

SCHEDULE A: Applications with Recommendation

21/0157

Item No: 01

Date of Committee: 23/07/2021

Appn Ref No:
21/0157

Applicant:
Gleeson

Parish:
Carlisle

Agent:
PFK Planning and
Development

Ward:
Belah & Kingmoor

Location: Land at Deer Park (land between Kingmoor Industrial Estate & Saint Pierre Avenue, Kingmoor Road), Carlisle

Proposal: Erection Of 79no. Dwellings (Revised Application)

Date of Receipt:
19/02/2021 09:01:35

Statutory Expiry Date
24/05/2021

26 Week Determination

REPORT

Case Officer: Stephen Daniel

1. Recommendation

1.1 It is recommended that this application is approved with conditions, subject to the completion of a S106 agreement to secure:

- a) the provision of 20% of the units as affordable (in accordance with the NPPF definition);
- b) an off-site open space contribution of £22,364 for the upgrading and maintenance of open space;
- c) a financial contribution of £27,409 to support the off-site maintenance and improvement of existing play area provision;
- d) a financial contribution of £15,561 to support the off-site improvement of existing sports pitches;
- e) a financial contribution of £3,500 to upgrade the footpath to the north of the site (which is to become a PROW);
- f) the maintenance of the informal open space within the site by the developer;
- g) a financial contribution of £508,596 to Cumbria County Council towards education provision (£213,948 for infant and junior places and £294,648 for secondary school places);

2. Main Issues

- 2.1 Whether The Proposal Is Acceptable In Principle
- 2.2 Whether The Layout, Scale And Design Of The Dwellings Would Be Acceptable
- 2.3 Impact Of The Proposal Of The Living Conditions Of The Occupiers Of Any Neighbouring Properties
- 2.4 Provision Of Affordable Housing
- 2.5 Highway Matters
- 2.6 Drainage Issues
- 2.7 Open Space Provision
- 2.8 Public Rights Of Way/ Footpaths
- 2.9 Education
- 2.10 Biodiversity
- 2.11 Impact On Trees/ Hedges
- 2.12 Crime Prevention
- 2.13 Archaeology
- 2.14 Noise Issues
- 2.15 Contamination
- 2.16 Other Matters

3. Application Details

The Site

- 3.1 The application site, which covers 3.51 hectares, is currently undeveloped and contains a number of trees, shrubs and plants. The site slopes downhill from south-east to north-west, with a total fall across the site of approximately 5m.
- 3.2 The northern part of the site was occupied by Deer Park House, but this was demolished a number of years ago. There are a number of trees on the site, a number of which are protected, including an avenue of lime trees, two groups of trees adjacent to Kingmoor Road and a group of trees that lie to the west of the lime trees.
- 3.3 A Public Right of Way currently crosses the site and this links Kingmoor Road with Kingmoor Sidings Nature Reserve. There are a number of other informal paths that cross the site, with two of these also providing access to the nature reserve. A permissive path runs along the northern site boundary and this also links Kingmoor Road with the nature reserve.
- 3.4 Kingmoor Road adjoins the site east and this contains a number of dwellings that face the site. Dwellings on Gleneagles Drive and Saint Pierre Avenue lie to the south of the site and these are separated from the site by a belt of trees. Kingmoor Industrial Estate lies to the north of the site and is separated from it by a strip of land that is in City Council ownership, which contains the permissive path. Kingmoor Sidings Nature Reserve adjoins the site to the west beyond which lies the railway line.

- 3.5 The eastern site boundary, adjacent to Kingmoor Road, is predominantly hedgerows although there are sections of metal palisade fence and a section of stone wall. The northern, southern and eastern site boundaries consist of post and wire fencing.

Background

- 3.6 The site is allocated for housing in the Carlisle District Local Plan 2015-2030 (Policy H01 - Site U16). The site was allocated for mixed use development in the Carlisle District Local Plan 2001-2016 which was adopted in September 2008. This would have allowed the site to be developed for either housing or commercial use.

- 3.7 An application for the erection of 80 dwellings on this site was refused by the Development Control Committee in December 2020 (contrary to the officer's recommendation) for the following reason:

"This application is seeking planning permission for the erection of 80 new dwellings on a site at Deer Park, which lies in north Carlisle. There is currently a lack of primary school places in north Carlisle and by 2023 there is forecast to be a lack of secondary school places. Despite funding having been secured by the County Council from a number of housing developments, no progress has been made on the provision of a primary school in north Carlisle or the expansion of any secondary schools in Carlisle to deliver much needed places. If this current proposal is approved, it would exacerbate the existing problem of a lack of school places. This would have a detrimental impact on any school aged children occupying the proposed Deer Park development and others in north Carlisle requiring school places contrary to Policy CM2 and supporting paragraphs (Educational Needs) of the Carlisle District Local Plan 2015-2030".

- 3.8 The applicant lodged an appeal against the refusal and also applied for an award of costs against the City Council. The appeal was allowed on 24th June 2021, with cost being awarded against the Council. On the basis of the evidence before him, the Inspector was satisfied that the appeal scheme makes adequate education provision for future residents and is not therefore in conflict with the provisions of Policy CM2 of the Local Plan.

- 3.9 The Inspector was also satisfied that:

- the principle of development is acceptable
- that the appeal scheme will not cause unacceptable harm to the trees on the site
- that the proposed development, subject to appropriately worded conditions being placed on any resulting planning permission, would not have an adverse impact on ecology.
- that the appeal scheme would not harm highway safety.

- 3.10 In relation to the award of costs, the Inspector found that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has been demonstrated and that a full award of

costs is justified. At the time of writing this report, the level of costs is still to be determined.

The Proposal

- 3.11 The proposal is seeking to erect 79 dwellings on the site. The development would contain twelve different house types and these would include 12 two-bedroom semi-detached starter homes, 25 three-bedroom semi-detached properties, 22 three-bedroom detached properties and 20 four-bedroom detached properties.
- 3.12 The dwellings would be constructed of a red multi brick, under a flat dark grey concrete tiled roof. Windows, fascias and soffits would be white upvc with rainwater goods being black upvc.
- 3.13 The dwellings would have various designs and would utilise a range of features to add visual interest and variety. These include the use of; brick sills and lintels; brick quoins; open porches; bay windows; two-storey projecting gables; single-storey projections; with some dwellings having integral garages, attached garages or detached garages.
- 3.14 Vehicular access to the site would be from a priority-controlled junction with Kingmoor Road. This road would vary in width from 5.5m to 4.8m and would have a 2m footpath to one side. This road would provide access to 76 of the dwellings via shared surface roads and private shared drives, with 3 of the dwellings at the northern end of the site having direct access onto Kingmoor Road. An emergency access would also be provided onto Kingmoor Road, the use of which would be controlled by bollards.
- 3.15 A 3m wide footpath/ cycleway would be provided along Kingmoor Road from the southern end of the site, near Gleneagles Drive, to the northern end of the site. At the southern end of the site the footpath would be set back behind some protected trees that are to be retained. An additional footpath would be provided along the avenue of protected lime trees, which are to be retained and this would be adjoined by a play/ trim trail. This footpath would link (via a shared surface road) to the public footpath that runs along the northern site boundary. This footpath would replace the existing Public Right of Way that runs through the site. A group of protected trees that lie to the west of the avenue of lime trees would also be retained, together with some protected trees that adjoin Kingmoor Road to the south of the avenue of lime trees.
- 3.16 A SUDS pond would be provided in the south-west corner of the site and this would take the surface water from the development. An area of open space would be provided to the west of the SUDS pond and a number of the orchids that currently exist on the site would be relocated to this area. Some of the orchids would be relocated to a landscaped area that adjoins the site to the north and which would lie adjacent to the footpath that runs along the northern site boundary.
- 3.17 The main changes to the previous application are:

- reduction from 80 to 79 dwellings - Plot 1 is now a detached dwelling and this replaces a pair of semi-detached properties;
- reduction in the number of different house types from 17 to 12;
- increased separation distance (by 1m) between the principal elevation of Plot 63 and the SUDS pond - plots 64 and 65 have been repositioned to maintain their distance from the SUDS pond;
- the introduction of a play trail within the avenue of lime trees (adjacent to the proposed PROW).

4. Summary of Representations

- 4.1 This application has been advertised by means of three site notices and notification letters sent to 209 neighbouring properties. In response 62 letters of objection (from 55 households) and two letters of support have been received. A letter of objection has also been received from Councillor Helen Davison who is the city councillor for Belah and Kingmoor ward.
- 4.2 The letters of objection raise the following issues:

Principle of Development

- the land should never have been zoned for housing;
- the site is an area of historical and natural interest and should be protected;
- hard to see why this site needs to be developed given the number of other sites in the city that have been given planning permission;
- there has been a recent build of 7 houses behind the Redfern pub which are still unsold after 4 months;
- site is unsuitable for a housing development due to its proximity to existing nature reserves;
- the land should be used to extend Kingmoor Sidings Nature Reserve to create a valuable community asset and improve accessibility for recreation;
- the site has over the years become part of the nature reserve and is used for many social and recreational activities;
- the site is enjoyed by many people including dog walkers and families with young children;
- site is a very popular green space for local walkers;
- the few remaining green spaces in Kingmoor are precious and should not be sacrificed for development;
- area is a vital open space in an extensively built up area;
- there are few greenfield spaces in Carlisle but there are several brownfield sites and empty properties that could be redeveloped, preserving greenfield

areas;

- other options exist for new housing e.g. garden village south of Carlisle;
- buildings should be completed on existing sites before agreeing to new ones;
- the land is boggy and water will be displaced on the nature reserve if the site is built on;
- the land between the recycling place and the railway bridge on Kingmoor Road has been granted planning permission for housing - does Kingmoor Road need a second housing development that increases the pressure on infrastructure and doubles the concerns of residents?;
- the Belah school site is still empty and would be better used for some of these houses;
- in north Carlisle development has reached 22% (or 29% depending on how the figures are treated) of the overall housing requirement with 8 or 9 years remaining until 2030. These figures therefore call into question if there is the need for more housing in north Carlisle;

Wildlife/ Biodiversity

- the site contains a variety of flora and fauna and is an important habitat for a diverse range of wildlife;
- the field contains a level of biodiversity not found in housing developments or on agricultural land;
- the area should be conserved;
- the site joins Kingmoor Woods and Kingmoor Sidings and should be kept for recreation;
- do not see any plans to preserve, relocate and protect the habitat of Deer Park;
- the land is used for grazing by deer (there are 4 living on the land) and foxes use the field;
- the open grassland is home to insects, butterflies, birds and small mammals that provide food for larger animals, bats, owls, buzzards and many other species that live in this area;
- honey bees have had a hive for a number of years within the trees at Deer Park;
- the land is a paradise for all kinds of animals and other wildlife that have lived undisturbed for many years;
- site supports an abundance of wildlife and is starting to regenerate naturally with the appearance of many small trees;
- there are many bats in the area - they fly over the field to the avenue of lime trees;
- would lose easy access to the nature reserve to the rear of the site;

- there needs to be a buffer between the housing and the wood to protect the area that is full of orchids and wild flowers;
- two species of wild orchid are on quite a large area of the site;
- once the orchids have died back it would be impossible to find them to dig them up and re-locate them;
- the idea of relocating the orchids as suggested is not feasible and the hydrology of the recipient sites is not suitable;
- the site has Japanese Knotweed all along the boundary and well into the wood;
- the avenue of 24 lime trees which formed a driveway to Deer Park House are a very important feature - this is the most likely entrance to the site which could mean the trees are felled to gain access;
- concerned a number of the protected lime trees will be removed - losing these trees would have a detrimental effect on the area - they provide a lovely aspect from all directions, reduce noise and pollution and provide a shelter for birds, insects and animals;
- there are more protected trees in a spinney including a rare specimen European Cut Leaf Beech which should be protected - there are also other specimen trees including a copper beech;
- how can foundations for houses be dug without affecting the roots of the protected trees;
- the established trees will suffer greatly from the site being drained - which may cause them to fall;
- the older oak trees have re-seeded themselves and there are several young oak trees dotted around the field which will be destroyed by the development;
- building on this land will affect the wildlife in the nature reserve;
- the impact of draining the field and the siting of the SUDS pond have not been considered - will affect the water table in the nearby wet woodland;
- impact on great crested newts has been underestimated - removing another substantial and wet area could reasonably be expected to affect the population;
- site is a vital link between 2 nature reserves (Kingmoor Woods and Kingmoor Sidings);
- nature needs linking corridors of green areas in order to thrive;
- there aren't enough buffer zones between the houses and trees;

- there should be one or two ponds in the area next to the woods to take the drainage and provide a buffer;
- having extra housing closer to the nature reserve will have environmental impacts for nature through noise and light pollution and groundwater flooding;
- Deer Park field allows plant and animal species to move out of both LNRs to use the trees, scrub, tall herbs and grasslands of Deer Park field, in order to grow, forage and breed, thus creating more diverse and sustainable populations. These would then be able to repopulate the LNRs when necessary;
- Deer Park field currently allows the free movement of species from one of its adjacent LNRs to the other - this movement of fauna and flora (by seeds or mobile adults) reduces the chances of inbreeding, ensuring a genetic diversity and thus strong, sustainable populations of species;
- Deer Park field is important as a buffer, to reduce the pressure from human visitors on the statutorily protected LNRs. If every visitor made their way into the LNRs, the habitats would become degraded more rapidly and the biodiversity would decrease;
- Deer Park is also important as a site in itself, comprising a range of habitats including species rich semi-improved grassland; a rarity, especially in this part of Carlisle District;
- Deer Park field should be put forward as a candidate for formal statutory protection as an LNR due to the roles it performs;
- there needs to be a very important 'public interest' reason to justify the deliberate isolation and degradation of statutorily-protected LNRs - not convinced there is no public interest reason to allow this planning application to proceed;
- the decision should be delayed until it is clear from the Government's Environment Bill, as to the duties of Local Planning Authorities with regards to biodiversity. Biodiversity Net Gain and Nature Recovery Networks are the policy areas designed to stop the decline and then increase biodiversity, at local and national levels, many to be implemented by local government;

Highway Issues

- Kingmoor Road is already extremely busy with cars - additional traffic will endanger existing road users and residents;
- Kingmoor Road is already a rat run for local schools with queuing traffic creating unacceptable levels of emissions;
- Kingmoor Road is inadequate for current levels of traffic at peak times - the railway bridge creates a bottle-neck and frequently floods;

- Kingmoor Road is too narrow, difficult to cross and vehicles exiting the development will be held up by vehicles on Kingmoor Road;
- vehicles parked on one side of Kingmoor Road make the road single lane most of the time;
- traffic going to and from the bypass speeds along Kingmoor Road;
- there have been numerous accidents, both serious and minor, on Kingmoor Road;
- the current traffic survey that was done on 1st October and submitted with the application is not a true reflection of the traffic on a daily basis - that day the bridge leading to the bypass was flooded and a car was stranded in it and people were advised to avoid the area;
- visibility from the opposite side of the road adjacent to the proposed new access is already limited due to the gradual bend on Kingmoor Road;
- adding 2 new road entrances will increase the risk of accidents;
- given the speed of traffic on Kingmoor Road the visibility splays will be inadequate;
- on-street parking is only possible opposite the new access;
- there is only one pavement on Kingmoor Road which is quite narrow;
- all pedestrian footfall is on the same side of Kingmoor Road as there is no footpath from Gleneagles Drive until V Athletics;
- don't see any plans to include a footpath, traffic lights at any junction, a pedestrian crossing, speed reduction measures or road widening options for Kingmoor Road in light of the increased traffic;
- Kingmoor Road is already single lane for buses and larger vehicles at peak times;
- the traffic is worse than before the northern bypass was built;
- parking in the area is already difficult;
- there are no pedestrian crossings in the area - have concerns for the safety of children and others trying to cross the main roads;
- a crossing is desperately needed near the shop on Kingmoor Road and speed cameras at the nature reserve end;
- a crossing is needed on Kingmoor Road and traffic calming measures are needed;
- the new houses potentially put another 160 cars in the immediate area on roads which are comparatively narrow and unlikely to be able to handle the increased traffic;
- the road to the bypass under the bridge floods regularly;
- there are no bus services or pavements down to the further development next to the recycling centre;

- since the development of the bypass Hartley Avenue through to Briar Bank and Kingmoor Road have become heavily congested - extra housing will exacerbate this and increase the risk of accidents;
- pulling out of Hartley Avenue is difficult as visibility is restricted by bends in the road;
- proposal may adversely affect road safety for all traffic but especially cyclists;
- lack of parking is a concern and there isn't enough parking for each house - this will add to the parking problem in the area and lead to more accidents;
- only 6 visitor parking spaces are proposed;
- construction phase will lead to a significant increase in traffic in the area;
- there is no evidence of footway provision along Kingmoor Road on the revised plans as required by County Highways;
- proposed pedestrian crossing would be situated at the northern end of the site - this is a blind corner heading out to the bypass - need full visibility and traffic calming measures;
- the proposed crossing is to be at the worst possible place - at the northern end of the site near Vibratlife - this is a very dangerous place to cross due to the blind corner near Hartley Avenue;
- the main access to the site is unfit for purpose;
- unbelievably several houses have their driveway access onto Kingmoor Road;
- the estate should have 2 means of open vehicle access to help reduce traffic congestion - the emergency access has bollards;
- the emergency access will be used as overflow parking which could impede the safety of residents in the development if it is obstructed;
- children from the development would have to cross Kingmoor Road to get to schools in the area;
- proposed visibility splays are inadequate due to traffic speeds and Plots 21, 22 & 23 appear to exit on to a blind bend;
- the shared surface roads don't have footpaths;
- can't see how the emergency access will be kept clear;
- the place they appear to have identified for a crossing is in a very dangerous position;

