

# AGENDA

## Development Control Committee

**Friday, 07 July 2017 AT 10:00**

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

### **Apologies for Absence**

To receive apologies for absence and notification of substitutions

### **Declarations of Interest**

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

### **Public and Press**

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

### **Minutes of Previous Meetings**

To approve and sign the Minutes of the meetings held on 17 March 2017, 19 April 2017 (site visits meeting) and 21 April 2017.

To note the Minutes of the sites visits meeting held on 5 July 2017.

## **PART A**

**To be considered when the Public and Press are present**

### **A.1 CONTROL OF DEVELOPMENT AND ADVERTISING**

To consider applications for:

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

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<b>Item 04 - 17/0464 - 28 Pinecroft, Carlisle, CA3 0DB</b>	<b>95 - 106</b>
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<b>Schedule B</b>	<b>139 - 144</b>
<b>A.2 TREE PRESERVATION ORDER 287</b>	<b>145 - 184</b>
<p>The Corporate Director of Economic Development to submit a report which considers the confirmation of Tree Preservation Order 287 - Orton Grange Park, Grange Park Road, Orton Grange, Carlisle, CA5 6LA.</p> <p>(Copy report ED.25/17 herewith)</p>	
<b>A.3 PLAY AREA AT THE OAKS, LONGTOWN</b>	<b>185 - 190</b>
<p>The Corporate Director of Economic Development to submit a report which considers whether a childrens' play area should be sited on the open space at The Oaks Longtown, or whether a contribution should be given to the Parish Council to spend on upgrading existing areas of open space in the locality.</p> <p>(Copy report ED.26/17 herewith).</p>	

## **PART B**

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

**-NIL-**

### **Members of the Development Control Committee**

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

**Labour** – Mrs Bradley, Mrs Glendinning, McDevitt, McDonald, T Sidgwick, Mrs Warwick (Chairman), Bowditch (sub), Ms Patrick (sub), S Sidgwick (sub)

**Independent** - Paton, Tinnion (sub)

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

# **Development Control Committee Main Schedule**

## **Schedule of Applications for Planning Permission**

7<sup>th</sup> July 2017

## The Schedule of Applications

This schedule is set out in five parts:

**SCHEDULE A** - contains full reports on each application proposal and concludes with a recommendation to the Development Control Committee to assist in the formal determination of the proposal or, in certain cases, to assist Members to formulate the City Council's observations on particular kinds of planning submissions. In common with applications contained in Schedule B, where a verbal recommendation is made to the Committee, Officer recommendations are made, and the Committee's decisions must be based upon, the provisions of the Development Plan in accordance with S38(6) of the Planning and Compulsory Purchase Act 2004 <http://www.legislation.gov.uk/ukpga/2004/5/contents> unless material considerations indicate otherwise.

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

- relevant planning policy advice contained in Government Circulars, National Planning Policy Framework, [https://www.gov.uk/government/publications/national-planning-policy-frame work--2](https://www.gov.uk/government/publications/national-planning-policy-frame-work--2),
- Planning Practice Guidance <http://planningguidance.planningportal.gov.uk/> and other Statements of Ministerial Policy;
- Carlisle District Local Plan 2015-2030 <http://www.carlisle.gov.uk/planning-policy/Local-Plan/Carlisle-District-Local-Plan-2015-2030>
- Conservation Principles, Policies and Guidance - <https://historicengland.org.uk/advice/constructive-conservation/conservation-principles/>
- Enabling Development and the Conservation of Significant Places <https://historicengland.org.uk/images-books/publications/enabling-development-and-the-conservation-of-significant-places/>
- Flood risk assessments: climate change allowances <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>
- Consultee responses and representations to each application; <http://publicaccess.carlisle.gov.uk/online-applications/>

- Cumbria Landscape Character Guidance and Toolkit  
<http://www.cumbria.gov.uk/planning-environment/countryside/countryside-landscape/land/landcharacter.asp>
- Natural Environment and Rural Communities Act (2006)  
<http://www.legislation.gov.uk/ukpga/2006/16/contents>
- Wildlife and Countryside Act 1981  
<http://www.legislation.gov.uk/ukpga/1981/69>
- Community Infrastructure Levy Regulations 2010  
<http://www.legislation.gov.uk/ukdsi/2010/9780111492390/contents>
- EC Habitats Directive (92/43/EEC)  
[http://ec.europa.eu/environment/nature/legislation/habitatsdirective/index\\_en.htm](http://ec.europa.eu/environment/nature/legislation/habitatsdirective/index_en.htm)
- Equality Act 2010  
[http://www.legislation.gov.uk/ukpga/2010/15/pdfs/ukpga\\_20100015\\_en.pdf](http://www.legislation.gov.uk/ukpga/2010/15/pdfs/ukpga_20100015_en.pdf)
- Manual For Streets 2007  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/341513/pdfmanforstreets.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/341513/pdfmanforstreets.pdf)

Condition 2 of each application details the relevant application documents; except the following where the associated documents are located at –

17/0354 - <http://publicaccess.carlisle.gov.uk/online-applications/simpleSearchResults.do;jsessionid=B2EC6E2272A08FEBD0B0AC12AA15AC7B?action=firstPage>

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

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

If you are in doubt about any of the information or background material referred to in the Schedule you should contact the Development Management Team of the Planning

Services section of the Economic Development Directorate.

This Schedule of Applications contains reports produced by the Department up to the 23/06/2017 and related supporting information or representations received up to the Schedule's printing and compilation prior to despatch to the Members of the Development Control Committee on the 07/07/2017.

Any relevant correspondence or further information received subsequent to the printing of this document will be incorporated in a Supplementary Schedule which will be distributed to Members of the Committee 5 working days prior to the day of the meeting.

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Applications Entered on Development Control Committee Schedule

<b>Item No.</b>	<b>Application Number/ Schedule</b>	<b>Location</b>	<b>Case Officer</b>
01.	<u>16/0868</u> A	Land to the east of Briar Lea Court, Longtown, CA6 5YS	<u>SD</u>
02.	<u>17/0354</u> A	Land adjacent to Hawklemass, Irthington, Carlisle, CA6 4NN	<u>PF</u>
03.	<u>16/0597</u> A	Land at Orchard Gardens, Houghton, Carlisle, CA3 0LH	<u>BP</u>
04.	<u>17/0464</u> A	28 Pinecroft, Carlisle, CA3 0DB	<u>SO</u>
05.	<u>16/1070</u> A	Heads Wood Farmhouse, Newtown, Irthington, Carlisle, CA6 4PE	<u>BP</u>
06.	<u>16/0384</u> B	Land to the rear of Stribers, 23 Newbiggin Road, Durdar, Carlisle, CA2 4UJ	<u>BP</u>

Date of Committee: 07/07/2017

SCHEDULE A

SCHEDULE A

## SCHEDULE A: Applications with Recommendation

16/0868

Item No: 01

Date of Committee: 07/07/2017

**Appn Ref No:**  
16/0868

**Applicant:**  
Gleeson Regeneration Ltd. Arthuret

**Parish:**  
  
**Ward:**  
Longtown & Rockcliffe

**Agent:**

**Location:** Land to the east of Briar Lea Court, Longtown, CA6 5YS

**Proposal:** Erection Of 100No. 2, 3 And 4 Bedroom Semi And Detached Two Storey Dwellings With Associated Works; Proposed Accesses From Brampton Road And Old Road

**Date of Receipt:**  
10/10/2016

**Statutory Expiry Date**  
09/01/2017

**26 Week Determination**  
10/04/2017

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### REPORT

**Case Officer:** Stephen Daniel

#### 1. Recommendation

- 1.1 Subject to the outstanding issues being resolved, Members are requested to grant "authority to issue" planning approval, subject to the completion of a S106 agreement to secure:
- a) the final sales price of the dwellings;
  - b) a financial contribution of £79,253 towards the provision and maintenance of children's play space within Longtown;
  - c) the maintenance of the informal open space within the site by the developer;
  - d) a financial contribution of £24,102 to Cumbria County Council towards education provision.

#### 2. Main Issues

- 2.1 Whether The Proposal Is Acceptable In Principle
- 2.2 Whether The Scale And Design Of The Dwellings Would Be Acceptable
- 2.3 Impact Of The Proposal On The Living Conditions Of The Occupiers Of Any Neighbouring Properties
- 2.4 Highway Matters
- 2.5 Drainage Issues

- 2.6 Provision Of Affordable Housing
- 2.7 Open Space
- 2.8 Education
- 2.9 Impact On Trees
- 2.10 Biodiversity
- 2.11 Impact Of The Proposal On The Solway Moss Battlefield
- 2.12 Other Matters

### **3. Application Details**

#### **The Site**

- 3.1 The site covers an area of approximately 2.95 hectares and is currently in agricultural use. Old Road adjoins the northern boundary of the site and this contains residential properties, a number of which directly face the site. The A6071 (Longtown to Brampton) lies to the south of the site. Briar Lea Court, a residential development, adjoins the site to the west, along with a large industrial unit. Briar Lea Court contains a mix of two-storey dwellings and bungalows, some of which have side and rear elevation in close proximity to the site boundary.
- 3.2 The boundaries of the site are largely defined by mature hedgerows, with the exception of part of the western boundary, where it adjoins Briar Lea Court. The boundaries of these dwellings are predominantly defined by a post and wire fence. The south-east boundary consists of a number of semi-mature trees.
- 3.3 The site is allocated for housing in the adopted Local Plan and lies within the Registered Battlefield of Solway Moss.

#### **Background**

- 3.4 Outline planning permission for residential development on the site was granted in November 2015, with all matters reserved for subsequent approval. The indicative layout plan, that was submitted with the application, showed sixty-one dwellings within the site. The plan also showed areas of amenity open space within the development and landscaping within the site and along the site boundaries. The only vehicular access to the development was shown from the A6071. A footpath and emergency vehicular access would be provided from the site to Old Road.

#### **The Proposal**

- 3.5 The proposal is seeking full planning permission for the erection of 100 two, three and four bedroom properties within the site. Five dwellings would front onto the A6071, with thirteen dwellings facing onto Old Road. A new 5.5m wide road, with pavements to both sides, would link the A6071 with Old Road and this would be adjoined by dwellings and an area of open

space, which would have dwellings facing onto it.

3.6 Three cul-de-sacs, which would be 4.8m wide, would be accessed from the main road through the site. One of these would contain seven dwellings, one would contain twelve dwellings and would contain twenty-six dwellings. The roads would be constructed of tarmac, with the exception of sections at the end the cul-de-sacs (which would contain five dwellings) and to the rear of the open space, which would be constructed of permeable crushed aggregate. Four visitor parking spaces would be provided in a lay-by adjacent to the main road through the site. The main road through the site would be wide enough to accommodate on road parking.

3.7 The development would contain a range of house types, the details of which are given below:

- House Type Cork (201) – 2-bedroom semi-detached property - 25 units proposed
- House Type Mayfield (212) - 2-bedroom semi-detached property – 4 units proposed
- House Type Tyrone (301) - 3-bedroom semi-detached property – 13 units proposed
- House Type Galway (302) - 3-bedroom semi-detached property – 2 units proposed
- House Type Kilkenny (304) - 3-bedroom detached property – 14 units proposed
- House Type Kildare (307) - 3-bedroom detached property – 10 units proposed
- House Type Fergus (309) - 3-bedroom semi-detached property – 13 units proposed
- House Type Liffey (310) - 3-bedroom detached property – 8 units proposed
- House Type Lisburn (311) - 3-bedroom semi-detached property – 5 units proposed
- House Type Longford (401) - 4-bedroom detached property – 6 units proposed

3.8 The dwellings would be constructed of a combination of two types of brick, yellow multi brick and red multi brick, under a dark grey plain profile concrete tiled roof. Some of the dwellings would be constructed predominantly of yellow multi brick, with others being constructed predominantly of red multi brick.

3.9 The dwellings would have various designs and would utilise a range of features to add visual interest and variety. These include the use of two contrasting bricks; brick sills and lintels; open porches; bay windows; single-storey projections; pitched roof dormer windows; with some dwellings

having integral garages, attached garages or detached garages.

- 3.10 Each dwelling would have small front gardens and rear gardens, with the front gardens being turfed and the rear gardens being made up of topsoil. A minimum of two in-curtilage parking spaces would be provided for each dwelling and these would either be provided on driveways or within garages. The driveways would be constructed of permeable crushed aggregate, with the first 1.5m being tarmac.
- 3.11 A 1.8m high close boarded fence would be provided along the western site boundary between the proposed development and the existing dwellings on Briar Lea Court. Within the development, 1.8m high close boarded fences would be used on the rear boundaries and to separate some plots, with 0.6m high post and wire fences also being used to separate the majority of plots. Some sections of 1.8m high brick walls would be used on the most prominent boundaries.
- 3.12 The trees that lie on the south-east boundary of the site would be retained, with the hedgerows that lie along eastern site boundary and part of the western site boundary also being retained. A number of new trees (whitebeam and rowan) would be planted along the main road through the site, including to the front of the area of open space, with other trees being planted within the cul-de-sacs. The hedgerow and trees that lie adjacent to Old Road would be removed with a section of hedgerow adjacent to the A6071 being removed to provide the new access road.
- 3.13 Surface water from the site would discharge to a drainage ditch that lies on the opposite side of the A6071, with foul drainage discharging into existing sewers on Old Road and the A6071.

#### **4. Summary of Representations**

- 4.1 This application has been advertised by means of site and press notices as well as notification letters sent to 53 neighbouring properties. In response, 19 letters of objection (including 15 standard letters) from 16 households have been received to the original plans; 31 letters of objection (including 30 standard letters) from 27 households have been received to the amended plans/ additional information that has been received; and 28 letters of objection (all of which are standard letters) from 23 households have been received to further amended plans.
- 4.2 The letters of objection to the original plans make the following points:

##### The Proposal

The high density and quality of housing proposed is not appropriate for this site – the previous application on this site was for 61 dwellings with strict quality control and conditions;

The application site is a greenfield site on the edge of Longtown which is used for agricultural purposes – there are brownfield sites in Longtown

earmarked for housing which are nearer to the town centre and these should be built on;

The development will be on the Green Belt around Longtown;

The development will have limited landscaping, open space, grass areas and trees and there are no play areas for children – the previous application on this site included these facilities;

No renewable resources have been designed into the development;

No affordable housing is being provided on the site – the previous approval included the provision of affordable housing;

The developer says they will build housing that is affordable – with Brexit and inflation the housing will not be affordable in a couple of years and mortgages will be harder to obtain;

There is no provision for the charging of electric vehicles;

The developer is trying to build as many houses as possible on the site as cheaply as possible to make the maximum profit;

#### Impact On Residential Amenity

The developer is showing little consideration for the existing residents of Briar Lea Court and Old Road;

Loss of privacy to a number of properties on Briar Lea Court;

Loss of light and sunshine to a number of properties on Briar Lea Court;

Existing dwellings on Briar Lea Court will look out onto fencing and the rear gardens on the new dwellings;

The proposal will be detrimental to people living in Briar Lea Court and Old Road;

#### Highway Matters

The access onto Old Road is onto a narrow country road with no footpaths or street lighting;

Old Road is not suitable for large vehicles such as delivery vehicles, refuse collection vehicles and emergency service vehicles at the entrance to the development;

There is no footpath on Old Road at the proposed entrance to the development;

Increased traffic flow and noise on Old Road;

There is no public transport on Old Road or the A6071 – the nearest bus stop is over 400m from the proposed access;

The access onto the A6071 is onto a long straight road, which is used by lorries, farm machinery, caravans etc as well as pedestrians, school children

and cyclists – vehicles travel up to 60-70mph despite it being a 30mph speed limit;

The 30mph speed limit on the A6071 is greatly exceeded by 90% of the traffic entering and leaving Longtown – estimate that 50% of traffic passing the entrance to Briar Lea Court exceeds 50mph;

There have been several near misses over the years and adding another access onto the A6071 will greatly increase the chances of a road traffic collision;

If planning permission is granted traffic calming/ slowing measures should be introduced;

There is no footpath or street lighting on the A6071 beyond Briar Lea Court;

The proposed access on the A6071 is too near the existing access to Briar Lea Court;

Question the need for a second access onto Old Road – has the person from County Highways who suggested the second access onto Old Road visited the site? Old Road and Mill Street have had 3 housing developments added over the years;

It is stated that provided access onto Old Road and the A6071 will improve connectivity and create a more integrated development – Briar Lea Court is not connected to Old Road and Sutton Close is not linked to the A6071.

Support pedestrian and emergency vehicle access to Old Road but do not believe that Mill Street, Old Road, Sutton Close, Raefield or Bellsfield could support a potential increase of 150 cars entering and existing every day, especially at peak times;

#### Drainage Matters

Surface water from the development will run into an existing watercourse (an open ditch across the A6071) which links to the River Esk – there appears to be no provision to filter out pollutants from the surface water, which is contrary to SUDS guidelines;

The developer does not have permission to discharge surface water to the ditch on the opposite side of the A6071 and is unlikely to obtain permission from the landowner;

The FRA relates to 61 houses and not 100;

The EA flood maps show a risk of surface water flooding on the south-eastern extent of the development – it is recommended that dwellings are located outside this area to ensure no impact on existing surface water run-off – despite this the developer intends to build houses in this area;

The water table is virtually at the surface and rain causes standing water;

After any, even a short, spell of rain the site is standing in water;

There have been drainage and sewage problems in the area;

Serious concerns about the foul and surface water drainage being directed towards Old Road;

During periods of heavy rainfall for 24 hours or more drains have been at full capacity in Old Road – surface and foul water in the system cannot cope with the amount of water running off the fields further up Old Road onto the road and into the drains;

Drains and manhole points at 14 Old Road are full to overflowing in periods of heavy rain;

Surface water flowing from the farmer's fields is not taken into account in the drainage report and it is this water that is causing the problems;

The majority of road flooding over the last 3 years has been just to the west of the Sutton Close development – this is due to the drains backing up and the water flowing out of the drains where the water is backing up the most;

### Education

There is only 1 primary school in Longtown which might not have capacity to accommodate pupils for 100 additional families;

There is no secondary school in Longtown so the additional children would have to be transported to Brampton or Carlisle at the expense of the Local Education Authority;

William Howard School will not be able to accommodate the additional pupils;

When the application was approved for 61 homes the developer had to contribute £163,892 towards the cost of additional accommodation at the school – this will be more for 100 dwellings;

When the application for 61 homes was approved the developer had to contribute £123,500 to transport costs – this will be more for 100 homes;

The nursery school in Longtown cannot accommodate babies only young children – extra provision will be required for babies;

Families with children of school age will not want to live in Longtown as there is no secondary school – 6<sup>th</sup> form pupils have to pay several hundred pounds per year in bus fares to get to William Howard School;

### Other Matters

There is no demand for more houses in Longtown;

There are limited employment opportunities in Longtown;

The site is part of a historic battlefield site and a geophysical survey is required before the site is developed – there is no evidence that this has been completed;

Under the previous application the developer had to make a contribution to domiciliary care;

Proposal is contrary to Paras 17, 23, 32, 35, 72, 80 of the NPPF;

The position of the houses on Plots 1, 2 & 3 should be slightly altered – in their present positions the 2-storey buildings on Plots 1 & 2 would block the sunlight reaching the conservatory on the rear of 19 Briar Lea Court;

19 Briar Lea Court is the only dwelling which is very close to a dwelling on the new estate;

4.3 The letters of objection that were received to the revised plans/ additional information made the following points:

#### Site Management

Concerned about the proposed working hours – 07.30 start will mean plant and personnel arriving between 06.30 and 07.30 which will create substantial noise before the official start time;

During the winter months the start and finish times will be during the hours of darkness in the winter months which will mean the site will have floodlighting which would have a negative impact on neighbouring properties – works should only take place during daylight hours;

Delivery vehicles might arrive before the start time and will have to park up which could create issues for existing residents and businesses;

Concerned that the development has a forecast build time of 5 years – there will be long-term disruption for residents;

#### Drainage

The revised drawings show part of the foul water running into a sewer on the A6071 but no such sewer exists;

The Old Road mains system will have two-thirds of the plots connected to it – concerned if this system will be able to cope with the volume;

Concerned that the proposed foul drainage from the development could adversely impact on the existing drainage from Briar Lea Court;

If the A6071 foul connection is new consideration should be given to connecting the Briar Lea Court system directly to this route;

The area has a high water table and in the winter months the area is constantly flooded with sodden gardens and drives a potential;

Sewers in the area have been blocked with sewage backing up into gardens and in Old Road;

During periods of heavy rain all the surface water cascades off the fields further up Old Road and into the drains. This is causing problems with the capacity of the drains. Mill Street now floods between the Burn St and Raefield junction where the water is backing up and coming up out of the

drains. Consequently the drains below ground back up and fill the manhole at Briar Cottage on Old Road to the point of overflowing. When this happens there is nowhere to put any water from the kitchen, utility room, bathroom or toilet – nothing can be flushed or emptied into the system;

It is imperative that no further surface or foul water is connected to the Old Road system from this or any other development;

### Highway Matters

Oppose the vehicular access and egress onto Old Road – this is not wide enough, with a number of cars and vans routinely parked against the kerb through lack of off road parking at some properties. There is no access from Briar Lea Court to Old Road. Emergency vehicles would probably use the A6071 to access the development which would be a quicker and easier route;

The through road from the A6071 to Old Road will become a 'rat run' as people seek to avoid the dangerous bend at the Burn Street/ Albert Street junction on the A6071 which will create additional volumes of traffic and associated noise;

Old Road won't be able to cope with the additional vehicle movements generated by this development;

Object to the proposed one-way traffic system for the material delivery to the site – the delivery vehicles will be mostly HGVs and these will have to access onto Old Road which has parked cars along it – Old Road is unsuitable for this type of vehicle – question if large vehicles could make the turning circle required;

There is space within the site to allow delivery vehicles to turn within the site – they could then exit the site onto the A6071;

If permission is granted the developer should be required to provide a mini roundabout on the A6071 to slow traffic down approaching the development – there is a real problem with traffic speeding when entering the town. This would solve the problem at no cost to the County Council and provide a safer situation for residents;

It would be prudent to provide a circuit around the development so that reversing is not a consideration – this could easily be achieved and a one-way system would then be of real benefit.

Some dwellings have two cars in a single driveway, with others having a garage and one space in front of the garage – people will park on the roadside rather than move vehicles around;

Fewer plots with side by side parking would ensure that roads are kept clear;

The development assumes that garages are parking spaces but given the limited amount of storage space provided internally the garage will be used as storage and the second vehicle will park on the road;

The driveways would be hardcore and not concrete, block paving or tarmac

to assist with ground drainage – overtime ruts will form in the driveways and they will be resurfaced by residents using various finishes which will create a disjointed look to the estate. The developer should ensure that the driveways are suitable for the long-term and show a uniform approach;

#### Impact On Residential Amenity

To reduce the impact of the proposal on neighbouring properties the applicant could erect bungalows adjacent to the existing dwellings or reduce the number of dwellings;

The previous application had bungalows adjacent to the Briar Lea Court properties which resolved any privacy issues – the current application has semi-detached and detached two-storey dwellings orientated so that they look directly into the existing properties;

13 Briar Lea Court has 7 plots where gardens back onto their property which could generate considerable noise;

19 Briar Lea Court is the only property in very close proximity to the proposed new housing – there is no need to build a two-storey dwelling so close;

#### The Proposal

No bungalows are being provided within the site- these would have a positive effect by freeing up larger dwellings in the area;

The development is geared to maximising the number of dwellings on the site and takes no consideration of the need to create a balanced community;

There is no provision for children's play areas although the development is geared towards young families;

The outline planning permission ensured that a suitable play area was provided on the site;

The developer has said that giving money to provide a play area elsewhere would make the development unviable;

If a play area is provided elsewhere it would be a distance from the site and would not be easily accessed by young families;

The proposed open boarded 1.8m fence will give visual sight through the vertical gaps which will impact on privacy;

Over time the fence will degrade with rotting timber and posts unless annually maintained. Replacements will be a mixture of materials and construction methods which will look unsightly for the occupiers of Briar Lea Court;

#### Education

Object to the fact that the developer has stated that they have no intention of supporting the Council's transportation costs;

Longtown Primary School is already working at capacity as is William Howard School in Brampton;

There is no transport link from Longtown to Brampton apart from school transport – the only option for non-car owners is to go by bus from Longtown to Carlisle and then Carlisle to Brampton and this is expensive – after school events are virtually impossible to attend for a number of families;

### Services

The development is significantly further from shops than the distances stated by the applicant and the variety of shops is very limited;

The nearest supermarket is at Carlisle whilst the new residents will utilise - so existing businesses in Longtown won't benefit from the proposal;

### Other Matters

The developer is making a 21% profit so could afford to make contributions to support the Council and the community;

Nothing is mentioned about the high voltage cable running from west to east across the development and on up towards Virginia Lodge – this cable would be very close to the apex of roofs close to its route.

4.4 The letters of objection that were received to the further revised plans make the following points:

The previous objections have not been addressed or resolved;

Cumbria Constabulary have raised concerns about the layout of the site - the applicant has failed to comply with the 'Secured by Design' initiative and are proposing measures that conflict with recognised good practice;

The applicant hasn't taken account of the resident's objections and concerns - they are simply continuing to promote their initial strategy of 100 dwellings emphasising that they are a low cost provider so don't consider they should contribute towards any additional costs;

Many of the statistical statements made in the application are extremely general - they are based on national statistics and their own information from smaller developments, predominantly brownfield sites within regeneration areas in the Midlands and north-east of England and don't reflect the greenfield site and small community in Longtown;

The applicant assumes that the prospective occupiers of the dwellings will not in the main own cars despite the fact that there's limited local infrastructure and in secondary school or supermarket (the nearest being approximately 10 miles away) - as such they don't consider adequate off road parking for two vehicles is necessary;

The applicant has ignored the original design and many of the constraints, with a strategy for maximising the property density of the site and resultant profit levels.

## **5. Summary of Consultation Responses**

Local Environment, Waste Services: - no objections in principle to the layout.

Waste collection vehicles would not access the areas shown as permeable crushed aggregate - residents would need to bring their waste containers to the kerbside on the main roads for collection. The developer would be required to purchase refuse bins for the properties;

Historic England: - no objections on historic environment grounds to the grant of planning permission;

Arthuret Parish Council: - does not support the increase from 61 to 100 dwellings; concerns regarding the proposed vehicular access onto Old Road – support access for pedestrians and emergency vehicles but consider this narrow road could not deal with potentially an additional 150 vehicles on a daily basis; there is no provision for affordable housing which is contrary to the Local Plan; there are existing problems in Old Road with surface and foul water drainage – there is concern that the development would create increased capacity on an already overloaded system.

In response to the amended plans/ additional information: object to the delivery arrangements that proposed to operate a one-way system from the A6071 onto Old Road. Old Road could not deal with the high volume of articulated lorries and HGVs over the delivery period. Disagree with the applicant that the road is wide enough to cope with delivery wagons. There is sufficient space on the site to create a turning area to allow access and egress from the A6071; if the proposed delivery arrangements are agreed there is concern that this could become a permanent arrangement and this route would become a 'rat run'; foul drainage is shown discharging into an existing foul water manhole located within the development subject to United Utilities approval – this is already working to over-capacity and a proposed addition of two-thirds of the development to Old Road would exacerbate problems of an already over loaded system that residents have been trying to resolve with United Utilities for a number of years; could the developer amend the plans to build a bungalow to the rear of 19 Briar Lea Court rather than a dwelling so sunlight would not be blocked from the conservatory; would the proposed working hours require the area to be floodlit in winter? If so work should only take place during daylight hours;

Cumbria County Council - (Archaeological Services): - no objections - the archaeological implications of the proposed development are considered to be minimal;

Cumbria County Council - (Highways & Lead Local Flood Authority): - objected to the originally submitted plans due to a lack of in-curtilage parking; the use of permeable crushed aggregate on the driveways; and the discharge of untreated surface water to a drainage ditch. Objected to the Comments awaited on revised plans;

Cumbria County Council - Transport & Spatial Planning: - the development for 100 houses, using a dwelling led model, is estimated to yield 31 children

(18 primary children and 13 secondary). The development is in the catchment of Longtown Primary School (0.5 miles) and William Howard (10.4 miles). There is insufficient space in the primary catchment school of Longtown to accommodate all 18 of the pupil yield. However, there are sufficient spaces for 16 so therefore an education contribution of £24,102 (2\*£12,051) will be required. No contribution will be sought for secondary school places. No contribution is sought in relation to primary or secondary school transport.

Green Spaces: - while the on-site POS has been amalgamated into one area (which is welcome) it does not provide a particularly useful space and for the number of people that can reasonably be expected to occupy the development, it is very limited. A large space in the management of Arthuret Parish Council exists nearby which would be a suitable candidate for off-site contributions for play and sport. A development of this scale would normally be expected to require 0.75ha of POS. Longtown is already one of the most deprived wards in the Council area and if this development goes ahead without proper consideration of its 'liveability', an opportunity to improve this situation may be lost. Requested a contribution of £79,253.

Local Environment - Environmental Protection: - no objections;

MOD Safeguarding: - no safeguarding objections;

Natural England: - no objections - the application might provide opportunities to enhance biodiversity and the landscape of the site;

Cumbria Constabulary - North Area Community Safety Unit: - the layout is generally favourable, with most dwellings addressing routes and communal spaces and with interlocking rear gardens. The POS is centrally located and directly fronted and addressed by dwellings from three directions. Car parking is generally located on-plot, but some garages are not obviously associated to their respective dwellings, being positioned to the rear and therefore less easily supervised. The submitted document 'Maximising Security Through Design', highlights various good practice measures promoted by Secured by Design, but curiously appears to contradict others. Not in favour of the 'open frontages' proposals for front garden boundaries and the rear plot division treatments (proposed as 600mm post and rail). Recommends doors and windows compliant with PAS 24:2016 and fitted with a pane of laminated glazing (BS EN 356:2000 P1A);

United Utilities: - comments awaited.

## **6. Officer's Report**

### **Assessment**

- 6.1 The relevant planning policies against which the application is required to be assessed are Policies HO1, HO4, SP6, GI3, GI4, GI6, IP3, IP4, IP6, CC5, CM2, CM4 and HE5 of the Carlisle District Local Plan 2015-2030.

- 6.2 The proposal raises the following planning issues:
1. Whether The Proposal Is Acceptable In Principle
- 6.3 The site is allocated for housing in the recently adopted Local Plan, which covers the period 2015-2030. In November 2015, outline planning permission was granted for residential development on this site. The principle of developing the site for housing is, therefore, acceptable.
2. Whether The Scale And Design Of The Dwellings Would Be Acceptable
- 6.4 The indicative layout plan that was submitted with the previous outline application showed 61 dwellings on the site. Objectors have raised concerns about increasing the number of dwellings on this site, which covers an area of 2.95ha, to 100, which equates to a density of 34 dwellings per hectare. Whilst there is no longer a minimum site density (which was previously 30 dwellings per hectare) there remains a requirement for land, particularly in the sustainable locations with access to services, to be developed in an efficient manner. Each dwelling would have front and rear gardens and a minimum of two in-curtilage parking spaces and the separation distances between the dwellings are considered to be acceptable. Whilst the amount of open space being provided on the site is limited (which increases the density) the developer is making a contribution to improve existing open space in the locality. In light of the above, the density of the proposed development is considered to be acceptable.
- 6.5 A new 5.5m wide road, with pavements to both sides, would link the A6071 with Old Road and this would be adjoined by dwellings and an area of open space, which would have dwellings facing onto it. Three cul-de-sacs, which would be 4.8m wide, would be accessed from the main road through the site.
- 6.6 Ten different house types would be provided on the site and these would include 29 two bedroom starter homes, 33 three bedroom semi-detached properties, 32 three bedroom detached properties and 6 four bedroom detached properties.
- 6.7 The dwellings would be constructed of a combination of two types of brick, yellow multi brick and red multi brick, under a dark grey plain profile concrete tiled roof. Some of the dwellings would be predominantly constructed of yellow multi brick, with others being constructed predominantly of red multi brick.
- 6.8 The dwellings would have various designs and would utilise a range of features to add visual interest and variety. These include the use of two contrasting bricks; brick sills and lintels; open porches; bay windows; single-storey projections; pitched roof dormer windows; with some dwellings having integral garages, attached garages or detached garages.
- 6.9 It is acknowledged that the proposed development would not contain any bungalows, but there is no policy requirement to do so. The proposed

development would contain a range of house types, including two, three and four bedroom properties.

- 6.10 In light of the above, the scale and design of the proposed development would be acceptable.

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

- 6.11 A number of dwellings on Briar Lea Court adjoin the site to the west. The Council's SPD on Achieving Well Designed Housing indicates that there should be a 21m separation distance between primary windows. All of the new dwellings have been positioned so that they have rear elevations a minimum of 21m away from the rear elevations of the existing dwellings and in most cases the minimum separation distances suggested in the SPD have been exceeded. A 1.8m high close boarded fence would be erected on the boundary between the rear of the existing dwellings on Briar Lea Court and the proposed dwellings and this would limit overlooking between the dwellings.
- 6.12 Existing dwellings on Old Road lie across the road from the site. Number 19 Old Road would have a front elevation 19.5m away from the front elevation of Plot 37 with 21 Old Road having a front elevation a minimum of 20.5m away from the front elevation of Plot 40. These separation distances are considered to be acceptable, given that the front elevations of the bungalows on Old Road are already overlooked from the footpath that runs to the front of the properties. All of the other dwellings on Old Road would have front elevations a minimum of 21m away from the front elevations of the proposed dwellings.
- 6.13 The occupiers of 19 Briar Lea Court have raised concerns about the dwellings on Plots 1, 2 and 3. They consider that in their present position the two-storey buildings on Plots 1 and 2 in particular will effectively block the sunlight from reaching the rear of their house, which contains a conservatory. Whilst the dwellings on Plots 1 and 2 would have some impact on the conservatory at certain times of the day this would not be significant to warrant refusal of the application, given that the conservatory is fully glazed.
- 6.14 Local residents have raised concerns about the proposed hours of work on the site. The Construction Management Plan states that the site hours will be from 7.30am to 5.30pm from Monday to Friday and from 7.30am to 1pm on Saturdays if necessary. There will be no working on Sundays or Bank Holidays. These working hours are consistent with the Council's standard condition (although this does allow working until 6pm from Monday to Friday). The Construction Management Plan also states that deliveries will be between 9am and 5pm and there will be no deliveries at weekends or on public holidays.
- 6.15 The Construction Management Plan also provides details of all measures that will be utilised on site to minimise the impact of the proposed development on local residents. These include: controlling dust by damping

down; providing wheel wash facilities; and restricting the hours of work.

- 6.16 In light of the above, the proposal would not have an adverse impact on the living conditions of the occupiers of any neighbouring properties through loss of light, loss of privacy or over-dominance.

#### 4. Highway Matters

- 6.17 A new 5.5m wide road, with pavements to both sides, would link the A6071 with Old Road. Three cul-de-sacs, which would be 4.8m wide, would be accessed from the main road through the site.
- 6.18 The indicative layout plan in the previously approved application showed the main vehicular access off the A6071, with only a footpath and an emergency vehicle access being provided onto Old Road. County Highways, however, considered that it would be more appropriate for the site to have a second vehicle access onto Old Road. The Council's Heritage Officer was also keen to see a second access created onto Old Road in order to improve the sites connectivity and to create a more integrated development that better reflects the historic pattern of development in Longtown.
- 6.19 The Local Highways Authority objected to the originally submitted plans due to the lack of off-street parking on the site. This was compounded by the size of the proposed garages, which would not be counted as a parking space (a garage must have an internal area of 21m<sup>2</sup> to be classed as a parking space). A particular concern was the lack of off-street parking at the properties on Old Road, as due to the narrowness of the carriageway it is considered that all parking requirements should be achieved within the owner's control.
- 6.20 In response to these concerns, the applicant has amended the layout to increase the amount of off-street parking, including along Old Road. Whilst the Local Highway Authority welcomes the increase in parking, particularly along Old Road, it still has concerns about the level of parking. The applicant has not taken any measures to increase the size of the garages to 21m<sup>2</sup>, which are indicated as parking places. As a consequence, the Local Highway Authority would not count any of the 91 garages proposed as parking spaces and they therefore consider that there is a lack of in-curtilage parking spaces within the development.
- 6.21 The applicant has submitted some further amended plans which again increase the level of parking provision, although not the size of the garages. The parking provision shown on the latest plans includes 60 detached garages; 31 integral garages; 185 on plot parking spaces; and 4 visitor parking spaces, which equates to 280 parking spaces for the 100 dwellings. County Highways has been consulted on these amended plans but no response had been received prior to the committee report being finalised. Members will be updated on this issue at the committee meeting.
- 6.22 Permeable crushed aggregate would be used on the un-adopted Highway and for the designated car parking spaces for the dwellings. The Local

Highway Authority requires a minimum of 5m of bound surfacing from the carriageway edge for driveways. The current plans only show the first 1.5m of the driveways being tarmac, which means that only 3.5m of bound surfacing is being provided from the carriageway edge (including the 2m wide footpath). Discussions are still on-going with the Local Highway Authority about this issue and a condition could be added to the permission to cover the surfacing of the driveways if this is deemed necessary.

- 6.23 A number of objectors have raised concerns about construction vehicles accessing Old Road. A Construction Management Plan has been submitted with the application and this states that construction and delivery vehicles will use the A6071 to access the compound area within the site. Once the delivery has been made, the vehicles will then exit the site via the A6071. Under no circumstances would any construction or delivery vehicles access the site via Old Road.
- 6.24 The proposed access is considered to be acceptable and Members will be updated on the proposed parking arrangements at the committee.

## 5. Drainage Issues

- 6.25 In relation to the previous application, United Utilities were consulted and raised no objections subject to the imposition of conditions, which required the applicant to submit details of the proposed foul and surface water drainage. The Lead Local Flood Authority (LLFA) also had no objections to the previous application, following the submission of a topographic survey which confirmed that the whole of the site is able to drain to the existing watercourse on the opposite side of the A6071. The LLFA requested the imposition of conditions which required the applicant to submit details of the design of the surface water drainage system.
- 6.26 As part of the approved Flood Risk Assessment, the initial drainage principles have been established which identified infiltration as unsuitable. It is, therefore, proposed to discharge surface water to the existing drainage ditch that is located on the opposite side of the A6071 to the site, as in the previous application. The surface water would pass through a reed bed wetland area, which would act as on site treatment prior to discharge to the watercourse. The field currently has an outfall to the drainage ditch and the principle of discharging to this watercourse was established at the outline planning stage, although third party agreement will be required by the developer.
- 6.27 A number of objectors have raised concerns about the impact of the proposed development on the existing sewerage systems in Briar Lea Court and Old Road, which are operating at maximum capacity and are prone to blockages. During periods of heavy rain the occupiers of Briar Cottage, which adjoins the site to the west, are unable to put any waste water into the drainage system due to it being full. The Parish Council has commented that there are existing problems in Old Road with surface and foul water

drainage and there is concern that the development would create increased capacity on an already overloaded system.

- 6.28 In relation to the revised plans/ additional drainage information, the Parish Council has commented that foul drainage is shown discharging into an existing foul water manhole located within the development subject to United Utilities approval but this is already working to over-capacity and a proposed addition of two-thirds of the development to Old Road would exacerbate problems of an already over loaded system that residents have been trying to resolve with United Utilities for a number of years.
- 6.29 All of the surface water from the site would discharge into the watercourse on the opposite side of the A6071 and there would be no surface water connection to Old Road. This would be a significant improvement on the current situation, where a large amount of the surface water from the application site current runs off into the sewer on Old Road, particularly during periods of heavy rain.
- 6.30 Foul water would discharge to the public sewers. A Pre-Development Enquiry was made with Untied Utilities for the outline application based on 61 dwellings and UU confirmed that those 61 dwellings could discharge into the system on Old Road. The current proposal, therefore, allows 61 of the 100 dwellings to discharge their foul water in to Old Road. The remaining 39 dwellings would discharge into the system located on A6071 Brampton Road.
- 6.31 The applicant has looked in detail at the existing problems with the sewer on Old Road. The current problems with the Old Road system relate to the fact that the drain is laid too flat and it has a limited number of properties discharging foul flows into it. As a consequence, the system suffers operational issues in the form of blockages. When heavy rainfall occurs this can result in localised problems, especially when the surface water element is added into the mix. By adding additional foul flows this will increase the flow down the pipe and should offer an improved position as more flow will result in less risk of blockages as a result of low flows. Additionally, by taking the surface water flows away from the Old Road system it means the foul sewer is not having to deal with surface water flows and the debris/silt that surface water brings with it.
- 6.32 The Lead Local Flood Authority has been consulted on the application. It has commented that the Making Space for Water Group (which is a multi-agency group who investigate flooding) has begun to investigate the surface water / public sewer drainage issue on Old Road. This involves the public sewer becoming overwhelmed with surface water, which causes it to surcharge and this prevents existing dwellings along Old Road from being able to discharge their foul effluent. Due to this issue, the Lead Local Flood Authority considers that the Local Planning Authority should re-consult with United Utilities to ensure that any foul sewage disposal to the Old Road public sewer system does not further exacerbate this issue.
- 6.33 United Utilities has been consulted on the application but at the time of writing the committee report no comments had been received. Members will

be updated on this issue at the committee meeting.

## 6. Affordable Housing

- 6.34 Policy HO4 of the Carlisle District Local Plan 2015-2030 requires all sites of 11 units or over in Longtown to provide 20% of the units as affordable housing. The application is, however, accompanied by an Affordable Housing Statement and this states that Gleeson have purchased the site on the basis that no affordable housing is to be provided on the site as it would be unviable to do so.
- 6.35 The Affordable Housing Statement sets out Gleeson's approach to housing delivery, which is based on providing local people, often on low incomes, with quality housing which they can afford. The house prices are set so that they are affordable to 90% of people in the area. Gleeson are also able to generate long-term saving schemes for customers who have an appropriate income but no deposit and it operates a purchase enabling scheme. This enables people, who would otherwise not be able to afford a new home, to purchase properties and get onto the property ladder. This is borne out by the fact that 72% of Gleeson's customers are first time buyers, 46% are on the minimum wage or below and 39% move from social or private rented homes.
- 6.36 The applicant has submitted a viability appraisal with the application and this confirms that it would be unviable for affordable housing to be provided on this site. This is due to the sale prices of the properties being very low. The viability appraisal is based on the 29 two-bed properties selling for £80,000; 20 of the three-bed properties selling for £93,000, 13 selling for £110,000, 14 selling for £112,000, 10 selling for £113,000 and 8 selling for £115,000; and the 6 four-bed dwellings selling for £140,000.
- 6.37 The Council has undertaken its own viability appraisal of the site. Whilst it would be possible to provide affordable housing if the dwellings were sold at the average sale price of properties in Longtown, using the sales prices suggested by Gleeson it would not be viable to provide affordable housing.
- 6.38 The Council has raised concerns that the properties might be sold for prices higher than those used in the viability appraisal. Gleeson has, therefore, agreed to enter into a S106 Legal Agreement to limit the sales prices of the properties to those used in the financial appraisal. On this basis, the proposal is considered to be acceptable as it would deliver 100 low cost dwellings.

## 7. Open Space

- 6.39 The Council's Green Spaces Manager has been consulted on the application. Whilst the on-site Public Open Space has been amalgamated into one area which is welcomed, it does not provide a particularly useful space and, for the number of people that can reasonably be expected to occupy the development, is very limited.
- 6.40 A large space in the management of the Parish Council exists nearby which

would be suitable for off-site contributions to play and sport. The Green Spaces Manager has, therefore, requested that the developer should provide a financial contribution of £79,253 to the Parish Council which would be spent on improving the existing open space that lies to the north of Old Road, in close proximity to the site. The applicant has confirmed that it is willing to pay this contribution and this will be secured through the S106 Agreement.

- 6.41 The applicant has confirmed that they will set up a Management Company to manage the amenity open space on the site and this would also be secured through a S106 Agreement.

## 8. Education

- 6.42 The development for 100 houses, using a dwelling led model, is estimated to yield 31 children (18 primary children and 13 secondary). The development is in the catchment of Longtown Primary School (0.5 miles) and William Howard Secondary School (10.4 miles).
- 6.43 There is insufficient space in the primary catchment school of Longtown to accommodate all 18 of the pupil yield. There are, however, sufficient spaces for 16 of the pupils so, therefore, an education contribution of £24,102 (2\*£12,051) will be required.
- 6.44 Whilst it is considered that the development of this site will further contribute to the pressure on secondary school places, further work will be undertaken to identify a strategic solution to the issue. Therefore at this stage, no contribution will be sought for secondary school places.
- 6.45 Subject to the above contribution being provided no contribution is sought in relation to primary school transport. In relation to secondary school transport, there is anticipated to be sufficient capacity on existing services to the catchment school (the situation has changed since the previous application on this site was approved with a requirement for a contribution to secondary school transport).
- 6.46 The applicant has agreed to pay the education contribution of £24,102 which would be used to provide additional primary school places at Longtown Primary School and this would be secured through a S106 Legal Agreement.

## 9. Impact On Trees

- 6.47 The application is accompanied by a Tree Survey and a Landscaping Plan. A belt of trees lies along the south-western site boundary and these would all be retained and protected by suitable tree protection fencing during the building works. A number of new trees would be planted within the development.
- 6.48 A hedgerow and trees that lie adjacent to Old Road would be removed with a section of hedgerow on the south-western site boundary also being removed to make way for the new access road into the site from the A6071. The loss of these hedgerows and trees is necessary to allow suitable access to be provided to the site from the A6071 and to improve the integration with

the existing development on the opposite side of Old Road.

- 6.49 The hedgerow that lies along the eastern site boundary, and the sections of hedgerow located along the western side boundaries would all be retained.

#### 10. Biodiversity

- 6.50 The site is in agricultural use and has little ecological value. The majority of the trees and hedgerows around the site, which have the highest ecological value, would be retained, with additional trees being planted within the site. Natural England has been consulted on the application and has raised no objections to the proposals, which would not have an adverse impact on biodiversity. The provision of plants and trees within the gardens and area of open space should have a positive impact on biodiversity.

#### 11. Impact Of The Proposal On The Solway Moss Battlefield

- 6.51 The site lies within the designated heritage asset of the Registered Battlefield of the Solway Moss. The application is accompanied by an archaeological desk based assessment, a metal detector report and a heritage statement. This information shows that the main events of the battle took place a considerable distance to the south and west of the proposed development site. Whilst the area may have been traversed by the Scottish army, there is no evidence that it did so and the surveys of the site have failed to locate any material associated with the battle.
- 6.52 The boundaries of the application site are composed largely of mature hedgerows, with some larger trees. Views of the remainder of the battlefield are relatively restricted, as are views into the site from elsewhere within the battlefield.
- 6.53 In light of the above, both Historic England and the County Archaeologist have confirmed that they have no objections to the proposal. They consider that the proposed development would cause little harm to the registered battlefield and will not harm people's ability to understand the events of the battle, or the area within which it took place.

#### 12. Other Matters

- 6.54 The applicant would be responsible for paying for the provision of refuse/ recycling containers for each property and this could be secured through the imposition of a condition.
- 6.55 The Police Crime Prevention Design Advisor considers that the layout is generally favourable. He has, however, raised some concerns about the 'open frontages' proposals for front garden boundaries, which he considers are not sufficient to effectively demarcate space and promote the concept of ownership. Whilst this concern is acknowledged, it is not uncommon to have open frontages on housing developments. He has also raised concerns about the rear plot division treatments (proposed as 0.6m post and wire). Whilst 0.6m post and wire fences would be used on the boundaries between a number of the plots, it is anticipated that home owners would replace these with their own boundaries over time. The rear boundaries would be 1.8m high close boarded fencing, with some of the boundaries

between the plots also being 1.8m high close boarded fencing.

## **Conclusion**

- 6.56 The application site is allocated for housing in the recently adopted Local Plan and the proposal is, therefore, acceptable in principle. The scale and design of the development would be acceptable and the proposal would not have an adverse impact on the living conditions of the occupiers of any neighbouring properties. 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 (subject to the parking issue being resolved), foul and surface water drainage (subject to United Utilities confirming they have no objections to the proposals), biodiversity, education, or open space. The proposal would not have an adverse impact on the Solway Moss Battlefield. Whilst no affordable housing is being provided on the site, the proposal would provide 100 low cost units, the initial sales price of which would be controlled through a S106 Agreement. The proposal is, therefore, recommended for approval subject to the completion of a S106 Agreement.
- 6.57 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 final sales price of the dwellings;
  - b) a financial contribution of £79,253 towards the provision and maintenance of children's play space within Longtown;
  - c) the maintenance of the informal open space within the site by the developer;
  - d) a financial contribution of £24,102 to Cumbria County Council towards education provision.

## **7. Planning History**

- 7.1 In November 2015, outline planning permission was granted for the erection of 61 dwellings (14/0925).

## **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. the submitted planning application form received 30th September 2017;
2. the Location Plan (drawing no. 750-GLE-00.01 Rev A) received 21st

June 2017;

3. the Layout Plan (drawing no. 750-GLE-10.01 Rev L) received 23rd June 2017;
4. the Boundary Treatment Drawing (drawing no. 750-GLE-10.02 Rev K) received 23rd June 2017;
5. the Landscaping Layout Drawing (drawing no. 750-GLE-10.03 Rev K) received 23rd June 2017;
6. the Adoption Plan (drawing no. 750-GLE-10.04 Rev K) received 23rd June 2017;
7. the Garage Threshold/Drive Detail Drawing (drawing no. SD712 Rev D) received 30th September 2016;
8. the Single Garage Drawing (drawing no. SD700 Rev A) received 30th September 2016;
9. the Double Garage Drawing (drawing no. SD701 Rev A) received 30th September 2016;
10. the Terraced Single Garage Drawing (drawing no. SD703 Rev B) received 30th September 2016;
11. the Boundary Treatment Drawings (1800mm Timber fence) (drawing no. SD100 Rev D) received 21st June 2017;
12. the Boundary Treatment Drawings (Post & Wire Fence) (drawing no. SD103 Rev B) received 21st June 2017;
13. the Boundary Treatment Drawings (1800mm Fence & Brickwork Wall) (drawing no. SD111 Rev B) received 2nd February 2017;
14. the Boundary Treatment Drawings (post & Rail Fence Detail) (drawing no. 20.01) received 21st June 2017;
15. the Housetype Elevation Drawings (drawing no. 201/1F) received 30th September 2016;
16. the Housetype Elevation Drawings (drawing no. 212/1-) received 30th September 2016;
17. the Housetype Elevation Drawings (drawing no. 301/1G) received 30th September 2016;
18. the Housetype Elevation Drawings (drawing no. 311/1A) received 30th September 2016;
19. the Housetype Elevation Drawings (drawing no. 302/1G) received 30th September 2016;
20. the Housetype Elevation Drawings (drawing no. 309/1E) received 30th September 2016;
21. the Housetype Elevation Drawings (drawing no. 304/1E) received 30th September 2016;
22. the Housetype Elevation Drawings (drawing no. 307/1B) received 30th September 2016;
23. the Housetype Elevation Drawings (drawing no. 310/1D) received 30th September 2016;
24. the Housetype Elevation Drawings (drawing no. 401/1G) received 30th September 2016;
25. the Phase 1 Ground Investigation Report received 28th November 2016;
26. the Phase 2 Ground Investigation Report received 28th November 2016;
27. the Drainage Assessment received 27th February 2017;
28. the Flood Risk Assessment received 10th October 2016;

29. the Transport Statement received 10th October 2016;
30. the Ecology Report received 21st June 2017;
31. the Metal Detector Survey Report received 30th September 2016;
32. the Archaeological Report received 10th October 2016;
33. the Heritage Statement received 10th October 2016;
34. the Tree Report received 22nd February 2017;
35. the Air Quality Assessment received 13th March 2017;
36. the Proposed Engineering Schematic (drawing no. C900 Rev C) received 16th June 2017;
37. the Engineering Schematic Information (drawing no. C901 Rev –) received 2nd February 2017;
38. the Engineering Layout (drawing no. C001 Rev - ) received 21st June 2017;
39. the Design and Access Statement received 30th September 2016;
40. the Sustainability Statement received 30th September 2016;
41. the Affordable Housing Statement received 10th October 2016;
42. the Planning Statement received 30th September 2016;
43. the Maximising Security through Design document received 10th October 2016;
44. the Site Waste Management Plan received 30th September 2016;
45. the Construction Management Plan – Rev C – June 17 received 8th June 2017;
46. the Parking Statement received 10th October 2017;
47. the Economic Impact Report – Version 001 – September 2016 received 30th September 2016;
48. the Notice of Decision; and
49. any such variation as may subsequently be approved in writing by the Local Planning Authority.

**Reason:** To define the permission.

3. The materials (and finishes) to be used in the construction of the proposed development shall be in accordance with the details contained in the submitted application, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure a satisfactory external appearance for the completed development, in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

4. The proposed landscaping shall be undertaken in strict accordance with the Landscaping Plan, received 23 June 2017 (Dwg No. 10.03 Rev K). 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 is implemented and to ensure compliance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

5. The proposed boundary treatment shall be in strict accordance with the

details shown on the Boundary Treatment Plan, received on 23 June 2017 (Dwg No. 10.02 Rev K).

**Reason:** To ensure the proposed boundary treatment is acceptable and to ensure compliance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

6. The proposed development shall be undertaken in strict accordance with the Construction Management Plan (June 2017 – Rev C), received 8th June 2017.

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

7. No construction work associated with the development hereby approved shall be carried out before 07.30 hours or after 17.30 hours Monday to Friday, before 07.30 hours or after 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 SP6 of the Carlisle District Local Plan 2015-2030.

8. For the duration of the development works, existing trees and hedges along the boundary shall be protected in accordance with details to be agreed in writing with the Local Planning Authority. Within this protected area there shall be no excavation, tipping or stacking, nor compaction of the ground by any other means.

**Reason:** To protect trees and hedges during development works in accordance with Policy GI3 of the Carlisle District Local Plan 2015-2030.

9. 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.

The drainage scheme submitted for approval shall also be in accordance with the principles set out in the Flood Risk Assessment & Drainage Statement dated September 2016 and plan C001 proposing surface water discharging to a watercourse.

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

**Reason:** To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.

10. No development shall commence until a construction Surface Water Management Plan has been agreed in writing with the Local Planning Authority.

**Reason:** To safeguard against flooding to surrounding sites and to safeguard against pollution of receiving surface water systems or watercourses downstream of the site.

11. Prior to the occupation of the dwellings hereby approved, broadband shall be installed in accordance with the details contained in the letter from BT Open Reach, dated 4th February 2017.

**Reason:** To ensure that the dwellings have access to broadband, in accordance with Policy IP4 of the Carlisle District Local Plan 2015-2030.

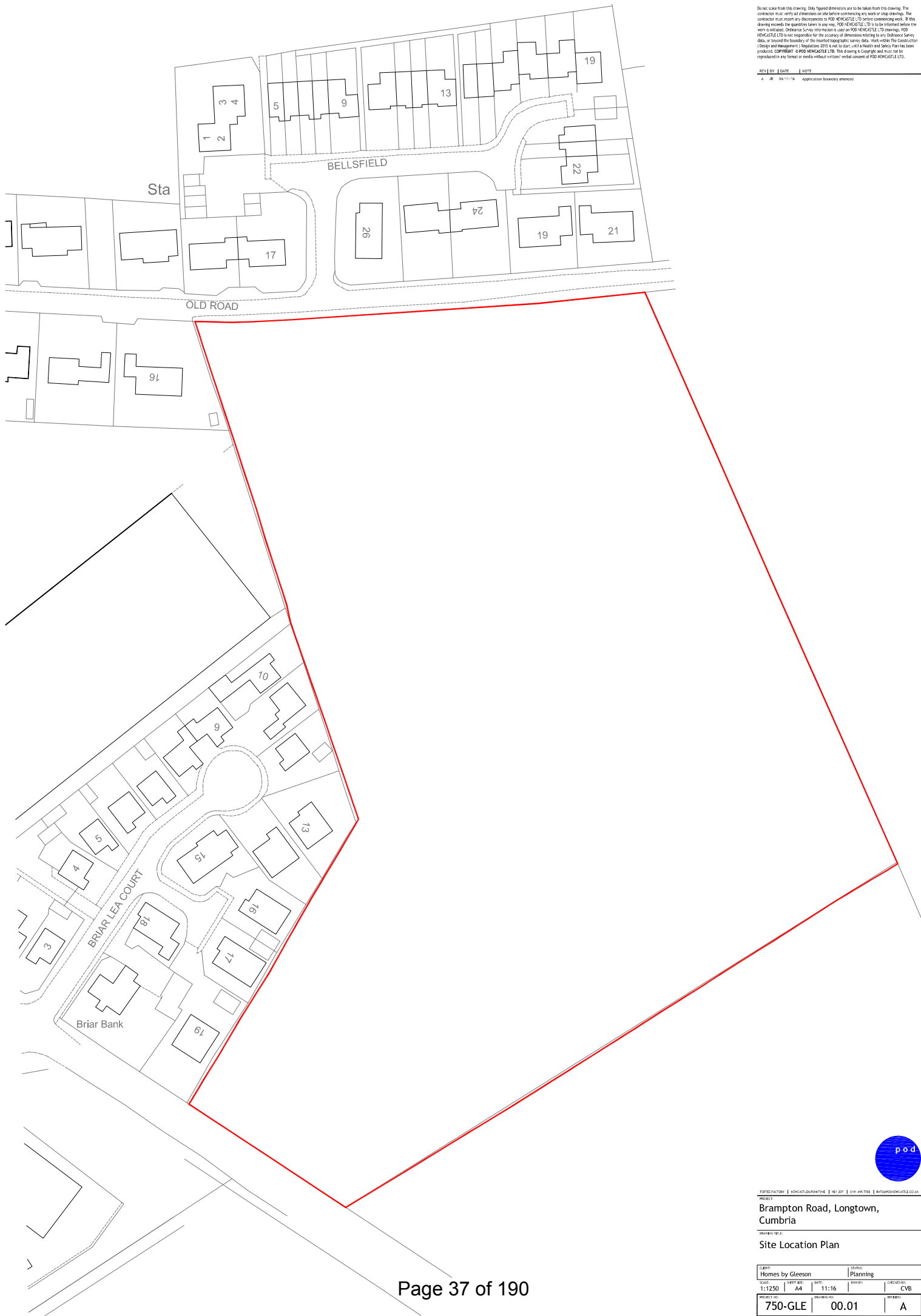
12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) there shall be no enlargement or external alterations to the dwelling to be erected in accordance with this permission, within the meaning 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 building 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.

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REV BY DATE NOTE  
A JR 04/11/16 Application boundary amended



TOTTENHAM FACTORY   NEWCASTLE-UPON-TYNE   NE1 2EP   0191 495 7700   INFO@PODNEWCASTLE.CO.UK			
PROJECT: Bampton Road, Longtown, Cumbria			
DRAWING NO: Site Location Plan			
CLIENT: Homes by Gleeson	STATUS: Planning		
SCALE: 1:1250	PLOT NO: A4	DATE: 11:16	DRAWN: CVB
PROJECT NO: 750-GLE	DRAWING NO: 00.01	REVISION: A	

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REV	BY	DATE	NOTE
A	JR	04/11/16	Topographical information updated
B	JR	22/12/16	Boundary treatments altered to sides of plots 1, 99, 56, 57, 27, 34, 35, 84 and 99; rear boundary alignment to plot 88 amended; two extra driveway space each created for plots 2, 3, 4, 7, 14, 20, 22, 40, 41, 49, 56-58, 62, 65, 69, 79, 83, 84, 86, 90, 92, 95, 98.
C	JR	06/01/17	Tree survey information incorporated
D	JR	13/01/17	Easement behind plots 15-28 shown; drives to plot 28-40 amended; tarmac strip to plot 25-26 added; rear boundaries to plots 22-33, 49-63, 79-83 amended; service verges to cul-de-sacs plots 43-54 and 60-84 revised
E	JR	10/02/17	Tree survey information updated
F	JR	16/02/17	Block types changed
G	JR	20/02/17	Tree survey information updated
H	JR	20/04/17	Plots 99 and 100 re-positioned to accommodate underground gas tank
J	JR	26/05/17	Front footpaths to plots 1, 2 and 95 added; rear paving to permeable doors added
K	JR	21/06/17	Parking provision increased; underground tanks relocated
L	JR	23/06/17	Parking provision increased

## Accommodation Schedule

Gross Site area: approx' 2.95ha  
Net Site area: approx' 2.86ha

**2 bed semi (29 units = 29%)**  
Housetype 201 (2 bed) 25 units  
Housetype 212 (2 bed) 4 units

**3 bed semi (33 units = 33%)**  
Housetype 301 (3 bed) 13 units  
Housetype 302 (3 bed) 2 units  
Housetype 309 (3 bed) 13 units  
Housetype 311 (3 bed) 5 units

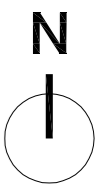
**3 bed detached (32 units = 32%)**  
Housetype 304 (3 bed) 14 units  
Housetype 307 (3 bed) 10 units  
Housetype 310 (3 bed) 8 units

**4 bed detached (6 units = 6%)**  
Housetype 401 (4 bed) 6 units

**TOTAL 100 units**  
(33.8dph gross)  
(34.8dph net)

### Legend

- existing tree / hedge retained
- existing shrub / hedge removed
- proposed trees
- turf
- reed bed
- paving slabs
- permeable crushed aggregate
- Main: Forterra Ashwell Yellow Multi  
Contrast: Forterra Abbey Red Multi  
Roof Tile: Plain Profile Concrete Tile in Dark Grey
- Main: Forterra Abbey Red Multi  
Contrast: Forterra Ashwell Yellow Multi  
Roof Tile: Plain Profile Concrete Tile in Dark Grey
- Tarmac



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PROJECT: **Brampton Road, Longtown, Cumbria**

DRAWING TITLE: **Site Layout Plan**

CLIENT: <b>Homes by Gleeson</b>	STATUS: <b>Planning</b>
SCALE: <b>1:500</b>	SHEET NO: <b>A1</b>
DATE: <b>06:17</b>	OWN BY: <b>JR</b>
CHECKED BY: <b>CVB</b>	PROJECT NO: <b>750-GLE</b>
DRAWING NO: <b>10.01</b>	REVISION: <b>L</b>

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REV	BY	DATE	NOTE
A	JR	04/11/16	Topographical information updated
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C	JR	06/01/17	Tree survey information incorporated
D	JR	13/01/17	Easement behind plots 15-28 shown; drives to plot 28-40 amended; tarmac strip to plot 25-26 added; rear boundaries to plots 22-33, 49-63, 79-83 amended; service verges to cul-de-sacs plots 43-54 and 60-84 revised; boundary wall detail amended
E	JR	10/02/17	Tree survey information updated
F	JR	20/02/17	Tree survey information updated
G	JR	20/04/17	Plots 99 and 100 re-positioned to accommodate underground gas tank
H	JR	26/05/17	Front footpaths to plots 1, 2 and 95 added; rear paving to personnel doors added
J	JR	21/06/17	Parking provision increased; underground gas tanks relocated
K	JR	23/06/17	Parking provision increased

## Accommodation Schedule

Gross Site area: approx' 2.95ha  
Net Site area: approx' 2.86ha

**2 bed semi (29 units = 29%)**  
Housetype 201 (2 bed) 25 units  
Housetype 212 (2 bed) 4 units

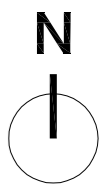
**3 bed semi (33 units = 33%)**  
Housetype 301 (3 bed) 13 units  
Housetype 302 (3 bed) 2 units  
Housetype 309 (3 bed) 13 units  
Housetype 311 (3 bed) 5 units

**3 bed detached (32 units = 32%)**  
Housetype 304 (3 bed) 14 units  
Housetype 307 (3 bed) 10 units  
Housetype 310 (3 bed) 8 units

**4 bed detached (6 units = 6%)**  
Housetype 401 (4 bed) 6 units

**TOTAL 100 units**  
(33.8dph gross)  
(34.8dph net)

Legend	
	proposed trees
	turf
	reed bed
	1.8m high close boarded fence
	1.8m high brick wall
	1.2m high post and rail fence
	0.6m high post and wire fence
	existing boundary treatment retained
	tarmac



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PROJECT: **Brampton Road, Longtown, Cumbria**

DRAWING TITLE: **Boundary Treatment Plan**

CLIENT: <b>Homes by Gleeson</b>	STATUS: <b>Planning</b>
SCALE: <b>1:500</b>	SHEET NO: <b>A1</b>
DATE: <b>06:17</b>	OWN BY: <b>JR</b>
CHECKED BY: <b>CVB</b>	REVISION: <b>K</b>

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REV	BY	DATE	NOTE
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C	JR	06/01/17	Tree survey information incorporated
D	JR	13/01/17	Easement behind plots 15-28 shown; drives to plot 28-40 amended; tarmac strip to plot 25-26 added; rear boundaries to plots 22-33, 49-63, 79-83 amended; service verges to cul-de-sacs plots 43-54 and 60-84 revised
E	JR	10/02/17	Tree survey information updated
F	JR	20/02/17	Tree survey information updated
G	JR	20/04/17	Plots 99 and 100 re-positioned to accommodate underground gas tank
H	JR	26/05/17	Front footpaths to plots 1, 2 and 95 added; rear paving to personnel doors added
J	JR	21/06/17	Parking provision increased; underground gas tanks relocated
K	JR	23/06/17	Parking provision increased

## Accommodation Schedule

Gross Site area: approx' 2.95ha  
Net Site area: approx' 2.86ha

**2 bed semi (29 units = 29%)**  
Housetype 201 (2 bed) 25 units  
Housetype 212 (2 bed) 4 units

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Housetype 304 (3 bed) 14 units  
Housetype 307 (3 bed) 10 units  
Housetype 310 (3 bed) 8 units

**4 bed detached (6 units = 6%)**  
Housetype 401 (4 bed) 6 units

**TOTAL 100 units**  
(33.8dph gross)  
(34.8dph net)

- Legend**
- existing tree / shrub / hedge retained
  - proposed tree
    - 1 = Sorbus Aria (white blossom)
    - 2 = Sorbus Aucuparia (mountain ash / rowan)
  - existing tree / shrub / hedge removed
  - indicative root protection area
  - turf
  - tarmac
  - reed bed

All garden are to be made up of 200mm topsoil and 400mm good quality subsoil.

