

DEVELOPMENT CONTROL COMMITTEE

FRIDAY 7 JUNE 2019 AT 10.00 AM

PRESENT: Councillor Tinnion (Chairman), Councillors Birks, Brown, Christian, Collier, Mrs Glendinning, Morton, Meller (as substitute for Councillor Tarbitt), Nedved, Patrick, Rodgeron (as substitute for Councillor Mrs Atkinson), and Shepherd.

ALSO

PRESENT: Councillor Higgs (in his capacity as Ward Member), attended the meeting having registered a Right to Speak in respect of – Application 18/1044 – Land at Rookery Park (South of Alders Edge) Scotby, Carlisle, CA4 8EH

OFFICERS: Corporate Director of Governance and Regulatory Services
Development Manager
Principal Planning Officer
Planning Officer x 4

DC.056/19 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Mrs Atkinson and Tarbitt.

DC.057/19 DECLARATIONS OF INTEREST

In accordance with the Council's Code of Conduct the following declarations of interest were submitted:

Councillor Brown declared an interest in respect of application 18/1132 – Field to the South of Raughton Head School, Raughton Head, Carlisle, CA5 7DD. The interest related to a relative of an objector being known to her.

Councillor Tinnion declared an interest in respect of application 18/0990 – Land to the rear of Braefoot, Lanercost Road, Brampton. CA8 1EN. The interest related to both the applicant and objectors being known to him in his capacity as Ward Member.

Councillor Meller declared an interest in respect of application 18/0990 – Land to the rear of Braefoot, Lanercost Road, Brampton. CA8 1EN. The interest related to previous discussion of the application with objectors, prior to his becoming an Elected Member.

Councillor Christian declared an interest in respect of the following applications

- 18/0990 - to the rear of Braefoot, Lanercost Road, Brampton. CA8 1EN. The interest related to objectors being known to him.

- 18/1044 – Land at Rookery Park (South of Alders Edge), Scotby, Carlisle, CA4 8EH. The interest related objectors being known to him.

- 18/1132 – Field to the South of Raughton Head School, Raughton Head, Carlisle, CA5 7DD. The interest related objectors being known to him.

Councillor Shepherd declared an interest in respect of applications – 19/0235 and 19/0234 – Civic Centre, Rickergate, Carlisle, CA3 8QG – The interest related to predetermination of the application.

The Members of the Development Control Committee declared an interest in respect of application 18/1044 – Land at Rookery Park (South of Alders Edge), Scotby, Carlisle, CA4 8EH. The interest related to one of the objectors being a former Councillor and therefore known to them.

In relation to applications – 19/0235 and 19/0234 – Civic Centre, Rickergate, Carlisle, CA3 8QG, the Members of the Development Control Committee wished to record that they were Members of the City Council and were determining the applications pursuant to the statutory powers, including the Town and Country Planning General Regulations 1992.

Councillor Collier noted that he had not attend the Committee's site visit to Land to the rear of Braefoot, Lanercost Road, Brampton, CA8 1EN – application 18/0990. Consequently, he did not feel that he had sufficient information to determine the application.

DC.058/19 PUBLIC AND PRESS

RESOLVED – That the Agenda be agreed as circulated.

DC.059/19 MINUTES OF PREVIOUS MEETINGS

RESOLVED 1) - That the Chairman sign the minutes of the meetings held on 13 February 2019 (sites visits), 15 February 2019, 20 March (site visits) and 22 March 2019.

2) That the minutes of the meetings held on 26 April 2019 and 5 June 2019 (site visits) be approved.

DC.060/19 PUBLIC REPRESENTATIONS IN RESPECT OF PLANNING APPLICATIONS

The Corporate Director of Governance and Regulatory Service outlined, for the benefit of those members of the public present at the meeting, the procedure to be followed in dealing with rights to speak.

DC.061/19 CONTROL OF DEVELOPMENT AND ADVERTISING

1) That the applications referred to in the Schedule of Applications under A be approved/refused/deferred, subject to the conditions as set out in the Schedule of Decisions attached to these Minutes.

(2) That the applications referred to under the Schedule of Applications under B be noted.

1) Erection of 5no. Dwellings, Field to the South of Raughton Head School, Raughton Head, Carlisle, CA5 7DD (Application 18/1132).

The Principal Planning Officer submitted the report on the application which had been the subject of a site visit by the Committee on 5 June 2019.

Slides were displayed on screen showing: Location Plan; Block Plan; Elevation Plans, and photographs of the site, an explanation of which was provided for the benefit of Members.

The Principal Planning Officer noted that paragraph 6.32 of the report made reference to Raughton Head House being the nearest property to the application site, he clarified that High Muffles was in fact the nearest dwelling.

The Principal Planning Officer had received from an objector a copy of a newspaper article which reported on a new housing fund set up by the Housing Minister, he summarised the article for the benefit of Members.

Dalston Parish Council had initially raised an issue in respect of the impact of the proposal on Local Green Spaces, however, a revised response had been submitted which had not included that matter: it remained concerned about the scale and design of the development, and its comments were summarised on page 40 of the Main Schedule.

During the Committee's site visit a Member had sought clarification about the ridge height of the proposed dwellings, the Principal Planning Officer confirmed the height as 7.2m. Due to the dwellings being set back from the road, the ridge height would appear lower than that of the adjacent school which had a ridge height of approximately 6.0m

Moreover, during the site visit, a Local Ward Member had made reference to an extant planning permission on a site adjacent to that of the current application, the Principal Planning Officer advised that the permission had expired.

The proposed five dwellings were to be laid out in courtyard style arrangement and the scale of design was considered acceptable. Red sandstone, wet dash render and slate roofs, all of which were prominent in Raughton Head were to be incorporated into the finish of the dwellings. A large area of the site was to be left undeveloped and used as a paddock or meadow. The Lead Local Flood Authority had not objected to the drainage proposals, as it did not consider the proposed scheme would increase flood risk at the site or downstream from the development.

In conclusion, the Principal Planning Officer recommended that the application be approved subject to the imposition of conditions detailed in the report.

Ms Aitken (Objector) spoke against the proposal in the following terms: 32 objections to the proposal had been submitted, the majority of which expressed concern about the insensitive design of the proposed scheme; the proposal was not compliant with Dalston Neighbourhood Plan policies H4 – Design of New Housing and E1 – Landscape, habitats and rural, character; the local school was doing well, but there was no guarantee that the new development would provide additional pupils; the developer had not demonstrated the need for the additional housing in the settlement; the proposed dwellings were executive style homes, rather than family homes which were needed; the proposed access arrangements were inappropriate and the increased traffic volume would have a detrimental impact on the local highway network; the existing drainage problems at the settlement would be exacerbated by the development; the development would require the removal of an existing tree to accommodate the proposed attenuation tank.

