

Committee Minutes

Control of Development and Advertisements

The Development Control Committee received and considered the following applications:

Item no: 01

Appn Ref No: 12/0365	Applicant: Story Homes	Parish: Kingmoor
Date of Receipt: 01/05/2012	Agent: Positive Planning Solutions	Ward: Stanwix Rural
Location: Land at High Crindledyke Farm, Kingstown, Carlisle, Cumbria	Grid Reference: 337746 560297	

Proposal: Erection Of 184No. Dwellings (Including 42No. Affordable Dwellings) And Associated Infrastructure (Phase 1 Reserved Matters Application Pursuant To Outline Permission 09/0617)

Members resolved to give authority to the Director (Economic Development) to issue approval for the proposal subject to verification from respective consultees as to precisely which elements of the pre-commencement conditions can be discharged.

Item no: 02

Appn Ref No: 12/0378	Applicant: Empirica Investments Limited	Parish: Nicholforest
Date of Receipt: 04/05/2012	Agent: Knight Frank LLP	Ward: Lyne
Location: Low Glendinning Rigg, Penton, Carlisle, Cumbria, CA6 5QB	Grid Reference: 344144 575374	

Proposal: Erection Of A 50m High Meteorological Monitoring Mast For A One Year Period

Refuse Permission

1. **Reason:** The mast is a tall, man made intrusion that cannot be deemed

protective of the intrinsic character and beauty of its surroundings. Due to the size, scale and position of the proposed meteorological mast, it is considered to be detrimental to the landscape and visual character of the area and that these effects outweigh the potential benefits associated with scheme. The proposal is therefore considered to be contrary to the objectives of Policy CP1, criterion 2 of Policy CP5 together with criteria 1 and 3 of Policy CP8 of the Carlisle District Local Plan 2001-2016.

Relevant Development Plan Policies

The North West Of England Plan Regional Spatial Strategy To 2021 Policy EM 1: Integrated Enhancement And Protection Of The Region's Environmental Assets

The Region's environmental assets should be identified, protected, enhanced and managed.

Plans, strategies, proposals and schemes should deliver an integrated approach to conserving and enhancing the landscape, natural environment, historic environment and woodlands of the region.

Plans and strategies should define spatial objectives and priorities for conservation, restoration and enhancement as appropriate, and provide area-based guidelines to direct decisions and target resources. These will be founded on a sound understanding of the diversity, distinctiveness, significance and sensitivity of the region's environmental assets, and informed by sub-regional environmental frameworks. Special consideration will be given to the impacts of climate change and adaptation measures.

Priority should be given to conserving and enhancing areas, sites, features and species of international, national, regional and local landscape, natural environment and historic environment importance.

Where proposals and schemes affect the region's landscape, natural or historic environment or woodland assets, prospective developers and/or local authorities should first avoid loss of or damage to the assets, then mitigate any unavoidable damage and compensate for loss or damage through offsetting actions with a foundation of no net loss in resources as a minimum requirement.

With regard to specific elements of this integrated approach, the following should be taken into account:

The North West Of England Plan Regional Spatial Strategy To 2021

Policy EM1 (A): Landscape

Plans, strategies, proposals and schemes should identify, protect, maintain and enhance natural, historic and other distinctive features that contribute to the character of landscapes and places within the North West.

They should be informed by and recognise the importance of:

- detailed landscape character assessments and strategies, which local authorities should produce, set in the context of the North West Joint Character Area Map ⁽⁹³⁾. These will be used to identify priority areas for the maintenance, enhancement and/or restoration of that character and will under-pin and act as key components of criteria-based policies in LDFs;
- the special qualities of the environment associated with the nationally designated areas of the Lake District National Park, the Yorkshire Dales National Park, the Peak District National Park, the Forest of Bowland Area of Outstanding Natural Beauty (AONB), the Arnsdale and Silverdale AONB, the North Pennines AONB and Solway Coast AONB and their settings;
- the characteristics and setting of World Heritage Sites.

The North West Of England Plan Regional Spatial Strategy To 2021

Policy EM 17: Renewable Energy

In line with the North West Sustainable Energy Strategy, by 2010 at least 10% (rising to at least 15% by 2015 and at least 20% by 2020) of the electricity which is supplied within the Region should be provided from renewable energy sources. To achieve this new renewable energy capacity should be developed which will contribute towards the delivery of the indicative capacity targets set out in Tables 9.6 and 9.7a-c. In accordance with PPS22, meeting these targets is not a reason to refuse otherwise acceptable development proposals.

Local authorities should work with stakeholders in the preparation of sub regional studies of renewable energy resources so as to gain a thorough understanding of the supplies available and network improvements, and how they can best be used to meet national, regional and local targets. These studies should form the basis for:

- informing a future review of RSS to identify broad locations where development of particular types of renewable energy may be considered appropriate ⁽¹¹⁹⁾; and
- establishing local strategies for dealing with renewable resources, setting targets for their use which can replace existing sub regional targets for the relevant authorities.

Plans and strategies should seek to promote and encourage, rather than restrict, the use of renewable energy resources. Local planning authorities should give significant weight to the wider environmental, community and economic benefits of proposals for renewable energy schemes to:

- contribute towards the capacities set out in tables 9.6 and 9.7 a-c; and
- mitigate the causes of climate change and minimise the need to consume finite natural resources.

Opportunities should be sought to identify proposals and schemes for renewable energy. The following criteria should be taken into account but should not be used to rule out or place constraints on the development of all, or specific types of, renewable energy technologies:

- anticipated effects on local amenity resulting from development, construction and operation of schemes (e.g. air quality, atmospheric emissions, noise, odour, water pollution and disposal of waste). Measures to mitigate these impacts should be employed where possible and necessary to make them acceptable;
- acceptability of the location/scale of the proposal and its visual impact in relation to the character and sensitivity of the surrounding landscape, including cumulative impact. Stringent requirements for minimising impact on landscape and townscape would not be appropriate if these effectively preclude the supply of certain types of renewable energy, other than in the most exceptional circumstances such as within nationally recognised designations as set out in PPS22 paragraph 11;
- effect on the region's World Heritage Sites and other national and internationally designated sites or areas, and their settings but avoiding the creation of buffer zones and noting that small scale developments may be permitted in such areas provided there is no significant environmental detriment;
- effect of development on nature conservation features, biodiversity and geodiversity, including sites, habitats and species, and which avoid significant adverse effects on sites of international nature conservation importance by assessment under the Habitats Regulations;
- maintenance of the openness of the Region's Green Belt;
- potential benefits of development to the local economy and the local community;
- accessibility (where necessary) by the local transport network;
- effect on agriculture and other land based industries;
- ability to make connections to the electricity distribution network which takes account of visual impact (as qualified above);
- integration of the proposal with existing or new development where appropriate;
- proximity to the renewable fuel source where relevant – e.g. wood-fuel biomass processing plants within or in close proximity to the region's major woodlands and forests;
- encourage the integration of combined heat and power (CHP), including micro CHP into development.

Developers must engage with local communities at an early stage of the development process prior to submission of any proposals and schemes for approval under the appropriate legislation.

Cumbria and Lake District Joint Structure Plan 2001 – 2016

Policy R44: Renewable energy outside the Lake District National Park and AONBs

Outside the Lake District National Park and AONBs proposals for renewable energy including any ancillary infrastructure or buildings will be favourably considered if:

1. there is no significant adverse effect on the landscape character, biodiversity and the natural and built heritage of the area either individually or cumulatively through their relationship with other utility infrastructure
2. there is no significant adverse effect on local amenity, the local economy, highways, aircraft operations or telecommunications,
3. the proposal takes all practicable measures to reduce any adverse impact on landscape, environmental, nature conservation, historical and local community interests,

In considering applications for planning permission in relation to the above criteria, and other policies in this plan, the environmental, economic and energy benefits of renewable energy proposals should be given significant weight.

There are additional requirements in the following cases:

Wind energy development

4. measures should be included to secure the satisfactory removal of structures/ related infrastructure and remediation of land following cessation of operation of the installation,

New plant for the commercial generation of energy from biomass

5. shall be sited on existing industrial/ employment sites or previously developed land that is well related to the resource catchment.

Where practicable measures to transport fuel and waste by water or rail shall be made.

Proposals for the recovery of energy from agriculture waste within existing farm units or sewage sludge

6. shall be well related to the activity, scale and character of the existing business/enterprise and /or setting.

Cumbria and Lake District Joint Structure Plan 2001 – 2016

Policy E35: Areas and Features of nature conservation interests other than those of national and international conservation importance

Development and other land use changes that are detrimental to these nature

conservation interests will not be permitted unless the harm caused to the value of those interests is outweighed by the need for the development. Where development is permitted the loss of nature conservation interest should be minimised and, where practicable, mitigation should be provided.

These nature conservation interests are defined as:

- County Wildlife Sites (CWSs)
- Regionally Important Geological or Geomorphological Sites (RIGGS)
- The UK Biodiversity Action Plan Priority Habitats that occur in Cumbria
- Species of Conservation Importance in the North West Region that occur in Cumbria
- Landscape features of major importance for wild fauna and flora, which are essential for migration dispersal and genetic exchange
- Local nature reserves

Cumbria and Lake District Joint Structure Plan 2001 – 2016

Policy E37: Landscape character

Development and land use change should be compatible with the distinctive characteristics and features of Cumbria's landscape types and sub types.

Proposals will be assessed in relation to:

1. locally distinctive natural or built features,
2. visual intrusion or impact,
3. scale in relation to the landscape and features,
4. the character of the built environment,
5. public access and community value of the landscape,
6. historic patterns and attributes,
7. biodiversity features, ecological networks and seminatural habitats, and
8. openness, remoteness and tranquillity.

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP1 - Landscape Character

Proposals for development in the rural area must seek to conserve and enhance the special features and diversity of the different landscape character areas.

Development will be considered appropriate to the character of the landscape provided the proposal has regard to and conserves:

the landform and natural patterns of drainage;

- the pattern of trees and woodland;
- the habitats of species of importance for wildlife;
- the pattern and composition of field boundaries;
- the pattern of historic landscape features;
- the pattern and distribution of settlements

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP2 - Biodiversity

Proposals in both the rural and urban area should not harm the integrity of the biodiversity resource as judged by key nature conservation principles, and proposals should seek to conserve and enhance the biodiversity value of the areas which they affect.

In areas where species protected under national and European legislation are most likely to occur, special account will be given to their presence in the consideration of development proposals.

