

Committee Minutes

Control of Development and Advertisements

The Development Control Committee received and considered the following applications:

Item no: 01

Appn Ref No: 12/0835	Applicant: Daniel Ferguson & Rachel Salmon	Parish: Stanwix Rural
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Date of Receipt: 08/10/2012	Agent: RCA Interiors Limited	Ward: Stanwix Rural
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Location: Rickerby Cottage, Rickerby Park, Carlisle, CA3 9AA	Grid Reference: 341231 557064
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Proposal: Change Of Use Of Part Of A Residential Property Including Part Demolition And Rebuilding. Upgrade Of The Existing Swimming Pool Complex To Form A Spa Facility, Licensed Cafe And Restaurant, Along With Associated Parking And Amenity Space

Grant Permission

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

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

2. The approved documents for this Planning Permission comprise:
 1. the submitted planning application form, received 8 October 2012;
 2. Planning Statement, received 9 January 2013;
 3. Arboricultural Report (Ref No C272/R10), received 8 October 2012;
 4. Arboricultural Report (Ref No C272/R11), received 10 January 2013;
 5. Bat Survey Report, received 8 October 2012;
 6. Flood Risk Assessment, received 8 October 2012;
 7. E-mail from Simon Price to the EA, dated 29 November 2012;
 8. Access Statement (Revision 2), received 9 January 2013;
 9. Location Plan, received 8 October 2012;
 10. Existing Floor Plans & Elevations, received 8 October 2012 (Dwg No. PL01);
 11. Proposed Site Plan, received 14 January 2013 (Dwg No. 08E);
 12. Proposed Floor Plans & Elevations, received 5th March 2013 (Dwg No. PL02E);

13. Proposed New Entrance Details, received 9 January 2013 (Dwg No. PL10A);
14. Tree Survey Plan, received 8 October 2012 (Dwg No. C272_D10);
15. Tree Constraints Plan Unadjusted, received 8 October 2012 (Dwg No. C272_D11);
16. Tree Constraints Plan Adjusted, received 8 October 2012 (Dwg No. C272_D12);
17. Tree Protection Plan, received 8 October 2012 (Dwg No. C272_D13);
18. Tree Survey Drawing, received 10 January 2013 (Dwg No. C272/D14);
19. Tree Constraints Plan, received 10 January 2013 (Dwg No. C272/D15);
20. Tree Protection Plan, received 10 January 2013 (Dwg No. C272/D16);
21. Cellweb Gravel Standard Detail, received 14 January 2012;
22. the Notice of Decision; and
23. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

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

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

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

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

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

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

6. Prior to commencement of development, details of how foul and surface water shall be drained on a separate system shall be submitted for approval in writing

by the Local Planning Authority. The development shall be completed in accordance with the approved details.

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

7. Prior to the commencement of development, a scheme for surface water and foul water drainage (inclusive of how the scheme shall be maintained and managed after completion) shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme submitted for approval shall be in accordance with the principles set out in the Simon Price's email dated 30 November 2012 proposing surface water runoff from the site discharging directly into the watercourse/beck and foul water discharging into the foul sewer. For the avoidance of doubt, neither surface water, land drainage nor highway drainage shall connect into the public foul/combined sewerage system (directly or indirectly). No part of the development shall be occupied until the drainage scheme has been constructed in accordance with the approved details. The development shall be completed, maintained and managed in accordance with the approved details.

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

8. This permission shall not be exercised by any person other than the occupiers of Rickerby Cottage.

Reason: To protect the living conditions of the occupiers of Rickerby Cottage, in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

9. The restaurant/ cafe hereby approved shall be restricted to a maximum of forty-eight covers at any one time and these covers shall be located within the cafe/ restaurant area, identified on the Proposed Floor Plans & Elevations, received on 5 December 2012 (Drawing No. PL02D)

Reason: To ensure that the proposal does not have an adverse impact on the living conditions of the occupiers of any neighbouring properties, in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

10. The swimming pool, gym and treatment rooms hereby approved shall be used by a maximum of twelve customers at any one time.

Reason: To ensure that the proposal does not have an adverse impact on the living conditions of the occupiers of any neighbouring properties, in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

11. The proposed cafe/ restaurant shall not be open for trading except between 10:00 hours and 22.00 hours on Mondays-Sundays. All customers shall leave the premises by 22.00 hours, with all staff leaving the premises by 22.30 hours. The proposed leisure facilities (swimming pool, gym and treatment rooms) shall not be open for trading except between 06:30 hours and 21:00 hours Mondays-Sundays.

Reason: To prevent disturbance to nearby residential occupiers and in accord with Policy CP5 of the Carlisle District Local Plan 2001-2016.

12. No deliveries shall take place except between 09.00 hours and 17.00 hours.

Reason: To prevent disturbance to nearby residential occupiers and to ensure that delivery vehicles do not arrive/ leave the site during peak periods, in accord with Policy CP5 of the Carlisle District Local Plan 2001-2016.

13. The glazing in the east elevation of the first floor rear conservatory (located on the swimming roof) shall be obscure glazed and non-opening, in accordance with details to be agreed in writing by the Local Planning Authority and thereafter retained as such to the satisfaction of the Local Planning Authority.

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

14. For the duration of the development works, existing trees to be retained shall be protected by suitable barriers erected and maintained in accordance with details to be approved in writing by the Local Planning Authority. The Authority shall be notified at least seven days before work starts on site so that barrier positions can be established. Within this protected area there shall be no excavation, tipping or stacking, nor compaction of the ground by any other means.

Reason: To protect trees and hedges during development works, in accordance with Policy CP3 of the Carlisle District Local Plan 2001-2016.

15. The application shall be undertaken in strict accordance with the details contained within the Mitigation Strategy contained within the Bat Survey Report, produced by Lloyd Bore in August 2012 and received on 8 October 2012.

Reason: In order to enhance the habitat for bats in accordance with Policy CP2 of the Carlisle District Local Plan 2001-2016.

16. An archaeological watching brief shall be undertaken by a qualified archaeologist during the course of the ground works of the permitted development. The archaeological watching brief shall be in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority in advance of the permitted

development. Within two months of the completion of the permitted development, 3 copies of the report shall be furnished to the Local Planning Authority.

Reason: To afford reasonable opportunity for an examination to be made to determine the existence of any remains of archaeological interest within the site and for the investigation and recording of such remains.

17. The development shall not commence until visibility splays providing clear visibility of 50metres measured along the nearside channel lines of the public road from a position 2.4metres inset from the carriageway edge, on the centre line of the access, at a height of 1.05metres, have been provided. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be permitted to grow so as to obstruct the visibility splays.

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

18. The use of the café/restaurant, shall not be commenced until the new access road, parking and hardstanding areas have been constructed in accordance with the approved plan. All such provision shall be retained, capable of use when the development is completed and shall not be removed or altered thereafter, without the prior consent of the Local Planning Authority.

Reason: To ensure a minimum standard of access and public safety when the development is brought into use.

19. Before any building works commence, a plan shall be submitted for the approval of the Local Planning Authority reserving adequate land for the storage of materials/parking of vehicles /plant engaged in the building operations and such land, including vehicular access thereto, shall be used for or be kept available for these purposes at all times until completion of the construction works.

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

20. The whole of the vehicular access area bounded by the carriageway edge and the highway boundary shall be constructed and drained to the specification of the Local Highways Authority.

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

21. No development shall take place until an Arboricultural Method Statement, to

include details of all works within the root protection area of any retained tree, has been submitted to and agreed in writing by the Local Planning Authority. Thereafter, all works shall be carried out and constructed in accordance with the approved details and shall not be varied without the written consent of the Local Planning Authority.

Reason: To protect the existing trees, in accordance with Policy CP3 of the Carlisle District Local Plan 2001-2016.

22. There shall be no public access to the balcony (swimming pool roof) except in the case of an emergency which requires the first floor of the building to be vacated via the fire escape.

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

23. The existing access shall be retained but closed off, in accordance with details to be agreed in writing with the Local Planning Authority, so that it is available for use during an emergency flood event.

Reason: To prevent customers to the premises using the existing access, which has inadequate visibility.

24. Prior to the commencement of development, the applicant shall submit a Construction Method Statement, which identifies the proposed route that construction vehicles will take to and from the site, for approval in writing by the Local Planning Authority.

Reason: To prevent construction traffic using the road through Rickerby Park, in the interest of highway safety.

25. The proposed boundary wall shall only be constructed using the existing bricks and coping stones taken from the wall and building to be demolished, in accordance with details to be agreed in writing with the Local Planning Authority.

Reason: To ensure a suitable external appearance for the completed the development, in accordance with Policies LE19 and CP5 of the Carlisle District Local Plan 2001-2016.

Summary of Reasons for the Decision

The decision to grant planning permission has been taken having regard to the Development Plan, including supplementary planning guidance/documents and design guidance. The relevant Development Plan policies and supplementary guidance have been considered in conjunction with comments received from consultees (including statutory consultees) and any responses from third parties, together with other material planning considerations. On balance the proposal was regarded as acceptable and it was considered that the development

does not cause demonstrable harm to interests of acknowledged importance that justifies withholding permission.

Relevant Development Plan Policies

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP6 - Residential Amenity

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

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

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP12 - Foul And Surface Water Sewerage And Sewage Treatment

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

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP15 - Access, Mobility And Inclusion

Development proposals should make provision for easy, safe and inclusive access to, into and within buildings and facilities. The layout and design of developments should meet the requirements of accessibility and inclusion for all potential users regardless of disability, age or gender. 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 The location of any development proposal in relation to its potential users;
- 3 Accessibility to all transport modes and provision of adequate parking for

- disabled people;
- 4 Provision of on-site facilities such as public toilets, and appropriate signage

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

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

Carlisle District Local Plan 2001 - 2016 **Economic & Commercial Growth - Policy EC16 - Tourism Development**

Priority will be given for tourism related development in the City of Carlisle in accordance with Structure Plan Policy EM15. Proposals will be supported in Carlisle and elsewhere where they contribute towards the economic and physical regeneration of an area provided that the following criteria are met:

- 1 The scale and design of the development are compatible with the surrounding area; and
- 2 There would be no unacceptable adverse impact on the landscape/townscape; and
- 3 Adequate access by a choice of means of transport, including sustainable modes of travel such as cycling or long distance walking, and appropriate car parking can be achieved; and
- 4 The level of traffic generated can be adequately accommodated within the local road network without detriment to the particular rural character of the area; and
- 5 If the proposal is within a rural area it is well related to an established tourist attraction or an existing group of buildings, or would form an important element of a farm diversification scheme; and
- 6 The distinctive environment, culture and history of the area are safeguarded.

Hadrian's Wall World Heritage Site is a major attraction for sustainable tourism and proposals for new tourism development which aim to promote the enjoyment and understanding of the WHS whilst meeting the above criteria will be permitted.