Ms Kaye (Objector) spoke against the proposal in the following terms: Dalston Neighbourhood Plan supported new housing in the hamlet, only were it supplied low-cost housing for young families; the proposed scheme was not compliant with Dalston Neighbourhood Plan policy H2, nor Carlisle District Local Plan 2015 - 30 ("Local Plan") policies G1 - Landscapes and HO 2 – Windfall Housing Development criterion 1 and 2.

Ms Openshaw (Objector) spoke against the proposal in the following terms: the proposal was not compliant with Local Plan policy HO 5 – Rural Exception Site and Dalston Neighbourhood Plan policy H2 Windfall Housing Development; the scale of the proposed development amounted to a more than 33% increase in the size of the hamlet; the proposal would block long distance views out of the hamlet; the layout of the proposed scheme was not in keeping with the scattered form of the existing dwellings in the settlement; a portion of the application site was to remain undeveloped, what assurances could be given that no further development would take place at the site

Mr Gray (Agent) responded in the following terms: the Officer had produced a comprehensive report on all aspects of policy; the Dalston Neighbourhood Plan identified only 2 settlements outside of Dalston where development would be acceptable – Raughton Head being one of those sites; neither the Lead Local Flood Authority nor the Highway Authority had objected to the proposal; the proposed dwellings were suitable for both young families and elderly people, with the designs facilitating ground floor only living if desired; the additional parking provision at the school would improve highway safety; the proposed dwellings were energy efficient and would be built in a vernacular style with traditional materials; the development would support existing services in the hamlet; the scheme would increase the bio-diversity of the site through the provision of gardens and hedges; expressions of interest in the properties had already been received and included families and local people.

Mr Gray displayed slides on screen showing: illustrative impressions of the proposed dwellings.

The Committee then gave consideration to the application.

A Member commented that during the Committee's site visit he had been impressed by how the proposed development sat within the hamlet and felt that the number of proposed dwellings was acceptable. However, he expressed concerns about the layout of the site which he considered to not be in-keeping with the scale, massing and scattered form of the existing settlement. He sought clarification on the extent of weight carried by Ministerial Statements as a material planning consideration, and the impact of the Council's Affordable Housing Policy on the development.

The Principal Planning Officer responded that points he had read out from the Housing Minister were from a newspaper report, not an official Ministerial Statement. In terms of affordable housing, the proposed development did not meet the threshold at which a contribution would be sought.

The Development Manager reiterated that Minister's comments read out were not from a formal statement, and that the Council's Local Plan was the appropriate policy document upon which determination of the application ought to be based.

Another Member considered that the development would support the continuation of existing services in the area, on that basis he moved the Officer's recommendation.

Clarification was sought on the issue of the likelihood of potential further development of the site in future.

The Principal Planning Officer a maximum of five properties was all that would be permitted on the site. In order for additional development to take place at the site a further application for Planning Permission would be required. Given the Council's policy stance in relation to the site, it was unlikely that such an application would be judged favourably. Moreover, the layout of the site did not enable access to the non-developed portion of the site due to the configuration of gardens and hedges.

A Member commented that she considered the conditions proposed in the report to be thorough, she asked whether an additional condition requiring the undeveloped portion of the site be retained as a meadow / green space in perpetuity could be imposed.

The Principal Planning Officer confirmed that such a condition was feasible.

A Member felt that the block like form of the proposed scheme was incongruous to the existing settlement, he asked whether Dalston Neighbourhood Plan policy H4 was an appropriate basis for refusing the application.

In response, the Principal Planning Officer stated that he had considered the layout and form of the proposed scheme and was satisfied with its relation to the existing properties, which comprised two dwellings along the roadside, thereby allowing for the retention of the boundary hedge. Any possible alternative proposal would necessarily be more linear in form, which may require the removal of larger parts of the existing hedge.

Another Member considered that the proposed development would support existing services in the hamlet, however, he was mindful of the issues expressed by Dalston Parish Council whilst also being concerned about the matter of the size of the proposed dwellings.

The Development Manager advised that form was an issue for Members to consider and noted the site lent itself to two: linear or grouped. Were the Committee to consider the proposed form was not appropriate, it was able to refuse permission on those grounds. However, it was the Officer's view that the proposal was compliant with the relevant Dalston Neighbourhood Plan and Local Plan policies in that regard. Another approach available to Members was the deferral of the application and an instruction to the Officer to discuss the issue raised by the Committee, with the developer. Any decision to defer the application would need to be supported with a clear indication of the areas of the proposed scheme which Members did not consider acceptable.

A Member moved that determination of the application be deferred in order to allow discussions to be undertaken with the applicant on the form, layout and scale of the proposal. The proposal was seconded, and it was:

RESOLVED: That determination of the application be deferred in order to allow discussions to be undertaken with the applicant on the form, layout and scale of the proposal.

2) Demolition of agricultural outbuildings; Erection of 1no. dwelling with access from Lanercost Road, together with additional landscaping, Land to the rear of Braefoot, Lanercost Road, Brampton, CA8 1EN (Application 18/0990).

Councillor Meller having declared an interest in the item of business, left the room and took no part in the discussion nor determination of the application.

Councillor Morton left the room.

Councillor Collier took no part in the discussion nor determination of the application.

The Planning Officer submitted the report on the application which had been deferred from the 26 April 2019 meeting of the Committee in order to allow Members to consider the additional objections received following the publication of the committee report, as well as a copy of a previous Planning Inspectorate Appeal decisions at the site. Members further resolved to formally close the consultation period on the application.

Slides were displayed on screen showing: Existing site plan; Proposed Site Plan; Proposed Floor Plans; Proposed Elevations; Brampton Conservation Area Map; scale existing and proposed sectional drawings; slides illustrating the boundaries of previous applications that had been refused in the field (including an applications subject of a Planning Appeal, and the associated submitted drawings); illustrative views of the site as developed, and photographs of the site, an explanation of which was provided for the benefit of Members.

During the Committee's site visit of 24 April 2019, Members had sought clarification of the height of the proposed dwelling. The Planning Officer advised that height of the proposed dwelling at its highest point would be 300mm above the retaining wall at the back of the buildings.

The Planning Officer noted that a number of objectors in their correspondence had made reference to previous Planning Inspectorate Appeals, she outlined the differences between those refusals and the current application as set out below.

