

Development Control Committee Main Schedule

Schedule of Applications for
Planning Permission

13th July 2012

The Schedule of Applications

This schedule is set out in five parts:

SCHEDULE A - contains full reports on each application proposal and concludes with a recommendation to the Development Control Committee to assist in the formal determination of the proposal or, in certain cases, to assist Members to formulate the City Council's observations on particular kinds of planning submissions. In common with applications contained in Schedule B, where a verbal recommendation is made to the Committee, Officer recommendations are made, and the Committee's decisions must be based upon, the provisions of the Development Plan in accordance with S54A of the Town and Country Planning Act 1990 unless material considerations indicate otherwise. To assist in reaching a decision on each planning proposal the Committee has regard to:-

- relevant planning policy advice contained in Government Circulars, National Planning Policy Framework, Development Control Policy Notes and other Statements of Ministerial Policy;
- the adopted provisions of the North West of England Plan Regional Spatial Strategy to 2021 and Cumbria and Lake District Joint Structure Plan;
- the City Council's own statement of approved local planning policies including the Carlisle District Local Plan;
- established case law and the decisions on comparable planning proposals
- including relevant Planning Appeals.

SCHEDULE B - comprises applications for which a full report and recommendation on the proposal is not able to be made when the Schedule is compiled due to the need for further details relating to the proposal or the absence of essential consultation responses or where revisions to the proposal are awaited from the applicant. As the outstanding information and/or amendment is expected to be

received prior to the Committee meeting, Officers anticipate being able to make an additional verbal report and recommendations.

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

SCHEDULE D - reports upon applications which have been previously deferred by the Development Control Committee with authority given to Officers to undertake specific action on the proposal, for example the attainment of a legal agreement or to await the completion of consultation responses prior to the issue of a Decision Notice. The Reports confirm these actions and formally record the decision taken by the City Council upon the relevant proposals. Copies of the Decision Notices follow reports, where applicable.

SCHEDULE E - is for information and provides details of those applications which have been determined under powers delegated by the City Council since the previous Committee meeting.

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

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

This Schedule of Applications contains reports produced by the Department up to the 29/06/2012 and related supporting information or representations received up to the Schedule's printing and compilation prior to despatch to the Members of the Development Control Committee on the 04/07/2012.

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

Applications Entered on Development Control Committee Schedule

Item No.	Application Number/ Schedule	Location	Case Officer	Page No.
01.	<u>12/0378</u> A	Low Glendinning Rigg, Penton, Carlisle, Cumbria, CA6 5QB	<u>SE</u>	1
02.	<u>12/0345</u> A	Land To Rear Of Midtown Farm, Great Orton, Carlisle, CA5 6NA	<u>ST</u>	16
03.	<u>12/0089</u> A	High Burnthwaite Farm, Durdar, Carlisle	<u>SE</u>	34
04.	<u>12/0155</u> A	Parkfield Stables, Newtown of Rockcliffe, Blackford, CA6 4ET	<u>ST</u>	60
05.	<u>12/0195</u> A	Karibu, How Mill, Brampton, CA8 9LL	<u>RJM</u>	69
06.	<u>12/0266</u> A	6 Fieldside, Burnrigg, Heads Nook, Brampton, CA8 9BP	<u>ST</u>	81
07.	<u>12/0306</u> A	Land to the rear of 82 Castlerigg Drive, Carlisle, CA2 6PF	<u>BP</u>	88
08.	<u>12/0399</u> A	2 Parkhead Road, Brampton, CA8 1DE	<u>SD</u>	98
09.	<u>12/0495</u> A	Land at High Crindledyke Farm, Kingstown, Carlisle, Cumbria	<u>SG</u>	103
10.	<u>12/0422</u> A	2 Green Market, Carlisle, CA3 8JE	<u>SD</u>	110
11.	<u>12/0432</u> A	2 Green Market, Carlisle, CA3 8JE	<u>SD</u>	121
12.	<u>12/9003</u> C	Bolton Fell Moss & Peat Works, Kernal Hill, Roweltown, Hethersgill	<u>ST</u>	127
13.	<u>12/0054</u> C	Blackhill Cottage, Hallbankgate, Brampton, CA8 2NJ	<u>SE</u>	139
14.	<u>10/1066</u> D	Skelton House, Wetheral, Carlisle, CA4 8JG	<u>SG</u>	142

Date of Committee: 13/07/2012

SCHEDULE A

SCHEDULE A

SCHEDULE A: Applications with Recommendation

12/0378

Item No: 01

Date of Committee: 13/07/2012

Appn Ref No:
12/0378

Applicant:
Empirica Investments
Limited

Parish:
Nicholforest

Date of Receipt:
04/05/2012

Agent:
Knight Frank LLP

Ward:
Lyne

Location:
Low Glendinning Rigg, Penton, Carlisle, Cumbria,
CA6 5QB

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

REPORT

Case Officer: Suzanne Edgar

1. Recommendation

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

2. Main Issues

- 2.1 The impact of the proposed development on the landscape and visual character of the area
- 2.2 Air safety with regard to Carlisle Airport and the Ministry Of Defence
- 2.3 The impact on the living conditions of local residents
- 2.4 The effect of the scheme on local ecology and nature conservation

3. Application Details

The Site

- 3.1 Low Glendinning Rigg is located approximately 29.1km north-east of Longtown. The property is located within a broad valley with the area around the site gently rolling. The predominant land use in the surrounding area is agriculture with scattered development and woodland. The land around Low Glendinning Rigg rises gradually from the surrounding roads and peaks

towards Rigg Wood which is located approximately 230 metres to the south east of the property.

- 3.2 The application site is located to the east of Rigg Wood approximately 560 metres from Low Glendinning Rigg. There are no public footpaths through or in close proximity to the site and the nearest residential property is Glendinning Rigg which is situated approximately 540 metres to the north.

The Proposal

- 3.3 This application is seeking approval for the erection of a temporary 50m high meteorological monitoring mast for a one year period. The purpose of the mast is to collect baseline data that would contribute to the assessment of the location as a site for wind energy development.
- 3.4 The mast is a cylindrical galvanised steel structure, 165mm in diameter, which is held upright by six high tensile steel guy wires. Three of the wires will be anchored 15 metres from the mast with the remaining three anchored at 30 metres at equal distances. The angle between each guy wire is 120 degrees.
- 3.5 In order to erect the mast a trench of 0.45 m³ will be dug to place the anchors then backfilled and compacted. There are no foundations and the mast itself will sit upon a steel base. No heavy machinery will be required for the installation and after the 12 month period the mast will be dismantled. Access to the site will be via the existing track to the south of Low Glendinning Rigg and from existing field entrance points. The proposal includes no additional hardstandings/access tracks.

4. Summary of Representations

- 4.1 This application has been advertised by the display of a site notice and by means of notification letters sent to properties within a 1200 metres radius of the site (33 properties). In response 20 letters/emails of objection and 2 letters/emails of comment have been received.
- 4.2 The objections cover a number of matters and these are summarised as follows:

LANDSCAPE AND VISUAL

1. Mast is too tall for the area
2. There will be a negative effect on landscape – destroy beauty of the area
3. Mast is out of character with the surrounding landscape
4. No point in degrading landscape for the purposes of speculation
5. The mast will disrupt the natural skyline
6. Unnecessary/non essential development in the countryside
7. There are less invasive ways of gathering information
8. Impact on visual amenity – too close to neighbouring properties

9. Impact on setting of adjacent ancient woodland that occupies the crest of the gently rising land
10. There is no electric transmission equipment or mechanical structures to ameliorate its visual impact. If a wind turbine is proposed such structures would be required
11. Proposal would be an alien feature
12. Mast would be visible from public highways
13. Impact on visual amenity of Scuggate
14. Mast will be on higher ground which means there would be a greater impact on visual amenity
15. Impact on skyline across border in Scotland in Scotland which is an area of Great Natural beauty
16. Site has a rolling topography and will therefore affect a number of dwellings
17. Cumulative impact on landscape character, visual amenity and nature conservation should be considered
18. Mast will be 600m from Glendinning Rigg and 100m from their property
19. No other pylons visible in the landscape

ECONOMIC

1. Only winners are the developer
2. Property devaluation
3. Impact on tourism and local economy
4. By refusing the application there will be no further expense at appeals/public enquiries

LIVING CONDITIONS/HEALTH

1. Impact on the quality of life for those residents living nearby

ECOLOGY/CONSERVATION & ENVIRONMENT

1. Impact on wildlife
2. Proximity to Black Burn and will pollute the Esk. Impact on Salmon fishing
3. Near SSSI (Moorland Project)

OTHER MATTERS

1. If mast was given approval what will happen at the end of the one year period?
2. There is no functional/locational need for a mast
3. Difficult to see justification as data that mast will gather must be available from other developments in operation in the area
4. Proposal is adjacent to mature woodland which would be a poor location for wind energy development
5. Proposal will lead to an application for turbines at the site
6. Wind turbines are not efficient or ecological as is claimed
7. Impact on air traffic control at spadeadam
8. Within 50km of Eskdalemuir Recording Station and the potential impact of a turbine on this station as the noise budget has been met

9. There is no **access** to the site and this would need to be obtained from elsewhere
- 4.3 An email has also been received from Rory Stewart MP writing in support of a constituent at Glendinning Rigg who has objected to the proposal. Mr Stewart has indicated that the constituent objects to the proposal in its own right and the fear that the proposal is a precursor to further installation of wind turbines in the area. Mr Stewart also indicates his own objection to the proposal confirming that he is strongly opposed to the proliferation of turbines in Cumbria.
- 4.4 The comments cover a number of matters and these are summarised as follows:
1. Questions regarding consultation
 2. Block plan gives no indication of positioning of neighbouring properties
 3. Support for turbine might be achieved if company were partners with a community led organisation to enable local concerns to be addressed and profits shared equally.

5. Summary of Consultation Responses

Cumbria County Council - (Highway Authority): - assuming the land will be accessed via Glendinning/Low Glendinning Rigg there is no objection;

Nicholforest Parish Council: - the mast would be an intrusive man-made feature creating visual clutter in the simple landscape; concerns regarding the location of the mast in relation to residential properties; the mast will be an eyesore to people looking across the valley in particular residents on the Haglin Road and the proposal will be within the 50km Eskdalemuir exclusion zone.

Royal Society for the Protection of Birds: - no objection;

Joint Radio Co: - no objection;

National Air Traffic Services: - no safeguarding objections;

Carlisle Airport: - no objection;

United Utilities - (for water & wastewater comment) see UUES for electricity dist.network matters: - no objection;

Ministry of Defence/Defence Estates (Eskdalemuir): - no objection subject to the mast being fitted with aviation lighting to maintain the safety of low flying military aircraft and a condition regarding date of construction etc. The site of this application occupies the statutory safeguarding zone surrounding the Eskdalemuir Seismological monitoring station in which wind energy development is regulated subject to a noise vibration budget. Any application for a wind turbine within this zone would be considered separately. As the noise budget has been allocated any application for an additional wind

turbine would need to demonstrate that the budget threshold would not be breached as a result of any development.

(Former Comm/Env.Services) - Green Spaces - Countryside Officer - RURAL AREA: - no comment;

Natural England - relating to protected species, biodiversity & landscape: - the application is in close proximity to Jockie's Syke and Penton Linns Sites of Specific Scientific Interest (SSSI). However, given the scale and nature of the proposal, Natural England raises no objections.

Cumbria Wildlife Trust: comments awaited;

Dumfries and Galloway Council: comments awaited;

Forrestry Commission: comments awaited.

6. Officer's Report

Assessment

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 6.2 As a result of the recent Cala Homes litigation, the Regional Spatial Strategy (RSS) remains in force and part of the development plan until the provisions of the Localism Act are enacted. A separate order is required to revoke the RSS; and until this takes place the RSS remains part of the Development Plan. For the purposes of the determination of this application, therefore, the development plan comprises the North West of England Plan (Regional Spatial Strategy to 2021); the "saved policies" of the Cumbria and Lake District Joint Structure Plan 2001-2016; and the Carlisle District Local Plan 2001-2016. The application also needs to be assessed against the Cumbria Strategic Partnership's Sub Regional Spatial Strategy 2008 - 2028 (SRSpS), the Cumbria Landscape Character Guidance and Toolkit (2011), and the Cumbria Wind Energy Supplementary Planning Document (2007).
- 6.3 The National Planning Policy Framework (NPPF) which was adopted 27th March 2012 is also a material planning consideration in the determination of this application. The NPPF has a presumption in favour of sustainable development with 12 core planning principles which should underpin plan-making and decision-taking. Members should note that two of the core planning principles are to support the transition to a low carbon future in a changing climate, encouraging the use of renewable resources and recognising the intrinsic character and beauty of the countryside.
- 6.4 The NPPF indicates that when determining applications Local Planning Authorities should not require applicants to demonstrate the overall need for renewable energy and it should be recognised that even small-scale projects

provide a valuable contribution to cutting greenhouse gas emissions. The NPPF indicates that Local Planning Authorities should approve the application (unless material considerations indicate otherwise) if its impacts are, or can be made, acceptable. The NPPF also states that in determining applications for wind energy development Planning Authorities should follow the approach set out in the National Policy Statement for Energy Infrastructure (read with the relevant sections of the Overarching National Policy Statement for Energy Infrastructure, including that on aviation impacts). The National Planning Policy Statement for Energy Infrastructure generally relates to large wind farms however it give guidance on technical considerations when dealing with onshore wind farms.

- 6.5 RSS Policy EM1 seeks to identify, protect, enhance and manage environmental assets. RSS Policy EM1(A) refers to the landscape and the need to identify, protect, maintain and enhance its natural, historic and other distinctive features. RSS Policy EM17 requires at least 15% of the electricity which is supplied within the Region to be provided from renewable energy sources by 2015 (rising to at least 20% by 2020). Criteria that should be taken into account in assessing renewable energy schemes include the impact on local amenity and the landscape.
- 6.6 JSP Policy R44 states that renewable energy schemes should be favourably considered where there is no significant adverse effect on such matters as landscape character, local amenity, and highways. The policy also explains that the environmental, economic and energy benefits of renewable energy proposals should be given significant weight. JSP Policy E37 stipulates that development should be compatible with the distinctive characteristics and features of the landscape. The assessment of any proposal being based on visual intrusion or impact; scale in relation to the landscape and features; and remoteness and tranquillity. Policy E35 seeks to safeguard areas and features of nature conservation interest.
- 6.7 In terms of the Local Plan policies, Policy CP1 requires rural development proposals to conserve and enhance the special features and diversity of the different landscape character areas. Policy CP8 deals with renewable energy and is permissive subject to a number of criteria including that there is no unacceptable visual impact on the immediate and wider landscape; and any new structure would be sensitively incorporated into the surrounding landscape and respect the local landscape character. A development principle of the Cumbria Sub Regional Spatial Strategy 2008-2028 includes the promotion of decentralised renewable and low carbon energy sources.
- 6.8 A Supplementary Planning Document 'Cumbria Wind Energy', which sets out Guidelines for wind energy schemes and includes a Landscape Capacity Assessment, was adopted by the Council in September 2008.
- 6.9 Other material considerations include Circular 1/2003 "Safeguarding Aerodromes, Technical Sites and Military Explosives Storage Areas".
- 6.10 When assessing this application it is considered that there are four main issues, namely:

1. The Impact Of The Proposed Development On The Landscape And Visual Character Of The Area

- 6.11 As stated above, the NPPF indicates that Planning Authorities should approve applications if the impacts are, or can be made, acceptable. The NPPF explains that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. Paragraph 118 indicates that if significant harm resulting from a development cannot be avoided, adequately mitigated, or, as a last resort compensated for then planning permission should be refused. The NPPF also indicates that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Area of Outstanding Natural Beauty (AONBs).
- 6.12 The application site is not located within an Area of Outstanding Natural Beauty however there is a County Wildlife Site at Penton Wood situated approximately 800 metres to the north-west. Jockie's Syke and Penton Linns Site of Special Scientific Interest (SSSI) is also situated approximately 700 metres to the west.
- 6.13 The application site is located on the crest of an incline with Rigg Wood (ancient woodland) located to the west together with pockets of woodland surrounding Glendinning Rigg approximately 410 metres to the north. The site is situated within a broad valley where the surrounding land is open and rolling with wide views. As the land rises from the surrounding road networks towards the application site there are extensive views across the site from a number of residences/roads within the surrounding area.
- 6.14 There is little human influence within the landscape particularly on a vertical scale however there are distant views of the wind turbines at Minsca in Scotland.
- 6.15 The proposed mast would sit on the boundary between category 6 (Intermediate Farmland) and Landscape sub type 5b (Low Farmland) as defined in the Cumbria Landscape Character Assessment. The Cumbria Wind Energy Supplementary Planning Document indicates that this landscape type has moderate landscape capacity to accommodate turbine development that is defined as "a small group or, in exceptional circumstances a large group (which) could relate to the medium to large scale landform." A small group is 3-5 turbines. It is clear that a single monitoring mast is within the size limits suggested for this landscape type.
- 6.16 One of the key principles of the NPPF is to enhance the natural environment. The mast is a relatively tall, man made intrusion (inclusive of any warning light) that cannot be deemed protective of the intrinsic character and beauty of the countryside so affected. However, there are a number of factors that serve to mitigate that harm. Firstly, the nature of the topography allows long distance views and a prominent skyline. The landscape also has a sense of scale and it is not particularly intimate. Secondly, the slender nature of its design combined with the colour (galvanized steel) will provide a recessive

quality enabling a degree of assimilation into the landscape.

- 6.17 In relation to the above it is considered that the monitoring mast does not significantly harm the local landscape character, and is generally compatible with the general scale of the surrounding landscape.

2. Air Safety With Regard To Carlisle Airport and The Ministry Of Defence

- 6.18 The site is situated within the safeguarding zone of Carlisle Airport. Carlisle Airport have been consulted on the proposed development and have raised no objections.
- 6.19 The site is also located within the safeguarding zone of Eskdalemuir which is part of the seismic network of the International Monitoring System established to help verify compliance with the nuclear arms Comprehensive Test Ban Treaty. In order to ensure compliance with the Treaty, which also requires that Parties do not interfere with the verification system, a noise budget has been allocated by the Ministry of Defence within a safeguarding area around Eskdalemuir. At present this budget has been reached therefore the MOD has confirmed that any future turbine/turbines in this area would need to demonstrate that the noise budget threshold would not be breached as a result of any development proposed.
- 6.20 It would not be appropriate to refuse the application on the basis that the noise budget for Eskdalemuir has been breached, as whilst it is accepted that the purpose of the mast is to gather information to facilitate a renewable energy scheme, the application is independent of any application for a wind turbine/farm, and the mast itself will not interfere with the Eskdalemuir monitoring station. The MOD has accordingly confirmed no objections to the proposal but has indicated that the mast should be fitted within an air navigation warning light (25 candela omni-directional red lighting or infrared lighting with an optimised flash pattern of 60 flash pattern per minute of 200ms to 500ms).
- 6.21 In relation to the above the proposed mast would not have an adverse impact upon air safety.

3. The Impact On The Living Conditions Of Local Residents

- 6.22 It is evident that a number of comments have been made in anticipation of a subsequent application for a wind energy scheme. However, Members will appreciate that in recent appeal decisions for Newlands Farm, Cumwhinton the appeal Inspectors did not accept that such an approach was reasonable.
- 6.23 The closest property to the mast is Glendinning Rigg which is also located at the crest of the incline approximately 500 metres to the north of the site. There are however a number of mature trees delineating the boundaries of this property which would partially obscure views of the proposed development particularly in the spring and summer months.

- 6.24 The mast would also be in view from a number of residential properties which are located adjacent to the surrounding roads networks. With regards to visual impact it is important to make a distinction between something that is visible as opposed to being prominent and oppressive. It is noted that right to a view is not a material planning consideration and the focus of the planning system is to regulate the use and development of land in the public interest.
- 6.25 The proposed mast would generally be viewed in the context of the surrounding landscape and is only proposed for a temporary period of one year. Given the separation distances between residential properties and the proposed mast together with its relatively slender design and colour which will allow a degree of assimilation into the landscape it is not considered that the proposed mast would have a sufficient adverse impact upon the living conditions of the occupiers of neighbouring properties to warrant refusal of the application on this basis.

4. The Effect Of The Scheme On Local Ecology And Nature Conservation.

- 6.26 When considering whether the proposal safeguards the biodiversity and ecology of the area it is recognised that Local Planning Authorities must have regard to the requirements of the EC Habitats Directive (92/43/EEC) when determining a planning application as prescribed by regulation 3 (4) of the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended), and Article 16 of the Habitats Directive before planning permission is granted. Article 16 of the Directive indicates that if there is reasonable likelihood of a European protected species being present then derogation may be sought when there is no satisfactory alternative and that the proposal will not harm the favourable conservation of the protected species and their habitat.
- 6.27 In this case, the proposal relates to a mast supported and hinged on a steel base plate resting upon timber boards on the ground. On this basis it is considered that there should be no significant effects from the proposal, and that there will be no harm to the favourable conservation of any protected species or their habitats including Sites Of Special Scientific Interest. Natural England and the RSPB have raised no objections to the proposal. Comments are still awaited from Cumbria Wildlife Trust and The Forestry Commission with regard to impact upon the adjacent ancient woodland. Although comments are awaited from both of these statutory consultees given the scale and nature of the proposal it is not anticipated that either of these consultees would raise any objections to the proposal.
- 6.28 In relation to the above it is considered that the mast would not have an adverse impact upon local ecology, nature conservation or ancient woodland.

5. Other Matters

- 6.29 A number of representations have been made with regard to impact upon house prices and tourism. Impact upon house prices is not a material planning consideration. There is also no empirical evidence that the proposal would have a negative impact upon tourism.

- 6.30 Dumfries and Galloway Council have been consulted on the proposed development as a number of objections have been received from residential properties in Scotland. Although comments are still awaited from Dumfries and Galloway Council it is not anticipated that they would raise any objections as the proposal will be located approximately 1.8km from the nearest property in Scotland.
- 6.31 The proposal has been considered against the provisions of the Human Rights Act 1998. Article 8 and Article 1 Protocol 1 are relevant but the impact of the development in these respects will be minimal and the separate rights of the individuals under this legislation will not be prejudiced. If it was to be alleged that there was conflict it is considered not to be significant enough to warrant the refusal of permission.

Conclusion

- 6.32 The purpose of the mast is to gather information to facilitate a renewable energy scheme. In that context, it is considered that the proposal falls within the remit of Local Plan Policy CP8.
- 6.33 The benefits of the proposed development is that the proposal would allow information to be gathered to assess the sites suitability for a renewable energy scheme. Given the masts temporary nature and limited harm it is considered that the proposal complies with the relevant policies in terms of its landscape and visual impact. On balance it is considered that the benefits of the scheme outweigh any temporary although limited adverse impact upon the landscape/living conditions of the occupiers of neighbouring properties. Accordingly the application is recommended for approval subject to the imposition of relevant conditions.

7. Planning History

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

8. Recommendation: Grant Permission

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

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

2. The approved documents for this Planning Permission comprise:

1. The Planning Application Form received 4th May 2012;
2. The Site Location Plan Scale 1:5000 received 4th May 2012 (Drawing No.RW/vs/146AG);

3. The Site Location Plan Scale 1:2500 (Block Plan) received 4th May 2012 (Drawing No. RW/vs/146AG);
4. The Details Of The Mast received 4th May 2012 (Dated 19th January 2012);
5. The Design And Access Statement received 4th May 2012;
6. The Plan Showing Access Into The Site received 19th June 2012;
7. the Notice of Decision; and
8. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: For the avoidance of doubt.

3. Within 1 year of the date of its erection [which shall be notified to the Local Planning Authority in writing] the temporary meteorological mast and associated guy wires hereby permitted shall be removed from the site and the land shall be restored to its former condition.

Reason: The Local Planning Authority wish to review the matter at the end of the limited period specified.

4. The developer shall give advance notice in writing to the Ministry of Defence of the date construction of the mast hereby permitted commences and ends, and shall include details about the maximum height of construction equipment, together with the total height above ground of the tallest structure and the latitude and longitude of the mast.

Reason: In the interests of air safety.

5. Prior to the mast being erected on site, full details of the proposed aviation lighting, as recommended by the Ministry of Defence, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of air safety and in accordance with Policy CP8 of the Carlisle District Local Plan 2001-2016.

RECEIVED
12 MAY 2012
1210578

Location Plan



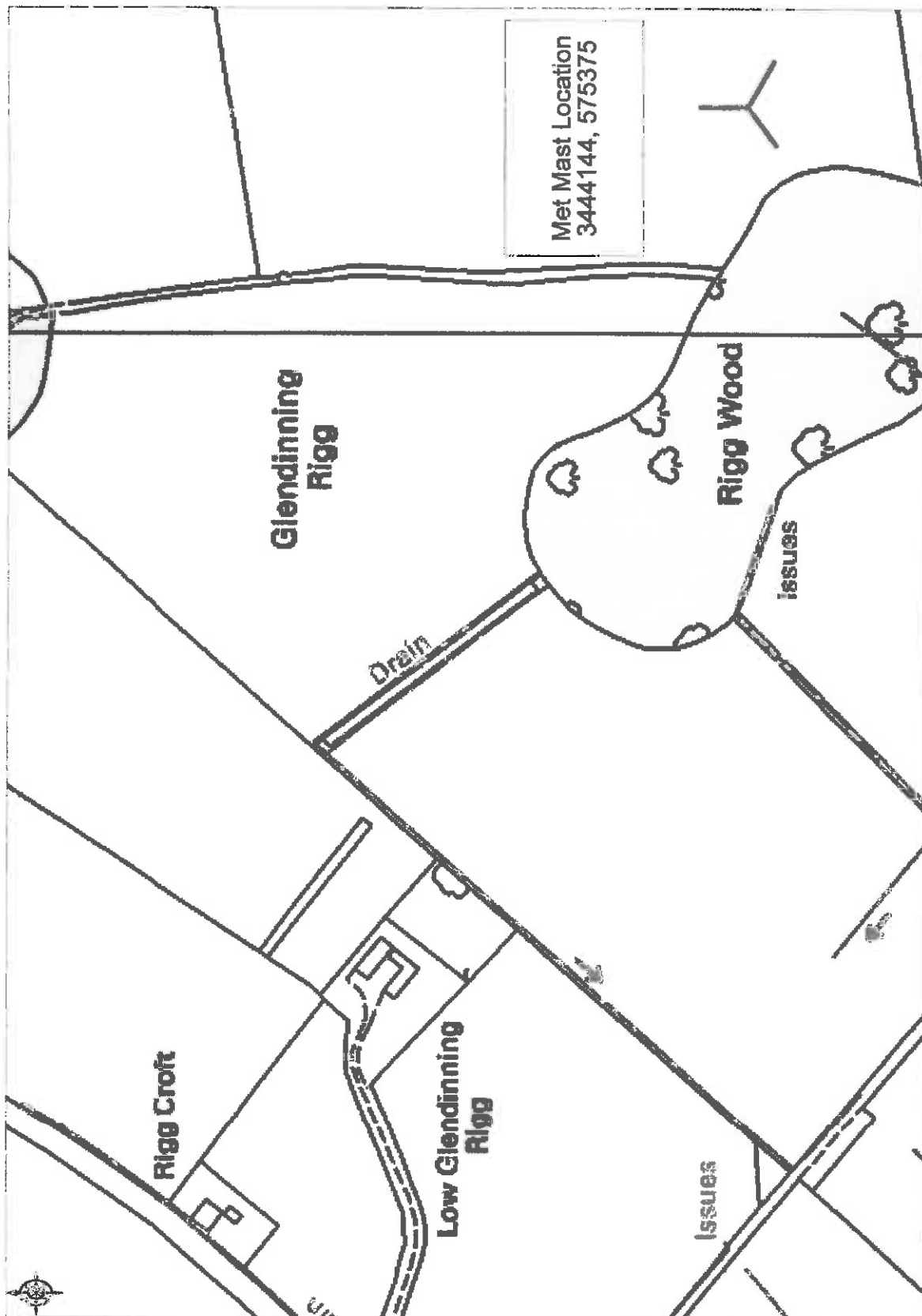
Copyright © 2012 Promap Ltd. All rights reserved. No part of this publication may be reproduced without prior written permission from Promap Ltd.



RW/vs/146AG

RECEIVED
1 MAY 2012
12:03:18

Site Location Plan



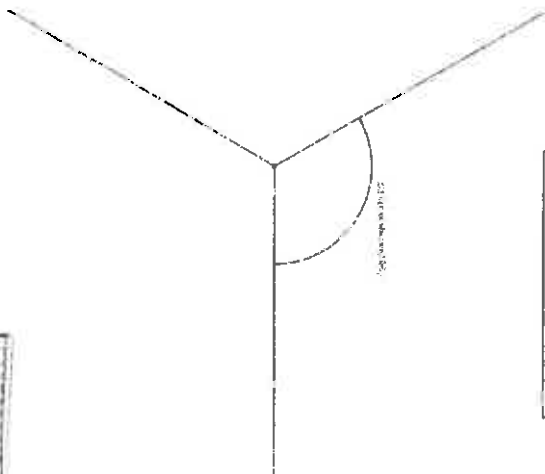
RW/vs/146AG

RECEIVED
- 1 MAY 2012
120578

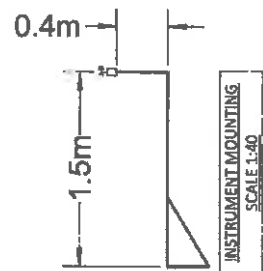
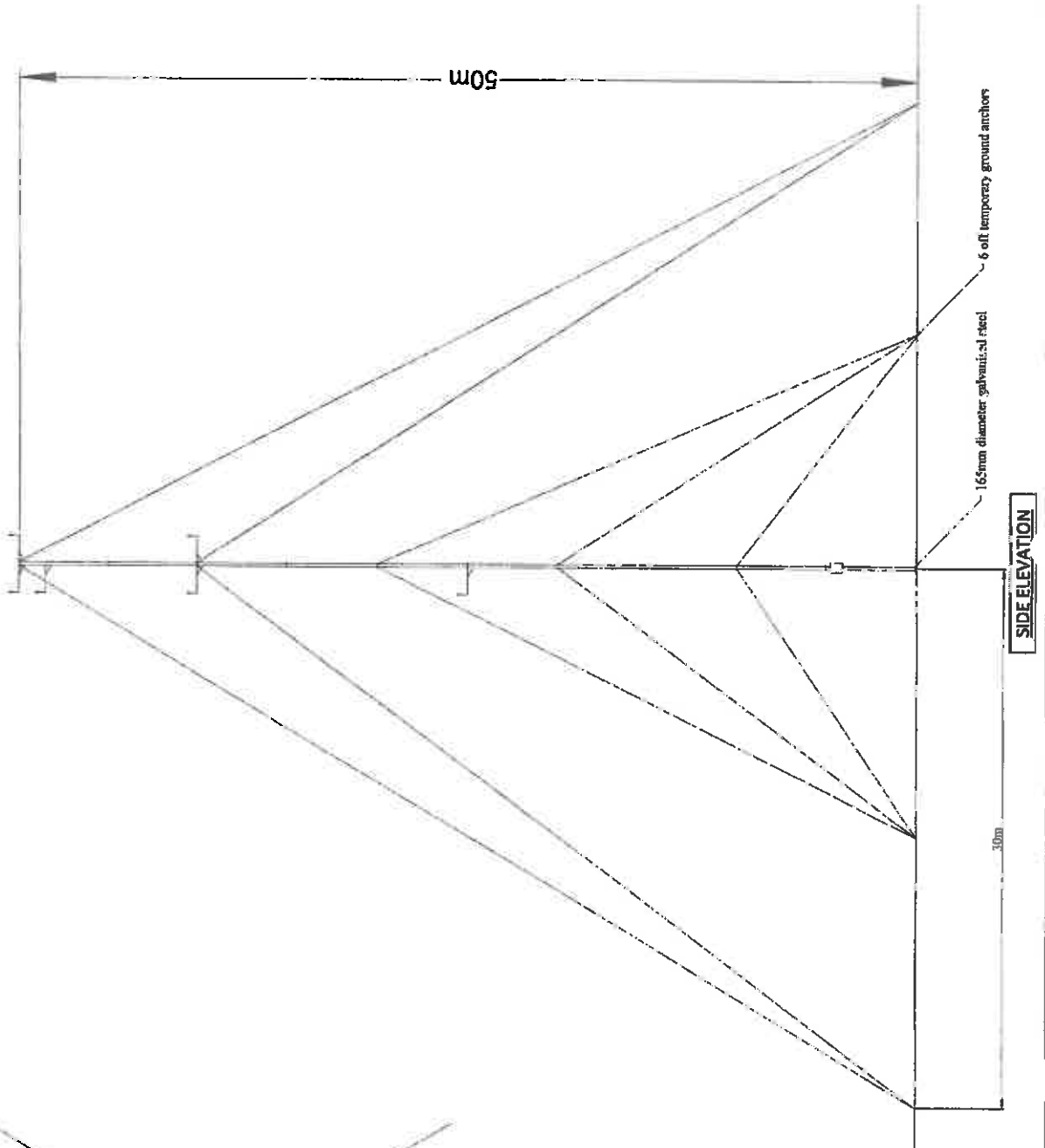
50m Meteorological Mast

Fast Mast Ltd 19 Jan 2012
Drawn SW
Scale 1:250
REVISION 2

FastMast

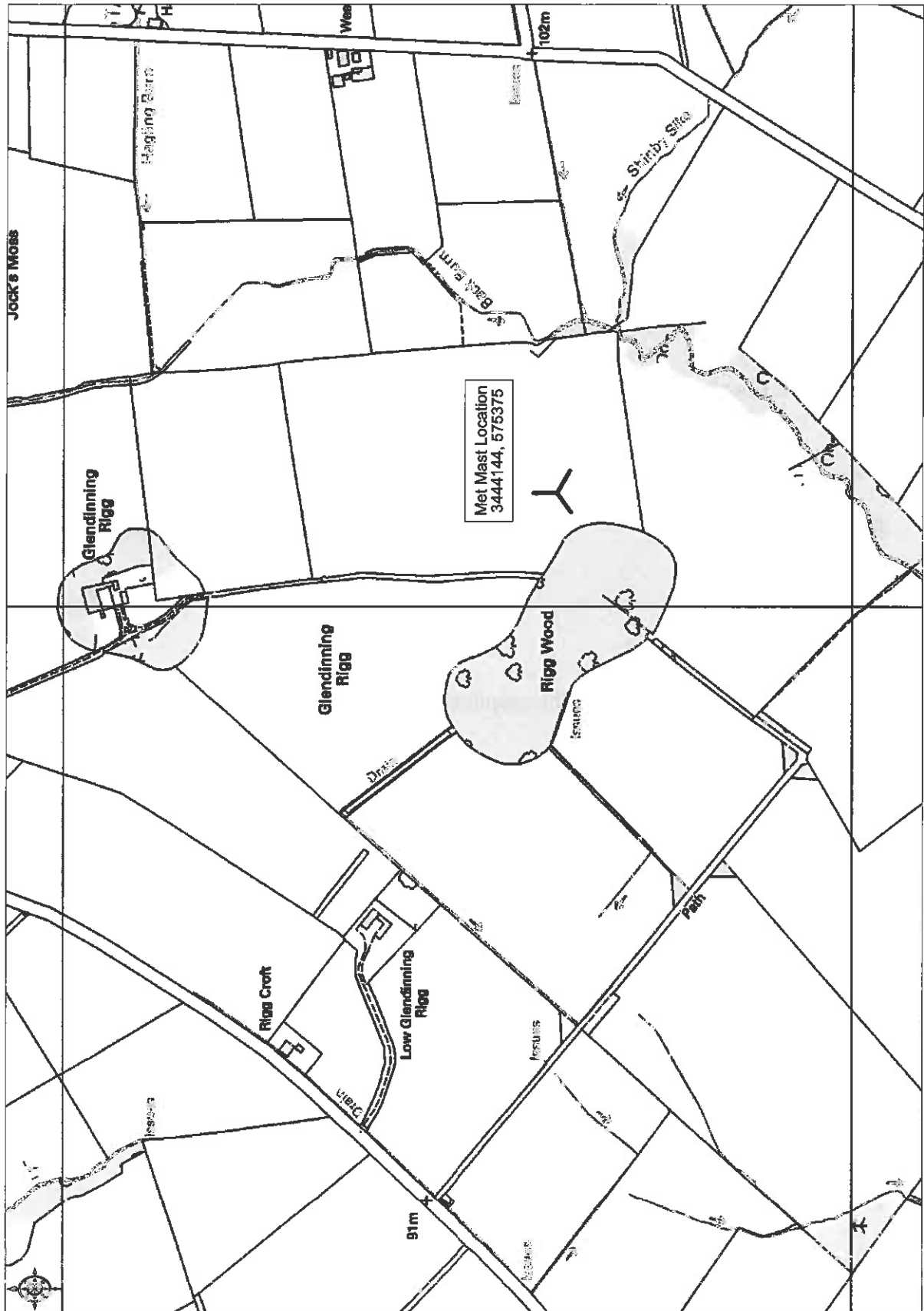


PLAN VIEW
SCALE 1:500
Instruments not shown



Information Only Regarding Access

Location Plan



SCHEDULE A: Applications with Recommendation

12/0345

Item No: 02

Date of Committee: 13/07/2012

Appn Ref No:
12/0345

Applicant:
Mr Mulholland

Parish:
Orton

Date of Receipt:
01/05/2012

Agent:
Sternwind Ltd

Ward:
Burgh

Location:

Land To Rear Of Midtown Farm, Great Orton,
Carlisle, CA5 6NA

Proposal: Erection Of A Single Wind Turbine (500kW), 50m Hub Height, 74m To
Tip Height And Associated Substation Units

REPORT

Case Officer: Shona Taylor

1. Recommendation

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

2. Main Issues

- 2.1 The potential contribution of the scheme towards the regional and county targets for the generation of renewable energy;
- 2.2 The impact of the proposed development on the landscape and visual character of the area;
- 2.3 The impact on residential properties (noise and shadow flicker);
- 2.4 The impact on air safety with regard to Carlisle Airport and the Ministry Of Defence;
- 2.5 The impact upon ecology and nature conservation.

3. Application Details

The Site

- 3.1 The application site is located to the rear of Midtown Farm, in a field adjacent to Watchtree Nature Reserve, which is located on the site of the former Great Orton Airfield, approximately 1km to the west of Great Orton and 2km

northeast of Wiggonby.

- 3.2 The site is located within open countryside with the predominant land use in the surrounding area being agriculture with scattered development. The land immediately around Midtown Farm is relatively flat with the local landscape continuing in a gently rolling characteristic.
- 3.3 The application site is located within a field approximately 950m to the west of the farm complex and is surrounded predominantly by agricultural land used for pasture. The adjoining fields are delineated by a combination of hedges, post and wire fences and occasional hedgerow trees.

The Proposal

- 3.4 The application seeks permission for the erection of 1no. 500kW wind turbine, which will have three blades, a hub height of 50m and a tip height of 74m.
- 3.5 Access to the turbine will be via an existing access road, but will require a new 25m section of access track across the field. The access track, craneage and assembly area will be created using "I-trac" a heavy duty temporary road made from composite interlocking panels to create a road surface. These panels can be removed following the erection of the turbine without damage to the site and will leave no visual impact on the local landscape.
- 3.6 The transformer for the turbine is located within the tower base, while two small container units will be located adjacent to the turbine. Connection cables to the local grid will be via underground ducting laid along the proposed and existing access roads.
- 3.7 The application is accompanied by a Design and Access Statement, a Planning Statement incorporating an Environmental Report, an extended Phase 1 Habitat Survey, a Noise Assessment and a Landscape and Visual Impact Assessment.

4. Summary of Representations

- 4.1 This application has been advertised by means of site and press notices as well as notification letters sent to forty neighbouring properties. In response two letters of objection have been received. The grounds of objection are summarised as;
 - 1. the main concern is the number of single wind turbine applications that are appearing along the Solway Plain;
 - 2. this community has already contributed to the renewable energy sources with the existing six turbines;
 - 3. Watchtree Nature reserve arose as a positive from the animal burial site, whilst it is acknowledged there are already six turbines on the site, it

- would be adding insult to injury to allow more;
- 4. the small amount of intermittent energy does not justify the effect the turbine will have on the many residents of the adjacent housing;
- 5. the area is already overlooked by six wind turbines, which is enough for the area.

5. Summary of Consultation Responses

Cumbria County Council - Highway Authority: - no objections;
 Orton Parish Council: - object to the proposal on the grounds of amenity, wildlife issues and the creation of a precedent;
 Carlisle Airport: - no objections;
 Ramblers Association: - no response received;
 Green Spaces - Countryside Officer: - no response received;
 Cumbria County Council - Highway Authority - Footpaths: - no response received;
 Royal Society for the Protection of Birds: - no response received;
 National Air Traffic Services: - no objections;
 Ministry of Defence/Defence Estates: - no objections, however, if approved the turbine should be fitted with a 25 candela omni-directional red lighting at the highest practicable point;
 Joint Radio Co: - no objections;
 Natural England: - no objections;
 Cumbria Wildlife Trust: - no response received;
 Local Environment - Environmental Protection: - no objections;
 Allerdale District Council: - no response received.

6. Officer's Report

Assessment

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 6.2 As a result of the recent Cala Homes litigation, the Regional Spatial Strategy (RSS) remains in force and part of the development plan until the provisions of the Localism Act are enacted. A separate order is required to revoke the RSS; and until this takes place the RSS remains part of the Development Plan. For the purposes of the determination of this application, therefore, the development plan comprises the North West of England Plan (Regional Spatial Strategy to 2021); the "saved policies" of the Cumbria and Lake District Joint Structure Plan 2001-2016; and the Carlisle District Local Plan 2001-2016. The application also needs to be assessed against the Cumbria Strategic Partnerships Sub Regional Spatial Strategy 2008 - 2028 (SRSpS), the Cumbria Landscape Character Guidance and Toolkit (2011), and the Cumbria Wind Energy Supplementary Planning Document (2007).
- 6.3 The National Planning Policy Framework (NPPF) which was adopted 27th March 2012 is also a material planning consideration in the determination of

this application. The NPPF has a presumption in favour of sustainable development with 12 core planning principles which should underpin plan-making and decision-taking. Members should note that two of the core planning principles are to support the transition to a low carbon future in a changing climate, encouraging the use of renewable resources and recognising the intrinsic character and beauty of the countryside.

- 6.4 The NPPF indicates that when determining applications Local Planning Authorities should not require applicants to demonstrate the overall need for renewable energy and it should be recognised that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions. The NPPF indicates that Local Planning Authorities should approve the application (unless material considerations indicate otherwise) if its impacts are, or can be made, acceptable. The NPPF also states that in determining applications for wind energy development Planning Authorities should follow the approach set out in the National Policy Statement for Energy Infrastructure (read with the relevant sections of the Overarching National Policy Statement for Energy Infrastructure, including that on aviation impacts). The National Planning Policy Statement for Energy Infrastructure generally relates to large wind farms however it give guidance on technical considerations when dealing with onshore wind farms.
- 6.5 RSS Policy EM1 seeks to identify, protect, enhance and manage environmental assets. RSS Policy EM1(A) refers to the landscape and the need to identify, protect, maintain and enhance its natural, historic and other distinctive features. RSS Policy EM17 requires at least 15% of the electricity which is supplied within the Region to be provided from renewable energy sources by 2015 (rising to at least 20% by 2020). Criteria that should be taken into account in assessing renewable energy schemes include the impact on local amenity and the landscape.
- 6.6 JSP Policy R44 states that renewable energy schemes should be favourably considered where there is no significant adverse effect on such matters as landscape character, local amenity, and highways. The policy also explains that the environmental, economic and energy benefits of renewable energy proposals should be given significant weight. JSP Policy E37 stipulates that development should be compatible with the distinctive characteristics and features of the landscape. The assessment of any proposal being based on visual intrusion or impact; scale in relation to the landscape and features; and remoteness and tranquillity. Policy E35 seeks to safeguard areas and features of nature conservation interest.
- 6.7 In terms of the Local Plan policies, Policy CP1 requires rural development proposals to conserve and enhance the special features and diversity of the different landscape character areas. Policy CP8 deals with renewable energy and is permissive subject to a number of criteria including that there is no unacceptable visual impact on the immediate and wider landscape; and any new structure would be sensitively incorporated into the surrounding landscape and respect the local landscape character. A development principle of the Cumbria Sub Regional Spatial Strategy 2008-2028 includes the promotion of decentralised renewable and low carbon energy sources.

