

AGENDA

Development Control Committee

Friday, 08 March 2013 AT 10:00

In the Council Chamber, Civic Centre, Carlisle, CA3 8QG

Apologies for Absence

To receive apologies for absence and notification of substitutions.

Declarations of Interest

Members are invited to declare any disclosable pecuniary interests, other registrable interests and any interests, relating to any item on the agenda at this stage.

Public and Press

To agree that the items of business within Part A of the agenda should be dealt with in public and that the items of business within Part B of the agenda should be dealt with in private.

Minutes of Previous Meetings

To approve and sign the Minutes of the meetings held on 12 December 2012, 14 December 2012, 23 January 2013 and 25 January 2013. To note the Minutes of the site visits held on 6 March 2013

** N.B. - In view of the volume of business to be transacted, proceedings will continue into the afternoon. Members may therefore wish to consider making their own arrangements for lunch. **

PART A

To be considered when the Public and Press are present

A.1 CONTROL OF DEVELOPMENT AND ADVERTISING

To consider applications for:

- (a) planning permission for proposed developments;
- (b) approval of detailed plans;
- (c) consents for display of advertisements.

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PART B

To be considered when the Public and Press are excluded from the meeting

**NOTES FOR MEMBERS: The Conservative Group meeting will be held at 9:00am
in the Conservative Group Office**

Enquiries to Committee Clerk: Sheila Norton – 817557

Applications Entered on Development Control Committee Schedule

Item No.	Application Number/ Schedule	Location	Case Officer	Page No.
01.	<u>12/0835</u> A	Rickerby Cottage, Rickerby Park, Carlisle, CA3 9AA	<u>SD</u>	1
02.	<u>12/0836</u> A	Rickerby Cottage, Rickerby Park, Carlisle, CA3 9AA	<u>SD</u>	26
03.	<u>12/0610</u> A	Land at Hadrian's Camp, Houghton Road, Houghton, Carlisle, Cumbria, CA3 0LG	<u>ARH</u>	33
04.	<u>12/0710</u> A	Land to the Rear of Scotby Green Steading, Scotby, Carlisle	<u>SE</u>	78
05.	<u>12/0790</u> A	Land at Broomfallen Road, Scotby, CA4 8DE	<u>RJM</u>	140
06.	<u>12/0953</u> A	Irthing Centre, Union Lane, Brampton, CA8 1BX	<u>SD</u>	179
07.	<u>12/1040</u> A	174 - 204 Borland Avenue, Botcherby, Carlisle, Cumbria, CA1 2TJ	<u>RJM</u>	206
08.	<u>12/1041</u> A	174 - 204 Borland Avenue, Botcherby, Carlisle, Cumbria, CA1 2TJ	<u>RJM</u>	230
09.	<u>12/0900</u> A	St Edmunds Social Centre, Newlaithes Avenue, Morton, Carlisle	<u>SD</u>	238
10.	<u>12/0856</u> A	Land adjacent to Beech Cottage, Cumwhinton, Carlisle, CA4 8DL	<u>SE</u>	251
11.	<u>12/0447</u> A	Land To Rear 10 Longtown Road, Brampton, CA8 1SJ	<u>ST</u>	275
12.	<u>12/0845</u> A	Greenfield Farm, The Green, Houghton, Carlisle, CA3 0LP	<u>ST</u>	280
13.	<u>13/0034</u> A	Part OS Field No.0770, Castle Carrock, Cumbria	<u>SD</u>	288
14.	<u>12/0970</u> A	Land to the rear of Park House, Parkett Hill, Scotby, Carlisle, CA4 8BZ	<u>ST</u>	298
15.	<u>12/1014</u> A	Land adjacent North End, Burgh by Sands, Carlisle, CA5 6BD	<u>ST</u>	313

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17.	<u>13/0030</u> A	Atchin Tan, Low Harker, Carlisle, CA6 2DD	<u>ARH</u>	347
18.	<u>12/1052</u> A	Caldew Bridge And Land Adjacent Caldew Bridge, Carlisle	<u>SD</u>	355
19.	<u>13/0063</u> A	18 Eden Place, Stanwix, Carlisle, Cumbria, CA3 9JH	<u>RJM</u>	372
20.	<u>13/0064</u> A	18 Eden Place, Stanwix, Carlisle, Cumbria, CA3 9JH	<u>RJM</u>	385
21.	<u>12/1051</u> A	1 Inglewood Road, Carlisle, Cumbria, CA2 6JH	<u>SD</u>	391
22.	<u>12/9018</u> C	New Water River, East of Cumrew Fell, Cumrew, Heads Nook, Brampton	<u>SE</u>	401
23.	<u>13/9004</u> C	Inglewood Junior School, Arnside Road, Carlisle, CA1 3QA	<u>BP</u>	410
24.	<u>12/0438</u> C	57 Kingstown Road, Carlisle, Cumbria, CA3 0AB	<u>ST</u>	415
25.	<u>10/1116</u> D	Carlisle Lake District Airport, Carlisle, Cumbria CA6 4NW	<u>ARH</u>	418

Development Control Committee Main Schedule

Schedule of Applications for
Planning Permission

8th March 2013

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Date of Committee: 08/03/2013

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The Schedule of Applications

This schedule is set out in five parts:

SCHEDULE A - contains full reports on each application proposal and concludes with a recommendation to the Development Control Committee to assist in the formal determination of the proposal or, in certain cases, to assist Members to formulate the City Council's observations on particular kinds of planning submissions. In common with applications contained in Schedule B, where a verbal recommendation is made to the Committee, Officer recommendations are made, and the Committee's decisions must be based upon, the provisions of the Development Plan in accordance with S54A of the Town and Country Planning Act 1990 unless material considerations indicate otherwise. To assist in reaching a decision on each planning proposal the Committee has regard to:-

- relevant planning policy advice contained in Government Circulars, National Planning Policy Guidance Notes, Development Control Policy Notes and other Statements of Ministerial Policy;
- the adopted provisions of the North West of England and Cumbria and Lake District Joint Structure Plan to 2021 and Cumbria and Lake District Joint Structure Plan;
- the City Council's own statement of approved local planning policies including the Carlisle District Local Plan;
- established case law and the decisions on comparable planning proposals
- including relevant Planning Appeals.

SCHEDULE B - comprises applications for which a full report and recommendation on the proposal is not able to be made when the Schedule is compiled due to the need for further details relating to the proposal or the absence of essential consultation responses or where revisions to the proposal are awaited from the applicant. As the outstanding information and/or amendment is expected to be received prior to the Committee meeting, Officers anticipate being able to make an additional verbal report and recommendations.

SCHEDULE C - provides details of the decisions taken by other authorities in respect of those applications determined by that Authority and upon which this Council has previously made observations.

SCHEDULE D - reports upon applications which have been previously deferred by the Development Control Committee with authority given to Officers to undertake specific action on the proposal, for example the attainment of a legal agreement or to await the completion of consultation responses prior to the issue of a Decision Notice. The Reports confirm these actions and formally record the decision taken by the City Council upon the relevant proposals. Copies of the Decision Notices follow reports, where applicable.

SCHEDULE E - is for information and provides details of those applications which have been determined under powers delegated by the City Council since the previous Committee meeting.

The officer recommendations made in respect of applications included in the Schedule are intended to focus debate and discussions on the planning issues engendered and to guide Members to a decision based on the relevant planning considerations. The recommendations should not therefore be interpreted as an intention to restrict the Committee's discretion to attach greater weight to any planning issue when formulating their decision or observations on a proposal.

If you are in doubt about any of the information or background material referred to in the Schedule you should contact the Development Management Team of the Planning Services section of the Economic Development Directorate.

This Schedule of Applications contains reports produced by the Department up to the 22/02/2013 and related supporting information or representations received up to the Schedule's printing and compilation prior to despatch to the Members of the Development Control Committee on the 27/02/2013.

Any relevant correspondence or further information received subsequent to the printing of this document will be incorporated in a Supplementary Schedule which will be distributed to Members of the Committee 5 working days prior to the day of the meeting.

SCHEDULE A

SCHEDULE A

SCHEDULE A: Applications with Recommendation

12/0835

Item No: 01

Date of Committee: 08/03/2013

Appn Ref No:
12/0835

Applicant:
Daniel Ferguson & Rachel
Salmon

Parish:
Stanwix Rural

Date of Receipt:
08/10/2012

Agent:
RCA Interiors Limited

Ward:
Stanwix Rural

Location:

Rickerby Cottage, Rickerby Park, Carlisle, CA3 9AA

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

REPORT

Case Officer: Stephen Daniel

1. Recommendation

1.1 It is recommended that this application is approved with conditions.

2. Main Issues

- 2.1 Whether The Proposal Is Acceptable In Principle
- 2.2 Whether The Scale & Design Would Be Acceptable
- 2.3 Impact On The Rickerby Conservation Area
- 2.4 Impact On The Living Conditions Of The Occupiers Of Neighbouring Properties
- 2.5 Highway Issues
- 2.6 Impact on Trees
- 2.7 Flood Risk Issues
- 2.8 Other Matters

3. Application Details

Update

- 3.1 Members will recall that this application was deferred at the last committee so that a site visit could be undertaken.
- 3.2 The application was withdrawn from discussion at the meeting of the Development Control Committee in December 2012, following highway concerns about the use of the existing access. A revised application was then submitted which proposed the creation of a new access, 80m to the west of the existing access. Two letters of objection (which are summarised in Para 4.7) and one letter of support (which is summarised in Para 4.8) have been received to the revised application. The Friends of Rickerby Park has also sent in a further letter of objection, the details of which can be found in Para 4.9. The Environment Agency and County Highways have responded to the new issues raised in these objections and their responses can be found in Paras 6.15 and 6.12 respectively.

The Site

- 3.3 Rickerby Cottage is a substantial two-storey dwelling, which sits in extensive grounds and lies within the Rickerby Conservation Area. A large swimming pool, which measures 17.5m in length by 9.5m in width, and which has a hipped roof, has been erected adjacent to the dwelling. The building contains a swimming pool, a Jacuzzi, a sauna and showers and has been let out as a private swimming pool for over ten years.
- 3.4 A two-storey brick building lies to the front of the swimming pool and is attached to the dwelling. The ground floor of this building contains changing rooms and a lounge that are linked to the swimming pool. A yard lies to the front of this building, which contains some outbuildings, and which is enclosed by a 3.6m high wall. The upper floor of this building is currently unused.
- 3.5 The property has a large front garden, which contains a number of mature trees and an area of hardstanding to the front of the main dwelling. A very large garden is located to the rear of the property, which adjoins Rickerby Park to the west and residential dwellings to the east.
- 3.6 The road that runs through Rickerby Park, that links Brampton Road to Linstock, runs to the front of the dwelling and is adjoined by Hadrian's Wall Path and Hadrian's Cycle Route.
- 3.7 Rickerby House, which is a listed building, and the residential dwellings in Rickerby Gardens, lie to the rear of the application site. Rickerby Lodge adjoins the site to the east and this dwelling directly faces Rickerby Cottage. The garage of Rickerby Lodge, which lies in close proximity to the front garden of Rickerby Cottage, is currently the subject of a planning application to convert it into a dwelling.

Background

- 3.8 The application as originally submitted contained 162 covers in the cafe/restaurant (82 inside and 80 outside) and 12 camping pods, which would have been sited in the rear garden of the property. The revised plans remove the camping pods and remove any reference to the number of

covers, which can be restricted by condition.

- 3.9 Further revised plans have been received which seek to create a new access to the property. County Highways has objected to the use of the existing access due to inadequate visibility. This cannot be improved, as the adjacent hedge, which would need to be removed to improve visibility, is not in the applicant's ownership.

The Proposal

- 3.10 The proposal is seeking to demolish the existing two-storey building, that lies to the front of the swimming pool, and to replace it with a new two-storey building which would sit on the footprint of the existing building and the yard area to the front. This would be constructed of brick and slate and would incorporate a chimney to match those on the main dwelling. A new two-storey glazed entrance would be created to the front of this, which would contain a reception area, a staircase and a lift, which would provide access to the first floor. This would be flanked by single-storey flat roof extensions, which would contain toilets and treatment rooms. The rear section of the ground floor would contain changing rooms and a small gym, which would measure 5.6m by 3.2m. A rendered section, with a glazed roof and a lower ridge height, would connect the new extension with the dwelling.
- 3.11 A new flat roof would be added to the swimming pool and a glazed conservatory would project out 3.5m onto part of this. The conservatory would link to the upper floor of the new two-storey building and this area would contain a cafe/ restaurant. The east elevation of the conservatory would be obscure glazed to ensure that there is no overlooking of Rickerby Lodge, which lies to the east. There would be no access to the swimming pool roof, which would only be used to provide access to a fire escape, which would be attached to the east elevation of the swimming pool building.
- 3.12 It is anticipated that the cafe/ restaurant would be used during the day by people visiting Rickerby Park, people walking the Hadrian's Wall Path, visitors to the leisure facilities and local residents. In the evening, the restaurant would undoubtedly attract some dining customers.
- 3.13 The swimming pool would be refurbished and would include a swimming pool, steam room, sauna and gym. The leisure facilities would be booked in advance, with bookings allowing a maximum of 12 visitors at any one time (6 in the swimming pool and 6 in the gym/ treatment rooms). Historically, visitors to the swimming pool have booked the whole pool and this would be encouraged.
- 3.14 The applicant wants to open the leisure facilities from 6.30am to 9.00pm and the cafe and restaurant from 10.00am, with last orders being taken at 9.30pm. Deliveries would be limited to between 9.30am and 11.45am and 2.00pm and 4.45pm, with staff available to direct deliveries and assist with unloading.
- 3.15 The scheme includes the provision of 25 car parking spaces (including two for staff and two for disabled persons), three motorcycle spaces and four

cycle spaces. Twelve of these spaces would be provided to the east of the cafe/ restaurant, with eleven spaces being provided to the rear of these, adjacent to the swimming pool. The two staff car parking spaces would be provided to the west of the glazed entrance. Additional staff parking would also be available on the existing hardstanding to the front of the main dwelling.

- 3.16 The car park would be served by a new access, which would be created approximately 80m to the west of the existing access. It would be 5.5m in width, with a 1.2m wide footway along its western edge and would run to the front of the property. The new access, which would require the removal of some trees, would be constructed using a 'no-dig' system, which is designed to protect the trees that are to be retained. The existing access would only be used to provide a right of way to the adjacent property (Rickerby Lodge) and would not be used to serve the development.
- 3.17 The Transport Statement that accompanies the application states that on average the leisure element would generate one trip arriving during the morning weekday peak period (8am to 9am) and two trips arriving and one trip departing during the evening peak (5pm to 6pm). The busiest time for the restaurant would be between 7pm and 8pm, when three vehicles would arrive and three would depart.
- 3.18 The existing footpath to the front of the site, which is on the Hadrian's Wall Path and the Hadrian's Cycle Route, is currently separated from the adjacent road by a fence. The proposals are to make a gap in the fence, opposite the proposed new access, to provide pedestrian and cycle access to the proposed development.
- 3.19 New hedging and landscaping would be provided to the front and rear of the car park, adjacent to the new access and the existing access and along the rear boundary of the property. A 2m wall would be erected between the front gardens of Rickerby Cottage and Rickerby Lodge.
- 3.20 The applicant would reside at the property and oversee the business, along with a management team, and this would help to control noise, opening and closing hours and deliveries.

4. Summary of Representations

- 4.1 This application has been advertised by means of site and press notices as well as notification letters sent to twenty-two neighbouring properties. Fifteen letters of objection (including one from the Friends of Rickerby Park), thirteen letters of support and one comment have been received in response to the original plans submitted.
- 4.2 The letters of objections make the following points:
- The primary motivation for the development seems to be to cater for the walkers along Hadrian's Wall. Cannot see the justification for a huge restaurant with a seating capacity of 160 people unless it is to attract the

majority of customers from the greater Carlisle area. The impact of such a large restaurant in the middle of a quiet residential area would be unacceptable;

- There are certainly not enough walkers to support a restaurant of the size proposed;
- There are no public transport facilities in the area and the proposal would rely heavily on access by the private car. A3, A4 & A5 uses should be sited in accessible locations, within or adjacent to existing centres in line with the sequential approach. Such developments in town centres have a positive effect by introducing variety but they have the potential to cause significant disturbance to surrounding residential properties;
- What is the need to have the restaurant open until 12.00 midnight? The noise factor from people and traffic, particularly over weekends, would be unacceptable;
- The proposal will lead to a huge increase in traffic on a road that was not designed for such a use and this will lead to more accidents;
- The road that links Linstock to Brampton Road is single track going over the bridge into Rickerby Park. The road is very narrow in the park itself and not at all suitable for the number of vehicles that would need to access Rickerby Cottage should the development go ahead.
- Before the start of the Hadrian's Wall Path/Cycleway, cyclists and pedestrians often travel along the road. The road also gets narrow from the village of Rickerby to the site of Rickerby Cottage;
- The road system from Brampton Road through Rickerby Park and from Linstock to Rickerby Park has been the subject of discussion with the Council for some time, both from the maintenance point of view and its suitability. This added traffic volume would aggravate the already potentially dangerous situation;
- The access to Rickerby Cottage is on a "blind" corner which already presents another dangerous situation - this would need to be improved;
- Visibility from the existing access is limited. Providing adequate visibility to the east would involve alterations to the existing hedge and trees along the frontage, which are outside the application site. The neighbour who owns this land would not allow these to be reduced in height/ removed;
- Off road driving (yob behaviour) in the Park is already an issue and could well escalate given the late opening hours of the restaurant, coupled with alcohol;
- When the park floods, cars will have to go via Linstock, which would disturb this quiet village;
- The road is not suitable for large delivery vehicles;
- The use would generate a need for 90 car parking spaces, but only 18 are being provided;

- Lack of parking spaces will lead to cars parking in Rickerby Gardens and on surrounding land, including grass areas within the park, which will cut up and destroy the land;
- The developments users may be inclined to park in Rickerby Park itself, potentially significantly reducing car parking for the Parks leisure users;
- The proposal would have an adverse impact on the Rickerby Conservation Area - the extra traffic movements and providing substantial car parking would not preserve or enhance the Conservation Area. The camping pods would detract from the Conservation Area;
- With the potential of having 160 diners, one has to bring into question the added security risk to residents given that alcohol could be served until 12.00 midnight;
- The application calls for 12 Camping Pods to accommodate Hadrian's Wall walkers. Given the number of walkers on any given day this appears to be excessive and to make up the numbers the proposal would have to attract campers from a broader audience;
- It is understood that the location for the Camping Pods is in the vicinity of the swimming pool. Rickerby Cottage's land extends upstream along Brunstock Beck/Eden River and as such borders along Rickerby Gardens and in particular Rickerby Court. If this land were to be utilised for Camping Pods and/or tents they would be within metres of residential properties and therefore totally unacceptable;
- Concerned the site could develop into a general camping site and greatly increase in size;
- Residential properties back onto the site and the noise and lighting from the camping pods could adversely affect people in these dwellings;
- The camping pods would increase the security risks to adjoining properties, as the existing boundary treatment is not robust;
- The camping pods would affect views from the dwellings to the rear of the site and would lead to loss of privacy to the dwellings/ gardens to the rear;
- Local residents don't need the facilities - most residents chose to live in Rickerby because of its quiet location and are not interested in the proposed facilities;
- The catering fans for the kitchens/ air conditioning units will create continuous low-level noise;
- Deliveries to the spa and cafe/ restaurant will create noise nuisance;
- This is not the right facility for this area - it should be in a more public place;
- Proposal would increase light pollution, which would adversely affect the park and affect local residents;
- There is no sub-division at the front of Rickerby Cottage and Rickerby Lodge.

The use of the front garden of Rickerby Lodge will be significantly inhibited by this development, particularly if car parking was increased;

- The external balconies will cause overlooking of Rickerby Lodge and its garden;
- The proposal would change the park, which is currently a tranquil spot which offers walkers, cyclists and runners the open space they need;
- There are plenty of cafes/ pubs/ bed & breakfast accommodation along Hadrian's Wall to satisfy walkers passing through the area;
- Walkers would not be attracted to a formal restaurant. If the proposed application was for a small tea rooms without all the camping pods it may be supported, as this would benefit visitors to the area and local residents;
- To refurbish the pool and have a small cafe would be sufficient;
- The provision of visibility splays to the east from the existing site access is outside the applicant's control and the owner of this land will not allow the hedge to be removed to meet the visibility splays required by County Highways.

4.3 The Friends of Rickerby Park has also objected to the proposals. It is concerned about the extra traffic travelling through the park on narrow unlit roads, which are used by pedestrians and cyclists and which livestock have free range over from March to September. There have been a number of near misses involving vehicles and pedestrians along this route. The number of car parking spaces is woefully low. There are already issues of parking within the park, which has resulted in damage to grass verges and blocking of the road. Those unable to park at Rickerby Cottage will park in the Park, aggravating the problem. The increased traffic passing through the Park can only have a detrimental effect on the peace and tranquility of the Park. Whilst not opposed to development in general terms, the size and nature of the proposals are not in keeping with the existing access and rural amenity of Rickerby Park.

4.4 The letters of support make the following points:

- This is a great idea and there is nothing like this, or of this standard, in Carlisle;
- The proposal will provide local people with several services under one roof which is a unique and exciting prospect for Rickerby and Carlisle;
- This proposal will benefit a lot of people both in and outside Carlisle, including tourists and cyclists;
- The proposal will boost the tourist economy in Carlisle;
- Proposal would bring a classy business to a beautiful part of Carlisle;
- The proposals will open up the natural beauty of Rickerby Park and the River Eden to locals and tourists to enjoy in a tasteful and relaxed setting;
- The proposal will add to the experience of the many people who walk

Hadrian's Wall Path - provide refreshments, accommodation and relaxation therapies;

- It will benefit the local community and users of Rickerby Park by providing leisure, restaurant facilities and beauty treatments;
- The east side of the city is lacking in eating establishments;
- The modern extension enhances the naturally beautiful setting;
- The proposal will give a viable boost to the local economy in providing short-term construction employment and long term jobs in the service industry;
- The land around the property is extensive and could provide sufficient parking and also means that neighbours are some distance from the proposal.

4.5 Four letters of objection have been received to the revised plans that were received in November 2012. These state that:

- there is no need for such a facility;
- the proposal will lead to increased traffic, noise and disturbance to what is a tranquil area;
- if the facility is not be used by walkers (the pods have been removed) and locals, there will be a lot of traffic generated from visitors and this will have an adverse impact on the area, which is already heavily used and dangerous - there will be problems with vehicles entering and leaving the park;
- the proposal is totally out of keeping with the Grade II Listed Buildings in the area;
- the proposal will spoil the peace and tranquility of Rickerby Park and Rickerby Village;
- there are no walkers along the wall from October to April - will the restaurant close during these months?;
- the proposal will involve a considerable capital investment and it is obvious that it will not be viable without increasing the customer base from walkers and users of the park. Concerned about the number of people that would be needed to make the project work;
- Longlands Road Residents' Association has no objection in principle to the less intense revised plan. The principal concern relates to the on-going protection of existing mature trees on the site which form a significant feature in the landscape and provide screening for the proposed development. Consideration should be given to placing a Tree Preservation Order on these trees.

4.6 Cllr Bainbridge has submitted a letter, which makes the following points:

- Rickerby is a small collection of properties and this application falls on the edge of the settlement where it borders Rickerby Park. This property has flooded in the past and lies closest to the Rickerby Park flood plain. I am under no doubt that the applicants realise this and have changed or removed features of the application such as the camping pods which would have caused issues.

- I have received via County Councillor John Mallinson the concerns of the nearest property owner (Mr Gray). These regarded traffic, parking and the impact of a new commercial restaurant on the enjoyment of his property. Mr Gray has engaged the services of a planning consultant and rather than repeat these concerns I feel it would be best to draw the Committee's attention to the letter in their documents, which provides fuller details.

Because both properties exist on the site (a former manor house) which was subdivided at a later date I do recognise that this area of the application does cause a concern and I hope that the committee would wish to look closely at this area of the application.

- the applicant's agent has been in regular communication with ward councillors and interested parties. They have met with some residents and consultative bodies such as Highways during this process. Many of the changes that have taken place to this application have been as a result of these meetings, and I think it would be unfair of me not to say that the applicants and the agent have sought where possible to address concerns that were expressed at the start of the application. The application before you is much reduced from the one that was first submitted, and it is for you to judge whether the concerns expressed at the onset have been addressed in these revisions.

4.7 Two letters of objection have been received to the further revised plans, which show the formation of a new access. These make the following points:

- The occupier of the adjacent property, Rickerby Lodge is concerned that the new access will be liable to flooding and emergency vehicles would not be able to access the property. The new entrance would have been 1.89m below the 2005 flood levels and 1m below the 2009 flood levels. He wants to convert his garage into a dwelling (application has been withdrawn) but has been told by the EA that he has to wait for flood remodelling which is taking place in the spring – this is likely to say that flooding will be deeper and more frequent. Why does the applicant not need to do this?

- Why is the applicant spending hundreds of thousands of pounds enlarging a building which will cater for 162 covers but he is only permitted 48 – in future he will ask to increase the number of covers because he has the space, which will mean more cars, more noise and more disruption for neighbours.

- The neighbours will be left to enforce conditions – which will cause conflict.

- Occupier of Rickerby Cottage is concerned about loss of privacy, noise.

- For the business to be a success it will need to attract people from outside the area - the potential for accidents on the road through the park is very high, even with the new access.

- 4.8 One further letter of support has been received to the further revised plans, which states that there is a need for this cafe and swimming pool complex for local and for many Hadrian's Wall walkers and for the rural economy.
- 4.9 The Friends of Rickerby Park has sent in a further letter of objection. They are concerned about the road through Rickerby Park, which is not wide enough for two lorries/ or two delivery vans to pass without going onto the grass verges. The road floods regularly during the winter due to the river and it also floods during heavy rain and lengths of the road are continually under water, which causes a narrowing of the road (which is used by vehicles and walkers as the paths become flooded). The increased traffic from the proposed development will cause a safety problem. The cattle grid is one car width and this is followed by a bridge which is one car width, the road then narrows again and verges are used to pass. This part of the road should be made wider to allow cars waiting to cross the bridge to not have to use the verges and they consider it to be fair and reasonable to expect the applicant to improve this length of road. Has a check been done of the structure of the bridge?

5. Summary of Consultation Responses

Cumbria County Council - (Econ. Dir. Highways & Transportation): - no objections, subject to conditions;

Stanwix Rural Parish Council: - agrees to the development in principle, providing that the conditions proposed are applied i.e. restricted numbers, opening hours etc;

English Heritage - North West Region: - no comments;

Hadrian's Wall Heritage Limited: - comments awaited;

Northern Gas Networks: - no objections;

Planning - Access Officer: - suggested some issues that should be considered to improve access for all;

Local Environment - Drainage Engineer: - comments awaited;

Environment Agency: - no objections to the revised scheme, which removes the camping pods. Recommends the inclusion of SUDS to avoid the creation of impermeable areas. No objections to the creation of a new access - the road into Rickerby Park from the city end would be under water and impassable before the access was affected. Could consider retaining the existing access as an emergency access;

Cumbria Constabulary - North Area Community Safety Unit: - suggested a number of measures that the applicant should consider in order to reduce opportunities for crime;

Food Hygiene: - no objections. If the application is successful, the applicant should contact Environmental Health to obtain guidance on legislative compliance with regard to Food Safety and Health & Safety;

Local Environment - Environmental Protection: - no objections;

Cumbria County Council - (Archaeological Services): - no objection, subject to conditions;

United Utilities: - no objections to the revised plans subject to conditions;
Conservation Area Advisory Committee: - no objections to amended plans.

6. Officer's Report

Assessment

6.1 The relevant planning policies against which the application is required to be assessed are Policies DP1, CP2, CP3, CP5, CP6, CP12, CP15, CP16, EC16, LE7, LE10, LE19 and T1 of the Carlisle District Local Plan 2001-2016. The proposal raises the following planning issues:

1. Whether The Proposal Is Acceptable In Principle

6.2 This proposal is seeking to create a cafe/ restaurant and small leisure facility, at Rickerby Cottage, which lies adjacent to Rickerby Park, Hadrian's Wall Path and the Hadrian's Cycle Trail. The existing swimming pool has been used on a commercial basis for a number of years and this would be expanded to include a small gym and treatment rooms. It is anticipated that the cafe/ restaurant would be used during the day by people visiting Rickerby Park, people walking the Hadrian's Wall Path, people cycling along the Hadrian's Cycle Trail, visitors to the leisure facilities and local residents and on this basis its location is considered to be acceptable. Whilst the restaurant would undoubtedly attract some dining customers in the evening, it would seem unreasonable to prevent it opening in the evenings. Indeed, the National Planning Policy Framework, which was published in March 2012, supports the expansion of businesses in the rural area and promotes the development of local services and community facilities in villages. In light of the above, providing that the cafe/ restaurant is of an acceptable scale, the proposal would be acceptable in principle.

2. Whether The Scale & Design Would Be Acceptable

6.3 The existing two-storey building that lies to the front of the swimming pool would be demolished and replaced by a new two-storey building which would sit on the footprint of the existing building and the yard area to the front. This would be constructed of brick and slate and would incorporate a chimney to match those on the main dwelling. A new two-storey glazed entrance would be created to the front of this, which would be flanked by single-storey flat roof extensions. A rendered section, with a glazed roof and a lower ridge height, would connect the new extension with the dwelling and would provide a visual break between the two.

6.4 A new flat roof would be added to the swimming pool, which would be surrounded by a stainless steel and glass balustrade. A glazed conservatory, with a monopitch roof, would project out 3.5m onto part of this. A fire escape would be added to the east elevation of the swimming pool building but this would not be readily visible from outside the site.

6.5 Whilst new parking areas would be created, these would lie adjacent to the building and would be screened by new planting along the front and rear boundaries. A new 2m wall would also be erected between the front gardens

of Rickerby Cottage and Rickerby Lodge.

- 6.6 In light of the above, the scale and design of the proposals would be acceptable.

3. Impact On The Rickerby Conservation Area

- 6.7 Both the Council's Heritage Officer and the Conservation Area Advisory Committee have no objections to the revised plans, subject to conditions. The scale and design of the new buildings would be acceptable and a condition has been added to ensure that the front boundary wall is acceptable in terms of materials and design. Whilst new car parking areas would be created these would be adjacent to the building and would be screened by existing and new landscaping. Whilst the proposed new access would lead to the removal of some trees, a large number of mature trees would be retained and additional planting would take place adjacent to the new access and the existing access.
- 6.8 Whilst the proposal would lead to an increase in traffic in the Conservation Area, this would not be significant enough to have an adverse impact on the character of the Conservation Area.

4. Impact On The Living Conditions Of The Occupiers Of Neighbouring Properties

- 6.9 Rickerby Lodge adjoins the site to the east and directly faces the proposal but would be over 50m away from the building and 25m from the proposed car park. Rickerby House would be over 80m away from the proposed building, with the nearest dwellings in Rickerby Gardens being over 120m away. There is a current application to convert the garage of Rickerby Lodge, which would lie approximately 28m away from the proposed development but adjacent to the proposed parking areas.
- 6.10 People arriving and leaving the cafe/restaurant and leisure facilities would have the potential to adversely affect the living conditions of the occupiers of adjoining properties. It is proposed to restrict the number of covers to forty-eight in order to reduce the impact of the proposal on neighbours. The applicant is proposing to take last orders in the restaurant at 9.30pm and this could mean people leaving the premises after 11.00pm which is considered to be unreasonable. A closing time of 10.00pm for visitors, with all staff off the premises by 10.30pm, is considered to be more appropriate and this can be ensured by condition.

5. Highway Issues

- 6.11 County Highways has no objections to the revised plans, which include the creation of a new access. The proposed levels of parking are acceptable for the proposed leisure facilities and up to sixty covers in the cafe/ restaurant. Restricting the number of covers to forty-eight should ensure that there is sufficient parking for the proposals. Conditions have been added to the permission to ensure the provision of suitable visibility splays; that the parking is created before the cafe/ restaurant is brought into use; and that prior to the

commencement of development the applicant provides details of where construction traffic would park and materials would be stored.

- 6.12 In relation to the road through Rickerby Park, County Highways accepts that the road is not wide enough for two lorries/ delivery vehicles to pass. However, the need for such vehicles to pass for the scale of development is remote, as deliveries would be infrequent and these would arrive outside peak periods. It is not, therefore, reasonable to require the applicant to pay for road improvements given the level of traffic the proposal would generate. Rickerby Bridge was structurally assessed in 1993 and passed the loading assessment and there are, therefore, no weight restrictions on the bridge. It is inspected every six years and was inspected after the 2005 floods and there are no issues with it.

6. Impact on Trees

- 6.13 The creation of a new access would lead to the removal of some existing trees. The majority of the existing trees would, however, be retained and the access would be constructed using a 'no-dig' system, which would ensure that retained trees would not be damaged. The Council's Tree Officer has been consulted on the application and has raised no objections, subject to the imposition of conditions to ensure that the new access is constructed using a 'no-dig' construction method, suitable Tree Protection barriers are erected during construction works and that new landscaping is provided within the site.

7. Flood Risk Issues

- 6.14 Following the removal of the camping pods, the Environment Agency has removed its objection to the application. It has recommended the inclusion of SUDS to avoid creation of additional impermeable areas.
- 6.15 The Environment Agency has no objections to the creation of a new access to the property. Whilst it accepts that the new access would be nearer to the point where the onset of flooding would occur, the proposal would not increase flood risk. The road into Rickerby Park from the city end would be under water and impassable before the access was affected. It has stated that the applicant should consider retaining the existing access as an emergency access and they are happy to do this.

8. Other Matters

- 6.16 United Utilities has no objections to the proposals subject to the imposition of conditions that require details of proposed foul and surface water drainage.

Conclusion

- 6.17 The proposals are acceptable in principle. The scale and design of the proposals would be acceptable and they would not have an adverse impact on the Rickerby Conservation Area or on the living conditions of the occupiers of any neighbouring properties. The proposed access and parking

arrangements would be acceptable and the proposal would not have an unacceptable impact on trees. In all aspects, the proposal is compliant with the relevant planning policies contained within the Carlisle District Local Plan 2001-2016.

7. Planning History

- 7.1 In June 1984, planning permission was granted for the conversion and extension of existing buildings to form two houses and four flats (84/0289).
- 7.2 In June 1989, planning permission was granted for the erection of a swimming pool (89/0413).
- 7.3 In July 2002, planning permission was granted for an extension with slated roof to provide larger kitchen and dining area (02/0660).

8. Recommendation: Grant Permission

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

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

2. The 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 11 January 2013 (Dwg No. PL02D);
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.

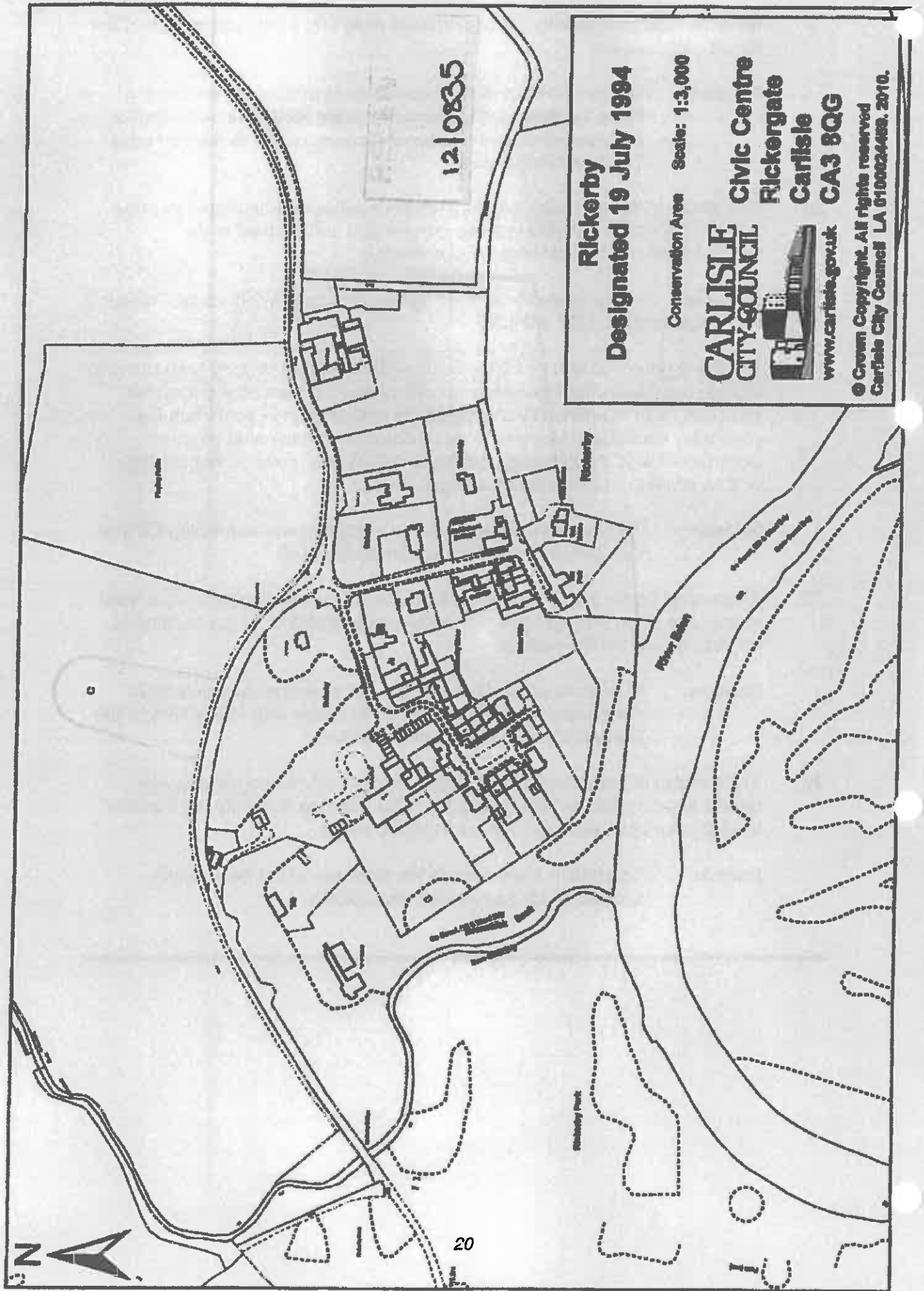
Reason: To protect the existing trees, in accordance with Policy CP3 of the Carlisle District Local Plan 2001-2016.

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.



Rickerby
Designated 19 July 1994

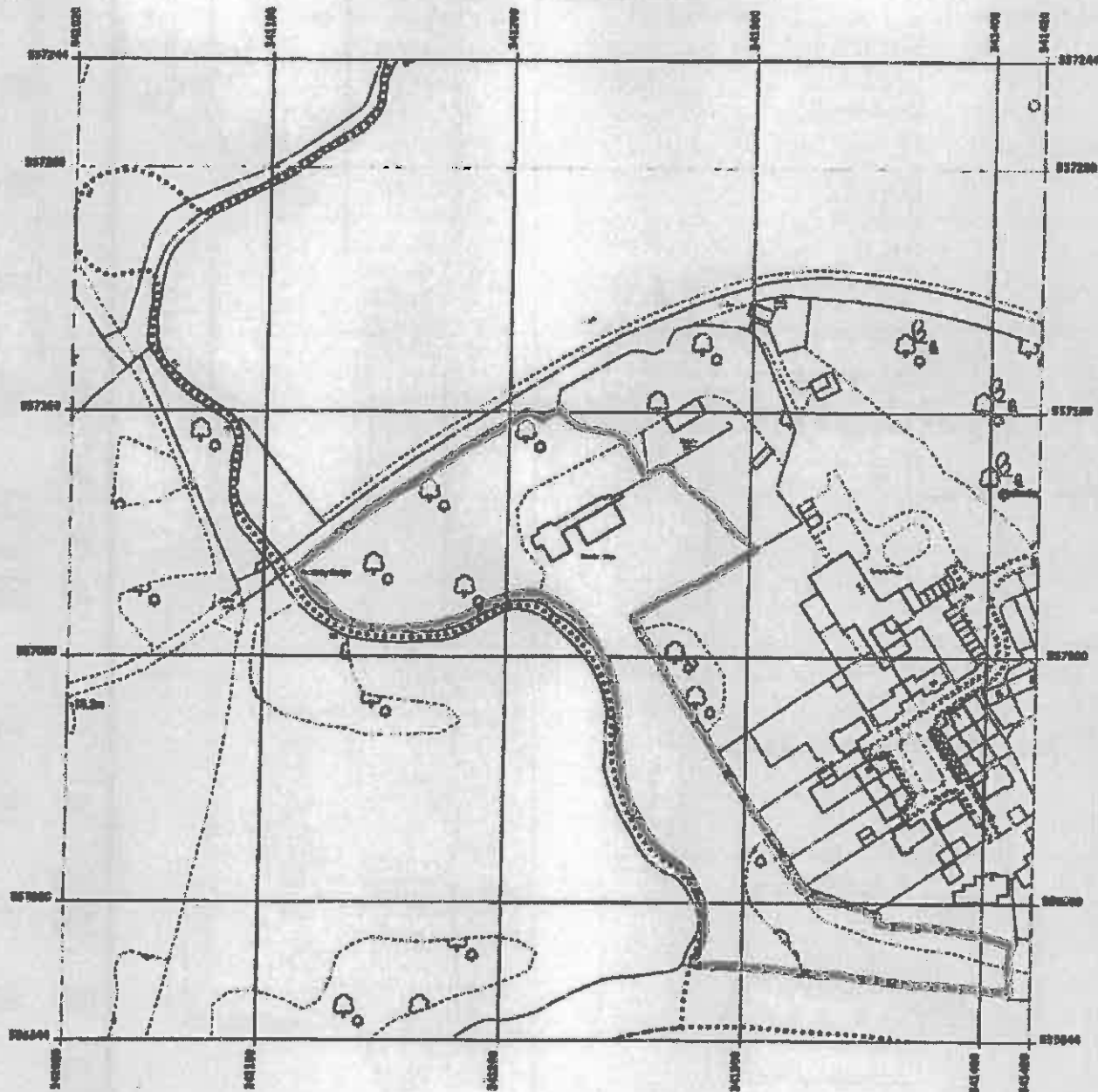
Conservation Area Scale: 1:3,000

CARLISLE
CITY COUNCIL



Civic Centre
Rickergate
Carlisle
CA3 8QG

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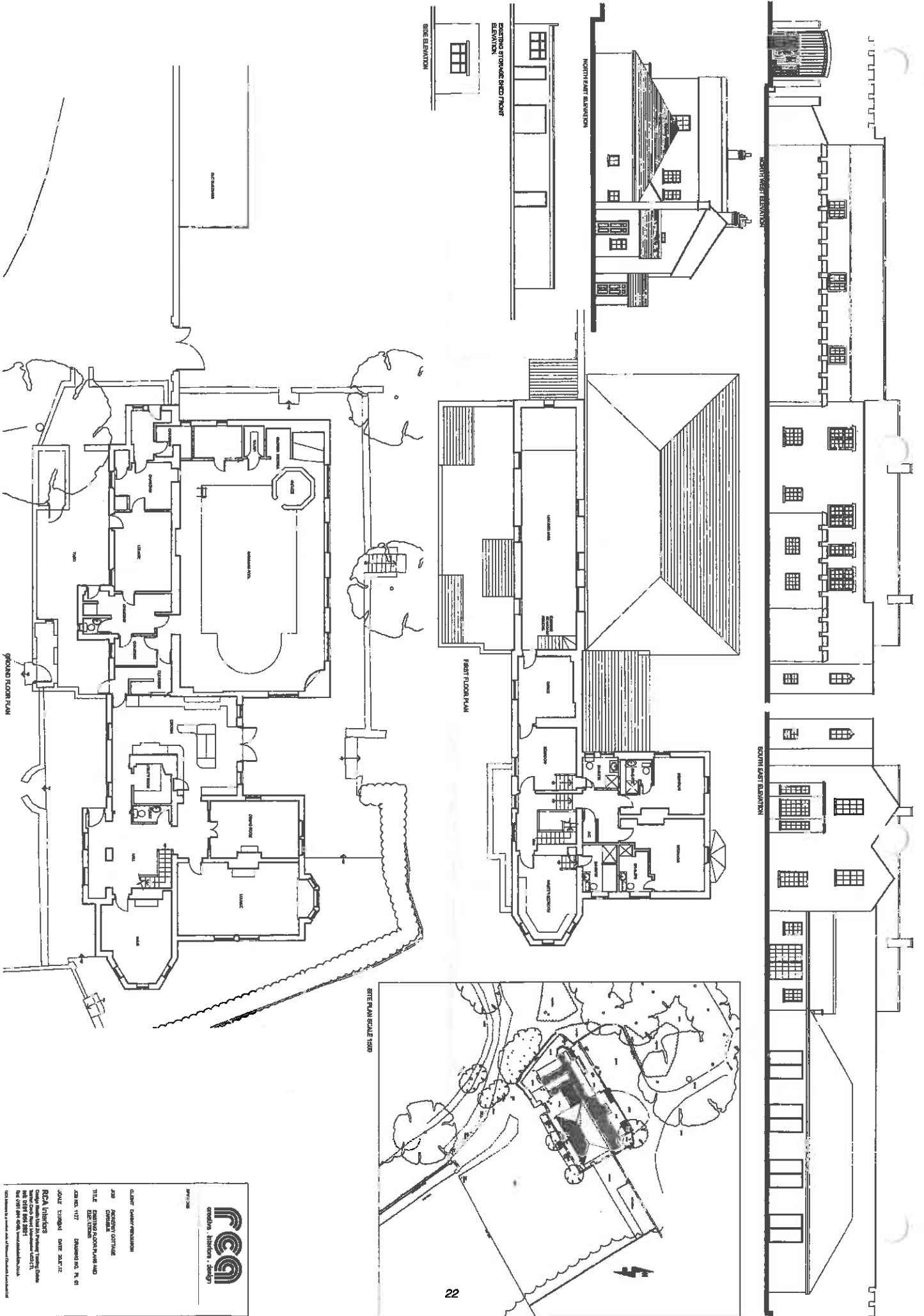
RICKERBY COTTAGE
CARLISLE
CA3 9AA


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Supplied by: Stanfords
Reference: OSN0375
Centre coordinates: 841220 557044

The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

12/0835





RECA architects

 architects interior design

CLIENT: CHERRYWOODS

 ADDRESS: CHERRYWOODS

 TITLE: CHERRYWOODS 2001-2002

 ARCHITECT: RECA ARCHITECTS

 DATE: 11/07

 SCALE: 1:500

RCA Architects

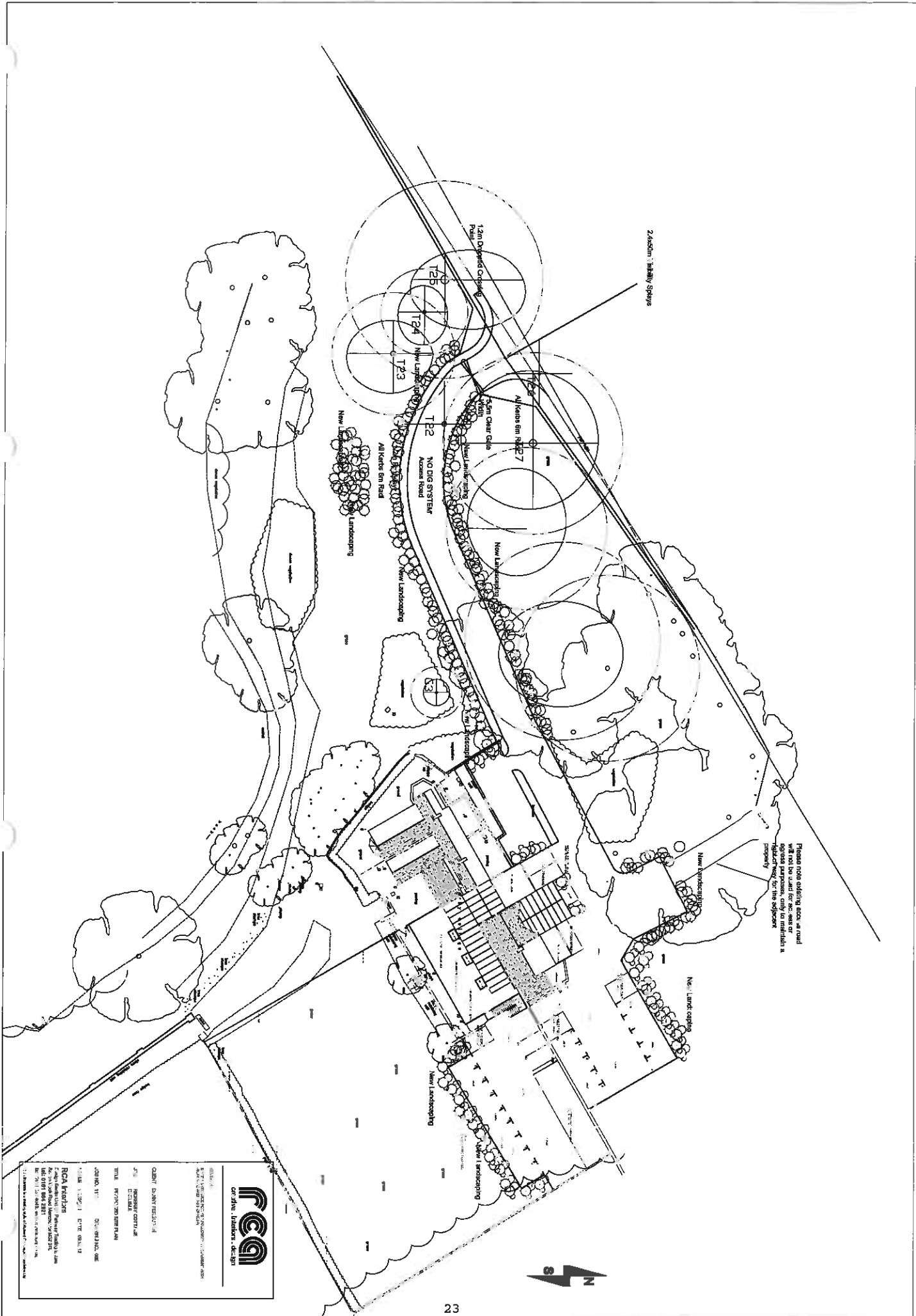
 Cherrywood House 2001-2002

 11/07

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 11/07

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2.4500m : 1:1000 Scale

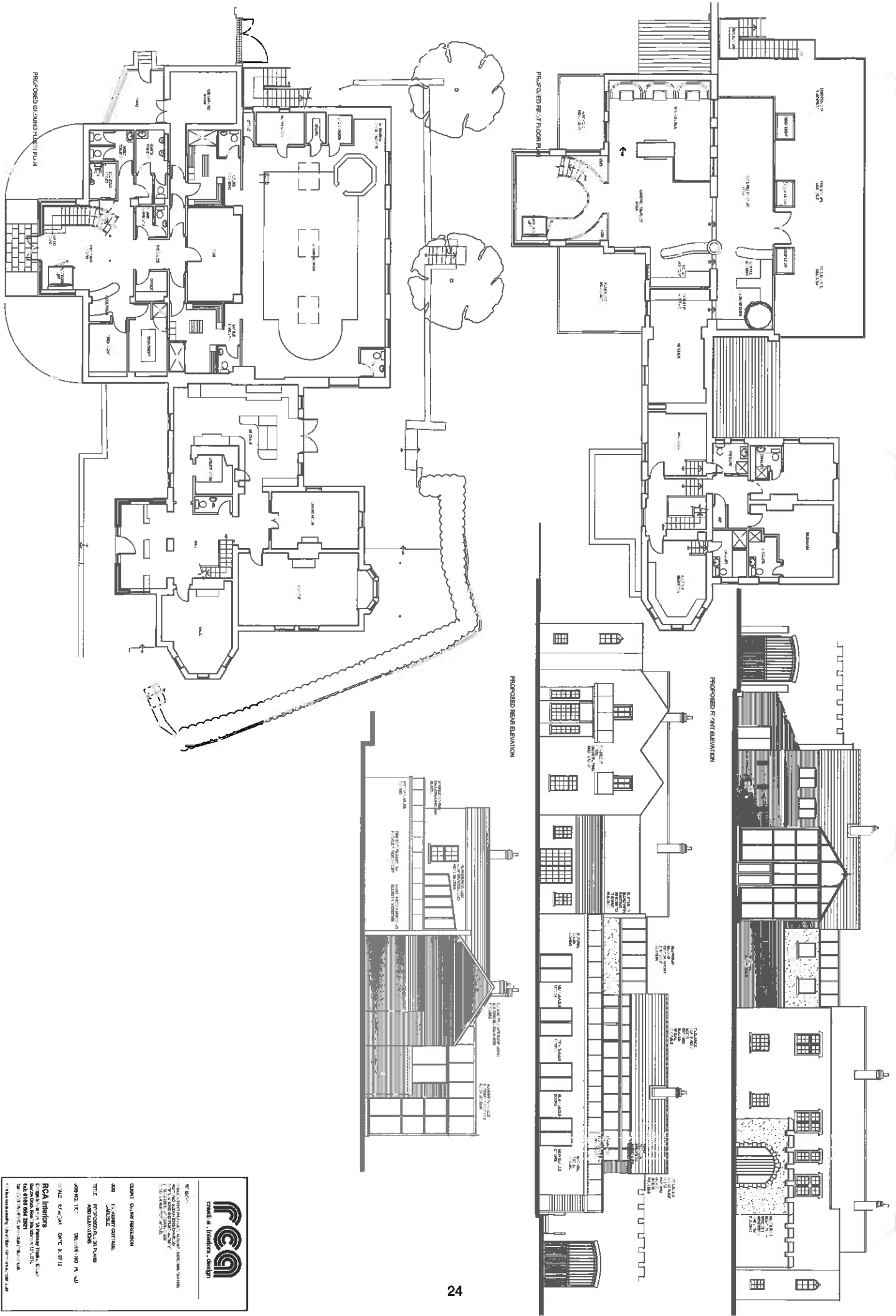
Please note existing trees at road will not be used for access or disposal purposes, only to maintain a landscape for the subject property.



rcan
 Civil Office, Auckland, Dec 1991

CLIENT: DUNN PROJECTS
 PROJECT: ROYAL HOTEL
 TITLE: PRELIMINARY SITE PLAN
 DATE: 11/12/91

RCA Architects
 200/202 Broadway, Auckland
 Tel: 09 308 1111

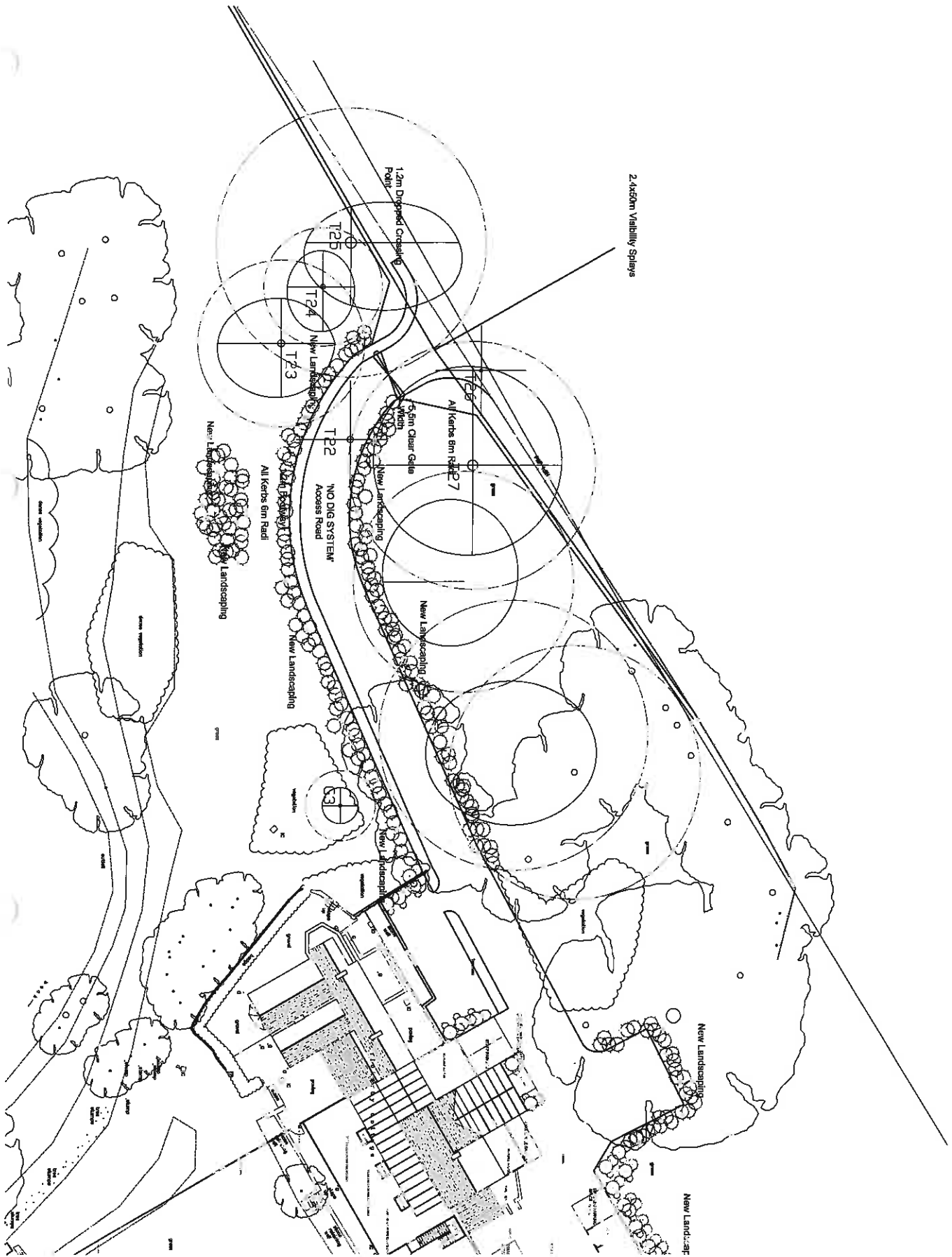


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RCAN
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 DENVER, CO 80202
 TEL: 303.733.1111
 WWW.RCAN.COM

CLIENT: QUANTUM DESIGN
 ARCHITECT
 PROJECT: QUANTUM DESIGN
 TITLE: ARCHITECTURE
 DATE: 08.12.12

RCAN Interiors
 1000 WEST 10TH AVENUE, SUITE 100
 DENVER, CO 80202
 TEL: 303.733.1111
 WWW.RCAN.COM



rcga
Creative Interiors, design

CLIENT: M. MONTAGNA
 DATE: 11/20/2014
 TITLE: PROPOSED IMPROVEMENTS
 DRAWING NO.: 01/21/14
 SCALE: 1/8" = 1'-0"

RCGA Interiors
 Design & Construction
 1000 N. 10th St., Suite 100
 Phoenix, AZ 85006
 Tel: 602.498.1111
 www.rcga.com

SCHEDULE A: Applications with Recommendation

12/0836

Item No: 02

Date of Committee: 08/03/2013

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

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

REPORT

Case Officer: Stephen Daniel

1. Recommendation

1.1 It is recommended that this application is approved with conditions.

2. Main Issues

2.1 Impact On The Rickerby Conservation Area

3. Application Details

The Site

3.1 Members will recall that this application was deferred at the last committee so that a site visit could be undertaken.

3.2 Rickerby Cottage is a substantial two-storey dwelling, which sits in extensive grounds and lies within the Rickerby Conservation Area. A large swimming pool, which measures 17.5m in length by 9.5m in width, and which has a hipped roof, has been erected adjacent to the dwelling. The building contains a swimming pool, a Jacuzzi, a sauna and showers and has been let out as a private swimming pool for over ten years.

3.3 A two-storey brick building lies to the front of the swimming pool and is attached to the dwelling. The ground floor of this building contains changing

rooms and a lounge that are linked to the swimming pool. A yard lies to the front of this building, which contains some outbuildings, and which is enclosed by a 3.6m high wall. The upper floor of this building is currently unused.

- 3.4 The property has a large front garden, which contains a number of mature trees and an area of hardstanding to the front of the main dwelling. A very large garden is located to the rear of the property, which adjoins Rickerby Park to the west and residential dwellings to the east.
- 3.5 The road that runs through Rickerby Park, that links Brampton Road to Linstock, runs to the front of the dwelling and is adjoined by Hadrian's Wall Path and Hadrian's Cycle Route.
- 3.6 Rickerby House, which is a listed building, and the residential dwellings in Rickerby Gardens, lie to the rear of the application site. Rickerby Lodge adjoins the site to the east and this dwelling directly faces Rickerby Cottage. The garage of Rickerby Lodge, which lies in close proximity to the front garden of Rickerby Cottage, is currently the subject of a planning application to convert it into a dwelling.

The Proposal

- 3.7 The proposal is seeking to demolish the existing two-storey building, that lies to the front of the swimming pool, and the replace it with a new two-storey building which would sit on the footprint of the existing building and the yard area to the front. The high wall that encloses the yard would also be demolished.
- 3.8 The replacement building would be two-storey and would be constructed of brick and slate and would incorporate a chimney to match those on the main dwelling. A new two-storey glazed entrance would be created to the front of this and this would be flanked by single-storey flat roof extensions. A rendered section, with a glazed roof and a lower ridge height, would connect the new extension with the dwelling.

4. Summary of Representations

- 4.1 This application has been advertised by means of site and press notices as well as notification letters sent to twenty-two neighbouring properties. Two letters of objection have been received but these raise issues that are associated with the planning application (12/0835) and these concerns have, therefore, been summarised in that application.

5. Summary of Consultation Responses

Stanwix Rural Parish Council: - agrees to the development in principle, providing that the conditions proposed are applied i.e. restricted numbers, opening hours etc;

English Heritage - North West Region: - no comments.

6. Officer's Report

Assessment

6.1 The relevant planning policies against which the application is required to be assessed are Policies LE19 and CP5 of the Carlisle District Local Plan 2001-2016. The proposals raise the following planning issues:

1. **Impact On The Rickerby Conservation Area**

6.2 Both the Council's Heritage Officer and the Conservation Area Advisory Committee have no objections to proposals to demolish the existing building and wall and to replace it with a new two-storey building which would sit on the footprint of the existing building and the yard area to the front. This would be constructed of brick and slate and would incorporate a chimney to match those on the main dwelling. A new two-storey glazed entrance would be created to the front of this, which would be flanked by single-storey flat roof extensions. A rendered section, with a glazed roof and a lower ridge height, would connect the new extension with the dwelling and would provide a break between the existing dwelling and the new extension.

6.3 A condition has been added to the permission to ensure that 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.

Conclusion

6.4 The proposal would not have an adverse impact on the Rickerby Conservation Area. In all aspects, the proposal is compliant with the relevant planning policies contained within the Carlisle District Local Plan 2001-2016.

7. Planning History

7.1 In June 1984, planning permission was granted for the conversion and extension of existing buildings to form two houses and four flats (84/0289).

7.2 In June 1989, planning permission was granted for the erection of a swimming pool (89/0413).

7.3 In July 2002, planning permission was granted for an extension with slated roof to provide larger kitchen and dining area (02/0660).

8. Recommendation: Grant Permission

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

Reason: In accordance with the provisions of Section 91 of the Town

and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The 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 30 November 2012 (Dwg No. PL02D);
 6. the Notice of Decision; and
 7. any such variation as may subsequently be approved in writing by the Local Planning Authority.

