

# Committee Minutes

## Control of Development and Advertisements

The Development Control Committee received and considered the following applications:

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**Item no: 01**

**Appn Ref No:**  
12/0016

**Applicant:**  
Egertons Recovery Ltd

**Parish:**  
Carlisle

**Date of Receipt:**  
13/01/2012

**Agent:**  
Taylor & Hardy

**Ward:**  
Belle Vue

**Location:**  
Caxton Road, Newtown Industrial Estate, Carlisle  
CA2 7HS

**Grid Reference:**  
338054 556147

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Proposal: Variation Of Condition 7 (Drainage Details) Relating To Planning  
Application 08/1089 (Revised Application)

Grant Permission

1. The approved documents for this planning consent comprise:

1. The Planning Application Form received 13th January 2012;
2. The site location plan received 13th January 2012 (Drawing No. 11/023/1);
3. The proposed site layout plan received 17th February 2012 (Drawing No. 11/023/01b/1);
4. Technical details of the Klargester NSBD By-Pass Separator received 17th February; and
5. The Notice of Decision; and
6. Any such variation as may subsequently be approved in writing by the Local Planning Authority.

**Reason:** To define the permission.

2. By the 9th May 2012 the vehicle storage area shall be surfaced and drained in complete accordance with the details contained on the site layout plan received 17th February 2012 (Drawing No. 11/023/01b/1).

**Reason:** To ensure that the installation of a suitable surface water drainage system and to ensure compliance with Policies CP11 and CP12 of the Carlisle District Local Plan 2001-2016.

3. With the exception of Condition 7, which has been varied by this consent, the development shall be carried out in accordance with the remaining conditions attached to the "Full" application 08/1089.

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

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

The decision to grant planning permission has been taken having regard to the Development Plan, including Supplementary Planning Guidance/ Documents and Design Guidance. The relevant Development Plan policies and Supplementary Guidance have been considered in conjunction with comments received from consultees (including statutory consultees) and any responses from third parties, together with other material planning considerations. On balance the proposal was regarded as acceptable and it was considered that the development does not cause demonstrable harm to interests of acknowledged importance that justifies withholding permission.

## **Relevant Development Plan Policies**

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

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

- 1 Respond to the local context and the form of surrounding buildings in relation to height, scale and massing, and by making use of appropriate materials and detailing;
- 2 Take into consideration any important landscape or topographical features and respect local landscape character;
- 3 Reinforce local architectural features, where appropriate, promoting and respecting local distinctiveness;
- 4 Ensure all components of the proposal, such as buildings, car parking, access routes, open space and landscaping, are well related to one another to ensure a well integrated, successful and attractive development;
- 5 Ensure there is no adverse effect on the residential amenity of existing areas, or adjacent land uses, or result in unacceptable standards for future users and occupiers of the development;
- 6 Ensure the retention and enhancement of existing trees, shrubs, hedges and other wildlife habitats where possible. Where environmental features are lost as a result of the proposal, appropriate mitigation measures should be put in place and on-site replacement of those features will be sought;
- 7 Include landscaping schemes (both hard and soft) to assist the integration of new development into existing areas and ensure that development on the edge

- of settlements is fully integrated into its surroundings;
- 8 Ensure that the necessary services and infrastructure can be incorporated without causing unacceptable harm to retained features;
  - 9 Ensure that the layout and design incorporates adequate space for waste and recycling bin storage and collection.

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

#### **Core Development Policies - Policy CP6 - Residential Amenity**

The amenity of residential areas will be protected from inappropriate development where that development:

- 1 is for a use inappropriate for residential areas; and/or
- 2 is of an unacceptable scale; and/or
- 3 leads to an unacceptable increase in traffic or noise; and/or
- 4 is visually intrusive.

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

#### **Core Development Policies - Policy CP11 - Protection Of Groundwaters And Surface Waters**

Proposals for development which would cause demonstrable harm to the quality, quantity and associated ecological features of groundwater and surface waters will not be permitted.

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

#### **Core Development Policies - Policy CP12 - Foul And Surface Water Sewerage And Sewage Treatment**

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

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

#### **Economic & Commercial Growth - Policy EC1 - Primary Employment Areas**

Within Primary Employment Areas proposals for B1, B2 and B8 uses will be acceptable. Permission will only be given for redevelopment or changes of use within such areas for other purposes where:

- 1 the existing use of the site adversely affects or could adversely affect adjacent residential properties or the local environment; or
- 2 the proposed alternative use provides for needed community building or public amenity space; or
- 3 the proposed alternative use is essential for the redevelopment of the majority of the site for employment purposes; and
- 4 the alternative development would be appropriate in terms of scale and design to the surrounding area and the amenity of adjacent properties would not be

prejudiced.

Proposals for public sales floorspace, as opposed to trade counters, will not be permitted within employment units unless there is clear evidence that the use is an integral but ancillary part of the operation. Planning conditions, including a restriction on the hours of operation, may be used to ensure the use remains ancillary to the prime use of the unit

Employment uses have now become established at the former RAF14MU outlying sites at Harker, Heathlands and Rockcliffe. The sites are designated as Primary Employment Areas.

In the Sandysike/Whitesyke areas proposals for the redevelopment and extension to existing industrial and warehousing premises will be acceptable provided:

- 1 the proposal does not have an adverse impact on the landscape; and
- 2 the proposal does not involve the loss of existing tree cover; and
- 3 where appropriate, opportunities are taken to reinforce existing landscaping; and
- 4 adequate access and appropriate parking are provided.

#### **Item no: 02**

**Appn Ref No:**  
11/1065

**Applicant:**  
Citadel Estates Ltd.

**Parish:**  
Hayton

**Date of Receipt:**  
09/12/2011 16:00:21

**Agent:**  
Holt Planning Consultancy

**Ward:**  
Great Corby & Geltsdale

**Location:**  
Former Laboratories, Talkin, Brampton, CA8 1LE

**Grid Reference:**  
354900 557450

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Proposal: Demolition Of Existing Laboratory Building; Erection Of Terrace Of 4No. Dwellings (Revised Application) (Retrospective)

Members resolved to give authority to the Assistant Director (Economic Development) to issue approval for the proposal subject to the completion of a Deed of Variation to the S106 Agreement to ensure the provision of affordable housing in perpetuity.

#### **Item no: 03**

**Appn Ref No:**  
11/1008

**Applicant:**  
S Tyrrell Roofing

**Parish:**  
Carlisle

**Date of Receipt:**  
18/11/2011

**Agent:**

**Ward:**  
Botcherby

**Location:**  
Garage to rear of Geltsdale Avenue, Carlisle CA1  
2RL

**Grid Reference:**  
342793 555355

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Proposal: Change Of Use Of Garage And Adjacent Land To Storage For Roofing  
Materials (Retrospective Application)

### Grant Permission

1. The approved documents for this Planning Permission comprise:

1. the submitted planning application form, received 18 November 2011;
2. Site Location Plan, received 18 November 2011 (Drawing No. 001);
3. Block Plan, received 23 November 2011 (Drawing No. 002);
4. Plan Identifying Outside Storage Area, received 11 January 2012;
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.

2. The premises shall be used for the storage of roofing materials and the applicant's scaffolding and for no other purpose.

**Reason:** To preclude the possibility of the use of the premises for purposes inappropriate in the locality, in accordance with Policies CP5, CP6 and H2 of the Carlisle District Local Plan 2001-2016.

3. This permission shall not be exercised by any person other than Mr Sean Tyrell (S Tyrell Roofing).

**Reason:** But for the special circumstances of the applicant permission would not be forthcoming and in order to safeguard the character of the area and to protect the amenity of local residents, in accordance with the objectives of Policies H2, CP5 and CP6 of the Carlisle District Local Plan 2001-2016.

4. The garage shall only be used between the hours of 8.30am to 5.30pm on Mondays to Saturdays and shall not operate at all on Sundays or statutory holidays.

**Reason:** To prevent disturbance to nearby occupants in accordance with Policies CP5, CP6 and H2 of the Carlisle District Local Plan 2001-2016.

