

# Committee Minutes

## Control of Development and Advertisements

The Development Control Committee received and considered the following applications:

---

**Item no: 01**

**Appn Ref No:**  
11/0799

**Applicant:**  
Magnus Homes Ltd

**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

**Grid Reference:**  
339624 557233

---

Proposal: Erection Of 3No. Dwellings

### Refuse Permission

- Reason:** 18 Eden Place is situated within a residential area and occupies a prominent roadside location adjacent to the main thoroughfare into the City. The proposed development would generate additional vehicular movements and intensify the use of the site. Despite the proposed alterations to the access, the site is located directly opposite an access that serves properties in a cul-de-sac in Eden Place which would pose a danger to users of the highway. The proposal would result in an unacceptable increase in vehicles movements to and from the site from which there would be insufficient visibility in either direction along Eden Place. The proposal would therefore be contrary to criteria 4 of Policy H2 (Primary Residential Areas) and criteria 6 of Policy LE19 (Conservation Areas) of the Carlisle District Local Plan 2001-2016.
- Reason:** The proposal relates to a small rectangular shaped site that occupies a prominent roadside location adjacent to the main thoroughfare into the City that is located adjacent to residential dwellings. Due to its restricted width, the erection of three dwellings would result in an overintensive and cramped development that would be detrimental to the character of the streetscene. The proposal would also adversely affect the character and appearance of the area and that of the Stanwix Conservation Area contrary to the objectives of criteria 3 of Policy H2 (Primary Residential Areas); criteria 1 of Policy CP5 (Design);

and criteria 1 of Policy LE19 (Conservation Areas) of the Carlisle District Local Plan 2001-2016.

## **Relevant Development Plan Policies**

### **Carlisle District Local Plan 2001 - 2016**

#### **Core Development Policies - Policy CP2 - Biodiversity**

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

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

### **Carlisle District Local Plan 2001 - 2016**

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

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

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

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

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

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

### **Carlisle District Local Plan 2001 - 2016**

## **Core Development Policies - Policy CP5 - Design**

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

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

## **Carlisle District Local Plan 2001 - 2016**

### **Core Development Policies - Policy CP6 - Residential Amenity**

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

- 1 is for a use inappropriate for residential areas; and/or
- 2 is of an unacceptable scale; and/or
- 3 leads to an unacceptable increase in traffic or noise; and/or
- 4 is visually intrusive.

## **Carlisle District Local Plan 2001 - 2016**

### **Core Development Policies - Policy CP9 - Development, Energy Conservation And Efficiency**

Development proposals should take into account the need for energy conservation and efficiency in their design, layout and choice of materials. The principles should be introduced in the early stages of the design process in order to consider the orientation of buildings to maximise solar gain coupled with high levels of insulation to reduce heating costs. The efficient and effective use of land, including the reuse

of existing buildings and the use of environmentally sustainable materials should also be encouraged. Landscaping schemes also may be used to shelter buildings in exposed positions to reduce heat loss.

These elements will contribute to the energy efficiency of a new development. Developers should also consider the possible incorporation of photovoltaic cells, active solar panels and other small-scale sources of renewable energy. Consideration should be given to recycled materials, waste minimisation and recycling measures within the design.

Designers will be encouraged to include systems for collecting roof water to enable its re-use.

**Carlisle District Local Plan 2001 - 2016**  
**Core Development Policies - Policy CP12 - Foul And Surface Water Sewerage And Sewage Treatment**

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

**Carlisle District Local Plan 2001 - 2016**  
**Core Development Policies - Policy CP17 - Planning Out Crime**

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

The following points should be applied to all development proposals:

- 1 Security measures should be an integral part of the design
- 2 Developments should be laid out and buildings positioned to maximise natural surveillance with the intention of creating a sense of neighbourhood and deterring criminal and anti-social activity
- 3 Public and private spaces should have clearly defined boundaries.
- 4 Footpaths and cycleways should be designed to maximise their use and prevent opportunities for concealment, unauthorised access or provide a choice of escape routes.
- 5 Landscaping schemes be designed to ensure that they do not create secluded areas, opportunities for climbing or reduce natural surveillance.
- 6 Lighting should deter criminal and antisocial activity whilst minimising light pollution. CCTV may be considered necessary in certain circumstances.

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

**Carlisle District Local Plan 2001 - 2016**  
**Housing - Policy H1 - Location Of New Housing Development**

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

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

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

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

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

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

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

## **Housing - Policy H2 - Primary Residential Areas**

Within the Primary Residential Areas defined on the Inset Maps for Carlisle, Brampton and Longtown, proposals for new residential development will be acceptable provided that:

- 1 existing areas of open space and other amenity areas are safeguarded; and
- 2 the proposed development does not adversely affect the amenity of adjacent residential property; and
- 3 the proposed development complements or enhances existing adjacent residential areas and their amenity; and
- 4 satisfactory access and appropriate parking arrangements can be achieved.

Proposals for non-residential uses will be permitted in Primary Residential Areas provided that they do not adversely affect residential amenity. Development that would create unacceptable noise, smell, safety and health impacts or excessive traffic generation will not be acceptable. The traffic impact of new development upon existing residents through inconvenience and detrimental effect will be taken into account. Such schemes falling within the scope of this policy will be considered against the above criteria as well as other policies of the Plan appropriate for the proposed use.

Outside the Primary Residential Areas and sites allocated under Proposal H16 for Carlisle, Brampton and Longtown, applications for residential development, including redevelopment and the change of use of vacant and underused buildings, will be only be permitted provided that:

- 1 satisfactory housing conditions can be achieved; and
- 2 the proposal will complement the existing character of the area; and
- 3 the proposal will not adversely affect the amenity of the area; and
- 4 satisfactory access can be provided; and
- 5 appropriate parking arrangements can be made.

## **Carlisle District Local Plan 2001 - 2016**

### **Transport - Policy T1- Parking Guidelines For Development**

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

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

## **Carlisle District Local Plan 2001 - 2016**

### **Local Environment - Policy LE19 - Conservation Areas**

The City Council will continue to review existing and designate new conservation areas. Development proposals within and adjoining conservation areas will be

granted planning permission provided they preserve or enhance their character and appearance. Any new development or alterations to existing buildings should harmonise with their surroundings and be in sympathy with the setting, scale, density and physical characteristics of conservation areas, and protect important views into or out of such areas. Applications for outline planning permission will not be accepted for proposals in conservation areas.

Proposals for new development and/or alterations to buildings in conservation areas will be judged against the following criteria:

- 1 the development should preserve or enhance all features which contribute positively to the area's character or appearance, in particular the design, massing and height of the building should closely relate to adjacent buildings and should not have an unacceptable impact on the townscape or landscape;
- 2 the development should not have an unacceptable impact on the historic street patterns and morphology, roofscape, skyline and setting of the conservation area, important open spaces or significant views into, out of and within the area;
- 3 development proposals should not result in the amalgamation or redrawing of boundaries between traditional buildings and plots, or demolition and redevelopment behind retained facades;
- 4 wherever practicable traditional local materials such as brick, stone and slate should be used and incongruous materials should be avoided;
- 5 individual features both on buildings and contributing to their setting, should be retained e.g. doorways, windows, shopfronts, garden walls, railings, cobbled or flagged forecourts, sandstone kerbs, trees and hedges, etc. Where features have deteriorated to the extent to which they have to be replaced, the replacement should match the original;
- 6 proposals which would generate a significant increase in traffic movements and heavy vehicles or excessive parking demands will not be permitted since these would be prejudicial to amenity;
- 7 proposals which would require substantial car parking and servicing areas which can not be provided without an adverse effect on the site and its surroundings will not be permitted.

## **Carlisle District Local Plan 2001 - 2016**

### **Local Environment - Policy LE27- Developed Land In Floodplains**

Development on previously developed land which is at risk of flooding will only be permitted provided that a Flood Risk Assessment has been submitted with the planning application that confirms:

- 1 no other lower risk alternative site exists in the case of proposed development in Zone 3 (High Probability of river and/or sea flooding); and
- 2 flood defence measures to the appropriate standard are already in place or can be provided; and
- 3 adequate flood plain storage capacity can be provided; and
- 4 the development will not interfere with flood flows nor increase flood risk elsewhere; and
- 5 access and egress could be reasonably maintained at times of flood risk; and

- 6 adequate flood warning and evacuation procedures will be provided; and
- 7 mitigation measures will be provided where necessary; and
- 8 the building materials are appropriate for a flood risk area.

**Item no: 02**

**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

**Grid Reference:**  
339624 557233

---

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

**Refuse Permission**

1. **Reason:** The stone gate stoops are located either side of the vehicular access and are prominently sited within the Stanwix Conservation Area. These traditional gates stoops form part of the historic fabric of the area and make a substantial contribution to the character and appearance. Heritage assets are irreplaceable, any harm or loss require clear and convincing justification. Historic features should be retained and preserved and in this instance, there is insufficient justification to warrant their removal. The proposed removal of these stone gate stoops would detract from the special architectural and historic interest which designation as a Conservation Area seeks to preserve or enhance. Approval would therefore be contrary to paragraph 132 of the National Planning Policy Framework and criteria 1 of Policy LE19 (Conservation Areas) of the Carlisle District Local Plan 2001-2016.

**Relevant Development Plan Policies**

**Carlisle District Local Plan 2001 - 2016**  
**Local Environment - Policy LE17 - Development Involving The Demolition Of Unlisted Buildings In Conservation Areas**



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 following criteria:

- 1 the contribution of the building to the landscape/townscape; and
- 2 the structural condition of the building; and
- 3 the suitability of the building for its existing, proposed or any other use; and
- 4 the cost of repair; and
- 5 the contribution which the demolition/ redevelopment would make to broader conservation objectives.
- 6 the inclusion of any building on a local list as defined in policy LE16

All proposals for demolition must be accompanied by details of redevelopment, which will normally be secured by means of a legal agreement.

### **Carlisle District Local Plan 2001 - 2016**

#### **Local Environment - Policy LE19 - Conservation Areas**

The City Council will continue to review existing and designate new conservation areas. Development proposals within and adjoining conservation areas will be granted planning permission provided they preserve or enhance their character and appearance. Any new development or alterations to existing buildings should harmonise with their surroundings and be in sympathy with the setting, scale, density and physical characteristics of conservation areas, and protect important views into or out of such areas. Applications for outline planning permission will not be accepted for proposals in conservation areas.

Proposals for new development and/or alterations to buildings in conservation areas will be judged against the following criteria:

- 1 the development should preserve or enhance all features which contribute positively to the area's character or appearance, in particular the design, massing and height of the building should closely relate to adjacent buildings and should not have an unacceptable impact on the townscape or landscape;
- 2 the development should not have an unacceptable impact on the historic street patterns and morphology, roofscape, skyline and setting of the conservation area, important open spaces or significant views into, out of and within the area;
- 3 development proposals should not result in the amalgamation or redrawing of boundaries between traditional buildings and plots, or demolition and redevelopment behind retained facades;
- 4 wherever practicable traditional local materials such as brick, stone and slate should be used and incongruous materials should be avoided;
- 5 individual features both on buildings and contributing to their setting, should be retained e.g. doorways, windows, shopfronts, garden walls, railings, cobbled or flagged forecourts, sandstone kerbs, trees and hedges, etc. Where features have deteriorated to the extent to which they have to be replaced, the replacement should match the original;
- 6 proposals which would generate a significant increase in traffic movements and

- heavy vehicles or excessive parking demands will not be permitted since these would be prejudicial to amenity;
- 7 proposals which would require substantial car parking and servicing areas which can not be provided without an adverse effect on the site and its surroundings will not be permitted.

**Item no: 03**

**Appn Ref No:**  
12/0232

**Applicant:**  
McDonalds Restaurants  
Ltd

**Parish:**  
Carlisle

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

**Agent:**  
Savills

**Ward:**  
Belah

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

**Grid Reference:**  
339393 559461

---

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

**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.

---

## **Summary of Reasons for the Decision**

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

## **Relevant Development Plan Policies**

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

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

- 1 Respond to the local context and the form of surrounding buildings in relation to height, scale and massing, and by making use of appropriate materials and detailing;
- 2 Take into consideration any important landscape or topographical features and respect local landscape character;
- 3 Reinforce local architectural features, where appropriate, promoting and respecting local distinctiveness;
- 4 Ensure all components of the proposal, such as buildings, car parking, access routes, open space and landscaping, are well related to one another to ensure a

- well integrated, successful and attractive development;
- 5 Ensure there is no adverse effect on the residential amenity of existing areas, or adjacent land uses, or result in unacceptable standards for future users and occupiers of the development;
  - 6 Ensure the retention and enhancement of existing trees, shrubs, hedges and other wildlife habitats where possible. Where environmental features are lost as a result of the proposal, appropriate mitigation measures should be put in place and on-site replacement of those features will be sought;
  - 7 Include landscaping schemes (both hard and soft) to assist the integration of new development into existing areas and ensure that development on the edge of settlements is fully integrated into its surroundings;
  - 8 Ensure that the necessary services and infrastructure can be incorporated without causing unacceptable harm to retained features;
  - 9 Ensure that the layout and design incorporates adequate space for waste and recycling bin storage and collection.

### **Carlisle District Local Plan 2001 - 2016**

#### **Economic & Commercial Growth - Policy EC1 - Primary Employment Areas**

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

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

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

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

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

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

## **Carlisle District Local Plan 2001 - 2016**

### **Economic & Commercial Growth - Policy EC10 Food And Drink**

Within the Plan area, proposals for uses within Use Class A3 (restaurants and cafes), A4 (drinking establishments) and A5 (hot food takeaways) will be approved provided that:

- 1 The proposal does not involve unacceptable disturbance to occupiers of residential property; and
- 2 The proposal does not involve unacceptable intrusion into open countryside; and
- 3 The proposal, whether new development or conversion complements surrounding development or the character of the existing building; and
- 4 Appropriate access and parking can be provided; and
- 5 Throughout the Plan area opening hours will be imposed having regard to the surrounding uses, the character of the area and the possibility of disturbance to residential areas.

Proposals for A3, A4 and A5 related uses should be situated in accessible locations, within or adjacent to existing centres in line with the sequential approach in PPS6 unless material considerations dictate otherwise.

