

# **Development Control Committee Main Schedule**

Schedule of Applications for  
Planning Permission

8th June 2012



## Applications Entered on Development Control Committee Schedule

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01.	<u>11/0799</u> A	Land Between 16a and 20 Eden Place, Carlisle, CA3 9JH	<u>RJM</u>	1
02.	<u>11/0800</u> A	Land Between 16a and 20 Eden Place, Carlisle, CA3 9JH	<u>RJM</u>	15
03.	<u>12/0232</u> A	McDonalds Restaurant, Gearshill Road, Carlisle, CA3 0ET	<u>SE</u>	21
04.	<u>12/0062</u> A	Wheelbarrow Hall Farm, Aglionby, Carlisle, CA4 8AD	<u>SE</u>	34
05.	<u>12/0038</u> A	L/A West Brighten Flatt, Scaleby, Carlisle, CA6 4LA	<u>SD</u>	57
06.	<u>12/0135</u> A	Station Cottage, St. Lawrence Lane, Burgh-by-Sands, CA5 6BS	<u>ST</u>	70
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08.	<u>12/0155</u> A	Parkfield Stables, Newtown of Rockcliffe, Blackford, CA6 4ET	<u>ST</u>	91
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12.	<u>09/0617</u> D	Crindledyke, Carlisle, Cumbria	<u>CH</u>	134
13.	<u>10/1026</u> D	Land to the rear and west of Garden Village, Wigton Road, Carlisle, CA2 6QX	<u>SG</u>	149
14.	<u>11/0733</u> D	L/A Iona, Gelt Road, Brampton CA8 1QH	<u>SD</u>	157

Date of Committee: 08/06/2012



## **The Schedule of Applications**

This schedule is set out in five parts:

**SCHEDULE A** - contains full reports on each application proposal and concludes with a recommendation to the Development Control Committee to assist in the formal determination of the proposal or, in certain cases, to assist Members to formulate the City Council's observations on particular kinds of planning submissions. In common with applications contained in Schedule B, where a verbal recommendation is made to the Committee, Officer recommendations are made, and the Committee's decisions must be based upon, the provisions of the Development Plan in accordance with S54A of the Town and Country Planning Act 1990 unless material considerations indicate otherwise. To assist in reaching a decision on each planning proposal the Committee has regard to:-

- relevant planning policy advice contained in Government Circulars, Planning Policy Guidance Notes, Development Control Policy Notes and other Statements of Ministerial Policy;
- the adopted provisions of the Cumbria and Lake District Joint Structure Plan;
- the City Council's own statement of approved local planning policies including the Carlisle District Local Plan;
- established case law and the decisions on comparable planning proposals
- including relevant Planning Appeals.

**SCHEDULE B** - comprises applications for which a full report and recommendation on the proposal is not able to be made when the Schedule is compiled due to the need for further details relating to the proposal or the absence of essential consultation responses or where revisions to the proposal are awaited from the applicant. As the outstanding information and/or amendment is expected to be received prior to the Committee meeting, Officers anticipate being able to make an additional verbal report and recommendations.

**SCHEDULE C** - provides details of the decisions taken by other authorities in respect of those applications determined by that Authority and upon which this Council has previously made observations.

**SCHEDULE D** - reports upon applications which have been previously deferred by the Development Control Committee with authority given to Officers to undertake specific action on the proposal, for example the attainment of a legal agreement or to await the completion of consultation responses prior to the issue of a Decision Notice. The Reports confirm these actions and formally record the decision taken by the City Council upon the relevant proposals. Copies of the Decision Notices follow reports, where applicable.

**SCHEDULE E** - is for information and provides details of those applications which have been determined under powers delegated by the City Council since the previous Committee meeting.

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

If you are in doubt about any of the information or background material referred to in the Schedule you should contact the Development Control Section of the Department of Environment and Development.

This Schedule of Applications contains reports produced by the Department up to the 23/05/2012 and related supporting information or representations received up to the Schedule's printing and compilation prior to despatch to the Members of the Development Control Committee on the 28/05/2012.

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

**SCHEDULE A**

**SCHEDULE A**



## **SCHEDULE A: Applications with Recommendation**

11/0799

**Item No: 01**

**Date of Committee: 08/06/2012**

**Appn Ref No:**  
11/0799

**Applicant:**  
Magnus Homes Ltd

**Parish:**  
Carlisle

**Date of Receipt:**  
03/10/2011

**Agent:**  
Taylor & Hardy

**Ward:**  
Stanwix Urban

**Location:**  
Land Between 16a and 20 Eden Place, Carlisle,  
CA3 9JH

**Proposal:** Erection Of 3No. Dwellings

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### **REPORT**

**Case Officer:** Richard Maunsell

#### **1. Recommendation**

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

#### **2. Main Issues**

- 2.1 Principle Of Residential Development
- 2.2 Scale, Siting And Design
- 2.3 The Impact Of The Proposal On The Living Conditions Of Neighbouring Residents
- 2.4 Highway Matters
- 2.5 The Impact On The Character Of The Conservation Area
- 2.6 The Loss Of Trees

#### **3. Application Details**

##### **The Site**

- 3.1 Members will recall that this application was deferred from the previous meeting to allow Members to undertake a site visit.
- 3.2 This application seeks "Full Planning" permission for the erection of three dwellings at 18 Eden Place, Carlisle. The site comprises a single storey

property that is set back approximately 40 metres within the site. The front garden of the property is bounded along the frontage of Eden Street by a hedgerow and a small brick retaining wall. There are residential properties bounding the site on all sides and the application site is within a Primary Residential Area and the Stanwix Conservation Area.

- 3.3 The site is flanked on either side by two storey terraced properties of brick construction under a slate roof. The site is a 'gap' site between number 16a Eden Street to the east and number 20 Eden Street to the north. The terraces are set back from the curtilage frontage, the distance of which diminishes between the two groups of properties with 20 Eden Street being closer to the road. The properties to the west of the site are Grade II listed.

### **The Proposal**

- 3.4 The application site, which extends to around 580 square metres, is rectangular in shape. It is proposed to construct a terrace of three properties along the frontage facing Eden Place. The properties would be set back from the front boundary and two storeys in height.
- 3.5 The accommodation to be provided within each of the proposed dwellings would consist of a W.C., lounge and kitchen on the ground floor, two bedrooms, a bathroom and one ensuite bedroom on the first floor with a further bedroom in the attic.
- 3.6 The properties would be constructed from clay facing brickwork under a slate roof and would incorporate a band of recessed brick detail along the front, side and rear elevations. The windows would be top hung upvc units with pre-cast cills and lintels. Similar detailing would also be incorporated around the doors. The roof lights would be conservation style roof lights. Brick walls would be constructed to the front of the properties adjacent to Eden Place with timber fences to the rear.
- 3.7 The vehicular access to the site would be via a single access point onto Eden Street which is existing and located between the proposed terrace and number 16a Eden Street. The access to three units, all of which would have two parking spaces. The existing dwelling would be retained further to the rear with access leading through the parking area.
- 3.8 The foul drainage system would connect into the mains sewer.

### **4. Summary of Representations**

- 4.1 This application has been subject to a site notice, a press notice and direct notification to the occupiers of ten of the neighbouring properties. Nine letters of objection together with a petition containing twenty eight signatures have been received and the main issues raised are summarised as follows:

1. the application was submitted before application 11/0799 which seeks planning permission for three dwellings. Is the developer trying to gain

- planning consent by stealth?;
2. this is a Conservation Area with some properties controlled by an Article 4(2) Direction. Why call it a conservation area if you do not plan to conserve it?;
  3. by attaching the properties to the existing terrace, the proposal would detract from the existing character of the area;
  4. this application is an example of garden grabbing for profit and should not be granted planning permission;
  5. the blind exit to the site is on a convex bend and the proposal represents a considerable traffic hazard to traffic and pedestrians;
  6. there is no mention of the replacement of the gates which would leave the site and neighbouring properties open to persons with criminal intent;
  7. the Flood Zone crosses the wall into the site which might mean that the structural integrity of buildings within the vicinity could be compromised;
  8. removal of the hedge and wall will lead to a loss of habitat for wildlife and would threaten the integrity of the silver birch tree;
  9. construction activity would affect biodiversity in a 'green haven' in the Conservation Area;
  10. the visual amenity of the area would be adversely affected that would be detrimental to defined views that have existed for 100 years or more;
  11. surface water run off from the site would increase into an already overloaded system and would increase pollution within this system;
  12. the loss of the trees within the site is unacceptable;
  13. removal of the outbuildings would mean a loss of habitat for wildlife;
  14. the existing cottage lies empty and there doesn't appear to be any plans for the future. If it is left empty, this would attract a colony of rats; and
  15. there are no plans to screen the parking area from neighbouring properties.

- 4.2 Following the receipt of amended details, which revise the scale and detail of the buildings together with the access arrangements, two letters of objection have been received. The issues raised reflect those submitted in the initial consultation process.

## 5. Summary of Consultation Responses

Cumbria County Council - (Highway Authority): - there is no objection in principle but it is evident that due to the stone gate posts, hedge and large shrubs contained in the front garden of 16A, it is not possible to provide a 2.4m setback from the kerb edge for the visibility splay, the current footway being only 1.8m width. To the north a telegraph pole at rear of footway would need to be relocated and the front wall/garden edge of the new properties lowered to provide the 70m x 2.4m @1050mm height visibility splay. The Applicant should be asked to submit further details showing measures to provide this minimum level of visibility and in the absence of such details, the application is recommended for refusal.

Further comments received on 1st March 2102 raise no objection subject to the imposition of highway conditions;

Local Environment - Drainage Engineer: - the corner of the site is located

within the 1 in 1000 flood risk zone.

The applicant should consider discharging the surface water by sustainable drainage methods rather than discharging to the public sewer;

Northern Gas Networks: - no objection;

United Utilities: - no objection; and

Conservation Area Advisory Committee: - the Committee has significant concerns over this proposal and view the existing open site as being an important part of the conservation area - a breathing space between otherwise built-up frontages whose loss should be resisted if possible. However, if development is destined for this site, the tabled application falls far short of an acceptable proposal. The site is of key importance and is prominent in the streetscene and the proposal is at odds with its context in several areas:

- it is clearly a speculative development which attempts to cram too much onto the site - this can be seen in the narrowness of each plot compared with the proportions of neighbouring development. It would be more appropriate to accommodate two terraced dwellings here, rather than the three proposed. The density and scale of the proposal is out of character and constitutes overdevelopment;
- the location of the new block is poorly conceived. It appears to nudge forward of the terrace at No 20, and pushes significantly past the building line of No 16a which exposes a very bleak and featureless blank gable to prominent view.
- neither the application forms nor design and access statement adequately specify the detail of the materials proposed - inappropriate PVCu rainwater goods are specified, but there is no clarity on the detail of the proposed brick, slate or timber windows. Are these to be vertical sliding sash to match their neighbours? Will the bonding pattern of the brick or its type match the existing terrace?
- the difference on storey heights between the generous Victorian properties and the more squat new proposal is glaring. Details such as prominent rooflights to the front roofslope and also the lack of traditional details such as chimney stacks add to the incongruity of the proposal.

In conclusion the committee recommended that the Council seek a significantly improved scheme for the site as the current proposal is not acceptable.

## **6. Officer's Report**

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that applications for planning permission are determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise. In respect of this application, the National Planning Policy Framework (NPPF) together with CP2, CP3, CP5, CP6, CP9, CP12, CP17, H1, H2, T1, LE19 and LE29 of the Carlisle District Local Plan 2001-2016 are

relevant. The proposal raises the following planning issues.

## **1. Principle Of Residential Development**

- 6.2** The application site lies within the urban area of Carlisle. Policy H2 of the Local Plan states that new residential development will be acceptable providing that compliance with four specific criteria is achievable on site. In this instance, the relevant criteria are met and, on this basis, the principle of residential development is considered acceptable. The issues raised are discussed in more detail in the analysis which follows.

## **2. Scale, Siting And Design**

- 6.3** Policies seek to ensure the development is appropriate in terms of quality to that of the surrounding area and that development proposals incorporate high standards of design including siting, scale, use of materials and landscaping which respect and, where possible, enhance the distinctive character of townscape and landscape. This theme is identified in Policy CP5 of the Local Plan which requires that development proposals should also harmonise with the surrounding buildings respecting their form in relation to height, scale and massing and make use of appropriate materials and detailing. Development of this frontage site within the urban area will have a significant impact on the character of the area unless it is sympathetically designed.
- 6.4** The footprint of the building has been sited to relate to the terrace of building either side and would be forward of the buildings to the east and almost flush with the gable of 20 Eden Street to the west, thereby creating a 'stepped' developed. The scheme has been amended significantly to take account of local characteristics. The revisions briefly comprise the use of conservation style roof lights, an increase in the ridge height to better relate to 20 Eden Street, the inclusion of chimneys, the incorporation of a double brick band to add character, the inclusion of a window to the east gable and the use of brick, as opposed to render, to construct the boundary walls to the front of the terrace.
- 6.5** The submitted drawings illustrate that the proposed dwellings would be of a similar scale and massing to its immediate neighbours and other properties within the immediate vicinity of the application site. The proposed materials would also complement the existing dwellings. Furthermore, the proposal would achieve adequate amenity space and off-street parking. The character and appearance of the dwellings would not be disproportionate or obtrusive within the streetscene.
- 6.6** Some of the objectors have raised concerns that the scale of development would not be in keeping with the character of the area and would prefer the retention of the open space. The development would be appropriate in scale and whilst the development would involve the loss of private amenity space, this is currently shielded from public view by the wall and hedgerow.
- 6.7** Given the prominent location of the site within the Conservation Area, it would be appropriate to condition any planning consent that future alterations,

extensions and outbuildings to the front elevations require planning consent.

### **3. The Impact Of The Proposal On The Living Conditions Of Neighbouring Residents**

- 6.8 The occupier of a neighbouring property is concerned that the insertion of the gable window will result in overlooking and loss of privacy. The proposed window would serve an ensuite bathroom and is likely to be obscurely glazed. Notwithstanding this, given the distance and obscure angle of the window from the neighbouring property, the insertion of this window is acceptable and would not result in a loss of privacy to the occupier of this property.

### **4. Highway Matters**

- 6.9 The site is served from an existing vehicular access that leads from the County highway. The access comprises of a narrow entrance located on the sweeping bend on Eden Place. Several objectors have raised concerns that the access is inappropriate to deal with the level of car parking use associated with the properties and the Highway Authority initially shared this view and recommended refusal of the application.
- 6.10 The applicant proposes to increase the width of the pavement that bounds the site, thereby narrowing the width of the road. This would reduce the severity of the bend and provide visibility splays of 2.4 metres by 43 metres. This access arrangement is satisfactory to the Highway Authority and the objection has been removed provided that any consent is subject to conditions requiring the submission of further details and that the highway works are undertaken.
- 6.11 A further highway concern raised by neighbours relates to the level of car parking provision. The level of off-street parking provision is two spaces per dwelling which is acceptable. Members will note that the Highway Authority has raised no objection.

### **5. The Impact On The Character Of The Conservation Area**

- 6.12 The site is located within the Stanwix Conservation Area and the development would have an impact on its character and appearance. The objectors have raised the issue that the site is within such a designated area and that there is little point in designating land if further development is allowed. The fact that the site is within the Conservation Area does not preclude development per se. Consideration of any proposal has to be against the relevant planning policy. The scheme has been amended and improved through alterations to the fenestration and detail on the building. The scale, design and use of materials is appropriate to the site and would be consistent with the context of the Conservation Area which would not be adversely affected.

### **6. The Impact Of The Development On The Trees On The Site**

- 6.13 There are several trees along the eastern boundary of the site. These would

be removed as part of the development. No objection has been raised by the Council's Tree Officer subject to the imposition of appropriate conditions.

## **6. Development Within The Flood Zone**

- 6.14 Part of the site is within Flood Zone 2 and consequently, the applicant has submitted a Flood Risk Assessment (FRA). In respect of the development, the applicant states that it is only the south-east corner of the site that is within the Flood Zone and this would form part of the garden of the end property at the eastern end of the site. Additionally, the Assessment states that the floor levels of the property would be almost one metre above the highest level of flooding for a 1 in 1000 year return and that the area benefits from flood protection measures. There is an existing wall along the boundary and given that the site rises and flood water would be unlikely to reach far into the site, the development is unlikely to significantly increase the risk of flooding elsewhere. The construction of the properties does not raise any issues with reference to Policy LE27.

## **7. Impact On The Setting Of The Listed Building**

- 6.15 Number 20 Eden Place is Grade II listed and the building would be attached to the gable of the property. The amendments that have been made to the application have taken this constraint into account and given the scale, design and appearance of the properties, the development would not adversely impact on the character and appearance of the Listed Building.

## **8. Biodiversity**

- 6.16 Planning Authorities in exercising their planning and other functions must have regard to the requirements of the EC Habitats Directive (92/43/EEC) when determining a planning application as prescribed by regulation 3 (4) of the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended). Such due regard means that Planning Authorities must determine whether the proposed development meets the requirements of Article 16 of the Habitats Directive before planning permission is granted. Article 16 of the Directive indicates that if there is reasonable likelihood of a European protected species being present then derogation may be sought when there is no satisfactory alternative and that the proposal will not harm the favourable conservation of the protected species and their habitat.
- 6.17 A Bat, Barn Owl and Breeding Bird Survey has been submitted. The survey concludes that no signs of barn owls, bats or birds roosting or nesting in the building. Brown Long Eared bats were observed flying around the garden and feeding around the boundary trees. The report identifies suitable mitigation measures and timing of works to minimise potential harm to bats and birds. An informative is included within the decision notice ensuring that if a protected species is found all work must cease immediately, the Local Planning Authority information and that a European Protected Species Licence will be required.

## **Conclusion**

- 6.18 In overall terms, the principle of residential development on the site is acceptable. The dwellings would be set back from the frontage of the site and the scale, design and massing takes account of the character and appearance of the surrounding built environment and to the advice within current planning policies and Supplementary Planning Documents. Further, it proposes an appropriate design and use of vernacular materials such that the development would not adversely affect the character or appearance of the Conservation Area.
- 6.19 Development of the site will ultimately change the appearance of the site; however, the impact on the living conditions of the occupiers of the neighbouring properties has been taken into account. In all other aspects the proposal is compliant with the objectives of the relevant Local Plan policies.

## **7. Planning History**

- 7.1 Planning permission was granted in 2003 for the erection of a conservatory. Later in the same year, a revised scheme was approved.
- 7.2 An application for Conservation Area Consent for the demolition of a wall is currently being considered under application reference 11/0800.

## **8. Recommendation: Grant Permission**

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

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

2. The approved documents for this Planning Permission comprise:

1. the Planning Application Form received 9th September 2011;
2. the As Existing Plans, Elevations & Section received 5th March 2012 (Drawing no. 11/2072/00B);
3. the As Proposed Plans, Elevations & Section received 5th March 2012 (Drawing no. 11/2072/01C);
4. the As Proposed Schematic Site Plan Visibility Splays received 5th March 2012 (Drawing no. 11/2072/03E);
5. the Proposed Site Access received 5th March 2012 (Drawing no. 9X1412/SK003 Rev B);
6. the Design and Access Statement received 5th March 2012;
7. the Flood Risk Report received 9th September 2011;
8. the Survey for Bats, Barn Owls & Breeding Birds received 3rd October 2011;
9. the Tree Survey received 9th September 2011;
10. the Desk Top Study Regarding Likelihood Of Contamination received



- 3rd October 2011;
11. the Notice of Decision; and
  12. any such variation as may subsequently be approved in writing by the Local Planning Authority.

**Reason:** To define the permission.

3. No development hereby approved by this permission shall commence until samples or full details of all materials to be used on the exterior shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

**Reason:** To ensure the materials used are appropriate to the character of the area in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

4. Particulars of height and materials of all screen walls and boundary fences shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted. The development shall then be undertaken in accordance with the approved details.

**Reason:** To ensure the materials used are appropriate to the character of the area in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

5. The whole of the access area bounded by the carriageway edge and the highway boundary shall be constructed and drained in accordance with details that have been submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority.

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

6. The use shall not be commenced until the access and parking requirements have been constructed in accordance with the approved plans. All such provision shall be retained, capable of use when the development is completed and shall not be removed or altered thereafter, without the prior written consent of the Local Planning Authority.

**Reason:** To ensure a minimum standard of access provision when the development is brought into use and to support Local Transport Plan Policies: LD5, LD7, LD8 and Structure Plan Policy T32.

7. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been approved in writing by the Local Planning Authority. Such a scheme shall include either a sustainable drainage system or soakaway for surface water disposal/ or investigation of the use of these methods and shall be constructed and completed in accordance with the approved plans.

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

8. The roof lights hereby approved shall be of a conservation style and fitted in a manner such that they are flush with the plane of the roof.

**Reason:** To ensure the materials used are appropriate to the character of the area in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

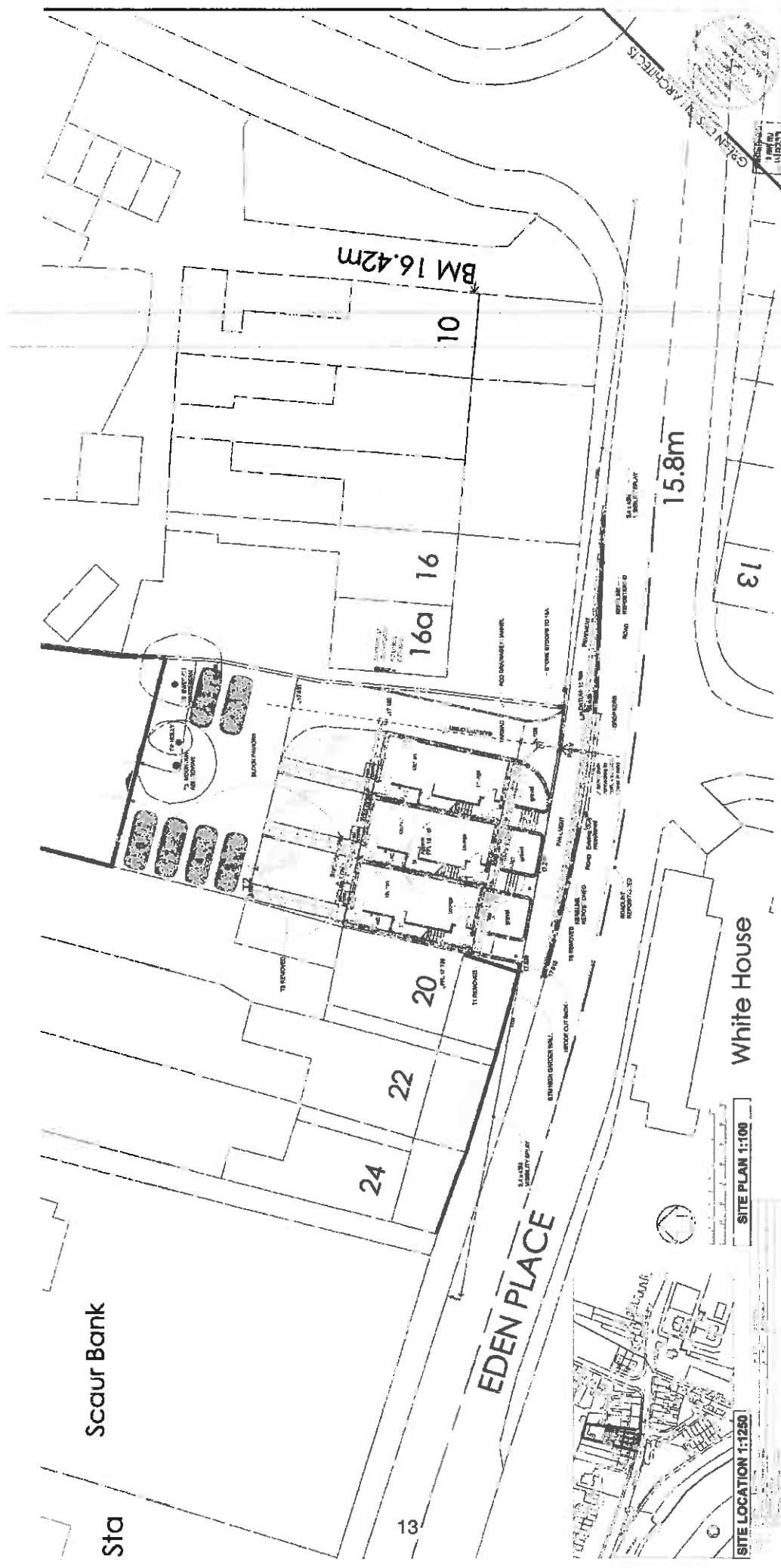
9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) there shall be no enlargement or external alterations to the front elevations of the dwelling units to be erected in accordance with this permission,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

**Reason:** To ensure that the character and attractive appearance of the Conservation Area is not harmed by inappropriate alterations and/ or extensions accordance with Policy LE19 of the Carlisle District Local Plan 2001-2016.

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This data is based on Green Design Architects drawing received 23/02/2012

RECEIVED  
- 5 MAR 1979  
11/0799

Rev	Amendment	Drawn	Check of Issue	BL	BL	Date
B	FINAL	BH	BH	BL	BL	28.02.12
A	FIRST_ISSUE	BH	BH	BL	BL	24.02.12

**Magnus Homes Limited**

Project	Eden Place Carlisle
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Time	Proposed Site Access
10:00 AM	Arrival at site, initial safety briefing, and equipment check.
10:30 AM	Begin data collection at the first sampling point.
11:00 AM	Move to the second sampling point and collect samples.
11:30 AM	Conduct a short break and re-evaluate the site conditions.
12:00 PM	Lunch break and equipment maintenance.
12:30 PM	Resume data collection at the third sampling point.
1:00 PM	Move to the fourth sampling point and collect samples.
1:30 PM	Conduct a short break and re-evaluate the site conditions.
2:00 PM	Resume data collection at the fifth sampling point.
2:30 PM	Move to the sixth sampling point and collect samples.
3:00 PM	Conduct a short break and re-evaluate the site conditions.
3:30 PM	Resume data collection at the seventh sampling point.
4:00 PM	Move to the eighth sampling point and collect samples.
4:30 PM	Conduct a short break and re-evaluate the site conditions.
5:00 PM	Resume data collection at the ninth sampling point.
5:30 PM	Move to the tenth sampling point and collect samples.
6:00 PM	Conduct a short break and re-evaluate the site conditions.
6:30 PM	Resume data collection at the eleventh sampling point.
7:00 PM	Move to the twelfth sampling point and collect samples.
7:30 PM	Conduct a short break and re-evaluate the site conditions.
8:00 PM	Resume data collection at the thirteenth sampling point.
8:30 PM	Move to the fourteenth sampling point and collect samples.
9:00 PM	Conduct a short break and re-evaluate the site conditions.
9:30 PM	Resume data collection at the fifteenth sampling point.
10:00 PM	Move to the sixteenth sampling point and collect samples.
10:30 PM	Conduct a short break and re-evaluate the site conditions.
11:00 PM	Resume data collection at the seventeenth sampling point.
11:30 PM	Move to the eighteenth sampling point and collect samples.
12:00 AM	Conduct a short break and re-evaluate the site conditions.
12:30 AM	Resume data collection at the nineteenth sampling point.
1:00 AM	Move to the twentieth sampling point and collect samples.
1:30 AM	Conduct a short break and re-evaluate the site conditions.
2:00 AM	Resume data collection at the twenty-first sampling point.
2:30 AM	Move to the twenty-second sampling point and collect samples.
3:00 AM	Conduct a short break and re-evaluate the site conditions.
3:30 AM	Resume data collection at the twenty-third sampling point.
4:00 AM	Move to the twenty-fourth sampling point and collect samples.
4:30 AM	Conduct a short break and re-evaluate the site conditions.
5:00 AM	Resume data collection at the twenty-fifth sampling point.
5:30 AM	Move to the twenty-sixth sampling point and collect samples.
6:00 AM	Conduct a short break and re-evaluate the site conditions.
6:30 AM	Resume data collection at the twenty-seventh sampling point.
7:00 AM	Move to the twenty-eighth sampling point and collect samples.
7:30 AM	Conduct a short break and re-evaluate the site conditions.
8:00 AM	Resume data collection at the twenty-ninth sampling point.
8:30 AM	Move to the thirtieth sampling point and collect samples.
9:00 AM	Conduct a short break and re-evaluate the site conditions.
9:30 AM	Resume data collection at the thirty-first sampling point.
10:00 AM	Move to the thirty-second sampling point and collect samples.
10:30 AM	Conduct a short break and re-evaluate the site conditions.
11:00 AM	Resume data collection at the thirty-third sampling point.
11:30 AM	Move to the thirty-fourth sampling point and collect samples.
12:00 PM	Conduct a short break and re-evaluate the site conditions.
12:30 PM	Resume data collection at the thirty-fifth sampling point.
1:00 PM	Move to the thirty-sixth sampling point and collect samples.
1:30 PM	Conduct a short break and re-evaluate the site conditions.
2:00 PM	Resume data collection at the thirty-seventh sampling point.
2:30 PM	Move to the thirty-eighth sampling point and collect samples.
3:00 PM	Conduct a short break and re-evaluate the site conditions.
3:30 PM	Resume data collection at the thirty-ninth sampling point.
4:00 PM	Move to the fortieth sampling point and collect samples.
4:30 PM	Conduct a short break and re-evaluate the site conditions.
5:00 PM	Resume data collection at the forty-first sampling point.
5:30 PM	Move to the forty-second sampling point and collect samples.
6:00 PM	Conduct a short break and re-evaluate the site conditions.
6:30 PM	Resume data collection at the forty-third sampling point.
7:00 PM	Move to the forty-fourth sampling point and collect samples.
7:30 PM	Conduct a short break and re-evaluate the site conditions.
8:00 PM	Resume data collection at the forty-fifth sampling point.
8:30 PM	Move to the forty-sixth sampling point and collect samples.
9:00 PM	Conduct a short break and re-evaluate the site conditions.
9:30 PM	Resume data collection at the forty-seventh sampling point.
10:00 PM	Move to the forty-eighth sampling point and collect samples.
10:30 PM	Conduct a short break and re-evaluate the site conditions.
11:00 PM	Resume data collection at the forty-ninth sampling point.
11:30 PM	Move to the fiftieth sampling point and collect samples.
12:00 AM	Conduct a short break and re-evaluate the site conditions.
12:30 AM	Resume data collection at the fifty-first sampling point.
1:00 AM	Move to the fifty-second sampling point and collect samples.
1:30 AM	Conduct a short break and re-evaluate the site conditions.
2:00 AM	Resume data collection at the fifty-third sampling point.
2:30 AM	Move to the fifty-fourth sampling point and collect samples.
3:00 AM	Conduct a short break and re-evaluate the site conditions.
3:30 AM	Resume data collection at the fifty-fifth sampling point.
4:00 AM	Move to the fifty-sixth sampling point and collect samples.
4:30 AM	Conduct a short break and re-evaluate the site conditions.
5:00 AM	Resume data collection at the fifty-seventh sampling point.
5:30 AM	Move to the fifty-eighth sampling point and collect samples.
6:00 AM	Conduct a short break and re-evaluate the site conditions.
6:30 AM	Resume data collection at the fifty-ninth sampling point.
7:00 AM	Move to the sixtieth sampling point and collect samples.
7:30 AM	Conduct a short break and re-evaluate the site conditions.
8:00 AM	Resume data collection at the sixty-first sampling point.
8:30 AM	Move to the sixty-second sampling point and collect samples.
9:00 AM	Conduct a short break and re-evaluate the site conditions.
9:30 AM	Resume data collection at the sixty-third sampling point.
10:00 AM	Move to the sixty-fourth sampling point and collect samples.
10:30 AM	Conduct a short break and re-evaluate the site conditions.
11:00 AM	Resume data collection at the sixty-fifth sampling point.
11:30 AM	Move to the sixty-sixth sampling point and collect samples.
12:00 PM	Conduct a short break and re-evaluate the site conditions.
12:30 PM	Resume data collection at the sixty-seventh sampling point.
1:00 PM	Move to the sixty-eighth sampling point and collect samples.
1:30 PM	Conduct a short break and re-evaluate the site conditions.
2:00 PM	Resume data collection at the sixty-ninth sampling point.
2:30 PM	Move to the seventieth sampling point and collect samples.
3:00 PM	Conduct a short break and re-evaluate the site conditions.
3:30 PM	Resume data collection at the seventy-first sampling point.
4:00 PM	Move to the seventy-second sampling point and collect samples.
4:30 PM	Conduct a short break and re-evaluate the site conditions.
5:00 PM	Resume data collection at the seventy-third sampling point.
5:30 PM	Move to the seventy-fourth sampling point and collect samples.
6:00 PM	Conduct a short break and re-evaluate the site conditions.
6:30 PM	Resume data collection at the seventy-fifth sampling point.
7:00 PM	Move to the seventy-sixth sampling point and collect samples.
7:30 PM	Conduct a short break and re-evaluate the site conditions.
8:00 PM	Resume data collection at

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Proj. No.	9X1412/SK003				

## **SCHEDULE A: Applications with Recommendation**

11/0800

**Item No: 02**

**Date of Committee: 08/06/2012**

**Appn Ref No:**  
11/0800

**Applicant:**  
Magnus Homes Limited

**Parish:**  
Carlisle

**Date of Receipt:**  
09/09/2011 13:00:43

**Agent:**  
Taylor & Hardy

**Ward:**  
Stanwix Urban

**Location:**

Land Between 16a and 20 Eden Place, Carlisle,  
CA3 9JH

**Proposal:** Demolition Of Gate And Stoops (Conservation Area Consent)

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### **REPORT**

**Case Officer:** Richard Maunsell

#### **1. Recommendation**

- 1.1 This application is recommended for approval subject to the imposition of planning conditions.

#### **2. Main Issues**

- 2.1 Whether The Removal Of The Gate And Gate Stoops Are Acceptable

#### **3. Application Details**

##### **The Site**

- 3.1 Members will recall that this application was deferred from the previous meeting to allow Members to undertake a site visit.
- 3.2 This application seeks "Conservation Area Consent" for the removal of two gate stoops and a gate at 18 Eden Place, Carlisle. The site comprises a single storey property that is set back approximately 40 metres within the site. The front garden of the property is bounded along the frontage of Eden Street by a hedgerow above a 700mm high retaining brick wall. There are residential properties bounding the site on all sides and the application site is within a Primary Residential Area and the Stanwix Conservation Area.

- 3.3 The site is flanked on either side by two storey terraced properties of brick construction under a slate roof. A vehicular access serves the property adjacent to 16a Eden Street. The site is a visual 'gap' site between number 16a Eden Street to the east and number 20 Eden Street to the north. The terraces are set back from the curtilage frontage, the distance of which diminishes between the two groups of properties with 20 Eden Street being closer to the road. The properties to the west of the site are Grade II listed.

## **Background**

- 3.4 The application initially sought consent for the removal of a 700mm high brick wall from the frontage of the site together with two stone gate stoops and the gate that serve the vehicular access to the property; however, Conservation Area Consent is not required for the removal of the wall as it is adjacent to the highway and measures less than one metre in height. The application was amended on this basis and further consultation has been undertaken on the application for the removal of the gate and stoops only.

## **The Proposal**

- 3.5 It is proposed to remove two stone gate stoops and a wooden gate that form the vehicular entrance to 18 Eden Place. The ground slopes upwards along Eden Street travelling west past the site. At the highest point, the gate stoops measure 1.2 metres and the gate measures 1.4 metres.

## **4. Summary of Representations**

- 4.1 This application has been subject to a site notice, a press notice and direct notification to the occupiers of ten of the neighbouring properties. Nine letters of objection together with a petition containing twenty eight signatures have been received and the main issues raised are summarised as follows:
1. the application was submitted before application 11/0799 which seeks planning permission for three dwellings. Is the developer trying to gain planning consent by stealth?
  2. this is a Conservation Area with some properties controlled by an Article 4(2) Direction. Why call it a conservation area if you do not plan to conserve it?
  3. by attaching the properties to the existing terrace, the proposal would detract from the existing character of the area;
  4. this application is an example of garden grabbing for profit and should not be granted planning permission;
  5. the blind exit to the site is on a convex bend and the proposal represents a considerable traffic hazard to traffic and pedestrians;
  6. there is no mention of the replacement of the gates which would leave the site and neighbouring properties open to persons with criminal intent;
  7. the Flood Zone crosses the wall into the site which might mean that the structural integrity of buildings within the vicinity could be compromised;
  8. removal of the hedge and wall will lead to a loss of habitat for wildlife and



- would threaten the integrity of the silver birch tree;
  - 9. construction activity would affect biodiversity in a 'green haven' in the Conservation Area;
  - 10. the visual amenity of the area would be adversely affected that would be detrimental to defined views that have existed for 100 years or more;
  - 11. surface water run off from the site would increase into an already overloaded system and would increase pollution within this system;
  - 12. the loss of the trees within the site is unacceptable;
  - 13. removal of the outbuildings would mean a loss of habitat for wildlife;
  - 14. the existing cottage lies empty and there doesn't appear to be any plans for the future. If it is left empty, this would attract a colony of rats; and
  - 15. there are no plans to screen the parking area from neighbouring properties.
- 4.2 Following the receipt of amended details which revised the application to seek consent for the removal of the gate and gate stoops only, no representations have been received.
- 4.3 One further letter of objection has been received following further consultation in respect of the Full Planning application but this is not as a result of any further consultation in respect of the application for Conservation Area Consent and does not raise any new issues in respect of the removal of the wall.

## **5. Summary of Consultation Responses**

Cumbria County Council - (Highway Authority): - no objection; and

Northern Gas Networks: - comments awaited; and

Conservation Area Advisory Committee: - this proposal, associated with the proposal 11/0779 is also of concern to the Committee who object to the loss of the existing stoops and to the removal of the existing brick wall and hedgerow, which add to the quality of the conservation area, and its replacement with a rendered wall. The Committee recommend that this application be refused.

## **6. Officer's Report**

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that applications for planning permission are determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise. In respect of this application, the National Planning Policy Framework (NPPF) together with Policies LE17 and LE19 of the Carlisle District Local Plan 2001-2016 are relevant. The proposal raises the following planning issues.

### **1. Whether The Removal Of The Wall Is Acceptable**

- 6.2 Planning policies require that there will be a general presumption in favour of the retention of buildings which make a positive contribution to the character

or appearance of a conservation area. Applications for planning permission for development proposals that would require the total demolition of unlisted buildings in conservation areas will be assessed against the contribution of the building to the landscape/townscape; and the structural condition of the building; and the suitability of the building for its existing, proposed or any other use; and the cost of repair; and the contribution which the demolition/redevelopment would make to broader conservation objectives the inclusion of any building on a local list.

- 6.3 Members will be aware that the Government published revised planning guidance on 27th March 2012 entitled "National Planning Policy Framework" which revises a large number of previous planning policies and circulars. Paragraph 134 of this document states that:

"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use."

- 6.4 The gate stoops form part of the entrance to the site adjacent to Eden Street. Members will note that the objections from local residents together with the views expressed by the Conservation Area Advisory Committee (CAAC) object to the loss of the existing stoops and to the removal of the existing brick wall and hedgerow which, in their view, add to the quality of the Conservation Area. It is also stated that its replacement with a rendered wall is inappropriate and on this basis, CAAC recommend that this application be refused.

- 6.5 As previously stated, this application is only concerned with the removal of the stoops and the gate as the removal of the wall does not require consent. Furthermore, any replacement boundary treatment is subject to separate consideration as part of the Full Planning application to redevelop the site that precedes this report in the schedule.

- 6.6 The issue lies solely with the removal of the wall and the impact on the character and appearance of the Conservation Area. The supporting text in paragraph 6.72 to Policy LE17 of the Local Plan states:

"In assessing applications for planning permission involving proposals that would involve the demolition of an unlisted building in the conservation area, the Council will have regard to the desirability of preserving or enhancing the character and appearance of the conservation area in which the building is situated, and the wider benefits of demolition on the building's surroundings and on the conservation area as a whole."

- 6.7 A balanced judgement of the proposal is therefore necessary. Whilst the presence of the gate stoops has some historic significance, the scale is modest and is overshadowed to a degree by the laurel hedge above it. For these reasons, the contribution that the wall makes to the character and appearance of the Conservation Area is minor. The demolition of the building would not have an adverse impact on the Conservation Area and in light of

this, the proposal to demolish the building is considered to be acceptable.

- 6.8 Ordinarily, proposals to demolish buildings and structures in the Conservation Area are linked to a planning application to redevelop the site and this linkage is enforced by way of a condition. The reason for the condition is to ensure that the character of the Conservation Area is not blighted by vacant sites where buildings have been demolished. In this instance, the application for Full Planning permission is also before Members elsewhere in this schedule under application reference 11/0799; however, it would be unreasonable to impose such a condition as the removal of the gate and stoops would not adversely impact on the character of the area.

## **2. Other Matters**

- 6.9 Many of the issues raised by the objectors relate to the removal of the wall and/ or matters concerned solely with the application for housing on the site. The issues that are pertinent to this application are addressed in the preceding paragraphs.

## **Conclusion**

- 6.10 In overall terms, the wall is not of architectural merit and its contribution to the character and appearance of the Conservation Area is limited. In all aspects the proposals are considered to be compliant with the objectives of the relevant Local Plan policies.

## **7. Planning History**

- 7.1 Planning permission was granted in 2003 for the erection of a conservatory. Later in the same year, a revised scheme was approved.
- 7.2 An application for Full Planning permission for the erection of three dwellings is currently being considered under application reference 11/00799.

## **8. Recommendation: Grant Permission**

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

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

2. The approved documents for this Conservation Area Consent comprise:
1. the Planning Application Form received 9th September 2011;
  2. the As Existing Plans, Elevations & Section received 9th September 2011 (Drawing no. 11/2072/00);
  3. the As Proposed Plans, Elevations & Section received 9th September

- 2011 (Drawing no. 11/2072/01);
4. the As Proposed Site Plan received 9th September 2011 (Drawing no. 11/2072/02);
  5. Design and Access Statement received 9th September 2011;
  6. the Tree Survey Design and Access Statement received 9th September 2011; and
  7. the Notice of Decision.

**Reason:** To define the consent.

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## **SCHEDULE A: Applications with Recommendation**

12/0232

**Item No: 03**

**Date of Committee: 08/06/2012**

**Appn Ref No:**  
12/0232

**Applicant:**  
McDonalds Restaurants  
Ltd

**Parish:**  
Carlisle

**Date of Receipt:**  
16/03/2012

**Agent:**  
Savills

**Ward:**  
Belah

**Location:**  
McDonalds Restaurant, Gearshill Road, Carlisle,  
CA3 0ET

**Proposal:** Temporary Variation Of Condition 4 Of Previously Approved Planning  
Application 97/0203 To Allow Trading From 5am Until 1am For A 12  
Month Period

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### **REPORT**

**Case Officer:** Suzanne Edgar

#### **1. Recommendation**

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

#### **2. Main Issues**

- 2.1 the principle of development;  
2.2 the impact on the occupiers of neighbouring properties;  
2.3 other matters

#### **3. Application Details**

##### **The Site**

- 3.1 This application relates to McDonald's Restaurant, Gearshill Road, Carlisle. The building is sited on the northern edge of the city within Kingstown Industrial Estate which is designated as a Primary Employment Area within the proposals maps which accompany the Carlisle District Local Plan 2001-2016.

- 3.2 The premises comprise a 90 seat restaurant with cooking and storage facilities, associated 'Drive Thru' and parking provision.

### **Background**

- 3.3 Planning permission was approved for a McDonalds on the Industrial Estate on the 27th June 1997 (application reference 97/0203). Condition No. 4 of the planning consent stated that "the premises shall not be open for trading except between the hours of 07:00 and 23:00 on any day". The reason given was "to prevent disturbance to nearby occupants".

- 3.4 Since the original planning approval there has been a series of applications submitted to vary the time conditions attached to application 97/0203. In 2004 (reference 04/1570) permission was granted to trade from 06:30 hours until 23:00 hours seven days a week. In 2008 (reference 08/0059) planning permission was however refused to allow the restaurant to trade between the hours of 06:30am to 11:00pm Sunday to Thursday, 06:30 Friday to 1:00 am Saturday and 06:30am to 1am on a Sunday. Although the Officer's report recommended approval, Members resolved to refuse application 08/0059 for the following reason:

1. "The proposed variation of condition number four would permit the premises to trade until 01:00 hours on Saturday and Sunday mornings. The building is located close to a Primary Residential Area. Although the application site is separated from the neighbouring dwellings, the additional opening hours would lead to an unacceptable level of disturbance caused by increased traffic movements, congregation of people and general activity, particularly late at night and early morning. This would cause annoyance to nearby residents and would be detrimental to the overall amenity of the area. The proposal is therefore considered to be contrary to criteria 1 of Policy S15 (Food and Drink of the Carlisle District Local Plan and criteria 1 of Policy EC10 (Food and Drink) of the Carlisle District Local Plan Revised Redeposit Draft 2001-2016 as amended by the Planning Inspector's decision; contrary to criteria 3 of Policy H17 (Residential Amenity) of the Carlisle District Local Plan and criteria 3 of Policy CP5 (Residential Amenity) of the Carlisle District Local Plan Revised Redeposit Draft 2001-2016 as amended by the Planning Inspector's decision; and to the objectives of Policy T1 (Choice of Means of Travel) of the Carlisle District Local Plan."

- 3.5 A further application was however approved in 2011 (reference 11/0079) to allow the restaurant to open between the hours of 6am-midnight daily.

### **The Proposal**

- 3.6 The current proposal seeks a temporary variation of condition 4 of previously approved application 97/0203 to allow trading from 5am until 1am for a 12 month period.

- 3.7 The applicant has requested a temporary period for the variation of operating hours to allow monitoring in light of concerns previously raised by Committee Members.

#### **4. Summary of Representations**

- 4.1 This application has been advertised by the display of a site notice and by notification letters to 43 of the neighbouring properties. At the time of writing this report, two letters of objection and two letters of comment have been received. The objections/comments received consider that: the proposed opening hours will increase the current litter problem found within parts of the estate and immediate neighbourhood which has not been addressed since the last application; the late opening will attract anti-social behaviour and increase in noise from vehicles; should permission be granted all night trading will follow; the increased trading will result in more traffic entering/leaving Kingstown Road; there is already illegal parking of HGVs and the extended opening hours would attract more of the same. Objections have also been received regarding the potential impact of the proposal on the residential area adjoining the site.

#### **5. Summary of Consultation Responses**

Cumbria County Council - (Highway Authority): - no objection;

Local Environment - Environmental Protection (former Comm Env Services-Env Quality): - originally raised concerns as the department has regularly received complaints of litter associated with the premises and increase trade may cause future problems. The department has also received report that the volume of business at the premises has significantly increased since the opening of the Carlisle Northern Development Route (CNDR). Increasing the trading hours would not be expected to cause nuisance, unless there was a significant increase in trade from the CNDR. The permission although temporary should be reviewed if valid nuisance complaints are received, which are due to the increase in trading hours.

With regard to possible impact of noise/disturbance this department has received no complaints regards noise from traffic or customers at McDonalds.

Further information has subsequently been received from the applicant's agent with regard to the current litter management plan and the proposed litter management plan that would be in place if the application was granted. Environmental Services have been consulted on this information and have confirmed that the litter management plan makes a reasonable effort to control waste outside McDonald's premises and the extra patrols should control litter adequately.

Further information has also been submitted from the applicant's agent with regard to sales figures which have answered the previous concerns raised. Environmental Protection Services has however indicated that they would

reserve the option to review the situation if further complaints of litter/noise, due to increased number of customers and their vehicles, are received by the department.

Cumbria Constabulary - North Area Community Safety Unit (formerly Crime Prevention): - following a brief search of our Incident Logging System, this establishment has generated barely 10 calls for police service over the past 12 months. There have been no complaints regarding persistent gathering or motor vehicle nuisance, which is a noted feature of similar premises. It is acknowledged that the Variation of Condition 4 (Trading Hours) is for a temporary period only. Cumbria Constabulary has no objection to this proposal.

## **6. Officer's Report**

### **Assessment**

- 6.1 The relevant planning policies against which the application is required to be assessed are Policies EC1, EC10 and CP5 of the Carlisle District Local Plan 2001–2016. The proposal raises the following planning issues.

#### **1. The Principle Of Development**

- 6.2 Policy EC10 of the Carlisle District Local Plan, which specifically relates to food and drink uses, allows for the provision of development within Use Class A3 (food and drink, including restaurants, public houses, wine bars and takeaways) provided that the proposal does not involve disturbance to occupiers of residential properties. There is no specific guidance in terms of restriction to the opening times for premises outside of the City Centre Shopping Area; however, the policy does state that elsewhere within the Local Plan area, opening hours will be imposed having regard to the surrounding uses, the character of the area and possibility of disturbance to residential uses.
- 6.3 As the site is located within a Primary Employment Area the proposal does not raise any planning issues in the consideration of the principle of this application. The applicant has argued in previous applications that there are businesses that operate from Kingstown and the additional opening hours would provide a facility to this sector of workers together with the drivers of heavy goods vehicle that park on the estate overnight, where there presently is none.
- 6.4 Planning policies allow flexibility of opening hours for food and drink establishments and in the case of this application, the main issue is therefore the potential impact on the occupiers of the neighbouring residential properties which is discussed in the following paragraphs.

#### **2. The Impact On The Occupiers Of Neighbouring Properties**

- 6.5 Although the site is located on the edge of an industrial estate, there are in the wider area, a number of residential properties, the closest of which are



324 and 326 Kingstown Road, which are approximately 114 metres from the east of the restaurant building and 63 metres from the closest point of the adjacent car park.