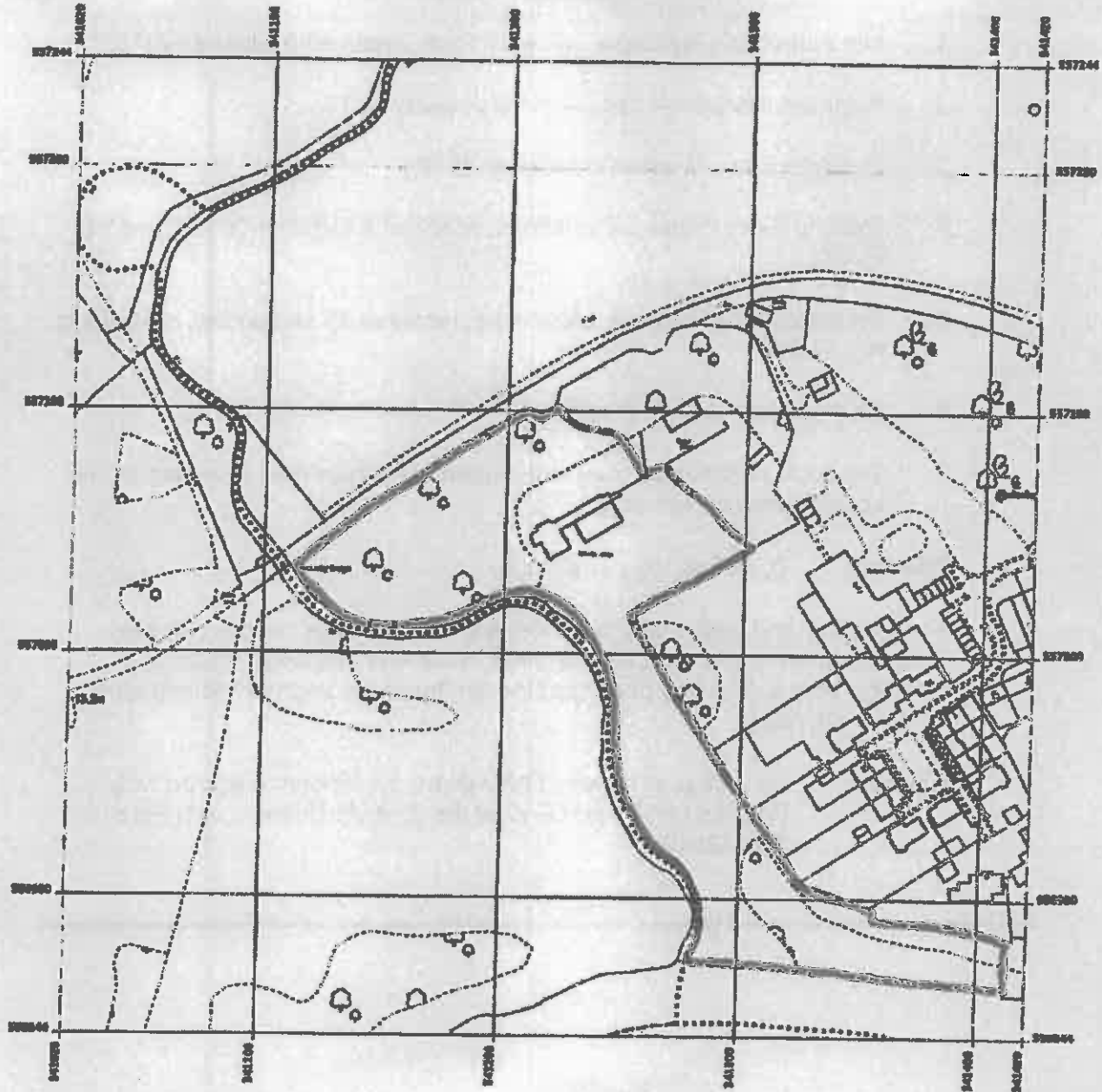
Reason: To define the permission.

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.



STANF-RDS



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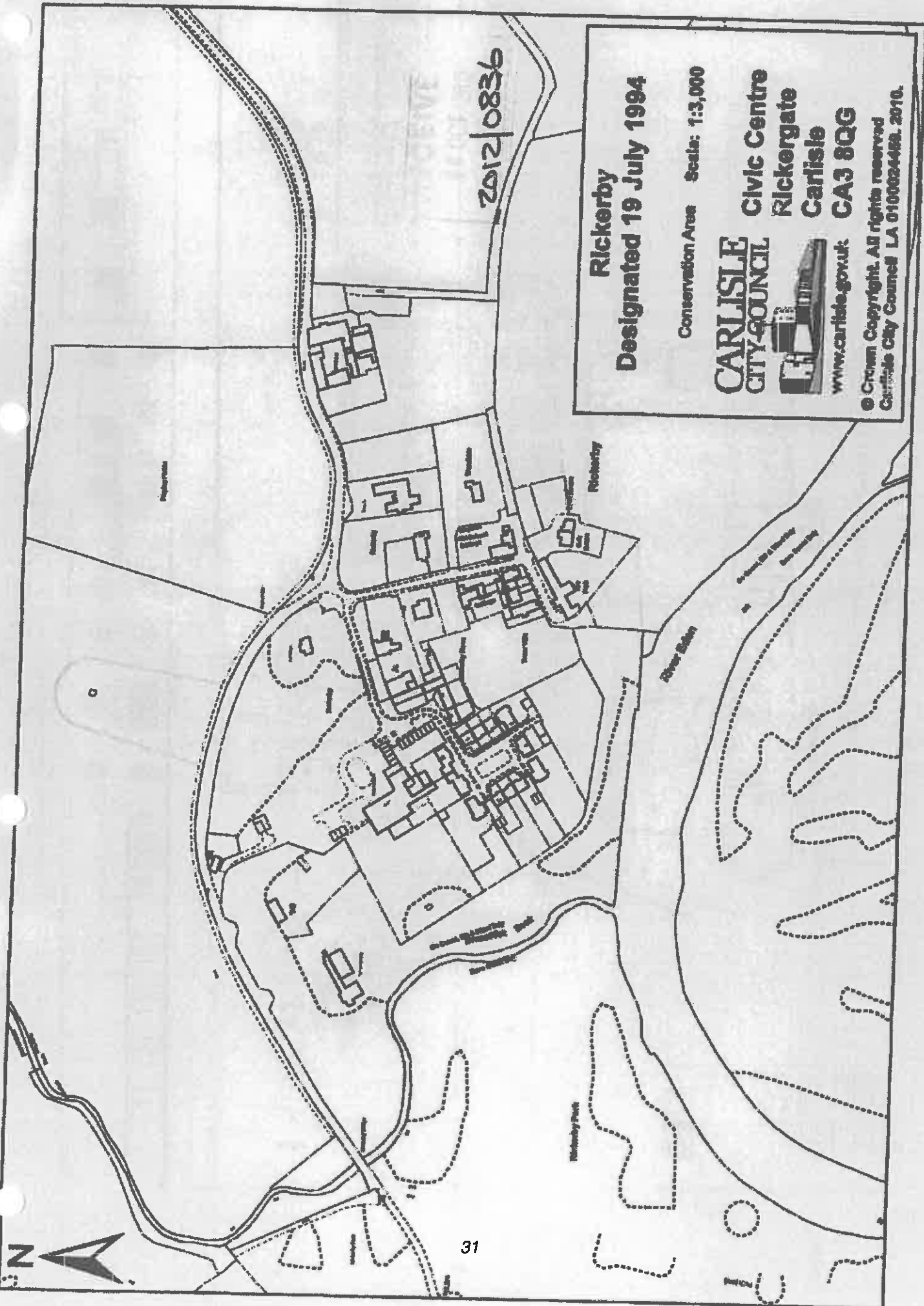
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RICKERBY COTTAGE
CARLISLE
CA3 9AA

Supplied by: Stanlands
 Reference: OS483875
 Centre coordinates: 941220 557044

2012/0836



2012/0836

Rickerby
Designated 19 July 1994

Conservation Area Scale: 1:3,000

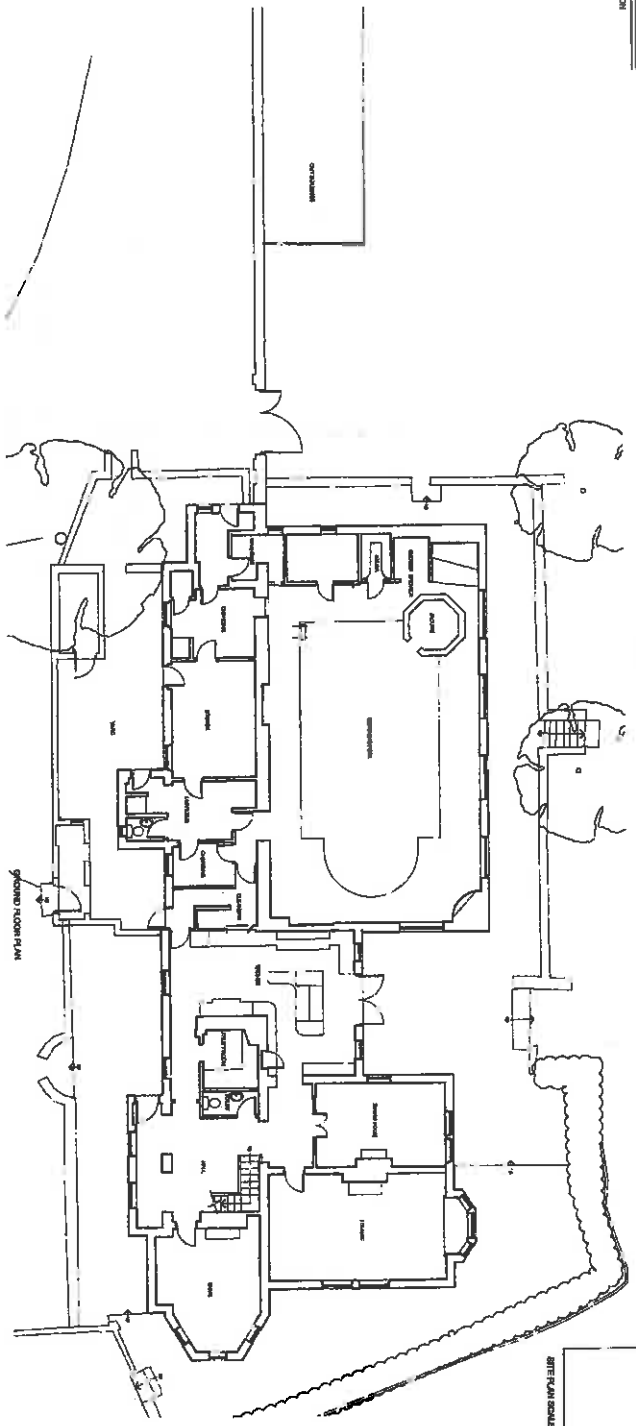
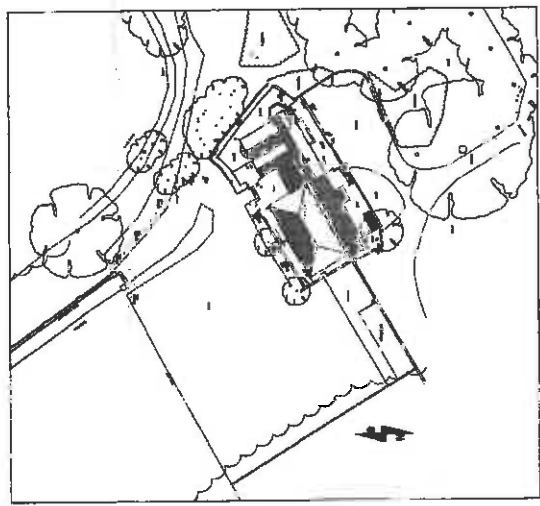
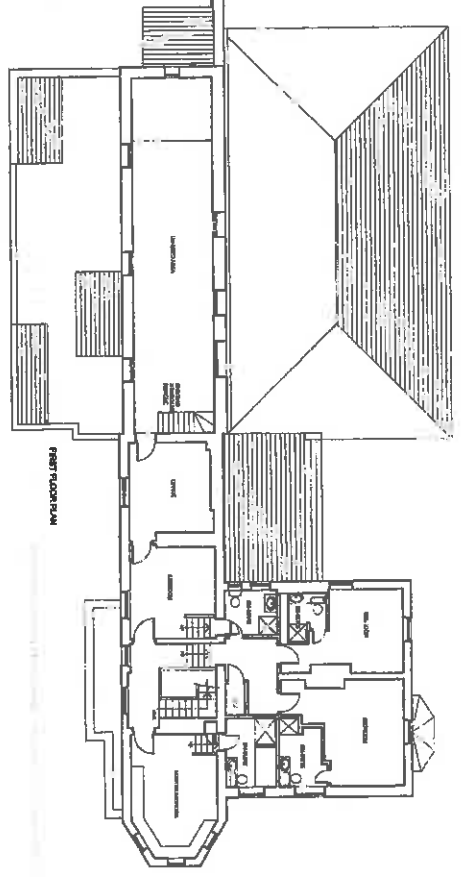
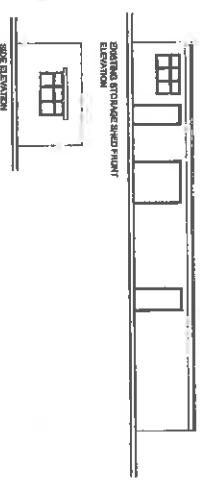
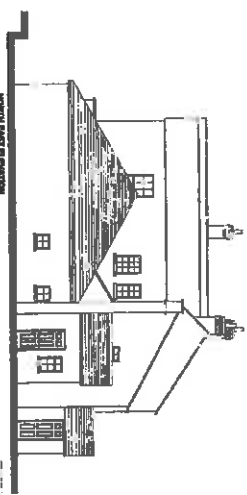
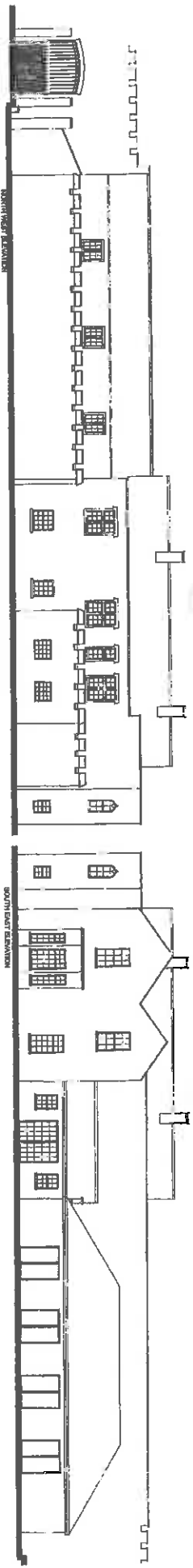
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Civic Centre
Rickergate
Carlisle



rcn
 creative solutions • design

CLIENT: DAVIS BROOKFIELD
 AIA: ROBERTO COSTA
 TITLE: ARCHITECT
 PROJECT: 1177 DUNDAS ST. W. #4
 DATE: 1/17/17
 SCALE: 1/8" = 1'-0"

NOA Architects
 Ontario Architects No. 14336
 1177 Dundas St. W. #4
 Toronto, Ontario M6J 1G5
 Tel: 416-593-8888
 Fax: 416-593-8889
 www.noaarchitects.com

SCHEDULE A: Applications with Recommendation

12/0610

Item No: 03

Date of Committee: 08/03/2013

Appn Ref No:
12/0610

Applicant:
North Associates

Parish:
Stanwix Rural

Date of Receipt:
23/07/2012

Agent:
Taylor & Hardy

Ward:
Stanwix Rural

Location:

Land at Hadrian's Camp, Houghton Road,
Houghton, Carlisle, Cumbria, CA3 0LG

Proposal: Residential Development (Outline)

REPORT

Case Officer: Angus Hutchinson

1. Recommendation

1.1 On balance, it is recommended that this application be approved subject to the expiration of the publicity period, the imposition of relevant conditions, and the satisfactory completion of a Section 106 Agreement regarding:

- the implementation and monitoring of a Travel Plan including payment of a contribution/bond (based on the cost of an annual Carlisle Megarider Plus bus ticket multiplied by the proposed reduction in the number of vehicle trips multiplied by five years, plus a fee to cover the County Council's costs incurred in identifying, developing and implementing any potential measures);
- the payment of up to £204,867 to the County Council to provide the required additional school places or (that option failing) a financial contribution of £199,500 (inclusive of an administration fee) for the transportation of the 17 pupil yield;
- the provision of affordable housing in accordance with Policy H5 of the CDLP; and
- payment of £65,000 to enable off-site mitigation for the impacts on the County Wildlife Site.

2. Main Issues

2.1 Whether or not the scale and type of development is appropriate and/or lead to any significant adverse effect on housing policies (the Cumbria Strategic Partnership's Sub Regional Spatial Strategy 2008-28 Development

- Principles; saved JSP Policies ST5 and H19; and CDLP Policies DP1, H1 and H4).
- 2.2 Whether it is sustainable in terms of transport and accessibility (saved JSP Policies T30 and T31; and CDLP Policies DP1, CP1 and CP16).
 - 2.3 Implications for local community infrastructure – education (Cumbria Spatial Strategy 2008-28 Development Principles) and public open space/play equipment (CDLP Policies LC2 and LC4).
 - 2.4 Whether the proposal meets the objectives of Policy H5 of the CDLP regarding the provision of affordable/social housing.
 - 2.5 Whether there are any significant adverse effects on ecology/County Wildlife Site and the historic environment (the NPPF, Circular 06/2005; JSP Policies E35 and E38; CDLP Policies CP2, LE3, LE5 and LE9).
 - 2.6 Whether the proposal would be detrimental to the living conditions and security of local residents, and highway safety/capacity (CDLP Policies CP17 and H1).
 - 2.7 Whether the proposal would be detrimental to the landscape and visual character of the area (saved Policies E34 and E37 of the JSP; and CDLP Policies CP1, CP3, H3 and LE7).
 - 2.8 Whether the proposed residential development is appropriate in the light of Hadrian's Camp former use as a military camp and proximity to Brunstock Beck (drainage) (CDLP Policies LE27, LE29 and LE30).

In undertaking the assessment, the Council commissioned independent advice from Lloyd Bore regarding ecology.

3. Application Details

The Site

- 3.1 This application relates to 4.997 hectares of the former military training base/Army Apprentices School known as "Hadrian's Camp" located on the eastern side of the Houghton Road to the immediate south of residential development at Antonine Way/Tribune Drive associated with the village of Houghton; and north of a transport depot for Cumbria Constabulary and existing ribbon development at 2-48 Houghton Road. To the south of the transport depot there is further residential development at Centurion Walk and Hadrian's Gardens as well as Hadrian's (caravan) Park.
- 3.2 Houghton Road runs southwards through Houghton to the B6264/Brampton Old Road and northwards to the A689. The B6264 and A689 both join the A69 linking Carlisle with Newcastle. The A689 also leads to junction 44 of the M6.
- 3.3 Houghton currently comprises approximately 482 dwellings served by a post office/convenience store, primary school, village green/sports pitch, village hall, and church.
- 3.4 The application site consists of areas of hard-standing and tracks associated with its former use combined with the natural re-colonisation by scrub and

woodland.

- 3.5 The course of Hadrian's Wall runs approximately 150 - 160 metres to the south of the application site. The whole of the application site falls within the "Buffer Zone" of the Hadrian's Wall World Heritage Site. The nearest public footpath runs from Tarraby to Houghton and then under the M6 to Brunstock.
- 3.6 The former Camp is a County Wildlife Site with Brunstock Beck 140 – 180 metres to the north-east of the application site. There is flooding associated with Brunstock Beck but the application site itself falls within Flood Zone 1 (Low Probability suitable for all uses). Brunstock Beck discharges in to the River Eden and Tributaries SSSI and SAC. Adjacent to the site entrance there is a smaller watercourse known as Gosling Sike. The application site lies within the County Council's Landscape Character Type 5b: Low Farmland. Under the Proposals Map of the Carlisle District Local Plan 2001-2016 the application site adjoins the defined settlement boundary for Houghton.

The Proposal

- 3.7 The current application seeks outline planning permission for residential development with all matters reserved for subsequent approval. A letter from the agent dated the 17th October 2012 has confirmed that his clients are continuing negotiations with regional and national house-builders who see the site as being located in an area where people are keen to live; there is significant interest from Registered Social Landlords in respect of the affordable element; his clients are agreeable to the imposition of conditions restricting the height of the dwellings to no greater than two and half storeys and limiting the development to not more than 99 dwellings (i.e. at a density of about 26 dwellings per hectare); and the intention would be for a management company to be established to deal with the areas of public open space.
- 3.8 The submitted indicative plans show vehicular access from Houghton Road; the density of the proposed housing rising from "low" to "medium" as it progresses from the west to the east; the retention of the existing trees as far as possible; and the provision of open space following the route of the main estate road combined with an additional area that directly links to the existing provision serving Antonine Way/Tribune Drive. The intention is also to incorporate a Sustainable Urban Drainage and wildlife pond off site.
- 3.9 The proposal is accompanied by a Design and Access Statement (Eden Environment Ltd); a Flood Risk Statement, a Preliminary Environmental Appraisal, and Phase 2 Ground Investigation Report (Geo Environmental Engineering); a Transport Assessment and Travel Plan Framework (RG Parkins & Partners); Ecological Assessment (Hesketh Ecology); Planning Statement (Taylor & Hardy); a Tree Survey Julian Russell); and a Drainage Statement (RWO Associates).

4. Summary of Representations

- 4.1 This application has been advertised in the form of press and site notices, and the direct notification of the occupiers of 65 neighbouring properties. The application has also been advertised as departure from the Local Plan. In response the Council has received correspondence from 3 individuals commenting on the proposal; 42 formal objections (inclusive of Rory Stewart MP); and 3 letters/e-mails of support.
- 4.2 The main points raised in respect of the comments received centre on what is considered “affordable”, and the following points: the number of houses will significantly increase the size of Houghton; the development will merge Brampton Road into Houghton and thus make it more of a suburb than a village; will there be more houses later on?; the School is up to capacity; if the School was to extend, the “village school” culture would change; the village is already congested, parking around the school and shop is a nightmare – this can make it dangerous at times; more houses would increase the traffic and potential risk to those in the village; and the access onto Houghton Road is potentially dangerous.
- 4.3 The correspondence objecting to the proposal has been summarised below under its respective headings.

Highways

- Lead to increased traffic congestion and safety risks on an already busy main road
- Object to any notion of using Centurions Walk as any type of access road
- The current “botched” traffic calming system through the village would struggle to cope
- Already at peak times the parking of vehicles outside the school/nursery/shop/green is haphazard and dangerous – an accident waiting to happen
- Houghton Road is often used by horses and farm vehicles as well as commuters – used as a “rat run” and for access to Houghton Hall Garden Centre
- At peak times traffic can tailback at the junction of Houghton Road and Whiteclosegate/Brampton Road
- Houghton Road has two blind bends giving limited visibility for all road users - increases the risk of serious injury to horse riders or slow moving traffic
- Inadequacy of public car parking in Houghton

Residential Living Conditions

- The new dwellings will be very near boundary causing loss of light
- Increased noise levels, litter, congestion and pollution
- A route linking it to Tribune Drive/Antonine Way may facilitate crime and lead to anti social behaviour
- The proposed footpath linking the development with Tribune Drive will lead to losses in privacy
- Construction process presents hazards in the form of dust, noise pollution and movement of heavy machinery

Ecology/wildlife

- Lead to loss of wildlife habitat
- A deer has run out from the field opposite Hadrian's Camp onto the road and headed into the Camp – the area attracts many forms of wildlife and deer are already falling low in numbers
- Will affect the Wildlife Trust land on the opposite side of Houghton Road
- Need a more detailed wildlife impact analysis – no mention of birds, hedgehogs, black rabbits
- The submitted ecological survey explains that as a result of the development "there will inevitably be a reduction in the suitability of the site for foraging bats" – hardly ecologically friendly especially towards species protected by law
- Very difficult to relocate wild orchids
- The hedgerow along Houghton Road is considered to be an ancient hedgerow

Housing Need

- Estate agents windows are full of houses for sale and rent that they cannot sell or rent out – who needs more houses built
- With other larger scale housing developments on the outskirts of the City this development is not necessary and could lead to properties remaining empty
- Houghton was almost doubled in the late eighties and early nineties and simply does not need to grow any more
- Can you be certain the project will be completed, has the developer given any guarantees that the project won't be abandoned if the economy dips again
- If the urban allocation is over-subscribed and the rural allocation can only be made in Longtown and Brampton there is no identified need for any development at Houghton
- With the urban allocation being 264 over and the Longtown/Brampton allocation being 292 under the net difference is only 28 dwellings – planning policy is not being followed

Character

- The village would become just another part of the City
- The proposed houses are out-with the village boundary – result in ribbon development and loss of green space

Precedent

- There would be a likelihood of building more housing on the same land if this development goes ahead

Education

- Houghton School and the other closest primary schools (Stanwix and

Kingmoor) are already full

- With the addition of more children it would change the School forever
- Will the School building be increased in size? And if so will that mean the taking away of parts of the School yard and field or even “building up”. Either way, this would be a great deal of unnecessary disruption for the children and their learning
- The impact would not only be felt in the village school but also on the main secondary catchment school – understand that Trinity’s Year 7 intake has been at full capacity in recent years

Flooding/Drainage

- The infrastructure of utilities will be unable to cope with the increase of drainage with an already overloaded system.
- On several occasions Houghton Road close to the proposed access to the site has flooded to hazardous conditions

Hadrian's Wall/Archaeology

- Something should be done in way that more appropriately preserve its place in Roman and modern history

Process

- This development may see the Council facilitating the land owners plans over what’s actually necessary for the village and those who live there
- Poor communication to village residents about this proposed development
- There are numerous conflicts and inaccuracies in the documentation provided e.g. the Travel Plan Framework quotes “190 residential dwellings...”

- 4.4 The letters/e-mails of support centre on the following issues: may help to sustain the viability of the Post Office and The Near Boot PH; best possible use; site currently an eyesore; when Antonine Way/Tribune Drive were constructed people objected with similar points although it is now the occupants of those houses who are objecting; will give more regular business for a small local shop; would be very interested in this development as contrary to what’s been said there is not a lot of houses for sale in the area.

5. Summary of Consultation Responses

Cumbria County Council - (Highway Authority): - the access onto Houghton Road which is proposed has restricted visibility to the south due to the overgrown hedgerow, significant pruning/removal of parts will be needed.

The submitted Drainage Statement refers to existing watercourses Gosling Sike and Brunstock Beck. Both are Main Rivers, the former should be ruled out as unsuitable due to existing flow/capacity problems, the latter is shorter but there have been flooding incidents with 2 properties, thus a full hydraulic analysis will be needed from mouth to source and EA discharge Consent will

be required.

It is noted that this site does not cover the full extent of developable land; we normally look to 100 properties being the maximum served by a Minor Access Road/cul-de-sac layout. Thus we would look to limit the number of dwellings to 100.

Parking and servicing to properties, facilities shall be provided to meet the requirements of the Cumbria Parking Standards 1997.

The proposals for the widening of the existing access are very much Outline, as already noted visibility of 120m is needed and I would expect a pedestrian refuge island/crossing point to the immediate north of the right turn lane with footway connectivity to bus stop positions on either side of the road. This works will be subject to a Highways Act 1980 Section 278 agreement with this Authority.

It should be noted Centurion Walk (which is suggested as an Emergency Access) is a Private Street. this would need to be upgraded to adoptable standard as a formal secondary access point for more than 100 dwellings and should form part of a wider masterplan for the 'whole of Hadrian's Camp' site. I understand there are other issues which may preclude the level of housing indicated, so as this is Outline the Conditions provide adequate constraint.

No individual property accesses off Houghton Rd will be permitted, thus the first 3 dwellings proposed will need to take access off either the existing access (pending construction of the new access and stopping up of the existing), or the new access must be constructed to serve them. Up to 5 properties can be served from a Private Shared driveway. No further properties should be allowed to be occupied until the Developer has produced a detailed Estate plan and entered into a Highways Act 1980 Section 38 agreement for the construction of the Estate roads to serve at least the new agreed Phase of the development.

The Traffic generation based on the adjacent Tribune Drive site is considered robust and accepted. The survey work was done on Tuesday 17 April 2012, which was after the Easter school recess and after the Carlisle Northern Distributor Route opened for traffic. Whilst a one day count is somewhat less than we would normally seek, given the close correlation between the site observations and TRICS rates, this is felt adequate. The junction assessments (B6264 Whiteclosegate/Houghton Rd; A689/Houghton Rd; and new Estate Road/Houghton Rd) show that these work well within capacity. It should be noted the Geometric parameter tables have incorrect Minor Road Widths, unless these relate to Lane widths. It is felt, in view of the small percentage additions to existing traffic flows on the A689/B6264, that the Transport Assessment need look no further along the network.

The assessment notes the poor footways on parts of Houghton Rd, for the avoidance of doubt widening/reconstruction to 1.8m for Footway (or 2.4m if 'joint use' cycle-path between Tribune Drive and the access to the southern

part of the ex Hadrian's Camp, should be required, together with DDA compliant ramps at all accesses back to the B6264 junction and as far as Houghton Primary School. The existing street lighting system should also be upgraded to current standards.

Appendix 2 Accident plans is virtually illegible, but it is known that there are accidents between the B6264 junction and Houghton Village and a proper rigorous assessment of causation factors needs to be demonstrated, not a simple bland conclusion, there have been no accidents in the last 5 years at the Hadrian's camp access; and a similar "as can be expected there have been accidents at the Houghton Rd junctions with the A689 and Brampton Old Rd" (B6264).

Whilst there remains significant matters to be addressed for future Reserved Matters Applications, we are content from the information provided there is nothing to sustain a refusal on Highways/Traffic grounds for this development, assuming the appended Conditions area included in any Outline consent

Housing Development Officer: - under Policy H5 of the Carlisle and District Local Plan a contribution to affordable housing of 25% can be requested on large rural sites - 25 or more dwellings. In this instance, that works out at 24 units, however, if the developer was to involve a registered provider and allow some of the units to be for affordable rent then the number of units could be reduced, on the basis, that 2 affordable rented is worth 1 discount sale unit of Carlisle City Council's low cost housing scheme.

The housing strategy team note from the Planning Statement provided indicates that the proposed style of units will primarily consist of 2 to 5 bedroom properties. Still, with the proposed Welfare Reforms coming into effect in April 2013 we would request that the developer consider the inclusion of some 1 bed properties in the affordable housing contribution as existing tenants of social housing may want to downsize from larger properties in an attempt to avoid the bedroom tax.

The Housing Needs and Demand Study 2011 for Carlisle indicated that there's a net shortfall of 101 affordable homes in the Rural East Housing Market Area for the next five years which includes Stanwix Rural ward.

Stanwix Rural Parish Council: - in a letter dated the 13th September the Council confirmed that it had resolved to object to the proposal for the following reasons:

- the area is identified as a wildlife site and is adjacent to a newly created wetland area;
- in a recent survey undertaken by the Parish Council, 58% of respondents to the survey indicated that they were opposed to any further development;
- concerns over infrastructure capacity, safety, local amenities and extension of ribbon development;
- lack of detail in the outline application and what is offered may be different at the final planning stage i.e. the outline proposal is currently

- 96 houses but this may be subject to larger numbers in the future;
- major concerns over the capacity of the school to take any further pupils and a recognition that schools in the adjacent areas do not have spare capacity;
- requirement to meet social housing needs, an area where the Parish Council has long supported the need for development;
- absence of detailed plans relating to services provision and an inadequate travel plan; and
- the evidence of a range of current existing planning approvals and applications across the City to meet local need.

The Council is in support of residents letters of objection and also resolved to include with this response the notes of a public meeting held on the 29th August 2012.

In a letter dated the 24th October, the Parish Council made a further submission in support of its objections on the basis of the impact of the proposal on 1) the County Wildlife Site; 2) conflict with housing policy; 3) the use of previously developed/contaminated land; 4) Hadrian's Wall; 5) overall conflict with policies of the Local Plan; 6) conflict with the National Planning Policy Framework; and 7) problems associated with an outline application.

County Wildlife Site

- Policy LE3 Other Nature Conservation Sites of The Carlisle District Local Plan 2001 – 2016 stresses the importance of County Wildlife Sites as *"...examples of important habitats with uncommon species of plants and animals."*...and continues: *"The importance of sites such as these has become significantly greater in recent years, as changing agricultural practices and the disappearance of traditional management in the countryside have resulted in the loss or alteration of many sites."*
- 1) The applicant's Ecological Assessment fails to mention the ponds and wetlands created by Cumbria Wildlife Trust, at Gosling Sike Farm, stating that no ponds occur within 500m of the proposal site boundary, [Ecological Assessment Para 6.3.13] These ponds and wetlands are intended to provide a habitat for colonisation by various species of protected wildlife, including UK Biodiversity Action Plan (BAP) Priority Species such as Great Crested Newts; Common Toads; Otter; Reed Buntings [Appn No 11/1078 Design & Access Statement].
 - 2) The County Wildlife Site forms a vital corridor between the newly created wetland habitat and Brunstock Beck which, in turn, leads to the River Eden Special Area of Conservation (River Eden SAC). However; the Ecological Assessment fails to identify the presence of Gosling Sike, which traverses the County Wildlife Site, and forms an aquatic conduit linking these same locations.
 - 3) No need has been established which would justify building a 96 unit housing estate on the County Wildlife Site and which would certainly set a precedent for further applications to develop the remainder of the site.

(Ref. paragraphs 1.6 & 2.5 below).

- 4) Carlisle City Councils Strategic Housing Land Availability Assessment Update - September 2012 is dismissive of the County Wildlife Site, referring only once to the existence of “wildlife concerns”. At the same time the document clearly indicates an expectation of further development, the Houghton Settlement Map showing the entire area of the former Hadrian’s Camp to be deliverable within 0-5 years after Local Plan adoption.
- 5) Any major built development on the County Wildlife Site would destroy the cohesion of its environmental integrity; greatly prejudice its value as a habitat; restrict the ability of wildlife to utilise the natural corridor between habitats, and; limit the preservation and enhancement of biodiversity.

Conflict with Housing Policy

- 6) The proposed development site lies outside the defined boundary of the settlement and constitutes a ‘Major Development’. Supporting paragraph 2.27, of Policy DP1, of the Carlisle District Local Plan 2001 – 2016 states:

“The focus for new development proposals should be the urban area of Carlisle, with limited rural development.” Policy DP1 also states that the settlement boundaries are tightly drawn to limit development and; reflect the extent of existing development and; that outside these locations development will be assessed against the need to be in the location specified. Paragraph 5.79 of the Carlisle District Local Plan 2001 – 2016 states: *“Within the rural part of the District housing land allocations will only be made in Longtown and Brampton as Key Service Centres.”...and: “Outside those Key Service Centres, new dwellings will be limited to infilling or small scale development in line with Policy H1.”*

- 7) The Local Plan also notes, below paragraph 5.79 that the Brownfield rural target ‘has been exceeded; whilst supporting paragraph 5.80, of Policy H4, states that *“...The remaining brownfield dwellings can easily be achieved through small-scale windfall during the Plan period.”* As a Major Development outside a Key Service Centre the proposed 96 residential units cannot possibly be considered to be ‘small scale development’; nor ‘limited’; nor ‘infill’; nor ‘small-scale windfall’.
- Supporting paragraph 5.5 of Policy H1, states: *“Proposals which will extend a settlement in such a way as to act as a precedent for the release of other land for development beyond the village limits will not be acceptable.”*
 - The owner of the proposal site also owns the remainder of land edged blue on the site plan, which is described in application documents as being *“...part of a larger scope of development that could incorporate social housing, residential care homes and some light business use”* [Phase 2 Ground Investigation Report, para1.0];

- Whilst the Carlisle City Council Strategic Housing Land Availability Assessment Update - September 2012, also anticipates further development of the site. If permitted, the proposal would, therefore, most certainly act as precedent for the release of other land beyond the village limit and must be considered to be un-acceptable under Policy H1. The proposal site is not within the urban fringe and is **outside** rather than in the Local Service Centre.
 - The site is well screened from the village of Houghton by the tree-line which defines the boundary of the settlement. This significant screening would effectively prevent the proposed development from relating well with the built environment of existing settlement causing it to appear as an intrusive 'stand-alone' housing estate.
 - The development if permitted would also noticeably reduce, the distance between Houghton and the built frontage of Houghton Road, to the south, and which extends from the urban boundary. This, and the precedent for further development, would certainly lead to a loss of clear separation between, and a blending of, the urban and rural parts of the City.
 - The County Wildlife Site contributes greatly to the character of Houghton and complements the neighbouring Gosling Sike wetlands. The proposal would significantly prejudice the character of these local landscape features and impede the integration of the Gosling Sike wetland habitat into the wider ecosystem.
 - No need for the proposed development is evidenced. Local services are already well supported; the proposed development would overburden the village school and add to existing traffic problems around the village shop, and school.
 - Local bus services are limited after 6:00pm, and at weekends, and can sometimes be erratic, often making impractical any realistic alternative to car travel. The proposal is therefore of an inappropriate scale and compromises the objectives of sustainable development.
 - Carlisle Strategic Housing Land Availability Assessment - Update September 2012, states:
"This version of the Carlisle SHLAA currently demonstrates enough deliverable and developable land to support 9,460 new houses over the 15 year plan period of the forthcoming new Local Plan." The SHLAA Update also states that a number of possible housing targets of between 400 to 650 new dwellings per annum were considered i.e. a total of 6,000 to 9,750 new dwellings over the 15 year period of the new Local Plan.
12. The SHLAA Update also points out that available land falls just short of meeting the higher 650 target. This figure does not include a build capacity

in respect of the 245ha developable site, south of Carlisle, identified as OC17 [Appendix B of the SHLAA Update] for which no projected capacity is indicated. 850 houses are approved to be built at Crindledyke (Appn No 09/0617) for which consent was given on 23 April 2012.

- Consent for a further 295 dwellings, including 59 affordable units, is now sought in respect of a site in the Upperby area.
 - A further 45 empty houses are to be brought back into use by Carlisle City Council.
 - An additional 100/150 houses are proposed for a site in Dalston.
 - Further applications for major developments i.e. 46 dwellings at Scotby Green Steading (Appn 12/0710) and; 32 dwellings and Broomfallen Road Scotby (Appn 12/0790); currently await determination.
- These proposals alone are likely to generate 752 new homes, not inclusive of the outstanding 666 at Crindledyke – a total of 1418 units likely to be delivered in the short to medium term. This capacity far exceeds the required 450 unit target of the most recent Housing Need & Demand Study [report PPP 13/12, Policy and Communications Manager 11 Oct 2012] as agreed by the Executive in March 2011 - and even that recently reported of 500 to 600 units per annum [Cumberland News 12 October 2012].
 - The Interim Planning Policy Statement for New Housing Development in Carlisle (adopted 1 May 2012) and which should only be used in the absence of a 5-year supply of housing land allows for the consideration, of proposals for new housing development on land currently excluded from such development. It should be interpreted in conjunction with other saved policies in Local Plan and; proposals are required to demonstrate that the site will be deliverable within the five year supply period relevant to the date of application.
 - As the SHLAA Update identifies sufficient land to accommodate 630 units per year over 15 years a number well in excess of the 450 target of the most recent Housing Need & Demand Study, the Interim Planning Policy Statement for New Housing Development in Carlisle should not be used.
 - Further; the applicant, North Associates, has confirmed that the company acts for the landowner rather than a developer [Stanwix Rural PC consultation response 17 Sept 2012 - notes of public meeting, 29 August 2012]. Thus the application fails to demonstrate with any certainty that the proposal would be deliverable within the supply period relevant to the date of its submission. Therefore, the Interim Planning Policy Statement for New Housing Development in Carlisle is, again, inapplicable.

Previously Developed Land/Contaminated Land

1. The Local Plan's definition of what may constitute 'previously developed land' includes:

"Land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the

landscape in the process of time (to the extent that it can reasonably be considered as part of the natural surroundings)...There is no presumption that land that is previously-developed is necessarily suitable for housing development nor that the whole of the curtilage should be developed."

2. Having reverted extensively to a natural state the County Wildlife Site, where remnant narrow roadways have become extensively degraded and overgrown with many of the disused metalled surfaces being; *"..Well covered with Bryophytes and Sedum sp."* [Ecological Statement Para 6.2.5]. The proposal site now typifies an area that has, *" ...blended into the landscape in the process of time, to the extent that it can reasonably be considered as part of the natural surroundings..."*
3. Asbestos and heavy metal contamination has been recovered from test pits identified as 'hotspots'; one of these, approximately 50 feet from neighbouring residential property, being found to contain *"many/much fragmented asbestos sheets/tiles, some brick and rare metal"* [Phase 2 Ground Investigation Report: GEO2012-187: Area A, Hadrian's Camp, Houghton – TP12]
4. Gosling Sike which links the new wetland habitat with Brunstock Beck, a tributary of the River Eden SAC, provides a contaminant pathway to the SAC as receptor. The contaminants identified above have the potential to cause harm to the SAC, should they enter Gosling Sike. This linkage and the risk accruing from a breach of Gosling Sike's environmental integrity are not addressed by the Ground Investigation Reports.
5. As the ground investigation has, quite literally, only scratched the surface of the entire site, and *"it should always be considered that ground conditions have the potential to vary between the exploratory hole locations to those identified"* [paragraph 2.2 Limitations of Use, of Phase 2: Ground Investigation Report], there may also be a need for an Environmental Statement and/or Environmental Impact Assessment. A full remediation strategy may also require to be submitted prior to the determination of the application.
6. Though contaminated the land very efficiently serves an existing, and highly beneficial, use as County Wildlife Site, which functions as an important biodiversity enabler. These sites are described in the Carlisle City Council Contaminated Land Strategy as *"important nature conservation sites"*, which may contain a rich biodiversity not found in protected sites.
7. The Carlisle City Council Contaminated Land Strategy suggests several ways of remediating contaminated land, but states that *"...these may not always represent the optimum solution for a contaminated site."* The Strategy also states the City Council's belief that: *"land should be made fit for its present use, not fit for any use"* [Paragraph 10.1]. A possible coincident benefit of maintaining the sites present use, should it remain undisturbed, may be the avoidance of need for the remediation of subsurface contamination.

8. The site is in the rural area and therefore is not prioritised for re-development by Carlisle District Local Plan 2001 – 2016. [Para 6.112]. Nor, merely by virtue of its previously developed status, can it, or any part of its curtilage, simply be presumed to be suitable for housing development. The proposal does not constitute an appropriate use of an important County Wildlife Site.

Hadrian's Wall World Heritage Site

1. English Heritage has stated that the site is of high archaeological sensitivity and an outline application makes it difficult to confirm that the proposal would have no unacceptable impact upon the World Heritage Site. It also states that a full planning application for the site would be more appropriate and that even the imposition of binding parameters in respect of heights and materials, at this stage, would not be ideal.

Conflict with Carlisle District Local Plan 2001-2016

1. Having regard to Carlisle District Local Plan 2001 – 2016 Appn No 12/01610 should be refused consent for the following reasons:
2. The proposal conflicts with Policy DP1, Sustainable Development Locations, in that:
 - There is no 'need' for the proposed development to be in the location specified.
 - Infrequent public transport links exist therefore realistic travel alternatives mean the use of a private motor vehicle.
 - The proposed development cannot be considered to be 'Limited,' as it constitutes 'Major Development' as defined by the City Council's Statement of Community Involvement - quoting the Town & Country Planning (General Permitted Development) Order 2010.
 - Local services are already well supported;
 - The proposed development would overburden the village school,
 - The proposed development would exacerbate existing traffic problems around the village shop and school;
 - Poor bus services mean that, for all practical purposes, few journeys can be made by local residents without reliance upon car travel.
 - The proposed development is outside the defined boundary of the village and is not 'limited' but constitutes a 'Major Development' as defined by the City Council's Statement of Community Involvement - quoting the Town & Country Planning (General Permitted Development) Order 2010
 - The Brownfield rural target has been exceeded
3. The proposal conflicts with Policy LE3 Other Nature Conservation Sites, in

that:

- The proposal site is defined by the LPA as an important habitat for uncommon species of plants and animals.
 - The proposal threatens the cohesive integrity of an “important habitat,” the significance of which has greatly increased in recent years.
 - The proposal impacts heavily upon County wildlife Site where replacement /relocation of species is impractical due to the frequent failure of translocation.[Cumbria Wildlife Trust, consultation response]
 - There is no overriding need for the proposed development of an important County Wildlife Site, in order to respect the importance of which permission should not be granted.
 - The proposal site constitutes an important of the County Wildlife Site of local significance which makes an important contribution to nature conservation and bio-diversity.
4. The proposal conflicts with Policy H1, Location of New Housing Development, in that:
- The proposal site lies outside the defined boundary of the village and is not contained by the existing landscape features of the area;
 - being isolated from the village by an existing screen of trees it does not relate well to the form, scale and character of the rest of the village;
 - If permitted the proposed development would have adverse impact upon the neighbourhood amenity of the village through overburdening the village school, and adding to existing traffic problems around the village shop and school.
 - As the applicant owns the remainder of the site (edged blue on the site plan) the proposal, If permitted, would act as precedent for the release of other land beyond the village limit. As such it must be considered to be un-acceptable.
 - Though not an integral part of the village the proposal site constitutes a County Wildlife Site which contributes to the character of Houghton and complements the neighbouring Gosling Sike conservation area.
5. The proposal conflicts with Policy H4, Residential Development on Previously Developed Land and Phasing of Development, in that:
- The proposed development is unsustainable within the context of Policy DP1 - see above.
 - Because of its non-compliance with Policy DP1 the proposed site fails to provide an opportunity for rural brownfield residential development.
6. The proposal conflicts with Proposal H16, Residential Allocations, in that:
- The proposal site is outside a Key Service Centre and is not a small scale infill site but a ‘Major Development’
 - The rural the brownfield target has been exceeded
 - The proposal site is not a small scale windfall site but a ‘Major Development’

7. The proposal conflicts with Policy LE29 Land Affected by Contamination in that:
 - The site is in the rural area and therefore is not prioritised for re-development, by Carlisle District Local Plan 2001 – 2016.
 - The land is already serving an existing, very efficient, and highly beneficial use as County Wildlife Site.
 - A remediation strategy is required due to contamination by *“many/much fragmented asbestos sheets/tiles, some brick and rare metal”* proven to exist approximately 50 feet from neighbouring residential property, [Phase 2 Ground Investigation Report: GEO2012-187: Area A, Hadrian’s Camp, Houghton – TP12]
 - Due to proven contamination of the site there may be a need for an Environmental Statement and/or Environmental Impact Assessment.

8. The proposal conflicts with Policy LE30 Derelict Land; in that:
 - As a former War Office/MOD site there is high possibility of, perhaps extensive, un-remediated ground contamination. A factor acknowledged at paragraph 2.2 of Geo Environmental Assessment: Phase 2: Ground Investigation Report: *“It should always be considered that ground conditions have the potential to vary between the exploratory hole locations to those identified”*
 - The proposal does not constitute an appropriate use of an important County Wildlife Site.
 - The County Wildlife Site has reverted extensively to a natural state where even the remaining narrow and decaying roadways are becoming extensively degraded and overgrown.
 - As a County Wildlife Site the land constitutes an important enabler of biodiversity and should be safeguarded.
 - Should it remain undisturbed, as a wildlife habitat, extensive remediation of subsurface contamination may not prove necessary.

9. Therefore; Policy LE5 Hadrian’s Wall World Heritage Site, in that:
 - The site is of high archaeological sensitivity and;
 - an outline application makes it difficult to confirm that the proposal would have no unacceptable impact upon the World Heritage Site and;
 - that a full planning application for the site would be more appropriate and;
 - that even the imposition of binding parameters in respect of heights and materials, at this stage, could not be relied upon to protect the World Heritage Site from potential unacceptable impact.

10. The proposal conflicts with Policy LE7 Buffer Zone on Hadrian’s Wall World Heritage Site, in that:
 - The proposal is not consistent with other important Local Plan policies
 - The proposal site is heavily screened from the village by the trees which define the boundary of the settlement.
 - This significant screening would effectively isolate the proposed development thus preventing it from adequately reflecting the scale and character of the settlement.

Conflict with the National Planning Policy Framework

1. The proposal conflicts with paragraphs 111; 114 and 118 of The National Planning Policy Framework, in that:
 - The site has an existing and effective use as a County Wildlife Site
 - The existing County Wildlife Site has a high environmental value.
 - The existing use is an example of positive planning “for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure”.
 - The proposed mitigation measures are identified as being “wholly inadequate” [Cumbria Wildlife Trust]
 - There exists “abundant evidence” that translocations often fail and should be considered only as a last resort. [Cumbria Wildlife Trust]
 - As a County Wildlife Site, of high environmental value, the proposal site constitutes part of a network of green infrastructure.
 - There is no need or benefit for the proposed development of the County Wildlife Site that would clearly outweigh its loss.
 - The nature of the outline application prohibits the safeguarding of any currently proposed mitigation measures.

Outline Application

1. English Heritage’s material concerns, regarding the outline nature of the application, reflect those voiced by the community and held by the Parish Council. The reasons for these concerns are well evidenced by recent precedent following a recent application to vary a condition of a previously approved permission - Appn No12/0495 This revision allowed houses to be built to a lower sustainability code standard than that specified in the outline application, the developer asserting that the higher standard would be un-viable in the present economic climate.
2. Members expressed dissatisfaction regarding the application to amend the condition, one requesting that a further condition be imposed to ensure that future phases of the scheme remained at higher standard. Another stated that she would not be happy to approve the application; whilst the ward councillor commented that allowing the variation may encourage the applicant to take a similar approach on subsequent phases. Officer advice was that, under the provisions of National Planning Policy Framework, “*Members had to make the concession as requested*” [Development Control Committee minutes Friday 13 July 2012].
3. This concession amply illustrates the inherent risk of ultimate failure when attempting to condition outline applications and; supports the view of English Heritage that a full application should be submitted.
4. In consideration of the precedent outlined above, and; in order to ensure the greatest likelihood of success in enforcing conditions in respect of the County Wildlife Site and the World Heritage Site, Stanwix Rural Parish Council urges that this, and/or any other, proposal for a built development, on any part of the former Hadrian’s Camp, should be made subject of a full application.

Cumbria Constabulary - North Area Community Safety Unit (formerly Crime Prevention): - following observations regarding this application, which have been considered from a crime prevention and community safety perspective.

Layout

Generally, the proposed layout is acceptable from a crime prevention perspective, in that the (indicative) dwellings tend to overlook each other and are orientated to address the vehicular/pedestrian routes. All designated routes should be within clear view so that users shall feel safe and reassured as they move around the development.

Noted from the submitted Design and Access Statement that '....all open spaces are overlooked by housing ensuring that open spaces are safe and feel safe....' Although this is an application for outline permission, this concept needs to be carried through to the final design, in the event of this application being approved.

Permeability

Noted that the intention to link the development to Tribune Drive, via the Public Open Space. Unfortunately, the dwellings in Tribune Drive have their backs to this space (with consequent reduction in passive surveillance opportunities) which compromises overall security. From a community safety perspective, this space should be more formally addressed by new dwellings, thereby enhancing enclosure to this space, yet emphasising the link to Tribune Drive beyond.

The DAS refers to opportunities for further development within the Hadrian's Camp site, referring to 'networks of open spaces, ecological corridors and local and commuting routes'. Care should be taken to avoid excessive permeability, which has been shown to be a crime generator. Vehicle routes, footpaths and cycle-ways must provide direct links to support each development. Superfluous routes that merely provide shortcuts or unrestricted access for non-residents should be avoided.

Site Perimeter

Clarification required regarding the proposed site perimeter treatment, in order to protect the adjacent Cumbria Constabulary asset from intrusion.

Definition of Space (Landscaping)

The use of new and existing hedging to define space is welcomed. Thresholds between public and semi-private space must be obvious, so that householders retain control and ownership of their own curtilage. (Spaces that are not clearly defined are prone to misuse and abuse).

Utilising landscaping elements for this purpose (where appropriate) has

obvious additional benefits in respect of colour, texture, visual interest and wildlife habitat.

However, this method also creates maintenance issues. Regular ground maintenance and trimming of shrubs and trees is required to demonstrate care and ownership. The choice and location of species is essential to maintain passive surveillance opportunities (not just from ground level), complementing street lighting schemes and avoiding the unintentional creation of hiding places.

The DAS highlights the desire 'to provide a green framework for the housing development', but it would be helpful to ascertain how this concept shall be sustained.

Further Consultation

If this application is successful, further consultation would be welcome prior to any application for Full permission. In order to comply with National Planning Policy Framework and Policy CP17 of the Local Plan, the applicant must demonstrate how crime prevention and community safety measures have been incorporated into the design.

Guidance is also available from the Supplementary Planning Documents 'Designing Out Crime' and 'Achieving Well Designed Housing'.

Secured by Design Compliance

The applicant may also wish to consider applying for Secured by Design accreditation. Compliance with the national police initiative could enhance the market appeal of the development, but will also attract credits under the Code for Sustainable Homes scheme.

Natural England - relating to protected species, biodiversity & landscape: - In relation to drainage it is noted that foul water will be drained via the public sewerage system and surface water will be managed either via soakaways or discharge to watercourses. The watercourses - Brunstock Beck and Gosling Sike - both discharge in to the River Eden and Tributaries SSSI and SAC. We advise that sufficient pollution prevention measures will need to be designed into the detailed drainage design, and employed on site during the construction period, in order to not impact on the interest features of the designated river.

The submitted Drainage Statement recognises that a greenfield rate of discharge will be required by the Environment Agency for a new discharge, with suitable levels of treatment prior to discharge. We are satisfied that appropriate avoidance and/or mitigation can be designed in to the drainage scheme, at the reserved matters stage, in order to avoid impacts on the designated site.

In relation to ecology the updated Ecology Report by Hesketh Ecology identifies likely impacts on protected species, and advise that the recommendations and enhancements outlined should be conditioned as part of any planning permission.

Cumbria County Council - (Archaeological Services): - the site lies 160 metres north of Hadrian's Wall and is located in the visual impact zone of the World Heritage Site. However, our advice relates specifically to the heritage assets that survive on the site.

The site has been the subject of an archaeological desk based assessment. The results show that it is unlikely archaeological remains survive below ground due to its location and the extensive disturbance that occurred during the construction of the 20th century military camp. The military camp itself is of some interest however, particularly in reference to the social history of Carlisle, and although much of it has been cleared away, its overall layout and the foundations of some of the buildings do survive.

It is therefore recommended that the remains of the 20th century military camp are photographed and recorded prior to their demolition as part of the proposed development. This programme of work should be commissioned and undertaken at the expense of the developer and advise that it can be secured through the imposition of a relevant condition.

Local Environment (former Community Services) - Drainage Engineer: - no comments received.

Environment Agency (N Area (+ Waste Disp & Planning Liaison Team): - we have considered the Level 1 Flood Risk Statement (dated 09.03.12) produced by GEO Environmental Engineering and can confirm that we agree with Section 5.0 (Conclusions) which states that the site may require the completion of a full Flood Risk Assessment.

We therefore consider that outline planning permission could be granted to the proposed development subject to the imposition of relevant conditions.

English Heritage - North West Region: - originally commented that this application lies in an area of high archaeological sensitivity, 150m to the north of the line of Hadrian's Wall, giving it a potential impact on the archaeology and setting of this World Heritage Site. EH defer in general to the advice of the County Archaeologist with regard to direct archaeological issues, but would ask for details/commitments with reference to services and drainage to either ensure that these do not have any impact on the line of the Roman frontier, or to allow such an issue to be addressed prior to determination. With reference to setting impacts, although it is likely that this site can be developed without unacceptable impact on the World Heritage Site, the outline nature of this application makes it problematical to confirm this. As such, we have to advise a preference for a full planning application for this site, or if this is not supported for parameters to be agreed on issues such as height, to give sufficient confidence as to the acceptability of any impact on setting.

Subsequently, following the suggestion of restricting the height of any development, English Heritage has responded by explaining that the suggestion of limiting development to no higher than 2 1/2 storeys would be

very useful. This parameter would ensure that future reserved matters applications would not be based on unrealistic expectations about the height of development possible in this location only 150m to the north of Hadrian's Wall. Ideally they would like to see some details on the materials to be used, although it does seem likely that a very considerable palette of materials could be used here without impact on the setting of the WHS: on balance they are content for approval of this issue to be a Reserved Matter subject to careful consideration at a later stage.

English Heritage's comments on the need for service/drainage information at pre-determination stage remain.

Hadrians Wall Heritage Limited: - no comments received.

United Utilities Water PLC: - no objection to the proposed development providing specific conditions are included in the planning permission concerning: only foul drainage connected into the foul sewer - foul water must discharge into the manhole located at Brampton Old Road; surface water drainage to discharge into either a soakaway/infiltration or watercourse; land drainage or subsoil drainage water must not be connected into the public sewer; and the connection of highway drainage from the proposed development to the public wastewater network will not be permitted.

A separate metered supply to each unit will be required at the applicant's expense.

Northern Gas Networks: - no objections;

(Former Comm/Env.Services) - Green Spaces - Countryside Officer - the treatment of public open space seems to offer sufficient space and diversity for a range of recreational objectives. From the information available it looks to be adequate to service the development and supportive of the protection of trees and hedgerows indicated on the plan. The Soft Landscape Strategy seems to be suitable for the extent and diversity of the site.

I would prefer to see some natural play facilities provided on a site of this scale, commensurate with the scale of development (Policy LC4 of the Local Plan applies).

It is not envisaged that the public open space will be transferred to the Council.

Local Environment - Environmental Protection (former Comm Env Services- Env Quality): - no objections but should be noted that the site was historically used by the military as a camp. As the site is to be used for a "sensitive development" (residential) the applicant should provide with the application sufficient information to determine the existence or otherwise of contamination and the nature and risks it may pose. The minimum requirement should be a report of a desk study and site reconnaissance (walk over). If this were to indicate the need for further investigation, this should

also be carried out and the information supplied.

Cumbria County Council - Transport & Spatial Planning: - Cumbria County Council's Development Control and Regulation Committee resolved that no objection is raised to the strategic principles of the development, provided that the Local Planning Authority:

- is satisfied that there exists a shortfall of housing land that can be met by the proposal when considered against their housing land requirement;
- secures an appropriate supply of affordable housing proportionate to local needs from the development; ensures that full and detailed consideration of ecological issues are carried out prior to determination;
- is satisfied that the development reflects and protects the character of the site and its surroundings; and
- seek a financial contribution via a S106 agreement for additional capacity at a local school, in order to provide the required additional education facilities, or failing that option funds for the transportation of the 17 pupil yield.

Cumbria Wildlife Trust: - the proposed development is a County Wildlife Site and the development will result in the loss of almost 5 ha of this 40ha site. The mitigation proposed is wholly inadequate. The proposed translocation of grassland and SUDS appears to be on the adjoining land which itself is likely to be developed in a few years time. This is not sustainable and not acceptable. There is also abundant evidence that translocations of this kind often result in failure and should only be used as a last resort. The method proposed gives few details and does not provide any reassurance that the proposed translocation has been considered in a professional way and is likely to be successful. We would also question whether the location of the SUDS requires planning permission in itself?

The applicant provides no information as to how the species rich grassland retained will be managed. Without appropriate management the interest of the grassland will be lost.

There is inadequate mitigation provided for the breeding birds on site. The 2003 survey identified the site as being of high value for birds. Despite this, no systematic survey has been carried out as part of this application and no mitigation proposed.

6. Officer's Report

Assessment

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires

that proposals be determined in accordance with the development plan, unless material considerations indicate otherwise. The development plan currently comprises the Regional Spatial Strategy (RSS), saved policies of the Cumbria and Lake District Joint Structure Plan (2001-2016) (JSP), and the Carlisle District Local Plan 2001-2016 (CDLP). The Localism Act 2011 has now been passed and the revocation of the RSS and JSP is anticipated.

6.2 In April 2012 the government published its National Planning Policy Framework. As up-to-date government advice, this is clearly a highly material consideration in the determination of the application. The NPPF seeks sustainable development/growth in economic, environmental and social respects. The NPPF *“does not change the statutory status of the development plan as the starting point for decision-making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.”* (para 12).

6.3 Members also need to have regard to the Cumbria Community Strategy 2008-2028; the Cumbria Strategic Partnership Sub-Regional Spatial Strategy; Community County Council Local Transport Plan; “Travel Plans and the Planning Process in Cumbria: Guidance for Developers” (March 2011); Carlisle Strategic Housing Land Availability Assessment (SHLAA); the City Council’s 2011 Housing Needs and Demand Study; and the City Council’s “Five Years Housing Land Supply: Position Statement” (30.09.12).

6.4 When assessing this application there are considered to be eight main issues, namely:

- Whether or not the scale and type of development is appropriate and/or lead to any significant adverse effect on housing policies (the NPPF; the Cumbria Strategic Partnership’s Sub Regional Spatial Strategy 2008-28 Development Principles; saved JSP Policy ST5; and CDLP Policies DP1, H1 and H4).
- Whether it is sustainable in terms of transport and accessibility (saved JSP Policy T31; and CDLP Policies DP1 and CP16).
- Implications for local community infrastructure – education (Cumbria Spatial Strategy 2008-28 Development Principles) and public open space/play equipment (CDLP Policies LC2 and LC4).
- Whether the proposal meets the objectives of saved Policy H19 of the JSP and Policy H5 of the CDLP regarding the provision of affordable/social housing.
- Whether there are any significant adverse effects on ecology/County Wildlife Site and the historic environment (the NPPF, Circular 06/2005; JSP Policies E35 and E38; CDLP Policies CP2, LE3, LE5 and LE9).
- Whether the proposal would be detrimental to the living conditions and security of local residents, and highway safety/capacity (CDLP Policies CP17 and H1).
- Whether the proposal would be detrimental to the landscape and visual

character of the area (saved Policies E34 and E37 of the JSP; and CDLP Policies CP1, CP3, H3 and LE7).

- Whether the proposed residential development is appropriate in the light of Hadrian's Camp former use as a military camp and proximity to Brunstock Beck (drainage) (CDLP Policies LE27, LE29 and LE30).

1) Whether or not the scale and type of development is appropriate and/or lead to any significant adverse effect on housing policies (the NPPF, the Cumbria Strategic Partnership's Sub Regional Spatial Strategy 2008-28 Development Principles; saved JSP Policy ST5; and CDLP Policies DP1, H1 and H4).

6.5 Paragraph 47 (point 2) of the NPPF states that Local Planning Authorities should:

"identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land."

6.6 Paragraph 47 (point 3) then adds that Local Planning Authorities should:

"..identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15."

6.7 Paragraph 49 of the NPPF states that:

'Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites'.

6.8 Under the NPPF "deliverable" means a site that is available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that the site is viable. To be considered "developable", sites should be in a suitable location for housing development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged (Footnotes 11 and 12).

6.9 The NPPF contains a requirement, that where a plan is silent, or there is a shortage deliverable and developable land to meet needs, then a presumption in favour of sustainable development comes into force. In effect, local planning authorities should grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits associated with it.

- 6.10 At the County level the Cumbria Strategic Partnership Sub-Regional Spatial Strategy (SRSS), a supporting document to the Community Strategy for Cumbria 2008-2028, sets out the spatial framework for Cumbria. The Community Strategy and the SRSS recognise that a key challenge is to secure a sustainable level and pattern of development that creates balanced communities and meets need – including the need for jobs. The SRSS Development Principles require that most development is located in designated Key Service Centres and Local Service Centres to assist in reducing the need to travel. When considering sites, the SRSS's Development Principles states that sites should be considered in the following order of priority: (a) the appropriate reuse of existing buildings worthy of retention; (b) the reuse of previously-developed land; and only then (c) the use of previously undeveloped land. Development in the open countryside is to be considered an exception (para. 5.3).
- 6.11 The SRSS states that the role of key and local service centre within Carlisle's rural hinterlands will be sustained by making them the focus of an appropriate scale of housing, local employment, retailing and community development. The SRSS identifies that Carlisle is a major service centre within Cumbria and as such should act as a focal point for development in the County allowing it act as a catalyst for the whole of the Cumbrian economy (para. 4.4).
- 6.12 Saved JSP Policy ST5 requires that new development is focused on key service centres; the scale of development should be appropriate to the size and role of each centre; and that there should be a supply of new housing over the plan period.
- 6.13 Under the current adopted CDLP 2001-2016 it is important to recognise that the application site is not within the Settlement Boundary. Policies DP1 and H1 of the Local Plan identify Houghton as a Local Service Centre.
- 6.14 However, the application site has been identified within the Carlisle Strategic Housing Land Availability Assessment (SHLAA) (September 2012), which forms part of the evidence base for the emerging replacement Carlisle District Local Plan. The SHLAA, whilst not allocating land, identifies that this site would be deliverable within the first five-year period of the Local Plan and thus able to contribute to meeting Carlisle's housing requirements.
- 6.15 Using the 5-year target of the adopted Regional Spatial Strategy (RSS) means that the annual target for Carlisle is 450 net dwellings per year, i.e. 2,250 residential units over 5 years. There is also a requirement to have a 5% (equivalent to 112 dwellings) additional "buffer" unless there has been a record of persistent under delivery of housing when it should be increased to 20% (i.e. equivalent to 450 dwellings). In the case of Carlisle, since 2006/07 there has been an annual shortfall in delivery of target which cumulatively equates to 583 dwellings. This is deemed to be persistent and therefore an additional 20% buffer is required equivalent to 90 dwellings per year. On the basis of the foregoing the annual requirement is 2700 dwellings.
- 6.16 On 1st May 2012 the Council approved an Interim Planning Statement which

sought to address the shortage in five-year housing supply and identified that applications on the edge of existing service centres would be considered favourably provided they could satisfy other planning considerations. This proposal was brought forward as a means of addressing the shortfall in supply of new housing.

- 6.17 The City Council's "Five Years Housing Land Supply: Position Statement - As of 30 September 2012" gives an overall figure of 2,765 dwellings which equates to 6.14 years supply and, against a figure of 2,700, gives 102.4% of requirement. As such there is currently sufficient supply of specific deliverable sites to provide five years worth of housing to meet the housing requirement of 450 dwellings per year with an additional buffer of 20%.
- 6.18 In summary, the current application site is not within the settlement boundary of Houghton and the latest figures indicate that there is six years supply of deliverable sites. Conversely, the site represents a logical extension of Houghton which is a Local Service Centre, and involves the re-development of brownfield land. The SHLAA, whilst not allocating land, identifies that this site would be deliverable, although likely to be at the latter end of the five year period. Considering the existing size and role of Houghton as a Local Service Centre (together with its relationship to Carlisle), the scale of development proposed (i.e. a 20% increase in dwellings) is considered proportional.

2) Whether it is sustainable in terms of transport and accessibility (saved JSP Policy T31; and CDLP Policies DP1 and CP16).