- 6.8 A Supplementary Planning Document 'Cumbria Wind Energy', which sets out Guidelines for wind energy schemes and includes a Landscape Capacity Assessment, was adopted by the Council in September 2008.
- 6.9 Other material considerations include Circular 1/2003 "Safeguarding Aerodrome's, Technical Sites and Military Explosives Storage Areas".
- 6.10 When assessing this application it is considered that there are six main issues, namely:
1. The potential contribution of the scheme towards the generation of renewable energy
 2. The impact of the proposed development on the landscape and visual character of the area including cumulative impacts
 3. The impact on residential properties (noise and shadow flicker)
 4. The impact on air safety with regard to Carlisle Airport and the Ministry Of Defence
 5. The impact upon ecology and nature conservation
- 6.11 Addressing these issues in turn:
- 1. The Potential Contribution Of The Scheme Towards The Generation Of Renewable Energy**
- 6.12 As stated above the NPPF indicates that Local Planning Authorities should not require applications for energy development to demonstrate the overall need for renewable energy and should recognise that even small-scale projects provide a valuable contribution to cutting green house gas emissions.
- 6.13 Policy EM17 of the Regional Spatial Strategy (RSS) encourages the promotion and greater use of renewable energy sources and includes a target of having 15% of the regions electricity production from renewable sources by 2015 and rising to 20% in 2020. The sub-regional target for Cumbria is to have 15 - 21 onshore wind farms by 2010 with generating capacity of 210 MW increasing to 247.5 MW by 2015.
- 6.14 The available records indicate that there are currently 17 onshore wind farms operating in Cumbria and seven more with consent with a total of 143 MW of generating capacity. In effect, the county target for 2010 has yet to be met and, at the current rate, the target for 2015 is unlikely to be met. This figure does not however include small-scale domestic turbines.
- 6.15 The current proposal would provide a total installed capacity of 0.5 MW and will therefore provide a contribution to meeting energy needs both locally and nationally.
- 2. The Impact Of The Proposed Development On The Landscape And Visual Character Of The Area Including Cumulative Impacts**

- 6.16 As stated above, the NPPF indicates that Planning Authorities should approve applications if the impacts are, or can be made, acceptable. The NPPF explains that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. Paragraph 118 indicates that if significant harm resulting from a development cannot be avoided, adequately mitigated, or, as a last resort compensated for then planning permission should be refused.
- 6.17 It is important that a distinction is drawn between i) landscape impacts that relate to the characteristics of the landscape; and ii) visual impacts on receptor points (houses and rights of way etc) that relate to individual outlooks within that landscape. These issues are separately discussed as follows:
- 6.18 i) Landscape
- The application site is within an area defined as being within category 5 (Lowland), sub-type 5a 'Ridge and Valley' and adjacent to sub-type 5b 'Low Farmland' in the Cumbria Landscape Character Assessment. The Cumbria Wind Energy Supplementary Planning Document indicates that this landscape type has moderate landscape capacity to accommodate a small group of 3-5 turbines or exceptionally a large group of 6-9 turbines. As such it is clear that the proposed turbine is within the size limits suggested for this landscape type.
- 6.20 The site where the turbine is to be located comprises relatively flat pasture land in an agricultural landscape with field boundaries being mainly hedgerows with occasional mature hedgerow trees. Small woodland blocks and shelter belts are dispersed across the study area.
- 6.21 The local landscape continues in a gently rolling characteristic and is largely farmed pasture. Several settlements, farms, dwellings and pockets of woodland are dotted throughout the landscape. The landscape is typical of lowland agricultural land in north-west Cumbria, but has been influenced by development, including other wind turbine developments, the electricity pylons which run to the south of the site and the A595 and A596 corridors.
- 6.22 Great Orton Airfield is home to an existing 6 turbine wind farm (68.5m to tip) immediately adjacent to the proposed development site. Consent has been given for a turbine 3.4km to the south east at Orton Grange Farm (1 turbine 65m to tip) and a smaller turbine (20.4m to tip) at Orton Rigg Farm.
- 6.23 The applicants' Landscape and Visual Impact Assessment (LVIA) states that the rolling lowland nature of the landscape in the study area means that new additions to the landscape can potentially be seen from some distance. However, it goes on to say that existing woodland, roadside vegetation and localised landform undulations offer screening from many viewpoints.
- 6.24 The Officer is in agreement with the findings of the submitted LVIA, that, within the local context, the turbines would appear as a prominent feature but would not cause unacceptable harm to the local landscape character, a broad and expansive coastal landscape that is already characterised by other

large scale man made features.

6.25 ii) Visual Impact

With regards to visual impact it is important to make a distinction between something that is visible as opposed to being prominent and oppressive. It is noted that right to a view is not a material planning consideration and the focus of the planning system is to regulate the use and development of land in the public interest.

6.27 When assessing visual impact upon occupiers of neighbouring properties it is also important to apply the "Lavender Test". It is noted that outlook from a private property is a private interest rather than a public interest however in 3 previous appeal decisions; North Tawton (Denbrook), Enifer Downs and Shooters Bottom, Inspector Lavender indicated that where turbines are present in such number, size and proximity that they represent an unpleasantly, overwhelming and unavoidable presence in a main view from a house or garden, there is every likelihood that the property concerned would come to be widely regarded as an unattractive and unsatisfactory place to live. It is therefore not in the public interest to create such living conditions where they did not exist before.

6.28 In relation to the impact on the visual amenities of residential properties it is noted that there are various clusters of settlements, along with scattered residential properties in the surrounding area, particularly but not exclusively those located adjacent to the roads immediately to the north, south and east of the site. The closest residential properties are over 900m away from the proposed turbine.

6.29 Whilst it is accepted that some dwellings in the vicinity would experience direct views of the turbine from primary windows or gardens, it is the Officers view that the separation distances are such that the turbine could not be said to be overbearing or dominant. As such it is considered that the turbine would not cause a sufficient demonstrable harm on the living conditions of the occupiers of these properties to warrant refusal of the application on this basis.

6.30 iii) Cumulative Impact

6.31 Cumulative landscape and visual effects can arise in three distinct ways: Extension effects, Combined effects and Sequential effects. The LVIA carried out by the applicants has taken into account all three types of Cumulative Effect. The most relevant to this proposal is 'extension effects'. This is the effect of an extension of an existing development or the positioning of a new development such that it would give rise to an extended and/or intensified impression of the original wind farm in the landscape as seen from fixed locations.

6.32 It is considered that the siting of the proposed turbine is such that there would be an extension effect to the existing 6 turbines at Great Orton. However, in most instances, the proportion of wind farm visible will not be extended as the

proposed turbine will be viewed amongst the existing turbines. As such the extension cumulative effect is considered to be slight.

- 6.33 In conclusion, it is considered that the cumulative visual effect, taking into account the six turbines at Great Orton, is predicted to be slight to moderate, and not significant. Due to the comparable size, scale and design of the turbines, along with the distances between the turbines and the surrounding residential properties, it is considered that from most viewpoints the proposed turbine will register in the view as being part of the existing wind farm, limiting the visual impact.
- 6.34 It is acknowledged that visual impact reduces with distance. As such, with regard to other turbines which are visible from the A595 corridor, including Hellrigg, Westnewton, High Pow, Bothel, East Farm End, Lowca, Flimby, Tallentire, Siddick and Winscales amongst others, it is considered that the addition of this proposed single turbine would have a minimal visual impact upon the users of the A595.

3. The Impact On Residential Properties (Noise And Shadow Flicker)

- 6.35 The NPPF indicates that planning decisions should aim to avoid noise giving rise to significant adverse impacts on health and quality of life. The NPPF also indicates that in determining planning applications for wind energy planning authorities should follow the approach set out in the National Policy Statement For Renewable Energy Infrastructure (read with relevant sections of the Overarching National Policy Statement For Energy Infrastructure). The aforementioned documents indicate that the impact of noise from a wind farm should be assessed using "The Assessment And Rating Of Noise From Wind Farms (ETSU-97)".
- 6.36 The recommended absolute noise levels within ETSU-R-97 cover two time periods: i) the quiet daytime period (defined as between 18.00 and 23.00 hours during the normal working week, between 13.00 and 23.00 hours on a Saturday and all day during Sunday, 07.00 to 23.00 hours); and ii) the night-time period (defined as between 23.00 and 07.00 hours). The absolute limit within ETSU-R-97 (in low noise environments) lies between levels of 35 to 40 dB at LA90, 10 min day time level. The guidance in ETSU-R-97 states that noise limits from wind farms should be limited to 5dB (A) above background noise levels for day/night time with the exception of low noise environments.
- 6.37 The applicant has confirmed that the proposed turbine will be a Enercon E48 model. A Noise Impact Assessment has been undertaken which indicates the sound levels for this type of turbine at various wind speeds and distances from the turbine. No background noise assessment has been conducted.
- 6.38 The applicants Noise Assessment has concluded that the noise emission levels predicted at the properties nearest the proposed wind turbine would be acceptable and would remain within the limit of 35dB(A) at all times. It also concludes that the cumulative noise from the proposed turbine and the operational wind farm at Great Orton will continue to meet existing noise limits.

- 6.39 In relation to the above, the Noise Levels generated by the proposed turbine are deemed acceptable and would not have an adverse impact upon the occupiers of any surrounding residential properties to warrant refusal of the application. If Members are minded to approve the application it is recommended that a condition is imposed within the Decision Notice controlling noise in accordance with the guidance contained in ETSU-R-97.
- 6.40 Shadow flicker is an effect that can occur when the shadow of a moving wind turbine blade passes over a small opening briefly reducing the intensity of light within the room. It is recognised as being capable of giving rise to two potential categories of effects: health effects and amenity effects. In terms of health effects, the operating frequency of the wind turbine is relevant in determining whether or not shadow flicker can cause health effects in human beings. The proposed turbine will have an operating frequency of less than 1Hz which is less than the frequency capable of giving rise to health effects.
- 6.41 Research and computer modelling on flicker effects have demonstrated that there is unlikely to be a significant impact at distances greater than ten rotor diameters from a turbine (i.e. 480 metres in this case). The companion guide to PPS22 which is still relevant in terms of flicker effect indicates that in the UK only properties within 130 degree either side of north, relative to a turbine can be affected by Flicker Effect. No residential properties fall within this zone, and as such it is not considered that there will be any adverse effects on any neighbouring properties by way of shadow flicker.

5. Air Safety: Carlisle Airport And Ministry Of Defence

- 6.42 Following receipt of a detailed aviation assessment Carlisle Airport have confirmed no objections to the proposal.
- 6.43 The Ministry Of Defence have also raised no objections to the application, but have however confirmed that in the interests of air safety the turbine, if approved, should be fitted with aviation lighting (i.e. 25 candela omni-directional red lighting or infrared lighting with an optimised flash pattern of 60 flashes per minute of 200ms to 500ms duration at the highest practicable point).
- 6.44 In relation to the above, the proposed development is unlikely to have an adverse impact upon air safety.

6. Impact Upon Local Ecology And Nature Conservation

- 6.45 When considering whether the proposal safeguards the biodiversity and ecology of the area it is recognised that Local Planning Authorities must have regard to the requirements of the EC Habitats Directive (92/43/EEC) when determining a planning application as prescribed by regulation 3 (4) of the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended), and Article 16 of the Habitats Directive before planning permission is granted. Article 16 of the Directive indicates that if there is reasonable likelihood of a European protected species being present then derogation may be sought

when there is no satisfactory alternative and that the proposal will not harm the favourable conservation of the protected species and their habitat. In this case, the proposal relates to the siting of a wind turbine within agricultural land currently used as grazing.

- 6.46 An extended Phase 1 Habitat Survey has been undertaken which included a desk-top survey and field survey. The study identifies that the site does not support statutory or non-statutory sites designated for their ecological value. No evidence of badger or red squirrel was recorded and the site did not support any features suitable for roosting bats, although it did conclude that the linear vegetation features may be suitable for foraging and commuting bats.
- 6.47 Natural England have been consulted on the proposed development and have raised no objections to the proposal.
- 6.48 Orton Parish Council raised concerns regarding risk to bats and also the presence of brown hare on the site. The applicant has responded to these concerns, stating that due to the location of the proposed turbine, 70m from suitable bat habitat/vegetation, they are confident that the local bat population would not be significantly affected. With regard to brown hare, it is considered that due to the small area of the field required to be taken up by the turbine, there would be no adverse impact upon brown hare, or any other mammal species, during either construction or operational phases.
- 6.49 Taking into account the proposed development, its location and surroundings it is considered that there should be no significant effects from the proposal, and that there would be no harm to the favourable conservation of any protected species or their habitats. If Members are minded to approve the application it is recommended that advisory notes are imposed within the Decision Notice with regard to protected species and a condition is imposed within the Decision Notice regarding no construction works during the breeding bird season.

Other Matters

- 6.50 The proposal has been considered against the provisions of the Human Rights Act 1998. Article 8 and Article 1 Protocol 1 are relevant but, based on the foregoing; it is not considered that any personal considerations out-weigh the harm created by the development.

Conclusion

- 6.51 In conclusion the proposal involves the erection of a single turbine to serve the needs of the Midtown Farm, with the possibility of spare capacity feeding into the National Grid.
- 6.52 National planning policy promotes targets for renewable energy and looks to Local Authorities to support proposals for renewable energy developments which do not have unacceptable impacts.

- 6.53 Taking account of the scale and technical specifications of the proposal, as well as the levels of screening from nearby properties, the existing turbines, along with the electricity pylons to the south of the site, it is considered that the turbine will not have a detrimental effect on the character of the landscape or cause unacceptable harm to the living conditions of neighbouring residents.
- 6.54 It is considered that the proposed development accords with the provisions of the Carlisle District Local Plan 2001-2016 and, as there are no material considerations which indicate that it should be determined to the contrary, it will be determined in accordance with the Local Plan and, as such, is recommended for approval subject to the imposition of appropriate conditions.

7. Planning History

- 7.1 There is no relevant planning history.

8. Recommendation: Grant Permission

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

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

2. The approved documents for this Planning Permission comprise:

1. The Planning Application Form received 26th April 2012;
2. The Site Location Plan 1 of 2 (T68-PLAN-LOC-1) received 26th April 2012;
3. The Site Location Plan 2 of 2 (T68-PLAN-LOC-2) received 26th April 2012;
4. The Site Layout Plan (T68-PLAN-LAY) received 26th April 2012;
5. The Turbine Elevation Drawing (T-SPEC-DETAIL2) received 1st May 2012;
6. The Switch Room and HV Metering Unit Elevation Drawing (T-SPEC-DETAIL1) received 26th April 2012;
7. The Design and Access Statement received 26th April 2012;
8. The Planning Statement and Environmental Report received 26th April 2012;
9. The Assessment of Environmental Noise Report received 26th April 2012;
10. The Extended Phase 1 Habitat Survey received 26th April 2012;
11. The Shadow Flicker assessment received 26th April 2012;
12. The Landscape and Visual Impact Assessment Report received 26th April 2012;
13. the Notice of Decision; and

14. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: For the avoidance of doubt.

3. If the turbine hereby permitted ceases to be operational for a continuous period of 12 months the operator shall give notice in writing to the local planning authority of the date this event occurs. Unless the local planning authority gives notice in writing to the contrary the use shall cease and the turbine and all components, listed in condition 2 above, shall be removed from the site within 6 months of the date notified to the local planning authority for the purposes of this condition.

Reason: In the interests of the visual amenity of the area and to accord with the objectives of Policies CP1 and CP8 of the Carlisle District Local Plan 2001-2016.

4. The permission hereby granted is for the proposed development to be retained for a period of not more than 25 years from the date when electricity is first supplied to the grid. The local planning authority shall be notified in writing of the date of the commissioning of the wind farm. By no later than the end of the 25 year period the turbine shall be de-commissioned, and it and all related above ground structures shall be removed from the site which shall be reinstated to its original condition.

Reason: In the interests of the visual amenity of the area and to accord with the objectives of Policies CP1 and CP8 of the Carlisle District Local Plan 2001-2016.

5. Prior to the turbine being erected on site, full details of the proposed aviation lighting, as recommended by the Ministry of Defence, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of air safety and in accordance with Policy CP8 of the Carlisle District Local Plan 2001-2016.

6. The hard standings and means of access shall be constructed in accordance with the approved details before any other part of the development commences, and upon completion of the construction works the area shall be cleared of all plant, debris and any other items and the land shall be returned to its former condition (with a small area retained for maintenance purposes) within 6 months thereafter in accordance with details submitted to and approved in writing beforehand by the local planning authority.

Reason: To safeguard the character of the area, highway safety, and the living conditions of local residents in accordance with Policies CP5 and CP6 of the Carlisle District Local Plan 2001-2016.

7. No logos, advertisements, lettering, lights or other information (other than that required for health and safety purposes or required for legal reasons including aviation safety) shall be displayed on the turbine, nor shall it be illuminated without the prior written approval of the local planning authority.

Reason: To safeguard the character of the area in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

8. The level of noise emissions from the turbine hereby permitted when measured in free field conditions at the boundary of the nearest noise sensitive receptor which lawfully exists or has planning permission for construction at the date of this planning permission, or measured closer to the turbine and calculated out to the receptor in accordance with a methodology previously approved in writing by the local planning authority, shall not exceed 35 dB LA90,10min up to wind speeds of 10 m/s measured at a height of 10 m above ground level at a specified location near to the turbine which has been previously approved in writing by the local planning authority.

Reason: To minimise any potential adverse impact on nearby occupiers and in accordance with the objectives of Policy CP8 (Criteria 4) of the Carlisle District Local Plan 2001-2016.

9. The developer shall give advance notice in writing to the Ministry of Defence of the date construction of the turbine hereby permitted commences and ends, and shall include details about the maximum height of construction equipment, together with the blade tip height of the turbine above ground level, and the latitude and longitude of the turbine.

Reason: In the interests of air safety.

10. No construction works of any kind shall take place during the breeding bird season (1st March - 31st August) unless the absence of nesting birds has been established through a survey and such survey has been agreed in writing beforehand by the Local Planning Authority.

Reason: To protect features of recognised nature conservation importance in accordance with Policy CP2 of the Carlisle District Local Plan 2001-2016.

NOTES

Reproduced from Ordnance Survey digital map data © Crown copyright 2011. All rights reserved. Licence No 0100031673



		CHECK DATE
		BY DATE
	DESCRIPTION	
REV		
DRAWN BY DATE	CHECK BY DATE	APPROVED DATE
PLOT SCALE 1:10,000	SCHEDULES	SHEET SIZE A3
CLIENT		

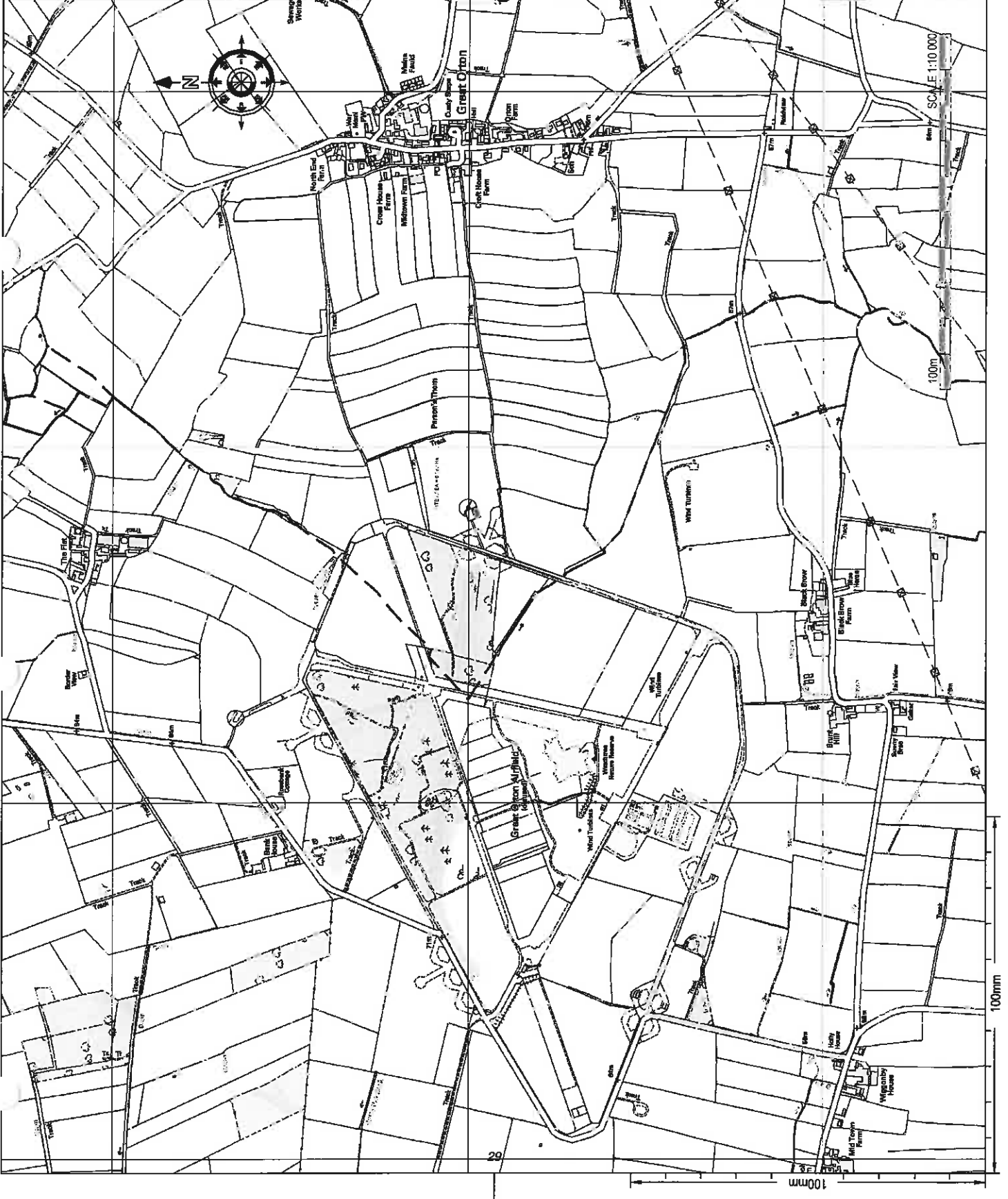
JAMES MULHOLLAND

T68 (MIDTOWN FARM)

TITLE	SITE LOCATION (2 OF 2)

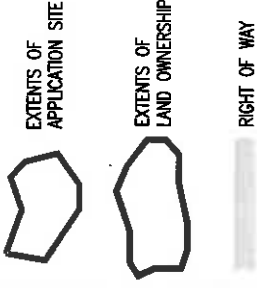


ARCHITECT	-				DWG. STATUS	
						PRELIM.
DRAWING No. T68-PLAN-LOC-2						PLANNING
						CONST.
REVISION						RECORD



NOTES

Reproduced from Ordnance Survey digital map data © Crown copyright 2011. All rights reserved. Licence No 0100031673



REV	DESCRIPTION	BY	CHECK
DATE	DATE	DATE	DATE

DRAWN BY	CHECK BY	APPROVED
DATE	DATE	DATE

PLOT SCALE	SCHEDULES	SHEET SIZE
1:2500		A3

CLIENT

JAMES MULHOLLAND

PROJECT

T68 (MIDTOWN FARM)

TITLE

SITE LOCATION (1 OF 2)



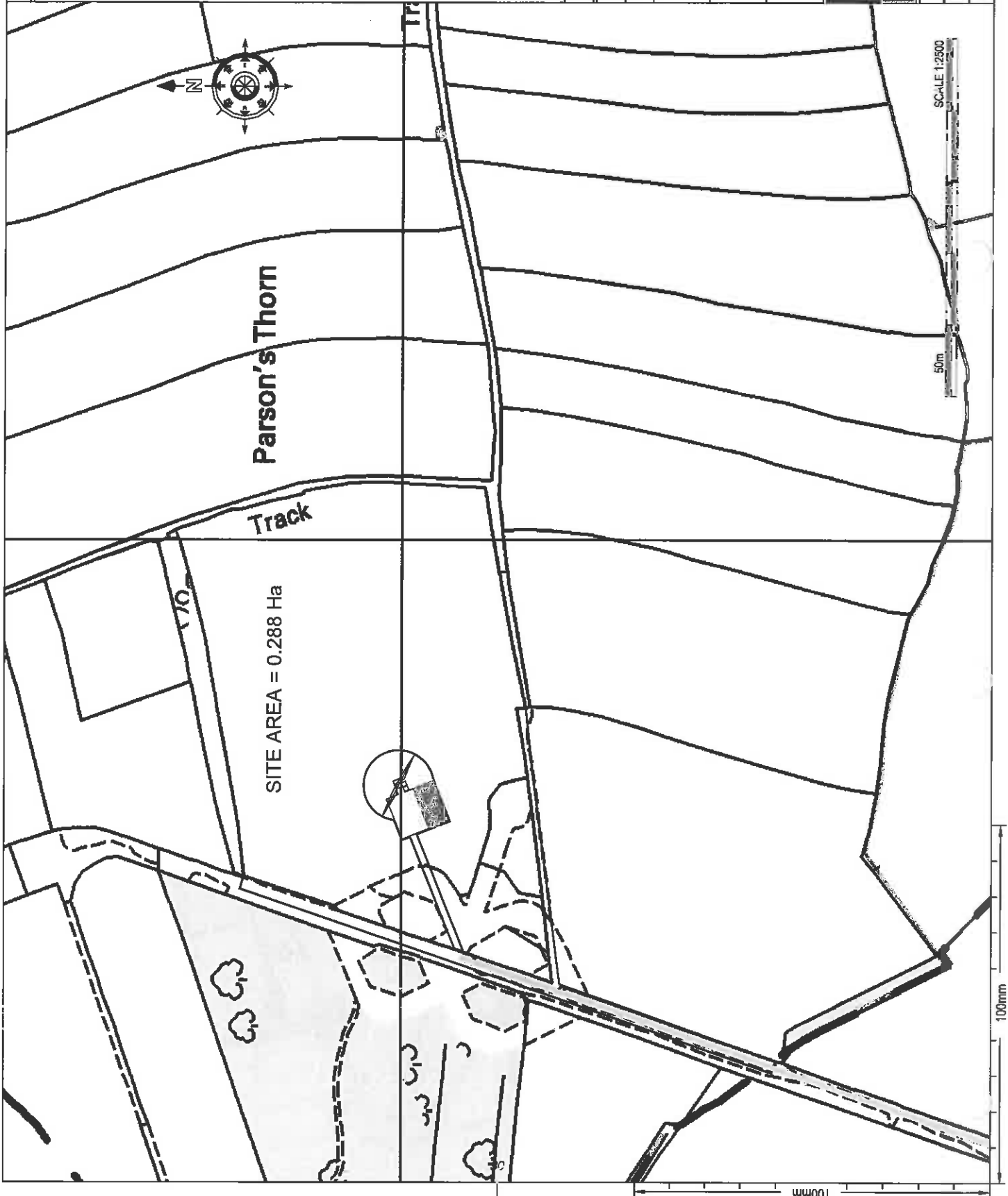
ARCHITECT

DWG. STATUS

DRAWING No. T68-PLAN-LOC-1

REVISION

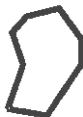
RECORD



NOTES

Reproduced from Ordnance Survey digital map data © Crown copyright 2011. All rights reserved. Licence No 0100031673

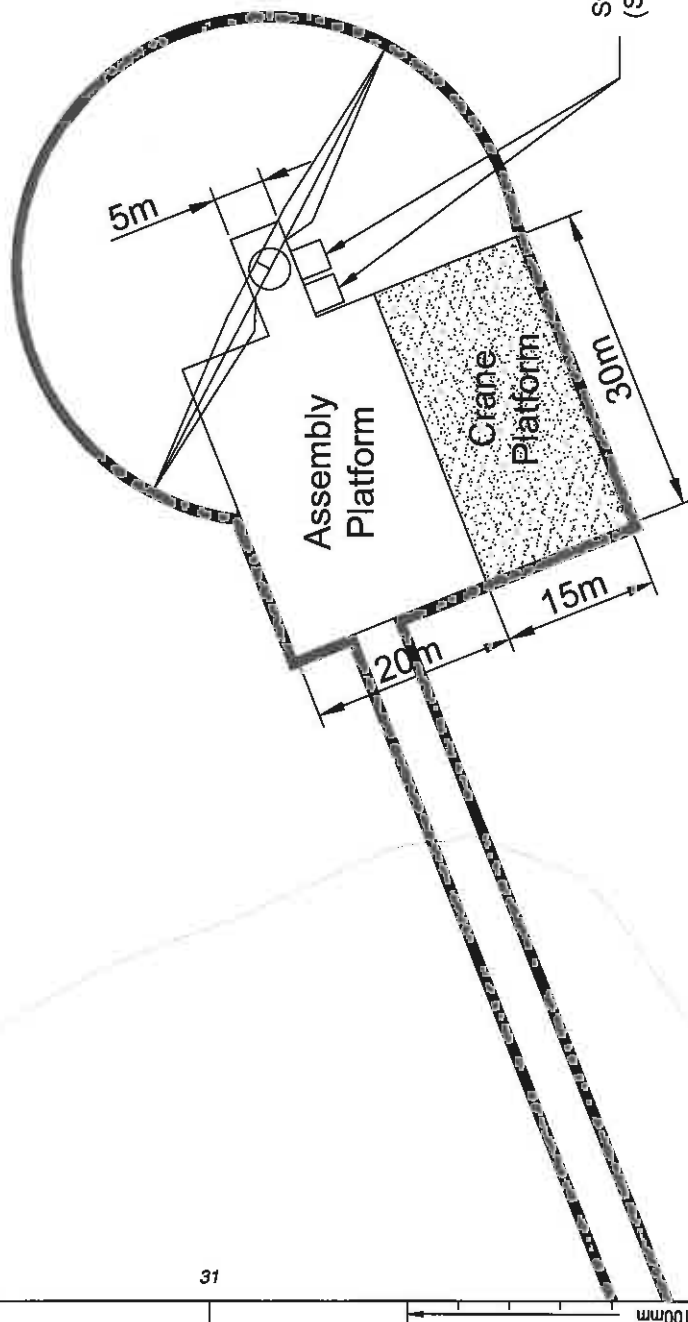
EXTENTS OF APPLICATION SITE



EXTENTS OF LAND OWNERSHIP



E48 Wind Turbine (See dwg "Elevation Drawing")
Location = 331827, 554002



10m SCALE 1:500

sternWIND

ARCHITECT	DWG. STATUS
ARCHITECT	PRELIM
DRAWING No. T68-PLAN-LAY	PLANNING
REVISION	CONST.
	RECORD

REV	DESCRIPTION	BY	CHECK
DATE	DATE	DATE	DATE

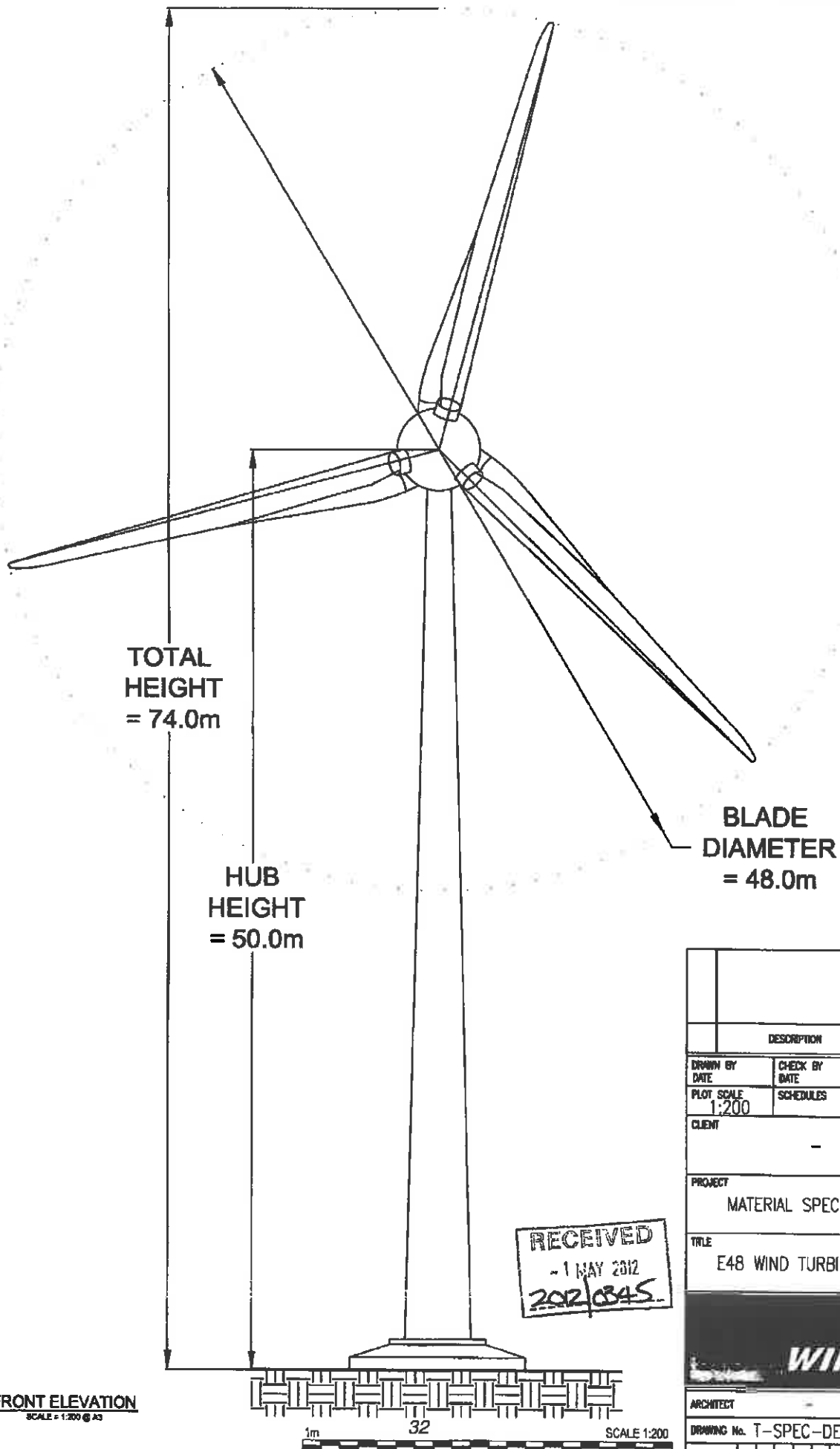
DRAWN BY	CHECK BY	APPROVED
DATE	DATE	DATE

PLOT SCALE	SCHEDULES	SHEET SIZE
1:500		A3

CLIENT
JAMES MULHOLLAND

PROJECT
T68 (MIDTOWN FARM)

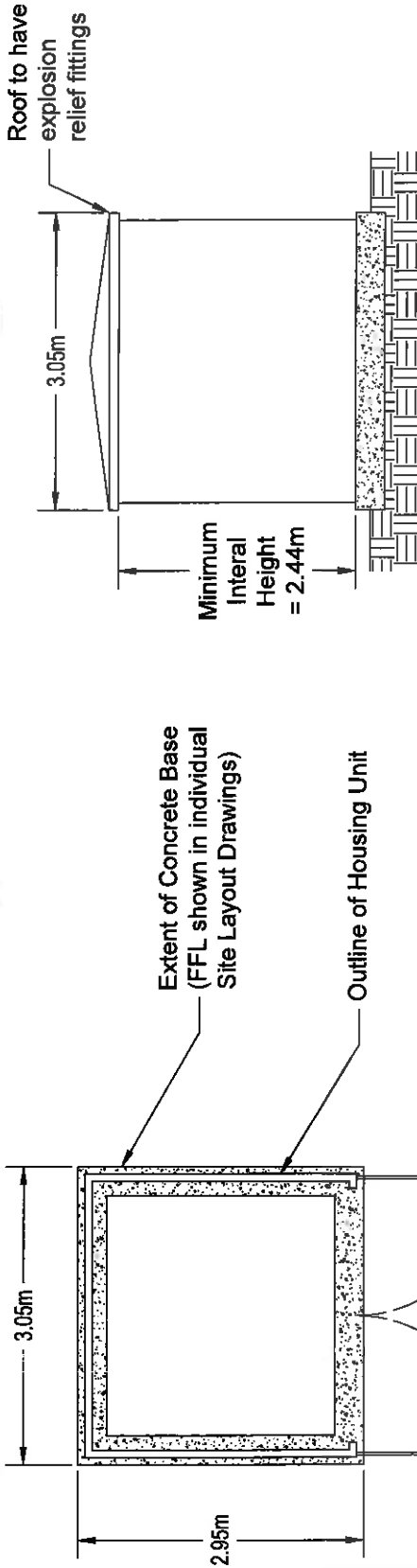
TITLE
SITE LAYOUT



RECEIVED
- 1 MAY 2012
202/0345

DESCRIPTION		BY DATE	CHECK DATE
DRAWN BY DATE	CHECK BY DATE	APPROVED DATE	
PLOT SCALE 1:200	SCHEDULES	SHEET SIZE A3	
CLIENT			
PROJECT			
MATERIAL SPECIFICATION			
TITLE			
E48 WIND TURBINE DETAIL			
ARCHITECT			UNCL. STATUS
DRAWING No. T-SPEC-DETAIL2			PRELIM
REVISION			CONST.
			RECORD

NOTES

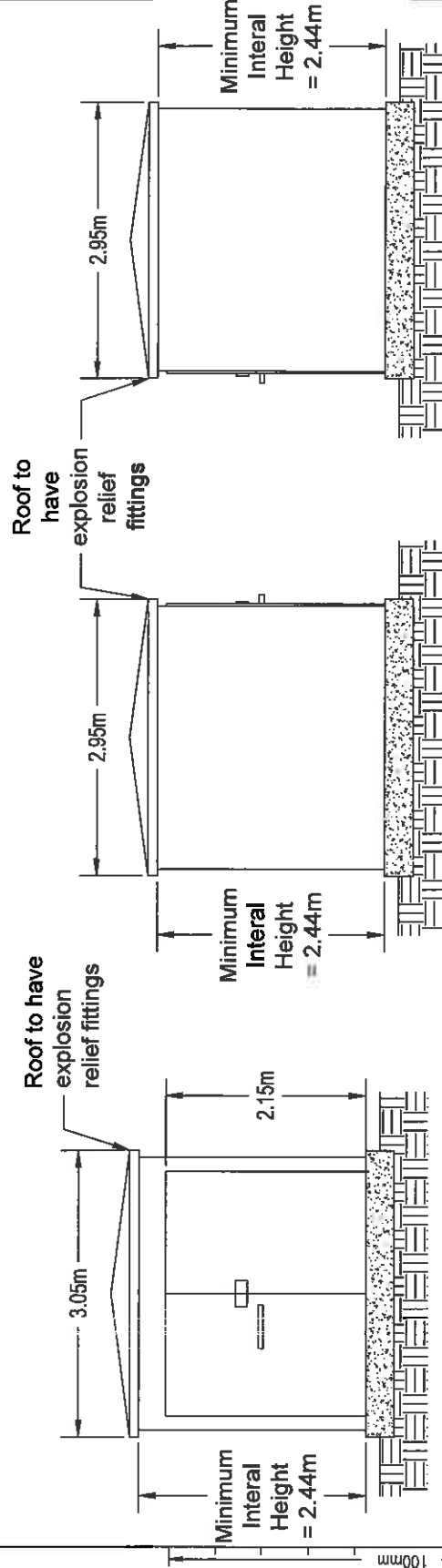


FLOOR PLAN

SCALE 1:50

REAR ELEVATION

SCALE 1:50



FRONT ELEVATION

SCALE 1:50

LEFT SIDE ELEVATION

SCALE 1:50

RIGHT SIDE ELEVATION

SCALE 1:50



REV	DESCRIPTION	BY DATE	CHECK DATE
DRAWN BY DATE	CHECK BY DATE	APPROVED DATE	
PLOT SCALE 1:50	SCHEDULES	SHEET SIZE A3	
CLIENT			
PROJECT			
	MATERIAL SPECIFICATION		
TITLE	SWITCH ROOM AND HV METERING UNIT DETAIL		



ARCHITECT	DMC STATUS
DRAWING No. T-SPEC-DETAIL 1	PRELIM
REVISION	PLANNING
	CONST.
	RECORD

SCHEDULE A: Applications with Recommendation

12/0089

Item No: 03

Date of Committee: 13/07/2012

Appn Ref No:
12/0089

Applicant:
Mr Tom Johnston

Parish:
St Cuthberts Without

Date of Receipt:
17/02/2012

Agent:
Aeolus Renewable Energy
Limited

Ward:
Dalston

Location:

High Burnthwaite Farm, Durdar, Carlisle

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

REPORT

Case Officer: Suzanne Edgar

Summary

One of the key principles of the NPPF is to support the transition to a low carbon future in a changing climate, encouraging the use of renewable resources. The NPPF indicates that Local Planning Authorities should approve renewable energy applications (unless material considerations indicate otherwise) if its impacts are, or can be made, acceptable.

The proposal is in accordance with the overall objectives of Government energy policy. This is in the context where Cumbria has a target of providing 247.5 MW by 2015 with actual provision standing at 143 MW (excluding small scale domestic turbines). The benefits include effective protection of the environment through the reduction of greenhouse gas emissions and the prudent use of natural resources by reducing reliance on fossil fuels.

The turbine would not have a significant impact upon air safety, listed buildings, ecology/conservation, highway safety or on occupiers of neighbouring properties in terms of noise. Furthermore the impacts of flicker effect can be dealt with via a suitably worded condition. The turbine would be prominent locally within the landscape and would be visible from primary windows/gardens of residential dwellings within the vicinity however the proposal would not have a significant impact on the landscape type as a whole or a dominant affect on the living conditions of residential properties due to separation distances or the positioning of existing features within the landscape.

On balance it is considered that the benefits of the proposed development would outweigh its limited adverse impact upon the landscape/living conditions of the occupiers of neighbouring properties. Accordingly the application is recommended for approval subject to the imposition of relevant conditions.

1. Recommendation

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

2. Main Issues

- 2.1 The potential contribution of the scheme towards the generation of renewable energy
- 2.2 The impact of the proposed development on the landscape and visual character of the area including cumulative impacts
- 2.3 The impact on residential properties (noise and shadow flicker)
- 2.4 The impact on the setting of Listed Buildings
- 2.5 The impact on air safety with regard to Carlisle Airport and the Ministry Of Defence
- 2.6 The impact upon ecology and nature conservation
- 2.7 Other matters

3. Application Details

The Site

- 3.1 High Burnthwaite is located approximately 5km south of Carlisle on the eastern side of the main road leading from Durdar towards Penrith. The farm steading is accessed via a track which extends 140 metres east of the road leading from Durdar and comprises a variety of agricultural buildings.
- 3.2 The farm is located within open countryside with the predominant land use in the surrounding area being agriculture with scattered development. The land immediately around High Burnthwaite is relatively flat. Whilst there are undulations in the surrounding landscape the over-whelming impression is of flatness particularly to the south and west.
- 3.3 The application site is located within a field approximately 240 metres to the south-east of the farm complex and is surrounded by agricultural land used for pasture. The adjoining fields are delineated by a combination of hedges, post and wire fences and occasional hedgerow trees.

The Proposal

- 3.4 The application seeks permission for the erection of 1no. 500kW wind

turbine, which will have three blades with a 56m rotor diameter, a hub height of 50m and a tip height of 78m.

- 3.5 Access to the turbine will be via an existing farm track which is located to the south of the farm complex. The access track will be temporarily widened during the construction phase to accommodate the delivery vehicle. The application also includes the erection of a temporary crane hard standing area for use during the construction phases (measuring 35 x 35 metres). The agent has however confirmed that once the turbine has been erected, top soil would be spread over the majority of the hard standing area and the surface re-seeded. A small area of hard standing would be left as a turning and parking space for operation vehicles as well as the hard standing under the base of the turbine.
- 3.6 The transformer and associated electrical equipment will be contained in a compact substation located at the base of the turbine. The substation will have a footprint of 7.5 square metres and a ridge height of 2.5 metres. An underground cable would connect the substation to an overhead electricity line to the west of the farm steading. The route of the underground cable would be within land under the applicant's ownership.
- 3.7 The application is accompanied by a Design and Access Statement incorporating an extended Phase 1 Habitat Survey as well as Noise and Shadow Flicker Assessments.

4. Summary of Representations

- 4.1 This application has been advertised by the display of a site notice, press notice and by means of notification letters sent to 31 residential properties.
- 4.2 At the time of preparing the report 10 letters/emails have been received. 7 of these letters/emails raise objections and 3 make comments.
- 4.3 The letters of comment cover a number of matters which are summarised as follows:
 - 1. Request further information regarding noise levels
 - 2. No objections to the proposal
 - 3. 78 metre high turbine would be obtrusive on the landscape, two smaller turbines similar to Bankdale Farm would be more acceptable
- 4.4 The objections cover a number of matters and these are summarised as follows.

LANDSCAPE AND VISUAL

- 1. Turbine is out of scale with its surroundings and existing man-made features in the area
- 2. Turbine will be significantly higher than the adjacent electric pylons
- 3. Turbine would be in direct view from windows/gardens of neighbouring

properties

4. Already two wind turbines in operation nearby and the proposal would be adding another man made element to the natural environment
5. Cumulative Impact as the proposal would create four turbines in view (including two at Bankdale Farm and one at Greenlands)
6. Turbine would be visually intrusive and
7. Set a precedent
8. Turbine is not in view from High Burnthwaite Farm House
9. A smaller turbine or two smaller turbines would be more acceptable
10. Members should look at the site from the Burthwaite to Calthwaite Road

ECONOMIC

1. Size of turbine and the amount of electric that it will produce is more than what is required for the farm
2. Other sources of renewable energy should be considered
3. Development is more of a business venture
4. Proposal is for others financial gain

LIVING CONDITIONS/HEALTH

1. Impact of flicker effect
2. Increase in Noise and associated health impacts

ECOLOGY/CONSERVATION & ENVIRONMENT

1. Impact on habitats and local wildlife (geese etc)

OTHER MATTERS

1. Query on notification procedures;
2. Rumours that proposal will connect to another turbine at Greenlands
3. Impact upon low flying aircraft and civilian aircraft
4. Construction of the turbines in other countries is "not green"
5. Principle of turbines as a source of renewable energy

5. Summary of Consultation Responses

Cumbria County Council - (Highway Authority): - no objection;

St Cuthberts Without Parish Council: - 1) proposed wind turbine much larger than others in vicinity and would create an adverse visual impact; 2) output of proposed wind turbine is significantly higher than that required to meet the needs of the farming enterprise and is seen as a commercial venture; and 3) this application should go for consideration by Planning Committee and not be dealt with under Delegated Powers

Carlisle Airport: - following receipt of an aviation statement there is no objection;

Cumbria Wildlife Trust: - no comment providing that the turbine is sited more

than 50 metres from surrounding hedgerows;

(Former Comm/Env.Services) - Green Spaces - Countryside Officer - RURAL AREA: - no objection;

Joint Radio Co: - no objection;

Ministry of Defence/Defence Estates: - no objection however in the interests of air safety the turbine should be fitted with aviation lighting. The developer should give advanced notice to the MOD regarding dates of construction etc;

Natural England - Larger Schemes with Env.St & Designated Sites (SSSIs, SACs, SPAs, Ramsar Sites): - no objection;

National Air Traffic Services: - no safeguarding objection;

Royal Society for the Protection of Birds: - following further clarification there is no objection;

Local Environment - Environmental Protection (former Comm Env Services-Env Quality): -following receipt of the projected noise levels there is no objection;

United Utilities - (for water & wastewater comment) see UUES for electricity dist.network matters: - no objection;

6. Officer's Report

Assessment

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 6.2 As a result of the recent Cala Homes litigation, the Regional Spatial Strategy (RSS) remains in force and part of the development plan until the provisions of the Localism Act are enacted. A separate order is required to revoke the RSS; and until this takes place the RSS remains part of the Development Plan. For the purposes of the determination of this application, therefore, the development plan comprises the North West of England Plan (Regional Spatial Strategy to 2021); the "saved policies" of the Cumbria and Lake District Joint Structure Plan 2001-2016; and the Carlisle District Local Plan 2001-2016. The application also needs to be assessed against the Cumbria Strategic Partnership's Sub Regional Spatial Strategy 2008 - 2028 (SRSpS), the Cumbria Landscape Character Guidance and Toolkit (2011), and the Cumbria Wind Energy Supplementary Planning Document (2007).
- 6.3 The National Planning Policy Framework (NPPF) which was adopted 27th March 2012 is also a material planning consideration in the determination of this application. The NPPF has a presumption in favour of sustainable development with 12 core planning principles which should underpin

plan-making and decision-taking. Members should note that two of the core planning principles are to support the transition to a low carbon future in a changing climate, encouraging the use of renewable resources and recognising the intrinsic character and beauty of the countryside.

