



**PORTFOLIO AREA: INFRASTRUCTURE, ENVIRONMENT &  
TRANSPORT**

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Date of Meeting: 28 October 2002

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Public

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Key Decision: Yes

Recorded in Forward Plan: Yes

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Inside Policy Framework

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**Title:** DEVELOPMENT BRIEF: 'THE COSMO', SITES A AND B,  
CENTRAL AVENUE, HARRABY

**Report of:** Director of Environment & Development

**Report reference:** EN 114/02

**Summary:**

Detailed responses to the draft development brief are included in this report, together with a modified brief reflecting those changes.

**Recommendations:**

It is recommended that the development brief for the land at the Cosmo (Sites A and B - Appendix B) be agreed and forwarded to Council for adoption as Supplementary Planning Guidance.

Mike Battersby  
Director of Environment & Development

**Contact Officer:** Elizabeth Jackson

**Ext:** 7192

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers: Appendix A: Consultation-Representations Received, Responses and Proposed Changes and Appendix B: Draft Development Brief including amendments.

## 1. BACKGROUND INFORMATION AND OPTIONS

- 1.1 The draft development brief was approved for consultation purposes by the Portfolio Holder for Infrastructure, Environment and Transport. The consultation period lasted six weeks and ended on 27 September 2002. Consultees included local residents who live next to the site, businesses on Central Avenue and Statutory undertakers such as the Environment Agency.
- 1.2 The draft development brief has been amended to take into account the representations received as a result of consultation. The retail section of the brief has been deleted as it is considered that another neighbourhood scale supermarket on Central Avenue will have an adverse impact on the vitality and viability of the existing shopping centre. The representations received from the local residents and tenants group have also been taken into account and the brief amended accordingly.
- 1.3 The representations received as a result of consultation and the responses to the draft development brief are included as Appendix A and the brief modified to reflect subsequent changes as Appendix B.

## 2. CONSULTATION

### 2.1 Consultation to Date:

- Harraby Ward Councillors.
- Local businesses/shops on Central Avenue.
- Occupiers of houses bordering the site.
- Cumbria County Council.
- Statutory Undertakers (i.e. United Utilities).

### 2.2 Consultation proposed.

Not applicable.

**3. STAFFING/RESOURCES COMMENTS**

- 3.1 None directly, but any subsequent development of the site may have resource implications which will be considered more fully once detailed proposals come forward.

**4. CITY TREASURER'S COMMENTS**

- 4.1 The City Treasurer has been consulted and has no comments to make.

**5. LEGAL COMMENTS**

- 5.1 The City Solicitor and Secretary has been consulted and has no comments to make concerning the report.

**6. CORPORATE COMMENTS**

- 6.1 The preparation of this development brief is consistent with the Council's Code of Conduct on Planning.

**7. RISK MANAGEMENT ASSESSMENT**

- 7.1 The adoption of the brief as Supplementary Planning Guidance is not a guarantee that development will take place. The brief will shape any future development.

**8. EQUALITY ISSUES**

- 8.1 Embraced within the brief.

**9. ENVIRONMENTAL IMPLICATIONS**

- 9.1 Incorporated within the brief.

**10. CRIME AND DISORDER IMPLICATIONS**

- 10.1 Included.

**11. RECOMMENDATIONS**

- 11.1 It is recommended that the development brief for the land at the Cosmo (Sites A and B - Appendix B) be agreed and forwarded to Council for adoption as Supplementary Planning Guidance (SPG).

**12. REASONS FOR RECOMMENDATIONS**

- 12.1 The SPG will provide a guide to the development of the area and ensure compliance with the Code of Conduct.

Mike Battersby  
Director of Environment & Development

**Contact Officer:** Elizabeth Jackson

**Ext:** 7192

## Appendix A

### **Cosmo Development Brief – Consultation:- Representations Received, Responses and Proposed Changes**

<b>Source of Representation</b>	<b>Summary of Representation</b>	<b>Response</b>	<b>Proposed Changes</b>
Mr Robert Blackadder, 8 Central Avenue.	Strongly object to the sites being used to build other shops or a supermarket, as that would close other shops on Central Avenue. No objections to the sites being used for housing.	Referred to PPG6 - Town Centres and Retail Developments. Concur with the view that another retail supermarket will adversely affect the vitality and viability of the existing neighbourhood shopping centre at Central Avenue.	Remove retail section from the draft brief.
Cumbria Fire Service.	No objection in respect of water supplies. Access for Fire Vehicles must be in accordance with approved document B5 of the Building Regulations 2000. Further comments on fire precautions and access for fire vehicles may be made through the Building Regulation Consultation procedure when an application for approval under building regulations is submitted.	None required.	Add advice received from the Fire Service to the brief.

Carlisle City Council, Parks & Countryside.	Play Areas: With regard to Local Plan Policy L9, as there will not be 40 dwellings on the site, there is no requirement on the developer to provide a play area. Open Space: due to the limited size of the site, the provision of public open space would not be feasible. Landscaping: there will be no adoptable landscape areas on this development, although some landscaping, e.g. tree planting, should be provided within individual house gardens.	None required.	Add to text of brief.
Cumbria County Council - County Archaeologist.	Do not wish to make any comments or representations.	No response required.	No change.

<p>Environment Agency.</p>	<p>In order to ascertain the history of the site, the Agency, would in the event of a planning application being submitted, request a planning condition be imposed - that prior to any development being commenced, a desk study has been undertaken to investigate and produce an assessment of risk of the potential for on site contamination from previous uses of the site. The agency also advise that any developer incorporates some form of Sustainable Drainage System (SuDS) to mitigate the impact that the creation of large impermeable areas would have on the local surface water drainage system. Alternatively, the agency would request that the run off of surface water to the existing surface water infrastructure is maintained at the existing rates.</p>	<p>Acknowledged. No other response required.</p>	<p>Incorporate comments into the brief.</p>
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<p>United Utilities - External Planning Liaison.</p>	<p>No objection, providing that the site is drained on a separate system, with only foul drainage connected into the foul sewer. On site attenuation of surface water may be required. A public sewer crosses this site and there should be no building over it. United Utilities require an access strip of no less than 6 metres wide, measuring at least 3 metres either side of the centre line of the sewer, for maintenance or replacement. Therefore a modification of any site layout, or diversion of the sewer at the developer's expense, may be necessary.</p>	<p>Plan requested showing the position of the public sewer. Comments to be included in the brief.</p>	<p>Advice to be included in the brief.</p>
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United Utilities - External Planning	United Utilities can readily supply water for domestic purposes, but for larger quantities will need further information. United Utilities water mains will need extending to serve any development. The developer, who may be required to pay a capital contribution, will need to sign an Agreement under the Water Industry Act 1991. Any developer must undertake a complete soil survey, as and when land proposals have progressed to a scheme design. i.e. development and results submitted along with an application for water.		
Liaison continued.			