- 6.19 The Local Transport Plan 2006-2011 identifies, amongst other things, the need to improve accessibility by reducing the need to travel by guiding development to Key Service Centres that are accessible by public transport, on foot and by cycle.
- 6.20 Policy T31 of the Structure Plan requires travel plans for "*development that would otherwise generate local traffic problems*". In "Travel Plans and the Planning Process in Cumbria: Guidance for Developers" (March 2011) the County Council stipulate that a travel plan should have a minimum 10% target for reducing private vehicle trips, and that as part of a travel plan there should be a guaranteed travel plan contribution paid upfront but repaid dependent upon whether the modal shift targets are met.
- 6.21 Under the CDLP 2001-2016 Policies DP1 and CP16 are of direct relevance. Policy DP1 identifies Sustainable Development Locations of which Houghton is designated a Local Service Centre. Policy CP16 requires new development to offer a realistic choice of access by public transport, walking and cycling.
- 6.22 Houghton has its own facilities and is only 3km from Carlisle City Centre. The submitted Travel Plan Framework (TPF) highlights the distance of the access to the Camp to the centre of Houghton as approximately 350 metres. The bus routes directly passing the site are: route 64A (Kingstown Asda, The Beeches, City Centre) and routes 179/279 (Carlisle – Annan). Routes 64A and 179/279 are hourly services in each direction Monday to Saturday. The

TPF raises targets regarding walking, cycling, car sharing, and the use of public transport; and the appointment of a Travel Plan Co-ordinator to organise steering group meetings and the monitoring/reporting of targets.

- 6.23 Nevertheless, the submitted TPF is considered to be generic, and does not include any clear objectives, targets or actions that are specific to the development. The TPF is considered unacceptable in its current form; however this can be addressed by the submission and agreement of a revised Travel Plan at the Reserved Matters stage. The revised Travel Plan needing to include a stated target reduction in vehicle trips generated by the development of 10% in accordance with the County Council's "Travel Plans and the Planning Process in Cumbria: Good Practice Guidelines".
- 6.24 In order to ensure that the Travel Plan is implemented effectively, it will also be necessary to secure the following through a S106 Agreement:
- Appointment of a Travel Plan Co-ordinator (with sufficient time, budget and management support available to successfully implement the Travel Plan)
 - A Travel Plan contribution will be required (based on the cost of an annual Carlisle Megarider Plus bus ticket multiplied by the proposed reduction in the number of vehicle trips multiplied by five years, plus a fee to cover the County Council's costs incurred in identifying, developing and implementing any potential measures) in favour of the County Council to be used in the event that the targets have not been achieved. Based on the estimated trip generation set out in the Transport Assessment submitted with the Planning Application, a 96-dwelling development is predicted to generate 58 vehicle trips in the AM peak and 60 vehicle trips in the PM peak, a total of 118 trips. A 10% reduction in the AM and PM peak hour vehicle trips generated by the development would therefore equate to a total of 12 trips. Based on this, therefore, the Travel Plan Contribution would be £54,640 plus an additional contribution of £6,600 in respect of County Council staff administration time.
- 6.25 The level of Travel Plan bond would vary depending on the ultimate scale of development to be provided at this site and at this stage the S106 can set out in detail the calculation used to derive the Travel Plan contribution, with an actual amount to be finalised once the final number of dwellings is known.
- 6.26 In overall terms, the application site is considered to be sustainable in terms of its location, and the proposed development would be capable of contributing to the ongoing sustainability of the area based on the foregoing.
- 3) Implications for local community infrastructure – education (Cumbria Spatial Strategy 2008-28 Development Principles) and public open space/play equipment (CDLP Policies LC2 and LC4)**
- 6.27 The County Council has confirmed that a housing development of 96

dwellings would be projected to yield 20 primary aged pupils. The application site is within the catchment area of Houghton Primary School, which has a Pupil Admission Number of 20 for entry in September 2012. It is projected that a number of classes within the School will be full without any further development, and with this development the School will go over its net capacity. The next nearest school is Stanwix School which has a PAN of 60, but will have no spaces.

- 6.28 The projected pupil yield from this development would mean that on average Houghton Primary School will exceed its capacity by 17 pupils.
- 6.29 The County Council is therefore seeking mitigation of the effects of development through the provision of a financial contribution, which will be used to provide additional school places. Using a DfE based multiplier (£12,051 per pupil); the County Council is requiring the developer to provide a contribution of £204,867.
- 6.30 Options for the use of this money will be looked so as to best meet the needs of the pupils, the school, the community and the County Council. In the event that an expansion of Houghton or other nearby Primary Schools to facilitate the necessary capacity to accommodate the expected yield of primary aged children from this development is not feasible, it will be necessary to provide school transport for children who cannot get a school place locally. If this option was to be pursued it would require the developer to pay a financial contribution of £199,500 (inclusive of an administration fee) for the transportation of the 17 pupil yield.
- 6.31 In relation to the provision of public open space and the provision of play equipment, the City Council's Open Spaces Manager has not raised any objections although this is on the proviso that subsequent maintenance is undertaken by a management company.

4) Whether the proposal meets the objectives of Saved Policy H19 of the JSP and Policy H5 of the CDLP regarding the provision of affordable/social housing.

- 6.32 Saved JSP Policy H19 requires that the provision of affordable housing in the County should meet local need within residential or mixed-use development of sites of more than 0.4ha, or which would contain 10 or more dwellings. Policy H5 of the CDLP explains that in the urban area 30% of the residential units will contribute towards affordable housing; in the rural area 25% will be the contribution towards affordable housing. Where intermediate affordable housing is to be provided at a discounted market value a discount of 25-30% is to be sought.
- 6.33 The City Council's 2011 Housing Needs and Demand Study identified an annual need for 101 affordable homes within the Rural East Housing Market Area in which the application site is located. This figure forms part of a total annual need of 708 across the entire authority area.
- 6.34 The outline details of the application indicate that a mix of 2-5 bed dwelling

types may be provided. In the context that the applicant is agreeable to provide a proportion of affordable housing in accordance with Policy H5 of the CDLP 2001-2016, it is apparent that the proposal will assist in delivering and meeting the recognised needs for the provision of affordable housing.

5) Whether there are any significant adverse effects on ecology/County Wildlife Site and the historic environment (the NPPF, Circular 06/2005; JSP Policies E35 and E38; and CDLP Policies CP2, LE3, LE5 and LE9)

- 6.35 The key issues in this case relate to the possible impacts of the proposal on nature conservation interests “off-site” together with the “on-site” effects upon features and habitats, including protected species. Although the application site does not lie within the major international or nationally designated areas such as the River Eden Special Area of Conservation or either the Whitemoss SSSI or the River Eden & its Tributaries SSSI, Brunstock Beck and Gosling Sike both discharge into the River Eden SAC/SSSI and is directly affected by the former Camp’s non-statutory status as a County Wildlife Site (CWS).
- 6.36 In relation to off-site interests, the Drainage Statement highlights that the intention is for foul water to be drained via the public sewerage system and surface water to be managed either via soakaways or discharge to watercourses. Natural England appreciate that the submitted Drainage Statement recognises that a “Greenfield” rate of discharge will be required with *“with suitable levels of treatment prior to discharge”*. On this basis Natural England are satisfied that appropriate avoidance and/or mitigation can be designed in to the drainage scheme, a reserved matters stage, in order to avoid impacts on the designated site.
- 6.37 In relation to the impacts on the CWS, designated for its mosaic of habitats, including orchid rich grassland, the key concern is the development of the existing grassland resulting in habitat clearance and permanent loss. Policy E35 of the Structure Plan seeks to protect those areas and features of nature conservation importance other than those of national and international conservation importance e.g. CWS, UK Biodiversity Action Plan Priority Habitats that occur in Cumbria and Species of Conservation Importance in the North West Region that occur in Cumbria. Policy E35 clearly states that development that is detrimental to these interests is not permitted *“unless the harm caused to the value of those interests is outweighed by the need for the development”*. It adds that the *“loss of interests should be minimised in any development and where practicable mitigation should be provided”*. Under Policy LE3 of the Local Plan 2001-2016 development that would have a detrimental impact on a County Wildlife Site should be resisted unless, where practical, any feature lost is replaced by an equivalent feature.
- 6.38 The “Ecological Assessment” prepared by Hesketh Ecology on behalf of the applicant recommends that the species rich turfs are relocated to an area to the east of the application site which are currently under metalled road surfaces - the surfaces having been broken up and removed beforehand. In relation to protected species, the Assessment explains that: no bat roosts

have been identified on the site; recommends that a strip of trees is maintained along the northern boundary and mature trees already present on the site maintained where possible to retain foraging habitat and features for any bats; the risk of great crested newts, reptiles and red squirrels occurring on the site is considered to be negligible; and there is a low risk of individual otters and badgers crossing the site but measures can be undertaken during construction to minimise any risks. The Assessment considers that the site offers high potential for breeding birds and recommends that all vegetation is cleared outside of the breeding bird season (March to September inclusive), and the site maintained in a bare condition to deter breeding birds.

- 6.39 Cumbria Wildlife Trust has objected to the proposal on the grounds that part of the CWS will be lost and that inadequate mitigation for the loss has been proposed.
- 6.40 In this context the Council has appointed an independent ecological consultancy (Lloyd Bore) to advise and undertake an "Ecological Mitigation Opinion". The Opinion highlights that the translocation of the species rich grassland to land north-east of the application site is already part of the CWS. On the basis of the information accompanying the application it is considered likely that the CWS would be detrimentally impacted by the proposed development, with 5ha of the CWS being lost, including areas of species rich grassland. Furthermore, it is considered unlikely that the mitigation as proposed would adequately mitigate for the impacts on the CWS. This is because of: the potential failure of grassland translocation; the potential impacts of new residents; potential lack of appropriate long-term management of the retained and translocated grassland; and lack of mitigation for impacts on the CWS due to 5ha being developed.
- 6.41 Lloyd Bore has identified alternative options for mitigation/compensation the most appropriate is considered to be a financial contribution from the developer that could enable Cumbria Wildlife Trust to purchase additional land to extend the nearby Gosling Sike Farm by 5ha (already owned and managed by the Trust as an organic farm) and to restore a species rich grassland on that site. The figure would be dependent upon the current market value but it could be in the region of £60,000 for 5 hectares; and the costs for grassland restoration costing about £1,000 per hectare.
- 6.42 In relation to the potential effect of the development on protected species, as well as other wildlife interest, Lloyd Bore note that bird survey work does not appear to have been undertaken as part of the 2012 ecology survey. The Ecological Assessment by Hesketh Ecology does not mention whether or not the site has potential for any bird species listed on Schedule 1 of the Wildlife and Countryside Act and it does not include reference to any records of Schedule 1 bird species that may have been included in data provided by the Cumbria Biodiversity Data Centre. However, the species observed on the site during previous survey work (in 2003 and 2011) do not include any species listed in Schedule 1, they include one species (song thrush) on the red list of birds of conservation concern and two species (dunnock and whitethroat) on the amber list.

- 6.43 Lloyd Bore, nevertheless, recognise that the proposed open space and native tree/shrub planting, the retention of the existing tree belts/woodland located along the northern and western boundaries, and the creation of gardens are likely to go some way to replace the breeding bird habitat that would be lost. On the basis of the mitigation included in the Ecological Assessment and the landscaping proposals Lloyd Bore consider it unlikely that the proposed development would have a significant impact on breeding birds.
- 6.44 In summary, providing that the Lloyd Bore recommendations are followed and the issues as outlined in this report are adequately conditioned in any planning permission that may be granted and made subject of a Section 106 Agreement, it is concluded that the proposed development is unlikely to significantly impact on the CWS; and populations of protected species and other wildlife.
- 6.45 The Ancient Monuments and Archaeological Areas Act 1979 is the basis for the protection of nationally important archaeological sites. Saved and extended JSP Policy E38 is relevant to the proposal. Policy E38 requires measures to be taken to identify record, protect, conserve or enhance area, sites, buildings and setting of archaeological, historic and architectural importance. Where harm occurs, an exception is made where the harm is outweighed by the need for the development. Policy LE5 of the CDLP seeks to avoid any unacceptable impact on the Hadrian's Wall Military Zone World Heritage Site, and Policy LE9 concerns the preservation or recording of other known sites of archaeological significance.
- 6.46 The Archaeological Desk Based Assessment accompanying the application points out that the former presence of the army camp, in particular its drainage system, may have had a detrimental effect on any archaeological remains that pre-date the early 20th century. It is possible that pockets of land survive between the locations of the former huts that could potentially provide information on the use of land immediately north of Hadrian's Wall.
- 6.47 English Heritage has indicated that the application site appears to lie too far north of the Roman frontier to be likely to have an impact on it. However, and in the absence of specific details on service and drainage provision, there could be a need to bring these into the site from the south, and therefore across the line of the Roman frontier. In response, the applicant's agent has confirmed that the intention is for the site to be developed by utilising the existing infrastructure and therefore should not have any material impact upon the World Heritage Site.
- 6.48 The County Archaeologist/Historic Environment Officer has explained that the military camp itself is of some interest however, particularly in reference to the social history of Carlisle, and although much of it has been cleared, its overall layout and the foundations of some of the buildings do survive. It is therefore recommended that the remains of the 20th century military camp are photographed and recorded prior to their demolition as part of the proposed development. This programme of work should be commissioned and undertaken at the expense of the developer and advise that it can be secured through the inclusion of a condition.

6) Whether the proposal would be detrimental to the living conditions and security of local residents, and highway safety/capacity (CDLP Policies CP17 and H1).

- 6.49 When assessing the impact of the proposal on the living conditions of existing residents Members will appreciate that this is an outline application with subsequent details (such as layout and design) subject to subsequent approval as reserved matters. It is also evident that the existing amenity strip that runs along the southern boundary of Tribune Drive/Antonine Way is retained.
- 6.50 General concerns regarding the large scale imposition of any sort of development on a community seeking to preserve its identity are understandable. The problems associated with the “swamping” of an existing community usually manifest themselves through pressures on existing services/facilities, and/or the creation of social instability. In this case there is no evidence that facilities would be overwhelmed and/or there is an overall lack of community spirit. Furthermore, there is no reason to believe that residents would cause, or make worse, any social discord.
- 6.51 Concerns relating to construction noise and the hours of construction can be addressed through the imposition of relevant conditions.
- 6.52 In relation to highway safety, and based upon the submitted Transport Assessment, the County Highways Authority has (amongst other things) made the following points:
- The proposed widening of the existing access will require visibility of 120m;
 - A pedestrian refuge island/crossing point to the immediate north of the right turn lane with footway connectivity to bus stop positions on either side of the road is required;
 - No individual property accesses off Houghton Rd will be permitted;
 - The Traffic generation based on the adjacent Tribune Drive site is considered robust and accepted; The junction assessments (B6264 Whiteclosegate/Houghton Rd; A689/Houghton Rd, and new Estate Road/Houghton Rd) show that these work well within capacity - It is felt, in view of the small percentage additions to existing traffic flows on the A689/B6264, that the Transport Assessment need look no further along the network;
 - The assessment notes the poor footways on parts of Houghton Rd, for the avoidance of doubt widening/reconstruction to 1.8m for footway (or 2.4m if 'joint use' cycle-path) between Tribune Drive and the access to the southern part of the ex Hadrian's Camp, should be required, together with DDA compliant ramps at all accesses back to the B6264 junction and as far as Houghton Primary school; and
 - The existing street lighting system should also be upgraded to current standards.
- 6.53 In overall terms, the County Highways Authority is aware that there remains matters to be addressed for future reserved matters applications, but is

satisfied from the information provided that there is nothing to sustain a refusal on highways/traffic grounds for this development.

7) Whether the proposal would be detrimental to the landscape and visual character of the area (saved Policies E34 and E37 of the JSP; and CDLP Policies CP1, CP3, H3 and LE7).

- 6.54 In this case a distinction needs to be drawn between three elements, namely the setting of Hadrian's Wall and the ability to appreciate Roman military planning; landscape impacts that relate to the characteristics of the landscape; and visual impacts on receptor points (houses and rights of way etc) effects that relate to individual views within that landscape. The policies of particular relevance are therefore E34 and E37 of the JSP; and CP1, CP3, H3 and LE7 of the Local Plan.
- 6.55 As already identified, the proposal is set within the Buffer Zone of the Hadrian's Wall World Heritage Site. Having assessed the submitted material, English Heritage consider that the main built element, by virtue of its location and scale, will be unlikely to have an adverse impact on the ability to comprehend and appreciate Roman military planning and land use in relation to Hadrian's Wall. This is with the proviso of imposing a condition restricting the height of the dwellings to less than two and half storeys.
- 6.56 The Cumbria Landscape Character Guidance and Toolkit (March 2011) prepared jointly for Local Planning Authorities in Cumbria describes the site as lying within the Cumbria Landscape Character Sub-Type 5b – 'Low Farmland'. The toolkit advises that much of this landscape type is intensively farmed agricultural land with a rolling topography; patchy areas of woodland; and hedges, hedgerow trees and fences bounding the fields. The Toolkit advises that when new development takes place within this landscape area, there will need to be consideration of opportunities to enhance and strengthen green infrastructure to provide a link between urban areas and the wider countryside. Reinforcing woodland belts, enhancing water and soil quality and the provision of green corridors from and between settlements could all help reinforce landscape and biodiversity features. It also seeks to ensure new development respects the historic form and scale of villages creating new focal spaces and using materials that are sympathetic to local vernacular styles.
- 6.57 The submitted Design and Access Statement explains that at the local level the landscape differs from the "Low Farmland" description in the Toolkit (2011) in that the application site's character, although set within agricultural land, is influenced by the adjacent housing, the motorway and its historic use as a military camp. At the local level the site has more an urban fringe character. The intention with the proposal is to retain almost all the significant trees and provide open spaces with footpaths that would provide a strong visual link to the neighbouring development. The Hadrian's Camp Tree Survey considers the site to be of very limited value in terms of landscape character to the wider area because of its flat topography and the screening on all sides by trees. The Planning Statement also states that the density of the proposal will accord with the character of the surrounding area; and would

not result in Houghton merging with Carlisle.

- 6.58 When assessing the impacts on the landscape character of the area, it is appreciated that the proposed development will have a noticeable visual presence. However, in the context of the site already having the hallmarks of an urban fringe character it is considered that the outlined development of this site is generally consistent with the Toolkit (2011). Those elements where potential concerns remain such as the need for the dwellings to provide a frontage to Houghton Road and trying to minimise any road(s) cutting through areas of open space) can be resolved at the reserved matters stage.
- 6.59 In relation to visual amenity, the submitted Design and Access Statement highlights that there is already a band of trees between the houses on Tribune Drive and Antonine Way and the site. These trees are such that views of the proposed development would either be screened or substantially filtered.
- **Whether the proposed residential development is appropriate in the light of Hadrian's Camp former use as a military camp and proximity to Brunstock Beck (drainage) (CDLP Policies LE27, LE29 and LE30).**
- 6.60 The "Preliminary GEO Environmental Appraisal" accompanying this application explains that the Camp was constructed circa 1939 and included self-contained huts, cook houses, baths, gymnasium, and a hall. The site was no longer in use from circa 1969 and the buildings demolished during 1971.
- 6.61 The "Preliminary (Intrusive) GEO Environmental Assessment Phase2: Ground Investigation Report" concludes that no elevated levels of generic contaminants were recorded for the soil and leachate samples screened and therefore the generic made ground materials on site are not considered as posing a significant risk to the proposed end users or to controlled waters. Elevated levels of organic contamination (soil and leachate) were noted in three trial pits that will require delineation and removal to a suitably licensed waste facility. In addition, asbestos containing materials were noted in three trial pits that will require delineation and removal to a suitably licensed waste facility. The Report also recommends that additional investigation works are required when the final proposed layout plan is determined.
- 6.62 The undertaking of the further investigation works and the removal of the identified contaminants can be the subject of an imposed condition(s) should permission be granted.
- 6.63 The application site falls within Flood Zone 1 (Low Probability suitable for all uses). The main risk of flooding from this site is to third party land. The Flood Risk Statement confirms that Brunstock Beck is present approximately 180 metres east/north-east, flowing in a south-easterly direction, and that a small issue is noted as emerging from Houghton Road opposite the site entrance. The beck that is formed then runs away to the south-west away from the site. The Statement concludes by recognising that whilst the proposed

development may result in a slight increase in the potential risk for surface water run-off, it is considered that an appropriate design of SUDS in combination with a surface water management system that could incorporate permeable surfacing for driveways, pavements and access roads may negate any risk to adjacent areas.

- 6.64 The submitted Drainage Statement, having looked at the implications of the proposed residential development, considers there to be two viable options for discharging the surface water either to soakaway or infiltration system; or to a watercourse subject to the prior approval of the Environment Agency. There should not be a need to discharge surface water to the existing public sewerage system.
- 6.65 In response, United Utilities has not raised any objection to the proposed development providing specific conditions are included in the planning permission concerning only foul drainage connected into the foul sewer. The Environment Agency has confirmed their agreement with the conclusion in the Flood Risk Assessment which states that the site may require the completion of a full Flood Risk Assessment but that outline planning permission could be granted subject to the imposition of relevant conditions.

Conclusion

- 6.66 The current application site is not within the settlement boundary of Houghton and the latest figures indicate that there is six years supply of deliverable sites.
- 6.67 Conversely, the site represents a logical extension of Houghton which is a Local Service Centre, and involves the re-development of brownfield land. The SHLAA, whilst not allocating land, identifies that this site would be deliverable, although likely to be at the latter end of the five year period. Considering the existing size and role of Houghton as a Local Service Centre (together with its relationship to Carlisle), the scale of development proposed (i.e. a 20% increase in dwellings) is considered proportional.
- 6.68 The application site is considered to be sustainable in terms of its location, and the proposed development would be capable of contributing to the ongoing sustainability of the area.
- 6.69 In the case of education, the County Council is requiring the developer to make a payment of up to £204,867 to provide the required additional school places or (that option failing) a financial contribution of £199,500 (inclusive of an administration fee) for the transportation of the 17 pupil yield. The City Council's Open Spaces Manager has not raised any objections although this is on the proviso that subsequent maintenance of open space etc is undertaken by a management company.
- 6.70 In this case there is no evidence that facilities would be overwhelmed and/or there is an overall lack of community spirit. Furthermore, there is no reason to believe that residents would cause, or make worse, any social discord. Concerns relating to construction noise and the hours of construction can be

addressed through the imposition of relevant conditions.

- 6.71 The County Highways Authority is aware that there remain matters to be addressed for future reserved matters applications, but is satisfied from the information provided that there is nothing to sustain a refusal on highways/traffic grounds for this development.
- 6.72 Based on the submitted information, the proposal is not considered to be detrimental to the landscape and visual character of the area sufficient to merit the refusal of permission; and will assist in delivering and meeting the recognised needs for the provision of affordable housing.
- 6.73 Those matters relating to contamination and the potential risk of flooding from this site to third party land can be addressed through the imposition of relevant conditions.
- 6.74 On balance, having weighed up the arguments for and against the proposal, it is concluded that any harm is outweighed by the benefits.

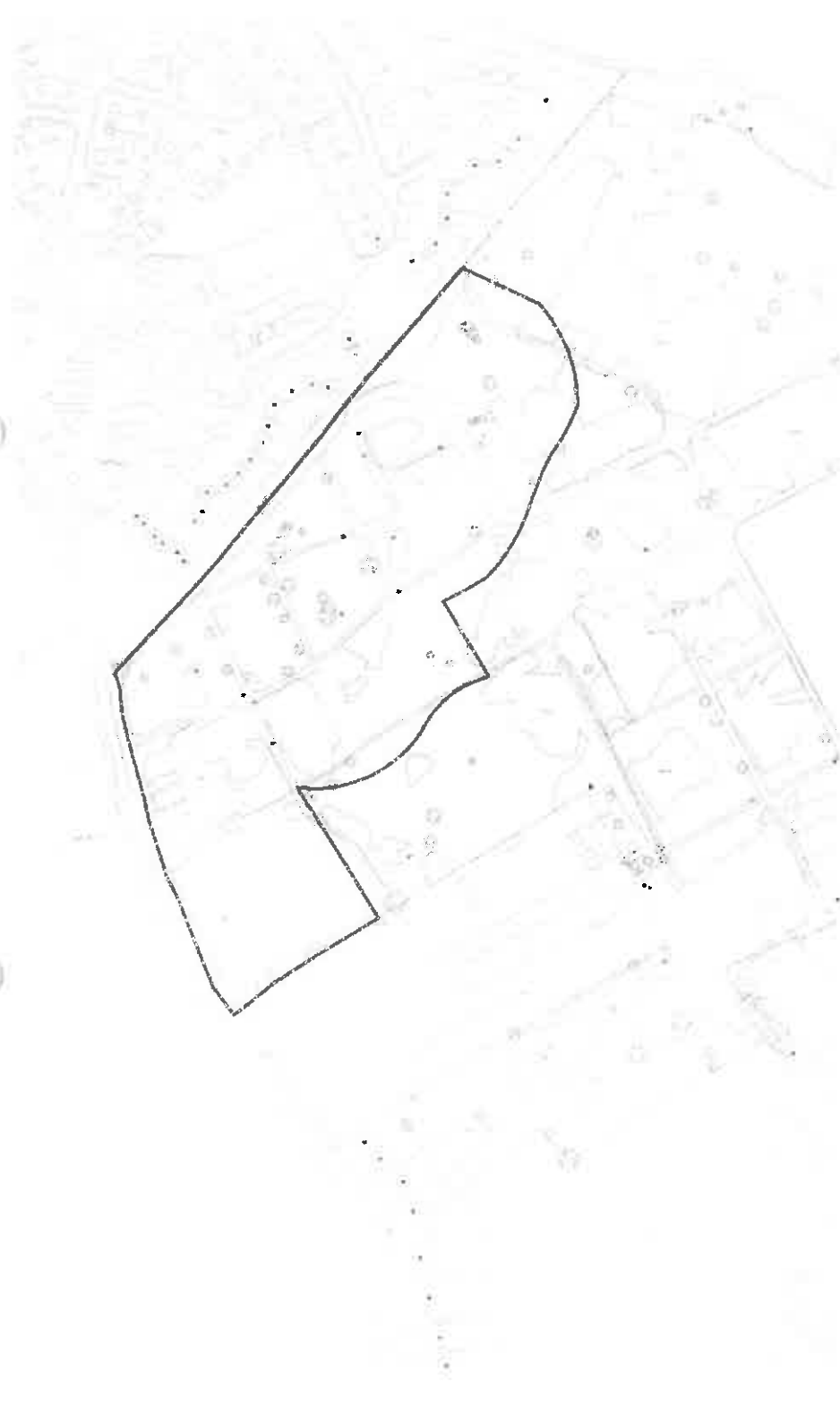
7. Planning History

7.1 The available records indicate that the site has not previously been the subject of an application.

8. Recommendation: Grant Permission

- 1. A copy of the draft decision notice is contained in the Supplementary Schedule.
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SITE AREA
 = 4.997 ha
 = 12.348 acres.



E: 2012-07-12 Boundary Updated
 A: 2012-02-15 First Issue.
 Revisions:



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**Hadrians Camp,
 Houghton, Carlisle, Cumbria.**














Planning Drawing

LOCATION PLAN

SCALE: 1:2500@A3	DATE: Feb 2012	DRAWN BY: DMC/RJF
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11	35	06B
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KEY

-  Site Boundary
-  Existing and proposed open space
-  Existing vegetation
-  Proposed trees
-  Proposed shrubs
-  Proposed hedges
-  Proposed road layout
-  Proposed footpaths, pavements and drives
-  Species rich grassland retained in-situ
-  Translocated species rich grassland
-  Proposed SUDs and wildlife pond (not seen on this detail)
-  Proposed roadside swales
-  Section line AA - see Figure 05

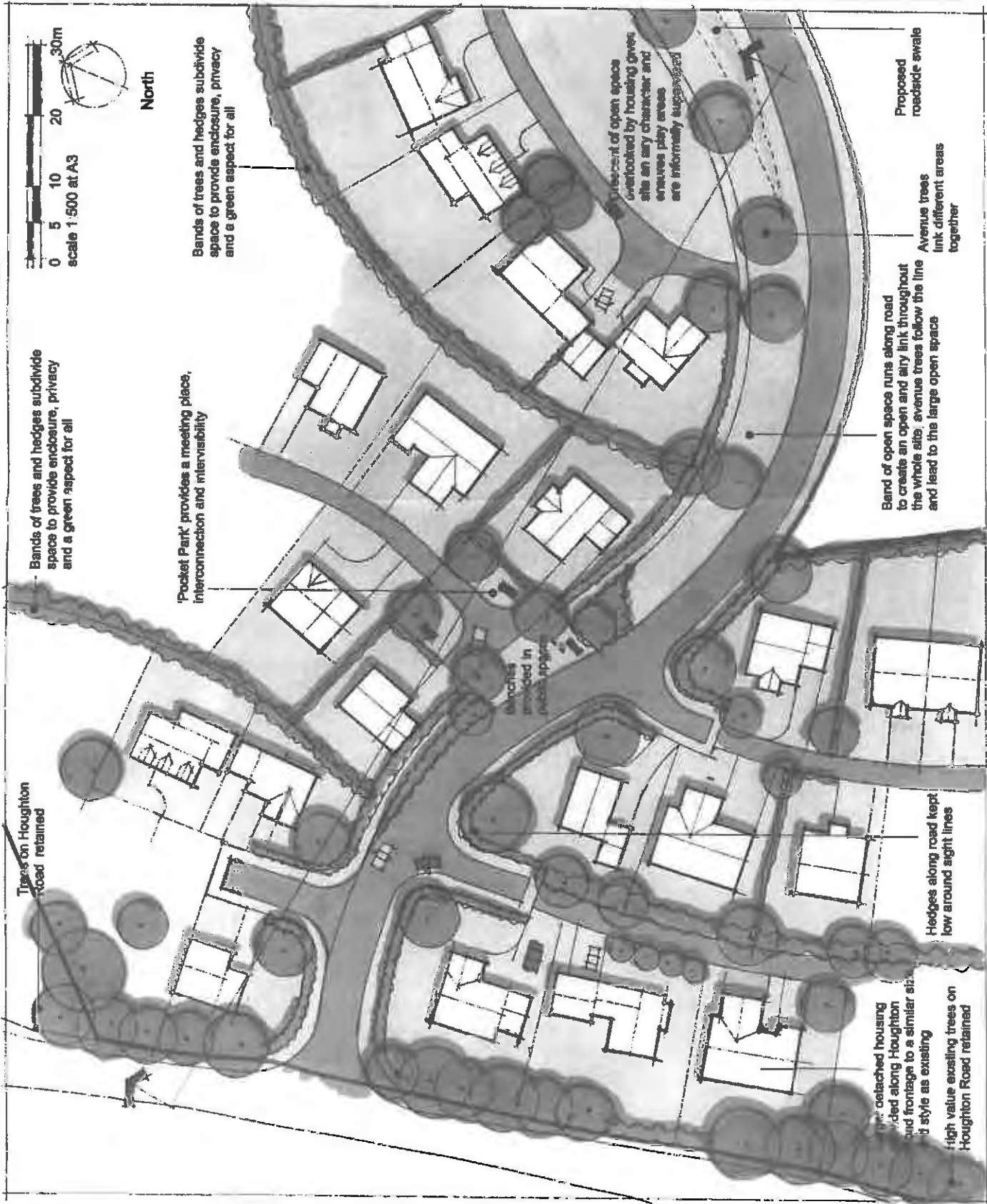
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Date: 16th July 2012
Scale 1:500 at A3

Eden Environment Ltd
www.edenenvironment.com



North



Bands of trees and hedges subdivide space to provide enclosure, privacy and a green aspect for all

'Pocket Park' provides a meeting place, interconnection and intervisibility

Bands of trees and hedges subdivide space to provide enclosure, privacy and a green aspect for all

Benches provided in pocket park

Diverse mix of open space overlooked by housing green site an airy character and ensures play areas are informally supervised

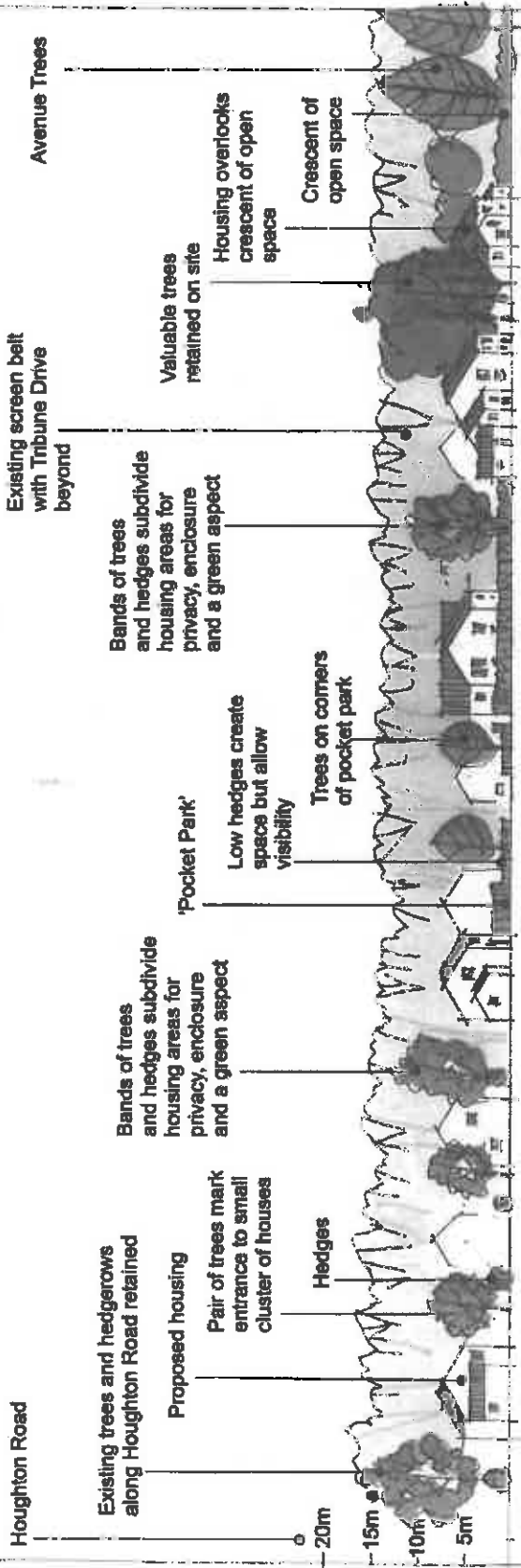
Band of open space runs along road to create an open and airy link throughout the whole site, avenue trees follow the line and lead to the large open space

Proposed roadside swales

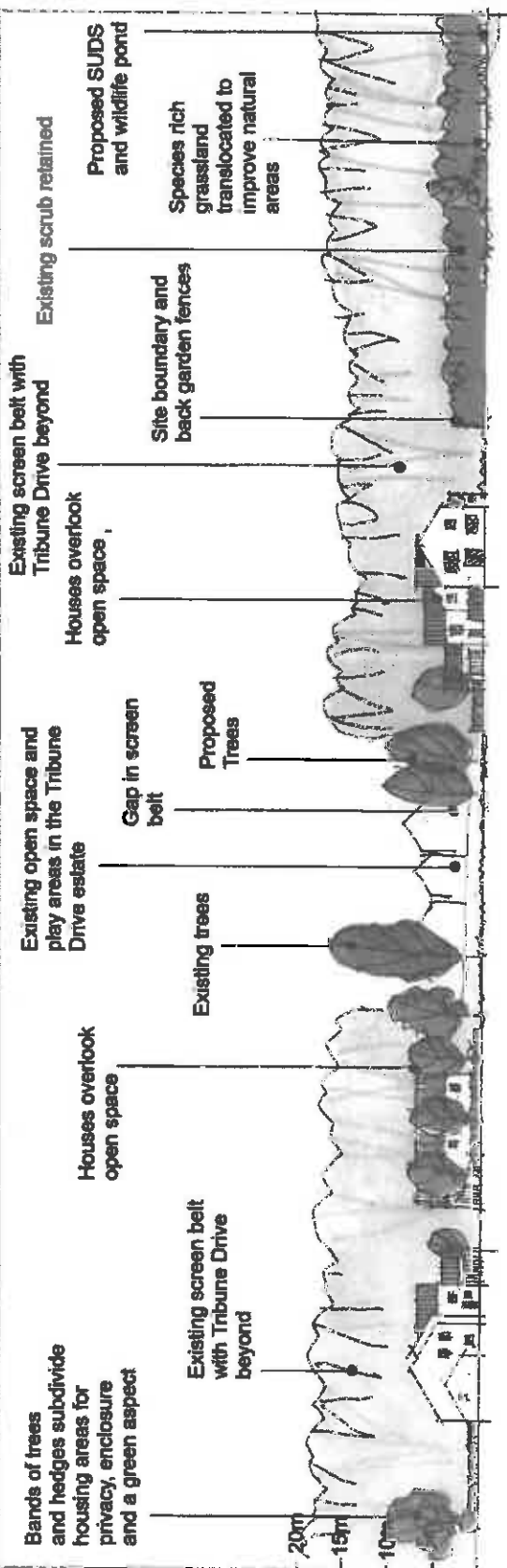
Avenue trees link different areas together

Hedges along road kept low around sight lines

High value existing trees on Houghton Road retained



Section A - A' from Detail Area A



Section B - B' from Detail Area B











Date: 16th July 2012
Scale 1:500 of A3

Figure 02

Soft Landscape Strategy

KEY

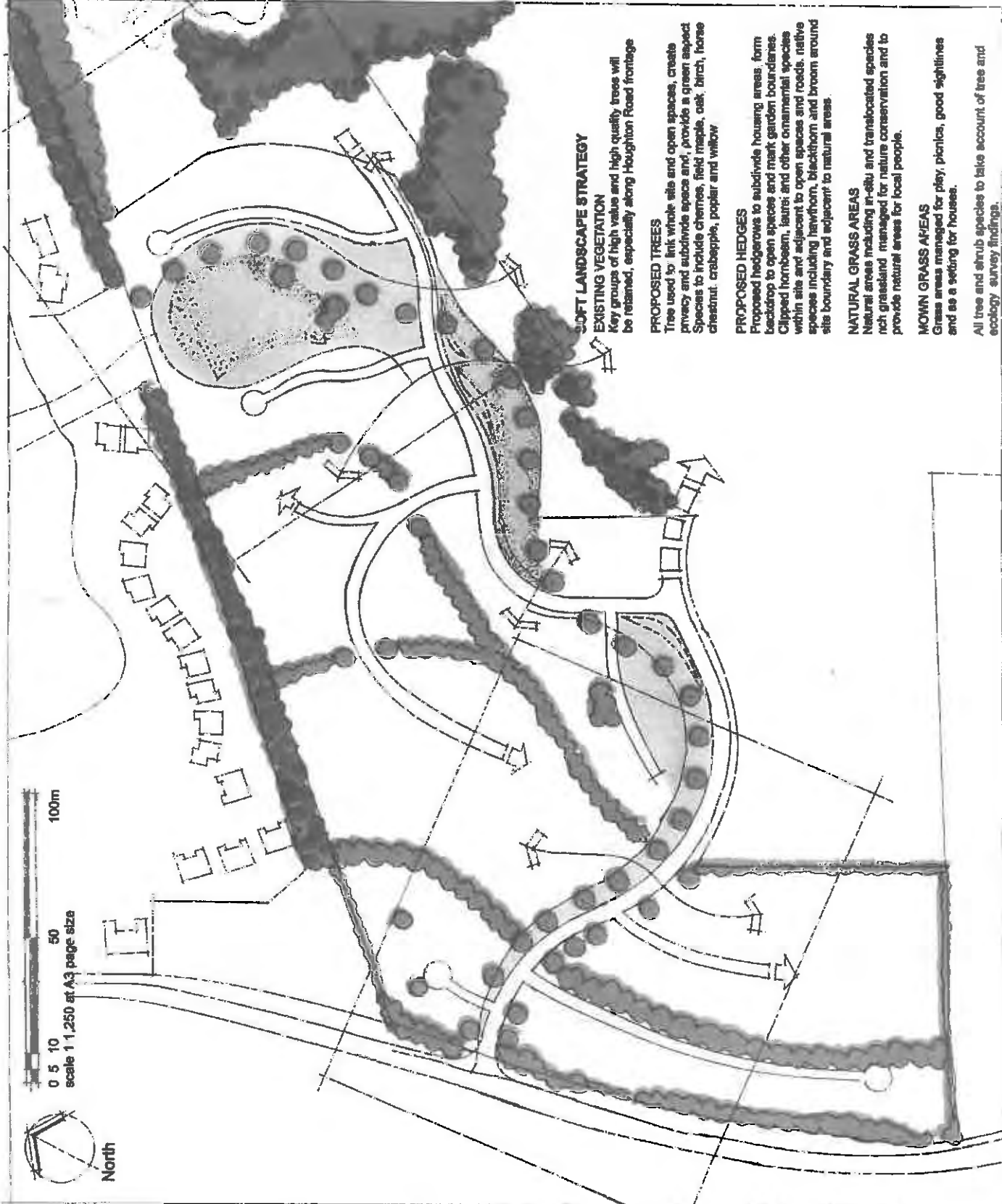
-  Existing off-site trees and scrub
-  Existing on-site trees and hedgerows to be protected
-  Proposed avenue trees
-  Proposed ornamental and garden trees (see Figures 03 and 04)
-  Proposed hedges
-  Proposed shrub planting (see Figures 03 and 04)
-  Proposed natural grass with areas and tussockland grassland
-  Proposed mown grass

EXISTING SPECIES
(taken from Ecology and Tree Surveys)

- Lambert Poplar
- Ornamental Cherry
- Grey willow
- Field maple
- Hawthorn
- White Birch
- Sycamore
- Blackthorn
- Crabapple
- Ash
- Elm
- Gorse
- Brown

121000

Date: 16th July 2012
Scale 1:1250 at A3



SOFT LANDSCAPE STRATEGY

EXISTING VEGETATION

Key groups of high value and high quality trees will be retained, especially along Houghton Road frontage

PROPOSED TREES

Trees used to link whole site and open spaces, create privacy and subdivide space and, provide a green aspect. Species to include cherries, field maple, oak, birch, horse chestnut, crabapple, poplar and willow

PROPOSED HEDGES

Proposed hedgerows to subdivide housing areas, form backdrop to open spaces and mark garden boundaries. Clipped hornbeam, laurel and other ornamental species within site and adjacent to open spaces and roads, native species including hawthorn, blackthorn and broom around site boundary and adjacent to natural areas

NATURAL GRASS AREAS

Natural areas including in-situ and translocated species rich grassland managed for nature conservation and to provide natural areas for local people.

MOWN GRASS AREAS

Grass areas managed for play, picnics, good sightlines and as a setting for houses.

All tree and shrub species to take account of tree and ecology survey findings.



Hadrian's Camp Housing

Figure 04

Typical Detail Area B

KEY

-  Site Boundary
-  Existing and proposed open space
-  Existing vegetation
-  Proposed trees
-  Proposed shrubs
-  Proposed hedges
-  Proposed road layout
-  Proposed footpaths, pavements and drives
-  Species rich grassland retained in-situ
-  Translocated species rich grassland
-  Proposed SUDs and wildlife pond
-  Proposed roadside swales
-  Section line BB - see Figure 05

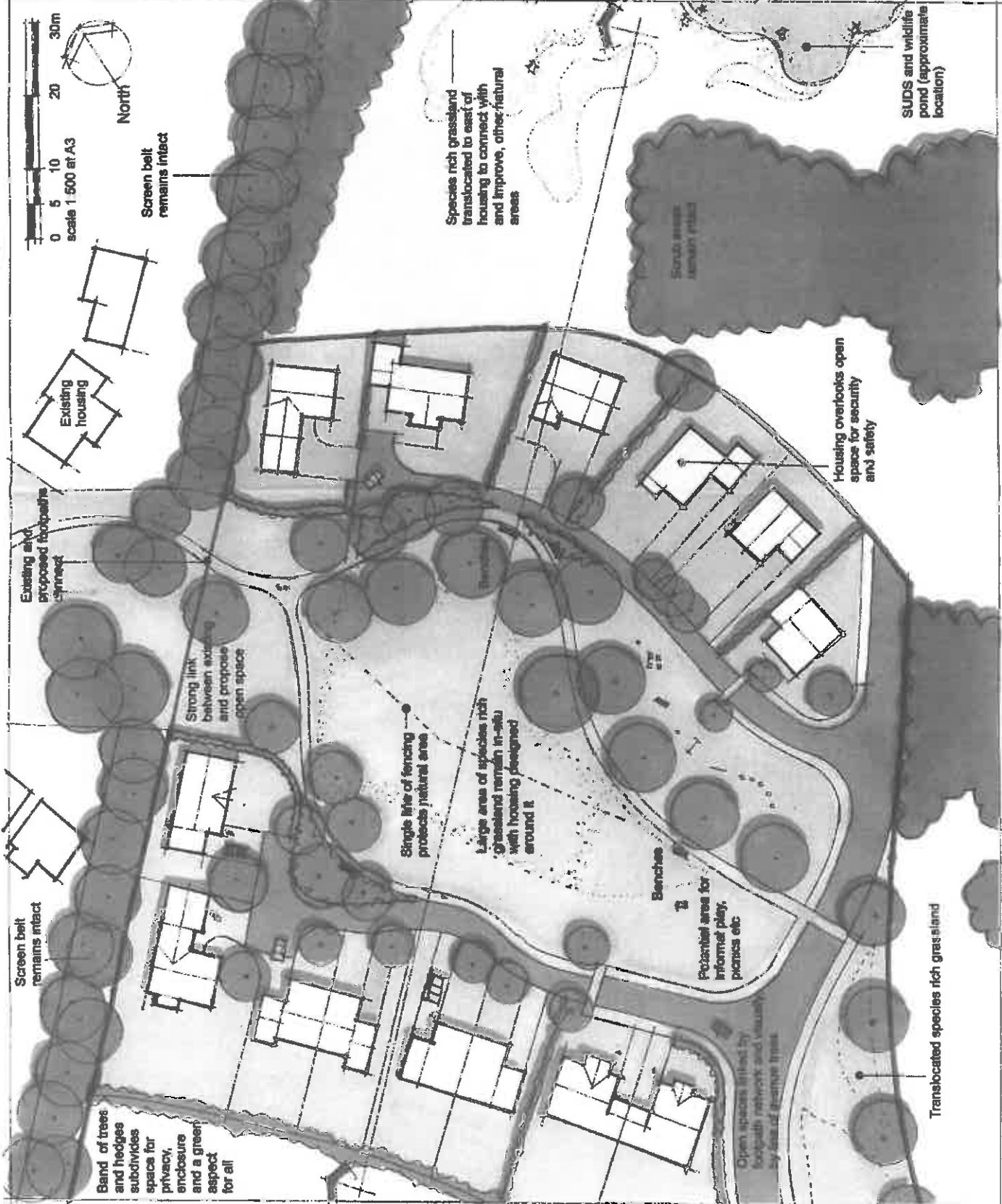
1210010

Date: 16th July 2012

Scale 1:500 at A3

Eden Environment Ltd

www.edenenvironment.com



0 5 10 20 30m
scale 1:500 at A3

North

Screen belt remains intact

Existing housing

Existing and proposed footpaths

Strong link between existing and proposed open space

Single line of fencing protects natural area

Large area of species rich grassland remain in-situ with housing designed around it

Benches

Potential area for informal play, picnics etc

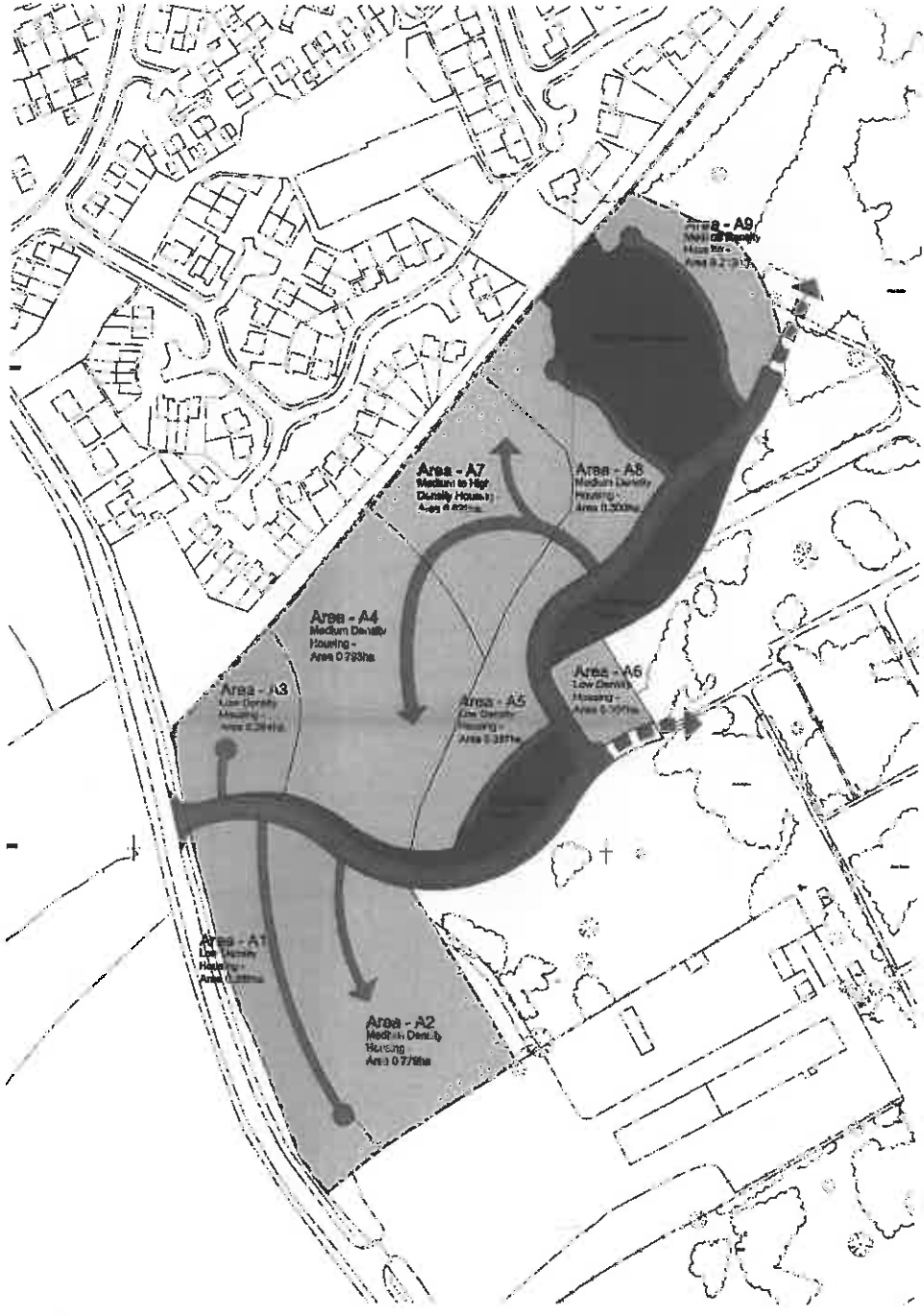
Open spaces defined by footpath network and visually by line of native trees

Housing overlooks open space for security and safety

SUDs and wildlife pond (approximate location)

Translocated species rich grassland

Band of trees and hedges and subdivides space for privacy, enclosure and a green aspect for all



DEVELOPMENT DENSITY PLAN



Development Statistics -
 Total Site Area - 4.897ha.
 Area A1 - 0.281ha
 Area A2 - 0.778ha
 Area A3 - 0.281ha
 Area A4 - 0.783ha
 Area A5 - 0.287ha
 Area A6 - 0.597ha
 Area A7 - 0.893ha
 Area A8 - 0.300ha
 Area A9 - 0.213ha
 Total of Developed Areas - 3.653ha.
 Residual area taken up by Public Open Space and main access roads.

09 July 2012, Plan Development
 Working Document

HANNING
 Chartered Architects
 and Engineers
 4th Floor
 150, 151, 152, 153, 154, 155, 156, 157
 Fife, Dundee, Scotland, G1 1PT
 Telephone: 01382 888877
 Email: info@hanning.co.uk

Hadden Camp,
 Houghton, Carlisle, Cumbria

Planning Drawing
 DEVELOPMENT DENSITY PLAN

1:1000 A1 Jul 2012 RLF



SCHEDULE A: Applications with Recommendation

12/0710

Item No: 04

Date of Committee: 08/03/2013

Appn Ref No:
12/0710

Applicant:
Story Homes

Parish:
Wetheral

Date of Receipt:
24/08/2012

Agent:
Story Homes

Ward:
Wetheral

Location:

Land to the Rear of Scotby Green Steading, Scotby,
Carlisle

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

REPORT

Case Officer: Suzanne Edgar

Summary

At the heart of the National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development. Paragraph 55 of the NPPF indicates that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.

The proposal is in accordance with the principles of the NPPF as the application site is located in a sustainable location close to the centre of Scotby, public transport links and the city of Carlisle. Scotby village has a range of services (school, public house, church, village hall, playing fields etc) and the proposal would create an opportunity to support these existing rural facilities. The site is well contained as it is bounded by residential dwellings to the east and west together with the Carlisle-Newcastle railway line to the north. In such circumstances it is considered that the proposal would not result in a prominent intrusion into the Countryside nor would it result in settlements merging. In such circumstances the principle of additional housing in this location is deemed acceptable and is in accordance with the objectives of the Council's Interim Housing Statement and the National Planning Policy Framework.

The scale, layout and design of the development is acceptable and it is considered that the development would not have a significant impact upon landscape character of the area, the living conditions of existing and future occupiers, crime or the loss of the best and most versatile agricultural land.

Subject to suitably worded planning conditions and a S106 agreement it is considered that the rural character of the area can be safeguarded through an appropriate landscaping scheme and that the proposal would not raise any issues

with regard to highway safety, foul and surface water drainage, flooding, biodiversity, noise, contamination, waste or education provision.

The level of affordable housing is also acceptable in the context of viability assessment submitted by the applicant and the advice contained within the NPPF to ensure viability and deliverability.

On balance, having regard to the Development Plan and all other material planning considerations, the proposal is considered acceptable.

1. Recommendation

- 1.1 It is recommended that this application is approved with conditions and subject to a legal agreement.

2. Main Issues

- 2.1 Principle of development
- 2.2 Scale, layout and design of the development
- 2.3 Impact upon landscape character
- 2.4 Impact upon the living conditions of neighbouring and future residents
- 2.5 Highway issues
- 2.6 Landscaping
- 2.7 Education
- 2.8 Affordable Housing
- 2.9 Foul and surface water drainage
- 2.10 Flooding
- 2.11 Ecological issues
- 2.12 Noise issues
- 2.13 Contamination
- 2.14 Whether the proposal would lead to the loss of the best and most versatile agricultural land
- 2.15 Crime
- 2.16 Waste/Recycling Provision
- 2.17 Other Matters

3. Application Details

The Site

- 3.1 This application seeks "Full" planning permission for the erection of 45no. dwellings, together with associated open space and infrastructure, on land to the rear of Scotby Green Steading, Scotby. The site which is located on the eastern edge of Scotby Village covers an area of 1.7 hectares and is currently used in part for horiculture with the remainder of the site being unused grassland. There is a menage and associated structures on part of

the site (stables, residential caravan) which will be removed in order to facilitate the proposed development.

- 3.2 The site is bounded to the north by the Carlisle-Newcastle railway line, to the south by the Scotby-Wetheral Road and to the east by Pow Maughan Beck. The western extent of the site is partially bound by residential development. There are a small cluster of houses at Pow Maughan Court located on the opposite side of the beck and one residential property (Escott House) situated on the other side of the Scotby-Wetheral Road. The remainder of the land opposite the frontage of the application site is within agricultural use. The topography of the site is varied with the land sloping down from the west/north-western boundary towards the eastern periphery which abuts Pow Maughan Beck. The difference in site levels between the west and eastern boundaries of the site vary between approximately 3 along the site frontage to 12 metres towards the beck.

The Proposal

- 3.3 The application proposes the erection of 45 dwellings. The layout comprises a mix of detached/semi-detached and terraced properties. In total 8 different house types are proposed (excluding 'handed' versions of these units), which comprise a variety of 2-4 bedroom dwellings. The majority of properties within the development are 2 storey except plots 31-33 located adjacent to the railway boundary which will be 2 1/2 storey. The dwellings will be completed in a range of materials including render and stone, although facing brick will be the prevailing finish. All roofs will be black/grey tiles. The dwellings will be positioned so that they follow the topography of the land.
- 3.4 The site will be accessed by a newly created access from the south onto the Scotby-Wetheral Road which will be 4.8 metres in width. An internal road network will be provided on the site with some of these roads classified as "shared surfaces". A footpath is proposed along the frontage of the application site on the northern side of the Scotby-Wetheral road which will provide two links into the site via the main access and via the south-western corner. It is also proposed to provide an off-site footpath, at the request of the Highways Authority, which links the proposed development to the "T" junction of Scotby-Broomfallen Road. Each dwelling will have two dedicated parking spaces with larger properties having an integral or detached garage.
- 3.5 An area of land immediately adjacent to Pow Maughan Beck is to be retained as informal open space which will be maintained by the applicant. The existing vegetation adjacent to this beck is to be kept however there are a number of trees/hedgerows on the site which will be removed in order to facilitate the development. The proposed development incorporates substantial new planting within the public open space, plot frontages (especially along the Scotby-Wetheral Road) and site entrance. General amenity shrub planting will be provided to the plot frontages to define boundary ownership with rear garden areas delineated by 1.8 metre high fencing. The properties adjacent to the western boundary of the site (plots 18-28) will also have sleeper retaining walls within the rear gardens due to the site levels.

- 3.6 It is proposed that foul water will be discharged into the mains sewer. Surface water will be attenuated and discharged into Pow Maughan Beck via a hydro brake reducing the development run off to its greenfield run off.
- 3.7 The application is supported by a suite of drawings and a range of detailed specialist studies. These include a Design and Access Statement, a Planning statement, a Arboricultural Report Impact Assessment & Method Statement, a Noise Assessment Report, a Flood Risk And Drainage Assessment, a Geotechnical Ground Investigation, a Supporting Transport Statement, an Extended Phase 1 Habitat Survey and an Otter And Bat Tree Inspection Survey.

4. Summary of Representations

- 4.1 This application has been advertised by means of site and press notices as well as notification letters sent to 58 neighbouring properties. In response 13 letters/emails of objection and 3 letters/emails of comment have been received.
- 4.2 The objections covered a number of matters which are summarised as follows:

LANDSCAPE AND VISUAL

1. The swift transition from urbanised Scotby to the rural landscape will be lost with the 7 dwellings exiting directly onto the main Scotby/Wetheral road.
2. The character of the village is being eroded by large scale developments and is fast becoming another dormitory village with no character/community left
3. The number of houses is too high for the village
4. Houses are not inkeeping with the look of the village
5. Housing numbers 1-7 will spoil the aesthetics of the village being on the main road
6. Proposal would create a precedent for a similar development on the opposite side of the road
7. The proposal should be viewed as undesirable given its size in relation to the part of the village in which it is to be situated
8. Proposal will destroy important views into and out of the village
9. Design and appearance of the proposal is completely alien to the proposed site
10. Proposal will become a suburb of Carlisle
11. Scheme will not enhance the village
12. Loss of agricultural land
13. Proposal intrudes into open countryside
14. Proposal will have a landscape impact
15. Inappropriate size, scale and density
16. Units of greater than two storeys will be out of keeping with the prevailing housing stock in Scotby

17. The first units should be set back from the Scotby/Wetheral Road with a buffer of trees/vegetation separating the dwellings from the road

HIGHWAYS

1. The 7 dwellings directly accessed off the Scotby/Wetheral is a hazard as there is no turning facilities
2. There is potential for road side parking adjacent to the Scotby/Wetheral road which will reduce visibility and cause traffic problems
3. The road system is unsafe for a large increase in traffic
4. The road system has poor visibility
5. The Scotby/Wetheral road is narrow and is on a bus route
6. There will be an increase in traffic at the junction of the C1020 and C1038 where there has been several minor accidents and is made worse by parked cars accessing the shop/Post Office
7. There are no safe pedestrian crossing points on the busy road, particularly for children
8. Many cars ignore the 30mph speed limit
9. Additional street lighting would turn a village road into a highway
10. The parking conditions outside Scotby School is very bad
11. Traffic in and out of the village is getting heavier

FLOODING/DRAINAGE

1. Surface water drainage from the Scotby/Wetheral is unsatisfactory at present resulting in large flows of water down the slope from Scotby village down to Pow Maughan Court and flooding of the beck into the road
2. Additional water flows from the driveways of the proposed new houses will exacerbate the existing drainage problems
3. Increased hard surfaces will increase the rate of flow into the drainage system and beck increasing the risk of flooding
4. United Utilities advise that the sewer system in the area is currently overloaded

EDUCATION

1. School is not big enough to take another large development
2. The school is at full capacity
3. Some local residents can not get their children into the school whilst there are other pupils in the school not from the village
4. There is no bus service to other schools e.g. Warwick Bridge or Cumwhinton
5. A contribution from the developer to provide transport to other schools is not a viable solution

DEVELOPMENT PLAN POLICIES

6. Proposal is contrary to Policy H1, DP1, the Criteria in the Interim Planning Policy Statement
 1. Proposal is not within the settlement boundary for Scotby
 2. There has been no "need" for the development identified

3. Question the “need” for development when there has been large scale housing developments approved in Carlisle e.g. Crindledyke, Morton etc
4. The Interim Planning Policy Statement should only be taken into account if the Council is unable to demonstrate a 5 Year Supply
5. If there is an adequate supply of housing that is not being delivered due to the economic downturn it is completely illogical to suggest that increasing the supply by granting more planning permissions will reverse the economic downturn and address the shortfall.
6. The site has been identified in the SHLAA however the aim of the SHLAA is to identify available sites with the potential to meet housing requirements. It is questionable that there is such requirements
7. The SHLAA explains that land for development is allocated, not by the SHLAA, but by the emerging Local Plan. The site has not been so identified
8. Proposal is contrary to the settlement policy of 1978 for Scotby
9. There is no need for the development as there are some 20 properties available for purchase in the village
10. No idea what criteria has been used in the SHLAA which would make the land buildable

IMPACT ON LIVING CONDITIONS

11. Proposal will affect the tranquillity of residential properties
 1. Proposal will affect the privacy of neighbouring properties
 2. There is a restrictive covenant on the neighbouring property to “The Hill” requiring non-opening obscured glass windows on the side of “The Hill” to maintain privacy
 3. There will be noise disruption to neighbouring properties
 4. Proposal will invade existing residents rights for children to play safely

BIODIVERSITY

5. The field survey of the site identified protected species e.g. bats, nesting birds, red squirrels and otters
 1. Deer, Otters and Red Squirrels have been seen near the vicinity of the site
 2. The presence of street lighting and additional noise is also likely to inhibit the number of wildlife, especially bats
 3. Proposal will destroy the homes of wildlife

OTHER MATTERS

4. Who will be responsible for the upkeep of the large area of unused space?
 1. There is a lack of consistency between the two housing schemes. Residents were told that the houses on the Wetheral Road looked out to be part of the village yet all the houses on Broomfallen Road looked inwards
 2. Proposal will not provide the type of housing that Scotby is lacking
 3. The proposed development and the housing development on Broomfallen Road will be an increase of over 20% of the dwellings in Scotby

4. The adverse impacts significantly and demonstrably outweigh the benefits associated with the proposed development

4.3 The comments cover a number of matters/concerns which are summarised as follows:

5. Surface water drainage from Scotby/Wetheral road is unsatisfactory and drainage is inadequate to cope with instances of heavy rainfall
 1. Additional water flows from the driveways will exacerbate flooding/drainage problems
 2. A condition should be imposed upgrading the highway drainage along the Scotby/Wetheral road
 3. Road safety on Wetheral/Scotby Road as houses facing the road have no turning facilities; proposal is likely to cause road side parking; there is a bend in the road; visibility of the Wetheral/Scotby road is often impeded by overgrown hedgerow and the road surface on the Scotby/Wetheral road is degraded in places and additional traffic during and after construction will make matters worse
 4. The traffic volumes in the transport guidance letter do not reflect the increased peak time traffic between Wetheral and Scotby in school term time
 5. Pedestrians often walk on the Scotby/Wetheral Road as the path is narrow and the hedge is overgrown
 6. The overgrown hedgerows and the bend in the Scotby/Wetheral road impede visibility
 7. Question the need for the development
 8. Scotby School is at full capacity
 9. Comments have been made with regard to the Broomfallen Road development.

5. Summary of Consultation Responses

Health and Safety Executive: - no objection.

Clerk to Wetheral PC, Downgate Community Centre: - object on the following grounds: scale of the development; this application together with application 12/0790 will be increasing housing development in the village by 16%; impact on the character of the village; question the need for the amount of housing proposed; if application is proposed the Parish would like to see a phased approach to allow integration into the village gradually; question whether the school can cope with increased demand; additional footpath and lighting is needed to link the development to existing village facilities; flood risk adjacent to the beck; safety of children's play ground next to beck; question whether the planned sewage is sufficient; traffic and parking issues in the site due to width of internal roads; impacts on village broadband; impact on local environment; existing hedges should be retained; proposal is urban rather than rural development; and, questions as to what would happen in the event of a power failure to the proposed pumping station.

Local Environment (former Community Services) - Drainage Engineer: - no objection. Aware of a minor issue of surface water seeping onto the highway

along the site however it is unlikely that the development will alter this issue. The Geotechnical Ground Investigation Report indicates that some areas of the site are water logged and this may impact on a residents perception of a useable garden.