Carlisle District Local Plan 2001 - 2016 **Local Environment - Policy LE7 - Buffer Zone On Hadrian's Wall World Heritage Site**

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

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

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

Carlisle District Local Plan 2001 - 2016
Local Environment - Policy LE10 - Archaeological Field Evaluation

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

Carlisle District Local Plan 2001 - 2016
Local Environment - Policy LE19 - Conservation Areas

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

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

- 1 the development should preserve or enhance all features which contribute positively to the area's character or appearance, in particular the design, massing and height of the building should closely relate to adjacent buildings and should not have an unacceptable impact on the townscape or landscape;
- 2 the development should not have an unacceptable impact on the historic street patterns and morphology, roofscape, skyline and setting of the conservation area, important open spaces or significant views into, out of and within the area;
- 3 development proposals should not result in the amalgamation or redrawing of boundaries between traditional buildings and plots, or demolition and redevelopment behind retained facades;
- 4 wherever practicable traditional local materials such as brick, stone and slate should be used and incongruous materials should be avoided;
- 5 individual features both on buildings and contributing to their setting, should be retained e.g. doorways, windows, shopfronts, garden walls, railings, cobbled or flagged forecourts, sandstone kerbs, trees and hedges, etc. Where features have deteriorated to the extent to which they have to be replaced, the replacement should match the original;
- 6 proposals which would generate a significant increase in traffic movements and heavy vehicles or excessive parking demands will not be permitted since these

- would be prejudicial to amenity;
- 7 proposals which would require substantial car parking and servicing areas which can not be provided without an adverse effect on the site and its surroundings will not be permitted.

Carlisle District Local Plan 2001 - 2016
Local Environment - Policy LE27- 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 in the case of proposed development in Zone 3 (High Probability of river and/or sea flooding); 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
Transport - Policy T1- Parking Guidelines For Development

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

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

Item no: 02

Appn Ref No: 12/0836	Applicant: Mr Daniel Ferguson	Parish: Stanwix Rural
Date of Receipt: 08/10/2012	Agent: RCA Interiors Limited	Ward: Stanwix Rural
Location: Rickerby Cottage, Rickerby Park, Carlisle, CA3 9AA	Grid Reference: 341231 557064	

Proposal: Demolition Of Redundant Store And First Floor Building (Conservation

Area Consent)

Grant Permission

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

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

2. The approved documents for this Conservation Area Consent comprise:

1. the submitted planning application form, received 8 October 2012;
2. Planning Statement, received 9th January 2013;
3. Location Plan, received 8 October 2012;
4. Existing Floor Plans & Elevations, received 8 October 2012 (Dwg No. PL01);
5. Proposed Floor Plans & Elevations, received 5 March 2013 (Dwg No. PL02E);
6. the Notice of Decision; and
7. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

3. The building and wall shall not be demolished before a contract for the carrying out of works of redevelopment of the site has been made and planning permission has been granted for the redevelopment for which the contract provides.

Reason: To safeguard against premature demolition in accord with Policies LE17 and LE19 of the Carlisle District Local Plan 2001-2016.

Summary of Reasons for the Decision

The decision to grant planning permission has been taken having regard to the Development Plan, including supplementary planning guidance/documents and design guidance. The relevant Development Plan policies and supplementary guidance have been considered in conjunction with comments received from consultees (including statutory consultees) and any responses from third parties, together with other material planning considerations. On balance the proposal was regarded as acceptable and it was considered that the development does not cause demonstrable harm to interests of acknowledged importance that justifies withholding permission.

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016

Local Environment - Policy LE17 - Development Involving The 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 planning permission for development proposals that would require 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 LE16

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

Local Environment - Policy LE19 - Conservation Areas

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

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

- 1 the development should preserve or enhance all features which contribute positively to the area's character or appearance, in particular the design, massing and height of the building should closely relate to adjacent buildings and should not have an unacceptable impact on the townscape or landscape;
- 2 the development should not have an unacceptable impact on the historic street patterns and morphology, roofscape, skyline and setting of the conservation area, important open spaces or significant views into, out of and within the area;
- 3 development proposals should not result in the amalgamation or redrawing of boundaries between traditional buildings and plots, or demolition and redevelopment behind retained facades;
- 4 wherever practicable traditional local materials such as brick, stone and slate should be used and incongruous materials should be avoided;
- 5 individual features both on buildings and contributing to their setting, should be retained e.g. doorways, windows, shopfronts, garden walls, railings, cobbled or flagged forecourts, sandstone kerbs, trees and hedges, etc. Where features have deteriorated to the extent to which they have to be replaced, the

Carlisle

Proposal: Erection Of 45no. Dwellings, Associated Open Space And Infrastructure

Members resolved to defer consideration of the proposal in order to seek independent highways advice and to await a further report on the application at a future meeting of the Committee.

Item no: 05

Appn Ref No:
12/0790

Applicant:
Simtor Limited

Parish:
Wetheral

Date of Receipt:
20/09/2012

Agent:
Taylor & Hardy

Ward:
Wetheral

Location:
Land at Broomfallen Road, Scotby, CA4 8DE

Grid Reference:
344082 554247

Proposal: Erection Of 31No. Dwellings

Members resolved to defer consideration of the proposal in order to further negotiate the design and vehicle access arrangements for the development and to await a further report on the application at a future meeting of the Committee.

Item no: 06

Appn Ref No:
12/0953

Applicant:
Brampton and Beyond
Community Trust

Parish:
Brampton

Date of Receipt:
16/11/2012 13:00:39

Agent:
Green Design Architects

Ward:
Brampton

Location:
Irthing Centre, Union Lane, Brampton, CA8 1BX

Grid Reference:
352919 561243

Proposal: Erection Of 38No. Extra Care Units With Associated Ancillary Facilities

Refuse Permission

- Reason:** The proposal, by virtue of its siting, scale and design would have an adverse impact on the living conditions of the occupiers of neighbouring properties through loss of privacy and over-dominance. The proposal would, therefore, be contrary to Criterion 1 and 5 of Policy CP5 and Policy H2 of the Carlisle District Local Plan 2001-2016.
- Reason:** The scale and design of the proposal, on an elevated site in a prominent position in Brampton, which would lead to the removal

of three trees that are the subject of a Tree Preservation Order, would have an adverse impact on the local landscape character of the area. The proposal would, therefore, be contrary to Criterion 2 of Policy CP5 and Policy H2 of the Carlisle District Local Plan 2001-2016.

3. **Reason:** The proposal by virtue of its siting in close proximity to existing trees and the internal layout and design of the development would lead to the creation of unsatisfactory living conditions for future occupiers of the proposal. Furthermore, the proposed access and parking arrangements are not well related to the built development and the layout and design does not incorporate adequate amenity space or adequate space for waste and recycling bin storage and collection. The proposal is, therefore, contrary to Criterion 4, 5 and 9 of Policy CP5 and Policy H2 of the Carlisle District Local Plan 2001-2016.
4. **Reason:** The proposal by virtue of its scale and design would be out of character with buildings in the locality and would not promote and respect local distinctiveness. The proposal would, therefore, be contrary to Criterion 3 of Policy CP5 and Policy H2 of the Carlisle District Local Plan 2001-2016.

Relevant Development Plan Policies

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

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

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

Hallbankgate
Hayton

Warwick Bridge
Wetheral

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

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

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

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

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

Carlisle District Local Plan 2001 - 2016 Economic & Commercial Growth - Policy EC1 - Primary Employment Areas

Within Primary Employment Areas proposals for B1, B2 and B8 uses will be acceptable. Permission will only be given for redevelopment or changes of use within such areas for other purposes 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, as opposed to trade counters, will not be permitted within employment units unless there is clear evidence that the use is an integral but ancillary part of the operation. Planning conditions, including a restriction on the hours of operation, may be used to ensure 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

Housing - Policy H1 - Location Of New Housing Development

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

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

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

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

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

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

Blackwell	Cardewlees	Cargo
Carleton	Cotehill	Cumwhitton

Durdar	Faugh	Harker
Hethersgill	How Mill	Lanercost
Laversdale	Low Row	Monkhill
Moorhouse	Talkin	Todhills
Walton	Warwick-on-Eden	Wreay

**Carlisle District Local Plan 2001 - 2016
Housing - Policy 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.

**Carlisle District Local Plan 2001 - 2016
Local Environment - Policy LE12 - 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.

**Carlisle District Local Plan 2001 - 2016
Local Environment - Policy LE19 - Conservation Areas**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Development will not be permitted where inadequate foul and surface water

sewerage infrastructure and sewage treatment capacity exists, or where such provision can not be made within the time constraint of the planning permission.

Carlisle District Local Plan 2001 - 2016
Core Development Policies - Policy CP15 - Access, Mobility And Inclusion

Development proposals should make provision for easy, safe and inclusive access to, into and within buildings and facilities. The layout and design of developments should meet the requirements of accessibility and inclusion for all potential users regardless of disability, age or gender. 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 The location of any development proposal in relation to its potential users;
- 3 Accessibility to all transport modes and provision of adequate parking for disabled people;
- 4 Provision of on-site facilities such as public toilets, and appropriate signage

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

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

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

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

The following points should be applied to all development proposals:

- 1 Security measures should be an integral part of the design
- 2 Developments should be laid out and buildings positioned to maximise natural surveillance with the intention of creating a sense of neighbourhood and deterring criminal and anti-social activity
- 3 Public and private spaces should have clearly defined boundaries.
- 4 Footpaths and cycleways should be designed to maximise their use and prevent opportunities for concealment, unauthorised access or provide a choice of escape routes.
- 5 Landscaping schemes be designed to ensure that they do not create secluded areas, opportunities for climbing or reduce natural surveillance.
- 6 Lighting should deter criminal and antisocial activity whilst minimising light pollution. CCTV may be considered necessary in certain circumstances.

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

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

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

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

Item no: 07

Appn Ref No:

12/1040

Applicant:

Riverside Carlisle

Parish:

Date of Receipt:

19/12/2012 23:00:23

Agent:

Ainsley Gommon Architects

Ward:

Botcherby

Location:

174 - 204 Borland Avenue, Botcherby, Carlisle,
Cumbria, CA1 2TJ

Grid Reference:

341846 555292

Proposal: Proposed Demolition Of 16no. Two Storey Maisonette Flats;
Redevelopment Of The Site With 11no. Houses And Bungalows For
Social Rent

Grant Permission

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

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

2. The approved documents for this Planning Permission comprise:

1. the Planning Application Form received 19th December 2012;
2. the Site Location Plan received 19th December 2012 (Drawing no. 1384-SI-01);
3. the Existing Site Layout received 19th December 2012 (Drawing no. 1384-SI-03);
4. the Existing Strip Elevation received 19th December 2012 (Drawing no. 1384-SI-04);
5. the Proposed Site Layout received 21st December 2012 (Drawing no. 1384-SI-07 Rev A);
6. the Topographical Survey received 19th December 2012 (Drawing no.