<p>North Eastern and Cumbrian Co-op.</p>	<p>Object on behalf of North Eastern &amp; Cumbrian Society on the grounds that any food retailing should not be permitted on Sites A and B. The sites immediately abut an existing retail district centre where the society has a store held on a ground lease from the Council. To allow retail development on Sites A or B could only have a severe impact on the vitality and viability of the existing Central Avenue Shopping Centre as reflected in our current below average trading experience despite substantial investment where we continue to upgrade the Society's supermarket.</p> <p>The principle of a neighbourhood supermarket on Site A or B should be rejected as there already is an existing neighbourhood supermarket with a sales area of 1732 sq ft and a gross area of 2065sq ft as well as other food/convenience retailers in Central Avenue.</p>	<p>Referred to PPG 6 - Town Centres and Retail Developments. Concur with the view that another retail supermarket will adversely affect the vitality and viability of the existing neighbourhood shopping centre at Central Avenue.</p>	<p>Remove retail section from the draft brief.</p>
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North Eastern and Cumbrian Co-op continued.	The Society's objection is not on grounds of objection but purely that there is not sufficient economic spend available to justify a new supermarket on site A or B without it inevitably directly impacting on the vitality and viability of the local shopping centre including the Society's supermarket, resulting in closures in Central Avenue Shops and less choice for shoppers as to range and quality than at present.		
City Council - Design Services: Drainage.	No comments to make, other than those made previously. The Consultation draft of the brief refers.	No response required.	No change.
City Council - Design, Infrastructure.	Concur with the sections on highway layout and parking provision.	No response required.	No change.
The Chair of Tenants & Resident Group – HARTL - Mrs Denise Moses.	The tenants and residents of Whinsmoor Drive, Harraby, have a number of concerns.  Most of the residents' houses have rear access to their property. Will this be infringed upon? Some residents have garages provided near to their homes (on site B). Will any replacements be made?	Concerns noted and brief amended. See paragraphs 5.4, 5.6, 7.3, 10.1 and 16.3.	Paragraphs 5.4, 5.6, 7.3, 10.1 and 16.3 - amendments made and additional text added.

<p>The Chair of Tenants &amp; Resident Group – HARTL - Mrs Denise Moses continued.</p>	<p>The tenants and residents of Whinsmoor Drive are also very concerned about the over spill of shoppers using Central Avenue, who can not find parking near the immediate area. Will this mean that they will use their road for parking? Residents already have difficulty parking at times in their street.</p> <p>At present the space provided by the demolition of garages provides additional manoeuvrability for delivery vans, emergency vehicles and any other large vehicles requiring access to any building backing on to this space. Has this been taken into account?</p> <p>We would like to have a meeting with the proposed developer before any plans have been passed, so that we can make are concerns/views known. This meeting should be held not only for immediate residents but also for the whole estate in order for opinions to be heard and questions answered.</p>		
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<p>Cumbria Constabulary - Community Safety &amp; Architectural Liaison.</p>	<p>Made a number of observations based on the principles of 'Secured By Design'. Assuming that the favoured development is for new housing suggested a number of recommendations underpinning Local Plan Policy H16 and the Council's SPG Designing Out Crime In Residential Areas.</p>	<p>Noted. The majority of the advice is contained in the Council's adopted SPG 'Designing Out Crime In Residential Areas', which is referred to in the brief.</p>	<p>Cumbria Constabulary's advice reproduced in Annex B. Paragraph 16.7 of the brief - text added - to refer to the advice in Annex B.</p>
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## Appendix B

### Draft Development Brief (including amendments) Relating to 'The Cosmo', Sites A and B Central Avenue, Harraby, Carlisle

**Draft Development Brief (including amendments)** |  
**Relating to 'The Cosmo', Sites A and B**  
**Central Avenue, Harraby**  
**Carlisle**



Proposed additional text

~~Proposed Deletions~~ |

Produced by Carlisle City Council  
Planning Services  
~~September~~ April 2002 |



**Amended Draft Development Brief: 'The Cosmo', Sites And B,  
Central Avenue, Harraby, Carlisle**

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Annex A	Site location plan - sites A and B Site plan - Sites A and B, site area <u>Site plan - Sites A and B - Constraints</u>	
Annex B	Technical information received from Statutory undertakers	
Annex C	Local plan policies referred to in the text	
Annex D	List of relevant adopted supplementary planning guidance.	



**AMENDED DRAFT DEVELOPMENT BRIEF: 'THE COSMO', SITES A AND B, CENTRAL AVENUE, HARRABY, CARLISLE**

**1.0 Introduction:**

- 1.1 The brief has been prepared to assist developers when drawing up proposals for the redevelopment of sites A and B or both and to assist in marketing the site.
- 1.2 The brief has been prepared in order to Comply with the City Councils Code of Conduct - The adopted supplementary planning guidance (SPG) for 'Dealing with Planning Matters', January 2002, advises that 'development briefs rather than site appraisals will be prepared for larger or more complex Council owned sites. Such a development brief will set out the relevant planning matters and the Council's Local Plan Policy as well as other important corporate policy issues that have a bearing on the site.
- 1.3 Given the sites history of vacant/not fully utilised buildings and poor unkempt appearance, the City Council is keen to see the redevelopment of the sites. Central Government through advice in planning policy guidance notes encourages urban regeneration and the re - use of previously developed land.

**2.0 Objectives of the Brief:-**

- 2.1 To provide a planning policy framework for the sites (A and B) development drawing together relevant policies and applying or interpreting them for the sites specific circumstances.
- 2.2 To set out particular acceptable types of uses for the sites or mixes of uses.

**3.0 Information about the briefing process: -**

- 3.1 The brief has been prepared by Carlisle City Council, Planning Services in accordance with PPG 12 - Development Plans (December 1999). This development brief is consistent with national and regional planning guidance, as well as the policies set out in the adopted development plan.
- 3.2 SPG may be taken into account as a material consideration. The Secretary of State/Office Of The Deputy Prime Minister will give substantial weight in making decisions on matters that come before him to SPG which derives out of and is consistent with the development plan and has been prepared in the proper manner. ~~This SPG will be subject to consultation with the general public, businesses and other~~

~~interested parties and their views will be taken into account before it is finalised. It will then be the subject of a council resolution to adopt it as SPG. On adoption, a statement of the consultation undertaken, the representation received and the local authorities response to those representations will be made available.~~

#### **4.0 Current Status of the Brief: -**

4.1 ~~This brief is a consultation draft. Following consultation and the consideration of comments received, the Council will, if necessary amend the draft development brief and adopt it as supplementary planning guidance. Once adopted~~ The draft development brief was approved for consultation purposes by the City Council's portfolio holder for Infrastructure, Environment and Transport. The consultation period lasted six weeks concluding on the 27<sup>th</sup> September 2002. Consultees included local residents who live next to the site, businesses on Central Avenue and statutory undertakers such as the Environment Agency. The brief was amended to take into account the representations received. The adopted development brief will be used as a basis to guide any future redevelopment proposals for the site, which will be expected to be in accordance with it.

4.2 At the time of preparing this ~~draft~~ development brief there has been no planning applications submitted for the redevelopment of either site A or B.

#### **5.0 Site characteristics and Surroundings: -**

5.1 Both sites are located next to one another in Harraby, south east Carlisle. A site location plan and site plan is enclosed in Annex A

5.2 In total, site A and B extends to 0.76 hectares. Taken as individual sites, site A is 0.51 hectares and Site B 0.24 hectares

5.3 The existing access/service road giving access off Central Avenue to the rear of the shops and houses on the north side of Central Avenue is not included in either site.

5.4 The site plan shows the current access on to site A and B. The existing buildings on site include, the former 'Cosmo' building on site A. This building is relatively large in scale and massing and visually dominates the street scene. Twenty three garages remain on site B. Eighteen of these are currently let by the Council. ~~There are a few remaining garages on site B.~~ The sites' have areas of hard standing and site B has foundations of former garages. There are no trees within the site.

5.5 In terms of topography, the southern end of site A is the more elevated. The ground then slopes gradually down towards the northern end of the site. The houses on Whinsmoor Drive being at a slightly lower ground level than site A. Site B slopes from its southern boundary

down hill north east wards towards the rear of the houses on Whinsmoor Drive.

