

SCHEDULE A: Applications with Recommendation

09/1085

Item No: 05

Date of Committee: 29/01/2010

Appn Ref No:
09/1085

Applicant:
Carlisle College

Parish:
Carlisle

Date of Receipt:
11/12/2009

Agent:
Ryder Architectural Ltd

Ward:
Castle

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

Grid Reference:
340510 556100

Proposal: Demolition Of Blocks B & C Of The Existing College And Erection Of A Replacement (3000 square metres) College Building With Parking For Limited Vehicles On Site (Revised Application)

Amendment:

REPORT

Case Officer: Angus Hutchinson

Reason for Determination by Committee:

This is a major application of local interest.

1. Constraints and Planning Policies

Public Footpath

The proposal relates to development which affects a public footpath.

Flood Risk Zone

Conservation Area

The proposal relates to land or premises situated within the Portland Square/Chatsworth Square Conservation Area.

Local Plan Pol CP5 - Design

Local Plan Pol CP6 - Residential Amenity

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

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

Local Plan CP15 - Access, Mobility and Inclusion

Local Plan Pol CP17 - Planning Out Crime

Local Plan Pol LC8 - Rights of Way

Local Plan Pol LE8 - Archaeology on Other Sites

Local Plan Pol LE10 - Archaeological Field Evaluation

Local Plan Pol LE19 - Conservation Areas

Local Plan Pol LE27- Developed Land in Floodplains

Local Plan Pol LC11- Educational Needs

Local Plan Pol CP16 -Public Trans.Pedestrians & Cyclists

2. Summary of Consultation Responses

Cumbria County Council - (Highway Authority): the application is similar in scale to the one previously consulted on and, apart from the omission of the car parking, will lead to the same increase in student and staffing numbers originally considered. As per the original application the College should be required to make a contribution towards the following:

1) the improvements to the cycle network - in particular the path that runs from Eden Bridge/Bitts Park, along Newark Terrace, Zero Path, Strand Road, on to Lismore Place, across Victoria Place/Warwick Road, Aglionby Street to Fusehill Street and then links to the Petterill Valley Cycle Path;

2) the review of the waiting restrictions in the immediate area - there are already considerable concerns in the neighbourhood about use of on street parking by college/school staff and students. It is proposed to extend the controlled parking zones A & B to include Strand Road and Victoria Place area, with a weekday restriction of 2 hours.

The applicant should therefore be required to partly fund these improvements to the amount of £29750. The level of contribution will be in line with similar contribution sought on developments of the same scale (Richard Rose Central Academy temporary move to NCTC).

The applicant has now produced a Travel Plan to which this office will make comment in due course.

Therefore confirm no objection to this application but would recommend the imposition of six conditions;

Environment Agency (N Area (+ Waste Disp)): the proposed development will only be acceptable if on the basis that the development is carried out in accordance with the approved Flood Risk Assessment;

Community Services - Drainage Engineer: comments awaited;

Cumbria County Council - (Archaeological Services): no wish to make any recommendations or comments;

Ramblers Association: comments awaited;

Cumbria Constabulary, Northern Community Safety Unit: comments awaited;

Access Officer, Development Services: comments awaited;

Northern Gas Networks: UU has no objections to these proposals, however there may be apparatus in the area that may be at risk during construction works and should the application be approved, then we require the promoter of these works to contact us directly to discuss our requirements in detail. Should diversionary works be required these will be fully chargeable;

Development Services Planning & Housing Services - Urban Designer: as you know we have had extensive discussions with the College and its architects over an extended period and through various permutations of this proposal.

Detailing to elevations – The elevations tabled are capable of delivering an attractive building to this site and I am broadly supportive of them. However, I would restate my earlier suggestion that provision of a pediment detail to the top of the building would lend the proposal greater visual weight and provide a ‘full stop’ to the eye as it traverses the elevation. I feel that this would be a useful addition to the scheme.

Landscape – The building is of a somewhat smaller scale than that previously tabled. This is not ideal from a perspective of defining the street with appropriately scaled structures. Nonetheless, the northern elevation of the building does define strand road by pressing hard against it. It is important though to maximise the sense of enclosure that this development opportunity affords and as such the tree planting indicated to all boundaries and within the site should be of specimens that will mature to a significant scale.

Boundary treatments – There is an existing boundary wall to Hartington Street. The application suggests a ‘soft’ boundary to the site but I would invite the applicant to consider a firmer boundary i.e. low wall and railing subdivided by appropriately scaled piers in order to demark the site and discourage casual or accidental trespass. The parking bays, street trees and built frontage provide an adequate enclosure to Strand

Road and Compton Street;

Conservation Officer, Development Services: no objection in principle to the proposal to demolish the existing college buildings located behind the new Victoria Place building and Strand Road in order to construct a new reduced size facility for the college. I do not consider that the proposed scheme will impact upon the Chatsworth Square/Portland Square Conservation Area and would also support the need for good contemporary architecture whether inside or adjacent to a conservation area. My only reservation about this proposal is the facade treatment which, to me, strikes a somewhat discordant note in the context of the building's setting. I am willing, nevertheless, to be reassured of the validity of the approach to the design of the facade and if there are no further objectors to this design, then I am prepared to re-affirm my view, but stand down from the debate;

Environmental Services - Environmental Quality: no objections to the above proposal;

Cumbria County Council - (Highway Authority - Footpaths): the development is opposite the exit point of public right of way 109104. This route should not be damaged or obstructed and public safety should be ensured at all times;

Economic Regeneration: we have been looking into how we can utilise the Section 106 planning application agreements to encourage organisations to commit to additional learning, training and employment outcomes. In the main this will be delivered by the construction companies with support from various partners.

We feel that the development/construction work at Carlisle College could be a favourable pilot, the type of outcomes may include:

- education links with schools / colleges this may include visits etc
- apprenticeship support or placements
- pre- employment training leading to jobs
- training for current employees

We may have some support to help with this pilot and would be delighted if the College felt that this could be something they would like to see happen.

The outcomes would be discussed and agreed with the contractor and could even include placements for some of the students. This type of request is already asked for in many areas and contractors are starting to expect it in contracts.

3. Summary of Representations

Representations Received

Initial:	Consulted:	Reply Type:
36 Victoria Place	21/12/09	
37 Victoria Place	21/12/09	Undelivered
4 Compton Street	21/12/09	Undelivered

5 Compton Street	21/12/09	
6 Compton Street	21/12/09	Undelivered
7 Compton Street	21/12/09	
8 Compton Street	21/12/09	Undelivered
9 Compton Street	21/12/09	
2 Chatsworth Square	21/12/09	
50 Victoria Place	21/12/09	
Christian Science Church	21/12/09	
Central Clinic	21/12/09	
Red Lodge	21/12/09	Objection
Houghton House	21/12/09	Undelivered
1 Strand Road	21/12/09	
2 Strand Road	21/12/09	
Th3 Strand Road	21/12/09	
4 Strand Road	21/12/09	
5 Strand Road	21/12/09	
6 Strand Road	21/12/09	
7 Strand Road	21/12/09	
8 Strand Road	21/12/09	
9 Strand Road	21/12/09	
20 Showfield	21/12/09	
Trinity School	21/12/09	
Hartington House	21/12/09	
38 Victoria Place	21/12/09	
39 Victoria Place	21/12/09	Undelivered
40 Victoria Place	21/12/09	
41 Victoria Place	21/12/09	Undelivered
42 Victoria Place	21/12/09	
43 Victoria Place	21/12/09	Undelivered
44 Victoria Place	21/12/09	
45 Victoria Place	21/12/09	Undelivered
46 Victoria Place	21/12/09	
1 Compton Street	21/12/09	
2 Compton Street	21/12/09	Undelivered
3 Compton Street	21/12/09	

3.1 This application has been advertised by the direct notification of 38 neighbouring properties and the posting of site and press notices. In response, an objector has written 2 letters of concern/objection.