- E2784/01/A);
7. the Block A – Plans And Elevations received 19th December 2012 (Drawing no. 1384-PL-01);
 8. the Block B – Plans And Elevations received 19th December 2012 (Drawing no. 1384-PL-02);
 9. the Block C – Plans And Elevations received 19th December 2012 (Drawing no. 1384-PL-03);
 10. the Proposed Site Strip Elevation received 19th December 2012 (Drawing no. 1384-SI-08);
 11. the Proposed External Works Details Sheet 01 received 19th December 2012 (Drawing no. 1384-SI-12.01);
 12. the Proposed External Works Details Sheet 02 received 19th December 2012 (Drawing no. 1384-SI-12.02);
 13. the Proposed Soft Landscape Layout received 19th December 2012 (Drawing no. 1384-SI-11);
 14. the Proposed External Works Layout received 19th December 2012 (Drawing no. 1384-SI-10);
 15. the Planning Support Statement received 19th December 2012;
 16. the Flood Risk Assessment received 21st December 2012;
 17. the Phase 1 Desk Study received 19th December 2012;
 18. the Landscape Specification received 19th December 2012;
 19. the Arboricultural Report & Impact Assessment & Method Statement received 7th January 2013;
 20. the Extended Phase 1 Habitat Survey received 19th December 2012;
 21. the Notice of Decision;
 22. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

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. The development shall then be undertaken in accordance with the approved details.

Reason: To ensure the works harmonise as closely as possible with the character and appearance of the area in accordance with Policy CP5 of the Carlisle District Local Plan 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. The development shall then be undertaken in accordance with the approved details.

Reason: To ensure the works harmonise as closely as possible with the character and appearance of the area in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

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 and that it fulfils the objectives of Policy CP5 of the Carlisle District Local Plan 2001-2016.

6. In the event of trenches or excavations exposing tree roots of 50mm/2 inches diameter or more, these should be carefully retained and protected by suitable measures including (where otherwise unavoidable) bridging trenches. No severance of tree roots 50mm/2 inches or more in diameter shall be undertaken without prior notification to, and the subsequent approval of the local planning authority and where such approval is given, the roots shall be cut back to a smooth surface. Prior to the commencement of development, protective fencing shall be erected around the canopy areas of the retained trees identified in the Arboricultural Report & Impact Assessment & Method Statement received 7th January 2013, and no machinery or vehicles shall be parked within, or materials stored, dumped or spilled within that area.

Reason: To protect trees and hedges during development works in accordance with Policy CP3 of the Carlisle District Local Plan 2001-2016.

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

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

8. The development shall not be occupied until the vehicular access and parking requirements have been constructed in accordance with the approved plan and brought into use. These facilities shall be retained and be capable of use at all times thereafter and shall not be removed or altered without the prior written consent of the Local Planning Authority.

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

9. The dwellings shall not be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in Annex F of PPS25 (or any subsequent version), and the

results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii) include a timetable for its implementation; and provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

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

10. No part of the development hereby permitted shall commence until:

- a) there has been submitted to and approved by the Local Planning Authority ("the LPA") a remediation scheme ("the Remediation Scheme"), which shall:
 - i) include an implementation timetable ("the Implementation Timetable"), monitoring proposals and a remediation verification methodology, comprising a sampling and analysis programme to confirm the adequacy of decontamination; and
 - ii) provide that an appropriately qualified person shall oversee the implementation of all remediation; and
- b) all measures which are identified in the Remediation Scheme provided for in paragraph (a) above have been undertaken in accordance with the Implementation Timetable ("the Remediation Measures") and any Remediation Measures at variance with the Remediation Scheme shall have been submitted to and agreed in writing with the LPA in advance of such Remediation Measures being undertaken; and
- c) upon completion of the Remediation Measures there has been submitted to and approved by the LPA a report which shall include:
 - i) results of the verification programme of post remediation sampling and monitoring in order to demonstrate that the required remediation has been fully met,
 - ii) confirmation that all remediation measures have been carried out fully in accordance with the Remediation Scheme; and
 - iii) future monitoring proposals and reporting. To protect the environment and prevent harm to human health.

Reason: To protect the environment and prevent harm to human health in accordance with Policy LE29 of the Carlisle District Local Plan

2001-2016..

11. No work associated with the construction of the residential units or retail unit hereby approved shall be carried out before 07.30 hours on weekdays and Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any times on Sundays or statutory holidays).

Reason: To prevent disturbance to nearby occupants in accordance with Policy CP6 of the Carlisle District Local Plan 2001-2016.

12. No site clearance or works to hedges shall take place during the bird breeding season from 1st March to 31st August unless the absence of nesting birds has been established through a survey and such survey has been agreed in writing beforehand by the Local Planning Authority.

Reason: To protect nesting birds in accordance with Policy CP2 of the Carlisle District Local Plan 2001-2016.

13. The development of the proposed residential units shall not be commenced until a scheme for the provision of affordable housing has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

1. the numbers, type, tenure and location on the site of the affordable housing provision to be made;
2. the timetable for the making available of the affordable housing in relation to the programme for completion of construction works and the occupancy of the residential units;
3. the arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Provider is involved;
4. the arrangement to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing unless other arrangements are agreed in writing by the Local Planning Authority; and
5. if applicable, the occupancy criteria to be used for determining the identify of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: To ensure sufficient affordable housing is delivered on site in accordance with the National Planning Policy Framework and Policy H5 of the Carlisle District Local Plan 2001-2016.

Summary of Reasons for the Decision

The decision to grant planning permission has been taken having regard to the Development Plan, including Supplementary Planning Guidance/ Documents and Design Guidance. The relevant Development Plan policies and Supplementary

Guidance have been considered in conjunction with comments received from consultees (including statutory consultees) and any responses from third parties, together with other material planning considerations. On balance the proposal was regarded as acceptable and it was considered that the development does not cause demonstrable harm to interests of acknowledged importance that justifies withholding permission.

Relevant Development Plan Policies

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Carlisle District Local Plan 2001 - 2016
Core Development Policies - Policy CP15 - Access, Mobility And Inclusion

Development proposals should make provision for easy, safe and inclusive access

to, into and within buildings and facilities. The layout and design of developments should meet the requirements of accessibility and inclusion for all potential users regardless of disability, age or gender. 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 The location of any development proposal in relation to its potential users;
- 3 Accessibility to all transport modes and provision of adequate parking for disabled people;
- 4 Provision of on-site facilities such as public toilets, and appropriate signage

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

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

The following points should be applied to all development proposals:

- 1 Security measures should be an integral part of the design
- 2 Developments should be laid out and buildings positioned to maximise natural surveillance with the intention of creating a sense of neighbourhood and deterring criminal and anti-social activity
- 3 Public and private spaces should have clearly defined boundaries.
- 4 Footpaths and cycleways should be designed to maximise their use and prevent opportunities for concealment, unauthorised access or provide a choice of escape routes.
- 5 Landscaping schemes be designed to ensure that they do not create secluded areas, opportunities for climbing or reduce natural surveillance.
- 6 Lighting should deter criminal and antisocial activity whilst minimising light pollution. CCTV may be considered necessary in certain circumstances.

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

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

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

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

- 1 the site is well related to the landscape of the area and does not intrude into open countryside; and

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

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

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

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

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

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

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

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

Proposals for non-residential uses will be permitted in Primary Residential Areas

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

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

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

Carlisle District Local Plan 2001 - 2016 Leisure & Community Uses - Policy LC8 - Rights Of Way

Carlisle City Council will seek to retain all existing footpaths, bridleways and other rights of way and to establish new routes wherever possible. New development will seek to maintain the existing rights of way network and where possible local improvements and extensions will be sought as part of new developments. Proposals to close or divert existing rights of way will not be permitted unless an alternative route is available which is attractive, serves the same area and is not significantly longer than the original route.

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

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

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

Carlisle District Local Plan 2001 - 2016 Local Environment - Policy LE27- 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 in the case of proposed development in Zone 3 (High Probability of river and/or sea flooding); 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

Local Environment - Policy LE29 - Land Affected By Contamination

Development on land known or thought to be contaminated will be permitted provided that contaminant sources, pathways and human and environmental receptors are clearly identified in a risk assessment and measures taken to treat, contain and control contamination so as not to:

- 1 Expose the occupiers of a development and neighbouring land uses to unacceptable risk;
- 2 Cause the contamination of adjoining land or allow contamination to continue;
- 3 Lead to the contamination of any watercourse, water body or aquifer;
- 4 Have an unacceptable adverse effect on habitats and ecosystems;
- 5 Cause harm to buildings, animals or crops

The Policy will also apply to proposed development on or within 250 metres of an existing landfill or a site known to be used for landfill within the last 30 years.

Item no: 08

Appn Ref No:
12/1041

Applicant:
Riverside Carlisle

Parish:

Date of Receipt:
19/12/2012 23:00:23

Agent:
Ainsley Gommon Architects Botcherby

Ward:

Location:
174 - 204 Borland Avenue, Botcherby, Carlisle,
Cumbria, CA1 2TJ

Grid Reference:
341846 555292

Proposal: Signboard For Proposed Development

Grant Permission

1. The advertisement hereby permitted shall be discontinued not later than the 1st day of May 2014 unless in the meantime a further application has been submitted to and approved by the Local Planning Authority.

Reason: The Local Planning Authority wish to review the matter at the end of the limited period specified.

2. The approved documents for this Advertisement Consent comprise:

1. the Advertisement Application Form received 19th December 2012;
2. the Site Location Plan received 19th December 2012 (Drawing no. 1384-SI-01);
3. the Proposed Site Layout received 20th December 2012 (Drawing no. 1384-SI-07 Rev A);
4. the proposed Site Signboard received 19th December 2012 (Drawing no. 1384-SI-20);
5. the Notice of Decision.

Reason: To define the consent.

3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: To accord with Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: To accord with Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: To accord with Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

6. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: To accord with Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

7. No advertisement shall be sited or displayed so as to -

- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
- (c) hinder the operation of any device used for the purpose of security or

surveillance or for measuring the speed of any vehicle.

Reason: To accord with Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

Summary of Reasons for the Decision

The decision to grant planning permission has been taken having regard to the Development Plan, including Supplementary Planning Guidance/ Documents and Design Guidance. The relevant Development Plan policies and Supplementary Guidance have been considered in conjunction with comments received from consultees (including statutory consultees) and any responses from third parties, together with other material planning considerations. On balance the proposal was regarded as acceptable and it was considered that the development does not cause demonstrable harm to interests of acknowledged importance that justifies withholding permission.

Relevant Development Plan Policies

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

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

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

**Carlisle District Local Plan 2001 - 2016
Economic & Commercial Growth - Policy EC17 - Advertisements**

Proposals for advertisements in Carlisle, Brampton and Longtown will be permitted providing that they are not detrimental to visual amenity and do not prejudice public safety. All of the following criteria will be used to assess suitability:

- 1 size;
- 2 location;
- 3 illumination;
- 4 design;
- 5 materials;
- 6 means of fixture; and
- 7 impact upon the street scene/local environment.