In 1984 an application for Outline Planning Permission with all matters reserved was refused for three dwellings on the site. An indicative plan submitted for the 1984 application showed the position of dwellings up the hillside as well as tree planting to the east. That application site encompassed a much larger area than the current one.

In 1992 an application for Outline Planning Permission was refused and dismissed at appeal for the erection of 4no.detached dwellings and a public park car park for 5 vehicles. In that proposal the dwellings were to be sited all the way up towards Brampton Ridge with a significant amount of tree planting to the east.

The Planning Officer explained that at the time of the 1992 application the land to which the application related was identified within the relevant Local Plan as "Urban Fringe Landscape", the aim of which was to protect the open character of the landscape from development, unless specific criteria were met. The site was then also located adjacent to Brampton Conservation Area and was not within a primary residential area. The application was dismissed by the Planning Inspectorate as the Inspector considered that the development would have an adverse impact upon the surrounding landscape and character of Brampton.

In the intervening period since the previous Planning Appeal the Council's Development Plan had changed with the adoption of a new Local Plan and the National Planning Policy Framework. In the new Local Plan there was no specific landscape designations, however, as stated in the committee report, Brampton Conservation Area had been extended and now included the application site.

Both of the previous refusals of Planning Permission had been for scheme which provided for housing all the way up the ridge and encompassed a much larger area and were set further into the field. As such those refusals were not directly comparable to the current application today. For the reasons outlined in the committee report it was not considered that the replacement of existing agricultural buildings with 1no.dwelling house set into the landscape would have such an adverse impact upon the landscape character and Brampton Conservation Area as to warrant refusal. On that basis, the Planning Officer recommended that the application be approved, subject to the imposition of the conditions detailed in the report.

Mr Bowden (Objector on his own behalf and on behalf of Mr Harrison, Dr. Keyes and Mrs Winterburn) spoke against the proposal in the following terms:

- The proposal was unwanted, inappropriate development in the Brampton Conservation Area;
- The proposed scheme was contrary to the objectives of the Brampton Conservation Area;
- The Officer's description of Brampton as a District Centre with services was at odds with the Brampton Conservation Area Appraisal and Management Plan 2007;
- The proposal was not compliant with Local Plan policy HE 7 – Conservation Areas, as there was no public benefit to the scheme;

- The proposed treatment of the curtilage of the property would have an excessive visual impact on Braefoot;
- Documents submitted with the application: photograph 117-139-08/09, and drawing 117-139-02H were edited and did not reflect the actual conditions of the site;
- The ridge height of the proposed dwelling, as described in the application documents and Officer report was indicated as 300mm higher than the existing agricultural building. The actual increase would be 3.0m higher than Ridge Valley and 4.5m higher than Braefoot;
- The proposed dwelling would cause a loss of amenity to Braefoot in terms of overlooking and loss of privacy;
- Neighbouring properties would have their privacy diminished as windows from the proposed dwelling directly overlooked windows in existing properties;
- The proposed boundary treatment would adversely affect the private amenity of Braefoot, and its need evidenced the negative visual impact the property would create;
- In a previous Appeal Statement, the Planning Inspectorate had indicated that the entire hillside, which comprised the application site required protection.

Mr Hutchinson (Agent) responded in the following terms: the application provided for the replacement of a derelict structure with a more attractive building in a sustainable location.

The revised proposal would be viewed within the context of the existing dwellings fronting the road and Mote Cottage and would not be detrimental to the character of: the existing streetscene, the Brampton Conservation Area, the Listed Buildings within the vicinity nor any other heritage asset. Cumbria County Council had not objected to the proposal in highways or drainage grounds, neither had the County Historic Environment Officer or Footpath Officer objected to the proposal. Furthermore, the Conservation Area Advisory Committee was content with the proposal and the Council's Heritage Officer had confirmed that the revised proposal was more acceptable.

The proposed split-level dwelling would be built into the slope of the site, and the minimum separation distances required by the Council's Achieving Good Design Supplementary Planning Document were exceeded. Overall, the proposal represented sustainable development which was consistent with the policies of the Local Plan and fulfilled the social, economic and environmental roles identified in the National Planning Policy Framework. He requested that Members support the Officer's recommendation for approval.

The Committee then gave consideration to the application.

A Member noted that the Brampton Conservation Area covered a large geographical area, recognising its importance to the determination of the application, he asked whether the Area was to be considered in its entirety or whether Members should focus their consideration on the ridge that contained the application site and the buildings in its immediate vicinity.

The Planning Officer drew Members' attention to paragraph 6.26 of the report where a discussion of the key issues relating to the areas containing and surrounding the application site was set out.

With reference to paragraph 6 of the Planning Inspectorate Appeal reproduced on page 94 of the Main Schedule, a Member asked how the issues matters described therein related to the current Local Plan policy HE 7 – Conservation Areas.

The Planning Officer explained that the paragraph detailed Carlisle District Local Plan policies from the time (1993), which had specific policies relating to landscape designated as "Urban

Fringe". The relevant policies of the current Local Plan were GI 1 - Landscapes and HO 2 – Windfall Housing Development.

A Member noted the concerns of the Council's Heritage Officer in relation to the setting of the proposal and the supplied indicative visuals not being accurately representative of the site, he asked whether those concerns were not satisfied.

The Planning Officer noted that paragraph 6.31 of the report acknowledged that the indicative visuals were not wholly reflective of the site's current state and the application was assessed based on the scale drawings provided. With use of the existing and proposed sectional drawings displayed on screen, the Planning Officer illustrated for the Committee the proposed development in relation to existing properties.

A Member moved the Officer's recommendation which was seconded, and it was:

RESOLVED: That the application be approved, subject to the implementation of relevant conditions as indicated within the Schedule of Decisions attached to these minutes.

Councillors Meller and Morton resumed their seats.

3) Erection of Up to 90no. dwellings, public open space landscaping and Sustainable Drainage System (SuDS) and vehicular access point from the Scotby to Wetheral Road (Outline), Land at Rookery Park (South of Alders Edge) Scotby, Carlisle, CA4 8EH (Application 18/1044).

The Development Manager submitted the report on the application which had been the subject of a site visit by the Committee on 5 June 2019.

The application had been accompanied by an indicative layout and a development framework that set out the principles of how the site would then be developed should Outline Permission be granted.

Slides were displayed on screen showing: Site Location Plan; Illustrative Masterplan; Proposed Access Strategy Plan, and photographs of the site, an explanation of which was provided for the benefit of Members.

In terms of access, it was proposed that the existing field gate be closed up and a new 5m wide access point with 2m wide footways would be provided east of the existing field gate, with a further emergency/pedestrian/cycle access point opposite the treed area on the north side of the road before reaching the Alders Edge development.

