

SCHEDULE B

SCHEDULE B

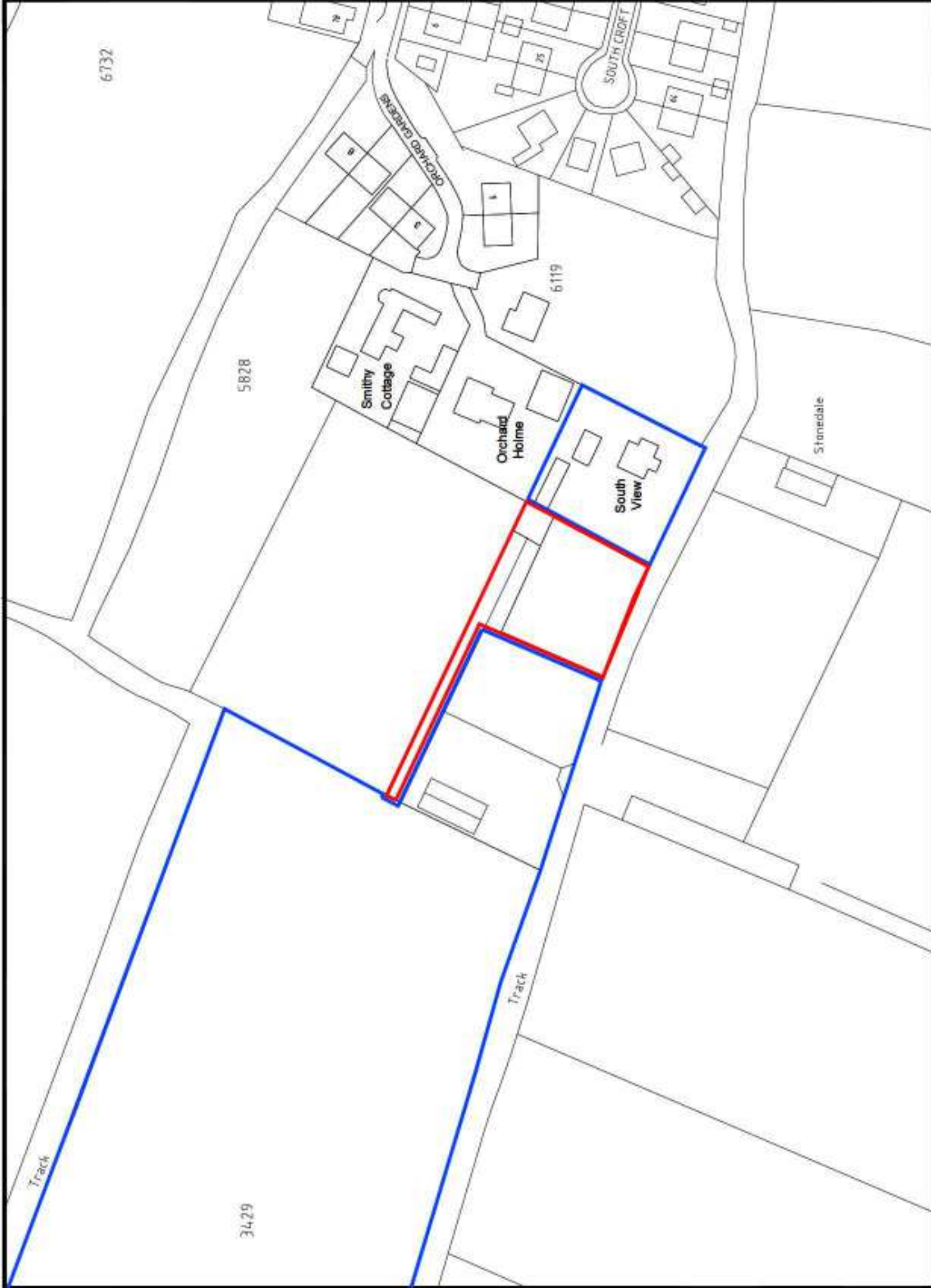
Item No: 03

Between 06/01/2023 and 09/02/2023

Appn Ref No:
21/0299**Applicant:**
Mr Rodney Lovell**Parish:**
Stanwix Rural**Date of Receipt:**
09/04/2021**Agent:**
Sam Greig Planning Ltd**Ward:**
Stanwix & Houghton**Location:**
South View, The Green, Houghton, Carlisle, CA3
0LN**Grid Reference:**
340563 559181**Proposal:** Change Of Use Of Former Equestrian Manege To Vehicle Storage Area
(Retrospective)**Amendment:**

REPORT**Case Officer:** Richard Maunsell**Decision on Appeals:****Appeal Against:** Appeal against refusal of planning perm.**Type of Appeal:** Written Representations**Report:****Appeal Decision:** Appeal Dismissed**Date:** 09/01/2023

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SITE LOCATION PLAN

South View Farm, The Green, Houghton, Carlisle, Cumbria CA3 0LN.

Scale	G.Tyler
Date	1:1250 A3
Drawing No	15th March 2021
Rev A	RL / LAND / SLPI

Rev.	Date	Original Issue	Description
A	15/03/21		



Appeal Decision

Site visit made on 30 November 2022

by J Symmons BSc (Hons) CEng MICE

an Inspector appointed by the Secretary of State

Decision date: 9th January 2023

Appeal Ref: APP/E0915/W/21/3285803

Southview Farm, The Green, Houghton, Carlisle CA3 0LN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Rodney Lovell against the decision of Carlisle City Council.
 - The application Ref 21/0299, dated 28 March 2021, was refused by notice dated 6 October 2021.
 - The development proposed is described as change of use of former equestrian manège to vehicle storage area.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal site was formally a riding arena and is currently being used to store vehicles and, with the exception of the proposed fence and hedge screening, the development appears to reflect the details shown on the drawings. I have therefore considered this appeal on the basis that planning permission is sought retrospectively.
3. The site is subject to enforcement action against the development and an appeal against the enforcement notice was dismissed. This appeal has been solely based on the planning application refusal.

Main Issues

4. The main issues are:
 - the effect of the development on the character and appearance of the area; and
 - the appropriateness of the location of the development.

Reasons

Character and appearance

5. The appeal site is located at the north western end of the rural village of Houghton. The development consists of a vehicle storage area for the appellant's Carlisle based car sales showroom business.
6. Although there are garden areas directly behind some of the properties, the majority of the land to the rear of the appeal site consists of agricultural fields separated by lines of fencing, hedgerows and trees. There are a number of agricultural and stable buildings in the area which have some associated

vehicle parking. However, these are relatively isolated and relate to the farming and equestrian use of the land. The appeal site's former manège use is consistent with the agricultural setting.

7. Policy GI1 of the Carlisle District Local Plan 2015-2030 (Local Plan) seeks to protect landscapes from excessive, harmful or inappropriate development. Proposals for development are assessed against the criteria presented within the Cumbria Landscape Character Guidance and Toolkit (CLCG). While the appellant identifies the area as being classified as sub-type 5d 'Urban Fringe' it is however, shown as sub-type 5b 'Low Farmland' on the mapping. The key characteristics of this landscape sub-type are set out in the CLCG and the overall vision is to conserve and enhance the landscape, wildlife and minimise urban intrusions.
8. The development is well screened from the private access road and the majority of the northern public footpath by hedgerows and planting. However, it is visible from the neighbouring property, Orchard Holme, Southview Farm's garden, a short section of the public footpath and the rear agricultural fields.
9. Even though the development is a relatively small-scale operation, and not in a highly prominent position, the parked vehicles create an urban intrusion which is visually at odds with the character and appearance of the surrounding area. While an additional hedgerow and new fence are proposed along the northern boundary as screening and landscape mitigation, the landscape improvements would be modest. Development would still be visually intrusive from parts of the surrounding area and negatively impact the rural setting. It would not be a sensitive or commensurate addition to the former manège or existing landscape. The nearby agricultural building does assist in providing some screening of the development. However, this does not remove the visual discord, or the adverse effects the development creates.
10. In conclusion, the development adversely affects the character and appearance of the area and conflicts with Policy GI1 of the Local Plan which aims to protect the intrinsic character of the landscape from excessive, harmful or inappropriate development.

