

AGENDA

Development Control Committee

Friday, 11 September 2020 AT 10:00

This meeting will be a virtual meeting and therefore will not take place in a physical location.

Virtual Meeting - Link to View

This meeting will be a virtual meeting using Microsoft Teams and therefore will not take place at a physical location following guidelines set out in Section 78 of the Coronavirus Act 2020.

[To view the meeting online click this link](#)

Register of Attendance and Declarations of Interest

A roll call of persons in attendance will be taken and Members are invited to declare any disclosable pecuniary interests, other registrable interests and any interests, relating to any item on the agenda at this stage.

Apologies for Absence

To receive apologies for absence and notification of substitutions.

Public and Press

To agree that the items of business within Part A of the agenda should be dealt with in public and that the items of business within Part B of the agenda should be dealt with in private.

Minutes of Previous Meetings

5 - 14

To note that Council, at its meeting of 8 September, received and adopted the minutes of the Development Control Committee meetings held on 17 June (site visits), 19 June and 17 July 2020. The Chair will sign the minutes at the first practicable opportunity.

[Copy minutes in the Minute Book 47(2)].

To approve the minutes of the meetings held on 14 August and 9 September 2020 (site visits).

PART A

To be considered when the Public and Press are present

A.1 CONTROL OF DEVELOPMENT AND ADVERTISING

To consider applications for:

- (a) planning permission for proposed developments
- (b) approval of detailed plans
- (c) consents for display of advertisements.

Explanatory Notes

**15 -
22**

Item 01 - 20/0452 - Land at Capon Tree Lodge, Capon Tree Road, Brampton, CA8 1QL

**23 -
38**

PART B

To be considered when the Public and Press are excluded from the meeting

B.1 QUARTERLY REPORT ON PLANNING ENFORCEMENT

- Information relating to any individual;

Members of the Development Control Committee

Conservative – Christian, Collier, Meller, Morton, Nedved, Shepherd, Mrs Bowman (sub), Mrs Finlayson (sub), Tarbitt (sub)

Labour – Birks, Brown, Mrs Glendinning (Vice Chair), Rodgerson, Miss Whalen, Alcroft (sub), Patrick (sub), Dr Tickner (sub)

Independent - Tinnion (Chair), Paton (sub)

Enquiries, requests for reports, background papers etc to:

Jacqui Issatt, Committee Clerk - jacqui.issatt@carlisle.gov.uk

To register a Right to Speak at the committee contact -
DCRTS@carlsile.gov.uk

DEVELOPMENT CONTROL COMMITTEE

FRIDAY 14 AUGUST 2020 AT 10.00 AM

PRESENT: Councillor Tinnion (Chair), Councillors Birks, Mrs Bowman (as substitute for Councillor Nedved), Christian, Finlayson (as substitute for Councillor Collier), Glendinning, Meller, Morton, Shepherd and Whalen.

ALSO

PRESENT: Councillor Dr Davison (in her capacity as Ward Member) attended in the meeting having registered a Right to Speak in respect of application 19/0556 – BSW Sawmills, Cargo, Carlisle, CA6 4BA.

OFFICERS: Development Manager
Legal Services Manager
Principal Planning Officer
Principal Health and Housing Officer
Planning Officer x 1
Ms Renyard – Lead Officer, Flood and Development Management, Cumbria County Council

DC.064/20 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Brown, Collier, Nedved and Rodgeron, and the Corporate Director of Economic Development.

DC.065/20 DECLARATIONS OF INTEREST

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

Councillor Whalen declared an interest in respect of application 19/0869 – Cumbria Wildflowers, The Stables, Great Orton, Carlisle, CA5 6NA. The interest related to the applicant being known to her.

Councillor Morton declared an interest in respect of application 20/0206 – Land adjacent to Beck House, Cumwhitton, Carlisle. The interest related to the applicant being known to him.

Councillor Christian declared an interest in application 20/0206 – Land adjacent to Beck House, Cumwhitton, Carlisle. The interest related to an objector being known to him

DC.066/20 PUBLIC AND PRESS

RESOLVED – That the Agenda be agreed as circulated.

DC.067/20 AGENDA

RESOLVED – That Schedule B be considered after Item 4.

DC.068/20 MINUTES OF PREVIOUS MEETINGS

RESOLVED – That the minutes of the meetings held on 17 July 2020 and 12 August (virtual site visits) be approved.

DC.069/20 PUBLIC REPRESENTATIONS IN RESPECT OF PLANNING APPLICATIONS

The Legal Services Manager set out the process for those Members of the public who had registered a Right to Speak at the Committee.

DC.070/20 CONTROL OF DEVELOPMENT AND ADVERTISING

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

- 1. Removal of conditions of previously approved permission 90/1152 (Conditions 10, 11, 12, 16); 92/0219 (Conditions 7, 8, 9, 12); 92/0733 (Conditions 7, 8, 9, 11); 99/0313 (Condition 6); 01/0075 ((Condition 6); and 15/04718 (Condition 5) relating to hours of operation; restricting the movement of operation of vehicles or plant within and to and from the sawmill; restricting the despatch of timber or by-products from the site and deliveries of timber; and restricting the maintenance, repair, servicing, replacement or re-fitting works to plant equipment or vehicles, BSW Sawmills, Cargo, Carlisle, CA6 4BA (Application 19/0556).**

The Principal Planning Officer submitted the report on the application which had been subject of a virtual site visit by the Committee on 12 August 2020.

Slides were displayed on screen showing: site location plan; site boundary plan; existing sensitive receptors plan and photographs of the site, an explanation of which was provided for the benefit of Members.

The application had been withdrawn from the 19th June 2020 meeting of the Committee in order for a meeting to take place between the applicant's noise consultant (WYG) and Officers in the Council's Environmental Health team to discuss the noise assessment undertaken. At the meeting, it was agreed that additional information was required to make the noise assessment more robust and, therefore, acceptable to Environmental Health Officers. A Noise Addendum Report was subsequently submitted on 15th July 2020, a summary of its findings and conclusions were set out in the Officer's report.

The Principal Planning Officer recommended that the application be approved, subject to the conditions detailed in the report.