Schools -

- no consideration has been given to the original application's refusal and the issue of a lack of school places has not been addressed by the developer;
- reducing the number of dwellings by one won't make any difference to the pressure on local schools;
- development will impact on Kingmoor School which already struggles with high

pupil numbers;

- schools north of the river are at a premium and yet housing developments continue to emerge none of which have adequately addressed the need for additional school places;

- both Stanwix and Kingmoor schools are about full to capacity;

- we need a new school now;

- seek assurance that school catchment areas do not change;

- the issue of a lack of school places north of the river, following the closure of Belah School, has still not been resolved although a number of new dwellings (675) have been given permission;

- the approval of new development requiring additional school places continues to aggravate the growing crisis;

- no new developments should be approved until the issues of school places has been resolved;

- using Gleeson's admission that at Greymoorhill 25% of homes would be occupied by children, 21/22 primary aged children could occupy this development;

- the out dated formula for children the development will yield is still being used

- only 29 children from 86 dwellings with 247 bedrooms - one child for every 3 houses - is too low;

- the County Council should already be in receipt of £1.6m towards education needs with a further £337,536 due - it has owned land for a school since 2017 - the progression of a new school should start immediately;

- the infrastructure must be in place before permission is given for more dwellings;

- it will take an estimated 3 to 4 years to build a new school by which time we will be beyond breaking point;

- Story Homes were going to build a school and this didn't happen;

- overcrowding in current schools will have a negative impact on children;

- need a new primary school and a new secondary school;

- the land is perfect for a school;

- the former Belah site on Eden Street would be ideal for a new school;

- Cumbria County Council has not provided clear and transparent details on the availability of primary school accommodation at local schools;

- the County Council has provided confusing and contradictory information

over school places which the applicant has not challenged;

- the County Council has ignored the result of previous consultations which took place with the City Council;

- the applicant has provided no information on educational provision to support its application and to provide information for prospective buyers;

- the Applicant has failed to show how its application complies with Policy CM 2 of the Local Plan;

- the County Council has provided misleading information relating to a new school at Crindledyke and has failed to make reference to the Story Consultation in 2020 and how this might affect its plans;

- the letter supplied by the County Council at the request of the Development Control Committee is worthless, fails to properly address any of the concerns raised and does not provide a clear indication of the timing of primary and secondary school provision north of the river;

- there is another application for 300 new dwellings at Low Harker which will increase demand for school places by 61 for primary school children and 43 for secondary;

- the County Council has failed to consider building a new school in phases;

- the scale of development and planned development in north Carlisle has reached such scale, it is not sustainable. All development should now be stayed pending the agreement, planning and budget of a new school either in phases or as a whole;

- the County Council has known there would be a shortfall in primary school places since at least 2014, but in the six years that have elapsed it has achieved absolutely nothing;

- it is pertinent to consider the impact of class sizes on the learning and education of our pupils. Should we continue to push schools to breaking point this will only be a detriment to our children. After such a chaotic year in education and the need to catch up, surely we should be trying to reduce class sizes and give pupils a chance to have more meaningful learning. If we continue to allow more development of families sized houses, we are only going to overwhelm schools and impact education;

- since the determination of application 19/0905 an application (20/0797) has been submitted to develop 33 dwellings at Stainton which is less than one mile from the application site. The County Council has already issued its report on this development in respect of educational provision but it comes to an almost opposite conclusion to that reached in 19/0905. They state there are places available at Stanwix school which it failed to even mention in application 19/0905. I believe this is yet another confusing decision reached without further explanation by the County Council;

Footpaths/ Rights of Way

- there are several footpaths on the site leading to 3 entrances to the nature reserve and these should be protected;
- what will happen to the Public Right of Way that crosses the site?;
- it is unclear where the footpaths will go and if they will still exist;
- the Right of Way through the site appears to have been removed;
- people wanting to enter the woods from the south of the site will have to walk further;
- the loss of the entry points to the wood will make access to the woods harder;
- people will be forced to enter the woods via a long and narrow path;
- 2 access points into Kingmoor Sidings have been removed - this only leaves one access at the northern end down what is a very narrow path;
- you cannot disrupt footpaths without going through lengthy proceedings;
- the Public Right of Way across the site would need to be kept as it is now or with an appropriate diversion to allow pedestrians to walk across to the nature reserve as at present;
- the PROW has to be retained in its current position;
- moving the PROW goes directly against the local plan which states that the public footpath needs to be 'retained and protected';
- the footpath at the northern end of Deer Park is too narrow, essentially has to be used one way, floods when it has rained and has a lower quality of views due to the light industrial units right next to it. The path itself is composed of stones/gravel which makes it particularly difficult for those families that need the use of a pram, or a disabled person in a wheelchair. There is also a steep gradient leading up from Kingmoor Road, again making it more difficult for disabled people to access the nature reserve - none of these issues exist with the current public footpath, or indeed many of the paths in the main body of the field, all of which have been in use for more than twenty years;
- the alternative path is quite a long walk down a busy road and the crossing is a very dangerous undertaking;

Scale/ Design

- the proposed number of dwellings is too many for the site;
- all new developments in Carlisle are exactly the same - where are the self

builds, bungalows and truly affordable homes?;

- development should bring a mixture of styles and some good design;
- Policy HO1 requires the provision of housing for the elderly, including bungalows - no bungalows have been provided in the housing developments (761 dwellings) approved north of the river in the last 2 years;
- the application makes no provision for the elderly which is a clear objective in the Local Plan;
- Carlisle needs more houses but it doesn't need more small boxes that are poorly and quickly thrown up - it needs affordable good sized forever homes;
- so many of the new housing estates in Carlisle are not well designed and the same issues appear in these plans;
- the site is too small to support the drainage and utilities for 86 decent sized dwellings;
- need to build some bungalows and low cost housing for young couples;
- if housing must be built on this site, reduce the number of dwellings, make changes to the parking and save more of the green space;
- appreciate the need for starter homes but these should be included in all developments;
- proposal will lead to overlooking of existing dwellings and loss of privacy and light;
- the lime avenue should be the main footpath into the woods - this could be a stunning feature if done sympathetically;
- there has been a reduction of one dwelling, which is 98.75% of original plan is intact;

Drainage

- the site is often boggy in wet weather;
- where will the surface water from the site go?;
- the site is at risk from ground water flooding below ground level - there is potential for groundwater flooding to basements and below ground infrastructure;
- there is no watercourse nearby and infiltration is not feasible so the applicant will rely for surface water on the existing public surface water sewer crossing the site to the west for surface runoff;

- pollutants will pool, runoff driveways enter the surface water sewer and contaminate ground to the west;
- surface water flood maps show highly significant risk of flooding at Balmoral Court and Kingmoor Sidings adjacent to the site - sewage and drainage systems and surface watercourses may be entirely overwhelmed and at times of groundwater flooding this would include on-site mitigation and the detention pool proposed;
- there are likely to be changes in extreme rainfall events - the applicant has used 40% allowance for climate change - it is unclear if the model takes into account rarer rainfall events with up to 10% more rainfall over and above the effect of climate change - this is recommended by Environment Agency's advice;
- drainage exceedance during flash flooding will have an adverse impact on Kingmoor Sidings Nature Reserve/ County Wildlife site - risks are associated with overland flow from dirty water, pollutants, pathogens and sediments in suspension or solution with overland flow or drain water;
- the flood risk assessment is flawed - we have had 2 once in 250 year rain events in the last 16 years - need to consider a Storm Desmond event plus 40% allowance for climate change;
- revised calculations for IH124 using HOST soil classification (soilscape 6) show that peak runoff rate from the development to United Utilities combined public water sewer and piping system for both the 1-in-1 year rainfall event and 1-in-30 rainfall events exceeds the peak greenfield runoff rate from the site for the same events;
- peak runoff rate from urban surfaces is almost certain to exceed the 1-in-100 year rainfall event allowing for climate change (plus 40%). Infiltration is not feasible on site and there is high risk of groundwater flooding to the west and north west of the site;
- a population of GCNs was found in Pond 1 in 1999. The Newt Survey carried out by Pennine Ecological has not ruled out the presence of GCNs in Pond 1. Polluted wash-off from the Deer Park site is highly likely to impact on the Kingmoor Sidings Nature Reserve and Pond 1, Pond 2 and Pond 3;

Other

- a petition with almost 800 signatures shows the wide support to save the area;
- the revised application is virtually the same as the previous one recently rejected – the concerns raised remain the same and to approve this would undermine public trust in the planning process;
- the application was rejected in 2020 what has changed now to make it viable or necessary?

- there is a covenant on the site that forbids building anywhere other than on the site of the original dwelling;
- too many builds north of the river;
- a potential 80 extra families will put a strain on local schools and services;
- there are not enough doctors or dentists in the area;
- climate emergency should be a priority for the Council - allowing a development that will increase pollution and lead to a loss of trees is not environmentally considerate;
- the proposal will lead to the further deterioration of the environment north of the river due to increased traffic and pollution;
- traffic pollution on Kingmoor Road is already bad;
- the rail depot to the west of Kingmoor Park causes a lot of noise and diesel fumes which drift across Deer Park and may affect the housing;
- the archaeological potential of the land identified previously has been dismissed by planning;
- has the archaeological site survey been completed? This was requested before any development;
- the field was damaged by heavy plant last month;
- building work will cause noise and disruption;
- having green areas nearby is important for physical and mental health;
- the great value of Deer Park has been realised even more due to the pandemic;
- the site allegedly contains hazardous material (asbestos) which might pop up in people's gardens;
- lack of current jobs and businesses;
- affordable homes are not affordable for many local people on low wages;

4.3 The letter of objection from Cllr Helen Davison raises the following concerns:

- from discussions with a wide range of residents, living both near the field and further afield, I have learnt just what a precious community amenity this field has been over the years for them and just how much they value it. I have a real feel for their passion and desire to protect the field from development and their real sadness that anyone would even consider building houses upon it.

- the revisions to the original planning application 19/0905 have not been such that they alter my objections to the development.

Local context:

- the situation has changed since Deer Park field was allocated for housing in the Carlisle District Local Plan 2015 - 2030 which means that issues which may not have been issues in the analysis of its suitability for housing have now become considerably more important from a planning perspective than they would have been. The field to the north of the industrial estate which would have served as both buffer to Kingmoor Sidings Local Nature Reserve (LNR) and the nature corridor between Kingmoor South and Kingmoor Sidings LNRs was not allocated in the Local Plan but has since had planning permission approved for 71 houses (17/1028). The loss of this nearby field makes the protection of the habitat of Deer Park so much more important with regards biodiversity and our LNRs. The building of houses there will also have a cumulative impact with regard school places, pressure on other local services and traffic flow along Kingmoor Road.

1. Highway safety, traffic and parking issues

- residents have raised major issues about road safety on Kingmoor Road and have significant concerns about the introduction of a new road junction onto a road which already has several junctions and driveways coming onto it.

- traffic is regularly observed exceeding the speed limit with some cars significantly exceeding it. Traffic currently comes from the bypass and does not heed the speed limit signs as it gets into the 30mph speed restriction area. Although this may be alleviated by the new development beyond the industrial estate, vehicles also travel fast all along the road heading out of Carlisle, with the speed warning sign on Etterby Scaur near Austin Friars not really preventing this. In the few months after the planning application was submitted at the end 2019, I am aware of two vehicle collisions in that area, one into the barriers just by the entrance to Etterby Road and one into the garden wall of a house Kingmoor Road itself, close to the position the new entrance to the estate is planned. A resident has also informed me of a near miss with a vehicle when trying to get four children across the road near the Redfern pub, such that she had to pull the children back onto the pavement. The vehicle was coming too fast and was upon them too quickly.

- given plans to remove a significant amount of the hedges on the development side I have it on good authority from a county council officer that this will reduce the sense of narrowness of the road with the risk that people will speed more rather than less.

- some residents on Kingmoor Road do not have driveways so need to park on the roadside. If they fully park on the road this leads to there being only room for one vehicle to go along the road in certain sections and I have witnessed poor driver behaviour in this area with drivers not giving way to others in this area. It adds to the poor visibility to see vehicles coming when pulling out of driveways, which is a particular issue due to the speed that traffic travels along the road.

- the pavement width on Kingmoor Road is such that when any vehicle parks on partly on the pavement the pavement itself can be blocked to wheelchair and pushchair users requiring them to walk on the busy road. Without a decent pedestrian crossing space at the southern end of Kingmoor Road people still may not cross the road to use the better planned pavement on the far side of the road to avoid such obstacles.

- drivers drive as if the road is a straight road but there are slight bends on it, which result in people having difficulty seeing cars in time when pulling out of junctions, especially when those cars are speeding. Residents have raised concerns about coming out of driveways, coming out of Hartley Avenue and also coming out from the Kingmoor Park nature reserve. All these manoeuvres are made more difficult by the speed of traffic along the road.

- there are currently no pedestrian crossings over Kingmoor Road and residents currently have to risk the speeding traffic to cross the road. Although one of the conditions of the development requested by highways is that the developer fund a crossing over the road, as I understand no exact location has been identified for this. It is being suggested at the north end of Kingmoor Road towards Kingmoor South nature reserve. Residents are concerned, depending upon its location what the visibility will be like coming up to it, given the slight but significant bends in the road. If it is not appropriately positioned such that it will work with the everyday journeys that people take over the road, people will continue to cross the road in places which are not so safe for crossing. Although a crossing at the northern end will work for children going to Kingmoor schools and would link to the cycle route from Lowry Hill it is less likely to be a route of choice for people who are going to the shop / post office, pub and take away from St Ann's estate and for parents who wanted to take their children to the large playing field off Belah Road from Etterby Road, Gleneagles Drive or the proposed development areas.

- given the pressure on the school places at Kingmoor Infant and Junior school how are children going to safely walk or cycle to a school being proposed at Windsor Way? Cycling routes for children to the central secondary schools are still also inadequate without sufficient consideration of the direct route along Kingmoor Road and Etterby Scaur which children take. Whatever walking and cycling infrastructure is put in, it should be enabling children and their parents to safely travel actively to school and not have to rely on parents driving them there and I don't feel it appropriate to go ahead with this development until these issues have been investigated and adequately addressed.

2. Conservation, wildlife and biodiversity

- the strong message coming from residents is what on earth are we doing allowing building upon a field which has such an array of plants and wildlife, quite unique in its area and right next to one of our local nature reserve? The orchids, for example, may not be the rare types that can be protected by legislation, but I don't know anywhere else in our local vicinity that you can see over 80 orchids over summer in a field so close to many residents who can access them. Where else locally can residents look out of their windows and watch the deer in a field? Many of the trees are protected, including the avenue

of trees lining the old driveway to the house on Deer Park, but what will happen to them once surrounded by houses. How will their roots be affected? What damage will happen to the trees with TPOs during building? How many of them will become damaged and will have to be chopped down? At the moment the avenue of trees is seen as a positive asset in the field but it may not be considered as such by anyone living next to them. At what point will the avenue of trees become a nuisance to the people living next to them, as they drop sap and branches onto anything underneath them and block light from houses with requests to the council to chop them back or down?

- to describe Deer Park as “scrubland”, as it has been described by the developer, is downplaying its appeal and is not to have visited and appreciated the field during its spring, summer and autumn glory and see the meadowland and the array of plants and insects inhabiting it. It has a mix of habitats. The boggy land, which has rendered it free of houses over the years due to the winter flooding, the meadowland and also the land where the estate garden was which still has fruit bushes and other plants linked to it. Other species there include goldfinches, badgers, bats, two or three species of orchid including northern marsh orchids, butterflies, fruit trees and bushes including blackberries, raspberries, apples, pears and sloes.

- how is the field used by the various species that inhabit it? Is the field part of a wildlife corridor that links wildlife here into Kingmoor South Nature Reserve on the other side? Where will the creatures go that live there? This is a very different habitat from the adjacent nature reserve. What will happen to the honeybees' nest that has been in the tree at the entrance to the field that has been there for several years and where if you look carefully you can see the honeycomb?