5. No materials shall be stored or deposited in the open area to the front of the garage. Any materials that are stored on the site shall be stored in accordance with Drawing 003 (Plan Identifying Outside Storage Area), received on 11 January 2012.

**Reason:** To ensure that the proposed development does not have an adverse visual impact on the character of the area, in accordance with Policies CP5 and CP6 of the Carlisle District Local Plan 2001-2016.

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

The decision to grant planning permission has been taken having regard to the Development Plan, including supplementary planning guidance/documents and design guidance. The relevant Development Plan policies and supplementary guidance have been considered in conjunction with comments received from consultees (including statutory consultees) and any responses from third parties, together with other material planning considerations. On balance the proposal was regarded as acceptable and it was considered that the development does not cause demonstrable harm to interests of acknowledged importance that justifies withholding permission.

## **Relevant Development Plan Policies**

### **Carlisle District Local Plan 2001 - 2016 Spatial Strategy & Development Principles - Policy DP1 - Sustainable Development Locations**

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

Urban Area                      City of Carlisle

Key Service Centres      Brampton  
   Longtown

Local Service Centres	Burgh by Sands	Heads Nook
	Castle Carrock	Houghton
	Cummersdale	Irthington
	Cumwhinton	Raughton Head
	Dalston	Rockcliffe
	Gilsland	Scotby
	Great Corby	Smithfield
	Great Orton	Thurstonfield
	Hallbankgate	Warwick Bridge
	Hayton	Wetheral

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

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

Proposals for residential development will be considered against the need to give priority to the reuse of previously developed land, with particular emphasis on vacant and derelict sites and buildings.

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

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

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

### **Housing - Policy H2 - Primary Residential Areas**

Within the Primary Residential Areas defined on the Inset Maps for Carlisle, Brampton and Longtown, proposals for new residential development will be acceptable provided that:

- 1 existing areas of open space and other amenity areas are safeguarded; and
- 2 the proposed development does not adversely affect the amenity of adjacent residential property; and
- 3 the proposed development complements or enhances existing adjacent residential areas and their amenity; and
- 4 satisfactory access and appropriate parking arrangements can be achieved.

Proposals for non-residential uses will be permitted in Primary Residential Areas provided that they do not adversely affect residential amenity. Development that would create unacceptable noise, smell, safety and health impacts or excessive traffic generation will not be acceptable. The traffic impact of new development upon existing residents through inconvenience and detrimental effect will be taken into

account. Such schemes falling within the scope of this policy will be considered against the above criteria as well as other policies of the Plan appropriate for the proposed use.

Outside the Primary Residential Areas and sites allocated under Proposal H16 for Carlisle, Brampton and Longtown, applications for residential development, including redevelopment and the change of use of vacant and underused buildings, will be only be permitted provided that:

- 1 satisfactory housing conditions can be achieved; and
- 2 the proposal will complement the existing character of the area; and
- 3 the proposal will not adversely affect the amenity of the area; and
- 4 satisfactory access can be provided; and
- 5 appropriate parking arrangements can be made.

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

#### **Core Development Policies - Policy CP5 - Design**

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

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

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

#### **Core Development Policies - Policy CP6 - Residential Amenity**

The amenity of residential areas will be protected from inappropriate development



where that development:

- 1 is for a use inappropriate for residential areas; and/or
- 2 is of an unacceptable scale; and/or
- 3 leads to an unacceptable increase in traffic or noise; and/or
- 4 is visually intrusive.

**Item no: 04**

**Appn Ref No:**  
11/1037

**Applicant:**  
Mr Adrian Mason

**Parish:**  
Hayton

**Date of Receipt:**  
28/11/2011

**Agent:**  
Architects Plus (UK) Ltd

**Ward:**  
Hayton

**Location:**  
Rosegarth, Brier Lonning, Hayton, Carlisle, CA8  
9HL

**Grid Reference:**  
350569 557811

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Proposal: Demolition Of Existing Detached Garage And Erection Of 1No. Detached Bungalow

Members resolved to defer consideration of the proposal in order to undertake a site visit and to await a further report on the application at a future meeting of the Committee.

**Item no: 05**

**Appn Ref No:**  
11/1095

**Applicant:**  
Mr S Fraser

**Parish:**  
Wetheral

**Date of Receipt:**  
20/12/2011 13:01:36

**Agent:**

**Ward:**  
Great Corby & Geltsdale

**Location:**  
Hillside, Great Corby, Carlisle, CA4 8LT

**Grid Reference:**  
347239 554371

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Proposal: Demolition Of Porch And Erection Of Replacement Porch And WC Together With Redevelopment Of Single Storey Rear Extension (Part Retrospective)

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 21 December 2011;
2. the existing and proposed floor plan and elevations received 11 January 2012 (Drawing No. 30-12-11);
3. the site location plan received 21 December 2011;
4. the block plan received 21 December 2011;
5. the Design and Access Statement received 10 January 2012;
6. the Notice of Decision; and
7. any such variation as may subsequently be approved in writing by the Local Planning Authority.

**Reason:** To define the permission.

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

The decision to grant planning permission has been taken having regard to the Development Plan, including Supplementary Planning Guidance/ Documents and Design Guidance. The relevant Development Plan policies and Supplementary Guidance have been considered in conjunction with comments received from consultees (including statutory consultees) and any responses from third parties, together with other material planning considerations. On balance the proposal was regarded as acceptable and it was considered that the development does not cause demonstrable harm to interests of acknowledged importance that justifies withholding permission.

## **Relevant Development Plan Policies**

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

#### **Core Development Policies - Policy CP2 - Biodiversity**

Proposals in both the rural and urban area should not harm the integrity of the biodiversity resource as judged by key nature conservation principles, and proposals should seek to conserve and enhance the biodiversity value of the areas which they affect.

In areas where species protected under national and European legislation are most

likely to occur, special account will be given to their presence in the consideration of development proposals.

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

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

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

### **Carlisle District Local Plan 2001 - 2016** **Housing - Policy H11 - Extensions To Existing Residential Premises**

Applications for extensions to existing dwellings will be approved provided the City Council is satisfied that the proposals are appropriate to the dwelling, its design and setting. Inappropriate extensions which adversely affect the amenities of adjacent properties by poor design, unreasonable overlooking and/or unreasonable loss of daylight and sunlight will not be permitted. Extensions must be of an appropriate scale and not dominate the original dwelling.

### **Carlisle District Local Plan 2001 - 2016** **Local Environment - Policy LE12 - Proposals Affecting Listed Buildings**

Proposals for new development which adversely affects a listed building or its

setting will not be permitted. Any new development within the setting of a listed building should preserve the building's character and its setting. The City Council will seek to encourage any new development to be sympathetic in scale, character and materials.

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

### **Local Environment - Policy LE19 - Conservation Areas**

The City Council will continue to review existing and designate new conservation areas. Development proposals within and adjoining conservation areas will be granted planning permission provided they preserve or enhance their character and appearance. Any new development or alterations to existing buildings should harmonise with their surroundings and be in sympathy with the setting, scale, density and physical characteristics of conservation areas, and protect important views into or out of such areas. Applications for outline planning permission will not be accepted for proposals in conservation areas.

Proposals for new development and/or alterations to buildings in conservation areas will be judged against the following criteria:

- 1 the development should preserve or enhance all features which contribute positively to the area's character or appearance, in particular the design, massing and height of the building should closely relate to adjacent buildings and should not have an unacceptable impact on the townscape or landscape;
- 2 the development should not have an unacceptable impact on the historic street patterns and morphology, roofscape, skyline and setting of the conservation area, important open spaces or significant views into, out of and within the area;
- 3 development proposals should not result in the amalgamation or redrawing of boundaries between traditional buildings and plots, or demolition and redevelopment behind retained facades;
- 4 wherever practicable traditional local materials such as brick, stone and slate should be used and incongruous materials should be avoided;
- 5 individual features both on buildings and contributing to their setting, should be retained e.g. doorways, windows, shopfronts, garden walls, railings, cobbled or flagged forecourts, sandstone kerbs, trees and hedges, etc. Where features have deteriorated to the extent to which they have to be replaced, the replacement should match the original;
- 6 proposals which would generate a significant increase in traffic movements and heavy vehicles or excessive parking demands will not be permitted since these would be prejudicial to amenity;
- 7 proposals which would require substantial car parking and servicing areas which can not be provided without an adverse effect on the site and its surroundings will not be permitted.