- 6.6 The application site is dissected from the nearby residential properties by Kingstown Road, which is a major arterial route leading from the north into the city. The question that arises is whether there would be a significant increase in traffic during the proposed extended opening hours; whether this would lead to a material increase in the level of noise generated; and whether this, in turn, would exceed the ambient noise levels. The application seeks consent to extend the opening hours for an extra two hours a day, an extra hour each end of the trading period. A balanced decision has to be made as to whether, during this relatively limited period, there would be a prejudicial and unacceptable effect on the living conditions on the occupiers of the residential properties.
- 6.7 It is accepted that the site is separated by a main arterial route into the City Centre but during the hours for which a variation is sought, traffic levels will be low compared to peak flows and therefore, ambient noise levels will be much reduced; however, there is sufficient distance between the application site and the neighbouring properties to suppress any noise transmission issues.
- 6.8 In previous applications to vary the planning condition, Officers in Environmental Protection Services (EPS) have stated that few complaints have been received regarding the business and those that have, relate mainly to the issue of litter discarded in the area. Further comments have been received in respect of the current proposal where it has been confirmed that the department still receives regular complaints of litter associated with the premises and increased trade may cause future problems. It has however been confirmed that no complaints have been received of noise nuisance emanating from the premises. EPS have indicated that they do not anticipate the increased trading hours to cause a noise nuisance unless there was a significant increase in trade as a result of the new access to the CNDR.
- 6.9 In relation to the impact of the CNDR on trading at McDonalds it is important to note that the purpose of the CNDR is to direct traffic away from Kingstown/Scotland Road. In such circumstances a refusal on the grounds of noise emanating from an increase in trade as a result of the new access to the CNDR could not be substantiated. The applicant has however provided sales figures for the three months before and after the road opened. These figures show that there has not been a significant increase in trade as a result of the CNDR. This application is a temporary consent and this situation can be reviewed in a year's time.
- 6.10 The development may not raise issues in terms of a statutory noise nuisance, however Members need to consider the general congregation of people and associated conversation noise, closing of car doors and general engine noise, together with the noise of air brakes from heavy goods vehicles which may also visit the site and the potential impact this may have on the living conditions of the occupiers of neighbouring properties through increased

noise and disturbance over and above the ambient noise levels. Clearly, Members must form a balanced view on this matter. The objectives of the policies require that the increased trading hours must not result in increased noise and disturbance during times when the occupiers of neighbouring properties can reasonably expect to enjoy peace and quiet. It is important to note that Cumbria Constabulary or EPS have not received any complaints regarding persistent gathering or motor vehicle nuisance from the site. Furthermore McDonalds is some distance from residential properties and the separation by Kingstown Road and the associated traffic, albeit at a reduced flow, must be a consideration. On balance, the proposal is considered acceptable in this respect.

### **3. Other Matters**

- 6.11 Objectors to this application have also raised the issue of litter that occurs locally and throughout the wider area that is discarded by patrons of the restaurant. Historically, there have been problems with litter from the restaurant and complaints have been made to EPS about this.
- 6.12 The applicants agent has provided a copy of the current litter patrol policies in place at McDonalds and the proposed policies that would be in place if the application was successful. At present there are dedicated members of staff employed to collect litter within a one mile radius of the site. The first trash walk is completed at 6am and covers two circular routes around the western periphery of the industrial estate (along Kingstown Road, Grearshill Road, Kingstown Broadway and part of Millbrook Road). A route around Kingstown Road and Grearshill Road is then patrolled at 10am, 2pm and 7pm with a final trash walk completed again at 8pm along the two circular routes. A maintenance man is also scheduled to look after the outside of the restaurant from 6am to 9pm and there are a number of litter bins scattered throughout the car park. The agent has also confirmed that there is a litter hotspot on Lowry Hill Road (which is tidied at least twice a week), litter patrol routes are reviewed every three months, neighbours are regularly asked if there are any concerns that need addressing and no mechanical equipment is used in the collection of the litter. The agent has indicated that if the application is successful a 5am and 11:30pm litter patrol would be introduced.
- 6.13 EPS have been consulted on the current/proposed litter policies and have indicated that McDonalds are appearing to make a reasonable effort to control waste outside their premises and the litter patrol policies outlined by the applicant agents are adequate. If Members are minded to approve the application it is recommended that a condition is imposed within the Decision Notice ensuring that the applicant adheres to the Litter Management Plan. Members are also reminded that the control of litter in the wider area can be dealt with via under the relevant Environmental Protection Acts.
- 6.14 Concerns have also been raised during the consultation period regarding the illegal parking of heavy goods vehicles on Kingstown Industrial Estate. Vehicles do park on the estate overnight but whether this is illegal, is not a planning matter and is not relevant to the consideration of this application.

- 6.15 The proposal has been considered against the provisions of the Human Rights Act 1998. Article 8 and Article 1 Protocol 1 are relevant but the impact of the development in these respects will be minimal and the separate rights of the individuals under this legislation will not be prejudiced. If it was to be alleged that there was conflict it is considered not to be significant enough to warrant the refusal of permission.

## **Conclusion**

- 6.16 In conclusion, the merits of this application are finely balanced. On the one hand, planning policies seek to encourage economic expansion and provision of shops and facilities to meet with the increasingly varied demand as society's needs change. The opposing view is the potential impact that the increase trading hours could have on the living conditions of the occupiers of the nearby residential properties as a result of unacceptable levels of noise and disturbance. The comments from EPS show that no complaints have been received in respect of noise nuisance and that it is not anticipated that noise complaints would be generated as a result of the proposed increase in trading hours. Cumbria Constabulary has also received no complaints regarding persistent gathering or motor vehicle nuisance.
- 6.17 As this application is seeking a temporary consent for a 12 month period which allows monitoring to take place and given the marginal increase in trading hours together with the presence of Kingstown Road that bisects the application site from the neighbouring residential properties, on balance the proposal will not conflict with current Local Plan policies and is considered to be acceptable.

## **7. Planning History**

- 7.1 Long and varied planning history the most relevant are:
- 7.2 In June 1997 (reference 97/0203), planning permission was granted for the erection of a restaurant (Class A3) together with associated drive through facility and ancillary staff storage and office accommodation including height restrictor barrier.
- 7.3 In March 2005 (reference 04/1570) planning permission was granted for the variation of condition 4 attached to planning consent 97/0203 to allow the premises to trade from 0630 until 2300 hours seven days a week.
- 7.4 In April 2005 (reference 05/0091) planning permission was granted for an extension to the front of the building to increase the restaurant floor area and extension to side to increase crew room floor area and new walled enclosure to rear to form storage area.
- 7.5 In July 2008 (reference 08/0059) planning permission was refused to vary condition 4 of planning permission 97/0203 to allow the restaurant to open between the hours of 6.30am to 11pm Sunday to Thursday, 6.30am Friday to 1am Saturday and 6.30am to 1am Sunday.

- 7.6 In 2010 (reference 09/1069) permission was granted for the refurbishment of the restaurant and patio area, with extension and changes to elevations; installation of customer order display.
- 7.7 In 2011 (reference 11/0079) planning consent was granted for the variation of condition 4 of 97/0203 to allow restaurant to open between the hours of 6am - midnight daily.

**8. Recommendation: Grant Permission**

1. The premises subject of this application shall only be open for trading between the hours of 05:00-01:00 for a maximum period of 12 months from the date of this permission unless in the meantime a further application has been submitted to and approved by the Local Planning Authority.

**Reason:** The Local Planning Authority wish to review the matter at the end of the limited period specified and to protect the living conditions of the occupiers of neighbouring properties in accordance with the objectives of Policy EC10 of the Carlisle District Local Plan 2001-2016.

2. The approved documents for this Planning Permission comprise:

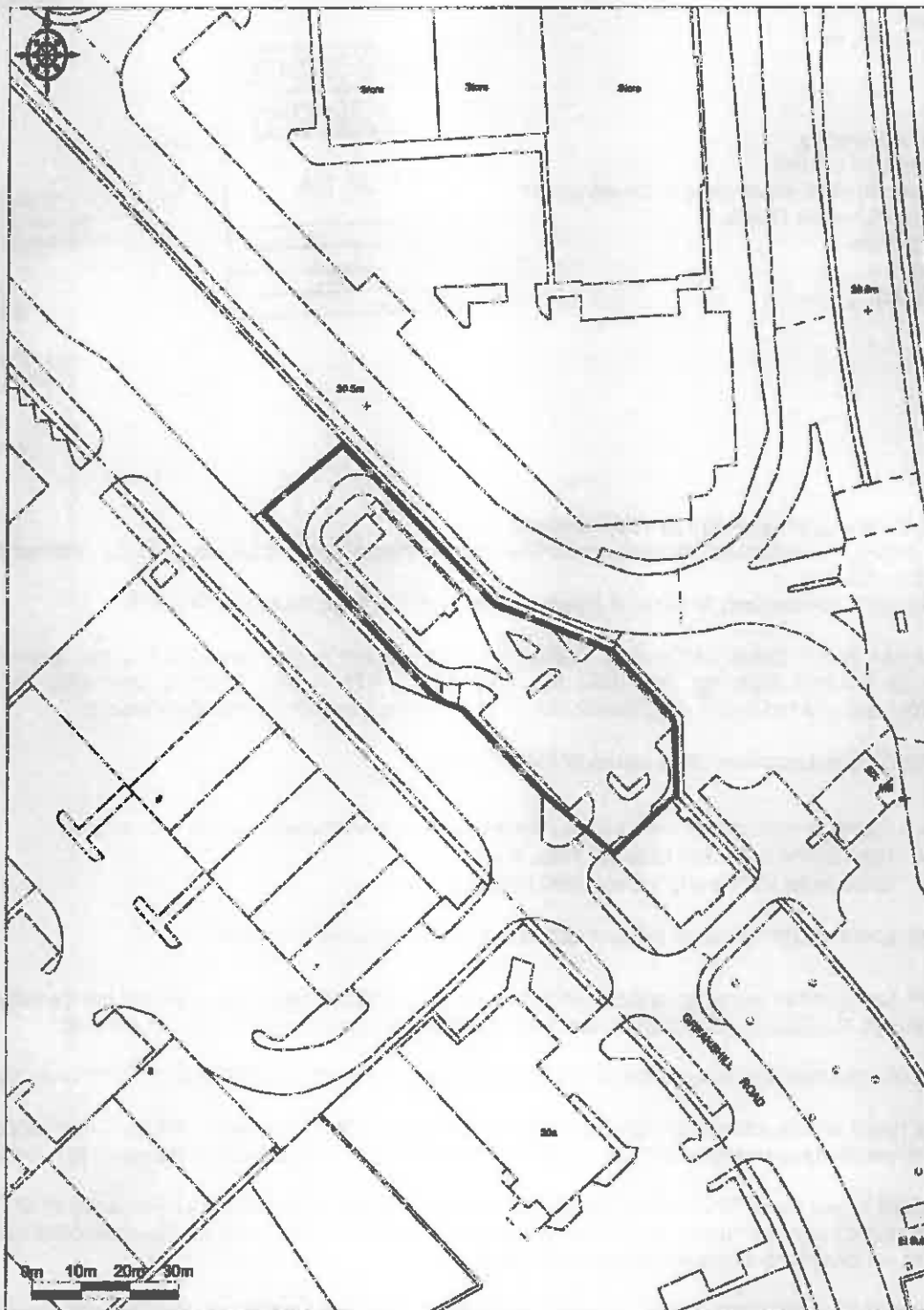
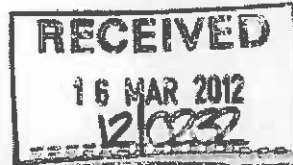
1. The Planning Application Form received 16th March 2012;
2. The Site Location Plan received 16th March 2012;
3. The Litter Management Plan outlined in Emails From The Agent received 25th April 2012 and 16th May 2012;
4. the Notice of Decision; and
5. any such variation as may subsequently be approved in writing by the Local Planning Authority.

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

3. The site shall be operated in accordance with the Litter Management Plan outlined in emails from the applicants agent dated 25th April 2012 and 16th May 2012.

**Reason:** To safeguard the visual amenities of the surrounding area in accordance with Policy EC10 of the Carlisle District Local Plan 2001-2016.

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# SAVHD01: Site Location Plan McDonald's Restaurant, Kingstown, Carlisle

13 March 2012  
L20120313BB.doc

Head of Planning  
Carlisle City Council  
Department of Environment and Development  
Planning Services Division  
Civic Centre  
Carlisle  
CA3 8QG

PLANNING SERVICES	
REF	12/0232
16 MAR 2012	
RECORDED	
SCANNED	
PASSED TO	SE
ACTION	

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VAT No. 2605138

Dear Sir

**Town & Country Planning Act 1990, Section 73**

**Application To Undertake Development Granted By Planning Permission 97/0203 Without Complying with Condition 4**

**McDonald's Restaurant, Grearshill Road, Kingstown, Carlisle, Cumbria CA3 0ET**

On behalf of our clients, McDonalds Restaurants Ltd, we enclose an application under Section 73 of the Town & Country Planning Act 1990 (as amended). This seeks planning permission to undertake development granted by planning permission 97/0203 without complying with Condition 4.

The application comprises three copies of the following:

- Planning application forms incorporating Cert B and Agricultural Holdings Certificate;
- Plan SAVHD01 – Site Location Plan; and
- Cheque for £170 being the required application fee.

Please acknowledge receipt of the application and enclosed fee in due course.

On 5<sup>th</sup> March 1997 planning application reference no. 97/0203 was approved for the development of a McDonald's Restaurant. Condition 4 restricted the opening hours of the Restaurant and read:

*"The premises shall not be open for trading except between the hours of 0700 and 2300 on any day".*

These hours were successfully varied in 2005 allowing the restaurant to open between the hours of 6.30 am - 11 pm seven days a week and again in 2011 allowing the restaurant to trade between 6 am – midnight.

On behalf of our client, McDonald's Restaurants Ltd, we hereby apply for the further variation of Condition 4 of planning decision reference no. 97/0203 to enable the McDonald's Restaurant to open between the hours of 5 am – 1 daily for a 12 month temporary period.

It is important to note that in 2007 the principle of 1 am was tested when the planning officer supported a 1 am extension by recommending that committee grant the application. Despite the recommendation, the application was refused by committee members who had reservations about the hours sought. In order to overcome the concerns of both members and local residents, this application only seeks planning permission



for a temporary period to allow monitoring. After the expiry of the temporary period, the restaurant will be required to revert back to its previously consented hours i.e. 6 am – midnight.

With regard to amenity issues, we can confirm that the nearest residential property is situated some 110 metres to the south east of the restaurant on Kingstown Road. Any increased noise from plant or vehicles will be negligible at this distance.

We look forward to discussing the application with you in due course, however, in the meantime should you have any queries or require any further information please contact me.

Yours faithfully

A handwritten signature in black ink, appearing to read "Baldi Basi".

Baldip Basi  
Senior Planner

Enc:





- First trash walk is completed at 6am and covers both the red & blue routes (takes 70-90 minutes to complete)
- The red route is patrolled at 10am, 2pm and 7pm
- Final trash walk is completed at 8pm to cover both the red & blue routes
- A maintenance man is scheduled to look after the outside of the restaurant from 6am to 9pm. In between completing the litter patrols they will ensure that the restaurant's car park and immediate area remains litter free
- The yellow area on the map has been highlighted as a litter hot spot and is tidied at least twice/week
- Neighbours are regularly asked if there are any areas of concern that need addressing
- Litter patrol routes are reviewed at least every three months

If our application was successful we would move the first patrol to 5am and consider a later evening patrol

## **SCHEDULE A: Applications with Recommendation**

12/0062

**Item No: 04**

**Date of Committee: 08/06/2012**

**Appn Ref No:**  
12/0062

**Applicant:**  
Mr Neil Fell

**Parish:**  
Wetheral

**Date of Receipt:**  
24/01/2012

**Agent:**  
Ice Renewables Limited

**Ward:**  
Wetheral

**Location:**

Wheelbarrow Hall Farm, Aglionby, Carlisle, CA4  
8AD

**Proposal:** Erection Of A Single Wind Turbine (275kW), 55m Hub Height, 71m To  
Tip Height And 32m Rotor Diameter And Associated Infrastructure

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### **REPORT**

**Case Officer:** Suzanne Edgar

#### **Summary**

One of the key principles of the NPPF is to support the transition to a low carbon future in a changing climate, encouraging the use of renewable resources. The NPPF indicates that Local Planning Authorities should approve renewable energy applications (unless material considerations indicate otherwise) if its impacts are, or can be made, acceptable.

The proposal is in accordance with the overall objectives of Government energy policy. This is in the context where Cumbria has a target of providing 247.5 MW by 2015 with actual provision standing at 143 MW (excluding small scale domestic turbines). The benefits include effective protection of the environment through the reduction of greenhouse gas emissions and the prudent use of natural resources by reducing reliance on fossil fuels. The proposed turbine will not have a significant impact upon the landscape, air safety, the setting of Hadrians Wall World Heritage Site or Grade II Listed Buildings, ecology/conservation, highway safety or on occupiers of neighbouring properties in terms of noise/flicker effect. The proposal would however have a significant detrimental impact upon the living conditions of the occupiers of Hedley Cross, Wheelbarrow Court and the properties on the northern end of Holme Fauld through an oppressive and dominant visual impact.

On balance it is considered that the significant harm that the proposed development would create to neighbouring properties would outweigh any benefits the application would bring. No suitable planning conditions could be imposed within a Decision Notice which would address this impact.

## **1. Recommendation**

- 1.1 It is recommended that this application is refused.

## **2. Main Issues**

- 2.1 The potential contribution of the scheme towards the generation of renewable energy
- 2.2 The impact of the proposed development on the landscape and visual character of the area including cumulative impacts
- 2.3 The impact on residential properties (noise and shadow flicker)
- 2.4 The impact on the setting of Hadrian's Wall World Heritage Site and on listed buildings
- 2.5 The impact on air safety with regard to Carlisle Airport and the Ministry Of Defence
- 2.6 The impact upon ecology and nature conservation
- 2.7 Other matters

## **3. Application Details**

### **The Site**

- 3.1 Wheelbarrow Hall Farm is located on the westernside of Holme Lane which is a track leading from the northern side of the A69 opposite the junction to Scotby village. The farm complex is located to the immediate north of Stone Eden Nursery School and to the west of Aglionby Grange and Rose Park. The M6 motorway is located approximately 600 metres to the west of the site and 300 metres to the south-west is Rosehill Henry Lonsdale Nursing home. The farmsteading is also situated approximately 240 metres north of the village of Scotby and 600 metres from Junction 43 of the M6.
- 3.2 The farmstead comprises a recently constructed farmhouse to the north with associated agricultural buildings which vary in age, design and materials to the south. The house associated with Stone Eden Nursery is Grade II Listed and the whole of the farm complex is located within the buffer zone of Hadrian's Wall World Heritage Site.
- 3.3 The land around the farm steading is relatively flat however the land falls away to the north towards the River Eden Floodplain. The land consists of open agricultural fields surrounded by mature hedgerows. To the west of the site there are a line of pylons that run parallel to the M6 motorway. There are also individual blocks of trees near Rosehill and the edge of the A69.

### **Background**

- 3.4 In 2009 (reference 09/0191) planning permission was granted for the installation of a 15 metre high wind monitoring mast for a period of three months. The monitoring mast was sited to the west of the farm complex.

## **The Proposal**

- 3.5 The application seeks permission for the erection of 1no. 275kW wind turbine, which will have two blades with a 32m rotor diameter, a hub height of 55m and a tip height of 71m. The turbine will be supported by eight guyed ropes anchored to four mounting points taking up an area of approximately 160m<sup>2</sup>. The applicant has indicated that a guyed rope solution allows for a thinner turbine tower to be used which is easier for access and maintenance.
- 3.6 A temporary access track to the turbine consisting of aluminium panels will be located from Holme Lane for use during construction.
- 3.7 The transformer and associated electrical equipment will be contained in a 2.5 metre high fenced compound at the base of the turbine which will have a total footprint of 21 square metres. The control house will have a footprint of 9 square metres and a total height of 3 metres. An underground cable would connect the substation to a DNO owned Switch Station (footprint 9.61 metres, total height 2.5 metres) located to the west of the farm steading. The route of the underground cable would be within land under the applicant's ownership.
- 3.8 The application is accompanied by a Planning Statement incorporating a Design and Access Statement, an extended Phase 1 Habitat Survey and Bat Risk Assessment, a Desk Top Bird Risk Assessment as well as Noise and Shadow Flicker Assessments.

## **4. Summary of Representations**

- 4.1 This application has been advertised by the display of a site notice, press notice and by means of notification letters sent out to all residential properties within a 600 metre radius of the application site (66 properties).
- 4.2 At the time of preparing the report 112 letters or e-mails have been received of which 43 are in support, 3 make comments and 66 raise objections. A petition containing 79 signatories has also been received as well as an objection letter from the Ward Councillor.
- 4.3 The letters/emails of support cover a number of matters and these are summarised as follows:
  - 1. The use of renewable energy is supported
  - 2. Wind turbines are more attractive than pylons
  - 3. The wind turbine will help achieve governments objectives on renewable energy
  - 4. Proposal will help to reduce the carbon footprint of the farm and is

essential for the farm's sustainability

5. It should be noted that those living nearest to the turbine have raised no objection
  6. There will be no adverse visual impact on the landscape as there are already pylons and M6 interrupting the landscape
  7. There will be no adverse impact in terms of noise/flicker effect
  8. No wildlife habitats will be damaged
  9. Environmental benefits outweigh any visual impact
  10. It should be noted that there are no objections from statutory consultees
  11. Turbine should be viewed as semi-permanent
  12. Proposal will provide employment in the local area
- 4.4 The letters of comment are summarised as follows: a neutral stance has been taken on the proposal; there is no objections to the building of the turbine and do not mind the proposal.
- 4.5 The objections cover a number of matters and these are summarised as follows.

#### LANDSCAPE AND VISUAL

1. Turbine is out of scale with existing man-made features in the area
2. Turbine will be unsightly, visually intrusive and will dominate the skyline
3. Inappropriate location and will destroy outlook from neighbouring properties
4. Set a precedent
5. Cumulative impact with existing pylons and the proposed Cumwhinton turbines to the south of Scotby village
6. Impact on the setting of Hadrian's Wall World Heritage Site
7. Impact on the setting of Listed Buildings
8. Impact of the flashing red lights required for air safety on the landscape

#### ECONOMIC

1. Impact on house prices
2. Query the amount and cost of power the wind farm will produce-unreliability of the wind supply
3. More suitable alternative green sources of energy
4. Not viable, only profitable due to huge subsidies
5. Only benefit is the applicant, no benefit to wider community

#### LIVING CONDITIONS/HEALTH

1. Already enough noise pollution from the A69 and M6
2. Increase in background noise will be intrusive and will have an adverse impact on the living conditions of neighbouring residents
3. Increases in noise, disruption, dust and traffic during construction
4. Health impacts from increased noise
5. Turbine will be too close to neighbouring properties
6. Turbine will be closer to properties than the turbines at Cumwhinton which were rejected on appeal

7. Proposal will be directly opposite residential properties and will be able to be seen from primary windows and from gardens
8. Impact of flicker effect
9. There is a Minimum Distance Bill going through Parliament
10. Too close to City of Carlisle
11. Turbine will have a negative impact on visual amenity
12. Effect on TV/radio reception
13. Safety impacts in cases of extreme weather

#### **ECOLOGY/CONSERVATION & ENVIRONMENT**

1. Effects on nature conservation generally as well as protected species such as bats and birds.

#### **HIGHWAY AND AVIATION SAFETY**

1. Impacts of blade, ice or other debris falling on to the nearby roads;
2. Impact on low flying aircraft
3. Driver distraction on the A69 and M6

#### **OTHER MATTERS**

1. Query on notification procedures;
  2. Decision should not be made until the outcome of the Newlands appeal
  3. Huge proportion of those supporting application have no connection to the locality
- 4.6 The Ward Councillor has raised no objection to the principle of renewable energy however he has raised objections to the current application on the grounds that the turbine is out of scale to its surroundings; is located in close proximity to residential properties and visual impact.
- 4.7 The main objections in the petition relate to: the size of the turbine; impact on property prices; impact on tourism; flicker effect; highway safety; the principle of the development and the efficiency of turbines as a source of renewable energy. It is also stated in the petition that 3 of the signatories are in favour, 3 have a neutral stance and 2 have no opinion. The signatures on the petition have been presented separately to the covering letter as such it is unclear whether those signatures were aware of the issues in the covering letter. In such an instance Members are advised to give little weight to the petition.

#### **5. Summary of Consultation Responses**

English Heritage - North West Region: - no objection with regard to the setting of Hadrian's Wall World Heritage Site;

Carlisle Airport: - following receipt of an aviation statement there is no objection subject to two conditions;

Hadrians Wall Heritage Limited: - no comments received;

Ministry of Defence/Defence Estates: - originally raised objections to the application on the grounds of unacceptable interference to the ATC radar at Spadeadam Berry Hill. Following a review of the application by technical advisors it has been confirmed that turbine is right on the cusp of the coverage area for Spadeadam, hence the discrepancy in the results. The technical advisors at the MOD have now lifted their original objection subject to a condition being imposed, if the turbine is approved, regarding aviation lighting

National Air Traffic Services: - no safeguarding objection;

Royal Society for the Protection of Birds: - on the basis that an adequate, albeit incomplete assessment has been carried out, the RSPB would not object to a turbine in this location. It is noted that a smaller turbine would however considerably reduce any risk to birds sensitive to wind farm developments;

Cumbria County Council - (Highway Authority): - no objections;

Wetheral Parish Council: - object as turbine is too close to residential properties; mast will be detrimental to the visual amenity of residents at Holme Fould, impact on the setting of Hadrian's Wall World Heritage Buffer Zone and visual impact. The Parish Council notes that a petition has been collected locally containing objections from 76 residents and they would be happy to re-consider an application for a mast sited further away from residential properties;

Joint Radio Co: - no objection;

(Former Comm/Env.Services) - Green Spaces - Countryside Officer - RURAL AREA: - no comment;

Natural England - Larger Schemes with Env.St & Designated Sites (SSSIs, SACs, SPAs, Ramsar Sites): - the proposal is close to the River Eden Site Of Special Scientific Interest (SSSI) and the River Eden Special Area of Conservation (SAC). It is Natural England's opinion that the proposed development will not materially or significantly affect the aforementioned sites. The proposal will not have any significant impacts on any other protected sites of interest to Natural England and Natural England are satisfied that there will not be any significant impacts on birds.

Cumbria Wildlife Trust: - no comments received;

Department for Transport (Highways Agency): - no objections;

Environmental Services: no objections.

## **6. Officer's Report**

### **Assessment**

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 6.2 As a result of the recent Cala Homes litigation, the Regional Spatial Strategy (RSS) remains in force and part of the development plan until the provisions of the Localism Act are enacted. A separate order is required to revoke the RSS; and until this takes place the RSS remains part of the Development Plan. For the purposes of the determination of this application, therefore, the development plan comprises the North West of England Plan (Regional Spatial Strategy to 2021); the “saved policies” of the Cumbria and Lake District Joint Structure Plan 2001-2016; and the Carlisle District Local Plan 2001-2016. The application also needs to be assessed against the Cumbria Strategic Partnership’s Sub Regional Spatial Strategy 2008 - 2028 (SRSpS), the Cumbria Landscape Character Guidance and Toolkit (2011), and the Cumbria Wind Energy Supplementary Planning Document (2007).
- 6.3 The National Planning Policy Framework (NPPF) which was adopted 27th March 2012 is also a material planning consideration in the determination of this application. The NPPF has a presumption in favour of sustainable development with 12 core planning principles which should underpin plan-making and decision-taking. Members should note that two of the core planning principles are to support the transition to a low carbon future in a changing climate, encouraging the use of renewable resources and recognising the intrinsic character and beauty of the countryside.
- 6.4 The NPPF indicates that when determining applications Local Planning Authorities should not require applicants to demonstrate the overall need for renewable energy and it should be recognised that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions. The NPPF indicates that Local Planning Authorities should approve the application (unless material considerations indicate otherwise) if its impacts are, or can be made, acceptable. The NPPF also states that in determining applications for wind energy development Planning Authorities should follow the approach set out in the National Policy Statement for Energy Infrastructure (read with the relevant sections of the Overarching National Policy Statement for Energy Infrastructure, including that on aviation impacts). The National Planning Policy Statement for Energy Infrastructure generally relates to large wind farms however it give guidance on technical considerations when dealing with onshore wind farms.
- 6.5 RSS Policy EM1 seeks to identify, protect, enhance and manage environmental assets. RSS Policy EM1(A) refers to the landscape and the need to identify, protect, maintain and enhance its natural, historic and other distinctive features. RSS Policy EM17 requires at least 15% of the electricity which is supplied within the Region to be provided from renewable energy sources by 2015 (rising to at least 20% by 2020). Criteria that should be taken into account in assessing renewable energy schemes include the impact on local amenity and the landscape.
- 6.6 JSP Policy R44 states that renewable energy schemes should be favourably



considered where there is no significant adverse effect on such matters as landscape character, local amenity, and highways. The policy also explains that the environmental, economic and energy benefits of renewable energy proposals should be given significant weight. JSP Policy E37 stipulates that development should be compatible with the distinctive characteristics and features of the landscape. The assessment of any proposal being based on visual intrusion or impact; scale in relation to the landscape and features; and remoteness and tranquillity. Policy E35 seeks to safeguard areas and features of nature conservation interest.

- 6.7 In terms of the Local Plan policies, Policy CP1 requires rural development proposals to conserve and enhance the special features and diversity of the different landscape character areas. Policy CP8 deals with renewable energy and is permissive subject to a number of criteria including that there is no unacceptable visual impact on the immediate and wider landscape; and any new structure would be sensitively incorporated into the surrounding landscape and respect the local landscape character. A development principle of the Cumbria Sub Regional Spatial Strategy 2008-2028 includes the promotion of decentralised renewable and low carbon energy sources.
- 6.8 A Supplementary Planning Document 'Cumbria Wind Energy', which sets out Guidelines for wind energy schemes and includes a Landscape Capacity Assessment, was adopted by the Council in September 2008.
- 6.9 Other material considerations include Circular 1/2003 "Safeguarding Aerodromes, Technical Sites and Military Explosives Storage Areas".
- 6.10 When assessing this application it is considered that there are six main issues, namely:
1. The potential contribution of the scheme towards the generation of renewable energy
  2. The impact of the proposed development on the landscape and visual character of the area including cumulative impacts
  3. The impact on residential properties (noise and shadow flicker)
  4. The impact on the setting of Hadrian's Wall World Heritage Site and on Listed Buildings
  5. The impact on air safety with regard to Carlisle Airport and the Ministry Of Defence
  6. The impact upon ecology and nature conservation
- 6.11 Addressing these issues in turn:
- 1. The Potential Contribution Of The Scheme Towards The Generation Of Renewable Energy**
- 6.12 As stated above the NPPF indicates that Local Planning Authorities should not require applications for energy development to demonstrate the overall need for renewable energy and should recognise that even small-scale projects provide a valuable contribution to cutting green house gas emissions.

- 6.13 Policy EM17 of the Regional Spatial Strategy (RSS) encourages the promotion and greater use of renewable energy sources and includes a target of having 15% of the region's electricity production from renewable sources by 2015 and rising to 20% in 2020. The sub-regional target for Cumbria is to have 15 - 21 onshore wind farms by 2010 with generating capacity of 210 MW increasing to 247.5 MW by 2015
- 6.14 The available records indicate that there are currently 17 onshore wind farms operating in Cumbria and seven more with consent with a total of 143 MW of generating capacity. In effect, the county target for 2010 has yet to be met and, at the current rate, the target for 2015 is unlikely to be met. This figure does not however include small-scale domestic turbines.
- 6.15 The current proposal would provide a total installed capacity of 275kW and will therefore provide a contribution to meeting energy needs both locally and nationally.

## **2. The Impact Of The Proposed Development On The Landscape And Visual Character Of The Area Including Cumulative Impacts**

- 6.16 As stated above, the NPPF indicates that Planning Authorities should approve applications if the impacts are, or can be made, acceptable. The NPPF explains that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. Paragraph 118 indicates that if significant harm resulting from a development cannot be avoided, adequately mitigated, or, as a last resort compensated for then planning permission should be refused. The NPPF also indicates that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Area of Outstanding Natural Beauty (AONBs).
- 6.17 Wheelbarrow Hall is not located within an AONB however the farm steading does fall within the Buffer Zone for Hadrian's Wall World Heritage Site with Grade II Listed Buildings located adjacent to Stone Eden Nursery and at Rosehill Henry Lonsdale Nursing Home.
- 6.18 It is important that a distinction is drawn between i) landscape impacts that relate to the characteristics of the landscape; and ii) visual impacts on receptor points (houses and rights of way etc) that relate to individual outlooks within that landscape. These issues are separately discussed as follows:
- 6.19 i) Landscape
- 6.20 The application site is within an area defined as category 5b – Low Farmland in the Cumbria Landscape Character Assessment. The Cumbria Wind Energy Supplementary Planning Document indicates that this landscape type has moderate landscape capacity to accommodate a small group of 3-5 turbines or exceptionally a large group of 6-9 turbines. As such it is clear that the proposed turbine is within the size limits suggested for this landscape type.

- 6.21 The site where the turbine is to be located comprises of relatively flat agricultural land however there are a number of man-made influences already within the landscape, notably the M6 corridor to the west of the site, the large pylons that run parallel to the M6 together with the A69 to the south. The site is also located close to the eastern periphery of Carlisle.
- 6.22 When considering impact on the landscape character the Council has taken independent landscape advice from Eden Environmental Ltd who has subsequently undertaken a Landscape and Visual Impact Assessment. This assessment notes that the site is an area of simple, open and flat farmland which is influenced by urban fringe and transport corridor elements. The assessment indicates that the proposed turbine would have a negligible adverse effect on the periphery of the visual envelope of the landscape to Hadrian's Wall as it would lie on the edge of the visual envelope which is already strongly influenced by the M6 motorway, pylons and the urban fringe of Carlisle. The assessment goes on to state that the presence of two lines of pylons (approximately 42 metres in height) already influences the sense of scale and the addition of a 71 metre (to tip) mast would increase the vertical scale within the landscape however the effect would be small in the context of the whole landscape type because of the presence of the existing pylons.
- 6.23 The assessment looked at whether the proposal would affect the sense of enclosure, the complexity of the landscape, characteristic of the land, the skyline, adjacent landscapes and sense of movement. It also noted that two bladed turbines are more noticeable than three bladed turbines.
- 6.24 On balance during the operation of the turbine the proposal was found not to have a significant landscape impact.
- 6.25 The report indicates that the impacts on the landscape during construction and decommissioning were also found to be no more noticeable or damaging to the landscape features and characteristics than every day farming operations.
- 6.26 In relation to cumulative impacts the report by Eden Environmental Ltd found that there is unlikely to be any significant cumulative impacts caused in combination with other wind farms particularly with regard to the small turbine at Low Wood and the turbines proposed at Newlands as there is unlikely to be any locations where all three turbines would be viewed simultaneously. It is possible that there could be simultaneous views from Linstock however the separation distances would make the magnitude of change very small.
- 6.27 The report concludes that the scheme would cause no significant adverse impacts upon landscape character. On this basis the impact of the proposal on the existing landscape is acceptable. It is however noted that the turbine would be required to be fitted with aviation lighting, as requested by the MOD, however based on the findings of the independent landscape report it is not considered that the lighting would cause a significant adverse impact on a landscape which already has a significant number of man-made influences.
- 6.28 ii) Visual Impact

- 6.29 With regards to visual impact it is important to make a distinction between something that is visible as opposed to being prominent and oppressive. A right to a view is not a material planning consideration.
- 6.30 In relation to the impact on the visual amenities of residential properties it is noted that there a number of residential properties situated within close proximity to the site.
- 6.31 As stated above independent advice from Eden Environmental Limited has been sought with regard to impact upon visual amenity. Eden Environmental Limited have subsequently undertaken fieldwork to record existing views for people living within 6km of the proposed turbine. It is noted that some of the properties located within this radius are located in open countryside, others within villages or large urban settlements to the east of Carlisle. The report indicates that people who live permanently in the study area have been given a high sensitivity to changes in views as they would have to live permanently with a change in view on a day-to-day basis. In general it has been noted that people living in scattered houses in the countryside have largely rural views of farmland some of which are limited by vegetation in/outside their own gardens. Because the land around the application site is relatively flat it is vegetation that limits some people's views opposed to farm buildings. It has been noted that people on the outskirts of villages often see their neighbours houses as well as farmland in view and those living in the centre of villages or housing clusters often have views dominated by other houses/gardens with limited views to the countryside.
- 6.32 The study undertaken by Eden Environmental Ltd indicates that the key effects on visual amenity would be experienced in close proximity to the turbine; in central and north Scotby and in houses near Wheelbarrow Hall. Of the people living here, some at the northern end of Scotby and near Wheelbarrow Hall would experience a significant adverse impact (i.e. the northern end of Holme Fauld, Wheelbarrow Court, Hedley Cross and the applicants own property). There would also be a moderate adverse impact on the occupiers of Aglionby Grange, 1-3 Holme Park, the cottage on the junction of Holme Lane, the inner properties of Holme Fauld and Scotby Grange. The report predicts that significant adverse effects would be experience by people in 21 properties. It is noted that a application has been approved for a replacement dwelling at The Lodge House, Aglionby Grange. This however has no primary windows facing the development and the impact on this property is still considered to be a slight adverse impact.
- 6.33 It is noted that the properties that have been identified as been significantly affected by the proposal (Holme Fauld, Wheelbarrow Court and Hedley Cross) are located at different distances from the turbine; 500 metres, 390 metres and 400 metres respectively. The applicants own property is located 240 metres from the turbine however this is associated with the proposal. Due to the separation distances between the proposed turbine and the aforementioned non-associated properties the proposal would appear uncomfortably close and would be viewed from the primary windows of these properties with little intervening landscaping that would screen a structure of

such height.

- 6.34 The applicant has offered to provide additional landscaping however no landscaping would be sufficient to screen a structure of 71 metres to tip. Having regard to the Inspectors decision in the Newlands appeal, 15th March 2010 (where 115 metre high turbines to tip were refused due to distances between 420-650 metres away from residential properties) it is considered that the proposed turbine would be too close to dwellings, would appear dominant and overpowering from the principle windows of these dwellings thus having a significant detrimental effect on the living conditions of the occupiers of these properties.

### **3. The Impact On Residential Properties (Noise And Shadow Flicker)**

- 6.35 The NPPF indicates that planning decision should aim to avoid noise giving rise to significant adverse impacts on health and quality of life. The NPPF also indicates that in determining planning applications for wind energy planning authorities should follow the approach set out in the National Policy Statement For Renewable Energy Infrastructure (read with relevant sections of the Overarching National Policy Statement For Energy Infrastructure). The aforementioned documents indicate that the impact of noise from a wind farm should be assessed using "The Assessment And Rating Of Noise From Wind Farms (ETSU-97)".
- 6.36 The recommended absolute noise levels within ETSU-R-97 cover two time periods: i) the quiet daytime period (defined as between 18.00 and 23.00 hours during the normal working week, between 13.00 and 23.00 hours on a Saturday and all day during Sunday, 07.00 to 23.00 hours); and ii) the night-time period (defined as between 23.00 and 07.00 hours). The absolute limit within ETSU-R-97( in low noise environments) lies between levels of 35 to 40 dB at LA90, 10 min day time level. The guidance in ETSU-R-97states that noise limits from wind farms should be limited to 5dB (A) above background noise levels for day/night time with the exception of low noise environments.
- 6.37 A Noise Impact Assessment has been undertaken for the proposed development which indicates that the existing background noise levels at the three nearest noise sensitive receptors (Aglionby Grange, Rose Hill Care Home and Wheelbarrow Hall). Predicted noise levels of the turbine at each receptor location has also been submitted. The report has concluded that the noise levels at all receptors would meet the requirements of ETSU-R-97 as the noise levels at all receptors would not exceed the background noise levels. Environmental Services have been consulted on this information and have raised no objections.
- 6.38 In relation to the above the Noise Levels generated by the proposed turbine are deemed acceptable and would not have an adverse impact upon the occupiers of any surrounding residential properties to warrant refusal of the application. If Members are minded to approve the application it is recommended that a condition is imposed within the Decision Notice controlling noise in accordance with the guidance contained in ETSU-R-97.

- 6.39 Shadow flicker is an effect that can occur when the shadow of a moving wind turbine blade passes over a small opening briefly reducing the intensity of light within the room. It is recognised as being capable of giving rise to two potential categories of effects: health effects and amenity effects. In terms of health effects, the operating frequency of the wind turbine is relevant in determining whether or not shadow flicker can cause health effects in human beings. The proposed turbine will have an operating frequency of 47rpm (at high wind speeds) which is significantly less than the frequency capable of giving rise to health effects.
- 6.40 Research and computer modelling on flicker effects have demonstrated that there is unlikely to be a significant impact at distances greater than ten rotor diameters from a turbine (i.e. 320 metres in this case). The companion guide to PPS22 which is still relevant in terms of flicker effect indicates that in the UK only properties within 130 degree either side of north, relative to a turbine can be affected by Flicker Effect. Five properties including that of the applicants fall within this radius. A Shadow Flicker Assessment has however been submitted which is a worst case scenario not accounting for trees or other obstructions that intervene between the receptor and turbine. The survey has found that only one property would experience up to thirty minutes of shadow flicker a day which is the applicant's own dwelling and no dwellings would experience more than 26 minutes of shadow flicker per day and 18 hours in any one year. Whilst other European Countries have guidelines of 30 hours per year and 30 minutes per day for acceptable levels of shadow flicker, there is no guidance for England. The affects of shadow flicker are however easy to mitigate for example by shutting down the relevant turbine during periods when it could occur. As the impact of shadow flicker can be controlled by the imposition of a suitably worded condition it is not considered that the proposal would cause a sufficient harm to the living conditions of neighbouring residents with regard to shadow flicker to refuse the application on this basis.

#### **4. The Impact On The Setting of Hadrian's Wall World Heritage Site and Grade II Listed Building**

- 6.41 As stated above the proposed development is situated within the buffer zone of Hadrian's Wall World Heritage Site. The Independent Landscape Assessment has indicated that the proposal will not have an adverse impact on the setting of the World Heritage Site. English Heritage has also been consulted on the proposal and has raised no objections.
- 6.42 The Rosehill Henry Lonsdale Nursing Home and the property associated with Stone Eden Nursery are Grade II Listed located approximately 300 metres to the south-west and south-east (respectively) from the application site. The Councils Heritage Officer has been consulted on the application and has confirmed that the proposal would not affect the setting of the nearby listed buildings.
- 6.43 In such circumstances the proposal will not have an adverse impact upon the setting of Hadrian's Wall World Heritage Site or Grade II listed buildings

situated close to the application site.

## **5. Air Safety: Carlisle Airport And Ministry Of Defence**

- 6.44 Following receipt of a detailed aviation assessment the Airport have confirmed no objection to the proposal.
- 6.45 The Ministry Of Defence (MOD) originally raised objections to the application on the grounds of unacceptable interference to the ATC radar at Spadeadam Berry Hill. The application was however referred back to the technical advisors at the MOD who have revised the details and have confirmed that the turbine is right on the cusp of the coverage area for Spadeadam, hence the discrepancy in the results. The technical advisors at the MOD have now lifted their original objection. The MOD have however confirmed that in the interests of air safety the turbine, if approved, should be fitted with aviation lighting (i.e. 25 candela omni-directional red lighting or infrared lighting with an optimised flash pattern of 60 flashes per minute of 200ms to 500ms duration at the highest practicable point).
- 6.46 In relation to the above, the proposed development is unlikely to have an adverse impact upon air safety.

## **6. Impact Upon Local Ecology And Nature Conservation**

- 6.47 When considering whether the proposal safeguards the biodiversity and ecology of the area it is recognised that Local Planning Authorities must have regard to the requirements of the EC Habitats Directive (92/43/EEC) when determining a planning application as prescribed by regulation 3 (4) of the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended), and Article 16 of the Habitats Directive before planning permission is granted. Article 16 of the Directive indicates that if there is reasonable likelihood of a European protected species being present then derogation may be sought when there is no satisfactory alternative and that the proposal will not harm the favourable conservation of the protected species and their habitat. In this case, the proposal relates to the siting of a wind turbine within agricultural land currently used as grazing. The application includes no hedgerow removal and will be located approximately 41 metres from the nearest hedge.
- 6.48 Breeding birds, swan and hares have been highlighted within the vicinity. An extended Phase 1 Habitat Survey and Bat Risk Assessment has been submitted by Marishal Thompson Group to accompany the planning application which indicates that the site has a low potential value for foraging and a negligible bat roost potential as the site has wide open fields, poor boundary hedges and associated planting. The survey also found that there were no specially protected schedule 1 birds/breeding habitats; no evidence of badgers using the site; and that the site had no suitable features for water vole, otters, great crested newts, reptiles or other fauna.
- 6.49 A Desk Based Bird Assessment has also been submitted at the request of the RSPB. This report indicates that the hedgerows and buildings on site can be valued as providing feeding/nesting opportunities for birds and the

construction of the turbine could cause disturbance to nesting birds therefore mitigation measures should be in place regarding timing of works. The report concludes that the turbine would be unlikely to impact on bird species due to absence of records of bird species regarded to be at risk from motor collision and the habitats on site being of a reduced value for such species. The assessment also indicated that the proposal would not have an adverse impact upon wetland birds due to lack of suitable habitat.

- 6.50 The RSPB has been consulted on the application and has indicated that the analysis of birds likely to be displaced or collide with turbines in the Desk Based Bird Assessment is weak and not well evidenced. The RSPB has also indicated that some of the statements regarding birds likely to collide with the turbine is inaccurate. Despite, the inaccuracies within the assessment the RSPB has however indicated no objection to the proposal. Natural England have also raised no objections.
- 6.51 Taking into account the proposed development, its location and surroundings it is considered that there should be no significant effects from the proposal, and that there would be no harm to the favourable conservation of any protected species or their habitats. If Members are minded to approve the application it is recommended that advisory notes are imposed within the Decision Notice with regard to protected species and a condition is imposed within the Decision Notice regarding no construction works during the breeding bird season.

#### **Other Matters**

- 6.52 It is appreciated that other issues can arise when considering a proposed turbine including signal interference but based on the size of the proposed turbine, the accompanying information and the turbines location, it is not considered that they are of sufficient weight to influence the outcome of the proposal. Furthermore, impact of the proposal on house prices is not a material planning consideration.
- 6.53 The proposal has been considered against the provisions of the Human Rights Act 1998. Article 8 and Article 1 Protocol 1 are relevant but, based on the foregoing; it is not considered that any personal considerations out-weigh the harm created by the development.

#### **Conclusion**

- 6.54 The proposed turbine would produce energy from a renewable source which would not have a significant impact upon the landscape, the setting of Hadrians Wall World Heritage Site or Listed Buildings, air safety, ecology/conservation, highway safety or on occupiers of neighbouring properties in terms of noise/flicker effect. The proposal would however have a significant detrimental impact upon the living conditions of the occupiers of Hedley Cross, Wheelbarrow Court and the properties on the northern end of Holme Fauld through an oppressive and dominant visual impact.
- 6.55 The NPPF indicates that Local Planning Authorities should approve



renewable energy applications (unless material considerations indicate otherwise) if its impacts are, or can be made, acceptable. On balance it is considered that the significant harm that the proposal would create to the living conditions of the occupiers of Hedley Cross, Wheelbarrow Court and the properties on the northern end of Holme Fauld in terms of a dominant and oppressive visual impact would outweigh any benefits the application would bring. In such circumstances the proposed development is recommended for refusal as it would be contrary to Policy R44 of the Cumbria and Lake District Joint Structure Plan 2001-2016 and the objectives of Policies CP6, CP8 of the Carlisle District Local Plan 2001-2016.

## **7. Planning History**

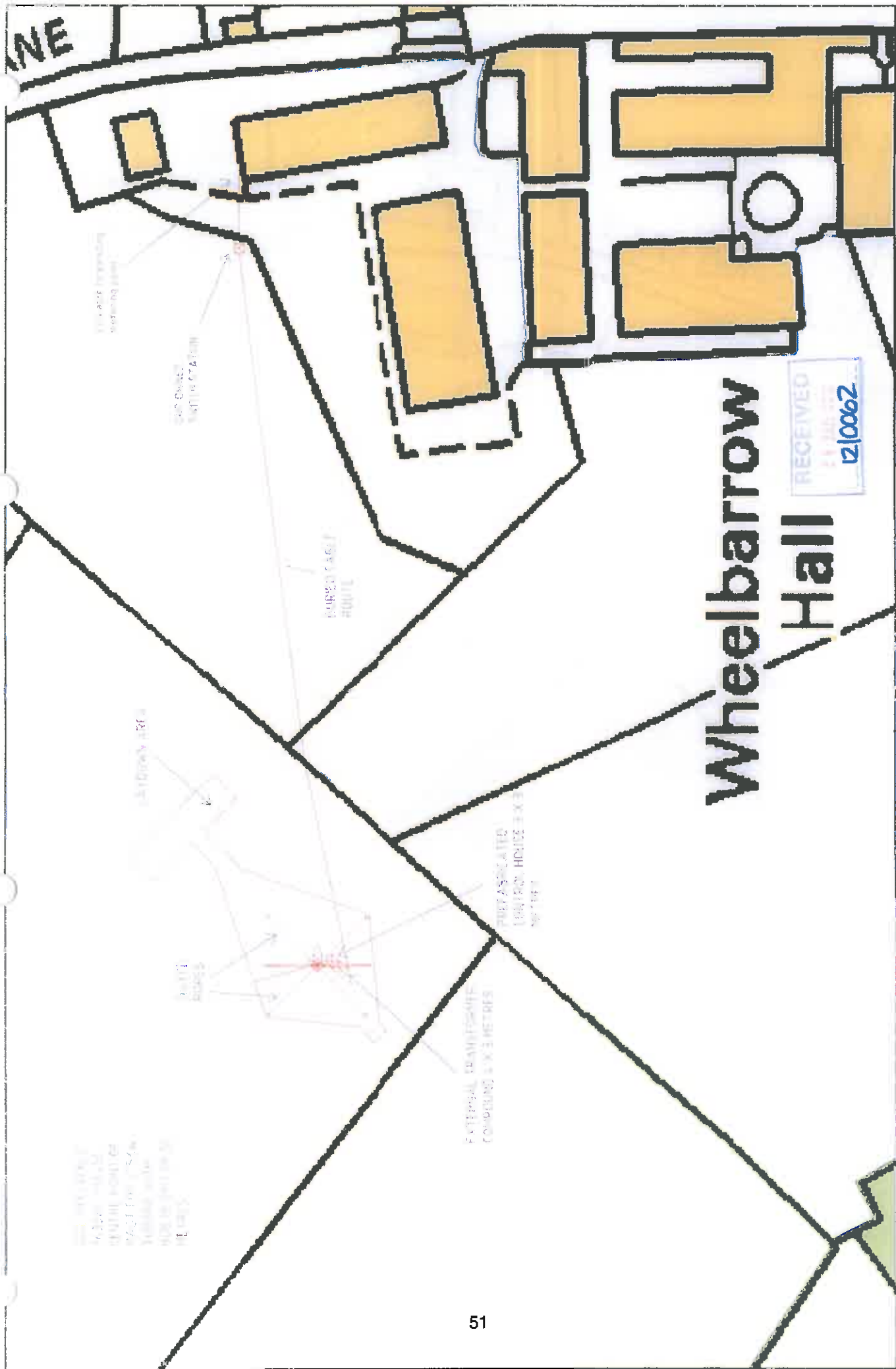
- 7.1 The site has an extensive planning history, the most relevant is as follows:
- 7.2 In 2009 (09/0191) Full Planning Permission was granted for the installation of a 15m wind mast for a period of 3 months.