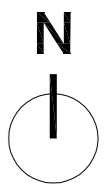
All new trees to be 2.7 - 3.0m standard nursery stock. Girth of 8.0-10.0cm and clear stem height of 1.8m - 2.1m. Transplanted three times. Bare-root. Symmetrical, evenly branched crown.

Planting pits for standard trees to be 750 x 750 x 750mm and backfill with an equal mixture of topsoil & tree planting mulching compost (50% / 50%).

Stakes and ties - standard trees should be double staked and tied. Trees should be placed centrally in the pit with stakes placed either side (stake size 75 x 75 x 2400mm). Stakes should be sawn off to approx third of length of clear stem height of the tree. 2No. reinforced tree ties of 50mm width should be used to secure the tree 50mm below the top of the stakes.

Proposed trees within 3m distance from building or services or within 2.5m of roads / parking area are to have root barriers installed.

Water to be applied to all trees and transplants on same day as plantings. Standard 30 litres / tree .



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PROJECT:

**Brampton Road, Longtown, Cumbria**

DRAWING TITLE:

**Landscaping Plan**

CLIENT: Homes by Gleeson	STATUS: Planning
SCALE: 1:500	SHEET NO: A1
DATE: 06:17	OWN BY: JR
CHECKED BY: CVB	PROJECT NO: 750-GLE
DRAWING NO: 10.03	REVISION: K

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C	JR	06/01/17	Tree survey information incorporated
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E	JR	10/02/17	Tree survey information updated
F	JR	20/02/17	Tree survey information updated
G	JR	20/04/17	Plots 99 and 100 re-positioned to accommodate underground gas tank
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## Accommodation Schedule

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Net Site area: approx' 2.86ha

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Housetype 212 (2 bed) 4 units

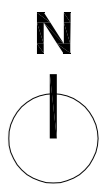
**3 bed semi (33 units = 33%)**  
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Housetype 307 (3 bed) 10 units  
Housetype 310 (3 bed) 8 units

**4 bed detached (6 units = 6%)**  
Housetype 401 (4 bed) 6 units

**TOTAL 100 units**  
(33.8dph gross)  
(34.8dph net)

Legend	
	existing shrub / hedge retained
	proposed trees
	areas proposed for adoption

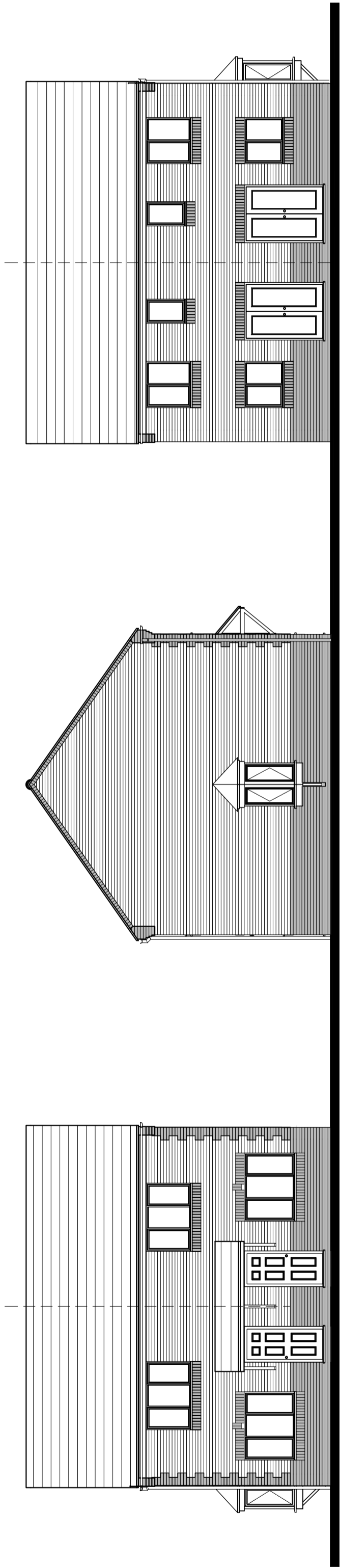


TOTTENHAM FACTORY | NEWCASTLE-UPON-TYNE | NE1 3DF | 0191 495 7700 | INFO@PODNEWCASTLE.CO.UK

PROJECT: **Brampton Road, Longtown, Cumbria**

ADOPTION PLAN

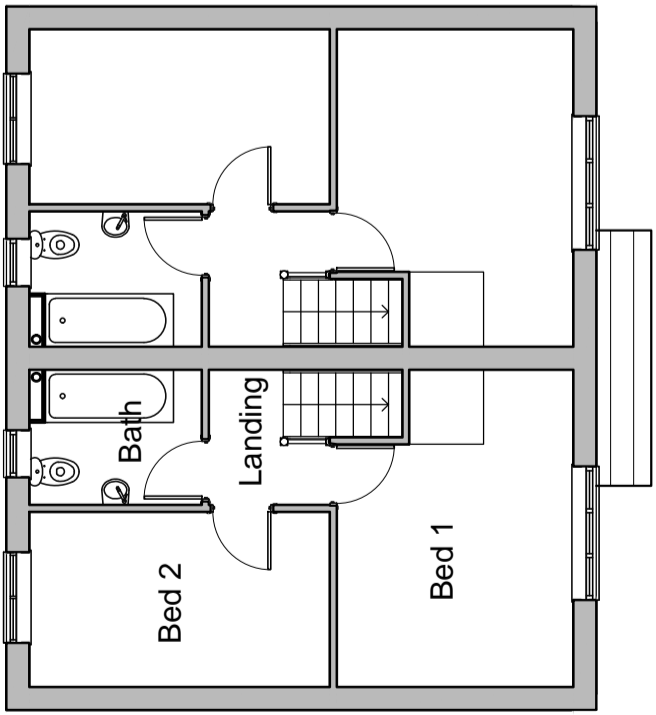
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PROJECT NO: 750-GLE		DRAWING NO: 10.04		REVISION: K



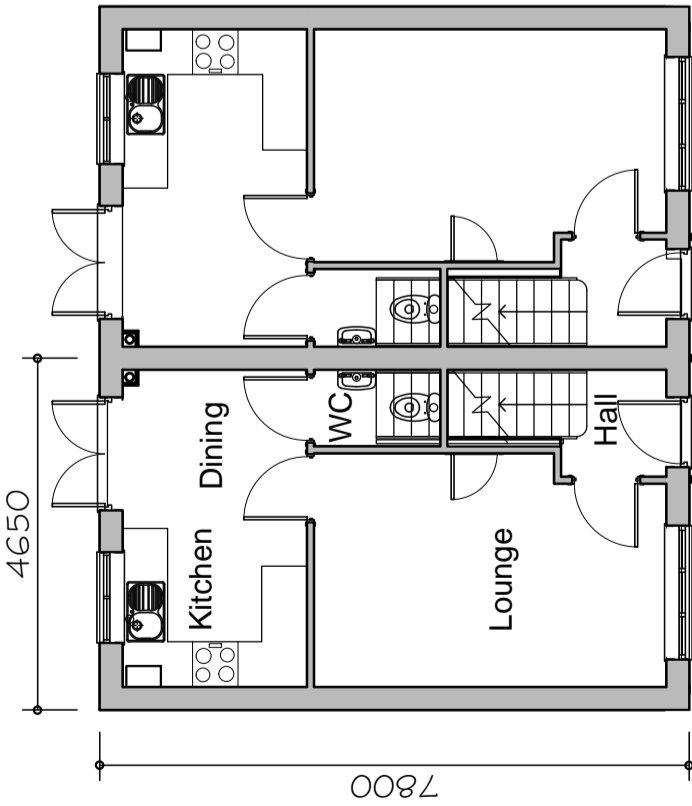
FRONT ELEVATION

optional bay window  
SIDE ELEVATION

REAR ELEVATION



FIRST FLOOR PLAN



GROUND FLOOR PLAN

PLANNING  
DRAWING

201 dwelling type

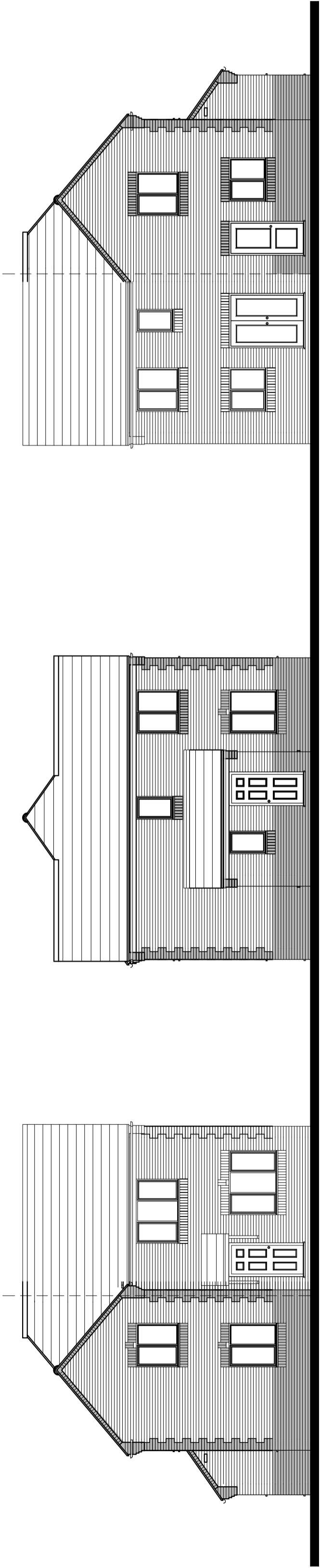
GLEESON  
HOMES & REGENERATION

A. Internal layout revised.	11.01.11	Scale
B. Brick detailing revised.	15.02.12	1:100
C. Ground floor WC revised.	28.08.12	at A2
D. Dimensions added.	22.10.12	
E. Elevational sillings revised.	20.09.13	Date
F. Based on latest Rev 5 working drawing.	27.09.14	
		July.10
		Dwg No
		201/1F

FLOOR AREA  
60.48m<sup>2</sup>, 651ft<sup>2</sup>

SIDE ELEVATION

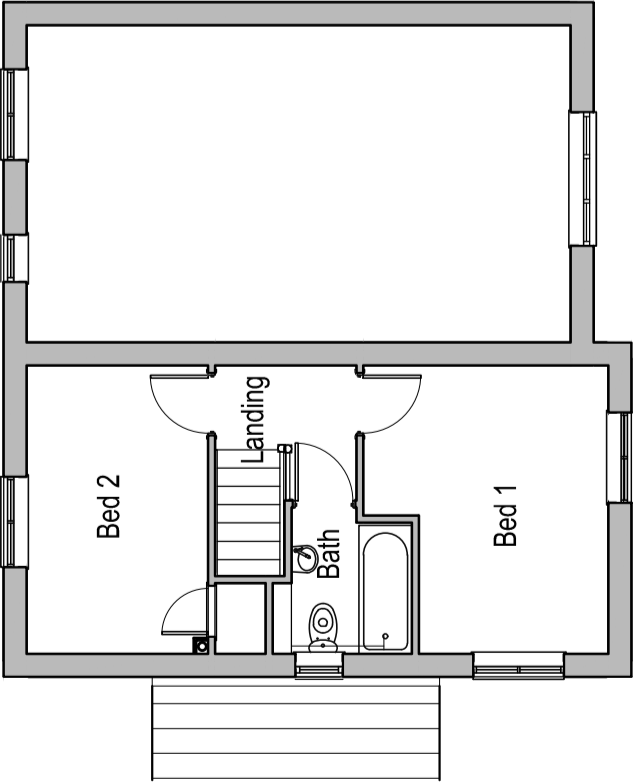




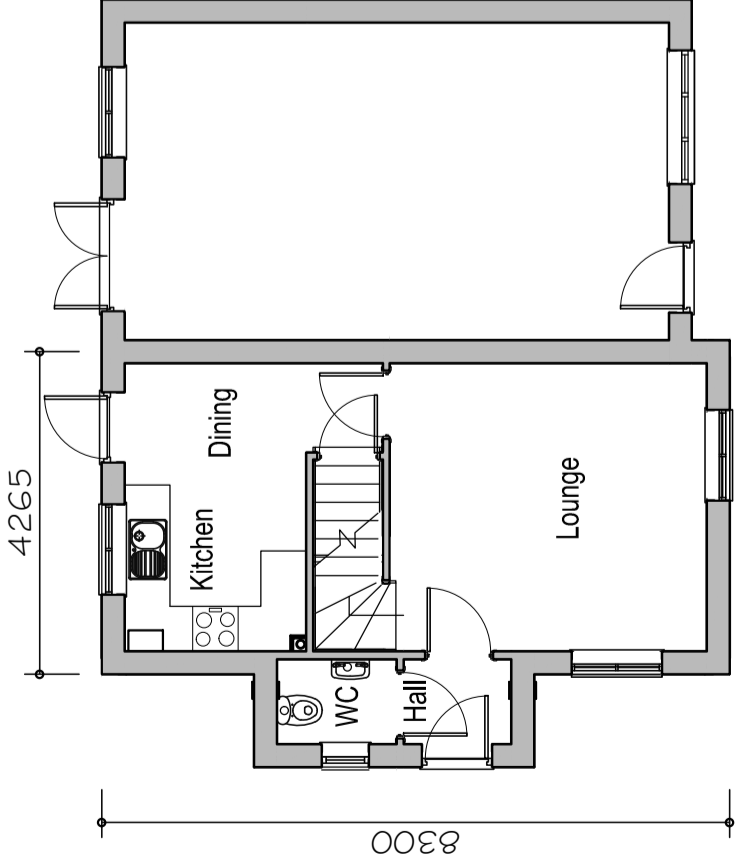
FRONT ELEVATION

SIDE ELEVATION

REAR ELEVATION



FIRST FLOOR PLAN



GROUND FLOOR PLAN

SIDE ELEVATION

PLANNING  
DRAWING

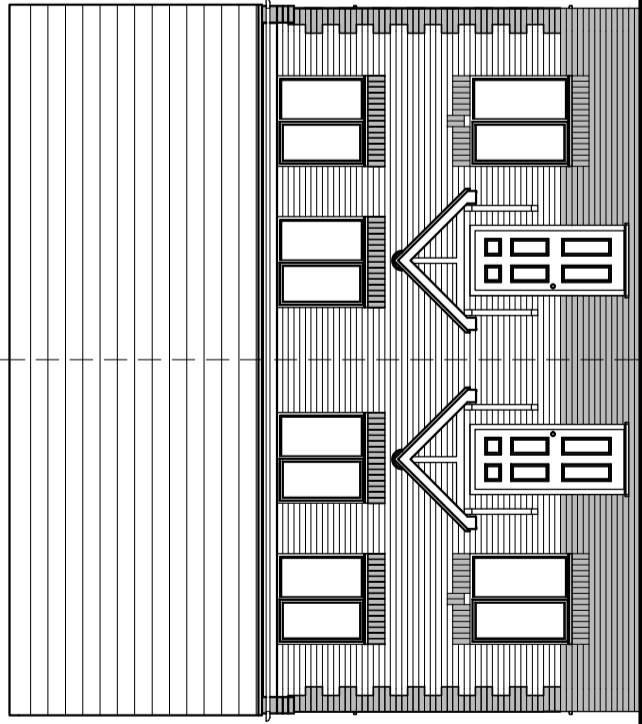
212 dwelling type

GLEESON  
HOMES & REGENERATION

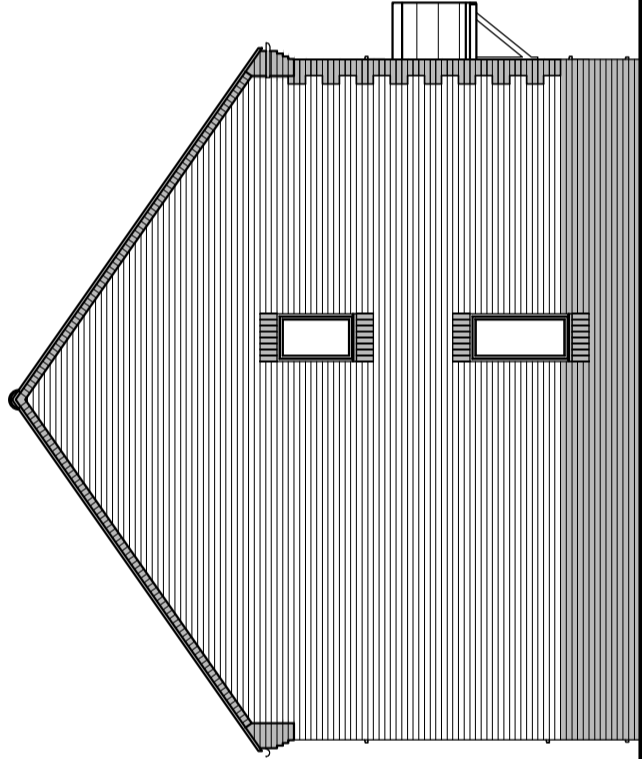
Scale	
1:100 at A2	
Date	
Feb 16	
Dwg No	
212/1-	

FLOOR AREA  
62.37m², 671ft²

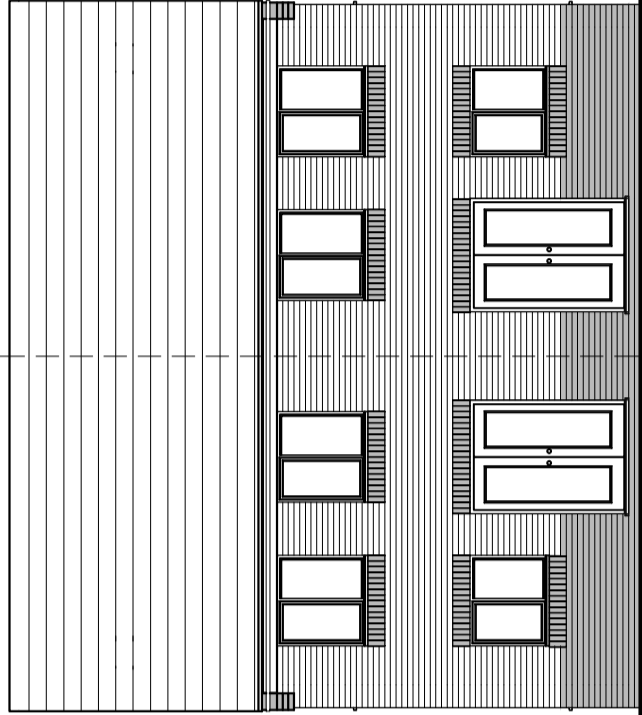




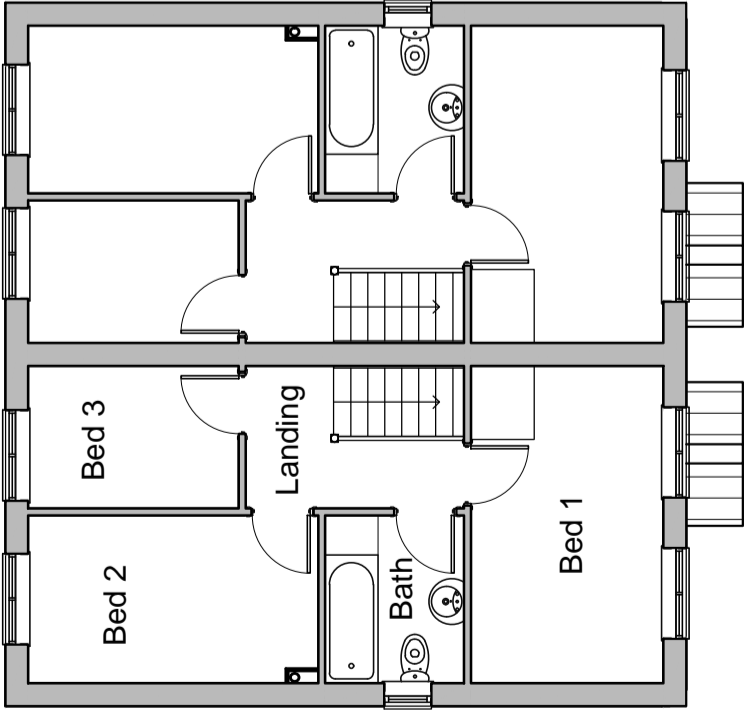
FRONT ELEVATION



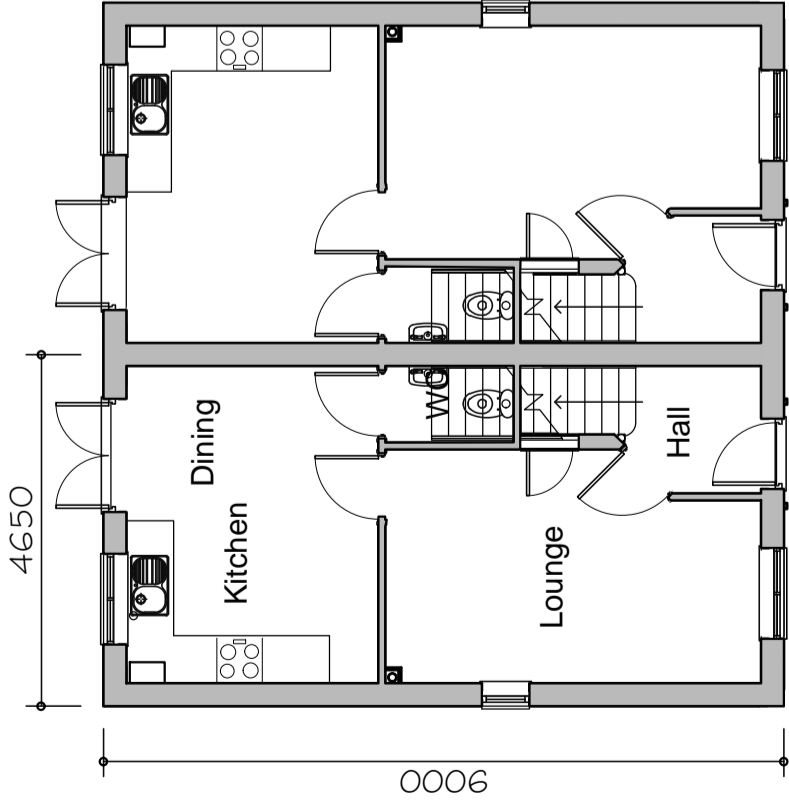
SIDE ELEVATION



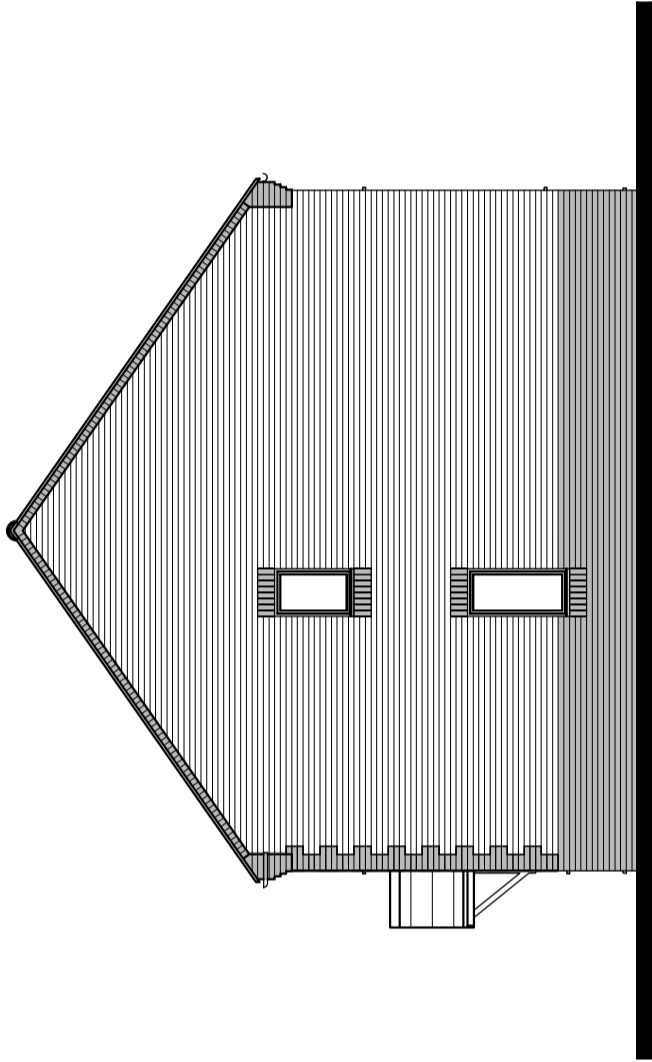
REAR ELEVATION



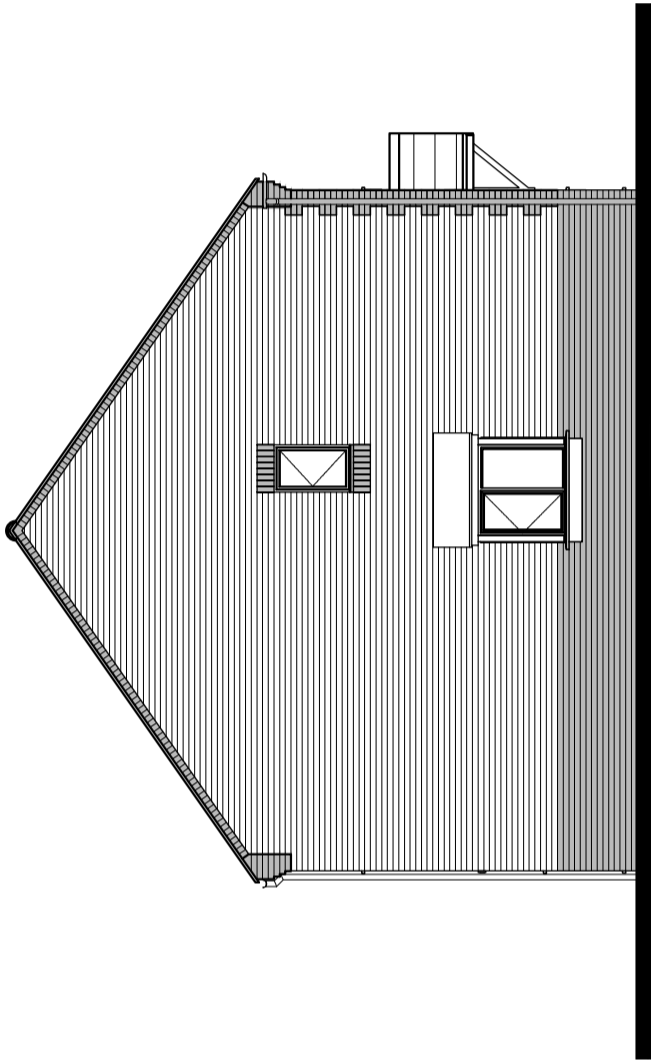
FIRST FLOOR PLAN



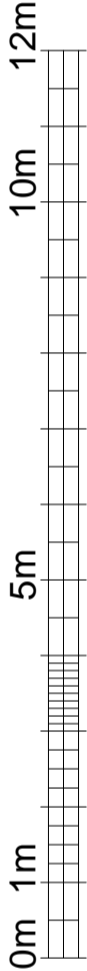
GROUND FLOOR PLAN



SIDE ELEVATION



optional bay window  
SIDE ELEVATION



FLOOR AREA  
70.56m<sup>2</sup>, 759ft<sup>2</sup>

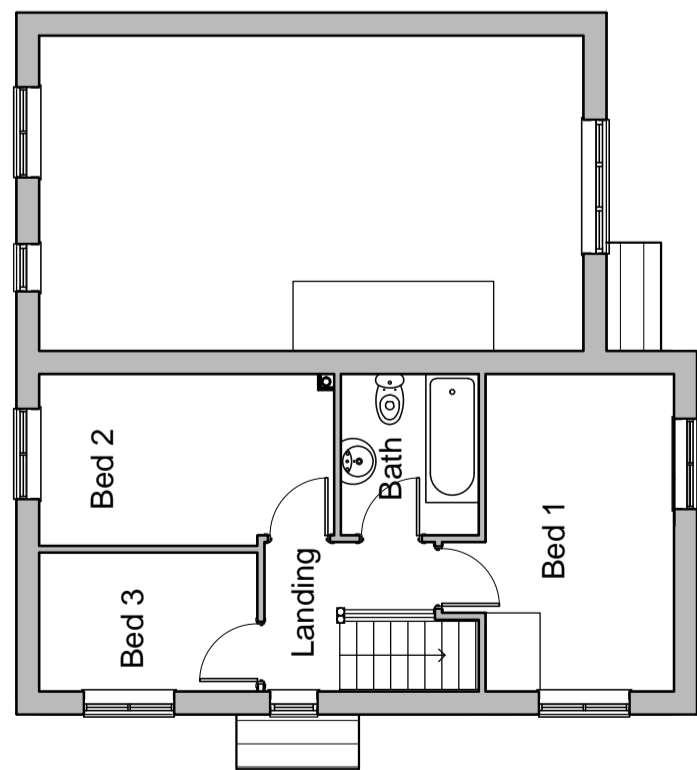
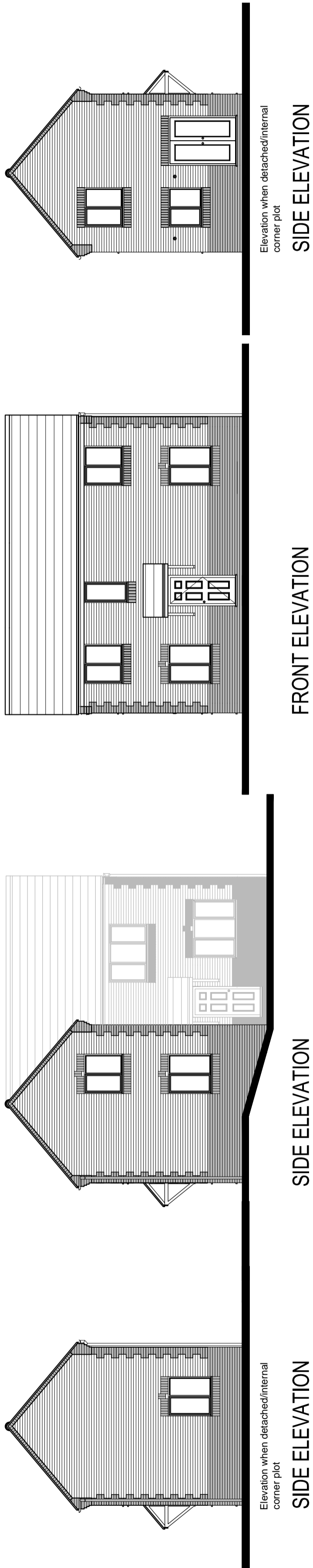
PLANNING  
DRAWING

311 dwelling type

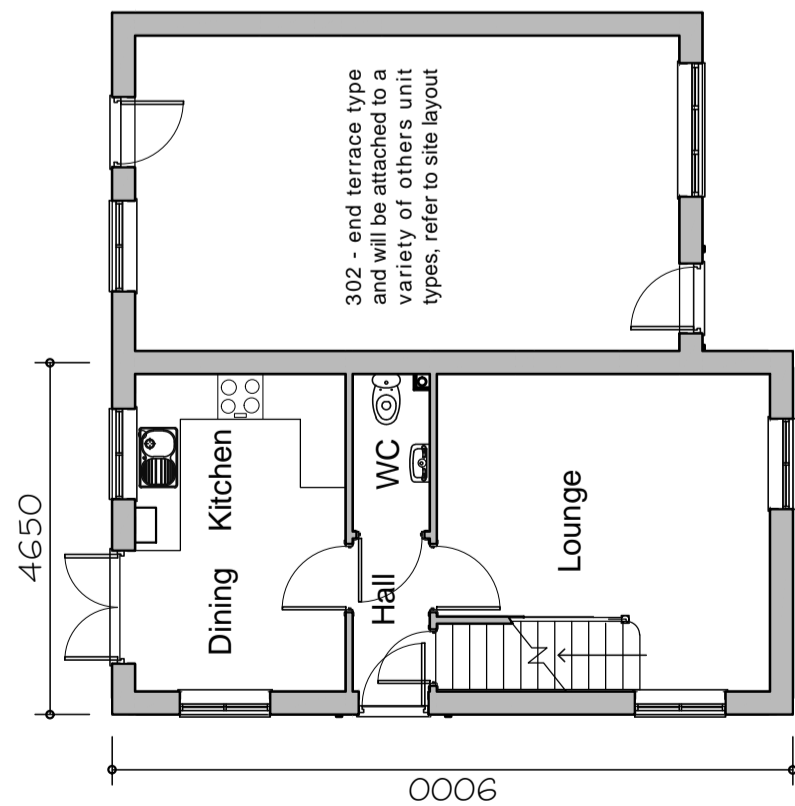
GLEESON

HOMES & REGENERATION

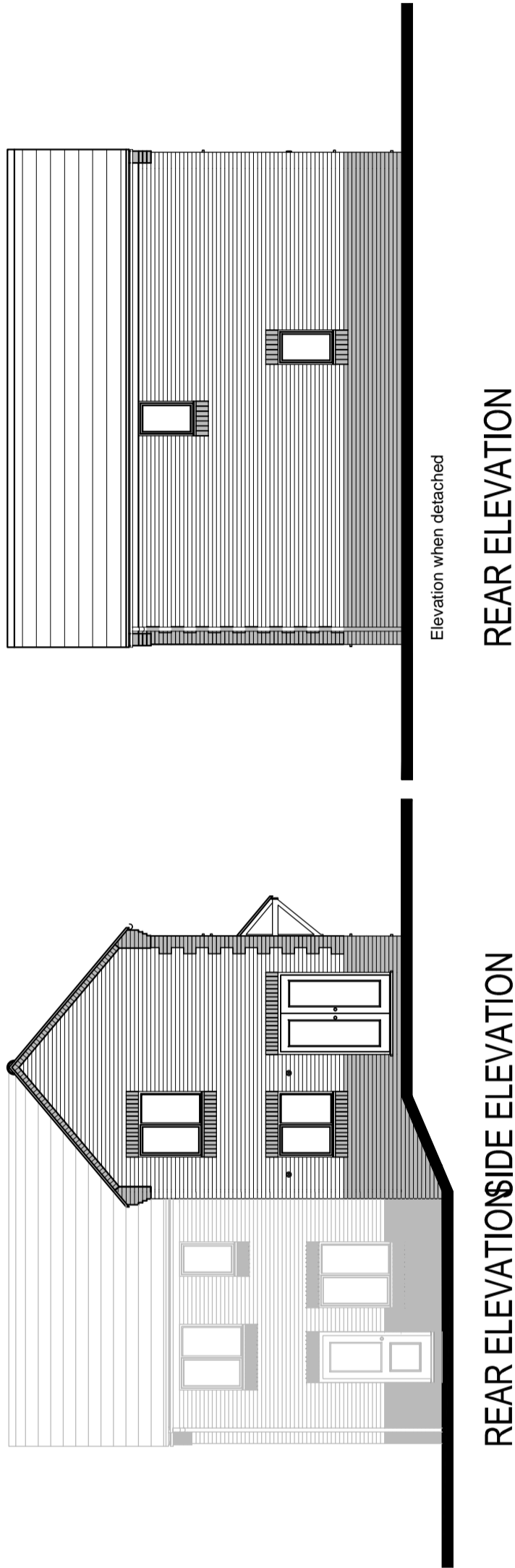
A	Based on latest Rev B working drawing	28.09.14	Scale
			1:100 at A2
		Date	Dec.13
		Dwg No	311/1A



# FIRST FLOOR PLAN



# GROUND FLOOR PLAN



# PLANNING DRAWING

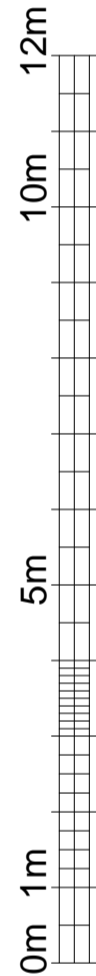
### 302 dwelling type

# GLEESON

## HOMES & REGENERATION

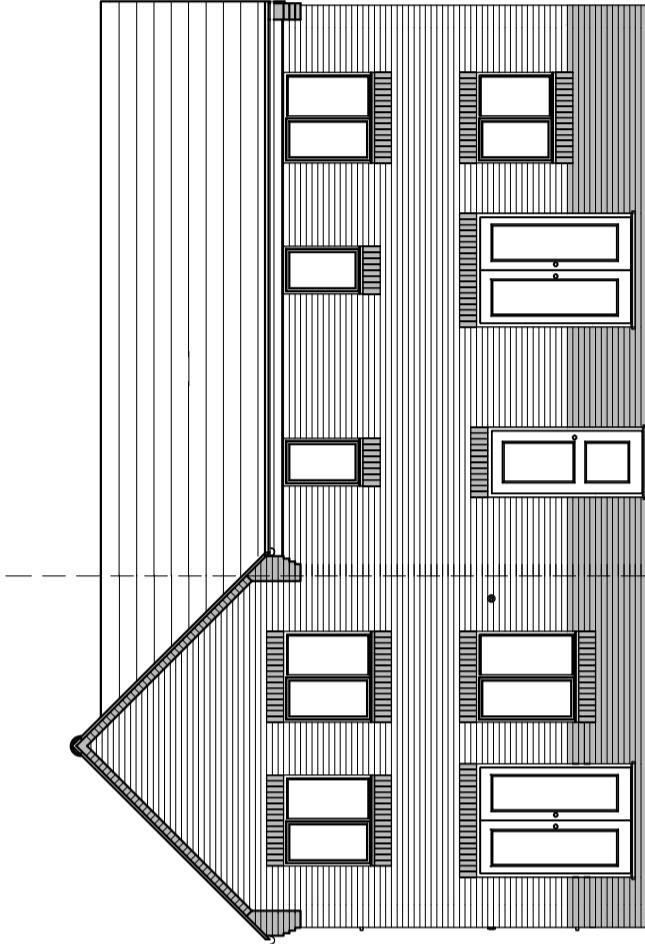
A	Top redaction, same floor area	07.02.11	Scale
B	Pedestal and 5' window revised.	24.05.11	
C	Pedestal detailing / roof pitch revised.	12.09.12	<b>1:100</b>
D	Pedestal window added.	29.08.12	<b>at A2</b>
E	Dimensions added.	22.10.12	
F	Electrical shading revised.	20.09.13	<i>Value</i>
G	Based on latest Rev 5 working drawing	27.05.14	<b>July 10</b>
			<i>Dwg No</i>
			<b>302/1G</b>

FLOOR AREA  
70.56m<sup>2</sup>, 759ft<sup>2</sup>

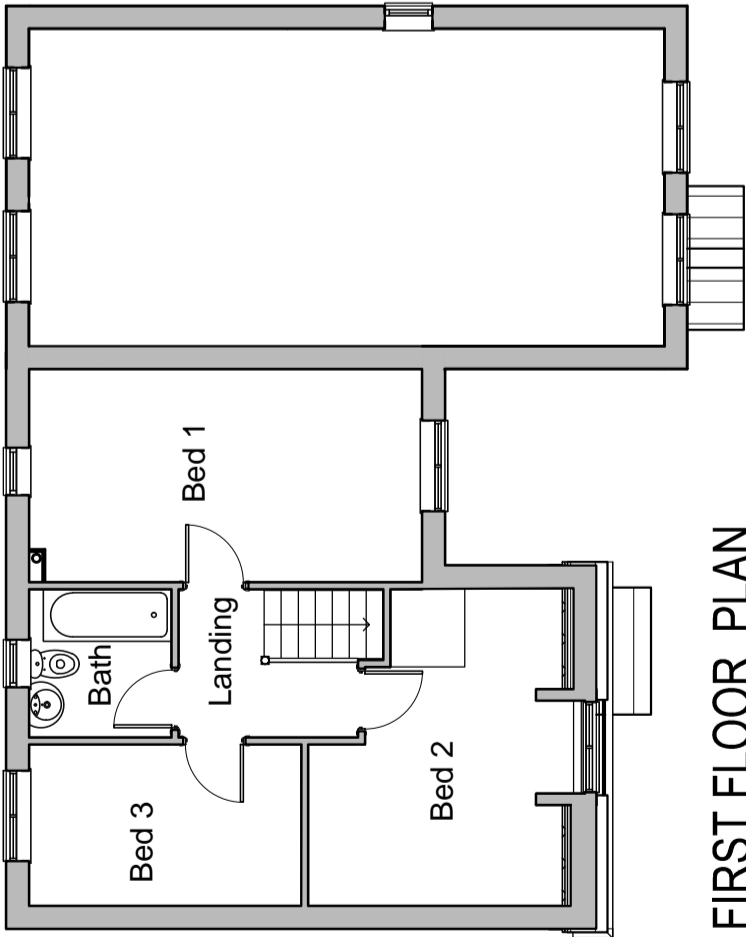




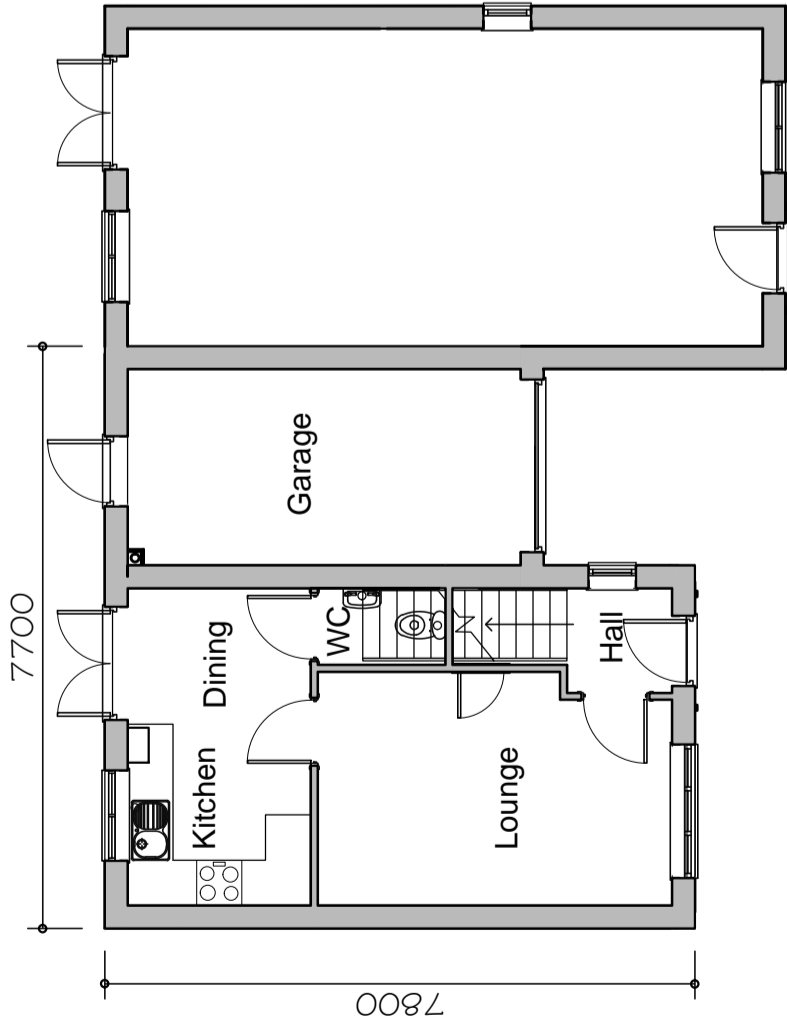
FRONT ELEVATION



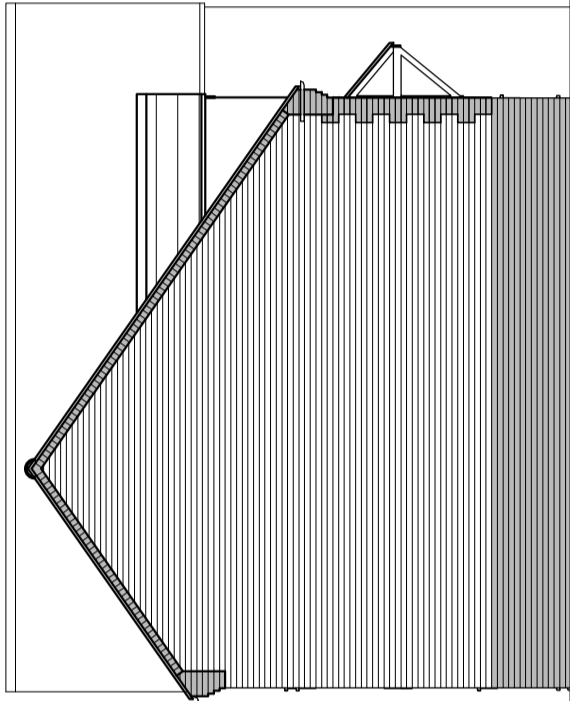
REAR ELEVATION



FIRST FLOOR PLAN



GROUND FLOOR PLAN



SIDE ELEVATION



FLOOR AREA  
73.24m², 788ft²

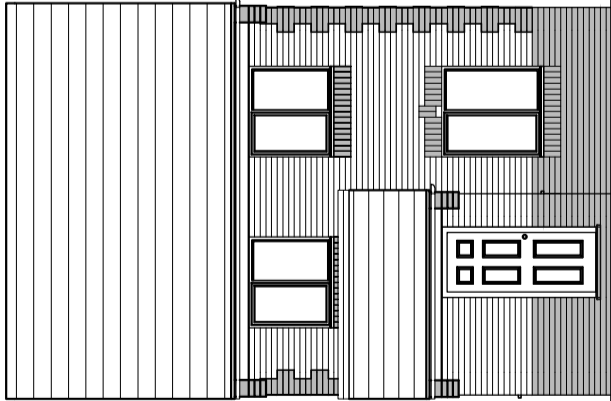
PLANNING  
DRAWING

309 dwelling type

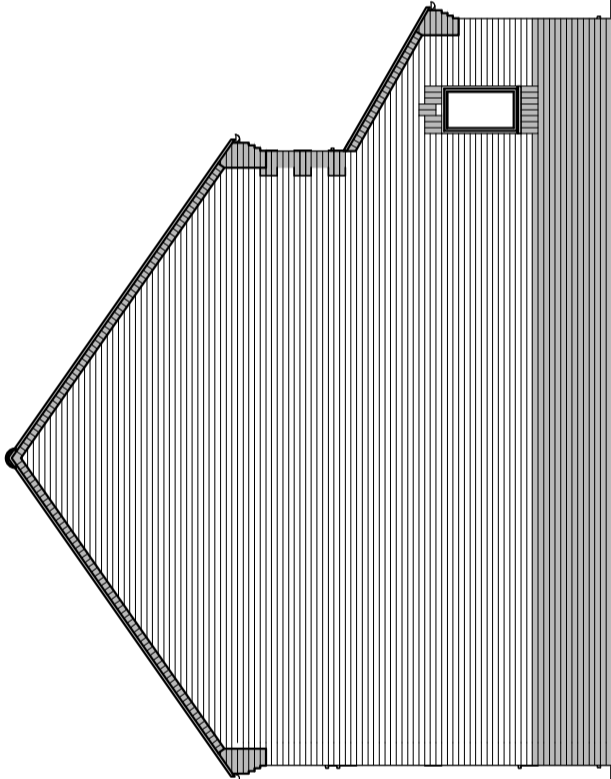
GLEESON

HOMES & REGENERATION

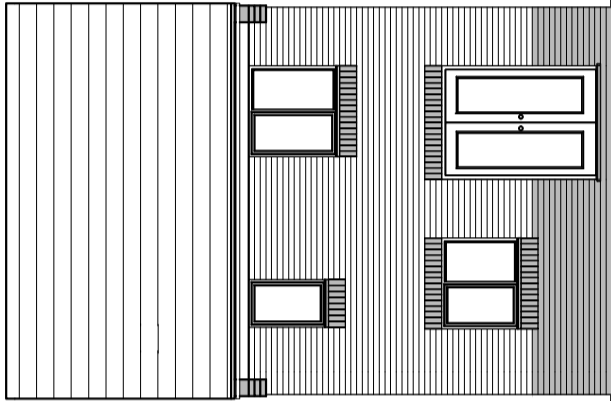
A1	Door and ground floor WC revised	12/09/12	Scale
B2	Dimensions added	27/10/12	
C1	Elevation deleted revised	20/09/13	
D2	Based on latest RoN working drawing	27/05/14	1:100 at A2
E1	Floor area corrected	27/11/14	
		Date	
		Jun.11	
		Dwg No	
		309/1E	



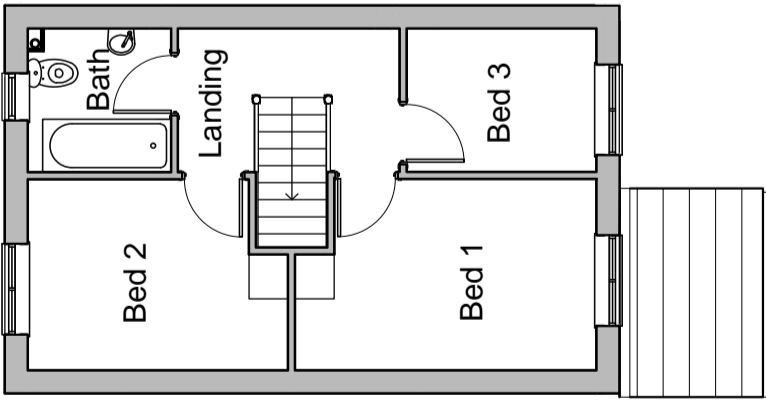
FRONT ELEVATION



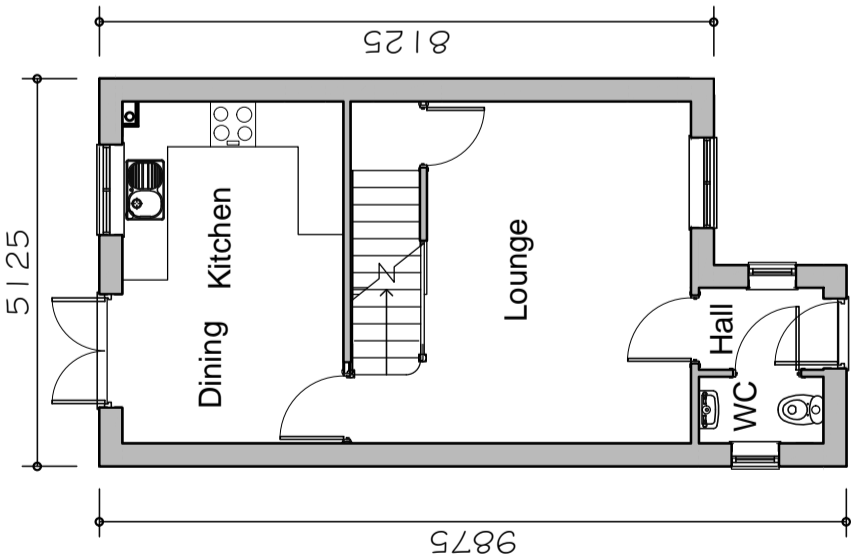
SIDE ELEVATION



REAR ELEVATION



FIRST FLOOR PLAN



GROUND FLOOR PLAN



PLANNING  
DRAWING

304 dwelling type

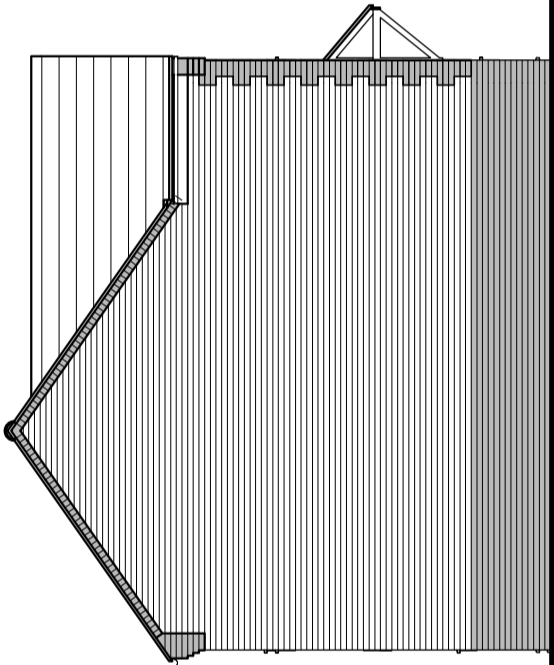
GLEESON

HOMES & REGENERATION

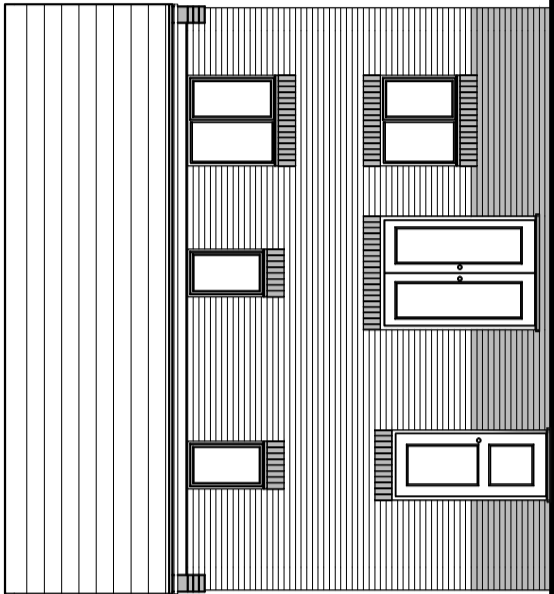
A	Permitted development from 30/06/12	25/08/11	Scale
B	Permitted development from 30/06/12	29/08/12	
C	Permitted development from 30/06/12	22/01/12	1:100
D	Permitted development from 30/06/12	20/09/13	at A2
E	Permitted development from 30/06/12	27/05/14	
			Date
			July 10
			Dwg No
			304/1E



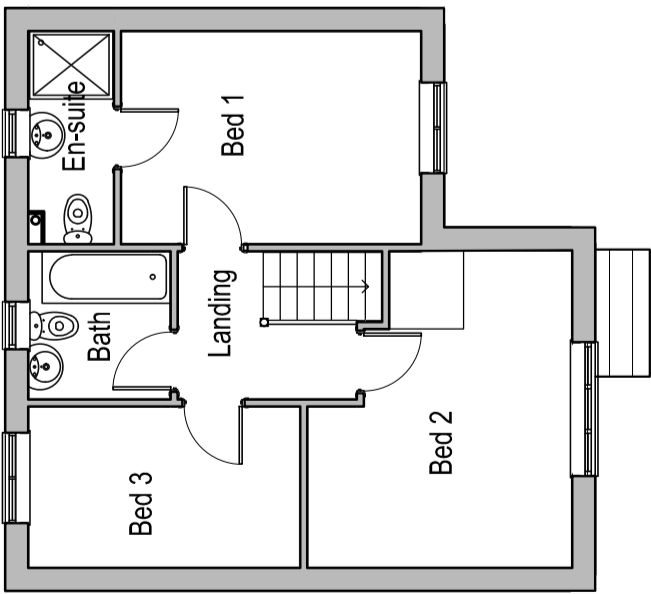
FRONT ELEVATION



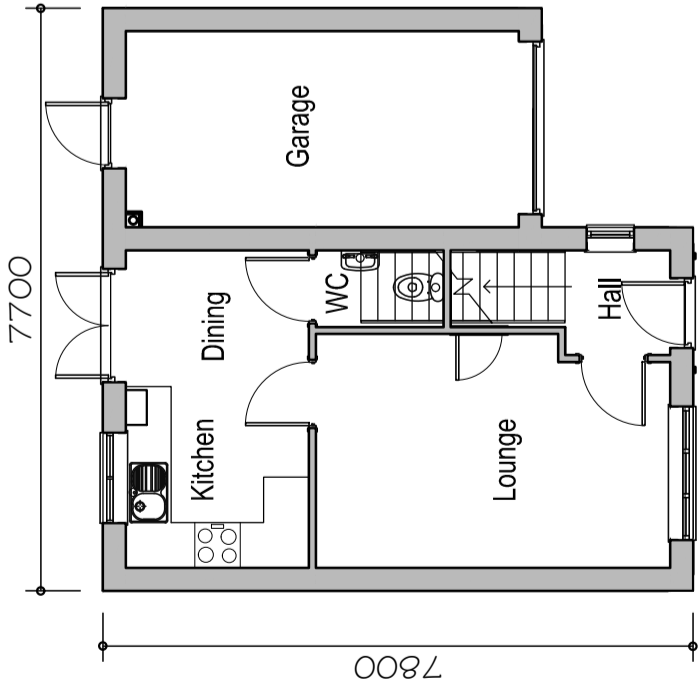
SIDE ELEVATION



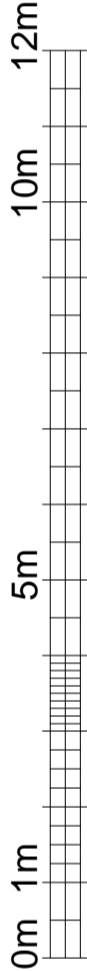
REAR ELEVATION



FIRST FLOOR PLAN



GROUND FLOOR PLAN



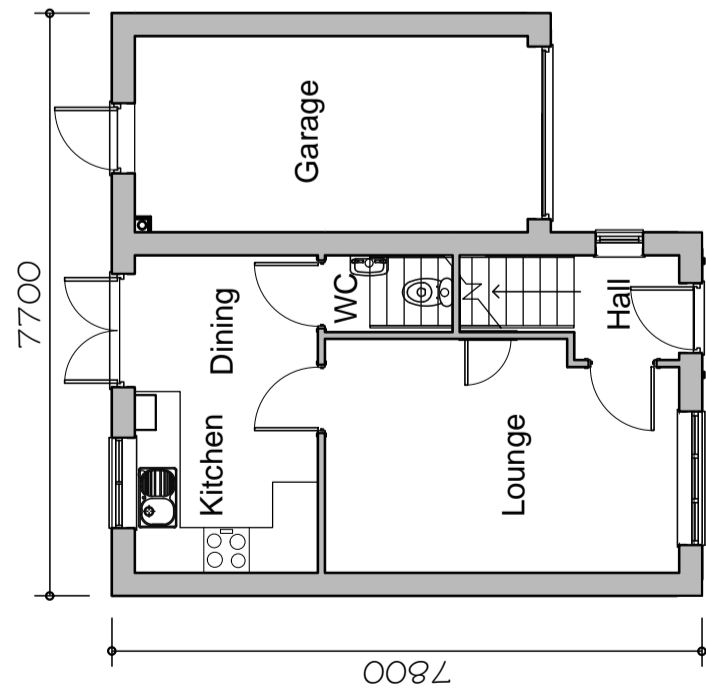
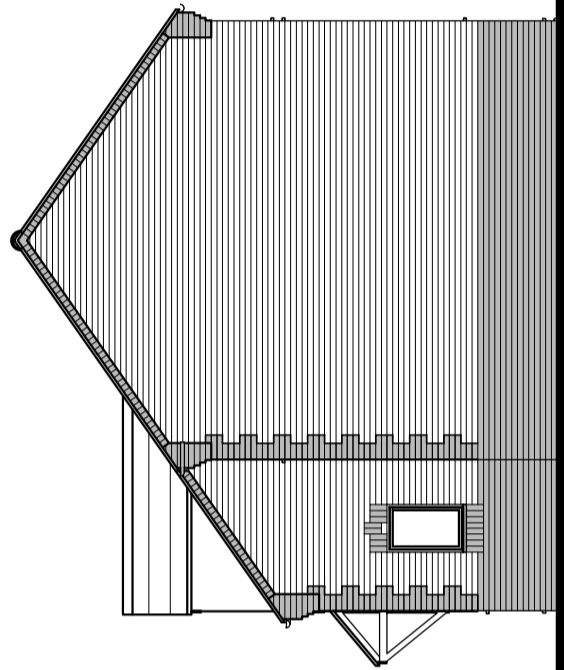
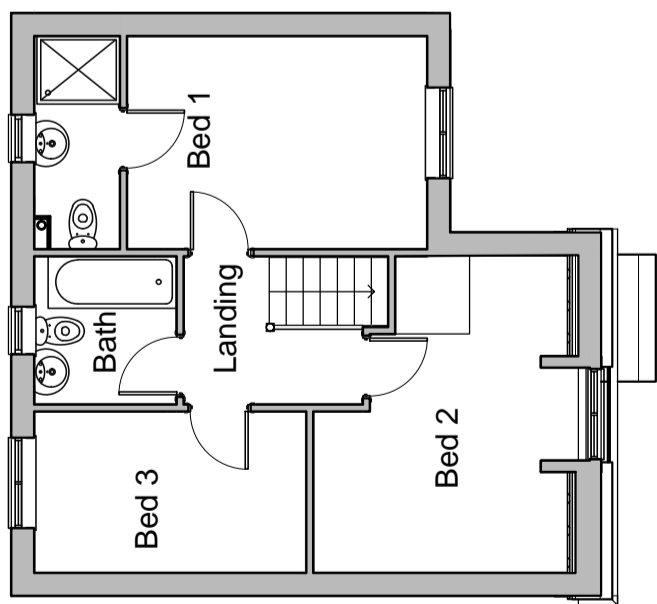
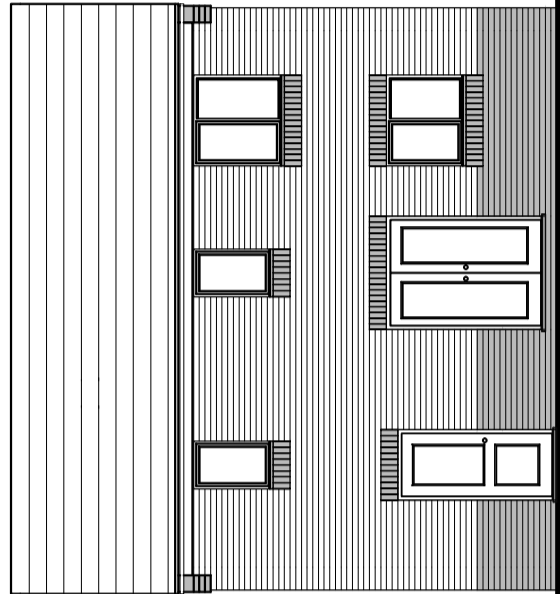
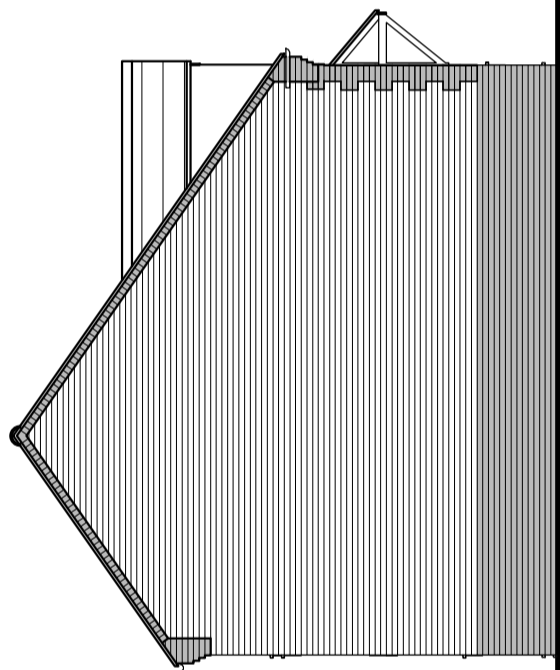
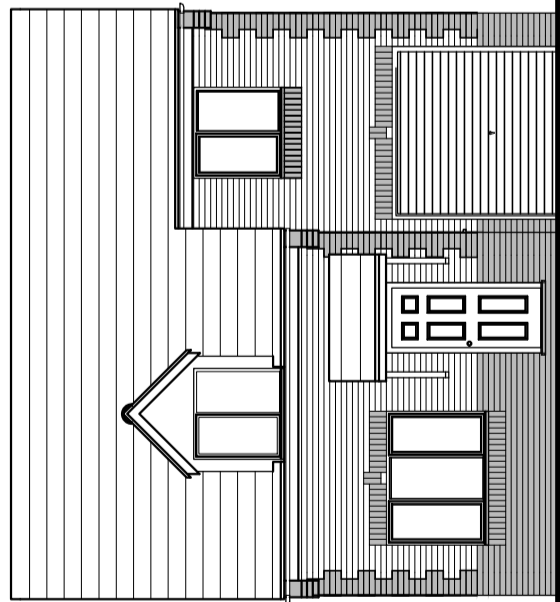
FLOOR AREA  
75.00m<sup>2</sup>, 807ft<sup>2</sup>

