

SCHEDULE A: Applications with Recommendation

10/0525

Item No: 10

Date of Committee: 16/07/2010

Appn Ref No:
10/0525

Applicant:
Mr Brown

Parish:
Dalston

Date of Receipt:
07/06/2010

Agent:
Gray Associates Limited

Ward:
Dalston

Location:
18A Carlisle Road, Dalston, Carlisle, CA5 7NG

Grid Reference:
337039 550537

Proposal: Two Storey Side Extension To Provide Garage On Ground Floor With En-Suite Bedroom Above

Amendment:

REPORT

Case Officer: Dave Cartmell

Reason for Determination by Committee:

This application is brought before the Committee for determination as the applicant is an employee of Carlisle City Council.

1. Constraints and Planning Policies

Local Plan Pol H11 - Extns to Existing Resid. Premises

Local Plan Pol CP5 - Design

2. Summary of Consultation Responses

Cumbria County Council - (Highway Authority): no objection to the proposed development as it is considered that the proposal does not affect the highway;

Dalston Parish Council: reply awaited.

3. Summary of Representations

Representations Received

Initial:

18 Carlisle Road
19 Carlisle Road
14 Caldew Drive
Caldew School

Consulted:

09/06/10
09/06/10
09/06/10
09/06/10

Reply Type:

- 3.1 Publicity was given to the application by direct notification of neighbours. No representations have been received.

4. Planning History

- 4.1 Planning permission was granted (98/835) for the demolition of an existing dwelling and erection of a replacement pair of semi-detached houses and garages.

5. Details of Proposal/Officer Appraisal

Introduction

- 5.1 This is a Householder Application for the erection of a two storey side extension at 18A Carlisle Road, Dalston. Number 18A Carlisle Road is a two storey brick built semi-detached dwelling with a hipped roof of plain tiles and a detached garage to the rear.

Background

- 5.2 The proposed hip-roofed extension, which is 6.5 metres long by 3.2 metres wide, is set back 2.5 metres from the front of the existing building and the ridge (7 metres) is 0.7 metres lower than the ridge of the existing building. The ground floor of the extension comprises a garage and the upper floor an ensuite bedroom.
- 5.3 The external materials are to be red clay brick and plain concrete grey tiles to match the existing
- 5.4 There are no windows in the gable of the proposed extension but the upper floor has front and rear facing windows. The gable of number 19 Carlisle Road, which is separated from the existing gable of number 18A Carlisle Road by driveways and a 1 metre high boundary fence, contains a side door, three ground floor and two upper floor windows.
- 5.5 Number 18A Carlisle Road lies within the settlement boundary of Dalston as defined in the Carlisle District Local Plan.

Assessment

5.6 Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that an application for planning permission shall be determined in accordance with the provisions of the Development Plan unless material considerations (including Government Policy as expressed through Planning Policy Guidance notes, Planning Policy Statements and representations) indicate otherwise. The Development Plan comprises the Carlisle District Local Plan 2001-2016 (adopted 9th September 2008), extended policies of the Joint Cumbria and Lake District Structure Plan 2001-2016 (adopted April 2006) and the North West of England Plan Regional Spatial Strategy to 2021.

5.7 In consideration of this application Policies CP5 and H11 of the Carlisle District Local Plan 2001-2016 are relevant. The relevant aspects of these policies seek to ensure that proposals for extensions to dwellinghouses: are of an appropriate scale and do not dominate the original dwelling; in design terms are appropriate to the original dwelling and its setting; do not adversely affect the living conditions of adjacent property by reason of poor design, unreasonable overlooking and/or unreasonable loss of daylight and sunlight; and achieve satisfactory access and parking.

1. Considering The Development Plan Objectives

5.8 It is considered that the two storey hipped side extension, which has a footprint of 20 square metres, is of an appropriate scale, does not dominate the original dwelling and is of a design appropriate to the dwelling and its setting as it is: (1) set back from the front building line; (2) has a lower ridge height; and (3) is constructed of materials to match the the existing building, .

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

5.9 As the rear garden is approximately 25 metres long, it is considered that the living conditions of the occupants of the dwelling to the rear (14 Caldew Drive) are not significantly affected.

5.10 It has become the custom and practice in dealing with planning applications to seek to achieve a minimum distance of 12 metres between a gable end and a primary facing window (the draft Supplementary Planning Document addresses a similar objective). In this location the distance between existing gables is only 5.5 metres and this will be reduced to 2.2 metres throughout the length of the extension. However, there are no primary facing windows on the gable of number 19 Carlisle Road. The three ground floor windows serve the hall, a toilet (opaque glazing) and a secondary window to the kitchen - the primary window being rear facing - while the two windows on the upper floor serve the landing and a bathroom. There are no windows in the gable of the proposed extension.

5.11 In view of the foregoing, and the fact that (1) the side extension (a) does not extend along the whole gable and (b) lies to the north of number 19 Carlisle Road and (2) the roof is hipped, it is considered that the proposed development will not adversely affect the living conditions of the occupiers of

the adjacent property by reason of poor design, unreasonable overlooking and/or unreasonable loss of daylight and sunlight. To maintain the privacy of the occupant of number 19 Carlisle Road, a condition is recommended to be attached to any consent that is granted, precluding the installation of additional windows in the gable of the extension without the Council's approval.

3. Impact Of The Proposal On Highway Safety

- 5.12 Cumbria County Council as Highways Authority has been consulted and has no objections to the proposal. It is therefore considered that the proposal would not have an adverse impact on highway safety.

Conclusion

- 5.13 On balance it is considered that the proposed development accords with the provisions of the Development Plan and, as there are no material considerations which indicate that it should be determined to the contrary, it will be determined in accordance with the Development Plan and is recommended for approval subject to appropriate conditions.

6. Human Rights Act 1998

- 6.1 Several provisions of the above Act can have implications in relation to the consideration of planning proposals, the most notable being:

Article 6 bestowing the "Right to a Fair Trial" is applicable to both applicants seeking to develop or use land or property and those whose interests may be affected by such proposals;

Article 7 provides that there shall be "No Punishment Without Law" and may be applicable in respect of enforcement proceedings taken by the Authority to regularise any breach of planning control;

Article 8 recognises the "Right To Respect for Private and Family Life";

- 6.2 Article 1 of Protocol 1 relates to the "Protection of Property" and bestows the right for the peaceful enjoyment of possessions. This right, however, does not impair the right to enforce the law if this is necessary, proportionate and there is social need;

- 6.3 Article 8 and Article 1 Protocol 1 are relevant but the impact of the development in these respects will be minimal and the separate rights of the individuals under this legislation will not be prejudiced. If it was to be alleged that there was conflict it is considered not to be significant enough to warrant the refusal of permission.

7. Recommendation - Grant Permission

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

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

2. The approved documents for this Planning Permission comprise:

1. the submitted planning application form;
2. Drawing Number P1;
3. Drawing Number P2;
4. Drawing Number P3;
5. Drawing Number P4;
6. Drawing Number P5;
7. the Notice of Decision; and
8. any such variation as may subsequently be approved in writing by the Local Planning Authority.

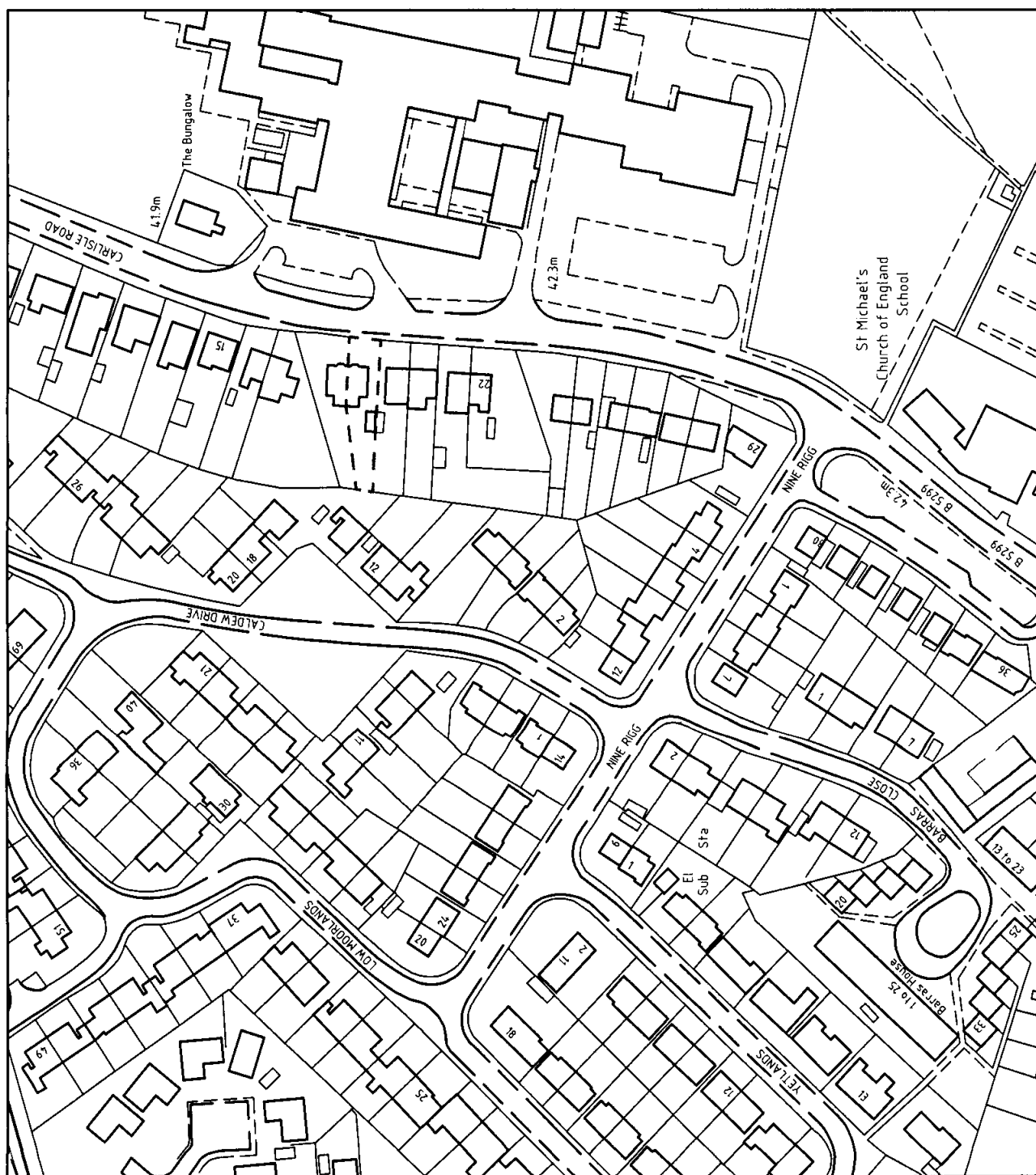
Reason: For the avoidance of doubt.

3. 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 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 Policies CP5 and H11 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), no additional windows shall be inserted above the ground floor on the south elevation without the prior consent of the local planning authority.

Reason: In order to protect the privacy and amenities of residents in close proximity to the site and to ensure compliance with Policies CP5 and H11 of the Carlisle District Local Plan 2001-2016.



Agent

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Client

Mark Brown
18a Carlisle Road
Dalston
Carlisle
CA5 7NG

Drawing

Title:	Location Plan
Scheme:	Extension to 18a Carlisle Road
Scale:	1:1,250
Date:	June 2010
Dwg No.:	P4
Drawn:	D Gray

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Site Plan (1:200)



Revision Status	Rev	Date	Amendments	Initials

Agent

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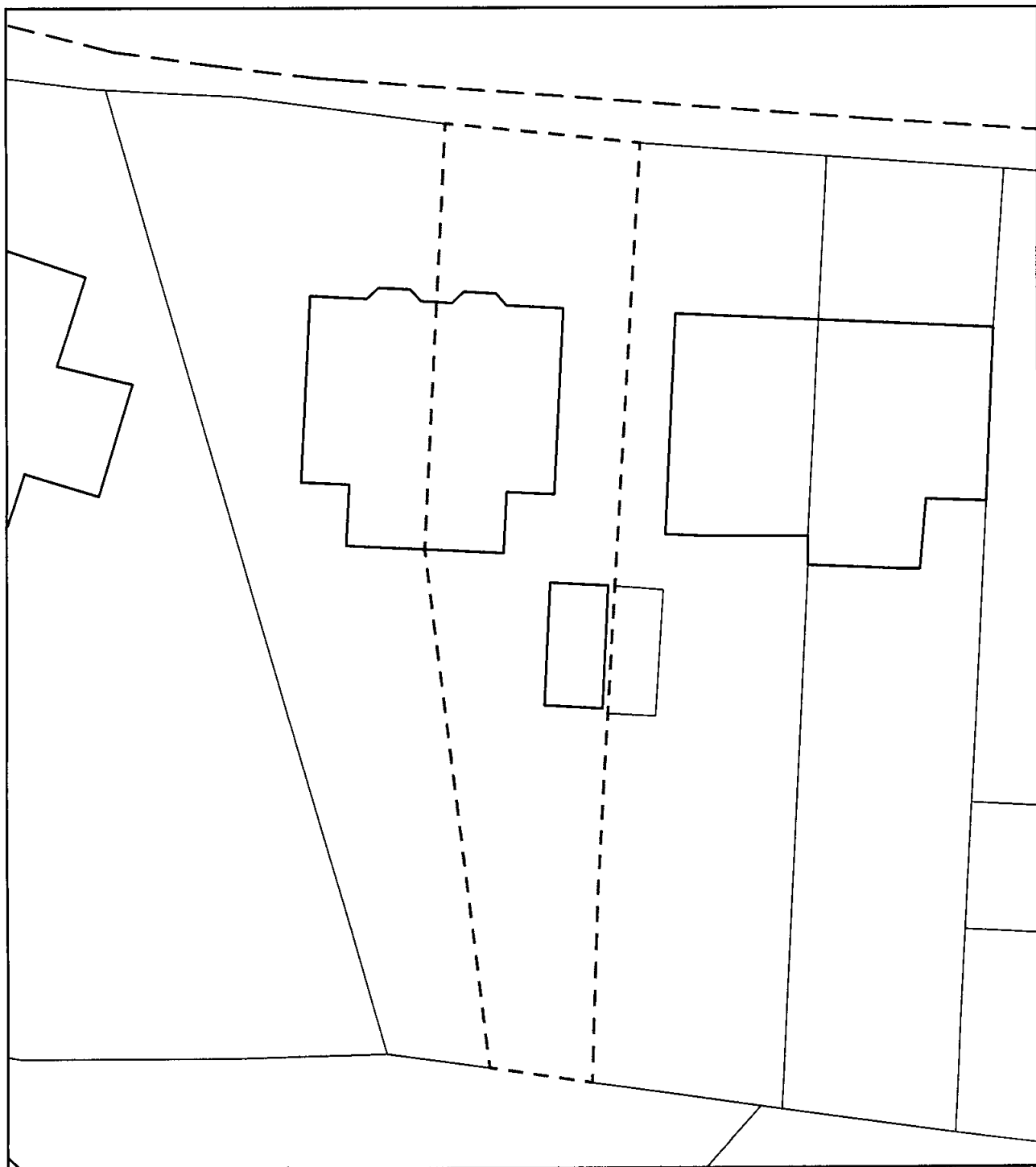
Client

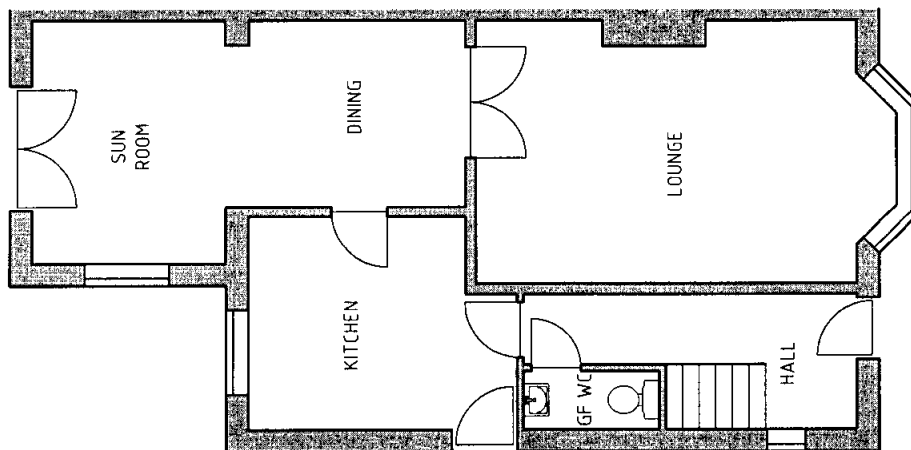
Mark Brown
 18a Carlisle Road
 Dalston
 Carlisle
 CA5 7NG

Drawing

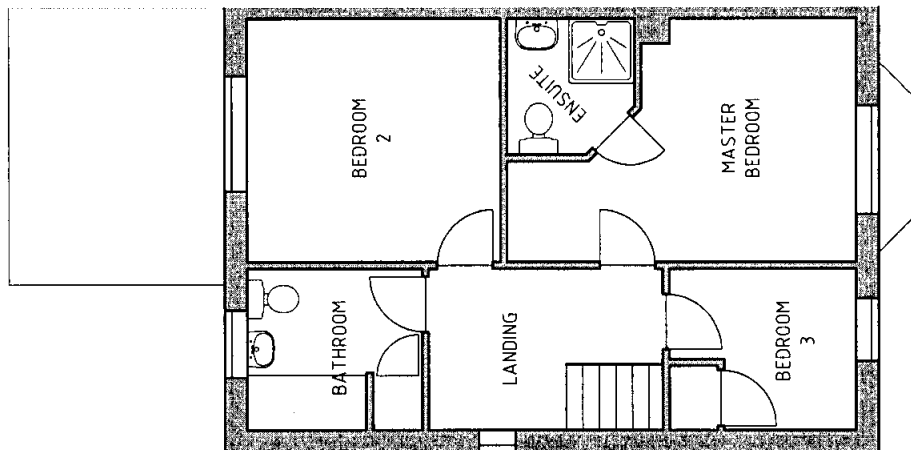
Title: Site Plan
 Scheme: Extension to 18a Carlisle Road
 Scale: 1:200
 Date: June 2010
 Dwg No.: P5
 Drawn: D Gray

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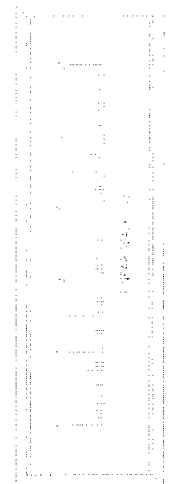




EXISTING GROUND FLOOR PLAN



EXISTING FIRST FLOOR PLAN



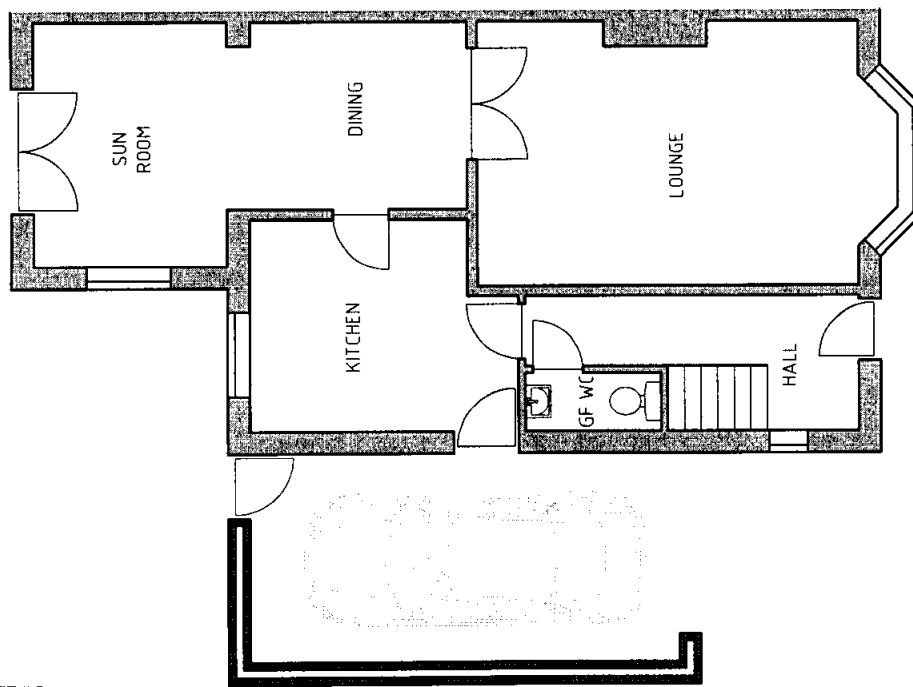
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Revision	Status	Date	Amendments	Initials

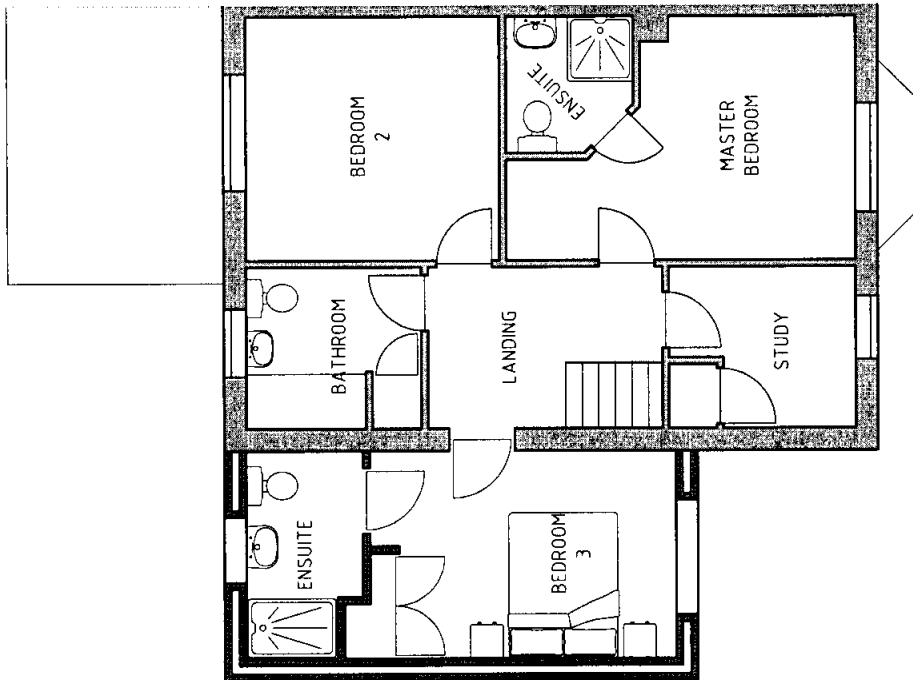
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Client
 Mark Brown
 18a Carlisle Road
 Dalston
 Carlisle
 CA5 7NG

Drawing Title: Existing Floor Plans
Scheme: Extension to 18a Carlisle Road
Scale: 1:50
Date: June 2010
Dwg No.: P2
Drawn: D Gray



PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN

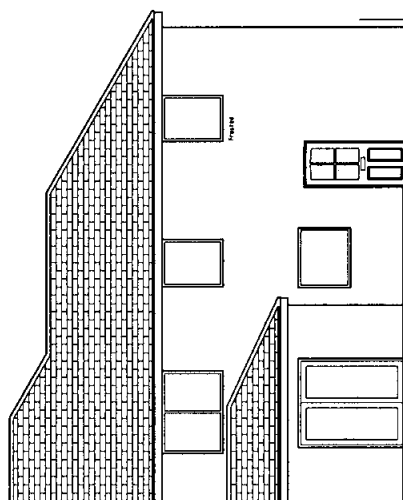
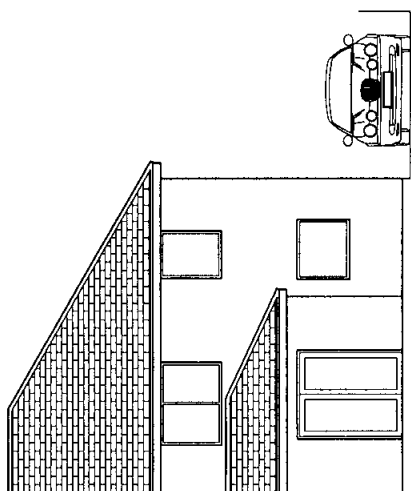
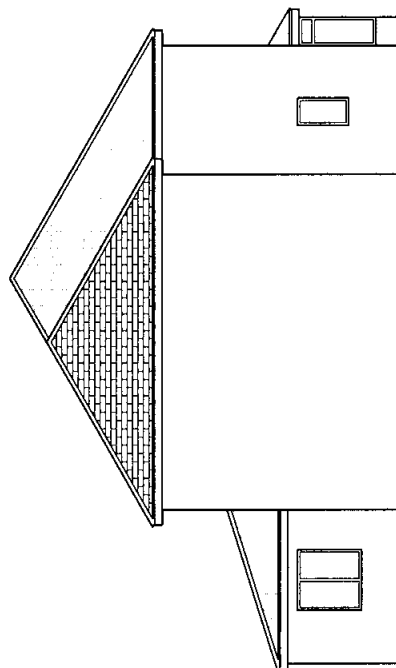
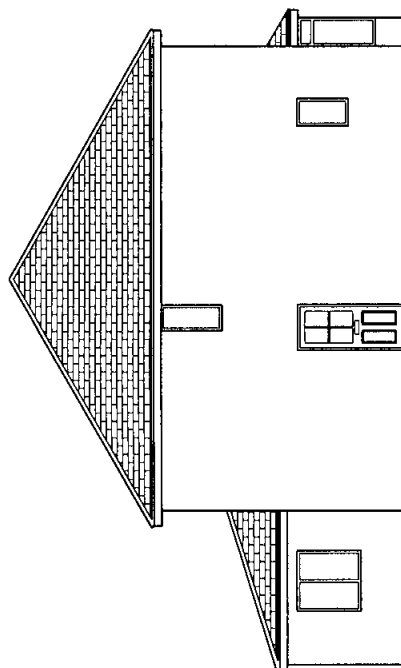
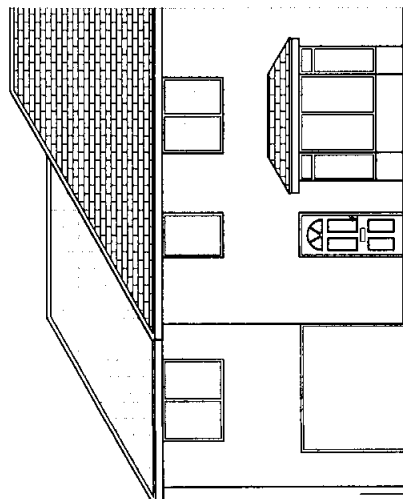
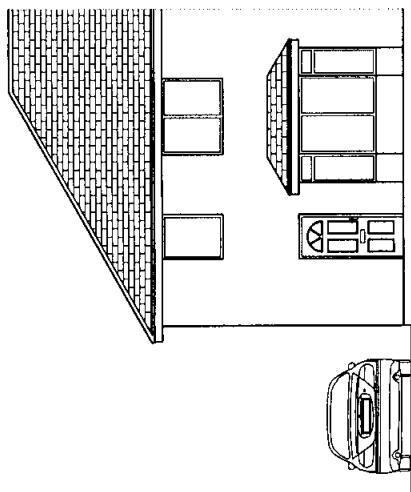
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Revision Status	
Rev	Date

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Client
 Mark Brown
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 Carlisle
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Drawing
 Title: Proposed Floor Plans
 Scheme: Extension to 18a Carlisle Road
 Scale: 1:50
 Date: June 2010
 Dwg No.: P3
 Drawn: D Gray



SCHEDULE A: Applications with Recommendation

10/0450

Item No: 11

Date of Committee: 16/07/2010

Appn Ref No:
10/0450

Applicant:
Mr James Hunter

Parish:
Carlisle

Date of Receipt:
17/05/2010

Agent:

Ward:
Stanwix Urban

Location:
Sports Ground Changing Rooms, Rickerby Park,
Carlisle, Cumbria, CA3 9AA

Grid Reference:
340865 557140

Proposal: Siting Of Two Metal Containers For Storage Of Grass Cutting Equipment
(Retrospective Application)

Amendment:

REPORT

Case Officer: Stephen Daniel

Reason for Determination by Committee:

Six letters of objection have been received to the proposal.

1. Constraints and Planning Policies

Ancient Monument

Flood Risk Zone

Conservation Area

The proposal relates to land or premises situated within the Stanwix Conservation Area.

Local Plan Pol LC2 - Primary Leisure Areas

Local Plan Pol LE26 - Undeveloped Land in Floodplains

Local Plan Pol LE19 - Conservation Areas

Local Plan Pol LE7-Buffer Zone Hadrians Wall W.Herit.Site

Local Plan Pol CP5 - Design

2. Summary of Consultation Responses

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

Planning - Planning Policy & Conservation - Peter Messenger: no objections, subject to painting the containers and providing some planting on the rear boundary to screen the containers;

Cumbria Constabulary - North Area Community Safety Unit (formerly Crime Prevention): the containers should be positioned so that the doors may be viewed by passing vehicular and pedestrian traffic (i.e. towards the east). The views from the adjacent dwellings would be limited due to views being obstructed by garden boundaries and the difference in ground levels. Offered advice on security measures;

Hadrians Wall Heritage Limited: comments awaited;

English Heritage - North West Region: no comments;

Environment Agency (N Area (+ Waste Disp)): no comments;

Conservation Area Advisory Committee: no objections, subject to painting the containers and providing some planting on the rear boundary to screen the containers.

3. Summary of Representations

Representations Received

Initial:	Consulted:	Reply Type:
56 Longlands Road	19/05/10	Objection
42 Longlands Road	19/05/10	
44 Longlands Road	19/05/10	Support
46 Longlands Road	19/05/10	
48 Longlands Road	19/05/10	
50 Longlands Road	19/05/10	
52 Longlands Road	19/05/10	
54 Longlands Road	19/05/10	
56 Longlands Road	19/05/10	
58 Longlands Road	19/05/10	
Edenlas	19/05/10	
Eden Brow	19/05/10	
Ridgeway	19/05/10	
28 Longlands Road	19/05/10	
56 Longlands Road	19/05/10	
8 Longlands Road	19/05/10	
10 Longlands Road	19/05/10	
12 Longlands Road	19/05/10	

14 Longlands Road	19/05/10	Objection
16 Longlands Road	19/05/10	Undelivered
18 Longlands Road	19/05/10	Comment Only
20 Longlands Road	19/05/10	
22 Longlands Road	19/05/10	Undelivered
24 Longlands Road	19/05/10	Objection
26 Longlands Road	19/05/10	Objection
28 Longlands Road	19/05/10	Objection
30 Longlands Road	19/05/10	
32 Longlands Road	19/05/10	
34 Longlands Road	19/05/10	
36 Longlands Road	19/05/10	
38 Longlands Road	19/05/10	
40 Longlands Road	19/05/10	

3.1 This application has been advertised by means of site and press notices as well as notification letters sent to thirty-two neighbouring properties. In response six letters of objection have been received. The grounds of objection are summarised as;

- The bright blue/ green rusting containers are an eyesore and totally out of keeping with a parkland setting and the Conservation Area. The 2 containers have an adverse impact on the residents of Longlands Road;
- The first container was given 12 months consent in 2005, following the floods, but is still there - enforcement section has taken no action to remove the container. Not sure why a second container is needed;
- The containers should be painted the colour of the existing building to make them blend it with it;
- New constructions and certainly additional containers should be rejected in Rickerby Park;
- The only solution would be to extend the pavilion to the rear;
- The club has outgrown the site, which was originally one cricket field and one football pitch - during the season up to 300 cars park in the area the clubs presence will make it difficult for the park to become an peaceful oasis in the City;
- The original pavilion is still not complete as it should have been rendered and painted;
- In 1990, an application for a horse shelter within 20m of these containers was refused as it did not fit in with the Conservation Area;
- If permission is granted this will set a precedent;
- The proposal contradicts the policy on Primary Leisure Areas;
- Doubt that the placement of containers complies with the original covenant

of the sports ground.

- 3.2 One letter of support has also been received which states that giving a temporary permission for a 3 year period is reasonable because there will be a need for the club to raise the necessary finance to build an extension to the existing pavilion, which could be used to store the grass cutting and rolling equipment.

4. Planning History

- 4.1 In December 1999, planning permission was granted for a replacement sports pavilion (99/0558).