Councillor Allison (Cumbria County Council) addressed the Committee in the following terms: BSW were widely seen as a good employer and neighbour by local residents; there was already a high level of background noise in the area as a result of business operations, including, but not limited to BSW, therefore residents needed reassurance that the proposal would not generate significant increases in noise; Councillor Allison had carried out his own noise assessment and concluded that the existing road network and adjacent residential development generated more noise than the activities proposed by the application would. Councillor Allison asked Members to support the Officer's recommendation.

Councillor Dr Davison (Ward Member) addressed the Committee in the following terms: BSW were an important employer and approving the application would secure jobs; a number of residents in properties close to the application site were concerned about the potential for

increased night time noise; were an increase in noise to occur, it was important residents had a clear point of contact where they were able to raise issues; the Committee needed to be confident that BSW was able to effectively monitor and enforce the route HGVs took when exiting the site i.e. they should head to the ring road and not use the residential road.

Mr Hale (Agent) responded in the following terms: Environmental Health had withdrawn their objection to the proposal following the submission of further noise assessment information; the conditions that the application sought to remove were no longer necessary due to the creation of the ring road; the continued application of those conditions was contrary to Paragraph 55 of the National Planning Policy Framework (NPPF); the conditions had the potential to reduce the competitiveness of the business; BSW operated several other sites in the country each of which was in a similar setting, but were not subject to such conditions; the proposal was not contrary to Local Plan policy CM 5 – Environmental Protection and Amenity; the Noise Assessment and subsequent addendum demonstrated that the proposal complied with safety standards – BS 8233 WHO and BS 4142; approving the application would support the business.

The Committee then gave consideration to the application.

In response to questions from Members, Officers confirmed:

- The noise assessment in respect of BS 4142 had taken place prior to lockdown;
- A single 11 decibel sound event had occurred during the noise assessment, however, it was anticipated that the overall increase in background noise would be less than 1 decibel;
- BSW had carried out the noise assessment within the site in relation to BS 4142 as the same equipment was required to be used throughout the process. The data had been analysed by Environmental Health Officers and was considered to be compliant;
- Any person was able to contact Environmental Health in respect of a noise complaint. The process for dealing with such complaints was summarised;
- A Traffic Management Plan (which included written instructions to HGV drivers), CCTV and GPS tracking in vehicles allowed BSW to monitor and manage the direction used by HGVs exiting the site.

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

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

- 2. Use of former stable building and erection of extension to provide storage facilities; reconfiguration of staff and visitor parking facilities; retention and extension of administration building; siting of polytunnel; erection of potting shed; erection of tray filling building; Change of Use from meadow to hardstanding; installation of standalone solar panels; erection of additional greenhouse (Part Retrospective), Cumbria Wildflowers, The Stables, Great Orton, Carlisle, CA5 6NA (Application 19/0869).**

Councillor Whalen, having declared an interest in the item of business, took no part in the discussion nor determination of the application.

The Planning Officer submitted the report on the application. Slides were displayed on screen showing: proposed site plan; landscape plan; elevation and floor plans, and photographs of the site, an explanation of which was provided for the benefit of Members.

The application had been deferred at the 19 June 2020 meeting of the Committee in order to allow Officers the opportunity to review the suggested planning conditions. The report included an Addendum which set out each of the conditions originally proposed and an appraisal of the planning discussions with the applicant which the Planning Officer summarised.

The wording of the conditions were as precise as they were able to be in terms of dealing with the planning issues which was the extent of the remit of this application and process. The planning system was not a catch all solution and was only able deal with the matters relevant to the development being proposed.

Members were advised to be mindful of the fall-back position which was a material consideration in the determination of this application. Focusing on the extended area to the rear of Stonerigg, were the application to be refused the approved boundary would have to be reinstated, reducing the area to that of the extant planning permission. The extension to the storage building would not be permitted; however, the applicant would be at liberty to use the land unencumbered except if it resulted in any statutory nuisance that may be enforceable under separate legislation.

The Planning Officer recommended that the application be approved, subject to the conditions detailed in the report.

The Development Manager read out a written submission on behalf of Councillor Allison (Ward Member) which: requested the re-wording of Conditions 3 and 4 to include specific references to Cumbria Wildflowers; considered Condition 5 did not support the Council's stance on Climate Change; Condition 6 was not adequate and was open to manipulation. Were the Committee to refuse the application, the applicant had a right of appeal to the Planning Inspectorate who would consider the conditions as part of any such determination.

The Committee then gave consideration to the application.

In response to questions from Members, Officers confirmed:

- The only machinery permitted to be operated on the extended area of hardstanding within the application site was that related to the horticultural business operation;
- It was not reasonable to include a condition precluding the chipping of wood on the site as:
 - (a) such an operation did not include permanent, fixed structures and as such did not require Planning Permission;
 - (b) the applicant used a biomass boiler at the site, and it was reasonable to consider that chippings of wood may be used as fuel as part the existing business operation;
- Condition 3 required the applicant to submit details of means of preventing plant and machinery breaching the boundary with the adjacent property, for approval by the Local Planning Authority;
- Environmental Health had responded to the consultation on the application but had not raised any issue with regards to noise related to wood chipping activities. Any complaint passed to that team on the matter would be investigated;
- No condition had been included on the 2013 Change of Use permission restricting the operations at the site to horticulture. It was a matter for Members whether they deemed such a condition had become necessary.

A number of Members felt that the provision of additional screening along the boundary of the site adjacent to the play area of the adjacent property would minimise the visual impact for those residents. A Member proposed that a condition be added to the Consent requiring that to be provided, the Committee indicated its agreement.

Members also expressed concerns in respect of the burning of waste at the site and, the parking and storage of vehicles not associated with the Cumbria Wildflowers business at the site. At the Committee's request, Officers undertook to write to the applicant on those matters.

A Member moved the Officer's recommendation along with an additional condition requiring provision of additional screening along the boundary of the site adjacent to the play area of the adjacent property. The proposal was seconded and, following voting it was:

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

3. Erection of Machinery and crop storage building (Part Retrospective) Land adjacent to former Railway Inn, Low Row, Carlisle CA8 2LG (Application 20/0377).

The Principal Planning Officer submitted the report on the application which had been subject of a virtual site visit by the Committee on 12 August 2020.

Slides were displayed on screen showing: location plan, block plan, and photographs of the site, an explanation of which was provided for the benefit of Members.