- 6.4 The NPPF indicates that when determining applications Local Planning Authorities should not require applicants to demonstrate the overall need for renewable energy and it should be recognised that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions. The NPPF indicates that Local Planning Authorities should approve the application (unless material considerations indicate otherwise) if its impacts are, or can be made, acceptable. The NPPF also states that in determining applications for wind energy development Planning Authorities should follow the approach set out in the National Policy Statement for Energy Infrastructure (read with the relevant sections of the Overarching National Policy Statement for Energy Infrastructure, including that on aviation impacts). The National Planning Policy Statement for Energy Infrastructure generally relates to large wind farms however it give guidance on technical considerations when dealing with onshore wind farms.
- 6.5 RSS Policy EM1 seeks to identify, protect, enhance and manage environmental assets. RSS Policy EM1(A) refers to the landscape and the need to identify, protect, maintain and enhance its natural, historic and other distinctive features. RSS Policy EM17 requires at least 15% of the electricity which is supplied within the Region to be provided from renewable energy sources by 2015 (rising to at least 20% by 2020). Criteria that should be taken into account in assessing renewable energy schemes include the impact on local amenity and the landscape.
- 6.6 JSP Policy R44 states that renewable energy schemes should be favourably considered where there is no significant adverse effect on such matters as landscape character, local amenity, and highways. The policy also explains that the environmental, economic and energy benefits of renewable energy proposals should be given significant weight. JSP Policy E37 stipulates that development should be compatible with the distinctive characteristics and features of the landscape. The assessment of any proposal being based on visual intrusion or impact; scale in relation to the landscape and features; and remoteness and tranquillity. Policy E35 seeks to safeguard areas and features of nature conservation interest.
- 6.7 In terms of the Local Plan policies, Policy CP1 requires rural development proposals to conserve and enhance the special features and diversity of the different landscape character areas. Policy CP8 deals with renewable energy and is permissive subject to a number of criteria including that there is no unacceptable visual impact on the immediate and wider landscape; and any new structure would be sensitively incorporated into the surrounding landscape and respect the local landscape character. A development principle of the Cumbria Sub Regional Spatial Strategy 2008-2028 includes the promotion of decentralised renewable and low carbon energy sources.
- 6.8 A Supplementary Planning Document 'Cumbria Wind Energy', which sets out

Guidelines for wind energy schemes and includes a Landscape Capacity Assessment, was adopted by the Council in September 2008.

- 6.9 Other material considerations include Circular 1/2003 "Safeguarding Aerodromes, Technical Sites and Military Explosives Storage Areas".
- 6.10 When assessing this application it is considered that there are six main issues, namely:
1. The potential contribution of the scheme towards the generation of renewable energy
 2. The impact of the proposed development on the landscape and visual character of the area including cumulative impacts
 3. The impact on residential properties (noise and shadow flicker)
 4. The impact on the setting of Listed Buildings
 5. The impact on air safety with regard to Carlisle Airport and the Ministry Of Defence
 6. The impact upon ecology and nature conservation
- 6.11 Addressing these issues in turn:
- 1. The Potential Contribution Of The Scheme Towards The Generation Of Renewable Energy**
- 6.12 As stated above the NPPF indicates that Local Planning Authorities should not require applications for energy development to demonstrate the overall need for renewable energy and should recognise that even small-scale projects provide a valuable contribution to cutting green house gas emissions.
- 6.13 Policy EM17 of the Regional Spatial Strategy (RSS) encourages the promotion and greater use of renewable energy sources and includes a target of having 15% of the region's electricity production from renewable sources by 2015 and rising to 20% in 2020. The sub-regional target for Cumbria is to have 15 - 21 onshore wind farms by 2010 with generating capacity of 210 MW increasing to 247.5 MW by 2015
- 6.14 The available records indicate that there are currently 17 onshore wind farms operating in Cumbria and seven more with consent with a total of 143 MW of generating capacity. In effect, the county target for 2010 has yet to be met and, at the current rate, the target for 2015 is unlikely to be met. This figure does not however include small-scale domestic turbines.
- 6.15 The current proposal would provide a total installed capacity of 500kW and will therefore provide a contribution to meeting energy needs both locally and nationally.
- 2. The Impact Of The Proposed Development On The Landscape And Visual Character Of The Area Including Cumulative Impacts**

- 6.16 As stated above, the NPPF indicates that Planning Authorities should approve applications if the impacts are, or can be made, acceptable. The NPPF explains that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. Paragraph 118 indicates that if significant harm resulting from a development cannot be avoided, adequately mitigated, or, as a last resort compensated for then planning permission should be refused. The NPPF also indicates that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Area of Outstanding Natural Beauty (AONBs).
- 6.17 High Burnthwaite is not located within an AONB. The farm house is however Grade II Listed.
- 6.18 It is important that a distinction is drawn between i) landscape impacts that relate to the characteristics of the landscape; and ii) visual impacts on receptor points (houses and rights of way etc) that relate to individual outlooks within that landscape. These issues are separately discussed as follows:
- 6.19 i) Landscape
- 6.20 The application site is within an area defined as being in between categories 5b (Low Farmland) and 6 (Intermediate Farmland) in the Cumbria Landscape Character Assessment. The Cumbria Wind Energy Supplementary Planning Document indicates that this landscape type has moderate landscape capacity to accommodate a small group of 3-5 turbines or exceptionally a large group of 6-9 turbines. As such it is clear that the proposed turbine is within the size limits suggested for this landscape type.
- 6.21 The site where the turbine is to be located comprises relatively flat pasture land in an agricultural landscape with field boundaries being mainly hedgerows with occasional mature hedgerow trees. A row of high voltage electricity pylons (approximately 30-35 metres in height) which are visible within the local landscape run through an adjacent field to the east of the site in a north to south formation. There are also a number of mature trees scattered within a field to the west of the farm complex.
- 6.22 The surrounding landscape continues to be relatively flat particularly to the south and west with the land being largely farmed pasture. Several farms, dwellings and pockets of woodland are dotted throughout the landscape. There are also two small-scale wind turbines (25 metres to tip) in operation at Bankdale Farm which are located approximately 700 metres to the north-east of the proposed development.
- 6.23 When considering impact on the landscape character the Council has taken independent landscape advice from Eden Environmental Ltd who has subsequently undertaken a Landscape and Visual Impact Assessment. This assessment notes that the site is generally flat with dispersed settlements and farmsteads, and a network of local roads. The report confirms that whilst the area is intensively managed there are pylons, roads and farm sheds in the landscape but they are not dominant in the landscape scene except when

seen at close proximity. The assessment also notes that whilst there are some small moving turbines in the area and local, but fast roads, the overall impression is of a relatively tranquil but not remote area i.e. the quieter hinterland.

- 6.24 The assessment goes on to state that the proposed turbine would be much taller than surrounding vertical elements, increasing the vertical scale, however the effect would only be local not affecting the whole landscape type. The assessment looked at whether the proposal would affect the sense of enclosure, the complexity of the landscape, characteristic of the land, the skyline, adjacent landscapes together with remoteness and tranquility. The report noted that the proposal would increase the man-made elements in the area, have a significant change to the skyline and would add a more noticeable increase in activity due to the large moving rotor however the impacts would be local in effect, will diminish with distance and therefore would not affect the overall landscape type.
- 6.25 The assessment also looked at the impact on the site, its features and characteristics. With the overall effect being slight to moderate adverse on the local area. The report notes that this effect is local, temporary and borderline significant during the lifespan of the turbines operation.
- 6.26 The report also indicates that the impacts on the landscape during construction and decommissioning would be negligible.
- 6.27 In relation to cumulative impacts the report by Eden Environmental Ltd found that there are some properties within 2.4km buffer of High Burnthwaite which would have views of the proposed turbine and the two turbines in operation at Bankdale Farm. Some of these views would be simultaneous. Furthermore it is noted that views of the proposed development and the 25m high (to tip) turbine that still could be erected at Greenlands (planning approval 09/0769) would only be possible from Greenlands itself. Fieldwork indicates that three properties would overlap with the buffer zones of the proposed turbine, the ones in operation at Bankdale Farm and the approved turbine at Greenlands however none of these places would have views of all three sets of turbines simultaneously. Given the distance of residential properties from the proposed single turbine at Newlands together with the orientation of properties there is unlikely to be few, if any, properties from which views of both developments would be possible.
- 6.28 The assessment determines that there is unlikely to be significant cumulative effects caused by the proposed wind turbine in combination with other wind farms/turbines.
- 6.29 The report by EEL concludes that the scheme would not cause significant adverse impacts upon designated landscapes or the landscape character as a whole with the overall effect on the site landscape being moderate adverse. This effect is local and temporary but significant for the 25 years of the turbines expected life.
- 6.30 On balance it is considered that although the turbine would be visible locally

within the landscape (inclusive of any warning light for air navigation) due to its height and movement at a vertical scale, the turbine itself would not cause a sufficient adverse impact upon the landscape character as a whole to warrant refusal of the application on this basis.

6.31 ii) Visual Impact

6.32 With regards to visual impact it is important to make a distinction between something that is visible as opposed to being prominent and oppressive. It is noted that right to a view is not a material planning consideration and the focus of the planning system is to regulate the use and development of land in the public interest.

6.33 When assessing visual impact upon occupiers of neighbouring properties it is also important to apply the "Lavender Test". It is noted that outlook from a private property is a private interest rather than a public interest however in 3 previous appeal decisions; North Tawton (Denbrook), Enifer Downs and Shooters Bottom, Inspector Lavender indicated that where turbines are present in such number, size and proximity that they represent an unpleasantly, overwhelming and unavoidable presence in a main view from a house or garden, there is every likelihood that the property concerned would come to be widely regarded as an unattractive and unsatisfactory place to live. It is therefore not in the public interest to create such living conditions where they did not exist before.

6.34 In relation to the impact on the visual amenities of residential properties it is noted that there a number of residential properties scattered within the landscape particularly but not exclusively those located adjacent to the roads immediately to the north, south, east and west of the site. The closest residential properties to the turbine are No.s 3-4 High Burnthwaite Cottages and Crownstone Farm which are located approximately 510 metres to the north-west and 530 metres to the west respectively.

6.35 As stated above independent advice from Eden Environmental Limited has been sought with regard to impact upon visual amenity. Eden Environmental Limited has subsequently undertaken fieldwork to record existing views for people living within a 2.4km radius of the proposed turbine. It is noted that the properties within this radius are either isolated, on farmsteads or grouped within a small cluster. Views of the proposed turbine site can vary due to orientation, vegetation and whether there are windows looking that direction. In general it is noted that properties within this area have rural views with: expansive skies; medium/large sized fields; individual or small clusters of houses forming part of the whole scene but not dominating the view; large mature trees silhouetted on the skyline or dense hedgerows. Some properties also have views of pylons with fewer properties having views of two small existing twin-bladed turbines at Bankdale Farm.

6.36 The study undertaken by Eden Environmental Ltd indicates that the most significant adverse impact (large adverse) would be experienced at one property close to the turbine - High Burnthwaite Farm House. For the people living in this property the turbine is likely to be a dominant and unavoidable

part of that view. The assessment also indicates that there would be moderate adverse (also significant) impacts for people at twelve properties scattered to the north, east, west and south. Whilst distance would make the wind turbine less dominant, it would be a focal point in the view from these properties, with its movement clearly visible.

- 6.37 It is noted that the property that has been identified as having a large adverse impact is the applicants own property High Burnthwaite Farm House however this is associated with the proposal and can therefore be discounted.
- 6.38 For those properties that are identified as having a moderate adverse impact it is noted that all of these properties are located at different distances from the turbine. These distances range from 510 metres to 1.7km. Although there is a private Members Bill going through parliament suggesting set distances of wind turbines from dwelling houses according to their height there is no set distance at present in planning terms. The twelve properties that have been identified as having a moderate visual impact will be able to see the turbine from some of their primary windows or from their gardens. As stated above view from a property is a private interest rather than a public interest. The test to consider in this case is the resulting adequacy of living conditions within these dwellings and their gardens.
- 6.39 Having applied the above test (i.e. the "Lavender Test") it is noted that the turbine would be located 510 metres from the nearest non-associated dwellings (No.3 -4 High Burnthwaite Cottages). Both of these properties have primary windows/gardens that would face towards the turbine. The base of the turbine would however be blocked by intervening farm sheds but the mast and rotor would still be visible. From these properties the turbine would appear to be higher than the roadside hedgerow but much lower than the hedgerow trees and the group of trees in the field between these properties and High Burnthwaite Farm. The turbine would appear to be higher than the farm shed which would be visible in front of it and the adjacent pylon. The occupiers of the aforementioned properties would experience a medium change in view however the turbine would not appear to be as dominant as the existing intervening trees currently in view from these properties. In this instance the visual impact of the proposal from these properties is considered acceptable.
- 6.40 Having applied the "Lavender Test" to the remaining ten properties identified as having a moderate adverse impact it is noted that these remaining properties are located at a distance of 800 metres or more from the turbine. Although these properties would have primary windows or gardens with a direct view of the turbine it is considered that the separation distances involved would reduce the overall dominance of the turbine. The proposal would therefore not cause a sufficient demonstrable harm on the living conditions of the occupiers of these properties in terms of over dominance to warrant refusal of the application on this basis.

3. The Impact On Residential Properties (Noise And Shadow Flicker)

- 6.41 The NPPF indicates that planning decisions should aim to avoid noise giving

rise to significant adverse impacts on health and quality of life. The NPPF also indicates that in determining planning applications for wind energy planning authorities should follow the approach set out in the National Policy Statement For Renewable Energy Infrastructure (read with relevant sections of the Overarching National Policy Statement For Energy Infrastructure). The aforementioned documents indicate that the impact of noise from a wind farm should be assessed using "The Assessment And Rating Of Noise From Wind Farms (ETSU-97)".

- 6.42 The recommended absolute noise levels within ETSU-R-97 cover two time periods: i) the quiet daytime period (defined as between 18.00 and 23.00 hours during the normal working week, between 13.00 and 23.00 hours on a Saturday and all day during Sunday, 07.00 to 23.00 hours); and ii) the night-time period (defined as between 23.00 and 07.00 hours). The absolute limit within ETSU-R-97 (in low noise environments) lies between levels of 35 to 40 dB at LA90, 10 min day time level. The guidance in ETSU-R-97 states that noise limits from wind farms should be limited to 5dB (A) above background noise levels for day/night time with the exception of low noise environments.
- 6.43 The applicant has confirmed that the proposed turbine will either be a Power Wind 500 or a EWT Directwind DW54. A Noise Impact Assessment has been undertaken which indicates the sound levels for the two different manufacturers of turbines at various wind speeds and distances from the turbine. No background noise assessment has been conducted.
- 6.44 The nearest property to the turbine is that of the applicants. The closest property that is not financially involved is situated approximately 510 metres from the site (Nos.3 and 4 High Burnthwaite Cottages). The assessment indicates that the predicted noise levels of the two different manufacturers at the nearest non-associated residential property would meet the requirements of ETSU-R-97 for Amenity Hours and Night-time operation under all wind conditions. The noise levels at the financially involved property would also conform with the guidance contained within ETSU-R-97. Environmental Services have been consulted on this information and have raised no objections.
- 6.45 In relation to the above the Noise Levels generated by the proposed turbine are deemed acceptable and would not have an adverse impact upon the occupiers of any surrounding residential properties to warrant refusal of the application. If Members are minded to approve the application it is recommended that a condition is imposed within the Decision Notice controlling noise in accordance with the guidance contained in ETSU-R-97.
- 6.46 Shadow flicker is an effect that can occur when the shadow of a moving wind turbine blade passes over a small opening briefly reducing the intensity of light within the room. It is recognised as being capable of giving rise to two potential categories of effects: health effects and amenity effects. In terms of health effects, the operating frequency of the wind turbine is relevant in determining whether or not shadow flicker can cause health effects in human beings. The proposed turbine will have an operating frequency of less than 1Hz which is less than the frequency capable of giving rise to health effects.

- 6.47 Research and computer modelling on flicker effects have demonstrated that there is unlikely to be a significant impact at distances greater than ten rotor diameters from a turbine (i.e. 560 metres in this case). The companion guide to PPS22 which is still relevant in terms of flicker effect indicates that in the UK only properties within 130 degree either side of north, relative to a turbine can be affected by Flicker Effect. A number of residential properties fall within this radius: High Burnthwaite Farm (the applicants own property) and Nos.1-4 High Burnthwaite Cottages. Whilst Crownstone Farmhouse is not located within the zone of influence it is noted that it is located directly adjacent. A Shadow Flicker Assessment has however been submitted which is a worst case scenario not accounting for trees or other obstructions that intervene between the receptors and the turbine. The survey has found that the non-associated residential properties would experience up to 26 minutes of shadow flicker a day, a total of 33 days and 11:14 hours per annum. High Burnthwaite Farm would however have 38 minutes of shadow flicker a day which accounts to 49 days and 24:03 hours per year. Whilst other European Countries have guidelines of 30 hours per year and 30 minutes per day for acceptable levels of shadow flicker, there is no guidance for England. The affects of shadow flicker are however easy to mitigate for example by shutting down the relevant turbine during periods when it could occur. As the impact of shadow flicker can be controlled by the imposition of a suitably worded condition it is not considered that the proposal would cause a sufficient harm to the living conditions of neighbouring residents with regard to shadow flicker to refuse the application on this basis.

4. The Impact On The Setting of Grade II Listed Building

- 6.48 As stated above the farm house at High Burnthwaite is Grade II Listed and is situated approximately 350 metres to the north-west from the application site. The Councils Heritage Officer has been consulted on the application and has confirmed that the proposal would not have a significant impact upon the setting of the listed farm house.
- 6.49 In such circumstances the proposal will not have an adverse impact upon the setting of the Grade II listed building at High Burnthwaite.

5. Air Safety: Carlisle Airport And Ministry Of Defence

- 6.50 Following receipt of a detailed aviation assessment the Airport have confirmed no objection to the proposal.
- 6.51 The Ministry Of Defence have also raised no objections to the application, but have however confirmed that in the interests of air safety the turbine, if approved, should be fitted with aviation lighting (i.e. 25 candela omni-directional red lighting or infrared lighting with an optimised flash pattern of 60 flashes per minute of 200ms to 500ms duration at the highest practicable point).
- 6.52 In relation to the above, the proposed development is unlikely to have an adverse impact upon air safety.

6. Impact Upon Local Ecology And Nature Conservation

- 6.53 When considering whether the proposal safeguards the biodiversity and ecology of the area it is recognised that Local Planning Authorities must have regard to the requirements of the EC Habitats Directive (92/43/EEC) when determining a planning application as prescribed by regulation 3 (4) of the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended), and Article 16 of the Habitats Directive before planning permission is granted. Article 16 of the Directive indicates that if there is reasonable likelihood of a European protected species being present then derogation may be sought when there is no satisfactory alternative and that the proposal will not harm the favourable conservation of the protected species and their habitat. In this case, the proposal relates to the siting of a wind turbine within agricultural land currently used as grazing.
- 6.54 Breeding birds have been highlighted within the vicinity. An extended Phase 1 Habitat Survey has been undertaken which indicates: that no species particularly sensitive to wind farm developments have been recorded within the or in the immediate vicinity of the application site; no bat species/roosts have been found but there are a number of mature/decaying trees within 500 metres which have the potential for foraging/roosting; no barn owls have been recorded within 500 metres of the search area; there is unlikely to be a significant impact on bats and barn owls provided the turbine is sited more than 50 metres from hedgerows/trees and there may be a low level of disturbance to breeding birds during the construction phase.
- 6.55 The turbine has been located 50m from the nearest habitat feature from all trees and surrounding hedgerows. Furthermore, the application includes no hedgerow removal.
- 6.56 Natural England and the RSPB have been consulted on the proposed development. Both statutory consultees have however raised no objections to the proposal. Cumbria Wildlife Trust have also raised no objections to the proposal.
- 6.57 Taking into account the proposed development, its location and surroundings it is considered that there should be no significant effects from the proposal, and that there would be no harm to the favourable conservation of any protected species or their habitats. If Members are minded to approve the application it is recommended that advisory notes are imposed within the Decision Notice with regard to protected species and a condition is imposed within the Decision Notice regarding no construction works during the breeding bird season.

Other Matters

- 6.58 It is appreciated that other issues can arise when considering a proposed turbine including signal interference but based on the size of the proposed turbine, the accompanying information and the turbines location, it is not considered that they are of sufficient weight to influence the outcome of the

proposal. Furthermore, impact of the proposal on house prices is not a material planning consideration.

- 6.59 Article 8 and Article 1 Protocol 1 are relevant but the impact of the development in these respects will be minimal and the separate rights of the individuals under this legislation will not be prejudiced. If it was to be alleged that there was conflict it is considered not to be significant enough to warrant the refusal of permission.

Conclusion

- 6.60 The benefits of the proposed development is that the turbine would produce energy from a renewable source which would not have a significant impact upon air safety, listed buildings, ecology/conservation, highway safety or on occupiers of neighbouring properties in terms of noise. Furthermore impacts of flicker effect can be dealt with via a suitably worded condition. The turbine would be prominent locally within the landscape and would be visible from primary windows/gardens of residential dwellings within the vicinity however the proposal would not have a significant impact on the landscape type as a whole or a dominant affect on the living conditions of residential properties due to separation distances or the positioning of existing features within the landscape. On balance it is considered that the benefits of the proposed development would outweigh its limited adverse impact upon the landscape/living conditions of the occupiers of neighbouring properties. Accordingly the application is considered to be compliant with the criteria of the relevant planning policies and is therefore recommended for approval subject to the imposition of relevant conditions.

7. Planning History

- 7.1 There is no relevant planning history.

8. Recommendation: Grant Permission

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

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

2. The approved documents for this Planning Permission comprise:

1. The Planning Application Form received 6th February 2012;
2. The Site Plan received 12th April 2012 (Drawing No. BK/m158/01);
3. The Site Layout Plan received 6th February 2012 (Drawing No. BK/m158/02);
4. The Proposed Elevations of the Turbine received 14th February 2012

(Drawing No. BK/m158/03);

5. The Design and Access Statement received 6th February 2012 including email from Agent received 21st June 2012 regarding Viewpoints 6 and 7;
6. The Shadow Flicker Analysis And Report undertaken by The Wind Consultancy Service received 23rd April 2012 (Report No.8850_R8);
7. The Noise Assessment undertaken by M A Kenyon received 13th April 2012 (Dated 30th March 2012);
8. The Aviation Assessment Undertaken by Cyrrus received 2nd April 2012;
9. The Floor Plans and Elevations of the External Compact Station received 14th February 2012 and the Photographs received 9th May 2012 (Drawing No.BK/m158/04);
10. The Details of the Crane Pad received 6th February 2012 (Drawing No. BK/m158/05);
11. The Details of the Road Section and Trench received 14th February 2012 (Drawing No.BK/m158/05);
12. The Plan Showing the Cable Route received 25th April 2012;
13. The Plan Showing 500 and 1000m radius circles received 12th April 2012 (Scale 1:20,000);
14. the Notice of Decision; and
15. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: For the avoidance of doubt.

3. If the turbine hereby permitted ceases to be operational for a continuous period of 12 months the operator shall give notice in writing to the local planning authority of the date this event occurs. Unless the local planning authority gives notice in writing to the contrary the use shall cease and the turbine and all components, listed in condition 2 above, shall be removed from the site within 6 months of the date notified to the local planning authority for the purposes of this condition.

Reason: In the interests of the visual amenity of the area and to accord with the objectives of Policies CP1 and CP8 of the Carlisle District Local Plan 2001-2016.

4. The permission hereby granted is for the proposed development to be retained for a period of not more than 25 years from the date when electricity is first supplied to the grid. The local planning authority shall be notified in writing of the date of the commissioning of the wind farm. By no later than the end of the 25 year period the turbine shall be de-commissioned, and it and all related above ground structures shall be removed from the site which shall be reinstated to its original condition.

Reason: In the interests of the visual amenity of the area and to accord with the objectives of Policies CP1 and CP8 of the Carlisle

District Local Plan 2001-2016.

5. Prior to the turbine being erected on site, full details of the proposed aviation lighting, as recommended by the Ministry of Defence, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of air safety and in accordance with Policy CP8 of the Carlisle District Local Plan 2001-2016.

6. The hard standings and means of access shall be constructed in accordance with the approved details before any other part of the development commences, and upon completion of the construction works the area shall be cleared of all plant, debris and any other items and the land shall be returned to its former condition (with a small area retained for maintenance purposes) within 6 months thereafter in accordance with details submitted to and approved in writing beforehand by the local planning authority.

Reason: To safeguard the character of the area, highway safety, and the living conditions of local residents in accordance with Policies CP5 and CP6 of the Carlisle District Local Plan 2001-2016.

7. No logos, advertisements, lettering, lights or other information (other than that required for health and safety purposes or required for legal reasons including aviation safety) shall be displayed on the turbine, nor shall it be illuminated without the prior written approval of the local planning authority.

Reason: To safeguard the character of the area in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

8. The level of noise emissions from the turbine hereby permitted when measured in free field conditions at the boundary of the nearest noise sensitive receptor which lawfully exists or has planning permission for construction at the date of this planning permission, or measured closer to the turbine and calculated out to the receptor in accordance with a methodology previously approved in writing by the local planning authority, shall not exceed 35 dB LA90,10min up to wind speeds of 10 m/s measured at a height of 10 m above ground level at a specified location near to the turbine which has been previously approved in writing by the local planning authority.

Reason: To minimise any potential adverse impact on nearby occupiers and in accordance with the objectives of Policy CP8 (Criteria 4) of the Carlisle District Local Plan 2001-2016.

9. The developer shall give advance notice in writing to the Ministry of Defence of the date construction of the turbine hereby permitted commences and ends, and shall include details about the maximum height of construction

equipment, together with the blade tip height of the turbine above ground level, and the latitude and longitude of the turbine.






Reason: In the interests of air safety.

10. No construction works of any kind shall take place during the breeding bird season (1st March - 31st August) unless the absence of nesting birds has been established through a survey and such survey has been agreed in writing beforehand by the Local Planning Authority.

Reason: To protect features of recognised nature conservation importance in accordance with Policy CP2 of the Carlisle District Local Plan 2001-2016.

11. No works shall commence until a scheme to avoid the incidence of "Shadow Flicker" at the properties listed in Table 1 of the Shadow Flicker Assessment (received 23rd April 2012) as being exposed to such an effect from the proposed turbine has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include detailed siting of the photocells and measures to control, or shut down the turbine, as well as any additional planting proposed for this purpose. Unless otherwise agreed in writing, the turbine producing "flicker effects" at any dwelling shall be shut down and the blades shall remain stationary until the conditions causing such effects have passed. The scheme shall be implemented as approved.

Reason: To safeguard the living conditions of local residents in accordance with Policies CP6 and CP8 of the Carlisle District Local Plan 2001-2016.

-  Application area
-  Site boundary
-  Crane handstanding area
-  Upgraded access track
-  Wind turbine location



Do not scale from pdf

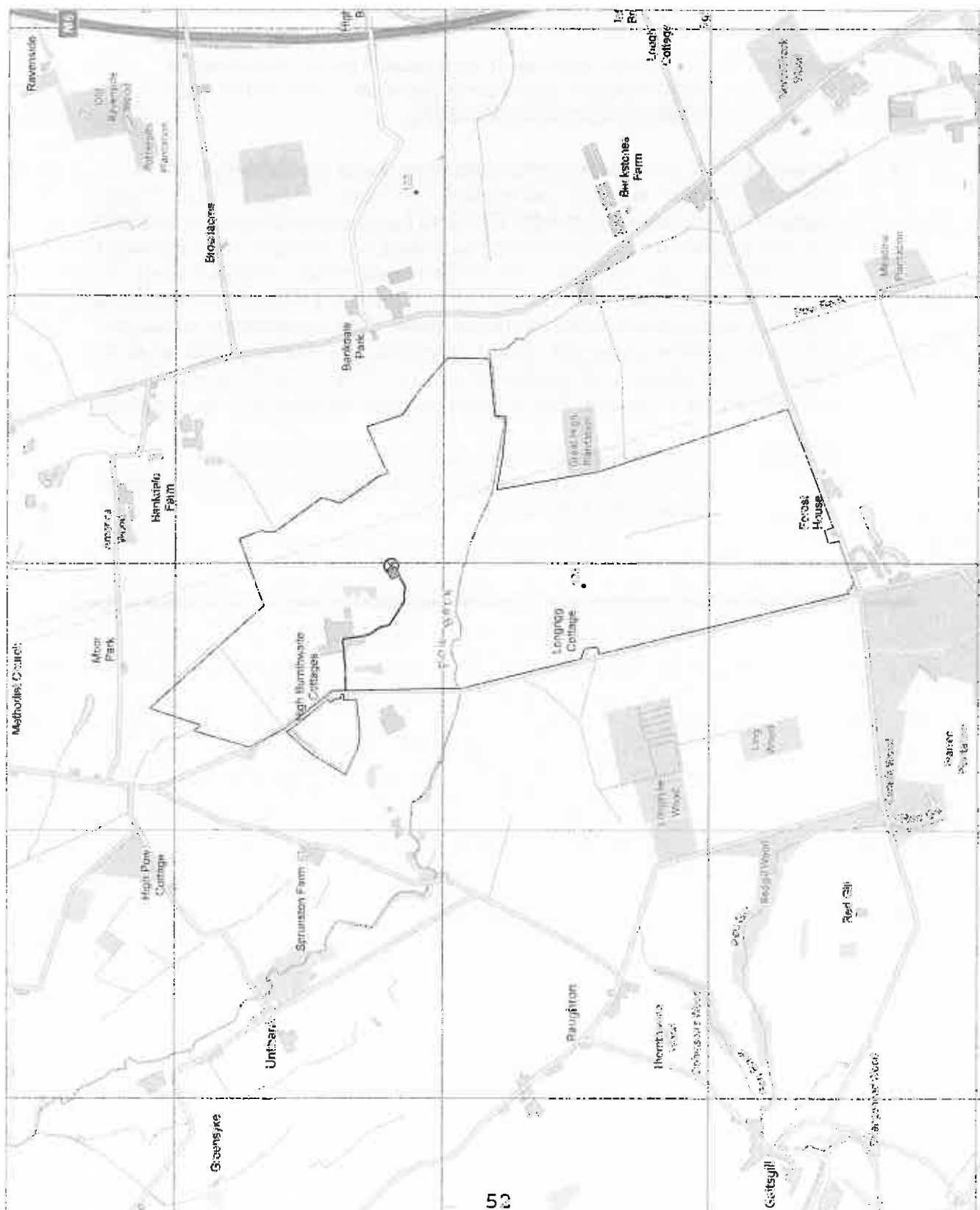
Aedhus Renewables Energy Ltd

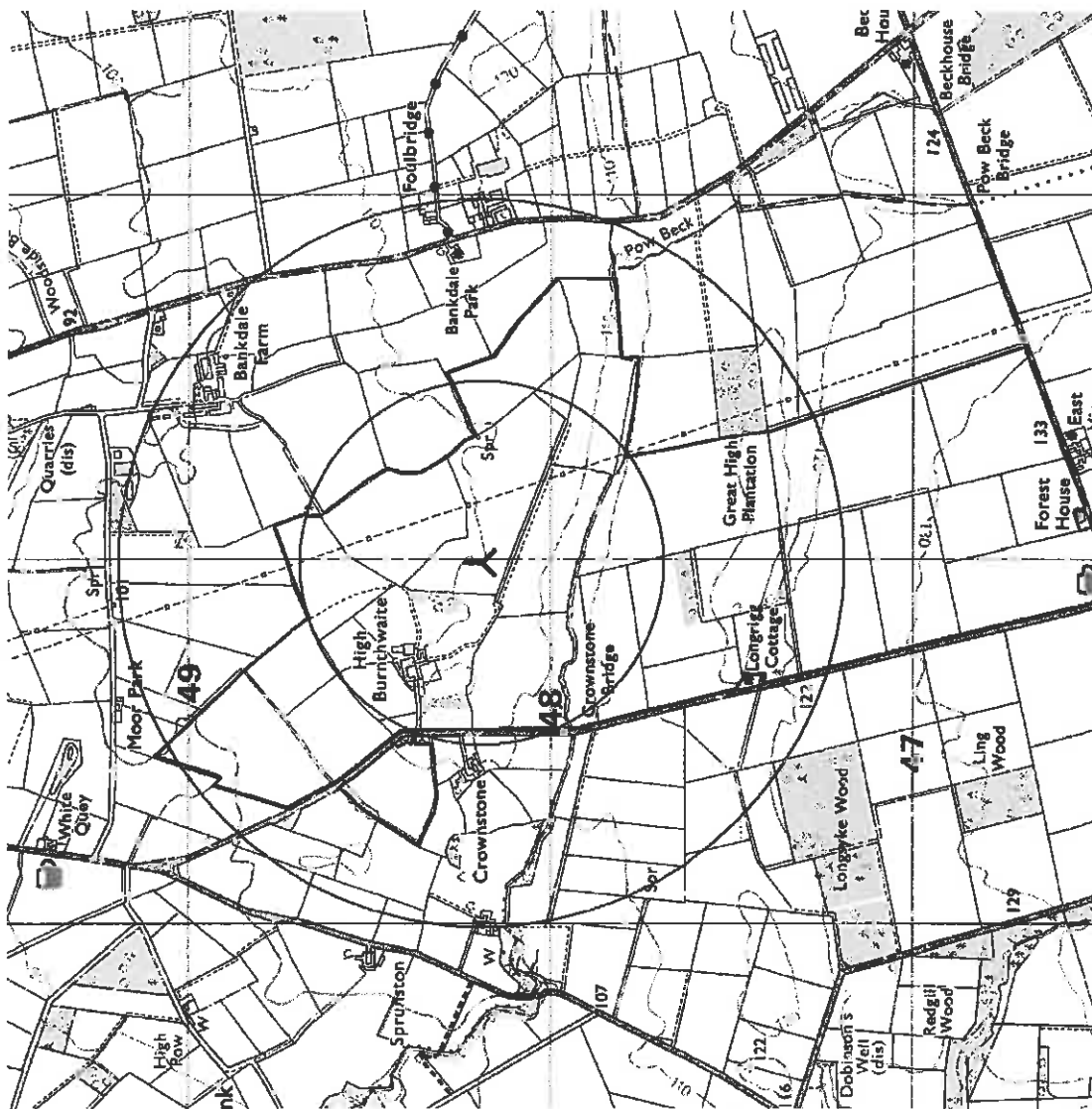
High Burnthwaite Wind turbines

Figure 1:

Site Plan

Revised: 11/11/2011
Rev: 11/11/2011
Rev: 11/11/2011





T W Johnston

High Burnthwaite Wind Turbine

Key

□ High Burnthwaite Farm

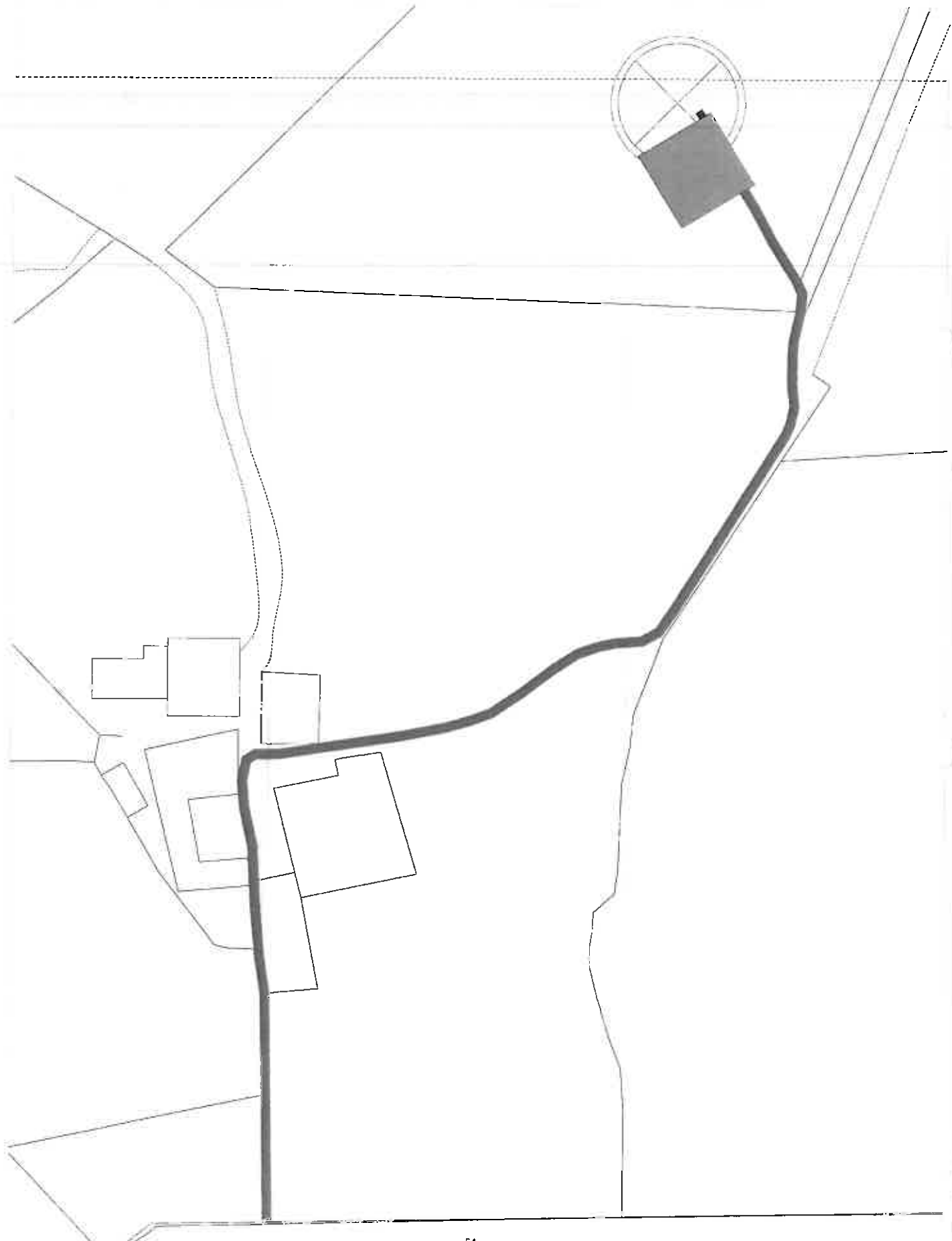
⋈ Wind turbine

○ 500 & 1000m radius circles

Scale: 1:20,000 at A4

v1 Apr 12

Based on Ordnance Survey map with permission of
HMSO. © Crown Copyright.



RECEIVED
14 FEB 2012
12:00 PM

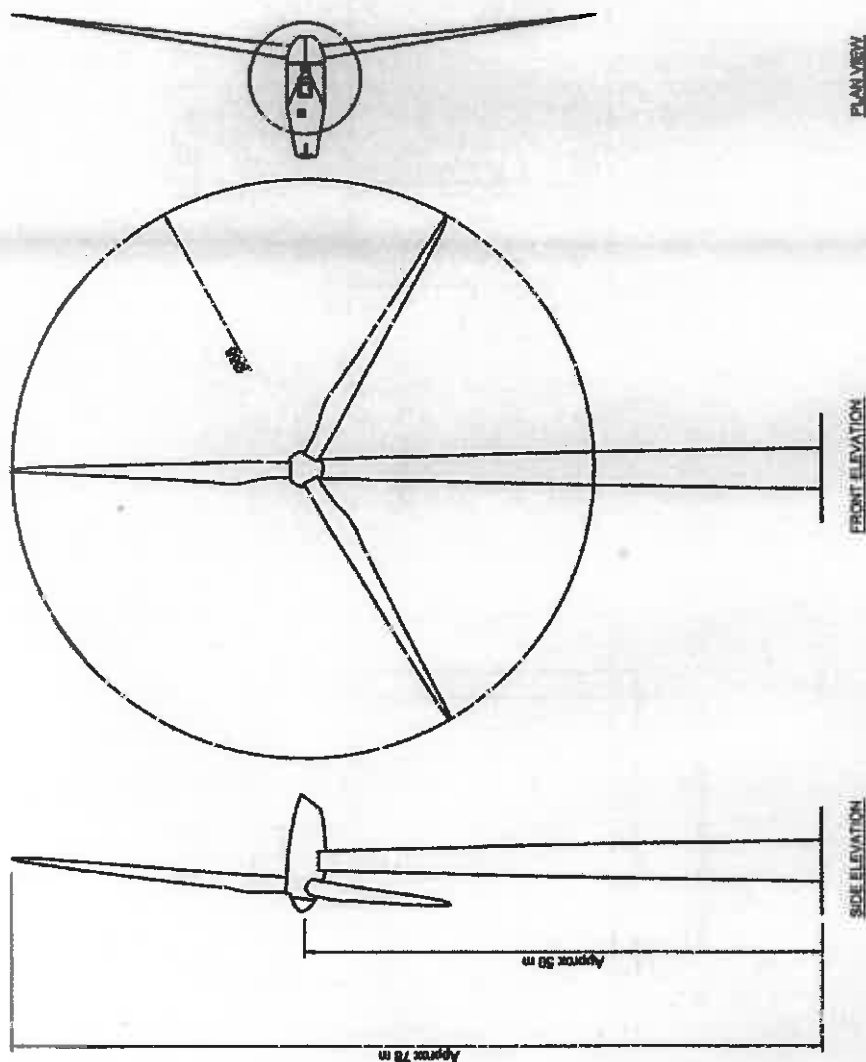
Abulus Renewable Energy Ltd

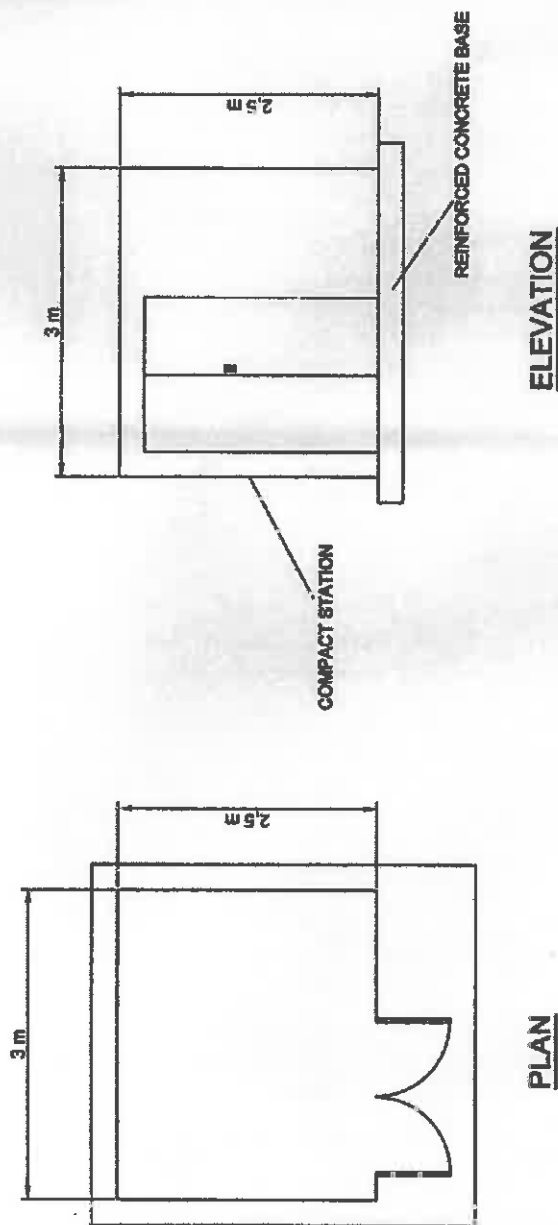
High Burnthwaite Wind turbine

Figure 3:

Typical Wind Turbine

Drawn by: [Name] Scale: 1:500
Date: 14/02/2012





**Not for construction
Do not scale from pdf**

Arctus Renewable Energy Ltd
High Burnside Wind turbine

Figure 4:

**Typical External Compact
Substation: Plan and Elevation**

Check with Electrical Panel in Elevation in Ref 101 101 101
Date 01/11/2011 Drawn by [illegible]

RECEIVED
8 FEB 2017
12:00 PM

Do not scale from pdf

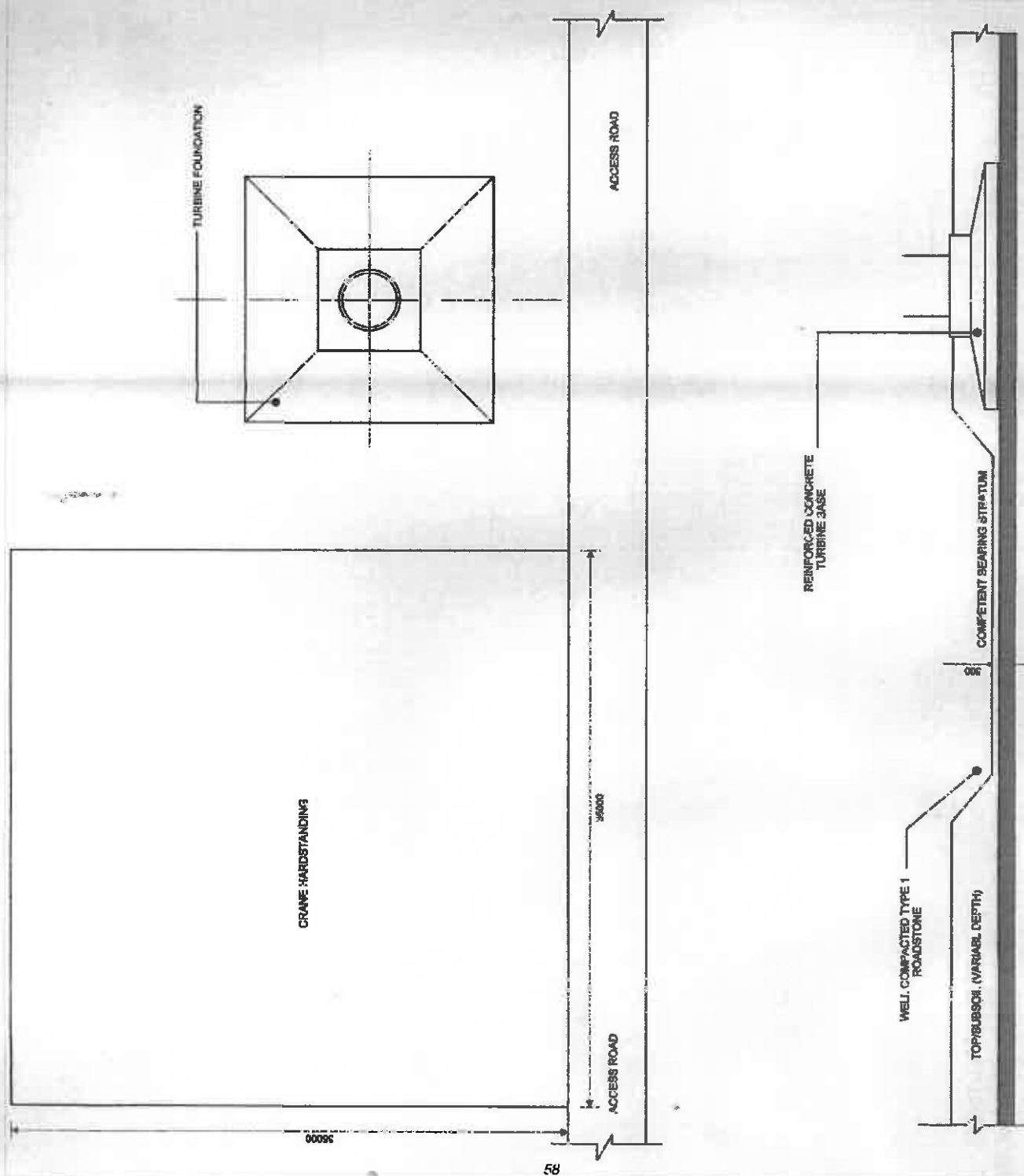
Aeolus Renewable Energy Ltd

High Performance Wind Turbine

Figure 6:

Typical Crane Pad

Drawn by: [Name] Checked by: [Name] Date: 12/01/2017



340500

341000

NY4049 NY4149
NY4048 NY4148

RECEIVED

25 APR 2012

121006Z

4894
X6971
X9662
X5358
X7654
X3953
X3842
X8545
X1043
X5440
X6446
X4534
X6881
X5729
X8426
X9926
XTURBINE
XCABLE
ROUTE
↑NY4048 NY4148
NY4047 NY4147

340500

341000

SCHEDULE A: Applications with Recommendation

12/0155

Item No: 04

Date of Committee: 13/07/2012

Appn Ref No:
12/0155

Applicant:
Mr Carrigan

Parish:
Westlinton

Date of Receipt:
29/03/2012

Agent:
Green Planning Solutions
LLP

Ward:
Longtown & Rockcliffe

Location:

Parkfield Stables, Newtown of Rockcliffe, Blackford,
CA6 4ET

Proposal: Erection Of 1No. Barn And 4No. Loose Box Stables

REPORT

Case Officer: Shona Taylor

1. Recommendation

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

2. Main Issues

- 2.1 The Impact Of The Proposal On The Living Conditions Of Neighbouring Residents
2.2 The Impact Of The Proposal On The Character Of The Area
2.3 Other Matters

3. Application Details

The Site

- 3.1 Members will be aware that the application site has been the subject of a number of planning applications. In relation to an Appeal concerning application reference number 06/0134, the Inspector allowed the erection of stables and a tack room. There have previously been temporary permissions granted for a period of three years. Last year, in 2011, planning permission was granted for the change of use of land to a gypsy caravan site for one family.

