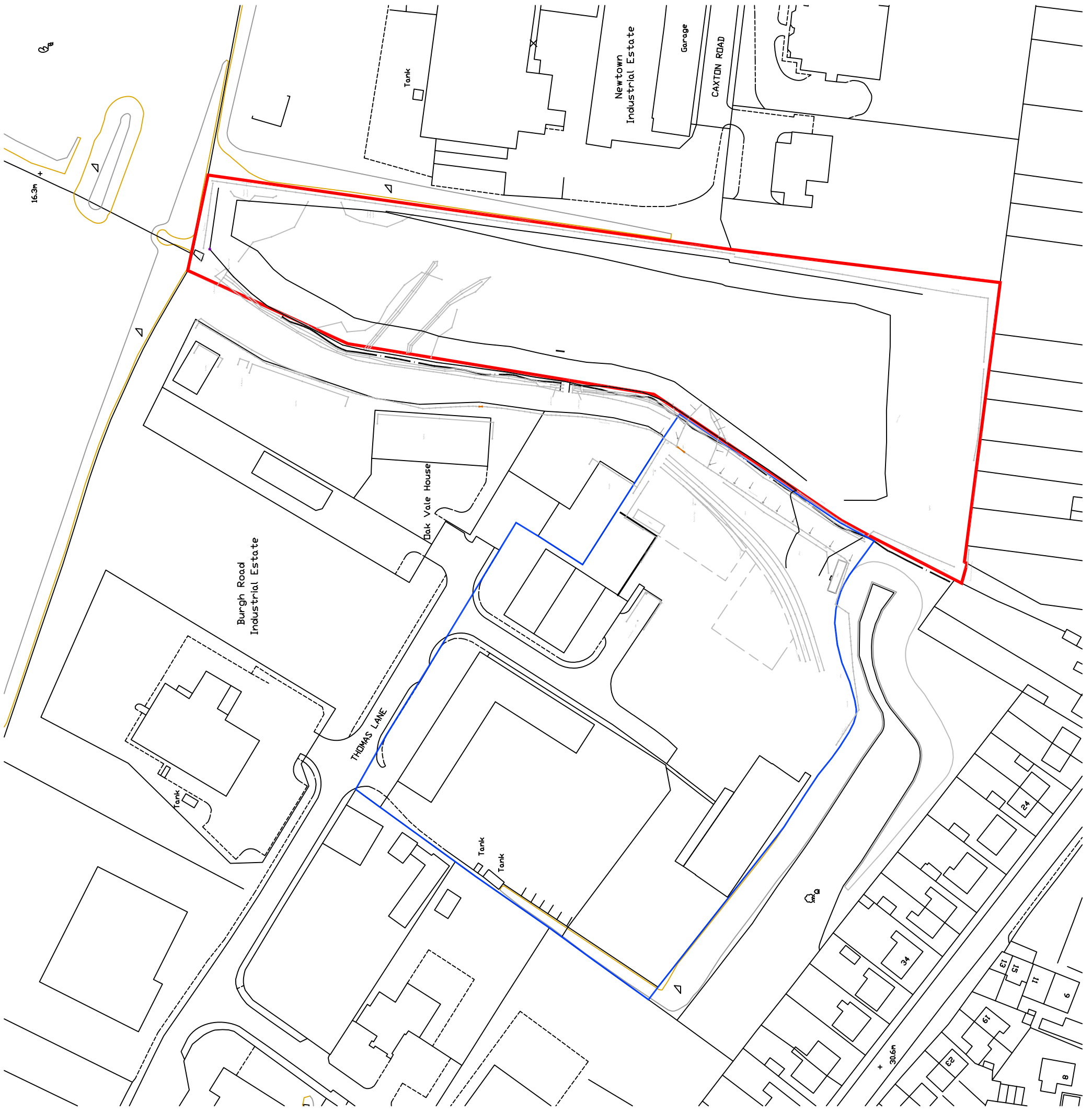
Reason Otters are a protected species; they and other species are present in the nearby part of the River Eden and minor tributaries. They benefit from the protection and habitats created by the existing bankside/vegetation/shrubs/trees and a scheme is necessary to prevent/mitigate impacts on protected and native species. Where this is not possible, habitats should be compensated for.

12. The development hereby permitted shall be carried out fully in accordance with the plan of bio-security measures approved under application 15/0772.

Reason To prevent the transmission or spread of Crayfish plague to the River Eden SAC situated a short distance downstream.

13. The development hereby permitted shall be carried out in complete accordance with the Mini Construction Phase Health & Safety Plan (Incorporating Risk Assessments & Method Statement - RAMS) dated 07.07.15 and prepared by David Sanderson and Mario Mezzullo on behalf of Story Contracting Ltd as approved under application 15/0440.

Reason: To safeguard the River Eden SAC and SSSI, and the biodiversity of the area.



PLANNING APP



DEVELOPMENT

Story Construction

Yard Extension

DRAWING

Location Plan.

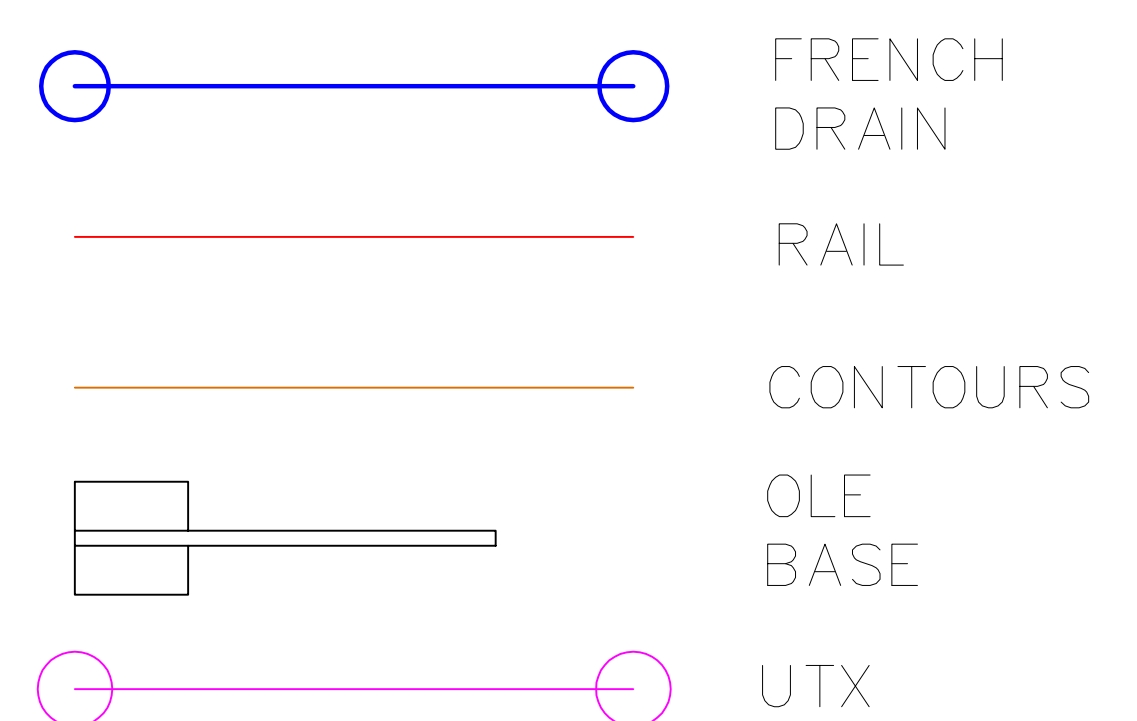
DRAWN BY	scm	DATE	16/03/2011
CHECKED BY	-	SCALE	1:1250
DRAWING NUMBER	SC/YE/002	REVISION	-
REGION SITE REFERENCE	Burgh Road	MASTER REF	1
Revisions			

© Story Construction Ltd.

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SCHEDULE B

SCHEDULE B

SCHEDULE C

SCHEDULE C

Item No: 07

Between 03/09/2016 and 07/10/2016

Appn Ref No:
15/0570**Applicant:**
Mrs H Murray**Parish:**
Arthuret**Date of Receipt:**
22/06/2015**Agent:**
Jock Gordon Architectural
SVS Ltd**Ward:**
Longtown & Rockcliffe**Location:**
Land to rear of Hawthorns, Esk Bank, Longtown
CA6 5PT**Grid Reference:**
337745 568618**Proposal:** Erection Of 1No. Detached Dwelling**Amendment:**

REPORT**Case Officer:** Barbara Percival**Decision on Appeals:****Appeal Against:** Appeal against refusal of planning perm.**Type of Appeal:** Written Representations**Report:****Appeal Decision:** Appeal Dismissed**Date:** 22/09/2016

Appeal Decision

Site visit made on 25 July 2016

by Geoff Underwood BA(Hons) PGDip(Urb Cons) MRTPI IHBC

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

Decision date: 22 September 2016

Appeal Ref: APP/E0915/W/16/3142452

**Land adjacent to Hawthorns, Esk Bank, Longtown, Carlisle, Cumbria
CA6 5PT**

- 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 Mrs H Murray against the decision of Carlisle City Council.
 - The application Ref 15/0570, dated 26 June 2015, was refused by notice dated 28 August 2015.
 - The development proposed is erection of 1 No. detached dwelling.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The site address on the application form was given as 14 Esk Bank. However the site is detached from, and situated to the west, of No 14. The Council's decision notice provided a more accurate address which has been used by the appellant in section D. of her Appeal Form. I have used this address in the heading above, **albeit replacing 'to the rear of' with 'adjacent to'** Hawthorns in light of comments received from the occupier of that property regarding its orientation. I do not consider that any parties would be prejudiced as a result.
3. Since the appeal was made, I note that **the Inspector's report on the examination** into The Carlisle District Local Plan 2015-2030, Proposed Submission Draft (emerging Local Plan) was published on 25 July 2016 with recommendations for main modifications. However, none of these relate to the emerging Local Plan policies cited by the Council in the reasons for refusal to which I can consequently give material weight commensurate with the advanced stage of preparation of the emerging Local Plan in accordance with the approach in the National Planning Policy Framework (the Framework)¹.

Main Issues

4. The main issues raised by this appeal are: i) the effect the proposed development would have on the living conditions of occupiers of adjoining properties, in particular 28 Esk Bank; ii) the effect it would have on an existing hedge on the site; iii) whether the site is appropriate for housing development having regard to local and national policies relating to development in areas at risk of flooding, and; iv) the effect it would have on the character and appearance of the area.

¹ Paragraph 216.

Reasons

Living conditions of occupiers of 28 Esk Bank

5. The appeal site is a detached garden located between No 28 and properties known as Hawthorns and Esk View. The site is in a considerably elevated position in relation to No 28 and its back garden. The proposed dwelling would be single storey and set towards the north end of the site.
6. The windows to the proposed kitchen and living room in the west side and south end elevations would have the potential to overlook the rear of No 28 and its garden. The only door to the property would be located on the side elevation too and occupiers and visitors going to and from the proposed dwelling would also be likely to have a view over the garden of No 28.
7. **The Council officer's report considers the distance between** primary windows in the proposed dwelling and No 28 would achieve minimum separation distances. Intervening outbuildings to the rear of No 28 would shield some limited aspects of that property from overlooking. However the elevated nature of the site would enable views over much of the garden of No 28 which would be materially harmful **to the occupiers' living conditions**. Furthermore, this elevated situation of the vantage points within the appeal site and proposed building would compound the actual and perceived of overlooking and intrusion which would be experienced within the garden of No 28.
8. There is the potential to reduce or avoid this overlooking by way of the retention of the existing hedge or introduction of appropriate boundary treatments, the effectiveness of which would depend on the final levels within the site and of the dwelling. Notwithstanding the uncertainty as to whether the hedge could be retained (which I consider below) no details have been provided of such levels in relation to the boundary and No 28. It cannot therefore be certain that such boundary treatments would be effective in preventing overlooking or that their height would not have consequential adverse overbearing effects on the proposed dwelling or the garden of No 28. It would not, therefore, be appropriate to try and secure approval of such matters through a planning condition, nor for that matter more fundamental changes to the design of dwelling or its fenestration suggested by the appellant.
9. In any event, the close proximity of the proposed dwelling to the boundary coupled with its elevated situation relative to the garden of No 28 would mean that even actual overlooking could be avoided the proposed dwelling would be an overly dominant form of development on the users of the garden of No 28 which would give rise to an unacceptable level of intrusion.
10. Although the appellant considers that the proposal would not result in the situation being any worse than exists, the location of a dwelling on the site would result in a materially different and more intensive use of the site than its current use as a garden.
11. In failing to demonstrate that there would be no adverse effects on the residential amenity of existing areas or result in unacceptable standards for future users and occupiers of the development, the proposal would conflict with criterion 5. of adopted Carlisle District Local Plan, 2008 (adopted Local Plan) Policy CP5. For the same reason it would conflict with criterion 7. of emerging Local Plan Policy SP 6

and the Framework's core planning principle² of always seeking to secure a good standard of amenity for all existing and future occupants of land and buildings.

