

Committee Minutes

Control of Development and Advertisements

The Development Control Committee received and considered the following applications:

Item no: 01

Appn Ref No:
12/0878

Applicant:
Story Homes

Parish:
Dalston

Date of Receipt:
24/10/2012 16:02:59

Agent:
Positive Planning Solutions Ltd

Ward:
Dalston

Location:
Land between Townhead Road and Station Road,
Dalston

Grid Reference:
336722 550172

Proposal: Erection Of 121no. Dwellings, Associated Open Space And Infrastructure

Members resolved to give authority to the Director (Economic Development) to issue approval for the proposal subject to the completion of a S106 Agreement to secure:

- a) the provision of the proposed level of affordable units (eight units that would be made available by discounted sale, with the discount set at 30% below open market value, and twelve properties transferred to a registered provider to be available for affordable rent);
- b) a financial contribution of £115,587 towards the provision and maintenance of children's play space and sports pitches within Dalston;
- c) the maintenance of the informal open space within the site by the developer;
- d) a financial contribution of £325,377 to Cumbria County Council towards education provision;
- e) the production of a Travel Plan, which would include a contribution of £73,626 in favour of the County Council to be used for intervention measures, in the event that the targets are not achieved; and
- f) an administration contribution of £6,600 for the ongoing monitoring and review of the Travel Plan for a 5-year period;
- g) a financial contribution towards the provision of household refuse bins for each household.

Item no: 02

Appn Ref No:
13/0562

Applicant:
Magnus Homes Limited

Parish:
Wetheral

Date of Receipt:
19/07/2013

Agent:
Taylor & Hardy

Ward:
Wetheral

Location:
Land to the rear of Lime House, Wetheral, Carlisle,
Cumbria, CA4 8ET

Grid Reference:
346524 554435

Proposal: Erection Of 6no. Dwellings And Associated Parking, Engineering Works
And Landscaping (Revised Application)

Members resolved to give authority to the Director (Economic Development) to issue approval for the proposal subject to the completion of a s106 to relate to the provision of a commuted sum for affordable housing and the submission of a waste management scheme.

Item no: 03

Appn Ref No:
13/0431

Applicant:
Hayton High Estates

Parish:
Hayton

Date of Receipt:
29/05/2013 13:00:54

Agent:
SPACE Designed
Solutions Ltd

Ward:
Hayton

Location:
Town Head Cottage and adjoining land, Townhead,
Hayton, CA8 9JH

Grid Reference:
351721 557610

Proposal: Revisions To Original Planning Approvals 11/0433 & 11/0690 Involving
Amended Estate House And Erection Of 1no. Eight Bed Holiday Unit In
Lieu Of 8no. Holiday Lets

Members resolved to defer consideration of the proposal in order to allow the submission of further information regarding the impact of the proposal on the ecology of the area, and to await a further report on the application at a future meeting of the Committee.

Item no: 04

Appn Ref No:
13/0318

Applicant:
Mr N Stobbs

Parish:
Brampton

Date of Receipt:
19/04/2013 16:01:30

Agent:
Green Design Architects

Ward:
Brampton

Location:
Land adjacent North House, Ruleholme, Irthington,
CA6 4NQ

Grid Reference:
350684 559700

Proposal: Erection Of 1no. Dwelling
Grant Permission

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

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

2. The approved documents for this Planning Permission comprise:

1. the submitted planning application form received 6th June 2013;
2. the Design and Access Statement received 19th April 2013;
3. the Contamination Desk Top Study received 19th April 2013;
4. the location plan received 19th April 2013 (Drawing Number 13/2176/00);
5. the block plan, site plan, floor plans and elevations received 23rd May 2013 (Drawing Number 13/2176/03B);
6. the Notice of Decision; and
7. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

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

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

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

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

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

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

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

Reason: To ensure that a satisfactory landscaping scheme is implemented and that it fulfils the objectives of Policy CP5 of the Carlisle District Local Plan 2001-2016.

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

Reason: To ensure that the satisfactory screening is included in the development in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

8. 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 disposal and in accord with Policy CP12 of the Carlisle District Local Plan 2001-2016.

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

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

10. No work associated with the construction of the residential unit 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 statutory holidays).

Reason: To prevent disturbance to nearby occupants in accordance with Policy H2 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, 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 in accordance with Policy LE29 of the Carlisle District Local Plan 2001-2016.

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

Core Development Policies - Policy CP1 - Landscape Character

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

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

the landform and natural patterns of drainage;

- the pattern of trees and woodland;

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

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP2 - Biodiversity

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

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

Carlisle District Local Plan 2001 - 2016

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

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

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

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

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

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

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP5 - Design

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

- 1 Respond to the local context and the form of surrounding buildings in relation to height, scale and massing, and by making use of appropriate materials and detailing;
- 2 Take into consideration any important landscape or topographical features and respect local landscape character;
- 3 Reinforce local architectural features, where appropriate, promoting and

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

Carlisle District Local Plan 2001 - 2016

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

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

Carlisle District Local Plan 2001 - 2016

Housing - Policy H1 - Location Of New Housing Development

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

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

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

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

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

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

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

Carlisle District Local Plan 2001 - 2016

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: 05

Appn Ref No:
13/0468

Applicant:
Mr Meekley

Parish:

Date of Receipt:
10/06/2013 23:00:06

Agent:
Edenholme Architectural
Surveyors

Ward:
Currock

Location:
Garages Adjacent Robinson St/Almery Drive,
Carlisle

Grid Reference:
340751 554548

Proposal: Erection Of 3no Domestic Garages On Existing Site Together With

Alterations To Existing Access (Revised Application)

Part Approval/Refusal

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 16th June 2013;
 2. the site location plan received 25th June 2013 (Drawing No.ED/5003/01);
 3. the block plan received 14th August 2013 (Drawing No. ED/5003/04B);
 4. the block plan with dimension on (for information purposes) received 12th August 2013 (Drawing No. ED/5003/04B);
 5. the existing elevations received 14th August 2013 (Drawing No.ED/5003/02 Rev E);
 6. the proposed elevations received 14th August 2013 (Drawing NO. ED/5003/03 Rev E);
 7. the Design And Access Statement received 16th June 2013;
 8. the Notice of Decision; and
 9. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

3. The proposed garages hereby approved shall be used solely for private, domestic purposes 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 H2 of the Carlisle District Local Plan 2001-2016.

4. Before the construction of the new garage adjacent to Almerly St. commences, the existing access shall have been amended with the kerb/footway realigned in accordance with details which have been submitted to and approved by the Local Highways Authority.

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

5. The whole of the new/extended vehicular access area bounded by the carriageway edge and the existing Mews surfacing, shall be constructed and drained to the specification of the Local Highways Authority.

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

6. The two garages hereby approved which face onto Robinson Street shall have roller shutter doors. The details of which shall be submitted to and approved in writing by the Local Planning Authority and the type of door approved shall be retained in perpetuity.

Reason: In the interests of road safety and visual amenities of the area.

