

Committee Minutes

Control of Development and Advertisements

The Development Control Committee received and considered the following applications:

Item no: 01

Appn Ref No:
11/1063

Applicant:
Hayton Construction
Limited

Parish:
Hayton

Date of Receipt:
08/12/2011

Agent:
Ashwood Design
Associates

Ward:
Hayton

Location:
Garden Walk, Edmond Castle, Corby Hill, Carlisle,
Cumbria, CA4 8QD

Grid Reference:
349935 558735

Proposal: Erection Of A Single Terrace Of 4no. Two Storey Holiday Let Units With
Associated Access And Parking

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

Item no: 02

Appn Ref No:
12/0223

Applicant:
Mr Thompson

Parish:
Rockcliffe

Date of Receipt:
14/03/2012 23:00:15

Agent:
Green Design Architects

Ward:
Longtown & Rockcliffe

Location:
Land to the rear of 52 Blencarn Park, Rockcliffe,
Carlisle, CA6 4AH

Grid Reference:
335853 561863

Proposal: Erection Of 1no. Dwelling

Grant Permission

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

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

Planning and Compulsory Purchase Act 2004).

2. The approved documents for this Planning Permission comprise:
1. The Planning Application Form received 14th March 2012;
 2. The Site Location Plan received 14th March 2012 (Drawing No.12/2107/00A);
 3. The Existing Site Plan received 14th March 2012 (Drawing No. 12/2107/05A);
 4. The Proposed Block Plan received 4th October 2012 (Drawing No. 12/2107/01E);
 5. The Proposed Floor Plans received 4th October 2012 (Drawing No, 12/2107/02D);
 6. The Proposed Elevations received 9th May 2012 (Drawing No.12/2107/03B);
 7. The Site Sections received 14th March 2012 (Drawing No. 12/2107/04A);
 8. The Design And Access Statement received 14th March 2012;
 9. The Flood Risk Assessment received 4th October 2012;
 10. The Tree Survey received 9th May 2012;
 11. The Desk Top Study received 15th March 2012;
 12. the Notice of Decision; and
 13. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

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

Reason: To ensure that the character and attractive appearance of the building is not harmed by inappropriate alterations and/or extensions and that any additions which may subsequently be proposed satisfy the objectives of Policy H1 and H11 of the Carlisle District Local Plan 2001-2016.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking or re-enacting that Order), no building, garage, shed or other structure be erected within the curtilage of the dwelling hereby permitted without the prior permission of the local planning authority and the approval by them of the design, siting and external appearance of such structures.

Reason: The local planning authority wishes to retain full control over the matters referred to in order to protect the character, integrity and appearance of the building and its setting.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order), no additional first floor windows shall be inserted on east and west elevations without the prior consent of the local planning authority.

Reason: In order to protect the privacy and amenities of residents in close proximity to the site and to ensure compliance with Policies CP5 and H1 of the Carlisle District Local Plan 2001-2016.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order), the lower sections of the first floor windows in the east and west elevations of the building shall be obscure glazed (factor 3 or above) and top opening, as indicated on the proposed elevations and thereafter retained as such to the satisfaction of the Local Planning Authority.

Reason: In order to protect the privacy and amenities of residents in close proximity to the site in accordance with Policies CP5 and H1 of the Carlisle District Local Plan 2001-2016.

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

Site investigations should follow the guidance in BS10175.

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

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

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

Reason: To ensure that materials to be used are acceptable and in accord with Policy H1 of the Carlisle District Local Plan 2001-2016.

9. The Dwelling hereby approved shall not be occupied until the drainage works

have been completed in accordance with the submitted plans. For the avoidance of doubt no surface water, land drainage or highway drainage shall connect into the public sewage system (directly or indirectly).

Reason: To ensure that adequate drainage facilities are available. In accordance with Policy CP12 of the Carlisle District Local Plan 2001-2012.

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

Reason: To ensure that a satisfactory landscaping scheme is prepared in accord with Policy CP5 and H9 of the Carlisle District Local Plan 2001-2016.

11. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and maintained thereafter to the satisfaction of the Council; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that a satisfactory landscaping scheme is implemented and that it fulfils the objectives of Policy CP5 and H9 of the Carlisle District Local Plan 2002-2016.

12. Details shall be submitted of the proposed hard surface finishes to all external areas within the proposed scheme and approved by the Local Planning Authority before any site works commence,

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

13. 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. Once complete they shall be retained capable of use thereafter and shall not be altered without the prior consent of the Local Planning Authority.

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. Retention of the facilities ensures an appropriate standard of parking and access for as long as the use continues. To support Local Transport Policies: LD5, 7 & 8.

14. The development shall not be occupied until the access and parking

requirements have been constructed in accordance with the approved plan and brought into use. These facilities shall be retained and capable of use at all times thereafter and shall not be removed or altered without the prior consent of the Local Planning Authority.

Reason: To ensure a minimum standard of access provision when the development is brought into use. To support Local Transport Plan Policies: LD5, LD7 and 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: 2005 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 trees/hedges to be retained on site in support of Policies CP3 and CP5 of the Carlisle District Local Plan 2001-2016.

16. Before the development hereby permitted is commenced a replacement means of foul drainage to serve Marjon/Bewick House (as identified on Drawing No. 12/2107/00A) shall be fully installed in accordance with details submitted to and approved in writing beforehand by the Local Planning Authority

Reason: To ensure adequate foul drainage to serve an existing dwelling.

Summary of Reasons for the Decision

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

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP1 - Landscape Character

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

provided the proposal has regard to and conserves:
the landform and natural patterns of drainage;

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

Carlisle District Local Plan 2001 - 2016 **Core Development Policies - Policy CP2 - Biodiversity**

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

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

Carlisle District Local Plan 2001 - 2016 **Core Development Policies - Policy CP3 - Trees And Hedges On Development Sites**

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

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

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

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

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

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

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

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

Carlisle District Local Plan 2001 - 2016

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

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

Carlisle District Local Plan 2001 - 2016

Housing - Policy H1 - Location Of New Housing Development

New housing development will be located in sustainable locations in accordance with PPS3: *Housing*, Regional Planning Guidance and the Joint Structure Plan. During the Plan period 80% of new development will be located within the urban area of Carlisle, including allocated sites on the edge of the City referred to in Proposal H16. The remaining 20% will be permitted in the rural area of the District with the focus on the two Key Service Centres of Brampton and Longtown.

In the remainder of the rural area small-scale development will be located in accordance with Policy DP1 and other policies of this Plan to ensure that:

- 1 the site is well related to the landscape of the area and does not intrude into open countryside; and
- 2 the scale of the proposed development is well related to the scale, form and

- character of the existing settlement; and
- 3 the layout of the site and the design of the buildings is well related to existing property in the village; and
- 4 the siting and design of the buildings is well related to and does not adversely affect the amenity of neighbouring property; and
- 5 appropriate access and parking can be achieved; and
- 6 the proposal will not lead to the loss of amenity open space within or at the edge of the settlement; and
- 7 the proposal will not lead to the loss of the best and most versatile agricultural land.

