

## **DEVELOPMENT CONTROL COMMITTEE**

**FRIDAY 30 AUGUST 2013 AT 10.00 AM**

**PRESENT:** Councillor Scarborough (Chairman), Councillors Bloxham, Mrs Bradley, Craig, Earp, Graham, Mrs Parsons, Mrs Prest, Mrs Riddle, Mrs Warwick and Whalen (until 10:45 am on Monday 2 September 2013)

**ALSO**

**PRESENT:** Councillor Allison attended the meeting as Ward Councillor in respect of application 12/0878 (land between Townhead Road and Station Road, Dalston)

Councillor Betton attended the meeting as County Councillor for the Ward in respect of application 13/0540 (175 Warwick Road, Carlisle)

Councillor Harid attended the meeting as Ward Councillor in respect of application 13/0468 (garages adjacent Robinson Street/Almery Drive, Carlisle)

Councillor Layden attended the meeting as Ward Councillor in respect of application 13/0475 (The Grange, Craw Hall, Brampton, CA8 1TS)

Councillor Collier attended part of the meeting as an observer

Councillor Mrs Luckley attended part of the meeting as an observer

**OFFICERS:** Director of Governance  
Development Manager  
Landscape Architect/Tree Officer  
Heritage Officer  
Principal Planning Officer  
Planning Officers (AH, BP, RB, RM, SD, ST)

### **DC.66/13 APOLOGIES FOR ABSENCE**

Apologies for absence were submitted on behalf of Councillors McDevitt and Ms Patrick

### **DC.67/13 DECLARATIONS OF INTEREST**

Councillor Mrs Bradley declared an interest in accordance with the Council's Code of Conduct in respect of application 13/0468 (garages adjacent Robinson Street/Almery Drive, Carlisle). The interest related to the fact that she had met with and advised objectors about a previous application on the site.

Councillor Craig declared an interest in accordance with the Council's Code of Conduct in respect of application 12/0878 (land between Townhead Road and Station Road, Dalston). The interest related to the fact that some residents of the village had made comment on his integrity and that of the Parish and City Council which made it impossible for him to take part in the consideration of the application.

Councillor Craig declared an interest in accordance with the Council's Code of Conduct in respect of application 13/0065 (land to the rear of Lime House, Wetheral, Carlisle,

Cumbria, CA4 8EH). The interest related to the fact that he knew residents who overlooked the proposed development.

Councillor Craig declared an interest in accordance with the Council's Code of Conduct in respect of application 13/0423 (land adjacent Alpine Cottage, Raughton Head, Carlisle, CA5 7DD). The interest related to the fact that he had attended a meeting of Dalston Parish Council when the application was discussed.

Councillor Craig declared an interest in accordance with the Council's Code of Conduct in respect of application 13/0207 (land at/adjacent former George P.H., Warwick Bridge, Carlisle, CA4 8RL). The interest related to the fact that local residents had spoken to him about the application and he had attended meetings of Dalston Parish Council when the application was discussed.

Councillor Graham declared an interest in accordance with the Council's Code of Conduct in respect of application 13/0426 (land adjacent former George Public House, Warwick Bridge, Carlisle, CA4 8RL). The interest related to the fact that Citadel Estates had given a donation to the mayor's Charity when he was Mayor.

Councillor Graham declared an interest in accordance with the Council's Code of Conduct in respect of application 13/0431 (Town Head Cottage and adjoining land, Townhead, Hayton, CA8 9JH). The interest related to the fact that he had attended a meeting about the application as an observer with the Development Manager.

Councillor Earp declared an interest in accordance with the Council's Code of Conduct in respect of applications 13/0562 (land to the rear of Lime House, Wetheral, Carlisle, CA4 8ET), 13/0450 (land to the west of Quarry House, Wetheral Pasture, Carlisle) and 13/0546 (land adjacent Fallowfield, Plains Road, Wetheral, Carlisle, CA4 8LE). The interest related to the fact that the objectors were known to him.

Councillor Mrs Riddle declared an interest in accordance with the Council's Code of Conduct in respect of application 13/0431 (Town Head Cottage and adjoining land, Townhead, Hayton, CA8 9JH). The interest related to the fact that two of the objectors were friends of hers.

Councillor Scarborough declared an interest in accordance with the Council's Code of Conduct in respect of application 12/0878 (land between Townhead Road and Station Road, Dalston). The interest related to the fact that he lived at Hawksdale on the fringe of Dalston village.

Councillor Mrs Warwick declared an interest in accordance with the Council's Code of Conduct in respect of application 13/0431 (Town Head Cottage and adjoining land, Townhead, Hayton, CA8 9JH). The interest related to the fact that a friend who was one of the objectors had spoken to her at the site visit.

Councillor Mrs Warwick declared an interest in accordance with the Council's Code of Conduct in respect of application 13/0423 (land adjacent Alpine Cottage, Raughton Head, Carlisle, CA5 7DD). The interest related to the fact that the architect was one of her neighbours.

## **DC.68/13 MINUTES OF PREVIOUS MEETINGS**

The minutes of the site visits held on 28 August 2013 were noted.

## **DC.69/13 PUBLIC REPRESENTATIONS IN RESPECT OF PLANNING APPLICATIONS**

The Director of Governance outlined, for the benefit of those members of the public present at the meeting, the procedure to be followed in dealing with rights to speak.

## **DC.70/13 CONTROL OF DEVELOPMENT AND ADVERTISING**

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

The Chairman announced that Item 10 (Application 13/0455 – land to the rear of Elmfield, Townhead, Hayton, Brampton, Carlisle) would be taken after Item 3 as both applications were in the same vicinity and would better facilitate the time of those members of the public who had registered a right to speak on the application.

### **(1) Erection of 121no dwellings, associated open space and infrastructure, land between Townhead Road and Station Road, Dalston (Application 12/0878)**

Having declared an interest Councillor Craig left his seat on the Committee. He remained in the Chamber but took no part in the discussion or determination of the application.

The Planning Officer submitted the report on the application consideration of which had been deferred at the meeting in June in order to allow receipt of an independent report on highway safety with particular regard to the position of the proposed junctions, to allow an assessment of the architectural and historic significance of the existing stone wall and traditional barn on Townhead Road, and to allow further discussions on the removal of the proposed three storey properties from the scheme. The Planning Officer presented slides to remind Members of the layout of the site as well as a number of views around the site.

The application had been advertised by means of site and press notices as well as notification letters sent to 93 neighbouring properties. In response 72 letters of objection, (59 to the original application, 7 to the first set of revised plans and 6 to the recently amended plans), a petition containing 528 signatures and 3 letters of support had been received. The Planning Officer summarised the issues raised therein. Since publication of the report eight additional letters of objection had been received with a further six letters of objection received since publication of the Supplementary Schedule. The Planning Officer outlined the issues raised in those letters and responded to each objection in turn. A letter had also been received from the RSPB that recommended that a Landscape and Ecological Management Plan should be made a condition of any permission. The Planning Officer advised that a condition had been added that required the applicant to submit details of any proposed wildlife enhancement measures that would be incorporated into the development and the RSPB were happy with that.

The Planning Officer advised that independent highway advice had indicated that the proposed junction onto Station Road was acceptable, the proposed junction onto Townhead Road met the criteria for a 30mph road but that the junction could be improved by moving it west so that it lay adjacent to The Throstle. That would move the junction further away from the bend which would increase visibility for departing vehicles and allow the retention of the existing barn and a large section of the wall. In response the applicant

had amended the scheme to allow the junction to be moved west so that it lay adjacent to The Throstle.

The Planning Officer explained that the number of dwellings had been reduced to 121 and five dwellings now lay adjacent to Townhead Road, three detached and a pair of semi-detached properties all of which would have slate roofs and chimneys. The Planning Officer further explained that 13m of the wall would be demolished, 13m of the wall would be reduced in height to 0.6m where it was in the visibility splay and 34m of the wall would be retained, with the hedge behind also being retained. The rear wall of the barn would be retained and the height would vary from 2.5m to 3.2m. The Planning Officer suggested that if Members were minded to approve the application a condition be added that would require the applicant to submit details of the proposed wall.

With regard to the streetscene the properties adjacent to Townhead Road would have chimneys and slate roofs. The raised table on Townhead Road had been removed and the dwellings no longer had driveways onto Townhead Road. Development of the site would be phased over three years rather than four years.

The County Archaeologist had considered that the retention of the boundary wall and the roadside elevation of the barn would minimise the negative impact of the proposed development on the Conservation Area. The Council's Heritage Officer had no objections to the revised proposal and suggested the addition of chimneys and slate roofs to properties adjoining Townhead Road. The Heritage Officer understood that the whole of the barn could be retained which would be preferable but did not consider that the removal of the barn would justify refusal of the scheme. The Heritage Officer also considered that the three-storey dwellings gave a welcome variation to the development and should be retained.

The Planning Officer explained that the loss of the stone barn and part of the wall would have an adverse impact but it was not considered to be a significant impact on the Conservation Area overall, the main focus of which was around the listed buildings in The Square.

English Heritage had responded to the consultation and advised that the landscape character of the site had been degraded and it contributed little to the character and appearance of the Conservation Area. They did not believe that the site contributed significantly to the Conservation Area itself. It was considered that the benefits of the scheme and the provision of the through route from Townhead Road to Station Road outweighed the loss of part of the stone wall and barn.

There had been some discussion regarding the SUDS pond on the site visit and the Planning Officer explained the measurements of the pond and that it would be graded to be shallow at the edges and a maximum depth of 1.5m in the centre. There would be a reed bed tethered to the bottom of the pond which would move up and down with fluctuating water levels. There would be prickly plants around the edge and the pond would be enclosed by a post and wire fence.

The Health and Safety Executive were no longer objecting to the proposal following the removal of three dwellings from the middle safety zone which would now be open space.

With regard to waste the applicant would need to make a financial contribution towards the provision of household refuse bins for each household and that would be secured through a Section 106 Agreement. The Planning Officer read out a letter from the Parish Council

which raised some new issues. The Planning Officer responded to the issues raised and advised that he had requested clarification on procedural issues that the Parish Council alleged had not been followed.

The Planning Officer recommended that, if Members were minded to grant planning approval it was requested that “authority to issue” the approval be given subject to the completion of a S106 agreement to secure affordable housing, open space contributions, education contribution, a travel plan and the provision of refuse bins for each household. There would also be a new condition requesting details of the retained wall on Townhead Road.

Mr Wilson (Objector) reminded Members that the City Council stated on its website that development of proposals must either enhance or at least have a neutral effect on the character of the area and that the City Council had a duty to preserve and enhance the area. English Heritage expected the management of Conservation Areas to protect original features. Mr Wilson believed that approval of the application would damage the Conservation Area by the demolition of historic built features and the building of generic house designs. There would be nothing to enhance the Conservation Area nor would the proposal pass the test of the section in relation to Conservation Areas within the National Planning Policy Framework.

The County Historic Environment Officer had commented that the historic barn and wall adjacent to Townhead Road made a positive contribution to the Conservation Area and that their demolition would cause significant harm to the Conservation Area. The applicant’s consultant had dismissed the demolition as a slight character change. Mr Wilson believed that the Committee’s concerns had been ignored. When the City Council had a specialist Conservation Officer it had been confirmed that that part of Dalston was added as such development pressure could be foreseen. Mr Wilson did not believe the development to be sustainable as it was an urban development within a rural location. With regard to the SUDS pond, Mr Wilson believed that it would be a magnet for children and that the 1.8m fencing would not be in keeping with the area.

In conclusion Mr Wilson stated that the proposal was for a huge development on agricultural land and was contrary to Council policy. Most of the proposed units would be large four or five bedroom dwellings which would not be of benefit to the less well-off, elderly or young locals.

Speaking on behalf of Mr Rawling, Mr Wilson stated that such a huge estate was not necessary. There were 25 houses in Dalston currently on the market many of which were more affordable than those in the proposed development. Other large developments would soon take shape at Morton and Crindledyke. It was well known that regional housing stock had already been met with a 20% buffer so there was no need for additional housing on stock grounds. Other needs such as employment, housing and revitalisation could be met by development of brownfield sites. The report stated that there were no brownfield sites available in Dalston but there were some within the application that would be accessible from an existing road entrance. Development should be limited to those sites and in keeping with the character of Dalston. The boundary wall and barn should be retained as they were important features of the Conservation Area. Mr Rawlings had stated that 75% of properties on roads surrounding the site were single storey.

Mr Rawling believed that the Committee’s concerns about road safety had not been sufficiently considered and that some accidents in the area were recorded but others were

not. Both roads were hazardous and to introduce additional houses would be irresponsible.