The Lead Local Flood Authority (LLFA) had an ongoing investigation relating to flooding in the area of the building and the railway line. It was the belief of the LLFA that the drainage outfall for the agricultural field was potentially compromised beneath the railway line which resulted in severe flooding to multiple properties within the vicinity. The surface water drainage from the building currently discharged to the compromised drainage network downstream which was not acceptable. Accordingly, Condition 2 required the removal of the current connection to the compromised culvert and for the surface water to be directed to a soakaway.

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

Mr Watson (Objector) spoke against the proposal in the following terms: the applicant and their land agent were aware of an existing covenant that prevented use of the road and development of the site. A structure had been present at the site for approximately two and a half years. Approval of the application may result in legal action.

The Committee then gave consideration to the application.

In response to a request from a Member for further information on the point made by the Objector, the Principal Planning Officer stated that he had discussed the matter with Mr Watson on several occasions. The existence of a covenant was a civil matter and did not prevent the granting of Planning Permission. The application contended a right of access over the road and to the application site. Any breach of a covenant was a matter for the individual or organisation with the power to enforce it.

The Legal Services Manager added that she had, on the previous day, consulted the Land Registry regarding the application site, however, no ownership details were recorded. Any covenant associated with the site would be included in the Title Deeds, which were not available as no owner was known. She reiterated that the issue was a civil matter, Members were only required to be satisfied that the proposed access was suitable and safe in order for Planning Permission to be granted.

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

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

4. Erection of 1no dwelling, Land adjacent to Beck House, Cumwhitton, Carlisle (Application 20/0206).

Councillor Morton, having declared an interest in the item of business, took no part in the discussion nor determination of the application.

The Planning Officer submitted the report in the application. Slides were displayed on screen showing: site location plan; proposed block plan; proposed floor plans; elevation plans; proposed site section plans; entrance view plans; external views plans, and photographs of the site, an explanation of which was provided for the benefit of Members.

The Planning Officer recommended that the application be approved, subject to the conditions detailed in the report.

The Committee then gave consideration to the application.

In response to questions from Members, Officers confirmed:

- The original Block Plan submitted showed the re-routing of the Public Right of Way (PRoW) through the site. However, the revised block plan indicated that the PRoW would retain its existing course through the site.
- The Historic Environment Officer had responded to the consultation on the application, indicating no further information was required. Were Members to consider an archaeological survey of the site was necessary they were able to impose a condition requiring it.

The Chair felt an archaeological survey was necessary and that it should be carried out prior to the commencement of development, he proposed that an additional condition be included in the Consent requiring one to be undertaken. The Committee indicated its agreement.

A Member moved the Officer's recommendation along with the imposition of an additional condition requiring an archaeological survey of the site be undertaken prior to development at the site. The proposal was seconded and, following voting it was:

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

Schedule B

The Development Manager submitted the report which detailed other planning decisions taken within the district.

RESOLVED – That the report be noted.

The Committee adjourned at 12:10pm and reconvened at 2:10pm

Councillor Mrs Bowman left the meeting.

5. Erection of self building dwellings (Outline), Land adjacent to St John's Hall, Cumwhinton, Carlisle, CA4 8EJ (Application 19/0898).

The Principal Planning Officer submitted the report in the application which had been subject of a virtual site visit by the Committee on 12 August 2020. Slides were displayed on screen showing: site location plan; superseded outline proposal plan; amended outline proposal plan, and photographs of the site, an explanation of which was provided for the benefit of Members.

Member's attention was drawn to the Supplementary Schedule which contained an additional letter of objection to the proposal. Since the publication of the report a further response had been received from County Council as Lead Local Flood Authority (LLFA), emphasising the importance of daylighting of the culvert within the site. Therefore, the Principal Planning Officer proposed that the following condition be included in the permission:

"As part of any subsequent reserved matters application details of the proposed daylighting of the unnamed watercourse from NGR: 345098, 552794 to NGR: 344937, 552947 shall be submitted to and approved in writing by the Local Planning Authority. Works to daylight the watercourse shall be completed prior to first occupation."

The applicant had advised that a visual inspection of the barn had been undertaken which indicated no evidence of bats therein. The Principal Planning Officer advised that an emergence survey was still required to be conducted.

The Planning Officer recommended that:

- 1) the application be approved, subject to the completion of a Section 106 legal agreement to secure:
 - a) the units as self-build dwellings;
 - b) a financial contribution of £5,500 for the gateway and speed limit changes and £5,000 for the chicane and associated signage.
- 2) Should the legal agreement not be completed, delegated authority be given to the Corporate Director of Economic Development to refuse the application.

Mr Round (Objector) spoke against the application in the following terms: were the application to be approved the cumulative impact of it along with other approved development in and nearby the village would amount to over development; the area around the proposed Southern Relief Road was where new developments should be sited; there was an ongoing flooding issues associated with the application site which approval of the proposal would exacerbate – slides were shown on screen to illustrate the matter; in the event of the application being approved, the

drainage system would need to be tested and proven to work prior to the commencement of works.

Councillor Mrs Bowman (Ward Member – on behalf of Councillor Higgs) addressed the Committee in the following terms: if approved, the application would be the fifth development permitted in the area in recent times; three of the other latterly approved sites remained under construction; the site was not allocated in the Local Plan 2015-30 and had been discounted under the Strategic Housing Land Availability Assessment (SHLAA) on the grounds of surface water flooding, poor drainage and impact on setting; the Commission for Architecture and the Built Environment also noted that allowing substantial development in Cumwhinton would become incongruous and change the character of the village; the local school was oversubscribed and had parking problems associated with collection and drop off times; the nearby village hall was well used and also had associated parking issues, the 10 spaces proposed by the applicant were not sufficient to meet that need; the policy was not compliant with Local Plan policy HO2 – Windfall Housing Development; details of the visibility splays at the access point had not been provided.

Mr Blacker (Agent) responded in the following terms:

Drainage – The proposal to daylight the culvert would lead to a betterment of the existing situation and was compliant with the Cumbria Development Design Guide and the relevant Carlisle District Local Plan policies. Moreover, a Condition had been imposed (no.19) which required, prior to the commencement of development a surface water drainage scheme be submitted to the Local Planning Authority for approval.

Parking – the proposal provided for 10 car parking spaces within the site, available for public use which would reduce the need for parking along the roadside. In addition, the applicant was in discussions with Cumwhinton Village Hall committee in relation to the grassed area adjacent to the north east side elevation of the Hall, to the rear of the War Memorial as it was considered that the use of this area by the Village Hall could considerably improve the facility. An area of grassed space would allow for greater use and enjoyment of the building if additional doors were provided in this elevation, for outdoor activities and events.

