

Committee Minutes

Control of Development and Advertisements

The Development Control Committee received and considered the following applications:

Item no: 01

Appn Ref No:
06/1016

Applicant:
Angela Graham

Parish:
Brampton

Date of Receipt:
16/08/2006

Agent:

Ward:
Brampton

Location:
Unit 2, Townfoot Industrial Estate, Brampton,
Carlisle, CA8 1SW

Grid Reference:
352200 560950

Proposal: Change of use to children's soft play area including cafeteria open to the general public

Planning Decision

Refuse Permission

- Reason:** The proposed use of part of an existing industrial building to a children's soft play centre does not fall either within Class B1, B2 or B8 of the Town and Country Planning Use Classes (Amendment) Order 2005, or, constitute what could be considered a complementary activity. As such, the proposal would not only result in the loss of industrial floorspace but also restrict the future development potential of the estate contrary to Policy EM2 of the Carlisle District Local Plan, Policy EC1 of the Carlisle District Local Plan (2001 - 2016) (Redeposit Draft), and, Policy EM14 of the Joint Structure Plan.
- Reason:** It is considered that the siting of such a development in a well unacceptable safety situation, contrary to the objectives of Policy LC1 of the Redeposit Draft Local Plan.

Relevant Development Plan Policies

Cumbria and Lake District Joint Structure Plan 2001 – 2016
Policy ST3: - Principles applying to all new development

All proposals for development including alterations to existing buildings and land use change will be required to:

1. seek locations consistent with policy ST5, ST6, and ST7 which will assist in reducing the need to travel, and then in the following order of priority :
 - a) the appropriate reuse of existing buildings worthy of retention, followed by
 - b) the reuse of previously developed land and only then
 - c) the use of previously undeveloped land,
2. seek sites that are or will be made accessible by public transport, walking or cycling,
3. reduce the risk of flooding within the development and elsewhere by a choice of location in the following order of priority:
 - a) sites with little or no flood risk, followed by
 - b) sites with low or medium flood risk, and only then
 - c) sites in areas of high flood risk

Design proposals should minimise or mitigate any flood risk and where practicable include sustainable drainage systems

4. ensure agricultural land of poorer quality is used for development in preference to the best and most versatile agricultural land.
5. avoid the loss of, or damage to, and where possible enhance, restore or re-establish, important nature conservation features,
6. avoid the loss of or damage to, and wherever possible enhance important or distinctive conservation features including landscapes, buildings, archaeological sites, historic parks and gardens and visually important public and private open spaces,
7. ensure high standards of design including siting, scale, use of materials and landscaping which respect and, where possible, enhance the distinctive character of townscape and landscape, promote a safe and secure environment that designs out crime and makes proper provision for people with restricted mobility and people with special needs, promote energy and water efficient design and the use of recycled materials and renewable energy technology, avoid reductions in air quality and the quality and quantity of groundwater and surface waters, ensure development makes efficient use of and is within infrastructure, community and service constraints, or that these can be satisfactorily overcome through planned improvements or at the developers expense without an adverse effect on the environment, Ensure minimal levels of light pollution and noise.

Cumbria and Lake District Joint Structure Plan 2001 – 2016
Policy EM14: Development of employment land for other purposes

Outside the Lake District National Park, the development of existing employment sites, premises and land allocations for non-employment or mixed uses will be considered where it can be demonstrated that over the Structure Plan period either:

- a) The site or premises is likely to remain unsuitable for employment purposes; or
- b) The retention of the site or premises in employment use is not needed to meet the requirements of Policy EM13 including the requirement that each Key Service Centre retains an appropriate supply of land within the Local Employment site Market Sector.

Within the Lake District National Park, permission will not be given for the redevelopment or use for other purposes of land and buildings with an established business use for Class B1, B2 or B8 of the Use Classes Order, or of land identified for employment use in a Local Plan or Local Development Documents, unless it can be demonstrated to be unsuitable for business purposes or, exceptionally, viable alternatives are readily available in the locality.

Cumbria and Lake District Joint Structure Plan 2001 – 2016
Policy L54: Retail, leisure and office development

Proposals for retail, leisure and office development (except Class B1 of the use class order 1987) will be assessed against the sequential approach, with preference being given to development in defined town centre areas, followed by edge of centre locations and finally, out-of-centre locations with access to a range of transport modes.

Proposals for retail and leisure use in edge of centre or out of centre locations must be able to demonstrate a need for the development and not prejudice the retention of local services. In addition, proposals in out of centre locations will only be permitted when situated to minimise travel by having a location which:

1. maximises the opportunity for combined trips with other retail and service uses, or
2. relates well to its catchment by reducing journey lengths.

Carlisle District Plan
Employment - Proposal EM2

Within Primary Employment Areas proposals for B1, B2 and B8 uses will be acceptable. Permission will not be given for redevelopment or changes of use within such areas for other purposes. Exceptions may be permitted where:

1. The existing use of the site adversely affects or could adversely affect adjacent

residential properties; or

2. The proposed alternative use is essential for the redevelopment of the majority of the site for employment purposes; and
3. The alternative development would be appropriate in terms of scale and design to the surrounding area, and the amenity of adjacent properties would not be prejudiced.

Carlisle District Plan Employment - Proposal EM17

When considering proposals for new employment related development, including extensions, where the public are to have access, the provisions of Part M of the Building Regulations will apply. Beyond this requirement, the City Council will seek to negotiate the extent of provision for disabled people to, from and within buildings.

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Development Principles - Policy DP1 - Sustainable Development Locations

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

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

Within these locations development proposals will be assessed against a sequential approach for the need to be in the location specified. In particular proposals for retail, office and leisure developments will all be subject to the sequential approach contained in paragraph 2.44 in PPS6. Residential proposals will be considered against sequential criteria based on PPG3.

Settlement Boundaries have been established on the Proposals Map to recognise

the extent of built development or where planning permission already exists to judge proposals for development and are not indicative of land ownership

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

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Economic and Commercial Growth - Policy EC1- Primary Employment Areas

Within Primary Employment Areas proposals for B1, B2 and B8 uses will be acceptable. Permission will not be given for redevelopment or changes of use within such areas for other purposes.

Exceptions may be permitted where:

1. the existing use of the site adversely affects or could adversely affect adjacent residential properties or the local environment; or
2. the proposed alternative use provides for needed community building or public amenity space; or
3. the proposed alternative use is essential for the redevelopment of the majority of the site for employment purposes; and
4. the alternative development would be appropriate in terms of scale and design to the surrounding area and the amenity of adjacent properties would not be prejudiced.

Proposals for public sales floorspace within employment units will be restricted to no more than 5% of the available floorspace. Restrictions will be placed on the hours of operation in order to ensure that the use remains ancillary to the prime use of the unit.

Employment uses have now become established at the former RAF14MU outlying sites at Harker, Heathlands and Rockcliffe. The sites are designated as Primary Employment Areas.

In the Sandysike/Whitesyke areas proposals for the redevelopment and extension to existing industrial and warehousing premises will be acceptable provided:

1. the proposal does not have an adverse impact on the landscape; and
2. the proposal does not involve the loss of existing tree cover; and
3. where appropriate, opportunities are taken to reinforce existing landscaping; and
4. adequate access and appropriate parking are providing the Plan period as well as ones under negotiation at the start of the period.

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Core Development Policies - Policy CP4 - Design

The suitability of any new development or redevelopment will be assessed against the following design principles. Proposals should:

1. Have regard to surrounding buildings in the context of their form in relation to height, scale and massing and making use of appropriate materials and detailing.
2. Take into consideration any important landscape or topographical features and respect local landscape character.
3. Reinforce local architectural features where appropriate promoting and respecting local distinctiveness rather than detracting from it.
4. Be well integrated- ensuring all components of a development are well related to one another e.g. buildings, associated parking, access routes, open space, and hard and soft landscaping to ensure a successful and attractive outcome.
5. Not adversely affect the residential amenity of existing areas-nor adjacent land uses, nor result in unacceptable standards for future users and occupiers of the development.
6. Ensure where possible the retention of existing trees, shrubs, hedges and other wildlife habitats and the replacement of any environmental feature lost to development
7. Recognise that landscaping schemes (both hard and soft) will be required to assist in integrating new development into existing areas and ensure that development on the edge of settlements is fully integrated into its surroundings.
8. Ensure that the necessary services and drainage infrastructure can be incorporated without causing unacceptable harm to retained features.
9. Through layout and design, encourage the promotion of energy and water conservation by its future occupiers, the incorporation of sustainable forms of energy production within the overall design should also be explored where appropriate
10. Have a layout and design which minimises the potential for crime and antisocial behaviour.

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Core Development Policies - Policy CP14 - Accessibility, Mobility and Inclusion

The layout and design of any development will be encouraged to meet the highest standards of accessibility and inclusion for all potential users regardless of disability, age or gender. Development proposals will be expected to demonstrate that they have made provision for easy, safe and inclusive access to, into and within buildings and facilities through the submission of an access statement alongside their planning application. The need for adequate parking facilities for disabled people should also be taken into account.

Facilities for disabled people should be included in proposals for extending and altering buildings and open spaces and changes of use where they are to be used by the public, in accordance with Part M of the Building Regulations 2004 and the Disability Discrimination Act 1995. Beyond these requirements, the City Council will seek, where applicable, to negotiate the extent of provision required for disabled people.

The Council will have regard to the following criteria when assessing development proposals:

1. The design of entrances and exits and ease of permeation through and between developments- in terms of street furniture, circulation areas and pedestrian routes
2. Location of any development proposal in relation to its potential users, customers, employees
3. Accessibility by all transport modes and provision for parking for disabled people
4. Provision of on site facilities e.g. baby changing facilities, public toilets, disabled parking, lifts and appropriate signage.
5. Consideration should also be given to the guidance in 'Better Access' produced by Carlisle City Council, regarding building details and accessibility for all and BS 8300: 2001 'Design of buildings and their approaches to meet the needs of disabled people- Code of Practice'.

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Transport - Policy T1 - Parking Guidelines

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

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

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Leisure & Community Uses - Policy LC1- Leisure Development

Proposals for leisure development will be acceptable provided that:

1. there is a need for the development; and
2. the development is of an appropriate scale for the locality;
3. if the proposal is not for a central site, all options for sites in the centre have been thoroughly assessed; and
4. there will be no unacceptable impact on existing centres; and
5. the site is accessible by public transport, walking and cycling; and
6. appropriate car parking and satisfactory access to the site can be achieved; and
7. The proposal does not have an adverse impact on the amenity of the surrounding area and land uses.

Item no: 02**Appn Ref No:**
04/1530**Applicant:**
Dobies Cumbria**Parish:**
Kingmoor**Date of Receipt:**
22/11/2004**Agent:**
Day Cummins Architects**Ward:**
Stanwix Rural**Location:**
Land adjacent Parkhouse Road and A74 adj.
Junction 44 M6, Carlisle.**Grid Reference:**
339100 559900

Proposal: Erection of 96 No. Bed Hotel To 4* Standard With Associated Restaurant, Lounge Bar and Bistro, Function Rooms and Meeting Rooms, Health, Beauty and Fitness Suite, Car Parking and Landscaping

Planning Decision

Members resolved to defer consideration of the proposal in order to allow the applicant further time to address the concerns of the local planning authority with regard to the issues of need and prematurity, design, and, highway safety; and, to await a further report on the application at the next meeting of the Committee.

Item no: 03**Appn Ref No:**
06/1144**Applicant:**
Mr R Thompson**Parish:**
Carlisle**Date of Receipt:**
26/09/2006**Agent:**
Jock Gordon**Ward:**
Botcherby**Location:**
The Beeches, Wood Street, Botcherby, Carlisle,
CA1 2SF**Grid Reference:**
342295 555666

Proposal: Erection of conservatory to rear of property (revised proposal with uPVC in lieu of timber)

Planning Decision

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

Item no: 04

Appn Ref No:
06/1145

Applicant:
Mr R Thompson

Parish:

Date of Receipt:
26/09/2006

Agent:
Jock Gordon

Ward:
Botcherby

Location:
The Beeches, Wood Street, Botcherby, Carlisle,
CA1 2SF

Grid Reference:
342295 555666

Proposal: Erection of conservatory to rear of property (revised proposal with uPVC in lieu of timber) (LBC)

Planning Decision

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

Item no: 05

Appn Ref No:
06/1131

Applicant:
Mr Andrew Tinkler

Parish:
Stanwix Rural

Date of Receipt:
21/09/2006

Agent:
Binney Associates

Ward:
Stanwix Rural

Location:
Newby Grange, Crosby-on-Eden, Carlisle, CA6 4RA

Grid Reference:
346030 558632

Proposal: Private rally circuit within the grounds of Newby Grange with occasional use as a rally stage in regional motoring events organised by a recognised body

Planning Decision

Withdrawn by Applicant/or by default

Item no: 06

Appn Ref No:
06/0743

Applicant:
Mr G Tyler

Parish:
Stanwix Rural

Date of Receipt:
19/06/2006

Agent:

Ward:
Stanwix Rural

Location:
Land at The Knells, Houghton, Carlisle, CA6 4JG

Grid Reference:
341241 560433

Proposal: New care home facility with car parking and water treatment plant (outline application)

Planning Decision

Refuse Permission

- Reason:** The site of the proposed development is located outwith any recognised settlement boundary. Development in the open countryside should be adequately justified in terms of meeting local infrastructure needs, or meet requirements for dwellings where supported by a proven agricultural or forestry need. Although a particular need for this development is claimed, it is not supported by any evidence-based material that provides a compelling justification to meet and identified need which would thus overcome the general presumptions against development in the countryside. In this location the proposed development would harm the spatial strategy of the Local Planning Authority that seeks to direct development to sustainable locations and would result in an undesirable precedent. The proposal is contrary to the objectives of the advice within PPS7 (Sustainable Development in Rural Areas); Policy ST1 (A Sustainable Vision for Cumbria) and Policy E37 (Landscape Character) of the Cumbria and Lake District Joint Structure Plan, Policy E8 (Remainder of the Rural Area) and Policy T1 (Choice of Means of Travel) of the Carlisle District Local Plan; Policy DP1 (Sustainable Development

Locations) and Policy CP1 (Landscape Character/ Biodiversity) of the Carlisle District Local Plan Revised Redeposit Draft.

Relevant Development Plan Policies

Cumbria and Lake District Joint Structure Plan 2001 – 2016 Policy ST1: A Sustainable Vision for Cumbria

The overall quality of life within Cumbria should be enhanced through the promotion of sustainable development that seeks to protect the environment, ensure prudent use of resources and maintain social progress and economic growth.

Urban and rural communities should be sustained through measures that, in combination, advance the four objectives of sustainable development and achieve:

- a flourishing and diverse local economy
- access to good quality housing for all
- a full range of appropriate and accessible services
- good transport services and communications linking people to jobs, schools, health and other services
- quality built, natural and historic environments
- places to live in a safe and healthy manner
- vibrant, harmonious and inclusive communities

Cumbria and Lake District Joint Structure Plan 2001 – 2016 Policy ST3: - Principles applying to all new development

All proposals for development including alterations to existing buildings and land use change will be required to:

1. seek locations consistent with policy ST5, ST6, and ST7 which will assist in reducing the need to travel, and then in the following order of priority :
 - a) the appropriate reuse of existing buildings worthy of retention, followed by
 - b) the reuse of previously developed land and only then
 - c) the use of previously undeveloped land,
2. seek sites that are or will be made accessible by public transport, walking or cycling,
3. reduce the risk of flooding within the development and elsewhere by a choice of location in the following order of priority:
 - a) sites with little or no flood risk, followed by
 - b) sites with low or medium flood risk, and only then
 - c) sites in areas of high flood risk

Design proposals should minimise or mitigate any flood risk and where practicable include sustainable drainage systems

4. ensure agricultural land of poorer quality is used for development in preference to the best and most versatile agricultural land.
5. avoid the loss of, or damage to, and where possible enhance, restore or re-establish, important nature conservation features,
6. avoid the loss of or damage to, and wherever possible enhance important or distinctive conservation features including landscapes, buildings, archaeological sites, historic parks and gardens and visually important public and private open spaces,
7. ensure high standards of design including siting, scale, use of materials and landscaping which respect and, where possible, enhance the distinctive character of townscape and landscape, promote a safe and secure environment that designs out crime and makes proper provision for people with restricted mobility and people with special needs, promote energy and water efficient design and the use of recycled materials and renewable energy technology, avoid reductions in air quality and the quality and quantity of groundwater and surface waters, ensure development makes efficient use of and is within infrastructure, community and service constraints, or that these can be satisfactorily overcome through planned improvements or at the developers expense without an adverse effect on the environment, Ensure minimal levels of light pollution and noise.

Cumbria and Lake District Joint Structure Plan 2001 – 2016 **Policy E37: Landscape character**

Development and land use change should be compatible with the distinctive characteristics and features of Cumbria's landscape types and sub types. Proposals will be assessed in relation to:

1. locally distinctive natural or built features,
2. visual intrusion or impact,
3. scale in relation to the landscape and features,
4. the character of the built environment,
5. public access and community value of the landscape,
6. historic patterns and attributes,
7. biodiversity features, ecological networks and seminatural habitats, and
8. openness, remoteness and tranquillity.

Carlisle District Plan **Environment - Policy E8**

Within the remainder of the rural area not covered by Policies E2-E6, proposals which are well related in use, siting, scale and design to existing settlements or

other small clusters of buildings including farm buildings will be acceptable providing that:

1. The proposal reflects the scale and character of the existing group of buildings or settlement; and
2. There is no adverse effect upon the amenity of neighbouring property, and the character and appearance of the area; and
3. Satisfactory access and appropriate car parking can be achieved; and
4. Any existing wildlife habitats are safeguarded.

Permission will not be granted for development in the undeveloped open countryside unless it is required to meet local infrastructure needs, or for dwellings supported by a proven agricultural or forestry need.

Carlisle District Plan Transport - Proposal T1

In considering applications for development, account will be taken of the availability of a choice of means of travel to and from the site.

Carlisle District Plan Environment - Policy E22

New development will only be permitted if foul sewers and sewage treatment works of adequate capacity and design are available or will be provided in time to serve the development. Within unsewered areas, development which requires the use of septic tanks or other waste water management systems will only be permitted if ground conditions are satisfactory and the plot of land is of sufficient size to provide an adequate subsoil drainage system.

Carlisle District Plan Environment - Policy E9

Landscaping schemes will be required for development permitted on the periphery of settlements in order to fully integrate the development with its settlement and the surrounding countryside.

Carlisle District Plan Transport - Proposal T7

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

1. The Parking Guidelines for Cumbria as detailed in Appendix 2;

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

**Carlisle District Plan
Employment - Proposal EM10**

Within the remainder of the Plan area permission will not be granted for industrial, warehousing and commercial development. However, small scale development within existing settlements, the curtilage of existing employment premises, or groups of farm buildings, or moderate extensions to existing premises will be acceptable provided:

1. There is no unacceptable adverse impact on the local landscape; and
2. There is no unacceptable adverse effect on nature conservation interests; and
3. Adequate access and appropriate parking provision can be achieved; and
4. There is no unacceptable adverse affect on the amenity of any adjacent properties.

**Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft
Development Principles - Policy DP1 - Sustainable Development Locations**

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

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

Within these locations development proposals will be assessed against a sequential approach for the need to be in the location specified. In particular proposals for retail, office and leisure developments will all be subject to the sequential approach contained in paragraph 2.44 in PPS6. Residential proposals will be considered against sequential criteria based on PPG3.

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

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

**Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft
Core Development Policies - Policy CP1 - Landscape Character/Biodiversity**

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

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

**Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft
Core Development Policies - Policy CP5 - Residential Amenity**

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

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

In order to ensure residential amenity is not compromised a minimum distance of 21 metres should be allowed between primary facing windows between dwellings (12 metres gable end to primary facing window). A minimum of 4 metres should be allowed between gable ends to allow for maintenance of property. Changes in levels of land and height of development will be taken into account in applying these distances.

**Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft
Core Development Policies - Policy CP11 - Foul and Surface Water Sewerage
and Sewage Treatment**

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

Item no: 07

Appn Ref No:
06/1301

Applicant:
Warwick Mill Business
Village

Parish:
Wetheral

Date of Receipt:
13/11/2006

Agent:
Architects Plus (UK) Ltd

Ward:
Great Corby & Geltsdale

Location:
Land adjacent to Warwick Mill Business Centre,
Warwick Mill Business Park, Warwick Bridge,
Carlisle, CA4 8RR

Grid Reference:
347782 556718

Proposal: Change of use of paddock/pasture land to car parking and allotments to individual gardens

Planning Decision

Members resolved to give authority to the Head of Planning and Housing Services to issue approval for the proposal subject to the Highways Agency and Natural England not raising any objections prior to the expiry of the consultation period.

Item no: 08

Appn Ref No:
06/1283

Applicant:
Austin Friars St Monica's
School

Parish:
Carlisle

Date of Receipt:
07/11/2006

Agent:
Squires and Brown

Ward:
Belah

Location:

Grid Reference:

Proposal: Application for an extension of time for previous application 05/0839 for further 3 months to allow vehicular use of temporary access road.

Planning Decision

Grant Permission

1. The access hereby approved shall be of a temporary nature only and shall be closed by 31 January 2006 unless an application for its retention has been submitted to and approved, in writing, by the Local Planning Authority.

Reason: In the interests of highway safety to support Policy T5 of the Carlisle District Local Plan.

2. The temporary access road and traffic island within the lay-by shall be reinstated in accordance with the details submitted on 30th November and shall be completed within 3 months of the closing of the access unless consent for an extension of time has been approved, in writing, by the Local Planning Authority; or unless work has commenced on the new junior school approved under application 06/0479.

Reason: In the interests of visual amenity to support Policy E43 of the Carlisle District Local Plan.

Summary of Reasons for the Decision

This application relates to the existing temporary access, which was formed to provide a separate access for construction traffic involved in the erection of a science block at Austin Friar/St. Monica's School. The school, which is located to the north of the River Eden, is bounded by Etterby Scaur and Belah Road. With the exception of the School itself the surroundings are wholly residential. The access to which this application relates is located on Belah Road; 50 metres to the north of the junction of Belah Road and Etterby Scaur. The application site is identified by the Carlisle District Local Plan, as being located within the Stanwix Conservation Area and a Primary Residential Area. The site itself is allocated for educational development.

