

SCHEDULE A: Applications with Recommendation

17/0361

Item No: 01

Date of Committee: 08/06/2018

Appn Ref No:
17/0361

Applicant:
Mrs Jane Thomson

Parish:
Farlam

Agent:
Robson & Liddle (Rural)
Ltd

Ward:
Irthing

Location: Home Farm, Farlam, Brampton, CA8 1LA

Proposal: Erection Of 1no. Agricultural Workers Dwelling (Outline)

Date of Receipt:
12/06/2017

Statutory Expiry Date
07/08/2017

26 Week Determination
16/04/2018

REPORT

Case Officer: Richard Maunsell

1. Recommendation

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

2. Main Issues

- 2.1 Whether The Principle Of Residential Development Is Acceptable
- 2.2 Whether The Scale And Design Is Acceptable
- 2.3 Impact On The Character And Appearance Of The Area
- 2.4 The Impact Of The Proposal On The Living Conditions Of Neighbouring Properties
- 2.5 Highway Issues
- 2.6 Foul And Surface Water Drainage
- 2.7 Impact Of The Proposal On Biodiversity

3. Application Details

The Site

- 3.1 The application was deferred at the previous meeting of the Development Control Committee in order that Members could undertake a site visit.

- 3.2 Home Farm is situated at the northern fringe of the village of Farlam. The 0.09 hectare parcel of land is currently in agricultural use and comprises of a large portal framed building together with the storage of agricultural equipment.
- 3.3 The site is surrounded by open countryside to the north and west with the built form of Farlam to the south and east with residential properties in close proximity. The land is accessed via a private access track leading into the southern corner of the site that is taken from the C1032 Talkin to Kirkhouse road. A public footpath (number 115027) links the private access to Talkin Tarn.
- 3.4 The land itself slopes up steeply from the south and is visible from the village when approaching from the south. The site is bounded by hedging along its eastern and western boundaries.

Background

- 3.5 The accompanying Planning Appraisal provides some context for the application and states:

“Maurice and Jane Thomson own and operate a farming business at Home Farm, Farlam. They farm predominantly calves, sheep and pigs.

Messers Thomson have been involved in agriculture for many years. The history of the site is that, as well as the farming, they used to own Inisfree Kennels & Cattery but wanted to leave the industry so they sold the business, which they could not do without selling the house as the regulations for boarding kennels necessitate being resident 24/7. Without taking advice on the matter they thought that having the adjacent farm business would mean they could invest their sale proceeds into converting the traditional barn on their land. Attempts were made to apply for permission but without success.

Given the period of time since the kennels were sold, and the applicants had to operate the farming business (reducing livestock numbers to be able to cope), they have since rebuilt numbers and continue to do so. They now need to reside on site once again.

The proposal is for an agricultural workers dwelling to be located on the holding for Maurice and Jane as both work on the holding. The dwelling type would be a log cabin. The buildings on site are all used for agriculture.”

- 3.6 An application was submitted under the prior notification procedure for the change of use of a barn to a dwelling was refused in 2014 for the following reason:

“The proposed change of use of this building to a dwellinghouse is not permitted development as the proposal fails to comply with the requirements of Class MB, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) as the applicant has

failed to demonstrate that i) the building is an "agricultural building" within Class MB (a) and ii) that the building was used for an agricultural use on the 20th March 2013, which is contrary to MB.1(a). As such, the proposal does not therefore fall to be considered under the Prior Notification Procedure."

- 3.7 A revised application was submitted later in 2014 for the change of use of a barn to a dwelling was refused in 2015 for the following reason:

"The proposed change of use of this building to a dwellinghouse is not permitted development as the proposal fails to comply with the requirements of Class MB, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) as the applicant has failed to demonstrate that the building was used solely for an agricultural use on the 20th March 2013, which is contrary to MB.1(a). As such, the proposal does not therefore fall to be considered under the Prior Notification Procedure."