7. Before the development hereby permitted commences a construction management plan should be submitted to and approved in writing by the Local Planning Authority describing the means by which construction activity at the site and construction traffic to and from the site shall be controlled. The development hereby permitted shall only be carried out and completed in accordance with the approved scheme.

Reason: In order to ensure that the construction of the development of this site is undertaken in a manner which minimises its effect on the local environment.

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

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

Planning Permission Has Been Refused In Part in relation to the single garage with access from Almerly Drive for the following reasons(s):

9. **Reason:** The proposed garage is located within an existing complex of garages and would have a negative impact on the available space for manoeuvrability of vehicles for existing garage occupiers. The proposed relocation of the entrance would impede the free flow of vehicular egress and access. The increase in vehicles using the access would exacerbate an existing lack of visibility in the local road network and impact on highway safety. The proposal is therefore contrary to paragraph 9 (bullet 4) of the National Planning Policy Framework, criteria 4 and 5 of Policy CP5 (Design) and criteria 3 and 4 of Policy T1 (Parking Guidelines for Development) 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 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 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 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.

Item no: 06

Appn Ref No:
13/0540

Applicant:
HTE Limited

Parish:
Carlisle

Date of Receipt:
10/07/2013

Agent:

Ward:
St Aidans

Location:
175 Warwick Road, Carlisle, CA1 1LP

Grid Reference:
341175 555931

Proposal: Change Of Use From 2no. Flats To 1no. Dwelling To Be Used As A Shared Residential Property For Upto 6no. Occupants With Parking Provision To Rear (Retrospective)

Grant Permission

1. The approved documents for this Planning Permission comprise:

1. the submitted planning application form received 10th July 2013;
2. the Design Access Statement received 10th July 2013;
3. the Flood Risk Assessment received 10th July 2013;
4. the photograph of the front elevation received 10th July 2013;
5. the site location plan received 10th July 2013;
6. the existing floor plans received 10th July 2013;
7. the proposed floor plans received 14th August 2013;
8. the Notice of Decision; and
9. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

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

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

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

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: 07

Appn Ref No:
13/0458

Applicant:
T Bell & Son

Parish:
Farlam

Date of Receipt:
05/06/2013

Agent:
Abacus Building Design

Ward:
Irthing

Location:
Land between Wood House & 1 Fellbeck View,
Hallbankgate, Carlisle

Grid Reference:
358145 559440

Proposal: Erection Of 1no. Dwelling (Outline Application)
Grant Permission

1. In case of any "Reserved Matter" application for approval shall be made not later than the expiration of 1 year beginning with the date of this permission, and the development shall be begun not later than whichever is the later of the following dates:

- i) The expiration of 3 years from the date of the grant of this permission, or
- ii) The expiration of 2 years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: In accordance with the provisions of Section 92 of the Town and Country Planning Act 1990. (as amended by The Planning and Compulsory Purchase Act 2004).

2. Before any work is commenced, details of the layout, scale, appearance, access and landscaping of the site (hereinafter called "reserved matters") shall be submitted to and approved by the Local Planning Authority.

Reason: The application was submitted as an outline application in accordance with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995.

3. The approved documents for this Planning Permission comprise:

1. the submitted planning application form;
2. the site location plan received 5th June 2013;
3. the existing site location block plan received 5th June 2013;
4. the proposed site location block plan received 5th June 2013;
5. the desk top study received 5th June 2013;
6. the design and access statement received 5th June 2013;
7. the Notice of Decision; and
8. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

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

Reason: To ensure the works harmonise as closely as possible with the existing building and to ensure compliance with Policy CP5 of the Carlisle District Local Plan 2001 - 2016.

6. No development hereby approved by this permission 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. The development shall be undertaken in accordance with the approved details.

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

7. No development hereby approved by this permission shall commence until a scheme for the provision of surface water drainage works has been submitted to and 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 disposal and in accord with Policy CP12 of the Carlisle District Local Plan 2001-2016.

8. No development hereby approved by this permission shall commence until a scheme for the conveyance of foul drainage has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use the approved drainage scheme has been constructed and completed in accordance with the approved plans.

Reason: To prevent pollution of the water environment in accordance with Policy CP12 of the Carlisle District Local Plan 2001-2016.

9. No development hereby approved by this permission shall commence until particulars of height and materials of all boundary fences have been submitted to and approved in writing by the Local Planning Authority. The development shall then be undertaken in accordance with the approved details.

Reason: To ensure that the appearance of the area is not prejudiced by lack of satisfactory screening which is not carried out in a co-ordinated manner and to ensure compliance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

10. No development hereby approved by this permission shall commence until details of a landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include the proposed type and species of all planted material including particulars of the proposed heights and planting densities.

Reason: To ensure that a satisfactory landscaping scheme is prepared in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016 and in order to protect the safety, operational need and integrity of the railway.

11. All works comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following occupation of the dwelling or completion of the development, whichever is the sooner.

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

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

Reason: In order that the approved development overcomes any problems associated with the topography of the area, that it satisfies the requirements of the Drainage Engineer in relation to flood risk and that it meets the objectives of Policies H1 of the Carlisle District Local Plan 2001-2016.

14. No tree or hedgerow existing on the site shall be felled, lopped, uprooted or layered without the prior consent in writing of the Local Planning Authority and the protection of all such trees and hedgerows during construction shall be ensured by a detailed scheme to be agreed with the Local Planning Authority.

Reason: The Local Planning Authority wishes to see existing hedgerows/trees incorporated into the new development where possible and to ensure compliance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) there shall be no enlargement or external alterations to the dwelling units to be 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 Policies CP5 and CP6 of the Carlisle District Local Plan 2001-2016.

16. The reserved matters application must provide details showing the provision within the site for parking (commensurate with the size of the dwelling and parking standards) and manoeuvring of vehicles, so they enter and leave the site in a forward direction. Building works shall not commence until such details have been approved and the facilities constructed. The approved parking, loading, unloading and manoeuvring areas shall be kept available for those purposes at all times and shall not be used for any other purpose.

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

17. No development hereby approved by this permission shall commence until full engineers details relating to the moving and culverting of the watercourse have been submitted to and 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 disposal and in accord with Policy CP12 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 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 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

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

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 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
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	Cumwhiton
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

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
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.

Item no: 08

Appn Ref No:
13/0359

Applicant:
Lovers Lane Community
Garden

Parish:
Brampton

Date of Receipt:
02/05/2013 16:01:05

Agent:

Ward:
Brampton

Location:
L/A Millfield House, Craw Hall, Brampton, CA8 1TN

Grid Reference:
353395 561124

Proposal: 5 Year Temporary Change Of Use Of Paddock Area To Community
Garden

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, 2 May 2013;
 2. Design & Access Statement, received 2 May 2013;
 3. Location Plan, received 2 May 2013 (Dwg 01);
 4. Existing Block Plan, received 2 May 2013 (Dwg 02);
 5. Proposed Block Plan, received 8 May 2013 (Dwg 03);
 6. Proposed Elevations (Poly tunnel and sheds), received 8 May 2013 (Dwg

04);

7. the Notice of Decision; and

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

Reason: To define the permission.