Permission was granted for the formation of the temporary access by the Development Control Committee in September 2005 under application 05/0836. Condition 3 of this consent stated that "the access hereby approved shall be of a temporary nature only and shall be closed by 31 October 2006 unless an application

for its retention has been submitted to and approved by the Local Planning Authority". This current application seeks consent to vary this condition to enable the temporary access road to be used for a further 3 months, until 31st January 2007, in order to complete the works to the science block. Permission was originally sought and subsequently approved for the formation of a temporary access in the interests of health and safety to keep construction traffic/workers separate from the school.

The access has been formed off Belah road at the point where there was an existing lay-by. The scheme required the removal of a small amount of vegetation in order to create the access. Once the science block was complete it was intended to reinstate the lay-by to its former state; however, since the temporary access was approved permission has been granted for the erection of a new junior school, the access to which is at the same point as the current temporary access.

The relevant planning policies against which the application is required to be assessed are Policies E43, H17 and T5 of the Carlisle District Local Plan and Policies CP4, CP5, LE20 and LC11 of the Carlisle District Local Plan 2001-2016 Redeposit Draft.

As construction of the science building has taken longer than originally anticipated, use of the access road is sought for a further three months. The principle of the temporary access has already been established by the approval of the earlier application and its continued use for a further three months is not considered unreasonable. It is acknowledged that this will result in a degree of increased disturbance for those persons living opposite the temporary access, although any disturbance is likely to take place within the daytime and not at an unreasonable hour. It is understood that the objector, who resides at No.1 Belah Road, works night shift; however, it would be unreasonable and impossible to restrict the use of the access to times which would not result in any disturbance to the objector.

When permission was previously granted a condition was imposed preventing the use of the access between 8.00-9.30 am and 2.30-4.00pm to avoid conflict between construction traffic and parents picking up/dropping off children. The applicant has requested that this condition be removed as it inhibits when contractors vehicles, typically vans, can arrive/depart from the site. The Highway Authority has confirmed, in writing, that such a condition is generally applicable to lorries/large construction plant and that if this stage of construction has passed there would be no reason for this condition to be applied. As such, it is not proposed to attach this condition to the prospective decision notice. If there were any concerns that conflict may occur as a result of a specific delivery of materials it is a management issue to be resolved between the school and the supplier and an appropriate time should be arranged. It is not considered that this issue needs to be regulated through a planning condition, but that it is a separate matter to be addressed by the school.

The previous consent included a condition that required the lay-by to be reinstated to its original state. As the proposed new access for the new junior school, approved under application 06/0479, is in the same location as the temporary access the attachment of this condition in its original form is not considered appropriate. The aforementioned condition has been reworded in such a way that the lay-by must be reinstated to its original state, unless in the meantime work commences on the new

junior school, which is scheduled to commence on 8th January 2007.

In conclusion, the continued use of the access for a further three months is acceptable. Whilst, it is appreciated that the use of this access may result in a degree of disturbance during daytime hours it is not felt that the level of disturbance would be harmful to the living conditions of any neighbouring properties to such a degree as to warrant refusal of this application. In all aspects the proposals are considered to be compliant with the objectives of the relevant adopted and emerging Development Plan policies.

Relevant Development Plan Policies

Carlisle District Plan Environment - Policy E43

The City Council will encourage and permission will be granted for development within and adjoining Conservation Areas which preserves or enhances their character. The City Council will seek to ensure that any new development or alterations to existing buildings are in sympathy with the setting, scale, density and physical characteristics of Conservation Areas and protect important views into or out of such areas. Applications for outline planning permission will not be accepted for proposals in Conservation Areas.

Carlisle District Plan Housing - Proposal H17

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

1. Is for a use inappropriate for residential areas; and/or
2. Is of an unacceptable scale; and/or
3. Leads to an unacceptable increase in traffic or noise; and/or
4. Is visually intrusive; and/or
5. Leads to a loss of housing stock.

Carlisle District Plan Transport - Proposal T5

Within Conservation Areas, Areas of Outstanding Natural Beauty and other important landscape areas, the City Council will seek to ensure that highway schemes respect the character of the locality. Within areas of nature conservation importance, the City Council will seek to ensure that any adverse impact resulting

from a highway scheme is minimised.

**Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft
Core Development Policies - Policy CP1 - Landscape Character/Biodiversity**

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

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

**Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft
Core Development Policies - Policy CP5 - Residential Amenity**

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

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

In order to ensure residential amenity is not compromised a minimum distance of 21 metres should be allowed between primary facing windows between dwellings (12 metres gable end to primary facing window). A minimum of 4 metres should be allowed between gable ends to allow for maintenance of property. Changes in levels of land and height of development will be taken into account in applying these distances.

**Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft
Local Environment - Policy LE20 - Conservation Areas**

The City Council will continue to review existing and designate new conservation areas. The City Council will encourage, and permission will be granted for development within and adjoining conservation areas which preserves or enhances their character. The City Council will seek to ensure any new development or alterations to existing buildings are in sympathy with the setting, scale, density and physical characteristics of conservation areas, and protect important views into or out of such areas. Applications for outline planning permission will not be accepted for proposals in conservation areas.

Proposals for new development and/or the alteration of buildings in conservation areas should harmonise with their surroundings:

1. the development should preserve or enhance all features which contribute positively to the area's character or appearance, in particular the design, massing

- and height of the building should closely relate to adjacent buildings and should not have an unacceptable impact on the townscape or landscape;
2. The development should not have an unacceptable impact on the historic street patterns and morphology, roofscape, skyline and setting of the conservation area, important open spaces or significant views into, out of and within the area;
 3. development proposals should not result in the amalgamation or redrawing of boundaries between traditional buildings and plots, or demolition and redevelopment behind retained facades;
 4. wherever practicable traditional local materials such as brick, stone and slate should be used and incongruous materials should be avoided;
 5. individual features both on buildings and contributing to their setting, should be retained e.g. doorways, windows, shopfronts, garden walls, railings, cobbled or flagged forecourts, sandstone kerbs, trees and hedges, etc. Where features have deteriorated to the extent to which they have to be replaced, the replacement should match the original;
 - 6 proposals which would generate a significant increase in traffic movements and heavy vehicles or excessive parking demands will not be permitted since these would be prejudicial to amenity;
 - 7 proposals which would require substantial car parking and servicing areas which can not be provided without an adverse effect on the site and its surroundings will not be permitted.

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Leisure & Community Uses - Policy LC11 - Educational Needs

Proposals for the development of education facilities should be provided within the existing educational sites as indicated on the Proposals Map. On existing sites, proposals for new buildings should be in close proximity to existing buildings to minimise the visual impact of additional development. Where proposed educational facilities are outside existing sites the location should be close to the intended catchment in order to minimise travel in conjunction with centres listed in policy DP1. Other policies of this Plan will apply dependent upon the proposal and land to be utilised.

Item no: 09

Appn Ref No:
06/1305

Applicant:
Mr & Mrs Riley

Parish:
Beaumont

Date of Receipt:
13/11/2006

Agent:
Allison Design Partnership

Ward:
Burgh

Location:

Grid Reference:

Land Adjacent to Hall Croft, Monkhill, Carlisle

334378 558519

Proposal: Erection of 12 dwellings (including six low cost houses) (Outline)

Planning Decision

Withdrawn by Applicant/or by default

Item no: 10

Appn Ref No:
06/1249

Applicant:
Amco Management

Parish:
Carlisle

Date of Receipt:
27/10/2006

Agent:
Alan Fox Design

Ward:
Belle Vue

Location:
Land at rear of 114 Wigton Road and 69-71 Mardale Road, Carlisle

Grid Reference:
338600 555500

Proposal: Outline application for dwellings with access from Mardale Road

Planning Decision

Members resolved to give authority to the Head of Planning and Housing Services to issue approval for the proposal subject to the completion of a Section 106 Agreement to secure affordable housing on the site in consultation with the Council's Housing Strategy Officer.

Item no: 11

Appn Ref No:
06/1290

Applicant:
Lovell Partnerships Limited

Parish:
Carlisle

Date of Receipt:
07/11/2006

Agent:
Ainsley Gommon Architects

Ward:
Morton

Location:
Land at Barras Close, Barras Close, Carlisle

Grid Reference:
338386 554235

Proposal: Demolition of 40 flats and 54 garages, residential development of 49 new properties

Planning Decision

Members resolved to give authority to the Head of Planning and Housing Services to issue approval for the proposal subject to a Section 106 Agreement with regard to payment of a commuted sum for the provision and maintenance of offsite play facilities and also to appropriate conditions including a requirement for a Footpath Diversion Order under Section 257 of the Town and Country Planning Act 1990.

Item no: 12

Appn Ref No:
06/0955

Applicant:
Mr & Mrs Bevington

Parish:
Wetheral

Date of Receipt:
31/07/2006

Agent:
Jock Gordon

Ward:
Great Corby & Geltsdale

Location:
3 Glenview Cottages, Sandy Lane, Great Corby,
Carlisle, CA4 8NB

Grid Reference:
347530 554666

Proposal: Reinstatement Of Property Into Two Dwellings & Erection Of Rear Dormer

Planning Decision

Grant Permission

1. The materials (and finishes) to be used in the construction of the proposed development shall be in accordance with the details contained in the submitted application, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure a satisfactory external appearance for the completed development.

2. 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).

Summary of Reasons for the Decision

This property subject to this application is No. 3 Glen View Cottages, which is part of three terraced houses situated on the northern side of the Great Corby/Warwick Road. The dwellings are set back a minimum of 1 metre from a 'no through road' and are located within Great Corby Conservation Area. A steep elevated embankment to the north and east of the property encloses the 'rear' curtilage of the properties with mature planting on top of the embankment.

The proposal seeks full planning permission for reinstatement of the property into two dwellings and the erection of a rear dormer of what will be No. 4 Glen View Cottage, Great Corby, Carlisle. The proposal reinstates the original two small cottages from the existing 3 bed dwelling, the new small units having 2 smaller 2 bedrooms and a bathroom at first floor level with kitchens and living rooms at ground floor. In addition, two replacement timber sliding sash frame windows and a timber door will be installed to the front elevation and one dormer window to the 'rear' elevation.

The properties are neighboured by 'Cornerstone' to the northeast and by No. 1 and 2 'Glen View Cottages' to the west. 'Cornerstone' is located on the top of the embankment. The dwellings are two storeys high, constructed with red sand stone brick under a concrete tiled roof. There are no current parking spaces within the curtilage of the dwellings.

The relevant planning policies against which the application is required to be assessed are Policies H14 and T7 of the Carlisle District Local Plan and Policies CP4, CP5, H11, H12 and T1 of the Carlisle District Local Plan 2001-2016 Redeposit Draft (the full text of these precedes this report in the schedule).

a) Principle of the Development

The proposal would involve re-instating a dwelling that was originally designed as two separate dwellings back into two separate dwellings. The proposal is within a residential area and in principle is considered acceptable and would not have an adverse impact on the neighbouring properties.

While there is no parking within the curtilage of the property the current residents park on the street next to the village green where there is more space and the road is wider. In terms of vehicle movements, given the proposed number of bedrooms

from 3 to 4, it is not felt there would be harm to the living conditions due to parking congestion or increase in traffic. In addition the owners have decided to partition off their garden at 1 Glenwilley Cottages to provide an off-street car parking space, thus removing a requirement of one on street parking requirement.

b) The Impact Of The Proposal On The Character Of The Great Corby Conservation Area

In terms of sitting, design and materials used the proposed reinstatement of one dwelling into two dwellings and rear dormer window would not be detrimental to the character and appearance of the Great Corby Conservation Area.

c) The Impact Of The Proposal On Parking And Highway Safety

The Highway Authority which has been consulted, respond that *"Given the rural location, I would expect the provision of at least one off-highway parking space for each property which clearly cannot be provided within the curtilage of the properties. Therefore the Highway Authority would not recommend this application as it would likely result in more vehicles being parked outside on a county highway to the detriment of the free flow of traffic and road safety"*.

PPG13 however, states that the planning authority should not: *"require developers to provide more spaces than they themselves wish, other than in exceptional circumstance which might include for example where there are significant implications for road safety which cannot be resolved through the introduction or enforcement of on-street parking controls"*.

In reviewing this issue, it is important to bear in mind that this proposal involves the formation from a three bedroom dwelling into two cottages with two bedrooms. The nature of the proposal would require substantial interior alternations, including installation of new stair cases, which results in the two proposed cottages having two bedrooms, each smaller than any of the bedrooms that currently exists, and the properties amount pretty much to "starter homes". This compares with the present position where the 3 bedroomed existing property could, arguably, be occupied by a family with children in their late teens all of whom might own a car.

It is important to note that the cottages are adjacent to a " no through road" that provides access to Sandy Lane to the north and access to a Bowling Green in the east. On the day of the site visit, the road was relatively congestion free from on street parking and vehicular traffic. In effect the road is subject to a very low volume of traffic upon which vehicles are not travelling at any great speed. It was also observed on the day of the site visit that many of the existing dwellings along the road, in comparison to the cottages, have off street parking provision within the curtilages of their property, therefore reducing the need for vehicles to be parked on the street.

In addition, the existing residents of 1 Glenwilly and Glenview Cottages use the lay by next to the village green where the road is wider and can accommodate on street parking. A photograph has been included for the benefit of Members.

It can clearly be argued that the size and potential market value of these small dwellings will result in them being occupied by either one person or a couple where car ownership could actually be lower than would be the case if the existing property was simply refurbished as a 3 bedroom house.

In this instance, it is felt the reinstatement of the property to the original two cottages with two small bedrooms from the existing three-bedroom dwelling would not lead to a significant demand for additional parking or generate more vehicular activity than already existing.

It is, therefore, concluded that the change from the existing situation would not demonstrably worsen present difficulties but would provide much needed, lower cost small units in the rural area without creating major traffic problems or difficulties such as could warrant the refusal of planning permission.

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Housing - Policy H12 - Subdivision of Houses and Houses in Multiple Occupation

Proposals for the subdivision of houses into smaller units, or for change of use to a house in multiple occupation will be acceptable provided that:

1. there is no loss of amenity to surrounding residential properties; and
2. appropriate access and car parking provision can be achieved; and
3. the proposal ensures the creation of units of a good standard and does not result in the creation of substandard units; and
4. adequate internal and external space is provided. Proposals for additional subdivision of properties within Chatsworth Square and Portland Square will not be acceptable

Carlisle District Plan Housing - Proposal H2

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

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

4. Satisfactory access and appropriate parking arrangements can be achieved.

Proposals for uses other than residential will not be permitted in Primary Residential Areas other than where they do not adversely affect residential amenity.

Development that would create unacceptable noise, smell, safety and health impacts or excessive traffic generation will not be acceptable. Such schemes falling within the scope of this Policy will be considered against the above criteria as well as other Policies of the Plan appropriate for the proposed use.

Carlisle District Plan Environment - Policy E43

The City Council will encourage and permission will be granted for development within and adjoining Conservation Areas which preserves or enhances their character. The City Council will seek to ensure that any new development or alterations to existing buildings are in sympathy with the setting, scale, density and physical characteristics of Conservation Areas and protect important views into or out of such areas. Applications for outline planning permission will not be accepted for proposals in Conservation Areas.

Carlisle District Plan Transport - Proposal T7

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

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

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Core Development Policies - Policy CP4 - Design

The suitability of any new development or redevelopment will be assessed against the following design principles. Proposals should:

1. Have regard to surrounding buildings in the context of their form in relation to height, scale and massing and making use of appropriate materials and detailing.
2. Take into consideration any important landscape or topographical features and

- respect local landscape character.
3. Reinforce local architectural features where appropriate promoting and respecting local distinctiveness rather than detracting from it.
 4. Be well integrated- ensuring all components of a development are well related to one another e.g. buildings, associated parking, access routes, open space, and hard and soft landscaping to ensure a successful and attractive outcome.
 5. Not adversely affect the residential amenity of existing areas-nor adjacent land uses, nor result in unacceptable standards for future users and occupiers of the development.
 6. Ensure where possible the retention of existing trees, shrubs, hedges and other wildlife habitats and the replacement of any environmental feature lost to development
 7. Recognise that landscaping schemes (both hard and soft) will be required to assist in integrating new development into existing areas and ensure that development on the edge of settlements is fully integrated into its surroundings.
 8. Ensure that the necessary services and drainage infrastructure can be incorporated without causing unacceptable harm to retained features.
 9. Through layout and design, encourage the promotion of energy and water conservation by its future occupiers, the incorporation of sustainable forms of energy production within the overall design should also be explored where appropriate
 10. Have a layout and design which minimises the potential for crime and antisocial behaviour.

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Core Development Policies - Policy CP5 - Residential Amenity

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

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

In order to ensure residential amenity is not compromised a minimum distance of 21 metres should be allowed between primary facing windows between dwellings (12 metres gable end to primary facing window). A minimum of 4 metres should be allowed between gable ends to allow for maintenance of property. Changes in levels of land and height of development will be taken into account in applying these distances.

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Local Environment - Policy LE20 - Conservation Areas

The City Council will continue to review existing and designate new conservation areas. The City Council will encourage, and permission will be granted for development within and adjoining conservation areas which preserves or enhances

their character. The City Council will seek to ensure any new development or alterations to existing buildings are in sympathy with the setting, scale, density and physical characteristics of conservation areas, and protect important views into or out of such areas. Applications for outline planning permission will not be accepted for proposals in conservation areas.

Proposals for new development and/or the alteration of buildings in conservation areas should harmonise with their surroundings:

1. the development should preserve or enhance all features which contribute positively to the area's character or appearance, in particular the design, massing and height of the building should closely relate to adjacent buildings and should not have an unacceptable impact on the townscape or landscape;
2. The development should not have an unacceptable impact on the historic street patterns and morphology, roofscape, skyline and setting of the conservation area, important open spaces or significant views into, out of and within the area;
3. development proposals should not result in the amalgamation or redrawing of boundaries between traditional buildings and plots, or demolition and redevelopment behind retained facades;
4. wherever practicable traditional local materials such as brick, stone and slate should be used and incongruous materials should be avoided;
5. individual features both on buildings and contributing to their setting, should be retained e.g. doorways, windows, shopfronts, garden walls, railings, cobbled or flagged forecourts, sandstone kerbs, trees and hedges, etc. Where features have deteriorated to the extent to which they have to be replaced, the replacement should match the original;
- 6 proposals which would generate a significant increase in traffic movements and heavy vehicles or excessive parking demands will not be permitted since these would be prejudicial to amenity;
- 7 proposals which would require substantial car parking and servicing areas which can not be provided without an adverse effect on the site and its surroundings will not be permitted.

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Transport - Policy T1 - Parking Guidelines

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

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

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

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

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

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

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

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

Item no: 13

Appn Ref No:
06/0669

Applicant:
Mr & Mrs Fraser

Parish:
St Cuthberts Without

Date of Receipt:
01/06/2006

Agent:
S Butler

Ward:
Dalston

Location:
Stable Cottage, Carleton, Carlisle, CA1 3DU

Grid Reference:
342866 552805

Proposal: Conversion of existing ground floor utility/conservatory to provide a

dressing room, shower room and utility, together with the formation of a first floor extension above to provide a conservatory and study

Planning Decision

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

Reason: To ensure the works harmonise as closely as possible with the existing building and to ensure compliance with Policy H14 of the Carlisle District Local Plan.

Summary of Reasons for the Decision

This application seeks full planning permission for the erection of a first floor extension to Stable Cottage, Carleton, Carlisle. The dwelling, which is a two storey terraced property of traditional construction, is located on the north eastern side of the main road that leads from junction 42 of the M6 into Carlisle. The dwelling is constructed from sandstone with a natural slate roof.

The property, which is situated within a residential area on the outskirts of Carlisle, is enclosed by residential properties to either side boundary. To the rear of the application site is a courtyard that serves three residential properties; beyond which are domestic gardens.

The proposal, as amended since the application was first received by the formation of a traditional two storey gable, seeks approval for the erection of a first floor extension over an existing lean to utility/conservatory. The ground floor area is to be converted to provide a dressing room, shower room and utility. Whilst the proposal involves alterations to the ground floor of the premises, it should be noted that these alterations in their own right would not require planning consent as they would constitute "Permitted Development".

The first floor extension, which would provide a study and a conservatory, occupies

the whole footprint of the ground floor lean to, projecting outwards from the rear elevation by 2.5 metres, measuring 8.3 metres in width, 4.7 metres to the eaves and 6.5 metres to the ridge of the gable. One half of the extension would take on the appearance of a traditional two storey gable; the other half would appear as a first floor conservatory. The first floor extension would be finished in render to the rear and northwest side elevation. The parapet wall to the south eastern elevation would be constructed from stone to match the ground floor side elevation. The roof of the two storey gable would be slated to match the house and the conservatory roof would be glazed.

With regards to this application the main issues to consider are whether the scale and design of the extension is appropriate to the dwelling; whether the setting of the adjacent listed building or the living conditions of the neighbouring properties would be adversely affected. A photograph illustrating the relationship between the application site and the neighbouring listed building, 5 Brisco View, is reproduced in the Schedule.

The relevant planning policies against which the application is required to be assessed are Policies H14 and E35 of the Carlisle District Local Plan and Policies CP4, LE13 and H11 of the Carlisle District Local Plan 2001-2016 Redeposit Draft.

The proposals raise the following planning issues:

1. Whether the proposal is appropriate to the dwelling.

The scale and height of the proposed rear extension is comparable to the existing property with matching eaves and similar ridge lines being proposed. The extension would be constructed from materials to complement the existing dwelling, and would employ similar detailing. Accordingly, it is considered that the proposed rear extension would complement the existing dwelling in terms of design and materials to be used.

2. The impact of the proposal on the living conditions of neighbouring residents.

Taking into consideration the scale, position and orientation of the extension in relation to other neighbouring properties, the living conditions of the occupiers of those properties would not be adversely affected through loss of light, loss of privacy or overdominance.

3. The impact upon the setting of the adjacent listed building, No.5 Brisco View.

The eaves height of the two storey gable has been positioned to correspond with the height of the flat roof dormers to the rear elevation of No.5 Brisco View. Although it is acknowledged that the first floor conservatory element of this scheme has the potential to impact upon the setting of the listed building it will be screened from view from within the grounds of the listed building by the proposed two storey gable, which would be traditional in appearance. As such, it is not felt that the proposed scheme will detract from the setting of the listed building. Furthermore, the Council's Conservation Officer has raised no objections to the amended plans received.

In overall terms it is considered that the proposal does not adversely affect the living conditions of adjacent properties by poor design, unreasonable overlooking or unreasonable loss of daylight or sunlight. The scale and design of the proposed side and rear extension is considered acceptable in relation to the dwelling and the adjacent listed building. In all aspects the proposals are compliant with the objectives of the relevant adopted and emerging Development Plan policies.