## **8. Recommendation: Refuse Permission**

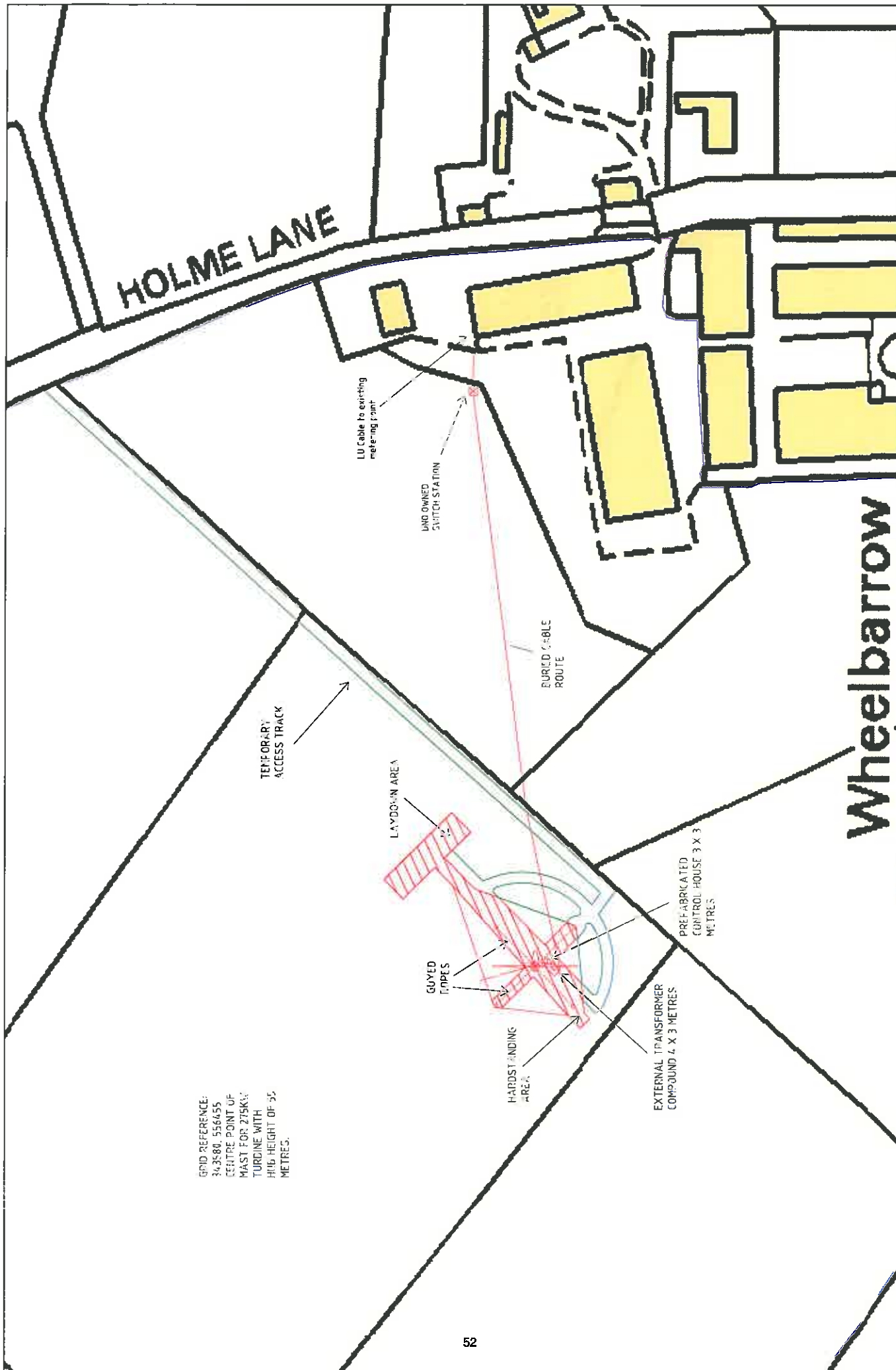
**Reason:** The application site occupies a prominent position close to the urban edge of Carlisle and in very close proximity to the village of Scotby and other residential properties. The proposed turbine due to its size and position will form an oppressive and dominant presence to the detriment of the living conditions of the occupiers of residential properties, with particular regard to Hedley Cross, Wheelbarrow Court and the dwellings on the northern side of Holme Fauld. The proposal is therefore considered to be contrary to Policy R44 of the Cumbria and Lake District Joint Structure Plan 2001-2016 and the objectives of Policies CP6, CP8 of the Carlisle District Local Plan 2001-2016.

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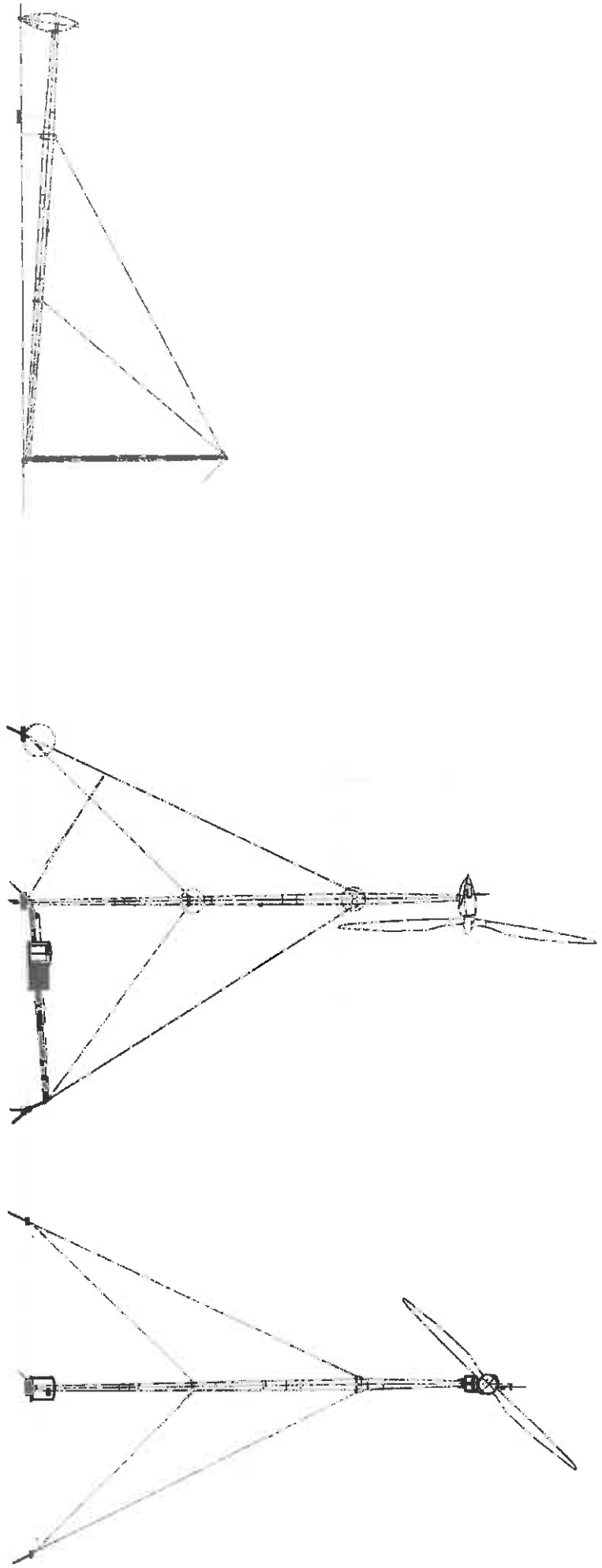
ICE	Tel: +44 (0) 1609 74993	ICE Renewables Ltd.	REV 2	REV 1	REV 0	REV	REV 1	REV 2	REV 3	REV 4	REV 5	REV 6	REV 7	REV 8	REV 9	REV 10	REV 11	REV 12	REV 13	REV 14	REV 15	REV 16	REV 17	REV 18	REV 19	REV 20	REV 21	REV 22	REV 23	REV 24	REV 25	REV 26	REV 27	REV 28	REV 29	REV 30	REV 31	REV 32	REV 33	REV 34	REV 35	REV 36	REV 37	REV 38	REV 39	REV 40	REV 41	REV 42	REV 43	REV 44	REV 45	REV 46	REV 47	REV 48	REV 49	REV 50	REV 51	REV 52	REV 53	REV 54	REV 55	REV 56	REV 57	REV 58	REV 59	REV 60	REV 61	REV 62	REV 63	REV 64	REV 65	REV 66	REV 67	REV 68	REV 69	REV 70	REV 71	REV 72	REV 73	REV 74	REV 75	REV 76	REV 77	REV 78	REV 79	REV 80	REV 81	REV 82	REV 83	REV 84	REV 85	REV 86	REV 87	REV 88	REV 89	REV 90	REV 91	REV 92	REV 93	REV 94	REV 95	REV 96	REV 97	REV 98	REV 99	REV 100	REV 101	REV 102	REV 103	REV 104	REV 105	REV 106	REV 107	REV 108	REV 109	REV 110	REV 111	REV 112	REV 113	REV 114	REV 115	REV 116	REV 117	REV 118	REV 119	REV 120	REV 121	REV 122	REV 123	REV 124	REV 125	REV 126	REV 127	REV 128	REV 129	REV 130	REV 131	REV 132	REV 133	REV 134	REV 135	REV 136	REV 137	REV 138	REV 139	REV 140	REV 141	REV 142	REV 143	REV 144	REV 145	REV 146	REV 147	REV 148	REV 149	REV 150	REV 151	REV 152	REV 153	REV 154	REV 155	REV 156	REV 157	REV 158	REV 159	REV 160	REV 161	REV 162	REV 163	REV 164	REV 165	REV 166	REV 167	REV 168	REV 169	REV 170	REV 171	REV 172	REV 173	REV 174	REV 175	REV 176	REV 177	REV 178	REV 179	REV 180	REV 181	REV 182	REV 183	REV 184	REV 185	REV 186	REV 187	REV 188	REV 189	REV 190	REV 191	REV 192	REV 193	REV 194	REV 195	REV 196	REV 197	REV 198	REV 199	REV 200	REV 201	REV 202	REV 203	REV 204	REV 205	REV 206	REV 207	REV 208	REV 209	REV 210	REV 211	REV 212	REV 213	REV 214	REV 215	REV 216	REV 217	REV 218	REV 219	REV 220	REV 221	REV 222	REV 223	REV 224	REV 225	REV 226	REV 227	REV 228	REV 229	REV 230	REV 231	REV 232	REV 233	REV 234	REV 235	REV 236	REV 237	REV 238	REV 239	REV 240	REV 241	REV 242	REV 243	REV 244	REV 245	REV 246	REV 247	REV 248	REV 249	REV 250	REV 251	REV 252	REV 253	REV 254	REV 255	REV 256	REV 257	REV 258	REV 259	REV 260	REV 261	REV 262	REV 263	REV 264	REV 265	REV 266	REV 267	REV 268	REV 269	REV 270	REV 271	REV 272	REV 273	REV 274	REV 275	REV 276	REV 277	REV 278	REV 279	REV 280	REV 281	REV 282	REV 283	REV 284	REV 285	REV 286	REV 287	REV 288	REV 289	REV 290	REV 291	REV 292	REV 293	REV 294	REV 295	REV 296	REV 297	REV 298	REV 299	REV 300	REV 301	REV 302	REV 303	REV 304	REV 305	REV 306	REV 307	REV 308	REV 309	REV 310	REV 311	REV 312	REV 313	REV 314	REV 315	REV 316	REV 317	REV 318	REV 319	REV 320	REV 321	REV 322	REV 323	REV 324	REV 325	REV 326	REV 327	REV 328	REV 329	REV 330	REV 331	REV 332	REV 333	REV 334	REV 335	REV 336	REV 337	REV 338	REV 339	REV 340	REV 341	REV 342	REV 343	REV 344	REV 345	REV 346	REV 347	REV 348	REV 349	REV 350	REV 351	REV 352	REV 353	REV 354	REV 355	REV 356	REV 357	REV 358	REV 359	REV 360	REV 361	REV 362	REV 363	REV 364	REV 365	REV 366	REV 367	REV 368	REV 369	REV 370	REV 371	REV 372	REV 373	REV 374	REV 375	REV 376	REV 377	REV 378	REV 379	REV 380	REV 381	REV 382	REV 383	REV 384	REV 385	REV 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1120	REV 1121	REV 1122	REV 1123	REV 1124	REV 1125	REV 1126	REV 1127	REV 1128	REV 1129	REV 1130	REV 1131	REV 1132	REV 1133	REV 1134	REV 1135	REV 1136	REV 1137	REV 1138	REV 1139	REV 1140	REV 1141	REV 1142	REV 1143	REV 1144	REV 1145	REV 1146	REV 1147	REV 1148	REV 1149	REV 1150	REV 1151	REV 1152	REV 1153	REV 1154	REV 1155	REV 1156	REV 1157	REV 1158	REV 1159	REV 1160	REV 1161	REV 1162	REV 1163	REV 1164	REV 1165	REV 1166	REV 1167	REV 1168	REV 1169	REV 1170	REV 1171	REV 1172	REV 1173	REV 1174	REV 1175	REV 1176	REV 1177	REV 1178	REV 1179	REV 1180	REV 1181	REV 1182	REV 1183	REV 1184	REV 1185	REV 1186	REV 1187	REV 1188	REV 1189	REV 1190	REV 1191	REV 1192	REV 1193	REV
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GRID REFERENCE:  
343580, 556455  
CENTRE POINT OF  
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HIGH HEIGHT OF 55  
METRES.

ICE Renewables Ltd. Crabtree Hall Business Centre North Yorkshire YO17 9LN		REV 2	REV 1	REV 0	ORIGIN	NP	03.05.2011	JB	PJR	TITLE: Site Access Layout Plan	SHEET 1
Tel: +44 (0) 1659 749093 E-mail: <a href="mailto:enquiries@icerenewables.com">enquiries@icerenewables.com</a> Web site: <a href="http://www.icerenewables.com">www.icerenewables.com</a>		Alteration		by	date	checked	approved	CLIENT: Mr. Neil Fell		PROJECT: 048 ICE REF: 11-048-	of
ICE		REV								SCALE: 1:1250 at A3	SHEET 1





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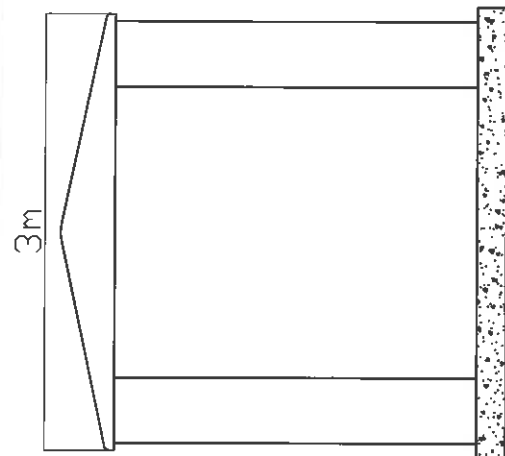
 <div>ICE 14, 14 N 100 1000 East of the main road 14, 14 N 100 1000 14, 14 N 100 1000</div>										ICE Renewables Ltd. Crested Hill Business Centre North, Yorkshire DL7 8LN									
REV 2										TITLE Elevations		SHEET							
REV 1											CLIENT	of							
REV 0	ORIGIN	JB	11/02/2011	PJR	PJR	PROJECT	ICE REF					SHEET 1							
REV	Altera	by	date	checked	approved	APPENDIX	SCALE 1:500 a												



Building Colour - Standard 'Dark Green' approx.  
B.S. 4800 (12.B.27).

 102 Resources Ltd. Control and Analysis Centre 100 North Toronto Rd. #100 Tel. 444 88 1888 749185	REV3	Drawn	By	Checked	By	Approved	By	REF2	REF3	REF4	REF5	REF6	REF7	REF8	REF9	REF10	REF11	REF12	REF13	REF14	REF15	REF16	REF17	REF18	REF19	REF20	REF21	REF22	REF23	REF24	REF25	REF26	REF27	REF28	REF29	REF30	REF31	REF32	REF33	REF34	REF35	REF36	REF37	REF38	REF39	REF40	REF41	REF42	REF43	REF44	REF45	REF46	REF47	REF48	REF49	REF50	REF51	REF52	REF53	REF54	REF55	REF56	REF57	REF58	REF59	REF60	REF61	REF62	REF63	REF64	REF65	REF66	REF67	REF68	REF69	REF70	REF71	REF72	REF73	REF74	REF75	REF76	REF77	REF78	REF79	REF80	REF81	REF82	REF83	REF84	REF85	REF86	REF87	REF88	REF89	REF90	REF91	REF92	REF93	REF94	REF95	REF96	REF97	REF98	REF99	REF100	REF101	REF102	REF103	REF104	REF105	REF106	REF107	REF108	REF109	REF110	REF111	REF112	REF113	REF114	REF115	REF116	REF117	REF118	REF119	REF120	REF121	REF122	REF123	REF124	REF125	REF126	REF127	REF128	REF129	REF130	REF131	REF132	REF133	REF134	REF135	REF136	REF137	REF138	REF139	REF140	REF141	REF142	REF143	REF144	REF145	REF146	REF147	REF148	REF149	REF150	REF151	REF152	REF153	REF154	REF155	REF156	REF157	REF158	REF159	REF160	REF161	REF162	REF163	REF164	REF165	REF166	REF167	REF168	REF169	REF170	REF171	REF172	REF173	REF174	REF175	REF176	REF177	REF178	REF179	REF180	REF181	REF182	REF183	REF184	REF185	REF186	REF187	REF188	REF189	REF190	REF191	REF192	REF193	REF194	REF195	REF196	REF197	REF198	REF199	REF200	REF201	REF202	REF203	REF204	REF205	REF206	REF207	REF208	REF209	REF210	REF211	REF212	REF213	REF214	REF215	REF216	REF217	REF218	REF219	REF220	REF221	REF222	REF223	REF224	REF225	REF226	REF227	REF228	REF229	REF230	REF231	REF232	REF233	REF234	REF235	REF236	REF237	REF238	REF239	REF240	REF241	REF242	REF243	REF244	REF245	REF246	REF247	REF248	REF249	REF250	REF251	REF252	REF253	REF254	REF255	REF256	REF257	REF258	REF259	REF260	REF261	REF262	REF263	REF264	REF265	REF266	REF267	REF268	REF269	REF270	REF271	REF272	REF273	REF274	REF275	REF276	REF277	REF278	REF279	REF280	REF281	REF282	REF283	REF284	REF285	REF286	REF287	REF288	REF289	REF290	REF291	REF292	REF293	REF294	REF295	REF296	REF297	REF298	REF299	REF300	REF301	REF302	REF303	REF304	REF305	REF306	REF307	REF308	REF309	REF310	REF311	REF312	REF313	REF314	REF315	REF316	REF317	REF318	REF319	REF320	REF321	REF322	REF323	REF324	REF325	REF326	REF327	REF328	REF329	REF330	REF331	REF332	REF333	REF334	REF335	REF336	REF337	REF338	REF339	REF340	REF341	REF342	REF343	REF344	REF345	REF346	REF347	REF348	REF349	REF350	REF351	REF352	REF353	REF354	REF355	REF356	REF357	REF358	REF359	REF360	REF361	REF362	REF363	REF364	REF365	REF366	REF367	REF368	REF369	REF370	REF371	REF372	REF373	REF374	REF375	REF376	REF377	REF378	REF379	REF380	REF381	REF382	REF383	REF384	REF385	REF386	REF387	REF388	REF389	REF390	REF391	REF392	REF393	REF394	REF395	REF396	REF397	REF398	REF399	REF400	REF401	REF402	REF403	REF404	REF405	REF406	REF407	REF408	REF409	REF410	REF411	REF412	REF413	REF414	REF415	REF416	REF417	REF418	REF419	REF420	REF421	REF422	REF423	REF424	REF425	REF426	REF427	REF428	REF429	REF430	REF431	REF432	REF433	REF434	REF435	REF436	REF437	REF438	REF439	REF440	REF441	REF442	REF443	REF444	REF445	REF446	REF447	REF448	REF449	REF450	REF451	REF452	REF453	REF454	REF455	REF456	REF457	REF458	REF459	REF460	REF461	REF462	REF463	REF464	REF465	REF466	REF467	REF468	REF469	REF470	REF471	REF472	REF473	REF474	REF475	REF476	REF477	REF478	REF479	REF480	REF481	REF482	REF483	REF484	REF485	REF486	REF487	REF488	REF489	REF490	REF491	REF492	REF493	REF494	REF495	REF496	REF497	REF498	REF499	REF500	REF501	REF502	REF503	REF504	REF505	REF506	REF507	REF508	REF509	REF510	REF511	REF512	REF513	REF514	REF515	REF516	REF517	REF518	REF519	REF520	REF521	REF522	REF523	REF524	REF525	REF526	REF527	REF528	REF529	REF530	REF531	REF532	REF533	REF534	REF535	REF536	REF537	REF538	REF539	REF540	REF541	REF542	REF543	REF544	REF545	REF546	REF547	REF548	REF549	REF550	REF551	REF552	REF553	REF554	REF555	REF556	REF557	REF558	REF559	REF560	REF561	REF562	REF563	REF564	REF565	REF566	REF567	REF568	REF569	REF570	REF571	REF572	REF573	REF574	REF575	REF576	REF577	REF578	REF579	REF580	REF581	REF582	REF583	REF584	REF585	REF586	REF587	REF588	REF589	REF590	REF591	REF592	REF593	REF594	REF595	REF596	REF597	REF598	REF599	REF600	REF601	REF602	REF603	REF604	REF605	REF606	REF607	REF608	REF609	REF610	REF611	REF612	REF613	REF614	REF615	REF616	REF617	REF618	REF619	REF620	REF621	REF622	REF623	REF624	REF625	REF626	REF627	REF628	REF629	REF630	REF631	REF632	REF633	REF634	REF635	REF636	REF637	REF638	REF639	REF640	REF641	REF642	REF643	REF644	REF645	REF646	REF647	REF648	REF649	REF650	REF651	REF652	REF653	REF654	REF655	REF656	REF657	REF658	REF659	REF660	REF661	REF662	REF663	REF664	REF665	REF666	REF667	REF668	REF669	REF670	REF671	REF672	REF673	REF674	REF675	REF676	REF677	REF678	REF679	REF680	REF681	REF682	REF683	REF684	REF685	REF686	REF687	REF688	REF689	REF690	REF691	REF692	REF693	REF694	REF695	REF696	REF697	REF698	REF699	REF700	REF701	REF702	REF703	REF704	REF705	REF706	REF707	REF708	REF709	REF710	REF711	REF712	REF713	REF714	REF715	REF716	REF717	REF718	REF719	REF720	REF721	REF722	REF723	REF724	R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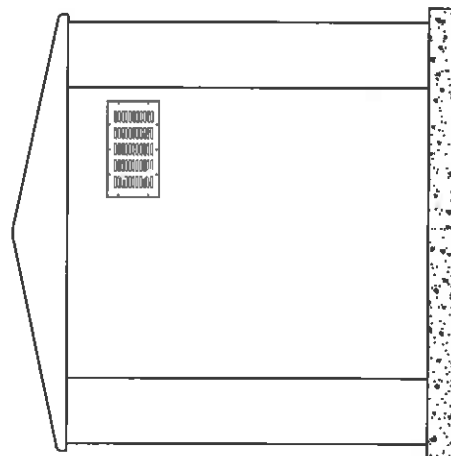




Housing positioned  
on a concrete plinth

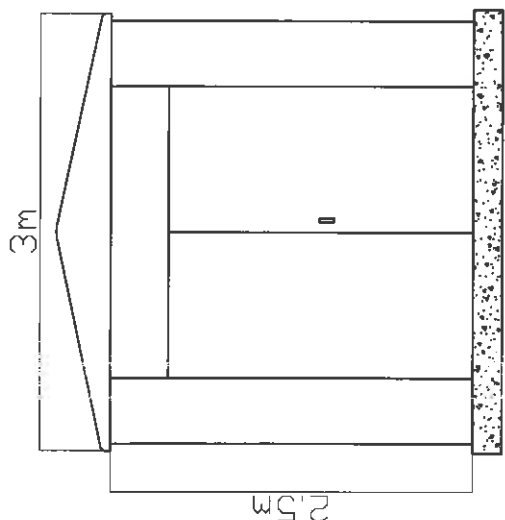
Prefabricated Control House

**FRONT ELEVATION 1:50 at A4**



Housing size and  
shape indicative only

**SIDE ELEVATION  
1:50 at A4**



**BACK ELEVATION at A4**

**NOTES :**  
Building Colour - Standard 'Dark  
Green' approx.BS.4800 (12.B.27)

0m 1m 2m 3m  
Scale bar 1:50 at A4

ICE Resources Ltd.				REFERENCE DRAWINGS				TITLE: DND Switch Station				SHEET 1	
Oxbridge Hall Business Centre				REV3	REF3	REF1	REF2	REF1	REF2	REF1	REF2	of	SHEET 1
Little Hulton North Yorkshire YO27 8JH				REV2	REF3	REF1	REF2	REF1	REF2	REF1	REF2	of	SHEET 1
Tel: +44 (0) 1900 748103				REV1	REF3	REF1	REF2	REF1	REF2	REF1	REF2	of	SHEET 1
Fax: +44 (0) 1900 748103				REV0	REF3	REF1	REF2	REF1	REF2	REF1	REF2	of	SHEET 1
ICE Resources Ltd.				REV0	REF3	REF1	REF2	REF1	REF2	REF1	REF2	of	SHEET 1
Oxbridge Hall Business Centre				REV0	REF3	REF1	REF2	REF1	REF2	REF1	REF2	of	SHEET 1
Little Hulton North Yorkshire YO27 8JH				REV0	REF3	REF1	REF2	REF1	REF2	REF1	REF2	of	SHEET 1
Tel: +44 (0) 1900 748103				REV0	REF3	REF1	REF2	REF1	REF2	REF1	REF2	of	SHEET 1
Fax: +44 (0) 1900 748103				REV0	REF3	REF1	REF2	REF1	REF2	REF1	REF2	of	SHEET 1
ICE Resources Ltd.				REV0	REF3	REF1	REF2	REF1	REF2	REF1	REF2	of	SHEET 1
Oxbridge Hall Business Centre				REV0	REF3	REF1	REF2	REF1	REF2	REF1	REF2	of	SHEET 1
Little Hulton North Yorkshire YO27 8JH				REV0	REF3	REF1	REF2	REF1	REF2	REF1	REF2	of	SHEET 1
Tel: +44 (0) 1900 748103				REV0	REF3	REF1	REF2	REF1	REF2	REF1	REF2	of	SHEET 1
Fax: +44 (0) 1900 748103				REV0	REF3	REF1	REF2	REF1	REF2	REF1	REF2	of	SHEET 1
ICE Resources Ltd.				REV0	REF3	REF1	REF2	REF1	REF2	REF1	REF2	of	SHEET 1
Oxbridge Hall Business Centre				REV0	REF3	REF1	REF2	REF1	REF2	REF1	REF2	of	SHEET 1
Little Hulton North Yorkshire YO27 8JH				REV0	REF3	REF1	REF2	REF1	REF2	REF1	REF2	of	SHEET 1
Tel: +44 (0) 1900 748103				REV0	REF3	REF1	REF2	REF1	REF2	REF1	REF2	of	SHEET 1
Fax: +44 (0) 1900 748103				REV0	REF3	REF1	REF2	REF1	REF2	REF1	REF2	of	SHEET 1
ICE Resources Ltd.				REV0	REF3	REF1	REF2	REF1	REF2	REF1	REF2	of	SHEET 1
Oxbridge Hall Business Centre				REV0	REF3	REF1	REF2	REF1	REF2	REF1	REF2	of	SHEET 1
Little Hulton North Yorkshire YO27 8JH				REV0	REF3	REF1	REF2	REF1	REF2	REF1	REF2	of	SHEET 1
Tel: +44 (0) 1900 748103				REV0	REF3	REF1	REF2	REF1	REF2	REF1	REF2	of	SHEET 1
Fax: +44 (0) 1900 748103				REV0	REF3	REF1	REF2	REF1	REF2	REF1	REF2	of	SHEET 1



## **SCHEDULE A: Applications with Recommendation**

12/0038

**Item No: 05**

**Date of Committee: 08/06/2012**

**Appn Ref No:**  
12/0038

**Applicant:**  
Mr & Mrs J Bell

**Parish:**  
Scaleby

**Date of Receipt:**  
23/01/2012

**Agent:**  
Graham Norman  
(Architect) Limited

**Ward:**  
Stanwix Rural

**Location:**

L/A West Brighten Flatt, Scaleby, Carlisle, CA6 4LA

**Proposal:** Erection Of 1No. Replacement Dwelling With Integral Garages And  
Associated Landscaping (Revised Application)

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### **REPORT**

**Case Officer:** Stephen Daniel

#### **1. Recommendation**

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

#### **2. Main Issues**

- 2.1 Whether The Proposal Is Acceptable In Principle
- 2.2 Whether The Design Of The Proposal Is Acceptable
- 2.3 Impact Of The Proposal On The Character Of The Area
- 2.4 Impact Of The Proposal On The Living Conditions Of The Occupiers Of Any Neighbouring Properties
- 2.5 Highway Issues

#### **3. Application Details**

##### **The Site**

- 3.1 Members will recall that this application was deferred at the last committee so that a site visit could be undertaken.
- 3.2 The application site lies in the open countryside. A substantial stone barn, which has planning permission to be converted into a dwelling, adjoins the

site to the east. An established caravan and camping site, which is owned by the applicants, operates from the site. East Brightenflatt, a complex of farm buildings, is located approximately 180m to the east of the application site. The site can be accessed from Scaleby to the west or from the A6071 Brampton to Longtown Road, which lies to the north. The access from the west is surfaced and is used by users of the caravan site. The access onto the A6071 is a grass track, the use of which is restricted by a locked gate, and this is only used for agricultural purposes.

## **Background**

- 3.3 In November 2004, planning permission was granted for the demolition of an existing bungalow on the site and for its replacement by a new dwelling and for the conversion of a barn to form a dwelling. The bungalow has been demolished and this permission has, therefore, been implemented and remains extant.
- 3.4 The approved dwelling would have been sited on the footprint of the original dwelling and an outbuilding. The outbuilding is currently being used as an ablution block for the adjacent caravan and camping site.

## **The Proposal**

- 3.5 The proposal is seeking planning permission for the erection of a large replacement dwelling on the site. The dwelling would be sited in a paddock directly to the rear of the approved replacement dwelling. The re-positioning of the dwelling would allow the ablution block, which is used by occupiers of the adjacent caravan site, to be retained. It would also allow the creation of a tree lined avenue to the front of the dwelling and formal landscaped gardens to the side (west) and rear of the proposed dwelling.
- 3.6 The dwelling has been designed with strong 'Arts and Craft' influence, with a simple room arrangement. At ground floor level the dwelling would have a hallway, kitchen/ dining room, snug, lounge and an en-suite guest bedroom. At first floor level the dwelling would have four bedrooms, two with en-suites, whilst a large attic would be provided in the roof void. The dwelling would also have a double garage, utility room, boiler room and wood store, with a farm office within the roofspace. The dwelling would have a ground floor footprint of 250m<sup>2</sup>, whilst the garage/office area would have a footprint of 109m<sup>2</sup>.
- 3.7 The design of the dwelling arose from a visit to Blackwell, Windermere, which is a fine example of Arts & Crafts architecture. This movement was popular in the late 1800s and was inspired by William Morris and his desire for simplification, truth to materials and the unity of handicraft and design. The resulting architecture has become lauded for its harmonious relationship with its often rural setting.
- 3.8 Arts and Crafts houses all share the following architectural features:
- Steeply pitched roofs

- Intersecting gables and dormers
  - Front façade chimneys
  - Arched entrances
  - Casement windows and large mullions
  - Decorative brickwork
  - Half timbering
  - Diagonal chimney stacks
  - Direct and formal relationship with external landscaping
- 3.9 The proposed dwelling incorporates the above features and the design has been strongly influenced by the works of Baillie Scott, Voysey and Webb. Baillie Scott designed a dwelling at Blackwell, Windermere, and Voysey designed properties at Broadley's and Moor Crag, which are both in Windermere.
- 3.10 The proposed dwelling would be detailed and built in natural materials, with rustic brickwork, oak, natural slates, galvanised steel windows and powder coated aluminium rainwater goods.
- 3.11 The dwelling would incorporate energy efficient construction, with thermal insulation being maximised by increasing the width of the wall and the depth of the floor and roof construction. The use of heat pumps and biomass boilers will be considered.

#### **4. Summary of Representations**

- 4.1 This application has been advertised by means of a site notice and notification letters sent to ten neighbouring properties. Three letters of support have received in response.

#### **5. Summary of Consultation Responses**

Scaleby Parish Council: - no comments;  
 Local Environment, Streetscene - Drainage Engineer: - the applicant must make sure through the Building Control process that the private sewage treatment plant is adequately sized. Disposal of surface water to a soakaway is acceptable;  
 Local Environment - Environmental Protection: - no objections, subject to conditions;  
 Cumbria County Council - (Highway Authority): - no objections, subject to conditions.

#### **6. Officer's Report**

##### **Assessment**

- 6.1 The relevant planning policies against which the application is required to be assessed are Policies H10, CP3, CP5 and CP12 of the Carlisle District Local Plan 2001-2016. The National Planning Policy Framework (NPPF) which was adopted 27th March 2012 is also a material planning consideration in the determination of this application. The proposal raises the following planning issues:

1. Whether The Proposal Is Acceptable In Principle

- 6.2 Planning permission already exists for a replacement dwelling on this site. This proposal is seeking permission for a replacement dwelling which would be significantly larger than that currently approved and which would be positioned to the rear of the approved dwelling.
- 6.3 Policy H10 permits replacement dwellings if the scale of the new dwelling is no greater than a 15% increase on the footprint of the original dwelling. This dwelling would be significantly larger than that permitted under Policy H10 but applications for larger replacement dwellings have previously been permitted by the Council if the design of the dwelling is of exceptional architectural merit. The design of the dwelling is considered in the following section.
- 6.4 The NPPF states that Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances, which could include the exceptional quality or innovative nature of the design of the dwelling. Such a design should be truly outstanding or innovative, helping to raise standards in rural areas; reflect the highest standards in architecture; significantly enhance the immediate setting; and be sensitive to the defining characteristics of the local area. These issues are explored in detail below.

2. Whether The Design Would Be Acceptable

- 6.5 The dwelling has been designed with a strong 'Arts & Crafts' influence. The dwelling would largely be constructed of rustic brickwork, which would include brick plinths and brick diaper wall patterning. Some timber detailing would also be provided, particularly to the top of the front and rear gables and around the large feature windows which would be provided in the front and rear elevations. The roofs would be steeply pitched and constructed of slate, with a cat slide roof being provided to the rear elevation. Three, large diamond shaped chimneys, which would contain decorative brickwork would be incorporated. An entrance porch, with an arched doorway, would be provided on the front elevation. Windows would be galvanised steel casement windows, with cast stone surrounds.
- 6.6 A tree lined avenue would provide access to the dwelling, with a large circular turning area being provided to the front of the property. A lawn would be provided to the rear of the dwelling, with a formal garden being provided to the east. A summer house would be located to the south of the formal garden. The boundaries would consist of hedging or post and rail timber fencing.

- 6.7 In light of the above, the design of the proposed dwelling, which incorporates a number of features which are typical of an Arts and Crafts house, would be acceptable. It is considered that the dwelling is of sufficient architectural merit to allow it to be approved as an exception to Policy H10 and to comply with the guidance in the NPPF.

### **3. Impact Of The Proposal On The Character Of The Area**

- 6.8 It is acknowledged that the dwelling would be large and that it would be visible from the surrounding area. The dwelling is, however, of exceptional design quality and it should make a positive contribution to the character of the area.
- 6.9 Whilst there no dwellings of similar design in the vicinity, the dwelling is based on a property in Windermere and other buildings inspired by Arts and Crafts architecture are present in Cumbria. It is, therefore, considered that the proposal represents an appropriate architectural approach for an individual prestige home in the Cumbrian countryside.

### **4. Impact Of The Proposal On The Living Conditions Of The Occupiers Of Any Neighbouring Properties**

- 6.10 The nearest residential property would be located at East Brightenflatt, which is approximately 180m away from the application site. Whilst planning permission exists to convert an adjacent barn to a dwelling, the proposed replacement dwelling would be significantly further from this barn than the approved replacement dwelling. The proposal would not, therefore, have an adverse impact on the living conditions of the occupiers of any adjoining properties through loss of light, loss of privacy or over-dominance.

### **5. Highway Issues**

- 6.11 County Highways has no objections to the access off the U1089, which is currently used by visitors to the caravan site, being used to provide access to the dwelling. The access off the A6071, which was supposed to be closed up under the previous permission for a replacement dwelling on this site, can be retained providing that it is only used by agricultural vehicles.

### **Conclusion**

- 6.12 The proposal is considered to be of sufficient architectural merit to allow it to be approved as an exception to Policy H10 and to comply with the guidance in the NPPF. The proposal would not have an adverse impact on the character of the area or on the living conditions of the occupiers of any neighbouring properties through loss of light, loss of privacy or over-dominance.

## **7. Planning History**

- 7.1 In November 2004, planning permission was granted for the erection of replacement dwelling, extinguishment of independent residential caravan site,

and conversion of traditional barn to single dwelling (04/1142). The residential caravan site, includes a caravan which had been used as a dwelling for in excess of ten years and can, therefore, remain on the site. This caravan will have to be removed from the site when the barn is converted to a dwelling. A touring caravan site remains in operation on the adjacent land.

**8. Recommendation: Grant Permission**

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

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

2. The approved documents for this Planning Permission comprise:

1. the submitted planning application form, received 20 January 2012;
2. Design & Access Statement, received 20 January 2012;
3. Location Plan, received 23 January 2012;
4. Block Plan/ Location Plan, received 20 January 2012 (Drawing No. 104-139A-01 Rev I);
5. Proposed Floor Plans, received 20 January 2012 (Drawing No. 104-139A-08 Rev D);
6. Proposed Elevations & Section, received 16 February 2012 (Drawing No. 104-139A-09 Rev E);
7. Brick Detailing, received 9 February 2012;
8. Window Details, received 9 February 2012;
9. the Notice of Decision; and
10. any such variation as may subsequently be approved in writing by the Local Planning Authority.

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

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

**Reason:** To ensure that the materials are appropriate to the rural area and to ensure compliance with Policy CP5 of the Carlisle

District Local Plan 2001-2016.

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

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

5. No development shall commence until details of any walls, gates, fences and other means of permanent enclosure and/or boundary treatment to be erected have been submitted to and approved, in writing, by the Local Planning Authority.

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

6. No development approved by this permission shall be commenced until a scheme for the provision of foul and surface water drainage works has been approved in writing by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans.

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

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

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

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

external appearance of such structures.

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

9. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Site investigations should follow the guidance in BS10175. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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

10. Prior to the erection of the summer house shown on the Proposed Site/ Location Plan (Drawing No. 104-139A-01I), full elevations and floor plans shall be submitted for prior approval, in writing, by the Local Planning Authority.

**Reason:** To ensure that the summer house is in keeping with the proposed dwelling and the rural area and to accord with Policy CP5 of the Carlisle District Local Plan 2001-2016.

11. No dwelling shall be occupied until the vehicular access and parking requirements have been constructed in accordance with the approved plan and brought into use. These facilities shall be retained and capable of use at all times thereafter and shall not be removed or altered without the prior consent of the Local Planning Authority.

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

12. The development shall not commence until visibility splays providing clear visibility of 215 metres measured along the nearside channel lines of the public road from a position 2.4metres inset from the carriageway edge, on the centre line of the access, at a height of 1.05metres, have been provided. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, or object of any



kind shall be erected, parked or placed and no trees, bushes or other plants shall be permitted to grow so as to obstruct the visibility splays.

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

13. Vehicular access to/from the site shall be via the new access formed off the U1089 and the access from the A6071 (previously conditioned to be stopped up under consent 04/1142) shall be kept closed with a gate, with use restricted to Agricultural Machine classed vehicles only.

**Reason:** In the interests of Road Safety and to support LTP Policies LD5, LD7 & LD8.

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RECEIVED  
23 JAN 2012  
2012 0038

AGOT

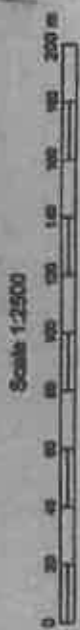


East  
Brighton

Park Road

West Brighton

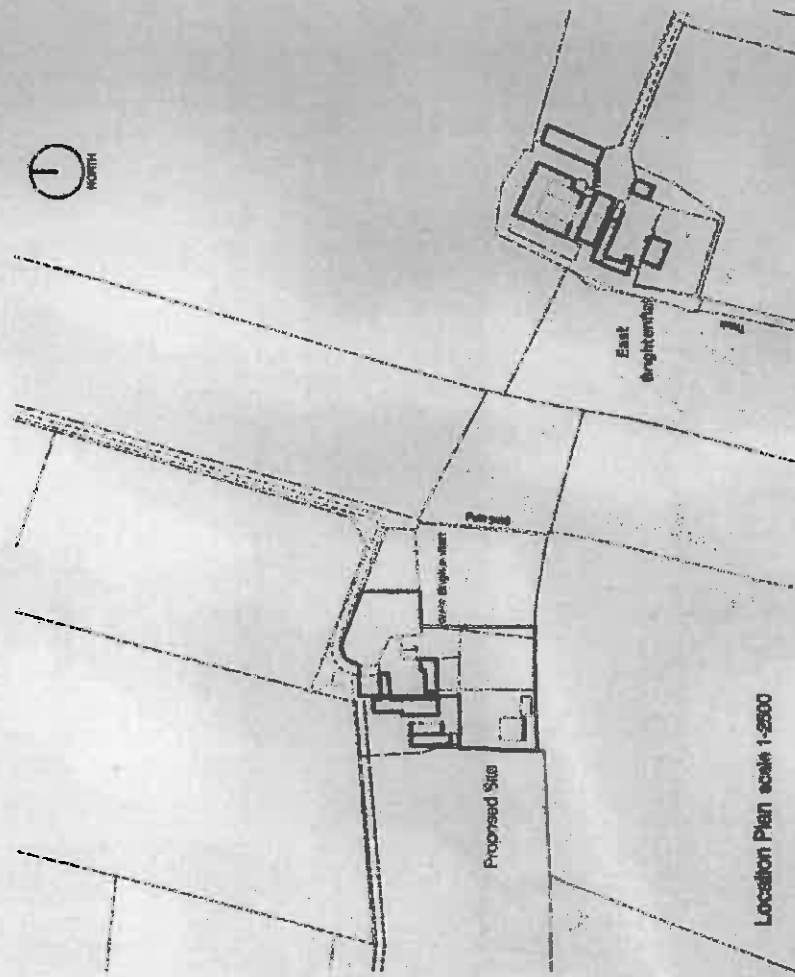
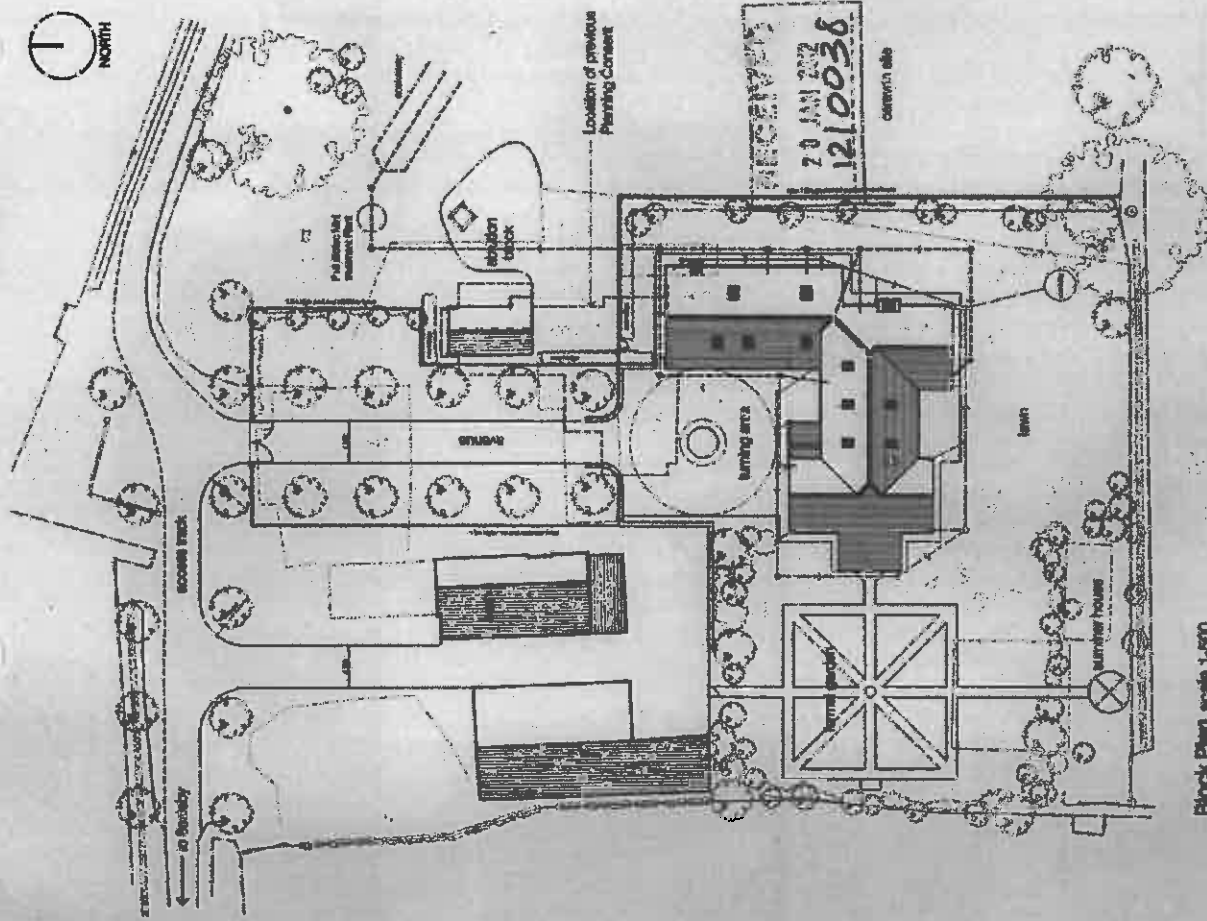
Feb 10, 2011 18:28  
Andrew Wilson  
Northumbria University



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EDINA National Data Centre  
University of Edinburgh  
Causton-Cyber House  
100 Causton Road  
Edinburgh  
EH8 9JY  
UK

EDINA  
Digimap



Block Plan scale 1:500

Location Plan scale 1:2500

<p>DO NOT SCALE FROM THIS DRAWING THIS DRAWING IS A COPY OF THE ORIGINAL</p>		<p>1:5000</p>
<p>104-139A-011</p>		<p>1:5000</p>
<p>AS PROPOSED SITE / LOCATION PLAN</p>		<p>104-139A-011</p>
<p>PROPOSED DWELLING WEST BRIGHTON PLATT, SCALEY</p>		<p>MR J. BELL</p>
<p>Graham K Norman Architect CHARTERED PRACTICE 100, A. A. ROAD CHICHESTER, SUSSEX PO19 1QD PENNY, CLARENCE, CH11 1ND 01243 830000 www.gkna.co.uk</p>		<p>RIBA</p>





## **SCHEDULE A: Applications with Recommendation**

12/0135

**Item No: 06**

**Date of Committee: 08/06/2012**

**Appn Ref No:**  
12/0135

**Applicant:**  
Mr S Spencer

**Parish:**  
Burgh-by-Sands

**Date of Receipt:**  
20/02/2012

**Agent:**  
Carlisle City Council

**Ward:**  
Burgh

**Location:**

Station Cottage, St. Lawrence Lane,  
Burgh-by-Sands, CA5 6BS

**Proposal:** Proposed Single Storey Shower Room Extension For A Disabled Person  
(Revised Application)

---

## **REPORT**

**Case Officer:** Shona Taylor

### **1. Recommendation**

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

### **2. Main Issues**

- 2.1 The Impact Of The Proposal On The Living Conditions Of Neighbouring Residents
- 2.2 Whether The Proposal Is Appropriate To The Dwelling
- 2.3 The Impact Of The Proposal On The Footpaths
- 2.4 Other Matters

### **3. Application Details**

#### **The Site**

- 3.1 This application seeks approval to extend a detached house situated within Burgh by Sands. The property is constructed of red smooth facing brick and is roofed in natural slate. It is accessed via a track from St Lawrence Lane and backs onto open countryside. It is proposed to form a single storey shower room extension to the side of the existing property.

## **Background**

- 3.2 A previous application for the erection of a single storey shower room extension to the rear (11/0699) was granted under delegated powers. This application is a revised version of this previous proposal, involving the relocation of the extension from the rear to the side, and has been brought to Committee at the request of the Ward Councillor.

## **The Proposal**

- 3.3 It is proposed to form a single storey shower room extension to the side of the existing property. The extension would measure 2.2m in width and 3.5m in depth, 2.4m in height to the eaves and 3.7m to the ridge. The extension would be finished in facing brickwork and roofed in slate to match the existing dwelling.

## **4. Summary of Representations**

- 4.1 This application has been advertised by means of site and press notices. In response one letter has been received from a neighbouring landowner. The grounds of objection are summarised as;

1. The proposal will limit access to the fields surrounding Station Cottage;
2. The land is not all within the control of the applicant.

## **5. Summary of Consultation Responses**

Cumbria County Council - Highway Authority: - no objection;  
Burgh-by-Sands Parish Council: - raised concerns regarding land ownership, access to the public right of way and parking;  
English Heritage: - no objections;  
Local Environment, Green Spaces - Countryside Officer - Rural Area: - Footpath 106004 must be kept open at all times both during and after development.

## **6. Officer's Report**

### **Assessment**

- 6.1 The relevant planning policies against which the application is required to be assessed are Policies CP5 and H11 of the Carlisle District Local Plan 2001-2016. The National Planning Policy Framework (NPPF) which was adopted 27th March 2012 is also a material planning consideration in the determination of this application. The proposal raises the following planning issues:

1. The Impact Of The Proposal On The Living Conditions Of Neighbouring Residents

- 6.2 Taking into consideration the scale and position of the extension in relation to other neighbouring properties the living conditions of the occupiers of those properties would not be adversely affected through loss of light, loss of privacy or overdominance.

## **2. Impact Of The Proposal On The Character Of The Area**

- 6.3 The scale and height of the proposed extension is minimal in comparison to the existing property with low eaves and ridge lines being proposed. The extension would be constructed from materials to match the existing dwelling, and would employ similar detailing. Accordingly, it is considered that the proposed extension would complement the existing dwelling in terms of design and materials to be used.

## **3. The Impact Of The Proposal On The Footpaths**

- 6.4 The Parish Council and a neighbouring landowner have raised concerns regarding the Public Rights of Way which run adjacent to Station Cottage.
- 6.5 The Council's Green Spaces Officer has raised no objections to the proposal, although they have commented that the south-west corner of the proposal lies adjacent to the perimeter of Public Footpath 106004, and as such the development must not encroach any further than that shown on the plan.
- 6.6 As the surface of the Public Right of Way may not be disturbed, and as public access over the full width of the lanning must be maintained during and after development it is not considered that the footpath will be affected by the development.