Cumbria Constabulary - North Area Community Safety Unit (formerly Crime Prevention): - no objection, recommendations given about open space elements and boundary treatments.

Local Environment - Environmental Protection (former Comm Env Services-Env Quality): - no objections subject to the imposition of two conditions.

Cumbria County Council - (Archaeological Services): - no objections.

Network Rail: - no objection subject to the imposition of relevant conditions and advisory notes.

Environment Agency (N Area (+ Waste Disp & Planning Liaison Team): - no objections subject to the imposition of planning conditions ensuring that 1) the development is in accordance with the submitted Flood Risk Assessment and 2) a scheme to protect the buffer zone round the watercourse is submitted.

Natural England - relating to protected species, biodiversity & landscape: - no objection. Advises that permission should be granted (subject to other constraints) and that the authority should consider requesting enhancements.

United Utilities - (for water & wastewater comment) see UUES for electricity dist.network matters: - no objection subject to conditions imposed within the Decision Notice ensuring that foul and surface water drainage is in accordance with the details submitted.

Open Spaces Society: - no objection;

Northern Gas Networks: - no objection;

Local Environment, Waste Services: - no objection to the proposal but have indicated that in the future that all new developments will be charged for refuse and recycling containers. Waste services have also indicated that it would be their preference for communal recycling banks within the development.

Cumbria County Council - Transport & Spatial Planning: - no objection provided that Carlisle City Council: is satisfied that a shortfall of housing land exists which can be met by the proposal when considered against their housing land requirement; is satisfied that there are no sequentially preferable brown field sites which are deliverable; ensures that full and detailed consideration of ecological and landscape and visual issues are carried out prior to determination; is satisfied that the development reflects and protects the character of the site and its surroundings; and, seeks a financial contribution via a S106 of £132,561 towards the provision of additional primary school places that will be required as a consequence of

this development. Comments with regard to highways see below:

Cumbria County Council - (Highway Authority): - no objection subject to the imposition of five conditions;

Cumbria County Council (Education Department): - as stated above a financial contribution of £132,561 has been requested towards the provision of additional primary school places that will be required as a consequence of this development;

Cumbria County Council - (Highway Authority - Footpaths): - no objection.

Community Engagement - Housing Strategy, 7th Floor: - Policy H5 states on rural schemes with more than 25 dwellings, 25% of the housing should be affordable. There is a need for both intermediate and affordable rented housing in Carlisle with the Housing Need and Demand Study suggesting a 50:50 split in provision. The City Council therefore accepts a lower provision of affordable housing, on the condition that the developer makes available affordable rented properties, each provided at a much higher level of discount than the intermediate affordable housing. Without accepting fewer affordable units on housing schemes, the City will not be able to secure much-needed affordable rented housing.

The original number of discounted sale units and rented units submitted with this application was acceptable.

The developer is able to reduce its provision of affordable housing, subject to a financial viability assessment. It is noted that Story Homes has now calculated that, due to having to fund other section 106 obligations, it can only provide 4 discounted sale homes and 3 rented homes on site. Although this section is disappointed in the reduced provision of affordable housing it would accept the provision offered.

(Former Environmental Services) - Green Spaces: - no objection;

(Former Comm/Env.Services) - Green Spaces - Countryside Officer - RURAL AREA: - no response received.

Cllr Mr BO Earp - Wetheral: - formal request for a site meeting as this application together with application 12/0790 will be increasing housing development in the village by 16%. Comments made with regard to traffic issues, highway visibility, the width of the footpath from the development to the village and the steepness of driveways from the properties facing the main road.

6. Officer's Report

Assessment

6.1 The relevant Planning Policies against which the application is required to be

assessed are Policies DP1, CP1, CP2, CP3, CP4, CP5, CP6, CP10, CP11, CP12, CP14, CP16, CP17, H1, H5, LE4, LE26, T1, LC4 of the Carlisle District Local Plan 2001-2016. The NPPF and The Achieving Well Designed Housing Supplementary Planning Document is also of relevance.

6.2 The proposals raise the following planning issues:

1. The Principle Of Development

6.3 The main issue for Members to establish in consideration of this application is the principle of development. Scotby is identified as a sustainable development location within Policies DP1 and H1 of the Carlisle District Local Plan 2001-2016. Whilst Policy H1 permits small-scale development within Scotby it is noted that the National Planning Policy Framework (NPPF) published in March 2012 is a material consideration for the determination of this application. The NPPF indicates that housing applications should be considered in the context of the presumption in favour of sustainable development and relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites.

6.4 In the absence of a 5 year supply of housing land, as defined by the National Planning Policy Framework, the Council adopted an Interim Planning Statement - Housing on 1st May 2012, as a material planning consideration to deal with the identified shortfall. This process encouraged a number of applications to come forward and be considered against the criteria set out in the Interim Statement. Given the short notice of the introduction of the Interim Statement and level of detail required from any planning application it is only now that we are in a position to consider applications submitted at that time.

6.5 Since the Interim Statement was introduced another update has been provided and as of 30 September 2012 the Council had a five year supply of housing albeit only an additional 65 units over the NPPF requirement. This change in housing supply is accounted for by the change in delivery of some sites and not through a significant change to the number of dwellings granted permission during the 6 month period the Interim Statement applied. In order to avoid repetition of 6 monthly variations on whether the Council has a 5 year supply or not it would be apposite to make certain that a decent buffer of housing supply is provided. This would ensure that applications were not decided randomly on appeal due to short term lack of housing supply until the Local Plan delivers new allocations.

6.6 This application was submitted at the time when the interim housing statement was still valid therefore this statement should be considered as still a material consideration when determining this application. Members should however note that the interim planning statement does not supersede all saved policies in the Local Plan and should be interpreted in conjunction with them.

6.7 On the basis of the interim statement, the Council considered proposals for

new housing developments on land excluded from housing development either through other designated use or outside existing settlement boundaries which: are well related to the built framework of the existing settlement; would not result in a prominent intrusion into the countryside; would not result in settlements merging; would not detract from the landscape character of the area as contained in the Cumbria Landscape Strategy and would not cause harm to some other overriding policy objective.

- 6.8 Whilst the application site is located outside the settlement boundary for Scotby identified in the local plan, the NPPF does not advocate the use of settlement boundaries and states that in order to promote sustainable development in rural areas, housing should be located where it will enhance and maintain the vitality of rural communities. Members will note from previous paragraphs that the NPPF is a material consideration in the determination of this application and limited weight can therefore be given to the fact that the site is outside the settlement boundary of Scotby.
- 6.9 The application site is located in a sustainable location close to the centre of Scotby, public transport links and the city of Carlisle. Scotby village has a range of services (school, public house, church, village hall, playing fields etc) and the proposal would create an opportunity to support these existing rural facilities. The site is well contained as it is bounded by residential dwellings to the east and west together with the Carlisle-Newcastle Railway Line to the north. There are also no brown field sites available in Scotby. In such circumstances it is considered that the proposal would not result in a prominent intrusion into the Countryside nor would it result in settlements merging. In such circumstances the principle of additional housing in this location is deemed acceptable. The impact on the landscape character and design of the proposal is discussed below.

2. Scale, Layout And Design Of The Development

- 6.10 The proposed development is well laid out and will encourage and promote the creation of a neighbourhood. The properties overlook one another thereby creating a degree of natural surveillance and the distinction between public and semi-public space is clearly defined, both of which will act as a deterrent to potential offenders and reduce the likelihood of crime occurring.
- 6.11 In terms of the units there are a range of differing house types, which, aesthetically, will add variety to the estate and create its own identity. The dwellings incorporate reasonably sized garden areas that are comparable to the size of the units that they serve, thereby ensuring that the development does not appear cramped or overdeveloped. The size of the gardens and the way that the properties are laid out will help create a sense of space within the estate.
- 6.12 The proposed dwellings are all two storeys in height, with the exception of the Yew house type (plots 31-33) which are 2½ storey with a second floor incorporated within the roof space. The scale and design of the proposed dwellings relate well to the size and vernacular of surrounding properties. The 2 ½ storey dwellings will be located to the rear of the site and will be viewed

in the context of the railway embankment. Each property has adequate curtilage parking provision, together with access to the rear gardens for refuse/green recycling bins.

- 6.13 Whilst Policy LC4 of the CDLP encourages the provision of formal and informal areas of public open space within new family housing development of more than 40 units there are instances where the Council has agreed that it would be acceptable for developers to provide a financial contribution towards the provision/improvement of existing facilities off-site.
- 6.14 In respect of this proposal an area of 1686 square metres public open space has been incorporated adjacent to the beck which delineates the eastern boundary of the site. Members should be aware that the original plans for this site showed a play area within the area of open space proposed however this did not achieve the separation distances outlined in Policy LC4. In such circumstances the applicant has offered a financial contribution of £50,000 towards the provision/maintenance of existing facilities off-site in Scotby. The applicant will also maintain the informal open space on site themselves. The Council's Neighbourhoods and Green Spaces Manager has been consulted on the proposal and has raised no objections to the contribution offered and the amount of on site informal open space.

3. Impact Upon Landscape Character

- 6.15 As this development involves building on an open field there will undoubtedly be some impact upon the landscape character of the area. As demonstrated in paragraph 6.12 above this impact has been reduced through the design of a sympathetic scheme with two storey properties located at the front of the development and the larger 2 1/2 storey dwellings together with the terraced properties located further into the site. Where practical existing hedgerows/trees are to be retained and extensive additional landscaping is to be undertaken to soften the edge of the development.
- 6.16 The development will be visible particularly when travelling along the Scotby-Wetheral road however the development is considered to be well contained and related to the village of Scotby and would not result in a prominent intrusion into open countryside. The land in question is not designated as being of any special landscape character and it is the Officers view that there will be no significant adverse impact upon landscape character to warrant refusal of the application.

4. The Impact Of The Proposal On The Living Conditions Of Neighbouring And Future Residents

- 6.17 Adequate separation distances have been maintained between the existing residential properties and those proposed. As such, it is unlikely that the living conditions of the occupiers of these properties will be compromised through loss of light, loss of privacy or over dominance.
- 6.18 In respect of any increase in traffic generated by this proposal it is not anticipated that this factor alone would prejudice the living conditions of local

residents to such an extent that would warrant refusal of the application.

5. Highway Issues

- 6.19 A number of residents have raised objections regarding highway safety. The principle concerns relate to the increase of traffic on the Scotby-Wetheral Road; impacts on highway visibility particularly as there is an existing bend in the road, potential road side parking adjacent to the housing development, the height difference of the site in relation to the road and the safety of the vehicular accesses to plots 1-7 which have no turning facilities. As previously stated the proposed development provides two dedicated parking spaces per dwelling, visitor parking within the scheme and a 4.8 metre wide access road. The accesses to plots 1-7 will be on a slight incline as the application site is higher than the adjacent Scotby-Wetheral Road and all accesses to the development are within the restricted 30mph speed limit.
- 6.20 The Highway Authority have been consulted on the proposed development and has raised no objections to the proposed development in the location planned. The Highways Authority has however requested that the applicants provide a footpath along the northern side of the Scotby-Wetheral Road that extends from Pow Maughan Beck along the full frontage of the application site continuing off-site towards the bellmouth with Scotby/Broomfallen Road. Following a site meeting between the agent and the Highways Authority the submitted site layout plan has been amended to show the extent of the off-site footpath. The proposed footpath will be nominal 1.5 metres wide in order to prevent root damage to the mature trees outwith the highway boundary at the request of the Tree Officer. The 1.5 metre footpath would leave a 5m width carriageway, which currently largely exists between Scotby and Wetheral. The Highway Authority has since clarified that the existing footpath on Scotby Green is 1.5 metres in width and the width of the proposed footpath would be sufficient to allow use by disabled conveyances, twin pushchairs etc. Members will note that the off-site footpath will be located within the existing Highway corridor and all works within Highway corridors only require Highway Authority consent under a section 278 notice. Members should also note that the Highway Authority have indicated that they have been petitioned in the past by residents of Pow Maughan Court about the inadequacy of the road network.
- 6.21 In respect of the concerns raised by residents the Highway Authority has since confirmed that the development frontage is located someway from the slight bend in the road and the carriageway is wide enough for another vehicle to pass a parked vehicle. The Highways Authority also indicated that the direct accesses of the C1038 are so close together there will be a continuous drop kerb, thus on the assumption both "in curtilage" parking spaces are occupied visiting vehicles will be able to partially park off the main carriageway. Given the level of internal parking being provided, it is anticipated that it is only going to be the odd visiting vehicle that would need to park off the main carriageway. Highways have also confirmed that the gradient of the driveways will have to comply with DDA design requirements and these issues are covered by the highway conditions which would be imposed within any consent issued. It is noted that one objector has raised

concerns regarding possible exacerbation of the existing parking problems at Scotby School. Given that there are already a number of children at the School that live outwith the catchment, the reality of this development is that by virtue of the children being resident within the Catchment being within reasonable walking distance, this should in theory displace pupils from out with the catchment, which would ameliorate rather than exacerbate the existing problem.

- 6.22 Whilst the Highway Authority has indicated that the proposal is acceptable from a highways perspective, it has recommended that 5 conditions are imposed on any prospective Decision Notice. The five conditions are standard highway conditions in that they require visibility splays to be achieved and the access to be constructed before development commences, details of road/footpath construction to be provided (including lighting), details of parking area construction to be provided and no occupation of dwellings until vehicular access and parking requirements have been constructed. As the Highway Authority has raised no objections to the proposal it is not considered that there is any policy conflict.

6. Landscaping

- 6.23 There are number of trees/hedgerows within and surrounding the application site. A number of trees (total of 8) which are situated within the application site together with the hawthorn hedgerow and semi-mature deciduous trees which delineate the southern boundary of the site are to be removed in order to facilitate the development. An Arboricultural Report has been submitted with the application which identifies that the majority of trees and hedgerows which are to be removed do not have any significant defects; however, in order to mitigate for the loss of the trees/hedgerows which are to be removed the applicant proposes to plant new hedgerows and trees within the development. The application is supported by a comprehensive landscaping scheme which shows amongst other things the planting of new hedgerows and trees adjacent to the Scotby/Wetheral road.
- 6.24 In order to provide the off-site footpath extending from the proposed development towards the village centre a number of trees/hedgerows which are within the highway verge need to be removed. Members will note that there are a number of TPO trees located beyond the Highway verge which are to remain. It is the Councils Landscape/Tree Officers view that the hedging and trees that are to be removed to facilitate the footpath are not of significance and a 1.5 metre in width footpath would not impact upon the roots of the trees covered by the Tree Prevention Order.
- 6.25 The Councils Landscape Architect/Tree Officer has been consulted on the proposed development and has raised no objections subject to the imposition of conditions within the Decision Notice regarding tree/hedgerow protection together with landscaping completion and maintenance. It is the Officers view that the landscaping scheme proposed is sufficient to compensate for the loss of trees/hedgerows which are to be removed to facilitate the development; and, the additional landscaping particularly along the Scotby/Wetheral Road will help retain the sites rural setting/character.

7. Education

- 6.26 Objectors to the scheme have questioned whether the local primary school has adequate capacity to cater for any increase in demand for pupil school places that might arise as a consequence of this development. The Education Authority have been consulted on the proposed development and have advised that the housing development would yield 11 primary aged pupils and it is predicted that with the proposed development Scotby Primary School would exceed its net capacity. The Education Authority has also indicated that the next nearest school at Cumwhinton also has no spare capacity. To address this increased burden the Education Authority has requested a financial contribution of £132,561 to be used to either provide an extension at Scotby School or to provide school transport if development at Scotby School is not feasible. The Education Authority has since confirmed that there is the potential for Scotby School to be extended subject to a full feasibility study being carried out. The agent has agreed to the contribution requested by the Education Authority.

8. Affordable Housing

- 6.27 Policy H5 of the Carlisle District Local Plan 2001-2016 indicates that for large sites in the rural area the contribution towards affordable housing is 25%. The applicant originally offered 5 discounted sale units and 3 rented units (with increased discount) which was acceptable to housing services. The applicant has however since reduced their affordable housing offer, due to the requirement of the Education Authority for a £132,516 contribution towards primary school provision. A viability assessment has separately been provided to justify the lower figure of affordable housing. The applicant therefore now proposes seven affordable properties (one less than originally proposed). This comprises four units (3x 3 bed and 1x2 bed) that would be made available by discounted sale, with the discount set at 30% below open market value, and three properties available to rent at discounted rates. The applicant has indicated that the rented units would be provided in association with a Registered Provider partner.
- 6.28 The Council's Housing Strategy Officer (HSO) has been consulted on the proposed application and has stated that there is a need for both intermediate and affordable rented housing in Carlisle with the Housing Need and Demand Study suggesting a 50:50 split in provision. The City Council therefore accepts a lower provision of affordable housing, on the condition that the developer makes available affordable rented properties, each provided at a much higher level of discount than the intermediate affordable housing. Without accepting fewer affordable units on housing schemes, the City will not be able to secure much-needed affordable rented housing. The HSO has confirmed that the original number of discounted sale units and rented units submitted with this application was acceptable. The HSO has also indicated that the developer is able to reduce its provision of affordable housing, subject to a financial viability assessment and it is noted that Story Homes has now calculated that, due to having to fund other section 106 obligations, it can only provide 4 discounted sale homes and 3 rented homes

on site. The HSO has stated that although this section is disappointed in the reduced provision of affordable housing it would accept the decision of the DC Committee.

- 6.29 Paragraph 173 of the National Planning Policy Framework advises that to ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable. The NPPF provides no advice as to what constitutes a competitive return however it is noted that in a previous appeal decision and the Affordable Housing Economic Viability Assessment for Carlisle that a figure of 20% GDV is reasonable.
- 6.30 Whilst it is acknowledged that providing affordable housing is a key aim of the Council however due to the other financial contributions required (education, maintenance of informal public open space on site, provision/improvement of off-site play equipment, provision of an off-site footpath and money towards waste bins) a balanced approach has to be made. The submitted viability assessment shows that the developers profit will be considerably lower than 20% after the S106 contributions required as part of this development. After comparing the viability assessment submitted with the Affordable Housing Economic Viability Assessment for Carlisle and given the significant amount of S106 contributions that are required it is considered that the developers profit is reasonable and the level of affordable housing proposed in this case is acceptable in order to achieve a viable development.
- 6.31 In relation to the above it is considered that the amount of affordable housing proposed would be appropriate in the context of the viability of the development and the guidance contained within the National Planning Policy Framework.

9. Foul And Surface Water Drainage

- 6.32 It is proposed that surface water drainage will be discharged into the Pow Maughan beck which lies to the east of the site through the construction of a discharge control (hydrobrake) and attenuation system which will be situated under ground below the area of informal public open space. It is proposed to discharge post development surface water to the beck at a rate of the greenfield run off, thereby replicating pre development run off rates with post development run off rates.
- 6.33 The Environment Agency have raised no objection to the proposed drainage strategy however they advocate the use of Sustainable Drainage Systems (SUDS) rather than below ground tanked storage. The NPPF and Policy CP10 of the Local Plan advocates that in the first instance the applicant should explore and give priority to the use of sustainable drainage systems. The applicant has indicated that they have provided a hierarchical approach to the surface water drainage system. The use of SUDS was considered inappropriate for the site due to the impermeable nature of boulder clay drift

deposits present at the site, however they have noted that SUD measures will be into the on site surface water drainage system through the construction of a discharge control (hydrobrake) and attenuation system. Other SUD methods such as grassed swales, green roofs, ponds and wetlands have been discounted given the scale of the development and the size of the site, particularly as the aforementioned measures require larger areas in which they are to be accommodated.

6.34 The applicant has indicated that foul drainage will connect into an existing adopted combined sewer to the west of the site via a new adopted foul water pumping station which will be located within the site. The post development foul water flows will be "off set" through a reduction in surface water discharge to the public sewer. The "off set" (with an associated betterment) has been achieved through the diversion of the existing 1300m² catchment located directly to the west of the development site into the proposed post development surface water drainage system. The "off set" will provide a net betterment by significantly reducing the overall discharge into the combined sewer. The agent has also confirmed that there are open pathway areas in the development plan that will provide an overland flood route for any on site flooding from blocked sewers or from a rainfall event that exceeds the design parameters of the on site drainage system.

6.35 United Utilities have been consulted on the proposed development and have raised no objections to the proposed development subject to the imposition of conditions within the Decision Notice ensuring that the development is completed, maintained and managed in accordance with the details submitted. In relation to the above it is not considered that there is any policy conflict.

10. Flooding

6.36 The application site is located within 8 metres of a main river (Pow Maughan Beck) which delineates the eastern extent of the site. Whilst flood risk is higher immediately adjacent to the beck the proposed dwellings (the more vulnerable uses) have been positioned a considerable distance from the beck. The land immediately adjacent to the beck has been retained as public open space. A Flood Risk Assessment has been submitted to demonstrate that flood risk vulnerability has been taken into account during the design of the scheme. As discussed in section 9 of the report surface water drainage from the scheme is being discharged into the beck via a discharge control (hydrobrake) and attenuation system thus maintaining the sites existing greenfield run off rates. Furthermore all roofed and paved areas within the site are to be formally drained into the on site attenuated surface water drainage system. The Environment Agency has been consulted on the proposed development and have raised no objections with regard to flood risk.

6.37 The Councils former Drainage Engineer has been consulted on the proposal and has raised no objection. The Drainage Engineer did however indicate that she was aware of a minor issue of surface water seeping onto the highway along the site however it is unlikely that the development will alter

this issue. The Drainage Engineer also pointed out that the Geotechnical Ground Investigation Report indicates that some areas of the site are water logged and this may impact on a residents perception of a usable garden. In response it is noted that all highway drainage will go into the new system providing for the proposed development therefore the proposed development should create a better situation than at present. Further information has been received in respect in respect of wet garden areas which provides updated data in respect of ground conditions. It is noted that the new drainage on site will alleviate any existing problems.

- 6.38 In relation to the above it is not considered that the proposal will exacerbate flooding conditions at this site.

11. Ecological Issues

- 6.39 When considering whether the proposal safeguards the biodiversity and ecology of the area it is recognised that Local Planning Authorities must have regard to the requirements of the EC Habitats Directive (92/43/EEC) when determining a planning application as prescribed by regulation 3 (4) of the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended), and Article 16 of the Habitats Directive before planning permission is granted. Article 16 of the Directive indicates that if there is reasonable likelihood of a European protected species being present then derogation may be sought when there is no satisfactory alternative and that the proposal will not harm the favourable conservation of the protected species and their habitat. In this case, the proposal relates to the development of residential dwellings on greenfield land. As such it is inevitable that there will be some impact upon local wildlife.
- 6.40 An Extended Phase 1 Habitat Survey and an Otter And Bat Tree Inspection Survey has been submitted with this application. Natural England have been consulted on the application and has confirmed that the proposal does not appear to affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils, nor is the proposal EIA development. Natural England has also confirmed that the development is unlikely to have a significant adverse impact upon protected species; however, they have advised that the Local Planning Authority should consider requesting enhancements. In such circumstances a planning condition has been imposed to ensure that the mitigation measures outlined in the supporting Protected Species surveys are implemented.
- 6.41 With regard to the impact of the proposed development on the existing watercourse the Environment Agency has raised no objections subject to the imposition of a planning condition being imposed ensuring that the development is carried out in accordance with the drainage scheme submitted and a condition regarding a scheme for the provision and management of a buffer zone alongside the existing watercourse.
- 6.42 In relation to the above it is not considered that the proposal would have an adverse impact upon protected species or their habitats.

12. Noise Issues

- 6.43 The site is bounded by an elevated railway line (the Carlisle-Newcastle line) to the north and the Scotby-Wetheral Road to the south. The application is accompanied by a noise assessment report which takes into account the impacts of the aforementioned existing land uses on the proposed dwellings. The report outlines a series of mitigation measures with regard to the design and layout of the dwellings to prevent the existing noise climate causing a constraint to the proposed development. The applicant's agent has confirmed that the layout of the housing scheme has been designed to reflect the constraints as a result of the noise findings. An addendum to the noise assessment submitted on the 24th October 2012 indicates that: good internal noise targets will be achieved with standard double glazing during the daytime and night-time period when windows are closed; when windows are partially open on facades directly facing the railway line "reasonable noise levels should be satisfied"; and, when windows are fully open internal noise targets will be occasionally exceeded within rooms directly facing the railway line however it is anticipated that these levels will be acceptable and do not warrant mechanical ventilation to properties. Following further discussions with Environmental Health the applicant has indicated that noise levels from passing trains can be mitigated by installing acoustically rated window and wall ventilator units to all bedrooms which directly face the railway track.
- 6.44 The Council's Environmental Services team has been consulted on the proposed development and has raised no objection to the proposal subject to a condition being imposed within the Decision Notice requesting a scheme for protecting the proposed dwellings from noise from the railway. Network Rail have been consulted on the proposed development and has raised no objection to the proposed development subject to relevant conditions being imposed within the Decision Notice to ensure the safety, operational needs and integrity of the railway.
- 6.45 In relation to the above it is not considered that the proposal would raise significant noise issues to warrant refusal of the application. In order to safeguard the living conditions of existing residential properties it is recommended that Members impose a condition within the Decision Notice regarding construction times.

13. Contamination

- 6.46 As the site is a greenfield site the likelihood of contamination being present is low. Notwithstanding this fact a condition is recommended that caters for the event that contamination is found during the construction phase.

14. Whether The Proposal Would Lead to The Loss of The Best And Most Versatile Agricultural Land

- 6.47 It is accepted that the proposal would lead to the loss of agricultural land. The Agricultural Land Classification identifies this land as Grade 3, Grades 1 and 2 being of the highest quality. Grade 3 land is common both within the immediate vicinity of the application site and within the District as a whole. As

such, it is not considered that the loss of this area of agricultural land would provide sufficient grounds for refusal of the application.

15. Crime

- 6.48 As previously stated in paragraph 6.10 the proposed development is well laid out and will encourage and promote the creation of a neighbourhood. The properties overlook one another thereby creating a degree of natural surveillance and the distinction between public and semi-public space is clearly defined, both of which will act as a deterrent to potential offenders and reduce the likelihood of crime occurring. The Crime Prevention Officer has been consulted on the proposed development and has raised no objections. Advice with however been provided with regard to physical security measures and boundary treatments. This advice has been forwarded to the applicant.

16. Waste/Recycling Provision

- 6.49 Waste services has been consulted on the proposed application and has raised no objection to the proposal but has indicated that in the future that all new developments will be charged for refuse and recycling containers. Waste services has also indicated that it would be their preference for communal recycling banks within the development. The agent has agreed to provide a commuted sum of £1500 towards waste bin provision (which will be included within the S106 agreement) and has also indicated that the developer will provide each property with a compost bin for garden waste. The agent has confirmed that there is no provision on site for the amount of space required for communal recycling banks. As there is existing recycling banks at Scotby village hall, Waste Services have raised no objection to the proposal. In such circumstances it is not considered that there is any policy conflict.

17. Other Matters

- 6.50 Article 8 and Article 1 Protocol 1 of the Humans Rights Act are relevant but the impact of the development in these respects will be minimal and the separate rights of the individuals under this legislation will not be prejudiced. If it was to be alleged that there was conflict it is considered not to be significant enough to warrant the refusal of permission.
- 6.51 It is noted that objectors have made comparisons between this application and the housing scheme at Broomfallen Road (application reference 12/0790). Members are reminded that each application has to be dealt with on its own merits.
- 6.52 Objectors have also raised concerns in respect of the need for additional dwellings in Scotby. The planning merits and assessment against the relevant policies are discussed within this report.
- 6.53 Objectors have also raised issues on the impact of the proposed development on broadband provision; however, this is not a planning matter.

Conclusion

- 6.54 The proposal is in accordance with the principles of the NPPF as the application site is located in a sustainable location close to the centre of Scotby, public transport links and the city of Carlisle. Scotby village has a range of services (school, public house, church, village hall, playing fields etc) and the proposal would create an opportunity to support these existing rural facilities. The site is well contained as it is bounded by residential dwellings to the east and west together with the Carlisle-Newcastle Railway Line to the north. In such circumstances it is considered that the proposal would not result in a prominent intrusion into the Countryside nor would it result in settlements merging. In such circumstances the principle of additional housing in this location is deemed acceptable and is in accordance with the objectives of the Council's Interim Housing Statement and the National Planning Policy Framework.
- 6.55 The scale, layout and design of the development is acceptable and it is considered that the development would not have a significant impact upon landscape character of the area, the living conditions of existing and future occupiers, crime or the loss of the best and most versatile agricultural land.
- 6.56 Subject to suitably worded planning conditions and a S106 agreement it is considered that the rural character of the area can be safeguarded through an appropriate landscaping scheme and that the proposal would not raise any issues with regard to highway safety, foul and surface water drainage, flooding, biodiversity, noise, contamination, waste or education.
- 6.57 The level of affordable housing is also considered to be acceptable in the context of viability assessment submitted by the applicant and the advice contained within the NPPF to ensure viability and deliverability.
- 6.58 On balance, having regard to the Development Plan and all other material planning considerations, the proposal is considered acceptable.
- 6.59 If Members are minded to grant planning approval it is requested that "authority to issue" the approval is given subject to the completion of a s106 agreement to secure:
- a) the provision of the proposed level of affordable units (four units that would be made available by discounted sale, with the discount set at 30% below open market value, and three properties transferred to a registered provider to be available for capital affordable rent);
 - b) a financial contribution of £50,000 to be used by the Parish Council towards the provision of children's playing facilities and maintenance of sports pitches/equipped play within the village;
 - c) the maintenance of the informal open space within the site by the developer;
 - d) a financial contribution of £132,561 to Cumbria County Council towards education provision; and
 - e) a financial contribution of £1500 to be used by the City Council towards waste bin provision.

7. Planning History

7.1 There is no relevant planning history on this site.

8. Recommendation: Grant Subject to S106 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 approved documents for this Planning Permission comprise:

1. the submitted planning application form received 12th December 2012;
2. the Site Location Plan received 16th August 2012 (Drawing No. SL075.90.9.SL.LP);
3. the Planning Layout received 4th February 2013 (Drawing No. SL075.90.9.SL.PL Revision H);
4. the Design And Access Statement received 16th August 2012 and the addendum received 16th November 2012;
5. the Planning Statement received 1st November 2012;
6. the Construction Management Plan received 10th January 2013 (Drawing No. SL075.90.9.SL.CMP Revision A);
7. the Elevation Treatments received 10th January 2013 (Drawing No. SL075.90.9.SL.ET Revision G);
8. the Character Finishes received 10th January 2013 (Drawing No.SL075.90.9.SL.CF Revision G);
9. the Street Scenes received 27th November 2012 (Drawing No. SL075.90.9.SL.SS Revision A);
10. the Site Sections received 10th January 2013 (Drawing No. 003 Revision P4);
11. the External Levels Layout received 10th January 2013 (Drawing No.001 Rev P7);
12. the Floor Plans And Elevations For The Ash House Type received 16th August 2012 (Drawing Nos. TYPE1-PLP4 and TYPE 1- PLE4/5);
13. the Floor Plans And Elevations For The Handed Ash House Type received 12th November 2012 (Drawing Nos. TYPE1-PLP4H and PLE4/5H);
14. the Floor Plans And Elevations For The Alder House Type received 16th August 2012 (Drawing Nos. TYPE2-PLP1, TYPE2-PLE1/2 and TYPE2-PLE1/3);
15. the Floor Plans And Elevations For The Handed Alder House Type received 12th November 2012 (Drawing Nos.TYPE2-PLP1 and TYPE2-PLE1/3);
16. the Floor Plans And Elevations For The Hornbeam House Type received 24th October 2012 (Drawing Nos. TYPE3-PLP1 Revision A

- and TYPE3-PLP1/3);
17. the Floor Plans And Elevations For The Handed Hornbeam House Type received 24th October 2012 (Drawing Nos. TYPE3-PLP1H Revision A and TYPE3 - PLE1/3H);
 18. the Floor Plans And Elevations For The Cypress House Type received 16th August 2012 (Drawing Nos. TYPE6-PLP1 Revision A and TYPE6-PLP1/4 Revision B, TYPE6-PLP1/10 and TYPE 6-PLP1/11);
 19. the Floor Plans And Elevations For The Handed Cypress House Type received 24th October 2012 (Drawing Nos. TYPE6-PLP1H Revision A, TYPE 6 - PLE1/4H Revision C and TYPE6-PLP1/11H Revision A);
 20. the Floor Plans And Elevations For The Aspen House Type received 16th August 2012 (Drawing Nos. TYPE4-2-PLP1, TYPE4-2-PLP1/1 and TYPE 4-2-PLP1/10);
 21. the Floor Plans And Elevations For The Osier House Type received 16th August 2012 (Drawing Nos. TYPE10- PLP2 and TYPE 10- PLE2/1);
 22. the Floor Plans And Elevations For The Beech House Type received 16th August 2012 (Drawing Nos. TYPE 16-PLP1, TYPE16-PLP1/1 and TYPE16 - PLE1/2);
 23. the Floor Plans And Elevations For The Yew House Type received 12th November 2012 (Drawing Nos. TYPE13-PLP7 and TYPE 13-PLP7/1);
 24. the Construction Details Of The Conservatories received 24th October 2012 (Drawing Nos. CON1-CPE1 and CON2-CPE1);
 25. the Floor Plans, Elevations And Sectional Drawings Of The Detached Garages received 16th August 2012 (Drawing No. SG1-EPS1);
 26. the Schedule Of Finishes received 12th November 2012 (Reference SL075/90/12/SF Rev A);
 27. the Development Plot Schedule received 12th November 2012 (Reference SL075.90.12.DPS Rev A);
 28. the Arboricultural Report Impact Assessment & Method Statement received 23rd August 2012 (dated 24th April 2012);
 29. the Tree Retention Plan received 10th January 2013 (Drawing No. SL075.90.9.SL.TRP Revision F);
 30. the Detailed Soft Landscape Proposals received 10th January 2013 (Drawing No. c-870-01 Revision D);
 31. the Plan Showing Trees Which Are To Be Removed received 16th January 2013;
 32. the Extended Phase 1 Habitat Survey received 23rd August 2012 (Dated 22nd April 2012);
 33. the Otter And Bat Tree Inspection Survey received 27th December 2012 (Dated 21st December 2012) including Street Lighting Design and associated documents received 8th February 2013 (Drawing No.AP0000-ED-LV Rev 01);
 34. the Boundary Treatments Plan received 10th January 2013 (Drawing No. SL075.90.9.SL.BT Revision G);
 35. the Boundary Details received 7th November 2012 (Drawing Nos. BD-03, BD-05, BD-15, BD-17 and BD-27 Revision A);
 36. the Flood Risk And Drainage Assessment received 23rd August 2012 (Dated April 2012, including Drainage Layout Drawing No. 002 Rev P7 received 10th January 2013);
 37. the Noise Assessment Report received 16th August 2012 (dated

- August 2012) and the addendum received 24th October 2012 (Dated 17th October 2012);
38. the Geotechnical Ground Investigation Report received 23rd August 2012 (Dated April 2012);
 39. the Transport Statement received 16th August 2012 (Dated 14th August 2012);
 40. the Notice of Decision; and
 41. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

3. Notwithstanding any description of materials in the application no development shall be commenced until samples or full details of materials to be used externally on the buildings have been submitted to and approved by the Local Planning Authority. Such details shall include the type, colour and texture of the materials.

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

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any other Order revoking and re-enacting that Order), no wall, fence or other means of enclosure shall be erected along the southern boundary of the site (other than those shown in any plans which form part of this application), without the approval of the Local Planning Authority.

Reason: To ensure that any form of enclosure is carried out in a co-ordinated manner in accord with Policies CP1, CP5 and H11 of the Carlisle District Local Plan 2001-2016.

5. Before any development is commenced on the site, including site works of any description, a protective fence in accordance with Fig. 2 in the Arboricultural Report Impact Assessment & Method Statement received 23rd August 2012 shall be erected around the trees and hedges to be retained. The position of the tree protection barriers shall be in accordance with the Construction Management Plan received 10th January 2013 (Drawing No. SL075.90.9.SL.CMP Revision A). Within the areas fenced off no fires should be lit, the existing ground level shall be neither raised nor lowered, and no materials, temporary buildings or surplus soil of any kind shall be placed or stored thereon. The fence shall thereafter be retained at all times during construction works on the site to the satisfaction of the Local Planning Authority.

Reason: In order to ensure that adequate protection is afforded to all trees/hedges to be retained on site in support of Policies CP3 and CP5 of the Carlisle District Local Plan 2001-2016.

6. All works comprised in the approved details of landscaping shall be carried out either contemporaneously with the completion of individual plots or, in the alternative, by not later than the end of the planting and seeding season following completion of the development.

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

Reason: To ensure that a satisfactory landscaping scheme is implemented and that it fulfils the objectives of Policies CP3 and CP5 of the Carlisle District Local Plan 2001-2016.

7. No development shall commence until a method statement for any work within the root protection area of those hedges to be retained has been submitted to and agreed, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved statement.

Reason: In order to ensure that adequate protection is afforded to all hedges to be retained on site in support of Policy CP5 of the Carlisle District Local Plan 2001-2016.

8. Following completion of construction works and removal of site machinery and materials, protective fencing may be dismantled to permit ground preparation and cultivation works, if required, adjacent to the hedges. Any such ground preparation and cultivation works shall be carried out by hand, taking care not to damage any roots encountered.

Reason: To protect the hedges during development works in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

9. The proposed surface water drainage shall be in accordance with the Flood Risk and Drainage Assessment written by Integra Consulting Engineers Limited received 23rd August 2012 (Dated April 2012) Including the Drainage Layout Plan in Appendix 5 (Drawing No.002 Rev P7) received 10th January 2013. No part of the development shall be occupied until the surface water drainage scheme has been constructed in accordance with the approved details. For the avoidance of doubt, neither surface water nor highway drainage shall connect into the public sewerage system (directly or indirectly). The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To ensure that adequate means of surface water disposal and to prevent increased risk of flooding in accordance with Policies

10. The foul drainage shall be in accordance with the Flood Risk and Drainage Assessment written by Integra Consulting Engineers Limited received 23rd August 2012 (Dated April 2012) including the Drainage Layout Plan in Appendix 5 (Drawing No.002 Rev P7) received 10th January 2013. For the avoidance of doubt foul water from the site must discharge into the manhole reference number NY44550102 located upstream of 225mm diameter combined sewer along Broomfallen Road. No part of the development shall be occupied until the foul water 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 that adequate drainage facilities are available and to ensure compliance with Policy CP12 of the Carlisle District Local Plan 2001-2016.

11. The surface drainage system of the development will be monitored during the construction phase and for a further two years following completion of the development in accordance with a scheme to be submitted to and approved, in writing, by the Local Planning Authority. The results from the monitoring shall be forwarded to the Local Planning Authority and should the results indicate unforeseen problems caused by the increase of surface water into the nearby Pow Maughan Beck a mitigation scheme shall be submitted to the Local Planning Authority for prior written approval and that mitigation scheme shall be implemented by the developer within 3 months of it having been accepted.

Reason: To ensure an acceptable scheme for surface water disposal in accordance with Policy CP12 of the Carlisle District Local Plan 2001-2016 and to protect the safety, operational needs and integrity of the railway to the north of the site.

12. Full details of the proposed pumping station including back up generators must be submitted to and approved by the Local Planning Authority prior to the installation of the agreed scheme.

Reason: To ensure that the proposed development is undertaken in a manner which safeguards the visual amenities of the area and to prevent disturbance to nearby occupants. In accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

13. The carriageways, footways, etc. shall be designed, constructed, drained (and lit) to the standards laid down in the current Cumbria Design Guide, so as to be suitable for adoption and in this respect further detailed drawings including land dedication plan(s) road construction details and levels (including drainage, lighting and other Utilities), shall be submitted to the Local Highways Authority for approval before work commences on site. No

work shall be commenced until a full specification (and phasing) has been approved. (Any works so approved, shall be constructed in accordance with the Highways Act 1980 Section 38 agreement before the development is complete). (In cases where the Highways Act 1980 Advanced Payment Code is applied, no works shall be commenced until the APC Bond/Surety is in Place).

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

14. The accesses parking and courtyard area shall be constructed to the satisfaction of the Local Planning Authority and in this respect full constructional details shall be submitted to the Local Planning Authority for approval before work commences on site. No work shall be commenced until a full specification has been approved. Any works so approved shall be substantially complete before the superstructure works commence.

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

15. No dwelling shall 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 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. To support Local Transport Policies: LD5, LD7 and LD8.

16. The access shall be substantially met before any works other than Site Investigations and Clearance commences on site so constructional traffic is accommodated clear of the highway. It shall include provision for the cleaning of vehicle wheels so mud is not tracked onto the highway. This access and area shall be kept available for such purposes until the end of the Constructional Works.

Reason: Constructing the development without such facilities in place could lead to inconvenience and danger to road users. To support Local Transport Plan Policies LD7 and LD8.

17. The visibility splays from houses with accesses onto the CC1038, Scotby – Wetheral road shall be maintained to provide clear visibility of 33metres

measured along the nearside channel lines of this road from a position 2metres inset from the carriageway edge, on the centre line of the access; and 2.4m at either side of each access x 2.4m in either direction along the highway:property boundary; at a height of 1.05metres. 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, the hedges approved as part of this consent shall be regularly pruned so as not to obstruct these visibility splays.

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

18. Notwithstanding the proposed landscaping scheme submitted adjacent to the watercourse (as shown on Drawing No. c-870-01 Revision D) no development shall take place until a scheme for the provision and management of a buffer zone alongside the watercourse shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Local Planning Authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision.

The scheme shall include:

10. Plan showing the extent and layout of the buffer zone
- details of any proposed planting scheme (for example, native species)
 - details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term
 - details of any proposed footpaths, fencing, lighting etc.

Reason: To protect the biodiversity and water quality of the adjacent watercourse. In accordance with Policies CP2 and CP11 of the Carlisle District Local Plan 2001-2016.

19. 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 CP5 of the Carlisle District Local Plan 2001-2016.

20. No development shall take place until the applicant has demonstrated how the protected species/wildlife mitigation measures set out in Paragraphs 5.6.4, 5.6.5, 5.6.7, 5.6.8, 5.6.9 and 5.6.10 of the "Extended Phase 1 Habitat Survey" prepared by Scott Fitzgerald Tree Consultants (received 23rd August 2012) have been incorporated into the development in accordance with a scheme to be submitted to and approved, in writing, by the Local

Planning Authority. The development shall be implemented in accordance with the approved scheme.

Reason: To mitigate the impact of the development upon wildlife in the vicinity and to ensure compliance with Policies CP2 and CP5 of the Carlisle District Local Plan 2001-2016.

21. Before the development hereby permitted is occupied the two metre high boundary fencing adjacent to Network railways boundary illustrated on the Boundary Treatment Plan received 10th January 2013 (Drawing No. SL075.90.9.SL.BT Revision G) shall be erected and maintained at the height specified on that drawing to the satisfaction of the Local Planning Authority.

Reason: In order to prevent trespass onto the railway.

22. No development shall take place until a method statement (relating to excavation/earthworks/demolition works, details of any vibro-impact machinery and any scaffolding within 10 metres of the railway boundary fence) has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Local Planning Authority.

Reason: To protect the safety, operational needs and integrity of the railway to the north of the site.

23. Notwithstanding the details of lighting already submitted as part of the Otter and Bat Inspection Survey a scheme for all external lighting within and around the site (including temporary and permanent) shall be submitted to and approved in writing by the Local Planning Authority before any work on the site is commenced. The approved scheme shall be permanently retained and maintained thereafter.

Reason: To ensure there is no interference with the existing habitats, the adjacent watercourse and railway line.

24. For the first three months following the installation and operation of the lighting scheme an assessment will be made to check the effect of the lighting on the nearby railway line. If it is found that there is a problem with driver visibility additional screening/cowling or lighting adjustment will be employed as appropriate to alleviate the problem, to the satisfaction of the Local Planning Authority in association with Network Rail and the train operating companies.

Reason: To protect the safety, operational needs and integrity of the railway to the north of the site.

25. 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.

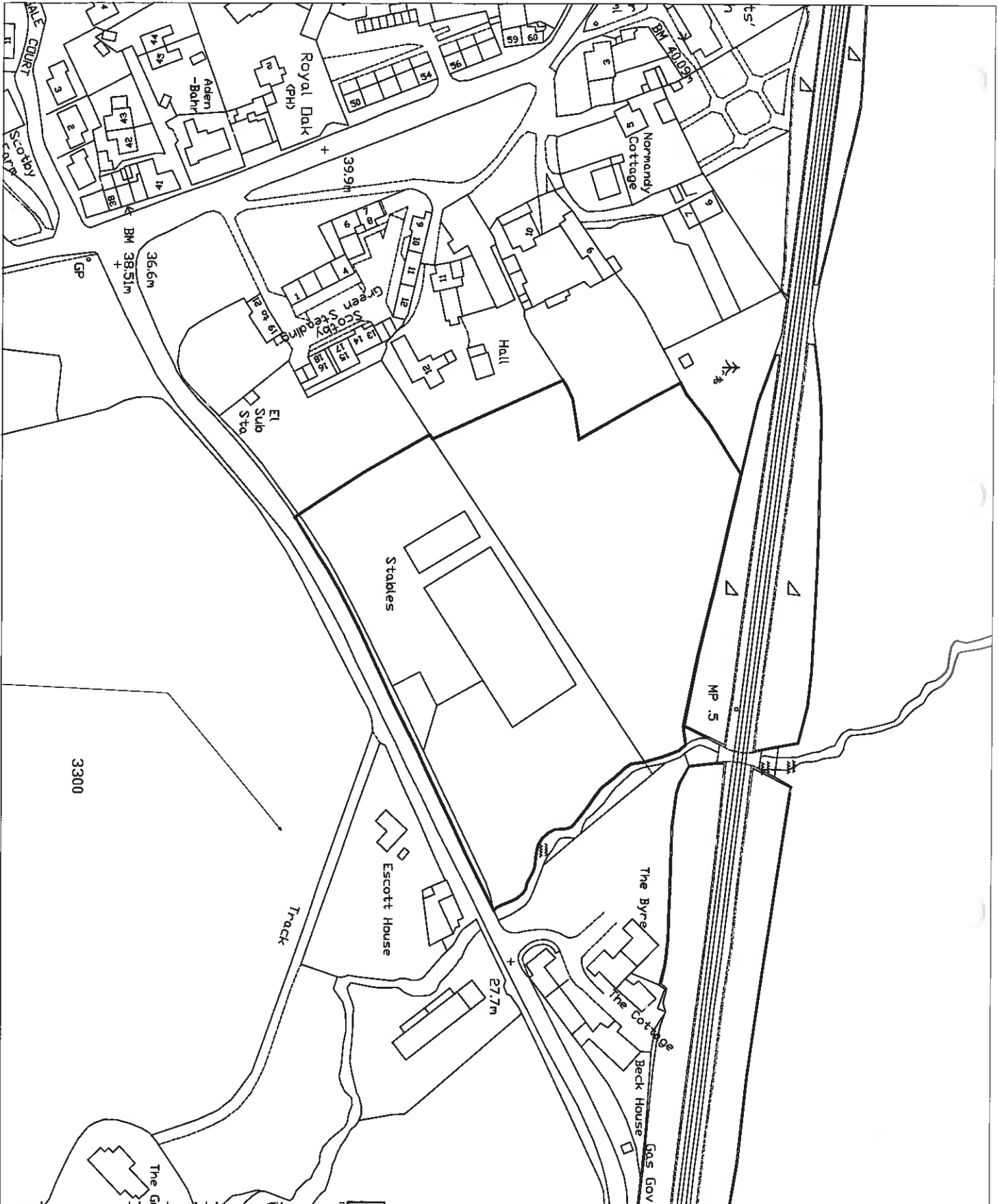
Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

26. No construction work associated with the development hereby approved shall be carried out before 07.30 hours or after 18.00 hours Monday to Friday, before 07.30 hours and 13.00 hours on Saturdays, nor at any times on Sundays or Bank Holidays.

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

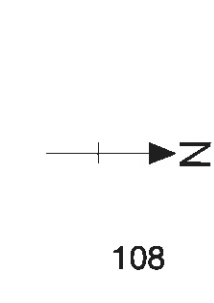
27. Development shall not begin until a scheme for protecting the proposed dwellings from noise from the adjacent railway has been submitted to and approved by the Local Planning Authority; and all works which form part of the scheme shall be completed before any of the permitted dwellings are occupied. The internal noise levels for each dwelling shall meet the WHO guidelines for LAeq and LAmx sound levels.

Reason: So that the externally generated sound level within each dwellings are acceptable in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.



PROJECT	DATE	REVISION
SL075.909.SI.LP	15/03/2012	1
SL075		

STORY HOMES
 Land adjacent to
 Welcome Square, Scotby
 SITE PLAN
 Location Plan



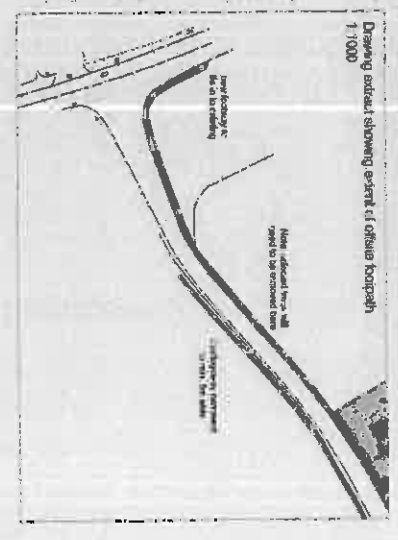
© Story Construction Ltd.
 5 Highfield Industrial Estate, Cardiff, Carmarthenshire, SA1 1AA.
 Tel: 01222 840450 Fax: 01222 840451



Planning Layout

LEGEND OF DECORATIONS OVERALL

Symbol	Description
(Symbol)	Proposed Office Space
(Symbol)	Proposed Parking
(Symbol)	Proposed Landscaping
(Symbol)	Proposed Driveway
(Symbol)	Proposed Fencing
(Symbol)	Proposed Wall
(Symbol)	Proposed Gate
(Symbol)	Proposed Gate Post
(Symbol)	Proposed Gate Chain
(Symbol)	Proposed Gate Lock
(Symbol)	Proposed Gate Handle
(Symbol)	Proposed Gate Latch
(Symbol)	Proposed Gate Bolt
(Symbol)	Proposed Gate Padlock
(Symbol)	Proposed Gate Key
(Symbol)	Proposed Gate Locking Mechanism
(Symbol)	Proposed Gate Hinge
(Symbol)	Proposed Gate Stop
(Symbol)	Proposed Gate Guide
(Symbol)	Proposed Gate Seal
(Symbol)	Proposed Gate Weatherstripping
(Symbol)	Proposed Gate Insulation
(Symbol)	Proposed Gate Soundproofing
(Symbol)	Proposed Gate Fireproofing
(Symbol)	Proposed Gate Security
(Symbol)	Proposed Gate Alarm
(Symbol)	Proposed Gate Camera
(Symbol)	Proposed Gate Intercom
(Symbol)	Proposed Gate Access Control
(Symbol)	Proposed Gate Biometric
(Symbol)	Proposed Gate Facial Recognition
(Symbol)	Proposed Gate Voice Recognition
(Symbol)	Proposed Gate Handwritten Signature
(Symbol)	Proposed Gate Retina Scan
(Symbol)	Proposed Gate Palm Vein
(Symbol)	Proposed Gate Finger Vein
(Symbol)	Proposed Gate Iris
(Symbol)	Proposed Gate Sclera
(Symbol)	Proposed Gate Cornea
(Symbol)	Proposed Gate Lens
(Symbol)	Proposed Gate Retina
(Symbol)	Proposed Gate Optic Nerve
(Symbol)	Proposed Gate Brain
(Symbol)	Proposed Gate Spine
(Symbol)	Proposed Gate Neck
(Symbol)	Proposed Gate Head
(Symbol)	Proposed Gate Face
(Symbol)	Proposed Gate Eyes
(Symbol)	Proposed Gate Ears
(Symbol)	Proposed Gate Mouth
(Symbol)	Proposed Gate Nose
(Symbol)	Proposed Gate Hair
(Symbol)	Proposed Gate Skin
(Symbol)	Proposed Gate Fingers
(Symbol)	Proposed Gate Hands
(Symbol)	Proposed Gate Feet
(Symbol)	Proposed Gate Legs
(Symbol)	Proposed Gate Torso
(Symbol)	Proposed Gate Back
(Symbol)	Proposed Gate Chest
(Symbol)	Proposed Gate Stomach
(Symbol)	Proposed Gate Intestines
(Symbol)	Proposed Gate Liver
(Symbol)	Proposed Gate Gallbladder
(Symbol)	Proposed Gate Pancreas
(Symbol)	Proposed Gate Spleen
(Symbol)	Proposed Gate Lung
(Symbol)	Proposed Gate Heart
(Symbol)	Proposed Gate Blood
(Symbol)	Proposed Gate Vein
(Symbol)	Proposed Gate Artery
(Symbol)	Proposed Gate Capillary
(Symbol)	Proposed Gate Cell
(Symbol)	Proposed Gate Tissue
(Symbol)	Proposed Gate Organ
(Symbol)	Proposed Gate System
(Symbol)	Proposed Gate Body
(Symbol)	Proposed Gate Mind
(Symbol)	Proposed Gate Soul
(Symbol)	Proposed Gate Spirit
(Symbol)	Proposed Gate Energy
(Symbol)	Proposed Gate Force
(Symbol)	Proposed Gate Power
(Symbol)	Proposed Gate Strength
(Symbol)	Proposed Gate Will
(Symbol)	Proposed Gate Determination
(Symbol)	Proposed Gate Courage
(Symbol)	Proposed Gate Bravery
(Symbol)	Proposed Gate Honor
(Symbol)	Proposed Gate Integrity
(Symbol)	Proposed Gate Loyalty
(Symbol)	Proposed Gate Faith
(Symbol)	Proposed Gate Hope
(Symbol)	Proposed Gate Love
(Symbol)	Proposed Gate Compassion
(Symbol)	Proposed Gate Kindness
(Symbol)	Proposed Gate Generosity
(Symbol)	Proposed Gate Humility
(Symbol)	Proposed Gate Patience
(Symbol)	Proposed Gate Self-control
(Symbol)	Proposed Gate Discipline
(Symbol)	Proposed Gate Perseverance
(Symbol)	Proposed Gate Endurance
(Symbol)	Proposed Gate Resilience
(Symbol)	Proposed Gate Flexibility
(Symbol)	Proposed Gate Adaptability
(Symbol)	Proposed Gate Creativity
(Symbol)	Proposed Gate Innovation
(Symbol)	Proposed Gate Problem-solving
(Symbol)	Proposed Gate Decision-making
(Symbol)	Proposed Gate Leadership
(Symbol)	Proposed Gate Teamwork
(Symbol)	Proposed Gate Communication
(Symbol)	Proposed Gate Listening
(Symbol)	Proposed Gate Empathy
(Symbol)	Proposed Gate Understanding
(Symbol)	Proposed Gate Respect
(Symbol)	Proposed Gate Tolerance
(Symbol)	Proposed Gate Open-mindedness
(Symbol)	Proposed Gate Curiosity
(Symbol)	Proposed Gate Wonder
(Symbol)	Proposed Gate Awe
(Symbol)	Proposed Gate Amazement
(Symbol)	Proposed Gate Surprise
(Symbol)	Proposed Gate Delight
(Symbol)	Proposed Gate Joy
(Symbol)	Proposed Gate Happiness
(Symbol)	Proposed Gate Contentment
(Symbol)	Proposed Gate Satisfaction
(Symbol)	Proposed Gate Fulfillment
(Symbol)	Proposed Gate Purpose
(Symbol)	Proposed Gate Meaning
(Symbol)	Proposed Gate Significance
(Symbol)	Proposed Gate Impact
(Symbol)	Proposed Gate Legacy
(Symbol)	Proposed Gate Influence
(Symbol)	Proposed Gate Inspiration
(Symbol)	Proposed Gate Motivation
(Symbol)	Proposed Gate Drive
(Symbol)	Proposed Gate Ambition
(Symbol)	Proposed Gate Aspiration
(Symbol)	Proposed Gate Dream
(Symbol)	Proposed Gate Vision
(Symbol)	Proposed Gate Ideal
(Symbol)	Proposed Gate Goal
(Symbol)	Proposed Gate Objective
(Symbol)	Proposed Gate Mission
(Symbol)	Proposed Gate Vision Statement
(Symbol)	Proposed Gate Business Plan
(Symbol)	Proposed Gate Marketing Strategy
(Symbol)	Proposed Gate Sales Strategy
(Symbol)	Proposed Gate Distribution Strategy
(Symbol)	Proposed Gate Customer Service Strategy
(Symbol)	Proposed Gate Human Resources Strategy
(Symbol)	Proposed Gate Financial Strategy
(Symbol)	Proposed Gate Operational Strategy
(Symbol)	Proposed Gate Technological Strategy
(Symbol)	Proposed Gate Environmental Strategy
(Symbol)	Proposed Gate Social Strategy
(Symbol)	Proposed Gate Governance Strategy
(Symbol)	Proposed Gate Compliance Strategy
(Symbol)	Proposed Gate Risk Management Strategy
(Symbol)	Proposed Gate Crisis Management Strategy
(Symbol)	Proposed Gate Business Continuity Strategy
(Symbol)	Proposed Gate Disaster Recovery Strategy
(Symbol)	Proposed Gate Information Security Strategy
(Symbol)	Proposed Gate Data Privacy Strategy
(Symbol)	Proposed Gate Cybersecurity Strategy
(Symbol)	Proposed Gate Network Security Strategy
(Symbol)	Proposed Gate System Security Strategy
(Symbol)	Proposed Gate Application Security Strategy
(Symbol)	Proposed Gate Device Security Strategy
(Symbol)	Proposed Gate User Security Strategy
(Symbol)	Proposed Gate Access Control Strategy
(Symbol)	Proposed Gate Authentication Strategy
(Symbol)	Proposed Gate Authorization Strategy
(Symbol)	Proposed Gate Accounting Strategy
(Symbol)	Proposed Gate Tax Strategy
(Symbol)	Proposed Gate Insurance Strategy
(Symbol)	Proposed Gate Legal Strategy
(Symbol)	Proposed Gate Intellectual Property Strategy
(Symbol)	Proposed Gate Trademark Strategy
(Symbol)	Proposed Gate Copyright Strategy
(Symbol)	Proposed Gate Patent Strategy
(Symbol)	Proposed Gate Trade Secret Strategy
(Symbol)	Proposed Gate Non-Disclosure Agreement Strategy
(Symbol)	Proposed Gate Employment Contract Strategy
(Symbol)	Proposed Gate Vendor Contract Strategy
(Symbol)	Proposed Gate Customer Contract Strategy
(Symbol)	Proposed Gate Partnership Contract Strategy
(Symbol)	Proposed Gate Joint Venture Contract Strategy
(Symbol)	Proposed Gate Merger and Acquisition Strategy
(Symbol)	Proposed Gate Divestiture Strategy
(Symbol)	Proposed Gate Restructuring Strategy
(Symbol)	Proposed Gate Liquidation Strategy
(Symbol)	Proposed Gate Bankruptcy Strategy
(Symbol)	Proposed Gate Reorganization Strategy
(Symbol)	Proposed Gate Chapter 11 Strategy
(Symbol)	Proposed Gate Chapter 12 Strategy
(Symbol)	Proposed Gate Chapter 13 Strategy
(Symbol)	Proposed Gate Chapter 7 Strategy
(Symbol)	Proposed Gate Chapter 9 Strategy
(Symbol)	Proposed Gate Chapter 11, 12, 13, 7, 9 Strategy



Drawing sheet showing extent of official boundary
1:1000

STORY
HOMES

PLANNING APP

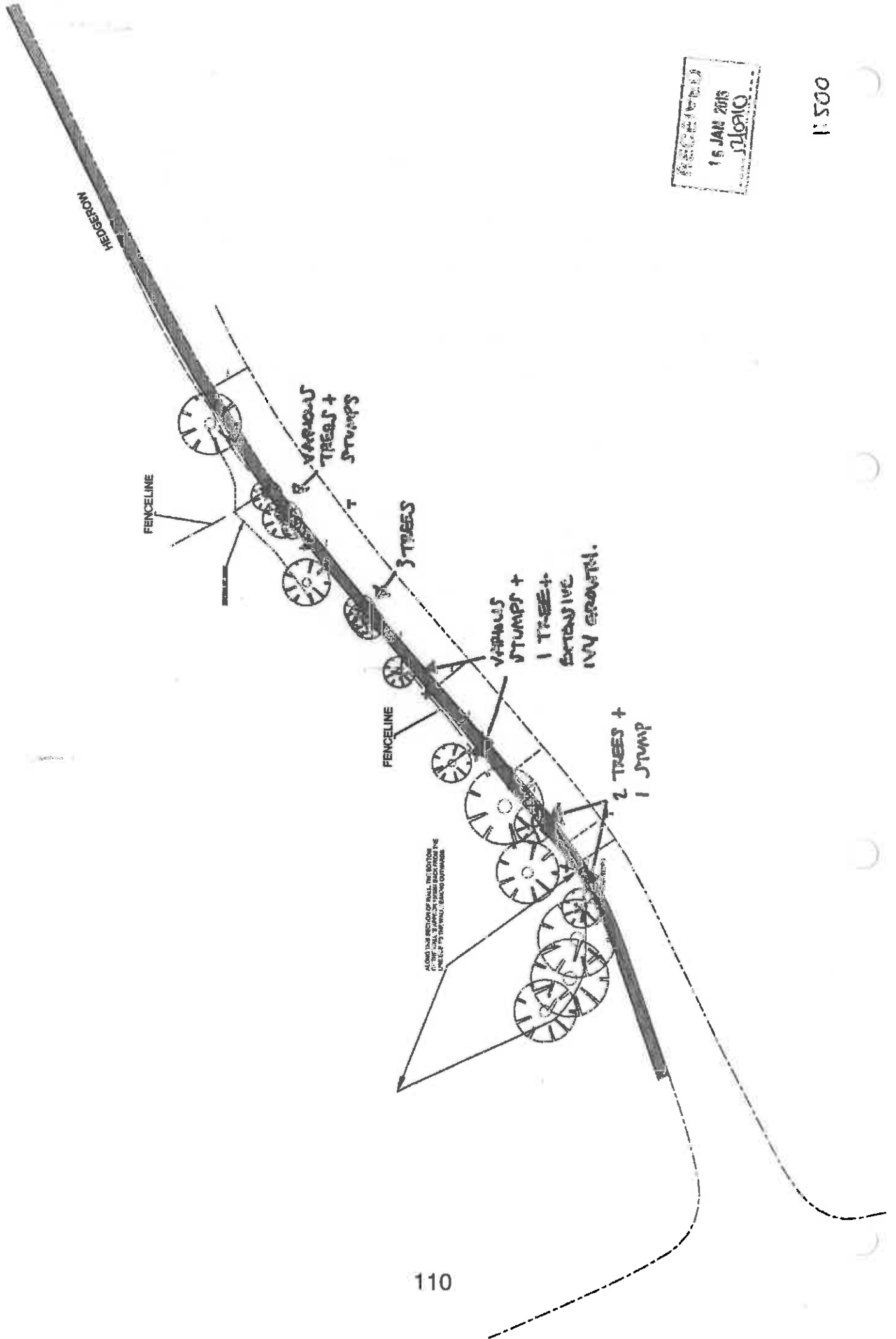
Land ad.
Welcome Square, Scotby
Planning Layout

DATE: 19/08/2019
SCALE: 1:500
PROJECT: SLO75 90 9 SL PL
JOB: SLO75

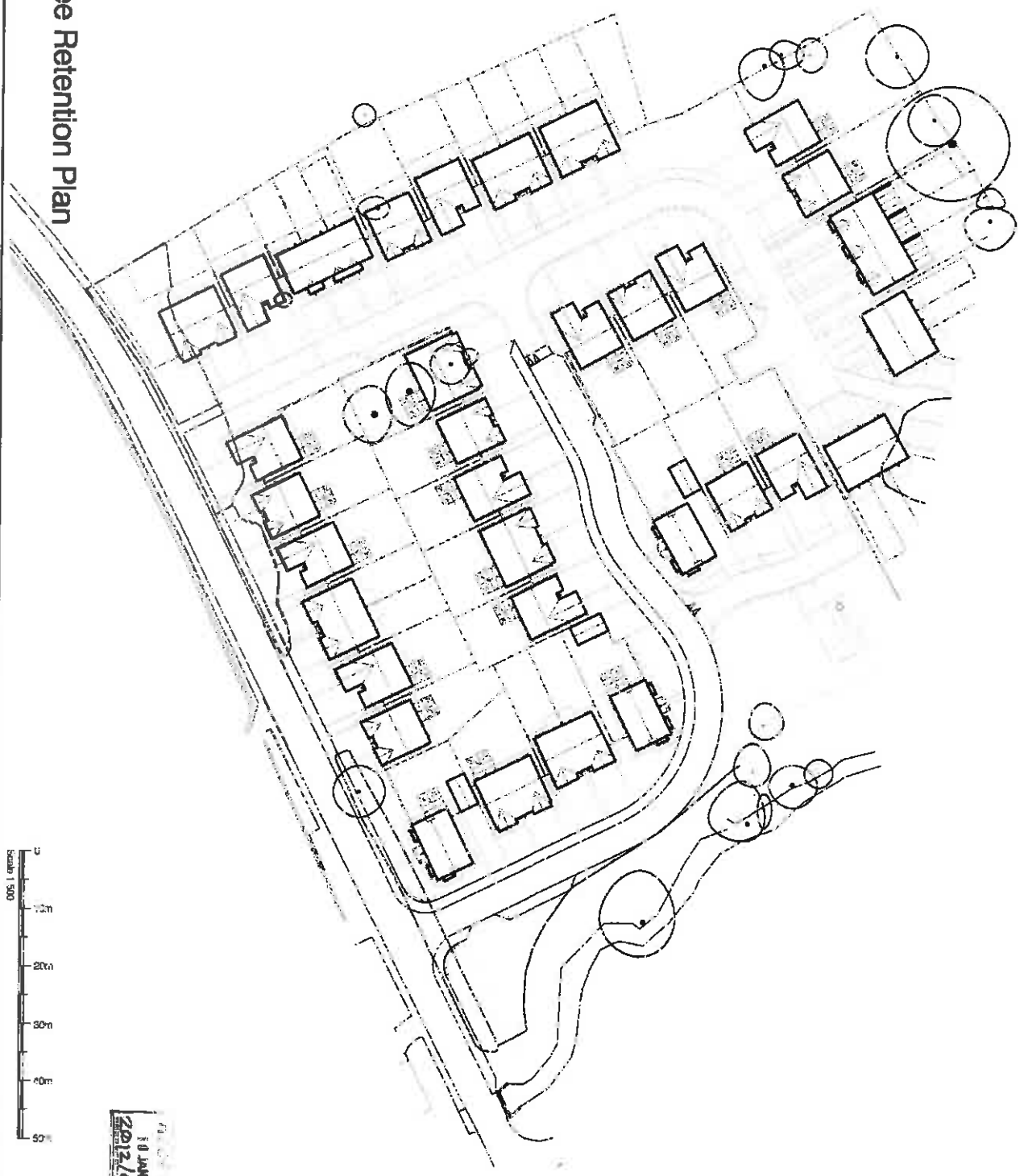
NO.	DESCRIPTION	DATE	BY
1	Issue for public consultation	19/08/19	HL
2	Issue for public consultation	19/08/19	HL
3	Issue for public consultation	19/08/19	HL
4	Issue for public consultation	19/08/19	HL
5	Issue for public consultation	19/08/19	HL
6	Issue for public consultation	19/08/19	HL
7	Issue for public consultation	19/08/19	HL
8	Issue for public consultation	19/08/19	HL
9	Issue for public consultation	19/08/19	HL
10	Issue for public consultation	19/08/19	HL

Story Construction Ltd.
Brighton Road, Scotby, Carlisle, Cumbria, CA7 7NW.
Tel: 01283 666666
Fax: 01283 666666

Plans showing trees to be removed.



