

# Schedule of Decisions

## Control of Development and Advertisements

The Development Control Committee received and considered the following applications:

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### Item no: 01

**Appn Ref No:**  
16/0798

**Applicant:**  
Story Contracting

**Parish:**  
Carlisle

**Date of Receipt:**  
02/09/2016 16:02:45

**Agent:**  
PFK Planning

**Ward:**  
Belle Vue

**Location:**  
Story Construction Depot, Thomas Lane, Burgh  
Road Industrial Estate, Carlisle, CA2 7NA

**Grid Reference:**  
337772 556296

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Proposal: Change Of Use Of Storage Area To Rail Training Track Including Laying  
Of 4No. Test Tracks

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 2nd September 2016 ;
  2. the Location Plan (drawing no. SC/YE/002) received 2nd September 2016;
  3. the Test Track Plan (drawing no. SC001) received 6th September 2016;
  4. the Flood Risk Assessment received 2nd September 2016;
  5. the Planning Statement, incorporating Design & Access Statement received 2nd September 2016;
  6. the Noise Assessment Report received 2nd September 2016;
  7. the Assessment of Ecological Risk received 2nd September 2016;
  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 hereby permitted use shall not commence until the hard and soft landscape works, with the exception of the linear shelter belts across the site, have been fully carried out in accordance with the details approved under application

15/0772. Any trees or other plants which die or are removed within the first five years following the implementation of the landscaping scheme shall be replaced during the next planting season.

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

4. During the undertaking of any site and construction works associated with the hereby permitted development, a protective fence shall be erected around the trees and hedges to be retained in accordance with BS5837, at a distance corresponding with the branch spread of the tree or hedge, or half the height of the tree or hedge, whichever is greater, unless otherwise agreed in writing by 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 Policy CP3 of the Carlisle District Local Plan 2001-2016.

5. The site shall only be used as a rail testing/training facility and for no other purpose with any associated materials, equipment or goods not stacked or deposited to a height exceeding 2 metres above the adjacent ground level. No vehicles shall be stored or repaired/maintained on the site.

**Reason:** To protect the living conditions of the occupiers of the neighbouring dwellings in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016 and to protect the adjacent watercourse in accordance with Policy CP2 of the Carlisle District Local Plan 2001-2016.

6. The hereby permitted rail testing/training facility shall not be used except between 07.30 hours and 17.30 hours on Mondays-Fridays; 09.00 hours to 12.00 hours on Saturdays; and shall not be used on Sundays or Bank Holidays.

**Reason:** To prevent disturbance to nearby residential occupiers, in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

7. No external lighting associated with the development hereby permitted shall be installed until the respective details have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall then be installed in accordance with these details.

**Reason:** To limit light pollution and to the occupiers of neighbouring properties, in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

8. Prior to the hereby permitted use commencing an acoustic barrier designed to the specification proposed in the Environmental Noise Assessment (produced by Noise Control Services and received 12th May 2015) shall be installed in the

position shown on the Setting Out And Cut/ Fill plan (Drawing No. AA2858/EW/05 rev. A) approved as under application 15/0440, unless otherwise agreed in writing with the Local Planning Authority.

**Reason:** To protect the living conditions of the occupiers of the neighbouring properties in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

9. The development hereby permitted shall be carried out in accordance with the Flood Risk Assessment (FRA) given reference MD0494/rep/001 Rev A and compiled by M Design and the following mitigation measures detailed within the FRA:

1. The mitigation measures shall be fully implemented prior to occupation and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may be agreed, in writing, by the local planning authority.
2. There shall be no creation of impermeable areas draining to the existing watercourse.
3. The drainage scheme shall ensure that it is sufficiently resilient against a 1 in 100 year critical storm event. The surface water run off from the site must not exceed the amount of run off generated prior to the development taking place and must not increase the risk of flooding elsewhere.

**Reason:** To prevent and mitigate the risks of flooding on and off the site by ensuring the satisfactory storage of/disposal of surface water.

10. The control/eradication of Japanese knotweed on the site shall be carried out in accordance with the method statement approved under application 15/0772.

**Reason:** To prevent the spread of Japanese knotweed which is an invasive species included in Schedule 9 of the Wildlife & Countryside Act 1981, as amended. Any spread of this plant to the vicinity of the on site watercourse would provide a direct pathway to the River Eden SAC.

11. The development hereby permitted shall be implemented in accordance with the scheme for the mitigation of existing habitats and the provision and management of compensatory habitats as approved under application 15/0772.