## **4. Other Matters**

- 6.7 The Parish Council has raised concerns over land ownership, and the accuracy of the 'red line' shown on the location plan submitted with the application. However, this does not impact upon the acceptability, in planning terms, of the application.
- 6.8 They have also raised concerns over parking, however, the applicant has confirmed that parking will be to the rear of the property, and the Highway Authority have raised no objections to the proposal.
- 6.9 The Councils Landscape Architect and Tree Officer raised concerns regarding the location of the large mature ash tree, which is situated only 10m from the property. However, he has agreed to a condition being imposed requiring a tree protection scheme being submitted prior to any development commencing.

## **Conclusion**

- 6.10 In overall terms, the proposal does not adversely affect the living conditions of adjacent properties by poor design, unreasonable overlooking or unreasonable loss of daylight or sunlight. The scale and design of the



proposal is acceptable in relation to the dwelling. In all aspects the proposals are compliant with the objectives of the relevant Local Plan policies.

## **7. Planning History**

- 7.1 In 2011 Permission was granted for the erection of a single storey shower room extension for a disabled person (application reference 11/0699).
- 7.2 In 2004 permission was granted for the erection of a single storey bedroom and bathroom extension to side elevation for registered disabled person (application reference 04/0705).

## **8. Recommendation: Grant Permission**

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

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

- 2. The approved documents for this Planning Permission comprise:

- 1. the submitted planning application form;
- 2. the existing floor plans and elevations received 15th Feb 2012 (drawing number JH10-284-01a);
- 3. the proposed floor plans and elevations received 18th May 2012 (drawing number GSL/ES/03);
- 4. the site location plan and block plan received 15th Feb 2012 (drawing number JH10-284-03);
- 5. the design and access statement received 20th Feb 2012;
- 6. the Notice of Decision; and
- 7. any such variation as may subsequently be approved in writing by the Local Planning Authority.

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

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

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

- 4. Before any development is commenced on the site, including site works of any description, a protective fence in accordance with Fig. 2 in B.S. 5837: 2005 shall be erected around the trees and hedges to be retained at the

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

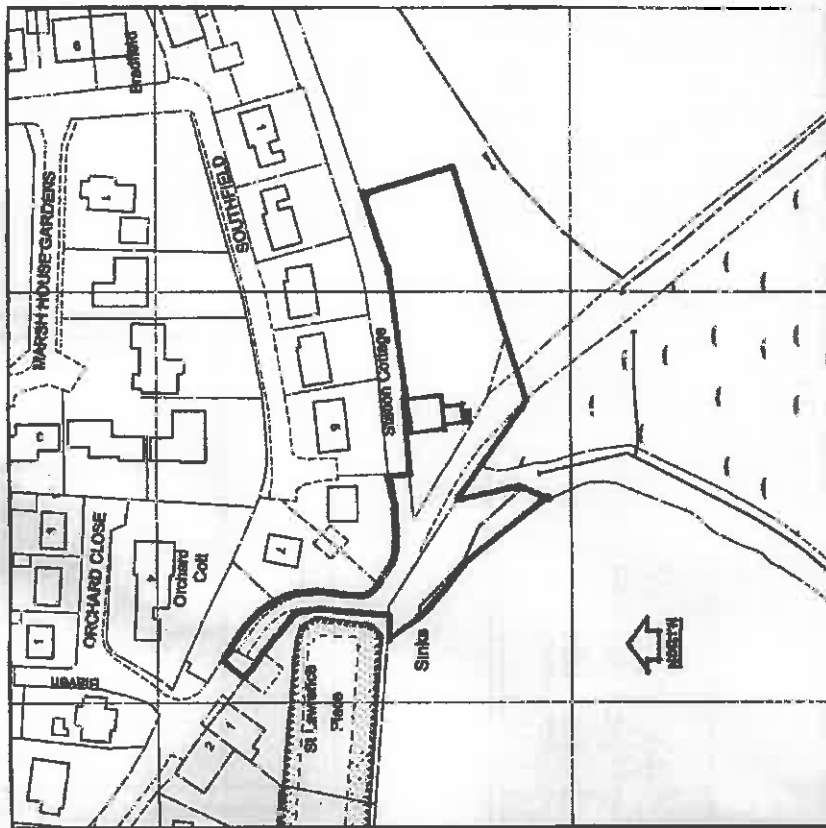
**Reason:** In order to ensure that adequate protection is afforded to all trees/hedges to be retained on site in support of Policies CP3 and CP5 of the Carlisle District Local Plan 2001-2016.

5. Public Right of way footpath number 106004 lies adjacent to the site. The Applicant must ensure that no obstruction to the PROW occurs during, or after the completion of the site works.

**Reason:** In accordance with Local Transport Plan Policy W1 and W2.

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RECEIVED  
15 FEB 2012  
12/035  
Site Location Plan  
Scale 1:1250



Carlisle City Council  
www.carlisle.gov.uk

Project:  
Proposed single storey shower room extension for disabled person at Station Cottage, Burgh By Sands, Carlisle for Mr & Mrs Spencer

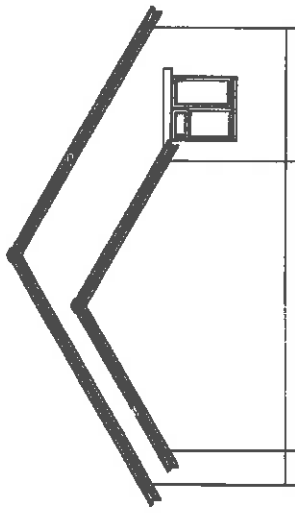
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20 FEB 2012

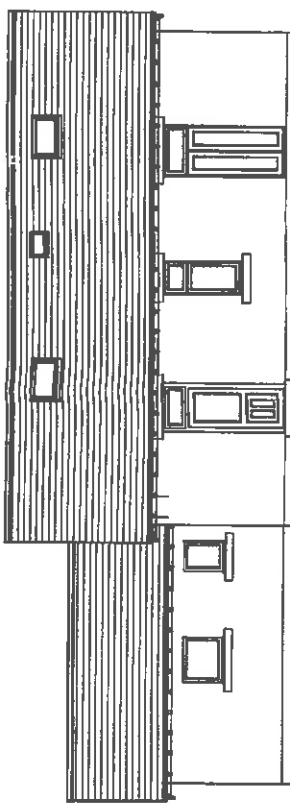


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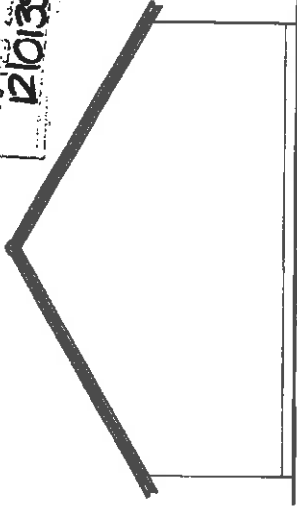
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12/0135



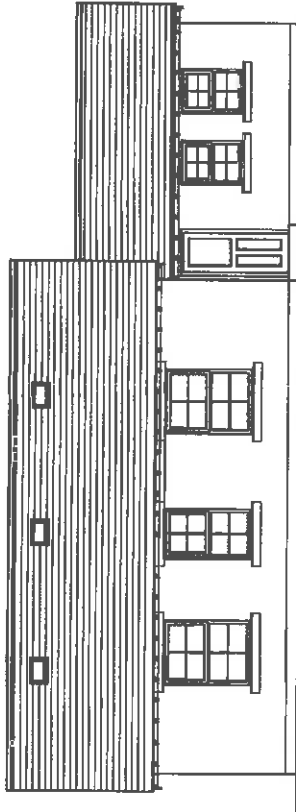
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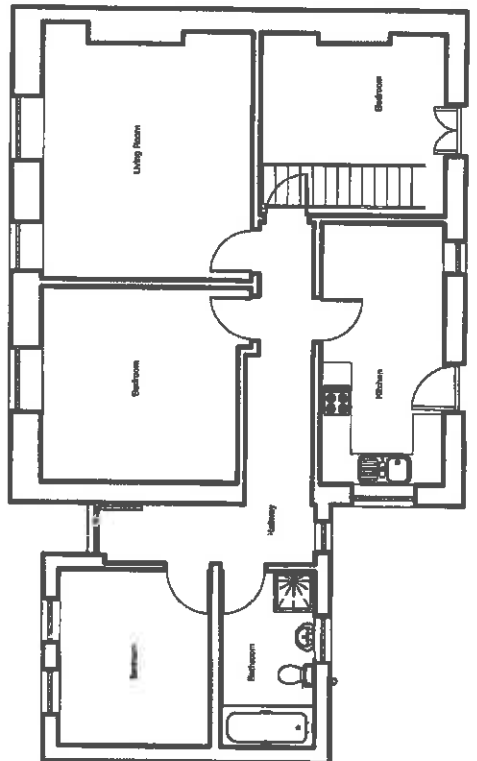
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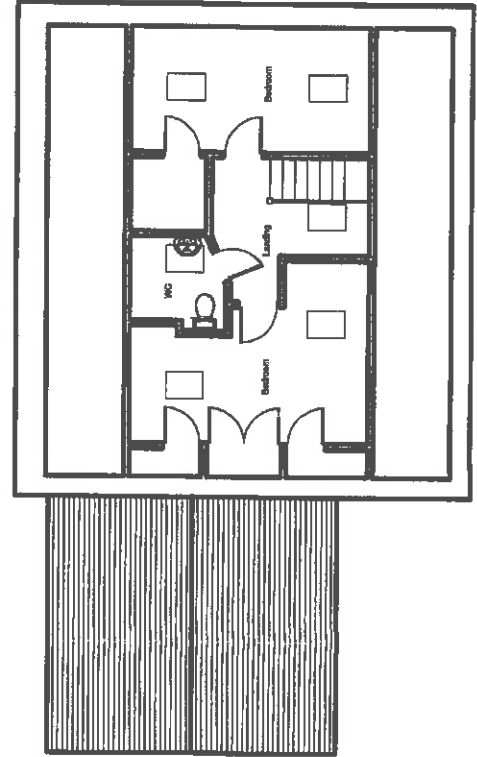
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EXISTING FRONT ELEVATION



EXISTING GROUND FLOOR PLAN



EXISTING FIRST FLOOR PLAN

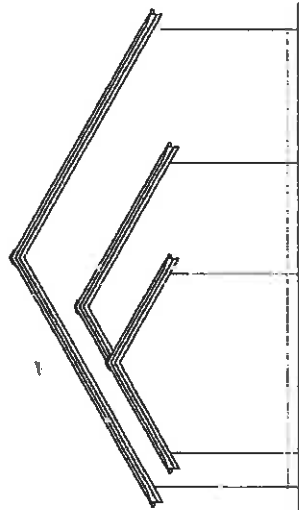
NOTES - Existing Construction  
ROOF - Grey Welsh slate  
RAINWATER GOODS - Black plastic  
Half round gutters, ditto esp.  
WALLS - Red & grey facing brickwork.  
WINDOWS & DOORS - Wood grain  
upvc.

**CARLISLE CITY COUNCIL**  
www.carlisle.gov.uk

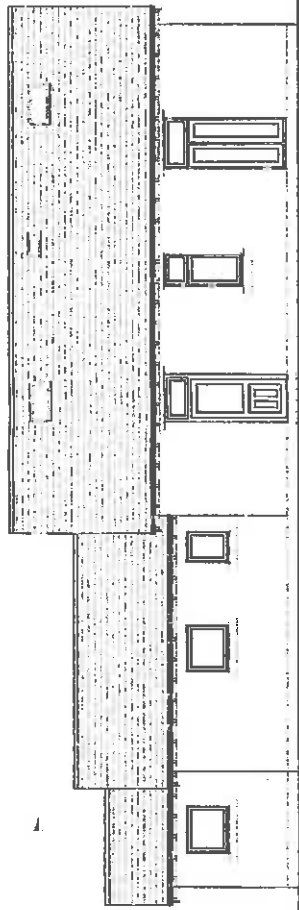
Revisions:  
2nd application  
extension to front  
08-12-12, GSL

Project:  
Proposed single storey shower  
room extension for disabled  
person  
at Station Cottage,  
Burgh By Sands, Carlisle.  
for Mr & Mrs Spencer.

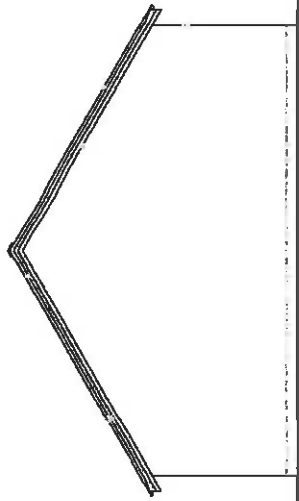
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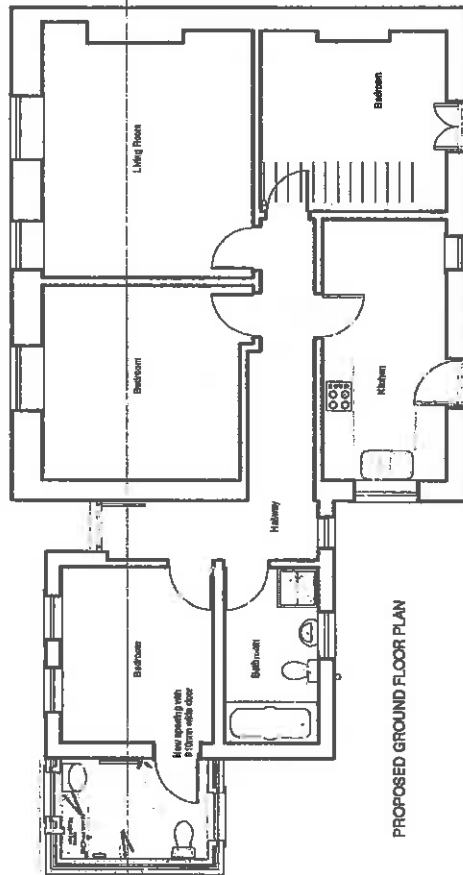
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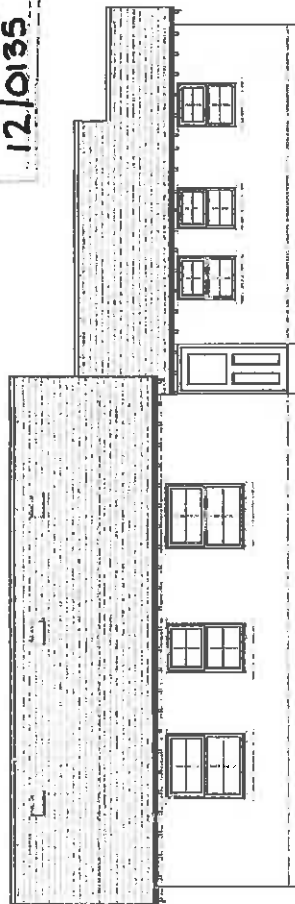
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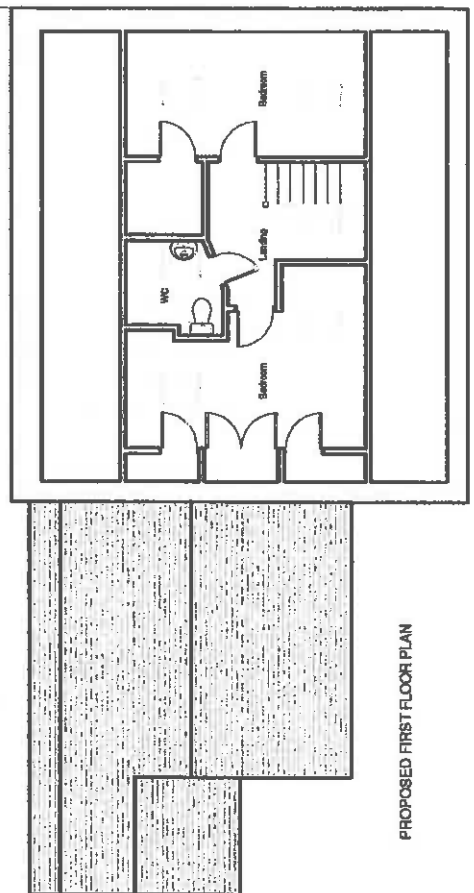
PROPOSED END ELEVATION



PROPOSED GROUND FLOOR PLAN



PROPOSED FRONT ELEVATION



PROPOSED FIRST FLOOR PLAN

NOTES: PROPOSED CONSTRUCTION.  
 ROOF - Grey Welsh Slate.  
 RAINWATERGOODS - Black plastic half round gutters  
 Black plastic round downspouts and up.  
 WALLS - Red / Grey facing brickwork  
 WINDOWS & DOORS - Wood grain upvc.

PLANNING SERVICES			
REF:	12/0135	21 MAY 2012	
RECORDED	SEARCHED	PASSED TO	ACTION

PROJECT  
 PROPOSED GROUND FLOOR SIDE  
 EXTENSION PROVIDING SHOWER  
 ROOM  
 FOR EVE SPENCER  
 AT STATION COTTAGE  
 BURGH BY SANDS, CARLISLE

drawing

PROPOSED ELEVATIONS &  
 FLOOR PLANS.

scale  
 1:100

date  
 09-05-12

drawn by  
 CRV

nos  
 GSI/ES/03

## **SCHEDULE A: Applications with Recommendation**

12/0150

**Item No: 07**

**Date of Committee: 08/06/2012**

**Appn Ref No:**  
12/0150

**Applicant:**  
Nigel Thompson  
Developments Limited

**Parish:**  
Hayton

**Date of Receipt:**  
24/02/2012

**Agent:**  
Alpha Design

**Ward:**  
Hayton

**Location:**  
L/A Fenton Farm, Fenton, Brampton, CA8 9JZ

**Proposal:** Variation Of Conditions 7 (Means Of Access), 8 (Access Closure) & 17 (Hardstanding & Means Of Enclosure) Of Previously Approved Appn Ref: 03/0288

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### **REPORT**

**Case Officer:** Suzanne Edgar

#### **1. Recommendation**

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

#### **2. Main Issues**

- 2.1 Whether the variation of condition 7 is acceptable.
- 2.2 Whether the variation of condition 8 is acceptable.
- 2.3 Whether the variation of condition 17 is acceptable.
- 2.4 Other matters.

#### **3. Application Details**

##### **The Site**

- 3.1 This application relates to land adjacent to Fenton Farm, Fenton. The site lies on the eastern side of the road to the immediate north of Fenton Farmhouse and a series of two storey traditional barns. The application site forms the northern approach to Fenton from How.

## Background

3.2 In 2003 (reference 03/0288) outline planning permission was granted for the redevelopment of part of the farm steading for 4no.residential properties together with removal of non-traditional farm buildings, i.e. related hard standings, silage clamp etc. A Reserved Matters application (05/0042) for this site was granted in 2005.

3.3 Since the original approvals on this site for housing there has been two subsequent applications, granted in 2011 (reference 11/0024) and in 2012 (reference 12/0133), for revised house types relating to plots 1 and 2. The main changes within these applications relate to alterations to fenestration details, materials, erection of solar panels and relatively minor extensions. A non material amendment application relating to plots 3 and 4 was also granted earlier this year (reference 12/0136) to include solar PV panels on the roof of the south east elevation.

3.4 The outline planning permission was subject to several conditions. The conditions that are of relevance to this application are 7, 8 and 17 which respectively read:

*No development shall commence until detailed drawings showing the development and means of access thereto have been submitted to the local planning authority for approval. Any such approved means of access shall be completed in accordance with the approved details before the development is occupied.*

*Reason: To preserve sight lines.*

*Before any dwelling hereby approved is occupied the existing access to the Fenton/How road shall be permanently closed and the highway crossing and boundary shall be reinstated in accordance with details which have been submitted to and approved beforehand by the local planning authority.*

**Reason:** *To ensure that the development is served by a vehicular access constructed to the satisfaction of the local planning authority.*

*Before the occupation of any dwelling hereby approved, all buildings, structures, hardstandings and means of enclosure within the area identified on drawing number 03/01/347-02 shall be removed and the land re-instated in accordance with a scheme to be submitted to and approved beforehand by the local planning authority.*

**Reason:** *The local planning authority wish to ensure that the setting and scale of the development is not marred by the retention of the identified structures etc, and, to safeguard the visual and environmental amenities of the village.*

3.5 Development has commenced on the site with part of the ground cleared to facilitate the construction of plots 1 and 2. The shell of plot 1 has been

completed and part of the foundation works have commenced for plot 2. At the time of the Case Officer site visit it did not appear that any further construction works had been undertaken for sometime.

### **The Proposal**

- 3.6 This application seeks approval for the variation of conditions 7, 8 and 17 of previously approved application 03/0288.
- 3.7 Condition 7 has been partially discharged by the submission of access details in the reserved matters application for this site. The applicant proposes to amend the wording of condition 7 so that it accounts for the partial discharge and allows for each dwelling to be occupied once their individual accesses have been completed.
- 3.8 The amended wording of condition 8 will ensure that the existing accesses to Fenton/How Road are closed before the occupation of the final completed dwelling opposed to stating before any dwelling is occupied.
- 3.9 It is proposed to amend the wording of condition 17 so that it allows demolition of the site in a phased basis. The phased scheme of demolition that has been submitted to accompany the change of wording to this condition shows the buildings that have been demolished to date to facilitate the construction of plots 1 & 2, the buildings which are to be demolished prior to the construction of plots 3 and 4 and the agricultural buildings to the south of the proposed 4 dwellings which will be demolished prior to exchange of contracts on plot 4.

### **4. Summary of Representations**

- 4.1 The application has been advertised by the display of a site notice and by means of notification letters sent to 20 neighbouring properties. At the time of writing this report five letters of objection have been received. The letters consider that: permission was only granted for housing on the basis that the land to the rear of the site was reinstated back to fields; it has taken 9 years to complete the shell of the first building and the service infrastructure is not in place; the developer will improve the prospects of selling the properties if the whole of the site is cleared; and, there are no completion times in planning consents. The objection letters also raise concerns that the land to the rear of the site may never be reinstated; concerns regarding how long it will take to clear the whole of the site and the potential visual impact this will have on the village; the situation was fully prevented through the provision of appropriate conditions on the original consent and the wording of condition 17 went some way to satisfy objectors to the original housing scheme.

### **5. Summary of Consultation Responses**

Cumbria County Council - (Highway Authority): - no objection;

Carlisle Airport: - no objection;



Cumbria County Council - (Archaeological Services): - no objection;

Environment Agency (N Area (+ Waste Disp & Planning Liaison Team): - no comments;

Natural England - Larger Schemes with Env.St & Designated Sites (SSSIs, SACs, SPAs, Ramsar Sites): - no objection.

Council for Protection of Rural England/Friends of the Lake District: -no comments received;

Hayton Parish Council: - do not wish to make any representation;

Northern Gas Networks: - no objection.

## **6. Officer's Report**

### **Assessment**

6.1 The relevant planning policies against which the application is required to be assessed are Policies CP1, CP5, H1 and T1 of the Carlisle District Local Plan 2001-2016.

6.2 As the principle of housing development has already been assessed and established as acceptable, the issues that Members have to consider in terms of this application are:

#### **1. Whether The Variation Of Condition 7 Is Acceptable**

6.3 The proposed wording of this condition states:

*"Before any individual dwelling is occupied, the permanent means of access thereto shall be provided in accordance with the approved Drawing No. 03/01/347-01C, approved under Reserved Matters application 05/0042"*

*Reason: To ensure a reasonable standard of vehicular and pedestrian access is available when the use of any dwelling commences, in support of Local Transport Policies LD5, LD7 and LD8.*

6.4 The Highway Authority have raised no objections to the amended wording of condition 7 and it would be unreasonable in this current economic climate to make the developer complete all accesses into the site before any dwelling is occupied. In such circumstances the amended wording to condition 7 is acceptable.

#### **2. Whether The Variation Of Condition 8 Is Acceptable**

6.5 The proposed wording of this condition states:

*"Before the first occupation of the final completed dwelling the existing access to Fenton/How Road shall be permanently closed and the highway crossing and boundary shall be reinstated in accordance with details which have been submitted to and approved beforehand by the Local Planning Authority."*

*Reason: To ensure that the development is served by a vehicular access constructed to the satisfaction of the Local Planning Authority.*

- 6.6 The access to each dwelling and boundary treatments to the front of the site have been effectively discharged by the submission of access details in the reserved matters application for this site and by the submission of boundary treatment details in the discharge of condition 12 of the original planning consent 03/0288.

- 6.7 The Highway Authority has raised no objection to the amended wording which ensures that the existing accesses are closed before the occupation of the final completed dwelling opposed to before the occupation of any dwelling. Even though the amended wording states that the existing accesses have to be closed before the final occupation of the last dwelling it is noted that the amended wording of condition 7 still ensures that each dwelling can only be occupied once their individual accesses are constructed. It is also noted that some of the new accesses are approximately in the location of the existing accesses. In such circumstances the amended wording to condition 8 is acceptable

### 3. Whether The Variation Of Condition 17 Is Acceptable

- 6.8 The proposed wording to this condition states:

*"Before the first occupation of the final completed dwelling, all buildings, structures, hardstandings and means of enclosure within the area identified on drawing number 03-01-347-02 (approved under 03/0288) shall be removed in accordance with a phased scheme of demolition identified on drawing 03/01/347-02 received 2nd April 2012, and the land reinstated to agricultural use in accordance with a scheme to be submitted to and approved beforehand by the Local Planning Authority."*

*Reason: The Local Planning Authority wish to ensure that the setting and scale of the development is not marred by the retention of the identified structures etc., and to safeguard the visual and environmental amenities of the village.*

- 6.9 The Highway Authority has raised no objections to the phased demolition however several objections have been received during the consultation period from occupiers of neighbouring properties. Residents have indicated that the agricultural buildings which are still in situ will have a negative visual impact upon the village and surrounding area until the development is completed. Residents are particularly concerned about the length of time that the agricultural buildings will remain in situ as there can be no conditions imposed within a planning decision regarding the length of time a developer has to complete a scheme. The residents are of the opinion that this situation

is fully prevented through the wording of the existing condition.

- 6.10 The applicant has indicated that the development is currently at a standstill due to the restrictive nature of condition 17 and by financial constraints due to the applicants funder controlling the development on a plot by plot basis. Financial information has been submitted indicating the total cost of site clearance and the estimated financial returns based on a phased development which identifies when funds would become available to demolish the existing buildings on the site. The information submitted undoubtedly shows that it is more financially viable to develop and clear the site on a phased basis especially within the current economic climate.
- 6.11 Concerns from the local residents have been noted however the amended wording of condition 17 still ensures demolition of the whole site, albeit in a phased basis, and the reinstatement of the land to the south of the site to agricultural use in accordance with a scheme which is to be submitted for prior approval. It is not considered that a phased demolition would have a sufficient adverse visual impact on the surrounding area or on the living conditions of existing/future occupiers of residential properties to warrant refusal of the application on this basis.

#### **4. Other Matters**

- 6.12 The proposal has been considered against the provisions of the Human Rights Act 1998. Article 8 and Article 1 Protocol 1 are relevant but the impact of the development in these respects will be minimal and the separate rights of the individuals under this legislation will not be prejudiced. If it was to be alleged that there was conflict it is considered not to be significant enough to warrant the refusal of permission.

#### **Conclusion**

- 6.13 In overall terms the amendments to conditions 7, 8 and 17 raise no issues in terms of highway safety. Given the current economic climate it is more financially viable to develop/clear the site on a phased basis. It is not considered that phased occupation/demolition would have a sufficient adverse impact upon the surrounding area, or the living conditions on existing/future occupiers of residential properties to warrant refusal of the application on this basis. The proposal is in accordance with the relevant planning policies and approval is recommended.

#### **7. Planning History**

- 7.1 The most recent applications are as follows:
- 7.2 In 2012 (reference 12/0136) an application was approved for a non material amendment to plots 3 and 2 to include PV panels on the south east elevation roof;
- 7.3 In 2012 (reference 12/0133) Full Planning Permission was granted for the

erection of 2no. dwellings (revised house type for plots 1&2 of previously approved application 05/0052);

- 7.4 In 2011 (reference 11/0024) Full Planning Permission was granted for the erection of 2no. dwellings (revised house type for plots 1 & 2 of previously approved application 05/0042);
- 7.5 In 2005 (reference 05/0042) Reserved Matters application was granted for the redevelopment of part of farm steading for 4no.residential properties together with removal of non-traditional farm buildings, i.e. related hardstandings, silage clamp;
- 7.6 In 2003 (reference 03/0288) Outline Planning Permission was granted for redevelopment of part of farm steading for 4no.residential properties together with removal of non-traditional farm buildings, i.e. related hardstandings, silage clamp.

## **8. Recommendation: Grant Permission**

- 1. The approved documents for this Variation Of Conditon Application comprise:
  - 1. The Planning Application Form received 21st February 2012;
  - 2. The Site Location Plan received 24th February 2012 (Drawing No.03/01/347-LP);
  - 3. The Supporting Statement received 17th May 2012 and Phased Scheme Of Demolition received 2nd April 2012;
  - 4. any such variation as may subsequently be approved in writing by the Local Planning Authority.

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

- 2. The development shall be carried out in accordance with the conditions attached to the "Outline" application 03/0288, with the exception of conditions 7, 8 and 17 and any subsequent variation to that consent.

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

- 3. Before any individual dwelling is occupied, the permanent means of access thereto shall be provided in accordance with the approved Drawing No. 03/01/347-01C, approved under Reserved Matters application 05/0042

**Reason:** To ensure a reasonable standard of vehicular and pedestrian access is available when the use of any dwelling commences, in support of local Transport policies LD5, LD7 and LD8.

4. Before the first occupation of the final completed dwelling the existing access to Fenton/How Road shall be permanently closed and the highway crossing and boundary shall be reinstated in accordance with details which have been submitted to and approved beforehand by the Local Planning Authority.

**Reason:** To ensure that the development is served by a vehicular access constructed to the satisfaction of the Local Planning Authority.

5. Before the first occupation of the final completed dwelling, all buildings, structures, hardstandings and means of enclosure within the area identified on drawing number 03-01-347-02 (approved under 03/0288) shall be removed in accordance with a phased scheme of demolition identified on drawing 03/01/347-02 received 2nd April 2012, and the land reinstated to agricultural use in accordance with a scheme to be submitted to and approved beforehand by the Local Planning Authority.

**Reason:** The Local Planning Authority wish to ensure that the setting and scale of the development is not marred by the retention of the identified structures etc., and to safeguard the visual and environmental amenities of the village.

---

[illegible]

• 924-N, 08/01/34-1P.

# ALPHA DESIGN ARCHITECTURAL SERVICES

## GLEN BEATTIE

Member of the Chartered Institute of Architectural Technologists

17<sup>th</sup> May 2012

GB/AD/11456

FAO Suzanne Edgar,  
Planning Officer,  
Carlisle City Council,  
Civic Centre,  
Carlisle,  
Cumbria CA3 8QG

Dear Madam,

REF: 03/01/347 - LAND AT FENTON FARM, FENTON FOR NIGEL THOMPSON DEVELOPMENTS LTD  
REF: 03/0288

Following the exchange of emails yesterday I have now amended the Supporting Statement in respect of the revised wording to condition 7 and duly enclose 2 copies for your reference.

I trust all is now in order and look forward to your recommendation and committee report in due course.

Yours faithfully,

GLEN BEATTIE: MCIAT

Encl:

Copy: Nigel Thompson  
Andrew Willison-Holt

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Director: Glen Beattie



Chartered Institute of  
Architectural Technologists

## SUPPORTING STATEMENT

Town & Country Planning Act 1990 (as amended): s.73

Variation of Conditions 17, 8 & 7 attached to grant of outline planning permission 03/0288

Land at Fenton Farm, Fenton

Approval is sought for the variation of three Conditions (nos. 7, 8 and 17) attached to the grant of Outline Planning Permission LPA.ref. 03/0288.

So, in turn in logical order of primacy:

**CONDITION 17:** this condition is simply too restricting in the current economic climate. Whilst we acknowledge the LPA's original premise for granting permission, we contend it is unreasonable to require the clearance of an entire site plus the erection of four dwellings before a single unit can be sold and occupied. We have appended at Appendix 1 a letter from the applicant's bank re-iterating the same risk-laden concerns from its perspective. We would therefore suggest respectfully the following "variation" that broadly reserves site clearance etc. until before first occupation of the final unit to be completed and signed-off.

**17.** Before the first occupation of the final completed dwelling, all buildings, structures, hardstandings and means of enclosure within the area identified on drawing number 03/01/347-02 (approved under 03/0288) shall be removed in accordance with the phased scheme of demolition identified on drawing 03/01/347-02 received 2<sup>nd</sup> April 2012, and the land reinstated to agricultural use in accordance with a scheme to be submitted to and approved beforehand by the local planning authority.

**Reason:** The local planning authority wish to ensure that the setting and scale of the development is not marred by the retention of the identified structures etc., and to safeguard the visual and environmental amenities of the village.

The same ends would be achieved albeit in a more risk-conscious, viable manner. The site has been cleared in part to facilitate the construction of plots 1 and 2. Plot 1 has been constructed as a weather-tight shell and will continue to completion. Plot 2 has commenced by way of some foundation works and will re-commence in spring/summer 2012. This work serves to demonstrate the applicant is committed to developing the site. We feel this approach is not unreasonable and would afford the applicant the opportunity to generate the not unsubstantial funds required to clear the remaining buildings, hardstandings etc.



**CONDITION 8:** A logical consequence of varying Condition 17, as follows:

8. Before the first occupation of the final completed dwelling the existing access to the Fenton/How road shall be permanently closed and the highway crossing and boundary shall be reinstated in accordance with details which have been submitted to and approved beforehand by the local planning authority.

**Reason:** To ensure that the development is served by a vehicular access constructed to the satisfaction of the local planning authority.

**CONDITION 7:** finally, we simply take this opportunity to tie up a loose end and avoid what we regard as a matter of doubt. Condition 7 has already been part-discharged. The following would effectively "replace" it with a Condition that accounts for the partial discharge, and avoids doubt as to what exactly is required. If the LPA does not feel it could or should vary this Condition, we would at the very least expect to receive written confirmation as to its existing-remaining Import.

~~7. No development shall commence until detailed drawings showing the development and means of access thereto have been submitted to the local planning authority for approval [already satisfied].~~

Before any individual dwelling is occupied, the permanent means of access thereto shall be provided in accordance with the approved Drawing No. 03/01/347-01C, approved under Reserved Matters application 05/0042.

**Reason:** To ensure a reasonable standard of vehicular and pedestrian access is available when the use of any dwelling commences, in support of local Transport plan policies LD5, LD7 and LD8.

In support of the above proposed variations we would highlight the ribboned nature of the approved development; how it is evidently possible and reasonable to distinguish each dwelling this way without prejudice to the overall scheme, whilst allowing the developer to continue without being unduly fettered in delivering a viable scheme.



## **SCHEDULE A: Applications with Recommendation**

12/0155

**Item No: 08**

**Date of Committee: 08/06/2012**

**Appn Ref No:**  
12/0155

**Applicant:**  
Mr Carrigan

**Parish:**  
Westlinton

**Date of Receipt:**  
29/03/2012

**Agent:**  
Green Planning Solutions  
LLP

**Ward:**  
Longtown & Rockcliffe

**Location:**

Parkfield Stables, Newtown of Rockcliffe, Blackford,  
CA6 4ET

**Proposal:** Erection Of 1No. Barn And 4No. Loose Box Stables

---

### **REPORT**

**Case Officer:** Shona Taylor

#### **1. Recommendation**

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

#### **2. Main Issues**

- 2.1 The Impact Of The Proposal On The Living Conditions Of Neighbouring Residents  
2.2 The Impact Of The Proposal On The Character Of The Area  
2.3 Other Matters

#### **3. Application Details**

##### **The Site**

- 3.1 Members will be aware that the application site has been the subject of a number of planning applications. In relation to an Appeal concerning application reference number 06/0134, the Inspector allowed the erection of stables and a tack room. There have previously been temporary permissions granted for a period of three years. Last year, in 2011, planning permission was granted for the change of use of land to a gypsy caravan site for one family.

## **Background**

- 3.2 The property currently consists of a hardcore surfaced area with two caravans. A timber fence has enclosed part of the site. Stables approved as part of application 06/0134 have also been erected.

## **The Proposal**

- 3.3 This application is seeking full planning permission for the erection of a stable block and hay barn. The proposed location is to the south east corner of the field, adjacent to the existing stable block.
- 3.4 The submitted drawings illustrate that the stable block would have 4 loose boxes and measure 15 metres in length by 4.2 metres wide with a ridge height of 5 metres. The stables would be finished in timber cladding and roofed in reconstituted slate. The dimensions of the proposed hay barn would be 13.8 metres in length by 5.1 metres in width with a ridge height of 4.7 metres. It would be of portal framed construction with timber boarding and a roof covering of profiled sheeting.

## **4. Summary of Representations**

- 4.1 This application has been advertised by means of a site notice and a notification letter sent to eighteen neighbouring properties. No verbal or written representations have been made during the consultation period.

## **5. Summary of Consultation Responses**

Cumbria County Council - Highway Authority: - no objections;  
Westlinton Parish Council: - the erection of additional stables and a barn would be overdevelopment of the site and additional visual clutter in what is effectively open countryside.

## **6. Officer's Report**

### **Assessment**

- 6.1 The relevant planning policies against which the application is required to be assessed are Policies CP5, CP6 and LE25 of the Carlisle District Local Plan 2001-2016. The National Planning Policy Framework (NPPF) which was adopted 27th March 2012 is also a material planning consideration in the determination of this application. The proposal raises the following planning issues:

#### **1. The Impact Of The Proposal On The Living Conditions Of Neighbouring Residents**

- 6.2 It is considered that the nature of the proposal, in the context of the existing use, and the stables approved and constructed under application 06/0134,

would not harm the living conditions of the neighbouring residents. The proposed structures are also of sufficient distance so as not to lead to any problems associated with overshadowing.

## **2. Impact Of The Proposal On The Character Of The Area**

- 6.3 When considering this application it is pertinent to reiterate that the site already contains permanent stables approved under 06/0134. The proposed structures are shown to be sited within the existing enclosed yard within the south-eastern corner of the field. The proposal is therefore set within the backdrop of the existing field boundaries and hamlet. The opportunity also exists to mitigate the impact of the existing development and proposed structures through additional landscaping.

## **3. Other Matters**

- 6.4 It is noted that a similar proposal has been refused previously on the site (application 08/0220), however, this was at a time when the applicant had only a temporary consent for three years for the use of the site. Since the approval of application 11/0062, which gave permission for the applicant and his family to reside on the site, it is considered that the previous reasons for refusal are no longer appropriate.
- 6.5 The Parish Council have objected to the proposal, on the grounds that they consider that the erection of additional stables and a barn would be an overdevelopment of the site and add visual clutter in what is effectively open countryside.

## **Conclusion**

- 6.6 Overall it is considered that the proposed buildings will not appear intrinsically out of place or scale in the surrounding landscape. The proposed buildings are sited adjacent to the existing stable block. In such circumstances, and in the context of the existing use of the site, the proposal will not exacerbate any harm to the living conditions of neighbouring residents. On this basis, the proposal is recommended for approval.

## **7. Planning History**

- 7.1 In April 2003, under application number 03/0278, planning permission was refused for the erection of four stables and tack room with enclosed paddock. Enforcement action was also authorised. The subsequent appeal (ref APP/E0915/A/03/1119582) was dismissed.
- 7.2 In November 2003, application 03/0854, retrospective permission was refused for a building for storage of silage and animal feed and a container for the storage of implements.
- 7.3 The subsequent appeal ( ref APP/E0915/C/04/1151115) concerning an enforcement notices served on the 19th April 2004 was dismissed and the

enforcement notice upheld.

- 7.4 In April 2006, under application reference number 06/0134, planning permission was refused for the use of part of the land for the erection of stables and tack room and the change of use to a caravan site for one gypsy family. The applicant (Mr Carrigan) appealed with a Public Inquiry held on the 9<sup>th</sup> and 10<sup>th</sup> November 2006. The Inspector allowed the erection of the stables and tack room but dismissed the proposed caravan site for a gypsy family.
- 7.5 In August 2007, application 07/0547, planning permission was refused for the change of use of land to a gypsy caravan site for one family.
- 7.6 Also in 2007, under application 07/1083, planning permission was granted temporarily for the change of use of land to a gypsy caravan site for one family (revised application).
- 7.7 In 2008, application 08/0220, planning permission was refused for the erection of a stable block and hay barn.
- 7.8 In 2011, under application 11/0062, planning permission was granted for the use of land for the stationing of caravans for residential purposes for 1 no. gypsy pitch together with a utility/dayroom ancillary to that use.

## **8. Recommendation: Grant Permission**

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

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

2. The stables and hay barn hereby permitted shall be used only for private purposes for the stabling and breeding of horses and storage of associated equipment and feed and no other commercial, industrial and/or retail activity shall take place without the prior permission of the Local Planning Authority.

**Reason:** To control the precise nature of the use to safeguard the living conditions of neighbouring residents and character of the area, in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

3. No development shall take place until details of a landscaping scheme have been submitted to and approved by the Local Planning Authority.

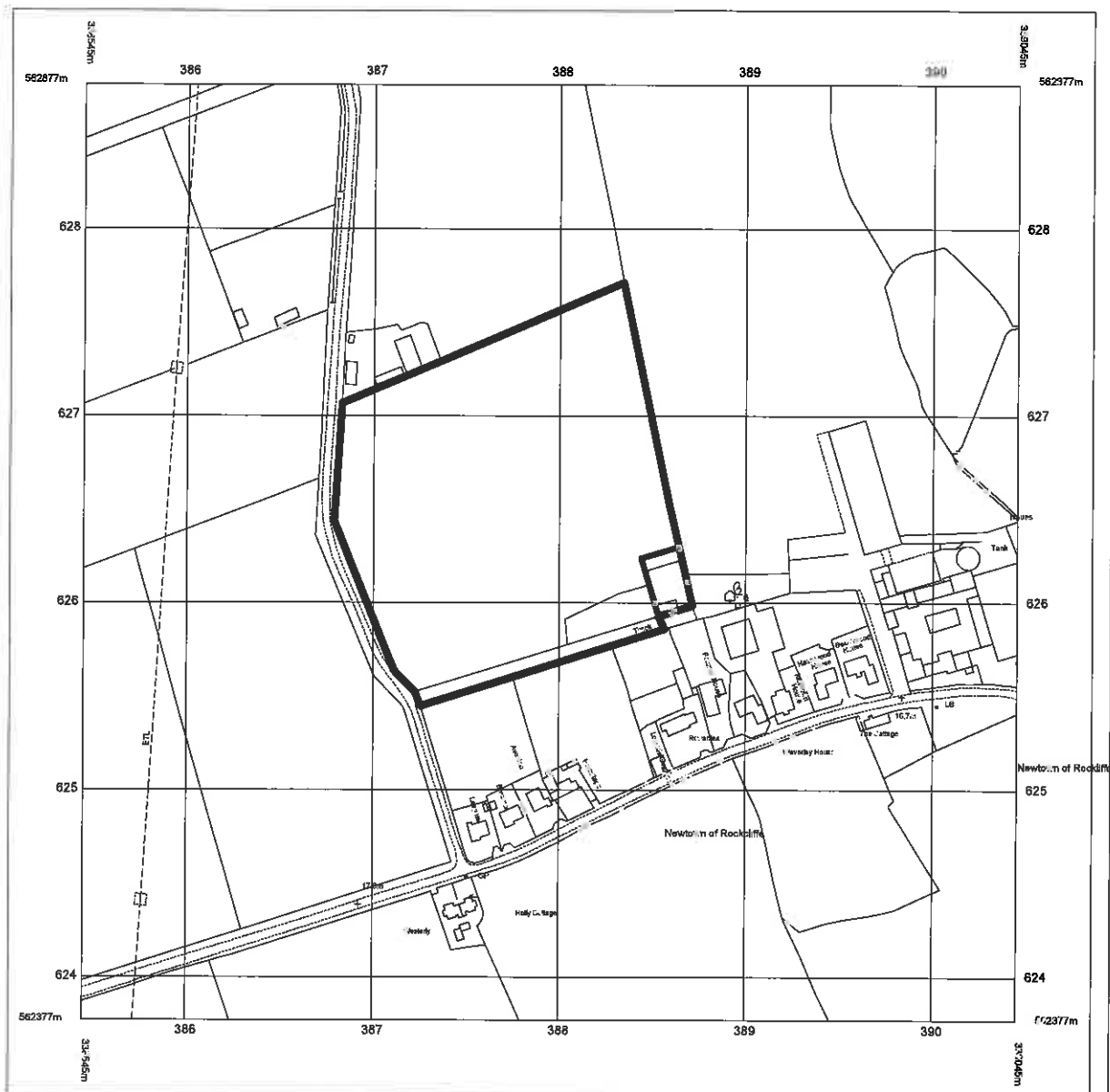
**Reason:** To ensure that a satisfactory landscaping scheme is prepared in accordance with Policy CP3 of the Carlisle District Local Plan 2001-2016.

4. All planting comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the commencement of use of either the stables or hay barn hereby permitted, or, the completion of the development (whichever is the sooner) and maintained thereafter in accordance with the approved details; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

**Reason:** To ensure that a satisfactory landscaping scheme is implemented and that it fulfils the objectives of Policy CP3 of the Carlisle District Local Plan 2001-2016.

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## Stanfords VectorMap



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## Location Plan

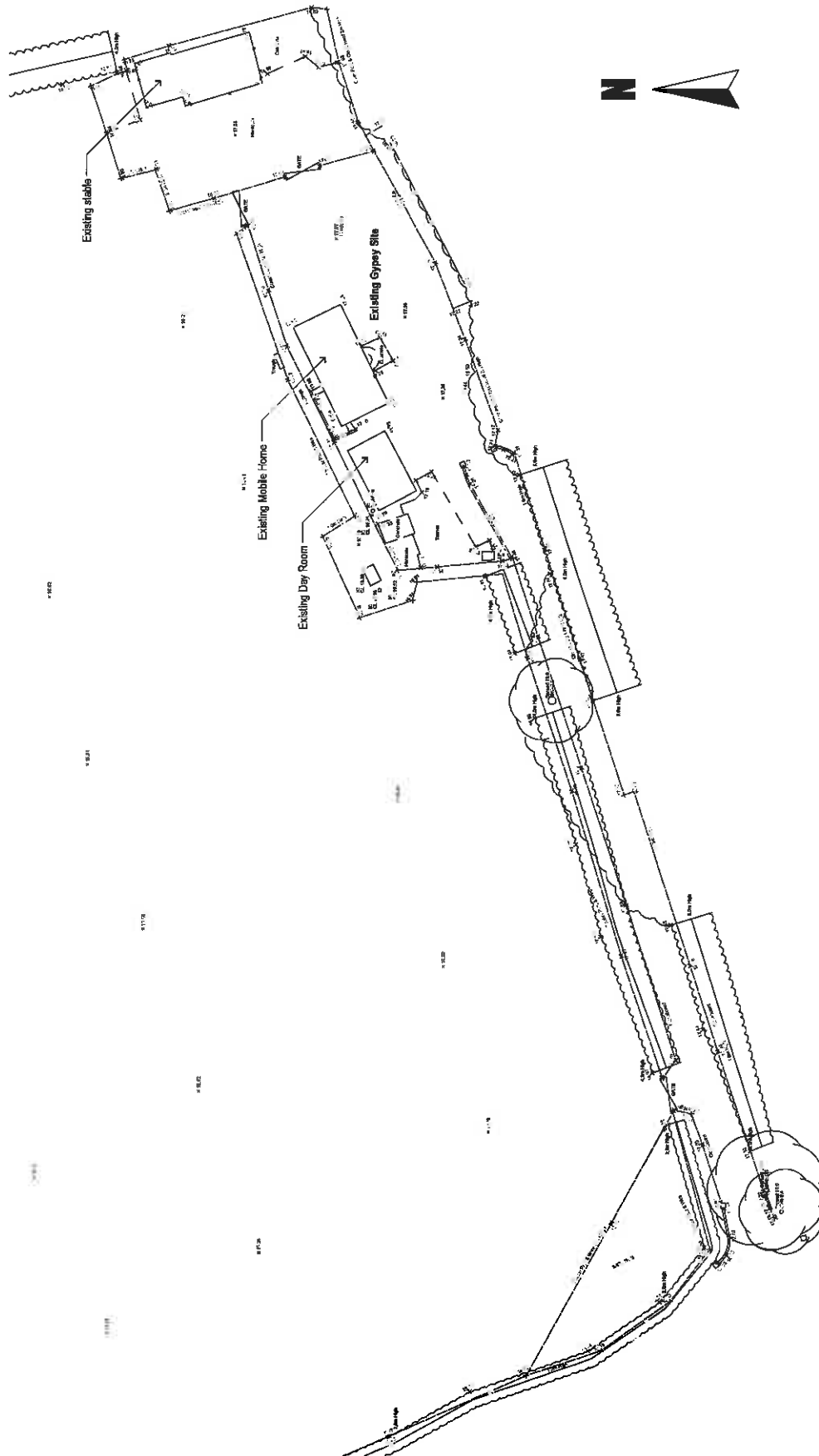
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Project title:	Parkfield Stables	Project:	07_120B_CARR
Drawing title:	Location Plan	Dwg. No:	07_120B_001

Green Planning Solutions LLP is a limited liability partnership.  
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1:500

Existing Site

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N-205

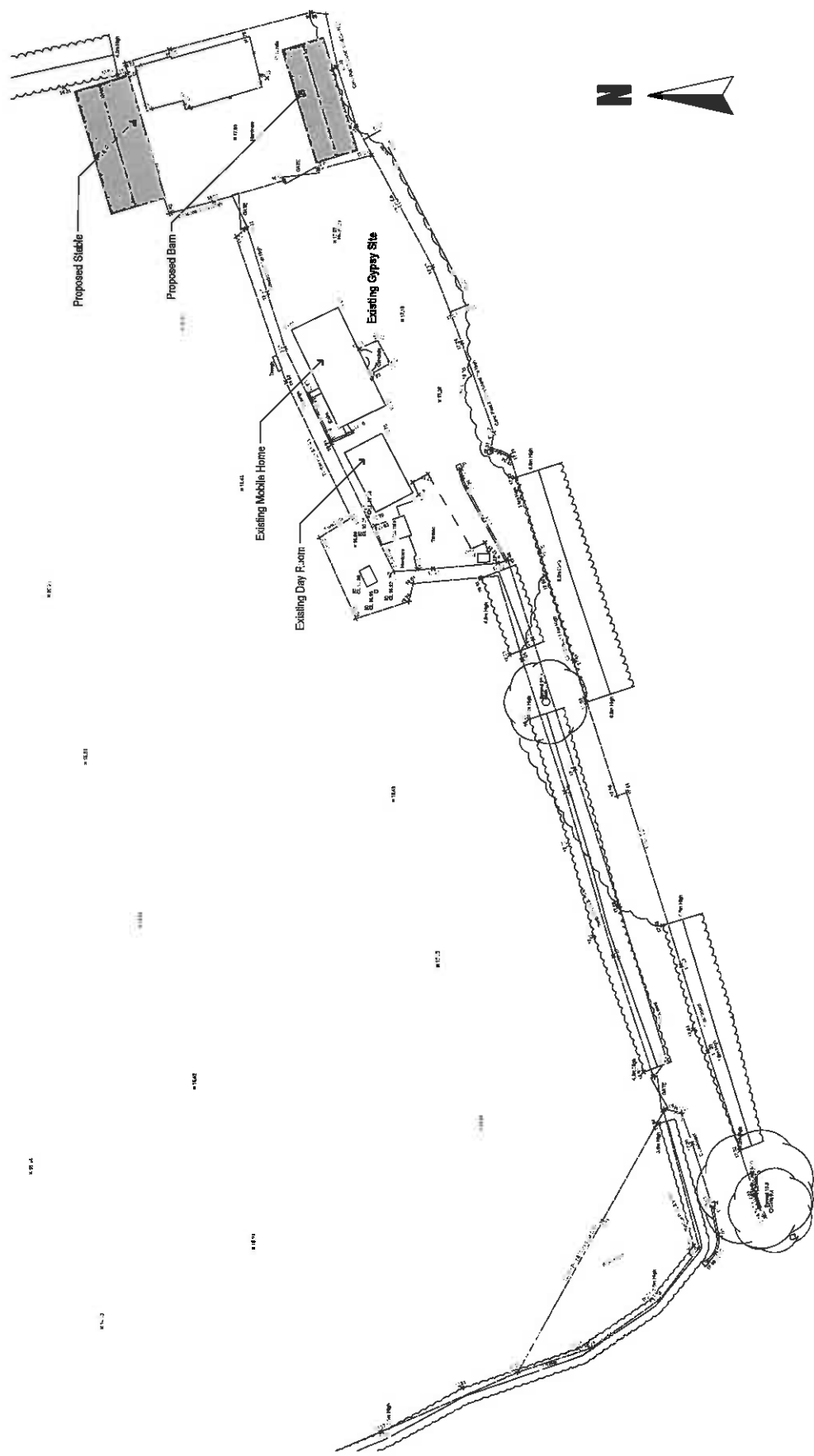
Rev.	Date	Amendment	Author

Client:	Mr P Carrigan	Scale:	1:500 83 A3
Project title:	Parish's Stables	Project:	97_1216_CARR1
Drawing title:	Existing Site	Draw No:	97_1216_002

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1:500 Proposed Site 0.