3.2 The letters raise the following issues:

1. Following a meeting with Mr Bob Rose, Director of Buildings at Carlisle College to review the latest plans submitted, we wish to bring the following issues to your attention. Hopefully, issues can be resolved to the satisfaction of Hartington Street residents without the need to pursue our objections.
2. We are concerned that the proposed car-parking and sensory garden areas sited on Hartington Street side of the college, will not be secured out of college hours. If this is the case, then there is a very high possibility this area will be targeted by drink and drug users and groups of youths when the college is closed. i.e. on evenings, weekends and holidays. In discussion with yourself you stated that this issue has also been raised by the police.

3. We would appreciate confirmation that the site will be secure, for example by a high fence and locked entrances. Otherwise we would have to offer a formal objection.
4. The smoking shelters are planned to be sited on the Hartington Street side of the college, opposite residential properties. We insist that these be re-sited to Strand Road or Victoria Place i.e. where there are no residential properties to avoid staff and students congregating near to our homes. Similarly we would object.
5. Could you also confirm that there will be no student entrance/exit (other than the required secured emergency exits) on Hartington Street? Also, student access via the 'motor vehicle/car park gate should be prevented. Could the emergency exits be the type that can not be 'propped open' by staff/student, but locked fire doors?
6. Planting on Hartington Street would enhance the area and reduce noise pollution if trees (similar to those in neighbouring streets) are planted as opposed to low shrubs. These need to be of sufficient height and density to eradicate views from our house; existing planting is inadequate.
7. Similarly, we would object to any increased volume of delivery trucks or bins being located near to our homes, for health and safety reasons.
8. We understand from Bob Rose that Capita are responsible for the management of Hartington Street during building. We wish that barriers etc are located in such a way that it is impossible for us to be blocked into our own driveway as was the case during the last phase of building. This caused untold grief to us and the situation was never resolved to our satisfaction. At times we suffered verbal abuse from some truck drivers and site staff. We refuse to accept this situation this time round. We were concerned from Bob Rose's response, "There wasn't a problem when I visited." Let us assure you there was a big problem for us on almost a daily basis often from 6am until 10am and periodically throughout the day for the whole year of the development. Trucks should not arrive prior to 7am and must not block access to our home at ANY time.

3.3 A further letter identifies:

1. During college hours whilst on refreshment breaks and during lecture times (smoke breaks) there are large groups hanging around smoking, dropping litter and obstructing the pavement on both sides of the road often accompanied by their lecturer. This has reduced our privacy considerably and makes our young family feel threatened. Had we have know this would be a result we would have objected strongly about moving the motor vehicle workshop from Strand Road at the time.
2. Despite numerous complaints including several to the Police, the situation continues on a daily basis. The solution is simple. With proper access management solutions (i.e. allowing essential access only) which we have proposed many times, the problem would disappear overnight with no

detrimental affect on the college. We again require that consideration be given with phase two of the building development so that a solution acceptable to all parties can be agreed.

- 3.4 The residents of Hartington House have submitted correspondence a copy of which is attached.

4. Planning History

- 4.1 The site has a relatively extensive history. As a way of summarising the situation the most significant decisions comprise the following.
- 4.2 In 1949, under application number TP16, planning permission was given for the erection of a Technical College.
- 4.3 In 1971, application number C89, permission was given for extensions to the College.
- 4.4 In 1977, application number 77/0895, permission was given for the formation of a connecting corridor.
- 4.5 In 1983, application number 83/0319, permission was given for a projecting canopy along Victoria Place.
- 4.6 In 1991, 1996 and 1999, application numbers 91/0635, 96/0083, 96/0363 and 99/0863, has subsequently been granted for a series of additional extensions.
- 4.7 In 2004, under application numbers 04/0520 and 04/0521 planning permission and Conservation Area Consent were given for the redevelopment of the entire campus ("phases 1-5").
- 4.8 In 2005, application 05/0838, planning permission was given amended details to the scheme approved under 04/0520 including creation of a smoking platform, modified Victoria Road entrance, enclosure of bin storage area, re-siting of pedal/motorcycle storage, re-location of boiler, re-positioning of workshop doors, and, modification to the emergency escape stairs and doors.
- 4.9 In 2008, application 08/0904, planning permission was given to demolish Blocks B, C and D and erection of a replacement building with parking for 125 cars.

5. Details of Proposal/Officer Appraisal

Introduction

- 5.1 Carlisle College campus comprises five property holdings namely:

1) the main collection of buildings contained by Victoria Place, Compton

Street, Hartington Street and Strand Road;

- 2) the buildings located on the northern side of Strand Road linked by an overhead walkway;
- 3) Chatsworth House located at the corner of Victoria Place and Chatsworth Square;
- 4) St Paul's Church Hall at the junction of Strand Road and Compton Street; and,
- 5) Swifts Mews bounded by Georgian Way and Strand Road.

5.2 This application relates to those elements which front onto Compton Street, Hartington Street and Strand Road and for the purposes of this application have been annotated buildings "A", "B", "C" and "D". Building A is the recently constructed four storey block which fronts onto Victoria Place and houses engineering, science, general teaching areas. Building B is sandwiched between buildings A and C and is a five storey block which provides accommodation for catering, IT, management and administration. Building C consists of a single storey element fronting the southern side of Strand Road and an attached three storey block which originally housed engineering, car maintenance, electronics and plumbing. On the opposite side of Strand Road there is building D which has single and four storey elements that provide accommodation for construction, the refectory and temporary administration functions.

5.3 Carlisle College campus is set within the context of Trinity School and two former semi-detached houses on the northern side of Strand Road which are used as classrooms; the terraced residential properties on the western side of Strand Road; the Central Clinic and two houses on the eastern side of Hartington Street; and, the terraced houses on the southern side of Strand Road. The site slopes from south to north and west to east.

5.4 A public footpath (Zero Path) runs along the western side of building D leading to Dukes Road and the Sands Centre. Building A fronting Victoria Place is within the Chatsworth Square Conservation Area. There are grade II Listed Buildings at 1 Compton Street, 36 - 46 Victoria Place, 22 and 23 Chatsworth Square, and the railings/walls and gates of Chatsworth Square gardens.

Background

5.5 A space-needs assessment was undertaken by the College in 2003 which identified that the gross internal area of the College was 22,699 square metres but on the basis of 2002/03 course provision the maximum area actually required was 9,886 square metres. A study of the College's future prospects concluded that by 2007/08 the "Guided Learning Hours" would have recovered from 817,410 in 2002/03 to 973,488. As a result it was determined that the most economic approach was to demolish all but 5,385 square metres of the current campus and then to re-build an area amounting

to 6,067 square metres i.e. a total floor space of 11,452 square metres. In June 2004, under application 04/0520, planning permission was given to redevelop the entire campus with a revised scheme, application 05/0838, approved in 2005.