The Proposal

- 3.8 This application is for outline planning permission for the erection of one detached agricultural workers dwelling to be occupied by a farm worker. An agricultural appraisal has been submitted with the application which provides details of the current agricultural operation.
- 3.9 The application has been submitted for outline permission only with all matters reserved for subsequent approval. The supporting documents state that the building would be a log cabin with the existing vehicular access utilised to access to the property.

4. Summary of Representations

- 4.1 This application has been advertised by means of a site notice and direct notification to the occupiers of four of the neighbouring properties. In response, one letter of objection has been received and the main issues raised are summarised as follows:
1. an objection is made to the erection of a dwelling on this green field site. Although the owner is clearly a keen small holder this should not be sufficient justification to allow construction of a dwelling on a green field site. A previous attempt to convert a barn into a dwelling was declined approximately 2 years previous to this application;
 2. a log cabin is completely inappropriate structure for the village and location.

5. Summary of Consultation Responses

Cumbria County Council - (Highways & Lead Local Flood Authority): - no objection.

It is noted that the existing access is substandard and does not comply with

normal standards. There is however no proof of this access not working in a safe manner i.e. no records of any accidents in the area of the access. Considering the very minor increase of the use of this access the Highway Authority could only encourage the applicant to improve this access but would not seek to refuse this application;

Farlam Parish Council: - there is insufficient detail in the application as to whether there is a need for the log cabin.

Policy HO6 states that where there is an essential need for a rural worker to live at or near their place of work, and evidence is provided to demonstrate need for a full time worker to be available at all times for the enterprise to function properly, provided that:

- a) the business is established, has been profitable for at least one year, is currently financially sound, and has a clear prospect of remaining so;*
- b) the housing need cannot be met by other housing nearby; and*
- c) the house would be appropriate in terms of size, scale & design for its location.*

There is no evidence that the business is established, financially sound etc.

There is other available housing nearby.

There is no detail on the proposed log cabin eg size etc. but members felt that a log cabin was inappropriate for the area.

On the application form it says that advice was given for a temporary building to be erected for the owners to live on site but the application does not state that the log cabin is temporary

Residents of Farlam passed the following concerns to Councillor Marsh. It was agreed that these be passed to the planning authority:-

- since 1995, the housing in Farlam has almost quadrupled. There is no need for further housing;
- the access to the site is not safe;
- the application is outside the development area of the village;
- there are other housing plots available within the village that already have planning permission (3 are across the road from this site);
- that the planning authority look at the history of applications submitted for this particular site and take this into consideration.

Local Environment, Waste Services: - no objection.

6. Officer's Report

Assessment

- 6.1 Section 70(2) of the Town and Country Planning Act 1990/ Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that an application for planning permission is determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.

- 6.2 The Development Plan for the purposes of the determination of this application comprise Policies SP2, SP6, HO2, HO6, IP3, IP4, IP6, CC5, CM5, GI3, GI5 and GI6 of the Carlisle District Local Plan 2015-2030 are of particular relevance. The City Council's Supplementary Planning Document 'Achieving Well Designed Housing' (SPD) is also a material planning consideration. Section 66 of the Planning (Listed Building and Conservation Areas) is also a material planning consideration.
- 6.3 The requirements of the public sector equality duty under Section 149 of the Equality Act 2010; and the "Guidelines for Public Transport In Developments" (1999) and "Reducing Mobility Handicaps" (1991) both prepared by the Chartered Institution of Highways & Transport CIHT) are also material considerations. Section 149(1) of the Equality Act 2010 establishes a duty to have due regard to three identified needs in the delivery of public services and the exercise of public powers, namely:
- a) to eliminate discrimination, harassment, victimisation etc.;
 - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 6.4 The relevant protected characteristics include age, gender, disability and race.
- 6.5 At a national level, other material considerations include the National Planning Policy Framework, March 2012 (the Framework/ NPPF), Planning Practice Guidance (April 2014) and the Natural Environment and Rural Communities Act (2006).
- 6.6 Paragraph 14 of the NPPF highlights the presumption in favour of sustainable development which is referred to as "a golden thread". For decision-taking this means approving development proposals that accord with the development plan; and where the development plan is absent, silent or out of date, grant permission unless:
1. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits; or
 2. specific policies in this Framework indicate development should be restricted.
- 6.7 Paragraph 17 of the NPPF identifies 12 core planning principles including taking account of the different roles and character of different areas; supporting the transition to a low carbon future; contribute to conserving and enhancing the natural environment and reduce pollution; and conserve heritage assets.
- 6.8 The authority should consider securing measures to enhance the biodiversity of a site from the applicant, if it is minded to grant permission for an application in accordance with paragraph 118 of the NPPF. This is reflected in Section 40 of the Natural Environment and Rural Communities Act (2006) which states that every public authority must have regard to the purpose of