Hedge

12. The existing hedge which runs along the boundary of the site with No 28 currently provides a degree of screening between the sites and makes a positive **contribution to the area's character**. Hedges can also provide a valuable habitat and, in the absence of any evidence to the contrary, would therefore be desirable to retain. That part of the hedge likely to be affected by development is set well back from Esk Bank and is therefore limited in the contribution it makes to the wider **area's appearance**, its contribution in this respect is largely on the private aspects from adjoining gardens.
13. However, the west elevation of the proposed dwelling would be situated in close proximity to the hedge and this would include the door to the dwelling. From the information available it would appear unlikely that a suitably convenient and commodious pedestrian access to the door could be provided without extensive pruning, if not removal, of the hedge, at least up to the door location.
14. Furthermore, in the absence of any evidence to the contrary, given this proximity it is not certain that excavations and construction access would not adversely affect the hedge or its roots with the result that its retention could not be guaranteed. Locating windows to habitable rooms in such close proximity to the hedge would also be likely to give rise to occupiers of the dwelling seeking to prune or remove the hedge should it interfere with light or views. This adds weight to my conclusions on living conditions above.
15. Whilst there may be less pressure on the that part of the hedge which lies to the south of the proposed dwelling where it would adjoin the proposed garden and parking area, on balance there would appear to be a significant likelihood that a substantial section of the hedge would be adversely affected with consequent harm to the site's **character, habitat and neighbours' living conditions**.
16. The Hedge Survey provided in support of the application falls short of that required by adopted Local Plan Policy CP3 and the proposal fails to demonstrate that the hedge would be integrated into the new development, contrary to that policy. The proposal also fails to adequately take the guidance in Trees and Development Supplementary Planning Document, 2009 into account, in particular the tree and hedge constraints plan recommended in paragraph 5.8. By not demonstrating that the hedge could be successfully integrated into the proposal it would not comply with emerging Local Plan Policy GI 6.

Flood risk

17. The Council state that appeal site lies within Flood Zones 2 and 3a which are areas which are at medium and high probability of flooding. Paragraph 100 of the Framework advises that development in areas at risk from flooding should be avoided by directing development away from areas at highest risk. Paragraph 101 of the Framework goes on to advise that a sequential, risk-based approach must be taken that steers development towards areas of lower risk. The Framework requires such a Sequential Test to be applied to all development in high risk areas and only if it is not possible to locate development in a lower zone the Exception Test can then be applied.

² Paragraph 17.

18. There is no evidence that an Exception Test has been carried out and more fundamentally, **notwithstanding that it was not mentioned in the Council's reason** for refusal, there is no evidence before me to suggest that a Sequential Test has been met. As such, the proposal would fail to address flood risk in line with the approach set out in the Framework.
19. **The appellant's Flood Risk Assessment is extremely limited in scope and does not** adequately address these issues. As the proposal has failed to demonstrate that the site would not be at risk of flooding or that it would not lead to an increased risk of flooding elsewhere the proposal would not comply with adopted Local Plan Policy LE26 or emerging Local Plan Policy CC 4. Although the appellant advises that had the Council requested details of an Exception Test these would have been provided, this does not alter the above position.

Character and appearance

20. As Esk Bank extends to the west, gaps begin to appear in the predominantly continuous built frontages which characterise the distinctive grid plan of **Longtown's streets in the area. The appeal site** is situated behind a detached garage in one of these gaps and adjacent to Hawthorns whose plan is at an angle to the more regular alignment of surrounding properties.
21. Set within this context the perpendicular alignment of the proposed dwelling, although on a different axis to Hawthorns, follows that which predominates in the area. Coupled with its proposed situation set well back into the plot it would not result in awkward juxtaposition with adjacent buildings. Although its width would extend across much of that of the plot the simple, single storey design would not appear harmfully cramped in this setting.
22. **The proposal's height, scale and massing would respond to its context and its** layout and design would be well related to existing buildings. As such the proposal would comply with adopted Local Plan Policies CP5 and H1 (although in any case the criteria in Policy H1 would only appear to apply to development outside Longtown). For the same reasons the proposal would also comply with criterion 1 of emerging Local Plan Policies SP 6 and HO 2.
23. In considering the above I have also paid special attention to the desirability of preserving or enhancing the character or appearance of the Longtown Conservation Area. The same reasons lead me to consider that the proposal would not harm the character or appearance of the Conservation Area but would have a neutral effect and consequently preserve its significance. In doing so I **note that this reflects the Council's assessment in this regard.**

Conclusion

24. For the above reasons, and having had regard to all other matters raised, the proposal would fail to demonstrate that the hedge or the living conditions of neighbours would not be harmed, nor that the site is an acceptable one in terms of flood risk, contrary to the development plan, planning guidance, the Framework and emerging policies. The appeal is therefore dismissed.

Geoff Underwood

INSPECTOR

Item No: 08

Between 03/09/2016 and 07/10/2016

Appn Ref No:
15/0607**Applicant:**
Riverside**Parish:****Date of Receipt:**
26/06/2015 13:00:47**Agent:**
Signet Planning**Ward:**
Morton**Location:**
Land to rear of dwellings between Raiselands Road,
Levens Drive and Rosehill Drive, Carlisle**Grid Reference:**
338660 554354**Proposal:** Erection Of 12No. Affordable Dwellings; Construction Of New Access
Road Via Levens Drive**Amendment:**

REPORT**Case Officer:** Stephen Daniel**Decision on Appeals:****Appeal Against:** Appeal against refusal of planning perm.**Type of Appeal:** Written Representations**Report:****Appeal Decision:** Appeal Allowed with Conditions **Date:** 16/09/2016

Appeal Decision

Site visit made on 18 July 2016

by H Cassini BSc(Hons) DipTP MRTPI

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

Decision date: 16 September 2016

Appeal Ref: APP/E0915/W/16/3148536
Raiselands Road, Morton, Carlisle CA2 6HJ

- 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 David Robinson of The Riverside Group Limited against the decision of Carlisle City Council.
 - The application Ref 15/0607, dated 26 June 2015, was refused by notice dated 23 October 2015.
 - The development is described as the 'Erection Of 12No. Affordable Dwellings; Construction Of New Access Road Via Levens Drive'.
-

Decision

1. The appeal is allowed and planning permission is granted for the Erection Of 12No. Affordable Dwellings; Construction Of New Access Road Via Levens at Raiselands Road, Morton, Carlisle CA2 6HJ in accordance with the terms of the application, Ref 15/0607, dated 26 June 2015, subject to the conditions set out in the Annexe.

Procedural Matter

2. **I have used the description of the proposal from the appellant's appeal form and Council's decision notice. This description adequately and simply describes the proposed development instead of the longer and more detailed description given on the application form.**
3. A planning obligation dated 25 August 2016 has been submitted securing all dwellings as affordable housing. I shall return to this matter below.

Main Issue

4. The main issue is the effect of the development on the provision of open space within the area.

Reasons

5. The appeal site is located within a primary residential area as identified within Policy H2 of the Carlisle Local Plan 2008 (the LP) and as defined on the proposals map. The site is currently a substantial rectangular plot, laid mainly to grass. There is evidence of a small number of concrete bases which I understand to be the remnants of play equipment which was removed from the site by Carlisle City Council.

6. I acknowledge the concerns raised by both local residents and the Council with regard to the potential loss of the site and the view that there is insufficient open space within the locality of a similar quality. Within their statement of case the appellant has put forward alternative areas of open space which they deem to be suitable alternatives to the subject of the appeal. I have assessed each of these.
7. With regard to the use of the space located at Newlaithes Infant and Junior School and the former Morton Park Primary School, I accept that neither of these offer viable alternatives. The open space at Newlaithes Infant and Junior School is not available for public use and the Council has confirmed that the former Morton Park Primary School site is allocated as a housing site.
8. I further note the concerns with regards to the use of the space between Winscale Way and Dalston Road, which is located approximately 1-2 **minutes'** walk from the appeal site. Nevertheless, this land is designated as Public Open Space in the Emerging Carlisle District Local Plan 2015-2030 (the ELP) and allocated as a Primary Leisure Area in the LP. Whilst I acknowledge the necessity to cross a road to access this space, the site is substantial and a wide belt of trees would screen Dalston Road from the majority of the site. Whilst I identified a number of trees on the site, their location would not impede recreational activities. Furthermore, at the time of my visit, significant drainage issues were not evident. With regard to safety, whilst being overlooked by dwellings is no guarantee of safety, a number of dwellings on Winscale Way overlook the site.
9. The space on Westrigg Road and Seatoller Close is located approximately 10 **minutes' walk** from the appeal site. This space is also designated as a Primary Leisure Area within the LP and is relatively well overlooked by existing dwellings. **Chance's Park**, located off Langrigg Road is approximately 5-7 **minutes' walk** to the northwest of the appeal site and is also designated as Public Open Space in the ELP and allocated as a Primary Leisure Area in the LP.
10. I accept that Bitts Park, which is approximately 2 kilometres to the north of the appeal site, is not necessarily accessible to all by foot. However, this does nevertheless offer a wide range of facilities including a cricket club, tennis club and formal play equipment.
11. In these circumstances, I therefore consider that there is adequate alternative amenity open space within the immediate locality, which is of a similar quality, to meet the requirements of Policy LC2 of the LP, with regards to the standards of open space provision. I accept that for those residents who regularly use the space, the loss may result in a degree of inconvenience. However, given the availability of a number of similar sites within a short walking distance, I do not consider that the loss would be significantly detrimental to either those occupants whose dwellings surround the site or the wider community as a whole.
12. I accept that my site visit only provides a snap shot with regards to the use of the appeal site. However, it was evident that the local community make use of the space for informal recreation activities such dog walking and unstructured play. Nonetheless, the site is not formally designated as an amenity open space either within the LP or the ELP.

13. In reaching their decision, the Council made reference to conflict with criterion 1 of Policy H2 of the LP which seeks, amongst other things, to protect amenity space for the benefit of local communities. In this instance, whilst I accept that the area is not formally designated as open space, it does informally function as such. Accordingly, I have therefore given significant weight to Policy H2 of the LP. However, despite a technical breach of criterion 1 of Policy H2, the site specific circumstances of this appeal and the availability of a number of similar sites within the locality mean that the scheme would still comply with the overall protection of amenity aims of Policy H2.
14. Accordingly, I find that the loss of the site would not have a significant effect on the provision of open space in the area. Furthermore, the proposal for 12 affordable homes would help to meet the need to provide 295 additional affordable homes per annum as identified within the Carlisle City Council Strategic Housing Market Assessment Update 2014. I also note the support **for the scheme by the Council's Housing Services team**. The identified harm would be outweighed by the need to provide affordable housing within the locality.
15. It was evident from my visit that the site is surrounded by residential properties, all of which back onto the site. The majority of the dwellings have average sized rear gardens, which appeared to be well tended and in regular use. Rear boundary treatments varied, although many of the dwellings are afforded a good level of screening from the appeal site. It is however noted that views from the first storey windows directly overlook the site. However, as separation distances would range from approximately 20-30 metres from the existing dwellings, I do not consider that any significant material harm to the living conditions of the occupants of any of the surrounding dwellings, with particular regard to loss of privacy, would result. I further note that the proposed dwellings would generally exceed the minimum separation distances detailed within the Carlisle City Council Achieving Well Designed Housing Supplementary Planning Document 2011 (the SPD).
16. The erection of 12 new dwellings on the site would inevitably result in a loss of a significant part of the vacant land. As a consequence of the development of the site, to a degree, the sense of spaciousness currently afforded to those dwellings which back on to the site would be altered. However, I do not consider that the reduction in the level of spaciousness would be so significant to be materially harmful to the living conditions of the occupiers of the existing dwellings. Furthermore as the proposed site is largely contained by the existing dwellings, I do not find that it makes a significant contribution to the character of the wider estate. As such, I also do not consider that the reduction in spaciousness would harm the character of the area. Accordingly, I find no conflict with the protection of amenity aims of Policy H2 of the LP.

Other Matters

17. In the event of the appeal being allowed, the Council suggested that the planning permission should be subject to a condition that sought to secure the proposed affordable housing on the site. The parties were advised that this would not be appropriate based on the circumstances of the case. The parties were therefore given the opportunity to submit a planning obligation to deal with this matter. While I have not had to rely on the concept of affordability of the houses to find the appeal scheme acceptable, it was clearly important to

the Council to be able to secure affordable dwellings on the site which is also the purpose behind the application as proposed by the appellant and would result in a significant benefit.