The Outline application included details relating to access, however, matters of landscape, layout, scale and appearance were reserved for a later application. Statutory consultees had raised no objections on the basis that many issues were able to be dealt with by planning condition. Given the open field nature of the application site, it was also anticipated that the Council's Supplementary Planning Documents, which influenced the design of housing areas, was able to be accommodated in any Reserved Matters application. Therefore, consideration of the principle of development and access as the main components of the application was a matter for Members.

The Development Manager understood that since the production of the report Members had been circulated with a leaflet from the applicant setting out how they consider they are policy compliant.

The application site was not allocated for housing development, as part of the Local Plan, therefore, the Development Manager advised the proposed scheme was to be considered under Policy HO2 – Windfall Housing. The report set out the assessment of the proposal in the context of that policy. It was the Officer's opinion that the proposal was contrary to criteria 1 and 3 of Policy HO 2.

In arriving at that view, the Officer also considered that the proposal conflicted with Policy GI 1 – Landscapes with regards to landscape character and by implication the need to for development in the location had not been justified and therefore conflicted with Local Plan Policy SP 2 - Strategic Growth and Distribution. With reference to paragraph 6.89 of the report, the Development Manager noted that it referred to Policy SP 8 however, it should read Policy SP 2 criteria 8 as set out in the refusal reasons.

The Development Manager recommended that the application be refused as it was contrary to Policies HO2, SP2 and GI1 as set out in the report and the consequential sections of the National Planning Policy Framework which advised that planning applications should be determined in accordance with the Development Plan.

Mr Morris (Objector on his own behalf and on behalf of Mr Devonish, Mrs Morris, Mr Johnston and Ms Mills) spoke against the proposal in the following terms:

The Local Plan, and it's identified housing allocation sites, was adopted in 2016 having undergone the required consultations and examinations by independent planning inspector. In accordance with the Local Plan, several Planning Permissions had been granted in Scotby of which 60 dwellings were in construction or built, and an application submitted for a further 34 dwellings on an allocated housing site. Moreover, housing allocation sites R16 (indicative yield 28 dwellings) and R15 (indicative yield 90 dwellings) were not yet subject of submitted applications. Additionally, within Wetheral Parish, 213 dwellings had been granted permission at the Meadowbrook site.

In 2014 the application site had been assessed as part of the Strategic Housing Land Availability Assessment (SHLAA), as a potential housing allocation site, but was "discarded" due to "unacceptable landscape impact". Accordingly, the site was not considered for allocation in the Local Plan.

The number of proposed dwellings at the application site was equal to the indicative yield of the adjacent allocation site, R15. Anecdotally, it was understood that were the current application to be granted, the R15 site would not be brought forward for development. It was Mr Morris' view that such an eventuality would make a mockery of the Local Plan. In addition, the St. Cuthbert's Garden Village would provide 10,000 new homes and had an objective of protecting villages around Carlisle from overdevelopment.

In relation to Local Plan policy HO 2 – Windfall Housing Development, Mr Morris stated that the application was not compliant on the following grounds:

- Criterion 1- the proposed scheme was inconsistent with the linear style of the village, and the scale of development at the application site was significant;
- Criterion 2 – the application would see an additional 90 dwellings constructed, in addition to previously granted permissions and anticipated yields from other housing allocation sites, and approximately 10 infill sites. Such a level of development was out of scale with the existing settlement and would place significant pressure on local services, notably the school. The issue had been identified in the Officer's report, accordingly, Mr Morris requested that it be included in the reasons for refusal;

- Criterion 3 – The site was at the edge of Scotby and in open countryside which meant that the development was also contrary to Local Plan policy G1;
- The application was contrary to the justification for the policy which advised that a proposal should not “adversely impact on views into or out of [Scotby]...”
- There were no existing landscape features at the application site within which the proposed scheme was able to be contained.

Local objection to the application had been demonstrated by a hard copy petition of 234 signatures presented to Wetheral Parish Council in October 2018, and an e-petition supported by 765 people.

Parish Councillor Earp (Wetheral Parish Council) spoke against the proposal in the following terms: 195 objections had been submitted in response to the proposed scheme; an e-petition against the proposal had attracted 765 names; the site had been assessed as unsuitable under the SHLAA; the proposal was contrary to Local Plan policy HO 2 criteria 1, 3, and 5, and policy SP6 and SP 8; the scale of development was inappropriate; the application site was in open countryside and had no existing features to contain it, nor did it integrate well with Scotby; approximately 100 dwellings had been constructed in the settlement on windfall sites, coupled with the permitted development in the wider parish around 400 homes had been permitted, the cumulative effect of which meant that Scotby had already exceeded the level of development indicated by the Local Plan; the site access was narrow and potentially dangerous.

Parish Councillor Earp asked the Committee to approve the Officer’s recommendation and refuse the application.

Councillor Higgs (Ward Member) spoke against the application in the following terms: housing schemes required appropriate infrastructure to support them, constructions on windfall sites did not provide for this as such development was not planned; the St Cuthbert’s Garden Village project aimed to protect villages from overdevelopment, approving the proposed scheme may set a precedent that would damage the Garden Village; the scale of the development was not appropriate; the site was not able to contain the development; the site was in open countryside and not well integrated with Scotby; the proposal was not compliant with Local Plan policy HO 2 – Windfall Housing Development.

Councillor Higgs considered that the development was not wanted nor needed, and that it did not comply with relevant planning policy. He asked the Committee to support the Local Plan and the Officer’s recommendation and refuse the application.

A Member considered that the objectors had put forward their case clearly and the issues raised were material to the determination of the application, accordingly, she moved the Officer’s recommendation. The proposal was seconded, and it was:

RESOLVED: That the application be refused for the reasons indicated within the Schedule of Decisions attached to these minutes.

The Committee adjourned at 11:55am and reconvened at 12:48pm

4) Erection of agricultural machinery/storage and livestock building (Part Retrospective) Field adjacent to Low Mill Barn, Low Mill, Dalston, Carlisle, CA5 7JU (Application 18/0587).

The Planning Officer submitted the report on the application which been the subject of a site visit by the Committee on 5 June 2019.

Slides were displayed on screen showing: Site Location Plan; Block Plan; Floor Plan; Elevation Plans, and photographs of the site, an explanation of which was provided for the benefit of Members.

The application was presented to Members as Dalston Parish Council had raised concerns regarding effluent disposal. Accordingly, it had requested a site visit in order that this issue could be looked at in more detail. The Planning Officer drew Members' attention to paragraph 6.17 the Main Schedule.