Ms Anderson (Objector) stated that the proposed development would increase the village housing stock by 24% and the whole parish population by 15%-20%. City Council policies had always maintained that outside the key service areas of Longtown and Brampton new dwellings must be limited to infilling or small scale development. The current proposal was not acceptable. Well over half of the units would be four and five bedroom with only four bungalows on the new plan. Members had queried the tall buildings and 33 units remained. The Council's Housing Demand and Need Study carried out in November 2011 indicated that the whole of Rural West would require 33 houses per year. Almost half that number had recently been approved or would soon seek planning permission. A door to door survey carried out in the village identified that 90% of residents objected to the proposal as being too large and inappropriate to the needs of the parish. Many residents would prefer smaller dwellings or bungalows.

Ms Anderson queried why the number of parking spaces had been increased when the development would be on a bus route. There were also 28 visitor parking spaces but no-one had challenged the figure of 900 new vehicle journeys per day that the site would create. The internal estate road would see school buses and milk or oil tankers passing between Townhead Road and Station Road.

With regard to the schools Ms Anderson advised that the primary school and some age groups in the secondary school were already full and some children were bussed elsewhere. The proposed development would be expected to yield up to 27 children. Dalston Medical Practice was already turning away new patients due to them having a full list.

Speaking on behalf of Mr Smith, Ms Anderson stated that the application had been rushed to Committee during a long holiday period. The application had first been submitted in October 2012 but was so incomplete and inaccurate it was not considered to bring it to Committee until June 2013 when it was deferred for further discussion about the demolition of the barn and boundary wall, road safety and the suitability of the proposed taller dwellings. An amended proposal was not referred to until 29 July 2013 but amended plans were not included. On 12 August 2013 amended plans were put onto the Council's website although there were a number of inconsistencies and failed to answer the queries of the June Committee. Statutory consultees had to be consulted again after that date and rushed responses were still being added up to the day prior to the meeting.

Mr Smith was concerned that the most recent plan stated that the layout had been amended significantly to address the revised location for access and retention of greatest possible extent of existing wall. No new site notice had been placed in the village or press and the report had been posted only two days before the end of the last consultation period giving almost no time to comment. Mr Smith recommended that the application be deferred to allow for a proper consultation period and responses to be initiated.

Councillor Allison (Ward Councillor) stated that the proposal was for the biggest single development in the history of Dalston and would take up the available capacity of the sewage treatment plant. His concerns reflected a wider concern about the process itself and about how little influence the statutory consultation process with the community had on the outcome and the views and needs of the community.

Councillor Allison believed that the National Planning Policy Framework was being used to drive through existing Local Plan policies and the Planning Officer's submission was peppered with a presumption for development. There was acknowledgement that the Council were exceeding the five year allocation plus 20% of deliverable houses but it was dismissed on the grounds that the National Planning Policy Framework took precedent over the Local Plan with the presumption for development.

Despite an extended consultation period there was little evidence that the community had had any meaningful involvement or had influenced the outcome. Any changes had been the result of obvious misjudgements of the developer by siting houses within the danger exclusion zone and the hazardous exit onto Townhead Road. There was some hope when the application to demolish the historic barn was withdrawn only to find that it was to be substantially demolished anyway to make space for two additional houses. The whole intention had been to maximise the number of houses and capital receipts. Elderly residents' requests for bungalows were turned down on the grounds that they required a bigger footprint. The number of single storey dwellings had even been reduced from five to four. Government guidance to be introduced was to produce more bungalows for an ageing population. In his view, Councillor Allison believed that the proposed development would not be sustainable for either the elderly or children who would have to be bussed to schools outside the catchment area. He had not received any response to his query as to whether there was a statutory requirement for the County Council to be the sole education provider.

A Government consultation document had been issued on the day prior to the meeting on new planning guidance based on the National Planning Policy Framework and Councillor Allison quoted from the Minister's announcement and added that he had difficulty in reconciling the progress of the application with the sentiments outlined therein. He believed that the Council was reluctant to embrace the concept of the Community Infrastructure Levy which was a mechanism where the community could have a real influence in determining how the S106 money would be spent for the benefit of the community.

Councillor Allison stated if the application was approved that the elderly and the young would be disadvantaged as well as the community at large. He believed that there should be a proper hub and that the money to be used to bus children to schools outside of the village could be better used to retain and restore the historic barn and convert it to a community facility. Councillor Allison suggested that the application should be deferred again to allow further dialogue between all parties.

Mr Drouet (Parish Councillor) stated that he was not against development within the parish of Dalston however development had to be of an appropriate scale and density, be a sympathetic design and take into account the housing needs of the parish. He reiterated residents' views that they wished Dalston to remain a rural village.

The last full Housing Needs Survey had been carried out in 2005 and the Housing Need and Demand Study carried out in 2011 was offered as evidence of the overall housing need for Carlisle Districts. As the study was conducted by random selection and across three areas the results could not be relied upon at parish level. Dalston Parish Council had commissioned a new Housing Need Survey which was due to be completed by early 2014. Without reliable evidence for more housing in Dalston the Parish Council considered it to be inappropriate for any large scale development to be granted in advance of the local and neighbourhood plans when the Carlisle District Housing quota for the next five years was fulfilled.

With regard to design the issue of road safety had been raised at both entrances, preservation of the stone wall and barn on Townhead Road and the inappropriate use of three-storey buildings proposed. An independent report concerning road safety had suggested changes to the Townhead Road junction to the site. The Parish Council and residents did not believe that the changes would raise the levels of road safety with the inevitable increase of traffic movements created by the development. The Parish Council were appalled that the barn was still to be demolished leaving only part of its original road facing wall and that the boundary wall would be virtually demolished as a 20m length would be reduced from over seven feet to just two feet. The historic impact would be lost forever and the new houses in the site would have their backs facing the road.

Mr Drouet quoted from paragraph 133 of the National Planning Policy Framework which stated that where a proposed development would lead to substantial harm to or total loss of significance, permission should be refused unless it could be demonstrated that the substantial harm or loss was necessary to achieve substantial public benefits. On that basis the weight of the argument was for refusal of the application as there was no public benefit from the demolition of the wall and barn which were historic assets to the village. The Urban Design and Conservation Officer had stated that there were other options that were available. Mr Drouet requested that those alternatives be investigated.

Mr Drouet reminded Members that a Member had requested that the three-storey buildings in the design should be looked at. He believed that they were inappropriate in a rural village and of the three others in the village two would have been residential in the past and the third was the Co-op building.

In conclusion Mr Drouet stated that he did not believe any of the concerns had been addressed, that the proposed design was excessive and the amount of additional traffic underestimated.

The Parish Council had engaged a consultant to look at the proposal on their behalf and presented a video from Indigo Planning.

Mr Dolby (Agent) stated that Dalston was defined as a local service centre and was therefore a suitable location for housing. The site would be close to the village centre and schools and was close to a bus route and a number of shops. Indigo Planning had concluded that the site represented a sustainable location for development, that the design included positive planning and urban design characteristics to encourage integration with the village. However, the letter from the Parish Council stated that the design was suburban in nature and the inclusion of three-storey buildings in the application conflicted with Policy CP5. Mr Dolby explained that the original and subsequent revisions to the application had all been supported by a rigorous analysis of local character and context. He presented a number of photographs that showed the variety of materials, pattern and streetscape around the village and the location of the three-storey buildings. The approach to the variety and interest within the scheme was supported within the Parish Council's Village Design Statement and Parish Plan and Indigo Planning had concluded that the proposed storey heights reflected the village and added diversity which the Village Design Statement embraced. A further driver for the location of the square and main routes through the scheme was made in response to context and the incorporation of key features within the design that would assist in grounding the scheme and ensuring it would fit in to ultimately become a successful addition in perpetuity in design terms.



The original application offered a robust response to context and pattern of storey heights. As such the proposal responded well to Local Plan policy CP5.

One area that Indigo Planning identified related to their belief that the density was somewhat uniform across the site and lacked the organic feel and areas of higher and lower density which typified the village and Conservation Area. The slides showed a variety and range of densities across the scheme. Towards the area around Station Road the design was taken from the existing form and the Heritage Officer supported the organic form and storey heights.

With regard to the wall the Parish Council had erroneously stated that the desire of the community that the historic wall and barn be retained had been ignored. The diagram presented to Members showed the new proposals and the revised access onto Townhead Road. The proposed amended units would face inwards to the site and the design retained as much of the character as possible. Most elements of the barn would be retained as would a large amount of the wall. The County Archaeologist had stated that there would be a less than substantial impact and there had been no objection from English Heritage.

Ms Lightfoot (Agent) stated that a great deal of work had gone into the development and urban design of the scheme. That was reflected in the comments made by the Conservation Area Advisory Committee and the Council's Urban Design Officer. The proposal would be well related to Dalston which had a range of services and the centre of the village which was within walking distance. The Parish Council's consultants stated in their report that the site, in National Planning Policy Framework terms, was a sustainable location.

With regard to highways, the proposal had been subject to independent testing and was considered to be acceptable. However in order to preserve more of the wall on Townhead Road the access had been moved and the area redesigned to accommodate the new access. The wall was a relatively recent construction and Indigo Planning noted that there were no severe highway or transport related reasons why planning permission should not be granted. They further noted that the scheme would not contribute greatly to traffic movements at the junction of Station Road and Carlisle Road. The applicant acknowledged the highway issues and would therefore contribute a proportion of costs to the proposed roundabout improvements.

Ms Lightfoot stated that the development would bring forward 20 affordable properties and that was acceptable to the Housing Strategy Team.

With regard to the impact on the Conservation Area, Ms Lightfoot explained that the proposals had been deemed acceptable by English Heritage, the Council's Urban Design Officer and the Conservation Area Advisory Committee. The professional consultees had no objections to the proposal and the applicant believed that the development struck the right balance and views of the Conservation Area and adhered to local and national policies.

It was noted that the three-storey houses would provide variety across the scheme and the higher units should also enable the provision of apartments for smaller families and those starting out or looking to downsize and family living over three floors for larger families or those that were looking for room to grow.

The applicant acknowledged the local interest in the scheme and believed that the scheme was a great opportunity to fulfil the desire for a greater housing supply. A balance had been struck between the preservation of the wall and the design of the scheme which had been developed to take full account of the policies within the National Planning Policy Framework and those which remain in the Local plan.

Ms Lightfoot stated that the report covered all of the issues raised by the proposal and the applicant had worked to provide a bespoke scheme that responded to local characteristics and took into account comments made by the Planning Officers and design professionals. The site was suitable for a sustainable development which could positively contribute to the Council's desire for housing growth to support those families looking for new homes and also encourage economic growth.

The Committee then gave consideration to the application.

A Member was disappointed that the issues relating to the demolition of the wall and barn and the three storey buildings had not been fully addressed. He reminded Members that the proposal was for a substantial development in a rural area and was contrary to policy LE17 of the Local Plan and therefore he could not support the application.

A Member was unhappy that the Parish Council had made mention of a Ward Councillor in its correspondence and he had therefore been made to state clearly why he could not take part in the consideration of the application. Councillors were obliged to keep an open mind until all the facts had been received.

Whilst the Member was not so concerned about the proposed three-storey buildings he was concerned that the applicant was not able to retain the entire wall; however he would have been more unhappy if the whole wall had been removed. The Ward Councillor had intimated that it may have been possible to convert the barn into a dwelling or for community use and the Heritage Officer had stated that he would have preferred it to have been retained.

The Member was also concerned about the adopted area which was to be tarmaced and queried who would be responsible for the paved areas.

The Member was also concerned about the SUDS pond and queried whether it would not have been possible to have attenuation tanks instead.

The Member believed that new houses should be designed to allow for possible eventual disabilities of residents to enable them to remain in their homes and that new properties should be developed with wide doors and wet rooms etc. However he could find no planning reason to refuse the application.

A Member was concerned about the comments made against one of the Ward Councillors. He was concerned about the amount of heavy traffic travelling along the road and queried whether the speed limit should be reduced to 20mph.

The Member was also disappointed that most of the barn was to be demolished and believed that it should be utilised in some way for community use. The Member agreed that there was no planning reason to refuse the application but added that he did not believe Dalston to be an appropriate location for the development.

A Member pointed out that the National Planning Policy Framework altered the view of how applications should be determined. The emphasis was on sustainable development and development which enhanced or maintained vital communities. The primary school took in 63% of its pupils from outside the catchment area as it was not able to attract the full quota from Dalston. One objector had stated that there were an increasing number of older residents in the village who were not as active but who had contributed to the community in the past. The proposal should try to maintain a vibrant and vital rural community. The Member believed that Dalston needed more families to support the schools and shops as well as a variety of clubs and organisations and increase the sustainability of Dalston as a community.