Settlement boundaries have been drawn for the following Local Service Centres within which proposals will be judged against the above criteria.

Burgh-by-Sands	Castle Carrock	Cummersdale
Cumwhinton	Dalston	Gilsland
Great Corby	Great Orton	Hallbankgate
Hayton	Heads Nook	Houghton
Irthington	Raughton Head	Rockcliffe
Scotby	Smithfield	Thurstonfield
Warwick Bridge (including Little Corby & Corby Hill)		Wetheral

In the following settlements small-scale infilling (development between an otherwise continuous frontage) will be allowed where this does not conflict with the criteria above and is evidenced by local need to be in that location. S106 agreements may be used to ensure local occupancy to provide for the identified need.

Blackwell	Cardewlees	Cargo
Carleton	Cotehill	Cumwhitton
Durdar	Faugh	Harker
Hethersgill	How Mill	Lanercost
Laversdale	Low Row	Monkhill
Moorhouse	Talkin	Todhills
Walton	Warwick-on-Eden	Wreay

Carlisle District Local Plan 2001 - 2016

Housing - Policy H9 - Backland Development

Proposals for housing development, where appropriate, in large back gardens or behind existing housing developments will be acceptable providing that:

- 1 the scale, design and siting of the proposal is appropriate for the site and is in keeping with the character and quality of the local environment; and
- 2 there is no loss of amenity to surrounding properties; and
- 3 existing landscape features are retained and additional planting is included as an integral part of the scheme; and
- 4 appropriate access and car parking can be achieved.

Carlisle District Local Plan 2001 - 2016

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

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

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

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

Carlisle District Local Plan 2001 - 2016

Local Environment - Policy LE26 - Undeveloped Land In Floodplains

Development in areas at risk of flooding on undeveloped land will only be permitted where a Flood Risk Assessment has been submitted with a planning application that confirms:

- 1 no other lower risk alternative site exists; and
- 2 flood defences provide an acceptable standard of protection; and
- 3 access and egress can reasonably be maintained at times of flood risk; and
- 4 adequate floodplain storage capacity can be provided; and
- 5 the development will not interfere with flood flows; and
- 6 mitigation measures will be provided where necessary; and
- 7 the development will not increase flood risk elsewhere.

Carlisle District Local Plan 2001 - 2016

Transport - Policy T1- Parking Guidelines For Development

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

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

Item no: 03

Appn Ref No:
12/0575

Applicant:
Mr Tyler

Parish:
Farlam

Date of Receipt:

Agent:

Ward:

06/07/2012 13:01:33

Holt Planning Consultancy Irthing
Ltd.

Location:

High Cleugh Head, Hallbankgate, Brampton, CA8
1LY

Grid Reference:

357618 559080

Proposal: Conversion Of Barn And Former Cottage To 2No. Detached Dwellings
(To Be Provided In Conjunction With The Implemented Permission For
The Relocation Of The Existing Farmhouse Approved Under Application
08/0960)

Grant Permission

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

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

2. The approved documents for this Planning Permission comprise:

1. the submitted planning application form;
2. the site location plan received 7th November 2012 (Drawing No. 07/2012/00D Revision D);
3. the existing block plan received 6th July 2012 (Drawing No. 07/1779/01);
4. the existing floor plans received 10th July 2012 (Drawing No. 07/2012/07);
5. the proposed block plan received 7th November 2012 (Drawing No. 07/2012/9D Revision D);
6. the proposed elevations and floor plans received 10th July 2012 (Drawing No. 06/2012/10);
7. the proposed elevations and floor plans received 18th July 2012 (Drawing No. 06/2012/11A Revision A);
8. the planning statement received 6th July 2012;
9. the archaeological desk based assessment and archaeological building survey received 6th July 2012;
10. the bat survey received 6th July 2012;
11. the structural survey received 6th July 2012;
12. the schedule of photographs received 6th July 2012;
13. the Notice of Decision; and
14. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

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

Reason: To ensure an acceptable external appearance for the completed development in accordance with Policies DP9 and CP5 of the Carlisle District Local Plan 2001-2016.

4. No development shall commence until details of the proposed hard surface finishes within the proposed scheme have been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

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

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

6. No development shall commence until the proposed means of foul and surface water drainage have been submitted to and approved, in writing, by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To ensure that an acceptable means of foul and surface water drainage is provided in accordance with Policy CP12 of the Carlisle District Local Plan 2001-2016.

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

Reason: To ensure that the landscape character of the North Pennines Area of Outstanding Natural Beauty is not harmed by inappropriate alterations and that the living conditions of the future occupants of the replacement farmhouse are safeguarded in accordance with Policies DP9 and CP5 of the Carlisle District Local Plan 2001-2012.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) no fence, wall or other means of enclosure shall be erected within the domestic curtilage of the dwellings hereby approved, within the meaning of Schedule 2, Part 2, Class A of this Order, without the written approval of the Local Planning Authority.

Reason: To ensure that the landscape character of the North Pennines Area of Outstanding Natural Beauty is not harmed by the erection of inappropriate structures in accordance with Policies DP9 and CP5 of the Carlisle District Local Plan 2001-2012.

9. No demolition works, including removal of the existing roof coverings, shall take place during the bat hibernation period from 15th November to 31st March unless the absence of hibernating bats has been established through a survey and such survey has been agreed in writing beforehand by the Local Planning Authority.

Reason: To safeguard hibernating bats in accordance with Policy CP2 of the Carlisle District Local Plan 2001-2016.

10. The construction works hereby approved shall be undertaken in accordance with the recommendations contained within paragraph E4.1 of the bat survey undertaken by Sally Phillips received 6th July 2012.

Reason: To safeguard roosting bats in accordance with Policy CP2 of the Carlisle District Local Plan 2001-2016.

11. No development shall commence until full details of the bat habitat enhancement details that are to be incorporated within the scheme, as recommended in paragraph E1 of the bat survey undertaken by Sally Phillips received 6th July 2012, have been submitted to and approved, in writing, by Local Planning Authority.

Reason: To enhance the potential habitats for bats in accordance with Policy CP2 of the Carlisle District Local Plan 2001-2016.

12. The development shall not be brought into use until the parking and turning arrangements shown on the proposed block plan received 10th September 2012 (Drawing No. 07/2012/09B) have been constructed in accordance with the approved details. The parking and turning facilities shall be kept available for those purposes at all times and shall not be used for any other purpose.

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

13. The whole of the access area bounded by the carriageway edge and the splays shall be constructed and drained to the specification of the Local Planning Authority in consultation with the Highway Authority.

Reason: In the interests of road safety in support of Local Transport Plan Policies LD7 and LD8.

Summary of Reasons for the Decision

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

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016

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

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

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

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

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

the remainder of the urban area.

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

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

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

Carlisle District Local Plan 2001 - 2016 Spatial Strategy And Development Principles - Policy DP9 - Areas Of Outstanding Natural Beauty

Within the North Pennines and Solway Coast Areas of Outstanding Natural Beauty, and their settings, permission will not be given for development that would harm the special characteristics and landscape quality of the areas. Development proposals must conserve or enhance the natural beauty of the areas, including scenic qualities, landform, ecology, geology, cultural interests, and the historic environment, so that these qualities can be enjoyed by present and future generations.

