

Schedule of Decisions

Control of Development and Advertisements

The Development Control Committee received and considered the following applications:

Item no: 01

Appn Ref No: 17/0093	Applicant: Reiver Homes	Parish: Stanwix Rural
Date of Receipt: 03/02/2017 11:02:55	Agent: PFK Planning	Ward: Stanwix Urban
Location: Land at Lansdowne Close, Carlisle, CA3 9HN	Grid Reference: 340192 558291	

Proposal: Erection Of 19No. Dwellings (Revised Application)

Members resolved to give authority to the Corporate Director (Economic Development) to issue approval for the proposal subject to completion of a S106 Agreement to secure:

- a) two dwellings being made available to MENCAP at a discounted rate and two dwellings being made available at a 30% discount;
- b) a financial contribution of £29,428 to improve existing open space in the locality;
- c) the maintenance of the informal open space within the site by the developer.

Item no: 02

Appn Ref No: 17/0193	Applicant: McKnight & Son Builders	Parish: Carlisle
Date of Receipt: 07/03/2017	Agent: Architects Plus (UK) Ltd	Ward: Castle
Location: Former Caldewgate School Site, Kendal Street, Carlisle, CA2 5UF	Grid Reference: 339348 555660	

Proposal: Demolition Of Existing School Buildings And Erection Of 15no. Terraced Houses And 20no. Flats With Associated External Works

Members resolved to defer consideration of the proposal in order to undertake an independent viability assessment and to await a further report on the application at a future meeting of the Committee.

Item no: 03**Appn Ref No:**
17/0131**Applicant:**
Robinson Dixon Homes
Ltd**Parish:**
Wetheral**Date of Receipt:**
15/02/2017 16:02:57**Agent:**
Taylor & Hardy**Ward:**
Wetheral**Location:**
Land behind 37 to 65, Scotby Road, Scotby**Grid Reference:**
344021 555620

Proposal: Proposed Erection Of 34 Dwellings And The Enlargement Of The Gardens Serving Plots 6-8 Approved Under Application 16/0159.

Members resolved to give authority to the Corporate Director (Economic Development) to issue approval for the proposal subject to the completion of a S106 agreement to secure:

- a) ten dwellings as affordable housing - 5 at a 30% discount and 5 for discounted rent;
- b) a financial contribution of £72,090 to Cumbria County Council towards education provision;
- c) a financial contribution of £24,221 towards improving existing open space in the locality;
- d) the maintenance of the informal open space within the site by the developer.

Item no: 04**Appn Ref No:**
17/0304**Applicant:**
Citadel Estates Ltd**Parish:**
Wetheral**Date of Receipt:**
03/04/2017 16:02:50**Agent:**
Sandy Johnston Architect**Ward:**
Wetheral**Location:**
Skelton Court, (formerly Skelton House), Wetheral,
CA4 8JG**Grid Reference:**
346432 554572

Proposal: Variation Of Condition 1 (Approved Documents) Of Previously Approved 14/0472 To Retain The 2no. Bedroom Flat Within The Roofspace;
Reduce The Height Of The Lift Housing To 0.3 Metres Above The Roof;
And Raise The Ridge On The East And North Elevations To 1.8 Metres Above Existing Terrace Floor Level

Refuse Permission

1. **Reason:** The combination of the accommodation within the roof space together with the associated alterations to the roof structure

including the roof terrace do not respond to the local character and context of this prominent site within the Wetheral Conservation Area. The proposal is therefore contrary to paragraphs 58 and 138 of the National Planning Policy Framework (NPPF); criterion 1 and 4 of Policy SP6 (Securing Good Design), criteria 1 of Policy HO2 (Windfall Housing Development) and criterion 1, 2 and 3 of Policy HE7 (Conservation Areas) of the Carlisle District Local Plan 2015-2030.

2. **Reason:** The proposed building would be located adjacent to neighbouring residential properties. In this instance, by virtue of the roof top terrace, the development would result in overlooking and a significant loss of privacy to the occupiers of the neighbouring property. The roof terrace would have a brooding and oppressive effect on Acorn Bank and would contribute to making it a less pleasant place in which to live. The proposal is therefore contrary to criteria 7 of Policy SP6 (Securing Good Design) of the Carlisle District Local Plan 2015-2030 and the objectives of the Supplementary Planning Document "Achieving Well Designed Housing".
3. **Reason:** To the east of the application site is Acorn Bank which is a 2 storey Grade II listed building. Due to the design and proximity of the alterations to the roof structure including the roof top terrace, the development fails to preserve the character or setting of the adjacent listed building. The proposal is unsympathetic in scale and character and would adversely affect the appearance and setting of Acorn Bank, contrary to paragraph 133 of the National Planning Policy Framework (NPPF); and Policy HE3 (Listed Buildings) of the Carlisle District Local Plan 2015-2030.