18. As such, I find that the planning obligation is necessary to make the development acceptable in planning terms and is both directly and reasonably related to the proposal. Accordingly, I find that the planning obligation meets the three tests stated in paragraph 204 of the National Planning Policy Framework (the Framework).
19. Concerns have been raised regarding several matters not dealt with in the substantive issue above. These include the impact on highway safety and car parking, the drainage of the site and flooding, noise and light pollution, property values and the impact on ecology.
20. In terms of impact on highway safety, I find that sufficient car parking is proposed and the width of the footway would provide adequate space for both pedestrians and vehicles to travel safely. Furthermore, the County Highway department raises no objection to the proposal, subject to conditions.
21. In relation to surface water run-off and the potential for flooding in the area, I note that the appeal site is not within an identified flood risk area. Furthermore, I have no substantive evidence before me to support the assertion that either the proposed site or the area around the site floods. Also United Utilities, the Environment Agency and the Lead Local Flood Authority, raise no objection to the proposal, subject to conditions. As a result, I am satisfied that any relevant effects of the proposal regarding these matters could be appropriately dealt with by conditions dealing with site drainage.
22. With regard to property values, the Planning Practice Guidance (PPG) states that planning is concerned with land use in the public interest. Accordingly, the protection of purely private interests, such as the impact of a development on the value of a neighbouring property, is not considered to be a material planning consideration.
23. A number of neighbouring residents raised concerns about the effects of the proposed development on noise and light pollution, impact on the availability of school places and ecology. I have taken these matters into account but they have not led me to a different overall conclusion.
24. Whilst I do not underestimate the importance of the above matters to those involved, I give only limited weight to them in my determination of this appeal.

Conditions

25. I have considered the conditions suggested by the Council against the tests in the Framework and advice within the PPG. I find the majority to be reasonable and necessary in the circumstances of this case, although I have combined and amended the wording of others in the interests of clarity and precision.
26. In addition to the standard commencement condition, a condition is necessary requiring that the development is carried out in accordance with the approved plans in order to provide certainty. Conditions relating to boundary enclosures, details of materials and landscaping are considered necessary in the interests of the protection of both residential amenity and the character and appearance of the area.

27. A condition relating to surface water and foul water drainage is appropriate in order to the means of managing drainage disposal. A condition relating to managing land contamination is necessary to minimise risk to neighbouring occupiers, workers and ecological systems.
28. Conditions relating to footpaths, cycle ways and the estate road are required in the interest of highway safety and the provision of suitable access. Conditions relating to a Construction Method Statement and construction hours are necessary in terms of residential amenity. A condition relating to trees is appropriate and necessary to ensure their preservation and protection. A condition with regards to the securing of Diversion Orders in relation to the public rights of way is both reasonable and necessary, in order to ensure the footpaths are diverted prior to the commencement of works on site.
29. Conditions 3, 4, 5, 6, 9, 10, 12 and 13, are specified as pre-commencement conditions which are justified as they cover fundamental aspects of the scheme which require consideration and control before the commencement of development.
30. The Council have also suggested a condition requiring the removal of Permitted Development Rights with regard to the prohibition of additional buildings, structures or alterations permitted by Part 1 of Schedule 2 of the 2015 Order. The PPG **states that conditions restricting permitted development rights 'will rarely pass the test of necessity and should only be used in exceptional circumstances'**. A clear justification for the removal of permitted development rights has not been demonstrated and therefore I consider that this condition is not necessary.

Conclusion

31. I therefore conclude that, subject to appropriate conditions, the appeal should be allowed.

Helen Cassini

INSPECTOR

Annexe

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the approved plans listed in the Drawing Schedule to this decision.
- 3) No development shall commence until details of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 4) No development shall commence until details of both hard and soft landscape works, including a phased programme of works, have been submitted to and approved in writing by the local planning authority. The works shall be carried out as approved prior to the occupation of the dwellings and thereafter retained. 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.
- 5) No development shall commence until details of any walls, gates, fences and other means of permanent enclosure and/or boundary treatment to be erected have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 6) No development shall commence until details of a scheme for surface water and foul water drainage (including how the scheme shall be maintained and managed after completion) have been submitted to and approved in writing by the local planning authority. The scheme shall be in accordance with the Drainage Strategy, ref K31465/0/FRA/PF Issue 1, January 2015. The approved drainage works shall be completed before the first occupation of the permitted dwellings and retained thereafter in. Development shall be carried out in accordance with the approved details.
- 7) Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the local planning authority. An investigation (following the guidance in BS10175) and risk assessment must be undertaken and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the relevant phase of development is resumed or continued. Development shall be carried out in accordance with the approved details.
- 8) Prior to the development first being occupied, the vehicular access (including pedestrian visibility splays) and site turning requirements for each dwelling must be constructed in accordance with drawing numbers 1597-SI-10 Rev E (Proposed Site Layout), 1597-SI-12.01 (External

Works Layout Sheet 1) and 1597-SI-12.02 (External Works Layout Sheet 2) and brought into use. Each vehicular access and site turning provision shall be retained and capable of use at all times thereafter and shall not be removed or altered without the prior written consent of the local planning authority.

- 9) No development shall take place until details of the standards to which the carriageway and footpaths including longitudinal/cross section drawings are to be designed and constructed to have been submitted to and approved in writing by the local planning authority. Submitted details shall accord with the standards laid down in the current Cumbrian Design Guide or any future guidance that replaces it. No dwelling shall be occupied until the carriageway, footpaths and cycle ways have been constructed in accordance with the approved details.
- 10) No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The approved Construction Method Statement shall be adhered to throughout the construction period for the development.
- 11) Construction work, including any construction deliveries to the site, shall only be undertaken between the hours of 07.30 and 18.00 Monday to Friday and 07.30 and 13.00 on a Saturday and shall not take place at any time on a Sunday or Bank Holiday.
- 12) No development shall commence until the Tree Protection measures outlined in the Arboricultural Impact Assessment (Revision A, dated 13 January 2015) are implemented. The measures shall be retained throughout the construction period.
- 13) No development shall commence until The Town and Country Planning Act 1990 – Section 247 Diversion Order for public rights of way 109300 and 109301 have been obtained.

Drawing Schedule

<u>Drawing Number</u>	<u>Drawing Title</u>
1597-SI-01	Site Location Plan
1597-SI-03	Existing Site Layout
1597-SI-03	Existing Site Elevations
1597-SI-10 Rev E	Proposed Site Layout
1597-SI-11 Rev A	Proposed Landscape Layout
1597-GA-AD.106.1	Block A and D- Ground Floor Furniture Layout
1597-GA-AD.106.2	Block A and D- First Floor Furniture Layout
1597-GA-AD.107.1	Block A and D – Front Elevation
1597-GA-AD.107.2	Block A and D – Rear Elevation
1597-GA-AD.107.3	Block A and D – Gable Elevation
1597-GA-AD.107.4	Block A and D – Gable 2 Elevation
1597-GA-BC.106.1	Block B and C – Ground Floor Furniture Layout
1597-GA-BC.106.2	Block B and C – First Floor Furniture Layout
1597-GA-BC.107.1	Block B and C – Front Elevation
1597-GA-BC.107.2	Block B and C – Rear Elevation
1597-GA-BC.107.3	Block B and C – Gable Elevation
1597-GA-BC.107.4	Block B and C – Gable 2 Elevation
1597-GA-E.106.1	Block E – Indicative Ground Floor Furniture Layout
1597-GA-E.106.2	Block E – Indicative First Floor Furniture Layout
1597-GA-E.107.1	Block E – Front Elevation
1597-GA-E.107.2	Block E – Rear Elevation
1597-GA-E.107.3	Block E – Gable Elevation
1597-GA-E.107.4	Block E – Gable 2 Elevation
1597-GA-FG.106.1	Blocks F and G – Ground Floor Furniture Layout
1597-GA-FG.106.2	Blocks F and G – First Floor Furniture Layout
1597-GA-FG.107.1	Blocks F and G – Front Elevation
1597-GA-FG.107.2	Blocks F and G – Rear Elevation

1597-GA-FG.107.3	Blocks F and G – Gable Elevation
1597-GA-FG.107.4	Blocks F and G – Gable 2 Elevation
1597-SI-12.01	External Works Layout Sheet 1
1597-SI-12.02	External Works Layout Sheet 2
PS-1098-TS	Topographical Survey

SCHEDULE D

SCHEDULE D

SCHEDULE E

SCHEDULE E

SCHEDULE E: Decisions Issued Under Delegated Powers

Between 03/09/2016 and 07/10/2016

Appn Ref No: 14/0901	Applicant: Armeria (UK) LLP	Parish: Rockcliffe
Date of Receipt: 16/10/2014 23:00:15	Agent: Taylor and Hardy Limited	Ward: Longtown & Rockcliffe
Location: Land adjacent to Memorial Hall, Rockcliffe, Carlisle, CA6 4AA		Grid Reference: 336084 561366
Proposal: Residential Development (Outline)		
Amendment:		

Decision: Granted Subject to Legal Agreement
Date: 06/10/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No: 15/1048	Applicant: Croft Homes (Cumbria) Ltd	Parish: Wetheral
Date of Receipt: 17/11/2015 23:00:18	Agent: Gray Associates Limited	Ward: Great Corby & Geltsdale
Location: Corby Bridge Inn, Great Corby, Carlisle, CA4 8LL		Grid Reference: 347149 554787
Proposal: Discharge Of Conditions 6 (Surface Water Drainage) And 8 (Noise Protection From Railway) Of Previously Approved Application 15/0540		
Amendment:		

Decision: Partial Discharge of Conditions 05/09/2016	Date:
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Between 03/09/2016 and 07/10/2016

Appn Ref No: 16/0119	Applicant: Mr McKenzie	Parish: Wetheral
Date of Receipt:	Agent:	Ward:

SCHEDULE E: Decisions Issued Under Delegated Powers

15/04/2016

Richard Dryell Architect

Wetheral

Location:

Land to the west of Lomond and Gladsmuir,
Broomfallen Road, Scotby

Grid Reference:

344215 553771

Proposal: Erection Of Building For Stabling Horses & Ponies & Associated Storage
Of Feed, Bedding & Equipment

Amendment:

Decision: Grant Permission

Date: 30/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:

16/0254

Applicant:

Mr Howe

Parish:

Brampton

Date of Receipt:

29/03/2016

Agent:

Tsada Building Design
Services

Ward:

Brampton

Location:

Land To Rear Of Hirta, Tree Road, Brampton,
Cumbria, CA8 1TX

Grid Reference:

353514 560779

Proposal: Discharge Of Conditions 3 (Materials); 4 (Hard Surface Finishes); 5
(Levels); 6 (Boundary Treatments) And 7 (Surface Water) Of Previously
Approved Permission 12/0767

Amendment:

Decision: Grant Permission

Date: 05/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:

16/0297

Applicant:

Mr David Thompson

Parish:

Waterhead

Date of Receipt:

01/06/2016

Agent:

Edwin Thompson

Ward:

Irthing

Location:

Underheugh Farm, Gilsland, Brampton, CA8 7DD

Grid Reference:

361927 566171

SCHEDULE E: Decisions Issued Under Delegated Powers

Proposal: Change Of Use Of Agricultural Byre To Incorporate Additional Residential Accommodation; Alterations And Extensions To Include Orangery On Ground Floor With Covered Balcony Above On South West Elevation And Glazed Walkway On North West Elevation; Installation Of Solar Panels To House And Barn; Installation Of Domestic Wind Turbine

Amendment:

Decision: Grant Permission

Date: 05/10/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0342

Applicant:
Notemachine UK Ltd

Parish:
Carlisle

Date of Receipt:
11/08/2016

Agent:
Notemachine UK Ltd

Ward:
Yewdale

Location:
Morton Service Station, Wigton Road, Carlisle, CA2 6JS

Grid Reference:
338031 554869

Proposal: Retention Of Internally Illuminated ATM Signage

Amendment:

Decision: Grant Permission

Date: 28/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0343

Applicant:
Notemachine UK Ltd

Parish:
Carlisle

Date of Receipt:
11/08/2016

Agent:
Notemachine UK Ltd

Ward:
Yewdale

Location:
Morton Service Station, Wigton Road, Carlisle, CA2 6JS

Grid Reference:
338031 554869

Proposal: Replacement ATM (Retrospective)

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 28/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0424

Applicant:
Mr G Wilkinson

Parish:
St Cuthberts Without

Date of Receipt:
22/07/2016

Agent:
Planning Branch Ltd

Ward:
Dalston

Location:
Ratten Row Farm, Dalston, Carlisle, CA5 7AY

Grid Reference:
339457 549738

Proposal: Conversion Of Outbuildings To Provide Ancillary Annex Accommodation
Amendment:

Decision: Grant Permission

Date: 08/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0426

Applicant:
Mr J Brierley

Parish:
Kirkandrews

Date of Receipt:
01/08/2016

Agent:

Ward:
Longtown & Rockcliffe

Location:
Wood Villa, Gretna Loaning, Gretna, DG16 5HU

Grid Reference:
334040 567905

Proposal: Erection Of 10no. Dog Boarding Kennels Including Run, Concrete Pad
And Security Fencing (Retrospective)

Amendment:

Decision: Grant Permission

Date: 27/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0432

Applicant:
Mr & Mrs Barnes

Parish:
Farlam

Date of Receipt:

Agent:

Ward:

SCHEDULE E: Decisions Issued Under Delegated Powers

09/06/2016

Underwood Associates

Irthing

Location:

Land adjacent to The Bailey, Farlam House Barns,
Farlam, Brampton, CA8 1LA

Grid Reference:

355471 558685

Proposal: Erection Of 1no. Dwelling (Outline)

Amendment:

Decision: Grant Permission

Date: 30/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:

16/0434

Applicant:

G W Bimson

Parish:

Beaumont

Date of Receipt:

18/05/2016 13:00:18

Agent:

Planning Branch Ltd

Ward:

Burgh

Location:

Monkhill Farm, Monkhill, Burgh by Sands, CA5 6DB

Grid Reference:

334481 558575

Proposal: Discharge Of Conditions 4 (Levels); 5 (Surface Water Drainage); 6 (Foul Drainage); 7 (Landscaping); 9 (Access Road); 14 (Walls/Fences); 16 (Programme Of Archaeological Work) & 19 (Construction Methodology) Of Previously Approved Application 14/0258

Amendment:

Decision: Partial Discharge of Conditions
04/10/2016

Date:

Between 03/09/2016 and 07/10/2016

Appn Ref No:

16/0530

Applicant:

Mr S Warwick

Parish:

Arthuret

Date of Receipt:

08/08/2016

Agent:

Ward:

Longtown & Rockcliffe

Location:

Glenesk, Arthuret Road, Longtown, Carlisle, CA6
5SJ

Grid Reference:

337987 568431

SCHEDULE E: Decisions Issued Under Delegated Powers

Proposal: Erection Of Balcony/Fire Escape Above First Floor Level; Erection Of Flat Roof To Form Fire Escape/Porch Above Rear Door; Alterations To Dormer Windows To Front Elevation To Form Balcony (Part Retrospective)

Amendment:

Decision: Refuse Permission

Date: 03/10/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0535

Applicant:
Farish GroundWorks Ltd

Parish:
Brampton

Date of Receipt:
09/06/2016 13:00:14

Agent:
Tsada Building Design
Services

Ward:
Brampton

Location:
Land to rear of Unit 16, Townfoot Industrial Estate,
Brampton, CA8 1SW

Grid Reference:
352101 561294

Proposal: Erection Of Industrial Unit And Relocation Of Portable Containers, Open Compounds, Modular Building And Caravan Storage; Installation Of Security Fencing

Amendment:

Decision: Grant Permission

Date: 28/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0545

Applicant:
Devonshire Lodge Limited

Parish:
Carlisle

Date of Receipt:
17/06/2016

Agent:
Swarbrick Associates

Ward:
Castle

Location:
Wood View, 50 Victoria Place, Carlisle, CA1 1HP

Grid Reference:
340617 556106

Proposal: Change Of Use From Former Healthcare Building To 4No. Dwellings

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 16/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0547

Applicant:
WCF Ltd

Parish:
Carlisle

Date of Receipt:
12/07/2016

Agent:
WCF Ltd

Ward:
Belah

Location:
WCF Fuels Ltd, 62 Parkhill Road, Kingstown
Industrial Estate, Carlisle, CA3 0EX

Grid Reference:
339086 559372

Proposal: Formation Of Additional Vehicular Access And Erection Of 2.4m Fence
and Gates

Amendment:

Decision: Grant Permission

Date: 05/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0567

Applicant:
Mr & Mrs Binnie

Parish:
St Cuthberts Without

Date of Receipt:
20/06/2016 11:00:08

Agent:
GR Architects

Ward:
Dalston

Location:
Taupin Skail, Ratten Row, Dalston, Carlisle, CA5
7AY

Grid Reference:
339408 549613

Proposal: Retention Of Internal Alterations And Stainless Steel Flue To The
Northern Roof For A Wood Burning Stove (LBC)

Amendment:

Decision: Grant Permission

Date: 07/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:

Applicant:

Parish:

SCHEDULE E: Decisions Issued Under Delegated Powers

16/0584 Mrs Sian Murray Solport

Date of Receipt: 27/06/2016
Agent: Abacus Building Design
Ward: Lyne

Location: Old School House, Hethersgill, Carlisle, CA6 6JA
Grid Reference: 347257 571826

Proposal: Part Demolition Of Existing Dwelling And Erection Of Replacement Dwelling & Garage (Outline)

Amendment:

Decision: Grant Permission

Date: 30/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No: 16/0615
Applicant: Mr Armstrong
Parish: Carlisle

Date of Receipt: 05/07/2016 08:00:09
Agent: Mr J Connelly
Ward: Botcherby

Location: 140 Edgehill Road, Carlisle, CA1 3SA
Grid Reference: 343083 554514

Proposal: Erection Of Two Storey Side Extension To Provide Utility On Ground Floor With En-Suite Bedroom Above

Amendment:

Decision: Grant Permission

Date: 08/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No: 16/0619
Applicant: Specsavers Optical Superstore Ltd
Parish: Carlisle

Date of Receipt: 11/07/2016
Agent: Hawes Signs Limited
Ward: Castle

Location: Specsavers, 50-54 Castle Street, Carlisle, CA3 8JA
Grid Reference: 340004 555942

SCHEDULE E: Decisions Issued Under Delegated Powers

Proposal: Display Of 3no. Non Illuminated Fascia Signs; 2no. Internally Illuminated Descriptors Text Fixed To Windows; 1no. Externally Illuminated Hanging Sign And Non Illuminated Window Vinyls

Amendment:

Decision: Grant Permission

Date: 05/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0622

Applicant:
Impact Housing
Association

Parish:
Brampton

Date of Receipt:
06/07/2016

Agent:
Unwin Jones Partnership

Ward:
Brampton

Location:
Irthing Centre, Union Lane, Brampton, CA8 1BX

Grid Reference:
352919 561243

Proposal: Discharge Of Condition 5 (Landscaping Scheme) Of Previously Approved Application 14/0329

Amendment:

Decision: Grant Permission

Date: 06/10/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0623

Applicant:
Mr Sharpe

Parish:
Scaleby

Date of Receipt:
11/07/2016

Agent:
Aditus Architectural
Services

Ward:
Stanwix Rural

Location:
Fordsyke, Scaleby, Carlisle, CA6 4LW

Grid Reference:
345642 563232

Proposal: Erection Of Two Storey And Single Storey Extension To Provide Living, Kitchen And Dining Room With Sunroom On Ground Floor With En-Suite Bedroom Above Together With Erection Of Porch

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 05/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0625

Applicant:
Mr P Lee

Parish:
Westlinton

Date of Receipt:
06/07/2016 23:00:18

Agent:
Graham Anthony
Associates

Ward:
Longtown & Rockcliffe

Location:
Green Meadows (former Dandy Dinmont Caravan
Park), Blackford, Carlisle, CA6 6EA

Grid Reference:
339796 562175

Proposal: Proposed Reconfiguration Of Existing Caravan Park To Allow Siting Of
37no. Holiday Static Units (Inclusive Of 15no. Residential Units), 27no.
Touring Pitches And 20no. Tent Pitches Including Associated
Landscaping

Amendment:

Decision: Grant Permission

Date: 04/10/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0631

Applicant:
C/O AEW Architects

Parish:
Carlisle

Date of Receipt:
14/07/2016

Agent:
AEW Architects

Ward:
Belle Vue

Location:
3-4 Old Raffles Parade, Carlisle, CA2 7EX

Grid Reference:
338386 555240

Proposal: Display Of 2no. Internally Illuminated Fascia Signs And 1no. Internally
Illuminated Projecting Sign

Amendment:

Decision: Grant Permission

Date: 07/09/2016

Between 03/09/2016 and 07/10/2016

SCHEDULE E: Decisions Issued Under Delegated Powers

Appn Ref No:
16/0632

Applicant:
Mr Mallinson

Parish:
Dalston

Date of Receipt:
13/07/2016

Agent:
Brian Child

Ward:
Dalston

Location:
The Coach House, Cardew Lodge, Cardew,
Dalston, Carlisle, CA5 7JQ

Grid Reference:
333718 549118

Proposal: Erection Of Conservatory

Amendment:

Decision: Grant Permission

Date: 07/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0633

Applicant:
Mr Mallinson

Parish:
Dalston

Date of Receipt:
20/07/2016

Agent:
Brian Child

Ward:
Dalston

Location:
The Coach House, Cardew Lodge, Cardew,
Dalston, Carlisle, CA5 7JQ

Grid Reference:
333718 549118

Proposal: Erection Of Conservatory (LBC)

Amendment:

Decision: Grant Permission

Date: 07/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0636

Applicant:
Burge Halston Ltd

Parish:
Carlisle

Date of Receipt:
18/07/2016

Agent:
Black Box Architects
Limited

Ward:
Castle

Location:

Grid Reference:

SCHEDULE E: Decisions Issued Under Delegated Powers

46-50 Warwick Road, Carlisle, CA1 1DN

340376 555735

Proposal: Change Of Use Of First And Second Floors To 6no. Apartments
Together With Installation Of Rooflights And Dormer Windows To Rear
Elevation

Amendment:

Decision: Grant Permission

Date: 09/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0637

Applicant:
Mr Neil McBreaty

Parish:
Carlisle

Date of Receipt:
19/07/2016

Agent:
Plan B Building Drawing
Limited

Ward:
Castle

Location:
69 Warwick Road, Carlisle, CA1 1EB

Grid Reference:
340507 555837

Proposal: Installation Of Roller Shutter Garage Door & Single Access Door To
Rear Boundary

Amendment:

Decision: Grant Permission

Date: 08/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0638

Applicant:
Mr Neil McBreaty

Parish:
Carlisle

Date of Receipt:
12/07/2016 16:00:14

Agent:
Plan B Building Drawing
Limited

Ward:
Castle

Location:
69 Warwick Road, Carlisle, CA1 1EB

Grid Reference:
340507 555837

Proposal: Installation Of Roller Shutter Garage Door & Single Access Door To
Rear Boundary (LBC)

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 05/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0639

Applicant:
Kingmoor Park Properties
Ltd

Parish:
Kingmoor

Date of Receipt:
13/07/2016

Agent:
Architects Plus (UK) Ltd

Ward:
Stanwix Rural

Location:
Unit J, Earls Way, Kingmoor Park Central, Carlisle,
CA6 4SE

Grid Reference:
337994 559346

Proposal: Demolition Of Existing Fire Damaged Warehouse And Erection Of
Replacement Warehouse/Industrial Unit

Amendment:

Decision: Grant Permission

Date: 07/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0640

Applicant:
Eden Valley Hospice

Parish:
St Cuthberts Without

Date of Receipt:
20/07/2016

Agent:

Ward:
Dalston

Location:
Eden Valley Hospice, Durdar Road, Carlisle, CA2
4SD

Grid Reference:
340320 553255

Proposal: Extension To Existing Car Park And Associated Landscaping

Amendment:

Decision: Grant Permission

Date: 14/09/2016

Between 03/09/2016 and 07/10/2016

SCHEDULE E: Decisions Issued Under Delegated Powers

Appn Ref No:
16/0641

Applicant:
Mr Halford

Parish:
Carlisle

Date of Receipt:
15/07/2016

Agent:
Mr G Tyler

Ward:
Stanwix Urban

Location:
19 Etterby Street, Carlisle, CA3 9JB

Grid Reference:
339912 557103

Proposal: Conversion Of Attic To Provide 1no. Bedroom And Installation Of 2no. Dormers To Rear Elevation

Amendment:

Decision: Grant Permission

Date: 08/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0642

Applicant:
Smiggle

Parish:
Carlisle

Date of Receipt:
18/07/2016

Agent:
MGPM

Ward:
Castle

Location:
8 Globe Lane, The Lanes, Carlisle, CA3 8NX

Grid Reference:
340140 556012

Proposal: Installation Of New Shopfront

Amendment:

Decision: Grant Permission

Date: 07/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0648

Applicant:
Picton Capital Ltd

Parish:
Carlisle

Date of Receipt:
15/07/2016

Agent:
Mr Blain

Ward:
Castle

Location:
Unit 2, 16-18 St Cuthberts Lane, Carlisle, CA3 8AG

Grid Reference:
340023 555880

Proposal: Change Of Use From Opticians To Hair Salon (A1 Use Class)

SCHEDULE E: Decisions Issued Under Delegated Powers

Amendment:

Decision: Grant Permission

Date: 08/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0650

Applicant:
Mr John Van Lierop

Parish:
Carlisle

Date of Receipt:
18/07/2016

Agent:

Ward:
Castle

Location:
47-49 Lowther Street, Carlisle, CA3 8EQ

Grid Reference:
340209 555880

Proposal: Change Of Use From Nightclub To Pub With Staff Accommodation At First Floor Level

Amendment:

Decision: Grant Permission

Date: 08/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0651

Applicant:
Beaumont Parish Council

Parish:
Beaumont

Date of Receipt:
04/08/2016

Agent:

Ward:
Burgh

Location:
Land adjacent The Green, Kirkandrews on Eden,
Carlisle, CA5 6DJ

Grid Reference:
335377 558394

Proposal: Installation Of Freestanding Interpretation Panel

Amendment:

Decision: Grant Permission

Date: 29/09/2016

Between 03/09/2016 and 07/10/2016

SCHEDULE E: Decisions Issued Under Delegated Powers

Appn Ref No:
16/0656

Applicant:
Mr Scott

Parish:
Nether Denton

Date of Receipt:
26/07/2016

Agent:

Ward:
Irthing

Location:
High Nook, Low Row, Brampton, CA8 2LU

Grid Reference:
358943 564444

Proposal: Erection Of Two Storey Side Extensions To The East And West
Elevation To Provide Additional Accommodation

Amendment:

Decision: Grant Permission

Date: 20/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0657

Applicant:
Mr S Abdulla

Parish:
Carlisle

Date of Receipt:
20/07/2016

Agent:

Ward:
Castle

Location:
103-105 Botchergate, Carlisle, CA1 1RY

Grid Reference:
340507 555453

Proposal: Retention Of Illuminated Signage To Front Elevation

Amendment:

Decision: Refuse Permission

Date: 14/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0658

Applicant:
Mr Watson

Parish:
Wetheral

Date of Receipt:
25/07/2016

Agent:
Tsada Building Design
Services

Ward:
Wetheral

Location:
Land adjacent Scotby Acres, Broomfallen Road,
Scotby, Carlisle, CA4 8DE

Grid Reference:
343837 553996

SCHEDULE E: Decisions Issued Under Delegated Powers

Proposal: Discharge Of Conditions 3 (External Materials) And 8 (Site Development Scheme) Of Previously Approved Application 14/0825

Amendment:

Decision: Grant Permission

Date: 19/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0659

Applicant:
Mr Mandale

Parish:
Dalston

Date of Receipt:
18/08/2016

Agent:
PFK Planning

Ward:
Dalston

Location:
Lambfield Farm, Raughton Head, Carlisle, CA5 7DL

Grid Reference:
337976 543482

Proposal: Change Of Use Of Agricultural Building To House Biomass CHP Unit
And Installation Of Flue Together With Formation Of 3no. Drying Floors

Amendment:

Decision: Grant Permission

Date: 04/10/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0661

Applicant:
Mr O Idara

Parish:
Carlisle

Date of Receipt:
02/08/2016

Agent:

Ward:
Botcherby

Location:
371 Pennine Way, Carlisle, CA1 3RU

Grid Reference:
343120 554720

Proposal: Erection Of Two Storey Side Extension To Provide Kitchen/Dining Room
On Ground Floor With En-Suite Bedroom Above

Amendment:

Decision: Grant Permission

Date: 14/09/2016

SCHEDULE E: Decisions Issued Under Delegated Powers

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0662

Applicant:
Mrs Jacqui Bell

Parish:
Nether Denton

Date of Receipt:
21/07/2016

Agent:

Ward:
Irthing

Location:
Lynwood, Low Row, Brampton, Cumbria, CA8 2LE

Grid Reference:
358483 563022

Proposal: Erection Of Boundary Fence To Side Of Property (Retrospective)

Amendment:

Decision: Grant Permission

Date: 20/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0667

Applicant:
Mr S Richardson

Parish:
Carlisle

Date of Receipt:
22/07/2016

Agent:

Ward:
Botcherby

Location:
404 Warwick Road, Carlisle, CA1 2RU

Grid Reference:
342236 555905

Proposal: Erection Of Single Storey Front, Side And Rear Extension To Provide Porch, Garage, Utility, Shower Room And Extended Kitchen

Amendment:

Decision: Grant Permission

Date: 15/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0668

Applicant:
A Davidson

Parish:
Wetheral

Date of Receipt:
27/07/2016

Agent:
Manning Elliott Partnership, Wetheral
Chartered Architects &
Designers

Ward:

SCHEDULE E: Decisions Issued Under Delegated Powers

Location:

Land adjacent to Croft House, Cotehill, CA4 0DY

Grid Reference:

346853 550470

Proposal: Erection Of 1no. Dwelling (Plot 1)

Amendment:

Decision: Grant Permission

Date: 19/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:

16/0669

Applicant:

Persimmon Homes
Lancashire

Parish:

St Cuthberts Without

Date of Receipt:

03/08/2016

Agent:**Ward:**

Dalston

Location:

Land to the south west of Cumwhinton Road and to the rear of Farbrow Road, Carleton, Carlisle, CA1 3JA

Grid Reference:

342769 553342

Proposal: Non Material Amendment Of Previously Approved Application 13/0983 (Plot 80)

Amendment:

Decision: Amendment Accepted

30/09/2016

Date:

Between 03/09/2016 and 07/10/2016

Appn Ref No:

16/0670

Applicant:

S Davidson

Parish:

Wetheral

Date of Receipt:

27/07/2016

Agent:

Manning Elliott Partnership, Wetheral
Chartered Architects &
Designers

Ward:**Location:**

Land adjacent to Croft House, Cotehill, CA4 0DY

Grid Reference:

346851 550483

SCHEDULE E: Decisions Issued Under Delegated Powers

Proposal: Erection Of 1no. Dwelling (Plot 2)

Amendment:

Decision: Grant Permission

Date: 19/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0671

Applicant:
Mr David Mottershead

Parish:
Rockcliffe

Date of Receipt:
22/07/2016 13:00:08

Agent:

Ward:
Longtown & Rockcliffe

Location:
Land to the West of the M6, Todhills, Blackford,
Carlisle, CA6 4HA

Grid Reference:
337191 562270

Proposal: Discharge Of Condition 20 (Monitoring Of Bats) Of Previously Approved
Application 14/0062

Amendment:

Decision: Partial Discharge of Conditions
22/09/2016

Date:

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0673

Applicant:
Devonshire Lodge Limited

Parish:

Date of Receipt:
25/07/2016 11:00:11

Agent:
Swarbrick Associates

Ward:

Location:
50 Victoria Place, Carlisle, CA1 1HP

Grid Reference:
340617 556106

Proposal: Variation Of Condition 2 (Approved Documents) Of Previously Approved
Application 14/0547

Amendment:

Decision: Grant Permission

Date: 08/09/2016

SCHEDULE E: Decisions Issued Under Delegated Powers

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0674

Applicant:
Mr & Mrs Moscrop

Parish:
Arthuret

Date of Receipt:
26/07/2016

Agent:
Phoenix Architects

Ward:
Longtown & Rockcliffe

Location:
Longtown Moor Farm, Longtown, Carlisle, CA6 5RF

Grid Reference:
339485 569194

Proposal: Variation Of Condition 2 (Approved Documents) Of Previously Approved
Permission 15/0169

Amendment:

Decision: Grant Permission

Date: 09/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0675

Applicant:
Trivselhus by Esh

Parish:
Wetheral

Date of Receipt:
28/07/2016

Agent:

Ward:
Wetheral

Location:
L/Adj Fallowfield, Plains Road, Wetheral, Carlisle,
CA4 8LE

Grid Reference:
346226 555231

Proposal: Variation Of Condition 1 Of Reserved Matters Approval 14/0490
Pursuant To Outline Permission 13/0546

Amendment:

Decision: Grant Permission

Date: 09/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0676

Applicant:
Citadel Estates Ltd

Parish:
Brampton

Date of Receipt:
26/07/2016 23:00:07

Agent:
Sandy Johnston Architect

Ward:
Brampton

SCHEDULE E: Decisions Issued Under Delegated Powers

Location:

The Lodge, Netherton, Talkin, Brampton, CA8 1LR

Grid Reference:

353864 557104

Proposal: Alterations To Existing Vehicular Access (Retrospective)

Amendment:

Decision: Grant Permission

Date: 14/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:

16/0677

Applicant:

Mr G Sawyers

Parish:

Carlisle

Date of Receipt:

29/07/2016

Agent:**Ward:**

Castle

Location:

13 Castle Street, Carlisle CA3 8SY

Grid Reference:

339842 556077

Proposal: Retention Of Vinyl Window Stickers To Main Front Windows; Painting Of Window Frames, External Door Frames And Archway Keystone; Main Door Stripped To Original Wood (LBC)

Amendment:

Decision: Grant Permission

Date: 19/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:

16/0679

Applicant:

Mr Gary Martin

Parish:

Wetheral

Date of Receipt:

03/08/2016

Agent:

Bingham Yates

Ward:

Wetheral

Location:

Windhover Barn, Low Cotehill, Carlisle, CA4 0EL

Grid Reference:

347112 550561

Proposal: Insertion Of 2No. Window Openings To South East Elevation; Erection Of Entrance Canopy And First Floor Balcony To North West Elevation

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 20/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0680

Applicant:
Messrs Wales

Parish:
Dalston

Date of Receipt:
04/08/2016

Agent:

Ward:
Dalston

Location:
Thackwood Farm, Dalston, Carlisle, CA5 7DT

Grid Reference:
338721 543726

Proposal: Formation Of Roof To Cover Existing Silage Pit

Amendment:

Decision: Grant Permission

Date: 15/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0681

Applicant:
PT Bell & Son LTD

Parish:
Dalston

Date of Receipt:
01/08/2016

Agent:

Ward:
Dalston

Location:
P T Bell & Son, Coal Merchant, Barras Lane
Industrial Estate, Dalston, Cumbria CA5 7EJ

Grid Reference:
336469 550808

Proposal: Variation Of Condition 7 Of Previously Approved Permission 13/0696 To Read: "Prior To Any Individual Bunker Being Brought Into Use, The Corresponding Section Of Boundary Wall Shall Be Constructed To A Height Of 2.7 Metre, As Detailed On Drawing 1, And Shall Be Fully Erected And Completed And Shall Thereafter Maintained At That Height"

Amendment:

Decision: Grant Permission

Date: 26/09/2016

Between 03/09/2016 and 07/10/2016

SCHEDULE E: Decisions Issued Under Delegated Powers

Appn Ref No:
16/0682

Applicant:
Mr & Mrs J McAleese

Parish:
Irthington

Date of Receipt:
28/07/2016

Agent:
JPR Building Design Ltd

Ward:
Stanwix Rural

Location:
Lowry Hill Cottage, Newtown, Irthington, Carlisle,
CA6 4PE

Grid Reference:
350066 563549

Proposal: Variation Of Condition 2 Of Previously Approved Permission 16/0425
Amendment:

Decision: Grant Permission

Date: 09/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0683

Applicant:
Mr Anthony Irving

Parish:
Dalston

Date of Receipt:
03/08/2016

Agent:
Gray Associates Limited

Ward:
Dalston

Location:
The Smithy, Chalkfoot, Dalston, Carlisle, CA5 7JH

Grid Reference:
333884 548613

Proposal: Erection Of Single Storey Detached Garden Room
Amendment:

Decision: Grant Permission

Date: 28/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0685

Applicant:
Mr Colin Noble

Parish:
Brampton

Date of Receipt:
02/08/2016

Agent:
Tsada Building Design
Services

Ward:
Brampton

Location:
Oakleigh, Tarn Road, Brampton, CA8 1TU

Grid Reference:
353493 560630

SCHEDULE E: Decisions Issued Under Delegated Powers

Proposal: Erection Of Attached Garage And Formation Of Balcony At First Floor Level

Amendment:

Decision: Grant Permission

Date: 23/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0687

Applicant:
Dunelm

Parish:
Carlisle

Date of Receipt:
01/08/2016

Agent:
Spencer Signs LTD

Ward:
Denton Holme

Location:
Dunelm Mill, Madford Retail Park, Charlotte Street,
Carlisle, CA2 5BT

Grid Reference:
339830 555567

Proposal: Display Of 6No. Internally Illuminated Fascia Signs And 1No. Non Illuminated Entrance/Exit Sign