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP5 - Design

All new development proposals will be assessed against the following design principles. Proposals should:

- 1 Respond to the local context and the form of surrounding buildings in relation to height, scale and massing, and by making use of appropriate materials and detailing;
- 2 Take into consideration any important landscape or topographical features and respect local landscape character;
- 3 Reinforce local architectural features, where appropriate, promoting and respecting local distinctiveness;
- 4 Ensure all components of the proposal, such as buildings, car parking, access routes, open space and landscaping, are well related to one another to ensure a well integrated, successful and attractive development;
- 5 Ensure there is no adverse effect on the residential amenity of existing areas, or adjacent land uses, or result in unacceptable standards for future users and occupiers of the development;
- 6 Ensure the retention and enhancement of existing trees, shrubs, hedges and other wildlife habitats where possible. Where environmental features are lost as a result of the proposal, appropriate mitigation measures should be put in place and on-site replacement of those features will be sought;
- 7 Include landscaping schemes (both hard and soft) to assist the integration of new development into existing areas and ensure that development on the edge of settlements is fully integrated into its surroundings;
- 8 Ensure that the necessary services and infrastructure can be incorporated without causing unacceptable harm to retained features;
- 9 Ensure that the layout and design incorporates adequate space for waste and recycling bin storage and collection.

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP6 - Residential Amenity

The amenity of residential areas will be protected from inappropriate development where that development:

- 1 is for a use inappropriate for residential areas; and/or
- 2 is of an unacceptable scale; and/or

- 3 leads to an unacceptable increase in traffic or noise; and/or
- 4 is visually intrusive.

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP8 - Renewable Energy

Proposals for renewable energy will be favourably considered provided that all of the following criteria are satisfied:

- 1 there is no unacceptable visual impact on the immediate and wider landscape and townscape;
- 2 there is no adverse impact on biodiversity;
- 3 any new structures would be sensitively incorporated into the surrounding landscape/ townscape and/or habitat and respect the local landscape character;
- 4 measures are taken to mitigate any noise, smell or other nuisance or pollutants likely to affect nearby occupiers, amenities and/or neighbouring land uses;
- 5 any waste arising as a result of the development is minimised and dealt with using a suitable means of disposal;
- 6 there would be no unacceptable levels of harm to features designated as of local, national or international importance;
- 7 adequate provision can be made for access and parking and the potential impact on the road network;
- 8 there would be no unacceptable conflict with any existing recreational facilities or routes;
- 9 there would be no unacceptable cumulative effects when proposals are considered together with any extant planning approvals or other existing renewable energy developments.

Item no: 03

Appn Ref No:

12/0025

Applicant:

McCarthy & Stone
Retirement Lifestyles Ltd

Parish:

Date of Receipt:

17/01/2012

Agent:

The Planning Bureau Ltd

Ward:

Stanwix Urban

Location:

Social Club And Field, St Augustine's Church,
Waverley Gardens, Carlisle, CA3 4JU

Grid Reference:

339737 557880

Proposal: Erection Of Retirement Housing For The Elderly Comprising 42No.
Apartments, Communal Facilities, Landscaping And Car Parking

Members resolved to defer consideration of the proposal in order to enable the applicant to consider the proposed proportional split between 1-bed and 2-bed units

and the number of parking spaces and to await a further report on the application at a future meeting of the Committee.

Item no: 04

Appn Ref No:

12/0403

Applicant:

Ben Hodgson Car Sales
Ltd

Parish:

Dalston

Date of Receipt:

10/05/2012 16:00:28

Agent:

Swarbrick Associates

Ward:

Dalston

Location:

Bridge End Service Station, Bridge End, Dalston,
Carlisle, CA5 7BH

Grid Reference:

337097 548729

Proposal: Erection Of Replacement Dwelling

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 Planning Application Form received 10th May 2012;
2. The Site Location Plan received 15th May 2012 (Drawing No.1479.p.10);
3. The Block Plan received 10th May 2012 (Drawing No.1479.p.00);
4. The Existing Plan received 10th May 2012 (Drawing No. 1479.p.02);
5. The Proposed Plan received 10th May 2012 (Drawing No. 1479.p.03);
6. The Design and Access Statement received 11th May 2012;
7. The Decision Notice.
8. Any such variation as is 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 building have been submitted to and approved by the Local Planning Authority. Such details shall include the type, colour and texture of the materials.

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

4. Details of the heights of the existing and proposed ground levels and the height of the proposed finished floor levels of the dwelling and access/parking areas shall be submitted to and approved, in writing, by the Local Planning Authority before any site works commence.

Reason: To ensure that the approved development overcomes any problems associated with the topography of the area and safeguards the living conditions of neighbouring residents in accordance with Policies CP5 of the Carlisle District Local Plan 2001-2016.

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. The development shall be implemented in accordance with the approved details, unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: To ensure that the design and materials to be used are appropriate and to ensure compliance with Policy LE19 of the Carlisle District Local Plan 2001-2016.

6. No development shall commence until the proposed means of surface water disposal have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the means of disposal is acceptable and to ensure compliance with Policy CP9 of the Carlisle District Local Plan 2001-2016.

7. 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. Site investigations should follow the guidance in BS10175.

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 off site receptors, in accordance with Policy CP13 of the Carlisle District Local Plan 2001-2016.

Summary of Reasons for the Decision

The decision to grant planning permission has been taken having regard to the Development Plan, including Supplementary Planning Guidance/ Documents and Design Guidance. The relevant Development Plan policies and Supplementary Guidance have been considered in conjunction with comments received from consultees (including statutory consultees) and any responses from third parties, together with other material planning considerations. On balance the proposal was regarded as acceptable and it was considered that the development does not cause demonstrable harm to interests of acknowledged importance that justifies withholding permission.

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP6 - Residential Amenity

The amenity of residential areas will be protected from inappropriate development where that development:

- 1 is for a use inappropriate for residential areas; and/or
- 2 is of an unacceptable scale; and/or
- 3 leads to an unacceptable increase in traffic or noise; and/or
- 4 is visually intrusive.

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP5 - Design

All new development proposals will be assessed against the following design principles. Proposals should:

- 1 Respond to the local context and the form of surrounding buildings in relation to height, scale and massing, and by making use of appropriate materials and detailing;
- 2 Take into consideration any important landscape or topographical features and

- respect local landscape character;
- 3 Reinforce local architectural features, where appropriate, promoting and respecting local distinctiveness;
 - 4 Ensure all components of the proposal, such as buildings, car parking, access routes, open space and landscaping, are well related to one another to ensure a well integrated, successful and attractive development;
 - 5 Ensure there is no adverse effect on the residential amenity of existing areas, or adjacent land uses, or result in unacceptable standards for future users and occupiers of the development;
 - 6 Ensure the retention and enhancement of existing trees, shrubs, hedges and other wildlife habitats where possible. Where environmental features are lost as a result of the proposal, appropriate mitigation measures should be put in place and on-site replacement of those features will be sought;
 - 7 Include landscaping schemes (both hard and soft) to assist the integration of new development into existing areas and ensure that development on the edge of settlements is fully integrated into its surroundings;
 - 8 Ensure that the necessary services and infrastructure can be incorporated without causing unacceptable harm to retained features;
 - 9 Ensure that the layout and design incorporates adequate space for waste and recycling bin storage and collection.

Carlisle District Local Plan 2001 - 2016
Core Development Policies - Policy CP11 - Protection Of Groundwaters And Surface Waters

Proposals for development which would cause demonstrable harm to the quality, quantity and associated ecological features of groundwater and surface waters will not be permitted.

Carlisle District Local Plan 2001 - 2016
Local Environment - Policy LE17 - Development Involving The Demolition Of Unlisted Buildings In Conservation Areas

There will be a general presumption in favour of the retention of buildings which make a positive contribution to the character or appearance of a conservation area. Applications for planning permission for development proposals that would require the total demolition of unlisted buildings in conservation areas will be assessed against the following criteria:

- 1 the contribution of the building to the landscape/townscape; and
- 2 the structural condition of the building; and
- 3 the suitability of the building for its existing, proposed or any other use; and
- 4 the cost of repair; and
- 5 the contribution which the demolition/ redevelopment would make to broader conservation objectives.
- 6 the inclusion of any building on a local list as defined in policy LE16

All proposals for demolition must be accompanied by details of redevelopment, which will normally be secured by means of a legal agreement.

Carlisle District Local Plan 2001 - 2016

Local Environment - Policy LE19 - Conservation Areas

The City Council will continue to review existing and designate new conservation areas. Development proposals within and adjoining conservation areas will be granted planning permission provided they preserve or enhance their character and appearance. Any new development or alterations to existing buildings should harmonise with their surroundings and be in sympathy with the setting, scale, density and physical characteristics of conservation areas, and protect important views into or out of such areas. Applications for outline planning permission will not be accepted for proposals in conservation areas.

Proposals for new development and/or alterations to buildings in conservation areas will be judged against the following criteria:

- 1 the development should preserve or enhance all features which contribute positively to the area's character or appearance, in particular the design, massing and height of the building should closely relate to adjacent buildings and should not have an unacceptable impact on the townscape or landscape;
- 2 the development should not have an unacceptable impact on the historic street patterns and morphology, roofscape, skyline and setting of the conservation area, important open spaces or significant views into, out of and within the area;
- 3 development proposals should not result in the amalgamation or redrawing of boundaries between traditional buildings and plots, or demolition and redevelopment behind retained facades;
- 4 wherever practicable traditional local materials such as brick, stone and slate should be used and incongruous materials should be avoided;
- 5 individual features both on buildings and contributing to their setting, should be retained e.g. doorways, windows, shopfronts, garden walls, railings, cobbled or flagged forecourts, sandstone kerbs, trees and hedges, etc. Where features have deteriorated to the extent to which they have to be replaced, the replacement should match the original;
- 6 proposals which would generate a significant increase in traffic movements and heavy vehicles or excessive parking demands will not be permitted since these would be prejudicial to amenity;
- 7 proposals which would require substantial car parking and servicing areas which can not be provided without an adverse effect on the site and its surroundings will not be permitted.

Carlisle District Local Plan 2001 - 2016

Housing - Policy H10 - Replacement Dwellings In The Rural Area

The replacement of recently occupied permanent dwellings, with existing use rights, located within the rural area will be permitted provided that:

- 1 The new dwelling is located on or close to the site of the original dwelling; and
- 2 the scale of the dwelling is no greater than a 15% increase in the footprint of the original dwelling; and

- 3 the design of the replacement dwelling is appropriate to its location and complements the character and architectural detail of other dwellings in the locality; and
- 4 the proposal does not adversely affect the amenity of the area or adjoining property; and
- 5 appropriate access and parking arrangements can be provided

This policy is not intended to allow small houses to be replaced by much larger properties.

Carlisle District Local Plan 2001 - 2016

Transport - Policy T1- Parking Guidelines For Development

The level of car parking provision for development will be determined on the basis of the following factors:

- 1 the Parking Guidelines for Cumbria as updated by additional requirements in PPG 13;
- 2 the availability of public car parking in the vicinity;
- 3 the impact of parking provision on the environment of the surrounding area;
- 4 the likely impact on the surrounding road network; and
- 5 accessibility by and availability of, other forms of transport.