**Reason** Otters are a protected species; they and other species are present in the nearby part of the River Eden and minor tributaries. They benefit from the protection and habitats created by the existing bankside/vegetation/shrubs/trees and a scheme is necessary to prevent/mitigate impacts on protected and native species. Where this is not possible, habitats should be compensated for.

12. The development hereby permitted shall be carried out fully in accordance with the plan of bio-security measures approved under application 15/0772.

**Reason** To prevent the transmission or spread of Crayfish plague to the River Eden SAC situated a short distance downstream.

13. The development hereby permitted shall be carried out in complete accordance with the Mini Construction Phase Health & Safety Plan (Incorporating Risk Assessments & Method Statement - RAMS) dated 07.07.15 and prepared by David Sanderson and Mario Mezzullo on behalf of Story Contracting Ltd as approved under application 15/0440.

**Reason:** To safeguard the River Eden SAC and SSSI, and the biodiversity of the area.

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### Relevant Development Plan Policies

#### Item no: 02

<b>Appn Ref No:</b> 16/0812	<b>Applicant:</b> Story Contracting	<b>Parish:</b> Wetheral
<b>Date of Receipt:</b> 09/09/2016 16:03:05	<b>Agent:</b> PFK Planning	<b>Ward:</b> Great Corby & Geltsdale
<b>Location:</b> Land Adjacent The Whins, Heads Nook	<b>Grid Reference:</b> 349184 555192	

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Proposal: Erection Of 10.No Dwellings With Associated Infrastructure; Access To Be Provided Adjacent 8 The Whins; Demolition Of Garage To 8 The Whins And Erection Of Replacement Garage To The Rear

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

- a) a financial contribution of £212,527 towards the provision of affordable housing.

#### Item no: 03

<b>Appn Ref No:</b> 16/0860	<b>Applicant:</b> Mr & Mrs Stewart	<b>Parish:</b> Rockcliffe
<b>Date of Receipt:</b> 29/09/2016 13:02:42	<b>Agent:</b> Tsada Building Design Services	<b>Ward:</b> Longtown & Rockcliffe
<b>Location:</b> Land North of Oakwood, Harker Park Road, Harker Park, Carlisle, CA6 4HR	<b>Grid Reference:</b> 339597 560765	

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Proposal: Erection Of One Dwelling , With Garage/Storage Building, Stable And Equestrian Paddocks

Members resolved to defer consideration of the proposal in order to await clarification on the nature of the equine use and required size for foaling boxes, and to await a further report on the application at the next meeting of the Committee.

**Item no: 04**

**Appn Ref No:**  
16/0249

**Applicant:**  
Harrison Northern

**Parish:**  
Carlisle

**Date of Receipt:**  
21/03/2016 23:00:18

**Agent:**  
Swarbrick Associates

**Ward:**  
Harraby

**Location:**  
Land between Tyne Street and Chertsey Mount,  
Carlisle

**Grid Reference:**  
341110 554818

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Proposal: Erection Of 30no. Dwellings

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

- a) the provision of six affordable units (three units for discounted sale and three properties for affordable rent);
- b) a financial contribution of £16,320 towards improving children's play space in the locality;
- c) the maintenance of the informal open space within the site by the developer.

**Item no: 05**

**Appn Ref No:**  
16/0032

**Applicant:**  
Persimmon Homes  
Lancashire

**Parish:**  
Multiple Parishes

**Date of Receipt:**  
15/01/2016 13:00:14

**Agent:**

**Ward:**  
Multiple Wards

**Location:**  
Land to north east of Windsor Way, Carlisle,  
Cumbria

**Grid Reference:**  
339904 558664

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Proposal: Erection Of Road To Serve New Housing Estate (Application 14/0778)  
Including Crossing For Public Footpath

Grant Permission

1. The road hereby permitted shall be completed (inclusive of footways and associated works to the existing Public Right of Way) to base course standard

prior to the construction of any dwelling on plots 199-275 approved under application 14/0778. Thereafter, no dwelling approved under application 14/0778 on plots 199 to 275 shall be occupied until the hereby permitted road has been completed to an adoptable standard.

**Reason:** To ensure satisfactory vehicular, pedestrian and cyclist access is provided from Newfield Park to ensure that the development approved under application 14/0778 is well integrated and accessible.