Location

11. Criterion 7 of Policy SP2 of the Local Plan supports development, subject to it being of an appropriate scale and nature which is commensurate with its setting. It also requires that it positively contributes to increasing the prosperity of the rural economy and enable rural communities to thrive. This is supported by paragraph 81 of the National Planning Policy Framework 2021 (the Framework) which states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. It further advises that significant weight should be placed on the need to support economic growth and productivity. Paragraph 84 a) of the Framework reinforces this further by stating that planning policies and decisions should enable sustainable growth and expansion of all types of businesses in rural areas.
12. While the business does not provide direct employment opportunities or economic benefits to the village, this is not a specific requirement of the policy. However, as discussed above, the development has a harmful impact upon the character and appearance of the area. This is in terms of the appropriateness

of the scale and nature of a vehicle storage area within the rural setting as discussed previously. Furthermore, substantive evidence of how the development is positively contributing to increasing the prosperity of the rural economy and enabling rural communities to thrive has not been presented. Consequently, due to the lack of evidence minimal weight is attributed to the development benefits in supporting economic growth and productivity.

13. In conclusion the development is not appropriate for its location and as such, it conflicts with criterion 7 of Policy SP2 of the Local Plan and paragraph 84 of the Framework.

Other Matters

14. While the appellant contends that the Council has considered the appeal site as being in open countryside, other than a quoted reference made in the Officer Report regarding a 2013 application, I found no evidence that the appeal site was assessed as open countryside.
15. The appellant questions the consistency of the Council's determination of similar applications. While they provide 9 Lingyclose, Dalston as an example of a similar development being permitted, this site is relatively distant from the appeal site and in a different location and setting. Details regarding its impacts on character and appearance and its contribution to the rural economy and community are also limited. Accordingly, I cannot be certain that the circumstances are the same and therefore give little weight to this example. In any event each case should be considered on its individual planning merits.
16. It has been suggested by the appellant that a number of planning conditions could be used to restrict and control the use of the development. However, these would not remove all the concerns regarding the impacts on character and appearance or address how the development complies with the policies regarding rural economy and community benefits. I therefore do not consider the use of planning conditions would make the development acceptable.
17. In relation to third party representations, I saw no evidence of issues with the storage of caravans on Stonedale Farm. The Council has not raised concerns regarding environmental pollution and fire risk or traffic issues. Based on the information provided and my site observations, I see no reason to question any of these aspects.

Conclusion

18. The development would conflict with the development plan, when read as a whole. Material considerations, including the Framework do not indicate that a decision should be made other than in accordance with the development plan. Having considered all other matters raised I therefore conclude that the appeal should be dismissed.

J Symmons

INSPECTOR

Item No: 04

Between 06/01/2023 and 09/02/2023

Appn Ref No:

21/1137

Applicant:

Mr & Mrs Armstrong

Parish:

Irthington

Date of Receipt:

14/12/2021

Agent:

Sam Greig Planning Ltd

Ward:

Longtown & the Border

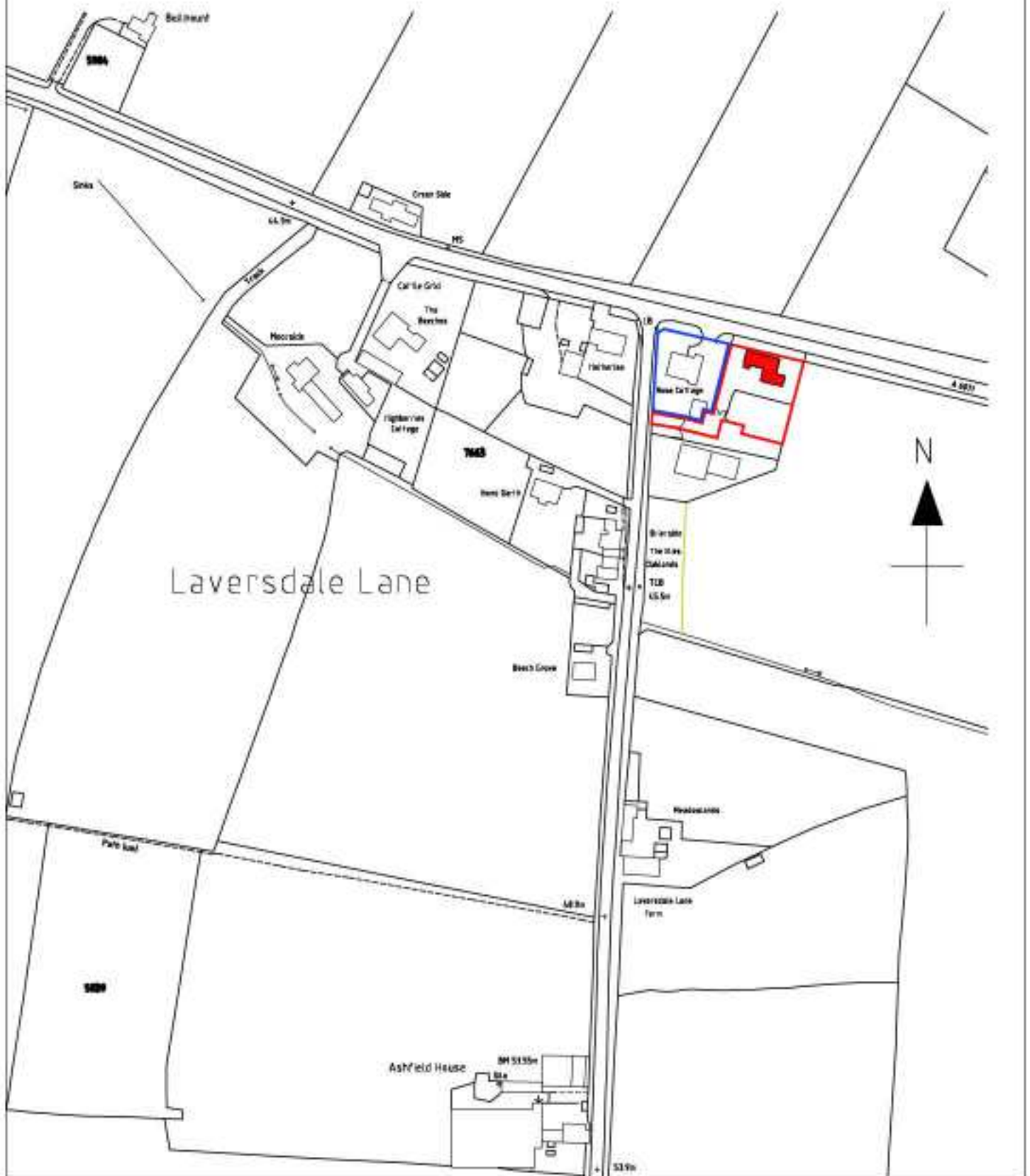
Location:Rose Cottage, Laversdale Lane End, Irthington,
Carlisle, CA6 4PS**Grid Reference:**

347894 563684

Proposal: Change Of Use Of Self Contained Annexe To A Dwelling**Amendment:**

REPORT**Case Officer:** Stephen Daniel**Decision on Appeals:****Appeal Against:** Appeal against refusal of planning perm.**Type of Appeal:** Written Representations**Report:****Appeal Decision:** Appeal Allowed with Conditions **Date:** 20/01/2023

AA DESIGN SERVICES



ROSE COTTAGE, LAVERSDALE LANE END, LAVERSDALE,
CARLISLE - CHANGE OF USE OF ANNEXE TO A DWELLING
FOR MR M. ARMSTRONG
LOCATION PLAN SCALE 1:2500

DRG NO 2015/6/2/003



Appeal Decision

Site visit made on 18 October 2022

by Hannah Ellison BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th January 2023

Appeal Ref: APP/E0915/W/22/3300088

Rose Cottage, Laversdale Lane End, Laversdale, Carlisle CA6 4PS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr & Mrs Armstrong against the decision of Carlisle City Council.
- The application Ref 21/1137, dated 9 December 2021, was refused by notice dated 8 April 2022.
- The development proposed is the change of use of self-contained annexe to a dwelling.