5. Details of Proposal/Officer Appraisal

Introduction

- 5.1 The proposal is seeking retrospective planning permission for the siting of two metal storage containers to the rear of the Sports Ground Changing Rooms, Rickerby Park, Carlisle.
- 5.2 Planning permission was granted in December 1999, for the construction of a replacement sports pavilion, after the wooden pavilion burnt down in 1998. The new pavilion, which is used by Crown Newlaithes Football Club, is constructed of fair faced blockwork, under a light green metal profile sheet roof and contains changing rooms, showers, toilets and a kitchen.
- 5.3 In 2005, a dark green metal storage container was sited to the rear of the pavilion and this is used to store grass cutting equipment. In August 2009, a second container was sited immediately adjacent to the first container and this is used to house the gang mowers and to store equipment such as goals, nets and training equipment. The second container was originally part blue/ part dark green but has recently been painted dark green.
- 5.4 The land to the south, east and west of the application site lies within Rickerby Park. The land to the north is designated as an area of Urban Fringe Landscape, beyond which lie the residential properties on Longlands Road.
- 5.5 The application lies within the Stanwix Conservation Area, the River Eden Floodplain and the Hadrian's Wall Military Zone World Heritage Site Buffer Zone.

The Proposal

- 5.6 The proposal is seeking retrospective planning permission to retain the two metal storage containers to the rear of the pavilion for a period of three years. During this three-year period the applicant is hoping to secure funding so that a small extension can be added to the rear of the building and this would

house the grass cutting equipment, goals, nets and training equipment. The containers would then no longer be required.

- 5.7 The containers, which are now both dark green, measure 6m in length by 2.4m in width and are 2.5m high. The applicant is proposing to plant some native trees along the site boundary to the rear of the containers. These would help to screen the containers and the pavilion building from the properties on Longlands Road.

Assessment

- 5.8 The relevant planning policies against which the application is required to be assessed include Policies LC2, LE7, LE19, LE26 and CP5 of the Carlisle District Local Plan 2001-2016.

1. The Visual Impact Of The Proposals

- 5.9 The storage containers are located immediately to the rear of the existing pavilion building and are screened from views from the majority of Rickerby Park. Whilst the containers, which have recently been painted dark green, are visible from the properties on Longlands Road, the nearest property is over 90m away and the containers sit in front of a black gable elevation of the pavilion building. The planting of trees to the rear of the containers would help to screen the containers in views from Longlands Road and it would, in the longer term, help to screen the pavilion building from these properties. In light of the above, the siting of the storage containers for a temporary three-year period would not have an unacceptable adverse visual impact on the area.

Conclusion

- 5.10 In overall terms, it is considered that the visual impact of the containers is acceptable. In all aspects, the proposals are compliant with the relevant policies contained within the adopted Local Plan.

6. Human Rights Act 1998

- 6.1 Several provisions of the above Act can have implications in relation to the consideration of planning proposals, the most notable being:

Article 6 bestowing the "Right to a Fair Trial" is applicable to both applicants seeking to develop or use land or property and those whose interests may be affected by such proposals;

Article 7 provides that there shall be "No Punishment Without Law" and may be applicable in respect of enforcement proceedings taken by the Authority to regularise any breach of planning control;

Article 8 recognises the "Right To Respect for Private and Family Life";

- 6.2 Article 1 of Protocol 1 relates to the "Protection of Property" and bestows the right for the peaceful enjoyment of possessions. This right, however, does not impair the right to enforce the law if this is necessary, proportionate and there is social need;
- 6.3 The proposal has been considered against the above but in this instance it is not considered that there is any conflict. If it was to be alleged that there was conflict it is considered not to be significant enough to warrant the refusal of permission.

7. Recommendation - Grant Permission

1. The approved documents for this Planning Permission comprise:
1. the submitted planning application form;
 2. the Design & Access Statement;
 3. the Flood Risk Assessment;
 4. Supporting Information on Crown Newlaithes Football Club;
 5. Site Location Plan;
 6. Block Plan;
 7. Elevations;
 8. the Notice of Decision; and
 9. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: For the avoidance of doubt.

2. The storage containers hereby approved shall be retained a dark green colour, unless otherwise agreed in writing by the Local Planning Authority.

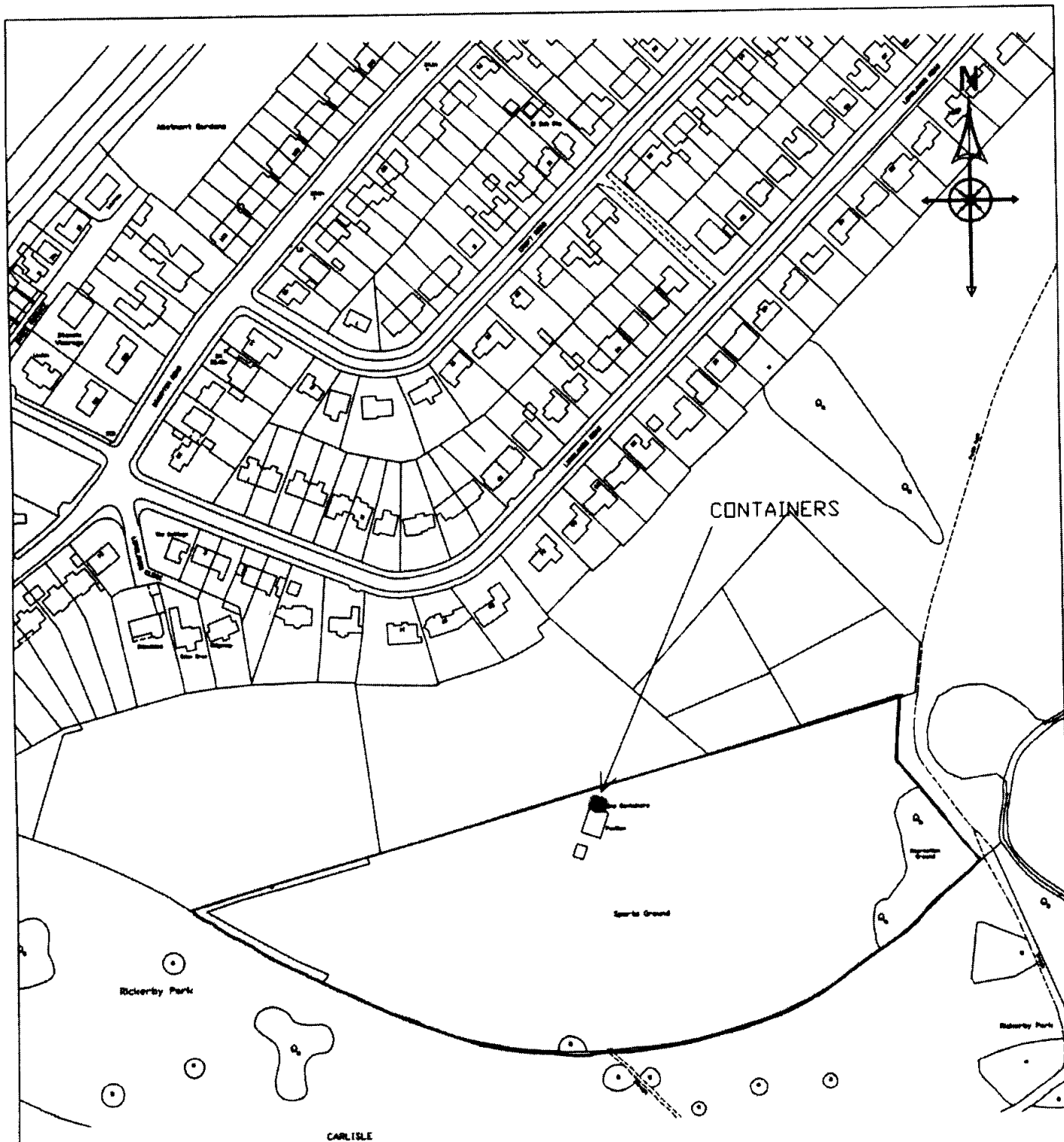
Reason: In order to ensure an acceptable visual appearance for the storage containers, in accordance with Policies LE19 and CP5 of the Carlisle District Local Plan 2001-2016.

3. The storage containers hereby approved shall be removed and there shall be carried out such works as may be required for the reinstatement of the land by not later than the 16 July 2013.

Reason: The Local Planning Authority wish to review the matter at the end of the limited period specified.

4. The landscaping details contained in the Landscaping Plan (received on 2 July 2010), shall be implemented within the first planting season after the granting of this permission, unless otherwise agreed in writing by the Local Planning Authority. Any trees or other plants which die or are removed within the first five years following the implementation of the landscaping scheme shall be replaced during the next planting season.

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



Client:
CROWN NEWLAITHES FC

Project:
2no TEMPORARY STORAGE CONTAINERS
CMB SPORTS FIELD,
RICKERBY PARK, CARLISLE

Drawing Title
Location Plan

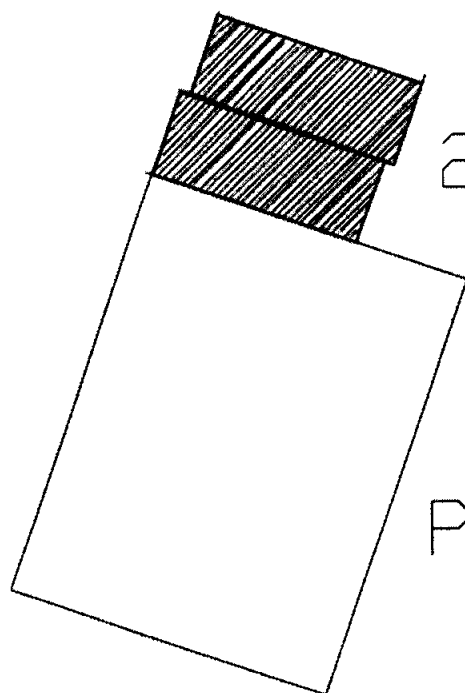
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Date:
04/10

17 MAY 2010
10/0450

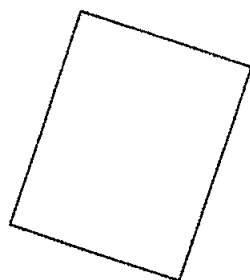
Drawing:
CN 1/1

Rev:
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2no Containers

Pavilion



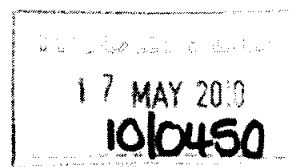
Client:
CROWN NEWLAITHES FC

Project:
2no TEMPORARY STORAGE CONTAINERS
CMB SPORTS FIELD,
RICKERBY PARK, CARLISLE

Drawing Title:
Block Plan

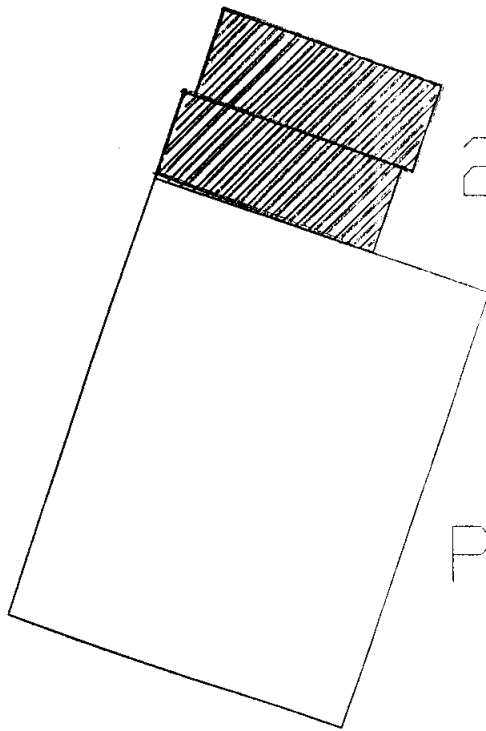
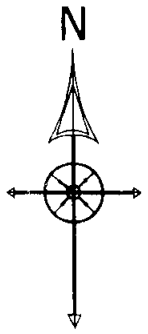
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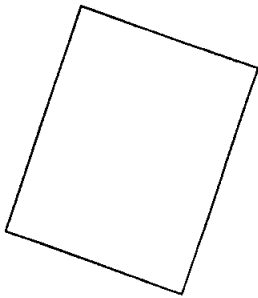
Drawing: CN 1/2 Rev: 0

LANDSCAPING SCHEME



2no Containers

Pavilion



SELECTION OF TREES WILL COMPRISE
OF OAK, ASH, BEECH AND SCOTS PINE.
BRITISH STANDARD SPECIFICATION (8-10CM
GIRTH)
2MTR SPACE IN BETWEEN TREES.
(

Client:
CROWN NEWLAITHES FC

Project:
2no TEMPORARY STORAGE CONTAINERS
CMB SPORTS FIELD,
RICKERBY PARK, CARLISLE

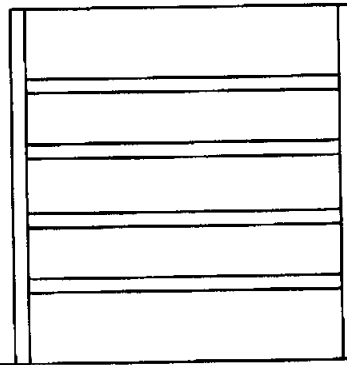
Drawing Title:
Block Plan

Scale: 1:200
Date: 04/10

-2 JUL 2010

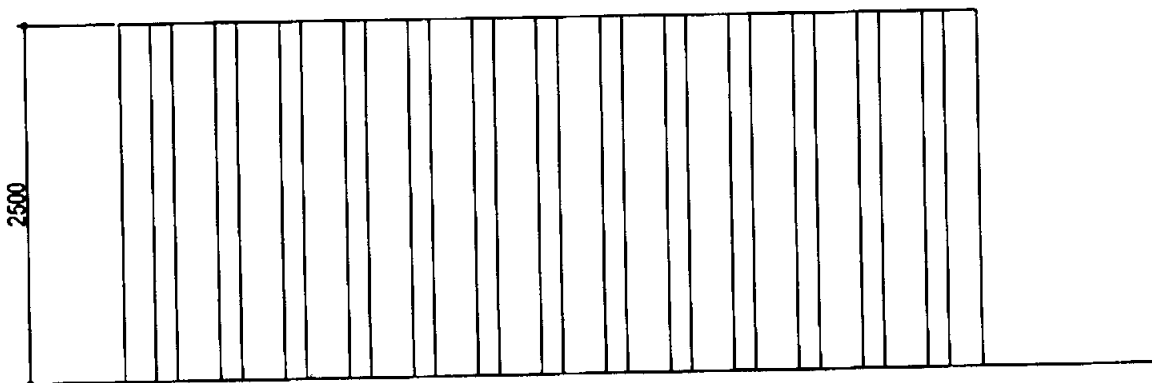
p/0450

17 MAY 2010
10/0450

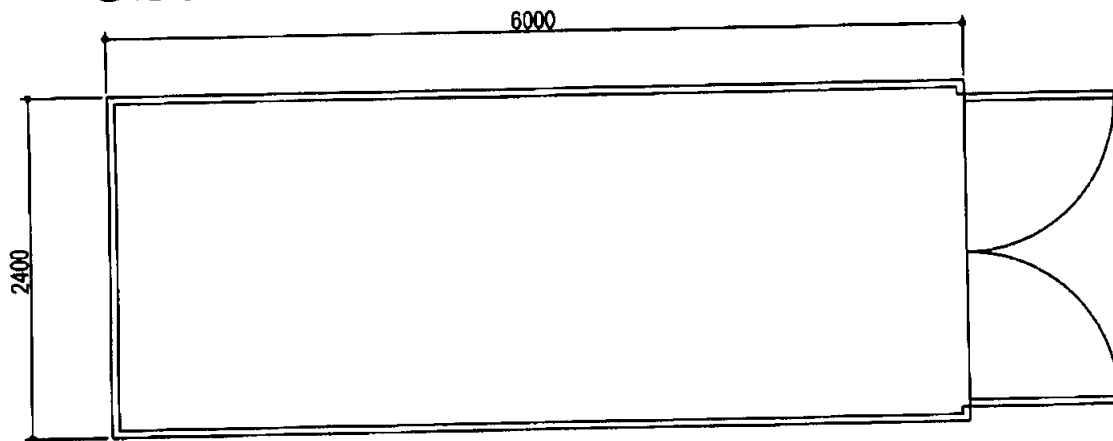


Steel Metal Containers
 1 no coloured Blue
 1 no coloured Grey
 Both Containers are
 identical size

REAR / FRONT ELEVATION



SIDE ELEVATION



FLOOR PLAN

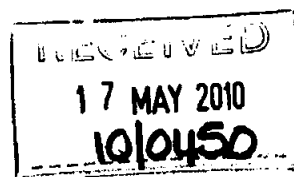
Client: **CROWN NEWLAITHES FC**

Project:
2no TEMPORARY STORAGE CONTAINERS
CMB SPORTS FIELD,
RICKERBY PARK, CARLISLE

Drawing Title:
Block Plan

Scale: **1:50** Date: **04/10**

395



Drawing: **CN 1/3**

Rev: **0**

SCHEDULE A: Applications with Recommendation

10/9012

Item No: 12

Date of Committee: 16/07/2010

Appn Ref No:
10/9012

Applicant:
County Fire Service

Parish:
Carlisle

Date of Receipt:
09/06/2010

Agent:
Cumbria County Council

Ward:
Belle Vue

Location:
L/adj to Newtown School, Raffles Avenue, Carlisle
CA2 7EQ

Grid Reference:
338276 555851

Proposal: Reserved Matters Application For New Community Fire Station Site
Layout, Surfacing,

Disabled Access, Drainage And Diversion Of Underground Pipes And
Cables; Planting

And Landscaping.

Amendment:

REPORT

Case Officer: Alan Taylor

Reason for Determination by Committee:

The submission is brought before the Committee in view of the fact that Members have previously considered the County Council's submissions for Outline Planning Permission and have expressed concerns about the proposals, notably access arrangements.

1. Constraints and Planning Policies

Tree Preservation Order

The site to which this proposal relates has within it a tree protected by a Tree Preservation Order.

Gas Pipeline Safeguarding Area

The proposal relates to land or premises situated within or adjacent to the Gas Pipeline Safeguarding Area.

RSS Pol DP 2 - Promote Sustainable Communities

RSS Pol DP 2 - Promote Sustainable Communities

RSS Pol RDF 1 - Spatial Priorities

RSS Pol CNL 1 - Overall Spatial Policy for Cumbria

Local Plan Pol DP1 - Sustainable Development Location

Local Plan Pol DP2 - Regeneration

Local Plan Pol CP5 - Design

Local Plan Pol CP6 - Residential Amenity

Local Plan Pol H2 - Primary Residential Area

2. Summary of Consultation Responses

All consultations are carried out by the County Council but the views of the City Council's Access Officer have been forwarded to that Authority so they can be taken into account.

3. Summary of Representations

Representations Received

Initial:

Consulted:

Reply Type:

- 3.1 The County Council, as the determining Authority, undertakes all consultations on this application.

4. Planning History

- 4.1 The application site comprises part of what was formerly the H K Campbell Special School. In 1991, the County Council granted planning permission for the *"Demolition of school buildings and erection of dwellings for sheltered housing and the retention of part of the playing field for Newtown School"*.
- 4.2 A further application submitted that year, but not determined until July 1992, obtained consent for *"Proposed adventure playground incorporating play equipment, surfacing, fencing and lighting"*. Approval for the *"Construction of playing field and associated landscaping works"* was obtained in 1994.

- 4.3 In September 1994, the City Council approved the County Council's application to renew the Outline Consent (new legislative provisions requiring the County to apply to the District Council rather than being the determining authority for applications on land the County owned and sought to dispose for development).
- 4.4 In January 2007, Cumbria County Council sought the City Council's comments in respect of two separate planning applications to construct community fire stations at Eastern Way (to serve the east of the city) and at Raffles Avenue (to serve the western area).
- 4.5 This Council did not oppose the proposals for the Eastern Way site but the Development Control Committee resolved to raise objections to the proposed site at Raffles Avenue, which was immediately adjacent to Newtown School and involved entry/exit onto that road close to the Nursery School entrance.
- 4.6 The County Council granted Outline Consents for the development of the two sites in February 2007 but the 3-year period within which these developments should be commenced expired early in 2010. No detailed proposals were submitted for approval.
- 4.7 In October 2009 an application (reference 09/9044/CTY) was submitted in "outline" seeking, effectively, approval for an alternative scheme to develop a District Fire Station, as opposed to the proposals for which the outline approval was granted almost 3 years ago by Cumbria County Council. In short, the County Council sought the City Council's observations on the proposed alternative development which was to provide a single fire appliance facility with staff accommodation on a modified site with revised access arrangements. While most matters were "reserved" for later approval, if outline consent was secured, the "Access" to the site was NOT reserved.
- 4.8 Members may wish to note that, simultaneously, an application to effectively "renew" the original 2007 permission was also submitted (application 09/9042/CTY). In effect the County Council was considering "options" as to how the land might be developed and as the "alternative" required an exchange of land held in another ownership, needed to keep the original consent alive in case no agreement for exchange was achievable.
- 4.9 The City Council's observations on the "renewal" application were: *"The City Council is opposed to these proposals which involve the formation of a two-way access/egress to the site immediately adjacent to the entrance to the Nursery and Primary Schools, the Children's Centre and will involve increased traffic activity near to significant and well used play facilities with potential attendant safety issues for local children and parents".*
- 4.10 In respect of the proposed alternative scheme, the City Council responded as follows: *"The principle of the site being used for the western Fire Station is not opposed. However, the City Council opposes the intended access proposals and requests that these are reviewed as it is considered that an alternative arrangement, involving entry and exit onto Brookside solely by fire appliances would avoid potential conflict with pedestrians and other road*

users in the immediate vicinity of the access to Newtown School. It would also have less potential to cause disturbance to school users when appliances are responding to an emergency call-out.

Further, the indicative layout plan appears to be designed to facilitate an extension of the access from Raffles Avenue to land to the west of the application site that has previously been identified for housing development. The use of that proposed access for the Fire Service appliances, coupled with increased use by traffic associated with future residential development of land to the west, would further increase road safety risks and likelihood of conflict between pedestrians, cyclists and other motorists at a sensitive location.

Similarly, the indicative site layout plan for the Fire Station facilities is not supported in that the proposed siting of car parking to serve the development would be likely to result in damage to the root systems of trees within the site that are covered by a Tree Preservation Order. In addition, the proposed car parking area would potentially lead to disturbance to the occupiers of adjacent residential properties at Raffles Avenue".

- 4.11 The County Council granted Outline Consent for the alternative scheme on 17th December 2009. The current application seeks Approval of Reserved Matters in relation to that Consent.
- 4.12 Members may recall that an Application for Approval of Reserved matters relating to the Eastern Way site has, likewise, been submitted and the City Council's observations have been provided following consideration by this Committee at its meeting on 11th June.

5. Details of Proposal/Officer Appraisal

Introduction

- 5.1 This application has been submitted to discharge the outstanding "Reserved Matters" [layout, scale, design and landscaping] relating to an Outline Consent granted by Cumbria CC last December. Members may recall that the approval was for an alternative scheme to develop a District Fire Station adjacent to Newtown School, for which an outline approval had previously been granted almost 3 years ago by Cumbria County Council, on a modified site with dual entrance/exit from Raffles Avenue. As set out in the "Planning History" under Section 4 of this Report, Carlisle City Council has previously expressed concerns in relation to vehicular access proposals for the development. The Outline Approval for which the present application seeks to discharge Reserved Matters embraced an entrance for all vehicles from Raffles Avenue with the appliances leaving [but no other traffic] via an exit onto Brookside. The City Council's preference was for all traffic to be able to enter and exit from/onto Brookside.
- 5.2 The application site comprises a 0.41 hectare parcel of land situated to the immediate south of Newtown School and extends as far as the north side of

Brookside. It possesses a short frontage (circa 15m) onto Raffles Avenue and frontage onto Brookside. The proposed site is currently vacant and comprises part of a more extensive area of land that was formerly occupied by buildings and hardstandings associated with H K Campbell Special School prior to its closure and its subsequent demolition in the early 1990's and some land, formerly owned by the City Council but now owned by Lovell Homes, which is part of larger area of land for which housing consent has been obtained.

- 5.3 It is bounded by Newtown School to the north, the rear of residential properties on Raffles Avenue to the east, by land that is part of the Raffles Redevelopment area being undertaken by Lovell Homes to the southwest, and to the west by the residual area of the land that secured a (now expired) previous "outline" consent for residential development [see Planning History under Section 4 of this Report]. That land remains in County Council ownership but the 2007 submission suggested that this land will be sold off for housing development in the future. It was also envisaged that the proposed new access, shown as part of the 2007 application, would also be extended to serve that area.

Background

- 5.4 Members will be aware that following the severe flooding of January 2005, which seriously affected much of Carlisle (including the existing Fire Station on Warwick Street, north of the City Centre), the Fire Service re-appraised its requirements for accommodation and operational facilities within the city.
- 5.5 That review led to the emergence of proposals for the vacation of the existing Warwick Street premises and its replacement by two new Fire Stations geographically located in the west and east of the city. These were subject of formal planning applications which the County Council determined as the relevant planning authority (it is "operational development" by that Authority).
- 5.6 The detailed proposals for the Carlisle East Community Fire Station were considered by the Committee in June and were fully supported by the City Council. The current application seeks the Council's views on the detailed proposals for the Carlisle West Community Fire Station.

Details of the Proposals

- 5.7 In common with the design philosophy that informed the proposals for the Eastern Way site, the Cumbria Fire and Rescue Service seeks to combine its operational requirements at Newtown with a base that allows effective response on call-out with facilities that have a strong "public face", that engages the local community and is welcoming and accessible to all. The accommodation concept that evolved for both the Community Fire Stations thus revolves around three distinct zones: response, support and community. The level of accommodation in each of these areas is determined by the Fire Authority's overall strategic plans and objectives.
- 5.8 The building would have a total floorspace of 574 m² gross internal area and would have parking facilities for 7 staff members in a secure parking area,

together with 7 visitor parking spaces of which two spaces are designed for persons with disabilities. Whilst the "community" accommodation will be available for 7-day use, its hours will be restricted to between 0800 hours and 2200 hours whereas the Operational Fire Station [and related support] will be a 24/7, 365 day facility to provide an emergency response.

- 5.9 The Carlisle West proposal is for a single appliance facility with associated support, administration and a community "hub". It is essentially a two storey structure, with an attached appliance bay, and would incorporate [at Ground Floor] Operational Response facilities [Watch Room, Kit Area, Laundry and Drying Area, and Workshop]; Operational Support facilities [Staff Lockers, 3 No. wash Rooms with toilets/showers, disabled WC, station store room]; Administration facilities [Watch Manager's Office, reception/general office, office stores and photo-copy room] together with the lobby, foyer, lift and stair access to what is termed the Community Flow facilities at 1st floor. Within that specific area of the upper floor it is proposed to provide a Community Meeting Room, "break-out foyer, wash room with shower, wc and washbasin and a separate disabled persons' toilet. Adjacent to it, and also accessed via stairs and lift, is further accommodation for Operational Support which would contain a Recreation/TV room, a Gymnasium, Communications Room, a Quiet Room, kitchen and stores, and dining room.
- 5.10 The orientation of the building is designed so that it presents its principal facade towards Brookside. It is also sited towards the rear half of the site and, since the site rises from Brookside, the building would sit circa 3m higher in relation to the road. Its' siting is also designed to avoid disturbance to existing trees, near to the eastern site boundary with homes on Raffles Avenue, and also mature trees that are positioned close to the centre of the site. These are all subject to TPO protection.
- 5.11 Since the City Council provided its comments late last year, the applicants have sought to address the concerns raised about the access from Raffles Avenue. It is, thus, now proposed to utilise access for the appliance and to secure staff parking areas from that street coupled with its use to afford access to two "accessible" parking spaces for disabled visitors/staff. Staff and disabled users would also "exit" back onto Raffles Avenue. The Community "Hub" facilities would be focussed on entry from Brookside: as such it is proposed to provide a short section of two-way road from the street to a 5-space visitor parking area adjacent to the building's entrance together with a separate pedestrian path leading to a step of stairs that enable all visitors to enter the proposed "community" areas from the front. The steps are sited between existing trees and are necessary to deal with the site's topography. Since cycle parking facilities are also provided by the entrance it is assumed that cyclists would use the Raffles Avenue entrance then dismount to follow the ramped pathway formed alongside the eastern wall of the building [to allow access from the disabled parking spaces to the entrance] in order to access the "public" cycle parking facilities. That path also affords a convenient route for pedestrians approaching from the Raffles Avenue/Newtown Road direction to the "community hub" facilities. The pedestrian routes also skirt a proposed "community garden" to be formed between the eastern wall of the building and the site's boundary with properties on Raffles Avenue.

- 5.12 The design "theme" evident in the Eastern Way Community Fire Station scheme is very much repeated in the proposals for the west side of the city. The lower walls of the main building are proposed to be finished in black brickwork on its southern facade, returning for short sections to each of the side elevations before reversion to use of a cream/off-white facing brick. The rear wall and most of the east facing wall of that main building would feature bands of grey and cream/off-white facing brickwork while the walls of the appliance bay would be finished in a cladding system. In common with the Eastern Way scheme, the upper floor frontage to the main building would be finished in a "fire engine red" flat profiled cladding which would partly wrap around its two end walls. The glazing to all areas would be formed through a double glazed aluminium system. It would have a flat roof.
- 5.13 The building's design incorporates sustainable design features and elements aimed at achieving a BREEAM "very good" rating e.g. maximum attainment of natural ventilation and natural light, construction of its external envelope to limit solar heat gain and retain naturally generated heat, use of high performance window specification to ensure low thermal loss and solar admittance, reduction of greenhouse gas and water use, avoidance of non-renewable materials, use of sustainable and responsibly sourced materials from local suppliers, a rainwater harvesting system to intercept rainwater from building roofs and drain via an underground tank to enable re-cycling for non-potable uses such as toilet flushing.
- 5.14 In reviewing options for the use of Low or Zero Carbon technology for the development, the applicants considered a range of potential measures but have settled on the proposed use of aerothermal heat pumps. Solar thermal hot water systems were also considered but it was ruled out as it would contribute only a very small amount to the total energy demand of the station and there were issues associated with siting solar panels on the roof. The proposed aerothermal heat pump technology that will be employed will provide a highly efficient heating system, using thermal energy extracted from the surrounding air. It will also deliver a renewable energy contribution which far exceeds the aspiration set by Fire Authorities as it will be approximately 392% efficient i.e for every 1kW of energy used to generate heat, the output would be 3.92kW. In comparison with traditional gas boiler systems, which are 90-95% efficient, the system to be used will generate considerable energy and carbon savings. It will deliver circa 43% renewable energy contribution from renewable sources, well in excess of the 10% aspiration of the NorthWest Fire and Rescue Services.
- 5.15 The following key features are to be included in the scheme. These will result in the building demonstrating an improvement of over 20% above the requirements of Part L of the Building Regulations:
- a Building Energy Management System [BEMS] will help optimise the heating system to ensure rooms are maintained at a comfortable temperature and ready for use at any time without the need for extended and wasteful pre-heat periods;
 - daylight and time control mechanisms will control the external lighting

system;

- time and occupancy-based controls will be installed with the ventilation systems to ensure these do not run unnecessarily;
- u-values have been optimised for walls, floor and roof areas by using construction methods that achieve better u-values than the minimum design limits included in Part L of the Building Regulations; and
- during the operation of the Community Fire Station the BEMS will maintain control over energy consumption by monitoring the performance of the engineering systems and recording climatic data.

Assessment

5.16 In Planning Policy terms, there was [at the time Outline Consent for this development was first granted] no specific guidance contained within either Structure or Local Plan policies that assisted in dealing with community service proposals such as this. The site is located within a Primary Residential (PRA) shown on the Urban Inset Plan for Carlisle that forms part of the District Local Plan: Policy H2 of the [then] adopted Plan had a general presumption against non-residential uses within such areas *"other than where they do not adversely affect residential amenity"*. Development that would create unacceptable noise, smell, safety and health impacts or excessive traffic generation were regarded as not appropriate. In accepting the broad principle of this site being used for a Community Fire Station in 2007, which was the City Council's stance albeit with misgivings about access, it is evident that there was no insuperable objection to the site's use for this form of development.

5.17 Following the review and adoption of the District Local Plan [2001-2016] its revised Policy H2 slightly modifies the stance taken by the former Policy H2 by adding the words *"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 criteria set out under H2 as well as other policies of the Plan appropriate for the proposed use"*. Clearly, there are no adopted, detailed policies specific to this type of development but, taken in the round, the general thrust of the Local Plan is to promote sites within the urban area, to re-cycle previously used land, and to identify sites with high accessibility. All of these apply to the proposed site. Coupled with its wider locational advantage not just to serve the existing western areas of the city but the south-west extension that the Morton development will bring over the next decade and more, it is well situated to serve the western geographical area of Carlisle.

Conclusion

5.18 It is recommended that the Committee supports the proposals.

6. Human Rights Act 1998

- 6.1 Several provisions of the above Act can have implications in relation to the consideration of planning proposals, the most notable being:

Article 6 bestowing the "Right to a Fair Trial" is applicable to both applicants seeking to develop or use land or property and those whose interests may be affected by such proposals;

Article 7 provides that there shall be "No Punishment Without Law" and may be applicable in respect of enforcement proceedings taken by the Authority to regularise any breach of planning control;

Article 8 recognises the "Right To Respect for Private and Family Life";

- 6.2 Article 1 of Protocol 1 relates to the "Protection of Property" and bestows the right for the peaceful enjoyment of possessions. This right, however, does not impair the right to enforce the law if this is necessary, proportionate and there is social need;

- 6.3 This is a matter for the determining Planning Authority to take into account.