Carlisle South - the St Cuthbert's website stated that *'there are strong links between the construction of the Carlisle Southern Link Road and the unlocking of development parcels for the building of the new garden communities. Construction of the road is due to start in Autumn 2021 and be completed two years later.'* Therefore, it was unlikely any building would commence on the Carlisle South land within 3 years, and so was not relevant to the current application. In addition, Local Plan policy HO 2 was not dependent on nor linked to Carlisle South.

The issue of speeding traffic in the village was mentioned several times in the Summary of Representation. A contribution of £10,500 requested by Cumbria County Council for signage and traffic calming outside of the Village Hall had been agreed, as part of any approval.

The Committee then gave consideration to the application.

In response to questions from Members, Officers confirmed:

Culvert:

- The design would be carefully considered as part of the Discharge of Conditions application and was covered by the additional condition proposed by the Principal Planning Officer in his presentation;

- The proposal to daylight the culvert would offer a betterment to the existing flooding situation in the area;
- The maintenance of the daylighted culvert would be the responsibility of the landowner. The LLFA had powers to ensure that it remained free from obstruction and in operational order;
- The likely cost of the works would be significant and may not secure DEFRA funding for it to be carried out. It was in the LLFA's Programme of Works for Comprehensive Spending Review 3 (2027 - 2035). The approval of the application would see those works carried out far sooner than where the matter to be addressed by the LLFA.

Car Parking:

- In response to concerns expressed by Members that the proposed car parking offered by the applicant be provided at the earliest opportunity, the Principal Planning Officer noted that Condition 10 required the submission of details for approval, and indicated that its formation may take place early in the process of developing the site;
- The amount of wall that would need to be removed to accommodate the visibility splays for the parking was not known. Condition 25 required the submission of details for approval. Reducing the height of sections of the wall to no lower than 1.05m would lessen the section requiring removal. The Principal Planning Officer noted concerns that the wall was a characteristic feature of the village;
- The 10 spaces provided by the applicant was considered to more than offset the loss of roadside parking;
- The applicant was in discussions with the Village Hall Committee regarding the provision of additional land for car parking. Those discussions were a civil matter and out with the current application;
- The additional car parking provision was not considered to have a detrimental impact on the activities of the Village Hall as users of that facility would be able to utilise the 10 provided spaces within the development;
- Given the scale of the proposed development it was not reasonable to expect the applicant to provide any further car parking provision or traffic management measure beyond those already indicated in the report.
- The application was for Outline Permission with all matters reserved. Accordingly, the development of individual dwellings would be subject to the granting of Planning Permission through the usual application process where issues such as form, scale, design and material would be considered;
- The site discounted as part of the SHLAA had been the whole field and had been for a significant number of dwellings. The current application site and proposed development was much more modest in scale and was therefore considered acceptable.
- The site had not been allocated for housing in the existing Local Plan. In order for the Council to deliver its government set housing targets development of Windfall sites, was necessary and supported by the Local Plan via policy HO 2 – Windfall Development. The St Cuthbert's Garden Village development did not preclude Windfall Development taking place.

Members expressed concerns regarding the availability of places at the local primary school. In response the Development Manager advised of the Planning Obligations made in respect of education contributions which it was understood would be used to provide an extension at the school. Cumbria County Council as Local Education Authority was responsible for the matter.

A Member proposed that the application be refused on the grounds that the impact of the cumulative development of the area amounted to creeping urbanisation of the village, and that in

his view the policy was not compliant with Local Plan policy SP 2 – Strategic Growth and Distribution. The proposal was seconded.

Another Member moved the Officer's recommendation, which was seconded. Both proposals were put to the vote, and it was:

RESOLVED – That:

- 1) the application be approved, subject to the completion of a Section 106 legal agreement to secure:
 - a) the units as self-build dwellings;
 - b) a financial contribution of £5,500 for the gateway and speed limit changes and £5,000 for the chicane and associated signage.
- 2) Should the legal agreement not be completed, delegated authority be given to the Corporate Director of Economic Development to refuse the application.

DC.071/20 STANDING ORDERS

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

[The meeting closed at 3:35pm]

Development Control Committee Main Schedule

Schedule of Applications for Planning Permission

11th September 2020

Applications Entered on Development Control Committee Schedule

Item No.	Application Number/ Schedule	Location	Case Officer
01.	20/0452 A	Land at Capon Tree Lodge, Capon Tree Road, Brampton, CA8 1QL	<u>SD</u>

The Schedule of Applications

This schedule is set out in five parts:

SCHEDULE A – Applications to be determined by the City Council. This schedule contains full reports on each application proposal and concludes with a recommendation to the Development Control Committee to assist in the formal determination of the proposal or, in certain cases, to assist Members to formulate the City Council's observations on particular kinds of planning submissions. Officer recommendations are made, and the Committee's decisions must be based upon, the provisions of the Development Plan in accordance with S38(6) of the Planning and Compulsory Purchase Act 2004 <http://www.legislation.gov.uk/ukpga/2004/5/contents> unless material considerations indicate otherwise.

In order to reach a recommendation the reports have been prepared having taken into account the following background papers:-

- relevant planning policy advice contained in Government Circulars, National Planning Policy Framework, [https://www.gov.uk/government/publications/national-planning-policy-frame work--2](https://www.gov.uk/government/publications/national-planning-policy-frame-work--2),
 - Planning Practice Guidance <http://planningguidance.planningportal.gov.uk/> and other Statements of Ministerial Policy;
 - Carlisle District Local Plan 2015-2030 <http://www.carlisle.gov.uk/planning-policy/Local-Plan/Carlisle-District-Local-Plan-2015-2030> ;
 - Conservation Principles, Policies and Guidance – <https://historicengland.org.uk/advice/constructive-conservation/conservation-principles/>
 - Enabling Development and the Conservation of Significant Places <https://historicengland.org.uk/images-books/publications/enabling-development-and-the-conservation-of-significant-places/>
- Flood risk assessments: climate change allowances
<https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>

