

Committee Minutes

Control of Development and Advertisements

The Development Control Committee received and considered the following applications:

Item no: 01

Appn Ref No:
10/0818

Applicant:
Riverside Carlisle

Parish:
Carlisle

Date of Receipt:
07/09/2010 13:01:23

Agent:
Ainsley Gommon Architects

Ward:
Morton

Location:
Land at Seatoller Close, Morton, Carlisle, CA2 6LQ

Grid Reference:
338180 554212

Proposal: Erection Of 23 Dwellings To Be Made Affordable By Means Of Social Rent And Shared Ownership

Members resolved to give authority to the Assistant Director (Economic Development) to issue approval for the proposal subject to the completion of a Section 106 Agreement, requiring the properties to remain affordable in perpetuity and the payment of a commuted sum for maintenance of open space in the area.

Item no: 02

Appn Ref No:
10/0611

Applicant:
Miss Dicken

Parish:
Carlisle

Date of Receipt:
30/06/2010 16:00:21

Agent:
Green Design Group

Ward:
Belah

Location:
22 Kingstown Road, Carlisle, CA3 0AD

Grid Reference:
339777 558074

Proposal: Demolition Of Existing Redundant 2 Bed Dwelling. Erection Of 3no. Flats With On-Site Parking (Revised Application)

Grant Permission

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

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

2. The approved documents for this Planning Permission comprise:
 1. the submitted planning application form dated 30th June 2010;
 2. the location and block plan dated 30th June 2010 and numbered 09/1922/00A;
 3. the plans and elevations as existing dated 30th June 2010 and numbered 09/1922/01B;
 4. the plans, elevations and section as proposed dated 21st September 2010 and numbered 09/1922/04D;
 5. the design and access statement dated 30th June 2010;
 6. the desk top study regarding likelihood of contamination at the Proposed site dated 30th June 2010;
 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. Samples or full details of all materials to be used on the exterior shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced.

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

4. The whole of the access area bounded by the carriageway edge, entrance gates and the splays shall be constructed and drained to the specification of the Local Planning Authority in consultation with the Highway Authority.

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

5. The use shall not be commenced until the access, parking and "yard area"

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

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

6. Before any development commences, a plan shall be submitted for the prior approval of the Local Planning Authority reserving adequate land for the parking of vehicles engaged in construction operations associated with the development hereby approved, and that land, including vehicular access thereto, shall be used for or be kept available for these purposes at all times until completion of the construction works.

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

7. In the event that contamination is found at any time when carrying out the development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. The contamination would need to be risk assessed and a remediation scheme prepared. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with Policy LE28.

8. No development approved by this permission shall commence until a scheme for the provision of surface water drainage works has been submitted to and approved, in writing, by the Local Planning Authority.

Reason: To prevent the increased risk of flooding by ensuring an acceptable means of surface water disposal in accordance with Policy CP12 of the Carlisle District Local Plan 2001-2016.

Summary of Reasons for the Decision

This application was deferred at the last Committee Meeting in order to undertake a site visit. The site visit took place on Wednesday 10th November. The application is seeking planning consent for the demolition of the cottage at 22 Kingstown Road and the erection of three flats within its curtilage. The cottage, which is located immediately to the south of the neighbouring terraced properties (24-38 Kingstown Road) is in a poor state of repair. It is situated to the north of the plot, which measures 233 square metres. The surroundings to the site are wholly residential, with the exception of Morrison's Supermarket, the car park of which is located directly to the rear of the plot, beyond an area of planting.

The site currently has no vehicle access, but fronts onto Kingstown Road, and is situated adjacent to the lane which gives vehicular access to the rear of 24-38 Kingstown Road. The existing boundaries of the site are demarcated by a mixture of a low brick wall to the front and hedging of varying heights to the rear boundary. The application site is within a Primary Residential Area, as identified on the Proposals Map that accompanies the Local Plan.

The plan that accompanies the application illustrates that it is proposed to erect an apartment building which would be two and a half storeys in height. It will occupy a footprint measuring approximately 116 square metres. Two two-bedroom flats will be located on the ground and first floor, with a third one-bedroom unit provided within the roof void. The building will front onto Kingstown Road, parallel to the neighbouring terrace. It would be finished using facing brick, with a reclaimed Welsh slate roof. A large dormer window, 3.5m in width is incorporated on the front elevation, and to the south elevation are three balconies serving each of the residential units.

Four parking spaces are to be provided to the west of the site, with direct vehicular access onto the side lane, which leads out onto Kingstown Road. There have been several objections to the use of this access lane from the occupiers of 24-38 Kingstown Road, stating that they deny access over this private road. In respect of this particular issue, this is a civil matter to be resolved between the residents and the prospective developer.

It is proposed to widen the width of the lane that leads from Kingstown Road to 5.5m. This would enable traffic entering and exiting the lane to do so without interrupting the free flow of traffic on Kingstown Road. It is proposed to discharge foul and surface water to the combined sewer.

A yard area and bin store will be located to the east of the site, to the front of the parking spaces, and sheltered from Kingstown Road by way of an approximately 1.5m high brick wall.

The relevant planning policies against which the application is required to be assessed are Policies CP5, CP6, CP12, CP17, H1, H2 and T1 of the Carlisle District Local Plan 2001-2016.

The proposals raise the following planning issues:

1. Whether The Principle Of The Proposed Development Is Acceptable.

In policy terms, the land is 'Brown Field' land within the urban area and is well located in a relation to choice of modes of transport. Accordingly, the principle of its development for housing is not an issue, subject to compliance with the criteria identified in Policy H2 of the Local Plan.

2. Whether The Scale And Layout Of The Development Is Acceptable.

In terms of the physical height of the building, the overall height and mass of the apartment block is comparable with the scale of the adjacent terraced dwellings.

Each flat has its own balcony, along with the shared yard area and bin store, ensuring adequate amenity space is available for the future occupiers of the flats.

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

The gable wall of the apartment block will be situated 10.5m from the gable of No 24 Kingstown Road. The two windows positioned in the north elevation of the flats serve the hallway/entrance lobby, which is not a habitable room.

Whilst there are windows to the kitchen and living room in the side elevation of No. 24 Kingstown Road that face onto the proposed site, the current situation is that these windows are situated directly opposite the cottage at a distance of only 4.7m away. Under the proposed scheme the separation distance between No. 24 and the apartment block will increase to 10.5m, and although it is accepted that the proposal will be taller than the existing cottage, it is nonetheless considered that it will significantly improving the outlook for the occupiers of No. 24.

As such, taking into consideration the scale and position of the proposed development in relation to the existing neighbouring property it is unlikely that the living conditions of the occupiers of this property will be compromised through loss of light, loss of privacy or overdominance.

4. Access, Parking Provision and Highway Issues.

The Highway Authority has stated that the provision of four parking spaces, including the provision of one visitor space, would be sufficient to serve the development. As mentioned in paragraph 5.4 the local residents have raised significant concern regarding the use of the access lane to the rear and side of the neighbouring terrace. Currently the residents of the terrace have an informal "one way system" arrangement. The Highway Authority initially raised concerns about the width of the access to the site and as such recommended that the one-way system was formalised by way of a traffic regulation order (TRO). However, the residents of the site stated that they would not agree to the implementation of the TRO. As such the applicants have utilised part of their site to widen the junction of the lane with Kingstown Road to 5.5m. The Highway Authority is now satisfied that the access road is wide enough to accommodate two way traffic into the proposed site safely

and the amendment to the TRO is no longer required.

The local residents are unhappy with the widened access, and have raised concerns regarding the safety of both vehicles entering/exiting the site, as well as pedestrians. These highway safety issues are noted; however, as the Highway Authority does not share these concerns a refusal of the application on this basis could not be substantiated.

The Highway Authority requested that wall screening the bin store and yard area from Kingstown Road was reduced to a maximum height of 1m. This plan was received on the 21st September and confirmed to be acceptable by the Highway Authority.

5. Disposal Of Foul Sewage and Surface Water.

The applicant has indicated that foul sewage will be discharged to the sewer, which the Council's Drainage Engineer has confirmed is acceptable.

With regard to the disposal of surface water the Drainage Engineer has suggested that a sustainable drainage system is incorporated into the design or, alternatively, soakaways. In order to address this issue, a condition has been included requiring the applicant to submit a scheme for the provision of surface water drainage works.

10. Other Matters.

A local resident has expressed concern that access lane will not be able to support the increase in the number of vehicles, and will result in general 'wear and tear'. However, if the increased use of the short section of road by traffic were to worsen the existing situation it is a civil matter, to be resolved between the developer and the owners of the properties in question. This matter should not affect the determination of the application.

In overall terms, the principle of the proposed development is acceptable. The scale and layout of the proposed apartment block is acceptable in relation to the site and the surrounding properties. The living conditions of neighbouring properties would not be compromised through unreasonable overlooking or unreasonable loss of daylight or sunlight. Adequate car parking and amenity space would be available to serve the development. In all aspects the proposals are compliant with the objectives of the relevant Local Plan policies.

Relevant Development Plan Policies

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

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

Policies of this Local Plan.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The following points should be applied to all development proposals:

- 1 Security measures should be an integral part of the design
- 2 Developments should be laid out and buildings positioned to maximise natural surveillance with the intention of creating a sense of neighbourhood and

- detering criminal and anti-social activity
- 3 Public and private spaces should have clearly defined boundaries.
- 4 Footpaths and cycleways should be designed to maximise their use and prevent opportunities for concealment, unauthorised access or provide a choice of escape routes.
- 5 Landscaping schemes be designed to ensure that they do not create secluded areas, opportunities for climbing or reduce natural surveillance.
- 6 Lighting should deter criminal and antisocial activity whilst minimising light pollution. CCTV may be considered necessary in certain circumstances.