- 5.6 The rear garden fences/hedging of the houses on Whinsmoor Drive provide the north and eastern site boundary to site A and B. The majority A few of the houses have rear access gates onto the site.
- 5.7 Both sites are located adjacent to the local neighbourhood shopping centre based on Central Avenue. This local shopping centre serves the surrounding large housing estate. The shops and facilities are well used with parking on street. Flats are located on the first floor of some of the shop units. Other community facilities on Pennine Way include the Inglewood Arms Public House and Bowling Green.
- 5.8 The sites have good vehicular access to the south eastern part of the City and the M6. The site location plan refers.
- 5.9 The surrounding housing estate is on a bus route. A bus stop is located on Pennine way across the road from the existing building on site A.

#### 6.0 Public Utilities and Services and their Capacity: -

*Note: Once this draft brief has been approved by the Council for consultation purposes, the appropriate statutory undertakers will be consulted and their advice included. Key points will be set out below and technical information in Annex B.*

- 6.1 Technical information received from statutory undertakers in respect of public utilities and services are included in Annex B. key action points are highlighted below.

6.2 Drainage (Site A and B) - The surrounding area is drained by means of a separate foul and surface water sewer systems. Any new development proposals should retain this system of drainage.

6.3 Surface Water Drainage (Site A and B) - Any future development is likely to increase surface water run off significantly. Should this prove to be a problem at development stage then the developer should be able to accommodate some form of surface water attenuation within the site.

6.4 Foul Drainage (Site A and B) - Normal foul flows from an area of this size should be catered for by the existing drainage network.

6.5 Environment Agency (Site A and B) - In order to ascertain the history of the site the agency would, in the event of a planning application being submitted, request that planning conditions be imposed on any

planning consent, so that the developer could be satisfied that there was no risk of contamination from previous uses of the site. \_

6.6 United Utilities - water (Site A and B) ~~-To be consulted~~ The comments of United Utilities in respect of water supply and foul drainage are given in Annex B.

6.7 Cumbria Fire Service - Have advised that they have no objection in respect of water supplies. Access for fire vehicles must be in accordance with approved document B5 of the Building Regulations 2000. Further comments on fire precautions and access for fire vehicles may be made through the building regulation consultation procedure when an application for approval under the building regulations is submitted.

## 7.0 Site History - Previous Land Uses and Planning History:-

7.1 The existing building on site A was originally used as a dance hall in the early 1960's to the mid 1970's. The building is currently being used as a bar/club and is known as The Avenue.

7.2 Planning permission was granted in 1996 for a change of use of part of the first floor from use class D2, assembly and leisure, to a community family support centre. This use has now ceased. In 1998 planning permission ref. 98/0362 was granted for part of the ground floor of the existing building to be used as a hot food takeaway. This permission remains unimplemented.

7.3 Site B has been used for domestic garaging by tenants of the nearby local authority housing. Eighteen of the existing twenty three ~~Whilst a few of these garages are still used and let by the Council, most are not in use and the rest~~ have been demolished. There is no other planning history relating to site B.

## 8.0 Site Ownership and any Related Information:-

8.1 Site A and B are owned freehold by the City Council. The building on site A and its curtilage/parking area is currently let on a 99 year lease.

## 9.0 Any formal protection or designations relating to the site or the surrounding area:-

9.1 There are no formal protection or designations relating to the site or the immediate surrounding area.



## 10.0 Site Constraints:-

10.1 Site A and B have a number of constraints, these are:

1. Site A - The sites' redevelopment will necessitate the removal demolition of the Cosmo building, foundations and hard surfacing.
2. The Cosmo building is currently let on a 99-year lease by the City Council.
3. Part of a gravel/tarmaced area surrounding the Cosmo building is currently used by people visiting the shops on Central Avenue as an overflow car park. Any proposed redevelopment layout should address this apparent shortfall in parking provision.
4. Site B - Whilst a number of the garages have been demolished and cleared, the foundations and hard surfacing areas have not been removed. The majority of the remaining garages on site B are currently let by the City Council to local residents. Any redevelopment of site B shall ensure, in consultation with the existing tenants/occupiers of the garages, that appropriate provision is made on Site B for replacement garaging. Regard should be had to the Council's adopted supplementary planning guidance - 'Designing Out Crime In Residential Areas'. If the site is developed, the existing garages will have to be removed and also the foundations. Any Council tenants that use the existing garages that remain on site will have to be found alternative garaging/parking.
5. Most of the houses on Whinsmoor Drive that back onto the sites have rear access gates onto the sites. Any proposed development scheme will have to allow for vehicular access to the rear of these houses; the existing garages on site B and the garages adjacent to site B.
6. Although at present there is a narrow lane which allows delivery vehicles to gain access to the rear of the shops on one side of Central Avenue, the larger vans/wagons have to use part of site B to turn around. Any proposed development layout will have to ensure that an appropriate turning area is provided on site B.

## 11.0 Statutory Development Plans:-

11.1 The statutory development plan for the area consists of the Cumbria and Lake District Joint Structure Plan 1991 - 2006, approved in July 1995 and the Carlisle District Local Plan, adopted in September 1997.

**12.0 National and Local Planning Policy Context - The Principle of Residential Development on Sites A and B**

Note: The Local Plan Policies referred to in the text are reproduced in Annex C of this brief.

- 12.1 Site A and B are brownfield sites. Local Plan Policy E55 Derelict Land, advises that proposals for the reclamation of derelict, redundant and vacant land and buildings will be permitted, provided, the use is appropriate to the location and the development and landscaping are in keeping with the surroundings. Government guidance in PPG3, issued in March 2000, advises that priority should be given to the re-use of previously developed land or brownfield land for housing within urban areas.
- 12.2 PPG 3 sets out criteria to be used against which to assess the suitability and potential of sites for residential development. One of these criteria is accessibility to jobs, shops and services by modes other than the car.
- 12.3 Accessibility to shops and services is good. The occupiers of any proposed housing will support existing services and facilities. The sites are located within a few minutes walking distance from the local convenience shops and facilities located on Central Avenue. In terms of accessibility to jobs, Durranshill Industrial Estate including the large employer, Cavaghan and Gray, are easily accessible either by cycling, walking or by bus. Rosehill Industrial Estate and the City Centre can be easily accessed by bus. A primary, junior and a secondary school are located within the surrounding housing estate.
- 12.4 In the local plan, the sites are within an area identified as a primary residential area. Policy H2 advises that there is a presumption in favour of residential development, subject to certain criteria including safeguarding of any amenity open space, the amenity of adjacent residential property is not adversely affected, and satisfactory parking and access can be achieved. The sites do not contain any amenity open space and providing care is taken with the siting, scale and design of any proposed housing, it should be possible to avoid loss of amenity, for example, caused by unreasonable overlooking.

12.5 In principle, the redevelopment of site A and B for residential use is acceptable. It is in accordance with PPG 3 and Local Plan Policy H2. Site B is surrounded on three sides by existing residential development. This has implications for the potential land uses on site B. In order to respect existing occupiers, the preferred use would be housing. If housing were to be developed on site A it would not be practical to put alternative uses on site B unless satisfactory access could be made available.

### 13.0 Special Needs Housing:-

13.1 Proposals that relate to special needs, such as the elderly, will be assessed against Local Plan Policy H19.

### 14.0 Affordable Housing:-

14.1 Circular 06/98 Planning and Affordable Housing together with PPG 3 sets out criteria which should be taken into account in assessing if unallocated sites are suitable to provide affordable housing. The latter criteria supersede that given in Local Plan Policy H8.

14.2 In accordance with Circular 06/98, If the proposed housing development is for 25 or more dwellings, an element of affordable housing will be required to be provided by the developer. The number of affordable houses to be provided will be based on an assessment of housing need.

The above advice does not preclude developers from providing affordable housing if less than 25 dwellings are proposed. Developers are encouraged to consider such provision where they think it feasible and appropriate.