7. Recommendation - Observations

1. The City Council fully supports these proposals and commends the attention given in the design process to both the architectural quality of the development and its approach to sustainable construction and operation.
-

SCHEDULE A: Applications with Recommendation

10/0204

Item No: 13

Date of Committee: 16/07/2010

Appn Ref No:
10/0204

Applicant:
Mrs Grainger

Parish:
Burgh-by-Sands

Date of Receipt:
10/03/2010

Agent:
Edwin Thompson

Ward:
Burgh

Location:
Land between Marsh Cottage and The Croft, Burgh
by Sands

Grid Reference:
332158 558985

Proposal: Erection Of 1no. Detached Dwelling

Amendment:

1. Revised Floor Plans And Elevations Modifying The Proposal From A 2 Storey Dwelling To A Single Storey Property

REPORT

Case Officer: Richard Maunsell

Reason for Determination by Committee:

This application is brought for determination by Members of the Development Control Committee due to an objection having been received from the Parish Council together with two letters of objection from neighbours.

1. Constraints and Planning Policies

Ancient Monument

Area Of Outstanding Natural Beauty

Local Plan Pol DP1 - Sustainable Development Location

Local Plan Pol DP9 - Areas of Outstanding Natural Beauty

Local Plan Pol CP3 - Trees and Hedges on Development Sites

Local Plan Pol CP5 - Design

Local Plan Pol CP6 - Residential Amenity

Local Plan Pol CP12 - Foul&Surf.Water Sewerage/Sew.Tr.

Local Plan Pol H1 - Location of New Housing Develop.

Local Plan Pol LE7-Buffer Zone Hadrians Wall W.Herit.Site

Local Plan Pol LE19 - Conservation Areas

Local Plan Pol T1- Parking Guidelines for Development

2. Summary of Consultation Responses

Cumbria County Council - (Highway Authority): no objection subject to the imposition of a condition;

Local Environment, Streetscene - Drainage Engineer: the applicant indicates disposal of foul sewage to the mains (public) sewer, which is acceptable.

The applicant indicates disposal of surface water to a soakaway, which is an acceptable method of disposal.

There is no knowledge of flooding issues at the site;

United Utilities: no objection subject to the following:

- In accordance with PPS25 surface water should not be allowed to discharge to foul/combined sewer as stated in the planning application. This prevents foul flooding and pollution of the environment. Surface water should discharge to the soakaway as stated on the application form and may require the consent of the Environment Agency;
- A separate metered supply to each unit will be required at the applicant's expense and all internal pipework must comply with current water supply (water fittings) regulations 1999;

English Heritage - North West Region:

Summary

Because of the location of this proposal in relation to the Hadrian's Wall World Heritage Site, it is considered that it has the potential to impact on remains of high archaeological importance. As such, English Heritage recommends that this application is not determined until the results of an archaeological evaluation of the site, commissioned by the applicant, are known.

English Heritage Advice

It will be noted from previous applications in this part of Burgh, this is an area with a high archaeological potential. This potential derives from the position of the site, it

being on the line of the Hadrian's Wall Vallum. The Vallum is still poorly understood but it seems likely that this major Roman ditch system was constructed to control access to a military zone associated with Hadrian's Wall and its importance is such that it is included within the Unesco Hadrian's Wall World Heritage Site.

Given this position and consequent archaeological potential, English Heritage's clear advice is that this site should be the subject of an archaeological evaluation in advance of the determination of this application. In such an exercise, professional archaeologists would be commissioned by the applicant and would excavate trial trenches on the site to provide information about the location, extent and importance of the archaeology found within the site. This information would then be used to determine the priority that should be given to the preservation in situ of these remains and therefore for an informed planning decision to be taken and for any further archaeological work on remains whose preservation is not considered to be mandatory to be included as a planning condition. This approach to the archaeology of this site is in line with government advice contained in PPG16.

Recommendation

English Heritage recommends that this application should not be determined until the results of an archaeological evaluation, commissioned by the applicant, are known.

Further comments following the receipt of the archaeological evaluation are awaited;

Local Environment - Environmental Protection: no objections in principle to the application.

The recommendations relating to sensitive developments in PPS23 should be applied;

Planning - Planning Policy & Conservation: this initial proposal had a number of problems. The design of this unit was very urban and did not relate well to the adjacent village vernacular or even the modern dwelling to the west. The proposed dwelling would also have sat near the front of the site altering the character of this space dramatically and not for the better. Any development here should be set back so that its frontage is no farther forward than the front of the property known as the Croft on the adjoining site. The design needed to be reconsidered so that it has less of a "town house" feel.

Revised comments following the receipt of the amended plans are currently awaited;

Hadrians Wall Heritage Limited: comments awaited;

Burgh-by-Sands Parish Council: the following objections to the initial scheme were received:

1. the plan was unclear in that the garden is part of a complex of dwellings and some fences are omitted. A proper representation of the situation and a site visit should be sought before a decision is made;
2. the Parish Council was very unhappy about the increasing number of gardens within the village that have been built upon. This is causing a reduction of

- lifestyle opportunities and quality of life within Burgh-by-Sands. The village is being steadily in-filled. Gardens are not potential infill sites but integral to the housing regime within the village;
3. there are further grounds for the protection of the site due to the fact that the site may be a relic orchard and has specimen apple trees remaining;
 4. the property would not have been constructed to the existing building line;
 5. the property was on the vallum;
 6. the Parish Council had major concerns over the construction of further dwellings within the part of the village as the existing foul water system already overloads during wet weather;
 7. the egress from the site would have been near the summit of a blind hill;
 8. the property planned was much higher than the houses on either side due to size and topography;
 9. the Parish Council had concerns as to where the storm water is going to go as the inevitable run-off during high rainfall will go towards other dwellings in the area;
 10. one of the "walls of character" (see Burgh-by-Sands Design Statement) within the village would be broken into;
 11. dormer windows are not vernacular to this part of the village;
 12. the Parish Council had concerns that general support appears to have already been given, before consultation, as stated in the Design and Access Statement.

Further comments received on 1st July 2010 read as follows:

The Parish Council request a site visit before a decision is made and object on the following grounds:

1. the sewage system in Burgh-by-Sands is currently overloading at time of peak flow causing back up in several properties. Additional connections will make this worse;
2. this is not an infill site but a garden in front of a house and other properties;
3. under the new guidelines the Parish Council have the right to object to this 'new layer' brown field site and do so;
4. the open space structure is as important here as it is in a city because:
 - the site is within the Burgh-by-Sands Conservation Area
 - the Solway Coast Area of Outstanding Natural Beauty (AONB)
 - the Hadrian's Wall World Heritage Site
 - A National Trail for both walkers and cyclists.
5. the design of the proposed dwelling on a garden site is not appropriate and would detract from the Conservation Area's status and have an adverse impact on this part of the village. The open character of the village would be compromised by building on this garden;
6. the property is still not to be constructed to the existing building line;
7. the land to the south of the proposed property is lower and surface run off will go into these properties and does so regularly at present. Development will increase this;
8. there is already an access to a small estate with over spill parking on the main road in this area and additional accesses will compound congestion. The proposed access to the development is on the brow of the hill and on a slight bend and will be a traffic hazard;

9. Policy H5 refers to amenity of existing uses to the surrounding areas and this will detract from it;
10. the 150 year old cobble wall, earmarked as a wall of local character in the Burgh-by-Sands Design Statement (accepted as additional planning criteria by Carlisle City Council), will have to be breached to form a new entrance. This is one of the few areas where vernacular walls are on both sides of the road;
11. the proposal would have an adverse impact on the living conditions of neighbouring properties;
12. the Parish Council are concerned about the implication of letters of 'no objection' from adjacent un-inhabited and derelict properties and relatives of the applicant;

Solway Coast AONB Unit: comments awaited;

Cumbria County Council - (Archaeological Services): the records indicate that the site lies in an area of very high archaeological potential. The presumed course of Hadrian's Wall vallum passes directly beneath the site, which is legally protected as a Scheduled Monument to the east and west. Should remains survive of the vallum, they are highly likely to be deemed of national importance and worthy of preservation in situ, because of their direct association with the World Heritage site.

Given that the proposed development has the potential to affect archaeological remains of national importance, it is recommended that in line with saved policies LE6 and LE8 of the Carlisle District Local Plan, the site is subject to an archaeological evaluation carried out prior to the granting of planning permission. The evaluation should determine the presence, nature and extent of surviving archaeological remains within the area of the ground works of the proposed development. An informed judgement can then be made as to whether provisions will be required for the recording and, more importantly, the preservation of important archaeological remains in situ.

Further comments received on 17th June 2010 read as follows:

the site has been the subject of an archaeological evaluation as recommended in earlier correspondence. The results of the evaluation surprisingly revealed no remains of Hadrian's Wall vallum on the proposed location of the house. In light of this information, there is no objection to the proposed development;

Conservation Area Advisory Committee: the Committee felt that the originally proposed design was very poor and showed little respect for the local vernacular character. The Committee felt that this proposal was unacceptable in its submitted form and that this should be reconsidered.

Following the receipt of the revised proposal for a single storey dwelling, this application was reconsidered by the Committee who raised no objection; and

Local Plans (Tree Preservation), Economic Development: the proposed location for the development is on what appears to be a remnant of a derelict orchard. This is indicated by a number of fruit trees on and adjacent this site, with an adjacent property called The Old Orchard. Such sites do not unfortunately have

statutory protection in their own right, but are of importance for their local cultural and historic importance, their ecological value, as well as often containing old varieties of fruit trees no longer in commercial production.

Protection of the trees could only be achieved by means of a Tree Preservation Order, which in this instance is not considered appropriate due to the relative lack of visibility and prominence of the tree.

The loss of this tree will need to be mitigated, and this should be agreed prior to any decision being granted. The loss of an old mature apple tree along with the loss of other trees and shrubs will not be mitigated by the planting of one small apple tree, and further consideration must be given to the landscaping scheme.

3. Summary of Representations

Representations Received

Initial:	Consulted:	Reply Type:
Marsh Cottage	12/03/10	Objection
3 Marsh Terrace	17/03/10	
Marsh House	12/03/10	
1 Marsh Terrace	12/03/10	Undelivered
2 Marsh Terrace	12/03/10	Comment Only
3 Marsh Terrace	12/03/10	Comment Only
The Old Orchard	12/03/10	
1 The Croft	12/03/10	Objection
2 The Croft	12/03/10	
10 Beech Croft	12/03/10	
Burgh by Sands		Objection

3.1 This application has been advertised by means of a site notice, a press notice and direct notification to the occupiers of nine of the neighbouring properties. At the time of writing this report, two letters of objection have been received and the main issues raised are summarised as follows:

1. the site is within a Conservation Area whose character and appearance should be protected or enhanced. The development would fill in one of the few remaining open garden spaces in the centre of the village;
2. the future inhabitants of one of the cottages in Marsh Terrace will certainly be affected since they will lose their good sized garden and the light that the curtilage currently provides;
3. the site is at a higher level than the adjacent property and will have a bearing on the light coming through the kitchen window and dominating the space;
4. the submitted plan does not show the site boundaries and if it did, it would show that the site is considerably smaller than it would appear;

5. visitors to Marsh Terrace park on the road creating low visibility when trying to enter or leave the adjacent property. A shared access for the existing and proposed properties would address this;
 6. Marsh Cottage and Marsh Terrace are identified in the Burgh-by-Sands Design Statement as a “visually coherent group of buildings”. The proposal does not take account of the traditional design and materials of the surrounding properties and would reduce this coherence;
 7. development of the site would reduce the dwindling number of open spaces within the village;
 8. the development would result in the loss of a garden of mature standing which includes an apple tree described by the ‘apple fest’ as being of significant interest as it is over 100 years old;
 9. the proposed property would tower above Marsh Cottage and Marsh Terrace as these are low cottages.
- 3.2 In addition, two letters of support have been received and the issues raised read as follows:
1. the present owner of 3 Marsh Terrace has no objection to the proposal;
 2. up until 1964, the site was 3 separate produce gardens, one for each of the cottages that made up Marsh Terrace, and could not be described as an orchard;
 3. an orchard used to exist in the property known as Marsh House but this was removed to make way for a number of properties now known as Marsh House Gardens
- 3.3 Following the receipt of amended drawings for a single storey dwelling, a further letter of objection has been received. The main issues raised are summarised as follows:
1. whilst there is an attempt to change the height of the design and lessen the impact on surrounding properties, the development would still impact on the village;
 2. the plot is small and the development would be squeezed onto one of the few remaining open spaces;
 3. no need has been submitted to loose the mature garden;
 4. the development is unnecessary in the Conservation Area and would not have a positive effect on the character of the area; and
 5. comments received from the owners of 2 and 3 Marsh Terrace have raised no objection but they may be related to the developer.

4. Planning History

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

5. Details of Proposal/Officer Appraisal

Introduction

- 5.1 This application seeks “Full” planning permission for the erection of a dwelling at Marsh Cottage, Burgh-by-Sands, Carlisle. The proposal relates to a modestly proportioned piece of garden located within the village, to the south of the County highway. There are residential properties on all sides of the application site which is within the Burgh-by-Sands Conservation Area and the Hadrian’s Wall Buffer Zone.
- 5.2 To the east of the application site is a row of two storey buildings orientated perpendicular to the road. The first property is of brick construction under a slate roof. Adjacent and to the rear, the buildings are finished in roughcast render under a slate roof. The application site slopes down from north to south and the frontage comprises of a sandstone wall. To the rear of the site is a modern two storey house finished in facing brick under a tiled roof. To the west of the application site is a two storey semi-detached dwelling that has recently been enlarged by a two storey extension to the gable. Within the site are several small trees, shrubs and a mature apple tree.
- 5.3 The application site, which extends to around 405 square metres, is rectangular in shape. It is proposed to construct a single storey dual pitched property within the site with a footprint of 88.75 square metres. The property would be set back 17 metres from the front boundary wall through which a new vehicular access would be formed.
- 5.4 The accommodation to be provided within the proposed dwelling would consist of an open plan kitchen, dining room and living room, a bathroom, 2no. bedrooms and 1no. ensuite bedroom.
- 5.5 The property would be constructed from clay facing brickwork under a slate roof. The windows would be mock timber sash and the door and window surrounds would be pre-formed concrete that would be painted.
- 5.6 The foul drainage system would connect into the mains sewer whilst the surface water would be contained in a water retention and control scheme.

Assessment

- 5.7 The relevant planning policies against which the application is required to be assessed are Policies DP1, DP9, CP3, CP5, CP6, CP12, H1, LE7, LE19 and T1 of the Carlisle District Local Plan 2001-2016. The proposal raises the following planning issues:

1. Principle Of Residential Development In Rural Area

- 5.8 The main thrust common to planning policies is that new development in the rural area will generally be focussed upon established settlements where there are appropriate services, facilities and amenities.
- 5.9 Policy DP1 of the Carlisle District Local Plan 2001-2016 sets out the broad development strategy for the area. It establishes a settlement hierarchy with Carlisle's Urban Area being the highest order of priority for most additional new development, followed by the Key Service Centres of Brampton and Longtown and, finally, 20 villages identified as Local Service Centres. Within these locations, development proposals will be assessed against the need to be in the location specified. In relation to rural settlements, boundaries have been identified for those villages that fulfil the Key Service and Local Service Centre functions and these are intended to be used to judge proposals for development within those settlements. Outside these locations, development will be assessed against the need to be in the location specified.
- 5.10 Policy H1 of the Carlisle District Local Plan 2001-2016 elaborates, in relation to development for housing, on the settlement hierarchy. It reiterates that the primary focus for new housing development will be the urban area of Carlisle, followed in order by the Key Service Centres of Brampton and Longtown (which have a broad range of amenities and services) and finally, selected villages which perform a service role within the rural area. These latter villages are sub-divided into two groups, the first group being the 20 larger villages that act as Local Service Centres where the scale and nature of additional development will be determined by local form and character. The second group of 21, essentially small, villages that possess very limited facilities and, hence, provide basic service provision, is regarded as being capable of accommodating only small scale infill development, which is required to be evidenced by local need to be in that location.
- 5.11 The application site lies within Burgh-by-Sands, which is identified as a Local Service Centre under Policy H1 of the adopted Local Plan, and is located within the settlement boundary identified on the Proposals Maps that are part of the adopted District Local Plan). Policy H1 of the Local Plan states that, in principle, small scale housing development will be acceptable within the settlement boundaries of Local Service Centres providing that compliance with seven specific criteria is achievable on site. In this instance, the relevant criteria are met and, on this basis, the principle of residential development is considered acceptable. The issues raised are discussed in more detail in the analysis which follows.
- 5.12 Members will be aware of the revisions to Planning Policy Statement 3 (PPS3) that occurred on 9th June 2010 that removes gardens from the definition of "brown field" land. This means that gardens are no longer considered as previously developed land for the purposes of meeting brown field targets; however, the revision to PPS3 does not prevent all gardens from being developed.
- 5.13 In most towns and cities the majority of residential properties will be located

within the settlement boundaries. In areas where there is a good supply of brown field sites there will remain a presumption in favour of developing brown field land before considering other alternatives; however, in areas where the supply of brown field sites is more limited or does not exist at all, the development of larger residential gardens will often provide a valuable source of development land which will help to reduce pressure on greenfield sites on the edge of existing settlements.

- 5.14 Where no available brown field sites exist, some presumption in favour of developing sites including larger residential gardens within settlement boundaries, can still have planning merits. Thus the declassification of domestic gardens does not necessarily preclude development. In all cases, the character of the area will be the 'key' consideration.
- 5.15 The revision to the definition of 'brown field' offers Local Authorities more control over the protection of the character of the area, where appropriate, and greater scope as to whether development of residential gardens should be allowed.

2. Scale And Design

- 5.16 The scheme has been amended from the two storey detached dwelling that was originally submitted to a single storey dual pitched property. The front elevation is now in line with the linear form of the dwellings to the west and the height of the proposed building is better related to the row of properties to the east.
- 5.17 The submitted drawings illustrate that the proposed dwelling would be of a similar scale and massing to its immediate neighbours and other properties within the immediate vicinity to the east of the application site. The proposed materials would also complement the existing dwellings. Furthermore, the proposal would achieve adequate amenity space and off-street parking. The character and appearance of the dwelling would not be disproportionate or obtrusive within the streetscene.
- 5.18 Considering the fact that the site is within the Conservation Area, if planning permission is granted, it would be appropriate to impose a condition removing Permitted Development rights.

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

- 5.19 As the proposal involves the introduction of windows that face the neighbouring property, it is appropriate to consider the development against the Supplementary Planning Document "Achieving Well Designed Housing". It requires that a distance of 21 metres is provided between primary windows. The proposed building would be sited opposite and adjacent to residential properties. The dwelling would have habitable windows on the east elevation that would be approximately 13 metres from and face towards the properties in Marsh Cottages, albeit at an oblique angle; however, one of the proposed windows would serve a bathroom and would be obscurely glazed. The

remaining two windows are relatively small, being only 600mm wide and the applicant has confirmed that a 1.5 metre high stone wall would be constructed along the boundary.

- 5.20 Given the physical relationship of the windows, the single storey nature of the proposed property and the use of obscure glazing to the bathroom, the development would not result in overlooking or loss of privacy to the occupiers of the neighbouring property. The property to the west has a blank gable that is partially screened by existing vegetation. The properties to the north and south are of sufficient distance from the application site that the minimum distance would not be compromised.

- 5.21 The ridge height of the dwelling would be 3.9 metres and given the physical relationship of the application site with adjacent properties, the occupiers would not suffer from an unreasonable loss of daylight or sunlight. The siting, scale and design of the development will not adversely affect the living conditions of the occupiers of the neighbouring property by virtue of loss of privacy or over-dominance.

4. Impact On The Character And Appearance Of The Burgh-by-Sands Conservation Area

- 5.22 Members will note that concerns were initially expressed by the Conservation Area Advisory Committee (CAAC) in relation to the impact of the development on the Conservation Area. The scheme was amended in light of this objection and CAAC has raised no objection to the revised scheme. The scale, design and use of materials is appropriate to the site and would be consistent with the context of the Conservation Area. The character and appearance of the Conservation Area would not be adversely affected.

5. Archaeological Issues

- 5.23 The site is within a potentially highly sensitive archaeological area. The presumed course of Hadrian's Wall vallum passes directly beneath the site, which is protected as a Scheduled Monument to the east and west. English Heritage and the Historic Environment Officer requested that an archaeological evaluation be undertaken on the site prior to the determination of the application to establish whether remains survive of the vallum which is of international importance and worthy of preservation in situ. The evaluation was undertaken and submitted by the applicant. The Historic Environment Officer has accepted the findings of the report and has raised no objection to the proposal. Following the receipt of the evaluation, further comments from English Heritage are currently awaited.

6. Drainage Issues

- 5.24 Members will note from the consultation responses that the Council's Drainage Officer has raised no objection to the proposal. Local knowledge conveyed through the Parish Council indicates that the area has been subject to localised flooding that is partially due to development over the years and the inadequacy and poor condition of the infrastructure to deal with surface

water. Members will be aware that this issue has also been considered as part of other planning applications in the village. The Parish Council has also commented that the land to the south of the proposed property is lower and surface run off would go into these properties and does so regularly at present. It is further commented that development of the site would increase this.

- 5.25 To address this problem and to ensure that the development would not compound flooding issues, the applicant proposes to install water retention and control scheme. This would comprise of an underground reservoir that could store 5000 litres of water and allow it to soak away gradually. This would be used in conjunction with permeable paving on the hard landscaped areas. These measures are appropriate given the site and localised conditions. The applicant is currently exploring the potential to use the harvested water within the property.

7. Highway Matters

- 5.26 The site would be served by forming a new vehicular access through the stone wall along the front boundary. The wall would be curved to provide the required visibility splays and there would be parking within the curtilage of the property.
- 5.27 A neighbour has raised objections on highway safety grounds; however, the Highway Authority has raised no objection.

8. Other Matters

- 5.28 The Parish Council and an objection from the neighbour refer to the Burgh-by-Sands Parish design Statement. In this document, the site is designated as having a 'visually coherent group of buildings' and 'important walls/ property boundaries'.

- 5.29 With regard to the pattern and setting of settlements, the Design Statement states:

"The linear form of the existing settlements should be maintained, with new development largely confined to infill sites, limited "backland" development, redevelopment and conversions.

There should be no encroachment on the approaches to the villages unless this forms part of an overall landscaping scheme aimed at enhancing views into the settlement."

- 5.30 It has been demonstrated in the preceding paragraphs of this report that the site is an infill plot, the definition of which in the Local Plan is given as "a gap site in an otherwise built up frontage". The site does not encroach on areas outwith the village and in this regard, the proposal would be compliant with these criteria.

- 5.31 The Design Statement provides the criteria for new buildings and states:

“There should be a consistent theme and/ or style within new development which is related to the locality and setting.

New development should generally be single or two-storey in height.

Building styles and materials should be in keeping with the local vernacular and reflect the nearby colours, textures, materials, shapes, styles and proportions of existing traditional buildings and the character of the surrounding area.

Where garden walls and outbuildings are present in new development, these should utilise the same materials as the main building.

Local distinctive features, such as date stones, decorative brickwork and gateposts, might be used to enhance new buildings.”

- 5.32 The buildings in the immediate vicinity of the application site are an eclectic mix ranging from the brick construction of Marsh Cottage, the rendered finishes of Marsh Cottages, the modern semi-detached brick property to the west with its recent extension, all of which are two storeys in height, to the relatively modern development of bungalows on the opposite side of the road. The applicant proposes clay facing brick with a slate roof, materials which are subject of a condition to ensure that a suitable finish is used.
- 5.33 A stone boundary wall is also proposed to provide a continuation of the frontage boundary. Whilst a new vehicular access would be created, the Design Statement does not preclude openings in boundary walls, prescribing instead that new boundary structures should be in keeping with the locality as opposed to timber fences.

Conclusion

- 5.34 In overall terms, the key issue for Members to consider is the importance of the open space and its contribution to the character of the village. The revisions to PPS3 do not preclude residential development on garden land but focuses on the visual impact on the character of the area. The site comprises an open area within the village but is not particularly prominent as it is screened when approaching from the east by Marsh Cottage whose gable abuts the pavement. The site is then exposed. On approach from the west, the neighbouring property is set back approximately 18 metres from the pavement and closely abuts the western boundary. The property would be set back 17 metres from the frontage of the site and would be a continuation of the linear frontage of the properties to the west, thereby retaining an open aspect within the village that would be consistent with the openness of the adjoining garden.
- 5.35 Whilst the application involves the development of an infill site within the village, the applicant has taken appropriate measures to ensure that the development would accord with the criteria of the Design Statement. The scale, design and use of materials in the building together would positively

contribute to the character of the area. Further, it proposes a traditional design and use of vernacular materials such that the development would not adversely affect the character or appearance of the Conservation Area.

- 5.36 The Highway Authority has raised no objection and suitable mitigation measures would be incorporated to deal with surface water and attenuate any flooding issues. The building would not result in any demonstrable harm to the living conditions of any neighbouring residential dwellings. In all other aspects the proposal is compliant with the objectives of the relevant Local Plan policies.

6. Human Rights Act 1998

- 6.1 Several provisions of the above Act can have implications in relation to the consideration of planning proposals, the most notable being:

Article 6 bestowing the "Right to a Fair Trial" is applicable to both applicants seeking to develop or use land or property and those whose interests may be affected by such proposals;

Article 7 provides that there shall be "No Punishment Without Law" and may be applicable in respect of enforcement proceedings taken by the Authority to regularise any breach of planning control;

Article 8 recognises the "Right To Respect for Private and Family Life";

- 6.2 Article 1 of Protocol 1 relates to the "Protection of Property" and bestows the right for the peaceful enjoyment of possessions. This right, however, does not impair the right to enforce the law if this is necessary, proportionate and there is social need;

- 6.3 Article 8 and Article 1 Protocol 1 are relevant but the impact of the development in these respects will be minimal and the separate rights of the individuals under this legislation will not be prejudiced. If it was to be alleged that there was conflict it is considered not to be significant enough to warrant the refusal of permission.

7. Recommendation - Grant Permission

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

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

2. The approved documents for this Planning Permission comprise:

1. the submitted planning application form;
2. drawing number KG1028 P 02;
3. the Notice of Decision; and
4. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: For the avoidance of doubt.

3. No development hereby approved by this permission shall commence until details of the relative heights of the existing and proposed ground levels and the height of the proposed finished floor levels 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 plans.

Reason: In order that the development is 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 unit 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 appearance of the area and the living conditions of the occupiers of neighbouring properties are not adversely affected by inappropriate alterations and/ or extensions and that any additions which may subsequently be proposed satisfy the objectives of Policy CP5 of the Carlisle District Local Plan 2001-2016.

5. Notwithstanding any description of materials in the application no development hereby approved by this permission shall be commenced until samples or full details of materials to be used externally on the building have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The development shall then be undertaken in accordance with the approved details.

Reason: To ensure that materials to be used are acceptable and in accordance with Policy LE19 of the Carlisle District Local Plan 2001-2016.

6. No development hereby approved by this permission shall commence until details of the construction and drainage of the whole of the access area bounded by the carriageway edge, entrance gates and the splays has 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: In the interests of highway safety and in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

7. No development hereby approved shall commence until details of the height of the stone wall along the eastern boundary has been submitted to and approved in writing by the Local Planning Authority. The wall shall be completed prior to the occupation of the dwelling hereby approved.

Reason: To ensure that the living conditions of the occupiers of the neighbouring properties are not adversely affected in accordance with Policy CP6 of the Carlisle District Local Plan 2001-2016.

8. The surface water retention and control scheme detailed in the e-mail sent from Edwin Thompson on 18th June 2010 shall be completed prior to the occupation of the dwelling hereby approved.

Reason: To ensure that the development does not exacerbate existing local surface water drainage problems in accordance with Policy CP12 of the Carlisle District Local Plan 2001-2016.

9. No development hereby approved by this permission shall commence until details of the proposed hard surface finishes 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 materials to be used are acceptable and permeable in accordance with the objectives of Policies CP5 and CP12 of the Carlisle District Local Plan 2001-2016.

10. 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.

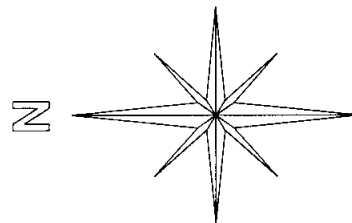
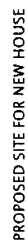
Reason: To ensure that a satisfactory landscaping scheme is implemented in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.


11. No development hereby approved by this permission shall commence until details of the construction of the soakaway, that should include metric scale drawings, 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 soakaway would be constructed in an appropriate manner to ensure that the risk of surface water flooding would not be increased in accordance with Policy CP12 of the Carlisle District Local Plan 2001-2016..

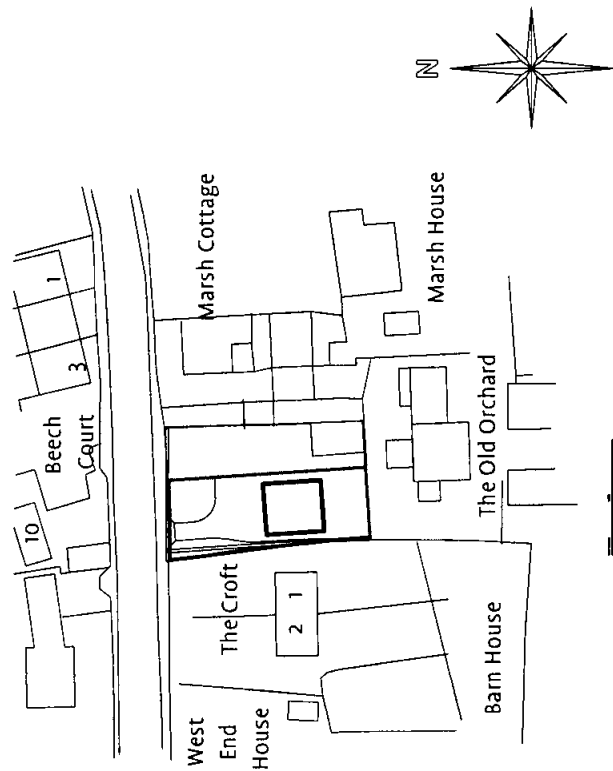
12. No development hereby approved by this permission shall commence until the percolation test results for the soakaway have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the soakaway would be constructed in an appropriate manner to ensure that the risk of surface water flooding would not be increased in accordance with Policy CP12 of the Carlisle District Local Plan 2001-2016..