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

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

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

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

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

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

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

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

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

Carlisle District Local Plan 2001 - 2016 Housing - Policy H2 - Primary Residential Areas

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

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

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

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

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

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

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

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

Item no: 03

Appn Ref No:
10/0813

Applicant:
Sawyers Construction

Parish:
Carlisle

Date of Receipt:
03/09/2010 13:00:30

Agent:
Edenholme Building &
Architectural Surveyors

Ward:
Castle

Location:
1 Cranbourne Road, Carlisle, CA2 7JN

Grid Reference:
338491 555924

Proposal: Erection Of 1no. Dwelling

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

Item no: 04

Appn Ref No:
10/0857

Applicant:
Mr Ollie Holt

Parish:
Carlisle

Date of Receipt:
20/09/2010

Agent:
S & H Construction

Ward:
Stanwix Urban

Location:
Site Between 1 Eden Mount and 4 St Georges
Crescent, Stanwix, Carlisle

Grid Reference:
339944 556874

Proposal: Erection Of 1No. Dwelling; Formation Of Vehicular Access (Revised Application)

Members resolved to defer consideration of the proposal in order to carry out a site

visit and to await a further report on the application at a future meeting of the Committee.

Item no: 05

Appn Ref No:
10/0930

Applicant:
Mr Ollie Holt

Parish:
Carlisle

Date of Receipt:
12/10/2010

Agent:
S & H Construction

Ward:
Stanwix Urban

Location:
Site Between 1 Eden Mount and 4 St Georges
Crescent, Stanwix, Carlisle

Grid Reference:
339944 556874

Proposal: Demolition Of Garden Wall And Erection Of Replacement (LBC)

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

Item no: 06

Appn Ref No:
10/0551

Applicant:
The Knells Country House
Ltd Stanwix Rural

Date of Receipt:
10/06/2010 13:00:22

Agent:
Swarbrick Associates

Ward:
Stanwix Rural

Location:
The Knells Country House Ltd, The Knells, CA6 4JG

Grid Reference:
341387 560579

Proposal: Erection Of 12 Bedroom Care Home

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

Item no: 07

Appn Ref No:
10/0829

Applicant:
Mr George Woodhouse

Parish:
Burgh-by-Sands

Date of Receipt:

Agent:

Ward:

10/09/2010

Burgh

Location:

Field 2024, Land to West of Junction of Dykesfield and Burgh Roads, Burgh by Sands, Carlisle

Grid Reference:

331202 558245

Proposal: Change Of Use From Agricultural Field To Hard Core Compound With Erection Of Stables And Tack Room (Part Retrospective)

Grant Permission

1. No floodlights shall be installed on the site without the prior written consent of the Local Planning Authority.

Reason: In order to safeguard the character and appearance of the rural area in accordance with Policy CP1 of the Carlisle District Local Plan 2001-2016.

2. The stables shall be used for the keeping of horses only, for the domestic enjoyment of the applicant, family members and his successor in title and shall and at no time be used for any commercial purposes.

Reason: To preclude the possibility of the use of the premises for purposes inappropriate in the locality in accordance with Policies DP1 and CP1 of the Carlisle District Local Plan 2001-2016.

3. The replacement hedgerow shall be carried out in the first planting season following the completion of the development and maintained thereafter to the satisfaction of the Council; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that a satisfactory landscaping scheme is implemented and that it fulfils the objectives of Policy CP1 of the Carlisle District Local Plan 2001-2016.

4. The whole of the access area bounded by the carriageway edge, entrance gates and the splays shall be constructed and drained to the specification of the Local Planning Authority in consultation with Highway Authority.

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

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

Reason: To ensure a satisfactory means of surface water disposal and in accord with Policy CP5 of the Carlisle District Local Plan 2001-2016.

Summary of Reasons for the Decision

This application seeks "Full" Planning permission for the change of use from an agricultural field and construction of a hardcore compound, erection of stables and formation of a vehicular access at Field 2024 located to the west of the junction of Dykesfield and Burgh Roads, Burgh-by-Sands, Carlisle. The site is situated approximately 0.9 kilometres south-east of Longburgh and 1 kilometre south-west of Burgh-by-Sands. Directly opposite the site is a road junction with the road leading to Burgh-by-Sands. The site is within open countryside.

The site is bounded by a mature hedgerow to the frontage. Other land owned by the applicants abuts the site to the north and it is bounded by a public footpath which runs parallel with the northern field boundary, approximately 60 metres north of the application site. The boundary is formed by a hedgerow approximately 4 metres in height. There is a residential property, Burgh Moor House, approximately 140 metres to the south of the site.

The proposal involves the formation of a vehicular access and parking area. A double width vehicular access previously existed in the south-east corner of the site but it is now closed. The applicant has removed a section of hedgerow and repositioned an access approximately 10 metres north wards along the frontage. An area of land within the site has been surfaced with hardcore and a concrete hardstanding has been formed. It is proposed to construct a stable on the concrete hardstanding that would measure 11.3 metres in length by 3.5 metres in width. The mono pitched roof would measure 2.95 metres at the front and 2.25 metres to the rear. The building would be constructed from rendered blockwork under a dark green profile sheeted roof.

Planning Policy Statement 7 (Sustainable Development in Rural Areas) and Policy LE24 of the Local Plan discuss the issue of equine development. Paragraph 32 of PPS7 recognises that horse riding and other equestrian activities are popular forms of recreation in the countryside and is generally supportive of the principle of development.

Policy LE24 of the Local Plan states that the development of stables, horse riding schools and/or riding centres in the rural area will be permitted provided that: there will be no detrimental effect upon the landscape and character of the area; adequate

access arrangements and on-site car parking can be achieved; the scheme will not have a detrimental effect upon nearby properties or surrounding land uses; the scheme reuses existing buildings where possible and any associated new build, where necessary, should be located within an existing group of buildings; the surrounding roads and bridleways are adequate for the increased use by horse riders, with the roads being suitable for both riders and motorists; the issue of lighting is addressed to ensure that there is no impact on surrounding uses; and the intensity of use is appropriate for the character of the area.

The objectives of national planning policy are reflected in Policy DP1 of the Carlisle District Local Plan. They require that the overall quality of life within Cumbria should be enhanced through the promotion of sustainable development that seeks to protect the environment, ensure prudent use of resources and maintains social progress and economic growth.

When viewed in isolation the proposed development is in an unsuitable location which is not supported by national or local planning policy; however, the applicant currently keeps horses on the land and there are existing chattels on the site to assist the applicant with their upkeep and welfare. While a prime objective of the Development Plan is to focus new development in Carlisle and the Key and Local Service Centres, it is accepted that equestrian related development generally requires a rural location. The proposal would provide shelter for the horses and would not give rise to an intensification of the use of the site. The applicant (who lives in Carlisle) already makes the daily journey to the site and it is not considered that the development will generate additional car journeys. Accordingly, the proposal no issue regarding sustainability or conflict with Policy DP1 of the Local Plan is raised.

The site is located in open countryside outwith any recognised settlement. Policy CP1 of the Local Plan states that within open countryside permission will not be given for development or land use changes which would have an unacceptable effect on the landscape character. Furthermore, development required to meet local infrastructure needs which cannot be located elsewhere will be permitted provided it is sited to minimise environmental impact and meet high standards of design.

The building would be set back 18 metres from the front boundary of the site and located adjacent to the existing field boundary to the south, along which is a 1.8 metre high hawthorn hedge. Although the building would be a new build and not located adjacent to any existing buildings, the stable block would be appropriately sited within the field and would not adversely affect the character or appearance of the area. The applicant has begun to replant a hedgerow in the gap left by the closure of the previous access to the site, as required by the Council's Tree Officer. If left in its present state, the gap would otherwise afford views into the site. To mitigate the potential visual impact that this would generate, a condition is recommended that would require the hedge to be fully reinstated.

The nearest residential property is approximately 140 metres to the south of the proposed stables. The scale and height of the building is not excessive. It is also well related to the boundaries of the site which are aligned by mature planting of

reasonable height. Whilst the development would be visible from outwith the site, there is a significant amount of distance between the site and that nearest property. Consequently, the development would not adversely affect the living conditions of adjacent properties by poor design, unreasonable overlooking or unreasonable loss of daylight or sunlight.

The Highway Authority originally raised concerns about the visibility when emerging from the site together with details about the construction and drainage of the access. The additional information states that the visibility of the previous access was 30 metres to north and 10 metres to the south whereas the repositioned access provides visibility of 60 metres to the north and 140 metres to the south. The Highway Officer has verbally acknowledged that this is an improvement to the previous arrangement and on the basis that the Highway Authority is satisfied with the information, the proposal would not raise any highway issues.

In overall terms, the proposed building is of a scale and design that is appropriate to the application site. The building has been sited in such a manner as to minimise the impact on the character and appearance of the area and the building would not appear too obtrusive. The building would be sited adjacent to the southern boundary and would be sufficient distance from the nearest residential property thereby ensuring no adverse impact. The equestrian development would not adversely impact on this rural setting. The recommendation is made on the premise that the Highway Authority is satisfied with the access arrangements and details.

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016

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

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

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

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

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

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

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

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

Carlisle District Local Plan 2001 - 2016 Core Development Policies - Policy CP1 - Landscape Character

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

Development will be considered appropriate to the character of the landscape provided the proposal has regard to and conserves:
the landform and natural patterns of drainage;

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

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

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

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

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

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

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

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

Carlisle District Local Plan 2001 - 2016
Local Environment - Policy LE24 - Equestrian Development

The development of stables, horse riding schools and/or riding centres in the rural area will be permitted provided that:

- 1 There will be no unacceptable impact upon the landscape and character of the area; and
- 2 Adequate access arrangements and on-site car parking can be achieved; and
- 3 The scheme will not have a detrimental effect upon nearby properties or surrounding land uses; and
- 4 The scheme reuses an existing building(s) where possible and any associated new build, where necessary, should be located within or adjacent to an existing building or group of buildings; and
- 5 The surrounding roads and bridleways are adequate for the increased use by horse riders, with the roads being suitable for both riders and motorists; and
- 6 The issue of lighting is addressed to ensure that there is no impact on surrounding uses; and,
- 7 The intensity of use is appropriate for the character of the area.