### 15.0 Housing: Density and Scale of Development:-

15.1 In accordance with PPG3, in order to promote more sustainable residential developments, the proposed density for housing on sites A and B will be expected to be a minimum of 30 dwellings per hectare net. As a guide, applying a density of 30 dwellings per hectare, to both sites' total area will provide 23 dwellings. If the site is split, site A will provide 16 and site B 7 dwellings. If the existing garages are retained on site B, then this will reduce the area available for development and consequently the potential number of proposed dwellings.

15.2 Good design and layout of new development is seen in government advice in both PPG1 General Policy and Principles (February 1997) and PPG3 as being important in making the best use of previously developed land and improving the quality and attractiveness of residential areas. In accordance with this advice:

15.3 'Applicants as part of their planning application will be expected to demonstrate how they have taken account of the need for good design in their development proposals and that they have had regard to relevant development plan policies and supplementary planning guidance'. For example, scaled indicative drawings and photograph montages can help to show how a development will 'fit' into its surroundings.

15.4 Local Plan Policy H16 advises that high standards of design in new housing sites and dwellings will be required. Matters to be considered include: the layout of roads and buildings, footpaths and cycleways, the retention of any existing hedgerows, trees, planning out crime, the provision of public open space and the relationship to adjacent development.

15.5 In accordance with Local Plan Policy H16 developer(s) will need to ensure that there is the right balance between the density of development and privacy. This refers not only to the relationship between any proposed dwellings, but also the relationship between new and existing development. A mix of house sizes will be encouraged in any proposed housing layout.

15.6 Existing housing on Whinsmoor Drive and the eastern end of Central Avenue bound sites A and B to the North, east and south east.

15.7 In order to ensure that the rear elevations and gardens of existing housing are not directly overlooked, the City Council will require adequate distances between principal windows, and between windows and gable ends. This will usually be 21 metres and 12 metres respectively. These distances are the minimum required between existing and proposed housing and the proposed housing.

## 16.0 Housing Layout:-

16.1 Developers will need to pay particular attention to the design, location and access arrangements of any new housing layout, placing the needs of people before ease of traffic movement. To help promote walking as a prime means of access, any footpaths need to be safe, direct and secure. Footpaths that do not follow vehicle routes or which provide prospective intruders with unobserved access and escape routes should be avoided.

16.2 Further details on provision for cyclists and pedestrians can be found in the Cumbria Design Guide, Layout of New Residential Developments 1996.

16.3 At present, most of the a-few houses on Whinsmoor Drive have rear garden gates which give access onto site A and B. Cars are sometimes parked on the tarmaced access road and vehicular access is required across sites A and B to access the garages on site B and the garages to the rear of 19 - 24 Central Avenue. Access and car parking arrangements to the rear of dwellings on Whinsmoor Drive will have to be clarified in the layout of any development to protect the future amenity of occupiers of the site and adjoining land. property.

16.4 The ground level of both Site A and B varies. The positioning and orientation of proposed dwellings in relation to the site's topography



should be carefully considered. Supplementary planning guidance - The Cumbria Design Guide, Volume 1 - The Layout of residential developments, advises "that buildings arranged approximately parallel or at right angles to a site's contours may be considered more successful in complementing topography".

16.5 In accordance with PPG3, Local Plan Policy H16 and the Council's adopted SPG 'Designing out Crime in Residential Areas,'-

16.6 Developers should aim to reduce opportunities for crime and vandalism through the design of both individual dwellings, and the layout of the site.

Layouts should:

- 1 Maximise natural surveillance; and
- 2 Create a sense of neighbourhood; and
- 3 Define the boundaries between public & private ownership; and
- 4 Where possible ensure that the front of dwellings or their most public side face on to a main road; and
- 5 Attempt to group houses into clusters.

16.7 Siting houses back to back, with gardens or other private communal areas sharing a common fence or boundary, also increases levels of surveillance and is preferred to footpaths running along the rear. Further advice is given in the SPG 'Designing Out Crime in Residential Areas' and Cumbria Constabulary's consultation response in Annex B.

16.8 Hard and soft landscaping should be used to integrate existing and new development. In accordance with PPG3 and Local Plan Policy E19, landscaping will be expected to be provided by the developer as an integral part of new residential development.

16.9 Where the Council is prepared to adopt landscaped areas for maintenance purposes, these areas shall be dedicated to the City Council and a commuted payment equivalent to 10 years maintenance costs will be required. This will be based on costs applicable in the year of completion. Any legal costs in transferring ownership to the Council will be met by the developer.

## 17.0 Housing Design and Materials:-

17.1 Good design can help promote sustainable development and improve the quality of the existing environment.

17.2 The most significant element when integrating new development into the townscape is likely to be the design and form of the buildings. The height, shape, mass and design of the proposed houses etc on the site

should complement the character, topography and landscape strengths of the site.

17.3 The use of good quality materials is essential throughout the development and should be used in a way, which integrates the whole development such as block paving for driveways and grey slate or roof tiles, and a mixture of render and brick for external walls. The design of individual dwellings should be simple and uncluttered, without unnecessary, fussy or contrived detailing.

17.4 Continuity in the use of materials is important. Roofs should have simple 35 - 45 degree pitches and use dark slate or tiles. Windows should have simple proportions and associated detailing and be defined by lintels and sills. Rainwater goods should preferably be black. Driveways should be defined in a contrasting material, preferably either black pavements or tarmac, with contrasting edge treatment.

17.5 Screen walls or fencing should be of a consistent design and detail throughout the development.

#### **18.0 Promoting the Energy Efficiency in New Housing: -**

18.1 PPG 3 advises that more energy efficient new housing should be promoted where possible. This advice is reflected in paragraph 4.91 of the reasons/explanations to Policy H16 of the Local Plan.

18.2 Consideration should therefore be given to ways of making the dwellings energy efficient, for example through careful attention to aspect, design, selection of building materials and high standards of insulation. The orientation of dwellings should make the optimum use of sunlight. Living rooms and rear gardens should where possible have a southerly or south westerly aspect.

#### **19.0 Housing - Road Layout and Car Parking:-**

19.1 Road layout is an essential part of any development pattern, and if the way in which roads interrelate and define spaces is sensitively designed, they can greatly enhance the environment of a development. Any developer must have regard to the advice set out in the Cumbria Design Guide, Volume One, Layout of New Residential Developments.

19.2 The scope for providing shared surface roads and or shared driveways to proposed dwellings should be explored, as it allows for the creation of layouts within which the road layout will not dominate other features.

19.3 Traffic calming measures to reduce speeds are likely to be required where the car will have priority over pedestrians. However, in small residential groupings, priority should be given to pedestrians who

should be able to move about safely and confidently. This can be achieved by changes in surface material and texture.

- 19.4 Any proposed car parking provision must have regard to the advice contained in Local Plan Policies T7 and PPG 13 -Transport, March 2001.

#### **20.0 Access for Disabled:-**

- 20.1 Paragraph 33 of PPG 1 - reflected in local plan Policies H15 - Access New Build and S16 Access, advise that proposals for the development of land provide the opportunity to secure a more accessible environment for everyone, including wheelchair users, other people with disabilities, elderly people and those with young children. Developers are encouraged to consider the issue of access at an early stage in the design process. The City Council's Access Officer is able to offer advice to developers and has produced adopted guidelines - 'Better Access, Practical Building Details'.
- 20.2 Any proposed development will be required to take into account the needs of people with disabilities in all matters of design, layout and access/car parking.