2. The approved documents for this Planning Permission comprise:
1. the submitted planning application form received 15th January 2016;
  2. the Location Plan (drawing reference 186.SA.L01) received 15th January 2016;
  3. the Site Access Plan (drawing reference 186.SA.P01) received 15th January 2016;
  4. the Protective Fencing Layout (drawing reference c-1042-03) received 15th January 2016;
  5. the Typical Highways Details (drawing reference 30038/4/1 Rev B) received 15th January 2016;
  6. the Typical Highways Details - Works To Existing Highway (drawing reference 30038/4/3) received 15th January 2016;
  7. the Design and Statement received 15th January 2016;
  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. No vegetation suitable for nesting birds shall be cleared or removed during the period 1 March to 15 August in any calendar year unless a breeding bird survey of the area to be cleared or removed has been undertaken (in a manner previously submitted to, and approved in writing by, the Local Planning Authority).

**Reason:** To ensure no impact on nesting birds.

4. Prior to the commencement of the development hereby permitted protective fencing shall be erected around the sections of hedges to be retained. Within the areas fenced off the existing ground level shall be neither raised nor lowered, except in accordance with the approved scheme, and no materials, temporary buildings or surplus soil of any kind shall be placed or stored thereon. If any trenches for services are required in the fenced off area, they shall be excavated or back filled by hand and any roots encountered with a diameter of 25mm or more shall be left un-severed. The fence shall thereafter be retained at all times during construction works on the site.

**Reason:** In order to ensure that adequate protection is afforded to all hedges to be retained on site.

5. No development shall commence within the site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

**Reason:** To afford reasonable opportunity for an examination to be made to determine the existence of any remains of archaeological interest within the site and for the preservation, examination or recording of such remains.

6. Prior to the commencement of development a detailed plan(s) showing the proposed means for users of California Lane crossing the hereby permitted road (inclusive of cross-sections, levels, traffic calming, a raised speed table and warning signs) shall be submitted to and approved in writing by the local planning authority. The hereby permitted development shall be completed fully in accordance with the approved plan(s).

**Reason:** In the interests of highway safety.

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## Relevant Development Plan Policies

### Item no: 06

**Appn Ref No:**  
16/0890

**Applicant:**  
Mr & Mrs W Swailes

**Parish:**  
Westlinton

**Date of Receipt:**  
10/10/2016 08:02:54

**Agent:**  
Heine Planning  
Consultancy

**Ward:**  
Longtown & Rockcliffe

**Location:**  
Green Acres, Newtown, Blackford, Carlisle, CA6  
4ET

**Grid Reference:**  
338709 562728

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Proposal: Change Of Use Of Land For Stationing Of 1No. Mobile Home And 1No. Touring Caravan For 1No. Gypsy Family; Associated Landscaping (Part Retrospective/Revised Application)

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

### Item no: 07

**Appn Ref No:**  
16/0362

**Applicant:**  
Persimmon Homes  
Lancashire

**Parish:**  
Wetheral

**Date of Receipt:**  
20/04/2016

**Agent:**

**Ward:**  
Wetheral

**Location:**  
Land adjacent Alexandra Drive, Durranhill Road,  
Carlisle

**Grid Reference:**  
342899 555253

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Proposal: Variation Of Condition 22 (Roads/Occupation Of Dwellings) Of Previously  
Approved Application 10/0792 (Retrospective)

Members resolved to defer consideration of the proposal in order to enable receipt  
and consideration of revised plans showing the provision of a linking pavement along  
the southern side of Durranhill Road with associated infrastructure, and to await a  
further report on the application at the next meeting of the Committee.

**Item no: 08**

**Appn Ref No:**  
16/0833

**Applicant:**  
Mr & Mrs Pattinson

**Parish:**  
Irthington

**Date of Receipt:**  
19/09/2016 23:02:39

**Agent:**  
H&H Land and Property

**Ward:**  
Stanwix Rural

**Location:**  
Land To West Of The Cottage, Newtown, Irthington,  
Carlisle, CA6 4NX

**Grid Reference:**  
349947 562904

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Proposal: Outline Application For Residential Development

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

**Item no: 09**

**Appn Ref No:**  
16/0842

**Applicant:**  
Mr Hetherington

**Parish:**  
Stanwix Rural

**Date of Receipt:**  
22/09/2016 16:02:40

**Agent:**  
Brian Child

**Ward:**  
Stanwix Urban

**Location:**  
19 Millcroft, Carlisle, CA3 0HX

**Grid Reference:**  
341124 557755

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Proposal: Proposed Two Storey Side Extension And Single Storey Rear Extension  
To Provide Garage And Kitchen/Dining Room On The Ground Floor With  
1No. En-Suite Bedroom Above