PLANNING  
DRAWING

307 dwelling type

GLEESON  
HOMES & REGENERATION

A	Based on latest Rev 5 working drawing	27/09/14	Scale
B	Based on latest Rev 2 working drawing	19/10/15	
			<b>1:100</b> at A2
			Date
			<b>Sept.13</b>
			Dwg No
			<b>307/1B</b>



# PLANNING DRAWING

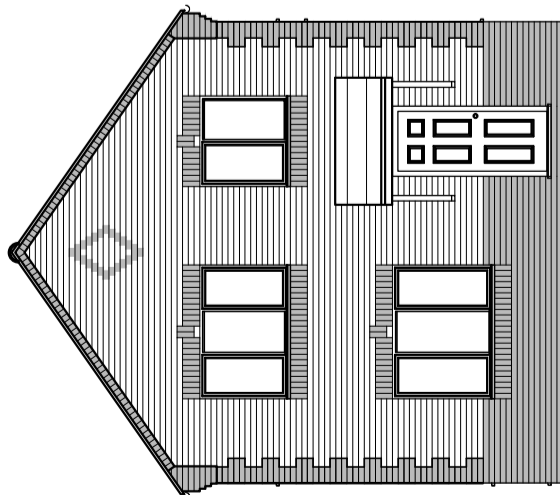
## 310 dwelling type

**GLEESON**

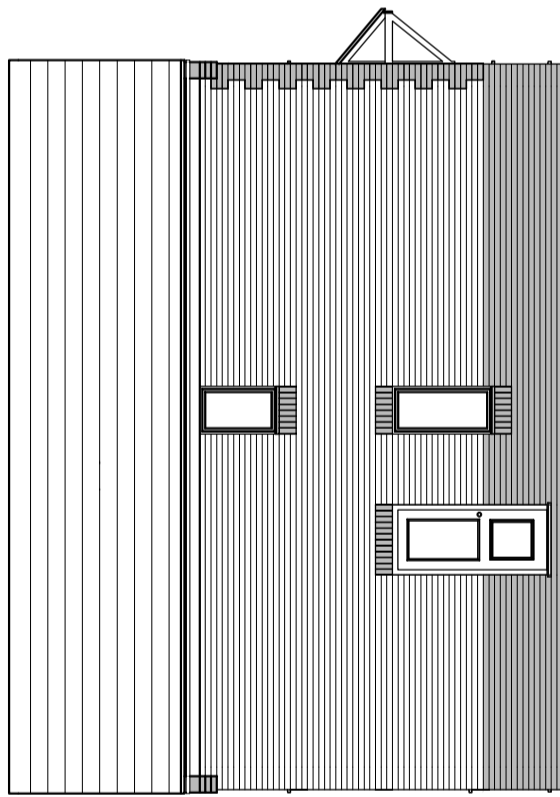
## HOMES & REGENERATION

A	Owner and gravel floor MC revised	12/09/12	5/cale
B	Dimensions added	22/10/12	
C	Elevational sketching revised. En-suite on-larged	20/09/13	<b>1:100</b>
D	Passed on latest Key Map working drawing	28/05/14	at A2
			Date
			<b>Oct.11</b>
			Dwg No
			<b>310/1D</b>

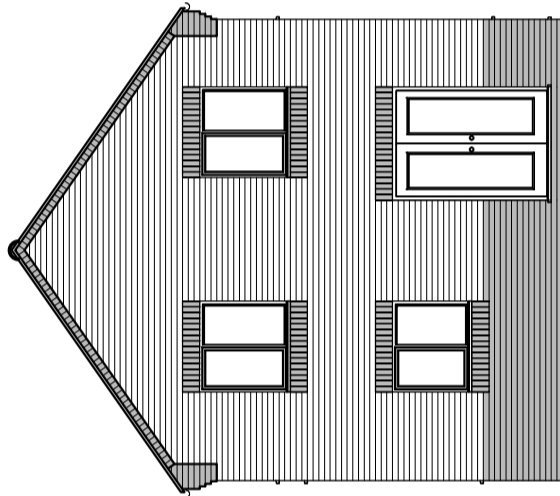
FLOOR AREA  
73.24m<sup>2</sup>, 788ft<sup>2</sup>



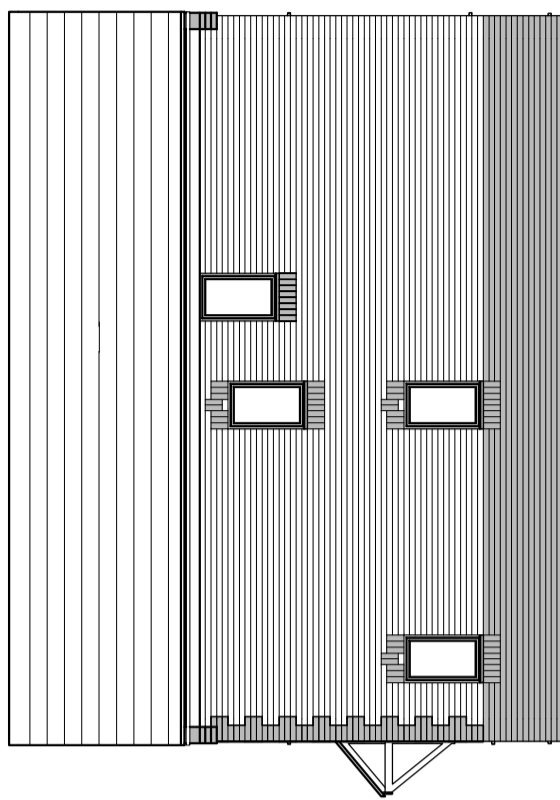
# FRONT ELEVATION



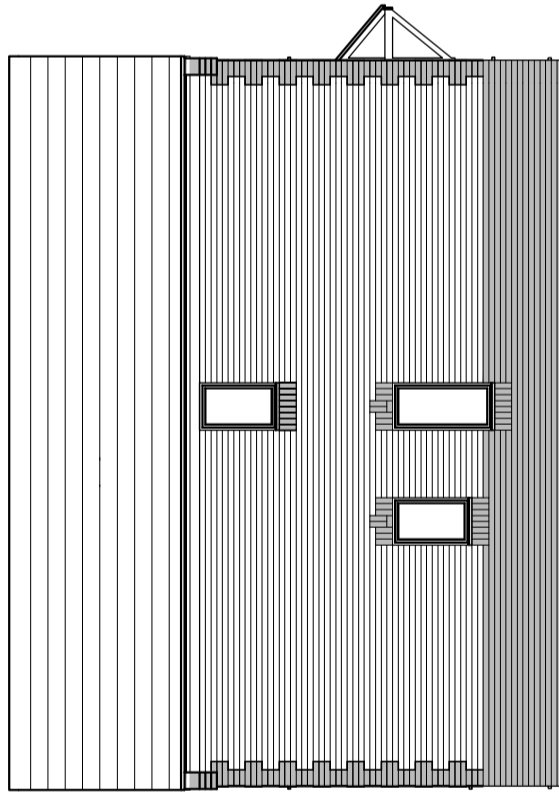
## SIDE ELEVATION



## REAR ELEVATION

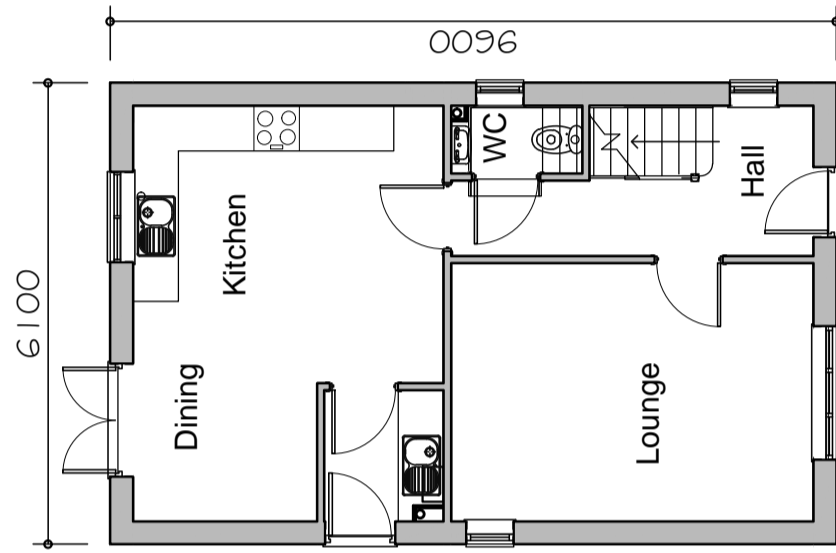


## SIDE ELEVATION

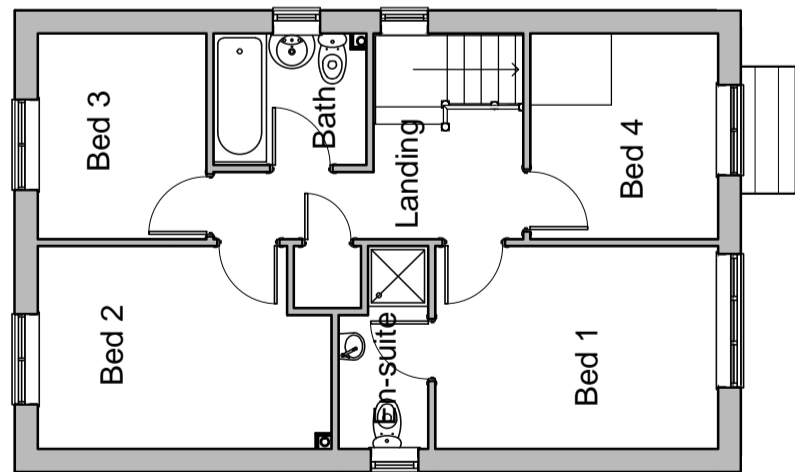


## SIDE ELEVATION

### exposed corner plots



## GROUND FLOOR PLAN



## FIRST FLOOR PLAN

# PLANNING DRAWING

## 401 dwelling type

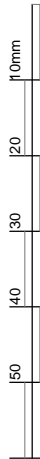
**GLEESON**

## HOMES & REGENERATION

A	Kitchen & dining layout, external detailing.	23/02/11	Scale
B	Rest of house revised. All side elevation added.	15/07/11	<b>1:100</b>
C	Breakroom detailing, WC & landing window.	05/09/12	at A2
D	Dimensions added.	22/10/12	
E	Evolutional sketch revised. Utility omitted kitchen/dining revised.	20/09/15	Page
F	Utility added kitchen/dining revised.	15/11/15	<b>July 10</b>
G	Based on latest Rev U working drawing.	27/05/16	Dwg No
			<b>401/1G</b>

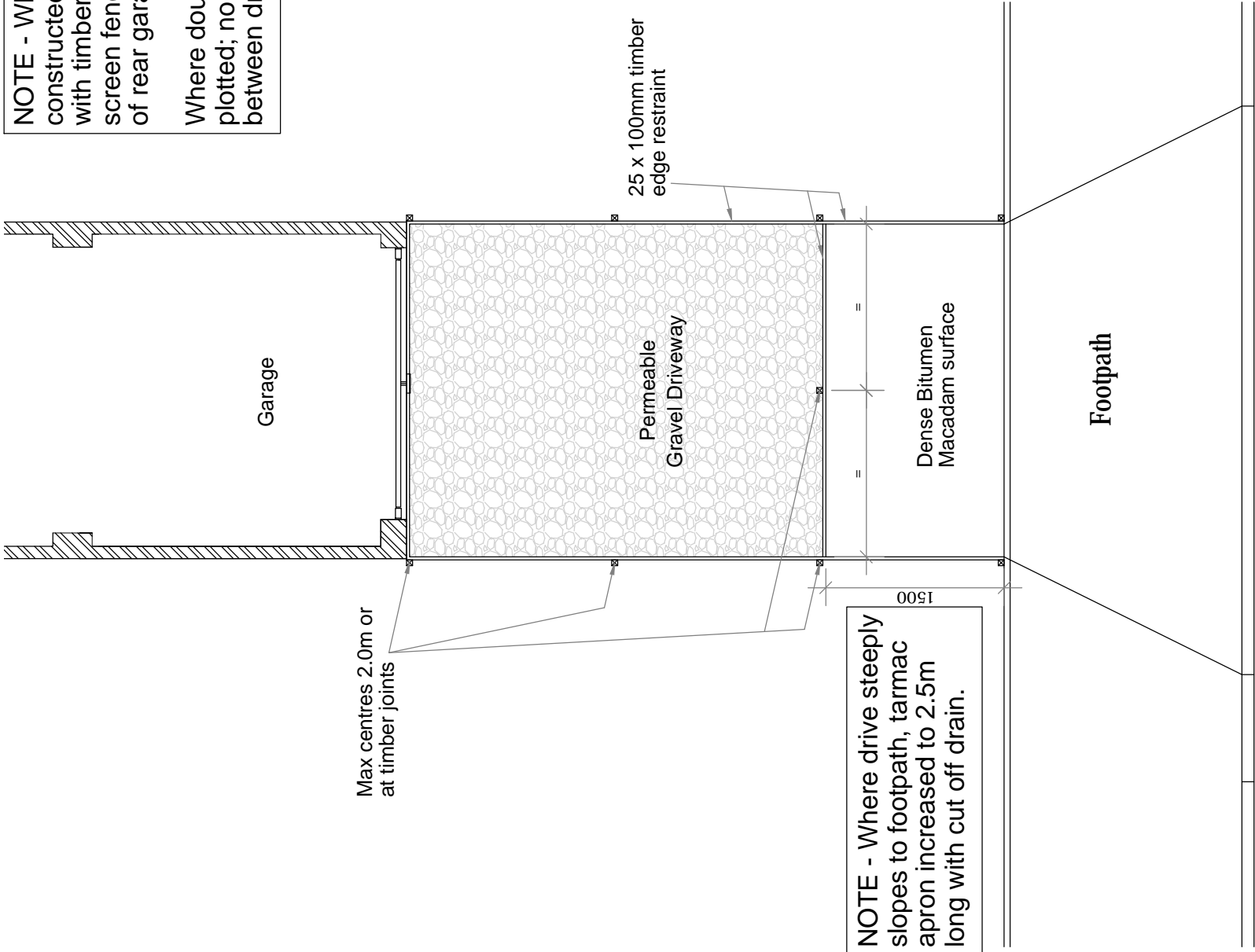
FLOOR AREA  
99.00m<sup>2</sup>, 1066ft<sup>2</sup>

Notes:  
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Subject to statutory approvals and survey.



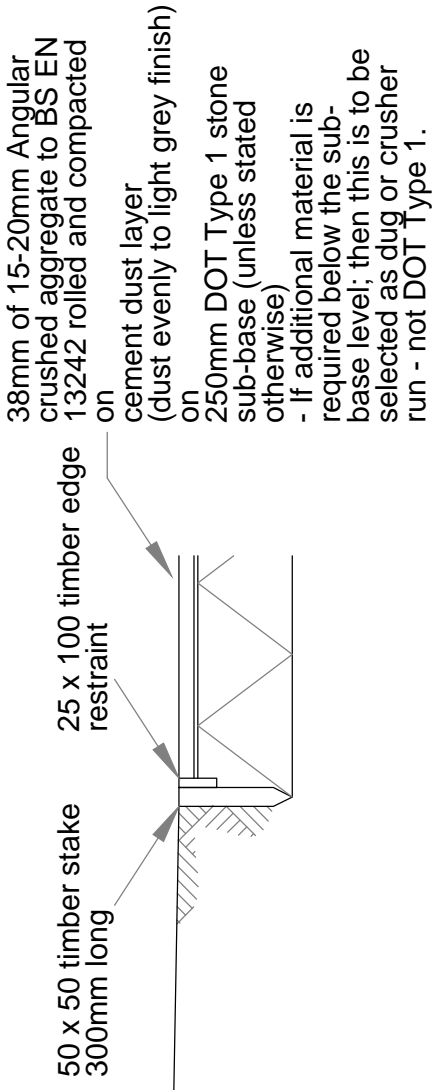
NOTE - Where garages are not constructed; footprint to be gravel with timber edge & 1800mm screen fence to be erected on line of rear garage wall.

Where double driveways are plotted; no demarcation required between driveways.

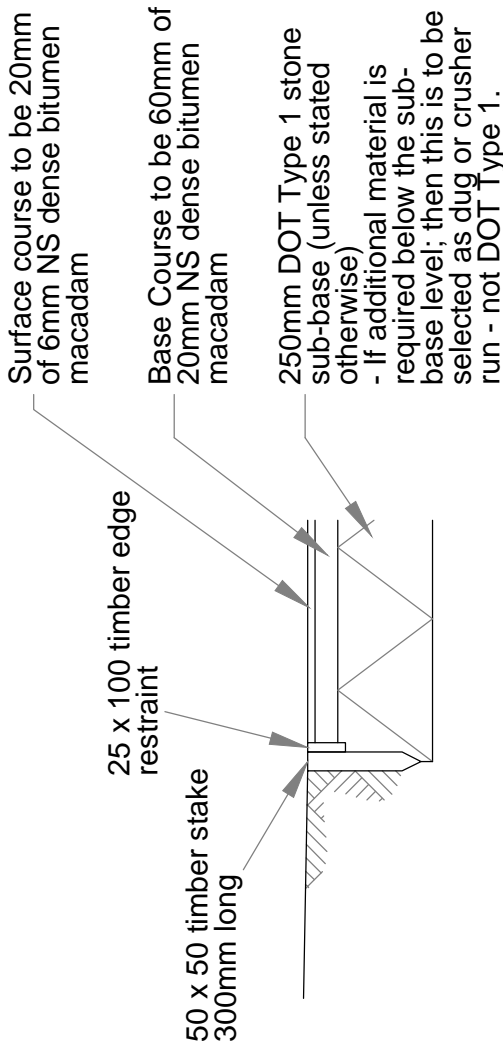


NOTE - Prior to Surface Course being laid all edge restraints are to be fully backed with topsoil to prevent over-turning / bowing

# Plan (1:50)

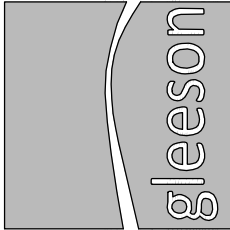


## Gravel Section (1:20)



## Tarmac Section (1:20)

NOTE - The Bit-Mac Layers for the aprons should be called off to correspond with adjacent footpath construction.



D	Twin coat tarmac notation added.	07.06.16	djb
C	Additional Notes added re: sub-base.	06.05.16	djb
B	Additional Notes added.	15.01.16	djb
A	Drawing amended following client comments	04.07.13	wc

revisions  
status -

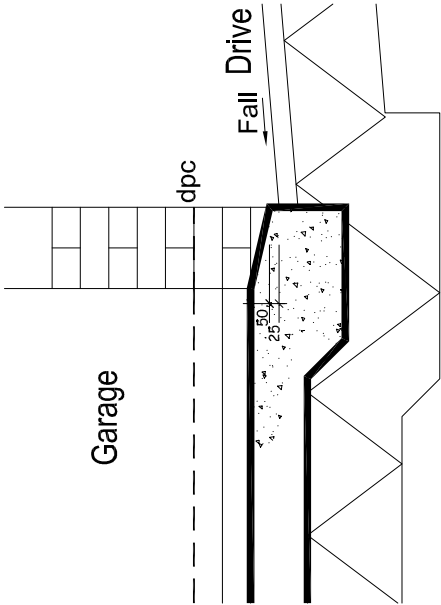
edward architectural services ltd  
prospect house 32 sovereign street leeds ls1 4bj t 0113 398 4000  
www.eas-limited.co.uk

project Standard Details  
client Gleeson Homes & Regeneration  
title Garage Threshold / Gravel Drive Details

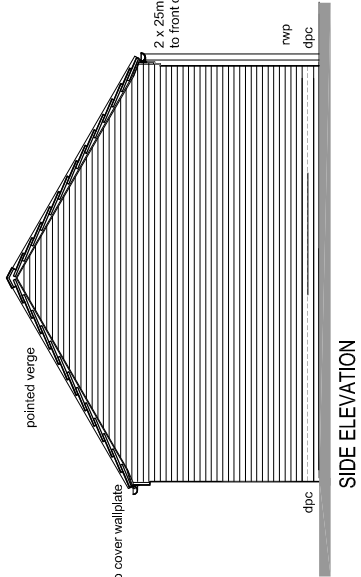
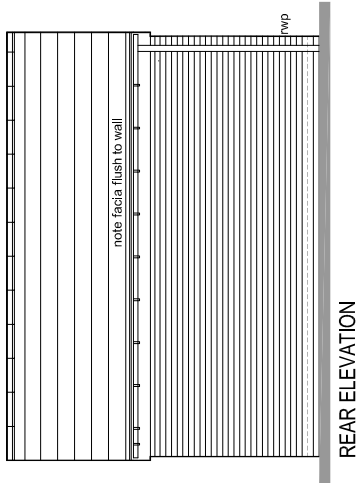
drawn djb checked . date 22.08.12 scale 1:20/50@A3  
job no 0282 drawing no SD712 rev D



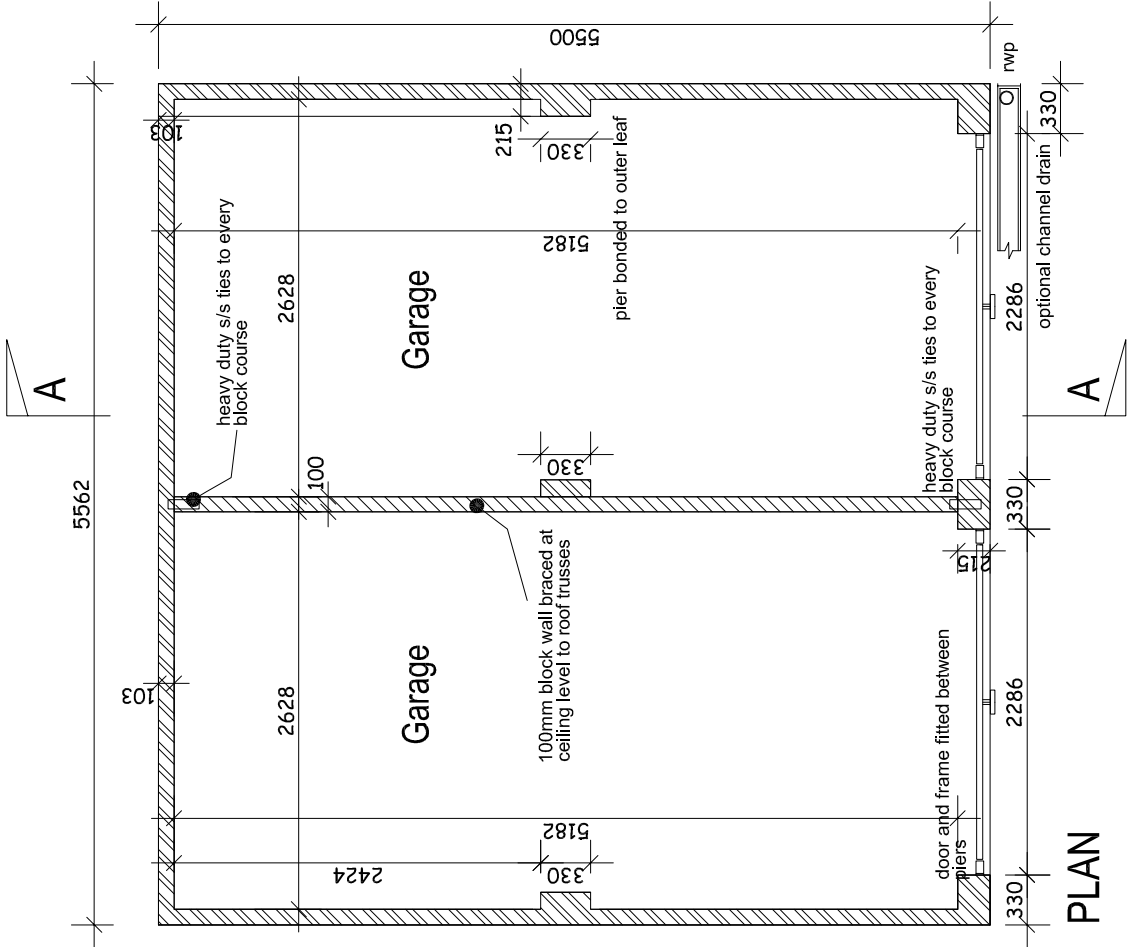
Notes:  
Sketch schemes may be based on plan information of unknown origin and is subject to verification and survey.  
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THRESHOLD DETAIL Scale 1:20



ELEVATIONS Scale 1:100

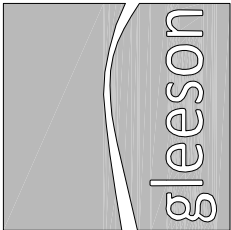


Roof construction to be designed, fixed & braced in accordance with B.S 5268 pt 3 . Refer to truss manufacturers drawings for details

Blockwork taken up to underside of felt and firestopped using 50mm Rockwool blanket above, and below felt

Concrete interlocking roof tiles are to be fixed strictly in accordance with the manufacturers recommendations.

Tiling battens to be 50 x 25mm in accordance with B.S 5534: 1997 on untearable roofing felt to B.S 747 type 1F or equivalent.



A Detail added following client comments 04.07.13 WC

revisions status -

edward

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project Standard Details

client Gleeson Homes & Regeneration

title Detached Garage Details

Double

drawn djb checked . date 22.08.12 scale 1:50/100@A3

job no 0282 drawing no SD701 rev A

Notes:

Sketch schemes may be based on plan Information of unknown origin and is subject to verification and survey.  
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Subject to statutory approvals and survey.

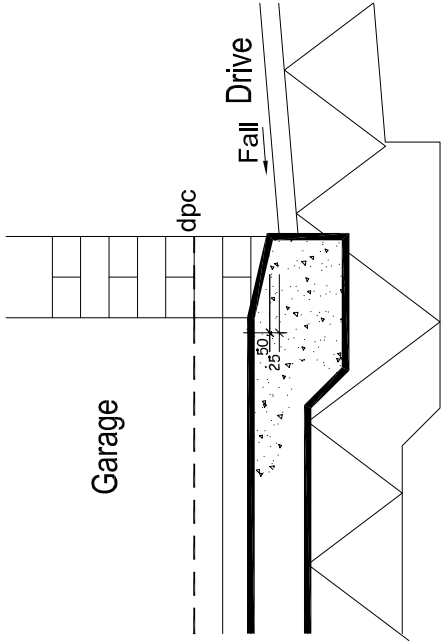
150

140

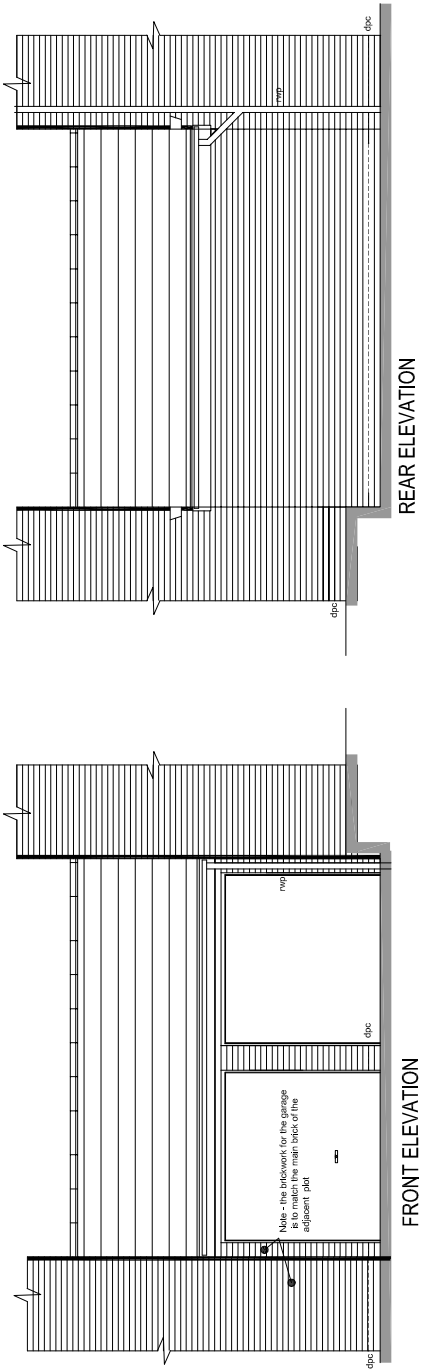
130

120

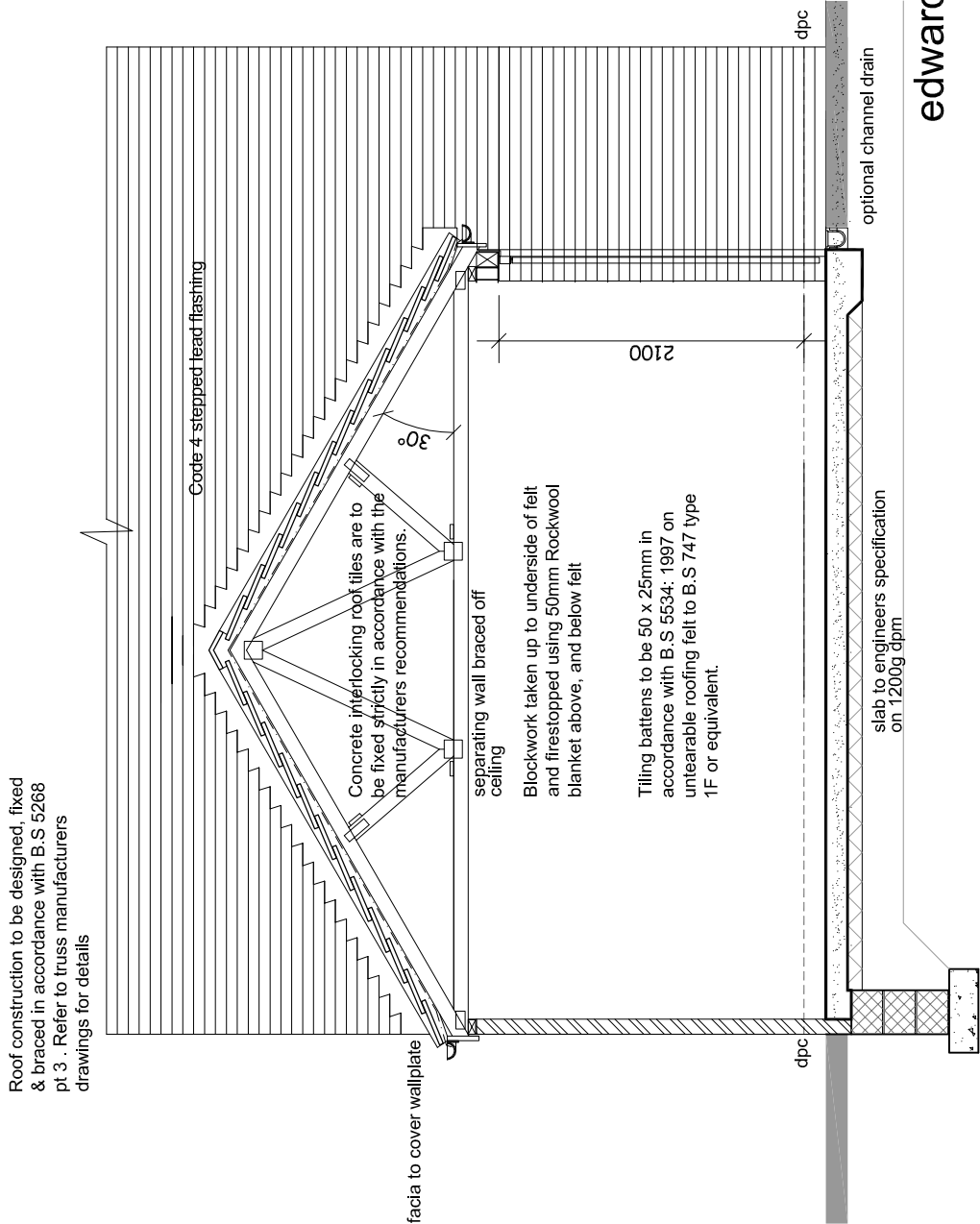
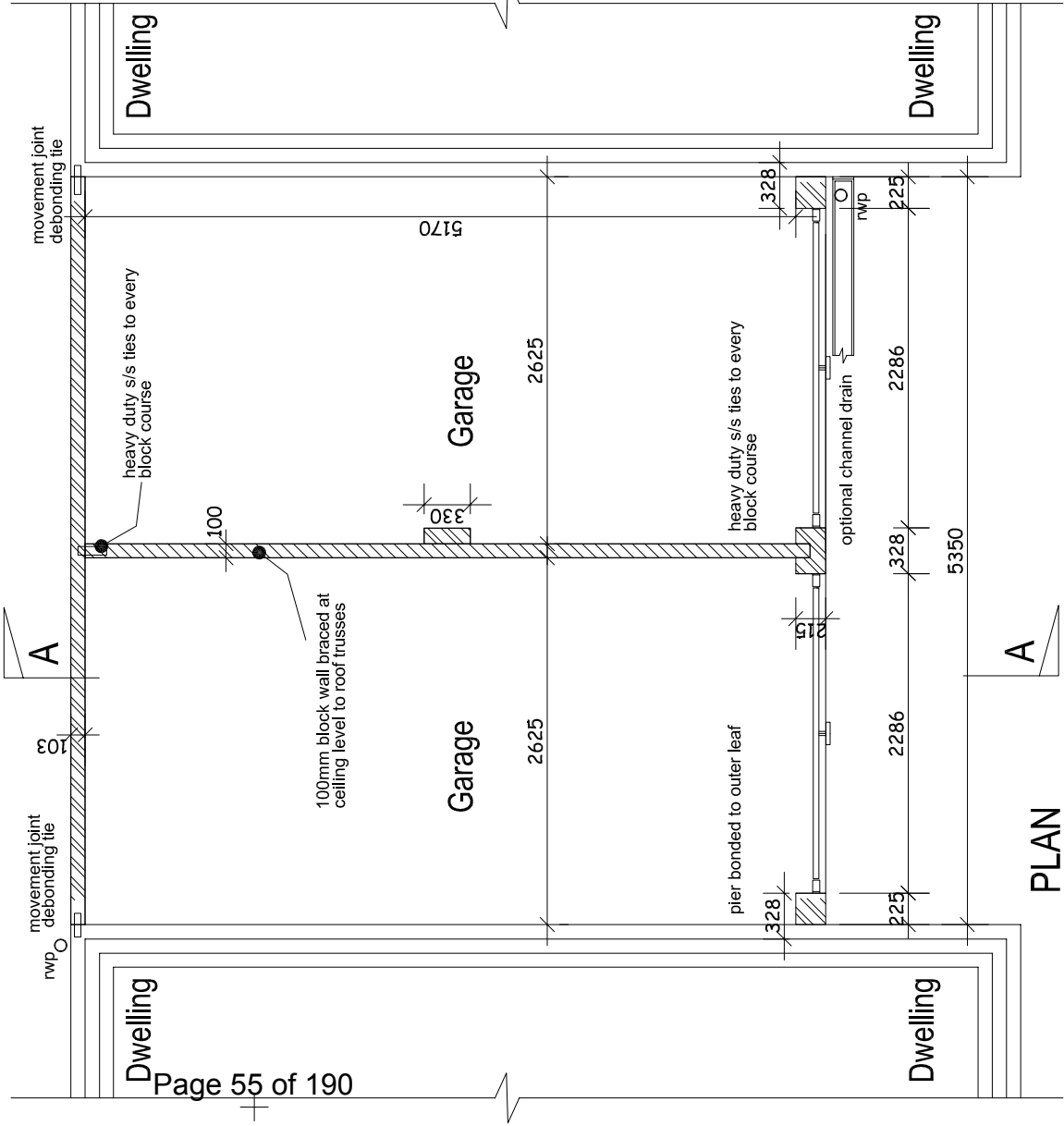
110mm



THRESHOLD DETAIL Scale 1:20



ELEVATIONS Scale 1:100



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project Standard Details

client Gleeson Homes & Regeneration

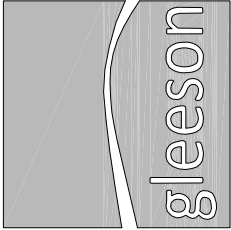
title Terraced Garage Details

Standard Double

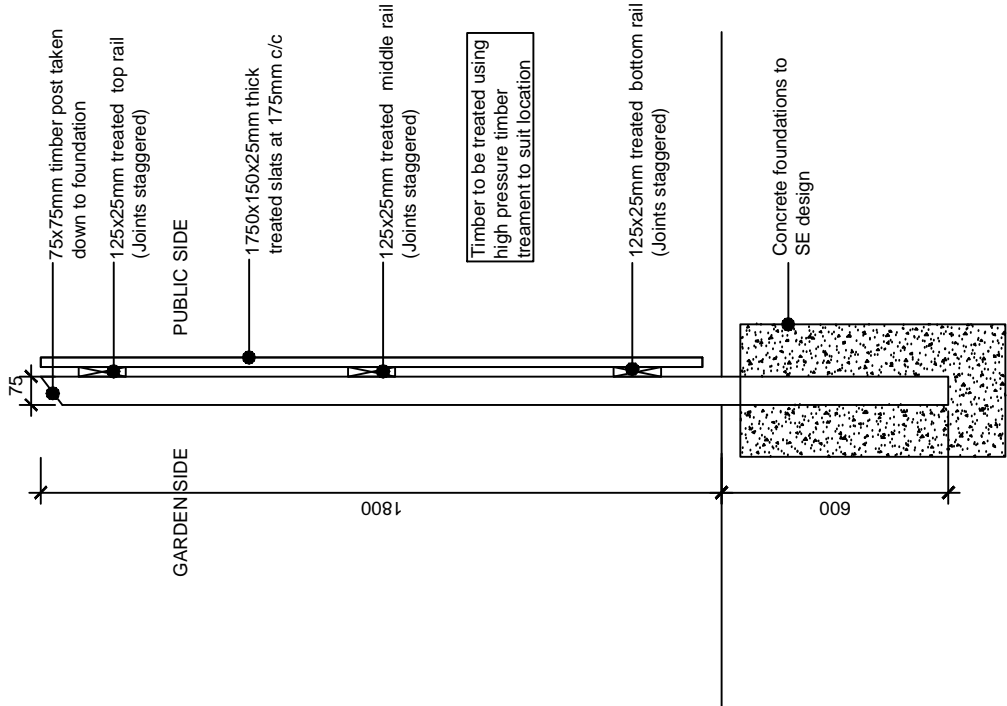
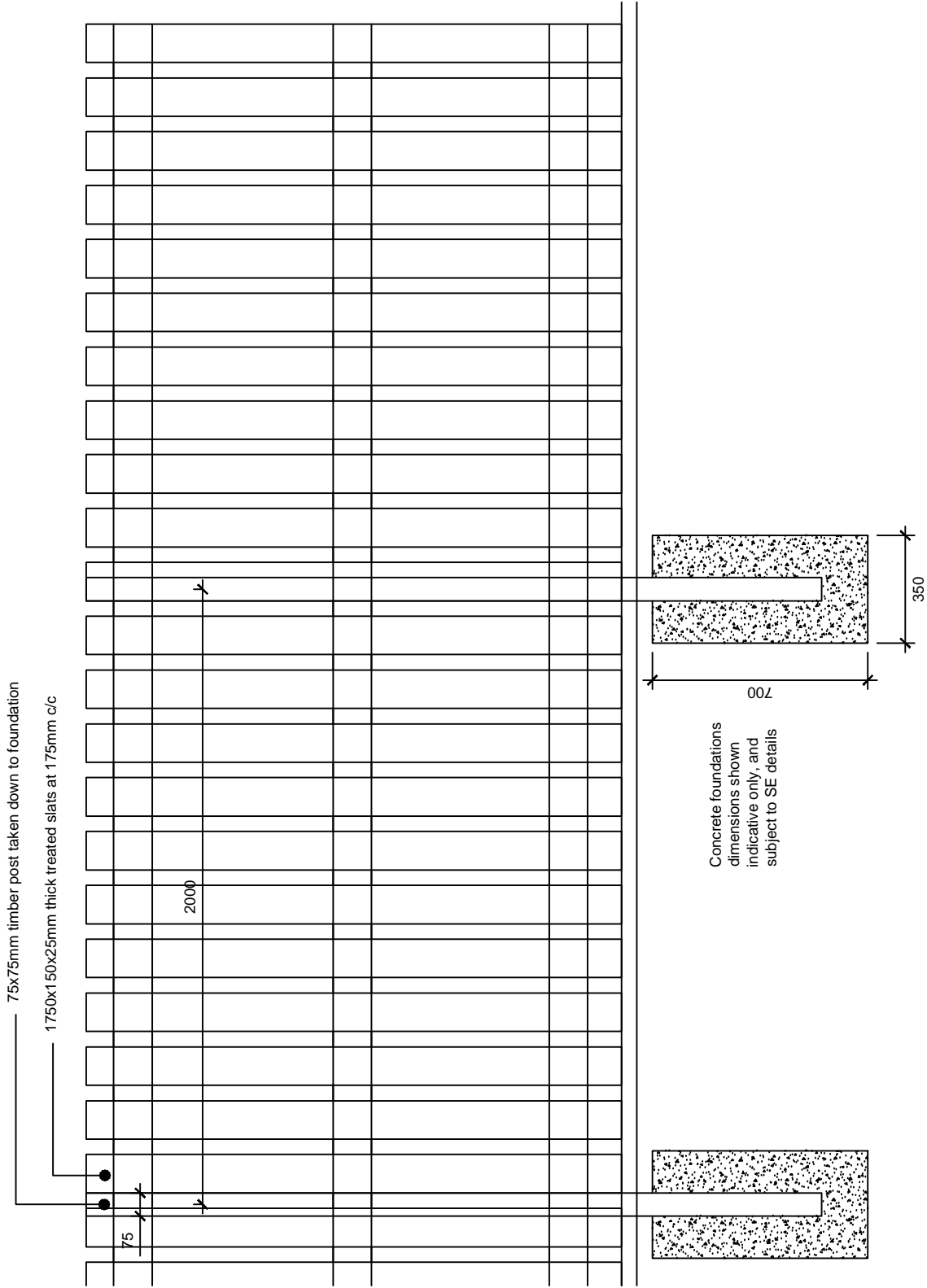
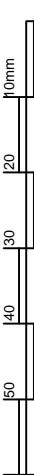
drawn djb checked . date 22.08.12 scale 1:50/100@A3

job no 0282 drawing no SD703 rev B

B	Detail added following client comments	04.07.13	wc
A	Garage roof altered to 30 degrees pitch. Details updated to suit.	01.10.12	la
revisions		-	
status		-	



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D	Fenceposts amended to measure square. re-centered at 2000mm.	19.10.15	dlb
C	Drawing amended following client comments	04.07.13	wc
B	title block corrected.	15.02.13	dlb
A	Post centres amended to 2m. and depth revised to min. 1/3 of post height	14.03.12	ta

revisions  
status Planning

TYPICAL ELEVATION

TYPICAL SECTION

edward

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project Standard Details

client Gleeson Homes & Regeneration

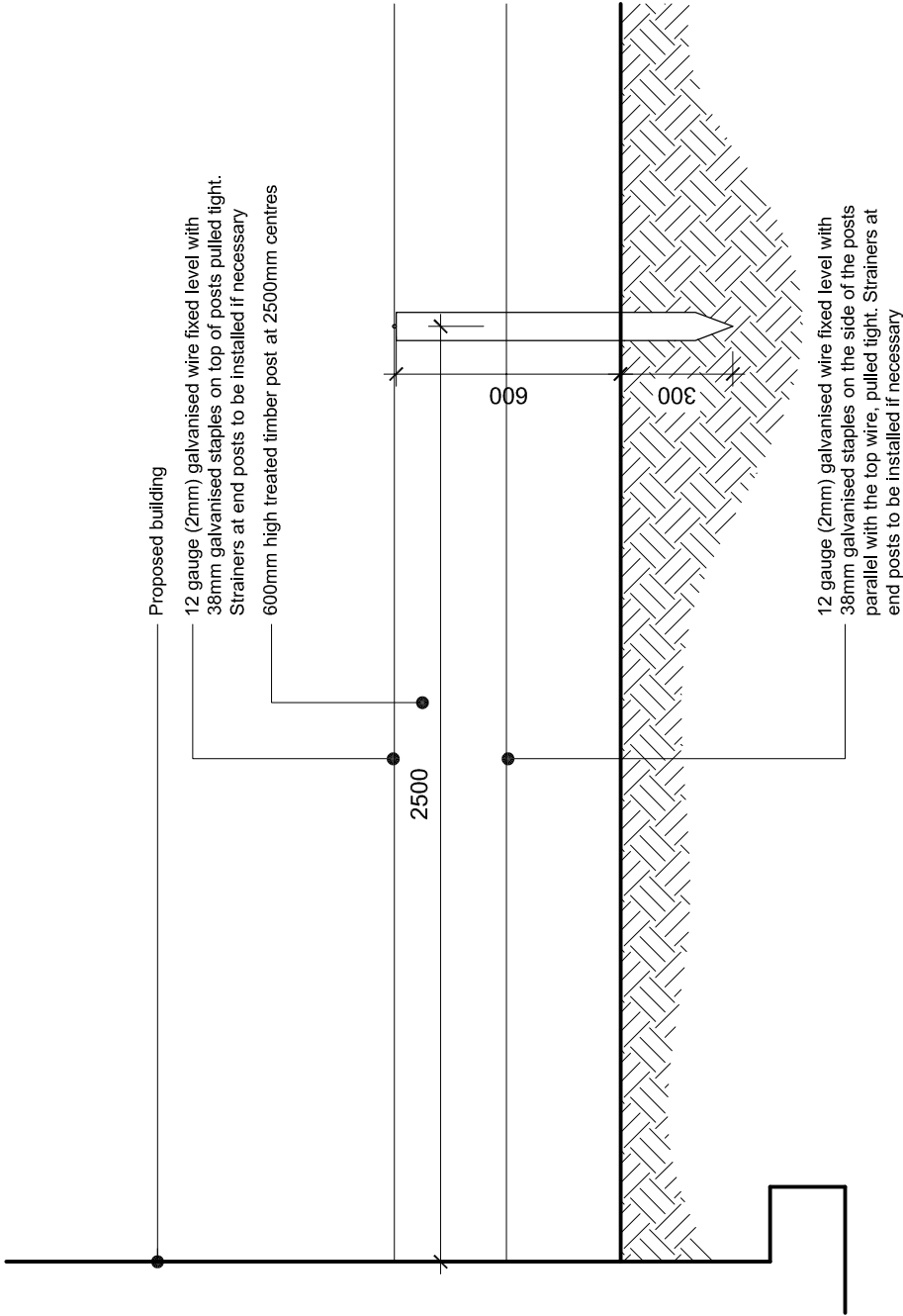
title Boundary Treatments

1800mm High Timber Fence

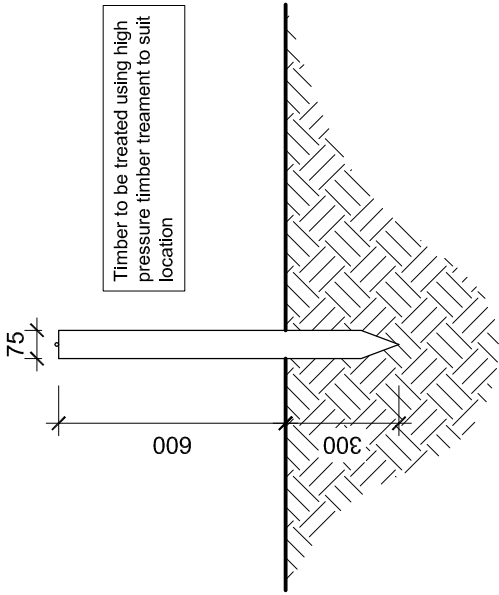
drawn je checked ge date 13.04.11 scale 1:20@A3

job no 0282 drawing no SD-100 rev D

Notes:  
Sketch schemes may be based on plan information of unknown origin and is subject to verification and survey.  
Contractors must verify all dimensions on site before commencing any work or shop drawings. This drawing is not to be scaled. Use figured dimensions only.  
Building areas are **table** to adjustment over the course of the design process due to ongoing construction detailing developments.  
Subject to statutory approvals and survey.



TYPICAL ELEVATION 1:20



TYPICAL SECTION 1:20

B	Detail updated to suit client comments	20.09.13	TA
A	Detail updated following senior review	15.02.13	DJB

revisions  
status -

edward

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prospect house 32 sovereign street leeds ls1 4bj t 0113 398 4000  
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project  
Standard Details

client  
Gleeson Homes & Regeneration

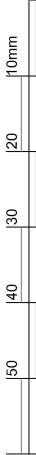
title  
Boundary Details

Post and Wire Fence

drawn je checked . date 13.04.11 scale 1:20@A4

job no 0282 drawing no SD103 rev B

Notes:  
Sketch schemes may be based on plan information of unknown origin and is subject to verification and survey.  
Contractors must verify all dimensions on site before commencing any work or shop drawings. This drawing is not to be scaled. Use figured dimensions only.  
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Subject to statutory approvals and survey.



TYPICAL PLAN 1:20

100x100mm timber post taken down to foundation.  
Ensure post is not fixed to the brick wall, to avoid possible future damage

440mm pier at the end of the wall  
for structural support

1750x150x25mm thick treated slats at 175mm c/c

100

2000

Concrete foundations  
dimensions shown  
indicative only, and  
subject to SE details

TYPICAL ELEVATION 1:20

EXTERNAL WALLS TO BE CONFIRMED  
ACCEPTABLE BY STRUCTURAL  
ENGINEER, WITH ADDITIONAL  
REINFORCEMENTS / PIERS /  
FOUNDATIONS TO SUIT INDIVIDUAL  
SITE'S GROUND CONDITIONS AND  
LOAD REQUIREMENTS

B Plan added 03.03.14 JF  
A Amendments following client comments 05.02.14 JF

revisions  
status Preliminary

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prospect house 32 sovereign street leeds ls1 4bj t 0113 398 4000  
www.eas-llimited.co.uk

project Standard Details

client Gleeson Homes & Regeneration

title Boundary Treatments

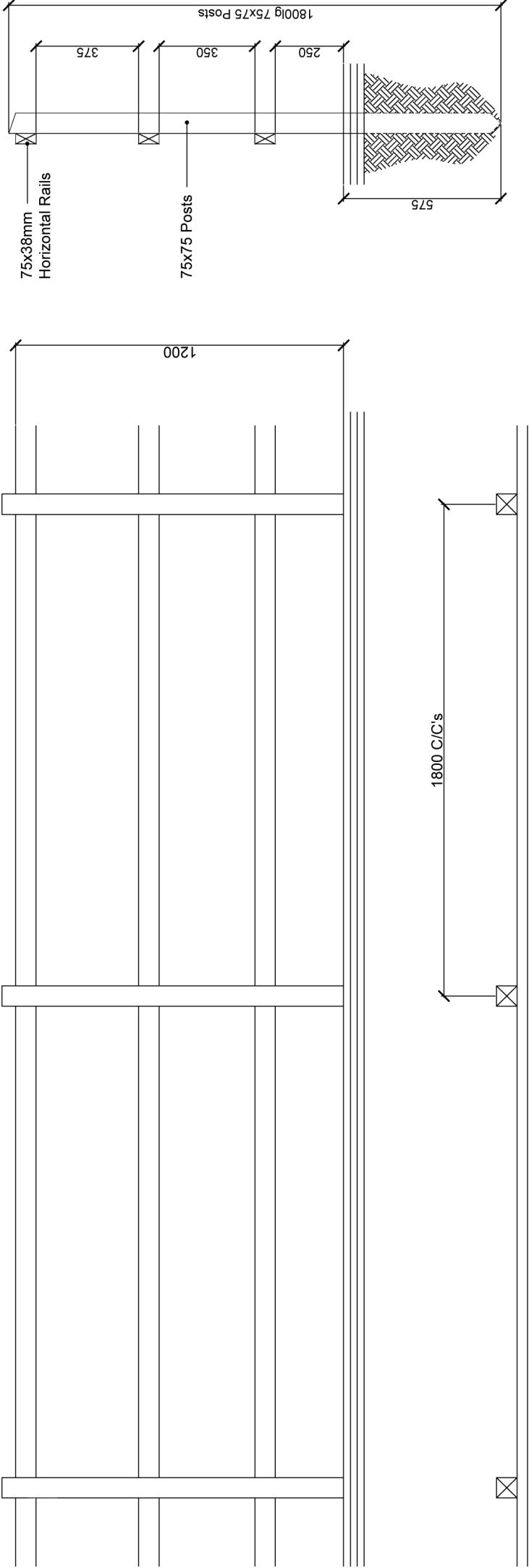
1800mm High Fence & Brickwork Wall

drawn jf checked jf date 20.01.14 scale 1:20@A3

job no 0282 drawing no SD-111 rev B

Do not scale from this drawing. Only figured dimensions are to be taken from this drawing. The contractor must verify all dimensions in situ before commencing any work or any drawings. If the contractor must verify any dimensions in situ and find them to be incorrect, they must inform the designer immediately. If this drawing exceeds the quantities taken in any way, POD NEWCASTLE LTD is to be informed before the work is initiated. Ordnance Survey information is used on POD NEWCASTLE LTD drawings. POD NEWCASTLE LTD is not responsible for the accuracy of dimensions relating to any Ordnance Survey data, or beyond the boundary of the inserted topographic survey data. Work within The Construction (Design and Management) Regulations 2015 is not to start until a Health and Safety Plan has been produced and approved. © POD NEWCASTLE LTD. This drawing is copyright and shall not be reproduced in any format or media without written consent of POD NEWCASTLE LTD.

REV	BY	DATE	NOTE
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## 1200MM HIGH POST & RAIL FENCE

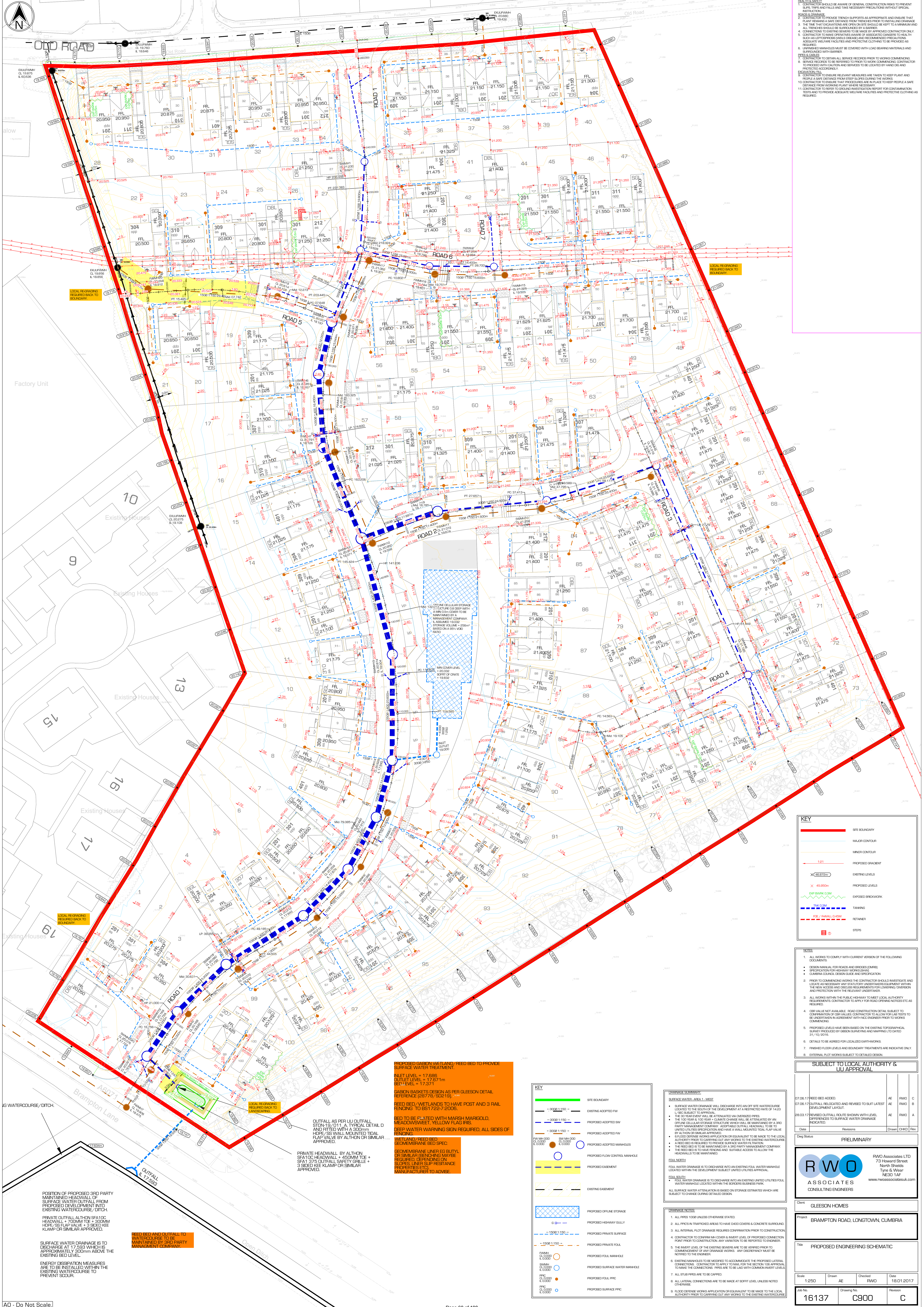



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PROJECT  
**Brampton Road, Longtown,  
Cumbria**

DRAWING TITLE:  
**Post & Rail Fence Detail**

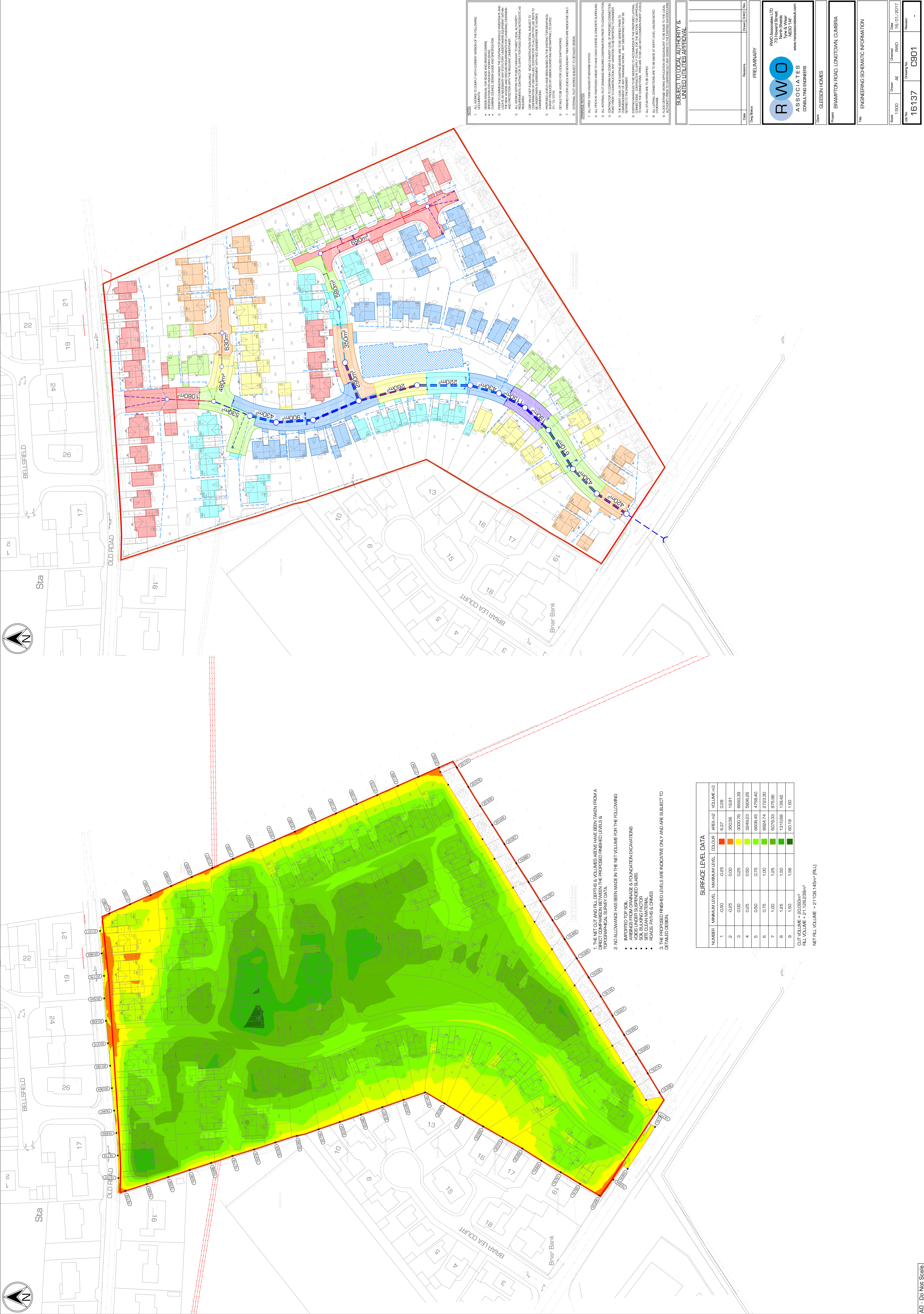
CLIENT:	STATUS:	CHECKED BY:	REVISION:
Homes by Gleeson	Planning	CYB	
SCALE:	SHEET NO:	DATE:	
1:20	A3	06:17	
PROJECT NO:	DRAWING NO:		
750-GLE	20.01		



- |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                    |          |             |          |              |             |          |       |  |  |  |  |            |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|----------|-------------|----------|--------------|-------------|----------|-------|--|--|--|--|------------|
| Drawing Status                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>PRELIMINARY</b> |          |             |          |              |             |          |       |  |  |  |  |            |
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| Client: <b>GLEESON HOMES</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                    |          |             |          |              |             |          |       |  |  |  |  |            |
| Project: <b>BRAMPTON ROAD, LONGTOWN, CUMBRIA</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                    |          |             |          |              |             |          |       |  |  |  |  |            |
| Title: <b>PROPOSED ENGINEERING SCHEMATIC</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                    |          |             |          |              |             |          |       |  |  |  |  |            |
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| Job No.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Drawing No.        | Revision |             |          |              |             |          |       |  |  |  |  |            |
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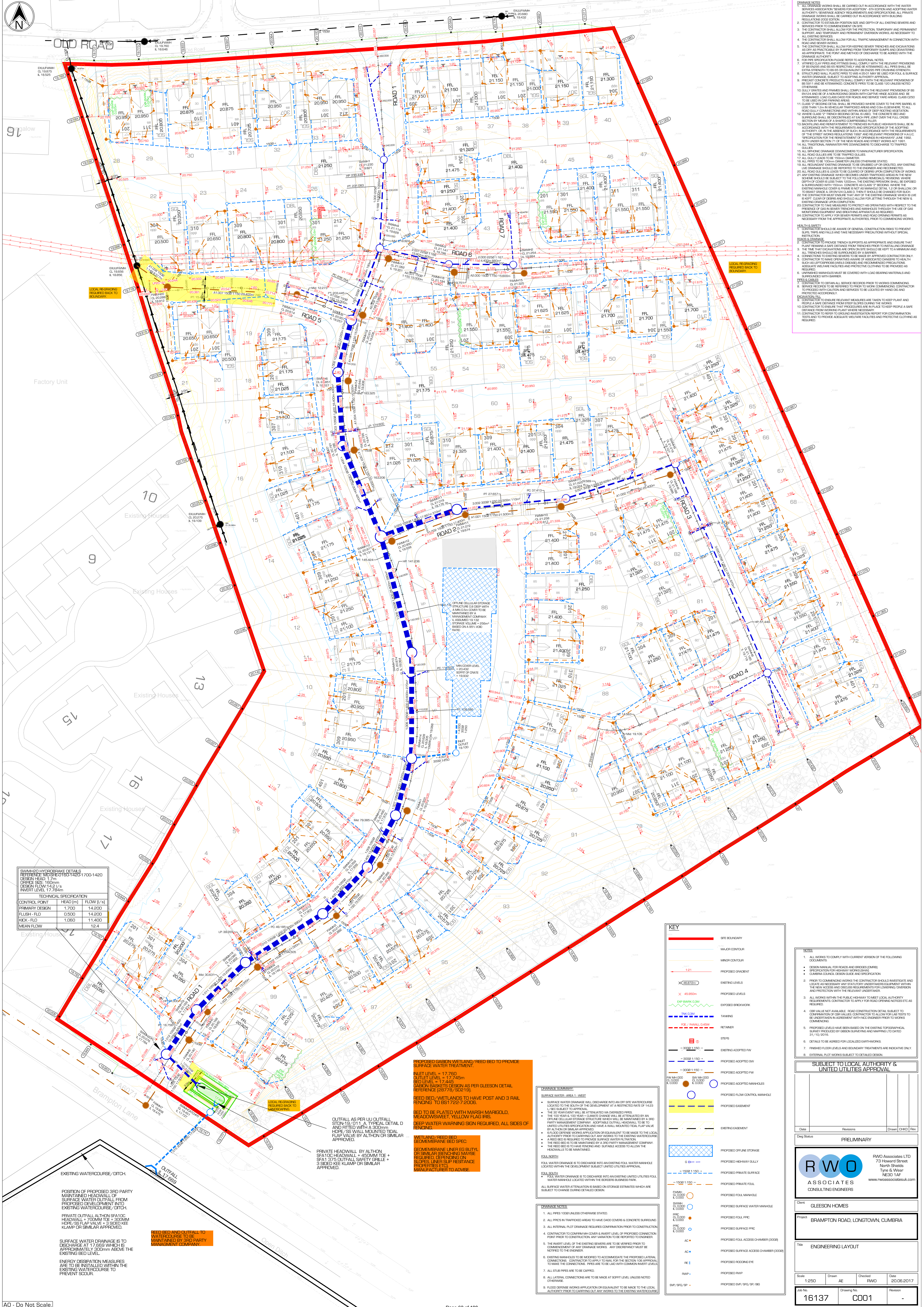
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- NOTES**
1. ALL WORKS TO COMPLY WITH CURRENT VERSIONS OF THE FOLLOWING:
    - DOCUMENTS
    - BRITISH STANDARDS INSTITUTION (BSI) STANDARDS
    - DRAINAGE CODES, DESIGN GUIDE AND SPECIFICATION
    - LOCAL AUTHORITY REQUIREMENTS
  2. ALL WORKS TO BE COMPLETED IN ACCORDANCE WITH THE FOLLOWING:
    - DRAINAGE CODES, DESIGN GUIDE AND SPECIFICATION
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- LEGEND**
- 1. ALL PIPES 100mm UNLESS OTHERWISE STATED
  - 2. ALL PIPES IN TRENCHES ARE TO HAVE CHOC COVER & CONCRETE SURFAID
  - 3. ALL INTERNAL PLOT CHANGES REQUIRES CONSENT PRIOR TO CONSTRUCTION
  - 4. ALL PIPES TO BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING:
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    - LOCAL AUTHORITY REQUIREMENTS
- SUBJECT TO LOCAL AUTHORITY & UNITED UTILITIES APPROVAL**

SURFACE LEVEL DATA				
NUMBER	MINIMUM LEVEL	MAXIMUM LEVEL	COLOR	VOLUME m <sup>3</sup>
1	-0.50	-0.25	Red	6.37
2	-0.25	0.00	Orange	250.96
3	0.00	0.25	Yellow	3002.76
4	0.25	0.50	Light Green	38249.83
5	0.50	0.75	Green	8608.45
6	0.75	1.00	Dark Green	8954.74
7	1.00	1.25	Very Dark Green	50793.33
8	1.25	1.50	Black	1310.68
9	1.50	1.75	Black	50.19

CUT VOLUME = 20.03m<sup>3</sup>  
FILL VOLUME = 211.62m<sup>3</sup>  
NET FILL VOLUME = 211.08m<sup>3</sup> (FILL)



RWD  
 ASSOCIATES  
 CONSULTING ENGINEERS

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 751 Howard Street  
 North Shields  
 Tyne & Wear  
 NE30 1AF  
[www.rwassociatesuk.com](http://www.rwassociatesuk.com)

Date: 20.06.2017  
 Drawn: CHKD  
 Revis:

Scale: 1:250  
 Drawing No: COO1  
 Revision: -

Job No: 16137

Client: GLEESON HOMES  
 Project: BRAMPTON ROAD, LONGTOWN, CUMBRIA  
 Title: ENGINEERING LAYOUT

Dwg Status: PRELIMINARY

All works to comply with current version of the following documents:
 

- DESIGN MANUAL FOR ROADS AND BRIDGES (DMRB)
- SPECIFICATION FOR HIGHWAY WORKS (SPEW)
- CUMBRIA COUNCIL DESIGN CODE AND SPECIFICATION

Prior to commencing works the contractor should investigate and locate as necessary any statutory underground equipment within the new access and discuss requirements for lowering, diversion and protection with the relevant undertakers.