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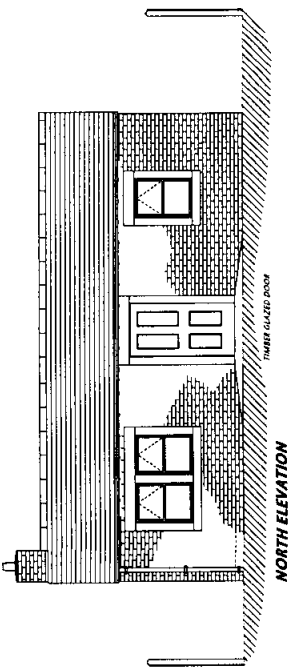
<p>DO NOT SCALE</p> <p>All dimensions are checked on site by the Contractor and any discrepancies brought to the attention of the Project Coordinator immediately. The Contractor shall be responsible for any discrepancies. The Contractor shall be responsible for any discrepancies. The Contractor shall be responsible for any discrepancies.</p>	<p>Edwin Thompson</p> 	<p>■ KENRICK</p> <p>38 St. John's Street Newcastle New South Wales 1588 Chris Shaw</p> <p>T: 0818 779488 F: 0818 774696 E: info@edwin-thompson.co.uk W: www.edwin-thompson.co.uk</p> <p>also at BRIMCOM, CARLISLE, GUILDFORD, PRESTON & WINDERMERE</p>	<p>Project and Client</p> <p>PROPOSED SITE FOR NEW DWELLING BURGH BY SANDS - CARLISLE</p>	<p>Drawn</p> <p>June 2010</p> <p>Scale</p> <p>1:500 @ A3</p>	<p>Drawn</p> <p>cjr</p> <p>Drawing No.</p> <p>KG 1028</p> <p>LOCATION PLAN rev C</p>
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PROPOSED SITE FOR NEW DWELLING BURGH BY SANDS - CARLISLE

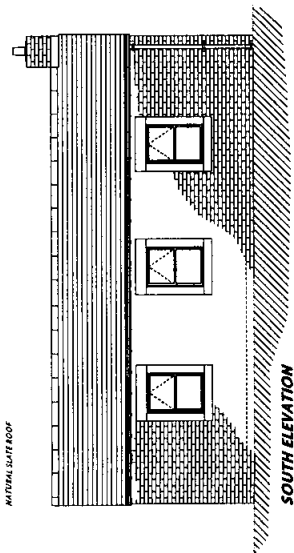


SCALE 1:1250

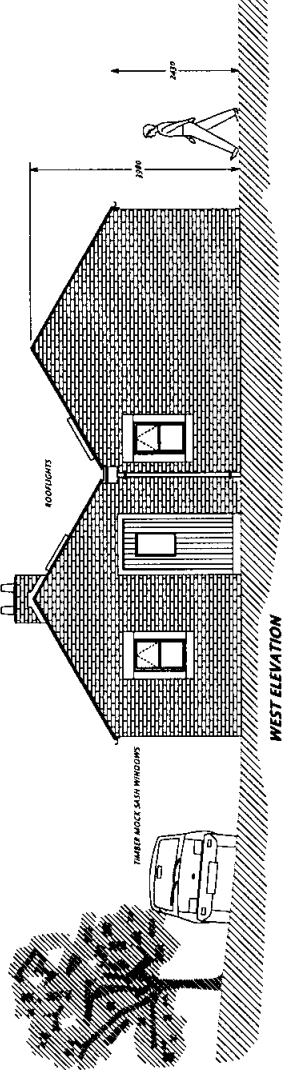
<p><small>DO NOT SCALE</small> All dimensions to be checked on site by the Contractor and any discrepancies brought to the attention of the Project Coordinator immediately. Edwin Thompson is the trading name of Edwin Thompson LLP a Limited Liability Partnership registered in England and Wales No OC 346461 Registered Office 28 St. John's Street, Carlisle</p>		<p>Edwin Thompson</p> <p>■ KESWICK 28 St. John's Street Kewick Carlisle CA20 3AF Tel: 01924 772988 P: 01924 774690 E: karnick@edwin-thompson.co.uk W: www.edwin-thompson.co.uk</p> <p><small>also at BURNWICK, CARLISLE, GALASHIELLS, PRESTON & WINDERMERE</small></p>	
<p>Project and Client</p> <p>PROPOSED SITE FOR NEW DWELLING BURGH BY SANDS - CARLISLE</p>			
Date	NOV 2009	Scale	1:1250 @ A3
Drawn	cjr	Drawing No.	KG 1028
		LOCATION PLAN	rev B



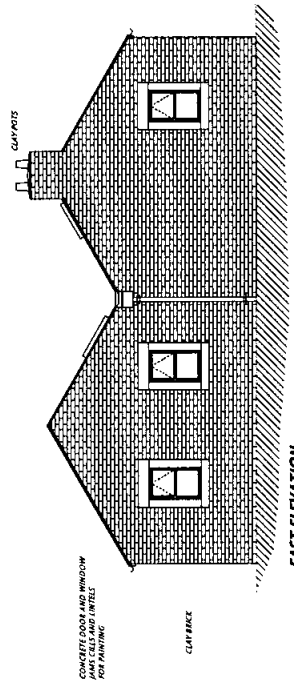
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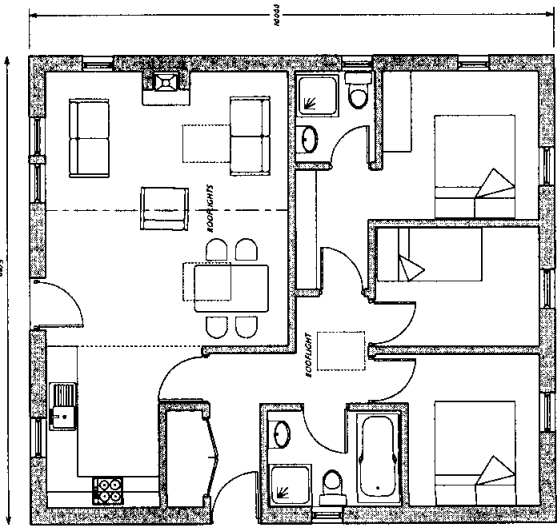
SOUTH ELEVATION



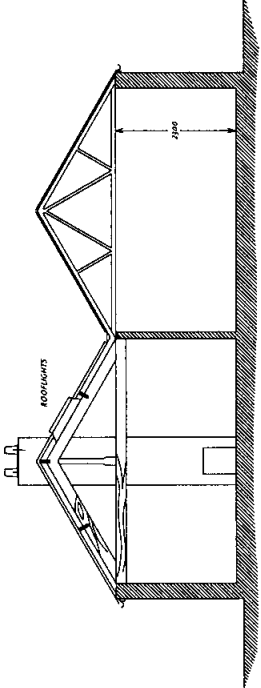
WEST ELEVATION



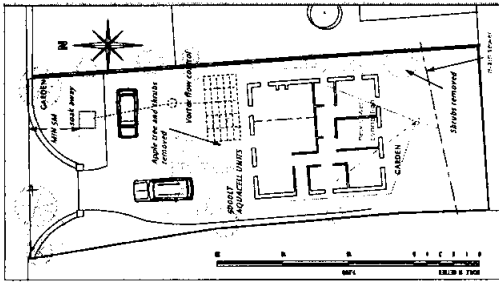
EAST ELEVATION



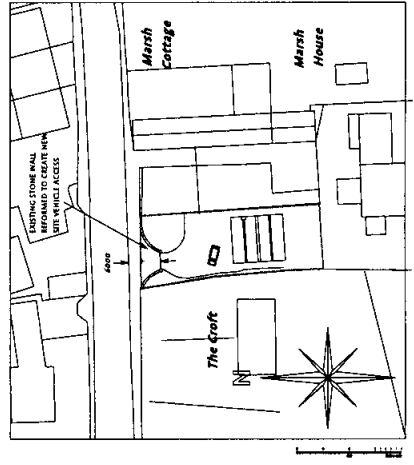
FLOOR PLAN



SECTION



SITE PLAN 1:200



LOCATION PLAN 1:500

SCALE IN METRES



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**BURGH BY SANDS
LAND TO WEST OF
MARSH HOUSE
NEW DWELLING**

Project and Client

DATE: NOV 2009
DRAWING NO: K01028 P 01 Rev C
DRAWN: cjr



Drawn cjr	Drawing No. Rev B KG1038 P 02
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SCHEDULE A: Applications with Recommendation

10/0444

Item No: 14

Date of Committee: 16/07/2010

Appn Ref No:
10/0444

Applicant:
Russell Armer Ltd

Parish:
Carlisle

Date of Receipt:
13/05/2010

Agent:

Ward:
Castle

Location:
L/A former Carlisle Ambulance Station, Infirmary
Street, Carlisle, CA2 7AN

Grid Reference:
338926 556011

Proposal: Renewal of Unexpired Permission Of Previously Approved Application
04/1062 For Demolition Of Existing Redundant Buildings And
Construction Of 60No. Apartment Blocks In 2, 3 And 4 Storey Form With
Associated Parking

Amendment:

REPORT

Case Officer: Alan Taylor

Reason for Determination by Committee:

An objection has been received from a Ward Councillor.

1. Constraints and Planning Policies

Gas Pipeline Safeguarding Area

The proposal relates to land or premises situated within or adjacent to the Gas Pipeline Safeguarding Area.

Contaminated Land

RSS Pol DP 1 - Spatial Principles

RSS Pol DP 2 - Promote Sustainable Communities

RSS Pol DP 4 - Make Best Use Exstg.Resources&Infrastructure

RSS Pol DP 5 - Manage Travel Demand. Reduce Need to Travel

RSS Pol DP 7 - Promote Environmental Quality

RSS Pol DP 9 - Reduce Emissions & Adapt to Climate Change

RSS Pol RDF 1 - Spatial Priorities

RSS Pol L 2 - Understanding Housing Markets

RSS Pol L 4 - Regional Housing Provision

RSS Pol L 5 - Affordable Housing

RSS Pol CNL 1 - Overall Spatial Policy for Cumbria

RSS Pol CNL 2 - Sub-area Development Priorities for Cumbria

Joint Str.Plan Pol ST5: New devt & key service centres

Local Plan Pol DP1 - Sustainable Development Location

Local Plan Pol CP5 - Design

Local Plan Pol CP7 - Use of Traditional Materials

Local Plan Pol CP10 - Sustainable Drainage Systems

Local Plan Pol CP16 -Public Trans.Pedestrians & Cyclists

Local Plan Pol CP17 - Planning Out Crime

Local Plan Pol H1 - Location of New Housing Develop.

Local Plan Pol H2 - Primary Residential Area

Local Plan Pol H4 - Res.Dev.on Prev.Dev.Land&Phasing of Dev.

Local Plan Pol H5 - Affordable Housing

Local Plan Pol IM1 - Planning Obligations

2. Summary of Consultation Responses

Cumbria County Council - (Highway Authority): the Highway Authority has no objections to this application for the renewal of the unexpired permission but refers to the conditions sought on the response to the original application 04/1062;

Environment Agency (N Area (+ Waste Disp)): no objection in principal;

Local Environment (former Community Services) - Drainage Engineer:

comments awaited;

United Utilities - (for water & wastewater comment) see UUES for electricity dist.network matters: no objections provided the site is drained on a separate system with only foul drainage connected into the foul sewer. Surface water should be discharged to the soakaway/ watercourse/surface water sewer and may require the consent of the Environment Agency. If surface water is allowed to be discharged to the public surface water sewerage system, UU may require the flow to be attenuated to a maximum discharge rate to be determined by United Utilities.

A public sewer crosses the site and UU will not allow building over it. UU will require an access strip width of 6m, 3m either side of the centre line of the sewer;

Cumbria County Council - (Archaeological Services): the site has been the subject of an archaeological evaluation which identified the remains of a 19th century sawmill surviving below ground. These remains are considered to be of some significance and will be disturbed by the proposed development.

The Historic Environment Officer has not seen the appeal decision on the earlier planning consent, but it is assumed that a condition was attached by the Inspector to appropriately deal with any archaeological remains, as requested in correspondence regarding the application. If indeed this is the case, then that archaeological condition is still considered necessary on any new consent that may be granted in order to record the archaeological remains that survive on the site;

Cumbria Constabulary - North Area Community Safety Unit (formerly Crime Prevention): comments awaited;

Northern Gas Networks: there is no objection to these proposals; however, there may be apparatus in the area that may be at risk during construction works and should the planning application be approved, then NGN require the promoter of these works to contact it directly to discuss NGN's requirements in detail. Should diversionary works be required these will be fully chargeable;

Planning & Housing Services - Housing Strategy: Housing Strategy is aware that the Planning Inspectorate, in its appeal decision of 2006 relating to this site, required a provision of affordable housing to be submitted to and approved by the Council before the development should take place. Officers look forward to discussing this with the developer, should the site be brought forward.

3. Summary of Representations

Representations Received

Initial:	Consulted:	Reply Type:
22 Canal Court	18/05/10	Objection
Castle	18/05/10	
8 Canal Court	18/05/10	
7 Canal Court	18/05/10	
6 Canal Court	18/05/10	
5 Canal Court	18/05/10	
4 Canal Court	18/05/10	
3 Canal Court	18/05/10	
2 Canal Court	18/05/10	
1 Canal Court	18/05/10	
Cumbria Ambulance Service NHS Trust	18/05/10	
Cumberland Infirmary	18/05/10	
28 Canal Court	18/05/10	
27 Canal Court	18/05/10	
26 Canal Court	18/05/10	
25 Canal Court	18/05/10	
24 Canal Court	18/05/10	
23 Canal Court	18/05/10	
22 Canal Court	18/05/10	
21 Canal Court	18/05/10	
20 Canal Court	18/05/10	
19 Canal Court	18/05/10	
18 Canal Court	18/05/10	
17 Canal Court	18/05/10	
16 Canal Court	18/05/10	
15 Canal Court	18/05/10	
14 Canal Court	18/05/10	
13 Canal Court	18/05/10	
12 Canal Court	18/05/10	
11 Canal Court	18/05/10	
10 Canal Court	18/05/10	
9 Canal Court	18/05/10	

3.1 This application has been publicised through the posting of a Site Notice, a Public Notice being published in the Cumberland News and direct written notification given to the occupiers of adjacent premises at Canal Court, the NHS Ambulance Trust, and the Estates Officer at the Cumberland Infirmary.

3.2 The only representation is from Clouncillor Tootle who objects and whose letter is printed following in the Schedule.

4. Planning History

4.1 The land subject of this application was last occupied by the former Ambulance Station but it is now unused and has been disposed of as surplus to requirements.

4.2 In October 2003, Montgomery Homes Ltd secured planning permission

[application 03/0469] for the demolition of the existing buildings and re-development of the site to provide 31 no. 2 bed houses with car parking. A start has been made on that development and so it may lawfully be completed although there is currently no indication that is likely to happen.

- 4.3 A subsequent temporary approval (2 years) was granted in February 2005 for the use of the site for the display of conservatories.
- 4.4 In September 2005, a detailed planning application submitted by the current applicants for the development of the site to provide 60 apartments, with related car parking, was refused by the Committee contrary to the Officer recommendation. The applicants Appealed against the refusal but, prior to it being considered, the applicants submitted a duplicate application for the same development to allow the Council to re-consider the matter with a view to avoiding the need for a Public Inquiry. The duplicate application was, however, also refused in January 2006.
- 4.5 The applicants' Appeal against the initial refusal was considered at an Inquiry held in September 2006. The Appeal was allowed as was an application for costs against the Council leading to a partial award of costs to the appellants.
- 4.6 In July 2008 an application for the construction of a refuse/re-cycling store to serve the proposed apartments was approved.
- 4.7 An application to discharge Conditions 2 (Samples Of Materials To Be Used Externally On Buildings), 3 (Hard Surface Details), 4 (Details Of Carriageway, Footways And Footpaths), 6 (Details Of Access To The Highway), 8 (Plan For Construction Vehicle Parking), 9 (Details Of Surface Water Discharge), 10 (Ramp Details), 11 (Ground Level Details), 12 (Details Of Surface Water Drainage Works), 13 (Screen Walls And Boundary Fence Details), 14 (Details Of Trees And Shrubs) Attached To Planning Approval 03/0469 For The Development And Redevelopment Of Former Ambulance Station To 31no 2 Bed Houses And Car Parking was approved in August 2008.
- 4.8 The current application seeks approval of an extension of time for the commencement of development of the planning permission for the apartments allowed on Appeal.
- 4.9 Members should note that a further application, seeking a temporary consent for the use of the site as a car park, is also current and has been submitted by the applicants to give the land a beneficial short-term use until such times as the housing market supports the site's re-development.

5. Details of Proposal/Officer Appraisal

Introduction

- 5.1 The application site relates to a 0.382 hectare parcel of land on the eastern

side of Infirmary Street, just north of the entrance to the Canal Court development. The land was formerly used as an ambulance station by the Health Authority but that was replaced some years ago by premises further along Infirmary Street and since that time the application site has been unused.

- 5.2 The site has a road frontage of about 75 metres and is about 65 metres deep at its furthest point from Infirmary Street. It is bordered on its southern and eastern sides by the housing development at Canal Court which sits on more elevated land as does the adjoining land to the north. The southern and eastern boundaries are formed principally by laurel hedging, with 1.45 metre high railings and two sets of entrance gates forming the enclosure to the frontage, and shrub planting defining the boundary to the north.
- 5.3 The site is occupied by disused buildings adjacent to the north boundary and within the centre of the site and there are extensive areas of tarmac hardstanding between the two buildings and towards the rear of the site. Between the front railings and the nearest wall of the existing buildings are seven trees consisting of species of sycamore, silver birch, willow and a single oak. Three of those trees [2 willows and a silver birch] are shown to be removed to accommodate the proposed development of 60 no. 1 and 2 bed apartments.

Background

- 5.4 This application seeks a renewal of an unexpired permission of previously approved application 04/1062 for demolition of existing redundant buildings and construction of 60no. apartment blocks in 2, 3 and 4 storey form with associated parking.

Assessment

- 5.5 As Members will note from the description, the current application follows on from an extant Planning Permission, granted under the Council's reference 04/1062. That application was refused in August 2005, against Officer advice. An Appeal was lodged with the Planning Inspectorate but, in order to try to avoid that, the applicants re-submitted their proposals in November 2005 inviting the Council to reconsider its opposition. Again, although recommended for approval, the Committee refused that second application in January 2006 and, consequently the applicants progressed their Appeal against refusal of the initial application.
- 5.6 Following a Public Inquiry held at the Civic Centre in August 2006 the Appeal was allowed and planning permission was granted subject to conditions imposed by the Inspector. A separate application was made by the Appellants for the costs incurred in their Appeal and that was also successful, resulting in the Council paying a considerable amount in costs to the Appellants.
- 5.7 The Planning Permission obtained by the Appellants remains valid as it required a start within 5 years of the date of the Inspector's decision [23rd August 2006]. The Appellants could, of course, undertake some work to

legally "commence" the development prior to 23rd August 2011 [when the 5-year period in which a "start" should be made ends] and it would keep their permission in force in perpetuity. However, given the somewhat depressed state of the housing market in general, that is not being contemplated by them but instead, they wish to prolong the period within which the development may start by a further two years. There is no change to the details of the Scheme approved by the Inspector following the Public Inquiry.

- 5.8 Hence, the City Council are now dealing only with an application to "extend the life" of the permission, with all its existing conditions, etc remaining save for the 5-year commencement condition which the applicants want to extend by 2 years so they have until 23rd August 2013 to start as opposed to 23rd August 2011.

Conclusion

- 5.9 Given that there is no change to the details of the Scheme approved by the Inspector following the Public Inquiry the application is recommended for approval.

6. Human Rights Act 1998

- 6.1 Several provisions of the above Act can have implications in relation to the consideration of planning proposals, the most notable being:

Article 6 bestowing the "Right to a Fair Trial" is applicable to both applicants seeking to develop or use land or property and those whose interests may be affected by such proposals;

Article 7 provides that there shall be "No Punishment Without Law" and may be applicable in respect of enforcement proceedings taken by the Authority to regularise any breach of planning control;

Article 8 recognises the "Right To Respect for Private and Family Life";

- 6.2 Article 1 of Protocol 1 relates to the "Protection of Property" and bestows the right for the peaceful enjoyment of possessions. This right, however, does not impair the right to enforce the law if this is necessary, proportionate and there is social need;

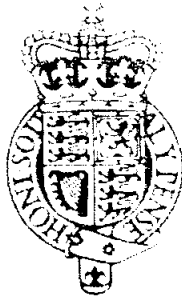
- 6.3 It is considered that the proposals will not prejudice any rights bestowed under the relevant provisions of the Act.

7. Recommendation - Grant Permission

1. The development, hereby approved, shall be implemented by not later than the 23rd August 2013.

Reason: For the avoidance of doubt.

2. The conditions otherwise issued by the Inspector will be included in a draft Decision Notice to be reproduced in the Supplementary Schedule.
-



Appeal Decision

Inquiry held on 1 & 2 August 2006

Site visit made on 2 August 2006

by **Wenda Fabian** BA Dip Arch RIBA

an Inspector appointed by the Secretary of State for
Communities and Local Government

The Planning Inspectorate
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Temple Quay House
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Temple Quay
Bristol BS1 6PN
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Date: 23 August 2006

Appeal Ref: APP/E0915/A/05/2005414

Former Health Authority Buildings, Land to north of Infirmary Street/Canal Court junction, Infirmary Street, Carlisle CA2 7AN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Russell Armer Ltd against the decision of Carlisle City Council.
- The application Ref 04/1062, dated 23 July 2004, was refused by notice dated 30 September 2005.
- The development proposed is 'Demolition of existing redundant buildings and construction of a 60 No apartment block with associated carparking'.

Summary of Decision: The appeal is allowed, and planning permission granted subject to conditions set out below in the Formal Decision.

Procedural Matters

1. At the Inquiry an application for costs was made by Russell Armer Ltd against Carlisle City Council. This application is the subject of a separate Decision.

Main Issues

2. I consider the main issues in this case are the effect of the proposal on:
 - i) the character and appearance of the area;
 - ii) the efficient use of land having regard to national and emerging development plan policy; and
 - iii) the provision of parking and the free flow of traffic.

Planning Policy

3. The development plan for the area is the *Regional Spatial Strategy* (RSS), published as *Regional Planning Guidance for the Northwest*, 2003, the *Cumbria and Lake District Joint Structure Plan 2001-2016*, 2006, (SP) and the *Carlisle District Local Plan*, 1997, (LP). LP policy H4 sets out criteria with which residential development in Carlisle should comply. These include that: satisfactory housing conditions can be achieved; the proposal will complement the existing character of the area; it will not adversely affect the amenity of the area; and appropriate parking arrangements can be made.
4. The Local Plan is undergoing review and has been subject to consultation; the redeposit version was issued in August 2005 and the Local Plan Inquiry is scheduled for early 2007. Accordingly it carries moderate weight. The emerging *Carlisle District Local Plan 2001 – 2016 Redeposit Draft* (RDLP) policy CP4 sets out design criteria for new development. Amongst these, proposals should: have regard to surrounding buildings in the context of

their form in relation to height, scale and massing; and not result in unacceptable standards for future users and occupiers of the development.

Reasons

5. The appeal site was formerly occupied by redundant health authority buildings. These have now been cleared with only various floor slabs and areas of hard-standing remaining. It is partly surrounded by tall laurel hedges with shrubs with some existing semi-mature trees along the road frontage. Infirmary Street rises up northwards; from the junction with the main Newtown Road to the infirmary close-by, beyond the appeal site. To the south and east, at one side and behind, is a development of mainly two storey apartment blocks on Canal Court.
6. Planning permission has already been granted for a development of 31 two storey terraced houses on the appeal site, Ref 03/0469, dated 10 October 2003. This is still extant and is the appellant's expressed fall-back position. It establishes the principle of residential development on the site. The proposal is for a large L-shaped residential block comprising 60 one and two bedroom flats. Fronting onto Infirmary Street, it would be three stories high rising to four stories at the upper end, with a central vehicle archway leading to a parking court behind.

Character and Appearance

7. Whilst the Council fears that the proposed substantial frontage would dominate the street, I consider that its scale would complement that of the surrounding urban context. The infirmary, opposite at the top of the street, is an extensive complex of old and new, large, three and four storey blocks. Its imposing classical frontage is three storey, but in excess of the height of the proposal and on higher ground. The apartment blocks behind the appeal site on Canal Court resemble large, well spaced, semi-detached dwellings with hipped roofs. The proposed block would be substantially larger in height and mass than these. However, they are mostly located on higher land whereas the closest part of the proposal would also be two storey but on a lower site level. At the lower end of Canal Court is a larger three storey block, visible from Infirmary Street. In my opinion the three storey part of the proposal, although on higher ground than this block, would sit comfortably alongside it as well as the adjacent older two and three storey terraced property lower down the street.
8. The Council has drawn attention to the lower-lying area to the south of the main road, which is predominantly characterised by mainly two storey Victorian terraced houses. However, these typically have higher floor to ceiling heights than modern housing (including the approved scheme) and I have seen that some of the terraces are elevated above the road, some have gable features (which increase their apparent height) and some have dormered third storey accommodation. They are also punctuated by buildings of larger stature. Moreover, further towards the city centre along the main road, there are substantial Victorian industrial buildings; in particular the biscuit factory buildings and some now converted to residential use as well as some new three and four storey apartment buildings.
9. Opposite the appeal site, beyond the infirmary and across its carpark, a large three storey block of new infirmary accommodation is nearing completion. In my view, the proposal would balance this building in terms of physical mass and help to create a necessary sense of enclosure to the large, publicly-accessible, tree lined open space in front of the infirmary, which leads down to the main road. To my mind, at present the immediate vicinity lacks

focus – the impressive infirmary building is set back above the main road behind open landscaped grounds and not easily seen from it. The openness of the extensive carpark alongside these grounds in front of the infirmary buildings produces a bleak townscape that disturbs the urban grain. The ambulance station adjacent to the upper side of the appeal site is also set back behind and alongside further carparks and is only single storey. The street front terraced blocks at the lower end stop abruptly and without a building of suitable stature on the appeal site. Infirmary Street lacks definition. The approved scheme would present rear gardens to the street with the building line set back from it and all the clutter of domesticity more normally seen in suburban than urban locations. To my mind smaller scale development than is now proposed would be inappropriate in the context of the nearby large scale buildings and in such close proximity to the city centre.

10. The appeal proposal would form a natural transition between the terraced houses nearby to the south and west and the larger industrial and residential blocks to the east. Although large, the scale of its frontage would be broken down by forward projecting gables, arched details, small dormer windows and a varied roof form. The overall design and palette of materials would create an individual contemporary building reflecting the forms and details of some of the surrounding traditional buildings, which I consider would make a positive contribution to the area.
11. I conclude that the proposal would not harm the character and appearance of the area and it would comply with this aspect of LP policy H4 and emerging RDLP policy CP4.

The Efficient Use of Land

12. There is no dispute between the parties that the appeal proposal meets government policy, set out in *Planning Policy Guidance Note 3: Housing* (PPG3), which promotes the efficient use of previously developed land for housing in sustainable locations. Paragraphs 57 and 58 state that local planning authorities should not apply unduly restrictive ceilings on the amount of housing that can be accommodated on a site: minimum residential densities of between 30-50 dwellings per hectare should be achieved and higher densities are encouraged on sites with access to good public transport. This aim is reflected by emerging RDLP policy H3, which requires residential development close to the city centre to achieve a density in excess of 50 dwellings per hectare. It also reflects emerging policy on density for city centre locations set out in Annex C to draft Planning Policy Statement 3. However, PPG3 indicates that local policies should aim to create places and spaces with the needs of people in mind.
13. The Council is concerned that the appeal proposal at a density of 157 dwellings per hectare (substantially more than the 81 dwellings per hectare scheme already approved) would fail to produce satisfactory living conditions for future residents. Whilst this density increase is substantial, the dwelling sizes proposed are smaller and the overall number of habitable rooms is fewer. A direct comparison on the basis of density alone is not realistic. Separation distances from the proposal to surrounding buildings are generous (to minimise direct overlooking) and the internal layout is well designed. Although the one bedroom flats at ground floor would be adjacent to the parking court, there would be a landscaped buffer strip in front of living room windows. The majority of ground floor living areas proposed would have french windows opening onto a landscaped green space and at upper levels would have juliet balconies to allow french windows to open inwards giving maximum contact with outside. A lack of private out door space is a common feature of

modern urban life and I consider that the proposal would provide an adequate living environment similar to or better than many urban residential locations.

14. Future residents would be free to judge for themselves whether the benefits of city centre living with employment, shops and services within easy level walking distance as well as good access to local bus services and a national train route would offset the lack of out door space. Although the main road is busy and noisy (in places it is a dual carriageway), I have seen that there are generous footways on both sides with clear pedestrian crossing points, it passes a nearby recreation park and there is a good mix of residential, leisure and commercial premises that enlivens the streetscape. There is also a partially designated cycle route, which could be improved with time.
15. I conclude that the proposal would make efficient use of land in accordance with national and emerging local policy. It would comply with LP policy H4 and emerging RDLP policy CP4 in respect of living conditions.

Parking Provision

16. Some doubt over the precise number of parking spaces proposed emerged at the inquiry. The car park layout contained in the Transportation Assessment submitted with the planning application records 60 resident dedicated parking spaces and 5 visitor spaces. The amended layout plan subsequently submitted prior to the Council's decision, shows 60 resident spaces but only 4 visitor spaces. Access to the carpark would be controlled. I note that the Highway Authority has indicated the acceptability of the proposed parking provision, albeit their report refers only to 60 parking spaces. *Planning Policy Guidance Note 13 – Transport* (PPG13) establishes that reducing the amount of parking in new development is essential, as part of a package of planning and transport measures, to promote sustainable travel choices. PPG3 establishes that residential parking provision should be a maximum of 1.5 spaces per dwelling and that housing developments should be allowed with *limited or no off-street parking* in areas with good public transport accessibility and where effective on-street parking control is present or can be secured.
17. The appeal site is agreed to be in a sustainable location with good access to regular city centre public transport. Parking restrictions are in place in the surrounding area with resident only parking and public on-street parking restricted to one hour. There are double yellow lines on both sides of Infirmary Street. It is open to the Authority to enforce these restrictions to ensure the free flow of traffic. Although public on-street parking is very limited, I saw that the infirmary carpark can accommodate at least 700 cars, is not restricted to infirmary users and at the time of my visit a reasonable number of spaces were available. Parking charges apply to periods from one hour up to the whole day. Emerging RDLP policy T1 acknowledges the importance of all these factors in assessing the acceptable level of parking for development proposals. The parking proposed is in excess of 1 space per dwelling and although few visitor spaces are indicated, in the context of the availability of alternative means of transport I am satisfied that sufficient parking provision is proposed.
18. However, PPG13 records that when reducing parking provision, the amount of good quality cycle parking in developments should be increased to promote more cycle use. No cycle parking or storage is proposed and I agree with the Council that this should be provided. Although it is proposed to provide some of the units as affordable housing, which the Council has identified would be used for care assisted provision in association with the infirmary; no disabled parking provision has been indicated. Nevertheless, a revised

carpark layout was tabled at the inquiry and I am satisfied that appropriate provision could be achieved within the space available. The detail of both these aspects can be secured by condition and their lack as proposed does not therefore justify refusal.

19. In the light of all of these circumstances and current national policy I conclude that the level of parking proposed would be adequate and would not impede the free flow of traffic. Consequently the proposal would accord with LP policy H4.

Other Considerations

20. The Traffic Assessment submitted with the planning submission includes a proposed modified layout for the Infirmary Street/Newtown Road junction, to improve traffic flow. At present there is no right turn facility on Newtown Road with the result that traffic waiting to turn into Infirmary Street blocks through or oncoming traffic and this situation is further complicated by the bus stop opposite. The proposal would involve the creation of a ghost island and an alteration to the footway. Although it is not clear whether the former use of the appeal site generated fewer vehicle movements than the appeal proposal, it has been vacant for a significant period and the proposal would therefore increase traffic levels above current ones. The Highway Authority has indicated the acceptability of the proposed junction improvement and acknowledged that it would also assist cyclists. I consider the proposal reasonable and necessary and its implementation can be secured by condition.
21. In accordance with government advice in *Circular 06 98: Planning and Affordable Housing* and in PPG3, emerging policy RDLP H5 states that the City Council will negotiate with developers for an element of affordable housing to be included in the majority of housing developments. A contribution towards this provision will be sought from all sites of over 10 dwellings in urban areas. Following negotiations with the appellant, the Council's initial requirement of 19 units of affordable housing provision was reduced to 8 units to be managed by a Registered Social Landlord and to be provided as special needs accommodation for the elderly or those who need respite care. The reduced number of units is considered acceptable by the Council's Housing Strategy Section in the light of the specialist accommodation that would be provided and its close proximity to the infirmary. I am satisfied that the level of affordable housing proposed would be adequate to meet locally identified need. A detailed scheme for the provision can be secured by an appropriately worded condition and this would be reasonable and necessary in the light of national and local policy.

Conditions

22. I have considered the suggested conditions in accordance with the advice in DoE Circular 11/95: *The Use of Conditions in Planning Permissions*. As set out above, I consider conditions in relation to the detailed provision of carparking and affordable housing are needed. The Council has suggested a requirement that the affordable housing provision should be built to comply with the Housing Corporation's Lifetime Home Standards. However, the appellant has indicated that this element of the proposal would be operated by a Registered Social Landlord, who would set specification standards for the accommodation. I, therefore, consider this aspect of the suggested condition unnecessary. The suggested condition in relation to the junction improvement, referred to above, requires an agreement to be in place under Section 278 of the Highway Act 1980 with the Highway Authority. Circular 11/95 specifies that conditions which require the applicant to obtain an authorisation from another body should not be imposed. I shall therefore reword the

condition to require the detailed improvement scheme to be approved by the local planning authority.

23. To ensure continuity with the surrounding area it is reasonable to require the further submission of material samples or details for approval. The current appearance of the site and the surrounding gardens is softened by the existing mature hedges, which also provide privacy to the occupants. I agree that these should be retained and additional landscaping introduced as is indicated on the proposed drawings. There are currently two existing accesses onto the site; as it is proposed to close one of these, it is reasonable to require the footway to be reinstated. In the light of the recent widespread flooding in Carlisle the requirement of a strategy for surface water drainage from the site is necessary. I accept the advice of the Council's Archaeologist that in such proximity to previous historic finds, an archaeological investigation is necessary prior to commencement of the development to prevent the loss or damage of remains that may survive on the site.

Conclusions

24. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

Formal Decision

25. I allow the appeal, and grant planning permission for 'Demolition of existing redundant buildings and construction of a 60 No apartment block with associated carparking' at Former Health Authority Buildings, Land to north of Infirmary Street/Canal Court junction, Infirmary Street, Carlisle CA2 7AN in accordance with the terms of the application, Ref 04/1062, dated 23 July 2004, and the plans submitted with it, subject to the following conditions:
- 1) The development hereby permitted shall begin before the expiration of five years from the date of this decision.
 - 2) No development shall take place until details (including the type, colour and texture) or 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.
 - 3) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include: details of existing trees, shrubs and hedges to be retained and fencing for their protection during construction; proposed finished levels or contours; means of boundary enclosure; a car parking layout for up to 65 cars to be parked, including 5 visitor spaces and a minimum of 3 disabled bays as well as cycles storage or parking (the overall number of parking bays may be reduced to allow for up to 8 disabled bays, as agreed in writing by the local planning authority); other vehicle or pedestrian accesses and circulation areas, with ramps for wheelchairs and prams at kerb lines, specification of hard surfacing materials (designed in accordance with the DETR 'Guidance on the use of Tactile Paving Services'); minor artefacts and structures (including, vehicle entrance control equipment, refuse storage and drying area, signs and lighting).