**Appn Ref No:**  
11/0301

**Applicant:**  
Mr Gorst

**Parish:**  
Wetheral

**Date of Receipt:**  
11/04/2011 08:00:32

**Agent:**  
Carleton Border Services  
Ltd

**Ward:**  
Great Corby & Geltsdale

**Location:**  
Low Wood, Warwick Bridge, Carlisle, CA4 8RF

**Grid Reference:**  
347434 555437

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Proposal: Erection Of A Small Wind Turbine (11kW), 18.3m Hub Height, 24.8m To Tip To The South East Of The Property On A Reinforced Concrete Base Surrounded By A Security Fence (Revised Application)

**Decision:** Refuse Permission

**Date:** 17/08/2011

**Decision of:** Planning Inspectorate

**Decision Type:** Appeal Allowed with Conditions

**Date:** 31/01/2012

**Item no: 07**

**Appn Ref No:**  
11/0610

**Applicant:**  
Mr Young

**Parish:**  
Beaumont

**Date of Receipt:**  
18/07/2011 13:00:59

**Agent:**  
Black Box Architects  
Limited

**Ward:**  
Burgh

**Location:**  
Knockupworth Farm, Burgh by Sands, Carlisle, CA2  
7RF

**Grid Reference:**  
336821 556900

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Proposal: Relocation Of Farmhouse And Farm Associated Shed

Members will recall at Committee meeting held on 11th November 2011 that authority was given to the Director (Economic Development) to issue approval subject to the completion of a s106 agreement to ensure that the residential use rights of Knockupworth Cottage are extinguished upon occupation of the farmhouse hereby proposed.

The s106 agreement has been completed and the approval was issued on 27th January 2012.

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 consent comprise:

1. The Planning Application Form received 18th July 2011;
2. The site location plan received 25th October 2011 (Drawing No. 11-120-04B);
3. The proposed block plan received 11th October 2011 (Drawing No. 11-120-21C);
4. The proposed elevations and floor plans received 11th October 2011 (Drawing No. 11-120-01D);
5. The cross section and site layout received 11th October 2011 (Drawing No. 11-120-20D);
6. The Supplementary Planning Statement received 18th July 2011;
7. The Farm Appraisal and Assessment of Agricultural Need received 18th July 2011;
8. The Phase 1 Contamination Desk Study 5th August 2011;
9. The Notice of Decision; and
10. Any such variation as may subsequently be approved in writing by the Local Planning Authority.

**Reason:** To define the permission.

3. The agricultural shed and the farmhouse hereby approved shall be erected contemporaneously and the farmhouse shall not be occupied until the agricultural shed is complete and available for use.

**Reason:** To prevent the farmhouse being erected without work commencing on the agricultural building, which would undermine the objectives outlined in Policies DP1 and H7 of the Carlisle District Local Plan 2001-2016.

4. 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(s) have been submitted to and approved by the Local Planning Authority.

**Reason:** To ensure the materials used are acceptable and to ensure compliance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

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

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

6. Before any development is commenced on the site, including site works of any description, a protective fence shall be erected around those hedges to be retained in accordance with a scheme that has been submitted to and agreed, in writing, by the Local Planning Authority. Within the areas fenced off the existing ground level shall be neither raised nor lowered, except in accordance with the approved scheme, and no materials, temporary buildings or surplus soil of any kind shall be placed or stored thereon. If any trenches for services are required in the fenced off area, they shall be excavated or back filled by hand and any roots encountered with a diameter of 25mm or more shall be left unsevered. The fence shall thereafter be retained at all times during construction works on the site.

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

7. No development shall commence until details of the proposed means of foul and surface water disposal have 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 foul and surface water disposal in accordance with Policy CP12 of the Carlisle District Local Plan 2001-2016.

8. Notwithstanding the provisions of the Schedule 1, Part 2, Class E (a) of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order), no detached outbuildings shall be erected without the permission of the Local Planning Authority and the approval by them of the design, siting and external appearance of such buildings.

**Reason:** To prevent the proliferation of outbuildings whose external appearance or siting may be out of keeping with the countryside landscape in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

9. Details showing the provision within the site for the parking, turning and loading and unloading of vehicles and for vehicles to enter and leave the site in a forward direction shall be submitted to the Local Planning Authority for prior written approval. The development shall not be brought into use until any such details have been approved and the parking, loading, unloading and manoeuvring facilities constructed in accordance with the approved scheme. The approved parking, loading, unloading and manoeuvring areas shall be kept available for those purposes at all times and shall not be used for any other purpose.

**Reason:** To ensure that all vehicles can be properly and safely accommodated clear of the highway and to support Local Transport Plan Policies LD7 and LD8.

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

The decision to grant planning permission has been taken having regard to the Development Plan, including Supplementary Planning Guidance/ Documents and Design Guidance. The relevant Development Plan policies and Supplementary Guidance have been considered in conjunction with comments received from consultees (including statutory consultees) and any responses from third parties, together with other material planning considerations. On balance the proposal was regarded as acceptable and it was considered that the development does not cause demonstrable harm to interests of acknowledged importance that justifies withholding permission.

## **Relevant Development Plan Policies**

### **Carlisle District Local Plan 2001 - 2016 Spatial Strategy & Development Principles - Policy DP1 - Sustainable Development Locations**

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

Urban Area

City of Carlisle



Key Service Centres    Brampton  
                                    Longtown

Local Service Centres	Burgh by Sands	Heads Nook
	Castle Carrock	Houghton
	Cummersdale	Irthington
	Cumwhinton	Raughton Head
	Dalston	Rockcliffe
	Gilsland	Scotby
	Great Corby	Smithfield
	Great Orton	Thurstonfield
	Hallbankgate	Warwick Bridge
	Hayton	Wetheral

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

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

Proposals for residential development will be considered against the need to give priority to the reuse of previously developed land, with particular emphasis on vacant and derelict sites and buildings.

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

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

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

#### **Core Development Policies - Policy CP1 - Landscape Character**

Proposals for development in the rural area must seek to conserve and enhance the special features and diversity of the different landscape character areas.

Development will be considered appropriate to the character of the landscape provided the proposal has regard to and conserves:

the landform and natural patterns of drainage;

- the pattern of trees and woodland;
- the habitats of species of importance for wildlife;
- the pattern and composition of field boundaries;
- the pattern of historic landscape features;
- the pattern and distribution of settlements

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

## **Core Development Policies - Policy CP2 - Biodiversity**

Proposals in both the rural and urban area should not harm the integrity of the biodiversity resource as judged by key nature conservation principles, and proposals should seek to conserve and enhance the biodiversity value of the areas which they affect.

In areas where species protected under national and European legislation are most likely to occur, special account will be given to their presence in the consideration of development proposals.

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

### **Core Development Policies - Policy CP5 - Design**

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

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

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

### **Core Development Policies - Policy CP9 - Development, Energy Conservation And Efficiency**

Development proposals should take into account the need for energy conservation and efficiency in their design, layout and choice of materials. The principles should be introduced in the early stages of the design process in order to consider the

orientation of buildings to maximise solar gain coupled with high levels of insulation to reduce heating costs. The efficient and effective use of land, including the reuse of existing buildings and the use of environmentally sustainable materials should also be encouraged. Landscaping schemes also may be used to shelter buildings in exposed positions to reduce heat loss.

These elements will contribute to the energy efficiency of a new development. Developers should also consider the possible incorporation of photovoltaic cells, active solar panels and other small-scale sources of renewable energy. Consideration should be given to recycled materials, waste minimisation and recycling measures within the design.

Designers will be encouraged to include systems for collecting roof water to enable its re-use.