#### **Item no: 04**

**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

**Grid Reference:**  
343580 556455

---

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

#### **Refuse Permission**

1. **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 neighbouring Wheelbarrow Hall. 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; Flats 1, 2, 3, 4, 7 and 8 at Wheelbarrow Court; and the dwellings on the northern side of Holme Fauld (in particular 24, 24A and 26). When comparing the substantial harm to residential amenity from siting the proposed turbine in this location with the benefits, it is considered that the adverse impacts significantly and demonstrably outweigh the benefit. 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 and CP8 of the Carlisle District Local Plan 2001-2016.

## **Relevant Development Plan Policies**

### **The North West Of England Plan Regional Spatial Strategy To 2021 Policy EM 1: Integrated Enhancement And Protection Of The Region's Environmental Assets**

The Region's environmental assets should be identified, protected, enhanced and managed.

Plans, strategies, proposals and schemes should deliver an integrated approach to conserving and enhancing the landscape, natural environment, historic environment and woodlands of the region.

Plans and strategies should define spatial objectives and priorities for conservation, restoration and enhancement as appropriate, and provide area-based guidelines to direct decisions and target resources. These will be founded on a sound understanding of the diversity, distinctiveness, significance and sensitivity of the region's environmental assets, and informed by sub-regional environmental frameworks. Special consideration will be given to the impacts of climate change and adaptation measures.

Priority should be given to conserving and enhancing areas, sites, features and species of international, national, regional and local landscape, natural environment and historic environment importance.

Where proposals and schemes affect the region's landscape, natural or historic environment or woodland assets, prospective developers and/or local authorities should first avoid loss of or damage to the assets, then mitigate any unavoidable damage and compensate for loss or damage through offsetting actions with a foundation of no net loss in resources as a minimum requirement.

With regard to specific elements of this integrated approach, the following should be

taken into account:

## **The North West Of England Plan Regional Spatial Strategy To 2021 Policy EM1 (A): Landscape**

Plans, strategies, proposals and schemes should identify, protect, maintain and enhance natural, historic and other distinctive features that contribute to the character of landscapes and places within the North West.

They should be informed by and recognise the importance of:

- detailed landscape character assessments and strategies, which local authorities should produce, set in the context of the North West Joint Character Area Map <sup>(93)</sup>. These will be used to identify priority areas for the maintenance, enhancement and/or restoration of that character and will under-pin and act as key components of criteria-based policies in LDFs;
- the special qualities of the environment associated with the nationally designated areas of the Lake District National Park, the Yorkshire Dales National Park, the Peak District National Park, the Forest of Bowland Area of Outstanding Natural Beauty (AONB), the Arnside and Silverdale AONB, the North Pennines AONB and Solway Coast AONB and their settings;
- the characteristics and setting of World Heritage Sites.

## **The North West Of England Plan Regional Spatial Strategy To 2021 Policy EM 17: Renewable Energy**

In line with the North West Sustainable Energy Strategy, by 2010 at least 10% (rising to at least 15% by 2015 and at least 20% by 2020) of the electricity which is supplied within the Region should be provided from renewable energy sources. To achieve this new renewable energy capacity should be developed which will contribute towards the delivery of the indicative capacity targets set out in Tables 9.6 and 9.7a-c. In accordance with PPS22, meeting these targets is not a reason to refuse otherwise acceptable development proposals.

Local authorities should work with stakeholders in the preparation of sub regional studies of renewable energy resources so as to gain a thorough understanding of the supplies available and network improvements, and how they can best be used to meet national, regional and local targets. These studies should form the basis for:

- informing a future review of RSS to identify broad locations where development of particular types of renewable energy may be considered appropriate <sup>(119)</sup>; and
- establishing local strategies for dealing with renewable resources, setting targets for their use which can replace existing sub regional targets for the relevant authorities.

Plans and strategies should seek to promote and encourage, rather than restrict, the use of renewable energy resources. Local planning authorities should give

significant weight to the wider environmental, community and economic benefits of proposals for renewable energy schemes to:

- contribute towards the capacities set out in tables 9.6 and 9.7 a-c; and
- mitigate the causes of climate change and minimise the need to consume finite natural resources.

Opportunities should be sought to identify proposals and schemes for renewable energy. The following criteria should be taken into account but should not be used to rule out or place constraints on the development of all, or specific types of, renewable energy technologies:

- anticipated effects on local amenity resulting from development, construction and operation of schemes (e.g. air quality, atmospheric emissions, noise, odour, water pollution and disposal of waste). Measures to mitigate these impacts should be employed where possible and necessary to make them acceptable;
- acceptability of the location/scale of the proposal and its visual impact in relation to the character and sensitivity of the surrounding landscape, including cumulative impact. Stringent requirements for minimising impact on landscape and townscape would not be appropriate if these effectively preclude the supply of certain types of renewable energy, other than in the most exceptional circumstances such as within nationally recognised designations as set out in PPS22 paragraph 11;
- effect on the region's World Heritage Sites and other national and internationally designated sites or areas, and their settings but avoiding the creation of buffer zones and noting that small scale developments may be permitted in such areas provided there is no significant environmental detriment;
- effect of development on nature conservation features, biodiversity and geodiversity, including sites, habitats and species, and which avoid significant adverse effects on sites of international nature conservation importance by assessment under the Habitats Regulations;
- maintenance of the openness of the Region's Green Belt;
- potential benefits of development to the local economy and the local community;
- accessibility (where necessary) by the local transport network;
- effect on agriculture and other land based industries;
- ability to make connections to the electricity distribution network which takes account of visual impact (as qualified above);
- integration of the proposal with existing or new development where appropriate;
- proximity to the renewable fuel source where relevant – e.g. wood-fuel biomass processing plants within or in close proximity to the region's major woodlands and forests;
- encourage the integration of combined heat and power (CHP), including micro CHP into development.

Developers must engage with local communities at an early stage of the



development process prior to submission of any proposals and schemes for approval under the appropriate legislation.

**Cumbria and Lake District Joint Structure Plan 2001 – 2016**  
**Policy R44: Renewable energy outside the Lake District National Park and AONBs**

Outside the Lake District National Park and AONBs proposals for renewable energy including any ancillary infrastructure or buildings will be favourably considered if:

1. there is no significant adverse effect on the landscape character, biodiversity and the natural and built heritage of the area either individually or cumulatively through their relationship with other utility infrastructure
2. there is no significant adverse effect on local amenity, the local economy, highways, aircraft operations or telecommunications,
3. the proposal takes all practicable measures to reduce any adverse impact on landscape, environmental, nature conservation, historical and local community interests,

In considering applications for planning permission in relation to the above criteria, and other policies in this plan, the environmental, economic and energy benefits of renewable energy proposals should be given significant weight.

There are additional requirements in the following cases:

**Wind energy development**

4. measures should be included to secure the satisfactory removal of structures/ related infrastructure and remediation of land following cessation of operation of the installation,

**New plant for the commercial generation of energy from biomass**

5. shall be sited on existing industrial/ employment sites or previously developed land that is well related to the resource catchment.

Where practicable measures to transport fuel and waste by water or rail shall be made.

**Proposals for the recovery of energy from agriculture waste within existing farm units or sewage sludge**

6. shall be well related to the activity, scale and character of the existing business/enterprise and /or setting.

**Cumbria and Lake District Joint Structure Plan 2001 – 2016**  
**Policy E35: Areas and Features of nature conservation interests other than those of national and international conservation importance**

Development and other land use changes that are detrimental to these nature conservation interests will not be permitted unless the harm caused to the value of those interests is outweighed by the need for the development. Where development is permitted the loss of nature conservation interest should be minimised and, where practicable, mitigation should be provided.

These nature conservation interests are defined as:

- County Wildlife Sites (CWSs)
- Regionally Important Geological or Geomorphological Sites (RIGGS)
- The UK Biodiversity Action Plan Priority Habitats that occur in Cumbria
- Species of Conservation Importance in the North West Region that occur in Cumbria
- Landscape features of major importance for wild fauna and flora, which are essential for migration dispersal and genetic exchange
- Local nature reserves

## **Cumbria and Lake District Joint Structure Plan 2001 – 2016**

### **Policy E37: Landscape character**

Development and land use change should be compatible with the distinctive characteristics and features of Cumbria's landscape types and sub types.

Proposals will be assessed in relation to:

1. locally distinctive natural or built features,
2. visual intrusion or impact,
3. scale in relation to the landscape and features,
4. the character of the built environment,
5. public access and community value of the landscape,
6. historic patterns and attributes,
7. biodiversity features, ecological networks and seminatural habitats, and
8. openness, remoteness and tranquillity.

## **Carlisle District Local Plan 2001 - 2016**

### **Core Development Policies - Policy CP1 - Landscape Character**

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

Development will be considered appropriate to the character of the landscape provided the proposal has regard to and conserves:

the landform and natural patterns of drainage;

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

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

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

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

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

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

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

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

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

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

**Carlisle District Local Plan 2001 - 2016**  
**Core Development Policies - Policy CP4 - Agricultural Land**

Permission will not be given for development where it would lead to the loss of the best and most versatile agricultural land, unless:

- 1 there is an overriding need for the development; and
- 2 there is insufficient land of a lower grade available; or
- 3 available lower grade land has a statutory landscape, wildlife, historic or

archaeological designation.

## **Carlisle District Local Plan 2001 - 2016**

### **Core Development Policies - Policy CP5 - Design**

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

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

## **Carlisle District Local Plan 2001 - 2016**

### **Core Development Policies - Policy CP6 - Residential Amenity**

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

- 1 is for a use inappropriate for residential areas; and/or
- 2 is of an unacceptable scale; and/or
- 3 leads to an unacceptable increase in traffic or noise; and/or
- 4 is visually intrusive.

## **Carlisle District Local Plan 2001 - 2016**

### **Core Development Policies - Policy CP8 - Renewable Energy**

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

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

#### **Carlisle District Local Plan 2001 - 2016**

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

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

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

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

#### **Carlisle District Local Plan 2001 - 2016**

#### **Local Environment - Policy LE12 - Proposals Affecting Listed Buildings**

Proposals for new development which adversely affects a listed building or its setting will not be permitted. Any new development within the setting of a listed building should preserve the building's character and its setting. The City Council will seek to encourage any new development to be sympathetic in scale, character and materials.

**Carlisle District Local Plan 2001 - 2016**  
**Local Environment - Policy LE23 - MOD Safeguarding Zone**

Within the MOD Safeguarding Zone as shown on the Proposals Map, development proposals will be the subject of consultation with the MOD. Any proposals that impact upon MOD operations will require mitigation where possible to minimise that impact, or where this is not feasible, permission will be refused.

**Carlisle District Local Plan 2001 - 2016**  
**Spatial Strategy And Development Principles - Policy DP5 - Trunk Roads**

Major development proposals will be assessed against their impact on the safe and efficient operation of the trunk road network.

Land will be safeguarded for the Highways Agency road scheme, the M6/A74 extension (Junction 44 - Guardsmill).

**Item no: 05**

**Appn Ref No:**  
12/0038

**Applicant:**  
Mr & Mrs J Bell

**Parish:**  
Scaleby

**Date of Receipt:**  
20/01/2012

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

**Ward:**  
Stanwix Rural

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

**Grid Reference:**  
345730 564053

---

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

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 25 May 2012 (Drawing No. 104-139A-01 Rev M);
  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. The materials (and finishes) to be used in the construction of the proposed development shall be in accordance with the details contained in the submitted application, unless otherwise agreed in writing by the Local Planning Authority.

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

4. The landscaping details contained on the As Proposed Site/ Location Plan (Drawing 104-139A-01 Rev M, received on 25 May 2012), shall be implemented within the first planting season after the building is completed. 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 Policies CP3 and CP5 of the Carlisle District Local Plan 2001-2016.

5. Any walls, gates, fences and other means of permanent enclosure and/or boundary treatment shall be erected in accordance with the details contained on the As Proposed Site/ Location Plan (Drawing 104-139A-01 Rev M, received on 25 May 2012).

**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. The foul and surface water drainage works shall be implemented in accordance with the details contained on the As Proposed Site/ Location Plan (Drawing 104-139A-01 Rev M, received on 25 May 2012).

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

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. The dwelling shall not 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.

11. 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.

12. 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.

---

## **Summary of Reasons for the Decision**

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

## **Relevant Development Plan Policies**

### **Carlisle District Local Plan 2001 - 2016**

#### **Housing - Policy H10 - Replacement Dwellings In The Rural Area**

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

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

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

### **Carlisle District Local Plan 2001 - 2016**

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

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

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

In order to protect and integrate existing trees and hedges within new development, the City Council will resist proposals which cause unacceptable tree loss, and which

do not allow for the successful integration of existing trees identified in the tree survey.

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

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

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

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

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

### **Carlisle District Local Plan 2001 - 2016** **Core Development Policies - Policy CP12 - Foul And Surface Water Sewerage And Sewage Treatment**

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

**Item no: 06**

**Appn Ref No:**

12/0135

**Applicant:**

Mr S Spencer

**Parish:**

Burgh-by-Sands

**Date of Receipt:**

15/02/2012

**Agent:**

Carlisle City Council

**Ward:**

Burgh

**Location:**

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

**Grid Reference:**

332188 558833

---

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

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.

---

## **Summary of Reasons for the Decision**

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

## **Relevant Development Plan Policies**

### **Carlisle District Local Plan 2001 - 2016**

#### **Core Development Policies - Policy CP2 - Biodiversity**

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

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

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

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

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

**Carlisle District Local Plan 2001 - 2016**  
**Local Environment - Policy LE6 - Scheduled/Nationally Important Ancient Monuments**

Development will not be permitted where there is an unacceptable impact on scheduled and other nationally important ancient monuments and their settings.