The display of advertisements in conservation areas which are of an inappropriate scale, illumination or materials, lead to clutter or obstruct or detract from the character or appearance of the conservation area or the architectural features of the buildings on which they are displayed will not be permitted.

Discontinuance action will be taken to remove posters and other material considered to cause a substantial injury to the character or appearance of the conservation area.

Item no: 09

Appn Ref No:
12/0900

Applicant:
Irving Builders

Parish:

Date of Receipt:
30/10/2012

Agent:
Architects Plus (UK) Ltd

Ward:
Morton

Location:
St Edmunds Social Centre, Newlaithes Avenue,
Morton, Carlisle

Grid Reference:
338284 554153

Proposal: Demolition Of Former St Edmunds Social Centre And Redevelopment Of Site With 14No. Dwellings And Associated Parking

Members resolved to defer consideration of the proposal in order for further discussions to take place with the developer about the provision of parking lay-bys on Newlaithes Avenue, tarmacing over the existing grass verge on Levens Drive and the possible provision of affordable housing and to await a further report on the application at a future meeting of the Committee.

Item no: 10

Appn Ref No:
12/0856

Applicant:
A.P. & J Brown Ltd

Parish:
Wetheral

Date of Receipt:
15/10/2012

Agent:
Abacus Building Design

Ward:
Wetheral

Location:
Land adjacent to Beech Cottage, Cumwhinton,
Carlisle, CA4 8DL

Grid Reference:
344658 552699

Proposal: Erection Of 15no. Dwellings Including 3no.Affordable Bungalows And
1no. Dwelling For The Elderly

Members resolved to give authority to the Director (Economic Development) to issue approval for the proposal subject to the completion of a S106 Agreement to secure:

1. the provision of 3no.affordable houses;
2. a financial contribution to be used by Wetheral Parish Council towards the provision of children's playing facilities within the village; and
3. a financial contribution of £39,117 to the County Council towards education facilities.

Item no: 11

Appn Ref No:
12/0447

Applicant:
Mr Noble

Parish:
Brampton

Date of Receipt:
21/05/2012 13:00:30

Agent:
Tsada Building Design
Services

Ward:
Brampton

Location:
Land To Rear 10 Longtown Road, Brampton, CA8
1SJ

Grid Reference:
352703 561108

Proposal: Conversion Of Garage And Loft Storage To Dwelling And Garage

Grant Permission

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

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

2. The approved documents for this Planning Permission comprise:
 1. the submitted planning application form;
 2. the plans (drawing number 6/5/2012/1A) received 13th February 2013;
 3. the flood risk assessment received 22nd May 2012;
 4. The design and access statement received 22nd May 2012;
 5. the Notice of Decision; and

6. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

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

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

4. The garage 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 CP5 of the Carlisle District Local Plan.

Summary of Reasons for the Decision

The decision to grant planning permission has been taken having regard to the Development Plan, including Supplementary Planning Guidance/ Documents and Design Guidance. The relevant Development Plan policies and Supplementary Guidance have been considered in conjunction with comments received from consultees (including statutory consultees), together with other material planning considerations. On balance the proposal was regarded as acceptable and it was considered that the development does not cause demonstrable harm to interests of acknowledged importance that justifies withholding permission.

Relevant Development Plan Policies

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

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

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

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

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

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

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

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

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

Burgh-by-Sands	Castle Carrock	Cummersdale
Cumwhinton	Dalston	Gilsland
Great Corby	Great Orton	Hallbankgate
Hayton	Heads Nook	Houghton
Irthington	Raughton Head	Rockcliffe

Scotby Smithfield Thurstonfield
Warwick Bridge (including Little Corby & Corby Hill) Wetheral

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

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

Carlisle District Local Plan 2001 - 2016 Local Environment - Policy LE19 - Conservation Areas

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

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

- 1 the development should preserve or enhance all features which contribute positively to the area's character or appearance, in particular the design, massing and height of the building should closely relate to adjacent buildings and should not have an unacceptable impact on the townscape or landscape;
- 2 the development should not have an unacceptable impact on the historic street patterns and morphology, roofscape, skyline and setting of the conservation area, important open spaces or significant views into, out of and within the area;
- 3 development proposals should not result in the amalgamation or redrawing of boundaries between traditional buildings and plots, or demolition and redevelopment behind retained facades;
- 4 wherever practicable traditional local materials such as brick, stone and slate should be used and incongruous materials should be avoided;
- 5 individual features both on buildings and contributing to their setting, should be retained e.g. doorways, windows, shopfronts, garden walls, railings, cobbled or flagged forecourts, sandstone kerbs, trees and hedges, etc. Where features have deteriorated to the extent to which they have to be replaced, the replacement should match the original;
- 6 proposals which would generate a significant increase in traffic movements and heavy vehicles or excessive parking demands will not be permitted since these

- would be prejudicial to amenity;
- 7 proposals which would require substantial car parking and servicing areas which can not be provided without an adverse effect on the site and its surroundings will not be permitted.

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

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

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

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

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

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

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

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

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP6 - Residential Amenity

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

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

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP11 - Protection Of Groundwaters And Surface Waters

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

Carlisle District Local Plan 2001 - 2016

Transport - Policy T1- Parking Guidelines For Development

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

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

Item no: 12

Appn Ref No:

12/0845

Applicant:

Mr & Mrs S Nelson

Parish:

Stanwix Rural

Date of Receipt:

11/10/2012 16:00:09

Agent:

Ian Pick Associates Ltd

Ward:

Stanwix Rural

Location:

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

Grid Reference:

340789 558915

Proposal: Change Of Use Of Land To Permit The Storage Of 20 Touring Caravans

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: 13

Appn Ref No:**Applicant:****Parish:**

13/0034	Mr & Mrs S Miller	Castle Carrock
Date of Receipt: 17/01/2013	Agent: Taylor & Hardy	Ward: Great Corby & Geltsdale
Location: Part OS Field No.0770, Castle Carrock, Cumbria		Grid Reference: 354121 555669

Proposal: Erection Of 1no. Dwelling (Outline Application) (Revised Application)

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: 14

Appn Ref No: 12/0970	Applicant: Mr Harris	Parish: Wetheral
Date of Receipt: 20/11/2012 16:00:07	Agent: Green Design Architects Limited	Ward: Wetheral
Location: Land to the rear of Park House, Parkett Hill, Scotby, Carlisle, CA4 8BZ		Grid Reference: 343949 555246

Proposal: Erection Of 4no. Detached Dwellings And 1no. Bungalow (Outline Application)

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: 15

Appn Ref No: 12/1014	Applicant: Mr W Coulthard	Parish: Burgh-by-Sands
Date of Receipt: 10/12/2012	Agent: Architects Plus (UK) Ltd	Ward: Burgh
Location: Land adjacent North End, Burgh by Sands, Carlisle, CA5 6BD		Grid Reference: 332712 559216

Proposal: Erection Of 1no. Dwelling

Grant Permission

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

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

2. The approved documents for this Planning Permission comprise:

1. the submitted planning application form;
2. the location plan received 19th December 2012;
3. the site plan received 10th December 2012;
4. the proposed plans received 10th December 2012;
5. the proposed elevations/section received 10th December 2012;
6. the design and access statement received 10th December 2012;
7. the tree survey received 10th December 2012;
8. the Archaeological Desk-Based assessment and evaluation received 10th December 2012;
9. the contaminated land desk top study received 19th December 2012;
10. the Notice of Decision; and
11. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

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. The development shall be carried out in accordance with the approved details.

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

4. Details shall be submitted of the proposed hard surface finishes 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 CP5 of the Carlisle District Local Plan 2001-2016.

5. Details of the heights of the existing and proposed ground levels and the height of the proposed finished floor levels of the dwelling and access/parking areas shall be submitted to and approved, in writing, by the Local Planning Authority before any site works commence.

Reason: To ensure that the approved development overcomes any

problems associated with the topography of the area and safeguards the living conditions of neighbouring residents in accordance with Policies CP5 of the Carlisle District Local Plan 2001-2016.

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

Reason: To ensure that the design and materials to be used are appropriate and to ensure compliance with Policy LE19 of the Carlisle District Local Plan 2001-2016.

7. 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 Carlisle District Local Plan 2001-2016.

8. The dwelling shall not be occupied until the vehicular access and parking requirements have been constructed in accordance with the approved plan and brought into use. These facilities shall be maintained capable of use at all times thereafter and shall not be removed or altered without the prior consent of the Local Planning Authority.

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

9. The development takes access from a Public Footpath, no obstruction of this can take place and proprietor(s) of the house hereby approved shall maintain the surface of this footpath so as to provide for safe and convenient access by pedestrians between the house access and the U1111 public Road.

Reason: To ensure a suitable means of access and in the interest of minimizing hazards to footpath users and to support Local Transport Plan policies LD5, LD7 and LD8.

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

Authority

Reason: To afford reasonable opportunity for an examination to be made to determine the existence of any remains of archaeological interest within the site and for the investigation and recording of such remains.

11. A scheme of tree and hedge protection shall be submitted to and approved in writing by the local planning authority prior to commencement on site. Within the fenced off area;

No retained tree or hedgerow shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner within 3 years from the date of the occupation of the building for its permitted use, other than in accordance with the approved plans and particulars, without the prior written approval of the local planning authority.

No fires shall be lit within 10 metres of the nearest point of the canopy of any retained tree.

No equipment, machinery or structure shall be attached to or supported by a retained tree.

No mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area.

No alterations or variations to the approved works or tree protection schemes shall be made without prior written consent of the local planning authority.

No alterations to the ground levels shall be made without prior written consent of the local planning authority

No stacking or storing of materials or the parking of vehicles shall be allowed.

The tree and hedge protection will be maintained to the satisfaction of the local planning authority at all times.

Reason: In the interests of tree and hedge protection in accordance with Policy CP3 of the Carlisle District Local Plan 2001-2016.

Summary of Reasons for the Decision

The decision to grant planning permission has been taken having regard to the Development Plan, including Supplementary Planning Guidance/ Documents and Design Guidance. The relevant Development Plan policies and Supplementary Guidance have been considered in conjunction with comments received from consultees (including statutory consultees) and any responses from third parties, together with other material planning considerations. On balance the proposal was regarded as acceptable and it was considered that the development does not cause demonstrable harm to interests of acknowledged importance that justifies withholding permission.

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016

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

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

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

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

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

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

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

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

Carlisle District Local Plan 2001 - 2016

Spatial Strategy And Development Principles - Policy DP9 - Areas Of Outstanding Natural Beauty

Within the North Pennines and Solway Coast Areas of Outstanding Natural Beauty, and their settings, permission will not be given for development that would harm the special characteristics and landscape quality of the areas. Development proposals must conserve or enhance the natural beauty of the areas, including scenic qualities, landform, ecology, geology, cultural interests, and the historic environment, so that these qualities can be enjoyed by present and future generations.