Relevant Development Plan Policies

Carlisle District Plan Housing - Proposal H14

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

Carlisle District Plan Environment - Policy E35

Proposals for new development which adversely affect a listed building or its setting will not be permitted. The City Council will seek to encourage any new development to be sympathetic in scale, character and materials.

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Core Development Policies - Policy CP4 - Design

The suitability of any new development or redevelopment will be assessed against the following design principles. Proposals should:

1. Have regard to surrounding buildings in the context of their form in relation to height, scale and massing and making use of appropriate materials and detailing.
2. Take into consideration any important landscape or topographical features and respect local landscape character.
3. Reinforce local architectural features where appropriate promoting and respecting local distinctiveness rather than detracting from it.
4. Be well integrated- ensuring all components of a development are well related to one another e.g. buildings, associated parking, access routes, open space, and hard and soft landscaping to ensure a successful and attractive outcome.
5. Not adversely affect the residential amenity of existing areas-nor adjacent land uses, nor result in unacceptable standards for future users and occupiers of the development.
6. Ensure where possible the retention of existing trees, shrubs, hedges and other wildlife habitats and the replacement of any environmental feature lost to development

7. Recognise that landscaping schemes (both hard and soft) will be required to assist in integrating new development into existing areas and ensure that development on the edge of settlements is fully integrated into its surroundings.
8. Ensure that the necessary services and drainage infrastructure can be incorporated without causing unacceptable harm to retained features.
9. Through layout and design, encourage the promotion of energy and water conservation by its future occupiers, the incorporation of sustainable forms of energy production within the overall design should also be explored where appropriate
10. Have a layout and design which minimises the potential for crime and antisocial behaviour.

**Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft
Housing - Policy H11 - Extensions to Existing Residential Premises**

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

**Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft
Local Environment - Policy LE13 - Proposals Affecting Listed Buildings**

Proposals for new development which adversely affects a listed building or its setting will not be permitted. Any new development within the setting of a listed building should preserve the building's character and its setting. The City Council will seek to encourage any new development to be sympathetic in scale, character and materials.

Item no: 14

Appn Ref No:
06/0943

Applicant:
Paton House
Developments Ltd

Parish:
Brampton

Date of Receipt:
27/07/2006

Agent:
Black Box Architects
Limited

Ward:
Brampton

Location:

Grid Reference:

Proposal: Erection of 9no dwellings, access road and alterations to existing farmhouse (revised application)

Planning Decision

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 hereby permitted shall not be carried out otherwise than in complete accordance with the letters from Architects Plus dated the 13th January 2006 and 24th February 2006.

Reason: To ensure that the development accords with the scheme approved by the local planning authority in accord with Policy E43 of the Carlisle District Local Plan.

3. Before the occupation of any dwelling hereby approved the existing 30 mph speed limit shall be extended beyond the proposed junction in accordance with details submitted to and approved beforehand by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with Policy H2 of the Carlisle District Local Plan.

4. The carriageway, footways and footpaths shall be designed, constructed, drained and lit to a standard suitable for adoption and in this respect further details, including longitudinal/cross sections, shall be submitted to and approved in writing by the local planning authority before any work (apart from demolition and clearance of the site) commences on site. These details shall be in accordance with the standards laid down in the current Cumbria Design Guide. Any works so approved shall be constructed before the development is completed.

Reason: To ensure that the matters specified are designed to the satisfaction of the Local Planning Authority and to support Local Transport Plan Policies S3, LD11 and LD7

5. 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 any work (apart from demolition and clearance of the site) commences. 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.

6. No dwellings shall be occupied until the estate road, including footways, to serve such dwellings has been constructed in all respects to base course level and street lighting (where it is to form part of the estate road) has been provided and brought into full operational use.

Reason: In the interests of highway safety in accordance with Policy H2 of the Carlisle District Local Plan, and, to support Local Transport Plan Policies S3, S4 and LD9.

7. Before any development takes place (apart from demolition and clearance of the site) a plan shall be submitted for the prior approval of the local planning authority reserving adequate land for the parking of vehicles engaged in construction operations associated with the development hereby approved, and that land, including vehicular access thereto, shall be used for or be kept available for these purposes at all times until completion of the construction works.

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

8. Before any dwelling is occupied the respective off-street parking shall be provided together with vehicular access thereto and the associated turning area in accordance with the approved plans. The access, spaces for garage and parking, and, turning area(s) shall be used for no other purpose without the prior approval of the local planning authority.

Reason: To ensure that the dwellings are provided with parking to the satisfaction of the local planning authority and thus comply with Criterion 4 of Policy H2 and Policy T7 of the Carlisle District Local Plan.

9. Notwithstanding the provisions of the Town and Country Planning (General

Permitted Development) Order 1995, (or any Order revoking or re-enacting that Order), no building, garage, shed or other structure shall be erected within the curtilage of the dwellings on plots 1, 2, 3, 4, 8 and 9 hereby given consent without the prior permission of the local planning authority and the approval by them of the design, siting and external appearance of such structures.

Reason: The local planning authority wishes to retain full control over the matters referred to in order to protect the character, integrity and appearance of the character of the area in accord with Policy H43 of the Carlisle District Local Plan.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order), no extensions to the dwellings on plots 1, 2, 3, 4, 8 and 9 hereby given consent shall be carried out without the permission of the local planning authority.

Reason: The local planning authority wishes to retain full control over the matters referred to in order to protect the character, integrity and appearance of the building and its setting in accord with Policy H43 of the Carlisle District Local Plan.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any other Order revoking and re-enacting that Order), no wall, fence or other means of enclosure shall be erected within the curtilages associated with the dwellings on plots 1, 2, 3, 4, and, 9 without the approval of the local planning authority.

Reason: To ensure that any form of enclosure is carried out in a co-ordinated manner in accord with Policy H16 of the Carlisle District Local Plan.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order), no gates, fences, walls or other means of enclosure shall be erected or constructed on the northern, eastern and southern boundaries of plots 5 and 8; and, the northern, western and southern boundaries of plots 6 and 7 (other than those expressly authorised by this permission) without the permission of the local planning authority.

Reason: To ensure that any form of enclosure to the front gardens of the properties is carried out in a co-ordinated manner in accord with Policy H16 of the Carlisle District Local Plan.

13. Adequate underground ducts shall be installed by the developers, to the satisfaction of the local planning authority, before any of the building(s) hereby

permitted are occupied, to enable telephone services, electricity services and communal television services to be connected to any premises within the application site, without recourse to the erection of distribution poles and overhead lines, and in providing such ducts the developers shall co-ordinate the provision of such services with the respective undertakers; notwithstanding the provisions of Article 3(1) and the Schedule 2 Part 17 Class G (B) of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), no distribution pole or overhead lines within the area shall be erected, save with the express consent of the local planning authority.

Reason: To maintain the special visual character of the locality in accord with Policy E43 of the Carlisle District Local Plan.

14. Samples or full details of all materials to be used on the exterior shall be submitted to and approved in writing by the local planning authority before any work is commenced.

Reason: To ensure the works harmonise as closely as possible with the character of the area in accordance with Policy E43 of the Carlisle District Local Plan.

15. 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, and the approved scheme shall be implemented in accordance with a phasing scheme for the conversion works hereby approved.

Reason: To ensure that materials to be used are acceptable and in compliance with the objectives of Policy E43 of the Carlisle District Local Plan.

16. No development (apart from demolition and clearance of the site) shall take place until details of a landscaping scheme, which shall include the planting of hedging to define the boundaries of the site, have been submitted to and approved by the local planning authority.

Reason: To ensure that a satisfactory landscaping scheme is prepared in accord with Policy E19 of the Carlisle District Local Plan.

17. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any dwelling hereby given consent or the completion of the development (whichever is the sooner) and maintained thereafter to the satisfaction of the Council; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become

seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that a satisfactory landscaping scheme is implemented in accordance with the objectives of Policy E19 of the Carlisle District Local Plan.

18. Before the commencement of development (outside of demolition and site clearance) an assessment of the existing watercourse will be submitted and approved in writing by the local planning authority. The aforementioned assessment, which shall not only establish the setting of the lowest finished floor levels of the approved dwellings but also what repairs need to be undertaken to the mill race wall, shall be fully undertaken contemporaneously with the completion of individual plots or, in the alternative, prior to the occupation of more than seven of the dwellings hereby given planning permission.

Reason: To reduce the risk of flooding in accordance with the underlying objectives of Policy E20 of the Carlisle District Local Plan.

19. Details of the relative heights of the existing and proposed ground levels and the height of the proposed finished floor levels of the dwellings and garages shall be submitted to and approved in writing by the local planning authority before any site works commence.

Reason: In order that the approved development overcomes any problems associated with the topography of the area, that it satisfies the requirements of the Environment Agency in relation to flood risk and that it meets the objectives of Policy E20 of the Carlisle District Local Plan.

20. No development approved by this permission shall commence (outside of demolition and site clearance) until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be completed in accordance with the approved details contemporaneously with the completion of individual plots or, in the alternative, prior to the occupation of the final dwelling hereby given planning permission.

Reason: To reduce the risk of flooding by ensuring the provision of a satisfactory means of surface water disposal and in accordance with the underlying objectives of Policy E20 of the Carlisle District Local Plan.

21. No external lighting of the entrance and associated roadway shall be installed or erected within the site until details have been submitted to and approved in

writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To minimise any light pollution and safeguard the character of the area.

Summary of Reasons for the Decision

1. SITE DESCRIPTION

Hemblesgate is located on the western side of Tarn Road and originally comprised a farmhouse; traditional range of two storey and single storey outbuildings with stonewalls and slate roofs. There were also more recent agricultural buildings to the immediate south of the courtyard. The farmhouse and traditional outbuildings, although not listed, formed a local landmark. Brampton Beck runs through the site and along the western wall of a barn/mill.

2. BACKGROUND INFORMATION

In June of this year, under application numbers 05/1395 and 05/1396, planning permission and Conservation Area Consent were given for the demolition of the existing outbuildings and their replacement by a terrace of five houses and four detached houses. The proposed terrace (plots 1-4 and 9) followed the layout of the former range of outbuildings. A new access was to be formed to the south of the site. The proposed dwellings on plots 5-8 were four bed units.

In comparison to the previous scheme approved under applications 05/1395 and 05/1396 the current proposal involves the re-siting and redesign of the proposed dwellings. The originally submitted plans, which show the incorporation of additional land, have subsequently been revised so that the various house types now incorporate:

- Stone quoins on the main buildings and the link houses
- A reduced footprint of the proposed dwelling on plot 8
- Full stone surrounds to all windows to match ails and heads
- Re-introduction of chimneys and eaves details
- Closed eaves details to stonework walls and gables
- Amended windows to kitchens and living rooms
- Re-designed window/door assemblies to the link houses
- Amended rooflines to the houses on plots 5 and 6
- The introduction of weathervanes

Copies of the revised plans have been attached to this report.

3. ASSESSMENT

At the time of assessing application 05/1395 it was considered that the main issues revolved around seeing whether the benefits outweigh the harm in terms of:

- a) Whether the proposal would harmonise with the character and appearance of Brampton Conservation Area, and, the designated County Landscape;
- b) Whether the site would be appropriate for residential use in the light of national, regional and local planning policy;
- c) Whether there are any problems associated with flooding and/or the disposal of surface water; and,
- d) Highway safety.

The relevant national guidance being contained in PPS1 "Delivering Sustainable Development,, PPG3 "Housing,, (revised March 2000), PPS7 "Sustainable Development in Rural Areas,, PPG13 "Transport,, and,, and, PPG15 "Planning and the Historic Environment".

In the context of the current proposal it is considered that the circumstances concerning the aforementioned issues b), c) and d) have not fundamentally altered.

In the case of a), it is considered that the revised plans are acceptable and therefore the proposal is recommended for approval.

Relevant Development Plan Policies

Carlisle District Plan Environment - Policy E4

Within County Landscapes (as defined on the Proposals Map) permission will not be given for development or land use changes which would have an unacceptable effect on their distinctive landscape character.

Development required to meet local infrastructure needs which cannot be located elsewhere will be permitted provided it is sited to minimise environmental impact and meet high standards of design.

Carlisle District Plan Environment - Policy E19

In considering proposals for new development the City Council will where appropriate require the retention of existing trees, shrubs, hedges and other wildlife habitats, and the replacement of any environmental feature lost to development. Landscaping schemes to be implemented by the applicant will be required as part of most planning applications.

Carlisle District Plan

Environment - Policy E20

Development which would result in the raising of the floor of the floodplain, or which would have an adverse impact on the water environment due to additional surface water run off, or adversely affect river defences will not be permitted unless appropriate alleviation or mitigation measures are included. This applies to the floodplains of the River Eden, Caldew, Petteril, Esk, Irthing and Lyne and their tributaries which are all subject to periodic flooding.

Carlisle District Plan Environment - Policy E31

On land for which there is no archaeological information, but where there are reasonable grounds for believing remains to be present, the City Council will ensure that the archaeological aspects of development proposals are examined and evaluated before planning applications are determined. Planning permission will not be granted without adequate assessment of the archaeological implications.

Carlisle District Plan Environment - Policy E43

The City Council will encourage and permission will be granted for development within and adjoining Conservation Areas which preserves or enhances their character. The City Council will seek to ensure that any new development or alterations to existing buildings are in sympathy with the setting, scale, density and physical characteristics of Conservation Areas and protect important views into or out of such areas. Applications for outline planning permission will not be accepted for proposals in Conservation Areas.

Carlisle District Plan Transport - Proposal T1

In considering applications for development, account will be taken of the availability of a choice of means of travel to and from the site.

Carlisle District Plan Transport - Proposal T7

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

1. The Parking Guidelines for Cumbria as detailed in Appendix 2;
2. The availability of public car parking in the vicinity;
3. The impact of parking provision on the environment of the surrounding area;
4. The likely impact on the surrounding road network; and

5. Accessibility by and availability of other forms of transport.

**Carlisle District Plan
Housing - Proposal H1**

To provide for housing needs, an additional 4,664 dwellings are required between April 1st 1994 and April 1st 2006. Making allowances for sites with planning permission and windfall sites provision, land for a further 2,146 dwellings is allocated for primary residential purposes, providing for a variety of housing needs. These additional sites, are:

Dwellings	Site	Ha.
i. Morton Carlisle	41.00	1.025*
ii. Garlands Carlisle	17.80	445*
iii. Warwick Road, Carlisle	5.10	128*
iv. Brisco Road, Carlisle	3.30	83*
v. RAF 14MU Site No. 4	3.50	90*
vi. Windsor Way, Carlisle	8.04	200*
vii. Scotby, Carlisle	2.30	58*
viii. William Howard Lower School, Brampton	1.00	25*
ix. Barras Lane, Dalston	2.99	50
x. Nook Lane, Dalston	1.47	20
xi. Ladyseat, Longtown	0.87	22*
Total	87.37	2,146

*Site capacity for these sites is based on 25 dwellings per hectare.

Proposals for residential development not included in the above allocations will be assessed according to Policies H2-H7.

All housing developments will be closely monitored to ensure that the scale of residential development relates to the Structure Plan requirement.

**Carlisle District Plan
Housing - Proposal H2**

Within the Primary Residential Areas defined on the inset maps for Carlisle,

Brampton, Longtown and Dalston, proposals for new residential development will be acceptable provided that:

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

Proposals for uses other than residential will not be permitted in Primary Residential Areas other than where they do not adversely affect residential amenity.

Development that would create unacceptable noise, smell, safety and health impacts or excessive traffic generation will not be acceptable. Such schemes falling within the scope of this Policy will be considered against the above criteria as well as other Policies of the Plan appropriate for the proposed use.

Carlisle District Plan Housing - Proposal H3

Within the Capon Tree Road area of Brampton, shown in the Brampton Inset Proposals Map residential development will be permitted, provided:

1. The proposed development is of high quality, sympathetic to the character of the area;
2. The proposal is of low density with no more than five dwellings per hectare;
3. The proposed development does not involve the loss of existing mature trees.

Carlisle District Plan Housing - Proposal H4

Within Carlisle, Brampton, Longtown and Dalston, outside the Primary Residential Areas and sites allocated under proposal H1, applications for residential development, including redevelopment and the change of use of vacant and underused buildings, will be permitted provided that:

1. Satisfactory housing conditions can be achieved; and
2. The proposal will complement the existing character of the area; and
3. The proposal will not adversely affect the amenity of the area; and
4. Satisfactory access can be provided; and

5. Appropriate parking arrangements can be made.

Carlisle District Plan Housing - Proposal H9

Notwithstanding Proposal H1 and Policies H2-H5 and H7, proposals for residential development may be permitted in locations where such development would not usually be permitted, where the following conditions are met:

1. The proposal is for low-cost housing to meet an identified need; and
2. The proposal is supported by a detailed agreement which will satisfy the requirement that once built the residential units are retained for the benefit of successive as well as initial occupiers; and
3. The proposal is well related to the settlement where the need has been identified and does not involve a significant impact on the local landscape.

Carlisle District Plan Housing - Proposal H15

Within the Plan area, where there is evidence of need, developers will be encouraged to meet the needs of disabled people. In these instances dwellings should be readily accessible for disabled people and be capable of adaptation to meet the needs of any future disabled resident.

Carlisle District Plan Housing - Proposal H16

High standards of design in new housing sites and dwellings will be required. Matters to be considered include: The layout of roads and buildings; footpaths and cycleways; the retention of existing trees and hedgerows; planning out crime; the provision of public open space; the relationship to adjacent development.

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Development Principles - Policy DP9 - Landscapes of County Importance

Within Landscapes of County Importance, will only be given for development provided that:

1. there is no unacceptable adverse effect on the distinctive landscape character and features of the area; and

2. the proposal preserves or enhances the special features and character of the particular landscape within which it is to be sited.

Development required to meet local infrastructure needs which can not be located elsewhere will be permitted provided it is sited to minimise environmental impact and meet high standards of design.

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Local Environment- Policy LE8 - Archaeology on Other Sites

On land for which there is no archaeological information, but where there are reasonable grounds for believing remains to be present, the City Council will ensure that the archaeological aspects of development proposals are examined and evaluated before planning applications are determined. Planning permission will not be granted without adequate assessment of the archaeological implications.

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Local Environment - Policy LE18 - Demolition of Unlisted Buildings in Conservation Areas

There will be a general presumption in favour of the retention of buildings which make a positive contribution to the character or appearance of a conservation area. Applications for conservation area consent for the total demolition of unlisted buildings in conservation areas will be assessed against the following criteria:

1. the contribution of the building to the landscape/townscape; and
2. the structural condition of the building; and
3. the suitability of the building for its existing, proposed or any other use; and
4. the cost of repair; and
5. the contribution which the demolition/ redevelopment would make to broader conservation objectives.
- 6 the inclusion of any building on a local list as defined in policy LE17

All proposals for demolition must be accompanied by details of redevelopment, which will normally be secured by means of a legal agreement.

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Local Environment - Policy LE20 - Conservation Areas

The City Council will continue to review existing and designate new conservation areas. The City Council will encourage, and permission will be granted for development within and adjoining conservation areas which preserves or enhances their character. The City Council will seek to ensure any new development or alterations to existing buildings are in sympathy with the setting, scale, density and physical characteristics of conservation areas, and protect important views into or out of such areas. Applications for outline planning permission will not be accepted for proposals in conservation areas.

Proposals for new development and/or the alteration of buildings in conservation areas should harmonise with their surroundings:

1. the development should preserve or enhance all features which contribute positively to the area's character or appearance, in particular the design, massing and height of the building should closely relate to adjacent buildings and should not have an unacceptable impact on the townscape or landscape;
2. The development should not have an unacceptable impact on the historic street patterns and morphology, roofscape, skyline and setting of the conservation area, important open spaces or significant views into, out of and within the area;
3. development proposals should not result in the amalgamation or redrawing of boundaries between traditional buildings and plots, or demolition and redevelopment behind retained facades;
4. wherever practicable traditional local materials such as brick, stone and slate should be used and incongruous materials should be avoided;
5. individual features both on buildings and contributing to their setting, should be retained e.g. doorways, windows, shopfronts, garden walls, railings, cobbled or flagged forecourts, sandstone kerbs, trees and hedges, etc. Where features have deteriorated to the extent to which they have to be replaced, the replacement should match the original;
- 6 proposals which would generate a significant increase in traffic movements and heavy vehicles or excessive parking demands will not be permitted since these would be prejudicial to amenity;
- 7 proposals which would require substantial car parking and servicing areas which can not be provided without an adverse effect on the site and its surroundings will not be permitted.

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Local Environment - Policy LE28 - Developed Land in Floodplains

Development on previously developed land which is at risk of flooding will only be permitted provided that a Flood Risk Assessment has been submitted with the planning application that confirms:

1. no other lower risk alternative site exists; and
2. flood defence measures to the appropriate standard are already in place or can be provided; and
3. adequate flood plain storage capacity can be provided; and
4. the development will not interfere with flood flows nor increase flood risk elsewhere; and
5. access and egress could be reasonably maintained at times of flood risk; and
6. adequate flood warning and evacuation procedures will be provided; and
7. mitigation measures will be provided where necessary; and
8. the building materials are appropriate for a flood risk area.

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Core Development Policies - Policy CP4 - Design

The suitability of any new development or redevelopment will be assessed against the following design principles. Proposals should:

1. Have regard to surrounding buildings in the context of their form in relation to height, scale and massing and making use of appropriate materials and detailing.
2. Take into consideration any important landscape or topographical features and respect local landscape character.
3. Reinforce local architectural features where appropriate promoting and respecting local distinctiveness rather than detracting from it.
4. Be well integrated- ensuring all components of a development are well related to one another e.g. buildings, associated parking, access routes, open space, and hard and soft landscaping to ensure a successful and attractive outcome.
5. Not adversely affect the residential amenity of existing areas-nor adjacent land uses, nor result in unacceptable standards for future users and occupiers of the development.
6. Ensure where possible the retention of existing trees, shrubs, hedges and other wildlife habitats and the replacement of any environmental feature lost to development
7. Recognise that landscaping schemes (both hard and soft) will be required to assist in integrating new development into existing areas and ensure that development on the edge of settlements is fully integrated into its surroundings.
8. Ensure that the necessary services and drainage infrastructure can be incorporated without causing unacceptable harm to retained features.
9. Through layout and design, encourage the promotion of energy and water conservation by its future occupiers, the incorporation of sustainable forms of energy production within the overall design should also be explored where appropriate
10. Have a layout and design which minimises the potential for crime and antisocial behaviour.