The Member reminded the Committee that the application had previously been deferred as Members were unhappy with the highways issues and had commissioned independent advice. That advice had been given and endorsed by the Highways Authority. Suggestions for alterations in respect of traffic issues had been acknowledged by the developer. The Member agreed that a lower speed limit would be advisable but it was down to individual drivers to drive in a manner that was commensurate with the conditions. She believed that the Parish Council could do something to encourage drivers to be more responsible.

The applicant had responded to many of the concerns raised and the Member agreed that the houses should be lifetime homes but that was not enforceable at the present time. As the barn and wall were not listed it made it difficult for conditions to be imposed to preserve them. However the applicant had amended the plans to maintain the visual impact and English Heritage and the Archaeological Officer had deemed the revised plans as acceptable. Again she could find no planning reason to refuse the application.

A Member was concerned that the proposal was a large site and would have a large impact on Dalston but not all aspects were negative. With regard to highway issues the Member believed that if residents were not aware of the significance of the hazards they should be brought to their attention and that if there were any accidents it would be a police matter to resolve them. The Member queried how much of the barn would be demolished. He stated that he was concerned about having three-storey dwellings in a rural development but believed that Dalston needed development and that it was only a matter of time before development went ahead in some form.

A Member believed that there should be more bungalows on the site to allow the elderly to downsize and free up their homes for families.

A Member stated that she used the road on a number of occasions and was pleased that the entrance was to be relocated. There was an issue with speed on that corner as well as cars parking and reversing out of the surgery onto the road. The Member added that it would have been preferable for the barn to be retained and utilised. The Member was sorry that a Ward Councillor had been forced to leave his seat on the Committee for the item.

The Planning Officer responded to Members' queries. He confirmed that the retained wall of the barn would be between 2.7m and 3.2m along its length.

With regard to highway issues the Planning Officer explained that all of the roads on the estate would be adopted and therefore would be the responsibility of the County Council.

The Planning Officer agreed that he could go back to the Highways Authority in respect of the suggested 20mph limit. Any change to the speed limit would require consultation with the community and the discussion could include traffic calming measures.

A Member stated that whilst lowering the wall would assist the visibility splay there could be an issue if the hedge behind the wall became overgrown.

A Member queried whether a condition could be imposed that would limit the height of hedges at that point.

The Planning Officer advised that such a condition could be imposed that would restrict hedging to be allowed to grow above 0.6m.

A Member queried whether the barn could be retained and used as another building. The Planning Officer stated that the barn was open on the inside of the site but he could not comment on the condition of the building.

With regards to the SUDS the Planning Officer explained that there would be too much surface water to use attenuation tanks and therefore there was the requirement for a large pond. The Director of Economic Development advised that there would be a management plan put in place through a Section 106 Agreement to ensure the safety around the pond.

Following a vote it was:

RESOLVED – That authority to issue approval of the application be granted to the Director of Economic Development subject to the completion of the S106 agreement indicated in the Schedule of Decisions attached to these Minutes and the imposition of an additional condition requiring the applicant to submit details of the proposed wall along Townhead Road.

The meeting was adjourned at 11:50am and reconvened at 12 noon.

Councillor Craig returned to his seat on the Committee.

**(2) Erection of 6no dwellings and associated parking, engineering works and landscaping (Revised Application), land to the rear of Lime House, Wetheral, Carlisle, Cumbria, CA4 8ET (Application 13/0562)**

The Planning Officer submitted the report on the application and outlined for Members the background to the application, the proposal and site details, together with the main issues for consideration.

The Planning Officer reminded Members that a previous application for six dwellings on the site had been refused. The applicant had submitted a revised application which had a similar footprint but the layout had been redesigned. The dwellings were now of a more conventional design and were two storey. Garages would be provided in curtilage and bin storage would also be provided. The Planning Officer presented slides of the site.

The application had been advertised by means of site and press notices as well as notification letters sent to neighbouring properties. Neighbours had also been advised of subsequent amended plans by way of letter. In response to the consultation letters of objection had been received from the occupiers of sixteen individual properties and two comments had also been received. The Planning Officer summarised the issues raised

therein. Since publication of the Supplementary Schedule five further letters of objection had been received that stated that the properties were too close to existing properties, the access was unsuitable, bins would be left out all day, the drainage arrangements were unacceptable and residents believed that only four properties should be built on the site.

The Planning Officer advised that the Fire Services would not normally be consulted on a planning application. However due to the level of interest the Fire Service was contacted and they advised that a minimum of 3.7m was required for access. If that could not be achieved there were other solutions that could be employed such as a hydrant on site and sprinkler systems.

The Planning Officer advised that in overall terms the principle of the proposed development was acceptable. The proposed dwellings could be accommodated on the site without detriment to the living conditions of the neighbouring properties or the character/setting of the Wetheral Conservation Area and adjacent Listed Building. The Highway Authority had advised that the parking/access arrangements and the anticipated level of traffic generated by the proposal would not prejudice highway safety. In all aspects the proposals were considered to be compliant with the objectives of the relevant Local Plan policies.

The Planning Officer requested, if Members were minded to approve the application, that "authority to issue" the approval be given subject to the completion of a S106 agreement to secure the provision of a contribution towards affordable housing as outlined within the report.

Mr Askew (Objector) stated that he was representing the views of the Save Wetheral Village Group. Villagers believed that the amended proposal was more in sympathy with and preserved the character of the Conservation Area. The reduction in height and roof lines was more appropriate and the architecture of a more traditional style. However there were still a number of issues to be resolved in respect of density, access and the storage and removal of waste.

Residents believed that there were still too many houses proposed. Residents had requested that no more than four houses should be developed on the site. There was still too little amenity space and the separation distances were insufficient. A compromise would be to replace the two semi-detached dwellings with a detached unit. That would allow more amenity space and it may then be possible to retain more of the healthy trees and in particular a healthy yew tree that provided screening to Jennet Croft.

With regard to access Mr Askew reminded Members that there were no new proposals in the revised application about access and the storage and disposal of waste. The report referred to an informal one-way system. Residents appreciated that the requirement to operate a one-way system would not be subject to a Traffic Regulation Order as it would be on private land. The Highway Authority's Officer had stated in an e-mail that the southern access would be unsuitable for vehicles to egress due to it being too close to a blind bend. He further advised that in his opinion it would be unacceptable for vehicles to run against the consented one-way system. Residents therefore welcomed the applicant's comment that it was proposed to establish a one-way circulatory system to access the site from the south and exit via the north. A letter from A L Daines and partners advised that a 7.5 tonne vehicle had negotiated the system and that access and egress was readily afforded. Witnesses had stated that the vehicle was only able to negotiate the northern access with a considerable struggle. A 7.5 tonne vehicle would generally be 2.36m wide without mirrors and at its narrowest point the driveway was measured at 2.55m. Residents

therefore believed that while confident drivers could attempt to access in that direction most would ignore the informal one-way system and that the applicants and Officers would turn a blind eye to vehicles exiting the highway from the south side which was not acceptable to the Highway Authority.

The proposed signage was inadequate and would not prevent vehicles turning on the site. The Highway Authority had made clear that they would require the provision of a one-way arrow at the rear of Lime House to indicate to traffic that they must only leave via the northern exit. Mr Askew suggested that there should also be a sign at the top of the southern access advising drivers that they could only leave via the northern side.

Residents were concerned about the risk of accidents if entering from the south. Larger vehicles would not be able to leave via the northern side and would be forced to leave by the wrong exit. An agreement with the management company to limit vehicles to those under 7.5 tonnes would be unenforceable as it was private land. The report stated that access by larger vehicles would be infrequent but if that meant over 7.5 tonnes that should not happen as the agreement would prevent them from entering the site in the first instance. Residents believed that larger vehicles would enter the site and then leave by the southern access.

Mr Askew was also concerned that a planning condition imposed on application 12/0891 for the apartments required that a plan should be submitted detailing land for the parking of vehicles associated with the development of the land before any development took place. He queried why a similar condition had not been imposed in respect of the current application and where plant and construction vehicles would be stored. The report acknowledged concerns regarding emergency access and the Planning Officer had outlined the solution put forward by the Fire Service as Members would be unable to make an informed decision without that information.

With regard to refuse and recycling the applicant had proposed the use of kerbside collection for all domestic waste with the bins being moved by hand to the lay-by the night prior to collection so no bin lorry would need to access the site. To mitigate that the developer now proposed three Eurobins for the nine apartments instead of nine wheelie bins which had already been granted permission under application 12/0891. Those Eurobins would be stored in a new bin store adjacent to the proposed garage for Unit 5. Mr Askew outlined the size of the proposed Eurobins and was concerned that someone would have to move the heavy bins down a slope onto the roadside and queried who would be responsible for that task. Residents believed that if Eurobins were introduced large vehicles would enter the site to empty them, turn on the site and leave by the southern exit. That would not be an exceptional case or an emergency but would happen regularly which would be unacceptable. If Eurobins were to be introduced a retrospective application would be required to amend the previously approved application. If the current application was approved there would be no need for Eurobins as the applicant would have permission for fifteen wheelie bins and at least thirty recycling containers using the bin lay-by. The report stated that the bin store for the flats had been redesigned and incorporated into the development adjacent to the garage of unit 5. Mr Askew believed that that would require a change to the previous application. Residents did not believe the applicants had any intention of applying for a change to the approved application but if permission was granted for six additional wheelie bins under the current application Eurobins would not be required and the village green would be blighted by fifteen more wheelie bins.

In conclusion, Mr Askew stated that in his opinion nothing had changed and therefore the application should be refused as they failed to take account of Local Plan policies CP5 and H9. He reminded Members that the National Planning Policy Framework stated that where applications failed to meet requirements of the current Local Plan they should be refused.

Mr Taylor (Agent) reminded Members that this was the third time that proposals on the site had been submitted since its first submission in January 2013. The development had been reduced from eight dwellings to the currently proposed six which had been recommended for approval. Permission for six dwellings was refused in June 2013 on design grounds and an appeal against that refusal had been submitted.

The report made clear that the application complied with policy, was well related to the existing built form, was of an acceptable scale, was appropriate to the area's character and its Conservation Area status, had no adverse impact on adjoining properties and that there were no material considerations why the application should be refused. The National Planning Policy Framework sought to boost the supply of housing and to use previously developed land such as the current development. The National Planning Policy Framework noted that permission should be granted unless any adverse impacts would outweigh the benefits in situations such as the current application where the Local Plan was out of date.

Mr Taylor believed that the site was in a sustainable location with easy access to public transport. Policy recognised the facilities that such settlements provided and the scope for further development. The clear advice of the Planning Officer was that the relevant criteria were satisfied. The scheme had been modified to take account of Members' concerns and now proposed four detached dwellings and a pair of semi-detached houses all of conventional design and traditional materials. Members of the Parish Council were pleased that the developer had taken account of the concerns that had been raised.

Although the report identified a number of concerns they were fewer than previously and narrower in their remit. Mr Taylor stated that the proposal was the subject of pre-application discussions, the scheme continued to be modified, the access, car parking and garage provision were to the required design and there was no highway objection. Separation distances had been maintained and the density of the proposal was now within conventional standards. The development would be reasonably secluded and a commuted financial contribution towards affordable housing would be made. There were no adverse impacts in respect of ecological interests and ecological assessments had been provided. The approach to retaining trees and avoiding root protection was supported.

Mr Taylor further stated that the refuse arrangements had been approved as part of the conversion scheme to provide nine apartments and there was no planning condition that limited the way in which the lay-by could be used. Emergency vehicle accessibility was a Building Regulation and not a planning matter. However discussions had taken place with the Fire Service who suggested that emergency vehicles would be able to enter the site and the verge could be widened. Arrangements had also been made for appropriately sized furniture vehicles to access the site using the one-way system.

Mr Taylor believed that the benefits of the proposal were significant and would bring approximately 20 jobs for local people. If there was a legitimate requirement for a planning condition to outline the construction management, that could be imposed. Many of the concerns outlined by Mr Askew related to whether the proposal met the tests set out within

the National Planning Policy Framework. Mr Taylor believed that benefits significantly outweighed any impact that the development would have and that any issues could be managed by technicians on site. Government advice made it clear that the onus was on the Committee to consider the application on planning merits and that the application should be approved.

The Committee then gave consideration to the application.

A Member was concerned about the access arrangements on the site and the one-way system. It was disappointing that Members had to rely on Building Regulations for such matters and that they were not ruled by planning. The Member could not see where Building Regulations would be able to resolve the issue and believed the application to be irresponsible.

A Member queried whether the access could be widened and if so by how much. The Planning Officer advised that the access could accommodate emergency vehicles and discussions about widening the access referred to the removal of the kerb and putting it back against the wall. The Director of Economic Development advised that it would be preferable if issues could be resolved by other ways, for example Building Regulations or the installation of a hydrant, rather than by the imposition of conditions.