Background

- 3.2 The property currently consists of a hardcore surfaced area with two caravans. A timber fence has enclosed part of the site. Stables approved as part of application 06/0134 have also been erected.

The Proposal

- 3.3 Members will recall that a report on this application was deferred at the last meeting to enable a visit to the site to be undertaken. The application is seeking full planning permission for the erection of a stable block and hay barn. The proposed location is to the south east corner of the field, adjacent to the existing stable block.
- 3.4 The submitted drawings illustrate that the stable block would have 4 loose boxes and measure 15 metres in length by 4.2 metres wide with a ridge height of 5 metres. The stables would be finished in timber cladding and roofed in reconstituted slate. The dimensions of the proposed hay barn would be 13.8 metres in length by 5.1 metres in width with a ridge height of 4.7 metres. It would be of portal framed construction with timber boarding and a roof covering of profiled sheeting.

4. Summary of Representations

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

5. Summary of Consultation Responses

Cumbria County Council - Highway Authority: - no objections;
Westlinton Parish Council: - the erection of additional stables and a barn would be overdevelopment of the site and additional visual clutter in what is effectively open countryside.

6. Officer's Report

Assessment

- 6.1 The relevant planning policies against which the application is required to be assessed are Policies CP5, CP6 and LE25 of the Carlisle District Local Plan 2001-2016. The National Planning Policy Framework (NPPF) which was adopted 27th March 2012 is also a material planning consideration in the determination of this application. The proposal raises the following planning issues:
1. The Impact Of The Proposal On The Living Conditions Of Neighbouring Residents

- 6.2 It is considered that the nature of the proposal, in the context of the existing use, and the stables approved and constructed under application 06/0134, would not harm the living conditions of the neighbouring residents. The proposed structures are also of sufficient distance so as not to lead to any problems associated with overshadowing.

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

- 6.3 When considering this application it is pertinent to reiterate that the site already contains permanent stables approved under 06/0134. The proposed structures are shown to be sited within the existing enclosed yard within the south-eastern corner of the field. The proposal is therefore set within the backdrop of the existing field boundaries and hamlet. The opportunity also exists to mitigate the impact of the existing development and proposed structures through additional landscaping.

3. Other Matters

- 6.4 It is noted that a similar proposal has been refused previously on the site (application 08/0220), however, this was at a time when the applicant had only a temporary consent for three years for the use of the site. Since the approval of application 11/0062, which gave permission for the applicant and his family to reside on the site, it is considered that the previous reasons for refusal are no longer appropriate.
- 6.5 The Parish Council have objected to the proposal, on the grounds that they consider that the erection of additional stables and a barn would be an overdevelopment of the site and add visual clutter in what is effectively open countryside.

Conclusion

- 6.6 Overall it is considered that the proposed buildings will not appear intrinsically out of place or scale in the surrounding landscape. The proposed buildings are sited adjacent to the existing stable block. In such circumstances, and in the context of the existing use of the site, the proposal will not exacerbate any harm to the living conditions of neighbouring residents. On this basis, the proposal is recommended for approval.

7. Planning History

- 7.1 In April 2003, under application number 03/0278, planning permission was refused for the erection of four stables and tack room with enclosed paddock. Enforcement action was also authorised. The subsequent appeal (ref APP/E0915/A/03/1119582) was dismissed.
- 7.2 In November 2003, application 03/0854, retrospective permission was refused for a building for storage of silage and animal feed and a container for the storage of implements.

- 7.3 The subsequent appeal (ref APP/E0915/C/04/1151115) concerning an enforcement notices served on the 19th April 2004 was dismissed and the enforcement notice upheld.
- 7.4 In April 2006, under application reference number 06/0134, planning permission was refused for the use of part of the land for the erection of stables and tack room and the change of use to a caravan site for one gypsy family. The applicant (Mr Carrigan) appealed with a Public Inquiry held on the 9th and 10th November 2006. The Inspector allowed the erection of the stables and tack room but dismissed the proposed caravan site for a gypsy family.
- 7.5 In August 2007, application 07/0547, planning permission was refused for the change of use of land to a gypsy caravan site for one family.
- 7.6 Also in 2007, under application 07/1083, planning permission was granted temporarily for the change of use of land to a gypsy caravan site for one family (revised application).
- 7.7 In 2008, application 08/0220, planning permission was refused for the erection of a stable block and hay barn.
- 7.8 In 2011, under application 11/0062, planning permission was granted for the use of land for the stationing of caravans for residential purposes for 1 no. gypsy pitch together with a utility/dayroom ancillary to that use.

8. Recommendation: Grant Permission

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

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

2. The approved documents for this Planning Permission comprise:
1. the submitted planning application form;
 2. the Location Plan (07_120B_001) received 23rd February 2012;
 3. the Existing Site Plan (07_120B_002) received 23rd February 2012;
 4. the Proposed Site Plan (07_120B_003) received 23rd February 2012;
 5. the Floor Plans and Elevations (07_120B_004) received 23rd February 2012;
 6. the Design and Access Statement received 23rd February 2012;

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

Reason: For the avoidance of doubt.

3. The stables and hay barn hereby permitted shall be used only for private purposes for the stabling and breeding of horses and storage of associated equipment and feed and no other commercial, industrial and/or retail activity shall take place without the prior permission of the Local Planning Authority.

Reason: To control the precise nature of the use to safeguard the living conditions of neighbouring residents and character of the area, in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

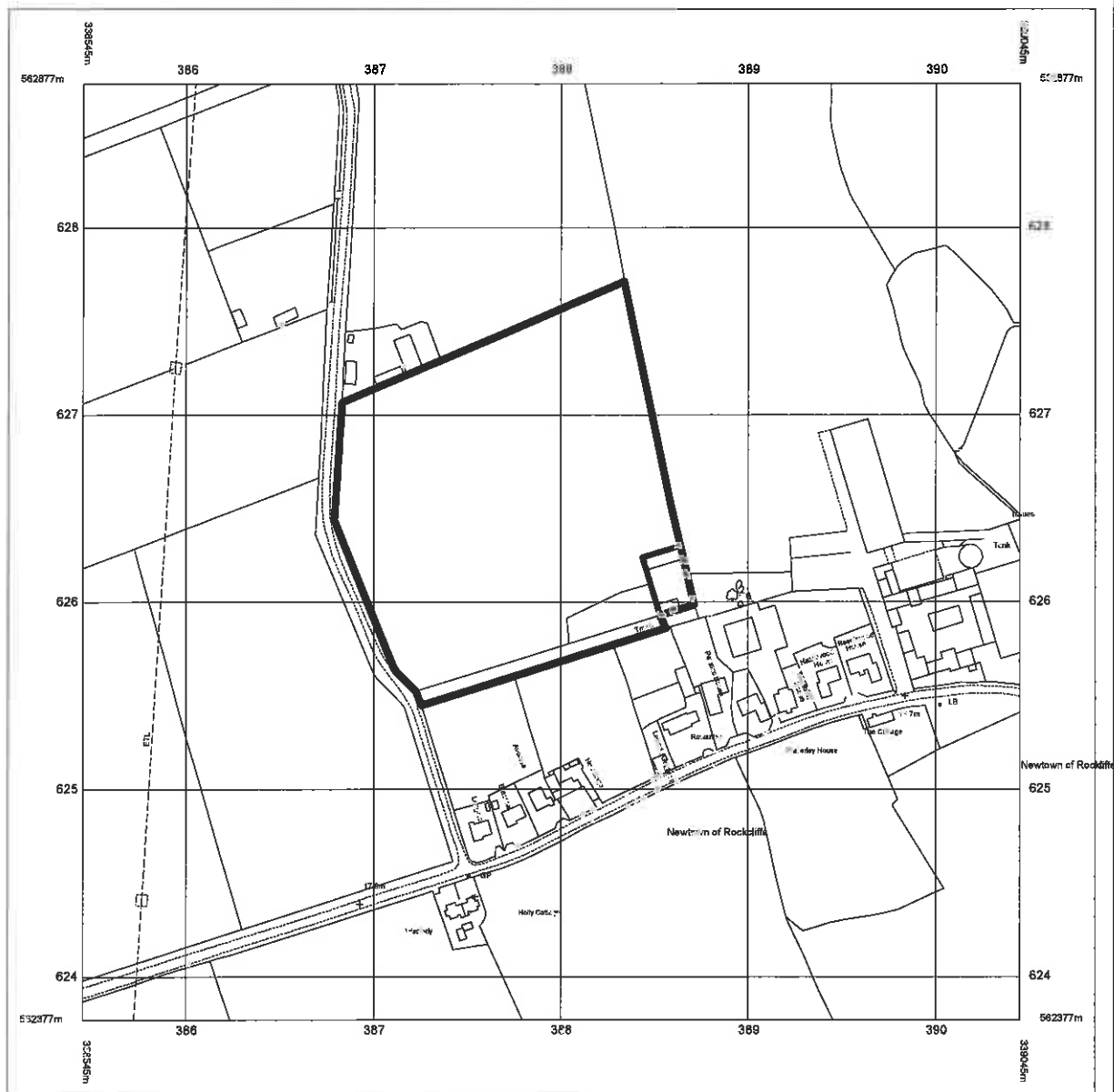
4. No development shall take place until details of a landscaping scheme have been submitted to and approved by the Local Planning Authority.

Reason: To ensure that a satisfactory landscaping scheme is prepared in accordance with Policy CP3 of the Carlisle District Local Plan 2001-2016.

5. All planting comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the commencement of use of either the stables or hay barn hereby permitted, or, the completion of the development (whichever is the sooner) and maintained thereafter in accordance with the approved details; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that a satisfactory landscaping scheme is implemented and that it fulfils the objectives of Policy CP3 of the Carlisle District Local Plan 2001-2016.

Stanfords VectorMap



© Crown Copyright 2012
Reproduction in whole or in part is prohibited
without the prior permission of Ordnance Survey.

1:2500

Location Plan

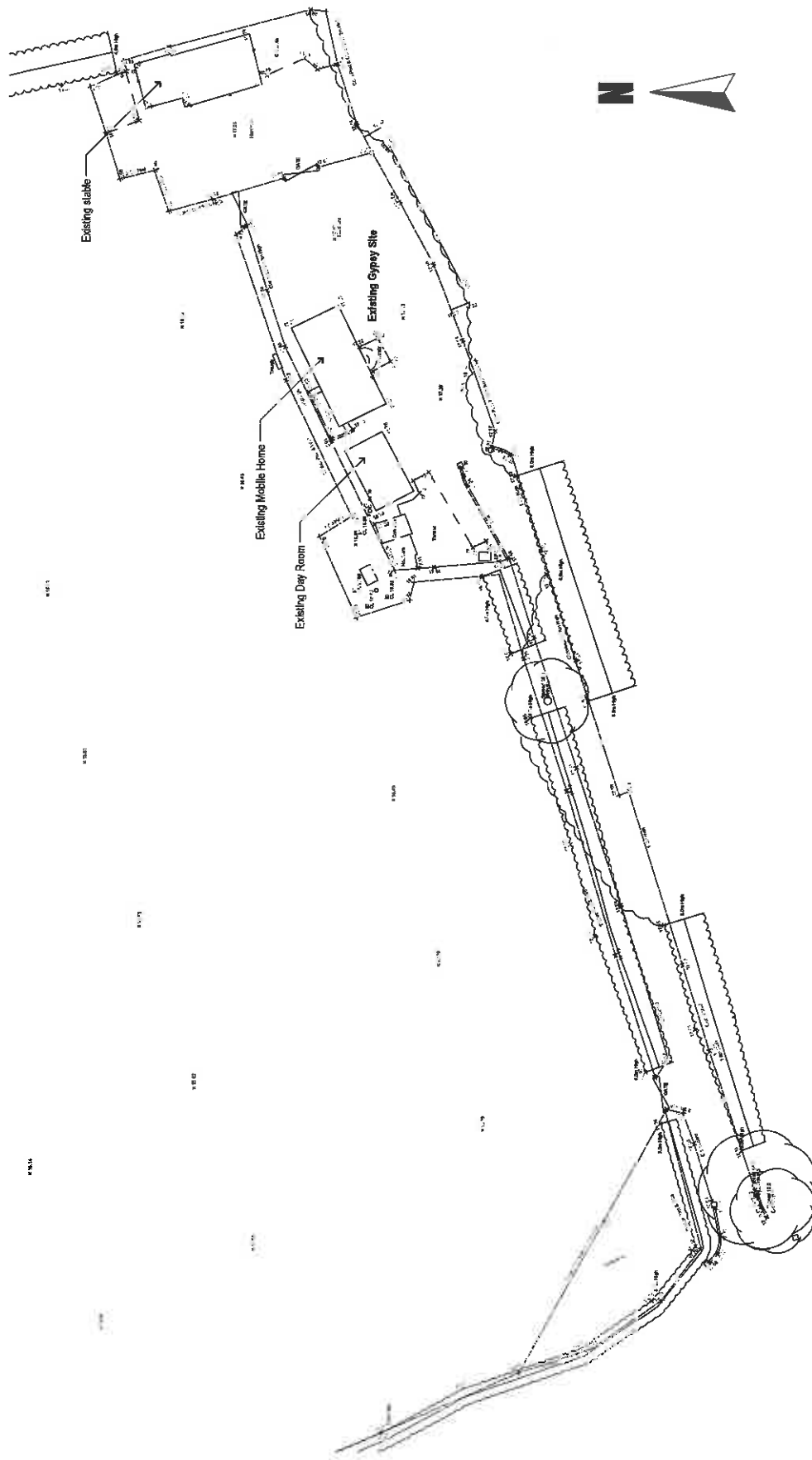
Notes:

Client:	Mr P Carrigan	Scale:	1:2500 @ A3
Project Title:	Parkfield Stables	Project:	07_1208_CARR1
Drawing Title:	Location Plan	Dwg. No.:	07_1208_001

Green Planning Solutions LLP is a limited liability partnership.
Partners: Matthew Green BA, Ruth Reed BA, Dr Arch, MA, FCA
Reg. No: 06327638



Unit D Limesdale
Upton Magna
Business Park
Shrewsbury SY4 4TT
t. 01743 709364
f. 01743 709365
e. admin@gpsllp.co.uk



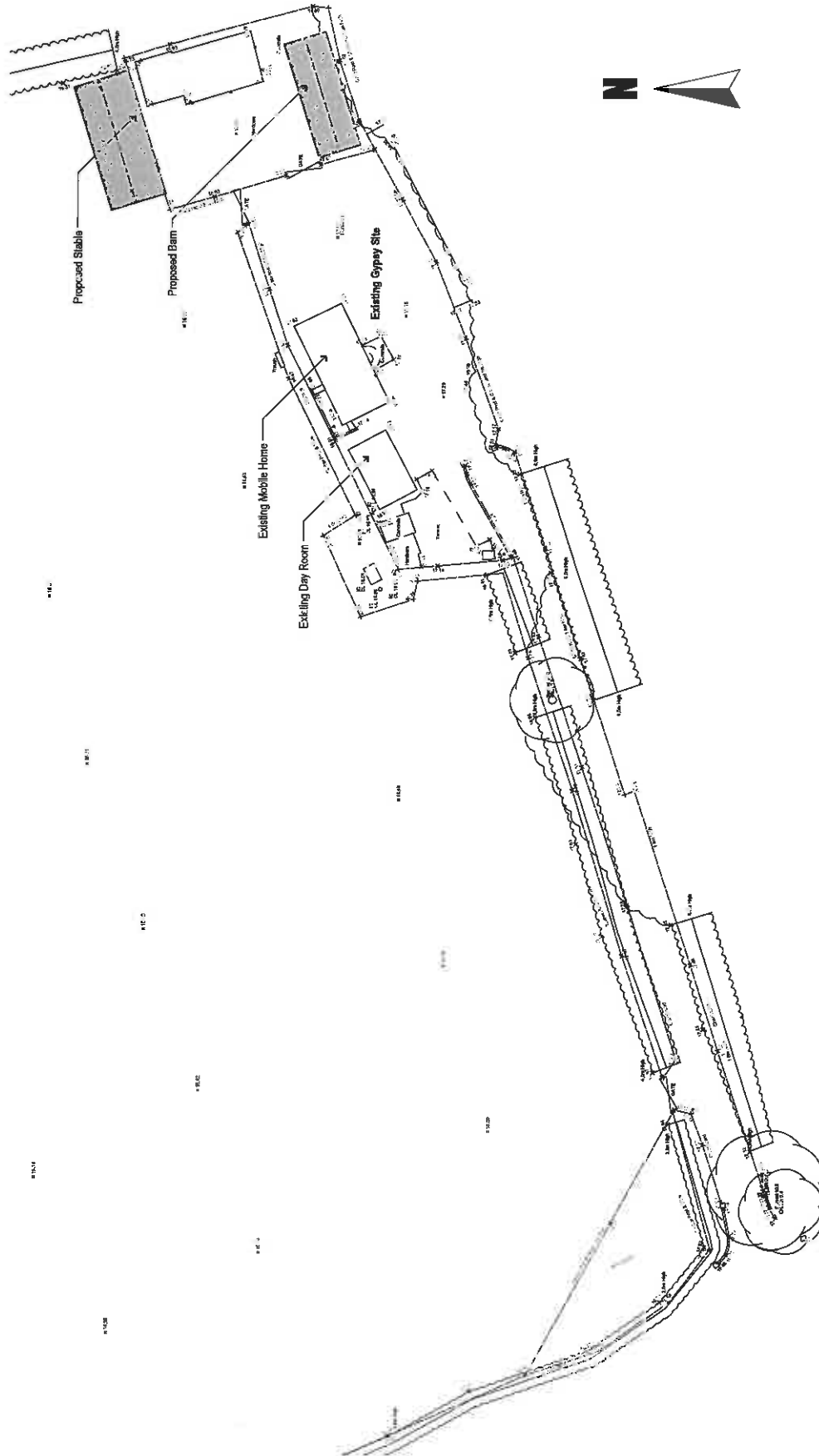
1:500

Existing Site

0.

Notes:

Notes:					Unit D Luresdale Lupton Magna Business Park Sheffield S14 4TT t: 01743 709364 f: 01743 709385 e: admin@p.co.uk		
					Green Planning Solutions		
					Scale: 1:500 @ A3		
					Project: 07_120B_CARR1		
					Dwg. No: 07_120B_002		
		Client: Mr P Carrigan		Scale:		Project: 07_120B_CARR1	
		Project title: Parkfield Stables		Drawing title: Existing site		Dwg. No: 07_120B_002	
		Rev.		Date		Amendments	
		Auth:				*Green Planning Solutions LLP is a limited liability partnership. Partners: Matthew Green BA, Ruth Reed BA, Dip Arch, RIBA Reg. No. 7181	



1:500

Proposed Site

0.

Notes:

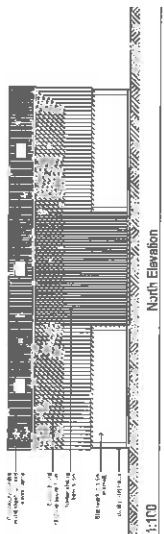
Rev.	Date	Amendments	Author

Client:	Mr P Carrigan	Scale:	1:500 @ A3
Project title:	Parkfield Stables	Project:	07.1208_CARR1
Drawing title:	Proposed site	Dwg. No:	07.1208_003

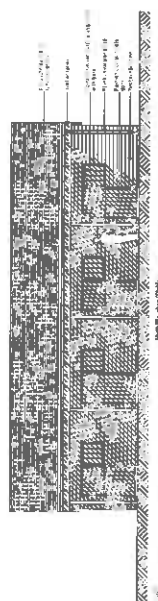
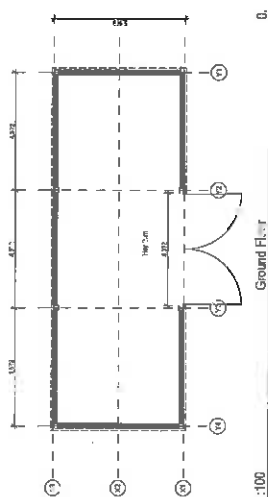


Unit D Limesdale
Linton Magna
Business Park
Strewsbury SY4 4TT
t. 01743 709364
f. 01743 709385
e. admin@gpsl.co.uk

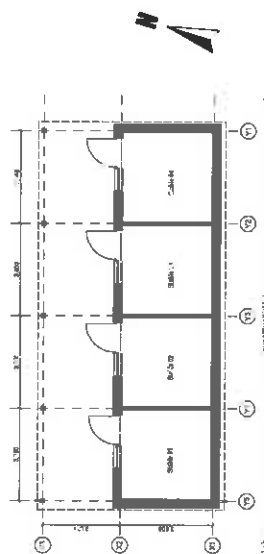
Green Planning Solutions LLP is a limited liability partnership.
Partners: Matthew Green, Paul Carrigan, David Allen, Mark Hella
VAT No: 92526928



PROPOSED BARN



PROPOSED STABLES



SCHEDULE A: Applications with Recommendation

12/0195

Item No: 05

Date of Committee: 13/07/2012

Appn Ref No:
12/0195

Applicant:
Mr J Vevers

Parish:
Hayton

Date of Receipt:
20/03/2012

Agent:
Syke Construction Ltd

Ward:
Hayton

Location:

Karibu, How Mill, Brampton, CA8 9LL

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

REPORT

Case Officer: Richard Maunsell

1. Recommendation

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

2. Main Issues

- 2.1 Whether The Proposal Is Appropriate To The Rural Area
- 2.2 The Impact On Living Conditions Of Neighbouring Residents
- 2.3 Highway Matters
- 2.4 Ecological Issues

3. Application Details

The Site

- 3.1 This application seeks partial retrospective "Full Planning" permission for the change of use of land together with the formation of a hardstanding and erection of a storage building at Karibu, Hardbank, Brampton. The site is accessed down a single track road from the Corby Hill to Castle Carrock Road. The access track runs parallel with the railway line and to the south-east, are a couple of residential properties. The no-through road

passes the application site along its eastern boundary which then turns ninety degrees before leading to the adjacent properties to the west.

- 3.2 The application site forms part of the curtilage to the applicant's property. The site has been levelled but the remainder of the garden slopes steeply to the north before it reaches the property.
- 3.3 To the south of the site, beyond the road, is a wooded area through which flows a watercourse.

Background

- 3.4 The application was originally submitted on the basis that consent was sought for a domestic building; however, following discussion with the applicant it transpired that the building would be used for commercial purposes, hence the submission of this amended application.

The Proposal

- 3.5 The applicant operates a chiropody business for farm animals. It is intended that the land would be used as a base from which the business would be run. The existing access in the south-west corner of the site has been widened to form a double width access. The trees have been removed from the site and the land has been levelled and surfaced with hardcore.
- 3.6 In addition to the works already undertaken, the applicant proposes to site a storage building adjacent to the eastern boundary. The building would measure approximately 7.6 metres at its widest point narrowing to 5 metres at the opposite end. The length would be 12.4 metres with a mono-pitched roof measuring 4.6 metres at the highest point. It would be constructed from juniper green profile sheeting on a rendered block work plinth. The building would be used to store the applicant's equipment associated with his business. The revised drawings further show that the access would be reduced to a single width with landscaping along the western boundary. A dedicated wash area would be formed within the site with a gully and cesspool to deal with any dirty water following the cleaning of the equipment.
- 3.7 A supporting statement has been received from the applicant. The applicant has clarified that:
- The machinery is washed before leaving the individual farm on which it has been used and only if there is a need for further cleaning will this take place at Karibu;
 - A collection chamber will be installed to collect any run-off from the wash area which will then be emptied by a farmer or contractor;
 - No manufacturing of gates or other items will take place from the site;
 - The building is required to store the cattle handling equipment and to protect it from potential theft;
 - The existing hedge will be allowed to grow in height to further screen the site.

4. Summary of Representations

4.1 This application has been advertised by means of a site notice and direct notification to the occupiers of six of the neighbouring properties. Two letters of objection have been received and the main issues raised are summarised as follows:

1. the single track road has been damaged by the heavy vehicles accessing the site;
2. the site appears like an unfinished building site;
3. the site is not only to be used as a cow chiropody business but also manufacturing iron gates that will lead to noise and disturbance;
4. consent shouldn't have been granted without notification to the occupiers of the neighbouring properties;
5. trees have been removed from the site despite the application form which states that they haven't; and
6. the site looks like a commercial scrap yard.

4.2 Following the receipt of amended application details which state the proposal is for commercial purposes; four letters of objection and a comment have been received. The main issues raised are summarised as follows:

1. the removal of one of the temporary access gates to provide a single access would provide difficulty in accessing the site and would result in damage to the verge;
2. confirmation should be provided that the pressure washer and the industrial closed washing machines should be sited within the new building;
3. the site has been cleared of trees and shrubs despite the application form stating that there are no trees on the site;
4. consent for business access from the Public Right of Way has not been obtained;
5. there are red squirrels, bats and otters in the vicinity of the site. Circular 06/2005 requires Local Planning Authority's to consider the impact on protected species and the likely harm that might result from any development;
6. the road is not suitable for this kind of traffic;
7. the work is nearly complete and permission should not be granted retrospectively when other people have to go through the right channels;
8. the business use is inappropriate in Hardbank and has had a devastating effect on the area;
9. the removal of trees from the site would have disturbed protected species and required a licence from Natural England; and
10. the size of the building is inappropriate in this rural setting.

5. Summary of Consultation Responses

Cumbria County Council - (Highway Authority): - given it is an existing access which is onto a minor undaopted road visibility requirements of 10m x 2.4m should be provided. Whilst the building does impinge on this, the situation is

that there is an improvement over the large hedge which has been removed in part and it is an existing situation; hence it would be unfair to seek a visibility improvement for what is expected to be a very minor increase in overall use of the road, which is already less than it was when the quarry was operational. The Highway Authority are content with the details on the revised drawing;

Hayton Parish Council: - the Parish Council originally observed that the property was being used for commercial purposes and this was not reflected in the original application. The revised application is out of keeping with the nature of the residential area, will create a noise and traffic hazard and has the potential to have an adverse impact on local biodiversity. The Parish Council have received and agree with copies of objections sent by local residents;

Carlisle Airport: - comments awaited;

United Utilities: - no objection; however, due to the Private Sewers Transfer not all sewers are currently shown on the statutory records, therefore, the applicant should be made aware that the proposed development may fall within the required access strip of a public sewer; and

Cumbria County Council - (Highway Authority - Footpaths): - Public Footpath 117033 runs adjacent to the development site and the applicant must ensure that no obstruction to the footpath occurs during or after completion of the site works; and

Natural England: - this application is in close proximity to the Gelt Woods and River Eden & Tributaries Sites of Special Scientific Interest (SSSI); however, given the nature and scale of this proposal, Natural England raises no objection to the proposal being carried out according to the terms and conditions of the application and submitted plans on account of the impact on designated sites.

Where there is a reasonable likelihood of a protected species being present and affected by the proposed development, the LPA should request survey information from the applicant before determining the application (Paragraph 99 Circular 06/05).

6. Officer's Report

Assessment

- 6.1 Members may recall that this application was deferred for the purposes of a site visit.
- 6.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. This application is required to be considered against the National Planning Policy Framework (NPPF) and the relevant planning Policies CP1, CP2, CP3, CP5, CP6, CP11, EC11 and T1 of the Carlisle District Local Plan 2001-2016.

The proposal raises the following planning issues.

1. Whether The Proposal Is Appropriate To The Rural Area

- 6.3 The location of this type of operation in the rural area must also be justified. Policy DP1 of the Local Plan requires that development proposals will be assessed against their ability to promote sustainable development. Outside of the specified settlements, development proposals will be assessed against the need to be in the location specified.
- 6.4 The use of the site and the proposed building is specific to the location insofar as it relates to the applicant's chiropody business for farm animals. The business is related exclusively to the agricultural industry and it is therefore well related to serve the needs of the business in a rural location. It would be inappropriate to require the business to be sited on land designated for employment use or within a larger settlement. The proposal demonstrates an essential requirement for a rural location, which it would be unreasonable to require to be accommodated elsewhere.
- 6.5 Paragraph 19 of the NPPF states:
- “The government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.”
- 6.6 ‘Sustainable development’ is defined in the NPPF as “positive growth – making economic, environment and social progress...”.
- 6.7 This proposal requires the development of a new building to house equipment associated with the applicant's business. Policy EC11 of the Local Plan states that any new buildings within the rural area should be well related to an existing group of buildings to minimise their impact and ensure they blend satisfactorily into the landscape through suitable materials, design and siting.
- 6.8 Whilst the plans show the proposed building to be situated away from the dwelling, the boundaries of the site consist of mature hedge which partially serves to screen the site. Through continued management, the applicant intends to increase the height of the hedge and thus further minimise the impact of the building on the landscape.

2. The Impact On Living Conditions Of Neighbouring Residents

- 6.9 The property is a rural area albeit surrounded in an isolated location away from other residential properties and it is not considered that the proposal will result in any adverse impact on the living conditions of residents of any neighbouring properties.
- 6.10 The applicant has submitted a supporting statement which details how the

business is operated. Essentially, the applicant, along with three members of staff who arrive at the site, leave each morning with the equipment and work on a farm for the day. They then return to the site, having washed the equipment on the farm, in the evening.

- 6.11 The building would be sited in the south-east corner of the site. Whilst the site is visible from the adjacent road, it is not visible from neighbouring properties; therefore, the scale siting and design mean that the living conditions of the occupiers of that property will not be compromised through loss of light, loss of privacy or over dominance.
- 6.12 Given the orientation of the application site with adjacent properties together with the level of use, it is not considered that the living conditions of the occupiers would suffer from loss of privacy or unacceptable levels of noise or disturbance.

3. Highway Matters

- 6.13 The site is served by a bridleway that serves the site along with neighbouring properties to the west. Objectors have raised concerns about the damage to the bridleway and the verge that has been caused by the applicant. In response, the applicant has confirmed that much of this damage was caused during the formation of the site and the delivery of the hard core by tractors and trailers. Since then, the applicant has stated that he has reseeded the verge and his 4x4 vehicles and trailers can access the site without causing any further damage. The revised drawings initially showed the double width access reduced to a single access; however, following negotiations with Officers, the double width access will be retained to assist with the means of access to minimise further damage to the verge.
- 6.14 Following the deferral of the application at the previous Committee meeting, the applicant has submitted revised drawings which show a visibility splay of 10 metres by 2.4 metres. Members will note that the Highway Authority has confirmed that these splays are acceptable for the proposed use given the category of road no objection has been raised.
- 6.15 Members will note that neither the Highway Authority nor the County Council's Countryside Access Officer has raised any objection to the application.

4. Ecological Issues

- 6.16 Some of the objectors have raised concerns about the potential impact on the ecology of the area. Any work that required a licence to be issued by Natural England would be a matter for that organisation to pursue.
- 6.17 The Council's GIS Layer has identified that the site has the potential for water voles, lizards and breeding birds to be present on the site. Some of the objectors have already raised concerns as there are red squirrels in the area which may be affected by the development. As the proposed development would be located within the curtilage of the dwelling and that a large portion of

the disturbance to the site has already occurred, it is not considered that the development would harm a protected species or their habitat as the latter has been removed; however, an Informative has been included within the decision notice ensuring that if a protected species is found all work must cease immediately and the Local Planning Authority informed. Whilst red squirrels may exist in the vicinity of the site and visit the gardens of neighbouring properties, the development would not prejudice their habitat or inhibit their movement in the area.

- 6.18 In addition, Natural England have been formally consulted on the application and raised no objection in principle; however they have advised that where there is a reasonable likelihood of a protected species being present and affected by the proposed development, the Local Planning Authority should request survey information from the applicant before determining the application (Paragraph 99 Circular 06/05 "Government Circular: Biodiversity And Geological Conservation – Statutory Obligations And Their Impact Within The Planning System").
- 6.19 Whilst this is the case, paragraph 99 also makes it clear that "developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by the development." In this instance, the site has been cleared which in Officer's view, removes the need for a survey.
- 6.20 The development does not involve works out with the site and subject to conditions controlling surface water run-off, the adjacent habitat would not be affected by the development.

5. Other Matters

- 6.21 Local residents have raised concerns about the potential surface water run-off from the site that would leach into a nearby watercourse which is in the form of a beck that runs through the wooded area to the south of the site. The applicant has confirmed that the wash area would be surfaced in a bound material and the surface water collected in a chamber. The chamber would then be emptied periodically to avoid any run-off from the site. Subject to the imposition of a condition, this is an appropriate means of dealing with the issue.

Conclusion

- 6.22 The principle of continued economic growth is supported by the Government's recently published NPPF and by Local Plan policies. The business is solely linked to agricultural and its siting in this rural location is appropriate. The scale, siting and design of the development, including the proposed building would be appropriate.
- 6.23 Subject to the imposition of appropriate planning conditions, the living conditions of the occupiers of neighbouring properties would not be adversely affected by the development or the proposed use. No objection has been raised by the Highway Authority and in all aspects the proposal is considered

to be compliant with the requirements of the relevant Local Plan policies.

7. Planning History

- 7.1 There is no planning history associated with this property.

8. Recommendation: Grant Permission

1. The approved documents for this Planning Permission comprise:
 1. the Planning Application Form received 24th April 2012;
 2. the Location Plan received 24th April 2012 (Drawing no. 01A);
 3. the Site Plan received 28th June 2012 (Drawing no. 02C);
 4. the Proposed Garage/ Store received 24th April 2012 (Drawing no. 03);
 5. the Floor Plan received 20th March 2012 (Drawing no. 04);
 6. the Design and Access Statement received 24th April 2012;
 7. the letter received from W. Vevers dated 20th May 2012;
 8. the Notice of Decision; and
 9. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

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

Reason: To ensure that the site is not subdivided to ensure that the living conditions of the future occupiers of the property are not adversely affected in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

3. Within 3 months from the date of this approval, details of the scheme for the provision of surface water drainage works shall be submitted and agreed in writing by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans.

Reason: To ensure a satisfactory means of surface water disposal and in accord with Policy CP11 of the Carlisle District Local Plan 2001-2016.

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

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

Land Registry

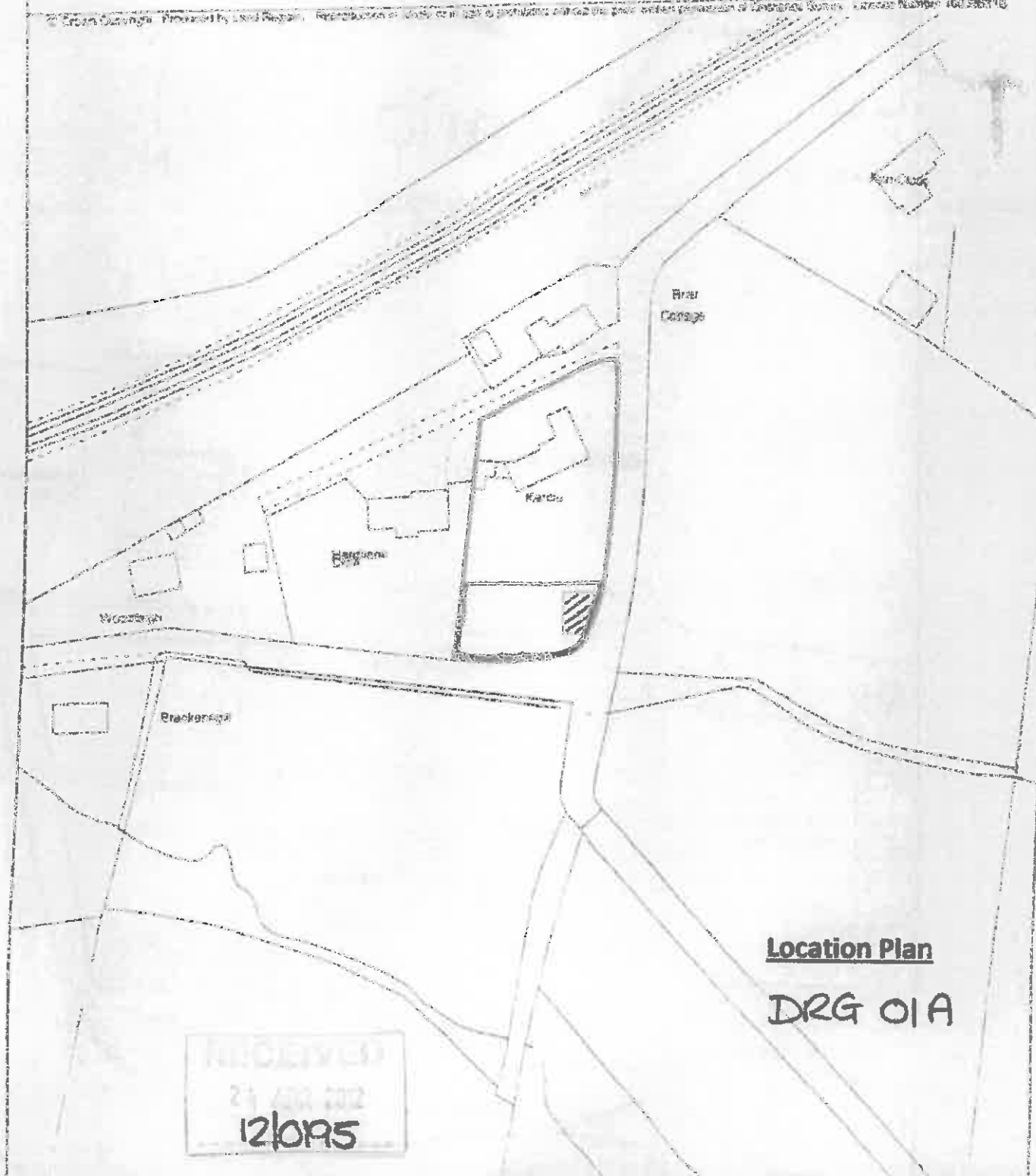
Title number CU263680

Ordnance Survey map reference NY5156NE

Scale 1:1250 enlarged from 1:2500

Administrative area Cumbria: Carlisle

© Crown Copyright. Produced by Land Registry. Reproduction in whole or in part is prohibited without the prior written permission of Ordnance Survey. Licence Number: 100 380 15



RECEIVED
24 JAN 2012
12/095

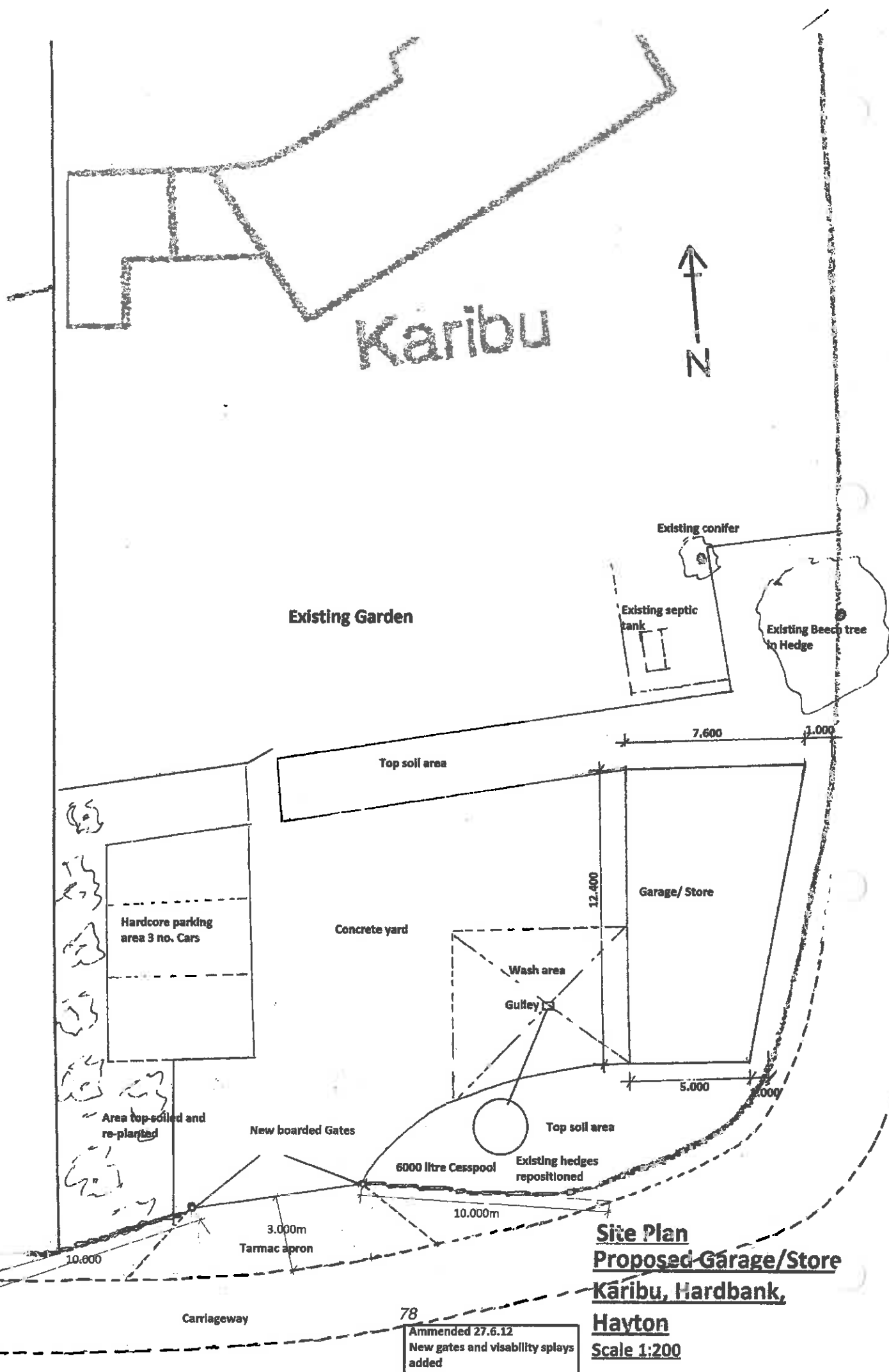
Location Plan

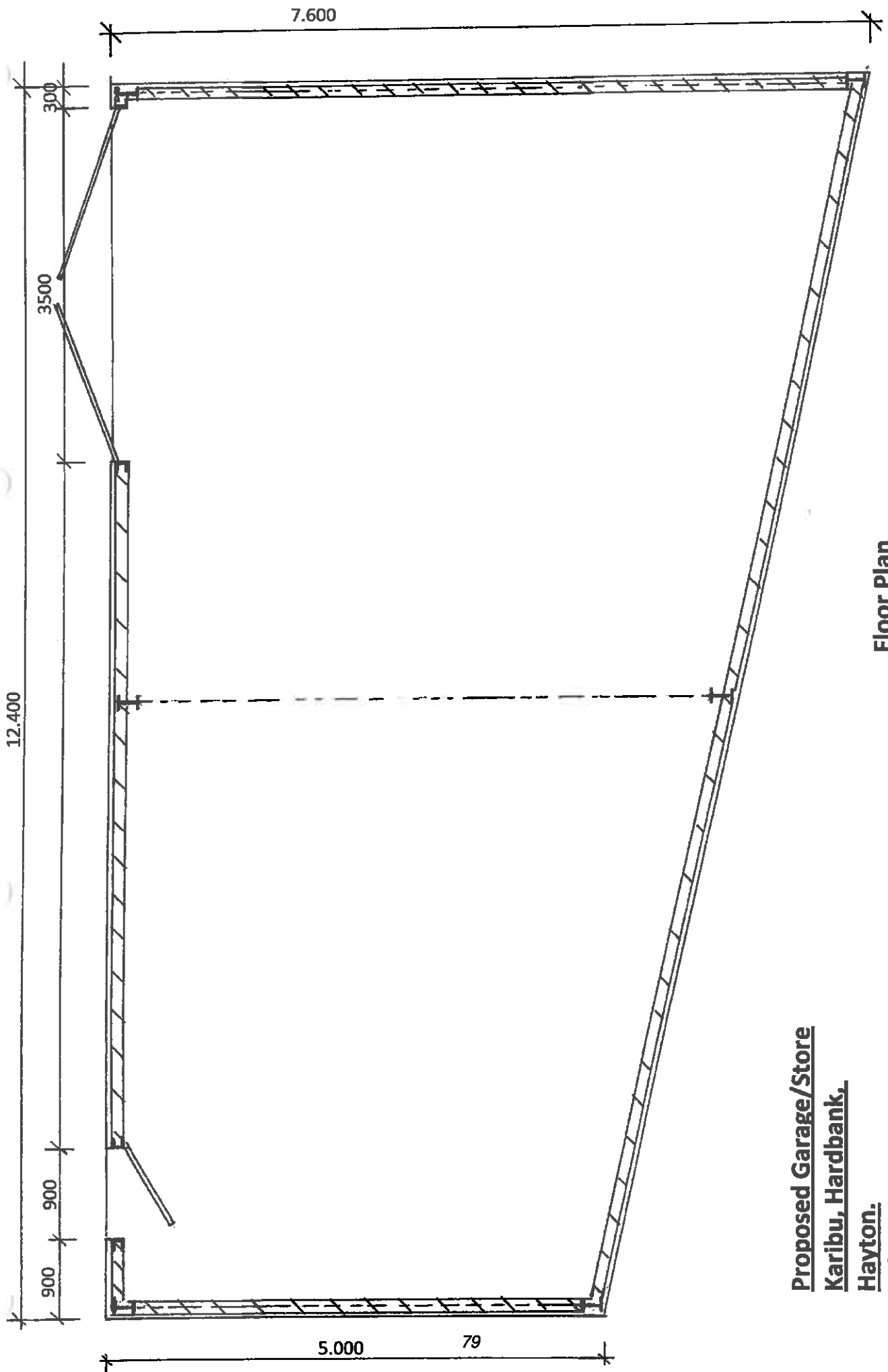
DRG 01A

This official copy issued on 31 January 2012 shows the state of this title plan on 31 January 2012 at 14:06:54. It is admissible in evidence to the same extent as the original is 87 Land Registration Act 2002).