Major development of a national scale will only be permitted in exceptional circumstances where it can be demonstrated to be in the public interest. Development required to meet local infrastructure needs which cannot be located anywhere else will be permitted provided it is sited to minimise environmental impact and meet high standards of design.

Carlisle District Local Plan 2001 - 2016 Core Development Policies - Policy CP1 - Landscape Character

Proposals for development in the rural area must seek to conserve and enhance the special features and diversity of the different landscape character areas. Development will be considered appropriate to the character of the landscape provided the proposal has regard to and conserves:
the landform and natural patterns of drainage;

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

Carlisle District Local Plan 2001 - 2016 Core Development Policies - Policy CP2 - Biodiversity

Proposals in both the rural and urban area should not harm the integrity of the biodiversity resource as judged by key nature conservation principles, and proposals

should seek to conserve and enhance the biodiversity value of the areas which they affect.

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

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP5 - Design

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

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

Carlisle District Local Plan 2001 - 2016

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

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

Carlisle District Local Plan 2001 - 2016

Housing - Policy H1 - Location Of New Housing Development

New housing development will be located in sustainable locations in accordance with PPS3: *Housing*, Regional Planning Guidance and the Joint Structure Plan.

During the Plan period 80% of new development will be located within the urban area of Carlisle, including allocated sites on the edge of the City referred to in Proposal H16. The remaining 20% will be permitted in the rural area of the District with the focus on the two Key Service Centres of Brampton and Longtown.

In the remainder of the rural area small-scale development will be located in accordance with Policy DP1 and other policies of this Plan to ensure that:

- 1 the site is well related to the landscape of the area and does not intrude into open countryside; and
- 2 the scale of the proposed development is well related to the scale, form and character of the existing settlement; and
- 3 the layout of the site and the design of the buildings is well related to existing property in the village; and
- 4 the siting and design of the buildings is well related to and does not adversely affect the amenity of neighbouring property; and
- 5 appropriate access and parking can be achieved; and
- 6 the proposal will not lead to the loss of amenity open space within or at the edge of the settlement; and
- 7 the proposal will not lead to the loss of the best and most versatile agricultural land.

Settlement boundaries have been drawn for the following Local Service Centres within which proposals will be judged against the above criteria.

Burgh-by-Sands	Castle Carrock	Cummersdale
Cumwhinton	Dalston	Gilsland
Great Corby	Great Orton	Hallbankgate
Hayton	Heads Nook	Houghton
Irthington	Raughton Head	Rockcliffe
Scotby	Smithfield	Thurstonfield
Warwick Bridge (including Little Corby & Corby Hill)		Wetheral

In the following settlements small-scale infilling (development between an otherwise continuous frontage) will be allowed where this does not conflict with the criteria above and is evidenced by local need to be in that location. S106 agreements may be used to ensure local occupancy to provide for the identified need.

Blackwell	Cardewlees	Cargo
Carleton	Cotehill	Cumwhitton
Durdar	Faugh	Harker
Hethersgill	How Mill	Lanercost
Laversdale	Low Row	Monkhill
Moorhouse	Talkin	Todhills
Walton	Warwick-on-Eden	Wreay

Carlisle District Local Plan 2001 - 2016

Housing - Policy H8 - Conversion Of Existing Premises

Proposals for the conversion of non-residential property to provide residential accommodation in locations where planning permission for new build residential

development would not be granted will not be approved unless:

- 1 the building is of sufficient historic or architectural interest or which makes a contribution to local character such as to warrant its retention, and alternative use for economic or community purposes is either not viable or would be inappropriate in other respects; and
- 2 an appreciation of the historic, architectural, or archaeological significance of the building is submitted with the application against which the proposed development can be assessed, together with the need for further archaeological recording; and
- 3 the building can be converted without extensions or major alterations which would destroy its character; and
- 4 the details of the proposed conversion respect the building's character; and
- 5 adequate access and appropriate car parking can be achieved whilst respecting the character of the landscape; and
- 6 the design and appearance of the building and the site boundaries should be in keeping with its surrounding landscape; and
- 7 evidence is provided of marketing the building for economic development uses for a minimum period of six months

Where appropriate, in order to retain the character and fabric of historic farm buildings, development rights originally permitted by Classes A to E inclusive of Part One of Schedule Two to the *Town and Country Planning General Development Order 1995* as amended may be withdrawn by a condition attached to a planning consent.

The conversion of very remote rural buildings will be subject to sustainability tests to assess their acceptability.

Carlisle District Local Plan 2001 - 2016

Transport - Policy T1- Parking Guidelines For Development

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

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

Item no: 04

Appn Ref No: 12/0622	Applicant: c/o TGC Renewables Ltd	Parish: St Cuthberts Without
Date of Receipt: 23/07/2012 13:01:07	Agent: TGC Renewables Ltd	Ward: Dalston
Location: Land north of Peastree Farm, Durdar, Carlisle, CA2	Grid Reference: 339721 551485	

4TS

Proposal: Installation Of 1no. 225kW Wind Turbine With A Hub Height Of 30.5m
(Height To Tip 45m), Access And Associated Works

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

Item no: 05

Appn Ref No:
12/0724

Applicant:
Mr A Potts

Parish:
Brampton

Date of Receipt:
22/08/2012

Agent:

Ward:
Brampton

Location:
Brookside, Tarn Road, Brampton, CA8 1QY

Grid Reference:
353580 560156

Proposal: Demolition Of Existing Bungalow And Erection Of Replacement Dwelling
Together With New Vehicular Access

Grant Permission

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

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

2. The approved documents for this Planning Permission comprise:

1. the submitted planning application form received 22nd August 2012;
2. the Design and Access Statement received 22nd October 2012 (Document Reference AP 101/2);
3. the existing and proposed drawings received 28th August 2012 (Drawing Number AP/101/1);
4. the Notice of Decision; and
5. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

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

Reason: To ensure the objectives of Policy CP5 of the Carlisle District Local

Plan 2001-2016 are met and to ensure a satisfactory external appearance for the completed development.

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

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

5. The foul and surface water drainage works shall be implemented in accordance with the details contained on the As Proposed Site/ Location Plan (Drawing AP/101/1 received on 28th August 2012).

Reason: To ensure a satisfactory means of surface water and foul drainage disposal and in accord with Policy CP12 of the Carlisle District Local Plan 2001-2016.

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

Reason: To ensure that the character and attractive appearance of the buildings is not harmed by inappropriate alterations and/or extensions and that any additions which may subsequently be proposed satisfy the objectives of Policy CP5 of the Carlisle District Local Plan 2001-2016.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking or re-enacting that Order), no building, garage, shed or other structure be erected within the curtilage of the dwelling hereby permitted without the prior permission of the Local Planning Authority and the approval by them of the design, siting and external appearance of such structures.