Tree Retention Plan



18 JAN 2013
2012/5710

Key

- Trees removed
- Trees retained

N

PLANNING APP

STORY

111

Land adj.
Welcome Square, Scotby

Tree Retention Plan

DATE	13/01/2013
DESIGNED BY	AS
DRAWN	SL075, 90, 9, SL TRP
DATE	13/01/2013
PROJECT	F
SITE REFERENCE	SL075

Exclusions

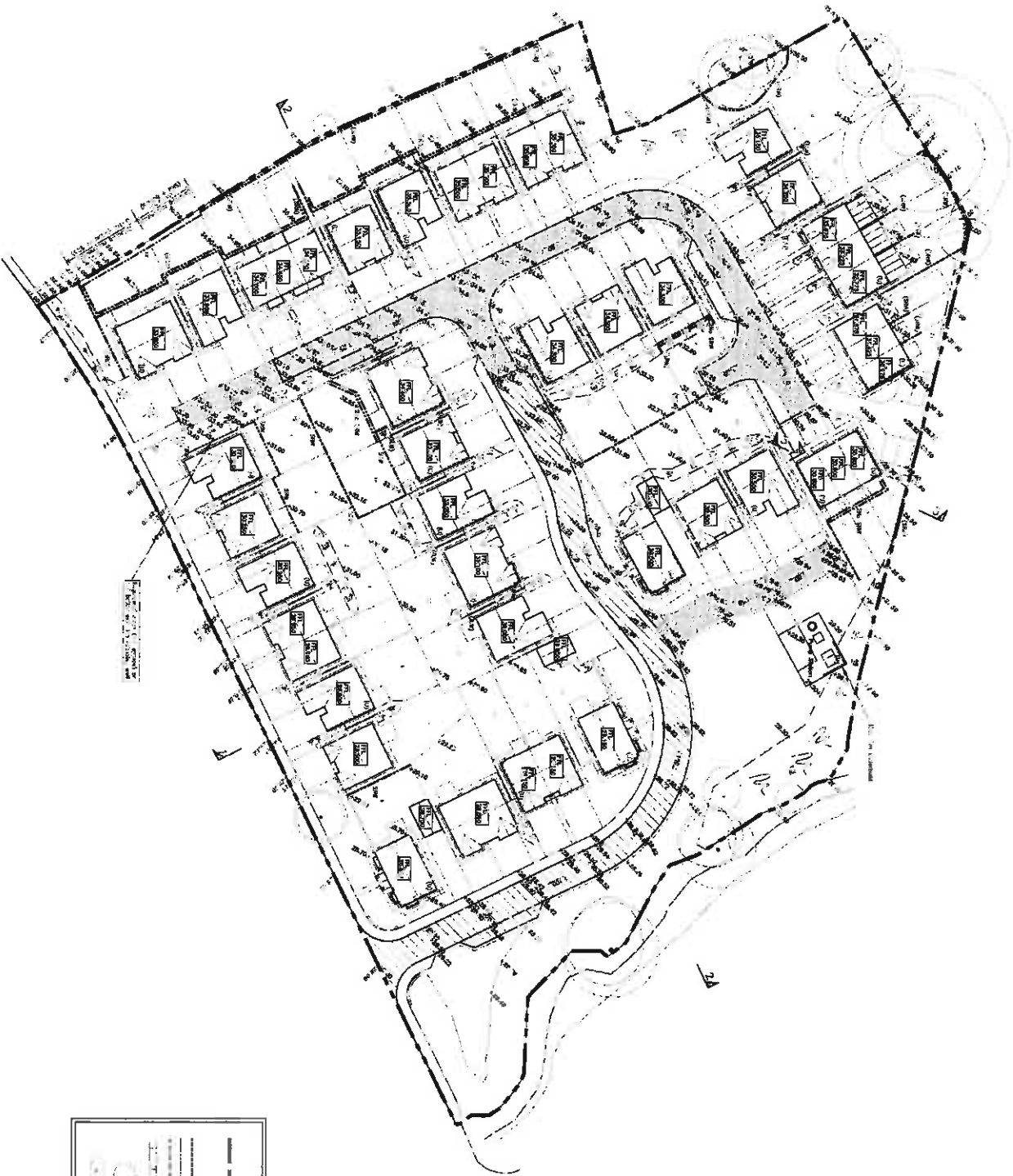
A: Areas of tree with planning approval

D: Areas of tree with planning approval

F: Areas of tree with planning approval

Other: Areas of tree with planning approval

Story Construction Ltd.
Rough 2nd Industrial Estate, Cullin, CM2 7PA,
West Essex, Essex



Out and fit subdivisions and based on the most finished ground conditions

1. All buildings are to adhere to levels 1 to 4
2. All roads are to be finished to levels 1 to 4
3. All drainage is to be finished to levels 1 to 4
4. All landscaping is to be finished to levels 1 to 4

Out and fit design assumptions

1. The site is to be developed in accordance with the design assumptions set out in this document.
2. The site is to be developed in accordance with the design assumptions set out in this document.
3. The site is to be developed in accordance with the design assumptions set out in this document.
4. The site is to be developed in accordance with the design assumptions set out in this document.
5. The site is to be developed in accordance with the design assumptions set out in this document.
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8. The site is to be developed in accordance with the design assumptions set out in this document.
9. The site is to be developed in accordance with the design assumptions set out in this document.
10. The site is to be developed in accordance with the design assumptions set out in this document.
11. The site is to be developed in accordance with the design assumptions set out in this document.
12. The site is to be developed in accordance with the design assumptions set out in this document.
13. The site is to be developed in accordance with the design assumptions set out in this document.

Legend

Proposed Level 1 (to 1st floor)

Proposed Level 2 (to 2nd floor)

Proposed Level 3 (to 3rd floor)

Proposed Level 4 (to 4th floor)

Proposed Level 5 (to 5th floor)

Proposed Level 6 (to 6th floor)

Proposed Level 7 (to 7th floor)

Proposed Level 8 (to 8th floor)

Proposed Level 9 (to 9th floor)

Proposed Level 10 (to 10th floor)

Proposed Level 11 (to 11th floor)

Proposed Level 12 (to 12th floor)

Proposed Level 13 (to 13th floor)

Proposed Level 14 (to 14th floor)

Proposed Level 15 (to 15th floor)

Proposed Level 16 (to 16th floor)

Proposed Level 17 (to 17th floor)

Proposed Level 18 (to 18th floor)

Proposed Level 19 (to 19th floor)

Proposed Level 20 (to 20th floor)

Proposed Level 21 (to 21st floor)

Proposed Level 22 (to 22nd floor)

Proposed Level 23 (to 23rd floor)

Proposed Level 24 (to 24th floor)

Proposed Level 25 (to 25th floor)

Proposed Level 26 (to 26th floor)

Proposed Level 27 (to 27th floor)

Proposed Level 28 (to 28th floor)

Proposed Level 29 (to 29th floor)

Proposed Level 30 (to 30th floor)

Proposed Level 31 (to 31st floor)

Proposed Level 32 (to 32nd floor)

Proposed Level 33 (to 33rd floor)

Proposed Level 34 (to 34th floor)

Proposed Level 35 (to 35th floor)

Proposed Level 36 (to 36th floor)

Proposed Level 37 (to 37th floor)

Proposed Level 38 (to 38th floor)

Proposed Level 39 (to 39th floor)

Proposed Level 40 (to 40th floor)

Proposed Level 41 (to 41st floor)

Proposed Level 42 (to 42nd floor)

Proposed Level 43 (to 43rd floor)

Proposed Level 44 (to 44th floor)

Proposed Level 45 (to 45th floor)

Proposed Level 46 (to 46th floor)

Proposed Level 47 (to 47th floor)

Proposed Level 48 (to 48th floor)

Proposed Level 49 (to 49th floor)

Proposed Level 50 (to 50th floor)



integra consulting

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 Fax: (206) 881-1112
 Email: info@integraconsulting.com
 Website: www.integraconsulting.com

PLANNING

STORY HOMES

SOVEREIGN

EXTERNAL LEVELS LAYOUT

Project No: 001 P7

Sheet No: 2

Notes

1. See notes on drawings.
2. If there are any other utilities, they should be indicated on the drawings.
3. If there are any other utilities, they should be indicated on the drawings.
4. If there are any other utilities, they should be indicated on the drawings.
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17. If there are any other utilities, they should be indicated on the drawings.
18. If there are any other utilities, they should be indicated on the drawings.
19. If there are any other utilities, they should be indicated on the drawings.
20. If there are any other utilities, they should be indicated on the drawings.



Legend
 ■ Existing Building
 □ Proposed Building
 ○ Existing Utility
 ● Proposed Utility
 --- Proposed Street
 - - - - - Proposed Drainage
 --- Existing Street
 --- Existing Drainage
 --- Existing Utility
 --- Existing Boundary
 --- Existing Easement
 --- Existing Right-of-Way

Legend

1.00 Existing Building
 2.00 Proposed Building
 3.00 Existing Utility
 4.00 Proposed Utility
 5.00 Proposed Street
 6.00 Proposed Drainage
 7.00 Existing Street
 8.00 Existing Drainage
 9.00 Existing Utility
 10.00 Existing Boundary
 11.00 Existing Easement
 12.00 Existing Right-of-Way

DATE: 11 Aug 2011
 TIME: 10:00:00
 USER: sctoby

114	114	114	114
114	114	114	114
114	114	114	114
114	114	114	114

PLANNING

STORY HOMES

SCOTBY

DRAINAGE LAYOUT

Integra consulting
 100 West 10th Street
 Suite 100
 Portland, OR 97201
 Phone: 503.255.4100
 Fax: 503.255.4101
 Email: info@integraconsulting.com

2620 002 P7

Elevation Treatments

Minimum recommended dimensions: 1:100



- Elevation Treatments Key**
- Strawmark
 - Birchmark
 - Pencil
 - Recessed joints, Birchmark surround
 - Dallic Stone
 - Gablic Feature
 - Green Look
 - Blue Diver
 - Red Diver



115

PLANING AREA

STORY

Land adj.
Welcome Square, Scotby

Elevation Treatments

UNIT	48	1:100	SCALE	1:100	DATE	1:100
TERMINES	SLO75, 90, 9 SLET					G
REVISIONS	SLO75					

- REVISIONS:**
- A Approved in line with Planning Board
 - B Approved in line with Planning Board
 - C Approved in line with Planning Board
 - D Approved in line with Planning Board
 - E Approved in line with Planning Board
 - F Approved in line with Planning Board
 - G Approved in line with Planning Board



Starry Construction Ltd.
 Brighton Industrial Estate, Cuckoo, Cloghanna
 Tel: 01234 567890 Fax: 01234 567890

Character Finishes



- Key**
- Full Brick facade
 - Mainly Brick with partial Stone facade & Quoins
 - Mainly Brick with partial Rendered facade & Quoins
 - Mainly Render with partial Stone facade & Quoins
 - Fully Rendered facade




 116


Land adj.
Welcome Square, Scotby

Character Finishes

PROPOSER:	AB	DEPT:	LOCAL
DATE RECEIVED:	13/01/2012	CASE:	1/2012
SCHEME NUMBER:	SL075; 90.9 SL CF	REFERENCE:	G
SITE:	SL075		
REVISIONS:			
1:	Approved for construction	DATE:	13/01/2012
2:	Approved for construction	DATE:	13/01/2012
3:	Approved for construction	DATE:	13/01/2012
4:	Approved for construction	DATE:	13/01/2012
5:	Approved for construction	DATE:	13/01/2012
6:	Approved for construction	DATE:	13/01/2012
7:	Approved for construction	DATE:	13/01/2012
8:	Approved for construction	DATE:	13/01/2012
9:	Approved for construction	DATE:	13/01/2012
10:	Approved for construction	DATE:	13/01/2012

C. Story Construction Ltd.
 English Road, Carlisle, Cumbria, Cumbria, Cumbria
 Tel: 01273 888888 Fax: 01273 888888



House Type

TYPE 1

Detached Garage
GF/FF 124.26 sq.m. (1337.53 sq.ft.)

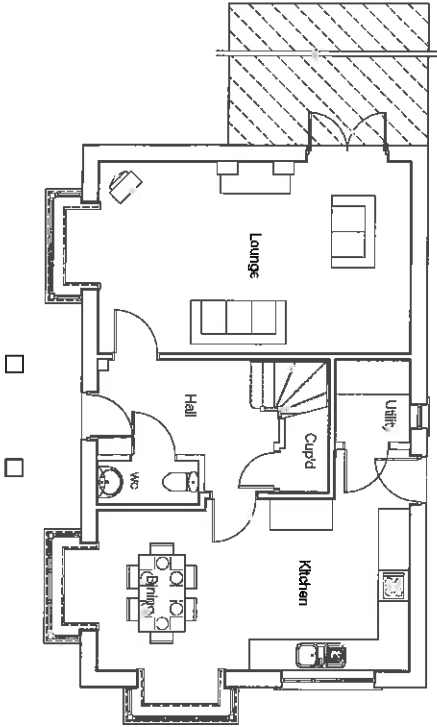
© **Story Homes.**

Burgh Rd Industrial Estate, Carlisle, Cumbria, CA2 7NA.

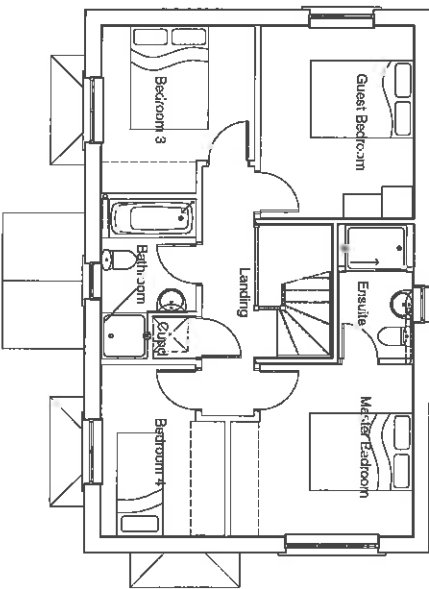
Tel 01228 640850

Fax 01228 640851

Crissa, story Type 1
 External dimensions 4.1m x 3.9m.
 Please refer to conservation / E. Model for
 construction details and site layout plan for plot
 reference.



Ground Floor Plan



First Floor Plan

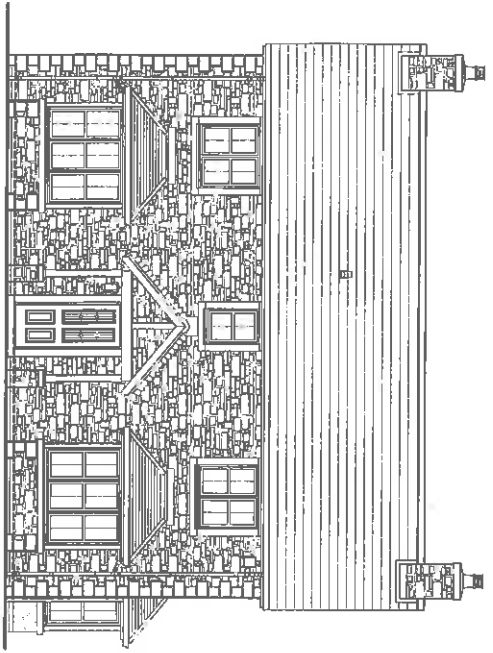
HOUSE

 HOUSE

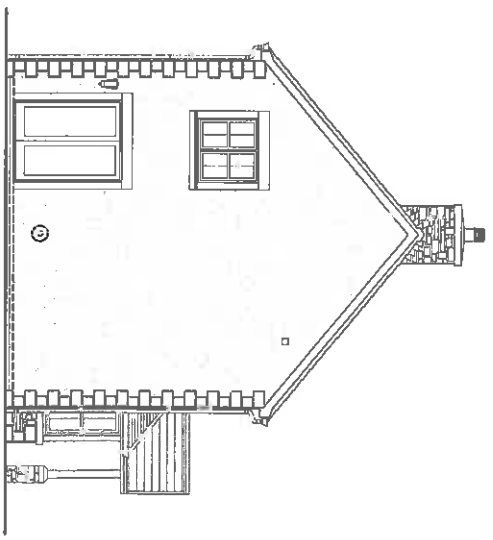
TYPE 1

Planning Plans 4

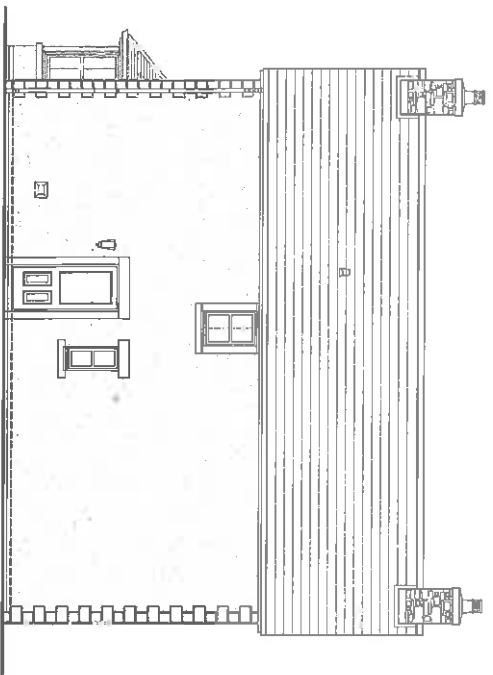
DATE	SCALE	REVISION
11/11/2013	1:100	
TYPE 1 - PLP4		



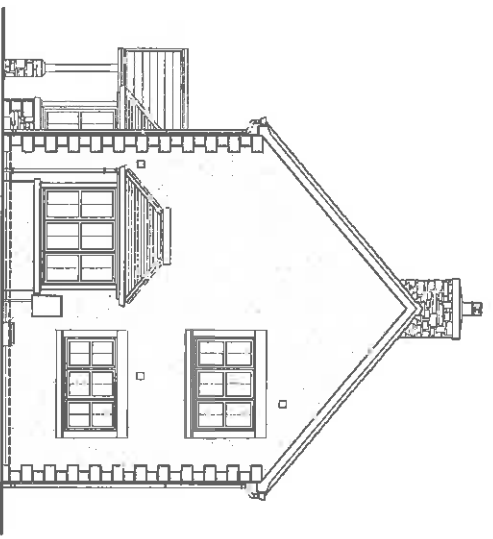
Front Elevation



Side Elevation



Rear Elevation



Side Elevation



TYPE 1

Planning Elevations 4/5

DATE	01/10/2010
FOR NEW	CON
PROJECT	DRYDEN
SCALE	1:100
TYPE	TYPE 1 - PLEA/5
REVISION	(1)

© Story Homes.
 Design: Richard Evans, C
 11/08/09
 Plan: 01/23/10 4406/51



House Type

TYPE 2

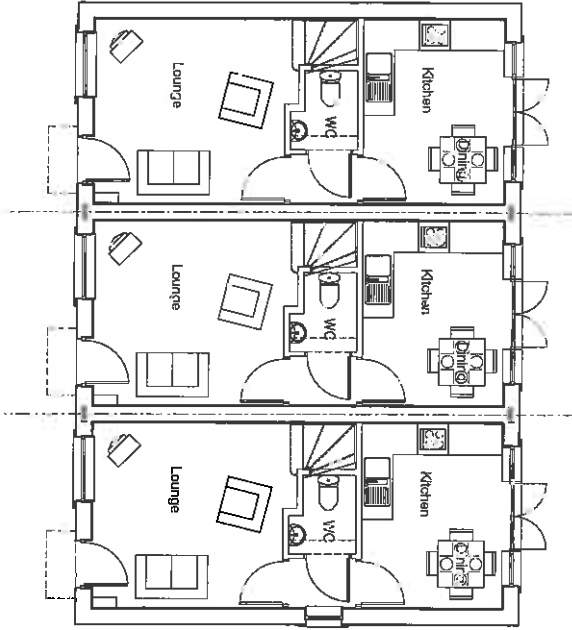
Detached Garage
GF/FF 124.26 sq.m. (1337.53 sq.ft.)

© **Story Homes.**

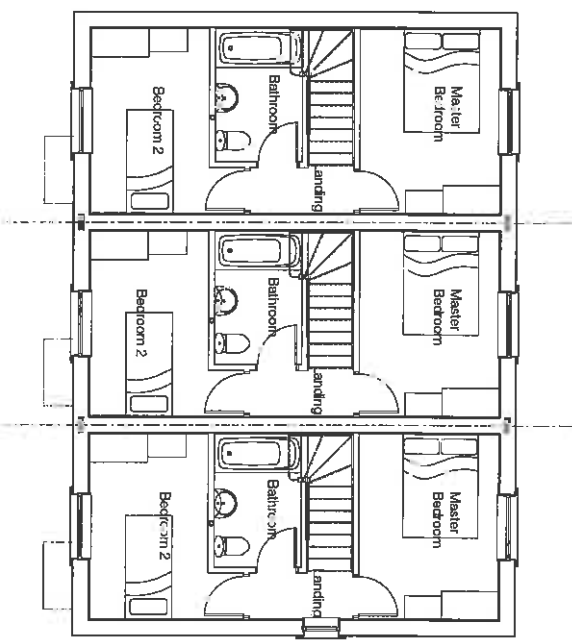
Burgh Rd Industrial Estate, Carlisle, Cumbria, CA2 7NA.

Tel 01228 640850

Fax 01228 640851



Ground Floor Plan



First Floor Plan

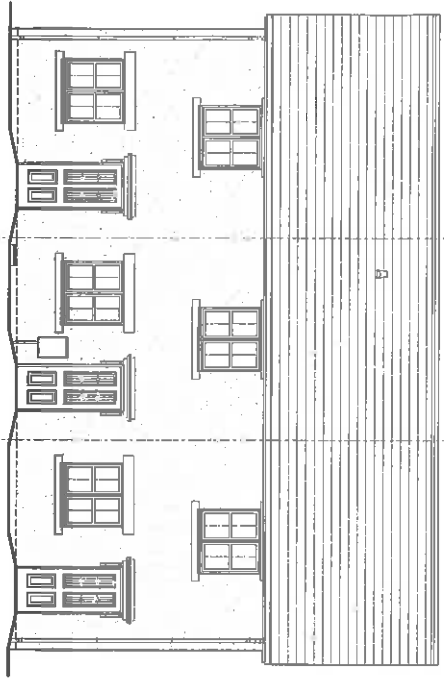


TYPE 2

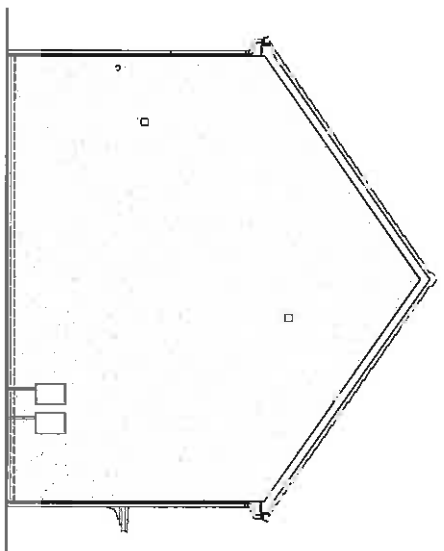
Planning Plans 1

DRAWN BY	DATE	SCALE	REVISION
CHECKED BY	DATE	SCALE	REVISION
PROJECT NUMBER		-	
TYPE - PLP1		-	

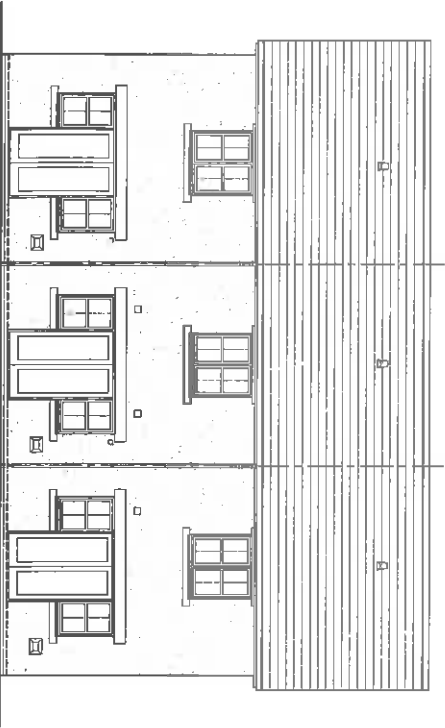
Story Homes
 South East London Estate
 Planning Department
 Tel 01753 644444
 Fax 01753 644441



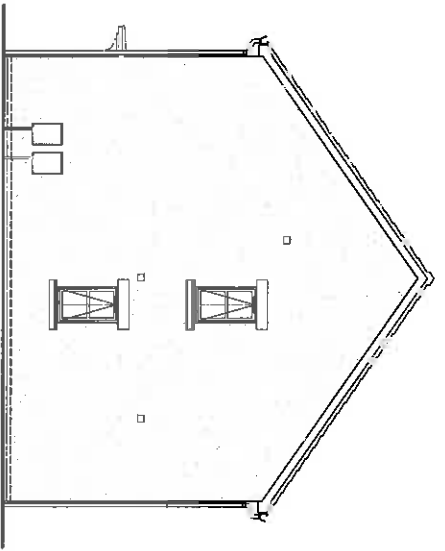
Front Elevation



Side Elevation



Rear Elevation



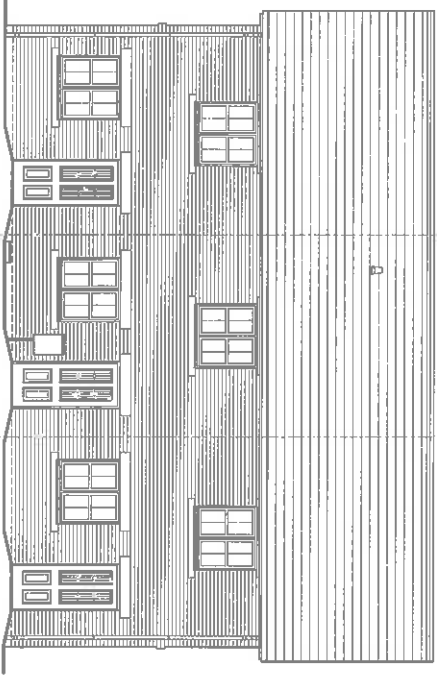
Side Elevation



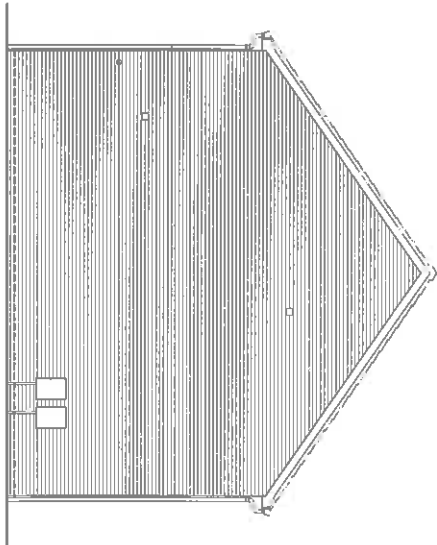
TYPE 2

Planning Elevations 1/2

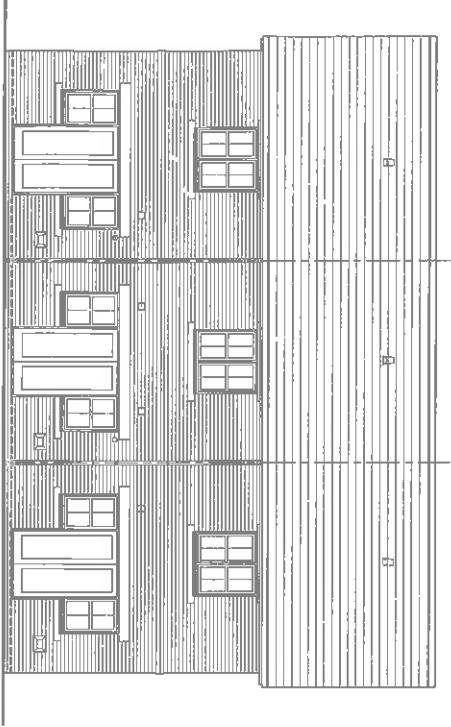
DATE: 08-13	SCALE: 1/2" = 1'-0"	REVISION:
DESIGNED BY: CHL	SCALE: 1/2" = 1'-0"	
CHECKED BY: [Signature]	SCALE: 1/2" = 1'-0"	
DATE: 08-13-2013	SCALE: 1/2" = 1'-0"	
TYPE: TYPE2 - PLE1/2		
DATE: 08-13-2013		



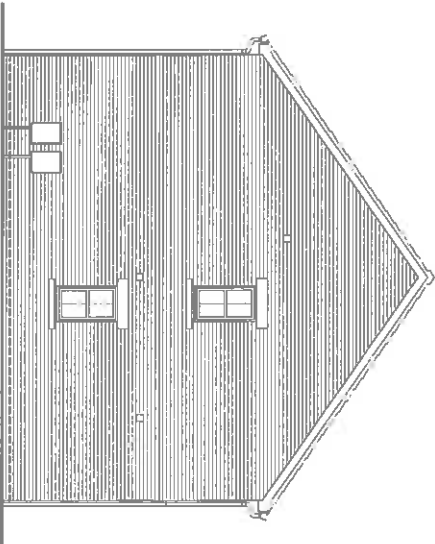
Front Elevation



Side Elevation



Rear Elevation



Side Elevation



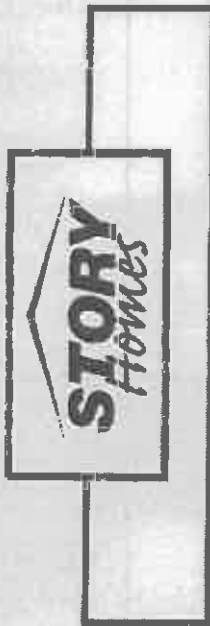
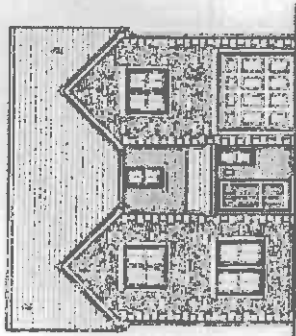
HOUSE TYPE

TYPE 2

DRAWING

Painting Elevations 1/3

DRAWN BY	CHK	DATE	SCALE
DESIGNED BY			
PROJECT NUMBER	(1)	TYPE - PLEN3	
REVISION			



House Type

The HORNBEAM

GF/FF 117.18 sq.m. (1261.28 sq.ft.)
GARAGE 12.70sq.m. (136.71 sq.ft.)

 **Story Homes.**

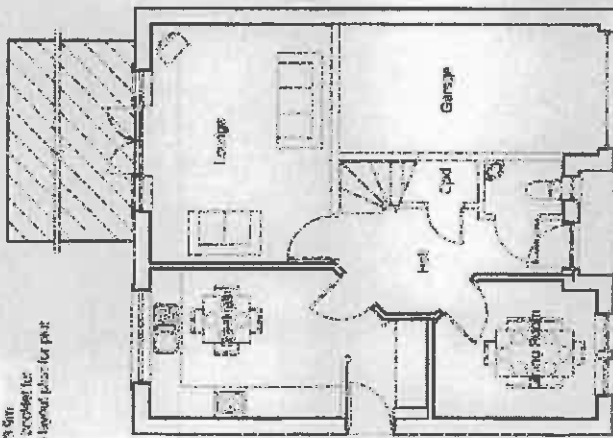
Burgh Rd Industrial Estate, Carlisle Cumbria CA2 7NA

Tel 01228 640850

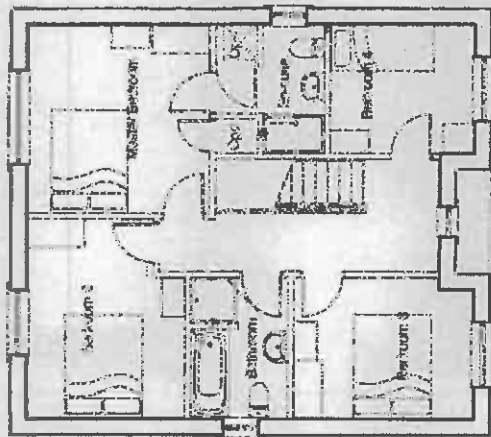
Fax 01228 640651

RECEIVED
21 JUL 2010
2012/0710

Contingency Type 1
 Eaten at 4/19/2012 4:16:13 PM
 Please refer to the assembly schedule for
 construction details and site layout plan for pit
 reference.



Ground Floor Plan



First Floor Plan

RECEIVED
 11 OCT 2012
 2012/10/10

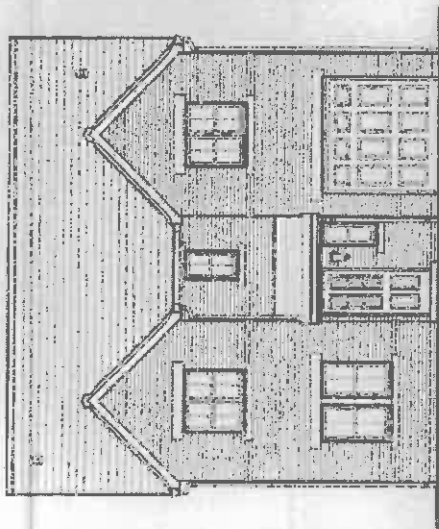


TYPE 3

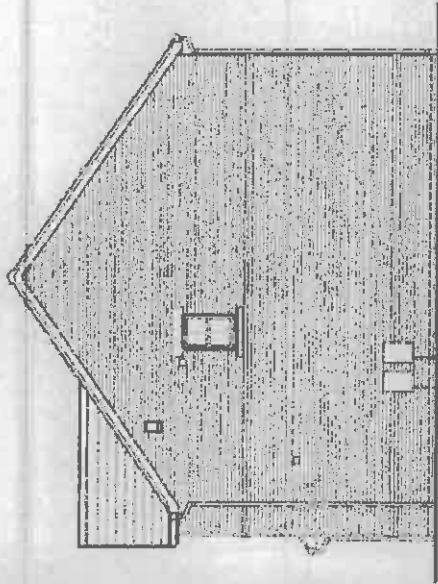
Planning Plans 1

PROJECT NO.	2012-0710
DATE	10/10/12
TYPE	TYPE 3 - PUP
SCALE	1/4" = 1'-0"
DATE	10/10/12

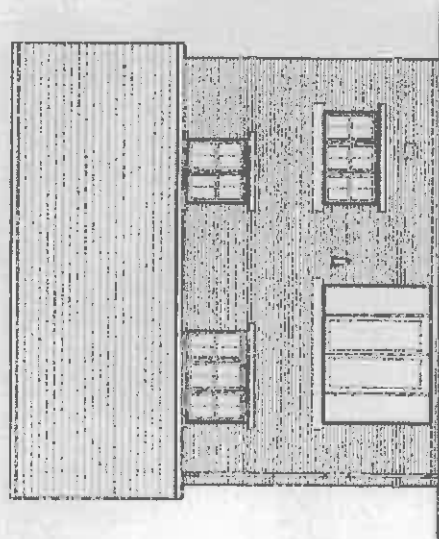
Story Homes
 1000 BIRCHMOUNT ROAD, SUITE 100, BIRMINGHAM, AL 35202
 TEL: 205-988-8888



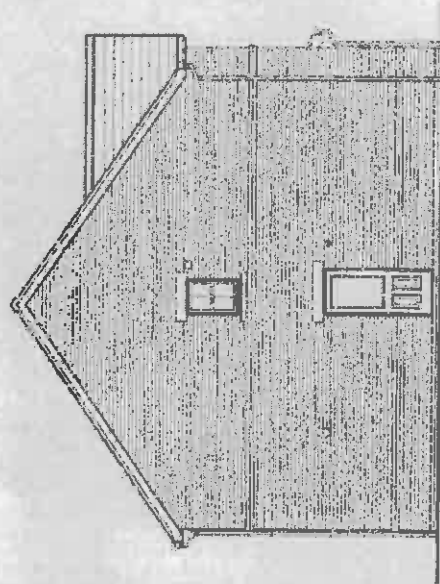
Front Elevation



Side Elevation



Rear Elevation



Side Elevation

RECEIVED
2012 0710



TYPE 3

Planning Elevations 1/3

DATE: 12/11/11	SCALE: 1/8" = 1'-0"
PROJECT: 11-0010	DATE: 12/11/11
NO: 01	TYPE: 3 - P1E1/3

Story Homes,
Architectural Services, Inc. 1100 N. 11th St.
Tulsa, OK 74103



House Type

TYPE 6

GF/FF 121.77 sq.m. (1310.69 sq.ft.)
GARAGE 12.99sq.m. (139.86 sq.ft.)

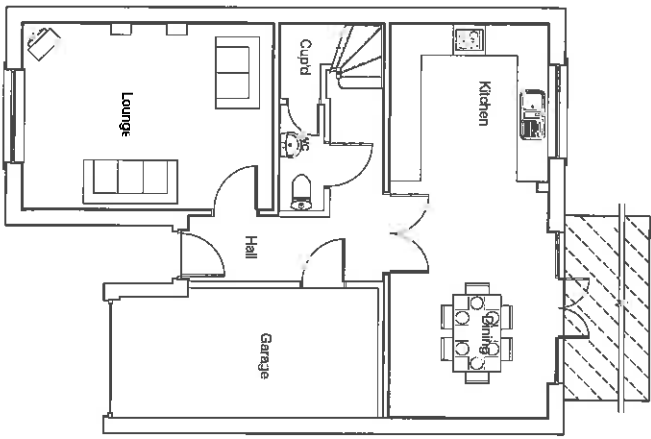
© **Story Homes.**

Burgh Rd Industrial Estate, Carlisle, Cumbria, CA2 7NA.

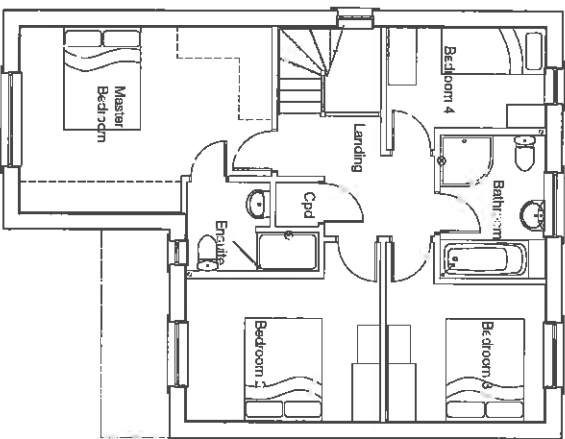
Tel 01228 640850

Fax 01228 640851

Conversion: Type 2
 External dimensions 3.6m x 3.6m.
 Please refer to corner 'A'oy booklet
 for construction details and site layout
 plan for plot references.



Ground Floor Plan



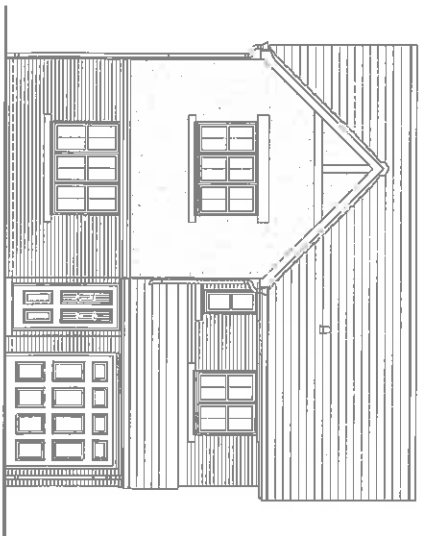
First Floor Plan

1:100 - TYPE

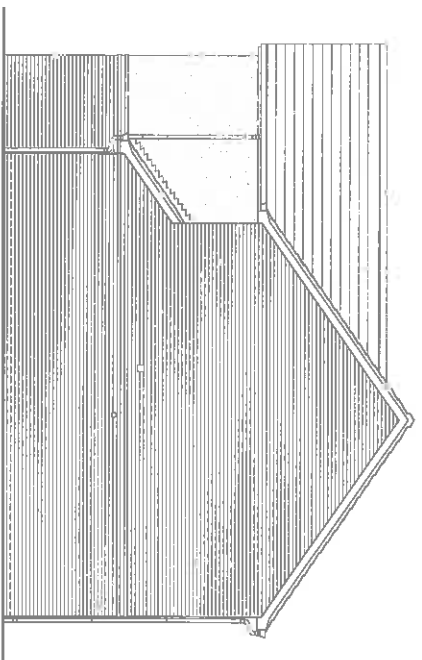

TYPE 6

Planning Plans 1

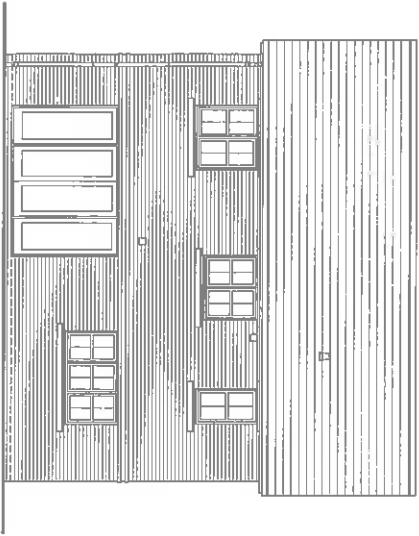
DATE	23-8-2018
DATE FOR REVIEW	11-9-2018
NO. OF REVISED	(2)
TYPE	TYPE 6 - PLP1
REVISED BY	A



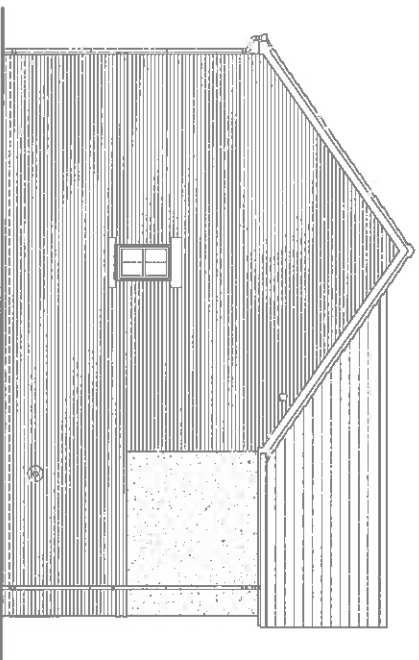
Front Elevation



Side Elevation



Rear Elevation



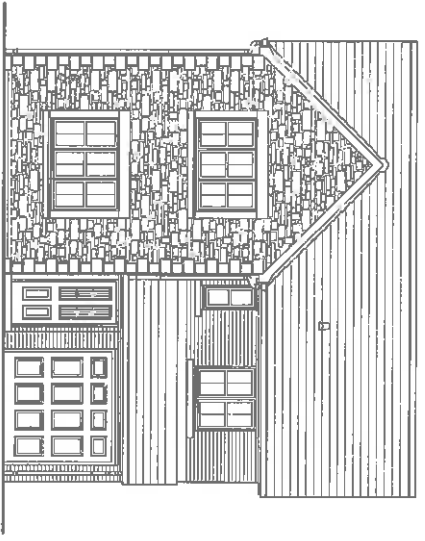
Side Elevation



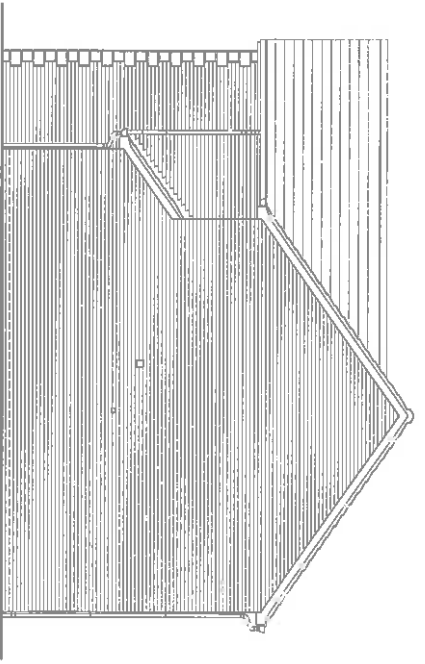
TYPE 6

Planning Elevations 1/4

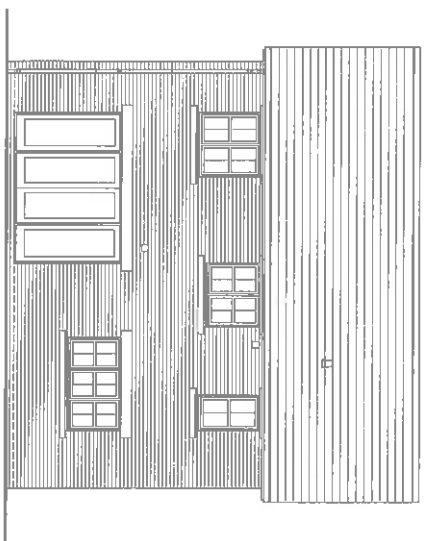
DATE	3/11/2016
DESIGNED BY	DAVE TAYLOR
CHECKED BY	DAVE TAYLOR
TYPE	TYPE 6 - PLE1/4
REVISION	B



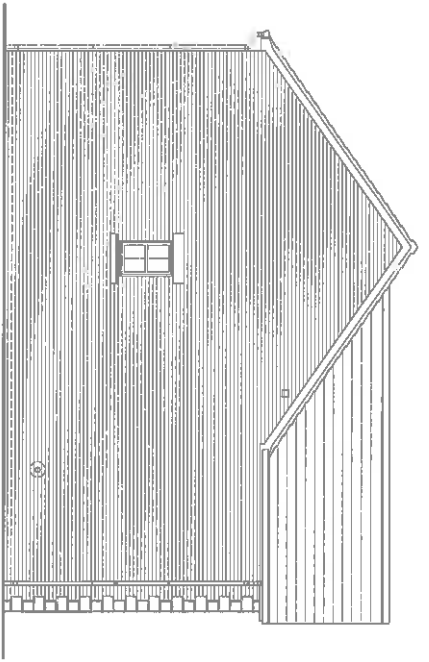
Front Elevation



Side Elevation



Rear Elevation



Side Elevation

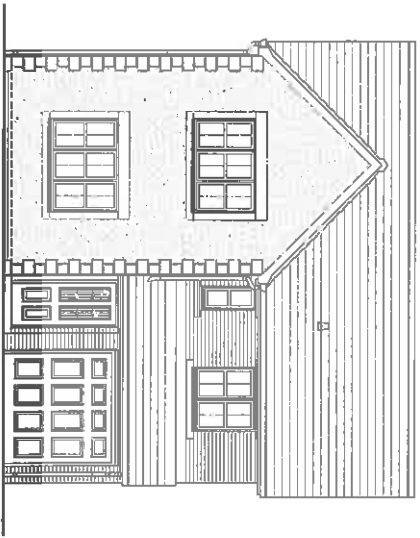


TYPE 6

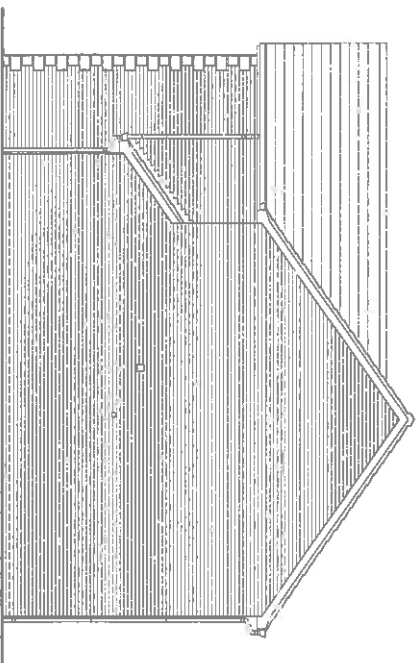
Planning Elevations 1/10

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SCALE	1/8" = 1'-0"
TYPE	TYPE 6 - PLAN 1/10
NO. OF SHEETS	2
DATE	2/10/2010

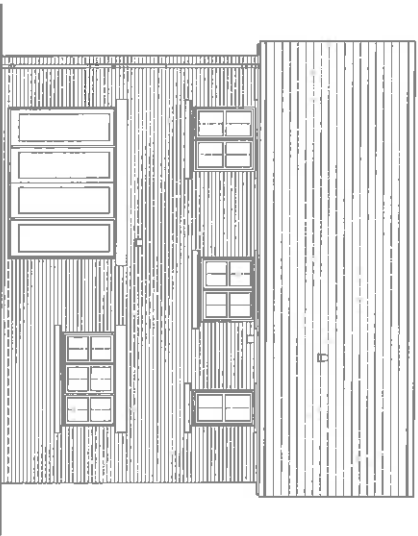
©Story Homes,
 6000 W. 10th Street, Suite 100, Oklahoma City, OK 73120
 TEL: 405.233.8888 FAX: 405.233.8888



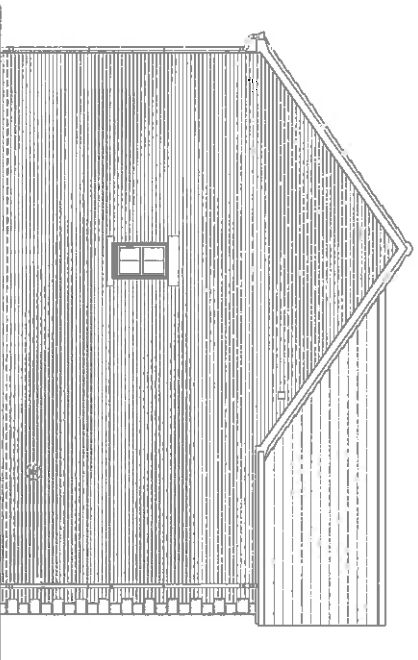
Front Elevation



Side Elevation



Rear Elevation



Side Elevation



HOME TYPE
TYPE 6

Drawn by
Planning Elevations 1/11

DATE	24/12/12	REVISED	-
PROJECT NO.	2012-113	DATE	24/12/12
DR. NUMBER	(2)	TYPE	6 - PLEV/11

Story Homes.
Evelyn Rd. Rock Hill, S.C.
Tel: 01223 640850
Junction 27, I-95
Fax: 01223 640851



House Type

TYPE 4-2

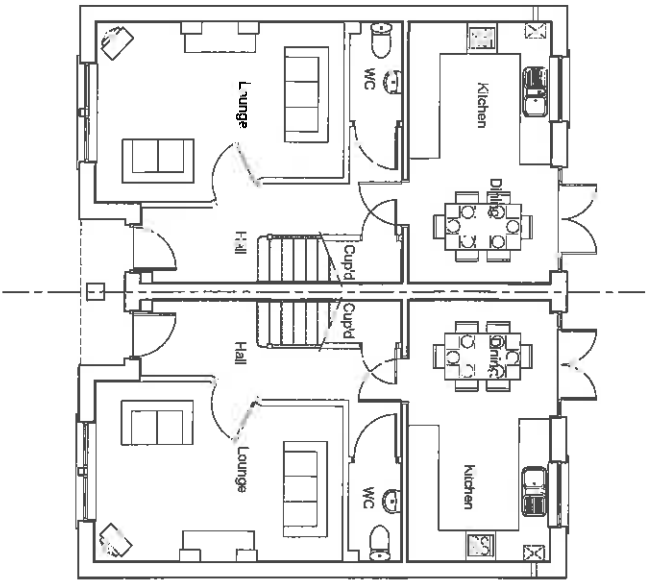
GF/FF 88.02 sq.m. (954.67 sq.ft.)

© **Story Homes.**

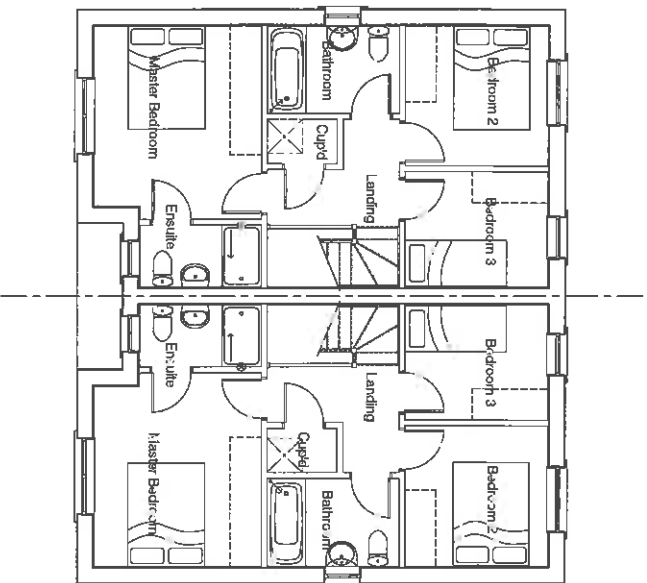
Burgh Rd Industrial Estate, Carlisle, Cumbria, CA2 7NA.

Tel 01228 640850

Fax 01228 640851



Ground Floor Plan



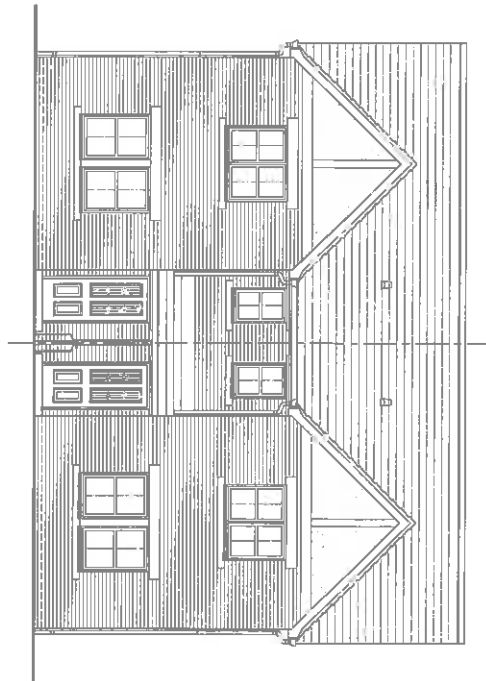
First Floor Plan



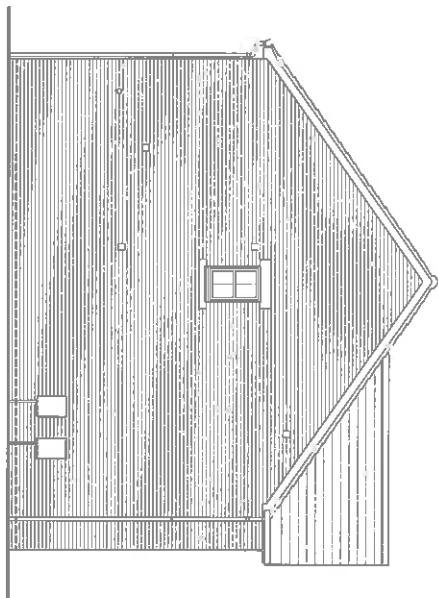
HOLLTYPE
TYPE 4-2

Planning Plans 1

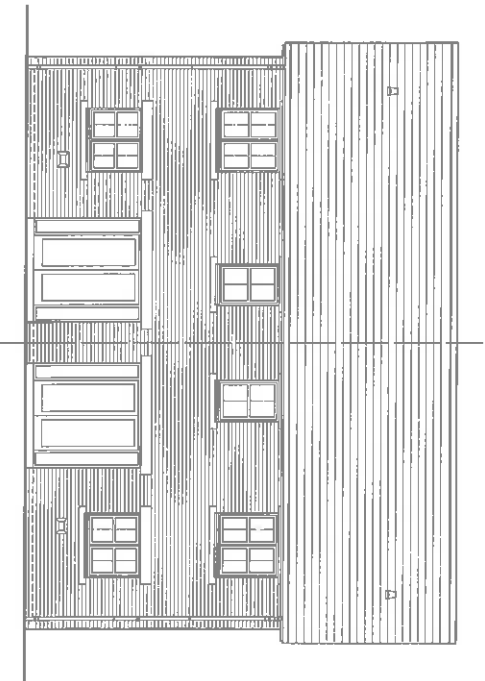
DATE	28.03.12
DESIGNER	8.2.12 E. 1107
CHECKED BY	DR. J. HANSEN
SCALE	(2)
TYPE	TYPE 4-2 - PLP1
REVISION	-
DATE	-



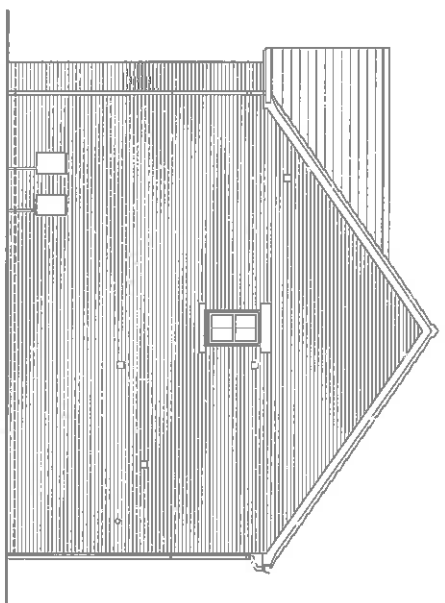
Front Elevation



Side Elevation



Rear Elevation



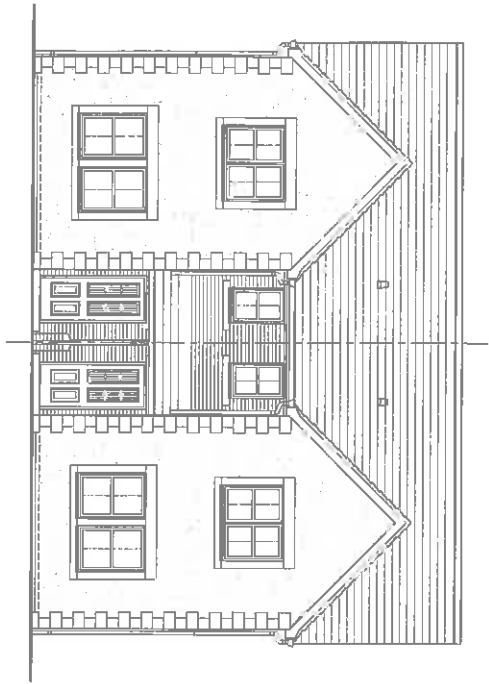
Side Elevation



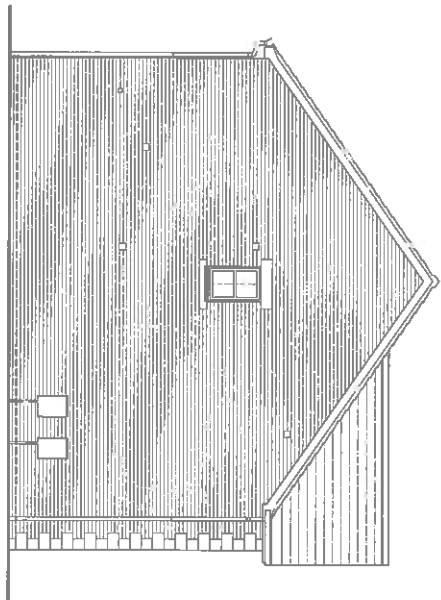
TYPE 4-2

Planning Elevations 1/1

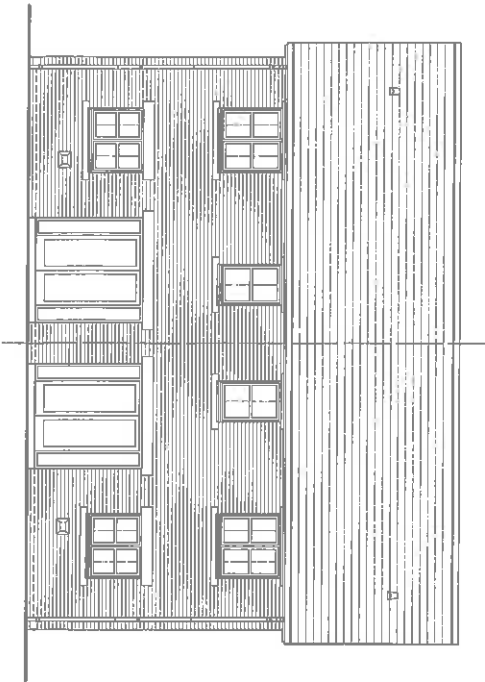
DRAWING	DATE	SCALE	REVISION
DATE	BY	CHKD BY	APP'D BY
04/21/12	CM		
TYPE 4-2 - PLE1/1			



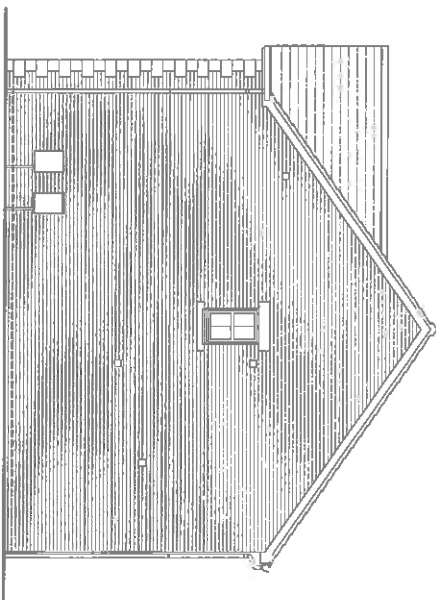
Front Elevation



Side Elevation



Rear Elevation



Side Elevation



TYPE 4-2

Planning Elevations 1/10

DATE	1/10/10
PROJECT	TYPE 4-2 - PLE1/10
REVISION	-

3 Story Homes.
 Single Level Small Elevation
 Tel: 01228 600600
 Proj: 302710
 Fax: 01228 600601



House Type

Type 16

GF/FF 160.17 sq.m. (1724 sq.ft.)
Garage 18.64 sq.m (200.59sq.ft.)

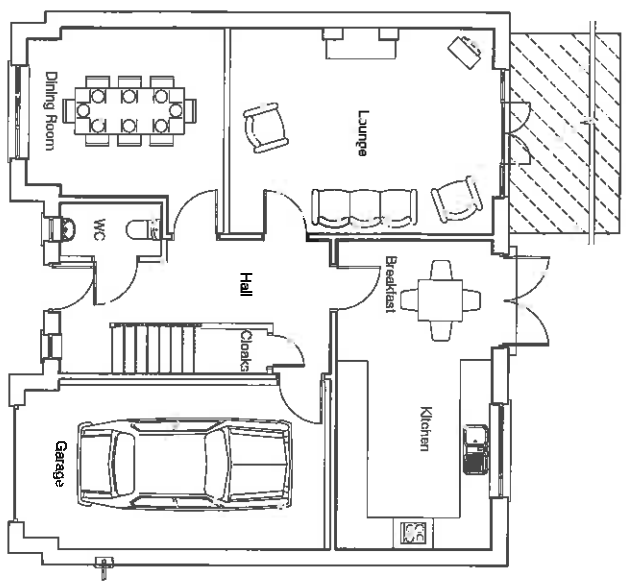
© **Story Homes.**

Burgh Rd Industrial Estate, Carlisle, Cumbria, CA2 7NA.