## 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. the site location and block plan received 22nd September 2016 (Drawing No.11329-0);
  3. the existing floor plans and elevations received 22nd September 2016 (Drawing No. 11329-01);
  4. the proposed floor plans and roof plan received 19th October 2016 (Drawing No. 11329-03A);
  5. the proposed elevations received 19th October 2016 (Drawing No.11329-04A);
  6. the existing and proposed elevations received 19th October 2016 (Drawing No.11329-02B);
  7. the existing and proposed access arrangements received 4th November 2016 (Drawing No.11329-0)
  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 roof of the single storey rear extension hereby approved shall not be used as a roof terrace/balcony.

**Reason:** To protect the living conditions of the occupiers of neighbouring properties in accordance with Policies SP6 and HO8 of the Carlisle District Local Plan 2015-2030.

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## Relevant Development Plan Policies

### Item no: 10

**Appn Ref No:**  
16/0690

**Applicant:**  
H & H Group PLC

**Parish:**  
Carlisle

**Date of Receipt:**  
29/07/2016

**Agent:**  
Garner Planning

**Ward:**  
Botcherby

**Location:**  
Land at Montgomery Way, Rosehill Industrial

**Grid Reference:**  
342679 555799

Estate, Carlisle, CA1 2RS

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Proposal: Erection Of New Pioneer Food Hall With Coffee Shop; 11No. Industrial Units (Use Classes B1/B2/B8); Car Park And Infrastructure Works

Members resolved to give authority to the Director (Economic Development) to issue approval for the proposal subject to the re-wording of relevant conditions, the imposition of an additional condition regarding security measures, and receipt of the awaited comments of Natural England within the specified consultation period.

**Item no: 11**

**Appn Ref No:**  
16/0784

**Applicant:**  
Mr R Martin

**Parish:**  
Dalston

**Date of Receipt:**  
30/08/2016 23:02:57

**Agent:**  
Gray Associates Limited

**Ward:**  
Dalston

**Location:**  
Land To South East Of Orton Grange Roundabout,  
Orton Grange, Carlisle, CA5 6LA

**Grid Reference:**  
335282 551845

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Proposal: Erection Of 4no. 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 submitted planning application form received 31st August 2016;
  2. the Supporting Document Rev A received 9th November 2016;
  3. the Contamination Desk Top Study received 31st August 2016;
  4. the elevations received 20th October 2016 (Drawing No. D.01c);
  5. the floor plans received 20th October 2016 (Drawing No. D.02b);
  6. the site plan received 9th November 2016 (Drawing No. D.03d);
  7. the location plan received 8th November 2016 (Drawing No. D.04b);
  8. the drainage detail received 20th October 2016 (Drawing No. D.05);
  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. Prior to the commencement of development details of the relative heights of the

existing and proposed ground levels and the height of the proposed finished floor and ridge heights of the dwellings hereby permitted shall be submitted to and approved in writing by the Local Planning Authority.

**Reason:** In order that the approved development overcomes any problems associated with the topography of the area.

4. The development shall not commence until visibility splays providing clear visibility of 50 metres in a north westerly direction and 50 metres in a south easterly direction measured down the centre of the access road and the nearside channel line of the major road have been provided at the junction of the access road with the county highway from a point 2.4 metres back from the edge of the carriageway for Plots 3, 4 and 5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splay which obstruct the visibility splays. The visibility splays shall be formed before general development of the site commences so that construction traffic is safeguarded.

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

5. The development shall not commence until visibility splays providing clear visibility of 45 metres in a north westerly direction and 45 metres in a south easterly direction measured down the centre of the access road and the nearside channel line of the major road have been provided at the junction of the access road with the county highway from a point 2.4 metres back from the edge of the carriageway for Plot 2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splay which obstruct the visibility splays. The visibility splays shall be formed before general development of the site commences so that construction traffic is safeguarded.

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

6. A footway shall be provided on the western side of Grange Park Road that links continuously and conveniently to the nearest existing footways to the north and south of the application site.

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

7. Ramps shall be provided on each side of every access as well as the existing footpath at the northern end of Grange Park Road to enable wheelchairs,

pushchairs etc. to be safely manoeuvred at kerb lines. Details of all such ramps shall be submitted to the Local Planning Authority for approval before development commences. Any details so approved shall be constructed as part of the development.