In overall terms the proposal did not conflict with current policies within the development plan and on that basis, the Planning Officer recommended that the application be approved subject to the imposition of conditions detailed in the report.

A Member sought clarification on the concerns raised by the Parish Council.

The Planning Officer advised that that Dalston Parish Council had raised issues in relation to effluent from the building. The applicant had confirmed that the structure would be used for the storage of a tractor, trailer and other machinery, and the wintering of sheep. The size of the building would also restrict the number of livestock to be stored.

Responding to a question from a Member as to whether the applicant was a farmer and therefore had the appropriate equipment to manage the site, the Planning Officer confirmed that the applicant was a contractor, however, he had a land holding around his property and wanted some sheep on his land.

A Member moved the Officer's recommendation which was seconded, and it was:

RESOLVED: That the application be approved, subject to the implementation of relevant conditions as indicated within the Schedule of Decisions attached to these minutes.

5) Erection of 25no. dwellings (Revision of previously approved permission 17/0480 to increase the number of dwellings from 17no. to 25no.), Land at Greymoorhill, Kingstown Road, Carlisle (Application 19/0247).

The Principal Planning Officer submitted the report on the application which been the subject of a site visit by the Committee on 5 June 2019.

In October 2018, the Committee granted permission for a Reserved Matters application for the erection of 172 dwellings on this site: those dwellings were under construction. The current proposal sought to increase the density of a particular phase from 17 dwellings to 25 dwellings through: the reduction in size of detached dwellings by the removal of the proposed detached garages; the swapping of detached properties for semi-detached; the replacement of semi-detached dwellings for a terrace of 3 dwellings. The Principal Planning Officer considered that the density, scale and design of the proposed dwellings to be acceptable

Slides were displayed on screen showing: Location Plan; Layout Plan, and photographs of the site, an explanation of which was provided for the benefit of Members.

The increased number of dwellings meant that, under the Council's Affordable Housing Policy 2 additional affordable housing units were required. The development was also expected to generate another two primary school aged children, therefore an additional £29,000 was sought as an Education Contribution, in addition to that already required under permission 17/0480. In

respect of other contributions required as part of the existing Section 106 Legal Agreement, the Principal Planning Officer stated that open space contributions and improvements to California Way would be increased by 4.65% to reflect the additional units.

Regarding highway and drainage infrastructure at the site, the Principal Planning Officer explained that the original design had allowed for the creation of additional dwellings, therefore, there were no concerns in respect of that provision. During the Committee's site visit a Member had asked whether surface water drainage from the site would outflow into Gosling Sike, the Principal Planning Officer stated that the discharge would be into School Sike.

The Principal Planning Officer recommended that the application be approved subject to the completion of a Deed of Variation to the original Section 106 Agreement.

The Committee then gave consideration to the application.

In relation to the proposed cyclepath at California Way, a Member sought confirmation that the proposed scheme would not impact on that route.

The Principal Planning confirmed that approving the application would not impact on the cyclepath at California Way.

With regard to the additional education contribution required by the application, Members discussed the need for an additional school in the north of the city. The Development Manager explained how contributions were managed and allocated. Following a request from Members, he undertook to write to Cumbria County Council as Local Education Authority, to request information on the progress of the matter and the likely timescale for the provision of an additional school at the north of the city.

Referring to paragraph 6.6 of the report, a Member asked why the Heritage Officer's concerns in relation to the increased density of dwellings around the SUDS pond had been disregarded.

The Principal Planning Officer responded that he did not share those concerns, as in his view, the density around the SUDS pond remained low.

A Member moved the Officer's recommendation which was seconded, and it was:

RESOLVED: That the application be approved subject to the completion of a Deed of Variation to the original Section 106 Agreement.

6) Erection of 2no. Dwellings, Land adjacent to Wood Cottage, St. Lawrence Lane, Burgh- by-Sands, Carlisle, CA5 6BS (Application 18/1083).

The Planning Officer submitted the report on the application which sought Planning Permission for the erection of two dwellings within a large garden land of a domestic property in Burgh by Sands.

Slides were displayed on screen showing: Site Location Plan; Block Plan; Floor Plans; Elevation Plans; Tree Plan and photographs of the site, an explanation of which was provided for the benefit of Members.

The Planning Officer explained that whilst the majority of trees at the site would be unaffected by the proposal, it would require the replacement of four trees: T1, T2, T6 and T8. The trees were considered to be either in very poor condition or having a very weak base. Were the application

to be approved, the report recommended conditions including the requirement of a scheme of root protection for the retained trees along with details of the replacement trees be submitted and approved by the Local Planning Authority, prior to the commencement of any works.

In overall terms the Planning Officer considered that the proposal fully complied with both national and local planning policies. Accordingly, he recommended that the application be approved, subject to the imposition of the conditions detailed in the report.

Mr Nettleton (Objector) spoke against the proposal in the following terms: the proposed scheme would have a clear and negative visual impact on views into the site; the Officer's recommendation had not taken into account the site's proximity to – the Conservation Area, Hadrian's Wall and the Solway Coast AONB; the construction phase of development was likely to scare wildlife from the site; the Officer's assertion that the surrounding properties were too far away to be inconvenienced was not correct; the proposal was not compliant with Local Plan policy SP 6 – Securing Good Design.

A Member proposed that determination of the application be deferred in order for a site visit to be carried out. The proposal was seconded. The Member further requested that a representative from United Utilities be invited to the site visit so that an explanation of current drainage issues could be given.

The Development Manager responded that site visits were informal, therefore it was not appropriate for representatives of external organisations to attend.

The proposal was put to the vote and it was:

RESOLVED: That determination of the application be deferred in order for the Committee to undertake a site visit and that a further report on the application be submitted to a future meeting of the Committee.

7) Erection of 1no. Dwellings, Land to rear of 5 – 8 Sewell Place, Carlisle, CA2 4QR (Application 18/1106).

The Planning Officer submitted the report on the application.

Slides were displayed on screen showing: Site Location Plan, Floor Plans, Elevation Plans, and photographs of the site, an explanation of which was provided for the benefit of Members.

The Highway Authority had objected to the application on the grounds that the layout of the access did not create good visibility and an additional dwelling would increase the risk. The Authority further confirmed that its concern related to cars and pedestrians meeting. The Planning Officer explained that the access was existing and had previously been used for pedestrian and vehicular access to the allotments. The redevelopment of the site for 1no.dwelling had been accepted by the Highway Authority, were the application site was to revert to its lawful use as allotments that would generate significantly more pedestrian and vehicle movements to the site than the development for 1no. additional dwelling. In such circumstances it was not considered that the proposal would have a significant detrimental impact on highway safety, over and above what could take place as existing to warrant refusal of the application on this basis. Therefore, the Planning Officer recommended that the application be approved, subject to the imposition of the conditions detailed in the report.