3. The use hereby permitted shall be discontinued not later than the 19th July 2018 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.

4. No external lighting shall be installed within the site.

Reason: To protect the amenity of the area in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

Summary of Reasons for the Decision

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

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016

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

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 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: 09

Appn Ref No:
13/0475

Applicant:
Mr Noble

Parish:
Brampton

Date of Receipt:
13/06/2013 16:02:24

Agent:
Alpha Design

Ward:
Brampton

Location:
The Grange, Craw Hall, Brampton, CA8 1TS

Grid Reference:
353374 560804

Proposal: Erection Of 2no. Detached Dwellings

Grant Permission

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

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

2. The approved documents for this Planning Permission comprise:

1. the Planning Application Form received 13th June 2013 as amended by page 2 received 2nd August 2013;
2. the Site Location Plan received 13th June 2013 (Drawing no. 12/05/765-01);
3. the Plot 2 - Plans & Elevations received 13th June 2013 (Drawing no. 12/05/765-02);
4. the Plot 1- Plans & Elevations received 2nd August 2013 (Drawing no. 12/5/765-03a)
5. the Plot 2 - Plans & Elevations received 13th June 2013 (Drawing no. 12/05/765-04);
6. the Existing Views from Craw Hall B6413 received 2nd August 2013;
7. the Photomontage - View from Craw Hall B6413 received 2nd August 2013;
8. the Design and Access Statement received 13th June 2013;
9. the Supporting Planning Statement received 13th June 2013;
10. the Pre-Development Arboricultural Report received 13th June 2013;
11. the Heritage Statement received 13th June 2013;
12. the Flood Risk Assessment received 13th June 2013;
13. the Habitat Assessment received 13th June 2013;
14. the Preliminary Risk Assessment received 13th June 2013;
15. the Notice of Decision;
16. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

3. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority.
Development shall be carried out in accordance with the approved details.

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

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

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

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order), no gates, fences, walls or other means of enclosure shall be erected within the curtilage of the dwelling units to be erected without the prior written consent of the Local Planning Authority.

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

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

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

7. Before development commences, the tree protection barriers must be installed in accordance with Plan 2 in the Pre-Development Arboricultural Report dated 10 June 2013. The scheme must be retained until completion of the development to the satisfaction of the Local Planning Authority. Within the fenced off area:
 1. No fires shall be lit within the fenced off area or within 10 metres of the nearest point of the canopy of any retained tree or hedge;
 2. No equipment, machinery or structure shall be attached to or supported by a retained tree or by the tree protection barrier;
 3. No mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area;
 4. No alterations or variations to the approved works or tree protection schemes shall be made without prior written consent of the local planning authority;
 5. No materials or vehicles shall be stored or parked within the fenced off area;
 6. No alterations to the natural/existing ground level shall occur.

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.

8. Before development commences a scheme for the surface water drainage works shall be submitted to and approved in writing by the Local Planning Authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in Annex F of PPS25 (or any subsequent version), and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:
 - i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - ii) include a timetable for its implementation; and provide a management and maintenance plan for the lifetime of the development which shall include the

arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The development shall be implemented and completed prior to the occupation of any dwelling.

Reason: To ensure a satisfactory means of surface water disposal and in accordance with Policy CP12 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 in accordance with Policy LE29 of Carlisle District Local Plan 2001-2016.

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

Reason: To protect nesting birds in accordance with Policy CP2 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 CP12 - Foul And Surface Water Sewerage And Sewage Treatment

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

Carlisle District Local Plan 2001 - 2016

Housing - Policy H1 - Location Of New Housing Development

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

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

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

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

Burgh-by-Sands
Cumwhinton
Great Corby
Hayton

Castle Carrock
Dalston
Great Orton
Heads Nook

Cummersdale
Gilsland
Hallbankgate
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

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

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: 10

Appn Ref No:
13/0455

Applicant:
Mr Irving

Parish:
Hayton

Date of Receipt:
04/06/2013 23:00:08

Agent:
Holt Planning Consultancy
Ltd

Ward:
Hayton

Location:
Land to rear of Elmfield, Townhead, Hayton,
Brampton, Carlisle

Grid Reference:
351566 557745

Proposal: Erection Of 3no. Detached Dwellings (Outline) (Revised Application)

Members resolved to give authority to the Director (Economic Development) to issue approval for the proposal subject to the completion of a s106 agreement relating to the provision of a commuted sum for affordable housing and the securing a planting scheme and management plan for the proposed woodland area.

Item no: 11**Appn Ref No:**
13/0423**Applicant:**
Mr Stephens**Parish:**
Dalston**Date of Receipt:**
24/05/2013 13:00:12**Agent:**
Mr Clode**Ward:**
Dalston**Location:**
Land adjacent Alpine Cottage, Raughton Head,
Carlisle, CA5 7DD**Grid Reference:**
338010 545491

Proposal: Erection Of 1no. Dwelling

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: 12**Appn Ref No:**
13/0450**Applicant:**
Mr A McKeown**Parish:**
Wetheral**Date of Receipt:**
04/06/2013**Agent:**
Jock Gordon**Ward:**
Wetheral**Location:**
Land to west of Quarry House, Wetheral Pasture,
Carlisle**Grid Reference:**
345974 553443

Proposal: Erection Of 3no. Detached Dwellings & Garages

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: 13**Appn Ref No:**
13/0426**Applicant:**
CITADEL ESTATES Ltd**Parish:**
Wetheral**Date of Receipt:**
27/05/2013 23:00:07**Agent:**
Holt Planning Consultancy
Ltd**Ward:**
Great Corby & Geltsdale**Location:**
Land At/Adjacent Former George P.H, Warwick
Bridge, Carlisle, CA4 8RL**Grid Reference:**
347689 556819

Proposal: Variation Of Condition 2 (Approved Documents) Of Previously Approved
Application 12/0383 (Retrospective Application)

Grant Permission

1. The approved documents for this Planning Permission comprise:

1. the Planning Application Form received 27th May 2013;
2. the Location & Block Plans received 3rd June 2013 (Drawing no. 11/2011/00A);
3. the Ground Floor Masonry Setting Out G.A. received 27th May 2013 (Drawing no. J2339/A101 Rev G);
4. the First Floor Masonry Setting Out G.A. received 27th May 2013 (Drawing no. J2339/A102 Rev H);
5. the Second Floor Masonry Setting Out G.A. received 27th May 2013 (Drawing no. J2339/A103 Rev G);
6. the Proposed Elevations received 27th May 2013 (Drawing no. J2339/A202 Rev L);
7. the Notice of Decision.

Reason: To define the permission.

2. The development shall be carried out in accordance with the remaining conditions attached to the "Full Planning" permission approved under application 12/0383.

Reason: For the avoidance of doubt.