This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground. See Land Registry Public Guide 19 - Title Plans and Boundaries.

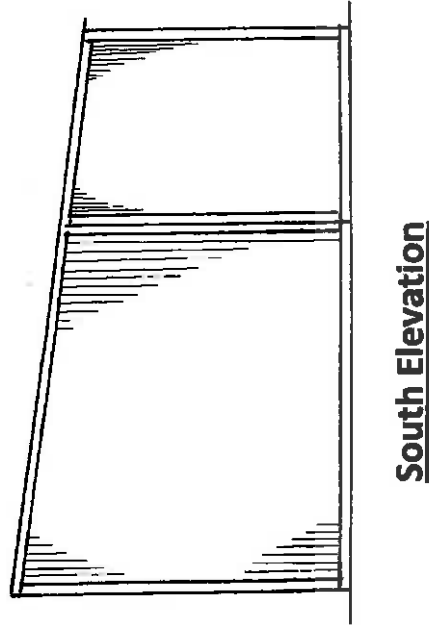
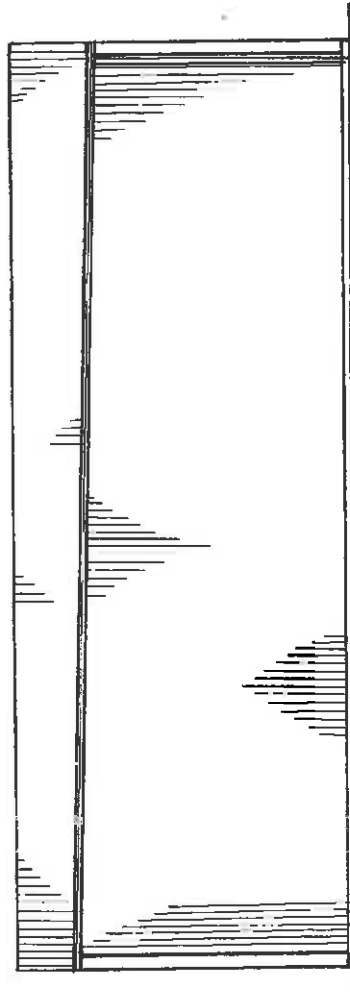
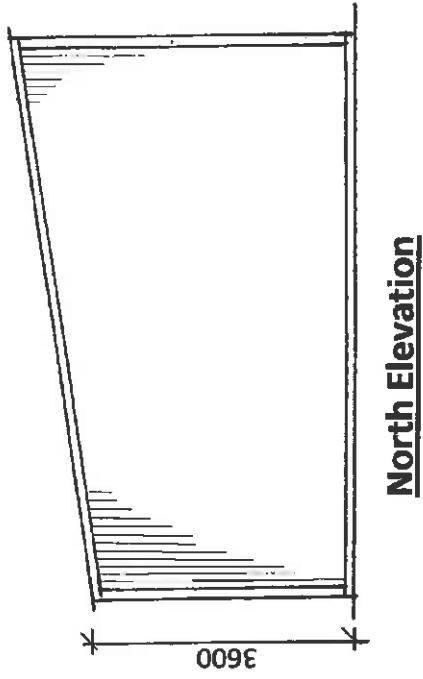
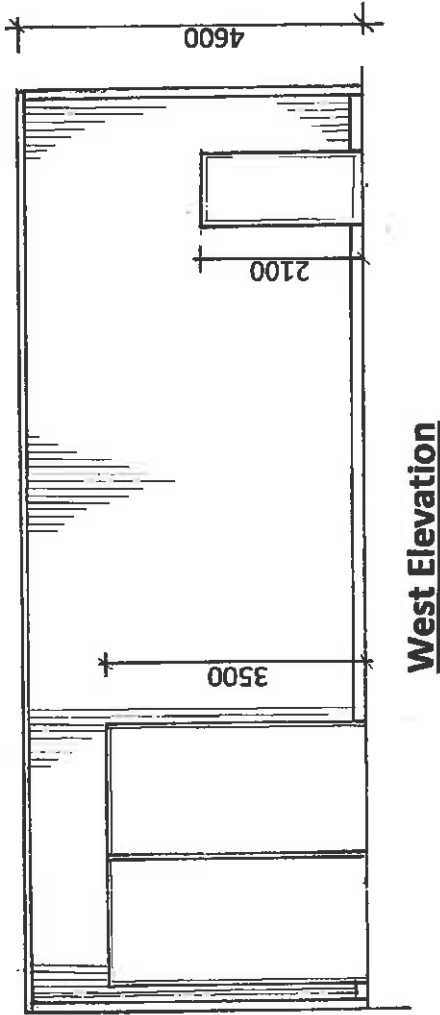
This title is dealt with by Land Registry, Durham Office.





Floor Plan

Proposed Garage/Store
Karibu, Hardbank,
Hayton.
Scale 1 : 50



Roof Juniper Green profiled steel sheeting

Walls Juniper Green profiled steel sheeting

Plinth Rendered concrete block

Gutters Black half round

Proposed Garage/Store

Karibu, Hardbank,

Hayton

Scale 1:100

SCHEDULE A: Applications with Recommendation

12/0266

Item No: 06

Date of Committee: 13/07/2012

Appn Ref No:
12/0266

Applicant:
Mr Smith

Parish:
Wetheral

Date of Receipt:
04/04/2012

Agent:

Ward:
Great Corby & Geltsdale

Location:

6 Fieldside, Burnrigg, Heads Nook, Brampton, CA8
9BP

Proposal: Erection Of Front Porch (Part Retrospective)

REPORT

Case Officer: Shona Taylor

1. Recommendation

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

2. Main Issues

- 2.1 Whether The Scale & Design Is Acceptable
2.2 Impact On The Living Conditions Of The Occupiers Of Any Neighbouring Properties
2.3 Highway Matters

3. Application Details

The Site

- 3.1 The existing dwelling is an end of terrace property, surrounded by other residential properties at Burnrigg, Heads Nook. The dwelling, which is constructed from rendered blockwork under a tiled roof, has been significantly extended.

The Proposal

- 3.2 The proposal is seeking planning permission to erect a porch to the front

elevation. The porch would measure 2.2m in width, 2m in depth and 3.3m in height to the ridge of the pitched roof, and would be constructed from rendered blockwork and upvc, with a tiled roof to match the existing dwelling.

4. Summary of Representations

4.1 This application has been advertised by means of notification letters sent to eight neighbouring properties. In response one letter of objection along with a petition containing 6 signatories have been received. The grounds of objection are summarised as;

1. the porch would be an eyesore on the row of terraced houses;
2. allowing this application would set a precedent for more porches to be built, which would be totally uncharacteristic of the area as there are no other porches;
3. there have been various alterations to the front of house Nos 2-6 over the years, including the repositioning of the central path, removal of trees and the erection of fences - contrary to the original builders open plan design;
4. the erection of a front porch would greatly affect the appearance and character of the houses.

5. Summary of Consultation Responses

Cumbria County Council - Highway Authority: - no objections;
Wetheral Parish Council: - no objections.

6. Officer's Report

Assessment

6.1 The relevant planning policies against which the application is required to be assessed are Policies H11 and CP5 of the Carlisle District Local Plan 2001-2016. The proposals raise the following planning issues:

1. Whether The Scale & Design Of The Proposal Is Acceptable

6.2 The porch extension would be located on the front elevation of the property, which projects out 2m from the main front elevation of the dwelling. It would have a pitched roof, which would have a lower ridge height than that on the main dwelling. It would be constructed from materials to match those on the existing dwelling. In light of the above, the scale and design of the proposal would be acceptable.

2. Impact Of The Proposal On The Living Conditions Of The Occupiers Of Neighbouring Properties

6.3 Due to the size, siting and location of the porch, it is not considered that the proposal would have an adverse impact on the living conditions of the occupiers of any neighbouring properties through loss of light, loss of privacy or over-dominance.

3. Highway Matters

- 6.4 County Highways has raised no objections to the proposal, as it is considered that the porch will not have any adverse impact upon the highway.

4. Other Matters

- 6.5 Whilst the occupiers of several neighbouring properties have raised concerns that there are no other porches in the vicinity and that the erection of a front porch would greatly affect the appearance and character of the terrace, it is noted that porches can be erected on a property without planning permission, under Schedule 2, Part 1, Class D of The Town and Country Planning (General Permitted Development) Order 1995 (as amended), providing that they accord within the relevant criterion. In this instance the porch is larger than the size allowed under the permitted development regulations, however, it does mean that this or any other property in the street could erect a porch without the need for any planning consent.

Conclusion

- 6.6 In overall terms, it is considered that the scale and design of the proposed porch is acceptable and would not have an adverse impact on the living conditions of the occupiers of any neighbouring properties through loss of light, loss of privacy or over-dominance. In all aspects the proposal is compliant with the relevant policies contained within the adopted Local Plan.

7. Planning History

- 7.1 There is no planning history relating to this site.

8. Recommendation: Grant Permission

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

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

2. The approved documents for this Planning Permission comprise:

1. the submitted planning application form;
2. the block and location plans received 4th April 2012 (Drawing 3 Rev B);
3. the elevations received 2nd April 2012 (Drawing 1);
4. the floor plans received 2nd April 2012 (Drawing 2);
5. the Notice of Decision; and
6. any such variation as may subsequently be approved in writing by the

Local Planning Authority.

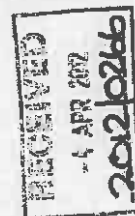
Reason: For the avoidance of doubt.

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

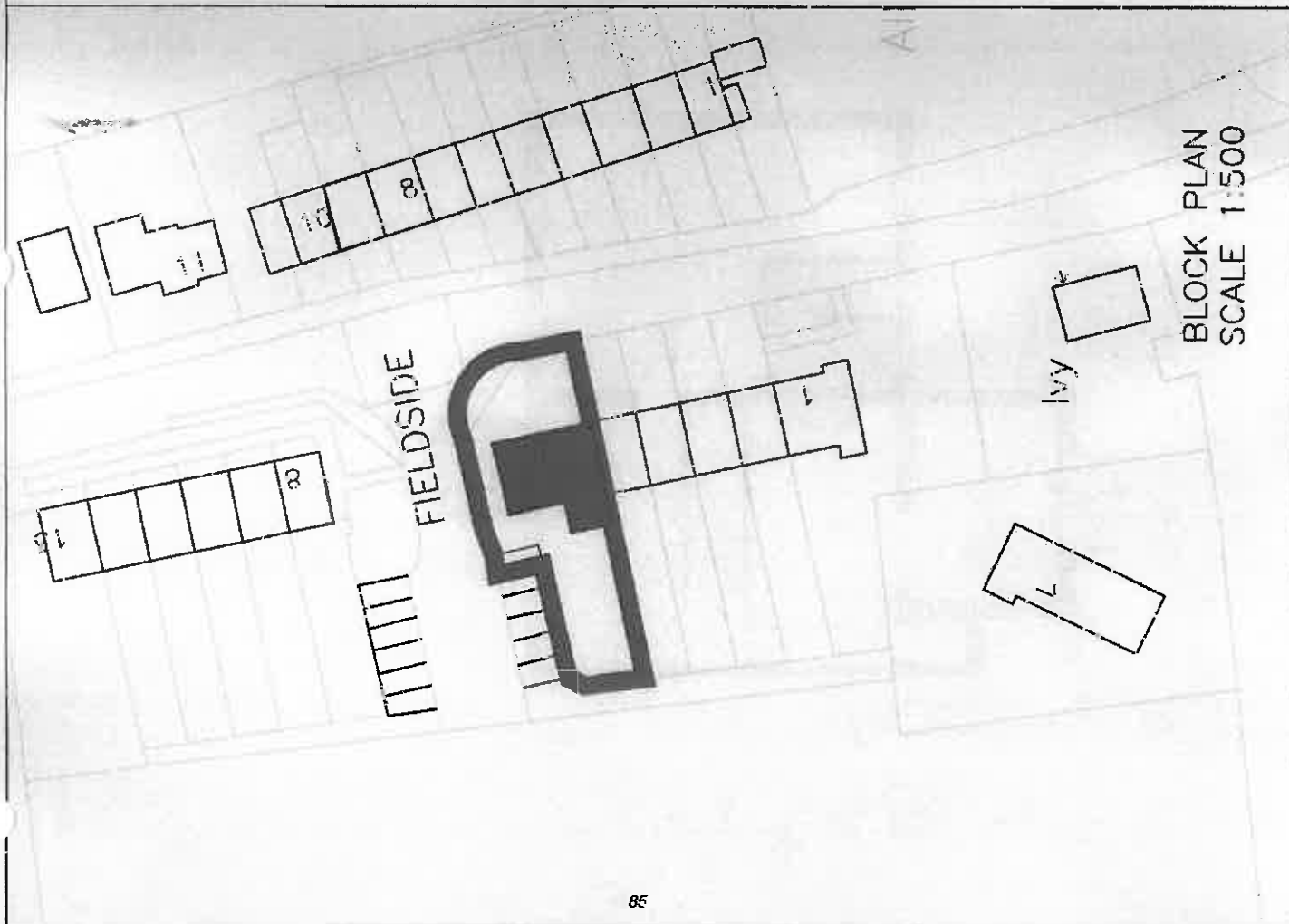
Reason: To ensure the objectives of Policy CP5 of the Carlisle District Local Plan 2001-2016 are met and to ensure a satisfactory external appearance for the completed development.



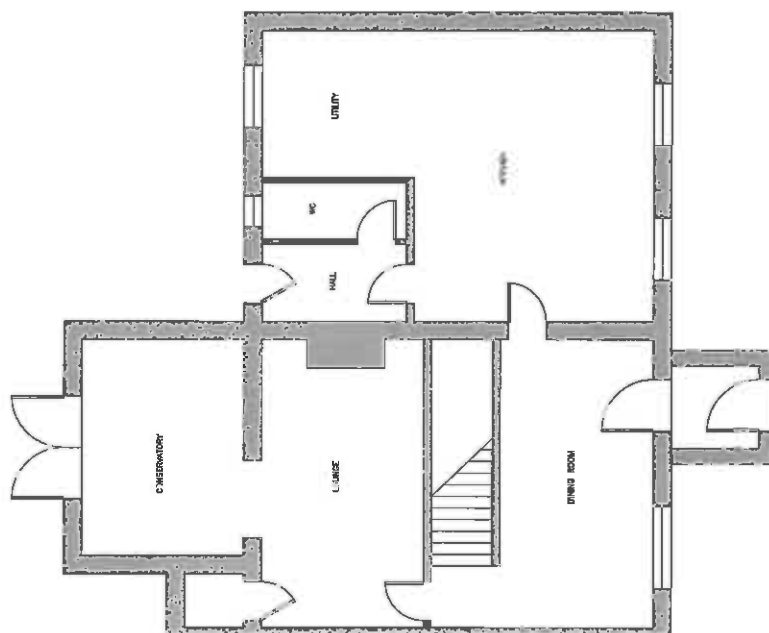
LOCATION PLAN
SCALE 1:2500



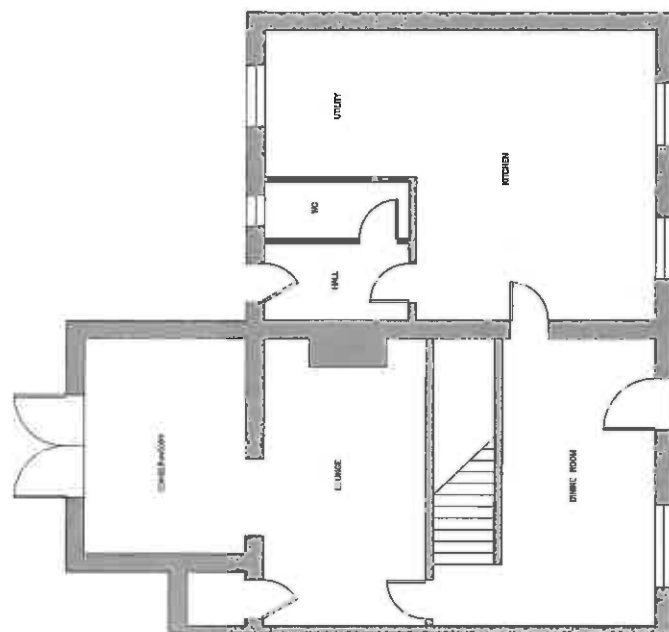
MR D SMITH
6 FIELDSIDE, BURNRIGG, HEADS NOOK, CARLISLE, CA8 9BP
DRAWING 3 - BLOCK AND LOCATION PLANS (A3) Rev B
MARCH 2012



BLOCK PLAN
SCALE 1:500

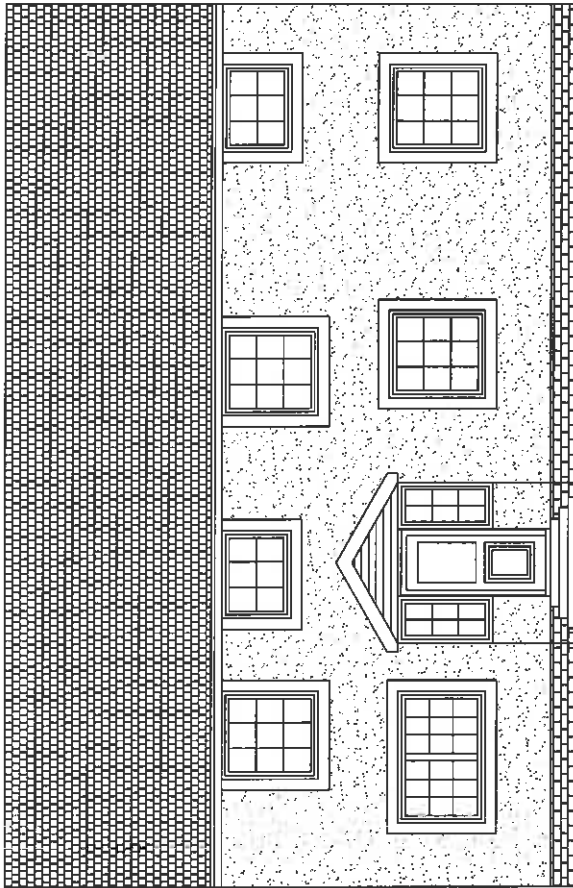


PROPOSED GROUND FLOOR PLAN
SCALE 1:100

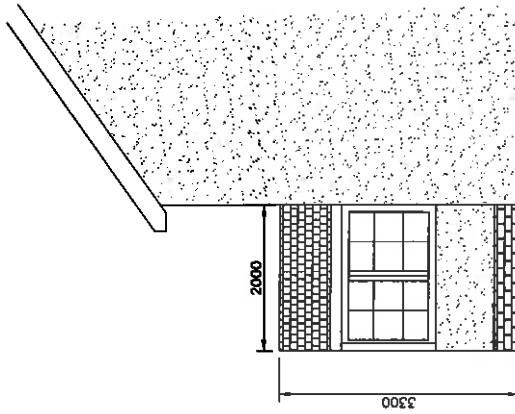


EXISTING GROUND FLOOR PLAN
SCALE 1:100

MR D SMITH
6 FIELDSIDE, BURNRIGG, HEADS NOOK, CARLISLE, CA8 9BP
DRAWING 2 – PROPOSED AND EXISTING PLANS (A3)
MARCH 2012

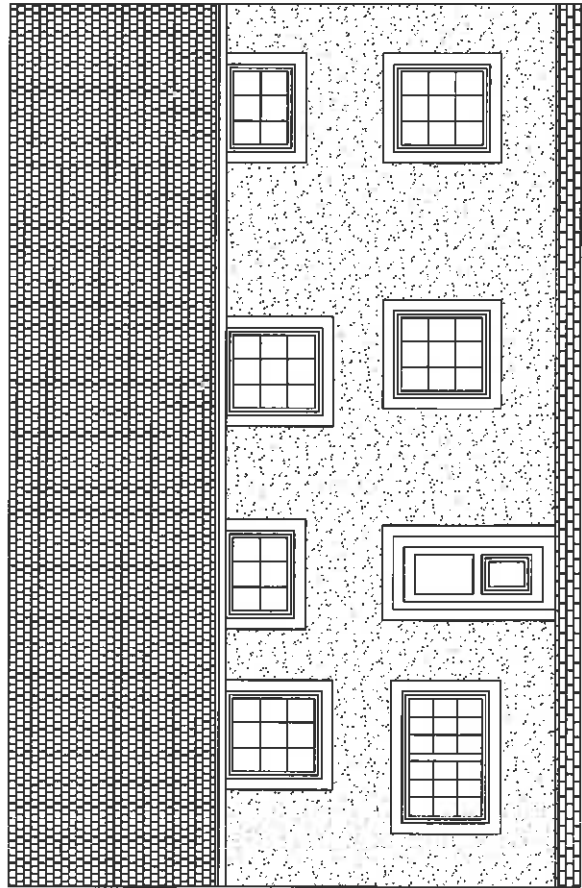


PROPOSED FRONT ELEVATION
SCALE 1:100



PROPOSED SIDE ELEVATION
SCALE 1:100

PROPOSED FRONT ELEVATION
SCALE 1:100



EXISTING FRONT ELEVATION
SCALE 1:100

MATERIALS

1. WALLS TO BE CAVITY WALLS CONSTRUCTED FROM 100mm BLOCKWORK AND SUITABLE CAVITY INSULATION.
2. FINISH TO WALLS TO BE DRY DASH RENDER TO MATCH EXISTING PROPERTY.
3. WINDOWS AND FRONT ELEVATION SHIPLAP TO BE UPVC IN WHITE AND TO MATCH EXISTING WHERE APPROPRIATE.
4. ROOF TO BE FLAT CONCRETE TILES TO MATCH EXISTING PROPERTY.

MR D SMITH
BURNSIDE

DRAWING 1
PROPOSED FRONT PORCH
FEBRUARY 2012

SCHEDULE A: Applications with Recommendation

12/0306

Item No: 07

Date of Committee: 13/07/2012

Appn Ref No:
12/0306

Applicant:
Mr John Moran

Parish:

Date of Receipt:
18/04/2012

Agent:
HTGL Architects Ltd

Ward:
Morton

Location:

Land to the rear of 82 Castlerigg Drive, Carlisle,
CA2 6PF

Proposal: Erection Of Bungalow

REPORT

Case Officer: Barbara Percival

1. Recommendation

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

2. Main Issues

- 2.1 Whether the principle of development is acceptable.
- 2.2 Whether the scale and design of the dwelling is acceptable.
- 2.3 Impact of the proposal on the living conditions of neighbouring residents
- 2.4 Impact of the proposal on highway safety.
- 2.5 Impact of the proposal on biodiversity.
- 2.5 Other matters.

3. Application Details

The Site

- 3.1 The application site, a former recreational area, is located to the rear of numbers 82 to 86 Castlerigg Drive. The 0.05ha (approximate) parcel of land, roughly rectangular in shape, is enclosed by 1.8 metre high wooden fences. The site, bounded on all sides by two storey residential properties, is identified in the Carlisle District Local Plan 2001-2016 as within a Primary Residential Area.

The Proposal

3.2 The application seeks Full Planning Permission for the erection of a detached bungalow with an attached garage. Located in the centre of the plot, the overall length of the proposed bungalow would be 11.6 metres and be 8.8 metres wide. The maximum ridge height of the dwelling would be 4.9 metres.

3.3 The submitted drawings illustrate the accommodation provided would comprise of a lounge/dining room, kitchen, 2no. bedrooms, bathroom, hall, utility and attached garage. Access would be via an existing access onto Westrigg Road. The proposed materials are render with brick detailing, slate grey concrete tiles, reconstituted sandstone cills/lintels and white upvc windows and doors.

4. Summary of Representations

4.1 This application has been advertised by the direct notification of thirteen neighbouring properties and the posting of a site notice. In response, four e-mails of objection has been received.

3.2 The e-mails identifies the following issues:

1. proximity to other residential properties;
2. proposal would overlook existing residential properties;
3. proposal would have a negative effect on existing property values;
4. would result in weakened security;
5. substandard access i.e. would not be wide enough for emergency vehicles;
6. proposal would result in loss of light to existing properties;
7. loss of view.

5. Summary of Consultation Responses

Cumbria County Council - (Highway Authority): - no objection subject to the imposition of conditions;

Local Environment - Environmental Protection: - no objections subject to the imposition of a condition;

Local Environment, Highways Services: - no objection subject to the imposition of an informative;

United Utilities: - no objections subject to the imposition of an informative; and

Cumbria Constabulary - North Area Community Safety Unit: - as the site would be developed and form part of the garden to the property, greater protection would be afforded to surrounding dwellings because there would be obvious ownership of the land. Any person on the property could

legitimately be challenged compared to the existing public/ semi public space where individuals may have a legitimate reason to be there.

6. Officer's Report

Assessment

- 6.1 The relevant planning policies against which the application is required to be assessed are Policies DP1, CP2, CP5, CP12, H1, H2, H9 and T1 of the Carlisle District Local Plan 2001-2016. The proposals raise the following planning issues:
1. Whether The Principle Of Development Is Acceptable
- 6.2 The application site is within the urban area of Carlisle and is identified in the Local Plan as within a Primary Residential Area. Policy H2 of the Local Plan outlines that within Primary Residential Areas there will be opportunities for small scale housing development, including the development of individual plots, subject to compliance with four criteria. In this instance, the relevant criteria are met and, on this basis, the principle of residential development is acceptable.
- 6.3 Policy H9 of the Local Plan makes provision for development in large back gardens or behind existing housing developments again subject to compliance with four criteria amongst which are that the scale, design and siting is appropriate, there is no loss of amenity to surrounding properties and that adequate access and parking can be achieved. The submitted application complies with the relevant criteria accordingly the principle for development is acceptable.
2. Whether The Scale and Design Of The Dwelling Is Acceptable
- 6.4 The scale of the bungalow is commensurate with the size of the plot and has been orientated so as to achieve adequate external amenity space and parking. Furthermore, the proposed materials are reflective of the finishes and fenestration of neighbouring properties. Accordingly, the development would not form a discordant feature in the street scene.
3. Impact Of The Proposal On The Living Conditions Of Neighbouring Residents
- 6.5 The dwelling would be of single storey construction with its hipped roof sloping away from neighbouring two storey properties. The existing 1.5 metre to 1.8 metre high wooden fences which form the application site's rear boundary and flanks are also to be retained. Accordingly, the scale, siting and design mean that the living conditions of the occupiers of adjacent properties will not be compromised through loss of light, loss of privacy or over dominance.
- 6.6 Furthermore, in order to respect privacy, Supplementary Planning Document (SPD) 'Achieving Well Designed Housing' outlines that where a development

faces or backs onto existing dwellings a minimum distance of 21 metres should be allowed between primary facing windows (12 metres between any wall of the building and a primary window). In respect of this proposal, the dwelling has been so orientated within the site as to exceed the minimum distances stipulated within the SPD.

- 6.7 Overall, given the orientation of the application site with adjacent properties, the living conditions of the occupiers would not suffer from loss of privacy or unacceptable levels of noise or disturbance. The development would not result in an overall loss of daylight or sunlight due to the distances involved between the application site and the residential properties.

4. Impact Of The Proposal On Highway Safety

- 6.8 Access to the site is via an existing access off Westrigg Road (between numbers 7 Westrigg Road and 86 Castlerigg Drive). Garaging, parking and turning provision would be provided within the curtilage of the site. The occupiers of neighbouring properties have raised concerns about the suitability of the access specifically for emergency vehicles. Cumbria County Council, as Highways Authority, has been consulted and have no objections subject to the imposition of three conditions and an informative. The local residents' concerns regarding highway safety are noted; however, since the Highways Authority do not share these concerns it is the Officers' view that a refusal of the application on this basis could not be substantiated.

5. Impact Of The Proposal On Biodiversity

- 6.9 The Council's GIS Layer has identified that the site has the potential for breeding birds to be present on the site. As the proposed development is enclosed by wooden fences, it is unlikely that the development would harm a protected species or their habitat; however, an Informative has been included within the decision notice ensuring that if a protected species is found all work must cease immediately and the Local Planning Authority informed.

6. Whether The Proposal Meets The Objectives Of The Development Plan With Regard To Security

- 6.10 Local residents have also raised concerns that the proposed development would weaken existing security for their dwellings. In this respect, Policy CP17 of the Local Plan seeks to ensure that all new development contributes to creating a safe and secure environment, integrating measures for security and crime prevention and minimising the opportunity for crime. Accordingly, the advice of Cumbria Constabulary's Architectural Liaison/Crime Prevention Officer's has been sought who has confirmed that the development of the site will reduce the potential for crime and disorder.

6. Other Matters

- 6.11 Local Residents have also objected on the grounds of devaluation of properties and loss of a view. Their objections have been noted; however these issues are not material planning considerations.

Conclusion

- 6.12 The application site is within the urban area of Carlisle, as such the principle of development is acceptable. The scale, design and use of materials in the proposal would positively contribute to the character of the area, with adequate car parking, access and amenity space provided within the curtilage of the site. Furthermore, the dwelling could be accommodated within the site without resulting in any demonstrable harm to the living conditions of the occupiers of neighbouring residential dwellings.
- 6.13 In all other aspects the proposal is compliant with the objectives of the relevant Local Plan Policies.

7. Planning History

- 7.1 There is no relevant planning history.

8. Recommendation: Grant Permission

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

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

2. The approved documents for this Planning Permission comprise:

1. the submitted planning application form received 13th April 2012;
2. the Design and Access Statement received 13th April 2012;
3. the Site Contamination Statement received 18th April 2012;
4. the floor plan and elevations as proposed received 13th April 2012 (Drawing Number 2017/01);
5. the block plan received 13th April 2012 (Drawing Number 20147/02);
6. the location plan received 13th April 2012 (Drawing Number 2017/03);
7. the Notice of Decision; and
8. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: For the avoidance of doubt.

3. Notwithstanding any description of materials in the application no development shall be commenced until samples or full details of materials to be used externally on the building have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The development shall then be undertaken in accordance with the approved details.

Reason: To ensure that materials to be used are acceptable in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

4. Details shall be submitted of the proposed hard surface finishes within the proposed scheme and approved in writing by the Local Planning Authority before any site works commence. The development shall then be undertaken in accordance with the approved details.

Reason: To ensure that materials to be used are acceptable in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

5. Details of the relative heights of the existing and proposed ground levels and the height of the proposed finished floor levels of the dwelling shall be submitted to and approved in writing by the Local Planning Authority before any site works commence. The development shall then be undertaken in accordance with the approved details.

Reason: In order that the development is appropriate to the character of the area in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

6. The whole of the vehicular access area bounded by the carriageway edge and the highway boundary shall be constructed and drained to the specification of the Local Highways Authority.

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

7. No dwelling shall be occupied until the vehicular access and parking requirements have been constructed in accordance with the approved plan and brought into use. These facilities shall be retained and be capable of use at all times thereafter and shall not be removed or altered without the prior consent of the Local Planning Authority.

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

8. The access and parking/turning requirements, shall be substantially met before any building work commences on site so that constructional traffic can park and turn clear of the highway.

Reason: The carrying out of building works without the provision of these facilities is likely to lead to inconvenience and danger to road users. Retention of the facilities ensures an appropriate standard of parking and access for as long as the use continues. To support Local Transport Plan Policies: LD5, LD7 and LD8.

9. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall investigate and where possible include the provision of a soakaway that should be accompanied by the relevant percolation test results. The approved scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of the dwelling.

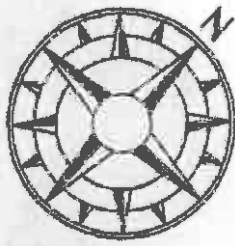
Reason: To ensure a satisfactory means of surface water disposal in accordance with Policy CP11 of the Carlisle District Local Plan 2001-2016.

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

Site investigations should follow the guidance in BS10175.

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

Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CP13 of the Carlisle District Local Plan.



RECEIVED

13 APR 2012

12/0306

HTGL
ARCHITECTS

l i m i t e d

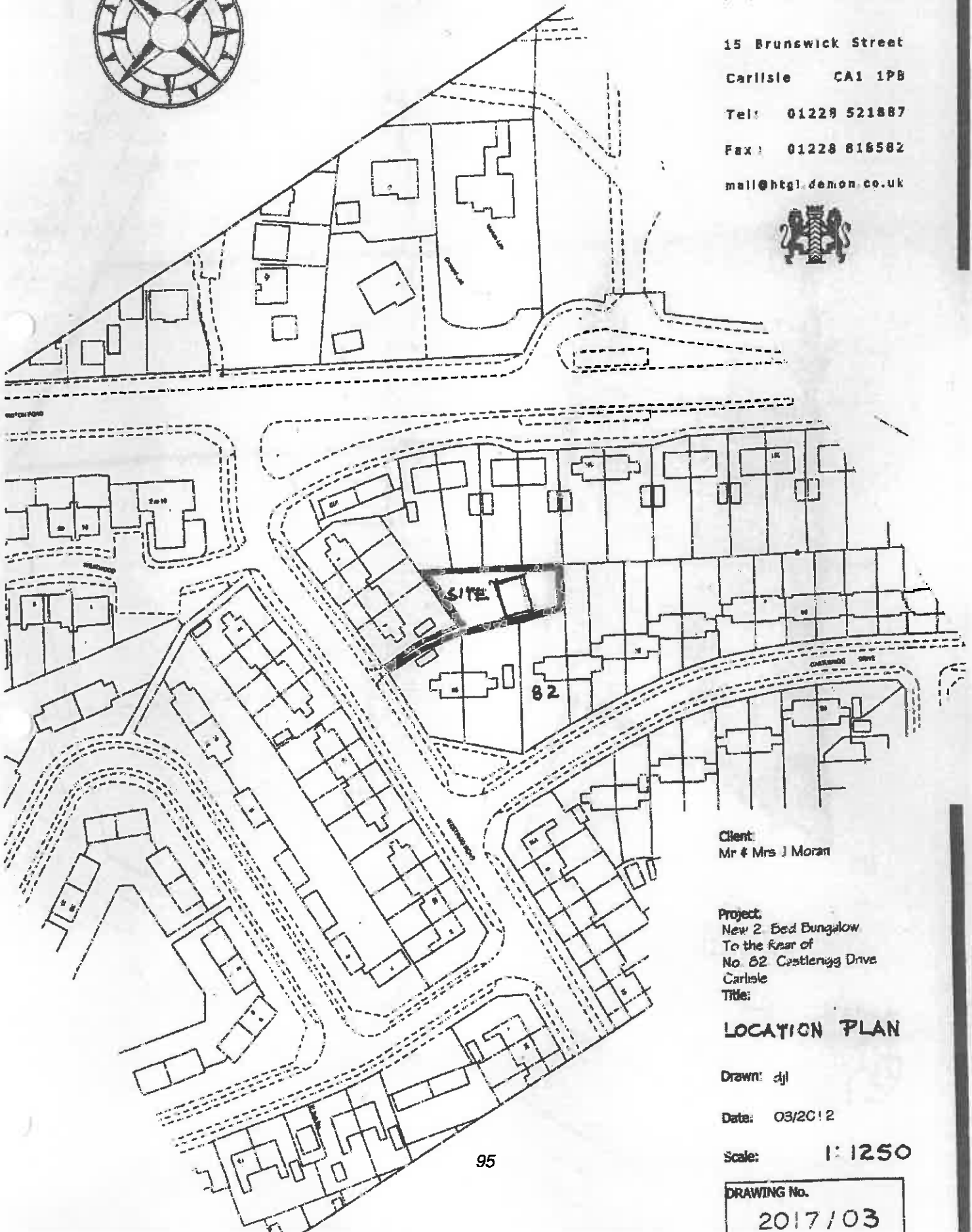
15 Brunswick Street

Carlisle CA1 1PB

Tel: 01229 521887

Fax: 01228 816582

mail@htgl.demon.co.uk



Client:
Mr & Mrs J Moran

Project:
New 2 Bed Bungalow
To the Rear of
No. 82 Castlerigg Drive
Carlisle
Title:

LOCATION PLAN

Drawn: djl

Date: 03/2012

Scale: 1:1250

DRAWING No.

2017/03

12/0306

HTGL
ARCHITECTS

l i m i t e d

15 Brunswick Street

Carlisle CA1 1PB

Tel: 01228 521887

Fax: 01228 818582

mail@htgl.demon.co.uk



Client:
Mr & Mrs J Moran

Project:
New 2 Bed Bungalow.
To the Rear of
No 82 Challenging Drive
Carlisle
Title:

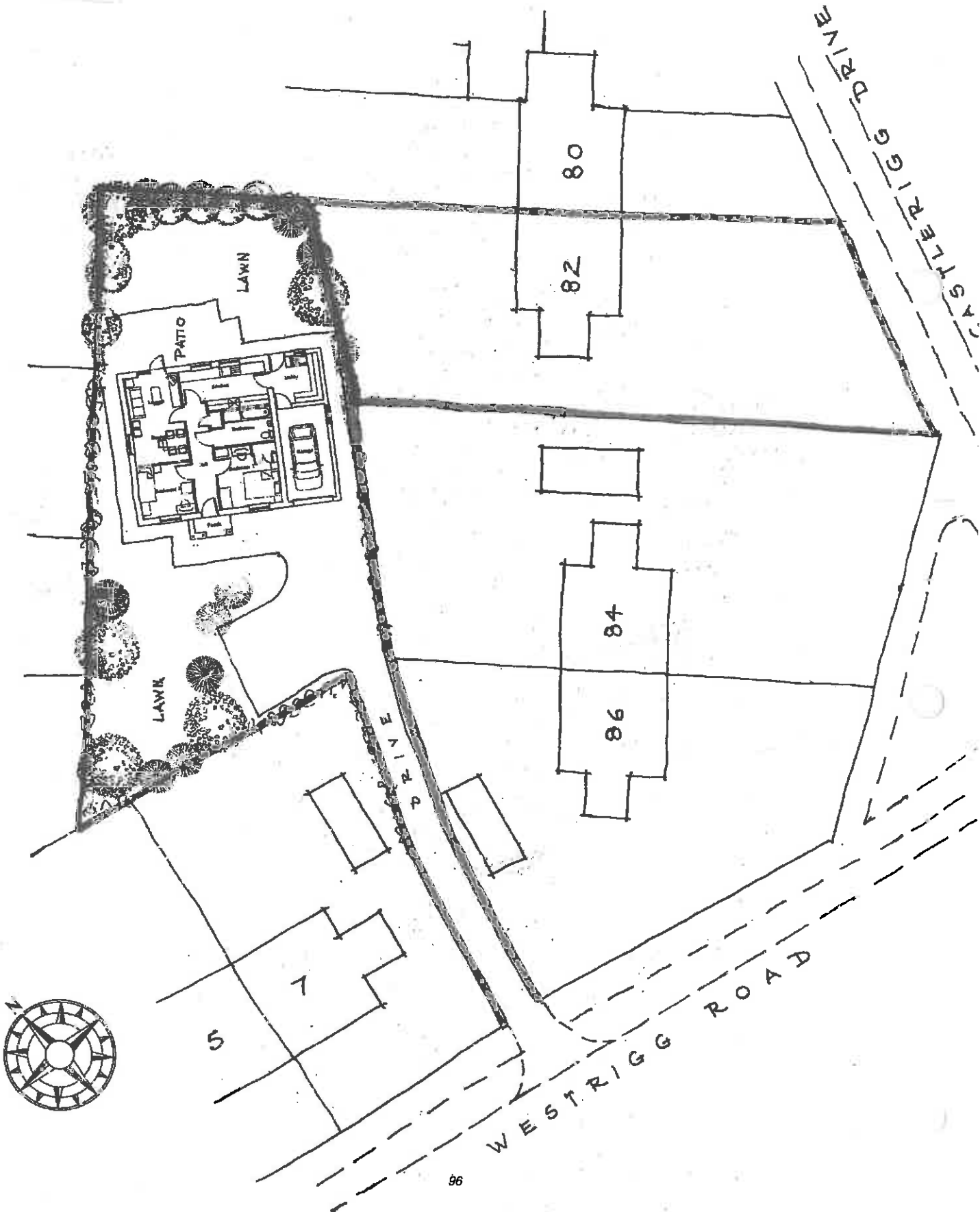
BLOCK PLAN

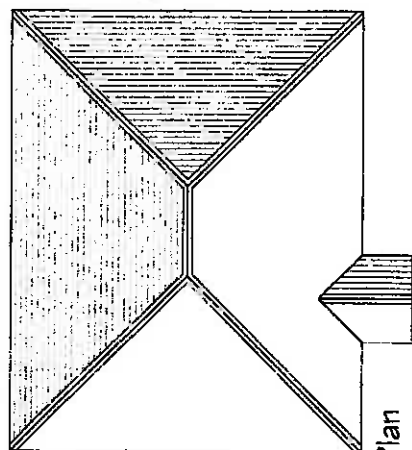
Drawn: dj

Date: 03/01/18

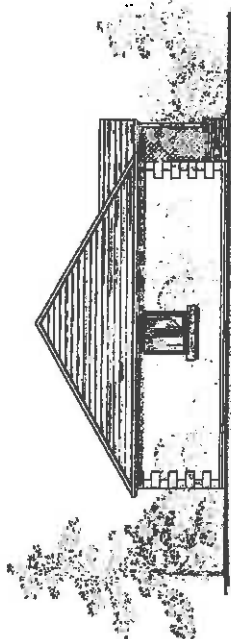
Scale: 1:200

DRAWING No.
2017/02.

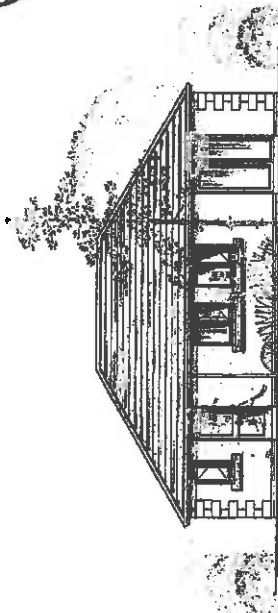




Roof Plan

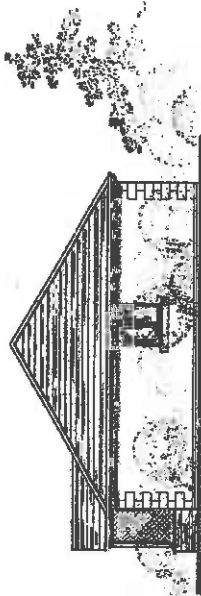


North West Elevation

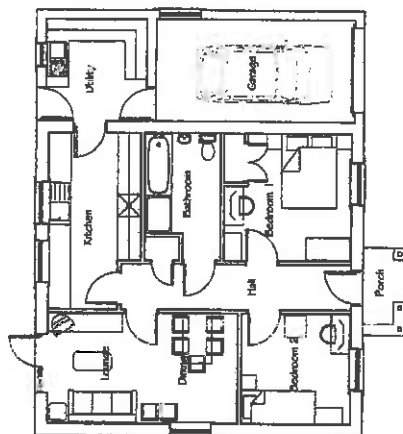


North East Elevation

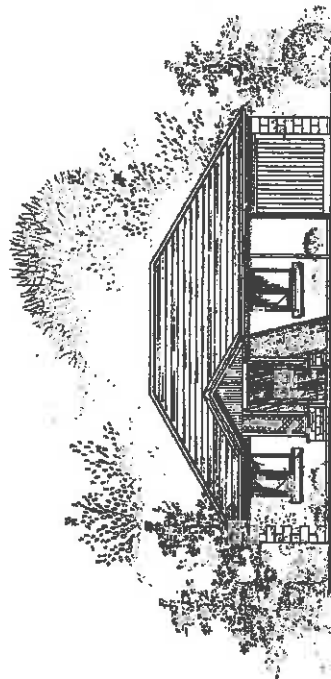
- Construction Finishes Schedule
- Roof - Concrete Tiles Slate grey
 - Walls - Red Brick
 - White Render
 - Contrasting Brick Quoins
 - Gills / Lintels - Reconstituted Sandstone
 - Windows / Doors - White UPVC.
 - Plinth - Contrasting Brick



South East Elevation



Floor Plan



South West Elevation

HTGL
ARCHITECTS

l i m i t e d

15 Brunswick Street

Carlisle CA1 1PB

Tel: 01228 521887

Fax: 01228 818982

mail@htgl.demon.co.uk



Client:
Mr & Mrs J. Murray

Project:
New 2 Bed Dingle,
To the Rear of
No. 85, Cuckling Drive
Carlisle
The
Floor Plan & Elevations
Are Proposed

Drawn: CJ

Date: 03/2012

Scale: 1:100

DRAWING No.