#### **21.0 Traffic Assessment - Highway Works**

- 21.1 The developer will be required to finance all highway works necessary for the development to take place, including any works outside the site together with any traffic calming works. If more than 30 housing units are proposed, then applicants will need to submit as part of any planning application, a Supplementary Form on Traffic Impact. A full Traffic Impact-Transport Assessment will be required if: -

1. the development will generate 100 or more movements or more in the peak hour; or
2. if the generated movements will exceed 10% of the flow on the adjacent highway; or
3. where the generated movements will exceed 5% of the flow on the adjoining highway, where traffic congestion exists, or will exist within the assessment period.

#### **22.0 Amenity Open Space/Play Areas:-**

- 22.1 Local Plan policies L8 and L9 apply. The latter policies advise on the need for open space and play area provision if there is a shortfall in the locality. ~~Once the brief has been adopted for consultation purposes, the City Council's Leisure and Community Development Department will be consulted on existing provision and whether further open space/play areas are needed.~~ The City Council's Leisure and Community Development Department have advised that given the relatively small size of the site, there is no requirement on any developer to provide a

play area or public open space. There will be no adoptable landscape areas proposed on the site, although some landscaping, e.g. tree planting should be provided within individual house gardens.

### **23.0 Opportunity for Mixed Development: —**

~~23.1 PPG 1 advises that mixed use development can help create vitality and diversity and reduce the need to travel. A mixed development with different uses on A and B taken as a whole, for example retail use on site A and housing on site B will also be appropriate, provided the residential amenity of any new housing is not compromised and the requirements of other relevant local plan policies are met.~~

### **24.0 Retail Development:**

~~24.1 PPG 6 Town Centres & Retail Developments, revised June 1996, advises that 'local authorities should encourage appropriately sized, local supermarkets and seek to retain post offices and pharmacies in existing district and local centres...' Paragraph 3.19 of PPG 6 refers. The City Council has adopted SPG in relation to retail capacity, the Carlisle Retail Study 2000.~~

~~24.2 In accordance with advice in PPG 6, any proposal for retail development outside an existing centre, such as a local shopping centre, will be assessed against a number of criteria. The criteria include the proposal's impact on the vitality and viability of the nearby local shopping centre (Central Avenue), accessibility by a choice of means of transport and the impact on travel and car use. Subject to the findings of the above assessment being acceptable, and the criteria of Local Plan Policy S8 being met, then in principle, a neighbourhood supermarket will be acceptable on site A.~~

~~24.3 Site A has a frontage onto Central Avenue, and in terms of siting relates well to the neighbourhood or local shopping centre identified on the local plan proposals map. The retail use on site A could extend into part of Site B, subject to the amenity of adjacent proposed uses on the remainder of site B not being compromised.~~

~~24.4 Although there will be direct competition with some retail units on Central Avenue. It is not the role of the planning system to restrict competition, preserve existing commercial interests or to prevent innovation.~~

~~24.5 The design of any proposal for retail development should have proper regard to its relationship with the immediate surroundings. Designs should avoid presenting blank frontages to the local shopping centre on Central Avenue or being inward looking. Designs which add interest and variety, and which reflect local context are encouraged.~~



~~24.6—Care will have to be undertaken with the siting and design of any proposal for a neighbourhood supermarket in order to ensure that there is no adverse affect on the amenity of the existing housing which borders both site A and B. Servicing access and unloading areas will have to be carefully sited and designed so that residential amenity considerations such as privacy, is maintained, and noise levels are minimised.~~

~~24.7—Any proposal for a neighbourhood supermarket will be assessed against criteria 3 of local plan policy S8. A proposal will have to provide appropriate access, parking and security arrangements. In assessing the appropriate level of car parking, regard should be had to Local Plan Policies T7 and PPG 13—Transport.~~

~~24.8—If retail use is proposed on site A only, or site A and part of site B, then the redevelopment of site B must not be blighted. Appropriate vehicular access will still be required to site B.~~

~~24.9—Any car parking area should be designed to fit into the existing townscape. Car parking areas should normally be placed away from the street frontage closest to the existing local centre on Central Avenue. Parking areas should be well lit and should incorporate hard or soft landscaping appropriate to their design and setting.~~

~~24.10—In accordance with local plan policies S8 Neighbourhood Supermarkets, criteria 4, and E19 Landscaping of New Development, landscaping schemes to be implemented by the applicant will be required to be submitted as an integral part of any full or reserved matters retail planning application.~~

## ~~25.0—Pedestrian Access—Secure Parking Facilities~~

~~25.1—Any proposed new retail development, either for a neighbourhood supermarket or individual shop units will also require appropriate provision for pedestrian access and secure parking facilities for cycles. Local Plan Policy T15 Cyclists and Pedestrians applies and in accordance with advice in PPG 6 and 13, seeks to encourage walking and cycling as acceptable sustainable alternatives to the private car.~~

~~25.2—Cycle parking guidelines are provided in the adopted supplementary planning guidance—Parking Guidelines in Cumbria, 1997.~~

~~25.3—If a neighbourhood supermarket is not proposed, then other smaller retail uses would also be appropriate on site A. Proposals for neighbourhood shops will be assessed against local plan Policy S10—Neighbourhood Shops. In principle, proposals will be acceptable provided that they:~~

- ~~1. do not adversely affect the local environment or the amenity of nearby housing; and~~
- ~~2. satisfactory servicing areas can be achieved; and~~

- ~~3. appropriate car parking arrangements can be made; and~~
- ~~4. the scale of development is appropriate to the centre where it is located.~~

### **236.0 Employment:**

236.1 Site A is in a primary residential area, local plan policy H2 advises that within such areas planning applications for uses other than residential development will not be permitted, other than where they do not adversely affect residential amenity. Paragraph 4.34 of the reasons/justification for Policy H2 advises that applications for other than non-residential development may be acceptable providing they are commercial activities of an appropriate scale that would not adversely affect residential amenity. Development that would create unacceptable noise, smell, safety and health impacts or excessive traffic generation will not be acceptable. Local plan Policy H17- Residential Amenity will also apply to any development proposal, and seeks to protect the amenity of residential areas from inappropriate development.

236.2 Therefore, it is considered in this instance that small scale B1 Business development together with housing development would be an opportunity for a sustainable mixed use redevelopment of the sites as a whole and will support the local shops/facilities on Central Avenue. The B1 Business use being on Site A. Central Government planning advice in PPG 1 advises that mixed-use development can create vitality and diversity and reduce the need to travel.

### **247.0 Leisure:**

247.1 The existing use of the 'Cosmo' building on site A has benefited from use formerly as a cinema and then a dance hall. Alternative proposals within the same use class (D2 leisure and assembly) may be appropriate at the same level of use. Any extension to the existing building for an intensification of the use would have to be considered against the potential impact on the area. Any proposal will be judged on its planning merits against Local Plan Policy L4 - Leisure Development and with regard to relevant national and structure plan planning policy guidance.

### **258.0 Community Use:**

258.1 Although there are existing community facilities located around the estate, there may be need for additional facilities to assist with regeneration of the area. Site A, being in a central location, would be suitable for some sort of community use. Any proposal would have to ensure adequate parking was available. Planning permission was granted in 1996 for a change of use of part of the first floor to a

community family support centre. This type of use would still be appropriate.

258.2 There is no one specific planning policy in the adopted local plan against which proposals for 'community facilities' can be assessed. Therefore, any proposal seeking planning permission will be judged against any other relevant local plan policies, including for example Policy H17 which seeks to protect the amenity of residential areas and on the proposals planning merits with regard to relevant national and structure plan policy guidance.