- our knowledge and understanding have dramatically changed since the Local Plan was written back in 2015 and the land re-allocated for housing, and continues to do so even since the original plan 10/0905 was submitted. We are facing the extinction of wildlife on an unprecedented scale and a huge loss of insect life, the pollinators that maintain our food crops, down to human activity and the loss of habitats as a result of human development. The loss of habitat in the UK has been particularly bad with the UK now being one of the most nature depleted countries in Europe. As we increasingly put this system out of balance by our continuing development and resource use we leave it more and more fragile. I would like to see the council consider every development with this consideration. Of all the fields to choose for this development this, more than so many others around Carlisle, is hugely biodiverse. And the measures being put in by the developer to compensate for the loss of habitat come nowhere close to replacing the loss it will create and impact it will have on biodiversity.

- how is this development going to meaningfully implement the biodiversity net gain principle in the National Planning and Policy Framework (Feb 2019) with regards to this development?

- although Deer Park may not be a “valued landscape” in the grand scale of things in the way that the Lake District is, this is absolutely a valued landscape

for the local residents and those from further afield who have used that field over many years to get outdoors for exercise and recreation. The benefits to residents of this field (their local natural capital) are immeasurable in terms of the impact on their health and wellbeing, both in terms of use of the field by young and old generations and also that it enhances the local neighbourhood making it a more pleasant and desirable place to live. What this field gives that the nature reserves don't is open space and open skies. For all who suffer from seasonal affective disorder the importance of spaces where you can get out and see the fullest of daylight over winter is so important.

- how can the asset value of this field for wildlife and plant life be replicated in the locality such that the species currently inhabiting it can thrive there? The developer mentioned moving some orchids to near the path to the north of the field. That land is dry and we have it on good authority from local ecologists for the Cumbria Wildlife Trust that marsh orchids would not survive there. Also how are the orchids going to be transplanted? What guarantee is there from the developer that they will wait with their work until the next season when the orchids appear before disturbing the land and destroying the plants before they can be transplanted? How successful is the transplantation of orchids when done? Are the scale of the orchids mentioned within the reports on the field so that it can be seen where they are in order to a) protect them and b) safely move them? I did not get a sense of this from the ecological survey that was done.

- Carlisle Local Plan (2015 – 2030) policy G1 3 is also relevant. *"Biodiversity assets across the district will be protected and where possible enhanced."* Cumbria Wildlife Trust in their objection clearly describe this field as a biodiversity asset for Carlisle and important in the protection of the neighbouring nature reserves. Given that there are two LNRs in close proximity any net gain should link to this and should ensure that wildlife corridors are not lost. It was suggested by a conservation expert at Friends of the Lake District that the obvious option would be for the field to the north to be enhanced for biodiversity (and protected from future development) to make a physical link between the two areas of the nature reserve. The field nearby could have been used to transfer some of the plant life and could have been used to create a similar habitat for the wildlife and which could have supported the nature corridor from Kingmoor Sidings to Kingmoor South nature reserves. This field although not allocated for housing in the 2015-2030 Local Plan now has planning approval for approximately 70 houses. Had that not been happening, there would have been the opportunity for some significant biodiversity gain.

- the green space available in this new development will not compensate for the loss of the habitat as it is. And I would question how net biodiversity gain can be achieved on the site itself or close enough to the area to mitigate for the impact of losing this field. It is important that the developer pay an amount to Green Spaces that truly reflects the amount of work required to remedy the detrimental impact on local biodiversity as highlighted by CWT. I would anticipate this amount to be hugely greater than that currently being requested by the Green Spaces team.

- if the development is approved I would urge that the maximum amount of

conditions that can be imposed are imposed to ensure that there are homes and habitats for bats, hedgehogs and other creatures that currently inhabit the field. e.g. bat boxes on every house. But again I would seriously question whether putting in these measures is going to lead to a true biodiversity gain for this area and urge that this development is turned down on biodiversity grounds as well as other reasons.

3. Amenity

- this field would seem to me to fulfil the definition of amenity - *“A positive element or elements that contribute to the overall character or enjoyment of an area. For example, open land, trees, historic buildings and the inter-relationship between them, or less tangible factors such as tranquillity.”*

- the loss of this field to housing will destroy a valuable local amenity for the neighbourhood. In considering people's health and wellbeing this field is closest to the areas of Belah and Kingmoor ward which have the worst statistics for health and social factors. Also Belah was identified in the Carlisle Green Infrastructure Strategy (The Big Green City: The Green Infrastructure Strategy for Carlisle City and District, 2011) as being the number six on the list of the 10 wards in the city with the least green infrastructure cover. This is a gem of a field that is within very easy walking distance for the residents in that area, where it is possible to get a sense of tranquillity and being “away from it all” even though you are close to houses. A place for people to de-stress and relax. With open space, trees and hedgerows and the opportunity to engage with nature and wildlife, see the stars and planets away from so much light pollution and educate children about nature. Building houses on this field will take away an irreplaceable community asset and given that Belah is sixth on the wards with least green infrastructure cover it would seem prudent for many reasons to preserve this space.

- the developer talks about the development enhancing the area and creating a desirable place to live, but the very development will take away one of the key assets that makes the area a desirable place to live in the first place.

- to understand just what a local amenity this field is to residents I would ask that all involved in making the decision read all the objections that have been submitted. Reading a summary of the report highlighting key issues raised is unlikely to capture the depth of feeling and the desire of the community to protect this field both for themselves and future generations and completely understand the objections to it being built upon.

- issues of both noise and air pollution from DRS Kingmoor railway operations were raised at the planning meeting about the development (19/0905). The previous input from Environmental Health had not mentioned the issues around air pollution as residents had not raised it with them but it is an issue that had been raised by some residents. Given the much greater understanding of the impacts of air pollution on health that we now have than we had when the Etterby Park estate was built, especially on the health of young children, and that this development is targeting young families, I think it is very important that any issues around excessive diesel pollution should be assessed and, if necessary, addressed before further houses are built close to the depot. And

with regards noise I would ask that a noise assessment should be carried out before any houses are built, rather than waiting until houses are built to carry out the assessment. This should take into consideration different times of day and year, given the nature reserve may act as a buffer in summer but not so much in winter when the trees are bare. DRS is very close to the proposed houses and noise from it could be a particular impact at night or when families are in their gardens.

4. Impact on and availability of local services

- despite a request from the Development Control Committee before making their decision on the original planning application 19/0905, the county council provided no reassurance on the school situation. I have seen nothing in their statements with regard this new application which change that and, on those grounds alone, I would urge committee to turn this application down.

- where is it intended that children will go to school from this and the nearby approved development north of the industrial estate? As I understand it Kingmoor Infants and Junior schools are currently oversubscribed. And Stanwix school hasn't got the capacity to expand. When this development is built and if families move in straight away, where will their children be expected to attend school? Will they have to go to the not yet built but talked about school at Windsor Way? And if so how will they travel to school? If the children from here attend Kingmoor schools, what areas in the ward will then have to send their children to the Windsor Way school and if so how will they get to that school?

- what measures are going to be put in place to ensure that the option of walking and cycling to school is a safe and preferable option rather than parents needing to drive their children to school adding to congestion and pollution? This will require safe routes for children across Scotland Road both on foot and bicycle.

- particularly important to consider are the routes for children coming from this estate to the secondary schools in the centre of Carlisle, Trinity and Richard Rose Academy. What provision is going to be put in place to enable a safe cycle route on the direct route that children will want to take, along Etterby Scaur and along Cavendish Terrace or the path below to Eden Bridge? The developer is being required by highways to put a walking and cycling path in along the front of the estate which is great. But how do children and teenagers then safely get from there to Eden Bridge without needing to cycle on Kingmoor Road from Gleneagles Drive, the Etterby Scaur road and the bottom of Etterby Street? There is a potential route that could be developed about which I have spoken to County Council officers but there would need to funding to enable that.

- if we are serious as a council about moving towards net zero as a city, which includes playing our part in facilitating a modal shift in how we travel, I believe all these questions need to be answered and the infrastructure be ready to be set up and funded before we agree to this housing development going ahead.

- what is the impact too of these and the neighbouring planned estate on local

health services? Is there the capacity within the system as it stands to deal with the additional pressure on services?

- the approved development on the next field out to the north of the industrial estate (27/1028) almost covers the allocation of houses that were suggested for the Deer Park field, reducing the need for the Deer Park development. 21 of the 71 houses will be affordable, half to buy and half for social renting, with quality rental properties being important in this area of the city.

- if the developers genuinely want to provide Carlisle residents some truly affordable housing for the area and care about enhancing the opportunities for people to live in a pleasant environment, as suggested when they spoke to residents at a meeting in 2020, how about creating some properly affordable low-level block of flats on the site on the footprint of the old house on Deer Park estate? That way they would leave the neighbourhood with its valuable community amenity, they would be providing the residents wanting to live there the opportunity to live in a beautiful piece of estate land and overall the major threat to biodiversity and loss of wildlife corridor and to Kingmoor Sidings nature reserve would be removed.

- Speaking to some local residents who live in and are looking for affordable housing in this area they are very clear that they would still not want to see Deer Park built upon because of its value locally.

- this development, as with so many in the north of the city also fails to provide the bungalows and provision for our more elderly residents that is needed. The expectation to put in stair lifts is really not the same as the provision of purpose-built houses on one level.

5. Counter to the Carlisle District Local Plan (2015 – 2030) and other planning documents

- the public right of way is a historical route across the field, used by railway workers to the sidings and has been secured as a right of way by the efforts of local residents. It provides the most direct route through the field enabling residents coming from the south east end of the site to access Kingmoor Sidings nature reserve through an environment conducive to wellbeing. Everything should be done to protect this right of way as it is.

- specifically with regard the land at Deer Park the Local Plan states: *"Public footpath 109397 crosses the site in a north westerly direction from Kingmoor Road, and must be retained and protected as part of the development."*

- Carlisle District Local Plan policy GI 5 Public Rights of Way states: *"New development will be expected to ensure that all public footpaths, bridleways, cycleways and other rights of way are retained. Development proposals that would affect existing rights of way will not be permitted unless an alternative route is made available, or can be made available, which is safe, attractive, is well integrated with the existing network and is not significantly longer than the original route."*

- how long is significantly longer and how long is the diversion likely to be? The current footpath is 280 metres (according to the sign in the nature reserve as you enter it.) Will the Kingmoor Sidings nature reserve still be accessible for those limited in the distance they can walk, for example people coming from the Gleneagles Drive area, or in St Ann's?

- again from the Local Plan, G1 para 10.24: *"Only if it can be demonstrated to be impossible or impractical should the rerouting of a right of way be considered. When an alternative route is proposed as part of an application for new development, the application will only be approved once it is clear that the route has been (or will be) established, and that the route is safe, convenient, of similar or better quality to the original, well integrated with the development and its setting and not significantly longer than the original route."*

- what has the developer done to demonstrate that it is impossible or impractical to keep the existing route? Is it actually impossible for the developer to keep the path where it is? How will having a path through a housing development enhance the experience for users of that public footpath?

- the argument has been made that the existing path is muddy and that their paths will be better. However, part of the experience of walking through the field and into the nature reserve is that closer to nature feeling of walking over grass and natural ground, rather than concreted paths. Given the bogginess of the field and the nature reserve wellies are sensible footwear anyway. The new proposed route will take people through houses and requires the crossing of an estate road, not the experience for wellbeing that the existing path provides.

- further to my comments about this in section 2 on biodiversity, Carlisle Local Plan policy G1 3 states: *"Biodiversity Assets across the District will be protected and, where possible, enhanced"*.

The nature reserve is a priority habitat, which the Government says, in the National Planning and Policy Framework and their 25 year environment plan, "A Green Future: Our 25 year plan to improve the environment" are crucial to nature recovery. Given that the field to the north of the site, which would have been the area with the scope for the protection of and enhancement of the Kingmoor Siding nature reserve by linking it with Kingmoor South nature reserve, is now being built upon, how is this development really going to do this?

6. Other issues arising during my discussions with residents and others:

- a condition should be put on the development that should the developer start work and find something within the process that stops it from happening, and if it becomes apparent that the development becomes unviable that they will cover the cost of restoration of the field, given what a precious community resource it is? For example, there is high confidence from a first-hand witness, a former railway worker at Kingmoor Sidings that there is a significant pile of asbestos buried near the site of the old house that was disposed of from the railway works as well as asbestos along the route of the public right of way in the field. This contamination occurred from barrows that the railway workers took to and from the site as they were working with asbestos at the railway sidings. It would be a real shame if the developer starts work and digs up the

field destroying the habitat there, only to find some level of contamination from this or other industrial materials which prevents houses being built there.

- the argument has been used that the field is private land and why shouldn't the owners be able to sell it so that houses can be built upon it. However, that is not how our planning system is set up and so it shouldn't be. People cannot build on land just because they own it. Imagine what would happen in our countryside if that was the case. It is why we have planning laws and permissions need to be granted by councils to ensure that only appropriate developments occur in appropriate places. Who owns the land and who is going to make money from it should be irrelevant to the planning process or decisions.

- with regards comments made about people accessing the land beyond the public footpath it has been used by the public consistently for well over 20 years without them being challenged in their use of it. Looking at the government website it says, *"you may still be able to access private land ... if the land was accessed by the public for 20 years and nobody has asked them to stop."* This is certainly the case with Deer Park.

- it seems wholly unfair and wrong to me that, at the moment they learn that there is a planning application for houses and want to voice their objections, residents are told that they should have objected at the time of the Local Plan consultation. Not one resident I have spoken to was aware that the local plan process was either happening or that if they were, that it was advertised in such a way that they realised this was the time to object to the principle of building houses on this site. Had they known they would have actively objected then and would have raised awareness within their own community, as they are now currently doing.

- in the introduction to the Carlisle District Local Plan it states that *"Active community involvement at each key stage of plan preparation has helped to mould the Plan to ensure stakeholders and the community are engaged in the process."* From all of my discussions with residents I can categorically say that the community who value this field and community amenity and desperately want to protect it were not actively involved in this local plan process. Much as I fully appreciate this is not a planning reason for turning down this application I really hope that this is heard by the council and that it will see the unfairness in a system that has meant residents objections to the principle of building houses on Deer Park did not get voiced in the way that the system dictates because they did not know they could. This does not mean in my opinion these objections are any less valid and I think they should be heard and recognised.

- should the development be approved I would want to see sufficient conditions such that the lives of local residents are not further negatively impacted, especially with regards the impact of traffic on Kingmoor Road and that the true level of compensation for biodiversity loss caused by the development is covered.

4.4 Two letters of support have been received which makes the following points:

- think the development would look fitting for the area and offer new housing at a realistic price;
- the area needs more housing;
- it's not a public field, just a field with a public footpath through it, so shouldn't be considered public open space;
- think the development has incorporated the old trees well in the design.

5. Summary of Consultation Responses

Northern Gas Networks: - no objections;

Cumbria County Council - (Highway Authority - Footpaths): - PF109397 follows an alignment through the proposed development area - note the proposed formal diversion of this footpath to link up with the permissive path to be created as a PROW by Carlisle City Council at the north end of the site;

The Ramblers: - no comments received;

Cumbria County Council - (Highways & Lead Local Flood Authority): - no objections subject to conditions (construction details of roads/ footways/ cycleways and ramps; details of the crossing on Kingmoor Road; construction details of driveways; no other vehicular access to the site; linking of footways and cycleways to nearest footway/ cycleway; submission of Construction Traffic Management Plan for approval; submission and approval of surface water drainage scheme and Construction Surface Water Management Plan);

Local Environment, Waste Services: - no objections - the bin storage areas for private drives are welcome and the turning heads look acceptable;

Local Environment - Environmental Protection: - should limit the permitted hours of work; need mitigation measures to deal with noise, vibrations and dust; note reports and findings of the Geotechnical Report submitted with the application - need a further report and need to agree a remediation strategy; need conditions in relation to remediation and unexpected contamination; developer needs to provide at-least one electric charging point per dwelling and rapid charging points in communal areas.