All works within the public highway to meet local authority requirements. Contractor to apply for road opening notices etc as required.

CBR values not available. Road construction detail subject to confirmation of CBR values. Contractor to allow for lab tests to be undertaken in agreement with HSE engineer prior to works commencing.

Proposed levels have been based on the existing topographical survey produced by GLEESON SURVEYING AND MAPPING LTD DATED 31/10/2016.

Details to be agreed for localized earthworks.

Finished floor levels and boundary treatments are indicative only.

External plot works subject to detailed design.

SUBJECT TO LOCAL AUTHORITY & UNITED UTILITIES APPROVAL

Date: Revisions: Drawn: CHKD: Rev:

Dwg Status: PRELIMINARY

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 North Shields  
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[www.rwassociatesuk.com](http://www.rwassociatesuk.com)

Client: GLEESON HOMES  
 Project: BRAMPTON ROAD, LONGTOWN, CUMBRIA  
 Title: ENGINEERING LAYOUT

Scale: 1:250  
 Drawing No: COO1  
 Revision: -

Job No: 16137

Date: 20.06.2017  
 Drawn: CHKD  
 Revis:

Page 22 of 122

## SCHEDULE A: Applications with Recommendation

17/0354

Item No: 02

Date of Committee: 07/07/2017

**Appn Ref No:**  
17/0354

**Applicant:**  
Mr & Mrs Todd

**Parish:**  
Irthington

**Agent:**

**Ward:**  
Stanwix Rural

**Location:** Land adjacent to Hawklemass, Irthington, Carlisle, CA6 4NN

**Proposal:** Proposed Residential Development With Entrance To Field Widened Providing Access To The Residential Site And Field (Outline)

**Date of Receipt:**  
21/04/2017 23:02:39

**Statutory Expiry Date**  
16/06/2017 23:02:39

**26 Week Determination**

---

### REPORT

**Case Officer:** Paul Fenton

#### 1. Recommendation

- 1.1 It is recommended that this application is refused.

#### 2. Main Issues

- 2.1 Whether The Principle Of The Development Is Acceptable
- 2.2 Impact On Living Conditions On Neighbouring Occupiers
- 2.3 Impact Upon Highway Safety
- 2.4 Impact Upon Trees and Hedgerows
- 2.5 Impact On Hadrian's Wall World Heritage Buffer Zone
- 2.6 Biodiversity

#### 3. Application Details

##### Background

- 3.1 This application seeks outline planning permission for the erection of 1no. 4(+) bedroom dwelling with all matters reserved at Land adjacent to Hawklemass, Irthington.
- 3.2 The proposal site is located to the north of the village of Irthington and

immediately to the west of the junction of the road leading from Irthington to the settlement of Newtown.

- 3.3 The site is primarily green field agricultural land with a small number of existing agricultural storage buildings used for agricultural purposes. The site is currently vacant although the site was last used for grazing.
- 3.4 The site is bound to the north east by the unclassified road leading to the small settlement of Newtown; to the south east by the existing semi-detached two storey brick built dwelling known as Hawklemass; to the south west by the remainder of the agricultural land within the ownership of the Applicant; and, to the north west by the remainder of the agricultural land within the ownership of the Applicant beyond which is a stock proof fence and sporadic hedgerow facing the unclassified road.
- 3.5 The site, and surrounding land, is currently owned by the Applicant and has been within the family for over 30 years.
- 3.6 The agricultural sheds on the site would be removed and a shed relocated to the north of the field.
- 3.7 Although the access is a reserved matter, the Applicant has indicated that the existing field access would be widened to provide access. The access arrangements do not form a material consideration in the assessment of this application.

#### **4. Summary of Representations**

- 4.1 This application has been advertised by means of site notice and notification letters sent to four neighbouring properties. No verbal or written representations have been made during the consultation period.

#### **5. Summary of Consultation Responses**

Cumbria County Council - (Highways & Lead Local Flood Authority): -

Object as insufficient information has been provided in relation to access, visibility spays, off-street parking, surface water drainage and on site turning facilities.

Irthington Parish Council: -

Two observations:

- 1. Concerns regarding the existing access which may need widening to provide acceptable visibility.
- 2. Restrict any further development at the site.

Historic England - North West Office: -

No comments.

Carlisle Airport: -

No objections.

## **6. Officer's Report**

### **Assessment**

- 6.1 Section 54a of the Town and Country Planning Act 1990/Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that an application for planning permission is determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.
- 6.2 The Development Plan for the purpose of the determination of this application is the Carlisle District Local Plan 2015-2030 from which Policies SP1, SP2, SP6, HO1, HO2, IP3, IP4, IP5, IP6, CC5, CM5, HE1, GI3 and GI6 are of particular relevance.
- 6.3 The National Planning Policy Framework (NPPF), the Planning Practice Guidance (PPG) and the Supplementary Planning Document (SPD) adopted by the City Council, 'Achieving Well Designed Housing', are also material planning considerations.
- 6.4 The proposal raises the following planning issues:

#### **1. Whether The Principle Of The Development Is Acceptable**

- 6.5 The main issue to establish in the consideration of this proposal is the principle of development.
- 6.6 At the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread through both plan-making and decision-taking. Paragraph 14 of the NPPF states that for decision taking this means approving development proposals that accord with the development plan without delay.
- 6.7 The NPPF seeks to promote sustainable development and in rural areas housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are small groups of smaller settlements, development in one village may support services in a village nearby.
- 6.8 In accordance with the NPPF it is therefore necessary for the principle of residential development to be considered in the context of the presumption in favour of sustainable development unless the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole or specific policies in the NPPF indicate development should be restricted.
- 6.9 The aim of the NPPF is reiterated in Policy HO2 of the Local Plan which makes provision for new housing development, other than those allocated, within or on the edge of Carlisle, Brampton, Longtown, and villages within the rural area provided that the development would not prejudice the delivery of the spatial strategy of the Local Plan and subject to a number of criteria

covering scale, design, location etc.

- 6.10 When assessing the principle of the proposal against the relevant policies it is noted that as the application is for outline planning permission with all matters reserved, some of the criteria of Policy HO2 cannot be assessed. For example, scale and design. However, the impact of the proposal on the form and character of the existing settlement can be considered.

- 6.11 It is therefore considered the key issues in determining whether the principle of development is acceptable in this instance is whether the proposal is compliant with criterion 1 (part) and criterion 3 of Policy HO2 which states that:

*(1) "...the proposed development is appropriate to the scale, form, function and character of the existing settlement;" and,*

*(3) "On the edge of settlements the site is well contained within existing landscape features, is physically connected, and integrates with, the settlement, and does not lead to an unacceptable intrusion into open countryside;"*

- 6.12 Paragraph 5.16 of the supporting text to Policy HO2 states:

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

- 6.13 The policy assessment in this respect is therefore whether the proposal would be appropriate to the scale, form, function and character of the existing settlement; and, whether the site is well contained within existing landscape features.

- 6.14 When assessing the proposal against the foregoing policies, the application site is located adjacent to existing residential properties and on the edge of the village of Irthington.

- 6.15 Irthington is located approximately 8 miles east of Carlisle and approximately 2.5 miles from Brampton which is designated as a Local Service Centre. The village benefits from local services including a primary school, church, pub and a weekly bus service. The village also benefits from a village hall and equipped area of play in the nearby settlement of Newtown which is approximately 0.5 miles to the north of the site. The principle of residential development within the village is therefore acceptable.

- 6.16 However, the built form in Irthington is predominantly linear in nature with the majority of dwellings broadly following the line of the C3937 highway through the village. While it is acknowledged there are buildings which stray off the existing highway, away from the linear nature, this is predominantly to the south of the highway and on the lower lying ground. In addition, the built form

to the south of the highway comprises Irthington Primary School, the Grade II\* Listed Church of St Kentigern, and the Grade II Listed farmhouse, barns and courtyard, known as The Nook, all of which have historical significance.

- 6.17 The land adjacent to Hawklemass would sit on the northern most aspect of the village and would protrude beyond the existing linear nature of the built form. While the proposal site would be physically connected to the existing built form, by way of being sited to the north of the junction and beyond the linear line, it would appear visually detached from the existing built form. It is therefore considered the form of the proposal would not be appropriate to the existing settlement. In this respect, the proposal site could be considered as intruding into the open countryside.
- 6.18 In addition, the land adjacent to Hawklemass sits at an elevated position compared to the existing dwellings off the C3937 highway through the village with open aspect views to the rear of the properties along the C3937. The site can be seen when travelling west to east along the highway.
- 6.19 The Applicant states in the supporting document that the “proposal will be well related to the scale and form of the settlement, with a roadside frontage with sufficient room to maintain the access to the agricultural land at the rear”. However, as there is no existing roadside frontage on this particular stretch of road from the junction of the road leading from Irthington to Newtown, it is considered the proposal site would not be well related to the existing settlement, which is very much linear in nature, in terms of scale and form.
- 6.20 While it is acknowledged the Applicant is prepared to undertake earthworks to change the levels to integrate the proposal, it is considered the extent of any earthworks would not be sufficient to address concerns relating to the form of the proposal and how the site is contained within existing landscape features.
- 6.21 In this respect, there are no existing landscape boundaries to the north west or south west of the proposal site. These boundaries would be exposed with open aspects and would be sited on a prominent, elevated, position. Although soft landscaping and boundary treatment could be utilised to soften the impact, it is considered in the absence of these details the proposal does not comply with Policy HO2 of the Local Plan as the site is not well contained within existing landscape features.
- 6.22 It is not disputed that the site is located immediately adjacent to existing residential dwellings and within walking distance to the centre of Irthington. And it is accepted that the site has the capacity to accommodate an appropriate scale and design. However, the form and character of this area of the village and the visual perception remains detached from the existing built form.
- 6.23 In summary, although it is recognised that Irthington is a sustainable location for new housing development which would support the vitality of the existing village. In this instance, it is considered the proposed location is not well related to the existing built form and would not be well contained within

existing landscape features, therefore leading to an unacceptable intrusion into the open countryside.

- 6.24 While it is understood the family are active members of the local community and contribute positively to the vitality of the village, it should be noted that they are existing residents of the village. The refusal of this proposal on the grounds outlined above would therefore not significantly impact on the vitality of the village.
- 6.25 The principle of the proposal is therefore considered to be contrary to Policy HO2 of the Carlisle District Local Plan 2015-2030 as it would not be appropriate in terms of form and character, and would not be well contained within existing landscape features.

## **2. Impact On Living Conditions On Neighbouring Occupiers**

- 6.26 Policies within the Local Plan seek to ensure that development proposals should be appropriate in terms of quality to that of the surrounding area. One of the criterion of Policies SP6 and CM5 being that the living conditions of the occupiers of adjacent residential properties are not adversely affected by proposed developments. This is echoed and reinforced in the City Council's 'Achieving Well Designed Housing' SPD. The SPD outlines that in order to protect against privacy loss a minimum of 21 metres between primary facing windows and 12 metres between any walls and primary windows should be achieved. However, if a site is an infill, and there is a clear building line that the infill should respect, these distances need not strictly apply.
- 6.27 Although the scale, layout and design of the proposed dwelling are reserved matters, and while it is acknowledged that the site is located within a large plot and could well achieve the off-set distances as outlined in the 'Achieving Well Designed Housing' SPD, as things stand the lay of the land is approximately at eye level with principle windows on the rear elevation of the neighbouring dwellings. It is therefore considered that due to the existing landscape features, the proposal would have potential to adversely impact the living conditions of neighbouring occupiers. However, the full assessment of this impact could only be achieved by way of a detailed application.

## **3. Impact Upon Highway Safety**

- 6.28 The submitted plan indicates an access via the existing field access on to the unclassified road.
- 6.29 The Highway Authority has been consulted on the proposal and advised that inadequate information has been submitted to satisfy the Highway Authority that the proposal is acceptable. In addition, the Parish Council has raised concern at the proposed access and the achievable visibility splays.
- 6.30 However, the access detail has been reserved for the detailed application and is not subject to this outline application. Any subsequent application would consider access, visibility, etc and this level of detail could be secured by way of condition.

#### **4. Impact Upon Trees and Hedgerows**

- 6.31 Policy GI6 of the Local Plan seek to ensure that proposals for new development should provide for the protection and integration of existing trees and hedges where they contribute positively to a locality, and/or are of specific natural or historic value.
- 6.32 Furthermore, the City Council's Supplementary Planning Document (SPD) 'Trees and Development' outline that not only should the design of developments seek to retain existing tree and hedgerow features, but sufficient space should be allocated within the schemes to ensure integration of existing features and space for new planting it is important that these issues are considered at the very start of the planning process.
- 6.33 There are no trees within the proposal site. However, there is a fragmented hedge along the north eastern boundary. It is proposed to retain the hedgerow as part of the application.

#### **5. Impact On Hadrian's Wall World Heritage Buffer Zone.**

- 6.34 The site is located within the Hadrian's Wall World Heritage Buffer Zone. Proposed development within the buffer zones should be assessed for its impact on the sites outstanding universal value and particularly on view both into and out of it. Policy HE1 of the Local Plan highlights that development that would result in substantial harm will be refused.
- 6.35 Although the proposal has the potential to be visible from the World Heritage Site, it is considered the proposal would not result in substantial harm.
- 6.36 Historic England has been consulted on the proposal and confirmed there are no comments to make on the application.
- 6.37 Nevertheless, the detailed application would be assessed against the impact on the Hadrian's Wall World Heritage Buffer Zone.

#### **6. Biodiversity**

- 6.38 The Council's GIS Layer has identified that the site has the potential for several key species to be present within the vicinity. As the proposed development seeks outline planning permission for one dwelling with minimum disturbance to vegetation, it is unlikely that the development would harm a protected species or their habitat. If permission was to be granted an informative could be included within the Decision Notice ensuring that if a protected species is found all work must cease immediately and the Local Planning Authority informed.

#### **Conclusion**

- 6.39 In overall terms, the proposal seeks outline planning permission for the erection of 1 no. 4(+) bedroom dwelling with all matters reserved at Land

adjacent to Hawklemass, Irthington. The form and character of the existing built form in this area of the village is predominantly linear in nature. The proposal site would be at the northern most aspect of the village and would protrude beyond the existing linear nature of the built form. The site does not benefit from existing landscape features to integrate the proposal into the surrounding environment and the site would be seen in the context of an elevated, open aspect. As such, the proposal would be perceived as being detached from the existing built form and could be considered as intruding into the open countryside.

- 6.40 In light of the foregoing, the proposal cannot be considered to be well related to the existing form and character of the village, nor can it be considered to be well contained within the existing landscape features.
- 6.41 In addition, given the elevated nature of the site, the proposal could have the potential to adversely impact the living conditions of neighbouring occupiers.
- 6.42 Further consideration would need to be made to access and impact on highway safety.
- 6.43 No issues are raised in relation to trees and hedgerows, the Hadrian's Wall World Heritage Buffer Zone or biodiversity.
- 6.44 The principle of the proposed development is considered to be contrary to both local and national planning policies and is therefore recommended for refusal.

## **7. Planning History**

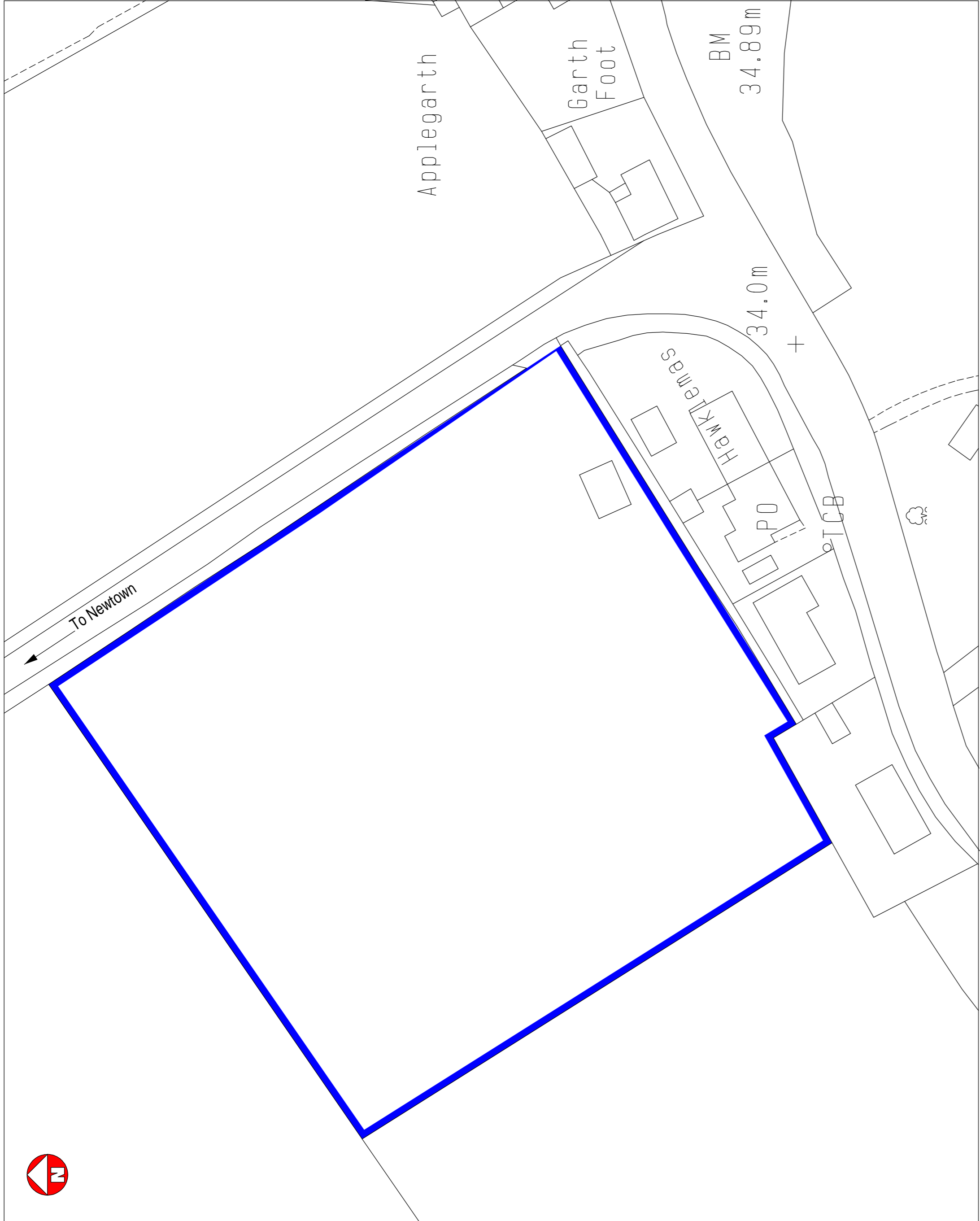
- 7.1 There is no relevant planning history.

## **8. Recommendation: Refuse Permission**

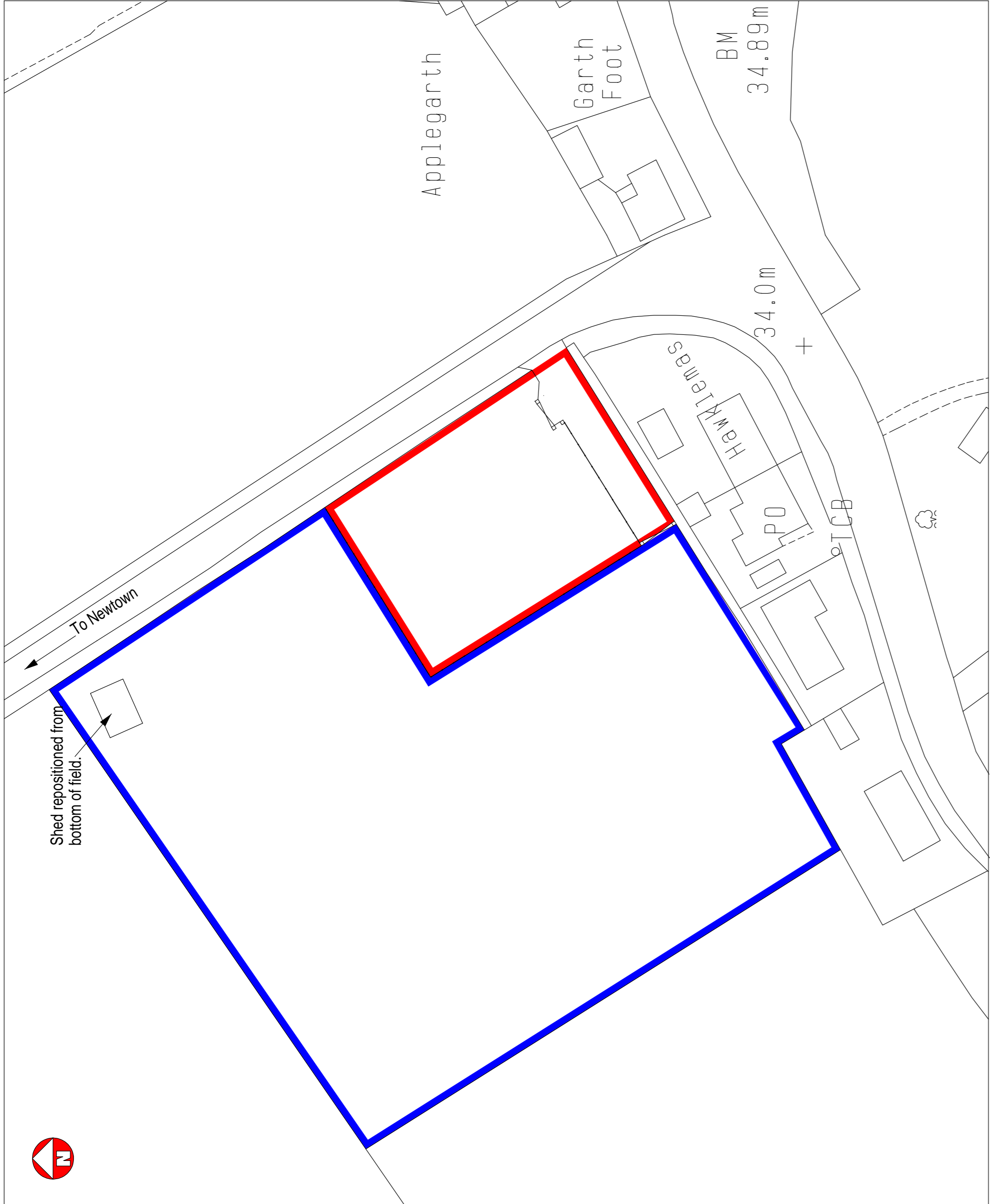
- 1. **Reason:** The application site is on the northern edge of the village of Irthington. The form and character of the existing built form in this area of the village is predominantly linear in nature. The proposal site would be at the northern most aspect of the village and would protrude beyond the existing linear nature of the built form at an elevated position. The proposal site would therefore not be appropriate to the form and character of the existing settlement and is contrary to criterion 1 of Policy HO2 of the Carlisle District Local Plan 2015-2030.
- 2. **Reason:** The application site is on the northern edge of the village of Irthington and is located at an elevated position in the context of open aspects which does not benefit from existing landscape features to contain the proposal. Although the site would be physically adjacent to the existing built form it would appear visually detached from the village. The proposal would

therefore not be well contained within existing landscape features and could be considered to intrude into the open countryside. The proposal is therefore contrary to criterion 3 of Policy HO2 of the Carlisle District Local Plan 2015-2030.

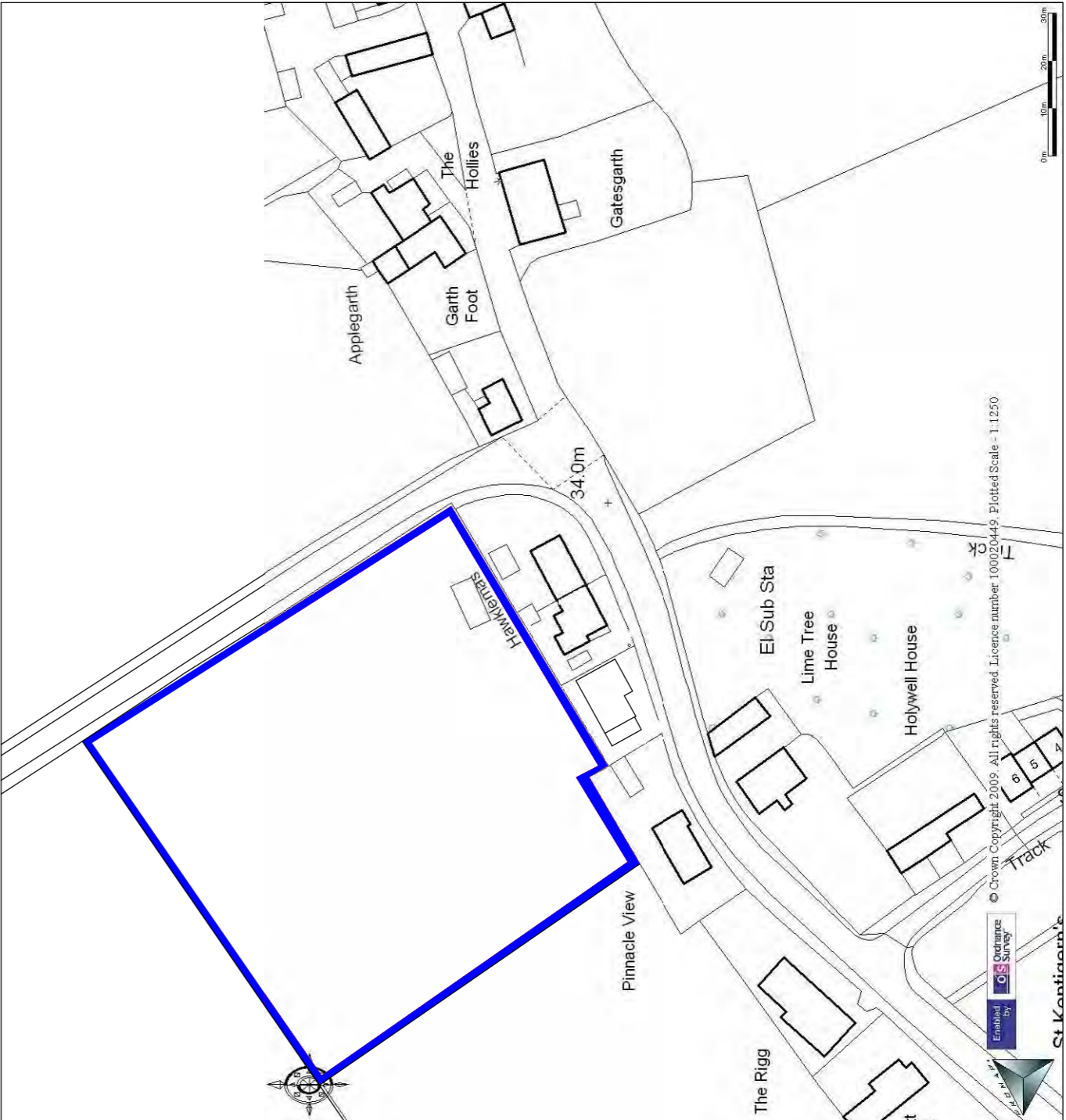
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EXISTING BLOCK PLAN  
Scale: 1:500



PROPOSED BLOCK PLAN  
Scale: 1:500



Location Map  
Scale 1:1250

# JPR BUILDING DESIGN LTD

HILLCREST STATION ROAD BRAMPTON CUMBRIA CA8 1EX  
Mobile: 07765271144 Email: jpr.buildingdesign@gmail.com  
Established 2012 Co Reg England & Wales No 06081726

CONTRACT:  
Todd-Ittington

CLIENT:

Miles R Todd  
Hillcrest Station  
Infringement  
Cumbria  
CA8 1EX

DETAILS

Outline planning permission for single  
a dwelling in Infringement, Cumbria.

REVISIONS

SCALE: As marked  
At Sheet

DATE: 21/02/2017

DRAWING No. 00-14/202017

This drawing remains the property of JPR Building Design Ltd. Duplication of this drawing in whole or any part is strictly forbidden without prior written permission from JPR Building Design Ltd.  
All measurements are given to the centre of the structure unless otherwise stated. The contractor is responsible for checking all dimensions on site.

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## SCHEDULE A: Applications with Recommendation

16/0597

Item No: 03

Date of Committee: 07/07/2017

**Appn Ref No:**  
16/0597

**Applicant:**  
Mr & Mrs Percival

**Parish:**  
Stanwix Rural

**Agent:**  
Jock Gordon Architectural  
SVS Ltd

**Ward:**  
Stanwix Rural

**Location:** Land at Orchard Gardens, Houghton, Carlisle, CA3 0LH

**Proposal:** Erection Of 4no. Bungalows

**Date of Receipt:**  
28/06/2016

**Statutory Expiry Date**  
23/08/2016

**26 Week Determination**  
30/09/2017

### REPORT

**Case Officer:** Barbara Percival

#### 1. Recommendation

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

#### 2. Main Issues

- 2.1 Principle of development
- 2.2 Impact of the proposal on the character of the area
- 2.3 Whether the scale and design of the dwellings are acceptable
- 2.4 Impact of the proposal on the living conditions of neighbouring residents
- 2.5 Proposed method for foul and surface water drainage
- 2.6 Impact of the proposal on highway safety
- 2.7 Provision of affordable housing
- 2.8 Impact of the proposal on existing trees and hedgerows
- 2.9 Impact of the proposal on biodiversity
- 2.10 Other matters

#### 3. Application Details

##### The Site

- 3.1 The application site is located immediately to the south of Orchard Gardens,

Houghton. Extending to approximately 0.29 hectares in area, the submitted application form outlines that the site is currently vacant with its previous use being that of a paddock; however, a dwelling is currently under construction in the north western corner of the paddock (application reference 14/0586) which is outwith the red line of this current application. The application site is delineated by mixed hedgerows along its northern, southern and western boundaries with wooden fences and sporadic planting along its eastern boundary. An existing field access directly off Orchard Gardens would serve the proposed development.

- 3.2 Two storey dwellings are located to the west of the site whilst bungalows and dormer bungalows are located along the northern and eastern boundaries. An access lane runs along its southern boundary with open aspects beyond that.

## **Background**

- 3.3 In November 2013, Members of the Development Control Committee granted Outline Planning Permission for residential development of approximately six dwellings subject to the completion of a Section 106 Agreement in respect of a commuted sum towards off-site affordable housing provision (application reference 13/0787).
- 3.4 This application; however, seeks Full Planning Permission, therefore, the application has to be judged against policies within the adopted Local Plan. Policy HO4 of the Local Plan identifies that the site is located within Zone B which requires a contribution towards affordable housing for all sites of eleven units and over. This proposal falls below the aforementioned threshold, therefore, a contribution is not required.

## **The Proposal**

- 3.5 This application seeks Full Planning Permission for the erection of 4no. bungalows. The submitted drawings illustrate the siting of the dwellings arranged around a central access road.
- 3.6 Plots 1, 2 and 4 would be bungalows with rooms in the roof space and would have the same layout; however, bedroom 2 on plots 1 and 4 would be served by a roof light in lieu of a gable window. The accommodation for Plots 1, 2 and 4 would comprise of: living room; dining room; hallway; kitchen; utility; w.c.; porch and 1no. ensuite bedroom with 3no. bedrooms and bathroom in the roof space.
- 3.7 The proposed dwelling on Plot 3 would comprise the following accommodation: living room; kitchen; utility; w.c.; hallway; porch; 1no. ensuite bedroom and garage with 3no. bedrooms and bathroom within the roof space.
- 3.8 As highlighted earlier in the report, access to the proposed dwellings would be via an existing field access taken from Orchard Gardens. The dwellings, arranged around a central access road within the development, would have

in-curtilage parking provision together with amenity areas to the front and rear.

#### **4. Summary of Representations**

- 4.1 This application has been advertised by the direct notification of twenty-one neighbouring properties and the posting of a Site Notice. In response, three representations of objection have been received.
- 4.2 The representations identify the following issues:
1. the development is adjacent my property.
  2. concerns about notification method.
  3. questions the requirement of further housing in Houghton.
  4. detrimental impact on highway safety.
  5. potential exacerbation of existing surface water drainage problems.

#### **5. Summary of Consultation Responses**

Cumbria County Council - (Highways & Lead Local Flood Authority): - the site would be accessed from the C1012 adopted road (Askerton Road) onto the U1237 adopted road (Orchard Lane), then the U1461 adopted road (Orchard Lane where there are 6 bungalows) leading to the new development, private shared driveway. There are no footpaths from the top section of Orchard Lane where the existing 6 bungalows are situated. It is noted from the details supplied that the proposal will lead to an increase in vehicular traffic to and from the site. The Environment Agency Flood Maps do not have any records of flooding on this site. The LLFA surface water maps do not indicate that the site is in an area of risk, but does show of some issues on Orchard Lane that has a 1 per cent (1 in 100) or greater chance of happening each year. The Highway Authority and Lead Local Flood Authority has no objection to the proposed development;

Stanwix Rural Parish Council: - in its objection to Appn No 13/0787 the Parish Council explained that the proposed development was situated on an area of marshy land with surface water run-off flowing into neighbouring properties; and that it would also over stretch the existing drainage/foul sewer infrastructure. These concerns, and others relating to low domestic water pressure in the locality, were also reported by neighbouring residents. These reasons for its objections, among others, were again stressed by the Parish Council at the meeting of the Development Control Committee of 5th November 2013. Despite PC and neighbour warnings and the caveats expressed above, the major persistent surface water problem for neighbouring properties is now made significantly worse by building works on the applicant's neighbouring site (edged blue on Drg. No. 3002/1 of current Appn No 16/0597). Although the Parish Council hopes that the reduced number of 4 units, proposed by current application 16/0597, may slightly

ameliorate the potential impact of 6 units, it maintains that even this reduced number will considerably exacerbate the long standing drainage issue. The Parish Council contends that Carlisle City Council, being responsible for granting the previous outline consent, has acquired a duty to ensure that the problems arising from the consequences of its decision, i.e. the worsened drainage issue, are fully resolved prior to the commencement of any further building work. The Parish Council notes that Outline Approval 13/0787, for 6 units, was subject to a s106 agreement to provide a contribution to affordable housing (Paragraph 6.14 of Officer Report to Committee, 15/11/2013); and that current application 16/0597 is for only 4. The Parish Council seeks clarification regarding the status of the s106 agreement in view of the amended application; and would support the retention of the agreement, or a similar replacement agreement, in order to assist the delivery of affordable housing;

Local Environment - Waste Services: - no objections subject to imposition of an informative in respect of provision of waste collection receptacles.

## **6. Officer's Report**

### **Assessment**

- 6.1 Section 54a of the Town and Country Planning Act 1990/Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that an application for planning permission is determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.
- 6.2 The relevant planning policies against which the application is required to be assessed is the National Planning Policy Framework (NPPF), the Planning Practice Guidance (PPG) and Policies SP2, SP6, HO2, HO4, IP3, IP6, CC5, GI1, GI3 and GI6 of the Carlisle District Local Plan 2015-2030. Further material considerations are the Supplementary Planning Documents (SPDs) adopted by the City Council, 'Achieving Well Designed Housing' and 'Trees and Development'.

### **1. Principle of Development**

- 6.3 Paragraph 14 of the NPPF outlines that *"at the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking"*. The NPPF seeks to promote sustainable development and in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are small groups of smaller settlements, development in one village may support services in a village nearby.
- 6.4 The aims of the NPPF is reiterated in Policy HO2 of the Local Plan which outlines that new housing development other than those allocated will be acceptable within or on the edge of Carlisle, Brampton, Longtown and in the rural area provided that the development would not prejudice the delivery of the spatial strategy of the Local Plan and be focussed in sustainable locations subject to satisfying five criteria.

- 6.5 When assessing the application against the foregoing policies, the application site is located within Houghton which has a range of services including a shop, school, church and village hall. The village is also served by a bus service.
- 6.6 Furthermore, as some Members will be aware, the principle of residential development on the site has been established since the granting of Outline Planning Permission in 2013 (application reference 13/0787).
- 6.7 In such a context, the application site is well contained within existing landscape features, it is physically connected, and integrates with, the settlement, and would not lead to an unacceptable intrusion into open countryside. Accordingly, the application site is considered to be in a sustainable location for housing development, therefore, the principle of development is acceptable.

## **2. Impact Of The Proposal On The Character Of The Area**

- 6.8 The Cumbria Landscape Character Guidance and Toolkit (March 2001) identifies that the site falls within the Cumbria Landscape Character Sub-Type 5b "Low Farmland". The toolkit advises that key characteristics of this landscape are: undulating and rolling topography; intensely farmed agricultural pasture dominates; patchy areas of woodland provide contrast to the pasture; woodland is uncommon west towards the coast; fields are large and rectangular; and hedges, hedgerow trees and fences bound fields and criss cross up and over the rolling landscape.
- 6.9 The application site is currently a vacant paddock with residential properties adjacent to its northern, western and eastern boundaries with an access track leading to agricultural fields and residential properties along its southern boundary.
- 6.10 It is inevitable that the erection of new dwellings on a currently vacant parcel of land would have some visual impact on the landscape character of the area. In mitigation, given the relationship of the site with existing residential properties within Houghton, the proposed development site, would form a natural stop to this part of Houghton. Accordingly, there would not be such a significant detrimental impact on the character of the area to warrant a refusal of the application.

## **3. Whether The Scale And Design Of The Dwellings Are Acceptable**

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

materials and detailing.

- 6.12 When assessing the character of the area, it is evident that there are a variety of residential properties of differing styles within the vicinity. The application seeks Full Planning Permission for the erection of four bungalows with rooms within the roof spaces. The materials would be sympathetic to other properties within the vicinity with the proposed ridge lines of the proposed dwellings also comparable. Furthermore, the proposal has been so designed to achieve adequate amenity space and off-street parking to serve the proposed dwellings.
- 6.13 Accordingly, the proposed dwellings would complement the local vernacular and would not have such a detrimental impact on the character of the area to warrant a refusal of the application.

#### **4. Impact Of The Proposal On The Living Conditions Of Neighbouring Residents**

- 6.14 Policies within the Local Plan seek to ensure that development proposals should be appropriate in terms of quality to that of the surrounding area. One of the criterion of Policy SP6 being that the living conditions of the occupiers of adjacent residential properties are not adversely affected by proposed developments. This is echoed and reinforced in the City Council's SPD 'Achieving Well Designed Housing'. The SPD outlines that in order to protect against loss of privacy a minimum of 21 metres between primary facing windows and 12 metres between any walls and primary windows should usually be achieved; however, if the application site is an infill these distances need not necessarily apply.
- 6.15 The dwellings have been designed and orientated so that the minimum distances outlined in the SPD would be achieved between the proposed dwellings and existing dwellings with the exception of: the ground floor windows between Plot 1 and 22 South Croft; window serving bedroom 2 of Plot 1 and 1 and 2 Orchard Gardens; and the gable window of Plot 3 and the first floor gable window of South View.
- 6.16 In respect of the ground floor bedroom window of Plot 1 and 22 South Croft the distance between the properties would be 10.8 metres; however, in mitigation, the windows would be off-set and the submitted drawings illustrate a 1.8 metre high concrete post and timber fence to be erected along the shared boundary. In respect of the gable window serving Plot 1, revised drawings are expected which would omit this window and replace it with a roof light. Nevertheless, to further protect the living conditions of the future occupiers of 1 and 2 Orchard Gardens and 22 South Croft, conditions are recommended ensuring the omission of the window in the northern gable of Plot 1 and that the 1.8 high fence to be erected along the eastern boundary of the application site be erected prior to the occupation of Plot 1 and remain in situ for perpetuity.
- 6.17 When assessing the impact of the proposal on the occupiers of South View, the gable window serving bedroom 3 in the roof space of Plot 3 would again

be off-set from the first floor gable window of South View. Accordingly, the proposal would not result in such a significant loss of privacy to warrant a refusal of the application on this basis.

- 6.18 In overall terms, the proposed development is unlikely to have a detrimental impact on the living conditions of the existing and proposed occupiers of neighbouring residential properties through loss of privacy or over-dominance to warrant refusal of the application.

## **5. Proposed Method Of Foul And Surface Water Drainage**

- 6.19 There is a clear policy requirement to provide adequate provision for foul and surface water facilities to ensure that sufficient capacity exists prior to commencement of any development. The submitted drawings and documents illustrate that the foul water from each property would enter the existing foul sewer.
- 6.20 In respect of surface water drainage, extensive investigations have been on-going which has discovered that the use of soakaways in this location would not be viable. The Parish Council has also raised concerns in respect of the disposal of surface water. Accordingly, discussions and site visits by a local representative of United Utilities have revealed the presence of a private surface water sewer, albeit not recorded in the United Utilities definitive mapping system. This same surface water system was subsequently found by United Utilities to serve a large number of the surrounding properties.
- 6.21 The formal written response from United Utilities is awaited; however, based on the submitted documents this method for the disposal of surface water arising from the development appears to be acceptable to United Utilities. A verbal update will, therefore, be made to Members at the forthcoming Development Control Committee.
- 6.22 Subject to the written confirmation that the methods for the disposal of foul and surface water are acceptable to United Utilities the proposal disposal of foul and surface water methods are acceptable. Furthermore, a condition is also recommended ensuring that the proposed disposal methods are implemented prior to the occupation of any of the dwellings subject of this application.

## **6. Impact Of The Proposal On Highway Safety**

- 6.23 Residents have raised concerns in respect of the impact of the proposal on highway. Access to the site would be via Orchard Gardens. Cumbria County Council, as Highway Authority, whilst recognising that the development would lead to an increase in vehicular traffic to and from the site raise no objections to the proposal subject to the imposition of conditions in respect of: road/footpath construction and access and parking requirements within the site.
- 6.24 The concerns of the residents are noted; however, in light of the comments from the Highway Authority and subject to the imposition of the recommended conditions the application is unlikely to have a such a

detrimental impact on highway safety to warrant refusal of the application.

## **7. Provision Of Affordable Housing**

- 6.25 In November 2013, Members of the Development Control Committee granted Outline Planning Permission for residential development of approximately six dwellings subject to the completion of a Section 106 Agreement in respect of a commuted sum towards off-site affordable housing provision (application reference 13/0787).
- 6.26 The Parish Council, in its consultation response, supports the retention of the agreement for a contribution to affordable housing. The support of the Parish Council is noted; however, the application seeks full planning permission for the erection of 4 bungalows, therefore, the application has to be judged against policies within the adopted Local Plan. Policy HO4 of the Local Plan identifies that the site is located within Zone B which requires a contribution towards affordable housing for all sites of eleven units and over. This proposal falls below the aforementioned threshold, therefore, a contribution is not required.

## **8. Impact Of The Proposal On Existing Trees and Hedgerows**

- 6.27 The site is bounded by some hedgerows with an oak tree located within the southern boundary of the site. The submitted documents illustrate the type and location of the proposed hedge and tree protection barriers; however, has omitted some of the root protection area of the oak tree within the drawing. Accordingly, a condition is recommended that would require the hedge and tree protection barriers including the crown protection area of the oak tree to be implemented in accordance with figure 2 of British Standard 5837: 2012 prior to any development and retained in situ during construction works. This condition would, therefore, include the root protection barrier of the oak tree.

## **9. Impact Of The Proposal On Biodiversity**

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

## **10. Other matters**

- 6.29 Concerns have been raised by a third party in respect of the adequacy of the consultation process. As highlighted earlier in the report the application has been advertised by the direct notification of twenty-one neighbouring properties and the posting of a Site Notice. Furthermore, the Parish Council were also notified. As such the Council is satisfied that the correct notification process was followed.

- 6.30 The Parish Council has highlighted that there is a low water pressure within the vicinity; however, this is not a material planning consideration.

## **Conclusion**

- 6.31 In overall terms, the application is compliant with the objectives of the National Planning Policy Framework, Planning Policy Guidance, relevant Local Plan policies and Supplementary Planning Documents. Accordingly, the application is recommended for approval.

## **7. Planning History**

- 7.1 In 2009, Full Planning Permission was granted for erection of detached bungalow and detached garage (application 09/0634).
- 7.2 Also in 2009, an application to discharge Conditions 2 (Materials); 3 (Landscaping Scheme); 5 (Surface Water Drainage) and 6 (Hard Surface Finishes) Of Previously Approved Planning Application 09/0634 (application reference 09/0912).
- 7.3 In 2012, Full Planning Permission was granted for erection of detached bungalow and detached garage (revised application)(application reference 12/0557).
- 7.4 In 2014, Full Planning Permission was granted for erection of 1no. detached dwelling (revised application)(application reference 14/0586).
- 7.5 In 2015, an application to discharge conditions 3 (Materials); 4 (Hard Surfaces); 5 (Boundary Treatment) And 7 (Surface Water Drainage) of previously approved permission 14/0586 (application reference 15/0942).

## **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. the submitted planning application form received 21st June 2017;
  2. the materials schedule with the exception of SW drainage received 28th June 2016;
  3. the additional drainage information received 13th June 2017;
  4. the location plan received 28th June 2016;

5. the site plan - drainage received 21st June 2017 (drawing no. 3002/3C);
6. the site plan received 28th June 2016 (drawing no. 3002/3);
7. the site plan received 28th June 2016 (drawing no. 3002/3A);
8. units 1, 2 4 ground floor plan received 28th June 2016 (drawing no. 3002/4);
9. units 1, 2 first floor plan received 28th June 2016 (drawing no. 3002/5);
10. unit 4 first floor plan received 28th June 2016 (drawing no. 3002/6);
11. units 1, 2, 4 elevations received 28th June 2016 (drawing no. 3002/7);
12. unit 3 floor plans received 28th June 2016 (drawing no. 3002/8);
13. unit 3 elevations received 28th June 2016 (drawing no. 3002/9);
14. the Notice of Decision; and
15. any such variation as may subsequently be approved in writing by the Local Planning Authority.

**Reason:** To define the permission.

3. The carriageway, footways, footpaths, cycleways etc shall be designed, constructed, drained to the satisfaction of the Local Planning Authority 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. 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. To support Local Transport Plan Policies: LD5, LD7, LD8.

4. The dwellings shall not be occupied until the access and parking requirements have been constructed in accordance with the approved plan. Any such access and or parking provision shall be retained and be capable of use when the development is completed and shall not be removed or altered without the prior consent of the Local Planning Authority.

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

5. Before any development takes place, the designated area for the parking of construction vehicles as illustrated on drawing number 3002/3a received 28th June 2016 shall be constructed and made available for the parking of vehicles engaged in construction operations associated with the development hereby approved, and that land, including vehicular access thereto, shall be used for or be kept available for these purposes at all times until completion of the construction works.

**Reason:** The carrying out of this development without the provision of these facilities during the construction works is likely to lead to inconvenience and danger to road users. To support Local Transport Plan Policies: LD8.

6. No dwelling, hereby approved, shall be occupied until its foul and surface water drainage system has been connected to public foul sewer and private surface water sewer in accordance with the submitted drainage details illustrated on drawing number 3002/3C.

**Reason:** To ensure that adequate drainage facilities are available in accordance with Policies IP6 and CC5 of the Carlisle District Local Plan 2015-2030.

7. Notwithstanding the details contained within drawing nos. 3002/5 and 3002/7, the gable window in the northern elevation of Plot 1 should be omitted. Thereafter, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking and re-enacting that Order), no additional windows shall be inserted above the ground floor on the northern elevation of Plot 1 without the prior consent of the Local Planning Authority.

**Reason:** In order to protect the privacy and amenities of residents in close proximity to the site and to ensure compliance with Policies SP6 and HO2 of the Carlisle District Local Plan 2015-2030.

8. The dwellings, hereby approved, identified as Plots 1 and 2 on drawing number 3002/3A shall not be occupied until such time as the 1.8 metre high concrete post and timber fence along the eastern (rear) boundary has been erected and thereafter the fence shall remain in situ in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In order to protect the privacy and amenities of residents in close proximity to the site in accordance with Policies SP6 and HO2 of the Carlisle District Local Plan 2015-2030.

9. Notwithstanding the details contained with drawing no. 3002/03A in respect of the location of the tree and hedge protection barriers. No development shall commence on the site, including site works of any description, until a protective fence in accordance with Fig. 2 in B.S. 5837: 2012 shall be erected around the retained tree and hedges at the extent of the Root Protection Area as calculated using the formula set out in B.S. 5837. Within the areas fenced off no fires should be lit, the existing ground level shall be neither raised nor lowered, and no materials, temporary buildings or surplus soil of any kind shall be placed or stored thereon. The fence shall thereafter be retained at all times during construction works on the site.

**Reason:** In order to ensure that adequate protection is afforded to all trees/hedges to be retained on site in support of Policies GI6 of the Carlisle District Local Plan 2015-2030.

10. No work associated with the construction of the residential unit 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 statutory holidays).

**Reason:** To prevent disturbance to nearby occupants in accordance with Policy H2 of the Carlisle District Local Plan 2001-2016.