conserving biodiversity. Local planning authorities must also have regard to the requirements of the EC Habitats Directive (92/43/EEC) when determining a planning application as prescribed by regulation 3 (4) of the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended), and Article 16 of the Habitats Directive before planning permission is granted.

6.9 The proposal raises the following planning issues.

1. Whether The Principle Of Residential Development Is Acceptable

6.10 The NPPF seeks to promote sustainable development and in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.

6.11 Paragraph 14 of the NPPF outlines that *"at the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking"*.

6.12 Outline planning permission has previously been granted for the erection of three dwellings on land to the north of Inisfree, to the north-east of the application site. In the assessment of the principle of this development, the report states:

"When assessing the application against the foregoing policies, it is acknowledged that the site is located on the edge of Farlam village however it is well contained within existing landscape features as there is substantial landscaping surrounding the eastern boundary of the site. The site is physically connected to the village as it forms part of the land connected to Inisfree which is currently used for Kennels and there are also buildings on the opposite side of the road, although sparsely located. In such circumstances it is not considered that the proposal would lead to an unacceptable intrusion into open countryside.

Furthermore although Farlam village has limited services as it just has a church it is located in close proximity to Hallbankgate which has a higher range of services (school, public house, village hall, garage etc). In such circumstances the application site is considered to be in a sustainable location for housing development. The principle of the proposal is therefore acceptable."

6.13 It is therefore evident that the council has accepted the principle of open market housing in the village. Similarly, the site subject to this application is curtailed by the topography of the land and buildings to the north and the principle of development is also considered to be acceptable.

6.14 If members do not agree with the above assessment then Policy HO6 of the local plan is applicable. This policy allows for the principle of a dwelling in the rural area where there are special circumstances including where there is an essential need.

6.15 This policy is consistent with the NPPF which requires that development

proposals are adequately justified. Paragraph 55 states:

“To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:

- the essential need for a rural worker to live permanently at or near their place of work in the countryside; or*
- where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or*
- where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or*
- the exceptional quality or innovative nature of the design of the dwelling.”*

6.16 The applicant has submitted a Planning Appraisal which outlines the farming enterprise. The business currently is a farming system that combines beef, lamb and pork production with a small number of poultry. The farm comprises of approximately:

- 121 breeding ewes which lamb in the Spring with their lambs being sold off the holding from late summer onwards. There are currently 50 lambs still on the holding;
- 32 calves which are bought at a week old and retained on the holding for between 3 and 12 months. There are proposals to increase numbers to around 80;
- 4 tups;
- 2 highland cows with calves;
- 4 Gloucester Old Spot breeding sows;
- 35 young pigs being reared for pork.

6.17 The applicants occupy 10.5 hectares (26 acres) of land at Home Farm. In addition the applicant occupies up to 20 ha [50 acres] of land at Scotby near Carlisle. The applicant has occupied this land for about 5 years but does not hold a tenancy or license on it.