A Member stated that it was the Committee's responsibility to ensure that the development would provide a safe environment. The Director of Economic Development stated that Members had to deal with planning issues and Building Control could deal with building issues.

A Member was concerned about the density of the site, the potential damage or removal of trees, the Eurobins and potential traffic issues. As the proposal was within density limits there was no planning reason to refuse the application. The Council's Landscape Architect/Tree Officer had looked at the trees and was happy with the proposals.

With regard to Eurobins the Member noted that a photograph showed two Eurobins already on the site on the southern access that would require a refuse vehicle to access the site, pass in front of Lime House and exit through the southern access. The Member suggested that a condition should be imposed that would require refuse vehicles to turn in front of Lime House and exit via the northern access to enable the bins to be emptied on site.

With regard to the access arrangements the Member queried whether there could be a lay-by on the southern access to allow vehicles to pull in if larger vehicles were using that access to exit the site. The Planning Officer advised that the matter could be looked at.

A Member stated that the developer had complied with a lot of the requests made by the Committee but he was still concerned about the entrance and exit to the site. He did not believe that there was a lot that could be done to resolve the issue and reiterated the suggestion of the use of the lay-by as a passing place. In his opinion there was no valid planning reason to refuse the application.

With regard to the comment that an appeal had been submitted in respect of the previous refusal of an application on the site, the Member reminded the Committee that it could be possible that the appeal would be upheld. If Members and Officers worked with the developers and the residents it could be possible to achieve a development that would not be imposed upon them.



In response to the management of the bins the Director of Economic Development stated that it may be difficult to impose a condition and enforce such a condition but she would look into the matter. She reminded Members that the Officer had recommended that authority to issue be granted to the Director.

A Member queried whether the access could be widened in accordance with the current plans. The Planning Officer advised that the access could be widened as far as Building Regulations would allow and that she would look into the matter.

A Member stated that a condition should be imposed that would ensure that the access would be widened as far as possible to make the access safe. The Member moved approval of the Officer's recommendation.

A Member indicated that if emergency vehicles and furniture vans were using the access there would be no room for pedestrians. The Member was also concerned that refuse vehicles would be required to enter the site as large bins could not safely be pushed down the slope onto the kerbside which would result in further problems with people walking along the access the lanes.

In response to a query the Planning Officer advised that United Utilities had responded that they were satisfied with the proposed drainage arrangements and that two conditions were in place in respect of drainage.

A Member suggested that if refuse vehicles would be required to enter the site to empty the bins there should be a condition imposed to ensure that the lay-by would be classified as a passing place to prevent people from parking there.

A Member seconded the motion to approve the Officer's recommendation.

Following a vote, in which Councillor Whalen voted against the application, it was:

RESOLVED – That authority to issue approval of the application be granted to the Director of Economic Development subject to the completion of the S106 agreement indicated in the Schedule of Decisions attached to these Minutes.

The meeting adjourned at 12:50pm for lunch and re-convened at 1:30pm.

**(3) Revisions to original planning approvals 11/0433 and 11/0690 involving amended estate house and erection of 1no eight bed holiday unit in lieu of 8no holiday lets, Town Head Cottage and adjoining land, Townhead, Hayton, CA8 9JH (Application 13/0431)**

The Principal Planning Officer submitted the report on the application which had been the subject of the site visit held on 28 August 2013. The Principal Planning Officer outlined for Members the proposal and site details, together with the main issues for consideration. The application had been originally advertised by means of a site notice and the direct notification of the occupiers of 27 neighbouring properties. In response a total of sixteen formal objections and one informal objection from interested parties had been received and the Principal Planning Officer summarised the issues raised therein.

The Principal Planning Officer advised that in relation to the application there were two distinct but related elements, namely the replacement of the Estate house and the eight bed holiday unit.

When assessing the replacement dwelling, the principle of the proposal was acceptable. However, the scale of the proposed replacement dwelling was contrary to criterion 2 of Policy H10 of the Local Plan 2001-2016. Conversely there were other material considerations that mitigated/weighed in favour of the proposal, namely that the current proposal represented a marginal increase in footprint compared to the previously approved scheme, the recognition that the perceived need to improve and modernise the living conditions associated with the previous (relatively modest) house would remain, and the proposal was situated within a relatively large plot. Its impact on the character of the area and visual amenity was considered to be acceptable, it would not lead to material problems in terms of losses in privacy, noise/disturbance and overshadowing and not harm protected species.

With regard to the holiday unit it was appreciated that Townhead was not within the settlement boundary of the Local Service Centre at Hayton, and that the scheme would largely be dependent on the use of private vehicles. However, the site was on the edge of Townhead which was relatively accessible to Hayton. On that basis it was considered that the proposal satisfactorily demonstrated compliance with paragraphs 14 and 28 of the National Planning Policy Framework. There was no evidence that existing facilities would be overwhelmed, nor a reason to believe that guests would cause, or make worse, any social discord. The proposed unit was shown to be positioned such that it would be set back from the road within an excavated area and therefore largely screened by the existing trees of Whinhill Wood and slope of the land. As such, and on the basis of the proposed design and scale of the holiday unit, and the associated landscaping, it was considered that the impact (when completed) on the character of the area and visual amenity was consistent with the relevant policies. The proposed holiday let should not lead to problems associated with losses in privacy and overshadowing. It was considered that the proposal would lead to an increase in noise and disturbance but not at a level that would sustain an amenity objection. The applicant had also agreed in the past to provide bat boxes to enhance provision within the area. Any other matters were not considered to be of such weight as to determine the outcome of any decision.

The Principal Planning Officer advised that prior to the site visit a representative of the Parish Council had queried whether the required visibility splays for the access could be in place during the construction phase of the development. That was also in the context where the Highway Authority had recommended visibility splays of 2.4m X 150m for the previous application regarding the holiday lets. In response the agent had annotated a drawing that identified the maximum visibility that could be achieved as 2.4m X 110m. A condition could be imposed that would require the visibility splays to be in place within one month.

Following the site visit a neighbouring resident also raised a number of queries which the Principal Planning Officer dealt with in turn.

- The extent of the curtilage had been identified and a condition could be imposed specifying the agricultural use of the field;
- The Agent had confirmed that cross sections could be included as part of the landscape details that needed to be submitted;
- The applicant had confirmed that he did not intend to develop the field;

- That it was the intention that the holiday let would be served by eight parking spaces and the Estate House by four spaces;
- That the point of contact would be the Estate Manager; and
- Subject to comments from Natural England the applicant was happy to install sensors on the external lights and the internal corridor lights. The lighting could be the subject of a condition.

The Principal Planning Officer explained that United Utilities had confirmed that they had no objections subject to the imposition of two conditions. There was a certain degree of duplication in the suggested conditions and therefore it was possible to combine the conditions to form a single condition regarding foul and surface water drainage. There would be two separate systems with the surface water being removed by soakaways. United Utilities had also confirmed that they had no objection to the two swimming pools. However, when the developer applied for a water connection it was likely that United Utilities would require the installation of a pressure sustaining valve on the connection.

In response to a query raised during the site visit the Principal Planning Officer confirmed that the sand was to be removed by a licensed waste contractor based near the Airport.

The Principal Planning Officer presented a number of slides including one which showed the plans for the originally approved Estate House and holiday lets and advised Members of the relevant heights and separation distances. Other slides showed site plans indicating the curtilage and landscaping that was to take place, differences in footprints between the approved and proposed developments and the respective floor and elevation plans of the Estate House and the Holiday let.

The Principal Planning Officer recommended the application for approval subject to the re-wording of Condition 3 to ensure that the holiday let would be used as a single planning unit and the imposition of additional conditions concerning the provision of the access during construction, the agricultural use of the field, a cross section as part of the landscaping, the re-grading work to be undertaken and completed as part of the landscaping, the internal floor corridor lighting and the combined United Utilities condition.

Mr Butler (Objector) advised that he represented all residents of Townhead who were opposed to the development. Mr Butler presented slides that showed the site in its original state and stated that residents had been shocked that planning permission had been approved despite so many objections from residents. Mr Butler stated that the applicant had erected a shooting lodge at another site without planning permission which was still in frequent use. The applicant had also been convicted and fined for the desecration of a local Site of Special Scientific Interest and had installed barbed wire and fencing to block off footpaths that had been used freely by the public for many years. The site had been a tranquil setting which was enjoyed by local people.

The cottage site had been inhabited by the gamekeeper and more recently by a retired tenant farmer until the sale of the cottage to the applicant. Excavation started on the site in 2010 as soon as the residents of the cottage moved out. The site had been visited by an Officer from the Planning Department and it was at that point that planning permission was sought. That application was for an Estate House and then eight holiday lets. Earlier this year it became obvious that the applicant was not keeping to the plans and a Development Officer again visited the site. That resulted in the submission of the retrospective application currently being considered.

Mr Fenton (Objector) advised that he lived next door but one to the application site and had a number of concerns in respect of the location, scale and prominence. Mr Fenton presented slides that showed the original layout and the site in its current condition. The site dominated Townhead and had taken up a large area. The previously approved application was for 1½ storey buildings and the development would have had a limited impact upon the village as the original plan was set back from the road. The current retrospective application was for 2 storey buildings next to the road which would have a significant impact. The development would not enhance the visual amenity of the village. Most of the existing properties nestled into the hillside.

The previous proposals delineated an area within the garden boundary of the old Townhead Cottage. The current proposal included the adjacent field which previously had horses and sheep grazing on it and was now a mound of sand which was causing a great inconvenience to local residents. Mr Fenton queried why the field was included in the current application when it was not included previously.

Ms Clarricoats (Objector) advised that she lived next to the proposed development. She reminded Members that the original planning permission was for eight one bedroom self contained units. The original plan was for accommodation for shooting parties with six parking spaces available. Outside of the shooting season the accommodation would have been used for cyclists, walkers and bird watchers who would not have been reliant on the use of cars once in situ. The current proposal was for one eight bedroom property and associated Estate House with a pool and leisure facilities. The change of usage would lead to an increase in car usage which was at odds with the National Planning Policy Framework and policy EC16. The report stated that use would be made of the local service centre at Hayton however there was not even a local shop in Hayton and there was a very limited bus service.

Ms Clarricoats presented slides that showed the night sky and the absence of intrusive lighting. She queried whether it was suitable to introduce a large building with lighting in car parks and the building. The proposed structure would have no meaningful link to the location due to its negative environmental impact of intrusive lighting.

Ms Clarricoats was concerned about the noise that would be generated by the larger groups of people. In the evening there would be social activity and the noise would be continuous. The previously proposed smaller individual groups would be less likely to gather. As the Estate Manager lived on the site he would be available to oversee the situation but that would not be the case under the current proposal. Ms Clarricoats queried how the planning department could justify their comment that there was no reason to believe that guests would cause noise or make any social discord but that the facilities would not overwhelm or cause social tension or lack of community spirit.

Townhead Cottage was originally beautiful and tranquil and the differences between the original plans and the new plans were difficult to see but significant in their impact. There would be an increase in light and noise, the development was oversized and over-prominent and was contrary to Local Plan policies as it was out of character with the area. No business plan had been produced.

If Members were minded to approve the application Ms Clarricoats asked that conditions be imposed that would restrict the length of stay, that the Estate House should be used solely as a permanent residential dwelling, that there be a limit on noise and vehicle movement and limits on the use of the leisure facilities when the house was not in use.

Mr Stout (Agent) stated that he was in support of the application and reminded Members that the application was a revision of an already approved application. The concept was not new nor was there a significant change. The revision had resulted from the need to adjust the position of the properties into the back of the site and the change from eight dwellings to one eight bedroom dwelling. The revised application was consistent with Council policies and would result in an outstanding construction which would add to the area.

The conditions had been accepted and they highlighted the attention to detail now applied to the proposal. No-one envisaged the amount of sand that would need to be removed but that had been addressed and the sand would be removed from the site over the next couple of weeks following approval by the Environment Agency. When the development was complete the land would be returned to agricultural.

The intention had been to create a successful scheme of high quality accommodation with high demand, and ensure the success of the enterprise. There was clear evidence of the need for such accommodation in the form of an existing seven bedroom house, run by the Estate, in central Brampton. The occupancy rate was outstanding and confirmed the need for such a facility. The pool and hot tub was a significant factor in why high quality visitors were attracted to the property. If it did rain the internal facilities would be important to the visitors. The Estate's holiday enterprise attracted high quality visitors to the area with the capacity spend in local shops and restaurants and so help the local economy. Therefore Mr Stout requested that the application be approved.

Mr Page (Agent) stated that he too was in support of the application which continued to accord with the Local Plan. Mr Page listed the policies within the Local Plan that were met by the application and quoted from sections of the National Planning Policy Framework that were also met by the proposal. He believed that the application clearly demonstrated all of the aspects raised by the objectors had been met.