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

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

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

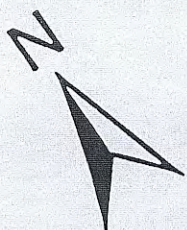
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**SCALE : 1-2500**

28 JUN 2016



HEDGE PROTECTION FENCE  
SITED 2.0m FROM HEDGE

PRIVATE SHARED  
DRIVEWAY  
4.1 m WIDE  
WITH LOW KERB

PARKING

DESIGNATED AREA FOR  
CONTRACTORS VEHICLES,  
MATERIALS & SKIP STORAGE

CONCRETE POST & TIMBER  
PANEL FENCE 1.8m HIGH

CONCRETE POST & TIMBER  
PANEL FENCE 1.8m HIGH

TURNING HEAD  
11.0m LONG  
6.0m RADIUS

PARKING

SERVICE STRIP  
2.0m WIDE

PARKING

CONCRETE POST & TIMBER  
PANEL FENCE 1.8m HIGH

PARKING

RECEIVED  
28 JUN 2016  
16/0599

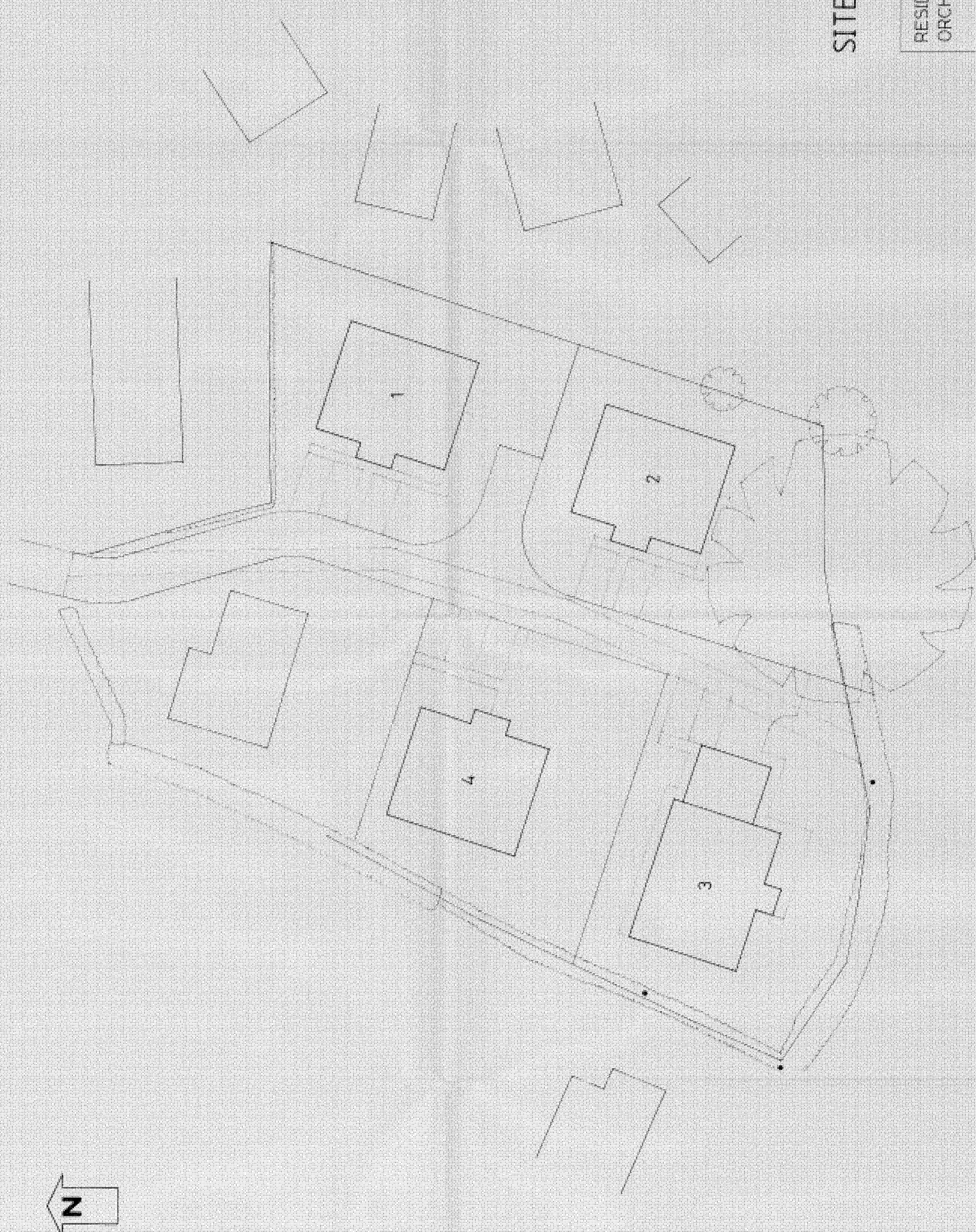
**PROPOSED RESIDENTIAL DEVELOPMENT  
ORCHARD GARDENS - HOUGHTON  
SITE PLAN**

TO CONNECTION WITH PRIVATE  
SURFACE WATER SEWER

TO CONNECTION WITH  
PUBLIC FOUL SEWER



**PROPOSED RESIDENTIAL DEVELOPMENT  
ORCHARD GARDENS - HOUGHTON  
SITE PLAN - DRAINAGE**

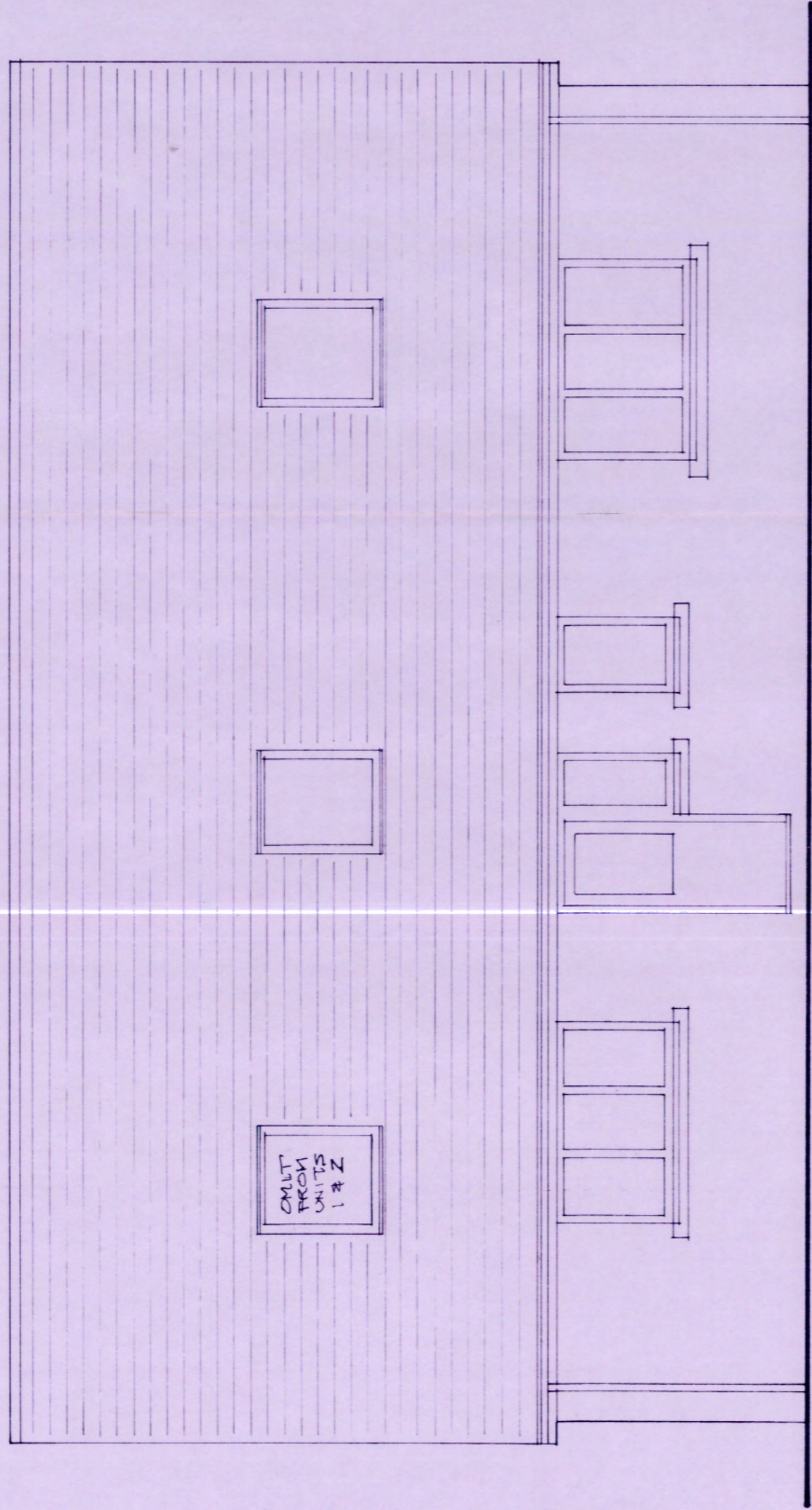


28 JUN 2015  
10/5/2014

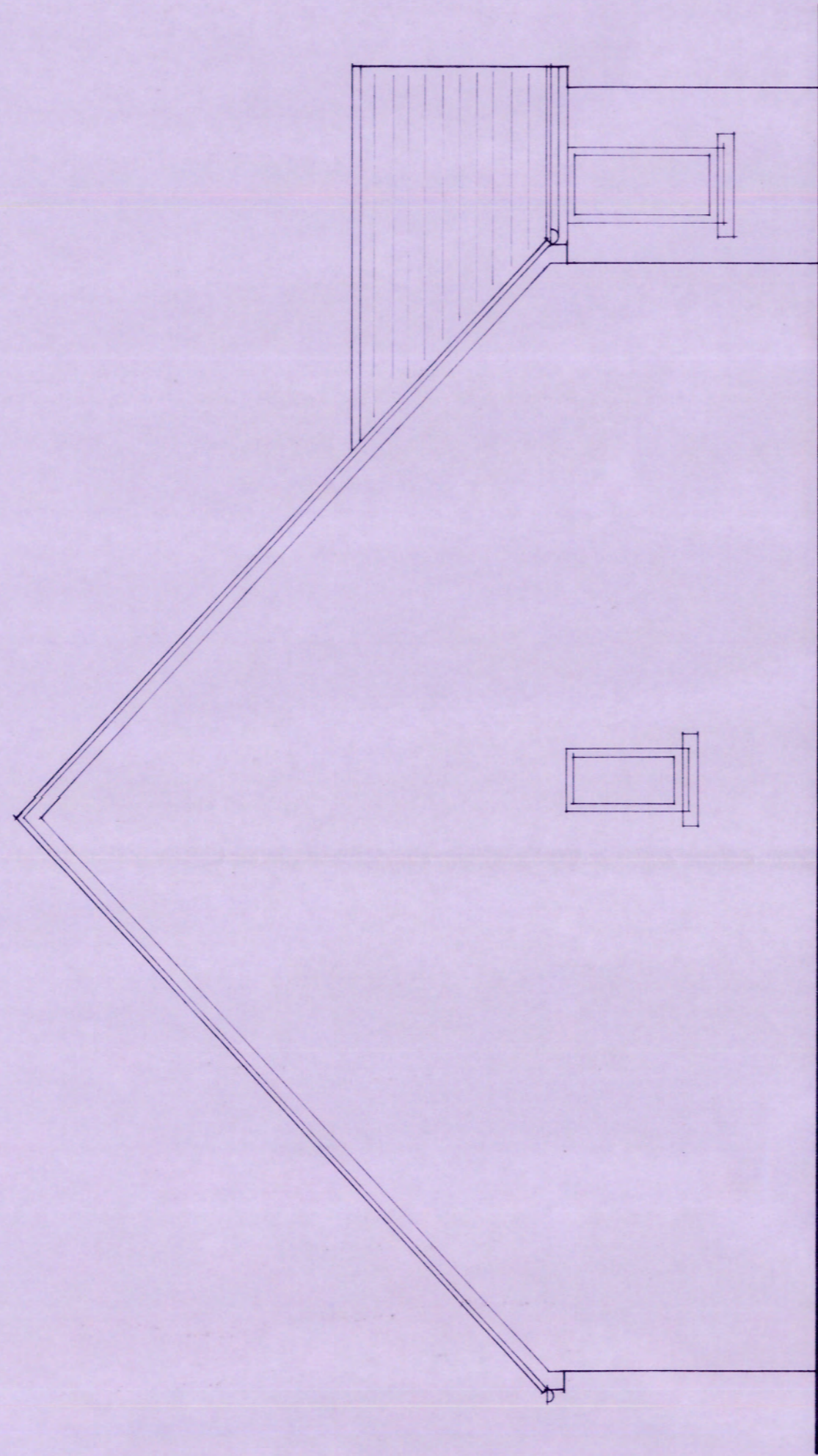
# SITE PLAN

RESIDENTIAL DEVELOPMENT  
ORCHARD GARDENS -- HOUGHTON

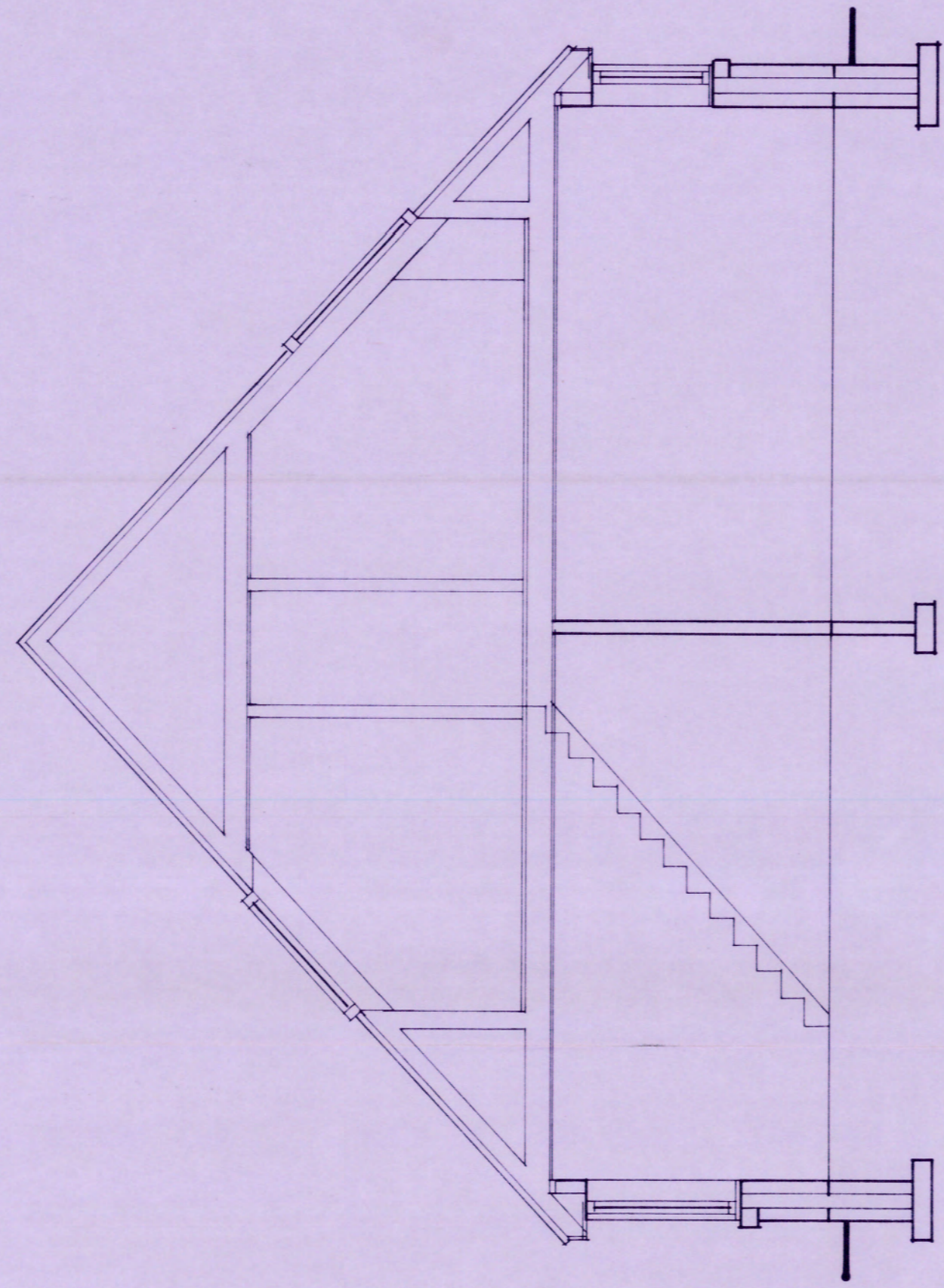
DRG. NO. 100213	JOHN GORDON ARCHITECTURAL SERVICES
SCALE: 1:200	47 SCOTLAND ROAD CARLISLE CA3 9HS TEL: 01286 543399
DATE: MAY 2014	



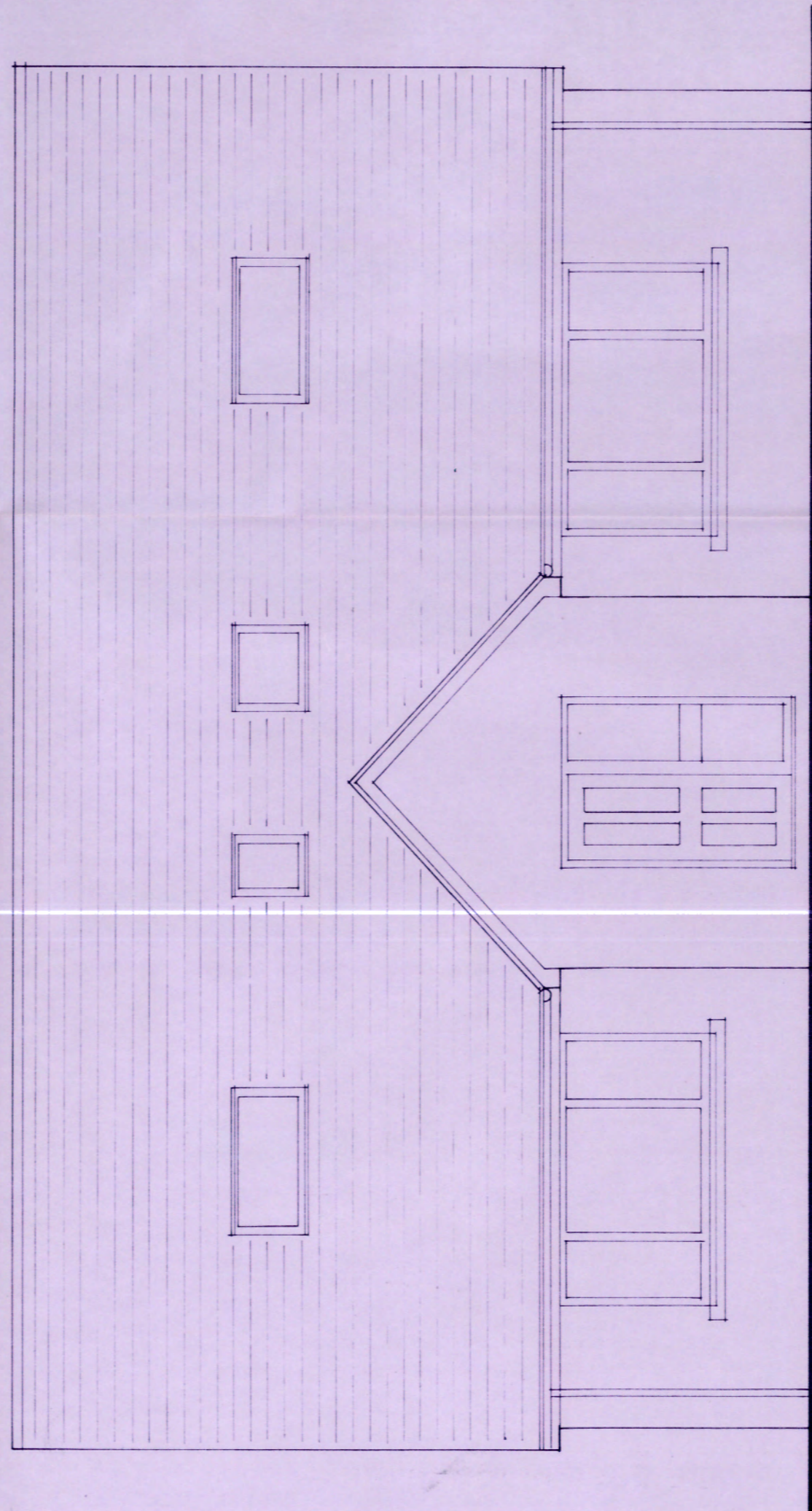
REAR



SIDE

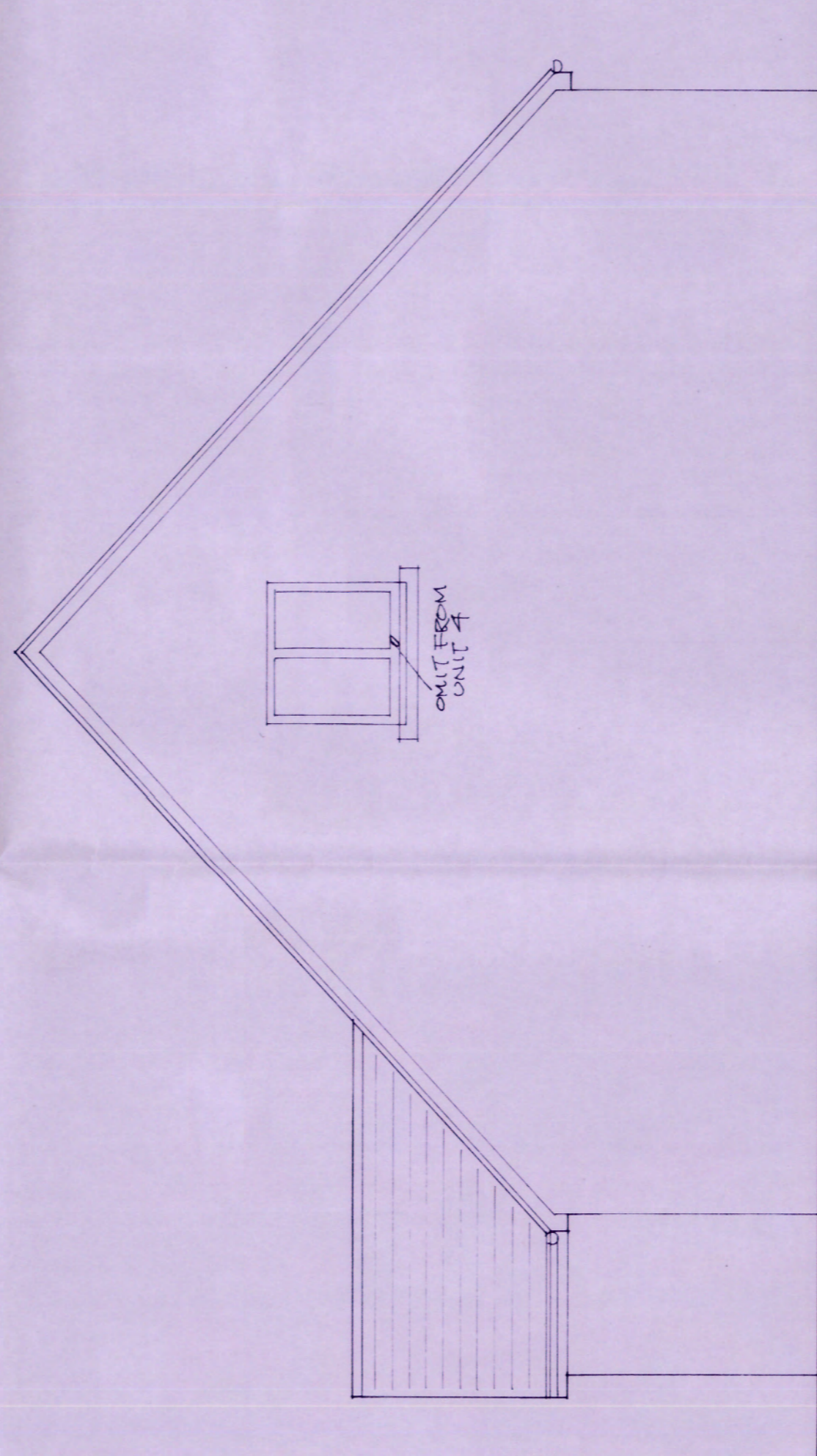


SECTION



FRONT

MATERIALS.  
Roof : Grey concrete tiles  
Walls : Antique Orange Clump brick  
Windows \* Doors : Brown uPVC



SIDE

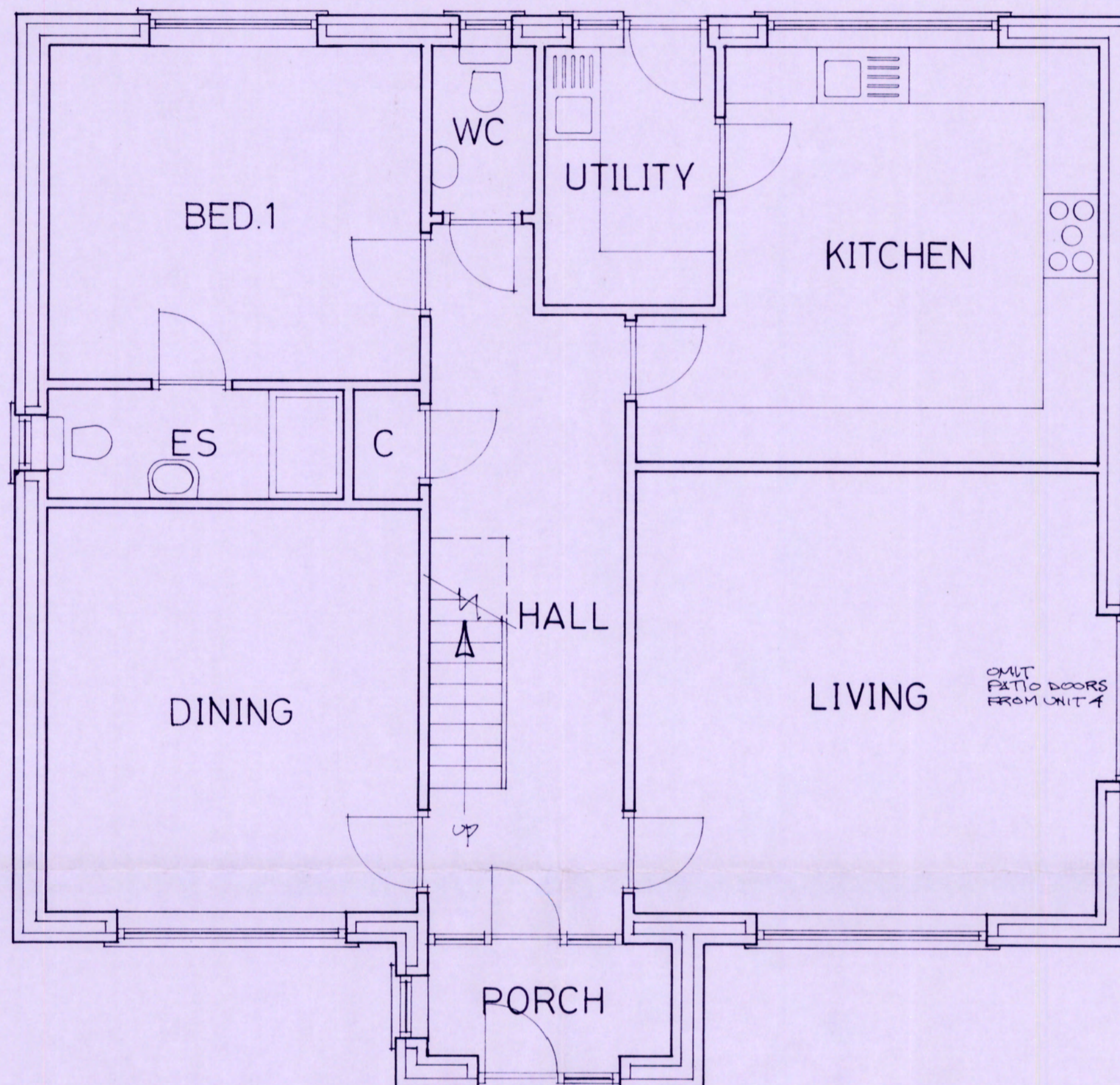
## UNITS 1,2,4 ELEVATIONS

RECEIVED  
28 JUN 2016  
16/0597

RESIDENTIAL DEVELOPMENT  
ORCHARD GARDENS - HOUGHTON

DRG. No. 3002/7  
SCALE: 1-50  
DATE: MAY 2014

JOCK GORDON  
ARCHITECTURAL SERVICES  
47 SCOTLAND ROAD  
CARLISLE CA3 9HS  
Tel: 01228 543688



UNITS 1,2,4

GROUND FLOOR PLAN

28 JUN 2016  
16/0597

RESIDENTIAL DEVELOPMENT  
ORCHARD GARDENS - HOUGHTON

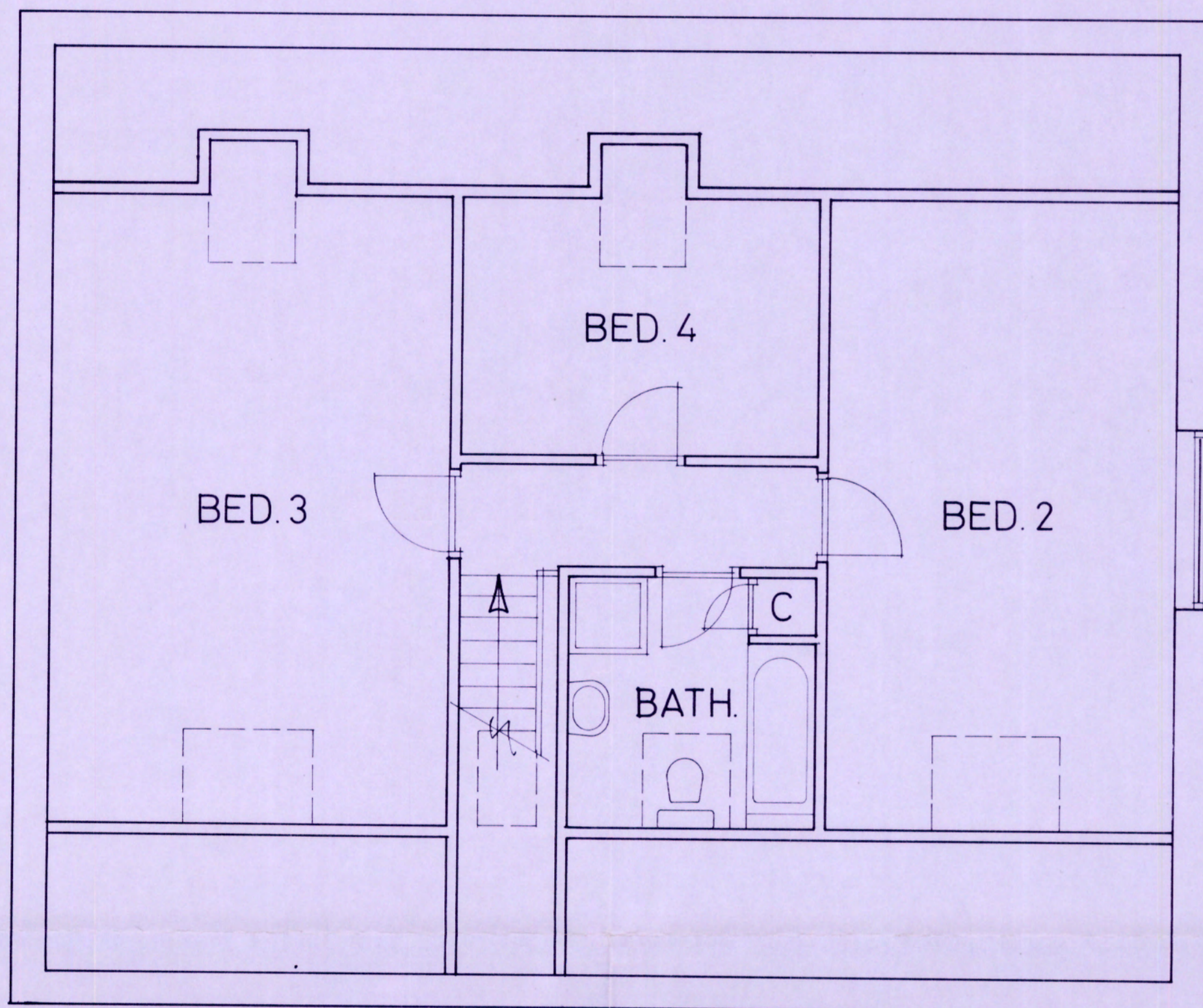
DRG. No. 3002/4

SCALE: 1-50

DATE: MAY 2014

**JOCK GORDON  
ARCHITECTURAL SERVICES**

47 SCOTLAND ROAD  
CARLISLE CA3 9HS  
Tel: 01228 543289



UNITS 1,2

FIRST FLOOR PLAN

28 JUN 2016

1810597

RESIDENTIAL DEVELOPMENT  
ORCHARD GARDENS - HOUGHTON

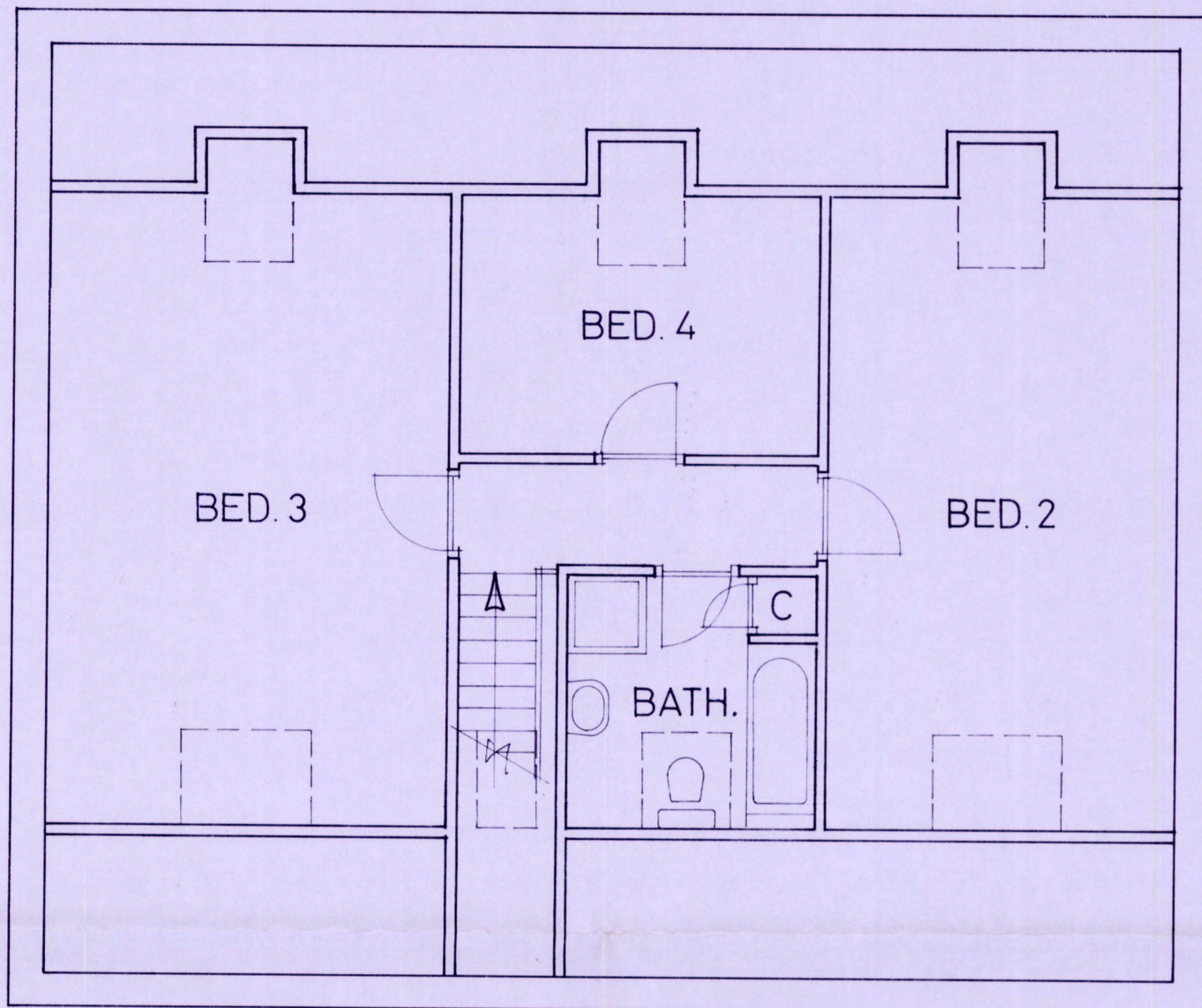
DRG. No. 3002 / 5

SCALE: 1-50

DATE: MAY 2014

**JOCK GORDON  
ARCHITECTURAL SERVICES**

47 SCOTLAND ROAD  
CARLISLE CA3 9HS  
Tel: 01228 543289



UNIT 4

FIRST FLOOR PLAN

RECEIVED  
28 JUN 2016  
16/0597

RESIDENTIAL DEVELOPMENT  
ORCHARD GARDENS – HOUGHTON

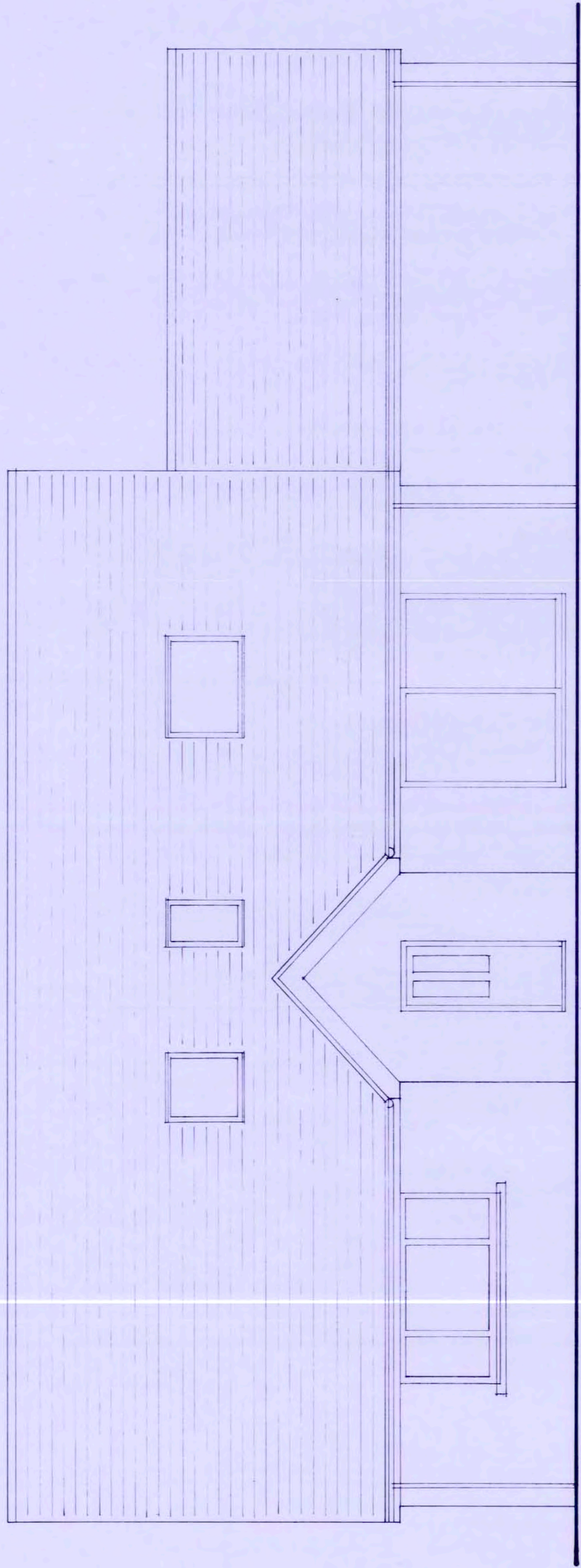
DRG. No. 3002/6

SCALE: 1-50

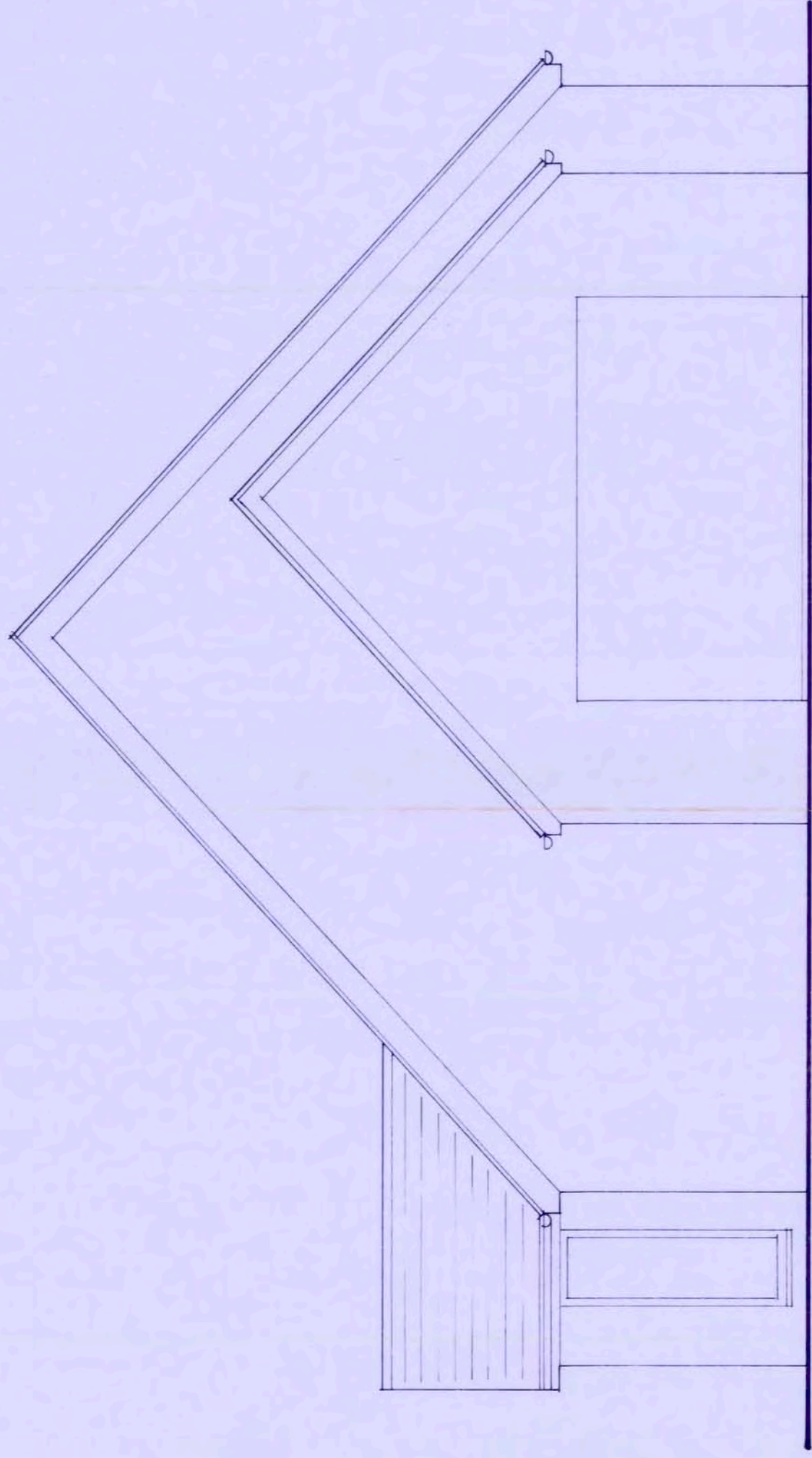
DATE: MAY 2014

**JOCK GORDON  
ARCHITECTURAL SERVICES**

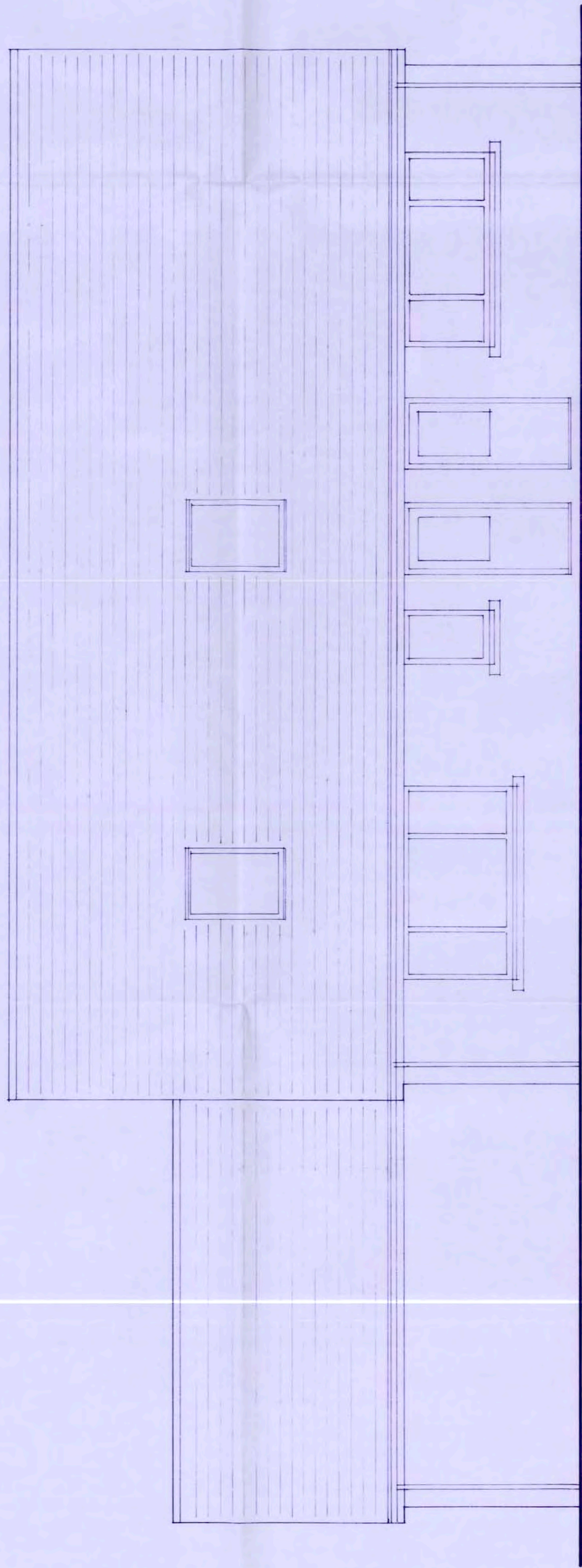
47 SCOTLAND ROAD  
CARLISLE CA3 9HS  
Tel: 01228 543289



SOUTH

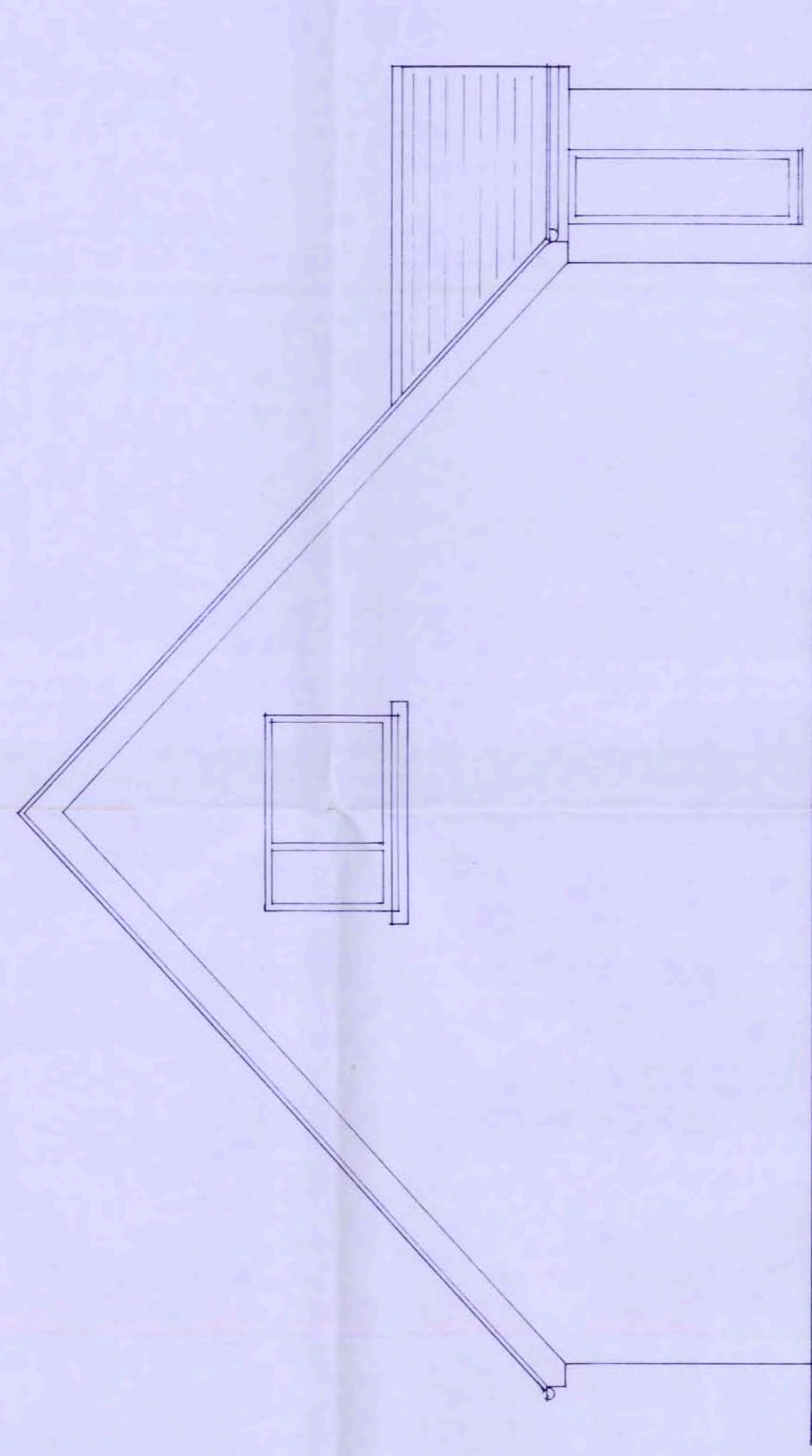


EAST



NORTH

MATERIALS:  
Roof : Clay concrete tiles  
Walls : Antique Orange Clamp brick  
Windows & Doors : Biennu upvc



WEST

## UNIT 3

## ELEVATIONS

RECEIVED  
28 JUN 2016  
15/05/17

RESIDENTIAL DEVELOPMENT  
ORCHARD GARDENS – HOUGHTON

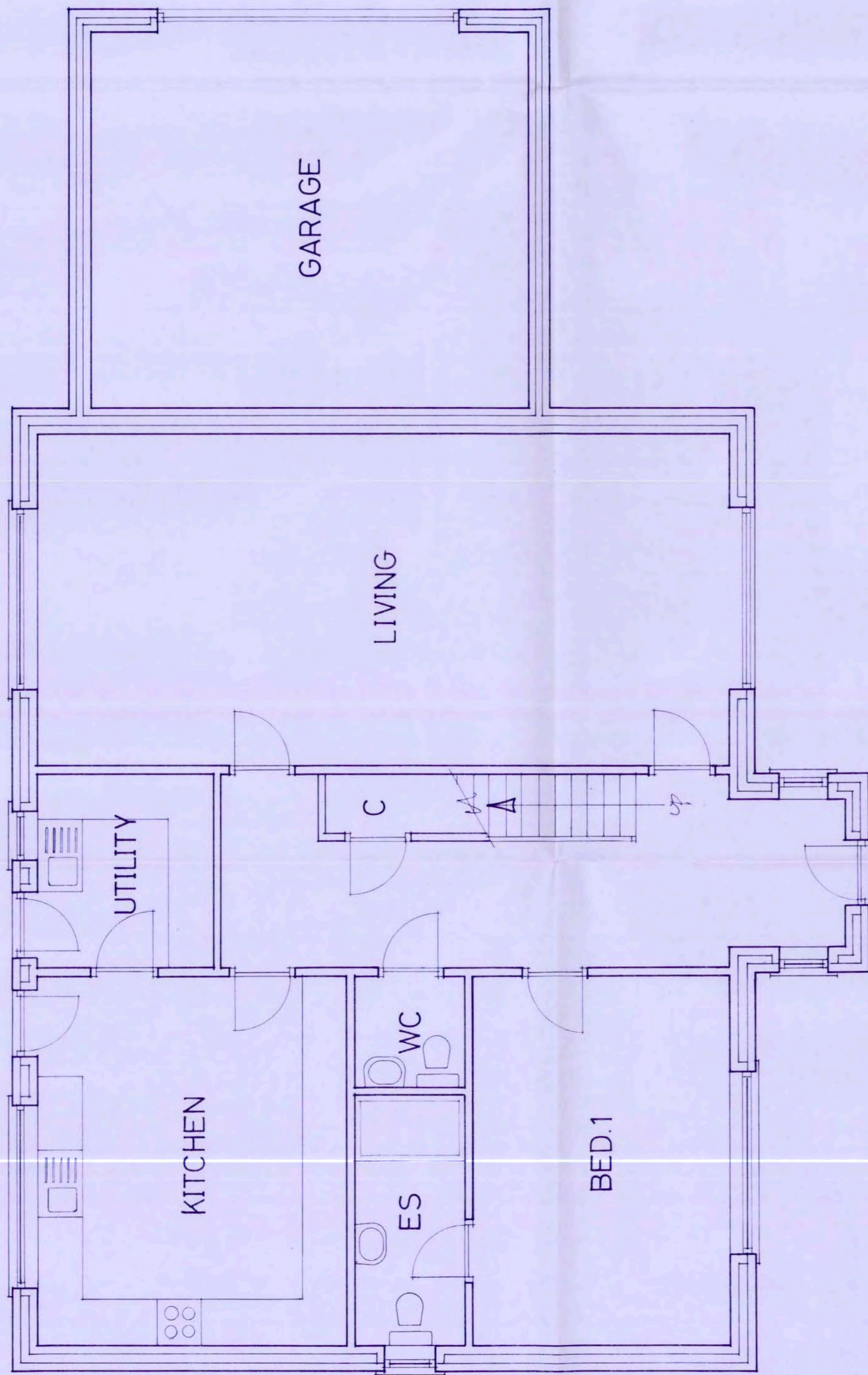
DRG. No. 3002/9

SCALE: 1-50

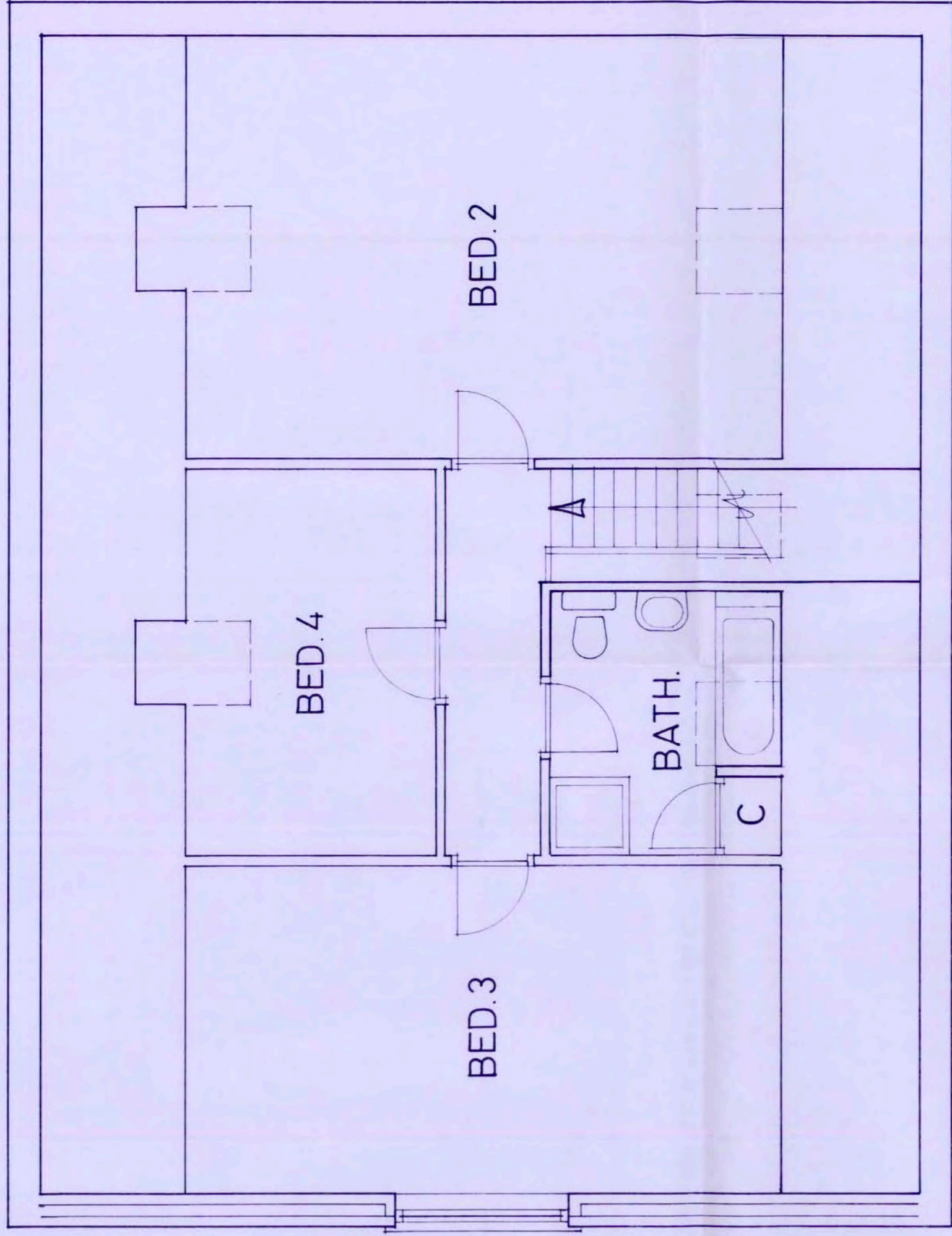
DATE: MAY 2014

JOCK GORDON  
ARCHITECTURAL SERVICES

47 SCOTLAND ROAD  
CARLISLE CA3 9HS  
Tel: 01228 543689



GROUND FLOOR



FIRST FLOOR

9002 NIT 8 2

UNIT 3

RECEIVED  
28 JUN 2015  
15/0597

FLOOR PLANS

RESIDENTIAL DEVELOPMENT ORCHARD GARDENS - HOUGHTON	
DRG. NO. 3002/8 SCALE: 1-50 DATE: MAY 2014	JOCK GORDON ARCHITECTURAL SERVICES 47 SCOTLAND ROAD CARLUISLE CA3 9HS TEL: 01228 543289

## SCHEDULE A: Applications with Recommendation

17/0464

Item No: 04

Date of Committee: 07/07/2017

**Appn Ref No:**  
17/0464

**Applicant:**  
Miss Rachael Peckford

**Parish:**  
Carlisle

**Agent:**  
D Brown Building & Joinery  
Limited

**Ward:**  
Belah

**Location:** 28 Pinecroft, Carlisle, CA3 0DB

**Proposal:** Erection Of First Floor Extension Providing 1no. Bedroom With En-Suite

**Date of Receipt:**  
24/05/2017

**Statutory Expiry Date**  
19/07/2017

**26 Week Determination**

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### REPORT

**Case Officer:** Suzanne Osborne

#### 1. Recommendation

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

#### 2. Main Issues

- 2.1 Whether The Proposal Is Appropriate To The Dwelling And Impact Upon The Existing Street Scene;
- 2.2 Impact Of The Proposal On The Living Conditions Of Neighbouring Residents;
- 2.3 Highway Impacts;
- 2.4 Impact Upon Biodiversity; and
- 2.5 Other Matters.

#### 3. Application Details

##### The Site

- 3.1 Number 28 Pinecroft is a two storey detached property located on the western side of Pinecroft in Belah. The property is constructed from brick walls under a tiled roof and is surrounded by two storey residential properties to the east and south- west. Bungalows are located to the north and

north-west.

## **The Proposal**

- 3.2 The application seeks full planning permission for the erection of a first floor extension above the existing garage, attached to the north-eastern side of the property, to provide 1no. en-suite bedroom. The submitted plans illustrate that the proposed extension will be constructed from materials to match those of the existing dwelling.
- 3.3 The submitted plans also show an existing wooden pillar to the front of the property being changed to brick and the erection of a dwarf wall. These alterations however do not require planning permission.

## **4. Summary of Representations**

- 4.1 This application has been advertised by means of notification letters sent to 5 neighbouring properties. At the time of preparing the report no verbal or written representations have been received.

## **5. Summary of Consultation Responses**

Cumbria County Council - (Highways & Lead Local Flood Authority): - no objection;  
Northern Gas Networks: - no objection standing advice received.

## **6. Officer's Report**

### **Assessment**

- 6.1 Section 54a of the Town and Country Planning Act 1990/Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that an application for planning permission is determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.
- 6.2 The relevant planning policies against which the application is required to be assessed are the National Planning Policy Framework (NPPF), the Planning Practice Guidance (PPG) and Policies SP6, H08 and GI3 of the Carlisle District Local Plan (CDLP) 2015-2030. The City Council's Supplementary Planning Document (SPD) 'Achieving Well Designed Housing' is also a material planning consideration in the determination of this application.
- 6.3 The proposal raises the following planning issues:
- 1. Whether The Proposal Is Appropriate To The Dwelling And Impact Upon The Existing Street Scene**
- 6.4 The NPPF attaches great importance to the design of the built environment recognising that good design is a key aspect of sustainable development, is

indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. The NPPF also indicates that planning decisions should not attempt to impose architectural styles or particular tastes. It is however proper to promote or reinforce local distinctiveness.

- 6.5 The relevant design policies of the CDLP seek to ensure that proposals respond to the local context in terms of height, scale and massing and by using appropriate materials and detailing. Local landscape character should be respected and development should be fully integrated into its surroundings.
- 6.6 Policy H08 of the CDLP (which relates to house extensions) confirms that house extensions and alterations should be designed to complement the existing building and be visually subservient. Policy H08 goes on to state that proposals should maintain the established character and pattern of the existing street scene and be a positive addition as well as retain gaps between buildings where they are characteristic of the area and contribute to the existing street scene.
- 6.7 The scale and height of the proposed extension is comparable to the existing dwelling. The roof of the first floor extension corresponds with the original dwelling as it has the same roof profile. The fenestration details and materials also match those of the main dwelling. Accordingly, the scale and design of the extension is acceptable.
- 6.8 From the Officer site visit it was evident that other properties within Pinecroft have undertaken similar extensions, as such the proposal would not form a discordant feature within the existing street scene.

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

- 6.9 The City Council's SPD 'Achieving Well Designed Housing' outlines minimum distances between primary facing windows together with primary windows and walls serving habitable rooms in order to protect against loss of amenity and privacy i.e. 21 metres between primary facing windows and 12 metres between primary windows and walls. The proposed development will be compliant with these distances and will therefore not give rise to any undue overlooking.
- 6.10 Given the positioning of residential properties that surround the site in relation to the proposed extension, the proposal would also not have an adverse impact upon the living conditions of the occupiers of any neighbouring properties in terms of loss of light or over dominance.

## **3. Highway Impacts**

- 6.11 The property will change from a 3 to a 4 bedroom dwelling as a result of the

proposed development. The existing garage and incurtilage parking spaces will however still be retained. The relevant Highways Authority have been consulted on the proposal and has raised no objections. As there are no objections from the statutory consultee it is not considered that the proposal would have an adverse impact upon existing highway conditions.

#### **4. Impact Upon Biodiversity**

- 6.12 The Councils GIS Layer has identified that the site has the potential for several key species to be present within the vicinity. Given the scale and nature of the proposal it is unlikely that the development would harm a protected species or their habitat.

#### **5. Other Matters**

- 6.13 The human rights of the occupiers of the neighbouring properties have been properly considered and taken into account as part of the determination of the application. Several provisions of the Human Rights Act 1998 can have implications in relation to the consideration of planning proposals, the most notable being:

**Article 6** bestowing the "Right to a Fair Trial" is applicable to both applicants seeking to develop or use land or property and those whose interests may be affected by such proposals;

**Article 7** provides that there shall be "No Punishment Without Law" and may be applicable in respect of enforcement proceedings taken by the Authority to regularize any breach of planning control;

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

- 6.14 Article 1 of Protocol 1 relates to the "Protection of Property" and bestows the right for the peaceful enjoyment of possessions. This right, however, does not impair the right to enforce the law if this is necessary, proportionate and there is social need.
- 6.15 Article 8 and Article 1 Protocol 1 are relevant but the impact of the development in these respects will be minimal and the separate rights of the individuals under this legislation will not be prejudiced. If it was to be alleged that there was conflict it is considered not to be significant enough to warrant the refusal of permission.

#### **Conclusion**

- 6.16 On balance the proposed extension is appropriate in terms of scale and design to the existing dwelling and will not have a detrimental impact upon the character/appearance of the surrounding area or the living conditions of the occupiers of any residential properties. The development will also not have an adverse impact upon highway safety or biodiversity. Overall, the proposal is compliant with the objectives of the relevant Development Plan Policies and approval is recommended.

## **7. Planning History**

- 7.1 There is no relevant planning history on this site.

## **8. Recommendation: Grant Permission**

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

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

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

1. the submitted planning application form received 24th May 2017;
2. the site location plan received 24th May 2017;
3. the block plan received 24th May 2017;
4. the existing floor plans received 24th May 2017;
5. the existing elevations received 24th May 2017;
6. the proposed floor plans received 24th May 2017;
7. the proposed elevations received 24th May 2017;
8. the Notice of Decision; and
9. any such variation as may subsequently be approved in writing by the Local Planning Authority.