Item no: 05

Appn Ref No:

12/0406

Applicant:

Ben Hodgson Car Sales
Ltd

Parish:

Dalston

Date of Receipt:

11/05/2012 13:00:32

Agent:

Swarbrick Associates

Ward:

Dalston

Location:

Bridge End Service Station, Bridge End, Dalston,
Carlisle, CA5 7BH

Grid Reference:

337097 548729

Proposal: Demolition Of Existing Dwelling To Provide Additional Vehicle Display Area

Members resolved to defer consideration of the proposal in order to discuss with the applicant the possibility of allocating a number of the parking spaces towards Customer parking rather than sales and to await a further report on the application at a future meeting of the Committee.

Item no: 06

Appn Ref No:
12/0417

Applicant:
Ben Hodgson Car Sales
Ltd

Parish:
Dalston

Date of Receipt:
14/05/2012 13:00:31

Agent:
Swarbrick Associates

Ward:
Dalston

Location:
Bridge End Service Station, Bridge End, Dalston,
Carlisle, CA5 7BH

Grid Reference:
337097 548729

Proposal: Demolition Of Existing Dwelling (Conservation Area Consent)

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 consent shall comprise:

1. The Planning Application Form received 14th May 2012;
2. The Site Location Plan received 15th May 2012 (Drawing No.1479.p.10);
3. The Block Plan received 14th May 2012 (Drawing No.1479.p.00);
4. The Existing Plan received 14th May 2012 (Drawing No. 1479.p.02);
5. The Decision Notice.
6. Any such variation as is approved in writing by the Local Planning Authority.

Reason: To define the permission.

3. The building shall not be demolished before a contract for the carrying out of works of redevelopment of the site has been made and planning permission has been granted for the redevelopment for which the contract provides.

Reason: To safeguard against premature demolition in accord with Policies LE17 and LE19 of the Carlisle District Local Plan 2001-2016.

Summary of Reasons for the Decision

The decision to grant planning permission has been taken having regard to the Development Plan, including Supplementary Planning Guidance/ Documents and Design Guidance. The relevant Development Plan policies and Supplementary Guidance have been considered in conjunction with comments received from consultees (including statutory consultees) and any responses from third parties, together with other material planning considerations. On balance the proposal was regarded as acceptable and it was considered that the development does not cause demonstrable harm to interests of acknowledged importance that justifies withholding permission.

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP5 - Design

All new development proposals will be assessed against the following design principles. Proposals should:

- 1 Respond to the local context and the form of surrounding buildings in relation to height, scale and massing, and by making use of appropriate materials and detailing;
- 2 Take into consideration any important landscape or topographical features and respect local landscape character;
- 3 Reinforce local architectural features, where appropriate, promoting and respecting local distinctiveness;
- 4 Ensure all components of the proposal, such as buildings, car parking, access routes, open space and landscaping, are well related to one another to ensure a well integrated, successful and attractive development;
- 5 Ensure there is no adverse effect on the residential amenity of existing areas, or adjacent land uses, or result in unacceptable standards for future users and occupiers of the development;
- 6 Ensure the retention and enhancement of existing trees, shrubs, hedges and other wildlife habitats where possible. Where environmental features are lost as a result of the proposal, appropriate mitigation measures should be put in place and on-site replacement of those features will be sought;
- 7 Include landscaping schemes (both hard and soft) to assist the integration of new development into existing areas and ensure that development on the edge of settlements is fully integrated into its surroundings;
- 8 Ensure that the necessary services and infrastructure can be incorporated without causing unacceptable harm to retained features;
- 9 Ensure that the layout and design incorporates adequate space for waste and recycling bin storage and collection.

Carlisle District Local Plan 2001 - 2016

Local Environment - Policy LE17 - Development Involving The Demolition Of Unlisted Buildings In Conservation Areas

There will be a general presumption in favour of the retention of buildings which make a positive contribution to the character or appearance of a conservation area. Applications for planning permission for development proposals that would require the total demolition of unlisted buildings in conservation areas will be assessed against the following criteria:

- 1 the contribution of the building to the landscape/townscape; and
- 2 the structural condition of the building; and
- 3 the suitability of the building for its existing, proposed or any other use; and
- 4 the cost of repair; and
- 5 the contribution which the demolition/ redevelopment would make to broader conservation objectives.
- 6 the inclusion of any building on a local list as defined in policy LE16

All proposals for demolition must be accompanied by details of redevelopment, which will normally be secured by means of a legal agreement.

Carlisle District Local Plan 2001 - 2016

Local Environment - Policy LE19 - Conservation Areas

The City Council will continue to review existing and designate new conservation areas. Development proposals within and adjoining conservation areas will be granted planning permission provided they preserve or enhance their character and appearance. Any new development or alterations to existing buildings should harmonise with their surroundings and be in sympathy with the setting, scale, density and physical characteristics of conservation areas, and protect important views into or out of such areas. Applications for outline planning permission will not be accepted for proposals in conservation areas.

Proposals for new development and/or alterations to buildings in conservation areas will be judged against the following criteria:

- 1 the development should preserve or enhance all features which contribute positively to the area's character or appearance, in particular the design, massing and height of the building should closely relate to adjacent buildings and should not have an unacceptable impact on the townscape or landscape;
- 2 the development should not have an unacceptable impact on the historic street patterns and morphology, roofscape, skyline and setting of the conservation area, important open spaces or significant views into, out of and within the area;
- 3 development proposals should not result in the amalgamation or redrawing of boundaries between traditional buildings and plots, or demolition and redevelopment behind retained facades;
- 4 wherever practicable traditional local materials such as brick, stone and slate should be used and incongruous materials should be avoided;
- 5 individual features both on buildings and contributing to their setting, should be retained e.g. doorways, windows, shopfronts, garden walls, railings, cobbled or flagged forecourts, sandstone kerbs, trees and hedges, etc. Where features have deteriorated to the extent to which they have to be replaced, the replacement should match the original;

- 6 proposals which would generate a significant increase in traffic movements and heavy vehicles or excessive parking demands will not be permitted since these would be prejudicial to amenity;
- 7 proposals which would require substantial car parking and servicing areas which can not be provided without an adverse effect on the site and its surroundings will not be permitted.

Item no: 07

Appn Ref No:
12/0438

Applicant:
Mr P B J Fontana

Parish:
Carlisle

Date of Receipt:
18/05/2012

Agent:
Jock Gordon

Ward:
Belah

Location:
57 Kingstown Road, Carlisle, Cumbria, CA3 0AB

Grid Reference:
339734 558108

Proposal: Change Of Use From A1 (Shop) To A5 (Hot Food Takeaway) And Single Storey Rear Extension To Provide Preparation Room, Store And W.C., And Erection Of Flue Pipe To Rear Elevation (Revised Application)

Refuse Permission

1. **Reason:** The proposal involves an intensification of the use of the site which will increase the amount of pedestrian and vehicular movement, which, together with people congregating in this residential area, would undermine the amenity of the occupiers of the neighbouring properties and would be detrimental to the character of this primarily residential area, contrary to Policy H2 of the Carlisle District Local Plan 2001-2016.

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016
Housing - Policy H2 - Primary Residential Areas

Within the Primary Residential Areas defined on the Inset Maps for Carlisle, Brampton and Longtown, proposals for new residential development will be acceptable provided that:

- 1 existing areas of open space and other amenity areas are safeguarded; and

- 2 the proposed development does not adversely affect the amenity of adjacent residential property; and
- 3 the proposed development complements or enhances existing adjacent residential areas and their amenity; and
- 4 satisfactory access and appropriate parking arrangements can be achieved.

Proposals for non-residential uses will be permitted in Primary Residential Areas provided that they do not adversely affect residential amenity. Development that would create unacceptable noise, smell, safety and health impacts or excessive traffic generation will not be acceptable. The traffic impact of new development upon existing residents through inconvenience and detrimental effect will be taken into account. Such schemes falling within the scope of this policy will be considered against the above criteria as well as other policies of the Plan appropriate for the proposed use.

Outside the Primary Residential Areas and sites allocated under Proposal H16 for Carlisle, Brampton and Longtown, applications for residential development, including redevelopment and the change of use of vacant and underused buildings, will be only be permitted provided that:

- 1 satisfactory housing conditions can be achieved; and
- 2 the proposal will complement the existing character of the area; and
- 3 the proposal will not adversely affect the amenity of the area; and
- 4 satisfactory access can be provided; and
- 5 appropriate parking arrangements can be made.

Carlisle District Local Plan 2001 - 2016

Economic & Commercial Growth - Policy EC10 Food And Drink

Within the Plan area, proposals for uses within Use Class A3 (restaurants and cafes), A4 (drinking establishments) and A5 (hot food takeaways) will be approved provided that:

- 1 The proposal does not involve unacceptable disturbance to occupiers of residential property; and
- 2 The proposal does not involve unacceptable intrusion into open countryside; and
- 3 The proposal, whether new development or conversion complements surrounding development or the character of the existing building; and
- 4 Appropriate access and parking can be provided; and
- 5 Throughout the Plan area opening hours will be imposed having regard to the surrounding uses, the character of the area and the possibility of disturbance to residential areas.

Proposals for A3, A4 and A5 related uses should be situated in accessible locations, within or adjacent to existing centres in line with the sequential approach in PPS6 unless material considerations dictate otherwise.

Carlisle District Local Plan 2001 - 2016

Spatial Strategy & Development Principles - Policy DP1 - Sustainable Development Locations

All proposals for development will be assessed against their ability to promote sustainable development. Proposals will be considered favourably in the following locations, provided they are in scale with their location and consistent with other Policies of this Local Plan.

Urban Area	City of Carlisle	
Key Service Centres	Brampton Longtown	
Local Service Centres	Burgh by Sands Castle Carrock Cummersdale Cumwhinton Dalston Gilsland Great Corby Great Orton Hallbankgate Hayton	Heads Nook Houghton Irthington Raughton Head Rockcliffe Scotby Smithfield Thurstonfield Warwick Bridge Wetheral

Proposals for development within these locations will be assessed on the basis of the need for development to be in the location specified.

Within the Urban Area proposals for retail, office and leisure developments will be subject to a sequential approach which requires that locations be considered as follows: firstly within the City Centres; secondly edge-of-centre locations; and thirdly the remainder of the urban area.

Proposals for residential development will be considered against the need to give priority to the reuse of previously developed land, with particular emphasis on vacant and derelict sites and buildings.

Settlement Boundaries have been established on the Proposals Map to recognise the extent of built development or where planning permission already exists to judge proposals for development and are not indicative of land ownership.

Outside these locations development will be assessed against the needs to be in the location specified.