- 4) Soft landscape works shall include planting plans: written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants using native species, noting species, plant sizes and proposed numbers/densities where appropriate; and an implementation programme.
- 5) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out in the first planting and seeding seasons following the occupation of or completion of the development, whichever is the sooner, or in accordance with the programme agreed with the local planning authority.
- 6) No development shall take place until a schedule of landscape maintenance, including the replacement of any trees or plants which die, for a minimum period of 5 years from completion has been submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.
- 7) No development shall take place until provision has been made for construction and contractors' vehicles to access and park on the site, in accordance with a scheme submitted to and approved in writing by the local planning authority. The provision shall be kept available until completion of the development. No dwelling unit shall be occupied until space for access and parking provision has been laid out within the site in accordance with the scheme referred to in condition 3 above and for the loading and unloading of service vehicles and for vehicles to turn so that they may enter and leave the site in forward gear.
- 8) No development shall take place until a scheme for the modification of the junction of Newtown Road/Infirmary Street to form a ghost island and right turn lane (as shown on Dwg No 050405/01) has been submitted to and approved in writing by the local planning authority. No dwelling unit shall be occupied until the approved scheme has been implemented.
- 9) No dwelling unit shall be occupied until the existing highway access (which served the former ambulance station) has been permanently closed and the highway crossing reinstated in accordance with details previously submitted to and approved in writing by the local planning authority.
- 10) No development shall take place until a scheme to deal with contamination of the site has been submitted to and approved in writing by the local planning authority. The scheme shall include a desk study to be followed if necessary by an investigation and assessment to identify the extent of contamination and the measures to be taken to avoid risk to the environment or public when the site is developed. If necessary, development shall not begin until the measures approved in the scheme have been implemented.
- 11) No development shall take place until an appropriate surface water drainage strategy including provisions to prevent the discharge of surface water onto the highway has been submitted and approved by the local planning authority. Development shall be carried out in accordance with the approved strategy.

- 12) No development shall take place until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme. The scheme shall include:
- i) the numbers, type, and location within the development of the affordable housing provision to be made;
 - ii) the timing of the construction of the affordable housing;
 - iii) details of the management structure, whether by Registered Social Landlord or otherwise;
 - iv) the arrangements to ensure that such provision is affordable for both initial and subsequent occupiers of the affordable housing; and
 - v) the occupancy criteria to be used for determining the identity of prospective and successive occupiers of the affordable housing, and the means by which such occupancy criteria shall be enforced.
- 13) No development shall take place within the site until the applicant, or their agents or successors in title, 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 in writing by the local planning authority. The written scheme will include the following components:
- i) an archaeological desk-based assessment and evaluation;
 - ii) an archaeological recording programme, the scope of which will depend on the results of the evaluation; and
 - iii) where appropriate, a post-excavation assessment and analysis, preparation of site archive ready for deposition at a store approved by the local planning authority, completion of an archive report and publication of the results in a suitable journal.

Wenda Fabian

Inspector

SCHEDULE B

SCHEDULE B

SCHEDULE B

SCHEDULE B

SCHEDULE B

SCHEDULE B

SCHEDULE B: Reports Requiring Further Information

10/0577

Item No: 15

Date of Committee 16/07/2010

Appn Ref No:
10/0577

Applicant:
Citadel Estates Ltd.

Parish:
Brampton

Date of Receipt:
22/06/2010

Agent:
Holt Planning Consultancy

Ward:
Brampton

Location:
Tarn End House Hotel, Talkin, CA8 1LS

Grid Reference:
354388 558357

Proposal: Removal Of The Effects Of Conditions 2, 3, 4, 5 And 6 Attached To The Grant Of Full Planning Permission Under Application 06/0693 (Conversion To 8no. Holiday Units) To Enable Unrestricted Residential Occupation

Amendment:

REPORT

Case Officer: Angus Hutchinson

Reason for Determination by Committee:

1. Constraints and Planning Policies

Tree Preservation Order

The site to which this proposal relates has within it a tree protected by a Tree Preservation Order.

Site Of Nature Conservation Significance Public Footpath

The proposal relates to development which affects a public footpath.

RSS Pol RDF 2 - Rural Areas

Local Plan Pol DP1 - Sustainable Development Location

Local Plan Pol DP10 - Landscapes of County Importance

Local Plan Pol CP1 - Landscape Character

Local Plan Pol CP2 - Biodiversity

Local Plan Pol CP3 - Trees and Hedges on Development Sites

Local Plan Pol CP5 - Design

Local Plan Pol CP7 - Use of Traditional Materials

Local Plan Pol CP9 - Devel., Energy Conservation and Effic.

Local Plan Pol CP10 - Sustainable Drainage Systems

Local Plan Pol CP12 - Foul&Surf.Water Sewerage/Sew.Tr.

Local Plan CP15 - Access, Mobility and Inclusion

Local Plan Pol CP16 -Public Trans.Pedestrians & Cyclists

Local Plan Pol EC13-Sustaining Rural Facilities&Services

Local Plan Pol H1 - Location of New Housing Develop.

Local Plan Pol H5 - Affordable Housing

Local Plan Pol H6 - Rural Exception Sites

Local Plan Pol H8 - Conversion of Existing Premises

Local Plan Pol IM1 - Planning Obligations

Local Plan Pol LE3 - Other Nature Conservation Sites

2. Summary of Consultation Responses

Cumbria County Council - (Highway Authority): no observations or comments to offer in respect of this application.

Cumbria Constabulary - North Area Community Safety Unit (formerly Crime Prevention): comments awaited.

Local Environment, Green Spaces - Countryside Officer - Rural Area: public footpath 105033 must be kept open across its full width to the public at all times during and after development.

Brampton Parish Council: comments awaited.

Property Services: comments awaited.

3. Summary of Representations

Representations Received

Initial:	Consulted:	Reply Type:
Banksfoot Farm	28/06/10	
The Howard,	28/06/10	
Briar Cottage	28/06/10	
The Shieling	28/06/10	
Briar Cottage	28/06/10	
The Shieling	28/06/10	
2 Fosseway	28/06/10	
Stone house	28/06/10	
15 Berrymoor Road	28/06/10	
Ellencroft	28/06/10	
Saughtreegate	28/06/10	
The Green	28/06/10	
1 St Martins Court	28/06/10	
134 Dacre road	28/06/10	
8 Fell View	28/06/10	
Glendhu	28/06/10	
10 Park Terrace	28/06/10	
Great Easby Farm	28/06/10	
Woodbine Cottage	28/06/10	
3 Greenhill	28/06/10	
Cotehill Farm	28/06/10	
Cotehill Farm	28/06/10	
Ash Tree House	28/06/10	
Eden Holme	28/06/10	
Pinfold	28/06/10	
The Heugh	28/06/10	
Banks House	28/06/10	
The Heugh	28/06/10	
Rose Cottage	28/06/10	
The Sycamores	28/06/10	
11 Fieldside	28/06/10	
Keepers Barn	28/06/10	
Garden House	28/06/10	
Turnberry House	28/06/10	
The Old Rectory	28/06/10	
8 Carricks Court	28/06/10	
Hare Craft	28/06/10	
Thorn tree	28/06/10	
Belmont	28/06/10	
12 Greenhill	28/06/10	
Hallgarth	28/06/10	
5 Irthing Park	28/06/10	
Park House	28/06/10	
Office Cottage	28/06/10	
25 Carlisle Road	28/06/10	
Capon Tree House	28/06/10	
Kelicksim	28/06/10	
Ash Tree Barn	28/06/10	
The Parsonage	28/06/10	
Kirkhouse		Objection

- 3.1 This application has been advertised by the direct notification of the occupiers of 49 properties and the posting of a site notice. At the time of preparing this report no verbal or written representations have been made during the

notification period.

4. Planning History

- 4.1 In August 1983 under application 83/0414 an application was made for change of use from coach-house and stables into living accommodation.
- 4.2 In 2006, under application 06/0693, planning permission was given for the conversion of the hotel and outbuildings to 8 holiday units.
- 4.3 In 2009, under application 09/0719, planning permission was refused for the conversion and extension of the hotel premises to create 15no. dwellings.

5. Details of Proposal/Officer Appraisal

Introduction

- 5.1 The Tarn End House Hotel is prominently located on the southern side of the Brampton/Talkin road with a northern frontage facing Talkin Tarn. The Tarn is a designated Wildlife Site and has a public footpath around its perimeter inclusive of part of the Hotel's grounds. The Hotel and Tarn fall within part of a designated County Landscape. To the north of the Tarn there is an Ancient Woodland.
- 5.2 The former Hotel, is primarily two storeys in height and constructed externally with sandstone walls and slate roofs. The existing property has an "E" shaped layout and comprised a kitchen, wc facilities, bar, dining room, lounge, garage, four store rooms and two bedrooms. Attached to which there is a barn which provides additional storage. The first floor had seven bedrooms and a staff room.

Background

- 5.3 In 2006, under application 06/0693, full planning permission was given to convert the hotel and outbuildings to provide 8 holiday units. In 2009, under applications 09/0534 and 09/0902 the discharge of conditions 7 (safeguarding bats and barn owls), 10 (barn owl nesting box) and 13 (foul drainage) imposed under 06/0693 were granted. Members will also recollect that in October 2009, under application 09/0719, planning permission was refused for the conversion and extension of the hotel premises to create 15 dwellings.
- 5.4 The current application seeks permission for the removal of conditions 2 (restriction of use to holiday lets), 3 (holiday lets not to be used as sole/principal residence), 4 (holiday lets not to become second home), 5 (holiday lets not to be rented to any person or connected group for a period exceeding 8 weeks), and 6 (maintenance of a bound register of guests) imposed under 06/0693 to enable unrestricted residential occupation of the units.

- 5.5 The application is accompanied by a Planning Statement that states that the application needs to be considered against Policy H8 of the Carlisle District Local Plan 2001-2016 with particular regard to criteria 1 and 7. In the case of criterion 1, the Statement highlights that, although the building does not fulfill the criteria to become a Listed Building, the relevant English Heritage Advice Report considers the structure to be a landmark building within a "cherished natural beauty spot". This significance has previously been recognised by the applicant, Local Planning Authority and third parties. In regard to criterion 7, the site has been marketed for six months during which 25 individuals or parties made enquiries of which one led to an offer that was subsequently rejected. The Statement considers that it is an unrealistic expectation for this modest property within a relatively limited curtilage to be viable as a hotel. A copy of the submitted Planning Statement has been attached to this report for Members to read.

Assessment

- 5.6 When assessing this application, and irrespective of the recognition that the structure is a local landmark, it is considered that the two principal tests are:
1. whether an alternative use for economic or community purposes is either not viable or would be inappropriate in other respects (criterion 1 of Policy H8); and
 2. whether the evidence provided of marketing the building for economic development uses for a minimum period of six months is satisfactory (criterion 7 of Policy H8).
- 5.7 The viability of an alternative preferred use other than that which is proposed, may well be a material consideration. However, this is always subject to the general legal principle that if the use proposed were refused the alternative would, on the balance of probability, be implemented. The Court of Appeal decision (*Mount Cook Land Ltd v Westminster City Council* 2003) held that for alternative proposals to be regarded as a material consideration, there must be at least a likelihood or real possibility of them being implemented in the foreseeable future. It was said that the "bare possibility" that an alternative might occur, however ill defined and however unlikely, would put decision makers in the position of constantly having to "look over their shoulders before granting planning permission" for fear of a challenge.
- 5.8 When considering viability, in *Libra Homes Ltd v S.O.S* 30/11/2006, the High Court refused an application to challenge an Inspector's decision to dismiss an appeal, concerning the proposed redevelopment of a hotel for housing. It was held that the Inspector had adopted the correct approach to considering whether the "average competent operator" could make a reasonable return from the business and in assessing whether it had been demonstrated that the hotel was incapable of being made viable. It is also anticipated that evidence would be forthcoming clearly demonstrating how any shortcomings (such as the absence of staff accommodation and associated leisure facilities) and the consequent level of investment required would make any alternative use inappropriate. It is considered that the submitted Planning Statement

does not effectively address these matters.

- 5.9 In relation to any marketing, there is a need to show that unsuccessful attempts to sell the property have been made and that marketing has been correctly targeted, is financially realistic and is sustained. The onus to fulfill these requirements is normally on the applicant. At the time of preparing the Report the comments of the City Council's Property Services Manager are awaited on this issue.

Conclusion

- 5.10 When considering this application there are obvious concerns over the condition of the building; however, in this case where the application would lead to a residential use in a location where planning permission has recently been refused there is a need for the applicant to clearly demonstrate whether an alternative use for economic or community purposes is either not viable or would be inappropriate in other respects; and that the evidence provided of marketing the building for economic development uses for a minimum period of six months is satisfactory.
- 5.11 In the case of the former it is considered that the submitted Planning Statement does not effectively address these matters. In regard to the latter the comments of interested parties are awaited. An updated report will be made to Members.

6. Human Rights Act 1998

- 6.1 Several provisions of the above Act can have implications in relation to the consideration of planning proposals, the most notable being:

Article 6 bestowing the "Right to a Fair Trial" is applicable to both applicants seeking to develop or use land or property and those whose interests may be affected by such proposals;

Article 7 provides that there shall be "No Punishment Without Law" and may be applicable in respect of enforcement proceedings taken by the Authority to regularise any breach of planning control;

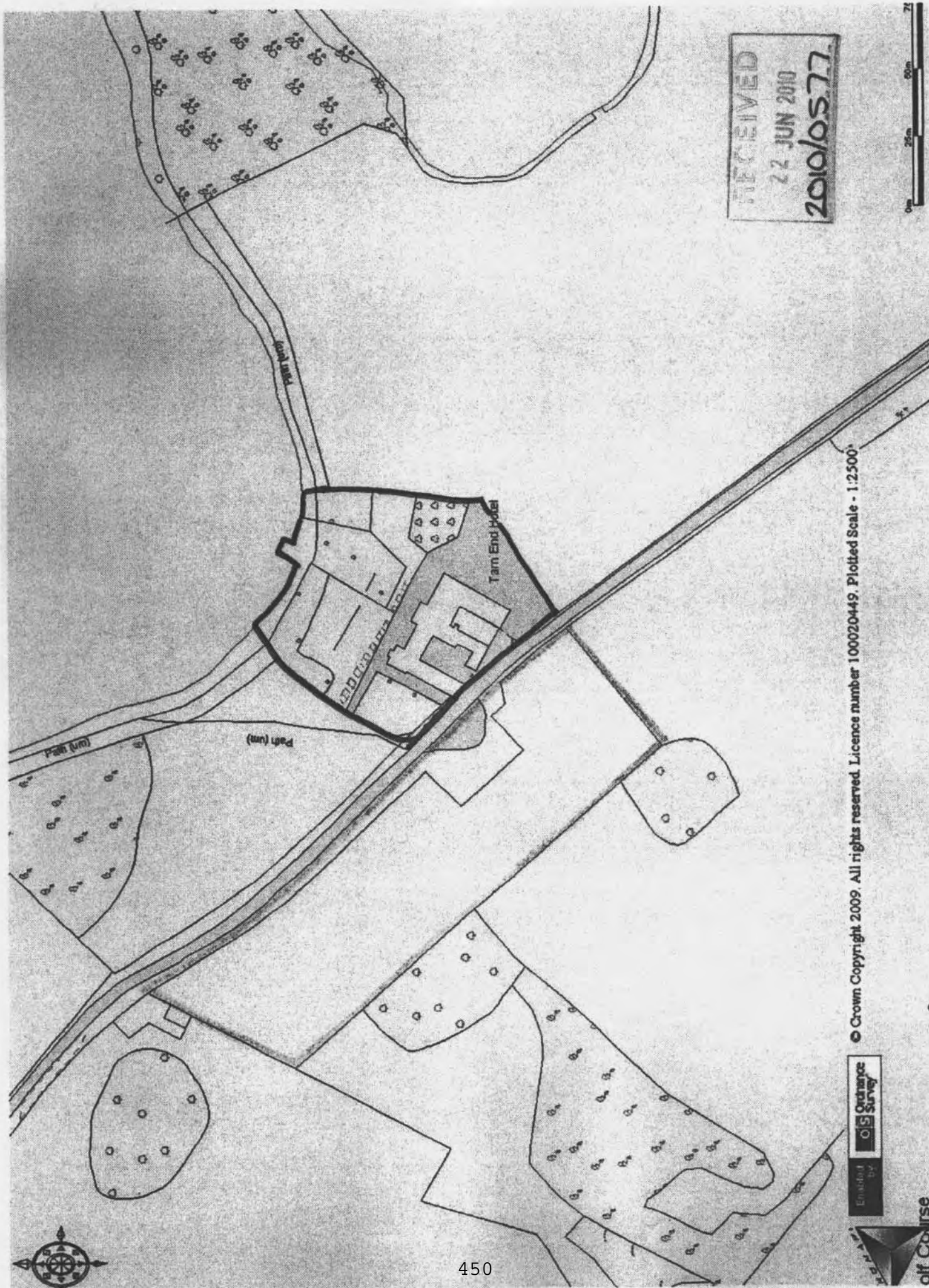
Article 8 recognises the "Right To Respect for Private and Family Life";

- 6.2 **Article 1 of Protocol 1** relates to the "Protection of Property" and bestows the right for the peaceful enjoyment of possessions. This right, however, does not impair the right to enforce the law if this is necessary;

7. Recommendation

Reason For Including Report In Schedule B

At the time of preparing the report comments are awaited from interested parties.



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Ordnance Survey

olf Course

Tam Erid House is situated on a site set back from the road overlooking the popular Taidin Tam Country Park, and benefits from private access onto the Tam, enjoying views of outstanding natural beauty.

The complex of buildings comprises of a former hotel and adjoining barns used for general storage.

To the North of the lake there is currently a right of way public loop trail across the site and forms part of the greater Talking Tent footpath. Ten End House also benefits from the right to use four roadways on the site.

Then End House also benefits from a general drainage system to the septic tank. The site currently has access to mains water supply and electricity and an oil central heating system. The interior of the former hotel was previously occupied by Liquid Petroleum Gas, converted yet gas cylinders located outside. An overhead electricity line runs from the North East corner of the former hotel to the east end of the site.

Full planning for 8 holiday apartments was obtained on 18 November 2008 (ref. No. 06/2008).



As Existing Site Plan 10/10/2000



PIBA charged practice

<p>GRAHAM K NORMAN (ARCHITECT) LTD. 17 CANTRELL STREET, CAMBRIDGE, ONT. M5H 1C2 TEL: 416-593-7200</p>	<p>PROPOSED RESIDENTIAL DEVELOPMENT</p>	<p>AS EXISTING Site Plan</p>	<p>DATE: 09/09/00 1/2005 V10000 (JAW) 1504107191</p>
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PLANNING STATEMENT

TOWN & COUNTRY PLANNING ACT 1990 s.73

Proposed removal of the effects of Conditions 2, 3, 4, 5 and 6 attached to grant of full planning permission under 06/0693 for “Conversion of hotel and outbuildings to provide 8 holiday units”

Tarn End House Hotel, Talkin, Brampton, Carlisle

1. INTRODUCTION

- 1.1 This application is made under s.73 of the 1990 Act for the removal of *the effects of* Conditions 2,3,4,5,and 6 attached to the grant of full permission under 06/0693 for the conversion of the Tarn End House Hotel to 8 dwellings.
- 1.2 Because the Tarn End House Hotel lies within “open countryside”; neither within nor reasonably adjacent to/with any settlement (local centre or otherwise), and in view of the qualifying case presented below, the case falls to be considered against Policy H8.
- 1.3 To confirm at the outset; the planning permission granted under 06/0693 has been lawfully commenced, and so agreed in writing with the LPA. Accordingly, a number of Conditions need not be carried through should this application be approved as proposed.

2. Policy H8 (Conversion of Existing Premises)

2.1 Policy H8 provides:

POLICY H8 Conversion of Existing Premises

Proposals for the conversion of non-residential property to provide residential accommodation in locations where planning permission for new build residential development would not be granted will not be approved unless:

1. the building is of sufficient historic or architectural interest or which makes a contribution to local character such as to warrant its retention, and alternative use for economic or community purposes is either not viable or would be inappropriate in other respects; and
2. an appreciation of the historic, architectural, or archaeological significance of the building is submitted with the application against which the proposed development can be assessed, together with the need for further archaeological recording; and
3. the building can be converted without extensions or major alterations which would destroy its character; and
4. the details of the proposed conversion respect the building's character; and
5. adequate access and appropriate car parking can be achieved whilst respecting the character of the landscape; and
6. the design and appearance of the building and the site boundaries should be in keeping with its surrounding landscape; and
7. evidence is provided of marketing the building for economic development uses for a minimum period of six months

Where appropriate, in order to retain the character and fabric of historic farm buildings, development rights originally permitted by Classes A to E inclusive of Part One of Schedule Two to the *Town and Country Planning General Development Order 1995* as amended may be withdrawn by a condition attached to a planning consent.

The conversion of very remote rural buildings will be subject to sustainability tests to assess their acceptability.

- 1.5 Policy H8 is a qualified policy; its relevance and application is determined by the satisfaction of qualifying criteria contained therein. In this instance, in view of the Planning history; specifically the lawfully commenced scheme for 8 (holiday) dwellings under 06/0693, one is left to contemplate solely **criteria 1 and 7** (underscored above). For the avoidance of doubt; criteria 2. relates to instances where there is being proposed a new scheme for conversion. Again in this instance there is already an approved scheme for conversion which has been lawfully commenced. We will address criteria 1 and 7 in turn as follows:

Criteria 1.

- 1.6 It is worth noting that the wording of criteria 1. was the subject of scrutiny during the Plan preparation whereby it was agreed that a less restrictive approach be adopted; expanding the scope for inclusion to non-listed/designation examples.

“Conservation Principles” (English Heritage 2008)

- 1.7 In that respect reference is made to English Heritage’s publication “**Conservation Principles**” (2008) which accents the identification and assessment of “significance places” mainly in relation to the country’s built and natural *heritage*, and how they are “valued” by everyone – albeit with a necessary degree of comparative, qualitative discrimination.
- 1.8 This Guidance aims to break down the traditional barriers re-enforced by “high level terminology” that relied on formal designations (listed buildings, conservation areas, schedules monuments etc). Instead it places reliance on the idea of “place” to encompass any part of the historic environment, including non-physical forms, perceived as having an identity or a “sense of place”, thereby increasing the opportunities for attaching “value” by more people in more ways; evidential, historical, aesthetic, and communal, whilst appreciating that such will (have) change(d) over time, and in the realisation that “conservation” is essentially the management of inevitable change. “*..the significance of a place should influence decisions about its future, whether or not it has a statutory designation.*” (para 31).

English Heritage Advice Report – Tarn End House (February 2010)

- 1.9 In respect of Policy H8, a recent Advice Report carried by English Heritage (petitioned by a person unknown to consider having the building listed) is useful. A copy of the report (acquired by the applicant by right as landowner), is included here as **Appendix 1**. To summarize the findings; the building does not fulfil the criteria for listing; it is not of sufficient “special” architectural or historic interest. The pivotal period of its history was during the late C19 when it changed to a hotel, which wrought alteration and loss to its original agricultural-domestic fabric, though at the same time heralding a new and important chapter - its “secondary phase”, that sees its fortunes and importance develop and integrate with that of Talkin Tarn (Country Park) as a local beauty spot, visitor attraction and club sporting venue. The Advice Report states under its Assessment:

*“Externally [...it...] is a representative example of the investment made available at the end of the C19 for the construction of commercial buildings such as hotels. The building is designed in typical late-Victorian style with external detailing such as the use of ashlar dressings and half dormers epitomising the domestic architecture of the day. Its principal quality lies in its attractive exterior which is well composed with varied window forms and lively roofline.....**The loss of the interior in its entirety means that this hotel does not meet the criteria for listing....**”*

“Although in the national context any claims to special interest have been seriously compromised by significant alteration, the complex is not without its merit and its local significance is clear enough. It remains a landmark building within the local area and has close association with a cherished natural beauty spot, now a country park.”

(our emphasis)

- 1.9 The extract emphasises the importance of the external appearance, which in turn is appreciated as part of and an important contributory element as a “*landmark building*” within a “*cherished natural beauty spot*”.

Application ref: 09/0917: Conversion & Extension to create 15 dwellings

- 1.10 On the previous application for conversion and extension of the building to create 15 dwellings, an assessment of the building and its setting was offered as part of the Planning Statement. With reference to the wider scene it states:

"At one level [...Talkin Tarn...] is a District attraction of wide appeal and significance, ranking alongside Hadrian's Wall and Tullie House as an exemplary popular facility/destination for locals and tourists alike. Talkin Tam is regarded also by many, in particular its neighbours, as an iconic landmark and feature of local interest and recreation value within which the constituent parts such as the rowing club and Tam End House play roles of significance in effecting a single "cherished local scene".

".....Tarn End House Hotel; a locally iconic building/landmark, that otherwise faced a bleak commercial future as a hotel by reason of its limited scale and relatively "isolated" location. Despite being thrown the life-line of an approval for conversion to 8 "holiday" dwellings, such was little more than a market inducement; a tacit acceptance of its demise as a viable "hotel".

"The overall aim is to repair, improve and build-upon what is arguably "special" about this local landmark; what is significant about this "place"; this "cherished local scene".....Tarn End House is by no means an architectural "gem" in the purist sense. It is idiosyncratic; displaying an appreciable variety of styles each not particularly well executed or juxtaposed. It is something of an oddity, but nonetheless one that has become an icon of this locale; synonymous with the Talkin Tam Countryside Park; a familiar element of the one's "memory map" - as much as the Rowing Club, the intimacy of the wooded landscape, and of course the Tam itself."

"Arguably, the significance of the building is not intrinsic, rather its relationship with and role within the framing landscape and the Tam. The building's scale, layout and orientation support that view, but these aspects in isolation are not determinative of its true importance. Rather it is the result of these factors and how the building and

the site contribute to the wider setting/scene that lends so much to the overall "sense of place" that defines and signifies "Talkin Tarn"

- 1.11 We believe the relevant aspects of the previous Planning Statement in respect of the significance of this "place" and indeed the significant contribution made by this building to the wider "sense of place", has now been endorsed by the English Heritage Advice Report. Indeed Planning Officers have on the matter of the conversion to 15 dwellings reported under para.5.16 that *"Policy H8 of the Local Plan states that proposals for the conversion of non-residential accommodation in locations where planning permission for new build residential development would not be granted will not be approved unless: the building is of sufficient historic or architectural interest or which makes a contribution to local character such as to warrant its retention.....In this context it is considered that Tarn End House Hotel is of sufficient local interest as to warrant its retention"*, and later under the Conclusions, that it is *"...a relatively substantial structure that is of local interest;"*
- 1.12 Added to all this has been the keen public and media interest that has surrounded the fate of this building over the past few years. The aforementioned previous application under 09/0917 prompted a significant response from the public both in writing as well as in a Facebook "campaign" that saw a considerable number not simply objecting to the previous proposal but conveying their own feelings and opinion on a building/a site as a valued landmark feature within, as we have always said, an undoubtedly "cherished local scene".
- 1.13 This harks back to **"Conservation Principles"** which suggests that any fixed part of the (historic) environment with a distinctive identity perceived by people can be considered a "place" against which a "value" may be attached and an idea of "significance" articulated. The "significance" of a place embraces all the diverse cultural and natural heritage values that people associate with it or which prompt them to respond to it. We believe that has been done, by the applicant, the LPA, 3rd parties and now English Heritage.

Setting and Local Landscape Context

- 1.14 The setting relates to the surroundings in which a place is experienced; its local context embracing past and present relationships to the adjacent landscape.
- 1.15 As stated; the history of the Hotel as such is associated with the evolution and consolidation of the Talkin Tarn and its progression as a Country Park visitor attraction. The focus remains on the tarn in every respect, with the Tarn End House a pivotal feature along with the Boathouse as forever embedded on the memory map of all who visit or pass the site.
- 1.16 This “focus” is provided and accentuated by the landscape; its topography and wooded cover. The tarn is a glacial lake set in the 50ha Talkin Tarn Country Park; a mix of farmland and woodland overlaid by a network of public footpaths and bridleways.
- 1.17 In the Cumbria Historic Landscape Characterization Database (2009) the landscape priorities for the built environment includes: *“Encourage the retention, reuse and adaptation, wherever possible, of former agricultural, industrial and commercial buildings as both a benefit to historic landscape character and to the reduction of carbon costs through unnecessary new build.”*
- 1.18 The site lies within the Irthing Valley Landscape Character Area, however the published summary of such imparts little if any pertinent insight; not surprising given the relatively recent evolution of the tarn environment since its emergence as a visitor attraction and community-recreational resource in the late C19. Conversely, it is arguably the contrast afforded the scattered small nucleated medieval settlement pattern within the wooded undulating landscape that distinguishes the Tarn environment as isolated and discrete/enclosed. As relayed by the typology-based Cumbria County Council's Technical Paper No.5: Landscape Character (Type 11: Upland Fringes): *“Topography and woodland tend to shorten and frustrate views but there are glimpses of surrounding fells.”*. At the Tarn, enclosure is all around accentuated by dense ancient and plantation woodland.

Criteria 7

- 1.19 There is required evidence of marketing the building for economic development uses for a minimum period of six months. This we believe is integrated with the second aspect of criteria 1. in respect of alternative uses and the issue of viability, alongside other issues of location and accessibility.
- 1.20 **Appendix 2** provides the details and results of 6 months of marketing of the site – this, following that undertaken by agents for Cumbria County Council pursuant the sale of the site in 2009 with the benefit of and presaged upon the permission to convert to 8 (holiday) dwellings. This methodology was agreed prior with Council Officers, is self-evident, and satisfies criteria 7 as well as addressing criteria 1.
- 1.21 In addition it is worthwhile recounting the Officers' reported assessment of the scheme for 8 (holiday) dwellings in response to comments regarding the need to retain the hotel as such: *"Although no information on viability is presented, this application relates to a relatively small hotel which is not located within an identified settlement, and, is modest in terms of its facilities. The settlement of Talkin is served by a hotel and restaurant. The Tam also has a cafe. In addition, the current proposal would potentially secure the continued upkeep of a prominent local landmark....."*, It is a matter of record the failure rates of hotels, pub and restaurants with survival resting increasingly on offering a wider range of services and attractions across economies of scale. This Hotel is indeed modest; the Council's evidential desire to retain the building's scale and character all within a relatively limited curtilage bound by a highway and the tarn, does not bode well for the revival of the hotel as such; it is an unrealistic expectation that, on the basis of the marketing, is unviable and so will not be realised.

CONCLUDING REMARKS

This s.73 would effect 8 permanent dwellings that would be acceptable against Policy H8 (i) & (vii); the remaining criteria being immaterial in the context of the lawfully commenced fallback position provided by 06/0693.

APPENDIX 1: English Heritage Advice Report (February 2010)

English Heritage (Listing)

Advice Report

10 FEB 2010

ADDRESS

THE FORMER TARN END HOTEL, TALKIN TARN (O), BRAMPTON

Parish BRAMPTON
District CARLISLE
County CUMBRIA

Case UID: 169235

Date First Listed:

Formerly Listed As:

RECOMMENDATION

Outcome: No, do not list

Recommended Grade: NL

25-NOV-2009

BACKGROUND:

After examining all the papers on this file and other relevant information and having carefully considered the architectural and historic interest of this case, the criteria for listing are not fulfilled.

CONTEXT

The application to list was prompted by the sale of this building, with planning consent for conversion to holiday apartments. A new planning application for the partial demolition, conversion and extension of the hotel to create 15 new houses was submitted and turned down in October 2009. The building is not included in a conservation area.

HISTORY

This building is present on the first edition Ordnance Survey map of 1864 and is depicted as an E-shaped farmstead named Tarn End. Earlier records indicate that it was a working farm which had its origins in the early C19 and its construction is therefore considered to fall within the important period 1750-1840, when English agriculture was the most advanced in the world. It was still a working farm in the mid-C19, owned by the Armstrong family. Later records and evidence contained within the building itself, indicate that the farmstead's main range was subsequently re-fronted, remodelled internally and converted to a domestic dwelling; a date stone incorporated into the new west gable records the date 1889 and bears the crest of the Howard Earls of Carlisle who owned the estate at that time. The northern parts of two of the rear ranges were also incorporated into the domestic building and converted; the remainder of the agricultural ranges were unconverted and continued in use as stores and barns. The architect of this work is unknown, although the applicant considers that the building was influenced by the architect Philip Webb who has a number of listed buildings to his name including two houses in the nearby town of Brampton, commissioned by George Howard (the future 9th Earl of Carlisle). The building is thought to have become a Temperance Hotel in 1910, no doubt influenced by the rise of Talkin Tarn as a local beauty spot and visitor attraction, and it remained a hotel throughout the C20, until its closure in 2006.