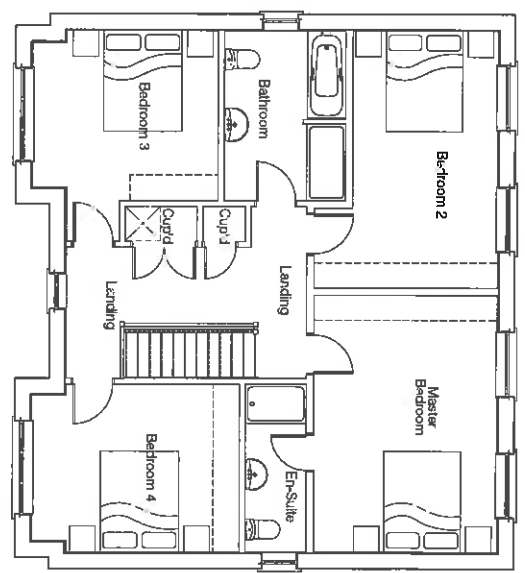
Tel 01228 640850

Fax 01228 640851

Conservation Type 1
 External dimensions 4.1m x 3.9m.
 Please refer to conservation booklet for construction
 details and site layout plan for plot references.



Ground Floor Plan



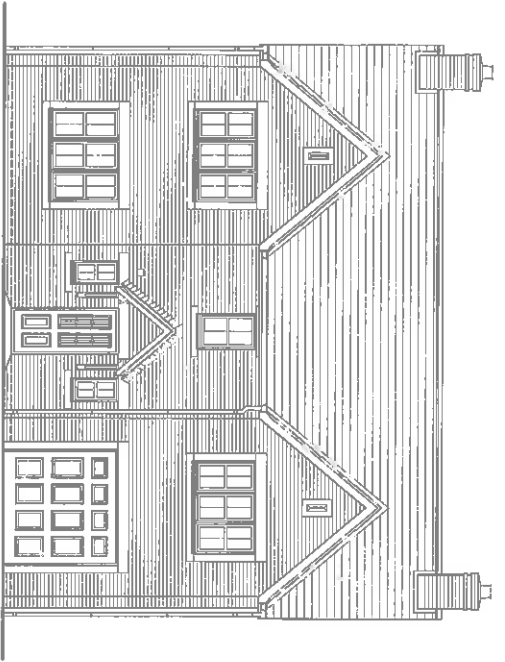
First Floor Plan

3 Story Homes
 TYPE 16

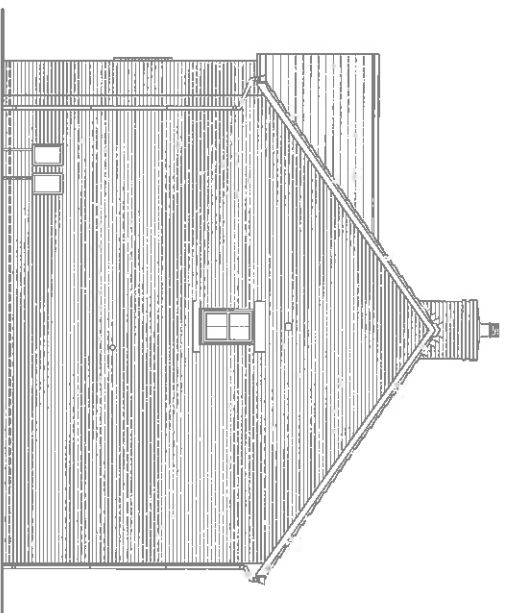
DR: 16-3
 Planning Plans 1

DATE	21/12/11
DESIGNER	JWA
CLIENT	DR: 16-3 RANGERS
TYPE	TYPE 16 - PLP1
PERSON	-

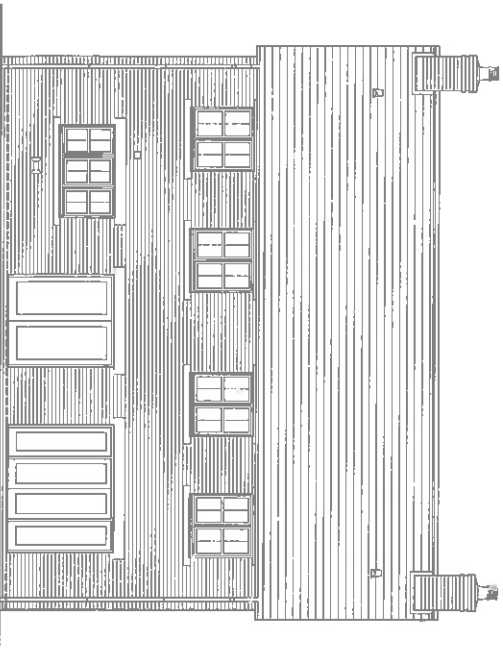
3 Story Homes
 South Field Road, B145
 Tel: 01228 664800 Fax: 01228 668951



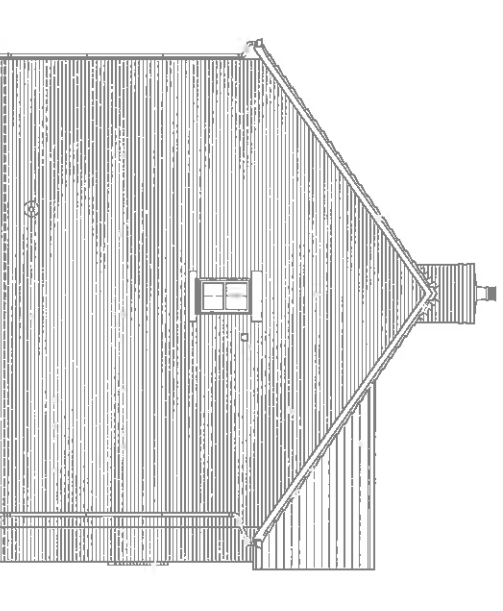
Front Elevation



Side Elevation



Rear Elevation



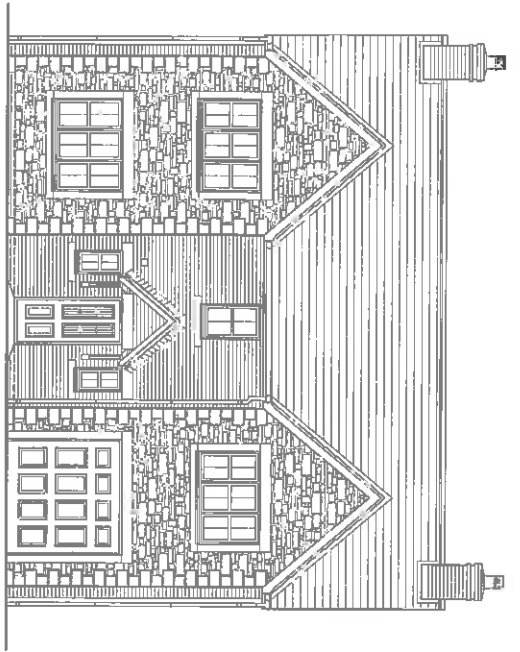
Side Elevation



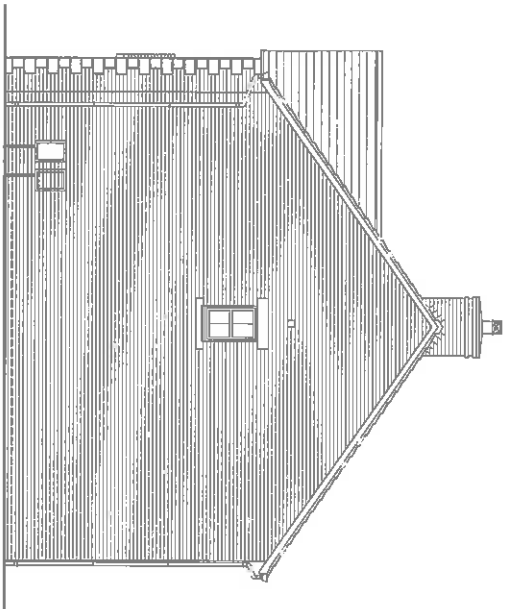
TYPE 16

Planning Elevations 1/1

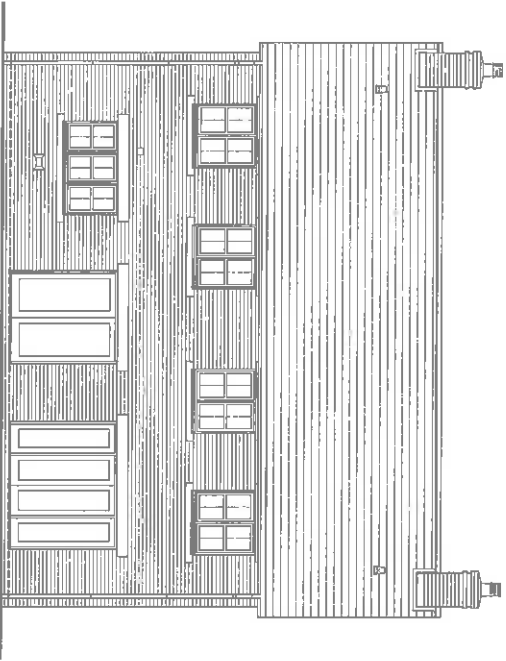
DATE	DATE
2014-04-20	2014-04-20
SCALE	SCALE
1/8" = 1'-0"	1/8" = 1'-0"
REVISION	REVISION
(1) TYPE 16 - PLE1/1	-



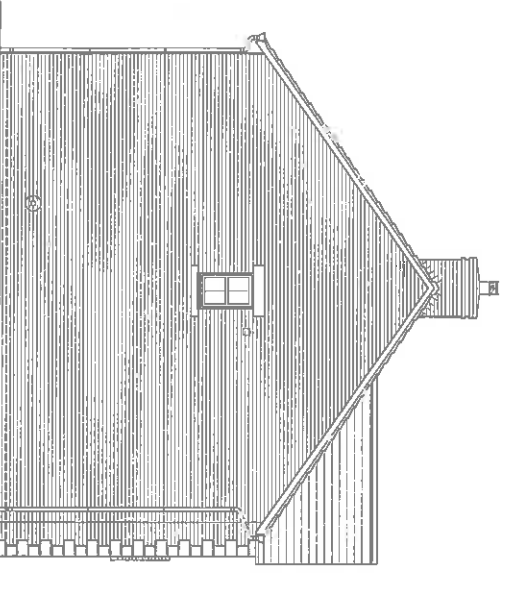
Front Elevation



Side Elevation



Rear Elevation



Side Elevation



TYPE 16

Planning Elevations 1/2

DATE	DATE	DATE
BY	BY	BY
SCALE	SCALE	SCALE
PROJECT NUMBER	PROJECT NUMBER	PROJECT NUMBER
(1)	TYPE 16 - PLE1/2	

Story Homes
 8500 14th Industrial Blvd. C
 Fort Collins, CO 80504
 Tel: 970.226.6680 Fax: 970.226.6681

SCHEDULE A: Applications with Recommendation

12/0790

Item No: 05

Date of Committee: 08/03/2013

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

Proposal: Erection Of 31No. Dwellings

REPORT

Case Officer: Richard Maunsell

Summary

At the heart of the National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development. Paragraph 55 of the NPPF indicates that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.

The proposal is in accordance with the principles of the NPPF as the application site is located in a sustainable location close to the centre of Scotby, public transport links and the city of Carlisle. Scotby village has a range of services (school, public house, church, village hall, playing fields etc) and the proposal would create an opportunity to support these existing rural facilities. The site is well contained as it is bounded by residential dwellings to the east and north together with the Public Bridleway to the west. In such circumstances it is considered that the proposal would not result in an unduly prominent intrusion into the countryside nor would it result in settlements merging. In such circumstances the principle of additional housing in this location is deemed acceptable and is in accordance with the objectives of the Council's Interim Housing Statement and the National Planning Policy Framework.

The scale, layout and design of the development is acceptable and it is considered that the development would not have a detrimental impact upon landscape character of the area, the living conditions of existing and future occupiers, crime or the loss of the best and most versatile agricultural land.

Subject to suitably worded planning conditions and a S106 agreement it is considered that the rural character of the area can be safeguarded through an appropriate landscaping scheme and that the proposal would not raise any issues with regard to highway safety, foul and surface water drainage, flooding,

biodiversity, noise, contamination, waste or education provision. The level of affordable housing is also acceptable.

On balance, having regard to the Development Plan and all other material planning considerations, the proposal is considered acceptable.

1. Recommendation

- 1.1 It is recommended that this application is approved subject to legal agreement and the imposition of planning conditions.

2. Main Issues

- 2.1 Whether The Principle Of Development Is Acceptable
- 2.2 Scale, Layout And Design Of The Development
- 2.3 Impact Upon Landscape Character
- 2.4 The Impact Of The Proposal On The Living Conditions Of Neighbouring And Future Residents
- 2.5 Highway Issues
- 2.6 Landscaping
- 2.7 Education
- 2.8 Affordable Housing
- 2.9 Foul And Surface Water Drainage
- 2.10 Flooding
- 2.11 Ecological Issues
- 2.12 Contamination
- 2.13 Whether The Proposal Would Lead to The Loss of The Best And Most Versatile Agricultural Land
- 2.14 Crime
- 2.15 Waste/Recycling Provision

3. Application Details

The Site

- 3.1 The 1.548 hectare site is located at the southern end of Scotby on the approach from Cumwhinton. Within the site, there is an area of marsh and wet land at the western end with broad leaved planting on the north-west area and a substantial band of trees to the south. The land is currently grassland.
- 3.2 The topography of the land is such that it slopes down from east to west with an approximate difference of 6 metres in level and again of a similar height difference from north-east to south-west.
- 3.3 A mature hedgerow bounds the site adjacent to the County highway and also along the route of the Public Bridleway which flanks the land to the north and

then sweeps to the west. Immediately adjacent to the western boundary is Wash Beck.

The Proposal

- 3.4 This application seeks "Full" planning permission for the erection of 31 dwellings, together with associated open space and infrastructure, on land at Broomfallen Road, Scotby. A single vehicular access measuring 4.8 metres in width would be formed part way along the eastern boundary that would then serve 2 cul-de-sacs within the site. A footpath is proposed along one side of the access roads that would measure 1.8 metres in width. A footpath link is also proposed from the north-east corner of the site.
- 3.5 The layout comprises a mix of detached/semi-detached and terraced properties. In total 7 different house types are proposed which comprise a variety of 2-4 bedroom dwellings. The majority of properties within the development are 2 storey except plots 9-14 located centrally within the site which will be 3 storey. The dwellings will be completed in a range of materials including facing brick and painted render. The dwellings will be positioned so that they follow the topography of the land.
- 3.6 Each dwelling will have 2 dedicated parking spaces, 1 of which may be an integral garage.
- 3.7 An area of land immediately adjacent to the Wash Beck is to be retained as informal open space and which will be maintained by the applicant. The existing trees within the site would be unaffected by the development; however, a 2 sections of hedgerow will have to be removed to enable access to the site for vehicles and pedestrians but the remainder of the hedgerow would be unaffected. The proposed development incorporates substantial new planting within the public open space, plot frontages (especially along the Scotby - Cumwhinton Road) and site entrance. General amenity shrub planting will be provided within the site to the plot frontages to define boundary ownership with rear garden areas delineated by 1.8 metre high open boarded fencing.
- 3.8 It is proposed that foul water will be discharged into the mains sewer. Surface water will be attenuated and discharged into Wash Beck. The attenuation scheme will reduce the potential surface water run-off by 50%.

4. Summary of Representations

- 4.1 This application has been advertised by means of 2 site notices, a press notice and direct notification to the occupiers of 18 neighbouring properties. As a result, 23 letters of objection have been received and the main issues raised are summarised as follows:
1. the scheme is far too big for the village and will enlarge the village by 20%;
 2. the scheme will result in Scotby becoming a suburb of Carlisle by the

- back door;
3. there are numerous houses already for sale in Scotby and there is no need for any additional development;
 4. planning permission has already been granted for 1700 new houses which is more than adequate to provide housing for the projected population growth;
 5. the site is outside the local plan area and unrelated to the village
 6. the scheme will not provide the type of housing that is required in Scotby which is social housing
 7. the proposal fails to comply with Policies DP1 and H1 of the Local Plan;
 8. the properties opposite the site are of sandstone construction with slate roofs. The proposed houses are inappropriately designed and will spoil the character of the area;
 9. the proposal will not enhance the village
 10. Broomfallen Road is characterised by ribbon development of low rise well spaced dwellings. The high density estate is out of character;
 11. some of the units are 3 storey in height and the neighbouring properties on Broomfallen Road are bungalows
 12. the development will result in a loss of light and privacy to the neighbouring properties including those which have been granted planning permission adjacent to kennels;
 13. additional vehicles from the development would conflict with other road users which include agricultural vehicles going to the auction mart and animals which are herded along the road;
 14. the entrance to the site will be close to a bend in the road and there will be restricted visibility and would be dangerous
 15. the road leading into the village is narrow with restricted visibility to a junction and passes under a railway bridge which is unacceptable for the additional amount of traffic;
 16. Broomfallen Road is used as a "rat run" and an additional 60 vehicles would pose an added danger;
 17. extra traffic will increase the burden on the road surface which is already in a poor state of repair;
 18. the school is already full and unable to accept any additional children
 19. the construction noise will distress the animals in the nearby kennels and cattery;
 20. the site is adjacent to a working farm and kennels and it would be inappropriate to building houses next to these noises;
 21. the development will result in addition noise levels in this rural area from residents coming and going
 22. the sewer currently serves 7 properties and when there is heavy rain the drains back up and another 32 houses will make this worse;
 23. additional surface water will result in flooding onto the road and into Wash Beck which will cause flooding in the village;
 24. there will be inconvenience with road closures, deliveries etc. during the construction process;
 25. development of the estate will create light pollution;
 26. the development will adversely affect the wildlife on the site;
 27. the land has been used as grazing land to support a local farm business;
 28. approval of this application could create a precedent for development along Broomfallen Road;

29. residents along Broomfallen Road have gates to their properties which are closed when animals are moved. Will the proposed estate have such gates?
30. the development will place additional demand on broadband speeds within the village which are already very slow.

5. Summary of Consultation Responses

Cumbria County Council - (Highway Authority): - comments awaited;

Ramblers Association: - comments awaited;

Green Spaces - Countryside Officer: - Public Bridleway 138049 runs along the north and north-west sides of the site. The ownership of the boundary hedges should be clarified and this information recorded to individual properties to avoid future boundary problems;

Northern Gas Networks: - no objection;

Cumbria County Council - (Highway Authority - Footpaths): - comments awaited;

Natural England: - the Local Planning Authority should assess and consider the possible impacts resulting from this proposal;

Cumbria County Council - (Archaeological Services): - no objection subject to the imposition of a condition;

Local Environment - Environmental Protection: - no objection subject to the imposition of a condition;

Local Environment - Drainage Engineer: - comments awaited;

Housing Strategy: - Policy H5 requires developers building large rural schemes to provide an affordable housing contribution of 25%. Based on this policy, it is expected that the developer will provide 8 affordable homes on this site; this figure may be reduced if the developer provides affordable rented properties on the site, as such units require more developer subsidy.

Affordable housing provision on this site can be justified by the large affordable housing need in the rural east of Carlisle. The Carlisle Housing Need and Demand Study, commissioned in 2011, found that in the rural east of Carlisle, 101 affordable homes are required per year over the next five years to meet housing need.

Records show that there are 84 affordable homes in the ward of Wetheral, and, within the ward, only 29 affordable homes local to Scotby itself. There are no discounted sale properties in Scotby;

Cumbria Constabulary - North Area Community Safety Unit: - the Design and Access Statement shows that crime prevention has been considered as part

of the design. The application therefore complies with Policy CP17 of the Local Plan;

Royal Society for the Protection of Birds: - comments awaited;

Wetheral Parish Council: - the Parish Council objects to the scale of the proposed developments. Whilst it is appreciated that to sustain the village shop, post office, pub etc, some housing is needed, it was felt that together with application 12/0710 the impact on the village of an increase by 16% in housing would change the character of the village in this rural area. Should the applications proceed my council would prefer to see a phased approach to any development to allow integration into the village gradually.

Specifically, the concerns of the Parish Council are:

1. Has a need for this amount of housing been identified?
2. The increase in traffic within the already busy village roads, access to and from the site at this point in particular;
3. Could the existing school cope with any additional demand for places. The Parish Council is already aware of local children unable to attend this school owing to lack of available places;
4. Additional footpath and lighting would be required to link the new development to the existing village facilities;
5. It was felt that this type of housing type was not suitable as the surrounding properties are all bungalows;
6. Building a new development alongside existing boarding kennels and local farm, which are situated adjacent to the proposed site, noise from which do not at present cause a problem in the local area. Would new residents be aware of any noise from farm machinery, animals etc prior to living in the area?;
7. The road at this point has been subject to poor drainage / flooding, with higher volumes of traffic this would pose an increased risk of accidents;
8. Would the existing system be able to sustain the increased broadband usage created by the new developments in the village?;
9. The Parish Council would like assurances that existing hedges would be retained;
10. 3 storey terraced properties in this location are not conducive to rural development;

Green Spaces: - a commuted sum would be required for public open space contribution; and

Cumbria County Council - Transport & Spatial Planning: - the following comments have been received:

Highways

There are no fundamental issues with the proposed development. A 1.8m width footway should be provided within the site and a pair of gates provided across the access to prohibit cattle entering the site when herded along the County highway. Appropriate conditions should be attached.

Scheduled Public Transport

The development is not anticipated to produce a significant impact upon the railway network in Cumbria. The development would be 840 metres to the nearest northbound bus stop and 840 metres to the nearest southbound bus stop. These distances are outside of the maximum recommended walking distance to a bus stop in a rural area and the development does not therefore have adequate accessibility to public transport.

Community Transport

Since the proposal is not within walking distance of a regular scheduled bus service, the development is likely to result in increased demand for the Rural Wheels service and a financial contribution to the scheme should be made.

School Transport

Where a school is in a rural location and additional capacity is required but cannot be provided at the school, a contribution may be sought towards the provision of school transport and additional capacity at another nearby school which has capacity or may be expanded to provide such capacity. As part of this process, consideration would be given to the nearest available school and to where children travel to already. However, this is not the desired approach – it should not be considered as appropriate mitigation in every circumstance and should be viewed as a last option. Should this circumstance occur, Cumbria County Council would be able to provide relevant costings at the time.

Education

This development is within the catchment area of Scotby CE Primary School, which has a Pupil Admission Number of 38 for entry in September 2012 and a net capacity of 266. The school is currently full and is projected continue to be so for the foreseeable future; with this development the school will exceed their maximum net capacity; therefore, a contribution would be sought from this development to mitigate against its impact.

Historic Environment

It is therefore recommended that an archaeological evaluation and, where necessary, a scheme of archaeological recording of the site be undertaken in advance of development and it is advised that this work should be commissioned and undertaken at the expense of the developer.

Biodiversity

Whilst the applicant has submitted a trees and hedgerow report, which appears acceptable, the applicant has failed to submit a biodiversity appraisal report. A key issue is that when the identified length of hedgerow is removed, this must be undertaken outside of the bird nesting season. The

area is especially important for protected species such as yellowhammer, spotted flycatcher and tree sparrow. Some form of appropriate compensatory planting should be undertaken so as to avoid a net loss of hedgerow biodiversity;

United Utilities: - object to the application pending the submission of a flow impact assessment.

6. Officer's Report

Assessment

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that applications for planning permission are determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise. In respect of this application, the National Planning Policy Framework (NPPF) together with Policies DP1, CP1, CP2, CP3, CP4, CP5, CP6, CP10, CP11, CP12, CP14, CP16, CP17, H1, H5, LE8, LE29, T1, LC4 and LC8 of the Carlisle District Local Plan 2001-2016. The NPPF and The Achieving Well Designed Housing Supplementary Planning Document is also of relevance. The proposal raises the following planning issues.

1. Whether The Principle Of Development Is Acceptable

6.2 The main issue for Members to establish in consideration of this application is the principle of development. Scotby is identified as a sustainable development location within Policies DP1 and H1 of the Carlisle District Local Plan 2001-2016. Whilst Policy H1 permits small-scale development within Scotby it is noted that the National Planning Policy Framework published in March 2012 is a material consideration for the determination of this application. The NPPF indicates that housing applications should be considered in the context of the presumption in favour of sustainable development and relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites.

6.3 In the absence of a 5 year supply of housing land, as defined by the National Planning Policy Framework, the Council adopted an Interim Planning Statement - Housing on 1st May 2012, as a material planning consideration to deal with the identified shortfall. This process encouraged a number of applications to come forward and be considered against the criteria set out in the Interim Statement. Given the short notice of the introduction of the Interim Statement and level of detail required from any planning application it is only now that we are in a position to consider applications submitted at that time.

6.4 Since the Interim Statement was introduced another update has been provided and as of 30 September 2012 the Council had a five year supply of housing albeit only an additional 65 units over the NPPF requirement. This change in housing supply is accounted for by the change in delivery of some sites and not through a significant change to the number of dwellings granted

permission during the 6 month period the Interim Statement applied. In order to avoid repetition of 6 monthly variations on whether the Council has a 5 year supply or not it would be apposite to make certain that a decent buffer of housing supply is provided. This would ensure that applications were not decided randomly on appeal due to short term lack of housing supply until the Local Plan delivers new housing allocations.

- 6.5 This application was submitted at the time when the interim housing statement was still valid therefore this statement should be considered as still a material consideration when determining this application. Members should however note that the interim planning statement does not supersede all saved policies in the Local Plan and should be interpreted in conjunction with them.
- 6.6 On the basis of the interim statement, the Council considered proposals for new housing developments on land excluded from housing development either through other designated use or outside existing settlement boundaries which: are well related to the built framework of the existing settlement; would not result in a prominent intrusion into the countryside; would not result in settlements merging; would not detract from the landscape character of the area as contained in the Cumbria Landscape Strategy and would not cause harm to some other overriding policy objective.
- 6.7 Whilst the application site is located outside the settlement boundary for Scotby identified in the local plan, the NPPF does not advocate the use of settlement boundaries and states that in order to promote sustainable development in rural areas, housing should be located where it will enhance and maintain the vitality of rural communities. Members will note from previous paragraphs that the NPPF is a material consideration in the determination of this application and limited weight can therefore be given to the fact that the site is outside the settlement boundary of Scotby.
- 6.8 The application site is located in a sustainable location close to the centre of Scotby, public transport links and the city of Carlisle. Scotby village has a range of services (school, public house, church, village hall, playing fields etc) and the proposal would create an opportunity to support these existing rural facilities. The site is well contained as it is bounded by residential dwellings to the north and east with Wash Beck to the west. In such circumstances it is considered that the proposal would not result in a prominent intrusion into the countryside nor would it result in settlements merging. In such circumstances the principle of additional housing in this location is deemed acceptable.

2. Scale, Layout And Design Of The Development

- 6.9 Policies seek to ensure the development is appropriate in terms of quality to that of the surrounding area and that development proposals incorporate high standards of design including siting, scale, use of materials and landscaping which respect and, where possible, enhance the distinctive character of townscape and landscape. This theme is identified in Policy CP5 of the Local Plan which requires that development proposals should also harmonise

with the surrounding buildings respecting their form in relation to height, scale and massing and make use of appropriate materials and detailing. Development of this frontage site will have a significant impact on the character of the area unless it is sympathetically designed.

- 6.10 The site would be laid out in a manner that seeks to make the best use of the land whilst taking into account the varying topography of the land. The finished floor levels of the properties adjacent to the main frontage would vary between 0.3 metres and 1 metre below that of the existing ground level and this trend is largely reflected across the site.
- 6.11 In terms of the units there is a range of differing house types. The frontage buildings would incorporate steeply sloping roof pitches with gables facing the road. Although this couldn't be considered a feature of the area, the style of property along Broomfallen Road is an eclectic mix with no one predominant house style or material. The properties would be well proportioned and appropriate in scale.
- 6.12 Reference is made in the letters of objection that the inclusion of 3 storey properties is inappropriate in this location. There are 6 properties that would be of this height; however, they would be located centrally within the site and given that the ground slopes down, they would be viewed in the context of the adjacent properties.
- 6.13 As in any modern development, the properties would face each other with intervening areas of public and private space together with appropriate access and parking provision. The dwellings incorporate reasonably sized garden areas that are comparable to the size of the units that they serve, thereby ensuring that the development does not appear cramped or overdeveloped. The size of the gardens and the way that the properties are laid out will help create a sense of space within the estate.
- 6.14 Whilst Policy LC4 of the Local Plan encourages the provision of formal and informal areas of public open space within new family housing development of more than 40 units there are instances where the Council has agreed that it would be acceptable for developers to provide a financial contribution towards the provision/improvement of existing facilities off-site.
- 6.15 In respect of this proposal areas of open space would be incorporated adjacent to western boundary and the pedestrian access to the north-east, the beck which delineates the eastern boundary of the site. The applicant will maintain these informal open space areas on site themselves. Subject to the provision and maintenance of these areas, the Council's Neighbourhoods and Green Spaces Manager has raised no objection subject to a financial contribution of £27,253.09 towards the provision/ improvement of existing facilities off-site.

3. Impact Upon Landscape Character

- 6.16 As this development involves building on an open field there will undoubtedly be some impact upon the landscape character of the area. As discussed in

the proceeding paragraphs, this would be limited due to the appropriate design of the properties and the siting within the land taking into account the varying topography. Existing trees and the majority of hedgerow is to remain and would be enhanced through further landscaping. Significantly, the extensive group of trees to the south of the site would provide additional screening and allow greater integration between the more rural landscape to the south and the residential properties to the north.

- 6.17 The development would be visible particularly when travelling along the Scotby-Wetheral road however the development is considered to be well contained and related to the village of Scotby and would not result in a prominent intrusion into open countryside. The land in question is not designated as being of any special landscape character and there would be no significant adverse impact upon landscape character to warrant refusal of the application.

4. The Impact Of The Proposal On The Living Conditions Of Neighbouring And Future Residents

- 6.18 Given the orientation of the application site with adjacent properties, it is not considered that the living conditions of the occupiers would suffer from loss of privacy or unacceptable levels of noise or disturbance. The development would not result in an overall loss of daylight or sunlight due to the distances involved between the application site and the residential properties.

- 6.19 As the proposal involves the introduction of windows that face the neighbouring property, it is appropriate to consider the development against the Supplementary Planning Document "Achieving Well Designed Housing". It requires that a distance of 21 metres is provided between primary windows. The proposed building would be sited adjacent to residential properties; however, there would be no conflict with the minimum distances required by the SPD.

- 6.20 In respect of any increase in traffic generated by this proposal it is not anticipated that this factor alone would prejudice the living conditions of local residents to such an extent that would warrant refusal of the application.

5. Highway Issues

- 6.21 A number of residents have raised objections regarding highway safety. The principle concerns relate to the increase of traffic on the Scotby to Cumwhinton. The access, road and parking arrangements have been designed to the Highway Authority standards. The site itself is within the restricted 30 miles per hour speed limit for Scotby village. The Highway Authority has been consulted and has raised no objection subject to the imposition of appropriate highway conditions. As the Highway Authority has raised no objections to the proposal it is not considered that there is any policy conflict.

- 6.22 The County Council are requesting a commuted sum from the applicant towards the provision of community transport given the distance of the site

from the centre of the village. Although there are 2 bus stops adjacent to the site on Broomfallen Road, the County Council are of the opinion that as the site is only served by 1 bus per day, the nearest alternative bus stops are outside the maximum recommended walking distance for rural areas. Hence, they conclude that the development site is not served by an adequate level of public transport provision and the financial contribution is required to off-set this deficiency.

6. Landscaping

6.23 There are number of trees within the site which itself is bounded by a number of important hedgerows. Although 2 sections of hedgerow will be required to be removed to facilitate the development, the majority will remain. A Tree and Hedge Survey Report has been submitted with the application which identifies that remaining trees and hedgerows would be unaffected by the development; however, it would be appropriate to impose a condition requiring the installation of protective barriers during the course of development to prevent compaction of the soil in these areas.

6.24 The application is supported by a comprehensive landscaping scheme which shows amongst other things the planting of new hedgerows and trees fronting and within the site which will further serve to integrate the development within the locality. The Council's Landscape Officer has raised no objection to the proposal subject to the imposition of conditions. In light of the retention of the existing trees and hedgerows, the extensive landscaping proposals and the support from the Council's Landscape Officer, the proposal is acceptable in these terms.

7. Education

6.25 Objectors to the scheme have questioned whether the local primary school has adequate capacity to cater for any increase in demand for pupil school places that might arise as a consequence of this development. The Education Authority has been consulted on the proposed development and has advised that the housing development would yield 6 primary aged pupils and it is predicted that with the proposed development Scotby Primary School would exceed its net capacity. The Education Authority has also indicated that the next nearest school at Cumwhinton also has no spare capacity. To address this increased burden the Education Authority has requested a financial contribution of £72, 306 to be used to either provide an extension at Scotby School or to provide school transport if development at Scotby School is not feasible. The Education Authority has since confirmed that there is the potential for Scotby School to be extended subject to a full feasibility study being carried out. The provision of this financial contribution therefore would address this issue and would be secured through the S106 agreement.

8. Affordable Housing

6.26 Policy H5 of the Carlisle District Local Plan 2001-2016 indicates that for large sites in the rural area the contribution towards affordable housing is 25%. It is proposed that 8 affordable properties would be provided. This is in

accordance with the requirements of the Council's Housing Strategy Officer and is acceptable.

9. Foul And Surface Water Drainage

- 6.27 The NPPF and Policy CP10 of the Local Plan advocates that in the first instance the applicant should explore and give priority to the use of sustainable drainage systems. It is proposed that 50% of the surface water drainage will be discharged into the Wash Beck to the west of the site and 50% will be discharged into a SUDs system. Notwithstanding the details submitted, it would appropriate to impose a planning condition require the precise details of the surface water drainage scheme.
- 6.28 The applicant has indicated that foul drainage will connect into an existing adopted combined sewer to the west of the site via a new foul water pumping station which will be located within the site. Additional information regarding the flow rate have been submitted by the applicant. Due to the topographical nature of the site and based on the number of proposed dwellings, all the sewage will need to be pumped to the sewage infrastructure and this will allow the flow to be restricted to 2 litres/ second. This information has been sent to United Utilities and a response is currently awaited. Subject to no objection being received, it would be appropriate to impose a condition requiring the details of the foul drainage infrastructure to be approved by the Council.
- 6.29 In relation to the above it is not considered that the proposal will exacerbate flooding conditions at this site.

10. Ecological Issues

- 6.30 When considering whether the proposal safeguards the biodiversity and ecology of the area it is recognised that Local Planning Authorities must have regard to the requirements of the EC Habitats Directive (92/43/EEC) when determining a planning application as prescribed by regulation 3 (4) of the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended), and Article 16 of the Habitats Directive before planning permission is granted. Article 16 of the Directive indicates that if there is reasonable likelihood of a European protected species being present then derogation may be sought when there is no satisfactory alternative and that the proposal will not harm the favourable conservation of the protected species and their habitat. In this case, the proposal relates to the development of residential dwellings on greenfield land. As such it is inevitable that there will be some impact upon local wildlife.
- 6.31 Although the site is within open countryside, the Councils GIS Layer has identified that the site has the potential for breeding birds to be present on or in the vicinity of the site. As the proposed development would only interfere with a small element of the existing hedgerow, the development would not harm a protected species or their habitat; however, it would be appropriate to impose a condition restricting works during the bird breeding season. In addition, an Informative has been included within the decision notice ensuring

that if a protected species is found all work must cease immediately and the Local Planning Authority informed.

11. Contamination

- 6.32 As the site is a greenfield site the likelihood of contamination being present is low a fact supported by an accompanying report with the application entitled "Statement On Land Contamination". Notwithstanding this fact a condition is recommended that caters for the event that contamination is found during the construction phase.

12. Whether The Proposal Would Lead to The Loss of The Best And Most Versatile Agricultural Land

- 6.33 It is accepted that the proposal would lead to the loss of agricultural land. The Agricultural Land Classification identifies this land as Grade 3, Grades 1 and 2 being of the highest quality. Grade 3 land is common both within the immediate vicinity of the application site and within the District as a whole. As such, it is not considered that the loss of this area of agricultural land would provide sufficient grounds for refusal of the application.

13. Crime

- 6.34 Section 17 of the Crime and Disorder Act together with Policy CP17 of the Local Plan requires that 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. As previously the properties overlook one another thereby creating a degree of natural surveillance and the distinction between public and semi-public space is clearly defined, both of which will act as a deterrent to potential offenders and reduce the likelihood of crime occurring. Cumbria Constabulary has been consulted a whilst some comments were received, the revised layout plan seeks to address this.

14. Waste/Recycling Provision

- 6.35 With regard to residential developments, Waste Services have indicated that in the future that all new developments will be charged for refuse and recycling containers. Waste Services have also indicated that it would be their preference for communal recycling banks within the development. The agent has agreed to provide a commuted sum of £1500 towards waste bin provision which will be included within the S106 agreement. There are existing recycling banks at Scotby village hall and in such circumstances it is not considered that there is any policy conflict.

15. Other Matters

- 6.36 Article 8 and Article 1 Protocol 1 of the Humans Rights Act are relevant but the impact of the development in these respects would be minimal and the separate rights of the individuals under this legislation will not be prejudiced. If it was to be alleged that there was conflict it is considered not to be

significant enough to warrant the refusal of permission.

- 6.37 It is noted that objectors have made comparisons between this application and the housing scheme at Broomfallen Road (application reference 12/0710). It is accepted that there are 2 separate planning applications for reasonably large housing schemes in the village; however, each application has to be dealt with on its own merits.
- 6.38 Objectors have also raised concerns in respect of the need for additional dwellings in Scotby. The planning merits and assessment against the relevant policies are discussed within this report.
- 6.39 Objectors have also raised issues on the impact of the proposed development on broadband provision; however, this is not a planning matter.

Conclusion

- 6.40 In overall terms, the principle of the development is acceptable. The dwellings could be accommodated on the site without detriment to the living conditions of the neighbouring properties through loss of light, privacy or over dominance. Adequate amenity space, incurtilage parking provision would be available to serve the dwellings. The new access to be formed and the anticipated level of traffic generated by the proposal would not prejudice highway safety. In all aspects the proposals are considered to be compliant with the objectives of the relevant Local Plan policies.
- 6.41 If Members are minded to grant planning approval it is requested that "authority to issue" the approval is given subject to the completion of a S106 agreement to secure:
- a) the provision of 8 affordable units;
 - b) a financial contribution of £27,253.09 towards the provision and maintenance of public open space within Scotby village;
 - c) the maintenance of the informal open space within the site by the developer;
 - d) a financial contribution of £72,306 towards education contribution;
 - e) a financial contribution of £39,516 together with £1,975 administration costs towards Community Transport;
 - f) a financial contribution of £1500 towards waste bin provision.

7. Planning History

- 7.1 There is no planning history associated with this site.

8. Recommendation: Grant Subject to S106 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 approved documents for this Planning Permission comprise:
1. the Planning Application Form received 20th September 2012;
 2. the Site Location Plan received 20th September 2012 (Drawing no. 12032-01);
 3. the Topographical Survey received 20th September 2012 (Drawing no. 2165/1);
 4. the Block Plan received 20th September 2012 (Drawing no. 12032-02D);
 5. the Site Layout received 1st February 2013 (Drawing no. 12032-03E);
 6. the House Type A received 20th September 2012 (Drawing no. 12032-06);
 7. the House Type B received 20th September 2012 (Drawing no. 12032-07);
 8. the House Type C received 20th September 2012 (Drawing no. 12032-08);
 9. the House Type C1 received 20th September 2012 (Drawing no. 12032-09);
 10. the House Type C2 received 20th September 2012 (Drawing no. 12032-10);
 11. the House Type D received 20th September 2012 (Drawing no. 12032-11);
 12. the House Type E received 20th September 2012 (Drawing no. 12032-12);
 13. the House Type F received 20th September 2012 (Drawing no. 12032-13);
 14. the House Type G received 20th September 2012 (Drawing no. 12032-14);
 15. the Site Sections A, B, C received 20th September 2012 (Drawing no. 12032-04);
 16. the Site Sections D, E, F received 20th September 2012 (Drawing no. 12032-05);
 17. the Landscape Concept Plan received 20th September 2012 (Drawing no. A);
 18. the Planting Plan received 20th September 2012 (Drawing no. B);
 19. the Plant Schedule and Specification received 20th September 2012 (Drawing no. B2);
 20. the Planning Statement received 20th September 2012;
 21. the Design and Access Statement received 20th September 2012;
 22. the Tree and Hedge Survey Report received 20th September 2012;
 23. the Statement On The Means Of Disposing Of Both Foul Drainage And Surface Water received 20th September 2012;
 24. the Statement On Land Contamination received 20th September 2012;
 25. the Archaeological Desk-Based Assessment And Geophysical Survey received 20th September 2012;
 26. the Notice of Decision;
 27. any such variation as may subsequently be approved in writing by the

Local Planning Authority.

Reason: To define the permission.

3. Notwithstanding any description of materials in the application no development shall be commenced until samples or full details of materials to be used externally on the buildings have been submitted to and approved by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The development shall then be undertaken in accordance with the approved details.

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

4. Particulars of height and materials of all screen walls and boundary fences shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted. The development shall then be undertaken in accordance with the approved details.

Reason: To ensure that the appearance of the area is not prejudiced by lack of satisfactory screening which is not carried out in a co-ordinated manner in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

5. The carriageways, footways, etc: shall be designed, constructed, drained (and lit) to the standards laid down in the current Cumbria Design Guide, so as to be suitable for adoption and in this respect further detailed drawings, including land dedication plan(s) road construction details and levels (including drainage, lighting and other Utilities), shall be submitted to the Local Highways Authority for approval before work commences on site. No work shall be commenced until a full specification (and phasing) has been approved.

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

6. The development shall not commence until visibility splays providing clear visibility of 70 metres measured along the nearside channel lines of the public road from a position 4.5 metres inset from the carriageway edge, on the centre line of the access road, at a height of 1.05 metres, 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, or trees, bushes or other plants 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, LD8.

7. The house accesses, parking and courtyard area shall be constructed to the satisfaction of the Local Planning Authority and, in this respect, full constructional details shall be submitted to the Local Planning Authority for approval before work commences on site. No work shall be commenced until a full specification has been approved. Any works so approved shall be substantially complete before the superstructure works commence.

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

8. No dwelling shall 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 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, LD8.

9. Footways shall be provided so as to link continuously and conveniently to the nearest existing facility, including the relocated bus stop with boarding platform adjacent to the woodland on the southern boundary of the site.

Reason: To ensure accessibility is available by sustainable transport modes and minimise road hazards and to support Local Transport Plan Policies C2, LD5, LD6, LD7 & LD8 and Structure Plan Policies T25, T27 & L53.

10. The new access shall be substantially complete before any works other than Site Investigations and Clearance commences on site so constructional traffic is accommodated clear of the highway. In addition a Plan shall be prepared of a secure compound for the site offices stores etc. with adequate parking and turning space for vehicles associated with the development, accommodation for site operatives and materials necessary for the Constructional Works. It shall include provision for the cleaning of vehicle wheels so mud is not tracked onto the highway. This access and area shall be kept available for such purposes until the end of the Constructional Works.

Reason: Constructing the development without such facilities in place could lead to inconvenience and danger to road users and to support Local Transport Plan Policies LD7 & LD8.

11. No development shall commence within the site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

This written scheme of investigation will include the following components:

- i) An archaeological evaluation;
- ii) An archaeological recording programme the scope of which will be dependant upon the results of the evaluation.

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 examination and recording of such remains in accordance with Policy LE8 of the Carlisle District Local Plan 2001-2016.

12. Where the results of the programme of archaeological work referred to in the above condition make it appropriate, there shall be carried out within one year of the completion of that programme on site, or within such timescale as otherwise agreed in writing by the Local Planning Authority: an archaeological post-excavation assessment and analysis, the preparation of a site archive ready for deposition at a store, the completion of an archive report, and the preparation and submission of a report of the results for publication in a suitable specialist journal.

Reason: To ensure that a permanent and accessible record by the public is made of the archaeological remains that have been disturbed by the development in accordance with Policy LE8 of the Carlisle District Local Plan 2001-2016.

13. 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 the Carlisle District Local Plan 2001-2016.

14. 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.

15. No development approved by this permission shall be commenced until a scheme for the conveyance of foul drainage has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use until such treatment plant has been constructed and completed in accordance with the approved plans.

Reason: To ensure an adequate form of drainage in accordance with Policy CP12 of the Carlisle District Local Plan 2001-2016.

16. Before development commences a scheme of tree and hedge protection shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall show the position and type of barriers to be installed. The barriers shall be erected before development commences and retained for the duration of the development.

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

17. Within the tree protection fencing approved by Condition 16:

1. no fires shall be lit within 10 metres of the nearest point of the canopy of any retained tree;
2. no equipment, machinery or structure shall be attached to or supported by a retained tree;
3. 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;
4. no alterations or variations to the approved works or tree protection schemes shall be made without prior written consent of the local planning

authority;

5. the tree protection measures shall be retained in good condition and to the satisfaction of the local authority for the duration of the development.

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

18. Following completion of construction works and removal of site machinery and materials, protective fencing may be dismantled to permit ground preparation and cultivation works, if required, adjacent to the hedges. Any such ground preparation and cultivation works shall be carried out by hand, taking care not to damage any roots encountered.

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

19. All works comprised in the approved details of landscaping shall be carried out either contemporaneously with the completion of individual plots or, in the alternative, by not later than the end of the planting and seeding season following completion of the development.

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

Reason: To ensure that a satisfactory landscaping scheme is implemented and that it fulfils the objectives of Policies CP3 and CP5 of the Carlisle District Local Plan 2001-2016.

20. 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.

21. No construction work associated with the development hereby approved shall be carried out before 07.30 hours or after 18.00 hours Monday to Friday, before 07.30 hours and 13.00 hours on Saturdays, nor at any times on Sundays or Bank Holidays.

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

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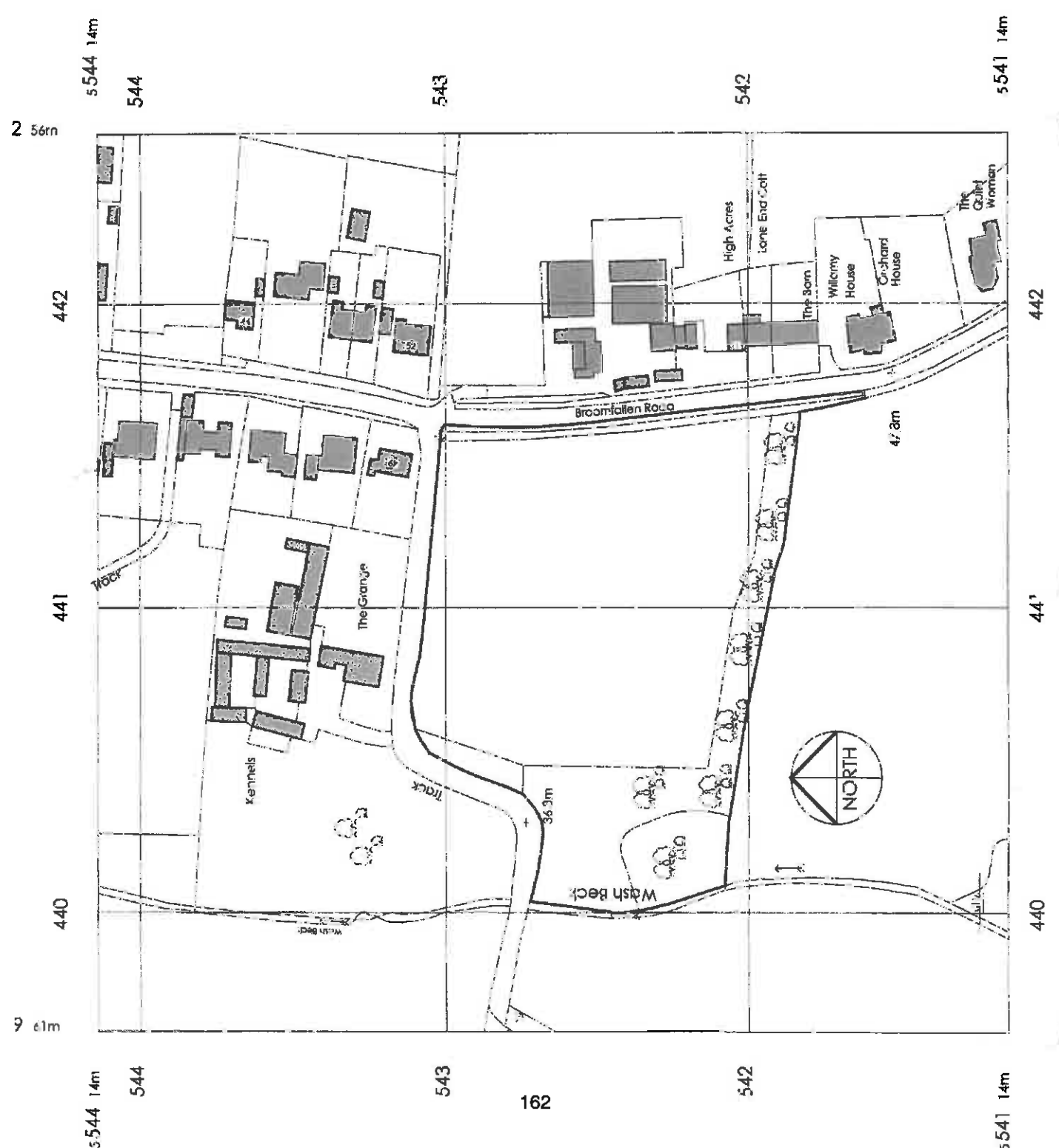
Project: PROPOSED HOUSING
 LAND OFF BROOMFALLEN ROAD, SCOTBY

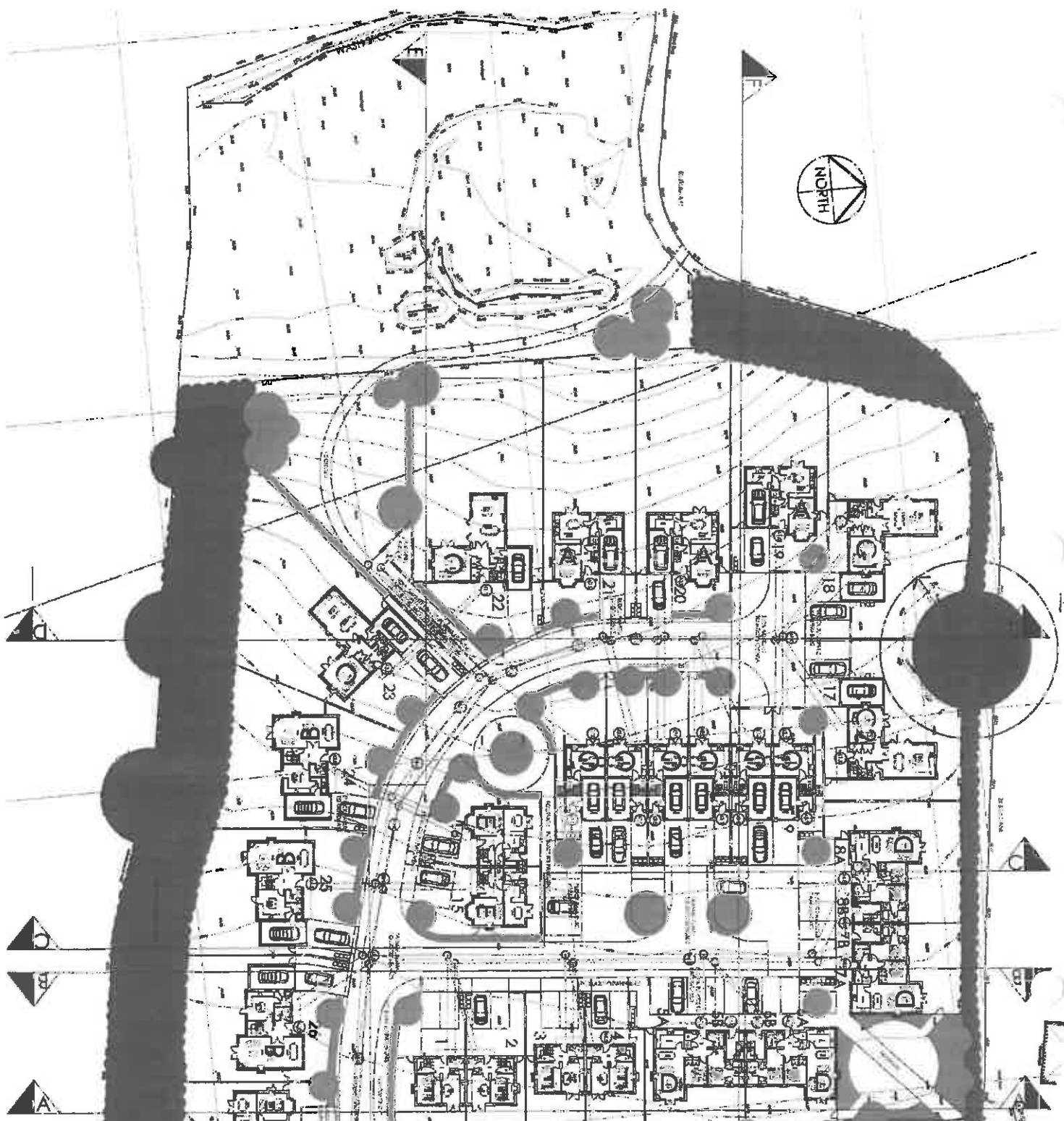
Client: SIMTOR

Date: 19/09

SITE LOCATION

Scale	Date	Drawn	Checked	Number
1:1250 @ A3/12	RJW		P01	12032-01





The drawings are prepared for the construction of the project. The contractor shall be responsible for the construction of the project. The drawings are prepared for the construction of the project. The contractor shall be responsible for the construction of the project.

DATE: 2012/07/20
PROJECT: [unreadable]
DRAWING NO: [unreadable]

- 3RD TYPE A 364P
- 3RD TYPE B 487P
- 4TH TYPE C 486P
- 4TH TYPE D 384P
- 4TH TYPE E 384P
- 4TH TYPE F 384P
- 4TH TYPE G 384P

SEE PERMANENT UNITS



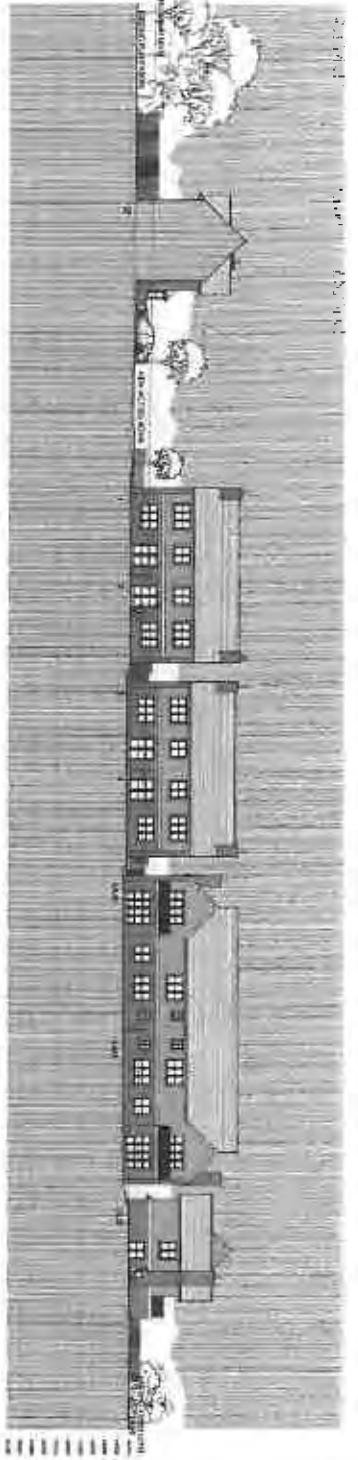
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2012/07/20
164

PROJECTS
LUS

Client No: 12032-02D

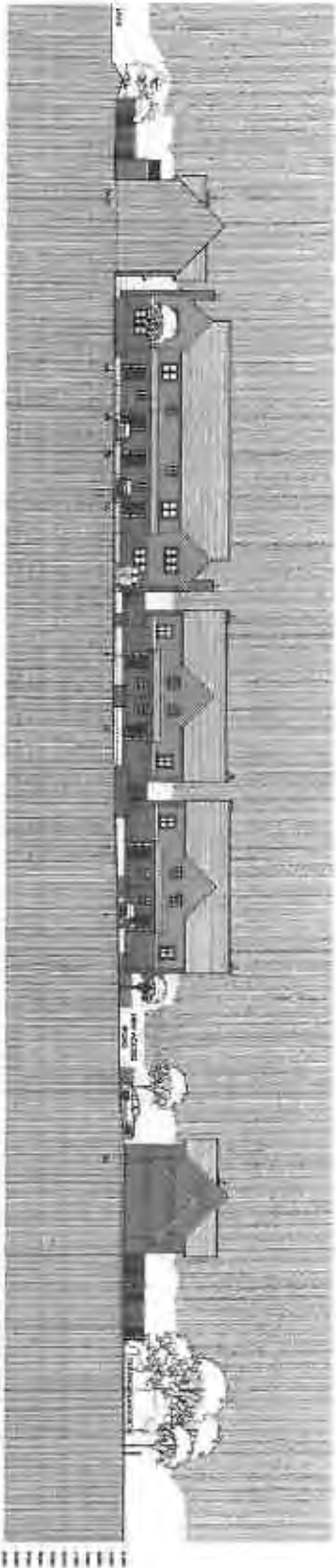
AT
National Property
401 679-8114
1594-1158


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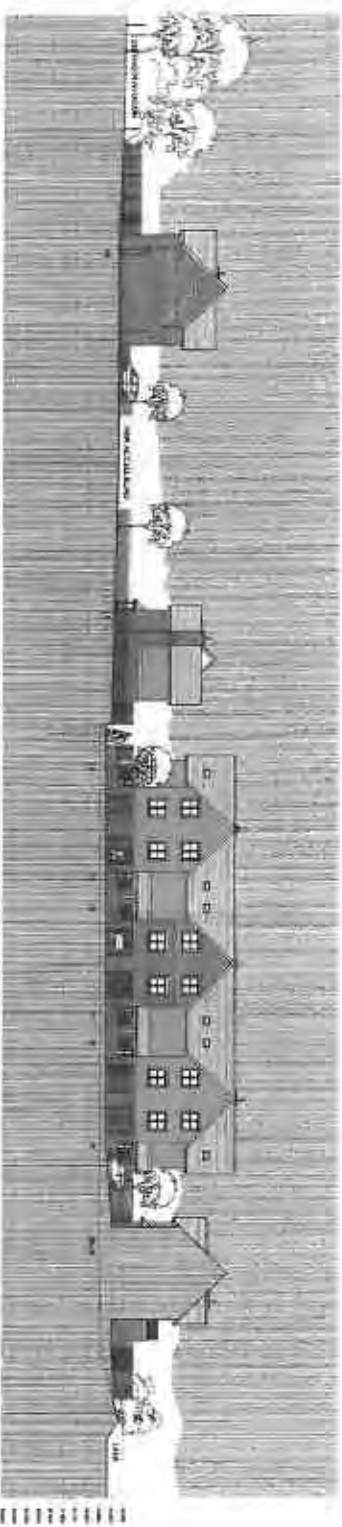


SECTION A-A

- MATERIALS**
- ROOF: BLUE/BLACK SLATES
 - BRICKWORK: RED BRICK
 - WALLS: RED BRICK
 - WINDOVS/DOORS: PAINTED TIMBER
 - WINDOVS SURROUNDS/DETAILS: FREESTONE
 - FINISHING: GROUND LEVEL



SECTION B-B



SECTION C-C

zatzler

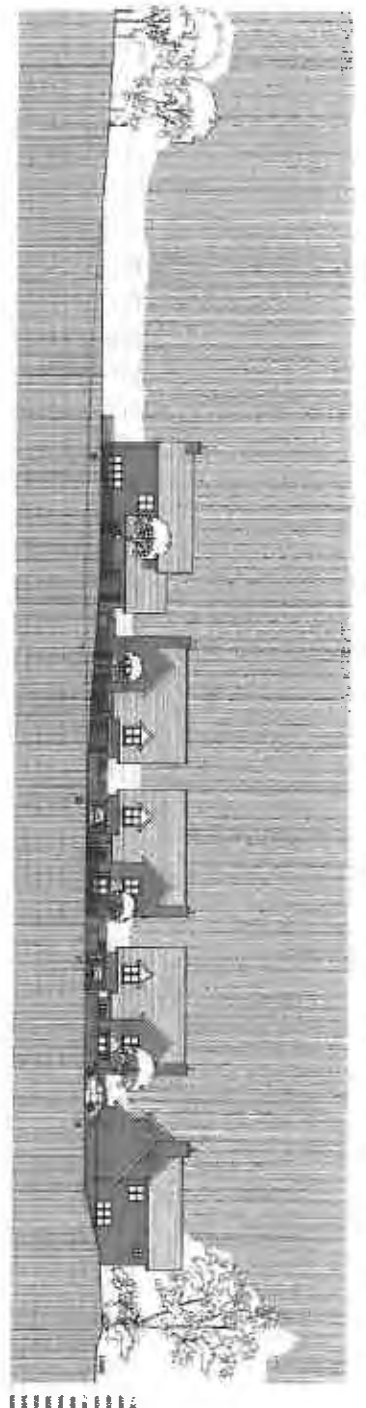
PLANNING
ARCHITECTS
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PROPOSED HOUSING
 LAND OFF BIRKOPFALLEN ROAD, SCOTBY
 SIMTOR


SITE SECTIONS A, B, C
 SCALE: 1:200

DATE: 07/12 2011
 DRAWN BY: JRM
 CHECKED BY: JRM
 PROJECT NO: 1203204


 ARCHITECTS
 1000
 1000
 1000

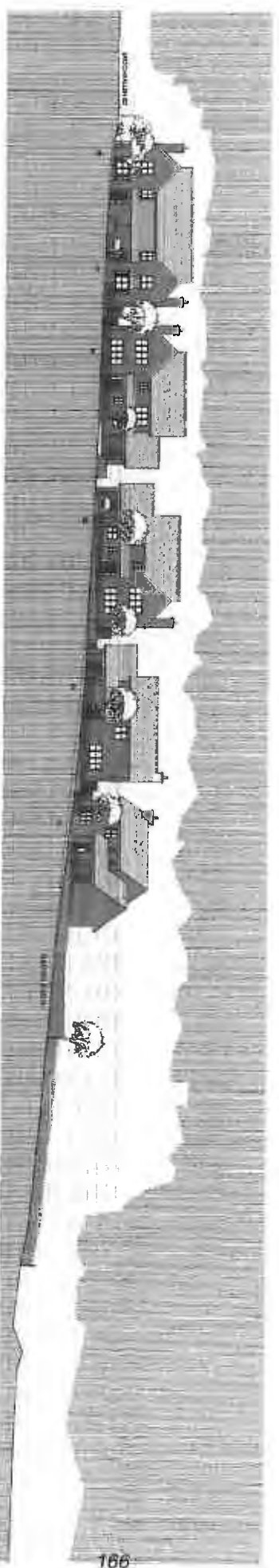


SECTION D-D

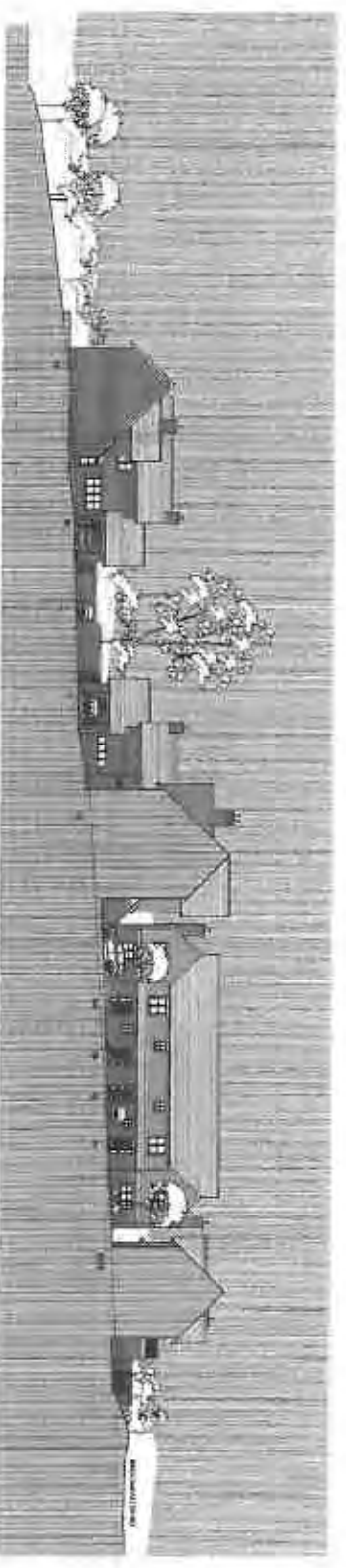

 12100 121st Avenue, Suite 100
 Golden, CO 80401
 Phone: 303.440.1210
 Fax: 303.440.1211
 Website: www.planningarchitects.com