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Core Development Policies - Policy CP5 - Residential Amenity

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

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

In order to ensure residential amenity is not compromised a minimum distance of 21 metres should be allowed between primary facing windows between dwellings (12 metres gable end to primary facing window). A minimum of 4 metres should be allowed between gable ends to allow for maintenance of property. Changes in levels of land and height of development will be taken into account in applying these distances.

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Core Development Policies - Policy CP15 - Public Transport, Pedestrians and Cyclists

Existing provision for cyclists and pedestrians will be protected, promoted and enhanced. All new development, accessible by the public, should include provision for safe and convenient pedestrian and cycle access, including secure cycle parking facilities where appropriate. New development should help to create places that are sustainably well connected with each other, providing the right conditions to encourage walking, cycling and the use of public transport.

In assessing the suitability of new developments account will be taken as to the availability of alternative modes of transport to the private car to ensure that new sites can be reached sustainably. In considering the layout of a proposal, care should be taken to ensure that the needs of pedestrians and cyclists are placed before other traffic to ensure a safe environment for all.

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Transport - Policy T1 - Parking Guidelines

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

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

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Housing - Policy H1 - Location of New Housing Development

New housing development will be located in sustainable locations in accordance with PPG 3: *Housing*, Regional Planning Guidance and the Joint Structure Plan. During the Plan period 80% of new development will be located within the urban area of Carlisle, including allocated sites on the edge of the City referred to in Proposal H16. The remaining 20% will be permitted in the rural area of the District with the focus on the two Key Service Centres of Brampton and Longtown.

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

1. the site is well related to the landscape of the area and does not intrude into open countryside; and
2. the scale of the proposed development is well related to the scale, form and

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

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

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

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

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

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

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

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

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

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

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

Item no: 15

Appn Ref No:
06/1162

Applicant:
Mr D Klein

Parish:
Stanwix Rural

Date of Receipt:
02/10/2006

Agent:
Jock Gordon

Ward:
Stanwix Rural

Location:
Orchard Holme, Orchard Gardens, Houghton,
Carlisle, CA3 0LH

Grid Reference:
340576 559218

Proposal: Erection of detached domestic double garage

Planning Decision

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 external walling and roofing materials to be used in the building works hereby permitted shall be identical to those in the existing building. If any other material is proposed no development shall take place until such has been approved, in writing, by the Local Planning Authority.

Reason: To ensure the works harmonise as closely as possible with the existing building and to ensure compliance with Policy H14 of the Carlisle District Local Plan.

Summary of Reasons for the Decision

The proposal seeks full planning permission for the erection of a detached garage within the curtilage of Orchard Holme, Houghton, Carlisle. The site is square in nature and has an access leading from the cul du sac head of Orchard Garden, situated on the western fringe of the village. The house is currently under construction on the site and the site is bounded by residential properties to the north and south.

It is proposed to add a single level double garage to the site south-west of the dwelling to be used for domestic purposes. The garage is to be constructed from facing brick and roof tiles to match the house under construction and will be sited 3 metres from the dwelling at the nearest point. It will extend 10 metres along the south-eastern boundary and 12 metres along the southern boundary and will be 4.4 metres at the highest point. The garage at no point will be closer than 1 metre to the hedge adjoining the neighbouring sites.

The relevant planning policies against which the application is required to be assessed against is Policies H14 and H17 of the Carlisle District Local Plan; and Policies CP4, CP5 and H11 of the Carlisle District Local Plan Redeposit Draft. To surmise these policies relate to amenity values and ensuring any development is consistent with the surrounding environment and of an appropriate scale and style.

• Amenity Values

As aforementioned the proposed garage is at the closest 1m to the nearest boundary and is of a single storey nature. Vegetation exists along the boundaries of the adjoining properties and aids in acting as a screening mechanism. No windows exist in the garage ensuring no additional outlook onto neighbouring properties that could result in a loss of privacy. Overall it is considered that given the vegetation and scale of the garage the proposed development will not be overbearing to adjacent properties, detract from the visual outlook as currently experienced, or create issues in regards to restriction

of privacy or daylight. The proposal is for a further residential extension on the site and will not result in traffic or noise effects associated with non residential activities. As stated both the Carlisle District Local Plan and the Carlisle District Local Plan Redeposit Draft have policies to ensure that residential amenities are not compromised. Proposals should not be visually intrusive, lead to an increase in traffic or noise or be of an unacceptable scale. The proposal is not considered to result in any of these and for the reasons as outlined it is considered the proposal is consistent with the relevant policies of both these plans.

- **Appropriateness of the Development**

The Carlisle District Local Plan Redeposit Draft has policies related to design principles and ensuring that any new development complements the existing environment, both built and natural. The development will ensure this and will not contradict the existing and intended environment. The scale and height of the proposed garage is comparable to the existing development of the site. The garage will complement the existing dwelling currently being erected as will be constructed from matching materials. The site is of a moderate size and the construction of the dwelling and garage will still maintain a high level of open space similar to those sites in the surrounding area. The level of development proposed is considered appropriate to the dwelling and for the site overall. No vegetation removal will be required to complete the development.

- **Other Matters**

The Parish Council has commented the garage is of inappropriate scale and character, being detrimental to neighbouring environmental amenity. Although these are relevant planning considerations, for the reasons detailed in the preceding paragraphs, the proposal is considered to be consistent with current planning policies.

- **Summary**

In overall terms it is considered the proposal does not adversely affect the amenities of adjacent properties by poor design and lack of compatibility with existing development, or through the loss of privacy or restriction of daylight. The scale and design of the proposed garage is considered acceptable in relation to the dwelling and the size of the site. In all aspects the proposal is considered to be compliant with the objectives of the relevant adopted and emerging Development Plan policies. The application is recommended for approval.

Relevant Development Plan Policies

**Carlisle District Plan
Housing - Proposal H17**

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

1. Is for a use inappropriate for residential areas; and/or
2. Is of an unacceptable scale; and/or
3. Leads to an unacceptable increase in traffic or noise; and/or
4. Is visually intrusive; and/or
5. Leads to a loss of housing stock.

Carlisle District Plan Housing - Proposal H14

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

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Core Development Policies - Policy CP4 - Design

The suitability of any new development or redevelopment will be assessed against the following design principles. Proposals should:

1. Have regard to surrounding buildings in the context of their form in relation to height, scale and massing and making use of appropriate materials and detailing.
2. Take into consideration any important landscape or topographical features and respect local landscape character.
3. Reinforce local architectural features where appropriate promoting and respecting local distinctiveness rather than detracting from it.
4. Be well integrated- ensuring all components of a development are well related to one another e.g. buildings, associated parking, access routes, open space, and hard and soft landscaping to ensure a successful and attractive outcome.
5. Not adversely affect the residential amenity of existing areas-nor adjacent land uses, nor result in unacceptable standards for future users and occupiers of the development.
6. Ensure where possible the retention of existing trees, shrubs, hedges and other wildlife habitats and the replacement of any environmental feature lost to development
7. Recognise that landscaping schemes (both hard and soft) will be required to assist in integrating new development into existing areas and ensure that development on the edge of settlements is fully integrated into its surroundings.
8. Ensure that the necessary services and drainage infrastructure can be

- incorporated without causing unacceptable harm to retained features.
9. Through layout and design, encourage the promotion of energy and water conservation by its future occupiers, the incorporation of sustainable forms of energy production within the overall design should also be explored where appropriate
 10. Have a layout and design which minimises the potential for crime and antisocial behaviour.

**Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft
Core Development Policies - Policy CP5 - Residential Amenity**

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

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

In order to ensure residential amenity is not compromised a minimum distance of 21 metres should be allowed between primary facing windows between dwellings (12 metres gable end to primary facing window). A minimum of 4 metres should be allowed between gable ends to allow for maintenance of property. Changes in levels of land and height of development will be taken into account in applying these distances.

**Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft
Housing - Policy H11 - Extensions to Existing Residential Premises**

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

Item no: 16

Appn Ref No:
06/1244

Applicant:
Mapeley Abi Provider Ltd

Parish:
Kingmoor

Date of Receipt:

Agent:

Ward:

26/10/2006

King Sturge LLP

Stanwix Rural

Location:

Part Ground Floor, Suite 1, Regent's Court,
Kingmoor Business Park, Carlisle, CA6 4SJ

Grid Reference:

338500 560297

Proposal: Change of use to an interview and administration centre (sui generis) for a temporary period up to 30 September 2011

Planning Decision

Grant Permission

1. The use hereby permitted shall be discontinued not later than the 30th September 2011 unless in the meantime a further application has been submitted to and approved, in writing, by the Local Planning Authority.

Reason: The local planning authority wish to review the matter at the end of the limited period specified to ensure compliance with Policy EM2 of the Carlisle District Local Plan.

Summary of Reasons for the Decision

This application seeks temporary planning consent for the change of use of part of the ground floor of a premises to enable it to be used as an interview/administration centre. The premises is located within Kingmoor Business Park, formerly 14MU, which is located to the north of the City. The application site is located adjacent to the 'Capita Building' close to the northern entrance to the business park. The site is identified by the Carlisle District Local Plan as lying within a Primary Employment Area. There are no residential properties within close proximity of the site.

The proposal involves internal alterations to the building, which in their own right do not require planning consent. No external alterations are proposed to the building. Whilst the description of the application refers to an interview/ administration centre the premises is intended to be occupied by the Identity and Passport Service (IPS), which is a Government Department. IPS is establishing a nation wide network of new offices in order to provide a service for first time adult passport applicants, for whom it is now a requirement to be interviewed.

Visitors to the centre will be almost exclusively by appointment only and the Department will undertake an administration process whereby invited applicants will be interviewed and the data will be collected and processed. It is anticipated that there will be approximately ten visitors per day, although numbers will vary on a daily basis. Initially four staff will be employed at the premises. A total of ten car parking spaces have been allocated to the premises to cater for both staff and visitor

car parking.

The relevant planning policies against which the application is required to be assessed are Policies EM2 and T7 of the Carlisle District Local Plan and Policies EC1 and T1 of the Carlisle District Local Plan 2001-2016 Redeposit Draft.

The proposals raise the following planning issues:

1. Whether the principle of the development is acceptable.

When considering the objections raised Members are reminded that the site lies within a Primary Employment Area where proposals for B1 (Business), B2 (General Industry) and B8 (Storage and Distribution) uses are considered acceptable.

Although the range of activities carried out will be similar to uses that fall under the umbrella of Use Class B1, because of the particular of activities that will take place, the applicants agent has confirmed, in writing, that their client does not consider that the proposed use sits entirely within Class B1. In order to ensure that the proposed use will be lawful the agents have been instructed to apply for planning permission.

The issue of whether consent for the proposed use has been debated with the agents. The 'Land Use Gazetteer', which is commonly used to establish the use class that a particular activity falls within, suggests that 'passport offices' lie within Class B1. The fact that members of the public will visit the premises alters this position slightly insofar as it is not entirely office based; however, irrespective of this debate, the use of the premises will be principally office based. Whilst the use may be considered to be sui generis (not falling within a specific use class) it is 'employment based' and it is not considered that the use itself is contrary to either Policy EM2 of the adopted Local Plan or Policy EC1 of the emerging Local Plan.

2. Whether the proposal will result in excessive traffic generation and whether adequate car parking is available to serve the premises.

A total of ten car parking spaces are available to serve the premises. Given that four members of staff are to be employed, with approximately ten members of the public visiting the premises over the course of the day, adequate car provision would be available.

In light of the above, the anticipated level of traffic generation is considered to be negligible. The objectors concerns regarding the impact that the proposal will have upon traffic congestion within Carlisle are unfounded. Furthermore, Members will note that the Highway Authority has raised no objections to the proposal.

3. Impact of the proposal upon neighbouring businesses.

Given that the use of the premises, like many of the surrounding uses, is office based the proposal will not adversely affect the occupants of these premises.

Two of the objectors have suggested that the inclusion of a 'panic room' denotes that the applicants anticipate situations of tension or violence, which may adversely

affect the occupiers of adjacent employment premises. In respect of this matter the applicant's agent has advised the 'panic room' is a health and safety requirement so that the receptionist has an escape route in the event of an emergency. Given the nature of the proposed use it is not envisaged that situations involving tension or violence are likely to occur on a regular basis.

4. Other matters.

In response to the objectors concern regarding the location of the premises in relation to the public that it is intended to serve, it should be noted that this is a matter for the IPS to address and not one that should prejudice the determination of the planning application.

With regard to the absence of public facilities the applicant's agent has advised that toilets are available within the 'common areas' that serve the premises and surrounding units.

In overall terms the use of the premises is considered acceptable in this location. The proposal will not result in excessive traffic generation or disturbance that will adversely affect the surrounding commercial properties on the site. In all aspects the proposals are considered to be compliant with the objectives of the relevant adopted and emerging Development Plan policies.

Relevant Development Plan Policies

Carlisle District Plan Employment - Proposal EM2

Within Primary Employment Areas proposals for B1, B2 and B8 uses will be acceptable. Permission will not be given for redevelopment or changes of use within such areas for other purposes. Exceptions may be permitted where:

1. The existing use of the site adversely affects or could adversely affect adjacent residential properties; or
2. The proposed alternative use is essential for the redevelopment of the majority of the site for employment purposes; and
3. The alternative development would be appropriate in terms of scale and design to the surrounding area, and the amenity of adjacent properties would not be prejudiced.

Carlisle District Plan Transport - Proposal T7

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

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

**Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft
Economic and Commercial Growth - Policy EC1- Primary Employment Areas**

Within Primary Employment Areas proposals for B1, B2 and B8 uses will be acceptable. Permission will not be given for redevelopment or changes of use within such areas for other purposes.

Exceptions may be permitted where:

1. the existing use of the site adversely affects or could adversely affect adjacent residential properties or the local environment; or
2. the proposed alternative use provides for needed community building or public amenity space; or
3. the proposed alternative use is essential for the redevelopment of the majority of the site for employment purposes; and
4. The alternative development would be appropriate in terms of scale and design to the surrounding area and the amenity of adjacent properties would not be prejudiced.

Proposals for public sales floorspace within employment units will be restricted to no more than 5% of the available floorspace. Restrictions will be placed on the hours of operation in order to ensure that the use remains ancillary to the prime use of the unit.

Employment uses have now become established at the former RAF14MU outlying sites at Harker, Heathlands and Rockcliffe. The sites are designated as Primary Employment Areas.

In the Sandysike/Whitesyke areas proposals for the redevelopment and extension to existing industrial and warehousing premises will be acceptable provided:

1. the proposal does not have an adverse impact on the landscape; and
2. the proposal does not involve the loss of existing tree cover; and
3. where appropriate, opportunities are taken to reinforce existing landscaping; and
4. Adequate access and appropriate parking are provided.

**Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft
Transport - Policy T1 - Parking Guidelines**

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

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

Item no: 17

Appn Ref No:
06/1214

Applicant:
D & D Premier Homes Ltd

Parish:
Carlisle

Date of Receipt:
17/10/2006

Agent:
John Lyon Associates

Ward:
Belah

Location:
Land Adjacent 52, Caird Avenue, Carlisle

Grid Reference:
338984 557844

Proposal: Erection of 2no. semi detached houses

Planning Decision

Members resolved to give authority to the Head of Planning and Housing Services to issue approval for the proposal subject to no adverse comments being received from Natural England following the investigation into the presence of Great Crested Newts.

Item no: 18

Appn Ref No:
06/1295

Applicant:
Mr R Miller

Parish:
Stanwix Rural

Date of Receipt:
08/11/2006

Agent:
R E Banks

Ward:
Stanwix Rural

Location:
Greenfield Farm, The Green, Houghton, Carlisle,
CA3 0LP

Grid Reference:
340795 558885

Proposal: Change of use of land to mixed use and erection of storage shed
(retrospective)

Planning Decision

Grant Permission

1. No competitive events advertised to the general public shall take place on the land.

Reason: In order to safeguard the level of use of the site to preserve the character of the countryside.

2. No system of public address, loudspeaker system or amplified music shall be operated within the site without the prior written approval of the Local Planning Authority.

Reason: To preclude the possibility of the use of the premises for purposes inappropriate in the locality and to ensure compliance with Policy H17 of the Carlisle District Local Plan.

3. Notwithstanding the provisions of the town and Country Planning (Control of Advertisements) Regulations 1992 no advertisement relating to the use hereby approved, shall be displayed on any land forming part of Greenfield Farm, Houghton without prior consent in writing of the local planning authority.

Reason: To ensure that the proposed development is undertaken in a manner which safeguards the visual amenities of the area.

4. The shed hereby permitted shall not be used except for private and domestic purposes and shall at no time be used for any commercial or business purposes whatsoever.

Reason: To preclude the possibility of the use of the premises for purposes inappropriate in the locality and to ensure compliance with Policy H17 of the Carlisle District Local Plan.

5. There shall be no interference with the public's right of way over Public Footpath No. 132010.

Reason: In order to prevent any obstruction to a public right of way in accord with Policy L5 of the Carlisle District Local Plan.

Summary of Reasons for the Decision

The application seeks approval, retrospectively, for the erection of a storage shed and the change of use of the agricultural land to include 'horsiculture' at Greenfield Farm, Houghton. The application site is located immediately to the rear of 6-8 The Green. With the exception of these properties, located adjacent to the northern boundary, the site is surrounded entirely by open countryside.

The application site comprises the residential property of Greenfield Farm; the storage building and an 11.5 acre field that are subject to this application, together with a dwelling that is currently under construction, which was approved under application 06/0090. The vehicular access to the site remains unchanged with access being obtained via The Green.

Permission is required for the change of use of the land as the applicant uses the land for recreational purposes associated with 'horsiculture' together with the keeping of cattle for agricultural purposes. The land subject to this application will be used for the grazing of both horses and cattle although, essentially, there will be no change in visual terms of its appearance. The building, which has already been constructed, is located at the north western extent of the site and would be used for the storage of hay associated with the keeping of cattle/horses. It measures 22.0 metres in length, 8.3 metres in width, 3.04 metres to the eaves and 3.96 metres to the ridge. The building is constructed of render and grey profile cladding under a grey profile sheeted roof.

The application is brought before Members as the Parish Council objected to a previous application for an identical proposal, which was withdrawn earlier in the year. The Parish Council has confirmed verbally that they intend to reiterate the previous three objections raised, which relate to the lack of justification for the proposal, the inaccuracy of the block plan and the reference made to the buildings used in conjunction with an equestrian centre.

The relevant planning policies against which this application is required to be assessed are policies E2 and H17 of the Carlisle District Local Plan and Policies LE26, CP4, DP1 and CP5 of the Carlisle District Local Plan Redeposit Draft.

The proposal raises the following planning issues.

1. Principle of the proposal

'Greenfield Farm' and the new residential property sit at the front of the site; therefore the location of the shed to the rear of these properties restricts the impact of the proposal on the surrounding area. An agricultural building of similar scale and footprint previously occupied the site; however, this was demolished in order to allow for the erection of the new dwelling. The proposal is now located further away from the residential properties of the Green; essentially improving the situation for these properties. With reference to the settlement boundaries set out in the Local Plan Deposit Draft, the building is located within the settlement boundary designated for Houghton. It is considered the proposal is well related to the village and would not constitute development in the open countryside. The Parish Council have raised that no justification for the building has been submitted; however the applicant has verbally confirmed this proposal is not for commercial use and is for the applicant's personal use. Justification of the scheme in this instance would be inappropriate; to ensure the building is only used for personnel use a condition ensuring this has been attached.

2. Design and Scale

The land, which makes up the application, extends in a linear formation to the rear of the property. The building is of modern agricultural scale and design but it is considered the scale of the building is appropriate for the land and the keeping of on average 8 cattle and 5 horses at one time. The building is constructed of materials, which blend with the surrounding area and minimises the visual impact of the proposal.

3. Residential Living Conditions

The site does have residential properties adjacent to the eastern boundary and the living conditions of the occupiers of these properties should be protected. The shed is to be used for hay and it is not considered the proposal will impact on these neighbouring properties in terms of the use. The site has no other buildings of this type however the proposal has been designed to minimise the impact; by keeping the height of the building to a minimum and through the use of materials and colours which attempt to blend with the surrounding.

In conclusion, the proposed building is of an appropriate scale to the size of land the unit will be serving. Due to the layout of the site and location of the building within the site is not considered to impact on the neighbouring residential properties or the visual appearance of the area. The site has previously housed an agricultural building and this scheme would replace the building, which was lost due to the construction of the new dwelling. The change of use of the land regularises the situation so the applicant can graze both horses and cattle on his land. It is considered the proposal is in accordance with Development Plan Policies and therefore the application is recommended for approval.

Relevant Development Plan Policies

Carlisle District Plan Environment - Policy E2

Proposals for new farm buildings and extensions to existing agricultural buildings and other farm structures will be permitted, providing that:

1. The building or structure is sited where practical to integrate with existing farm buildings and/or take advantage of the contours of the land and any existing natural screening; and
2. The scale and form of the proposed building or structure relates to the existing group of farm buildings; and
3. Within AONB's and Conservation Areas, the design and materials used reflect the overall character of the area; and
4. The proposal would not have an unacceptable adverse effect on any adjacent properties.

Carlisle District Plan Housing - Proposal H17

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

1. Is for a use inappropriate for residential areas; and/or
2. Is of an unacceptable scale; and/or
3. Leads to an unacceptable increase in traffic or noise; and/or
4. Is visually intrusive; and/or
5. Leads to a loss of housing stock.

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Local Environment - Policy LE26 - Agricultural Buildings

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

1. The building or structure is sited where practical to integrate with existing farm buildings and/or take advantage of the contours of the land and any existing natural screening; and
2. The scale and form of the proposed building or structure relates to the existing group of farm buildings; and
3. Within AONBs, conservation areas and Landscapes of County Importance, the design and materials used reflect the overall character of the area; and

4. The proposal would not have an unacceptable impact on any adjacent properties.

**Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft
Core Development Policies - Policy CP4 - Design**

The suitability of any new development or redevelopment will be assessed against the following design principles. Proposals should:

1. Have regard to surrounding buildings in the context of their form in relation to height, scale and massing and making use of appropriate materials and detailing.
2. Take into consideration any important landscape or topographical features and respect local landscape character.
3. Reinforce local architectural features where appropriate promoting and respecting local distinctiveness rather than detracting from it.
4. Be well integrated- ensuring all components of a development are well related to one another e.g. buildings, associated parking, access routes, open space, and hard and soft landscaping to ensure a successful and attractive outcome.
5. Not adversely affect the residential amenity of existing areas-nor adjacent land uses, nor result in unacceptable standards for future users and occupiers of the development.
6. Ensure where possible the retention of existing trees, shrubs, hedges and other wildlife habitats and the replacement of any environmental feature lost to development
7. Recognise that landscaping schemes (both hard and soft) will be required to assist in integrating new development into existing areas and ensure that development on the edge of settlements is fully integrated into its surroundings.
8. Ensure that the necessary services and drainage infrastructure can be incorporated without causing unacceptable harm to retained features.
9. Through layout and design, encourage the promotion of energy and water conservation by its future occupiers, the incorporation of sustainable forms of energy production within the overall design should also be explored where appropriate
10. Have a layout and design which minimises the potential for crime and antisocial behaviour.

**Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft
Core Development Policies - Policy CP5 - Residential Amenity**

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

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

In order to ensure residential amenity is not compromised a minimum distance of 21

metres should be allowed between primary facing windows between dwellings (12 metres gable end to primary facing window). A minimum of 4 metres should be allowed between gable ends to allow for maintenance of property. Changes in levels of land and height of development will be taken into account in applying these distances.

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Development Principles - Policy DP1 - Sustainable Development Locations

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

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

Within these locations development proposals will be assessed against a sequential approach for the need to be in the location specified. In particular proposals for retail, office and leisure developments will all be subject to the sequential approach contained in paragraph 2.44 in PPS6. Residential proposals will be considered against sequential criteria based on PPG3.

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

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

Carlisle District Plan Leisure - Proposal L5

The City council will seek to retain all existing bridleways, footpaths and rights of

way and to establish new routes wherever possible. New development should seek to maintain the existing rights of way network and provide replacement routes for any lost to new development.

Item no: 19

Appn Ref No:
06/1368

Applicant:
Mr & Mrs Daley

Parish:
Wetheral

Date of Receipt:
27/11/2006

Agent:
Jock Gordon

Ward:
Wetheral

Location:
Braeside, Cumwhinton, Carlisle, CA4 8DH

Grid Reference:
345035 552771

Proposal: Single storey rear extension to provide extended kitchen, utility & w.c

Planning Decision

Members resolved to give authority to the Head of Planning and Housing Services to issue approval for the proposal subject to the receipt of no adverse comments during the expiration of the consultation period.

Item no: 20

Appn Ref No:
06/1213

Applicant:
Barchester Healthcare
PLC

Parish:
Carlisle

Date of Receipt:
17/10/2006

Agent:
Gelder & Kitchen Architects Belle Vue

Ward:

Location:
Lanercost House, Berkeley Grange, Newtown Road,
Carlisle CA2 7PW

Grid Reference:
337622 555950

Proposal: Care facility for 15no. residents with associated parking

Planning Decision

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 parking area shall be constructed in accordance with the approved plans before the building is occupied and shall not be used except for the parking of vehicles in connection with the development hereby approved.

Reason: To ensure adequate off-street parking is available in accord with Policy T7 of the Carlisle District Local Plan.

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

Reason: To ensure the works harmonise as closely as possible with the existing building and to ensure compliance with Policy H19 of the Carlisle District Local Plan.

4. No development shall take place until details of a landscaping scheme have been submitted to and approved by the local planning authority.

Reason: To ensure that a satisfactory landscaping scheme is prepared in accord with Policy E9 and E19 of the Carlisle District Local Plan.

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and maintained thereafter to the satisfaction of the Council; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that a satisfactory landscaping scheme is implemented in accordance with the objectives of Policy E19 of the Carlisle District Local Plan.

Summary of Reasons for the Decision

1) Site Description

Lanercost House is a "twin unit" 82 bed nursing home providing care for the elderly who are either frail (43 beds), or, emotionally/mentally infirm (39 beds) located on the northern side of Berkeley Grange to the immediate south of the houses at 9-23 Moorhouse Road. Externally, the single storey building is constructed from yellow/brown brick walling with red brick header and cill courses, and, has orange tiles on the roof.

90 staff are currently based at Lanercost House of which 25 are ancillary staff (cleaners, cooks, administration etc) who work during the day. The remainder are nursing staff who operate in three shifts of 25 in the morning and evening with 15 at night time.

The layout plan approved under application 04/0361 showed the provision of 30 off street parking spaces.

2) Background Information

The current proposal involves land to the immediate south of Lanercost House and involves the erection of a building to provide 15 no. en suite bedrooms to provide accommodation for adults with a variety of physical and mental impairments who require long-term care.

The submitted plans show the building to have two floors, the lower of which would be built into the slope of the site. The ground floor would have the training/staff room; physiotherapy rooms; sensory room; bathroom; and, office. The proposed first floor consists of 13 bedrooms with en-suite facilities; two dayrooms; a quiet room; and, an external terrace. The building would have red/brown concrete roof tiles, multi cream brickwork and off white render panels for the walls, and, artstone detailing. The intention is for the property to be enclosed on its southern boundary by a 1.0m high close boarded fence; and, along the road frontage by a 900mm brick wall. The plans show that an additional 8 car spaces would be provided.

3) ASSESSMENT

In considering this application, and in the context of the policies of the Development Plan, it is felt that the main issues revolve around whether the advantages outweigh any objections with regard to:

- (a) Having regard to the special characteristics of the development (and the intended occupiers) whether it is poorly located;
- (b) Is any reduction in normal planning standards which the development implies (such as parking) admissible on special grounds, or would deficiencies be such as

to be a matter of public concern; and,

(c) Is the particular form of development, its design, activity generation and general amenity such as would impinge on the character of the area or the amenities of neighbours to such an extent as to merit the refusal of permission.

When considering the matter of location, paragraph 4.108 accompanying Policy H19 explains that:

"Likewise, there is a growing awareness that mentally and physically disabled people require special or modified living accommodation ... provision of accommodation for these groups will usually be within Primary Residential Areas, or other settlements, and be close to shops and other facilities".

This is reiterated in paragraph 5.65 of Policy H13 of the Carlisle District Local Plan (2001-2016) (Redeposit Draft). From this it is evident that a distinction can be drawn between the requirements of the existing nursing home residents, who are unlikely to travel independently even short distances, and the potential occupiers of the proposed accommodation.

In the case of the application site the nearest shop is Mills on Newtown Road at the junction with Shadygrove Road. Further along Newtown Road there are hot and cold food takeaways at "Chopsticks", "Golden City" and "Big Baps". There is also a florist (W. Lees). The aforementioned premises are likely to involve more than a 15 minute journey time. Any community facilities are more distant.

In addition the site is on a gradient which would be a serious deterrent to the mobility and contact with the community that physically disabled people are likely to wish. Based on the degree of disability experienced by the intended occupiers, this is not considered to be a significant issue.

In the case of (b) it is considered unlikely that the residents or direct users of the proposed day centre will be car owners. Thus the only likely parking needs stem from the needs of staff, visitors and any specialised vehicles that might be required. Under Policy T7 residential care homes require 1 delivery/ambulance space; 1 space per 4 bedspaces; and, 1 space per 3 non residential staff.

Finally when assessing (c) it is appreciated that the proposed building has a relatively large footprint and has two floors. However, it is also recognised that the building would be built into the existing slope of the land. As such it should not be so incongruous as to be visually intrusive. In addition, it should not be overbearing nor harmful to the amenity of neighbouring residents.

4) CONCLUSION

When considering this application the underlying objectives of "care in the community" are recognised. It is also the case that the proposal is located within a Primary Residential Area, and, that the existing nursing home and proposed accommodation fall within the same Use Class, C2. The proposed building, although relatively large, is not felt to be either visually intrusive or detrimental to the

amenity of neighbouring residents.

Relevant Development Plan Policies

Carlisle District Plan Environment - Policy E19

In considering proposals for new development the City Council will where appropriate require the retention of existing trees, shrubs, hedges and other wildlife habitats, and the replacement of any environmental feature lost to development. Landscaping schemes to be implemented by the applicant will be required as part of most planning applications.

Carlisle District Plan Environment - Policy E22

New development will only be permitted if foul sewers and sewage treatment works of adequate capacity and design are available or will be provided in time to serve the development. Within unsewered areas, development which requires the use of septic tanks or other waste water management systems will only be permitted if ground conditions are satisfactory and the plot of land is of sufficient size to provide an adequate subsoil drainage system.

Carlisle District Plan Housing - Proposal H2

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

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

Proposals for uses other than residential will not be permitted in Primary Residential Areas other than where they do not adversely affect residential amenity. Development that would create unacceptable noise, smell, safety and health impacts or excessive traffic generation will not be acceptable. Such schemes falling within the scope of this Policy will be considered against the above criteria as well as other Policies of the Plan appropriate for the proposed use.

**Carlisle District Plan
Housing - Proposal H15**

Within the Plan area, where there is evidence of need, developers will be encouraged to meet the needs of disabled people. In these instances dwellings should be readily accessible for disabled people and be capable of adaptation to meet the needs of any future disabled resident.

**Carlisle District Plan
Housing - Proposal H16**

High standards of design in new housing sites and dwellings will be required. Matters to be considered include: The layout of roads and buildings; footpaths and cycleways; the retention of existing trees and hedgerows; planning out crime; the provision of public open space; the relationship to adjacent development.

**Carlisle District Plan
Housing - Proposal H17**

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

1. Is for a use inappropriate for residential areas; and/or
2. Is of an unacceptable scale; and/or
3. Leads to an unacceptable increase in traffic or noise; and/or
4. Is visually intrusive; and/or
5. Leads to a loss of housing stock.

**Carlisle District Plan
Housing - Proposal H19**

Proposals which relate to special or particular housing needs (e.g. the elderly, mentally and physically disabled, the homeless etc) will be acceptable, provided that:

1. They are consistent with other Policies of the Plan; and
2. The City Council being satisfied there is a need which is not being met elsewhere; and
3. The site being appropriate for that need.

Carlisle District Plan Transport - Proposal T1

In considering applications for development, account will be taken of the availability of a choice of means of travel to and from the site.

Carlisle District Plan Transport - Proposal T7

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

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

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Core Development Policies - Policy CP4 - Design

The suitability of any new development or redevelopment will be assessed against the following design principles. Proposals should:

1. Have regard to surrounding buildings in the context of their form in relation to height, scale and massing and making use of appropriate materials and detailing.
2. Take into consideration any important landscape or topographical features and respect local landscape character.
3. Reinforce local architectural features where appropriate promoting and respecting local distinctiveness rather than detracting from it.
4. Be well integrated- ensuring all components of a development are well related to one another e.g. buildings, associated parking, access routes, open space, and hard and soft landscaping to ensure a successful and attractive outcome.
5. Not adversely affect the residential amenity of existing areas-nor adjacent land uses, nor result in unacceptable standards for future users and occupiers of the development.
6. Ensure where possible the retention of existing trees, shrubs, hedges and other wildlife habitats and the replacement of any environmental feature lost to development
7. Recognise that landscaping schemes (both hard and soft) will be required to assist in integrating new development into existing areas and ensure that development on the edge of settlements is fully integrated into its surroundings.
8. Ensure that the necessary services and drainage infrastructure can be

- incorporated without causing unacceptable harm to retained features.
9. Through layout and design, encourage the promotion of energy and water conservation by its future occupiers, the incorporation of sustainable forms of energy production within the overall design should also be explored where appropriate
 10. Have a layout and design which minimises the potential for crime and antisocial behaviour.

**Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft
Core Development Policies - Policy CP5 - Residential Amenity**

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

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

In order to ensure residential amenity is not compromised a minimum distance of 21 metres should be allowed between primary facing windows between dwellings (12 metres gable end to primary facing window). A minimum of 4 metres should be allowed between gable ends to allow for maintenance of property. Changes in levels of land and height of development will be taken into account in applying these distances.

**Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft
Core Development Policies - Policy CP8 Development Energy
Conservation and Efficiency**

Development proposals should take into account the need for energy conservation and efficiency in their design, layout and choice of materials. The principles should be introduced in the early stages of the design process in order to consider the orientation of buildings to maximise solar gain coupled with high levels of insulation to reduce heating costs. The efficient and effective use of land, including the reuse of existing buildings and the use of environmentally sustainable materials should also be encouraged. Landscaping schemes also may be used to shelter buildings in exposed positions to reduce heat loss.

These elements will contribute to the energy efficiency of a new development. Developers should also consider the possible incorporation of photovoltaic cells, active solar panels and other small-scale sources of renewable energy. Consideration should be given to recycled materials, waste minimisation and recycling measures within the design.

**Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft
Core Development Policies - Policy CP9 - Sustainable Drainage Systems**

When the following conditions apply sustainable drainage systems (SuDS) should be incorporated into a development proposal:

1. The development will generate an increase in surface water run-off; and
2. The rate of surface water run-off is likely to create or exacerbate flooding problems; and
3. Sufficient land is available, or can be made available to incorporate any form of SuDS.

Where SuDS are to be incorporated the following details shall be provided:

1. The type of SuDS; and
2. Hydraulic design details/calculations; and
3. Operation, maintenance and, where appropriate, adoption details.

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Core Development Policies - Policy CP14 - Accessibility, Mobility and Inclusion

The layout and design of any development will be encouraged to meet the highest standards of accessibility and inclusion for all potential users regardless of disability, age or gender. Development proposals will be expected to demonstrate that they have made provision for easy, safe and inclusive access to, into and within buildings and facilities through the submission of an access statement alongside their planning application. The need for adequate parking facilities for disabled people should also be taken into account.

Facilities for disabled people should be included in proposals for extending and altering buildings and open spaces and changes of use where they are to be used by the public, in accordance with Part M of the Building Regulations 2004 and the Disability Discrimination Act 1995. Beyond these requirements, the City Council will seek, where applicable, to negotiate the extent of provision required for disabled people.

The Council will have regard to the following criteria when assessing development proposals:

1. The design of entrances and exits and ease of permeation through and between developments- in terms of street furniture, circulation areas and pedestrian routes
2. Location of any development proposal in relation to its potential users, customers, employees
3. Accessibility by all transport modes and provision for parking for disabled people
4. Provision of on site facilities e.g. baby changing facilities, public toilets, disabled parking, lifts and appropriate signage.
5. Consideration should also be given to the guidance in 'Better Access' produced by Carlisle City Council, regarding building details and accessibility for all and BS 8300: 2001 'Design of buildings and their approaches to meet the needs of

disabled people- Code of Practice'.

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Housing - Policy H13 - Special Needs Housing

Proposals which relate to special or particular housing needs (e.g. the elderly, mentally and physically disabled, the homeless etc) will be acceptable, provided that:

1. they are consistent with other policies of the Plan ; and
2. the City Council are satisfied there is a need which is not being met elsewhere;
and
3. the site is appropriate for that need.

Item no: 21

Appn Ref No:
06/1297

Applicant:
Mr A Reynolds

Parish:
Carlisle

Date of Receipt:
09/11/2006

Agent:
Taylor & Hardy

Ward:
St Aidans

Location:
Jesmond Street Garage, Jesmond Street, Carlisle,
CA1 2DE

Grid Reference:
341277 555592

Proposal: Amended scheme for the erection of 37 dwellings

Planning Decision

Members resolved to defer consideration of the proposal in order to allow the further resolution of the concerns expressed by the Health and Safety Executive and to await a further report on the application at the next meeting of the Committee.

Item no: 22

Appn Ref No:

Applicant:

Parish:

06/0667 Woodford Land Limited Carlisle

Date of Receipt:
31/05/2006

Agent:
King Sturge LLP

Ward:
Harraby

Location:
Former Cavaghan & Gray Limited, London Road,
Carlisle, CA1 3EU

Grid Reference:
341870 553940

Proposal: Outline application (all matters reserved) for mixed use development
(residential, foodstore and employment units)

Planning Decision

Members resolved to defer consideration of the proposal in order to allow discussions and clarification over the "Final Development Profile" of the site and to await a further report on the application at the next meeting of the Committee.

Item no: 23

Appn Ref No:
06/1091

Applicant:
Darby Macy Developments
Ltd

Parish:

Date of Receipt:
08/09/2006 10:11:40

Agent:
Denovo Design Ltd

Ward:
Denton Holme

Location:
McKnight and McIntosh, Denton Business Park,
Denton Street, Carlisle CA2 5EL

Grid Reference:
339757 554725

Proposal: Demolition of existing buildings and redevelopment of entire site to provide 81 apartments and 1 no.house with ancillary parking together with three storey commercial units on Denton Street frontage (use class B1)

Planning Decision

Refuse Permission

- Reason:** The site is designated as a Primary Employment Area under the Carlisle District Local Plan and the Carlisle District Local Plan (2001-2016) (Redeposit Draft). The redevelopment of the site, inclusive of the erection of 81 apartments and a house, is primarily

for purposes which fall outside of Use Classes B1, B2 and B8 of the Town and Country Planning Use Classes (Amendment) Order 2005. The available evidence indicates that there is currently a shortfall of approximately 25 hectares of land for local employment purposes within the District. In addition, it has not been conclusively demonstrated either that the site is unlikely to remain in employment use, or, that the commercial use of the site has materially adversely affected the living conditions of the adjacent residential properties. This is in the current context where there is no over-riding need for additional residential properties in the City. In such circumstances the proposal will not only result in the direct loss of land for employment purposes but is also likely to restrict the nature of any use of the neighbouring employment land. The proposal is therefore considered to be contrary to Policy EM14 of the Cumbria and Lake District Joint Structure Plan, criteria 1 and 2 of Policy EM2 of the Carlisle District Local Plan, and, criteria 1, 2 and 3 of Policy EC1 of the Carlisle District Local Plan (2001-2016) (Redeposit Draft).

2. **Reason:** There is an identified need for affordable housing in the vicinity of the application site particularly in respect of family housing and flats for younger people. The proposal should include between 25-30% of affordable residential units, as reflected in the Carlisle City Council's Housing Strategy 2005-2010. The submitted scheme, which comprises the erection of a total of 82 dwellings, only includes the provision of 8 affordable units and/or the payment of a commuted sum. On this basis the proposal is therefore considered to be contrary to criterion 1 of Policy H19 of the Cumbria and Lake District Joint Structure Plan, Policy H8 of the Carlisle District Local Plan, and, criterion 1 of Policy H5 of the Carlisle District Local Plan (2001-2016) (Redeposit Draft).
3. **Reason:** The application does not include the direct provision of any effective sports, play and amenity space within the site although there is a need for such facilities to serve the development. In the absence of any direct provision and/or the payment of the necessary commuted sum to enable the improvement of facilities within the locality at St James Park, the proposal is considered to be contrary to the underlying objectives of Policy L9 of the Carlisle District Local Plan, and, Policy LC4 of the Carlisle District Local Plan (2001-2016) (Redeposit Draft).
4. **Reason:** The proposed development will introduce a noise sensitive development immediately adjacent to existing industrial/commercial units. In such a context it is held that the submitted noise report accompanying the application does not fully address the potential noise levels which will be experienced by

any occupiers of the proposed residential units and, as such, the effectiveness of any mitigation measures. In the absence of any appropriate information to the contrary it is considered that the proposal will lead to unsatisfactory living conditions contrary to criterion 1 of Policy H4 of the Carlisle District Local Plan, and, criterion 5 of Policy CP4 of the Carlisle District Local Plan (2001-2016) (Redeposit Draft).

5. **Reason:** The proposal, by reason of the extensive use of "under-croft" car parking on the ground floor with little demarcation of the ownership/responsibility, will result in the security and defensible space of this development being compromised. In turn this will result in an increased risk of crime and fear of crime, contrary to the objectives of Section 17 of the Crime and Disorder Act 1998, criterion 7 of Policy ST3 of the Cumbria and Lake District Joint Structure Plan 2001-2016, Policy H16 of the Carlisle District Local Plan, criterion 10 of Policy CP4 and criteria "2" and "3" of Policy CP16 of the Carlisle District Local Plan (2001-2016) (Redeposit Draft).

Relevant Development Plan Policies

Cumbria and Lake District Joint Structure Plan 2001 – 2016

Policy ST3: - Principles applying to all new development

All proposals for development including alterations to existing buildings and land use change will be required to:

1. seek locations consistent with policy ST5, ST6, and ST7 which will assist in reducing the need to travel, and then in the following order of priority :
 - a) the appropriate reuse of existing buildings worthy of retention, followed by
 - b) the reuse of previously developed land and only then
 - c) the use of previously undeveloped land,
2. seek sites that are or will be made accessible by public transport, walking or cycling,
3. reduce the risk of flooding within the development and elsewhere by a choice of location in the following order of priority:
 - a) sites with little or no flood risk, followed by
 - b) sites with low or medium flood risk, and only then
 - c) sites in areas of high flood risk

Design proposals should minimise or mitigate any flood risk and where

practicable include sustainable drainage systems

4. ensure agricultural land of poorer quality is used for development in preference to the best and most versatile agricultural land.
5. avoid the loss of, or damage to, and where possible enhance, restore or re-establish, important nature conservation features,
6. avoid the loss of or damage to, and wherever possible enhance important or distinctive conservation features including landscapes, buildings, archaeological sites, historic parks and gardens and visually important public and private open spaces,
7. ensure high standards of design including siting, scale, use of materials and landscaping which respect and, where possible, enhance the distinctive character of townscape and landscape, promote a safe and secure environment that designs out crime and makes proper provision for people with restricted mobility and people with special needs, promote energy and water efficient design and the use of recycled materials and renewable energy technology, avoid reductions in air quality and the quality and quantity of groundwater and surface waters, ensure development makes efficient use of and is within infrastructure, community and service constraints, or that these can be satisfactorily overcome through planned improvements or at the developers expense without an adverse effect on the environment, Ensure minimal levels of light pollution and noise.

Cumbria and Lake District Joint Structure Plan 2001 – 2016
Policy ST5 : New development and key service centres outside the Lake District National Park

New development will be focused on the key service centres as set out below:

	Development emphasis	Major development of regional towns and cities	Sustained development of large towns	Moderate development appropriate to scale of town
City of Carlisle	Fostering regional role see Policy ST8	Carlisle		
North Cumbria	Sustaining rural services see Policy ST9			Brampton, Longtown, Wigton

Furness and West Cumbria	Securing regeneration see Policy ST10	Barrow In Furness	Maryport, Ulverston, Whitehaven, Workington	Aspatria Cleator Moor, Cockermouth, Dalton in Furness, Egremont, Silloth, Millom
South and East Cumbria	Meeting local needs, see Policy ST11		Kendal Penrith	Alston, Appleby, Grange over Sands, Kirkby Lonsdale, Kirkby Stephen, Milnthorpe

The scale of development should be appropriate to the size and role of each key service centre and reflect the development emphasis of Policies ST8 – ST11, but as a minimum requirement provision should be made in each key service centre for:

1. a supply of new housing over the whole plan period,
2. an appropriate supply of readily available land in the Local Employment Site market sector,
3. a high level of transport accessibility, and
4. the ability to connect to high speed communications technology.