**Carlisle District Local Plan 2001 - 2016**  
**Spatial Strategy & Development Principles - Policy DP1 - Sustainable Development Locations**

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

Urban Area                      City of Carlisle

Key Service Centres      Brampton

## Longtown

Local Service Centres	Burgh by Sands	Heads Nook
	Castle Carrock	Houghton
	Cummersdale	Irthington
	Cumwhinton	Raughton Head
	Dalston	Rockcliffe
	Gilsland	Scotby
	Great Corby	Smithfield
	Great Orton	Thurstonfield
	Hallbankgate	Warwick Bridge
	Hayton	Wetheral

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

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

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

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

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

### **Carlisle District Local Plan 2001 - 2016 Leisure & Community Uses - Policy LC8 - Rights Of Way**

Carlisle City Council will seek to retain all existing footpaths, bridleways and other rights of way and to establish new routes wherever possible. New development will seek to maintain the existing rights of way network and where possible local improvements and extensions will be sought as part of new developments. Proposals to close or divert existing rights of way will not be permitted unless an alternative route is available which is attractive, serves the same area and is not significantly longer than the original route.

**Appn Ref No:**  
12/0150

**Applicant:**  
Nigel Thompson  
Developments Limited

**Parish:**  
Hayton

**Date of Receipt:**  
21/02/2012

**Agent:**  
Alpha Design

**Ward:**  
Hayton

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

**Grid Reference:**  
350267 556094

---

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

### Grant Permission

1. The approved documents for this Variation Of Condition 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.

---

### **Summary of Reasons for the Decision**

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

## **Relevant Development Plan Policies**

### **Carlisle District Local Plan 2001 - 2016**

#### **Core Development Policies - Policy CP1 - Landscape Character**

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

Development will be considered appropriate to the character of the landscape provided the proposal has regard to and conserves:

the landform and natural patterns of drainage;

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

### **Carlisle District Local Plan 2001 - 2016**

#### **Core Development Policies - Policy CP5 - Design**

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

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

## **Carlisle District Local Plan 2001 - 2016**

### **Housing - Policy H1 - Location Of New Housing Development**

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

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

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

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

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

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

Blackwell	Cardewlees	Cargo
Carleton	Cotehill	Cumwhitton
Durdar	Faugh	Harker
Hethersgill	How Mill	Lanercost
Laversdale	Low Row	Monkhill
Moorhouse	Talkin	Todhills

Walton

Warwick-on-Eden

Wreay

## **Carlisle District Local Plan 2001 - 2016**

### **Transport - Policy T1- Parking Guidelines For Development**

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

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

#### **Item no: 08**

**Appn Ref No:**

12/0155

**Applicant:**

Mr Carrigan

**Parish:**

Westlinton

**Date of Receipt:**

23/02/2012 13:00:19

**Agent:**

Green Planning Solutions  
LLP

**Ward:**

Longtown & Rockcliffe

**Location:**

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

**Grid Reference:**

338837 562600

---

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

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

#### **Item no: 09**

**Appn Ref No:**

12/0195

**Applicant:**

Mr J Vevers

**Parish:**

Hayton

**Date of Receipt:**

06/03/2012 13:00:21

**Agent:**

Syke Construction Ltd

**Ward:**

Hayton

**Location:**

Karibu, How Mill, Brampton, CA8 9LL

**Grid Reference:**

351913 556671

---

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

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

**Item no: 10**

**Appn Ref No:**  
12/0238

**Applicant:**  
Mr Nicky Ormiston

**Parish:**  
Stanwix Rural

**Date of Receipt:**  
19/03/2012

**Agent:**  
Unwin Jones Partnership

**Ward:**  
Stanwix Rural

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

**Grid Reference:**  
344732 559466

---

Proposal: Erection Of Detached Garage

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.

---

## **Summary of Reasons for the Decision**

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

## **Relevant Development Plan Policies**

### **Carlisle District Local Plan 2001 - 2016**

#### **Core Development Policies - Policy CP2 - Biodiversity**

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

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

### **Carlisle District Local Plan 2001 - 2016**

#### **Core Development Policies - Policy CP5 - Design**

All new development proposals will be assessed against the following design

principles. Proposals should:

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

### **Carlisle District Local Plan 2001 - 2016**

#### **Housing - Policy H11 - Extensions To Existing Residential Premises**

Applications for extensions to existing dwellings will be approved provided the City Council is satisfied that the proposals are appropriate to the dwelling, its design and setting. Inappropriate extensions which adversely affect the amenities of adjacent properties by poor design, unreasonable overlooking and/or unreasonable loss of daylight and sunlight will not be permitted. Extensions must be of an appropriate scale and not dominate the original dwelling.

### **Carlisle District Local Plan 2001 - 2016**

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

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

- 1 the proposal reflects the scale and character of the existing group of buildings; and

- 2 there is no unacceptable adverse effect on the character and/or appearance of the Hadrian's Wall Military Zone World Heritage Site.

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

### **Carlisle District Local Plan 2001 - 2016**

#### **Local Environment - Policy LE27- Developed Land In Floodplains**

Development on previously developed land which is at risk of flooding will only be permitted provided that a Flood Risk Assessment has been submitted with the planning application that confirms:

- 1 no other lower risk alternative site exists in the case of proposed development in Zone 3 (High Probability of river and/or sea flooding); and
- 2 flood defence measures to the appropriate standard are already in place or can be provided; and
- 3 adequate flood plain storage capacity can be provided; and
- 4 the development will not interfere with flood flows nor increase flood risk elsewhere; and
- 5 access and egress could be reasonably maintained at times of flood risk; and
- 6 adequate flood warning and evacuation procedures will be provided; and
- 7 mitigation measures will be provided where necessary; and
- 8 the building materials are appropriate for a flood risk area.

### **Carlisle District Local Plan 2001 - 2016**

#### **Transport - Policy T1- Parking Guidelines For Development**

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

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

**Item no: 11**

**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

**Grid Reference:**  
335122 556949

---

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

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.

---

### **Summary of Reasons for the Decision**

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

### **Relevant Development Plan Policies**

#### **Carlisle District Local Plan 2001 - 2016**

##### **Housing - Policy H11 - Extensions To Existing Residential Premises**

Applications for extensions to existing dwellings will be approved provided the City Council is satisfied that the proposals are appropriate to the dwelling, its design and setting. Inappropriate extensions which adversely affect the amenities of adjacent properties by poor design, unreasonable overlooking and/or unreasonable loss of daylight and sunlight will not be permitted. Extensions must be of an appropriate scale and not dominate the original dwelling.

#### **Carlisle District Local Plan 2001 - 2016**

##### **Core Development Policies - Policy CP5 - Design**

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

- 1 Respond to the local context and the form of surrounding buildings in relation to height, scale and massing, and by making use of appropriate materials and detailing;

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

**Item no: 12**

**Appn Ref No:**  
09/0617

**Applicant:**  
Story Construction Limited Kingmoor

**Parish:**

**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)

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.

Granted Subject to Legal Agreement

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 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.

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 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.

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 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:

- 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 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 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 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 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 otherwise 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.

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 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.

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.

**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)  
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 (21<sup>st</sup> July 2009)  
Preliminary Ground Investigation Report (April 2008)  
Geophysical Survey (June 2008)  
Desk Study – Potential Hazards Assessment (2007)  
Report of Community and Stakeholder Engagement (17<sup>th</sup> July 2009)  
ES Addendum (School) May 2010  
D+AS Addendum (School) May 2010  
Tree Survey for Bat Roost Potential –WYG (April 2011)

---

## **Summary of Reasons for the Decision**

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

## **Relevant Development Plan Policies**

### **The North West Of England Plan Regional Spatial Strategy To 2021 Policy DP 1: Spatial Principles**

The following principles underpin RSS (incorporating RTS)

Other regional, sub-regional and local plans and strategies and all individual proposals, schemes and investment decisions should adhere to these principles. All may be applicable to development management in particular circumstances:

- promote sustainable communities;
- promote sustainable economic development;
- make the best use of existing resources and infrastructure;
- manage travel demand, reduce the need to travel, and increase accessibility;
- marry opportunity and need;
- promote environmental quality;
- mainstreaming rural issues;
- reduce emissions and adapt to climate change.

The 8 Policies DP 2 -9 amplify these principles and should be taken together as the spatial principles underlying the Strategy. They are not in order of priority.

The whole of the RSS should be read together and these principles should be applied alongside the other policies which follow.

## **The North West Of England Plan Regional Spatial Strategy To 2021**

### **Policy DP 2: Promote Sustainable Communities**

Building sustainable communities – places where people want to live and work - is a regional priority in both urban and rural areas. Sustainable Communities should meet the diverse needs of existing and future residents, promote community cohesion and equality and diversity, be sensitive to the environment, and contribute to a high quality of life, particularly by:

- fostering sustainable relationships between homes, workplaces and other concentrations of regularly used services and facilities;
- taking into account the economic, environmental, social and cultural implications of development and spatial investment decisions on communities;
- improving the built and natural environment, and conserving the region's heritage;
- improving the health and educational attainment of the region's population, reducing present inequalities;
- promoting community safety and security, including flood risk (see map 2.11);
- encouraging leadership, joint working practices, community consultation and engagement;
- reviving local economies, especially in the Housing Market Renewal Areas and other areas in need of regeneration and housing restructuring such as Blackpool, Fleetwood and Morecambe;
- integrating and phasing the provision public services (including lifelong learning) and facilities to meet the current and future needs of the whole community, ensuring that those services are conveniently located, close to the people they serve, and genuinely accessible by public transport;

- promoting physical exercise through opportunities for sport and formal / informal recreation, walking and cycling.

The guiding principles of the UK Sustainable Development Strategy 2005 or its successors and the basic elements of sustainable communities as set out in 'Sustainable Communities: People, Places and Prosperity (A Five Year Plan)' should be followed.

### **The North West Of England Plan Regional Spatial Strategy To 2021 Policy DP 3: Promote Sustainable Economic Development**

It is a fundamental principle of this Strategy to seek to improve productivity, and to close the gap in economic performance between the North West and other parts of the UK. Sustainable economic growth should be supported and promoted, and so should reductions of economic, environmental, education, health and other social inequalities between different parts of the North West, within the sub-regions, and at local level.

### **The North West Of England Plan Regional Spatial Strategy To 2021 Policy DP 4: Make The Best Use Of Existing Resources And Infrastructure**

Priority should be given to developments in locations consistent with the regional and sub-regional spatial frameworks as set out in Chapter 5 (notably policy RDF1) and sub regional policies in Chapters 10-13 which:

- build upon existing concentrations of activities and existing infrastructure;
- do not require major investment in new infrastructure, including transport, water supply and sewerage. Where this is unavoidable development should be appropriately phased to coincide with new infrastructure provision.

Development should accord with the following sequential approach:

- first, using existing buildings (including conversion) within settlements, and previously developed land within settlements;
- second, using other suitable infill opportunities within settlements, where compatible with other RSS policies;
- third, the development of other land where this is well-located in relation to housing, jobs, other services and infrastructure and which complies with the other principles in DP1-9.

Natural and man-made resources should be managed prudently and efficiently. Sustainable construction and efficiency in resource use (including reuse and recycling of materials) should be promoted.

### **The North West Of England Plan Regional Spatial Strategy To 2021 Policy DP 5: Manage Travel Demand; Reduce The Need To Travel, And Increase Accessibility**

Development should be located so as to reduce the need to travel, especially by car, and to enable people as far as possible to meet their needs locally. A shift to more sustainable modes of transport for both people and freight should be secured, an integrated approach to managing travel demand should be encouraged, and road safety improved.

Safe and sustainable access for all, particularly by public transport, between homes and employment and a range of services and facilities (such as retail, health, education, and leisure) should be promoted, and should influence locational choices and investment decisions.

Major growth should, as far as possible, be located in urban areas where strategic networks connect and public transport is well provided.

All new development should be genuinely accessible by public transport, walking and cycling, and priority will be given to locations where such access is already available.

In rural areas accessibility by public transport should also be a key consideration in providing services and locating new development, emphasising the role of Key Service Centres (Policy RDF2).

### **The North West Of England Plan Regional Spatial Strategy To 2021 Policy DP 6: Marry Opportunity And Need**

Priority should be given, in locational choices and investment decisions, to linking areas of economic opportunity with areas in greatest need of economic, social and physical restructuring and regeneration. Proximity to, and access via public transport from, such areas will be important considerations in the choice of employment locations and sites.

### **The North West Of England Plan Regional Spatial Strategy To 2021 Policy DP 7: Promote Environmental Quality**

Environmental quality (including air, coastal and inland waters), should be protected and enhanced, especially by:

- understanding and respecting the character and distinctiveness of places and landscapes;
- the protection and enhancement of the historic environment;
- promoting good quality design in new development and ensuring that development respects its setting taking into account relevant design requirements, the NW Design Guide and other best practice;
- reclaiming derelict land and remediating contaminated land for end-uses to improve the image of the region and use land resources efficiently;
- maximising opportunities for the regeneration of derelict or dilapidated areas;
- assessing the potential impacts of managing traffic growth and mitigating the impacts of road traffic on air quality, noise and health;

- promoting policies relating to green infrastructure and the greening of towns and cities;
- maintaining and enhancing the tranquillity of open countryside and rural areas;
- maintaining and enhancing the quantity and quality of biodiversity and habitat;
- ensuring that plans, strategies and proposals which alone or in combination could have a significant effect on the integrity and conservation objectives of sites of international importance for nature conservation are subject to assessment, this includes assessment and amelioration of the potential impacts of development (and associated traffic) on air quality, water quality and water levels.

### **The North West Of England Plan Regional Spatial Strategy To 2021 Policy DP 8: Mainstreaming Rural Issues**

The rural areas of the North West should be considered in a way which is integrated with other decision making, and not seen as a separate topic.

The problems of rural communities (such as housing affordability, economic diversification, and access to jobs and services), especially in Cumbria, have particular causes and require particular solutions – different in sparsely populated areas from those closer to large settlements. Plans and strategies should acknowledge this and respond to spatial variations in rural need and opportunities. The positive interaction between rural and urban areas should be promoted when appropriate.

### **The North West Of England Plan Regional Spatial Strategy To 2021 Policy DP 9: Reduce Emissions And Adapt To Climate Change**

As an urgent regional priority, plans, strategies, proposals, schemes and investment decisions should:

- contribute to reductions in the Region's carbon dioxide emissions from all sources, including energy generation and supply, buildings and transport in line with national targets to reduce emissions to 60% below 1990 levels by 2050; in particular, for residential and commercial development, by developing trajectories or other yardsticks for identifying trends in carbon performance;
- take into account future changes to national targets for carbon dioxide and other greenhouse gas emissions;
- identify, assess and apply measures to ensure effective adaptation to likely environmental, social and economic impacts of climate change.