6.18 Officers instructed an independent consult to assess the proposal and in concluding the report, it is stated that:

- there is a clearly established *existing* functional need in relation to the above landholdings.
- the labour requirement of the farming enterprises on this farming unit has been calculated and can advise that there is a total existing calculated labour requirement of approaching 1 full time worker. This will increase to 1 full time worker if and when calf numbers are increased to the proposed 80;
- this agricultural unit has been established for in excess of 3 years, is financially sound and has a clear prospect of remaining so;
- 1 full time worker, actively involved in the management of the unit should

be resident on or immediately adjacent to it to meet the existing functional need;

- there is currently no domestic accommodation on this holding;
- the Council may wish to consider if suitable and available accommodation can be achieved from the properties currently on the market opposite the applicant's land holdings;
- if the Council is minded to approve this application then consideration should be given to tie the ownership and occupation of the 26 acres to that of the new dwelling to ensure it remains available in the future.

6.19 The penultimate point in the report which refers to properties currently on the market relates to Inisfree but has been discounted as being too large and expensive. The land to the north of Inisfree is also for sale and benefits from planning permission for the erection of three dwellings. This has also been discounted as being too expensive once a plot purchase and all associated build costs and clearance costs are taken into consideration.

6.20 The response from the Parish Council together with the occupier of a neighbouring property questions the need for the dwelling in light of the financial viability of the business. It is not apparent on what information this conclusion was drawn; however, Officers have sought the advice of an independent consultant whose conclusions confirm that there is a need for a dwelling and that the business is financially sound.

6.21 From the information contained within the application details, the applicants used to live in the village directly opposite the land which they farm. This property was sold approximately 8 years ago. Whilst permission was sought to convert a barn on their land to a dwelling and was refused on two separate occasions, this application was submitted under a separate application process where neither the principle of new-build housing or the needs of the applicant were required to be considered but moreover, it was established that the building could not be converted under the prior notification procedure as it could not be established that the building had previously been used for agricultural purposes. Had this been demonstrated, approval could have been granted and the building converted to an unfettered dwelling. As such, this history should carry no weight in the determination of this application.

6.22 The principle of residential development has previously been accepted by the council in Farlam, most recently through application 16/0609 on land to the north of Inisfree. This issue with open market housing on this site is a matter for consideration; however, notwithstanding this, the principle of residential development for a rural worker is acceptable. Members may wish to consider whether the location of residential development is acceptable per se which if this is the case, it may not be reasonable to impose a restrictive occupancy condition or tie the land to the dwelling as suggested by the council's consultant.

6.23 The planning issues raised by the development, including the impact on the character and appearance of the area, are discussed in the following paragraphs.

2. Whether The Scale And Design Is Acceptable

- 6.24 Policies seek to ensure that development proposals are appropriate in terms of quality to that of the surrounding area and that development proposals incorporate high standards of design including siting, scale, use of materials and landscaping which respect and, where possible, enhance the distinctive character of townscape and landscape. This theme is identified in Policy SP6 of the local plan which requires that development proposals should also harmonise with the surrounding buildings respecting their form in relation to height, scale and massing and make use of appropriate materials and detailing.
- 6.25 When assessing the character of the area, it is evident there are a variety of properties of differing ages and styles within the immediate vicinity but predominantly on the approach to the site from the south, they are two storey in height and of either stone or render construction under a slate roof. Inisfree, which is directly opposite and to the east of the site, is a large single storey rendered bungalow under a slate roof.
- 6.26 As previously highlighted the application seeks outline planning permission with all matters reserved. The details of any building would therefore be considered on their merits during any subsequent application. Accordingly, this would ensure that the scale and massing of the proposed dwellings would appear comparable to the existing properties within the immediate vicinity and would not result in a discordant feature within the area as a whole.