2017/01

SCHEDULE A: Applications with Recommendation

12/0399

Item No: 08

Date of Committee: 13/07/2012

Appn Ref No:
12/0399

Applicant:
Mr Noble

Parish:
Brampton

Date of Receipt:
17/05/2012

Agent:
Tsada Building Design
Services

Ward:
Brampton

Location:

2 Parkhead Road, Brampton, CA8 1DE

Proposal: Erection Of 1No. Dwelling (Reserved Matters Application Pursuant To Outline Approval 12/0079)

REPORT

Case Officer: Stephen Daniel

1. Recommendation

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

2. Main Issues

- 2.1 Impact Of The Proposal On The Character Of The Area
- 2.2 Whether The Scale And Design Would Be Acceptable
- 2.3 Impact On The Living Conditions Of The Occupiers Of Any Neighbouring Properties

3. Application Details

The Site

- 3.1 The application site, which measures approximately 12m in width by 31m in length, is the side garden of a semi-detached property, which fronts onto Parkhead Road. It includes a large area of hardstanding, which is currently used as the parking area for the host dwelling, an area of garden and a single-storey extension that is attached to the host dwelling. Sawmill Lane runs to the rear of the site and this would provide vehicular access to both the existing and proposed dwellings. Union Lane adjoins the application site

to the south-west and is separated from it by a hedge.

- 3.2 The application site is located in a residential area. Union Court, which lies to the south of the application site, on the opposite side of Sawmill Lane, is a two-storey building, which lies in close proximity to Union Lane.

Background

- 3.3 In April 2012, outline planning permission was granted for the erection of a dwelling on this site.

The Proposal

- 3.4 The proposal is seeking Reserved Matters approval for the erection of a dwelling on this site. The front elevation of the dwelling would be in line with the front elevation of the host dwelling, whilst part of the rear elevation would have a gable, which would project out 1m beyond the rear elevation of the host dwelling. The rear elevation would contain an integral garage, with both the front and rear elevations containing open porches. The eaves and the ridge heights of the new dwelling would be in line with those on the host dwelling. The west elevation, which would face Union Lane, would contain a bay window to the ground floor and a stone feature towards the top of the gable.
- 3.5 The dwelling would contain an integral single garage and a kitchen/ dining room, living room and w.c. to the ground floor and three bedrooms (one en-suite) and a bathroom to the first floor. It would be constructed of dark brown clay multi facing brick and brown upvc windows and doors, under a slate roof, to match the host dwelling. The driveway and paths would be brindle block paviors. The existing wall and hedge would be retained along the boundary with Union Road and Park Road. The existing access would be used to serve both dwellings, with two parking spaces being provided to the rear of both the existing and proposed dwellings.

4. Summary of Representations

- 4.1 This application has been advertised by means of a site notice and notification letters sent to twelve neighbouring properties. One letter of objection has been received which states that the proposal would be over development of the land.

5. Summary of Consultation Responses

Cumbria County Council - (Highway Authority): - no objections, subject to conditions;
Brampton Parish Council: - objects - over development of the site;
Local Environment, Streetscene - Drainage Engineer: - comments awaited;
Carlisle Airport: - no objections.

6. Officer's Report

Assessment

6.1 The relevant planning policies against which the application is required to be assessed are Policies DP1, H1, H2 and CP5 of the Carlisle District Local Plan 2001-2016. The proposal raises the following planning issues:

1. Whether The Principle Of The Proposed Development Is Acceptable

6.2 Outline planning permission currently exists for the erection of a dwelling on this site. This application is a reserved matters application which relates to the outline permission and is, therefore, acceptable in principle.

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

6.3 The new dwelling would be sited in the side garden of 2 Parkhead Road. The proposed dwelling would be sited adjacent to the host dwelling, with the front elevation being approximately 8m from Parkhead Lane and rear elevation approximately 15m from Sawmill Lane. Part of the rear elevation would contain a gable, which would project 1m beyond the rear elevation of the host dwelling. The new dwelling would have a side elevation in close proximity to Union Lane. Union Court, which lies on the opposite side of Sawmill Lane to the application site, lies in close proximity to Union Lane and this property would be seen in conjunction with the new dwelling. The proposal would not, therefore, have an adverse impact on the character of the area.

3. Whether The Scale And Design Would Be Acceptable

6.4 The new dwelling would be well related to the host dwelling. The eaves and ridge heights of the proposed dwelling would match those on the adjacent dwelling. The west elevation, which would face Union Lane, would have a gable with a bay window and a stone feature to top which would add visual interest, with a section of slate roof also being visible. The dwelling would be constructed of dark brown clay multi facing brick and brown upvc windows and doors, under a slate roof, to match the dwellings in the area. The driveway and paths would be brindle block paviors and the existing wall and hedge along the boundary with Union Road and Park Road would be retained. In light of the above, the scale and design of the proposal would be acceptable.

4. Impact On The Living Conditions Of The Occupiers Of Any Neighbouring Properties

6.5 The proposed dwelling would only have a hall window in the east elevation facing the host dwelling, whilst the host dwelling would only have bathroom and landing windows in the elevation facing the new dwelling. The front elevation of the dwelling would be a minimum of 29m away from the front elevation of 1 Parkhead Road and a minimum of 23m away from the side elevation of Union Court. These distances would be sufficient to ensure that the proposed dwelling would not have an adverse impact on the living

conditions of the occupiers of any neighbouring properties through loss of light , loss of privacy or over-dominance.

Conclusion

- 6.6 In overall terms, the proposal is acceptable in principle. The scale and design of the proposal would be acceptable and it would not have an adverse impact on the character of the area or on the living conditions of the occupiers of any neighbouring properties. In all aspects the proposal is considered to be compliant with the objectives of the relevant adopted Local Plan policies.

7. Planning History

- 7.1 In April 2012, outline planning permission was granted for the erection of a dwelling on this site (12/0079).

8. Recommendation: Grant Permission

1. In discharge of requirements for the submission of detailed particulars of the proposed development imposed by conditions 1, 4 & 5 attached to the outline planning consent to develop the site.
2. The approved documents for this Reserved Matters application comprise:
 1. the submitted planning application form, received 10 May 2012;
 2. Design & Access Statement, received 17 May 2012;
 3. Location Plan/ Block Plan/ Elevations & Floor Plans, received 22 June 2012 (Drawing No. 3/5/2012/1A);
 4. the Notice of Decision; and
 5. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: For the avoidance of doubt.

SCHEDULE A: Applications with Recommendation

12/0495

Item No: 09

Date of Committee: 13/07/2012

Appn Ref No:
12/0495

Applicant:
Story Homes

Parish:
Kingmoor

Date of Receipt:
12/06/2012

Agent:
Positive Planning Solutions Limited

Ward:
Stanwix Rural

Location:

Land at High Crindledyke Farm, Kingstown, Carlisle,
Cumbria

Proposal: Variation Of Condition 38 Of Previously Approved Permission 09/0617
To Change Condition From Code 4 For Sustainable Homes To Code 3
For Phase 1 Of The Development (184no. Dwellings)

REPORT

Case Officer: Sam Greig

1. Recommendation

- 1.1 It is recommended that this application is approved subject to legal agreement and the imposition of planning conditions.

2. Main Issues

- 2.1 Whether the variation of Condition 38 is acceptable.

3. Application Details

The Site

- 3.1 The application site, which comprises a farm and associated agricultural land, is located within Kingmoor Parish; approximately 5km north of the city centre of Carlisle and within the urban boundary of the city as defined in the Carlisle District Local Plan. The site is located off Crindledyke Lane, which is accessed from the Class C (C1015) Carlisle - Rockcliffe road (the southern section of which is known as Park House Road), near to the principal entrance to Kingmoor Business Park and the former Air Ministry service

homes at Crindledyke Estate. In April 2012, following the completion of a s106 agreement, Outline planning permission was granted for the redevelopment of the 29 hectare site to provide 850 dwellings, together with a range of community facilities and associated infrastructure.

The Proposal

- 3.2 This current application relates to Phase 1 of the development, which proposes the erection of 184 dwellings. It seeks to vary condition 38 of the Outline planning consent to enable those dwellings to be constructed within Phase 1 to be built to the Code 3 standard for Sustainable Homes, as opposed to Code 4.
- 3.3 As Members may be aware the "Code" is an environmental impact rating system for the construction of houses in England, which sets standards for energy efficiency (above those currently imposed through Building Regulations). The code works by awarding new homes a rating from Level 1 to Level 6, based on their performance against nine sustainability criteria which are combined to assess the overall environmental impact.
- 3.4 Elements of Code 3 are mandatory for public and private sector new-build residences, including flats and houses, under the Building Regulations; however, Code Level 3 still exceeds minimum standard under the Building Regulations. Level 6 is the highest, reflecting exemplary developments in terms of sustainability.
- 3.5 When the Outline application was submitted Story Homes promoted the fact that it was their intention to construct the proposed dwellings at Code Level 3; however, this was subsequently increased to Code Level 4 at the request of the Development Control Committee.
- 3.6 Those Members who are familiar with the Outline consent will be aware that the Officer's recommendation included the provision of a primary school upon occupation of the 300th unit. The Development Control Committee also requested that the timeframe for completing the primary school be brought forward until completion of the 200th unit. This requirement was secured as part of the associated s106 agreement.
- 3.7 Since obtaining Outline permission Story Homes have explained that as a consequence of having to complete the school upon occupation to the 200th home (as opposed to later in the build programme as originally proposed), together with the present market conditions, a significant unforeseen financial burden has been placed upon Phase 1 of the development which makes it financially unviable to construct the proposed dwellings within that phase at Code 4. A financial appraisal, which is commercially sensitive and therefore not reproduced in the schedule, has been submitted with the application to support their claim.
- 3.8 The applicant's planning consultant has also explained that it is Story Homes preference to reduce the Code Level, rather than to propose a reduction in the level of affordable housing or commuted payments, as Story Homes felt

that the delivery of these latter aspects of the proposal would be more important than constructing the dwellings to a higher sustainability rating. Story Homes have explained that it is their intention to complete the subsequent phases at Code Level 4 or above depending on the mandatory requirement at the time that the respective phase is commenced.

4. Summary of Representations

- 4.1 This application has been advertised by means of site and press notices as well as notification letters sent to three hundred and ninety eight neighbouring properties. At the time of preparing this report no written or verbal consultations had been received.

5. Summary of Consultation Responses

Rockcliffe Parish Council: - awaiting comments;

Kingmoor Parish Council: - awaiting comments.

6. Officer's Report

Assessment

- 6.1 The relevant planning policies against which the application is required to be assessed are policies DP9, EM16, EM17 and EM18 of the North West Regional Spatial Strategy to 2021 and policies CP5 and CP9 the Carlisle District Local Plan 2001-2016.
- 6.2 Since the Outline application was considered by the Development Control Committee the Coalition Government has abolished the previous national guidance and issued the National Planning Policy Framework (NPPF); the content of which is a material consideration to be taken into account in the determination of this application.
- 6.3 The proposals raise the following planning issue:
1. Whether The Reduction In the Code Level Is Acceptable.
- 6.4 The condition to build the dwellings at Code Level 4, as opposed to Level 3, was a requirement of the Development Control Committee; however, this request coupled with the specification that the primary school must be completed upon occupation of the 200th unit prejudices the viability of the Phase 1. The applicant has demonstrated that this is the case through the submission of a viability statement, which has been considered by the Council's Property Services section.
- 6.5 Paragraph 96 of the NPPF identifies that new development should comply with adopted Local Plan policies on the provision of decentralised energy supply unless it can be demonstrated that it is not viable to do so. The applicant has demonstrated for the reasons previously identified in this report

that compliance with Code 4 prejudices the viability of Phase 1 and, therefore, the applicants request to vary Condition 38 conforms with the NPPF.

- 6.6 In reducing the Code level that these dwellings are constructed to will not adversely affect the appearance of the development and compliance with Code 3 would result in the properties still being built to a higher sustainability level than specified in the Building Regulations. Furthermore, the applicant has indicated that they are still prepared to construct the remainder of the development at Code 4 and, therefore, the Development Control Committee's previous aspirations for development of a higher level of sustainable construction will still be met. In addition to the above, it is the Officer's view that in order to maintain the viability of Phase 1 it would be more desirable to see a reduction in the Code level rather than concessions in other areas, such as the level of affordable housing to be provided.

Conclusion

- 6.7 For the reasons highlighted in this report the proposed variation to Condition 38 is acceptable and is compliant with the NPPF and the relevant Development Plan policies. If Members accept this recommendation, and are minded to grant planning approval it is requested that "authority to issue" the approval is given to the Director of Economic Development subject to:
- a) no new issues being raised following the expiry of the consultation period, which ends on the date of the Development Control Committee; and
 - b) the completion of a deed of variation to link this current application to the original s106 agreement.

7. Planning History

- 7.1 In April 2012 Outline planning permission was granted for a residential development comprising approximately 850 dwellings, local community facilities and associated public open space (Application 09/0617).
- 7.2 In May 2012 a Reserved Matters application was submitted for Phase 1 of the development, which proposes the erection of 184 residential units (Application 12/0365). The design of the dwellings would be influenced, inter alia, by the outcome of this current application and, therefore, the Reserved Matters application cannot be determined at this stage.

8. Recommendation: Grant Permission

1. The approved documents for this Planning Permission comprise:
- 1. the submitted planning application form;
 - 2. the site location plan received 12th June 2012 (Drawing No. SL007.90.9.LP.LP1);

3. the site layout plan received 12th June 2012 (Drawing No. SL007.90.9.SLP.CL);
4. the Sustainability Statement received 12th June 2012;
5. the Code for Sustainable Homes Pre-Assessment for Crindledyke Phase 1 received 12th June 2012;
6. the Notice of Decision; and
7. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: For the avoidance of doubt.

2. The development shall be carried out in accordance with the conditions attached to the "Outline" application 09/0617 with the exception of condition 38, which has been varied by this permission, and any subsequent variation to that consent.

Reason: For the avoidance of doubt.

3. With the exception of the dwellings within Phase 1, which shall be constructed to Code for Sustainable Homes Level 3, the dwellings approved under application 09/0617 shall achieve a minimum Code for Sustainable Homes Level 4 rating or equivalent, or the Level adopted at the time of bringing forward that phase.

A post-construction certificate confirming such an outcome for each phase shall be submitted to and approved in writing by the local planning authority as soon as this is available.

Reason: In the interests of resource conservation and environmental sustainability. This is in accordance with Policy CP9 of the Carlisle District Local Plan 2001-2016.



PLANNING APP

STORY
HOMES

Crindleyke, Carlisle

Phase 1 Location Plan

SL007.909 LP LP1

SL007

12/04/15

Story Construction Ltd.
100% owned by Story Homes Ltd.
100% owned by Story Homes Ltd.
100% owned by Story Homes Ltd.

Carlisle
Marshalling
Yard

Location Plan



Kingmoor Busir

TEMPORARY
PLAY AREA

- 4. Indicate Affordable Housing
- 5. Indicate 2-3 Storey Housing
- 6. Indicate 3 Storey Housing

CRINDLYKE PHASE 1

Area	Area (m ²)	Area (ha)	Area (ac)
Site Area	100,000	10.0	2.5
Building Area	50,000	5.0	1.2
Parking Area	20,000	2.0	0.5
Play Area	10,000	1.0	0.2
Other Area	20,000	2.0	0.5

Crindlyke Phase 1

Site Layout

Area	Area (m ²)	Area (ha)	Area (ac)
Site Area	100,000	10.0	2.5
Building Area	50,000	5.0	1.2
Parking Area	20,000	2.0	0.5
Play Area	10,000	1.0	0.2
Other Area	20,000	2.0	0.5

Area	Area (m ²)	Area (ha)	Area (ac)
Site Area	100,000	10.0	2.5
Building Area	50,000	5.0	1.2
Parking Area	20,000	2.0	0.5
Play Area	10,000	1.0	0.2
Other Area	20,000	2.0	0.5

Shaw Construction Ltd.
100, 101 & 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1622, 1623, 1624, 1625, 1626, 1627, 1628, 1629, 1630, 1631, 1632, 1633, 1634, 1635, 1636, 1637, 1638, 1639, 1640, 1641, 1642, 1643, 1644, 1645, 1646, 1647, 1648, 1649, 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 1669, 1670, 1671, 1672, 1673, 1674, 1675, 1676, 1677, 1678, 1679, 1680, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1699, 1700, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1743, 1744, 1745, 1746, 1747, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1755, 1756, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1793, 1794, 1795, 1796, 1797, 1798, 1799, 1800, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082,

SCHEDULE A: Applications with Recommendation

12/0422

Item No: 10

Date of Committee: 13/07/2012

Appn Ref No:
12/0422

Applicant:
Mr Chris Archibald

Parish:
Carlisle

Date of Receipt:
15/05/2012

Agent:
Mr Richard Henry

Ward:
Castle

Location:
2 Green Market, Carlisle, CA3 8JE

Proposal: Change Of Use From Retail (Use Class A1) To Cafe (Use Class A3)
Together With Erection Of Retractable Awning

REPORT

Case Officer: Stephen Daniel

1. Recommendation

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

2. Main Issues

- 2.1 Whether The Proposal Is Acceptable In Principle
2.2 Impact Of The Proposal On The Listed Building And The City Centre Conservation Area

3. Application Details

The Site

- 3.1 The building is a three-storey property that fronts onto Green Market. It is currently vacant, having formerly been occupied by Jaeger (ladies clothes) since approximately 1990. The ground floor has a shop display window with a white fascia above, which runs the full length of the shop window. The first floor was previously used as a stock room, with the second floor being used as a staff room, with offices and toilets. The property lies within the Primary Retail Area, is identified as a Primary Shopping Frontage and is Listed.
- 3.2 The property lies within a block of five buildings, all of which are Listed.

Johnsons Dry Cleaners (No. 1) adjoins the building to the west, with La Baguette Bar (No. 3), which is a sandwich shop that is in the applicant's ownership, adjoining the site to the east. This property has an external seating area to the front of the building. No. 4 is a vacant unit which was formerly occupied by Benetton and this is adjoined by Francos Italian Restaurant (Nos 5 & 6), which lies on the corner of Green Market and Fisher Street.

The Proposal

- 3.3 The proposal is seeking to change the use of the building to a cafe (A3 use). The ground floor would contain seating, a service area and a disabled toilet, with the first floor containing additional seating and a further customer toilet. The kitchen and a staff toilet would be located on the second floor. A dumbwaiter would be installed to carry food from the second floor to the ground and first floors. Outdoor seating would also be provided to the front of the building and a retractable awning, which would cover this area, would be fitted to the front of the building.
- 3.4 The only external changes to the building would be the installation of a retractable awning to the front of the building and the installation of new signage (individual lettering) onto the existing fascia.

4. Summary of Representations

- 4.1 This application has been advertised by means of site and press notices as well as notification letters sent to three neighbouring properties. One letter of objection has been received which states that the application should be refused as it is not giving the city centre any business diversity. Allowing yet another cafe/ coffee bar to open will not replace the city centre custom that the loss of retail outlets has caused. Whilst it would create a few jobs in the short term it will dilute the custom of an already over subscribed business sector, which in the long term will probably result in job losses. If this application is allowed it will no longer be available for a retail offer that will help to boost footfall. We cannot allow the city centre to become an area full of food outlets, charity shops and phone shops with the odd retail offer mixed in. This will result in the further decline of the city centre. The city centre needs a mix of businesses to attract people to the city and this application does not offer anything new to the city centre and should be refused.

5. Summary of Consultation Responses

Food Hygiene: - no objections;
Planning - Access Officer: - no objections.

6. Officer's Report

Assessment

- 6.1 The relevant planning policies against which the application is required to be assessed are Policies EC4, EC6, EC10, LE15, LE16 and CP5 of the Carlisle District Local Plan 2001-2016. The proposal raises the following planning issues:

1. Whether The Proposal Is Acceptable In Principle

- 6.2 The retail unit lies within the Primary Retail Area and is defined as a Primary Shopping Frontage. Local Plan Policy EC6, which deals with Primary Shopping Frontages, states that uses other than A1 retail use will be restricted to no more than 25% of the frontage and no more than two continuous frontages in order to retain the vitality and viability of the City Centre Shopping Area. The application site lies within a block of five units, two of which are in A1 use (dry cleaners and sandwich shop), two of which are vacant (both of which were last occupied by clothes shops) and one of which is an Italian restaurant. If approved, the proposal to change the use of the property to a cafe (A3 use) would mean that two of the five units (40%) would be in non-A1 use, which would be contrary to Policy EC6 of the adopted Local Plan.

- 6.3 An objection has been received which states that the application should be refused as it is not giving the city centre any business diversity. The cafe would, however, attract people to the city centre. It would be run by the occupiers of the adjacent sandwich shop (La Baguette Bar) and the building would have an outdoor seating area to the front, which would lie adjacent to the outside seating area at La Baguette Bar and this would add to the vitality of the area. The former Benetton unit (No. 4) has been marketed for approximately twelve months and there has been little interest in this property. If this application is refused there would be two vacant units within a block of five units, which would be detrimental to the city centre. Given the above circumstances, the change of use of this building to a cafe would be acceptable.

2. Impact Of The Proposal On The Listed Building And The City Centre Conservation Area

- 6.4 The only external changes to the building would be the installation of a retractable awning and changes to the fascia. The proposal would not, therefore, have an adverse impact on the Listed Building or on the character or appearance of the City Centre Conservation Area.

Conclusion

- 6.5 In overall terms, the proposed use of the building would be acceptable. The proposal would not have an adverse impact on the Listed Building or the City Centre Conservation Area.

7. Planning History

- 7.1 There is an extensive planning history relating to the use of this building as a

retail unit.

8. Recommendation: Grant Permission

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

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

2. The approved documents for this Planning Permission comprise:

1. the submitted planning application form, received 15 May 2012;
2. Location Plan, received 15 May 2012 (Plan 120002/1);
3. Block Plan, received 15 May 2012 (Plan 12002/2);
4. Existing Layout, received 15 May 2012 (Plan 12002/3);
5. Proposed Layout, received 15 May 2012 (Plan 120002/4);
6. Sections, received 15 May 2012 (Plan 120002/5);
7. Existing & Proposed Elevations, received 15 May 2012 (Plan 12002/6);
8. the Notice of Decision; and
9. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: For the avoidance of doubt.

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

Reason: To ensure the objectives of Policies LE19 and CP5 of the Carlisle District Local Plan 2001-2016 are met and to ensure a satisfactory external appearance for the completed development.

4. Prior to the installation of the retractable awning, full details of its design and means of fixing to the building, shall be submitted for approval in writing by the Local Planning Authority.

Reason: In order to protect the appearance of the building and the

conservation area, in accordance with Policies LE19 and CP5 of the Carlisle District Local Plan 2001-2016.



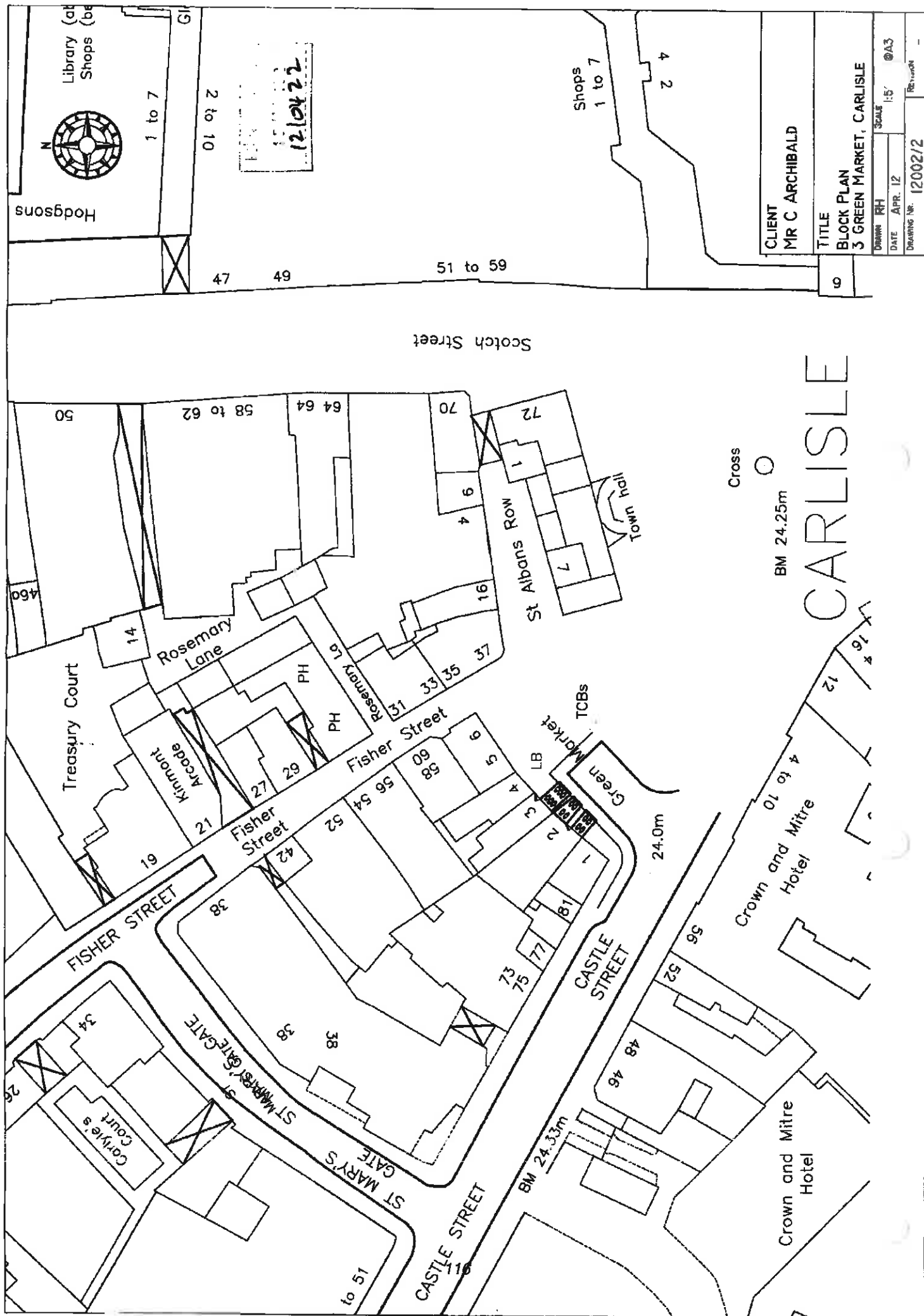
CLIENT
MR C ARCHIRALD

TITLE
LOCATION PLAN
3 GREEN MARKET, CARLISLE

DATE
11/03/20 06:43

SCALE
1:1000

PROJECT NO.
12002/1



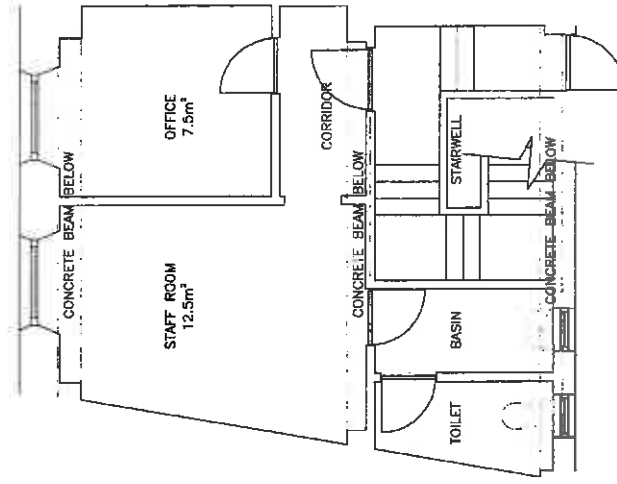
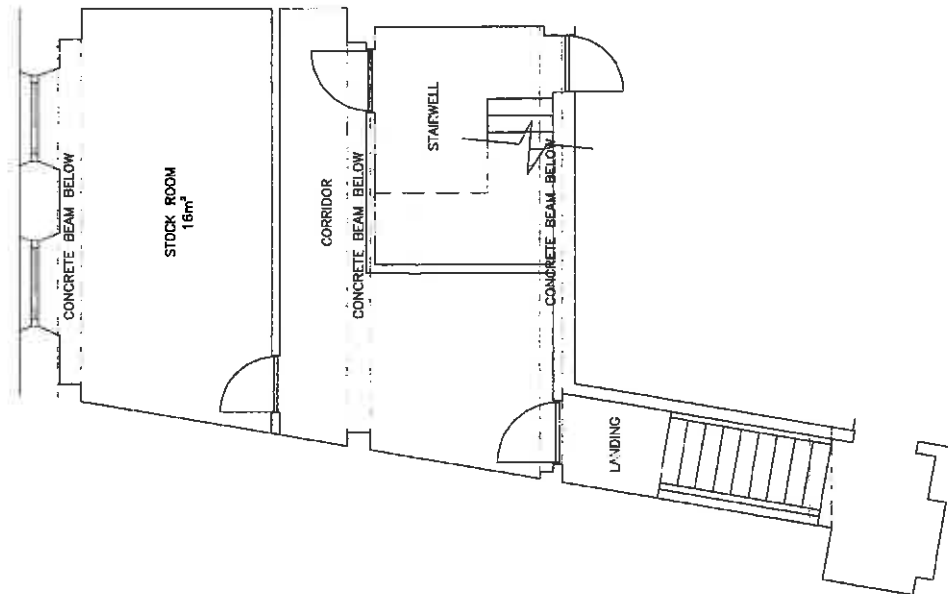
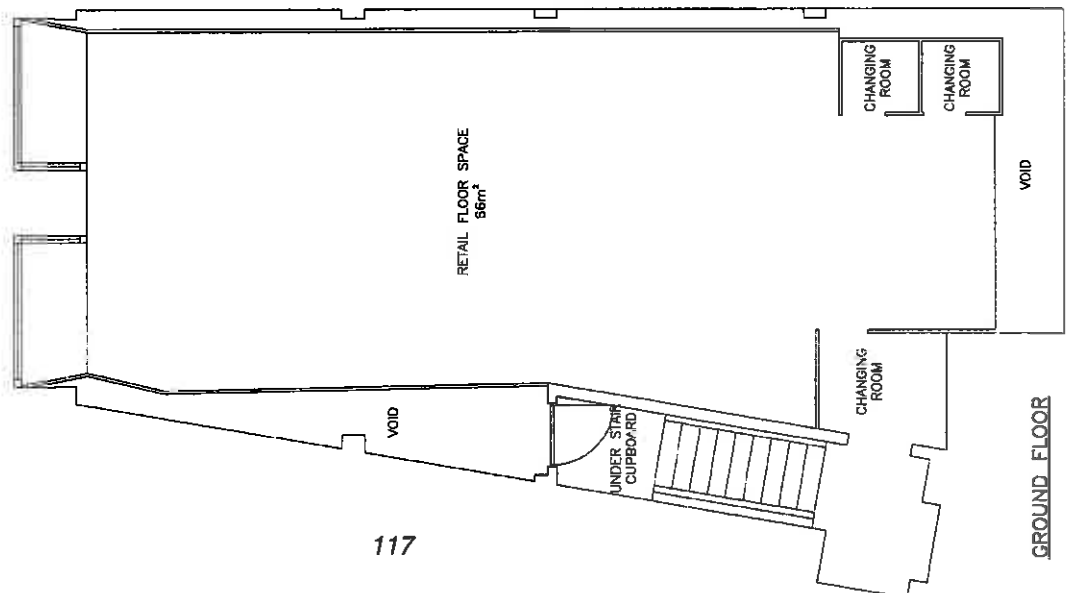
CARLISLE

CLIENT
MR C ARCHIBALD

TITLE
BLOCK PLAN
3 GREEN MARKET, CARLISLE

DATE APR. 12
DRAWN RH
SCALE 1:5' @A3
Drawing No. 12002/2

GREEN MARKET



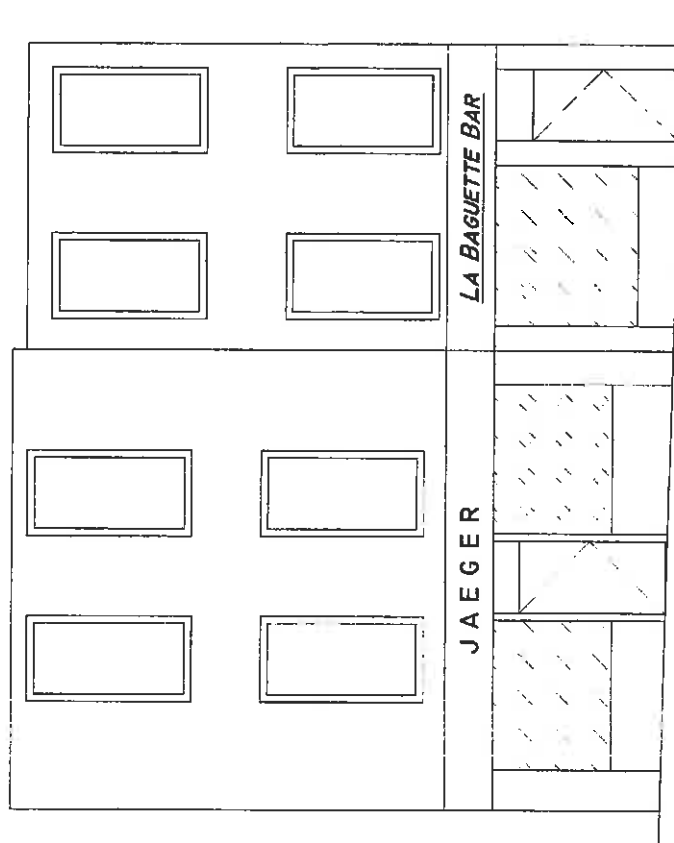
CLIENT
MR C ARCHIBALD

12/04/22

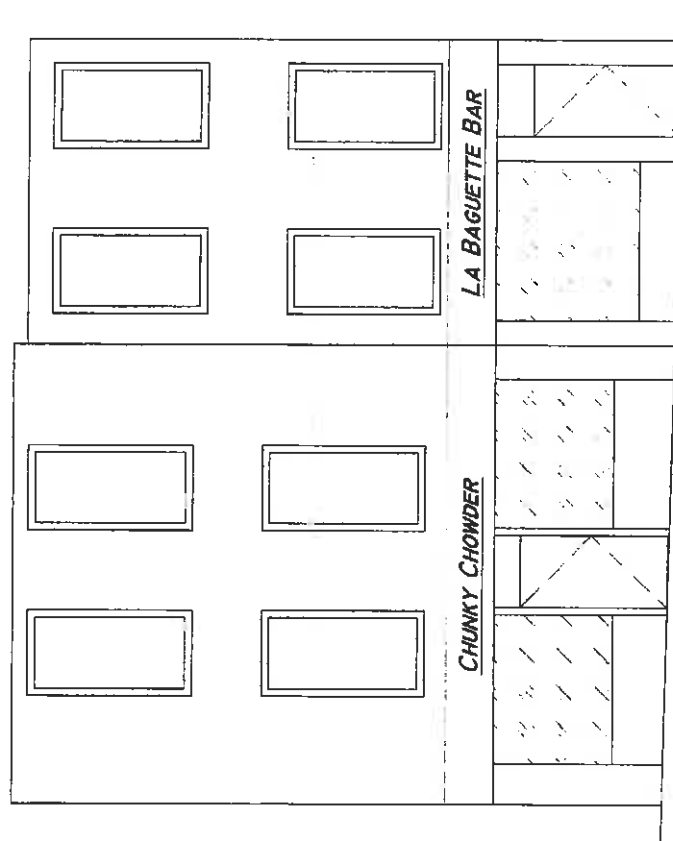
TITLE
EXISTING LAYOUT
2 GREEN MARKET, CARLISLE

DRAWN RH SCALE 1:50 @A2
DATE APR. 12

DRAWING NO. 12002/3 REVISION -



EXISTING ELEVATION



PROPOSED ELEVATION

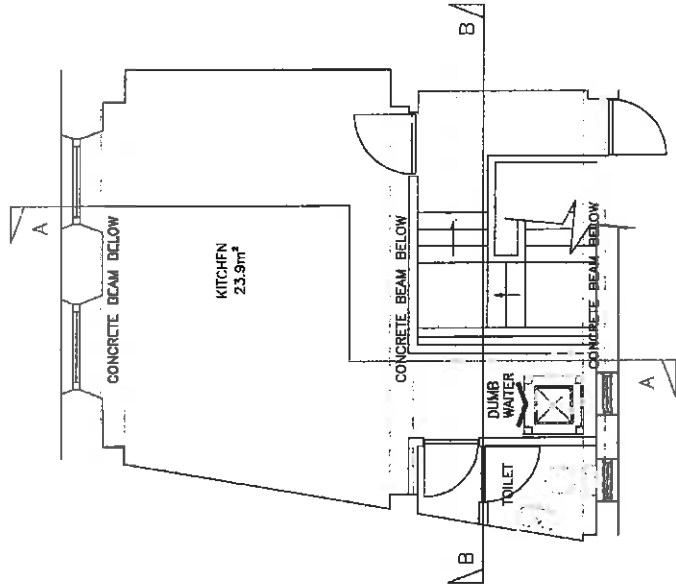
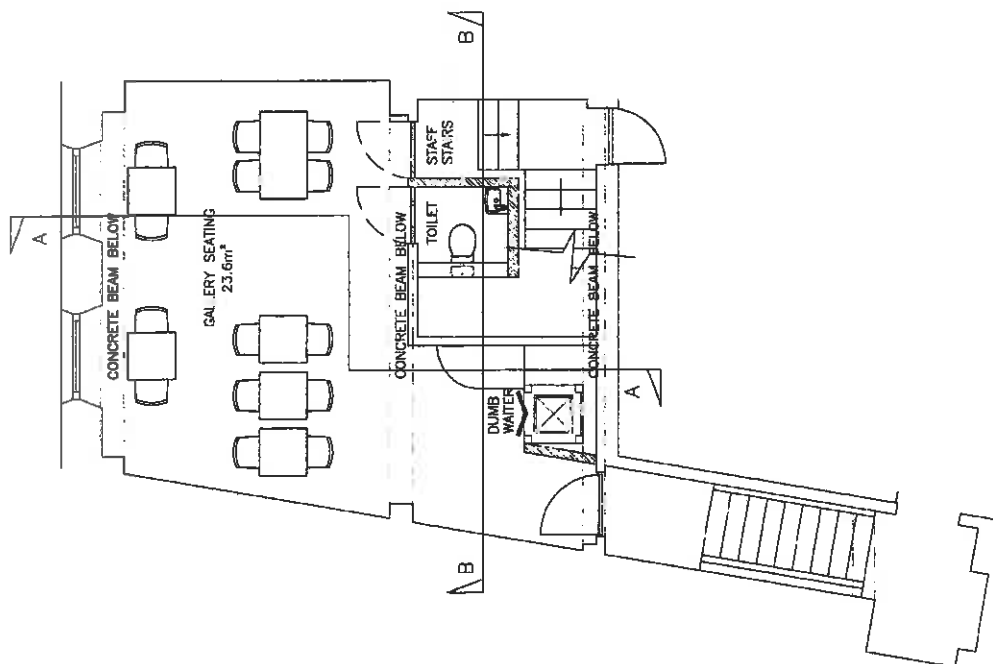
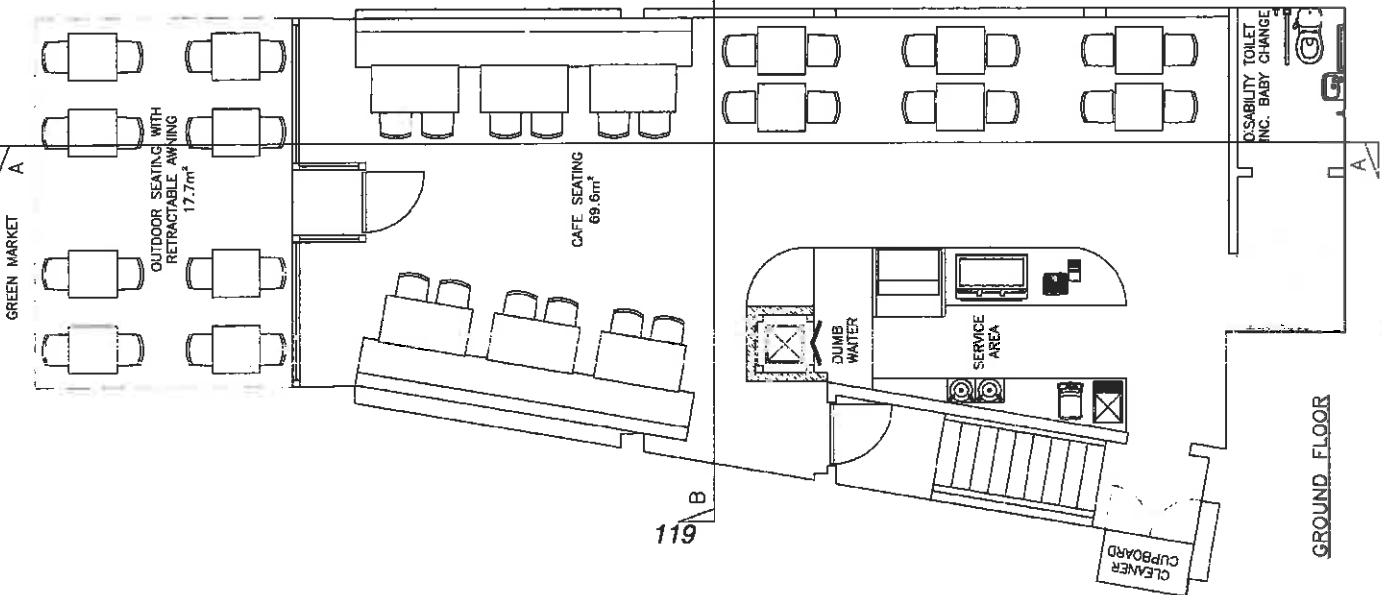
12/04/22

CLIENT
MR C ARCHIBALD

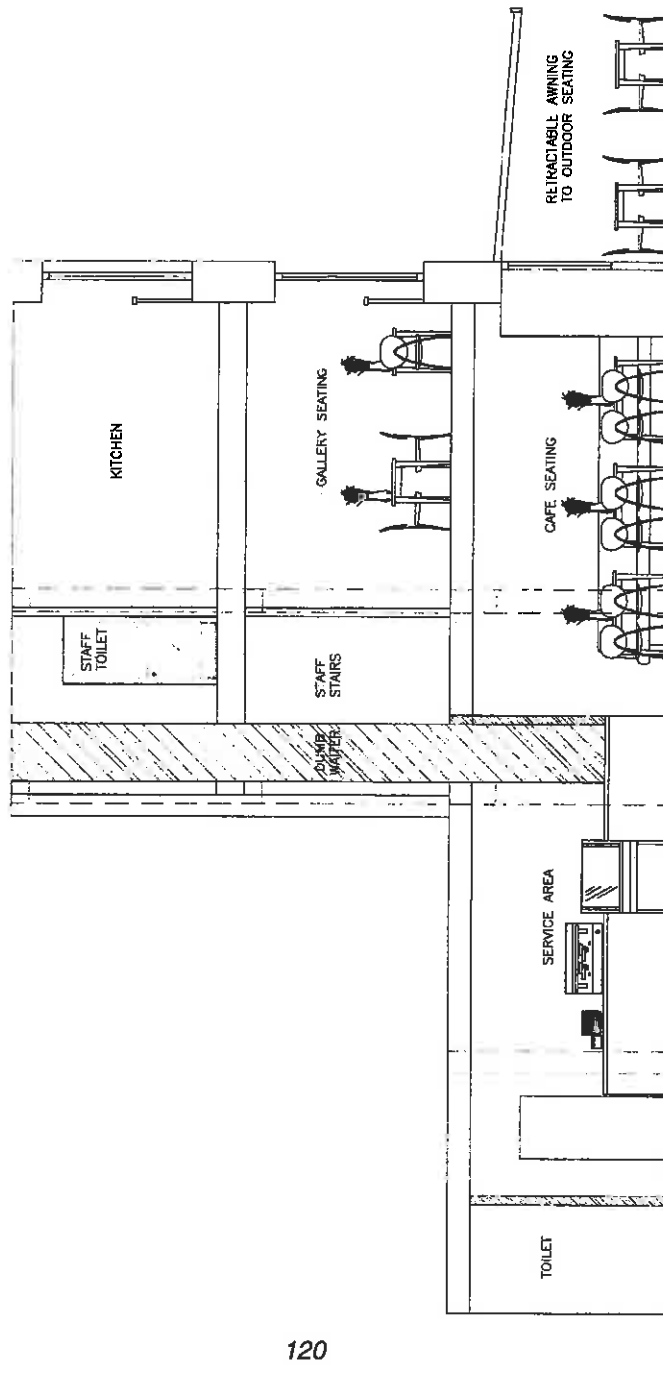
TITLE
FRONT ELEVATION
2 GREEN MARKET, CARLISLE

DRAWN RH SCALE 1:50 ©A2
DATE APR. 12
DRAWING NO. 12002/6
REVISION -

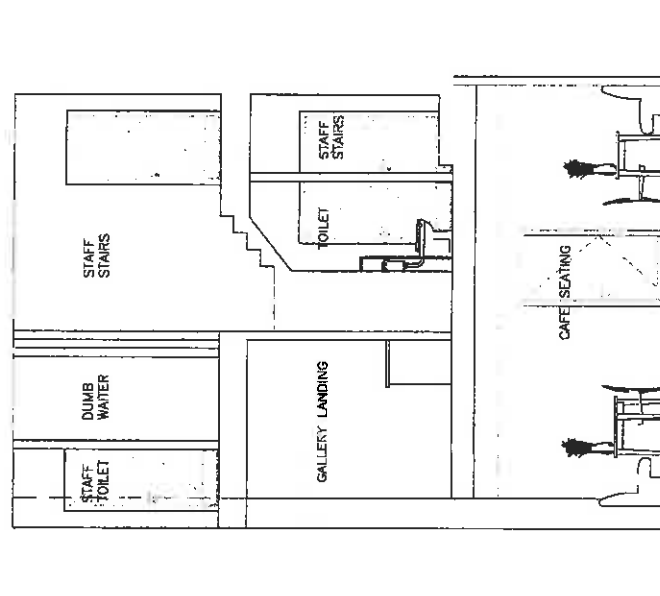
FRONT ELEVATION EXCLUDES EXISTING
OUTDOOR SEATING TO LA BAGUETTE BAR OR
PROPOSED SEATING FOR CHUNKY CHOWDER



CLIENT		12/04/22	
MR C ARCHIBALD			
TITLE			
PROPOSED LAYOUT			
2 GREEN MARKET, CARLISLE			
DRAWN	RH	SCALE	1:50 @A2
DATE	APR. 12		
DRAWING NO.	12002/4	REVISION	



SECTION A-A



SECTION B-B

CLIENT	MR C ARCHIBALD		
TITLE	SECTION A-A & B-B 2 GREEN MARKET, CARLISLE		
DRAWN	RH	SCALE	1:50 @A2
DATE	APR. 12		
DRAWING NO.	12002/5	REVISION	

SCHEDULE A: Applications with Recommendation

12/0432

Item No: 11

Date of Committee: 13/07/2012

Appn Ref No:
12/0432

Applicant:
Mr Chris Archibald

Parish:
Carlisle

Date of Receipt:
29/05/2012

Agent:
Mr Richard Henry

Ward:
Castle

Location:
2 Green Market, Carlisle, CA3 8JE

Proposal: Change Of Use From Retail (Use Class A1) To Cafe (Use Class A3)
Together With Erection Of Retractable Awning & Internal Alterations
(LBC)

REPORT

Case Officer: Stephen Daniel

1. Recommendation

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

2. Main Issues

- 2.1 Impact Of The Proposal On The Listed Building

3. Application Details

The Site

- 3.1 The building is a three-storey property that fronts onto Green Market. It is currently vacant, having formerly been occupied by Jaeger (ladies clothes) since approximately 1990. The ground floor has a shop display window with a white fascia above, which runs the full length of the shop window. The first floor was previously used as a stock room, with the second floor being used as a staff room, with offices and toilets. The property lies within the Primary Retail Area, is identified as a Primary Shopping Frontage and is Listed.
- 3.2 The property lies within a block of five buildings, all of which are Listed. Johnsons Dry Cleaners (No. 1) adjoins the building to the west, with La

Baguette Bar (No. 3), which is a sandwich shop that is in the applicant's ownership, adjoining the site to the east. This property has an external seating area to the front of the building. No. 4 is a vacant unit which was formerly occupied by Benetton and this is adjoined by Francos Italian Restaurant (Nos 5 & 6), which lies on the corner of Green Market and Fisher Street.