Noise level measurements should be undertaken in at least two residential units in the development to verify that the noise from the roads and the railway do not result in the internal and external noise levels exceeding World Health Organisation guidelines during the daytime and night time; and the measured noise levels should be reported to and approved in writing by the Local Planning Authority. Due to the proximity of the proposed development to the Direct Rail Services (DRS) depot we would suggest that an air quality assessment should be carried out;

Health & Wellbeing: - require contributions for offsite open space (£22,364); offsite play provision (£27,409), offsite sports pitches (£15,561) and upgrading the permissive path (£3,500). Need to establish suitable boundary fence to the nature reserve to prevent unauthorized access from the open spaces and back gardens. Need to assess the trees within the nature reserve in relation to having them protected where they overhang the development;

Planning - Access Officer: - no objections;

Cumbria Constabulary - the contents of the published Design and Access Statement and Addendum documents pertaining to community safety issues are noted. In essence, the measures proposed reflect previous amendments by the applicant during the process of 19/0905 and are acceptable. Anxious to ensure that all communal spaces and access routes are in full view, in the expectation that this will deter unwelcome or nuisance behaviour. The introduction of the Play Trail along the PROW is noted, but it is not clear if the PROW shall be included in the street lighting scheme, which is set amongst the avenue of established trees to the east of the site. Views into the site (and across the PROW) from the direction of Kingmoor Road will also be beneficial;

Natural England: - as there is no hydrological link it is unlikely there will be any negative water quality impacts on the River Eden SSSI/SAC. Due to the ecological value of the site however and the scale of the proposal, advise that this proposal does leave the biodiversity of the site in a better state than it is currently. The proposal gives opportunities for delivering net gain particularly due to the presence of quality habitat adjacent to the site and the opportunity for enhancing the ecological network. As there are a variety of ecological reports submitted for this proposal, due to revisions and additional surveys, may find it beneficial to request an overarching report which brings together all the protected species mitigation and enhancement details to aid the decision making process and to ensure these are secured through an appropriately worded condition. An overarching report would also benefit from the inclusion of a method statement to accompany the Landscaping Plan to detail what the proposals are and how they will be undertaken and their future management; a calculation of the habitats that will be lost using the biodiversity metric in order to assess whether the proposed landscaping scheme does provide a net gain; a plan showing the trees to be removed to ensure more trees are planted as compensation, with consideration that saplings will not offer the same biodiversity value of established trees;

Cumbria County Council - (Archaeological Services): - no objections;

Direct Rail Services: - no comments received;

United Utilities: - following a review of the proposed engineering layouts, proposals are acceptable in principle subject to conditions (surface water drainage; sustainable drainage management and maintenance plan). A critical surface water sewer and a critical combined sewer cross the site and UU will not grant permission to build over these and minimum clearance is

required for the sewers;

Cumbria County Council - Development Management: - estimated that the proposed development would yield 29 children: 7 infant, 10 junior and 12 secondary pupils. There are insufficient places available in the primary catchment schools to accommodate all of the primary age pupils that would be yielded by this development. There is projected to be a shortfall of 2 infant places and 10 junior places. Therefore a contribution is required for 2 infant places and 10 junior places $12 \times £17,829 = £213,948$. The catchment secondary school of Trinity Academy is already oversubscribed and cannot accommodate any further pupils. When all housing developments are taken into account none of the secondary schools in the Carlisle area can accommodate the additional secondary children this development is estimated to yield. Therefore, an education contribution of £294,648 ($12 \times £24,554$) is sought for secondary school places.

6. Officer's Report

Assessment

- 6.1 Section 70(2) of the Town and Country Planning Act 1990/ Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 6.2 The relevant planning policies against which the application is required to be assessed are the National Planning Policy Framework (NPPF), the Planning Practice Guidance (PPG) and Policies SP2, SP5, SP6, HO1, HO4, IP1, IP2, IP3, IP4, IP6, IP8, CC4, CC5, CM2, CM4, GI3, GI4, GI5 and GI6 of The Carlisle District Local Plan 2015-2030. The council's Supplementary Planning Documents (SPD) "Achieving Well Designed Housing", "Affordable and Specialist Housing" and "Trees and Development" are also material planning considerations.
- 6.3 The proposal raises the following planning issues:
 1. Whether The Proposal Is Acceptable In Principle
- 6.4 The site is allocated for housing in the Carlisle District Local Plan 2015-2030 (Policy H01 - Site U16) and planning permission has been granted (at appeal) for the erection of 80 dwellings on the site. The proposal to erect 79 dwellings on the site would, therefore, be acceptable in principle.
 2. Whether The Layout, Scale And Design Of The Dwellings Would Be Acceptable
- 6.5 The site covers an area of 3.51 hectares and the proposal is seeking to erect 79 dwellings on the site. The proposed layout is very similar to the previously approved scheme for 80 dwellings.
- 6.6 Vehicular access to the site is proposed from a priority controlled junction with

Kingmoor Road with visibility splays of 2.4m by 45m in each direction being provided. This road would vary in width from 5.5m to 4.8m and would have a 2m footpath to one side. This road would provide access to 76 of the dwellings via shared surface roads and private shared drives, with 3 of the dwellings at the northern end of the site having direct access onto Kingmoor Road. An emergency access would also be provided onto Kingmoor Road, the use of which would be controlled by bollards.

- 6.7 A 3m wide footpath/ cycleway would be provided along Kingmoor Road from the southern end of the site, near Gleneagles Drive, to the northern end of the site. At the southern end of the site the footpath would be set back behind some protected trees that are to be retained. An additional footpath would be provided along the avenue of protected lime trees, which are to be retained and this would be adjoined by a play/ trim trail. This footpath would link (via a shared surface road) to the public footpath that runs along the northern site boundary. This footpath would replace the existing Public Right of Way that runs through the site. A group of protected trees that lie to the west of the avenue of lime trees would also be retained.
- 6.8 A SUDS pond would be provided in the south-west corner of the site and this would take the surface water from the development. An area of open space would be provided to the west of the SUDS pond and a number of the orchids that currently exist on the site would be relocated to this area.
- 6.9 The development would contain twelve different house types and these would include 12 two-bedroom semi-detached starter homes, 25 three-bedroom semi-detached properties, 22 three-bedroom detached properties and 20 four-bedroom detached properties. The size of the dwellings would range from 60.5sq m to 108.5sq m.
- 6.10 The dwellings would be constructed of a red multi brick, under a flat dark grey concrete tiled roof. Windows, fascias and soffits would be white upvc with rainwater goods being black upvc.
- 6.11 The dwellings would have various designs and would utilise a range of features to add visual interest and variety. These include the use of; brick sills and lintels; brick quoins; open porches; bay windows; two-storey projecting gables; single-storey projections; with some dwellings having integral garages, attached garages or detached garages.
- 6.12 The Council's Affordable and Specialist Housing Supplementary Planning Document recommends that developments of between 50 and 100 dwellings should provide 5% of the dwellings as bungalows or as suitable adaptable properties which meet the needs of an ageing population.
- 6.13 Gleeson is a niche house builder that specialises in the provision of low cost housing for those on low incomes with a core aim of getting people out of housing poverty and the 'rental trap' and into home ownership. The company is proud of its average selling price which currently sits at £128,900 (November 2019) across their entire range which includes 4 bed detached properties. 87% of purchasers are first time buyers, with an average age of 31 (and over 81% of purchasers are under the age of 35) and an average

household income of £32,400.

- 6.14 In order to be able to provide low cost homes, Gleeson has to maintain an efficient and economical operation, and this extends to land values. Bungalows are inherently 'land hungry' and would be economically prohibitive to bring forward in a Gleeson development. The SPD notes that bungalows achieve greater values than dwellings but this runs completely at odds to the ethos of the Gleeson business which, as set out above, is all about providing low cost housing for low income families to get their foot on the housing ladder. The majority of developers would be able to provide bungalows as part of their development and recoup the 'loss' through increasing the asking price, but this doesn't work for a Gleeson development.
- 6.15 Gleeson considers that its proposals are consistent with the desires of the SPD, as it provides a product which is financially beneficial for an occupier over even social housing rental prices and so is attractive and effective in allowing social housing tenants to move out of their rented accommodation and into home ownership, freeing up the rental property for those who truly need it. This can be particularly helpful in the case of more limited accommodation types, such as bungalows, where tenants may be residing in inappropriate accommodation which can then be freed up for those requiring it.
- 6.16 Gleeson does offer, as part of its 'Community Matters' initiative, a 'Design for Disability' policy which provides free of charge alterations to dwellings to cater for those with specific identified needs. This policy would facilitate the provision of specialist hardware such as chair lifts, but not the installation of such hardware.
- 6.17 On balance, it is considered that the benefits of low cost housing which would be delivered by the proposal would outweigh the none provision of bungalows within the development. It should be noted that the recently approved scheme for 80 dwellings does not contain any bungalows.
- 6.18 In light of the above, the layout, scale and design of the proposed development, which is similar to the previous approval, would be acceptable.

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

- 6.19 The application site lies adjacent to residential properties on St Pierre Avenue, which lies to the south and Kingmoor Road, which lies to the west. There would be a minimum separation distance of 33m between the proposed dwellings and the existing dwellings on St Pierre Avenue and a belt of trees would lie on the boundary between the existing and proposed dwellings.
- 6.20 A number of the proposed dwellings that would face Kingmoor Road would be orientated so that do not directly face the existing dwellings on Kingmoor Road or would lie to the rear of existing trees which are to be retained. Plots 17 to 25 would have elevations directly facing the existing dwellings on Kingmoor Road. Plot 22 would have a side elevation 20m from the front

elevation of a property on Kingmoor Road but this would only contain a bedroom window at first floor level, with all other plots being a minimum of 25m away from the existing dwellings.

- 6.21 The separation distances proposed would comply with the Council's separation distances (21m between primary facing windows and 12m between primary windows and blank gables) set out in the Council's Achieving Well Design Housing SPD and would be consistent with the separation distances in the recently approved scheme.

4. Provision Of Affordable Housing

- 6.22 In July 2018 the NPPF was revised to include a revised and expanded definition of Affordable Housing, which includes the following:
“d) Other affordable routes to home ownership: is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to Government or the relevant authority specified in the funding agreement.” This definition was included once more in the NPPF published in February 2019.
- 6.23 Gleeson has been delivering a product very closely aligned to the new definition of ‘other low cost homes for sale’ for a number of years. The proposals for the application site are to sell a minimum of 30% of properties on the development at prices that are 20% below local market levels. At least 12 two-bed semi detached dwellings (15% of the entire development) would be sold for no more than £109,995 (sold with parking space but not a garage). The average sale price of a semi-detached home within one mile of the site is £169,849 (Land Registry Data 21st November 2019) - the Land Registry data does not specify the bedroom size. Gleeson's two-bed semi-detached dwellings that make up 15% of the total development would be 35% below the local market value.
- 6.24 At least 12 three-bed semi-detached dwellings (15% of the entire development) would be sold at no more than £135,879 (sold with parking space but not a garage). The average sale price of a semi-detached home within one mile of the site is £169,849 (Land Registry Data 21st November 2019) . Gleeson's three-bed semi-detached properties that make up 32% of the total development would be 20% below the local market value.
- 6.25 Gleeson is happy to give nomination rights on these dwellings to the council. Upon the initial sale, the properties would be made available to applicants on the Council's Low Cost Housing Register (for one month exclusively) before being made available to the general public.
- 6.26 In light of the above, 30% of the development would be affordable homes (in

accordance with the NPPF definition) with a mix of two and three-bed properties being provided. The prices would be reviewed each year with an allowance to increase in line with the percentage increase in the national living wage in the same period. These prices would exclude garages and any 'purchaser extras' which would be over and above the discounted price. Such provisions would be covered within a S106 agreement.

5. Highway Matters

6.27 The application is accompanied by a Transport Statement, which has been prepared in accordance with recognised guidance and pre-application advice from Cumbria County Council. It concludes that:

- the site has been demonstrated to be accessible on foot, by bicycle and by public transport;
- a review of the historical collision data has demonstrated that there are no existing accident blackspots in the vicinity of the site and no safety concerns related to the operation of a priority controlled junction on this section of Kingmoor Road;
- based on the findings of the trip generation analysis, there is no reason to believe that highway safety would be worsened as a result of the development;
- the design of the proposed site access junction and internal road layout accord with the County Council's design guidance;
- car parking has been provided in accordance with the Highway Authority's pre-application advice;
- an AutoTrack assessment has demonstrated that the site can be safely serviced using an 11.2m refuse vehicle;
- from a review of the traffic generation of the site, the proposed development would have no material impact upon the safe and efficient operation of the surrounding highway network;
- the proposed Kingmoor Road site access junction has been demonstrated to operate well within capacity.

6.28 The proposed development consists of 79 dwellings with 76 being accessed from a new road to be constructed off Kingmoor Road and plots 21, 22 and 23 being accessed directly from Kingmoor Road. The Highways Authority note that no objections were raised with regards to a previous planning application at this site (19/0905) for 80 dwellings. Minor changes are noted between the previous application and current, therefore the principal of development at this location is accepted with an access from Kingmoor Road.

6.29 The maximum number of dwellings that one access can accommodate is 50 dwellings; as such an Emergency Vehicle Access (EVA) onto Kingmoor Road is required for a development of this size which is provided between plots 20 and 24. The applicant undertook a speed survey on Kingmoor Road in October 2019 which determined the true vehicle speeds at the location of the proposed access for the development site. The results of this survey demonstrated 85th percentile speeds of 31.5mph in a northbound direction and 31.7mph in a southbound direction. Therefore, the visibility splays required for all of the access points onto Kingmoor Road, including the

Emergency Vehicle Access (EVA) is 2.4m x 45m. It should be noted that the EVA is accessed off a private shared driveway so will remain private; as such the developer will need to consider how they will prevent it being used as a short cut or being used as parking, which will negate its benefit.

- 6.30 The applicant has stated within the Transport Statement that the visibility splays associated with the EVA, main vehicular access and plots 21 to 23 are located within Plan 6. However, Plan 6 has not been submitted and is required to be scrutinised by the Highways Authority. The applicant should note that the visibility splays associated with Plots 21 to 23 may be impeded by the relocated hedgerows in the vicinity and as such may be required to be relocated. The visibility splay information is to be provided at a later stage of the planning process and secured through the use of planning conditions.
- 6.31 The main vehicular access into the development site incorporates a 5.5m wide carriageway with a 2m footway on either side of the bell mouth. The bell mouth itself has a 6m radii which is in accordance with the Cumbria Development Design Guide. The applicant has also demonstrated that a 3m wide footway / cycleway is to be provided along the boundary of the development with Kingmoor Road and a pedestrian crossing point located at the northern extent of the development site across Kingmoor Road linking into the existing cycle / footway network into Lowry Hill / Belah.
- 6.32 The crossing point along Kingmoor Road with associated signage is to be funded by the applicant through a S278 agreement and secured through a planning condition. It should be noted that Cumbria County Council as the Highways Authority will not adopt remote footpaths / cycle track nor the link adjacent to plot 20 unless this link is to a footway along the site frontage. The Council may consider adopting the remote footpath that will run adjacent to Kingmoor Road (due to the Tree Preservation Orders). Further to this the retained gate feature to the rear of Plot 2 will not be maintained by the Highways Authority and further information is required on its location as the gateway feature is within the proposed new footway.
- 6.33 Traffic calming is also required within the development to restrict the ability of vehicles to exceed speed limits and should also provide additional benefits (i.e. crossing points). This is to be achieved through shared surface areas being reached by a ramp and speed tables throughout the development. Where the footway crosses the new access (near plot 78), there appears to be a feature in the road but its unclear from any other drawings what this may be. The applicant is to confirm what the feature is and ensure that this does not impede NMU movements at this crossing point. The applicant is to enter into discussions with the Highways Authority regarding the surfacing of these traffic calming features and agreed through the S38 process.
- 6.34 It is also not stated within the suite of documents submitted as part of this application what the property driveways will be formed of. It is a requirement that they are formed of a bound material and not loose chippings or gravel. This is to be addressed as part of detailed design submission, along with construction details etc. which will be required for the design check for S38 and secured through the use of the planning conditions.

- 6.35 The car parking provision associated with each dwelling within the development has been submitted by the applicant. The car parking provision to be provided within the curtilage of each dwelling is acceptable to the Highways Authority as it meets the requirements of the Cumbria Development Design Guide with all spaces 2.4m x 5m in diameter. In addition to the car parking provision for each dwelling, the applicant has provided a further 6 car parking spaces for visitors which is acceptable to the Highways Authority.
- 6.36 Long sections, construction details and management plan, engineering layouts showing road lighting and highway drainage will be required to progress a Section 38 Agreement. Further to this a Stage 1/2 Road Safety Audit will also be required with the conclusions submitted to the Highways Authority for comment.
- 6.37 In light of the above, the Highway Authority has no objections to the proposal subject to the imposition of conditions (construction details of roads/ footways/ cycleways and ramps; details of the crossing on Kingmoor Road; construction details of driveways; no other vehicular access to the site; linking of footways and cycleways to nearest footway/ cycleway; submission of Construction Traffic Management Plan for approval). The Inspector attached the majority of these conditions to the recent approval. The conditions that state that there should no other vehicular access to the site other than via the approved access and footways and cycleways should be provided which link continually and conveniently to the nearest existing footway/ cycleway were not deemed necessary by the Inspector so have not been included in this application.
- 6.38 The Inspector noted that "a number of residents have raised highway safety issues, with particular regards to Kingmoor Road. The application was accompanied by a Transport Statement that included amongst other matters, a review of the historical collision data which, as detailed in the Officer's report "demonstrated that there are no existing accident blackspots in the vicinity of the site and no safety concerns related to the operation of a priority controlled junction on this section of Kingmoor Road". Furthermore, I note that the local Highway Authority were consulted, and no objection was raised. Therefore, on the basis of the evidence before me I am satisfied that the appeal scheme would not harm highway safety".

6. Drainage Issues

- 6.39 The applicant has submitted a Flood Risk Assessment (FRA) which details the drainage principles associated with the development of 79 dwellings at Deer Park, Carlisle. The applicant has stated within the FRA that the proposed surface water discharge is to be into the combined sewer to the west of the site at 19l/s. The discharge rate is equal to the QBar (greenfield runoff) rate with attenuation provided on site to account for a 1 in 100 year plus 40% to account for climate change storm event. This is because it has been deemed by the applicant that discharge via infiltration is unfeasible on site and there are no available watercourses within the vicinity of the site.