Major development of a national scale will only be permitted in exceptional circumstances where it can be demonstrated to be in the public interest. Development required to meet local infrastructure needs which cannot be located anywhere else will be permitted provided it is sited to minimise environmental impact and meet high standards of design.

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

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

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

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

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

- 1 is for a use inappropriate for residential areas; and/or

- 2 is of an unacceptable scale; and/or
- 3 leads to an unacceptable increase in traffic or noise; and/or
- 4 is visually intrusive.

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

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

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

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

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

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

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

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

In the following settlements small-scale infilling (development between an otherwise

continuous frontage) will be allowed where this does not conflict with the criteria above and is evidenced by local need to be in that location. S106 agreements may be used to ensure local occupancy to provide for the identified need.

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

Carlisle District Local Plan 2001 - 2016 Local Environment - Policy LE6 - Scheduled/Nationally Important Ancient Monuments

Development will not be permitted where there is an unacceptable impact on scheduled and other nationally important ancient monuments and their settings.

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

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

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

Carlisle District Local Plan 2001 - 2016 Local Environment - Policy LE19 - Conservation Areas

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

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

- 1 the development should preserve or enhance all features which contribute positively to the area's character or appearance, in particular the design, massing and height of the building should closely relate to adjacent buildings and should not have an unacceptable impact on the townscape or landscape;

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

Item no: 16

Appn Ref No:
12/0983

Applicant:
Mr & Mrs Sykes

Parish:
Castle Carrock

Date of Receipt:
30/11/2012 16:00:44

Agent:
Bell Cornwell LLP

Ward:
Great Corby & Geltsdale

Location:
The Weary Inn and Restaurant, Castle Carrock,
Brampton, CA8 9LU

Grid Reference:
354261 555371

Proposal: Demolition Of Building And Erection Of 2No. Three Bedroom Dwellings
And 1No. Two Bedroom Dwelling

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: 17

Appn Ref No:
13/0030

Applicant:
Mr Isaac Stewart

Parish:
Rockcliffe

Date of Receipt:
14/01/2013

Agent:

Ward:
Longtown & Rockcliffe

Location:
Atchin Tan, Low Harker, Carlisle, CA6 2DD

Grid Reference:
338448 560873

Proposal: Replacement Of Existing Chainlink Fence With 2.4 Metre High Concrete Panel Fence (Retrospective Application)

Grant Permission

1. Prior to the expiration of the first growing season following the granting of permission, planting to screen and cover the hereby permitted wall shall be carried out and completed in accordance with details submitted to and approved in writing beforehand by the Local Planning Authority.

Reason: To ensure that a satisfactory planting scheme is implemented.

Summary of Reasons for the Decision

At a general level, the material issues when considering a proposal for a domestic wall or fence revolve around questions of visual/residential amenity; character of the area; traffic safety; and security.

When considering visual amenity it is evident that the existing residential chalet at Ghyll Bank Park is located to the immediate north of a concrete and wooden panel fence behind which there is the existing coniferous hedge. At the time of the most recent visit on the 15th February 2013 there were no caravans located in the yard area of Ghyll Bank Park to the east of the wall. The element of the wall of particular concern runs at right angles in a southerly direction away from the chalet. The yard area leading to the chalet measures approximately 27 metres by 20 metres on the northern side of which there is an outbuilding (approximately measuring 14 metres by 6 metres). The yard area, although enclosed, is relatively open and spacious. As such it is not considered that the wall gives rise to an unacceptable overbearing effect on the living conditions of the occupiers of Ghyll Bank Park.

When assessing the proposal in terms of its impact on the character of the area the common elements relate to such natural features as the hedgerows and field patterns. The built development consists of a range of designs, materials and form reflecting the nature of the existing uses. The wall is set back approximately 27 metres from the lane such that it is not viewed along the highway. However, the wall is directly viewed from the highway at the point of the vehicular access serving Ghyll Bank Park. Although partly screened by the existing concrete and timber panel fence serving Ghyll Bank Park, the use of concrete to construct the wall gives it an austere, utilitarian appearance. However, the passage of time combined with carefully chosen vegetation will cover and screen the wall. A condition can be imposed to achieve such an effect.

In relation to traffic safety, the wall does not transgress any sight lines.

A Building Control Surveyor has confirmed that he is satisfied that the wall does not constitute a 'dangerous structure' as defined by section 77 of the Building Act 1984; the allegation over ownership of land is not considered to be a determining consideration; and the installation of CCTV cameras at Atchin Tan are a separate

and distinct matter to the proposal subject of this application.

In conclusion, the wall has an austere and utilitarian appearance. However, it is considered that it is neither detrimental to the "street scene" when generally viewed along the highway, nor gives rise to an unacceptable overbearing effect on the living conditions of the occupiers of Ghyll Bank Park. When viewed from the access serving Ghyll Bank Park the impact of the wall is mitigated by an existing fence whilst the impact of the element above the fence can be covered and softened by suitable planting. On this basis the proposal is recommended for approval.

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP17 - Planning Out Crime

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

The following points should be applied to all development proposals:

- 1 Security measures should be an integral part of the design
- 2 Developments should be laid out and buildings positioned to maximise natural surveillance with the intention of creating a sense of neighbourhood and deterring criminal and anti-social activity
- 3 Public and private spaces should have clearly defined boundaries.
- 4 Footpaths and cycleways should be designed to maximise their use and prevent opportunities for concealment, unauthorised access or provide a choice of escape routes.
- 5 Landscaping schemes be designed to ensure that they do not create secluded areas, opportunities for climbing or reduce natural surveillance.
- 6 Lighting should deter criminal and antisocial activity whilst minimising light pollution. CCTV may be considered necessary in certain circumstances.

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

Carlisle District Local Plan 2001 - 2016

Housing - Policy 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

Housing - Policy H14 Gypsies And Travellers

Where there is an identified need the City Council will consider the provision of Gypsy and Traveller Sites. Proposals for Gypsy and Traveller sites will be acceptable providing that:

- 1 the proposal will not compromise the objectives of the designation of an Area of Outstanding Natural Beauty or Landscape of County Importance; and
- 2 there would be no adverse impact on the local landscape; and
- 3 appropriate access and parking can be achieved; and
- 4 the proposed site is reasonably accessible to community services; and
- 5 the proposal would not adversely affect the amenities of adjacent occupiers by way of noise, vehicular or other activities on site.

Item no: 18

Appn Ref No:
12/1052

Applicant:
Carlisle City Council -
Building Services

Parish:

Date of Receipt:
28/12/2012

Agent:
A L Daines & Partners

Ward:
Castle

Location:
Caldew Bridge And Land Adjacent Caldew Bridge,
Carlisle

Grid Reference:
339602 556011

Proposal: Extension Of Existing Cycle Way (Revised Application)

Members resolved to give authority to the Director (Economic Development) to issue approval for the proposal subject to no issues being raised by the Assessment of Likely Significant Effects.

Item no: 19

Appn Ref No:
13/0063

Applicant:
Magnus Homes Limited

Parish:

Date of Receipt:
24/01/2013

Agent:
Taylor & Hardy

Ward:
Stanwix Urban

Location:
18 Eden Place, Stanwix, Carlisle, Cumbria, CA3
9JH

Grid Reference:
339628 557243

Proposal: Demolition Of Detached Bungalow And Erection Of A Pair Of Semi Detached Dwellings

Grant Permission

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

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

2. The approved documents for this Conservation Area Consent comprise:
 1. the Full Planning Application Form received 24th January 2013;
 2. the Block Plan As Existing received 24th January 2013 (Drawing no. 003);
 3. the Proposed Housing received 24th January 2013 (Drawing no. 001);
 4. the Site Plan, Block Plan & Location Plan received 19th February 2013 (Drawing no. 002 Rev A);
 5. the Planning Statement received 24th January 2013;
 6. the Design and Access Statement received 24th January 2013;
 7. the Tree Survey received 24th January 2013
 8. the Survey for Bats, Barn Owls & Breeding Birds received 24th January 2013;
 9. the Notice of Decision;
 10. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

3. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted 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 ensure the materials used are appropriate to the character of the area in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

4. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the dwellings are occupied. Development shall be carried out in accordance with the approved details.

Reason: To ensure the materials used are appropriate to the character of the area in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

5. The dwellings shall not be occupied until the area shown block paved for parking on Drawing No. 002 Rev A has been drained and surfaced, and that area shall not thereafter be used for any purpose other than the parking of vehicles.

Reason: In the interests of highway safety and to support Local Transport

Plan Policies LD5, LD7 and LD8.

6. The dwellings shall not be occupied until a means of vehicular access has been constructed and drained in accordance with the approved plans.

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

7. Development shall not begin until the junction alterations between the proposed access road and the highway shown on Drawing No. 002 Rev B as approved under application reference 11/0799 have been constructed in accordance with the approved details.

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

8. No structure or erection exceeding 1.05 metres in height shall be placed within the sight lines shown on the approved details referred to in Condition 7.

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

9. The dwellings shall not be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in Annex F of PPS25 (or any subsequent version), and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii) include a timetable for its implementation; and provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

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

10. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in

writing of the Local Planning Authority. Site investigations should follow the guidance in BS10175.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy LE29 of Carlisle District Local Plan 2001-2016.

11. Before any development takes place, 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 Policy LD8.

Summary of Reasons for the Decision

The decision to grant planning permission has been taken having regard to the Development Plan, including Supplementary Planning Guidance/ Documents and Design Guidance. The relevant Development Plan policies and Supplementary Guidance have been considered in conjunction with comments received from consultees (including statutory consultees) and any responses from third parties, together with other material planning considerations. On balance the proposal was regarded as acceptable and it was considered that the development does not cause demonstrable harm to interests of acknowledged importance that justifies withholding permission.

Relevant Development Plan Policies

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

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

- 1 existing areas of open space and other amenity areas are safeguarded; and
- 2 the proposed development does not adversely affect the amenity of adjacent

- residential property; and
- 3 the proposed development complements or enhances existing adjacent residential areas and their amenity; and
- 4 satisfactory access and appropriate parking arrangements can be achieved.

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

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

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

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

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

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

Proposals for development within these locations will be assessed on the basis of

the need for development to be in the location specified.