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP5 - Design

All new development proposals will be assessed against the following design principles. Proposals should:

- 1 Respond to the local context and the form of surrounding buildings in relation to height, scale and massing, and by making use of appropriate materials and detailing;

- 2 Take into consideration any important landscape or topographical features and respect local landscape character;
- 3 Reinforce local architectural features, where appropriate, promoting and respecting local distinctiveness;
- 4 Ensure all components of the proposal, such as buildings, car parking, access routes, open space and landscaping, are well related to one another to ensure a well integrated, successful and attractive development;
- 5 Ensure there is no adverse effect on the residential amenity of existing areas, or adjacent land uses, or result in unacceptable standards for future users and occupiers of the development;
- 6 Ensure the retention and enhancement of existing trees, shrubs, hedges and other wildlife habitats where possible. Where environmental features are lost as a result of the proposal, appropriate mitigation measures should be put in place and on-site replacement of those features will be sought;
- 7 Include landscaping schemes (both hard and soft) to assist the integration of new development into existing areas and ensure that development on the edge of settlements is fully integrated into its surroundings;
- 8 Ensure that the necessary services and infrastructure can be incorporated without causing unacceptable harm to retained features;
- 9 Ensure that the layout and design incorporates adequate space for waste and recycling bin storage and collection.

Item no: 08

Appn Ref No:
12/0089

Applicant:
Mr Tom Johnston

Parish:
St Cuthberts Without

Date of Receipt:
06/02/2012

Agent:
Aeolus Renewable Energy
Limited

Ward:
Dalston

Location:
High Burnthwaite Farm, Durdar, Carlisle

Grid Reference:
340943 548170

Proposal: Erection Of A Single Wind Turbine 50m Hub Height, 78m To Tip Height And Associated Infrastructure And Services Including Access Track, External Compact Substation With Underground Cable And Crane Hard Standing

Refuse Permission

1. **Reason:** The turbine is a tall, man made intrusion that cannot be deemed protective of the intrinsic character and beauty of its surroundings. Due to the size, scale and position of the proposed turbine, it is

considered to be detrimental to the landscape and visual character of the area and that these effects outweigh the potential benefits associated with scheme. The proposal is therefore considered to be contrary to the objectives of Policies EM1 (A) and EM17 of the Regional Spatial Strategy to 2021, Policy R44 of the Joint Structure Plan 2001-2016, the objectives of Policy CP1, criterion 2 of Policy CP5 together with criteria 1 and 3 of Policy CP8 of the Carlisle District Local Plan 2001-2016.

Relevant Development Plan Policies

The North West Of England Plan Regional Spatial Strategy To 2021 Policy EM 1: Integrated Enhancement And Protection Of The Region's Environmental Assets

The Region's environmental assets should be identified, protected, enhanced and managed.

Plans, strategies, proposals and schemes should deliver an integrated approach to conserving and enhancing the landscape, natural environment, historic environment and woodlands of the region.

Plans and strategies should define spatial objectives and priorities for conservation, restoration and enhancement as appropriate, and provide area-based guidelines to direct decisions and target resources. These will be founded on a sound understanding of the diversity, distinctiveness, significance and sensitivity of the region's environmental assets, and informed by sub-regional environmental frameworks. Special consideration will be given to the impacts of climate change and adaptation measures.

Priority should be given to conserving and enhancing areas, sites, features and species of international, national, regional and local landscape, natural environment and historic environment importance.

Where proposals and schemes affect the region's landscape, natural or historic environment or woodland assets, prospective developers and/or local authorities should first avoid loss of or damage to the assets, then mitigate any unavoidable damage and compensate for loss or damage through offsetting actions with a foundation of no net loss in resources as a minimum requirement.

With regard to specific elements of this integrated approach, the following should be taken into account:

The North West Of England Plan Regional Spatial Strategy To 2021

Policy EM1 (A): Landscape

Plans, strategies, proposals and schemes should identify, protect, maintain and enhance natural, historic and other distinctive features that contribute to the character of landscapes and places within the North West.

They should be informed by and recognise the importance of:

- detailed landscape character assessments and strategies, which local authorities should produce, set in the context of the North West Joint Character Area Map ⁽⁹³⁾. These will be used to identify priority areas for the maintenance, enhancement and/or restoration of that character and will under-pin and act as key components of criteria-based policies in LDFs;
- the special qualities of the environment associated with the nationally designated areas of the Lake District National Park, the Yorkshire Dales National Park, the Peak District National Park, the Forest of Bowland Area of Outstanding Natural Beauty (AONB), the Arnside and Silverdale AONB, the North Pennines AONB and Solway Coast AONB and their settings;
- the characteristics and setting of World Heritage Sites.

The North West Of England Plan Regional Spatial Strategy To 2021 Policy EM 17: Renewable Energy

In line with the North West Sustainable Energy Strategy, by 2010 at least 10% (rising to at least 15% by 2015 and at least 20% by 2020) of the electricity which is supplied within the Region should be provided from renewable energy sources. To achieve this new renewable energy capacity should be developed which will contribute towards the delivery of the indicative capacity targets set out in Tables 9.6 and 9.7a-c. In accordance with PPS22, meeting these targets is not a reason to refuse otherwise acceptable development proposals.

Local authorities should work with stakeholders in the preparation of sub regional studies of renewable energy resources so as to gain a thorough understanding of the supplies available and network improvements, and how they can best be used to meet national, regional and local targets. These studies should form the basis for:

- informing a future review of RSS to identify broad locations where development of particular types of renewable energy may be considered appropriate ⁽¹¹⁹⁾; and
- establishing local strategies for dealing with renewable resources, setting targets for their use which can replace existing sub regional targets for the relevant authorities.

Plans and strategies should seek to promote and encourage, rather than restrict, the use of renewable energy resources. Local planning authorities should give significant weight to the wider environmental, community and economic benefits of proposals for renewable energy schemes to:

- contribute towards the capacities set out in tables 9.6 and 9.7 a-c; and

- mitigate the causes of climate change and minimise the need to consume finite natural resources.

Opportunities should be sought to identify proposals and schemes for renewable energy. The following criteria should be taken into account but should not be used to rule out or place constraints on the development of all, or specific types of, renewable energy technologies:

- anticipated effects on local amenity resulting from development, construction and operation of schemes (e.g. air quality, atmospheric emissions, noise, odour, water pollution and disposal of waste). Measures to mitigate these impacts should be employed where possible and necessary to make them acceptable;
- acceptability of the location/scale of the proposal and its visual impact in relation to the character and sensitivity of the surrounding landscape, including cumulative impact. Stringent requirements for minimising impact on landscape and townscape would not be appropriate if these effectively preclude the supply of certain types of renewable energy, other than in the most exceptional circumstances such as within nationally recognised designations as set out in PPS22 paragraph 11;
- effect on the region's World Heritage Sites and other national and internationally designated sites or areas, and their settings but avoiding the creation of buffer zones and noting that small scale developments may be permitted in such areas provided there is no significant environmental detriment;
- effect of development on nature conservation features, biodiversity and geodiversity, including sites, habitats and species, and which avoid significant adverse effects on sites of international nature conservation importance by assessment under the Habitats Regulations;
- maintenance of the openness of the Region's Green Belt;
- potential benefits of development to the local economy and the local community;
- accessibility (where necessary) by the local transport network;
- effect on agriculture and other land based industries;
- ability to make connections to the electricity distribution network which takes account of visual impact (as qualified above);
- integration of the proposal with existing or new development where appropriate;
- proximity to the renewable fuel source where relevant – e.g. wood-fuel biomass processing plants within or in close proximity to the region's major woodlands and forests;
- encourage the integration of combined heat and power (CHP), including micro CHP into development.

Developers must engage with local communities at an early stage of the development process prior to submission of any proposals and schemes for approval under the appropriate legislation.

Cumbria and Lake District Joint Structure Plan 2001 – 2016

Policy R44: Renewable energy outside the Lake District National Park and AONBs

Outside the Lake District National Park and AONBs proposals for renewable energy including any ancillary infrastructure or buildings will be favourably considered if:

1. there is no significant adverse effect on the landscape character, biodiversity and the natural and built heritage of the area either individually or cumulatively through their relationship with other utility infrastructure
2. there is no significant adverse effect on local amenity, the local economy, highways, aircraft operations or telecommunications,
3. the proposal takes all practicable measures to reduce any adverse impact on landscape, environmental, nature conservation, historical and local community interests,

In considering applications for planning permission in relation to the above criteria, and other policies in this plan, the environmental, economic and energy benefits of renewable energy proposals should be given significant weight.

There are additional requirements in the following cases:

Wind energy development

4. measures should be included to secure the satisfactory removal of structures/ related infrastructure and remediation of land following cessation of operation of the installation,

New plant for the commercial generation of energy from biomass

5. shall be sited on existing industrial/ employment sites or previously developed land that is well related to the resource catchment.

Where practicable measures to transport fuel and waste by water or rail shall be made.

Proposals for the recovery of energy from agriculture waste within existing farm units or sewage sludge

6. shall be well related to the activity, scale and character of the existing business/enterprise and /or setting.

Cumbria and Lake District Joint Structure Plan 2001 – 2016

Policy E35: Areas and Features of nature conservation interests other than those of national and international conservation importance

Development and other land use changes that are detrimental to these nature conservation interests will not be permitted unless the harm caused to the value of those interests is outweighed by the need for the development. Where development

is permitted the loss of nature conservation interest should be minimised and, where practicable, mitigation should be provided.

These nature conservation interests are defined as:

- County Wildlife Sites (CWSs)
- Regionally Important Geological or Geomorphological Sites (RIGGS)
- The UK Biodiversity Action Plan Priority Habitats that occur in Cumbria
- Species of Conservation Importance in the North West Region that occur in Cumbria
- Landscape features of major importance for wild fauna and flora, which are essential for migration dispersal and genetic exchange
- Local nature reserves

Cumbria and Lake District Joint Structure Plan 2001 – 2016

Policy E37: Landscape character

Development and land use change should be compatible with the distinctive characteristics and features of Cumbria's landscape types and sub types.

Proposals will be assessed in relation to:

1. locally distinctive natural or built features,
2. visual intrusion or impact,
3. scale in relation to the landscape and features,
4. the character of the built environment,
5. public access and community value of the landscape,
6. historic patterns and attributes,
7. biodiversity features, ecological networks and seminatural habitats, and
8. openness, remoteness and tranquillity.

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP1 - Landscape Character

Proposals for development in the rural area must seek to conserve and enhance the special features and diversity of the different landscape character areas.

Development will be considered appropriate to the character of the landscape provided the proposal has regard to and conserves:

the landform and natural patterns of drainage;

- the pattern of trees and woodland;
- the habitats of species of importance for wildlife;
- the pattern and composition of field boundaries;
- the pattern of historic landscape features;
- the pattern and distribution of settlements

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP2 - Biodiversity

Proposals in both the rural and urban area should not harm the integrity of the biodiversity resource as judged by key nature conservation principles, and proposals should seek to conserve and enhance the biodiversity value of the areas which they affect.