Decision

1. The appeal is allowed and planning permission is granted for the change of use of self-contained annexe to a dwelling at Rose Cottage, Laversdale Lane End, Laversdale, Carlisle CA6 4PS in accordance with the terms of the application, Ref 21/1137, dated 9 December 2021, subject to the following condition:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plan: Location Plan, DRG NO 2015/6/2/003.

Application for Costs

2. An application for costs was made by Mr and Mrs Armstrong against Carlisle City Council. This application is the subject of a separate decision.

Main Issue

3. Whether the appeal site represents a suitable location for housing having regard to local and national planning policy.

Reasons

4. The appeal site is located adjacent to a cluster of built development in the open countryside. The site includes a detached, single storey annexe to Rose Cottage. Permission was previously granted for the erection of the self-contained annexe with a condition attached which restricted the occupation of the annexe to purposes ancillary to the residential use of Rose Cottage. Rather than seeking permission to remove this condition, a new permission is sought for a change of use to a self-contained dwelling.
5. Policy HO6 of the Carlisle District Local Plan 2015-2030 (the CDLP) sets out the circumstances in which new housing would be allowed in the open countryside. However, this policy concerns new housing. The appeal building is of a substantial size and has already got all the facilities required for day-to-day

- private domestic existence. Therefore, this proposal relates to an existing dwelling rather than a new house thus this policy is not of direct relevance to this proposal.
6. Policy SP2 of the CDLP sets out principles for strategic growth and distribution within the district. Principle 8 of this policy states that within the open countryside, development will be assessed against the need to be in the location specified.
 7. The supportive text of Policy SP2 notes that this approach is necessary to ensure that sustainable patterns of development prevail and that importantly unnecessary and unjustified encroachment into and urbanisation of the District's countryside and fine landscapes is avoided, in keeping with the objectives of national policy. As noted, the building already exists thus the proposal does not result in harm to the character or appearance of the countryside.
 8. The nub of rural housing policy is at paragraph 79 of the National Planning Policy Framework (the Framework), which places an emphasis for housing to be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.
 9. The appeal site is located far from everyday shops and services. The surrounding highways are also poorly lit and lack pavements along long stretches. Traffic speed limits along them are high. As such, walking or cycling to facilities would be an unattractive option, particularly in winter months and inclement weather. Whilst future residents may support shops and services in surrounding areas, they would rely heavily on private vehicles to do so given the distances and routes involved.
 10. Therefore, the proposal would conflict with the broad aims of encouraging sustainable patterns of development as set out in Policy SP2 of the CDLP.
 11. However, the existing annexe is of a generous size and already has all the facilities required for independent day-to-day living. It has a large, separate garden area and place to park vehicles. Despite the occupancy restriction on the original permission, it seems to me that it could nevertheless realistically be occupied entirely independently from Rose Cottage, albeit by a related family. The high reliance on private vehicles to access the nearest shops and facilities would therefore be similar, regardless of whether the occupiers are related to the occupiers of Rose Cottage or not.
 12. Even if an unfettered occupation may result in more vehicle movements, as any co-dependent journeys for all manner of activities which may currently occur with the occupants of Rose Cottage would cease, I consider that any additional journeys would be very few given the size of the annexe and the ability for a family to occupy it.
 13. Therefore, although the appeal site is not well located in terms of its accessibility to local facilities and services and would likely necessitate the use of a private vehicle, the differences would be very small compared to existing

circumstances. Thus, any harm arising by virtue of additional vehicular movements by unrelated occupants would be very limited.

14. These matters weigh very significantly in the development's favour. As such, they would outweigh the proposal's conflict with Policy SP2 of the CDLP and provide sufficient justification to allow development other than in accordance with the terms of the development plan.

Other Matters

15. My attention has been drawn to decisions at Farndale although the information provided is scant. Based on what is before me however, it seems that the history and context of that example is complex and thus I am unable to fully ascertain whether the circumstances are directly comparable. Additionally, the matter as to whether a two-bedroom dwelling may be capable of being an annexe to a larger property is not the primary concern within this appeal.
16. The main parties consider that paragraph 80 d) of the Framework is of relevance to this proposal. This makes it clear that planning policies and decisions should avoid the development of isolated homes in the countryside unless the development would involve the subdivision of an existing residential building.
17. The Framework does not define what is meant by isolated, however, the courts have held that the phrase 'isolated homes in the countryside' simply connotes a dwelling that is physically separate or remote from a settlement and that this will be a matter of fact and planning judgment for the decision-maker in the particular circumstances of the case in hand.
18. Having regard to the context of the site and the immediate locality, although the appeal site is within a rural, countryside location and is far from shops and services, it is physically close to various residential properties and a vehicle services and repairs business. Given the group of dwellings, presence of the business and the proximity of the appeal site to this cluster of built form, I consider that the immediate locality amounts to a settlement.
19. As such, the proposal would not be isolated in terms of its physical context, thus the exceptional circumstances test at paragraph 80 of the Framework is not relevant in this instance. Accordingly, the implications of the Wiltshire judgment¹ and the updated wording within the Framework, with regards to 'building' rather than 'dwelling', is not a matter for me within the context of this appeal.
20. The appeal site lies within the catchment area of the River Eden Special Area of Conservation (SAC). As the proposal is for a change of use only, and has previously been occupied, there would be no likely significant effect on the conservation objectives of the SAC, alone or in combination with other plans or projects. This is a neutral matter.

Conditions

21. The Council has suggested attaching conditions specifying the time limit and the approved plans. In the interests of certainty and proper planning, a condition specifying the time limit is necessary. The submitted plans show

¹ Wiltshire Council v SSHCLG & Mr W Howse [2020] EWHC 954 (Admin)

various alterations to the access and boundaries however permission is sought for a change of use only. Therefore, a condition specifying the plans is not necessary however I have specified the location plan in the interests of certainty.

Conclusion

22. For the above reasons, and having taken all other relevant matters into account, the material considerations in favour of the proposal justify taking a decision which is not in accordance with the development plan. Having had regard to the development plan taken as a whole and to the approach in the Framework, I therefore conclude that the appeal should be allowed.