Amendment:

Decision: Grant Permission

Date: 15/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0688

Applicant:
Kingsmoor Power LTD

Parish:
Kingmoor

Date of Receipt:
10/08/2016

Agent:
Blok Architecture LTD

Ward:
Stanwix Rural

Location:
Land to the South of Unit 3, Duchess Avenue,
Kingmoor Park North, Carlisle, CA6 4SN

Grid Reference:
338523 559928

Proposal: Proposed Installation Of Gas Powered Peaking Power Plant

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 05/10/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0689

Applicant:
Mr S Walker

Parish:
Carlisle

Date of Receipt:
01/08/2016

Agent:

Ward:
Botcherby

Location:
14 Victoria Road, Carlisle, CA1 2UE

Grid Reference:
342070 555803

Proposal: Modification Of Planning Obligation Under Section 106A - To Exclude the Property As An Affordable Unit

Amendment:

Decision: Modification of Section 106
09/09/2016

Date:

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0691

Applicant:
Messers Gardhouse

Parish:
Dalston

Date of Receipt:
29/07/2016

Agent:
Hopes Land Agency

Ward:
Dalston

Location:
Cumdivock House, Cumdivock, Dalston, Carlisle,
CA5 7JJ

Grid Reference:
334646 548721

Proposal: Erection Of Livestock Building

Amendment:

Decision: Grant Permission

Date: 12/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0692

Applicant:
Mr Jonathan Reed

Parish:
Stanwix Rural

SCHEDULE E: Decisions Issued Under Delegated Powers

Date of Receipt:
02/08/2016

Agent:

Ward:
Stanwix Rural

Location:
Whitrigg Lea, Crosby on Eden, Carlisle, CA6 4QY

Grid Reference:
344886 561245

Proposal: Single Storey Side Extension To Provide Sunroom/Orangery

Amendment:

Decision: Grant Permission

Date: 22/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0693

Applicant:
Bromborough Paint and
Building Supplies Ltd

Parish:
Carlisle

Date of Receipt:
05/08/2016

Agent:
Glyn R Bridge

Ward:
Belah

Location:
73 Kingstown Broadway, Kingstown Industrial
Estate, Carlisle, CA3 0HA

Grid Reference:
339132 559538

Proposal: Insertion Of New Double Doors To Front Elevation Of Existing Building

Amendment:

Decision: Grant Permission

Date: 09/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0694

Applicant:
Story Homes

Parish:
Stanwix Rural

Date of Receipt:
11/08/2016

Agent:

Ward:
Stanwix Rural

Location:
Land at Hadrian's Camp, Houghton Road,
Houghton, Carlisle, Cumbria, CA3 0LG

Grid Reference:
341238 558806

Proposal: Removal Of Condition 33 Of Previously Approved Outline Application
12/0610 Regarding The Requirement For 2No. Bus Stops With Boarding

SCHEDULE E: Decisions Issued Under Delegated Powers

Platforms And Link Footways

Amendment:

Decision: Refuse Permission

Date: 06/10/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0695

Applicant:
Mrs Brough

Parish:
Stanwix Rural

Date of Receipt:
02/08/2016 23:02:40

Agent:

Ward:
Stanwix Rural

Location:
The Lilacs, 24 The Green, Houghton, Carlisle, CA3
0NF

Grid Reference:
340831 559394

Proposal: Erection Of Garden Shed/Cabin To Front Elevation

Amendment:

Decision: Grant Permission

Date: 22/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0696

Applicant:
Carlisle Rugby Football
Club

Parish:
Carlisle

Date of Receipt:
02/08/2016

Agent:
Architects Plus (UK) Ltd

Ward:
St Aidans

Location:
Carlisle Rugby Union Football Club, Warwick Road,
Carlisle, CA1 1LW

Grid Reference:
341191 555967

Proposal: Alterations To Changing Block To Comprise: Enlargement Of 3No. Window Openings To North/Front Elevation; Filling In Of 1No. Window To South/Rear Elevation; Enlargement Of 2No. Window Glazed Screen Assembly For Purpose Of Providing Means Of Escape From And Light To Provide Temporary Club Facilities

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 14/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0699

Applicant:
Mr T Hatt

Parish:
Brampton

Date of Receipt:
03/08/2016 13:02:42

Agent:

Ward:
Brampton

Location:
Abbey Bridge Inn, Lanercost, Brampton, CA8 2HG

Grid Reference:
355326 563247

Proposal: Internal Alterations Comprising Partition Of Bathroom To Form 2No. En-Suite Bathrooms; Installation Of New Foul Drainage From Bathrooms Through Boot Room Below And Underground To Existing Drain To Septic Tank; Installation Of Double Door Between Kitchen And Lobby Area (LBC)

Amendment:

Decision: Grant Permission

Date: 14/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0700

Applicant:
Persimmon Homes

Parish:
Carlisle

Date of Receipt:
06/09/2016

Agent:

Ward:
St Aidans

Location:
149-159 Botchergate, 1 Rydal Street and 1& 2
South Henry Street, Carlisle, CA1 1RZ

Grid Reference:

Proposal: Non-Material Amendment Of Previously Approved Permission 05/0185

Amendment:

Decision: Amendment Accepted
30/09/2016

Date:

Between 03/09/2016 and 07/10/2016

SCHEDULE E: Decisions Issued Under Delegated Powers

Appn Ref No:
16/0702

Applicant:
Miss Metcalf

Parish:

Date of Receipt:
04/08/2016 23:02:39

Agent:
Miss Jen Metcalf

Ward:
St Aidans

Location:
3 Lismore Street, Carlisle, CA1 2AH

Grid Reference:
340866 555863

Proposal: Single Storey Rear And Side Extension To Provide Enlarged Kitchen;
Removal And Rebuilding Of Existing Boundary Wall

Amendment:

Decision: Grant Permission

Date: 26/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0704

Applicant:
Competition Line UK LTD

Parish:

Date of Receipt:
08/08/2016

Agent:
John Taylor Architects Ltd

Ward:
Currock

Location:
Lifestyle Fitness, Currock Road, Carlisle, CA2 4AS

Grid Reference:
340429 554794

Proposal: Removal Of Condition 7 Of Previously Approved Permission 10/1088 To
Extend Hours To 24 Hour Opening 7 Days Per Week

Amendment:

Decision: Grant Permission

Date: 30/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0706

Applicant:
W L Musgrave & Sons

Parish:
Dalston

Date of Receipt:
05/08/2016

Agent:
Reading Agricultural
Consultants

Ward:
Dalston

Location:

Grid Reference:

SCHEDULE E: Decisions Issued Under Delegated Powers

Cardew Hall, Cardew, Dalston, Carlisle, CA5 7JQ

334997 549839

Proposal: Discharge Of Condition 3 (Surface Water Drainage) Of Previously Approved Planning Permission 15/0955

Amendment:

Decision: Grant Permission

Date: 23/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0707

Applicant:
Mr & Mrs Godfrey

Parish:
St Cuthberts Without

Date of Receipt:
09/08/2016

Agent:
SPACE Designed
Solutions Ltd

Ward:
Dalston

Location:
L/A Birklands House, Carleton, Carlisle, CA4 0BU

Grid Reference:
344662 550644

Proposal: Change Of Use Of Garage And Stores To Provide 1No. Dwelling

Amendment:

Decision: Grant Permission

Date: 30/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0710

Applicant:
Major Richard Boyle

Parish:
Stapleton

Date of Receipt:
08/08/2016

Agent:
Rodney Jeremiah

Ward:
Lyne

Location:
The Drove Inn, Roweltown, Carlisle, CA6 6LB

Grid Reference:
350230 572082

Proposal: Change Of Use From Public House To 1No. Dwelling

Amendment:

Decision: Grant Permission

Date: 30/09/2016

SCHEDULE E: Decisions Issued Under Delegated Powers

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0712

Applicant:
One Stop Stores Ltd

Parish:
Carlisle

Date of Receipt:
08/08/2016 11:02:41

Agent:
Innovate Signs

Ward:
St Aidans

Location:
4-5 Fusehill Street, Carlisle, CA1 2ES

Grid Reference:
340818 555562

Proposal: Display Of Illuminated and Non Illuminated Signage

Amendment:

Decision: Grant Permission

Date: 28/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0713

Applicant:
Mr Blackett

Parish:
Brampton

Date of Receipt:
17/08/2016

Agent:

Ward:
Brampton

Location:
22 Berrymoor Road, Brampton, CA8 1DJ

Grid Reference:
353094 561465

Proposal: Proposed Two Storey Side And Front Extension To Provide Lounge And WC On Ground Floor With 2No. Bedrooms (1 no. En-Suite) And Bathroom Above.

Amendment:

Decision: Refuse Permission

Date: 30/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0718

Applicant:
Dalston Hall Hotel

Parish:
Dalston

Date of Receipt:
10/08/2016

Agent:
TAYLOR & HARDY
LIMITED

Ward:
Dalston

SCHEDULE E: Decisions Issued Under Delegated Powers

Location:

Dalston Hall Hotel, Dalston, Carlisle, CA5 7JX

Grid Reference:

337642 551559

Proposal: Resubmission Of Previously Approved Permission 13/0401 For First Floor Extension And Reconfiguration Of Ground Floor Of East Wing To Provide 8no. Bedrooms, Together With Dining Room Extension To Ground Floor Rear Elevation

Amendment:

Decision: Grant Permission

Date: 03/10/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:

16/0719

Applicant:

Dalston Hall Hotel

Parish:

Dalston

Date of Receipt:

08/08/2016 16:02:44

Agent:

TAYLOR & HARDY
LIMITED

Ward:

Dalston

Location:

Dalston Hall Hotel, Dalston, Carlisle, CA5 7JX

Grid Reference:

337642 551559

Proposal: Resubmission Of Previously Approved Permission 13/0400 For First Floor Extension And Reconfiguration Of Ground Floor Of East Wing To Provide 8no. Bedrooms, Together With Dining Room Extension To Ground Floor Rear Elevation (LBC)

Amendment:

Decision: Grant Permission

Date: 03/10/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:

16/0721

Applicant:

Klondyke Group Ltd

Parish:

Stanwix Rural

Date of Receipt:

08/08/2016 16:02:49

Agent:**Ward:**

Stanwix Rural

Location:

Houghton Hall, Houghton, Carlisle, CA6 4JB

Grid Reference:

341087 559890

SCHEDULE E: Decisions Issued Under Delegated Powers

Proposal: Installation Of 3No. Replacement Windows (LBC)

Amendment:

Decision: Wdn - Permitted Dev./Appn. not required

Date: 06/10/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0724

Applicant:
WHSmiths

Parish:
Carlisle

Date of Receipt:
11/08/2016

Agent:
Butterfield Signs Limited

Ward:
Castle

Location:
51-53 English Street, Carlisle, CA3 8JY

Grid Reference:
340163 555795

Proposal: Display Of 1No. Internally Illuminated Fascia Sign And 1No. Non Illuminated Projecting Sign

Amendment:

Decision: Grant Permission

Date: 06/10/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0725

Applicant:
Mr Peter Day

Parish:
Carlisle

Date of Receipt:
09/08/2016 23:02:47

Agent:
Black Box Architects
Limited

Ward:
Morton

Location:
35 Rashdall Road, Carlisle, CA2 6HS

Grid Reference:
338573 554259

Proposal: Erection Of Two Storey Side Extension To Provide Kitchen On Ground Floor With 1No. Bedroom And Extension To Original Bathroom Above

Amendment:

Decision: Grant Permission

Date: 30/09/2016

SCHEDULE E: Decisions Issued Under Delegated Powers

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0726

Applicant:
Mr K Graham

Parish:
Irthington

Date of Receipt:
10/08/2016

Agent:

Ward:
Stanwix Rural

Location:
Ash Dene, Laversdale, Irthington, Carlisle CA6 4PJ

Grid Reference:
347373 562318

Proposal: Erection Of Agricultural Machinery Store And Lambing Shed

Amendment:

Decision: Grant Permission

Date: 28/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0729

Applicant:
Mr & Mrs Walsh

Parish:
Stanwix Rural

Date of Receipt:
16/08/2016

Agent:
IGB Architectural Design

Ward:
Stanwix Rural

Location:
Fair Oaks, 28 Houghton Road, Houghton, Carlisle,
CA3 0LA

Grid Reference:
341291 558348

Proposal: Provision Of Pitched Roof Over First Floor Bay Window

Amendment:

Decision: Grant Permission

Date: 14/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0731

Applicant:
Mr Watson

Parish:
Brampton

Date of Receipt:
11/08/2016 16:02:41

Agent:

Ward:
Brampton

Location:

Grid Reference:

SCHEDULE E: Decisions Issued Under Delegated Powers

Land Between Rosebank and Hembleswood
(Mackreth House), Paving Brow, Brampton, CA8
1QR

353232 560302

Proposal: Discharge Of Conditions 4 (Materials); 5 (Landscaping); 6 (Boundaries)
And 7 (Surface And Foul Drainage) Of Previously Approved Permission
14/0741

Amendment:

Decision: Grant Permission

Date: 30/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0733

Applicant:
Mr Watson

Parish:
Brampton

Date of Receipt:
11/08/2016 23:02:38

Agent:

Ward:
Brampton

Location:
Land Between Rosebank and Hembleswood
(Mackreth House), Paving Brow, Brampton, CA8
1QR

Grid Reference:
353232 560302

Proposal: Variation Of Condition 1 (Approved Documents) Of Previously Approved
Permission 16/0503

Amendment:

Decision: Grant Permission

Date: 30/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0736

Applicant:
Mrs J Breckan

Parish:
Wetheral

Date of Receipt:
16/08/2016

Agent:
Plan B Building Drawing
Limited

Ward:
Wetheral

Location:
Eden Close Cottage, Bridge End, Wetheral,
Carlisle, CA4 8NS

Grid Reference:
346868 556645

SCHEDULE E: Decisions Issued Under Delegated Powers

Proposal: Change Of Use From Domestic Workshop To Dog Grooming Salon

Amendment:

Decision: Grant Permission

Date: 04/10/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0739

Applicant:
Mr & Mrs A Miller-Varey

Parish:
Carlton

Date of Receipt:
15/08/2016

Agent:
Jock Gordon Architectural
SVS Ltd

Ward:
Great Corby & Geltsdale

Location:
Carrock Fell, Heads Nook, Brampton, CA8 9BX

Grid Reference:
352468 553646

Proposal: Change Of Use Of Domestic Annexe To Holiday Let

Amendment:

Decision: Grant Permission

Date: 20/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0741

Applicant:
Lancaster Diocese

Parish:
Carlisle

Date of Receipt:
25/08/2016

Agent:
Portakabin Ltd

Ward:
Botcherby

Location:
Former Pennine Way Primary School, Pennine
Way, Carlisle, CA1 3RQ

Grid Reference:
342707 554539

Proposal: Non Material Amendment Of Previously Approved Permission 16/0125

Amendment:

Decision: Amendment Accepted
14/09/2016

Date:

SCHEDULE E: Decisions Issued Under Delegated Powers

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0744

Applicant:
Mr Clarke

Parish:
Wetheral

Date of Receipt:
17/08/2016 08:02:45

Agent:
JPR Building Design Ltd

Ward:
Wetheral

Location:
L/A Wellholme Lea, 35 Scotby Village, Scotby,
Carlisle, CA4 8BS

Grid Reference:
344082 554885

Proposal: Variation Of Condition 2 (Approved Documents - To Install Roof Lights On The South West Elevation, Removal Of Roof Lights On The North East Elevation And Removal Of One Roof Light And Repositioning Of Another Roof Light On The North West Elevation) Of Previously Approved Permission 15/1094

Amendment:

Decision: Grant Permission

Date: 26/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0746

Applicant:
Mr R Cochrane

Parish:
Wetheral

Date of Receipt:
17/08/2016

Agent:
Jock Gordon Architectural
SVS Ltd

Ward:
Wetheral

Location:
Croft House, Cumwhinton, Carlisle, CA4 8ER

Grid Reference:
345164 552791

Proposal: Discharge Of Conditions 6 (Material Samples); 9 (Surface Water Disposal); 10 (Levels); 13 (Vehicular Access) And 14 (Surface Water Discharge) Of Previously Approved Planning Permission 14/0889

Amendment:

Decision: Partial Discharge of Conditions
15/09/2016

Date:

Between 03/09/2016 and 07/10/2016

SCHEDULE E: Decisions Issued Under Delegated Powers

Appn Ref No:
16/0750

Applicant:
Mr Paul Whalley

Parish:
Carlisle

Date of Receipt:
19/08/2016

Agent:
Concept A & D Services

Ward:
Morton

Location:
197 Wigton Road, Carlisle, CA2 6JY

Grid Reference:
337997 554679

Proposal: Erection Of Two Storey Side Extension To Provide Office, Utility and WC
On Ground Floor With En-Suite Bedroom Above, Together With Single
Storey Rear Extension To Provide Extended Kitchen/Dining Room

Amendment:

Decision: Grant Permission

Date: 05/10/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0752

Applicant:
Mr M Nugent

Parish:
Carlisle

Date of Receipt:
19/08/2016

Agent:

Ward:
Botcherby

Location:
22 Chapel Brow, Carlisle, CA1 2PP

Grid Reference:
342837 555307

Proposal: Replacement Of Timber Framed Windows With uPVC

Amendment:

Decision: Grant Permission

Date: 29/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0757

Applicant:
Mr K Hull

Parish:
Dalston

Date of Receipt:
19/08/2016

Agent:
Mr Brian Child

Ward:
Dalston

Location:
L/A Corner Cottage, Grange Park Road, Orton
Grange, Carlisle, CA5 6LT

Grid Reference:
335304 551963

SCHEDULE E: Decisions Issued Under Delegated Powers

Proposal: Variation Of Condition 2 (Approved Documents) Of Previously Approved Permission 14/1031

Amendment:

Decision: Grant Permission

Date: 30/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0760

Applicant:
Mr J Coulthard

Parish:
Dalston

Date of Receipt:
19/08/2016

Agent:

Ward:
Dalston

Location:
Roewath Cottage, Stockdalewath, Dalston, Carlisle,
CA5 7DP

Grid Reference:
338836 544526

Proposal: Discharge Of Condition 3 (Management Plan For Swimming Pool Water Disposal) Of Previously Approved Permission 16/0290

Amendment:

Decision: Partial Discharge of Conditions
14/09/2016

Date:

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0762

Applicant:
Mr & Mrs Watson

Parish:
Farlam

Date of Receipt:
22/08/2016

Agent:
Jock Gordon Architectural
SVS Ltd

Ward:
Irthing

Location:
5 & 6 Farlam Hall Cottages, Hallbankgate,
Brampton, CA8 2NQ

Grid Reference:
357028 560003

Proposal: Change Of Use Of Agricultural Land To Domestic Garden

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 28/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0766

Applicant:
Mr Graeme Browne

Parish:
Carlisle

Date of Receipt:
23/08/2016

Agent:

Ward:
St Aidans

Location:
Staffield House, 67-69 London Road, Carlisle, CA1
2LE

Grid Reference:
340839 555161

Proposal: Variation Of Condition 2 (Approved Documents) Of Previously Approved
Permission 14/1066 To Amend Internal Layout Of Flats And Amend
Direction Of External Front Steps

Amendment:

Decision: Grant Permission

Date: 28/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0767

Applicant:
Pladis

Parish:
Carlisle

Date of Receipt:
23/08/2016 11:02:49

Agent:

Ward:
Castle

Location:
McVities Group, 54 Church Street, Carlisle, CA2
5TG

Grid Reference:
339245 555916

Proposal: Partial Demolition Of Existing Boundary Walls And Construction Of New
Flood Resilient Boundary Walls To The North And East Side Of The Site

Amendment:

Decision: Grant Permission

Date: 29/09/2016

Between 03/09/2016 and 07/10/2016

SCHEDULE E: Decisions Issued Under Delegated Powers

Appn Ref No:
16/0768

Applicant:
Northwind Leisure Carlisle

Parish:
Carlisle

Date of Receipt:
24/08/2016

Agent:
Ink Design Architects

Ward:
Denton Holme

Location:
Land bounded by former rail track and Bousteads
Grassing, Rome Street, Carlisle

Grid Reference:
340135 554992

Proposal: Discharge Of Conditions 7 (Community Use Agreement) & 18 (Materials)
Of Previously Approved Permission 14/0368

Amendment:

Decision: Partial Discharge of Conditions
28/09/2016

Date:

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0779

Applicant:
Mr Anthony Carr

Parish:
Wetheral

Date of Receipt:
26/08/2016

Agent:
Abacus Building Design

Ward:
Great Corby & Geltsdale

Location:
Dry Arch, Broadwath, Heads Nook, Brampton, CA8
9BD

Grid Reference:
348236 554896

Proposal: Erection Of Cattery Building

Amendment:

Decision: Grant Permission

Date: 30/09/2016

Between 03/09/2016 and 07/10/2016

Appn Ref No:
16/0805

Applicant:
Mr R Boyd

Parish:
St Cuthberts Without

Date of Receipt:
09/09/2016

Agent:
Concept A & D Services

Ward:
Wetheral

Location:

Grid Reference:

SCHEDULE E: Decisions Issued Under Delegated Powers

110 Valley Drive, Carlisle, CA1 3TR

343281 554273

Proposal: Non Material Amendment Of Previously Approved Permission 16/0305
Amendment:

Decision: Amendment Accepted
23/09/2016

Date:

Development Control Committee

Agenda
Item:
A.2

Meeting Date: 21st October 2016

Portfolio:

Key Decision: No

Within Policy and
Budget Framework

No

Public / Private

Public

Title: QUARTERLY REPORT ON PLANNING ENFORCEMENT

Report of: Director of Economic Development

Report Number: ED.36/16

Purpose / Summary:

This report presents an update on the scope of activities undertaken by the Council's Planning Enforcement Officer.

Recommendations:

That Members note the contents of this report

Tracking

Executive:	n/a
Overview and Scrutiny:	n/a
Council:	n/a

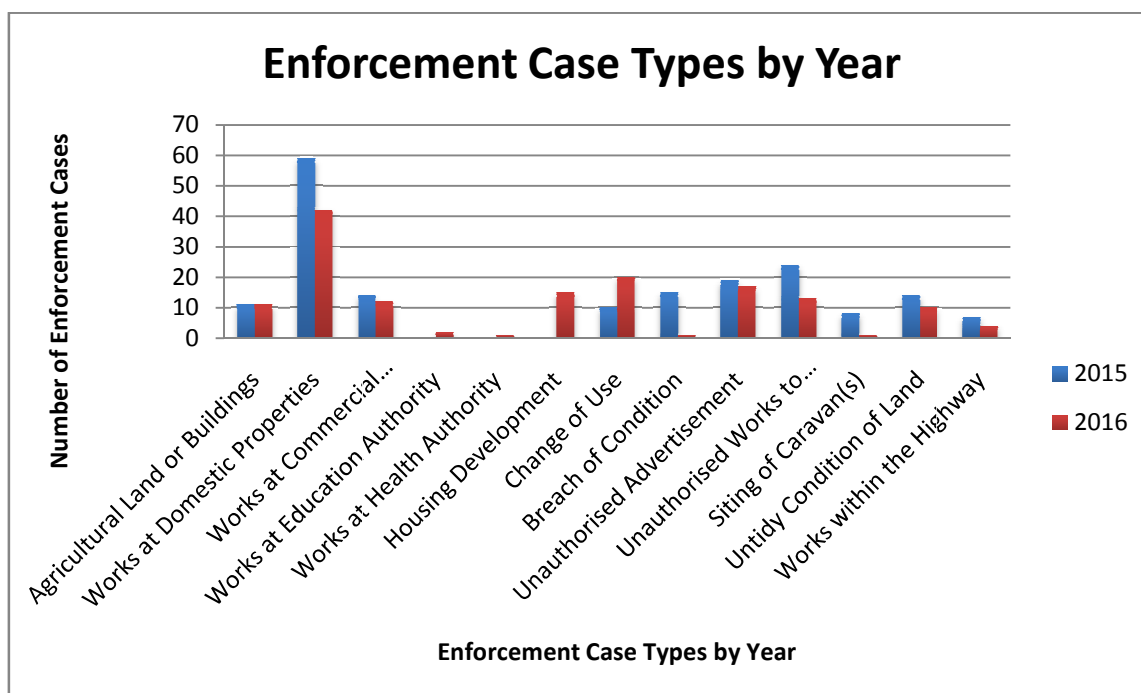
1. OVERVIEW OF ACTIVITY

At the time of writing this report, 149 cases have been recorded in 2016, of which 62 have been resolved. This compares to a total of 181 cases in 2015, of which 155 have been resolved.