- Consultee responses and representations to each application;
<http://publicaccess.carlisle.gov.uk/online-applications/>
- Cumbria Landscape Character Guidance and Toolkit
<http://www.cumbria.gov.uk/planning-environment/countryside/countryside-landscape/land/landcharacter.asp>
- Natural Environment and Rural Communities Act (2006)
<http://www.legislation.gov.uk/ukpga/2006/16/contents>
- Wildlife and Countryside Act 1981 <http://www.legislation.gov.uk/ukpga/1981/69>
- Community Infrastructure Levy Regulations 2010
<http://www.legislation.gov.uk/ukdsi/2010/9780111492390/contents>
- EC Habitats Directive (92/43/EEC)
http://ec.europa.eu/environment/nature/legislation/habitatsdirective/index_en.htm
- Equality Act 2010
http://www.legislation.gov.uk/ukpga/2010/15/pdfs/ukpga_20100015_en.pdf
- Manual For Streets 2007
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/341513/pdfmanforstreets.pdf
- Condition 2 of each application details the relevant application documents

SCHEDULE B – Applications determined by other authorities. This schedule provides details of the decisions taken by other authorities in respect of those applications determined by that Authority and upon which this Council has previously made observations.

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

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

Services section of the Economic Development Directorate.

This Schedule of Applications contains reports produced by the Department up to the 27/08/2020 and related supporting information or representations received up to the Schedule's printing and compilation prior to despatch to the Members of the Development Control Committee on the 11/09/2020.

Any relevant correspondence or further information received subsequent to the printing of this document will be incorporated in a Supplementary Schedule which will be distributed to Members of the Committee 5 working days prior to the day of the meeting.

SCHEDULE A

Applications to be
determined by the
City Council.

SCHEDULE A

SCHEDULE A: Applications with Recommendation

20/0452

Item No: 01

Date of Committee: 11/09/2020

Appn Ref No:
20/0452

Applicant:
Mr Tim Heslop

Parish:
Brampton

Agent:
Architects Plus (UK) Ltd

Ward:
Brampton & Fellside

Location: Land at Capon Tree Lodge, Capon Tree Road, Brampton, CA8 1QL

Proposal: Erection Of 1no. Dwelling (Outline)

Date of Receipt:
10/07/2020

Statutory Expiry Date
04/09/2020

26 Week Determination

REPORT

Case Officer: Stephen Daniel

1. Recommendation

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

2. Main Issues

- 2.1 The Principle Of Development
- 2.2 Impact On Landscape Character
- 2.3 Scale And Design
- 2.4 Impact On Residential Amenity
- 2.5 Highway Issues
- 2.6 Drainage Issues

3. Application Details

The Site

- 3.1 The application site, which measures 0.1ha, forms part of the garden to Capon Tree Lodge. Capon Tree Lodge is a large bungalow which sits within a very large plot which extends from Capon Tree Road, which runs to the front of the property, to the U1108 (Capon Hill) (also referred to as Quarry Lane and Quarry Bank Lane by objectors) which runs to the rear. The vehicular access to the existing dwelling is from Capon Tree Road and there

is also a pedestrian access via a gate onto the rear lane.

- 3.2 The garden slopes downhill away from the property towards the rear lane. There are a number of trees within the garden area and along the boundaries of the property. An allotment is located in the southern corner of the garden and this, together with some adjoining lawned area, which contains some mature trees on the boundary, forms the application site. The rear property boundary adjacent to the lane consists of fencing adjoined by hedging.
- 3.3 Capon Tree Lodge is adjoined by residential properties to all sides. Cashel lies to the north, with Albany Cottage and Trevanna lying to the south. Quarry Bank lies to the east on the opposite side of Capon Hill.

The Proposal

- 3.4 The proposal is seeking outline planning permission for the erection of one dwelling. The application is seeking permission for the scale of the dwelling and for the new access, with the layout and appearance of the dwelling and the landscaping being reserved for subsequent approval.
- 3.5 The layout plan that has been submitted with the application shows a dormer bungalow being sited towards the southern end of the plot. The plans show the front elevation of the dwelling facing north with a side elevation shown facing east towards Capon Hill.
- 3.6 A number of the trees on the southern site boundary would be retained together with a large tree that is located adjacent to Capon Hill with some new planting also proposed. The hedge along the roadside would be retained and reinforced with new native species hedgerows being planted to the new site boundaries.
- 3.7 A new access onto Capon Hill would be created at the northern end of the plot and this would require the removal of a tree. This new access would run to the rear of the large tree that is to be retained on Capon Hill and would provide access to a parking area for three cars that would be located to the front of the dwelling. A plan has been submitted which shows visibility splays of 90m in both directions are achievable from the proposed access.
- 3.8 Surface water would discharge to a soakaway which is shown as being located in the northern corner of the site. Foul drainage would connect to a new package treatment plant that would be sited in the southern corner of the plot.

4. Summary of Representations

- 4.1 This application has been advertised by means of a site notice and notification letters sent to four neighbouring properties. In response 13 letters of objection (from 12 households) have been received which make the following points:

Highway Issues

- the lane from which the proposed development will have access is single track;
- the entrance to the proposed development would come out onto a totally unsuitable narrow road which can barely cope with the present traffic volume. It is with great difficulty that passing can take place owing to the lack of road width;
- the proposed access to the site is dangerous and wholly unacceptable, being on an elevated site, close to a difficult corner on a very narrow lane and with restricted visibility;
- the proposed development would access Quarry Lane at it's narrowest point;
- the lane is in a poor state of repair and has been for many years. The surface is crumbling, the width is reducing and it is barely single carriageway;
- this proposal has poor access from a badly maintained lane and there is no doubt additional vehicles used for building and groundworks will further aggravate the parlous state of the lane;
- the proposed dwelling would create the first vehicular entrance onto that side of the lane just as it narrows and bends;
- the access to this proposed house is at a particularly narrow point rising steeply to the suggested drive which will create a blind spot and be a danger to all users because it will be hard to provide adequate splays, which must be a Highways issue;
- the road is also widely used by walkers and cyclists (it is part of the C2C cycle route) who have to take to the banking to let vehicles pass;
- Quarry Lane is a narrow tarmac lane ending in a cul-de-sac and provides access to two farms, an electricity substation and small parking area. There is an open ditch on one side reducing the ability of vehicles to pass;
- the road is used by tractors, postal vans, and supply vehicles, heavy duty agricultural traffic to access fields, a steady increase in cars to access the Gelt Woods and Talkin Tarn, walkers with or without dogs, cyclists (it is a designated cycle route) and vehicles (for maintenance and the supply of diesel fuel);
- pedestrian, horserider, cyclist and vehicle use of the lane has increased considerably in recent years and particularly since lockdown;
- in 2015 the Inspector, commenting on a previous application, noted that the area was well used recreationally - in the last five years this has noticeably increased again and will doubtless intensify as government encourages people to continue exercising outside;
- there are in excess of 40 vehicles using this lane every day plus the farm traffic and oil tankers servicing the Peaking Plant;
- the applicant voiced concerns himself about a new build with access onto the lane in an objection to a previous planning application (Reference 15/1000) when he stated 'Quarry Bank Lane, the only access to this site is a narrow rural lane much used by walkers and cyclists, it is part of a designated cycle route';
- unfortunately, some do not drive to suit the lane conditions and regularly speed and pose a huge risk and danger to other users - people, dogs and children have to take to the verges to avoid an accident;
- traffic noise from the bypass can also be an issue for lane users as they are unaware the noise they hear is actually a vehicle right behind them and not