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

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

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

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

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

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

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

Item no: 20

Appn Ref No:
13/0064

Applicant:
Magnus Homes Limited

Parish:
Carlisle

Date of Receipt:
24/01/2013

Agent:
Taylor & Hardy

Ward:
Stanwix Urban

Location:
18 Eden Place, Stanwix, Carlisle, Cumbria, CA3
9JH

Grid Reference:
339624 557233

Proposal: Demolition Of Detached Bungalow (Conservation Area Consent)

Grant Permission

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

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

2. The approved documents for this Conservation Area Consent comprise:
 1. the Conservation Area Consent Application Form received 24th January 2013;
 2. the Block Plan As Existing received 24th January 2013 (Drawing no. 003);
 3. the Proposed Housing received 24th January 2013 (Drawing no. 001);
 4. the Site Plan, Block Plan & Location Plan received 19th February 2013 (Drawing no. 002 Rev A);
 5. the Planning Statement received 24th January 2013;
 6. the Design and Access Statement received 24th January 2013;
 7. the Tree Survey received 24th January 2013;
 8. the Survey for Bats, Barn Owls & Breeding Birds received 24th January 2013;
 9. the Notice of Decision.

Reason: To define the permission.

3. No demolition hereby approved by this permission shall commence until a detailed management plan for the demolition works has been submitted to and agreed in writing by the Local Planning Authority. The management plan should include:
 1. method of demolition;
 2. site management arrangements including site office, developer contact number in event of any construction/demolition related problems, and site security information;
 3. construction traffic routes, timing of lorry movements, hours of deliveries, numbers and types of vehicles, construction traffic parking;
 4. hours of site operation, dust suppression measures, noise limitation measures.

The demolition must then be undertaken in accordance with the approved details.

Reason: To ensure that the demolition is undertaken in an appropriate manner and to safeguard the living conditions of the occupiers of the neighbouring properties in accordance with Policy LE17 of the Carlisle District Local Plan 2001-2016.

Summary of Reasons for the Decision

The decision to grant planning permission has been taken having regard to the Development Plan, including Supplementary Planning Guidance/ Documents and Design Guidance. The relevant Development Plan policies and Supplementary Guidance have been considered in conjunction with comments received

from consultees (including statutory consultees) and any responses from third parties, together with other material planning considerations. On balance the proposal was regarded as acceptable and it was considered that the development does not cause demonstrable harm to interests of acknowledged importance that justifies withholding permission.

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016

Local Environment - Policy LE17 - Development Involving The 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 planning permission for development proposals that would require 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 LE16

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

Local Environment - Policy LE19 - Conservation Areas

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

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

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

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

Item no: 21

Appn Ref No:
12/1051

Applicant:
Mr T A Smith

Parish:
Carlisle

Date of Receipt:
28/12/2012

Agent:

Ward:
Yewdale

Location:
1 Inglewood Road, Carlisle, Cumbria, CA2 6JH

Grid Reference:
338247 555228

Proposal: Ground Floor Side And Rear Extension To Provide Replacement Kitchen, Toilet And Living Accommodation

Grant Permission

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

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

2. The approved documents for this Planning Permission comprise:
 1. the submitted planning application form, received 28 December 2012;
 2. the site location plan and site block plan (drawing reference IS/04) received 28th December 2012;
 3. the existing plans (drawing reference IS/01) received 28th December 2012;
 4. the proposed floor plans (drawing reference IS/02b) received 30th January 2013;

5. the proposed elevations (drawing reference IS/03b) received 30th January 2013;
6. the Notice of Decision; and
7. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

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

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

Summary of Reasons for the Decision

The decision to grant planning permission has been taken having regard to the Development Plan, including supplementary planning guidance/documents and design guidance. The relevant Development Plan policies and supplementary guidance have been considered in conjunction with comments received from consultees (including statutory consultees) and any responses from third parties, together with other material planning considerations. On balance the proposal was regarded as acceptable and it was considered that the development does not cause demonstrable harm to interests of acknowledged importance that justifies withholding permission.

Relevant Development Plan Policies

Carlisle District Local Plan 2001 – 2016

Housing - Policy H11 - Extensions To Existing Residential Premises

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

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP5 - Design

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

- 1 Respond to the local context and the form of surrounding buildings in relation to height, scale and massing, and by making use of appropriate materials and detailing;

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

Item no: 22

Appn Ref No:
12/9018

Applicant:
Mr D Clare

Parish:
Multiple Parishes

Date of Receipt:
02/01/2013

Agent:
Economy, Culture &
Environment

Ward:
Great Corby & Geltsdale

Location:
New Water River, East of Cumrew Fell, Cumrew,
Heads Nook, Brampton

Grid Reference:
357872 551560

Proposal: Proposed New Bridlebridge Over The New Water River In Geltsdale

Decision: City Council Observation - Observations

Date: 15/01/2013

Decision of: Cumbria County Council

Decision Type: Grant Permission

Date: 13/02/2013

Item no: 23

Appn Ref No:
13/9004

Applicant:
The School Governors

Parish:
Carlisle

Date of Receipt:

Agent:

Ward:

14/01/2013

Cumbria County Council

Harraby

Location:

Inglewood Junior School, Arnside Road, Carlisle,
CA1 3QA

Grid Reference:

342194 554301

Proposal: Creation Of Additional Parking Spaces And Resurfacing Of Driveway To
School Kitchen

Decision: City Council Observation - Raise No Objection **Date:** 08/02/2013

Decision of: Cumbria County Council

Decision Type: Grant Permission **Date:** 20/02/2013

Item no: 24

Appn Ref No:

12/0438

Applicant:

Mr P B J Fontana

Parish:

Carlisle

Date of Receipt:

18/05/2012

Agent:

Penrith Farmers & Kidds
Plc

Ward:

Belah

Location:

57 Kingstown Road, Carlisle, Cumbria, CA3 0AB

Grid Reference:

339734 558108

Proposal: Change Of Use From A1 (Shop) To A5 (Hot Food Takeaway) And Single
Storey Rear Extension To Provide Preparation Room, Store And W.C.,
And Erection Of Flue Pipe To Rear Elevation (Revised Application)

Decision: Refuse Permission **Date:** 17/08/2012

Decision of: Planning Inspectorate

Decision Type: Appeal Dismissed **Date:** 11/01/2013

Item no: 25

Appn Ref No:

10/1116

Applicant:

Stobart Air Limited

Parish:

Irthington

Date of Receipt:

14/12/2010

Agent:

URS/Scott Wilson

Ward:

Stanwix Rural

Location:

Carlisle Lake District Airport, Carlisle, Cumbria
CA6 4NW

Grid Reference:

348000 561000

Proposal: Erection Of A Distribution Centre (Inclusive Of Air Freight And Road Haulage, And Including Integrated +3 °C Chiller Chamber, +12°C Chiller Chamber, Workshop And Offices)(Use Classes B1 And B8), Gatehouse, Canteen/Welfare Facilities, Landscaping, New Access, Parking And Other Infrastructure Works (Such As Auxiliary Fire Station, Package Sewage Treatment Works, Fire Sprinkler System And Electrical Substation) And Raised And Re-Profiled Runway 07/25

Members will recall at Committee meeting held on 3rd August 2012 that authority was given to the Director (Economic Development) to issue approval subject to:

- 1) the acceptance of the Appropriate Assessment/clarification on Natural England's position regarding Great Crested Newts;
- 2) the receipt of appropriate advice regarding the implications of the Commission's guidance on the "Financing of Airports and Start-up Aid to Airlines Departing from Regional Airports" (2005) and State Aid;
- 3) the completion of a Section 106 Agreement including
 - (i) an obligation on the applicant to keep the Airport open and the runway maintained unless it can be shown that the Airport is no longer economically viable (even with the distribution centre rental income),
 - (ii) Travel Plan obligations requiring: payment of a Travel Plan Bond to the County Council as the Highway Authority calculated by using the cost of an annual North West Mega rider Gold ticket multiplied by the proposed reduction in the number of employee commuting trips multiplied by 5 years; the applicant designating a Travel Plan Co-ordinator to carry out annual monitoring and reporting of results to the County Council; the payment of £2725 per year for 5 years in respect of County Council staff; and the setting up of a Steering Group to oversee the frequency of the shuttle bus service, and
 - (iii) the payment of £100,000 in order to enable the undertaking of a habitat enhancement scheme to benefit breeding waders; and
- 4) the imposition of the suggested conditions as revised.

These issues have been resolved and the decision was issued on 6th February 2013.

Granted Subject to Legal Agreement

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 shall be carried out in accordance with the approved documents for this planning permission that comprise:

- a. The submitted planning application form (as amended by the contents/attachment of the e-mail from the Stobart Group sent on the 23rd January 2013 concerning the size of the LPG tank), Certificate C and the Agricultural Holdings certificate;
- b. Drawing nos. PL-001 Rev A - Site Plan; PL-002- Development Plan; PL-010- Boundaries Plan; PL-020- Existing Site and Location Plan; PL-030- Detailed Site Plan Sheet 1 of 5; PL-031 -Detailed Site Plan Sheet 2 of 5; PL-032- Detailed Site Plan Sheet 3 of 5; PL-033- Detailed Site Plan Sheet 4 of 5; PL-034- Detailed Site Plan Sheet 5 of 5; PL-040- Site Access and Contractors Compound; PL-050- Proposed Runway Long Section; PL-051 - Typical Runway Cross Sections; PL-060- Fence and Gate Location Plan; PL-061 -Car Parks Paladin Fence; PL-070- S278 Works Levels and Drainage Proposed Layout; PL-071 - S278 Works Site Clearance; PL-072- HGV Forward Manoeuvres around S278 Works; PL-073- Existing Drainage and Catchment Areas; PL-075 - Proposed Surface Water Drainage Plan; PL-076 Rev A- Proposed Foul Water Drainage Plan; PL-090- Typical Plant and Equipment Images; PL-091 -Terminal Parking; LA-001 -Landscaping Planting Proposals Woodland Planting Sheet 1; LA-002 - Landscaping Planting Proposals Woodland Planting Sheet 2; LA-003- Landscaping Planting Proposals Woodland Planting Sheet 3; LA-004- Landscaping Planting Proposals Woodland Planting Sheet 4; LA-005- Landscaping Planting Proposals Woodland Planting Sheet 5; PL-1001 -Ground Floor Plan; PL-1002 - Roof Plan; PL-1003- Warehouse Elevations and Sections; PL-1004- Warehouse Office and Operations Office Plan; PL-1005- Gatehouse Plans and Elevations; PL-1006 - Welfare Plans and Elevations; PL-1007 - Fire Station Plans and Elevations; PL-5050- Proposed External Lighting and CCTV; D133185/F/Figure A EH; and D133185/F/Figure B EH;
- c. The Environmental Statement (URS/Scott Wilson, 2010) as updated: Volume 1 - Environmental Statement; Volume 2- Technical Appendices; Volume 3 - Figures; Non-Technical Summary;
- d. Planning Policy and Position Statement (URS/Scott Wilson, 2010);
- e. Design and Access Statement (URS/Scott Wilson, 2010);
- f. Transport Assessment and Travel Plan (URS/Scott Wilson, 2010);
- g. Flood Risk Assessment and Drainage Strategy (URS/Scott Wilson, 2010);
- h. Bird Hazard Management Plan Wintering Bird Surveys 2010/2011 (URS/Scott Wilson, 2011);
 - a. Potential Odour Impacts report (Air Quality Consultants Ltd, 2011);
 - b. Economic Impact Appraisal Report (EKOS Ltd, 2008);
 - c. Economic Impact Appraisal Report: Update (EKOS Ltd, 2010);
 - d. Economic Impact Appraisal Update: Carlisle Airport (EKOS Ltd, 2012);
 - e. Archaeological Walkover and Evaluation Report No. CP/471/07 (North Pennines Archaeology Ltd, 2007); and
 - f. Archaeological Evaluation Report CP No. 1416/11 (North Pennines Archaeology Ltd, 2011)

Reason: For the avoidance of doubt.