To ensure consistency with policies EM13 and H17 it will be the role of Local Planning Authorities to manage the above supply of land, particularly in areas of high demand to avoid over provision of development.

Cumbria and Lake District Joint Structure Plan 2001 – 2016 Policy ST8: The City of Carlisle

The City of Carlisle's importance will be fostered by new development that builds on its role as a regional centre for business, commerce, shopping, leisure and tourism. A range of employment opportunities including a Regional Investment Site at Kingmoor will be provided. Opportunities will be taken to strengthen links to employment uses at Kingmoor by all forms of transport. The role of Carlisle airport and its potential for contributing to economic activity within the city will be supported. New housing will be needed to sustain the city's economic potential. The release of land will be phased to minimise vacancies and ensure the refurbishment and redevelopment of the existing housing stock and to give priority to the use of

previously developed land. In accommodating new development regard should be had to the city's historic character.

Cumbria and Lake District Joint Structure Plan 2001 – 2016

Policy EM13: Employment land provision

Local Plans will ensure that there is the following supply of readily available land for employment purposes in the following Sub County Areas, Employment Land Market Sectors and outside the National Park at the start of each period indicated:

Sub County Area	Employment Land Market Sectors	(Ha)	Period	
			2001-2006 (Ha)	2006-2011 (Ha)
City of Carlisle	Regional Investment Site.~	15	20	15
	Strategic Employment Site	10	10	10
	Local Employment Site	15	15	15
	Business/Science Park	5	10	10
<hr/>				
North Cumbria				
Carlisle	Strategic Employment Site+	6	6	6
	Local Employment Site	5	5	5
Allerdale	Local Employment Site	2	2	2
<hr/>				
Furness & West Cumbria				
Allerdale	Strategic Employment Site+	20	20	20
	Local Employment Site	10	10	20
	Business/Science Park	3	5	5
	Port Related	7#	0	0
Copeland	Strategic Employment Site+	5	5	5
	Local Employment Site	13	13	13
	Business/Science Park*	10	10	10
Barrow In Furness	Strategic Employment site	5	5	5
	Local Employment Site	7	7	7
	Business/Science Park	5	5	5
	Port Related	0	11#	0
South Lakeland	Strategic Employment Site	0	5#	0
	Local Employment Site	3	3	3
	Business/Science Park	3	3	3

South &

East Cumbria				
Eden	Strategic Employment Site	5	10	10
	Local Employment Site	7	7	7
	Business/Science Park	3	3	3
South Lakeland	Strategic Employment Site	5	5	0
	Local Employment Site	5	5	5
	Business/Science Park	3	3	3
Lake District National Park	Local Employment Site (B1 and B2 uses only)		3	

* Includes Strategic Regional Site identified by the NWDA at Westlakes, Copeland
Carry over provision to the next period if not completed
~ Kingmoor, Carlisle listed in RPG as a Regional Investment Site
+ Carlisle Airport

Cumbria and Lake District Joint Structure Plan 2001 – 2016 **Policy EM14: Development of employment land for other purposes**

Outside the Lake District National Park, the development of existing employment sites, premises and land allocations for non-employment or mixed uses will be considered where it can be demonstrated that over the Structure Plan period either:

- a) The site or premises is likely to remain unsuitable for employment purposes; or
- b) The retention of the site or premises in employment use is not needed to meet the requirements of Policy EM13 including the requirement that each Key Service Centre retains an appropriate supply of land within the Local Employment site Market Sector.

Within the Lake District National Park, permission will not be given for the redevelopment or use for other purposes of land and buildings with an established business use for Class B1, B2 or B8 of the Use Classes Order, or of land identified for employment use in a Local Plan or Local Development Documents, unless it can be demonstrated to be unsuitable for business purposes or, exceptionally, viable alternatives are readily available in the locality.

Cumbria and Lake District Joint Structure Plan 2001 – 2016 **Policy H17: Scale of housing provision**

Land will be made available for new housing until 2016 by the granting of planning permission for the following scale of new dwellings (net additions):

Annual Average Dwellings permitted during period of:

		2002-2006	2006-2011
City of Carlisle	250	250	250
North Cumbria			
Allerdale	40	40	40
Carlisle	65	65	65
Furness and West Cumbria			
Barrow	110	110	110
Copeland	190	190	190
South Lakeland	70	70	70
South and East Cumbria			
Eden	170	170	170
South Lakeland	195	195	195

Completion rates and the take up of planning permissions will be monitored to ensure building rates are sufficiently high to meet the objectives of Policies ST8 to 11 and are broadly compatible with Regional Planning Guidance.

The unique characteristics of the Lake District National Park means that housing will only be permitted to meet the needs of the locality, in line with Policy ST12. No specific level of provision is set within the National Park but any permissions that are granted within the Park will not be counted against District Council targets.

Cumbria and Lake District Joint Structure Plan 2001 – 2016 **Policy H18: Targets for the recycling of land and buildings**

During the period 2002 to 2016 at least 50% of housing constructed in Cumbria should use previously developed land and buildings. To achieve this, the following local targets will apply to planning permissions granted in the period 2002 to 2016:

	%
City of Carlisle	65
North Cumbria	
Allerdale	40
Carlisle	40
Furness and West Cumbria	
Allerdale	70
Barrow	85
Copeland	70
South Lakeland	50
South and East Cumbria	
Eden	30
South Lakeland	50

Cumbria and Lake District Joint Structure Plan 2001 – 2016

Policy H19: Affordable housing outside the Lake District National Park

Affordable housing to meet proven local need will be provided through:

1. the provision of an element of affordable housing as part of residential or mixed use development of sites of more than 0.4 hectares or 10 or more dwellings, or
2. the development of affordable housing in rural sites considered an exception to normal planning policy contained in Local Plans.

Adequate arrangements must be made to ensure that the housing remains available on an affordable basis for local people in perpetuity.

Cumbria and Lake District Joint Structure Plan 2001 – 2016 Transport - Policy T30: Transport Assessments

Transport assessments will be required for development proposals in accord with national guidance. In the interim proposals which either individually or cumulatively meet the following scale of development will require a transport assessment:

1. residential development in excess of 100 units, or
2. employment uses in excess of 5,000 sq. m gross floorspace, or
3. other developments in excess of 1,000 sq. m gross floorspace, or
4. hotel developments in excess of 100 bedrooms, or
5. caravan or similar holiday sites in excess of 100 units, or
6. any development that either generates in excess of 100 heavy goods vehicles per day or 100 vehicle movements in any hour, or
7. any development that materially adds to local congestion, or
8. any development that may impact on the trunk road network.

Carlisle District Plan Environment - Policy E19

In considering proposals for new development the City Council will where appropriate require the retention of existing trees, shrubs, hedges and other wildlife habitats, and the replacement of any environmental feature lost to development. Landscaping schemes to be implemented by the applicant will be required as part of most planning applications.

Carlisle District Plan Environment - Policy E20

Development which would result in the raising of the floor of the floodplain, or which would have an adverse impact on the water environment due to additional surface water run off, or adversely affect river defences will not be permitted unless appropriate alleviation or mitigation measures are included. This applies to the floodplains of the River Eden, Caldew, Petteril, Esk, Irthing and Lyne and their tributaries which are all subject to periodic flooding.

**Carlisle District Plan
Environment - Policy E22**

New development will only be permitted if foul sewers and sewage treatment works of adequate capacity and design are available or will be provided in time to serve the development. Within unsewered areas, development which requires the use of septic tanks or other waste water management systems will only be permitted if ground conditions are satisfactory and the plot of land is of sufficient size to provide an adequate subsoil drainage system.

**Carlisle District Plan
Environment - Policy E56**

When considering proposals for new development including changes of use where the public are to have access, the provisions of Part M of the Building Regulations will apply. Beyond this requirement, the City Council will seek to negotiate the extent of provision for disabled people to, from and within buildings. In addition the City Council will seek to ensure that pedestrianisation schemes and the general pedestrian environment are designed to accommodate the needs of the disabled, elderly, blind and partially sighted and other s with mobility problems.

**Carlisle District Plan
Transport - Proposal T1**

In considering applications for development, account will be taken of the availability of a choice of means of travel to and from the site.

**Carlisle District Plan
Transport - Proposal T3**

Proposals for development which materially increase the traffic movement on the road network will need to be accompanied by a Traffic Impact Assessment. The City Council will usually require any road improvements or new highways, identified as being necessary by the assessment, to be funded by the developer. Such work should be consistent with the role and function of the highway. In the case of trunk roads all the costs will be borne by the developer and the scheme should be designed to be consistent with the Development of Environment, Transport and Regions' design horizon.

**Carlisle District Plan
Transport - Proposal T7**

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

1. The Parking Guidelines for Cumbria as detailed in Appendix 2;

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

Carlisle District Plan Housing - Proposal H4

Within Carlisle, Brampton, Longtown and Dalston, outside the Primary Residential Areas and sites allocated under proposal H1, applications for residential development, including redevelopment and the change of use of vacant and underused buildings, will be permitted provided that:

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

Carlisle District Plan Housing - Proposal H8

The City council will, where appropriate, negotiate with developers for an element of affordable housing to be included in the larger housing developments.

Carlisle District Plan Housing - Proposal H15

Within the Plan area, where there is evidence of need, developers will be encouraged to meet the needs of disabled people. In these instances dwellings should be readily accessible for disabled people and be capable of adaptation to meet the needs of any future disabled resident.

Carlisle District Plan Housing - Proposal H16

High standards of design in new housing sites and dwellings will be required. Matters to be considered include: The layout of roads and buildings; footpaths and cycleways; the retention of existing trees and hedgerows; planning out crime; the provision of public open space; the relationship to adjacent development.

Carlisle District Plan Housing - Proposal H17

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

1. Is for a use inappropriate for residential areas; and/or
2. Is of an unacceptable scale; and/or
3. Leads to an unacceptable increase in traffic or noise; and/or
4. Is visually intrusive; and/or
5. Leads to a loss of housing stock.

Carlisle District Plan Employment - Proposal EM2

Within Primary Employment Areas proposals for B1, B2 and B8 uses will be acceptable. Permission will not be given for redevelopment or changes of use within such areas for other purposes. Exceptions may be permitted where:

1. The existing use of the site adversely affects or could adversely affect adjacent residential properties; or
2. The proposed alternative use is essential for the redevelopment of the majority of the site for employment purposes; and
3. The alternative development would be appropriate in terms of scale and design to the surrounding area, and the amenity of adjacent properties would not be prejudiced.

Carlisle District Plan Employment - Proposal EM17

When considering proposals for new employment related development, including extensions, where the public are to have access, the provisions of Part M of the Building Regulations will apply. Beyond this requirement, the City Council will seek to negotiate the extent of provision for disabled people to, from and within buildings.

Carlisle District Plan Leisure - Proposal L9

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

	Per Hectare
Outdoor Playgrounds	150 square metres
Informal Playspace	270 square metres

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

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

Where a housing development is over 40 dwellings but is partially developed by different developers or as separate phases by the same housing developer, provision will be required for each constituent part of the site.

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

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

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Development Principles - Policy DP1 - Sustainable Development Locations

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

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

Great Corby
Great Orton
Hallbankgate
Hayton

Smithfield
Thurstonfield
Warwick Bridge
Wetheral

Within these locations development proposals will be assessed against a sequential approach for the need to be in the location specified. In particular proposals for retail, office and leisure developments will all be subject to the sequential approach contained in paragraph 2.44 in PPS6. Residential proposals will be considered against sequential criteria based on PPG3.

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

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

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Core Development Policies - Policy CP4 - Design

The suitability of any new development or redevelopment will be assessed against the following design principles. Proposals should:

1. Have regard to surrounding buildings in the context of their form in relation to height, scale and massing and making use of appropriate materials and detailing.
2. Take into consideration any important landscape or topographical features and respect local landscape character.
3. Reinforce local architectural features where appropriate promoting and respecting local distinctiveness rather than detracting from it.
4. Be well integrated- ensuring all components of a development are well related to one another e.g. buildings, associated parking, access routes, open space, and hard and soft landscaping to ensure a successful and attractive outcome.
5. Not adversely affect the residential amenity of existing areas-nor adjacent land uses, nor result in unacceptable standards for future users and occupiers of the development.
6. Ensure where possible the retention of existing trees, shrubs, hedges and other wildlife habitats and the replacement of any environmental feature lost to development
7. Recognise that landscaping schemes (both hard and soft) will be required to assist in integrating new development into existing areas and ensure that development on the edge of settlements is fully integrated into its surroundings.
8. Ensure that the necessary services and drainage infrastructure can be incorporated without causing unacceptable harm to retained features.
9. Through layout and design, encourage the promotion of energy and water conservation by its future occupiers, the incorporation of sustainable forms of energy production within the overall design should also be explored where

appropriate

10 Have a layout and design which minimises the potential for crime and antisocial behaviour.

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Core Development Policies - Policy CP5 - Residential Amenity

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

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

In order to ensure residential amenity is not compromised a minimum distance of 21 metres should be allowed between primary facing windows between dwellings (12 metres gable end to primary facing window). A minimum of 4 metres should be allowed between gable ends to allow for maintenance of property. Changes in levels of land and height of development will be taken into account in applying these distances.

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Core Development Policies - Policy CP9 - Sustainable Drainage Systems

When the following conditions apply sustainable drainage systems (SuDS) should be incorporated into a development proposal:

1. The development will generate an increase in surface water run-off; and
2. The rate of surface water run-off is likely to create or exacerbate flooding problems; and
3. Sufficient land is available, or can be made available to incorporate any form of SuDS.

Where SuDS are to be incorporated the following details shall be provided:

1. The type of SuDS; and
2. Hydraulic design details/calculations; and
3. Operation, maintenance and, where appropriate, adoption details.

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Core Development Policies - Policy CP11 - Foul and Surface Water Sewerage and Sewage Treatment

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

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Core Development Policies - Policy CP14 - Accessibility, Mobility and Inclusion

The layout and design of any development will be encouraged to meet the highest standards of accessibility and inclusion for all potential users regardless of disability, age or gender. Development proposals will be expected to demonstrate that they have made provision for easy, safe and inclusive access to, into and within buildings and facilities through the submission of an access statement alongside their planning application. The need for adequate parking facilities for disabled people should also be taken into account.

Facilities for disabled people should be included in proposals for extending and altering buildings and open spaces and changes of use where they are to be used by the public, in accordance with Part M of the Building Regulations 2004 and the Disability Discrimination Act 1995. Beyond these requirements, the City Council will seek, where applicable, to negotiate the extent of provision required for disabled people.

The Council will have regard to the following criteria when assessing development proposals:

1. The design of entrances and exits and ease of permeation through and between developments- in terms of street furniture, circulation areas and pedestrian routes
2. Location of any development proposal in relation to its potential users, customers, employees
3. Accessibility by all transport modes and provision for parking for disabled people
4. Provision of on site facilities e.g. baby changing facilities, public toilets, disabled parking, lifts and appropriate signage.
5. Consideration should also be given to the guidance in 'Better Access' produced by Carlisle City Council, regarding building details and accessibility for all and BS 8300: 2001 'Design of buildings and their approaches to meet the needs of disabled people- Code of Practice'.

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Core Development Policies - Policy CP16 - Planning Out Crime

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

The following points should applied to all development proposals:

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

- detering criminal and anti-social activity
2. Public and private spaces should have clearly defined boundaries.
 3. Footpaths and cycleways should be designed to maximise their use and prevent opportunities for concealment, unauthorised access or provide a choice of escape routes.
 4. Landscaping schemes should be designed to ensure that they do not create secluded areas, opportunities for climbing or reduce natural surveillance.
 5. Lighting should deter criminal and antisocial activity whilst minimising light pollution.
 7. CCTV may be considered necessary in certain circumstances. Developers should, at the earliest stage possible, consult the Architectural Liaison Officer to advise on measures to be incorporated for designing out crime.

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Economic and Commercial Growth - Policy EC1- Primary Employment Areas

Within Primary Employment Areas proposals for B1, B2 and B8 uses will be acceptable. Permission will not be given for redevelopment or changes of use within such areas for other purposes.

Exceptions may be permitted where:

1. the existing use of the site adversely affects or could adversely affect adjacent residential properties or the local environment; or
2. the proposed alternative use provides for needed community building or public amenity space; or
3. the proposed alternative use is essential for the redevelopment of the majority of the site for employment purposes; and
4. the alternative development would be appropriate in terms of scale and design to the surrounding area and the amenity of adjacent properties would not be prejudiced.

Proposals for public sales floorspace within employment units will be restricted to no more than 5% of the available floorspace. Restrictions will be placed on the hours of operation in order to ensure that the use remains ancillary to the prime use of the unit.

Employment uses have now become established at the former RAF14MU outlying sites at Harker, Heathlands and Rockcliffe. The sites are designated as Primary Employment Areas.

In the Sandysike/Whitesyke areas proposals for the redevelopment and extension to existing industrial and warehousing premises will be acceptable provided:

1. the proposal does not have an adverse impact on the landscape; and
2. the proposal does not involve the loss of existing tree cover; and
3. where appropriate, opportunities are taken to reinforce existing landscaping; and

4. adequate access and appropriate parking are provided.

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Housing - Policy H1 - Location of New Housing Development

New housing development will be located in sustainable locations in accordance with PPG 3: *Housing*, Regional Planning Guidance and the Joint Structure Plan. During the Plan period 80% of new development will be located within the urban area of Carlisle, including allocated sites on the edge of the City referred to in Proposal H16. The remaining 20% will be permitted in the rural area of the District with the focus on the two Key Service Centres of Brampton and Longtown.

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

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

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

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

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

Blackwell	Cardewlees	Cargo
Carleton	Cotehill	Cumwhitton
Durdar	Faugh	Harker
Hethersgill	How Mill	Lanercost

Laversdale
Moorhouse
Walton

Low Row
Talkin
Warwick-on-Eden

Monkhill
Todhills
Wreay

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Housing - Policy H3 - Residential Density

On new residential development the City Council will seek to achieve an average density of between 30 and 50 dwellings per hectare in accordance with PPG 3. The level of density will be required to reflect the opportunity to provide the best use of land as well as taking into account site conditions and the nature of the surrounding development. Developments proposing a residential density of below 30 dwellings per hectare will have to justify an exception to PPG3 criteria. Developments close to the City Centre will, where appropriate, be expected to be a higher density achieving over 50 dwellings per hectare.

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Housing - Policy H4 - Residential Development on Previously Developed Land and Phasing of development

The City Council will achieve the Structure Plan permission targets of 65% brownfield in the urban area and 40% brownfield in the rural area during the Plan period. In order to achieve the higher target in the urban area greenfield permissions will not be granted in addition to any allocations in Proposal H16. In order to achieve these targets permission will be phased on sites over 20 dwellings in the urban area and over 10 dwellings in the rural area.

These targets will be achieved through a sequential approach to site development where brownfield sites are available in the sustainable locations consistent with DP1 and not developed solely because they are brownfield sites.

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Housing - Policy H5 - Affordable Housing

The City Council will negotiate with developers for an element of affordable housing to be included in the majority of housing developments.

All allocated housing sites are expected to make a contribution towards affordable housing. In the urban area a contribution will be sought on all other sites over 10 dwellings. In the rural area the contribution to affordable housing will be:

1. 25% of development costs on large sites (over 0.8 ha or 25 dwellings); or
2. 20% on medium sites (over 0.3 or 10 dwellings); or
3. 10% on small sites (over 0.1 ha or 3 units).

Where affordable housing is to be provided at a discounted market value a discount of 25- 30% will be sought.

**Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft
Local Environment - Policy LE28 - Developed Land in Floodplains**

Development on previously developed land which is at risk of flooding will only be permitted provided that a Flood Risk Assessment has been submitted with the planning application that confirms:

1. no other lower risk alternative site exists; and
2. flood defence measures to the appropriate standard are already in place or can be provided; and
3. adequate flood plain storage capacity can be provided; and
4. the development will not interfere with flood flows nor increase flood risk elsewhere; and
5. access and egress could be reasonably maintained at times of flood risk; and
6. adequate flood warning and evacuation procedures will be provided; and
7. mitigation measures will be provided where necessary; and
8. the building materials are appropriate for a flood risk area.

**Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft
Transport - Policy T1 - Parking Guidelines**

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

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

Item no: 24

Appn Ref No:
05/0694

Applicant:
RSPB Geltsdale Reserve

Parish:
Farlam

Date of Receipt:
05/07/2005

Agent:
Mr D O'Hara

Ward:
Irthing

Location:
9 Coalfell Terrace, Hallbankgate, Brampton, CA8

Grid Reference:
359392 559994

2PY

Proposal: Change of use from residential to office use and erection of aerial to rear of property

Planning Decision

Decision: Refuse Permission **Date:** 01/12/2005

Decision of: Planning Inspectorate

Decision Type: Appeal Dismissed **Date:** 03/11/2006

Item no: 25

Appn Ref No:
06/0548

Applicant:
Primelight Advertising Ltd

Parish:
Carlisle

Date of Receipt:
28/04/2006 09:19:19

Agent:
Tetlow King Planning

Ward:
Belle Vue

Location:
225-227 Newtown Road, Carlisle, CA2 7LN

Grid Reference:
338162 556004

Proposal: 1 x single sided free standing display unit

Planning Decision

Decision: Refuse Permission **Date:** 22/06/2006

Decision of: Planning Inspectorate

Decision Type: Appeal Dismissed **Date:** 23/10/2006

Item no: 26

Appn Ref No:
06/1115

Applicant:
A & S Services

Parish:
Stanwix Rural

Date of Receipt:
21/09/2006

Agent:
Tsada Building Design
Services

Ward:
Stanwix Rural

Location:
Land at Rear Of The Beeches, Houghton Road,
Houghton, Carlisle

Grid Reference:
340958 559188

Proposal: Formation of access road and erection of 1no. bungalow and 2no. dormer bungalows (outline).

Members will recall at Committee meeting held on 10th November 2006 that authority was given to the Head of Planning and Housing Services to issue approval subject to the expiry of the consultation period with no objections being received from United Utilities.

The consultation period has expired and the approval was issued on 27th November 2006.

Planning Decision

Grant Permission

1. Before any work is commenced, details of the siting, design and external appearance of the building(s), the means of access thereto and the landscaping of the site (hereinafter called "reserved matters") shall be submitted to and approved by the local planning authority.