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 & 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

Local Environment - Policy LE26 - Undeveloped Land In Floodplains

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

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

Item no: 14

Appn Ref No:
13/0546

Applicant:
Mr & Mrs D Stevens

Parish:
Wetheral

Date of Receipt:
16/07/2013

Agent:
Taylor & Hardy

Ward:
Wetheral

Location:
L/Adj Fallowfield, Plains Road, Wetheral, Carlisle,

Grid Reference:
346233 555232

Proposal: Erection Of Dwellings (Outline)

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: 15

Appn Ref No:
13/0567

Applicant:
Mr Chris Mitchelson

Parish:
Brampton

Date of Receipt:
19/07/2013

Agent:

Ward:
Brampton

Location:
34 Main Street, Brampton, CA8 1RS

Grid Reference:
353041 561198

Proposal: Change Of Use From Retail To Bistro And Installation Of Extraction Flue To Rear Elevation

Grant Permission

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

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

2. The approved documents for this Planning Permission comprise:

1. the planning application form received 19th July 2013;
2. the site location plan received 19th July 2013;
3. the existing ground floor plan received 19th July 2013;
4. the proposed ground floor plan received 19th July 2013;
5. the existing and proposed rear elevation received 19th July 2013;
6. the parking arrangement details received 19th July 2013;
7. the wall mounted extraction system details received 21st August 2013;
8. the noise impact assessment received 29th August 2013 (Ref:CM/BB/001);
9. the Notice of Decision; and
10. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

3. The proposed bistro shall not be open for trading except between 1100 hours and 2200 hours on Monday-Friday, 1100 hours and 2300 hours on Saturday and between 1200 hours and 2100 hours on Sunday.

Reason: To prevent disturbance to nearby residential occupiers and in accord with Policy EC10 of the Carlisle District Local Plan.

4. The extraction system will be implemented in accordance with the details submitted in the Noise Impact Assessment (CM/BB/001) and maintained as such in perpetuity.

Reason: To ensure that noise associated with the extraction system is compatible with the existing noise levels in the area and does not lead to undue disturbance to neighbouring occupiers in accordance with Policy CP6 and Policy EC10 of the Carlisle District Local Plan 2001-2016.

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

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

Economic & Commercial Growth - Policy EC4 - Primary Retail Area

Within the City Centre Shopping Area, proposals for the redevelopment, refurbishment or adaptation of existing shop premises will be permitted provided that:

- 1 proposals within the City Centre Conservation Area are complementary to enhance, or do not adversely affect the townscape of the area; and
- 2 traffic generated by proposals within the City Centre Conservation Area can be satisfactorily accommodated on the surrounding road network; and
- 3 elsewhere proposals will complement and reflect the surrounding townscape; and
- 4 where appropriate, opportunities for residential use and environmental improvements are linked to the scheme; and
- 5 satisfactory access for service vehicles can be provided, should the scale of the proposal require such provision.

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.

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 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

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: 16

Appn Ref No:

Applicant:

Parish:

13/0409

Mr & Mrs Harris

Wetheral

Date of Receipt:

21/05/2013 23:00:07

Agent:

Green Design Architects

Ward:

Wetheral

Location:

Edenhurst, Waterside Road, Wetheral, Carlisle, CA4
8HA

Grid Reference:

346896 554396

Proposal: Raising Of Existing Roof To Provide Additional Living Accommodation
Within Existing Roof Space Together With Installation Of Dormer And
Internal Alterations; Creation Of New Access At First Floor Level

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 21st May 2013;
2. the Design and Access Statement received 31st May 2013;
3. the Flood Risk Assessment received 31st May 2013;
4. the location and block plan received 21st May 2013 (Drawing Number 12/2163/00);
5. the existing plan and elevations received 15th August 2013 (Drawing Number 12/2163/12A);
6. the proposed location, site, ground and first floor plans and elevations received 15th August 2013 (Drawing Number 12/2163/13C);
7. the Notice of Decision; and
8. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

3. At no time shall the storage of materials or the mixing of materials be allowed to take place on the eastern side of the site fronting the River Eden during the construction of the works hereby approved as indicated on Drawing Number 12/2163/13C.

Reason: To protect the biodiversity and water quality of the River Eden SSSI.

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

Reason: To ensure that materials to be used are acceptable and in

Relevant Development Plan Policies

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

Spatial Strategy And Development Principles - Policy DP10 - Landscapes Of County Importance

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

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

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

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP1 - Landscape Character

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

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

the landform and natural patterns of drainage;

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

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP2 - Biodiversity

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

affect.

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

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP5 - Design

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

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

Carlisle District Local Plan 2001 - 2016

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 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 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 LE26 - Undeveloped Land In Floodplains

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

- 1 no other lower risk alternative site exists; and
- 2 flood defences provide an acceptable standard of protection; and
- 3 access and egress can reasonably be maintained at times of flood risk; and

- 4 adequate floodplain storage capacity can be provided; and
- 5 the development will not interfere with flood flows; and
- 6 mitigation measures will be provided where necessary; and
- 7 the development will not increase flood risk elsewhere.

Item no: 17

Appn Ref No: 13/9008	Applicant: Network Rail Infrastructure Kingmoor Limited	Parish:
Date of Receipt: 05/02/2013	Agent: Cumbria County Council - Economy & Planning	Ward: Stanwix Rural
Location: Kingmoor Train Marshalling Depot, Cargo	Grid Reference: 337288 560208	

Proposal: Retention And Use Of Mobile Re-Cycling Equipment For Disposal Of Spent Ballast And Concrete Sleepers From Railway Network

Decision: City Council Observation - Observations **Date:** 17/06/2013

Decision of: Cumbria County Council

Decision Type: Grant Permission **Date:** 18/07/2013

Item no: 18

Appn Ref No: 13/9011	Applicant: Cumbria County Council	Parish: Rockcliffe
Date of Receipt: 27/03/2013	Agent:	Ward: Longtown & Rockcliffe
Location: Hespin Wood Resource Park & Landfill Site, Todhills, Carlisle, CA6 4BJ	Grid Reference: 336325 562877	

Proposal: Section 73 Application To Amend Planning Condition 18 Of Planning Permission 1/08/9023 To Increase Size Of Materials Recovery Facility Building

Decision: City Council Observation - Observations **Date:** 15/04/2013

Decision of: Cumbria County Council

Decision Type: Grant Permission **Date:** 12/07/2013

Item no: 19

Appn Ref No:	Applicant:	Parish:
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12/0710

Story Homes

Wetheral

Date of Receipt:

16/08/2012 23:00:26

Agent:

Story Homes

Ward:

Wetheral

Location:

Land to the Rear of Scotby Green Steading, Scotby,
Carlisle

Grid Reference:

344296 555136

Proposal: Erection Of 45no. Dwellings, Associated Open Space And Infrastructure

Members will recall at Committee meeting held on 10th June 2013 that authority was given to the Director (Economic Development) to issue approval subject to the completion of a Section 106 Agreement to secure:

1. the provision of the proposed level of affordable units (four units that would be made available by discounted sale, with the discount set at 30% below open market value, and three properties transferred to a registered provider to be available for capital affordable rent);
 2. a financial contribution of £50,000 to be used by the Parish Council towards the provision of children's playing facilities and maintenance of sports pitches/equipped play within the village;
 3. the maintenance of the informal open space within the site by the developer;
 4. a financial contribution of £132,561 to Cumbria County Council towards education provision; and
- a financial contribution of £1500 to be used by the City Council towards waste bin provision.