3. No construction operations on the new access from the A689 shall begin until full details (including a safety audit) of the proposed roundabout junction and associated internal junction and access routes have been submitted to, and approved in writing by, the Local Planning Authority. The proposed access junction with the A689, and any associated internal junction and access routes, shall be completed in accordance with the approved details prior to the occupation of any element of the development hereby permitted.

Reason: To ensure that the highway network can accommodate the traffic associated with the development and to support Local Transport Plan Policies S3, LD5, LD7 and LD8.

4. No construction of the carriageways, footways and footpaths to be provided within the site shall begin until full details of their specification (inclusive of surface treatment and drainage) and a programme for their implementation, have been submitted to, and approved in writing by, the Local Planning Authority. The construction of the carriageways, footways and footpaths within the site shall be completed in accordance with the approved details prior to the occupation of any part of the development hereby permitted.

Reason: To ensure a minimum standard of construction in the interests of highway safety and to support Local Transport Plan Policies LD5, LD7 and LD8.

5. The development hereby permitted (or any part thereof as may be agreed) shall not be occupied until the lay-bys/bus stops, parking, turning and servicing areas for buses/coaches, lorries, cars, motor-cycles and cycles and the means of access thereto have been constructed, surfaced, drained and are available for use in accordance with details submitted to and approved in writing beforehand by the Local Planning Authority. All such facilities shall be kept available for such use at all times and shall not be used for any other purpose, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that vehicles can be properly and safely accommodated clear of the highway and to support Local Transport Plan Policies LD7 and LD8.

6. A signage strategy relating to airport and emergency vehicles (inclusive of the roundabout access and the passenger terminal) shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented prior to the occupation of any part of the development hereby permitted.

Reason: In the interests of road safety and to ensure the safe and free flow of emergency vehicles and to support Local Transport Policies LD5, LD6 and LD7.

7. No part of the development hereby permitted shall be occupied prior to

implementation of the Approved Travel Plan as amended by the letter from URS Scott Wilson dated the 5th August 2011 (or implementation of those parts identified in the Approved Travel Plan as capable of being implemented prior to occupation). Those parts of the Approved Travel Plan that are identified therein as being capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure sustainable modes of transport are available and managed throughout the life of the development.

8. The landscaping scheme (inclusive of any bunds) shall be carried out in accordance with the approved details during the first available planting season following the completion of each stage of construction operations and shall be maintained for a period of not less than 5 years thereafter. 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 an appropriate and effective landscaping scheme is implemented and that it fulfils the objectives of Policy CP5 of the Carlisle District Local Plan 2001-2016.

9. a) No occupation of the hereby permitted freight distribution centre shall take place until works to runway 07-25 (to achieve a Pavement Classification Number standard of not less than 31) and the associated taxiways/hard standing in accordance with drawings 'PL D133593/PL/001 Rev A', 'PL D133593/PL/050' and 'PL D133593/PL/051' have been completed.

b) Before the aforementioned works are commenced plans showing further details (at a larger scale) of the works shown on drawings 'PL D133593/PL/001 Rev A', 'PL D133593/PL/050' and 'PL D133593/PL/051' shall be submitted to the Local Planning Authority for approval and the works shall thereafter be carried out in accordance with the approved details and plans.

Reason: To ensure the completion of the runway works to achieve a Pavement Classification Number standard of not less than 31 and thereby enable the achievement of an airport related benefit in accordance with the timetable agreed by the applicant.

10. No development hereby permitted by this planning permission shall be initiated by the undertaking of a material operation as defined in section 56(4)(a)-(d) of the Town and Country Planning Act 1990 until a construction site management plan has been submitted to, and approved in writing by, the Local Planning

Authority. The plan shall include:-

- (a) the proposed date and sequence of works/construction phases;
- (b) details of proposed normal working hours and intended start up and close down times;
- (c) an outline of any work which may require construction outside of normal working hours (per (b) above) together with any control that will be applied to mitigate against nuisance and complaints;
- (d) details of measures to control noise emissions;
- (e) the location of any proposed compounds, access points and the routes for construction vehicles, equipment and plant during construction;
- (f) details of equipment and plant to be used (including type, make and expected number);
- (g) the identification of any sensitive receptors (such as trees, watercourses, local residents and commercial businesses) which are likely to be affected by the works;
- (h) the proposed method of delivery/removal of materials and plant;
- (a) procedures (for all persons engaged in construction of the development) for dealing with major incidents, unexpected occurrences or finds during construction particularly related to air quality (such as dust), ground quality (contamination issues), noise and vibration, light nuisance and water resources;
- (b) procedures for handling external communication, liaison and complaints;
- (c) measures to minimise siltation of the River Eden SAC during construction;
- (d) measures to prevent chemical pollution of the River Eden SAC during construction;
- (e) biological monitoring of watercourses before, during and after construction;
- (f) details of proposed wheel cleaning facilities for construction vehicles, and measures to remove any material that is deposited within the site by such vehicles;
- (g) the measures to be undertaken to prevent contamination of the River Eden SAC through surface water drainage during construction and operation;
- (h) the measures to be undertaken to prevent contamination of the River Eden SAC in the event of a pollution event/spillage during construction;
- (r) the measures to be undertaken to minimise risk of toxic pollutants arising from contaminated ground being transferred to the River Eden SAC via surface and/or ground water during construction and operational phases;
- (s) the measures to minimise disturbance of the River Eden SAC and SSSI by way of noise, vibration and lighting during construction and operation;
- (t) directional vegetation clearance to enable a means of escape for Biodiversity Action Plan species (brown hare, common toad and hedgehog);
- (u) the results of a further precautionary badger survey; and
- (v) the covering up at night or provision of escape ramps for any holes

excavated during development to prevent injury to any badgers and other mammals.

The development shall not be constructed other than in accordance with the approved construction site management plan unless otherwise approved in writing by the Local Planning Authority.

Reason: To protect the environment and prevent statutory nuisance during construction.

11. Any vehicle travelling to and from the development, during its construction, which is carrying material that has the potential to give rise to dust, shall be covered in such a manner so as to minimise the emission of dust during transit.

Reason: To protect the environment, prevent dust nuisance, and in the interests of highway safety.

12. Any material which is stored on site, during construction of the development, and has the potential to give rise to dust shall be stored away from the site boundary, and any mounds of materials shall be profiled in order to minimise dust.

Reason: To protect the environment and prevent statutory nuisance.

13. No works of construction of any building hereby permitted shall begin until detailed plans, elevations and sections of that building (and any associated circulation area), together with a schedule and sample of finishes to be used on its external elevations, have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include any proposals intended to be employed to secure articulation of the principal facades, the intended site and finished floor levels to identify its physical relationship with the existing ground levels, the measures to be incorporated to secure a "good" BREEAM rating, and the intended use of appropriate materials and colour to assimilate the form and scale of the building within its rural setting. The development shall not be carried out otherwise than in accordance with the approved details.

Reason: To protect the living conditions of residents and businesses living and/or operating in the immediate locality of the Airport and to comply with Policy CP5 of the Carlisle District Local Plan 2001-2016.

14. The development shall not be occupied until a service/haulage yard management plan has been submitted to, and approved in writing by, the Local Planning Authority. The plan shall include measures to:
 - a) minimise the use of audible reversing alarms on site between the hours of 2300 and 0700 on any day;

- b) minimise the need to undertake loading and unloading of HGVs outside the service/haulage buildings;
- c) ensure the installation and operation of machine driven flaps (inclusive of arresting valves) at all docking stations; and
- d) ensure the installation of noise mitigation of the chillers at the external technical services building (TSB) units.

All haulage activities, including the unloading and loading of vehicles, shall be undertaken in accordance with the approved service/haulage yard management plan, unless otherwise approved in writing by the Local Planning Authority.

Reason: To protect the living conditions of residents and businesses living and/or operating in the immediate locality of the Airport and to prevent statutory nuisance.

15. The hereby permitted works to the runway within the area of Watchclose Roman Camp SAM shall not commence until implementation of an archaeological watching brief has been secured in accordance with a Written Scheme of Investigation submitted to and approved in writing beforehand by the Local Planning Authority. The area of Watchclose Roman Camp SAM shall be defined by all land within, and 10 metres beyond, the outer boundary of the SAM, whose location shall be marked out on the ground before works commence and agreed beforehand by the Local Planning Authority. The Written Scheme will include an archaeological watching brief to be undertaken during the course of the work; an archaeological recording programme; a post-excavation assessment and analysis; preparation of a site archive ready for disposition at a store approved by the Local Planning Authority; and completion of an archive report.

Any hereby permitted runway works within that agreed location shall subsequently be undertaken and completed in accordance with the approved Written Scheme of Investigation.

Reason: To ensure the successful preservation in situ of archaeological remains is achieved by avoiding the risk of damage to unrecorded archaeological features, advance the understanding of the significance of any heritage asset, and to make this evidence publicly accessible in accordance with Policy LE6 of the Carlisle District Local Plan 2001-2016 and paragraph 141 of the National Planning Policy Framework.

16. The hereby permitted development shall not be occupied until a report containing the results of archaeological fieldwork undertaken as part of this planning application has been produced in a form suitable for publication in a journal in accordance with details (inclusive of the journal) submitted to and approved in writing beforehand by the Local Planning Authority.

Reason: The site is located within an area of archaeological importance and the publication of the results will enhance understanding of and will allow public access to the work undertaken in accordance with paragraph 141 of the National Planning Policy Framework.

17. No works hereby permitted within 15 metres of the Stanegate Roman Road shall commence until implementation of a programme of supervised archaeological excavation and recording has been undertaken in accordance with a Written Scheme of Investigation submitted to and approved in writing beforehand by the Local Planning Authority. The Written Scheme will include a detailed drawing showing the area for excavation.

Reason: To ensure a reasonable opportunity is provided to finalise a drainage scheme that reduces the potential for any impact upon Stanegate Roman Road in accordance with Policy LE6 of the Carlisle District Local Plan 2001-2016.