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

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

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

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

Reason: To ensure the works harmonise as closely as possible with the existing building and to ensure compliance with Policy CP4 of the emerging Carlisle District Local Plan Redeposit Draft 2001-2016.

4. Details shall be submitted of the proposed hard surface finishes to all public and private external areas within the proposed scheme and approved, in writing, by the Local Planning Authority before any site works commence.

Reason: To ensure that materials to be used are acceptable and to ensure compliance with Policy CP4 of the emerging Carlisle District Local Plan Redeposit Draft 2001-2016.

5. Details of the relative heights of the existing and proposed ground levels and the height of the proposed finished floor levels of the dwelling and any associated garage shall be submitted to and approved in writing by the Local Planning Authority before any site works commence.

Reason: In order that the approved development overcomes any problems associated with the topography of the area and safeguards the amenity of neighbouring residents in accordance with Policy H16 of the Carlisle District Local Plan.

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

Reason: To ensure that a satisfactory landscaping scheme is prepared and to ensure compliance with E19 of the Carlisle District Local Plan.

7. Before any development is commenced on the site, including site works of any description, a post and wire or chestnut pale fence shall be erected around the trees and hedges to be retained, at a distance corresponding with the branch spread of the tree or hedge, or half the height of the tree or hedge, whichever is greater. Within the areas fenced off the existing ground level shall be neither raised nor lowered, and no materials, temporary buildings or surplus soil of any kind shall be placed or stored thereon. If any trenches for services are required in the fenced off area, they shall be excavated or back filled by hand and any

roots encountered with a diameter of 50mm or more shall be left unsevered. The fence shall thereafter be retained at all times during construction works on the site.

Reason: In order to ensure that adequate protection is afforded to all trees/hedges to be retained on site in support of Policy E19 of the Carlisle District Local Plan.

8. Not more than 3 dwellings with garages shall be erected on the site. The dwellings to be erected on Plots 1 and 2 shall be in the form of a dormer bungalow and the dwelling to be erected on Plot 3 shall be of single storey construction only.

Reason: In the interests of preserving the privacy and amenity of the neighbouring residents and to ensure that the development respects the scale and character of building in the locality and to ensure compliance with Policy CP5 of the emerging Carlisle District Local Plan Redeposit Draft 2001-2016.

9. No development shall commence until detailed drawings showing the development and means of access thereto, together with details of the proposed parking provision, have been submitted to and approved in writing by the Local Planning Authority. The approved means of access and parking provision to be provided shall be completed in accordance with the approved details before the development is occupied.

Reason: In the interests of highway safety and to minimise potential hazards in support of Local Transport Plan Policies S3, S4, LD10 and LD11.

10. The access shall be designed to be paired with that of the adjoining property, Spring Grove.

Reason: To minimise the number of separate accesses to the highway and to support Local Transport Plan Policies S3, LD9, LD7 and LD5.

11. Details of the proposed crossing of the footway shall be submitted to the Local Planning Authority for approval. The development shall not be commenced until the details have been approved, in writing, and the crossing has been constructed.

Reason: To ensure a suitable standard of crossing for pedestrian safety and to support Local Transport Plan Policies S4, S3 and LS10.

12. The access and parking/turning requirements shall be constructed to base

course before any building work commences on site so that construction traffic can park and turn clear of the highway.

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

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order), no dormer window or rooflight shall be inserted above the ground floor on the western elevation of the proposed dwellings without the prior written consent of the Local Planning Authority.

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

14. No development shall commence until the proposed means of surface water disposal have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the means of disposal is acceptable and to ensure compliance with Policy CP9 of the emerging Carlisle District Local Plan Redeposit Draft 2001-2016.

15. No development shall commence until details made for the provisions of relocating the bats at the premises, together with the timing of these works, have been submitted to and approved, in writing, by the Local Planning Authority.

Reason: In order not to disturb or deter the nesting or roosting of bats, a species protected by the Wildlife and Countryside Act 1981 and to ensure compliance with Policy E14 of the Carlisle District Local Plan.

Summary of Reasons for the Decision

This application seeks outline planning permission for the erection of three detached dwellings on land to the rear of The Beeches, which is situated off Houghton Road, Houghton. The application site is located close to the centre of the village; 25 metres north of the village green. The dwelling is a substantial two storey property of traditional construction; finished in facing brick with a slate roof, incorporating

traditional features such as stone quoins and window surrounds. The site is identified within the Carlisle District Local Plan as a primary residential area.

The surroundings to the application site are wholly residential with the exception of Houghton School located immediately beyond the southern boundary. Two residential properties abut both the northern and western boundaries of the site. Beyond the eastern boundary lies The Beeches. Excluding The Beeches, the surrounding properties, which are of modern construction, are single storey/one and a half story's in height.

The proposal, as amended since the application was first received by the substitution of the dormer bungalow to Plot 3 with a bungalow, seeks approval for the erection of two dormer bungalows and a bungalow. The indicative layout submitted illustrates that on Plots 1 and 2 it is proposed to erect dormer bungalows with integral garages and a bungalow with a detached double garage to Plot 3. Plots 1, 2 and 3 have a similar footprint measuring 527, 480 and 531 square metres respectively.

Vehicular and pedestrian access to the site would be by means of a private access road to be formed between The Beeches and the neighbouring property, Spring Grove, positioned to the north of the proposed access. The indicative layout shows that more than adequate curtilage parking would be available to serve the dwellings. A further two visitor car parking spaces would also be provided.

The existing boundary treatment, which incorporates a mixture of fencing and hedging, is to be retained to the northern and eastern boundaries. A new beech hedge is to be provided to the southern boundary of the site, which abuts the school playing field. Substantial parts of this well landscaped garden will need to be removed to facilitate the development; however, the applicant's agent has confirmed that where possible the existing planting will be retained and incorporated into the new landscaping scheme.

It is proposed to erect a new wall to the rear of The Beeches to form a walled garden to provide private amenity space to serve this dwelling, which is to be retained in residential use. Pedestrian and vehicular access to The Beeches will remain as existing. A number of outbuildings are to be removed to improve the car parking and turning arrangements for this property. The buildings in question lie outside the application site and their removal, in its own right, does not require planning permission; nor do they form part of this application.

There are two buildings within the application site that would need to be removed to facilitate the development. These are the small potting shed to the rear of the proposed walled garden and the outbuilding that lies on part of Plot 3. The removal of these buildings does not require planning consent, although they do form part of the application.

The relevant planning policies against which the application is required to be assessed are Policies E19, H2, H16, H17 and T7 of the Carlisle District Local Plan and Policies DP1, CP4, CP5, CP9, H1 and T1 of the Carlisle District Local Plan 2001-2016 Redeposit Draft (the full text of these follows).

The proposals raise the following planning issues:

1. Principle of Development

The application site lies within the settlement boundary of Houghton, which is identified as a Local Service Centre by Policy H1 of the Redeposit Draft Local Plan. As such the principle of residential development is acceptable, subject to compliance with the criteria identified in Policy H1 and other relevant Local Plan policies.

2. Scale and Layout of the Development

The indicative layout plan submitted illustrates that the proposed dwelling types and the plots within which they are situated are comparable to the surrounding properties, which are also of a similar scale and height.

3. The Impact of the Proposal on the Living Conditions of Neighbouring Residents

The proposed house types, which include single storey/one and a half storey dwellings, have been chosen and positioned in such a way so as to lessen their impact on the neighbouring properties. The existing landscaping to the site boundaries is to be retained to soften the visual impact of the development further still.

There is no question that the upper section of the roofs to the dormer bungalows to Plots 1 and 2 would be visible from the ground floor windows to 14 and 15 Beech Grove; however the impact the proposed dwellings would have upon these dwellings though overdominance is marginal, as the impact of the roof gradually diminishes as it tapers away from these properties. Furthermore, in respect of 15 Beech Grove, the principle aspect from this property is predominately between the two proposed dormer bungalows; over the proposed garage, which would be single storey in height.

Under the original scheme submitted Officers had concern regarding the impact that the proposed dormer bungalow to Plot 3 would have upon the living conditions of 14 Beech Grove, as the gable was orientated so that it faced towards, and was within 10 metres of the rear elevation of the No. 14. The proposed house type has since been amended and reduced to single storey only. As, such it is the single storey bungalow to Plot 3 would not be overbearing to the occupants of No.14.

Due to the nature of the proposed house types the impact on the living conditions of neighbouring properties through overlooking is marginal. With the retention of the existing boundary treatment there would no overlooking of neighbouring properties from any ground floor windows serving the proposed dwellings. In terms of the dormer bungalows any potential overlooking could be addressed through the 'reserved matters' application, by not allowing any roof lights/dormer windows to be inserted on the west facing roof slopes. The privacy of the neighbouring properties can be safeguarded by the attachment of a condition removing the permitted

development right to insert such windows at a later date.

On balance, although the proposed dwellings may be visible from within some of the neighbouring properties the living conditions of these properties would not be adversely affected by the proposal through loss of light, privacy or overdominance.

4. Highway Safety

The Parish Council and local residents raised a number of issues relating to highway safety.

The Highway Authority has acknowledged that the traffic calming in Houghton was added as a 'Better Ways to School Initiative' and that as such traffic in Houghton moves slower. The Highway Authority conclude that the traffic generated by three bungalows is not of significance; though, arguably, every vehicle movement to is a potential hazard to school children. Nonetheless, the Highway Authority does not believe that a refusal could be sustained on the grounds that the proposal would be detrimental to the safety of children walking to school.

Given what the Parish Council has said about the location of the traffic calming measures and the implications they have on vehicle movements the Highway Authority find it difficult to comprehend the claim about vehicle speeds. Irrespective of this, if the claims regarding vehicle speeds are true, one, which was in excess of 75 mph, it is an enforcement issue to be addressed by the Police and not one that should prejudice this application.

The Highway Authority maintains their stance that the traffic generated by the proposal is not significant and that, subject to the imposition of appropriate conditions, satisfactory parking and access arrangements can be achieved.

5. Loss of the Trees

Local residents have raised concern regarding the loss of the trees/shrubs contained within the rear garden of the property.

The City Councils Landscape Architect commented that although the garden is well stocked with trees and shrubs, a number of which are interesting or unusual for this area the trees are not worthy of statutory protection by means of a Tree Preservation Order. The trees that are present are relatively small with very limited public visibility, and, as such, there would not be a significant loss of public amenity if these trees were removed. There is no means to give protection to the shrubs, tree preservation orders being designed to protect trees.

The applicant's agent has indicated that where practical the existing landscaping will be retained and incorporated as part of the proposed landscaping scheme. An appropriate condition is attached to ensure that this is so.

6. Impact upon Wildlife

Concern has been expressed that the loss of the aforementioned trees would be

detrimental to local wildlife. It cannot be disputed that the loss of the garden would have some localised impact upon wildlife in the short term, although its impact in the long term is considered to be limited.

A bat and owl survey has identified that two long eared bats were present in the barn. An appropriate condition is attached to ensure that these bats are safely and appropriately rehoused. No present of owls were found.

In overall terms, the principle of the development is considered acceptable. The dwellings could be accommodated on the site without detriment to the living conditions of the neighbouring properties through loss of light, privacy or overdominance. Adequate amenity space, incurtilage parking provision and visitor car parking would be available to serve the dwellings. The new access to be formed and the anticipated level of traffic generated by the proposal would not prejudice highway safety. Sufficient parking and amenity space would also be retained to serve The Beeches. In all aspects the proposals are considered to be compliant with the objectives of the relevant adopted and emerging Development Plan policies.

Relevant Development Plan Policies

Carlisle District Plan Environment - Policy E14

Proposals for development including re-use and adaptation of existing buildings, which will directly or indirectly affect species listed in Schedules 1, 5 and 8 of the Wildlife and Countryside Act 1981 (as amended) will not be permitted unless satisfactory safeguards for these species can be agreed in consultation with English Nature.

Carlisle District Plan Environment - Policy E19

In considering proposals for new development the City Council will where appropriate require the retention of existing trees, shrubs, hedges and other wildlife habitats, and the replacement of any environmental feature lost to development. Landscaping schemes to be implemented by the applicant will be required as part of most planning applications.

Carlisle District Plan Housing - Proposal H2

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

1. Existing areas of open space and other amenity areas are safeguarded; and

2. The proposed development does not adversely affect the amenity of adjacent residential property; and
3. The proposed development complements or enhances existing adjacent residential areas and their amenity; and
4. Satisfactory access and appropriate parking arrangements can be achieved.

Proposals for uses other than residential will not be permitted in Primary Residential Areas other than where they do not adversely affect residential amenity. Development that would create unacceptable noise, smell, safety and health impacts or excessive traffic generation will not be acceptable. Such schemes falling within the scope of this Policy will be considered against the above criteria as well as other Policies of the Plan appropriate for the proposed use.

Carlisle District Plan Housing - Proposal H16

High standards of design in new housing sites and dwellings will be required. Matters to be considered include: The layout of roads and buildings; footpaths and cycleways; the retention of existing trees and hedgerows; planning out crime; the provision of public open space; the relationship to adjacent development.

Carlisle District Plan Housing - Proposal H17

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

1. Is for a use inappropriate for residential areas; and/or
2. Is of an unacceptable scale; and/or
3. Leads to an unacceptable increase in traffic or noise; and/or
4. Is visually intrusive; and/or
5. Leads to a loss of housing stock.

Carlisle District Plan Transport - Proposal T7

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

1. The Parking Guidelines for Cumbria as detailed in Appendix 2;

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

**Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft
Development Principles - Policy DP1 - Sustainable Development Locations**

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

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

Within these locations development proposals will be assessed against a sequential approach for the need to be in the location specified. In particular proposals for retail, office and leisure developments will all be subject to the sequential approach contained in paragraph 2.44 in PPS6. Residential proposals will be considered against sequential criteria based on PPG3.

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

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

Core Development Policies - Policy CP4 - Design

The suitability of any new development or redevelopment will be assessed against the following design principles. Proposals should:

1. Have regard to surrounding buildings in the context of their form in relation to height, scale and massing and making use of appropriate materials and detailing.
2. Take into consideration any important landscape or topographical features and respect local landscape character.
3. Reinforce local architectural features where appropriate promoting and respecting local distinctiveness rather than detracting from it.
4. Be well integrated- ensuring all components of a development are well related to one another e.g. buildings, associated parking, access routes, open space, and hard and soft landscaping to ensure a successful and attractive outcome.
5. Not adversely affect the residential amenity of existing areas-nor adjacent land uses, nor result in unacceptable standards for future users and occupiers of the development.
6. Ensure where possible the retention of existing trees, shrubs, hedges and other wildlife habitats and the replacement of any environmental feature lost to development
7. Recognise that landscaping schemes (both hard and soft) will be required to assist in integrating new development into existing areas and ensure that development on the edge of settlements is fully integrated into its surroundings.
8. Ensure that the necessary services and drainage infrastructure can be incorporated without causing unacceptable harm to retained features.
9. Through layout and design, encourage the promotion of energy and water conservation by its future occupiers, the incorporation of sustainable forms of energy production within the overall design should also be explored where appropriate
10. Have a layout and design which minimises the potential for crime and antisocial behaviour.

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Core Development Policies - Policy CP5 - Residential Amenity

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

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

In order to ensure residential amenity is not compromised a minimum distance of 21 metres should be allowed between primary facing windows between dwellings (12 metres gable end to primary facing window). A minimum of 4 metres should be allowed between gable ends to allow for maintenance of property. Changes in levels of land and height of development will be taken into account in applying these

distances.

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Core Development Policies - Policy CP9 - Sustainable Drainage Systems

When the following conditions apply sustainable drainage systems (SuDS) should be incorporated into a development proposal:

1. The development will generate an increase in surface water run-off; and
2. The rate of surface water run-off is likely to create or exacerbate flooding problems; and
3. Sufficient land is available, or can be made available to incorporate any form of SuDS.

Where SuDS are to be incorporated the following details shall be provided:

1. The type of SuDS; and
2. Hydraulic design details/calculations; and
3. Operation, maintenance and, where appropriate, adoption details.

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Housing - Policy H1 - Location of New Housing Development

New housing development will be located in sustainable locations in accordance with PPG 3: *Housing*, Regional Planning Guidance and the Joint Structure Plan. During the Plan period 80% of new development will be located within the urban area of Carlisle, including allocated sites on the edge of the City referred to in Proposal H16. The remaining 20% will be permitted in the rural area of the District with the focus on the two Key Service Centres of Brampton and Longtown.

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

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

Settlement boundaries have been drawn for the following Local Service Centres

within which proposals will be judged against the above criteria.

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

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

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

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Transport - Policy T1 - Parking Guidelines

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

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

Item no: 27

Appn Ref No:
06/0764

Applicant:
Mr J Parkinson

Parish:
Nicholforest

Date of Receipt:
22/06/2006

Agent:
Rodney Jeremiah

Ward:
Lyne

Location:
High Catlowdy Farm, Penton, Carlisle, CA6 5QP

Grid Reference:
346142 577161

Proposal: Erection Of 2no. Poultry Sheds (Retrospective)

Members will recall at Committee meeting held on 10th November 2006 that authority was given to the Head of Planning and Housing Services to issue approval subject to the expiry of the consultation period with no new planning issues being raised.

The consultation period has expired and the approval was issued on 23rd November 2006.

Planning Decision

Grant Permission

1. The development hereby approved shall be undertaken in accordance with the Working Practice Statement submitted by Rodney Jeremiah that was received on 27 October 2006 by the Local Planning Authority.

Reason: In order to ensure a satisfactory form of development and to protect the living conditions of the occupier of the neighbouring property in accordance with Policy H17 of the Carlisle District Local Plan.

Summary of Reasons for the Decision

This application seeks planning permission for the erection of 2no. poultry units at High Catlowdy Farm, Penton, Carlisle. The farm is located adjacent to the outskirts of the village and is within open countryside. The site upon which the buildings are located is agricultural land, bounded to the north-west and south-east by a copse of trees. The land slopes down from east to west and then rises again to the west and north. The two buildings are dissected by a recently re-routed public footpath.

The poultry buildings are already in situ and measure 31.1 metres in length by 12.1 metres in width with an eaves height of 1.8 metres and the height to the ridge 1.9 metres. They are constructed from dark brown box profile metal sheeting. The proposal also involves the siting of a silo grain tower that is approximately 2.3 metres in height and be located adjacent to the poultry buildings. The group are sited approximately 95 metres to the north-west of the existing property and buildings.

In consideration of this particular proposal, it is felt that there are two main planning issues:

1. Landscape Character

Policy ST3 of the Cumbria and Lake District Joint Structure Plan (as now adopted) seeks to ensure that development is appropriate in terms of quality to that of the surrounding area. Development proposals are expected to incorporate high standards of design including regard to siting, scale, use of materials and landscaping which respect and, where possible, should enhance the distinctive character of townscape and landscape. This is reflected in Policy E37 of the Structure Plan, Policy E8 of the adopted Carlisle District Local Plan and emerging Policy CP1 of the Carlisle District Local Plan Redeposit Draft. These policies require that proposals for development in the rural area seek to conserve and enhance the special features and diversity of the different landscape character areas. Planning permission will not be granted for new development in the open countryside, which is detrimental to defined landscape character. The scale and design of the buildings is considered to be appropriate.

Policy E2 of the adopted Local Plan and LE26 of the Local Plan Redeposit Draft require that buildings relating to agricultural development are sited where practical to integrate with existing farm buildings and/or take advantage of the contours of the land and any existing natural screening. These policies also require that the scale and form of the proposed building or structure relates to the existing group of farm buildings.

The building is modest in terms of the scale of modern poultry units. The applicant intends to operate a free range poultry unit and as such, needs to have access from the building to the surrounding land. The siting has been selected to take account of the natural contours of the land and the wooded area to the north-east. At the site of the proposed buildings, the land slopes gently down from the west and slopes steeply down from the south. The farm and the associated land are some considerable distance from the highway.

The application site is designated as being within the Remote Rural Area but is not located with an Area of Outstanding Natural Beauty (AONB) or Conservation Areas and there are no other landscape designations on the site; however, the design and materials proposed are appropriate and sympathetic to the overall character of the area.

2. The impact of the proposal on the living conditions of neighbouring residents

Although the buildings are located within the open countryside, there is a residential property, known as Simon's Onset, whose curtilage is approximately 105 metres to the south-west of the nearest poultry unit and which is approximately 128 metres from the dwellinghouse itself.

An objection has been received from both the Parish Council and on behalf of the occupier of the adjacent property. These concerns raise issues essentially appertaining to the proximity of the buildings to the neighbouring property and to the siting of the buildings. The letter of objection makes reference to the fact that the proposal is "within the 400 metre cordon" within which the Government has

recognised "the potential risk of nuisance". For Members information, the adjacent property is not a protected dwelling and furthermore, it is believed to have a midden immediately adjacent to the rear elevation.

This statement in fact alludes to Permitted Development Rights that allow certain types of agricultural development to be submitted to the Council for consideration under the prior notification procedure. What the statement does in fact mean, is that the issue of nuisance is a potential issue and that within 400 metres of a protected dwelling i.e. a dwelling not associated with agriculture, the potential for loss of amenity may be increased.

The policy criterion within E2 of the Local Plan and LE26 of the Local Plan Redeposit Draft seek to ensure that any agricultural development proposal would not have an unacceptable adverse effect on any adjacent properties.

The objection also raises concerns about the proximity of the buildings to the adjacent dwelling and occupiers and guests of the self catering accommodation or bed and breakfast accommodation staying at the premises, which also accommodated visitors, by way of noise, odour and attraction of flies and vermin. The letter also requests that in order to mitigate concerns, the buildings should be resited and reduced in scale.

In response to the issue of the potential impact on the living conditions being raised by Officers, the applicant has submitted a detailed statement that provides details as to the intended stocking levels and future management of the site in accordance with the industry guidelines. A Working Practice Statement has been submitted by the applicant upon which Environmental Protection Services have been consulted and raised no objection.

In overall terms, the poultry buildings are of a scale and design that is appropriate. Whilst the siting is somewhat detached from the existing group of buildings, it is not considered that the character or appearance of the area would be adversely affected by the development. Whilst one of the buildings would be 128 metres from the nearest property, the site is well screened by a dense copse. In all aspects the proposals are considered to be compliant with the objectives of the relevant adopted and emerging Development Plan policies.