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

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

### **Carlisle District Local Plan 2001 - 2016** **Housing - Policy H7 - Agricultural, Forestry And Other Occupational Dwellings**

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

### **Carlisle District Local Plan 2001 - 2016** **Housing - Policy H10 - Replacement Dwellings In The Rural Area**

The replacement of recently occupied permanent dwellings, with existing use rights, located within the rural area will be permitted provided that:

- 1 The new dwelling is located on or close to the site of the original dwelling; and
- 2 the scale of the dwelling is no greater than a 15% increase in the footprint of the original dwelling; and
- 3 the design of the replacement dwelling is appropriate to its location and complements the character and architectural detail of other dwellings in the locality; and
- 4 the proposal does not adversely affect the amenity of the area or adjoining property; and

5 appropriate access and parking arrangements can be provided

This policy is not intended to allow small houses to be replaced by much larger properties.

**Carlisle District Local Plan 2001 - 2016**

**Local Environment - Policy LE6 - Scheduled/Nationally Important Ancient Monuments**

Development will not be permitted where there is an unacceptable impact on scheduled and other nationally important ancient monuments and their settings.

**Carlisle District Local Plan 2001 - 2016**

**Local Environment - Policy LE7 - Buffer Zone On Hadrian's Wall World Heritage Site**

Within the buffer zone of Hadrian's Wall Military Zone World Heritage Site, as defined on the Proposals Map, proposals for development which would have an unacceptable impact on the character and/or setting of the World Heritage Site will not be permitted. Development within or adjacent to existing settlements, established farmsteads and other groups of buildings will be permitted, where it is consistent with other policies of this Plan, providing that:

- 1 the proposal reflects the scale and character of the existing group of buildings; and
- 2 there is no unacceptable adverse effect on the character and/or appearance of the Hadrian's Wall Military Zone World Heritage Site.

Within the outer visual envelope, beyond the Hadrian's Wall Military Zone World Heritage Site, proposals for major development which would have an adverse effect on the character of the World Heritage Site will not be permitted unless the need for the development outweighs the environmental costs.

**Carlisle District Local Plan 2001 - 2016**

**Local Environment - Policy LE10 - Archaeological Field Evaluation**

On all scheduled and other nationally important monuments, sites of archaeological significance and other sites of high archaeological potential, the City Council will ensure that the archaeological aspects of development proposals are examined and evaluated either before planning applications are determined or in exceptional circumstances by the use of condition. Planning permission will not be granted without adequate assessment of the archaeological implications.

**Carlisle District Local Plan 2001 - 2016**

**Local Environment - Policy LE25 - Agricultural Buildings**

Proposals for new farm buildings and extensions to existing agricultural buildings

and other farm structures will be permitted provided that;

- 1 the building or structure is sited where practical to integrate with existing farm buildings and/or take advantage of the contours of the land and any existing natural screening; and
- 2 the scale and form of the proposed building or structure relates to the existing group of farm buildings; and
- 3 within AONBs, conservation areas and Landscapes of County Importance, the design and materials used reflect the overall character of the area; and
- 4 the proposal would not have an unacceptable impact on any adjacent properties.

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

#### **Transport - Policy T1- Parking Guidelines For Development**

The level of car parking provision for development will be determined on the basis of the following factors:

- 1 the Parking Guidelines for Cumbria as updated by additional requirements in PPG 13;
- 2 the availability of public car parking in the vicinity;
- 3 the impact of parking provision on the environment of the surrounding area;
- 4 the likely impact on the surrounding road network; and
- 5 accessibility by and availability of, other forms of transport.

#### **Item no: 08**

**Appn Ref No:**  
11/0714

**Applicant:**  
Mr Montgomery

**Parish:**  
Hayton

**Date of Receipt:**  
22/08/2011 08:00:28

**Agent:**  
Holt Planning Consultancy  
Ltd

**Ward:**  
Great Corby & Geltsdale

**Location:**  
Springwell Farm, Talkin

**Grid Reference:**  
355150 557818

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Proposal: Relocation And Revision Of Lawfully Implemented Dwelling (Planning Ref: 10/0683)

Members will recall at the Development Control Committee meeting held on 11th November 2011 that authority was given to the Director (Economic Development) to issue approval subject to receipt of the satisfactorily completed Unilateral Undertaking whereby the Owner undertakes that the earlier planning permission granted under reference 10/0200 shall not be implemented; and that no further works shall be carried out pursuant to the planning permission granted under reference (10/0683).

This has been completed and the decision issued on 27th January 2012.

#### 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, drawing number 12/2009/34B dated 21st October 2011;
3. the block plan, drawing number 12/2009/36A dated 18th October 2011;
4. the proposed ground floor plan, drawing number 12/2009/30 dated 23rd August 2011;
5. the proposed first floor plan, drawing number 12/2009/31 dated 23rd August 2011;
6. the proposed north and west elevations, drawing number 12/2009/32 dated 23rd August 2011;
7. the proposed south and east elevations, drawing number 12/2009/33 dated 23rd August 2011;
8. the west and north courtyard elevations and east garage elevation, drawing number 12/2009/35 dated 23rd August 2011;
9. the landscape masterplan, drawing number SPR/01a dated 14th August 2011;
10. the flood risk map extract dated 22nd August 2011;
11. the historic environment features map dated 22nd August 2011;
12. the planning statement dated 22nd August 2011;
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 and to ensure compliance with Policy H10 of the Carlisle District Local Plan 2001-2016.

3. The development shall be carried out in accordance with the details submitted to discharge conditions 3 (materials samples) and 5 (surface water drainage) of the previously approved permission 10/0683 approved under application reference 11/0647.

**Reason:** To ensure the use of materials and means of surface water are acceptable in accordance with Policies CP5 and CP12 of the Carlisle District Local Plan 2001-2016.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) there shall be no enlargement or external alterations to the dwelling unit to be erected in accordance with this permission, within the meaning of Schedule 2 Part (1) of these Orders, without the written approval of the Local Planning Authority.

**Reason:** To ensure compliance with the objectives of the Replacement Dwelling policy in accordance with Policy H10 of the Carlisle District Local Plan 2001-2016.

5. All works comprised in the approved details of the landscaping Master Plan drawing reference SPR/01C shall be carried out in the first planting and seeding season following the occupation of the dwelling or completion of the development, whichever is the sooner. 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.

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

6. No development hereby approved by this permission shall commence until details of the specification and location of root protection barriers have been submitted in writing to and approved by the local planning authority. The root protection barriers as agreed shall be erected prior to commencement of any works on site and no machinery or vehicles shall be parked within, or materials stored, dumped or spilled within that area. In the event of trenches or excavations exposing tree roots of 50mm/ 2 inches diameter or more, these should be carefully retained and protected by suitable measures including (where otherwise unavoidable) bridging trenches. No severance of tree roots 50mm/ 2 inches or more in diameter shall be undertaken without prior notification to, and the subsequent approval in writing of the Local Planning Authority and where such approval is given, the roots shall be cut back to a smooth surface.

**Reason:** To protect the trees on and adjacent the site in accordance with Policy CP3 of the Carlisle District Local Plan 2001-2016.

7. Prior to the installation of the roof timbers on the replacement dwelling, the existing dwelling on the site known as 'Springwell Farm House' shall be demolished and the site cleared.

**Reason:** To prevent the retention of the existing dwelling that would be

contrary to Policy H1 of the Carlisle District Local Plan 2001-2016.

8. The premises shall be occupied as a single, self contained family dwellinghouse, and at no time shall any of the ancillary buildings be sub-divided and occupied independently of the remainder of the property.

**Reason:** The Local Planning Authority are not prepared to permit the establishment of a separate unit of accommodation on this site in accordance with Policy DP1 of the Carlisle District Local Plan.

9. No development hereby approved by this permission shall commence until details of the ground source heat pump, solar panels and grey water recycling system have been submitted to and approved in writing by the Local Planning Authority. Such details shall include scale drawings illustrating the siting together with the size of the equipment. The development shall then be undertaken in accordance with the approved details.

**Reason:** For the avoidance of doubt and to ensure compliance with Policy CP9 of the Carlisle District Local Plan 2001-2016.