In areas where species protected under national and European legislation are most likely to occur, special account will be given to their presence in the consideration of development proposals.

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP6 - Residential Amenity

The amenity of residential areas will be protected from inappropriate development where that development:

- 1 is for a use inappropriate for residential areas; and/or
- 2 is of an unacceptable scale; and/or
- 3 leads to an unacceptable increase in traffic or noise; and/or
- 4 is visually intrusive.

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP8 - Renewable Energy

Proposals for renewable energy will be favourably considered provided that all of the following criteria are satisfied:

- 1 there is no unacceptable visual impact on the immediate and wider landscape and townscape;
- 2 there is no adverse impact on biodiversity;
- 3 any new structures would be sensitively incorporated into the surrounding landscape/ townscape and/or habitat and respect the local landscape character;
- 4 measures are taken to mitigate any noise, smell or other nuisance or pollutants likely to affect nearby occupiers, amenities and/or neighbouring land uses;
- 5 any waste arising as a result of the development is minimised and dealt with using a suitable means of disposal;
- 6 there would be no unacceptable levels of harm to features designated as of local, national or international importance;
- 7 adequate provision can be made for access and parking and the potential impact on the road network;
- 8 there would be no unacceptable conflict with any existing recreational facilities or routes;
- 9 there would be no unacceptable cumulative effects when proposals are considered together with any extant planning approvals or other existing renewable energy developments.

Appn Ref No:
12/0511

Applicant:
ND Homes

Parish:
St Cuthberts Without

Date of Receipt:
15/06/2012

Agent:

Ward:
Dalston

Location:
Former Stables, Horsebox & Lorry Park, Land
adjacent Blackwell House, Durdar Road, Carlisle,
CA2 4TS

Grid Reference:
340190 552957

Proposal: Variation To The Wording Of Conditions 4 (Level 3 Survey); 7 (Widening Of Durdar Road); 8 (Access And Parking/Turning Requirements) And 9 (Construction Of Estate Road) Of Previously Approved Planning Permission 09/0216 To Alter The Timescales Within Which The Respective Works Have To Be Undertaken

Grant Permission

1. The development shall be begun not later than 28th January 2013.

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 consent comprise:

1. The Planning Application Form received 15th June 2012;
2. The site location plan received 15th June 2012 (Drawing No. 11260);
3. The site layout plan illustrating Plots 1 and 2 received 16th July 2012 (Drawing No. 11260/5000A);
4. The Planning Statement received 15th June 2012;
5. The Notice of Decision; and
6. Any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

3. The development shall be carried out in accordance with the conditions attached to the "Full" application 09/0216 with the exception of conditions 4, 7, 8 and 9 which have been varied by this permission, and any subsequent variation to that consent.

Reason: For the avoidance of doubt.

4. Prior to the carrying out of any construction, conversion or (in the case of 68 Durdar Road), demolition works to them, the existing buildings termed in the 2005 archaeological assessment report as '68 Durdar Road', the 'south building' and the 'south range' shall be recorded in accordance with a Level 3 survey as described by English Heritage's document Understanding Historic Buildings A Guide to Good Recording Practice, 2006 and, following its completion, 3 copies of that 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 and demolition as part of the proposed development in accordance with Policy LE8 of the Carlisle District Local Plan.

5. No development, other than the construction of the houses proposed on Plots 1 and 2, shall be commenced until such time as the widening of Durdar Road in order to accommodate vehicles turning right into the development and junction improvement works have been completed in accordance with such details that form part of an agreement with the Highway Authority under Section 278 of the Highway Act 1980, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In order to ensure that the highway network can accommodate the traffic associated with the development and to support Local Transport Plan Policies LD5, LD7, and LD8.

6. With the exception of the construction of the houses proposed on Plots 1 and 2, the access and parking/turning requirements shall be substantially met before any building work commences on site so that constructional traffic can park and turn clear of the highway.

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 Policy LD8.

7. With the exception of the occupation of the houses proposed on Plots 1 and 2, no dwellings shall be occupied until the estate road to serve such dwellings has been constructed in all respects to base course level and street lighting has been provided and brought into full operational use.

Reason: In the interests of highway safety and to support Local Transport Plan Policies S3, S4 and LD9.

8. Neither dwelling on Plots 1 and 2 shall be occupied until the vehicular access and parking requirements have been constructed in accordance with the

approved layout plan (Drawing No. 11260/5000A) and brought into use. These facilities shall be retained and capable of use at all times thereafter, until such time as the access approved under Planning Consent 09/0216 (and any renewal thereof) is completed as part of a later phase of the consented development.

Reason: To ensure a minimum standard of access provision when the development is brought into use and to support Local Transport Plan Policies LD5, LD7 and LD8.

9. The whole of the interim vehicular access area bounded by the carriageway edge and the highway boundary, as shown on Drawing No. 11260/5000A, shall be constructed and drained to the specification of the Local Highways Authority. It shall be constructed with a view to being removed, with the verge reinstated, once the consented Shared Access Way approved under Planning Consent 09/0216 is constructed at a later phase in the overall development.

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

Summary of Reasons for the Decision

The decision to grant planning permission has been taken having regard to the Development Plan, including Supplementary Planning Guidance/ Documents and Design Guidance. The relevant Development Plan policies and Supplementary Guidance have been considered in conjunction with comments received from consultees (including statutory consultees) and any responses from third parties, together with other material planning considerations. On balance the proposal was regarded as acceptable and it was considered that the development does not cause demonstrable harm to interests of acknowledged importance that justifies withholding permission.

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP5 - Design

All new development proposals will be assessed against the following design principles. Proposals should:

- 1 Respond to the local context and the form of surrounding buildings in relation to height, scale and massing, and by making use of appropriate materials and detailing;
- 2 Take into consideration any important landscape or topographical features and respect local landscape character;
- 3 Reinforce local architectural features, where appropriate, promoting and respecting local distinctiveness;

- 4 Ensure all components of the proposal, such as buildings, car parking, access routes, open space and landscaping, are well related to one another to ensure a well integrated, successful and attractive development;
- 5 Ensure there is no adverse effect on the residential amenity of existing areas, or adjacent land uses, or result in unacceptable standards for future users and occupiers of the development;
- 6 Ensure the retention and enhancement of existing trees, shrubs, hedges and other wildlife habitats where possible. Where environmental features are lost as a result of the proposal, appropriate mitigation measures should be put in place and on-site replacement of those features will be sought;
- 7 Include landscaping schemes (both hard and soft) to assist the integration of new development into existing areas and ensure that development on the edge of settlements is fully integrated into its surroundings;
- 8 Ensure that the necessary services and infrastructure can be incorporated without causing unacceptable harm to retained features;
- 9 Ensure that the layout and design incorporates adequate space for waste and recycling bin storage and collection.

Carlisle District Local Plan 2001 - 2016

Housing - Policy H1 - Location Of New Housing Development

New housing development will be located in sustainable locations in accordance with PPS3: *Housing*, Regional Planning Guidance and the Joint Structure Plan. During the Plan period 80% of new development will be located within the urban area of Carlisle, including allocated sites on the edge of the City referred to in Proposal H16. The remaining 20% will be permitted in the rural area of the District with the focus on the two Key Service Centres of Brampton and Longtown.

In the remainder of the rural area small-scale development will be located in accordance with Policy DP1 and other policies of this Plan to ensure that:

- 1 the site is well related to the landscape of the area and does not intrude into open countryside; and
- 2 the scale of the proposed development is well related to the scale, form and character of the existing settlement; and
- 3 the layout of the site and the design of the buildings is well related to existing property in the village; and
- 4 the siting and design of the buildings is well related to and does not adversely affect the amenity of neighbouring property; and
- 5 appropriate access and parking can be achieved; and
- 6 the proposal will not lead to the loss of amenity open space within or at the edge of the settlement; and
- 7 the proposal will not lead to the loss of the best and most versatile agricultural land.

Settlement boundaries have been drawn for the following Local Service Centres within which proposals will be judged against the above criteria.

Burgh-by-Sands
Cumwhinton

Castle Carrock
Dalston

Cummersdale
Gilsland

Great Corby	Great Orton	Hallbankgate
Hayton	Heads Nook	Houghton
Irthington	Raughton Head	Rockcliffe
Scotby	Smithfield	Thurstonfield
Warwick Bridge (including Little Corby & Corby Hill)	Wetheral	

In the following settlements small-scale infilling (development between an otherwise continuous frontage) will be allowed where this does not conflict with the criteria above and is evidenced by local need to be in that location. S106 agreements may be used to ensure local occupancy to provide for the identified need.

Blackwell	Cardewlees	Cargo
Carleton	Cotehill	Cumwhitton
Durdar	Faugh	Harker
Hethersgill	How Mill	Lanercost
Laversdale	Low Row	Monkhill
Moorhouse	Talkin	Todhills
Walton	Warwick-on-Eden	Wreay

Carlisle District Local Plan 2001 - 2016

Housing - Policy H16 - Residential Land Allocations

To provide for housing needs an additional 4955 dwellings are required between April 1st 2002 and March 31st 2016. This figure takes account of the number of outstanding permissions at 1st April 2002. Making allowances for windfall sites provision, land for a further 2190 dwellings is allocated for primary residential purposes, providing for a variety of housing needs. The additional sites, are set out in the table below and subsequent paragraphs. All housing developments will be closely monitored to ensure that the scale of residential development relates to the Structure Plan requirement.

RESIDENTIAL ALLOCATIONS FOR THE URBAN AREA

					Brown field	Green field	Total
Structure Plan Target					2275	1225	3500
Allowance for Raffles dwellings demolished					540		540
(A) Overall Requirement					2815	1225	4040
(B) Permissions 01/04/02-31/03/05					1016	25	1041
(C) Windfall allowance @ 50 per annum					550		550
Total to be allocated A – B + C					1249	1200	2449
(D) Sites to be allocated:	ha	B/fld	G/fld	Total			
Rome Street/Railway Land	2.10	48		48			
77-87 Burgh Road	0.79		28	28			

Land adjacent H K Campbell School	0.90	33		33			
Wakefield Road/Lowry Hill	1.86	60	20	80			
Key Safety Systems Norfolk Street	1.32	100		100			
Carrs Field, Caxton Road	3.82		125	125			
Lindisfarne Street	3.1	130		130			
Nelson Street	2.0	103		103			
Milbourne Street	0.38	30		30			
Cavaghan & Gray London Rd	2.1	104		104			
Laings Site Dalston Road	1.74	90		90			
Penguin Factory Westmorland Street	0.64	64		64			
Hilltop Heights	0.31	80		80			
Harraby Green Road	1.05	45		45			
St Nicholas	0.42	50		50			
Deer Park	3.9	60		60			
Carlisle Racecourse/L owry Street	0.33	43		43			
Carleton Clinic (Former Garlands Site)	4.19	100		100			
Durranhill	4.80	100		100			
Morton Development	38.3 1		800	800			
Raffles replacement	10.6	500		500			
(D) Total allocated					1740	973	2713
over/under allocation (+/-)					+491	-227	+264

The negative/positive figures in this table illustrate that the Council will seek to achieve higher brownfield targets by allocating sites above the 65% threshold in the Structure Plan.