3. Impact Of The Proposed On The Character And Appearance Of The Area

- 6.27 Planning policies seek to ensure that proposals for development in the rural area conserve and enhance the special features and diversity of the different landscape character areas. Development proposals are expected to incorporate high standards of design including regard to siting, scale and landscaping which respect and, where possible, should enhance the distinctive character of the landscape.
- 6.28 Again, the application seeks outline planning permission only and any detailed scheme would have to be mindful of the potential impact on the character and appearance of the area. The application site is well-related to the field boundaries and existing buildings within the site. On this basis, it is not considered that the proposal would be detrimental to the character or appearance of the area.

4. The Impact Of The Development On The Character And Setting Of The Grade II Listed Building

- 6.29 Paragraph 6 of the NPPF states that:

“The purpose of the planning system is to contribute to the achievement of sustainable development”.

- 6.30 Pursuing sustainable development involves seeking positive improvements in the quality of the historic environment (paragraph 9). Planning should always seek to secure high quality design and should conserve heritage assets in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of this and future generations as stated in paragraph 17 of the NPPF.
- 6.31 Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 highlights the statutory duties of Local Planning Authorities whilst exercising of their powers in respect of listed buildings. Accordingly, considerable importance and weight should be given to the desirability of preserving listed buildings and their settings when assessing this application. If the harm is found to be less than substantial, then any assessment should not ignore the overarching statutory duty imposed by section 66(1).
- 6.32 Paragraph 133 of the NPPF states that local planning authorities should refuse consent for any development which would lead to substantial harm to or total loss of significance of designated heritage assets. However, in paragraph 134, the NPPF goes on to say that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 6.33 Policy HE3 of the local plan also indicates that new development which adversely affects a listed building or its setting will not be permitted. Any harm to the significance of a listed building will only be justified where the public benefits of the proposal clearly outweighs the significance.
- i) the significance of the heritage asset and the contribution made by its setting
- 6.34 Lowtown Farm is a Grade II listed building located approximately 30 metres to the east of the application site. The building is a 2 storey detached farmhouse property with symmetrical detail to the fenestration of the front elevation.
- ii) the effect of the proposed development on the settings of the Grade II listed buildings
- 6.35 Historic England has produced a document entitled 'Historic Environment Good Practice Advice in Planning Note 3 - The Setting of Heritage Assets' (TSHA).
- 6.36 The TSHA document and the NPPF make it clear that the setting of a heritage asset is the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive and negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

- 6.37 The NPPF reiterates the importance of a setting of a listed building by outlining that its setting should be taken into account when considering the impact of a proposal on a heritage asset (paragraph 132). However, in paragraph 134, the NPPF goes on to say that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
- 6.38 Section 66 (1) requires that development proposals consider not only the potential impact of any proposal on a listed building but also on its setting. Considerable importance and weight needs to be given to the desirability of preserving the adjoining listed buildings and settings when assessing this application. If the harm is found to be less than substantial, then any assessment should not ignore the overarching statutory duty imposed by section 66(1).
- 6.39 The application seeks outline planning permission only and it is considered that in respect of the impact on the listed building, the principle of residential development would be acceptable with the further details being considered separately at the time of any subsequent application. In this context, it is considered that the proposal (in terms of its location, scale, materials and overall design) would not be detrimental to the immediate context or outlook of the aforementioned adjacent listed buildings.

5. The Impact Of The Proposal On The Living Conditions Of Neighbouring Properties

- 6.40 Planning policies require that development proposals should not adversely affect the living conditions of occupiers of residential properties by virtue of inappropriate development, scale or visually intrusive.
- 6.41 The building is located opposite residential properties to the south and east of the application site. The main aspect of these properties face south-west and north-east and not, therefore, directly over the application site that is further to the north-west.
- 6.42 Given the width of the plot there is sufficient land to allow the building to be positioned at the reserved matters application stage so that the living conditions of the occupiers of this property would not be adversely affected by the development.