Item no: 05

Appn Ref No:
17/0311

Applicant:
Carlisle Eden Mind

Parish:
Carlisle

Date of Receipt:
05/04/2017

Agent:

Ward:
Castle

Location:
27 Spencer Street, Carlisle, CA1 1BE

Grid Reference:
340436 555929

Proposal: Change Of Use From Use Class B1 (Business) To Use Class D1 (Non Residential Institution)

Grant Permission

- The development shall be begun not later than the expiration of 3 years
1. 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 5th April 2017;
 2. the Additional Information received 5th April 2017;
 3. the Operational and Management Plan received 3rd May 2017;
 4. the Heritage Statement received 25th April 2017;
 5. the site location plan received 5th April 2017;
 6. the current use received 5th April 2017 (Drawing No. 06);
 7. the proposed use received 5th April 2017 (Drawing No. 06);
 8. the Notice of Decision; and
 9. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

3. The premises shall be used for office accommodation for Carlisle Eden Mind and for the execution of services provided by Carlisle Eden Mind and for no other purpose including any other purpose in Class D1 of the Schedule to the Town and County Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order.

Reason: To preclude the possibility of the use of the premises for purposes inappropriate in the locality occupiers in accordance with Policies SP6 and HO12 of the Carlisle District Local Plan 2015-2030.

4. Notwithstanding the hours of opening detailed within the submitted application form, the development shall be operated in complete accordance with the Operation and Management Plan received 3rd May 2017.

Reason: To safeguard the living conditions of the occupiers of neighbouring properties from unacceptable noise, disturbance and nuisance in accordance with Policies SP6 and HO12 of the Carlisle District Local Plan 2015-2030.

Item no: 06

Appn Ref No:
17/0232

Applicant:
Citadel Estates Ltd

Parish:

Date of Receipt:
15/03/2017 23:03:00

Agent:
Sandy Johnston Architect

Ward:
Denton Holme

Location:
Former KSS Factory Site, Constable Street,
Carlisle, CA2 6AQ

Grid Reference:
339574 554722

Proposal: Erection Of 44no. Dwellings, Including Formation Of Riverside Path,
Landscaping And Sustainable Urban Drainage Systems (Revised
Application)

Grant Permission

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

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

2. The development shall be undertaken in strict accordance with the approved documents for this Planning Permission which comprise:
 1. the Planning Application Form received 15th March 2017;
 2. the Site Location Plan received 20th March 2017 (Drawing no. 01/2014/00 Rev 0);
 3. the Block Plan received 20th March 2017 (Drawing no. 01/2014/02 Rev 0);
 4. the Ground Floor Plan received 20th March 2017 (Drawing no. 01/2014/06 Rev 0);
 5. the Ground Floor Plan - House Type received 15th March 2017 (Drawing no. 01/2014/07 Rev 0);
 6. the First Floor Plan - House Type received 15th March 2017 (Drawing no. 01/2014/08 Rev 0);
 7. the Elevations - House Type received 15th March 2017 (Drawing no. 01/2014/09 Rev 0);
 8. the Topographical Survey received 15th March 2017 (Drawing no. ABEL-015-002);
 9. the Long Elevations received 15th March 2017 (Drawing no. 01/2014/05 Rev 0);
 10. the Proposed Site Layout - Swept Path Analysis Refuse Vehicle received 15th March 2017 (Drawing no. SK001 Rev C);
 11. the Planning: Sequential Test received 15th March 2017;
 12. the Design and Access Statement received 16th March 2017;
 13. the Desk Study and HRA Screening Assessment received 15th March 2017;
 14. the Phase 1: Desk Top Study Report Preliminary Geo-Environmental Risk Assessment received 28th March 2017;
 15. the Flood Risk Assessment received 15th March 2017;
 16. the Notice of Decision;

17. any such variation as may subsequently be approved in writing by the local planning authority.

Reason: To define the permission.

3. No development shall commence until samples or full details of all materials to be used on the exterior have been submitted to and approved in writing by the local planning authority. The hereby permitted development shall be carried out and completed in full accordance with the approved details.

Reason: In the interests of visual amenity in accordance with Policies HO2 and CM5 of the Carlisle District Local Plan 2015-2030.

4. No development shall commence until full details of the proposed hard surface finishes to all external areas have been submitted to and approved in writing by the local planning authority. The hereby permitted development shall be carried out and completed in full accordance with the approved details.

Reason: In the interests of visual amenity in accordance with Policies HO2 and CM5 of the Carlisle District Local Plan 2015-2030.