10. The use shall not commence until visibility splays providing clear visibility of 2.4m measured down the centre of the access road and 160m along both nearside carriageway edges of the U1206 have been provided at the junction of the access with the Highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to be grown within the visibility splays, so as to obstruct them. The visibility splays shall be attained before the general development commences, so that construction traffic is safeguarded.

**Reason:** In the interests of highway safety to ensure compliance with criterion 5 of Policy H1 of the Carlisle District Local Plan 2001-2016 and to support Local Transport Plan Policies LD7 and LD8.

11. The whole of the access area bounded by the carriageway edge, entrance gates and the splays shall be constructed and drained in accordance with details submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The details shall be in accordance with those required under the Streetworks Licence of the Highways Act 1980. The access shall be undertaken in accordance with the approved details and completed prior to the occupation of the dwelling.

**Reason:** In the interests of highway safety to ensure compliance with criterion 5 of Policy H1 of the Carlisle District Local Plan 2001-



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

Ordinarily, new residential development in this location would not be acceptable but this application seeks consent to relocate a lawfully commenced dwelling which was itself, a replacement dwelling. Consequently, the principle of erecting a replacement dwelling is- in general terms- not itself an issue, provided that the proposals can demonstrate compliance with the criteria identified within Policy H10 of the Local Plan and are, likewise, not in conflict with any other relevant planning policies. The principle of the replacement dwelling has been established through the grant of planning consents last year. The issues raised by the current proposal are discussed in more detail in the analysis which follows.

The applicant has submitted a Planning Obligation which states that the initial planning consent for the replacement dwelling shall not be implemented and that no further work shall take place with regard to the lawfully implemented consent for the replacement dwelling. In addition, the document states that the existing dwelling house that was previously occupied by the site manager, shall be demolished prior to the roof trusses being erected on the new dwelling.

The principal objective of Policy H10 is to retain the stock of smaller housing units in the rural area. The implemented consent allowed for a dwelling, including the converted outbuildings, of approximately 875 square metres whilst the current proposal would increase this to approximately 985 square metres.

A proposed dwelling would allow a building that would be visually more cohesive and attractive in the context of the site and the surrounding area and this principle has already been established through the extant permission.

The percentage increase in additional footprint of the dwelling far outweighs that would normally be supported for a replacement dwelling; however, the approved replacement dwelling is already large in scale and the addition 120 square metres would be spread throughout the overall development. The dwelling would incorporate a range of buildings that are more traditional in appearance. Some of the domestic accommodation and the outbuildings would be single storey in height and arranged around a courtyard development.

Given the relocation of the building from that originally submitted under this application, the siting is wholly more appropriate and sympathetic and better related to the existing buildings. Given these circumstances, this would not establish a precedent for replacement dwellings with such a significant increase in size.

The substitution of the implemented consent for the proposed development would allow for increased planting on the site of the former buildings comprising of an Arboretum and orchard. This would establish greater landscaping for the existing

equestrian buildings further to the east within the site and provide a backdrop against which the property would sit. In the foreground it is proposed to form an enhanced wetland and wildflower meadow together with margins of woodland areas and combined, would form part of the applicant's entry into the Stewardship Scheme.

The proposed landscaping would positively enhance the visual appearance of the site and screen the existing buildings whilst also improving the natural habitat in the area. The proposals constitute an overall landscape enhancement, both in terms of landscape fabric benefits and improvements to views of Springwell Farm from the wider landscape.

The proposed dwelling is situated approximately 180 metres from the nearest residential property. As such, the living conditions of the occupiers of that property will not be compromised through loss of light, loss of privacy or over dominance.

In the additional supporting information received from the agent, it is stated that the applicant is keen to incorporate renewable energy in the form of a ground source heat pump, a rainwater harvesting system and solar panels. These would contribute to the reduction of the overall environmental impact of the development and is supported by current planning policies. As no details have been provided, it is appropriate to impose a condition requiring the submission of additional information.

The site is served from an existing vehicular access that leads from the County highway. The access comprises of a concrete apron with a gateway which is set back from the highway and whilst there is established landscaping around the entrance, there is sufficient visibility to emerge from the site and view any oncoming traffic before driving onto the road itself. The access would serve the proposed dwelling which would be linked by an access road within the site formed adjacent to the eastern and southern boundaries. The Highway Authority has raised no objection to the proposed development subject to the imposition of conditions requiring the submission of details of visibility splays and access construction details.

In overall terms, the principle of the development is acceptable and has been established through the granting of the previous planning application. The scale of the dwelling is out with the parameters of the policy guidance; however, the increase in footprint is relatively small in the context of the extant consent. The design and use of materials in the building together with the positive environmental features would be an improvement upon the approved scheme and would be commensurate with the site's size and features. The relocation from the approved siting would allow further improvements to the landscaping of the site and surrounding area that would be of benefit to the landscape; further, the scheme proposes a high quality design, use of vernacular materials and incorporates sustainable forms of heating.

The proposed dwelling would not be an "exceptional dwelling" but would be of sufficient merit and acceptable in terms of its appearance. The building would not result in any demonstrable harm to the landscape character of the wider area or the living conditions of any neighbouring residential dwellings. The scheme is not significantly different from that which already benefits from planning permission and in all other aspects the proposal is compliant with the objectives of the relevant Local Plan policies.

## **Relevant Development Plan Policies**

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

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

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

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

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

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

Proposals for residential development will be considered against the need to give priority to the reuse of previously developed land, with particular emphasis on vacant and derelict sites and buildings.

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

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

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

### **Spatial Strategy And Development Principles - Policy DP10 - Landscapes Of County Importance**

Within Landscapes of County Importance, permission will only be given for development provided that:

- 1 there is no detrimental impact on the distinctive landscape character and features of the area; and
- 2 the proposal preserves or enhances the special features and character of the particular landscape within which it is to be sited.

Development required to meet local infrastructure needs which can not be located elsewhere will be permitted provided it is sited to minimise environmental impact and meet high standards of design.

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

### **Core Development Policies - Policy CP1 - Landscape Character**

Proposals for development in the rural area must seek to conserve and enhance the special features and diversity of the different landscape character areas.

Development will be considered appropriate to the character of the landscape provided the proposal has regard to and conserves:

the landform and natural patterns of drainage;

- the pattern of trees and woodland;
- the habitats of species of importance for wildlife;
- the pattern and composition of field boundaries;
- the pattern of historic landscape features;
- the pattern and distribution of settlements

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

### **Core Development Policies - Policy CP3 - Trees And Hedges On Development Sites**

Proposals for new development should provide for the protection and integration of existing trees and hedges. Where trees and hedges are present, a survey will be required showing the following:

- 1 the location of existing trees and hedges;
- 2 the species, age, height and crown spread of each tree;
- 3 an assessment of the condition of each tree;
- 4 the location and crown spread of trees on adjacent land which may be affected by the development;
- 5 existing and proposed changes in ground level.

In order to protect and integrate existing trees and hedges within new development, the City Council will resist proposals which cause unacceptable tree loss, and which do not allow for the successful integration of existing trees identified in the tree survey.

Layouts will be required to provide adequate spacing between existing trees and buildings, taking into account the existing and future size of the trees, and their impact both above and below ground.

The City Council will protect existing trees and woodlands where appropriate, by tree preservation orders, and by the use of planning conditions requiring protective fencing around trees to be retained to prevent site works within their crown spread.

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

#### **Core Development Policies - Policy CP5 - Design**

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

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

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

#### **Core Development Policies - Policy CP9 - Development, Energy Conservation And Efficiency**

Development proposals should take into account the need for energy conservation and efficiency in their design, layout and choice of materials. The principles should be introduced in the early stages of the design process in order to consider the orientation of buildings to maximise solar gain coupled with high levels of insulation to reduce heating costs. The efficient and effective use of land, including the reuse of existing buildings and the use of environmentally sustainable materials should

also be encouraged. Landscaping schemes also may be used to shelter buildings in exposed positions to reduce heat loss.