on the A69;

- any new developments would significantly impact the rural character of the lane and increase hazards for all the people who currently use the lane as a cycle path or walking route;
- the proposed site plan does not include the splayed rear vehicular access to the neighbouring property which would appear to be directly opposite the proposed access to the new development site;
- when Highways attempted to record the volume of traffic using their electronic equipment within hours of the cables being laid there was a heavy snowfall and the cables were covered with impacted snow and ice and the lane was closed for three days so it would appear that Highways are basing their opinion on unreliable data;
- the Planners should insist that the Highways re-evaluate the level of traffic using the lane so that the Planning Committee can base their decision on reliable information;

Landscape Character

- the section of the lane where the new development will be sited has a lovely semi-rural aspect as houses are either well set back from the road or hidden behind established hedges;
- the elevated setting of the new house combined with its proximity to the lane will have an impact on the rural character of the lane;
- this proposal is completely out of kilter with the surrounding area. It is out on a limb and inconsistent with the current placement of houses in the area;
- the proposal is actually creating a new housing line with access from the lane and this precedent will actively open the floodgates to further applications from those with gardens facing the lane and potentially from those whose applications were refused in 2014/2015;
- the current homes with pedestrian access to the lane are well secluded and unobtrusive so that visitors can enjoy all aspects of the area;
- this is a beautiful tree lined lane which leads to many walks and is part of the C2C cycle route and it gives everyone who flocks here on a regular basis a wonderful experience;
- the proposal does not respect the character of the local landscape;
- the development will have a visible detrimental impact and is hardly likely to solve any housing supply issues;
- it will be an isolated house which will detract from the natural location and may even result in the necessity to remove large, mature trees;
- the garden of the proposed development is significantly shaded by tall trees some of which are on neighbours land - there is the distinct possibility that in the future there will be pressure to reduce the height of these trees;

Residential Amenity

- the proposed development will have a serious impact on the quality and the privacy of occupiers of neighbouring properties;
- site of the proposed development is significantly higher than the neighbouring property and the proposed dormer bungalow would therefore inevitably overlook this property and garden and by reason of its elevated location would have an overbearing and over-dominant effect;
- in an area of substantial detached dwellings within spacious garden areas it is unacceptable that this new development should intrude privacy of existing

dwellings;

- this small development will overlook either the house or garden of at least three surrounding properties;
- given the number of large trees around the proposed development site anticipate that the house would need a significant number of windows in order to gain sufficient natural light and doubtless some of these will face the property to the east;
- every movement in the garden and parts of the house will be visible to outside scrutiny;
- the proposed access entrance will be adjacent to the garden of a neighbouring property and we will obviously be subject to fumes and in the winter months light pollution will dazzle through windows;
- this proposed development should be in line with Capon Tree Lodge - this would remove any objections on the grounds of privacy expressed by the immediate neighbours;

Drainage

- the proposed development will increase the surface water run off into the lane given that there will be more hard surfaces;
- when it rains, there is already a significant volume of water running downhill that the lane can struggle to handle;
- the road is already in a poor state of repair and any increase will exacerbate the erosion of the road surface and increase the level of standing water.

Other Matters

- if permission is granted for this development to go ahead, this would set a precedent for similar developments to go ahead in other gardens of houses in this single-track lane;
- in addition the present proposed site could lead over future years to a ribbon development down Quarry Lane which is totally inadequate to carry more traffic;
- the proposed development is contrary to criteria 1 and 7 of Policy SP6 and criterion 4 of Policy HO3 of the Carlisle District Local Plan.

5. Summary of Consultation Responses

Cumbria County Council - (Highways & Lead Local Flood Authority): - has no objections to the principle of this application subject to conditions (provision of visibility splays; surfacing of access drive; gradient of the access; measures to prevent surface water discharging onto the highway; access gates to open inwards; access and parking to be constructed in accordance with the approved plan; parking for construction traffic) - it is not considered that one dwelling would have a significant impact on the highway conditions;

Brampton Parish Council: - objects to the application: Quarry Lane is too narrow and not maintained sufficiently to support access to construction vehicles etc; could the proposed dwelling be relocated elsewhere in the garden area of Capon Tree Lodge and the access be from Capon Tree Road itself which would be more in keeping with the area?; the usage study undertaken by highways that is mentioned in one of the online objections is of concern and doesn't seem to be actual representative data; could an

additional study be undertaken by highways that is more accurate?

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 relevant planning policies against which the application is required to be assessed are the National Planning Policy Framework (NPPF), the Planning Practice Guidance (PPG) and Policies SP1, SP6, HO2, HO3, CC4, CC5, GI3, GI6, IP2, IP3, IP4 and IP6 of the Carlisle District Local Plan 2015-2030. The Supplementary Planning Documents Achieving Well Designed Housing and Trees and Development are also material planning considerations.
- 6.3 The proposal raises the following planning issues.
1. The Principle Of Development
- 6.4 The application site is located within Brampton, which contains a large range of services. Policy HO2 of the adopted Local Plan identifies Brampton as a settlement that is suitable for new housing development on unallocated sites. The proposal would, therefore, be acceptable in principle.
2. Impact On Landscape Character
- 6.5 A number of objectors have raised concerns about the impact of the proposal on landscape character. The application site forms part of the garden to Capon Tree Lodge. This dwelling is adjoined by dwellings to all sides. The majority of the existing roadside hedge, which contributes to the rural character of the area would be retained together with a number of the existing trees. Whilst one tree and a section of hedgerow would be removed to facilitate the creation of a new access, new hedgerows and trees would be planted within the site and these can be secured through a landscaping condition.
- 6.6 Whilst it is acknowledged that a new access would be created onto the lane there are other existing accesses onto the lane, including one directly opposite the proposed access. The creation of a new access would not have a significant impact on the landscape character. As the lane is unclassified a new access could be created to serve the existing dwelling without the need for planning permission.
- 6.7 In light of the above, the proposal would not have a significant adverse impact on the landscape character of the area which is characterised by residential properties at its northern end.