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

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

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

Item no: 08

Appn Ref No:
10/0814

Applicant:
Ms Davidson

Parish:
Carlisle

Date of Receipt:
06/09/2010 08:00:24

Agent:
SPACE Designed
Solutions Ltd

Ward:
Stanwix Urban

Location:
17 Strawberry Terrace, Carlisle, CA3 9LT

Grid Reference:
339412 557363

Proposal: Two Storey Rear Extension To Provide Kitchen & Living Area On Ground Floor With Enlarged Bedrooms Above; Single Storey Front Extension To Provide Study, New Entrance Hall With Access To Garage & WC

Grant Permission

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

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

2. The approved documents for this Planning Permission comprise:
 1. the submitted planning application form;
 2. the design and access statement dated 6th September 2010;

3. the location plan numbered 0910.30.09 and dated 6th September 2010;
4. the block plan numbered 0910.30.08 and dated 6th September 2010;
5. the site plan numbered 0910.30.10 and dated 6th September 2010;
6. the existing floor plans and elevations numbered 0910.30.01 and dated 6th September 2010;
7. the proposed floor plans and elevations numbered 0910.30.07 (Revision B) and dated 21st October 2010;
8. the design and access statement;
9. the Notice of Decision; and
10. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: For the avoidance of doubt.

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

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

4. Prior to the commencement of the development a landscaping scheme shall be submitted to and agreed in writing by the Local Planning Authority.

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

Summary of Reasons for the Decision

The application is seeking approval for an extension and alterations to 17 Strawberry Terrace, Carlisle. The property is a one and a half storey, detached bungalow that is finished in painted render with a concrete tiled roof. The property is located within a Primary Residential Area, as allocated in the Carlisle District Local Plan 2001-2016, adjacent to the Stanwix Conservation Area, with other residential

properties surrounding the site on all sides.

The property has a reasonable sized garden and parking area to the front, the curtilage of which is separated from the highway by way of an approximately 1m high brick wall. The property features an integral garage, which is partly set forward from the main front elevation of the property, and also features two large flat roofed dormer windows, one to the front and one to the rear elevation.

It is proposed to erect a single storey extension to the front of the property, to provide a study and entrance hall, with an internal entrance into the garage and downstairs W.C. This extension will measure 6.2m in width and 1.6m in depth, and will feature a flat roof at the eaves level of the existing property. At first floor a new dormer is proposed, which will measure 3.5m in width, it will provide an enlarged bedroom and is set above the eaves and down from the ridge of the existing property. It will link into the existing flat roof dormer window.

To the rear it is proposed to erect two two-storey gable projections to form an extended lounge and kitchen at ground floor, with two extended bedrooms at first floor. The extensions will project out to the rear by a maximum of 2.1m, and will feature pitched roofs, which will match the height of the roof of the existing property. A juliet balcony is also incorporated to the rear of the master bedroom extension. To the rear of the westernmost gable extension it is also proposed to erect a single storey extension, which will have a maximum rearward projection of 3.8m, and feature a glazed roof. The extensions would be constructed from materials to match those of the existing property.

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

The proposals raise the following planning issues:

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

Policy H11 and Policy CP5 of the Carlisle District Local Plan 2001-2016 seek to protect the living conditions of adjacent properties from proposals which adversely affect them, through inappropriate scale, design, unreasonable overlooking and/or unreasonable loss of daylight and sunlight.

Several of the objectors have cited possible overlooking to the rear rooms and garden areas of properties in Etterby Scaur. Their objections have been noted; however, the distance between the rear elevation of the proposal and the rear elevations of the nearest property on Etterby Scaur is in excess of 40 metres. It is not considered that the proposal would exacerbate the current situation to an unacceptable level to warrant refusal.

2. Whether The Proposal Is Appropriate To The Dwelling

As previously stated, Policies H11 and CP5 seek to ensure the development is appropriate in terms of quality to that of the surrounding area, is of good design and

is of an acceptable scale. The proposals which are being presented for consideration are relatively minor with regard to increase in the floor area of the property. In such a context, therefore, it is considered that the proposal would not be disproportionate to the property. Likewise the design is considered acceptable, using materials to match the existing property.

3. The Impact Of The Proposal On The Stanwix Conservation Area

Whilst the property is adjacent to the Stanwix Conservation Area, the existing dwelling is modern, has little architectural merit and does not provide a positive contribution to the character or appearance of the area.

The City Council's Conservation Officer has been consulted and has no objections to the development.

In overall terms, the principle of the proposed development is acceptable. The scale, siting and design of the proposal is acceptable in relation to the site and the surrounding properties. The living conditions of neighbouring properties would not be compromised through unreasonable loss of light, overlooking or overdominance. In all aspects the proposal is compliant with the objectives of the relevant Local Plan policies.

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP5 - Design

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

- 1 Respond to the local context and the form of surrounding buildings in relation to height, scale and massing, and by making use of appropriate materials and detailing;
- 2 Take into consideration any important landscape or topographical features and respect local landscape character;
- 3 Reinforce local architectural features, where appropriate, promoting and respecting local distinctiveness;
- 4 Ensure all components of the proposal, such as buildings, car parking, access routes, open space and landscaping, are well related to one another to ensure a well integrated, successful and attractive development;
- 5 Ensure there is no adverse effect on the residential amenity of existing areas, or adjacent land uses, or result in unacceptable standards for future users and occupiers of the development;
- 6 Ensure the retention and enhancement of existing trees, shrubs, hedges and other wildlife habitats where possible. Where environmental features are lost as a result of the proposal, appropriate mitigation measures should be put in place and on-site replacement of those features will be sought;
- 7 Include landscaping schemes (both hard and soft) to assist the integration of new development into existing areas and ensure that development on the edge of settlements is fully integrated into its surroundings;
- 8 Ensure that the necessary services and infrastructure can be incorporated

- without causing unacceptable harm to retained features;
- 9 Ensure that the layout and design incorporates adequate space for waste and recycling bin storage and collection.

Carlisle District Local Plan 2001 - 2016
Housing - Policy H11 - Extensions To Existing Residential Premises

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

Item no: 09

Appn Ref No:
10/0791

Applicant:
Mr Swailes

Parish:
Westlinton

Date of Receipt:
30/08/2010 08:00:20

Agent:
MJN Associates

Ward:
Longtown & Rockcliffe

Location:
Greenacres, Newtown, Blackford, CA6 4ET

Grid Reference:
338699 562729

Proposal: Positioning Of Chalet For Temporary Residential Use For Care Of Mares In Foal

Refuse Permission

- Reason:** Greenacres is in open countryside approximately 250 metres north of Newtown of Rockcliffe, which is not identified as a Local Service Centre under the Carlisle and District Local Plan 2001-2016, and therefore is in a location where any new dwelling requires special justification. In this instance it has been established that the horse breeding and training enterprise has been in operation for a number of years but relates to a relatively small number of stables for the applicant's own horses. The overall prospects of regularly achieving a net income equivalent to an agricultural worker's minimum wage are such that the holding cannot be considered financially viable, and the horse breeding/training does not appear to be the applicant's principle income. In such circumstances the viability of the enterprise does not justify the proposed chalet, and it is considered that the arguments about a functional need during foaling do not outweigh both national and local policies to protect the open

countryside. It is also considered that the proposed chalet would be harmful to the character and appearance of the area. The proposed chalet is therefore considered to be contrary to Policies H7 and CP1 of the Carlisle District Local Plan 2001-2016.

Relevant Development Plan Policies

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

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

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

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

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

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

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

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

Carlisle District Local Plan 2001 - 2016
Core Development Policies - Policy CP1 - Landscape Character

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

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

the landform and natural patterns of drainage;

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

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

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

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

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

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

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

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

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

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

**Carlisle District Local Plan 2001 - 2016
Core Development Policies - Policy CP11 - Protection Of Groundwaters And Surface Waters**

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

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

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

**Carlisle District Local Plan 2001 - 2016
Housing - Policy H7 - Agricultural, Forestry And Other Occupational Dwellings**

Outside of those areas covered by Policy H1 and Proposal H16, permission will not be given for dwellings other than those essential to agriculture, forestry or any other rural-based enterprise and supported by a proven need. The size of dwelling should be commensurate with the scale of the business to which it relates. Occupancy conditions will be used to ensure that such dwellings are only occupied by those working in agriculture, forestry or any other rural-based enterprise.

Item no: 10

Appn Ref No:
10/0810

Applicant:
Mr Telford

Parish:
Stapleton

Date of Receipt:
02/09/2010 16:00:29

Agent:
Planning Branch Ltd

Ward:
Lyne

Location:
High Mossthorn, Roadhead, Carlisle, CA6 6NJ

Grid Reference:
351496 573435

Proposal: Conversion Of Barn To Form 1No. 2 Bedroom Dwelling (Revised Application)

Refuse Permission

- 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. This application does not provide any evidence to support a special need for a dwelling in this location. It would therefore harm the spatial strategy of the Local Planning Authority that seeks to direct development to certain settlements. The proposal is contrary to the objectives of the advice within Policies DP1 (Sustainable Development Locations), H1 (Location of New Housing Development) and H7 (Agricultural, Forestry and Other Occupational Dwellings) of the Carlisle District Local Plan 2001-2016.