DESCRIPTION

This building is situated immediately above the glacial lake known as Talkin Tarn, a renowned beauty spot and country park on the edge of the North Pennines AONB. It faces north across the tarn with grounds sloping to the waterside, incorporating two terraces and stone steps. It is E-shape in plan with a main range oriented east-west and three ranges projecting to the rear. Ranges mostly comprise two storeys and are constructed of red sandstone with pitched roofs. Original stone slates have been removed from all roofs and the domestic ranges have ashlar

Page 1 of 4

English Heritage (Listing)

Advice Report

10 FEB 2010

dressings and tall brick chimneys. The main range, converted to the later C19 dwelling and later a hotel, comprises a three bay central section with large segmental headed ground floor windows and half dormers above. This is flanked, to the right, by a projecting gabled bay with a ground floor canted bay with a mullioned window above and, to the left, by a projecting two bay range with stone mullioned windows and a first floor full dormer. A small single storey flat-roofed building was added as infill in the mid-later C20. The north end of the central rear range is a two-bay, two-storey dwelling with half dormers of similar character to the main dwelling. The single unconverted rear range and the south parts of the other two largely retain their agricultural character and their fabric retains evidence of their evolution.

Internally, the former hotel has been gutted and walls stripped back to the original stonework; a staircase, some original doors and four fireplaces remain. The agricultural ranges have undergone similar stripping out although one of the ranges retains the partial remains of a mid-C20 milking parlour.

ASSESSMENT:

CONSULTATION

The applicant responded with information regarding the crest on the date stone, which has been incorporated into the history section of this advice.

ASSESSMENT

As set out in the English Heritage Selection Guide for Agricultural Buildings (2007), the period 1750-1880 is the most important for farm building development which witnessed major developments in both plans and building types. Examples of planned farmsteads dating from before 1840 are important if they survive in a complete state.

This farm complex is well built and displays some external detailing which helps to identify the former functions of some areas; the large barn forming the rear east range of the complex retains its agricultural character and is of some interest, however in the national context the architectural merits of the farm complex as a whole are modest. At its construction this farmstead probably achieved best practice in its design, based upon the clear flow-line principles of the time which were at the cutting edge of farm planning. Parts of this process flow can be read today in the present buildings, but a full understanding of how the farmstead operated, and the functions of its component parts, are difficult to identify as the buildings themselves have been subject to significant alteration. Incremental alteration can be seen for example in the large number of altered openings, replacement fabric and the removal of all roofing materials. This has compromised the interest of the buildings but in addition, and most significantly, is the loss of the external and internal agricultural character of the central range and northern parts of the rear ranges, which occurred during the later C19 conversion of the farm complex to a hotel; this is a very significant alteration which resulted in the re-fronting of the central range and the loss of its original interior and the interior of parts of the rear west and central ranges. Internally, there are few original features or fittings pertaining to the original agricultural function of the complex. Overall therefore, although this farmstead is considered to date from the earlier mid-C19 the buildings have been much altered, its architectural quality is limited and it does not compare favourably with other intact examples.

The complex also needs to be assessed in its secondary phase as a later C19 hotel. As set out in the English Heritage Selection Guide for Commercial Buildings (2007), hotels survive in high numbers and after 1840 there is a high degree of standardisation, high survival rates and varying levels of design interest, meaning that selectivity is necessary when considering such buildings for designation. Key considerations will be rarity, architectural quality and the degree of survival of

Page 2 of 4

English Heritage (Listing)

Advice Report

10 FEB 2010

original fabric, especially interior survival.

Externally the former Talkin Tarn Hotel is a representative example of the investment being made available at the end of the C19 for the construction of commercial buildings such as hotels. The building is designed in typical late-Victorian style with external detailing, such as the use of ashlar dressings and half dormers, epitomising the domestic architecture of the day. Its principal quality lies in its attractive exterior which is well-composed, with varied window forms and lively roofline. The interior, by contrast, has seen very significant alteration indeed, to the extent that it has been stripped back to its original stone walls; only a staircase and a few original fireplaces remain in situ and these are all representative of their period. All other fixtures, fittings, joinery and decorative features including the plaster lining of the walls have been removed from the building. A key element of the significance of a hotel will usually be the quality and intactness of its interiors as these are what convey their distinctive character. The loss of the interior in its entirety means that this hotel does not meet the criteria for listing. Although the applicant considers that the design of the building was influenced by two local works by Phillip Webb (both listed Grade II), the designer of the hotel is unknown. While of local interest, this potential influence is an insufficiently strong association and does not impart special interest.

Although in the national context any claims to special interest have been seriously compromised by significant alteration, the complex is not without its merits and its local significance is clear enough: it remains a landmark building within the local area and has a close association with a cherished natural beauty spot, now a country park.

CONCLUSION

The former Tarn End Hotel is therefore not recommended for designation.

SOURCES

Sheila Kirk, 'Webb, Philip Speakman (1831-1915)', Oxford Dictionary of National Biography, Oxford University Press, 2004

[<http://www.oxforddnb.com/view/article/36801>, accessed 2 Nov 2009]

Sale Particulars 2009: <http://www.cumbria.gov.uk/eLibrary/Content/Internet/536/647/3947795920.pdf>

REASONS FOR DESIGNATION DECISION:

The former Tarn End Hotel, fashioned from an earlier planned farmstead in 1889, is not recommended for designation for the following principal reasons:

- * Alteration: the original farmstead was significantly altered during its later C19 conversion to a hotel
- * Design: the process-flow principles of the original farmstead are no longer explicit in the plan of the complex
- * Architectural: a standard and representative example of a later C19 rural hotel
- * Intactness: the interest of the hotel has been compromised by removal of its interior layout, fixtures and fittings

English Heritage (Listing)

Advice Report
VISITS

10 FEB 2010

11-NOV-0009 Full inspection

COUNTERSIGNING

Countersigning Comments: Agreed: While the buildings have obvious landscape qualities, they do not merit designation in a national context.
21.01.10

Second Countersigning Comments:

HP Director Comments:

Proposed List Entry

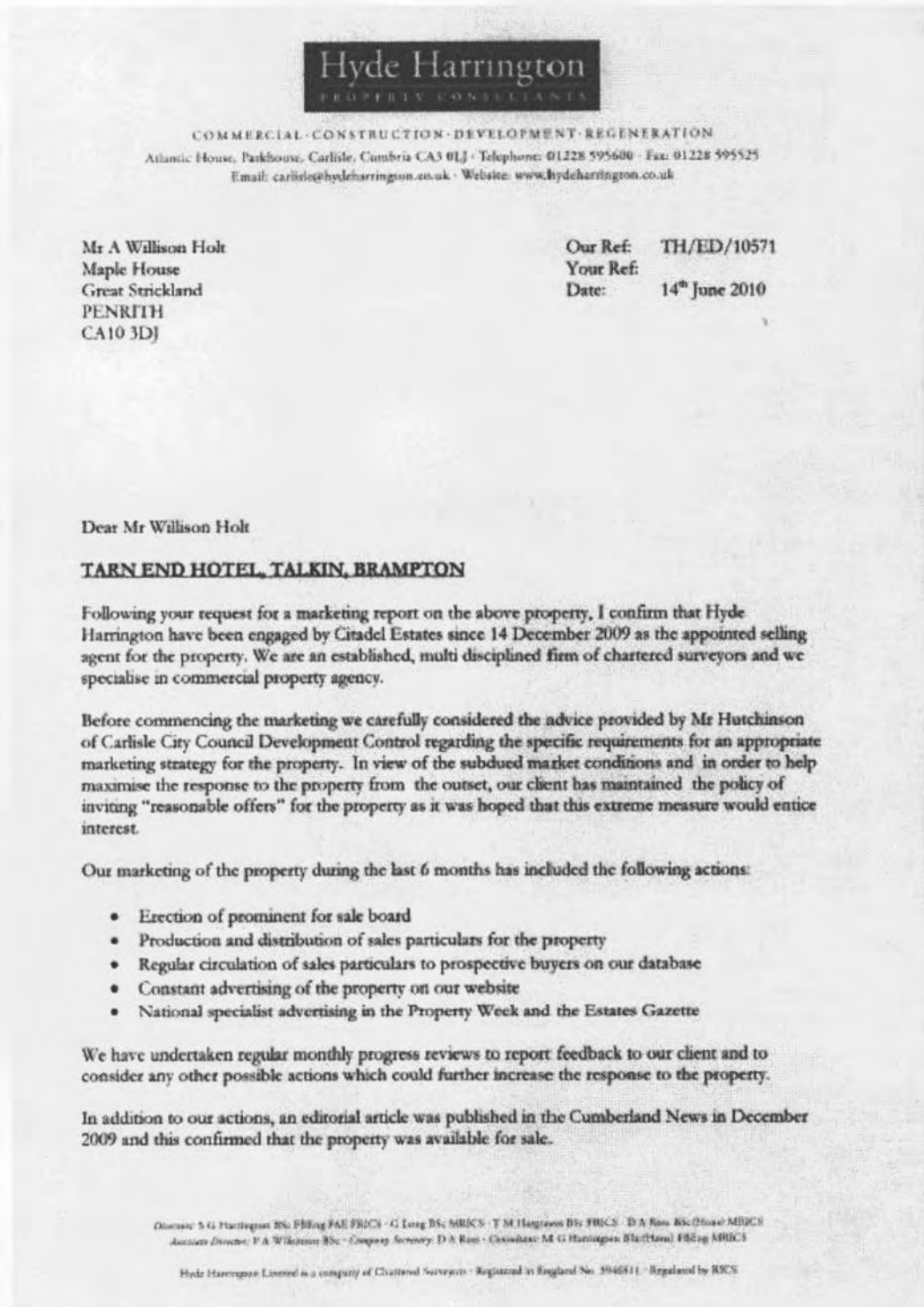
BRAMPTON

TALKIN TARN
(Off)
THE FORMER TARN END HOTEL
NL

Case UID: 169235

Proposed LBS UID: 507700

APPENDIX 2: Marketing Information



Hyde Harrington

Attached overleaf is a tabulated summary itemising each of the 25 parties who have enquired about the property to date. The names of the parties shown have been abbreviated for data protection compliance. Whilst we have been encouraged by achieving on average 1 enquiry per week for the property, it should be noted that all of the enquiries that we have received are non progressive. The majority of enquiries were interested in developing the property as a private residence.

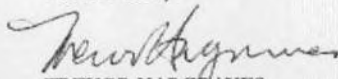
We received an unacceptable offer from Mr and Mrs C from Essex. They too, however, were intending to use the property as a private residence. They did not internally view the property and their offer was subject to planning consent, valuation and survey. We have received no further offers for the property.

I understand that the response which we have generated for the property is consistent with the response achieved by Capita, the appointed selling agent for the previous owners, and who marketed the property for 14 months before it was purchased by our client.

In our opinion it is clearly evident that there is insufficient interest for the property either as an established hotel, the currently approved holiday let usage, or for any other non housing alternative usages.

I trust my report meets with your requirements, however, if you require any further information then please let me know.

Yours sincerely



TREVOR HARGRAVES

Hyde Harrington

Direct Email: trevorhargraves@hydeharrington.co.uk

**SUMMARY OF MARKETING REPORT - TARN END HOTEL, TALKIN
DURING THE PERIOD OF DECEMBER 2009 – JUNE 2010**

Date	Enquiring Party	Outcome
05.01.2010	Ms R	Non progressive.
05.01.2010	Mr D, London	Non progressive.
13.01.2010	Mr R, Hexham	Non progressive.
14.01.2010	Mr D	Non progressive.
29.01.2010	Mr B	Non progressive.
02.02.2010	Retail Company	Non progressive.
02.02.2010	Property Company	Non progressive.
04.02.2010	Mr and Mrs P	Non progressive.
16.02.2010	Mr B, Mason Owen	Non progressive.
16.02.2010	Mr and Mrs C, Essex	Non progressive.
02.03.2010	Mr F	Non progressive.
03.03.2010	Mr E	Non progressive.
09.03.2010	Miss R	Non progressive.
10.03.2010	Mrs M	Non progressive.
10.03.2010	Mrs S, South Staffordshire	Non progressive.
29.03.2010	Mr D, Penrith	Non progressive.
29.03.2010	Mrs D, Chesterwood	Non progressive.
09.04.2010	Mrs T, Carlisle	Non progressive.
12.04.2010	Mrs G, Kendal	Non progressive.
12.04.2010	Mr K, Carlisle	Non progressive.
19.04.2010	Mr B, Dalston	Non progressive.
20.04.2010	Mr and Mrs B, Argyll	Non progressive.
23.04.2010	Mr W, Carlisle	Non progressive.
12.05.2010	Mr G, Carlisle	Non progressive.
14.05.2010	Mr and Mrs C, Essex	Offer rejected. Non progressive.

Hyde Harrington

PROPERTY CONSULTANTS

TARN END HOUSE FOR SALE

Talkin Tarn, Nr. Brampton, Cumbria



Traditionally built former hotel with outbuildings.

Potential for alternative uses or development
(subject to planning permission)

Elevated position overlooking Talkin Tarn Country Park.

Offers invited for the freehold interest

Ashurst House, Parkhouse, Carlisle, CA3 0LJ. Telephone: 01228 595600. Fax: 01228 595525
Email: carlisle@hydeharrington.co.uk Website: www.hydeharrington.co.uk

BUILDING DESIGN · SURVEYS · DILAPIDATIONS · PARTY WALL MATTERS · CONTRACT ADMINISTRATION
SOCIAL HOUSING · ASSET MANAGEMENT · VALUATIONS · RENT REVIEW · LEASE RENEWALS

Tarn End House, Talkin Tarn, Brampton, Cumbria, CA8 1LS

Description

Tarn End House comprises a former hotel with views to the Tarn and the surrounding country park. The property is constructed from local red sandstone and previously traded as a 8 bed hotel and licensed restaurant. The property has grounds of approximately 0.70 hectares (1.72 acres) and includes a number of stone outbuildings, courtyard and parking areas.



Photographs for illustration purposes only

Location

Tarn End House is situated just outside the fellside village of Talkin approximately 2 miles south east of the market town Brampton in north Cumbria. Brampton is situated on the A69(T) and is approximately 11 miles to the east of Carlisle.

Planning

Planning permission (Ref no. 06/0693) was granted by Carlisle City Council on 16 November 2006 for the conversion of the main house and outbuildings into 8 holiday apartments. The property may lend itself to alternative uses subject to planning.

Business Rates

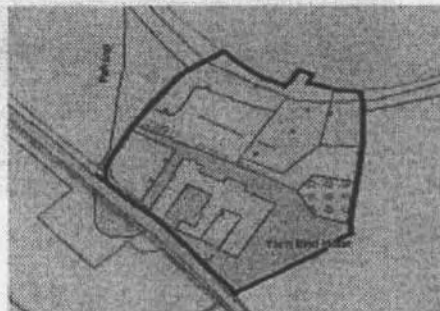
The Rateable Value in the 2005 Valuation List is £11,250.
The Rateable Value in the 2010 draft Valuation list is £11,400.

Services

Mains water and electricity are to hand.

Viewing

By arrangement only through
Hyde Harrington. Tel: 01228 595600

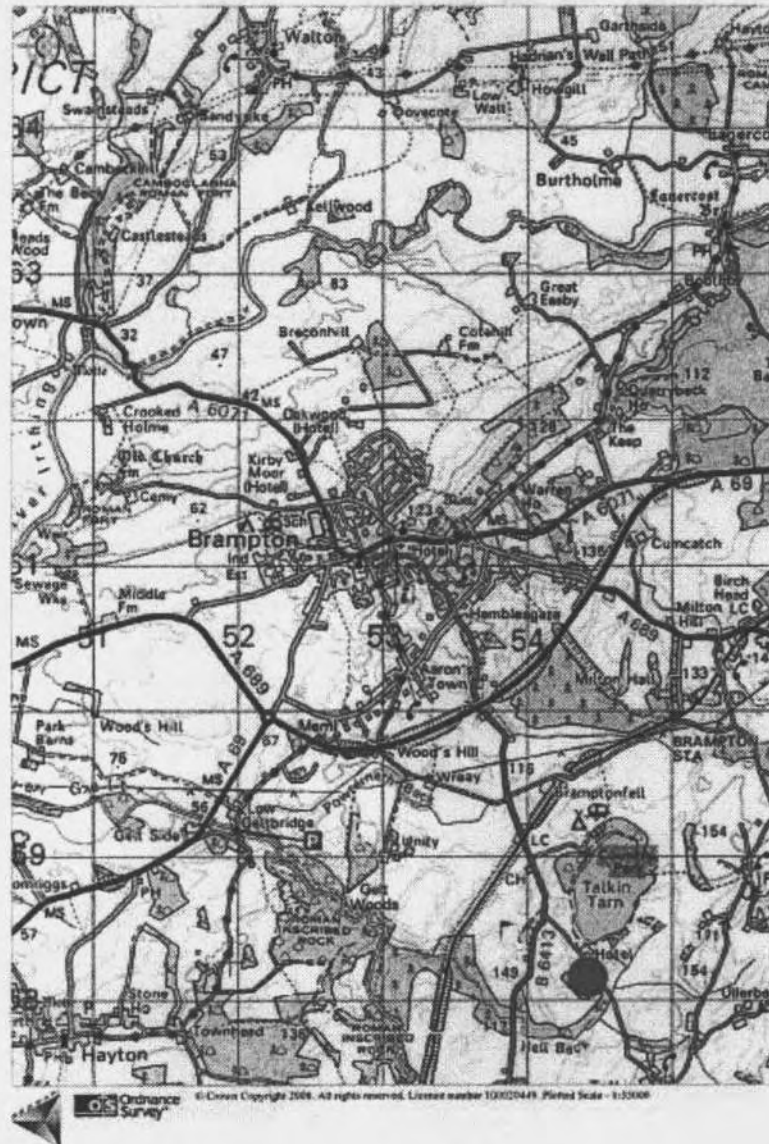


Particulars prepared December 2009 10571

IMPORTANT NOTICE

Whilst every care has been taken in the preparation of these particulars, all interested parties should note:

1. The description and photographs are for guidance only and are not a complete representation of the property.
2. Plans are not to scale, are for guidance only and do not form part of any contract.
3. Services and any appliances referred to have not been tested and cannot be verified as being in working order.
4. No survey of any part of the property has been carried out by the vendor or Hyde Harrington.
5. Measurements are approximate and must not be relied upon. Maximum approximate room sizes are generally given, to the nearest 0.5 metre. Outbuildings are measured externally (unless otherwise stated) to the nearest 0.5 metre. For convenience, an approximate imperial equivalent is also given.
6. Only those items referred to in the text of these particulars are included.
7. Nothing in these particulars or any related documents forms part of any contract unless expressly incorporated within a subsequent written agreement.



Property Week 22/10

Hyde Harrington PROPERTY CONSULTANTS

For Sale

Tarn End House, Talkin Tarn, Brampton,
North Cumbria

Former Hotel/Development Opportunity

Comprises a former hotel in an elevated position overlooking the Tarn and surrounding country park. Grounds of approx 0.70 ha (1.72 acres) and stone outbuildings.

Previously traded as a 8 bed hotel and licensed restaurant.

Planning consent for conversion into 8 holiday apartments.

The property may lend itself to alternative uses subject to planning.

Offers invited

01228 595600

www.hydeharrington.co.uk

Hyde Harrington PROPERTY CONSULTANTS

To Let

Talkin, Brampton
Rural Offices

Office accommodation in village location. Approx 2 miles south from market town of Brampton.

Former laboratory/office 84.5 sq m (908 sq ft) - £7,000 pa

Office 241.5 sq m (2,600 sq ft) - £20,000 pa

Further details on request

01228 595600

www.hydeharrington.co.uk

QUALITY OFFICE ACCOMMODATION PRESTON CITY CENTRE



wrestates • wroffices
specialising in work related space
www.wrestates.co.uk

NORWEST COURT TO LET

Guildhall Street, Preston, PR1 3NU

1,658 to 13,264 sq ft
(154 to 1,232 sq m)

- Central business district location, close to shopping areas
- On-site parking
- Refurbished and DDA compliant
- Comfort cooled

ROBERT PINKUS
& 01772 769000
www.pinkus.co.uk

Danny Pinkus

King Sturge
0151 236 8793
www.kingsturge.co.uk

Richard Wharton

Estates Gazette 30.1.10

Berkeley Avenue, Reading 5,000 sq ft offices/D1 building To Let



36 car parking spaces
Good main road (A4) location
Easy access to town centre and M4 (J11 and J12)
For further information please contact Jon Daniel



admin@danielandgilbert.co.uk 771940

Hyde Harrington PROPERTY CONSULTANTS

For Sale

Tarn End House, Talkin Tarn, Brampton, North Cumbria

Former Hotel/Development Opportunity

Comprises a former hotel in an elevated position overlooking the Tarn and surrounding country park.
Grounds of approx 0.70 ha (1.72 acres) and stone outbuildings.
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Approx 2 miles south from market town of Brampton.
Former laboratory/office 84.5 sq m (908 sq ft) - £7,000 pa
Office 241.5 sq m (2,600 sq ft) - £20,000 pa

Further details on request

770861

01228 595600

www.hydeharrington.co.uk

RIVERSIDE INVESTMENT FOR SALE

2,800 sq ft RIVERSIDE RETAIL UNIT & WAREHOUSE - SHIPLEY, BOTT 77A
RENT PRODUCING £14,350 PER ANNUM
FROM A WELL ESTABLISHED TEXTILE BUSINESS TRADING SINCE 1986

£199,000



PROMINENT SHOP WITH PRIME RIVER FRONTAGE
PRODUCING £14,350 PER ANNUM
PROPERTY COMPOSED OF A GRASSED LOT, A LARGE RETAIL UNIT & WAREHOUSE, 151 PLUGS OFFICE
75 YEAR LEASE (AG. BRENDEN 1984/1985) 30 YEARS REMAINING

Call Jamie on: 07976 733 067 jam@kahndesign.com

Freehold For Sale

Horticultural Land and Residential Dwelling

On the instructions of Mark Roy and Gary Skelton of Bayliss Taylor, Joint Administrators to Long & Samanville (Barnet) Limited

Crews Hill, Enfield, Middlesex

- Planning Permission approved for display of landscaping, garden products and erection of Visitors Centre
- In all about 3.90 acres (1.58 ha)

Contact: Graham C. Freeman J. Bell

Edward Symmons

020 7955 8454

www.edwardsymmons.com

Former Best Mate Inn, Swindon Road, Cheltenham

- Consent granted July 2008 for 6 x two bedroom and 1 x one bedroom flats
- A level and cleared corner site
- Offers in excess of £300,000 STC
- VAT is not applicable

For further information, please contact:

Stephen Bailey-Kennedy, Duncan & Bailey-Kennedy,
15 Castle Street, High Wycombe,
Bucks HP13 6RU

Telephone: 01494 450951

Email: steveb@dbk.co.uk



Nunsfield Farm, Buxton

For sale as a whole or in lots

About 13 acres attractive investment opportunity with residential, commercial & agricultural interest.

Residential location & considerable leisure potential.
3 residential properties, let trading estate & 2 lots of accommodation grassland adjoining inc 2.29 acres allocated for residential development on the approved development plan.

Further details from

Frank Marshall & Co, 8 The Quadrant, Buxton SK17 6AW
01298 23838

Guide prices on application

770861





SCHEDULE C

SCHEDULE C

SCHEDULE C

SCHEDULE C

SCHEDULE C

SCHEDULE C

SCHEDULE C: Applications Determined by Other Authorities

Item No: 16

Between 14/03/2010 and 02/07/2010

Appn Ref No:

10/9003

Applicant:

Tarmac Ltd

Parish:

Dalston

Date of Receipt:

12/04/2010

Agent:

Cumbria County Council

Ward:

Dalston

Location:

Cardewmires Quarry, Cardewlees, Dalston, Carlisle,
CA5 6LF

Grid Reference:

334775 550997

Proposal: Importation Of Overburden Soils To Cardewmires Quarry For Use In Site
Restoration - Creation Of Shallows In Nature Conservation Area

Amendment:

REPORT

Case Officer: Stephen Daniel

City Council Observations on the Proposal:

Decision: City Council Observation - Raise No Objection **Date:** 07/05/2010

Decision of: Cumbria County Council

Decision Type: Grant Permission

Date: 26/06/2010

A copy of the Notice of the decision of the Determining Authority is printed following the report.

CUMBRIA COUNTY COUNCIL

**TOWN AND COUNTRY PLANNING ACT, 1990
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE)
ORDER, 1995**

NOTICE OF PLANNING CONSENT

To: Mr Jonathan Garbutt
Tarmac Ltd
Millfield Road
Ettingshall
WV4 6JP

In pursuance of the powers under the above Act and Order the Cumbria County Council as local planning authority hereby **permit** the development described in your application and on the plans and drawings attached thereto received on 8 April 2010.

**viz: Importation of Overburden and Soils for use in Site Restoration
Cardewmires Quarry, Cardewlees, Dalston, Cumbria, CA5 6LF**

subject to due compliance with the following conditions:

- 1 This permission shall be for a limited period only expiring twelve months from the date of this decision notice, after which period no further material comprised of soils and/or overburden shall be imported onto the site.

Reason: In order to secure the completion of the development in accordance with Policies DC15 and DC16 of the Cumbria Minerals and Waste Development Framework Generic Development Control Policies.

- 2 The total quantity of soils and overburden imported onto the site under the terms of this permission shall not exceed 50,000m³.

Reason: To define the terms of the permission and to secure the restoration of the site to the approved landform in accordance with policies DC15 and DC16 of the Cumbria Mineral and Waste Development Framework.

- 3 The material imported onto the site under the terms of this permission shall not be deposited in any area other than that outlined in red on plans Figure 2 (ref: CDM01.02) and Figure 3 (ref CDM01.03) and to the contours specified on these plans.

Reason: To define the terms of the permission.

- 4 Notwithstanding the requirements of Condition 1 with this permission the development hereby permitted shall not be commenced prior to the deposit with the Local Planning Authority of a written scheme of management and control of imported materials that secures the prevention of deposition of any contaminated soils or overburden on the site.

Reason: To prevent any incident of ground or water pollution arising from deposit of contaminated materials in accordance with Policies DC2 and DC3 of the Cumbria Minerals and Waste Development Framework Generic Development Control Policies.

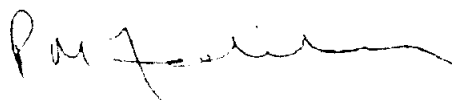
- 5 For the area edged red on plans Figure 2 and Figure 3 (ref CDM01.02 and CDM01.03) restoration shall only take place in accordance with the details specified on plan Ref no: CDM02F & Amended Restoration Proposals, approved with this permission.

Reason: To secure the restoration of the site in accordance with the requirements of Policies DC15 and DC16 of the Cumbria Minerals and Waste Development Framework Generic Development Control Policies.

- 6 Restoration (including all maintenance and aftercare required) of the area edged red on plans Figure 2 and Figure 3 (Ref: CDM01.02 and CDM01.03) approved with this permission, shall only take place in accordance with the operations and method statement (Ref: 'Implementation of conditional requirements' and dated 9th November 2009) approved under Condition 28 and the planting and seed mix (Ref: 'Restoration planting species and habitat management') approved for the purposes of Condition 30, of planning permissions 1/09/9014 and 2/09/9005. Such restoration planting to be commenced within the first planting season of completion of this development through deposition of the material or following expiry of the permission, whichever is the earlier date.

Reason: To secure the restoration and aftercare of the restored land in accordance with the requirements of Policy DC16 of the Cumbria Minerals and Waste Development Control Framework Generic Development Control Policies.

Dated the 26th day of May 2010



.....
Signed: Paul Feehily
The Assistant Director, Planning & Sustainability, Environment Directorate
on behalf of the Council.

CUMBRIA COUNTY COUNCIL

**TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE)
ORDER 1995 (AS AMENDED)**

SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION

1. This application has been determined in accordance with the Town and Country Planning Acts, in the context of national and regional planning policy guidance and advice and the relevant development plan policies.
2. The key development plan policies taken into account by the County Council before granting permission were as follows:

**Cumbria Minerals and Waste Development Framework
- Generic Development Control Policies (April 2009)**

Policy DC2 – General criteria.

Policy DC3 – Cumulative environmental impacts.

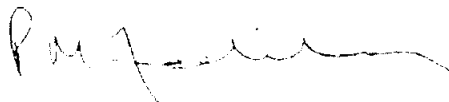
Policy DC5 – Criteria for landfill.

Policy DC15 – Protection of soil resources.

Policy DC16 – Restoration and after use.

3. In summary, the reasons for granting permission are that the County Council is of the opinion that the proposed development is in accordance with the development plan, there are no material considerations that indicate the decision should be made otherwise and with the planning conditions included in the notice of planning consent, any harm would reasonably be mitigated. Furthermore, any potential harm to interests of acknowledged importance is likely to be negligible and would be outweighed by the benefits of the development.

Dated the 26th day of May 2010



.....
Signed: Paul Feehily
The Assistant Director, Planning & Sustainability, Environment Directorate
on behalf of the Council.

SCHEDULE C: Applications Determined by Other Authorities

Item No: 17

Between 14/03/2010 and 02/07/2010

Appn Ref No:

10/9005

Applicant:

Mansell Construction
Services Ltd and Cumbria
Fire and Rescue Services

Parish:

Carlisle

Date of Receipt:

11/05/2010

Agent:

Mrs Maggie Mason

Ward:

Harraby

Location:

Jewsons Builder's Merchants, Eastern Way,
Carlisle, Cumbria, CA1 3QZ

Grid Reference:

342072 554611

Proposal: Reserved Matters Application For Carlisle East New Community Fire
Station And Divisional HQ

Amendment:

REPORT

Case Officer: Alan Taylor

City Council Observations on the Proposal:

Decision: City Council Observation - Raise No Objection **Date:** 11/06/2010

Decision of: Cumbria County Council

Decision Type: Grant Permission

Date: 30/06/2010

A copy of the Notice of the decision of the Determining Authority is printed following the report.

CUMBRIA COUNTY COUNCIL

TOWN AND COUNTRY PLANNING ACT, 1990
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE)
ORDER, 1995

NOTICE OF PLANNING CONSENT
Approval of Reserved Matters in respect of
Outline Planning Permission 1/09/9045

To: Cumbria Fire & Rescue and Mansell Construction Services Ltd
County Fire Service HQ
Station Road
Cockermouth

In pursuance of the powers under the above Act and Order the Cumbria County Council as local planning authority hereby **permit** the development described in your application received on 5 May 2010 and on the plans and drawings listed below.

viz: Reserved matters application for Carlisle East New Community Fire Station and Divisional HQ
Jewsons Builder's Merchants, Eastern Way, Carlisle, Cumbria, CA1 3QZ

Subject to due compliance with the conditions of application 1/09/9045 and the following additional condition:-

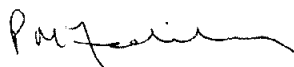
1. The development shall be carried out in accordance with the approved scheme which shall comprise of:
 - the submitted planning application form
 - CE/PB/ARC/099 Site Location Plan
 - CE/PB/ARC/100 Existing Site Plan
 - CE/PB/ARC/101 Proposed Site Plan
 - CE/PB/ARC/201 Ground Floor Plan
 - CE/PB/ARC/202 First Floor Plan
 - CE/PB/ARC/203 Roof Plan
 - CE/PB/ARC/301 Proposed Elevations
 - CE/PB/ARC/302 Proposed Elevations
 - CE/PB/ARC/401 Proposed Typical Sections
 - CE/PB/ARC/402 Proposed Typical Sections
 - CE/PB/ARC/403 Proposed Detailed Section 1-1
 - CE/PB/ARC/404 Proposed Detailed Section 2-2
 - CE/PB/ARC/405 Proposed Detailed Section 3-3
 - CE/PB/ARC/501 Proposed Fire House Layouts
 - CE/PB/ARC/502 Proposed Fire House Sections
 - CE/PB/ARC/503 Proposed Fire House Elevations
 - CE/PB/ARC/504 Proposed RTC Pad Details
 - CE/PB/ARC/510 Proposed Drill Yard Canopy Details
 - CE/External Perspective
 - CE/PB/LARC/111 rev A Proposed Hard Landscaping Plan
 - CE/PB/LARC/112 Proposed Soft Landscaping Plan
 - CE/PB/LARC/113 Proposed Soft Landscaping Detail

TCP.1 REFERENCE No. 1/10/9005 – Reserved Matters

- CE/PB/CIV/131 Retaining Wall Details
- CE/PB/CIV/132 External Drainage Layout
- CE/PB/CIV/133 Drainage Details
- CE/PB/CIV/134 Drainage Details
- CS038242/CC/BB/001 revA Draft Access Details
- CS038242/CC/BB/001 revA Wig-Wag Signs and Lines Details
- Carlisle East Design and Access Statement
- Carlisle East Drainage Strategy Report
- CS038242/SK010 Existing Services Plan
- SK-ARUP-JDM-E004 – lighting plan
- Luminaire data - project 208776
- the Decision Notice

Reason: For the avoidance of doubt as to what comprises the approved scheme and ensure the development is carried out to an approved appropriate standard.