These elements will contribute to the energy efficiency of a new development. Developers should also consider the possible incorporation of photovoltaic cells, active solar panels and other small-scale sources of renewable energy. Consideration should be given to recycled materials, waste minimisation and recycling measures within the design.

Designers will be encouraged to include systems for collecting roof water to enable its re-use.

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

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

### **Carlisle District Local Plan 2001 - 2016** **Housing - Policy H10 - Replacement Dwellings In The Rural Area**

The replacement of recently occupied permanent dwellings, with existing use rights, located within the rural area will be permitted provided that:

- 1 The new dwelling is located on or close to the site of the original dwelling; and
- 2 the scale of the dwelling is no greater than a 15% increase in the footprint of the original dwelling; and
- 3 the design of the replacement dwelling is appropriate to its location and complements the character and architectural detail of other dwellings in the locality; and
- 4 the proposal does not adversely affect the amenity of the area or adjoining property; and
- 5 appropriate access and parking arrangements can be provided

This policy is not intended to allow small houses to be replaced by much larger properties.

### **Carlisle District Local Plan 2001 - 2016** **Transport - Policy T1- Parking Guidelines For Development**

The level of car parking provision for development will be determined on the basis of the following factors:

- 1 the Parking Guidelines for Cumbria as updated by additional requirements in PPG 13;
- 2 the availability of public car parking in the vicinity;
- 3 the impact of parking provision on the environment of the surrounding area;

- 4 the likely impact on the surrounding road network; and
- 5 accessibility by and availability of, other forms of transport.

**Item no: 09**

**Appn Ref No:**

11/0922

**Applicant:**

Carlisle City Council

**Parish:**

Carlisle

**Date of Receipt:**

21/10/2011 23:00:36

**Agent:**

Day Cummins Limited

**Ward:**

Currock

**Location:**

Land at Water Street, Carlisle, CA2 5AW

**Grid Reference:**

340188 555237

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Proposal: Proposed Female And Family Accommodation Comprising 10No.  
Residential Units With Communal And Staff Facilities,  
Associated Parking, Vehicle Access and Landscaping

Members will recall at Committee meeting held on 16th December 2011 that authority was given to the Assistant Director (Economic Development) to issue approval subject to no objection being raised by the Environment Agency.

Members also authorised the Assistant Director (Economic Development) to discuss the future use and potential for the parcel of land to the south-west of the proposed building, bounded by Currock Street and Water Street, to be used as a play area.

These items have been resolved and the approval was issued on 20th January 2012.

**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 21st October 2011;
2. the Site Plan received 21st October 2011 (Drawing no. 001);
3. the Proposed Site Plan/ Block Plan received 20th January 2012 (Drawing no. 03 Rev B);

4. the Proposed Floor Plans received 30th November 2011 (Drawing no. 04 Rev A);
5. the Proposed Elevations received 20th January 2012 (Drawing no. 05 Rev C);
6. the Proposed Elevations received 20th January 2011 (Drawing no. 05/1);
7. the Design and Access Statement received 20th January 2012;
8. the Phase 1 Desk Study written by Meridian Geoscience Ltd received on 24th October 2011;
9. the Notice of Decision; and
10. any such variation as may subsequently be approved in writing by the Local Planning Authority.

**Reason:** To define the permission.

3. No development hereby approved by this permission shall be commenced until 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. The development shall then be undertaken in accordance with the approved details.

**Reason:** To ensure the suitable use of materials and to ensure compliance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

4. No development hereby approved by this permission shall be commenced until particulars of height, materials and coping detail of all screen walls shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be undertaken in accordance with the approved details.

**Reason:** To ensure the suitable use of materials and to ensure compliance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

5. No development hereby approved by this permission shall be commenced until have been submitted of the proposed hard surface finishes to all public and private external areas within the proposed scheme and approved in writing by the Local Planning Authority. The development shall then be undertaken in accordance with the approved details.

**Reason:** To ensure the suitable use of materials and to ensure compliance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

6. No development hereby approved by this permission shall take place until details of a landscaping scheme have been submitted to and approved in writing by the Local Planning Authority.

**Reason:** To ensure that a satisfactory landscaping scheme is prepared in accord with Policy CP5 of the Carlisle District Local Plan 2001-2016.



7. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and maintained thereafter to the satisfaction of the Council; 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 CP5 of the Carlisle District Local Plan 2001-2016.

8. No development hereby approved by this permission shall be commenced until details of the Sustainable Urban Drainage system has been submitted to and approved in writing by the Local Planning Authority. These details should include the type of SUDS; hydraulic design details/calculations; pollution prevention and water quality treatment measures together with details of pollutant removal capacity; operation, maintenance and adoption details; and any details related to the attenuated release of water from the site including any measure for the re-use of greywater. The development shall then be undertaken in accordance with the approved details.

**Reason:** In order to ensure that surface water run-off is not unacceptably increased by the development in accordance with the objectives of Policy CP10 of the Carlisle District Local Plan 2001-2016.

9. New ground floor windows and doors abutting the highway shall be of a type which cannot open outwards into the highway unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To minimise possible danger to other highway users. To support Local Transport Plan Policies LD7 and LD8.

10. The submitted details showing the provision within the site for the parking, turning and loading and unloading of vehicles visiting the site, including the provision of parking spaces for staff and visitors, shall be kept available for those purpose for as long as the Use continues and shall not be used for any other purpose unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure a minimum standard of parking provision is made within the site for vehicles visiting the site and to support Local Transport Plan Policies LD7 and LD8.

11. The whole of the access/ parking bays area bounded by the kerb of South John St., the entrance gates/ wall, shall be constructed and drained in accordance with the details that have been submitted to and agreed in writing by the Local Planning Authority.

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

12. Prior to the commencement of the development approved by this planning permission (or such other date or stage in the development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

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

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

**Reason:** To ensure the protection of controlled waters from potential land contamination in accordance with Policy LE29 of the Carlisle District Local Plan 2001-2016.

13. Prior to commencement of development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also

include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority. The long-term monitoring and maintenance plan shall be implemented as approved.

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

**Reason:** To ensure the protection of controlled waters from potential land contamination in accordance with Policy LE29 of the Carlisle District Local Plan 2001-2016.

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## Summary of Reasons for the Decision

The decision to grant planning permission has been taken having regard to the Development Plan, including supplementary planning guidance/documents and design guidance. The relevant Development Plan policies and supplementary guidance have been considered in conjunction with comments received from consultees (including statutory consultees) and any responses from third parties, together with other material planning considerations. On balance the proposal was regarded as acceptable and it was considered that the development does not cause demonstrable harm to interests of acknowledged importance that justifies withholding permission.

## Relevant Development Plan Policies

### Carlisle District Local Plan 2001 - 2016

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

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

Urban Area                      City of Carlisle

Key Service Centres      Brampton  
   Longtown

Local Service Centres      Burgh by Sands      Heads Nook

Castle Carrock	Houghton
Cummersdale	Irthington
Cumwhinton	Raughton Head
Dalston	Rockcliffe
Gilsland	Scotby
Great Corby	Smithfield
Great Orton	Thurstonfield
Hallbankgate	Warwick Bridge
Hayton	Wetheral

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

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

Proposals for residential development will be considered against the need to give priority to the reuse of previously developed land, with particular emphasis on vacant and derelict sites and buildings.

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

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

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

### **Core Development Policies - Policy CP5 - Design**

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

- 1 Respond to the local context and the form of surrounding buildings in relation to height, scale and massing, and by making use of appropriate materials and detailing;
- 2 Take into consideration any important landscape or topographical features and respect local landscape character;
- 3 Reinforce local architectural features, where appropriate, promoting and respecting local distinctiveness;
- 4 Ensure all components of the proposal, such as buildings, car parking, access routes, open space and landscaping, are well related to one another to ensure a well integrated, successful and attractive development;
- 5 Ensure there is no adverse effect on the residential amenity of existing areas, or adjacent land uses, or result in unacceptable standards for future users and occupiers of the development;
- 6 Ensure the retention and enhancement of existing trees, shrubs, hedges and other wildlife habitats where possible. Where environmental features are lost as

a result of the proposal, appropriate mitigation measures should be put in place and on-site replacement of those features will be sought;

- 7 Include landscaping schemes (both hard and soft) to assist the integration of new development into existing areas and ensure that development on the edge of settlements is fully integrated into its surroundings;
- 8 Ensure that the necessary services and infrastructure can be incorporated without causing unacceptable harm to retained features;
- 9 Ensure that the layout and design incorporates adequate space for waste and recycling bin storage and collection.