A Member proposed that determination of the application be deferred in order for a site visit to be carried out to enable Members to fully understand the access issues. The proposal was seconded, and it was:

RESOLVED: That determination of the application be deferred in order for the Committee to undertake a site visit and that a further report on the application be submitted to a future meeting of the Committee.

8) Change of Use of agricultural land together with siting of 3no. yurts for holiday accommodation together with 3no. shower/washroom/kitchen blocks; improvements to existing access, Land opposite Pine Grove, Walton, Brampton, CA8 2JW (Application 19/0101).

The Planning Officer submitted the report on the application which was presented to the Committee as the applicant was related to an employee of the Council.

The application relates to the siting of three yurts for use as holiday accommodation together with associated development including a shower and toilet block and drainage. The Supplementary Schedule contained a plan clarifying the proposed layout of the site. In this location, close to Hadrian's Wall and national cycle routes the principle of development was acceptable.

Slides were displayed on screen showing: Site Location Plan; Block Plan; Drainage Plan; Visibility Splay Plan, and photographs of the site, an explanation of which was provided for the benefit of Members.

The site was well related to the properties and buildings adjacent to the site on the opposite side of the road. When approaching from the west the site was at its most visible, but the scale of the proposed buildings was modest.

In all aspects, subject to the imposition of the appropriate planning conditions, the proposal was be compliant with the objectives of the relevant national and local planning policies. On that basis, the Planning Officer recommended that the application be approved, subject to the imposition of the conditions detailed in the report.

The Committee then gave consideration to the application.

With reference to the plans of yurts contained on page 290 of the Main Schedule, a Member noted that the colours shown thereon were indicative only. Given the site's location in the countryside and its proximity to Hadrian's Wall, he requested that the colour of the fabric use be the same as that shown on the plan.

The Planning Officer undertook to impose an additional condition requiring the fabric of the yurts to be kept as dark green, unless otherwise agreed.

The Member sought clarification on the management of the toilets which were designed to be emptied by hand.

The Planning Officer understood that the proposed arrangements were part of the site's green credentials. The Council's Environmental Health Team as Statutory Consultee had not objected to the proposal, in the event of future problems with the system, the applicant was able to submit an application for the provision of toilets.

A Member noted that the site was close to Hadrian's Wall, but had not identified within the Officer's report any indication of archaeological investigations being carried out.

The Planning Officer responded that due to the very limited nature of intrusive ground works associated with the scheme, such investigations had not been requested by the County Archaeologist.

The Development Manager indicated that an additional condition be imposed requiring the reporting of any archaeological materials at the site to the Historic Environment Officer at Cumbria County Council.

A Member moved the Officer's recommendation which was seconded, and it was:

RESOLVED: That the application be approved, subject to the implementation of relevant conditions as indicated within the Schedule of Decisions attached to these minutes.

DC.062/19 STANDING ORDERS

During consideration of the above item, it was moved, seconded and RESOLVED that Council Procedure Rule 9, in relation to the duration of meetings be suspended in order that the meeting could continue over the time limit of 3 hours.

9) External and internal alterations and refurbishment in connection with flood recovery works, Civic Centre, Rickergate, Carlisle, CA3 8QG (Application 19/0235).

The Principal Planning Officer submitted the report on the application which sought Planning Permission for alterations to existing elevations; a new entrance to the western elevation; new full height windows; the installation of an air handling unit to the southern end of the roof.

The Civic Trust had raised concern about the location of the air handling unit which was required for improved energy efficiency and comfort levels within the building. Due to the inclusion of solar panels on the roof, it was not feasible for the unit to be sited there. The Principal Planning Officer explained that the proposal to install the unit on top of the roof of the ground floor extension was to minimise the risk of vandalism and damage in the event of a flood occurring. In the context of the 11 storey tower structure, he was of the view that the visual impact of the air handling unit would be minimal.

The proposal necessitated the loss of three existing trees, which would be replaced, additionally further public realm improvements were provided for as part of the scheme.

Slides were displayed on screen showing: Site Location Plan; Block Plan; Elevation Plans; Landscape Plan; and photographs of the site, an explanation of which was provided for the benefit of Members.

In conclusion, the Planning Officer recommended that the application be approved, subject to the imposition of the conditions detailed in the report.

The Committee then gave consideration to the application.

Responding to a question from a Member who had formerly been on the Council's Executive regarding the need to declare an interest in the item of business, the Corporate Director advised that: so long as the Members were certain that they had an open mind when determining an application, it was acceptable for them to take part in the decision-making process.

A Member expressed support for the proposal and considered that the scheme would result in a betterment for use of the building. She was disappointed about the location of the air vent which would be quite visible.

The Development Manager explained that the matter had been discussed with the Council's Building Control section who had advised that it was not permissible for a screening structure to be placed around the units.

The Chairman asked whether it was possible for incorporating a green roof at the building.

The Development Manager responded that without detailed plans he could not advise on the matter, he was aware of other 1960s constructed buildings where such a feature had been considered but had not been implemented due to structural issues.

A Member moved the Officer's recommendation which was seconded, and it was:

RESOLVED: That the application be approved, subject to the implementation of relevant conditions as indicated within the Schedule of Decisions attached to these minutes.

10) Demolition of Rotunda and extension of existing car park to provide 40no. additional spaces, Civic Centre, Rickergate, Carlisle, CA3 8QG (Application 19/0234).

The Principal Planning Officer submitted the report on the application

Slides were displayed on screen showing: Site Location Plan, Car Park Arrangement Plan, and photographs of the site, an explanation of which was provided for the benefit of Members.

The applicant had submitted the scheme as it viewed the existing building as not being fit for purpose, having poor accessibility and low energy efficiency. In 2017 Cariget Cowen had produced a report on the commercial usage of the existing building, it stated that The Rotunda was of limited usage to third parties because of the two flooding incidents and the lack of DDA provision. It further noted The Rotunda had a poor energy efficiency rating.

The Principal Planning Officer advised that legislation relating to energy performance on rentable property which had come into effect after the report was published, made it unlawful for landlords to grant a new lease on properties that have an energy performance certificate (EPC) rating below E from 1 April 2018. In order for the existing building to be re-let, significant financial investment would be required to ensure that the relevant energy performance mechanisms were incorporated.