6. Highway Issues

- 6.43 The dwelling would be located adjacent to a single width access track. Cumbria County Council as the Highway Authority has raised no objection to the application but has advised that the access does not meet the standards for a dwelling and that the applicant could be encouraged to undertake improvements. Given that the proposed level of use together with the fact that this is a private access road that is used by vehicles to enter the site, it would be unreasonable to impose a condition requiring the access to be improved. As such, the proposal does not raise any highway issues.

7. Foul and Surface Water Drainage

- 6.44 In order to protect against pollution, Policies IP6 and CC5 of the local plan seek to ensure that development proposals have adequate provision for the disposal of foul and surface water. The application documents, submitted as part of the application, provides no details in relation to foul drainage but confirms that the surface water would be to a sustainable drainage system.
- 6.45 The principle of the means of disposal of the surface water is acceptable but as no details have been provided in respect of either system, conditions are included within the decision notice requiring the submission and agreement of further details including a management and maintenance scheme for the soakaway in accordance with the NPPF.

8. Impact Of The Proposal On Biodiversity

- 6.46 Planning Authorities in exercising their planning and other functions must have regard to the requirements of the EC Habitats Directive (92/43/EEC) when determining a planning application as prescribed by regulation 3 (4) of the Conservation (Natural Habitats, cc.) Regulations 1994 (as amended). Such due regard means that Planning Authorities must determine whether the proposed development meets the requirements of Article 16 of the Habitats Directive before planning permission is granted. Article 16 of the Directive indicates that if there is reasonable likelihood of a European protected species being present then derogation may be sought when there is no satisfactory alternative and that the proposal will not harm the favourable conservation of the protected species and their habitat.
- 6.47 The City Council's GIS layer did identify the potential for protected species to be present on the site or within the immediate vicinity. Given that the proposal involves a small piece of agricultural land, adjacent to existing buildings, it is unlikely that the proposal would affect any species identified; however, an informative has been included within the decision notice ensuring that if a protected species is found all work must cease immediately and the local planning authority informed.

Conclusion

- 6.48 In overall terms, the proposed has been submitted on the basis that the occupancy would be for a rural worker. The principle of a dwelling on this basis is acceptable and would meet the functional need identified for the farm.
- 6.49 Additionally, the scale and design would be appropriate to the site and would not result in an adverse impact on the character or appearance of the area.
- 6.50 The submitted plans take account of the highway issues and the living conditions of the occupiers of the neighbouring properties would not be prejudiced subject to the imposition of conditions.

- 6.51 The means of foul and surface water drainage can be suitably addressed through the imposition of planning conditions.
- 6.52 In overall terms, the proposal is considered to be compliant with the objectives of the relevant local plan policies and the NPPF.

7. Planning History

- 7.1 Planning permission was granted in 2016 for the erection of an agricultural building for housing and feeding livestock.

8. Recommendation: Grant Permission

1. In case of any "Reserved Matter" application for approval shall be made not later than the expiration of 3 years beginning with the date of this permission, and the development shall be begun not later than whichever is the later of the following dates:
- i) the expiration of 3 years from the date of the grant of this permission, or
 - ii) the expiration of 2 years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: In accordance with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended by The Planning and Compulsory Purchase Act 2004).

2. Before any work is commenced, details of the layout, scale, appearance, access and landscaping of the site (hereinafter called "reserved matters") shall be submitted to and approved by the local planning authority.

Reason: The application was submitted as an outline application in accordance with the provisions of Part 3 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

3. The development shall be undertaken in strict accordance with the approved documents for this Planning Permission which comprise:
- 1. the Planning Application Form received 2nd May 2017;
 - 2. the Location Plan received 12th June 2017 (Plan no. 1);
 - 3. the Access point received 2nd May 2017 (Plan no. 2);
 - 4. the Desk Top Study received 12th June 2017;
 - 5. the Agricultural Planning Appraisal Report received 12th June 2017;
 - 6. the Notice of Decision;
 - 7. any such variation as may subsequently be approved in writing by the local planning authority.