18. The hereby permitted development shall not be occupied until a drainage scheme has been completed in accordance with details previously submitted to, and approved in writing by, the Local Planning Authority. The scheme shall:

- a) where relevant, be produced in accordance with the Environment Agency's greenfield run off criteria;
- b) include details for the collection/containment and means of disposal to the foul sewer for all foul waste including domestic sewage, trade effluents, vehicle washings, and chemical toilet waste;
- c) include details for dealing with all surface water from buildings, roads, car parks and service yards;
- d) incorporate an emergency plan as to how it is proposed to deal with any specific pollution events during site operation to minimise the risk of potential pollutants reaching the River Eden SAC;
- e) include measures to minimise the risk of amphibians of falling into and becoming trapped in drainage structures and attenuation lagoons; and
- f) include details of water quality monitoring.

Reason: To prevent the increased risk of flooding and to protect receiving waters by ensuring the provision of a satisfactory means of foul and surface water disposal in accord with Policies DP9 and EM5 of the North West of England Plan (Regional Spatial Strategy), and Policies CP10, CP11 and CP12 of the Carlisle District Local Plan 2001-2016.

19. Notwithstanding condition 18 (above) and with respect to the south western 200m length of Runway 07-25, no drainage works shall commence until a drainage scheme comprising detailed plans (including at least one cross section) and a construction methodology have been agreed with the Local Planning Authority identifying how drainage works will be undertaken without causing detrimental impact to the Watchclose Roman Camp SAM. The drainage works shall be implemented in accordance with the approved

drainage scheme.

Reason: To ensure reasonable opportunity is provided to finalise a drainage scheme that avoids the risk of damage to Watchclose Roman Camp SAM in accordance with Policy LE6 of the Carlisle District Local Plan 2001-2016.

20. Any proposed liquid storage tanks shall be located within bunded areas having a capacity of not less than 110% of the largest tank. If tanks are connected by pipework in such a way to allow equalisation of the level of contents, than the bund capacity should be 110% of the largest combined volume. The floor and walls of the bund shall be impervious to oil and water (and resistant to any stored chemicals). Any inlet/outlet/vent pipes and gauges must be within the bunded area. The bunds to be installed shall be in accordance with details previously submitted to, and approved in writing by, the Local Planning Authority The approved details must also include information on the frequency of maintenance. If contamination is found within the bund the contents shall be suitably disposed of. A record shall be made detailing the contamination, action taken and results of any investigation undertaken to identify the cause of the contamination.

Reason: To protect the environment and prevent harm to human health.

21. Prior to the commencement of use all freight loading/off-loading areas shall either incorporate effluent containment facilities or shall allow drainage from them to be connected to the foul sewer in accordance with details submitted to and approved in writing beforehand by the Local Planning Authority.

Reason: To prevent pollution of the water environment.

22. No vegetation suitable for nesting birds shall be cleared or removed during the period 1 March to 15 August in any calendar year unless a breeding bird survey of the area to be cleared or removed has been undertaken (in a manner previously submitted to, and approved in writing by, the Local Planning Authority).

Reason: To ensure no impact on nesting birds.

23. No development hereby permitted by this planning permission shall be initiated by the undertaking of a material operation as defined in section 56(4)(a)-(d) of the Town and Country Planning Act 1990, until a Biodiversity Management and Enhancement Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include:

- a) a timetabled programme for its implementation and review;
- b) proposals to identify, maintain and manage/monitor any features of biodiversity interest (inclusive of badgers, otters, bats, amphibians and birds); and
- c) the recording and reporting to the Local Planning Authority of any otter and badger road traffic incidents and consequent mitigation action as necessary within the boundary of the Airport.

Management (including the external lighting) and enhancement /mitigation measures shall be implemented and thereafter fully carried out in accordance with the approved Plan.

Reason: To ensure the provision of habitat enhancement measures in accordance with Policies CP2 and LE3 of Carlisle District Local Plan 2001-2016.

24. Prior to any works commencing within 500 m of waterbodies 1 and 2, a great crested newt method statement of those works shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall include an assessment of the requirement for a European Protected Species Mitigation licence and details of habitat enhancement works. The works shall be carried out in accordance with the approved method statement.

Reason: To ensure the provision of habitat enhancement measures in accordance with Policies CP2 and LE3 of Carlisle District Local Plan 2001-2016.

25. No development hereby permitted by this planning permission shall be initiated by the undertaking of a material operation as defined in section 56(4) (a)-(d) of the Town and Country Planning Act 1990, until the following components of a scheme to deal with the risks associated with contamination of the site have been submitted to and approved, in writing, by the Local Planning Authority:

- a) A document including:
 - a full report of the detailed site walk over; and
 - a review of the conceptual model of the site indicating sources, pathways and receptors from previous works and its refinement following potentially unacceptable risks arising from contamination at the site.
- b) A detailed assessment of the risk to all receptors that may be affected, including those off site, and a further site investigation where necessary for significant source/pathway linkages identified in (a).
- c) An options appraisal and remediation strategy (including the site investigation results and the detailed risk assessment) giving full details of the remediation measures required and how they are to be undertaken.
- d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Reason: To protect the environment and prevent harm to human health.

26. Notwithstanding the proposed measures identified within the application submission, in the event that contamination is found at any time when carrying out or during use of the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared which shall be subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To protect the environment and prevent harm to human health.

27. The applicant (or successor in title) shall make known and publicise locally all new employment opportunities arising out of the construction and operation of the Development and to work with local employment and regeneration agencies in order to make known and publicise such employment opportunities

Reason: To ensure sufficient opportunities are afforded to the employment of local people and allowing opportunities to encourage the use of sustainable modes of transport for employees.

28. a) No occupation of the freight distribution centre shall take place until the upgrade to the Irthington Waste Water Treatment Works, as identified in an e-mail from United Utilities (Martin Williamson) sent to Carlisle City Council (Angus Hutchinson) on the 5th April 2012, has been completed.
- b) There shall be no passenger air transport movements until the aforementioned upgrade has been completed.
- c) The total number of passenger aircraft movements* per annum shall not thereafter exceed 3,650, and the total number of cargo air transport movements* per annum shall not exceed 1,560.

* For the purpose of this condition, an aircraft movement is defined as the taking-off or landing of an aircraft.

Reason: To take account of the upgrade to the Irthington Wastewater Treatment Works and thereby ensure that appropriate provision is made for the treatment of foul waste; to protect the living conditions of residents and businesses living and/or operating in the immediate locality of the Airport; and to reflect that which has been assessed in the environmental information received.

29. Passenger and/or cargo fixed wing aircraft movements shall be limited to the following types of aircraft: Jetstream 41; DHC-8Q400; ATR 42; ATR 72; and RJ146 (or aircraft of equivalent characteristics in terms of size, weight, carrying capacity, noise, and other polluting emissions).

Reason: To protect the living conditions of residents and businesses

living and/or operating in the immediate locality of the Airport; and to reflect that which has been assessed in the environmental information received.

30. Notwithstanding condition 28 (above) no aircraft movements shall take place at the Airport between 23.00 hours and 06.00 hours.

Reason: To protect the living conditions of residents in the immediate locality of the Airport; and to reflect that which has been assessed in the environmental information received.

Summary of Reasons for the Decision

When assessing this application it is evident that there was common ground between the Council's and applicant's consultants that the proposal can keep the Airport open with an updated main runway and rental income. The proposal (in itself) will at least renew the runway (through the use of a planning condition preventing occupation of the freight distribution centre until the works have been completed) and keep the Airport open when, if planning permission was refused, it could potentially close the day after; however it is the case that the Council's independent consultant (Alan Stratford Associates) does not consider that commercial air services would themselves be sustainable in the longer term even with distribution centre income.

The spreadsheet produced by Alan Stratford Associates which accompanies their letter of 26th June shows that up to 2035, with the rental income from the proposed distribution centre, the Airport is viable for commercial services (without the distribution centre income, the Airport is not viable) the subsidy is in effect the rental income from the distribution centre. The provision of rental income; keeping the Airport open; updating the runway; and the prospect of commercial passenger services in the short/medium term representing tangible benefits.

There is a difference of views in the aviation forecasts between the applicant's, Council's and local resident's consultants. The difficulties in making forecasts are acknowledged and (because forecasts are unpredictable) there is recognition that the proposal may not secure viability in the longer term.

In respect of Human Rights, it is not considered that there would be material, let alone substantial or severe, harm to residents/third parties in terms of noise or pollution and thus there is not considered to be interference with Article 8 rights nor with the right under Article 1 of the First Protocol to peaceful enjoyment of property. Whilst light from the development will be noticeable at night it is not considered that the harm for individual dwellings would be substantial or severe. In the case of the occupiers of Military Cottages it is considered that there would not be substantial harm in terms of residential amenity (as opposed to visual impact which will in any event diminish significantly over time as landscaping establishes) and therefore not an interference. In relation to any increase in risk in terms of public and /or individual

safety, it is not considered to be substantial or severe.

If and insofar as there is nevertheless considered to be an interference with the rights, such interference is considered to be lawful, necessary for the protection of the rights and freedoms of others (a landowner's right to make beneficial use of his land, subject to planning control) and, weighing the potential benefits of the proposal against the harm, not to have a disproportionate effect on residents/third parties (even if the economic benefits claimed were not to be sustained in the medium to long term).

In conclusion, the proposed distribution centre is not per the development plan but the work to the runway is. There are recognised risks in that:

- if not economically viable the Airport could close;
- but even with permission, no incentive to promote the airport for passenger movements/air freight if not particularly profitable – the rental income may far exceed expense of keeping the Airport open and may not be considered worthwhile to do more than keep the Airport open;
- alternatively, or first, there may be further applications for enabling development; and
- could result in simply an HGV distribution centre in the countryside.

Nevertheless, on balance (and with due regard to all the issues and submitted material) the officer recommendation is in favour because the proposal will at least achieve runway renewal; keep the Airport open (unless demonstrated that it is not economically viable) when if planning permission were refused it could potentially close the day after; and the prospect of commercial passenger services in the short/medium term representing tangible benefits.

This is subject to the imposition of relevant conditions and completion of a Section 106 Agreement concerning:

- (i) an obligation on the applicant to keep the Airport open and the runway maintained unless it can be shown that the Airport is no longer economically viable (even with the distribution centre rental income),
- (ii) Travel Plan obligations requiring: payment of a Travel Plan Bond to the County Council as the Highway Authority; the applicant designating a Travel Plan Co-ordinator to carry out annual monitoring and reporting of results to the County Council; the payment of £2725 per year for 5 years in respect of County Council staff; and the setting up of a Steering Group to oversee the frequency of the shuttle bus service, and
- (iii) the payment of £100,000 in order to enable the undertaking of a habitat enhancement scheme to benefit breeding waders.

Relevant Development Plan Policies

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.

Cumbria and Lake District Joint Structure Plan 2001 – 2016

Transport -Policy T31: Travel Plans

Travel plans will be required for proposals for:

1. retail and indoor leisure facilities in excess of 1000 sq. m gross floorspace,
2. office, employment, education and health services development in excess of 2500 sq. m gross floorspace,
3. new and expanded school facilities,
4. development that would otherwise generate local traffic problems as identified through a transport assessment or an evaluation of a proposal.