Reason: The Local Planning Authority wishes to retain full control over the matters referred to in order to protect the character, integrity and appearance of the building and its setting, in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

Summary of Reasons for the Decision

The decision to grant planning permission has been taken having regard to the

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

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016

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

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

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

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

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

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

Settlement Boundaries have been established on the Proposals Map to recognise

the extent of built development or where planning permission already exists to judge proposals for development and are not indicative of land ownership.

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

Carlisle District Local Plan 2001 - 2016
Spatial Strategy And Development Principles - Policy DP10 - Landscapes Of County Importance

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

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

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

Carlisle District Local Plan 2001 - 2016
Core Development Policies - Policy CP1 - Landscape Character

Proposals for development in the rural area must seek to conserve and enhance the special features and diversity of the different landscape character areas. Development will be considered appropriate to the character of the landscape provided the proposal has regard to and conserves:

the landform and natural patterns of drainage;

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

Carlisle District Local Plan 2001 - 2016
Core Development Policies - Policy CP2 - Biodiversity

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

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

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

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

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

Carlisle District Local Plan 2001 - 2016

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

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

Carlisle District Local Plan 2001 - 2016

Housing - Policy H10 - Replacement Dwellings In The Rural Area

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

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

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

Carlisle District Local Plan 2001 - 2016
Local Environment - Policy LE1 - Urban Fringe Landscape

Within the Urban Fringe Landscape areas, shown on the Proposals Map, permission will not be given for development which adversely affects the open character of the areas. Development of open space recreational uses such as golf courses and playing fields which retain the essential open nature will be acceptable. In addition, small scale development within or adjacent to established farmsteads and other groups of buildings, together with buildings associated with and required for the use of the area for open recreational areas will be acceptable providing that:

- 1 the proposal reflects the scale and character of the existing group of buildings; and
- 2 there is no unacceptable adverse effect on the amenity of neighbouring property; and
- 3 there is no unacceptable adverse effect on the character and appearance of the surrounding area; and
- 4 where appropriate satisfactory access and car parking can be achieved.

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

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

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

Item no: 06

Appn Ref No:
10/9019

Applicant:
Cumbria Waste Recycling
Ltd

Parish:
Carlisle

Date of Receipt:
06/08/2010

Agent:
Cumbria County Council

Ward:

Location:
Kingmoor Waste Recycling Centre, Kingmoor Road,
Kingmoor Industrial Estate, Carlisle, CA3 9QJ

Grid Reference:
338699 557852

Proposal: Extended Site Area; Revised Traffic Circulation including repositioned weighbridge and new weigh office; Construction of additional waste storage bays; and regularising the use of all areas of the site

Decision: City Council Observation - Raise Objection(s) **Date:** 20/09/2010

Decision of: Cumbria County Council

Decision Type: Grant Permission **Date:** 02/10/2012

Item no: 07

Appn Ref No: 12/9102 **Applicant:** Cumbria County Council **Parish:** Carlisle

Date of Receipt: 09/08/2012 **Agent:** **Ward:** Belah

Location: Kingmoor Waste Recycling Centre, Kingmoor Road,
Kingmoor Industrial Estate, Carlisle, CA3 9QJ **Grid Reference:** 338707 557873

Proposal: Extension To Waste Recycling Centre, Revised Internal Layout: And New Opening Hours

Decision: City Council Observation - Raise No Objection **Date:** 04/09/2012

Decision of: Cumbria County Council

Decision Type: Grant Permission **Date:** 02/10/2012

Item no: 08

Appn Ref No: 12/0188 **Applicant:** Preston FM Group **Parish:** Carlisle

Date of Receipt: 05/03/2012 **Agent:** Mr Paul Doughty **Ward:** Morton

Location: Church of Jesus Christ of Latter-Day Saints,
Langrigg Road, Morton Park, Carlisle, CA2 6DT **Grid Reference:** 338587 554750

Proposal: Erection Of 1.8m High Security Fence And Gates With 5no. Lampposts
Providing External Lighting To Car Park

Decision: Refuse Permission **Date:** 25/04/2012

Decision of: Planning Inspectorate

Decision Type: Appeal Dismissed

Date: 24/10/2012

Item no: 09

Appn Ref No:
12/0243

Applicant:
Mrs Rhiannon Ridgewell

Parish:
Carlisle

Date of Receipt:
20/03/2012

Agent:

Ward:
Belle Vue

Location:
Wayside Welcome, 48 Moorhouse Road, Carlisle,
Cumbria, CA2 7LU

Grid Reference:
337499 556144

Proposal: Change Of Use From Summerhouse To Holiday Let (Retrospective)

Decision: Refuse Permission

Date: 14/05/2012

Decision of: Planning Inspectorate

Decision Type: Appeal Dismissed

Date: 24/10/2012

Item no: 10

Appn Ref No:
12/0361

Applicant:
Mr & Mrs Irving

Parish:
Kingmoor

Date of Receipt:
30/04/2012

Agent:
Jock Gordon

Ward:
Stanwix Rural

Location:
Wood Villa, Cargo Beck, Cargo, Carlisle, CA6 4BB

Grid Reference:
337235 559388

Proposal: Erection Of Two Storey Side Extension To Provide Living Room, Utility, WC On Ground Floor With 2no. Bedrooms And 2no. Bathrooms Above With Balcony Together With Single Storey Attached Garage (Revised Application)

Decision: Refuse Permission

Date: 21/06/2012

Decision of: Planning Inspectorate

Decision Type: Appeal Allowed with Conditions

Date: 16/10/2012

Item no: 11

Appn Ref No:
00/0439

Applicant:
Crowther Homes Ltd

Parish:
Cummersdale

Date of Receipt:
25/05/2000

Agent:
Persimmon Homes
Lancashire

Ward:
Dalston

Location:
L/A Peter Lane bounded by Dalston Road,
Cummersdale, Carlisle, Cumbria

Grid Reference:
338100 553300

Proposal: Residential Development (Outline)

Members will recall at Committee meeting held on 11 November 2011 that authority was given to the Director (Economic Development) to issue approval subject to the completion of an s106 to secure:

- a) the provision of affordable housing;
- b) a financial contribution to secure improvements to the primary school infrastructure;
- c) the provision of a management company to maintain the areas of public open space within the development.
- d) a proportional financial contribution towards the provision and maintenance of the strategic area of open space proposed as part of the Morton Masterplan and Development Framework;
- e) £10,000 towards bridleway improvements;
- f) £6,000 to enable monitoring of the Travel Plan; and
- g) £100,000 Travel Plan Bond.

The s106 has been completed and the decision was issued on 9 October 2012.

Granted Subject to Legal Agreement

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

3. Prior to the commencement on any part of the site there shall be submitted to, and approved in writing by the Local Planning Authority, a plan and/or programme showing the proposed phasing of the development. That phasing plan shall include the phasing of the overall development hereby permitted and its integration with the remainder of the Morton Masterplan Residential Allocation in terms of:
 1. The provision of pedestrian and vehicular connectivity;
 2. The provision of foul and surface water drainage infrastructure; and
 3. The delivery of other services such as gas, electricity and telecommunications.