PROJECT: PROPOSED HOUSING LAND OFF BROOMFALL BLVD, SCOTSDALE, CO
 DATE: 07/12
 DRAWING NO: 2002-05

MATERIALS
 ROOF: BLUE/BLACK SLATES
 SIPS/WALLS: SLAT & JOIST
 FLOORS: RED OAK HARDWOOD
 WINDOWS/DOORS: PAINTED HARDWARE
 FINISH: CARBONACEOUS
 BUSHING: CARBONACEOUS



SECTION E-E




SECTION F-F

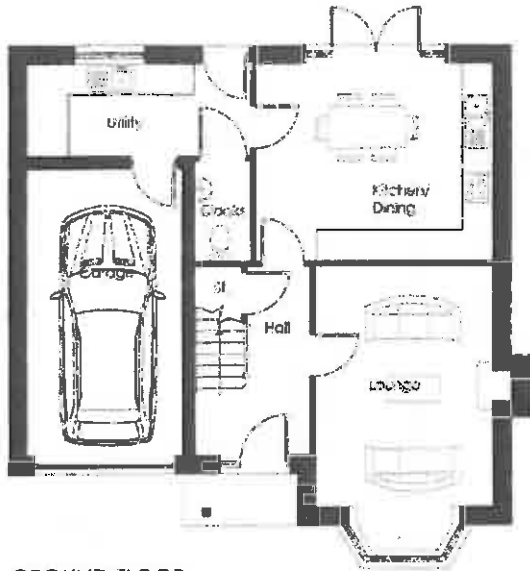
PLANNING
ARCHITECTS
 PLANNERS

PROJECT: PROPOSED HOUSING LAND OFF BROOMFALL BLVD, SCOTSDALE, CO
 DATE: 07/12
 DRAWING NO: 2002-05

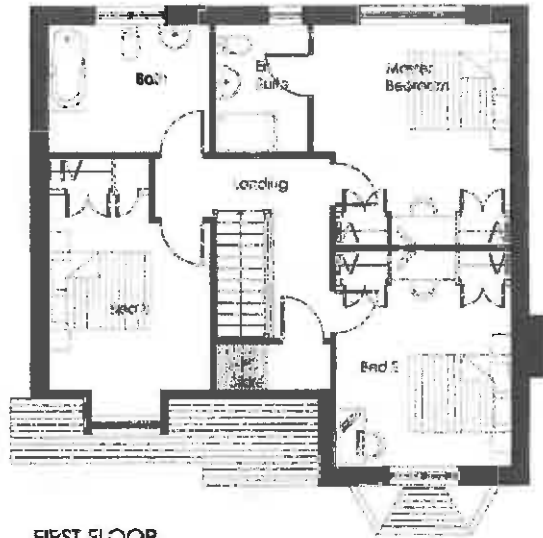
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SITE SECTIONS D, E, F


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 Golden, CO 80401
 Phone: 303.440.1210
 Fax: 303.440.1211
 Website: www.planningarchitects.com



GROUND FLOOR



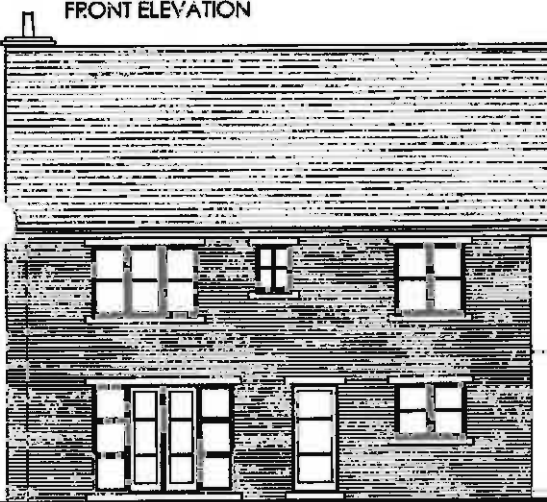
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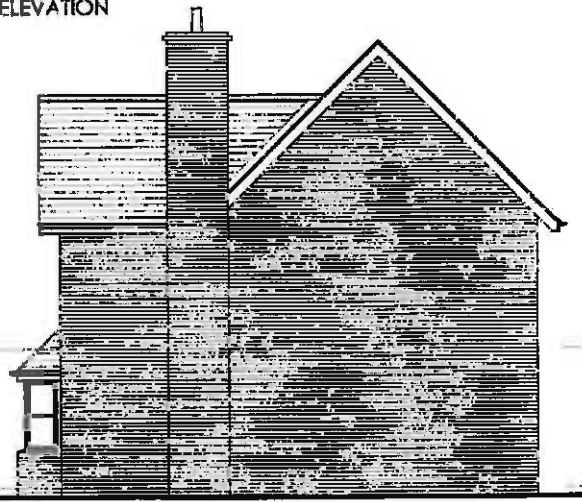
FRONT ELEVATION



SIDE ELEVATION



BACK ELEVATION



SIDE ELEVATION

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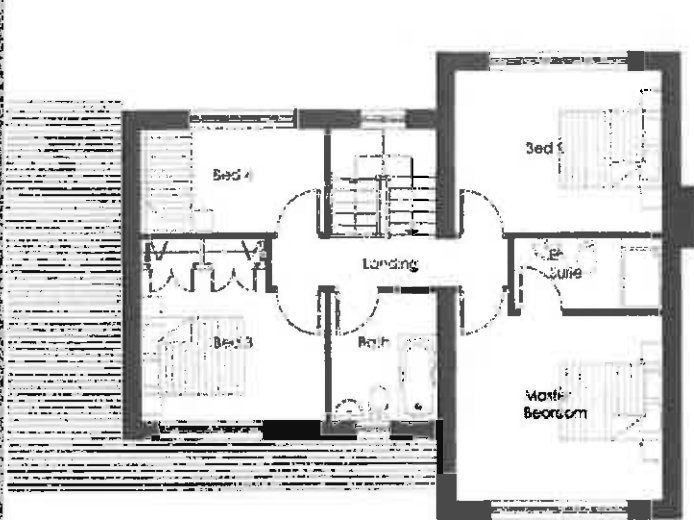
Project
PROPOSED HOUSING
LAND OFF BROOMFALLEN ROAD, SCOTBY

Client
SIMTOR

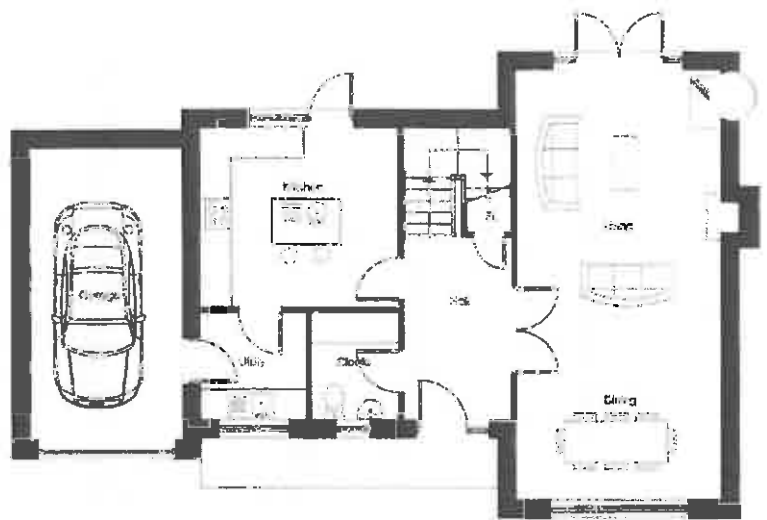
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HOUSE TYPE A
3B 6P

Scale	Date	Drawn	Client No.	Number
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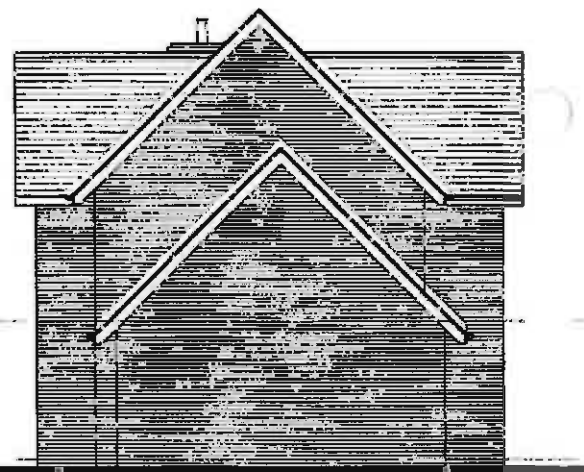
FIRST FLOOR



GROUND FLOOR



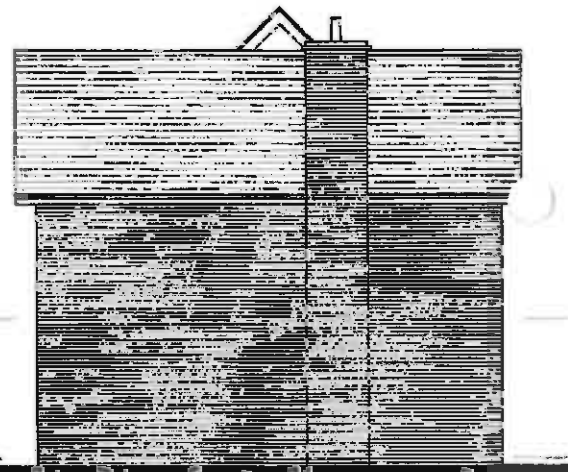
FRONT ELEVATION



SIDE ELEVATION



BACK ELEVATION



SIDE ELEVATION

PLANNING

ARCHITECTS
PLUS

PROJECT
2012/0790

168

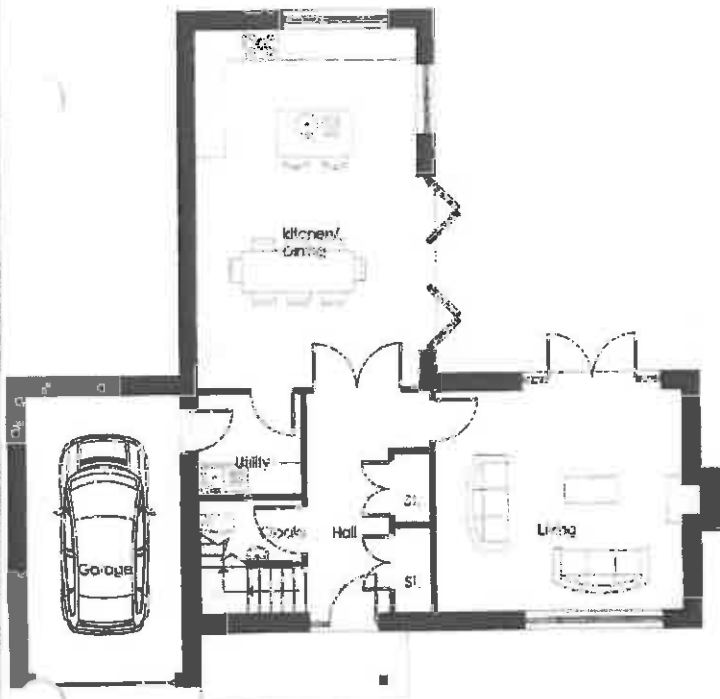
Project
PROPOSED HOUSING
LAND OFF BROOMFALLEN ROAD, SCOTBY

Client
SIMTOR

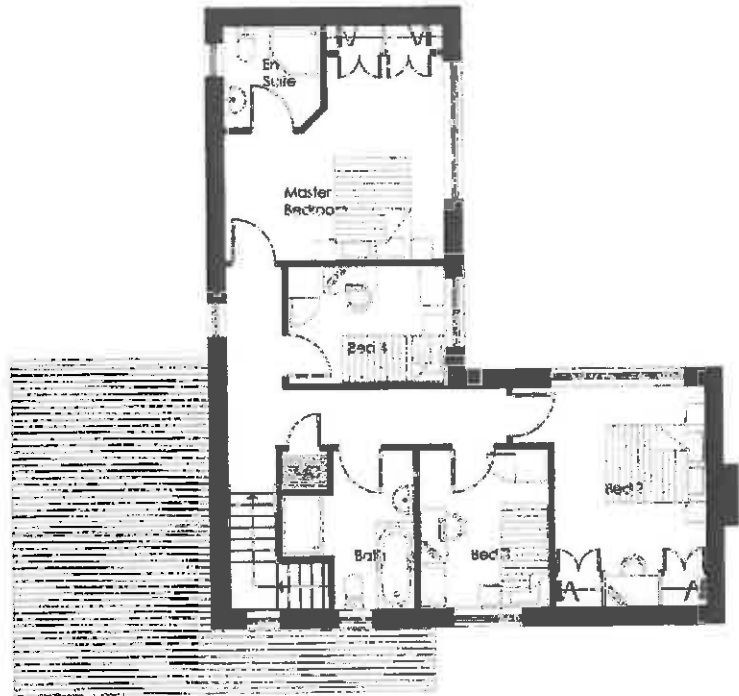
Drawing
HOUSE TYPE B
4B 7P

Scale	Date	Drawn	Client No.	Number
1/100	09/12	RJW	801	12033-07

at architects plus
 10000 Lakeshore, Markham, Ontario
 Tel: 905.477.1144 Fax: 905.477.1193
 Registered in Ontario No. 4291-03
 Registered Professional Architect, Ontario
 Email: info@architectsplus.com
 Web: www.architectsplus.com



GROUND FLOOR



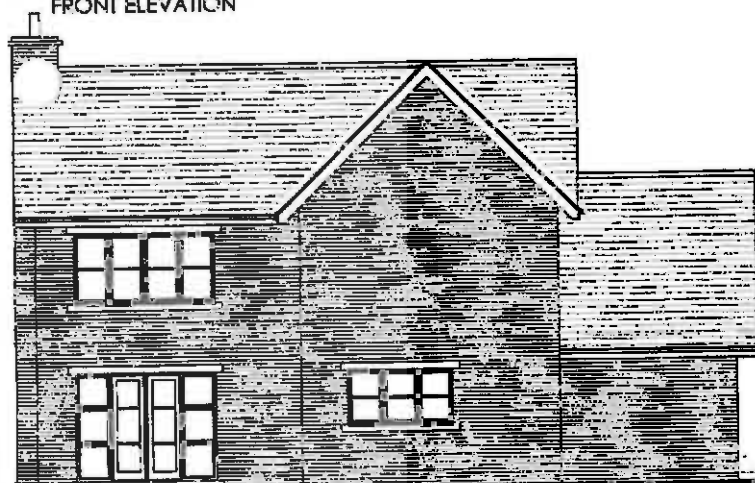
FIRST FLOOR



FRONT ELEVATION



SIDE ELEVATION



BACK ELEVATION



SIDE ELEVATION

PLANNING
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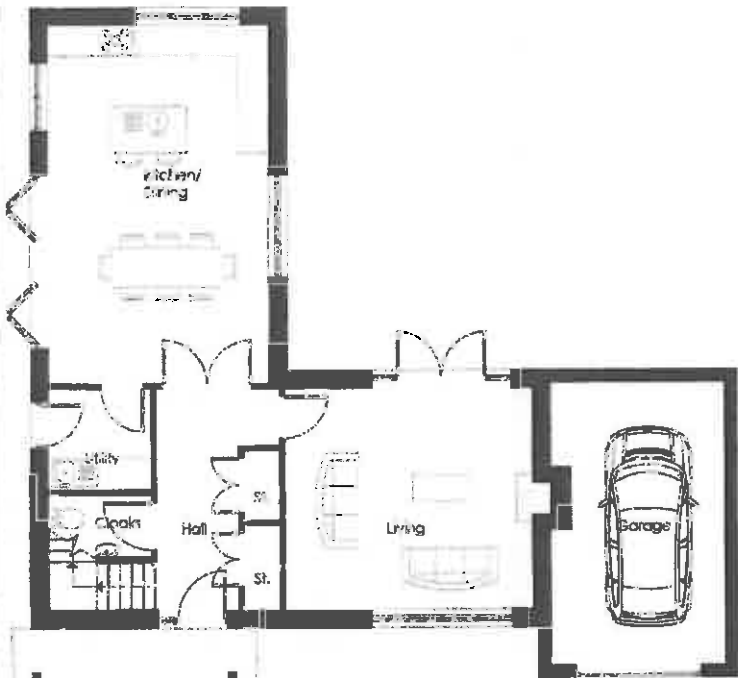
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Project
PROPOSED HOUSING
 LAND OFF BROOMFALLEN ROAD, SCOTBY
 Client
SIMTOR

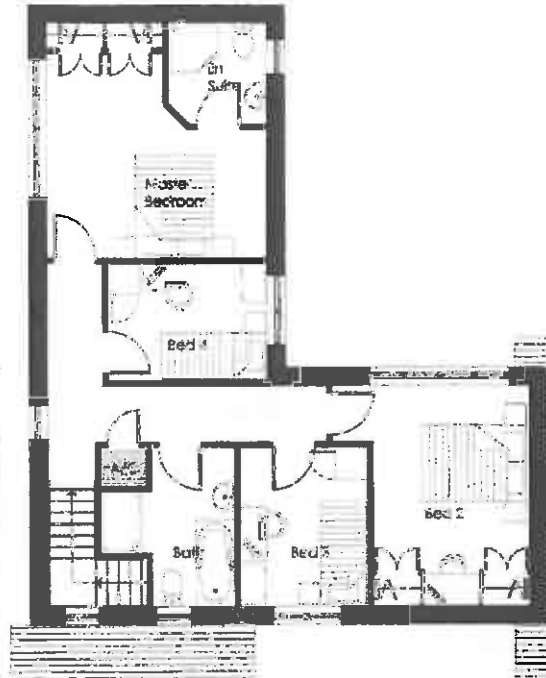
Drawings
HOUSE TYPE C
4B 6P

Scale	Date	Drawn	Comp. No.	Number
1/100	09/12	RJW	PC/1	1/2032-08

a+ Architects Ltd, 12A Hillier, Registered in England No. 0781143
 Victoria Gardens, Victoria House, 150-152 Broad Street, Bristol, GL1 3PE
 Tel: 01272 333144 Fax: 01272 333122 Email: info@architectsplus.co.uk
 Web: www.architectsplus.co.uk



GROUND FLOOR



FIRST FLOOR



FRONT ELEVATION



SIDE ELEVATION



BACK ELEVATION



SIDE ELEVATION

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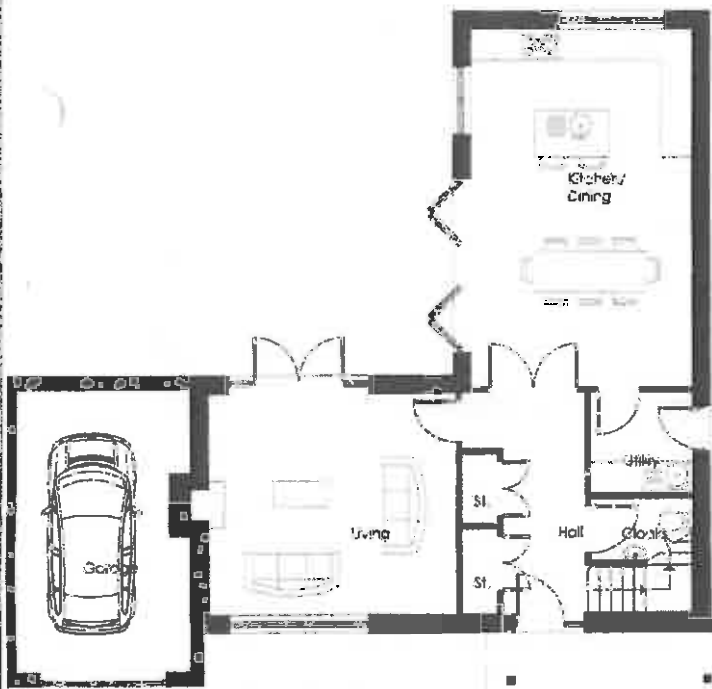
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Proposed
PROPOSED HOUSING
 LAND OFF BROOMFALLEN ROAD, SCOTBY

Client
SIMTOR

Drawing
**HOUSE TYPE C1
 4B 6P**

Scale	Date	Drawn	Comp No	Number
1/100	09/12	RJW	PC1	12032-01



GROUND FLOOR



FIRST FLOOR



FRONT ELEVATION



SIDE ELEVATION



BACK ELEVATION



SIDE ELEVATION

PLANNING
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PROPOSED HOUSING
 LAND OFF BROGMFALLEN ROAD, SCOTBY

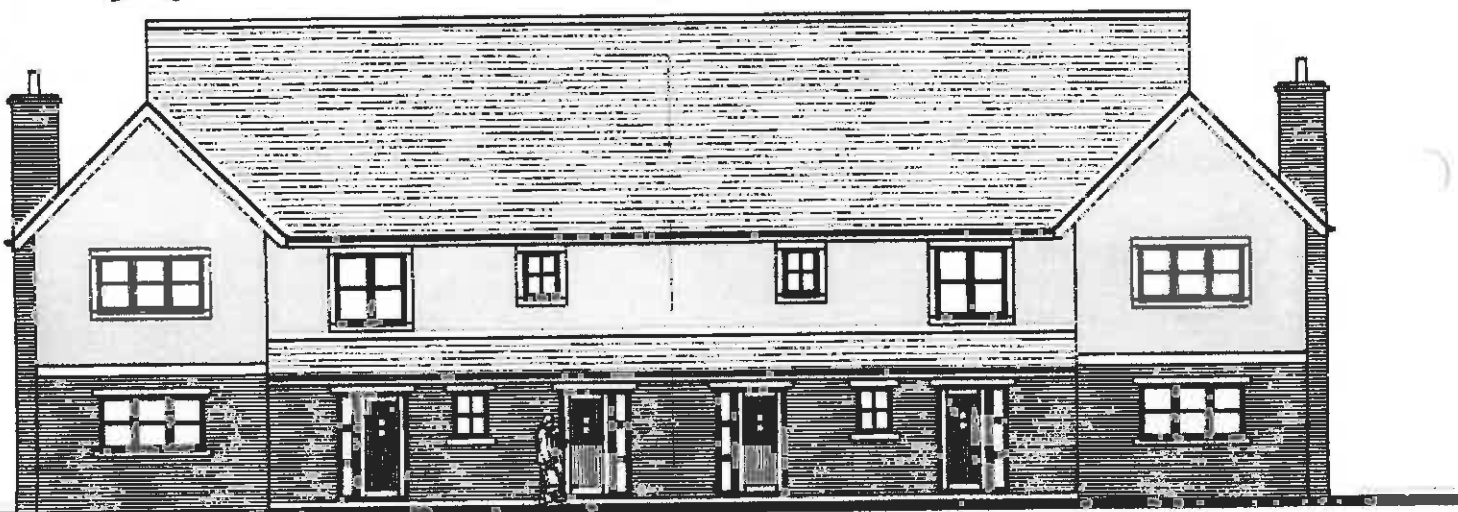
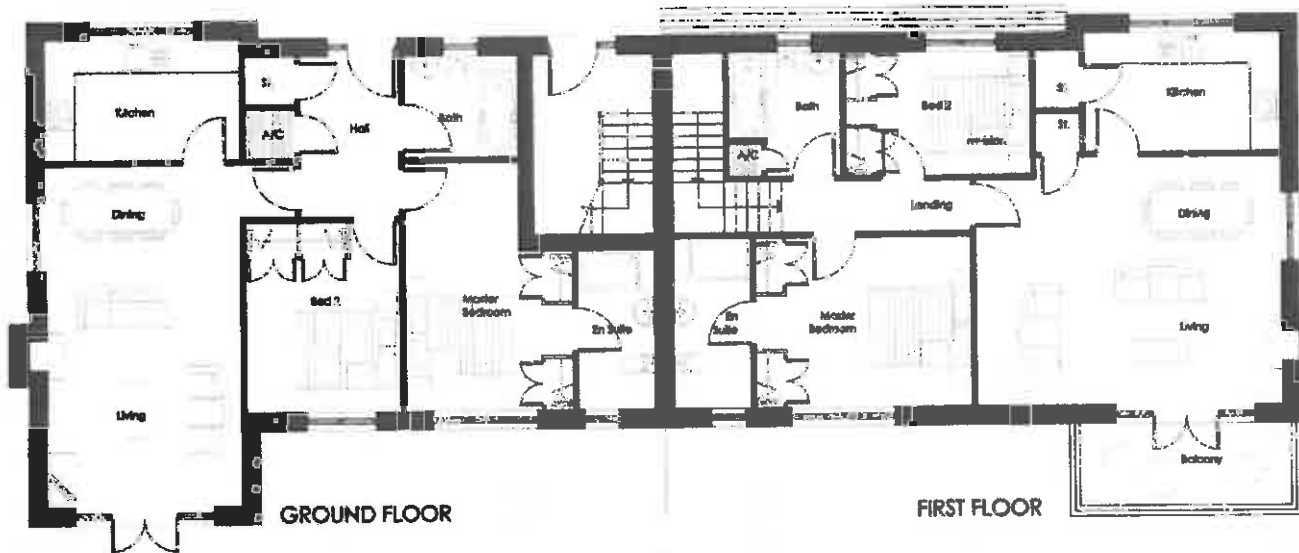
Client:
SIMTOR

Project:
**HOUSE TYPE C2
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Scale	Date	Drawn	Comp No	Number
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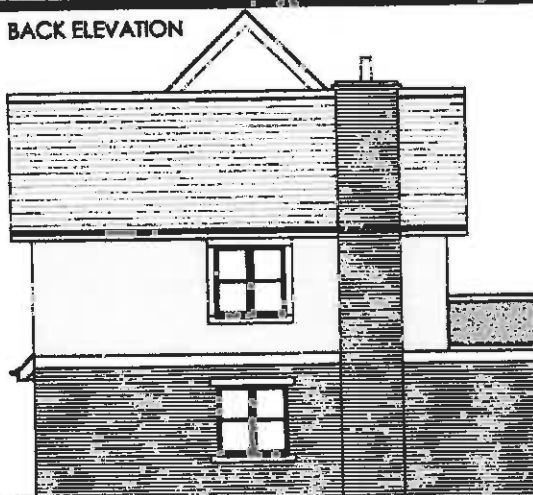
Architects Plus Ltd, Unit 10
 150 Victoria Road, North Shields, Tyne and Wear, NE28 7JQ
 Tel: 0191 275 5774 Fax: 0191 275 5707
 Email: info@architectsplus.co.uk
 Website: www.architectsplus.co.uk



FRONT ELEVATION



BACK ELEVATION



SIDE ELEVATION

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172

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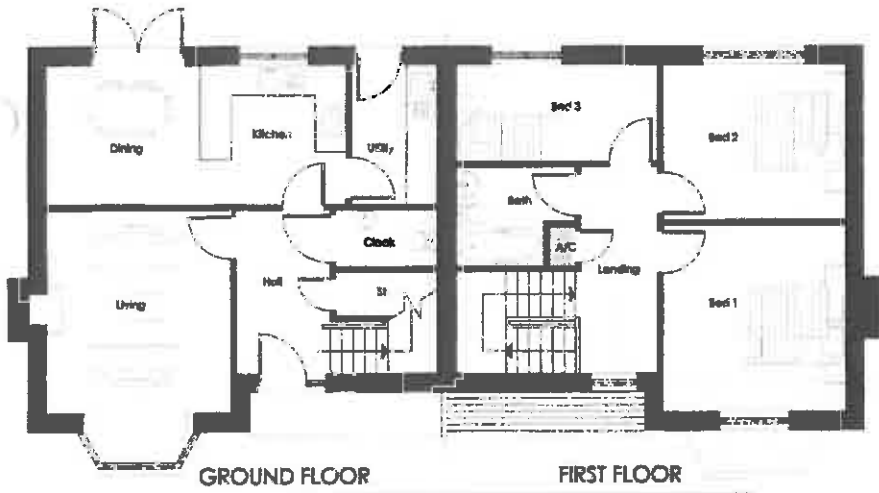
Project: **PROPOSED HOUSING LAND OFF BROOMFALLEN ROAD, SCOTBY**

Client: **SIMTOR**

Drawing: **HOUSE TYPE D 2B 4P**

Scale	Date	Drawn	Comp No	Number
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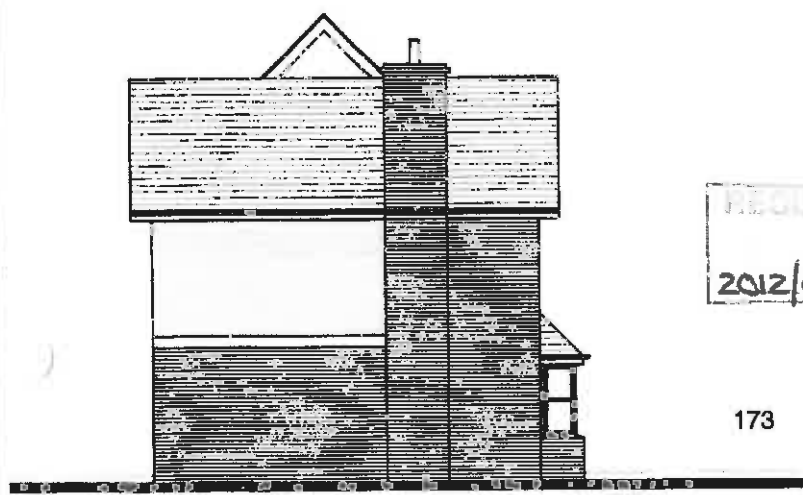
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 Victoria Gate, Victoria Road, Castle, L43 8AH
 Tel: 01228 513144 Fax: 01228 513233
 Email: ap@architectsplus.co.uk
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FRONT ELEVATION



BACK ELEVATION



SIDE ELEVATION

RESOLVE
2012/0790

173

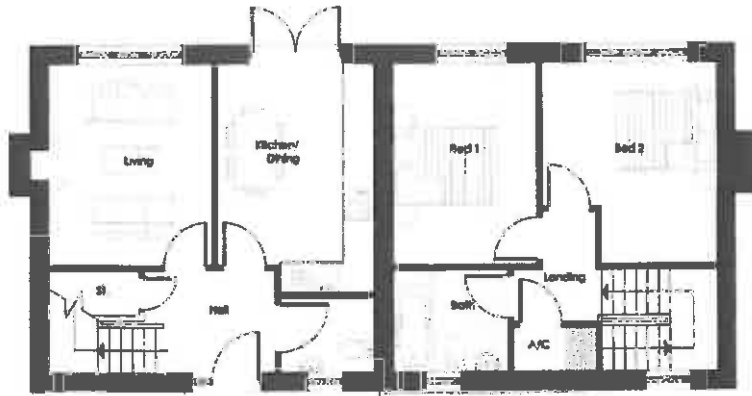
PLANNING
ARCHITECTS
PLUS

Project
PROPOSED HOUSING
LAND OFF BROOMFALLEN ROAD, SCOTBY

Client
SIMTOR

Drawing
HOUSE TYPE E
3B 5P

Scale	Date	Drawn	Comp. No.	Number
1/100	09/12	RJW	P01	12032-12



GROUND FLOOR

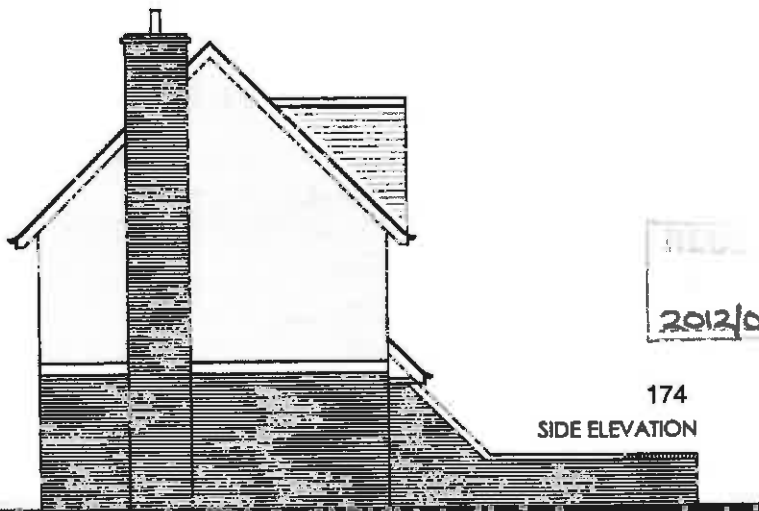
FIRST FLOOR



FRONT ELEVATION



BACK ELEVATION



174
SIDE ELEVATION

PLANNING
ARCHITECTS
P L U S

Project
PROPOSED HOUSING
LAND OFF BROOMFALLEN ROAD, SCOTBY

Client
SIMTOR

Drawing
HOUSE TYPE F
2B 4P

Scale	Date	Drawn	Comp.No.	Number
1/100	09/12	RJW	P01	12032-13



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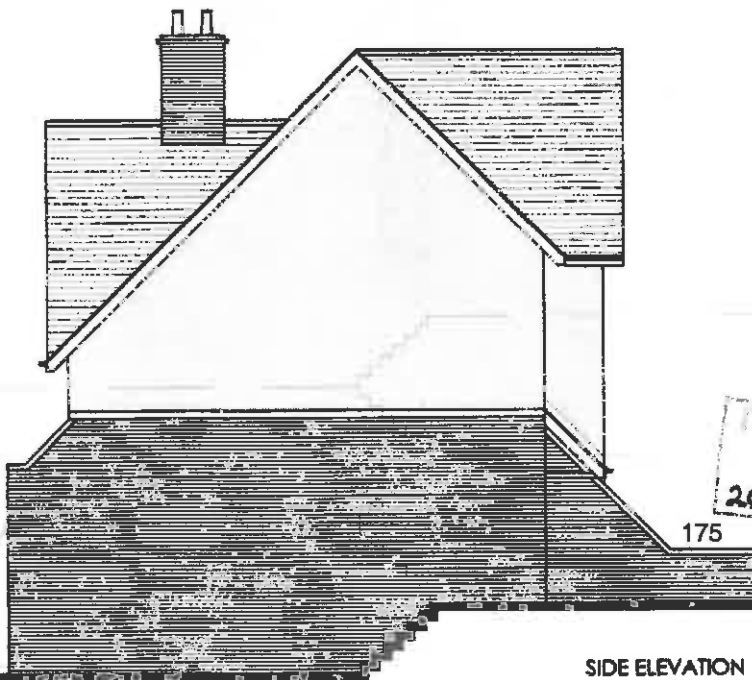
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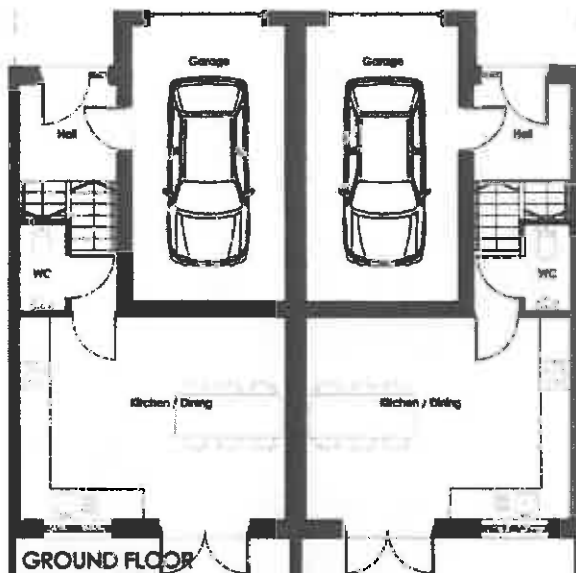
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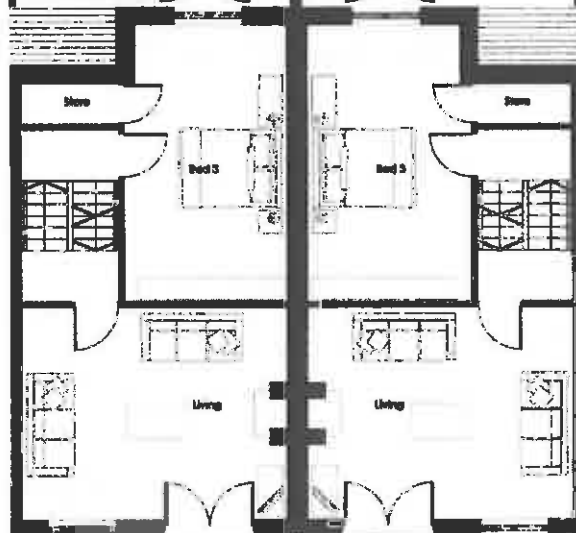
BACK ELEVATION



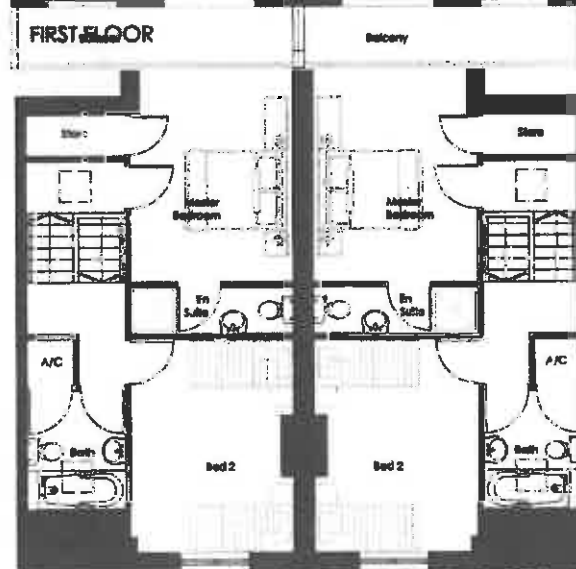
SIDE ELEVATION



GROUND FLOOR



FIRST FLOOR



SECOND FLOOR

ARCHITECTS PLUS

Project
**PROPOSED HOUSING
 LAND OFF BROOMFALLEN ROAD, SCOTBY**

Client
SIMTOR

Drawing
**HOUSE TYPE G
 3B 6P**

Scale	Date	Drawn	Comp.No	Number
1/100	09/12	RJW	P01	12032-14

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Proposed Housing off Broomfallen Road, Scotby

Drawing no B1

17th September 2012

Planting Plan

Refer to Drawing no B2 for plant schedule and specification

Eden Environment Ltd.

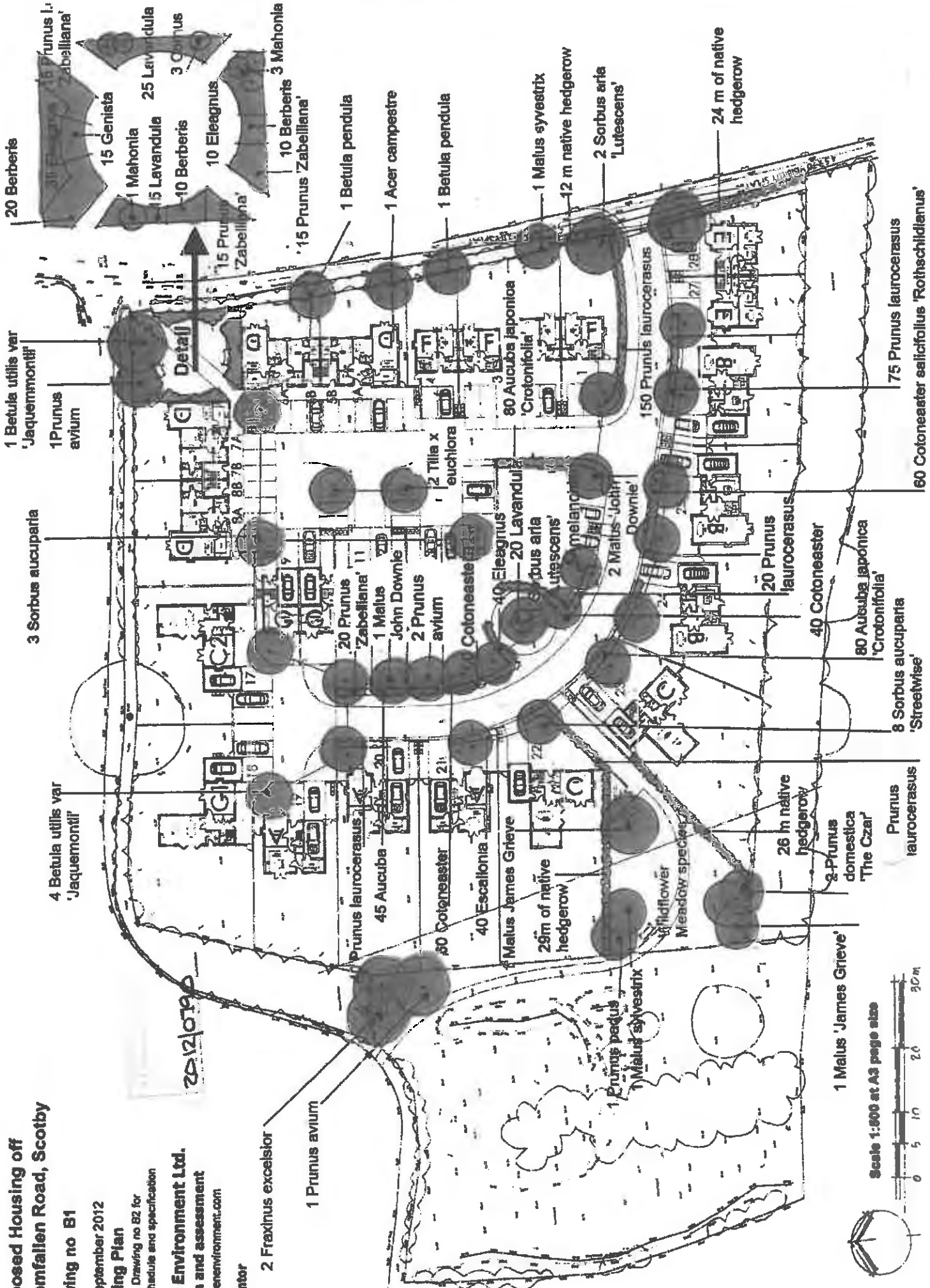
design and assessment

www.edenenvironment.com

for Simtor

2 Fraxinus excelsior

1 Prunus avium



**Proposed Housing off
Broomfallen Road, Scotby**

Drawing no. A

17th September 2012

Landscape Concept Plan

Eden Environment Ltd.

design and assessment

www.edenenvironment.com

for Simtor

2012/0790

Four birch trees
define the square

Natural Area
and vegetation
remain intact

Terracing and split-level houses
make the most of the slope

Level, shared space

Existing screen
planting remains
intact

Level, shared space

Two lime trees
Rowans on
corners

Small scale
'garden'
Sitting
Area

Main Square

Square

Sitting
Area

Meadow

Existing
Natural
Area

Pair of
'Gateway
Trees

Native hedgerow
replaced at
sight line

Avenue trees
and hedges form
a green corridor

Existing screen planting remains intact

Small, intimate
space

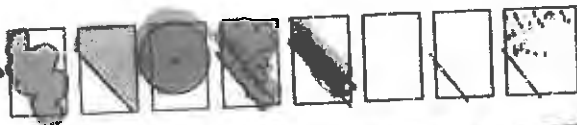
Path through site links with Broomfallen Road and Public Right of Way

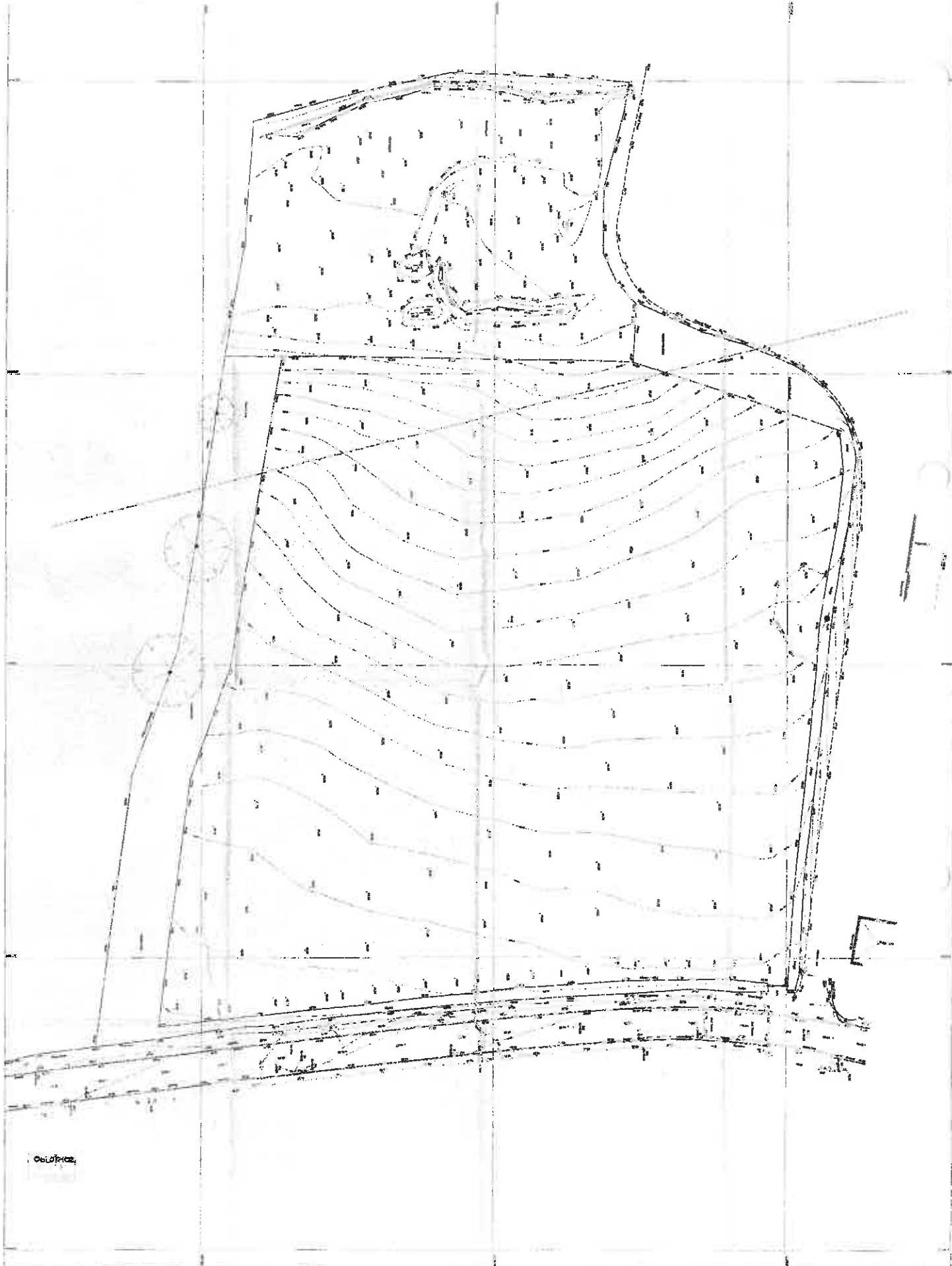
Fruit trees in meadow



Based on layout prepared by Architects Plus

Key





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Architect: [illegible]
 Date: [illegible]
 Scale: [illegible]
 Project: [illegible]

[illegible]
 [illegible]
 [illegible]

SCHEDULE A: Applications with Recommendation

12/0953

Item No: 06

Date of Committee: 08/03/2013

Appn Ref No:
12/0953

Applicant:
Brampton and Beyond
Community Trust

Parish:
Brampton

Date of Receipt:
26/11/2012

Agent:
Green Design Architects

Ward:
Brampton

Location:

Irthing Centre, Union Lane, Brampton, CA8 1BX

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

REPORT

Case Officer: Stephen Daniel

1. Recommendation

- 1.1 It is recommended that this application is approved with conditions.

2. Main Issues

- 2.1 Whether The Proposal Would Be Acceptable In Principle
- 2.2 The Need For The Proposal
- 2.3 Whether The Scale & Design Would Be Acceptable
- 2.4 Impact Of The Proposal On The Living Conditions Of The Occupiers Of Any Neighbouring Properties
- 2.5 Impact on Trees
- 2.6 Impact On Brampton Conservation And The Listed Croft House
- 2.7 Highway Matters
- 2.8 Biodiversity Issues

3. Application Details

The Site

- 3.1 The site includes part of the existing Irthing Centre, including the West Wing and Annexe buildings, an unused tennis court that lies to the west of the buildings and a small car park that currently serves the Irthing Centre.

There are a large number of mature trees to the west of the tennis court, a number of which are the subject of Tree Preservation Orders. Further mature, protected trees are also located on the southern boundary of the site.

- 3.2 The retained section of the Irthing Centre would lie to the east of the application site and this would be retained for community use. Two properties on Manor Gardens (nos. 4 & 5) and White House Cottage adjoin the site to the south, together with a piece of land that is currently undeveloped but which has previously had planning permission for a dwelling. Four and five Manor Gardens are large detached properties that sit at a significantly lower level than the application site, the gardens of which rise steeply up to the southern boundary of the site. Croft House, which is listed, adjoins the site to the west and is partly screened by existing trees. This property also lies within the Brampton Conservation Area, which lies to the west of the site. Residential properties on Irthing Park adjoin the site to the north. These properties also sit at a significantly lower level than the application site.

Background

- 3.3 The Irthing Centre is owned by Cumbria County Council and the majority of buildings are used as a community centre, under the control of the Brampton & Beyond Community Trust.
- 3.4 In July 2010, a public exhibition and public meetings were held and a survey was conducted into the future use of Irthing Centre. The proposal that received most support, from both stakeholders and the general public, was the proposal to retain as many of the existing community centre buildings as possible and to develop an extra care housing facility on the tennis court area.
- 3.5 If the application is approved, and subject to funding being confirmed, the ownership of the site would transfer to the Brampton & Beyond Community Trust.

The Proposal

- 3.6 The former West Wing of the Irthing Centre would be incorporated into the scheme and would include the main entrance to the building, together with the plant room, a buggy store, refuse area and offices. This building would then provide access, via a link building, to the main building, which would contain thirty-three extra care units set around a courtyard together with some communal areas. The existing buildings on the site sit approximately 2.5m (about one-storey) higher than the adjacent tennis court, on which the new building would be sited.
- 3.7 Fourteen of the units and the lounge/ hobby room and staff/ visitor overnight accommodation would be provided on the lower ground floor. The units would all face outwards, with corridors and the communal facilities facing the central courtyard. Small patios would be provided adjacent to the units and landscaped areas would be provided around the edge of the building, which

would incorporate a path.

- 3.8 The upper ground floor, which would be level with the ground floor of the main entrance, would contain sixteen units, the vast majority of which would face outwards. The west wing would be wider and would be dual aspect, with two of the units, which would sit above the communal areas, facing into the courtyard.
- 3.9 Three units would be provided at first floor level in the west wing, which would make this section of the building three-storey, with a ridge height of 11.6m. The link building would also be three-storey and would contain five units, a hairdressers, a laundry and a store. The north, south and east wings would be two-storey where they adjoin the boundaries with residential properties and would measure 5.3m to the eaves and 8.8m to the ridge.
- 3.10 The building would be constructed of a mixture of brick and render to the external elevations, with stained timber windows and doors, under a slate roof. It would incorporate sustainable elements, including: a carbon neutral biomass system; photovoltaic roof panels to generate electricity; high levels of thermal insulation; low energy light fittings; and the single aspect of the unit would reduce heat loss. The building also incorporates the principles of 'Secured by Design'.
- 3.11 Access to the site would be via the existing access from Union Lane. The Annexe building would be demolished so that the existing access can be extended into the site and terminate at the new main entrance. Parking would be provided along side the access and to the front of the main entrance, where a turning area would also be provided. A total of twenty-two car parking spaces would be provided within the site, fourteen of which would be new.
- 3.12 The existing community centre includes a range of facilities that might be used by future occupiers of the extra care facility, including: cafe and terrace area; hall which is a venue for dances, concerts, film and plays; computer room; gym; exercise classes; and the 'hut', which is a venue for art classes and adult education.
- 3.13 The building has been developed in conjunction with Impact Housing Association. The Brampton & Beyond Community Trust has entered into a partnership with Impact Housing Association, which has a broad experience and a proven track record on delivering extra care housing schemes in other parts of Cumbria.
- 3.14 The scale of provision has been a major factor in determining the viability of the project, both in capital and operational terms. Discussions between the applicant and Cumbria County Council, Carlisle City Council, with other extra care housing providers, and with potential lenders to the Trust of the capital loans, all suggest that this scale of provision is necessary. The County Council has maintained throughout that a development of about 40 units would be required to make a viable project. This arises from the residential unit cost being affected by the need to provide communal facilities and office accommodation, as required in an extra care housing development. For this reason, as well as more general economies of scale, the overall cost per

residential unit increases as the number of units decreases. This cost will have a direct impact on rent levels, and the Trust's intention, based on the City Council's housing need guidance, is that these units should be available at "affordable rents".

4. Summary of Representations

4.1 This application has been advertised by the posting of a press and site notice, and also the posting of 20 notification letters to neighbouring properties. In response, 7 letters of objection and 9 letters of support have been received.

4.2 The letters of objection make the following points:

- Concerned about scale and layout and its impact on neighbouring properties;
- Trees subject to TPO's will be removed or cut back;
- Suggestions that the scale and layout should be altered so that it fits within the existing space;
- The site is elevated above neighbouring houses on three sides and the development will therefore be very prominent;
- With the removal of the trees, the extensive western elevation will create a significant visual impact on Croft House;
- Single-storey development at the edge of the site, which might be more appropriate for some of the intended residents, would be better;
- The plans misrepresent the height of the land to be built on. The plans show the level at half of what it actually is - it shows it four foot higher than the ground floor level of 27 Irthing Park but it is actually eight to nine foot above ground level;
- It is a three-storey development;
- It will result in a total loss of privacy and total loss of light to neighbouring properties and would adversely affect the amenity of adjacent properties;
- The majority of mature trees to the west and south of the site are subject to TPO's or are protected by virtue of falling within/adjacent to the Brampton Conservation Area;
- The trees are prominent features of the Brampton skyline and can be seen from many parts of the town - any tree loss or crown reduction would adversely impact upon the visual amenity of neighbouring properties but as the wider setting of the Conservation Area;
- Proposal would lead to the felling of 4 trees, pruning/canopy reduction of other trees - construction works could damage other trees - conflicts with Policy

CP3/SPD 'Trees & Development' - development will not be permitted where a habitable room window would be overshadowed or where part of a tree would be within 5m of a habitable room window;

- Even with pruning/canopy reduction, canopies will remain within 2m of many habitable room windows, severely restricting daylight/sunlight to the properties when trees are in leaf;
- Proposal is contrary to Policy CP5 , which seeks to ensure no adverse impact on residential amenity of existing areas or result in unacceptable standards for future owners and occupiers of development;
- Height, scale, massing and configuration of the development would appear as a discordant feature in relation to neighbouring properties and the wider setting of the Conservation Area;
- Neighbouring houses to north (Irthing Park) and south (Manor Gardens) will be significantly overlooked - ground floor levels of existing properties will generally be at least one storey height below that of the development which will be two/three storey;
- Due to lower level of development on Irthing Park, a two-storey building would feel like three storey, three-storey like four;
- Would be a loss of light, overshadowing of properties on Irthing Park;
- Proposals do not consistently achieve the minimum standard of 21m between primary facing windows;
- 38 units is overdevelopment - reducing the number of units and configuring them differently on the site would provide a more harmonious and sympathetic development and a more satisfactory environment for occupants;
- Jenkins Court, Kendal has 20 extra care units in a development of 33 flats, whilst Holker Court, Barrow has 28 extra care flats provided within a large development - size of this could be reduced;
- Unclear how fire services would really gain access to all parts of the building should the need arise;
- Would be a conflict between residents and visitors to the Community Centre;
- Proposal would have a significant adverse impact on 4 Manor Gardens - units will be built so close to and looming over 4 Manor Gardens that privacy will be badly affected - view of the sky from north facing ground floor rooms will be severely restricted and in the case of the kitchen virtually blocked out. Ground floor of the proposed building would be level with bedroom windows at 4 Manor Gardens - first floor windows will look down into bedrooms at a distance of only 15m. Occupiers of this dwelling sit in north-east of the garden to get sun - occupants of the nearest unit would be able to look down in this area from 8m away. Developer has moved the unit 1m back from 14m to 15m away from 4

Manor Gardens but this is inadequate;

- Work on foundations will be close to large Scots Pine in the garden of 5 Manor Gardens - developer should take all possible precautions to safeguard this significant tree which is visible from many parts of Brampton;
- Need to ensure proposal does not adversely affect neighbouring land through changes to drainage;
- Some of the new car parking spaces provided seem to encroach on White House Cottage and one space in particular would appear to block access to White House Cottage. Vehicles frequently park outside White House Cottage in unmarked bays often completely blocking access to the Cottages - extra spaces being provided would greatly add to this existing problem;
- Concerned about three-storey sections which could cause loss of privacy;
- Concerned about future use of building adjacent to White House Cottage - future use could impact on White House Cottage;
- Quality appears to be at the bottom of the agenda in pursuit of an arbitrary development target of around 40 units, which has no regard to site constraints;
- No evidence has been provided by the applicant to substantiate a figure of around 40 units as being a viability threshold for extra care schemes. Other recent extra care schemes in Cumbria have significantly less units. Development of this size will have a significant adverse impact on neighbouring properties and their occupants, the wider environment of Brampton and the setting of the conservation area;
- Occupants of less than a third of the 38 units would enjoy acceptable levels of daylight and sunlight in their homes - such living conditions would not support the well-being and good health of occupants;
- Of the recorded 'neighbour' responses to date, 5 are from residents of the Rowelton/ Kirklington area some 7/8 miles from Brampton. They include current/ past Trustee members of the Board of the Applicant Trust.

4.3 The letters of support make the following points:

- Excellent use of vacant site;
- Need for such accommodation with increase in population ages;
- No similar housing available in Brampton;
- Much needed development as part of the mix of care provision in Brampton;
- Proposal is an impressive low impact sustainable design;
- Proposal is innovative and imaginative and should enable Centre to become

financially independent for first time;

- Shows Brampton Community can take greater responsibility for its future welfare, in which extra care housing will play a vital role;
- If concept is successful it will provide an exemplar from which many other communities could learn;
- Good use for a site near the centre of Brampton;
- Proposals make the most of the site;
- Appropriate to have housing to older people next to Community Centre so these will be mutual benefit;
- Will provide much needed housing in this very rural area;
- Two bed accommodation is a necessity so relatives can come and visit and stay in cases of illness.

5. Summary of Consultation Responses

Cumbria County Council - (Econ. Dir. Highways & Transportation): - no objections, subject to conditions;

Clerk to Brampton PC, Unit 2 - The Old Brewery: - concerned at the lack of car parking provision for the units and staff;

Local Environment (former Community Services) - Drainage Engineer: - comments awaited;

Carlisle Airport: - no objections;

Local Environment - Environmental Protection: - no objections;

Cumbria Constabulary - North Area Community Safety Unit: - suggested measures to reduce the risk of crime;

Community Engagement - Housing Strategy: - supports this proposal as the development will contribute significantly to an identified need which can be robustly evidenced. There is a strong need to extra care housing in the district - there are currently 70 extra care units in the district but none in the Brampton area. The 2009 Planning4care report identified a need for 43 extra care units in Brampton, with this figure rising to 55 units in 2029. The development also provides an important role in meeting affordable housing need - the units would be made available for affordable rent. The proposed scheme, led by the Brampton & Beyond Community Trust, is evidence of a community taking a leading role in addressing its own housing needs;

Conservation Area Advisory Committee: - committee were content over the general location and proposed use. Expressed concern over possible adverse impact on neighbours re separation distances and the scale of the new building. Suggest a sketch-up model would assist in evaluating the overall form of the proposal and its impact on neighbours. Should be recommended for approval, subject to clarification of these points.

6. Officer's Report

Assessment

- 6.1 The relevant planning policies against which the application is required to be assessed are Policies DP1, EC1, H1, H13, LE12, LE19, CP2, CP3, CP5, CP6, CP12, CP15, CP16, CP17 and T1 of the Carlisle District Local Plan 2001-2016. The proposals raise the following planning issues:
1. Whether The Proposal Would Be Acceptable In Principle
- 6.2 The site is well related to the centre of Brampton, which is identified as a Key Service Centre in the adopted Local Plan and which contains a range of shops and services and access to public transport.
- 6.3 The site is located adjacent to the Irthing Centre, which is a community facility which is run by the Brampton & Beyond Community Trust. The occupiers of the extra care housing scheme would be able to use a number of the facilities on offer at the community centre, which would benefit both them and the community centre.
- 6.4 In light of the above, the proposed site would be a good location for an extra care housing scheme and the proposal would, therefore, be acceptable in principle.
2. The Need For The Proposal
- 6.5 The Council's Housing Strategy Section strongly supports the proposal to build thirty-eight extra care housing units in Brampton. The development would contribute significantly to an identified need, which can be robustly evidenced. The number of elderly people in the district is continuing to grow and a 2009 report by Planning4care predicts a 41% increase in the percentage of people aged 65+ by 2030. This will inevitably lead to an increase in the number of elderly people needing support. Many older people want to remain living independently for as long as possible and extra care housing is now favoured by many. There is, therefore, now a strong need for extra care housing in the district.
- 6.6 There are currently 70 extra care units in the district but none of these are in the Brampton area. The 2009 Planning4care report identified a need for 43 extra care housing units in the Brampton area and this need rises to 55 units by 2029. The development would contribute significantly to meeting local extra care needs. The development will also play an important role in meeting affordable housing need, with the units being made available at an affordable rent. This will meet the need of many people with support needs who are residing in, or are in need of, affordable housing.
- 6.7 The proposed scheme, which is being led by the Brampton & Beyond Community Trust, is evidence of a community taking a leading role in addressing its own housing need and this approach is supported.
- 6.8 Cumbria County Council also supports the proposal, which will offer a much improved range of accommodation with care options for the people of Brampton and the surrounding area. This is underlined by the allocation of £800,000 from the Council's capital programme to support the cost of

developing the scheme, subject to the final grant rate offered by the HCA, and final approval from the County Council following consideration of a business case that identifies the actual amount of capital required. A further financial commitment from the County Council (Adult Social Care) is given with regard to the revenue funding required on an annual basis to purchase on-site care and support services required at the scheme. The cost of on-site care and support is estimated as between £130,000 to £300,000 per annum, depending on the level of need.

- 6.9 In light of the above, there is a clear need for the level of extra care housing proposed to meet an identified need in the Brampton area.

3. Whether The Scale And Design Would Be Acceptable

- 6.10 It is acknowledged that the building would be large, as it needs to accommodate 38 units, which are needed to make the scheme viable. Discussions between the applicant and Cumbria County Council, Carlisle City Council, with other extra care housing providers, and with potential lenders to the Trust of the capital loans, all suggest that this scale of provision is necessary. The County Council has maintained throughout that a development of about 40 units would be required to make a viable project. This arises from the residential unit cost being affected by the need to provide communal facilities and office accommodation, as required in an extra care housing development. For this reason, as well as more general economies of scale, the overall cost per residential unit increases as the number of units decreases. This cost will have a direct impact on rent levels, and the Trust's intention, based on the City Council's housing need guidance, is that these units should be available at "affordable rents".

- 6.11 Whilst the building would be large and the site is significantly higher than the adjoining residential properties, it would be partly screened from a number of views by the existing buildings at the Irthing Centre, by adjacent residential properties and by a number of mature trees. The use of a combination of facing brick and render would help to break up the scale of the building.

- 6.12 Whilst a section of the main building would be three-storey, this would be located in the centre of the site. The sections that would be located in close proximity to neighbouring residential properties would be two-storey, with an eaves level of 5.3m. Whilst the ridge would 8.8m this would be set back further into the site.

- 6.13 The building would be constructed of facing brick and render, with stained timber windows and doors, under a slate roof. Landscaping would be provided around the building, with a number of mature trees along the southern and western site boundaries being retained and additional trees being planted along the western boundary.

- 6.14 In light of the above, the scale and design of the proposal would be acceptable.

4. Impact Of The Proposal On The Living Conditions Of The Occupiers Of Any Neighbouring Properties

- 6.15 The proposed building would be two-storey, where it lies directly to the rear of residential properties. It would have an eaves height of 5.3m and a ridge height of 8.8m, with the ridge being set further back into the site.
- 6.16 Nos 4 & 5 Manor Gardens would lie to the south of the application site. These dwellings sit at a significantly lower level than the application site, with the first floor of the properties being approximately level with ground level of the site. 4 Manor Gardens would have a rear elevation approximately 16m away from a bedroom window in one of the units. This window would not directly face the rear of 4 Manor Gardens but would be at a higher level and so would allow overlooking of a bedroom in the property to occur. The applicant has, therefore, been asked to design a window which would minimise overlooking and this would be ensured by condition. 5 Manor Gardens would have a rear elevation a minimum of 22m away from the nearest windows. Whilst there would be some overlooking of the gardens of both of these properties, this is not uncommon and is not sufficient to warrant refusal of the application.
- 6.17 The nearest elevation of Croft House would lie over 23m from the west elevation of the building. There are a number of trees on this boundary, the majority of which would be retained, and this would help to reduce the impact of the proposal on the occupiers of this dwelling.
- 6.18 A number of properties on Irthing Park would lie to the north of the proposal and these dwellings sit at a significantly lower level than the application site. The nearest of these (35) would be 13m away from a blank gable, whilst others (31 & 33) would have windows 21m away from windows in the proposed units. These distances are considered to be sufficient to ensure that there is no significant loss of privacy to the occupiers of these dwellings.
- 6.19 In light of the above, the proposal would not have a significant adverse impact on the living conditions of the occupiers of any neighbouring properties through loss of light, loss of privacy or over-dominance.