Measures to reduce emissions might include as examples:

- increasing urban density;
- encouraging better built homes and energy efficiency, eco-friendly and

adaptable buildings, with good thermal insulation, green roofs and microgeneration;

- reducing traffic growth, promoting walking, cycling and public transport;
- facilitating effective waste management;
- increasing renewable energy capacity;
- focusing substantial new development on locations where energy can be gained from decentralised supply systems;
- the improved management and rewetting of the regions blanket and raised bog resource.

Adaptation measures might include, for example:

- minimising threats from, and the impact of, increased coastal erosion, increased storminess and flood risk, habitat disturbance, fragmentation and increased pressure on water supply and drainage systems;
- protection of the most versatile agricultural land;
- Sustainable Urban Drainage.

Policy makers should use the North West Integrated Appraisal Toolkit as a basis to assess and strengthen the climate change mitigation and adaptation elements of their plans and strategies. Exceptionally, other comparable and robust methodologies might be used.

Applicants and local planning authorities should ensure that all developments meet at least the minimum standards set out in the North West Sustainability Checklist for Developments, and should apply 'good' or 'best practice' standards wherever practicable.

## **The North West Of England Plan Regional Spatial Strategy To 2021**

### **Policy RDF 1: Spatial Priorities**

In making provision for development, plans and strategies should accord with the following priorities, taking into account specific considerations set out in Sub Regional Chapters 10-13:

- the first priority for growth and development should be the regional centres of Manchester and Liverpool;
- the second priority should be the inner areas surrounding these regional centres. Emphasis should be placed on areas in need of regeneration and Housing Market Renewal Areas in particular;
- the third priority should be the towns / cities in the 3 city regions: Altrincham, Ashton-under-Lyne, Blackburn, Blackpool, Bolton, Burnley, Bury, Chester, Crewe, Ellesmere Port, Macclesfield, Northwich, Oldham, Preston, Rochdale, Runcorn, St Helens, Skelmersdale, Southport, Stockport, Warrington, Widnes, Wigan. Development in larger suburban centres within the city regions would be compatible with this policy provided the development is of an appropriate scale and at points where transport networks connect and where public transport accessibility is good;

- the fourth priority should be the towns and cities outside the City Regions of Carlisle and Lancaster, with investment encouraged in Barrow-in-Furness and Workington and Whitehaven to address regeneration and worklessness in Furness Peninsula and West Cumbria.

In the third and fourth priorities development should be focused in and around the centres of the towns and cities. Development elsewhere may be acceptable if it satisfies other policies, notably DP1 to 9. Emphasis should be placed on addressing regeneration and housing market renewal and restructuring.

## **The North West Of England Plan Regional Spatial Strategy To 2021**

### **Policy RDF 2: Rural Areas**

Plans and strategies for the Region's rural areas should support the priorities of the Regional Rural Delivery Framework and:

- maximise the economic potential of the Region's rural areas;
- support sustainable farming and food;
- improve access to affordable rural housing;
- ensure fair access to services for rural communities;
- empower rural communities and address rural social exclusion;
- enhance the value of our rural environmental inheritance.

### **Key Service Centres**

Plans and Strategies should identify a subset of towns and villages as Key Service Centres which:

- act as service centres for surrounding areas, providing a range of services including retail, leisure, community, civic, health and education facilities and financial and professional services; and
- have good public transport links to surrounding towns and villages, or the potential for their development and enhancement.

Development in rural areas should be concentrated in these Key Service Centres and should be of a scale and nature appropriate to fulfil the needs of local communities for housing, employment and services, and to enhance the quality of rural life.

### **Local Service Centres**

Small scale development to help sustain local services, meet local needs, or support local businesses will be permitted in towns and villages defined as Local Service Centres in Local Development Documents which already provide a more limited range of services to the local community.

### **Outside Key and Local Service Centres**

In remoter rural areas particularly the 'sparse' rural areas of the region, more



innovative and flexible solutions to meet their particular development needs should be implemented and targeted towards achieving:

- more equitable access to housing, services, education, healthcare and employment; and
- a more diverse economic base, whilst maintaining support for agriculture and tourism.

Exceptionally, new development will be permitted in the open countryside where it:

- has an essential requirement for a rural location, which cannot be accommodated elsewhere (such as mineral extraction);
- is needed to sustain existing businesses;
- provides for exceptional needs for affordable housing;
- is an extension of an existing building; or
- involves the appropriate change of use of an existing building.

LDDs should set out criteria for permitting the re use of buildings in the countryside in line with PPS7

## **The North West Of England Plan Regional Spatial Strategy To 2021**

### **Policy W 1: Strengthening The Regional Economy**

Plans and strategies should promote opportunities for economic development (including the provision of appropriate sites and premises, infrastructure, and clustering where appropriate) which will strengthen the economy of the North West by:

- building on the region's strengths, particularly the three City Regions of Manchester, Liverpool and Central Lancashire. This should reflect the following growth opportunities:
  - Manchester City Region – advanced manufacturing and engineering (includes chemicals, aerospace, automotive and flexible materials), financial and professional services, media, creative and cultural industries, biomedical (biotechnology, pharmaceuticals and medical devices), ICT / digital, and communications;
  - Liverpool City Region – advanced manufacturing and engineering, financial and professional services, media, creative and cultural industries, biomedical, high value added knowledge based industries, ICT / digital, tourism, maritime and communications;
  - Central Lancashire City Region – advanced manufacturing and engineering, environmental technologies and biomedical, tourism and conferencing;
- realising the opportunities for sustainable development to increase the prosperity of Carlisle and Lancaster, and to regenerate the economies of the Furness Peninsula in Barrow, and in West Cumbria in Workington and Whitehaven;
- giving positive support to the sustainable diversification and development of

the rural economy through the growth of existing businesses and the creation of new enterprise, particularly within Cumbria where there is a need to both develop high value business activities and sustain traditional economic activities. Prospects for growth in tourism, food and energy sectors should be developed, including promoting links between regional agriculture and production and retail facilities to reduce food miles and support local businesses;

- ensuring the safe, reliable and effective operation of the region's transport networks and infrastructure in accordance with the regional transport policies and priorities as set out in Chapter 8;
- supporting growth in service sectors, which will continue to act as significant employers within the region, and in which the greatest improvements in productivity can be made;
- improving the skills base of the region, including tackling skills deficiencies and concentrations of unemployment;
- providing sufficient and appropriate housing to support economic growth (Policies L2– L5);
- linking areas of opportunity and need.

## **The North West Of England Plan Regional Spatial Strategy To 2021**

### **Policy L 1: Health, Sport, Recreation, Cultural And Education Services Provision**

Plans, strategies, proposals and schemes (including those of education, training and health service providers) should ensure that there is provision for all members of the community (including older people, disabled people and the black & minority ethnic population) for:

- the full spectrum of education, training and skills provision, ranging from childcare and pre-school facilities, through schools, to further and higher education and to continuing education facilities and work-related training;
- health facilities ranging from hospitals down to locally based community health facilities; and
- sport, recreation and cultural facilities.

In doing so they must take account of the views of the local community (including service users) and carry out an assessment of demographic, sporting, recreational, cultural, educational, skills & training and health needs in local communities. Furthermore, they should ensure that accessibility by public transport, walking and cycling is a central consideration.

Particular attention should be given to improving access to and addressing spatial disparities in service and facilities provision, in areas which have the greatest needs (in terms of poverty, deprivation, health and education inequalities, rural service provision), or where communities or the local economy are poorly served.

Proposals and schemes, for all major developments and regeneration schemes, and especially for housing, employment or mixed uses, should ensure appropriate health, cultural, recreational, sport, education and training provision from the outset

including for example Children's Centres and Sure Start Initiatives.

## **The North West Of England Plan Regional Spatial Strategy To 2021**

### **Policy L 2: Understanding Housing Markets**

Local Authorities should develop an understanding of local and sub-regional housing markets by undertaking Strategic Housing Market Assessments, in order to adopt a concerted and comprehensive approach to:

- influence housing supply across all types, sizes, tenures and values to achieve a better match between supply and need;
- improve the quality of the Region's housing stock;
- support housing market restructuring and renewal;
- overcome increasing issues of affordability; and
- ensure the needs of the wider population are met, including disabled people, students, older people, black & minority ethnic communities and families with children, including single headed households.

## **The North West Of England Plan Regional Spatial Strategy To 2021**

### **Policy L 3: Existing Housing Stock And Housing Renewal**

Plans and strategies, across the North West, but particularly in:

a. Housing Market Renewal Initiative Pathfinder Areas:

- New Heartlands (- Liverpool, Sefton and Wirral);
- Manchester and Salford;
- Oldham and Rochdale;
- Elevate (- Blackburn with Darwen, Burnley, Hyndburn, Pendle and Rossendale);

b. West Cumbria and Furness Housing Market Renewal Areas;

c. Lancashire Coastal Towns of Blackpool / Fleetwood and Morecambe;

d. Other urban areas in the Manchester & Liverpool City Regions in need of housing regeneration \ market restructuring;

should:

- respond to any need to substantially restructure local housing markets;
- take account of and understand housing markets;
- manage the delivery of new build and its impacts on the existing housing stock;
- reduce vacancy rates to 3% in the existing dwelling stock, through the increased re-use of suitable vacant housing; and
- where appropriate make the best use of the existing stock.

Plans and strategies should designate areas, where necessary, for comprehensive regeneration as part of a broader course of action to regenerate local communities, reduce health inequalities, improve the sustainability and resource efficiency of the housing stock and its local environmental quality and increase numbers of and access to local jobs and services. The approach to be adopted, whether clearance, or renewal and refurbishment, or a mix of these, will depend on local circumstances.

Plans and strategies for comprehensive regeneration should:

- involve and engage the local community in determining the future of its area;
- include a prior evaluation of the environmental, economic, social and cultural impacts of the way any proposed clearance and after-uses will affect the surrounding area and the local community; and
- incorporate a clear and comprehensive action plan for implementing proposals, linked to the availability of resources.

## **The North West Of England Plan Regional Spatial Strategy To 2021**

### **Policy L 4: Regional Housing Provision**

Local Authorities should monitor and manage the availability of land identified in plans and strategies and through development control decisions on proposals and schemes, to achieve the housing provision (net of clearance replacement) set out in Table 7.1.

In doing so they should:

- work in partnership with developers and other housing providers to address the housing requirements (including local needs and affordable housing needs) of different groups, (for example disabled people, students, older people, black & minority ethnic communities and families with children including single headed households) to ensure the construction of a mix of appropriate house types, sizes, tenures and prices, in line with policies L2, L3 and L5;
- use the results of up-to-date Strategic Housing Market Assessments and Strategic Housing Land Availability Assessments <sup>(68)</sup> to inform the allocation of and development control decisions upon specific sites;
- encourage new homes to be built to Code for Sustainable Homes <sup>(69)</sup> standards and promote the use of the Lifetime Homes standard;
- ensure that new housing development does not have an adverse cumulative impact on the existing housing stock and market;
- ensure that new dwellings will be served by adequate water supply and sewage management facilities;
- allow for clearance replacement to reflect local circumstances, as a mechanism for the recreation of viable and sustainable neighbourhoods;
- introduce phasing policies which secure the orderly and managed release of housing land over the period of the plan in line with the sequential approach set out in Policy DP4, taking into account the need for co-ordinated provision of necessary infrastructure and the overall availability of land for housing;

- ensure that the transport networks (including public transport, pedestrian and cycle) can accommodate additional demand generated by new housing; and
- maximise the re-use of vacant and under-used brownfield land and buildings in line with Policy DP4 and indicative targets set out in Table 7.1.

For the purpose of producing Local Development Frameworks, local planning authorities should assume that the average annual requirement set out in Table 7.1 will continue for a limited period beyond 2021.

## **The North West Of England Plan Regional Spatial Strategy To 2021**

### **Policy L 5: Affordable Housing**

Plans and strategies should set out requirements for affordable housing <sup>(73)</sup>, and the location, size and types of development to which these requirements apply. Evidence, including from Strategic Housing Market Assessments, should be used to support the setting of quotas and thresholds for affordable housing provision along with an indication of the type, size and tenure of affordable housing required.

It is anticipated that the greatest need will be in areas of high demand where affordability issues are unbalancing local communities, due to high prices and low wages and/or the adverse effects of second homes, although affordability is an increasing concern in many parts of the region.

Plans and strategies should set out a range of delivery mechanisms to secure the provision of affordable housing. Local authorities should consider all or some of the following where appropriate:

- seeking a proportion of affordable housing on all development sites which are above the relevant thresholds;
- allocating the development of sites solely (or primarily) for affordable housing use (i.e. up to 100% affordable in rural areas), where necessary;
- using local occupancy criteria to support provision for local housing need so long as this need can be clearly demonstrated, to be implemented through the use of planning conditions and obligations;
- actively promoting the rural exception site policy; for all sites containing housing in rural settlements with populations of under 3,000 promote onsite affordable housing provision and where on site affordable housing provision is not possible, seeking developer contributions towards affordable housing;
- making the most of publicly owned land;
- making the most of existing housing stock;
- in line with Policy W4, permitting the conversion of buildings in sustainable locations to residential use (including as part of mixed use schemes), particularly where commercial premises which are vacant or under-used and offer no long term potential or viable contribution to the local economy;
- encouraging employers to provide housing for their key workers;
- ensuring that wherever possible (and subject to continuing evidence), that property remains affordable and available in perpetuity.

## **The North West Of England Plan Regional Spatial Strategy To 2021**

### **Policy RT 1: Integrated Transport Networks**

Transport problems and issues in the region should be examined on a multi-modal basis to develop sustainable, integrated and accessible solutions for all users. The management of routes in the Regional Highway Network should be closely co-ordinated with relevant Route Utilisation Strategies on the rail network where available.