# Annex A

Site Location Plan  
Site Plan

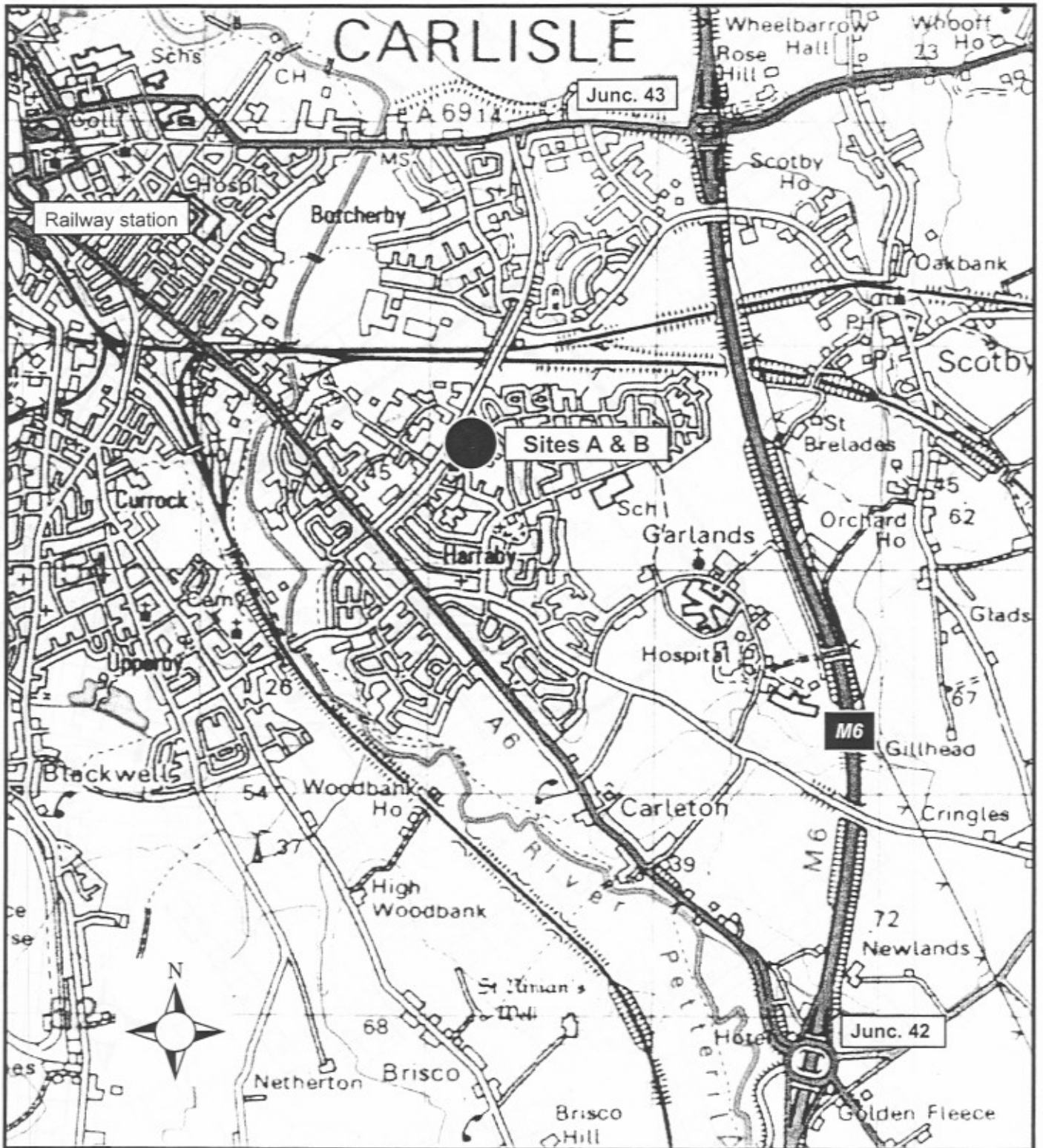
*The Ordnance Survey map data included within this publication is provided by Carlisle City Council under licence from the Ordnance Survey in order to fulfil its public function to act as a planning authority.*

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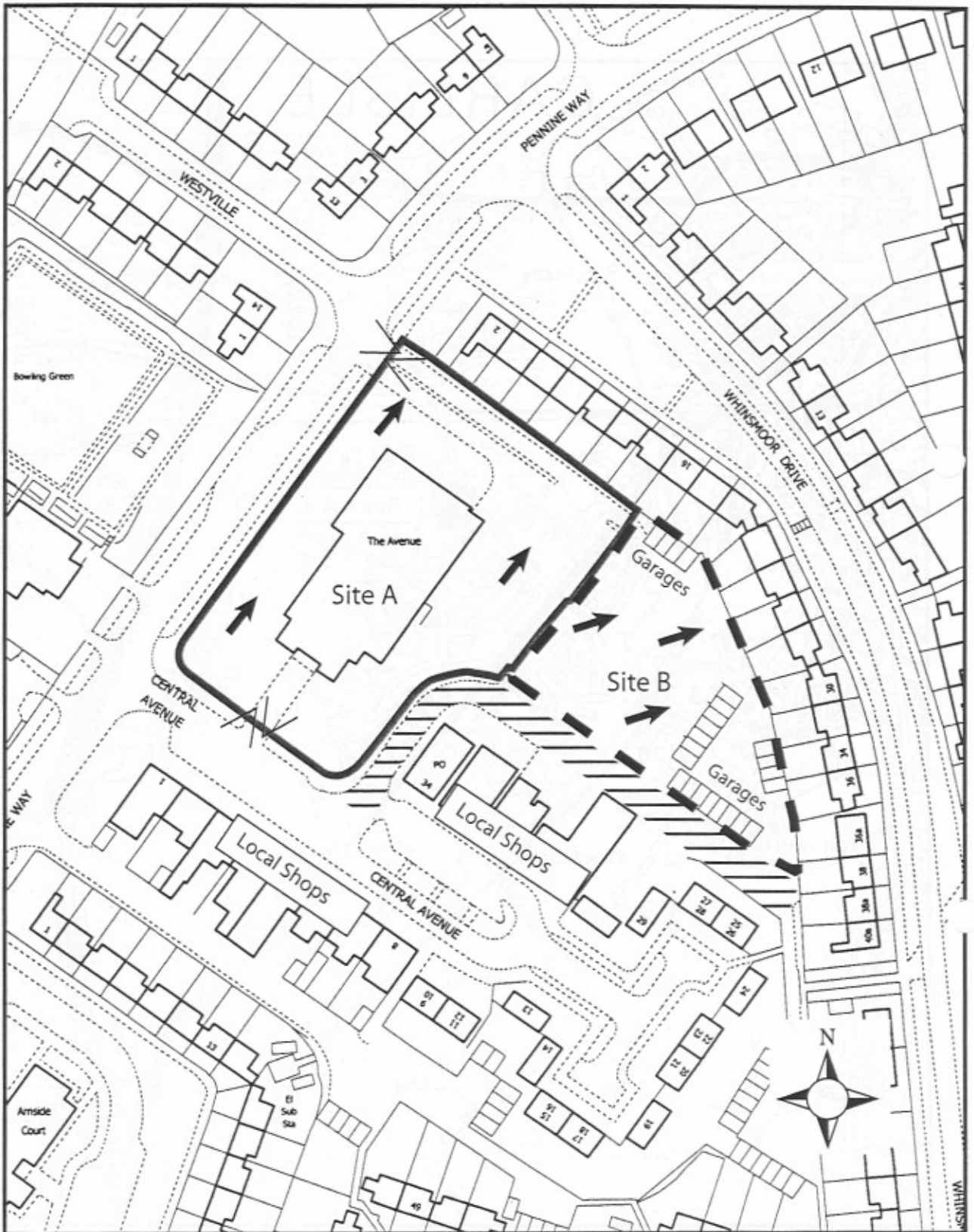