The Proposal

- 3.3 The proposal is seeking to change the use of the building to a cafe (A3 use). The ground floor would contain seating, a service area and a disabled toilet, with the first floor containing additional seating and a further customer toilet. The kitchen and a staff toilet would be located on the second floor. A dumbwaiter would be installed to carry food from the second floor to the ground and first floors. Outdoor seating would also be provided to the front of the building and a retractable awning, which would cover this area, would be fitted to the front of the building.
- 3.4 The only external changes to the building would be the installation of a retractable awning to the front of the building and the installation of new signage (individual lettering) onto the existing fascia. The main internal changes would involve the installation of a service area and disabled toilet to the ground floor; the removal of a wall to the first floor and the installation of a toilet; the removal of a wall to the second floor; and the installation of a dumbwaiter to link the different floors.

4. Summary of Representations

- 4.1 This application has been advertised by means of site and press notices as well as notification letters sent to three neighbouring properties. One letter of objection has been received to the planning application but the issues raised do not relate to this Listed Building application.

5. Summary of Consultation Responses

6. Officer's Report

Assessment

- 6.1 The relevant planning policies against which the application is required to be assessed are Policies LE15, LE16 and CP5 of the Carlisle District Local Plan 2001-2016. The proposal raises the following planning issues:
1. Impact Of The Proposal On The Listed Building
- 6.2 The only external changes to the building would be changes to the fascia and the installation of a retractable awning. The existing fascia would be retained with new individual lettering being affixed to it. A condition has been added to the permission, which requires the submission of the details of the proposed

awning to ensure that it is in keeping with the Listed Building. The internal changes have been kept to a minimum and these are acceptable to the Council's Heritage Officer. The proposal would not, therefore, have an adverse impact on the Listed Building.

Conclusion

- 6.3 In overall terms, the proposed would not have an adverse impact on the Listed Building.

7. Planning History

- 7.1 There is an extensive planning history relating to the use of this building as a retail unit.

8. Recommendation: Grant Permission

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

Reason: In accordance with the provisions of Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

2. The approved documents for this Listed Building Consent comprise:

1. the submitted planning application form, received 15 May 2012;
2. Design & Access Statement, received 29 May 2012;
3. Location Plan, received 15 May 2012 (Plan 120002/1);
4. Block Plan, received 15 May 2012 (Plan 12002/2);
5. Existing Layout, received 15 May 2012 (Plan 12002/3);
6. Proposed Layout, received 15 May 2012 (Plan 120002/4);
7. Sections, received 15 May 2012 (Plan 120002/5);
8. Existing & Proposed Elevations, received 15 May 2012 (Plan 12002/6);
9. the Notice of Decision; and
10. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: For the avoidance of doubt.

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

Reason: To ensure the objectives of Policies LE19 and CP5 of the Carlisle District Local Plan 2001-2016 are met and to ensure a satisfactory external appearance for the completed development.

4. Prior to the installation of the retractable awning, full details of its design and means of fixing to the building, shall be submitted for approval in writing by the Local Planning Authority.

Reason: In order to protect the appearance of the building and the conservation area, in accordance with Policies LE19 and CP5 of the Carlisle District Local Plan 2001-2016.

SCHEDULE B

SCHEDULE B

SCHEDULE C

SCHEDULE C

SCHEDULE C: Applications Determined by Other Authorities

Item No: 12

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/9003

Applicant:
Natural England

Parish:
Multiple Parishes

Date of Receipt:
05/03/2012

Agent:
Miss Lesley Hulett

Ward:
Lyne

Location:
Bolton Fell Moss & Peat Works, Kernal Hill,
Roweltown, Hethersgill

Grid Reference:
349841 569189

Proposal: Variation Of Condition 11 Of Planning Consent 97/9025/CTY To Exclude
Reference To Dalgleish Field

Amendment:

REPORT

Case Officer: Shona Taylor

City Council Observations on the Proposal:

Decision: City Council Observation - Raise No Objection **Date:** 30/03/2012

Decision of: Cumbria County Council

Decision Type: Grant Permission

Date: 21/06/2012

A copy of the Notice of the decision of the Determining Authority is printed following the report.

CUMBRIA COUNTY COUNCIL

**TOWN AND COUNTRY PLANNING ACT, 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) (ENGLAND) ORDER 2010**

NOTICE OF PLANNING CONSENT

To: Natural England
Foundry House
Millsands
Riverside Exchange
Sheffield

In pursuance of the powers under the above Act and Order the Cumbria County Council as local planning authority hereby **permit** the development described in your application and on the plans/drawings attached thereto received on 1 February 2012.

viz: Application to vary condition 11 of Planning Consent 1/97/9025 to exclude reference to Dalgleish Field

Bolton Fell Moss & Peat Works, Kernal Hill, Roweltown, Hethersgill, Carlisle, Cumbria, CA6 6JL

Subject to due compliance with the following conditions:

TIME LIMITS

- 1 The winning and working of peat shall **cease** by 31 December 2040 and all buildings, structures, railway lines, haul roads, storage areas, plant and machinery, including foundations and hardstandings, shall have been removed from the site and the restoration of the site completed by 22 February 2042 in accordance with the approved documents set out in Condition 34, hereinafter called the approved scheme.

Reason: To secure the restoration of the site to the appropriate afteruses following the approved period for this temporary development.

- 2 Notwithstanding Condition 1, within 6 months of peat extraction having permanently ceased prior to the full implementation of the approved scheme, or before 22 February 2037, a revised scheme, to include details of the restoration, aftercare and timescale for the completion of the restoration works, shall be submitted for the approval of the local planning authority. Such a revised approved scheme shall be fully implemented, unless otherwise agreed in writing by the local planning authority.

Reason: To secure the proper restoration of the site in the event that operations cease prior to the full implementation of the scheme.

- 3 In the event that peat extraction is temporarily suspended for a period exceeding one year, then within 15 months from the suspension of peat extraction an interim restoration scheme and timetable for its completion shall be submitted for the approval of the local planning authority. Such an interim restoration scheme shall be fully implemented, unless otherwise agreed in writing by the local planning authority

Reason: To secure the satisfactory interim restoration of the site in the event of the temporary cessation of mineral working.

APPROVED OPERATIONS PROGRAMME

- 4 The development shall be carried out in accordance with the approved documents as set out in Condition 34 of this schedule and the approved detailed schemes required by the conditions of this schedule, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the site is worked and restored in accordance with the approved scheme

- 5 Notwithstanding the provisions of Article 3 and Part 19 of Schedule 2 of the Town and Country Planning General Permitted Development Order 1995 (or any other Order amending, replacing or re enacting that Order) planning permission shall be sought and obtained from the local planning authority, before any buildings, structures or erections, fixed plant or machinery, excluding roads and railways, are erected on the site.

Reason: To control additional built development on the site in the interests of local amenity, minimising the visual impact of the site and controlling the traffic generated by the site

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any other order amending, replacing or re enacting that Order) no waste materials shall be deposited at the mineral site, other than aggregates for the construction of approved temporary haul roads, railways and hardstandings

Reason: To maintain control over the deposit of waste material which may adversely impact upon the restoration of the site to a nature conservation afteruse

APPROVED AREA FOR PEAT EXTRACTION

- 7 No winning or working of peat shall take place outside the area cross hatched grey on Figure 5 (Environmental Assessment Part 1) referred to hereinafter as the worked area.

Reason: To clarify the boundary of the worked area.

- 8 There shall be no further removal of vegetation outside the worked area except where the local planning authority has given its prior written approval for works to manage the vegetation.

Reason: To protect adjacent peat areas of nature conservation interest and to maintain tree cover that is beneficial to screening the workings.

- 9 Areas of peat (baulks) of the width and location as shown on Plan F of the updated ROMP submission shall be left intact along the boundaries of the vegetated areas of the Reserve Area and Armstrong's Field. No further peat extraction shall take place within these baulks. Before 1 January 2015 the gradient of the worked area from the edge of the vegetated areas of the

Reserve Area and Armstrong's Field shall not be made steeper than a gradient of 1 in 20. The final gradient of the worked area from the edge of the vegetated areas of the Reserve Area and Armstrong's Field shall not exceed a gradient of 1 in 10. A surface bund shall be constructed to a specification agreed by the local planning authority along the full length of the boundary of the worked area with the Reserve Area and Armstrong's Field. Around the remaining perimeter of the worked area there shall be no further peat extraction within 20 metres of the boundary of the application site and the final gradient of the worked area from the boundary of the application site and on internal baulks separating fields shall not be steeper than a gradient of 1 in 5.

Reason: To maintain the stability and groundwater levels of the adjacent vegetated areas to help safeguard their nature conservation interest and to support adjacent land and to allow monitoring of the effect of working to determine the appropriate final gradient from the unworked area

- 10 The whole of the worked area of the moss shall be restored to a nature conservation afteruse in accordance with the approved scheme. To facilitate the restoration of the site to this use, an average minimum 0.5 metre depth of peat shall be left insitu in each worked field upon the cessation of mineral extraction. This excludes additional peat retained to provide gradients at the periphery of the application site and each field shown on figure 9 of the Environmental Statement Part 1. A scheme for the restoration of the factory area and the site access road to agricultural use shall be submitted to the local planning authority for approval by 31 December 2040 or when working of peat has permanently ceased whichever is the earlier

Reason: To return the site to its original uses in the interests of local amenity and nature conservation.

- 11 Prior to the cessation of peat extraction in each field shown on Figure 9 of the Environmental Assessment Part 1, **with the exception of Dalgleish Field**, the operator shall submit for approval by the local planning authority a detailed scheme and plans for restoration of that field and details of how this plan fits into the whole site restoration plan. Such a scheme shall include details of the final gradients and topography of the field, measures to restore groundwater in the restored area to the optimum level both within the field and any adjacent area within the Reserve Area or Armstrong's field, measures to ensure a suitable chemical condition of the water for nature conservation purposes, the introduction and management of vegetation and other works and management to secure the beneficial restoration of the site for nature conservation purposes and timescales for these restoration works.

Reason: To require details of the restoration of the site not submitted with the application.

- 12 By 22 February 2037 the operator shall submit for approval by the local planning authority a detailed scheme and plans for restoration of the whole worked area. Such a scheme shall include details of the final gradients and topography of the site, the location and dimensions of baulks to be left, measures to restore groundwater to the optimum level and chemical conditions for nature conservation purposes, the introduction and management of vegetation and other works and management to secure the beneficial restoration of the site for nature conservation purposes and timescales for these restoration works

Reason: To require details of the restoration of the site not submitted with the application.

- 13 At least once every 2 years during the life of the permission there shall be a formal review meeting at the site, to consider operations which have taken place on the site over the previous 2 years and those scheduled for the next 2 years. The parties to be invited to attend this review shall include the mineral operator, the local planning authority, owners and occupiers of the land and English Nature or their successors.

Reason: To review progress on site and to discuss whether any amendments to the working and restoration scheme are necessary

- 14 When the first step of the terrace is restored along the boundaries of the Reserve Area and Armstrong's Field the existing peripheral drainage ditches around the Reserve Area and Armstrong's Field shall be partially filled and dammed to create moats.

Reason: To reduce the drawdown of the watertable in the interests of the nature conservation value of these vegetated areas.

- 15 The water level in the drainage ditches adjacent to the railway line that runs between the Reserve Area and Armstrong's Field shall be maintained at the shallowest depth that does not interfere with their operational purpose. Upon cessation of use of this section of railway line the drainage ditches shall be partially filled and dammed to create moats

Reason: To reduce the drawdown of the watertable in the interests of the nature conservation value of these vegetated areas

- 16 Within six months of this new schedule of conditions taking effect a scheme for the installation by the operator of earth anchors within the worked area shall be submitted for the approval of the local planning authority. The scheme shall include the number, location, type and method of installation of earth anchors. The earth anchors shall be installed within 3 months of the scheme being approved and shall thereafter be maintained for the life of the planning permission.

Reason: To monitor the sinkage of the peat in the worked area to assess the success or otherwise of the restoration strategy.

SAFEGUARDING OF WATERCOURSES AND DRAINAGE

- 17 Settlement lagoons shall be installed and maintained at all water outfalls from the site to ensure that the suspended solids content of water discharged from the site is less than 300mg/l. Water outfalls shall be measured at least once a year during the harvesting season and the suspended solids content measured. If the suspended solids content is greater than 300mg/l, remedial measures to reduce it to below this level shall be taken within 30 days of the receipt of the results of the measurement of suspended solids content.

Reason: To avoid the pollution of any watercourse or groundwater resource

- 18 No fixed chemical, oil or diesel storage tanks shall be erected on the worked area. All mobile storage containers must be of the double skinned variety. All fixed facilities for the storage of chemical, oil or diesels within the factory area shall be sited on impermeable bases and surrounded by impermeable bund walls. The volume of the bunded compound shall be at least equal to the capacity of the largest tank or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. There shall be no discharge to any watercourse, land or underground strata. Associated pipework should be above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be designed to discharge downwards into the bund.

Reason: To avoid the pollution of any watercourse or groundwater resource

ACCESS AND TRAFFIC

- 19 There shall be no transport of peat products from the site outside the hours 0700 to 2200 each day other than with the prior written approval of the local planning authority.

Reason: To protect the amenity of local residents

- 20 The total number of heavy goods vehicle movements from the works area onto the public highway shall not exceed 12,668 in any calendar year. A record of all heavy goods vehicles leaving the site each day shall be maintained by the operator and access shall be afforded to the local planning authority on request. The local planning authority shall be supplied with details of the total number of heavy goods vehicles leaving the site each calendar year by the end of January in the subsequent year

Reason: An increase in existing traffic cannot be satisfactorily accommodated by the local highway network. Such an increase would also have an unacceptable impact upon the amenity of residents of properties adjacent to the haul route.

- 21 There shall be no transport of peat from the site onto the public highway other than via the existing access adjacent to Kernal Hill.

Reason: To avoid vehicles entering or leaving the site by an unsatisfactory route.

- 22 All vehicles used to transport unbagged peat or peat based products from the factory area onto the public highway shall be sheeted so as to not deposit any mineral upon the highway

Reason: To ensure that material is not released into the air or deposited upon the highway in the interest of local amenity and highway safety.

- 23 The surfacing of the access road to the factory area from the public highway shall be maintained in a good state of repair and kept free of mud, peat and other material that might be carried onto the public highway

Reason: To ensure that no material is carried onto the public highway from the access road in the interests of highway safety and that the access road is maintained in an adequate condition for the traffic generated by the approved operations

CONTROL OF NOISE AND LIGHTING

- 24 All plant, machinery and vehicles used on site shall be effectively silenced at all times in accordance with the manufacturers recommendations.

Reason: To safeguard the amenity of local residents by ensuring that the noise generated is minimised.

- 25 Any reversing warning system to be used on mobile plant (other than HGVs visiting the site) shall be agreed, in advance of installation and use, by the local planning authority.

Reason: To reserve for approval details of any reversing alarms to ensure that noise disturbance to local residents is minimised.

- 26 The noise levels attributable to the whole site, including peat extraction, on site processing, storage and transport shall not exceed 50dB (LAeq) (1 hour) freefield at any noise sensitive property between the hours 0700 1900 hours daily and 40dB (LAeq) (1 hour) freefield at any other time.

Reason: To safeguard the amenity of local residents by ensuring that noise generated by the operations does not cause a nuisance at nearby properties where people live and work.

- 27 For the purposes of condition 26 above, the noise level is expressed as a one hour freefield LAeq. Freefield shall be defined as a point 3.5 metres in front of the facade of any noise sensitive property facing the site. Any measures to check compliance shall have regard to the effects of extraneous noise and shall be corrected for such effects.

A noise sensitive property shall be defined as any building outside the site used as a dwelling, hospital, school, place of worship, office or for any other purpose where the occupants are likely to be adversely affected by an increase in noise levels and which was before 26 September 1997 used as such or was under construction for such use or was the subject of a planning permission (not being outline permission) for such use granted under Part III of the Town and Country Planning Act 1990

Reason: To clarify the requirements of condition 26.

- 28 All artificial lighting units on the site shall be so sited and shielded as to be incapable of direct sight from any residential property outside the site.

Reason: To safeguard the amenity of local residents.

APPEARANCE OF WORKS AREA

- 29 Within two years of this new schedule of conditions coming into effect the external cladding or finish of all buildings, structures or fixed plant in the works area shall be a green colour consistent with the existing predominant green external finishes of the factory buildings unless otherwise agreed by the local planning authority.

Reason: To improve the visual appearance and to reduce the impact of the factory area in the open countryside.

ARCHAEOLOGY

- 30 The operator shall when requested allow access to the County Archaeologist or their nominated representative to carry out archaeological investigations and recording on the site and for the purpose of obtaining samples for palaeoecological research.

Reason: To allow for the investigation and recording of any archaeological interest in the site and for the purposes of palaeoecological research

- 31 The operator shall commission a walkover inspection of the worked area by an archaeologist once every five years during the period of peat extraction. The brief for the inspection and the nominated archaeologist shall be approved by the local planning authority prior to the walkover.

Reason: To allow for archaeological investigation and subsequent recording of any archaeological interest in the site

AFTERCARE

- 32 The site when restored, shall be subject to the requirements of an aftercare scheme under the provisions of Section 72(5) of the Town and Country Planning Act 1990. The scheme shall be submitted for the approval of the local planning authority within five years from the date of this new schedule of conditions unless otherwise agreed by the local planning authority. The aftercare requirements shall be carried out for a period of five years from the completion of restoration operations on each phase

Reason: To secure the proper aftercare of the restored land.

- 33 At least once each year during the aftercare period there shall be a formal review meeting at the mineral site, under the provisions of Section 72(5) of the Town and Country Planning Act 1990, to consider the operations which have taken place and to agree a programme of management for the following year which shall be adhered to by the operator. The parties to be invited to attend this review shall include the operator, the local planning authority, owners and occupiers of the land and English Nature or their successors. At least 2 weeks before the date of each review, the operator shall provide all the invited parties with a record of the management and operations carried out on each phase during the period covered by the review and a proposed programme of management for the coming year

Reason: To secure the detailed implementation of the approved aftercare scheme.

APPROVED DOCUMENTS

- 34 The approved documents for this new scheme of conditions shall comprise:
- (i) the application for determination of new conditions for a mineral or mining site in Cumbria received 26 September 1997
 - (ii) the updated ROMP submission statement dated 21 May 1999 with accompanying plans
 - (iii) Environmental Assessment Parts 1 and 2 dated July 1999.
 - (iv) this new schedule of conditions dated 20 June 2012.
 - (v) the details required by this new schedule of conditions as approved by the local planning authority.

NB: There are differences in the detail of the proposals set out in the approved documents. The requirements of this new schedule of conditions take precedence over the other approved documents.

Reason: To define the approved documents for the avoidance of doubt

- 35 Within 3 days of the date of this new schedule of conditions and until all the working and restoration requirements of this new schedule of conditions have been completed, a copy of the approved documents shall always be available for inspection at the growing media factory during normal working hours. Their existence and content shall be made known to all operatives responsible for the operation, restoration and aftercare of the working area

Reason: To ensure persons operating the site are conversant with the approved scheme and are aware of the requirements of the planning permission.

Dated the 21 June 2012

.....
Signed: Paul Feehily
The Assistant Director - Planning & Sustainability
on behalf of the Council.

NOTE

- Where the permission is granted subject to conditions, attention is directed to the attached Appendix/Notes.
- The conditions attached to this permission may override details shown on the application form, accompanying statements and plans.
- Submissions to discharge conditions may require a fee (see Appendix)
- Any approval to be given by the Assistant Director - Planning & Sustainability or any other officer of Cumbria County Council shall be in writing.

CUMBRIA COUNTY COUNCIL

**THE TOWN AND COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2010**

SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION

1. This application has been determined in accordance with the Town and Country Planning Acts, in the context of national and regional planning policy guidance and advice and the relevant development plan policies.
2. The key development plan policies taken into account by the County Council before granting permission were as follows:

**Cumbria Minerals and Waste Development Framework (CMWDF)
Core Strategy (CS) 2009-2020**

Policy CS4 - Environmental Assets

Minerals and waste management developments should aim to:

- protect, maintain and enhance overall quality of life and the natural, historic and other distinctive features that contribute to the environment of Cumbria and to the character of its landscapes and places.
- improve the settings of the features,
- improve the linkages between them and buffer zones around them, where this is appropriate;
- realise the opportunities for expanding and increasing environmental resources, including adapting and mitigating for climate change.

Areas and features identified to be of international or national importance.

Planning application proposals within these, or that could affect them, must demonstrate that they comply with the relevant national policies as set out in Planning Policy Statements. Wherever practicable, they should also demonstrate that they would enhance the environmental assets.

Environmental assets not protected by national or European legislation

Planning permission will not be granted for development that would have an unacceptable impact on these environmental assets, on its own or in combination with other developments, unless:-

- it is demonstrated that there is an overriding need for the development, and
- that it cannot reasonably be located on any alternative site that would result in less or no harm, and then,
- that the effects can be adequately mitigated, or if not,
- that the effects can be adequately and realistically compensated for through offsetting actions.

All proposals would also be expected to demonstrate that they include reasonable measures to secure the opportunities that they present for enhancing Cumbria's environmental assets.

Guidance on implementing parts of this policy will be provided by the Landscape Character and Highway Design Guidance Documents and by the Cumbria Biodiversity Evidence Base.

Policy CS5 - Afteruse and Restoration

Restoration and aftercare schemes for mineral working and waste management sites should demonstrate that best practicable measures have been taken to secure full advantage of their potential to help deliver sustainability objectives relating to the environment and the economy of the county.

Cumbria Minerals and Waste Development Framework (CMWDF) **Generic Development Control Policies (GDGP) 2009-2020**

Policy DC10 – Biodiversity and Geodiversity

Proposals for minerals and waste developments that would have impacts on locally important biodiversity and geological conservation assets, as defined in the Core Strategy, will be required to identify their likely impacts on, and also their potential to enhance, restore or add to these resources, and to functional ecological and green infrastructure networks. Enhancement measures should contribute to national, regional and local biodiversity and geodiversity objectives and targets, and to functional ecological and green infrastructure networks.

Proposals for developments within, or affecting the features or settings of such resources, should demonstrate that:

- a. the need for, and benefits of, the development and the reasons for locating the development in its proposed location and that alternatives have been considered.
- b. appropriate measures to mitigate any adverse effects (direct, indirect and cumulative) have been identified and secured, and advantage has been taken of opportunities to incorporate beneficial biodiversity and geological conservation features, or
- c. where adverse impacts cannot be avoided or mitigated for, that appropriate compensatory measures have been identified and secured, and
- d. that all mitigation, enhancement or compensatory measures are compatible with the characteristics of, and features within, Cumbria.

Policy DC 16 - Afteruse and Restoration

Proposals for minerals extraction, or for temporary waste facilities such as landfill, should be accompanied by detailed proposals for restoration including proposals for appropriate afteruse, financial provision and long term management where necessary. Restoration and enhancement measures should maximise their contributions to national, regional and local biodiversity objectives and targets. In all cases restoration schemes must demonstrate that the land is stable and that the risk of future collapse of any mineworkings has been minimised.

After-uses that enhance biodiversity and the environment, conserve soil resources, conserve and enhance the historic environment, increase public access, minimise the impacts of global warming, and are appropriate for the landscape character of the area will be encouraged. These could include: nature conservation, agriculture, leisure and recreation, and woodland,

Where sites accord with other policies, an alternative or mixed afteruse that would support long term management, farm diversification, renewable energy schemes, tourism, or employment land may be acceptable.

All proposals must demonstrate that:

- a. for agricultural, forestry and amenity afteruses there is an aftercare management programme of at least 5 years, but longer where required to ensure that the restoration scheme is established,
- b. the restoration is appropriate for the landscape character and wildlife interest of the area, and measures to protect, restore and enhance biodiversity and geodiversity conservation features are practical, of a high quality appropriate to the area and secure their long term safeguarding and maintenance,
- c. restoration will be completed within a reasonable timescale and is progressive as far as practicable,
- d. provision for the likely financial and material budgets for the agreed restoration, aftercare and afteruse will be made during the operational life of the site.
- e. restoration will be undertaken using industry best practice.

Peat workings should be restored to peat regeneration wherever possible.

3. In summary, the reasons for granting permission are that the County Council is of the opinion that the proposed development is in accordance with the development plan, there are no material considerations that indicate the decision should be made otherwise and with the planning conditions included in the notice of planning consent, any harm would reasonably be mitigated. Furthermore, any potential harm to interests of acknowledged importance is likely to be negligible and would be outweighed by the benefits of the development.

Dated the 21 June 2012

.....
Signed: Paul Feehily

The Assistant Director - Planning & Sustainability, Environment Directorate
on behalf of the Council.

SCHEDULE C: Applications Determined by Other Authorities

12/0054

Item No: 13

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0054

Applicant:
Mr Timothy Cheetham

Parish:
Farlam

Date of Receipt:
27/01/2012

Agent:

Ward:
Multiple Wards

Location:
Blackhill Cottage, Hallbankgate, Brampton, CA8
2NJ

Grid Reference:
358236 559602

Proposal: First Floor Extension Above Existing Cottage To Provide Two Bedrooms
(Revised Application)

Amendment:

REPORT

Case Officer: Suzanne Edgar

Decision on Appeals:

Appeal Against: Appeal against refusal of planning perm.

Type of Appeal: Householder Appeals

Report: The appeal sites relates to Blackhill Cottage, a single storey detached dwelling situated on the southern side of the A689 on the eastern periphery of Hallbankgate village. Planning Permission was sought for a first floor extension above the existing cottage to provide two bedrooms. The application was a revision to a previous approval for a first floor extension on this site granted in 2009 (reference 09/0625). Application 12/0054 was determined under The City Councils Delegated Powers Scheme on 21st March 2012, when it was refused on the following grounds:

"Blackhill Cottage is prominently located within the existing street scene within the North Pennines Area Of Outstanding Natural Beauty. In this sensitive location the proposed extension at first floor by reason of the detailing and inconsistent use of materials when compared to the overall design and appearance of the existing single storey cottage would be unduly obtrusive, inappropriately changing the balance and features of the original dwelling. The proposal does not complement the design of the original dwelling and therefore results in a first floor extension which would be detrimental to the character of the property and The North Pennines Area of Outstanding Natural Beauty. The proposal therefore constitutes development inconsistent with the requirements of Policy H11 of the adopted Carlisle District Local Plan 2001-2016 and the adopted SPD on

SCHEDULE C: Applications Determined by Other Authorities

12/0054

Achieving Well Designed Housing which seeks to ensure that extensions are appropriate to the dwelling and its design. "

The Inspector concurred with the Council's view, stating that the design of the proposed extension would not respond well to the strength of character of the existing building and would therefore have an adverse effect on the appearance of the building and its setting as well as the North Pennines Area Of Outstanding Natural Beauty. The Inspector concluded that the proposal would be contrary to Policy H11 of the Carlisle District Local Plan 2001-2016 as well as the guidance of the Council's Supplementary Planning Document 'Achieving Well Designed Housing'. Accordingly, the appeal was dismissed.

Appeal Decision: Appeal Dismissed

Date: 28/05/2012

SCHEDULE D

SCHEDULE D

SCHEDULE D: Reports on Previously Deferred Decisions

Item No: 14

Between 24/05/2012 and 29/06/2012

Appn Ref No:
10/1066

Applicant:
Citadel Estates Ltd.

Parish:
Wetheral

Date of Receipt:
02/12/2010

Agent:
Holt Planning Consultancy

Ward:
Wetheral

Location:
Skelton House, Wetheral, Carlisle, CA4 8JG

Grid Reference:
346433 554571

Proposal: Demolition Of House, Adjoining Barn And Outbuildings; Redevelopment Of Site For The Erection Of Single Block Comprising 15No. Two-Bed Apartments With Dedicated Access, Off-Street Parking And Private Amenity Spaces

Amendment:

REPORT

Case Officer: Sam Greig

Details of Deferral:

Members will recall at Committee meeting held on 15th July 2011 that authority was given to the Director (Economic Development) to issue approval subject to the completion of a s106 agreement to secure:

- a) the provision of three affordable units which will be made available by discounted sale, with the discount set at 30% below open market value;
- b) a financial contribution of £3,500 to secure an amendment to the Traffic Regulation Order to provide bus clearway markings;
- c) a financial contribution of £3000 to be spent by the Parish Council towards the provision of play facilities for older children and/or the provision of allotments; and
- d) the provision of a management company to oversee the maintenance of the building and the collection of refuse.

This has now been completed and the approval was issued on 24th May 2012.

Decision: Granted Subject to Legal Agreement

Date: 24/05/2012

SCHEDULE D: Reports on Previously Deferred Decisions

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

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

2. The approved documents for this planning consent comprise:

1. The Planning Application Form received 25th November 2010;
2. The existing site location plan and proposed block plan received 2nd December 2010 (Drawing No. 00revA);
3. The existing block plan received 2nd December 2010 (Drawing No. 02);
4. The proposed block plan received 29th June 2011 (Drawing No. 03F);
5. The proposed ground floor plan received 8th March 2011 (Drawing No. 04A);
6. The proposed first floor plan received 8th March 2011 (Drawing No. 05A);
7. The proposed second floor plan received 8th March 2011 (Drawing No. 06A);
8. The proposed north and east elevation received 8th March 2011 (Drawing No. 07A);
9. The proposed south and west elevation received 19th April 2011 (Drawing No. 08B);
10. The proposed street scene received 2nd December 2010 (Drawing No. 09);
11. The existing elevations and floor plan of the single storey barn received 19th April 2011 (Drawing No. 20);
12. The proposed floor plan and side elevations of the single storey barn received 29th June 2011 (Drawing No. 21A);
13. The proposed front and rear elevations of the single storey barn received 29th June 2011 (Drawing No. 22);
14. The tree constraints plan received 25th November 2010 (Drawing No. SH-Wetheral-09082010);
15. The Design and Access Statement received 6th December 2010;
16. The Bat Survey received 25th November 2010;
17. The Ecological Survey received 2nd December 2010;
18. The Statement of Security Measures received 19th April 2011;
19. The Notice of Decision; and
20. Any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

3. Samples or full details of all materials to be used on the exterior shall be submitted to and approved, in writing, by the Local Planning Authority before any work is commenced.

SCHEDULE D: Reports on Previously Deferred Decisions

Reason: To ensure the materials used are acceptable and to ensure compliance with Policies CP5 and LE19 of the Carlisle District local Plan 2001-2016.

4. No development shall commence until details of the proposed hard surface finishes to all public and private external areas within the proposed scheme have been submitted to and approved, in writing, by the Local Planning Authority.

Reason: To ensure the materials used are acceptable and to ensure compliance with Policies CP5 and LE19 of the Carlisle District local Plan 2001-2016.

5. No development shall take place until a detailed landscaping scheme, including identification of those trees/shrubs to be retained, has been submitted to and approved, in writing, by the Local Planning Authority. These works shall be carried out as approved prior to the occupation of any part of the development or in accordance with the programme agreed by the Local Planning Authority. The landscaping plan should identify the crown spread of the trees to be retained, including the crown spread of any trees that overhang the boundary, and those trees shall be protected by a suitable barrier in accordance with details to be submitted to and approved, in writing, by the Local Planning Authority. Any trees or other plants, which die or are removed within the first five years following the implementation of the landscaping scheme, shall be replaced during the next planting season.

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

6. No development shall commence until a method statement for any work within the root protection area of those trees to be retained, including those that overhang the boundary, have been submitted to and agreed, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved statement.

Reason: In order to ensure that adequate protection is afforded to all trees/hedges to be retained on site in support of Policy CP5 of the Carlisle District Local Plan 2001-2016.

7. No dwelling shall be occupied until its foul drainage system is connected to a public sewer.

Reason: To ensure that adequate drainage facilities are available and to ensure compliance with Policy CP12 of the Carlisle District Local Plan 2001-2016.

SCHEDULE D: Reports on Previously Deferred Decisions

8. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water drainage system has been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: To ensure that adequate means of surface water disposal and to prevent increased risk of flooding in accordance with Policy CP12 of the Carlisle District Local Plan 2001-2016.

9. Details of the heights of the existing and proposed ground levels and the height of the proposed finished ground floor level of the apartment building shall be submitted to and approved, in writing, by the Local Planning Authority before any site works commence.

Reason: To safeguard the living conditions of neighbouring residents and the setting of the Conservation Area in accordance with Policies CP5 and LE19 of the Carlisle District Local Plan 2001-2016.

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

Reason: To protect the environment and prevent harm to human health in accordance with Policy LE29 of the Carlisle District Local Plan 2001-2016.

11. No development shall commence until a detailed scheme for the external lighting of the car park, which shall include the provision of low level bollard lighting, has been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In order to prevent crime, antisocial behaviour and to safeguard the living conditions of neighbouring residential properties and the setting of the Conservation Area in accordance with Policies CP5, CP6, CP17 and LE19 of the Carlisle District Local Plan 2001-2016.

SCHEDULE D: Reports on Previously Deferred Decisions

12. No development shall take place until the applicant has demonstrated how the protected species/wildlife mitigation measures set out in Paragraph 5 and 5.1 of the "Ecological Survey" prepared by Andrew Carr (received 2nd December 2010) and Paragraph E1 of the "Survey for Bats" prepared by Sally Phillips (received 25th November 2010) have been incorporated into the development in accordance with a scheme to be submitted to and approved, in writing, by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

Reason: To mitigate the impact of the development upon wildlife in the vicinity and to ensure compliance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

13. No unit hereby approved shall be occupied until the wall that delineates the boundary between the application site and the adjacent property, Caerluel, has been raised in height in accordance with the approved plans. The increased section of wall shall be carried out in natural stone that shall match the existing stone wall in both appearance and the way in which the stone is laid.

Reason: To safeguard the living conditions of neighbouring residents and to ensure the materials used are acceptable in accordance with Policies CP5 and LE19 of the Carlisle District local Plan 2001-2016.

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

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

15. 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, and to support Local

SCHEDULE D: Reports on Previously Deferred Decisions

Transport Policy LD8.

16. No units hereby approved shall be occupied until the developer has applied (via Highway Authority) for an amendment to the Traffic Regulation Order to facilitate the provision of bus clearway markings on the public highway adjacent to the site.

Reason: In the interests of highway safety and to support the objectives of Policies CP5 and H1 of the Carlisle District Local Plan 2001-2016.

SCHEDULE E

SCHEDULE E

SCHEDULE E: Decisions Issued Under Delegated Powers

Between 24/05/2012 and 29/06/2012

Appn Ref No:
11/0854

Applicant:

Parish:
Burgh-by-Sands

Date of Receipt:
30/09/2011

Agent:
Ashwood Design
Associates

Ward:
Burgh

Location:
Land Adjacent Moorhouse Hall, Moorhouse,
Carlisle, Cumbria, CA5 6HA

Grid Reference:
333135 556723

Proposal: Discharge Of Condition 7 (Access Area) Of Previously Approved
Planning Application 10/0233

Amendment:

Decision: Grant Permission

Date: 22/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0032

Applicant:
Spencer Street Surgery

Parish:

Date of Receipt:
20/01/2012

Agent:
HTGL Architects Ltd

Ward:
Castle

Location:
Spencer Street Surgery, 10-12 Spencer Street,
Carlisle, CA1 1BG

Grid Reference:
340377 555969

Proposal: Refurbishment Of Basements To Provide Dry Heated Archive Store And
Reference Area (LBC)

Amendment:

Decision: Grant Permission

Date: 20/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0121

Applicant:
Mr David Cox

Parish:
Wetheral

Date of Receipt:

Agent:

Ward:

SCHEDULE E: Decisions Issued Under Delegated Powers

13/02/2012

Architects Plus (UK) Ltd

Wetheral

Location:

Land adjacent to The Dovecote, Lambley Bank,
Scotby, Carlisle CA4 8BU

Grid Reference:

344023 555145

Proposal: Erection Of 1No. Detached Dwelling

Amendment:

Decision: Grant Permission

Date: 07/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0180

Applicant:
Persimmon Homes
Lancashire

Parish:
Wetheral

Date of Receipt:
12/03/2012

Agent:

Ward:
Wetheral

Location:

Land adjacent Alexandra Drive, Durrannahill Road,
Carlisle, Cumbria, CA4 8BD

Grid Reference:

342900 555248

Proposal: Variation Of Condition 2 (Approved Drawings) Of Previously Approved Application Reference 10/0792 To Enable The Reconfiguration Of The South Western Boundary Of Plot 39 Which Results In Slight Variations To Position Plots 31-39; The Provision Of A Revised House Type To Plot 48; Alterations To The Elevation Treatment Of Plots 5-9 To Reflect The Change In Levels And The Omission Of Chimney Stacks From All Dwellings With The Exception Of Plots 1-3 And 41, 42, 48 And 49.