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

#### **Core Development Policies - Policy CP6 - Residential Amenity**

The amenity of residential areas will be protected from inappropriate development where that development:

- 1 is for a use inappropriate for residential areas; and/or
- 2 is of an unacceptable scale; and/or
- 3 leads to an unacceptable increase in traffic or noise; and/or
- 4 is visually intrusive.

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

#### **Core Development Policies - Policy CP9 - Development, Energy Conservation And Efficiency**

Development proposals should take into account the need for energy conservation and efficiency in their design, layout and choice of materials. The principles should be introduced in the early stages of the design process in order to consider the orientation of buildings to maximise solar gain coupled with high levels of insulation to reduce heating costs. The efficient and effective use of land, including the reuse of existing buildings and the use of environmentally sustainable materials should also be encouraged. Landscaping schemes also may be used to shelter buildings in exposed positions to reduce heat loss.

These elements will contribute to the energy efficiency of a new development. Developers should also consider the possible incorporation of photovoltaic cells, active solar panels and other small-scale sources of renewable energy. Consideration should be given to recycled materials, waste minimisation and recycling measures within the design.

Designers will be encouraged to include systems for collecting roof water to enable its re-use.

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

#### **Core Development Policies - Policy CP10 - Sustainable Drainage Systems**

Sustainable drainage systems (SUDS) should be incorporated into development proposals when the following conditions apply:

- 1 The development will generate an increase in surface water run-off; and
- 2 The rate of surface water run-off is likely to create or exacerbate flooding problems

Where SUDS are incorporated the following details shall be provided:

- 1 The type of SUDS; and
- 2 Hydraulic design details/calculations; and
- 3 Pollution prevention and water quality treatment measures together with details of pollutant removal capacity; and
- 4 Operation, maintenance and adoption details (SUDS structures will not be adopted by the statutory sewerage undertaker unless maintenance and legal agreements are in place).

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

#### **Core Development Policies - Policy CP11 - Protection Of Groundwaters And Surface Waters**

Proposals for development which would cause demonstrable harm to the quality, quantity and associated ecological features of groundwater and surface waters will not be permitted.

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

#### **Core Development Policies - Policy CP15 - Access, Mobility And Inclusion**

Development proposals should make provision for easy, safe and inclusive access to, into and within buildings and facilities. The layout and design of developments should meet the requirements of accessibility and inclusion for all potential users regardless of disability, age or gender. The Council will have regard to the following criteria when assessing development proposals:

- 1 The design of entrances and exits and ease of permeation through and between developments in terms of street furniture, circulation areas and pedestrian routes;
- 2 The location of any development proposal in relation to its potential users;
- 3 Accessibility to all transport modes and provision of adequate parking for disabled people;
- 4 Provision of on-site facilities such as public toilets, and appropriate signage

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

#### **Core Development Policies - Public Transport, Pedestrians And Cyclists**

New developments should offer a realistic choice of access by public transport, walking and cycling. Priority should be given to the provision for safe and convenient pedestrian and cycle access including secure cycle parking provision facilities, where appropriate, in all new developments accessible to the public.

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

## **Core Development Policies - Policy CP17 - Planning Out Crime**

The design of all new development must contribute to creating a safe and secure environment, integrating measures for security and crime prevention and minimising the opportunity for crime.

The following points should be applied to all development proposals:

- 1 Security measures should be an integral part of the design
- 2 Developments should be laid out and buildings positioned to maximise natural surveillance with the intention of creating a sense of neighbourhood and deterring criminal and anti-social activity
- 3 Public and private spaces should have clearly defined boundaries.
- 4 Footpaths and cycleways should be designed to maximise their use and prevent opportunities for concealment, unauthorised access or provide a choice of escape routes.
- 5 Landscaping schemes be designed to ensure that they do not create secluded areas, opportunities for climbing or reduce natural surveillance.
- 6 Lighting should deter criminal and antisocial activity whilst minimising light pollution. CCTV may be considered necessary in certain circumstances.

Developers should, at the earliest stage possible, consult Architectural Liaison Officer to advise on measures to be incorporated for designing out crime.

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

### **Economic & Commercial Growth - Policy EC2 - Mixed Commercial Areas**

Within Mixed Commercial Areas, proposals for B1 (Business), B2 (General Industrial) and B8 (Warehousing) uses will generally be acceptable. A1 (Retail) and A2 (Financial and Professional) will only be acceptable if a sequentially preferable location within a Primary Retail Area is either not available or suitable for the proposed use, and that the site can be defined as an edge-of-centre location. In all cases the following criteria must be met:

- 1 the relationship of the site to the highway network is satisfactory; and
- 2 access to the site is satisfactory; and
- 3 appropriate parking provision can be provided; and
- 4 the scale of development is appropriate in relation to the site and the amenity of adjacent uses is not prejudiced.

Proposals for residential development may be acceptable, subject to a satisfactory relationship with existing uses, and provided that there would be no unacceptable loss of employment land.

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

### **Local Environment - Policy LE7 - Buffer Zone On Hadrian's Wall World Heritage Site**

Within the buffer zone of Hadrian's Wall Military Zone World Heritage Site, as defined on the Proposals Map, proposals for development which would have an

unacceptable impact on the character and/or setting of the World Heritage Site will not be permitted. Development within or adjacent to existing settlements, established farmsteads and other groups of buildings will be permitted, where it is consistent with other policies of this Plan, providing that:

- 1 the proposal reflects the scale and character of the existing group of buildings; and
- 2 there is no unacceptable adverse effect on the character and/or appearance of the Hadrian's Wall Military Zone World Heritage Site.

Within the outer visual envelope, beyond the Hadrian's Wall Military Zone World Heritage Site, proposals for major development which would have an adverse effect on the character of the World Heritage Site will not be permitted unless the need for the development outweighs the environmental costs.

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

#### **Local Environment - Policy LE27- Developed Land In Floodplains**

Development on previously developed land which is at risk of flooding will only be permitted provided that a Flood Risk Assessment has been submitted with the planning application that confirms:

- 1 no other lower risk alternative site exists in the case of proposed development in Zone 3 (High Probability of river and/or sea flooding); and
- 2 flood defence measures to the appropriate standard are already in place or can be provided; and
- 3 adequate flood plain storage capacity can be provided; and
- 4 the development will not interfere with flood flows nor increase flood risk elsewhere; and
- 5 access and egress could be reasonably maintained at times of flood risk; and
- 6 adequate flood warning and evacuation procedures will be provided; and
- 7 mitigation measures will be provided where necessary; and
- 8 the building materials are appropriate for a flood risk area.

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

#### **Local Environment - Policy LE29 - Land Affected By Contamination**

Development on land known or thought to be contaminated will be permitted provided that contaminant sources, pathways and human and environmental receptors are clearly identified in a risk assessment and measures taken to treat, contain and control contamination so as not to:

- 1 Expose the occupiers of a development and neighbouring land uses to unacceptable risk;
- 2 Cause the contamination of adjoining land or allow contamination to continue;
- 3 Lead to the contamination of any watercourse, water body or aquifer;
- 4 Have an unacceptable adverse effect on habitats and ecosystems;
- 5 Cause harm to buildings, animals or crops

The Policy will also apply to proposed development on or within 250 metres of an



existing landfill or a site known to be used for landfill within the last 30 years.

**Carlisle District Local Plan 2001 - 2016**  
**Transport - Policy T1- Parking Guidelines For Development**

The level of car parking provision for development will be determined on the basis of the following factors:

- 1 the Parking Guidelines for Cumbria as updated by additional requirements in PPG 13;
- 2 the availability of public car parking in the vicinity;
- 3 the impact of parking provision on the environment of the surrounding area;
- 4 the likely impact on the surrounding road network; and
- 5 accessibility by and availability of, other forms of transport.