Notes	Client: Mr P Carrigan		Scale: 1:500 @ A3	<p>Unit D Luncesdale Upton Magna Business Park Shrewsbury SY4 4TT t. 01743 709361 f. 01743 709385 e. admin@lp.co.uk</p>
	Project title: Parkfield Stables		Project: 07_1205_CARR1	
	Drawing title: Proposed Site		Dwg No: 07_1205_003	
	<small>Green Planning Solutions LLP is a limited liability partnership. Partners: William Carrigan, Mr John, Mr Nick</small>			
Rev		Date	Amendments	Author



## **SCHEDULE A: Applications with Recommendation**

12/0195

**Item No: 09**

**Date of Committee: 08/06/2012**

**Appn Ref No:**  
12/0195

**Applicant:**  
Mr J Vevers

**Parish:**  
Hayton

**Date of Receipt:**  
20/03/2012

**Agent:**  
Syke Construction Ltd

**Ward:**  
Hayton

**Location:**

Karibu, How Mill, Brampton, CA8 9LL

**Proposal:** Erection Of Detached Garage/Store In Conjunction With Animal Foot Trimming Business; Provision Of 3No. Parking Spaces; Installation Of Wash Area And Associated Drainage Together With Landscaping Scheme

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### **REPORT**

**Case Officer:** Richard Maunsell

#### **1. Recommendation**

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

#### **2. Main Issues**

- 2.1 Whether The Proposal Is Appropriate To The Rural Area
- 2.2 The Impact On Living Conditions Of Neighbouring Residents
- 2.3 Highway Matters
- 2.4 Ecological Issues

#### **3. Application Details**

##### **The Site**

- 3.1 This application seeks partial retrospective "Full Planning" permission for the change of use of land together with the formation of a hardstanding and erection of a storage building at Karibu, Hardbank, Brampton. The site is accessed down a single track road from the Corby Hill to Castle Carrock Road. The access track runs parallel with the railway line and to the south-east, are a couple of residential properties. The no-through road

passes the application site along its eastern boundary which then turns ninety degrees before leading to the adjacent properties to the west.

- 3.2 The application site forms part of the curtilage to the applicant's property. The site has been levelled but the remainder of the garden slopes steeply to the north before it reaches the property.
- 3.3 To the south of the site, beyond the road, is a wooded area through which flows a watercourse.

### **Background**

- 3.4 The application was originally submitted on the basis that consent was sought for a domestic building; however, following discussion with the applicant it transpired that the building would be used for commercial purposes, hence the submission of this amended application.

### **The Proposal**

- 3.5 The applicant operates a chiropody business for farm animals. It is intended that the land would be used as a base from which the business would be run. The existing access in the south-west corner of the site has been widened to form a double width access. The trees have been removed from the site and the land has been levelled and surfaced with hardcore.
- 3.6 In addition to the works already undertaken, the applicant proposes to site a storage building adjacent to the eastern boundary. The building would measure approximately 7.6 metres at its widest point narrowing to 5 metres at the opposite end. The length would be 12.4 metres with a mono-pitched roof measuring 4.6 metres at the highest point. It would be constructed from juniper green profile sheeting on a rendered block work plinth. The building would be used to store the applicant's equipment associated with his business. The revised drawings further show that the access would be reduced to a single width with landscaping along the western boundary. A dedicated wash area would be formed within the site with a gully and cesspool to deal with any dirty water following the cleaning of the equipment.
- 3.7 A supporting statement has been received from the applicant. The applicant has clarified that:
- The machinery is washed before leaving the individual farm on which it has been used and only if there is a need for further cleaning will this take place at Karibu;
  - A collection chamber will be installed to collect any run-off from the wash area which will then be emptied by a farmer or contractor;
  - No manufacturing of gates or other items will take place from the site;
  - The building is required to store the cattle handling equipment and to protect it from potential theft;
  - The existing hedge will be allowed to grow in height to further screen the site.

#### **4. Summary of Representations**

4.1 This application has been advertised by means of a site notice and direct notification to the occupiers of six of the neighbouring properties. Two letters of objection have been received and the main issues raised are summarised as follows:

1. the single track road has been damaged by the heavy vehicles accessing the site;
2. the site appears like an unfinished building site;
3. the site is not only to be used as a cow chiropody business but also manufacturing iron gates that will lead to noise and disturbance;
4. consent shouldn't have been granted without notification to the occupiers of the neighbouring properties;
5. trees have been removed from the site despite the application form which states that they haven't; and
6. the site looks like a commercial scrap yard.

4.2 Following the receipt of amended application details which state the proposal is for commercial purposes; four letters of objection and a comment have been received. The main issues raised are summarised as follows:

1. the removal of one of the temporary access gates to provide a single access would provide difficulty in accessing the site and would result in damage to the verge;
2. confirmation should be provided that the pressure washer and the industrial closed washing machines should be sited within the new building;
3. the site has been cleared of trees and shrubs despite the application form stating that there are no trees on the site;
4. consent for business access from the Public Right of Way has not been obtained;
5. there are red squirrels, bats and otters in the vicinity of the site. Circular 06/2005 requires Local Planning Authority's to consider the impact on protected species and the likely harm that might result from any development;
6. the road is not suitable for this kind of traffic;
7. the work is nearly complete and permission should not be granted retrospectively when other people have to go through the right channels;
8. the business use is inappropriate in Hardbank and has had a devastating effect on the area;
9. the removal of trees from the site would have disturbed protected species and required a licence from Natural England; and
10. the size of the size of the building is inappropriate in this rural setting.

#### **5. Summary of Consultation Responses**

Cumbria County Council - (Highway Authority): - provided that the development is for the applicant's own use, there is no objection subject to the imposition of a highway conditions. It would be reasonable for the Local

Planning Authority to seek a Unilateral Undertaking to require the applicant to maintain the bound surface of the road, given the intensification of the use;  
Hayton Parish Council: - comments awaited;  
Carlisle Airport: - comments awaited;  
United Utilities: - no objection; however, due to the Private Sewers Transfer not all sewers are currently shown on the statutory records, therefore, the applicant should be made aware that the proposed development may fall within the required access strip of a public sewer; and  
Cumbria County Council - (Highway Authority - Footpaths): - Public Footpath 117033 runs adjacent to the development site and the applicant must ensure that no obstruction to the footpath occurs during or after completion of the site works.

## **6. Officer's Report**

### **Assessment**

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. This application is required to be considered against the National Planning Policy Framework (NPPF) and the relevant planning Policies CP1, CP2, CP3, CP5, CP6, CP11, EC11 and T1 of the Carlisle District Local Plan 2001-2016. The proposal raises the following planning issues.

#### **1. Whether The Proposal Is Appropriate To The Rural Area**

- 6.2 The location of this type of operation in the rural area must also be justified. Policy DP1 of the Local Plan requires that development proposals will be assessed against their ability to promote sustainable development. Outside of the specified settlements, development proposals will be assessed against the need to be in the location specified.
- 6.3 The use of the site and the proposed building is specific to the location insofar as it relates to the applicant's chiropody business for farm animals. The business is related exclusively to the agricultural industry and it is therefore well related to serve the needs of the business in a rural location. It would be inappropriate to require the business to be sited on land designated for employment use or within a larger settlement. The proposal demonstrates an essential requirement for a rural location, which it would be unreasonable to require to be accommodated elsewhere.
- 6.4 Paragraph 19 of the NPPF states:
- "The government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system."
- 6.5 'Sustainable development' is defined in the NPPF as "positive growth –

making economic, environment and social progress...".

- 6.6 This proposal requires the development of a new building to house equipment associated with the applicant's business. Policy EC11 of the Local Plan states that any new buildings within the rural area should be well related to an existing group of buildings to minimise their impact and ensure they blend satisfactorily into the landscape through suitable materials, design and siting.
- 6.7 Whilst the plans show the proposed building to be situated away from the dwelling, the boundaries of the site consist of mature hedge which partially serves to screen the site. Through continued management, the applicant intends to increase the height of the hedge and thus further minimise the impact of the building on the landscape.

## 2. The Impact On Living Conditions Of Neighbouring Residents

- 6.8 The property is a rural area albeit surrounded in an isolated location away from other residential properties and it is not considered that the proposal will result in any adverse impact on the living conditions of residents of any neighbouring properties.
- 6.9 The applicant has submitted a supporting statement which details how the business is operated. Essentially, the applicant, along with three members of staff who arrive at the site, leave each morning with the equipment and work on a farm for the day. They then return to the site, having washed the equipment on the farm, in the evening.
- 6.10 The building would be sited in the south-east corner of the site. Whilst the site is visible from the adjacent road, it is not visible from neighbouring properties; therefore, the scale siting and design mean that the living conditions of the occupiers of that property will not be compromised through loss of light, loss of privacy or over dominance.
- 6.11 Given the orientation of the application site with adjacent properties together with the level of use, it is not considered that the living conditions of the occupiers would suffer from loss of privacy or unacceptable levels of noise or disturbance.

## 3. Highway Matters

- 6.12 The site is served by a bridleway that serves the site along with neighbouring properties to the west. Objectors have raised concerns about the damage to the bridleway and the verge that has been caused by the applicant. In response, the applicant has confirmed that much of this damage was caused during the formation of the site and the delivery of the hard core by tractors and trailers. Since then, the applicant has stated that he has reseeded the verge and his 4x4 vehicles and trailers can access the site without causing any further damage. The revised drawings initially showed the double width access reduced to a single access; however, following negotiations with Officers, the double width access will be retained to assist with the means of



access to minimise further damage to the verge.

- 6.13 Members will note that neither the Highway Authority nor the County Council's Countryside Access Officer has raised any objection to the application.

#### **4. Ecological Issues**

- 6.14 Some of the objectors have raised concerns about the potential impact on the ecology of the area. Any work that required a licence to be issued by Natural England would be a matter for that organisation to pursue.
- 6.15 The Council's GIS Layer has identified that the site has the potential for water voles, lizards and breeding birds to be present on the site. As the proposed development would be located within the curtilage of the dwelling and that a large portion of the disturbance to the site has already occurred, it is not considered that the development would harm a protected species or their habitat as the latter has been removed; however, an Informative has been included within the decision notice ensuring that if a protected species is found all work must cease immediately and the Local Planning Authority informed.
- 6.16 The development does not involve works out with the site and subject to conditions controlling surface water run-off, the adjacent habitat would not be affected by the development.

#### **5. Other Matters**

- 6.17 Local residents have raised concerns about the potential surface water run-off from the site that would leach into a nearby watercourse which is in the form of a beck that runs through the wooded area to the south of the site. The applicant has confirmed that the wash area would be surfaced in a bound material and the surface water collected in a chamber. The chamber would then be emptied periodically to avoid any run-off from the site. Subject to the imposition of a condition, this is an appropriate means of dealing with the issue.

#### **Conclusion**

- 6.18 The principle of continued economic growth is supported by the Government's recently published NPPF and by Local Plan policies. The business is solely linked to agriculture and its siting in this rural location is appropriate. The scale, siting and design of the development, including the proposed building would be appropriate.
- 6.19 Subject to the imposition of appropriate planning conditions, the living conditions of the occupiers of neighbouring properties would not be adversely affected by the development or the proposed use. No objection has been raised by the Highway Authority and in all aspects the proposal is considered to be compliant with the requirements of the relevant Local Plan policies.

## **7. Planning History**

- 7.1 There is no planning history associated with this property.

## **8. Recommendation: Grant Permission**

1. The approved documents for this Planning Permission comprise:
1. the Planning Application Form received 24th April 2012;
  2. the Location Plan received 24th April 2012 (Drawing no. 01A);
  3. the Site Plan received 22nd May 2012 (Drawing no. 02B);
  4. the Proposed Garage/ Store received 24th April 2012 (Drawing no. 03);
  5. the Floor Plan received 20th March 2012 (Drawing no. 04);
  6. the Design and Access Statement received 24th April 2012;
  7. the letter received from W. Vevers dated 20th May 2012;
  8. the Notice of Decision; and
  9. any such variation as may subsequently be approved in writing by the Local Planning Authority.

**Reason:** To define the permission.

2. This permission shall not be exercised by any other person or business other than the occupier of Karibu, How Mill, Brampton unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure that the site is not subdivided to ensure that the living conditions of the future occupiers of the property are not adversely affected in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

3. Within 3 months from the date of this approval, details of the scheme for the provision of surface water drainage works shall be submitted and agreed in writing by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans.

**Reason:** To ensure a satisfactory means of surface water disposal and in accord with Policy CP11 of the Carlisle District Local Plan 2001-2016.

4. The site shall be used for the storage and maintenance of equipment associated with the Animal Chiropody business together with associated parking and wash area and for no other purpose.

**Reason:** To preclude the possibility of the use of the premises for purposes inappropriate in the locality occupiers in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

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Land Registry

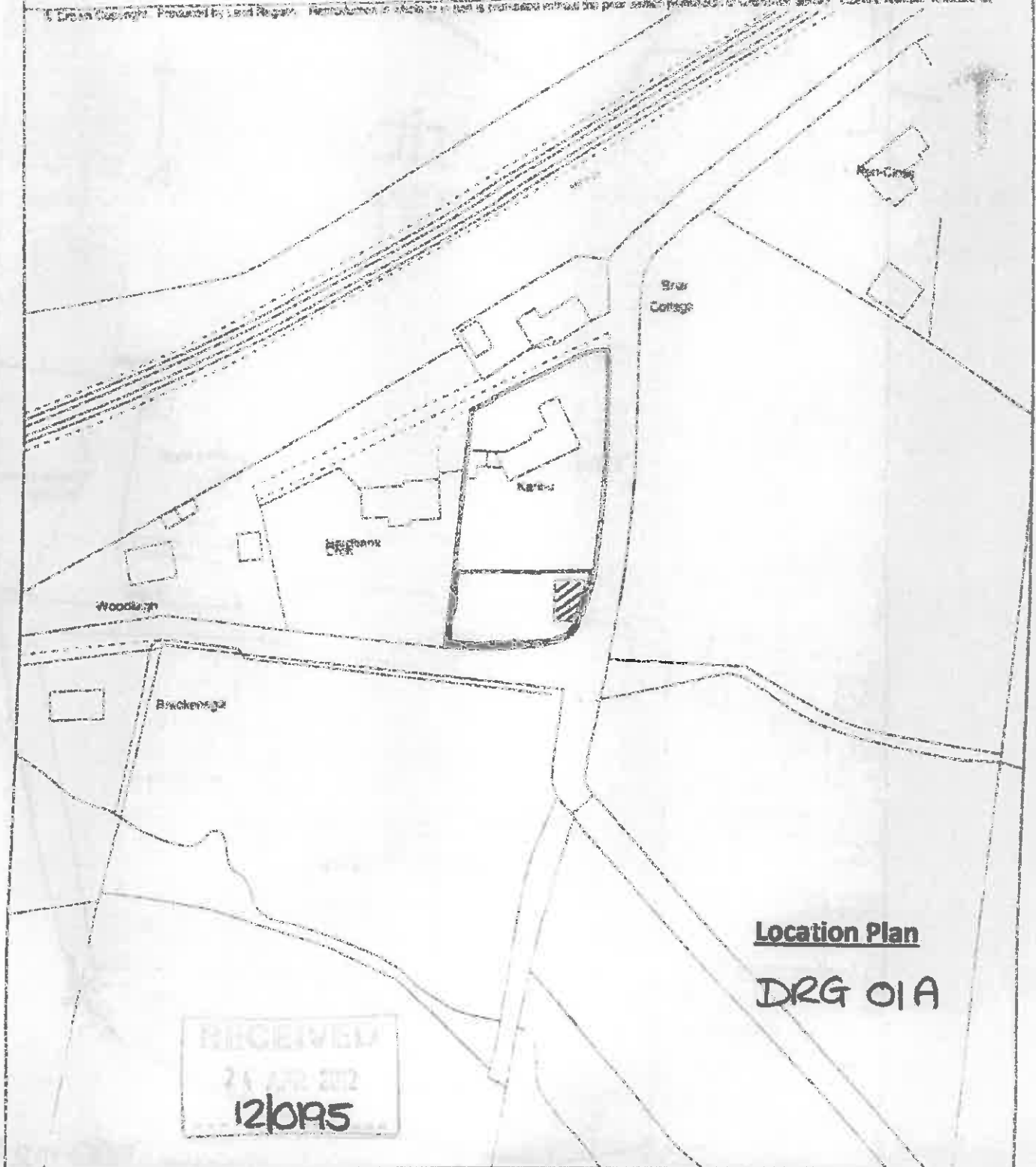
Title number CU263680

Ordinance Survey map reference NY5156NE

Scale 1:1250 enlarged from 1:2500

Administrative area Cumbria: Carlisle

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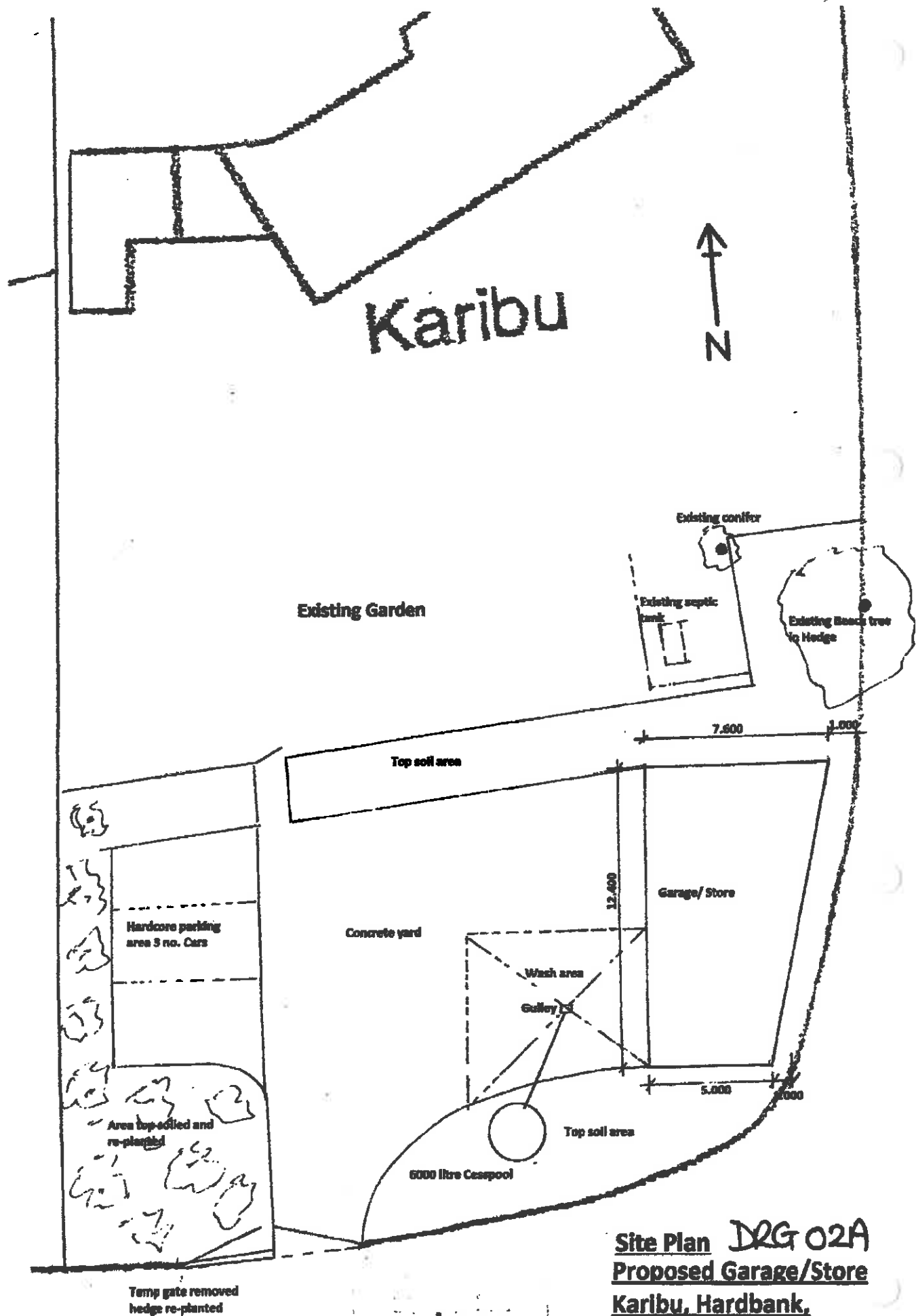
Location Plan

DRG 01A

This official copy issued on 31 January 2012 shows the state of this title plan on 31 January 2012 at 14:06:54. It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002).

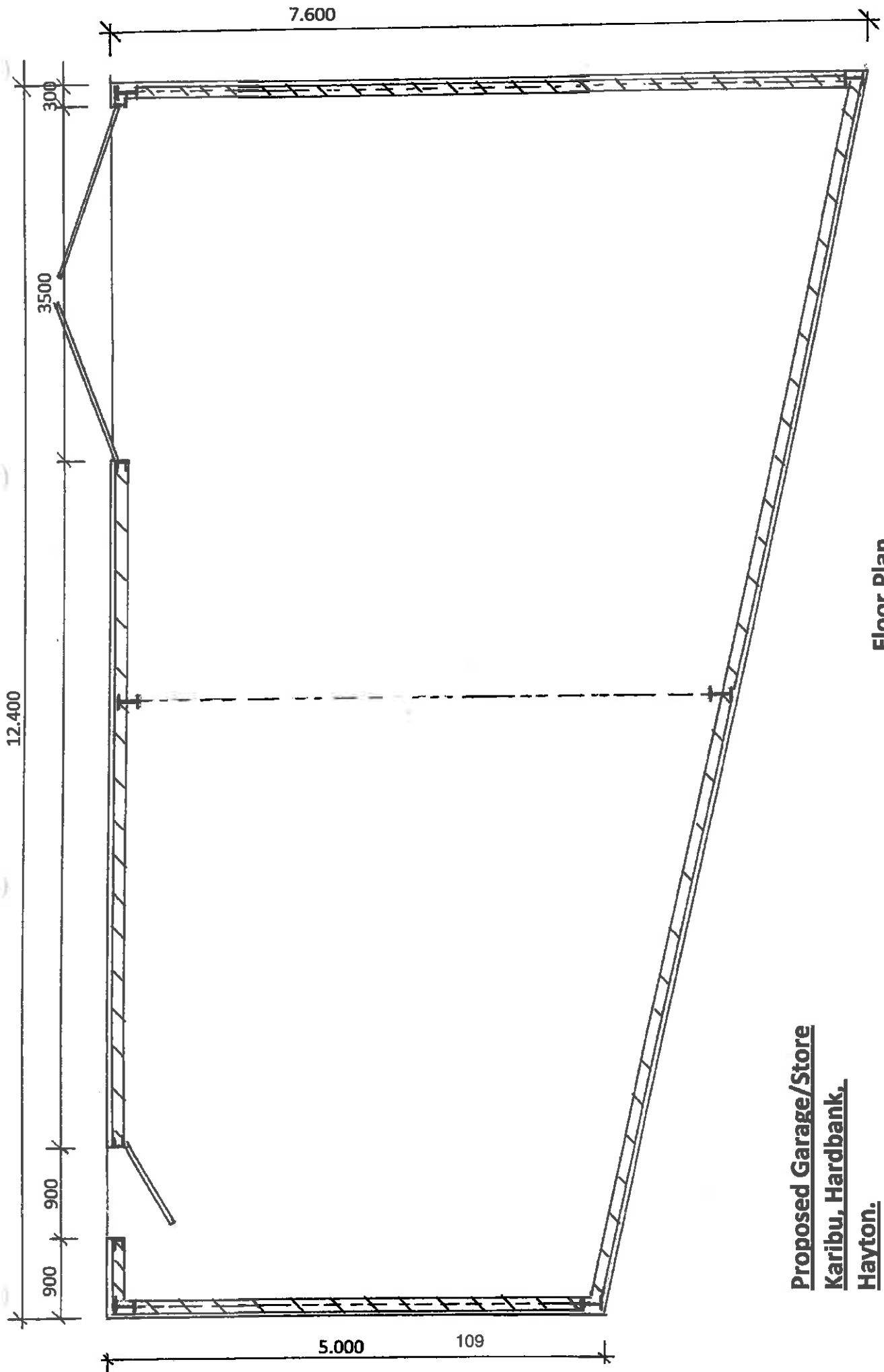
This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground. See Land Registry Public Guide 19 - Title Plans and Boundaries.

This title is dealt with by Land Registry, Durham Office.



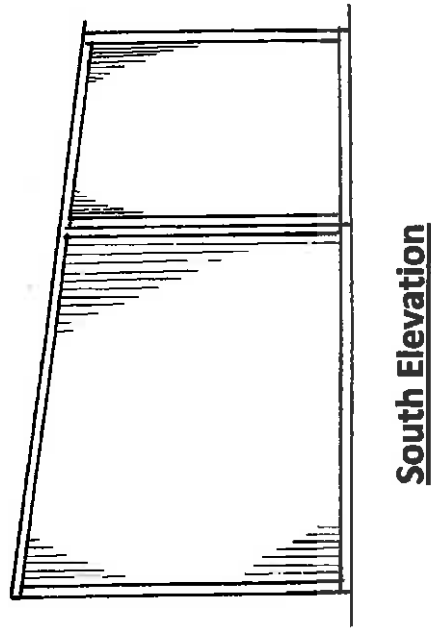
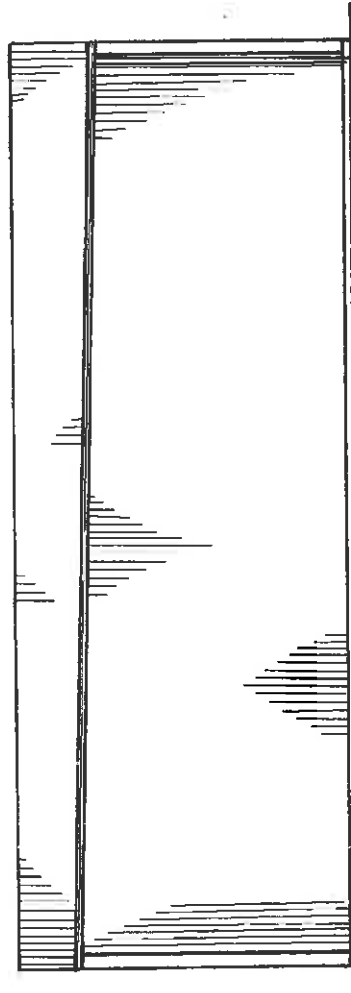
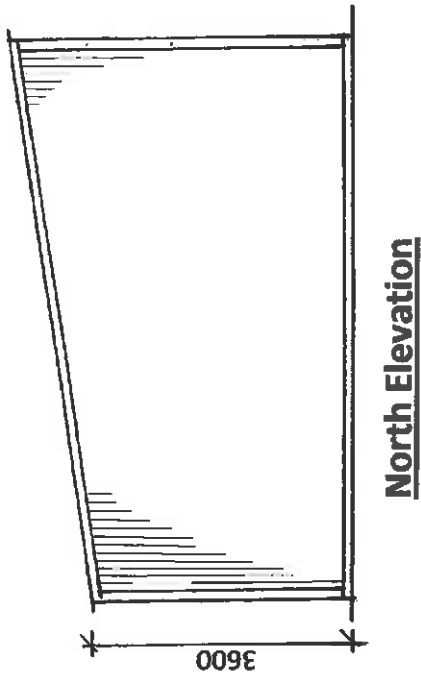
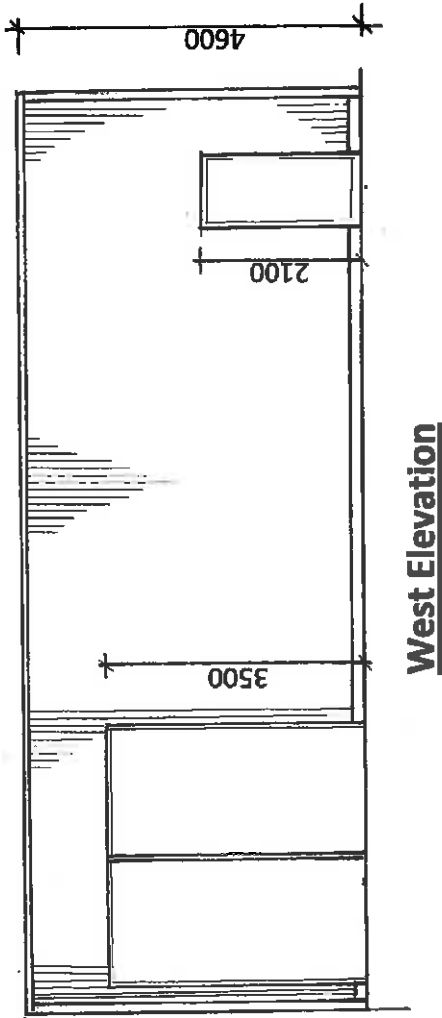
12/01/95

**Site Plan DRG 02A**  
**Proposed Garage/Store**  
**Karibu, Hardbank,**  
**Hayton**  
**Scale 1:200**



**Floor Plan**

**Proposed Garage/Store**  
**Karibu, Hardbank,**  
**Hayton.**  
**Scale 1 : 50**



**Roof** Juniper Green profiled steel sheeting

**Walls** Juniper Green profiled steel sheeting

**Plinth** Rendered concrete block

**Gutters** Black half round

**Proposed Garage/Store**

**Karibu, Hardbank,**

**Hayton**

**Scale 1:100**

## **SCHEDULE A: Applications with Recommendation**

12/0238

**Item No: 10**

**Date of Committee: 08/06/2012**

**Appn Ref No:**  
12/0238

**Applicant:**  
Mr Nicky Ormiston

**Parish:**  
Stanwix Rural

**Date of Receipt:**  
26/03/2012

**Agent:**  
Unwin Jones Partnership

**Ward:**  
Stanwix Rural

**Location:**

Greengate, The Orchard, Crosby On Eden, Carlisle,  
Cumbria, CA6 4QN

**Proposal:** Erection Of Detached Garage

---

### **REPORT**

**Case Officer:** Barbara Percival

#### **1. Recommendation**

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

#### **2. Main Issues**

- 2.1 Impact of the proposal on living conditions of neighbouring residents.
- 2.2 Whether the proposal is appropriate to the dwelling.
- 2.3 Impact of the proposal on highway safety.
- 2.4 Impact of the proposal on biodiversity.
- 2.5 Impact of the proposal on the floodplain.
- 2.6 Impact of the proposal on the buffer zone on Hadrian's Wall World Heritage Site.

#### **3. Application Details**

##### **The Site**

- 3.1 Greengate and its immediate neighbour, Eden House, are large brick built detached dwellings located in a relatively recent development called The Orchard. The properties, both of which have substantial curtilages, are situated on the southern side of the county highway road partially obscured from public viewpoints by a 1.5 metre high gated brick wall. The recessed

entrance to the development is directly opposite The Stag Public House.

- 3.2 The layout of The Orchard is an open-plan arrangement with Eden House located to the north of Greengate. To the east of Greengate are the gardens associated with Crosby Pre-School Nursery whilst beyond its southern (rear) boundary are agricultural fields. Another residential property, Edensteads, is approximately 22 metres from the western gable of Greengate.

### **The Proposal**

- 3.3 The application seeks Full Planning Permission for the erection of a detached garage on an existing paved parking area. The submitted drawings illustrate the erection of a substantial garage capable of accommodating four vehicles.
- 3.4 The garage, located to the east of Greengate, would have a maximum length of 12.6 metres with a width of 6.6 metres to a ridge height of 5.1 metres. The proposed walling materials are facing bricks with a slate roof in keeping with the existing dwelling and its immediate neighbour.

### **4. Summary of Representations**

- 4.1 This application has been advertised by the direct notification of three neighbouring properties. In response, one e-mail of objection has been received.
- 4.2 The e-mail identifies the following issues:
1. garage is to house at least four vehicles which may lead to trading from garage.
  2. highway safety due to proximity to school.
  3. currently a great number of cars already visiting the property.

### **5. Summary of Consultation Responses**

Cumbria County Council - (Highway Authority): - no objections;  
Stanwix Rural Parish Council: - object to the proposal as it is in-appropriately large in height, footprint and massing for its domestic curtilage;  
English Heritage - North West Region: - do not wish to offer any comments on this occasion;  
Hadrians Wall Heritage Limited: - no response received;  
National Grid UK Transmission: - no response received;  
United Utilities - (for water & wastewater comment): - no objections subject to the imposition of an Informative.

### **6. Officer's Report**

#### **Assessment**

- 6.1 The relevant planning policies against which the application is required to be



assessed are Policies CP2, CP5, H11, LE7, LE27 and T1 of the Carlisle District Local Plan 2001-2016. The proposals raise the following planning issues:

**1. Impact Of The Proposal On The Living Conditions Of Neighbouring Properties**

- 6.2 Policy CP5 of the Local Plan seeks to safeguard the living conditions of neighbouring residents from inappropriate development. The proposal is located on an existing paved parking area approximately 20 metres south east of the nearest residential property, Eden House. Given the orientation of the building in relation to neighbouring properties the building would not have an adverse impact on the living conditions of the occupiers of neighbouring properties on the basis of overlooking, overdominance or loss of light.
- 6.3 Concerns has been raised in respect of the potential use of the garage for non-domestic purposes. The agent has subsequently confirmed that the use of the garage is for the storage of personally owned cars and domestic/garden equipment only. To ensure that there is no future intensification of use, a condition has been included within the decision notice restricting the use of the building for private domestic purposes only.
- 6.4 Accordingly, given that the building would utilise an area of hardstanding currently used for the open storage of vehicles the proposal would not exacerbate the current situation to such an extent to warrant a refusal of the application.

**2. Whether The Proposal Is Appropriate To The Dwelling**

- 6.5 Policies CP5 and Policy H11 of the Local Plan seek to ensure that development is not only well designed but also complements the existing environment. When assessing this application against the aforementioned policies it is evident that the building is larger than what would normally be expected within a domestic curtilage; however, the size of the garage is commensurate with the dwelling and its domestic curtilage and would use materials to match the existing dwelling and its immediate neighbour.

**3. Impact Of The Proposal On Highway Safety**

- 6.6 Concerns have been raised by a neighbouring occupier in respect of the number of vehicles currently accessing The Orchard. The views of Cumbria County Council, as Highways Authority, has been sought who do not object to the proposal as the submitted details are satisfactory from a highway perspective. The concerns of the neighbour are respected; however, the Highways Authority do not share these concerns to warrant a refusal of the application.

**4. Impact Of The Proposal On Biodiversity**

- 6.7 The Councils GIS Layer has identified that the site has the potential for several key species to be present within the immediate vicinity. As the

proposed development would be located adjacent to an existing dwelling, situated over an area which is currently paved with minimum disturbance to vegetation the development would not harm a protected species or their habitat. However, an Informative has been included within the decision notice ensuring that if a protected species is found all work must cease immediately and the Local Planning Authority informed.

## **6. Impact Of The Proposal On The Floodplain**

- 6.8 The application site is identified as within Flood Zones 2 and 3A of Environment Agency's Flood Map. As such any application has to be accompanied by a Flood Risk Assessment (FRA). The applicant has provided the FRA which outlines that the surface water from the building would be to a new soakaway and not into the local drainage system. Accordingly, the building would not significantly affect the Flood Zone.

## **6. Impact Of The Proposal On The Buffer Zone On Hadrian's Wall World Heritage Site**

- 6.9 Within the buffer zone of Hadrian's Wall Military Zone World Heritage Site proposals for development which would have an unacceptable impact on the character and/or setting of the World Heritage Site will not be permitted. Development within or adjacent to existing settlements, established farmsteads and other groups of buildings will be permitted, where it is consistent with other policies of the Development Plan.
- 6.10 The proposed garage would be located adjacent to existing residential properties within the settlement of Crosby On Eden. English Heritage has been consulted who do not wish to offer any comments in this instance. On the basis of the foregoing the proposal would not have a detrimental impact on the character/setting of the buffer zone on the World Heritage Site.

## **Conclusion**

- 6.11 In overall terms, the scale, siting and massing of the proposed garage is acceptable and would not have a significant adverse impact on the living conditions of neighbouring properties through unreasonable loss of light or overdominance. The proposal would not impact on highway safety, biodiversity or the floodplain nor would it have a detrimental impact on the buffer zone on the World Heritage Site. In all aspects the proposal is compliant with the objectives of the Local Plan policies.

## **7. Planning History**

- 7.1 In 1989, Outline Planning Permission and Listed Building Consent was granted for erection of three dwellings (application references 89/0150 and 89/0151).
- 7.2 Also in 1989, applications for Full Planning Permission and Listed Building were withdrawn for conversion of outbuildings to 2no. dwellings and new

garage accommodation (application references 89/1290 and 89/1291).

- 7.3 In 1992, Outline Planning Permission was renewed for erection of 2no. houses and 1 bungalow (application reference 92/0145).
- 7.4 In 1995, Outline Planning Permission and Listed Building Consent was renewed for erection of 3no. dwellings (application references 95/0161 and 95/0162).
- 7.5 In 1996, Full Planning Permission was granted for erection of 3no. dwellinghouses (application reference 96/0668).
- 7.6 In 1998, an Listed Building Consent was withdrawn for formation of vehicle access through existing garden wall (application reference 98/0345).
- 7.7 Also 1998, Full Planning Permission was withdrawn for erection of 3no. dwellings (application reference 98/0346).
- 7.8 In 2000, Full Planning Permission was granted for erection of 2no. dwellings (application reference 00/0236).
- 7.9 In 2001, Full Planning Permission was granted for erection of dwelling (revised proposal) (application reference 01/0972).

## **8. Recommendation: Grant Permission**

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

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

2. The approved documents for this Planning Permission comprise:

1. the submitted planning application form received 19th March 2012;
2. the Flood Risk Assessment received 26th March 2012;
3. the letter from Unwin Jones Partnership received 30th April 2012;
4. the location plan as existing received 19th March 2012 (Drawing Number 2556/GAR/01);
5. the site plan and elevations as existing received 19th March 2012 (Drawing Number 2556/GAR/02);
6. the site plan and elevations as proposed received 19th March 2012 (Drawing Number 2556/GAR/03);
7. the Notice of Decision; and
8. any such variation as may subsequently be approved in writing by the Local Planning Authority.

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

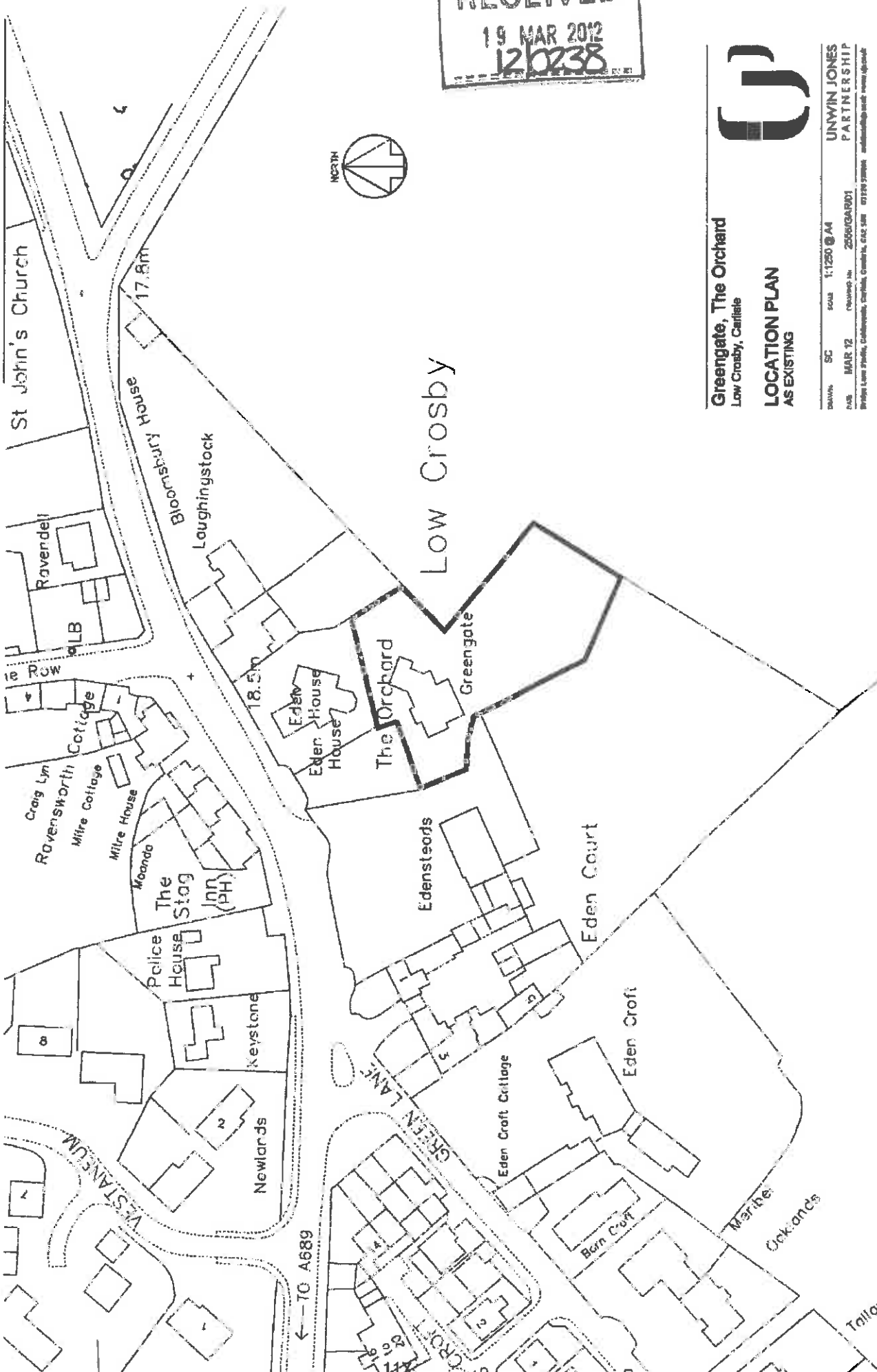
3. The proposed garage shall be used solely for private, domestic purposes by the occupier and his immediate family whilst resident at the premises and no trade or business shall be carried out therein or therefrom.

**Reason:** To preclude the possibility of the use of the premises for purposes inappropriate in the locality in accordance with the objectives of Policy CP5 of the Carlisle District Local Plan 2001-2016.