Relevant Development Plan Policies

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

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

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

Hallbankgate
Hayton

Warwick Bridge
Wetheral

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

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

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

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

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

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

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

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

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

Settlement boundaries have been drawn for the following Local Service Centres

within which proposals will be judged against the above criteria.

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

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

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

Carlisle District Local Plan 2001 - 2016

Housing - Policy H7 - Agricultural, Forestry And Other Occupational Dwellings

Outside of those areas covered by Policy H1 and Proposal H16, permission will not be given for dwellings other than those essential to agriculture, forestry or any other rural-based enterprise and supported by a proven need. The size of dwelling should be commensurate with the scale of the business to which it relates. Occupancy conditions will be used to ensure that such dwellings are only occupied by those working in agriculture, forestry or any other rural-based enterprise.

Carlisle District Local Plan 2001 - 2016

Housing - 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.

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

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

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

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

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

**Carlisle District Local Plan 2001 - 2016
Core Development Policies - Public Transport, Pedestrians And Cyclists**

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

Item no: 11

Appn Ref No:
10/0825

Applicant:
Mr David Hewat

Parish:
Scaleby

Date of Receipt:
09/09/2010

Agent:

Ward:
Stanwix Rural

Location:
Dunston House, Barclose, Scaleby, Carlisle, CA6
4LH

Grid Reference:
344259 563006

Proposal: Variation Of Condition 2 Of Application 06/0539 To Allow Family And Friends To Use The Field And Horse Arena And Variation Of Condition 3 Of Appn 06/0539 To Allow The Horse Transporter To Be Parked In A Specific Area Of The Site

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 field and horse arena shall be used for the keeping and training of horses only, including carriage driving, for the domestic enjoyment of the applicant, family members and visiting friends and his successor in title and shall and at no time be used for any commercial purposes including equestrian tuition, leisure rides, competition or events.

Reason: To preclude the possibility of the use of the premises for purposes inappropriate in the locality in accordance with Policies CP1 and CP5 of the Carlisle District Local Plan 2001-2016.

3. The horse transporter shall not be parked within OS Field No 2600 except in the position shown on the site location plan received on 9th September 2010.

Reason: To protect the living condition of the occupiers of neighbouring properties and to protect the character of the rural area in accordance with Policies CP1 and CP5 of the Carlisle District Local Plan 2001-2016.

Summary of Reasons for the Decision

The application seeks Full Planning permission for the variation of a planning condition relating to land at Dunston House, Scaleby, Carlisle. The land in question lies to the rear of Dunston House and also lies within the Hadrian's Wall Buffer Zone.

Planning permission was granted in 2006 for the change of use of the land for horticulture. "Horticulture" is generally defined as the keeping and training of horses for leisure purposes and in this particular case the land is used for both general riding/training and to practice a range of training activities associated with carriage driving.

This application seeks to vary condition 2 to allow family and friends to use the field and horse arena on a non-commercial basis. The application also seeks consent for the variation of condition 3. The vehicle is currently parked within the curtilage adjacent to the western boundary of the applicant's property and it is proposed to park the horse transporter outwith the curtilage but adjacent to the arena in the field that was subject of an earlier planning application.

The principle of an equestrian use has been established on the site through the previous planning permission that has subsequently been implemented. The access to the site leads from the County highway and passes west of the applicant's property to the land to the rear. This arrangement would remain unaltered. No objection has been raised by the Highway Authority regarding the variation of the planning conditions.

Several objectors have stated that the road through Scaleby is used by both heavy goods vehicles and cars which travel at speed. If permission is granted, the objectors believe that there would be an increase in traffic on the road with more vehicles turning into the site which could pose a risk to users of the highway.

The proposed variation of the condition would allow not only the applicant but also friends and family to assist with the equestrian uses on the site. The site is located adjacent to a relatively busy road that is subject to the national speed limit, and there is good visibility in both directions. The road curves and narrows as it enters the village from the west which serves as a traffic calming measure. The level of activity proposed on the site would remain domestic but would allow the flexibility for the applicant to enlist assistance which is necessary in the specialist field of carriage driving. The Highway Authority has raised no objection.

There are residential properties parallel to the applicant's property to the east and west and further to the west, is a bungalow that faces the field and arena. Due to the vehicle's size, one of the objectors states that the horse transporter already overshadows his garden and if it is moved, he is concerned that the vehicle would obstruct the view over the field and devalue his property. The vehicle can currently be seen from the property known as 'The Oaks'. Although The Oaks is a bungalow, there is a 1.8 metre high timber fence and the vehicle can be seen over it; however, it is proposed to move the vehicle further back into the site from its current position to approximately 48 metres from The Oaks. Whilst the vehicle would be more visible as there would be a direct line of sight from the property as opposed to viewing it at an angle, there would be sufficient distance that the living conditions of the occupier of the property would not be adversely affected. Members are reminded in considering this proposal that the perceived devaluation of a property is not a material planning consideration.

The objectors have stated that the wider use of the land has been a concern for some time, it will open the doors to the public and that approval of this application will lead to an increase of noise by additional people using the arena. The proposed wording of the condition is explicit in that it clearly prohibits commercial activity on the site. The proposed variation would not give rise to a significant increase or deviation of the use of the site to result in levels of noise or disturbance that would adversely affect the living conditions of the occupiers of the neighbouring properties.

The site is within the Hadrian's Wall World Heritage Site. The vehicle would be parked close to the applicant's outbuildings and would not adversely affect the character or appearance of the area.

In overall terms, the principle of the variation of the two planning conditions is considered acceptable. The relocation of the parked vehicle would not impact on the character of the area or adversely affect the living conditions of the occupiers of the neighbouring properties. The revision to condition 2 would restrict the use of the site whilst allowing reasonable flexibility of use for the applicant. In all aspects the proposal is considered to be compliant with the objectives of the relevant Local Plan policies.

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP1 - Landscape Character

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

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

the landform and natural patterns of drainage;

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

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP5 - Design

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

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

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP6 - Residential Amenity

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

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

Carlisle District Local Plan 2001 - 2016

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

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

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

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

Carlisle District Local Plan 2001 - 2016

Local Environment - Policy LE24 - Equestrian Development

The development of stables, horse riding schools and/or riding centres in the rural area will be permitted provided that:

- 1 There will be no unacceptable impact upon the landscape and character of the area; and
- 2 Adequate access arrangements and on-site car parking can be achieved; and
- 3 The scheme will not have a detrimental effect upon nearby properties or surrounding land uses; and
- 4 The scheme reuses an existing building(s) where possible and any associated new build, where necessary, should be located within or adjacent to an existing building or group of buildings; and
- 5 The surrounding roads and bridleways are adequate for the increased use by horse riders, with the roads being suitable for both riders and motorists; and
- 6 The issue of lighting is addressed to ensure that there is no impact on surrounding uses; and,
- 7 The intensity of use is appropriate for the character of the area.

Item no: 12

Appn Ref No:
10/0851

Applicant:
Mrs Angela Robinson

Parish:
Stanwix Rural

Date of Receipt:
17/09/2010

Agent:
Architects Plus (UK) Ltd

Ward:
Stanwix Rural

Location:
Land to the Rear of Wensleydale, Tarraby, Carlisle
CA3 OJS

Grid Reference:
341053 558080

Proposal: Erection Of 4no. Bedroom Dwelling Unit Including New Access Road
(Revised Application)

Grant Permission

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

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

2. The approved documents for this Planning Permission comprise:
 1. the submitted planning application form;
 2. Design & Access Statement (received 17 September 2010);
 3. Tree Report (received 17 September 2010);
 3. Site Location Plan (05118-06B - received 27 October 2010); Site Layout (05118-04D - received 27 October 2010); Proposed Plans & Elevations (received 17 September 2010);
 4. the Notice of Decision; and
 5. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: For the avoidance of doubt.

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

Reason: To ensure the works harmonise as closely as possible with the existing building and to ensure compliance with Policies LE19 and CP5 of the Carlisle District Local Plan 2001-2016.

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

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

5. Prior to the commencement of development, protective fencing shall be erected in accordance with a scheme to be agreed in writing by the Local Planning Authority. Within the areas fenced off the existing ground level shall be neither raised nor lowered, and no materials, temporary buildings or surplus soil of any kind shall be placed or stored thereon. The fencing shall thereafter be retained at all times during construction works on the site.

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

6. Prior to the commencement of development, a Method Statement shall be submitted for approval in writing by the Local Planning Authority. This Method Statement shall provide details of the methods of working, or any operations to be carried out, within the Root Protection Areas of the existing trees to be retained, to ensure that there is no damage to these existing trees.

Reason: In order to protect the existing trees on site, in accordance with Policy CP3 of the Carlisle District Local Plan 2001-2016.

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

Authority.

Reason: To ensure the privacy and amenity of the occupiers of Wensleydale and the proposed dwelling, in accordance with Policies CP5 and H9 of the Carlisle District Local Plan 2001-2016.

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

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

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order), no additional windows shall be inserted above the ground floor on the north-east elevation of the dwelling 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 H9 of the Carlisle District Local Plan 2001-2016.

10. The development shall not commence until visibility splays providing clear visibility of 2 metres by 33metres measured down the centre of the access road and the nearside channel line of the major road have been provided at the junction of the access road with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grown within the visibility splay which obstruct the visibility splays. The visibility splays shall be constructed before general development of the site commences so that construction traffic is safeguarded.

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

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

Reason: The carrying out of this development without the provision of these facilities during the construction work is likely to lead to

inconvenience and danger to road users and to support Local Transport Policy LD8.

12. The whole of the access area bounded by the carriageway edge, entrance gates and the splays shall be constructed and drained to the specification of the Local Planning Authority in consultation with the Highway Authority.