- 5.6 In 2005 the College commenced the implementation of the schemes approved under 04/0520 and 05/0838 by the demolition and replacement of building A which now has 5,326 sqm of floor space. In May 2007 a further feasibility study concluded that the College could be redeveloped in a phased manner but based on a different scheme to that already given permission in order to better meet the aspirations of the Learning and Skills Council. In December 2008, under application 08/0904, planning permission was given for the demolition of blocks B, C and D, and the erection of a replacement building of 9715 sq. metres with parking for 125 spaces.
- 5.7 The current application shows the demolition of the existing buildings B and C, the erection of a replacement building of 3000 sq. metres, a car park with additional spaces along Strand Road capable of accommodating a total of 40 cars, a campus garden, two smoking shelters and a new substation off Hartington Street, and covered bicycle shelter. The existing gross floor space of the College is 21,481 sq. metres and the buildings to be demolished amount to 11,000 sq. metres. In effect the current proposal would lead to a loss in overall floor space of approximately 7,500 - 8,000 sq. metres. Following the completion of the proposed development, the College anticipates that staff numbers, students in higher education and those studying on a part time basis per day will remain at the current levels - respectively 200; 200; and 4,000. However, the College is expecting an increase in students aged 14-16 (from local schools) from 500 to 1,000; and 16-19+ from 1,200 to 1,800.
- 5.8 The submitted plans show the provision of a main entrance fronting Compton Street with secondary/emergency means of pedestrian access facing Hartington Street. The Compton Street elevation consists of an angled two storey brick element, projecting entrance canopy, and a glazed atrium. The proposed building continues around and along Strand Road with asymmetric full height glazing on the ground and first floors, and the recladding of the existing bridge link to building D. The Hartington Street elevation consists of the gable end of the new block and the recessed glazed atrium looking onto a campus garden. The glazed atrium providing a link to Block A.
- 5.9 Documents accompanying the application include a Flood Risk Assessment, Transport Assessment, Travel Plan, Archaeological Assessment, Environmental Strategy, a Context Assessment, and Design and Access Statement.
- 5.10 The submitted Flood Risk Assessment concludes that the application site is situated in Flood Zones 1 and 2 classifying the site as being at low to medium vulnerability to flood risk from the River Eden - the College itself did not suffer from the January 2005 flood event. As the redevelopment is to be constructed over the existing site, the impermeable areas should not be increased by the proposed development. The Assessment concludes that

soakways are not possible and therefore recommends that surface water should be discharged into the existing UU public combined sewage system; run off from the site should be attenuated; flood resilient construction measures should be utilised within the redevelopment area; a 30% increase in flows should be allowed within site attenuation design; and, the entire College should be logged onto the areas flood warning systems.

5.11 From the submitted Transport Assessment the following five points need to be highlighted.

1) The area is accessible to non-car modes of travel and benefits from high levels of access to/from public transport, walking routes and cycling routes/facilities.

2) Each element of the Learning Village will have multiple access points for pedestrians and cyclists and that parking provision accords with Cumbria Country Council's parking standards.

3) There are no clear accident trends/patterns either in type, casual factors or age groups. Development proposals should not detrimentally affect road safety.

4) The addition of development traffic to the network is predicted to result in satisfactory levels of operation at all junctions included in the assessment.

5) The Hartington Street/Victoria Place is predicted to experience capacity problems in 2022 with the Learning Village traffic included however, this junction would be over capacity even if the Learning Village were not developed.

5.12 The Archaeological Assessment, only refers to building D.

5.13 The submitted Context Assessment has been prepared in association with the Design and Access Statement. The aforementioned Statement explains that the curriculum activities provided in the proposed accommodation include a catering kitchen and training restaurant, a secondary refectory/student hub, a 14-19 welcome space within the hub, a student shop, student services, hair and beauty salons, an LLD facility to support students with learning difficulties and limited life skills, and general teaching accommodation. The Statement states that the scale and mass of the new build firectly responds to to neighbouring properties; has a verticality that replicates the rhythm and scale of the domestic properties; the range of external spaces (plaza off Compton Street, the Strand Road frontage, and on Hartington Street), the mass of the building has is vastly reduced to that previously given permission; the Strand Road elevation provides a light and active street frontage; the new buildings have been designed to meet the needs of a 21st century college suitable in scale, materials, and creates a sense of place within an existing environment; the new building aims to achieve a BREEAM Very Good rating; a waste management plan will be implemented by the appointed contractor; service access is via Hartington Street with the proposed car parking to include space for the recycling bins and skips (the area is screened by fencing); the guidance of Approved Document Part M of the Building Regulations will be adopted.

Assessment

- 5.15 In considering this application based upon the policies of the Development Plan, and in the context of the permission granted under 08/0904, the main issues are:
- i) Whether the proposal either preserves or enhances the character of the Chatsworth Square Conservation Area, the setting of any listed buildings and character of the area within the immediate vicinity;
 - ii) Whether the proposal would be detrimental to the living conditions of neighbouring residents including secure by design;
 - iii) Whether the proposal, during and following construction, will lead to congestion and/or exacerbate the situation to the detriment of highway safety and the flow of traffic;
 - iv) Whether the proposal complies with the underlying objectives of Policy CP16 of the Local Plan; and
 - v) Whether the application adequately takes account of any issues associated with air quality and flooding.
- 5.16 In relation to i) the relevant Government guidance is contained in PPS1 "Delivering Sustainable Development" (2005) and PPG15 "Planning and the Historic Environment" (1994).
- 5.17 Paragraphs 33 to 39 of PPS1 set out national guidance on design matters. Paragraph 33 states, unequivocally; Good design is indivisible from good planning with the corollary being that bad design is bad planning." Subsequently, paragraph 34 states planning authorities should plan positively for the achievement of high quality and inclusive design. Further it sets out that Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions should not be accepted. High quality and inclusive design is defined as ensuring a place will function well and add to the overall character and quality of the area, not just for the short term but over the lifetime of the development (paragraph 35). Planning authorities are advised to prepare robust policies on design but, as a check, these should not avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, massing, height, landscape, layout and access of new development in relation to neighbouring buildings and the local area more generally, (paragraph 36). Local planning authorities are urged not to impose architectural styles or particular tastes or stifle innovation through unsubstantiated requirements to conform to certain development forms or styles. Lastly, it sets out the governments position on local distinctiveness stating it is proper to seek to promote or reinforce locally distinctiveness where this is supported by clear policies or supplementary documents on design, (paragraph 38).
- 5.18 Under PPG15 design proposals that involve listed buildings, their settings or are to take place within conservation areas will be subject to a greater degree

of scrutiny than in most other circumstances. Very careful consideration is needed in the design of new buildings that are to stand alongside historic buildings, (paragraph 2.14), but this can be done without slavishly copying the historic buildings. Of greater importance is that the fundamental architectural principles of scale, height, massing and alignment and the use of appropriate materials are followed. It notes that some of the most interesting streets have many varieties of building and materials but, together, form a harmonious group. Reference is made to the statutory tests to be applied to development relating to listed buildings and their settings is set out in sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. These require planning authorities to have regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Similar statutory tests relating to conservation areas, that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area, set out in section 72 of the Act, are referred to in the PPG.

- 5.19 In relation to the current proposal, it is appreciated that what is considered to constitute an acceptable design can be a subjective matter.
- 5.20 The application site is characterised as being within a transitional area of differing uses and building scales. It is evident that the buildings proposed to be demolished are undistinguished and outdated. The extent of the site to be redeveloped, does not immediately front either the Chatsworth Square Conservation Area or a Listed Building. On this basis it is considered that the proposal will not have a damaging effect either on the setting of any Listed Building or the Conservation Area.
- 5.21 When looking at the design of the proposal and how it sits in relation to and affects its surroundings (as opposed to its detailed design), it is considered that the height, bulk and massing are similar to the existing buildings. In effect, it is considered that the proposal will not be incongruous or out of keeping in this context. This view is supported by the Council's Urban Design Officer.
- 5.22 When assessing the impact of the proposal on the living conditions of neighbouring residents, this has to be made in the light of the existing level and nature of use of the College. As such, the principle issues are considered to relate to whether the proposal is overbearing, leads to additional problems associated with losses in light or privacy, create additional harm in terms of the environment (pollution, noise and disturbance) and creating an unsecure environment.
- 5.23 Based on the submitted plans it is evident that the current proposal involves structures of a reduced height that have been taken further away from the dwellings on Hartington Street. In response to the comments of neighbouring residents, the College has stated that:

1) the planned car park for 27 spaces will have a delineation boundary but at the moment no security fence is planned. This is open for discussion with the Council. The schools car parks surrounding the area have delineation

boundaries and not security fences and as far as they are aware do not attract antisocial activities. The vehicle entrance to the College grounds, motor vehicle workshops and proposed car park on the Hartington side currently has a lockable gate.