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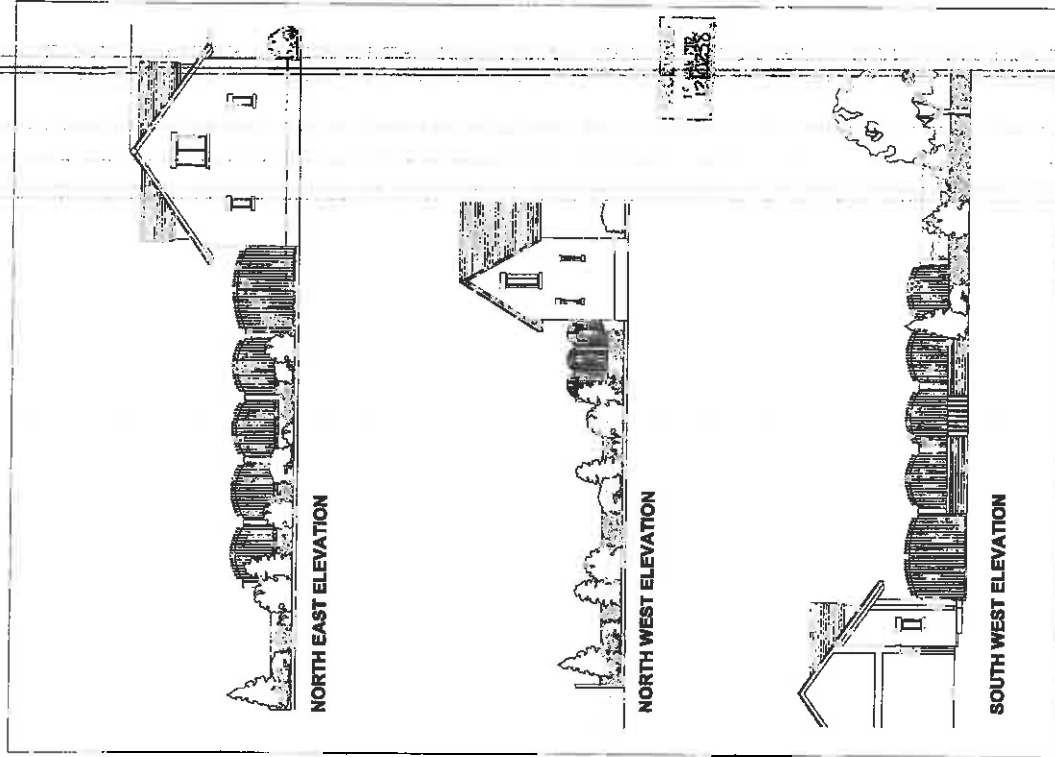
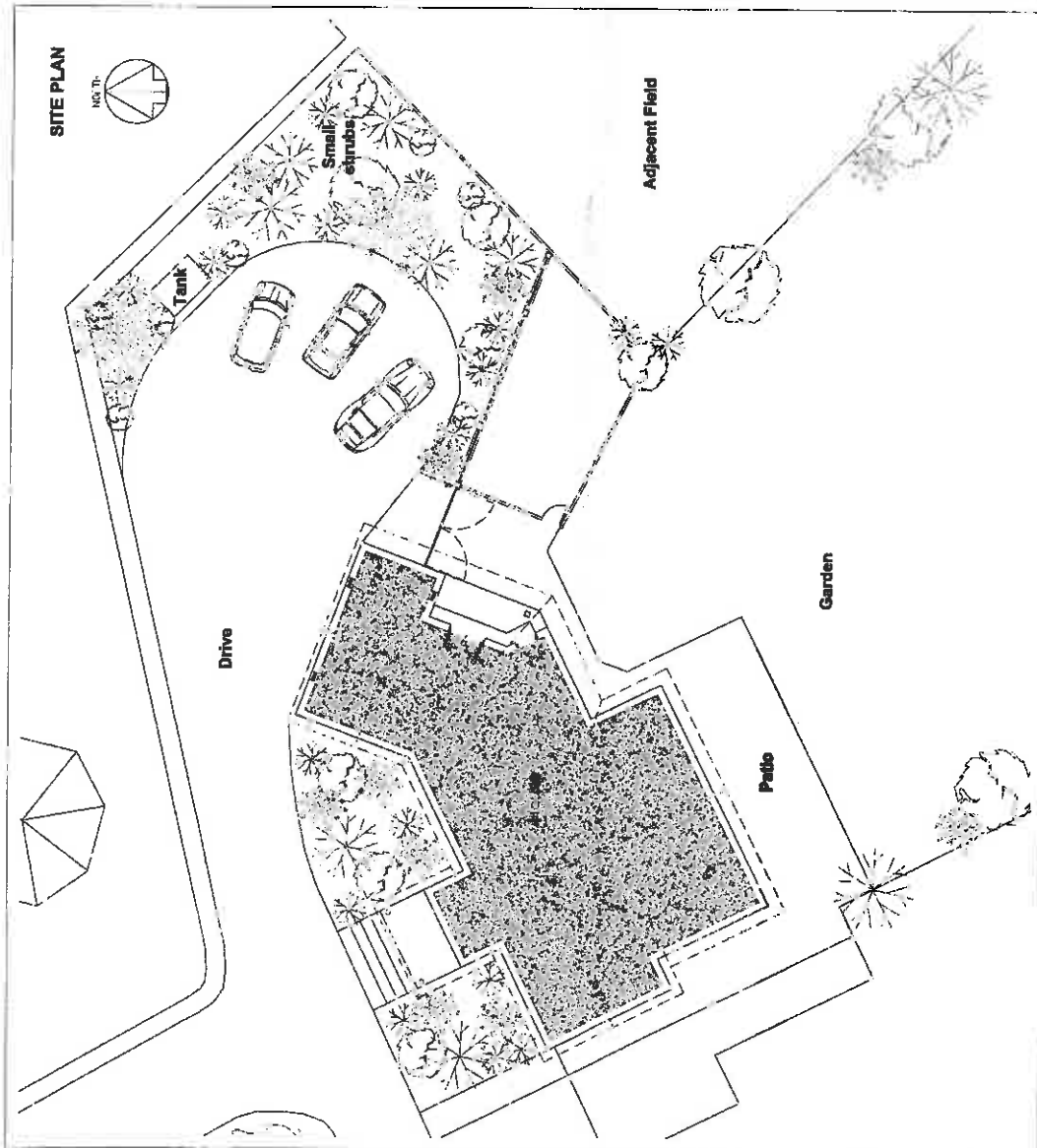
Greengate, The Orchard  
Low Crosby, Carlisle

LOCATION PLAN  
AS EXISTING

UNWIN JONES  
PARTNERSHIP  
255600001  
01200 50000

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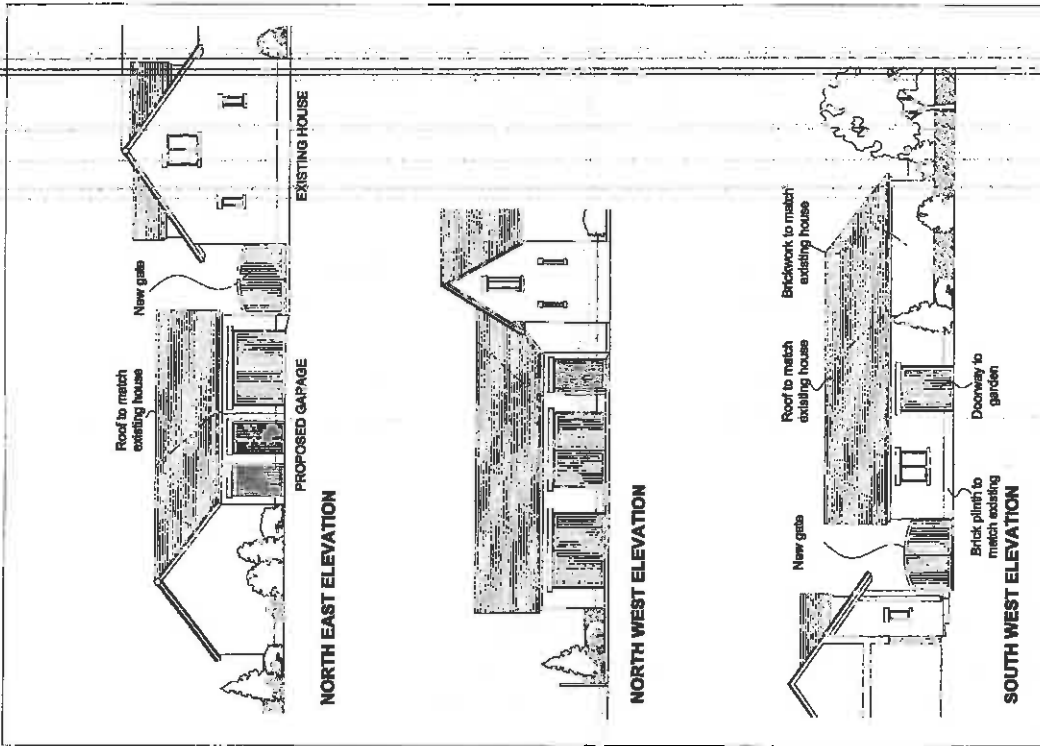
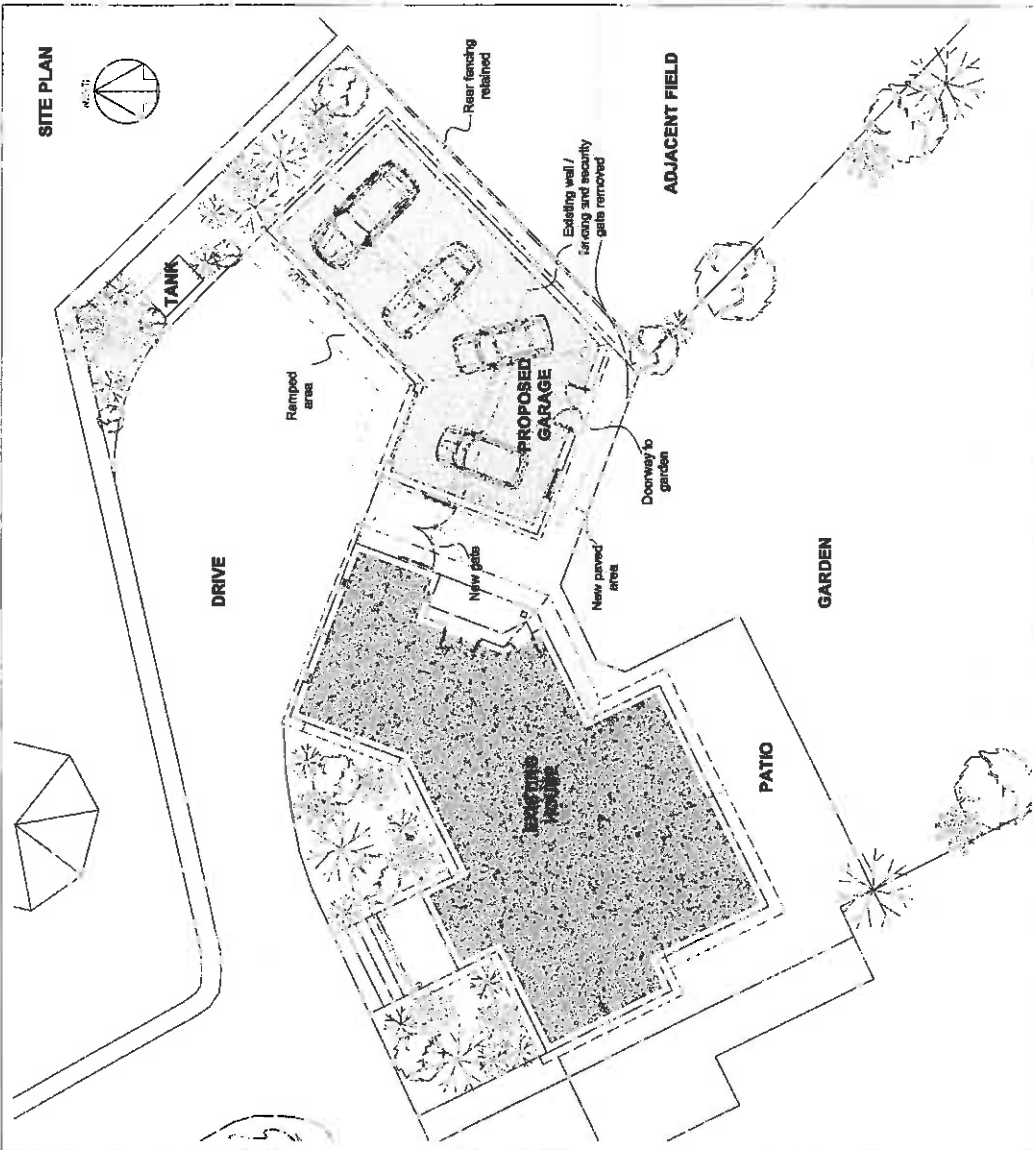
Greengate, The Orchard  
Low Orsby, Cambs

## SITE PLAN & ELEVATIONS As Existing

DATE: 11/08/04  
DRAWN: J. JONES  
CHECKED: J. JONES  
SCALE: 1/100 @ A1  
PROJECT: 2004/0002  
CLIENT: J. JONES & ASSOCIATES, INC.  
LOCATION: 11/08/04

# GENERAL NOTES

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Greengate, The Orchard  
Low Crosby, Carlisle

## SITE PLAN & ELEVATIONS AS PROPOSED

UNWIN JONES  
PARTNERSHIP  
100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

## **SCHEDULE A: Applications with Recommendation**

12/0314

**Item No: 11**

**Date of Committee: 08/06/2012**

**Appn Ref No:**  
12/0314

**Applicant:**  
Mr Sam & Mrs Karen Greig

**Parish:**  
Beaumont

**Date of Receipt:**  
16/04/2012

**Agent:**

**Ward:**  
Burgh

**Location:**

Sunnyside, Moorhouse Road, Moorhouse, Carlisle,  
Cumbria, CA5 6EJ

**Proposal:** Raising Of Roof To Provide First Floor Accommodation Comprising 1no. En-Suite Bedroom, 2no. Bedrooms And Bathroom, Together With Reconfiguration Of Ground Floor Accommodation

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### **REPORT**

**Case Officer:** Stephen Daniel

#### **1. Recommendation**

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

#### **2. Main Issues**

- 2.1 Whether The Scale And Design Of The Proposal Is Acceptable  
2.2 Impact On The Living Conditions Of The Occupiers Of Any Neighbouring Properties

#### **3. Application Details**

##### **The Site**

- 3.1 The existing dwelling is a single-storey brick built property under a hipped, slate roof. A flat roof conservatory has been added to the south elevation of the dwelling, whilst a flat roof single-storey extension has been added to the east elevation. The dwelling sits on a large plot, which contains a large timber shed, a smaller garden shed, a green house, a pre-fabricated garage and a number of trees. Boundary treatment consists of post and wire fences and hedgerow.



- 3.2 The dwelling is surrounded by fields, with the nearest residential property being located approximately 170m to the south.

### **Background**

- 3.3 This application has been brought to committee because the applicants work for the City Council.

### **The Proposal**

- 3.4 This proposal is seeking planning permission to raise the roof of the property to provide first floor accommodation, which would comprise three bedrooms (one en-suite) and a bathroom. The ridge height of the dwelling would be increased from 4.5m to 6.8m and the hipped roof would be replaced by gables. Small pitched roof dormer windows and rooflights would be added to the north and south elevations, with solar panels also shown on the south roofslope. A juliet balcony would be added to the rear elevation.
- 3.5 The existing flat roof conservatory would be removed and a new pitched roof porch would be added to the north elevation.  
The ground floor accommodation would be re-configured and this would involve the introduction of a number of new window and door openings. The dwelling would be finished in render, with a brick plinth, under a slate roof.
- 3.6 The existing pre-fabricated garage, which lies adjacent to the dwelling, would be demolished and replaced by a parking/ turning area. The proposed block plan also shows a ground source heat pump located to the north of the dwelling, in close proximity to the property boundary.

## **4. Summary of Representations**

- 4.1 This application has been advertised by means of a site notice and a notification letter sent to one neighbouring property. No verbal or written representations have been made during the consultation period.

## **5. Summary of Consultation Responses**

Cumbria County Council - (Highway Authority): - no objections;  
Beaumont Parish Council: - no comments.

## **6. Officer's Report**

### **Assessment**

- 6.1 The relevant planning policies against which the application is required to be assessed are Policies H11 and CP5 of the Carlisle District Local Plan 2001-2016. The proposal raises the following planning issues:

1. Whether The Scale And Design Of The Proposal Is Acceptable

- 6.2 The existing property is a single-storey dwelling, which contains a flat roof rear extension and a conservatory, both of which are in a poor state of repair. The proposal is seeking to demolish the conservatory and to add a first floor over the main dwelling and the rear extension. The extended property would have gables to the front and rear elevations and the roofslope would contain small scale, pitched roof dormer windows in the north and south elevations. A small pitched roof porch would be added to the north elevation. A number The property would be finished in render, with a brick plinth, under a slate roof. The existing pre-fabricated garage would be demolished and replaced by a parking/ turning area.
- 6.3 The roof height of the dwelling would be increased from 4.5m to 6.8m. The new roof height would still be relatively low for a dwelling with accommodation at first floor level. The proposal would reduce the footprint of the existing dwelling and would be a significant design improvement, with the flat roof conservatory, which is in a poor state of repair, being removed and the flat roof rear extension being incorporated into the main dwelling. The removal of the pre-fabricated garage and its replacement by a parking/ turning area would also improve the visual appearance of the site.
- 6.4 In light of the above, the scale and design of the proposal would be acceptable.

## **2. Impact On The Living Conditions Of The Occupiers Of Any Neighbouring Properties**

- 6.5 The application site is surrounded by open countryside and the nearest dwelling would be located over 170m away. The proposal would not, therefore, have an adverse impact on the living conditions of the occupiers of any neighbouring properties through loss of light, loss of privacy or over-dominance.

## **Conclusion**

- 6.6 In overall terms, the scale and design of the proposal would be acceptable and it would not have an adverse impact on the living conditions of the occupiers of any neighbouring properties through loss of light, loss of privacy or over-dominance. In all aspects, the proposal is compliant with the relevant policies contained within the adopted Local Plan.

## **7. Planning History**

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

## **8. Recommendation: Grant Permission**

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

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

2. The approved documents for this Planning Permission comprise:
1. the submitted planning application form, received 16 April 2012;
  2. Location Plan, received 16 April 2012 (Drawing 12-09-04);
  3. As Existing Site (Block) Plan, received 16 April 2012 (Drawing 12-09-05);
  4. As Proposed Site (Block) Plan, received 16 April 2012 (Drawing 12-09-06);
  5. Tree Site Plan/ Tree Schedule, received 16 April 2012 (Drawing 12-09-07);
  6. As Existing Ground Floor Plan & Elevations, received 16 April 2012 (Drawing 12-09-01);
  7. As Proposed Ground Floor Plan & Elevations, received 27 April 2012 (Drawing 12-09-02);
  8. As Proposed First Floor Plan & Elevations, received 23 April 2012 (Drawing 12-09-03);
  9. As Proposed Sections, received 16 April 2012, received 16 April 2012 (Drawing 12-09-04);
  10. the Notice of Decision; and
  11. any such variation as may subsequently be approved in writing by the Local Planning Authority.

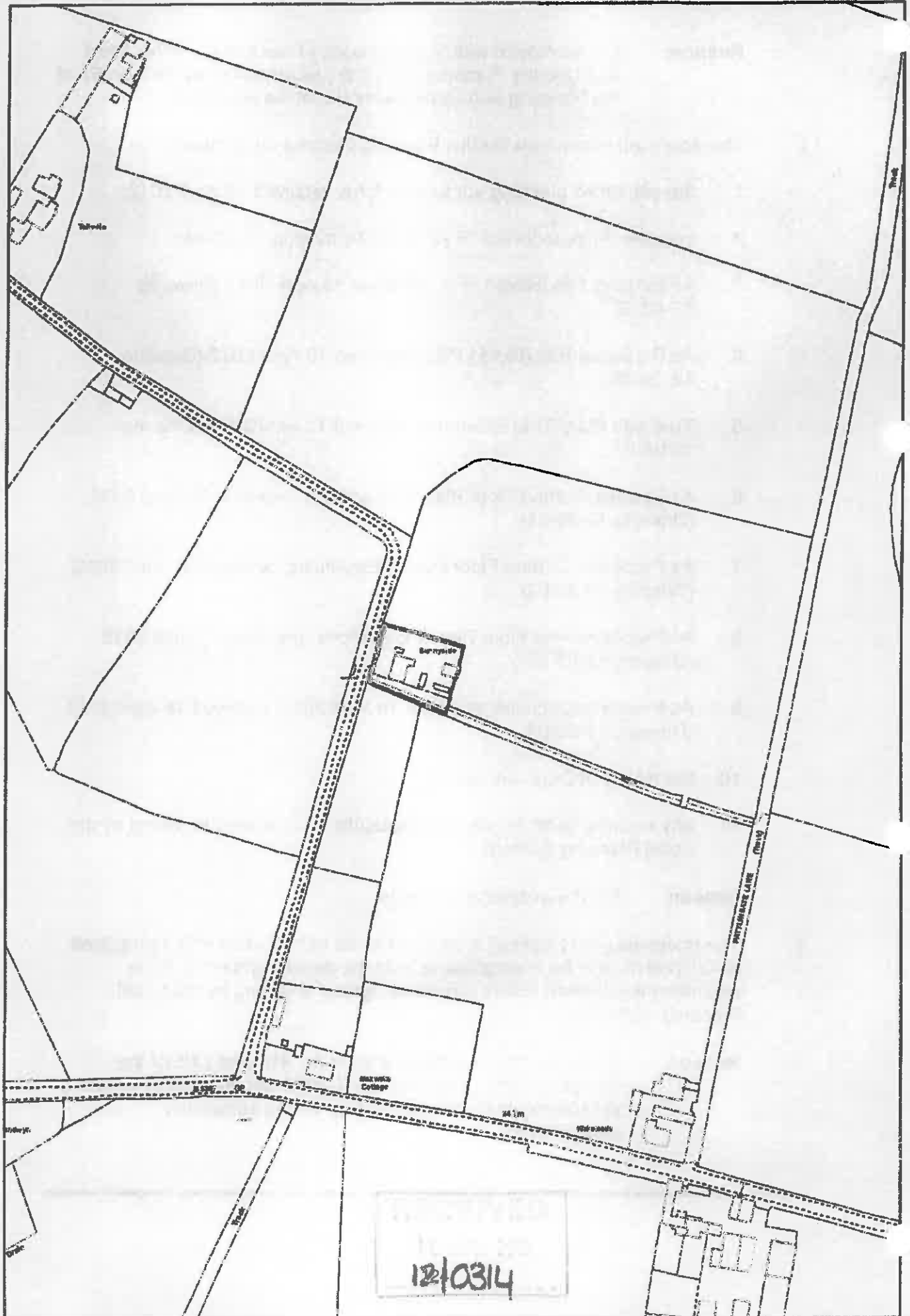
**Reason:** For the avoidance of doubt.

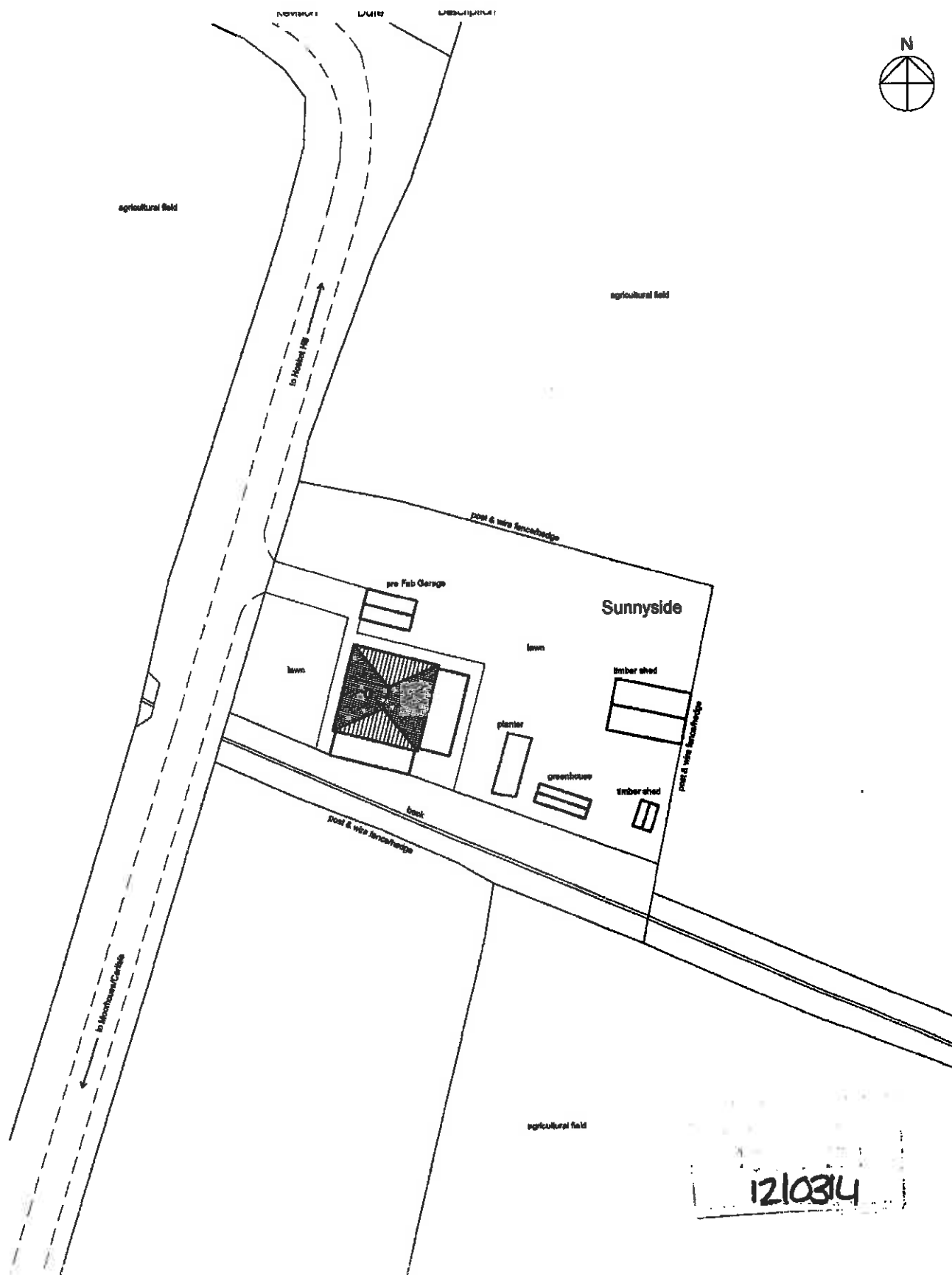
3. The materials (and finishes) to be used in the construction of the proposed development shall be in accordance with the details contained in the submitted application, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure the objectives of Policies H11 and CP5 of the Carlisle District Local Plan 2001-2016 are met and to ensure a satisfactory external appearance for the completed development.

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LOCATION PLAN SCALE 1:2500 DRWG 12-09-04

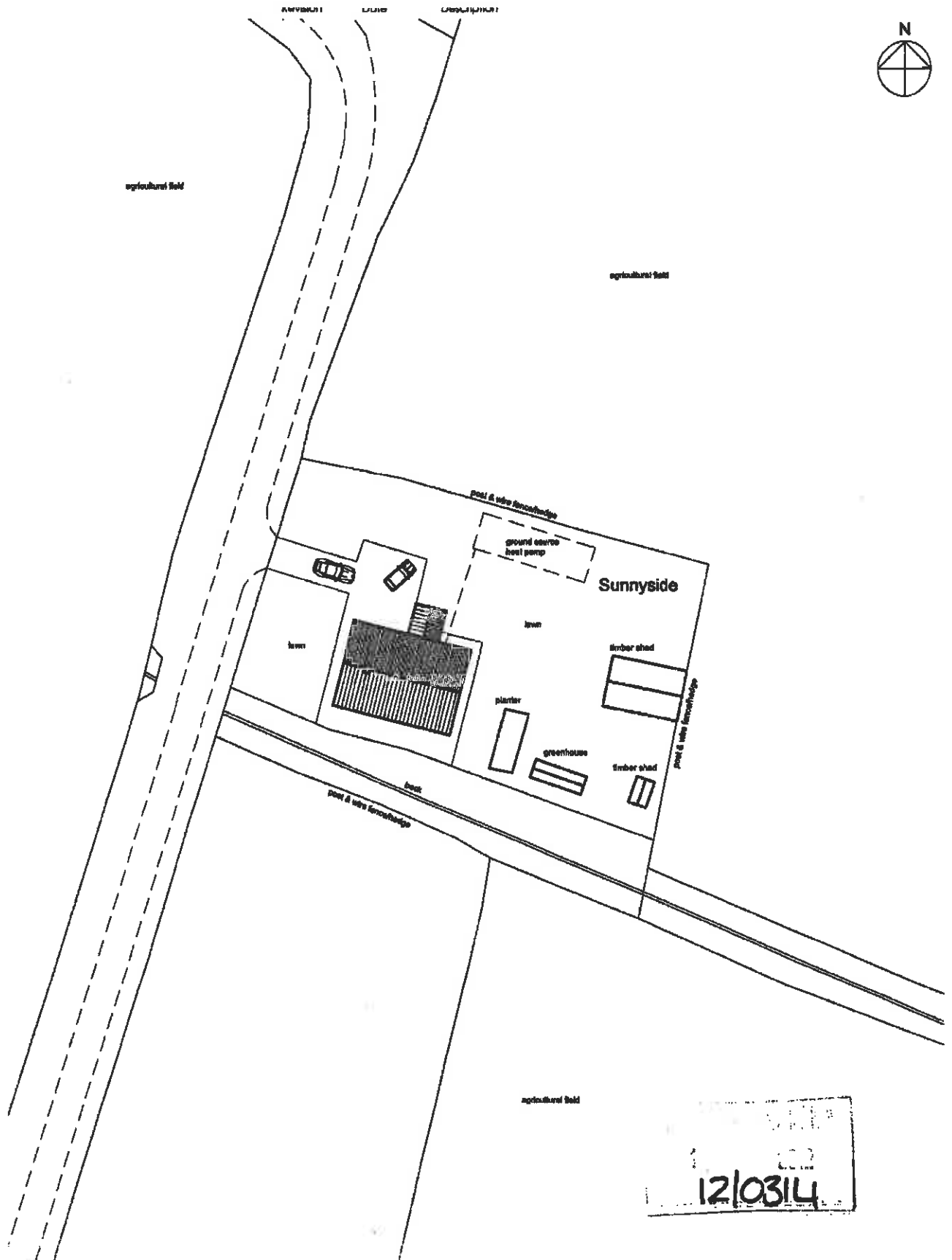




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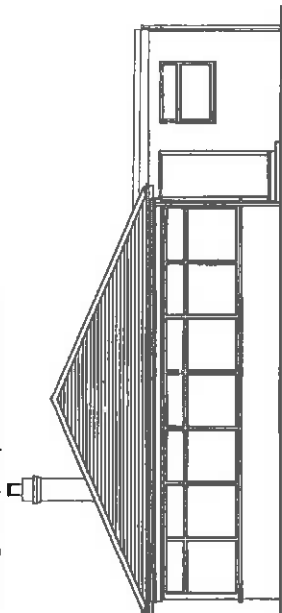
Project	Proposed Extension & Alterations. Sunnyside, Mosket Hill, Carlisle, Cumbria. CA5 6EJ.				
Drawing	As Existing Site (Block) Plan.				
Dwg No.	12-09-D5	Scale	1:500 @A4	Date	Apr '12
This drawing is copyright. Figured dimensions are to be followed in preference to scaled dimensions and particulars are to be taken from the actual work where possible. Any discrepancy must be reported to the Designer immediately.					Rev.



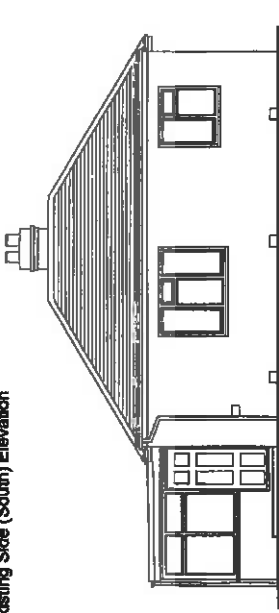
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Project	Proposed Extension & Alterations. Sunnyside, Haskeel Hill, Carlisle, Cumbria. CA5 6EJ.			
Drawing	As Proposed Site (Block) Plan.			
Dwg No.	12-09-06	Scale	1:500 @A4	Date Apr '12 Rev.
This drawing is copyright. Figures dimensions are to be followed in preference to scaled dimensions and particulars are to be taken from the actual work where possible. Any discrepancy must be reported to the Designer immediately.				

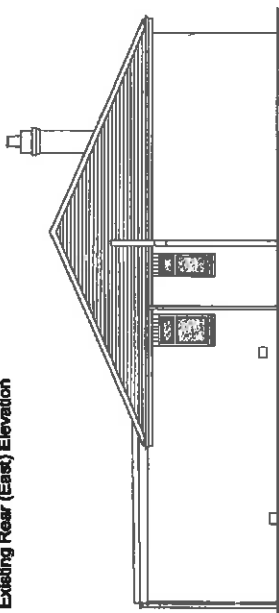
Existing Front (West) Roadside Elevation



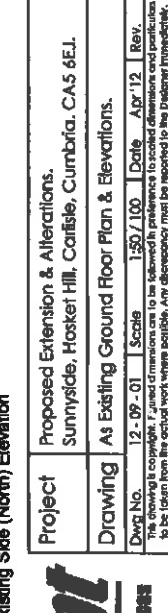
**Existing Side (South) Elevation**



Existing Rear (East) Elevation

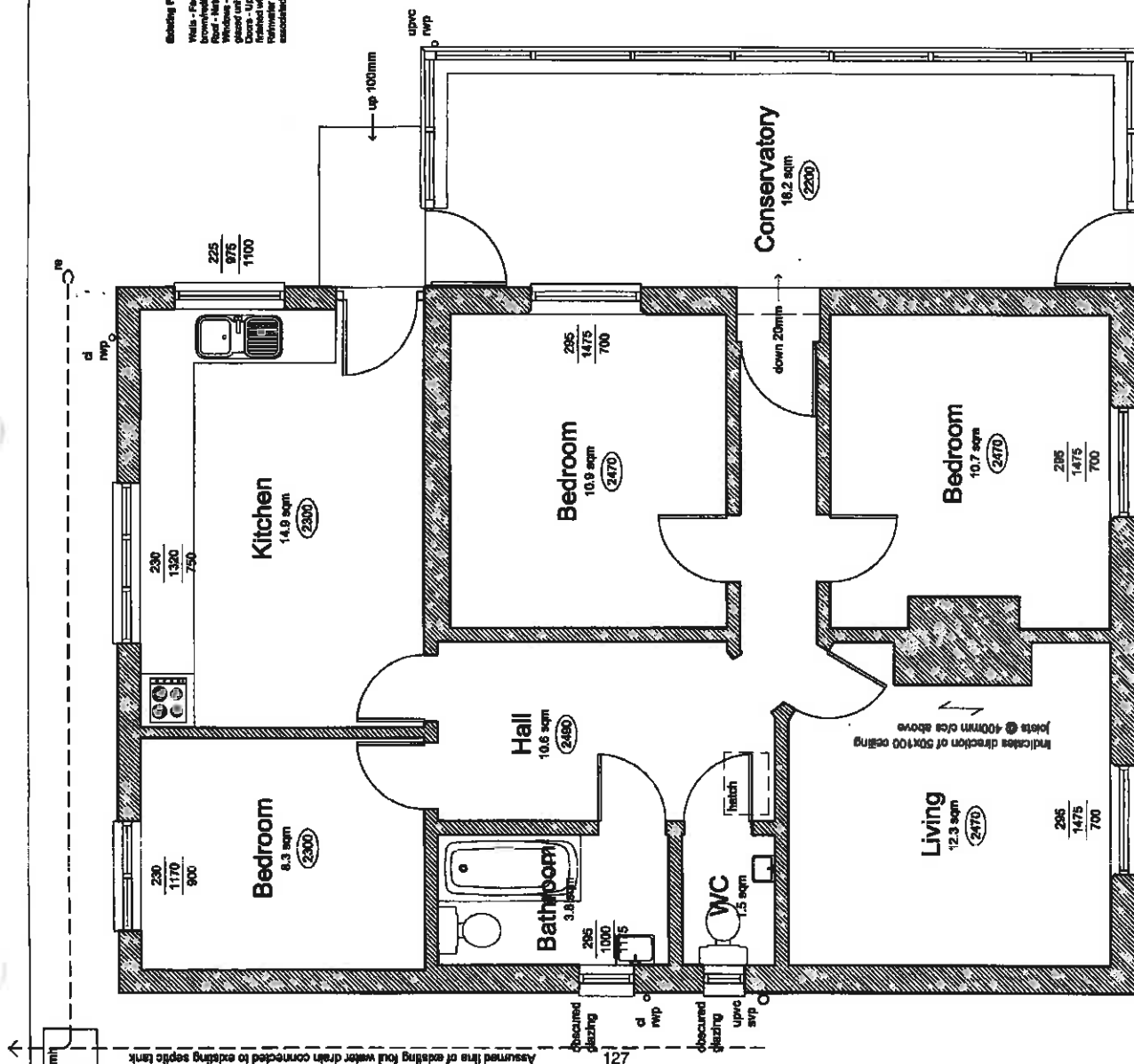


**Existing Side (North) Elevation**



**Isolating Finish:**

- Walls - Facing brickwork (dark brown/charcoal mix).
- Floor - Natural slate tiles (grey).
- Windows - Timber framed double glazed units (sandwiched).
- Doors - Upvc double glazed units (white).
- Handwater Goods - Upvc gutters and associated channel downpipes (black).



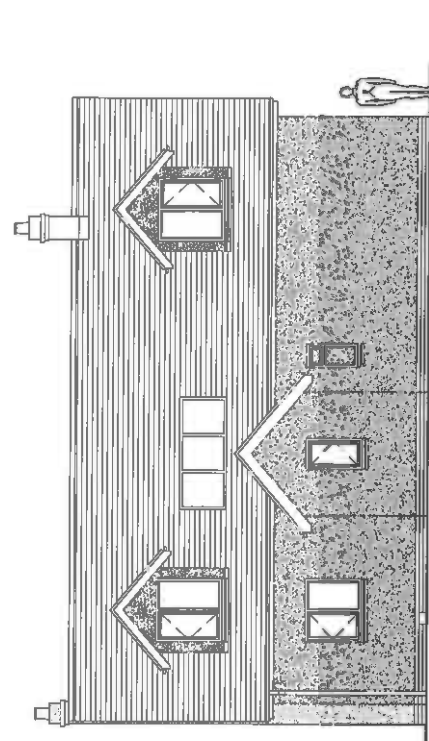
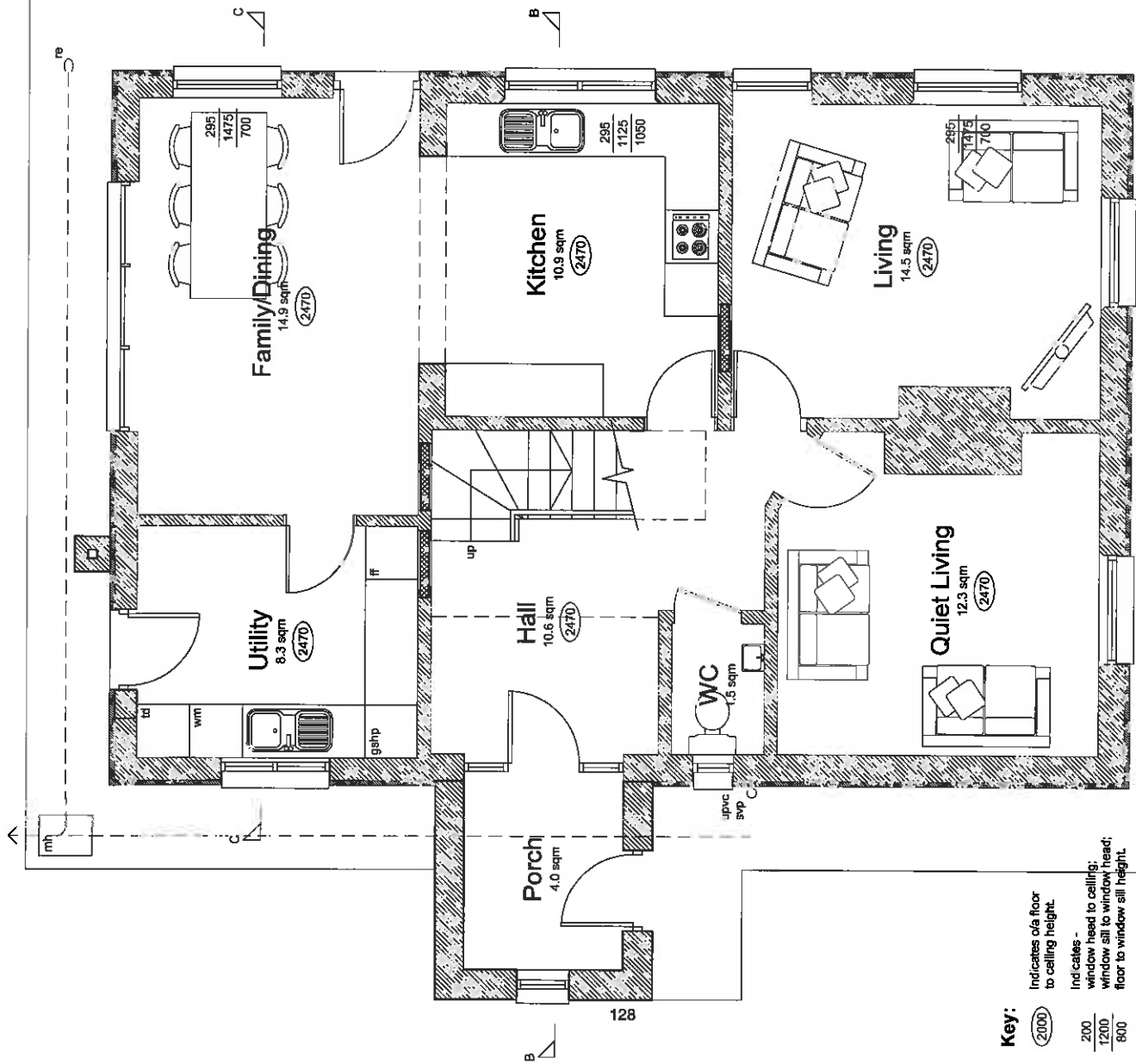
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Project	Proposed Extension & Alterations.	12-09-01	Scale	1/50 / 1/100	Date	Alt*12	Rev.
Drawing	As Existing Ground Floor Plan & Elevations.						

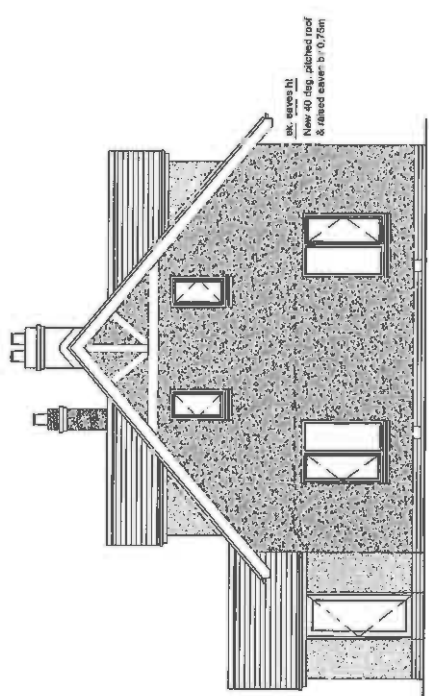
**Key:**

2000	Indicates o/a floor to ceiling height.
200	Indicates • window head to ceiling; window sill to window head; floor to window sill height.

### Existing Ground Floor Plan



Proposed Side (North) Elevation



Proposed Front (West) Roadside Elevation

**Proposed Finishes:**

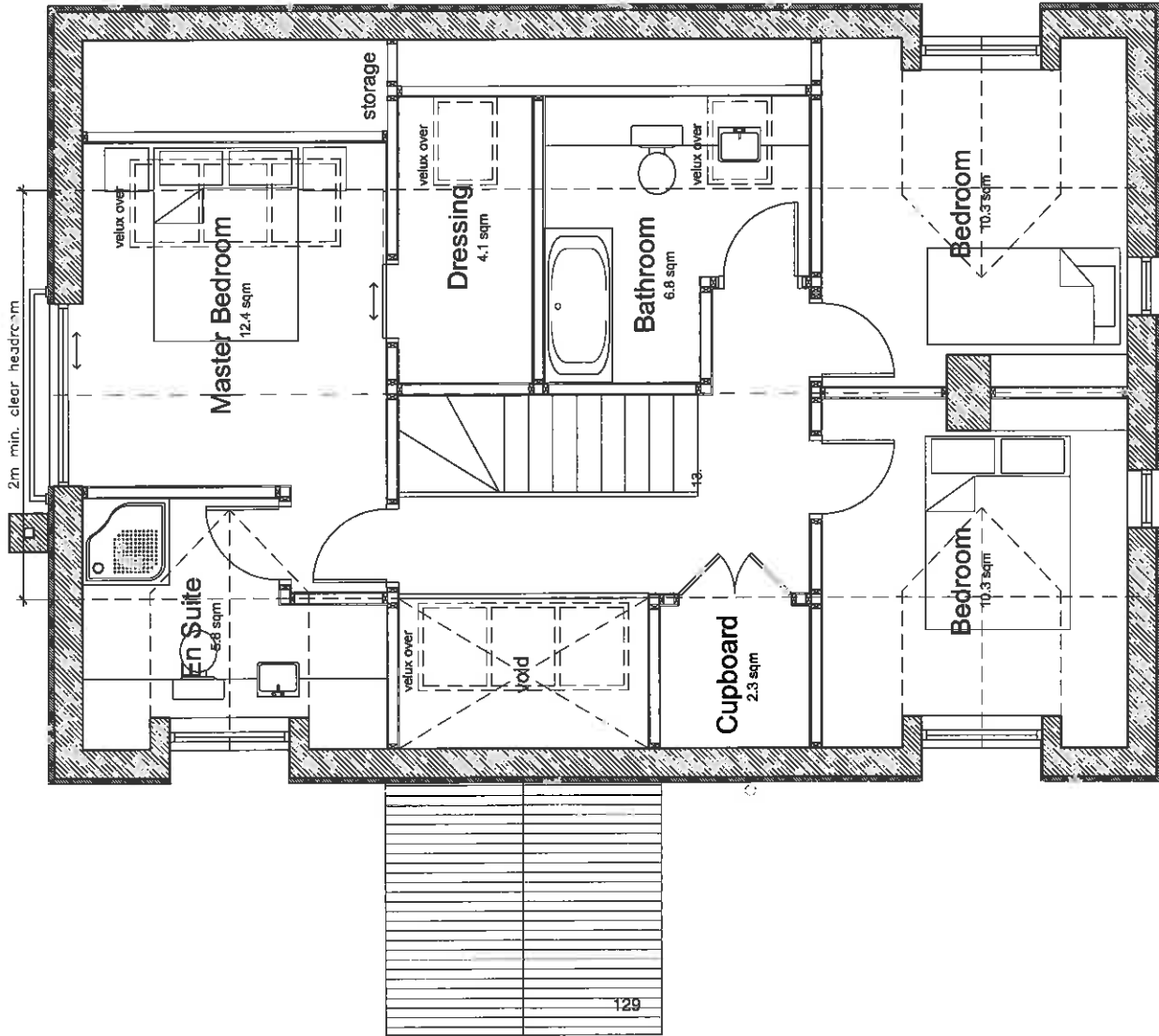
- Walls - Facing brickwork (dark brown/terracotta)
- Roof - Asphalt
- Self-coloured for lined render (colour t.b.c.)
- Render - Natural slate (grey)
- Windows - UPVC framed double glazed units (colour t.b.c.)
- Doors - UPVC framed part double glazed/part solid (colour t.b.c.)
- Upstairs - UPVC half round guttering and associated circular downpipes (colour t.b.c.)

Project	Proposed Extension & Alterations, Sunnyside, Hosket Hill, Carlisle, Cumbria, CA5 6EJ.			
Drawing	As Proposed Ground Floor Plan & Elevations			
Draw No.	12-09-02	Scale	1:50 / 100	Date
This drawing is for reference only. It is not to be used for construction purposes. It is to be taken from the original drawings and not from this drawing.				Rev.
				Apr 12

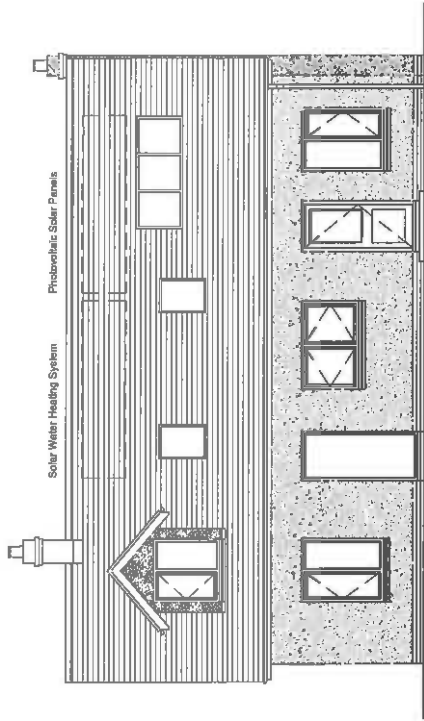
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Proposed Ground Floor Plan

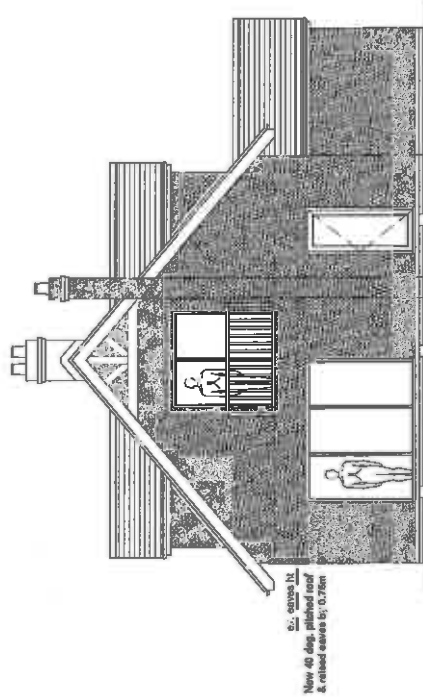




Proposed First Floor Plan



Proposed Side (South) Elevation



Proposed Rear (East) Elevation

**Proposed Finishes:**

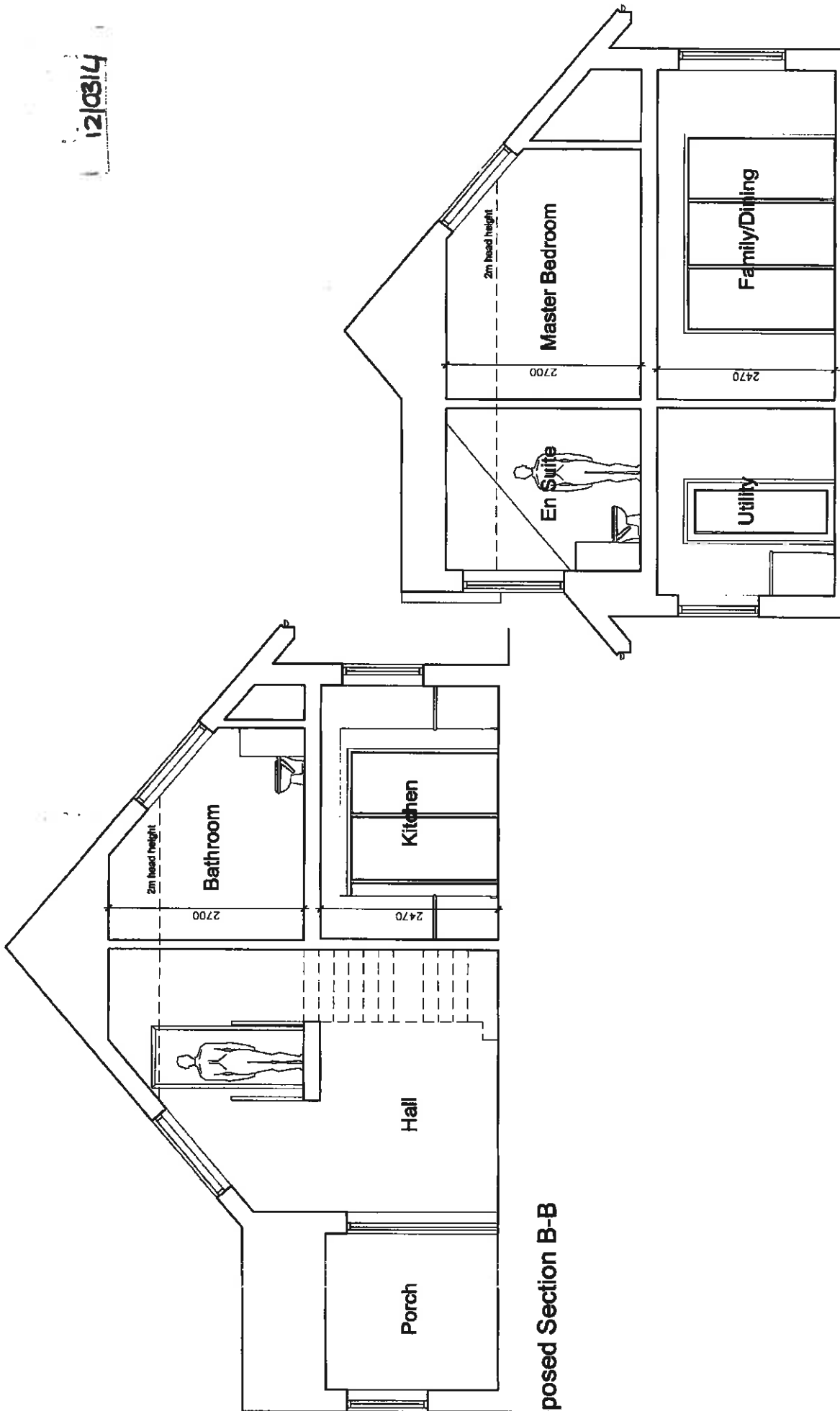
Walls - Facing brickwork (dark brown red-orange mix) plinth.  
 Self coloured textured render (colour t.b.c.).  
 Roof - Natural slate (grey).  
 Windows - Upvc framed double glazed units (colour t.b.c.).  
 Doors - Upvc framed part double glazed/part solid (colour t.b.c.).  
 Rainwater Goods - Upvc half round gutters and associated circular downpipes (colour t.b.c.).

6.2 sqm to 10.3 sqm  
 New 40 amp meter and associated  
 & related cabling to 0.75mm

Project	Proposed Extension & Alterations, Sunnyside, Hosket Hill, Carlisle, Cumbria, CA5 6EL.		
Drawing	As Proposed First Floor & Elevations.		
Dwg No.	12-09-03	Scale	1:50 / 100
Date	Apr '12	Rev.	-
This drawing is to be read in conjunction with the specification and particulars and to be taken in conjunction with the specification and particulars. Any alterations must be indicated by the Designer's initials.			

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12/03/14



Proposed Section B-B

Proposed Section C-C

Project	Proposed Extension & Alterations. Sunnyside, Hosker Hill, Carlisle, Cumbria, CA5 6EJ.			
Drawing	As Proposed Sections B-B & C-C.			
Dwg No.	12-09-04	Scale	1:50	Date
This drawing is copyright. Figured dimensions are to be followed in preference to scaled dimensions and particular care is to be taken from the actual work where possible. Any discrepancy must be reported to the Designer immediately.				Apr '14
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**SCHEDULE B**

**SCHEDULE B**

# SCHEDULE C

# SCHEDULE C

SCHEDULE D

SCHEDULE D

## SCHEDULE D: Reports on Previously Deferred Decisions

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**Item No: 12**

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
09/0617

**Applicant:**  
Story Construction Limited

**Parish:**  
Kingmoor

**Date of Receipt:**  
24/07/2009

**Agent:**  
Arup

**Ward:**  
Stanwix Rural

**Location:**  
Crindledyke, Carlisle, Cumbria

**Grid Reference:**  
337746 560297

**Proposal:** Proposed Residential Development And Ancillary Local Community Facilities And Open Space (Outline Application)

**Amendment:**

### REPORT

**Case Officer:** Christopher Hardman

#### Details of Deferral:

Members will recall at Committee meeting held on 8th July 2011 that authority was given to the Director (Economic Development) to issue approval subject to the completion of a Section 106 Agreement to cover provision of school; on site community facilities; the provision of the proposed level of affordable housing; highway works, speed restrictions and travel plan monitoring; open space and recreational provision. In addition Members resolved that the school should be delivered prior to the occupation of the 200th house; further consideration be given to the wording of the highway conditions to ensure that the highway is adopted in line with the phasing of the scheme; and, condition 38 is modified to refer to achieving a minimum of Code for Sustainable Homes Level 4 rating or equivalent.