RESIDENTIAL ALLOCATIONS FOR THE RURAL AREA

					Brown field	Green field	Total
Structure Plan Target					366	549	915
(A) Overall Requirement					366	549	915
(B) Permissions 01/04/02-31/03/05					284	179	463
Total to be allocated A – B					82	370	452
(C) Sites to be allocated:	ha	B/fld	G/fld	Total			
Longtown South of Moor Road	0.88		26	26			
Longtown Sawmill	1.96	78		78			
Longtown between Mill Street/Burn Street/A6071 (Suttons)	0.65	24		24			
Highway Depot Station Road Brampton	0.8	32		32			
(D) Total allocated					134	26	160
over/under allocation (+/-)					+52	-344	-292

Note the Brownfield rural target has been exceeded however annual targets will still have to be met from any remaining permissions available.

Carlisle District Local Plan 2001 - 2016

Local Environment - Policy LE8 - Archaeology On Other Sites

On land for which there is no archaeological information, but where there are reasonable grounds for believing remains to be present, the City Council will ensure that the archaeological aspects of development proposals are examined and evaluated before planning applications are determined. Planning permission will not be granted without adequate assessment of the archaeological implications.

Carlisle District Local Plan 2001 - 2016

Transport - Policy T1- Parking Guidelines For Development

The level of car parking provision for development will be determined on the basis of the following factors:

- 1 the Parking Guidelines for Cumbria as updated by additional requirements in PPG 13;
- 2 the availability of public car parking in the vicinity;
- 3 the impact of parking provision on the environment of the surrounding area;
- 4 the likely impact on the surrounding road network; and

5 accessibility by and availability of, other forms of transport.

Item no: 10

Appn Ref No:
12/0195

Applicant:
Mr J Vevers

Parish:
Hayton

Date of Receipt:
06/03/2012 13:00:21

Agent:
Syke Construction Ltd

Ward:
Hayton

Location:
Karibu, How Mill, Brampton, CA8 9LL

Grid Reference:
351913 556671

Proposal: Erection Of Detached Garage/Store In Conjunction With Animal Foot Trimming Business; Provision Of 3No. Parking Spaces; Installation Of Wash Area And Associated Drainage Together With Landscaping Scheme

Grant Permission

1. The approved documents for this Planning Permission comprise:

1. the Planning Application Form received 24th April 2012;
2. the Location Plan received 24th April 2012 (Drawing no. 01A);
3. the Site Plan received 23rd July 2012 (Drawing no. 02D);
4. the Proposed Garage/ Store received 24th April 2012 (Drawing no. 03);
5. the Floor Plan received 20th March 2012 (Drawing no. 04);
6. the Design and Access Statement received 24th April 2012;
7. the letter received from W. Vevers dated 20th May 2012;
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.

2. This permission shall not be exercised by any other person or business other than the occupier of Karibu, How Mill, Brampton unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the site is not subdivided to ensure that the living conditions of the future occupiers of the property are not adversely affected in accordance with Policy CP5 of the Carlisle District Local

Plan 2001-2016.

4. The site shall be used for the storage and maintenance of equipment associated with the Animal Chiropody business together with associated parking and wash area and for no other purpose.

Reason: To preclude the possibility of the use of the premises for purposes inappropriate in the locality occupiers in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

5. Within 1 month from the date of this permission, details of the relative heights of the existing ground level and the height of the proposed finished level of the concrete yard shall be submitted to an approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details.

Reason: In order that the approved development overcomes any problems associated with the topography of the area in accordance with Policy CP12 of the Carlisle District Local Plan 2001-2016.

6. Within 1 month from the date of this permission, details of size and position of the rainwater harvesting tanks shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be undertaken in accordance with the approved details and retained for use unless otherwise agreed with in writing by the Local Planning Authority.

Reason: To ensure that the rainwater harvesting scheme is acceptable in accordance with Policy CP12 of the Carlisle District Local Plan 2012-2016.

7. Within 1 month from the date of this permission, the Surface Water Management Plan to oversee the maintenance and emptying of the cesspool shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be undertaken in accordance with the approved details.

Reason: To ensure that the rainwater harvesting scheme is acceptable in accordance with Policy CP12 of the Carlisle District Local Plan 2012-2016.

8. Within 1 month from the date of this permission, details of the proposed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority and shall include details of the proposed type and species of all planted material including particulars of the proposed heights and planting densities.

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.

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

Reason: To ensure that a satisfactory landscaping scheme is prepared and to ensure compliance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

10. The noise level from the normal operation of the development shall not be permitted to exceed 45 dB(A) Leq as measured on the western boundary of the application site that adjoins the neighbouring property known as 'Hard Bank Croft'.

Reason: To ensure that noise which may emanate from the development is compatible with the existing noise levels in the area and does not lead to undue disturbance to adjoining occupiers in accordance with Policy CP6 of the Carlisle District Local Plan 2001-2016.

11. When in use, the pressure washer must be sited within the garage/ store building shown on Drawing no. 02D received 23rd July 2012 and from no other place within the site.

Reason: To ensure that noise which may emanate from the development is compatible with the existing noise levels in the area and does not lead to undue disturbance to adjoining occupiers in accordance with Policy CP6 of the Carlisle District Local Plan 2001-2016.

Summary of Reasons for the Decision

The decision to grant planning permission has been taken having regard to the Development Plan, including Supplementary Planning Guidance/ Documents and Design Guidance. The relevant Development Plan policies and Supplementary Guidance have been considered in conjunction with comments received from consultees (including statutory consultees) and any responses from third

parties, together with other material planning considerations. On balance the proposal was regarded as acceptable and it was considered that the development does not cause demonstrable harm to interests of acknowledged importance that justifies withholding permission.

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016 Core Development Policies - Policy CP2 - Biodiversity

Proposals in both the rural and urban area should not harm the integrity of the biodiversity resource as judged by key nature conservation principles, and proposals should seek to conserve and enhance the biodiversity value of the areas which they affect.

In areas where species protected under national and European legislation are most likely to occur, special account will be given to their presence in the consideration of development proposals.

Item no: 11

Appn Ref No:
12/0516

Applicant:
Mr Scouler

Parish:
Walton

Date of Receipt:
18/06/2012 13:00:38

Agent:
Gray Associates Limited

Ward:
Multiple Wards

Location:
Barn at Kingbank, Walton, Brampton, CA8 2DH

Grid Reference:
352245 564431

Proposal: Change Of Use And Extension Of Former Poultry Shed To Form Bunk House And Cafe

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 Planning Application Form received 18th June 2012;
2. the Location Plan received 18th June 2012 (Drawing no. P4);
3. the Site Plan received 18th June 2012 (Drawing no. P3);
4. the Floor Plans & Sections received 19th June 2012 (Drawing no. P1);
5. the Existing & Proposed Elevations received 18th June 2012 (Drawing no. P2);
6. the Design and Access Statement received 17th July 2012;
7. the Survey For Bats And Owls received 18th June 2012;
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 premises shall be used as a cafe and camping barn with ancillary facilities and for no other purpose. There shall be no change to the use of the floor space as shown on the approved ground floor plan (Drawing No. P1 received 19th June 2012) without the prior written approval of the Local Planning Authority.

Reason: To preclude the possibility of the use of the premises for purposes inappropriate in the locality in accordance with Policies CP5 and EC16 of the Carlisle District Local Plan 2001-2016.

4. The site manager/ owner shall keep a register to monitor the occupation of the holiday accommodation hereby approved. Any such register shall be available for inspection by the Local Planning Authority at any time when so requested and shall contain details of those persons occupying the holiday accommodation, their name, normal permanent address and the period of occupation of the holiday accommodation by them.

Reason: To ensure that the holiday accommodation is not occupied as permanent residential accommodation and to ensure that the development complies with Policy EC11 of the Carlisle District Local Plan 2001-2016.

5. The holiday units shall be used for let holiday accommodation and for no other purpose (including any other purpose in Class C of the Schedule to the Town and Country Planning [Use Classes] Order 1987), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: To ensure that the holiday unit is not occupied as permanent residential accommodation and to ensure that the development complies with Policy EC11 of the Carlisle District Local Plan

2001-2016.

6. The holiday units shall not be used at any time as a sole and principal residence by any occupants.

Reason: To ensure that the holiday unit is not occupied as permanent residential accommodation and to ensure that the development complies with Policy EC11 of the Carlisle District Local Plan 2001-2016.

Summary of Reasons for the Decision

The decision to grant planning permission has been taken having regard to the Development Plan, including Supplementary Planning Guidance/ Documents and Design Guidance. The relevant Development Plan policies and Supplementary Guidance have been considered in conjunction with comments received from consultees (including statutory consultees) and any responses from third parties, together with other material planning considerations. On balance the proposal was regarded as acceptable and it was considered that the development does not cause demonstrable harm to interests of acknowledged importance that justifies withholding permission.

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016 Spatial Strategy & Development Principles - Policy DP1 - Sustainable Development Locations

All proposals for development will be assessed against their ability to promote sustainable development. Proposals will be considered favourably in the following locations, provided they are in scale with their location and consistent with other Policies of this Local Plan.

Urban Area	City of Carlisle	
Key Service Centres	Brampton Longtown	
Local Service Centres	Burgh by Sands Castle Carrock Cummersdale Cumwhinton Dalston Gilsland Great Corby	Heads Nook Houghton Irthington Raughton Head Rockcliffe Scotby Smithfield

Great Orton
Hallbankgate
Hayton

Thurstonfield
Warwick Bridge
Wetheral

Proposals for development within these locations will be assessed on the basis of the need for development to be in the location specified.

Within the Urban Area proposals for retail, office and leisure developments will be subject to a sequential approach which requires that locations be considered as follows: firstly within the City Centres; secondly edge-of-centre locations; and thirdly the remainder of the urban area.

Proposals for residential development will be considered against the need to give priority to the reuse of previously developed land, with particular emphasis on vacant and derelict sites and buildings.

Settlement Boundaries have been established on the Proposals Map to recognise the extent of built development or where planning permission already exists to judge proposals for development and are not indicative of land ownership.

Outside these locations development will be assessed against the needs to be in the location specified.

Carlisle District Local Plan 2001 - 2016 Spatial Strategy And Development Principles - Policy DP10 - Landscapes Of County Importance

Within Landscapes of County Importance, permission will only be given for development provided that:

- 1 there is no detrimental impact on the distinctive landscape character and features of the area; and
- 2 the proposal preserves or enhances the special features and character of the particular landscape within which it is to be sited.