2) Two smoking shelters are planned for Hartington side of the College estate to provide for staff and students on that side of the building but the submitted proposed landscaping trees and shrubs for the purpose of screening for Hartington Street neighbours.

3) Also plan to erect two more smoking shelters behind building D once the temporary portakabins are removed. This, it is alleged, will address the problem of smokers spilling out onto the public pavements and roads, which has been raised previously as a concern.

4) The College is unable to designate the Hartington Street a no student/staff access area for the following reasons:

- The motor vehicle workshop has its own car park for vehicles the students and teachers use for teaching and learning; the cars are driven into and out of the workshop through special roller doors which have personnel access doors into the vehicle yard.
- The motorcycle and bicycle lockup area is located in this area and students and staff will access this area to retrieve their bikes.

This area is not an entrance for all to use but, as described above appropriate staff and student activity will take place creating some pedestrian traffic.

5) There will not be an increase in delivery trucks following completion of the new build.

6) When tenders are considered for the building contractor one of the conditions the College insist is that the contractor is a member of the 'Considerate Contractors or Constructors Scheme' which has many rules and standards applied to it members for example they must be Caring, Clean, Considerate and Cooperative to the client and its neighbours.

5.24 In the case of iii) and iv) the Highways Authority have not raised any objections subject to the imposition of relevant conditions and the payment of a commuted sum covering improvements to the local cycle network and extending controlled parking zones.

5.25 Finally, for items v) and vi) Environmental Services and the Environment Agency have not raised any objections.

Conclusion

5.26 When considering this proposal it is necessary to weigh any harm created against the benefits. There is an acknowledged difference in opinion over the

impact on the living conditions of neighbouring residents. However, the majority of the concerns appear to stem from issues associated with the existing operation of the College as opposed to the current proposal. At the time of preparing the report, the comments of Cumbria Constabulary are, however, awaited. The advantages of the development lie in the replacement of outdated educational buildings with new fit for purpose, state of the art facilities that will provide wider social, educational and economic benefits to the wider community of Carlisle. The proposal can also be seen within the context of the on-going developments at the Richard Rose Academies and Trinity School.

- 5.27 In overall terms it is considered that the advantages outweigh the disadvantages and the proposal is recommended for approval subject to the awaited comments of interested parties, the imposition of relevant conditions and the completion of a Section 106 Agreement concerning the payment of a commuted sum to the Highways Authority.

6. Human Rights Act 1998

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

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

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

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

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

- 6.3 It is recognised that the proposal would have some impact on the homes, family life and peaceful enjoyment of possessions by a number of local residents. However these effects must be balanced against the rights and freedoms of others in the community. It is considered that if the development goes ahead its effect would be neither disproportionate nor unbalanced and, therefore, determine that no violation of any persons' human rights would take place.

7. Recommendation - Grant Permission

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

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

2. The development permitted by this planning permission shall not be initiated by the undertaking of a material operation as defined in section 56(4)(a)-(d) of the Town and Country Planning Act 1990 in relation to the development until a planning obligation pursuant to s.106 of the said Act relating to the land has been made and lodged with the Local Planning Authority and the Local Planning Authority has notified the persons submitting the same that it is to the Local Planning Authority's approval. The said planning obligation will provide for the payment of a commuted sum of £29750 by the applicant as a contribution towards improvements to the cycle network in the immediate vicinity, the upgrade of the current pedestrian facilities (across Victoria Place), and to enable a review to take place of the local waiting restrictions in operation.

Reason: In accordance with Policy CP16 of the Carlisle District Local Plan 2001-2016.

3. Not to commence demolition and site clearance until a construction management plan ("the plan") specifying the route of vehicles to/from the site, measures for construction traffic accessing the site, and hours of operation have been submitted to and approved in writing by the Local Planning Authority. Construction traffic shall only follow the approved route(s), and enter and leave the site via accesses and at times of the day as contained in the agreed construction management plan.

Reason: To safeguard the amenity of neighbouring residents and in the interests of highway safety in accordance with Local Transport Plan Policies S3 and LD9.

4. The measures identified in the Travel Plan shall be implemented by the applicant within 12 months of the development (or any part thereof) commencing use. An annual report reviewing the effectiveness of the Travel Plan, including any necessary amendments or measures shall be subsequently prepared by the applicant/occupier and submitted to the LPA for approval and thereafter implemented.

Reason: To aid in the delivery of sustainable transport objectives in accordance with the underlying objectives of Policy CP16 of the Carlisle District Local Plan 2001-2016.

5. Not to commence development (outside of demolition and site clearance) until details have been submitted to and approved in writing by the Local Planning Authority of the proposed alterations to the link bridge, substation, smoking shelters, and details showing the extent that the fenestration is to be set back from the external face of any wall.

Reason: In accordance with Policies CP5 and CP6 of the Carlisle District Local Plan 2001-2016.

6. Not to commence demolition or site clearance until a plan has been submitted to and approved in writing by the Local Planning Authority reserving adequate land for the parking of vehicles engaged in construction operations associated with the development hereby approved, and that land, including vehicular access thereto, shall be used for or be kept available for these purposes at all times until completion of the construction works.

Reason: The carrying out of this development without the provision of these facilities during the construction works is likely to lead to inconvenience and danger to road users and to support Local Transport Plan Policies S3 and LD9.

7. The parking areas shall be constructed and drained in accordance with plans to be submitted to and approved in writing beforehand by the Local Planning Authority and shall not be used except for the parking of vehicles in connection with the development hereby approved.

Reason: To ensure the proposed off-street parking is provided in accord with Policy T1 of the Carlisle District Local Plan 2001-2016.

8. Ramps shall be provided on each side of every road junction to enable wheelchairs, prams and invalid carriages to be safely manoeuvred at kerb lines. Details of all such ramps shall be submitted to the Local Planning Authority for approval before development commences (outside of demolition and site clearance). Any details so approved shall be constructed as part of the development.

Reason: To ensure that pedestrians and people with impaired mobility can negotiate road junctions in relative safety and to support Local Transport Plan Policies LD12 and LD7 and Structure Plan Policy L49.

9. Efficient means shall be installed for cleaning all vehicles leaving the site (with the exception of public cars), maintained for the life of operations (inclusive of demolition, site clearance and construction) and used to ensure that no slurry, mud or other material from the site is deposited upon the public highway. Adequate drains shall be installed to ensure that water from any wheel wash does not flow onto the public highway.

Reason: To avoid danger and inconvenience to road users.

10. The operator shall maintain on site during operations (inclusive of demolition, site clearance and construction) a water bowser or other dust suppression system and during periods of dry weather shall spray the haul roads working areas, plant area and stock piling areas with water to satisfactorily suppress dust in order that it does not constitute a nuisance outside the site.

Reason: To prevent disturbance: nearby occupants.

11. Samples or full details of all materials to be used on the exterior shall be submitted to and approved in writing by the local planning authority before any work (outside of demolition and site clearance) is commenced.

Reason: To ensure the works safeguard the character of the area in compliance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

12. Details shall be submitted of the proposed hard surface finishes to all public and private external areas within the proposed scheme and approved by the Local Planning Authority before any site works commence (outside of demolition and site clearance), and the approved scheme shall be implemented in accordance with a phasing scheme for the works hereby approved.

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

13. Notwithstanding the submitted details, no development (outside of demolition and site clearance) shall take place until details of a landscaping scheme has been submitted to and approved by the Local Planning Authority.

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

14. All works comprised in the approved details of landscaping shall be carried out by not later than the end of the planting and seeding season following the commencement of use of the hereby permitted development.