- 6.40 It is expected that the applicant works through the hierarchy of drainage options as stated within the Cumbria Development Design Guide. As such the first option to be explored for the discharge of surface water is via infiltration. A series of valid infiltration tests across the development site in accordance with the BRE 365 method have been undertaken by the applicant and the results submitted to the LLFA within a geo-environmental report for comment. It is stated within this document that 3 trial pits were constructed across the site in accordance with the BRE 365 method which concluded that infiltration is not a valid method of surface water discharge for the development. The LLFA agrees with this conclusion; and with no ordinary watercourses within the vicinity of the development site, surface water discharge into the combined sewer is acceptable in principle.
- 6.41 The green field runoff rate calculated for the site within Appendix G of the FRA is 19l/s and this is proposed to be the discharge rate for the site controlled via a hydro brake. It is also stated that attenuation is to be provided on site to accommodate a 1 in 100 year plus 40% to account for climate change storm event. The principles stated above regarding the discharge rate being equal to the green field runoff rate and the attenuation volume to be designed into the drainage network are acceptable to the LLFA. The detailed micro drainage calculations submitted by the applicant within Appendix F of the FRA illustrate that the drainage network can accommodate a 1 in 100 year plus 40% to account for climate change storm event without increasing flood risk on site or downstream of the development.
- 6.42 However, a detailed drainage design with built ground levels has not been submitted which correlates to the Micro Drainage calculations. For clarity, the attenuation on site is to be provided through a series of rain gardens, permeable paving, attenuation ponds and swales. Not a predominantly piped system leading into an attenuation pond. It is the preference of the LLFA that drainage features are not piped but surface features which are easily maintainable and provide additional biodiversity benefits. It is deemed that the applicant can provide this information at a later stage of the planning process and is to be secured through the use of the planning conditions.
- 6.43 In light of the above, the LLFA has no objections to the proposals subject to the imposition of a number of conditions (surface water drainage scheme; submission of a Construction Surface Water Management Plan). The Inspector attached these conditions to the recent approval.
- 6.44 A 1200mm diameter critical surface water sewer and a critical combined sewer cross the site and a minimum clearance is required from these sewers. United Utilities has been consulted on the application. It has reviewed the FRA and Drainage Strategy and has confirmed that the proposals are acceptable in principle. United Utilities has requested conditions are added to the permission which require the submission of a surface water drainage scheme and a sustainable drainage management and maintenance plan for the lifetime of the development, both of which would need to be approved by the LPA. These conditions were also attached to the recent approval.

7. Open Space Provision

- 6.45 The proposal should provide 0.89 Ha of open space to maintain the Local Plan target of 3.6Ha/'000. The plan provides 0.49 Ha of open space leaving a deficit of 0.40 Ha (45%). The proposal provides links to other open spaces which would contribute to this deficit, subject to a contribution for the upgrading and maintenance of open space within the ward of £22,364 (45% of total contribution) and this would be secured through a S106 Legal Agreement.
- 6.46 It is noted that the developer is now proposing to add a trim trail within the site and this is welcomed. There is no provision for a play area on site and the development is too small to have its own dedicated play area. An offsite contribution is, therefore, required, to maintain and improve existing play provision within the local ward, which is accessible from the development. Based on the size of the development (247 bedrooms) a contribution of £27,409 is required and this would be secured through a S106 Legal Agreement.
- 6.47 There is no provision for sports pitches on site and no scope to do this. Therefore, a contribution to improve existing off-site sports and recreation provision within the District is required. Based on the size of the development a contribution of £15,561 is required and this would be secured through a S106 Legal Agreement.
- 6.48 The developer would be required to ensure appropriate measures are put in place for the management of any new open space provided within this development. The future maintenance of the open space within the development would be secured through a S106 Legal Agreement.
- 6.49 The pedestrian and cycle links through the site and on to the play area at Gleneagles Drive and open spaces on the Kingmoor Sidings Nature Reserve, Kingmoor South Nature Reserve and Briar Bank Field open space are improved and suitable. The existing Public Right of Way is being re-routed to link up with the existing link to the Kingmoor Nature reserves.
- 6.50 In light of the above, the proposed level of open space in the site would be acceptable, together with financial contributions to improve existing open space, play areas and sports pitches in the area. An executed S106 was submitted to the Planning Inspectorate during the appeal and this included all of the financial contributions outlined above.

8. Public Rights of Way/ Footpaths

- 6.51 A Public Right of Way (FP109397) currently crosses the site. It starts in the south-east corner of the site and provides access to Kingmoor Nature Reserve. A permissive path, which is on land owned by the City Council, runs to the north of the site and this provides a link from Kingmoor Road into the nature reserve.
- 6.52 The proposed plans retain a PROW through the site but alter the alignment. The route would start in the south-east corner of the site and would run along the eastern side of the site near to Kingmoor Road before passing through the avenue of lime trees. It would then link into the permissive path that runs

to the north of the site via a shared surface road and a landscape strip which is in City Council ownership.

- 6.53 The County Council has been consulted on the application and is happy with the proposed new route of the PROW. It has, however, requested that the permissive path that the PROW would link to should be dedicated as a PROW so that it can be suitably maintained as a part of the network. The Health & Well Being Manager has no objections to the permissive path becoming a PROW and if the application is approved this would need to happen along with the diversion of the existing PROW. The applicant has agreed to pay £3,500 to upgrade this footpath and this will be secured through a S106 Legal Agreement.
- 6.54 At present there are a number of informal paths across the site, which are not identified as PROWs and there is no legal requirement to retain these. An application has recently been made to the County Council to have some of the additional footpaths that cross the site dedicated as PROWs. That application is likely to take a long time to determine and it would not be reasonable to await the outcome of the PROW application prior to the determination of this planning application. If additional PROWs are identified across the site the applicant would need to address this issue.

9. Education

- 6.55 The previous application was refused due to Members concerns about a lack of primary and secondary school places in north Carlisle which would be exacerbated if the application was approved. Members considered that this would have a detrimental impact on any school aged children occupying the proposed development and others in north Carlisle and this would be contrary to Policy CM2 of the adopted Local Plan.
- 6.56 The Inspector noted that *the first consultation response to the application from Cumbria County Council, the education provider in the area, identified that “the proposed development would yield 29 children” and thereby generate a need for 2 infant places and 10 junior places at primary level and 12 secondary school places, resulting in contributions of £213,948 and £294,648 respectively. This is not disputed by the appellant and an executed S106 obligation securing this and other contributions has been submitted in support of the appeal.*
- 6.57 *The Council also refers to “the existing problem of a lack of school places”. However, the consultation responses from Cumbria County Council clearly identifies that “there is no current shortage of places” and I have no substantive evidence to the contrary.*
- 6.58 *The second consultation response from Cumbria County Council is entirely unambiguous, while referring to the provision of school place planning in respect of the Story Homes development at Crindledyke, the response states that “...the county council is entirely supportive of sustainable housing development in Carlisle, and would not expect the issue of school place planning to impact on the decision of the Planning Committee on the*

proposed Deer Park development”.

- 6.59 *Consequently, on the basis of the evidence before me I am satisfied that the appeal scheme makes adequate education provision for future residents and is not therefore in conflict with the provisions of Policy CM2 of the LP.*
- 6.60 It is estimated that the proposed development would yield 29 children: 7 infant, 10 junior and 12 secondary pupils for the schools.
- 6.61 The site is in the catchment areas of Kingmoor Infant and Kingmoor Junior Schools (1.5 miles) and Trinity Secondary Academy School (1.8 miles). The only other primary school within the walking threshold is Stanwix School (1 mile) and the next nearest secondary school is Central Academy (1.9 miles).
- 6.62 There are insufficient places available in the primary catchment schools to accommodate all of the primary age pupils that would be yielded by this development. There is projected to be a shortfall of 2 infant places and no spaces are available in the catchment junior school to accommodate the estimated junior yield of 10 places. Therefore, a primary education contribution of £213,948 is required for 2 infant places and 10 junior places (12 x £17,829).
- 6.63 The catchment secondary school of Trinity Academy is already oversubscribed and cannot take any further pupils. When all housing developments are taken into account none of the secondary schools in the Carlisle area can accommodate the additional secondary children this development is estimated to yield. Therefore a secondary education contribution of £294,648 (12 x £24,554) is required.
- 6.64 The multipliers used in the above calculations utilise the figures referenced in the County Council's Planning Obligation Policy (2013) with indexation applied. The Council would require the above education contributions (which total £508,596) to be provided prior to the occupation of any dwellings.
- 6.65 It should be noted that the above capacity analysis represents a snapshot in time and that all figures can be subject to change as further information becomes available. There may be other potential developments that may affect these schools, but as they haven't been approved at this stage, they have not been included in the calculations.
- 6.66 Subject to the contributions requested above (which have been accepted as appropriate by the Planning Inspectorate) being provided no contribution for school transport would be required.

10. Biodiversity

- 6.67 The application is accompanied by an Ecological Appraisal of the site. An Extended Phase 1 Habitat Survey of the study area was undertaken in June 2019. The site's habitats were mapped and plant species were recorded. The site is dominated by poor semi-improved grassland derived from the

historical management of Deer Park House and its grounds.

- 6.68 In the lower lying south western part of the site an area of semi-improved grassland is present and this area has greater species diversity than other parts of the site, including marsh orchid hybrids. In the central/ northern part of the site a mosaic of habitats are present dominated by mature plantation woodland. An avenue of mature lime trees extends from the eastern boundary of the site towards the location of the former dwelling and this formed the formal driveway to the house. A number of trees are located to the west of the lime trees and this area also contains the former foundations of the dwelling together with several large mounds of rubble and spoil. Other small groups of trees are located along the eastern site boundary, including a group in the south-east corner of the site and a group to the south of the lime trees, with further trees lying just beyond the northern site boundary. A hedge runs along the eastern site boundary adjacent to Kingmoor Road.
- 6.69 During the Phase 1 Habitat Survey additional surveys were undertaken where appropriate to establish the presence of protected species. A badger survey was undertaken of the site. No setts were found on site and no sign of badger activity was found on the site or along the site boundaries.
- 6.70 Trees were inspected for potential opportunities that may be of value to bats and some trees were identified as having bat roost potential. Some trees are considered to have moderate to high potential for roosting bats and this potential is significantly enhanced by the habitats on site and the proximity of high quality bat foraging habitats which extends into the wider landscape for considerable distances.
- 6.71 Trees were also inspected for dreys and checks were made for feeding remains of red squirrels. The survey did not locate any feeding remains of red squirrels and there was no evidence of red squirrel dreys although visibility in many areas was significantly reduced by dense leaf cover. Several sightings of grey squirrel were made.
- 6.72 The report makes a number of recommendations which are summarised below:
- the development should aim to retain as much woodland/ mature trees and boundary hedgerow as possible;
 - the development should aim to maximise an undeveloped buffer along the western and southern site boundaries;
 - the hedgerows affected by the development are species poor and do not qualify as important hedgerows under the Hedgerow Regs. Any lengths of hedgerow lost must be replaced by new native hedgerows;
 - there are no issues in relation to badgers;
 - removal of woodland/ trees/ scrub/ hedgerows should take place outside the bird breeding season otherwise checks should be made to establish any nesting or breeding activity prior to the removal of suitable habitat. Following the felling of trees/ scrub piles of brash should be removed from the site;
 - further surveys for feeding remains and dreys for red squirrels need to be

repeated when trees are dormant and without leaf cover;

- a daytime bat roost assessment is required of all trees affected by the development. This must be undertaken when trees are dormant and without leaf cover. Any trees that require further detailed inspection will be identified for inspection by a licensed bat handler;

- additional native hedge planting should be incorporated into the sites landscaping where possible;

- lighting of the site's woodland/ tree lined/ hedge boundaries must be avoided. Where lighting is required this must be low level, directed downwards and low intensity;

- significant provision for bats should be made within the development using artificial bat roosts (within properties and trees);

- Great Crested Newt (GCN) surveys need to be undertaken to establish the location of viable GCN breeding locations within 250m of the site.

6.73 A further Ecological Surveys & Assessments Report was undertaken in March 2020, in relation to bats, red squirrels and great crested newts. In relation to bats, the survey identified 10 trees as having bat roost potential which will require further more detailed inspections by a licenced bat handler. Following these inspections further recommendations will be made. In relation to red squirrels, the latest survey failed to detect the presence of the species on the site. One drey was located in woodland within the centre of the site but it is not possible to differentiate between grey and red squirrel dreys. The survey for dreys needs to be repeated before construction starts on site and before any trees are removed.

6.74 The Great Crested Newt (GCN) Survey revealed the presence of 4 water bodies within terrestrial range of the species in relation to the site and at least 3 of these have historical records of supporting GCNs. A GCN Survey was undertaken in May 2020. Three ponds and a ditch were surveyed. GCN are absent beyond reasonable doubt from Pond 1 (58m west of the site), Pond 2 (100m north of the site) and Ditch 1 (162m to 400m north of the site). There are, therefore, no water bodies within 250m of the site currently supporting GCN.

6.75 Pond 3 is the only pond supporting GCN. This pond is over 300m away from the site at it's nearest point which is beyond distances considered to present acceptable risk to the species. In addition, this pond is immediately surrounded by extensive and very high quality optimum GCN terrestrial habitat, including mature woodland. It has been shown by Natural England that where such habitat exists around ponds the vast majority of the GCN population is likely to be contained within 100m of the pond.

6.76 In light of the above, it is unlikely that GCN are present anywhere within the proposed development site and, therefore, no further action is required in respect of GCN in relation to the development of the site.

6.77 Pennine Ecological was commissioned to undertake additional investigations of the 10 trees that were identified as being suitable for bats. It concluded that three of the surveyed trees (T1, T2 and T6) pertain to 'Moderate' bat

roost suitability. Therefore, it is recommended that two dusk and/or dawn emergence/re-entry surveys are conducted during the active season of bats (May - August) in order to establish if the trees are being used by bats, and if so identify the species, abundance, roost locations and flight lines following emergence/re-entry.

- 6.78 Pennine Ecological was re-commissioned to undertake the dusk bat surveys and these were carried out in June and July 2020. These found that T1 is being used by two Soprano Pipistrelle bats and T6 by one Soprano Pipistrelle for roosting purposes.
- 6.79 To ensure that bats are not left without a roost while the work takes place two Schwegler 1FF bat boxes (or suitable equivalent) will be erected on suitable trees in close proximity to T1 and T6 respectively; if this is not possible, pole-mounted boxes will be required. The receptor bat boxes will act as receiver boxes if bats have to be captured by hand and relocated to them by the ecologist during the work schedule; they will be retained permanently post-development to provide a long term roost opportunity for bats.
- 6.80 Prior to felling being undertaken the presence/absence of bats (as far as is possible) will be established by the arborist undertaking detailed investigation of each section identified as holding potential for roosting bats under supervision from the ground by the Ecologist. A minimum of 10 bat boxes will be erected on trees in proximity to those trees which have been felled. Furthermore, additional new roost provision can also be incorporated into the design of the proposed new dwellings. Landscaping on the site should include native tree planting to include the creation of linear features, particularly along the eastern border and central area of the site.
- 6.81 Natural England has been consulted on the application. As surface and foul drainage is to go to a sewer and there is no hydrological link it is unlikely there will be any negative water quality impact on the River Eden SSSI/SAC. Due to the ecological value of the site however, and the scale of the proposal, Natural England advise that the LPA should ensure this proposal does leave the biodiversity of the site in a better state than it is currently. The proposal gives opportunities for delivering net gain particularly due to the presence of quality habitat adjacent to the site and the opportunity for enhancing the ecological network.
- 6.82 Natural England has also suggested that it might be beneficial to request an overarching report which brings together all the protected species mitigation and enhancement details to aid you in the decision making process and to ensure these are secured through an appropriately worded conditions. An overarching report should include a method statement to accompany the Landscaping Plan to detail what the proposals are and how they will be undertaken and their future management; a calculation of the habitats that will be lost using the biodiversity metric in order to assess whether the proposed landscaping scheme does provide a net gain; and a plan showing the trees to be removed to ensure more trees are planted as compensation, with consideration that saplings will not offer the same biodiversity value of established trees.
- 6.83 Cumbria Wildlife Trust (CWT) has objected to the application. Deer Park field

is an ecologically important site within an urban context, particularly regarding its position lying between and adjacent to, two statutorily protected sites namely Kingmoor Sidings Local Nature Reserve (LNR) and Kingmoor (South) Local Nature Reserve. Deer Park Field will, it appears, soon be the only remaining piece of semi-natural habitat linking the two adjacent LNRs, so is obviously of importance. The proposed loss of the linking habitat at Deer Park will inevitably adversely affect the neighbouring LNR sites by removing the link between them and creating two smaller habitat islands.