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

13. An archaeological watching brief shall be undertaken by a qualified archaeologist during the course of the ground works of the dwelling hereby approved. The archaeological watching brief shall be in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority in advance of the commencement of the development. Within 2 months of the completion of the development, 3 copies of the report shall be furnished to the Local Planning Authority.

Reason: To afford reasonable opportunity for an examination to be made to determine the existence of any remains of archaeological interest within the site and for the examination and recording of such remains, in accordance with Policy LE10 of the Carlisle District Local Plan 2001-2016.

Summary of Reasons for the Decision

This proposal is seeking planning permission for the erection of a dwelling on land to the rear of Wensleydale, Tarraby. Wensleydale is a large detached property which is constructed of brick under a tiled roof. The dwelling sits in a very large plot and is set back some 16m from the road. Large gardens are located to the side and rear of the property, with the rear garden boundary being 35m from the rear of the dwelling. A number of mature trees are located within the garden and the front boundary, which adjoins the road that links Whiteclosegate with Tarraby village, consists of a hedge. A timber stable is located to the east of the dwelling, adjacent to the boundary with Ardleen House, a modern detached dwelling. A paddock adjoins Wensleydale to the west with open fields being located to the rear of the property.

The dwelling is located within the urban area of Carlisle, as identified on the "inset" Map which forms part of the District Local Plan, and lies within the Hadrian's Wall World Heritage Site Buffer Zone. The dwelling is also located within the Tarraby Conservation Area, although part of the rear garden is excluded from this designation.

In August 2010, an application for the erection of a dwelling on this site was

withdrawn. The application proposed to create a new access in the paddock that lies directly to the west of Wensleydale. This would have led to the removal of a large section of important hedgerow, that lies adjacent to the highway, and this was deemed unacceptable by the Council's Tree & Landscape Officer.

The proposal is seeking planning permission for the erection of a two-storey, four bedroom dwelling in part of the rear garden of Wensleydale, in a plot measuring 43m by 20m. The dwelling would sit at right angles to Wensleydale and would have a side elevation facing this property. A double garage would be attached to this side elevation. The property would contain a living room, dining room, kitchen, utility room, study and toilet on the ground floor with four bedrooms (one en-suite) and a bathroom at first floor level. A conservatory would also be attached to the rear of the property. The two-storey section of the dwelling would measure 10.5m in width, 9m in length, 5m to the eaves and 9.2m to the ridge. The attached double garage and utility would be single-storey and would measure 7.2m in width by 6.7m in length and would have a pitched roof, which would have a ridge height of 5.5m. The front elevation of the dwelling would contain two bay windows at ground floor level and a portico. The rear elevation would contain a monopitch roof, which would adjoin the dwelling just below the first floor windows and would link the garage and conservatory roofs. The dwelling would be constructed of red clay bricks, timber windows with stone surrounds, under a slate roof.

The existing access into Wensleydale would be used and a new driveway would be created from this to the new dwelling. The driveway would be located to the east of the dwelling, adjacent to the boundary with Ardleen House, and this would require the removal of the existing stables. It would be constructed of a plastic geo grid system in-filled with gravel to reduce run-off.

A number of mature trees would be removed as a result of the development and the existing front boundary hedge would need to be cut back to improve visibility from the access.

The proposal need to be assessed against Policies DP1, H1, H2, H9, LE7, LE19, CP3, CP5 and CP12 of the Carlisle District Local Plan 2001-2016.

The proposal raises the following planning issues:

1. Whether The Proposal Is Acceptable In Principle

The application site is located within the urban area of Carlisle and lies within a Primary Residential Area. The principle of residential development in such areas is supported by Policy H2 of the adopted Local Plan.

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

The dwelling would be of a scale commensurate with other properties in the area. It would be of traditional design and would be constructed of red facing brick, timber windows with stone window surrounds, under a slate roof. The scale and design of the proposal would, therefore, be acceptable and in accord with the expectations of Policy CP5.

3. The Impact Of The Proposals On The Tarraby Conservation Area

The choice of materials and overall design of the dwelling respect the character of the surrounding buildings and its location immediately adjacent to the Tarraby Conservation Area. The Conservation Officer has raised no objections to the proposals, now that the new access has been removed from the paddock and re-sited next to the existing dwelling. In light of the above, the proposal would not have an adverse impact of the character or appearance of the Tarraby Conservation Area and satisfies the requirements of Local Plan Policy LE19.

4. The Impact Of The Proposals On Neighbouring Dwellings

A side elevation of the new dwelling would face the rear elevation of the host dwelling. This side elevation would not contain any windows and would be over 24m away. Whilst a double garage would be attached to this side elevation this would be over 16m away from the rear elevation of Wensleydale.

The adjacent property, Ardleen, would be over 36m from the nearest part of the two-storey section of the new dwelling and given that it would sit at right-angles to the property, would not be overlooked. There might be some overlooking of part of the rear garden of this property, from two bedroom windows, but this would be limited due to the presence of trees along the boundary and would not have a significant adverse impact on the occupiers of this property.

In light of the above, the proposal would not have an adverse impact on the living conditions of the occupiers of any neighbouring properties through loss of light, loss of privacy or over-dominance.

5. Highway Matters

The existing access to Wensleydale would be used by the new property. The Highway Authority has raised no objections to this, subject to the provision of suitable visibility displays, which can be ensured by way of a condition.

6. Impact On Trees

The proposal would require the removal of a number of trees and the cutting back of part of a hedge. The applicant has agreed to plant a number of new native trees and a new section of hedge along the western boundary of the paddock. The Council, however, considers that the new hedge should be planted along the boundary of Wensleydale with paddock and the red edge will be amended to include this land. A condition has also been attached to the permission to ensure that suitable tree protection measures are put in place to protect the trees which are to be retained during construction works.

7. Archaeology

The site is located within the Hadrian's Wall World Heritage Site Buffer Zone and the County Archaeologist has requested that an archaeological watching brief be

undertaken by a qualified archaeologist during the course of ground works. This has been secured by way of a condition.

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

Relevant Development Plan Policies

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Carlisle District Local Plan 2001 - 2016
Housing - Policy H2 - Primary Residential Areas

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

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

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

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

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

Carlisle District Local Plan 2001 - 2016
Housing - Policy H9 - Backland Development

Proposals for housing development, where appropriate, in large back gardens or behind existing housing developments will be acceptable providing that:

- 1 the scale, design and siting of the proposal is appropriate for the site and is in keeping with the character and quality of the local environment; and
- 2 there is no loss of amenity to surrounding properties; and

- 3 existing landscape features are retained and additional planting is included as an integral part of the scheme; and
- 4 appropriate access and car parking can be achieved.

Carlisle District Local Plan 2001 - 2016

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

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

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

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

Carlisle District Local Plan 2001 - 2016

Local Environment - Policy LE19 - Conservation Areas

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

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

- 1 the development should preserve or enhance all features which contribute positively to the area's character or appearance, in particular the design, massing and height of the building should closely relate to adjacent buildings and should not have an unacceptable impact on the townscape or landscape;
- 2 the development should not have an unacceptable impact on the historic street patterns and morphology, roofscape, skyline and setting of the conservation area, important open spaces or significant views into, out of and within the area;
- 3 development proposals should not result in the amalgamation or redrawing of boundaries between traditional buildings and plots, or demolition and

- redevelopment behind retained facades;
- 4 wherever practicable traditional local materials such as brick, stone and slate should be used and incongruous materials should be avoided;
 - 5 individual features both on buildings and contributing to their setting, should be retained e.g. doorways, windows, shopfronts, garden walls, railings, cobbled or flagged forecourts, sandstone kerbs, trees and hedges, etc. Where features have deteriorated to the extent to which they have to be replaced, the replacement should match the original;
 - 6 proposals which would generate a significant increase in traffic movements and heavy vehicles or excessive parking demands will not be permitted since these would be prejudicial to amenity;
 - 7 proposals which would require substantial car parking and servicing areas which can not be provided without an adverse effect on the site and its surroundings will not be permitted.

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

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

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

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

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

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

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

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

- 1 Respond to the local context and the form of surrounding buildings in relation to

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

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

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

Item no: 13

Appn Ref No:
10/0847

Applicant:
Mr Thomas Hedley

Parish:
Wetheral

Date of Receipt:
16/09/2010

Agent:

Ward:
Wetheral

Location:
Hedley Cross, Scotby Road, Scotby, Carlisle, CA4
8BJ

Grid Reference:
343890 556158

Proposal: Use Of Garage For Repair Of Motor Vehicles

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 premises shall be used for electrical and mechanical repair and/or servicing works to motor cars and shall be confined to the use of two workshop bays and be restricted to a maximum of 2no. motor cars undergoing repair or servicing at any one time. No MOT's shall take place on the premises.

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

3. No car sales shall take place from the site.

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

4. The use of the premises hereby approved by this permission shall not commence until a scale drawing has been submitted to and approved in writing by the Local Planning Authority showing dedicated parking spaces for cars awaiting repair or that have been repaired and awaiting collection. Any car awaiting repair/collection shall only be parked in the approved car parking areas which shall be retained for the use approved thereafter.

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

Summary of Reasons for the Decision

This application seeks "Full" Planning permission for the use of the existing garages for the repair of motor vehicles at Hedley Cross, Wheelbarrow Junction, Scotby Road, Carlisle. The site is located on the corner of the junction with the A69 road and Scotby Road. There are residential properties opposite the site to the west and further along Scotby Road to the south. Properties also face the site from the north on the opposite side of the A69. The site is bounded by open countryside to the east and is within the Scotby settlement boundary as defined on the inset map that accompanies the Carlisle District Local Plan.

Planning permission was granted in 1995 for the conversion of the existing buildings into a dwelling, garages, office and store. This consent was subject to condition 4 which reads:

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

Reason: To preclude the possibility of the use of the premises for purposes inappropriate in the locality."