Development required to meet local infrastructure needs which can not be located elsewhere will be permitted provided it is sited to minimise environmental impact and meet high standards of design.

Carlisle District Local Plan 2001 - 2016 Core Development Policies - Policy CP2 - Biodiversity

Proposals in both the rural and urban area should not harm the integrity of the biodiversity resource as judged by key nature conservation principles, and proposals should seek to conserve and enhance the biodiversity value of the areas which they affect.

In areas where species protected under national and European legislation are most likely to occur, special account will be given to their presence in the consideration of

development proposals.

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP5 - Design

All new development proposals will be assessed against the following design principles. Proposals should:

- 1 Respond to the local context and the form of surrounding buildings in relation to height, scale and massing, and by making use of appropriate materials and detailing;
- 2 Take into consideration any important landscape or topographical features and respect local landscape character;
- 3 Reinforce local architectural features, where appropriate, promoting and respecting local distinctiveness;
- 4 Ensure all components of the proposal, such as buildings, car parking, access routes, open space and landscaping, are well related to one another to ensure a well integrated, successful and attractive development;
- 5 Ensure there is no adverse effect on the residential amenity of existing areas, or adjacent land uses, or result in unacceptable standards for future users and occupiers of the development;
- 6 Ensure the retention and enhancement of existing trees, shrubs, hedges and other wildlife habitats where possible. Where environmental features are lost as a result of the proposal, appropriate mitigation measures should be put in place and on-site replacement of those features will be sought;
- 7 Include landscaping schemes (both hard and soft) to assist the integration of new development into existing areas and ensure that development on the edge of settlements is fully integrated into its surroundings;
- 8 Ensure that the necessary services and infrastructure can be incorporated without causing unacceptable harm to retained features;
- 9 Ensure that the layout and design incorporates adequate space for waste and recycling bin storage and collection.

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP6 - Residential Amenity

The amenity of residential areas will be protected from inappropriate development where that development:

- 1 is for a use inappropriate for residential areas; and/or
- 2 is of an unacceptable scale; and/or
- 3 leads to an unacceptable increase in traffic or noise; and/or
- 4 is visually intrusive.

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP12 - Foul And Surface Water Sewerage And Sewage Treatment

Development will not be permitted where inadequate foul and surface water

sewerage infrastructure and sewage treatment capacity exists, or where such provision can not be made within the time constraint of the planning permission.

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP15 - Access, Mobility And Inclusion

Development proposals should make provision for easy, safe and inclusive access to, into and within buildings and facilities. The layout and design of developments should meet the requirements of accessibility and inclusion for all potential users regardless of disability, age or gender. The Council will have regard to the following criteria when assessing development proposals:

- 1 The design of entrances and exits and ease of permeation through and between developments in terms of street furniture, circulation areas and pedestrian routes;
- 2 The location of any development proposal in relation to its potential users;
- 3 Accessibility to all transport modes and provision of adequate parking for disabled people;
- 4 Provision of on-site facilities such as public toilets, and appropriate signage

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP17 - Planning Out Crime

The design of all new development must contribute to creating a safe and secure environment, integrating measures for security and crime prevention and minimising the opportunity for crime.

The following points should be applied to all development proposals:

- 1 Security measures should be an integral part of the design
- 2 Developments should be laid out and buildings positioned to maximise natural surveillance with the intention of creating a sense of neighbourhood and deterring criminal and anti-social activity
- 3 Public and private spaces should have clearly defined boundaries.
- 4 Footpaths and cycleways should be designed to maximise their use and prevent opportunities for concealment, unauthorised access or provide a choice of escape routes.
- 5 Landscaping schemes be designed to ensure that they do not create secluded areas, opportunities for climbing or reduce natural surveillance.
- 6 Lighting should deter criminal and antisocial activity whilst minimising light pollution. CCTV may be considered necessary in certain circumstances.

Developers should, at the earliest stage possible, consult Architectural Liaison Officer to advise on measures to be incorporated for designing out crime.

Carlisle District Local Plan 2001 - 2016

Economic & Commercial Growth - Policy EC10 Food And Drink

Within the Plan area, proposals for uses within Use Class A3 (restaurants and

cafes), A4 (drinking establishments) and A5 (hot food takeaways) will be approved provided that:

- 1 The proposal does not involve unacceptable disturbance to occupiers of residential property; and
- 2 The proposal does not involve unacceptable intrusion into open countryside; and
- 3 The proposal, whether new development or conversion complements surrounding development or the character of the existing building; and
- 4 Appropriate access and parking can be provided; and
- 5 Throughout the Plan area opening hours will be imposed having regard to the surrounding uses, the character of the area and the possibility of disturbance to residential areas.

Proposals for A3, A4 and A5 related uses should be situated in accessible locations, within or adjacent to existing centres in line with the sequential approach in PPS6 unless material considerations dictate otherwise.

Carlisle District Local Plan 2001 - 2016

Economic & Commercial Growth - Policy EC11 Rural Diversification

Development proposals to diversify and expand upon the range of economic activities undertaken in rural areas will be encouraged where the proposal re-uses or adapts existing traditional buildings (of permanent construction) for commercial, industrial or recreational uses. Any new building required as part of a diversification scheme must be well related to an existing group of buildings to minimise its impact, blending satisfactorily into the landscape through the use of suitable materials, design and siting.

Proposals should:

- 1 Be complementary to or compatible with the agricultural operations in the rural area; and
- 2 Be compatible with the character and scale of the operation and its landscape character; and
- 3 Not lead to an increase in traffic levels beyond the capacity of the surrounding local highway network; and
- 4 Be capable of providing adequate access and parking arrangements.

Carlisle District Local Plan 2001 - 2016

Economic & Commercial Growth - Policy EC16 - Tourism Development

Priority will be given for tourism related development in the City of Carlisle in accordance with Structure Plan Policy EM15. Proposals will be supported in Carlisle and elsewhere where they contribute towards the economic and physical regeneration of an area provided that the following criteria are met:

- 1 The scale and design of the development are compatible with the surrounding area; and
- 2 There would be no unacceptable adverse impact on the landscape/townscape; and
- 3 Adequate access by a choice of means of transport, including sustainable

- modes of travel such as cycling or long distance walking, and appropriate car parking can be achieved; and
- 4 The level of traffic generated can be adequately accommodated within the local road network without detriment to the particular rural character of the area; and
 - 5 If the proposal is within a rural area it is well related to an established tourist attraction or an existing group of buildings, or would form an important element of a farm diversification scheme; and
 - 6 The distinctive environment, culture and history of the area are safeguarded.

Hadrian's Wall World Heritage Site is a major attraction for sustainable tourism and proposals for new tourism development which aim to promote the enjoyment and understanding of the WHS whilst meeting the above criteria will be permitted.

Carlisle District Local Plan 2001 - 2016

Local Environment - Policy LE6 - Scheduled/Nationally Important Ancient Monuments

Development will not be permitted where there is an unacceptable impact on scheduled and other nationally important ancient monuments and their settings.

Carlisle District Local Plan 2001 - 2016

Local Environment - Policy LE7 - Buffer Zone On Hadrian's Wall World Heritage Site

Within the buffer zone of Hadrian's Wall Military Zone World Heritage Site, as defined on the Proposals Map, proposals for development which would have an unacceptable impact on the character and/or setting of the World Heritage Site will not be permitted. Development within or adjacent to existing settlements, established farmsteads and other groups of buildings will be permitted, where it is consistent with other policies of this Plan, providing that:

- 1 the proposal reflects the scale and character of the existing group of buildings; and
- 2 there is no unacceptable adverse effect on the character and/or appearance of the Hadrian's Wall Military Zone World Heritage Site.

Within the outer visual envelope, beyond the Hadrian's Wall Military Zone World Heritage Site, proposals for major development which would have an adverse effect on the character of the World Heritage Site will not be permitted unless the need for the development outweighs the environmental costs.

Carlisle District Local Plan 2001 - 2016

Transport - Policy T1- Parking Guidelines For Development

The level of car parking provision for development will be determined on the basis of the following factors:

- 1 the Parking Guidelines for Cumbria as updated by additional requirements in PPG 13;

- 2 the availability of public car parking in the vicinity;
- 3 the impact of parking provision on the environment of the surrounding area;
- 4 the likely impact on the surrounding road network; and
- 5 accessibility by and availability of, other forms of transport.

Item no: 12

Appn Ref No: 12/0557	Applicant: Mr R H Percival	Parish: Stanwix Rural
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Date of Receipt: 03/07/2012	Agent: Jock Gordon	Ward: Stanwix Rural
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Location: L/A Orchard Gardens, Houghton, Carlisle CA3 OLH	Grid Reference: 340607 559189
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Proposal: Erection Of Detached Bungalow And Detached Garage (Revised Application)

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 Planning Application Form received 4th July 2012;
2. the Location Plan received 3rd July 2012 (Drawing no. 1887/1);
3. the Site Plan received 3rd July 2012 (Drawing no. 1887/2);
4. the Proposed Detached Dwelling Drawing received 3rd July 2012 (Drawing no. 1887/3);
5. the Proposed Garage Drawing received 3rd July 2012 (Drawing no. 1887/4);
6. the Design and Access Statement received 3rd July 2012;
7. the Stage One Desk Top Study – Assessment Of Likelihood Of Contamination Of Proposed Development Site received 4th July 2012;
8. the Hedge Survey Schedule received 4th July 2012;
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. The materials, landscaping scheme, surface water drainage and hard surface finish shall be in accordance with those details submitted to the Local Planning Authority and discharged under application 09/0912 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the works harmonise as closely as possible with the existing buildings and to ensure compliance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

4. All works comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the dwelling.

Reason: To ensure that a satisfactory landscaping scheme is implemented in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

5. The development shall not be occupied until the access, turning and parking facilities have been constructed in accordance with the approved plan and brought into use. These facilities shall be retained and be capable of use at all times and shall not be removed or altered without the prior written consent of the Local Planning Authority.

Reason: To ensure a minimum standard of access provision when the development is brought into use and to support Local Transport Plan Policies LD5, LD7 and LD8.

Summary of Reasons for the Decision

The decision to grant planning permission has been taken having regard to the Development Plan, including Supplementary Planning Guidance/ Documents and Design Guidance. The relevant Development Plan policies and Supplementary Guidance have been considered in conjunction with comments received from consultees (including statutory consultees) and any responses from third parties, together with other material planning considerations. On balance the proposal was regarded as acceptable and it was considered that the development does not cause demonstrable harm to interests of acknowledged importance that justifies withholding permission.

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016

Spatial Strategy & Development Principles - Policy DP1 - Sustainable Development Locations

All proposals for development will be assessed against their ability to promote sustainable development. Proposals will be considered favourably in the following locations, provided they are in scale with their location and consistent with other Policies of this Local Plan.