The development shall thereafter proceed only in accordance with the approved phasing plan and/or programme or such variation to that plan and/or programme as may subsequently be agreed in writing by the Local Planning Authority.

Reason: To ensure that the site is developed in a co-ordinated manner in accordance with the objectives of the Morton Masterplan and Development Framework.

4. The approved documents for this planning consent comprise:
 1. The Planning Application Form received 25th May 2000;
 2. The site location plan received 25th May 2000;
 3. Transport Assessment received 10th March 2011;
 4. Framework Residential Travel Plan received 10th March 2011;
 5. Flood Risk Assessment received 10th March 2011;
 6. The Notice of Decision; and
 7. Any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

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

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

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

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

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

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

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

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

9. No development shall commence until a method statement for any work within the root protection area of those hedges to be retained has been submitted to and agreed, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved statement.

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

10. Following completion of construction works and removal of site machinery and materials, protective fencing may be dismantled to permit ground preparation and cultivation works, if required, adjacent to the hedges. Any such ground preparation and cultivation works shall be carried out by hand, taking care not to damage any roots encountered.

Reason: To protect the hedges during development works in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

11. No development shall commence until details of the wildlife mitigation measures to be incorporated into the development have been submitted to and approved,

in writing, by the Local Planning Authority. The mitigation strategy shall be informed by a Nature Conservation and Ecological Assessment which shall be undertaken by a suitably qualified expert. The development shall be implemented in accordance with the approved scheme.

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

12. No clearance of or damage to hedgerows shall take place during the bird breeding season from 1st March to 31st August unless the absence of nesting birds has been established through a survey and such survey has been agreed in writing beforehand by the Local Planning Authority.

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

13. Prior to the commencement of development a Construction Environmental Management Plan shall be submitted to and agreed, in writing, by the Local Planning Authority. This shall include noise management measures, waste minimisation and management measures, bio-security measures to prevent the introduction of disease and invasive species, measures to prevent pollution including the management of site drainage such as the use of silt traps during construction, the checking and testing of imported fill material where required to ensure suitability for use and prevent the spread invasive species, the construction hours of working, wheel washing, vibration management, dust management, vermin control, vehicle control within the site and localised traffic management and protocols for contact and consultation with local people and other matters to be agreed with the Local Planning Authority.

The agreed scheme shall be implemented upon commencement of development and shall not be varied without prior written agreement of the Local Planning Authority.

Reason: To safeguard the living conditions of neighbouring residents, prevent pollution, mitigate impacts on wildlife and any adverse impact upon the River Eden and Tributaries Special Area of Conservation in accordance with Policies CP2, CP5, CP6, LE2 and LE4 of the Carlisle District Local Plan 2001-2016.

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

Reason: To prevent disturbance to nearby occupants in accordance with Policy CP6 of the Carlisle District Local Plan 2001-2016.

15. No development shall commence until details of the proposed open space and

children's play area, which shall be provided with items of equipment at the expense of the developer, have been submitted to and approved, in writing, by the Local Planning Authority. The play area shall be fully equipped (including the provision of safety surfacing and fencing if applicable) and available for use prior to the occupation of the 50th residential unit completed within the development unless otherwise agreed, in writing, with the Local Planning Authority.

Reason: In order to secure an acceptable standard of development and to make proper provision for the recreational needs of the area in accordance with Policy LC4 of the Carlisle District Local Plan 2001-2016.

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

Reason: To ensure that adequate means of surface water disposal and to prevent increased risk of flooding in accordance with Policies CP10 and CP12 of the Carlisle District Local Plan 2001-2016.

17. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) level 2, dated February 2011 for Peter Lane/ Dalston Road, referenced PET_FRA and compiled by AECOM and letter from Lees Roxburgh dated 31st of May and referenced JEL/KB/5312/5.1 and the following mitigation measures detailed within the FRA in particular the greenfield run-off criteria the proposed development should be limited to ensure this is considered at the earliest possible stages of layout and drainage design.

1. *Limiting the surface water run-off generated by the proposed development so that for a range of annual flow rate probabilities, up to and including the 1% annual probability (1 in 100 year event) the developed rate of runoff into a watercourse should be no greater than the undeveloped rate of runoff for the same event and shall not increase the risk of flooding off-site.*

The greenfield runoff rates for the 4.705 Hectare site assessed by Lees Roxburgh and to be taken forward in to detailed design have currently been defined as:-

Qbar ...27.2 litres/sec
Q1... 25.5 litres/sec
Q30... 49.1 litres/sec
Q100...59.6 litres/sec

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to ensure compliance with Policy CP12 of the Carlisle District Local Plan 2001-2016.

18. No development shall commence until comprehensive mains water supply, and, foul and surface water drainage schemes which take account of the development of the adjoining sites 3a, 3b, 4b and 5, (as identified in Plan 2 of the Morton Masterplan); the protection, support and/or culverting of any watercourse passing through the site); and, the existing drainage arrangements of any neighbouring properties affected by the development, have been submitted to and approved, in writing, by the Local Planning Authority.

Reason: To ensure that adequate drainage facilities are available which are comprehensive in extent and follow a co-ordinated sequence supported by the Morton Masterplan and Development Framework and Policy CP12 of the Carlisle District Local Plan 2001-2016.

19. No dwelling shall be occupied until the water supply, and, foul/surface water drainage works, submitted under the above condition No. 17, have been completed in accordance with the details approved by the Local Planning Authority.

Reason: To ensure that adequate drainage facilities are available which are comprehensive in extent and follow a co-ordinated sequence supported by the Morton Masterplan and Development Framework and Policies CP5 and CP12 of the Carlisle District Local Plan 2001-2016.

20. No development shall commence until the location of the proposed connection point(s) into the existing foul drainage system have been submitted to and agreed, in writing, by the Local Planning Authority and United Utilities. The developer shall also provide a flow and load impact assessment to demonstrate that the existing foul drainage system has the capacity to cope with the increased load. No dwelling shall be occupied until the foul drainage system has been connected to the public sewer in accordance with the approved details.

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

21. No development shall commence until 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. All works comprised in the approved details of fencing/walls for the constituent phases of development shall be carried out contemporaneously with the completion (i.e. by the plastering out) of each residential unit.

Reason: To ensure that the details are acceptable and to ensure that the work is undertaken in a co-ordinated manner that safeguards the appearance of the area in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any Order revoking and re-enacting that

Order, no electricity sub-stations or gas governors shall be erected without the prior permission of the Local Planning Authority.

Reason: The local planning authority wish to retain control over the erection of electricity sub-stations and gas governors in order to maintain the visual integrity of the development in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

23. Details of the heights of the existing and proposed ground levels and the height of the proposed finished floor levels of the dwellings and any associated garages shall be submitted to and approved, in writing, by the Local Planning Authority before any site works commence.

Reason: In order that the approved development overcomes any problem associated with the topography of the area and safeguards the living conditions of neighbouring residents in accordance with Policies H1 and H16 of the Carlisle District Local Plan 2001-2016.