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

15. Trees, hedges and plants shown in the landscaping scheme to be retained or planted which, during the development works or a period of five years thereafter, are removed without prior written consent from the Local Planning Authority, or die, become diseased or are damaged, shall be replaced in the first available planting season with others of such species and size as the authority may specify.

Reason: To ensure as far as possible that the landscaping scheme is fully effective in accord with Policy CP3 of the Carlisle District Local Plan 2001-2016.

16. Prior to the commencement of development (outside of demolition and site clearance) there shall be submitted to and approved in writing by the Local Planning Authority details of the proposed security measures with particular

regard to the means of enclosure/boundary treatment (inclusive of the proposed car park), lighting, cycle parking and CCTV. All of the aforementioned security measures for the development hereby permitted shall be carried out prior to the commencement of use of the development hereby permitted.

Reason: In order to ensure that the development complies with Policy CP16 of the Carlisle District Local Plan 2001-2016.

17. The development hereby permitted shall only be carried out in accordance with the approved Flood Risk Assessment (FRA), dated July 2008 and referenced A043955, produced by White Young Green and the following mitigation measures detailed within the FRA:

- Limit the surface water run-off generated by 1:100 year (1% annual probability of occurrence) critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site; and
- Incorporate all the flood resilient construction measures as detailed in the conclusion of the FRA.

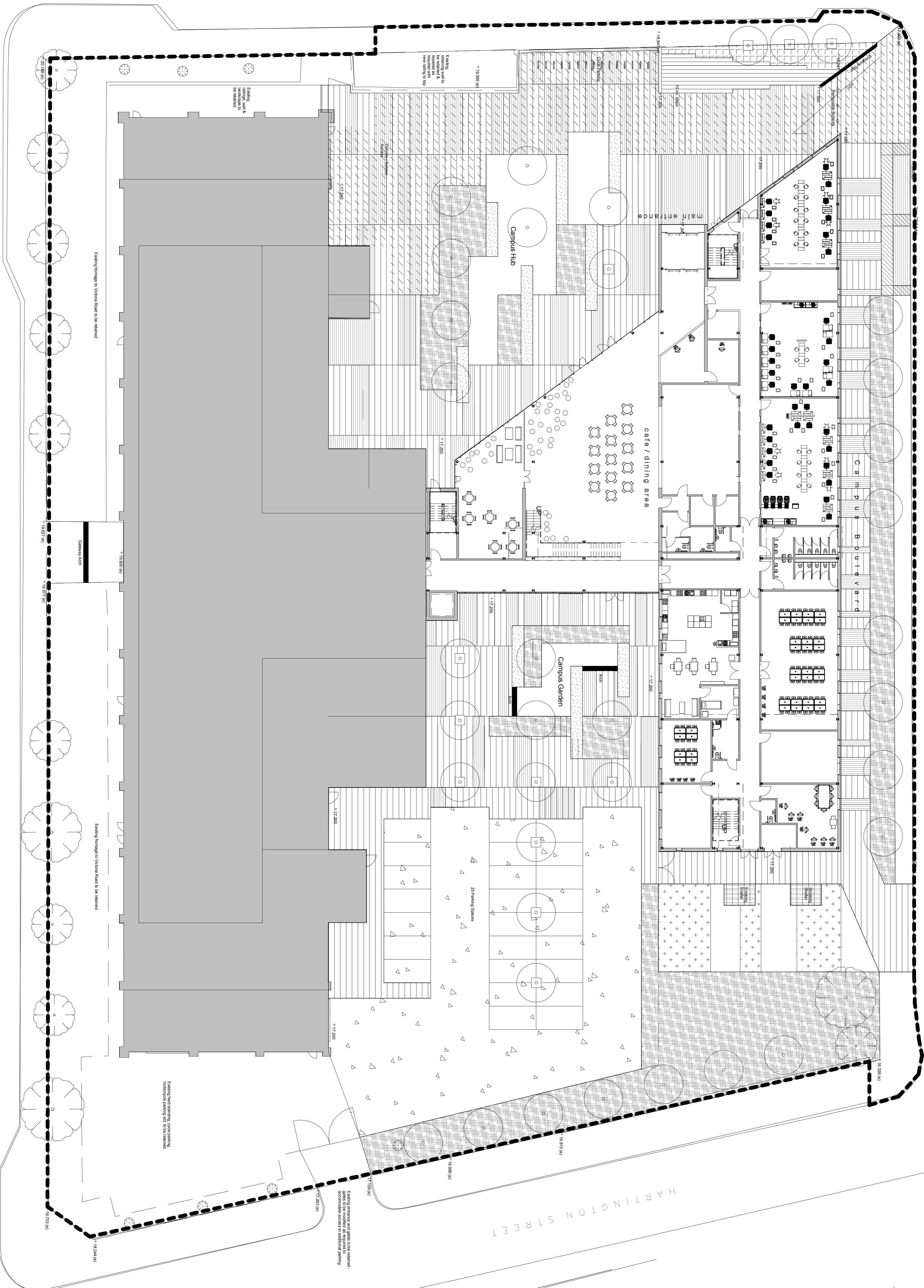
Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to reduce the impact of flooding on the proposed development and future users.

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- Site Boundary
- - - - - Adjoining Land owned by the College
- █ Existing Block A retained
- █ Proposed New Build



Revision	Date	Checked by
01	08/12/09	MHA
Author		
Sullivan		
PLANNING		
Project		
Carle College		
Redevelopment		
Drawing		
Location Plan		
Project No.	Drawing No.	
2231	200-10	
Scale 1:1	Drawn by	
1 : 500	MHA	