Plans and strategies should seek to make best use of existing infrastructure and to capitalise on developments in intelligent transport systems and information and communications technology. They should focus on improving journey time reliability in the transport corridors shown on the Key Diagram and in Appendix RT(a) and enhancing the accessibility of the region's gateways and interchanges, particularly the international ones, as listed in Appendix RT(b).

## **The North West Of England Plan Regional Spatial Strategy To 2021**

### **Policy RT 2: Managing Travel Demand**

The Regional Planning Body, local authorities, and other highway and transport authorities should develop a coordinated approach to managing travel demand. Early consultation with the Highways Agency will be required for any proposal that may affect the trunk road network. In particular, efforts should be aimed at reducing the proportion of car-borne commuting and education trips made during peak periods and tackling the most congested parts of the motorway network including M6, M56, M60 and M62. In rural areas, the focus should be on major tourist areas where visitor pressure is threatening the local environment and quality of life. Measures to discourage car use should consider improvements to and promotion of public transport, walking and cycling.

Plans and strategies will need to be specific to the nature and scale of the problems identified, set clear objectives and specify what is being proposed, why it is necessary and what the impacts will be. They should:

- ensure that major new developments are located where there is good access to public transport, backed by effective provision for pedestrians and cyclists to minimise the need to travel by private car;
- seek to reduce private car use through the introduction of 'smarter choices' (see examples in paragraph 8.6) and other incentives to change travel behaviour which should be developed alongside public transport, cycling and pedestrian network and service improvements;
- consider the effective reallocation of road space in favour of public transport, pedestrians and cyclists alongside parking charges, enforcement and provision and other fiscal measures, including road user charging;
- make greater use of on-street parking controls and enforcement;
- incorporate maximum parking standards that are in line with, or more restrictive than, Table 8.1, and define standards for additional land use categories and areas where more restrictive standards should be applied.

Parking for disabled people and for cycles and two-wheel motorised vehicles are the only situations where minimum standards will be applicable.

## **The North West Of England Plan Regional Spatial Strategy To 2021**

### **Policy RT 3: Public Transport Framework**

The Public Transport Framework set out in Appendix RT (a) defines the North West's main public transport corridors. These are also shown in Diagram 2 of Appendix RT. Appendix RT(b) defines a hierarchy of gateways and interchanges in the North West. Similar frameworks should be developed by local authorities for sub-regional and local networks and set out in Local Transport Plans.

Plans and strategies should seek to reduce existing or forecast overcrowding along the main public transport corridors by improvements to transport infrastructure in partnership with operators and delivery partners including Network Rail where appropriate. Local authorities and station operators should consider making additional provision for car parking at railway stations, so as to promote maximum use of the rail network.

Local authorities should introduce measures to enhance the accessibility by public transport, cycling and walking of the regional centres and towns / cities identified in RDF1. In rural areas, priority should be given to providing access from rural hinterlands to key service centres.

Local authorities should work in partnership with public transport providers to improve the quality and provision of public transport services. Proposals and schemes to enhance services in the corridors identified in Appendix RT(a) should include priority measures to improve journey time reliability. Interchange and service improvements should be supported by better information provision, marketing and integrated ticketing.

Local authorities should identify in Local Transport Plans where existing public transport provision is insufficient and where public, community and demand responsive transport networks should be developed which link employment, education and training opportunities with areas of need. Regional public transport priorities for investment and management are included in policy RT10.

## **The North West Of England Plan Regional Spatial Strategy To 2021**

### **Policy RT 4: Management Of The Highway Network**

The region's road network is vital to the economy of the North West, providing the means to transport goods and people within and outside the region. However, existing and forecast traffic congestion is a constraint on economic growth and needs to be addressed if the North West is to reduce the productivity gap.

The Functional Road Hierarchy set out in Appendix RT(c) and shown on Diagram 3 of Appendix RT identifies those routes which comprise the Regional Highway

Network. Local authorities should extend the concept of functional hierarchies to sub-regional and local highway networks.

The Highways Agency and Local Highway authorities should prepare Route Management Plans in accordance with Regional Planning Body guidance for all routes in the Regional Highway Network. Plans should make best use of existing infrastructure and proposals for major highway improvements should only be included following an examination of all practical alternative solutions to a particular problem.

Plans and strategies for managing traffic should focus on improving road safety, reducing traffic growth and maintaining a high quality environment through mitigating the impacts of road traffic on air quality, noise and health, with traffic encouraged to use the most appropriate routes wherever possible. In rural areas, particular emphasis should be given to maintaining the tranquillity of the countryside. Where safety is not compromised, highway engineering measures should reflect local character, including landscape and conservation.

Where a route is the responsibility of more than one highway authority, the relevant authorities should adopt a consistent approach to maintenance and management, including the adoption of appropriate speed limits by reference to the road's function, standard and environmental context. The harmonisation of speed limits across highway authority boundaries should be considered to achieve consistency on routes of similar function and standard. Maximum use should be made of secondary and recycled aggregates in road construction and maintenance schemes in line with policies EM9 and DP4.

Local authorities should work with freight, coach and parking operators to develop plans and strategies to identify sites for the provision of driver rest and parking facilities.

## **The North West Of England Plan Regional Spatial Strategy To 2021**

### **Policy RT 9: Walking And Cycling**

Local Authorities should work with partners to develop integrated networks of continuous, attractive and safe routes for walking and cycling to widen accessibility and capitalise on their potential environmental, social and health benefits. A high priority should be given to routes linking residential areas with employment areas, transport interchanges, schools, hospitals and other community services.

Local authorities should ensure that proposals and schemes for new developments incorporate high quality pedestrian and cycle facilities, including secure cycle parking. Routes should connect with those in nearby developments, and provision of all facilities should take into consideration integration with likely future development.

When considering improvements to the region's transport networks, scheme promoters should take the opportunity to enhance walking and cycling provision, including crossings, signage, lane markings, allocation or re-allocation of road space, and off-road routes wherever possible.



## **The North West Of England Plan Regional Spatial Strategy To 2021**

### **Policy EM 1: Integrated Enhancement And Protection Of The Region's Environmental Assets**

The Region's environmental assets should be identified, protected, enhanced and managed.

Plans, strategies, proposals and schemes should deliver an integrated approach to conserving and enhancing the landscape, natural environment, historic environment and woodlands of the region.

Plans and strategies should define spatial objectives and priorities for conservation, restoration and enhancement as appropriate, and provide area-based guidelines to direct decisions and target resources. These will be founded on a sound understanding of the diversity, distinctiveness, significance and sensitivity of the region's environmental assets, and informed by sub-regional environmental frameworks. Special consideration will be given to the impacts of climate change and adaptation measures.

Priority should be given to conserving and enhancing areas, sites, features and species of international, national, regional and local landscape, natural environment and historic environment importance.

Where proposals and schemes affect the region's landscape, natural or historic environment or woodland assets, prospective developers and/or local authorities should first avoid loss of or damage to the assets, then mitigate any unavoidable damage and compensate for loss or damage through offsetting actions with a foundation of no net loss in resources as a minimum requirement.

With regard to specific elements of this integrated approach, the following should be taken into account:

## **The North West Of England Plan Regional Spatial Strategy To 2021**

### **Policy EM 2: Remediating Contaminated Land**

Plans, strategies, proposals and schemes should encourage the adoption of sustainable remediation technologies. Where soft end uses (including green infrastructure, natural habitat or landscape creation) are to be provided on previously developed sites, appropriate remediation technologies should be considered which reduce or render harmless any contamination that may be present.

## **The North West Of England Plan Regional Spatial Strategy To 2021**

### **Policy EM 3: Green Infrastructure**

Plans, strategies, proposals and schemes should aim to deliver wider spatial

outcomes that incorporate environmental and socio-economic benefits by:

- conserving and managing existing green infrastructure;
- creating new green infrastructure;
- enhancing its functionality, quality, connectivity and accessibility.

Local authorities should work with partners to:

- identify partnerships at an appropriate scale to take forward green infrastructure planning, in the context of relevant environmental and socio-economic objectives. Green infrastructure should include the identification, development and management of new areas of open space. This should be complemented by the retention, enhancement and adaptation of existing sites;
- ensure that a key aim of green infrastructure is the maintenance and improvement of biodiversity;
- protect the integrity of sites of national and international importance including the historic environment;
- use existing strategies and frameworks to develop consensus on green infrastructure priorities and associated data needs;
- promote physical and mental health benefits through access to and usage of open spaces by disadvantaged groups and communities;
- set out the significant green infrastructure needs across the spectrum of economic, environmental and social objectives;
- identify and secure opportunities for delivery and put in place implementation plans;
- integrate proposals to improve green infrastructure in the delivery of new developments, particularly through area based regeneration initiatives and major proposals and schemes;
- maximize the role of green infrastructure in mitigating and adapting to climate change;
- provide new areas of appropriate greenspace where development would otherwise cause unacceptable recreational pressure on sites of international ecological importance, for example where new housing is proposed close to such sites.

Local Delivery of Green Infrastructure Plans should seek first to make use of existing delivery mechanisms supplemented by bespoke delivery mechanisms where necessary.

A Green Infrastructure Guide for the North West has been produced which provides more detailed guidance and will assist the way this policy is put into practice.

## **The North West Of England Plan Regional Spatial Strategy To 2021 Policy EM 15: A Framework For Sustainable Energy In The North West**

Plans and strategies should promote sustainable energy production and consumption in accordance with the principles of the Energy Hierarchy set out in

Figure 9.2 and within the Sustainable Energy Strategy. In line with the North West Sustainable Energy Strategy the North West aims to double its installed Combined Heat and Power (CHP) capacity by 2010 from 866 MWe to 1.5 GW, if economic conditions are feasible.

All public authorities should in their own proposals and schemes (including refurbishment) lead by example to emphasise their commitment to reducing the annual consumption of energy and the potential for sustainable energy generation, and facilitate the adoption of good practice by the widest range of local stakeholders.

### **The North West Of England Plan Regional Spatial Strategy To 2021 Policy EM 16: Energy Conservation & Efficiency**

Local authorities, energy suppliers, construction companies, developers, transport providers and other organisations should ensure that their approach to energy is based on minimising consumption and demand, promoting maximum efficiency and minimum waste in all aspects of local planning, development and energy consumption. To support this, Distribution Network Operators and local planning authorities should make effective provision for required energy network upgrades in terms of distribution connections and substations.

Plans and strategies should actively facilitate reductions in energy requirements and improvements in energy efficiency by incorporating robust policies which support the delivery of the national timetable for reducing emissions from domestic and non-domestic buildings.

### **The North West Of England Plan Regional Spatial Strategy To 2021 Policy EM 17: Renewable Energy**

In line with the North West Sustainable Energy Strategy, by 2010 at least 10% (rising to at least 15% by 2015 and at least 20% by 2020) of the electricity which is supplied within the Region should be provided from renewable energy sources. To achieve this new renewable energy capacity should be developed which will contribute towards the delivery of the indicative capacity targets set out in Tables 9.6 and 9.7a-c. In accordance with PPS22, meeting these targets is not a reason to refuse otherwise acceptable development proposals.

Local authorities should work with stakeholders in the preparation of sub regional studies of renewable energy resources so as to gain a thorough understanding of the supplies available and network improvements, and how they can best be used to meet national, regional and local targets. These studies should form the basis for:

- informing a future review of RSS to identify broad locations where development of particular types of renewable energy may be considered appropriate <sup>(119)</sup>; and
- establishing local strategies for dealing with renewable resources, setting targets for their use which can replace existing sub regional targets for the

relevant authorities.

Plans and strategies should seek to promote and encourage, rather than restrict, the use of renewable energy resources. Local planning authorities should give significant weight to the wider environmental, community and economic benefits of proposals for renewable energy schemes to:

- contribute towards the capacities set out in tables 9.6 and 9.7 a-c; and
- mitigate the causes of climate change and minimise the need to consume finite natural resources.

Opportunities should be sought to identify proposals and schemes for renewable energy. The following criteria should be taken into account but should not be used to rule out or place constraints on the development of all, or specific types of, renewable energy technologies:

- anticipated effects on local amenity resulting from development, construction and operation of schemes (e.g. air quality, atmospheric emissions, noise, odour, water pollution and disposal of waste). Measures to mitigate these impacts should be employed where possible and necessary to make them acceptable;
- acceptability of the location/scale of the proposal and its visual impact in relation to the character and sensitivity of the surrounding landscape, including cumulative impact. Stringent requirements for minimising impact on landscape and townscape would not be appropriate if these effectively preclude the supply of certain types of renewable energy, other than in the most exceptional circumstances such as within nationally recognised designations as set out in PPS22 paragraph 11;
- effect on the region's World Heritage Sites and other national and internationally designated sites or areas, and their settings but avoiding the creation of buffer zones and noting that small scale developments may be permitted in such areas provided there is no significant environmental detriment;
- effect of development on nature conservation features, biodiversity and geodiversity, including sites, habitats and species, and which avoid significant adverse effects on sites of international nature conservation importance by assessment under the Habitats Regulations;
- maintenance of the openness of the Region's Green Belt;
- potential benefits of development to the local economy and the local community;
- accessibility (where necessary) by the local transport network;
- effect on agriculture and other land based industries;
- ability to make connections to the electricity distribution network which takes account of visual impact (as qualified above);
- integration of the proposal with existing or new development where appropriate;
- proximity to the renewable fuel source where relevant – e.g. wood-fuel biomass processing plants within or in close proximity to the region's major woodlands and forests;

- encourage the integration of combined heat and power (CHP), including micro CHP into development.

Developers must engage with local communities at an early stage of the development process prior to submission of any proposals and schemes for approval under the appropriate legislation.

## **The North West Of England Plan Regional Spatial Strategy To 2021**

### **Policy EM 18: Decentralised Energy Supply**

Plans and strategies should encourage the use of decentralised and renewable or low-carbon energy in new development in order to contribute to the achievement of the targets set out in Table 9.6 and 9.7a-c. In particular, local authorities should, in their Development Plan Documents, set out:

- targets for the energy to be used in new development to come from decentralised and renewable or low-carbon energy sources, based on appropriate evidence and viability assessments; and
- the type and size of development to which the target will be applied.