Reason: To define the permission.

4. The occupation of the dwelling hereby approved shall be limited to persons solely or mainly employed, or last employed, in the locality in agriculture as defined in Section 336 of the Town and Country Planning Act 1990, or in forestry, or dependants of such persons residing with him or her, or a widow or widower of such a person.

Reason: The unrestricted use of the dwelling would be contrary to the provisions of the National Planning Policy Framework and Policy HO2 of the Carlisle District Local Plan 2015-2030 which seek to prevent additional sporadic development in the countryside unless demonstrated to be essential in the interests of agriculture or forestry.

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

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

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

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

7. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the local planning authority.

The surface water system shall demonstrate that no flooding will occur on any part of the site for a 1 in 30 year event unless designed to do so, flooding will not occur to any building in a 1 in 100 year event plus 30 % to account for climate change, and where reasonably possible flows resulting from rainfall in excess of a 1 in 100 year 6 hour rainfall event are managed in conveyance routes (plans of flow routes etc). The scheme must also confirm the design of the surface water drainage system will mitigate any negative impact of surface water from the development on flood risk outside the development boundary.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the surface water public sewer, the pass

forward flow rate to the surface water public sewer must be restricted to 5l/s for any storm event.

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

8. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:
- arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
 - a. arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

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

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development in accordance with Policies SP6 and CC5 of the Carlisle District Local Plan 2015-2030 and to promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with policies within the National Planning Policy Framework and National Planning Practice Guidance.

9. No development approved by this permission shall be commenced until a scheme for the conveyance of foul drainage to has been 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 prevent pollution of the water environment in accordance with Policy IP6 of the Carlisle District Local Plan 2015-2030.

10. Particulars of height and materials of all screen walls and boundary fences shall be submitted to and approved by the local planning authority prior to the commencement of the development hereby permitted. All works comprised in the approved details of means of enclosure and boundary treatment shall be carried out contemporaneously with the completion (i.e. by the plastering out) and completed prior to the occupation of each dwelling hereby permitted.

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

11. As part of the development hereby approved, adequate infrastructure shall be installed to enable telephone services, electricity services and television services to be connected to the premises within the application site and shall be completed prior to the occupation of the dwelling.

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

12. No development shall take place until details of a landscaping scheme have been submitted to and approved by the local planning authority.

Reason: To ensure that a satisfactory landscaping scheme is prepared to reduce the potential for crime in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

13. 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 SP6 of the Carlisle District Local Plan 2015-2030.

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

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

15. Before any development is commenced on the site, including site works of any description, a protective fence in accordance with Fig. 2 in B.S. 5837: 2012 shall be erected around the trees and hedges to be retained at the

extent of the Root Protection Area as calculated using the formula set out in B.S. 5837. Within the areas fenced off no fires should be lit, the existing ground level shall be neither raised nor lowered, and no materials, temporary buildings or surplus soil of any kind shall be placed or stored thereon. The fence shall thereafter be retained at all times during construction works on the site.

Reason: In order to ensure that adequate protection is afforded to all hedges to be retained on site in accordance with Policies SP6 and GI6 of the Carlisle District Local Plan 2015-2030.