Location of Sites at Central Avenue, Carlisle  
in relation to main traffic routes


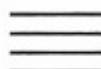



Scale 1:25000

Central Avenue, Carlisle  
 Site Plan - Sites A and B

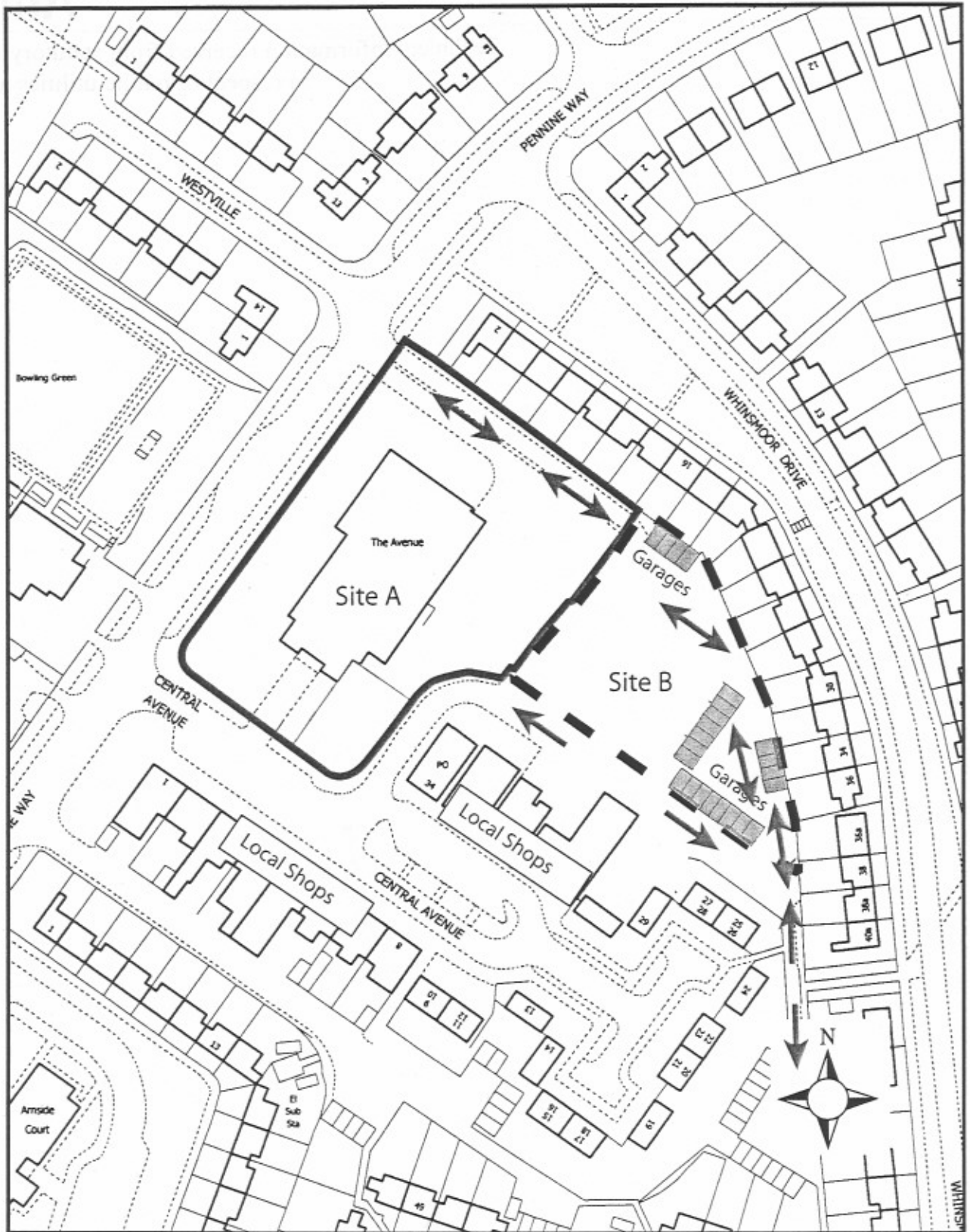


Scale 1:1250




-  Ground slope direction
-  Access to rear of shops
-  Existing vehicular access to sites A & B

Site A : 0.51 ha.  
 Site B : 0.24 ha.  
 Total : 0.76 ha.

Central Avenue, Carlisle  
Site Constraints



Scale 1:1250

-  Existing garages to be retained/preferably rebuilt on site B. Turning area on site B for delivery vehicles to shops 31 - 34 Central Avenue.
-  Existing vehicular access routes to be taken into account in any layout
-  Overspill parking for Central Avenue

# Annex B

Technical information received from statutory undertakers  
in respect of public utilities and services





## ANNEX B

### Environment Agency:

In order to ascertain the history of the site the agency would, in the event of a planning application being submitted, request the following condition so that the developer could be satisfied that there was no risk of contamination from previous uses of the site.

Suggested Planning Condition: No development approved by this permission shall be commenced until a desk study has been undertaken and agreed in writing by the Local Planning Authority to investigate and produce an assessment of the risk of potential for on site contamination. If the desk study identifies potential contamination a detailed site investigation should be carried out to establish the degree and nature of the contamination and its potential to pollute the environment or cause harm to human health. If remediation measures are necessary they will be implemented in accordance with the assessment and to the satisfaction of the Local Planning Authority.

Reason: To ensure a safe form of development that poses no unacceptable risk to pollution.

The agency would recommend that any developer incorporates some form of Sustainable Drainage System (SuDS) to mitigate the impact that the creation of large impermeable areas would have on the local surface water drainage system. Alternatively, the Agency would request that the run off of surface water to the existing surface water infrastructure is maintained at the existing rates. In view of the above comments the agency would recommend the inclusion of the following condition on any planning approval.

Suggested Planning Condition: No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been approved by the local planning authority. The scheme shall be completed in accordance with the approved plans.

Reason: To reduce the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

### United Utilities:

United Utilities have no objection to development providing that the site is drained on a separate system, with only foul drainage connected into the foul sewer. Applicant's for planning permission must discuss full details of the site drainage proposals with the Drainage Section of Carlisle City Council as on site attenuation of surface water may be required.

A public sewer crosses this site and we will not permit building over it. United Utilities will require an access strip of no less than 6 metres wide, measuring at least 3 metres either side of the centre line of the sewer, for maintenance or replacement. Therefore a modification of the site layout.

or diversion of the sewer at the developer's expense, may be necessary.

United Utilities can readily supply water for domestic purposes, but for larger quantities we will need further information. United Utilities advise that their water mains will need extending to serve any development on this site. The developer, who may be required to pay a capital contribution, will need to sign an agreement under Sections 41, 42 and 43 of the Water Industry Act 1991.

A separate metered supply to each unit will be required at the developer's expense and all internal pipe work must comply with current water supply (water fittings) regulations 1999.

Concerning connection to the water mains, the developer should contact our Network Connections Department at PO Box 453, Dawson House, Liverpool Road, Great Sankey, Warrington, WA5 3LW.

The developer must undertake a complete soil survey, as and when land proposals have progressed to a scheme design ie: development and results submitted along with an application for water. This will aid in our design of future pipe work and materials to eliminate the risk of contamination to the local water supply.

United Utilities offers a fully supported mapping service at a modest cost for our electricity, water mains and sewerage assets. This is a quality assured service, which is constantly updated by United Utilities Map Services Team (Tel No: 0870 7510101) and it is recommended that any developer give early consideration in project design as it is better value than traditional methods of data gathering. \_\_\_\_\_

#### Cumbria Constabulary

#### The Development:

A safe and secure environment is the prime objective of Secured By Design (SBD) recommendations. To achieve this objective, equal weighting should be given to both the environmental and physical security.