Amendment:

Decision: Granted Subject to Legal Agreement

Date: 06/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0207

Applicant:
Mr Roberts

Parish:
Rockcliffe

Date of Receipt:
03/05/2012

Agent:
Sandy Johnston Architect

Ward:
Longtown & Rockcliffe

SCHEDULE E: Decisions Issued Under Delegated Powers

Location:
Beckfoot, School Lane, Rockcliffe, Carlisle, CA6
4AF

Grid Reference:
335776 561722

Proposal: Conversion Of Attached Barn To Annex
Amendment:

Decision: Grant Permission

Date: 28/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0212

Applicant:
Mr Kenneth Brooks

Parish:
Wetheral

Date of Receipt:
05/04/2012

Agent:

Ward:
Great Corby & Geltsdale

Location:
Holly House, Great Corby, Carlisle, CA4 8NE

Grid Reference:
347433 554548

Proposal: Erection Of Canopy Roof Over Door
Amendment:

Decision: Grant Permission

Date: 24/05/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0214

Applicant:
StagedRight

Parish:

Date of Receipt:
16/03/2012

Agent:
Positive Planning Solutions
Ltd

Ward:
Denton Holme

Location:
Shaddon Mill, Shaddongate, Carlisle, CA2 5TY

Grid Reference:
339530 555625

Proposal: Removal Of 3No. Walls (Modern Additions) And Removal Of Paint From
Stonework To Lower Portion Of Internal Walls (From Below Window
Height) Of Partial Ground Floor Area Formally Used By Cumbria College
Of Arts (LBC)

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 01/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0236

Applicant:
Prudential Assurance
Society Ltd

Parish:
Carlisle

Date of Receipt:
26/03/2012

Agent:
Blue Sky Planning

Ward:
Belah

Location:
Kingstown Retail Park, Parkhouse Road, Carlisle,
CA3 0JR

Grid Reference:
339388 559596

Proposal: Installation Of 7No. Internally Illuminated Totem Signs; 6No. Non
Illuminated Flagpole Signs And 2No. Non Illuminated Service Entry
Signs (Replacement And New Signage)

Amendment:

Decision: Grant Permission

Date: 15/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0241

Applicant:
Mr Ross Calvert

Parish:

Date of Receipt:
27/03/2012

Agent:

Ward:
Castle

Location:
6 Strand Road, Carlisle, CA1 1NB

Grid Reference:
340609 556165

Proposal: Demolition Of Existing Rear Garage And Erection Of Smaller Garage
With Flat Roof To Provide Sun Terrace

Amendment:

Decision: Grant Permission

Date: 14/06/2012

SCHEDULE E: Decisions Issued Under Delegated Powers

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0252

Applicant:
Mr Michael Howlieson

Parish:

Date of Receipt:
02/04/2012

Agent:

Ward:
Morton

Location:
13 Lyndhurst Gardens, Morton, Carlisle, CA2 6NL

Grid Reference:
337935 554218

Proposal: Erection Of Single Storey Rear Extension To Provide Kitchen/Dining Room

Amendment:

Decision: Grant Permission

Date: 28/05/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0256

Applicant:
Mr Brittain

Parish:
Carlisle

Date of Receipt:
10/04/2012

Agent:

Ward:
Stanwix Urban

Location:
58 Croft Road, Carlisle, CA3 9AG

Grid Reference:
340990 557533

Proposal: Erection Of Single Storey Rear Extension To Provide Extended Kitchen, Family Room And Utility

Amendment:

Decision: Grant Permission

Date: 24/05/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0257

Applicant:
Asda Stores Ltd

Parish:
Kingmoor

Date of Receipt:
30/03/2012

Agent:
Mace Group

Ward:
Stanwix Rural

Location:

Grid Reference:

SCHEDULE E: Decisions Issued Under Delegated Powers

Asda, Chandler Way, Parkhouse, Carlisle, CA3 0JQ 338946 559695

Proposal: Display Of 3no. Banner Sign Frames

Amendment:

Decision: Grant Permission

Date: 29/05/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0260

Applicant:
Mrs Alison Burnes

Parish:
Wetheral

Date of Receipt:
29/03/2012

Agent:

Ward:
Wetheral

Location:
The Banks, Cumwhinton, Carlisle, Cumbria, CA4
8DT

Grid Reference:
344875 552580

Proposal: Single Storey Rear Extension To Provide Pantry

Amendment:

Decision: Grant Permission

Date: 24/05/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0262

Applicant:
Lowther Browns Securities

Parish:

Date of Receipt:
13/04/2012

Agent:

Ward:
Castle

Location:
2 Chiswick Street, Carlisle, Cumbria, CA1 1HQ

Grid Reference:
340462 555884

Proposal: Change Of Use From Residential To Complementary Therapy Rooms

Amendment:

Decision: Grant Permission

Date: 01/06/2012

SCHEDULE E: Decisions Issued Under Delegated Powers

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0264

Applicant:
Mr T Dixon

Parish:
Wetheral

Date of Receipt:
30/03/2012

Agent:
TSF Developments Ltd

Ward:
Wetheral

Location:
Moor Yeat, Plains Road, Wetheral, Carlisle, CA4
8LE

Grid Reference:
346151 555351

Proposal: Demolition Of Existing Garage And Erection Of 1.5 Storey Detached
Garage With Office Above

Amendment:

1. Omission Of Vehicular Access And Amended Red Line Site Area

Decision: Grant Permission

Date: 25/05/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0267

Applicant:
Stanwix Rural Parish
Council

Parish:
Stanwix Rural

Date of Receipt:
18/04/2012

Agent:
Stanwix Rural Parish
Council

Ward:
Stanwix Rural

Location:
Crosby on Eden Village Green, Carlisle, CA6 4QN

Grid Reference:
344518 559538

Proposal: Installation Of Play Equipment On Village Green

Amendment:

Decision: Grant Permission

Date: 25/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0268

Applicant:
Mr James Dalglish

Parish:
Wetheral

SCHEDULE E: Decisions Issued Under Delegated Powers

Date of Receipt:
02/04/2012

Agent:
TSF Developments Ltd

Ward:
Wetheral

Location:
The Lodge House, Aglionby Grange, Aglionby,
Carlisle, Cumbria, CA4 8AD

Grid Reference:
343867 556423

Proposal: Demolition Of Existing Lodge House And Erection Of New Lodge House
(Revised Application)

Amendment:

Decision: Grant Permission

Date: 24/05/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0269

Applicant:
Mr & Mrs Bousfield

Parish:
Kirklington Middle

Date of Receipt:
15/05/2012

Agent:
Red Raven Design Ltd

Ward:
Lyne

Location:
Fergus Hill, Kirklington, Carlisle, CA6 6DA

Grid Reference:
342542 566192

Proposal: Conversion And Renovation Of Outbuildings To Form Additional
Annexed Accommodation Together With Minor Amendments To
Application 11/1086

Amendment:

Decision: Grant Permission

Date: 25/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0270

Applicant:
Mr & Mrs Bousfield

Parish:
Kirklington Middle

Date of Receipt:
15/05/2012

Agent:
Red Raven Design Ltd

Ward:
Lyne

Location:
Fergus Hill, Kirklington, Carlisle, CA6 6DA

Grid Reference:
342542 566192

Proposal: Conversion And Renovation Of Outbuildings To Form Additional

SCHEDULE E: Decisions Issued Under Delegated Powers

Annexed Accommodation Together With Minor Amendments To
Application 11/1087 (LBC)

Amendment:

Decision: Grant Permission

Date: 25/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0271

Applicant:
Mr John Van Lierop

Parish:

Date of Receipt:
02/04/2012

Agent:
Mr David Lamond

Ward:
Castle

Location:
Loaf & Ladle, 16 Friars Court, Carlisle, CA3 8LF

Grid Reference:
340219 555777

Proposal: Installation Of External Circular Metal Kitchen Extract Duct And Gas
Heater Flue (LBC)

Amendment:

Decision: Grant Permission

Date: 28/05/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0274

Applicant:
The Incumbent Of The
Benefice Of Castle Carrock

Parish:
Castle Carrock

Date of Receipt:
26/04/2012

Agent:
Mr Roderick Ogilvy

Ward:
Great Corby & Geltsdale

Location:
St Peter's Church, Castle Carrock, Cumbria

Grid Reference:
354358 555410

Proposal: Extension To Vestry To Provide Disabled WC And Tea Room

Amendment:

Decision: Grant Permission

Date: 19/06/2012

SCHEDULE E: Decisions Issued Under Delegated Powers

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0275

Applicant:
Mr Workman

Parish:

Date of Receipt:
13/04/2012

Agent:
Sign Options Ltd

Ward:
Denton Holme

Location:
Madford Retail Park, Charlotte Street, Carlisle, CA2
5BT

Grid Reference:
339859 555527

Proposal: Display Of 1no. Non-Illuminated Double Sided Totem Sign

Amendment:

Decision: Grant Permission

Date: 01/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0276

Applicant:
Mr Michael Hobbs

Parish:
Carlisle

Date of Receipt:
04/04/2012

Agent:
Mr Stuart Leslie

Ward:
Denton Holme

Location:
28 Bedford Road, Carlisle, Cumbria, CA2 5QE

Grid Reference:
339082 555359

Proposal: Erection Of Single Storey Rear Extension To Provide Kitchen/Dining
Room (Revised Application)

Amendment:

Decision: Grant Permission

Date: 24/05/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0278

Applicant:
Mr & Mrs L Greenhow

Parish:
Stanwix Rural

Date of Receipt:
10/04/2012

Agent:
HTGL Architects Ltd

Ward:
Stanwix Rural

Location:

Grid Reference:

SCHEDULE E: Decisions Issued Under Delegated Powers

Eden Nursery, Linstock Cottage, Linstock, Carlisle,
CA6 4PY

342783 558341

Proposal: Erection Of 1no. Dwelling

Amendment:

Decision: Grant Permission

Date: 12/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0279

Applicant:
Mr Ian Linton

Parish:
Arthuret

Date of Receipt:
11/05/2012

Agent:

Ward:
Longtown & Rockcliffe

Location:
103 Moor Road, Longtown, Carlisle, CA6 5XB

Grid Reference:
338723 569027

Proposal: Erection Of Two Storey Rear Extension To Provide Kitchen/Dining Room
On Ground Floor With Bedroom Above Together With Single Storey
Rear Extension To Provide Utility And WC (Revised Application)

Amendment:

Decision: Grant Permission

Date: 13/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0282

Applicant:
Sainsbury's Supermarket
Ltd

Parish:

Date of Receipt:
11/04/2012

Agent:
Turley Associates

Ward:
Castle

Location:
Sainsbury's Supermarket, Junction of Bridge Street
and Bridge Lane, CA2 5TA

Grid Reference:
339343 556110

Proposal: Display Of Internally Illuminated And Non-Illuminated Signage For
Sainsbury's Foodstore, Petrol Filling Station And Associated
Directional/Informative Signage For Areas Of Car Parking

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 06/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0283

Applicant:
Townfoot Garage

Parish:
Arthuret

Date of Receipt:
10/04/2012 16:00:22

Agent:
Black Box Architects
Limited

Ward:
Longtown & Rockcliffe

Location:
Telephone Exchange, Esk Bank, Longtown, CA6
5PT

Grid Reference:
337772 568573

Proposal: Change Of Use Of From Telephone Exchange To 1No. Dwelling;
Addition Of Dormer Window In Roof And Internal Alterations (Revised
Application)

Amendment:

Decision: Grant Permission

Date: 01/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0285

Applicant:
Messrs R Story & Son

Parish:
Arthuret

Date of Receipt:
13/04/2012

Agent:
C & D Property Services

Ward:
Longtown & Rockcliffe

Location:
South Slealands Farm, Longtown, Carlisle,
Cumbria, CA6 5RQ

Grid Reference:
342232 570084

Proposal: Erection Of 1No. Agricultural Worker's Dwelling (Outline Application)

Amendment:

Decision: Grant Permission

Date: 11/06/2012

SCHEDULE E: Decisions Issued Under Delegated Powers

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0287

Applicant:
Mrs Martindale

Parish:
Dalston

Date of Receipt:
10/04/2012

Agent:
Hogg & Robinson (Design
Services) Limited

Ward:
Dalston

Location:
22 Station Road, Dalston, Carlisle, CA5 7LR

Grid Reference:
336764 550354

Proposal: Erection Of Conservatory To Rear Elevation
Amendment:

Decision: Grant Permission

Date: 24/05/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0289

Applicant:
Mr S Plevin

Parish:
Wetheral

Date of Receipt:
10/04/2012

Agent:
Black Box Architects
Limited

Ward:
Wetheral

Location:
Mayfield Cottage, The Green, Wetheral, Carlisle,
CA4 8ET

Grid Reference:
346592 554512

Proposal: Demolition Of Single Storey Lean-To And Garage And Erection Of Two
Storey Side And Rear Extension To Provide Extended Kitchen/Dining
Room, Hall And Utility On Ground Floor With 2no. Bedrooms And
Bathroom Above. Erection Of Detached Garage

Amendment:

Decision: Grant Permission

Date: 30/05/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0290

Applicant:
Mr M Wilson

Parish:
St Cuthberts Without

SCHEDULE E: Decisions Issued Under Delegated Powers

Date of Receipt:
18/04/2012

Agent:
Taylor & Hardy

Ward:
Dalston

Location:
Woodside Farm, Wreay, Carlisle, CA4 0RJ

Grid Reference:
343315 550022

Proposal: Erection Of An Agricultural Building (Retrospective)

Amendment:

Decision: Grant Permission

Date: 07/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0291

Applicant:
Mr & Mrs Stonehouse

Parish:
Stanwix Rural

Date of Receipt:
10/04/2012 13:00:21

Agent:
Tsada Building Design
Services

Ward:
Stanwix Rural

Location:
6 Vestaneum, Crosby on Eden, Carlisle, CA6 4PN

Grid Reference:
344634 559550

Proposal: Single Storey Rear Extension To Provide Extended kitchen and Sunroom, Single Storey Side Extension To Provide En-Suite Dressing room Together With Single Storey Front Extension To Provide Extended Bedrooms (Revised Application).

Amendment:

Decision: Grant Permission

Date: 15/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0292

Applicant:
Mr Aaran Taylor

Parish:
Carlisle

Date of Receipt:
10/04/2012

Agent:

Ward:
St Aidans

Location:
19 Petteril Street, Carlisle, CA1 2AJ

Grid Reference:
340945 555696

Proposal: Erection Of Two Storey Rear Extension To Provide Extended Kitchen On

SCHEDULE E: Decisions Issued Under Delegated Powers

Ground Floor

With Extended Bathroom Above

Amendment:

Decision: Grant Permission

Date: 31/05/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0293

Applicant:
Messers JG Gardhouse

Parish:
Dalston

Date of Receipt:
10/04/2012 16:00:22

Agent:
Hopes Auction Company
Limited

Ward:
Dalston

Location:
Nook House, Cumdivock, Dalston, Carlisle, CA5
7JL

Grid Reference:
334644 548354

Proposal: Proposed Building To House Silage Pit

Amendment:

Decision: Grant Permission

Date: 28/05/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0294

Applicant:
Mr Brian Barling

Parish:
Kirklington Middle

Date of Receipt:
17/04/2012

Agent:

Ward:
Lyne

Location:
Alstonby Hall, Westlinton, Carlisle, Cumbria, CA6
6AF

Grid Reference:
340970 565262

Proposal: Installation Of Biomass Heating Installation And Flue Within Existing
Chimney Stack; Installation Of Replacement Cast Iron Radiators (LBC)

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 12/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0295

Applicant:
Mr Alasdair Bell

Parish:
Stanwix Rural

Date of Receipt:
19/04/2012

Agent:

Ward:
Stanwix Rural

Location:
Greensyke, 163 Houghton Road, Houghton,
Carlisle, Cumbria, CA3 0LD

Grid Reference:
340899 559120

Proposal: Erection Of Single Storey Side And Rear Extension To Provide Garage,
Hall And Kitchen; Erection Of Oak Framed Porch

Amendment:

Decision: Grant Permission

Date: 14/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0296

Applicant:
Chris Nichol Construction

Parish:

Date of Receipt:
11/04/2012 13:00:44

Agent:
Richard Dryell Architect

Ward:
Upperby

Location:
Garth House, St. Ninian's Road, Upperby, Carlisle

Grid Reference:
341123 553546

Proposal: Erection Of One Pair Of Semi-Detached Houses And One Detached
House In The Grounds Of Garth House. Part Demolition And Extension
To Garth House To Create Two Dwellings From One. Demolition Of
Outbuildings (Revised Outline Application)

Amendment:

Decision: Grant Permission

Date: 24/05/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:

Applicant:

Parish:

SCHEDULE E: Decisions Issued Under Delegated Powers

12/0297 Mr Austen Davies Stanwix Rural

Date of Receipt: **Agent:** **Ward:**
17/04/2012 Stanwix Rural

Location: **Grid Reference:**
The Old Vicarage, Crosby On Eden, Carlisle,
Cumbria, CA6 4QZ 345509 559692

Proposal: Creation Of En-Suite Bathroom Involving Creation Of New Partition Walls; Erection Of Conservatory; Enlargement Of Existing Window Opening And Replacement Of Existing Window With Patio Doors And The Creation Of Stepped Access To Serve Doorway; Installation Of Replacement Timber Sliding Sash Windows; Installation Of Concrete Lintels; And Installation Of A Stainless Flue (Retrospective/LBC)

Amendment:

Decision: Grant Permission **Date:** 12/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No: **Applicant:** **Parish:**
12/0299 Mr Storrow

Date of Receipt: **Agent:** **Ward:**
12/04/2012 13:00:22 RodneyJeremiah Lyne

Location: **Grid Reference:**
30 Sleetbeck Road, Roadhead, Carlisle, CA6 6PA 350141 576557

Proposal: Erection Of Single Storey Side Extension To Form Sunroom; Erection Of New Detached Garage

Amendment:

Decision: Grant Permission **Date:** 06/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No: **Applicant:** **Parish:**
12/0300 Mr House Scaleby

Date of Receipt: **Agent:** **Ward:**
13/04/2012 John Lyon Associates Ltd Stanwix Rural

SCHEDULE E: Decisions Issued Under Delegated Powers

Location:
Pine Cottage, Scaleby, Carlisle, CA6 4NB

Grid Reference:
342922 564026

Proposal: Erection Of Two Storey And Single Storey Side And Rear Extensions To Provide Extended Living Area On Ground Floor With 2no. Bedrooms Above Together With Erection Of Detached Garage

Amendment:

Decision: Grant Permission

Date: 30/05/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0302

Applicant:
Carlisle City Council

Parish:

Date of Receipt:
20/04/2012

Agent:
Day Cummins Limited

Ward:
Currock

Location:
Land at Water Street, Carlisle, CA2 5AW

Grid Reference:
340239 555276

Proposal: Discharge Of Conditions 3 (Materials); 4 (Details Of Screen Fencing/Walling); 5 (Hard Surface Details); 6 (Landscape Scheme); 8 (Sustainable Urban Drainage System); 12 (Contamination) And 13 (Verification Report) Of Previously Approved Application Ref: 11/0922

Amendment:

Decision: Grant Permission

Date: 15/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0303

Applicant:
Asdas Stores Ltd

Parish:
Kingmoor

Date of Receipt:
30/04/2012

Agent:
Datonegs Limited

Ward:
Stanwix Rural

Location:
Asda, Chandler Way, Parkhouse, Carlisle, CA3 0JQ

Grid Reference:
338946 559695

Proposal: Display Of 4no. Externally Illuminated Fascia Signs And 2no. Non-Illuminated Directional Signs

SCHEDULE E: Decisions Issued Under Delegated Powers

Amendment:

Decision: Grant Permission

Date: 25/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0304

Applicant:
Carrs Billington
Agricultural (Sales) Ltd

Parish:

Date of Receipt:
16/04/2012

Agent:
Swarbrick Associates

Ward:
Botcherby

Location:
Carrs Billington Agriculture Ltd, Montgomery Way,
Rosehill Industrial Estate, Carlisle, CA1 2UY

Grid Reference:
342982 555666

Proposal: Alterations And Extensions To Provide Additional Retail, Warehouse,
Machinery Workshop, Storage And Offices

Amendment:

Decision: Grant Permission

Date: 11/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0307

Applicant:
Asdas Stores Ltd

Parish:
Kingmoor

Date of Receipt:
13/04/2012

Agent:
Datonegs Limited

Ward:
Stanwix Rural

Location:
Asda, Chandler Way, Parkhouse, Carlisle, CA3 0JQ

Grid Reference:
338946 559695

Proposal: Erection Of New Click And Collect Home Shopping Facility Within
Existing Car Park

Amendment:

Decision: Grant Permission

Date: 30/05/2012

SCHEDULE E: Decisions Issued Under Delegated Powers

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0309

Applicant:
Mr Lloyd

Parish:
Stanwix Rural

Date of Receipt:
13/04/2012 13:00:30

Agent:
Co-ordinate (Cumbria)
Limited

Ward:
Stanwix Rural

Location:
Houghton House, Houghton, Carlisle, CA6 4DX

Grid Reference:
340835 560819

Proposal: Erection Of Tractor, Wood Chipping And Storage Shed

Amendment:

Decision: Grant Permission

Date: 25/05/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0311

Applicant:
Carlisle City Council

Parish:

Date of Receipt:
20/04/2012

Agent:
Day Cummins Limited

Ward:
Currock

Location:
Land at Water Street, Carlisle, CA2 5AW

Grid Reference:
340239 555276

Proposal: Variation Of Condition 2 (Approved Plans And Documents) Of Previously
Approved Permission 11/0922

Amendment:

Decision: Grant Permission

Date: 30/05/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0312

Applicant:
Stone Eden Nursery
School

Parish:
Wetheral

Date of Receipt:
16/04/2012

Agent:
Hogg & Robinson Design
Services Limited

Ward:
Wetheral

SCHEDULE E: Decisions Issued Under Delegated Powers

Location:
Stone Eden Nursery, Wheelbarrow Hall, Holme
Lane, Aglionby, Carlisle, CA4 8AD

Grid Reference:
343829 556239

Proposal: Extension To Existing Nursery To Provide Additional Nursery Space,
Staff Facilities, Storage And Offices

Amendment:

Decision: Grant Permission

Date: 06/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0313

Applicant:
Mr & Mrs A G Little

Parish:
Hayton

Date of Receipt:
25/04/2012

Agent:

Ward:
Hayton

Location:
20 Eden Grange, Little Corby, Carlisle, CA4 8QW

Grid Reference:
347571 556990

Proposal: Demolition Of Existing Garage; Erection Of Two Storey Side And Rear
Extension To Provide Garage, Kitchen And WC To Ground Floor, With
1No. En-Suite Bedroom And Extension Of Existing Bathroom

Amendment:

Decision: Grant Permission

Date: 20/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0315

Applicant:
D M & C R Shepherd

Parish:
Brampton

Date of Receipt:
20/04/2012

Agent:

Ward:
Brampton

Location:
Plot 1 Fairhaven (The Banks), Longtown Road,
Brampton, CA8 1AN

Grid Reference:
352647 561252

Proposal: Erection Of Bungalow (Revised Proposal)

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 06/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0318

Applicant:
Mrs Shirley Reay

Parish:
Carlisle

Date of Receipt:
10/05/2012

Agent:

Ward:
Castle

Location:
52 Coledale Meadows, Carlisle, Cumbria, CA2 7NZ

Grid Reference:
338379 556155

Proposal: Erection Of Conservatory To Rear Elevation
Amendment:

Decision: Grant Permission

Date: 29/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0319

Applicant:
Mr Irving

Parish:
Dalston

Date of Receipt:
20/04/2012

Agent:
Gray Associates Limited

Ward:
Dalston

Location:
The Smithy, Chalkfoot, Dalston, Carlisle, CA5 7JH

Grid Reference:
333884 548613

Proposal: Change Of Use Of Land From Agricultural To Domestic Curtilage
Together With The Formation Of A Vehicular Access. Erection Of Two
Storey Extension To Provide Office, Hall, Kitchen/Sun Room On Ground
Floor With 2no. En-Suite Bedrooms Above (Revised Application)

Amendment:

Decision: Grant Permission

Date: 15/06/2012

Between 24/05/2012 and 29/06/2012

SCHEDULE E: Decisions Issued Under Delegated Powers

Appn Ref No:
12/0321

Applicant:
Mr & MrsJ Kirkwood

Parish:
Wetheral

Date of Receipt:
20/04/2012

Agent:
Mr David Lamond

Ward:
Wetheral

Location:
38 Greenacres, Wetheral, Carlisle, CA4 8LD

Grid Reference:
346027 555096

Proposal: Replacement Of Conservatory With Garden Room To Rear Elevation
Amendment:

Decision: Grant Permission

Date: 07/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0323

Applicant:
Mr D Lee Stephens

Parish:
Dalston

Date of Receipt:
19/04/2012

Agent:
Lakes Architects Ltd

Ward:
Dalston

Location:
Alpine Cottage, Raughton Head, Carlisle, CA5 7DD

Grid Reference:
337990 545467

Proposal: Erection Of New Double Garage And Garden Appliance Store; Existing
Garage To Be Used As Small Gym

Amendment:

Decision: Grant Permission

Date: 12/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0324

Applicant:
Mr Mike Smith

Parish:

Date of Receipt:
03/05/2012

Agent:
Hogg & Robinson Design
Services Limited

Ward:
Castle

Location:
5 Cecil Street, Carlisle, CA1 1NL

Grid Reference:
340427 555728

SCHEDULE E: Decisions Issued Under Delegated Powers

Proposal: Change Of Use From Office To Cafe Bar On Ground Floor With 1No. Flat Above

Amendment:

Decision: Grant Permission

Date: 26/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0325

Applicant:
McKnight & Son Builders

Parish:

Date of Receipt:
19/04/2012 16:00:29

Agent:
Gray Associates Limited

Ward:
Yewdale

Location:
84 Castlesteads Drive, Carlisle, CA2 7XD

Grid Reference:
337187 555587

Proposal: Erection Of Two Semi-Detached Dwellings

Amendment:

Decision: Grant Permission

Date: 21/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0326

Applicant:
Mr & Mrs Young

Parish:
Brampton

Date of Receipt:
19/04/2012 23:00:19

Agent:
Black Box Architects
Limited

Ward:
Brampton

Location:
20 Millfield, Brampton, CA8 1TT

Grid Reference:
353426 561032

Proposal: Erection Of Two Storey Side Extension To Provide Living Room, Utility And Shower Room On Ground Floor With 2no. Bedrooms And Bathroom Above Together With Single Storey Rear Extension To Provide Conservatory And Utility (Revised Application) (Part Retrospective)

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 19/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0327

Applicant:
Mr Nicholson

Parish:
Midgeholme

Date of Receipt:
19/04/2012 23:01:01

Agent:
JABA Architect Ltd

Ward:
Irthing

Location:
Tarn House, Hallbankgate, Brampton, CA8 2PW

Grid Reference:
360571 558478

Proposal: Alterations To Previously Approved Appn 11/0192 To Include The Following: Installation Of Roof Light To Garden Room; Reconfigured Curved Drystone Wall & Sitting-Out Area To South; Removal Of 2no. Electric Poles & Overhead Cables; Repoint West Gable Over Lead Trays Instead Of Slating; Raise Floor & Ground Levels By 200mm; Provide 2no. Radon Sumps & Vent Pipes To Extension; Separate House & Cottage; Renew Floor Joists To Bedrooms; Remove Ceiling Joists To Bedrooms 1 & 3; Rebuild Over Window On West Gable; Reconfigure Staircase, Alter Utility And En-Suite 1, Enlarge WC To Create Bathroom Off The Office And Rebuild 1m Of Structurally Unsound Cross Wall Between Kitchen & Office (LBC)

Amendment:

Decision: Grant Permission

Date: 12/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0328

Applicant:
McKnight & Son Builders

Parish:
Carlisle

Date of Receipt:
27/04/2012

Agent:
Architects Plus (UK) Ltd

Ward:
Castle

Location:
The Globe Inn, Bridge Street, Carlisle, CA2 5SR

Grid Reference:
339479 556023

Proposal: Erection Of WC's To Serve Existing Ground Floor Commercial Unit Together With Change Of Use Of The Upper Floors To 8no. Student Bedsits

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 08/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0329

Applicant:
Cliff & Carolyn Harker

Parish:
Carlisle

Date of Receipt:
20/04/2012

Agent:
Architects Plus (UK) Ltd

Ward:
Castle

Location:
2 Alfred Street North, Carlisle, CA1 1PX

Grid Reference:
340537 555802

Proposal: Change Of Use Of Former Offices To 5no. Residential Flats
Amendment:

Decision: Grant Permission

Date: 29/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0332

Applicant:
Mr Taylor

Parish:
Cummersdale

Date of Receipt:
23/04/2012 08:00:34

Agent:
Brian Child

Ward:
Dalston

Location:
31 Gilbert Road, Cummersdale, Carlisle, CA2 6BJ

Grid Reference:
338857 553057

Proposal: Erection Of Two Storey Side And Rear Extension And Single Storey
Front And Side Extension To Provide Additional Domestic
Accommodation

Amendment:

Decision: Grant Permission

Date: 18/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0334

Applicant:
Two Castles Housing
Association

Parish:
Wetheral

SCHEDULE E: Decisions Issued Under Delegated Powers

Date of Receipt:
30/04/2012

Agent:
HMH Architects

Ward:
Wetheral

Location:
Land adj to The Sheiling and Meadow View, School
Road, Cumwhinton, CA4 8DU

Grid Reference:
345275 552677

Proposal: Discharge Of Conditions 3 (Material Samples/Details); 3 (Hard Surface Finishes); 4 (Surface Water Drainage); 5 (Soft Landscape Works); 6 (Protective Fence For Hedges); 7 (Root Protection Area Method Statement); 12 (Programme Of Archaeological Excavation); 14 (Carriageways And Footways Of Southern Part Of Access Site); 15 (Internal Footpaths Of Private Mews Court/Parking Areas) And 17 (Land For Construction Operations) Of Previously Approved Permission 11/0818

Amendment:

Decision: Grant Permission

Date: 26/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0335

Applicant:
Thompson Accident
Repair Centre

Parish:
Carlisle

Date of Receipt:
23/04/2012 23:00:27

Agent:
sett-2

Ward:
Harraby

Location:
Wm Coulthard & Co, Site 20, Stephenson Road,
Carlisle, CA1 3NS

Grid Reference:
342104 554679

Proposal: Partial Demolition Of Existing Building To Form Waste Store And Erection Of Pitched Roof Over Workshop Area; Provision Of Cladding

Amendment:

Decision: Grant Permission

Date: 29/05/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0336

Applicant:
Mr Andrew Dugdale

Parish:

SCHEDULE E: Decisions Issued Under Delegated Powers

Date of Receipt:

24/04/2012

Agent:

Mr G Tyler

Ward:

Belle Vue

Location:

2 Eilbeck Close, Carlisle, Cumbria, CA2 7DB

Grid Reference:

338002 555568

Proposal: Erection Of Two Storey Side Extension To Provide Lounge On Ground Floor With En-Suite Bedroom Above

Amendment:

Decision: Grant Permission

Date: 15/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:

12/0337

Applicant:

Mr L Welch

Parish:

Carlisle

Date of Receipt:

24/04/2012

Agent:

Tyler Design Services

Ward:

Harraby

Location:

18 Forest Hill, Carlisle, CA1 3HF

Grid Reference:

342477 553516

Proposal: Erection Of Single Storey Side Extension To Provide Replacement Garage, Utility/WC & Sun Room Together With Porch To Front Elevation And Amendments To Roof Over Existing Dining Room/Kitchen

Amendment:

Decision: Grant Permission

Date: 11/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:

12/0338

Applicant:

Mrs Vera Beattie

Parish:

Arthuret

Date of Receipt:

24/04/2012

Agent:

Tyler Design Services

Ward:

Longtown & Rockcliffe

Location:

6 Liddel Road, Longtown, Carlisle, CA6 5UP

Grid Reference:

338584 569065

Proposal: Erection Of Two Storey Side Extension To Provide Kitchen, Lounge &

SCHEDULE E: Decisions Issued Under Delegated Powers

Utility On Ground Floor With 1no. En-Suite Bedroom And Bathroom Above Together With Single Storey Rear Extension To Provide Sun Room

Amendment:

Decision: Grant Permission

Date: 07/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0339

Applicant:
Mr D Grey

Parish:
Orton

Date of Receipt:
01/05/2012

Agent:

Ward:
Burgh

Location:
Cross House, Great Orton, Carlisle, CA5 6NA

Grid Reference:
332836 554270

Proposal: Repairs To Clay Wall And External Staircase; Internal Repairs And Upgrades; Installation And Reconfiguration Of Replacement And Additional Doors And Windows (Part Retrospective) (LBC)

Amendment:

Decision: Grant Permission

Date: 26/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0340

Applicant:
Mr & Mrs Powell

Parish:
Carlisle

Date of Receipt:
25/04/2012 16:00:34

Agent:
Miss R Dixon

Ward:
Castle

Location:
49 Coledale Meadows, Carlisle, CA2 7NZ

Grid Reference:
338297 556257

Proposal: Erection Of Rear Conservatory

Amendment:

Decision: Grant Permission

Date: 07/06/2012

SCHEDULE E: Decisions Issued Under Delegated Powers

Between 24/05/2012 and 29/06/2012

Appn Ref No: 12/0342 **Applicant:** Laversdale Timber Co. Ltd **Parish:** Irthington

Date of Receipt: 25/04/2012 **Agent:** M A Fabrications Ltd **Ward:** Stanwix Rural

Location: Laversdale Timber Co.Ltd, Airport Industrial Estate, Crosby On Eden, Carlisle, Cumbria, CA6 4NW **Grid Reference:** 347522 560967

Proposal: Extension To Industrial Unit To Provide Additional Storage Space
Amendment:

Decision: Grant Permission

Date: 07/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No: 12/0343 **Applicant:** Simpsons The Builders **Parish:** St Cuthberts Without

Date of Receipt: 30/04/2012 **Agent:** Architects Plus (UK) Ltd **Ward:** Dalston

Location: Orchard House, Lowry Street, Blackwell, Carlisle, CA2 4SH **Grid Reference:** 340069 553060

Proposal: Erection Of 1No. 5 Bedroom Dwelling With Separate Aviary; 1No. 3 Bedroom Dwelling; 1No. 2 Bedroom Dwelling; Single Storey Extensions To Existing Dwelling To Provide Rear Sunroom And Front Porch; Construction Of Shared Access Road, Parking Areas And Associated Landscape Works

Amendment:

Decision: Grant Permission

Date: 25/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No: 12/0346 **Applicant:** Mr Reay **Parish:** Beaumont

SCHEDULE E: Decisions Issued Under Delegated Powers

Date of Receipt:
27/04/2012

Agent:
H & H Land & Property

Ward:
Burgh

Location:
Park Farm, Grinsdale, Carlisle, CA5 6DS

Grid Reference:
336867 558052

Proposal: Erection Of General Purpose Agricultural Shed

Amendment:

Decision: Grant Permission

Date: 22/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0347

Applicant:
Lime House School

Parish:
Dalston

Date of Receipt:
26/04/2012

Agent:
Jock Gordon

Ward:
Dalston

Location:
Lime House School, Dalston, Carlisle, CA5 7BX

Grid Reference:
337716 547329

Proposal: Renewal Of Temporary Permission For Classroom Block

Amendment:

Decision: Grant Permission

Date: 07/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0348

Applicant:
Mr Sharpe

Parish:
Arthuret

Date of Receipt:
14/05/2012

Agent:
Tsada Building Design
Services

Ward:
Longtown & Rockcliffe

Location:
Land to rear of 18 Mary Street and north of, Mary
Court, Longtown

Grid Reference:
338261 568741

Proposal: Variation Of Condition 2 (Use Of Tiles In Lieu Of Slate) Of Previously
Approved Appn 11/0572

SCHEDULE E: Decisions Issued Under Delegated Powers

Amendment:

Decision: Grant Permission

Date: 14/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0350

Applicant:
Mr Peter Dawson

Parish:
Cumwhitton

Date of Receipt:
27/04/2012

Agent:
Mr Stuart Leslie

Ward:
Great Corby & Geltsdale

Location:
Hallfield, Heads Nook, Brampton, Cumbria, CA8
9BZ

Grid Reference:
351977 551833

Proposal: Erection Of Single Storey Side Extension To Provide Utilty And
WC/Shower Room

Amendment:

Decision: Grant Permission

Date: 22/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0352

Applicant:
T/A Paws & Claws

Parish:
Carlisle

Date of Receipt:
11/05/2012

Agent:

Ward:
Castle

Location:
8B English Gate Plaza, Carlisle, CA1 1RP

Grid Reference:
340440 555572

Proposal: Change Of Use To Pet Supply Store

Amendment:

Decision: Grant Permission

Date: 12/06/2012

Between 24/05/2012 and 29/06/2012

SCHEDULE E: Decisions Issued Under Delegated Powers

Appn Ref No:
12/0353

Applicant:
PFD (Carlisle) Ltd

Parish:
Carlisle

Date of Receipt:
27/04/2012

Agent:
Architects Plus (UK) Ltd

Ward:
Botcherby

Location:
Pioneer House, Rosehill Industrial Estate, Carlisle,
CA1 2RR

Grid Reference:
342814 555892

Proposal: Formation Of Covered Pedestrian Link From Access Door To Loading
Bay Together With Formation Of Steel Clad Enclosure With Louvred
Doors To House Re-Located Air Handling Condensers

Amendment:

Decision: Grant Permission

Date: 11/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0354

Applicant:
Karen Fallows

Parish:
Carlisle

Date of Receipt:
30/04/2012

Agent:
Green Design Group

Ward:
Stanwix Urban

Location:
10 Etterby Street, Carlisle, CA3 9JB

Grid Reference:
339954 557133

Proposal: Erection Of Single Storey Rear Extension To Provide Kitchen/Dining
Room And Utility

Amendment:

Decision: Grant Permission

Date: 11/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0355

Applicant:
Ms Karen Fallows

Parish:
Carlisle

Date of Receipt:
27/04/2012 16:00:31

Agent:
Green Design Group

Ward:
Stanwix Urban

Location:

Grid Reference:

SCHEDULE E: Decisions Issued Under Delegated Powers

10 Etterby Street, Carlisle, CA3 9JB

339954 557133

Proposal: Erection Of Single Storey Rear Extension To Provide Kitchen/Dining Room And Utility (LBC)

Amendment:

Decision: Grant Permission

Date: 11/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0356

Applicant:
Russell Armer Ltd

Parish:
Dalston

Date of Receipt:
27/04/2012 16:02:13

Agent:

Ward:
Dalston

Location:
Hawksdale Pastures, Welton Road, Dalston, CA5 7EJ

Grid Reference:
336034 547118

Proposal: Revised Application For Conversion Of Plots 1 And 3 To 2No. Dwellings, Including Raised Ground Floor Level For The Extension To Plot 1, Revised Internal Layout For Plot 3 (Ground Floor); New Bay Window/Entrance Porch For Plot 3 And Other Amendments To Elevations

Amendment:

Decision: Grant Permission

Date: 22/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0357

Applicant:
Russell Armer Ltd

Parish:
Dalston

Date of Receipt:
27/04/2012 16:02:13

Agent:

Ward:
Dalston

Location:
Hawksdale Pastures, Welton Road, Dalston, CA5 7EJ

Grid Reference:
336034 547118

Proposal: Revised Application For Conversion Of Plots 1 And 3 To 2No. Dwellings, Including Raised Ground Floor Level For The Extension To Plot 1,

SCHEDULE E: Decisions Issued Under Delegated Powers

Revised Internal Layout For Plot 3 (Ground Floor); New Bay Window/Entrance Porch For Plot 3 And Other Amendments To Elevations (LBC)

Amendment:

Decision: Grant Permission

Date: 22/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0358

Applicant:
Mr Lindsay

Parish:
Brampton

Date of Receipt:
03/05/2012

Agent:
Edwin Thompson LLP

Ward:
Brampton

Location:
Carradale, Paving Brow, Brampton, CA8 1QT

Grid Reference:
353326 560461

Proposal: Erection Of Detached Garage And Car Port

Amendment:

Decision: Grant Permission

Date: 20/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0359

Applicant:
Mrs S Stockley

Parish:
Dalston

Date of Receipt:
30/04/2012

Agent:

Ward:
Dalston

Location:
37 Low Moorlands, Dalston, Carlisle, CA5 7PA

Grid Reference:
336876 550570

Proposal: Erection Of Single Storey Rear Extension To Provide Extended Kitchen And Sun Lounge Together With Re-Roofing Of Existing Garage

Amendment:

Decision: Grant Permission

Date: 25/06/2012

SCHEDULE E: Decisions Issued Under Delegated Powers

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0360

Applicant:
Mr Chapman

Parish:

Date of Receipt:
30/04/2012 08:00:27

Agent:
Rodney Jeremiah

Ward:
Botcherby

Location:
Holme Farm, Wood Street, Carlisle, CA1 2SF

Grid Reference:
342203 555665

Proposal: Restoration And Improvements To Existing Building (LBC)

Amendment:

Decision: Grant Permission

Date: 19/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0361

Applicant:
Mr & Mrs Irving

Parish:
Kingmoor

Date of Receipt:
30/04/2012

Agent:
Jock Gordon

Ward:
Stanwix Rural

Location:
Wood Villa, Cargo Beck, Cargo, Carlisle, CA6 4BB

Grid Reference:
337235 559388

Proposal: Erection Of Two Storey Side Extension To Provide Living Room, Utility, WC On Ground Floor With 2no. Bedrooms And 2no. Bathrooms Above With Balcony Together With Single Storey Attached Garage (Revised Application)

Amendment:

Decision: Refuse Permission

Date: 21/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0366

Applicant:
Mr Craig Whyte

Parish:
Carlisle

Date of Receipt:
02/05/2012

Agent:
Mr Stuart Leslie

Ward:
Upperby

SCHEDULE E: Decisions Issued Under Delegated Powers

Location:
161 Upperby Road, Carlisle, CA2 4JR

Grid Reference:
341086 553546

Proposal: First Floor Side Extension To Provide Larger Bedroom, En-Suite And New Bathroom; Single Storey Rear Extension To Provide Larger Kitchen/Living Room And Utility Room

Amendment:

Decision: Grant Permission

Date: 20/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0367

Applicant:
Mr Holiday

Parish:
Dalston

Date of Receipt:
01/05/2012 16:00:37

Agent:
H&H Land and Property
Limited

Ward:
Dalston

Location:
Dobcross Hall, Gaitsgill, Dalston, Carlisle, CA5 7AW

Grid Reference:
339762 545543

Proposal: Proposed Agricultural Building

Amendment:

Decision: Grant Permission

Date: 26/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0372

Applicant:
Mr Little

Parish:
Stapleton

Date of Receipt:
08/05/2012

Agent:
H & H Land and Property
Ltd

Ward:
Lyne

Location:
North Greenhill, Roweltown, Carlisle, CA6 6JT

Grid Reference:
351864 571087

Proposal: Erection Of Agricultural Building

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 19/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0373

Applicant:
Mr J Latimer

Parish:
Dalston

Date of Receipt:
08/05/2012

Agent:
Swarbrick Associates

Ward:
Dalston

Location:
Greensyke House, Cumdivock Carlisle CA5 7JW

Grid Reference:
335463 548364

Proposal: Non Material Amendment (Changes To Roofing Material) Relating To
Previously Approved Permission 12/0177

Amendment:

Decision: Amendment Accepted
25/05/2012

Date:

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0374

Applicant:
Mr Little

Parish:
Stapleton

Date of Receipt:
08/05/2012

Agent:
H&H Land and Property
Ltd

Ward:
Lyne

Location:
North Greenhill, Roweltown, Carlisle, CA6 6JT

Grid Reference:
351864 571087

Proposal: Erection Of Agricultural Building

Amendment:

Decision: Grant Permission

Date: 19/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0375

Applicant:
Mr Mounsey

Parish:
Irthington

SCHEDULE E: Decisions Issued Under Delegated Powers

Date of Receipt:
08/05/2012

Agent:
H & H Land and Property
Ltd

Ward:
Stanwix Rural

Location:
Ashfield, Laversdale Lane, Laversdale, Irthington,
Carlisle, CA6 4PS

Grid Reference:
347784 563332

Proposal: Erection Of Agricultural Building
Amendment:

Decision: Grant Permission

Date: 25/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0377

Applicant:
Mr J Wrennall

Parish:
Cummersdale

Date of Receipt:
04/05/2012

Agent:
Hogg & Robinson (Design
Services) Limited

Ward:
Dalston

Location:
Kingrigg Farm, Newby Cross, Carlisle, CA5 6JP

Grid Reference:
337172 553349

Proposal: Erection Of Single Storey Side Extension To Provide Extended Living
Room And Kitchen Together With The Raising Of The Roof To Provide
Study And En-Suite Bedroom; Conversion Of Garage To Bedroom And
Erection Of Detached Garage

Amendment:

Decision: Grant Permission

Date: 12/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0379

Applicant:
Ms D Davidson

Parish:
Irthington

Date of Receipt:
08/05/2012

Agent:
Hogg & Robinson (Design
Services) Limited

Ward:
Stanwix Rural

SCHEDULE E: Decisions Issued Under Delegated Powers

Location:
The Village Shop, Irthington, Carlisle, CA6 4NN

Grid Reference:
349953 561764

Proposal: Erection Of 1No. Detached Dormer Bungalow

Amendment:

Decision: Grant Permission

Date: 13/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0380

Applicant:
Mr Greenup

Parish:
Irthington

Date of Receipt:
08/05/2012

Agent:
H & H Land and Property
Ltd

Ward:
Stanwix Rural

Location:
Crosshill Farm, Irthington, CA6 4PQ

Grid Reference:
348110 562764

Proposal: Proposed Roofing Over Of Yard Area

Amendment:

Decision: Grant Permission

Date: 25/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0381

Applicant:
Cumwhinton Village Hall
Management Committee

Parish:
Wetheral

Date of Receipt:
18/05/2012

Agent:

Ward:
Wetheral

Location:
Cumwhinton Village Hall, Cumwhinton, Carlisle,
Cumbria, CA4 8ER

Grid Reference:
345054 552782

Proposal: Erection Of Notice Board

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 25/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0382

Applicant:
Mr Andrew Waugh

Parish:

Date of Receipt:
10/05/2012

Agent:
H&H Land & Property

Ward:
Lyne

Location:
Kilnstown, Roweltown, Carlisle, CA6 6PN

Grid Reference:
353506 574199

Proposal: Roof Over An Existing Midden Area

Amendment:

Decision: Grant Permission

Date: 11/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0384

Applicant:
Mr Michael Simpson

Parish:
Solport

Date of Receipt:
08/05/2012

Agent:

Ward:
Lyne

Location:
Mole Field, Low Luckens, Roweltown, Cumbria,
CA6 6LJ

Grid Reference:
349335 572640

Proposal: Erection Of 4No. Polytunnels For Production Of Organic Vegetables

Amendment:

Decision: Grant Permission

Date: 29/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0386

Applicant:
One Medical

Parish:

Date of Receipt:
14/05/2012

Agent:
QAD Architects

Ward:
Belah

SCHEDULE E: Decisions Issued Under Delegated Powers

Location:

Former Belah School Site, Eden Street, Stanwix,
Carlisle

Grid Reference:

339643 557668

Proposal: Non Material Amendment Of Previously Approved Planning Application
11/0720

Amendment:

Decision: Amendment Accepted
25/05/2012

Date:

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0388

Applicant:
Mr Geoff Beattie

Parish:
Brampton

Date of Receipt:
08/05/2012

Agent:

Ward:
Brampton

Location:

Random Hill, Station Road, Brampton, CA8 1EZ

Grid Reference:

354293 560806

Proposal: Erection Of Single Storey Extension To Provide Orangery

Amendment:

Decision: Grant Permission

Date: 13/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0395

Applicant:
Mr Andre Ferguson

Parish:
St Cuthberts Without

Date of Receipt:
10/05/2012

Agent:
Tom Brown Construction
Limited

Ward:
Dalston

Location:

Nethergarth, Brisco, Carlisle, CA4 0QN

Grid Reference:

341622 551710

Proposal: Demolition Of Conservatory; Erection Of Garden Room (Revised
Application) (Part Retrospective)

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 27/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0402

Applicant:
Indiagate

Parish:
Carlisle

Date of Receipt:
10/05/2012

Agent:
Manning & Elliott

Ward:
Currock

Location:
30-34 Botchergate, Carlisle, CA1 1QS

Grid Reference:
340354 555508

Proposal: Discharge Of Conditions 4 (Design, Velocity And External Finish Of Mechanical Extract Fan); 5 (Noise And Vibration Assessment For Extract Fan) And 6 (Grease Trap Details) Of Previously Approved Permission 11/1032

Amendment:

Decision: Grant Permission

Date: 12/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0412

Applicant:
Mr D Clark

Parish:
St Cuthberts Without

Date of Receipt:
14/05/2012

Agent:
Jock Gordon

Ward:
Dalston

Location:
The Vicarage, Wreay, Carlisle, CA4 0RL

Grid Reference:
343644 548838

Proposal: Single Storey Extension To Front Elevation To Provide Garage And Conservatory (Revised Application)

Amendment:

Decision: Grant Permission

Date: 25/06/2012

Between 24/05/2012 and 29/06/2012

SCHEDULE E: Decisions Issued Under Delegated Powers

Appn Ref No:
12/0415

Applicant:
Mr M A Turk

Parish:
Wetheral

Date of Receipt:
14/05/2012

Agent:
Jock Gordon

Ward:
Wetheral

Location:
Wilspa, Park Road, Scotby, Carlisle, CA4 8AT

Grid Reference:
343799 555442

Proposal: Erection Of Rear Conservatory (Part Retrospective)

Amendment:

Decision: Grant Permission

Date: 13/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0421

Applicant:
Mr Peter Keyte

Parish:
Stanwix Rural

Date of Receipt:
16/05/2012

Agent:
Black Box Architects
Limited

Ward:
Stanwix Rural

Location:
Gwynedd, 26 Houghton Road, Houghton, Carlisle,
CA3 0LA

Grid Reference:
341286 558328

Proposal: Erection Of Single Storey Extension To Front Elevation To Provide
Porch And Extended Garage Together With Single Storey Rear
Extension To Provide Extended Kitchen And Dining Room With
Recessed Balcony Above

Amendment:

Decision: Grant Permission

Date: 18/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0435

Applicant:
Mrs Christine Park

Parish:
Stanwix Rural

Date of Receipt:
17/05/2012

Agent:
Eden Consultants

Ward:
Stanwix Rural

SCHEDULE E: Decisions Issued Under Delegated Powers

Location:
13 Drumburgh Avenue, Carlisle, CA3 0PD

Grid Reference:
339942 558528

Proposal: Two Storey Side And Single Storey Rear Extension To Provide Extended Kitchen, Utility, Living Room And WC On Ground Floor With En-Suite Bedroom Above Together With Erection Of Detached Garage (Revised Application)

Amendment:

Decision: Grant Permission

Date: 26/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0440

Applicant:
Mr Bell

Parish:
Scaleby

Date of Receipt:
25/05/2012

Agent:

Ward:
Stanwix Rural

Location:
Croft House, Scaleby, Carlisle, CA6 4JX

Grid Reference:
345040 563345

Proposal: Demolition Of Existing Agricultural Building And Erection Of Replacement Building

Amendment:

Decision: Grant Permission

Date: 26/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:
12/0442

Applicant:
Ms Jacqueline Pelham

Parish:
Wetheral

Date of Receipt:
28/05/2012

Agent:
Jock Gordon

Ward:
Wetheral

Location:
10 Faustin Hill, Wetheral, Carlisle, CA4 8JZ

Grid Reference:
346504 554974

Proposal: Erection Of Porch To Front Elevation

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 29/06/2012

Between 24/05/2012 and 29/06/2012

Appn Ref No:

12/0462

Applicant:

Briery Homes Limited

Parish:

Arthuret

Date of Receipt:

28/05/2012

Agent:

MCK Associates Limited

Ward:

Longtown & Rockcliffe

Location:

Former Sawmill Site, Netherby Road, Longtown,
Carlisle, CA6 5NS

Grid Reference:

338160 568945

Proposal: Non Material Amendment Of Previously Approved Planning Permission
08/1172

Amendment:

Decision: Amendment Accepted

25/06/2012

Date:

Between 24/05/2012 and 29/06/2012

Appn Ref No:

12/0463

Applicant:

Mr Neil Griffiths

Parish:

Carlisle

Date of Receipt:

28/05/2012

Agent:

Mr David Lamond

Ward:

Stanwix Urban

Location:

58 Longlands Road, Carlisle, CA3 9AE

Grid Reference:

341051 557475

Proposal: Erection Of First Floor Extension Above Existing Garage To Provide
Bedroom And Balcony To Rear

Amendment:

Decision: Grant Permission

Date: 25/06/2012

Between 24/05/2012 and 29/06/2012

SCHEDULE E: Decisions Issued Under Delegated Powers

Appn Ref No:
12/9006

Applicant:
Mr Colin Jefferson

Parish:
Carlisle

Date of Receipt:
31/05/2012

Agent:
Economy Culture &
Environment

Ward:
Castle

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

Grid Reference:
340353 556210

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

Amendment:

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