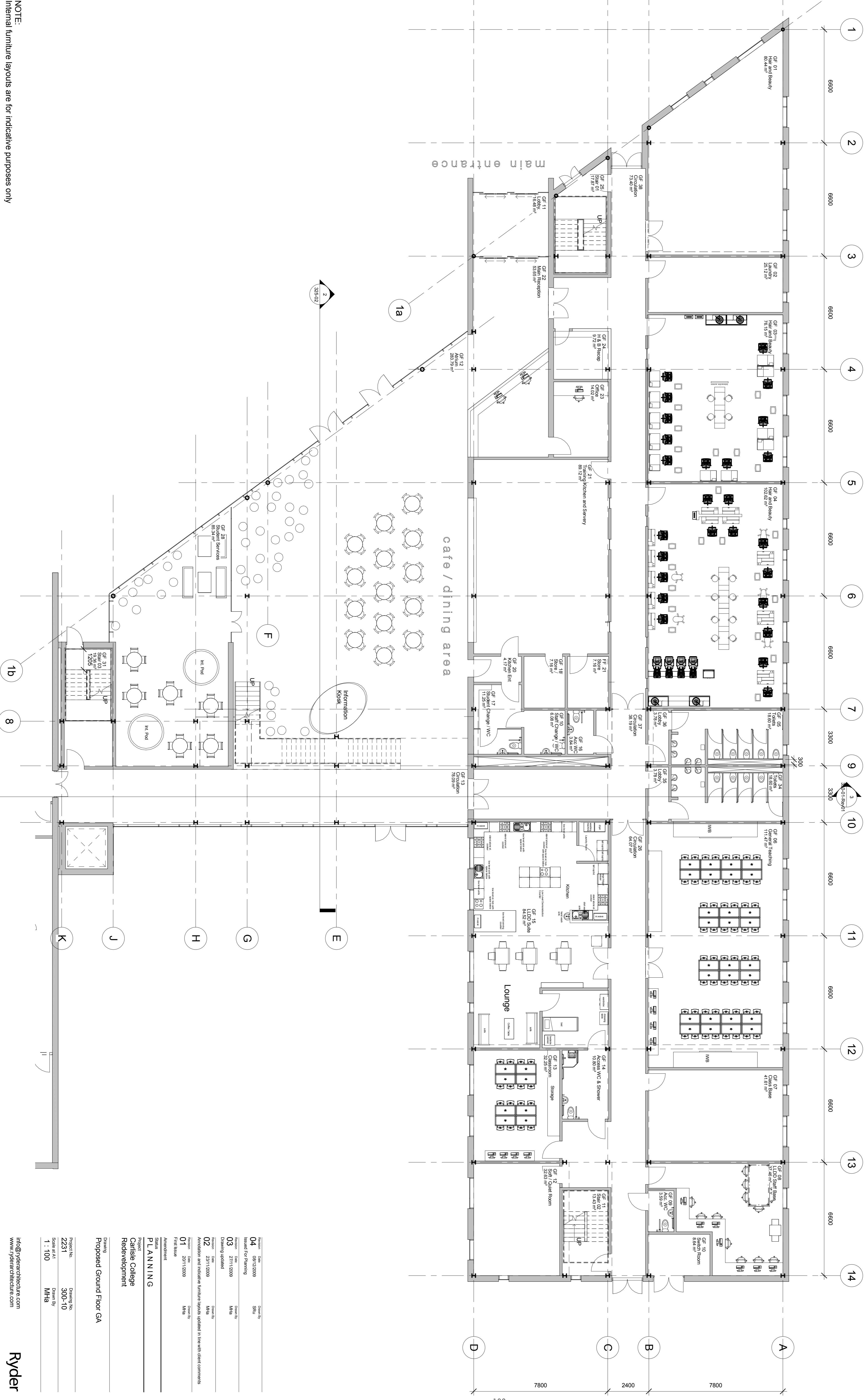


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Revision	Date	Drawn by
02	08/12/2019	MHB
Landscaping revised		
01	20/11/2019	MHB
Final Issue		
Amendment		
PLANNING		
Project: Carle College Redevelopment		
Status: Proposed Site Plan		
Drawing		
Project: Carle College Redevelopment		
Drawing No: 2231		
Scale: 1:200		
Drawn by: MHB		

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Revision	Date	Checked by
04	08/12/2019	SRU
Issued For Planning		
03	27/11/2019	MNB
Drawing updated		
02	23/11/2019	MNB
Attribution and indicate furniture layouts updated in line with client comments		
01	20/11/2019	MNB
Final Issue		
Amendment		

PLANNING

Project: **Proposed Ground Floor GA**

Client: **Carlisle College Redevelopment**

Drawn: **MNB**

Checked: **MNB**

Scale: **1:100**

Project No: **2231**

Drawing No: **300-10**

Scale: **A4**

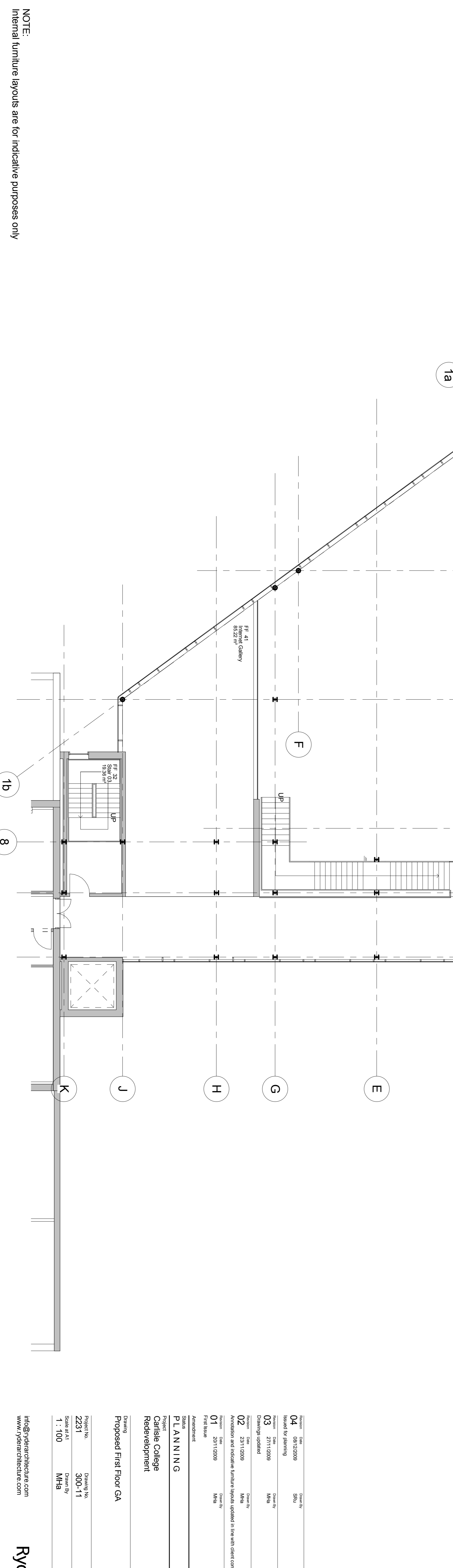
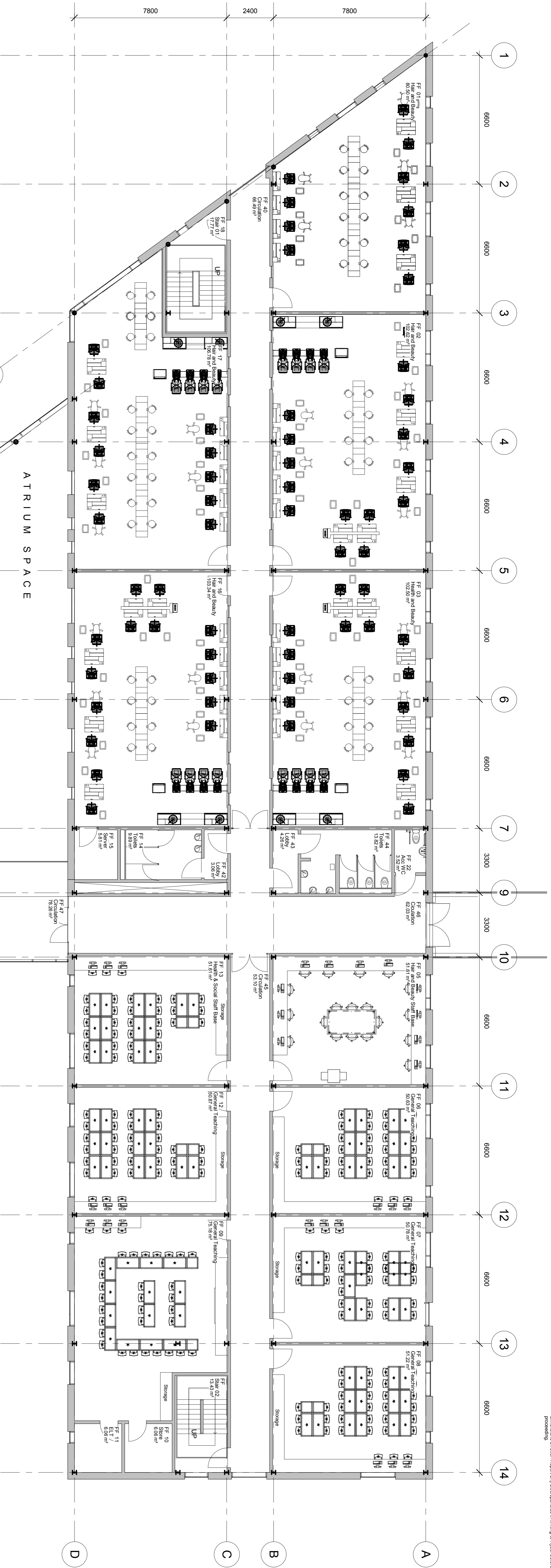
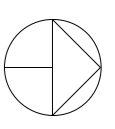
Drawn By: **MNB**