H Ellison

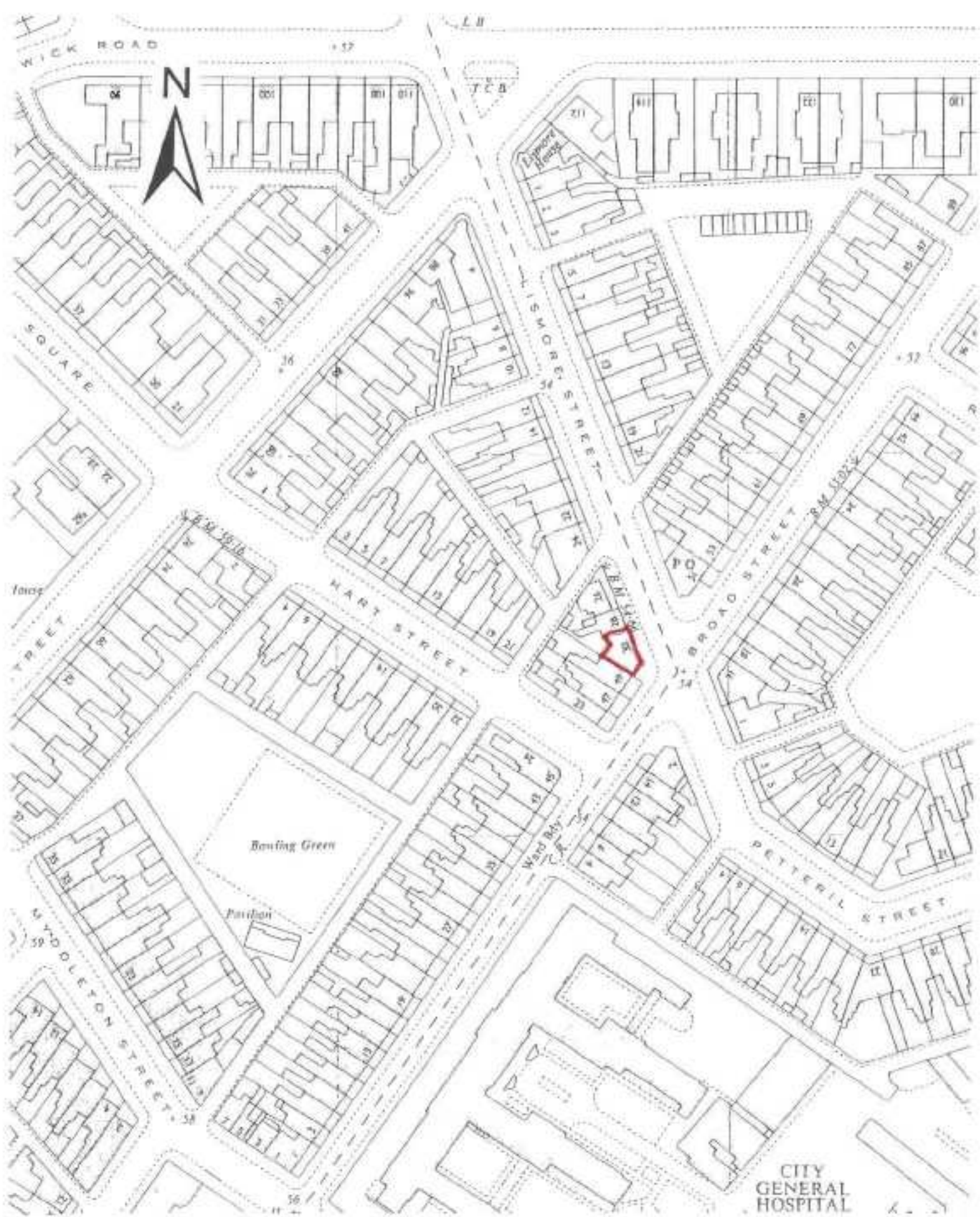
INSPECTOR

Item No: 05

Between 06/01/2023 and 09/02/2023

Appn Ref No:
22/0307**Applicant:**
Mr S Mohammed**Parish:**
Carlisle**Date of Receipt:**
12/04/2022**Agent:**
Jock Gordon Architectural
SVS Ltd**Ward:**
Cathedral & Castle**Location:**
30 Lismore Street, Carlisle, CA1 2AH**Grid Reference:**
340870 555748**Proposal:** Installation Of New Shop Front (Part Retrospective/Revised Application)**Amendment:**

REPORT**Case Officer:** Suzanne Osborne**Decision on Appeals:****Appeal Against:** Appeal against refusal of planning perm.**Type of Appeal:** Written Representations**Report:****Appeal Decision:** Appeal Dismissed**Date:** 25/01/2023



PROPOSED REPLACEMENT SHOP FRONT - 30 LISMORE STREET - CARLISLE
LOCATION PLAN

DRG. NO. 3294/1

SCALE : 1-1250



Appeal Decision

Site visit made on 13 December 2022

by N Teasdale BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 January 2023

Appeal Ref: APP/E0915/W/22/3305516

30 Lismore Street, Carlisle, Cumbria CA1 2AH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant full planning permission.
 - The appeal is made by Mr S Mohammed against the decision of Carlisle City Council.
 - The application Ref 22/0307, dated 8 April 2022, was refused by notice dated 21 July 2022.
 - The development proposed is installation of shop frontage revised application.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The appeal before me relates to a part retrospective/revised application and at my site visit I was able to see the works that have already taken place on site which do not accord with the drawings submitted as part of this appeal. I have therefore determined the appeal based on the plans the Council based its decision on.

Main Issue

3. The main issue of the appeal is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

4. The appeal site relates to a hot food takeaway located within a residential setting, occupying a prominent position on the corner where Lismore Street meets Broad Street. At my site visit, I observed that the area is characterised by Victorian terraces which share a uniformity of design detailing including recessed entrances with pillars either side and decorative features above as well as casement windows with headers and cills which are separated by large areas of brickwork. As a result, the area has a clear rhythm of development with an overall cohesive, traditional appearance. This contributes positively to the character and appearance of the area.
5. The submitted plans demonstrate that prior to the works that have taken place at the property, the appeal site complemented the established proportions, character, style and scale of other buildings in the area as a result of its architectural detailing. The proposed development would provide 2 large, glazed windows fronting Broad Street and Lismore Street which would comprise transom lights on the upper proportions. Such features would introduce a more modern appearance to the building which would not correspond with the

traditional architectural detailing of other buildings in the area and would appear overly prominent in comparison to other properties.

6. At my site visit, I could see the transom light arrangement within a large, glazed opening and whilst I note that the windows on site are indeed larger than that proposed and the materials and general arrangement would indeed change with the proposals, such features albeit proposed to be reduced in size would nevertheless still not be in keeping in this location and would detract from the character of the area.
7. The proposed front door onto Lismore Street would have a fanlight above with no decorative feature and would be flush with the window framing. Such features would also be at odds with the established architectural detailing of the host property prior to the works that have taken place as well as surrounding properties and would be a stark contrast to the more traditional character.
8. I note the planning history relating to the appeal site including a previous appeal for the installation of a new shop front. However, the previous appeal decision also acknowledged that the former shop front shared a uniformity of design detailing with other residential properties in the area including window sizes, cills, headers, recessed doorways and other decorative features. Although the proposed development would reduce the size of the shop front windows and would provide some architectural features similar to the surrounding properties including pilasters, cornices and stall risers, the proposed development would still introduce discordant features within the existing street scene and would lose architectural features of the property which contributed positively to the character and appearance of the area.
9. For the above reasons, I conclude that the proposed development would unacceptably harm the character and appearance of the area. As such, it would be contrary to the objectives of Policy EC7, criteria 1 and 3 of Policy SP6, and criterion 1 of Policy HO12 of the Carlisle District Local Plan which together, amongst other things, requires development to respond to the local context and the form of surrounding buildings. It would also be contrary to the objectives of Carlisle City Council's Shopfront Design Guide Supplementary Planning Document which requires shop fronts to contribute to the creation of a strong sense of place within the local context and relate in scale, proportion, materials and decorative treatment to the relevant façade of the building and, where appropriate, to adjacent buildings. The proposed development would also be contrary to chapter 12 of the National Planning Policy Framework relating to achieving well-designed places.

Other Matters

10. I note that the property is being renovated internally to bring it up to date and the new shop frontage would complete the upgrade of the premises. However, this would not be sufficient to outweigh the harm I have identified taking into account the character and appearance of the area.

Conclusion

11. The proposed development would conflict with the development plan when considered as a whole. There are no material considerations, either individually

or in combination, that outweighs the identified harm and associated plan conflict. I conclude that the appeal should therefore be dismissed.

N Teasdale

INSPECTOR

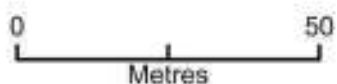
Item No: 06

Between 06/01/2023 and 09/02/2023

Appn Ref No:
22/0711**Applicant:**
Redtail Media Ltd**Parish:**
Carlisle**Date of Receipt:**
14/09/2022 10:00:15**Agent:****Ward:**
Belah & Kingmoor**Location:**
101 Kingstown Road, Carlisle, CA3 0AL**Grid Reference:**
339700 558262**Proposal:** Display Of 1no. LED Digital Sign**Amendment:**

REPORT**Case Officer:** Barbara Percival**Decision on Appeals:****Appeal Against:** Against Advert Decision**Type of Appeal:** Written Representations**Report:****Appeal Decision:** Appeal Dismissed**Date:** 30/01/2023

Location_101 Kingstown Road, Carlisle



Plan Produced for: Redtail Media
Date Produced: 01 Jul 2022
Plan Reference Number: TQRQM22182203046029
Scale: 1:1250 @ A4



Appeal Decision

Site visit made on 24 January 2023

by **Sarah Manchester BSc MSc PhD MIEnvSc**

an Inspector appointed by the Secretary of State

Decision date: 30th January 2023

Appeal Ref: APP/E0915/Z/22/3311186

101 Kingstown Road, Carlisle, Cumbria, CA3 0AL

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Mr Gavin Ferguson (Redtail Media Ltd) against the decision of Carlisle City Council.
 - The application Ref 22/0711, dated 14 September 2022, was refused by notice dated 14 November 2022.
 - The advertisement proposed is the erection of an LED digital advertising display affixed to the building.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Regulations require that decisions are made only in the interests of amenity and public safety. This is confirmed by the National Planning Policy Framework and the Planning Practice Guidance. Therefore, while I have taken into account the policies that the Council consider to be relevant to this appeal, these have not been decisive in my determination of it.