**Reason:** To define the permission.

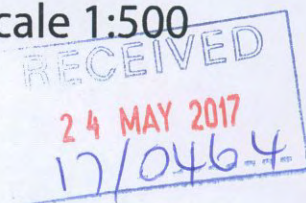
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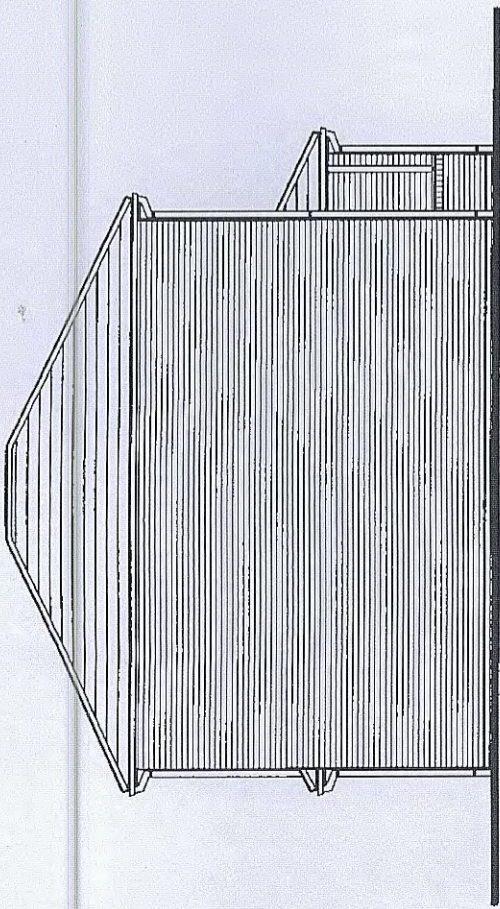


28 Pinecroft, Carlisle  
LOCATION PLAN  
Mr E Duncan and RE Peckford  
Scale 1:1250

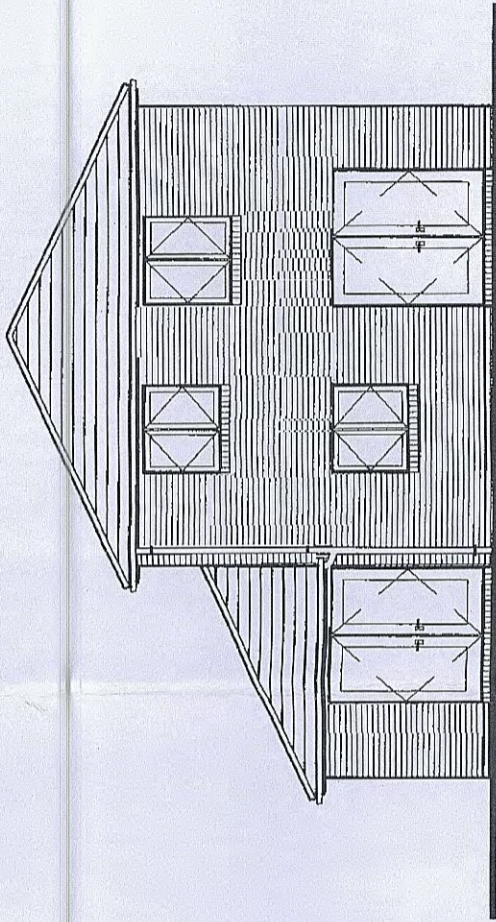


28 Pinecroft, Carlisle  
Mr E Duncan and Miss RE Peckford  
**BLOCK PLAN**  
Scale 1:500

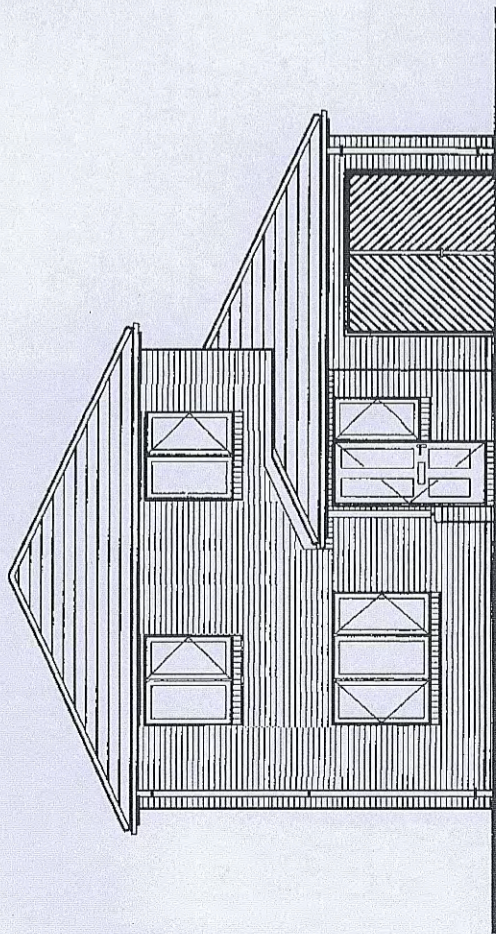




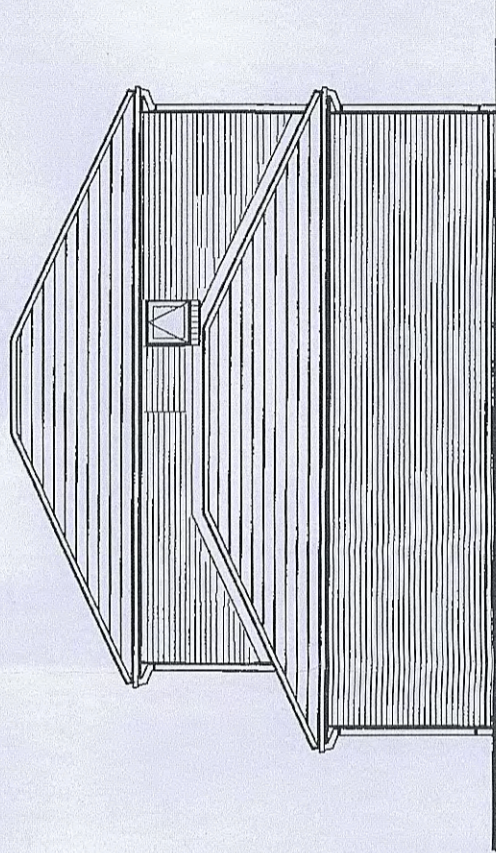
SIDE ELEVATION



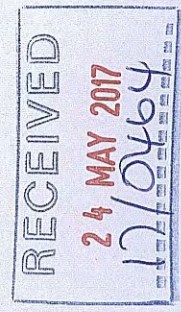
REAR ELEVATION



FRONT ELEVATION



SIDE ELEVATION

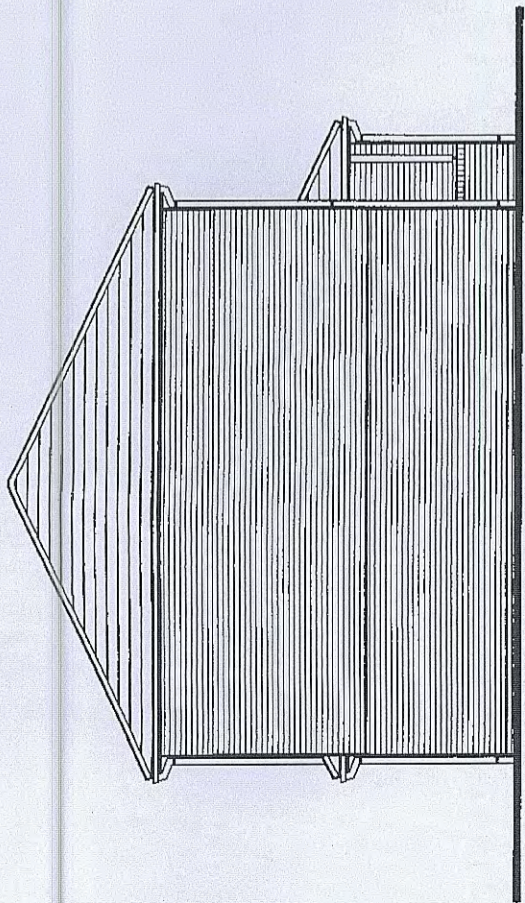


28 Pinecroft, Carlilse  
Mr E Duncan and Miss RE Peckford

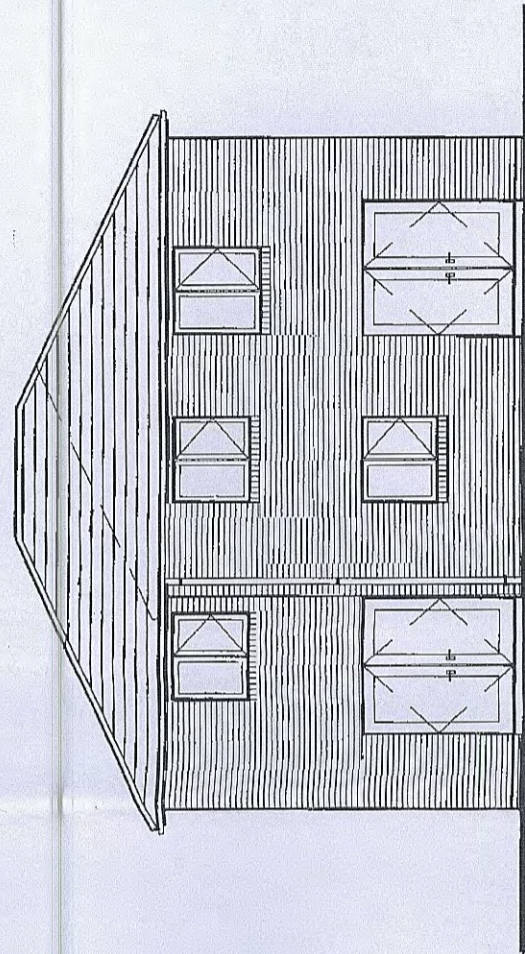
EXISTING ELEVATIONS

Scale 1:100

Indicates Existing Roofline

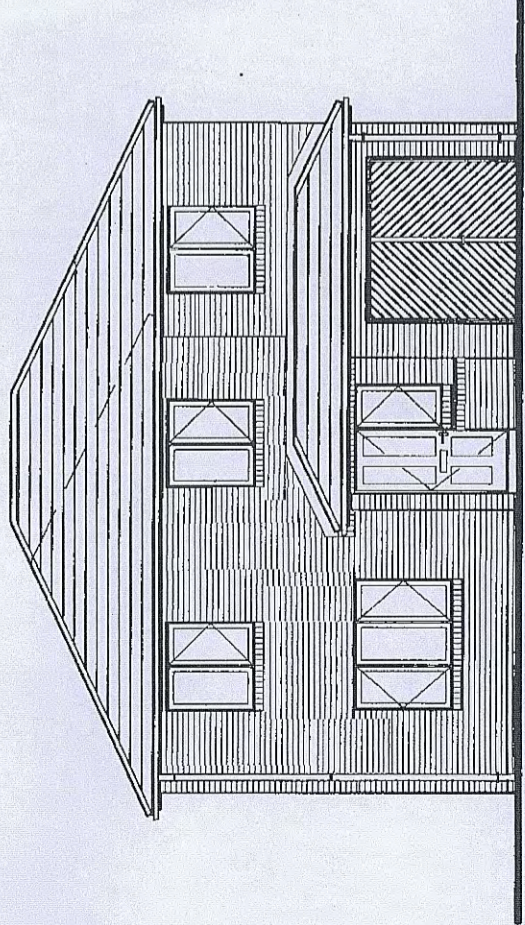


SIDE ELEVATION

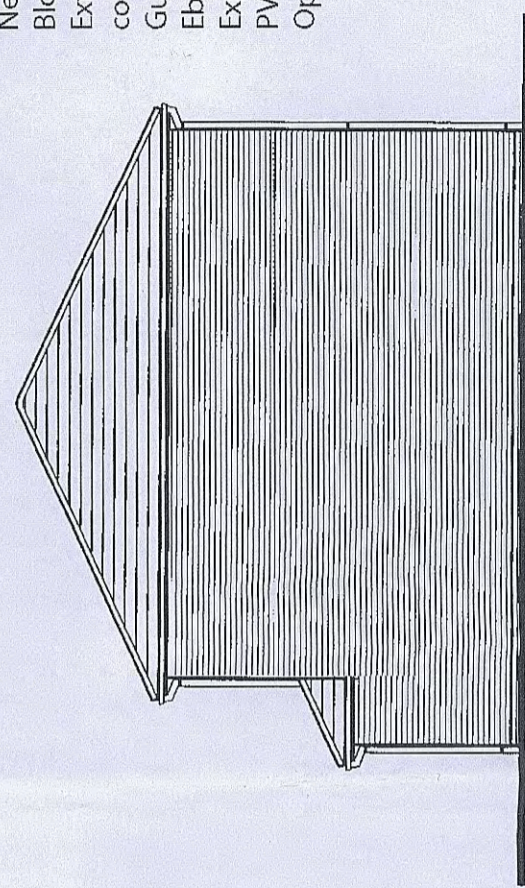


REAR ELEVATION

Indicates Existing Roofline



FRONT ELEVATION



SIDE ELEVATION

Notes:

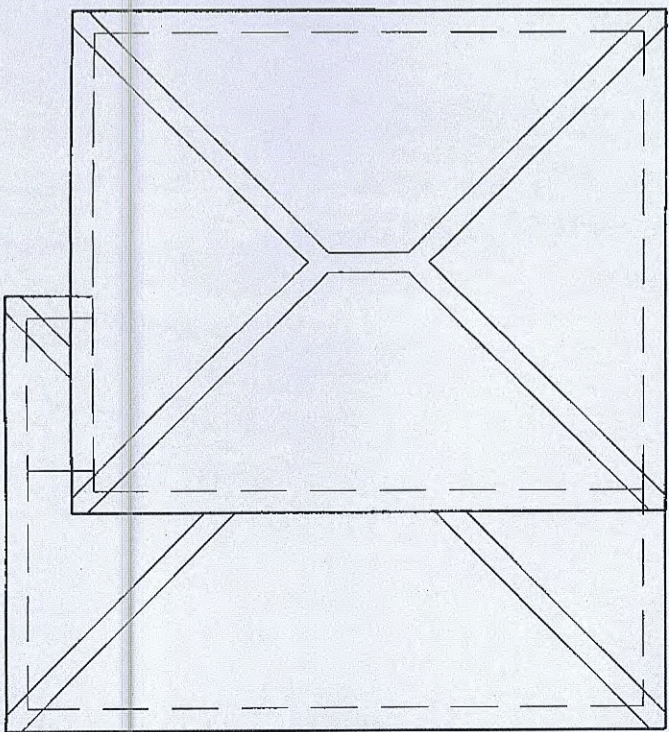
- Existing roof tiles, hips and ridges removed as Necessary and set aside for re-use.
- Refit previously set aside profiled roof tiles (make up balance to match existing) and bed
- Ridges/hips in coloured cement mortar to match Existing.
- New extension to be constructed in concrete Blockwork internal leaf. Facing brickwork used for External leaf, all to match existing in coloured cement mortar to current Building Regulations.
- Gutters and downpipes to match existing
- Ebony stained fascia board, open soffit and Exposed rafter feet all to match existing.
- PVCu windows (obscure glazed to en-suite) Opening as shown, to match existing.



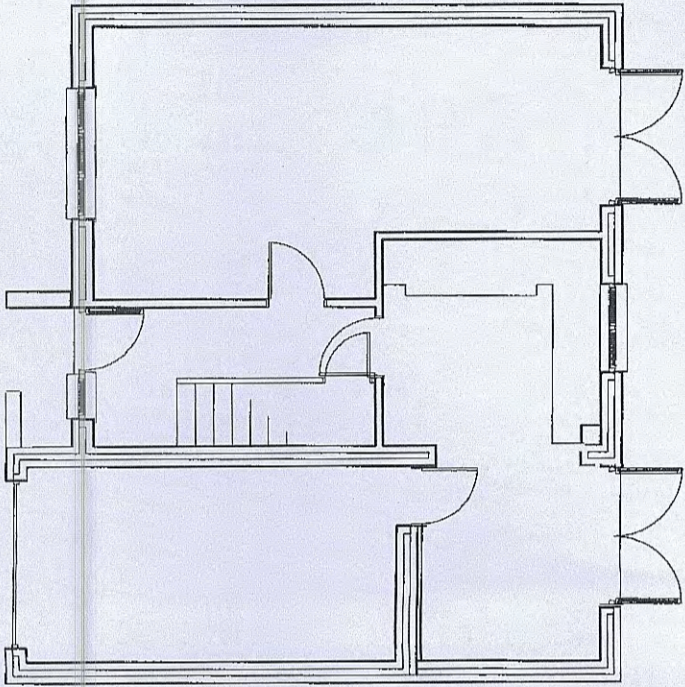
28 Pinecroft, Carlilse  
Mr E Duncan and Miss RE Peckford

PROPOSED ELEVATIONS

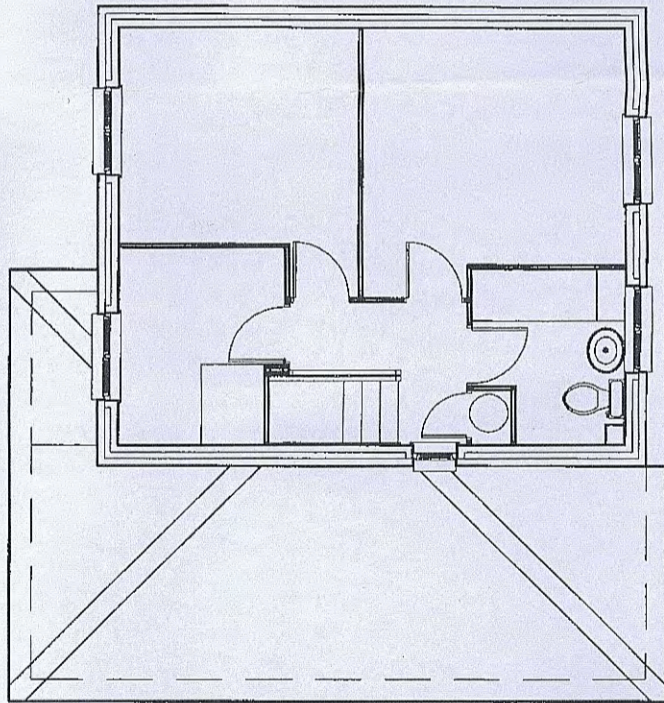
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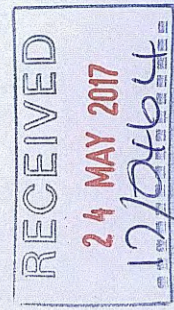
ROOF PLAN



GROUND FLOOR PLAN



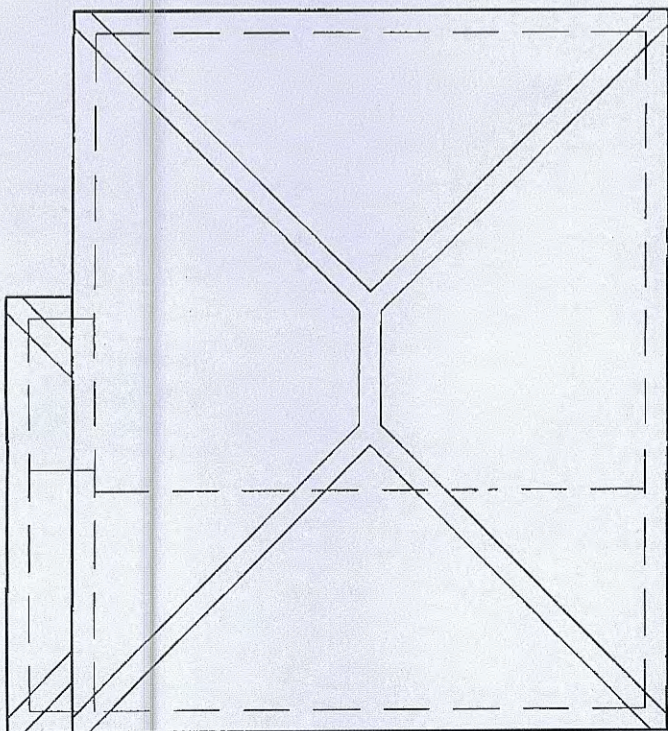
FIRST FLOOR PLAN



28 Pinecroft, Carlisle  
Mr E Duncan and Miss RE Peckford

EXISTING PLANS

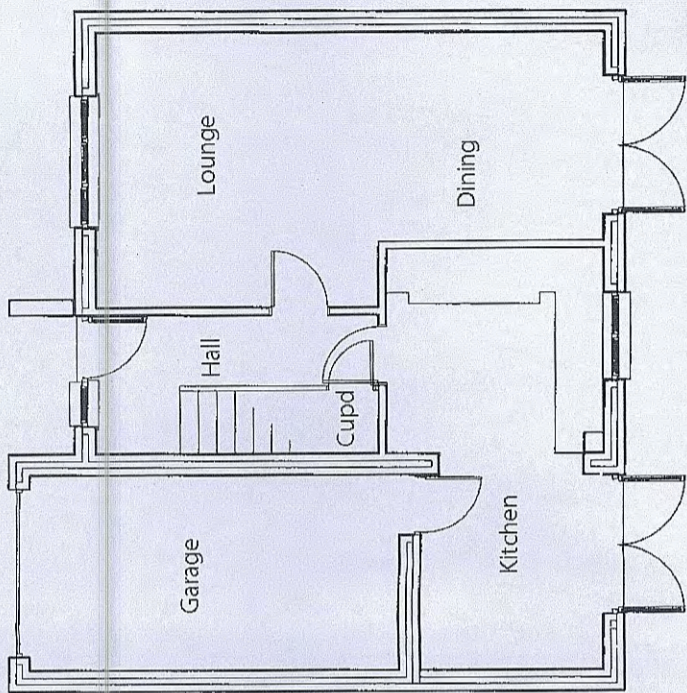
Scale 1:100



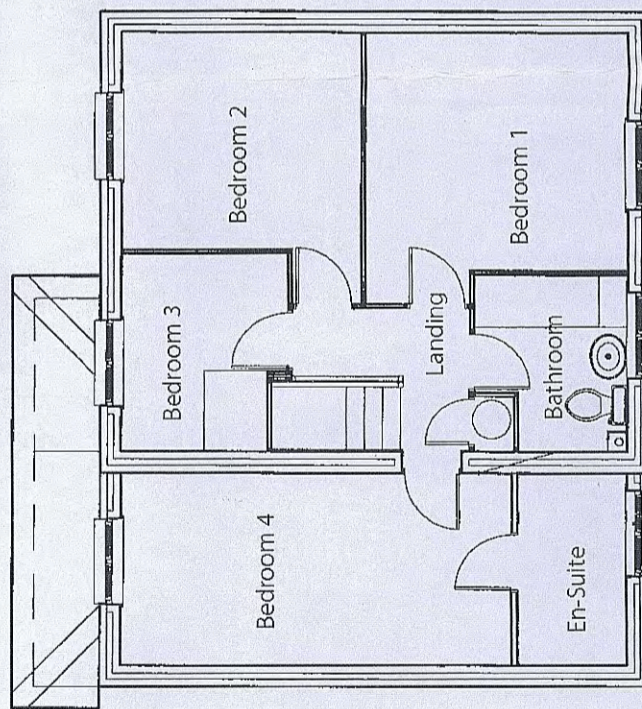
New First Floor Extension

Extent of Existing First Floor

## ROOF PLAN



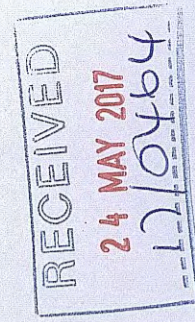
## GROUND FLOOR PLAN



New First Floor Extension

Extent of Existing First Floor

## FIRST FLOOR PLAN



28 Pinecroft, Carlisle  
Mr E Duncan and Miss RE Peckford

## PROPOSED PLAN

Scale 1:100



## SCHEDULE A: Applications with Recommendation

16/1070

Item No: 05

Date of Committee: 07/07/2017

**Appn Ref No:**  
16/1070

**Applicant:**  
Mr Hansel

**Parish:**  
Irthington

**Agent:**  
Irthing Developments Ltd

**Ward:**  
Stanwix Rural

**Location:** Heads Wood Farmhouse, Newtown, Irthington, Carlisle, CA6 4PE

**Proposal:** Provision Of 5no. Glamping Pods Together With Conversion Of Existing Stable Block To Provide 4no. Camping Units, Reception/Self-Service Lounge and Laundry

**Date of Receipt:**  
12/12/2016

**Statutory Expiry Date**  
06/02/2017

**26 Week Determination**  
30/09/2017

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### REPORT

**Case Officer:** Barbara Percival

#### 1. Recommendation

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

#### 2. Main Issues

- 2.1. Principle of development
- 2.2 Impact of the proposal on landscape character
- 2.3 Impact of the proposal on the setting of the World Heritage Site and archaeology
- 2.4 Whether the scale and design of the proposal is acceptable
- 2.5 Impact on the living condition of the occupiers of neighbouring properties
- 2.6 Impact of the proposal on highway safety
- 2.7 Impact of the proposal on public rights of way
- 2.8 Method for the disposal of foul and surface water
- 2.9 Impact of the proposal on biodiversity

#### 3. Application Details

##### The Site

- 3.1 The application site, a former farmsteading, is located in a relatively isolated location north east of Newtown, Irthington. Immediately opposite, Heads Wood Farmhouse and its associated outbuildings are two further residential properties, Freshfields and Heads Wood Barn. Hadrian's Wall Path runs through the application site to the west of Heads Wood Farmhouse.
- 3.2 Access to Heads Wood Farmhouse, Freshfields and Heads Wood Barn is along several adopted county highways before joining onto a private single track access lane. Namely, the A6071 Brampton to Longtown trunk road, the U1100 and the U1099 before joining the single lane private access track, approximately 205 metres in length. Other residential properties and businesses located along the minor county highways consist of The Hawthorns (adjacent the U110) and Hadrian Riding Centre (adjacent the U1099).

### **The Proposal**

- 3.3 The application seeks full planning permission for the siting of 5 glamping pods together with the conversion of an existing stable block into 4 camping units, reception/self-service lounge and laundry.
- 3.4 The submitted documents and drawings outline that the 5 glamping pods, located on a disused menage, would be 6 metres long by 2.65 metres wide with a maximum height of 2.6 metres. Finished in Redwood Cedar featheredge boards the accommodation provided in each pod would consist of: covered porch; open-plan kitchen/living area/bedroom; and shower room with w.c. Two of the pods would have parking provision adjacent to them whilst there would be a further four parking spaces to the north west of the glamping pods to serve the proposed development.
- 3.5 The existing detached former stable block, currently used for domestic storage, would be converted to provide 4 camping units each providing the following accommodation: open-plan kitchen/living area/bedroom; and a shower room. A reception/self-service lounge, w.c., and laundry would also be provided within the stable block. The southern roof slope will be extended to provide a covered raised decked area with access steps which would wrap around the eastern gable elevation of the stable block. Existing openings on the northern elevation would be block up with new openings formed in the southern elevation.

## **4. Summary of Representations**

- 4.1 This application has been advertised by the direct notification of three neighbouring properties and the posting of Site and Press Notices. In response, three representations of objection have been received to the original proposal.
- 4.2 The representations identifies the following issues in respect of the original proposal:

1. support limited development of either camping barn or pods but not both;
  2. given the scale of the development questions if it would be used by walkers only;
  3. support use of development by walker but not unrestricted use by visitors with vehicles as highway and access track inadequate;
  4. scale of development 15 units and cafe inappropriate in rural location;
  5. detrimental impact on adopted highway and private lane due to cumulative use of this development and riding stables;
  6. lack of passing places on narrow highway and private track;
  7. the use of the proposed cafe during the evening may have the potential to increase access to the development by vehicles;
  8. have right of access along private road leading to development with a 25% responsibility for maintenance. Increase use of this road by the development would increase third party liabilities;
  9. questions the adequacy and location of foul and surface drainage methods;
  10. increase in noise and disturbance;
  11. loss of privacy.
  12. questions the need for the facility;.
- 4.3 In respect of the revised schemes and additional information again three representations have subsequently been received. The issues raised to a series of additional information and revisions are as follows:
1. would support a development of either pods or bunkhouse for use by walkers only with no vehicular access;
  2. concerns remain as original proposal despite proposal being scaled down;
  3. the bunkhouse has the potential to provide accommodation for 16 people with a further 10 people in the pods. By virtue of its use this would lead to unacceptable noise and disturbance to nearby residents;
  4. proposal would lead to loss of privacy and be visually overbearing;
  5. proposal contrary to Policy SP6, EC10, EC11 and IP6 of the Local Plan;
  6. scale of commercial enterprise would exceed current residential

- population by 4 to 1 which is unacceptable;
7. proposal out of scale with surroundings;
  8. the Planning Statement whilst assessing the impact on the World Heritage Site fails to take into account the unacceptable impact on the neighbouring residents;
  9. the application is for walkers only; however, parking is provided;
  10. a condition should be included which would eliminate any confusion and stop the use of the single track road with no passing places by visitors to the proposed development;
  11. there is no additional capacity on the access road for use by the proposal as it is used by the riding school and is already in need of constant repair;
  12. appreciate reduction in scale; however, concerns in respect of increase in traffic remain;
  13. it is reasonable to assume that baggage handling companies would service the pods. If the pods have an occupancy of 100% it is estimated that traffic along the access road would increase between 124% and 281%;
  14. concerned for the safety of the riders at the riding school and other users of the lane;
  15. questions what measures would be put in place to allow for passing places and traffic calming measures;
  16. impact of proposal on existing businesses must be taken into account;
  17. questions the information supplied within the Transport Form;
  18. highway should be upgraded to provide passing places;
  19. questions the suitability of passing place.
  20. additional traffic would have the potential to impact on rider safety at the riding school;
  21. questions the requirement for parking if the development is aimed at walkers;
  22. the development is likely to generate traffic even though it is aimed at walkers due to baggage collection/delivery services.
  23. no dimensions for the pods are annotated on the drawings;
  24. information supplied in respect of operation of riding school is factually

incorrect.

- 25. potential impact on scheduled monument;
- 26. occupation should be limited to seasonal use;
- 27. the site plan does not indicate the septic tank and its discharge;
- 28. questions the adequacy of the proposed sewage disposal methods;
- 29. exacerbate current flooding issues along the route of the outflow from the package treatment plant.

## **5. Summary of Consultation Responses**

Historic England - North West Office: - on the basis of the additional information supplied, Historic England has no objection to the application on heritage grounds. If the Council is minded to grant permission for this development, would suggest a need for a condition to ensure an archaeological watching brief on all excavations associated with the development. Would also seek imposition of an informative to be added to any permission issued, to remind the applicant of the need to obtain scheduled monument consent for all works within the scheduled monument of Hadrian's Wall;

Cumbria County Council - (Highways & Lead Local Flood Authority): - drawing no. S 106 submitted illustrates adequate parking and maneuvering on the site. The track leading to the site is private not adopted and not maintainable at public expense as shown on the attached plan and would not be adopted, this stretch of track (illustrated on drawing no. S 108) highlights a passing place. It would be the U1100 & U1099 highway maintainable at public expense road leading to the private track where the passing places would be required. The applicant would need to contact Streetworks Central for the appropriate permit for work on the adopted highway. Accordingly, the Local Highway Authority and the Lead Local Flood Authority has no objection to this application subject to the imposition of conditions and an informative;

Cumbria County Council - (Highway Authority - Footpaths): - Public Footpath 119007 runs through the development area and must not be altered or obstructed before or after the development has been completed;

The Ramblers: - no response received;

Local Environment: - no objections subject to an informative;

Irthington Parish Council: - members are concerned at increased traffic.

There is no passing place from the riding school to the turn onto the private road;

Natural England - relating to protected species, biodiversity & landscape: - no objection or further comment to make now that the proposal is located entirely within the farmyard curtilage to the west of the Hadrian's Wall national trail;

English Heritage - North West Region: - no objections subject to imposition of condition and informative;

Eskdalemuir Seismic Recording Station: - no response received;

National Air Traffic Services: - proposal does not conflict with safeguarding

criteria;  
Cumbria Constabulary - North Area Community Safety Unit: - no comments or observations to offer in respect of this application;  
Ministry of Defence: - no safeguarding objection.

## **6. Officer's Report**

### **Assessment**

- 6.1 Section 54a of the Town and Country Planning Act 1990/Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that an application for planning permission is determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.
- 6.2 The relevant planning policies against which the application is required to be assessed is the National Planning Policy Framework (NPPF), the Planning Practice Guidance (PPG) and Policies SP2, SP6, EC9, EC10, EC11, IP3, IP6, CC5, HE1, GI1, GI3, GI5 and GI6 of the Carlisle District Local Plan 2015-2030. The Cumbria Landscape Character Guidance and Toolkit (March 2001) is also a material planning consideration.
- 6.3 These proposal raises the following planning issues:
1. Principle Of Development
- 6.4 Whilst the preferred location for new development will be in existing settlements, changes in agriculture over recent decades have resulted in a decline in farm-related jobs. As a result there is now a need to strengthen the economy in rural areas by supporting the sustainable growth and expansion of all types of business and enterprise in rural areas.
- 6.5 Policy EC11 of the Local Plan recognises this and highlights that development proposals which diversify and expand upon the range of sustainable economic activities undertaken in rural areas will be supported and encouraged both through the conversion of existing buildings and well designed new buildings. Any new buildings must be well related to an existing group of buildings to minimise its impact and blend satisfactorily into the landscape through the use of suitable materials, design and siting. Proposals must: be compatible with their existing rural setting; be in keeping, in terms of scale and character, with the surrounding landscape and buildings; include adequate access and car parking arrangements; and not lead to an increase in traffic levels beyond the capacity of surrounding local highway network. These aims are reiterated in Policies EC9 and EC10 both of which supports sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors and which respect the character of the countryside.
- 6.6 The application seeks full planning permission for the siting of five glamping pods together with conversion of an existing stable block to provide four camping units, reception/self-service lounge and laundry at Heads Wood Farmhouse, Newtown, Irthington. As highlighted earlier in the report,

Hadrian's Wall Path runs through the application site to the west of Heads Wood Farmhouse.

- 6.7 The submitted documents outline that: *"this development will provide an unrivaled service to walkers on The Wall whilst maintaining the natural environment with well planned and designed accommodation without having an impact on the surrounding landscape or damaging any part of The Wall"*.
- 6.8 The proposal would involve the conversion of a former stable block into holiday accommodation, albeit not of traditional construction, together with glamping pods along a nationally recognised tourist destination. In overall terms, the principle of development is acceptable; however, landscape character, scale and design, access and parking arrangement; and capacity of highway network will be discussed in more detail below along with other relevant issues.

## 2. Impact Of Proposal On Landscape Character

- 6.9 The Cumbria Landscape Character Guidance and Toolkit (March 2001) (CLCGT) describes the character of different landscape types across the county and provides guidance to help maintain their distinctiveness. The CLCGT identifies that the application site falls within the Cumbria Landscape Character Sub-Type 8b "Broad Valleys". The toolkit advises that key characteristics of this landscape are: wide and deep valleys with open floodplains; rural farmland comprising significant areas of improved pasture; pockets of scrub, woodland and coniferous plantations; hedges and stone walls form a matrix of field boundaries; and roads and railway lines often follow the linear valley contours.
- 6.10 The supporting guidance in respect of recreational development such as caravan sites seeks to minimise the visual impact development has on the character of the area. This the CLCGT highlights could be achieved through careful siting, restrictions on scale and a high standard of design and landscaping.
- 6.11 The proposal seeks the re-use of a former stable block together with the siting of 5 glamping pods on a disused menage. Alterations to the stable block would be relatively minor with the glamping pods occupying an area of previously developed land. Furthermore, the scale, materials and additional/retention of landscaping would soften any perceived visual impact. Accordingly, there would not be such a significant detrimental impact on the character of the area to warrant a refusal of the application.

## 3. Impact of the Proposal On The Setting of The World Heritage Site and Archaeology

- 6.12 The application site is located within Hadrian's Wall World Heritage site . Accordingly, the area is afforded the strongest degree of protection through the planning system. The World Heritage Site has significant historical and archaeological value as well as being important from recreation, social and economic perspectives.

- 6.13 Historic England (HE) has been consulted on the application and outlines that the proposed development lies right across the line of the Roman frontier, with Hadrian's Wall itself running through the northern part of the development site, and the Hadrian's Wall Vallum to the south, a major Roman ditch system imperfectly understood but which seems to have marked the southern limit of a military zone associated with the Wall. As such, although this proposal lies only partially within the protected scheduled monument, its position nevertheless places it in an area of high archaeological sensitivity.
- 6.14 HE raise no objections to the principle of development which it considers could be accommodated without causing unacceptable harm to the Hadrian's Wall World Heritage Site. In respect of the glamping pods, HE outlines in its consultation responses considers that this element of the proposal to use the horse exercise area for this form of low-key discrete development seems a sensible response to an area which no longer serves the purpose that it was constructed for. In consideration of the conversion of the stables, HE considers that this element seems like a perfectly sensible approach to facilities which would otherwise be redundant, and where new build (as opposed to conversion) could represent a more significant archaeological issue.
- 6.15 HE on the basis of the information received and subject to the imposition of a condition and an informative do not wish to offer any further comments. The recommended condition would require a watching brief to be undertaken during any excavation works associated with the development whilst the applicants attention is drawn to the need to obtain Scheduled Monument Consent would be subject to an informative, should Members approve the application.

#### 4. Whether The Scale and Design Of The Proposal Is Acceptable

- 6.16 As highlighted earlier in the report, the conversion of the stable block would involve the southern roof slope being extended to provide a covered raised decked area with access steps which would wrap around the eastern gable elevation of the stable block. Other works would include sealing off existing openings on the northern elevation and forming new openings in the southern elevation.
- 6.17 The glamping pods would be relatively modest in scale, the dimensions of which would be 6 metres long by 2.65 metres wide with a maximum height of 2.6 metres and finished in Redwood Cedar featheredge boards. Furthermore, an existing area of hardstanding would provide parking provision for the development.
- 6.18 In light of the foregoing, the re-use of an existing building together with the overall scale and massing of the pods would not form a discordant feature within the landscape. Furthermore, the use of natural materials on the glamping pods would soften overtime, thereby, mitigating for any perceived visual impact.

## 5. Impact On The Living Conditions Of The Occupiers of Neighbouring Properties

- 6.19 Some of the objections raised by the occupiers of neighbouring properties appear to centre of loss of privacy and intensification of noise and disturbance. The closest residential property and its associated external amenity space, not in the ownership/control of the applicant, Freshfields, would be approximately 17 metres north east of the closest pod and 10 metres from the converted stable block with the proposed parking areas 5 metre from the external amenity space, serving Freshfields. The proposed pods would be so orientated that the external covered seating areas would face south east with proposed landscaping along the northern boundary of the pods. In respect of the proposed converted stable block, the raised external covered decking on the proposed camping units would face south west with landscaping proposed to the west of the stables.
- 6.20 The concerns of the objectors are noted and it is recognised that the development might have the potential to increase noise and disturbance given the relative isolation of the application site and neighbouring residential properties. In mitigation, the development is relatively small scale and given the distance and orientation of the pods and camping units which face away from neighbouring properties it is unlikely that the proposal would have such a significant impact on the living conditions of the occupiers of neighbouring properties through loss of privacy or intensification of noise or disturbance to warrant a refusal of the application. The development would also be managed by the applicant who resides in Heads Wood Farmhouse. Furthermore, the type of accommodation provided would in the majority of cases be used by persons seeking overnight accommodation whilst walking Hadrians Wall Path whom, it is assumed, would have other overnight stays booked along the route, thereby, would have to adhere to a strict timetable. Should any increase in noise and disturbance occur from the development this would be dealt with under Environmental Health Legislation.

## 6. Impact Of The Proposal On Highway Safety

- 6.21 Policy EC9 of the Local Plan seeks to ensure that development proposals should normally be accessible by public transport, walking and cycling. However; for some developments in the rural area this may not be possible. In these cases new development should be able to demonstrate that it has integrated as much as possible with, or is easily accessible from existing green infrastructure routes, including long distance walking routes.
- 6.22 As highlighted earlier in the report, Hadrian's Wall Path passes directly through the application site. Supporting documents outline that the development is primarily aimed people walking the route of The Wall. Nevertheless, the submitted drawings and supporting documentation highlights that 6 visitor parking spaces would be provided to serve the development.
- 6.23 Objections have been raised by neighbours as to the adequacy of the existing

adopted highways and private track to accommodate an potential additional traffic created by the proposal and that of the riding school to the north west of the application site. Other highway safety issues raised in third party representations centre on: the adequacy/accuracy of the submitted Transport Form; parking provision; and provision/adequacy of passing places.

- 6.24 To try and overcome some of the objections in respect of highway safety, revised drawings have subsequently been supplied which illustrates the provision of a passing place within the private access track leading to the development site. Cumbria County Council, as Highway Authority, has also confirmed that a further passing place would also be required within the adopted highway leading to the site. This would be subject to a pre-commencement condition should Members approve the application.
- 6.25 In respect of the other highway issues raised by third parties, Cumbria County Council, as Highway Authority, has confirmed that there are no objections to the application subject to the imposition of conditions. These conditions would require that: the access drive be surfaced in bituminous or cement bound materials; and that there should be no occupation of the units until the access drive has been constructed in accordance with the approved details.
- 6.26 The concerns of the third parties are respected; however, in light of the views of the Highway Authority it would be difficult to substantiate a refusal of the application on highway safety grounds.

#### 7. Impact of The Proposal On Public Rights Of Way 119007

- 6.27 Public Footpath 119007 runs through the development area which forms part of the Hadrian's Wall Path. Cumbria County Council, as Highway Authority in its responsibility for footpaths and rights of way has been consulted and raise no objections to the proposal subject to the imposition of an informative attached to the decision notice should the application be approved. This informative advises that the applicant must not allow the public footpath to be altered or obstructed before or after the development has been completed. If the footpath is to be temporarily obstructed then a formal temporary closure would be required.

#### 8. Method For the Disposal Of Foul and Surface Water

- 6.28 There is a clear policy requirement to provide adequate provision for foul and surface water facilities to ensure that sufficient capacity exists prior to commencement of any development. The submitted documents illustrating that the proposed development would be served by a package treatment plant with surface water to soakaways.
- 6.29 Objections have been raised by third parties in respect of the adequacy of the proposed disposal of both foul and surface water. Citing incidents of flooding which it is assumed occurs when a culverted section of watercourse backs up. Cumbria County Council, as Lead Local Flood Authority (LLFA), in its consultation response acknowledges that it holds records of minor surface water flooding close to the site on the U1099 Highway maintainable road

which leads to the private not maintainable lane. However, the LLFA expands by highlighting that they indicate a 0.1 percent (1 in 1000) chance of occurring each year and the Environment Agency surface water maps do not indicate that the site is in an area of risk. The LLFA has also confirmed that an un-named watercourse is located to the north-east of the field drainage ditch illustrated on the drainage location plan. Accordingly, do not raise any objections in respect of the disposal of foul drainage. Foul drainage would also be subject to controls under the Building Regulations.

- 6.30 In respect of surface water drainage, the LLFA has confirmed that as the stable block is to be converted, it is unlikely that this element of the proposal will not have a detrimental impact on surface water flooding as the surface water would enter the existing surface water system. The LLFA has also confirmed that the pods are also unlikely to have a detrimental impact on surface water drainage given their location on an existing menage and do not consider it necessary for the surface water condition previously recommended.
- 6.31 The objections of the third parties are noted; however, in light of the views of the LLFA it would be difficult to substantiate a refusal on foul and surface water drainage methods.

## 9. Impact Of The Proposal On Biodiversity

- 6.32 Planning Authorities in exercising their planning and other functions must have regard to the requirements of the EC Habitats Directive (92/43/EEC) when determining a planning application as prescribed by regulation 3(4) of the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended). Such due regard means that Planning Authorities must determine whether the proposed development meets the requirements of Article 16 of the Habitats Directive before planning permission is granted. Article 16 of the Directive indicates that if there is reasonable likelihood of a European protected species being present then derogation may be sought when there is no satisfactory alternative and that the proposal will not harm the favourable conservation of the protected species and their habitat.
- 6.33 A Bat, Barn Owl and Breeding Birds Survey was subsequently requested and received in respect of the proposed conversion of the stable block. The survey found no evidence of Barn Owls but some evidence of breeding birds. In respect of bats, one active bat roost and one inactive bat roost were identified. The site and surrounding habitat also offered good foraging conditions, connectively and roosting provisions for bats. The survey expands by outlining that the site and surveyed building have moderate value to the local population of pipistrelle species with other buildings providing more suitable roosting provisions and are more likely to be of higher value to bats. The survey concludes with a series of mitigation measures which would ensure that the no bats or breeding birds are harmed during any conversion works.
- 6.34 The Local Planning Authority, in this instance, subject to the recommendation that a condition be imposed requiring full compliance with the mitigation

measures identified in the survey, is satisfied that it is unlikely that the development would harm a protected species or their habitat.

## **Conclusion**

- 6.35 In overall terms, the principle of development is acceptable. The location, scale and design of the development is appropriate to the character of the area with adequate access and parking achievable. The proposal would not have a detrimental impact on the setting of the World Heritage site, archaeology or biodiversity. Given the scale and orientation of the development in relation to neighbouring properties it is unlikely that the development would have a significant detrimental impact on the living conditions of the occupiers of those properties through loss of privacy and unacceptable noise and disturbance. Accordingly, the proposals accords with the objectives of the NPPF, PPG and relevant Local Plan Policies.
- 6.36 The application is, therefore, recommended for approval.

## **7. Planning History**

- 7.1 There is no relevant planning history.

## **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. the submitted planning application form received 8th December 2017;
2. the Planning Statement received 11th February 2017;
3. the Manufacturers Specifications for Package Treatment Plant received 11th February 2017
4. the Supporting Information received 13th April 2017;
5. the Transport Form received 5th May 2017
6. the Supporting Information received 31st May 2017;
7. Preliminary Roost Assessment compiled by OpenSpace received 21st June 2017;
8. the location plan received 9th December 2016 (Drawing No. S 100);
9. the existing site plan received 8th December 2016 (Drawing No. S 102);
10. the site plan as proposed received 5th February 2017 (Drawing No. S 103);
11. the drainage plan received 11th February 2017 (Drawing No. S 104 A);

12. the drainage location plan received 31st May 2017 (Drawing No. S 105);
13. the passing place location plan received 13th May 2017 (Drawing No. S 106);
14. the passing place details received 13th May 2017 (Drawing No. S 108);
15. the existing plans received 8th December 2016 (Drawing No. SBEX 102);
16. the existing elevations received 8th December 2016 (Drawing No. SBEX 103);
17. the existing external views received 8th December 2016 (Drawing No. SBEX 104);
18. the existing internal views received 8th December 2016 (Drawing No. SBEX 105);
19. the existing ground floor plan received 8th December 2016 (Drawing No. SBEX 106);
20. the existing sections received 8th December 2016 (Drawing No. SBEX 107);
21. the plans received 6th February 2017 (Drawing No. SB 102);
22. the elevations received 6th February 2017 (Drawing No. SB 103);
23. the sections received 8th December 2016 (Drawing No. SB 107);
24. the glamping pod detail received 13th April 2017 Drawing No. GP 102);
25. the Notice of Decision; and
26. any such variation as may subsequently be approved in writing by the Local Planning Authority.

**Reason:** To define the permission.

3. An archaeological watching brief should be undertaken by a qualified archaeologist on all excavations during the course of the proposed development, in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority,. Following its completion, three copies of the report shall be furnished to the Local Planning Authority.

**Reason:** To avoid reasonable opportunity for an examination to be made to determine the existence of any remains of archaeological interest within the site and for the examination and recording of any remains.

4. Prior to the commencement of any development, the applicant shall submit details of the proposed improvements to passing places on the U1100 and U1099 between the junction from A6071 entrance to the bend / junction of the private lane leading to Heads Wood to the Local Planning Authority. An appropriate agreement shall be agreed with the Local Highway Authority and the improvements implemented prior to the commencement of the development.

**Reason:** In the interests of highway safety. To support Local transport Plan Policy: LD8.

5. The access drive shall be surfaced in bituminous or cement bound materials,

or otherwise bound and shall be constructed and completed before the development is brought into use. This surfacing shall extend for a distance of at least 5 metres inside the site, as measured from the carriageway edge of the adjacent highway.

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

6. The development, hereby approved, shall not be occupied until the vehicular access and turning requirements have been constructed in accordance with the approved plan and been brought into use. The vehicular access turning provisions shall be retained and capable of use at all times thereafter and shall not be removed or altered without the prior consent of the Local Planning Authority.

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

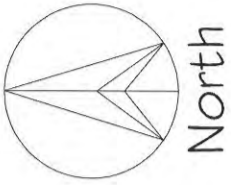
7. The development hereby approved shall not be carried out otherwise than in complete accordance with the recommendations contained within Section 6 of the Preliminary Roost Assessment compiled by OpenSpace dated June 2017.

**Reason:** In order to ensure no adverse impact on a European Protected Species in accordance with Policy GI3 of the Carlisle District Local Plan 2015-2030.

8. The development shall be landscaped in accordance with the details contained within drawing number S 103. The scheme shall be implemented during the planting season following the completion of the development hereby approved and any plants which die, become diseased or are lopped, topped, uprooted or willfully destroyed within the following five years shall be replaced by appropriate nursery stock.

**Reason:** To ensure that a satisfactory landscaping scheme is prepared in accordance with Policy GI6 of the Carlisle District Local Plan 2015-2030.

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Issue  
09-Dec-16 9:21:14 AM

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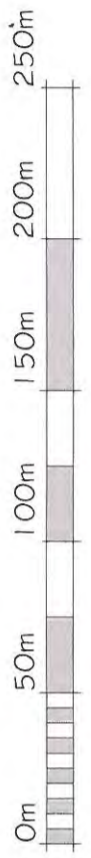
Registered in England No 10022104 VAT No. 238 5705 03

Job : 2016 45 Scale : 1 : 2500  
Date : Nov 2016 Revision :

Drawing Title  
Location Plan

Client: Simon Hansel  
Project: Development at  
Heads Wood Farmhouse,  
Newtown, Irthington,  
Carlisle, CA6 4PE

Drawn By: Author  
Version: Planning  
Drawing no: S 100



VISUAL SCALE 1 : 2500 @ A3

Location Plan  
1 : 2500

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Issue  
07-Dec-16 2:17:01 PM



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Director Director  
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VAT No 236 5706 03

Job : 2016 45 Scale : 1 : 500

Date : Nov 2016 Revision :

Drawing Title  
Existing Site Plan

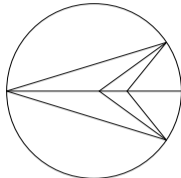
Client Simon Hansel  
Project

Development at  
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Carlisle, CA8 4PE

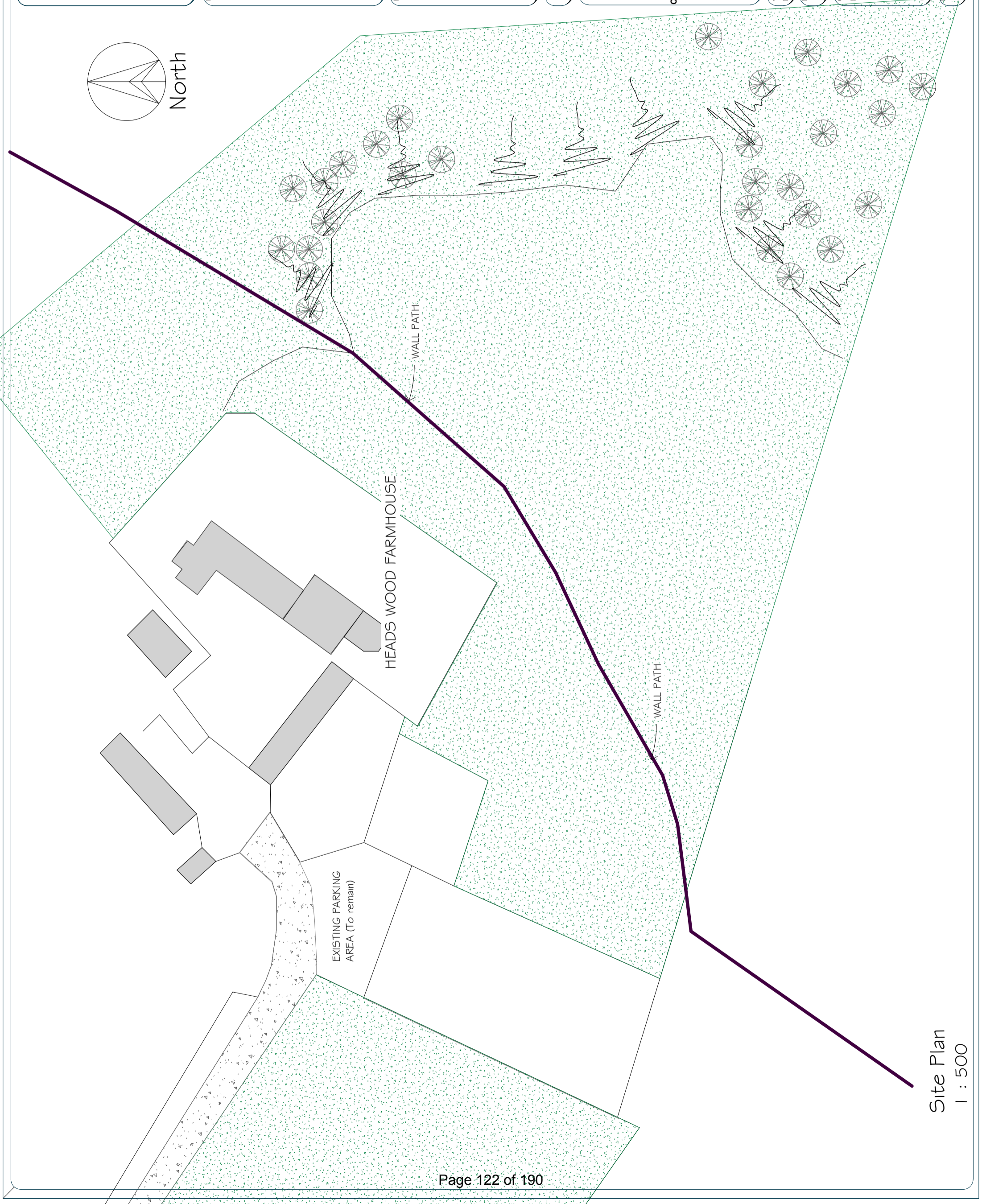
Drawn By  
Author

Version  
Planning

Drawing no.  
S 102



North



Site Plan  
1 : 500

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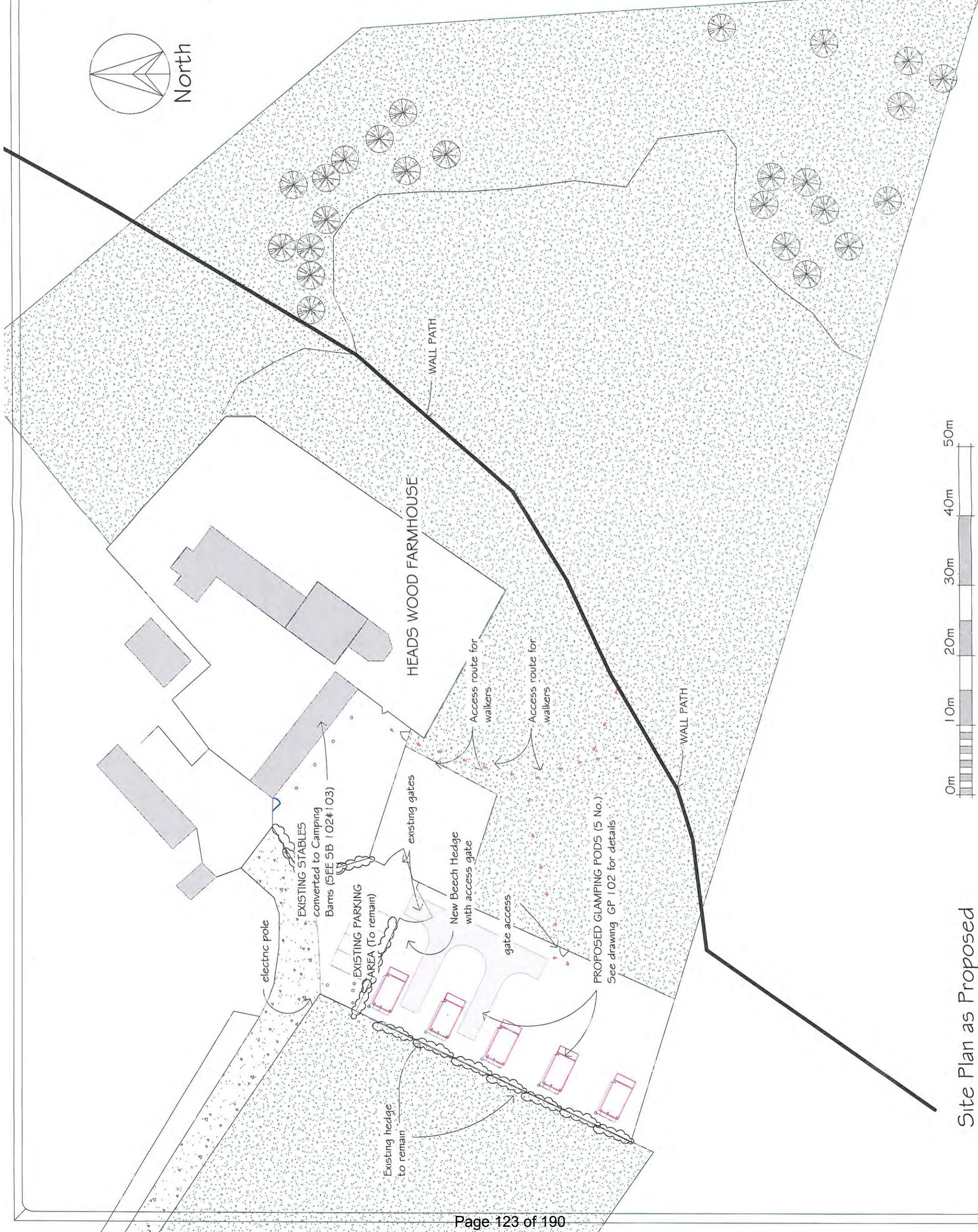
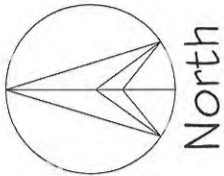
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Date : Nov 2016 Revision :

Drawing Title  
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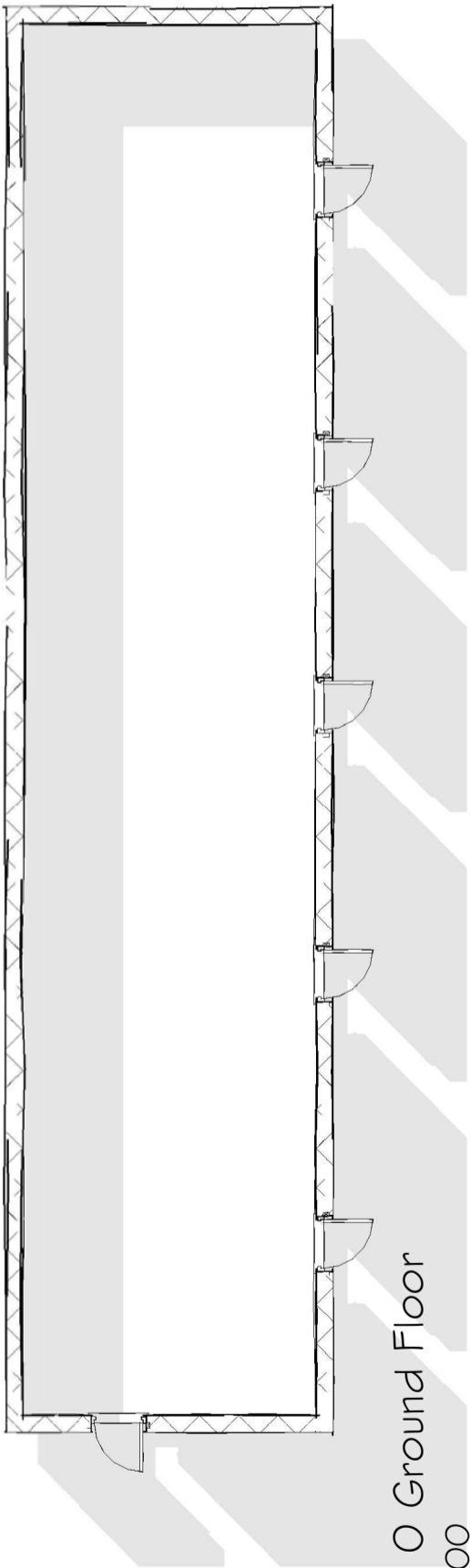
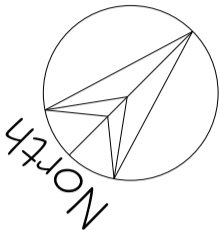
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Project : Development at  
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Newtown, Irthington,  
Carlisle, CA6 4PE

Drawn By : George  
Version : Planning  
Drawing no. : S 103

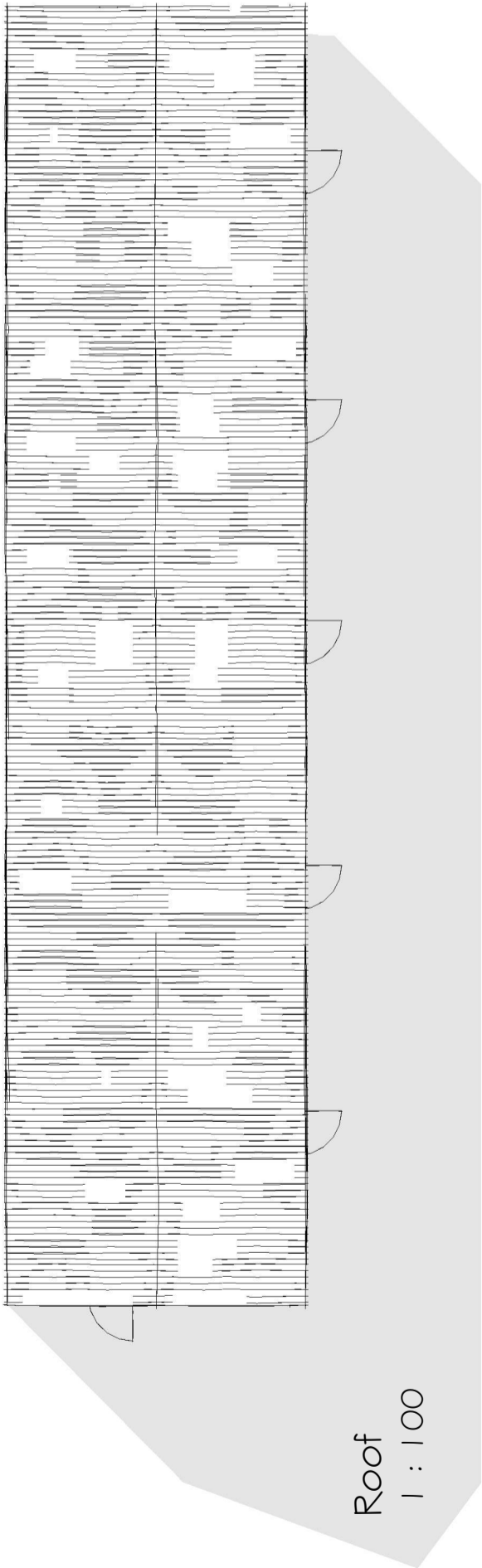


VISUAL SCALE 1:500 @ A3

Site Plan as Proposed  
1 : 500



Level 0 Ground Floor  
1 : 100



Roof  
1 : 100



VISUAL SCALE 1 : 100 @ A3

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07-Dec-16 7:40:23 PM



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Registered in England No. 1022104    VAT No. 235 5706103

Job : 2016 45    Scale : 1 : 100  
Date : Nov 2016    Revision :

Drawing Title  
Existing Plans

Client  
Simon Hansel

Project  
Stable Block Conversion,  
Heads Wood Farmhouse,  
Newtown, Irthington,  
Carlisle, CA6 4PE

Drawn By  
George

Version  
Planning

Drawing no.  
SBEX 1102

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**Gordon Richardson** **George Stephen**

Director Director

07799846386 07799886327

Registered in England No 10022104 VAT No. 236 570503

Job : 2016 45 Scale : 1 : 100

Date : Nov 2016 Revision :

Drawing Title  
Existing Elevations

Client  
Simon Hansel

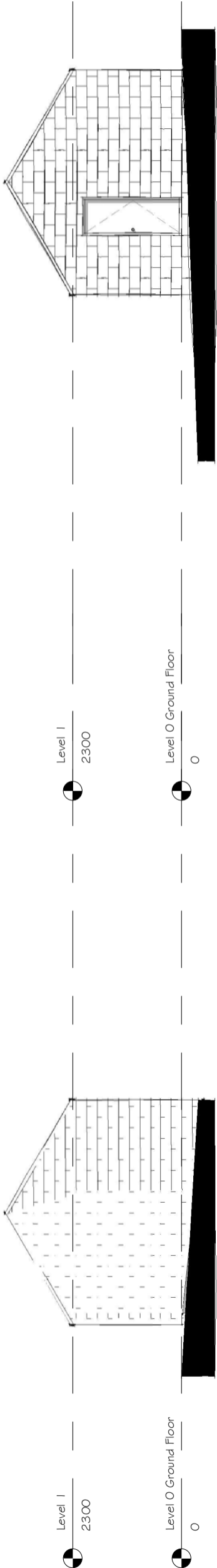
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Stable Block Conversion,  
Heads Wood Farmhouse,  
Newtown, Irthington,  
Carlisle, CA9 4PE

Drawn By  
Author

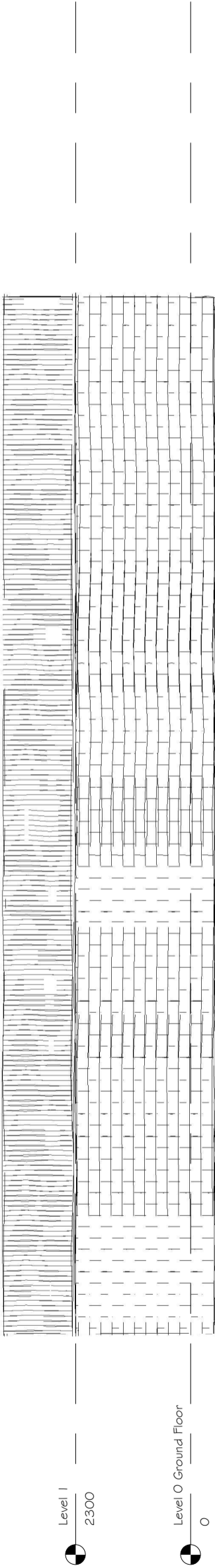
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Planning

Drawing no.  
SBEX 1 03

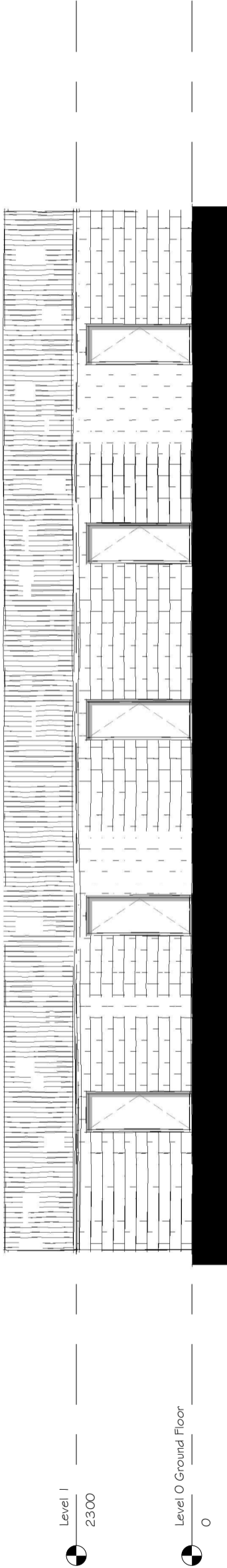


North West  
1 : 100

South East  
1 : 100



South West  
1 : 100



North East  
1 : 100

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Notes

Revision

Issue  
07-Dec-16 7:40:48 PM



**IRTHING DEVELOPMENTS**  
Architectural and Construction Services  
Crooked Horse Barn, Brampton Cumbria, CA8 2AT  
016977 3703  
www.irthingdevelopments.co.uk email: info@irthingdevelopments.co.uk  
**Gordon Richardson**  
Director  
07793846386  
Registered England No: 10022104

**George Stephen**  
Director  
0779386327  
VAT No: 236 570503

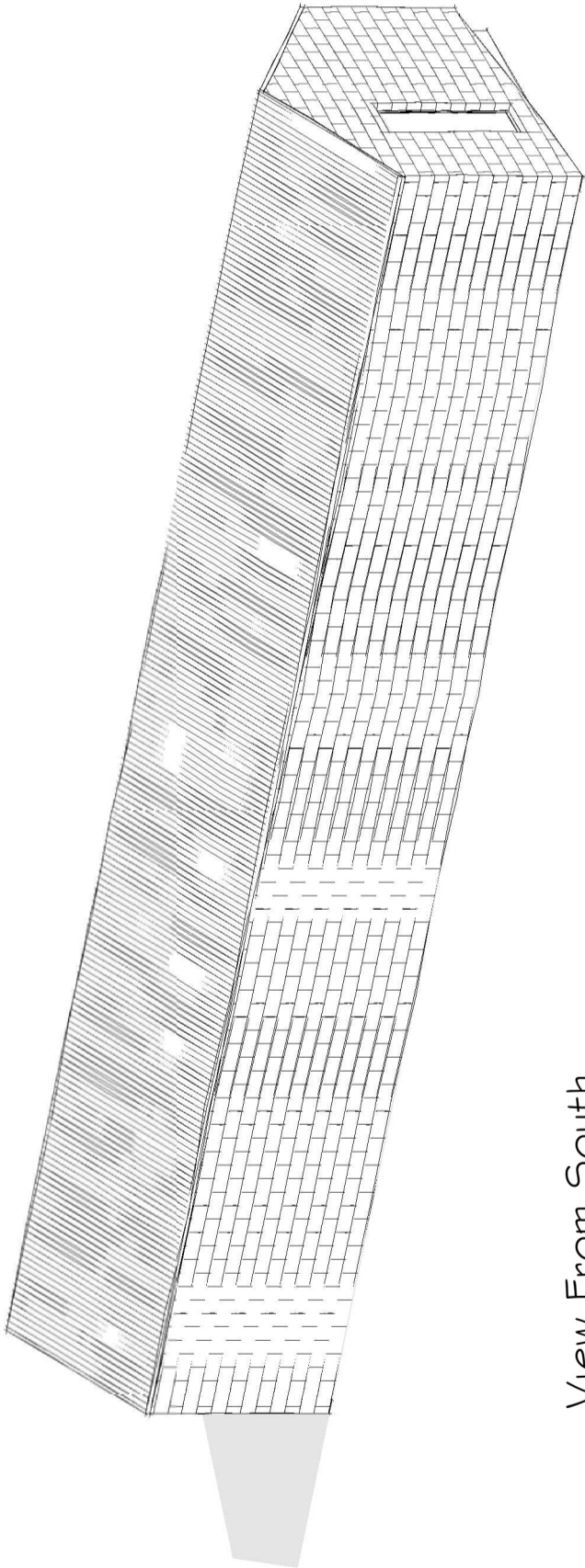
Job : 2016 45      Scale :  
Date : Nov 2016      Revision :