This has been completed and the approval issued on 23rd April 2012.

**Decision:** Granted Subject to Legal Agreement

**Date:** 23/04/2012

#### 1. Time Limits

The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters for any phase of development, whichever is the later.

**Reason:** In accordance with the provisions of Section 92 of the Town and

## **SCHEDULE D: Reports on Previously Deferred Decisions**

Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 and to enable the local planning authority to retain control of the development whilst allowing a phased development on the site.

2. An application for approval of any of the reserved matters for the first phase shall be made to the local planning authority before the expiration of three years from the date of this permission.

Applications for the approval of reserved matters for all other phases shall be made to the local planning authority by no later than 8 years from the date of this permission.

**Reason:** To enable the local planning authority to retain control of the development whilst allowing a phased development on the site.

### **3. Reserved Matters**

Any application for reserved matters shall be accompanied by details of the intended programme of phasing of the overall development hereby permitted (including phasing of the construction programmes for the associated highways, footpaths/cycleways, linkages to the school site, any public open space or landscaping, playspace, allotments, sports pitch, and associated parking, re-routing of the existing overhead power line, provision of the bus connection and turning facility, and infrastructure and services within the development and a connection to the existing public/adopted networks) shall be submitted to and approval obtained in writing from the local planning authority.

The development shall thereafter be carried out in accordance with the approved details or any amendments to those details as may subsequently be agreed in writing by the local planning authority.

**Reason:** To ensure that the site is developed in a co-ordinated manner and in order to safeguard the amenity of the area in accordance with Policy H4 of the Carlisle District Local Plan 2001-2016.

4. The development hereby approved shall provide for the construction of not more than 850 residential units.

**Reason:** To ensure an appropriate development density across the site.

## **SCHEDULE D: Reports on Previously Deferred Decisions**

5. Any application for the approval of reserved matters shall be accompanied by a scheme for the provision of the following:

1. 0.435ha of outdoor playgrounds;
2. 0.783ha of informal play space; and
3. 2.9ha of sports ground.

The approved scheme shall be implemented in full accordance with the approved scheme and in accordance with the provisions of Condition 3.

**Reason:** To ensure that the site is developed in a co-ordinated manner and in order to safeguard the amenity of the area in accordance with Policy LC4 of the Carlisle District Local Plan 2001-2016.

6. Applications for the approval of reserved matters for a phase of the development shall accord with the principles set out in the Planning Statement and Design and Access Statement (July 2009) (amended May 2010) and shall be accompanied by the following details to be approved in writing by the local planning authority prior to commencement of the relevant works:

- (i) A layout of the development, including the position of widths of roads and footpaths and distribution and extent of all land uses;
- (ii) Landscaping;
- (iii) The siting of all buildings and the means of access thereto from the proposed highways within the site, including the layout, construction and sightlines;
- (iv) Full details of existing and proposed ground levels, proposed finished floor levels, levels of any paths, and parking areas and the height of retaining walls;
- (v) The design and external appearance of all buildings and plant;
- (vi) The provision to be made for the parking, turning, loading and unloading of vehicles;
- (vii) The provision to be made for street lighting and other means of external lighting (including security lighting). For the avoidance of doubt any lighting adjacent to the operational railway shall be positioned where it would not dazzle drivers and its colour not to give rise to the potential for confusion with the signalling arrangements on the railway;
- (viii) The provision to be made for the storage and removal of refuse, including the location and capacity of bin and recycling storage areas;
- (ix) The network of footpaths and pedestrian ways throughout the site; and

The development shall thereafter be undertaken in full accord with those approved details and completed prior to the occupation of the last unit within each phase unless otherwise agreed in writing by the Local planning authority.

**Reason:** To ensure that the Local planning authority is satisfied that the



## **SCHEDULE D: Reports on Previously Deferred Decisions**

reserved matters are in accordance with Policies CP5, H1, LC3 and LC4 of the Carlisle District Local Plan 2001-2016; to secure a comprehensive and co-coordinated development of the site; and to meet the requirements of Section 92 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

7. Any application for approval of Reserved Matters authorised shall be in accordance with the principles of the Illustrative Planning Application Masterplan (drawing pod-022-STO-500-01-01A), and the parameters set out in the Environmental Statement, Transport Assessment, Design and Access Statement, Framework Travel Plan and subsequent amendments dated May 2010 unless otherwise agreed in writing by the Local planning authority.

**Reason:** To ensure that the Local planning authority is satisfied that the reserved matters are in accordance with Policies CP5, H1, LC3 and LC4 of the Carlisle District Local Plan 2001-2016; to secure a comprehensive and co-coordinated development of the site; and to meet the requirements of Section 92 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

### **8. Highway Works**

All carriageways, means of access, footways, footpaths and cycleways shall be designed, constructed, drained and lit to a standard suitable for adoption and in accordance with the provisions pursuant to condition 3 of this permission. Applications for Reserved Matters for such infrastructure shall be accompanied by the following details to be approved in writing by the local planning authority prior to commencement of the relevant works:

- i) longitudinal/cross sections;
- ii) means of surface water drainage;
- iii) specification of the works; and
- iv) construction programme.

These details shall be in accordance with the standards laid down in the current adoptable standards.

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

## **SCHEDULE D: Reports on Previously Deferred Decisions**

9. All works approved under condition 8 and installation of ducts approved under condition 10 associated with a phase shall be concluded prior to the occupation of the last unit of housing within that phase unless the local planning authority agree otherwise and no unit of housing shall be occupied until:
1. it is provided with a connection to the highway network that has been constructed in all respects to base course level, drained and lit; and
  2. off-street parking and turning facilities associated with that unit (if applicable) are available for use.

**Reason:** To ensure a minimum standard of construction in the interests of highway safety in support of Local Transport Plan Policies: LD5, LD7 and LD8; and maintain the visual character of the locality in accord with Policies EC1 and CP5 of the Carlisle District Local Plan 2001-2016.

10. In each phase, adequate underground ducts shall be installed in accordance with details approved beforehand by the local planning authority to enable telephone services and electricity services to be connected to any premises within the application site, without recourse to the erection of distribution poles and overhead lines.

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

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

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

11. The access covers to the underground ducts to be installed pursuant to Condition 10 shall be carefully located in relation to the surface finishes in accordance with details submitted to and approved in writing beforehand by the local planning authority and shall be of the type whereby the "tray" may be in-filled with the appropriate surface materials.

**Reason:** In the interests of highway safety; and in accordance with Policies

## **SCHEDULE D: Reports on Previously Deferred Decisions**

CP5 and EC1 of the Carlisle District Local Plan 2001-2016.

12. No development shall commence within any affected phase until a scheme is submitted to and approved in writing by the local planning authority for the improvement of the affected sections of public rights of way. The scheme shall include details of proposed signage to link the site with the wider network of public right of way. The approved scheme shall be implemented prior to the commencement of development of the affected phase.

**Reason:** In the interests of highway safety; and in accordance with Policies LC8 of the Carlisle District Local Plan 2001-2016.

13. No more than 50 homes pursuant to this application shall be occupied unless and until the CNDR between Junction 44 of the M6 and Parkhouse Road is open to traffic and no more than 100 homes pursuant to this application shall be occupied unless and until the whole of the CNDR between Junction 44 of the M6 and Wigton Road is open to traffic, unless otherwise agreed in writing by the local planning authority.

**Reason:** In the interests of highway safety; and in accordance with Policies LC8 of the Carlisle District Local Plan 2001-2016.

14. Prior to commencement of the development, details of a scheme of highway improvements to Crindledyke Lane and its junction with Parkhouse Road, as shown in principle on Drawing Number A041003/C005/d dated November 2009, shall be submitted to and approved by the local planning authority and shall be completed prior to first occupation unless otherwise agreed in writing by the local planning authority.

**Reason:** In the interests of highway safety; and in accordance with Policies LC8 of the Carlisle District Local Plan 2001-2016.

### **15. Archaeology**

No development shall commence within any phase of the site until a programme of archaeological work has been implemented for that phase in accordance with a written scheme of investigation to be submitted to and approved in writing by the local planning authority.

The written scheme shall include the following components:

## **SCHEDULE D: Reports on Previously Deferred Decisions**

- i) an archaeological evaluation to be undertaken in accordance with the agreed written scheme of investigation;
- ii) an archaeological recording programme the scope of which will be dependant upon the results of the evaluation and will be in accordance with the agreed written scheme of investigation.

**Reason:** To afford reasonable opportunity for an examination to be made to determine the existence of any remains of archaeological interest within the site and for the examination and recording of such remains in accordance with Policy LE8 of the Carlisle District Local Plan 2001-2016.

16. Unless otherwise agreed in writing by the local planning authority an archaeological post-excavation assessment and analysis, preparation of a site archive ready for deposition at a store, completion of an archive report, and publication of the results in a suitable journal as approved beforehand by the local planning authority (LPA) shall be carried out within three years of the date of completion of the archaeology programme for the last Phase or otherwise agreed in writing by the LPA.

**Reason:** To ensure that permanent and accessible record by the public is made of the archaeological remains that have been disturbed by the development in accordance with Policy LE9 of the Carlisle District Local Plan 2001-2016.

17. Prior to the carrying out of any demolition of High Crindledyke Farm (comprising the entire agricultural group, including all barns and ancillary buildings) the site shall be recorded in accordance with guidance issued by English Heritage. That record shall comprise a Level 3 Survey as set out in "Recording Historic Buildings - A Descriptive Specification (Third Edition)" and, following its completion, a copy of that survey shall be furnished to the Local planning authority.

**Reason:** to ensure that a permanent record of the buildings is obtained.

### **18. Contamination**

No development shall be commenced on any phase until a scheme to deal with any site contamination within that phase has been submitted to and approved in writing by the local planning authority. The scheme shall include investigation and assessment to establish the extent of contamination and measures to be

## **SCHEDULE D: Reports on Previously Deferred Decisions**

taken to avoid risk to people, buildings and the environment. The approved scheme shall be fully implemented and completed before occupation of any unit of that phase.

**Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely in accordance with Policies CP11 and LE29 of the Carlisle District Local Plan 2001-2016.

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

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

**Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely in accordance with Policies CP11 and LE29 of the Carlisle District Local Plan 2001-2016.

### **20. Construction Impacts**

Prior to the commencement of development in any phase, a Construction Method Statement for that phase shall be submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period for that phase. The Statement shall provide for:

- i) the laying out of land for and details of the means of access and parking of vehicles of site operatives and visitors;
- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding including decorative

## **SCHEDULE D: Reports on Previously Deferred Decisions**

displays and facilities for public viewing, where appropriate;

- v) wheel washing facilities;
- vi) measures to control the emission of dust and dirt during construction; and
- vii) a scheme for the re-cycling/disposal of waste resulting from demolition and construction works.

**Reason:** To ensure proper and adequate provisions are made during the construction phase in the interests of highway safety and local amenity in accordance with Policy CP6 of the Carlisle District Local Plan 2001-2016.

21. Notwithstanding the provisions of condition 20, no construction work associated with the development hereby approved shall be carried out before 07.30 hours on weekdays and Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any times on Sundays or Bank Holidays) unless otherwise agreed in by the local planning authority.

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

22. Prior to the commencement of development in any phase, a scheme of ON-SITE noise mitigation measures for that phase shall be submitted to, and approved in writing by, the local planning authority. The development shall be carried out fully in accordance with the approved details unless otherwise agreed in writing beforehand by the Local planning authority.

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

23. For the duration of the construction works within any constituent part of the site, a suitable barrier preventing siltation and pollutants entering any watercourse within that part of the site shall be erected and maintained in accordance with details to be submitted to and approved in writing by the local planning authority before any development is commenced on that phase.

**Reason:** To safeguard the biodiversity of the locality in accordance with Policy CP2 of the Carlisle District Local Plan 2001-2016.

### **24. Landscaping and Biodiversity**

No development shall take place on a phase until a detailed Biodiversity Enhancement and Protection Plan for that phase has been submitted to and

## **SCHEDULE D: Reports on Previously Deferred Decisions**

approved in writing by the Local planning authority:

- This shall include, mitigation measures to exclude Great Crested Newts from the development phase (including the appropriate use of newt exclusion fencing and full details of habitat linkage for existing Great Crested Newt Population);
- A habitat management plan detailing a method statement setting out details of the proposed mitigation measures (including that for the habitat creation and management of the foraging area in accordance with the principles set out in the Environmental Statement).

The Biodiversity Enhancement and Protection Plan shall be implemented in accordance with the approved details and development phasing, unless otherwise agreed in writing by the local planning authority.

**Reason:** To ensure the promotion and protection of biodiversity within the development in accordance with Policy CP2 of the Carlisle District Local Plan 2001-2016.

25. Prior to commencement of development, including site clearance and site remediation, a survey, to be agreed in writing with the local planning authority, shall be carried out to determine whether great crested newts have colonised the site. If colonisation has taken place, a translocation programme shall be submitted to and approved in writing by the local planning authority. The approved translocation programme shall be completed prior to commencement of development unless otherwise agreed in writing by the local planning authority.

**Reason:** To ensure the promotion and protection of biodiversity within the development in accordance with Policy CP2 of the Carlisle District Local Plan 2001-2016.

26. Prior to commencement of development, including site clearance and site remediation, a survey, to be agreed in writing with the local planning authority, shall be carried out to assess the foraging and habitat potential of trees on site. Any found to be of high roosting potential shall be subject to further survey work, the details of which shall firstly be agreed in writing by the local planning authority, and a scheme for retention or removal agreed. The approved scheme shall be completed prior to commencement of development unless otherwise agreed in writing by the local planning authority.

**Reason:** To ensure the promotion and protection of biodiversity within the development in accordance with Policy CP2 of the Carlisle District

## **SCHEDULE D: Reports on Previously Deferred Decisions**

Local Plan 2001-2016.

27. All identified important hedgerows located on the site are to be retained during the site development unless otherwise agreed in writing by the local planning authority and during the construction period none of the hedgerows shall be cleared or damaged during the bird breeding season from 1st March to 31st August unless the absence of nesting birds has been established through a survey and such survey has been agreed in writing beforehand by the Local planning authority. Such requests for clearance should be supported by a survey demonstrating the absence of nesting birds.

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

28. Applications for reserved matters for landscaping shall be accompanied (where appropriate) by the following details to be approved in writing by the local planning authority:

- i) identification of those trees/shrubs to be retained;
- ii) identification of the crown spread of retained trees, including those that overhang the boundary; and
- iii) a scheme for wetland planting.

These works shall be carried out not later than the end of the planting and seeding season following the completion of the phase of the development to which the landscaping relates.

**Reason:** To ensure that an acceptable landscaping scheme is prepared and to ensure compliance with Policies CP2 and CP3 of the Carlisle District Local Plan 2001-2016.

29. Any trees or other plants, which die, are removed or become seriously damaged or diseased within the first five years following planting shall be replaced during the next planting season with others of similar size or species unless other agreed in writing by the local planning authority.

**Reason:** To ensure that an acceptable landscaping scheme is prepared and to ensure compliance with Policies CP2 and CP3 of the Carlisle District Local Plan 2001-2016.



## **SCHEDULE D: Reports on Previously Deferred Decisions**

30. Any trees identified to be retained within a particular phase shall be protected by a suitable barrier in accordance with details to be submitted to and approved, in writing, beforehand by the local planning authority.

Within those protected areas the existing ground level shall be neither raised nor lowered, and no materials, temporary buildings or surplus soil of any kind shall be placed or stored thereon unless otherwise agreed in writing by the local planning authority.

If any trenches for services are required in the protected area, they shall be excavated or back filled by hand and any roots encountered with a diameter of 50mm or more shall not be left uncovered.

The protective barrier shall thereafter be retained at all times during construction works on the site within that phase of development.

**Reason:** To ensure that an acceptable landscaping scheme is prepared and to ensure compliance with Policies CP2 and CP3 of the Carlisle District Local Plan 2001-2016.

31. Prior to commencement of landscaping works within a particular phase, a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for a period of not less than 5 years from the commencement of the work for all landscape areas (other than domestic gardens) within each Phase of the development shall be submitted to and approved in writing by the local planning authority. The approved landscape management plan shall thereafter be fully implemented unless otherwise agreed to in writing by the local planning authority.

**Reason:** In order to protect and safeguard the amenity of the area, in accordance with Policy CP3 of the Carlisle District Local Plan 2001-2016.

32. No development within any phase shall take place until details of earthworks for that Phase have been submitted to and approved in writing by the local planning authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform. They shall also include engineering details of any works (including ponds) that are adjacent to the railway to demonstrate that their design would not compromise the structural integrity of the railway embankment nor the

## **SCHEDULE D: Reports on Previously Deferred Decisions**

Railway drainage. The works shall be carried out in full accordance with the approved details unless the local planning authority agree otherwise.

**Reason:** In order to protect and safeguard the amenity of the area, in accordance with Policies CP5 and CP6 of the Carlisle District Local Plan 2001-2016.

33. No development within any phase shall take place until a scheme detailing the design and position of trespass proof fence adjacent to Network Rail's boundary and 2m high safety fences alongside any sports pitches have been submitted to and agreed in writing by the local planning authority. The approved scheme shall be implemented prior to the laying out of the sports pitch phase of the development.

**Reason:** In order to protect and safeguard the amenity of the area, in accordance with Policies CP5 and CP6 of the Carlisle District Local Plan 2001-2016.

### **34. Drainage**

No phase of the development shall commence until details for that part of the surface water drainage and means of disposal, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development (inclusive of how the scheme shall be maintained and managed after completion and any necessary off-site improvements for that part) have been submitted to and approved in writing by the local planning authority. For the avoidance of doubt, surface water drainage shall be on a separate drainage system.

No housing or non-residential unit hereby permitted shall be occupied until the approved works to connect that unit to the surface water drainage system have been completed.

**Reason:** To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system in accordance with Policies CP10 and CP12 of the Carlisle District Local Plan 2001-2016.

35. No phase of the development shall commence until details of the foul drainage, including any necessary off-site improvements, for that part have been submitted to and approved in writing by the local planning authority.

## **SCHEDULE D: Reports on Previously Deferred Decisions**

No housing or non-residential unit hereby permitted shall be occupied until the approved works to connect that unit to the foul drainage system(s) have been completed.

**Reason:** To prevent overloading of the public sewerage system, in order to protect the health and safety of existing residents and ensure no detriment to the environment in accordance with Policy CP12 of the Carlisle District Local Plan 2001-2016.

### **36. Flood Risk**

The development shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) in Chapter 9 of the Crindledyke Environmental Statement dated July 2009 and amended in the Addendum dated June 2010 and July 2010, and produced by Ove Arup & Partners Ltd and the following mitigation measures detailed within the FRA:

- i) limiting the surface water run off generated by the critical storm up to and including the 1% annual probability (1 in 100 year event) plus allowance for climate change, so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site;
- ii) flood volumes up to and including the 1% annual probability (1 in 100 year event) plus allowance for climate change, including an allowance for climate change will be stored on site;
- iii) demonstrate within a level 3 FRA that the design, protection and maintenance of proposed flood storage attenuation ponds will be provided in line with the best practice; and
- iv) finished floor levels for the proposed development shall be set no lower than 600mm above any proposed maximum attenuation storage levels for the lifetime of the development.

**Reason:** To prevent the increased risk of flooding by ensuring the satisfactory storage and disposal of surface water from the site in accordance with Policies CP10 and CP11 of the Carlisle District Local Plan 2001–2016.

37. Prior to development commencing on any phase details and samples of all external facing materials relating to that phase shall be submitted to and approved in writing by the local planning authority and the development shall be carried out in accordance with the approved materials.

## **SCHEDULE D: Reports on Previously Deferred Decisions**

**Reason:** In order to protect and safeguard the amenity of the area, in accordance with Policy CP3 of the Carlisle District Local Plan 2001-2016.

### **38. Renewable Energy**

As a minimum, the development hereby approved shall achieve a minimum Code for Sustainable Homes Level 4 rating or equivalent, or the Level adopted at the time of bringing forwards that phase.

A post-construction certificate confirming such an outcome for each phase shall be submitted to and approved in writing by the local planning authority as soon as this is available.

**Reason:** In the interests of resource conservation and environmental sustainability. This is in accordance with Policy CP9 of the Carlisle District Local Plan 2001-2016.

39. Prior to development commencing on any plot within a phase affected by the power lines and pylons that cross the site shall be placed underground for the entire length of the site.

**Reason:** In order to protect and safeguard the amenity of the area, in accordance with Policies CP5 and CP6 of the Carlisle District Local Plan 2001-2016.

### **40. Approved Plans**

The development hereby permitted shall be carried out in accordance with the following approved plans and documents unless otherwise agreed in writing by the Local planning authority:

Location Plan - July 2009 - Dwg No: pod-022-STO-400-01-01

Illustrative Scale Parameters Plan - Dwg No: pod-022-STO-504-01-01

Illustrative Access plan - Dwg No: pod-022-STO-505-01-01

Illustrative Built Form Masterplan - Dwg No: pod-022-STO-500-01-01A

Access Point Plan - Dwg No: pod-022-STO- 506-01-01

School accessibility diagram Dwg No: pod-sto-510-01-01

Crindledyke Environmental Impact Assessment Vol. 1: ES Main Text (23<sup>rd</sup> July 2009)

Crindledyke Environmental Impact Assessment Vol. 2 Figure (July 2009)

Crindledyke: EIA Vol. 3 Appendices (July 2009)

Crindledyke ES Addendum (22<sup>nd</sup> June 2010)

Crindledyke Masterplan; Planning Statement (July 2009)

## SCHEDULE D: Reports on Previously Deferred Decisions

Planning Statement Addendum (May 2010)  
 Design and Access Statement (July 2009)  
 Crindledyke, Carlisle – Advice in relation to Housing Land Supply (January 2010)  
 Transport Assessment (July 2009)  
 Travel Plan (July 2009)  
 Waste Strategy Report (21st July 2009)  
 Preliminary Ground Investigation Report (April 2008)  
 Geophysical Survey (June 2008)  
 Desk Study – Potential Hazards Assessment (2007)  
 Report of Community and Stakeholder Engagement (17th July 2009)  
 ES Addendum (School) May 2010  
 D+AS Addendum (School) May 2010  
 Tree Survey for Bat Roost Potential –WYG (April 2011)

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### Item No: 13

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
10/1026

**Applicant:**  
Persimmon Homes  
Lancashire Ltd

**Parish:**  
Cummersdale

**Date of Receipt:**  
12/11/2010

**Agent:**  
Taylor & Hardy

**Ward:**  
Dalston

**Location:**  
Land to the rear and west of Garden Village, Wigton  
Road, Carlisle, CA2 6QX

**Grid Reference:**  
337422 554099

**Proposal:** Residential Development Comprising The Erection Of 253No. Dwellings;  
Associated Access; Parking; Engineering Works And Landscaping

### Amendment:

1.
  1. Surface water attenuation pond included;
  2. Footpaths through wooded area omitted;
  3. Indicative landscaping details omitted;
  4. Repositioning of footpath through the public open space to the north of the site;

Minor alterations to appearance of certain units.
2. Ecological addendum.
3.
  1. Red line boundary amended along eastern edge to match fence line on site to the rear of Helvellyn Rise;
  2. Red line boundary amended along eastern edge to match fence line on site to the rear of 43 and 45 Glaramara Drive;

Road to the front of Plots 247-253 moved closer to the dwellings to reduce impact upon existing copse in accordance with aboricultural requirements.

## **SCHEDULE D: Reports on Previously Deferred Decisions**

### **REPORT**

**Case Officer:** Sam Greig

#### **Details of Deferral:**

Members will recall at Committee meeting held on 15th July 2011 that authority was given to the Assistant Director (Economic Development) to issue approval subject to the completion of a s106 agreement to secure:

- a) the provision of 56 affordable units, which comprises 37 units that would be made available by discounted sale and 19 properties available to rent at discounted rates;
- b) a financial contribution of £804,000 towards improvements to primary school infrastructure in the vicinity, which may include the provision of a new primary school proposed as part of the residential allocation on the southern side of Wigton Road;
- c) a financial contribution of £10,000 towards highway/signage improvements in the surrounding area and £6,125 to enable monitoring of the Travel Plan;
- d) the provision of a management company to maintain the areas of public open space within the development; and
- e) the provision of a bus service to serve the development.

Members also resolved that Officers undertake an "Assessment of Likely Significant Effect" as requested by Natural England and that the modifications to condition 8 and 15, which were outlined in the Officer's presentation, be incorporated in the prospective Decision Notice.

These items have been completed and the approval issued on 17th April 2012.

**Decision:** Granted Subject to Legal Agreement

**Date:** 17/04/2012

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

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

## **SCHEDULE D: Reports on Previously Deferred Decisions**

**2. The approved documents for this planning consent comprise:**

1. The Planning Application Form received 12th November 2010;
2. The site location plan received 23rd June 2011 (Drawing No. PL\_01);
3. The proposed site layout plan received 23rd June 2011 (Drawing No. PL\_02);
4. The proposed site plan area 1 received 23rd June 2011 (Drawing No. PL\_03);
5. The proposed site plan area 2 received 23rd June 2011 (Drawing No. PL\_04);
6. The proposed site plan area 3 received 23rd June 2011 (Drawing No. PL\_05);
7. The house type booklet received 12th May 2011 (Drawing No. PLN\_30 Revision A);
8. The proposed street scene elevations 1 of 2 received 12th May 2011 (Drawing No. PL10);
9. The proposed street scene elevations 2 of 2 received 12th May 2011 (Drawing No. PL11);
10. The proposed boundary treatment plan received 12th November 2010 (Drawing No. PL\_20);
11. Design and Access Statement received 12th November 2010;
12. The Planning Statement received 12th November 2010;
13. Transport Assessment received 24th June 2011;
14. Framework Residential Travel Plan received 24th June 2011;
15. Ecological Impact Assessment received 12th November 2010;
16. Ecological Addendum received 28th June 2011;
17. Flood Risk Assessment received 28th June 2011;
18. Tree Survey received 20th July 2010;
19. The Notice of Decision; and
20. Any such variation as may subsequently be approved in writing by the Local Planning Authority.

**Reason:** To define the permission.

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

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

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

## **SCHEDULE D: Reports on Previously Deferred Decisions**

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

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

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

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

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

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

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

8. No development shall commence until the location of the proposed connection point(s) into the existing foul drainage system have been submitted to and agreed, in writing, by the Local Planning Authority and United Utilities. The



## **SCHEDULE D: Reports on Previously Deferred Decisions**

developer shall also provide a flow and load impact assessment to demonstrate that the existing foul drainage system has the capacity to cope with the increased load. No dwelling shall be occupied until the foul drainage system has been connected to the public sewer in accordance with the approved details.

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

9. The development hereby approved shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and providing design detail of the attenuation pond has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

- details of how the scheme shall be maintained and managed after completion.
- discharges to Dow Beck main river shall be controlled to the maximum Qbar rate of 40 litres per second (4.8 litres/ second per hectare).

**Reason:** To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system in accordance with Policies CP10 and CP12 of the Carlisle District Local Plan 2001-2016.

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

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

11. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in

## **SCHEDULE D: Reports on Previously Deferred Decisions**

writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in accordance with the condition above, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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

12. No development shall commence until details of the wildlife mitigation measures to be incorporated into the development have been submitted to and approved, in writing, by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

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

13. No work associated with the construction of the development hereby approved shall be carried out before 0730 hours or after 1800 hours on weekdays and Saturdays (nor at any times on Sundays or statutory holidays) unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To prevent disturbance to nearby occupants in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

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

The agreed scheme shall be implemented upon commencement of

## **SCHEDULE D: Reports on Previously Deferred Decisions**

development and shall not be varied without prior written agreement of the Local Planning Authority.

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

15. No development to commence until a scheme is agreed, (including a phasing plan for the implementation of these works) to provide the following:

1. a cycle path link from the existing cycling facilities on Wigton Road (at Glaramara Drive) to the proposed cycle network on the Carlisle Northern Development Route;
2. a cycle and pedestrian link between the site and Hebdon Avenue, as shown on Drawing No. PI\_02 received 23rd June 2011, including the provision of the internal path (for the avoidance of doubt the links referenced in Point 1 and 2 shall include all tie-ins, lighting and drainage necessitated by their respective provision); and
3. a pedestrian refuge on Orton Road in the vicinity of its junction with Queensway.

**Reason:** In the interests of highway safety, accessibility by sustainable transport modes and to minimise potential hazards, and to support Local Transport Plan Policies C2, LD5, LD6 LD7 and LD8.

16. The carriageway, footways, footpaths, cycleways etc shall be designed, constructed, drained and lit to a standard suitable for adoption and in this respect further details, including longitudinal/cross sections, shall be submitted to the Local Planning Authority for approval before work commences on site/ for each phase. No work shall be commenced until a full specification has been approved, for each separate phase. These details shall be in accordance with the standards laid down in the current Cumbria Design Guide (or other such guidance as agreed by the Local Planning Authority). Any works so approved shall be constructed before the development is complete and no dwelling within each separate phase shall be occupied until the Section 38 (or its relative phase) is signed.

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

17. No dwelling within any sub-phase shall be occupied until details of the space to be laid out for parking and stationing of vehicles clear of the public carriageway, within that sub-phase, have been approved in writing by the local planning authority. No dwelling within each sub-phase shall be occupied until the parking

## **SCHEDULE D: Reports on Previously Deferred Decisions**

space relating to that dwelling has been surfaced, drained and completed. The space so provided shall not thereafter be used other than for the parking of vehicles in connection with the development hereby permitted.

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

18. The access and parking/turning requirements shall be substantially met before any building work commences on site for each separate phase of this development so that constructional traffic can park and turn clear of the highway. This should be linked to a construction management plan for each phase.

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

19. No development within any sub-phase shall take place unless and until details of the layout and specifications of and construction programmes for the roads (including visibility splays), footpaths, cycleways and casual parking areas in that sub-phase, have been submitted to and approved in writing by the local planning authority. No dwelling shall be occupied until it is provided with access constructed in accordance with such approved details to the established highway network.

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

20. No development shall commence until the siting and design of the bus shelters to be erected has been submitted to and agreed, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

**Reason:** To ensure that the siting and design of the bus shelters are acceptable in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

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

**Reason:** To aid in the delivery of sustainable transport objectives and to support "extended" Policy T31 of the Cumbria and Lake District

## SCHEDULE D: Reports on Previously Deferred Decisions

Joint Structure Plan 201-2016 and Local Transport Plan Policies  
WS3 and LD4.

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**Item No: 14**                                      **Between 07/04/2012 and 23/05/2012**

**Appn Ref No:**  
11/0733

**Applicant:**  
Dr Gray

**Parish:**  
Brampton

**Date of Receipt:**  
22/08/2011 16:00:53

**Agent:**  
Green Design Group

**Ward:**  
Brampton

**Location:**  
L/A Iona, Gelt Road, Brampton CA8 1QH

**Grid Reference:**  
353047 560444

**Proposal:** Demolition Of Existing Workshop And Stables; Erection Of 4No.  
Dwellings

**Amendment:**

### REPORT

**Case Officer:** Stephen Daniel

#### Details of Deferral:

Members will recall at Committee meeting held on 11th November 2011 that authority was given to the Director (Economic Development) to issue approval subject to the completion of a S106 Agreement to cover a financial contribution towards the provision of affordable housing.

The Agreement has been completed and the approval issued on 19th April 2012.

**Decision:** Granted Subject to Legal Agreement

**Date:** 19/04/2012

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

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

2. The approved documents for this Planning Permission comprise:

## **SCHEDULE D: Reports on Previously Deferred Decisions**

1. the submitted planning application form dated 25th August 2011;
2. the existing location and block plans (11/2031/00C) dated 25th August 2011;
3. the existing site plan (11/2031/01B) dated 25th August 2011;
4. the existing elevations workshop (11/2031/03) dated 25th August 2011;
5. the proposed plans, section and elevations unit 1 (11/2031/05A) dated 25th August 2011;
6. the proposed plans, sections and elevations units 2 & 3 (11/2031/06A) dated 25th August 2011;
7. the proposed plans, sections and elevations unit 4 (11/2031/07C) dated 25th August 2011;
8. the proposed site and location plans schematic elevations (11/2031/08E) dated 28th October 2011;
9. the bat and barn owl survey dated 25th August 2011;
10. the design and access statement dated 25th August 2011;
11. the phase 1: desk top study report (ref: 11-328) dated 25th August 2011;
12. the Notice of Decision; and
13. any such variation as may subsequently be approved in writing by the Local Planning Authority.

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

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

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

4. No development shall take place until full details of hard and soft landscape works, including a phased programme of works, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved prior to the occupation of any part of the development or in accordance with the programme agreed by the Local Planning Authority.

## **SCHEDULE D: Reports on Previously Deferred Decisions**

Any trees or other plants which die or are removed within the first five years following the implementation of the landscaping scheme shall be replaced during the next planting season.

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

5. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been approved in writing by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans.

**Reason:** To ensure a satisfactory means of surface water in accordance with Policy CP12 of the Carlisle District Local Plan 2001-2016.

6. The **access** and parking/turning requirements shall be substantially met before any building work commences on site so that constructional traffic can park and turn clear of the highway. These approved parking, and manoeuvring areas shall thereafter be kept available for those purposes at all times and shall not be used for any other purpose.

**Reason:** The carrying out of this development without the provision of these facilities during the construction work is likely to lead to inconvenience and danger to road users and to ensure that vehicles can be properly and safely accommodated clear of the highway and to support Local Transport Plan Policies LD7 and LD8 and Structure Plan Policy T32.

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

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

8. The development hereby approved, shall be carried out in strict accordance with the mitigation measures contained within the Bat & Barn Owl Survey produced by Thurston Watson Ecology Consultancy Ltd, received 25 August 2011 (Report No WIB0811A).

**Reason:** In order to ensure no adverse impact on a European Protected Species in accordance with Policy CP2 of the Carlisle District Local Plan 2001-2016.

## **SCHEDULE D: Reports on Previously Deferred Decisions**

9. Prior to the commencement of development, a **Phase 2: Ground Investigation** survey shall be undertaken in accordance with the recommendation contained within Paragraph 5.3 of the Phase 1: Desk Top Study Report, produced by Arc Environmental (Project Ref: 11-328) and received on 25 August 2011, unless otherwise agreed in writing by the Local Planning Authority. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. This contamination would then need to be risk assessed and a remediation scheme prepared. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

**Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CP13 of the Carlisle District Local Plan 2001-2016.

10. The windows shall be set back at least 100mm (1 brick depth) behind the face of the elevation, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure that the external appearance of the dwelling is acceptable and to ensure compliance with Policies LE19 and CP5 of the Carlisle District Local Plan 2001-2016.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) there shall be no enlargement or external alterations to the dwellings hereby approved, within the meaning of Schedule 2 Part 1 of these Orders, without the written approval of the Local Planning Authority.

**Reason:** To ensure that the character of the area and the living conditions of the occupiers of neighbouring properties are not harmed by inappropriate alterations and/or extensions and that any additions which may subsequently be proposed satisfy the objectives of Policy CP5 of the Carlisle District Local Plan 2001-2016.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any other Order revoking and re-enacting that Order), no wall, fence or other means of enclosure shall be erected within any part of the site (other than those shown in any plans which form part of this application), without the written approval of the Local Planning Authority.



## **SCHEDULE D: Reports on Previously Deferred Decisions**

**Reason:** To ensure that any form of enclosure is carried out in a co-ordinated manner that safeguards the character of the area in accord with Policy CP5 of the Carlisle District Local Plan 2001-2016.

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

**Reason:** In order that the approved development overcomes any problems associated with the topography of the area and in order to protect the living conditions of the occupiers of any neighbouring properties, in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

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SCHEDULE E

SCHEDULE E

## **SCHEDULE E: Decisions Issued Under Delegated Powers**

Between 07/04/2012 and 23/05/2012

<b>Appn Ref No:</b> 11/0100	<b>Applicant:</b> Carlisle City Council	<b>Parish:</b> Carlisle
<b>Date of Receipt:</b> 11/02/2011	<b>Agent:</b> Mike Swindlehurst	<b>Ward:</b>
<b>Location:</b> Land between Caldcotes & Wigton Road, Carlisle	<b>Grid Reference:</b> 339185 555862	
<b>Proposal:</b> Construction Of 4No. Galvanised Floodlights For Multi Use Games Area (Retrospective)		
<b>Amendment:</b>		

**Decision:** Grant Permission

**Date:** 10/05/2012

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Between 07/04/2012 and 23/05/2012

<b>Appn Ref No:</b> 11/0546	<b>Applicant:</b> Bells Fishmongers Ltd	<b>Parish:</b>
<b>Date of Receipt:</b> 12/09/2011	<b>Agent:</b>	<b>Ward:</b> Belah
<b>Location:</b> West Scottish Lamb, Brunthill Road, Kingstown Industrial Estate, Carlisle, Cumbria, CA3 0EH	<b>Grid Reference:</b> 338843 559060	
<b>Proposal:</b> Display Of Two-Sided Non Illuminated Post Mounted Signage		
<b>Amendment:</b>		

**Decision:** Grant Permission

**Date:** 11/05/2012

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Between 07/04/2012 and 23/05/2012

<b>Appn Ref No:</b> 11/0704	<b>Applicant:</b> Ms Keenan	<b>Parish:</b> Carlisle
<b>Date of Receipt:</b> 23/02/2012	<b>Agent:</b>	<b>Ward:</b> Botcherby
<b>Location:</b>	<b>Grid Reference:</b>	

## **SCHEDULE E: Decisions Issued Under Delegated Powers**

3 Croft Terrace, Victoria Road, Carlisle, CA1 2SN

342202 555603

**Proposal:** Conversion Of Dwelling To 2No. Flats

**Amendment:**

**Decision:** Grant Permission

**Date:** 19/04/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
11/0947

**Applicant:**  
c/o Top Notch Contractors  
Ltd

**Parish:**

**Date of Receipt:**  
08/11/2011

**Agent:**  
Hyde Harrington

**Ward:**  
Denton Holme

**Location:**  
96 - 102 Denton Street, Carlisle, CA2 5EN

**Grid Reference:**  
339746 555055

**Proposal:** Redevelopment To Create 7No. Apartments Together With Associated  
Parking To The Rear

**Amendment:**

**Decision:** Grant Permission

**Date:** 24/04/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
11/0952

**Applicant:**  
Sainsbury's Supermarket  
Ltd

**Parish:**

**Date of Receipt:**  
03/11/2011

**Agent:**  
Turley Associates

**Ward:**  
Castle

**Location:**  
Land at Bridge Street and Bridge Lane, CA2 5TA

**Grid Reference:**  
339343 556110

**Proposal:** Discharge Of Conditions 14 (Operational Plant Details); 20  
(Samples/Details Of External Materials); 22 (Ground Levels And  
Finished Floor Levels); 26 (Site Investigation); 27 (Written Scheme Of  
Investigation - Archaeology) and 29 (Historic Building Recording) Of  
Previously Approved Permission 09/0512

**Amendment:**

## **SCHEDULE E: Decisions Issued Under Delegated Powers**

**Decision:** Grant Permission

**Date:** 13/04/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
11/1096

**Applicant:**  
Mr J McGettigan

**Parish:**  
Carlisle

**Date of Receipt:**  
17/01/2012

**Agent:**  
Mr I Ward

**Ward:**  
Castle

**Location:**  
The Stables, Portland Square, Carlisle

**Grid Reference:**  
340642 555726

**Proposal:** Conversion Of Workshop Into 2No. Dwellings

**Amendment:**

**Decision:** Grant Permission

**Date:** 12/04/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0026

**Applicant:**  
Mr J McGettigan

**Parish:**  
Carlisle

**Date of Receipt:**  
19/01/2012

**Agent:**  
Mr I Ward

**Ward:**  
Castle

**Location:**  
The Stables, Portland Square, Carlisle

**Grid Reference:**  
340629 555715

**Proposal:** Conversion Of Workshop Into 2No. Dwellings (LBC)

**Amendment:**

**Decision:** Grant Permission

**Date:** 12/04/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0045

**Applicant:**  
Mr John Robinson

**Parish:**  
Wetheral

## **SCHEDULE E: Decisions Issued Under Delegated Powers**

**Date of Receipt:**  
25/01/2012

**Agent:**

**Ward:**  
Wetheral

**Location:**  
1 High Croft Cottages, Wetheral, Carlisle, CA4 8HL

**Grid Reference:**  
346510 554298

**Proposal:** Removal Of Existing Shed And Construction Of First Floor Decking Area To Form Sun Deck Together With Covered Workshop, Store And Passageway On The Ground Floor; Installation Of New Door On The First Floor To The Rear Elevation Together With The Raising Of The Boundary Wall

**Amendment:**

1. Repositioning Of Staircase And Reconfiguration Of Ground And First Floor Layout. Reduction In Height Of Rear Boundary Wall.
2. Revised Plans Showing A Glazed Screen And Replacement Of The Staircase With An Escape Ladder

**Decision:** Grant Permission

**Date:** 11/04/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0053

**Applicant:**  
Rev Docherty

**Parish:**  
Carlisle

**Date of Receipt:**  
02/02/2012

**Agent:**  
Underwood Associates

**Ward:**  
Upperby

**Location:**  
St Margaret Mary Parish Community Centre,  
Scalegate Road, Carlisle, CA2 4JX

**Grid Reference:**  
340729 553823

**Proposal:** Formation Of Disabled Access Ramp, Entrance Canopy, Extension To Committee Room And External Seating Area Together With Relocation Of Smoking Shelter And Minor Internal & External Alterations

**Amendment:**

**Decision:** Grant Permission

**Date:** 17/04/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**

**Applicant:**

**Parish:**



## **SCHEDULE E: Decisions Issued Under Delegated Powers**

Wm Morrisons Supermarkets Plc, Kingstown Road,  
Carlisle, CA3 0QZ 339884 558052

**Proposal:** Display Of 1No. Fascia Sign; 5No. Hanging Signs And 2No. Directional Sign (Non Illuminated) (Retrospective)

**Amendment:**

**Decision:** Grant Permission

**Date:** 01/05/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0099

**Applicant:**  
G C Properties (Carlisle)  
Ltd

**Parish:**  
Carlisle

**Date of Receipt:**  
08/02/2012

**Agent:**  
HTGL Architects

**Ward:**  
Currock

**Location:**  
Former Platform 1 & Boiler House, Collier Lane,  
Carlisle, CA1 1QX

**Grid Reference:**  
340296 555552

**Proposal:** Demolition Of Former Platform 1 Night Club To Form Beer Garden;  
Demolition Of Redundant Former Boiler House To Provide Secure  
Storage Building (Revised Application) (LBC)

**Amendment:**

**Decision:** Grant Permission

**Date:** 18/04/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0100

**Applicant:**  
G C Properties (Carlisle)  
Limited

**Parish:**  
Carlisle

**Date of Receipt:**  
08/02/2012

**Agent:**  
HTGL Architects Ltd

**Ward:**  
Currock

**Location:**  
Former Platform 1 & Boiler House, Collier Lane,  
Carlisle

**Grid Reference:**  
340296 555552

**Proposal:** Demolition Of Former Platform 1 Night Club To Form Beer Garden &



## **SCHEDULE E: Decisions Issued Under Delegated Powers**

### **Demolition Of Redundant Boiler House To Provide Secure Storage Building (Revised Application)**

**Amendment:**

**Decision:** Grant Permission

**Date:** 18/04/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0101

**Applicant:**  
G C Properties (Carlisle)  
Ltd

**Parish:**  
Carlisle

**Date of Receipt:**  
08/02/2012

**Agent:**  
HTGL Architects

**Ward:**  
Currock

**Location:**  
Former Platform 1 & Boiler House, Collier Lane,  
Carlisle, CA1 1QX

**Grid Reference:**  
340296 555552

**Proposal:** Demolition Of Former Platform 1 Night Club And Redundant Former  
Boiler House (Conservation Area Consent) (Revised Application)

**Amendment:**

**Decision:** Grant Permission

**Date:** 18/04/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0111

**Applicant:**  
Mr Stainthorpe

**Parish:**  
Carlisle

**Date of Receipt:**  
14/02/2012

**Agent:**

**Ward:**  
Harraby

**Location:**  
Carlisle Window Systems Ltd, 9 Brunel Way,  
Durranshill Industrial Estate, Carlisle, CA1 3NQ

**Grid Reference:**  
341722 554625

**Proposal:** Change Of Use Of Industrial Premises (B2) To Indoor Climbing Facility  
(D2)

**Amendment:**

## **SCHEDULE E: Decisions Issued Under Delegated Powers**

**Decision:** Grant Permission

**Date:** 10/04/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0112

**Applicant:**  
Mr Matteo Marras

**Parish:**  
Carlisle

**Date of Receipt:**  
21/02/2012

**Agent:**

**Ward:**  
Castle

**Location:**  
Vivaldi, 30 Lowther Street, Carlisle, Cumbria, CA3  
8DH

**Grid Reference:**  
340253 555882

**Proposal:** Display Of Replacement Non Illuminated Signage (LBC)

**Amendment:**

**Decision:** Grant Permission

**Date:** 10/04/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0115

**Applicant:**  
Mr John Donaghue

**Parish:**  
Rockcliffe

**Date of Receipt:**  
01/03/2012

**Agent:**  
Hogg & Robinson (Design  
Services) Limited

**Ward:**  
Longtown & Rockcliffe

**Location:**  
Land opposite Trawills, Todhills, Blackford, Carlisle,  
CA6 4HB

**Grid Reference:**  
337057 562893

**Proposal:** Erection Of Agricultural Building For The Storage Of Livestock Feeds  
And Ancillary Items

**Amendment:**

**Decision:** Grant Permission

**Date:** 14/05/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0117

**Applicant:**  
Mr Aureza Loftmanesh

**Parish:**  
Carlisle

## **SCHEDULE E: Decisions Issued Under Delegated Powers**

**Date of Receipt:**  
24/02/2012

**Agent:**

**Ward:**  
Castle

**Location:**  
5 Botchergate, Carlisle, Cumbria, CA1 1QP

**Grid Reference:**  
340314 555619

**Proposal:** Alteration Of Existing Internal Stair Into Cellar; Creation Of 2 Doors  
Instead Of One From Existing Toilet In Cellar; Installation Of Extraction  
Grille To Rear Elevation (LBC)

**Amendment:**

**Decision:** Grant Permission

**Date:** 20/04/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0119

**Applicant:**  
Mr Kasiera

**Parish:**  
Dalston

**Date of Receipt:**  
29/02/2012

**Agent:**  
Black Box Architects  
Limited

**Ward:**  
Dalston

**Location:**  
12 Lingclose Road, Dalston, Carlisle, CA5 7LB

**Grid Reference:**  
337089 552563

**Proposal:** Change Of Use From Agricultural Land To Domestic Garden And  
Paddock (Retrospective); Demolition Of Single Storey Rear Extension  
And Erection Of Two Storey Side Extension; Erection Of Stable Block  
And Exercise Ring In Paddock

**Amendment:**

1. Revised Alterations To The Fenestration Of The Building Together With  
Definition Of The Curtilage

**Decision:** Grant Permission

**Date:** 25/04/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0125

**Applicant:**  
Mr Terence Ewart

**Parish:**  
Burgh-by-Sands

**Date of Receipt:**

**Agent:**

**Ward:**

## SCHEDULE E: Decisions Issued Under Delegated Powers

21/02/2012

Burgh

**Location:**

Land between Marsh Cottage and The Croft, Burgh  
by Sands

**Grid Reference:**

332158 558985

**Proposal:** Variation Of Condition 2 Of Previously Approved Permission 10/0204 To Allow The Removal Of The Chimney Stack; Repositioning Of Kitchen Window From West To North Elevation; Use Of Sandstone And Brick Cills And Mullions In Place Of Concrete And Use Of Upvc Windows In Place Of Timber

**Amendment:**

**Decision:** Grant Permission

**Date:** 11/04/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0127

**Applicant:**  
Mr Wallace

**Parish:**  
St Cuthberts Without

**Date of Receipt:**  
16/02/2012

**Agent:**

**Ward:**  
Dalston

**Location:**

Station House, Wreay, Carlisle, CA4 0SA

**Grid Reference:**

343774 548819

**Proposal:** Erection Of 6kW Domestic Wind Turbine (Height 14.4 Metres To Tip)

**Amendment:**

**Decision:** Grant Permission

**Date:** 12/04/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0128

**Applicant:**  
Mrs Kathreen Burns

**Parish:**  
Dalston

**Date of Receipt:**  
22/02/2012

**Agent:**

**Ward:**  
Dalston

**Location:**

Low Flanders, Dalston, Carlisle, Cumbria, CA5 7AF

**Grid Reference:**

338084 550115

**Proposal:** Proposed Two Storey Extension To The Side Elevation To Provide

## **SCHEDULE E: Decisions Issued Under Delegated Powers**

Lounge/Kitchen At Ground Floor Level And En Suite Bedroom At First Floor Level (LBC) (Revised Application To Include Double Glazing)

**Amendment:**

**Decision:** Grant Permission

**Date:** 10/04/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0130

**Applicant:**  
Mr & Mrs Farrer

**Parish:**  
Kirklington Middle

**Date of Receipt:**  
21/02/2012

**Agent:**  
PFK Planning

**Ward:**  
Lyne

**Location:**  
Land between Longlands and Stonelea,  
Greenwoodside, Smithfield, CA6 6DL

**Grid Reference:**  
344527 565490

**Proposal:** Erection Of 1No. Live/Work Unit (Reserved Matters Application Pursuant To Outline Permission 11/0315)

**Amendment:**

**Decision:** Grant Permission

**Date:** 21/05/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0132

**Applicant:**  
Mr Moscrop

**Parish:**  
Multiple Parishes

**Date of Receipt:**  
16/02/2012

**Agent:**  
H & H Land & Property

**Ward:**  
Stanwix Rural

**Location:**  
Highfield Moor, Crosby-on-Eden, CA6 4QY

**Grid Reference:**  
345935 561288

**Proposal:** Proposed Roof Over Existing Midden Store

**Amendment:**

**Decision:** Grant Permission

**Date:** 11/04/2012

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## **SCHEDULE E: Decisions Issued Under Delegated Powers**

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0137

**Applicant:**  
Mr Moscrop

**Parish:**  
Irthington

**Date of Receipt:**  
16/02/2012

**Agent:**  
H & H Land & Property

**Ward:**  
Stanwix Rural

**Location:**  
Highfield Moor, Crosby on Eden, Carlisle, CA6 4QY

**Grid Reference:**  
345935 561288

**Proposal:** Proposed Roof Over Existing Midden Area  
**Amendment:**

**Decision:** Grant Permission

**Date:** 11/04/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0138

**Applicant:**  
Mr & Mrs Mackay

**Parish:**  
Midgeholme

**Date of Receipt:**  
20/02/2012

**Agent:**  
Ian J. Potts Associates Ltd.

**Ward:**  
Multiple Wards

**Location:**  
1 Low Midgeholme Cottages, Midgeholme,  
Brampton, CA8 7LY

**Grid Reference:**  
363961 558969

**Proposal:** Erection Of Two Storey Extension To Provide Lounge On Ground Floor  
With En-Suite Bedroom Above

**Amendment:**

**Decision:** Grant Permission

**Date:** 16/04/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0140

**Applicant:**  
Border Group Ltd

**Parish:**  
Westlinton

**Date of Receipt:**  
22/02/2012

**Agent:**  
C C Build Solutions

**Ward:**  
Longtown & Rockcliffe

**Location:**

**Grid Reference:**

## **SCHEDULE E: Decisions Issued Under Delegated Powers**

Alstonby Grange, Westlinton, Carlisle, CA6 6AF

340525 564692

**Proposal:** Minor Alterations To Driver Reception Office; Insertion Of 3No.  
Rooflights

**Amendment:**

**Decision:** Grant Permission

**Date:** 10/04/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0141

**Applicant:**  
Mr Nicholson

**Parish:**  
Midgeholme

**Date of Receipt:**  
23/02/2012

**Agent:**  
R & K Wood Planning LLP

**Ward:**  
Irthing

**Location:**  
Tarn House Cottage, Hallbankgate, Brampton, CA8  
2PW

**Grid Reference:**  
360576 558477

**Proposal:** Certificate Of Existing Use Of Tarn House Cottage As A Separate  
Residential Dwelling Unit To Tarn House

**Amendment:**

**Decision:** Grant Permission

**Date:** 13/04/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0142

**Applicant:**  
Mr Ray Swinstone

**Parish:**  
Kingmoor

**Date of Receipt:**  
05/03/2012

**Agent:**  
Abacus Building Design

**Ward:**  
Stanwix Rural

**Location:**  
Land adjacent Oakdale, Kingmoor, Carlisle,  
Cumbria, CA3 9QZ

**Grid Reference:**  
338326 558274

**Proposal:** Erection Of Holiday Cottage

**Amendment:**

## **SCHEDULE E: Decisions Issued Under Delegated Powers**

**Decision:** Grant Permission

**Date:** 16/05/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0144

**Applicant:**  
Ameria (UK) LLP

**Parish:**  
Rockcliffe

**Date of Receipt:**  
21/02/2012

**Agent:**

**Ward:**  
Longtown & Rockcliffe

**Location:**  
Garriestown Marsh Bank, Rockcliffe, Carlisle,  
Cumbria, CA6 4BN

**Grid Reference:**  
334364 563930

**Proposal:** Installation Of Self-Regulating Tidegate  
**Amendment:**

**Decision:** Grant Permission

**Date:** 25/04/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0146

**Applicant:**  
Lawson Engineering  
Limited

**Parish:**

**Date of Receipt:**  
01/03/2012

**Agent:**

**Ward:**  
Dalston

**Location:**  
Lawson Engineering, Barras Lane, Dalston, Carlisle,  
CA5 7ND

**Grid Reference:**  
336404 550722

**Proposal:** Erection Of Portal Frame Workshop Extension  
**Amendment:**

**Decision:** Grant Permission

**Date:** 11/05/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0151

**Applicant:**  
Mr Holiday

**Parish:**  
Dalston



## **SCHEDULE E: Decisions Issued Under Delegated Powers**

**Date of Receipt:**  
21/02/2012 13:00:21

**Agent:**  
H&H Land and Property  
Limited

**Ward:**  
Dalston

**Location:**  
Dobcross Hall, Gaitsgill, Dalston, Carlisle, CA5 7AW

**Grid Reference:**  
339762 545543

**Proposal:** Proposed Cubicle Shed  
**Amendment:**

**Decision:** Grant Permission

**Date:** 17/04/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0152

**Applicant:**  
Trustees of West Walls  
Theatre

**Parish:**

**Date of Receipt:**  
22/02/2012

**Agent:**  
Brier Associates

**Ward:**  
Castle

**Location:**  
West Walls Theatre, 12-22 West Walls, Carlisle,  
CA3 8UB

**Grid Reference:**  
340020 555726

**Proposal:** Fixing Of External Lighting To Theatre Frontage (LBC)  
**Amendment:**

**Decision:** Grant Permission

**Date:** 18/04/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0153

**Applicant:**  
Mr Irving

**Parish:**  
Dalston

**Date of Receipt:**  
24/02/2012

**Agent:**  
Gray Associates Limited

**Ward:**  
Dalston

**Location:**  
The Smithy, Chalkfoot, Dalston, Carlisle, CA5 7JH

**Grid Reference:**  
333890 548615

**Proposal:** Change Of Use Of Land From Agricultural To Domestic Curtilage  
Together With The Formation Of A Vehicular Access. Erection Of Two

## **SCHEDULE E: Decisions Issued Under Delegated Powers**

Storey Extension To Provide Office, Hall, Kitchen/Sun Room On Ground Floor With 2no. En-Suite Bedrooms Above.