The applicant runs a building company, known locally as Hedleys of Scotby where there is office accommodation on the site. His involvement in the business is diminishing and he wishes to pursue his interest in cars and repairing vehicles. There are existing garage facilities on the site comprising of three bays with an inspection pit and lifting apparatus. The applicant has stated that there would only be two cars being repaired on the site at any one time. If this was simply a hobby, planning permission would not be required but as it involves a commercial business, planning consent is required for the change of use.

The site is within the settlement boundary of Scotby and adjacent to the A69 road. Policy EC11 of the Local Plan allows for the reuse of existing buildings to diversify and expand upon the range of economic activities in the rural area, subject to consideration against the relevant policy criteria. The proposal would reuse an existing building on the site which is close to the highway network and transport links. The proposed level of use would not adversely affect the character or appearance of the area and in this respect, the proposal would be compliant with the Local Plan policy criteria.

The nearest residential property is 70 metres north of the application site. Given the level of use proposed and the distance from the neighbouring residential properties, the living conditions of the occupiers of these properties would not be adversely affected by the proposal.

The Highway Authority has raised no objection subject to the imposition of conditions that restrict the use of the site to the applicant; that permits only two vehicles to be repaired at any given time and does not permit car sales from the site. The imposition of these conditions is considered reasonable on highway grounds but will also ensure that the living conditions of the occupiers of the neighbouring properties and the character of the area is adequately protected.

In overall terms, the proposal is acceptable in principle. The use of the building would not have an adverse impact on the living conditions of the occupiers of neighbouring properties or raise any highway issues, subject to the imposition of the aforementioned conditions. In all aspects, the proposal is compliant with the relevant policies contained within the adopted Local Plan.

Relevant Development Plan Policies

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

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

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

Carlisle District Local Plan 2001 - 2016 Housing - Policy H2 - Primary Residential Areas

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

- 1 existing areas of open space and other amenity areas are safeguarded; and
- 2 the proposed development does not adversely affect the amenity of adjacent residential property; and
- 3 the proposed development complements or enhances existing adjacent

- residential areas and their amenity; and
- 4 satisfactory access and appropriate parking arrangements can be achieved.

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

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

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

Carlisle District Local Plan 2001 - 2016 Economic & Commercial Growth - Policy EC11 Rural Diversification

Development proposals to diversify and expand upon the range of economic activities undertaken in rural areas will be encouraged where the proposal re-uses or adapts existing traditional buildings (of permanent construction) for commercial, industrial or recreational uses. Any new building required as part of a diversification scheme must be well related to an existing group of buildings to minimise its impact, blending satisfactorily into the landscape through the use of suitable materials, design and siting.

Proposals should:

- 1 Be complementary to or compatible with the agricultural operations in the rural area; and
- 2 Be compatible with the character and scale of the operation and its landscape character; and
- 3 Not lead to an increase in traffic levels beyond the capacity of the surrounding local highway network; and
- 4 Be capable of providing adequate access and parking arrangements.

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

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

- 1 the Parking Guidelines for Cumbria as updated by additional requirements in

- PPG 13;
- 2 the availability of public car parking in the vicinity;
 - 3 the impact of parking provision on the environment of the surrounding area;
 - 4 the likely impact on the surrounding road network; and
 - 5 accessibility by and availability of, other forms of transport.

Item no: 14

Appn Ref No: 10/0164	Applicant: Top Notch Contractors Ltd	Parish: Carlisle
Date of Receipt: 19/02/2010 16:01:32	Agent: Hyde Harrington	Ward: Denton Holme
Location: 102 & 104 Denton Street, Carlisle		Grid Reference: 339742 555044

Proposal: Redevelopment Of Former Prince Of Wales Public House & Conversion Of 102 Denton Street To Create 16no. Apartments & 1no. Commercial Unit With Associated Parking & Servicing

Members resolved to defer consideration of the proposal in order to explore the possibility of the developer providing a contribution towards improving existing recreational facilities in the area, and to await a further report on the application at the next meeting of the Committee.

Item no: 15

Appn Ref No: 10/9020	Applicant: Property Unit - Cumbria County Council	Parish: Carlisle
Date of Receipt: 24/08/2010	Agent: Cumbria County Council	Ward: Castle
Location: 13 Abbey Street, Carlisle, CA3 8TX		Grid Reference: 339738 556018

Proposal: Change Of Use From D1 To B1 (a) And A2

Decision: City Council Observation - Raise No Objection **Date:** 06/09/2010

Decision of: Cumbria County Council

Decision Type: Grant Permission

Date: 24/09/2010

Item no: 16

Appn Ref No:
10/0634

Applicant:
Mr Springer

Parish:
Beaumont

Date of Receipt:
05/07/2010 13:00:21

Agent:
Gareth Storey Associates

Ward:
Burgh

Location:
Field 5718, Opposite Hollow Creek Farm,
Kirkandrews on Eden, CA5 6DJ

Grid Reference:
335487 558245

Proposal: Extension Of Existing Agricultural Barn (Retrospective Application)
Together With The Erection Of 1 No Furlmatic Windcharger And
Installation Of 3 No Solar Panels On Northern Roof Slope of Adjacent
Barn

Members will recall at Committee meeting held on 1st October 2010 that authority was given to the Assistant Director (Economic Development) to issue approval subject to no issues being raised regarding the proposed wind turbine during the consultation period. The consultation period has now expired and approval was issued on 27th October 2010.

Grant Permission

1. The approved documents for this planning permission comprise:
 1. the submitted planning application form;
 2. the Design and Access Statement;
 3. Drawing Number 10/074/1a;
Drawing Number 10/074/2a;
Drawing Number 10/074/3;
 4. Details of FM1803-2 Furlmatic Windcharger;
 5. Noise Report on FM1803-2 Furlmatic Windcharger;
 6. the Notice of Decision; and
 7. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: For the avoidance of doubt.

2. The building hereby permitted shall only be used for agricultural purposes as defined by Sec. 336 of the Town & Country Planning Act 1990 and for no other purpose without the prior permission of the Local Planning Authority.

Reason: To ensure that said building is used only for agricultural purposes in the interests of the amenity of local residents and in accord with Policy LE25 of the Carlisle District Local Plan 2001-2016.

Summary of Reasons for the Decision

This application seeks retrospective approval for the extension to an existing agricultural barn located at Field 5718 opposite Hollow Creek Farm, Kirkandrews on Eden.

The barn is no longer under the ownership of Hollow Creek Farm and stands alone on the western edge of the village on a site of just under 3 hectares. The surrounding land uses are predominantly agricultural; however, there two residential properties in close proximity, Hollow Creek Farm and The Old Post Office.

This application seeks approval for the erection of an extension to the existing barn. The extension measures 22.5 metres by 7.5 metres and has a total ridge height of 6 metres doubling the original footprint. The walls and roof of the extension and the existing eastern elevation of the barn are to be clad in green Plastisol coated metal sheeting.

The barn will be used to keep the applicant's own animals, these will include horses, sheep and possibly alpacas. The internal arrangement has been designed to be multi-purpose and flexible to allow the housing of various farm animals.

The applicant is proposing to utilise eco-technologies on site by erecting a furlmatic windcharger and installing three solar panels to the roof to provide power to the barn as well as installing a 400 gallon rainwater harvesting tank.

The relevant planning policies against which the application is required to be assessed are Policies CP5, CP6, LE7 and LE25 of the Carlisle District Local Plan 2001-2016.

These proposal raise the following planning issues:

1. The Principle Of The Proposed Development

The application site is situated within Hadrian's Wall World Heritage Site Buffer Zone. Policy LE7 seeks to ensure that proposals within the buffer zone will not have an unacceptable impact on the character or setting of the World Heritage Site.

Given that the surrounding land uses are predominantly agricultural and that the extension to the barn is well screened from the road and the neighbouring properties, it is not considered that the development has an unacceptable impact upon the World Heritage Site.

Policy LE25 seeks to ensure that agricultural buildings are sited where practical to integrate with existing farm buildings and/or where such buildings can be successfully integrated into the existing landscape and will not have detrimental impact upon the character of the area.

The extension and the existing eastern elevation of the barn are clad in green Plastisol coated metal sheeting which minimises the visual impact of the barn upon the eastern approach to the village. The barn is set back from the road and the extension is located to the rear. It is therefore considered that the extension does not have a detrimental impact upon the character of the village. The principle of the extension is acceptable.

2. Whether The Scale And Design Of The Proposals Are Acceptable

The scale and design of the extension are considered acceptable and in sympathy with the surrounding area.

3. The Impact of The Proposals On The Living Conditions Of The Occupiers Of Any Neighbouring Properties

Two residential properties, The Old Post Office and Hollow Creek Farm, are located in close proximity to the application site. The Old Post Office is located to the west of the application site and is set significantly lower and is well screened by existing mature vegetation. The yard and access to the barn are located on the western side of the application site thus lessening any potential impact upon The Old Post Office.

Hollow Creek Farm is also set lower on the opposite side of the road and the barn is similarly well screened behind existing hedgerows bounding the application site.

The extension is located to the south of the barn and will not be directly visible from either of the two neighbouring properties.

It is therefore considered that this extension will not have any detrimental impact upon the two neighbouring properties.

4. Highway Matters

The Ward Councillor and the Parish Council object to this application on highway grounds raising concerns over the access to the site and the potential increase in traffic to and from the site. County Highways, however, raise no objections to the application as it is considered that the development will be unlikely to have a material affect on existing highway conditions.

It is not considered that the traffic flow to and from the site will be altered significantly as a result of the extension to the barn. The applicant will use the barn and land for personal use only and as a result will generate very little traffic. It is anticipated that there will generally be one visit per day by the applicant to feed/ tend to/clean the animals and this visit will take place in a Land Rover 4x4. The only other anticipated vehicle movements on site will be the transportation of animals to market or slaughter which will take place approximately 2 to 3 times per month and in such instances a trailer or small horse box will be used.