Main Issue

3. The main issue is the effect of the proposed advertisement on amenity.

Reasons

4. No 101 is a 2 storey property at the end of a terrace of traditional dwellings narrowly set back from the street with frontages enclosed by low brick walls. The appeal site gable end wall faces onto the forecourt parking area of the neighbouring commercial premises. The area is primarily residential with scattered commercial premises in the wider area including a public house, health club and supermarkets. The opposite side of the road at this point is characterised by built development set back behind landscaped areas with mature verdant planting including hedgerows and trees.
5. The proposed advertisement would be roughly 3m tall and 5m wide and it would be elevated about the ground by about 3m. It would display a series of internally illuminated static images for a duration of no less than 10 seconds each and with instantaneous transition between images.
6. The A7 Kingstown Road is a largely straight arterial route into Carlisle. Consequently, as the advertisement would be in a prominent and elevated roadside location, it would be visible in close and distant views from locations

- to the north including residential areas and from vehicles travelling towards Carlisle.
7. At close range, the advertisement would be seen in the context of the immediately surrounding residential dwellings and the neighbouring single storey commercial building. The commercial building is set back from the street between residential dwellings and it is an unassuming presence in the largely residential street scene. The advertisement would be out of scale with, and it would not be assimilated by, the dwellings or the commercial premises with its modest fascia and free-standing forecourt signage.
 8. From further away, the neighbouring commercial building is largely hidden from view and the advertisement would instead be seen in the context of the semi-detached, detached and terraced dwellings that line the road and the verdant mature planting on the opposite side of the road. The large contemporary advertisement would be out of keeping and incongruous in the primarily residential and leafy surroundings. The expansive frequently changing images would be conspicuous and visually obtrusive both during the day and overnight.
 9. By virtue of its prominent siting, scale and its height above ground, the advertisement would be a discordant feature that would dominate the street scene. Moreover, by virtue of the change in ground levels along the A7, it would be a dominant feature on the skyline to the detriment of the townscape. The advertisement would not make a positive contribution to local character or sense of place.
 10. There is advertising along the A7 including on bus shelters and free-standing hotel and traditional public house signage. These are generally modest and low level features and they are widely separated from the appeal site. They would not integrate the proposed advertisement into the area. The advertisement would also be widely separated from and it would not be seen in the visual context of large commercial buildings in the area, including the health club and supermarkets. These do not provide a justification for the advertisement.
 11. The supporting information with the application refers to consented digital signage elsewhere. Except for reference numbers, some of which are incorrect, few details have been provided. However, those schemes are remote from the appeal site and none provide a visual context for the proposal. The Council states that the location of the consented signage is not directly comparable to the appeal scheme and there is little evidence to the contrary. Advertisements elsewhere in different surrounding contexts do not provide a justification for the appeal.
 12. In addition to the standard conditions, the appellant suggests conditions to control illuminance in accordance with established guidance, to maintain the level of brightness relative to ambient levels, to show a black screen in the event of malfunction, and for instantaneous changeover between static images no more often than every 10 seconds. However, these measures would not overcome the visual harm arising from the prominent siting and scale of the advertisement and its unsympathetic and dominant relationship with its surroundings. The harm could not be mitigated by the imposition of conditions.
 13. Therefore, I conclude that the proposed advertisement would harm the character and appearance of the area and it would harm amenity. As I have

found harm, and although not determinative, it would conflict with Policy SP6 of the Carlisle District Local Plan 2015-2030 including in relation to responding to local context and respecting local character and distinctiveness.

Conclusion

14. For the reasons set out above, I conclude that the proposed advertisement would harm amenity. Therefore, the appeal should be dismissed.

Sarah Manchester

INSPECTOR

SCHEDULE B: Applications Determined by Other Authorities

Item No: 07

Between 06/01/2023 and 09/02/2023

Appn Ref No:

21/9003

Applicant:

Lee Hardy

Parish:

Brampton

Date of Receipt:

30/03/2022

Agent:

Cumbria County Council -
Economy & Planning

Ward:

Brampton & Fellside

Location:

Fox Group Ltd, Plot 8, Townfoot Industrial Estate,
Brampton

Grid Reference:

351886 561209

Proposal: Change Of Use Of Unused Land On An Industrial Estate To Storage Of Vehicles, Siting Of Screening And Crushing Plant For An Inert Waste Recycling Facility, Storage Of Inert Soil And Aggregate Within Class B2; Erection Of A Vehicle Workshop And Ancillary Facilities

Amendment:

REPORT

Case Officer: Richard Maunsell

City Council Observations on the Proposal:

Decision: City Council Observation - Observations

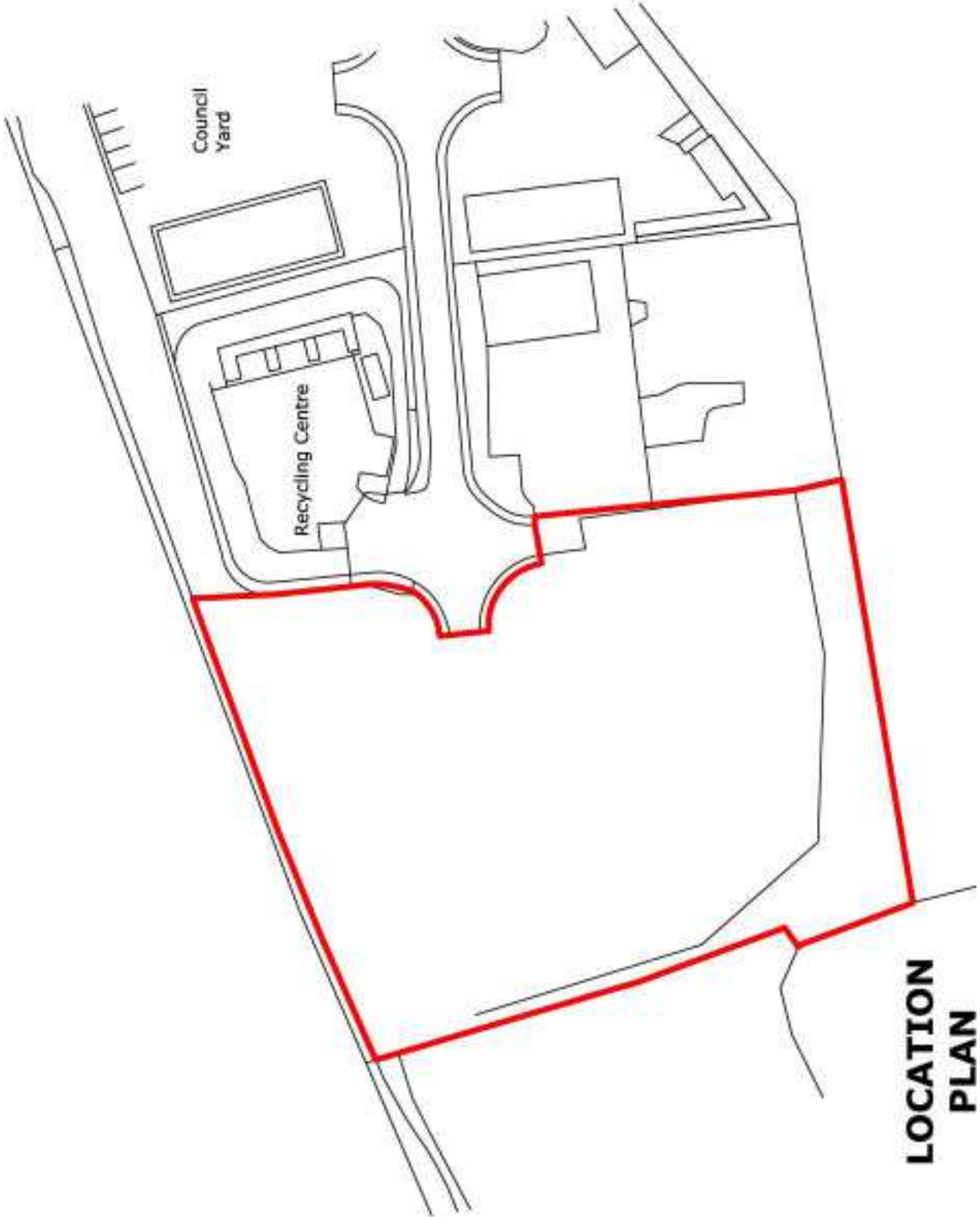
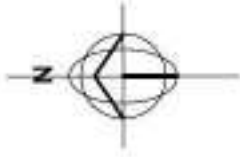
Date: 23/11/2022