Drawing Title  
Existing External Views

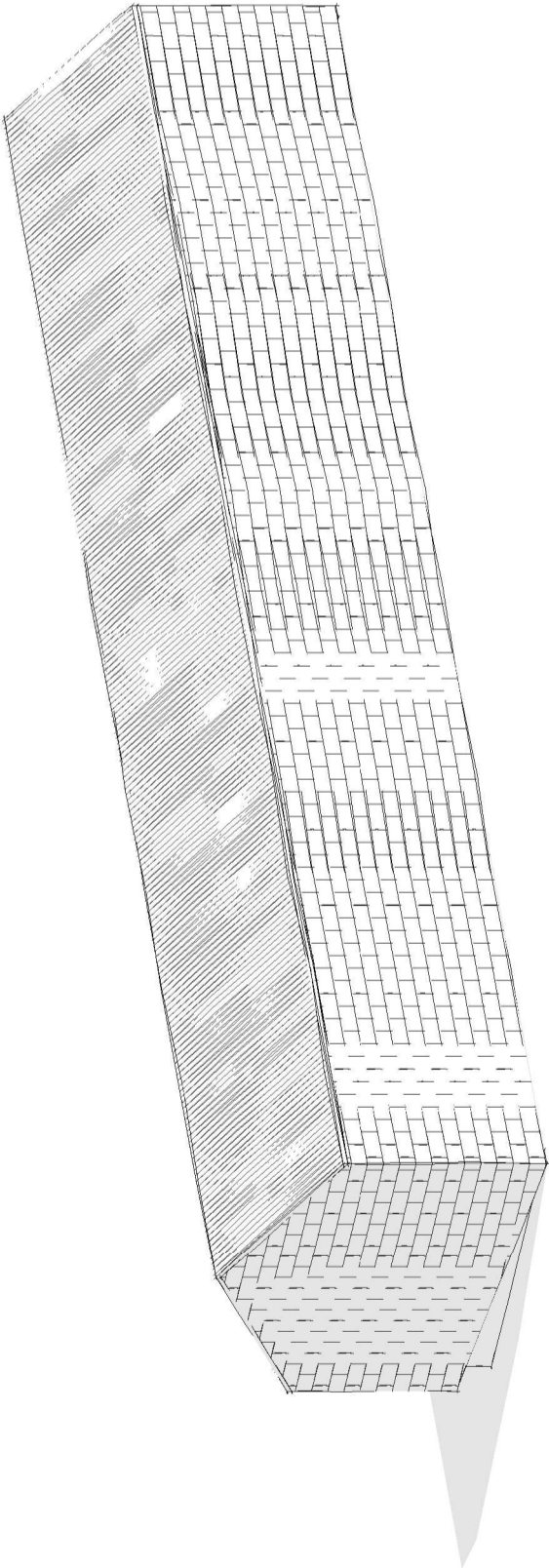
Client: Simon Hansel

Project: Stable Block Conversion,  
Heads Wood Farmhouse,  
Newtown, Irthington,  
Carlisle, CA6 4PE

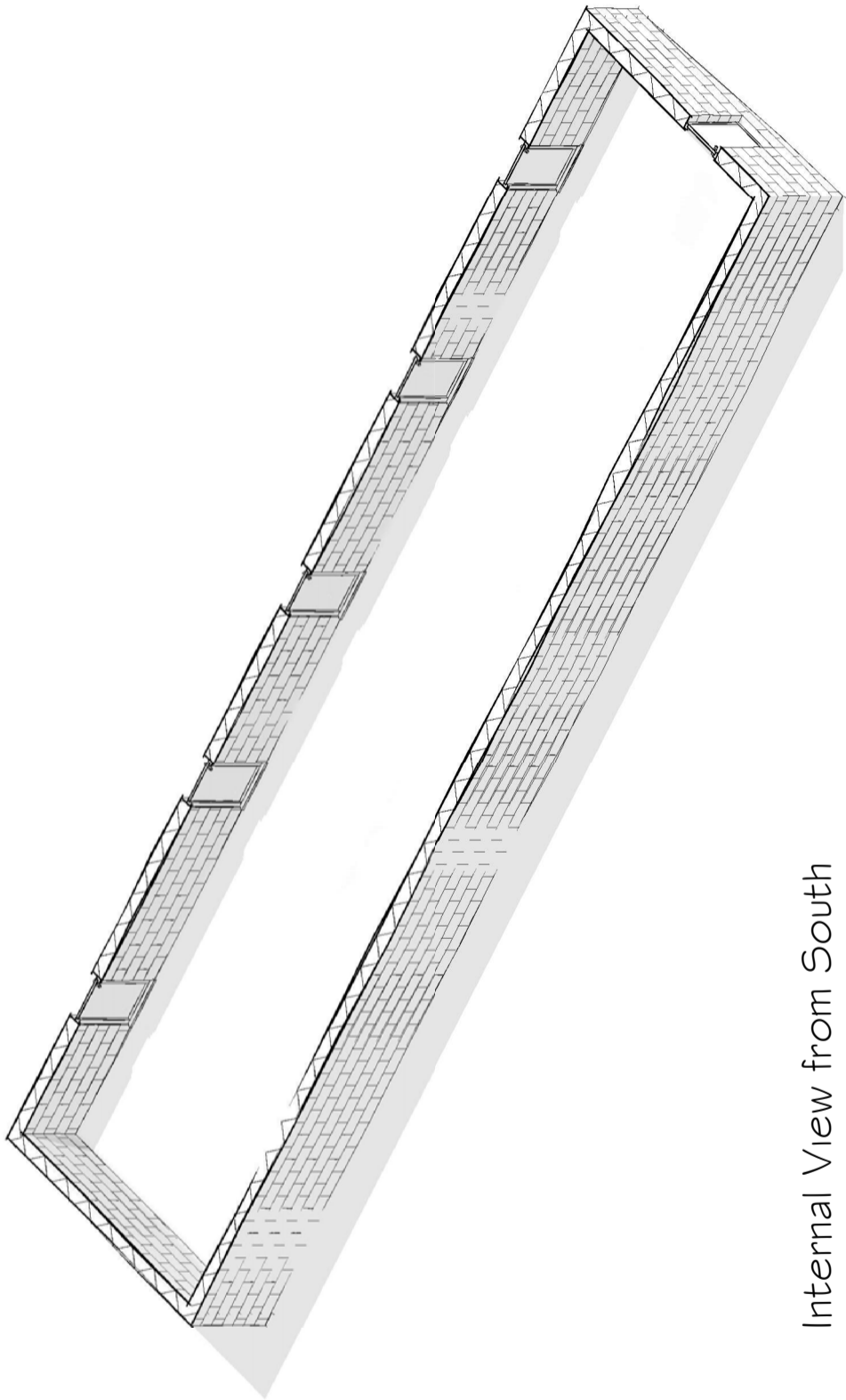
Drawn By: George      Version: Planning      Drawing no.: SBEX 1 04



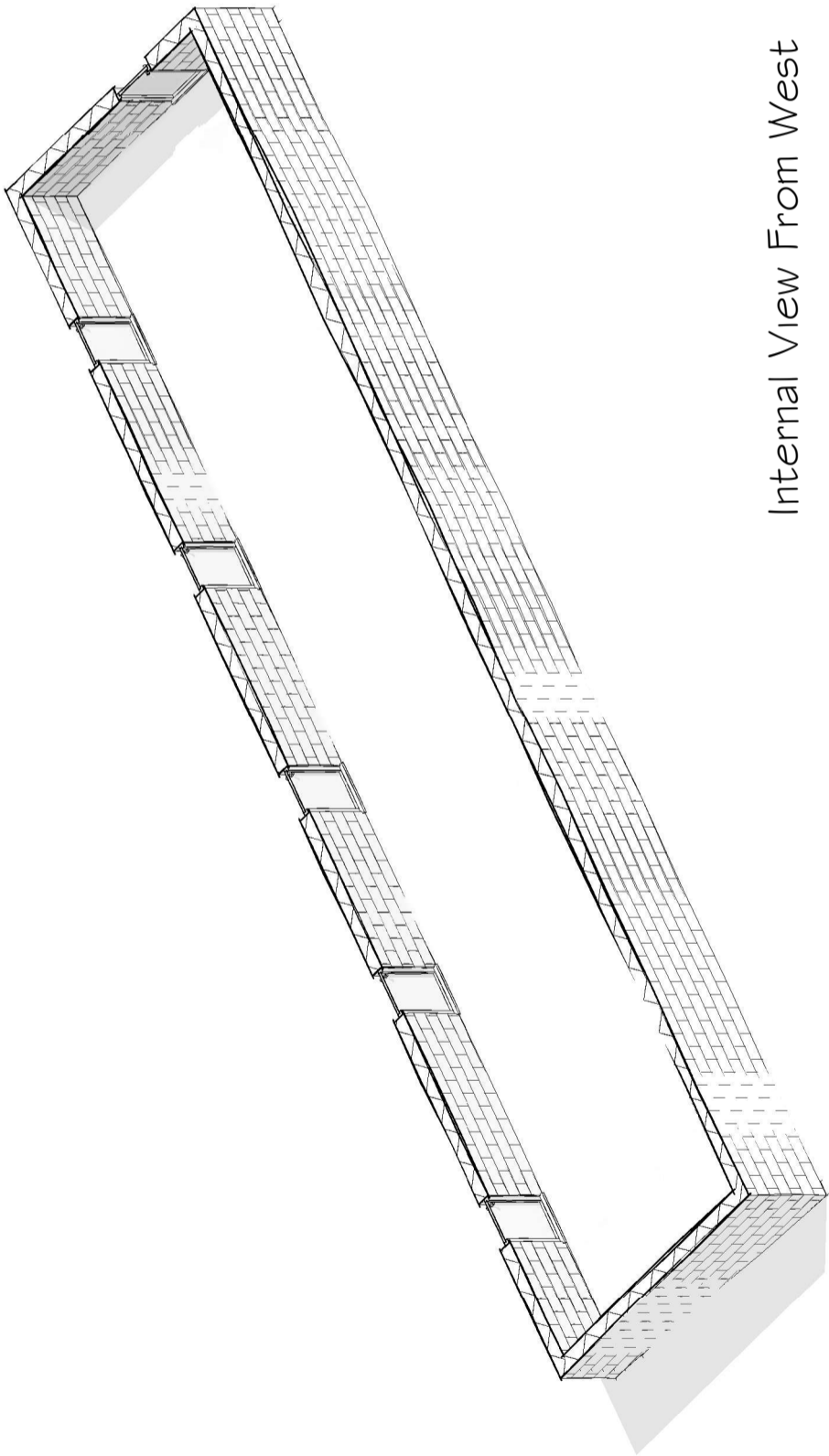
View From South



View from West



Internal View from South



Internal View From West

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Notes

Revision

Issue  
07-Dec-16 7:41:02 PM



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**Gordon Richardson**  
Director  
07793846386

**George Stephen**  
Director  
0779386327

Registered in England No 10022104 VAT No. 236 570503

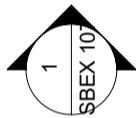
Job : 2016 45 Scale :  
Date : Nov 2016 Revision :

Drawing Title  
Existing Internal Views

Client: Simon Hansel

Project: Stable Block Conversion,  
Heads Wood Farmhouse,  
Newtown, Irthington,  
Carlisle, CA6 4PE

Drawn By: George  
Version: Planning  
Drawing no.: SBEX 1.05



Level 0 Ground Floor detail

1 : 50



VISUAL SCALE 1:50 @ A3

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Notes

Revision

Issue 07-Dec-16 7:41:13 PM

Job : 2016 45 Scale : 1 : 50  
Date : Nov 2016 Revision :

Drawing Title  
Existing Ground Floor Plan

Client Simon Hansel

Project  
Stable Block Conversion,  
Heads Wood Farmhouse,  
Newtown, Irthington,  
Carlisle, CAG 4PE



**IRTHING DEVELOPMENTS**  
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**Gordon Richardson** Director  
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**George Stephen** Director  
07799586327  
VAT No. 236 5705 03

Drawn By George  
Version Planning  
Drawing no. SBEX 106

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Notes

Revision

Issue  
07-Dec-16 7:41:23 PM



**IRTHING DEVELOPMENTS**  
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**Gordon Richardson**  
Director  
07793846386  
Registered in England No 10022104  
**George Stephen**  
Director  
07793866327  
VAT No. 238 570503

Job : 2016 45      Scale : 1 : 50  
Date : Nov 2016      Revision :

Drawing Title  
Existing Sections

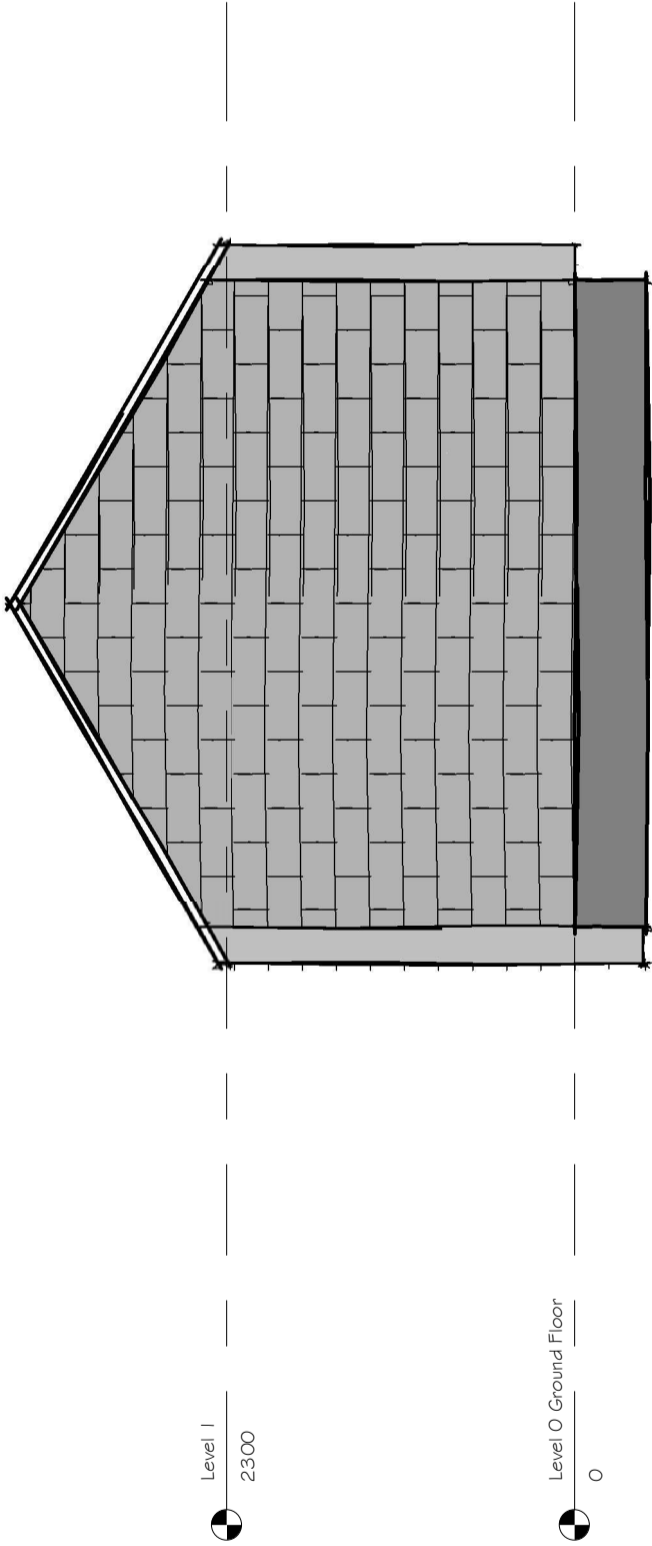
Client  
Simon Hansel

Project  
Stable Block Conversion,  
Heads Wood Farmhouse,  
Newtown, Irthington,  
Carlisle, CA6 4PE

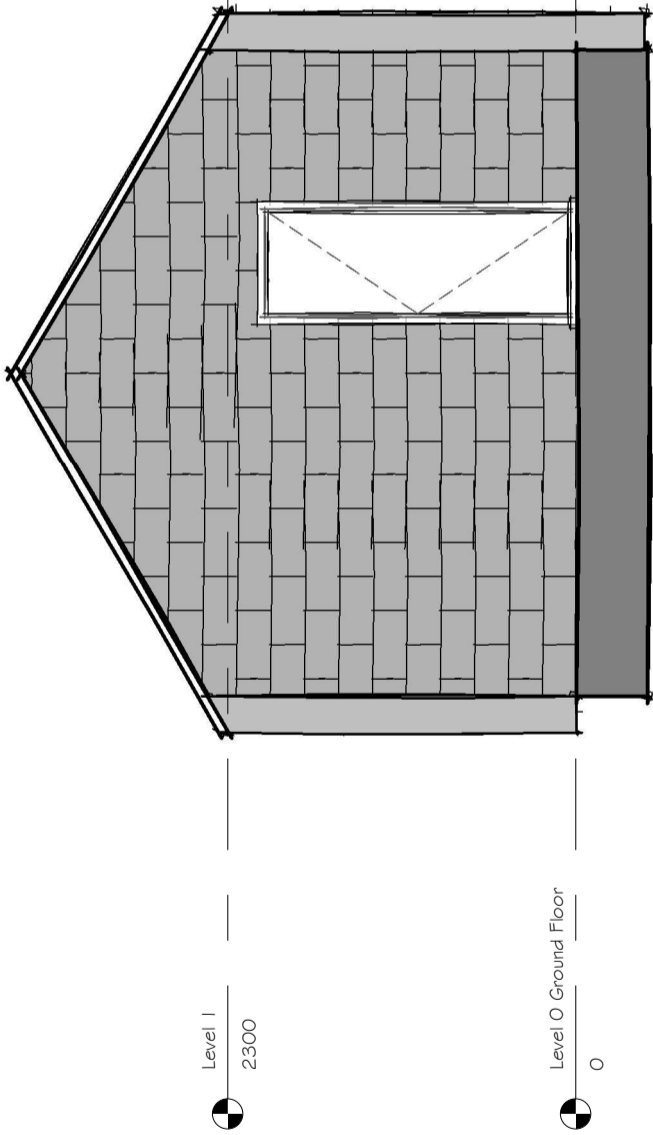
Drawn By  
George

Version  
Planning

Drawing no.  
SBEX 1 07



Section 1  
1 : 50



Section 2  
1 : 50

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Notes

REVISION

RECEIVED

- 6 FEB 2017

16/1070

Issue

OG-Feb-17 8:44:24 AM

**IRTHING DEVELOPMENTS**

Architectural and Construction Services

Crooked Holme Barn, Brampton, Cumbria, CA8 2AT  
016977 3703

[www.irthingsdevelopments.co.uk](http://www.irthingsdevelopments.co.uk) email: [email@irthingsdevelopments.co.uk](mailto:email@irthingsdevelopments.co.uk)

**Gordon Richardson**  
Director

**George Stephen**  
Director

07793846395 07793846327

Registered in England No 10022104 VAT No 236 5765 03

Job : 2016 45 Scale : 1 : 100

Date : Nov 2016 Revision :

Drawing Title

Plans

Client

Simon Hansel

Project

Stable Block Conversion,  
Heads Wood Farmhouse,  
Newtown, Irthington,  
Carlisle, CAG 4PE

Drawn By

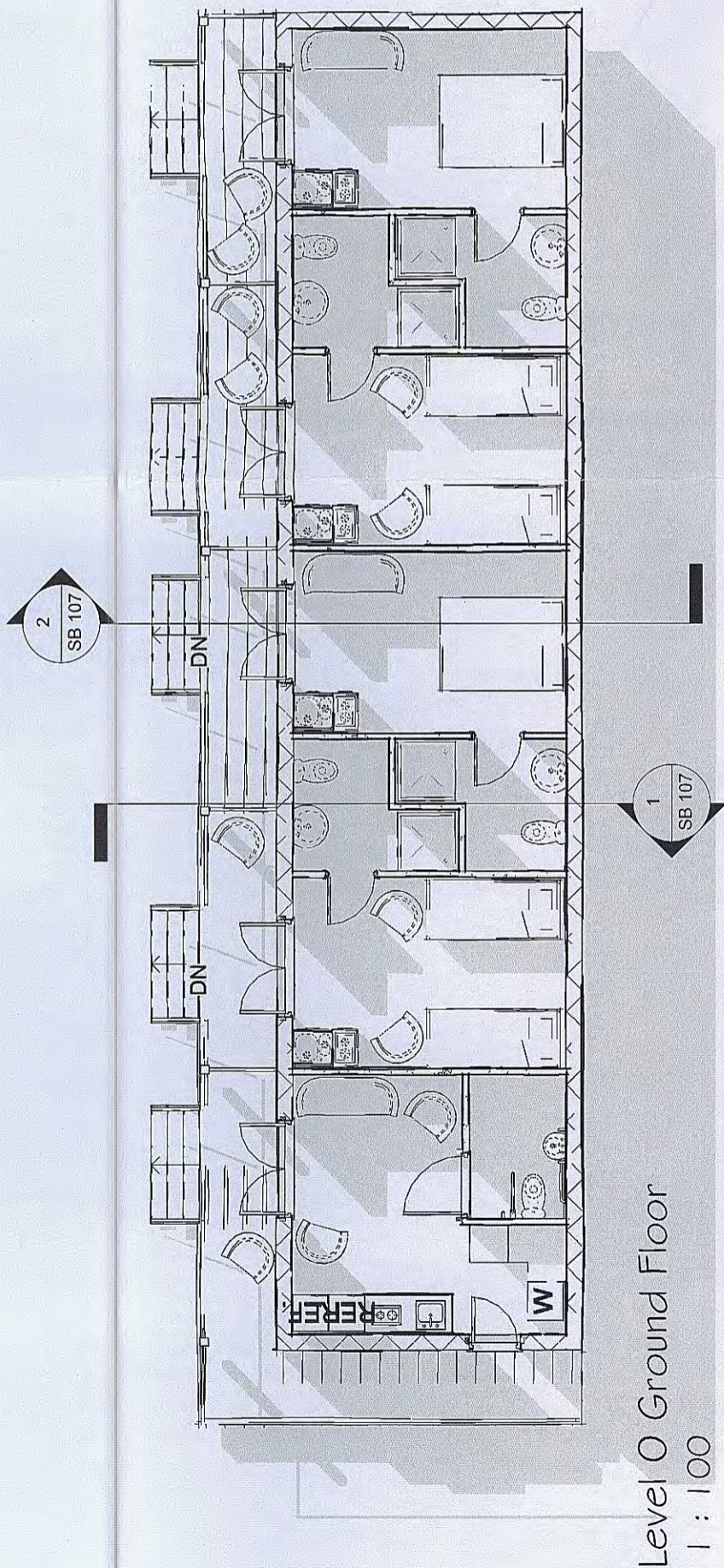
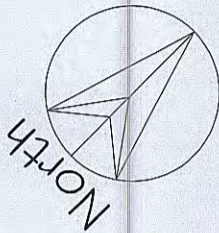
George

Version

Planning

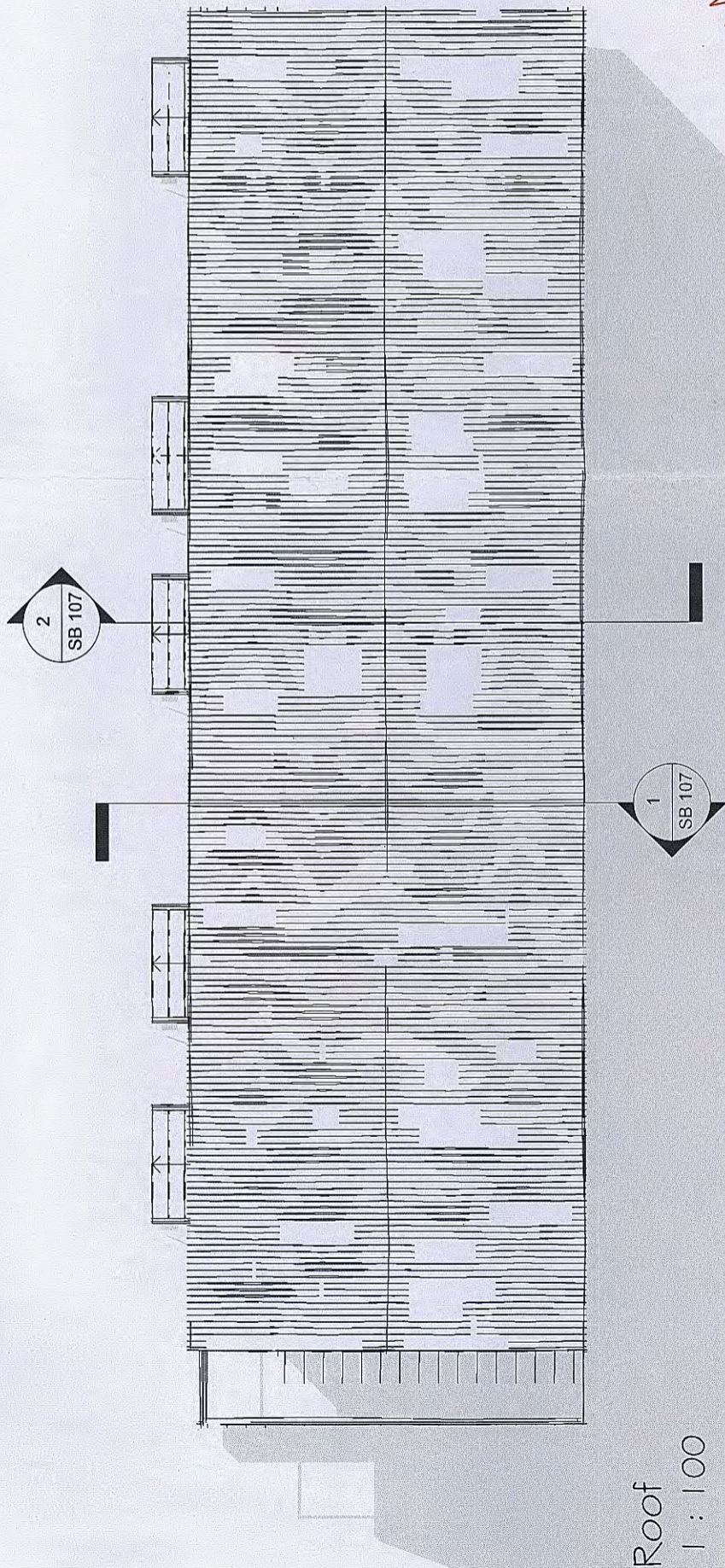
Drawing no.

SB 102



Level 0 Ground Floor

1 : 100



Roof

1 : 100

AMENDED TO 4  
UNITS PLUS  
RECEPTION,  
LAUNDRY AND SELF  
SERVICE LOUNGE

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Notes

Revision

RECEIVED

- 6 FEB 2017

12/1070

Issue

OG-Feb-17 8:44:53 AM

**IRTHING DEVELOPMENTS**  
Architectural and Construction Services

Unit 1, Barn, Brampton, Cumbria, CA8 2AT

016977 3703

email: info@irthingdevelopments.co.uk

George Stephen

Director

07799886327

03846385

0022104

VAT No. 236 570503

Job : 2016 45

Scale : 1 : 100

Date : Nov 2016

Revision :

Drawing Title

Elevations

Client

Simon Hansel

Project

Stable Block Conversion,

Heads Wood Farmhouse,

Newtown, Irthington,

Carlisle, CAG 4PE

Drawn By

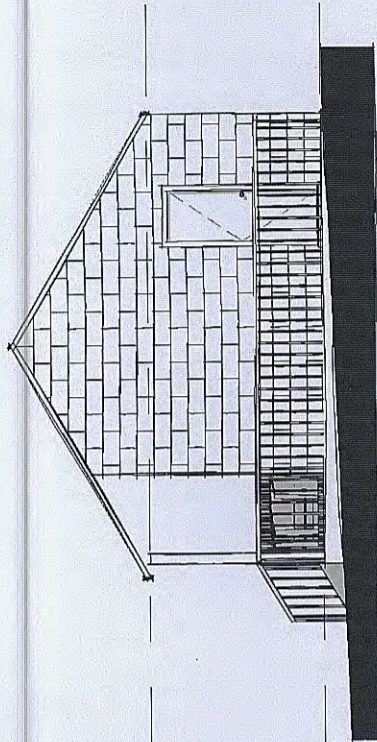
Author

Version

Planning

Drawing no.

SB 103



North West

1 : 100

Level 1  
2300

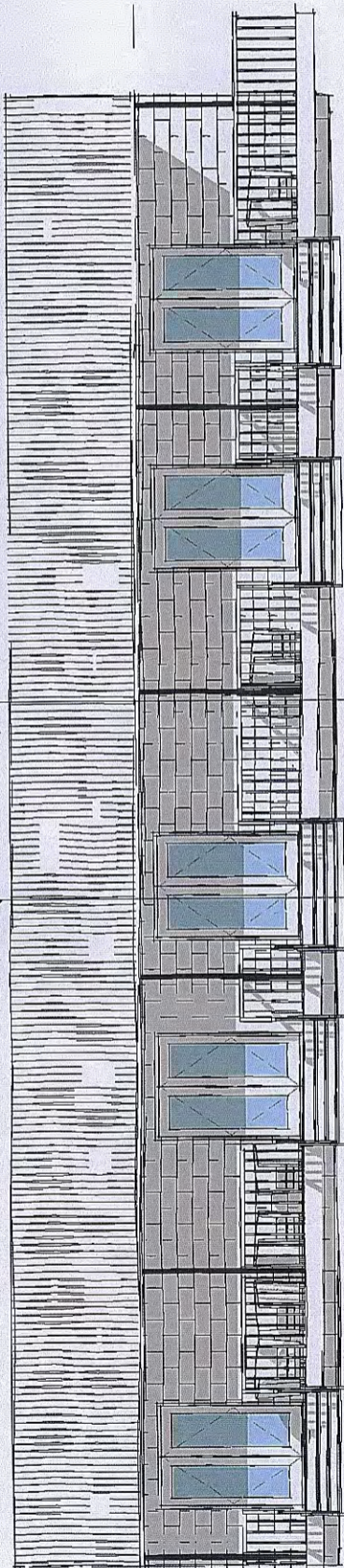
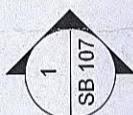
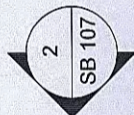
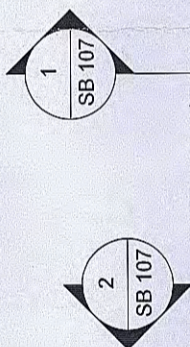
Level 0 Ground Floor  
0

Level 1  
2300

Level 0 Ground Floor  
0

South East

1 : 100

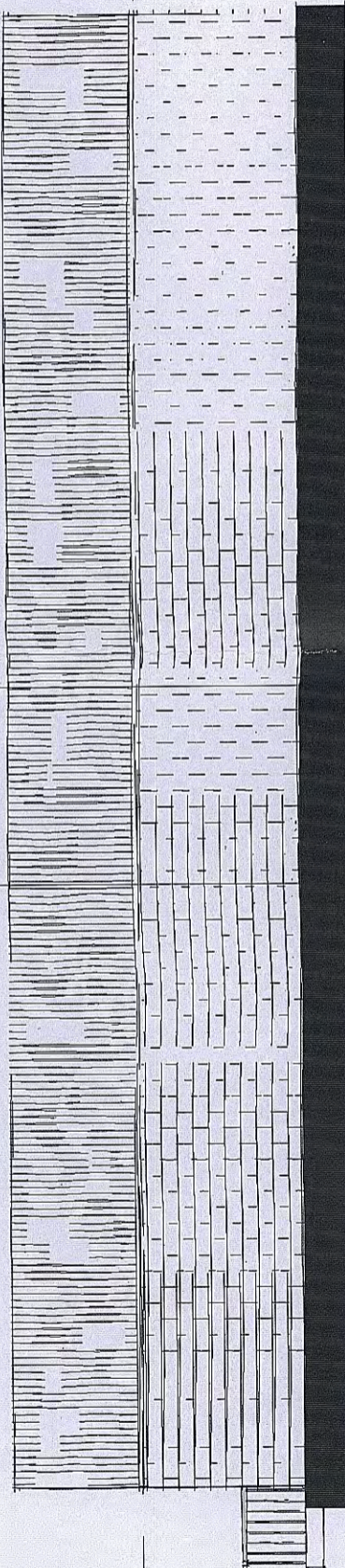
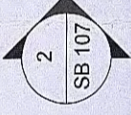
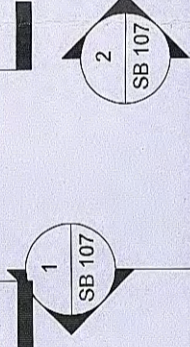


Level 1  
2300

Level 0 Ground Floor  
0

South West

1 : 100



Level 1  
2300

Level 0 Ground Floor  
0

North East

1 : 100

AMENDED TO 4  
UNITS PLUS  
RECEPTION,  
LAUNDRY AND  
SERVICE LOUNGE

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Notes

Revision

Issue  
07-Dec-16 6:17:18 PM



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Architectural and Construction Services

Crooked Holme Barn, Brampton, Cumbria, CA8 2AT  
016977 3703  
www.irthingdevelopments.co.uk email: info@irthingdevelopments.co.uk

**Gordon Richardson**     **George Stephen**  
Director                     Director  
07793846385                07793868327

Registered in England No: 10022104     VAT No: 236 570603

Job : 2016 45     Scale : 1 : 50  
Date : Nov 2016     Revision :

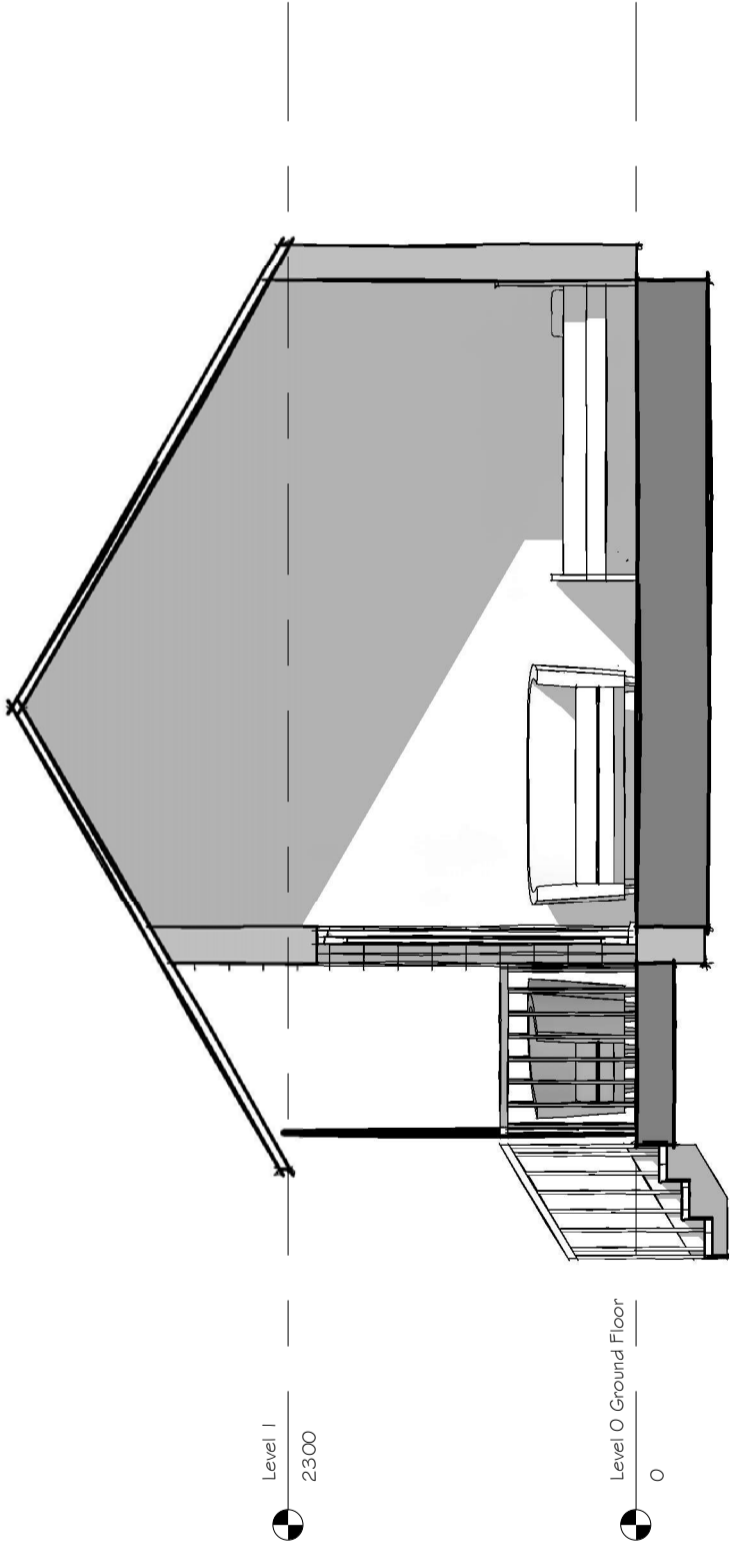
Drawing Title     Sections

Client     Simon Hansel  
Project

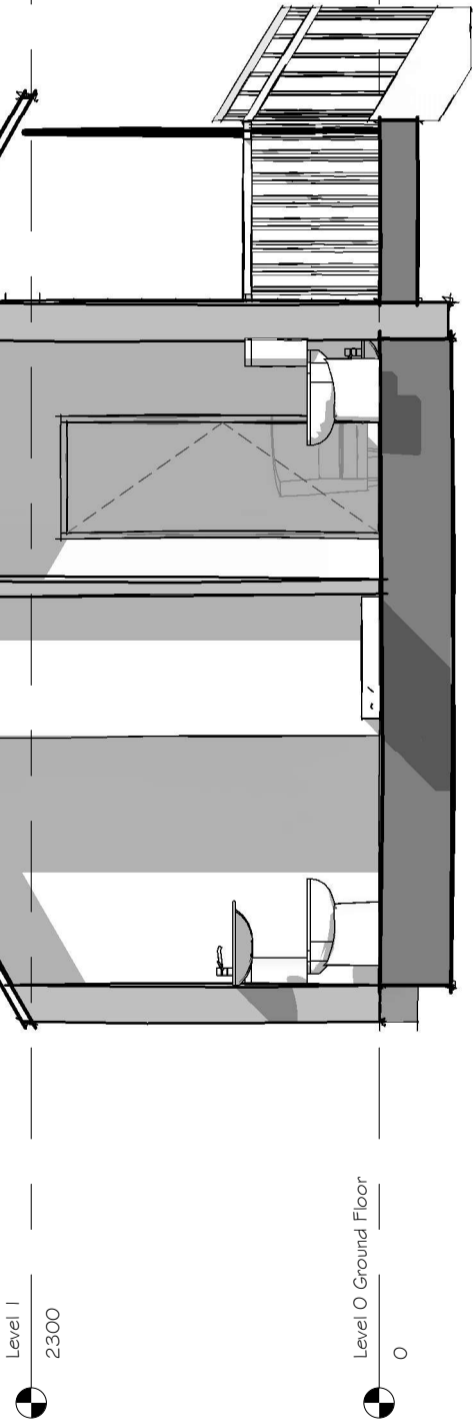
**Stable Block Conversion,  
Heads Wood Farmhouse,  
Newtown, Irthington,  
Carlisle, CA6 4PE**

Drawn By     Version  
**George**     Planning

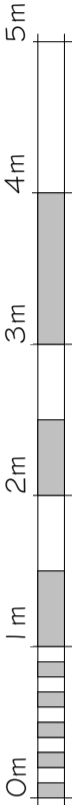
Drawing no.  
SB 107



Section 1  
1 : 50



Section 2  
1 : 50



VISUAL SCALE 1:50 @ A3

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Revision

Issue  
07-Dec-16 2:34:03 PM

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Director  
07793846395

George Stephen  
Director  
07799586327

Registered in England No 10022104 VAT No. 296 5705 03

Job : 2016 45 Scale : 1 : 50

Date : Nov 2016 Revision :

Drawing Title  
Glamping Pod Detail

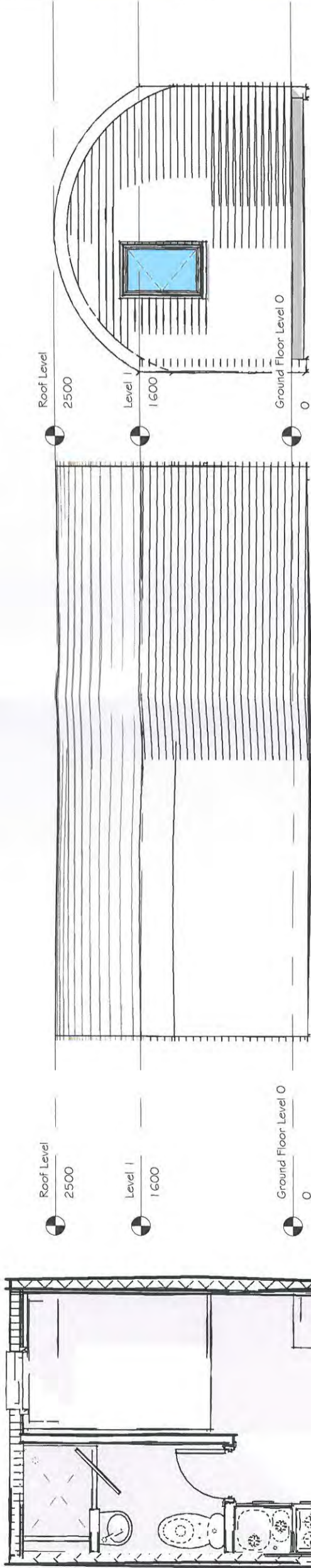
Client  
Simon Hansel

Project  
Glamping Pods,  
Heads Wood Farmhouse,  
Newtown, Irthington,  
Carlisle, CA6 4PE

Drawn By  
George

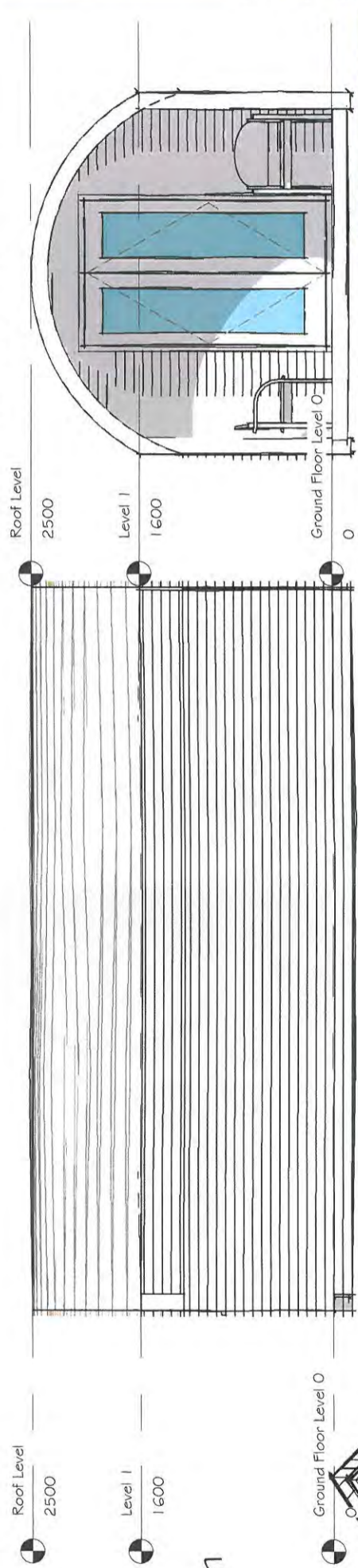
Version  
Planning

Drawing no.  
GP 102



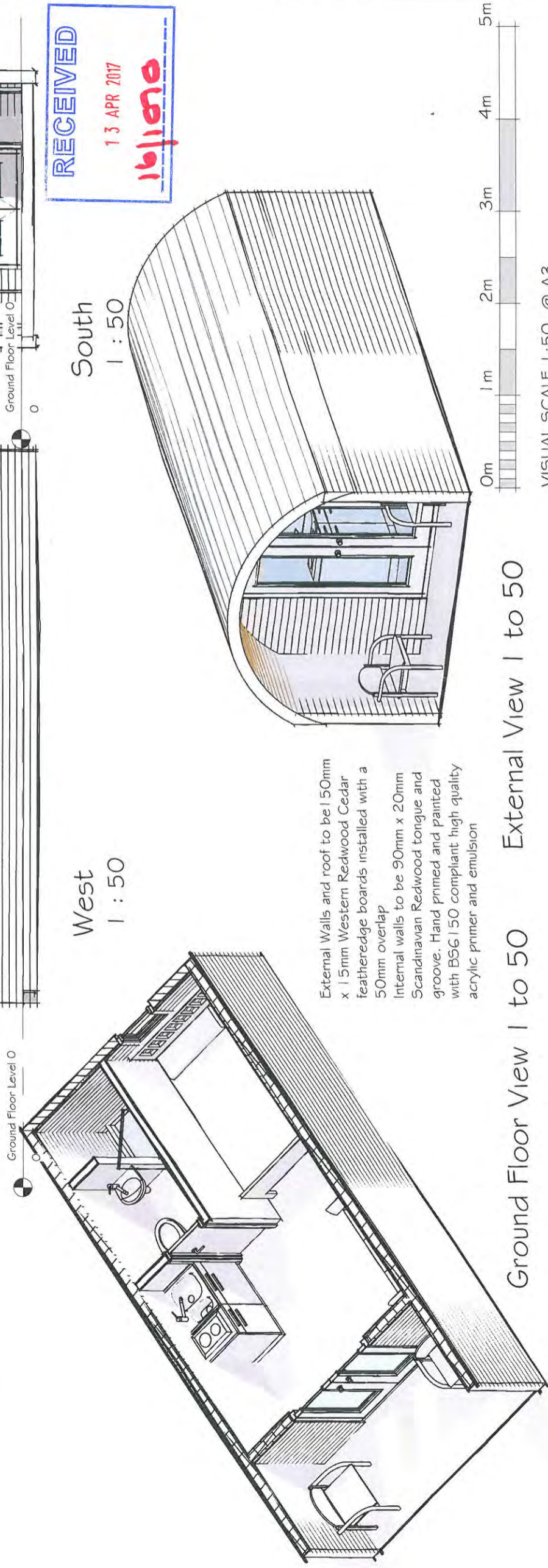
East  
1 : 50

area of wall is 5.86 m<sup>2</sup> to meet building regs it needs to have an opening of 8% if the distance to the boundary is 1m if the boundary is 1.5m then it can be around 12% ie .69 m<sup>2</sup> so window 600wide by 900 high should be ok (.54m<sup>2</sup>) Wall needs to have 30mins fire resistance from inside building



West  
1 : 50

Ground Floor Level 0 Plan  
1 : 50

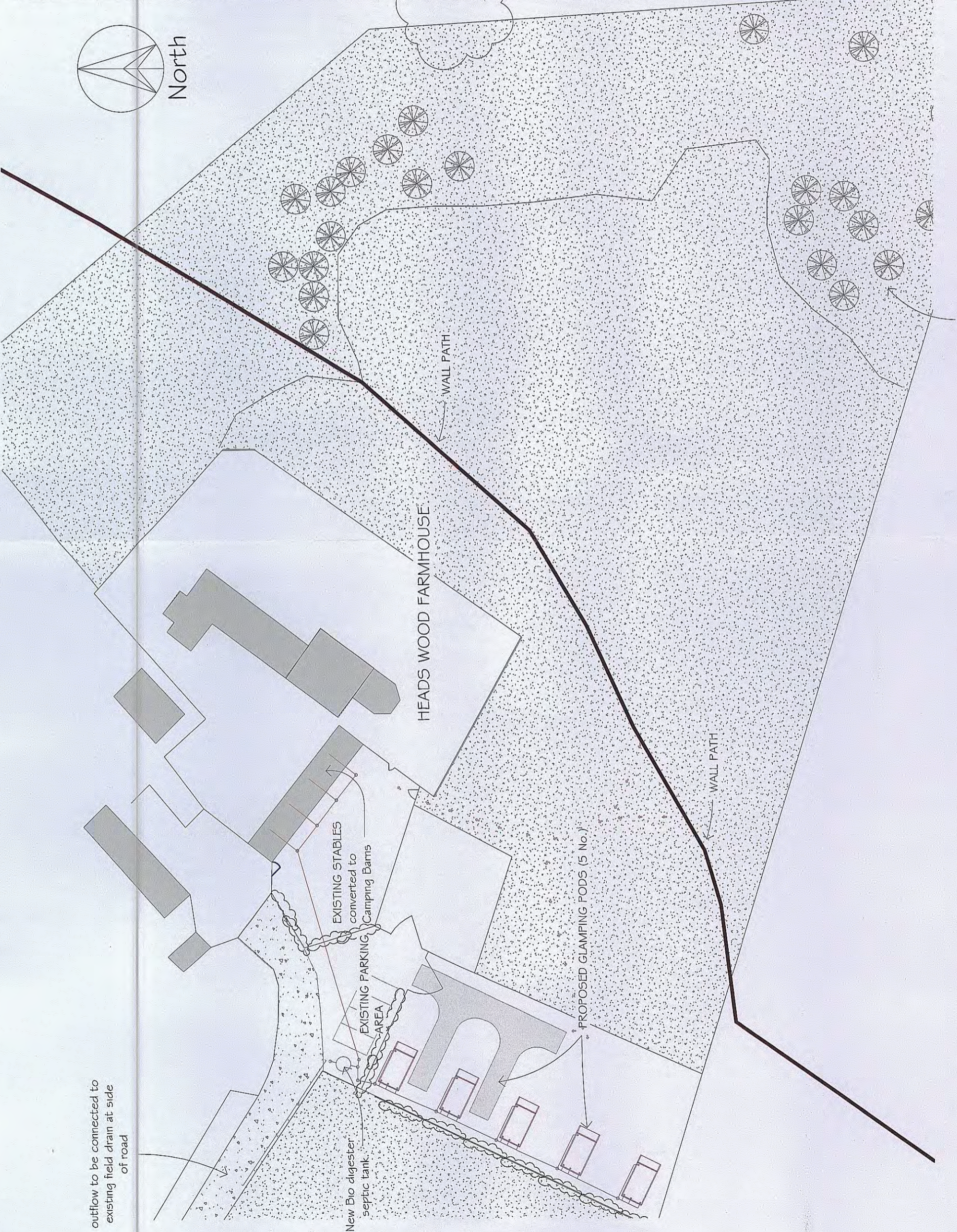


External Walls and roof to be 150mm x 15mm Western Redwood Cedar featheredge boards installed with a 50mm overlap  
Internal walls to be 90mm x 20mm Scandinavian Redwood tongue and groove. Hand primed and painted with BS6150 compliant high quality acrylic primer and emulsion

Ground Floor View 1 to 50

External View 1 to 50

VISUAL SCALE 1 : 50 @ A3



Site Drainage Plan  
1 : 500

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Notes



Revision	No	Date	Description
	A	6 Oct 2017	Amended after planning comment

Issue  
11-Feb-17 11:12:23 AM

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Gordon Richardson  
Director  
07793846395

George Stephen  
Director  
07793846327

Registered in England No 10022104 VAT No. 235 5705 03

Job : 2016 45 Scale@ A3 1 : 500  
Date : Nov 2016 Revision : A

Drawing Title  
Drainage Plan

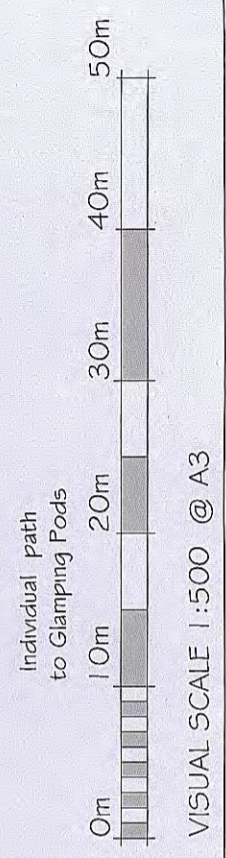
Client  
Simon Hansel

Project  
Development at  
Heads Wood Farmhouse,  
Newtown, Irthington,  
Carlisle, CAG 4PE

Drawn By  
George

Version  
Planning

Drawing no.  
S 104 A



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Notes

Revision	No	Date	Description

Issue 19-May-17 4:08:27 PM



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DEVELOPMENTS

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Gordon Richardson     George Stephen  
Director                     Director  
07793846395                07799586327

Registered in England No 1002104     VAT No. 236 5705 03

Job : 2016 45     Scale@ A3     1 : 500  
Date : Nov 2016     Revision :

Drawing Title  
Passing place location

Client     Simon Hansel  
Project  
Development at  
Heads Wood Farmhouse,  
Newtown, Irthington,  
Carlisle, CA6 4PE

Drawn By     Version  
Author     Planning

Drawing no.  
S 106

proposed new passing  
place see drawing S 108

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Notes

Revision	No	Date	Description

Issue 19-May-17 4:06:37 PM



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CA8 2AT  
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email info@irthingdevelopments.co.uk  
Gordon Richardson  
Director  
07793846395  
Registered in England No 10022104 VAT No. 236 5705 03

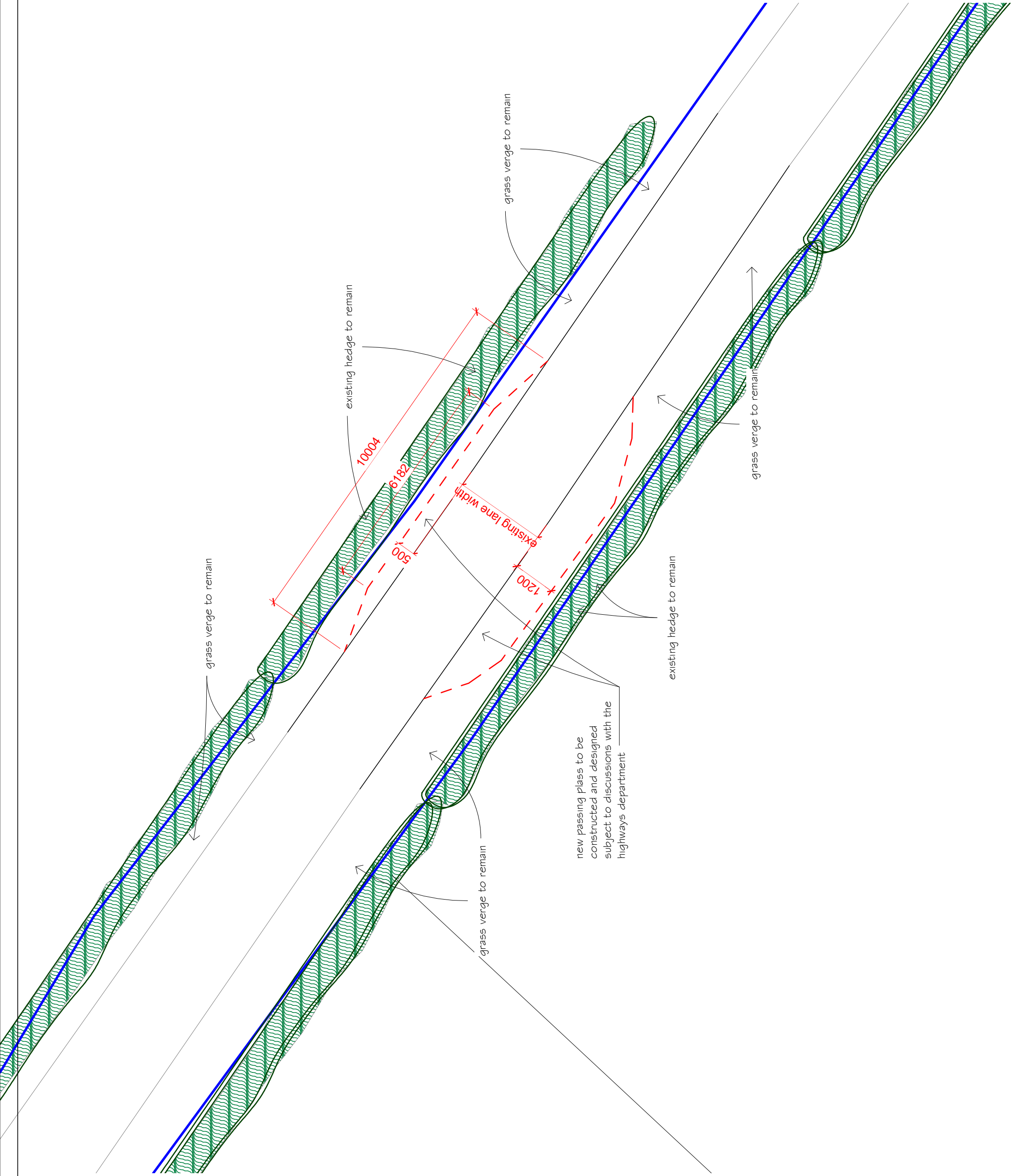
**George Stephen**  
Director  
07799586327

Job : 2016 45 Scale@ A3 1 : 100  
Date : Nov 2016 Revision :

Drawing Title  
Passing place detail

Client Simon Hansel  
Project Development at  
Heads Wood Farmhouse,  
Newtown, Irthington,  
Carlisle, CA6 4PE

Drawn By Version  
Author Planning  
Drawing no. S 108





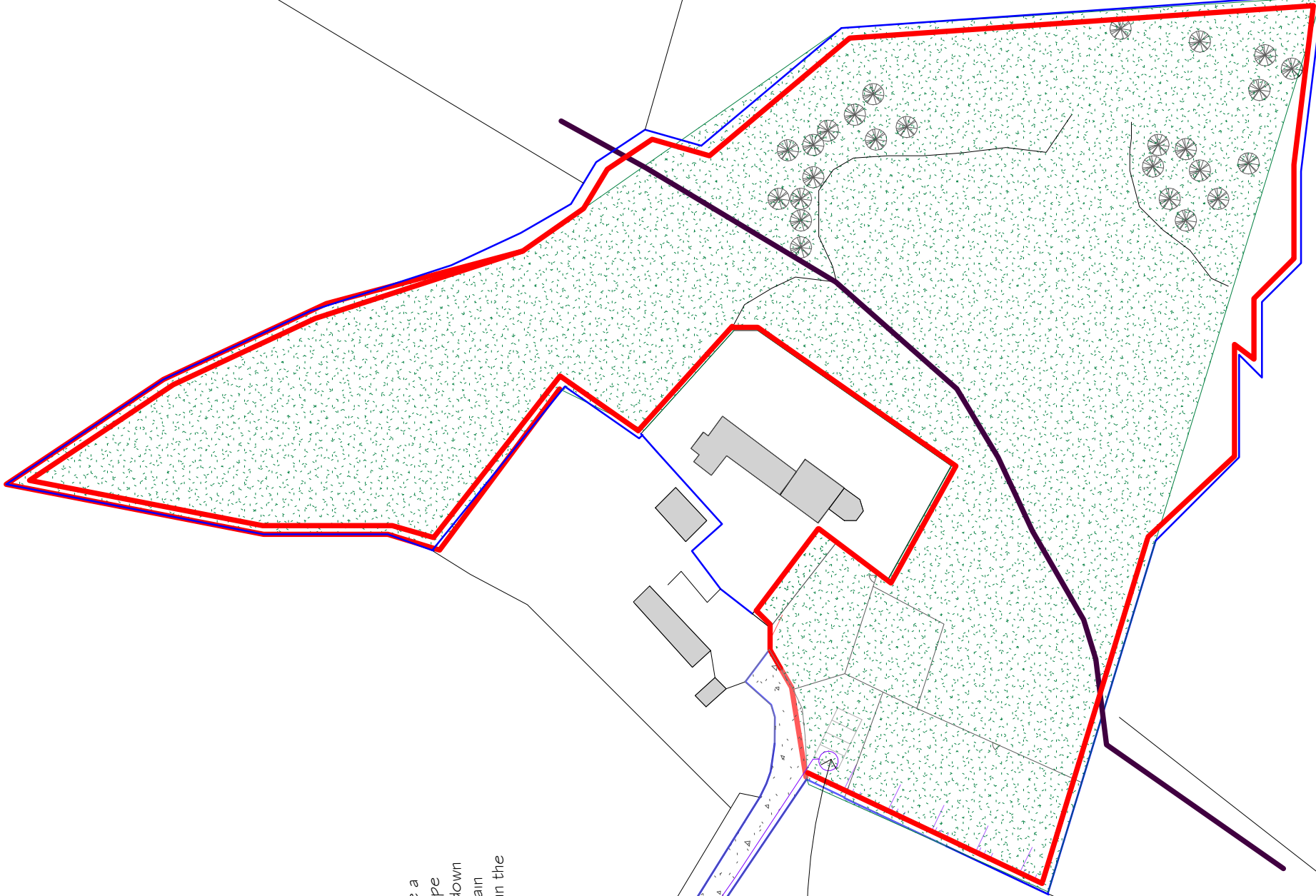
there is an existing field drain ditch here that then drains across the road

the proposal is to take a 100 mm perforated pipe from the new Biodisk down to the existing field drain ditch as shown all within the road verge

the approx length of the perforated pipe will be 165m

The client owns the tarmac drive from here up to the farm house

new Biodisk



Drainage Location Plan  
1 : 1000

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Job : 2016 45 Scale@ A3 1 : 1000

Date : Nov 2016 Revision :

Drawing Title

Drainage Location Plan

Client Simon Hansel

Project

Development at  
Heads Wood Farmhouse,  
Newtown, Irthington,  
Carlisle, CA6 4PE

Drawn By  
Author

Version  
Planning

Drawing no.  
S 105



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**Item No: 06**

Between 18/05/2017 and 23/06/2017

**Appn Ref No:**  
16/0384**Applicant:**  
Canvas Strecher Bars**Parish:**  
St Cuthberts Without**Date of Receipt:**  
29/04/2016 13:00:13**Agent:**  
Mr P Reynolds**Ward:**  
Dalston**Location:**  
Land to the rear of Stribers, 23 Newbiggin Road,  
Durdar, Carlisle, CA2 4UJ**Grid Reference:**  
340767 551036**Proposal:** Proposed Demolition Of Existing Garage And Erection Of 1no. Dwelling  
**Amendment:**

---

**REPORT****Case Officer:** Barbara Percival**Decision on Appeals:****Appeal Against:** Appeal against refusal of planning perm.**Type of Appeal:** Written Representations**Report:****Appeal Decision:** Appeal Dismissed**Date:** 15/06/2017

## Appeal Decision

Site visit made on 23 May 2017

**by Graeme Robbie BA(Hons) BPI MRTPI**

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

**Decision date: 15 June 2017**

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**Appeal Ref: APP/E0915/W/17/3168266**

**Stribers, 23 Newbiggin Road, Durdar, CA2 4UJ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr S Wooldridge (Canvas Stretcher Bars) against the decision of Carlisle City Council.
  - The application Ref 16/0384, dated 28 April 2016, was refused by notice dated 21 October 2016.
  - The development proposed is the proposed demolition of existing domestic garage and erection of 4 / 5 bedroom detached residential property with attached garage on land, formerly the garden, and to the rear of Stribers, 23 Newbiggin Road.
- 

### Decision

1. The appeal is dismissed.

### Procedural Matters

2. The application to which this appeal relates was refused with references to policies contained within Carlisle District Local Plan 2001 – 2016 and the emerging Carlisle District Local Plan 2015 – 2030 (CDLP). However, the Council have confirmed that the CDLP was adopted by the Council on 8 November 2016, that the policies set out therein are applicable in this instance and that it is those policies upon which the appeal should be assessed. I note that the appellant does not dispute this and I have therefore determined the appeal accordingly.