Dated the 30 June 2010



.....
Signed: Paul Feehily
Assistant Director - Planning & Sustainability, Environment Directorate
on behalf of Cumbria County Council.

NOTE

- Where the permission is granted subject to conditions, attention is directed to the attached Appendix/Notes.
- The conditions attached to this permission may override details shown on the application form, accompanying statements and plans.
- Submissions to discharge conditions may require a fee (see Appendix)
- Any approval to be given by Cumbria County Council, shall be in writing.

INFORMATIVE

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated April 26 2010, referenced 208776/CDH, and drawing CE/SRS/CIV/132 external drainage layout.

CUMBRIA COUNTY COUNCIL

**TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE)
ORDER 1995 (AS AMENDED)**

SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION

- 1 This application has been determined in accordance with the Town and Country Planning Acts, in the context of national and regional planning policy guidance and advice and the relevant development plan policies.
- 2 The key development plan policies taken into account by the County Council before granting permission were as follows:

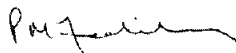
North West Regional Spatial Strategy (NWRSS) 2008-2021
[- Adopted September 2008]

Policy DP 7 – Promote Environmental Quality

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

-
 - promoting good quality design in new development and ensuring that development respects its setting taking into account relevant design requirements, the NW Design Guide and other best practice;
 - reclaiming derelict land and remediating contaminated land for end-uses to improve the image of the region and use land resources efficiently;
 - maximising opportunities for the regeneration of derelict or dilapidated areas;
 -
 - promoting policies relating to green infrastructure and the greening of towns and cities.
- 3 In summary, the reasons for granting approval of reserved matters are that the County Council is of the opinion that: the details submitted are in accordance with the outline consent and with policies relating to design quality and environmental enhancement in the development plan; and there are no material considerations that indicate the decision should be made otherwise. With the planning conditions included in the notice of planning consent, any harm would reasonably be mitigated. Furthermore, any potential harm to interests of acknowledged importance is likely to be negligible and would be outweighed by the benefits of the development.

Dated the 30 June 2010



Signed: Paul Feehily
The Assistant Director, Planning & Sustainability, Environment Directorate
on behalf of Cumbria County Council.

APPENDIX TO NOTIFICATION OF PLANNING DECISION

This Appendix does not form part of any consent. However, you should take careful notice of the advice given below as it may affect your proposal.

1. Obtaining any planning permission does not imply that any consents or licences required to be obtained from United Utilities plc or the Environment Agency would be granted. You are advised to consult the appropriate body to determine if any such consent or licence may be required.
2. Any grant of planning permission does not entitle developers to obstruct a public right of way. Development, insofar as it affects a right of way, should not be started, and the right of way should be kept open for public use, until the necessary order under Section 247 or 257 of the Town and Country Planning Act 1990, or other appropriate legislation, for the diversion or extinguishment of right of way has been made and confirmed.
3. The attention of the person to whom any permission has been granted is drawn to Sections 7 and 8A of the Chronically Sick and Disabled Persons Act 1970 and to the Code of Practice for Access of the Disabled to Buildings or any prescribed document replacing that code.
4. Any application made to the Local Planning Authority for any consent, agreement or approval required by a condition or limitation attached to a grant of planning permission will be treated as an application under Article 21 of the Town and Country Planning (General Permitted Development) Order 1995 and must be made in writing. Applications will be acknowledged and the Local Planning Authority is required to determine them within 8 weeks of receipt unless otherwise agreed in writing. A fee of £85 is payable for each submission (except for mining and landfill sites where fees are chargeable for site visits). A single submission may relate to more than one condition. If the County Council does not make a decision within 12 weeks of the date of submission the fee will be returned.

Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of part VI of the Town and Country Planning Act 1990.

SCHEDULE C: Applications Determined by Other Authorities

09/1078

Item No: 18

Between 14/03/2010 and 02/07/2010

Appn Ref No:

09/1078

Applicant:

Mr & Mrs David Turner

Parish:

Dalston

Date of Receipt:

05/01/2010

Agent:

Telford Planning
Associates

Ward:

Dalston

Location:

Former Mushroom Farm, Land to the Rear of
Brindle, Orton Grange, Carlisle, CA5 6LB

Grid Reference:

335384 551786

Proposal: Demolition Of Existing Disused Buildings And Structures And Erection Of
1No. Bungalow (Outline Application)

Amendment:

REPORT

Case Officer: Richard Maunsell

Decision on Appeals:

Appeal Against: Appeal against refusal of planning perm.

Type of Appeal: Written Representations

Report: This appeal related to an application for "Outline" planning permission for the demolition of the existing disused buildings and structures and erection of 1no. bungalow at the former Mushroom Farm, land to the rear of Brindle, Orton Grange, Carlisle. The application was submitted in outline form but with approval also being sought for access and layout. The application was refused for the following reason:

" Proposals for residential development outside identified settlements will only be considered acceptable where the application is supported by a proven agricultural or forestry need or only in exceptional circumstances. The application site is not located within either a Key Service Centre or Local Service Centre. This application does not provide any evidence to support a special need for a dwelling in this location and the proposed development is also not put forward as the basis of meeting a local need. If permitted, it would therefore harm the spatial strategy of the Local Planning Authority which seeks to direct development to more sustainable settlements. The proposal is, accordingly, contrary to the objectives of the advice within RDF2 of the North West Regional Spatial Strategy; and Policies DP1 (Development in Sustainable Locations), Policy H7 (Agricultural and Forestry Need) and Policy H1 (Location

SCHEDULE C: Applications Determined by Other Authorities

09/1078

of New Housing Development) of the Carlisle District Local Plan 2001-2016. "

The Inspector considered that the main issue in the consideration of the appeal was the principle of development. The Inspector identified that the site is not within a sustainable location identified in Policies DP1 and H1 of the Local Plan and he therefore opined that the main issue was the need to be in the location identified.

The appellant argued that the property would be for his daughter who currently lives in Dalston but would like to move closer to her family. The Inspector noted that the person for whom the proposal is intended is not an existing resident who needs separate accommodation in the locale. No proven functional need to live in the area was submitted and in any case, residence at Dalston would in most cases cover such functional need. The Inspector commented that a desire to live somewhere is not an expression of need sufficient to overcome the conflict with policy.

The appellant argued that the site was a brownfield site and that there was a presumption in favour of development. The Inspector dismissed this and stated that mushroom production is included within the definition in the Town and Country Planning Act 1990. He continued that the land was used for agricultural purposes and it does not fall within the definition of previously developed land.

The Inspector dismissed the appellant's statement that the proposal would be sustainable because of visual enhancement by removing structures, tree planting, reduced car journeys, availability of good transport links, and use of green construction methods. He opined that the structures are well screened and are not visually intrusive. In respect of sustainability, he noted that the site is not currently used for mushroom production and generates no traffic and therefore gave little weight to the assertion that car journeys would be reduced. He dismissed the argument that the site was sustainable because it is next to a bus route as this could apply to any piece of land adjacent to a bus route.

The Inspector concluded that the proposal would conflict with current planning policies and he found no material circumstances, either singly or in combination that would convince him to determine this appeal otherwise than in accordance with the development plan. For these reasons, the appeal was dismissed.

Appeal Decision: Appeal Dismissed

Date: 30/06/2010

SCHEDULE C: Applications Determined by Other Authorities

09/0283

Item No: 19

Between 14/03/2010 and 02/07/2010

Appn Ref No:
09/0283

Applicant:
Mr Bell

Parish:
Arthuret

Date of Receipt:
14/04/2009

Agent:
Tsada Building Design
Services

Ward:
Longtown & Rockcliffe

Location:
Unit 9 Sandysikes Ind Est, Sandysike, Longtown,
CA6 5SR

Grid Reference:
338847 566088

Proposal: Refurbishment and Extension Of Existing Storage Building; Formation Of Storage Yard, Erection Of Security Fencing And Formation Of Drainage Swale; Improvement To Access (Revised Application)

Amendment:

REPORT

Case Officer: Richard Maunsell

Decision on Appeals:

Appeal Against: Appeal against refusal of planning perm.

Type of Appeal: Written Representations

Report: This appeal related to an application for "Full" planning permission for the refurbishment and extension of an existing storage building at Unit 9 Sandysike Industrial Estate, Sandysike, Longtown. The application was refused for the following reason:

"In order to accommodate the proposed development it would be necessary to remove an extensive area of woodland, which is protected by Tree Preservation Order No.226 and is subject to a Restocking Notice served by the Forestry Commission. The irrevocable loss of such a significant area of protected woodland would be detrimental to the landscape character of the surrounding area and result in the loss of a natural area and significant landscape feature. As such the proposal is contrary to the objectives of criteria 1 and 2 of Policy EC1 (Primary Employment Area - relating to Sandysike), the objectives of Policy CP1 (Landscape Character), Policy CP3 (Trees and Hedges on Development Sites), and criterion 6 of Policy CP5 (Design) of the Carlisle District Local Plan 2001-2016. "

The Inspector considered that the main issues in the consideration of the appeal were the effect of the proposed development on the character and

SCHEDULE C: Applications Determined by Other Authorities

09/0283

appearance of the area having particular regard to the loss of trees subject to a Tree Preservation Order (TPO). The woodland at Sandysike Industrial Estate is a significant and important local landscape feature and wildlife habitat. This value is reflected by the confirmation of the TPO which was put in place to preserve the remaining trees, allow for the regrowth of the felled trees, and protect the wildlife value and amenity of the site.

The Inspector noted that in order to accommodate the proposed development it would be necessary to remove an extensive area of the woodland including seven individual trees on the site frontage and many of the trees to the north of the building. The woodland cover would be reduced to approximately 27% of the site and the loss of such an extensive area of woodland would be harmful to the character and appearance of the area as it would remove a large section of an important local landscape feature.

Although the appellant proposed new woodland planting strips, the Inspector noted that the replanting would not be extensive and would not mitigate for the loss of the existing protected woodland.

The Inspector considered that there wasn't any evidence of an overriding need for the business to be at this site, or that any other alternative sites were considered. As such, she stated there is no persuasive economic or business argument to outweigh the harm identified.

The Inspector's attention was drawn to a recent planning permission allowing the erection of a steel framed building at another unit within the Sandysike Industrial Estate. The Inspector opined that that case differed insofar as there was a proven business need for the new building.

The Inspector concluded that the proposed increase in built development on the site would be harmful to the character and appearance of the area due to the loss of a significant and important area of woodland. For these reasons, the appeal was dismissed.

Appeal Decision: Appeal Dismissed

Date: 23/06/2010

SCHEDULE C: Applications Determined by Other Authorities

09/0095

Item No: 20

Between 14/03/2010 and 02/07/2010

Appn Ref No:
09/0095

Applicant:
Club 35

Parish:
Carlisle

Date of Receipt:
10/02/2009

Agent:
Taylor & Hardy

Ward:
Castle

Location:
35 Lowther Street, Carlisle, CA3 8EJ

Grid Reference:
340206 555801

Proposal: Formation Of Two Openings & Building Up Of One Doorway On Internal Walls, Formation Of External Doorway & Removal Of A Glazed Landing Screen, All At First Floor Level & Installation Of A Hoist Between Ground And First Floors (LBC)

Amendment:

REPORT

Case Officer: Richard Majewicz

Decision on Appeals:

Appeal Against: Appeal against refusal of planning perm.

Type of Appeal: Written Representations

Report: A Listed Building Consent application, reference number 09/0095, was submitted on 10th February, 2009 and validated on 11th February, 2009, to carry out a number of internal alterations to the listed building at 35 Lowther Street, formerly the Liberal Club but now a private members' club. The principal element of the application was the proposal to form large openings in two internal walls to link three existing first floor rooms in order to provide one large 'L' shaped function room to improve the viability of the use of the premises. Other works included the formation of a new fire escape doorway, the removal of a glazed landing screen and the installation of a hoist.

The application was determined and refused by the City Council's Head of Planning and Housing Services on 7th April 2009 and an appeal against the decision was subsequently made under the Town and Country Planning (Appeals) (Written Representations Procedure) Regulations 2000. The hearing was set for 18th May, 2010.

Having received written submissions from both the applicant and the City Council and visited the site, the Planning Inspectorate subsequently confirmed that he had dismissed the appeal on 14 June, 2010.

SCHEDULE C: Applications Determined by Other Authorities

09/0095

Appeal Decision: Appeal Dismissed

Date: 14/06/2010

SCHEDULE C: Applications Determined by Other Authorities

08/0707

Item No: 21

Between 14/03/2010 and 02/07/2010

Appn Ref No:
08/0707

Applicant:
Bolsterstone

Parish:
St Cuthberts Without

Date of Receipt:
10/07/2008

Agent:
Arcus Renewable Energy
Consulting Ltd

Ward:
Dalston

Location:
Newlands Farm, Carleton, Carlisle, CA4 0AE

Grid Reference:
344289 552199

Proposal: Erection Of 3no. Wind Turbines And Associated Infrastructure Including Hard Standings, On-Site Tracks, Construction Compound, Permanent Meteorological Mast, Underground Cabling, Culverting, Control Building And Upgraded Site Access From The B6263

Amendment:

REPORT

Case Officer: Angus Hutchinson

Decision on Appeals:

Appeal Against: Appeal against refusal of planning perm.

Type of Appeal: Public Inquiry

Report: This application was refused by the Development Control Committee on 6th October 2008. The appeal was subsequently dismissed at a Public Inquiry opened on 21st October 2009. The Inspector considered that the main issue was whether the harm caused to the character and appearance of the landscape, including any cumulative effect, the living conditions of nearby occupiers through, amongst other things, visual impact, noise and disturbance and shadow flicker, and any other matters raised, as a consequence of the proposal, was outweighed by any benefits it might bring.

The Inspector concluded that the proposal would contribute energy from a renewable source without any significant harm to the character or appearance of the landscape. Subject to conditions, there would be no unacceptable impact on the living conditions of local residents through noise and disturbance, or shadow flicker. Similarly, there would not be significant impact on highway safety or any other factors raised. This he considered was a matter of significant weight.

He continued that on the other hand, the proposal would have a significant detrimental effect on the living conditions of the occupiers of Cringes Farm,

SCHEDULE C: Applications Determined by Other Authorities

08/0707

and to a lesser extent, Beech Cottage, through an oppressive and dominant visual impact.

He outlined that Key Principle 1 of PPS22 states that renewal energy developments should be capable of being accommodated throughout England in locations where the technology is viable and environmental, economic and social impacts can be addressed satisfactorily. It was the Inspectors view, that the proposal did not achieve that because the impact on the living conditions of the occupiers of Cringles Farm, and to a lesser extent, Beech Cottage, are of a severity that led him to conclude that this aspect of the scheme cannot be deemed to have been 'addressed satisfactorily'. On that basis, he considered that this negative aspect of the proposal outweighed the benefit it would bring and dismissed the appeal.

Appeal Decision: Appeal Dismissed

Date: 15/03/2010

SCHEDULE C: Applications Determined by Other Authorities

08/0779

Item No: 22

Between 14/03/2010 and 02/07/2010

Appn Ref No:
08/0779

Applicant:
Bolsterstone Innovative
Energy Carlisle Ltd

Parish:
St Cuthberts Without

Date of Receipt:
08/08/2008

Agent:
Arcus Renewable Energy
Consulting Ltd

Ward:
Dalston

Location:
Land At Newlands Farm, By Cumwhinton, Carlisle

Grid Reference:
344152 552458

Proposal: Erection Of A 60m High Meteorological Monitoring Mast For A Three Year Period

Amendment:

REPORT

Case Officer: Angus Hutchinson

Decision on Appeals:

Appeal Against: Appeal against refusal of planning perm.

Type of Appeal: Public Inquiry

Report: This application was refused by the Development Control Committee on 6th October 2008. The appeal was subsequently allowed at a Public Inquiry opened on 21st October 2009. The Inspector considered that the main issue was whether the harm of the meteorological monitoring mast might have on the character and appearance of the landscape would be outweighed by any benefits it might bring.

The Inspector concluded that he did not accept the views of the Council that it is parasitic on the application for the erection of 3no. wind turbines and associated infrastructure (application 08/0707). He considered that the limited harm the meteorological mast would cause to the landscape was far outweighed by the benefit it would give in assessing the suitability of the site for a wind turbine cluster. This he highlighted was especially so when one considers that the layout found wanting in application 08/0707 is not the only way in which a turbine or wind cluster could be arranged on the site. The appeal was conditionally allowed.

Appeal Decision: Appeal Allowed with Conditions

Date: 15/03/2010

SCHEDULE C: Applications Determined by Other Authorities

09/0995

Item No: 23

Between 14/03/2010 and 02/07/2010

Appn Ref No:

09/0995

Applicant:

Audek Timber Products
Limited

Parish:

Arthuret

Date of Receipt:

09/11/2009 08:01:34

Agent:

Mr Jeremiah

Ward:

Longtown & Rockcliffe

Location:

Land to Rear of 1 Moor Place, Longtown, Carlisle,
CA6 5US

Grid Reference:

338485 568941

Proposal: Erection Of 1No. Dwelling (Revised Application)

Amendment:

1. Drawing Number 1198-1 Received 09/11/09 Showing Construction Details For The Parking Area In Relation To The TPO Tree
 2. Drawing Number 1198-1 Received 04/12/09 Showing Revisions To The Parking Area In Relation To The TPO Tree
-

REPORT

Case Officer: Richard Maunsell

Decision on Appeals:

Appeal Against: Appeal against refusal of planning perm.

Type of Appeal: Written Representations

Report:

This appeal related to an application for "Full" planning permission for the erection of a dwelling on land to the rear of 1 Moor Place, Longtown, Carlisle. The application was refused for the following reason:

"The proposal relates to a small triangular shaped site located adjacent to residential dwellings. Due to its restricted size, shape and depth, development in the manner proposed would result in an overintensive and cramped development that would be detrimental to the character of the streetscene contrary to the objectives of PPS 3 (Housing); criteria 1 and 2 of Policy H2 (Primary Residential Areas); and criteria 1 and 4 of Policy CP5 (Design) of the Carlisle District Local Plan 2001-2016."

The Inspector identified that the appeal site is not an important feature of

SCHEDULE C: Applications Determined by Other Authorities

09/0995

the area and is not typical of grassed areas found elsewhere on the estate. He opined that the proposal would complement the 4 bungalows adjacent to the site and provide a varied, more interesting elevation to the north than is currently provided by the rear of neighbouring dwellings.

The Inspector commented that the configuration proposed would not result in visual harm because the junction would retain its spacious feel through the combination of the grassed areas in the junction opposite the site and the group of trees behind it.

In his decision, the Inspector identified that the site is relatively small but the private amenity space would be acceptable. The fenestration and the presence of the fence to the rear of the site would ensure that there would be no material overlooking or other harmful effects on existing and prospective residents. He considered that the design is appropriate in the context of the immediate neighbours and would contribute to the character and appearance of the area.

With regard to highway issues, the Inspector opined that the proposal would not compromise highway safety given the distance from the Moor Road junction and the favourable bend in Stackbraes Road immediately to the north of the site.

The Inspector concluded that the proposal would not conflict with current planning policies and for these reasons, the appeal was allowed.

Appeal Decision: Appeal Allowed with Conditions **Date:** 02/07/2010

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SCHEDULE E: Decisions Issued Under Delegated Powers

Between 29/05/2010 and 02/07/2010

Appn Ref No:
09/0861

Applicant:
Mr Stephen Duddy

Parish:
Askerton

Date of Receipt:
06/10/2009

Agent:
Abacus Building Design

Ward:
Irthing

Location:
Barn at Lees Hill Farm, Lees Hill, Brampton,
Cumbria CA8 2BB

Grid Reference:
355561 568124

Proposal: Change Of Use Of Stone Barn to Live/Work Unit

Amendment:

Decision: Grant Permission

Date: 01/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
09/1068

Applicant:
Mr Richard Charnley

Parish:
Arthuret

Date of Receipt:
07/12/2009

Agent:
Architects Plus (UK) Ltd

Ward:
Longtown & Rockcliffe

Location:
Site opposite Longtown Industrial Estate, Brampton
Road, Longtown, Cumbria

Grid Reference:
338266 568479

Proposal: Erection Of 6no. Dwellings With Associated External Layouts, Parking
And Access (Outline Application)

Amendment:

Decision: Granted Subject to Legal Agreement

Date: 24/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0040

Applicant:
Miss Blake

Parish:
Kingmoor

Date of Receipt:
25/01/2010

Agent:

Ward:
Stanwix Rural

SCHEDULE E: Decisions Issued Under Delegated Powers

Location:

Barn to the rear of The Hollies House, Cargo,
Carlisle, Cumbria, CA6 4AW

Grid Reference:

336536 559129

Proposal: Conversion Of Barn To 1No Dwelling (Revised Application)

Amendment:

Decision: Grant Permission

Date: 23/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:

10/0041

Applicant:

Miss Blake

Parish:

Kingmoor

Date of Receipt:

25/01/2010

Agent:**Ward:**

Stanwix Rural

Location:

Barn to the rear of The Hollies House, Cargo,
Carlisle, Cumbria, CA6 4AW

Grid Reference:

336536 559129

Proposal: Conversion Of Barn To 1No Dwelling (Revised Application) (LBC)

Amendment:

Decision: Grant Permission

Date: 23/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:

10/0087

Applicant:

Mr & Mrs Carruthers

Parish:

Kirkandrews

Date of Receipt:

12/02/2010

Agent:

Tsada Building Design
Services

Ward:

Longtown & Rockcliffe

Location:

29 & 30 Gaitle Bridge, Gaitle, Longtown, Carlisle,
CA6 5LU

Grid Reference:

335960 568525

Proposal: Demolition Of No. 29 & 30 Gaitle Bridge And Replacement Of 2no.
Dormer Dwellings

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Withdrawn by Applicant/or by default

Date: 25/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0215

Applicant:
Propertyselecta Ltd

Parish:
Carlisle

Date of Receipt:
15/04/2010

Agent:

Ward:
Castle

Location:
24 Lowther Street, Carlisle, Cumbria, CA3 8DA

Grid Reference:
340266 555839

Proposal: Display Of Non-Illuminated Individual Letters (LBC) (Retrospective)

Amendment:

Decision: Grant Permission

Date: 16/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0244

Applicant:
Persimmon Homes
Lancashire

Parish:
Carlisle

Date of Receipt:
12/03/2010

Agent:

Ward:
St Aidans

Location:
149-159 Botchergate, 1 Rydal Street and 1& 2
South Henry Street, Carlisle, CA1 1RZ

Grid Reference:
340600 555380

Proposal: Renewal Of Unexpired Permission Of Appn 05/0185 For Demolition Of Existing Buildings And Erection Of 3No. Retail Units And 23No. Apartments

Amendment:

Decision: Grant Permission

Date: 11/06/2010

SCHEDULE E: Decisions Issued Under Delegated Powers

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0251

Applicant:
Autotech Carlisle Limited

Parish:
Carlisle

Date of Receipt:
13/04/2010

Agent:
Unwin Jones Partnership

Ward:
Belah

Location:
Autotech Carlisle Limited, 30 Parkhill Road,
Kingstown Industrial Estate, Carlisle, CA3 0EX

Grid Reference:
339197 559161

Proposal: Change Of Use From Motor Vehicle Service Centre To Mixed Use
Including Service, MOT, Parts Supply, Loan Cars And Car Sales

Amendment:

Decision: Refuse Permission

Date: 08/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0260

Applicant:
Mr Michael Hill

Parish:
Cumrew

Date of Receipt:
09/04/2010

Agent:

Ward:
Great Corby & Geltsdale

Location:
Violet Cottage, Cumrew, Carlisle, CA8 9DD

Grid Reference:
354933 550639

Proposal: Change Of Use Of Part Of Agricultural Field To Domestic Garden

Amendment:

Decision: Grant Permission

Date: 02/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0277

Applicant:
Mr John Van Lierop

Parish:
Carlisle

Date of Receipt:
25/03/2010

Agent:
Mr David Lamond

Ward:
Castle

Location:

Grid Reference:

SCHEDULE E: Decisions Issued Under Delegated Powers

8 Lowther Street, Carlisle, CA3 8DA

340276 555764

Proposal: Remove Existing Sign And Fit Retractable Box Awning (LBC)

Amendment:

Decision: Grant Permission

Date: 09/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0290

Applicant:
Mrs Roz Graham

Parish:
Farlam

Date of Receipt:
07/04/2010

Agent:
Mr David Shankland

Ward:
Multiple Wards

Location:
6 Farlam Hall Cottages, Hallbankgate, Carlisle,
Cumbria, CA8 2NQ

Grid Reference:
357022 559995

Proposal: Installation Of 1No. Solar Panel To Rear Elevation (LBC)

Amendment:

Decision: Grant Permission

Date: 10/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0291

Applicant:
Mr & Mrs Pape

Parish:
Burgh-by-Sands

Date of Receipt:
09/04/2010

Agent:
S Buttler Chartered
Architect

Ward:
Burgh

Location:
Low Field, Moorhouse, Carlisle, Cumbria, CA5 6EY

Grid Reference:
333433 556678

Proposal: Demolition Of Existing Workshop And Erection Of Side Extension To
Provide Study & Utility Room On Ground Floor Together With The
Raising Of The Roof To Create A First Floor Comprising 3no. Bedrooms
And A Bathroom. Erection Of Detached Single Garage

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Withdrawn by Applicant/or by default

Date: 02/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:

10/0294

Applicant:

Environment Agency North Arthuret
Area

Parish:

Date of Receipt:

29/03/2010 08:01:14

Agent:

Jacobs Engineering UK Ltd

Ward:

Longtown & Rockcliffe

Location:

Land Surrounding Longtown Beck, Bounded By
Lochinvar Close/Bellsfield, Moor Road and Old
Road, Longtown

Grid Reference:

338667 568763

Proposal: Flood Alleviation Works To Longtown Beck Including The Erection Of A
1.5m - 2.1m Raised Embankment

Amendment:

Decision: Grant Permission

Date: 18/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:

10/0298

Applicant:

JWAC Services Limited

Parish:

Carlisle

Date of Receipt:

12/04/2010

Agent:

Ward:

St Aidans

Location:

Jester, 161-163 Botchergate, Carlisle, CA1 1SG

Grid Reference:

340626 555342

Proposal: Display Of Externally Illuminated Applied Lettering

Amendment:

Decision: Grant Permission

Date: 02/06/2010

Between 29/05/2010 and 02/07/2010

SCHEDULE E: Decisions Issued Under Delegated Powers

Appn Ref No:
10/0299

Applicant:
Polestar Properties

Parish:
Carlisle

Date of Receipt:
13/04/2010

Agent:

Ward:
Belle Vue

Location:
Polestar Properties, Caxton Road, Newtown
Industrial Estate, Carlisle, CA2 7NS

Grid Reference:
338075 556278

Proposal: Removal Of Existing Chainlink Fence And Erection Of 2.4m High Steel
Palisade Fencing (Retrospective Application)

Amendment:

Decision: Grant Permission

Date: 02/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0300

Applicant:
Aldi Stores Ltd

Parish:
Carlisle

Date of Receipt:
15/04/2010

Agent:
Projekt Architects

Ward:
Harraby

Location:
Aldi Store, Former Cavaghan &, Gray Ltd, London
Road, Carlisle, CA1 3EU

Grid Reference:
341870 553940

Proposal: Display Of 1no. Internally Illuminated Fascia Sign, 2no. 6m High Double
Pole Mounted Internally Illuminated Signs And 1no. 7.6m High Double
Pole Mounted Internally Illuminated Sign

Amendment:

Decision: Grant Permission

Date: 10/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0301

Applicant:
Mr Callum Cowx

Parish:
Burgh-by-Sands

Date of Receipt:
31/03/2010

Agent:

Ward:
Burgh

SCHEDULE E: Decisions Issued Under Delegated Powers

Location:

Fairfield, Moorhouse, Carlisle, Cumbria, CA5 6EY

Grid Reference:

333307 556776

Proposal: External Alterations To Boundary Fence/Wall Together With The Installation Of A Sky Dish (LBC)

Amendment:

Decision: Grant Permission

Date: 24/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:

10/0310

Applicant:

Gala Coral Group

Parish:

Carlisle

Date of Receipt:

05/04/2010 16:00:29

Agent:

EVDAS

Ward:

Castle

Location:

Coral, 5 Warwick Road, Carlisle, CA1 1DH

Grid Reference:

340284 555737

Proposal: Minor Alterations To Shopfront

Amendment:

Decision: Grant Permission

Date: 01/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:

10/0311

Applicant:

Gala Coral Group

Parish:

Carlisle

Date of Receipt:

05/04/2010 16:00:29

Agent:

EVDAS

Ward:

Castle

Location:

Coral, 5 Warwick Road, Carlisle, CA1 1DH

Grid Reference:

340284 555737

Proposal: Erection Of 1No. Internally Illuminated Fascia Sign And 1No. Internally Illuminated Hanging Sign

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 02/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0315

Applicant:
Mrs Bannon

Parish:
Carlisle

Date of Receipt:
14/04/2010

Agent:
John Lyon Associates Ltd

Ward:
Castle

Location:
31 Ashley Street, Carlisle, CA2 7BD

Grid Reference:
339020 555768

Proposal: Single Storey Rear Extension To Enlarge Kitchen/Dining Room, First Floor Rear Extension To Provide Ensuite To Existing Bedroom

Amendment:

Decision: Grant Permission

Date: 09/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0316

Applicant:
Environment Agency

Parish:
Stanwix Rural

Date of Receipt:
06/04/2010 16:03:00

Agent:
Jacobs Engineering UK Ltd

Ward:
Stanwix Rural

Location:
Land adjacent St John's Church, Low Crosby,
Carlisle

Grid Reference:
344833 559647

Proposal: Construction Of Flood Alleviation Scheme To The East And South East Of The Settlement Of Low Crosby Including Flood Embankments To The North And South Of St John The Evangelist Church, Together With The Realignment Of The Road Junction And An Increase In The Height Of The Road

Amendment:

1. Revised drawing nos. B1360700-P-001 – Layout Plan (Revision 2); B1360700-P-003 – Cross Sections (Revision 2); B1360700-P-006 – Landscape Plan (Revision 3); B1360700-P-008 – Churchyard Access Details (Revision 3); and B1360700-P-010 – Red Line Boundary Plan (Revision 1) received 17th May 2010.