Decision of: Cumbria County Council

Decision Type: Grant Permission

Date: 30/01/2023

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



LOCATION PLAN



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 100, 102, 104, 106, 108, 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214, 216, 218, 220, 222, 224, 226, 228, 230, 232, 234, 236, 238, 240, 242, 244, 246, 248, 250, 252, 254, 256, 258, 260, 262, 264, 266, 268, 270, 272, 274, 276, 278, 280, 282, 284, 286, 288, 290, 292, 294, 296, 298, 300, 302, 304, 306, 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 346, 348, 350, 352, 354, 356, 358, 360, 362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 394, 396, 398, 400, 402, 404, 406, 408, 410, 412, 414, 416, 418, 420, 422, 424, 426, 428, 430, 432, 434, 436, 438, 440, 442, 444, 446, 448, 450, 452, 454, 456, 458, 460, 462, 464, 466, 468, 470, 472, 474, 476, 478, 480, 482, 484, 486, 488, 490, 492, 494, 496, 498, 500, 502, 504, 506, 508, 510, 512, 514, 516, 518, 520, 522, 524, 526, 528, 530, 532, 534, 536, 538, 540, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 568, 570, 572, 574, 576, 578, 580, 582, 584, 586, 588, 590, 592, 594, 596, 598, 600, 602, 604, 606, 608, 610, 612, 614, 616, 618, 620, 622, 624, 626, 628, 630, 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, 652, 654, 656, 658, 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750, 752, 754, 756, 758, 760, 762, 764, 766, 768, 770, 772, 774, 776, 778, 780, 782, 784, 786, 788, 790, 792, 794, 796, 798, 800, 802, 804, 806, 808, 810, 812, 814, 816, 818, 820, 822, 824, 826, 828, 830, 832, 834, 836, 838, 840, 842, 844, 846, 848, 850, 852, 854, 856, 858, 860, 862, 864, 866, 868, 870, 872, 874, 876, 878, 880, 882, 884, 886, 888, 890, 892, 894, 896, 898, 900, 902, 904, 906, 908, 910, 912, 914, 916, 918, 920, 922, 924, 926, 928, 930, 932, 934, 936, 938, 940, 942, 944, 946, 948, 950, 952, 954, 956, 958, 960, 962, 964, 966, 968, 970, 972, 974, 976, 978, 980, 982, 984, 986, 988, 990, 992, 994, 996, 998, 1000.

NO.	DATE	DESCRIPTION

FOX GROUP

**Proposed Site of Operations,
 Tewinfoot Industrial Estate,
 Frampton**

Location Ref	48006	PG
Scale	1:1250	R25
Date	19-07-2022	Planning
Drawing No.	A4	FG/04906/001

All drawings are to be printed on A4 paper, unless otherwise stated. The drawings are to be printed on the reverse side of the paper. The drawings are to be printed on the reverse side of the paper. The drawings are to be printed on the reverse side of the paper.



The Town and Country Planning Act 1990

NOTICE OF PLANNING PERMISSION

To: Fox Brothers
11 Neptune Court
Whitehills Business Park
Blackpool
FY4 5LZ

In pursuance of the powers under the above Act and Order the Cumbria County Council as Local Planning Authority hereby **permit** the development described in your application and on the plans/drawings attached thereto received on 30 March 2022.

viz: Change of use of unused land on an industrial estate to storage of vehicles, siting of screening and crushing plant for an inert waste recycling facility, storage of inert soil and aggregate within Class B2, erection of a vehicle workshop, office accommodation and ancillary facilities. (partially retrospective development)

Fox Group, Plot 8, Townfoot Industrial Estate, Brampton, CA8 1SW

Subject to due compliance with the following conditions:

Time Limit for Implementation of Permission

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved Scheme

2. The development hereby permitted shall be carried out, except where modified by the conditions to this permission, in accordance with the following:
 - a. The submitted Application Form – dated 21 June 2021
 - b. Design and Access Statement – undated
 - c. Additional information - email dated 4 January 2023
 - d. Revised preliminary ecological Appraisal – dated August 2022
 - e. Revised Traffic Management Plan
 - f. Revised Noise Impact Assessment
 - g. Phase 1 Desk Study Report – March 2022
 - h. Heritage Statement – August 2022
 - i. Flood Risk Assessment and Outline Drainage Strategy, Project No: GK3596 – Revised 22 November 2022
 - j. Plans numbered and named:
 - i) Location plan – FG/04806/001
 - ii) Existing site plan – FG/04806/002
 - iii) Proposed site plan – FG/04806/011 B
 - iv) Workshop plan and elevations – FG/04806/004

- v) Proposed office ground floor plan – FG/04806/008
- vi) Proposed office first floor plan – FG/04806/009
- vii) Proposed office first floor plan – FG/04806/008
- viii) Proposed boundary treatment plan – FG/04806/012
- ix) Proposed floor plan levels – FG/04806/013
- x) Proposed office elevations – FG/04806/006
- xi) Proposed office elevations – FG/04806/007
- xii) Site unit elevations – FG/04806/005
- xiii) Drainage strategy plan – GK3596-C-001 Rev C

- k. The details or schemes approved in accordance with the conditions attached to this permission.

Reason: To ensure the development is carried out to an approved appropriate standard and to avoid confusion as to what comprises the approved scheme.

Surface Water Drainage

- 3. The surface water drainage system (incorporating SUDs features) and a maintenance schedule, as show in document Flood Risk Assessment and Outline Drainage Strategy, Project No: GK3596. For the avoidance of doubt no surface water will be permitted to drain directly or indirectly into the public sewer. Shall be implemented prior to the development being occupied and shall be maintained thereafter in accordance with the schedule.

Reason: To promote sustainable development, securing proper drainage and to manage the risk of flooding, pollution and to ensure the surface water system continues to function as designed and that flood risk is not increased with the site or elsewhere. In accordance with Policy DC19 of the Cumbria Minerals and Waste Local Plan 2015-2030.

- 4. No further development shall commence until a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to and agreed in writing with the local planning authority. The sustainable drainage management and maintenance plan shall include:
 - a. Arrangements for adoption by an appropriate public body or statutory undertaker; and
 - b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable draiange system to secure the operation of the surface waste drainage scheme throughout its lifetime.

The developmnet shall be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

Biodiversity

- 5. Within six months of the date of this permission a scheme shall be submitted and approved for a small scale and site appropriate scheme of habitat

enhancement has been submitted to and approved by the Local Planning Authority.

Reason: In order to deliver Biodiversity Net Gain, this will ensure compliance with the Local Authorities statutory duty to conserve and enhance biodiversity. In accordance with Policy DC16 of the Cumbria Minerals and Waste Local Plan 2015-2030 and paragraphs 179 and 180 of National Planning Policy Framework (2021).