- 6.84 CWT considers that Deer Park field is of ecological significance because: it allows plant and animal species to move out of both LNRs to use the habitats on Deer Park; it currently allows the free movement of species from one of its adjacent LNRs to the other; it is important as a buffer, to reduce the pressure from human visitors on the statutorily protected LNRs; it is important as a site in itself, comprising a range of habitats including species rich semi-improved grassland.
- 6.85 CWT considers that translocating the orchids to the locations proposed would not be feasible. The hydrology of the recipient site adjacent to the footpath is far drier than the damp area in which this grassland currently grows. The other site identified for translocation in the south-west corner of the site is not only a much smaller area than the existing habitat (net loss of habitat area), but is shaded on three sides by trees, garden boundaries and with a proposed new shrubbery. The other small section at the eastern side of the SUDS pond is likely to be too dry and trampled heavily by people and dogs, so is also unlikely to retain the diversity of these specialist species. If the application were to be approved a better mitigation proposal would need to be developed, involving a properly financed off-site mitigation proposal.
- 6.86 CWT considers that Deer Park field should be put forward as a candidate for formal statutory protection as an LNR. CWT believes that this application is of obvious detriment to the biodiversity of area and that the mitigation proposed is insufficient. The application if approved in its current form will therefore lead to a net loss of Biodiversity. Biodiversity Net Gain and Nature Recovery Networks are the policy areas designed to stop the decline and then increase biodiversity, at local and national levels, many to be implemented by local government. The retention of the Deer Park field for the reasons outlined above should make the enhancement of biodiversity within the LNRs far more likely to succeed. There should of course need to be a very important 'public interest' reason to justify the deliberate isolation and degradation of statutorily-protected LNRs. There appears to be no such justification in the case of this proposed development.
- 6.87 The site is allocated for housing in the local plan and the proximity of the nature reserve and the impact on it would have been considered when the site was allocated for development. Planning permission has now been granted for erection of 80 dwellings on this site and the current proposal is very similar to the approved scheme.
- 6.88 Objectors, Natural England and the CWT have made reference to biodiversity net gain. This is not, however, currently policy although there is a

requirement to provide mitigation. Whilst this application would lead to the loss of some trees and hedgerows, new trees and hedgerows would be planted to mitigate for their loss. The orchids that are currently present on the site would be translocated to new areas within or adjacent the site. Bat boxes and bird boxes would be provided within the site. Once the gardens become established and flowers and trees are planted they would contribute to the biodiversity of the site.

- 6.89 The site contains hybrid marsh orchid and common spotted orchid. These are not protected species but the applicant is proposing to relocate them around the proposed SUDS pond and to an area at the northern end of the site. The CWT and objectors have questioned relocating the marsh orchids to the northern end of the site which is drier than the south-east section but the applicant's ecologist considers that the ground conditions at the northern end of the site and adjacent to the SUDS pond are suitable for marsh orchids.
- 6.90 Objectors have also made reference to deer using the site. Deer are not, however, a protected species. Objectors have also made reference to honey bees using one of the trees on the site that is to be removed but honey bees are not a protected species. The applicant's ecologist has advised that it would be very difficult for the bees to be manually re-homed due to being located within a hollow of a tree. There are a limited number of honey bees active in a nest during winter season and he has suggested the best thing to do would be to leave parts of the felled tree in situ for a period of time and let the bees leave on their own accord.
- 6.91 The Health & Wellbeing Manager has stated that the boundary treatment between the nature reserve and the development needs to be improved to prevent multiple access points from the open space and back gardens. Conditions have been added to the permission which require the submission of landscaping details and boundary treatment for approval by the LPA.
- 6.92 The SUDS uses existing United Utilities systems to outflow to and, therefore, doesn't affect Kingmoor Nature reserve. The SUDS pond would provide some biodiversity enhancements within the site.
- 6.93 With regards Ecology, the Inspector noted "objectors refer to the position of the site between two nature reserves and the existing value of the site to wildlife and local residents. An Extended Phase 1 Habitat Survey of the study area has been undertaken and that, as detailed on the Officer's report an "Ecological Surveys & Assessments Report was undertaken in March 2020, in relation to bats, red squirrels and great crested newts" (GCN). The submitted reports do not preclude the development of the site and Natural England has been consulted, raising no objection. On the basis of the evidence before me I am satisfied that the proposed development, subject to appropriately worded conditions being placed on any resulting planning permission, would not have an adverse impact on ecology.
- 6.94 In light of the above, the proposal would not have an adverse impact on biodiversity subject to the imposition of a number of conditions (retention and protection of a number of existing trees; additional landscaping (including

trees and hedgerows); wildlife enhancement measures; external lighting and relocation of orchids). Informatives have been added to require bat and red squirrel surveys prior to tree removal and to protect breeding birds.

11. Impact On Trees/ Hedges

- 6.95 The site contains a number of trees (a number of which are the subject of a Tree Preservation Order(TPO)) and a tree survey has been submitted with the application.
- 6.96 The avenue of lime trees that formed the driveway to Deer Park House are protected by a TPO and these trees would be retained. A group of trees, which are also protected, lie to the west of these and these would also be retained, with the exception of two trees (an ash and a horse chestnut) which are identified as trees unsuitable for retention (Category U).
- 6.97 There are four mature trees in the southern corner of the site which are also subject to a TPO. Two of these would be retained, with two being removed. The trees to be removed are both ash trees which have major decay and which as a consequence have been identified as unsuitable for retention (with one being identified as a tree which should be felled as a matter of urgency). The layout plan also shows other mature trees that lie adjacent to Kingmoor Road, to the south of the avenue of lime trees, being retained with the exception of one horse chestnut which is identified as a tree of low quality. Existing trees that adjoin the footpath that runs along the northern site boundary would also be retained. A group of trees that lie within the northern section of the site would be removed but none of these are protected trees.
- 6.98 A belt of trees adjoins the site to the south, with trees in the nature reserve adjoining the site to the west and these would both be adjoined by the gardens of the proposed dwellings. New hedgerows would be planted along the southern site boundary. There are some significant trees within the nature reserve adjacent to the development and these should be assessed to see if any are worthy of a TPO.
- 6.99 A hedge runs along the majority of the eastern site boundary. A large section of this would need to be relocated to accommodate the 3m footway/ cycleway that is proposed along Kingmoor Road. Additional hedgerows would be planted within the site (particularly along the southern site boundaries) to enhance the biodiversity of the site and these would be secured by condition.
- 6.100 Footpaths, drives/parking areas, fences and gardens would be located within the Root Protection Areas (RPAs) of trees to be retained. The applicant has submitted an Arboriculture Method Statement, which sets out the methodology for works within the RPAs of the existing trees. A plan has also been submitted which shows the construction details of roads and footpaths within the RPAs of existing trees. Conditions will ensure that the works in the RPAs are undertaken in strict accordance with the Method Statement. A condition also requires the applicant to submit details of the location and specification of tree protection fencing which would be need to be installed prior to construction works starting on site.

6.101 The Inspector noted "at the site visit that the site is verdant in character with established trees and open grassed areas, including a number of trees subject of a Tree Preservation Order. In support of the appeal the appellant has submitted a Tree Survey including Root Protection Areas and an Arboriculture Method Statement. The submitted plans show the retention of the key trees on the site with minimal felling. On the basis of the evidence before me I am satisfied that the appeal scheme will not cause unacceptable harm to the trees on the site".

6.102 In light of the above, the proposal would not have any adverse impact on the existing trees.

12. Crime Prevention

6.103 The Crime Prevention Officer (CPO) raised a number of concerns about the layout as originally submitted. His concerns predominantly related to the lack of direct supervision of the public open space, the woodland path and the SUDS pond and the presence of open space to rear of a number of properties.

6.104 The site layout has been amended a number of times and the CPO considers it is now a significant improvement on the initial site layout. The removal of the additional link into the nature reserve is supported; the incorporation of large areas of unsupervised open space into private gardens is welcomed; and the SUDS ponds is better overlooked.

6.105 The CPO has noted the introduction of the Play Trail along the PROW but it is not clear if the PROW would be included in the street lighting scheme, which is set amongst the avenue of established trees to the east of the site. Views into the site (and across the PROW) from the direction of Kingmoor Road would also be beneficial.

6.106 The PROW would not be lit as it lies within the avenue of lime trees which are used by wildlife. It is accepted that sections of the PROW would not be directly overlooked but this is the case with the existing PROW across the site and the footpaths within the nature reserve. There are other routes (through the development and along Kingmoor Road) which are overlooked and which would be lit.

13. Archaeology

6.107 Records indicate that the site lies in an area of archaeological potential and Roman remains were identified during an archaeological investigation in advance of an adjacent housing development. The archaeological assets were interpreted as a temporary Roman camp, one of a number that were located around the periphery of the Roman town. It is, therefore, considered that the site has the potential for similar archaeological assets to survive below ground and that they would be disturbed by the construction of the proposed development. The County Archaeologist, therefore, recommended that, in the event planning consent is granted, the site is subject to archaeological investigation and recording in advance of development which

should be secured by condition.

- 6.108 The applicant has commissioned an archaeological evaluation of the site prior to the determination of the application. The results indicate that there is a very low potential for archaeological assets to be disturbed by the construction of the proposed development and so no further archaeological work is required on the site. The County Archaeologist has, therefore, confirmed that he has no objections to the proposals.

14. Noise Issues

- 6.109 Officers in Environmental Health have been consulted on the application in relation to noise. Due to the close proximity of the proposed development to the railway line, depot and associated sidings, they have suggested that a noise survey should be carried out. This should provide details of noise from railway activities and demonstrate the likely impact upon future occupants of properties on this development. This information should be used to inform details of the final design/ construction and orientation of the houses. Details of proposed mitigation measures to minimise noise disturbance from the railway should be provided to the planning department. Prior to the occupancy of any residential unit, noise level measurements must be undertaken in at least two residential units in the development to verify that the noise from the roads and the railway do not result in the internal and external noise levels exceeding World Health Organisation guidelines during the daytime and night time; and the measured noise levels must be reported to and approved in writing by the Local Planning Authority. A suitably worded condition has been added to the permission to deal with this issue.
- 6.110 EH Officers have also requested that, due to the proximity of the DRS depot, an air quality assessment should be carried out. It is concerned that the development would introduce new sensitive receptors into an area with potentially high air pollution levels. EH Officers did not request an air quality assessment was submitted during the determination of the previous application which has now been approved without the need for such an assessment. It is not, therefore, considered reasonable to require the applicants to submit an air quality assessment for this application. There is legislation, which falls out with the planning system, to protect local residents from pollution, which could be utilised if a problem occurred.

15. Contamination

- 6.111 Objectors have raised concerns about the site being contaminated. The applicant has commissioned a Geo-Environmental Appraisal of the site. The Environmental Health department has reviewed this report and a Ground Gas Monitoring Addendum letter in respect of land contamination. The findings and recommendations of these reports have been noted. In view of concerns regarding elevated levels of Lead, Benzo (a) pyrene and Naphthalene which have been identified within the site investigation, officers in Environmental Health concur that a further report should be produced to agree a remediation strategy and this would be secured by condition. A condition has also been added to deal with any unexpected contamination

that is encountered in the course of the development.

16. Other Matters

- 6.112 Objectors have raised the issue about a covenant on this land that stipulates the only building allowed would be on the site of the demolished house. The applicant has confirmed that no such covenant exists.
- 6.113 A condition has been added to the permission which requires each dwelling to be provided with a separate 32Amp single phase electrical supply. This would allow future occupiers to incorporate an individual electric car charging point for the property.
- 6.114 An objector has made reference to Japanese Knotweed growing on the site and in the adjacent nature reserve. This issue has been raised with the Health & Wellbeing Team who manage the nature reserve.

Conclusion

- 6.115 The application site is allocated for housing in the adopted Local Plan and planning permission has recently been granted for the erection of 80 dwellings on the site. The layout, scale and design of the development would be acceptable and the proposal would not have an adverse impact on the living conditions of existing and future occupiers. Subject to the proposed conditions and a S106 agreement it is considered that the proposal would not raise any issues with regard to highway safety, foul and surface water drainage, biodiversity, trees, archaeology, education, or open space. The site would provide 20% of the dwellings as affordable (in accordance with the NPPF definition) which is considered to be acceptable. The proposal is, therefore, recommended for approval subject to the completion of a S106 Agreement.
- 6.116 If Members are minded to grant planning approval it is requested that “authority to issue” the approval is given subject to the completion of a S106 agreement to secure:
- a) the provision of 20% of the units as affordable (in accordance with the NPPF definition);
 - b) an off-site open space contribution of £22,364 for the upgrading and maintenance of open space;
 - c) a financial contribution of £27,409 to support the off-site maintenance and improvement of existing play area provision;
 - d) a financial contribution of £15,561 to support the off-site improvement of existing sports pitches;
 - e) a financial contribution of £3,500 to upgrade the footpath to the north of the site (which is to become a PROW);
 - f) the maintenance of the informal open space within the site by the developer;
 - g) a financial contribution of £508,596 to Cumbria County Council towards education provision (£213,948 for infant and junior places and £294,648 for secondary school places);

7. Planning History

- 7.1 In December 2020, an application for the erection of 80 dwellings on this site was refused by the Development Control Committee (19/0905). This application was subsequently allowed on appeal on 24th June 2021 (Ref: APP/E0915/W/21/3266806).

8. Recommendation: Grant Permission

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

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

2. The development shall be undertaken in strict accordance with the approved documents for this Planning Permission which comprise:

1. submitted planning application form, received 23rd February 2021;
2. Site Location Plan (Dwg 1732-PL100) received 23rd February 2021;
3. Proposed Site Plan (Dwg 1732-PL212 (Rev O) received 23rd February 2021;
4. House Type - 201 (Dwg 201/1F) received 23rd February 2021;
5. House Type – 301 (Dwg 301/1G) received 23rd February 2021;
6. House Type – 314 (Dwg 314/1) received 23rd February 2021;
7. House Type - 315 (Dwg 315/1A) received 23rd February 2021;
8. House Type - 403 (Dwg 403/1H) received 23rd February 2021;
9. House Type – 337 (Elevations - Rural 13) (drawing ref 13/337-10 Rev A) received 23rd February 2021;
10. House Type – 337 (Floor Plans) (Dwg 337/1) received 23rd February 2021;
11. House Type – 351 (Elevations - Rural 13) (Dwg 13/351-9 Rev A) received 23rd February 2021;
12. House Type – 351 (Floor Plans) (Dwg 351/1) received 23rd February 2021;
13. House Type – 353 (Elevations - Rural 13) (Dwg 13/353-09 Rev A) received 23rd February 2021;
14. House Type – 353 (Floor Plans) (Dwg 353/1A) received 23rd February 2021;

15. House Type – 357 (Elevations - Rural 13) (Dwg 13/357-8 Rev A) received 23rd February 2021;
16. House Type – 357 (Floor Plans) (Dwg 357/1A) received 23rd February 2021;
17. House Type – 404 (Elevations - Rural 13) (Dwg 13/404-9 Rev B) received 23rd February 2021;
18. House Type – 404 (Floor Plans) (Dwg 404/1F) received 23rd February 2021;
19. House Type – 436 (Elevations - Rural 13) (Dwg 13/436-10 Rev A) received 23rd February 2021;
20. House Type – 436 (Floor Plans) (Dwg 436/1) received 23rd February 2021;
21. House Type – 450 (Elevations - Rural 13) (Dwg 13/450-9) received 23rd February 2021;
22. House Type – 450 (Floor Plans) (Dwg 450/1A) received 23rd February 2021;
23. Boundary Treatments – 1800mm Timber Fence Details (Dwg 0282-SD-100 Rev D) received 23rd February 2021;
24. Boundary Treatments – Post and Wire Fence Details (Dwg 0282-SD-103 Rev B) received 23rd February 2021;
25. Standard Garages - Single (Dwg 0282-SD700 Rev A) received 23rd February 2021;
26. Standard Garages - Double (Dwg 0282- SD701 Rev B) received 23rd February 2021;
27. Landscape Plan (Dwg WW/01 Rev B) received 23rd February 2021;
28. Proposed Engineering Layout 1 of 2 (Dwg 19004-D001 Rev 3) received 23rd February 2021;
29. Proposed Engineering Layout 2 of 2 (Dwg 19004-D002 Rev 3) received 23rd February 2021;
30. Manhole Schedule (Dwg 19004–D200 Rev 3) received 23rd February 2021;
31. Flood Routing Plan (Dwg 19004–D201 Rev 3) received 23rd February 2021;
32. Proposed Impermeable Areas (Dwg 19004–D202 Rev 3) received 23rd February 2021;
33. Proposed Road Long Sections 1 of 2 (Dwg 19004–D300 Rev 2) received 23rd February 2021;
34. Proposed Long Sections 2 of 2 (Dwg 19004–D301 Rev 3) received 23rd February 2021;
35. Kerbs & Surfacing Plan (Dwg 19004–D500 Rev 3) received 23rd

February 2021;