Urban Area	City of Carlisle	
Key Service Centres	Brampton Longtown	
Local Service Centres	Burgh by Sands Castle Carrock Cummersdale Cumwhinton Dalston Gilsland Great Corby Great Orton Hallbankgate Hayton	Heads Nook Houghton Irthington Raughton Head Rockcliffe Scotby Smithfield Thurstonfield Warwick Bridge Wetheral

Proposals for development within these locations will be assessed on the basis of the need for development to be in the location specified.

Within the Urban Area proposals for retail, office and leisure developments will be subject to a sequential approach which requires that locations be considered as follows: firstly within the City Centres; secondly edge-of-centre locations; and thirdly the remainder of the urban area.

Proposals for residential development will be considered against the need to give priority to the reuse of previously developed land, with particular emphasis on vacant and derelict sites and buildings.

Settlement Boundaries have been established on the Proposals Map to recognise the extent of built development or where planning permission already exists to judge proposals for development and are not indicative of land ownership.

Outside these locations development will be assessed against the needs to be in the location specified.

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP3 - Trees And Hedges On Development Sites

Proposals for new development should provide for the protection and integration of existing trees and hedges. Where trees and hedges are present, a survey will be required showing the following:

- 1 the location of existing trees and hedges;
- 2 the species, age, height and crown spread of each tree;
- 3 an assessment of the condition of each tree;
- 4 the location and crown spread of trees on adjacent land which may be affected by the development;
- 5 existing and proposed changes in ground level.

In order to protect and integrate existing trees and hedges within new development, the City Council will resist proposals which cause unacceptable tree loss, and which do not allow for the successful integration of existing trees identified in the tree survey.

Layouts will be required to provide adequate spacing between existing trees and buildings, taking into account the existing and future size of the trees, and their impact both above and below ground.

The City Council will protect existing trees and woodlands where appropriate, by tree preservation orders, and by the use of planning conditions requiring protective fencing around trees to be retained to prevent site works within their crown spread.

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP5 - Design

All new development proposals will be assessed against the following design principles. Proposals should:

- 1 Respond to the local context and the form of surrounding buildings in relation to height, scale and massing, and by making use of appropriate materials and detailing;
- 2 Take into consideration any important landscape or topographical features and respect local landscape character;
- 3 Reinforce local architectural features, where appropriate, promoting and respecting local distinctiveness;
- 4 Ensure all components of the proposal, such as buildings, car parking, access routes, open space and landscaping, are well related to one another to ensure a well integrated, successful and attractive development;
- 5 Ensure there is no adverse effect on the residential amenity of existing areas, or adjacent land uses, or result in unacceptable standards for future users and occupiers of the development;
- 6 Ensure the retention and enhancement of existing trees, shrubs, hedges and other wildlife habitats where possible. Where environmental features are lost as a result of the proposal, appropriate mitigation measures should be put in place and on-site replacement of those features will be sought;
- 7 Include landscaping schemes (both hard and soft) to assist the integration of new development into existing areas and ensure that development on the edge of settlements is fully integrated into its surroundings;

- 8 Ensure that the necessary services and infrastructure can be incorporated without causing unacceptable harm to retained features;
- 9 Ensure that the layout and design incorporates adequate space for waste and recycling bin storage and collection.

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP6 - Residential Amenity

The amenity of residential areas will be protected from inappropriate development where that development:

- 1 is for a use inappropriate for residential areas; and/or
- 2 is of an unacceptable scale; and/or
- 3 leads to an unacceptable increase in traffic or noise; and/or
- 4 is visually intrusive.

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP12 - Foul And Surface Water Sewerage And Sewage Treatment

Development will not be permitted where inadequate foul and surface water sewerage infrastructure and sewage treatment capacity exists, or where such provision can not be made within the time constraint of the planning permission.

Carlisle District Local Plan 2001 - 2016

Housing - Policy H1 - Location Of New Housing Development

New housing development will be located in sustainable locations in accordance with PPS3: *Housing*, Regional Planning Guidance and the Joint Structure Plan. During the Plan period 80% of new development will be located within the urban area of Carlisle, including allocated sites on the edge of the City referred to in Proposal H16. The remaining 20% will be permitted in the rural area of the District with the focus on the two Key Service Centres of Brampton and Longtown.

In the remainder of the rural area small-scale development will be located in accordance with Policy DP1 and other policies of this Plan to ensure that:

- 1 the site is well related to the landscape of the area and does not intrude into open countryside; and
- 2 the scale of the proposed development is well related to the scale, form and character of the existing settlement; and
- 3 the layout of the site and the design of the buildings is well related to existing property in the village; and
- 4 the siting and design of the buildings is well related to and does not adversely affect the amenity of neighbouring property; and
- 5 appropriate access and parking can be achieved; and
- 6 the proposal will not lead to the loss of amenity open space within or at the edge of the settlement; and
- 7 the proposal will not lead to the loss of the best and most versatile agricultural

land.

Settlement boundaries have been drawn for the following Local Service Centres within which proposals will be judged against the above criteria.

Burgh-by-Sands	Castle Carrock	Cummersdale
Cumwhinton	Dalston	Gilsland
Great Corby	Great Orton	Hallbankgate
Hayton	Heads Nook	Houghton
Irthington	Raughton Head	Rockcliffe
Scotby	Smithfield	Thurstonfield
Warwick Bridge (including Little Corby & Corby Hill)		Wetheral

In the following settlements small-scale infilling (development between an otherwise continuous frontage) will be allowed where this does not conflict with the criteria above and is evidenced by local need to be in that location. S106 agreements may be used to ensure local occupancy to provide for the identified need.

Blackwell	Cardewlees	Cargo
Carleton	Cotehill	Cumwhitton
Durdar	Faugh	Harker
Hethersgill	How Mill	Lanercost
Laversdale	Low Row	Monkhill
Moorhouse	Talkin	Todhills
Walton	Warwick-on-Eden	Wreay

Carlisle District Local Plan 2001 - 2016

Transport - Policy T1- Parking Guidelines For Development

The level of car parking provision for development will be determined on the basis of the following factors:

- 1 the Parking Guidelines for Cumbria as updated by additional requirements in PPG 13;
- 2 the availability of public car parking in the vicinity;
- 3 the impact of parking provision on the environment of the surrounding area;
- 4 the likely impact on the surrounding road network; and
- 5 accessibility by and availability of, other forms of transport.

Item no: 13

Appn Ref No:
11/9015

Applicant:
Cumbria County Council

Parish:

Date of Receipt:
13/09/2011

Agent:
Cumbria County Council

Ward:
Belle Vue

Location:
Access into Field No. 6100, Sandsfield Road,
Carlisle, CA2 7RD

Grid Reference:
336536 555891

Proposal: Construction Of Vehicle Crossing With Dropped Kerbs Across A Shared Footway/Cycleway To Form A Field Access

Decision: City Council Observation - Raise No Objection **Date:** 03/10/2011

Decision of: Cumbria County Council

Decision Type: Grant Permission **Date:** 13/10/2011

Item no: 14

Appn Ref No:
11/9017

Applicant:
Mansell
ConstructionServicesLtd

Parish:
Carlisle

Date of Receipt:
27/10/2011

Agent:
Mrs Maggie Mason

Ward:
Harraby

Location:
Jewsons Builder's Merchants, Eastern Way,
Carlisle, Cumbria, CA1 3QZ

Grid Reference:
342072 554611

Proposal: Variation Of Condition 2 (Amended Drawings) Of Previously Approved Planning Permission 11/9007

Decision: City Council Observation - Raise No Objection **Date:** 18/11/2011

Decision of: Cumbria County Council

Decision Type: Grant Permission **Date:** 09/12/2011

Item no: 15

Appn Ref No:
12/9002

Applicant:
The Management
Committee

Parish:
Carlisle

Date of Receipt:
20/02/2012

Agent:
AA Design Services

Ward:
Upperby

Location:
Gilford Centre, Upperby Road, Carlisle, CA2 4JE

Grid Reference:
340894 554001

Proposal: Demolition Of Existing Timber Temporary Classroom And Erection Of Replacement Modular Classroom

Decision: City Council Observation - Raise No Objection **Date:** 09/03/2012

Decision of: Cumbria County Council

Decision Type: Grant Permission **Date:** 22/03/2012

Item no: 16

Appn Ref No:
12/9004

Applicant:
John Lyon Associates

Parish:
Burgh-by-Sands

Date of Receipt:
26/04/2012

Agent:
Mr Edward Page

Ward:
Burgh

Location:
Burgh by Sands Primary School, Burgh by Sands,
Carlisle, CA5 6AP

Grid Reference:
332740 558831

Proposal: Single Storey Extension And An External Canopy Structure

Decision: City Council Observation - Raise No Objection **Date:** 14/05/2012

Decision of: Cumbria County Council

Decision Type: Grant Permission **Date:** 25/05/2012

Item no: 17

Appn Ref No:
12/9005

Applicant:
Mr Brian Durham

Parish:
St Cuthberts Without

Date of Receipt:
03/05/2012

Agent:
Mr Edward Page

Ward:
Dalston

Location:
Stoneraise School, Stoneraise, Durdar, Carlisle,
Cumbria, CA5 7AT

Grid Reference:
340242 549935

Proposal: External Packaged Plant Room Within Fenced Compound To Supply
New Heating System

Decision: City Council Observation - Raise No Objection **Date:** 21/05/2012

Decision of: Cumbria County Council

Decision Type: Grant Permission **Date:** 10/07/2012

Item no: 18

Appn Ref No:
12/9006

Applicant:
Mr Colin Jefferson

Parish:
Carlisle

Date of Receipt:
31/05/2012

Agent:
Economy Culture &
Environment

Ward:
Castle

Location:
Trinity School, Strand Road, Carlisle, CA1 1JB

Grid Reference:
340353 556210

Proposal: Prior Notification Of Demolition Of Campbell Building And Carliol Building

Decision: City Council Observation - Raise No Objection **Date:** 22/06/2012

Decision of: Cumbria County Council

Decision Type: Determination - Approved **Date:** 22/06/2012

Item no: 19

Appn Ref No:
11/9001

Applicant:
North West Recycling Ltd

Parish:
Rockcliffe

Date of Receipt:
22/03/2011

Agent:
Cumbria County Council

Ward:
Longtown & Rockcliffe

Location:

Unit A, Kingmoor Park Rockcliffe Estate, Rockcliffe,
Carlisle, CA6 4RW

Grid Reference:

336417 560788

Proposal: Variation Of Conditions 17, 19 And 20 Of Planning Application
Ref:09/9002

Decision: City Council Observation - Observations

Date: 21/04/2011

Decision of: Cumbria County Council

Decision Type: Grant Permission

Date: 22/06/2011