In advance of local targets being set, new non residential developments above a threshold of 1,000m<sup>2</sup> and all residential developments comprising 10 or more units should secure at least 10% of their predicted energy requirements from decentralised and renewable or low-carbon sources, unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable.

## **The North West Of England Plan Regional Spatial Strategy To 2021**

### **Policy CNL 1: Overall Spatial Policy For Cumbria**

Plans and strategies in Cumbria should:

- focus major developments within Barrow in Furness and Whitehaven, and Workington, and in the City of Carlisle in line with policy RDF1 and spatial principles DP1-9;
- provide for development in the key service centres and local service centres in line with RDF2;
- provide a portfolio of employment sites in accordance with RDF1 and the criteria in policies W2 and W3;
- support the restructuring of housing markets in West Cumbria and Furness;
- improve Cumbria's internal and external transport links in line with the priorities for transport investment and management set out in policy RT10;
- develop the role of Carlisle as a regional public transport gateway to the region in line with policy RT1 and harness its potential for economic growth in sustainable ways;
- ensure that network management measures are utilised to make best and most appropriate use of available highway infrastructure and to improve road

- safety and journey time reliability, with priority given to improving the operation of routes linking Furness and West Cumbria to the M6;
- give priority to improving access to employment, services and education/training facilities on foot and by cycle, and by public transport, in Carlisle, Workington/ Whitehaven and Barrow-in Furness, and in Key Service Centres, especially Kendal;
- support the development of sustainable tourism in Cumbria; and support the development of higher value knowledge based and specialist industry based employment opportunities.

Proposals and schemes will be directed primarily towards locations where they can contribute to these priorities.

## **The North West Of England Plan Regional Spatial Strategy To 2021**

### **Policy CNL 2: Sub-Area Development Priorities For Cumbria**

Within the sub-areas of Cumbria, plans and strategies should accord with CNL1 and focus on:

- supporting sustainable growth in Carlisle. Building on Carlisle city's significant potential to attract sustainable development into Cumbria. The city will enhance its role as the sub-regional centre for business, shopping, leisure, culture and tourism, serving Cumbria and the adjoining parts of Scotland and North East England. It will also develop its higher education function through the establishment of the new University of Cumbria, which should help attract investment in the knowledge – based economy. Ensure development is compatible with the conservation and enhancement of the historic city centre;
- enhancing the Regeneration Priority Area of West Cumbria, particularly through developing the roles of the existing centres of Whitehaven, Workington, and also in Cleator Moor and Maryport in a complementary manner. Efforts should be made to exploit the potential offered by a local workforce with expertise in the field of nuclear research, development and decommissioning; and the presence of the National Nuclear Laboratory. The location of part of the University of Cumbria in this area could increase its potential for the development of a knowledge-based economy. The potential of the area for tourism-based development should also be explored;
- concentrating development within the Furness Regeneration Priority Area in Barrow in Furness, to facilitate diversification of the local economy, and enable opportunities for development and regeneration to be brought forward in the wider Furness Peninsula. Efforts should be made to exploit specialist marine engineering skills and opportunities, and to develop the area's potential for tourism;
- ensuring that the needs of local people in South & East Cumbria are met with a focus on securing inward investment and improving service provision within Kendal and Penrith. High priority should be placed on the further provision of affordable housing within the sub-area.

## **Policy ST4: Major development proposals**

Major development will only be permitted where:

1. the total benefit clearly outweighs the total detrimental effects,
2. the proposal complies with national standards and best practice for environment, safety and security, and where appropriate is independently reviewed; and
3. alternative locations and methods giving rise to less harm have been fully considered and rejected.
4. In addition in the case of the Lake District National Park and AONBs
  - a) there are no alternative sites available outside the designated areas,
  - b) the need for the development cannot be met in any other way,
  - c) the development has a proven case in the public interest,
  - d) the development is designed and carried out to cause least practicable harm, and
  - e) the development has no overall adverse impacts on the local economy.

Permission will be granted only on condition that:

- I. all possible measures are taken to minimise the adverse effects of development and associated infrastructure, and where appropriate,
- II. provision is made to meet local community needs,
- III. acceptable measures are secured for decommissioning and site restoration, and
- IV. arrangements are made for suitable local community involvement during the development, decommissioning and restoration.

For the purposes of this policy 'major development' is defined as development that has significant environmental effects and is more than local in character.

## **Cumbria and Lake District Joint Structure Plan 2001 – 2016**

### **Policy ST5 : New development and key service centres outside the Lake District National Park**

New development will be focused on the key service centres as set out below:

	Development emphasis	Major development of regional towns and cities	Sustained development of large towns	Moderate development appropriate to scale of town
City of Carlisle	Fostering regional role see Policy ST8	Carlisle		

North Cumbria	Sustaining rural services see Policy ST9			Brampton, Longtown, Wigton
Furness and West Cumbria	Securing regeneration see Policy ST10	Barrow In Furness	Maryport, Ulverston, Whitehaven, Workington	Aspatria Cleator Moor, Cockermouth, Dalton in Furness, Egremont, Silloth, Millom
South and East Cumbria	Meeting local needs, see Policy ST11		Kendal Penrith	Alston, Appleby, Grange over Sands, Kirkby Lonsdale, Kirkby Stephen, Milnthorpe

The scale of development should be appropriate to the size and role of each key service centre and reflect the development emphasis of Policies ST8 – ST11, but as a minimum requirement provision should be made in each key service centre for:

1. a supply of new housing over the whole plan period,
2. an appropriate supply of readily available land in the Local Employment Site market sector,
3. a high level of transport accessibility, and
4. the ability to connect to high speed communications technology.

To ensure consistency with policies EM13 and H17 it will be the role of Local Planning Authorities to manage the above supply of land, particularly in areas of high demand to avoid over provision of development.

### **Cumbria and Lake District Joint Structure Plan 2001 – 2016**

#### **Policy H19: Affordable housing outside the Lake District National Park**

Affordable housing to meet proven local need will be provided through:

1. the provision of an element of affordable housing as part of residential or mixed use development of sites of more than 0.4 hectares or 10 or more dwellings, or



2. the development of affordable housing in rural sites considered an exception to normal planning policy contained in Local Development Frameworks.

Adequate arrangements must be made to ensure that the housing remains available on an affordable basis for local people in perpetuity.

### **Cumbria and Lake District Joint Structure Plan 2001 – 2016**

#### **Transport - Policy T30: Transport Assessments**

Transport assessments will be required for development proposals in accord with national guidance. In the interim proposals which either individually or cumulatively meet the following scale of development will require a transport assessment:

1. residential development in excess of 100 units, or
2. employment uses in excess of 5,000 sq. m gross floorspace, or
3. other developments in excess of 1,000 sq. m gross floorspace, or
4. hotel developments in excess of 100 bedrooms, or
5. caravan or similar holiday sites in excess of 100 units, or
6. any development that either generates in excess of 100 heavy goods vehicles per day or 100 vehicle movements in any hour, or
7. any development that materially adds to local congestion, or
8. any development that may impact on the trunk road network.

### **Cumbria and Lake District Joint Structure Plan 2001 – 2016**

#### **Transport -Policy T31: Travel Plans**

Travel plans will be required for proposals for:

1. retail and indoor leisure facilities in excess of 1000 sq. m gross floorspace,
2. office, employment, education and health services development in excess of 2500 sq. m gross floorspace,
3. new and expanded school facilities,
4. development that would otherwise generate local traffic problems as identified through a transport assessment or an evaluation of a proposal.

### **Carlisle District Local Plan 2001 - 2016**

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

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

Urban Area

City of Carlisle

Key Service Centres    Brampton  
                                 Longtown

Local Service Centres	Burgh by Sands	Heads Nook
	Castle Carrock	Houghton
	Cummersdale	Irthington
	Cumwhinton	Raughton Head
	Dalston	Rockcliffe
	Gilsland	Scotby
	Great Corby	Smithfield
	Great Orton	Thurstonfield
	Hallbankgate	Warwick Bridge
	Hayton	Wetheral

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

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

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

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

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

### **Carlisle District Local Plan 2001 - 2016**

#### **Spatial Strategy And Development Principles - Policy DP7 - European Natura 2000 Sites**

Except where there are imperative reasons of overriding public interest, proposals that would have an impact on a European Natura 2000 site\* will not be permitted unless it can be objectively demonstrated that they would be unlikely to have a significant adverse effect, either alone or in combination with other plans or projects.

\*For the purposes of this policy European Natura 2000 sites include Ramsar sites and provisional SPAs.

### **Carlisle District Local Plan 2001 - 2016**

#### **Core Development Policies - Policy CP1 - Landscape Character**

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

Development will be considered appropriate to the character of the landscape provided the proposal has regard to and conserves:

the landform and natural patterns of drainage;

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

### **Carlisle District Local Plan 2001 - 2016**

#### **Core Development Policies - Policy CP2 - Biodiversity**

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

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

### **Carlisle District Local Plan 2001 - 2016**

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

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

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

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

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

The City Council will protect existing trees and woodlands where appropriate, by

tree preservation orders, and by the use of planning conditions requiring protective fencing around trees to be retained to prevent site works within their crown spread.

**Carlisle District Local Plan 2001 - 2016**  
**Core Development Policies - Policy CP4 - Agricultural Land**

Permission will not be given for development where it would lead to the loss of the best and most versatile agricultural land, unless:

- 1 there is an overriding need for the development; and
- 2 there is insufficient land of a lower grade available; or
- 3 available lower grade land has a statutory landscape, wildlife, historic or archaeological designation.

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

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

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

**Carlisle District Local Plan 2001 - 2016**  
**Core Development Policies - Policy CP6 - Residential Amenity**

The amenity of residential areas will be protected from inappropriate development

where that development:

- 1 is for a use inappropriate for residential areas; and/or
- 2 is of an unacceptable scale; and/or
- 3 leads to an unacceptable increase in traffic or noise; and/or
- 4 is visually intrusive.

### **Carlisle District Local Plan 2001 - 2016**

#### **Core Development Policies - Policy CP7 - Use Of Traditional Materials**

In order to sustain the local environment consideration will be given to locally sourced traditional materials to maintain the local character of buildings and their environment.

Within conservation areas the City Council will seek to ensure that existing traditional materials are reinstated following repairs to roads, pavements, kerbs and underground services.

### **Carlisle District Local Plan 2001 - 2016**

#### **Core Development Policies - Policy CP15 - Access, Mobility And Inclusion**

Development proposals should make provision for easy, safe and inclusive access to, into and within buildings and facilities. The layout and design of developments should meet the requirements of accessibility and inclusion for all potential users regardless of disability, age or gender. The Council will have regard to the following criteria when assessing development proposals:

- 1 The design of entrances and exits and ease of permeation through and between developments in terms of street furniture, circulation areas and pedestrian routes;
- 2 The location of any development proposal in relation to its potential users;
- 3 Accessibility to all transport modes and provision of adequate parking for disabled people;
- 4 Provision of on-site facilities such as public toilets, and appropriate signage

### **Carlisle District Local Plan 2001 - 2016**

#### **Core Development Policies - Policy CP8 - Renewable Energy**

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

- 1 there is no unacceptable visual impact on the immediate and wider landscape and townscape;
- 2 there is no adverse impact on biodiversity;
- 3 any new structures would be sensitively incorporated into the surrounding landscape/ townscape and/or habitat and respect the local landscape character;
- 4 measures are taken to mitigate any noise, smell or other nuisance or pollutants likely to affect nearby occupiers, amenities and/or neighbouring land uses;
- 5 any waste arising as a result of the development is minimised and dealt with using a suitable means of disposal;
- 6 there would be no unacceptable levels of harm to features designated as of

- local, national or international importance;
- 7 adequate provision can be made for access and parking and the potential impact on the road network;
  - 8 there would be no unacceptable conflict with any existing recreational facilities or routes;
  - 9 there would be no unacceptable cumulative effects when proposals are considered together with any extant planning approvals or other existing renewable energy developments.

**Carlisle District Local Plan 2001 - 2016**  
**Core Development Policies - Policy CP9 - Development, Energy Conservation And Efficiency**

Development proposals should take into account the need for energy conservation and efficiency in their design, layout and choice of materials. The principles should be introduced in the early stages of the design process in order to consider the orientation of buildings to maximise solar gain coupled with high levels of insulation to reduce heating costs. The efficient and effective use of land, including the reuse of existing buildings and the use of environmentally sustainable materials should also be encouraged. Landscaping schemes also may be used to shelter buildings in exposed positions to reduce heat loss.

These elements will contribute to the energy efficiency of a new development. Developers should also consider the possible incorporation of photovoltaic cells, active solar panels and other small-scale sources of renewable energy. Consideration should be given to recycled materials, waste minimisation and recycling measures within the design.

Designers will be encouraged to include systems for collecting roof water to enable its re-use.

**Carlisle District Local Plan 2001 - 2016**  
**Core Development Policies - Policy CP10 - Sustainable Drainage Systems**

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

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

Where SUDS are incorporated the following details shall be provided:

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

### **Carlisle District Local Plan 2001 - 2016**

#### **Core Development Policies - Policy CP11 - Protection Of Groundwaters And Surface Waters**

Proposals for development which would cause demonstrable harm to the quality, quantity and associated ecological features of groundwater and surface waters will not be permitted.

### **Carlisle District Local Plan 2001 - 2016**

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

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

### **Carlisle District Local Plan 2001 - 2016**

#### **Core Development Policies - Policy CP13 - Pollution**

Development will not be permitted where it would generate, either during construction or on completion, significant levels of pollution (from contaminated substances, odour, noise, dust, vibration, light, heat) which can not be satisfactorily mitigated within the development proposal or by means of planning conditions.