36. Public Right of Way Proposed Diversion Route (Dwg 1732–PL214 Rev H) received 23rd February 2021;
37. Public Open Space Plan as Proposed (Dwg 1732–PL213 Rev E) received 23rd February 2021;
38. 3m Wide Footpath Plan as Proposed (Dwg 1732-PL215 Rev C) received 23rd February 2021;
39. Existing Drainage Plan (Dwg 19004–SK-002 Rev 1) received 23rd February 2021;
40. Geoenvironmental Appraisal (Report 7049A, April 2019), received 23rd February 2021;
41. Geotechnical Appraisal Ground Gas Monitoring Addendum received 23rd February 2021;
42. Archaeological Desk Based Assessment (Report 303 - 20th October 2019) received 23rd February 2021;
43. Transport Statement/Travel Plan (VN91443 - November 2019) received 23rd February 2021;
44. Preliminary Ecological Appraisal (Pennine Ecological) received 23rd February 2021;
45. Tree Survey Report & Plan (Iain Tavendale - 26th April 2019) received 23rd February 2021;
46. Flood Risk Assessment and Drainage Strategy (AE/FRADS/19004 vERSION 2 November 2019) received 23rd February 2021;
47. Planning Statement received 23rd February 2021;
48. Construction Management Plan received 23rd February 2021;
49. Economic Benefits Report received 23rd February 2021;
50. Affordable Housing Statement received 23rd February 2021;
51. Draft Heads of Terms received 23rd February 2021;
52. Draft S106 Agreement, received 23rd February 2021;
53. Design and Access Statement received 23rd February 2021;
54. Design and Access Statement Addendum received 23rd February 2021;
55. Ecological Surveys & Assessment - Pennine Ecological - March 2020 Update in Relation to Bats, Red Squirrels & Great Crested Newts received 23rd February 2021;
56. Great Crested New Survey - Pennine Ecological received 23rd February 2021;
57. Appendix 1 – Extended Phase 1 Habitat Survey Plan received 23rd

February 2021;

58. Archaeological Evaluation (Report 312 - 3rd February 2020) received 23rd February 2021;
59. Dusk Bat Survey Results - Pennine Ecological received 23rd February 2021;
60. Additional Appraisal and Inspection of Trees in Relation to Bats - Pennine Ecological received 23rd February 2021;
61. Affordable Housing Plan (Dwg 1732-PL217 Rev B), received 17th March 2021;
62. Arboriculture Method Statement (Westwood) received 23rd February 2021;
63. Paving Details in RPA (Dwg D/01) received 23rd February 2021;
64. House Type - 403 - Plot 79 variation (Dwg 403) received 23rd February 2021;
65. Boundary Treatments & Enclosures Plan as Proposed (Dwg 1732-PL216 Rev C) received 23rd February 2021;
66. Drainage Details (Dwg D700 Rev 2), received 23rd February 2021;
67. Drainage Details (Dwg D701 Rev 2), received 23rd February 2021;
68. Tree Survey Plan, received 23rd February 2021;
69. Play/ Trim Trail Plan (Dwg WW-02), received 23rd February 2021;
70. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

3. Samples or full details of all materials to be used on the exterior of the dwellings hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before their first use on site. The development shall then be undertaken in strict accordance with these details.

Reason: To ensure the works harmonise as closely as possible with dwellings in the vicinity and to ensure compliance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

4. No development shall take place until full details of hard and soft landscape works, including a phased programme of works, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved prior to the occupation of any part of the development or in accordance with the programme agreed by the Local Planning Authority. Any trees or other plants which die or are removed within the first five years following the implementation of the landscaping

scheme shall be replaced during the next planting season.

Reason: To ensure that a satisfactory landscaping scheme is prepared and to ensure compliance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

5. Prior to the commencement of development, details of the proposed boundary treatment to be erected along the western and southern site boundaries (with the nature reserve and woodland belt) shall be submitted for approval in writing by the Local Planning Authority. The boundary treatment shall then be erected in strict accordance with these details and retained at all times thereafter.

Reason: To ensure satisfactory boundary treatment is erected in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

6. Prior to the SUDS ponds being brought into use, the applicant shall install a fence/railings around the SUDS ponds, the details of which shall have been agreed beforehand in writing by the Local Planning Authority.

Reason: To safeguard against flooding to surrounding sites and to safeguard against pollution of surrounding watercourses and drainage systems.

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

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

8. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

None of the dwellings hereby approved shall be occupied until the approved surface water drainage scheme has been completed and made operational.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with Policy CC5 of the Carlisle District Local Plan 2015-2030.

9. Prior to occupation of the development a Sustainable Drainage Management and Maintenance Plan for the lifetime of the development shall be submitted

to the Local Planning Authority and agreed in writing. The Sustainable Drainage Management and Maintenance Plan shall include as a minimum:

- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
- b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

10. No development shall commence until full details of the wildlife enhancement measures to be undertaken at the site, together with the timing of these works, have been submitted to and approved, in writing, by the Local Planning Authority. The development shall then be carried out in strict accordance with the agreed details.

Reason: In order to enhance the habitat for wildlife in accordance with Policy GI3 of the Carlisle District Local Plan 2015-2030.

11. Prior to the commencement of development, a method statement for the relocation of the orchids shall be agreed in writing by the LPA. The orchids shall then be relocated to the areas identified on the Landscape Plan (Dwg ref WW/01 Rev B, received 23rd February 2021) in strict accordance with the method statement.

Reason: In order to retain the orchids on site, in accordance with Policy GI3 of the Carlisle District Local Plan 2015-2030.

12. Prior to its installation, details of any lighting (including location and specification) to be installed on the dwellings shall be agreed in writing with the LPA. The development shall then be undertaken in strict accordance with these details.

Reason: In order to ensure the development does not have an adverse impact on bats and other wildlife in accordance with Policy GI3 of the Carlisle District Local Plan 2015-2030.

13. Prior to the commencement of development, tree protection fencing shall be installed in accordance with details to be agreed in writing by the Local Planning Authority. The tree protection fencing shall be retained in place at all times until the construction works have been completed.

Reason: To ensure that the existing trees are protected, in accordance with Policy GI6 of the Carlisle District Local Plan 2015-2030.

14. The development shall be undertaken in strict accordance with the Arboriculture Method Statement, received on 23rd February 2021 and the Paving Details RPA Area Plan (Dwg No D/01), received 23rd February 2021.

Reason: To ensure that the existing trees are protected, in accordance with Policy GI6 of the Carlisle District Local Plan 2015-2030.

15. Prior to any works being undertaken to the trees located within the Kingmoor Sidings Nature Reserve which overhang the development site, details of the works shall be agreed in writing with the LPA. The development shall then be undertaken in strict accordance with these details.

Reason: To protect the existing trees, in accordance with Policy GI6 of the Carlisle District Local Plan 2015--2030.

16. Details of the relative heights of the existing and proposed ground levels and the height of the proposed finished floor levels of the dwellings and garages shall be submitted to and approved in writing by the Local Planning Authority before any site works commence.

Reason: In order that the approved development does not have an adverse impact on the living conditions of the occupiers of any neighbouring properties in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

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

Reason: To prevent disturbance to nearby occupants in accordance with Policy CM5 of the Carlisle District Local Plan 2015-2030.

18. Prior to the occupation of any dwelling, a 32Amp single phase electrical supply shall be installed to allow future occupiers to incorporate an individual electric car charging point for the property. The approved works for any dwelling shall be implemented on site before that unit is first brought into use and retained thereafter for the lifetime of the development.

Reason: To ensure the provision of electric vehicle charging points for each dwelling, in accordance with Policy IP2 of the Carlisle District Local Plan 2015-2030.

19. No development other than that required to be carried out as part of an approved scheme of remediation shall be commenced until a detailed remediation scheme to bring the site to a condition suitable for the intended use (by removing unacceptable risks to human health, buildings and other property and the natural and historical environment) has been prepared. This is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management

procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

20. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

21. 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 offsite receptors.

22. Before the occupancy of any residential unit, noise level measurements must be undertaken in at least two residential units in the development to verify that the noise from the railway line does not result in the internal and external noise levels exceeding World Health Organisation guidelines during the daytime and night time; and the measured noise levels reported to and approved in writing by the Local Planning Authority.

The noise levels are to be measured with windows closed and all ventilators open in the room in which the measurements are carried out. Daytime noise levels are to be measured in living rooms and the night time levels to be measured in bedrooms. The rooms chosen must be orientated towards the noise sources.

Before the measurements are undertaken a schedule of the properties and rooms to be used must be submitted in writing to the Local Planning Authority and the work must not be undertaken before the schedule is agreed in writing.

Reason: To protect the living conditions of the future occupiers of the proposed residential units.

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

Reason: In accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

24. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) there shall be no enlargement or external alterations to the dwellings to be erected in accordance with this permission, within the meaning of Schedule 2 Part (1) of these Orders, without the written approval of the Local Planning Authority.

Reason: To ensure that the character and attractive appearance of the dwellings is not harmed by inappropriate alterations and/or extensions and that any additions which may subsequently be proposed satisfy the objectives of Policy SP6 of the Carlisle District Local Plan 2015-2030.

25. The carriageway, footways, footpaths and cycleways shall be designed, constructed, drained and lit to a standard suitable for adoption and in this respect further details, including longitudinal/cross sections, shall be submitted to the Local Planning Authority for approval before work commences on site. No work shall be commenced until a full specification has been approved. These details shall be in accordance with the standards laid down in the current Cumbria Design Guide. Any works so approved shall be constructed before the development is complete.

Reason: To ensure a minimum standard of construction in the interests

of highway safety and to support Local Transport Plan Policies LD5, LD7 & LD8.

26. Details of proposed crossing of Kingmoor Road shall be submitted to the Local Planning Authority for approval. The development shall not be commenced until the details have been approved and the crossing has been constructed.

Reason: To ensure a suitable standard of crossing for pedestrian safety and to support Local Transport Plan Policies LD5, LD7 & LD8.

27. Ramps shall be provided on each side of every junction to enable wheelchairs, pushchairs etc. to be safely manoeuvred at kerb lines. Details of all such ramps shall be submitted to the Local Planning Authority for approval before development commences. Any details so approved shall be constructed as part of the development.

Reason: To ensure that pedestrians and people with impaired mobility can negotiate road junctions in relative safety and to support Local Transport Plan Policies LD5, LD7 & LD8.

28. The access drives for each property shall be surfaced in bituminous or cement bound materials, or otherwise bound and shall be constructed and completed before the development is brought into use.

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

29. Development shall not commence until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The CMP shall include details of:

- Pre-construction road condition established by a detailed survey for accommodation works within the highways boundary conducted with a Highway Authority representative; with all post repairs carried out to the satisfaction of the Local Highway Authority at the applicants expense;
- Details of proposed crossings of the highway verge;
- Retained areas for vehicle parking, maneuvering, loading and unloading for their specific purpose during the development;
- Cleaning of site entrances and the adjacent public highway;
- Details of proposed wheel washing facilities;
- The sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway;
- Construction vehicle routing;
- The management of junctions to and crossings of the public highway and other public rights of way/footway;
- Details of any proposed temporary access points (vehicular /

pedestrian)

- Surface water management details during the construction phase
- Details of any lighting (including location and specification) to be used on site during the construction phase
- The proposed location and height of any soil storage areas
- The provision within the site for the parking, turning and loading and unloading of vehicles visiting the site, including the provision of parking spaces for staff and visitors

Reason: To ensure the undertaking of the development does not adversely impact upon the fabric or operation of the local highway network and in the interests of highway and pedestrian safety and to support Local Transport Plan Policies WS3 & LD4.

30. The development shall not commence until visibility splays providing clear visibility of 60 metres measured 2.4 metres down the centre of the access road and the nearside channel line of the carriageway edge have been provided at the junction of the access road with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splay which obstruct the visibility splays. The visibility splays shall be constructed before general development of the site commences so that construction traffic is safeguarded.

Reason: In the interests of highway safety and to support Local Transport Plan Policies LD7 & LD8.

31. No dwelling with direct access onto Kingmoor Road shall be occupied prior to visibility splays providing clear visibility of 43 metres measured 2.4 metres down the centre of its the access and the nearside channel line of the carriageway edge have been provided. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splay which obstruct the visibility splays. The visibility splays shall be constructed before general development of the site commences so that construction traffic is safeguarded.

Reason: In the interests of highway safety and to support Local Transport Plan Policies LD7 & LD8.

32. The Emergency Vehicle Access shall be provided prior to the construction of the 50th dwelling hereby permitted and shall provide for clear visibility of 43

metres measured 2.4 metres down the centre of its the access and the nearside channel line of the carriageway edge have been provided. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grown within the visibility splay which obstruct the visibility splays. The visibility splays shall be constructed before general development of the site commences so that construction traffic is safeguarded.

Reason: In the interests of highway safety and to support Local Transport Plan Policies LD7 & LD8.

33. Prior to the installation of the play/ trim trail details of the equipment to be installed shall be submitted for approved in writing by the Local Planning Authority. The play/ trim trail shall then be installed in strict accordance with these details.

Reason: To ensure that suitable play equipment is provided on site in accordance with Policy GI4 of the Carlisle District Local Plan 2015-2030.



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REVISIONS:	
Revision	DESCRIPTION
—	00.00.00



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project title:
**Proposed Residential Development
Deer Park
Kingmoor Road, Carlisle**

drawing title:
Location Plan

issue stage:
PLANNING ISSUE

date:	drawn:	scale @ A3:
JUL 20	CS	1:1250

drawing number:	revision:
1732-PL100	-

Revision A	CS	04.12.2019
Plan updated to show trees to be retained and		
(proposed) to be retained		
Revision B	CS	14.01.2020
Revision C	CS	28.03.2020
Location in the site plan, including with Planning Officer		
Revision D	CS	01.06.2020
Location in the site plan, including with Planning Officer		
Revision E	CS	03.06.2020
Details added to this, service area, extended, hedge		
with a 10m buffer around the site		
Revision F	CS	02.06.2020
Landscape Revisions to be implemented on site		
Revision G	CS	09.06.2020
Landscape Revisions to be implemented on site		
Revision H	CS	17.06.2020
Line trees located to retained, including landscape		
in the site plan		
Revision I	CS	26.07.2020
Changes to the site plan, including		
Revision J	CS	26.07.2020
Site 4025 retained with 40m		
Revision K	CS	01.09.2020
Design and landscape		
Revision L	CS	01.09.2020
Proposed landscape		
Revision M	CS	19.09.2020
Proposed landscape		
Revision N	CS	22.09.2020
Proposed landscape		
Revision O	CS	26.09.2020
Proposed landscape		



Mix Target Schedule							
		SQ.M	SQ.FT	Units	Total SQ.M	Total SQ.FT	
201	Semi	2 Bed	60.5	651	12	726	7812
301	Semi	3 Bed	70.6	760	14	988	10633
351	Semi	3 Bed	98.0	954	3	292	3135
357	Semi	3 Bed	84.0	905	8	672	7237
357	Detached	3 Bed	80.3	864	8	642	6910
355	Detached	3 Bed	84.0	905	4	336	3610
324	Detached	3 Bed	75.3	811	5	377	4035
315	Detached	3 Bed	75.9	817	5	380	4085
403	Detached	4 Bed	97.4	1048	5	487	5242
404	Detached	4 Bed	97.4	1048	3	292	3144
410	Detached	4 Bed	107.6	1156	4	430	4624
436	Detached	4 Bed	108.5	1167	8	868	9333
Totals					79	6490	69409
Sales Area Pkts 1 / 2							
2 Bed Semi	Total	No	%				
3 Bed Semi	Total	12	15.19				
3 Bed Detach	Total	21	26.55				
4 Bed Detach	Total	22	27.85				
4 Bed Detach	Total	20	25.32				
Total		75					

Enclosures:
Unless otherwise stated, all existing site boundaries will be assessed on site and replaced / repaired as necessary.
All garages are optional. If not constructed with the house a screen fence is to be provided on rear garage wall line.
Front gardens and POS to be turfed.

Materials:
Main Brick: Forterra Abbey Red Multi
Roof: Flat Concrete Tile in Dark Grey
Windows & French Doors: White UPVC
Front & Rear Doors: elevation
Fascia & Soffits: White UPVC
Rainwater Goods: Black

Paths:
Paving slab paths to level threshold for principal entrances. Gradient not to exceed 1 in 12 for maximum 5m length.
Paving slabs - Grey PCC

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Project title:
Proposed Residential Development
Deer Park
Kingmoor, Carlisle.

Drawing title:
Site Plan as Proposed

Issue stage:
PLANNING ISSUE

Date: SEP 19
Scale: 1:500 / 1:1000

Drawing number:
1732-PL212

Revision:
O

Revision A	CS	01.09.2020
Revised to reflect 1732-PL213(1) Site Layout Plan as Proposed		
Revision B	CS	04.03.2021
Revised to reflect 1732-PL213(1) Site Layout Plan as Proposed		
Revision C	CS	18.09.2020
Revised to reflect 1732-PL213(1) Site Layout Plan as Proposed		
Revision D	CS	27.10.2020
POS and Public Footpath		
Revision E	CS	26.01.2021
Revised to reflect 1732-PL213(1) Site Layout Plan as Proposed		



 Public Open Space (POS)

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Approved under the
Regulation of the
Architects Act 1997
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Project title:
Proposed Residential Development
Deer Park
Kingmoor, Carlisle.