In order to improve visibility from site the applicant has removed a section of hedgerow to the right of the access. The applicant is proposing to replant the hedgerow which will be set further back from the road to ensure that visibility from the access is not compromised. At the time of writing the report comments from the City Council's Landscape Architect/Tree Officer are awaited.

5. Other Matters

As noted the applicant has removed a section of hedgerow without obtaining hedgerow consent. Furthermore the hedgerow is within a Scheduled Monument and Scheduled Monument Consent has not been obtained. At the time of writing this report comments from the City Council's Landscape Architect/Tree Officer are awaited. English Heritage have been informed of the removal of the hedgerow. This issue is not a relevant planning matter to be addressed under this application; however, further action may be taken by the Tree Officer and/or English Heritage in due course.

In overall terms, the proposals are acceptable in principle. The scale and design of the extension is considered acceptable and the development is not considered to have an adverse impact upon Hadrian's Wall World Heritage Site Buffer Zone or on the living conditions of any neighbouring properties. Furthermore the access to the site is considered acceptable by County Highways. In all aspects the development is compliant with the relevant policies contained within the adopted Local Plan.

Relevant Development Plan Policies

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

All new development proposals will be assessed against the following design

principles. Proposals should:

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

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP6 - Residential Amenity

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

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

Carlisle District Local Plan 2001 - 2016

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

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

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

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

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

Carlisle District Local Plan 2001 - 2016
Local Environment - Policy LE25 - Agricultural Buildings

Proposals for new farm buildings and extensions to existing agricultural buildings and other farm structures will be permitted provided that;

- 1 the building or structure is sited where practical to integrate with existing farm buildings and/or take advantage of the contours of the land and any existing natural screening; and
- 2 the scale and form of the proposed building or structure relates to the existing group of farm buildings; and
- 3 within AONBs, conservation areas and Landscapes of County Importance, the design and materials used reflect the overall character of the area; and
- 4 the proposal would not have an unacceptable impact on any adjacent properties.

Item no: 17

Appn Ref No:
10/0660

Applicant:
Mr David Bimson

Parish:
Beaumont

Date of Receipt:
15/07/2010

Agent:
Taylor & Hardy

Ward:
Burgh

Location:
Land at Monkhill Hall Farm to east of Monkhill Hall,
Monkhill, Burgh by Sands

Grid Reference:
334397 558420

Proposal: Erection Of An Agricultural Workers Dwelling (Outline)

Members will recall at Committee meeting held on 1st October that authority was given to the Assistant Director (Economic Development) to issue approval subject to no adverse comments being received from English Heritage or Hadrian's Wall Ltd.

No adverse comments were received and the approval was issued on 18th October 2010.

Grant Permission

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

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

2. In case of any "Reserved Matter" application for approval shall be made not later than the expiration of 1 year beginning with the date of this permission, and the development shall be begun not later than whichever is the later of the following dates:
 - i) The expiration of 3 years from the date of the grant of this permission, or
 - ii) The expiration of 2 years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

3. The approved documents for this Outline application comprise:
 1. the submitted planning application form;
 2. the Design & Access Statement (received 15 July 2010);
 3. Supporting Information contained within a letter from the agent dated 14th July 2010 (received 15th July 2010);
 4. Site Location Plan (received 15th July 2010);
 5. Proposed Outline Plan (drawing 100502-01 received 15 July 2010);
 6. the Notice of Decision; and
 7. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: For the avoidance of doubt.

4. The occupation of the dwelling shall be limited to persons solely or mainly employed, or last employed, in the locality in agriculture as defined in Section

336 of the Town and Country Planning Act 1990, or in forestry, or dependants of such persons residing with him or her, or a widow or widower of such a person.

Reason: The unrestricted use of the dwelling would be contrary to the provisions of Policies H1 and H7 of the Carlisle District Local Plan 2001-2016 which seek to prevent additional sporadic development in the countryside unless demonstrated to be essential in the interests of agriculture or forestry.

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

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

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

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

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

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

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

Reason: To ensure a satisfactory means of surface water and foul drainage disposal and in accord with Policy CP12 of the Carlisle District

Local Plan 2001-2016.

9. An archaeological watching brief shall be undertaken by a qualified archaeologist during the course of the ground works of the dwelling hereby approved. The archaeological watching brief shall be in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority in advance of the commencement of the development. Within 2 months of the completion of the development, 3 copies of the report shall be furnished to the Local Planning Authority.

Reason: To afford reasonable opportunity for an examination to be made to determine the existence of any remains of archaeological interest within the site and for the examination and recording of such remains, in accordance with Policy LE10 of the Carlisle District Local Plan 2001-2016.

Summary of Reasons for the Decision

Introduction

This application seeks outline planning permission for the erection of an agricultural worker's dwelling at Monkhill Hall Farm, Monkhill. Monkhill Hall Farm is a 51 hectare mixed farm, which has recently seen the development of a free range poultry unit, which currently houses 10,500 birds. The farm also includes a range of traditional farm buildings in the form of cattle sheds, hay barns and a slurry tower, which are located in close proximity to the original farmhouse, which is now in separate ownership. A mobile home is also located at the farm and this provides a daytime base for the farm.

The applicant owns two further ten hectare parcels of land at Moorhouse and Longburgh and currently resides next to the land at Longburgh, which is approximately 3.5 miles from the unit at Monkhill.

As well as the hens, the applicant also has 52 suckler cows, 57 youngstock (including calves and younger stores) and 65 breeding ewes and lambs. Approximately 35 hectares of land is used for growing crops for feeding livestock in the winter months, with the remainder of the farm being used for grazing or as roaming areas for the hens.

Seven residential properties, including the original farmhouse, are located within a courtyard that lies adjacent to the farm buildings, with other residential properties in Monkhill being located beyond these.

Background

In December 2007, a full application for a mobile home to provide residential

accommodation for an agricultural worker (07/0409) at Monkhill Hall Farm was refused. This would have been sited in the same location as the proposed dwelling.

The County Land Agent produced a report on the need for the mobile home and this concluded that:

- there was a clearly established existing functional need on the holding in relation to the care of the livestock. This need had been further supported by the recent introduction of the free range hen unit at the farm;
- in the interests and the wellbeing of the livestock, for the efficient running of the holding and for overall security, it is essential that one full time worker, actively involved in the management of this unit, be present on or immediately adjacent to it;
- the current farm business was viable and the introduction of the free range hen enterprise would greatly improve the financial viability of the holding.

The County Land Agent noted that the applicant had been involved in the development and disposal of the majority of the newly created dwellings on the site of the traditional farm buildings at Monkhill Hall Farm. These dwellings are located in reasonable proximity to the proposed site at Monkhill Hall Farm approximately 65 metres from the proposed site. On this basis, he advised that the authority should investigate the history of the holding and, amongst other things, identify whether any dwellings, or buildings suitable for conversion have been sold separately to the farmland. Paragraph 5 of Annex A to PPS7, identifies that such a sale could constitute a lack of agricultural need.

The Planning Officer investigated this issue and discovered that in total five dwellings were created on the holding and disposed of by the applicant. It was considered that the disposal of these dwellings was evidence of a lack of agricultural need in line with PPS7.

Whilst the Planning Officer considered that the siting of the proposed mobile home would have been visually acceptable and would not have had a detrimental impact on the living conditions of neighbouring residents, it was considered that it would not be appropriate to approve an agricultural worker's dwelling at Monkhill Hall Farm. It was considered that to do so would be contrary to the guidance provided within PPS7, the implementation of Policy H6 of the Carlisle District Local Plan and Policy H7 of the Carlisle District Local Plan Redeposit Draft.

The application was, accordingly, refused for the following reason:

“The proposed site lies outside of the settlement of Monkhill some distance from the nearest settlement in a location where there is a general presumption against further residential development unless it is supported by a proven agricultural or forestry need. In this instance it has been established that there is an existing functional need for 1 full time worker to be resident on or

immediately adjacent to this holding. It has also been established that the applicant had control over five new dwellings on the holding which have been sold on the open market. It is considered that any one of these five dwellings could have catered for the need; however the applicant has chosen to make all of these properties unavailable. In the light of these circumstances it is not considered appropriate to permit an agricultural unit of accommodation since, to do so, would be contrary to the guidance provided in PPS7 "Sustainable Development in Rural Areas", and in conflict with the objectives of adopted Policy H6 of the Carlisle District Local Plan and emerging Policy H7 of the Carlisle District Local Plan Redeposit Draft".

The applicant lodged an appeal against the Council's decision. The Appeal Inspector considered that the main issue was whether there was an agricultural need for the mobile home to be used as a residence for an agricultural worker, sufficient to outweigh the aims of local and national planning policies that seek to restrict new development in the countryside.

The Inspector was satisfied that there was a functional need for at least one full time agricultural worker to be present at the farm. He was also satisfied that the farm was financially viable. However, he was not persuaded that the need for the mobile home sufficiently outweighed both national and local policies to protect the open countryside, particularly as the appellant, albeit through another company, had developed and sold five dwellings on the holding within recent years and given that other dwellings were available for sale in the immediate vicinity of the site.

The Inspector, therefore, concluded that the use of the mobile home as an agricultural worker's dwelling would not satisfy the criteria set out in PPS7 and would not comply with policy H7 of the Carlisle District Local Plan 2001-2016 and the appeal was dismissed.

Members should note that since the appeal was dismissed, the size of the poultry unit at Monkhill Hall Farm has increased to 10,500 birds and it is now the dominant element in the farm enterprise.