24. No development shall commence until a desk top study and site reconnaissance (walkover) have been undertaken to assess need for further information regarding the possible presence of contamination. Should any contamination be identified a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. Upon completion of the approved remediation measures, a remediation report must be submitted to the Local Planning Authority for approval in writing.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies LE2 and LE29 of the Carlisle District Local Plan 2001-2016.

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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies LE2 and LE29 of the Carlisle

District Local Plan 2001-2016.

26. The carriageway, footways, footpaths, cycleways, provision of ramps on each side of every junction, and, the junction of any distributor road with Peter Lane shall be designed, constructed, drained and lit to a standard suitable for adoption and in this respect further details (including provision for a public transport service, longitudinal/cross sections, finished ground levels, surface finishes and system of lighting) shall be submitted to the Local Planning Authority for prior written approval before any work commences on site. No work shall be commenced until a full specification has been approved. These details shall be in accordance with the Morton Master Plan and the standards laid down in the current Cumbria Design Guide. Any works so approved (with the exception of highway improvements to Dalston Road and Peter Lane, the distributor road, cycletrack and junction of the distributor road with Peter Lane) shall be constructed progressively as the constituent phases of the site are developed and prior to the completion of the last dwellinghouse (by the plastering out) within that phase of the said development, as specified in the phasing plan and/or programme required to be submitted by condition 3.

Reason: To ensure a minimum standard of construction in the interests of highway safety and to support Local Transport Plan Policies LD5, LD7 and LD8.

27. No dwellings shall be occupied until the estate road to serve such dwellings has been constructed in all respects to base course level and street lighting has been provided and brought into full operational use.

Reason: To ensure that the matters specified are designed to an acceptable level.

28. Before the commencement of development the applicant/developer shall enter into and complete an agreement with the Highway Authority under Section 278 of the Highways Act 1980 (as amended) which shall make provision for the completion of a highway improvement scheme along Dalston Road and Peter Lane in accordance with details to be agreed beforehand by the Local Planning Authority. The aforementioned scheme (which will include the provision of footways, road lighting, and, the widening and strengthening of the existing carriageways) shall be completed before any development work starts on site.

Reason: To ensure that the surrounding highway network is capable of carrying the volumes of vehicular and pedestrian traffic likely to be generated by the proposed development.

29. No development shall commence until visibility splays providing clear visibility of 215 metres x 4.5 metres x 120 metres measured down the centre of the access road and the nearside channel line of the major road have been provided at the junction of the access road with the county highway. Notwithstanding the provision of The Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any

kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splay which obstruct the visibility splays.

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

30. By the expiry of two years after the commencement of the development hereby permitted ("the expiry date") or by the completion (by the plastering out) of the last dwelling house in the first phase of the development the developer shall:

- a) construct the main distributor road to base course standard up to the common boundary with the adjoining land to the north-west;
- b) construct the junction of the distributor road with Peter Lane to finished wearing course standard; and,
- c) construct the cycle track running through the site to finished wearing course standard up to the common boundary with the adjoining land to the north.

Reason: To ensure the distributor road, junction with Peter Lane and cycletrack are provided to serve the proposal and co-ordinate with the comprehensive development of the area in accordance with the objectives of the Morton Masterplan and Development Framework.

31. Before the commencement of development any existing access to the highway shall be permanently closed and the highway crossing and boundary reinstated in accordance with details submitted to and approved, in writing, by the Local Planning Authority.

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

32. There shall be no means of access, pedestrian or vehicular, between the site and existing highways except by way of the approved estate road, footways/footpaths and cycletrack(s).

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

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

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

34. In each Phase, adequate underground ducts shall be installed in accordance with details approved beforehand by the Local Planning Authority to enable telephone services, electricity services and television services to be connected to any premises within the application site, without recourse to the erection of distribution poles and overhead lines.

In providing such ducts the developers shall co-ordinate the provision of such services with the respective undertakers.

Notwithstanding the provisions of Article 3(1) and the Schedule 2 Part 17 Class G (b) of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), no distribution pole or overhead lines within the area shall be erected, save with the express consent of the Local Planning Authority.

Reason: To maintain the visual character of the locality in accord with Policy CP5 of the Carlisle District Local Plan 2001-2016.

35. The access covers to the underground ducts to be installed pursuant to the above condition shall be carefully located in relation to the surface finishes and to the satisfaction of the local planning authority and shall be of the type whereby the "tray" may be infilled with the appropriate surface materials.

Reason: To maintain the visual character of the locality in accord with Policy CP5 of the Carlisle District Local Plan 2001-2016.

36. The applicant shall use appropriate mechanisms to extend the 40mph speed limit along Dalston Road (to a point at least 150m south west of the proposed access) prior to any works starting on site.

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

37. Prior to any works starting on site, the developer shall prepare and submit to the Local Planning Authority for their approval, in writing, a Travel Plan which shall identify the measures that will be undertaken by the developer to encourage the achievement of a modal shift away from the use of private cars to sustainable transport modes. The measures identified in the Travel Plan shall be implemented by the developer within 12 months of the development (or any part thereof) being occupied.

Reason: To aid in the delivery of sustainable transport objectives and to support Local Transport Plan Policies WS1 and LD4, and "extended" Policy T31 of the Cumbria and Lake District Joint Structure Plan 2001-2016.

38. An annual report reviewing the effectiveness of the Travel Plan and including any necessary amendments or measures shall be prepared by the subsequent developer/s and submitted to the Local Planning Authority for approval.

Reason: To aid in the delivery of sustainable transport objectives and to support "extended" Policy T31 of the Cumbria and Lake District Joint Structure Plan 201-2016 and Local Transport Plan Policies WS3 and LD4.

Summary of Reasons for the Decision

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

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP2 - Biodiversity

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

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

Carlisle District Local Plan 2001 - 2016

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

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

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

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

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

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

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP5 - Design

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

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

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP6 - Residential Amenity

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

- 1 is for a use inappropriate for residential areas; and/or
- 2 is of an unacceptable scale; and/or

- 3 leads to an unacceptable increase in traffic or noise; and/or
- 4 is visually intrusive.

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP10 - Sustainable Drainage Systems

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

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

Where SUDS are incorporated the following details shall be provided:

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

Carlisle District Local Plan 2001 - 2016

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

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

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Public Transport, Pedestrians And Cyclists

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

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP17 - Planning Out Crime

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

The following points should be applied to all development proposals:

- 1 Security measures should be an integral part of the design
- 2 Developments should be laid out and buildings positioned to maximise natural surveillance with the intention of creating a sense of neighbourhood and deterring criminal and anti-social activity
- 3 Public and private spaces should have clearly defined boundaries.

- 4 Footpaths and cycleways should be designed to maximise their use and prevent opportunities for concealment, unauthorised access or provide a choice of escape routes.
- 5 Landscaping schemes be designed to ensure that they do not create secluded areas, opportunities for climbing or reduce natural surveillance.
- 6 Lighting should deter criminal and antisocial activity whilst minimising light pollution. CCTV may be considered necessary in certain circumstances.