NOTE:
Internal furniture layouts are for indicative purposes only

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NOTE:
Internal furniture layouts are for indicative purposes only

Revision	Date	Checked by
04	08/12/2019	SRU
Issued for Planning		
03	27/11/2019	MNB
Drawings updated		
02	23/11/2019	MNB
Annotation and indicate furniture layout updated in line with client comments		
01	20/11/2019	MNB
Final Issue		
Amendment		

PLANNING

Project: **Proposed First Floor GA**

Client: **Carlisle College Redevelopment**

Drawn by: **MNB**

Checked by: **MNB**

Project No: **2231**

Drawing No: **300-11**

Scale of A4: **1:100**

Drawn by: **MNB**

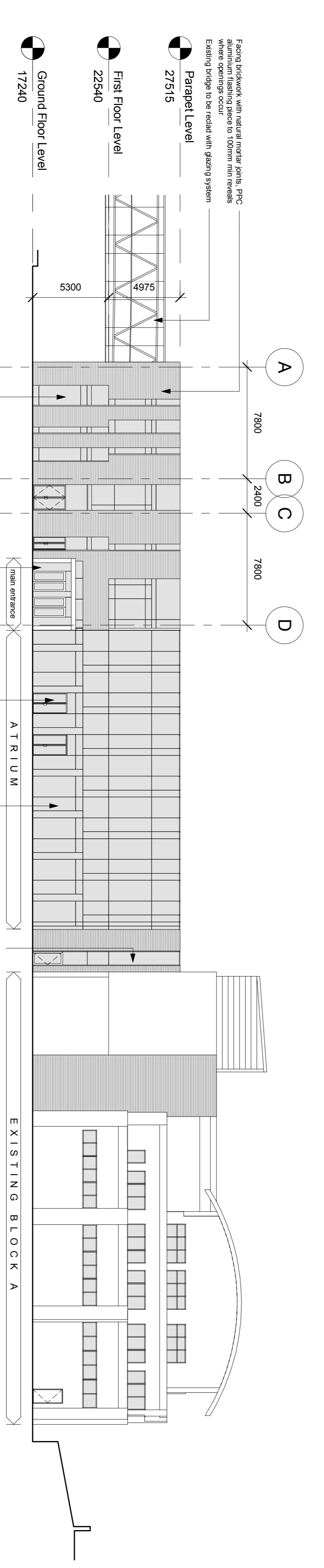
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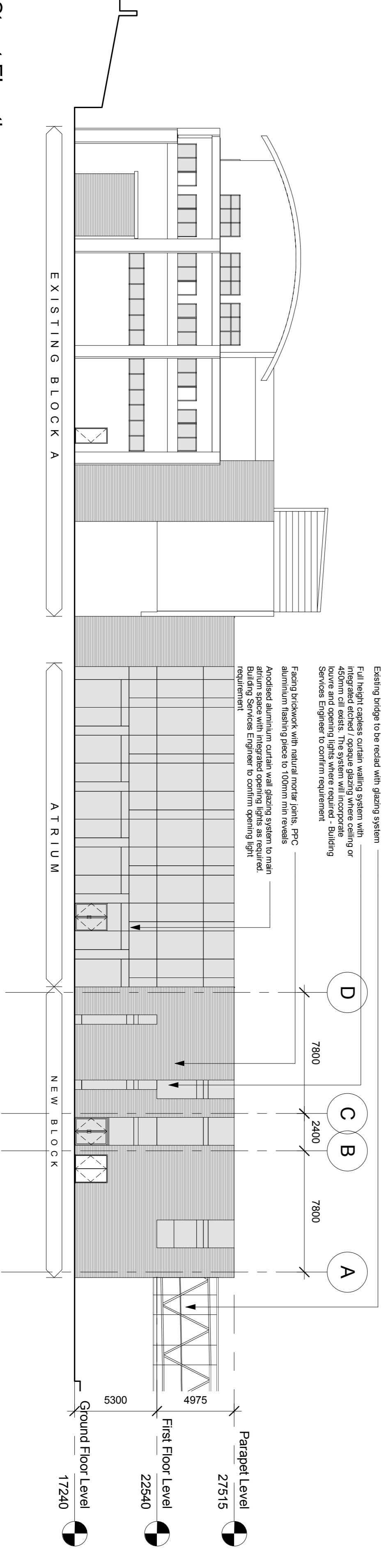
Victoria Place Elevation



Strand Road Elevation



Compton Street Elevation



Hartington Street Elevation

Revisions

02	10/12/2020	MDA	
01	20/11/2020	MDA	

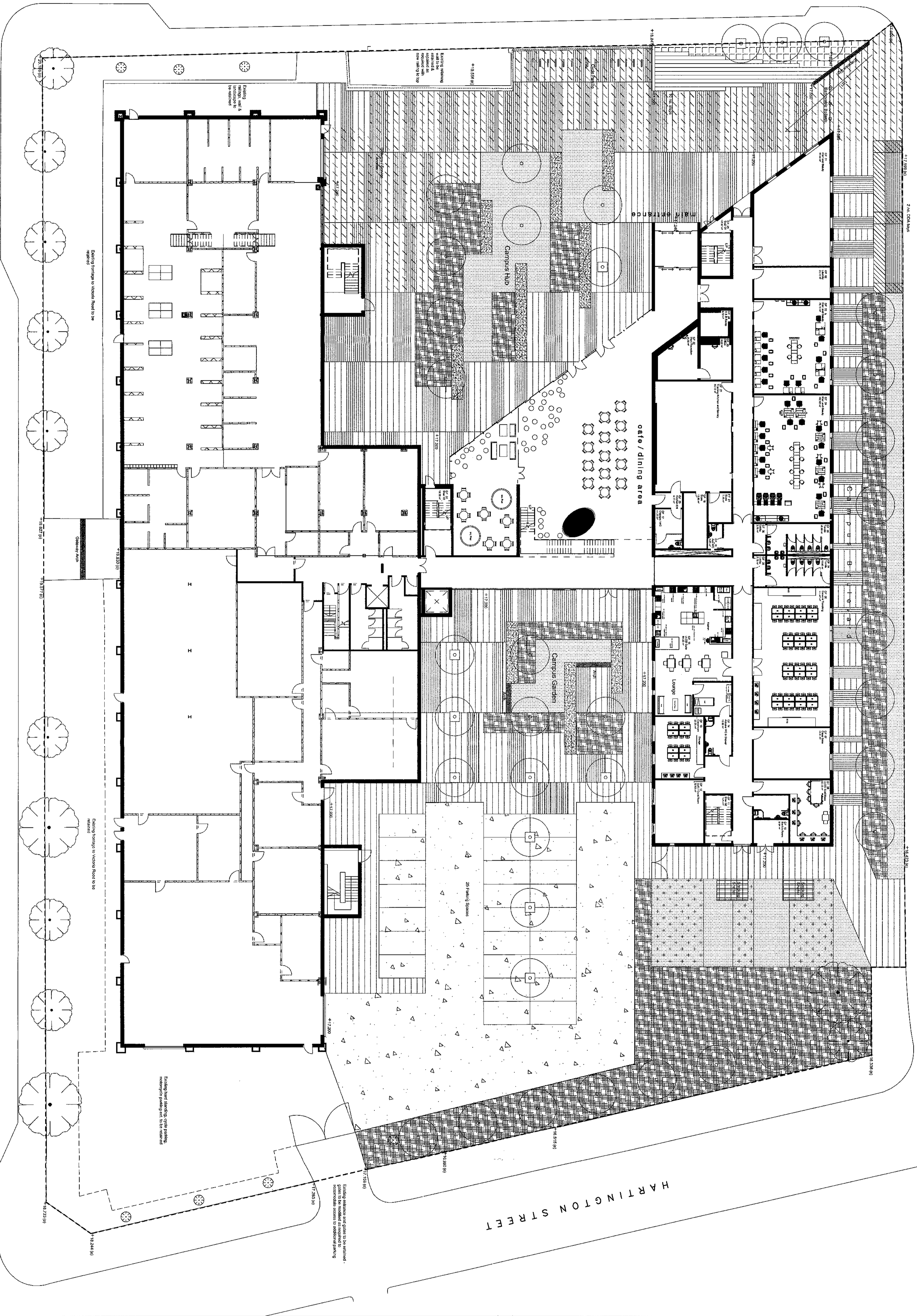
Status: PLANNING
Project: Carlisle College Redevelopment
Drawing: GA Elevations
Sheet: 1