Relevant Development Plan Policies

Cumbria and Lake District Joint Structure Plan 2001 – 2016

Policy ST3: - Principles applying to all new development

All proposals for development including alterations to existing buildings and land use change will be required to:

1. seek locations consistent with policy ST5, ST6, and ST7 which will assist in reducing the need to travel, and then in the following order of priority :

- a) the appropriate reuse of existing buildings worthy of retention, followed by
 - b) the reuse of previously developed land and only then
 - c) the use of previously undeveloped land,
2. seek sites that are or will be made accessible by public transport, walking or cycling,
 3. reduce the risk of flooding within the development and elsewhere by a choice of location in the following order of priority:
 - a) sites with little or no flood risk, followed by
 - b) sites with low or medium flood risk, and only then
 - c) sites in areas of high flood risk

Design proposals should minimise or mitigate any flood risk and where practicable include sustainable drainage systems

4. ensure agricultural land of poorer quality is used for development in preference to the best and most versatile agricultural land.
5. avoid the loss of, or damage to, and where possible enhance, restore or re-establish, important nature conservation features,
6. avoid the loss of or damage to, and wherever possible enhance important or distinctive conservation features including landscapes, buildings, archaeological sites, historic parks and gardens and visually important public and private open spaces,
7. ensure high standards of design including siting, scale, use of materials and landscaping which respect and, where possible, enhance the distinctive character of townscape and landscape, promote a safe and secure environment that designs out crime and makes proper provision for people with restricted mobility and people with special needs, promote energy and water efficient design and the use of recycled materials and renewable energy technology, avoid reductions in air quality and the quality and quantity of groundwater and surface waters, ensure development makes efficient use of and is within infrastructure, community and service constraints, or that these can be satisfactorily overcome through planned improvements or at the developers expense without an adverse effect on the environment, Ensure minimal levels of light pollution and noise.

Cumbria and Lake District Joint Structure Plan 2001 – 2016
Policy E37: Landscape character

Development and land use change should be compatible with the distinctive characteristics and features of Cumbria’s landscape types and sub types. Proposals will be assessed in relation to:

1. locally distinctive natural or built features,

2. visual intrusion or impact,
3. scale in relation to the landscape and features,
4. the character of the built environment,
5. public access and community value of the landscape,
6. historic patterns and attributes,
7. biodiversity features, ecological networks and seminatural habitats, and
8. openness, remoteness and tranquillity.

**Carlisle District Plan
Environment - Policy E2**

Proposals for new farm buildings and extensions to existing agricultural buildings and other farm structures will be permitted, providing that:

1. The building or structure is sited where practical to integrate with existing farm buildings and/or take advantage of the contours of the land and any existing natural screening; and
2. The scale and form of the proposed building or structure relates to the existing group of farm buildings; and
3. Within AONB's and Conservation Areas, the design and materials used reflect the overall character of the area; and
4. The proposal would not have an unacceptable adverse effect on any adjacent properties.

**Carlisle District Plan
Environment - Policy E8**

Within the remainder of the rural area not covered by Policies E2-E6, proposals which are well related in use, siting, scale and design to existing settlements or other small clusters of buildings including farm buildings will be acceptable providing that:

1. The proposal reflects the scale and character of the existing group of buildings or settlement; and
2. There is no adverse effect upon the amenity of neighbouring property, and the character and appearance of the area; and
3. Satisfactory access and appropriate car parking can be achieved; and
4. Any existing wildlife habitats are safeguarded.

Permission will not be granted for development in the undeveloped open countryside unless it is required to meet local infrastructure needs, or for dwellings supported by a proven agricultural or forestry need.

**Carlisle District Plan
Housing - Proposal H17**

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

1. Is for a use inappropriate for residential areas; and/or
2. Is of an unacceptable scale; and/or
3. Leads to an unacceptable increase in traffic or noise; and/or
4. Is visually intrusive; and/or
5. Leads to a loss of housing stock.

**Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft
Core Development Policies - Policy CP1 - Landscape Character/Biodiversity**

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

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

**Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft
Core Development Policies - Policy CP5 - Residential Amenity**

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

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

In order to ensure residential amenity is not compromised a minimum distance of 21 metres should be allowed between primary facing windows between dwellings (12 metres gable end to primary facing window). A minimum of 4 metres should be allowed between gable ends to allow for maintenance of property. Changes in levels of land and height of development will be taken into account in applying these distances.

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft

Local Environment - Policy LE26 - Agricultural Buildings

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

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

Item no: 28

Appn Ref No:
06/0842

Applicant:
Norbrook Laboratories

Parish:
Wetheral

Date of Receipt:
10/07/2006

Agent:
Architects Plus (UK) Ltd

Ward:
Great Corby & Geltsdale

Location:
The Queen Inn and The Courtyard, Corby Castle,
Great Corby, Carlisle, CA4 8LR

Grid Reference:
347206 554360

Proposal: Retrospective change of use of 1st floor to meeting room and lounge area, together with external seating area and associated car parking in connection with existing bar and restaurant

Members will recall at Committee meeting held on 29th September 2006 that authority was given to the Head of Planning and Housing Services to issue approval subject to no objections being received from the Parish Council.

No objections have been received by the Parish Council and the approval was issued on 1st November 2006.

Planning Decision

Grant Permission

Summary of Reasons for the Decision

1. SITE DESCRIPTION

This application and the following item, which seeks listed building consent (reference 06/0844), relate to a Grade II Listed Building located to the immediate south of the Village Green within Great Corby Conservation Area. To the south and west of the application site lies land and buildings associated with Corby Castle part of which is occupied by Norbrook Industries. On the opposite side of the Village Green there are a series of residential properties some of which are in the ownership of the applicant.

2. BACKGROUND INFORMATION

The scheme approved under 05/1300 and 05/1301 involved the conversion and extension of the licensed premises to include a restaurant use on the first floor in lieu of the manager's accommodation; the layout of the existing car park was revised to increase the number of spaces from 12 to 14; two tandem parking spaces were shown to the immediate west of Judges Cottage; and, a further five parking spaces parallel to the Village Green.

The current application shows the change of use of two bedrooms to provide a meeting room and lounge; the creation of an external seating area enclosed by railings; and, re-arranging and additional parking to provide a total of 33 spaces.

In response to the comments received from consultees the agent has subsequently advised that:

- His client is in agreement to reduce the height of the railings
- His client has been made aware that the first floor meeting room could be in breach of the Disability Discrimination Act but given the sensitivity of this listed structure it is not possible to comply. His client will ensure that the management are aware of the difficulty of access and will offer aided access whenever appropriate.
- Both the 'rear' lounge and meeting room will be used in conjunction with the bar. It is likely that the meeting room will be used slightly less frequently as it is intended to be a lettable area for specific occasions.

At the time of considering application numbers 05/1300 and 05/1301 it was highlighted that the full time manager is housed across the Village Green, and, that the intention is for staff to be recruited locally in the village.

3. ASSESSMENT

In the context of policies of the Development Plan it is felt that the main issues are the impact of the proposed revisions with regard to:

- 1) parking/highway safety;
- 2) amenity of neighbouring residents;
- 3) the character of the Conservation Area and/or Listed Building; and,
- 4) access by disabled people.

1) Parking/highway safety

Under Policy T32 of the Structure Plan the maximum levels of car parking permitted is 1 space per 5 square metres for restaurants. This is reflected in Policy T7 of the Local Plan which indicates a standard of 1 space per 5 square metres net dining area plus 1 space per 3 square metres of bar area.

Based on the foregoing the total car parking provision for the Inn, inclusive of the scheme recently approved under 05/1300 and 05/1301, is upwards to 25/26 spaces although the agreed layout plan showed a total provision of 21 spaces.

In this context, the proposed lounge measures approximately 40 square metres and the meeting room 28 square metres requiring 13/14 spaces. The current proposal thus upgrades the existing provision in accordance with the relevant parking standards although no account is made of the external seating areas. This is, nevertheless, in a situation where the Queen Inn is a village pub with a likely high patronage from within the village (who would be likely to walk to and from it).

2) Amenity

The current proposal will lead to an additional 68 square metres of floorspace for customers as well as the additional external seating area which, in the context of the authorised extent of the public house and the existing external seating area which faces the Green, should not exacerbate the situation to such an extent as to merit the refusal of permission.

The proposed additional parking is also located away from the majority of the neighbouring residential properties with the flow of traffic immediately outside the frontage of the Queen Inn.

3) Character of Great Corby Conservation Area/Listed Building

When looking at the submitted plans it is evident that the number of proposed internal to the building are limited. The Conservation Officer's main concern relates to the unauthorised railings which the applicant has subsequently agreed to amend. The proposed additional car park is also considered to be in one of the least prominent locations when viewed from the Green.

4) Access

The reforms to the planning system brought about by the Planning and Compensation Act 2004, and which came into force on the 10th August 2006, have given emphasis to the need to integrate access requirements with the overall design approach to a proposed development. A design and access statement is not, however, required in the case of a material change in the use of land or buildings unless it also involves operational development.

In the case of historic buildings, Circular 01/2006 explains that the approach is to ensure that any alterations preserve or enhance its special historic and architectural importance and to minimise any impacts. This being consistent with the advice

contained in paragraph 3.5 of PPG15 'Planning and the Historic Environment'.

In this instance, it is considered that the structure restricts the ability to meet minimum levels of accessibility to the proposed meeting room. The applicant has, however, sought to minimise the impact on disabled people.

Relevant Development Plan Policies

Cumbria and Lake District Joint Structure Plan 2001 – 2016

Policy ST1: A Sustainable Vision for Cumbria

The overall quality of life within Cumbria should be enhanced through the promotion of sustainable development that seeks to protect the environment, ensure prudent use of resources and maintain social progress and economic growth.

Urban and rural communities should be sustained through measures that, in combination, advance the four objectives of sustainable development and achieve:

- a flourishing and diverse local economy
- access to good quality housing for all
- a full range of appropriate and accessible services
- good transport services and communications linking people to jobs, schools, health and other services
- quality built, natural and historic environments
- places to live in a safe and healthy manner
- vibrant, harmonious and inclusive communities

Cumbria and Lake District Joint Structure Plan 2001 – 2016

Policy ST3: - Principles applying to all new development

All proposals for development including alterations to existing buildings and land use change will be required to:

1. seek locations consistent with policy ST5, ST6, and ST7 which will assist in reducing the need to travel, and then in the following order of priority :
 - a) the appropriate reuse of existing buildings worthy of retention, followed by
 - b) the reuse of previously developed land and only then
 - c) the use of previously undeveloped land,
2. seek sites that are or will be made accessible by public transport, walking or cycling,
3. reduce the risk of flooding within the development and elsewhere by a choice of location in the following order of priority:
 - a) sites with little or no flood risk, followed by
 - b) sites with low or medium flood risk, and only then

c) sites in areas of high flood risk

Design proposals should minimise or mitigate any flood risk and where practicable include sustainable drainage systems

4. ensure agricultural land of poorer quality is used for development in preference to the best and most versatile agricultural land.
5. avoid the loss of, or damage to, and where possible enhance, restore or re-establish, important nature conservation features,
6. avoid the loss of or damage to, and wherever possible enhance important or distinctive conservation features including landscapes, buildings, archaeological sites, historic parks and gardens and visually important public and private open spaces,
7. ensure high standards of design including siting, scale, use of materials and landscaping which respect and, where possible, enhance the distinctive character of townscape and landscape, promote a safe and secure environment that designs out crime and makes proper provision for people with restricted mobility and people with special needs, promote energy and water efficient design and the use of recycled materials and renewable energy technology, avoid reductions in air quality and the quality and quantity of groundwater and surface waters, ensure development makes efficient use of and is within infrastructure, community and service constraints, or that these can be satisfactorily overcome through planned improvements or at the developers expense without an adverse effect on the environment, Ensure minimal levels of light pollution and noise.

Cumbria and Lake District Joint Structure Plan 2001 – 2016

Policy L55: Local services and facilities

Proposals for new, or extensions to, existing local or neighbourhood services and facilities will be supported in towns or villages where their detrimental impact including traffic generation is minimised. Development proposals which through redevelopment or change of use would result in the loss of an important local service or facility will not be permitted unless it can be demonstrated that the use is no longer viable and the site or building is not required by the community for a business or community use.

Cumbria and Lake District Joint Structure Plan 2001 – 2016

Policy: EM15 Employment development in rural areas

Outside key service centres developments which promote business and employment opportunity will be permitted where they are of a scale and type sympathetic to the character of the area within which they are proposed. Developments will be encouraged where they:

1. utilise existing well-suited buildings, especially traditional structures that make a positive contribution to landscape character
2. do not have a significant adverse transport impact.

Cumbria and Lake District Joint Structure Plan 2001 – 2016

Policy E34: Areas and features of national and international conservation importance

Development and other land use changes in areas or features of national or international conservation importance, or within their settings, and that are detrimental to their characteristics will not be permitted.

Exceptions will only be made where:

1. there is an over-riding need for development required to meet local infrastructure needs which cannot be located elsewhere and which is sited to minimise environmental impacts and meets high standards of design, and
2. In the case of international areas of nature conservation interest where:
 - i. There is no alternative solution; and
 - ii. There are imperative reasons of overriding public interest, including those of a social or economic nature; and
 - iii. If the site concerned hosts a priority natural habitat type and/or a priority species, where there are imperative reasons of human health or public safety or benefits of primary importance to the environment and
3. In the case of European Protected Species where:
 - i. There is no satisfactory alternative; and
 - ii. There is no detriment to the maintenance of the populations at a favourable conservation status in their natural range; and
 - iii. The proposed development is in the interests of public health or public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance to the environment.
4. In the case of national areas of nature conservation interest, where the reasons for the development outweigh the national nature conservation value of the site.

Where development is permitted, mitigation should be provided, where appropriate.

Areas and features of international or national importance are defined as:

- World Heritage Sites recognised by the World Heritage Committee of UNESCO
- National Parks
- Areas of Outstanding Natural Beauty (AONB)
- Potential and classified Special Protection Areas (SPAs)
- Ramsar sites
- Candidate and designated Special Areas of Conservation (SACs)

- Limestone Pavements protected by Order
- National Nature Reserves
- Sites of Special Scientific Interest (SSSI)
- Statutory protected species
- Buildings or groups of buildings listed as of Grade 1 Grade II* or Grade II architectural or historic merit
- Parks or gardens listed as Grade I Grade II* or Grade II in the Register of Parks and Gardens of Special Historic Interest
- Sites of archaeological or historic interest which are scheduled ancient monuments
- Battlefields included in the Register of Historic Battlefields
- St Bees Heritage Coast

Cumbria and Lake District Joint Structure Plan 2001 – 2016
Policy E38: Historic environment

Measures will be taken to identify, record, protect, conserve or enhance areas, sites, buildings and settings of archaeological, historic and architectural importance. Proposals which fail to preserve or enhance the character or appearance of Conservation Areas or which damage, obscure, or remove important archaeological sites or other historic features or are detrimental to the character or setting of a listed building will not be permitted unless the harm caused to their importance and intrinsic interest is clearly outweighed by the need for the development. Development and land use change should be compatible with the distinctive characteristics and features of 'Cumbria's Historic Landscape Characterisation Programme'.

Carlisle District Plan
Environment - Policy E34

Applications for alterations or extensions to listed buildings must have regard to the scale, proportions, character and detailing of the existing building (both internally and externally) and of its windows and doorways. Any proposals which adversely affect the listed building will not be permitted.

Carlisle District Plan
Environment - Policy E35

Proposals for new development which adversely affect a listed building or its setting will not be permitted. The City Council will seek to encourage any new development to be sympathetic in scale, character and materials.

Carlisle District Plan
Environment - Policy E36

The change of use of a listed building will be permitted provided it would not have a detrimental effect on the special architectural and historical interest of the building

and neighbouring properties.

**Carlisle District Plan
Environment - Policy E37**

When alterations to listed buildings and other important historic buildings are carried out, the normal requirements of the building regulations can be varied in certain cases in order to ensure that internal and external features of importance are retained.

**Carlisle District Plan
Environment - Policy E56**

When considering proposals for new development including changes of use where the public are to have access, the provisions of Part M of the Building Regulations will apply. Beyond this requirement, the City Council will seek to negotiate the extent of provision for disabled people to, from and within buildings. In addition the City Council will seek to ensure that pedestrianisation schemes and the general pedestrian environment are designed to accommodate the needs of the disabled, elderly, blind and partially sighted and other s with mobility problems.

**Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft
Development Principles - Policy DP1 - Sustainable Development Locations**

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

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

Within these locations development proposals will be assessed against a sequential

approach for the need to be in the location specified. In particular proposals for retail, office and leisure developments will all be subject to the sequential approach contained in paragraph 2.44 in PPS6. Residential proposals will be considered against sequential criteria based on PPG3.

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

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

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Core Development Policies - Policy CP14 - Accessibility, Mobility and Inclusion

The layout and design of any development will be encouraged to meet the highest standards of accessibility and inclusion for all potential users regardless of disability, age or gender. Development proposals will be expected to demonstrate that they have made provision for easy, safe and inclusive access to, into and within buildings and facilities through the submission of an access statement alongside their planning application. The need for adequate parking facilities for disabled people should also be taken into account.

Facilities for disabled people should be included in proposals for extending and altering buildings and open spaces and changes of use where they are to be used by the public, in accordance with Part M of the Building Regulations 2004 and the Disability Discrimination Act 1995. Beyond these requirements, the City Council will seek, where applicable, to negotiate the extent of provision required for disabled people.

The Council will have regard to the following criteria when assessing development proposals:

1. The design of entrances and exits and ease of permeation through and between developments- in terms of street furniture, circulation areas and pedestrian routes
2. Location of any development proposal in relation to its potential users, customers, employees
3. Accessibility by all transport modes and provision for parking for disabled people
4. Provision of on site facilities e.g. baby changing facilities, public toilets, disabled parking, lifts and appropriate signage.
5. Consideration should also be given to the guidance in 'Better Access' produced by Carlisle City Council, regarding building details and accessibility for all and BS 8300: 2001 'Design of buildings and their approaches to meet the needs of disabled people- Code of Practice'.

Local Environment - Policy LE14 - Alterations to Listed Buildings

Applications for alterations or extensions to listed buildings must have regard to the scale, proportions, character and detailing of the existing building (both internally and externally) and of its windows and doorways. Any proposals which have an unacceptable impact on the listed building will not be permitted.

Applications will be assessed against the following criteria:

1. the importance of the building, its intrinsic architectural and historic interest and rarity, and its significance to the local distinctiveness and character of the district;
2. the particular physical features of the building
3. the setting of the building and its contribution to the local scene;
4. the extent to which the proposed works would bring substantial benefits for the community.

Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft Local Environment - Policy LE16 - Change of Use of Listed Buildings

The change of use of a listed building will be permitted provided it would not have a detrimental effect on the special architectural or historic interest of the building and neighbouring properties.

Item no: 29

Appn Ref No:
06/0844

Applicant:
Norbrook Laboratories

Parish:
Wetheral

Date of Receipt:
10/07/2006

Agent:
Architects Plus (UK) Ltd

Ward:
Great Corby & Geltsdale

Location:
The Queen Inn and The Courtyard, Corby Castle,
Great Corby, Carlisle, CA4 8LR

Grid Reference:
347206 554360

Proposal: Retrospective application for change of use of 1st floor to meeting room and lounge area, together with external seating area and associated car parking in connection with existing bar and restaurant (LBC)

Members will recall at Committee meeting held on 29th September 2006 that authority was given to the Head of Planning and Housing Services to issue approval subject to no objections being received from the Parish Council.

No objections have been received by the Parish Council and the approval was

Planning Decision

Grant Permission

Summary of Reasons for the Decision

1. SITE DESCRIPTION

This application and the following item, which seeks listed building consent (reference 06/0844), relate to a Grade II Listed Building located to the immediate south of the Village Green within Great Corby Conservation Area. To the south and west of the application site lies land and buildings associated with Corby Castle part of which is occupied by Norbrook Industries. On the opposite side of the Village Green there are a series of residential properties some of which are in the ownership of the applicant.

2. BACKGROUND INFORMATION

The scheme approved under 05/1300 and 05/1301 involved the conversion and extension of the licensed premises to include a restaurant use on the first floor in lieu of the manager's accommodation; the layout of the existing car park was revised to increase the number of spaces from 12 to 14; two tandem parking spaces were shown to the immediate west of Judges Cottage; and, a further five parking spaces parallel to the Village Green.

The current application shows the change of use of two bedrooms to provide a meeting room and lounge; the creation of an external seating area enclosed by railings; and, re-arranging and additional parking to provide a total of 33 spaces.

In response to the comments received from consultees the agent has subsequently advised that:

- His client is in agreement to reduce the height of the railings
- His client has been made aware that the first floor meeting room could be in breach of the Disability Discrimination Act but given the sensitivity of this listed structure it is not possible to comply. His client will ensure that the management are aware of the difficulty of access and will offer aided access whenever appropriate.
- Both the 'rear' lounge and meeting room will be used in conjunction with the bar. It is likely that the meeting room will be used slightly less frequently as it is intended to be a lettable area for specific occasions.

At the time of considering application numbers 05/1300 and 05/1301 it was highlighted that the full time manager is housed across the Village Green, and, that the intention is for staff to be recruited locally in the village.

3. ASSESSMENT

In the context of policies of the Development Plan it is felt that the main issue is the impact of the proposed revisions on the character of this listed building.

When looking at the submitted plans it is evident that the number of proposed internal to the building are limited. The Conservation Officer's main concern relates to the unauthorised railings which the applicant has subsequently agreed to amend. The proposed additional car park is also considered to be in one of the least prominent locations when viewed from the Green.

On the basis, and in line with the recommendation concerning application 06/0842, provided that satisfactory details are received concerning the railings, the proposal is recommended for approval.

Relevant Development Plan Policies

Carlisle District Plan Environment - Policy E34

Applications for alterations or extensions to listed buildings must have regard to the scale, proportions, character and detailing of the existing building (both internally and externally) and of its windows and doorways. Any proposals which adversely affect the listed building will not be permitted.

Carlisle District Plan Environment - Policy E35

Proposals for new development which adversely affect a listed building or its setting will not be permitted. The City Council will seek to encourage any new development to be sympathetic in scale, character and materials.

Carlisle District Plan Environment - Policy E36

The change of use of a listed building will be permitted provided it would not have a detrimental effect on the special architectural and historical interest of the building and neighbouring properties.

Carlisle District Plan Environment - Policy E37

When alterations to listed buildings and other important historic buildings are carried out, the normal requirements of the building regulations can be varied in certain cases in order to ensure that internal and external features of importance are

retained.

**Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft
Local Environment - Policy LE14 - Alterations to Listed Buildings**

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3. the setting of the building and its contribution to the local scene;
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**Carlisle District Local Plan 2001 - 2016 Revised Redeposit Draft
Local Environment - Policy LE16 - Change of Use of Listed Buildings**

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