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

Carlisle District Local Plan 2001 - 2016

Housing - Policy H1 - Location Of New Housing Development

New housing development will be located in sustainable locations in accordance with PPS3: *Housing*, Regional Planning Guidance and the Joint Structure Plan. During the Plan period 80% of new development will be located within the urban area of Carlisle, including allocated sites on the edge of the City referred to in Proposal H16. The remaining 20% will be permitted in the rural area of the District with the focus on the two Key Service Centres of Brampton and Longtown.

In the remainder of the rural area small-scale development will be located in accordance with Policy DP1 and other policies of this Plan to ensure that:

- 1 the site is well related to the landscape of the area and does not intrude into open countryside; and
- 2 the scale of the proposed development is well related to the scale, form and character of the existing settlement; and
- 3 the layout of the site and the design of the buildings is well related to existing property in the village; and
- 4 the siting and design of the buildings is well related to and does not adversely affect the amenity of neighbouring property; and
- 5 appropriate access and parking can be achieved; and
- 6 the proposal will not lead to the loss of amenity open space within or at the edge of the settlement; and
- 7 the proposal will not lead to the loss of the best and most versatile agricultural land.

Settlement boundaries have been drawn for the following Local Service Centres within which proposals will be judged against the above criteria.

Burgh-by-Sands	Castle Carrock	Cummersdale
Cumwhinton	Dalston	Gilsland
Great Corby	Great Orton	Hallbankgate
Hayton	Heads Nook	Houghton
Irthington	Raughton Head	Rockcliffe
Scotby	Smithfield	Thurstonfield
Warwick Bridge (including Little Corby & Corby Hill)	Wetheral	

In the following settlements small-scale infilling (development between an otherwise continuous frontage) will be allowed where this does not conflict with the criteria

above and is evidenced by local need to be in that location. S106 agreements may be used to ensure local occupancy to provide for the identified need.

Blackwell	Cardewlees	Cargo
Carleton	Cotehill	Cumwhitton
Durdar	Faugh	Harker
Hethersgill	How Mill	Lanercost
Laversdale	Low Row	Monkhill
Moorhouse	Talkin	Todhills
Walton	Warwick-on-Eden	Wreay

Carlisle District Local Plan 2001 - 2016 Housing - Policy H5 - Affordable Housing

The City Council will negotiate with developers for an element of affordable housing to be included in the majority of housing developments.

All allocated housing sites and windfall sites of 10 or more dwellings in the urban area will be expected to make a contribution of 30% of units on-site towards affordable housing. Only in exceptional circumstances will the Council consider off-site contributions or a financial contribution in lieu of on-site provision.

In the rural area the contribution to affordable housing will be:

- 1 25% of housing on large sites (over 0.8ha or 25 dwellings)
- 2 20% of housing on medium sites (over 0.3ha or 10 dwellings)
- 3 10% of housing on small sites (over 0.1ha or 3 units)

The proportion of affordable housing sought will only be varied if this can be justified on a robust, evidence based, assessment of the economic viability of the site. Where intermediate affordable housing is to be provided at a discounted market value a discount of 25-30% will be sought and the discounted sale will be required to be in perpetuity.

Carlisle District Local Plan 2001 - 2016 Housing - Policy H16 - Residential Land Allocations

To provide for housing needs an additional 4955 dwellings are required between April 1st 2002 and March 31st 2016. This figure takes account of the number of outstanding permissions at 1st April 2002. Making allowances for windfall sites provision, land for a further 2190 dwellings is allocated for primary residential purposes, providing for a variety of housing needs. The additional sites, are set out in the table below and subsequent paragraphs. All housing developments will be closely monitored to ensure that the scale of residential development relates to the Structure Plan requirement.

RESIDENTIAL ALLOCATIONS FOR THE URBAN AREA

	Brown field	Green field	Total
Structure Plan Target	2275	1225	3500

Allowance for Raffles dwellings demolished					540		540
(A) Overall Requirement					2815	1225	4040
(B) Permissions 01/04/02-31/03/05					1016	25	1041
(C) Windfall allowance @ 50 per annum					550		550
Total to be allocated A – B + C					1249	1200	2449
(D) Sites to be allocated:	ha	B/fld	G/fld	Total			
Rome Street/Railway Land	2.10	48		48			
77-87 Burgh Road	0.79		28	28			
Land adjacent H K Campbell School	0.90	33		33			
Wakefield Road/Lowry Hill	1.86	60	20	80			
Key Safety Systems Norfolk Street	1.32	100		100			
Carrs Field, Caxton Road	3.82		125	125			
Lindisfarne Street	3.1	130		130			
Nelson Street	2.0	103		103			
Milbourne Street	0.38	30		30			
Cavaghan & Gray London Rd	2.1	104		104			
Laings Site Dalston Road	1.74	90		90			
Penguin Factory Westmorland Street	0.64	64		64			
Hilltop Heights	0.31	80		80			
Harraby Green Road	1.05	45		45			
St Nicholas	0.42	50		50			
Deer Park	3.9	60		60			
Carlisle Racecourse/Lowry Street	0.33	43		43			
Carleton Clinic (Former Garlands Site)	4.19	100		100			

Durranhill	4.80	100		100			
Morton Development	38.31		800	800			
Raffles replacement	10.6	500		500			
(D) Total allocated					1740	973	2713
over/under allocation (+/-)					+491	-227	+264

The negative/positive figures in this table illustrate that the Council will seek to achieve higher brownfield targets by allocating sites above the 65% threshold in the Structure Plan.

RESIDENTIAL ALLOCATIONS FOR THE RURAL AREA

					Brown field	Green field	Total
Structure Plan Target					366	549	915
(A) Overall Requirement					366	549	915
(B) Permissions 01/04/02-31/03/05					284	179	463
Total to be allocated A – B					82	370	452
(C) Sites to be allocated:	ha	B/fld	G/fld	Total			
Longtown South of Moor Road	0.88		26	26			
Longtown Sawmill	1.96	78		78			
Longtown between Mill Street/Burn Street/A6071 (Suttons)	0.65	24		24			
Highway Depot Station Road Brampton	0.8	32		32			
(D) Total allocated					134	26	160
over/under allocation (+/-)					+52	-344	-292

Note the Brownfield rural target has been exceeded however annual targets will still have to be met from any remaining permissions available.

Carlisle District Local Plan 2001 - 2016

Local Environment - Policy LE2 - Sites Of Special Scientific Interest

Development proposals within or likely to affect the nature conservation or geological interest of Sites of Special Scientific Interest will be subject to special scrutiny and will not be permitted unless:

- 1 The reasons for the development clearly outweigh the nature conservation value

- of the site for which it is of special interest and therefore designated as part of the national series of SSSIs; or
- 2 the nature conservation interest of the site can be fully protected and enhanced by the appropriate use of planning conditions or obligations.

Carlisle District Local Plan 2001 - 2016

Local Environment - Policy LE8 - Archaeology On Other Sites

On land for which there is no archaeological information, but where there are reasonable grounds for believing remains to be present, the City Council will ensure that the archaeological aspects of development proposals are examined and evaluated before planning applications are determined. Planning permission will not be granted without adequate assessment of the archaeological implications.