The cases can be allocated to the Enforcement Case Types as follows:

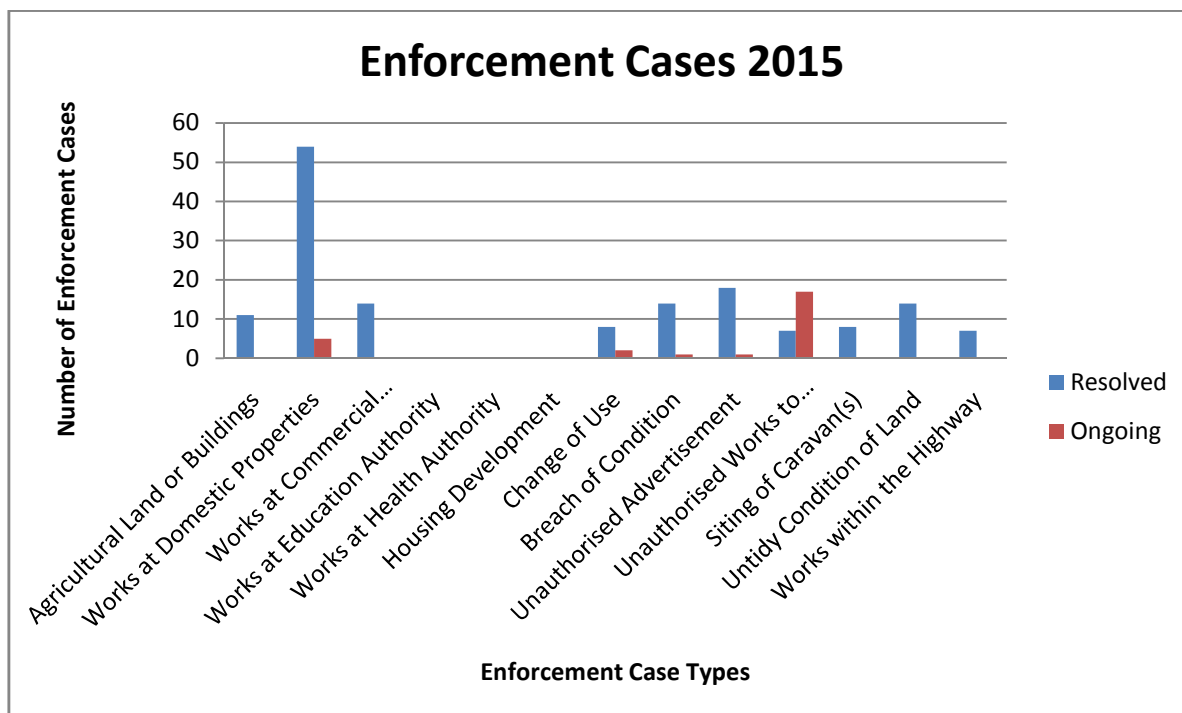
Enforcement Case Types by Year		
	2015	2016
Agricultural Land or Buildings	11	9
Works at Domestic Properties	59	42
Works at Commercial Properties	14	12
Works at Education Authority	0	2
Works at Health Authority	0	1
Housing Development	0	15
Change of Use	10	20
Breach of Condition	15	1
Unauthorised Advertisement	19	17
Unauthorised Works to Listed Building	24	13
Siting of Caravan(s)	8	3
Untidy Condition of Land	14	10
Works within the Highway	7	4
TOTAL	181	149

The graph below illustrates the comparison of Enforcement Case Types between 2015 and 2016.



A total of 155 cases have been resolved and 26 cases are ongoing from 2015. Of these, 17 relate to Unauthorised Works to Listed Buildings, 5 relate to Works at Domestic Properties, 1 relates to a Breach of Condition and the final 1 relates to Unauthorised Advertisement.

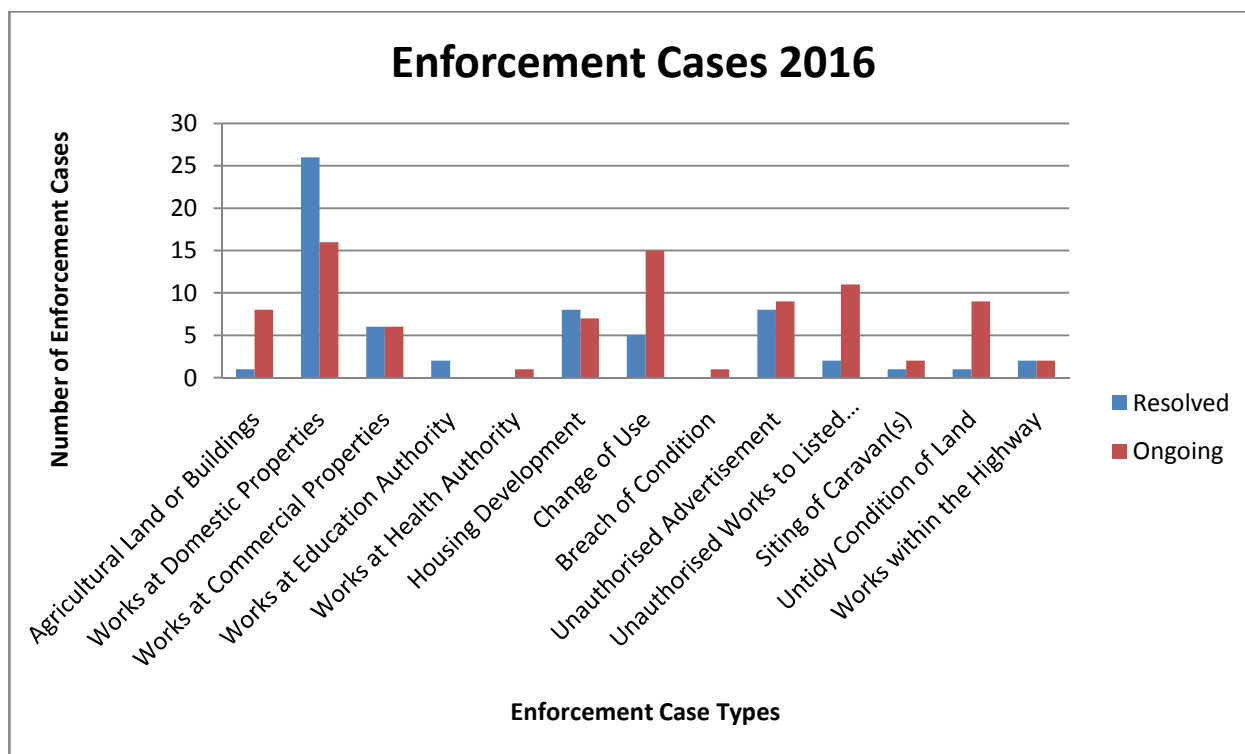
Enforcement Cases 2015		
	Resolved	Ongoing
Agricultural Land or Buildings	11	0
Works at Domestic Properties	54	5
Works at Commercial Properties	14	0
Works at Education Authority	0	0
Works at Health Authority	0	0
Housing Development	0	0
Change of Use	8	2
Breach of Condition	14	1
Unauthorised Advertisement	18	1
Unauthorised Works to Listed Building	7	17
Siting of Caravan(s)	8	0
Untidy Condition of Land	14	0
Works within the Highway	7	0
TOTAL	155	26



A total of 62 cases have been resolved and 87 cases are ongoing from 2016. Of these, 8 relate to Agricultural Land or Buildings, 16 relate to Works at Domestic Properties, 15 relate to Change of use, 9 relate to Unauthorised Advertisement, 11 relate to Unauthorised Works to Listed Buildings, and 9 relate to Untidy Condition of Land. The remaining cases are split between Works at Commercial Properties, Works at Health Authority, Breach of Condition and Works within the Highway. There are no ongoing cases relating to Works at Education Authority.

Enforcement Cases 2016		
	Resolved	Ongoing
Agricultural Land or Buildings	1	8
Works at Domestic Properties	26	16
Works at Commercial Properties	6	6
Works at Education Authority	2	0
Works at Health Authority	0	1
Housing Development	8	7
Change of Use	5	15
Breach of Condition	0	1
Unauthorised Advertisement	8	9
Unauthorised Works to Listed Building	2	11
Siting of Caravan(s)	1	2
Untidy Condition of Land	1	9
Works within the Highway	2	2

TOTAL	62	87
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A large proportion of the Unauthorised Works to Listed Building cases involve the installation of pvcu windows in place of timber sash windows. Planning Officers, in partnership with the Conservation Officer, are in negotiations with the Owners / Occupiers of these properties with a view to replacing these windows within reasonable timescales.

2. UPDATE ON ENFORCEMENT NOTICES

Tarn End Hotel, Talkin (Ref. EC/14/0035)

Planning application 16/0062 was submitted in January 2016 for the 'Conversion Of Former Hotel To Provide 6No. 2 Bedroom Apartments And Re-Configuration Of Redundant Outbuildings To Form 12No. 2 Bed Apartments Including 4No. New Build Apartments; Altered Vehicular Access And Parking Arrangements; Associated Landscaping'. The application was refused at the 18th March meeting of this Committee. An appeal has been lodged with the Planning Inspectorate and further information is awaited on the timescale for this appeal.

Car Park at Crown Street, Carlisle (Ref. EC/15/0074)

This area of vacant land was used as a builder's yard with ancillary car parking for employees and customers visiting Carlisle Glass Ltd. Carlisle Glass vacated the building

and this area of land was opened up as a public Pay and Display Car Park. As such, the land is no longer available for prospective occupiers and visitors to other users of the building. No planning application has been forthcoming and the Council considers it expedient to take enforcement action under Policy T1 (Parking Guidelines for Development) of the Carlisle District Local Plan 2001-2016 for the following reasons:

1. The availability of public car parking in the vicinity
2. The impact of parking provision on the environment of the surrounding area
3. The likely impact on the surrounding road network
4. Accessibility by and availability of other forms of transport.

An Enforcement Notice (Material Change of Use) was served on the landowners on the grounds of 'Change of use of the land formerly used as a builder's yard with ancillary parking for employees and visitors to a public 'pay and display' car park'. The compliance period has expired and the terms of the notice have not been complied with, a Witness Statement has subsequently been referred to Legal Services which is currently being reviewed.

Former Centurion Inn, Walton (EC/16/0003)

Planning application 16/0167 was submitted in February 2016 for the 'Change Of Use OF Public House (A4 Use) With First Floor Letting Rooms And Ancillary Residential Accommodation To Cafeteria/Restaurant (A3 Use) With First Floor Ancillary Residential Accommodation'. The application was refused in April 2016 and the applicant has appealed to the Planning Inspectorate. The appeal is currently outstanding.

95 Burgh Road, Carlisle (Ref. EC/12/0042)

This matter has been ongoing for a long time and despite a clean-up in 2014, the condition of the gardens continues to be an issue for neighbouring residents. Local Planning Authorities are now able to take action under the Anti-Social Behaviour, Crime and Policing Act 2014. As part of the Act, the Council may issue a Community Protection Notice if they consider that the *'condition of the land is anti-social and as such is having a detrimental effect, of a persistent or continuing nature, on the quality of life of those in the locality, and the conduct it is unreasonable'*. A Written Warning has already been served on the owner of the property to say that the Council will issue a Community Protection Notice if he fails to comply with the warning letter. The Written Warning has not been complied with and further advice is being sought from Legal Services. A draft Community Protection Notice will be issued to Legal Services for their review.

3 Dixon Road, Carlisle (Ref. EC/16/0020)

This matter has been ongoing for a long time and despite a previous clean-up, the condition of the gardens continues to be an issue for neighbouring residents. Local Planning Authorities are now able to take action under the Anti-Social Behaviour, Crime and Policing Act 2014. As part of the Act, the Council may issue a Community Protection Notice if they consider that the '*condition of the land is anti-social and as such is having a detrimental effect, of a persistent or continuing nature, on the quality of life of those in the locality, and the conduct it is unreasonable*'. A Written Warning has already been served on the owner of the property to say that the Council will issue a Community Protection Notice if he fails to comply with the warning letter. The Written Warning has not been complied with and further advice is being sought from Legal Services. A draft Community Protection Notice will be issued to Legal Services for their review.

Land to the rear of South View, The Green, Houghton (Ref. EC/16/0009)

The land is being used for the storage of multiple motor vehicles. An Enforcement Notice has previously been served on part of the land. It is now considered appropriate to issue a further Enforcement Notice to include the land which fell outside of the previous Enforcement Notice to prevent the Owner from relocating the motor vehicles within land in his ownership at the address. A Written Warning has previously been issued to the owner of the property to say that the Council will take further action, through the Courts if necessary, if the motor vehicles are not removed. A draft Enforcement Notice will be issued to Legal Services for their review.

3. RECOMMENDATION

That Members note the contents of this report

4. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

4.1 Not applicable

Contact Officer: Paul Fenton

Ext: 7119

Appendices None
attached to report:

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers:

- **None**

CORPORATE IMPLICATIONS/RISKS:

Chief Executive's - None

Community Engagement – None

Economic Development – None

Governance – None

Local Environment – None

Resources - None