3. Scale And Design

- 6.8 The proposal is in outline and is seeking approval for the scale of the dwelling, with the layout and appearance reserved for subsequent approval.
- 6.9 The application is seeking approval for the scale (which includes height, width and length) of the dwelling. The layout plan shows a dormer bungalow which would have a maximum length of 16.3m and a maximum width of 10m and this is considered to be acceptable on this site. The exact location of the dwelling within the plot and the appearance of the dwelling would be determined through a subsequent reserved matters application.

4. Impact On Residential Amenity

- 6.10 The occupiers of neighbouring properties have raised concerns about the impact of the proposed dwelling on their residential amenity and have raised concerns about loss of privacy, overlooking and the over bearing and over dominant impact of the dwelling.
- 6.11 The proposed layout plan shows the front elevation of the dwelling facing Cashel, which is a single-storey property that lies directly to the north of Capon Tree Lodge. There would be approximately 60m between the front elevation of the proposed dwelling and the rear conservatory of Cashel
- 6.12 Quarry Bank, which is a single-storey property, would lie to the east of the proposed dwelling and would sit at a significantly lower level. The dwelling on the submitted layout plan has a side elevation 27m from the nearest elevation of Quarry Bank, with the other elevation of Quarry Bank that faces the site being 37m away. There is an existing high hedge along the front boundary of Quarry Bank which would reduce overlooking.
- 6.13 The occupiers of a neighbouring property have also raised concerns about the impact of fumes from vehicles accessing the property and car headlights shining into their property. The access would be 25m from the boundary with the neighboring property which currently consists of a hedge. Given the low level of traffic that would be accessing a single dwelling it is not considered that this would have a significant adverse impact on the occupiers of the neighbouring property. If desired, the neighbour could erect a fence up to 2m high on the boundary with Capon Tree Lodge without the need for planning permission.
- 6.14 The proposed separation distances between the proposed dwelling and the existing dwellings greatly exceed the minimum separation distances set in the Council's SPD on Achieving Well Designed Housing (21m between primary facing windows and 12m between a primary window and a blank gable). The proposal would not, therefore, have an adverse impact on the living conditions of the occupiers of any neighboring properties through loss of light, loss of privacy or over dominance that would be sufficient to warrant refusal of the application.

5. Highway Issues

- 6.15 The Parish Council and a number of objectors have raised concerns about the suitability of the lane for accessing the dwelling. They consider that the additional traffic from the dwelling would cause a danger to existing road users, which include a large number of walkers and cyclists.
- 6.16 The Highways Authority has been consulted on the application. Due to the level of objections that raised highway safety issues, the Highways Authority were asked to undertake a site visit before providing their formal response.
- 6.17 The applicant has shown visibility splays of 90m in both directions from a point measured 2.4m back from the carriageway edge. This is considered acceptable for a 30mph road such as this. It is, however, noted that these splays could be obstructed by the verges. The applicant, therefore, needs to ensure that a clear 60m of visibility site lines can be achieved without obstruction and a condition has been added to the permission to cover this.
- 6.18 The location of the proposed dwelling is on a steep incline and the applicant should ensure that the gradient of the access is no more than 12.5% (1 in 8) for the first 5m into the site from the carriageway edge. The gradient of the site along with the loss of permeable surface would result in surface water discharging towards the highway. The applicant would, therefore, need to submit details of the measures they would be taking to prevent the discharge of surface water onto the highway.
- 6.19 The Highways Authority does not consider that one dwelling would have a significant impact on highway conditions. It has, therefore, confirmed that it has no objections to the application, subject to the imposition of conditions (provision of visibility splays; surfacing of access drive; gradient of the access; measures to prevent surface water discharging onto the highway; access gates to open inwards; access and parking to be constructed in accordance with the approved plan; parking for construction traffic).
- 6.20 An objector has made reference to a traffic survey which attempted to record the volume of traffic using electronic equipment when the lane was closed for three days due to snow and ice. This traffic survey was not undertaken in relation to this application. The Highways Authority has not asked for a traffic survey with this application as the levels of traffic generated by one dwelling would be insignificant and it has not asked for a speed survey as suitable visibility splays can be achieved.

6. Drainage Issues

- 6.21 Objectors have raised concerns about the proposed development increasing surface water run off into the lane. Surface water from the dwelling would be directed to a soakaway within the garden area of the new dwelling. A condition has been added to the permission which requires the applicant to submit details of measures to prevent surface water discharging onto the highway for approval by the LPA.

Conclusion

- 6.22 In conclusion, the proposal would be acceptable in principle. The scale of the dwelling would be acceptable and the appearance would be determined through a Reserved Matters application. The proposal would not have an adverse impact on landscape character or on the living conditions of the occupiers of any neighbouring properties that would be sufficient enough to warrant refusal of the application. The proposed access and drainage would be acceptable subject to conditions. The proposal is, therefore, recommended for approval subject to conditions.

7. Planning History

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

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, appearance 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 Article 3 of the Town and Country Planning (General Development Procedure) Order 1995.

3. The development shall be undertaken in strict accordance with the approved documents for this Planning Permission which comprise:
 1. the submitted planning application form, received 7th July 2020;
 2. Desk Top Study, received 7th July 2020;
 3. Location Plan (Dwg No. 20009-00B), received 13th July 2020;
 4. Existing Site Survey (Dwg No. 20009-01), received 7th July 2020;
 5. Proposed Site Plan (Dwg No. 20009-02A), received 7th July 2020;
 6. Visibility Splays (Dwg No. 20009-04), received 7th July 2020;

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

Reason: To define the permission.