**Amendment:**

1. Application Amended To Include The Change Of Use Of Agricultural Land To Domestic Curtilage

**Decision:** Grant Permission

**Date:** 10/04/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0162

**Applicant:**  
Mr Colin Mattinson

**Parish:**  
Carlisle

**Date of Receipt:**  
02/03/2012

**Agent:**

**Ward:**  
Stanwix Urban

**Location:**  
30B Etterby Street, Stanwix, Carlisle, CA3 9JB

**Grid Reference:**  
339892 557171

**Proposal:** Renewal Of Fascias And Bay Window (LBC)

**Amendment:**

**Decision:** Grant Permission

**Date:** 25/04/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0165

**Applicant:**  
Mr & Mrs Tyson

**Parish:**  
Wetheral

**Date of Receipt:**  
01/03/2012

**Agent:**  
Unwin Jones Partnership

**Ward:**  
Wetheral

**Location:**  
Land adjacent to Edenbank, Old Steels Bank,  
Wetheral

**Grid Reference:**  
346630 554750

**Proposal:** Renewal Of Unexpired Permission Of Previously Approved Permission  
09/0558 For The Erection Of 1No. 2 Storey Dwelling

**Amendment:**

## **SCHEDULE E: Decisions Issued Under Delegated Powers**

**Decision:** Grant Permission

**Date:** 20/04/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0166

**Applicant:**  
Mr Workman

**Parish:**  
St Cuthberts Without

**Date of Receipt:**  
27/02/2012 15:14:34

**Agent:**  
ML Planning Ltd

**Ward:**  
Dalston

**Location:**  
The Beeches, Carleton, Carlisle, CA1 3DP

**Grid Reference:**  
343100 552828

**Proposal:** Erection Of Slurry Store

**Amendment:**

**Decision:** Grant Permission

**Date:** 23/04/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0167

**Applicant:**  
Mr Farrer

**Parish:**  
Brampton

**Date of Receipt:**  
08/03/2012

**Agent:**  
Green Design Architects

**Ward:**  
Brampton

**Location:**  
1 Stable Yard, Craw Hall, Brampton, CA8 1TS

**Grid Reference:**  
353434 560857

**Proposal:** Erection Of 1No. Dwelling

**Amendment:**

**Decision:** Grant Permission

**Date:** 03/05/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0171

**Applicant:**  
Border City Window  
(Systems) Ltd

**Parish:**

**Date of Receipt:**  
14/03/2012

**Agent:**  
Gerald Ferguson (Builders)

**Ward:**  
Currock

## SCHEDULE E: Decisions Issued Under Delegated Powers

Ltd

**Location:**  
Border City Window (Systems) Ltd, Lord Street,  
Carlisle, Cumbria

**Grid Reference:**  
340551 555182

**Proposal:** Installation Of New Roller Shutter Door & Reposition Existing; Enlarge Existing Window And Install New Window Together With Internal Alterations And Replacement Roof (Part Retrospective)

**Amendment:**

**Decision:** Grant Permission

**Date:** 01/05/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0173

**Applicant:**  
Mr Ball

**Parish:**  
Carlisle

**Date of Receipt:**  
08/03/2012

**Agent:**  
Black Box Architects  
Limited

**Ward:**  
Morton

**Location:**  
133 Dunmail Drive, Carlisle, CA2 6DQ

**Grid Reference:**  
338440 555155

**Proposal:** Erection Of First Floor Rear Extension To Provide Extended Bedroom With 1No. En-Suite (Revised Application)

**Amendment:**

**Decision:** Grant Permission

**Date:** 01/05/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0174

**Applicant:**  
Mr Harper

**Parish:**  
Carlisle

**Date of Receipt:**  
28/02/2012 16:00:45

**Agent:**

**Ward:**  
Castle

**Location:**  
26 Spencer Street, Carlisle, CA1 1BG

**Grid Reference:**  
340412 555907

**Proposal:** Internal Alterations Including Removing Existing Doorway And

## **SCHEDULE E: Decisions Issued Under Delegated Powers**

Reopening A Closed Doorway Together With Erection Of A Partition  
Wall And Door (LBC)

**Amendment:**

**Decision:** Grant Permission

**Date:** 13/04/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0177

**Applicant:**  
Greensyke Properties Ltd

**Parish:**  
Dalston

**Date of Receipt:**  
29/02/2012 23:00:59

**Agent:**  
Swarbrick Associates

**Ward:**  
Dalston

**Location:**  
The Kingswood Educational Centre, Cumdivock,  
Dalston, Carlisle, CA5 7JW

**Grid Reference:**  
335463 548364

**Proposal:** Change Of Use Of Existing Educational Building To 1no. Dwelling  
Together With Change Of Use Of Agricultural Land To Domestic  
Garden; Erection Of A Detached Garage/Vintage Car Store Together  
With Demolition Of Cottage And Two Storey Link Building

**Amendment:**

**Decision:** Grant Permission

**Date:** 25/04/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0179

**Applicant:**  
Ms Christine Tilbury

**Parish:**  
Carlisle

**Date of Receipt:**  
14/03/2012

**Agent:**

**Ward:**  
Stanwix Urban

**Location:**  
37 Punton Road, Stanwix, Carlisle, Cumbria, CA3  
9BB

**Grid Reference:**  
340278 557373

**Proposal:** Erection Of Single Storey Rear Extension To Provide Sunroom (Revised  
Application)

**Amendment:**

## **SCHEDULE E: Decisions Issued Under Delegated Powers**

**Decision:** Grant Permission

**Date:** 02/05/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0181

**Applicant:**  
Mr Ian Paterson

**Parish:**  
Carlisle

**Date of Receipt:**  
08/03/2012

**Agent:**

**Ward:**  
Denton Holme

**Location:**  
51-53 Denton Street, Carlisle, CA2 5DY

**Grid Reference:**  
339879 555311

**Proposal:** Change Of Use Of First Floor From Business To Residential Dwelling  
**Amendment:**

**Decision:** Grant Permission

**Date:** 26/04/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0182

**Applicant:**  
Mr Bob Yetzes

**Parish:**  
Wetheral

**Date of Receipt:**  
02/03/2012

**Agent:**  
Tyler Design Services

**Ward:**  
Wetheral

**Location:**  
Barford House, Plains Road, Wetheral, Carlisle,  
CA4 8JY

**Grid Reference:**  
346365 554962

**Proposal:** Erection Of Single Storey Sun Room To Rear Elevation (Part  
Retrospective)

**Amendment:**

**Decision:** Grant Permission

**Date:** 25/04/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0183

**Applicant:**  
Mr David Bewley

**Parish:**  
Carlisle

## **SCHEDULE E: Decisions Issued Under Delegated Powers**

**Date of Receipt:**  
05/03/2012

**Agent:**

**Ward:**  
Belah

**Location:**  
113 Kingstown Road, Carlisle, CA3 0DL

**Grid Reference:**  
339681 558312

**Proposal:** First Floor Side Extension To Provide Extended Bedroom And 1 no.  
En-Suite Bedroom

**Amendment:**

**Decision:** Grant Permission

**Date:** 25/04/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0184

**Applicant:**  
Mr Peter Harman

**Parish:**  
Wetheral

**Date of Receipt:**  
06/03/2012

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

**Ward:**  
Wetheral

**Location:**  
High Croft House, Wetheral, Carlisle, CA4 8HL

**Grid Reference:**  
346481 554280

**Proposal:** Erection Of Single Storey Extension To Provide Living Room Together  
With Internal Alterations

**Amendment:**

**Decision:** Grant Permission

**Date:** 25/04/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0188

**Applicant:**  
Preston FM Group

**Parish:**  
Carlisle

**Date of Receipt:**  
06/03/2012

**Agent:**  
SDA

**Ward:**  
Morton

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

**Grid Reference:**  
338587 554750

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

## **SCHEDULE E: Decisions Issued Under Delegated Powers**

### **Amendment:**

**Decision:** Refuse Permission

**Date:** 25/04/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0189

**Applicant:**  
Mrs Delia Hetherington

**Parish:**

**Date of Receipt:**  
05/03/2012

**Agent:**  
Carlisle Window Systems

**Ward:**  
Upperby

**Location:**  
32 Petteril Bank Road, Harraby, Carlisle, CA1 3AJ

**Grid Reference:**  
341658 553733

**Proposal:** Erection Of Conservatory To Rear Elevation

**Amendment:**

**Decision:** Grant Permission

**Date:** 25/04/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0190

**Applicant:**  
Mr & Mrs Irving

**Parish:**  
Kingmoor

**Date of Receipt:**  
05/03/2012

**Agent:**  
Jock Gordon

**Ward:**  
Stanwix Rural

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

**Grid Reference:**  
337235 559388

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

**Amendment:**

1. Screening To Balcony And Obscure Glazing To First Floor Side Windows
2. Removal Of Garage



## **SCHEDULE E: Decisions Issued Under Delegated Powers**

**Decision:** Grant Permission

**Date:** 26/04/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0191

**Applicant:**  
Mr & Mrs Winter

**Parish:**  
Rockcliffe

**Date of Receipt:**  
05/03/2012

**Agent:**  
Jock Gordon

**Ward:**  
Longtown & Rockcliffe

**Location:**  
Ghyllwood, Low Harker, Harker, Carlisle, CA6 4DG

**Grid Reference:**  
338544 560940

**Proposal:** Erection Of Single Storey Rear Extension To Provide Dining Room,  
Extended Living Room, Bedroom And Bathroom

**Amendment:**

**Decision:** Grant Permission

**Date:** 25/04/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0192

**Applicant:**  
Mr Neil Brown

**Parish:**  
Carlisle

**Date of Receipt:**  
05/03/2012

**Agent:**

**Ward:**  
Botcherby

**Location:**  
53 Walkmill Crescent, Kingfisher Park, Carlisle,  
Cumbria, CA1 2WF

**Grid Reference:**  
341875 555591

**Proposal:** Erection Of Single Storey Rear Extension To Provide Sitting Room And  
Study (Part Retrospective)

**Amendment:**

**Decision:** Grant Permission

**Date:** 25/04/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0193

**Applicant:**  
Mrs Margaret Teasdale

**Parish:**  
Hethersgill

## **SCHEDULE E: Decisions Issued Under Delegated Powers**

**Date of Receipt:**  
05/03/2012

**Agent:**

**Ward:**  
Lyne

**Location:**  
Dunquakin, Old Quaker Meeting House, Sikeside,  
Kirklington, Carlisle, CA6 6DR

**Grid Reference:**  
344643 566522

**Proposal:** Erection Of Detached Log Cabin To Provide Sunroom/Gym  
**Amendment:**

**Decision:** Grant Permission

**Date:** 30/04/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0194

**Applicant:**  
Mrs Elaine Stevenson

**Parish:**

**Date of Receipt:**  
12/03/2012

**Agent:**

**Ward:**  
Denton Holme

**Location:**  
Land To Side Of 56 St James Road, Carlisle, CA2  
5PD

**Grid Reference:**  
339337 555041

**Proposal:** Change Of Use Of Land To Side Of Dwelling To Domestic Garden;  
Creation Of Parking Space For 1 Vehicle (Access From St James Road);  
Change Of Use Of Land On St James Avenue To Extend Existing  
Garage To Front

**Amendment:**

**Decision:** Grant Permission

**Date:** 01/05/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0196

**Applicant:**  
Mr Michael Downham

**Parish:**  
Solport

**Date of Receipt:**  
20/03/2012

**Agent:**

**Ward:**  
Lyne

**Location:**  
Low Luckens Farmstead, Low Luckens, Roweltown,  
Carlisle, Cumbria, CA6 6LJ

**Grid Reference:**  
349358 572642

## **SCHEDULE E: Decisions Issued Under Delegated Powers**

**Proposal:** Installation Of A 50KW Anaerobic Plant Comprising One Digester Tank  
And Associated Plant & Machinery (Revised Application)

**Amendment:**

**Decision:** Grant Permission

**Date:** 14/05/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0197

**Applicant:**  
IDH Group Ltd

**Parish:**  
Carlisle

**Date of Receipt:**  
30/03/2012

**Agent:**  
Fusion Signs Ltd

**Ward:**  
Castle

**Location:**  
Victoria Place Dental Practice, 36 Victoria Place,  
Carlisle, CA1 1EX

**Grid Reference:**  
340404 556047

**Proposal:** Display Of 1no. Non-Illuminated Fascia Sign And 1no. Directory Sign

**Amendment:**

**Decision:** Grant Permission

**Date:** 18/05/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0199

**Applicant:**  
Esso Petroleum Limited

**Parish:**  
Carlisle

**Date of Receipt:**  
07/03/2012

**Agent:**  
AMCA Architecture &  
Design

**Ward:**  
Currock

**Location:**  
Currock Road Service Station, Currock Road,  
Carlisle, CA2 4AS

**Grid Reference:**  
340367 554766

**Proposal:** Display Of 1no. Illuminated Flag Pole Sign

**Amendment:**

## **SCHEDULE E: Decisions Issued Under Delegated Powers**

**Decision:** Grant Permission

**Date:** 25/04/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0201

**Applicant:**  
Mr Peter Thompson

**Parish:**  
Carlisle

**Date of Receipt:**  
13/03/2012

**Agent:**

**Ward:**  
Stanwix Urban

**Location:**  
36 Etterby Street, Carlisle, CA3 9JB

**Grid Reference:**  
339874 557176

**Proposal:** Alterations To Roof, Replacement Gutters And Downpipe (LBC)  
**Amendment:**

**Decision:** Grant Permission

**Date:** 04/05/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0202

**Applicant:**  
Mr M Gresswell & C  
Larsen

**Parish:**

**Date of Receipt:**  
19/03/2012

**Agent:**

**Ward:**  
Botcherby

**Location:**  
23 Eden Park Crescent, Carlisle, CA1 2UG

**Grid Reference:**  
342282 555839

**Proposal:** Erection Of Two Storey Side Extension To Provide Garage And WC On  
Ground Floor With 1no. En-Suite Bedroom Above Together With Single  
Storey Rear Extension To Provide Extended Kitchen And Utility

**Amendment:**

**Decision:** Grant Permission

**Date:** 01/05/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0203

**Applicant:**  
Mr Patrick Osborne

**Parish:**  
Carlton

## **SCHEDULE E: Decisions Issued Under Delegated Powers**

**Date of Receipt:** 13/03/2012      **Agent:** Mr Alexander Hampton      **Ward:** Great Corby & Geltsdale

**Location:** Otter Moss, Heads Nook, Brampton, Cumbria, CA8 9BX      **Grid Reference:** 353127 552822

**Proposal:** Erection Of Single Storey Extension To Provide Bedroom And Sun Room

**Amendment:**

**Decision:** Grant Permission

**Date:** 26/04/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:** 12/0204      **Applicant:** Mr & Mrs L Mounsey      **Parish:** Carlisle

**Date of Receipt:** 09/03/2012      **Agent:**      **Ward:** Belah

**Location:** 10 Belfry Close, Carlisle, CA3 9QE      **Grid Reference:** 338852 557442

**Proposal:** Change Of Use Of Land To Be Incorporated Into Domestic Garden Area; Repositioning Of Access To Rear And Erection Of 1.8 Metre High Fence

**Amendment:**

**Decision:** Grant Permission

**Date:** 26/04/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:** 12/0208      **Applicant:** Arnold Clark Automobiles Ltd      **Parish:** Carlisle

**Date of Receipt:** 21/03/2012      **Agent:** Opfer Logan Architects      **Ward:** Belah

**Location:** Arnold Clark, Wakefield Road, Carlisle, CA3 0HE      **Grid Reference:** 339500 559011

**Proposal:** Alterations And Extension To Existing Building

## **SCHEDULE E: Decisions Issued Under Delegated Powers**

### **Amendment:**

**Decision:** Grant Permission

**Date:** 02/05/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0210

**Applicant:**  
Mr J A Quinn

**Parish:**  
Carlisle

**Date of Receipt:**  
12/03/2012

**Agent:**

**Ward:**  
Harraby

**Location:**  
33 Chertsey Bank, Carlisle, CA1 2QF

**Grid Reference:**  
341415 554257

**Proposal:** Erection Of Two Storey Side Extension To Provide Living Room On  
Ground Floor With En-Suite Bedroom Above

### **Amendment:**

**Decision:** Grant Permission

**Date:** 25/04/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0211

**Applicant:**  
Carlisle College

**Parish:**  
Carlisle

**Date of Receipt:**  
19/03/2012

**Agent:**  
AA Projects Ltd

**Ward:**  
Castle

**Location:**  
Carlisle College, Victoria Place, Carlisle, CA1 1HS

**Grid Reference:**  
340499 556170

**Proposal:** Remodeling The Eastern Stair Core; Relocating Principal Entrance From  
The Rear To The Front Northern Elevation; Providing A Ramped And  
Stepped Approach To Block D

### **Amendment:**

**Decision:** Grant Permission

**Date:** 11/05/2012

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Between 07/04/2012 and 23/05/2012

## **SCHEDULE E: Decisions Issued Under Delegated Powers**

**Appn Ref No:**  
12/0215

**Applicant:**  
Robert Tweddle (T.M.H.C) Arthuret  
Limited

**Parish:**  
Arthuret

**Ward:**  
Longtown & Rockcliffe

**Date of Receipt:**  
16/03/2012

**Agent:**  
TSF Developments Ltd

**Location:**  
Unit 29, Brampton Road, Longtown, Carlisle, CA6  
5TR

**Grid Reference:**  
340125 567280

**Proposal:** Removal Of Temporary Portacabin And Erection Of Site Office Together  
With Extension To Workshop To Provide Store

**Amendment:**

**Decision:** Grant Permission

**Date:** 15/05/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0217

**Applicant:**  
Mr Baker

**Parish:**  
Wetheral

**Date of Receipt:**  
20/03/2012

**Agent:**  
Gray Associates Limited

**Ward:**  
Wetheral

**Location:**  
The Cottage, Strawberry Bank, 48 Scotby Village,  
Scotby, Carlisle, CA4 8BP

**Grid Reference:**  
344093 555072

**Proposal:** Erection Of Single Storey Side And Rear Extension To Provide Store,  
Study And Extended Kitchen

**Amendment:**

**Decision:** Grant Permission

**Date:** 02/05/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0218

**Applicant:**  
Ms S Graham

**Parish:**  
Arthuret

**Date of Receipt:**  
14/03/2012

**Agent:**  
Sike Construction Limited

**Ward:**  
Longtown & Rockcliffe

## **SCHEDULE E: Decisions Issued Under Delegated Powers**

**Location:**  
Cleugh Head, Longtown, Carlisle, CA6 5TX

**Grid Reference:**  
344918 570508

**Proposal:** First Floor Rear Extension To Form Extra Living Accommodation  
Together With Internal Alterations To Existing Outbuilding To Create A  
Kitchen

**Amendment:**

**Decision:** Grant Permission

**Date:** 02/05/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0219

**Applicant:**  
Carrs Billington Agricultural  
Limited

**Parish:**  
Carlisle

**Date of Receipt:**  
21/03/2012

**Agent:**  
Day Cummins Limited

**Ward:**  
Belah

**Location:**  
R Hind, Kingstown Broadway, Kingstown Industrial  
Estate, CA3 0HA

**Grid Reference:**  
339110 559003

**Proposal:** Creation Of A Fuel Distribution Depot Within Existing Service Yard And  
Internal Alterations To Create Storage, Grease And Lubricant Store And  
Workwear Showroom For Account Sales; Creation Of New Access And  
Additional Parking

**Amendment:**

**Decision:** Grant Permission

**Date:** 16/05/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0220

**Applicant:**  
Mr Byers

**Parish:**  
Dalston

**Date of Receipt:**  
20/03/2012

**Agent:**  
Rodney Jeremiah

**Ward:**  
Dalston

**Location:**  
Sunnycroft, Townhead Road, Dalston, Carlisle, CA5  
7JF

**Grid Reference:**  
336434 550072



## **SCHEDULE E: Decisions Issued Under Delegated Powers**

**Proposal:** Erection Of Single Storey Side Extension To Provide Enlarged Bedroom And En-Suite

**Amendment:**

**Decision:** Grant Permission

**Date:** 09/05/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0222

**Applicant:**  
Mr Robinson

**Parish:**

**Date of Receipt:**  
20/03/2012

**Agent:**

**Ward:**  
Castle

**Location:**  
1 Chiswick Street, Carlisle, CA1 1HQ

**Grid Reference:**  
340441 555905

**Proposal:** Remodelling Of 2nd Floor From 2no. Bedrooms To 1no. Bedroom And New Shower Room; Installation Of Larger Opening Between Hall And Dining Room On Ground Floor; Removal Of Stud Wall In Basement Between 2 Rooms; Installation Of Wireless Alarm System; Replacment Back Door And Wooden Side Panels (LBC)

**Amendment:**

**Decision:** Grant Permission

**Date:** 14/05/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0224

**Applicant:**  
Mr Michael Crawshaw

**Parish:**  
Carlisle

**Date of Receipt:**  
15/03/2012

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

**Ward:**  
Botcherby

**Location:**  
Durranhill Lodge, Durranhill Road, Carlisle, CA1 2RQ

**Grid Reference:**  
342683 555142

**Proposal:** Non Material Amendement Of Previously Approved Permission 11/0832

**Amendment:**

## **SCHEDULE E: Decisions Issued Under Delegated Powers**

**Decision:** Amendment Accepted  
10/04/2012

**Date:**

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0225

**Applicant:**  
Mr M & Mrs L Hodgson

**Parish:**  
Carlisle

**Date of Receipt:**  
15/03/2012

**Agent:**  
Mr S Butler

**Ward:**  
Belah

**Location:**  
7 Caird Avenue, Carlisle, CA3 9RQ

**Grid Reference:**  
339126 557692

**Proposal:** Two Storey Rear Extension To Provide Additional Living Accommodation  
On Ground Floor With 2No. Bedrooms Above (Revised Application)

**Amendment:**

---

**Decision:** Grant Permission

**Date:** 01/05/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0226

**Applicant:**  
Mr Michael Crawshaw

**Parish:**  
Carlisle

**Date of Receipt:**  
16/03/2012

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

**Ward:**  
Botcherby

**Location:**  
Durranhill Lodge, Durranhill Road, Carlisle, CA1  
2RQ

**Grid Reference:**  
342683 555142

**Proposal:** Demolition Of Sun Room; Erection Of Single Storey Extension To  
Provide Utility Room; Erection Of Two Storey Extension To Provide Sun  
Room With 2No. First Floor Bedrooms Above; Internal Alterations To  
Ground Floor Kitchen And First Floor Areas To Improve Access And  
Overall Bedroom Accommodation (LBC) (Revised Application)

**Amendment:**

---

**Decision:** Grant Permission

**Date:** 11/05/2012

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## **SCHEDULE E: Decisions Issued Under Delegated Powers**

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0227

**Applicant:**  
Mr Sisson

**Parish:**  
Nicholforest

**Date of Receipt:**  
15/03/2012 23:00:32

**Agent:**  
CONCEPT

**Ward:**  
Lyne

**Location:**  
Land at Chapel Hill, Catlowdy, Penton, Carlisle,  
CA6 5QP

**Grid Reference:**  
346421 576635

**Proposal:** Extension To Existing General Purpose Agricultural Storage Shed  
(Retrospective)

**Amendment:**

**Decision:** Grant Permission

**Date:** 25/04/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0228

**Applicant:**  
Messrs W Bell

**Parish:**  
Beaumont

**Date of Receipt:**  
15/03/2012 23:00:13

**Agent:**  
David Hetherington E A P  
S

**Ward:**  
Burgh

**Location:**  
Cobble Hall, Moorhouse Road, Moorhouse, Carlisle,  
CA5 6JJ

**Grid Reference:**  
335291 556627

**Proposal:** Erection Of Portal Frame Building To Cover Existing Midden Area And  
Incorporate A Small Part Of The Existing Cow Kennels; Erection Of  
Mono-Pitch Building Between Existing Silage Pit And Existing Farm  
Building To Cover Midden Area; Height Of Steel On Silage Pit Increased  
To Allow Access To Modern Tractors With Loaders

**Amendment:**

**Decision:** Grant Permission

**Date:** 25/04/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**

**Applicant:**

**Parish:**

## **SCHEDULE E: Decisions Issued Under Delegated Powers**

12/0230                      Mr M J Murray                      Hayton

**Date of Receipt:**                      **Agent:**                      **Ward:**  
16/03/2012                      Ms J M Dunne                      Hayton

**Location:**                      **Grid Reference:**  
Woodland to south east of entrance to Glencairn  
Mill, Heads Nook, Brampton, Cumbria                      349692 554890

**Proposal:** Formation Of Access And Stacking Area For Forestry Operations  
**Amendment:**

**Decision:** Grant Permission                      **Date:** 02/05/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**                      **Applicant:**                      **Parish:**  
12/0231                      Mr E Telford                      Stapleton

**Date of Receipt:**                      **Agent:**                      **Ward:**  
16/03/2012                      Abacus Building Design                      Lyne

**Location:**                      **Grid Reference:**  
Low Dappleymoore, Roadhead, CA6 6NH                      350300 573912

**Proposal:** Erection Of Agricultural Workers Dwelling  
**Amendment:**

**Decision:** Grant Permission                      **Date:** 11/05/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**                      **Applicant:**                      **Parish:**  
12/0234                      Mr Martin Bell                      St Cuthberts Without

**Date of Receipt:**                      **Agent:**                      **Ward:**  
16/03/2012                                           Harraby

**Location:**                      **Grid Reference:**  
49 Watermans Walk, Carlisle, Cumbria, CA1 3TJ                      342787 554028

**Proposal:** First Floor Extension Above Existing Garage To Provide En-Suite  
Bedroom

## **SCHEDULE E: Decisions Issued Under Delegated Powers**

### **Amendment:**

**Decision:** Refuse Permission

**Date:** 11/05/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0235

**Applicant:**  
Prudential Assurance  
Society Ltd

**Parish:**  
Carlisle

**Date of Receipt:**  
26/03/2012

**Agent:**  
Blue Sky Planning

**Ward:**  
Belah

**Location:**  
Unit A, Kingstown Retail Park, Parkhouse Road,  
Carlisle, CA3 0JR

**Grid Reference:**  
339415 559577

**Proposal:** Alterations To Rear Service Yard Wall

**Amendment:**

**Decision:** Grant Permission

**Date:** 21/05/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0237

**Applicant:**  
Prof. Michael Delany

**Parish:**  
Brampton

**Date of Receipt:**  
22/03/2012

**Agent:**

**Ward:**  
Brampton

**Location:**  
Tree House, Tree Road, Brampton, Cumbria, CA8  
1UA

**Grid Reference:**  
353647 560944

**Proposal:** Removal Of Cementitious Pointing From Gable And Replacement With  
Lime Mortar (LBC)

**Amendment:**

**Decision:** Grant Permission

**Date:** 14/05/2012

---

## SCHEDULE E: Decisions Issued Under Delegated Powers

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0239

**Applicant:**  
Mrs Stephanie Hughes

**Parish:**  
Carlisle

**Date of Receipt:**  
19/03/2012

**Agent:**  
Mr Michael Haymes

**Ward:**  
Castle

**Location:**  
34 Abbey Street, Carlisle, Cumbria, CA3 8TX

**Grid Reference:**  
339757 555970

**Proposal:** Kitchen Extension And Conversion Of Outbuildings To Provide 'Granny Flat' And Reconstruction Of Vehicle Access

**Amendment:**

**Decision:** Grant Permission

**Date:** 14/05/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0240

**Applicant:**  
Mrs Stephanie Hughes

**Parish:**  
Carlisle

**Date of Receipt:**  
19/03/2012

**Agent:**  
Mr Michael Haymes

**Ward:**  
Castle

**Location:**  
34 Abbey Street, Carlisle, Cumbria, CA3 8TX

**Grid Reference:**  
339757 555970

**Proposal:** Kitchen Extension And Conversion Of Outbuildings To Provide 'Granny Flat' And Reconstruction Of Vehicle Access (LBC)

**Amendment:**

**Decision:** Grant Permission

**Date:** 14/05/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0243

**Applicant:**  
Mrs Rhiannon Ridgewell

**Parish:**  
Carlisle

**Date of Receipt:**  
20/03/2012

**Agent:**

**Ward:**  
Belle Vue

**Location:**

**Grid Reference:**

## **SCHEDULE E: Decisions Issued Under Delegated Powers**

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

337499 556144

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

**Amendment:**

**Decision:** Refuse Permission

**Date:** 14/05/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0244

**Applicant:**  
IDH Group Ltd

**Parish:**  
Carlisle

**Date of Receipt:**  
30/03/2012

**Agent:**  
Fusion Signs Ltd

**Ward:**  
Castle

**Location:**  
Victoria Place Dental Practice, 36 Victoria Place,  
Carlisle, CA1 1EX

**Grid Reference:**  
340404 556047

**Proposal:** Display Of 2no. Non-Illuminated Fascia Signs And 1no. Directory Sign  
(LBC)

**Amendment:**

**Decision:** Grant Permission

**Date:** 18/05/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0246

**Applicant:**  
Mr Nigel Springer

**Parish:**  
Beaumont

**Date of Receipt:**  
23/03/2012

**Agent:**

**Ward:**  
Burgh

**Location:**  
Hadrian Stud, Kirkandrews-On-Eden, Burgh by  
Sands, Carlisle, CA5 6DJ

**Grid Reference:**  
335508 558257

**Proposal:** Installation Of Septic Tank For WC And Wash Area Inside Tack Room

**Amendment:**

## **SCHEDULE E: Decisions Issued Under Delegated Powers**

**Decision:** Grant Permission

**Date:** 18/05/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0247

**Applicant:**  
The Royal Bank of  
Scotland Group

**Parish:**  
Carlisle

**Date of Receipt:**  
22/03/2012 13:00:21

**Agent:**  
Insignia Projects Limited

**Ward:**  
Castle

**Location:**  
Royal Bank Of Scotland plc, 37 Lowther Street,  
Carlisle, CA3 8EL

**Grid Reference:**  
340212 555816

**Proposal:** Display Of 1No. Non Illuminated Fascia Sign And 1No. Externally  
Illuminated Post Mounted Projecting Sign

**Amendment:**

**Decision:** Grant Permission

**Date:** 16/05/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0248

**Applicant:**  
The Royal Bank of  
Scotland Group

**Parish:**  
Carlisle

**Date of Receipt:**  
22/03/2012 13:00:34

**Agent:**  
Insignia Projects Limited

**Ward:**  
Castle

**Location:**  
Royal Bank Of Scotland Plc, 37 Lowther Street,  
Carlisle, CA3 8EL

**Grid Reference:**  
340212 555816

**Proposal:** Display Of 1No. Non Illuminated Fascia Sign And 1No. Externally  
Illuminated Post Mounted Projecting Sign (LBC)

**Amendment:**

**Decision:** Grant Permission

**Date:** 16/05/2012

---

Between 07/04/2012 and 23/05/2012



## **SCHEDULE E: Decisions Issued Under Delegated Powers**

**Appn Ref No:**  
12/0249

**Applicant:**  
Miss Sarah Louise Kitchen

**Parish:**  
Kingmoor

**Date of Receipt:**  
30/03/2012

**Agent:**  
Mr Richard Henry

**Ward:**  
Stanwix Rural

**Location:**  
Eden View, Cargo, Carlisle, Cumbria, CA6 4AW

**Grid Reference:**  
336593 559233

**Proposal:** Single Storey Rear Extension To Provide 1No. En-Suite Bedroom And Bathroom

**Amendment:**

**Decision:** Grant Permission

**Date:** 03/05/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0250

**Applicant:**  
Armeria (UK) LLP

**Parish:**  
Rockcliffe

**Date of Receipt:**  
23/03/2012

**Agent:**

**Ward:**  
Longtown & Rockcliffe

**Location:**  
Rockcliffe Cross Farm, Castletown Estate,  
Rockcliffe, Carlisle, Cumbria

**Grid Reference:**  
334338 563105

**Proposal:** Erection Of Cattle Building

**Amendment:**

**Decision:** Grant Permission

**Date:** 18/05/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0251

**Applicant:**  
Persimmon Homes  
Lancashire

**Parish:**  
Carlisle

**Date of Receipt:**  
27/03/2012

**Agent:**

**Ward:**  
St Aidans

**Location:**  
Watts Storage Depot, Lindisfarne Street, Carlisle

**Grid Reference:**  
341230 555082

## **SCHEDULE E: Decisions Issued Under Delegated Powers**

**Proposal:** Discharge of Condition 10 (Noise Levels And Measurements) Of  
Previously Approved Permission 07/0845

**Amendment:**

**Decision:** Grant Permission

**Date:** 02/05/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0253

**Applicant:**  
J.P. Fisher

**Parish:**  
Kirkandrews

**Date of Receipt:**  
29/03/2012

**Agent:**  
Mr Thornton

**Ward:**  
Longtown & Rockcliffe

**Location:**  
Smalmstown Farm, Longtown, Carlisle, CA6 5LH

**Grid Reference:**  
336810 568930

**Proposal:** Erection Of Agricultural Shed (Phase 1 of 4)

**Amendment:**

**Decision:** Grant Permission

**Date:** 21/05/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0254

**Applicant:**  
Mr & Mrs Riordan

**Parish:**  
Kirklington Middle

**Date of Receipt:**  
28/03/2012

**Agent:**

**Ward:**  
Lyne

**Location:**  
Maple Cottage, Smithfield, Kirklington, Carlisle, CA6  
6BP

**Grid Reference:**  
344324 565310

**Proposal:** Change Of Use From Agricultural Land To Domestic Curtilage

**Amendment:**

**Decision:** Grant Permission

**Date:** 21/05/2012

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## **SCHEDULE E: Decisions Issued Under Delegated Powers**

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0255

**Applicant:**  
The Governors Of St  
Cuthbert's RC Community  
School

**Parish:**  
Carlisle

**Date of Receipt:**  
28/03/2012

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

**Ward:**  
Botcherby

**Location:**  
St Cuthbert's RC Community School, Victoria Road,  
Botcherby, Carlisle, CA1 2UE

**Grid Reference:**  
342060 555601

**Proposal:** Formation Of External Classroom And Staff Areas Together With  
Internal Alterations

**Amendment:**

**Decision:** Grant Permission

**Date:** 15/05/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0258

**Applicant:**  
Mrs Denise Cosimini

**Parish:**  
Carlisle

**Date of Receipt:**  
29/03/2012

**Agent:**  
Tsada Building Design  
Services

**Ward:**  
Belle Vue

**Location:**  
Land adjacent to 152 Orton Road, Carlisle, CA2  
7HD

**Grid Reference:**  
337911 555328

**Proposal:** Erection Of 1no. Dormer Bungalow (Revised/Part Retrospective  
Application)

**Amendment:**

**Decision:** Grant Permission

**Date:** 03/05/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0259

**Applicant:**  
Mrs Bandoni

**Parish:**  
Carlisle

## **SCHEDULE E: Decisions Issued Under Delegated Powers**

**Date of Receipt:**  
29/03/2012

**Agent:**  
Jock Gordon

**Ward:**  
Castle

**Location:**  
23 Warwick Road, Carlisle, CA1 1DH

**Grid Reference:**  
340325 555756

**Proposal:** Discharge Of Condition 3 (Details Of Windows & Doors) Of Previously  
Approved Planning Application 11/0842

**Amendment:**

**Decision:** Grant Permission

**Date:** 18/05/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0261

**Applicant:**  
Border Construction  
Limited

**Parish:**

**Date of Receipt:**  
02/04/2012

**Agent:**

**Ward:**  
Denton Holme

**Location:**  
Land at Norfolk Street, Denton Holme, Carlisle,  
Cumbria

**Grid Reference:**  
339545 554853

**Proposal:** Discharge Of Condition 3 (External Finishes); 4 (Hard Surface Details); 5 (Landscaping Scheme); 6 (Protective Fencing); 7 (Method Statement For Works Within Root Protection Zones); 10 (Construction Environmental Management Plan); 11 (Scheme To Treat And Remove Suspended Solids For Surface Water Run Off); 12 (Surface Water Drainage); 14 (Plan For Protection Of Species And Habitats); 21 (Railings To Norfolk Street); 24 (Details Of Roads, Footpaths Etc) And 25 (Site Compound, Traffic Management, Site Car Parking) Of Previously Approved Permission 11/0863

**Amendment:**

**Decision:** Grant Permission

**Date:** 11/05/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0265

**Applicant:**  
Possfund Custodian

**Parish:**  
Carlisle

## SCHEDULE E: Decisions Issued Under Delegated Powers

Trustees Limited

**Date of Receipt:**  
30/03/2012 23:00:55

**Agent:**  
Savills (Commercial)  
Limited

**Ward:**  
Currock

**Location:**  
St Nicholas Gate Retail Park, London Road,  
Carlisle, CA1 2EA

**Grid Reference:**  
340834 555100

**Proposal:** Variation Of Condition 1 Of Previously Approved Non Material  
Amendment 12/0163

**Amendment:**

**Decision:** Grant Permission

**Date:** 15/05/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0272

**Applicant:**  
Mr Charles Notman

**Parish:**  
Carlisle

**Date of Receipt:**  
02/04/2012

**Agent:**

**Ward:**  
Belle Vue

**Location:**  
140 Brookside, Carlisle, CA2 7JU

**Grid Reference:**  
338042 555805

**Proposal:** Erection Of Two Storey and Single Storey Rear Extension To Provide  
Kitchen/Dining Room On Ground Floor With 1no. Bedroom Above  
(Revised Application)

**Amendment:**

**Decision:** Grant Permission

**Date:** 18/05/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0273

**Applicant:**  
Mr David Short

**Parish:**  
Irthington

**Date of Receipt:**  
02/04/2012

**Agent:**

**Ward:**  
Stanwix Rural

**Location:**

**Grid Reference:**

## **SCHEDULE E: Decisions Issued Under Delegated Powers**

Hillcrest, Laversdale, Irthington, CA6 4PJ

347719 562505

**Proposal:** Erection Of Two Storey Rear Extension To Provide Ground Floor Lounge With 1No. Bedroom And Bathroom Above; Demolition Of Existing Timber Garage And Erection Of New Double Garage

**Amendment:**

**Decision:** Grant Permission

**Date:** 14/05/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0277

**Applicant:**  
Mr Nigel Robson

**Parish:**  
Hayton

**Date of Receipt:**  
17/04/2012

**Agent:**  
Architectural Design and  
Planning Ltd

**Ward:**  
Hayton

**Location:**  
Gelt House Farm, Hayton, Carlisle, Cumbria, CA8  
9JD

**Grid Reference:**  
350460 559102

**Proposal:** Change Of Use Of Barn To Agricultural Workers Dwelling Including Two Storey Extension (Revised Application)

**Amendment:**

**Decision:** Grant Permission

**Date:** 21/05/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0280

**Applicant:**  
Mr Slack

**Parish:**  
Wetheral

**Date of Receipt:**  
10/04/2012

**Agent:**  
H & H Land and Property  
Ltd

**Ward:**  
Great Corby & Geltsdale

**Location:**  
Cockley Bank, Heads Nook, Brampton, CA8 9EQ

**Grid Reference:**  
349292 554006

**Proposal:** Erection Of Agricultural Building

**Amendment:**

## SCHEDULE E: Decisions Issued Under Delegated Powers

**Decision:** Grant Permission

**Date:** 14/05/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0281

**Applicant:**  
Mr Slack

**Parish:**  
Wetheral

**Date of Receipt:**  
10/04/2012

**Agent:**  
H&H Land and Property  
Limited

**Ward:**  
Great Corby & Geltsdale

**Location:**  
Cockley Bank, Heads Nook, Brampton, CA8 9EQ

**Grid Reference:**  
349292 554006

**Proposal:** Erection Of Agricultural Building

**Amendment:**

**Decision:** Grant Permission

**Date:** 14/05/2012

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Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0286

**Applicant:**  
Mr & Mrs Stephen Sewell

**Parish:**  
Wetheral

**Date of Receipt:**  
10/04/2012

**Agent:**  
Sandy Johnston Architects

**Ward:**  
Wetheral

**Location:**  
Abbeyview, 6 The Glebe, Wetheral, Carlisle, CA4  
8EY

**Grid Reference:**  
346760 554201

**Proposal:** Non Material Amendment Of Previously Approved Planning Application  
11/0802 (Alteration To Roof Profile; Addition Of Window To West  
Elevation Of Conservatory; Alteration To Sill Height In Kitchen  
Extension)

**Amendment:**

**Decision:** Amendment Accepted  
04/05/2012

**Date:**

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## SCHEDULE E: Decisions Issued Under Delegated Powers

Between 07/04/2012 and 23/05/2012

<b>Appn Ref No:</b> 12/0288	<b>Applicant:</b> Mr M Wilson	<b>Parish:</b> St Cuthberts Without
<b>Date of Receipt:</b> 10/04/2012	<b>Agent:</b> Taylor & Hardy	<b>Ward:</b> Dalston
<b>Location:</b> Woodside Farm, Wreay, Carlisle, CA4 0RJ		<b>Grid Reference:</b> 343287 549930

**Proposal:** Temporary Consent For Retention Of Mobile Home For Continued Occupation By Agricultural Worker

**Amendment:**

**Decision:** Grant Permission

**Date:** 14/05/2012

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Between 07/04/2012 and 23/05/2012

<b>Appn Ref No:</b> 12/0301	<b>Applicant:</b> M & J Irving Wheelchair Services	<b>Parish:</b> Kingmoor
<b>Date of Receipt:</b> 13/04/2012 13:00:37	<b>Agent:</b> RodneyJeremiah	<b>Ward:</b> Stanwix Rural
<b>Location:</b> Hillside Garage, Cargo Beck, Cargo, Carlisle, CA6 4BB		<b>Grid Reference:</b> 337366 559337

**Proposal:** Erection Of Storage Building

**Amendment:**

**Decision:** Grant Permission

**Date:** 21/05/2012

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Between 07/04/2012 and 23/05/2012

<b>Appn Ref No:</b> 12/0305	<b>Applicant:</b> Mr R Park	<b>Parish:</b> Orton
<b>Date of Receipt:</b> 13/04/2012	<b>Agent:</b> Jock Gordon	<b>Ward:</b> Burgh



## **SCHEDULE E: Decisions Issued Under Delegated Powers**

**Location:**  
Baldwinholme Farm, Baldwinholme, Carlisle, CA5  
6LJ

**Grid Reference:**  
333786 552037

**Proposal:** Variation Of Condition 4 Of Previously Approved Appn 11/0878 To Allow  
The Use Of Light Oak Effect Upvc Windows And Doors

**Amendment:**

**Decision:** Grant Permission

**Date:** 14/05/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0308

**Applicant:**  
S & H Construction

**Parish:**  
Carlisle

**Date of Receipt:**  
13/04/2012

**Agent:**

**Ward:**  
Stanwix Urban

**Location:**  
Site Between 1 Eden Mount and 4 St Georges  
Crescent, Stanwix, Carlisle

**Grid Reference:**  
339944 556874

**Proposal:** Variation Of Condition 2 Of Previously Approved Appn 10/0857 To Allow  
The Use Of Upvc Windows As Opposed To Timber On All Windows  
Except For The Gable

**Amendment:**

**Decision:** Grant Permission

**Date:** 21/05/2012

---

Between 07/04/2012 and 23/05/2012

**Appn Ref No:**  
12/0317

**Applicant:**  
Rev Steel

**Parish:**

**Date of Receipt:**  
18/04/2012

**Agent:**  
LINKS Architecture

**Ward:**

**Location:**  
St Augustines Church, Briar Bank, Carlisle

**Grid Reference:**  
339782 557902

**Proposal:** Non Material Amendment Of Previously Approved Planning Application  
10/1032

**Amendment:**

## **SCHEDULE E: Decisions Issued Under Delegated Powers**

**Decision:** Withdrawn by Applicant/or by default  
**Date:** 14/05/2012

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Between 07/04/2012 and 23/05/2012

<b>Appn Ref No:</b> 12/0400	<b>Applicant:</b> Sue Hedley	<b>Parish:</b> Scaleby
<b>Date of Receipt:</b> 10/05/2012	<b>Agent:</b>	<b>Ward:</b> Stanwix Rural
<b>Location:</b> Glencote, Scaleby, Carlisle, CA6 4LJ		<b>Grid Reference:</b> 344750 563096

**Proposal:** Discharge Of Condition 4 (Brick Sample) Of Previously Approved Permission 10/0422

**Amendment:**

**Decision:** Grant Permission

**Date:** 15/05/2012

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Between 07/04/2012 and 23/05/2012

<b>Appn Ref No:</b> 12/9004	<b>Applicant:</b> John Lyon Associates	<b>Parish:</b> Burgh-by-Sands
<b>Date of Receipt:</b> 26/04/2012	<b>Agent:</b> Mr Edward Page	<b>Ward:</b> Burgh
<b>Location:</b> Burgh by Sands Primary School, Burgh by Sands, Carlisle, CA5 6AP		<b>Grid Reference:</b> 332740 558831

**Proposal:** Single Storey Extension And An External Canopy Structure

**Amendment:**

**Decision:** City Council Observation - Raise No Objection  
**Date:** 14/05/2012

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Between 07/04/2012 and 23/05/2012

## **SCHEDULE E: Decisions Issued Under Delegated Powers**

**Appn Ref No:**  
12/9005

**Applicant:**  
Mr Brian Durham

**Parish:**  
St Cuthberts Without

**Date of Receipt:**  
03/05/2012

**Agent:**  
Mr Edward Page

**Ward:**  
Dalston

**Location:**  
Stoneraise School, Stoneraise, Durdar, Carlisle,  
Cumbria, CA5 7AT

**Grid Reference:**  
340242 549935

**Proposal:** External Packaged Plant Room Within Fenced Compound To Supply  
New Heating System

**Amendment:**

**Decision:** City Council Observation - Raise No Objection  
**Date:** 21/05/2012

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