Operating Hours

6. No operations, including the loading, processing or transportation of waste, shall take place on site outside the hours of 07:00 to 18:00 hours Monday to Friday and 07:00 to 13:00 on Saturday with no working Sunday, Bank/Public Holidays. This condition shall not operate so as to prevent, outside these hours, the carrying out of essential maintenance to plant and machinery used on the site.

Reason: To ensure that no operations take place outside the permitted working hours in order to protect the amenity of local residents, in accordance with Policy DC2 of the Cumbria MWLP 2015-2030.

7. No screening and crushing operations, shall take place on site outside the hours of 10:00 to 16:00 hours Monday to Friday and 10:00 to 13:00 on Saturday with no working Sunday, Bank/Public Holidays. This condition shall not operate so as to prevent, outside these hours, the carrying out of essential maintenance to plant and machinery used on the site.

Reason: To ensure that no operations take place outside the permitted working hours in order to protect the amenity of local residents, in accordance with Policy DC2 of the Cumbria MWLP 2015-2030.

Noise Monitoring

8. Prior to commencement of operations a noise monitoring survey shall be undertaken from Hawk Hirst, Irthing Caravan Park and 29 Townfoot Park. The noise monitoring survey shall monitor existing noise levels and noise levels once the site is operational. Noise from approved operations at Plot 8 shall not exceed the background noise level measured from the named noise sensitive properties by more than 10dB above the existing LAeq at any noise sensitive premises as assessed in accordance with British Standard 4142:2014+A1:2019. The findings shall be submitted to the Waste Planning Authority.

Reason: To ensure that the development is carried out to an appropriate standard of operations from the site are adequately controlled, in accordance with Policy DC3 of the Cumbria Minerals and Waste Local Plan 2015-2030.

9. All plant, machinery and vehicles used on site shall be fitted with effective silencers and engine insulation and maintained in accordance with manufacturer's instructions so as to minimise the level of noise generated by their operation.

Reason: To safeguard the amenity of local residents by ensuring that the noise generated in their operation is minimised and so does not constitute a nuisance outside the boundaries of the site, in accordance with Policy DC3 of the Cumbria Minerals and Waste Local Plan 2015-2030.

10. All vehicles under the site operator's control that are fitted with reversing alarms shall use a white noise type unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the amenity of local residents by ensuring that the noise generated in their operation is minimised and so does not constitute a nuisance outside the boundaries of the site, in accordance with Policy DC3 of the Cumbria Minerals and Waste Local Plan 2015-2030.

Highway Safety

11. All vehicles used to transport materials to and from the site via the public highway shall be sheeted or otherwise covered.

Reason: In the interest of local amenity and highway safety and to prevent release of litter on to neighbouring properties.

12. No vehicles shall leave the site in a condition that would give rise to the deposit of mud, dust or other debris on the public highway.

Reason: In the interests of highway safety.

13. All HGV's leaving the site shall turn right onto the C1046 (Junction of A689 to Town Foot Court) and connect directly onto the A689, unless travelling to local sites which cannot reasonably be accessed by that route.

Reason: To reduce the amount of heavy goods vehicles on rural roads in the vicinity of Rockcliffe village in the interest of highway safety.

Artificial Lighting

14. All artificial lighting units installed on the site shall be so sited and shielded as to be incapable of direct sight from any residential property outside the site.

Reason: To safeguard the amenity of local residents and users of Townfoot Industrial Estate..

Dust Suppression

15. The operator shall maintain on site at all times a water bowser or other dust suppression system, together with an adequate supply of water and during periods of dry weather shall spray the access road, haul roads, working areas, plant area and stockpiling areas with water to satisfactorily suppress dust in order that it does not constitute a nuisance outside the site.

Reason: To safeguard the amenity of local residents by ensuring that dust does not constitute a nuisance outside the boundaries of the site, in accordance with Policy DC2 of the Cumbria Minerals and Waste Development Framework.

Storage of Chemicals

16. Any bulk fuel or chemical storage facilities shall be suitably bunded to contain spillages and leaks. The bund volume shall be at least 110% of the capacity of

the largest storage tank. Bund walls and floor shall be impermeable to water and oil and there shall be no drain for the removal of contained liquids. Any bund contents shall be baled or pumped out under manual control and disposed of safely. All filling and distribution valves, vents and sight glasses associated with the storage tanks shall be located within the bunded area.

Reason: To prevent the pollution of any watercourse or groundwater resource in accordance with Policy DC20 the Cumbria Minerals and Waste Local Plan.

Height of Stock Piles

17. No waste or stockpiles shall be stacked or stored externally on the site to a height greater than 4 metres above the level of the ground on which they are placed.

Reason: To minimise the potential for there to be any adverse visual impact arising in accordance with Policy DC18 of the Cumbria Minerals and Waste Local Plan 2015-2030.

Informatives

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- On or within 8m of a main river (16m if tidal)
- On or within 8m of a flood defence structure or culverted main river (16m if tidal)
- On or within 16m of a sea defence
- Involving quarrying or excavation within 16m of any main river, flood defence (including a remote defence) or culvert
- In a floodplain more than 8m from the river bank, culvert or flood defence structure (16m if it is tidal main river) and you don't already have planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact out National Customer Contact Centre on 03708 506 506 (Monday to Friday 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk

Trade Effluent consent must be applied for disposal of wash bay surface water.

Secure by Design: CCTV Scheme - This should include views of external areas around the compound and configured to be 'event driven' so that any intrusion can be signalled to the Alarm Receiving Centre promptly and an appropriate response generated. This measure minimises an offender's intention to loiter. In effect, the CCTV scheme forms part of the site intruder detection scheme (enhancing the intruder alarm protecting the buildings) and ensures disruption of a criminal act at the earliest opportunity.

Security Lighting - Uniformity of illumination is more important than intensity. The scheme should exhibit high uniformity and CRI values, which will enhance natural surveillance opportunities across the site and optimise CCTV views.

Fuel Protection - Containers should be fitted with anti-tampering and fuel level alarms (e.g. Kingspan™ or Fuelquip™)

Dated 30 January 2023

Signed: Angela Jones
Executive Director - Economy and Infrastructure
on behalf of Cumbria County Council.

NOTES

- The local planning authority has worked with the applicant/agent in a positive and proactive manner to seek solutions to any problems that arose in dealing with this application and has implemented the requirements of the [National Planning Policy Framework](#).
- The policies and reasons for the approval of this planning application are set out within the planning officers' report which can be viewed at: <https://planning.cumbria.gov.uk/Planning/Display/1/21/9003>
- The conditions attached to this permission may override details shown on the application form, accompanying statements and plans.
- Submissions to discharge planning conditions require a fee and any approval given in relation to these shall be issued in writing.

APPENDIX TO NOTIFICATION OF PLANNING DECISION

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

1. This grant of planning permission does not exempt you from regulation under Building Control and Environmental Protection regimes. The County Council regularly shares information with other authorities. Failure to comply with other regulatory regimes may result in prosecution.
2. Any grant of planning permission does not entitle developers to obstruct a public right of way. Development, insofar as it affects a right of way, should not be started, and the right of way should be kept open for public use, until the necessary order under Section 247 or 257 of [The Town and Country Planning Act 1990](#), or other appropriate legislation, for the diversion or extinguishment of right of way has been made and confirmed.
3. The attention of the person to whom any permission has been granted is drawn to Sections 7 and 8A of the Chronically Sick and Disabled Persons Act 1970 and to the Code of Practice for Access of the Disabled to Buildings or any prescribed document replacing that code.
4. Any application made to the Local Planning Authority for any consent, agreement or approval required by a condition or limitation attached to a grant of planning permission will be treated as an application under [Article 27 of The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) and must be made in writing. A fee is payable for each submission. A single submission may relate to more than one condition.
5. There is a right of appeal against the failure to determine applications within the specified period and against the refusal of any consent, agreement or approval for which application is made (see enclosed "Notes in respect of Appeals to The Secretary of State").