The S106 Agreement has been completed and approval was issued on 7th August 2013.

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 received 12th December 2012;
 2. the Site Location Plan received 16th August 2012 (Drawing No. SL075.90.9.SL.LP);
 3. the Planning Layout received 23rd May 2013 (Drawing No. SL075.90.9.SL.PL Revision L);
 4. the Design And Access Statement received 16th August 2012 and the addendum received 16th November 2012;
 5. the Planning Statement received 1st November 2012;
 6. the Construction Management Plan received 2nd May 2013 (Drawing No. SL075.90.9.SL.CMP Revision B);
 7. the Elevation Treatments received 2nd May 2013 (Drawing No. SL075.90.9.SL.ET Revision H);
 8. the Character Finishes received 2nd May 2013 (Drawing

- No.SL075.90.9.SL.CF Revision H);
9. the Street Scenes received 27th November 2012 (Drawing No. SL075.90.9.SL.SS Revision A);
 10. the Site Sections received 10th January 2013 (Drawing No. 003 Revision P4);
 11. the External Levels Layout received 2nd May 2013 (Drawing No.001 Rev T1);
 12. the Floor Plans And Elevations For The Ash House Type received 16th August 2012 (Drawing Nos. TYPE1-PLP4 and TYPE 1- PLE4/5);
 13. the Floor Plans And Elevations For The Handed Ash House Type received 12th November 2012 (Drawing Nos. TYPE1-PLP4H and PLE4/5H);
 14. the Floor Plans And Elevations For The Alder House Type received 16th August 2012 (Drawing Nos. TYPE2-PLP1, TYPE2-PLE1/2 and TYPE2-PLE1/3);
 15. the Floor Plans And Elevations For The Handed Alder House Type received 12th November 2012 (Drawing Nos.TYPE2-PLP1 and TYPE2-PLE1/3);
 16. the Floor Plans And Elevations For The Hornbeam House Type received 24th October 2012 (Drawing Nos. TYPE3-PLP1 Revision A and TYPE3-PLE1/3);
 17. the Floor Plans And Elevations For The Handed Hornbeam House Type received 24th October 2012 (Drawing Nos. TYPE3-PLP1H Revision A and TYPE3 - PLE1/3H);
 18. the Floor Plans And Elevations For The Cypress House Type received 16th August 2012 (Drawing Nos. TYPE6-PLP1 Revision A and TYPE6-PLE1/4 Revision B, TYPE6-PLE1/10 and TYPE 6-PLE1/11);
 19. the Floor Plans And Elevations For The Handed Cypress House Type received 24th October 2012 (Drawing Nos. TYPE6-PLP1H Revision A, TYPE 6 - PLE1/4H Revision C and TYPE6-PLE1/11H Revision A);
 20. the Floor Plans And Elevations For The Aspen House Type received 16th August 2012 (Drawing Nos. TYPE4-2-PLP1, TYPE4-2-PLE1/1 and TYPE 4-2-PLE1/10);
 21. the Floor Plans And Elevations For The Osier House Type received 16th August 2012 (Drawing Nos. TYPE10- PLP2 and TYPE 10- PLE2/1);
 22. the Floor Plans And Elevations For The Beech House Type received 16th August 2012 (Drawing Nos. TYPE 16-PLP1, TYPE16-PLE1/1 and TYPE16 - PLE1/2);
 23. the Floor Plans And Elevations For The Yew House Type received 12th November 2012 (Drawing Nos. TYPE13-PLP7 and TYPE 13-PLE7/1);
 24. the Construction Details Of The Conservatories received 24th October 2012 (Drawing Nos. CON1-CPE1 and CON2-CPE1);
 25. the Floor Plans, Elevations And Sectional Drawings Of The Detached Garages received 16th August 2012 (Drawing No. SG1-EPS1);
 26. the Schedule Of Finishes received 12th November 2012 (Reference SL075/90/12/SF Rev A);
 27. the Development Plot Schedule received 12th November 2012 (Reference SL075.90.12.DPS Rev A);
 28. the material details received 22nd March 2013;
 29. the Arboricultural Report Impact Assessment & Method Statement received 23rd August 2012 (dated 24th April 2012);
 30. the Tree Retention Plan received 2nd May 2013 (Drawing No. SL075.90.9.SL.TRP Revision G);
 31. the Detailed Soft Landscape Proposals received 2nd May 2013 (Drawing

- No. c-870-01 Revision E);
32. the Plan Showing Trees Which Are To Be Removed received 16th January 2013;
 33. the Extended Phase 1 Habitat Survey received 23rd August 2012 (Dated 22nd April 2012);
 34. the Otter And Bat Tree Inspection Survey received 27th December 2012 (Dated 21st December 2012) including Street Lighting Design and associated documents received 8th February 2013 (Drawing No.AP0000-ED-LV Rev 01);
 35. the Boundary Treatments Plan received 2nd May 2013 (Drawing No. SL075.90.9.SL.BT Revision H);
 36. the Boundary Details received 7th November 2012 (Drawing Nos. BD-03, BD-05, BD-15, BD-17 and BD-27 Revision A);
 37. the Flood Risk And Drainage Assessment received 23rd August 2012 (Dated April 2012, including Drainage Layout Drawing No. 002 Rev P7 received 10th January 2013);
 38. the Noise Assessment Report received 16th August 2012 (dated August 2012), the addendum received 24th October 2012 (Dated 17th October 2012) and the information on PIV Loft Mounted Units received 21st March 2013;
 39. the Geotechnical Ground Investigation Report received 23rd August 2012 (Dated April 2012);
 40. the Transport Statement received 16th August 2012 (Dated 14th August 2012);
 41. the further information relating to transport received 18th March 2013 (Reference SEE/elc/ITM8090-001);
 42. the Stagecoach 11m east bound vs.estate car received 2nd May 2013 (Drawing No.SL075.90.9.SL.TL4 Rev A);
 43. the Reay's Optare Solo 9.5m west bound vs.estate car received 2nd May 2013 (Drawing No.SL075.90.9.SL.TL1 Rev A);
 44. the Stagecoach 11m west bound vs.estate car received 2nd May 2013 (Drawing No.SL075.90.9.SL.TL3 Rev A);
 45. the Reay's Optare Solo 9.5m east bound vs.estate car received 2nd May 2013 (Drawing No.SL075.90.9.SL.TL2 Rev A);
 46. the Proposed Street Scene received 2nd May 2013 (Drawing No.SD-S40.01);
 47. the letter from the agent received 2nd May 2013;
 48. the Notice of Decision; and
 49. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

3. All 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 that materials to be used are acceptable and in accord with Policy CP5 of the Carlisle District Local Plan 2001-2016.