The Council's Heritage Officer and the Civic Trust had objected to the demolition of The Rotunda. It was the Principal Planning Officer's view that its removal would not have an adverse impact on the character and appearance of the Conservation Area. However, the loss of trees from the application site was considered to provide a negative impact on the Conservation Area. As mitigation, tree planting was proposed as part of the Landscaping Scheme, and also contained landscaped embankments and trees within the corners of the car park.

In conclusion, the Principal Planning Officer recommended that the application be approved, subject to the imposition of the conditions detailed in the report.

The Committee then gave consideration to the application.

A Member expressed the view that very little effort seemed to have been made to address the removal of a significant structure in a prominent location in the city, and the landscaping indicated in the scheme was an insufficient replacement. Furthermore, the proposed car park effectively provided a large expanse of tarmac which may be open to misuse in quieter periods. He indicated he was minded to move refusal of the scheme on the grounds that it wasn't compliant with Local Plan policies: SP 6 – Securing Good Design, HE 6 – Locally Important Heritage Assets, and HE 7 – Conservation Areas, but that he would listen to the Committee's debate before making his mind up.

Another Member expressed support for the proposed scheme. She appreciated the external appearance of The Rotunda but felt that internally it was not fit for purpose, the cost of redeveloping the building would be significant and may not prevent the deterioration of the building. On that basis she moved the Officer's recommendation.

Responding to a question from a Member regarding the necessity of tree removal, the Principal Planning Officer advised that for the proposed layout it was required that three trees be felled, retaining the trees would require a reconfiguration of the proposed car park.

A Member considered that there was a range of views from Members on the scheme, she recognised the visual impact of The Rotunda and its location in the city centre. However, she felt that the proposal would improve the building and access to it. Therefore, she seconded the proposal supporting the Officer's recommendation.

A Member was of the view that the Civic Centre was an iconic building and an important local heritage asset. Accordingly, he moved that the application be refused on the grounds that it was not compliant with Local Plan Policy HE 6 – Locally Important Heritage Assets.

The Development Manager advised that due to the Council not having a Local List for heritage assets, policy HE 6 was not an appropriate justification for refusing the scheme. He suggested that the Member consider policy HE 7 – Conservation Areas as a more relevant policy.

The Member moved that the application be refused on the grounds that it was contrary to Local Plan policy HE 7 – Conservation Areas. The proposal was seconded.

The Chairman noted that two proposals had been forwarded and seconded, accordingly they were put to the vote. Neither proposal was carried.

A Member moved that determination of the application be deferred in order that a revised scheme for the car park be produced and a further report on the application be submitted to a future meeting of the Committee.

RESOLVED: That determination of the application be deferred in order that a revised scheme for the car park be produced and a further report on the application be submitted to a future meeting of the Committee.

DC.062/19 TPO 302 LAND TO THE NORTH OF TARN LODGE FARM, HEADS NOOK, BRAMPTON

The Development Manager submitted report ED.23/19, TPO 302 Land to the North of Tarn Lodge Farm. Heads Nook, Brampton. Photographs of the site were displayed on screen for the benefit of Members.

In draft of this Order the woodland was the subject of a planning application for holiday lodges sited around the central tarn. The application had been withdrawn as further information was requested including ecological surveys which were time sensitive and not able to be undertaken without significant delay to the application which had a statutory determination time of 8 weeks. There were concerns that during the delay in the application works may be done to the trees.

Tree Preservation Order (TPO) 302 was a woodland Order and therefore covered not only existing trees but any new saplings and undergrowth. During the consultation period on the TPO representations both in support of and against the confirmation of the TPO had been received.

The Development Manager advised that the ecological value of a woodland was not being questioned but what had arisen through the consultation on the Order was the issue of whether the use of a TPO was appropriate in this instance.

The woodland was used for a pheasant shoot which required people to move the pheasants around the wood which could result in trampling. The Development Manager emphasises that there was no intention to stop a shoot by the placing of a TPO and other shoots took place adjacent to woodland within the district. This raises the question of the appropriateness in this instance of a woodland order.

Woodlands required management and the responsible organisation for dealing with woodlands was the Forestry Commission, it had confirmed that the woodland was being well managed by the owner and his tree consultants. TPOs required that all works to trees subject to the Order be applied for through the Council adding a further burden on the Local Planning Authority when another organisation was more appropriately placed to address those matters. Individual trees and small groups of trees can be protected from development by TPOs as they fell below the threshold for the Forestry Commission.

The Development Manager stated that TPOs played a role as a planning tool, however, in this instance he did not consider that the use of a TPO was good practice. Since the production of the report, the Forestry Commission had reaffirmed their view that TPO 302 should not be confirmed. Proposals were underway for a Woodland Management Scheme incorporating not only this woodland but also adjacent woodland in the same ownership under the Countryside Stewardship Scheme. A Woodland Management Plan demonstrated sustainable forest management for work and long-term monitoring and management of the woodland.

The Development Manager advised that the area was not within the North Pennines AONB but was part of the Fell Foot Forward Partnership target area which encouraged appropriate woodland management. The Forestry Commission Woodland Officer was of the opinion that the future protection of the woodland would be best served through an approved management plan regime and not the TPO. Therefore, the Development Manager recommended that Tree Preservation Order 302 - Land North of Tarn Lodge, Heads Nook, Brampton not be confirmed.

Speaker 1 spoke in support of the Tree Preservation Order in the following terms:

- The woodland was a good example of woodland and mire basins typically of the east of Carlisle and was visible for the surrounding pathways and all highway approaches;
- The Cumbria Landscape Character Guidance and Toolkit recommended the strengthening of and maintenance of existing mature woodland in that landscape type;
- The site contained multiple Priority Habitats as defined under Section 41 of the Natural Environment and Rural Communities act (2006) including – Pond, Lowland Raised Bog and Lowland Mixed Deciduous Woodland;

- The woodland was likely ancient, and an independent ecological survey had confirmed the predominance of mature and veteran trees;
- The woodland originated from land that formed Castle Carrock Moor which was enclosed by an Act of Parliament in 1805. Since which time it had remained virtually unchanged, with no record of human habitation of the site having occurred;
- The tarn and woodland defined the character of the estate and the setting of the two Listed Structures therein – Tarn Lodge and Tower Folly;
- The biodiversity of the site had one of the highest densities in Cumbria;
- Specimens collected from the site were of national importance and made up approximately one quarter of Tullie House Museum's Natural Science Collection, which has recently been awarded Designated status by The Arts Council for the importance of specimens within the collection;
- Cumbria Biodiversity Data Centre Manager considered that the site had *"a potentially huge wealth of data waiting to be collected... in terms of contemporary specimens and records showing how species have changed over the last 100 years."* Thus, there was a good deal of scientific research that could be carried out at the site.