### **Carlisle District Local Plan 2001 - 2016**

#### **Core Development Policies - Policy CP14 - Waste Minimisation And The Recycling Of Waste**

Applications for major development proposals should follow the principles of sustainable waste management and must include details of facilities for the storage, collection and recycling of waste produced on-site. Those applications for planning permission for developments involving 10 or more dwellings; business, industrial or commercial floorspace of 300 m<sup>2</sup> or more; or retail floorspace of 500 m<sup>2</sup> or more, must be accompanied by a Waste Audit providing information on the type and volume of waste likely to be generated both during construction and subsequent use of the development, and the options for its management. The acceptability of proposals will be assessed sequentially against the following order of preference:

- 1 Reduction in the amount of waste produced;
- 2 re-use of waste on site without significant processing;
- 3 recycling and/or composting of waste on-site;
- 4 recycling and/or composting of waste off-site;
- 5 recovery of value from waste produced;
- 6 landfilling of residual waste

## **Carlisle District Local Plan 2001 - 2016**

### **Core Development Policies - Public Transport, Pedestrians And Cyclists**

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

## **Carlisle District Local Plan 2001 - 2016**

### **Core Development Policies - Policy CP17 - Planning Out Crime**

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

The following points should be applied to all development proposals:

- 1 Security measures should be an integral part of the design
- 2 Developments should be laid out and buildings positioned to maximise natural surveillance with the intention of creating a sense of neighbourhood and deterring criminal and anti-social activity
- 3 Public and private spaces should have clearly defined boundaries.
- 4 Footpaths and cycleways should be designed to maximise their use and prevent opportunities for concealment, unauthorised access or provide a choice of escape routes.
- 5 Landscaping schemes be designed to ensure that they do not create secluded areas, opportunities for climbing or reduce natural surveillance.
- 6 Lighting should deter criminal and antisocial activity whilst minimising light pollution. CCTV may be considered necessary in certain circumstances.

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

## **Carlisle District Local Plan 2001 - 2016**

### **Housing - Policy H1 - Location Of New Housing Development**

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

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

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



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

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

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

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

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

### **Carlisle District Local Plan 2001 - 2016**

#### **Housing - Policy H3 - \*Residential Density**

New residential development should achieve an average minimum net density of 30 dwellings per hectare. Using land efficiently is a key consideration and exceptions to this must be justified by reference to the character of the surrounding area; the nature of the development proposed and the specific site considerations. Within urban areas development will be expected to achieve a minimum net density of 40 dwellings per hectare and, where appropriate, higher densities close to the City Centre.

### **Carlisle District Local Plan 2001 - 2016**

#### **Housing - Policy H4 - Residential Development On Previously Developed Land And Phasing Of Development**

In order to achieve the higher target of 65% brownfield permissions in the urban area, applications for greenfield development in addition to any allocations in H16 will not be granted planning permission. A sequential approach to site development will be applied and, in the context of Policy DP1, brownfield sites in unsustainable locations will not be given priority over more sustainably located greenfield sites. Permission will be phased on sites over 20 dwellings in the urban area and over 10 dwellings in the rural area.

### **Carlisle District Local Plan 2001 - 2016**

#### **Housing - Policy H5 - Affordable Housing**

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

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

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

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

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

### **Carlisle District Local Plan 2001 - 2016**

#### **Housing - Policy H16 - Residential Land Allocations**

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

#### **RESIDENTIAL ALLOCATIONS FOR THE URBAN AREA**

	Brown field	Green field	Total
Structure Plan Target	2275	1225	3500

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

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

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

## RESIDENTIAL ALLOCATIONS FOR THE RURAL AREA

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

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

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

Within the Urban Fringe Landscape areas, shown on the Proposals Map, permission will not be given for development which adversely affects the open character of the areas. Development of open space recreational uses such as golf courses and

playing fields which retain the essential open nature will be acceptable. In addition, small scale development within or adjacent to established farmsteads and other groups of buildings, together with buildings associated with and required for the use of the area for open recreational areas will be acceptable providing that:

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

#### **Carlisle District Local Plan 2001 - 2016**

##### **Local Environment - Policy LE2 - Sites Of Special Scientific Interest**

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

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

#### **Carlisle District Local Plan 2001 - 2016**

##### **Local Environment - Policy LE3 - Other Nature Conservation Sites**

Development which would have a detrimental effect on Regionally Important Geological/Geomorphological Sites, County Wildlife Sites and other sites of nature conservation significance, Local Nature Reserves and Ancient Woodlands will not be permitted unless:

- 1 The harm caused to the value of those interests is clearly outweighed by the need for the development in that location; and
- 2 Where practical, any environmental feature lost is replaced with an equivalent feature.

#### **Carlisle District Local Plan 2001 - 2016**

##### **Local Environment - Policy LE5 - Hadrian's Wall World Heritage Site**

Development will not be permitted where there is an unacceptable impact on the Hadrian's Wall Military Zone World Heritage Site.

#### **Carlisle District Local Plan 2001 - 2016**

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

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

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

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

#### **Carlisle District Local Plan 2001 - 2016** **Local Environment - Policy LE6 - Scheduled/Nationally Important Ancient Monuments**

Development will not be permitted where there is an unacceptable impact on scheduled and other nationally important ancient monuments and their settings.

#### **Carlisle District Local Plan 2001 - 2016** **Local Environment - Policy LE8 - Archaeology On Other Sites**

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

#### **Carlisle District Local Plan 2001 - 2016** **Local Environment - Policy LE9 - Other Known Sites And Monuments Of Archaeological Significance**

Elsewhere in the Plan area, on other known sites and monuments of archaeological significance, permission for development will be granted, provided the applicant can demonstrate that the site will be either satisfactorily preserved or appropriate arrangements for excavation and recording have been made. These cases will be judged against the following:

- 1 the importance of the archaeological features;
- 2 the effects of the proposal on the archaeological features;
- 3 the need to retain and where possible enhance the features which have a particular archaeological and/or landscape significance;
- 4 the applicant's arrangements for in situ preservation of the features.

On the other known sites of archaeological significance, the City Council will ensure that the archaeological aspects of development proposals are examined and evaluated before planning applications are determined.

### **Carlisle District Local Plan 2001 - 2016**

#### **Local Environment - Policy LE10 - Archaeological Field Evaluation**

On all scheduled and other nationally important monuments, sites of archaeological significance and other sites of high archaeological potential, the City Council will ensure that the archaeological aspects of development proposals are examined and evaluated either before planning applications are determined or in exceptional circumstances by the use of condition. Planning permission will not be granted without adequate assessment of the archaeological implications.

### **Carlisle District Local Plan 2001 - 2016**

#### **Transport - Policy T1- Parking Guidelines For Development**

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

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

### **Carlisle District Local Plan 2001 - 2016**

#### **Leisure & Community Uses - Policy LC2 - Primary Leisure Areas**

Within Primary Leisure Areas proposals that relate to and complement the existing use and are appropriate in character and scale to the surroundings, will be acceptable. Development or change of use of Primary Leisure Areas to non-sport or recreation uses will not be permitted unless:

- 1 an alternative open space can be provided which is equivalent in terms of size, quality, accessibility, usefulness and attractiveness; or–
- 2 the Open Space, Sports and Recreational Facilities Audit indicates that the ward has a surplus of open space.

The Local Planning Authority will aim to achieve the following standards of recreational open space provision:

- 3.6 hectares of land/1000 population of informal and formal grassed, wooded or landscaped land, and small amenity areas of public open space;
- 1.86 hectares of playing pitches/1000 population;
- all dwellings should be within 3km of an open space of at least 20 hectares which provides general facilities for recreational activity within a landscaped setting;

- all dwellings should be within 1km of an open space of between 5 and 20 hectares which provides general facilities for recreation provision within a landscaped setting;
- all dwellings should be within 400 metres of an open space of between 2 and 10 hectares which caters for informal recreational needs;
- all dwellings should be within 200 metres of a small formal or informal open space between 0.2 and 2 hectares that is suitable for informal use and has high amenity value.

Permission will not be given for development where it would lead to a reduction in the target for recreational open space provision/1000 population in the ward in which it is proposed.

**Carlisle District Local Plan 2001 - 2016**  
**Leisure & Community Uses - Policy LC4 - Children's Play and Recreation Areas**

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

Outdoor playgrounds 150m<sup>2</sup> per hectare

Informal playspace 270m<sup>2</sup> per hectare

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

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

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

**Carlisle District Local Plan 2001 - 2016**  
**Leisure & Community Uses - Policy LC8 - Rights Of Way**

Carlisle City Council will seek to retain all existing footpaths, bridleways and other rights of way and to establish new routes wherever possible. New development will seek to maintain the existing rights of way network and where possible local improvements and extensions will be sought as part of new developments.

Proposals to close or divert existing rights of way will not be permitted unless an alternative route is available which is attractive, serves the same area and is not significantly longer than the original route.

**Carlisle District Local Plan 2001 - 2016**  
**Leisure & Community Uses - Policy LC11 - Educational Needs**

Proposals for the development of education facilities should be provided within the



existing educational sites as indicated on the Proposals Map. On existing sites, proposals for new buildings should be in close proximity to existing buildings to minimise the visual impact of additional development. Where educational facilities are proposed outside existing sites the location should be close to the intended catchment in order to minimise travel in conjunction with centres listed in policy DP1. Other policies of this Plan will apply dependent upon the proposal and land to be utilised.

### **Carlisle District Local Plan 2001 - 2016** **Leisure & Community Uses - Policy LC15 - Percent For Art**

The City Council will require the provision of works of Public Art when dealing with applications for development schemes that will have a significant visual impact. Developers will usually be expected to allocate a minimum of 1% of their construction costs for the inclusion of Public Art. This money should fund the provision of art in a publicly accessible/visible place or incorporated within the development itself.

The following indicates the threshold for the requirement:

- 1 housing developments of 20 dwellings or over; and/or
- 2 development of 1000sq. metres and over; and/or
- 3 development in a prominent location or on a major transport route.

### **Carlisle District Local Plan 2001 - 2016** **Implementation, Resources And Monitoring - Policy IM1 - Planning Obligations**

The Council will consider the use of Planning Obligations (S106 Agreements) in order to provide for local or community needs relevant to the proposed development as set out in other policies of this Plan. Planning Obligations will cover a number of issues such as affordable housing, recreational space, art, transport/traffic improvements, community facilities, archaeology, amenity space/landscaping, training and employment and crime and disorder measures. Separate guidance will be prepared to set out details of requirements.

### **Carlisle District Local Plan 2001 - 2016** **Leisure & Community Uses - Policy LC8 - Rights Of Way**

Carlisle City Council will seek to retain all existing footpaths, bridleways and other rights of way and to establish new routes wherever possible. New development will seek to maintain the existing rights of way network and where possible local improvements and extensions will be sought as part of new developments. Proposals to close or divert existing rights of way will not be permitted unless an alternative route is available which is attractive, serves the same area and is not significantly longer than the original route.

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

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

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

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

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

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

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

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

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

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

**Carlisle District Local Plan 2001 - 2016**  
**Local Environment - Policy LE29 - Land Affected By Contamination**

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

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

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

### **Carlisle District Local Plan 2001 - 2016**

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

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

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

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

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

Proposals for residential development will be considered against the need to give

priority to the reuse of previously developed land, with particular emphasis on vacant and derelict sites and buildings.

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

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

**Item no: 13**

**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

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.

Granted Subject to Legal Agreement

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 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.

**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 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 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 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 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 Joint Structure Plan 201-2016 and Local Transport Plan Policies WS3 and LD4.

---

### **Summary of Reasons for the Decision**

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

### **Relevant Development Plan Policies**

#### **Carlisle District Local Plan 2001 - 2016**

#### **Core Development Policies - Policy CP2 - Biodiversity**

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

affect.

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

### **Carlisle District Local Plan 2001 - 2016**

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

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

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

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

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

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

### **Carlisle District Local Plan 2001 - 2016**

#### **Core Development Policies - Policy CP5 - Design**

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

- 1 Respond to the local context and the form of surrounding buildings in relation to height, scale and massing, and by making use of appropriate materials and detailing;
- 2 Take into consideration any important landscape or topographical features and respect local landscape character;
- 3 Reinforce local architectural features, where appropriate, promoting and respecting local distinctiveness;
- 4 Ensure all components of the proposal, such as buildings, car parking, access routes, open space and landscaping, are well related to one another to ensure a well integrated, successful and attractive development;

- 5 Ensure there is no adverse effect on the residential amenity of existing areas, or adjacent land uses, or result in unacceptable standards for future users and occupiers of the development;
- 6 Ensure the retention and enhancement of existing trees, shrubs, hedges and other wildlife habitats where possible. Where environmental features are lost as a result of the proposal, appropriate mitigation measures should be put in place and on-site replacement of those features will be sought;
- 7 Include landscaping schemes (both hard and soft) to assist the integration of new development into existing areas and ensure that development on the edge of settlements is fully integrated into its surroundings;
- 8 Ensure that the necessary services and infrastructure can be incorporated without causing unacceptable harm to retained features;
- 9 Ensure that the layout and design incorporates adequate space for waste and recycling bin storage and collection.

### **Carlisle District Local Plan 2001 - 2016**

#### **Core Development Policies - Policy CP10 - Sustainable Drainage Systems**

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

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

Where SUDS are incorporated the following details shall be provided:

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

### **Carlisle District Local Plan 2001 - 2016**

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

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

### **Carlisle District Local Plan 2001 - 2016**

#### **Core Development Policies - Public Transport, Pedestrians And Cyclists**

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

facilities, where appropriate, in all new developments accessible to the public.

## **Carlisle District Local Plan 2001 - 2016**

### **Core Development Policies - Policy CP17 - Planning Out Crime**

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

The following points should be applied to all development proposals:

- 1 Security measures should be an integral part of the design
- 2 Developments should be laid out and buildings positioned to maximise natural surveillance with the intention of creating a sense of neighbourhood and deterring criminal and anti-social activity
- 3 Public and private spaces should have clearly defined boundaries.
- 4 Footpaths and cycleways should be designed to maximise their use and prevent opportunities for concealment, unauthorised access or provide a choice of escape routes.
- 5 Landscaping schemes be designed to ensure that they do not create secluded areas, opportunities for climbing or reduce natural surveillance.
- 6 Lighting should deter criminal and antisocial activity whilst minimising light pollution. CCTV may be considered necessary in certain circumstances.

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

## **Carlisle District Local Plan 2001 - 2016**

### **Housing - Policy H1 - Location Of New Housing Development**

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

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

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

- of the settlement; and
- 7 the proposal will not lead to the loss of the best and most versatile agricultural land.