**Reason:** To ensure that pedestrians and people with impaired mobility can negotiate road junctions in relative safety. To support Local Transport Plan Policies: LD5, LD7, LD8.

8. Details of proposed crossings of the highway verge shall be submitted to the Local Planning Authority for approval. The development shall not be commenced until the details have been approved and the crossings have been constructed.

**Reason:** To ensure a suitable standard of crossing for pedestrian safety. To support Local Transport Plan Policies: LD5, LD7, LD8.

9. The access drive shall be surfaced in bituminous or cement bound materials, or otherwise bound and shall be constructed and completed before the development is occupied. This surfacing shall extend for a distance of at least 5 metres inside the site, as measured from the carriageway edge of the adjacent highway.

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

10. There shall be no vehicular access to or egress from the site other than via the approved accesses, unless otherwise agreed by the Local Planning Authority.

**Reason:** To avoid vehicles entering or leaving the site by an unsatisfactory access or route, in the interests of road safety. To support Local Transport Plan Policies: LD7, LD8.

11. Access gates, if provided, shall be hung to open inwards only away from the highway, be recessed no less than 4.5 metres as measured from the carriageway edge of the adjacent highway and shall incorporate 45 degree splays to each side.

**Reason:** In the interests of highway safety. To support Local transport Plan Policies: LD7, LD8.

12. Details of all measures to be taken by the applicant/developer to prevent surface water discharging onto or off the highway shall be submitted to the Local Planning Authority for approval prior to development being commenced. Any approved works shall be implemented prior to the development being completed and shall be maintained operational thereafter.

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

13. The roadside ditch shall be piped at each access prior to the development being brought into use, in accordance with details which have first been submitted for approval by the Local Planning Authority. The construction shall be in accordance with a specification which has been approved by the Local Planning Authority.

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

14. The dwellings shall not be occupied until the access and parking requirements have been constructed in accordance with the approved plan. Any such access and or parking provision shall be retained and be capable of use when the development is completed and shall not be removed or altered without the prior consent of the Local Planning Authority.

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

15. Before any development takes place, the designated area for the parking of construction vehicles as illustrated on drawing number D.03d shall be constructed and made available for the parking of vehicles engaged in construction operations associated with the development hereby approved, and that land, including vehicular access thereto, shall be used for or be kept available for these purposes at all times until completion of the construction works.

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

16. No development approved by this permission shall be commenced until a scheme for the conveyance of foul drainage to package treatment plants to serve each of the dwellings have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use until such treatment plants have been constructed and completed in accordance with the approved plans.

**Reason:** To prevent pollution of the water environment in accordance with Policy IP6 of the Carlisle District Local Plan 2015-2030.

17. Full details of the surface water drainage system shall be submitted to the Local Planning Authority for approval prior to development being commenced. Any approved works shall be implemented prior to the development being completed and shall be maintained operational thereafter.

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

18. No development shall commence until full details of the surface water system demonstrating that no flooding will occur on any part of the site for a 1 in 30 year event unless designed to do so, flooding will not occur to any building in a 1 in 100 year event plus 40% to account for climate change, and where reasonably possible flows resulting from rainfall in excess of a 1 in 100 year 6 hour rainfall event are managed in conveyance routes (plans of flow routes etc) have been agreed in writing with the Local Planning Authority.

**Reason:** To manage flood risk within the development that results from surface water to minimise the risk to people and property.

19. No development shall commence until details to confirm the design of the surface water drainage system will mitigate any negative impact of surface water from the development on flood risk outside the development boundary have been agreed in writing with the Local Planning Authority.

**Reason:** To safeguard against negative impact outside the development boundary to people and property.

20. No development shall commence until a construction surface water management plan has been agreed in writing with the Local Planning Authority.

**Reason:** To safeguard against flooding to surrounding sites and to safeguard against pollution of the watercourse running through the site.

21. Prior to the commencement of any development, a surface water drainage scheme and means of disposal, based on sustainable drainage principles with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority. The proposed scheme should meet the requirements of Sustainable Drainage Systems: Non-Statutory Technical Standards (March 2015).

**Reason:** To ensure the surface water system continues to function as designed.

22. For greenfield developments, the peak runoff rate from the development to any highway drain, sewer or surface water body for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event should never exceed the peak flow greenfield runoff rate for the same event.