Mr Page believed that the Council were seeking to develop high quality tourism in the area and Policy EC9 highlighted the need for Local Plans to encourage the growth of and investment in tourism within the north west. Townhead could therefore be considered in its revised form as the Estate responding to and delivering on Council policy objectives. The design followed the broad themes associated with the previous application which was a replacement dwelling and an associated courtyard development of holiday accommodation set into the hill away from the road. The use, location and built form of the proposal closely followed prior consents. There had been a net reduction in floor space when compared to the previous application.

In response to the opposition to the proposals Mr Page stated that in discussion with Officers the Agents instructed that building work would be suspended until the application was approved. Reviewing the site on the day of the site visit it became apparent that there was an issue with the sand removal. Measures had been instigated to increase the access into the site to comply with previous highway conditions and therefore to allow for the removal of the sand. A Section 106 Agreement had been made to United Utilities for the connection of the new development to the public sewer. Permission had been granted provided that the backwash water was not included. That water would be required to stand for 24 hours before it could be discharged to soakaway.

Mr Page believed that there would be less vehicle movements as the people would be able to share cars on site. There was a clear plan for the end of life of the enterprise as a holiday let. It would not be turned into a boutique hotel or sports club.

Mr Page confirmed that the drawings received by the Planning Department were accurate.

There would be no floodlighting on the site which was bound by Natural England licences to respect the ecology requirements of bats and guests would also wish to partake of the dark skies.

Objectors had stated that the holiday market was in decline but statistics had shown that was not the case. Luxury holiday lettings were growing steadily with the most buoyant sector being the mid to large group booking.

Although objectors had referred to Townhead Cottage being a cottage full of charm it was in fact dilapidated and in need of a great deal of work to make it of a sufficient size to be of use. The issue around the sand heap was being addressed and the Estate had in place Environment Agency consent for sand disposal on its own land nearby. Some sand would be retained on site for backfilling and general site restoration.

Mr Page confirmed that guns and ammunition would not be stored on site as alleged.

The development would sustain direct employment and local business networks. There would also be significant discretionary spending by visitors. Hayton was well placed as the service centre. There was a general scarcity of high quality holiday accommodation and the application met that shortfall. The development provided ample facilities for entertainment particularly on wet days. Townhead was a well designed replacement dwelling and a luxury tourism development similar to the previously approved application and therefore merited approval.

The Committee then gave consideration to the application.

In response to a query from a Member the Principal Planning Officer confirmed that a distinction had been made regarding the increase in footprint compared to a reduction in volume when making a comparison between what had already been approved and the current proposal.

A Member stated that he could understand the concerns about noise. He was surprised that the agent had not envisaged the amount of sand that would result and was concerned that there would be more sand to be excavated. The Member was not clear how the developer proposed to hold the sand back behind the development.

There had been a lot of talk about enhanced business in the area and money from the holiday lets and the pool and games room had been designed to remain in house; therefore the Member was not convinced that would generate business elsewhere in the area.

A Member queried why an application for a single eight bedroom development was not submitted originally. Another development at Hayton had not started as there was deemed to be no demand.

With regard to the sand it would need to be removed by large vehicles. That would create noise and disruption which would be unacceptable. Residents had requested a speed limit on the road but had been advised that that would require lighting which they did not want.

A Member was concerned that the development had been revised on several occasions since 2011 and that the small site had a long planning history. The reason that had been given was that Edmond Castle was being rebuilt as a working estate. The Committee needed to be clear where the development was going and that the development had increased by planning creep.

A Member was concerned about the emptying and filling of the pools. United Utilities did not believe there was an issue but pressure would be reduced in other properties when the pool was being filled and Planning Officers had stated that water from the pool would be emptied to soakaways.

A Member believed that the changes to the proposal were quite significant and was effectively a small hotel. The Member interpreted policy CP5 differently to the agent and did not believe that the development related well to the area.

The Principal Planning Officer explained that the development was set back from the road with only the replacement dwelling at the front of the site. There would be landscaping and the field would be returned back to paddock. In his opinion the visual impact was not sufficient to warrant refusal. The main development would be set back into the embankment and in a wooded area and from the side only the gable would be visible. The courtyard would be viewed only from the access.

With regard to the pools, United Utilities had originally commented that they had no objection. Officers had gone back to United Utilities and pointed out that there would be two pools so they took the matter back to their engineer. Their response was that the engineer was aware of the size of the pools and that there were no objections in respect of the two pools in the basement. When the applicant applied for water supply they would be required to install a water pressure connector. When pools were emptied only a certain amount of water was removed and the pool refilled. The fact that the application was retrospective did not merit refusal.

The Principal Planning Officer did not believe there would be much of an impact and the applicant was happy to comply with conditions in respect of lighting.

A Member stated that he had not pre-determined the application but was concerned about what application would be submitted retrospectively in the future for the site. The Member moved that the application be refused and the original planning application be progressed.

A Member stated that she was not a member of the Committee when the previous permission was granted but she had been shocked at the appearance of the site. The applicant had not always been fully compliant with the conditions in previous applications. The Member was concerned that the principle of development had been established.

The Member queried whether a condition could be imposed that would restrict the use of the leisure facilities to guests. In view of the applicant's previous history the Member believed that conditions must be as detailed and prescriptive as possible and made clear to the applicant to enable enforcement action to be taken if necessary.

A Member was concerned about the noise from the boiler and queried whether there was any information in that regard. The Member was also concerned about the storage of guns and ammunition.

The Principal Planning Officer advised that a condition was included that stated that the holiday unit should be used for holiday let accommodation and for no other purpose.

With regard to firearms Cumbria Constabulary had confirmed that the firearms would need to be licensed and any issues would be addressed by that.

With regard to noise from the boiler, the Principal Planning Officer advised that the boiler would be in the basement area and it was not expected that there would be any noise pollution generated.

A Member believed the proposal was for a large development within a rural area. The Member felt sympathy for residents as the tranquillity would be affected. The Member was shocked at the condition of the site and was concerned about potential movement of the sand behind the complex. The Member stated that he would prefer independent advice on the matter.

The Director of Governance reminded Members that permission for development had been established and the current application was for a similar but revised scheme.

A Member agreed that the application should be deferred to allow further advice. He believed that the retrospective application contravened National Planning Policy Framework paragraph 109 in respect of the enhancement of the natural and local environment. There was also no information in respect of the ecology of the area. The application would have an impact on the environment and biodiversity and therefore moved that the application be deferred to allow further information to be provided.

The motion for deferment was seconded.

RESOLVED – That consideration of the application be deferred to allow the submission of further information regarding the impact of the proposal on the ecology of the area, and to await a further report on the application at a future meeting of the Committee.

## **SUSPENSION OF STANDING ORDERS**

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

### **(10) Erection of 3no detached dwellings (Outline) (Revised Application), land to the rear of Elmfield, Townhead, Hayton, Brampton, Carlisle (Application 13/0455)**

The Planning Officer submitted the report on the application and advised Members that an application submitted earlier in the year had been withdrawn before a decision could be made. The Planning Officer outlined the proposal and site details of the current application together with the main issues for consideration. The application had been advertised by means of a site notice as well as notification letters sent to neighbouring properties. In response to the consultation sixteen representations had been received, consisting of eleven objections and five in support of the application. The Planning Officer summarised the issues raised therein.



It was the Planning Officer's opinion that the site was well related to Townhead which in turn was close to the key service centre of Hayton. It would form a natural stop to the built form of Townhead given that there were other residential properties and their domestic curtilages opposite and adjacent.

The Planning Officer presented slides illustrating that a new native woodland would be planted adjacent to the western boundary therefore limiting any further development towards Hayton.

The Planning Officer advised that reason attached to condition 8 had been slightly amended and that the wording after "...Policy CP12 of the Carlisle District Local Plan 2001-2016" should be deleted.

The Planning Officer advised that in overall terms, the principle of the proposed development was acceptable. The scale, siting and massing of the proposed dwellings were acceptable in relation to the site and the surrounding properties. The living conditions of neighbouring properties would not be compromised through unreasonable overlooking or overdominance. Adequate car parking, access and amenity space would be able to be provided to serve the dwellings. In all aspects the proposal was compliant with the objectives of the Local Plan policies and the proposal was recommended for authority to issue approval subject to the completion of a Section 106 agreement.

Mr Partington (Objector) presented slides to Members in relation to his representation. He advised that he lived near the application site and would be speaking on behalf of many Townhead residents who opposed the development. Mr Partington advised that all of the residents objecting to the development were residents of Townhead while only one of the supporters lived in the hamlet. Mr Partington requested that the views of the local people be taken into account.

Mr Partington queried whether the site of the proposed development was acceptable. Residents did not consider the site to be suitable as there had been a long established presumption against development into open countryside and the proposal would be an extension into open countryside. The fact that there were houses opposite should not be a reason for favouring the development of greenfield land. The development would not "round off" the settlement and the development would set a precedent for further ribbon development along the highway towards Hayton village. Residents believed that the development would have an adverse impact on the landscape and that the siting, scale and massing of the development would prove to be obtrusive and a discordant visual feature and be an unsympathetic entrance to the hamlet.

The creation of a woodland would create a shadowy tunnel effect that would create a hazardous icy stretch of road during frosty weather which would be dangerous for pedestrians and cyclists as there was no footpath and the road had a 60mph speed limit.

Mr Partington advised that the school at Hayton was at capacity and the local shop had closed and Townhead had always been regarded as a separate settlement. Residents wished to preserve the special character of the hamlet and Mr Partington advised that applications for development on the site had previously been refused.

Mr Irving (Applicant) advised that the application was compliant with all Local Plan policies. He advised that his family had lived in the Parish for over 50 years and everything that was proposed was for the benefit of the parish. Mr Irving believed that the development would round off the hamlet and prevent further development along the road towards Hayton.

Townhead originally had only eight original houses and if development had not occurred in the past only one resident would have been able to submit objections to the application.

Mr Irving explained that the site was not a greenfield site but was an area of rough land at the bottom of a 16 acre field that could not be cultivated or cut and was currently an eyesore. The woodland could be reduced to a single belt of trees to reduce any traffic issues.

The Committee then gave consideration to the application.

A Member queried the planning history on the site. The Planning Officer advised that a previous application had been withdrawn and that there had been no other applications recorded subsequent to 1980 from when Council records were held.

A Member advised caution when considering applications on agricultural land.

A Member believed that the development was on a sustainable site in a hamlet but that there was not sufficient provision for car parking. The Planning Officer advised that the application was for outline approval and that if the application was approved details for parking would be included in the Reserved Matters application.

A Member stated that there had been some objection about the possible tunnel effect and effects of frost on traffic. He advised that if the trees were deciduous there would be no tunnel effect in winter.

Approval of the application was moved and seconded.

RESOLVED – That authority to issue approval be granted to the Director of Economic Development subject to the completion of the Section 106 Agreement as indicated in the Schedule of Decisions attached to these Minutes.

**(4) Erection of 1no dwelling, land adjacent North House, Ruleholme, Irthington, CA6 4NQ (Application 13/0318)**

The Planning Officer submitted the report on the application consideration of which had been deferred at the last meeting to allow a site visit to be undertaken. The site visit had been held on 28 August 2013. The Planning Officer outlined for Members the proposal and site details, together with the main issues for consideration. The application had been advertised by means of the direct notification of four neighbouring properties and a site notice. In response one e-mail of objection had been received and the Planning Officer summarised the issues raised therein.

The Planning Officer drew Members' attention to a typographical error in the report. The final sentence in the first reason for refusal should read "The proposal is, therefore, contrary to Policy DP1....." and not CP1 as stated in the report.

The Planning Officer explained that Park Barns consisted of six dwellings, predominantly barn conversions, on a former farmsteading. More recently, planning permission was granted for the permanent retention of a mobile home for the use by a rural worker whose need to be in that location was justified through the management of woodland, fishing rights on the River Gelt and provision of security for an existing joinery business based at Park Barns. Park Barns was not identified in the current Local Plan as a sustainable location nor was it identified in the preceding Local Plan as an area suitable for housing

development. However, as Members were aware whilst the application should be considered against Local Plan policies, the Council's Local Plan, in respect of housing issues, could not be considered up to date under the National Planning Policy Framework.

The National Planning Policy Framework advocated that to promote sustainable development in rural areas, housing should be located where it would enhance or maintain the vitality of rural communities, for example where there were groups of smaller settlements, development in one village may support services in a nearby village. Park Barns was not considered to be a village or a settlement but was a cluster of dwellings on what was a former farmsteading located approximately 700m from the A689 and 2½ miles from Brampton and its services, along a busy public highway which had no pedestrian footpath. It was acknowledged that Park Barns did not now have the appearance of a farmsteading. However, the Planning Officer advised that the existing houses at Park Barns had evolved through the conversion of traditional barns, cottages and the farmhouse. Given the rural nature of the District, there were many farmsteadings which were similar to the Park Barns complex. Whilst each application was to be dealt with on its own merits there were concerns for the sustainability of development if new dwellings were to be developed in relation to farmsteadings without a justified need.