Project No: 2231
Drawing No: 330-02-Rev02
Scale: As Indicated
Drawn By: MHA
As Indicated: MHA

info@ryderarchitecture.com
www.ryderarchitecture.com

Ryder

STRAND PLACE

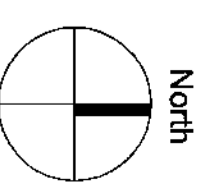


VICTORIA PLACE

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KEY

	Site Boundary
	Existing trees to be retained
	Proposed trees (height greater than 10m) from planting, 15-20m tall, with 4-20m height
	Gravelled area, total width 100mm
	Stone paving, total width 100mm
	Date planting: 1: planted area
	Concrete flag paving, 400 x 400 x 60mm, 'Name' added
	Concrete slab, 300 x 300 x 60mm, colour to show with age
	Translucent (paved) and Porcelain (tiles)
	Vehicle access steps for delivery access on Compton Street
	Paving at top of steps to retain level
	Cast in situ reinforced concrete paving steps
	Cast concrete stone
	Acoustic Glazing Wall
	Proposed steps to Compton Street and/or Park
	Existing ramp to Hartington Street
	Open Parking
	Existing post hole
	Proposed post hole to support proposed canopy

Note: Areas of existing and proposed landscaping to be retained or removed. Any areas to be removed will be indicated in red on the site plan. Areas to be removed will be indicated in red on the site plan.

04	Boulevard amended. Added smoking shelters and benches	08/12/2009	JW	EJ
03	Minor changes to interior layout of Commons Hub	27/11/2009	JW	EJ
02	Minor amendments to Building layout and Commons Garden	26/11/2009	JW	EJ
01	Initial Issue	25/11/2009	JW	EJ
Rev. Amendments		Date	DR	CHK

Client:
Canis College
Landscape Masterplan

Project no:
711

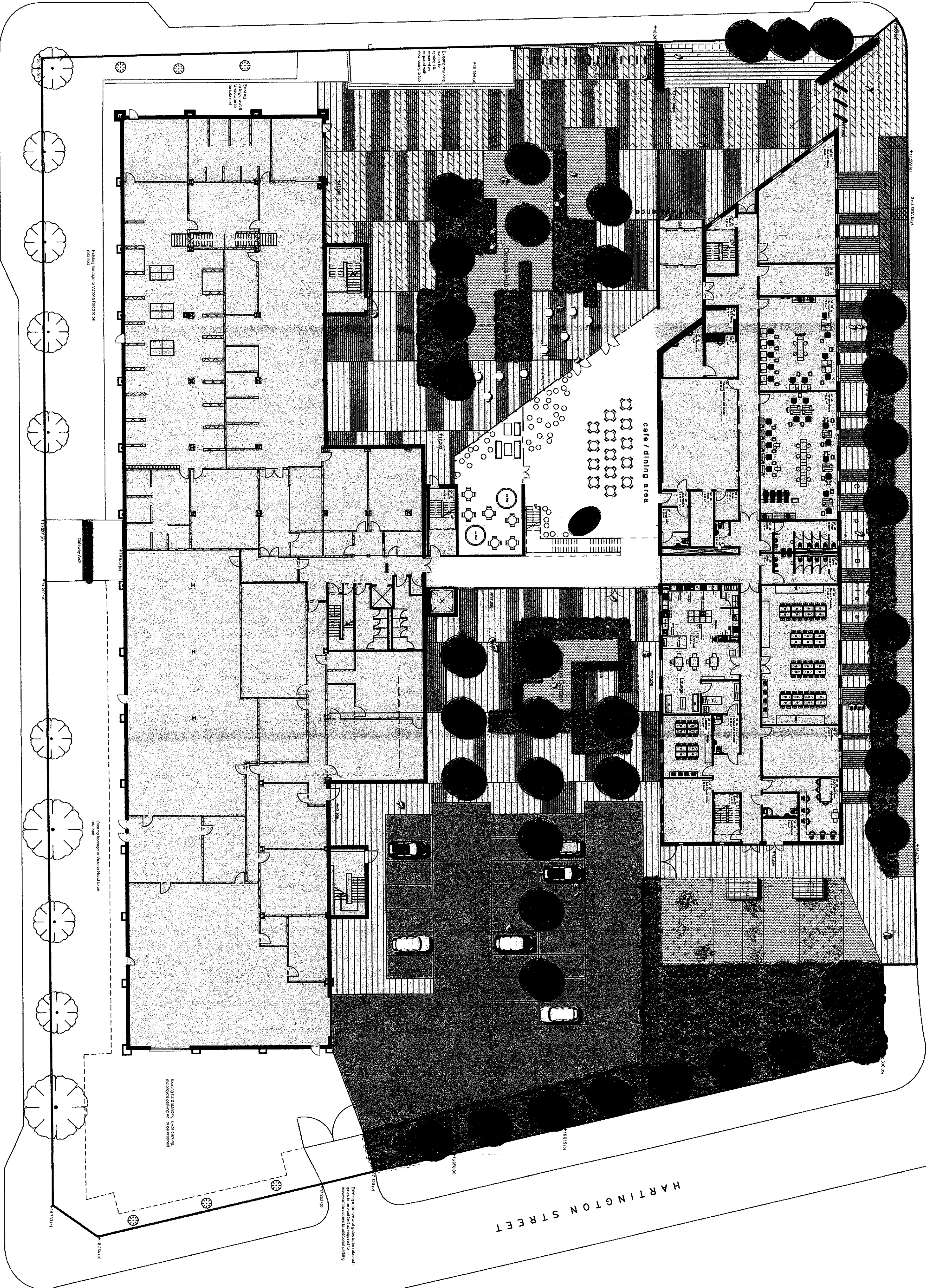
Scale at A1:
1:200

Drawn by:
JW

Checked by:
EJ

For Information

colour: urban design limited
milton house | dean street | newcastle-upon-tyne | NE1 1LE
t: 0191 24 24 224 | f: 0191 24 22 442 | w: colourad.com



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KEY

	Site Boundary
	Proposed New Landscaping
	Existing Site Landscaping
	Proposed New Building
	Existing Building
	Proposed New Parking
	Existing Parking
	Proposed New Driveway
	Existing Driveway
	Proposed New Fencing
	Existing Fencing
	Proposed New Walls
	Existing Walls
	Proposed New Gates
	Existing Gates
	Proposed New Paths
	Existing Paths
	Proposed New Drains
	Existing Drains
	Proposed New Services
	Existing Services
	Proposed New Foundations
	Existing Foundations
	Proposed New Foundations
	Existing Foundations

04	Revised amended	08/12/2009	JW	EJ
03	Minor changes to interior layout of building	27/11/2009	JW	EJ
02	Minor amendments to building layout and Campus Garden	26/11/2009	JW	EJ
01	Initial issue	25/11/2009	JW	EJ
Rev	Amendments	Date	DR	CHK

Client: Carlisle College
Project: Landscape Masterplan
Scale: 1:200
Date: 04

For Information:
colour: urban design limited
 millium house - dean street - newcastle-upon-tyne - NE1 1LE
 t: 0191 26 24 24 f: 0191 26 22 24 w: coloururban.com