**Reason:** To safeguard against negative impact outside the development boundary to people and property.

23. For greenfield development, the runoff volume from the development to any highway drain, sewer or surface water body in the 1 in 100 year, 6 hour rainfall event should never exceed the greenfield runoff volume for the same event.

**Reason:** To safeguard against negative impact outside the development boundary to people and property.

24. Prior to commencement the surface water system in which it is proposed to discharge must be investigated to ensure it is capable of receiving existing flows plus the proposed discharge from the development. Remedial action must be taken by the developer if required.

**Reason:** To ensure flood risk is not increased elsewhere.

25. Before development commences, particulars of the height and materials of any new screen walls and boundary fences to be erected shall be submitted to and approved in writing by the Local Planning Authority and the development thereafter carried out in accordance therewith.

**Reason:** In the interests of privacy and visual amenity in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

26. Prior to commencement of any development full details shall be submitted and approved in writing by the Local Planning Authority of the raised hedge bank and tree planting to the north and west of the application site as indicated on drawing numbers D.03d and D.04b. Such details shall include the proposed types, species planting heights and planting densities of all trees and shrubs to be planted together with the height and profile of the raised bank. Thereafter all works shall be carried out in the first planting season following the approval of the submitted details; and any trees or shrubs which die, become diseased or are lopped, topped, uprooted or wilfully destroyed within the following five years shall be replaced by appropriate nursery stock.

**Reason:** To ensure a satisfactory landscaping scheme is prepared in accordance with Policy GI6 of the Carlisle District Local Plan 2015-2030.

27. No development shall take place until full details of a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved prior to the occupation of the dwellings. Any trees or other plants which die or are removed within the first five years following the implementation of the landscaping scheme shall be replaced during the next planting season.

**Reason:** To ensure that a satisfactory landscaping scheme is prepared and to ensure compliance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

28. Before any development is commenced on the site, including site works of any description, a protective fence in accordance with Fig. 2 in B.S. 5837: 2005 shall be erected around the hedgerow to be retained at the extent of the Root Protection Area as calculated using the formula set out in B.S. 5837. Within the areas fenced off no fires should be lit, the existing ground level shall be neither raised nor lowered, and no materials, temporary buildings or surplus soil of any

kind shall be placed or stored thereon. The fence shall thereafter be retained at all times during construction works on the site.

**Reason:** In order to ensure that adequate protection is afforded to all trees/hedges to be retained on site in support of Policies GI6 and SP6 of the Carlisle District Local Plan 2015-2030.

29. No site clearance or works to the retained hedgerow 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 GI3 of the Carlisle District Local Plan 2015-2030.

30. No work associated with the construction of the residential units hereby approved shall be carried out before 0730 hours on weekdays and Saturdays nor after 1800 hours on weekdays and 1600 hours on Saturdays (nor at any times on Sundays or statutory holidays).

**Reason:** To prevent disturbance to nearby occupants in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

31. 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.

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 CM5 of the Carlisle District Local Plan 2015-2030.

32. Prior to the occupation of the first property suitable receptacles shall be provided for the collection of waste and recycling for each unit in line with the schemes available in the Carlisle district.

**Reason:** In accordance with Policy CP14 of the Carlisle District Local Plan 2001-2016 and Policy IP5 of the Carlisle District Local Plan 2015-2030.

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## Relevant Development Plan Policies

**Item no: 12**

**Appn Ref No:**  
16/9005

**Applicant:**  
Fortum Carlisle Limited &  
Kingmoor Park Properties  
Limited

**Parish:**  
Kingmoor

**Date of Receipt:**  
20/06/2016

**Agent:**  
Cumbria County Council -  
Economy & Planning

**Ward:**  
Stanwix Rural

**Location:**  
Land to the North of Kings Drive, Kingmoor Park  
Industrial Estate, Carlisle, CA6 4SE

**Grid Reference:**  
338099 559158

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Proposal: Erection Of An Energy From Waste Plant Including Reception & Fuel Processing Hall, Boiler House & Air Cooled Condensing Building & Associated Operations Including 70m High Flue Stack, 2no. Silos For Storage Of Fuel, 4no. Silos For The Storage Of Ash, Car Parking & New Access Roads, Gatehouse, Utilities Building, Weighbridge & Balancing Pond

**Decision:** City Council Observation - Observations

**Date:** 27/07/2016

**Decision of:** Cumbria County Council

**Decision Type:** Grant Permission

**Date:** 24/10/2016