### Main Issues

3. The main issues are the effect of the proposed development upon: -
  - The character and appearance of the surrounding area; and
  - The living conditions of occupants of neighbouring properties, with particular regard to outlook, daylight and sunlight and outdoor amenity space.

### Reasons

#### *Character and Appearance*

4. Policy SP6 of the CDLP states that, amongst other design principles, proposals should respond to local context and the form of surrounding buildings in relation to density, height, scale, massing and established street patterns. CDLP policy HO3, referring to housing in residential gardens, also seeks to ensure that the scale, siting and design of the proposals in such circumstances would not result in a cramped form of development out of character with the surrounding environment. It goes on to state that proposals should integrate

- into their surrounding built, natural or historic environments in terms of design, siting and materials.
5. The appeal site lies within what was formerly part of the garden area of Stribers, a modest bungalow set within a large plot at the entrance to a more recent housing development known as The Willows. The generously proportioned spaces around Stribers, together with the limited proportions of the bungalow itself, create a sense of openness at the entrance to The Willows that manage to largely offset the substantial massing of the split-level dwelling on the opposite side of the entrance to The Willows.
  6. The Willows, a residential development of a character, appearance and layout typical of the late 20<sup>th</sup> century nonetheless has a pleasant, open feel about it. Front gardens are open plan and houses are generally set a consistent distance back from the carriageway edge, ensuring that it feels neither cramped nor oppressive. Notwithstanding the hit-and-miss timber boarded fence that sits **atop the low boundary wall across the appeal site's frontage and around the** southern and western boundaries of Stribers, the siting of existing dwellings and outbuildings – Stribers, the existing detached garage within the appeal site and the dwelling and attached garage at 14 The Willows – are such that there is a sense of openness at the entrance to The Willows that extends into the open-plan frontage layout of houses beyond.
  7. Although the main body of the proposed house would be set back behind the dwelling and attached garage at No. 14, the attached double garage would project significantly forward of both. The alignment of the road into The Willows relative to the appeal site and No. 14 would emphasise and exaggerate the extent of its projection but, at only 2.4 metres back from the appeal site boundary, it would have a jarring, incongruous and obtrusive presence at odds with the prevailing form and layout of properties within The Willows.
  8. The proposed **dwelling's substantial two storey gable elevation would** be a visually prominent feature at the entrance into The Willows. It would significantly erode the sense of space that I found to be evident at and around the appeal site, whilst the two storey gable elevation would have a starkly dominant presence looming over, at close quarters, the rear elevation of Stribers. As a consequence, it would intrude into and erode the pleasing vista experienced upon entrance into The Willows from Newbiggin Road.
  9. Together, these factors lead me to conclude that the proposal would have a jarring, incongruously obtrusive and conspicuously prominent presence at the entrance to The Willows that would be harmfully at odds with the overall character and appearance of that development, and also with that of Stribers. For these reasons, I conclude that the proposal would fail to achieve the standards of design sought by CDLP policies SP6 and HO3 and would thereby also fail to achieve the high quality of development sought as one of the **National Planning Policy Framework's (the Framework) core planning principles<sup>1</sup>** and in respect of its aims for good design<sup>2</sup>.
  10. I acknowledge that the forward-projecting garage element of the proposal would incorporate a hipped pitched roof that would recede from its forward-most point which would thereby reduce the massing and bulk of the resulting

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<sup>1</sup> Paragraph 17

<sup>2</sup> Paragraph 58

roof area. However, neither that nor the suitability of the proposed building materials would materially reduce or mitigate the unduly jarring prominence that I have found that the proposed dwelling would have, or otherwise persuade me that it would be an acceptable form of development.

### *Living Conditions*

11. It is not clear to which of the neighbouring properties the Council is referring to in its refusal reason when it states that the proposal would result in a cramped, over-dominant and over-bearing form of development or one that would result in an unreasonable loss of daylight and overshadowing. Nor have I been referred to any stand-off distances or guidance on the siting and layout of residential development.
12. However, **the Council's Statement of Case** does confine its attention to Stribers and No. 14. Taking these in turn, the fence marking the sub-division of the appeal site from Stribers is positioned close to the north facing elevation of a single storey extension at the rear of the latter. There are, however, a number of windows across the rear elevation, in addition to which there is also a further window on the recessed original portion of the rear elevation. The outlook from the latter of these, which I am advised is a bedroom window, would be directly towards the gable elevation of the proposed dwelling. The other windows, which the drawings suggest serve an open-plan kitchen / dining / family room, although not directly opposing the gable elevation, would be only slightly offset from it.
13. As there would be only 7 metres between the face of the extension and the gable elevation of the proposed dwelling, the slight offset would not materially reduce what would be a sizeable, over-powering and over-bearing physical presence at the rear of Stribers. Although the Council have not referred to minimum stand-off distances or guidelines, in my judgement the relationship between the proposed dwelling and the rear of Stribers would be such that it would have a significant and over-bearing presence upon the outlook from the latter.
14. I agree that the proposed dwelling, by virtue of being positioned due north of Stribers, would not cause any direct overshadowing to the rear of that dwelling. However, that does not offset the harm that I find would arise from the scale and proximity of the proposed gable elevation to the rear of Stribers, and I conclude that that would be harmful to the living conditions and amenity of occupiers of that property. Thus, the proposal would be contrary to CDLP **policies SP6 and HO3 and one of the Framework's core planning principles of** always seeking to secure a good standard of amenity for all existing and future occupiers of land and buildings.
15. With regard to No. 14, the outlook from the rear of that property is across a generously proportioned rear garden in an easterly direction. From my observation of the site and its surroundings, the outlook from there is relatively open to the northeast beyond the opposing No. 22, and to the southeast between Nos. 21 and 22 to the southeast.
16. There would be a degree of offset between the rear faces of No. 14 and the proposed dwelling, in the region of 2.6 metres. However, the proposed dwelling is set off the boundary by 2 metres, whilst the closest element of No. 14 to the proposed dwelling is the rear of its attached garage. The degree of

offset between the two would not, to my mind, be excessive or out of the ordinary within a residential context and I am satisfied that as it would be the garage, rather than habitable room windows that would be closest, the proposed dwelling would not result in a cramped, over-dominant or over-bearing form of development when viewed from the rear of No. 14.

17. With regard to sunlight and daylight, the proposed dwelling would be located due south of No. 14. However, as stated above, the attached garage to the latter would mean that the majority of direct overshadowing would be to the garage and gable elevation of No. 14. There would be some additional overshadowing of the southern portion of the rear garden but, in the context of the rear garden of No. 14, I am not persuaded that that would be so significant, or materially harmful, as to justify the dismissal of the appeal.
18. I have also considered the relationship between the proposed dwelling and the adjacent dwellings at Nos 19, 21 and 22. The proposed dwelling would be visible from all, as they are from the appeal site. However, I am satisfied that all are sufficiently distant from the proposed dwelling so as not to be materially harmed in terms of outlook, sunlight, daylight or privacy. Whilst I have noted that the Council were not specific in terms of which neighbouring properties they considered to be affected, privacy or overlooking of any neighbouring property was not cited as a refusal reason and I have not been presented with any compelling reasons that would lead me to reach a different conclusion. However, that does not outweigh the harm to living conditions in respect of Stribers that I have identified above.
19. Finally, with regard to outdoor amenity space, I have not been directed to any development plan policy or guidance which states that amenity space has to be to the rear of a property. Whilst the existing timber fence significantly curtails the amount of space immediately to the rear of Stribers, there remains sufficient circulation space at the rear. More importantly however, the retained garden plot of Stribers remains large and is comparable, if not larger, than many of those around it. It is not the case that the proposal would result in there being no private amenity space at the existing dwelling and, in the absence of evidence to the contrary, I am not persuaded that what is retained is in any way unsatisfactory or insufficient. I find no conflict with CDLP policies SP6 or HO3 in this particular instance.

### **Other Matters**

20. I have noted the references of both parties to a previously approved scheme for the development of two dwellings on the site of Stribers and the current appeal site. Whilst that permission has now expired, I note that the general principle of development in this location is not disputed. I recognise the intentions of the appellant to negotiate an alternative scheme but the scope of the current proposal and the presence of Stribers are such that I am satisfied that the context of the two proposals are not directly comparable and I afford this matter only limited weight.
21. A number of concerns have been raised regarding procedural matters during **the Council's consideration of the planning application. However, such matters** are not before me in the context of a section 78 planning appeal and I afford them limited weight.

## **Conclusion**

22. For the reason set out above, and having considered all other matters raised, I conclude that the appeal should be dismissed.

*Graeme Robbie*

INSPECTOR

# Report to Development Control Committee

Agenda  
Item:  
**A.2**

Meeting Date: 7th July 2017  
Portfolio: Economy, Enterprise and Housing  
Key Decision: Not Applicable:  
Within Policy and Budget Framework YES  
Public / Private Public

Title: TREE PRESERVATION ORDER 287  
Report of: Director of Economic development  
Report Number: ED/25/17

## Purpose / Summary:

This report considers the confirmation of Tree Preservation Order 287 at Orton Grange Caravan Park, Carlisle in light of an objection to the making of the order.

## Recommendations:

That Tree Preservation Order 287 is confirmed without modifications.

## Tracking

Executive:	<b>N/A</b>
Overview and Scrutiny:	<b>N/A</b>
Council:	<b>N/A</b>

## **1. BACKGROUND**

- 1.1 On 7<sup>th</sup> March 2017 a visit was made to Orton Grange Caravan Park following a call from the Residents Association concerning the protection of 13 oak trees within the centre of the park.
- 1.2 A Tree Evaluation Method for Preservation Orders (TEMPO) exercise was undertaken on each tree to assess their suitability to warrant a preservation order being made.
- 1.3 The TEMPO method is broken down into 4 sections, each of which is related to the suitability for a TPO, these being:
  - Condition
  - Retention span
  - Relative public visibility
  - Other factors (such as location, cohesion of a group, historical/commemorative importance and if a tree has good form, is rare or unusual)
- 1.4 All 13 trees scored appropriately to merit a TPO and a notice of intention was served on the 17<sup>th</sup> March 2017 to protect the trees as a group.

## **2. CONSULTATION**

- 2.1 The Parish Council, owners of affected properties, and all those known to have an interest in the land were consulted on the TPO in accordance with the requirements of the Town and Country Planning (Tree Preservation) (England) Regulations 2012.
- 2.2 A site notice was placed adjacent to the site advising of the making of the TPO, and how to object, or make representations.
- 2.3 The 'Statement of Reasons' included in the order states that the group of 13 medium oaks is a large, prominent feature of the site. Due to the size of the group, it is a significant amenity, contributing to the well treed character of the area.
- 2.4 Letters in support of the order were received from 12 residents of the site and are included in 3<sup>rd</sup> party correspondence and have been supplemented by recent photographs.
- 2.5 A letter of objection was received on 18<sup>th</sup> April 2017 from the site owners Mr & Mrs Welch, advising that they would like to remove two trees (L & M) in order to place 3

new static units to the south end of the open area and a Tree Survey Report undertaken by Westwood Chartered Landscape Architects was supplied in support of this. **Appendix A & B**

- 2.6 The survey reports that Tree L (T12/A in the report) is a mature Oak of good form with no visible defects and is placed in Category A, which is a tree of high quality and value with an estimated remaining life expectancy and substantial contribution of at least 40 years.
- 2.7 Tree M (T13/B) is also a mature Oak with some minor basal damage to the bark, possibly from a mower and is placed in Category B. which is a tree of moderate quality and value with an estimated remaining life expectancy and substantial contribution of at least 20 years.
- 2.8 In point 3 of the report it states *‘collectively the tree group surveyed have a moderate/high landscape and amenity value as they provide a partial landscape buffer between the development and the adjacent roads and between homes. They contribute to and define the setting and character of the park and should be retained except 2 trees which must be removed to accommodate the development. This is particularly the case for the 13 Oak trees within the central open space as they occupy a prominent position and provide an attractive landscape feature’*
- 2.9 The report also states that the group of trees are only making a minor contribution to the streetscape image and rural character on the U1134 road which will affect many more visual receptors as they are set well back from the road.

### **3. CONTEXT**

- 3.1 On 21<sup>st</sup> April 2011, Planning Permission 11/0147 was approved (to vary consent of 00/0945) in order to alter the caravan site layout and provide an additional 10 units. This includes 3 units to be positioned within the open park area. **Appendix C**

Condition 3 on planning permission 11/0147 states:

*‘If concreted bases are provided to accommodate the three caravans to be positioned within the central area of the caravan park, the concrete bases shall be built up off the existing ground and the ground levels below the bases shall not be lowered.*

**Reason:** *To minimise the impact upon the root systems of the adjacent trees in accordance with Policy CP5 of the Carlisle District Local Plan’*

**Summary of Reasons for the Decision - Impact Upon Trees Within The Caravan Park.**

*There are trees located within the central area of the park that has the potential to be affected by the proposed development. As the level of caravans to be sited within this area is now proposed to be reduced by half, this current proposal will have significantly less impact upon these trees than the approved scheme.*

*Notwithstanding this fact, in order to minimise the potential impact that this current proposal will have upon these root systems of these trees a condition is imposed that requires the bases for the caravans to be built up off the existing ground levels. Those residents who have objected to the proposal have also expressed concern regarding the impact that the development will have upon red squirrels that are present within the park. Whilst their concerns are noted, as the development will not have a significant adverse impact upon the trees it is not considered that the proposal will have a detrimental impact upon any squirrels in the vicinity.*

*In overall terms, the principle of the development remains acceptable. The proposed modifications can be accommodated without detriment to the existing residents or the trees that are situated within the central area of the caravan park. In all aspects the proposal is compliant with the objectives of the relevant Local Plan policies.*

- 3.2 In consideration of the letter of objection and the planning history for the site there is a clear conflict between the aspirations of the owners and their planning consent. Members must consider this conflict when determining the confirmation of the tree preservation order.
- 3.3 It was the intention when considering application 11/0147 that the trees were not harmed hence the inclusion of Condition 3. It is the owner's intention however, that the location of trees L & M prohibit the development for the 3 units. In this instance they would not comply with Condition 3.
- 3.4 In considering whether or not to confirm the TPO the detailed survey submitted on behalf of the Owners indicates the trees are in Category A and B. On a development proposal, Officers would try to retain trees of this quality, unless required to remove for essential infrastructure and in this instance the tree survey indicates no qualities that would merit removal, other than for the development. It is feasible that alternative development proposals could be put forward which would not necessitate tree removal.
- 3.5 As there are no tree health or management reasons for the trees to be excluded from the order, their merit of inclusion as a group of 13 trees has to be considered.

On the basis that they scored individually sufficient under the TEMPO process for a TPO to be served and they combine to increase group value, it is considered that they should remain part of the TPO.

#### **4. CONCLUSION AND REASONS FOR RECOMMENDATION**

- 4.1 Tree Preservation Order 287 Orton Grange Caravan Site, should be confirmed without modification as it will ensure the safety of wildlife and provide continuing visual amenity of the park which also makes a contribution to the surrounding area.
- 4.2 All 13 oak trees scored within points 12-16+ points giving a decision guide of 'TPO defensible/definitely merits a TPO'. The condition of all the trees is described as 'good'.
- 4.3 They all scored a good retention span of 20 - 100 years.
- 4.4 Although public visibility to the trees is restricted, the group canopy contributes to the area.

#### **5. OPTIONS TO MEMBERS**

- 5.1 To confirm TPO Order 287
- 5.2 To confirm TPO Order 287 with modifications
- 5.3 To refuse to confirm TPO 287

#### **6. RECOMMENDATION**

That Tree Preservation Order 287 is confirmed without modifications.

**Contact Officer: Sue Stashkiw Ext: 7175**

**Appendices  
attached to report: Appendix A – Site Plan of TPO 287  
Appendix B – Letter of objection and Tree Survey Report  
Appendix C – Planning Permission 11/0147**

**Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers:**

- **The Town and Country Planning Act 1990; Planning Practice Guidance Tree preservation orders and trees in conservation areas.**

## **7. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES**

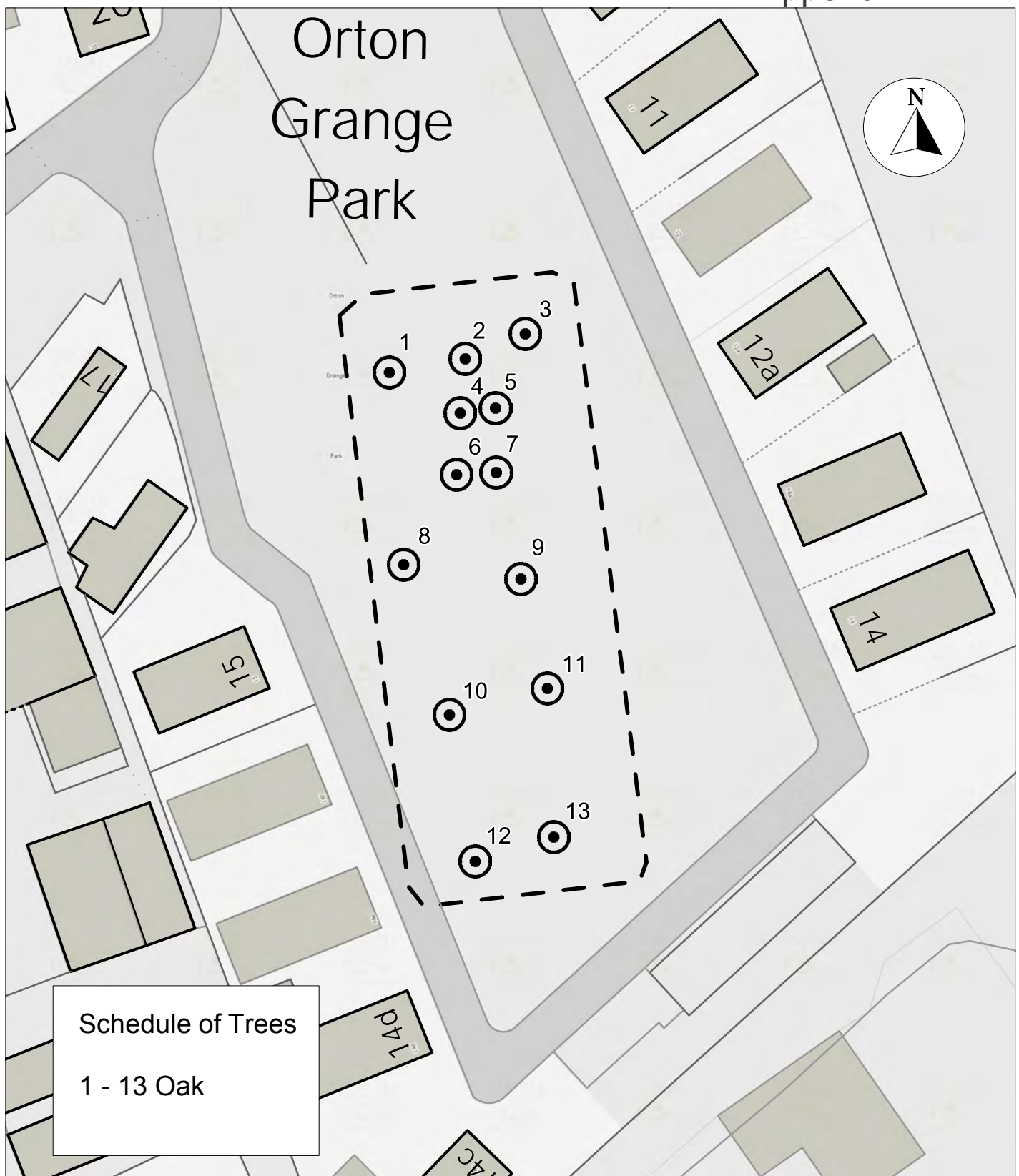
### **CORPORATE IMPLICATIONS/RISKS:**

**Community Services - N/A**

**Corporate Support and Resources – N/A**

**Economic Development – Contained within the report**

**Governance and Regulatory Services** – The Corporate Director of Economic Development, the Development Manager and the Principal Planning Officer each have delegated authority to confirm Tree Preservation Orders in the absence of any objections. As an objection has been received in relation to this particular Order, it falls to the Development Control Committee to consider the objection before deciding whether or not to confirm the Order.



Act 1990 Section 198(1)

**Tree Preservation Order Number 287**  
**Orton Grange Park, Grange Park Road,**  
**Orton Grange, Carlisle CA5 6LT**

Scale: 1:500

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 ordnance survey LA100024459

Date: March 2017

Economic Development, Civic Centre, Carlisle, CA3 8QG  
 Page 151 of 190



## LANCASHIRE PARKS LIMITED

The Bungalow, Barton Park, Westgate, Morecambe, LA3 3BA

Susan Stashkiw  
Governance and Regulatory Services  
Carlisle City Council  
Civic Centre  
Carlisle  
CA3 8QG

18 April 2017

Dear Ms Stashkiw,

We write to confirm our objections to the TPO temporary placed on the trees at our caravan park at Orton Grange.

Please find enclosed a tree survey report from Westwood Landscape chartered landscape architects who supports our argument that the TPO is not necessary.

We currently hold planning permission, granted by Carlisle City Council, to site three park homes in the centre of the park where 13 oak trees have the proposed TPO. If the TPO were to be confirmed it would prevent us from carrying out the development as we will need to remove two of the trees in order to do this, which we are quite happy to replace.

Since purchasing the park myself and my husband have had considerable problems with the residents living there and they are against us from any development of the park. We have now engaged a solicitor who specialises in residential park law due to the non-payment of rent and water increases and also the electric used on the park. We have tried to accommodate the residents on a number of occasions regarding their complaints but feel that non-development of the site is something we are unable to consider. We sincerely hope that you can see this for what it is and remove the proposed TPO.

We do not want to spoil the essence of the park and the trees are a large part of that. They offer an attractive backdrop to the homes and they have a positive impact on the landscape.

Yours sincerely

Mr & Mrs Welch  
Lancashire Park Homes Ltd



Landscape

Chartered Landscape Architects

**TREE SURVEY REPORT**  
**PROPOSED RESIDENTIAL CARAVAN DEVELOPMENT**  
**ORTON GRANGE PARK, CARLISLE CA56LA**

**Rev A 13<sup>th</sup> April 2017**

Bruce Walker B Sc Hons M Phil CMLI  
Chartered Landscape Architect

Orton Grange, Carlisle, Cumbria, CA5 6LB

[www.westwoodlandscape.co.uk](http://www.westwoodlandscape.co.uk)

COMPANY REGISTRATION NO. 125406 PART OF THE LINTON GROUP

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### **4.0 PROTECTION OF EXISTING TREES**

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## 1 INTRODUCTION

### 1.1 SCOPE OF REPORT

1.1.1 This report represents supporting information to accompany an Appeal against a proposed Tree Preservation Order (number TPO 287) by Carlisle City Council. The TPO has been proposed in response to a proposal for additional static caravans for which Planning Permission has been granted (Application number 11/0147). This report will therefore assess the trees in relation to this proposed development and demonstrates that the retained trees will be protected during the construction and operational phases of the development.

1.1.2 Westwood Landscape, Chartered Landscape Architects (with LANTRA Professional Tree Inspector Certification) were appointed by Mr James Welch of Lancaster Park Homes Ltd to carry out a survey and amenity value analysis of the trees on the development site and appraise the potential impact of the development on retained trees. The surveyors were Bruce Walker B Sc Hons M Phil CMLI and James England NDF BSc (Hons) For Mic For.

1.1.3. The proposals are indicated in Appendix 2 which involves the addition of static caravans within the existing open space of the established caravan park. This proposal has been granted Planning Permission.

1.1.4. The existing access will be retained via the minor road cul-de-sac Orton Park Road off the U1134 road adjacent to the junction with the A595 road. Minor adjustments to the internal access road were approved in the Planning permission granted.

### 1.2 METHODOLOGY

1.2.1. The survey data was recorded in the standard schedule format required by the Local Planning Authority. Survey work is in accordance with BS5837 2012 Trees in Relation to Construction.

1.2.2. Tree height was recorded with a Leica Disto D810 digital laser measure to record distance to the tree base and to automatically calculate height.

1.2.3. Crown height and spread was recorded with a Leica Disto D810 digital laser measure. Trunk circumference is measured by tape at 1.5m above ground level. Root Protection Area (RPA) radius is calculated as stem diameter (d.b.h.) x 12. The RPA for multi-stemmed trees is calculated from the diameter of the individual stems rather than the circumference above the root flare (recent change in the April 2012 update to the BS). The combined stem diameter for trees with 2-5 stems is calculated using the formula '*square root of the sum of individual diameters squared*'. For more than 5 stems a mean value is used. Trunk lean was measured with a clinometer and spirit level.

1.2.4. The Tree Schedule records all the data required in British Standard BS5837: 2012 Trees in Relation to Construction. The criteria used is shown in Appendix 5.

## 2.0 SURVEY RESULTS

### 2.1. LEGISLATIVE PROTECTION

2.1.1. The Town and Country Planning (Trees) Regulations 1999 set out the scope of tree preservation orders and also the scope of the protection afforded to trees in Conservation Areas.

2.1.2. The site is not within a Conservation Area. Thirteen trees in a single group have been designated as a temporary TPO (number 287) with full protection status to be confirmed within 6 months if no Appeal is successful.

### 2.2. SPECIES COMPOSITION AND UNIQUENESS

2.2.1 There were no unique species or specimens recorded and the species composition is typical for a sub-urban commercial development of this nature. No special characteristics or protected or rare species were noted.

## 3. LANDSCAPE AND AMENITY VALUE

3.1 Collectively the tree group surveyed have a moderate/ high landscape and amenity value as they provide a partial landscape buffer between the development and the adjacent roads and between the homes. They contribute to and define the setting and character of the park and should be retained except for 2 trees which must be removed to accommodate the development. This is particularly the case for the 13 Oak trees within the central open space as they occupy a prominent position and provide an attractive landscape feature. However it is worth noting that whilst these trees influence the amenity value for park residents and visitors they make only a **minor** contribution to the streetscape image and the rural character on the U1134 road which will affect many more visual receptors as they are set well back from the road. They are not of particularly high quality, special character, historic value or hold prominent positions which are the factors considered when designating a TPO. We do not consider that TPO designation is justified or necessary for these trees.

3.2 Individually the trees surveyed are of low to moderate/ high landscape and amenity value.

3.3. Trees T1-T13 *Quercus petraea* are of moderate to high landscape and amenity value and should be retained except for trees T12 and T13. The group has a range of arboriculture from high quality A (one tree) to low quality C. This native species group is also of moderate to high ecological value.

3.4. Trees T12 and T13 would have to be removed to accommodate the approved layout but could be compensated for by additional tree planting.

3.5. Trees T14- T28 have low to moderate landscape and amenity value and arboriculture classes B and C. They provide a good landscape buffer between the park homes and the adjacent roads. They contribute moderate ecological value and three of these trees are native Oak and Silver Birch.

#### 4.0 PROTECTION OF EXISTING TREES

Refer to Appendices

4.1 Refer to Tree Protection Plan for location of trees to be retained and extent of Root Protection Areas (RPA's) which form a Construction Exclusion Zone (CEZ).

4.2 Protective fencing to be erected prior to the commencement of any other work to ensure that the trees are protected in accordance with British Standard 5837:2012 Trees in Relation to Construction. Such measures shall be retained for the duration of any approved works. Refer to detailed fencing drawing below in the Appendix.

4.3. Protective fencing must remain intact and in place, and protection procedures must be adhered to throughout the construction period. Removal of protective fencing should be the last job carried out on completion of the project.

4.4. No mechanical traffic should be allowed above a tree's root zone, since this could cause compaction and damage roots. No excavations of any kind to take place within the root zone area of protected trees. No materials should be stored within the RPA or any ground level increase. No re-fuelling or any other activity which may lead to chemical spillage should be carried out within or close to the RPA. No fires to be lit within the RPA.

4.5. In certain circumstances it is possible to accommodate construction activities within the distances recommended by the B.S. 5837:2012 calculation. This may be unavoidable for the viability of the project but will not necessarily lead to tree damage. Such intrusive work within the RPA should be restricted to one side of the tree and the protection zone extended on the other sides to compensate. In these circumstances, sympathetic construction methods must be implemented. Any unavoidable alterations required to the surface above the root zones within the fenced off Root Protection Area should only be carried out after having first produced specific method statements for these activities without the use of mechanical excavators ie all works within this zone should be carried out by hand. These should be submitted by the contractor to the Chartered Landscape Architect or Arboriculture Consultant for approval.

#### 5.0 TREE MANAGEMENT WORK

Refer to Tree Schedule in Appendix 1

5.1. The recommendations in the tree schedule should be implemented. Arboriculture monitoring survey at the end of the third year after development to check for signs of deterioration is advised and to monitor the trees where decay or potential structural instability has been recorded. On-going pruning to maintain healthy growth and treatment of any pest and disease occurrence.

5.2. Some minor pruning may be required to ensure that no tree branches overhang the proposed homes. Any work to the proposed TPO trees must be subject to an application to Carlisle City Council for permission for tree work unless the Appeal to remove the TPO is successful.

## 6. PROPOSED PLANTING

6.1 No proposed planting has been detailed but our recommendation is for supplementary tree planting including Oak to ensure that future replacements are established now for when the mature trees eventually fail. This will ensure that the landscape character of the area will be maintained. A range species should be planted to encourage ecological diversity. All of the existing trees which are worthy of retention will be accommodated into the design and carefully protected.

6.2 The ecological diversity of the area could be further enhanced by the introduction of additional indigenous shrub species such as Hazel and species rich wildflower grass at the margins.

6.3. The proposals brings the opportunity to enhance the existing landscape and introduce age diversity to the trees therefore ensuring continuity of these landscape components and the landscape character.

## 7.0 ARBORICULTURAL IMPLICATION ASSESSMENT AND MITIGATION DESIGN

7.1 As stated in the Supplementary Planning Document Trees and Development 2009 the Arboricultural Implication Assessment considers how a proposed development and its associated trees and hedges will co-exist and interact in the present and future. An Arboricultural Implication Assessment is a document required by the Planning Authority to enable them to satisfy themselves that factors such as root protection, changes in levels, installation of services, material storage, etc have been duly considered during the development layout and that these items will not prove detrimental to the retained trees and hedges. It also needs to address the future issues, such as the long term effects of changing a surface level or the future need to prune or remove trees and hedges because they cast excessive shade or encroach upon property.

7.2. The following factors were assessed:

7.2.1. Levels: Details of the proposed levels were not available but it is anticipated that the proposed hardstanding will be generally at existing ground levels. Care must be taken to avoid level changes within the RPA areas and any access and hardstanding areas must have permeable surfacing (eg gravel over terram) installed at the existing surface to avoid excavation. No kerbs requiring excavation for foundations should be installed with timber edging with peg support being preferable to protect the roots.

7.2.2. Services: The proposed service positions were not available to assess but it is assumed that these will run beneath the existing access road and car hardstanding areas and that no new service excavations will be required within the tree RPA's. There are existing drain runs within the RPA's of the TPO Oak trees and adjustment of these services should be avoided if possible. Maintenance work to these drains and manholes may be required and if this involves excavation it should be done carefully by hand to minimise the disruption to roots.

7.2.3. Water demand: The surface water drainage proposals are not likely to significantly alter the supply to or requirement of the existing trees. The majority of the RPA's of the retained trees

will be within soft landscape areas comprising grass and shrubs with the topsoil being retained at its current level and depth around the trees.

7.2.4. Light: The proposed homes will be at a suitable distance from the retained trees to avoid any significant loss of light issues but some loss of light is inevitable.

7.2.5. Canopy obstruction: There will be no significant restriction to traffic in the construction or operational phases. Some minor pruning work is required to shape canopies and remove some branches to avoid overhang of the proposed homes in accordance with the regulations.

7.2.6. Compaction of tree RPA: No compaction of areas within retained tree RPA's are anticipated. Should the need arise to impose upon the RPA's during the construction phase when heavy goods vehicles will be required additional protection measures should be adopted with a compressible layer and I-Trac or similar temporary road structure or similar over any tree RPA affected.

7.2.7. Storage of materials/ Compound: No material or temporary compound activities will be within the fenced off Construction Exclusion Zones. There is limited space available within the site enclosure as indicated on drawing number L03 Tree Mitigation Plan but phasing of the work will be required to overcome this.

## 8.0 SUMMARY AND RECOMMENDATIONS

8.1. This report represents supporting information to accompany an Appeal against a proposed Tree Preservation Order by Carlisle City Council. The TPO has been proposed in response to a proposal for additional static caravans for which Planning Permission has been granted. This report therefore assess the trees in relation to this proposed development and demonstrates that the retained trees will be protected during the construction and operational phases of the development.

8.2 The site is not within a designated Conservation Area. A new TPO for a single group of 13 Oak trees within the central open space of the park is proposed.

8.3. There were no unique species or specimens recorded and the species composition is typical for a sub-urban commercial development of this nature. No special characteristics or protected or rare species were noted.

8.4. The trees surveyed have a low to moderate/ high landscape and amenity value as they provide a partial landscape buffer between the development and the adjacent roads and between homes and they contribute significantly to the landscape character of the park. However they are not of special quality, landscape value, historic value or occupy prominent positions and are well away from the prominent road corridors and are therefore not worthy of a TPO designation. All the trees should be protected and retained except trees T12 and T13 which will be removed to accommodate the approved development with compensation planting of Oak trees proposed.

8.5. Our recommendation is for supplementary tree planting including Oak to compensate for the loss of trees T12 and T13 and to ensure that future replacements are established now for when the mature trees eventually fail. This will ensure that the landscape character of the area will be maintained. A range of native species should be planted to encourage ecological diversity. All of the existing trees which are worthy of retention will be accommodated into the design and carefully protected.

8.6. An arboricultural implication assessment was carried out to consider how the proposed development and its associated trees will co-exist and interact in the present and future. Factors

such as changes to levels, drainage, water demand, services, compaction, canopy obstruction and loss of light were assessed. This concluded that the effects of the development on the retained trees will be acceptable and not affect their long term health and vitality. The retained trees will not cause problems for the construction or operational phases of the development provided that the proposed upgrading work and services are located to avoid conflict with the tree RPA's.

8.7. We can conclude that the site has the capacity to accommodate the development proposals without deterioration of the retained trees or any significant loss of landscape and amenity value. The development offers an opportunity for substantial landscape improvements. The designation of a Tree Preservation Order to protect the Oak group is not considered necessary or justified provided these recommendations are followed which will ensure that the retained trees are fully protected during the construction and operational phases of the development.

**APPENDIX 1**  
**Tree Schedule**

## **APPENDIX 2**

**Tree Survey and Constraints Plan**

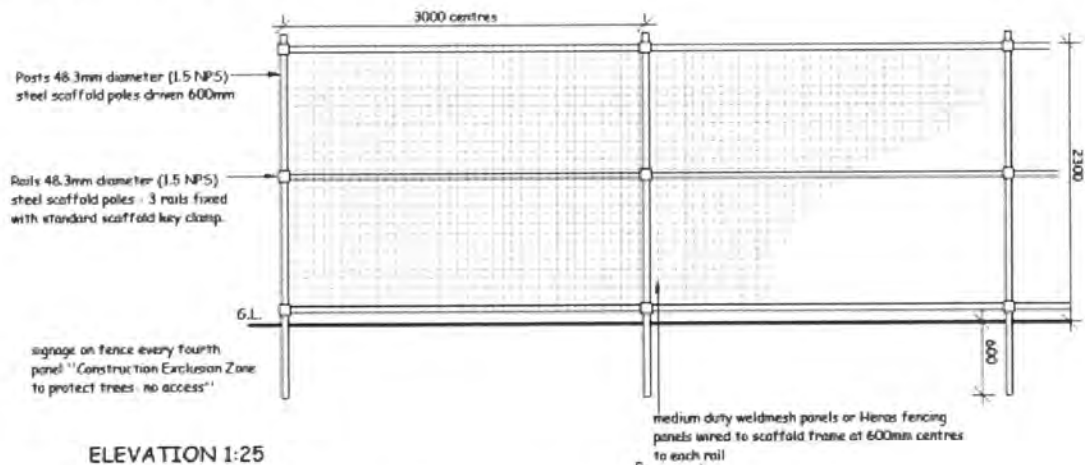
**Aerial photo with Survey overlay**

**Aerial Photo with TPO plan overlay**

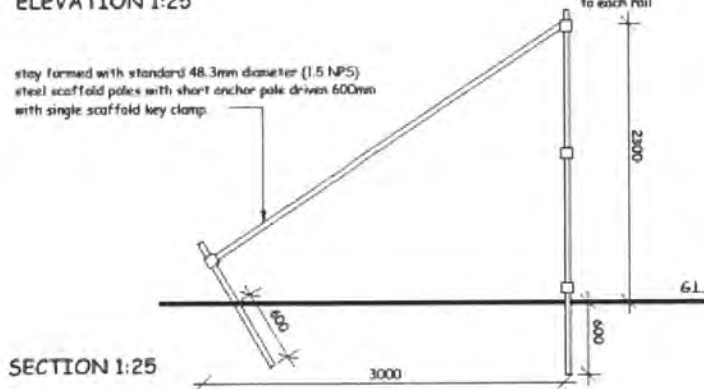
**Tree Mitigation Plan L03**

## APPENDIX 3 Photographs

## APPENDIX 4 Tree Protection Fence Detail



ELEVATION 1:25



SECTION 1:25



## APPENDIX 5

### Tree Classification Criteria

#### Classification Criteria

Information on the trees is provided in the Tree Tabular Data as follows:

Species Age Class:-

**RP:** Recently planted trees – up to approximately 5 years old.

**Y:** Young – established tree up to one third the expected ultimate height

**EM:** Early Mature (Semi-mature) – between one third and two-thirds the expected ultimate height. Growth rate still increasing.

**YM:** Young Mature (Semi-mature) – Growth rate stabilises, although tree has not obtained full potential stature.

**M:** Mature – full stature achieved, more or less full height, but still increasing in girth.

**NOTE:** The Young Mature and Mature period may account for approximately half the trees' life span.

**LM:** Late Mature (over mature) – Crown may begin to decline. Annual increment declines or slows down.

Intermediate classifications can be used where trees do not fall clearly within an age class.

Diameter at Breast Height – (dbh. measured in centimetres at approx 1.5m)

Height – (Approximate height measured in metres)

Height of Main Fork – The height of top of main stem.

Height of Crown – The height of the crown (to general lowest point above ground level) where appropriate.

Crown Spread – (approximate crown spread, measured in metres, to each cardinal point)

Condition - A general Classification of Condition: For example, Good; Fair; Poor; Dead; Dangerous, followed by information regarding condition or any other comments regarded as relevant.

Recommendations - Action recommended in the interests of safety and in accordance with good arboricultural practice.

Physiological Condition – Overall appraisal of the trees health / biological condition together with any relevant comments e.g. pests and diseases. Ratings: Good, Fair, Poor, Dead.

Structural Condition – Overall appraisal of the trees structural condition together with any relevant comments e.g. dead, damaged branches. Ratings: Good, Fair, Poor, Dead. Action and Comments (in the context of proposed development).

Recommendations – action required to facilitate the development, for safety or future health of the tree.

1.2.5. The tree quality assessment follows the following scale based on arboricultural qualities, landscape qualities and cultural values including conservation:

## Trees unsuitable for retention

### **Category U**

Trees in a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years and any existing value will be lost within that period. These trees should be removed for sound arboricultural reasons. Note Category U trees can have existing or potential conservation value which might be desirable to preserve if this does not impose an unacceptable risk. Habitat re-instatement or protection may be appropriate for species such as bats. E.g. installation of bat boxes, or leaving as a safe structure of no arboricultural value, but very good for invertebrates, owls, woodpeckers etc.

Examples of trees in this category include:

- Trees that have a serious, irremediable, structural defect, such that their early loss is expected due to collapse. Includes those that will be exposed following removal of other category U trees, because their sudden exposure increases risk of failure.
- Trees that are dead or are showing signs of irreversible, immediate decline.
- Trees infected with pathogens that threaten the health or safety of other trees nearby.
- Very low value trees restricting the growth of specimens of better quality.

## Trees to be considered for retention

### **Category A**

Trees of high quality and value with an estimated remaining life expectancy and substantial contribution of at least 40 years. They be good examples of the species (rare or unusual) or essential components of groups, or of formal or semi-formal arboricultural features. Trees, groups or woodlands which provide a definite screening or softening effect to the locality (views into or out of the site), or those of particular visual importance and high amenity value. These may include trees, groups or woodlands of significant conservation, historical or cultural value.

### **Category B**

Trees of moderate quality and value with an estimated remaining life expectancy and substantial contribution of at least 20 years. They may not achieve Category A rating due to impaired condition from which they may recover. The tree condition, arboricultural, ecological habitat, landscape and amenity value will be lower than Category A trees but higher than Category C trees.

### **Category C**

Trees of low quality and value with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150mm. Trees in a suitable condition to be retained until they mature or improve (if damaged, diseased, misshapen, etc) or until other trees are established. The tree condition, arboricultural, ecological habitat, landscape and amenity value will be lower than Category A and B trees. Removal of Category C trees to accommodate a development is often considered acceptable as replacements trees can achieve the same level of landscape and amenity value quite quickly. Small trees below 150cm girth could be re-located.

# **APPENDIX 1 - Tree Schedule – Orton Grange Park, Wigton Road, Carlisle, Cumbria, CA5 6LA**

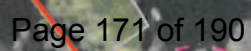
Tree ID	Common Name	Botanical Name	Height (m)	Calc. / Actual Stem Dia. (mm)	Crown spread (m)				Height (m) & Orientation of First Significant Branch	Avg. Canopy Height (m)	Life Stage	General Observations	Preliminary Recommendations	Estimated Remaining Contribution (Years)	BS5837: 2012 Category
					N	E	S	W							
T1	Oak (TPO)	<i>Quercus robur</i>	14.7m	590mm	5	4	4	5	3m South	3.5m	Mature	Slight lean east good form.	Retain.	20-40yrs	B
T2	Oak (TPO)	<i>Quercus robur</i>	14m	410mm	3	2	3	2	3m West	4m	Mature	Some deadwood in the crown. Crown showing signs of dieback, tree suppressed by T1 & T2.	Remove deadwood and monitor condition.	10-20yrs	C
T3	Oak (TPO)	<i>Quercus robur</i>	14m	450mm	6	5	5	5	3m East	3.5m	Mature	Forks heavily at 4m.	Retain.	20-40yrs	B
T4	Oak (TPO)	<i>Quercus robur</i>	13m	380mm	4	5	4	5	3m West	3.5m	Mature	Growing close to T5 and suppressed by it.	Retain.	10-20yrs	C
T5	Oak (TPO)	<i>Quercus robur</i>	14m	480mm	5	6	3	5	4m South	4.5m	Mature	No visible defects, good form.	Retain.	20-40yrs	B
T6	Oak (TPO)	<i>Quercus robur</i>	14m	400mm	5	2	5	5	3m West	4.5m	Mature	No visible defects, good form.	Retain.	10-20yrs	C

**APPENDIX 1 - Tree Schedule (continued) - Orton Grange Park, Wigton Road, Carlisle, Cumbria, CA5 6LA**

Tree ID	Common Name	Botanical Name	Height (m)	Calc. / Actual Stem Dia. (mm)	Crown spread (m)				Height (m) & Orientation of First Significant Branch	Avg. Canopy Height (m)	Life Stage	General Observations	Preliminary Recommendations	Estimated Remaining Contribution (Years)	BS5837: 2012 Category
					N	E	S	W							
T7	Oak (TPO)	<i>Quercus robur</i>	14m	420mm	5	6	4	3	3m East	4m	Mature	Growing close to T6, some minor deadwood noted.	Remove deadwood and retain.	10-20yrs	C
T8	Oak (TPO)	<i>Quercus robur</i>	14m	490mm	5	5	5	6	3m South	4m	Mature	Leaning heavily east.	Retain.	10-20yrs	C
T9	Oak (TPO)	<i>Quercus robur</i>	16.8m	520mm	5	5	5	5	3m North	4.5m	Mature	Good form, highest value tree on the site.	Retain.	40+	A
T10	Oak (TPO)	<i>Quercus robur</i>	14m	430mm	5	5	5	4	2m West	5m	Mature	Reasonable form no defects noted.	Retain.	20-40yrs	B
T11	Oak (TPO)	<i>Quercus robur</i>	16m	550mm	6	7	6	6	3m South	4m	Mature	Some occluded wounds, and minor deadwood in crown.	Remove deadwood.	40+	A
T12	Oak (TPO)	<i>Quercus robur</i>	16m	460mm	6	5	5	6	3m South	3.5m	Mature	No visible defects and good form.	Removal to facilitate the development unless alternative layout adopted. In an area where underground services exist.	40+	A
T13	Oak (TPO)	<i>Quercus robur</i>	11.6m	320mm	4	4	4	4	1.5m South	3m	Mature	Some minor basal damage to bark. Looks like mower damage.	Comment as for T12 above	20-40yrs	B

Tree ID	Common Name	Botanical Name	Height (m)	Calc. / Actual Stem Dia. (mm)	Crown spread (m)				Height (m) & Orientation of First Significant Branch	Avg. Canopy Height (m)	Life Stage	General Observations	Preliminary Recommendations	Estimated Remaining Contribution (Years)	BS5837: 2012 Category
					N	E	S	W							
T14	Apple	<i>Malus domestica</i>	3m	130mm	1	2	1	2	South 1.5m	1.5m	Middle aged	Leaning south.	Retain.	10-20yrs	C
T15	Purple cherry plum	<i>Prunus cerasifera</i> 'Nigra'	6m	180mm 110mm	2	2	2	2	West 1m	1.5m	Young	Twin stem.	Retain.	10-20yrs	C
T16	Common laburnum	<i>Laburnum anagyroides</i>	7m	170mm 110mm 110mm 100mm 120mm	2	2	2	2	West 1m	1.5m	Middle aged	Splits into 5 stems. Would benefit from a crown reduction.	Retain and crown reduce.	10-20yrs	C
T17	Flowering cherry	<i>Prunus</i> spp.	2m	60mm 50mm	1	1	1	1	East 1m	2m	Young	Fastigate upright form. Under the BS5837 size threshold. Strimmer damage to the base.	Retain.	10-20yrs	C
T18	Copper beech	<i>Fagus sylvatica f. purpurea</i>	12m	450mm	4	4	4	4	West 3m	4m	Middle aged	Prune the two previously cut branches back to branch bark collar ridges.	Retain. Remove ivy from base.	10-20yrs	C
T19	Norway Spruce	<i>Picea abies</i>	13.7m	380mm	4	4	4	4	North 3.5m	3.5m	Middle aged	No visible defects.	Retain. Remove ivy from base.	20-40yrs	B
T20	Norway Spruce	<i>Picea abies</i>	14m	310mm	4	4	4	4	North 3.5m	3.5m	Middle aged	No visible defects.	Retain.	20-40yrs	B

Tree ID	Common Name	Botanical Name	Height (m)	Calc. / Actual Stem Dia. (mm)	Crown spread (m)				Height (m) & Orientation of First Significant Branch	Avg. Canopy Height (m)	Life Stage	General Observations	Preliminary Recommendations	Estimated Remaining Contribution (Years)	BS5837: 2012 Category
					N	E	S	W							
T21	Norway Spruce	<i>Picea abies</i>	14.1m	460mm	4	4	4	4	North 3.5m	3.5m	Middle aged	No visible defects.	Retain. Remove ivy from base.	20-40yrs	B
T22	Beech	<i>Fagus sylvatica</i>	13m	310mm	3	3	3	3	South 3.5m	4m	Middle aged	Poor form, remove long branch leaning to south.	Retain.	10-20yrs	C
T23	Cherry	<i>Prunus avium</i>	12m	220mm 340mm	4	3	3	3	South 3m	4m	Middle aged	Twin stem at 60cm.	Retain.	10-20yrs	C
T24	Silver birch	<i>Betula pendula</i>	12m	420mm	4	4	4	4	West 4m	4.5m	Middle aged	Poor form, decay noted in branch stub.	Monitor carefully, remove ivy.	10-20yrs	C
T25	Silver birch	<i>Betula pendula</i>	13m	250mm	3	3	4	4	West 4m	4.5m	Middle aged	Poor form.	Retain.	10-20yrs	C
T26	Oak	<i>Quercus robur</i>	4m	500mm	2	2	2	2	N/A	N/A	Mature	Tree has been pollarded. Metal noted growing in stem. Decay noted in the branch wounds.	Monitor carefully.	10-20yrs	C
T27	Oak	<i>Quercus robur</i>	14m	350mm	4	3	4	4	North 3.5m	6m	Middle aged	Good form, Remove ivy	Retain.	20-40yrs	B
T28	Horse chestnut	<i>Aesculus hippocastanum</i>	14m	450mm Est.	4	4	4	5	West 2m	3m	Middle aged	On boundary, heavy ivy cover.	Remove ivy.	10-20yrs	C











**Economic Development  
Planning Services**  
Civic Centre, Rickergate, Carlisle, CA3 8QG  
Phone: 01228 817000 Fax: 01228 817199  
Typetalk: 0800 95 95 98  
Email: DC@carlisle.gov.uk

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## Application for Planning Permission Notice of Approval

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Town and Country Planning Act 1990

Town and Country Planning (Development Management Procedure)  
(England) Order 2010

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Applicant: Agent: (if any)

Barton Park Homes  
Willow Grove  
Sandy Lane  
Preesall  
Lancs  
FY6 ORB

Mr Colin Holmes  
104 Cambridge Road  
Waterbeach  
CAMBRIDGE  
CB25 9NJ

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### Part 1 - Particulars of Application

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Date of Application: 01/03/2011

Application Number: 11/0147

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Particulars and Location of Proposal:

**Proposal:**

**Variation Of Condition No.2 Of Planning Consent 00/0945 To Allow Additional 10no. Residential Caravans And Alterations To Site Layout (Alteration To Site Layout Previously Approved Under Reference 02/1227)**

**Location:**

**Orton Grange Caravan Site, Great Orton, Carlisle CA5 6LA**

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### Part 2 - Particulars of Decision

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In pursuance of the powers under the above Act and Order the Carlisle City Council hereby gives notice that **Planning Permission Has Been Granted** for the carrying out of the development referred to in Part 1 hereof and as described and shown on the application and plan(s) submitted, subject to due compliance with the following condition(s):

1. The approved documents for this planning permission comprise:
  1. The planning application form received 24th February 2011;
  2. The site location plan received 1st March 2011;
  3. The site layout plan received 24th February 2011 (Drawing No. OG-P-20);

4. Any such variation as may subsequently be approved in writing by the Local Planning Authority; and
5. The Notice of Decision.

**Reason:** To define the permission.

2. This planning permission grants consent for the siting of a total of no more than 33 mobile homes at Orton Grange Caravan Park.

**Reason:** For the avoidance of doubt.

3. If concreted bases are provided to accommodate the three caravans to be positioned within the central area of the caravan park, the concrete bases shall be built up off the existing ground and the ground levels below the bases shall not be lowered.

**Reason:** To minimise the impact upon the root systems of the adjacent trees in accordance with Policy CP5 of the Carlisle District Local Plan.

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### **Summary of Reasons for the Decision**

This revised application seeks planning permission retrospectively for the variation of condition 2 of application 00/0945 to allow the siting of ten additional residential caravans at Orton Grange Caravan Park, Orton Grange, Carlisle. The caravan park is situated three miles to the southwest of Carlisle just off the A595 leading to Wigton. The caravan site has access from the minor road that leads to Dalston from the A595.

In 2003 planning permission was granted for the ten additional residential caravans, together with modifications to the site layout. That permission has been implemented and the alterations to the site layout are largely complete. In undertaking these works the position of those additional caravans to be sited at the southern extent of the park varied from those shown on the approved plans. This current application has been submitted at the request of the City Council to regularise these unauthorised changes.

The fundamental changes proposed by this application relate to the position of caravans along the south eastern boundary of the site, where there were none shown on the approved plans, and a reduction in the number of caravans to be located in the central area from six caravans to three.

No specific details of the caravans have been submitted; however, they will conform to the definition of a caravan, as provided by The Caravan Sites and Control of Development Act 1960. It is proposed to discharge foul drainage to the existing treatment plant, which was installed following the 2003 planning approval, with surface water disposed of through soakaways.

In considering this application Policies DP1, CP5, CP12, H1 and H7 of the Carlisle District Local Plan 2001-2016 are relevant.

The proposals raise the following planning issues:

1. Principle Of The Development.

The principle of siting additional residential caravans in this location is contrary to the objectives of Policies H1 and H7 of the Carlisle District Local Plan; however, the principle of accommodating these units was established through the approval of an earlier application in 2003. As the aforementioned scheme has been implemented it remains extant and could, theoretically, be complied with. As such, the principle of the development, whilst not according with current policy guidance, remains acceptable.

A local resident has expressed concern that should this scheme be permitted it may result in further residential caravans being provided within the park. If, at a later date, an application was submitted to increase the number of residential caravans above the thirty three residential caravans that can lawfully be present on this site the Council would resist the proposal on the basis that it is contrary to the current policy guidance.

In order to avoid any ambiguity regarding the permitted number of residential caravans a condition is imposed which identifies that the number of residential caravans is restricted to thirty three.

2. The Impact Of The Proposal On The Living Conditions Of The Existing And Future Residents.

The proposal relates to a caravan site where the required minimum distance between opposing windows in adjacent caravans is 6 metres. As such, the "standard" minimum distances between primary windows in residential dwellings cannot reasonably be applied in respect of this proposal. The minimum distance that is required between caravans has been achieved and, therefore, the proposal is acceptable in that regard.

3. Whether The Alterations To The Site Layout Are Acceptable.

The proposed alterations to the approved position of the caravans are acceptable. Two residents have expressed concern that the siting of caravans within the central area will compromise the amenity of existing residents as, in their view, this area should be retained as amenity space.

In respect of the historic use of the park, the central area was not reserved as amenity space for the occupiers of the residential caravans, but for the siting of touring caravans. It should also be noted that under the approved scheme six residential caravans were to be sited within the central area and, therefore, this current proposal will result in a reduction of the number of residential caravans within this area from six to three.

4. Impact Upon Trees Within The Caravan Park.

There are trees located within the central area of the park that have the potential to be affected by the proposed development. As the level of caravans to be sited within this area is now proposed to be reduced by half, this current proposal will have significantly less impact upon these trees than the approved scheme.

Notwithstanding this fact, in order to minimise the potential impact that this current proposal will have upon these root systems of these trees a condition is imposed that requires the bases for the caravans to be built up off the existing ground levels.

Those residents who have objected to the proposal have also expressed concern regarding the impact that the development will have upon red squirrels that are present within the park. Whilst their concerns are noted, as the development will not have a significant adverse impact upon the trees it is not considered that the proposal will have a detrimental impact upon any squirrels in the vicinity.

In overall terms, the principle of the development remains acceptable. The proposed modifications can be accommodated without detriment to the existing residents or the trees that are situated within the central area of the caravan park. In all aspects the proposal is compliant with the objectives of the relevant Local Plan policies.

Whilst two letters of objection have been received, under the City Council Constitution, Section 2B, Paragraph 1.1(vi), the application can still be determined under the delegated powers procedure unless more than three objections are lodged from separate households or other interested parties, which are contrary to the prospective decision.

## **Relevant Development Plan Policies**

### **Carlisle District Local Plan 2001 - 2016**

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

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

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

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

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

Proposals for residential development will be considered against the need to give priority to the reuse of previously developed land, with particular emphasis on

vacant and derelict sites and buildings.

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

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

#### **Carlisle District Local Plan 2001 - 2016** **Core Development Policies - Policy CP5 - Design**

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

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

#### **Carlisle District Local Plan 2001 - 2016** **Core Development Policies - Policy CP12 - Foul And Surface Water Sewerage And Sewage Treatment**

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

#### **Carlisle District Local Plan 2001 - 2016** **Housing - Policy H1 - Location Of New Housing Development**

New housing development will be located in sustainable locations in accordance with PPS3: *Housing*, Regional Planning Guidance and the Joint Structure Plan. During the Plan period 80% of new development will be located within the urban

area of Carlisle, including allocated sites on the edge of the City referred to in Proposal H16. The remaining 20% will be permitted in the rural area of the District with the focus on the two Key Service Centres of Brampton and Longtown.

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

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

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

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

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

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

#### **Carlisle District Local Plan 2001 - 2016**

#### **Housing - Policy H7 - Agricultural, Forestry And Other Occupational Dwellings**

Outside of those areas covered by Policy H1 and Proposal H16, permission will not be given for dwellings other than those essential to agriculture, forestry or any other rural-based enterprise and supported by a proven need. The size of dwelling should be commensurate with the scale of the business to which it relates. Occupancy conditions will be used to ensure that such dwellings are only occupied by those working in agriculture, forestry or any other rural-based enterprise.

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Date: 21/04/2011

Signed:

Jane E Meek  
Assistant Director (Economic Development)

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### Important Note

This notice neither conveys nor implies any other approvals, entitlements or statutory rights which may require to be obtained from any other public or private utility or agency prior to work being carried out. In particular, if the proposal involves building work you should ensure that you obtain any approval which may be necessary under the Building Regulations before commencement of development.

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### Advisory Notes

- i) Any approval by the local planning authority of further details required by conditions specified in this notice must be obtained in writing and such notice of approval should thereafter be appended to this notification of decision.
- ii) It is recommended that this notice (and any subsequent written approval of details required to satisfy conditions) be annexed to the property deeds to which the application relates.

### Notice to Applicant of Rights of Appeal

- Where an application for planning permission has been refused, or has been granted subject to a condition or conditions with which you are dissatisfied, you are entitled to appeal to the Secretary of State for the Environment under Section 78 of the Town and Country Planning Act 1990.
- Appeals must, however be made within six months of the date of this notice. Appeal forms and guidance can be downloaded from The Planning Inspectorate web site [www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk). Alternatively they can be obtained from the following address: -

The Planning Inspectorate  
Customer Support Unit  
Temple Quay House  
2 The Square  
Temple Quay  
BRISTOL  
BS1 6PN

Telephone: 0117 372 6372

- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by him.

### **Further Information**

- The Planning Portal web site ([www.planningportal.gov.uk](http://www.planningportal.gov.uk)) contains a range of planning-related guidance and services, which are useful at both the application and appeal stage.

### **Purchase Notices**

- If either the local planning authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

### **Compensation**

- In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.
- These circumstances are set out in sections 114 and related provisions of the Town and Country Planning Act 1990.

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24 FEB 2011  
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DATE EXISTING LAYOUT SEPT. 2010 FINAL LAYOUT.	JOB # PARK HOMES LAYOUT. CIRTON GRANGE CREWVAN PARK, GREAT ORTON, OAKVILLE.
REV.  	
CURRENT BARTON PARK HOMES	DRAWING NO. BG-P-20

# Report to Development Control Committee

Agenda  
Item:  
**A.3**

Meeting Date: 7th July 2017  
Portfolio: Economy, Enterprise and Housing

Key Decision:

Within Policy and  
Budget Framework

NO

Public / Private

Public

Title: PLAY AREA AT THE OAKS, LONGTOWN  
Report of: Corporate Director of Economic Development  
Report Number: ED.26/17

**Purpose / Summary:** To consider whether a children's play area should be sited on the open space at The Oaks, Longtown or whether a contribution should be given to the Parish Council to spend on upgrading existing areas of open space in the locality

**Recommendations:** That a commuted sum of £15,000 should be paid to the Parish Council to improve existing play facilities in the locality and that the open space at The Oaks should be retained as open space and landscaped.

## Tracking

Executive:	
Overview and Scrutiny:	
Council:	

## **1. BACKGROUND**

- 1.1 In August 2008, planning permission was granted for the erection of 82 dwellings on land adjacent to the former Sawmill Site, Netherby Road, Longtown (08/0431). The approved layout included an area of Public Open Space in the southern corner of the site, which had seven dwellings facing onto it, with a road between the dwellings and the open space. A condition was added to the permission which required the applicant to provide, at their expense, items of equipment on the play area.
- 1.2 In July 2009, a revised application for 82 dwellings was approved on the site (08/1172). This retained the Public Open Space in the southern corner of the site and changed the layout so that five dwellings faced it. The same condition about the provision of a play area at the applicant's expense was added to this permission.
- 1.3 From March 2010 to February 2013, three applications to vary permission 08/1172 to substitute house types were approved. In September 2013, an application to change permission 08/1172 to replace 47 dwellings with 29 dwellings was approved (12/1048). The new dwellings were bungalows and replaced the previously approved dwellings on the site that adjoined the proposed open space. In January 2014, further applications to change 7 dwellings for 7 bungalows were approved.
- 1.4 The site has now been developed but the open space is yet to be put in place. Concerns have been raised about putting a children's play area on the site, given that it would lie adjacent to bungalows. There have been a number of incidents of anti-social behaviour on the existing play area on the Lochinvar School site that lies to the rear of the bungalows with the Police being involved a number of times. There have also been incidents of anti-social behaviour caused by children playing on the open space at The Oaks.
- 1.5 The Council has explored the possibility of moving the play area onto the adjacent Longtown Primary School site, which adjoins the site, with the open space being retained and landscaped. This proposal was not, however, acceptable to the school.
- 1.6 Discussions have also taken place with the Parish Council about them receiving a commuted sum of £15,000 in lieu of the providing a children's play area at the Oaks. The Parish Council, however, rejected this offer. This was due to the fact that the offer came directly from the developer and the matter had not been resolved by the Local Planning Authority.

## **2. PROPOSALS**

2.1 There are currently two options. One option is to install the children's play area on the site and this would be maintained by a management company. The other option would be to receive a commuted sum of £15,000 from the developer, which would be gifted to the Parish Council to be spent on improving existing play facilities within Longtown and to landscape the area of open space at The Oaks. The landscaped area would be maintained by a management company.

## **3. CONSULTATION**

3.1 No specific consultation has been undertaken in relation to this issue.

3.2 The developer undertook a survey of residents and 50% were in favour of retaining the children's play area on the open space with 50% wanting it to be re-located elsewhere. The Parish Council has received petitions for and against retaining the children's play area on the open space.

3.3 The Police have contacted the City Council about this issue and they consider that the children's play area should not be located on the open space due to the associated problems of anti-social behaviour.

## **4. OFFICER ASSESSMENT**

4.1. The original application on this site was approved in 2008 and this contained an area of open space, which was to incorporate a children's play area. The layout has been amended a number of times and bungalows are now located adjacent to the open space.

4.2 There have been a number of incidents of anti-social behaviour at the play area on Lochinvar School, which lies to the rear of the site. Local residents and the Police are concerned that putting a children's play area on the open space at The Oaks, will lead to problems of anti-social behaviour within the development.

4.3 The open space is located at the southern end of the site in close proximity to bungalows, a number of which are occupied by elderly residents. If the original application was submitted today, a children's play area would not be provided on the site and the Council would receive a commuted sum for off-site provision. On this basis, and due to the concerns raised by the Police, it is considered that a children's play area should not be provided on the site. The open space should be retained and landscaped and a

contribution of £15,000 should be given to the Parish Council to be spent on improving existing play facilities in the locality.

4.4 Once the payment has been made to the Parish Council, the condition that requires the developer to provide, at their expense, items of equipment on the play area would need to be removed and the approved plans would need to be amended. These changes would be the subject of a separate application.

## **5. CONCLUSION AND REASONS FOR RECOMMENDATIONS**

5.1 That a commuted sum of £15,000 should be paid to the Parish Council to upgrade existing areas of open space in the locality and that the open space at The Oaks should be retained as open space and landscaped

## **6. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES**

6.1 Will contribute to improving the quality of our local environment and green spaces

**Contact Officer:** Stephen Daniel

**Ext:** 7375

**Appendices** None  
**attached to report:**

**Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers:**

- None

### **CORPORATE IMPLICATIONS/RISKS:**

**Community Services**—in light of the changing circumstances since the original application was approved, the Green Spaces Manager is supportive of the idea of a commuted sum being paid in lieu of a play area being provided on the site.

**Corporate Support and Resources** – n/a

**Economic Development** – contained in report

**Governance and Regulatory Services** – the commuted sum to be paid to the Parish Council should meet the same tests of necessity, etc as would a commuted sum paid under a s106 agreement, namely it should be expended on open space and play facilities in the reasonable vicinity of The Oaks.