In that context, the site was detached from Brampton and located within the countryside for which no justification had been demonstrated. The National Planning Policy Framework provided clear and unquestionable policy guidance in determining such applications and accordingly the application was recommended for refusal subject to the correction of the policy as previously stated.

Councillor Layden (Ward Councillor) explained that he became aware of the application when he was informed that it was not intended to bring the application before Committee but as Ward Councillor he believed that it was important that the Committee considered the application. The reason for refusal that had been given was that the proposed dwelling was set in an isolated rural location. The entrance to Park Barns was only 1.8 miles from Brampton and there were already seven dwellings in the location. There was a large industrial building on the approach to the dwelling therefore it could not be deemed to be isolated. The land on which the proposed dwelling would be built was a disused tennis court; the proposed dwelling would maintain the vitality of the local community more than a derelict tennis court. There had been no objections as an earlier concern in respect of drainage and sewerage had been addressed. The proposed dwelling would be a well designed property that would enhance the area which was more like a hamlet than an isolated area. The proposed dwelling would not represent a prominent intrusion into open countryside, would add to the sense of community and would provide a family home within easy reach of Brampton.

The Committee then gave consideration to the application.

A Member had been minded to refuse the application but following the site visit and having heard the submission by the Ward Councillor could find no reason to refuse the application.

A Member believed it would be a good idea to build on the derelict tennis court as it was not as isolated as Members had been led to believe.

A Member stated that there was a cluster of houses in the area and that they may form a social circle but there was not the start of a community as referred to in the application. There was no shop, public house, transport facilities and it would be difficult to justify an

additional house on the site. The Member could see no exceptional circumstances to go against the Officer's recommendation for refusal.

A Member believed that if the application was approved it could lead to further applications in similar circumstances. The current policies and the National Planning Policy Framework indicated that Members should approve the Officer's recommendation.

A Member believed that the proposed dwelling was not an isolated new home but would be part of a cluster of houses and reusing a redundant tennis court and therefore permission to build the dwelling should be granted.

A Member stated that the site was not isolated and was within easy reach of Brampton and agreed that there was no reason why a dwelling should not be built on the site.

The Director of Governance suggested that Members could grant authority to issue approval subject to relevant conditions as were necessary.

Following a vote it was:

RESOLVED – That the application be approved subject to relevant conditions as indicated within the Schedule of Decisions attached to these Minutes.

**(5) Erection of 3no domestic garages on existing site together with alterations to existing access (Revised Application), garages adjacent Robinson Street/Almery Drive, Carlisle (Application 13/0468)**

Having declared an interest Councillor Mrs Bradley left her seat on the Committee but remained in the Chamber. She took no part in the discussion or determination of the application.

The Planning Officer submitted the report on the application which had been the subject of a site visit on 28 August 2013. The report outlined for Members the background to the application, the proposal and site details, together with the main issues for consideration. The report advised that the application had been advertised by the display of notification letters sent to 56 residential properties. At the time of preparing the report 33 representations had been received of which 32 were against the proposal and 1 made comment.

The Development Manager, on behalf of the Planning Officer, advised that there were a number of objections on the grounds of manoeuvrability and highway issues. However the highway Authority had confirmed that they had no objection to the application. A condition could be imposed that would restrict the use of garage doors to roller shutter doors and the condition could be retained in perpetuity.

The Development Manager presented slides of the site and advised that there had been some dispute about peoples' rights to park on the site. The proposed garages would be of the same materials as the existing garages and the kerb on Robinson Street lowered to allow access.

The report advised that the principle of development was acceptable. The scale, design and use of materials in the proposal would be reflective of the existing development and would therefore not have an adverse impact upon the existing character of the area. The proposal could be accommodated within the site without resulting in any demonstrable harm to the living conditions of the occupiers of neighbouring residential dwellings,

biodiversity or the existing watercourse. The proposal would also not have an adverse impact upon highway safety. The report recommended that the application be approved as the proposal was considered to be compliant with the relevant Development Plan Policies.

Councillor Harid (Ward Councillor) stated that he objected to the application on highway and safety issues. The existing garages were compact and parking outside the garages created congestion. He advised that seven of the garages were owned by residents of Almerly Drive and eight were owned by the applicant. However there was some dispute about who owned the land. Councillor Harid advised that 1200 children per year were injured nationally close to schools. The road was narrow and large vehicles found it difficult to pass when cars were parked along the road. Councillor Harid requested that the application be refused.

Mr Singer (Agent) stated that there was no dispute over ownership of the land and that the applicant had sole ownership of the forecourt and garages. Mr Singer did not believe that the additional garages would increase the risk to children. The kerbs on Robinson Street had been lowered and those garages on Robinson Street were not in dispute.

The Committee then gave consideration to the application.

A Member stated that he had no problem with the proposed garages on Robinson Street but did not approve of the proposed garage on Almerly Drive. The Member queried whether the garages on Robinson Street could be approved without approval of those on Almerly Drive.

The Development Manager advised that Members could decide to give a split decision and grant consent to the two proposed garages on Robinson Street and refuse the proposed garage on Almerly Drive. However the applicant would need to agree to such a decision. The Development Manager had spoken with the applicant who had agreed that he would be satisfied with such a decision.

The Member stated that there was a blind corner and that when cars were parked in front of garage doors it was difficult for cars to manoeuvre. The Member moved that permission for the two garages in Robinson Street be approved, with the condition for shutter doors, but that permission for the garage on Almerly Drive be refused. That motion was seconded.

A Member requested that a condition be imposed to restrict the hours of construction of the garages.

RESOLVED – That permission be granted for the two garages on Robinson Street subject to the conditions indicated in the Schedule of Decisions attached to these Minutes, but that permission be refused for the garage on Almerly Drive for the reasons indicated within the Schedule of Decisions attached to these Minutes. .

The meeting adjourned at 3:30pm and re-convened at 3:40pm.

Councillor Mrs Bradley returned to her seat on the Committee.

- (6) Change of use from 2no flats to 1no dwelling to be used as a shared residential property for up to 6no occupants with parking provision to rear (Retrospective), 175 Warwick Road, Carlisle, CA1 1LP (Application 13/0540)**

The Planning Officer submitted the report on the application and outlined for Members the proposal and site details, together with the main issues for consideration. The Planning Officer advised that the application had been advertised by the direct notification of eight neighbouring properties and the posting of a site notice. In response, four letters of objection had been received. The Planning Officer summarised the issues raised therein.

The Planning Officer explained that the retrospective application was for re-use of two vacant flats as a dwelling house within a Primary Residential Area. Therefore the application was acceptable under the provisions of both the Local Plan and the National Planning Policy Framework. The proposal would not have a detrimental impact on the character of the area or on the living conditions of the occupiers of neighbouring properties. Adequate parking provision could also be achieved and the development would not impact on the developed floodplain.

In overall terms, the proposal was considered to be compliant under the provisions of the National Planning Policy Framework and the objectives of the relevant Local Plan policies. For those reasons the Planning Officer recommended approval of the application.

Mrs Mawson (Objector) advised that she lived in the neighbouring property and that her business had been affected by parking in the area. There was no passing trade and five established businesses had been affected. Mrs Mawson felt that the decision on the application had already been made. The property had been running as a six bedroom property since July 2013. Councillor Betton had intervened on behalf of residents. Mrs Mawson believed that a further bedroom would be created as frosted glass had been installed in the sitting windows.

Councillor Betton (County Councillor for the Ward) stated that as defined by Policy H12 and the Housing Act 1985 the property was now a House in Multiple Occupancy (HMO). The application was a retrospective application in spite of the applicant being advised by the City council that the changes could not go ahead without permission. Recent approval for another HMO allowed two on-street parking spaces and two at the rear. Up to five parking permits per property were allowed but Planning Officers had been advised that would not apply to future tenants.

The applicant had not accepted conditions imposed. Policy guidance advised that HMOs should not be approved if there would be a loss of amenity. Parking in the area was at capacity and the additional parking would affect the amenity of residents. Two other applications in 2011 for numbers 123 and 125 Warwick Road were refused due to loss of parking availability. Since then the area had become more saturated with cars.

If the property were to become an HMO it would need to be licensed and listed as such. The property had been running as an HMO for six weeks without being licensed. At present there were 30 plus licensed HMOs on Warwick Road and the Councillor hoped that the application would be refused due to the impact on existing tenants in the area.

Mr Brown (Applicant) reminded Members that the application was for a change of use of the property. He had been advised that the property did not require a license as it housed only six people. As he had not run such a property in the past he had relied on advice from the City Council. The existing property was two flats used as emergency housing by the City Council and was not in a good state of repair.

Most of the sixteen objections were not based on planning issues. Mr Brown advised that he was a Health and Safety Officer and would ensure that the property would be managed in a decent manner. A fire risk assessment was to be undertaken and fire detection devices were in place. From the beginning of September there would be cleaning contractors employed and the building would be inspected every three months. Most of the tenants were doctors who would look after the property.

Mr Brown acknowledged that there had been some concerns about parking and advised that he was trying to make space for three cars at the rear of the property and had been in discussion with the local rugby club about renting parking spaces from them if necessary.

Concerns about other HMOs in the area were as a result of poor management and Mr Brown stated that he intended to improve the area.

The Planning Officer explained that there was some crossover regarding planning legislation and housing legislation in respect of HMOs. Under planning legislation if there were six people living in the house it would be classed as a shared house. Housing legislation stated that if there were three or more people the property would be classed as an HMO.

With regard to parking the Highways Authority had stated that no further permits would be issued. Two permits had been issued to former tenants. They had since been cancelled and two new permits issued to the new tenants therefore there was no longer a requirement for a condition to be imposed. 123 and 125 Warwick Road both contained more than six rooms each therefore they were classed as HMOs.

The Committee then gave consideration to the application.

A Member reminded the Committee that private Sector Housing had stated that the application would bring an empty house back into use. Despite being a retrospective application, the Member was pleased that the house was being brought back to its original state. The Member moved the Officer's recommendation for approval subject to the conditions stated within the report.

In response to a query regarding the number of refuse bins the Planning Officer advised that there would be a maximum of two bins and the usual number of recycling receptacles for a house.

A Member was pleased that the applicant was trying to maintain the building and not allowing the area to deteriorate. The applicant was also trying to provide additional parking. The Member seconded the motion to approve the application.

A Member was aware of the problems and the anti-social behaviour issues in the area. Residents in the area had endured a great deal and the Member understood their suspicions. The Member had sympathy with the residents but was pleased that someone was trying to make the area more acceptable.

RESOLVED – That permission be granted subject to the conditions indicated in the Schedule of Decisions attached to these Minutes.

- (7) Erection of 1no dwelling (Outline Application), land between Wood House and 1 Fellbeck View, Hallbankgate, Carlisle (Application 13/0458)**

The Planning Officer submitted the report on the application and outlined for Members the proposal and site details, together with the main issues for consideration. The Planning Officer advised that the application had been advertised by means of a site notice and notification letters sent to six neighbouring properties. In response four letters of objection had been received. The Planning Officer outlined the main issues raised therein.

As the application was for outline consent the plans were indicative only and any design/layout issues could be resolved within the Reserved Matters application. When assessing the site Planning Officer was of the opinion that the site was well related to Hallbankgate and would represent an infill site given the presence of housing either side of the site.

Various objections had been received regarding the moving of the watercourse. The Environment Agency had confirmed that they did not have any objections and a condition had been included requiring full engineers details to be submitted to be reviewed by the Drainage Engineer at the County Council and as such it was considered that any drainage issues could be resolved at a later date.

The Planning Officer advised that in overall terms the principle of the proposed development was acceptable. The scale, siting and massing of the proposed dwelling was acceptable in relation to the site and the surrounding properties. The living conditions of neighbouring properties would not be compromised through unreasonable overlooking or overdominance. Adequate car parking, access and amenity space would be able to be provided to serve the dwelling.

In conclusion the Planning Officer advised that reasons attached to conditions 7, 9 and 17 should be amended and that the wording after "...Policy CP12 of the Carlisle District Local Plan 2001-2016 ." should be deleted.

In all aspects the proposal was compliant with the objectives of the Local Plan policies and the proposal was recommended for approval.

Mr Foster (Objector) advised that he was speaking on behalf of Mr Beesley and Mr Mangan who lived opposite the site and that he himself lived across the gravel track. All had submitted objections to the application and urged refusal of the application.