Dwellings should be positioned to allow unobstructed views of neighbouring properties without conflicting with the residents need for privacy.

There should be a mix of dwellings, as the potential for homes to be occupied throughout the day gives increased opportunity for natural surveillance, community interaction and environmental control.

#### Roads and Footpaths:

Routes through a development for all forms of movement which are designed in a way that ensures they are clear, direct, busy and will be well used and desirable. They should not undermine the defensible space of neighbourhoods. Design features can help to identify the acceptable routes

through an area, there by encouraging their use and in doing so enhancing the feeling of safety. Where it is desirable to limit access/use to residents and their legitimate visitors, features such as rumble strips, change of road surface (by colour or texture) pillars or narrowing of the carriageway may be used. This helps to define the defensible space, psychologically giving the impression that the area beyond is private.

#### Landscaping:

The correct use of certain species of plants such as thorny types, can help prevent graffiti and loitering and create or enhance perimeter security. Landscaping should not impede the opportunity for natural surveillance and must avoid the creation of potential hiding places. As a general recommendation shrubs should have a mature growing height no higher than 1 metre and trees should have no foliage below 2 metres, thereby creating a 1 metre field of vision. Building frontages should be open to view. Attention should be given to the location of walls and hedges so that they do not obscure doors or windows and the position of trees that may become climbing aids into property or obscure lights/CCTV cameras.

#### Street Lighting:

All lighting must comply with BS 5489.

#### Communal Areas:

Communal areas such as playgrounds, seating or drying areas have the potential to generate crime, the fear of crime and anti-social behaviour. These areas should be designed to allow supervision from nearby dwellings with a safe route for users to utilise. Boundaries between public and private space should be clearly defined and open spaces should have features which prevent unauthorised vehicle access.

Toddler play areas should be designed so that they can be secured. Consideration should be given to the provision of informal association areas for members of the community, particularly youths. These must be subject to surveillance, but sited so that local residents do not suffer from noise pollution. In addition, they should be sited in such a way that those using adjacent foot or cycle paths will not be subject to harassment or otherwise put in fear.

#### Dwelling Boundaries:

It is important that appropriate demarcation between public and private areas is clearly indicated. Dwelling frontages, which are open to view, may have low walls, fences or hedges. Vulnerable areas, such as side and rear gardens, need more defensive barriers with walls or fences to a minimum height of 1.8 metres. There may be circumstances where open fencing is required to allow for greater surveillance. Where risk is increased with gardens adjoining open land, footpaths or other areas, additional deterrent features such as trellis top or thorny shrubs must be considered. Boundary walls, bins and fuel stores,

low flat roofs or balconies should be designed so as not to provide climbing aids to gain access into the property. Footpaths that give access to the rear of properties must have lockable gates placed as near to the front building line as possible, to the same height as the adjacent boundary fencing. These gates must not be easy to climb or remove from hinges.

Car Parking:

Dwellings with in curtilage car parking arrangements are preferred. Where communal car parking areas are necessary, they should be in small groups, close and adjacent to the owners' premises, preferably within the owner's view.

Where garages are provided, the entrances should be orientated towards the front of dwellings where they can be easily overlooked.

Where parking is designed to be adjacent to or between units, a gable end window should be considered to allow residents unrestricted view over their vehicles. \_\_\_\_\_



# Annex C

Carlisle District Local Plan Policies referred to in the text

#### **Policy L4 Leisure Development**

Within the plan area, outside Primary Leisure Areas, proposals for leisure development including sport and active recreation development will be acceptable provided that:

1. the proposal does not have an adverse impact on the amenity of the surrounding area; and
2. appropriate car parking and access to the site can be achieved; and
3. the proposed use is of an appropriate scale to the locality; and
4. where practicable, the proposal can be accessed by public transport; and
5. the proposal makes a positive contribution to the development of tourism in the District; and/or
6. if the proposal is within Carlisle, it brings a vacant or part vacant building into use or contributes to the development of a mixed use scheme.

#### **Policy L8 Open Space**

The City Council will seek to ensure a suitable area of open space is available for public use, for passive and active recreation within walking distance of every house in Carlisle and the principal settlements, and wherever possible within 0.5 km of every home and not separated from it by a busy road. This includes appropriate provision in new developments, which should be dedicated to the Council for maintenance.

#### **Policy L9 Children's Play and Recreation Areas**

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

Outdoor playgrounds 150m<sup>2</sup> per hectare  
Informal play space 270m<sup>2</sup> per hectare

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

In most large developments play provision will be able to be provided within the housing site; however, if no suitable location can be provided the requirement may be met by the provision of a new off site facility (if an appropriate site is available) or by the provision of additional play facilities on a nearby existing play area or one which is in the course of being provided, such improved play provision being secured by a legal agreement between the developers and the Council.

Where a housing development is over 40 dwellings but is partially developed

by different developers or as separate phases by the same housing developer, provision will be required for each constituent part of the site.

On smaller housing sites the developer will be required to make commuted payments towards the provision of play space in the locality if there is a deficiency of play space in the local area judged against National Playing Fields Association Standards.

Small areas of play space provided by the developer which are principally of benefit to the development itself shall be dedicated to the City Council for maintenance purposes and a commuted payment equivalent to ten years maintenance costs will be required.

**~~Policy S8~~**  
**~~Neighbourhood Supermarkets~~**

~~Proposals for neighbourhood supermarkets within or adjacent to the larger neighbourhood centres, identified on the Proposals Map, will be acceptable providing that:~~

- ~~1. it is well related to existing local shopping provision; and~~
- ~~2. it does not adversely affect the amenity of any adjacent residential areas; and~~
- ~~3. appropriate access, parking and security arrangements can be achieved; and~~
- ~~4. appropriate landscaping is an integral part of the scheme.~~

**~~Policy S10~~**  
**~~Neighbourhood Shops~~**

~~Within Denton Holme, other neighbourhood centres and major new housing areas, shopping proposals that serve these areas will be acceptable, provided that:~~

- ~~1. they do not adversely affect the local environment or the amenity of surrounding residential areas; and~~
- ~~2. satisfactory servicing areas can be achieved; and~~
- ~~3. appropriate, parking arrangements can be made; and~~
- ~~4. the scale of development is appropriate to the centre where it is located.~~

**Policy S16**  
**Access**

The City Council will negotiate with developers to ensure that proposals for retail development take account of the needs of the disabled, the elderly and those with pushchairs in the provision of parking, access to and from the building and adequate circulation within the building.

**Policy T7  
Parking Guidelines**

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

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

**Policy T15  
Cyclists and Pedestrians**

Within the plan area existing provision for cyclists and pedestrians will be protected. The improvement of provision for cyclists in the form of both highway improvements and secure parking facilities will be encouraged. All new development will be designed to provide safe and convenient access for cyclists and pedestrians. This should include the provision of secure cycle parking facilities where appropriate.

# Annex D

## List of relevant adopted supplementary planning guidance

## ANNEX D

### List of Relevant Adopted Supplementary Planning Guidance:

#### Adopted guidance:

Supplementary Planning Guidance Note for Dealing with Planning Matters, June 2002, Carlisle City Council.

Designing out Crime in Residential Areas, August 2000, Carlisle City Council.

Carlisle Retail Study 2000 - CB Hillier Parker for Carlisle City Council, August 2000.

Cumbria Design Guide - Layout of New Residential Developments, Volume 1, Carlisle City Council et al, December 1996.

Trees on Development Sites, 1998, Carlisle City Council

#### **Adopted guidelines (not SPG):**

Better Access - Practical Building Details (Not in Part M), Carlisle City Council