**Item no: 10**

**Appn Ref No:**  
11/1098

**Applicant:**  
Mrs Bowey

**Parish:**  
Nether Denton

**Date of Receipt:**  
21/12/2011 23:00:14

**Agent:**  
Green Design Architects

**Ward:**  
Irthing

**Location:**  
Dundonald, Low Row, Brampton, CA8 2LN

**Grid Reference:**  
358353 563134

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Proposal: Demolition Of Existing Conservatory And Erection Of Single Storey Extension To Provide Porch, Garden Room, Extended Lounge, Kitchen/Dining Room And Utility Together With Extension To Existing Garage

Members resolved to give authority to the Director (Economic Development) to issue approval for the proposal subject to the expiration of the consultation period on the 3rd February 2012.

No further comments or consultation responses have been received within the consultation period. The approval was issued on 7th February 2012.

**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 site location plan received 21st December 2011;
  3. the block plan received 21st December 2011 (drawing 11/2087/00);
  4. the existing plans and elevations received 21st December 2011 (drawing 11/2087/01A);
  5. the proposed plans and elevations received 21st December 2011 (drawing 11/2087/05);
  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.

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.

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## Summary of Reasons for the Decision

The decision to grant planning permission has been taken having regard to the Development Plan, including Supplementary Planning Guidance/ Documents and Design Guidance. The relevant Development Plan policies and Supplementary Guidance have been considered in conjunction with comments received from consultees (including statutory consultees) and any responses from third parties, together with other material planning considerations. On balance the proposal was regarded as acceptable and it was considered that the development does not cause demonstrable harm to interests of acknowledged importance that justifies withholding permission.

## Relevant Development Plan Policies

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

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

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

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

### **Housing - Policy H11 - Extensions To Existing Residential Premises**

Applications for extensions to existing dwellings will be approved provided the City Council is satisfied that the proposals are appropriate to the dwelling, its design and setting. Inappropriate extensions which adversely affect the amenities of adjacent properties by poor design, unreasonable overlooking and/or unreasonable loss of daylight and sunlight will not be permitted. Extensions must be of an appropriate scale and not dominate the original dwelling.

#### **Item no: 11**

**Appn Ref No:**  
11/1101

**Applicant:**  
Pirelli Tyres Ltd

**Parish:**  
Carlisle

**Date of Receipt:**  
23/12/2011

**Agent:**  
Pirelli Tyres Ltd

**Ward:**  
Denton Holme

**Location:**

Pirelli Tyres Limited, Dalston Road, Carlisle, CA2  
6AR

**Grid Reference:**

339015 553519

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Proposal: Extension To Existing Building To House Electrical Switchgear

Members will recall at Committee meeting held on 27th January 2012 that authority was given to the Director (Economic Development) to issue approval subject to no objections being received prior to the expiration of the publicity period (03/02/12). No objections were received and approval was issued on 7th February 2012.

**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 and Design and Access Statement;
  2. drawing numbers PL1002/1155/01 Rev A, /02 and /03;
  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.

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**Summary of Reasons for the Decision**

The Pirelli factory is located on the eastern side of Dalston Road to the immediate south of the Crematorium/Cemetery, north of the terraced houses at 1-8 Irving Place, and west of the River Caldew/Caldew cycletrack. Cummersdale and the access road run parallel to the southern boundary. A public footpath lies along the northern boundary. The premises comprise a social club, a gatehouse, warehouse, canteen, the factory and associated offices/boiler house, a tyre finishing building, test building, trailer park, a car park, and sports pitch. The main factory building has six bays and is constructed externally in brickwork and metal corrugated sheeting. The Pirelli site is designated a Primary Employment Area; the land to the south as an Urban Fringe

Landscape; and the adjoining land to the east part of a Primary Leisure Area and Conservation Area. The River Caldwew is a designated SSSI/SAC.

The current application seeks full permission for the construction of an extension to the south-eastern corner of the tyre factory building to form a new electrical switchgear room. The proposed extension measures 10.4m by 16m with an eaves height of 6m. In terms of external materials and height, the proposed extension matches the existing building.

It is considered that the two main issues are:

- 1) whether the proposal safeguards the living conditions of neighbouring residents; and
- 2) whether the proposal safeguards the character of the area.

When considering the living conditions of neighbouring residents it is apparent that proposal is ancillary to the existing usage of the site. The nearest residential properties are located on Cummersdale Road and within Cummersdale. The nature of the ancillary use is relatively benign in itself. Although the proposal would enable the upgrade of existing rubber compound mixing machines housed elsewhere, this should not noticeably exacerbate the current situation. As such, it is considered that the proposal (either directly or indirectly) would not have a detrimental impact on the living conditions of neighbouring residents sufficient to merit the refusal of permission.

In relation to the character of the area, it is considered that the proposed structure is consistent with the scale and design of the existing buildings; is well related to the existing development; and is in less conspicuous area of the site (and although elevated in comparison to the Caldwew Cycleway) not readily visible from a public vantage point.

It is appreciated that there other potential issues (such as impact on the River Caldwew, contamination, disposal of surface water, access by disabled people and parking) but based on the nature of the proposal and it's location within the site these are not considered to be of sufficient significance as to determine any assessment of the proposal.

## **Relevant Development Plan Policies**

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

#### **Economic & Commercial Growth - Policy EC1 - Primary Employment Areas**

Within Primary Employment Areas proposals for B1, B2 and B8 uses will be acceptable. Permission will only be given for redevelopment or changes of use within such areas for other purposes where:

- 1 the existing use of the site adversely affects or could adversely affect adjacent residential properties or the local environment; or
- 2 the proposed alternative use provides for needed community building or public

amenity space; or

- 3 the proposed alternative use is essential for the redevelopment of the majority of the site for employment purposes; and
- 4 the alternative development would be appropriate in terms of scale and design to the surrounding area and the amenity of adjacent properties would not be prejudiced.

Proposals for public sales floorspace, as opposed to trade counters, will not be permitted within employment units unless there is clear evidence that the use is an integral but ancillary part of the operation. Planning conditions, including a restriction on the hours of operation, may be used to ensure the use remains ancillary to the prime use of the unit

Employment uses have now become established at the former RAF14MU outlying sites at Harker, Heathlands and Rockcliffe. The sites are designated as Primary Employment Areas.

In the Sandysike/Whitesyke areas proposals for the redevelopment and extension to existing industrial and warehousing premises will be acceptable provided:

- 1 the proposal does not have an adverse impact on the landscape; and
- 2 the proposal does not involve the loss of existing tree cover; and
- 3 where appropriate, opportunities are taken to reinforce existing landscaping; and
- 4 adequate access and appropriate parking are provided.

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

#### **Core Development Policies - Policy CP2 - Biodiversity**

Proposals in both the rural and urban area should not harm the integrity of the biodiversity resource as judged by key nature conservation principles, and proposals should seek to conserve and enhance the biodiversity value of the areas which they affect.

In areas where species protected under national and European legislation are most likely to occur, special account will be given to their presence in the consideration of development proposals.

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

#### **Local Environment - Policy LE29 - Land Affected By Contamination**

Development on land known or thought to be contaminated will be permitted provided that contaminant sources, pathways and human and environmental receptors are clearly identified in a risk assessment and measures taken to treat, contain and control contamination so as not to:

- 1 Expose the occupiers of a development and neighbouring land uses to unacceptable risk;
- 2 Cause the contamination of adjoining land or allow contamination to continue;
- 3 Lead to the contamination of any watercourse, water body or aquifer;

- 4 Have an unacceptable adverse effect on habitats and ecosystems;
- 5 Cause harm to buildings, animals or crops

The Policy will also apply to proposed development on or within 250 metres of an existing landfill or a site known to be used for landfill within the last 30 years.

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

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

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

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

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

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

Proposals for residential development will be considered against the need to give priority to the reuse of previously developed land, with particular emphasis on vacant and derelict sites and buildings.

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

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