4. Notwithstanding the boundary treatment details submitted for the walling along the southern boundary of the site, a 0.6 metre high wall shall be erected in the location specified and completed prior to the occupation of any of the dwellings

hereby permitted on plots 1-8 and retained in perpetuity.

Reason: To ensure that any form of enclosure is carried out in a co-ordinated manner in accord with Policies CP1, CP5, H11 and T1 of the Carlisle District Local Plan 2001-2016.

5. Before any development is commenced on the site, including site works of any description, a protective fence in accordance with Fig. 2 in the Arboricultural Report Impact Assessment & Method Statement received 23rd August 2012 shall be erected around the trees to be retained. The position of the tree protection barriers shall be in accordance with the Construction Management Plan received 2nd May 2013 (Drawing No. SL075.90.9.SL.CMP Revision B). 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 to the satisfaction of the Local Planning Authority.

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.

6. All works comprised in the approved details of landscaping shall be carried out either contemporaneously with the completion of individual plots or, in the alternative, by not later than the end of the planting and seeding season following completion of the development.

Trees, hedges and plants shown in the landscaping scheme to be retained or planted which, during the development works or a period of five years thereafter, are removed without prior written consent from the local planning authority, or die, become diseased or are damaged, shall be replaced in the first available planting season with others of such species and size as the authority may specify.

Reason: To ensure that a satisfactory landscaping scheme is implemented and that it fulfils the objectives of Policies CP3 and CP5 of the Carlisle District Local Plan 2001-2016.

9. The proposed surface water drainage shall be in accordance with the Flood Risk and Drainage Assessment written by Integra Consulting Engineers Limited received 23rd August 2012 (Dated April 2012) Including the Drainage Layout Plan in Appendix 5 (Drawing No.002 Rev P7) received 10th January 2013. No part of the development shall be occupied until the surface water drainage scheme has been constructed in accordance with the approved details. For the avoidance of doubt, neither surface water nor highway drainage shall connect into the public sewerage system (directly or indirectly). The development shall be completed, maintained and managed in accordance with the approved details.

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

10. The foul drainage shall be in accordance with the Flood Risk and Drainage Assessment written by Integra Consulting Engineers Limited received 23rd August 2012 (Dated April 2012) including the Drainage Layout Plan in Appendix 5 (Drawing No.002 Rev P7) received 10th January 2013. For the avoidance of doubt foul water from the site must discharge into the manhole reference number NY44550102 located upstream of 225mm diameter combined sewer along Broomfallen Road. No part of the development shall be occupied until the foul water drainage scheme has been constructed in accordance with the approved details. The development shall be completed, maintained and managed 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.

11. The surface drainage system of the development will be monitored during the construction phase and for a further two years following completion of the development in accordance with a scheme to be submitted to and approved, in writing, by the Local Planning Authority. The results from the monitoring shall be forwarded to the Local Planning Authority and should the results indicate unforeseen problems caused by the increase of surface water into the nearby Pow Maughan Beck a mitigation scheme shall be submitted to the Local Planning Authority for prior written approval and that mitigation scheme shall be implemented by the developer within 3 months of it having been accepted.

Reason: To ensure an acceptable scheme for surface water disposal in accordance with Policy CP12 of the Carlisle District Local Plan 2001-2016 and to protect the safety, operational needs and integrity of the railway to the north of the site.

12. Full details of the proposed pumping station including back up generators must be submitted to and approved by the Local Planning Authority prior to the installation of the agreed scheme.

Reason: To ensure that the proposed development is undertaken in a manner which safeguards the visual amenities of the area and to prevent disturbance to nearby occupants. In accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

13. No development shall commence until the details of the following off-site highway improvement works have been submitted to and approved in writing by the local planning authority:

- a) the provision of a footpath of at least 1.4m on the north side of the Scotby-Wetheral road between the site access and Broomfallen Road
- b) the provision of traffic priority signs

The works shall then be implemented in accordance with the approved details and no part of the approved development shall be brought into use unless and until the highway improvements have been completed.

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

14. Prior to the use of the access junction, to the Scotby-Wetheral Road, hereby approved commencing (including for construction vehicles or any other vehicles), works to the junction shall have been completed to provide visibility splays giving clear visibility of 2.4m by 61m to the south west of the junction and 2.4m by 59m to the north east of the access, measured down the centreline of the access road to a point in the carriageway 500mm from the nearside channel line of the major road and from a height of 1.05metres to a height of 0.6m.

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

15. Prior to the use of the occupation of units 1-7 hereby permitted the respective private accesses on the Scotby-Wetheral Road, shall be completed with visibility splays giving clear visibility of 2.6m by 61m to the south west of the junction and 2.6m by 59m to the north east of the access, measured down the centreline of the private drive to a point in the carriageway 500mm from the nearside channel line of the major road and from a height of 1.05metres to a height of 0.6m.

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

16. Prior to the occupation of units 9-45 hereby permitted, visibility splays of 2.4m by 22m measured down the centreline of the minor road or private drive to a point in the carriageway 0.5m from the nearside channel line of the major road, from a height of 1.05metres to a height of 0.6m shall be provided and maintained.

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

17. 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 or placed and no trees, bushes or other plants which exceed 0.6m in height shall be planted or be permitted to grow within the visibility splays or which obstruct the visibility splays.

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

18. The carriageways, footways, etc. shall be designed, constructed, drained (and lit) to the standards laid down in the current Cumbria Design Guide, so as to be suitable for adoption and in this respect further detailed drawings including land dedication plan(s) road construction details and levels (including drainage, lighting and other Utilities), shall be submitted to the Local Highways Authority for approval before work commences on site. No work shall be commenced until a full specification (and phasing) has been approved. (Any works so approved, shall be constructed in accordance with the Highways Act 1980 Section 38 agreement before the development is complete). (In cases where the Highways Act 1980 Advanced Payment Code is applied, no works shall be commenced

until the APC Bond/Surety is in Place).

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

19. The accesses, parking and courtyard area serving plots 34-39 shall be constructed to the satisfaction of the Local Planning Authority and in this respect full constructional details shall be submitted to the Local Planning Authority for approval before work commences on site. No work shall be commenced until a full specification has been approved. Any works so approved shall be substantially complete before the superstructure works commence.

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

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

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

21. The access shall be substantially met before any works other than Site Investigations and Clearance commences on site so constructional traffic is accommodated clear of the highway. It shall include provision for the cleaning of vehicle wheels so mud is not tracked onto the highway. This access and area shall be kept available for such purposes until the end of the Constructional Works.

Reason: Constructing the development without such facilities in place could lead to inconvenience and danger to road users. To support Local Transport Plan Policies LD7 and LD8.