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 28/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0323

Applicant:
Mr & Mrs Diggle

Parish:
Wetheral

Date of Receipt:
08/04/2010

Agent:
Jock Gordon

Ward:
Wetheral

Location:
5 Goosegarth, Wetheral, Carlisle, CA4 8JR

Grid Reference:
346321 554390

Proposal: Erection of External Chimney Stack to Front Elevation

Amendment:

Decision: Grant Permission

Date: 03/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0327

Applicant:
Mr Peter Brown

Parish:
Carlisle

Date of Receipt:
20/04/2010

Agent:

Ward:
Harraby

Location:
2 Mayfield Avenue, Harraby, Carlisle CA1 3LU

Grid Reference:
341958 554261

Proposal: Single Storey Front Extension To Provide Enlarged Lounge And Porch;
Two Storey Side Extension To Provide Replacement Garage With 1No.
En-Suite Bedroom

Amendment:

Decision: Grant Permission

Date: 14/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0328

Applicant:
Miss L Little

Parish:
Carlisle

SCHEDULE E: Decisions Issued Under Delegated Powers

Date of Receipt:
26/04/2010

Agent:
Mr Arron Murray

Ward:
Denton Holme

Location:
110 Stanhope Road, Carlisle, CA2 7BS

Grid Reference:
339276 555425

Proposal: Two Storey Side Extension To Provide Entrance Room And Dining Room On Ground Floor With 1no. En-Suite Bedroom Above

Amendment:

Decision: Grant Permission

Date: 07/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0329

Applicant:
Ms Pattinson

Parish:
Carlisle

Date of Receipt:
13/04/2010

Agent:
Jock Gordon

Ward:
Morton

Location:
193 Wigton Road, Carlisle, CA2 6JT

Grid Reference:
338007 554698

Proposal: Erection Of Boundary Fencing To Front Of Dwelling (Retrospective)

Amendment:

Decision: Refuse Permission

Date: 04/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0337

Applicant:
Cheque Centre Group Ltd

Parish:
Carlisle

Date of Receipt:
26/04/2010

Agent:
3DReid Ltd (Architects)

Ward:
Castle

Location:
10 Devonshire Street, Carlisle

Grid Reference:
340200 555734

Proposal: Display Of 1no. Non-Illuminated Fascia Sign And 1no. Non- Illuminated Projecting Sign

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 18/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0340

Applicant:
Network Rail (
Infrastructure) Ltd

Parish:
Carlisle

Date of Receipt:
15/04/2010

Agent:
Network Rail (Property)

Ward:
Currock

Location:
Citadel Station, Court Square, Carlisle, CA1 1QX

Grid Reference:
340247 555486

Proposal: Station Refurbishment Including: Removal Of Red Railings,
Refurbishment Of Waiting Area, Screening To Electrical Switch Gear
Room And New Door, Lighting And Waiting Room On Platform 4
Together With New Waiting Area And Signage On Platforms 5/6 (LBC)

Amendment:

Decision: Grant Permission

Date: 10/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0344

Applicant:
Mr R Swailes

Parish:
Carlisle

Date of Receipt:
16/04/2010

Agent:
Black Box Architects
Limited

Ward:
Castle

Location:
St Bedes Social Club, Silloth Street, Carlisle, CA2
5UR

Grid Reference:
339216 555748

Proposal: Discharge Of Conditions 2 (Brick Sample); 3 (Roof Tile Sample); 4 (Hard
& Soft Landscaping) 7 (Utility Meters); 8 (site Levels); 10 (Surface Water
Drainage); 11 (Level 2 Survey Report); 14 (Construction Site Traffic) And
16 (Wall/Fence Details) Of Previously Approved Application 09/1056

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 10/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0347

Applicant:
Story Homes

Parish:
Brampton

Date of Receipt:
19/04/2010 08:01:14

Agent:

Ward:
Brampton

Location:
Former Highways Depot & Dandycroft, Station
Road, Brampton, CA8 1EU

Grid Reference:
353782 561006

Proposal: Demolition Of Dormer Bungalow (Dandycroft) And Associated
Outbuildings (Conservation Area Consent)

Amendment:

Decision: Grant Permission

Date: 10/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0348

Applicant:
Mr Russell Jerrett

Parish:
Carlisle

Date of Receipt:
19/04/2010

Agent:

Ward:
Denton Holme

Location:
44 Denton Street, Denton Holme, Carlisle, Cumbria,
CA2 5EG

Grid Reference:
339806 555192

Proposal: Change Of Use From A1 (Shop) To D1 (Physiotherapy Clinic)

Amendment:

Decision: Grant Permission

Date: 14/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0351

Applicant:
Mr Michael Wilson

Parish:
St Cuthberts Without

SCHEDULE E: Decisions Issued Under Delegated Powers

Date of Receipt:
19/04/2010

Agent:

Ward:
Dalston

Location:
Woodside Farm, Wreay, Carlisle, CA4 0RJ

Grid Reference:
343315 550022

Proposal: Alterations And Extension To Existing Farmhouse To Provide Games Room, Utility Room And Farm Entrance To Lower Ground Floor, Kitchen, Dining Room And Main Entrance To Ground Floor, And En-Suite Bedroom To First Floor; Change Of Use Of Field To Driveway To Access Farmhouse; Demolition Of Existing Farm Workers Cottage And Erection Of Replacement Dwelling (Revised Application)

Amendment:

Decision: Grant Permission

Date: 08/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0353

Applicant:
Mr Amjed Malik

Parish:
Carlisle

Date of Receipt:
20/04/2010

Agent:
Mr Paul Fitton

Ward:
Castle

Location:
84 Newtown Road, Carlisle, CA2 7LL

Grid Reference:
338435 555997

Proposal: Demolition Of Existing Out Buildings And Disused Public Toilets And Erection Of
2no. 2Bedroom Flats Together With Parking Area And Gardens Using Existing Access Onto Newtown Road (Revised Application)

Amendment:

Decision: Grant Permission

Date: 15/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0354

Applicant:
Pizza Express

Parish:
Carlisle

Date of Receipt:
20/04/2010 13:00:20

Agent:
Technical Signs

Ward:
Castle

SCHEDULE E: Decisions Issued Under Delegated Powers

Location:

21 Lowther Street, Carlisle, CA3 8ES

Grid Reference:

340233 555748

Proposal: Display Of 2no. Halo Illuminated Fascia Signs Reading PIZZA EXPRESS
On Devonshire Street & Lowther Street Together With 2no. Externally
Illuminated Projecting Signs

Amendment:

Decision: Grant Permission

Date: 16/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:

10/0355

Applicant:

Pizza Express

Parish:

Carlisle

Date of Receipt:

20/04/2010 16:00:20

Agent:**Ward:**

Castle

Location:

21 Lowther Street, Carlisle, CA3 8ES

Grid Reference:

340233 555748

Proposal: Display Of 2no. Halo Illuminated Fascia Signs Reading PIZZA EXPRESS
On Devonshire Street & Lowther Street Together With 2no. Externally
Illuminated Projecting Signs (LBC)

Amendment:

Decision: Grant Permission

Date: 16/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:

10/0357

Applicant:

Norbrook Laboratories

Parish:

Wetheral

Date of Receipt:

21/04/2010

Agent:

Architects Plus (UK) Ltd

Ward:

Great Corby & Geltsdale

Location:

Ferry Cottage, Great Corby, Carlisle, Cumbria

Grid Reference:

346999 554439

Proposal: Discharge Of Conditions 3 (Partial Discharge Of Bufferzone
Management Plan & Addendum), 5 (External Lighting), 7 (Landscaping)
And 8 (Details Of Boundary Fencing) Relating To Planning Reference
09/0015

SCHEDULE E: Decisions Issued Under Delegated Powers

Amendment:

Decision: Grant Permission

Date: 01/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0358

Applicant:
Norbrook Laboratories

Parish:
Wetheral

Date of Receipt:
21/04/2010

Agent:
Architects Plus (UK) Ltd

Ward:
Great Corby & Geltsdale

Location:
Corby Woods near Ferry Cottage, Great Corby,
Carlisle, CA4 8LR

Grid Reference:
346999 554439

Proposal: Discharge Of Conditions 4 (Partial Discharge Of Bufferzone
Management Plan & Addendum) & 5 (Landscaping) Relating To
Planning Reference 09/0311

Amendment:

Decision: Grant Permission

Date: 01/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0359

Applicant:
Norbrook Laboratories

Parish:
Wetheral

Date of Receipt:
21/04/2010

Agent:
Architects Plus (UK) Ltd

Ward:
Great Corby & Geltsdale

Location:
Corby Woods near Ferry Cottage, Great Corby,
Carlisle, CA4 8LR

Grid Reference:
346999 554439

Proposal: Discharge Of Conditions 2 (Landscaping) And 3 (Partial Discharge Of
Bufferzone Management Plan & Addendum) Relating To Planning
Reference 09/0270

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 01/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0361

Applicant:
DSD Construction Ltd

Parish:
Carlisle

Date of Receipt:
26/04/2010

Agent:
Gray Associates Limited

Ward:
Currock

Location:
DSD Construction Ltd, Robert Street, Carlisle, CA2
5AN

Grid Reference:
340289 555356

Proposal: Two Storey Extension To Existing Office Block

Amendment:

Decision: Grant Permission

Date: 08/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0364

Applicant:
Mr J C Stamper

Parish:
Carlisle

Date of Receipt:
21/04/2010

Agent:
Jock Gordon

Ward:
Castle

Location:
26 Aglionby Street, Carlisle, Cumbria, CA1 1JP

Grid Reference:
340640 555627

Proposal: Sub Division Of Existing Dwelling To Provide 1No. 4 Bedroom House
And 1No. 2 Bedroom Flat, To Include Demolition Of Rear Outbuilding,
Erection Of 3 Storey Rear Extension And Reinstatement Of Frontage
Boundary Wall With Railings Above (Part Retrospective)

Amendment:

Decision: Grant Permission

Date: 02/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0365

Applicant:
Border Cars Limited

Parish:
Carlisle

SCHEDULE E: Decisions Issued Under Delegated Powers

Date of Receipt:
21/04/2010

Agent:
Unwin Jones Partnership

Ward:
Belah

Location:
Border Cars, Kingstown Broadway. Kingstown
Industrial Estate, Carlisle, Cumbria, CA3 0HA

Grid Reference:
339243 559530

Proposal: Provision Of Additional Six Bay Workshop To Existing Motor Vehicle
Dealership

Amendment:

Decision: Grant Permission

Date: 16/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0366

Applicant:
Carlisle City Council

Parish:
Carlisle

Date of Receipt:
23/04/2010

Agent:
Capita Symonds

Ward:
Harraby

Location:
Hewden Hire Centres, Site 19, Stephenson Road,
Carlisle, CA1 3NU

Grid Reference:
342130 554731

Proposal: Erection Of A Galvanised Steel Palisade Fence Of Height 2.4m With
Relaying Of Hardstanding Over Building Footprint To Be Demolished

Amendment:

Decision: Grant Permission

Date: 18/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0368

Applicant:
Carlisle College

Parish:
Carlisle

Date of Receipt:
22/04/2010

Agent:
Ryder Architectural Ltd

Ward:
Castle

Location:
Carlisle College, Strand Road, Carlisle, CA1 1NB

Grid Reference:
340510 556100

SCHEDULE E: Decisions Issued Under Delegated Powers

Proposal: Discharge Of Conditions 3 (Construction Management Plan), 6 (Parking Of Construction Vehicles), 9 (Cleaning Of Construction Vehicles) and 10 (Water Bowser Or Other Dust Supression System) Relating To Planning reference 09/1085

Amendment:

Decision: Partial Discharge of Conditions
14/06/2010

Date:

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0369

Applicant:
Mr Pratt

Parish:
Brampton

Date of Receipt:
26/04/2010

Agent:
Ashton Design

Ward:
Brampton

Location:
Green Lane House, Greenhill, Brampton, CA8 1SU

Grid Reference:
352598 560781

Proposal: Proposed Extension To Residential Home To Provide 10no. Extra Bedrooms And Associated Facilities To Ground Floor Together With Staff Facilities And Owner/Managers Flat To First Floor

Amendment:

Decision: Grant Permission

Date: 04/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0370

Applicant:
Mr Pratt

Parish:
Brampton

Date of Receipt:
21/04/2010 16:00:21

Agent:
Ashton Design

Ward:
Brampton

Location:
Green Lane House, Greenhill, Brampton, CA8 1SU

Grid Reference:
352598 560781

Proposal: Proposed Extension To Residential Home To Provide 10no. Extra Bedrooms And Associated Facilities To Ground Floor Together With Staff Facilities And Owner/Managers Flat To First Floor (LBC)

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 04/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0371

Applicant:
Mrs Little

Parish:
Carlisle

Date of Receipt:
11/05/2010

Agent:
Edenholme Building &
Architectural Surveyors

Ward:
Upperby

Location:
68 Woodside North, Carlisle, CA2 4NW

Grid Reference:
341107 553345

Proposal: Two Storey Side Extension To Provide Kitchen And Study On Ground Floor With En-Suite Bedroom Above Together With En-Suite Bedroom In Roof Space

Amendment:

Decision: Grant Permission

Date: 08/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0372

Applicant:
Mr Richard Watson

Parish:
Carlisle

Date of Receipt:
28/04/2010

Agent:

Ward:
Morton

Location:
65 Castlerigg Drive, Morton, Carlisle, CA2 6PG

Grid Reference:
337966 554432

Proposal: Two Storey Side Extension To Provide Kitchen/Dining Room On Ground Floor With 1no. Bedroom Above

Amendment:

Decision: Grant Permission

Date: 01/06/2010

Between 29/05/2010 and 02/07/2010

SCHEDULE E: Decisions Issued Under Delegated Powers

Appn Ref No:
10/0373

Applicant:
Co-operative Funeralcare

Parish:
Carlisle

Date of Receipt:
23/04/2010 13:00:30

Agent:
Blaze Neon Ltd

Ward:
Stanwix Urban

Location:
6-8 Etterby Street, Carlisle, CA3 9JB

Grid Reference:
339962 557121

Proposal: Display Of 3no. Non-Illuminated Fascia Signs, 1no. Non-Illuminated Projecting Sign And 1no. Non-Illuminated Panel Sign (Revised Application)

Amendment:

Decision: Grant Permission

Date: 04/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0374

Applicant:
Co-operative Funeralcare

Parish:
Carlisle

Date of Receipt:
23/04/2010 13:00:19

Agent:
Blaze Neon Ltd

Ward:
Stanwix Urban

Location:
6-8 Etterby Street, Carlisle, CA3 9JB

Grid Reference:
339962 557121

Proposal: Display Of 3no. Non-Illuminated Fascia Signs, 1no. Non-Illuminated Projecting Sign And 1no. Non-Illuminated Panel Sign (LBC) (Revised Application)

Amendment:

Decision: Grant Permission

Date: 04/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0376

Applicant:
Mr William Francis

Parish:
Rockcliffe

Date of Receipt:
26/04/2010

Agent:

Ward:
Longtown & Rockcliffe

Location:

Grid Reference:

SCHEDULE E: Decisions Issued Under Delegated Powers

Ghyll Bank Park, Low Harker, Carlisle, CA6 4DG

338471 560865

Proposal: Certificate Of Existing Lawful Use Of A Residential Chalet

Amendment:

Decision: Grant Permission

Date: 21/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0377

Applicant:
Cheque Centre Group Ltd

Parish:
Carlisle

Date of Receipt:
26/04/2010

Agent:
3DReid Ltd (Architects)

Ward:
Castle

Location:
10 Devonshire Street, Carlisle

Grid Reference:
340200 555734

Proposal: Display Of 1no. Non-Illuminated Fascia Sign And 1no. Non Illuminated Projecting Sign (LBC)

Amendment:

Decision: Grant Permission

Date: 18/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0378

Applicant:
Mr & Mrs Thompson

Parish:
St Cuthberts Without

Date of Receipt:
26/04/2010

Agent:
Jock Gordon

Ward:
Dalston

Location:
51 Pennine View, Carlisle, CA1 3GX

Grid Reference:
343343 554019

Proposal: Erection Of Conservatory To Rear Elevation

Amendment:

Decision: Grant Permission

Date: 04/06/2010

SCHEDULE E: Decisions Issued Under Delegated Powers

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0379

Applicant:
Ms Todhunter

Parish:
Carlisle

Date of Receipt:
29/04/2010

Agent:
Gray Associates Limited

Ward:
Belle Vue

Location:
43 Moor Park Avenue, Carlisle, CA2 7LZ

Grid Reference:
337172 556264

Proposal: Single Storey Rear Extension To Provide Utility And Play Room

Amendment:

Decision: Grant Permission

Date: 10/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0380

Applicant:
Mr Ross White

Parish:
St Cuthberts Without

Date of Receipt:
27/04/2010

Agent:
Eden Design Associates

Ward:
Dalston

Location:
219 Durdar Road, Carlisle, CA2 4TJ

Grid Reference:
340464 552423

Proposal: Extension To Existing Garage To Provide Artists Studio For Domestic Use Only

Amendment:

Decision: Grant Permission

Date: 03/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0382

Applicant:
Mr Spencer Sharpley

Parish:
Carlisle

Date of Receipt:
27/04/2010

Agent:
Carlisle City Council

Ward:
Currock

Location:
70 Boundary Road, Carlisle, CA2 4HS

Grid Reference:
340565 554330

SCHEDULE E: Decisions Issued Under Delegated Powers

Proposal: First Floor En-Suite To Existing Bedroom Together With Shower Room
On Ground Floor

Amendment:

Decision: Grant Permission

Date: 04/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0386

Applicant:
G & J Seddon Ltd

Parish:
Carlisle

Date of Receipt:
27/04/2010

Agent:
Condy Lofthouse Architects

Ward:
Harraby

Location:
The Inglewood, Pennine Way, Carlisle, CA1 3QD

Grid Reference:
342170 554539

Proposal: Discharge Of Condition 15 Of Previously Approved Application 09/1125

Amendment:

Decision: Partial Discharge of Conditions
18/06/2010

Date:

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0388

Applicant:
Riverside Carlisle

Parish:
Carlisle

Date of Receipt:
27/04/2010

Agent:
Architects Plus (UK) Ltd

Ward:
Upperby

Location:
62-84 Welsh Road, Carlisle CA1 3AU

Grid Reference:
341991 553720

Proposal: Display Of 1no. Non-Illuminated Free Standing Pole Mounted Sign
(Retrospective)

Amendment:

Decision: Grant Permission

Date: 09/06/2010

SCHEDULE E: Decisions Issued Under Delegated Powers

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0389

Applicant:
Riverside Carlisle

Parish:
Carlisle

Date of Receipt:
27/04/2010

Agent:
Architects Plus (UK) Ltd

Ward:
Upperby

Location:
Land at Harris Crescent, Carlisle, CA1 3BA

Grid Reference:
342052 553556

Proposal: Display Of 1no. Non-Illuminated Free Standing Pole Mounted Sign
(Retrospective)

Amendment:

Decision: Grant Permission

Date: 04/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0390

Applicant:
Riverside Carlisle

Parish:
Carlisle

Date of Receipt:
27/04/2010

Agent:
Architects Plus (UK) Ltd

Ward:
Upperby

Location:
Henderson Gardens, Henderson Road, Carlisle CA2
4PX

Grid Reference:
340541 553694

Proposal: Display Of 1no. Non-Illuminated Free Standing Pole Mounted Sign
(Retrospective Application)

Amendment:

Decision: Grant Permission

Date: 22/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0391

Applicant:
Riverside Carlisle

Parish:
Brampton

Date of Receipt:
30/04/2010

Agent:
Day Cummins Limited

Ward:
Brampton

SCHEDULE E: Decisions Issued Under Delegated Powers

Location:

1-21 West Hill House, St Martins Drive,
BRAMPTON, CA8 1TG

Grid Reference:

352655 560921

Proposal: Reconfiguration Of Existing Bedsits/Flats To Provide 12No. Flats And
2No. Houses; Including The Erection Of Entrance Porches, Two Storey
Extensions To Both Side Elevations And Alterations To Positioning Of
Window Openings (Revised Application)

Amendment:

Decision: Grant Permission

Date: 22/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0392

Applicant:
Mr & Mrs Bunting

Parish:
Burgh-by-Sands

Date of Receipt:
28/04/2010

Agent:
Jock Gordon

Ward:
Burgh

Location:
8 The Courtyards, Moorhouse, Carlisle, CA5 6EX

Grid Reference:
332979 556787

Proposal: Single Storey Rear Extension to Provide Sunroom

Amendment:

Decision: Grant Permission

Date: 23/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0393

Applicant:
Mr Henderson

Parish:
Dalston

Date of Receipt:
30/04/2010

Agent:
H&H Bowe Limited

Ward:
Dalston

Location:
Gill Farm, The Gill, Dalston, Carlisle, CA5 7JP

Grid Reference:
335752 548469

Proposal: Erection Of Agricultural Workers Dwelling (Revised Location)

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 25/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0394

Applicant:
Carr Sterne

Parish:
Arthuret

Date of Receipt:
29/04/2010

Agent:

Ward:
Longtown & Rockcliffe

Location:
Brackenhill Farm, Longtown, Carlisle CA6 5TU

Grid Reference:
344480 569540

Proposal: Erection Of 3no. 2no. Bedroom Log Cabins To Be Used For Holiday Lets
Amendment:

Decision: Grant Permission

Date: 24/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0395

Applicant:
Mr & Mrs Blaylock

Parish:
Stanwix Rural

Date of Receipt:
29/04/2010

Agent:
Jock Gordon

Ward:
Stanwix Rural

Location:
50 Jackson Road, Houghton, Carlisle, CA3 ONX

Grid Reference:
340943 559308

Proposal: Two Storey Side Extension To Provide Utility And Store On Ground Floor
With Bedroom Above And Single Storey Frontage Porch

Amendment:

Decision: Grant Permission

Date: 07/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0397

Applicant:
Mrs Janet Shaw

Parish:
Carlisle

SCHEDULE E: Decisions Issued Under Delegated Powers

Date of Receipt:
04/05/2010

Agent:
Carlisle City Council

Ward:
Botcherby

Location:
30 Merith Avenue, Carlisle, CA1 2TP

Grid Reference:
342136 555456

Proposal: Single Storey Rear Extension To Provide Sitting/Dining Room Together
With Internal Alterations To Provide Shower Room

Amendment:

Decision: Grant Permission

Date: 08/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0401

Applicant:
Mr & Mrs Hodgson

Parish:
Irthington

Date of Receipt:
11/05/2010

Agent:
Mr Jeremiah

Ward:
Stanwix Rural

Location:
Morrell Hill, Irthington, Carlisle, CA6 4PU

Grid Reference:
348849 564096

Proposal: Single Storey Side And Rear Extension To Provide Sitting Room,
Bedroom And Shower Room

Amendment:

Decision: Grant Permission

Date: 23/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0402

Applicant:
Ms Ella Nelson

Parish:
Carlisle

Date of Receipt:
04/05/2010

Agent:
Mr Stuart Leslie

Ward:
Harraby

Location:
7 Welsh Road, Harraby, Carlisle, CA1 3AR

Grid Reference:
341951 553857

Proposal: Erection Of Single Storey Rear Extension To Provide Shower Room
(Revised Application)

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 04/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0403

Applicant:
Riverside Carlisle

Parish:
Carlisle

Date of Receipt:
28/05/2010

Agent:
Ainsley Gommon Architects

Ward:
Morton

Location:
Land at Barras Close, Morton, Carlisle, Cumbria,
CA2 6PR

Grid Reference:
338386 554235

Proposal: Non Material Amendment Of Previously Approved Appn 09/0036 To
Raise The Floor Level Of Plots 16-18 By A Further 75mm Above The
150mm Tolerance Indicated On The Approved Plans

Amendment:

Decision: Amendment Accepted
21/06/2010

Date:

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0407

Applicant:
Swinton Group

Parish:
Carlisle

Date of Receipt:
07/05/2010

Agent:
Blaze Neon Ltd

Ward:
Castle

Location:
55-57 Warwick Road, Carlisle, CA1 1EE

Grid Reference:
340448 555807

Proposal: Display Of Externally Illuminated Fascia Signage And 2No. Externally
Illuminated Projecting Signs

Amendment:

Decision: Grant Permission

Date: 01/07/2010

SCHEDULE E: Decisions Issued Under Delegated Powers

Between 29/05/2010 and 02/07/2010

Appn Ref No: 10/0409	Applicant: Mr Islam Pearson	Parish: St Cuthberts Without
Date of Receipt: 05/05/2010	Agent:	Ward: Dalston
Location: Sprunston, Durdar, Carlisle, Cumbria, CA5 7AP		Grid Reference: 340000 548150
Proposal: Discharge Of Condition 2 (Material Samples) Of Previously Approved Application 07/1107		
Amendment:		

Decision: Grant Permission

Date: 14/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No: 10/0414	Applicant: Commonwealth Fish Bar	Parish: Carlisle
Date of Receipt: 05/05/2010	Agent:	Ward: Currock
Location: 104-106 Botchergate, Carlisle, Cumbria, CA1 1SN		Grid Reference: 340503 555412
Proposal: Discharge Of Condition 5 (Grease Trap) Of Previously Approved Application 07/0013		
Amendment:		

Decision: Grant Permission

Date: 01/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No: 10/0416	Applicant: Thomas Graham and Sons Ltd	Parish: Carlisle
Date of Receipt: 05/05/2010	Agent: Johnston & Wright	Ward: Denton Holme

SCHEDULE E: Decisions Issued Under Delegated Powers

Location:

The Maltings, Shaddongate, Carlisle, Cumbria,

Grid Reference:

339510 555802

Proposal: Erection Of Two Storey Extension To Provide Replacement Reception Area On Ground Floor And New Offices At First Floor Level

Amendment:

Decision: Grant Permission

Date: 22/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:

10/0419

Applicant:

Telereal Trillium

Parish:

Carlisle

Date of Receipt:

24/05/2010

Agent:

Telereal Trillium

Ward:

Castle

Location:

Rufus House, 5 Castle Street, Carlisle, CA3 8TF

Grid Reference:

339837 556095

Proposal: Replacement Windows & Lintels

Amendment:

Decision: Grant Permission

Date: 30/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:

10/0424

Applicant:

Mr Lee

Parish:

Brampton

Date of Receipt:

12/05/2010

Agent:

Apropos Tectonic

Ward:

Brampton

Location:

The Keep, Turning Course Lonning, Brampton, CA8 2EY

Grid Reference:

354467 561896

Proposal: New Glazing And Roof To Existing Side Extension

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 30/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0426

Applicant:
Tullie House Museum &
Art Gallery

Parish:
Carlisle

Date of Receipt:
13/05/2010

Agent:
Mrs Michelle Wiggins

Ward:
Castle

Location:
Tullie House Museum & Art Gallery, Castle Street,
Carlisle, Cumbria, CA3 8TP

Grid Reference:
339778 556033

Proposal: Display Of Non-Illuminated Sign On Gate Onto Abbey Street

Amendment:

Decision: Grant Permission

Date: 28/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0427

Applicant:
Mrs Roushan Bari

Parish:
Stanwix Rural

Date of Receipt:
10/05/2010

Agent:

Ward:
Stanwix Rural

Location:
West Lodge, Houghton House, Houghton, Carlisle,
Cumbria

Grid Reference:
340322 560866

Proposal: Single Storey Extension To The North Elevation To Provide, Kitchen,
Study & WC

Amendment:

Decision: Grant Permission

Date: 01/07/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0431

Applicant:
Euro Car Parts Ltd

Parish:
Carlisle

SCHEDULE E: Decisions Issued Under Delegated Powers

Date of Receipt:
13/05/2010

Agent:
Colliers CRE

Ward:
Belah

Location:
Units 1 & 2 (SITE 26), Kingstown Broadway,
Carlisle, CA3 0HA

Grid Reference:
339107 559112

Proposal: Change Of Use From Class B1 (Business) To Class B8 (Storage And
Distribution) With Ancillary Trade Counters

Amendment:

Decision: Grant Permission

Date: 18/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0436

Applicant:
Mrs Wendy Blair

Parish:
Carlisle

Date of Receipt:
20/05/2010

Agent:

Ward:
Upperby

Location:
58 Woodside North, Carlisle, CA2 4NW

Grid Reference:
341039 553311

Proposal: Two Storey Side Extension To Provide Hall, WC and Dining Room On
Ground Floor With Bedroom And Bathroom Above Together With 2no.
Bedrooms In Roof Space

Amendment:

Decision: Grant Permission

Date: 01/07/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0441

Applicant:
Ms Gass

Parish:

Date of Receipt:
25/05/2010

Agent:
Tsada Building Design
Services

Ward:
Lyne

Location:
Nunsleugh, Roweltown, Carlisle, CA6 6PN

Grid Reference:
353867 574178

SCHEDULE E: Decisions Issued Under Delegated Powers

Proposal: Extension To Existing Cubicle And Calf Creeps To Form Additional Livestock Accommodation

Amendment:

Decision: Grant Permission

Date: 29/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0453

Applicant:
Mr Gary Hogg

Parish:
Hayton

Date of Receipt:
17/05/2010

Agent:

Ward:
Hayton

Location:
72 Hurley Road, Little Corby, Carlisle, Cumbria,
CA4 8QF

Grid Reference:
347904 557216

Proposal: Non Material Amendment Of Previously Approved Application 10/0158

Amendment:

Decision: Amendment Accepted
08/06/2010

Date:

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0463

Applicant:
Mr Norman Parry

Parish:
Brampton

Date of Receipt:
19/05/2010

Agent:

Ward:
Brampton

Location:
Chapel View, Milton, Brampton, Cumbria, CA8 1JD

Grid Reference:
355620 560557

Proposal: Discharge Of Condition 2 (Balcony Details) Relating To Planning Reference 09/0381

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 01/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0470

Applicant:
Ms Bridget O'Hara

Parish:
Carlisle

Date of Receipt:
21/05/2010

Agent:

Ward:
Stanwix Urban

Location:
3 Beech Grove, Stanwix, Carlisle CA3 9BE

Grid Reference:
340361 557374

Proposal: Non Material Amendment To Previously Approved Application 09/0952
Amendment:

Decision: Amendment Accepted
16/06/2010

Date:

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0474

Applicant:
Mr Trevor Fawkes

Parish:
Hayton

Date of Receipt:
21/05/2010

Agent:
Philip Turner Associates

Ward:
Hayton

Location:
31 Cairnwood, Heads Nook, Brampton, Cumbria
CA8 9AH

Grid Reference:
349720 555042

Proposal: Single Storey Extensions To Provide Porch/Utility Room To Front
Elevation With Sunroom To Rear Elevation

Amendment:

Decision: Grant Permission

Date: 22/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0477

Applicant:
Knightbridge
Developments Ltd

Parish:
Carlisle

SCHEDULE E: Decisions Issued Under Delegated Powers

Date of Receipt:

28/05/2010

Agent:

Architects Plus (UK) Ltd

Ward:

Harraby

Location:

Former Harraby Methodist Church, Cumwhinton Road, Carlisle, CA1 3PA

Grid Reference:

342156 553962

Proposal: Non-Material Amendment To Previously Approved Application 08/1182

Amendment:

Decision: Amendment Accepted

21/06/2010

Date:

Between 29/05/2010 and 02/07/2010

Appn Ref No:

10/0491

Applicant:

R W & J Cochrane & Sons
Ltd

Parish:

Arthuret

Date of Receipt:

27/05/2010

Agent:**Ward:**

Arthuret (Abolished wef
06/05/99)

Location:

L/A Lynemoor, Brampton Road, Longtown, Carlisle, Cumbria

Grid Reference:

340155 567160

Proposal: Non Material Amendment Relating To Previously Approved Application 96/0180

Amendment:

Decision: Amendment Accepted

22/06/2010

Date:

Between 29/05/2010 and 02/07/2010

Appn Ref No:

10/0495

Applicant:

Lovell Partnership Ltd

Parish:

Carlisle

Date of Receipt:

27/05/2010

Agent:

Ainsley Gommon Architects

Ward:

Belle Vue

SCHEDULE E: Decisions Issued Under Delegated Powers

Location:

Site F & G, Brookside, Raffles Estate, Carlisle

Grid Reference:

338216 555801

Proposal: Non Material Amendment To Change The Brick Type From Ibstock Monaco Royale To Wienerberger Daycott Red And Ibstock Monza Rose To Wienerberger Castle Gold Which Was Discharged Under Application 10/0062 Of Original Approval 08/0327

Amendment:

Decision: Amendment Accepted
21/06/2010

Date:

Between 29/05/2010 and 02/07/2010

Appn Ref No:

10/0503

Applicant:

Mr Geoffrey Brockbank

Parish:

Carlisle

Date of Receipt:

28/05/2010

Agent:

Mr James Kerr

Ward:

Belah

Location:

17 Belah Road, Carlisle, CA3 9RE

Grid Reference:

339107 557511

Proposal: Erection Of Single Storey Rear Extension To Provide Shower Room

Amendment:

Decision: Grant Permission

Date: 29/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:

10/0511

Applicant:

Mrs Alison French

Parish:**Date of Receipt:**

01/06/2010

Agent:**Ward:****Location:**

4 Marsh House Gardens, Burgh by Sands, Carlisle,
CA5 6AX

Grid Reference:

332162 558896

Proposal: Non Material Amendment Relating To Appn 10/0196 Involving Reduction Of Proposed Windows And Incorporation Of Flue

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Amendment Accepted
22/06/2010

Date:

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0534

Applicant:
Mr & Mrs J Ditchburn &
Van Lachterop

Parish:
Wetheral

Date of Receipt:
07/06/2010

Agent:
Green Design Group

Ward:
Wetheral

Location:
2 The Glebe, Wetheral, Carlisle, CA4 8EY

Grid Reference:
346708 554251

Proposal: Non Material Amendment Of Previously Approved Appn 10/0131 To
Enlarge The Existing Access

Amendment:

Decision: Amendment Accepted
29/06/2010

Date:

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/0550

Applicant:
Cumbria County Council

Parish:
Carlisle

Date of Receipt:
14/06/2010

Agent:
Capita Symonds Limited

Ward:
Denton Holme

Location:
Garden Lynx Horticultural Unit, Richardson Street
Cemetery, Carlisle

Grid Reference:
339174 554487

Proposal: Discharge Of Condition 3 Of Previously Approved Application 09/0577

Amendment:

Decision: Grant Permission

Date: 30/06/2010

SCHEDULE E: Decisions Issued Under Delegated Powers

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/9007

Applicant:
Mrs M Day

Parish:
Dalston

Date of Receipt:
25/05/2010

Agent:
Cumbria County Council

Ward:
Dalston

Location:
Fire Station, Barras Lane, Dalston, Carlisle, CA5
7NY

Grid Reference:
336378 550617

Proposal: Erection Of New Security Fencing

Amendment:

Decision: City Council Observation - Raise No Objection

Date: 07/06/2010

Between 29/05/2010 and 02/07/2010

Appn Ref No:
10/9201

Applicant:
Cumbria County Council

Parish:
Kingmoor

Date of Receipt:
02/06/2010

Agent:
Cumbria County Council -
Jane Corry

Ward:
Stanwix Rural

Location:
L/A Route from Wigton Rd (A595T) SW of Carlisle,
across, River Eden to Kingmoor & to J44 of M6
north of Carlisle

Grid Reference:
337271 556944

Proposal: Discharge of Conditions 33(4) and 35 relating to Planning Ref:
04/9032/CTY

Amendment:

Decision: City Council Observation - Raise No Objection

Date: 24/06/2010