Slides were displayed on screen showing: photographs of the site, and specimens in the Tullie House Collection taken from the site.

Speaker 1 asked the Committee to confirm the Order.

Speaker 2 spoke in support of the Tree Preservation Order in the following terms: the woodland was not well managed and tree felling had taken place at the site; the applicant had previously submitted a Planning application to erect 16 holiday lodges at the site, which was subsequently withdrawn, it was anticipated that the application would be re-submitted; the submission of the application and any approval thereof would be highly damaging to the woodland; the applicant had owned the site for 15 years, why had it only recently been decided to implement a Woodland Management Plan; The Forestry Commission did not carry out, nor was it a Statutory Consultee on TPOs; were the formerly proposed development of the site to take place, the shoot would need to be cancelled, causing a loss of jobs; the trees were under threat and needed protection.

Speaker 3 spoke in support of the Tree Preservation Order in the following terms: the woodland supported biodiversity, local amenity and scientific research all of which were factors in government guidance on TPOs; TPOs did not prevent woodland management; the site was poorly managed as evidenced by the presence of invasive species such as Japanese Knotweed; there were other examples of TPO'd woodlands with shoots taking place in the district, therefore the shoot did not need to be cancelled; tree felling had taken place at the site twice in the last year; the TPO was needed to protect the unique woodland.

Mr Hutchinson (Agent) read out a statement on behalf of the landowner and included the following points:

The woodland had been purchased approximately 18 years ago after which time the management of the site had improved. The area of woodland subject to the TPO covered approximately 10 acres and was part of a larger woodland of approximately 100 acres. The local shoot was established both in the woodland and on adjacent land and monies accrued from the rent was used to fund woodland management activities.

In relation to the submitted planning application proposing the erection of holiday cottages at the site, that development would not have necessitated the removal, felling, lopping or pollarding nor would it have caused roots to be damaged.

The Forestry Commission did not consider the woodland to be under threat, and the landowner was in discussions with the organisation to enter the whole 100-acre site into a Forestry Commission approved UK Forestry Standard Woodland Management Plan with a view to entering the site into a Countryside Stewardship scheme in 2020. Mr Hutchinson read out an email from a Woodland Officer at the Forestry Commission confirming the organisation's confidence in the management of the woodland, and the landowner's intent to undertake a Management Plan and the Stewardship scheme.

Clarification was provided in relation to the following matters:

- The Forestry Commission did not consider there were any veteran trees at the site;
- The woodland was not classified as ancient;
- The site was not in the North Pennine AONB;
- The majority of trees were not native species;
- Recent felling had been carried out safely and inspected by the Forestry Commission;
- There was no public access to any part of the woodland, the public footpath at the southern edge of the site did not allow access as the area was overgrown;
- TEMPO Assessment stated that TPOs ought only to be served on woodland which was under immediate threat of harm.

Mr Hutchinson displayed pictures of the site on screen.

The Committee then gave consideration to the confirmation of the Order.

A Member understood that reason the Officer had recommended that the Order not be confirmed was that it might not be the most appropriate mechanism for protecting the woodland. The supporters of confirmation had made reference to important eco-systems at the site, he asked whether it was possible for an ecological report on the matter to be commissioned, as he did not consider he had sufficient information upon which to determine the matter. He further asked what the impact of confirming the TPO would be, could the site be preserved in another way.

The Development Manager responded that there was already an ecological survey of the site being carried out in relation to the previously submitted application for Planning Permission.

The suitability of alternative protection measures was dependent upon the classification of the site. In terms of the impact of confirming a TPO, the Development Manager advised that the Orders required the Local Planning Authority to deal with any works to trees that were subject of an Order. In the event of TPO 302 being confirmed, it was possible for the Order to be in place and also the subject of a Forestry Commission Woodland Management Plan.

Responding to a question from a Member regarding the continuation of the temporary TPO, the Development Manager explained that the Council had six months from the date of making the Order to confirm it. TPO 302 had been made on 11 April 2019, therefore the deadline for confirming it was October 2019.

A number of Members indicated their support for the proposal to defer the decision to confirm the Order on the grounds that they felt more information was needed in respect of the Forestry Commission Management Plan, and the landowner's ecological report of the site.

The Development Manager confirmed that, were Members minded to defer the decision-making in relation to the confirmation of the Order, a further report to the Committee would set out:

further details of the Woodland Management Plan, and provide further information on the landowner's ecological report.

The Corporate Director explained that in order to confirm a TPO, the Committee must consider it expedient to do so. Thus far Members had heard from those in support and those objecting to the making of the Order, however, Members had indicated they felt more information was needed to determine the matter. He emphasised the importance of the Committee being satisfied that the TPO was the most appropriate mechanism for managing prior to any confirmation of the Order.

A Member suggested that the Committee undertake a site visit, and in the event of the visiting taking place asked whether it was possible for a person with an understanding of the ecosystems in the woodland to attend so that they may be explained to Members.

The Corporate Director commented that a site visit would enable the Committee to make its own assessment of the public amenity value of the woodland. He reminded Members that when considering the confirmation of a TPO their principal concern was the amenity value of the trees from a public, rather than a specialist perspective on the eco-systems within the area. Moreover, the landowner was understood to still be in discussion with the Forestry Commission in respect of the creation of a Woodland Management Plan, which was likely to encompass more of the woodland habitat than just the trees.

A Member asked whether it was possible for the Council to commission its own ecological report for the site.

The Development Manager reiterated that the landowner had commissioned an ecological survey, and he understood the supporters of the TPO were also preparing such a report.

The Chairman requested that the Development Manager investigate the imposition of a Site of Special Scientific Interest for the woodland. The Development Manager undertook to do so.

A Member moved that determination of the confirmation of Tree Preservation Order 302 – Land to the North of Tarn Lodge Farm, Heads Nook, Brampton, be deferred in order for:

- a) The Committee to undertake a site visit, and;
- b) For a further report to be submitted to a future meeting of the Committee to include: further details of the Woodland Management Plan, and provide further information on the landowner's ecological report. The proposal was seconded and it was:

RESOLVED – That determination of the confirmation of Tree Preservation Order 302 – Land to the North of Tarn Lodge Farm, Heads Nook, Brampton, be deferred in order for:

- a) The Committee to undertake a site visit, and;
- b) For a further report to be submitted to a future meeting of the Committee to include: further details of the Woodland Management Plan, and provide further information on the landowner's ecological report.

DC.063/19 SCHEDULE B

RESOLVED - That the applications referred to under the Schedule of Applications under B be noted.

[The meeting closed at 3:05pm]