22. Notwithstanding the proposed landscaping scheme submitted adjacent to the watercourse (as shown on Drawing No. c-870-01 Revision E) no development shall take place until a scheme for the provision and management of a buffer zone alongside the watercourse shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Local Planning Authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision.

The scheme shall include:

- plan showing the extent and layout of the buffer zone
- details of any proposed planting scheme (for example, native species)
- details demonstrating how the buffer zone will be protected during

- development and managed/maintained over the longer term
- details of any proposed footpaths, fencing, lighting etc.

Reason: To protect the biodiversity and water quality of the adjacent watercourse. In accordance with Policies CP2 and CP11 of the Carlisle District Local Plan 2001-2016.

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

Reason: To protect nesting birds in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

24. No development shall take place until the applicant has demonstrated how the protected species/wildlife mitigation measures set out in Paragraphs 5.6.4, 5.6.5, 5.6.7, 5.6.8, 5.6.9 and 5.6.10 of the "Extended Phase 1 Habitat Survey" prepared by Scott Fitzgerald Tree Consultants (received 23rd August 2012) have been incorporated into the development in accordance with a scheme to be 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 Policies CP2 and CP5 of the Carlisle District Local Plan 2001-2016.

25. Before the development hereby permitted is occupied the two metre high boundary fencing adjacent to Network railways boundary illustrated on the Boundary Treatment Plan received 2nd May 2013 (Drawing No. SL075.90.9.SL.BT Revision H) shall be erected and maintained at the height specified on that drawing to the satisfaction of the Local Planning Authority.

Reason: In order to prevent trespass onto the railway.

26. No development shall take place until a method statement (relating to excavation/earthworks/demolition works, details of any vibro-impact machinery and any scaffolding within 10 metres of the railway boundary fence) has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Local Planning Authority.

Reason: To protect the safety, operational needs and integrity of the railway to the north of the site.

27. Notwithstanding the details of lighting already submitted as part of the Otter and Bat Inspection Survey a scheme for all external lighting within and around the site (including temporary and permanent) shall be submitted to and approved in writing by the Local Planning Authority before any work on the site is commenced. The approved scheme shall be permanently retained and maintained thereafter.

Reason: To ensure there is no interference with the existing habitats, the adjacent watercourse and railway line.

28. For the first three months following the installation and operation of the lighting scheme an assessment will be made to check the effect of the lighting on the nearby railway line. If it is found that there is a problem with driver visibility additional screening/cowling or lighting adjustment will be employed as appropriate to alleviate the problem, to the satisfaction of the Local Planning Authority in association with Network Rail and the train operating companies.

Reason: To protect the safety, operational needs and integrity of the railway to the north of the site.

29. 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.

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

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

31. The Passive Ventilation System proposed to assist in achieving the required internal sound levels together with the design of the building envelope and associated elements (walls and glazing) must be capable of providing sound insulation performance to ensure that the internal noise levels for each dwelling shall meet the WHO guidelines for L_{Aeq} and L_{Amax} sound levels. For the avoidance of doubt all works which form the sound insulation of the building shall be completed before any of the permitted dwellings are occupied.

Reason: So that the externally generated sound level within each dwellings are acceptable in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

32. Samples of the stone and bricks to be used in the construction of the boundary walls shall be submitted to and approved in writing by the local planning authority before any work is commenced.

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

Summary of Reasons for the Decision

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

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016

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

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

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

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

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

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

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

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

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

Carlisle District Local Plan 2001 - 2016

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 settlement.

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 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 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 m² or more; or retail floorspace of 500 m² 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	Cumwhiton
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 **Local Environment - Policy LE4 - River Corridors**

Permission will not be granted for developments which are likely to have a detrimental impact on nature conservation, public access, the quality of the landscape or recreational facilities found within the river corridors.

Opportunities for economic development in relation to the rivers will only be considered provided there is no adverse impact on wildlife habitats, species or natural process associated with or affecting the rivers. Access for operational or maintenance purposes will be protected and culverting to provide access for maintenance will not be acceptable

Carlisle District Local Plan 2001 - 2016 **Local Environment - Policy LE26 - Undeveloped Land In Floodplains**

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

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

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

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

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

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

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

Outdoor playgrounds 150m² per hectare

Informal playspace 270m² per hectare

In addition to the above, on development sites of 5 hectares or over, 0.1 hectares of

sports ground development per hectare will be required.

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

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

Item no: 20

Appn Ref No:
13/0207

Applicant:
Church Commissioners for Cummersdale
England

Parish:

Date of Receipt:
14/03/2013

Agent:
Smiths Gore

Ward:
Multiple Wards

Location:
Land At Morton Bounded By Wigton Road, Peter
Lane And Dalston Road, Carlisle, Cumbria

Grid Reference:
337945 553676

Proposal: Development Of Land At South Morton Bounded By Wigton Road, Peter Lane And Dalston Road, Carlisle, For Residential (Maximum 825 Dwellings), Employment (40,000m2 Floorspace), And Public Open Space Purposes As Well As Associated Works (Reserved Matters For Phase 1a Works Comprising Site Drainage Network; Construction Of Foul Pumping Station With Associated Access; Construction Of A Section Of Spine Road And Demolition Of Cummersdale Grange Farm Complex; And Information Submitted To Part Discharge Conditions 3 (Parameter Plans); 8 (Highway Works); 13 (Programme Of Archaeological Work); 15 (Scheme For Site Contamination); 22 (Hedgreows); 23 (Landscaping); 27 (Details Of Earthworks); 28 (Surface Water Drainage) And 29 (Foul Drainage) Pursuant To Outline Permission 09/0413)

Members will recall at Committee meeting held on 19th July 2013 that authority was given to the Director (Economic Development) to issue approval subject to no objections being received from the Environment Agency with regard to the Site Investigation report.

The Environment Agency have responded and the approval was issued on 23rd July 2013.

Grant Permission

1. In discharge of requirements for the submission of detailed particulars of the proposed development for Phase 1A works (including the installation of site drainage network, construction of foul pumping station with associated access, construction of a section of spine road and demolition of Cummersdale Grange Farm complex) and the submission of information to discharge conditions 3 (part), 8 (part), 13 (part), 15 (part), 22 (part), 23 (part), 27 (part), 28 (part) and 29 (part) attached to the outline planning consent to develop the site.
2. The approved documents for this Reserved Matters comprise:

1. the submitted planning application form;
2. the submitted Planning Statement, Design and Access Statement, Position Statement – Archaeology Statement for Phase 1A works; Position Statement – Contamination Scheme for Phase 1A Works; Transport Statement; Foul and Surface Water Statement; Ecological Statement; and the Environmental Statement that accompanied application 09/0413;
3. the Summary Drainage Strategy Statement January 2012;
4. drawings: 11035 -20-300 (Phase 1A Location Plan); -20-302 (Phase 1A Block Plan); -500-300 (Phase 1A Drainage Overview); -500-301 (Foul Pumping Station/Rising Main Overview); -500-302 (Phase 1A Storm Drainage Profiles); -500-303 (Phase 1A Foul Drainage Profiles 1 of 2); -500-304 (Phase 1A Foul Drainage Profiles 2 of 2); -500-305 (Phase 1A Manhole Schedules); -500-306 (Phase 1A Drainage Layout 1 of 2); -500-307 (Phase 1A Drainage Layout 2 of 2); -500-308 (Phase 1A Drainage SUDS Detention Pond); -500-309 (Western Detention Pond Construction Details); -500-310 (Phase 1A Drainage – Spine Road Culvert); -500-311 (Phase 1A Drainage – Spine Road Culvert 2); -100-300 (Phase 1A Roads Horizontal and Vertical Geometry); -100-301 (Construction Details); -600-300 (Earthworks Plan); -20-104 ("Proposed Stopping Up of Public Bridleway 111007 and Proposed Replacement Route"); and G4789-L16 Rev.C (Ph 1A Biodiversity Enhancement and Protection Plan).
5. an email from Robert Murphy of Smiths Gore to Angus Hutchinson of Carlisle City Council sent on 27th June 2013;
6. the Notice of Decision; and
7. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

Summary of Reasons for the Decision

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

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016

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

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

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

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

Within the Urban Area proposals for retail, office and leisure developments will be subject to a sequential approach which requires that locations re 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 DP6 - Carlisle Northern Development Route

The line of the proposed Carlisle Northern Development Route will be protected.

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 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 m² or more; or retail floorspace of 500 m² 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 - 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 - 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

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 EC22 - Employment & Commercial Growth Land Allocations

To provide for employment development needs, in addition to sites with planning permission, an additional 77 hectares are allocated for employment purposes, providing for a variety of employment needs including B1, B2 B8 industrial uses and A1 retail uses.

Land is to be designated for potential redevelopment in the Rickergate Area of the City Centre to provide for additional retail/office and hotel development. This will be on land already in employment use. Any additional employment premises arising as a net gain to the stock will be monitored against the overall employment land provision (Use Class B1, B2 and B8). An Action Area Plan will be produced for the Botchergate South/St Nicholas area to consider the regeneration possibilities for the area between Crown Street and St Nicholas Bridges

Employment Land Allocations - Urban

The following sites are allocated for employment development under Proposal EC22:

EMPLOYMENT LAND MARKET SECTOR	2001-2006 Ha	2006-2011 Ha	2011-2016 Ha
Regional Investment Site			
SP requirement	15	20	15
Completions	15.72		
Available (permission or allocated)		34.867	
Allocated in this plan: Brunthill			10

Strategic Employment Site (B1 (b&c), B2, B8 and ancillary B1a)			
SP requirement	10	10	10
Completions	0		
Available (permission or allocated)	0		
Allocated in this plan: Brunthill		10	10

Land south of Park Road		8.8	
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Local Employment Site (B1, B2, B8)			
SP requirement	15	15	15
Completions	3.81		
Available (permission or allocated)	10.34 3	0.4	
Allocated/released in this plan		10.02 + Carleton clinic ❖	CR sites rick- gate/ caldew riverside ☐

Business/Science Park (Class B1)			
SP requirement	5	10	10
Completions	3.83		
Available (permission or allocated) (Rosehill)		2.92	
Allocated in this plan: South West of Morton		12	

- ◆ The allocation of additional land for Regional Investment Site would replace part of the existing site with development constraints (11.4ha) in order to ensure a readily available supply and would extend overall provision into the following plan period
- ❖ This figure includes the land released from the relocation of the Auction Mart from Rosehill Industrial Estate. The figure for land at Carleton Clinic is dependent upon detailed proposals including transport assessments being undertaken.
- ☐ Carlisle Renaissance sites have a range of options for differing uses currently indicating a minimum of 35,000 sqm of business space

Kingmoor Park

Kingmoor Park is designated on the Proposals Map as a Regional Investment Site in accordance with RPG13 and the North West Regional Economic Strategy. A central hub for the Regional Investment Site will be developed at the link with the CNDR where it traverses the site.

Ten hectares of land at Brunthill is designated as an extension to the Regional Investment Site at Kingmoor Park. Development will be concentrated on use Classes B1, B2 and B8. Development of the RIS extension will not be commenced before 2011 unless before that time available land supply within the Kingmoor Park RIS falls below 15 ha. A central hub for the Regional Investment Site will be developed at the southern part of this site at its link with the CNDR.

In addition 20 hectares of land are designated for a strategic employment site building on the growth of the Regional Investment Site.

A Development Guide/Masterplan approach will be adopted for the development of this site resulting in a Supplementary Planning Document adopted by the Council.

Employment Land Allocations – Rural

EMPLOYMENT LAND MARKET SECTOR	2001- 2006 Ha	2006- 2011 Ha	2011- 2016 Ha
Strategic Employment Site (B1 (b&c), B2, B8 and ancillary B1a)			
SP requirement	6	6	6
Completions	0		
Available (permission or allocated)			
Allocated in this plan	1.95	8.00	11.20

Local Employment Site (B1, B2, B8)			
SP requirement	5	5	5
Completions	3.66		
Available (permission or allocated)		5.68	
Allocated in this plan			5 ♠

Morton District Centre

Land off Wigton Road, Morton is allocated for a district centre as part of the urban extension at Morton, to serve the resident population and the south-west of the City. The proposal includes an allocation for a single food retail store with a capacity of 2,500 square metres. Land will also be reserved for Park and Ride facilities, required during the Plan period

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	Cumwhiton
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 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 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 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 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 Local Environment - Policy LE26 - Undeveloped Land In Floodplains

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

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

- 6 mitigation measures will be provided where necessary; and
- 7 the development will not increase flood risk elsewhere.

Carlisle District Local Plan 2001 - 2016

Transport - Policy T1- Parking Guidelines For Development

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

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

Carlisle District Local Plan 2001 - 2016

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

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

Outdoor playgrounds 150m² per hectare

Informal playspace 270m² per hectare

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

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

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

Carlisle District Local Plan 2001 - 2016

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 **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			
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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

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 T4 - Park And Ride

The City Council, through the Local Transport Plan will be seeking to establish park and ride facilities within the City during the Plan period. Land has been allocated in the Plan in association with the retail development at Morton, on the A595 and at Greymoorhill on the A7, for future park and ride provision. Additional facilities on the principal radial roads in to the City Centre will be considered against the following criteria:

- 1 the ability to reduce travel by car ;
- 2 the ability to implement alternative transport measures to complement the scheme;
- 3 the site is well located in relation to the principal highway network in to the City Centre;
- 4 the site does not intrude into open countryside;
- 5 the site does not have an adverse impact on surrounding uses; and
- 6 adequate landscaping is provided.

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

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 & 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

Local Environment - Policy LE26 - Undeveloped Land In Floodplains

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

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

Carlisle District Local Plan 2001 - 2016

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

Economic & Commercial Growth - Policy EC1 - Primary Employment Areas

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

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

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

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

Employment Areas.

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

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

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy 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

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
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Key Service Centres	Brampton Longtown
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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.