In respect of amenity and conservation value Mr Foster reminded Members that under the National Planning Policy Framework the Committee were no longer entitled to refuse an application under Local Plan policies but paragraph 215 of the National Planning Policy Framework stated that due weight should be given to relevant policies in existing plans. Mr Foster believed that the application should be refused under policies DP9 (AONB) and CP2 (biodiversity). DP9 stated that any new development must enhance or conserve the area and Mr Foster did not believe that the proposed development complied with that policy. There were currently twelve other properties further up the same side of the road and the proposed dwelling would close off the only open aspect of the moorland and fells. The Local Plan requirement was also closely consistent with the National Planning Policy Framework which stated that great weight should be given to conserving the landscape and scenic in Areas of Outstanding Natural Beauty.

With regard to biodiversity Mr Foster advised that some recently planted saplings would need to be grubbed up. The watercourse and unused field formed a wildlife corridor which would be closed off by the proposed dwelling. The presence of Great Crested Newts had



been reported and Mr Mangan believed they were still on the site. Therefore Mr Foster believed that a survey should be undertaken before the application was progressed further.

Mr Foster asked Members to bear in mind that the proposed development could not be represented as meeting housing need within the village as a number of properties were already currently on the market and had been for some time.

Mr Foster presented slides showing the site following recent heavy rainfall. The site was underwater. Mr Foster advised that a number of the houses were built on a field which frequently flooded and required sumps to be installed to drain the water back into the beck. Another photograph showed Mr Foster's garden three years ago which again was under water. He believed that the additional development would cause more flooding. The flood water also carried debris which clogged the culvert causing further flooding.

Residents acknowledged that a drainage engineering report should be submitted and Mr Foster advised that such an assessment was undertaken prior to the development of the social housing. However, one of the residents was still experiencing damp and construction problems in his property as a result of the consequences of that development.

In conclusion Mr Foster stated that residents believed the proposed development to be inappropriate and unsuitable and would be significantly detrimental to the amenity and the conservation value of the area and therefore urged Members to refuse the application.

Mrs Bell (Applicant) contested that the photographs presented by Mr Foster had not been taken recently but in 2010 when there were drainage problems on the site. Work had since been undertaken and now all surface water drained into the pond at the other side of the site. The pipes to be installed in respect of surface water were big enough to cope with the water in the beck.

The proposed development would be infill as they would install woodland behind the plot to increase the amenity in the village for residents to enjoy and encourage more wildlife. At present the land was rough land and could not be used.

When the Riverside development was initially proposed one of the residents objected as he was not sure of the impact of the development. Since then the school had seen an influx of children and the village now had a shop and a pub.

With regard to Great Crested Newts Mrs Bell advised that there was a pond on their land and she would be happy to have the newts in the pond. There would be no loss of natural light as a number of self planted trees that currently block light and the view would be removed as part of management of the site.

With regard to Mr Foster's property, the property currently looks at the gable end of one of the Riverside properties and Mr Foster has planted an 8'-10' hedge and several large trees and shrubs so there would be no impact on the natural light to that property.

The Committee then gave consideration to the application.

In response to a query the Planning Officer advised that the County Council Drainage Engineer had not responded. The Planning Officer had spoken with the Environment Agency who had confirmed that they were happy with the proposal and that a condition would be imposed when the details of the drainage were submitted.

A Member reminded the Committee that when the Riverside was submitted issues with flooding were highlighted but attenuation tanks were installed which helped the situation. The Member stated that he was not opposed to granting permission for the outline application provided the application was brought back to Committee when details of the drainage was submitted.

The Planning Officer advised that there was an error in the report in relation to the pipe. There would not be a 600mm pipe but there would be an open ditch. Details of the drainage could be dealt with at the Reserved Matters stage. The Member did not believe that an open ditch would be the answer to the problem.

A Member believed that the proposed development would be sustainable but there were issues in respect of the drainage. He did not believe that the drain should be covered in as that could lead to further flooding in the future. Members had to rely on Officers' reports and recommendations and if a consultee did not respond that led to a delay in Members being able to make a decision.

The Development Manager advised that there had been changes in how and when applications were validated which were now under instructions from the Secretary of State. Regardless of what was stated in the report information on the drainage was required and in this instance a condition would be imposed. That would put the onus back onto the applicant and there was no reason why the drainage issues could not be conditioned under a future application.

A Member assumed that there would be an overall scheme in respect of the drainage and would include the scheme that was in place at present.

RESOLVED – That permission be granted subject to the conditions indicated in the Schedule of Decisions attached to these Minutes.

**(8) Five year temporary change of use of paddock area to community garden, land adjacent Millfield House, Craw Hall, Brampton, CA8 1TN (Application 13/0359)**

The Planning Officer submitted the report on the application consideration of which had been deferred at the previous meeting to allow a site visit to be undertaken. The site visit was held on 28 August 2013. The Planning Officer outlined for Members the proposal and site details, together with the main issues for consideration. The Planning Officer advised that the application had been advertised by means of site and press notices as well as notification letters sent to two neighbouring properties. In response, four letters of objection and twelve letters of support had been received and the Planning Officer summarised the main issues raised therein. The main issues raised were in respect of the impact on the Conservation Area. However, the council's Heritage Officer and the Conservation Area Advisory Committee had both confirmed that they were satisfied with the application.

On the site visit Members raised issues regarding external lighting and the potential hours of use. The applicant had since confirmed that there would be no external lighting but the Planning Officer advised that a condition to that effect could be imposed. An agreement was in place with the landowner to limit hours of use and to control potential noise and nuisance.

The Planning Officer advised that in overall terms the proposal was acceptable in principle. The proposal would not have an adverse impact on the Brampton Conservation Area or on the living conditions of the occupiers of any neighbouring properties. In all aspects, the proposals were considered to be compliant with the objectives of the relevant adopted Local Plan policies. Therefore the Planning Officer recommended approval of the application.

RESOLVED – That permission be granted subject to the conditions indicated within the Schedule of Decisions attached to these Minutes.

**(9) Erection of 2no detached dwellings, The Grange, Craw Hall, Brampton, CA8 1TS (Application 13/0475)**

The Planning Officer submitted the report on the application which had been the subject of the site visit on 28 August 2013 and outlined for Members the background to the application and the proposal and site details, together with the main issues for consideration. The Planning Officer advised that the application had been advertised by means of site and press notices and direct notification to the occupiers of the 30 neighbouring properties. No representations had been received.

The Planning Officer explained that the scheme had been designed to take account of the features of the site and the Brampton Conservation Area.

The Planning Officer presented slides and a photomontage of the site and advised that the scheme had been designed and revised to take account of advice from the Council's Tree Officer and the Conservation Area Advisory Committee; no objection had been raised on either issue.

The Planning Officer advised that there was a revision to Condition 8 to require the drainage details to be submitted and aged prior to the commencement of the development.

The Planning Officer explained that in overall terms, the principle of residential development on the site was acceptable. The dwellings would be set back from the frontage of the site and the scale, design and massing took account of the character within current planning policies and Supplementary Planning Documents. Further, it proposed an appropriate design and use of vernacular materials such that the development would not adversely affect the character or appearance of the Conservation Area. In all aspects the proposal was compliant with the objectives of the relevant Local Plan policies.

The building would not result in any demonstrable harm to the landscape character of the wider area or the living conditions of any neighbouring residential dwellings. In all other aspects the proposal was compliant with the objectives of the Local Plan policies. For those reasons the Planning Officer recommended approval of the application.

Councillor Layden (Ward Councillor) stated that The Grange had iconic status within the village and recognised that the work in the report made logical sense and that there was a lot in the application to recommend it for approval. The Parish Council had stated that the proposed development did not complement the area and would be overdevelopment. Councillor Layden stated that in his opinion the proposed development at The Grange would enhance the area.

The Committee then gave consideration to the application.

A Member believed that the proposed development would have been better located further up the site and closer to the natural pond. The Member agreed that The Grange was an iconic building in the area and the site was on a large area of land. There was no planning reason to refuse the application.

It was moved and seconded that the application be approved.

RESOLVED – That permission be granted subject to the conditions indicated in the Schedule of Decisions attached to these Minutes.

**(11) Erection of 1no dwelling, land adjacent Alpine Cottage, Raughton Head, Carlisle, CA5 7DD (Application 13/0423)**

The Planning Officer submitted the report on the application and outlined the proposal and site details, together with the main issues for consideration. The application had been advertised by means of a site notice and notification letters sent to the nine neighbouring properties. In response to the consultation four letters/e-mails of objection and one e-mail making comment had been received. The Planning Officer summarised the issues raised therein.

The Planning Officer presented slides of the site and advised that the application was for a house to the east of Alpine Cottage. The site was well related to the built form of the village and would help to sustain the existing services in the village.

The Planning Officer advised that the principle of development was acceptable. The scale, design and use of materials in the proposal would positively contribute to the character of the area, with adequate car parking, access and amenity space provided within the curtilage of the site. Furthermore, the dwelling could be accommodated within the site without resulting in any demonstrable harm to the living conditions of the occupiers of neighbouring residential dwellings or the existing watercourse. The proposal would also not have an adverse impact upon biodiversity or highway safety. The application was recommended for approval as the proposal was considered to be compliant with the relevant Development Plan policies.

The Committee then gave consideration to the application.

It was moved and seconded that the site visit be undertaken.

RESOLVED – That consideration of the application be deferred in order to undertake a site visit and to await a further report on the application at a future meeting of the Committee.

**(12) Erection of 3no detached dwellings and garages, land to the west of Quarry House, Wetheral Pasture, Carlisle (Application 13/0450)**

The Planning Officer submitted the report on the application and outlined the proposal and site details, together with the main issues for consideration. The application had been advertised by the direct notification of ten neighbouring properties and the posting of a site notice. In response to the consultation eight letters/e-mails of objection and four letters/e-mails of support had been received. The Planning Officer summarised the issues raised therein.

The Planning Officer drew Members' attention to three representations of objection within the Supplementary Schedule. Since preparation of the Supplementary Schedule a letter of objection from the occupiers of Rose Cottage had been received that raised issues similar to those summarised in the report namely height, scale and massing, design, layout and orientation, highway safety, flood risk, the need for rural homes and the need for family sized dwellings. An e-mail of support had also been received from the occupiers of the Wheatsheaf Inn who were of the opinion that the development had the potential to create new footfall within Wetheral.

The Planning Officer presented photographs of the site taken from various aspects. She advised that the plan illustrated the location of the dwellings in respect of the surrounding residential properties. The proposed location of the dwellings not only complied with the minimum distances as outlined in the Supplementary Planning Document "Achieving Well Designed Housing" but significantly exceeded those distances.

The Planning Officer advised that the principle of development of the site was acceptable under the provisions of the National Planning Policy Framework. The scale and design of the dwelling were acceptable and would not have a significant detrimental impact on the character of the area or the living conditions of the occupiers of the neighbouring properties. Adequate parking and access provision could be achieved whilst the method of disposal for foul and surface water was acceptable subject to the imposition of relevant conditions. The proposal would also retain existing hedgerows and would not have a detrimental impact on biodiversity.

In overall terms, the proposal was considered to be compliant under the provisions of the National Planning Policy Framework and the objectives of the relevant Local Plan policies. Accordingly, the application was recommended for approval subject to the completion of a Section 106 Agreement in respect of provision of a commuted sum towards off-site affordable housing.

Mrs Tarrant (Objector) stated that she had been a resident in the area for 30 years. She believed that the application was too big and too high for the site and would overwhelm the Wetheral Pasture. It was proposed that Unit 1 would be built in front of Mrs Tarrant's house and would be twice the width of her house. The parking provision was on a busy road and she was concerned that there could be an accident.

Mrs Tarrant requested that a site visit be undertaken to enable Members to take into account that impact that such a large dwelling would have on the area. There was also a real danger of flooding mainly along the B6263.

It was moved and seconded that a site visit be undertaken. The Chairman advised those who had registered a right to speak that they could speak at the meeting or defer their right to speak until the future meeting when the application was submitted again for consideration. Those persons agreed that they would speak at a future meeting.

**RESOLVED** – That consideration of the application be deferred in order to undertake a site visit and to await a further report on the application at a future meeting of the Committee.

The meeting was adjourned at 4:43 and re-convened on Monday 2 September 2013 at 10:00am.

An apology for absence was submitted on behalf of Councillor Mrs Riddle.

**(13) Variation of Condition 2 (Approved Documents) of previously approved Application 12/0383 (Retrospective Application), land at/adjacent to Former George P.H., Warwick Bridge, Carlisle, CA4 8RL (Application 13/0426)**

Having declared an interest Councillor Graham left his seat on the Committee but remained in the Chamber. He took no part in the discussion or determination of the application.