Carlisle District Local Plan 2001 - 2016

Local Environment - Policy LE29 - Land Affected By Contamination

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

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

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

Carlisle District Local Plan 2001 - 2016

Transport - Policy T1- Parking Guidelines For Development

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

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

Carlisle District Local Plan 2001 - 2016

Leisure & Community Uses - Policy LC4 - Children's Play and Recreation Areas

New family housing developments of 40 or more dwellings will be required to include, pro rata, the following standards of play space provision:

Outdoor playgrounds 150m² per hectare

Informal playspace 270m² per hectare

In addition to the above, on development sites of 5 hectares or over, 0.1 hectares of sports ground development per hectare will be required.

On smaller housing sites the developer will be required to make commuted payments towards the provision of play space in the locality if there is a deficiency of play space in the local area judged against the Audit of Open Space currently being carried out by the City Council as required by PPG 17.

Children's play and recreation areas required by this policy will be dedicated to the City Council for maintenance purposes and a commuted payment equivalent to 10 year's maintenance costs will be required.

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP2 - Biodiversity

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

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

Carlisle District Local Plan 2001 - 2016

Housing - Policy H16 - Residential Land Allocations

To provide for housing needs an additional 4955 dwellings are required between April 1st 2002 and March 31st 2016. This figure takes account of the number of outstanding permissions at 1st April 2002. Making allowances for windfall sites provision, land for a further 2190 dwellings is allocated for primary residential purposes, providing for a variety of housing needs. The additional sites, are set out in the table below and subsequent paragraphs. All housing developments will be closely monitored to ensure that the scale of residential development relates to the Structure Plan requirement.

RESIDENTIAL ALLOCATIONS FOR THE URBAN AREA

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Carleton Clinic (Former Garlands Site)	4.19	100		100			
Durranhill	4.80	100		100			
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Raffles replacement	10.6	500		500			
(D) Total allocated					1740	973	2713
over/under allocation (+/-)					+491	-227	+264

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

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

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

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

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

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

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP8 - Renewable Energy

Proposals for renewable energy will be favourably considered provided that all of the following criteria are satisfied:

- 1 there is no unacceptable visual impact on the immediate and wider landscape and townscape;
- 2 there is no adverse impact on biodiversity;
- 3 any new structures would be sensitively incorporated into the surrounding landscape/ townscape and/or habitat and respect the local landscape character;
- 4 measures are taken to mitigate any noise, smell or other nuisance or pollutants likely to affect nearby occupiers, amenities and/or neighbouring land uses;
- 5 any waste arising as a result of the development is minimised and dealt with using a suitable means of disposal;
- 6 there would be no unacceptable levels of harm to features designated as of local, national or international importance;
- 7 adequate provision can be made for access and parking and the potential impact on the road network;
- 8 there would be no unacceptable conflict with any existing recreational facilities or routes;
- 9 there would be no unacceptable cumulative effects when proposals are considered together with any extant planning approvals or other existing

renewable energy developments.

Item no: 12

Appn Ref No:
12/0484

Applicant:
Mr Robert Edgar

Parish:
Dalston

Date of Receipt:
06/06/2012

Agent:
Taylor & Hardy

Ward:
Dalston

Location:
Stepping Stones, 2 Barras Lane, Dalston, Cumbria,
CA5 7ND

Grid Reference:
336386 550665

Proposal: Change Of Use Class C3 (Dwelling) To Class B1 (Office); Siting Of 2No. Metal Storage Containers To Rear Of Property; Formation Of Vehicle Parking To Rear; Erection Of 2.4 Metre High Palisade Fence And Vehicle Access Gate To Rear; Installation Of External Metal Staircase And Alteration Of Upper Window To External Doorway

Members will recall at Committee meeting held on 28 September 2012 that authority was given to the Director (Economic Development) to issue approval subject to no new issues being raised by objectors or the Parish Council in relation to the amended plans received on 27 September 2012. No new issues have been received and approval was issued on 17 October 2012.

Grant Permission

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

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

2. The approved documents for this Planning Permission comprise:

1. the submitted planning application form, received 6 June 2012;
2. Design & Access Statement, received 6 June 2012;
3. Site Location Plan, received 6 June 2012 (Drawing 12/028/1);
4. Existing & Proposed Block Plan, received 27 September 2012 (Drawing 12/028/2E);
5. Existing & Proposed Side Elevation, received 27 September 2012 (Drawing 12/028/7E);
6. Existing & Proposed Rear Elevation, received 27 September 2012

(Drawing 12/028/8D);

7. Existing Ground Floor Plan, received 30 August 2012 (Drawing No. 12/028/3D);

8. Existing Upper Floor Plan, received 30 August 2012 (Drawing No. 12/028/4D);

9. Proposed Ground Floor Plan, received 30 August 2012 (Drawing No. 12/028/5D);

10. Proposed Upper Floor Plan, received 30 August 2012 (Drawing No. 12/028/6D);

11. the Notice of Decision; and

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

Reason: For the avoidance of doubt.

3. The premises shall be used for B1 (a) offices and for no other purpose.

Reason: To protect the living conditions of the occupiers of the adjoining residential dwelling, in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

4. The offices hereby permitted shall not commence trading before 08:00 hours or remain open for business after 18:30 hours on weekdays; or before 08:00 hours and remain open for business after 13:30 hours on Saturdays and shall not trade at any time on Sundays or statutory holidays.

Reason: To protect the living conditions of the occupiers of the adjoining residential dwelling, in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

5. Prior to the first floor office being brought into use, the applicant shall erect a solid screen structure on the northern side of the top of the external staircase in accordance with details to be approved by the Local Planning Authority. The development shall then be undertaken in strict accordance with the approved details and the structure shall not be removed.

Reason: In order to ensure that the development does not result in any overlooking issues to the occupiers of the adjacent property in accordance with the objectives of Policy CP5 of the Carlisle District Local Plan 2001-2016.

6. The existing hedge on the boundary between 1 & 2 Barras Lane shall be retained, in accordance with details to be agreed with the Local Planning Authority.

Reason: To protect the living conditions of the occupiers of 1 Barras Lane, in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

7. Within one month of the date of this permission, the metal storage containers hereby approved, shall be painted a dark green colour and retained as such.

Reason: In order to ensure an acceptable visual appearance for the storage containers, in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

8. No development shall take place until full details of the proposed hard surface to the rear of the property have been agreed by the Local Planning Authority. The hard surface shall be constructed in accordance with these details.

Reason: To ensure that the hard surface is a permeable surface and to ensure compliance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

Summary of Reasons for the Decision

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

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016

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

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

Urban Area City of Carlisle

Key Service Centres Brampton
 Longtown

Local Service Centres Burgh by Sands Heads Nook

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

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

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

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

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

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

Carlisle District Local Plan 2001 - 2016 **Economic & Commercial Growth - Policy EC1 - Primary Employment Areas**

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

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

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

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

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

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

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP5 - Design

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

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