Drawing title:
Public Open Space (POS)
Plan as Proposed

Issue stage:
PLANNING ISSUE

Date: SEP 19 Drawn: Scale: @ A1/A3
500 / 1000

Drawing number: 1732-PL213 E



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drawing number:	revision:
1732-PL214	H



TOPSOIL CULTIVATION In accordance with BS 3602: Apply appropriate herbicide prior cultivation and allow the recommended period before further action. Ensure ground is free standing by breaking up subsoil and installation of land drainage as required. Do not work the soil in frozen or waterlogged condition. Remove any debris and stones greater than 50mm from surface and remove to suitable site for disposal. Stake surface to achieve required level. Backfill with adjacent paving for full and 50mm below for planting to allow for mulch layer and growth forming contours for open space areas without hollows or soft areas. Topsoil depths to be 100mm for grass and 150mm for planting and at least 300mm of suitable subsoil beneath the topsoil layer. Soil topped up to be replaced with imported topsoil in accordance with BS 3602. Shrub beds in grass areas to be neatly cut to layout shown.

PLANTING Plant material shall conform to the National Plant Specification and be healthy, vigorous specimens, well rooted but not past root ball, free from pests and diseases, fairly and undamaged by transport operations in accordance with HTA handling and establishing landscape plants. Planting and tamping to be in accordance with BS 3606 and 4233. Plant species substitutes will be permitted to accommodate availability and to include stock of particular good quality in nursery provided these are of a similar habit, size, colour, value etc. and that they are approved in advance by the Landscape Architect. Native species to be local provenance. Bare root and container plants to be planted between November and March. Backfill of planting holes and tree pits to be excavated topped with 25% by volume tree and shrub planting compost. Shrub pits to be generally 300 x 300 x 300mm or 750mm wide and deeper than the root spread. Tree pits to be 600 x 600 x 600mm or 1500mm wide than the root spread. Stakes to be 25mm diameter painted stakes driven into firm and trimmed to 900mm above G.L. with 50 x 100mm crossbar secured to stakes. Rubber tree caps shall be provided and rubber tree bedding shall be secured to stakes. Single 75mm diameter stake for bare-rooted trees with rubber tree bedding with spacer. Apply slow release fertiliser (16:10:10) at rate of 100g/sq.m. to planting areas and 250g per tree. Thoroughly water planting.

PLANTING DENSITY/SETTING OUT Refer to the Planting Schedule for densities. Where a bed is indicated as repeat species on the plan, the area should be divided equally between the species shown and the relevant density for that species applied to that proportion of the bed. Taller species to the rear of the bed and smaller species to the front planted in bold groups of single species and not mixing unless clearly requested on the plan annotations.

TREE RABBIT GUARDS Rabbit activity is noted in the area and guarding is authorised each bare-rooted native hedge plant to receive a 1754 woven 300mm cane and 100mm clear spiral guard. Trees to receive three spiral guard. If extensive rabbit activity is observed, cable fencing to orientated areas will be required as directed by the Landscape Architect.

MULCH Spread 50mm layer of general purpose bark mulch, free from large sticks, and debris over all shrub areas, 100mm wide strips for bedding and 200mm diameter circles for tree pits in grass with neatly trimmed edges.

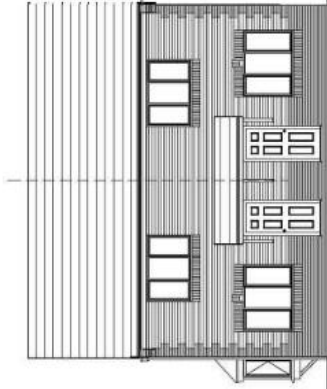
TURFING Following cultivation preparation specified above supply and lay Rayburn Medallion turf or similar approved with staggered joints close fitted to uniform levels to finish 25mm above adjacent paving levels once laid and compacted. Use sharp sand spread on surface to achieve fine tamping of turfs. Thoroughly soak turf on completion and ensure regular watering is arranged until the turf has rooted. Do not turf in waterlogged or frozen conditions.

SEEDING AMENITY GRASS (Alternative to turfing for POB areas). Following cultivation preparation specified above apply 100mm layer BS 3606 maintenance amenity mix or BS 3606 Pigeon mix for amenity areas or similar approved at rate of 250g/sq.m. and roll with sand or lawn rolled grass roller. Apply water with sprayer hose in dry conditions to ensure germination. Levels to be fixed with adjacent paving following bedding and settlement of topsoil. Further stone picking, top dressing and re-seeding of bare patches to ensure uniform lawn grass is established. Re-roll as required at final cut stage. To be sown between April and September until lawn grass is established to achieve a good lawn with in cultivation.

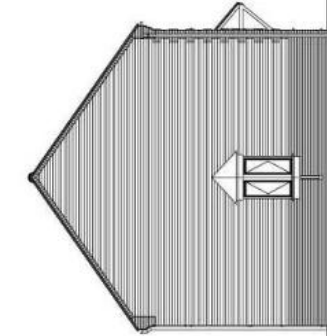
SEEDING WILDOFLOWER GRASS Following cultivation preparation specified above with stone picking to 25mm above existing level and spread 100mm layer BS 3606 maintenance amenity mix or BS 3606 Pigeon mix for amenity areas or similar approved at rate of 250g/sq.m. and roll with sand or lawn rolled grass roller. Apply water with sprayer hose in dry conditions to ensure germination. Levels to be fixed with adjacent paving following bedding and settlement of topsoil. Further stone picking, top dressing and re-seeding of bare patches to ensure uniform lawn grass is established. Re-roll as required at final cut stage. To be sown between April and September until lawn grass is established to achieve a good lawn with in cultivation.

LANDSCAPE MAINTENANCE Any plants which fall within 5 years to be replaced in the season following failure to the original specification. Check and adjust stakes and fees every month, and remove stakes in year 5 when trees are sufficiently stable. Prune trees and shrubs once each year - formative prune to encourage good habit. Apply fertiliser once in spring each year to grass 40g/sq.m. in. Apply fertiliser once in spring each year to shrubs. Dig and stake 100mm cane and 100mm clear spiral guard. Top up bark mulch to 50mm depth annually. Check for pests and diseases - treat on request. Water as required at landscape areas. Mow grass 10 times annually and remove clippings. Remove clippings. Apply selective herbicide and moss killer to grass as required. Re-seed, top dress and aerate lawn as required to maintain grass in good condition. Cut and take off all off-cut grass from lawn areas. Collect litter from all landscape areas monthly. Apply appropriate herbicide to hard paved areas as required.

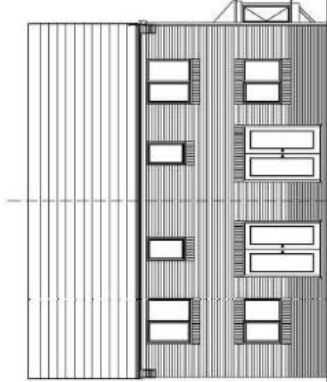
PLANTING SCHEDULE				
Type	Key	Specification	No/Sq.M.	
TREES				
Medium tree	BT	BS 5-10m	N/A	
Medium tree	MT	BS 10-15m	N/A	
Phyca variegata Araportense	PP	BS 8-10m	N/A	
Phyca variegata Pink Perfected	PP	BS 8-10m	N/A	
Large tree	LT	BS 15-20m	N/A	
Small tree	SL	BS 5-10m	N/A	
SHRUBS				
Anna gaultheria	ADA	2-3m, Twisted	N/A	
Medium tree	BT	BS 5-10m, Twisted	N/A	
Medium tree	MT	BS 10-15m, Twisted	N/A	
Phyca variegata	PP	BS 8-10m, Twisted	N/A	
Small tree	SL	BS 5-10m, Twisted	N/A	
SPECIMENS				
Amelanchier canadensis	AMC	C10	N/A	
Liquidambar styraciflua Autumn	LSC	C10	N/A	
Liquidambar styraciflua	C10	C10	N/A	
Prunella Real Flame	PRF	C10	N/A	
Prunella americana Rubra	PRR	C10	N/A	
SHRUBS & SUBSPERENDOUS				
Gaultheria Pigeon Blue	Gpb	C10 or C12 200mm	3	
Onychia serotina Sundance	Ons	C10 or C12 200mm	3	
Onychia serotina	Ons	BS 400mm	2	
Onychia serotina	Ons	BS 400mm	2	
Onychia serotina Coral	Ons	C10 or C12 200mm	3	
Onychia serotina Coral Beauty	Ons	C10 or C12 200mm	3	
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Onychia serotina	Ons	C10 or C12 200mm	3	
Onychia serotina	Ons	C10 or C12 200mm	3	
Onychia serotina	Ons	C10 or C12 200mm	3	



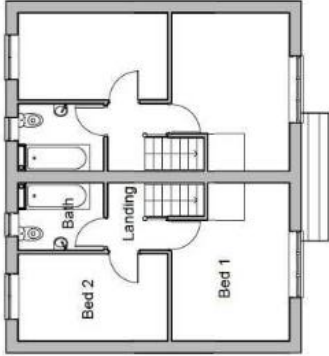
FRONT ELEVATION



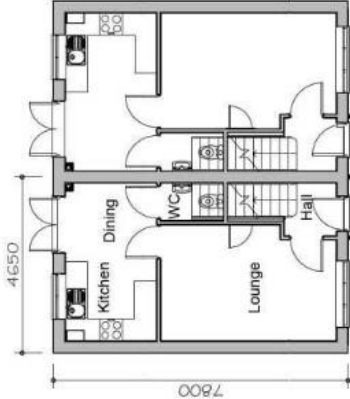
optional bay window
SIDE ELEVATION



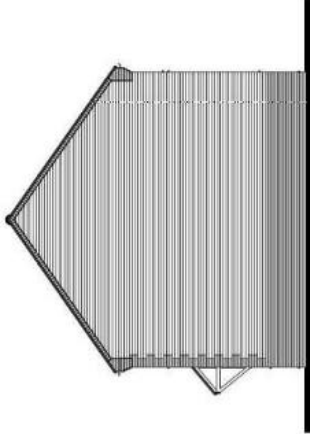
REAR ELEVATION



FIRST FLOOR PLAN



GROUND FLOOR PLAN



SIDE ELEVATION

FLOOR AREA
60.48m², 651ft²

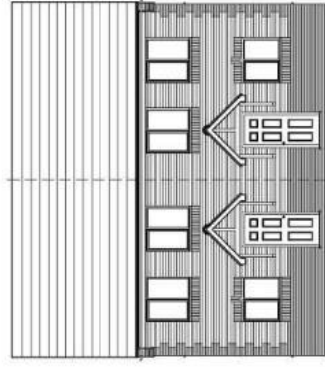
PLANNING
DRAWING

201 dwelling type

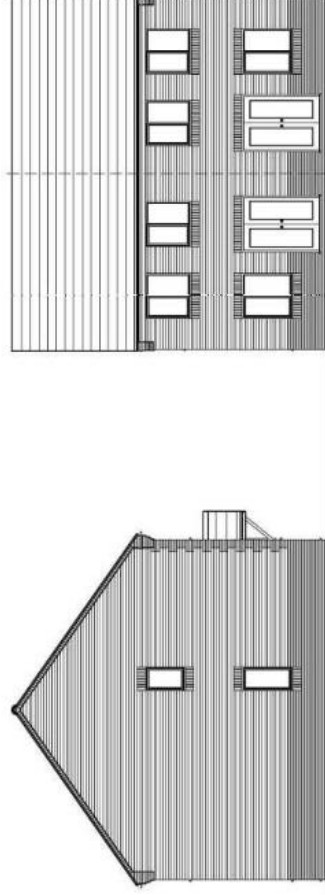
GLEESON

HOMES & REGENERATION

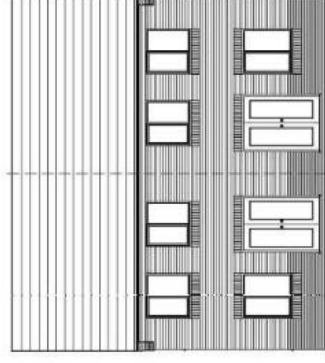
NO.	DATE	SCALE
A1	Initial design	1:100
B1	Design development	1:100
C1	Construction documents	1:100
D1	Construction documents	1:100
E1	Construction documents	1:100
F1	Construction documents	1:100
G1	Construction documents	1:100
H1	Construction documents	1:100
I1	Construction documents	1:100
J1	Construction documents	1:100
K1	Construction documents	1:100
L1	Construction documents	1:100
M1	Construction documents	1:100
N1	Construction documents	1:100
O1	Construction documents	1:100
P1	Construction documents	1:100
Q1	Construction documents	1:100
R1	Construction documents	1:100
S1	Construction documents	1:100
T1	Construction documents	1:100
U1	Construction documents	1:100
V1	Construction documents	1:100
W1	Construction documents	1:100
X1	Construction documents	1:100
Y1	Construction documents	1:100
Z1	Construction documents	1:100



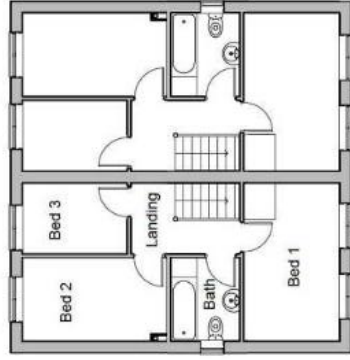
FRONT ELEVATION



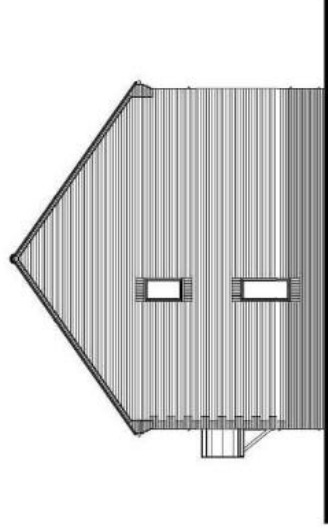
SIDE ELEVATION



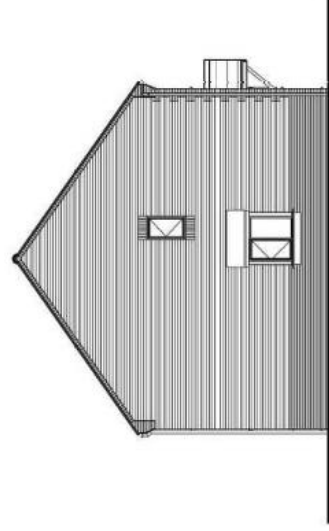
REAR ELEVATION



FIRST FLOOR PLAN



SIDE ELEVATION



optional bay window
SIDE ELEVATION



GROUND FLOOR PLAN

PLANNING DRAWING

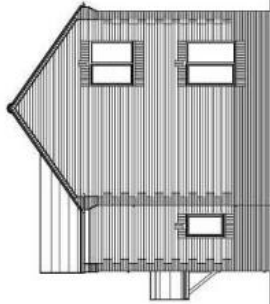
301 dwelling type

GLEESON

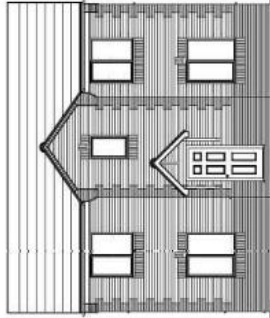
HOMES & REGENERATION

[illegible]

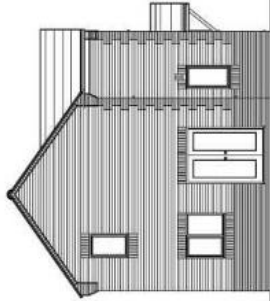
FLOOR AREA
70.56m², 759ft²



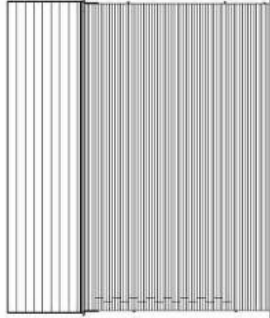
SIDE ELEVATION



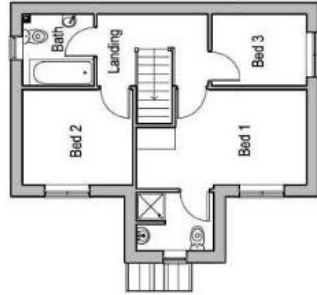
FRONT ELEVATION



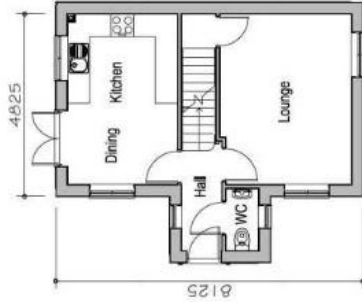
SIDE ELEVATION



REAR ELEVATION



FIRST FLOOR PLAN



GROUND FLOOR PLAN



FLOOR AREA
75.311m², 811ft²

PLANNING
DRAWING

314 dwelling type

GLEESON
HOMES & REGENERATION

Scale	
1:100 at A2	
Date	
Feb 2016	
Drawn by	
314/1-	