The Proposal

Outline Planning Permission (with all matters reserved) is sought for the erection of an agricultural worker's dwelling. The dwelling would be sited where the mobile home is currently located, opposite the main access into the farm and to the east of the access track that runs south from the main group of farm buildings to the free range poultry unit. The main farm buildings, the free range poultry unit and the main farm access would all be visible from a dwelling in this location.

The illustrative drawing shows a dwelling with a footprint of 120 sq m (which would give a floor area of 240 sq m for a two-storey dwelling), together with a detached garage of 56 sq m floor area. It is envisaged that the dwelling would provide an office/study; utility/shower room; kitchen; dining room; living room; snug; four bedrooms and a bathroom. The dwelling would sit in a plot of approximately 1,400 sq m.

Assessment

The relevant planning policies against which the application is required to be assessed are Planning Policy Statement 7 “Sustainable Development in Rural Areas” (PPS7) and Policies DP1, H1, H7, CP4, CP5, CP12, LE7 and LE10 of the Carlisle District Local Plan 2001-2016.

The proposal raises the following planning issues:

1. Whether The Principle Of The Proposed Development Is Acceptable.

PPS7, published in July 2004, is relevant to this application, as it sets out the Governments planning policies for rural areas that should be taken into consideration when making planning decisions.

The fourth Key principle, identified in Paragraph 1 of PPS7, states that *“new building development in the open countryside away from existing settlements, or outside areas allocated for development in development plans, should be strictly controlled”*. By doing so it is the Governments aim to safeguard the character and beauty of the countryside, the diversity of its landscapes, heritage and wildlife, and its natural resources.

Paragraph 10 of PPS7 identifies that isolated houses in the countryside, away from existing settlements, will require special justification. Where the special justification relates to an essential need for a worker to live permanently at or near their place of work in the countryside, PPS7 advises that Planning Authorities should refer to the advice provided within Annex A of PPS7.

Annex A identifies the criteria that Local Planning Authorities should apply and which should be met prior to granting planning consent for a new permanent agricultural workers dwelling. The criteria are identified in Paragraph 3, Annex A of PPS7, which states the following:

“New permanent dwellings should only be allowed to support existing agricultural activities on well-established agricultural units, providing:

- (i) there is a clearly established existing functional need;*
- (ii) the need relates to a full-time worker, or one who is primarily employed in agriculture and does not relate to a part-time requirement;*
- (iii) the unit and the agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so;*
- (iv) the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and*
- (v) other planning requirements, e.g. in relation to access, or impact on the*

countryside, are satisfied”.

Policy H7 of the Carlisle District Local Plan 2001-2016 states that within the rural area planning permission will not be given for dwellings other than those essential to agriculture, forestry or any other rural based enterprise and supported by a proven need.

The policy also includes paragraph 5.41, which states that when assessing if there is such a need the Council should refer to the advice contained in Annex A to PPS7.

When considering applications for agricultural workers dwellings, it is common practise for the Council to consult the County Land Agent. As part of the response, the County Land Agent assesses whether the proposal meets the aforementioned criteria identified in Paragraph 3 of Annex A to PPS7.

In the response to the current application the County Land Agent has concluded that:

- there is a clearly established functional need in relation to this holding for one full-time worker, actively involved in the management of this unit, to be resident on or immediately adjacent to it;
- there is a labour requirement in excess of two full time workers and, therefore, the labour requirement test is met;
- the business is financially viable and, therefore, the financial viability test is met;
- at the present time, the existing dwelling on the land at Longburgh meets the requirement to house one full-time worker, actively involved in the management of this unit, that is required to be resident on, or immediately adjacent to, this holding. That dwelling, however, is at some distance from the main steading at Monkhill, which is the site of the greatest functional need;
- Planners should satisfy themselves whether the previous residential conversions and sales by the applicant of former farm buildings at Monkhill Hall Farm constituted evidence of lack of agricultural need or possible abuse of the planning system in accordance with paragraph 5 of Annex A to PPS7;
- The applicant's son, who works part time on the holding, currently lives in his own dwelling adjoining the farm (although his dwelling cannot be regarded as being part of the farm unit). With his experience he is able to meet elements of the functional need on the holding, although he does not have the experience to manage all aspects of the farm business.

The County Land Agent, therefore, accepts that in the interests and the well being of the livestock, for the efficient running of the farm and for overall security, it is essential that one full-time worker be resident on or immediately adjacent to Monkhill

Hall Farm. Whilst the applicant's son lives in a dwelling in close proximity to the farm, he only meets part of the functional need and does not have the experience to manage all aspects of the farm business. The County Land Agent also notes that the son's dwelling cannot be regarded as being part of the farm unit. There is, therefore, a need for an experienced full-time farm worker to live on or immediately adjacent to the farm.

It is acknowledged that, there are currently dwellings available for sale in close proximity to the farm and the Inspector, who dealt with the appeal for the mobile home, considered that these would be suitable. These dwellings would not, however, be within 'sight and sound' of the poultry unit or the other agricultural buildings at the farm. Whilst PPS7 makes no reference to the need for dwellings to be within 'sight and sound' of livestock and farm buildings, this is clearly of practical benefit. Given that the full-time farm worker needs to be resident at or near the farm for the well-being of livestock, for the efficient running of the farm and for overall security, a dwelling within 'sight and sound' of the majority of the holding would clearly be preferable. A dwelling at the location proposed would allow the applicants to see the poultry unit, the main farm buildings, a number of fields and the access track into the farm.

The concept of 'sight and sound' has been accepted by a number of Inspectors, in relation to applications for agricultural workers dwellings at farms with poultry units. The applicant has submitted copies of three appeal decisions, relating to free range poultry units, all of which established a requirement for the dwelling to be within 'site and sound' of the poultry units.

In light of the above, it is accepted that a dwelling within 'sight and sound' of the poultry unit, the main farm buildings and the access track would best meet the functional need for an agricultural worker's dwelling at Monkhill Hall Farm.

In his report, the County Land Agent states that Planners should satisfy themselves whether the previous residential conversions and sales by the applicant, of the former farm buildings at Monkhill Hall Farm, constituted evidence of lack of agricultural need or possible abuse of the planning system. Members should note that the application for the mobile home was refused because the applicant had previously developed and sold residential properties in the courtyard, that lies immediately adjacent to the farm.

Further discussions have taken place with the applicant about this issue and officers are satisfied that the applicant did not intentionally set out to abuse the planning system. The applicant disposed of the dwellings, because they did not provide the 'sight and sound' supervision of the farm, which is required. The money generated from the sale of these dwellings has been re-invested into the farm.

In light of the above, the proposal to site an agricultural worker's dwelling at Monkhill Hall Farm, in an area that provides 'sight and sound' supervision of the important elements of the farm enterprise, is acceptable in principle.

2. Whether The Siting Of The Proposed Dwelling Is Acceptable

The new dwelling would be located in close proximity to the existing group of farm buildings and the existing residential properties that lie adjacent to the farm buildings. These buildings, together with existing trees and hedges, would limit views of the dwelling from outside the site. If the dwelling were viewed from outside the site, it would be seen as forming part of this existing group of buildings.

The nearest residential property (The Stable) would be located over 40m away from the new dwelling. Views between the two dwellings would be limited by the presence of an agricultural building, that lies to the rear of The Stable. Monkhill Hall and the five other dwellings in the courtyard, would be an acceptable distance away from the new dwelling and would be largely screened from it by the existing farm buildings.

In light of the above, the proposed siting of the dwelling is considered acceptable and would not have an adverse impact on the character of the area or on the living conditions of the occupiers of any neighbouring properties.

3. Whether The Scale And Design Would Be Appropriate

These matters are reserved for subsequent approval and do not form part of this application. The illustrative plans that have been submitted with the application show a two-storey dwelling, with a footprint of 120 sq m and a detached garage/workshop, with a floor area of 56 sq m. These would sit in a very large plot, which measures approximately 1,400 sq m. The size of the plot and the dwelling appear to be excessive but these matters would be dealt with at the reserved matters stage and would be subject to a new application.

4. Other Matters

The County Council's Historic Environment Officer has identified that the site lies in an area of high archaeological potential. He has, therefore, recommended that any ground works associated with the development should be subject to a programme of archaeological recording, which can be secured through the imposition of a planning condition.

At the time of writing the report, comments were awaited from English Heritage and Hadrian's Wall Heritage Limited. It is anticipated that their comments would be similar to the comments already received from the County Council's Historic Environment Officer. Members are, therefore, requested to grant authority to issue the permission, subject to no adverse comments being received from these statutory consultees.

Conclusion

In overall terms, the proposal is acceptable in principle and the siting of the dwelling would be acceptable. The proposed dwelling would not have an adverse impact on the character of the area or on the living conditions of the occupiers of any neighbouring properties. In all aspects the proposal is considered to be compliant with the objectives of the relevant adopted Local Plan policies.

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016

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

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

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

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

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

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

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

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

Carlisle District Local Plan 2001 - 2016

Housing - Policy H1 - Location Of New Housing Development

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

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

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

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

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

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

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

Housing - Policy H7 - Agricultural, Forestry And Other Occupational Dwellings

Outside of those areas covered by Policy H1 and Proposal H16, permission will not be given for dwellings other than those essential to agriculture, forestry or any other rural-based enterprise and supported by a proven need. The size of dwelling should be commensurate with the scale of the business to which it relates. Occupancy conditions will be used to ensure that such dwellings are only occupied by those working in agriculture, forestry or any other rural-based enterprise.

Carlisle District Local Plan 2001 - 2016

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

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

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

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

Carlisle District Local Plan 2001 - 2016

Local Environment - Policy LE10 - Archaeological Field Evaluation

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

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP4 - Agricultural Land

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

- 1 there is an overriding need for the development; and
- 2 there is insufficient land of a lower grade available; or

- 3 available lower grade land has a statutory landscape, wildlife, historic or archaeological designation.

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

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

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

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

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