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

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

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

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

### **Carlisle District Local Plan 2001 - 2016**

#### **Housing - Policy H5 - Affordable Housing**

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

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

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

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

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

## Carlisle District Local Plan 2001 - 2016

### Housing - Policy H16 - Residential Land Allocations

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

#### RESIDENTIAL ALLOCATIONS FOR THE URBAN AREA

					Brown field	Green field	Total
Structure Plan Target					2275	1225	3500
Allowance for Raffles dwellings demolished					540		540
(A) Overall Requirement					2815	1225	4040
(B) Permissions 01/04/02-31/03/05					1016	25	1041
(C) Windfall allowance @ 50 per annum					550		550
Total to be allocated A – B + C					1249	1200	2449
(D) Sites to be allocated:	ha	B/fld	G/fld	Total			
Rome Street/Railway Land	2.10	48		48			
77-87 Burgh Road	0.79		28	28			
Land adjacent H K Campbell School	0.90	33		33			
Wakefield Road/Lowry Hill	1.86	60	20	80			
Key Safety Systems Norfolk Street	1.32	100		100			
Carrs Field, Caxton Road	3.82		125	125			
Lindisfarne Street	3.1	130		130			
Nelson Street	2.0	103		103			
Milbourne Street	0.38	30		30			



Cavaghan & Gray London Rd	2.1	104		104			
Laings Site Dalston Road	1.74	90		90			
Penguin Factory Westmorland Street	0.64	64		64			
Hilltop Heights	0.31	80		80			
Harraby Green Road	1.05	45		45			
St Nicholas	0.42	50		50			
Deer Park	3.9	60		60			
Carlisle Racecourse/Lowry Street	0.33	43		43			
Carleton Clinic (Former Garlands Site)	4.19	100		100			
Durranhill	4.80	100		100			
Morton Development	38.31		800	800			
Raffles replacement	10.6	500		500			
(D) Total allocated					1740	973	2713
over/under allocation (+/-)					+491	-227	+264

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

#### RESIDENTIAL ALLOCATIONS FOR THE RURAL AREA

					Brown field	Green field	Total
Structure Plan Target					366	549	915
(A) Overall Requirement					366	549	915
(B) Permissions 01/04/02-31/03/05					284	179	463
Total to be allocated A – B					82	370	452
(C) Sites to be allocated:	ha	B/fld	G/fld	Total			
Longtown South of Moor Road	0.88		26	26			
Longtown Sawmill	1.96	78		78			

Longtown between Mill Street/Burn Street/A6071 (Suttons)	0.65	24		24			
Highway Depot Station Road Brampton	0.8	32		32			
(D) Total allocated					134	26	160
over/under allocation (+/-)					+52	-344	-292

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

### **Carlisle District Local Plan 2001 - 2016**

#### **Local Environment - Policy LE2 - Sites Of Special Scientific Interest**

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

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

### **Carlisle District Local Plan 2001 - 2016**

#### **Local Environment - Policy LE8 - Archaeology On Other Sites**

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

### **Carlisle District Local Plan 2001 - 2016**

#### **Local Environment - Policy LE29 - Land Affected By Contamination**

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

- 1 Expose the occupiers of a development and neighbouring land uses to unacceptable risk;
- 2 Cause the contamination of adjoining land or allow contamination to continue;
- 3 Lead to the contamination of any watercourse, water body or aquifer;

- 4 Have an unacceptable adverse effect on habitats and ecosystems;
- 5 Cause harm to buildings, animals or crops

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

#### **Carlisle District Local Plan 2001 - 2016**

##### **Transport - Policy T1- Parking Guidelines For Development**

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

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

#### **Carlisle District Local Plan 2001 - 2016**

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

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

Outdoor playgrounds 150m<sup>2</sup> per hectare

Informal playspace 270m<sup>2</sup> per hectare

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

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

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

#### **Item no: 14**

**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

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.

Granted Subject to Legal Agreement

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 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. 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.

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.

**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.

---

## Summary of Reasons for the Decision

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

assessed are Policies DP1, H1, H2, H5, LE1, LE19, CP2, CP5, CP12, CP13 and T1 of the Carlisle District Local Plan 2001-2016. The proposals raise the following planning issues:

### 1. Whether The Proposal Is Acceptable In Principle

The dwellings would be sited on land that lies within the settlement boundary of Brampton, which is identified as a Key Service Centre in Policy H1 of the adopted Local Plan. As such, the principle of residential development is acceptable, subject to compliance with the criteria identified in Policy H1 and the other relevant policies contained within the Local Plan.

The side garden to the west of Unit 4 would lie within an area of Urban Fringe Landscape. Proposals which retain the open character of Urban Fringe Landscape are acceptable in principle. Permitted development rights would be removed to ensure that this area of garden retains its open character and the proposal is, therefore, acceptable in principle.

### 2. Whether The Scale And Design Of The Dwellings Is Acceptable

Units 1 & 3 would have a ridge height of 6m, which would be lower than that of Iona, which adjoins the site. Whilst Unit 4 would have a ridge height of 7m, this dwelling would be set back 35m into the site.

The east elevation of Unit 1, which would face Gelt Road, would be constructed of stone, with stone quoins and window surrounds. It would have a pitched roof dormer window, a pitched roof porch and a pitched roof single-storey rear projection, all of which would have slate roofs and which would add visual interest to the elevation.

Landscaping would be provided along the eastern boundary of the site, adjacent to Gelt Road. The front elevations of the dwellings would be visible to people travelling north down Gelt Road and these would be well designed with small pitched roof porches and pitched roof dormers in the front roof slopes and would be constructed of traditional materials. In light of the above, the scale and design of the proposals would be acceptable.

### 3. Impact On The Brampton Conservation Area

The site currently contains a brick and timber workshop building/ stables, which is approximately 29m long, with a ridge height that varies from 4m to 4.8m. The building is unsightly and detracts from the character of the Brampton Conservation Area. Demolishing this building and replacing it with well designed dwellings, constructed of traditional materials, would have a positive impact on the conservation area. The Council's Heritage Officer concurs with this view and considers the general appearance of the proposals to be sympathetic to the character of the conservation area.

### 4. The Impact Of The Proposal On The Living Conditions Of Neighbouring Residents



The east elevation of Unit 1, which faces Gelt Road, only contains secondary windows. The dwelling directly across the road from the application site would be over 16m away from the side elevation of this dwelling, which has a maximum ridge height of 6m. The proposal would not, therefore, have an adverse impact on the living conditions of the occupiers of this dwelling, through loss of light, loss of privacy or over-dominance.

Iona, which is owned by the applicant, would lie directly to the north of Unit 1 and would have its rear garden to the north of Units 2 to 4. This dwelling has no principle windows in the side elevation which faces the application site. Suitable boundary treatment would ensure that there is overlooking of Iona from ground floor windows of the new dwellings. Units 1 to 3 are one and a half-storey properties, which would only have rooflights in the rear roofslope facing Iona. Whilst Unit 4 would be two-storey, this dwelling is over 23m away from the rear elevation of Iona and would face the rear garden of this property, rather than the dwelling itself. Whilst it is accepted that there would be increased overlooking of the rear section of the garden of Iona, this would only be from one bedroom window and would, therefore, be acceptable. There would also be some increased overshadowing and loss of light to the garden of Iona at certain times of the year. However, given the size of the garden, which extends 35m back from the rear elevation of the dwelling, this would not have a significant adverse impact on the occupiers of this dwelling.

The proposed dwellings would face the field that lies to the south of the site. Suitable boundary treatment would ensure that there is no loss of privacy to the occupiers of the new dwellings. The dwellings would have front and rear gardens and a minimum of two car parking spaces. In light of the above, the living conditions of the future occupiers of the new dwellings would be acceptable.

## 5. Affordable Housing Provision

The application proposes the erection of four dwellings and, therefore, in accordance with Policy H5 of the adopted Local Plan, an element of affordable housing must be incorporated. On this site, the affordable housing provision equates to 0.4 of a dwelling and, therefore, it has been agreed with the Housing Strategy Officer that this would be catered for by way of a commuted sum, which would be secured through the completion of a S106 agreement.

## 6. Highway Issues.

The existing access into the site would be used. The two bed dwellings would have two car parking spaces and the four bed dwelling three car parking spaces. County Highways is satisfied with these proposals and has raised no objections to the application, subject to the imposition of conditions.

Some objectors have raised concerns about the level of traffic that would be generated by the proposed development and the impact that this would have on Gelt Road, which has no pavements for part of its length. The increase in traffic from these properties would not be significant enough to have an adverse impact on highway safety on Gelt Road.

## Conclusion

In overall terms, the proposal is acceptable in principle. The scale, siting and design of the proposed dwellings are acceptable in relation to the site and the surrounding properties. The proposal would not have an adverse impact on the Brampton Conservation Area or on the living conditions of the occupiers of any neighbouring properties, through loss of light, loss of privacy or over-dominance. Adequate car parking and amenity space would be provided to serve the new dwellings. In all aspects the proposals are compliant with the objectives of the relevant Local Plan policies.

## Relevant Development Plan Policies

### **Carlisle District Local Plan 2001 - 2016**

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

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

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

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

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

Proposals for residential development will be considered against the need to give priority to the reuse of previously developed land, with particular emphasis on

vacant and derelict sites and buildings.

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

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

## **Carlisle District Local Plan 2001 - 2016**

### **Housing - Policy H1 - Location Of New Housing Development**

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

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

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

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

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

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

be used to ensure local occupancy to provide for the identified need.

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

### **Carlisle District Local Plan 2001 - 2016**

#### **Housing - Policy H2 - Primary Residential Areas**

Within the Primary Residential Areas defined on the Inset Maps for Carlisle, Brampton and Longtown, proposals for new residential development will be acceptable provided that:

- 1 existing areas of open space and other amenity areas are safeguarded; and
- 2 the proposed development does not adversely affect the amenity of adjacent residential property; and
- 3 the proposed development complements or enhances existing adjacent residential areas and their amenity; and
- 4 satisfactory access and appropriate parking arrangements can be achieved.

Proposals for non-residential uses will be permitted in Primary Residential Areas provided that they do not adversely affect residential amenity. Development that would create unacceptable noise, smell, safety and health impacts or excessive traffic generation will not be acceptable. The traffic impact of new development upon existing residents through inconvenience and detrimental effect will be taken into account. Such schemes falling within the scope of this policy will be considered against the above criteria as well as other policies of the Plan appropriate for the proposed use.

Outside the Primary Residential Areas and sites allocated under Proposal H16 for Carlisle, Brampton and Longtown, applications for residential development, including redevelopment and the change of use of vacant and underused buildings, will be only be permitted provided that:

- 1 satisfactory housing conditions can be achieved; and
- 2 the proposal will complement the existing character of the area; and
- 3 the proposal will not adversely affect the amenity of the area; and
- 4 satisfactory access can be provided; and
- 5 appropriate parking arrangements can be made.

### **Carlisle District Local Plan 2001 - 2016**

#### **Housing - Policy H5 - Affordable Housing**

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

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

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

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

The proportion of affordable housing sought will only be varied if this can be justified on a robust, evidence based, assessment of the economic viability of the site.

Where intermediate affordable housing is to be provided at a discounted market value a discount of 25-30% will be sought and the discounted sale will be required to be in perpetuity.

### **Carlisle District Local Plan 2001 - 2016**

#### **Local Environment - Policy LE1 - Urban Fringe Landscape**

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

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

### **Carlisle District Local Plan 2001 - 2016**

#### **Local Environment - Policy LE19 - Conservation Areas**

The City Council will continue to review existing and designate new conservation areas. Development proposals within and adjoining conservation areas will be granted planning permission provided they preserve or enhance their character and appearance. Any new development or alterations to existing buildings should harmonise with their surroundings and be in sympathy with the setting, scale, density and physical characteristics of conservation areas, and protect important views into or out of such areas. Applications for outline planning permission will not be accepted for proposals in conservation areas.

Proposals for new development and/or alterations to buildings in conservation areas will be judged against the following criteria:

- 1 the development should preserve or enhance all features which contribute positively to the area's character or appearance, in particular the design, massing and height of the building should closely relate to adjacent buildings and should not have an unacceptable impact on the townscape or landscape;
- 2 the development should not have an unacceptable impact on the historic street patterns and morphology, roofscape, skyline and setting of the conservation area, important open spaces or significant views into, out of and within the area;
- 3 development proposals should not result in the amalgamation or redrawing of boundaries between traditional buildings and plots, or demolition and redevelopment behind retained facades;
- 4 wherever practicable traditional local materials such as brick, stone and slate should be used and incongruous materials should be avoided;
- 5 individual features both on buildings and contributing to their setting, should be retained e.g. doorways, windows, shopfronts, garden walls, railings, cobbled or flagged forecourts, sandstone kerbs, trees and hedges, etc. Where features have deteriorated to the extent to which they have to be replaced, the replacement should match the original;
- 6 proposals which would generate a significant increase in traffic movements and heavy vehicles or excessive parking demands will not be permitted since these would be prejudicial to amenity;
- 7 proposals which would require substantial car parking and servicing areas which can not be provided without an adverse effect on the site and its surroundings will not be permitted.

### **Carlisle District Local Plan 2001 - 2016**

#### **Core Development Policies - Policy CP2 - Biodiversity**

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

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

### **Carlisle District Local Plan 2001 - 2016**

#### **Core Development Policies - Policy CP5 - Design**

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

- 1 Respond to the local context and the form of surrounding buildings in relation to height, scale and massing, and by making use of appropriate materials and detailing;
- 2 Take into consideration any important landscape or topographical features and respect local landscape character;
- 3 Reinforce local architectural features, where appropriate, promoting and

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

#### **Carlisle District Local Plan 2001 - 2016**

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

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

#### **Carlisle District Local Plan 2001 - 2016**

#### **Core Development Policies - Policy CP13 - Pollution**

Development will not be permitted where it would generate, either during construction or on completion, significant levels of pollution (from contaminated substances, odour, noise, dust, vibration, light, heat) which can not be satisfactorily mitigated within the development proposal or by means of planning conditions.

#### **Carlisle District Local Plan 2001 - 2016**

#### **Transport - Policy T1- Parking Guidelines For Development**

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

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