4. 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 prior to their first use on site. The development shall then be undertaken in strict accordance with the approved materials.

Reason: To ensure the design of the dwellings is appropriate to the area and to ensure compliance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

5. Prior to their erection on site, details of any walls, gates, fences and other means of permanent enclosure and/or boundary treatment to be erected have been submitted to and approved, in writing, by the Local Planning Authority. The development shall then be undertaken in strict accordance with the approved details.

Reason: To ensure the design and materials to be used are appropriate and to ensure compliance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

6. Full details of the foul and surface water drainage systems shall be submitted to the Local Planning Authority for approval prior to development being commenced. Any approved works shall be implemented prior to the development being completed and shall be maintained operational thereafter.

Reason: In the interests of highway safety and environmental management and to support Policies CC5 and IP6 of the Carlisle District Local Plan 2015-2030.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and/or re-enacting that Order) the following forms of development within the provisions of Part 1 to Schedule 2 of the Order shall not be undertaken without the express permission in writing of the council:

1. Extension or enlargement
2. Additions or alterations to roofs
3. Detached outbuildings
4. Porches
5. Chimneys and flues

Reason: The further extension or alteration of the dwelling or erection of detached buildings requires detailed consideration to

safeguard the amenities of the surrounding area, to accord with Policy SP6 of the Carlisle District Local Plan 2015-2030.

8. No development shall commence until full details of the wildlife enhancement measures to be undertaken at the site (together with the timing of these works) have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in strict accordance with the agreed details.

Reason: In order to enhance the habitat for wildlife in accordance with Policy GI3 of the Carlisle District Local Plan 2015-2030.

9. Adequate infrastructure shall be installed to enable telephone services, broadband, 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 ensure adequate provision of infrastructure and to accord with Policy IP4 of the Carlisle District Local Plan 2015-2030.

10. No construction work associated with the development hereby approved shall be carried out before 07.30 hours or after 18.00 hours Monday to Friday, before 07.30 hours or after 13.00 hours on Saturdays, nor at any times on Sundays or Bank Holidays.

Reason: To prevent disturbance to nearby occupants in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

11. Prior to the commencement of development, the applicant shall submit details of tree protection fencing to be installed on the site for approval in writing by the Local Planning Authority. This fencing shall be erected prior to the commencement of development and shall remain in place until the works are completed.

Reason: To ensure that the existing hedgerow is protected in accordance with Policy GI6 of the Carlisle District Local Plan 2015-2030.

12. The development shall not commence until visibility splays providing clear visibility of 60 metres down the centre of the access road and the nearside channel line of the carriageway edge measured 2.4 metres back into the site from the carriageway edge have been provided at the junction of the access road with the county highway in line with the splays displayed on Drawing Number 20009-04. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (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 grown within the visibility splay which obstruct the visibility splays. The visibility splays shall be constructed before general

development of the site commences so that construction traffic is safeguarded.

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

13. The access drive shall be surfaced in bituminous or cement bound materials, or otherwise bound and shall be constructed and completed before the development is brought into use. This surfacing shall extend for a distance of at least 5 metres inside the site, as measured from the carriageway edge of the adjacent highway.

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

14. Any existing highway fence/wall boundary shall be reduced to a height not exceeding 1.05m above the carriageway level of the adjacent highway in accordance with details submitted to the Local Planning Authority and which have subsequently been approved before development commences and shall not be raised to a height exceeding 1.05m thereafter.

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

15. The gradient of the access drive shall be no steeper than 12.5% (1 in 8) for a distance not less than 5m as measured from the carriageway edge of the adjacent highway.

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

16. Details of all measures to be taken by the applicant/developer to prevent surface water discharging onto or off the highway shall be submitted to the Local Planning Authority for approval prior to development being commenced. Any approved works shall be implemented prior to the development being completed and shall be maintained operational thereafter.

Reason: In the interests of highway safety and environmental management and to support Local Transport Plan Policies LD7 & LD8.

17. Access gates, if provided, shall be hung to open inwards only away from the highway.

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

18. The dwelling shall not be occupied until the access and parking requirements have been constructed in accordance with the approved plan. Any such access and or parking provision shall be retained and be capable of use when the development is completed and shall not be removed or

altered without the prior consent of the Local Planning Authority.

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

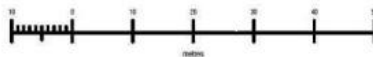
19. The access and parking/turning requirements shall be substantially met before any building work commences on site so that constructional traffic can park and turn clear of the highway.

Reason: The carrying out of this development without the provision of these facilities during the construction work is likely to lead to inconvenience and danger to road users and to support Local Transport Policy LD8.

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REV B 09.07.20 Site Plan updated DB
REV A 24.06.20 Site Plan updated DB

Project

CAPON TREE LODGE,
CAPON TREE ROAD, BRAMPTON CA8 1QL

Drawing

LOCATION PLAN

Client

Mr & Mrs Heslop

LOCATION

ARCHITECTS
PLUS

Scale	Date	Drawn	Comp.No.	Number
1:1250@A405.20		DB	P02	20009-00B



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- New access to site - to have Min 2.4 x 90M visibility splay in each direction.
- Existing hedging to front boundary to road side to be retained and reinforced with new planting.
- New plot to have Min 3 No car parking spaces (plus garage).
- Where indicated, existing trees to be carefully retained.
- Where indicated, selected existing trees to be carefully removed.
- New native species hedging to be planted to site boundaries as indicated.
- Surface water drainage from new plot to discharge to soakaway.
- Foul drainage to connect to new treatment plant in garden.
- New trees to be planted as indicated to reinforce existing landscaping.

INDICATIVE SITE PLAN

PROPOSALS
ARCHITECTS PLUS

Project: Residential Development Adjacent to Capon Tree Lodge, Brampton
 Client: Mr and Mrs Heslop
 Drawing: PROPOSED SITE PLAN
 Scale: 1:200 @ A1 Date: 04.20 Drawn: DB Compiled: P01
 20009-02A

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Drawn: [Name] Checked: [Name] Approved: [Name]

ARCHITECTS PLUS

Residential Development on land at Capon Tree Lodge, Brampton

Mr & Mrs J Heslop

AS PROPOSED SITE PLAN VISIBILITY SPLAYS

Scale: 1:500 @ A3 06.20 DB P02 2009-04

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