5. Prior to the commencement of development a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed, in writing, by the local planning authority. The CEMP shall include all the mitigation proposals as identified in Section 5.3 of the "Desk Study and HRA Screening Assessment" (report ref. CE-CS1043-RP01-FINAL) prepared by Crestwood Environmental Ltd dated 10th August 2016.

The agreed CEMP shall be fully implemented upon commencement of development and shall not be varied without the prior written agreement of the local planning authority.

Reason: In order to prevent pollution, mitigate impacts on wildlife and any adverse impact upon the River Eden and Tributaries Special Area of Conservation in accordance with Policy GI3 of the Carlisle District Local Plan 2015-2030.

6. Before any development takes place, a plan shall be submitted for the prior written approval of the local planning authority reserving adequate land for the parking of vehicles engaged in construction operations associated with the development hereby approved, and that land, including vehicular access thereto, shall be used for or be kept available for these purposes at all times until completion of the construction works.

Reason: The carrying out of this development without provision of these facilities during the construction works is likely to lead to inconvenience and danger to road users in accordance with Policies IP3 and SP6 of the Carlisle District Local Plan 2015-2030.

7. The carriageway, footways, footpaths, cycleways etc shall be designed, constructed, drained and lit to a standard suitable for adoption and in this

respect further details, including longitudinal/ cross sections, shall be submitted to and approved in writing by the local planning authority before work commences on site. No work shall be commenced until a full specification has been approved. These details shall be in accordance with the standards laid down in the current Cumbria Design Guide. Any works so approved shall be constructed before the development is complete.

Reason: To ensure a minimum standard of construction in the interests of highway safety in accordance with Policies IP3 and SP6 of the Carlisle District Local Plan 2015-2030 and to support Local Transport Plan Policies LD5, LD7 and LD8.

8. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance and in accordance with principles set out in the submitted Flood Risk Assessment ref: Final v2.1/13 March 2017 prepared by JBA Consulting, proposing surface water discharging into the river Little Caldew, 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 system shall demonstrate that no flooding will occur on any part of the site for a 1 in 30 year event unless designed to do so, flooding will not occur to any building in a 1 in 100 year event plus 30 % to account for climate change, and where reasonably possible flows resulting from rainfall in excess of a 1 in 100 year 6 hour rainfall event are managed in conveyance routes (plans of flow routes etc). The scheme must also confirm the design of the surface water drainage system will mitigate any negative impact of surface water from the development on flood risk outside the development boundary.

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

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding in accordance with Policies SP6 and CC5 of the Carlisle District Local Plan 2015-2030 and to promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with policies within the National Planning Policy Framework and National Planning Practice Guidance.

9. Particulars of height and materials of all screen walls and boundary fences shall be submitted to and approved by the local planning authority prior to the

commencement of the development hereby permitted. All works comprised in the approved details of means of enclosure and boundary treatment shall be carried out contemporaneously with the completion (i.e. by the plastering out) and completed prior to the occupation of each dwelling hereby permitted.

Reason: To ensure that the work is undertaken in a co-ordinated manner that safeguards the appearance and security of the area in accordance with Policies HO2 and CM5 of the Carlisle District Local Plan 2015-2030.

10. The development hereby permitted shall be carried out and completed in accordance with the "Development design" measures identified in Section 6 of the Flood Risk Assessment Final Report (March 2017) prepared by JBA Consulting.

Reason: In order to provide resilience in case flooding did occur in accordance with Policy CC4 of the Carlisle District Local Plan 2015-2030.

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

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

12. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. a survey of the extent, scale and nature of contamination;
 - all previous uses;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors; and
 - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution in line with paragraph 109 of the National Planning Policy Framework and in accordance with Policy CM5 of the Carlisle District Local Plan 2015-2030.

13. Prior to any part of the permitted development being brought into use a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete in line with accordance with paragraph 109 of the National Planning Policy Framework and in accordance with Policy CM5 of the Carlisle District Local Plan 2015-2030.

14. The development hereby permitted may not commence until a monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the local planning authority, has been submitted to, and approved in writing by, the local planning authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the local planning authority.

Reason: To ensure that the site does not pose any further risk to human health or the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures. This is in line with paragraph 109 of the National Planning Policy Framework and in accordance with Policy CM5 of the Carlisle District Local Plan 2015-2030.

15. As part of the development hereby approved, adequate underground ducts shall be installed in accordance with details approved in writing beforehand by the local planning authority to enable telephone services, electricity services and television services to be connected to any premises within the application site, without recourse to the erection of distribution poles and overhead lines. The development shall then be undertaken in accordance with the approved details.

Reason: To maintain the visual character of the locality in accord with Policy IP4 of the Carlisle District Local Plan 2015-2030.

16. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures detailed within the FRA:

1. *Finished floor levels are set no lower than 18.15m above Ordnance Datum (AOD).*

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: In order to provide resilience in case flooding did occur in accordance with Policy CC4 of the Carlisle District Local Plan 2015-2030.

17. No dwellings or buildings or structures shall be commenced until the access roads, as approved, are defined by kerbs and sub base construction.

Reason: To ensure that the access roads are defined and laid out at an early stage in accordance with Policies HO2 and SP6 of the Carlisle District Local Plan 2015-2030 and to support Local Transport Plan Policies LD5, LD7 and LD8.

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

Reason: To ensure that pedestrians and people with impaired mobility can negotiate road junctions in relative safety in accordance with Policies HO2 and SP6 of the Carlisle District Local Plan 2015-2030 and to support Local Transport Plan Policies LD5, LD7 and LD8.

19. No dwellings shall be occupied until the estate road including footways and cycleways to serve such dwellings has been constructed in all respects to base course level and street lighting where it is to form part of the estate road has been provided and brought into full operational use.

Reason: In the interests of highway safety and in accordance with Policies HO2 and SP6 of the Carlisle District Local Plan 2015-2030.

20. There shall be no vehicular access to or egress from the site other than via the approved access, unless otherwise agreed by the local planning authority.

Reason: To avoid vehicles entering or leaving the site by an unsatisfactory access or route, in the interests of road safety in accordance with Policies HO2 and SP6 of the Carlisle District Local Plan 2015-2030 and to support Local Transport Plan Policies LD7 and

LD8.

21. Before any development takes place, a plan shall be submitted for the prior written approval of the local planning authority reserving adequate land for the parking of vehicles engaged in construction operations associated with the development hereby approved, and that land, including vehicular access thereto, shall be used for or be kept available for these purposes at all times until completion of the construction works.

Reason: The carrying out of this development without the provision of these facilities during the construction work is likely to lead to inconvenience and danger to road users in accordance with Policies HO2 and SP6 of the Carlisle District Local Plan 2015-2030 and to support Local Transport Policy LD8.

22. Prior to first occupation of any dwelling a suitable emergency access on to Leicester Street shall be designed and constructed to a suitable standard and in this respect further details shall be submitted to the local planning authority for written approval before work commences. No work shall be commenced until a full specification has been approved and the development shall be undertaken in accordance with the approved details. The approved works shall be complete prior to the occupation of the last dwelling.

Reason: To ensure adequate access can be maintained during emergencies in accordance with Policies HO2 and SP6 of the Carlisle District Local Plan 2015-2030.

Item no: 07

Appn Ref No:
16/1021

Applicant:
Carlisle Shopping Centre
Limited

Parish:
Carlisle

Date of Receipt:
23/11/2016

Agent:
Architects Plus (UK) Ltd

Ward:
Castle

Location:
Globe Lane & Grapes Lane, The Lanes Shopping
Centre, Carlisle, CA3 8NX

Grid Reference:
340158 556032

Proposal: Installation of Security Shutters To Enclose Both Ends Of Globe Lane & Grapes Lane (Retrospective)

Members resolved to defer consideration of the proposal in order to discuss alternative proposals with the applicant and to await a further report on the application at a future meeting of the Committee.

Item no: 08**Appn Ref No:**
15/0908**Applicant:**
Mr Fell**Parish:**
Burgh-by-Sands**Date of Receipt:**
02/10/2015 11:00:15**Agent:****Ward:**
Burgh**Location:**
South View, Thurstonfield, Carlisle, CA5 6HE**Grid Reference:**
331398 556691

Proposal: Installation Of Domestic Oil Storage Tank With Timber Fence Enclosure;
Alteration To Extend Rear Pitched Roof Over Proposed Flat Roof;
Installation Of Velux Roof Window (Part Retrospective)

Decision: Grant Permission**Date:** 23/03/2016**Decision of:** Planning Inspectorate**Decision Type:** Appeal Allowed with Conditions**Date:** 05/05/2017**Item no: 09****Appn Ref No:**
15/0833**Applicant:**
Mr Fell**Parish:**
Burgh-by-Sands**Date of Receipt:**
08/09/2015 13:00:26**Agent:****Ward:**
Burgh**Location:**
South View, Thurstonfield, Carlisle, CA5 6HE**Grid Reference:**
331398 556691

Proposal: Installation Of New Windows And Doors, Removal Of Defective Clay Dab
Internal Wall (LBC) (Part Retention)

Decision: Grant Permission**Date:** 23/03/2016**Decision of:** Planning Inspectorate**Decision Type:** Appeal Allowed with Conditions**Date:** 05/05/2017