The Planning Officer submitted the report on the application and outlined the proposal and site details, together with the main issues for consideration. The application had been advertised by means of a site notice, a pres notice and direct notification to the occupiers of 42 of the neighbouring properties. In response one letter of objection had been received and the report summarised the issues raised therein.

The Development Manager on behalf of the Planning Officer presented slides of the site and the development. He advised that there had been an objection by the Parish Council that the work had already been done and they considered there had been no proper consultation. Condition 2 had requested a list of all approved drawings and the application was a variation to that condition. A lot of work had been carried out to the properties at the rear of the building and some of the windows had Juliet balconies.

The report set out the variations to the original application and the Development Manager presented slides to show the elevation and a blank facade nearest to the neighbouring properties; that would remain blank.

The report advised that in overall terms the current application sought approval to vary the wording of Condition 2 of the approval which related to the appearance of the development. The changes were acceptable and the development would be appropriate to the character and appearance of the area whilst retaining appropriate security measures. In all aspects the proposal would be compliant with Circular 11/95: Use of Condition in Planning Permission and with the objectives of the relevant Local Plan policies.

The Committee then gave consideration to the application.

A Member stated that retrospective applications continue to be submitted. The design and layout had been amended since last year and the Member queried whether the application would be brought back to Committee or dealt with under delegated powers. The Development Manager advised that there were a number of outstanding issues and he agreed to check the status and bring the application back to Committee.

A Member believed that the Committee should be fairly severe in respect of what was put forward regarding the remainder of the scheme as retrospective applications had been brought before a number of times by the applicant. He suggested that it be made clear to the applicant that Members would not be happy if the scheme continued to change.

The Director of Economic Development advised that she would pass on Members' comments to the applicant.

A Member suggested that the Secretary of State should be notified of Members' concerns in respect of retrospective applications.

A Member was concerned that the Committee were being presented with retrospective planning applications with fundamental changes to what had been originally submitted and approved. The member queried how much an application had to vary before it was considered a material difference and whether there was anything the Committee could do about it. She believed it was unfair on other applicants who abided by the legislation and guidance and followed the plans accurately. The Member agreed that sending a letter to the Minister would be useful.

The Director of Governance advised that there was a sliding scale and that the decision was up to Members' judgement. Members were still entitled to refuse retrospective applications for planning permission when planning grounds justified that course of action. Furthermore, the provision on the legislation for the submission of retrospective applications was an important part of the planning process in that it facilitated the regularising of situations in which development had been carried out without the required consent.

A Member stated that the amended plans were not that different from the originals and that if there was something that was abhorrent or significantly different Members could refuse the application. The ability for retrospective applications had been in force since 1990 and had been a great help to people who genuinely did not realise that planning permission was necessary.

The Director of Economic Development agreed that some retrospective applications could be useful and that it would be a retrograde to remove them altogether. However it was frustrating to Officers and Members when the same individuals continue to submit retrospective applications.

A Member believed that since the introduction of AutoCAD it was now easy to amend plans. However in relation to the application there was little difference and the Member moved approval of the Officer's recommendation.

A Member was concerned about the access onto the site as it was part of the approval of the original application that the access be moved.

The Development Manager advised that it was the intention of the applicant that the access would be moved by the opening date of the Co-op store and agreed to bring the matter to the applicant's attention.

It was moved and seconded that the application be approved.

RESOLVED – That permission be granted subject to the conditions indicated in the Schedule of Decisions attached to these Minutes.

Councillor Graham returned to his seat on the Committee.

**(14) Erection of dwellings (Outline), land adjacent Fallowfield, Plains Road, Wetheral, Carlisle, CA4 8LE**

The Planning Officer submitted the report on the application and outlined the proposal and site details, together with the main issues for consideration. The application had been advertised by the direct notification of eight neighbouring properties. In response one letter of objection had been received and the report summarised the issues raised therein.

The Development Manager, on behalf of the Planning Officer presented a photograph of the plan. He advised that the application sought Outline Planning Permission with all Matters Reserved except for the access arrangements. The existing access would be closed off and a new access formed together with the pavement extended to the front of the site. All other issues including the siting and design of the proposed dwellings would be the subject of a further application should Member approve the application. The Agent had confirmed that the tree identified at T9 in the Tree Survey was an ornamental maple as opposed to a sycamore.

The proposed extension of the pavement in front of the application site would be formed on land within the existing curtilage of Fallowfield and therefore the width of the road would remain unaffected.

The report advised that the principle of development was acceptable under the provisions of the National Planning Policy Framework. Cumbria County Council, as Highways Authority, do not object subject to the imposition of appropriate conditions. Other matters in respect of appearance, landscaping, layout and scale would be subject to consideration upon receipt of a further application. In overall terms the proposal was considered to be compliant under the provisions of the National Planning Policy Framework and the objectives of the relevant Local Plan policies. Accordingly the application was recommended for approval subject to the completion of a Section 106 Agreement.

The Committee then gave consideration to the application.

A Member was concerned that the proposed development was on the narrowest part of Plains Road where there was no footpath and visibility was difficult. He believed that the proposal was overdevelopment of the site and it would be difficult for service vehicles to gain access to the houses. The Member moved that the application be deferred to enable a site visit to be undertaken.

RESOLVED – That consideration of the application be deferred in order to undertake a site visit and to await a further report on the application at a future meeting of the Committee.

**(15) Change of use from retail to bistro and installation of extraction flue to rear elevation, 34 Main Street, Brampton, CA8 1RS (Application 13/0567)**

The Planning Assistant submitted the report on the application and outlined the background to the application, the proposal and site details, together with the main issues for consideration. The application had been advertised by means of a site notice, a press notice and the direct notification of five neighbouring properties. In response no written or verbal representations had been received.

The Development Manager, on behalf of the Planning Assistant, advised that the application had been brought before Committee as the applicant was related to a Council Member.

At the time of writing the report further information regarding the extraction system was required. Further details illustrating the location of the flue had been received which depicted the flue at a height of 1m above the flat roof to the rear. Environmental Health had confirmed that the proposed height was acceptable.



A noise impact assessment had been commissioned and the Development Manager outlined the findings. Environmental Health had confirmed that there was no objection to the application, provided that the extraction system was installed as described in the noise impact assessment and maintained in such a way that it did not cause a statutory nuisance. The approved documents had been updated to include the extraction system details and the noise impact assessment. A condition had also been imposed that stated that the extraction system would be implemented in accordance with the details submitted in the Noise Impact Assessment (CM/BB/001) and maintained as such in perpetuity.

The Development Manager confirmed that Union Lane car park was under the control of the City Council and not Brampton Parish Council as stated in the summary of consultation responses.

The report advised that in overall terms the principle of the proposal in that part of Brampton was acceptable. Subject to further information being received which satisfied the concerns raised by Environmental health, the proposal would not have an adverse impact upon the living conditions of the occupiers of any neighbouring properties. Furthermore, the proposal would not have a detrimental impact upon Brampton Conservation Area or adjacent Listed Buildings. In all aspects the proposal was compliant with the relevant policies contained within the adopted Local Plan. The Development Manager advised that the application was now recommended for approval subject to an additional condition relating to the noise impact assessment, regarding the external flue/ventilation system.

The Committee then gave consideration to the application.

It was moved and seconded that the application be approved.

A Member stated that she was not happy with the accessibility of the toilets as the Access Officer had provided an advisory note regarding the inclusion of a wheelchair accessible WC. The Member queried whether wheelchair access was required and what weight could be given to the advisory note. The Development Manager advised that Building Control regulations had been updated and the applicant had assured Officers that the building would have a wheelchair accessible WC as well as access to the bistro from the main street.

It was moved and seconded that the application be approved.

RESOLVED – That the application be approved subject to the conditions indicated in the Schedule of Decisions attached to these Minutes.

**(16) Raising of existing roof to provide additional living accommodation within existing roof space together with installation of dormer and internal alterations, creation of new access at first floor level, Edenhurst, Waterside Road, Wetheral, Carlisle (Application 13/0409)**

The Planning Officer submitted the report on the application and outlined the proposal and site details, together with the main issues for consideration. The application had been advertised by means of the direct notification of the occupiers of four neighbouring properties and the posting of site and press notices. In response to the consultation, verbal concerns were raised to the original scheme by a neighbour occupier in respect of overlooking.

The Development Manager, on behalf of the Planning Officer, advised that the application was presented to Members as the Conservation Area Advisory Committee had raised objections to the proposed roofing materials and their impact on the Conservation Area. Comments had also been received from the Conservation officer regarding the use of materials. The Development Manager presented slides that illustrated the property in the context of its surroundings and the roofing materials within the immediate vicinity. By way of comparison an example of the type of heavier, thicker tiles on the existing roof of Edenhurst and the adjacent properties were the same as those used on the garage block Robinson Street/Almery Drive which Members visited on 28 August.

The Development Manager drew Members' attention to the Supplementary Schedule which contained additional information received from the Agent in light of the concerns of the Conservation Area Advisory Committee. A slide was presented that showed the choice of roof covering for the proposal which was significantly smaller and thinner than the heavier thicker tiles currently used on the existing roof and those of the adjacent properties. Those materials would be a significant improvement to the existing roofing materials used on Edenhurst and its immediate neighbours.

The report advised that in overall terms the proposal would not have a detrimental impact on the biodiversity or the SSSI. There would be no significant impact on the living conditions of adjacent properties by poor design, unreasonable overlooking and unreasonable loss of daylight or sunlight. The scale, design and choice of materials would not form a discordant feature within the Wetheral Conservation Area. In all aspects the proposal was compliant with the objectives of the relevant adopted Local Plan policies. Therefore the Planning Officer recommended that the application be approved.

The Committee then gave consideration to the application.

A Member stated that he had been concerned about potential overlooking from the proposed property onto Riverbank but he had spoken with the Planning Officer who had advised that that would not now occur. The Member moved the Officer's recommendation.

The motion to approve the application was seconded.

RESOLVED – That permission be granted subject to the conditions indicated in the Schedule of Decisions attached to these Minutes.

### **DC.71/13      REVOCATION OF TREE PRESERVATION ORDER 1, 9, 20 AND 23**

The Landscape Architect/Tree Officer presented Report ED.22/13 that considered the revocation of Tree Preservation Orders 1, 9, 20 and 23 which were historic woodland orders.

The Landscape Architect/Tree Officer outlined the reasons for the variation or revocation of Tree Preservation Orders and advised that the management of such woodlands had changed significantly in the intervening years and should rest with the Forestry Commission who would licence the felling, and ensure restocking by way of the woodland grants schemes.

Should an application be submitted to carry out woodland management that would be determined by the Forestry Commission in consultation with the City Council and any felling licence granted by the Forestry Commission would take precedence over the Tree Preservation Order. Whilst the Tree Preservation Orders would not prevent good

woodland management in accordance with the Forestry Commission's guidelines and policies, they did create an extra layer of unnecessary bureaucracy and unnecessarily complicate any management of the woodland.

The Landscape Architect/Tree Officer advised that the landowners, where known, had been sent correspondence advising them that the Tree Preservation Orders were being reviewed.

RESOLVED: That Tree Preservation Orders 1, 9, 20 and 23 be revoked.

### **DC.72/13      GUIDANCE NOTES – HISTORIC ENVIRONMENT**

The Urban Design/Conservation Officer presented report ED.23/13 that informed Members of the publication of guidance in two leaflets relating to the historic environment. The leaflets, "Listed Buildings – A Guide for Owners and Occupiers" and "Windows and Doors in Historic Buildings – A Guide for Owners and occupiers for Listed Buildings and Conservation Areas" contained basic information regarding the protection of historic buildings and design advice for owners to enable them to consider appropriate measures in the maintenance of their building or the replacement of building elements. The information within the leaflets was a combination of advice regarding the statutory requirements relating to either listed buildings or conservation areas, and advisory guidance on the preservation or enhancement of the character of historic buildings.

The Urban Design/Conservation Officer requested that Members approve the two information leaflets for Planning Officer use and made available as advisory notes to the public.

In response to a query the Urban Design/Conservation Officer explained that both documents would be uploaded onto the Council's website so they could be downloaded by the public at no cost. The Urban Design/Conservation Officer was often approached by members of the public for advice so the leaflets could be sent to those people.

Members suggested that copies of the leaflets could be sent to Parish Councils, community centres and building consultants. The Urban Design/Conservation Officer agreed that would be useful and that he could also send copies to builders, joiners, etc.

RESOLVED: That the two leaflets – "Listed Buildings – A Guide for Owners and Occupiers" and "Windows and Doors in Historic Buildings – A Guide for Owners and occupiers for Listed Buildings and Conservation Areas" be approved for Planning Officer use and made available as advisory notes to the public.

(The meeting ended at 10.50am)