NOTES IN RESPECT OF APPEALS TO THE SECRETARY OF STATE

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990. Please note, only the applicant possesses the right of appeal.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at: [Planningportal.gov.uk/pcs](https://planningportal.gov.uk/pcs)
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

Purchase Notices

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

SCHEDULE B: Applications Determined by Other Authorities

Item No: 08

Between 06/01/2023 and 09/02/2023

Appn Ref No:
22/9007

Applicant:
Cumbria County Council

Parish:
Carlisle

Date of Receipt:
23/11/2022

Agent:
Cumbria County Council -
Economy & Planning

Ward:
Sandsfield & Morton West

Location:
Former St Edmund Church, St Edmunds Park,
Carlisle, CA2 6TS

Grid Reference:
337104 554935

Proposal: Extension And Alteration Of Former Church To Form Sixth Form
Campus For Pupils From James Rennie School (Revised Application To
Include New External Fire Escape, Removal Of Lift Shaft Projection And
Amended Window To Extension)

Amendment:

REPORT

Case Officer: Stephen Daniel

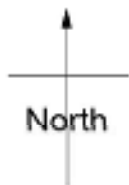
City Council Observations on the Proposal:

Decision: City Council Observation - Raise No Objection **Date:** 30/11/2022

Decision of: Cumbria County Council

Decision Type: Grant Permission **Date:** 18/01/2023

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



Rev	Date	Comments	By
Client:			
Cumbria County Council			
			
DAY CUMMINS LIMITED Architects & Surveyors Lakebend Business Park Cockermouth Cumbria CA13 0QT Tel: 01900 820700 Fax: 01900 820701 email: dc@day-cummins.co.uk www.day-cummins.co.uk			
Project:			
SEND 6th Form Accommodation St Edmunds Carlisle			
Drawing Title:			
Location Plan			
Drawn:	MD	Checked:	JH
Scale:	1:250	Date:	7/7/2022
		Paper Size:	A3
<small>ALL DIMENSIONS TO BE CHECKED ON SITE HORIZONTAL DIMENSIONS TO BE TAKEN IN PREFERENCE TO VERTICAL DIMENSIONS THIS DRAWING IS COPYRIGHT</small>			
Project No:	5713	Drawing No:	4
Rev:			1



**The Town and Country Planning Act 1990
The Town and Country Planning (Development Management Procedure)
(England) Order 2015**

Notice of Planning Permission

To: Cumbria County Council

In pursuance of the powers under the above Act and Order the Cumbria County Council as Local Planning Authority hereby **permit** the proposal described in your application and on the plans/drawings attached thereto received on 18 November 2022.

viz: Section 73 planning application to planning permission 1/22/9004 extension including internal and external alterations to building to form a sixth form campus for pupils from James Rennie School to amend condition 2 to allow new external fire escape stair, removal of lift shaft projection and alterations to the windows in the previously approved extension.

Former St Edmund Church, St Edmunds Park, Carlisle, CA2 6TS

Subject to due compliance with the following conditions:

Approved Scheme

1. The development hereby permitted shall be carried out, except where modified by the conditions to this permission, in accordance with the following:
 - a. The submitted Application Form – dated 11 November 2022
 - b. Design and Access Statement – dated November 2022
 - c. Plans numbered and named:
 - i) Drawing No 5712 2 B – proposed plans and elevations
 - ii) Drawing No 5712 2 C – proposed plans and elevations
 - iii) Drawing No 5713 2 C – Site plan
 - iv) Drawing No 5713 4 I – Location plan

Reason: To ensure the development is carried out to an approved appropriate standard and to avoid confusion as to what comprises the approved scheme.

2. The vehicular crossing over the footway, including the lowering of kerbs, shall be carried out to the specification of the Highway Authority in consultation with the Local Planning Authority.

Reason: To ensure a suitable standard of crossing for pedestrian safety.

3. The access drive shall be surfaced in bituminous or cement bound materials, or otherwise bound and shall be constructed and completed before the development is occupied/brought into use.

Reason: In the interests of highway safety.

4. Within three months of the commencement of occupation of the school, the Travel Plan shall have been developed, to achieve modal shift away from the use of private cars to transport pupils, to transport modes that have a lesser impact on the highway network. This must include measures to be adopted to reassess the 'modes of travel'; identify safe journey routes/modes; and set targets to be used as benchmarks for the Annual Review Reports in the following four following academic years. The Full Travel Plan shall be submitted to the Local Planning Authority for their approval. Any further measures identified by the Local Planning Authority as being required, shall be implemented in full within the following 12 months and be continued until the following Annual Review, which will report on the effectiveness of the measures so provided.

Reason: To aid in the delivery of sustainable transport objectives.

5. Any artificial lighting units shall be so sited and shielded as to be incapable of direct sight from any residential property outside the site.

Reason: In the interests of local amenity and prevent light pollution.

6. No development shall commence on site until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the County Planning Authority. The CTMP shall include details of:

- the construction of the site access and the creation, positioning and maintenance of associated visibility splays;
- access gates will be hung to open away from the public highway no less than 10m from the carriageway edge and shall incorporate appropriate visibility displays;
- details of proposed crossings of the highway verge;
- retained areas for construction personnel vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development;
- the surfacing of the access roads from the public highway into the site shall extend for a minimum of 10m;
- construction vehicle routing; the scheduling and timing of movements, routing, details of escorts for abnormal loads, temporary warning signs and banksman;
- details of how residents will be notified of large HGV movements;
- clearing of debris from the highway;
- methods to prevent noise, dust and vibration during construction works
- pre-construction road condition established by a detailed survey for accommodation works within the highway boundary, conducted with a Highway Authority representative.

Reason: To ensure the construction is carried out in accordance with the approved scheme.

7. Construction works shall only be undertaken between the hours of 08.00 to 17.00 Monday to Friday, with no construction works on Saturday, Sunday or Bank/Public Holidays. Any out of hours deliveries shall be notified to the Local Planning Authority in advance and immediate neighbours should be notified in writing of such instances.

Reason: In the interests of residential amenities of local residents.

8. No development shall commence until the Construction Exclusion Zone for the protection of trees to be retained on site has been put in place to protect the trees close to the proposed emergency stairwell.

Reason: To ensure that during the course of development the roots and trees are protected.

Informative

The applicant should be advised to contact Carlisle City Council Environmental Health Department in order to be advised with regard to legislative compliance for food hygiene and safety and to register the new facility.

If the application is approved the applicant must not commence works, or allow any person to perform works, on any part of the highway until in receipt of an appropriate Cumbria County Council Serving the people of Cumbria cumbria.gov.uk permit allowing such works. They will need to contact Streetworks Central streetworks.central@cumbria.gov.uk for the appropriate permit.

The applicant should seek to the installation of School road markings and School highway signs from the Streetworks team.

Trees on the front boundary are subject to Orton Road Tree Preservation Order No 174 2003

Dated 18 January 2023

Signed: Angela Jones
Executive Director - Economy and Infrastructure
on behalf of Cumbria County Council.

NOTES

- The local planning authority has worked with the applicant/agent in a positive and proactive manner to seek solutions to any problems that arose in dealing with this application and has implemented the requirements of the [National Planning Policy Framework](#).
- The policies and reasons for the approval of this application are set out within the planning officers' report which can be viewed at: <https://planning.cumbria.gov.uk/Planning/Display/1/22/9007>
- The conditions attached to this permission may override details shown on the application form, accompanying statements and plans.
- Submissions to discharge planning conditions require a fee and any approval given in relation to these shall be issued in writing.

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2. Any grant of planning permission does not entitle developers to obstruct a public right of way. Development, insofar as it affects a right of way, should not be started, and the right of way should be kept open for public use, until the necessary order under Section 247 or 257 of [The Town and Country Planning Act 1990](#), or other appropriate legislation, for the diversion or extinguishment of right of way has been made and confirmed.
3. The attention of the person to whom any permission has been granted is drawn to Sections 7 and 8A of the Chronically Sick and Disabled Persons Act 1970 and to the Code of Practice for Access of the Disabled to Buildings or any prescribed document replacing that code.
4. Any application made to the Local Planning Authority for any consent, agreement or approval required by a condition or limitation attached to a grant of planning permission will be treated as an application under [Article 27](#) of [The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) and must be made in writing. A fee is payable for each submission. A single submission may relate to more than one condition.