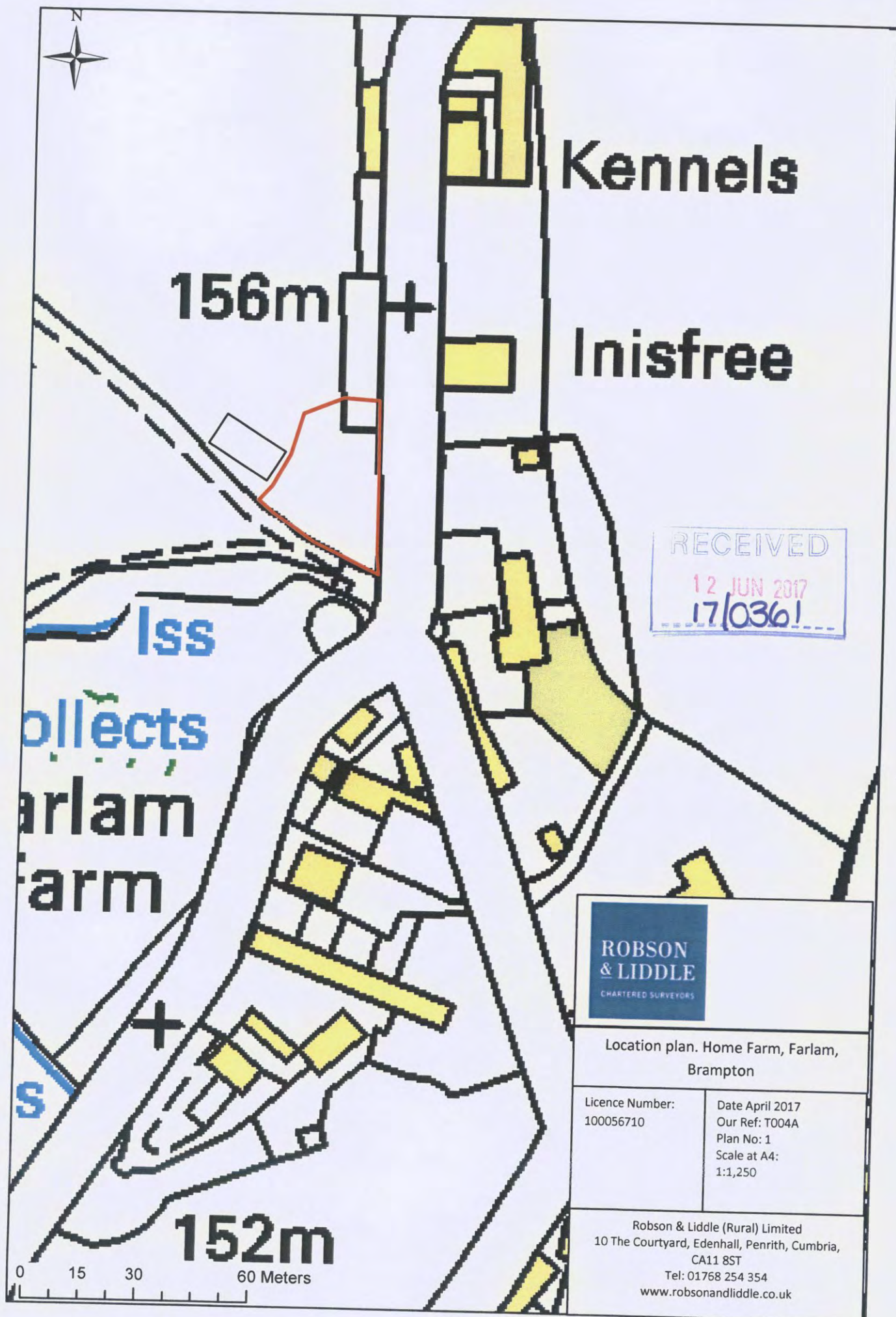
**ROBSON
& LIDDLE**
CHARTERED SURVEYORS

Home Farm, Farlam, Brampton

Licence Number:
100056710

Date April 2017
Our Ref: T004A
Plan No: 1
Scale at A4:
1:2,500

Robson & Liddle (Rural) Limited
10 The Courtyard, Edenhall, Penrith, Cumbria,
CA11 8ST
Tel: 01768 254 354
www.robsonandliddle.co.uk







**ROBSON
& LIDDLE**
CHARTERED SURVEYORS

Rented Land

Licence Number:
100056710

Date: April 2017
Our Ref: T004
Plan No: 1
Scale at A4:
1:7,500

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