5. Impact On Trees

- 6.20 The Council's Tree Officer has raised a number of concerns about the application. There are a significant number of large, mature trees both on and off the site that would be adversely affected by the development, many of which are the subject of Tree Preservation Orders. The trees are a significant asset to the location and are major element in views both into and out of the Brampton Conservation Area.
- 6.21 Three of the protected trees would need to be removed and there would be incursion into the root protection area of a number of trees that would remain, which the Tree Officer considers would lead to the decline in the health of these trees and their premature removal. The retained trees would need to be pruned back but even then the trees would be so close to the finished building that the Tree Officer considers that very poor living conditions would be created for the future occupiers of the five units facing these trees. They would be faced with views of large over bearing trees, have the constant fear that a tree could fall onto them and live in constant shade, with inadequate

natural light or sunlight. The Tree Officer considers that this arrangement would inevitably lead to applications to prune or fell these trees.

- 6.22 The applicant's have considered moving the building further to the east away from the trees, but this would mean some of the existing building at the Irthing Centre would need to be demolished. They have also considered reducing the number of units, but around forty units is needed to make the scheme viable (see para 6.10).
- 6.23 The applicant's Tree Consultant accepts that the removal of the trees is regrettable but that the remaining ten trees, that would be located further from the development, will maintain the canopy silhouette, so keeping the visual amenity and wider impact of the trees when viewed from a distance. In order to maintain this tree scene and increase its longevity, new trees would be planted in suitable gaps to provide succession growth for the future. He considers that the proposed layout takes into account all the trees on the site and integrates well with the existing tree stock. He also points out that diseases and storms make our tree-scene a transient landscape feature and establishing new trees can provide a tree-scape for future generations to enjoy.
- 6.24 The Council's Tree Officer also raised concerns about the impact of six proposed car parking spaces, which would have been sited within the root protection areas of a large, mature and prominent protected tree on the southern boundary of the site. This parking has now been relocated outside the root protection area and the new location has no adverse impact on any existing trees.
- 6.25 The loss of the protected trees needs to be assessed against the need for the development. Whilst three protected trees would be lost and the long-term future of other trees might be threatened, there is a clear need for the development, which would bring a number of community benefits. Furthermore, new planting would go some way to mitigating the loss of the trees. It is, therefore, considered that the benefits that the proposal would bring outweigh the negative impact on the existing trees on the western side of the site.

6. Impact On Brampton Conservation And The Listed Croft House

- 6.26 The Brampton Conservation Area adjoins the site to the west, as does the listed Croft House. The proposed building would be of an acceptable scale and design and it would be partially screened in views from the conservation area by a number of existing retained mature trees, which would also lie between the new building and the listed Croft House. The proposal would not, therefore, have an adverse impact on the Brampton Conservation Area or the listed Croft House.

7. Highway Matters

- 6.27 The development would use the existing access to the Irthing Centre off Union Lane, which would be extended further into the site. Fourteen additional car parking spaces would be created within the site and this is sufficient given the proposed use. Both the proposed access arrangements

and level of car parking proposed are acceptable to County Highways.

8. Biodiversity Issues

- 6.28 A Nature Conservation/ Ecological Statement and Bat Report has been submitted with the application. This includes a Mitigation Strategy for bats, which suggests that access should be created to the ridge and under slates in the new building and that three bat boxes should be sited on trees on both the western and southern boundaries. These mitigation measures, which would be enforced by condition, would ensure that the proposal does not have an adverse impact on bats.

Conclusion

- 6.29 The proposal is acceptable in principle and there is a clear need for extra care housing in the Brampton area. The scale and design of the proposal would be acceptable and it would not have a significant adverse impact on the living conditions of the occupiers of any neighbouring properties through loss of light, loss of privacy or over-dominance. The proposal would not have an adverse impact on the Brampton Conservation Area or the listed Croft House. The proposed access and parking arrangements would be acceptable. Whilst the proposal would have an adverse impact on existing protected trees, three of which would be removed, it is considered that the benefits of the proposal would outweigh the negative impact of the proposal on the existing trees. In all aspects, the proposal is compliant with the relevant planning policies contained within the Carlisle District Local Plan 2001-2016.

7. Planning History

- 7.1 In March 2011, planning permission was granted for the erection of new external timber decking with perimeter fencing 2.4m high; replacement of 3 no. existing single glazed doors with new aluminium clad timber doors; minor internal alterations and re-decoration; concrete ramp to external play area (10/1135).

8. Recommendation:

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 and Block Plan (drawing reference 10/1987/90A) received

30th January 2013;

3. the Proposed Block Plan (drawing reference 10/1987/131A) received 30th January 2013;
4. the Existing Upper Ground Floor Plan (drawing reference 10/1987/91) received 26th November 2012;
5. the Detailed Floor Plans (drawing reference 10/1987/124E) received 26th November 2012;
6. the Proposed Lower Ground Floor Plan (drawing reference 10/1987/120K) received 26th November 2012;
7. the Proposed Upper Ground Floor Plan (drawing reference 10/1987/121K) received 14th February 2013;
8. the Proposed First Floor Plan (drawing reference 10/1987/122H) received 26th November 2012;
9. the Proposed Roof Plan (drawing reference 10/1987/132) received 26th November 2012;
10. the Proposed Elevations/Sections (drawing reference 10/1987/129F) received 26th November 2012;
11. the Proposed Elevations/Sections (drawing reference 10/1987/130E) received 26th November 2012;
12. the Proposed Elevations/Sections (drawing reference 10/1987/123H) received 26th November 2012;
13. the Design, Access and Sustainability Statement received 26th November 2012;
14. the Transport Statement received 26th November 2012;
15. the Desk Top Study for Contamination received 26th November 2012;
16. the Nature Conservation/Ecological Statement and Bat Report received 26th November 2012;
17. the Pre-development Arboricultural Report received 6th December 2012;
18. the Pre-development Tree Report - Addendum received 29th January 2013;
19. the Notice of Decision; and
20. 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 a satisfactory external appearance for the completed development, in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

4. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been approved in writing by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans.

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

5. A detailed landscaping scheme must be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of any works on site. The scheme must include a full specification of all proposed planting including the quantity, size, species, and positions or density of all material to be planted, how they will be protected and the proposed time of planting. The scheme must be implemented in full prior to the first occupation of the building. If within a period of 5 years from the date of planting any plant, or replacement for it is removed, uprooted, destroyed or dies or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another plant of the same size and species as that originally planted shall be planted at the same place within the first planting season following the removal, uprooting, destruction or death of the original tree unless the Local Planning Authority gives its written consent to any variation.

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

6. Prior to the commencement of development, a scheme of tree and hedge protection shall be submitted to and approved in writing by the Local Planning Authority 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: To ensure that existing trees are protected in accordance with Policy CP3 of the Carlisle District Local Plan 2001-2016.

7. No development shall take place until an Arboricultural Method Statement, appropriate and specific to the approved scheme, to include details of all works within the root protection area, or crown spread whichever is greater, 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 ensure that existing trees are protected in accordance with Policy CP3 of the Carlisle District Local Plan 2001-2016.

8. The access and parking/turning facilities, shown on the Plan, shall be substantially met before any building work commences on site so that constructional traffic can park and turn clear of the highway. Once complete they shall be retained capable of use thereafter and shall not be altered without the prior consent of the Local Planning Authority.

Reason: The carrying out of building works without the provision of these facilities is likely to lead to inconvenience and danger to road users. Retention of the facilities ensures an appropriate standard of parking and access for as long as the use continues and to support Local Transport Policies LD5, 7 & 8.

9. Before any building work takes place, a plan shall be submitted for the prior approval of the Local Planning Authority reserving adequate land for the parking of vehicles/plant, storage of materials and office/welfare accommodation associated with the construction operations and this 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.

10. The access roads, parking areas etc shall be designed, constructed drained

and lit, to the satisfaction of the Local Planning Authority and in this respect full engineering details, shall be submitted for approval before work commences on site. No work shall be commenced until a full specification has been approved.

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.

11. The use of the care facilities, shall not be commenced until the access road and associated hardstanding areas have been constructed in accordance with the approved plan. All such provision shall be retained, capable of use when the development is complete and shall not be removed or altered thereafter, without the prior consent of the Local Planning Authority.

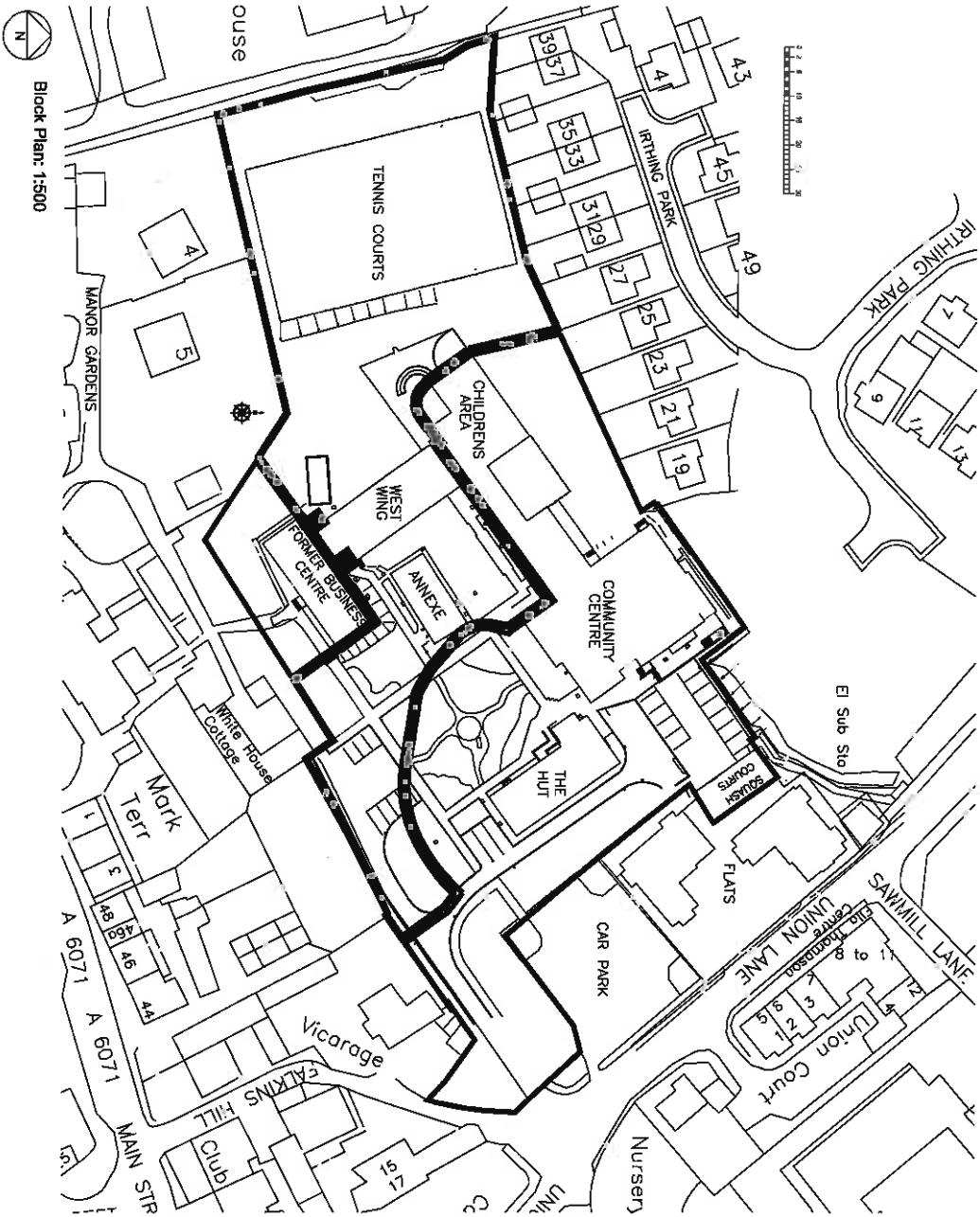
Reason: To ensure a minimum standard of access and public safety/security when the development is brought into use and to support Local Transport Plan Policies LD5, LD7 and LD8.

12. Prior to the commencement of development the applicant shall submit, for approval in writing by the Local Planning Authority, details of the proposed mitigation measures in relation to bats. These shall include details of the design and siting of the proposed bat boxes. The development shall then be carried out in strict accordance with these mitigation measures.

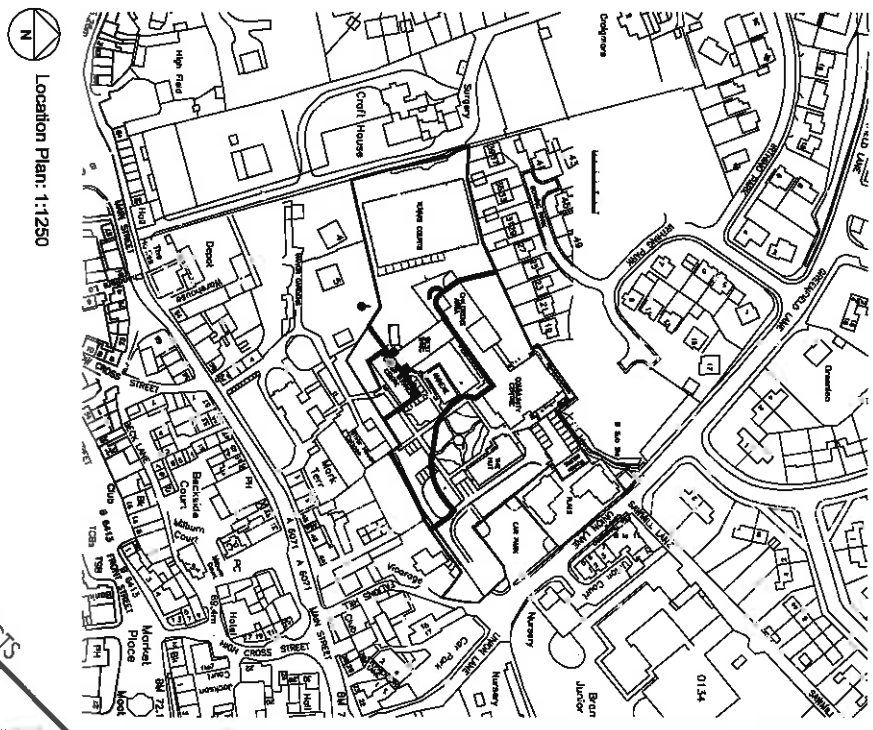
Reason: In order to protect bats, in accordance Policy CP2 of the Carlisle District Local Plan 2001-2016.

13. The proposed building shall be used for extra care housing only and for no other purpose.

Reason: To protect the amenity of the area, in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.



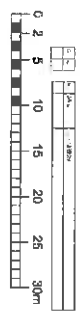
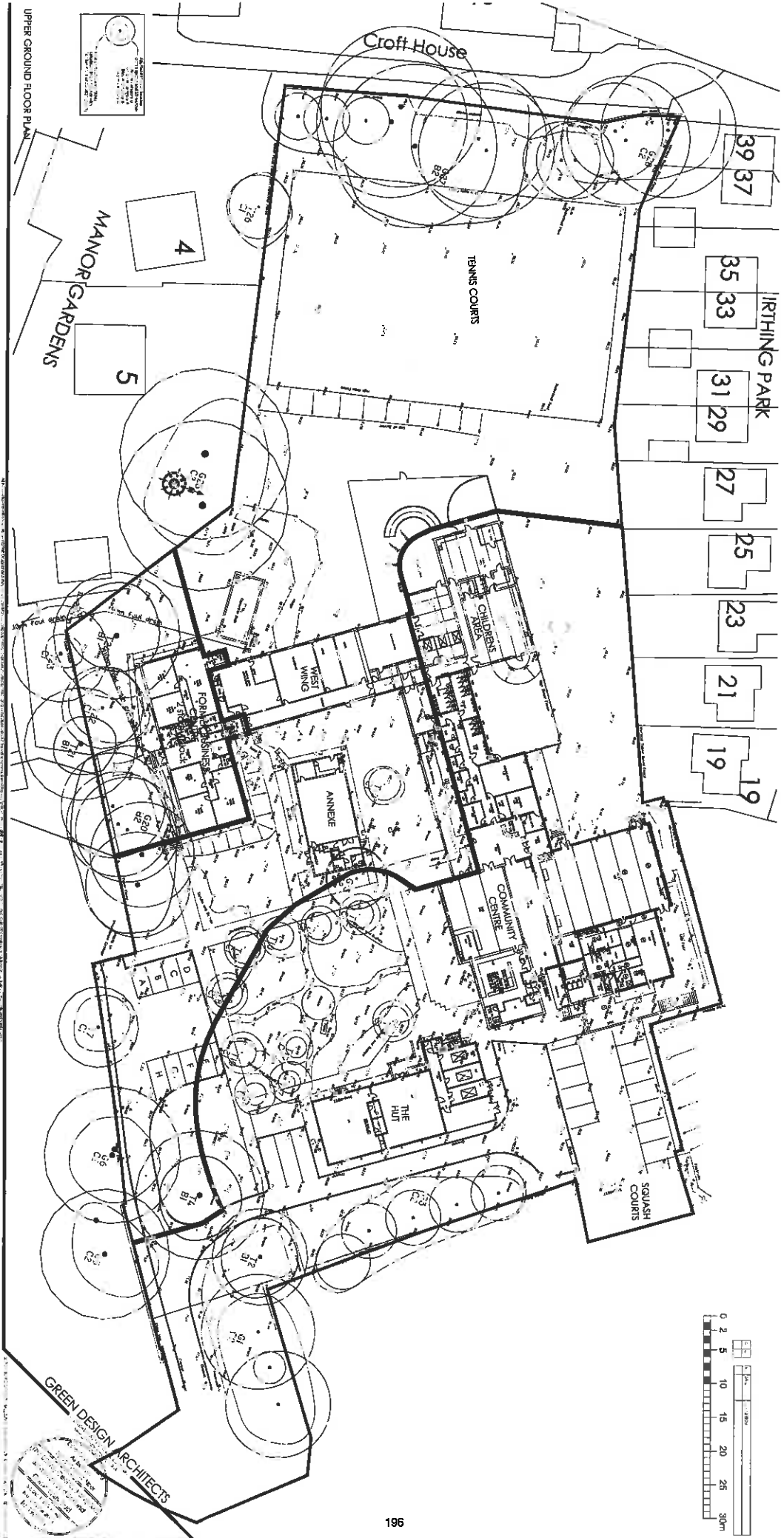
Block Plan: 1:500



Location Plan: 1:1250

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9	10

GREEN DESIGN ARCHITECTS
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GREEN DESIGN ARCHITECTS
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Block Plan: 1:500

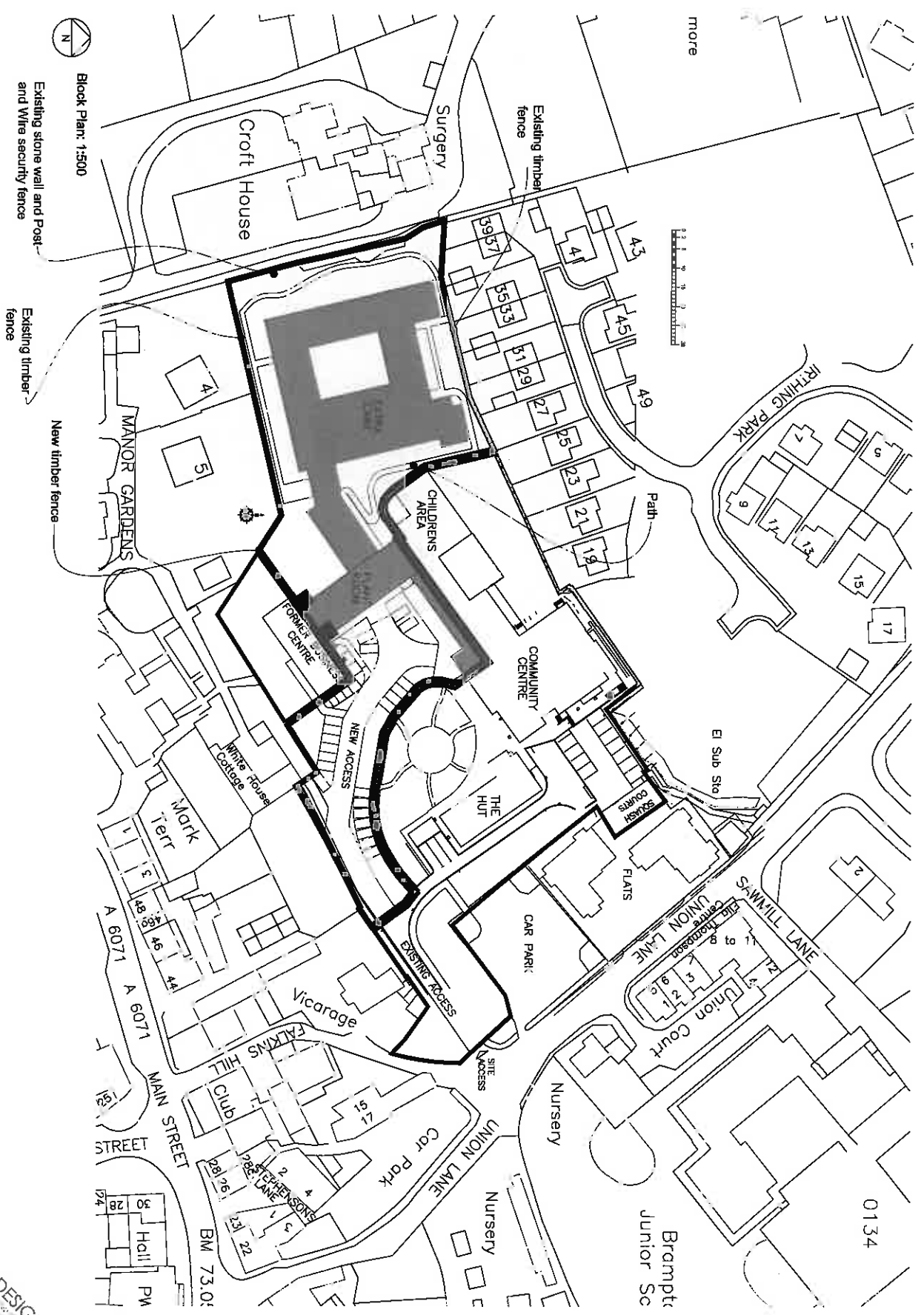
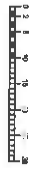
Existing stone wall and Post and Wire security fence

Existing timber fence

New timber fence



more



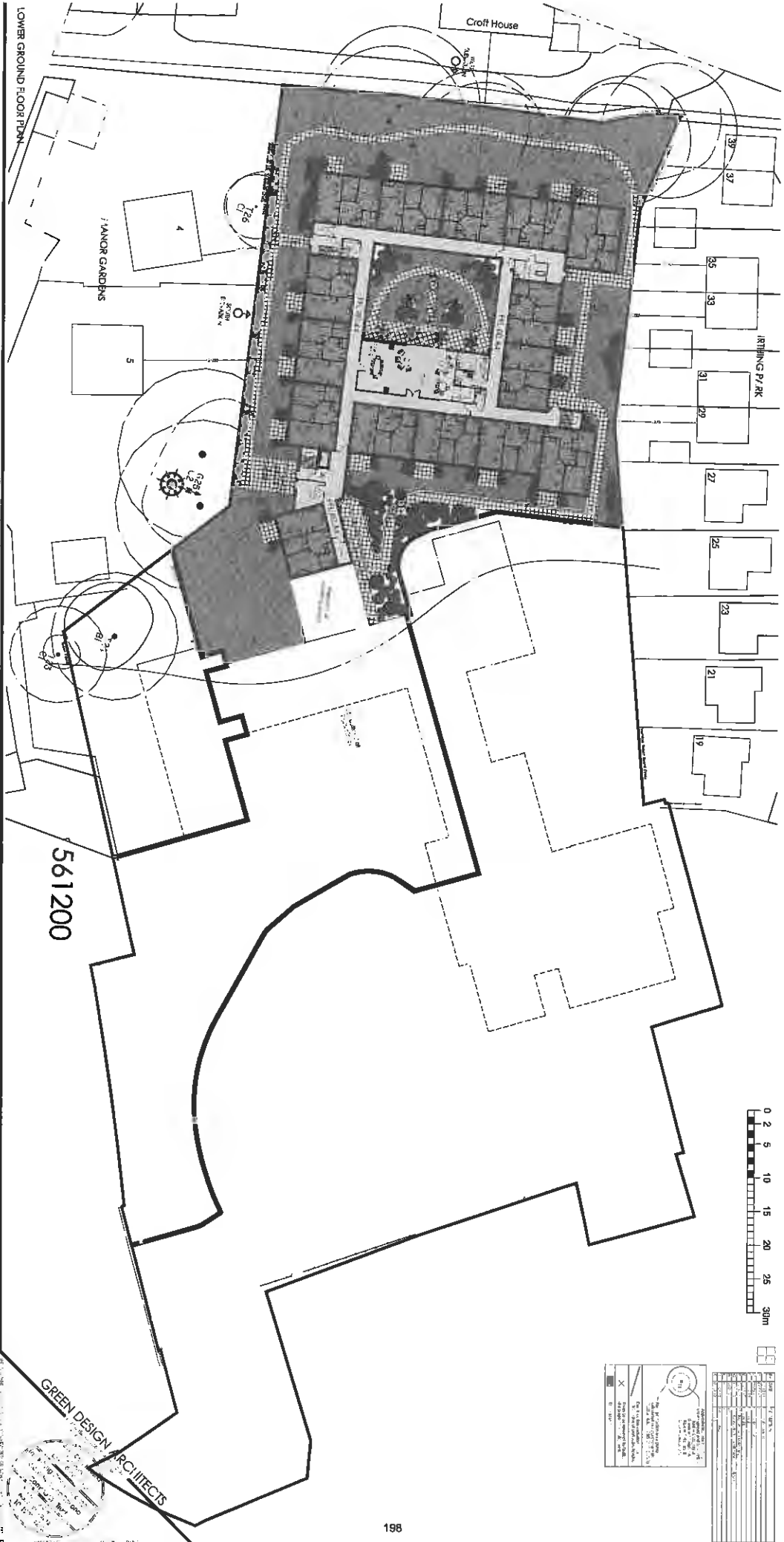
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Brampton Junior Sc

GREEN DESIGN ARCHITECTS

10000 100th Street, Surrey, BC V3V 2K9
 Tel: 604-273-8888
 Fax: 604-273-8889
 Email: info@green-design.com

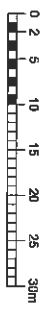




LOWER GROUND FLOOR PLAN

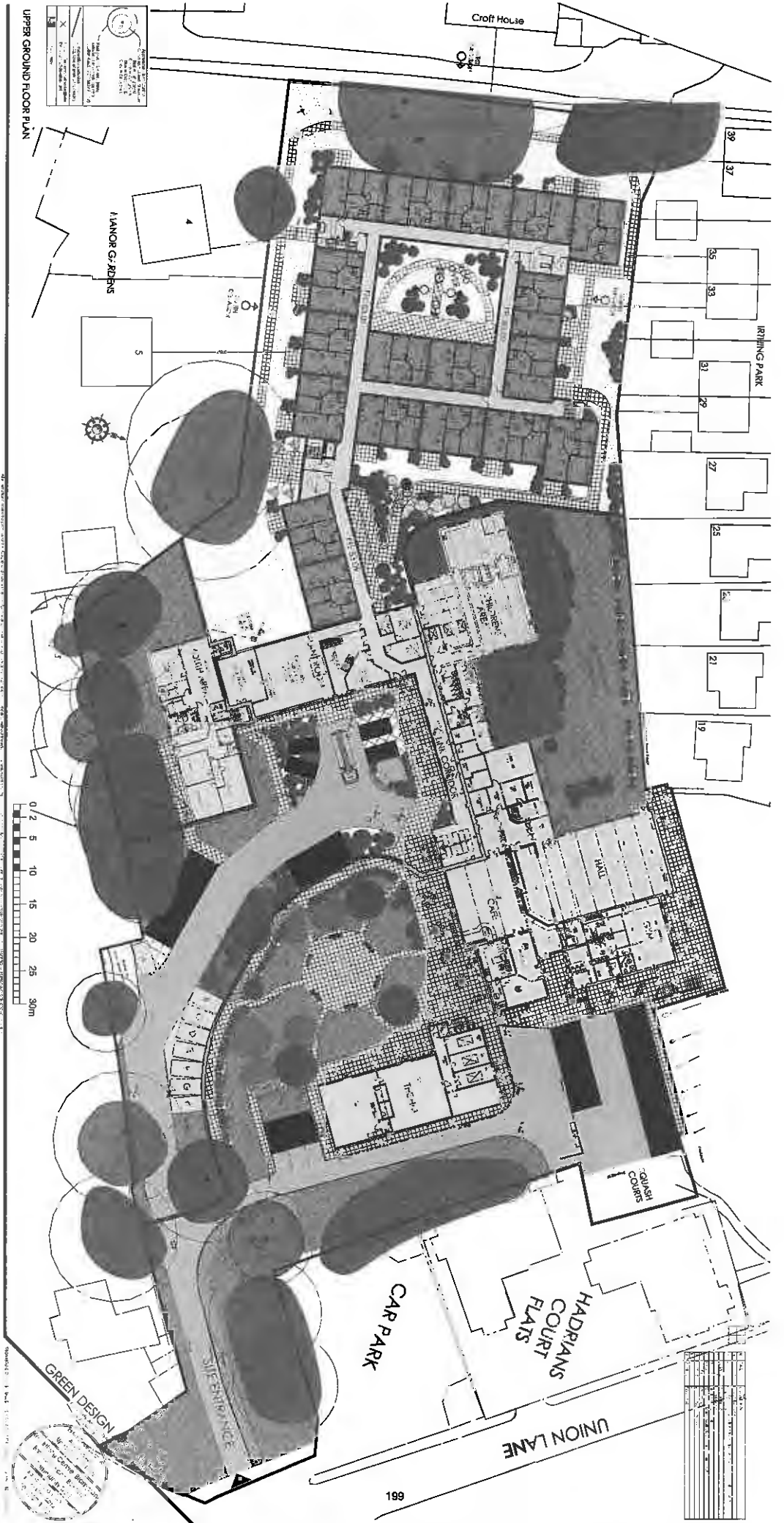
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GREEN DESIGN ARCHITECTS

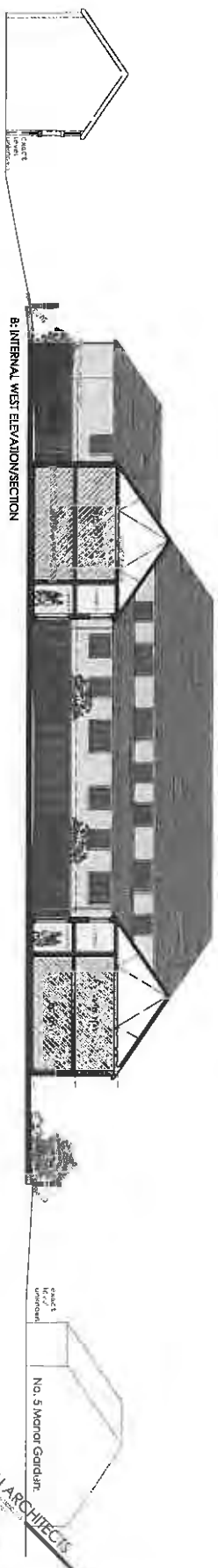
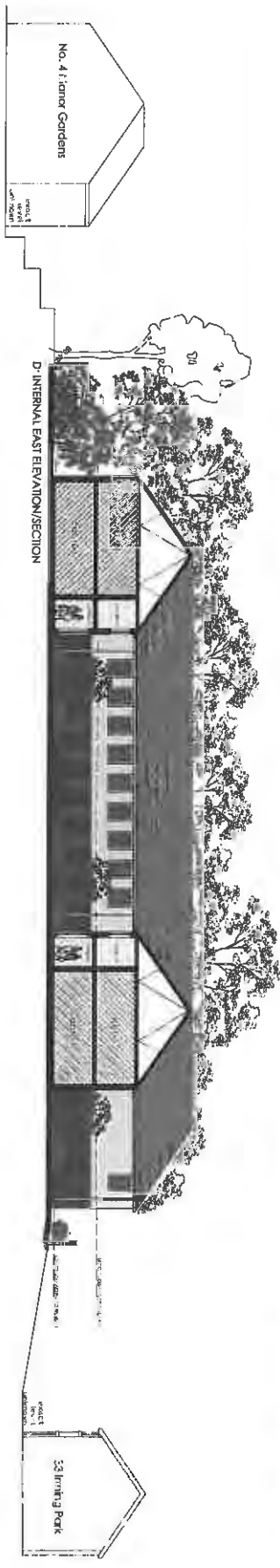
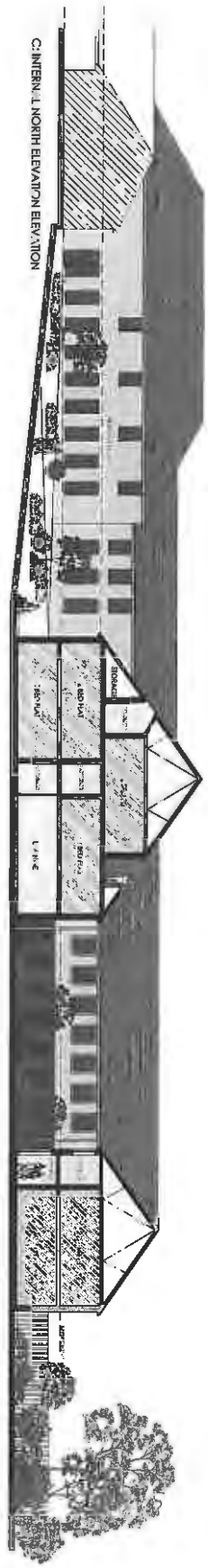


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UPPER GROUND FLOOR PLAN



NO.	DESCRIPTION	DATE
1	Issue for Information	10/10/2011
2	Issue for Comment	10/10/2011
3	Issue for Approval	10/10/2011
4	Issue for Construction	10/10/2011



NO.	DESCRIPTION	DATE	BY	CHECKED
1	PRELIMINARY			
2	REVISED			
3	REVISED			
4	REVISED			
5	REVISED			
6	REVISED			
7	REVISED			
8	REVISED			
9	REVISED			
10	REVISED			

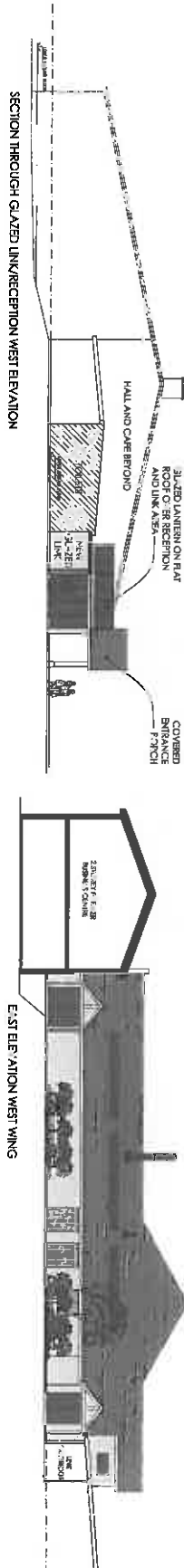
GREEN DESIGN ARCHITECTS
 1000 Peachtree Street, N.E.
 Atlanta, Georgia 30309
 Phone: 404.525.1234
 Fax: 404.525.1235
 www.greendesignarchitects.com



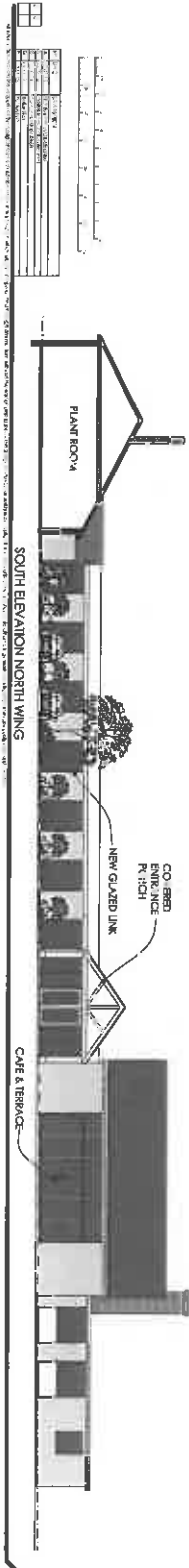
7: INTERNAL SOUTH ELEVATION SECTION



EAST ELEVATION SECTION

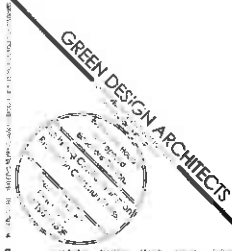


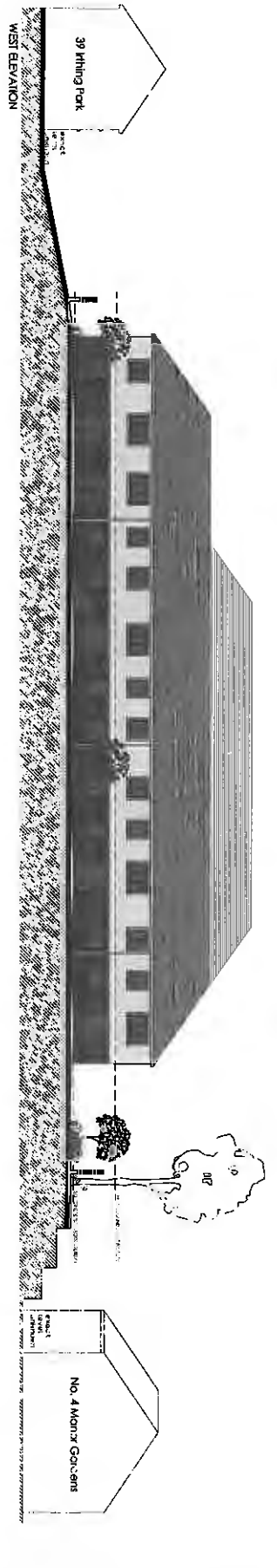
SECTION THROUGH GLAZED LINK/RECEPTION WEST ELEVATION



SOUTH ELEVATION NORTH WING

CAFE & TERRACE





Scale:	1/8" = 1'-0"
North Arrow:	
Client:	
Project:	
Architect:	
Date:	
Sheet:	

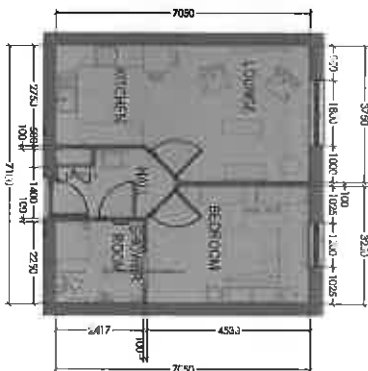
GREEN DESIGN ARCHITECTS
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HOUSE TYPE A
2 BED 3 PERSON FLAT
64.86 SQ M
SINGLE ASPECT
 No. of each house type = 30



FLAT TYPE B
2 BED 3 PERSON FLAT
65 SQ M
DOUBLE ASPECT (CORNER)
 No. of each house type = 4



HOUSE TYPE C
1 BED 2 PERSON FLAT
50.05 SQ M
SINGLE ASPECT
 No. of each house type = 4



External Wall - thickness depends on external finish process and steel thickness may vary
 brickwork 50mm clear cavity 125mm PIR insulation
 354 Adam timber frame work at 60mm centres.
 Provide rain frame from 20mm insulation bar in
 rafter 50mm x 50mm x 200mm Channel (R400)
 rafter led plaster and with plaster stem top.



Internal Party Wall between dwellings
 315mm masonry
 125mm PIR insulation
 150mm brickwork
 50mm clear cavity 125mm PIR insulation
 354 Adam timber studs @ 60mm c/c
 Semi cavity
 92mm insulated timber studs @ 60mm c/c
 125mm brickwork
 125mm brickwork
 50mm clear cavity 125mm PIR insulation
 354 Adam timber frame, uncoated rafter 50mm x 50mm x 200mm Channel (R400) rafter led plaster and with plaster stem top.

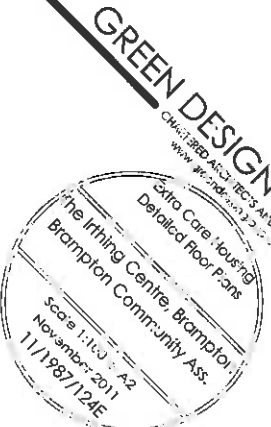


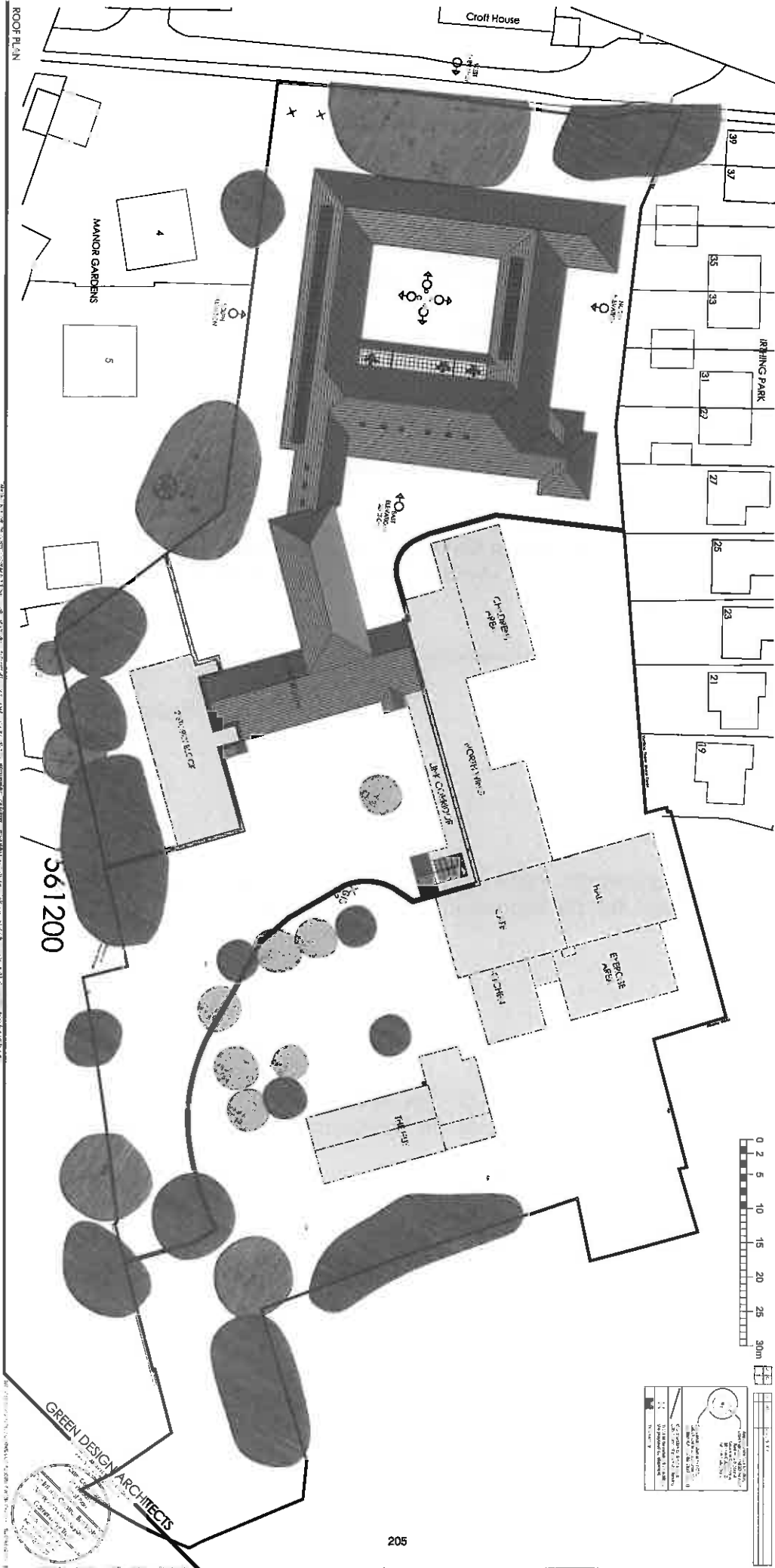
Internal Party Wall between adjacent shower areas
 315mm masonry
 125mm brickwork
 150mm brickwork
 50mm clear cavity 125mm PIR insulation
 354 Adam timber studs @ 60mm c/c
 Semi cavity
 92mm insulated timber studs @ 60mm c/c
 125mm brickwork
 125mm brickwork
 50mm clear cavity 125mm PIR insulation
 354 Adam timber frame, uncoated rafter 50mm x 50mm x 200mm Channel (R400) rafter led plaster and with plaster stem top.

Typical wall constructions
All wall details subject to final design

R	DATE	DESCRIPTION
A	27/03/12	General Issue
B	27/03/12	General Issue
C	27/03/12	General Issue
D	30/03/12	Dimensions to Construction
E	27/03/12	Dimensions to Construction

All construction shall be in accordance with the Building Regulations and the Building Control Authority. All work shall be done in accordance with the Building Regulations and the Building Control Authority. All work shall be done in accordance with the Building Regulations and the Building Control Authority.





561200

GREEN DESIGN ARCHITECTS



1	5/1/2004	1/1/04	1/1/04
2	1/1/04	1/1/04	1/1/04
3	1/1/04	1/1/04	1/1/04
4	1/1/04	1/1/04	1/1/04
5	1/1/04	1/1/04	1/1/04

SCHEDULE A: Applications with Recommendation

12/1040

Item No: 07

Date of Committee: 08/03/2013

Appn Ref No:
12/1040

Applicant:
Riverside Carlisle

Parish:

Date of Receipt:
09/01/2013

Agent:
Ainsley Gommon
Architects

Ward:
Botcherby

Location:

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

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

REPORT

Case Officer: Richard Maunsell

1. Recommendation

- 1.1 It is recommended that this application is approved subject to a legal agreement and the imposition of planning conditions.

2. Main Issues

- 2.1 Principle Of Development
- 2.2 Scale, Layout And Design Of The Development
- 2.3 The Impact Of The Proposal On The Living Conditions Of Neighbouring Residents
- 2.4 Landscaping And Tree Issues
- 2.5 Affordable Housing
- 2.6 Crime And Disorder
- 2.7 Open Space
- 2.8 Highway Issues
- 2.9 Flooding And Drainage Issues
- 2.10 Contamination Issues
- 2.11 Ecology

3. Application Details

The Site

- 3.1 The 0.25 hectare site is located at the western end of Borland Avenue, Carlisle and is currently occupied by 16no. 2 storey 1 bedroom maisonette flats. The buildings are arranged in a 'u-shape' with access and parking to the front.
- 3.2 The site is flanked by 2 storey houses to the north and east with a pair of bungalows more immediately to the north and to the west. The Crown Bevcan Ltd. factory is situated on the opposite side of Borland Avenue to the south. A public footpath links Borland Avenue with Ennerdale Avenue immediately adjacent to the site to the west. An area of open land is situated further to the west where there are sports facilities before leading to Melbourne Park.
- 3.3 A number of mature trees are located both within and surrounding the site. There is a significant change in levels across the site, with the land rising from the northern to the southern boundaries of the site.
- 3.4 The site is located within a Primary Residential Area as designated within the Carlisle District Local Plan (CDLP) 2001-2016.

The Proposal

- 3.5 The application seeks consent for the demolition of the existing buildings and the erection of 8 houses and 2 bungalows for social rent and shared ownership by Riverside Housing Association. The houses would comprise of 2 blocks that would directly face Borland Avenue whilst the 3 bungalows would be linked and angled onto Borland Avenue with the frontage facing the public footpath.
- 3.6 The proposed dwellings would be constructed using a mixture of facing brick with some render and concrete tiled roofs. They have been designed to achieve Level 3 of the Code for Sustainable Homes, a requirement of the Homes and Communities Agency, which is financially supporting the development. The scheme would not fully comply with Lifetime Homes although some aspects of the design would. The bungalows, however, would be fully compliant.
- 3.7 All of the dwellings would have private rear gardens with direct street access for bins and recycling. To the street frontages the properties would have manageable private garden spaces screened by some landscaping with access paths and in most cases incurtilage car parking. The boundary treatment would consist of a mixture of timber close boarded fences and hedging at a height of 1.8m high between properties. Front boundaries would be enclosed by a 0.45 metre high knee rail fence and planting. The bungalows adjacent to the public footpath would be enclosed 0.9 metre high metal railings.

- 3.8 Vehicular and pedestrian access to the dwellings would be provided from Borland Avenue as well as pedestrian access via the public footpath.
- 3.9 There would be 15 car parking spaces provided across the site with a further 2 on-street visitor parking spaces.
- 3.10 The application is accompanied by a Schedule of Materials, Planning Support Document, an Ecology Report, a pre-development Arboricultural Report, a Geotechnical and Ground Contamination Desk Top Assessment, and details of consultation responses from both statutory consultees and the public, which were provided in respect of a pre-application and consultation exercise.

4. Summary of Representations

- 4.1 This application has been advertised by means of a site notice. In response, 1 letter of comment has been received which raises no objection to the proposal but requests that the mature trees on the site are retained and protected.
- 4.2 The Ward Councillor has verbally raised concerns that are summarised as follows:
1. the proposal represents overdevelopment of the site;
 2. the relationship with the bungalows to the rear is inappropriate and overbearing;
 3. the proposal will result in the loss of on-street parking;
 4. the close proximity of the houses to each other and the possible timber construction may result in a fire hazard;
 5. the boundary treatment is inappropriate;
 6. the properties are too close to the public footpath and the proximity will result in anti-social behaviour and an increased fear of crime;
 7. there are no 1 bedroom units proposed on the site

5. Summary of Consultation Responses

Cumbria County Council - (Econ. Dir. Highways & Transportation): - no objection subject to the imposition of conditions;

Ramblers Association: - comments awaited;

Green Spaces - Countryside Officer: - comments awaited;

Cumbria County Council - (Highway Authority - Footpaths): - no objection. Public Footpath 109218 runs adjacent to the site and must not be obstructed during or after the development process;

Cumbria Constabulary - North Area Community Safety Unit: - the application complies with Policy CP17 of the Local Plan;

Natural England: - no objection;

Northern Gas Networks: - no objection;

Local Environment - Drainage Engineer: - comments awaited;

United Utilities: - no objection. The applicant should investigate whether the surface water can be managed without a connection to the mains sewer.

6. Officer's Report

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that applications for planning permission are determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise. In respect of this application, the National Planning Policy Framework (NPPF) together with Policies CP2, CP3, CP5, CP6, CP12, CP15, CP17, H1, H2, LC8, LE27, LE29 and T1 of the Carlisle District Local Plan 2001-2016. The proposal raises the following planning issues:

1. Principle Of Development

6.2 The application site is situated within an extensive area that is identified as a Primary Residential Area in the adopted Carlisle District Local Plan. As such, the principle of residential development is acceptable, subject to compliance with the criteria identified in Policy H2 and other relevant Local Plan policies.

6.3 Members will note that the current buildings comprise of 1 bedroom maisonettes. Whilst there is a demand locally for the provision of 1 bedroom properties, a fact which has been confirmed by the applicant, it is further stated that there is greater need for 2 and 3 bedroom family housing. Riverside is the applicant and as a Registered Social Landlord, it is for them to determine the appropriate form of accommodation to meet the current demand. It would be inappropriate for the planning system to refuse the application on the lack of provision of 1 bedroom properties.

2. Scale, Layout And Design Of The Development

6.4 Policies seek to ensure the development is appropriate in terms of quality to that of the surrounding area and that development proposals incorporate high standards of design including siting, scale, use of materials and landscaping which respect and, where possible, enhance the distinctive character of townscape and landscape. This theme is identified in Policy CP5 of the Local Plan which requires that development proposals should also harmonise with the surrounding buildings respecting their form in relation to height, scale and massing and make use of appropriate materials and detailing. Development of this frontage site within the urban area will have a significant impact on the character of the area unless it is sympathetically designed.

6.5 The proposed development is well laid out and will compliment the existing housing development within Botcherby. There are a range of house types,

including semi-detached, detached and terraces of three properties, both single storey and two storey, which incorporate a range of finishes, helping to create a visually interesting development. The dwellings incorporate reasonably sized rear gardens that are comparable to the size of the units that they serve, thereby ensuring that the development does not appear cramped or overdeveloped.

- 6.6 Soft landscaping has been incorporated into the scheme, with trees shrubs and hedging all being planted. The mature trees present around the site are to be retained.
- 6.7 The design of the houses includes sustainable elements that will improve the energy efficiency of the dwellings. Each property has at least 1 dedicated parking space.
- 6.8 In light of the above, the scale, layout and design of the proposals are acceptable.

3. The Impact Of The Proposal On The Living Conditions Of Neighbouring Residents

- 6.9 The reuse of the site for residential use is acceptable. The ridge of the dwellings would be comparable and in keeping with the adjacent 2 storey houses directly adjacent to the site. The view of the site will undoubtedly alter from the neighbouring properties; however, the scale siting and design mean that the living conditions of the occupiers of that property will not be compromised through loss of light, loss of privacy or over dominance.
- 6.10 Given the orientation of the application site with adjacent properties, it is not considered that the living conditions of the occupiers would suffer from loss of privacy or unacceptable levels of noise or disturbance. The development would not result in an overall loss of daylight or sunlight due to the distances involved between the application site and the residential properties.
- 6.11 As the proposal involves the introduction of windows that face the neighbouring property, it is appropriate to consider the development against the Supplementary Planning Document "Achieving Well Designed Housing". It requires that a distance of 21 metres is provided between primary windows. The proposed building would be sited adjacent to residential properties; however, there would be no conflict with the minimum distances required by the SPD.

4. Landscaping And Tree Issues

- 6.12 The application is accompanied by a Pre-Development Arboricultural Report which shows that 8 of the existing 14 trees on the site would be retained and protected during development by appropriate protective barriers. It would be appropriate to enforce this by way of a planning condition to ensure that these barriers are erected and retained for the duration of the development.
- 6.13 In order to offset the loss of the existing trees, the applicant has indicated that

- 6.24 The subsequent development would be the subject of an application under the Building Regulations which would ensure, amongst other things, that the scheme took proper account of construction methods and fire issues.
- 6.25 Article 8 and Article 1 Protocol 1 of the Humans Rights Act are relevant but the impact of the development in these respects would be minimal and the separate rights of the individuals under this legislation will not be prejudiced. If it was to be alleged that there was conflict it is considered not to be significant enough to warrant the refusal of permission.

Conclusion

- 6.26 In overall terms, the principle of the development is acceptable. The scale, layout and design of the proposals are acceptable and the development would not have an adverse impact on the surrounding area. The dwellings could be accommodated on the site without detriment to the living conditions of the neighbouring properties through loss of light, privacy or over dominance. Adequate amenity space and car parking provision would be available to serve the dwellings. In all aspects the proposals are considered to be compliant with the objectives of the relevant Local Plan policies.

7. Planning History

- 7.1 Planning permission was granted in 1993 for single storey extensions to form new entrances/ internal alterations to form additional bedrooms for 190-196 Borland Avenue.
- 7.2 An application for advertisement consent is currently being considered for a signboard for proposed development under application 12/1041.

8. Recommendation: Grant Subject to S106 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 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 Strip Elevation received 19th December 2012 (Drawing no. 1384-SI-04);
 4. the Proposed Site Layout received 21st December 2012 (Drawing no. 1384-SI-07 Rev A);

5. the Topographical Survey received 19th December 2012 (Drawing no. E2784/01/A);
6. the Block A – Plans And Elevations received 19th December 2012 (Drawing no. 1384-PL-01);
7. the Block B – Plans And Elevations received 19th December 2012 (Drawing no. 1384-PL-02);
8. the Block C – Plans And Elevations received 19th December 2012 (Drawing no. 1384-PL-03);
9. the Proposed Site Strip Elevation received 19th December 2012 (Drawing no. 1384-SI-08);
10. the Proposed External Works Details Sheet 01 received 19th December 2012 (Drawing no. 1384-SI-12.01);
11. the Proposed External Works Details Sheet 02 received 19th December 2012 (Drawing no. 1384-SI-12.02);
12. the Proposed Soft Landscape Layout received 19th December 2012 (Drawing no. 1384-SI-11);
13. the Proposed External Works Layout received 19th December 2012 (Drawing no. 1384-SI-10);
14. the Planning Support Statement received 19th December 2012;
15. the Phase 1 Desk Study received 19th December 2012;
16. the Landscape Specification received 19th December 2012;
17. the Arboricultural Report & Impact Assessment & Method Statement received 7th January 2013;
18. the Extended Phase 1 Habitat Survey received 19th December 2012;
19. the Notice of Decision;
20. 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

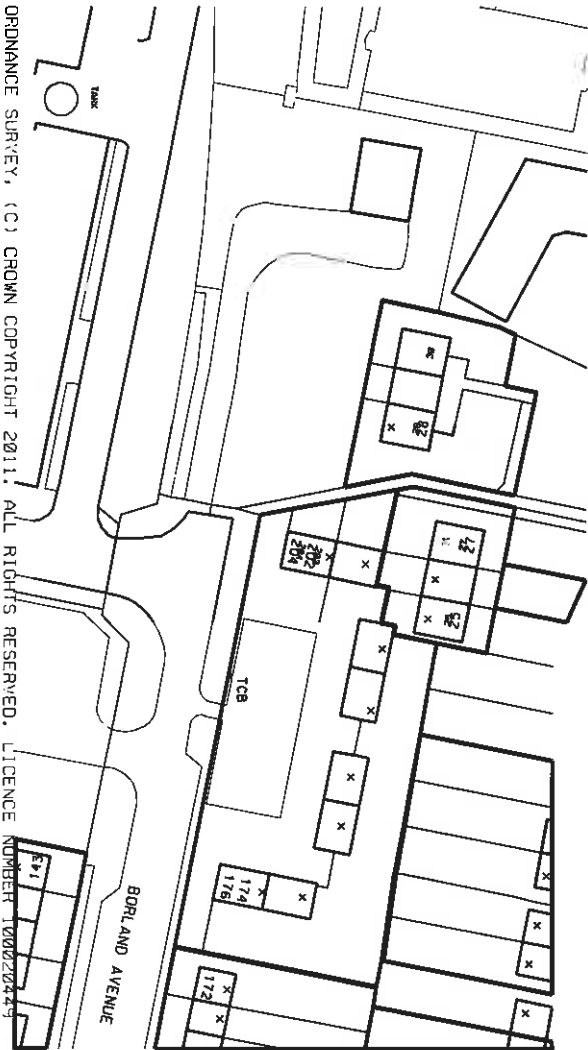
in accordance with Policy LE29 of the Carlisle District Local Plan 2001-2016..

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.

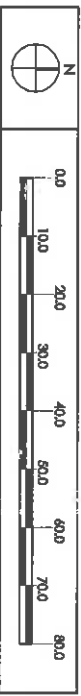


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Site Location Plan 1:1250



Aerial View NTS



DRAWING STATUS: **PLANNING**

1384-SI-01 Site Location Plan	
DRAWN BY RW	CHECKED BY RW
DATE 12 Sept '12	REV 1

Ainsley Gommon
 architecture urban design
 1 Place Street, Marazion Station, St Austell, Cornwall, PL28 8AA. Tel: 01752 647 2311. Email: insley@ainsleygommon.co.uk Fax: 01752 644 2795
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Ainsley Gorman
Architectural Services Ltd

1384-S1-03 Existing Site Layout

1:5000EA3 12 JULY '12 RW B-

DRAWING STATUS: PLANNING

New Housing at Borland Avenue, Carlisle, for Riverside Borders

Scale: 0.0 5.0 10.0 15.0 20.0 25.0 30.0 35.0 40.0

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Ainsley Common

DRAWING STATUS: PLANNING

1394-S1-04 Planning Site Site Revision

Sheet 12 of 12

Scale: 1:1000

North Arrow

0 20 40 60 80 100 120 140

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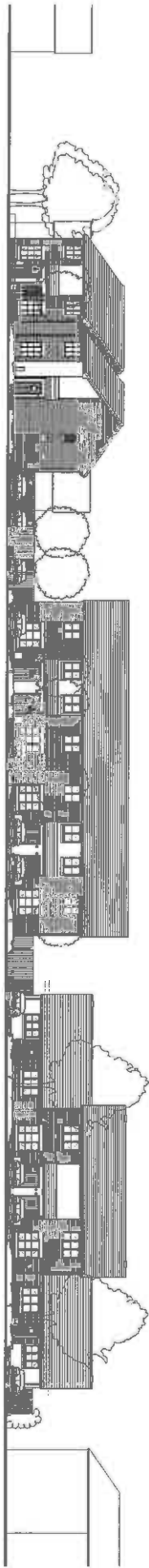


Borland Avenue

03 no. 2B 3P two storey houses @ 63.6m²
 02 no. 2B 3P two storey houses @ 82.0m²
 02 no. 2B 4P one storey bungalow @ 67.4m²
 04 no. 3B 5P two storey houses @ 87.2m²
 Slab levels to be within +/- 250mm of those stated.
 Rear access to gardens designed in accordance with BS83300.

Revision	Comments	Date
A	Final floor level to match & amend proposed site level to match	2012.12.20

Alnsley Common
 8 New Housing at Borland Avenue, Castle, for Riverside Borders
 1384-SI-07 Proposed Site Layout
 DRAWING STATUS: PLANNING
 12/06/12 Rev 12 8-11 A


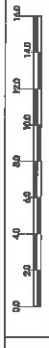


Ainsley Common

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DRAWING STATUS:	PLANNING
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	1384-SI-08 Proposed Site Strip Section
	1:ADDAVE
	Dec 12
	RW
	9
	1

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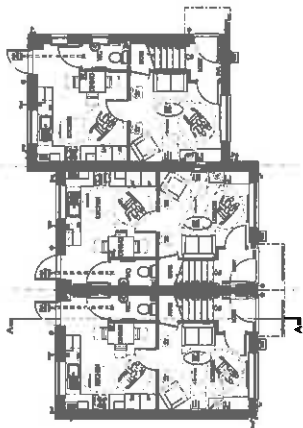


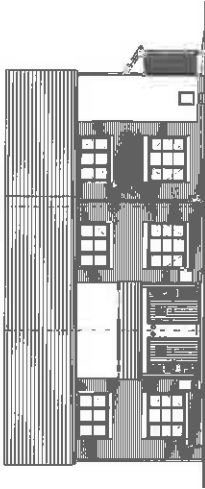
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 New Housing at Borland Avenue, Corolla, for Riverside Estates
 1384-SI-10 Proposed Exterior Works Layout
 1208042 Dec '12 RW

Arley Common
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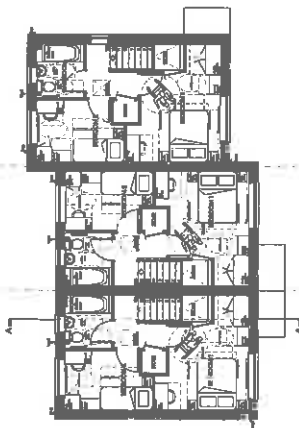
Revision	Comments	Date



GROUND FLOOR PLAN



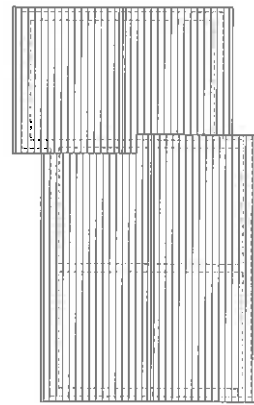
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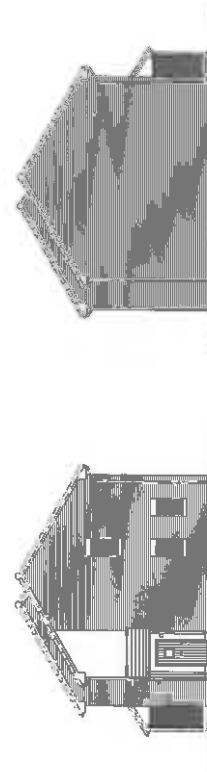
FIRST FLOOR PLAN



REAR ELEVATION

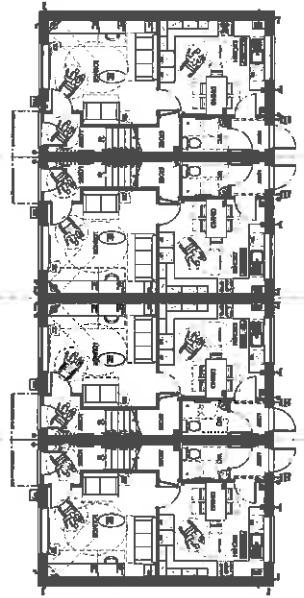


ROOF FLOOR PLAN

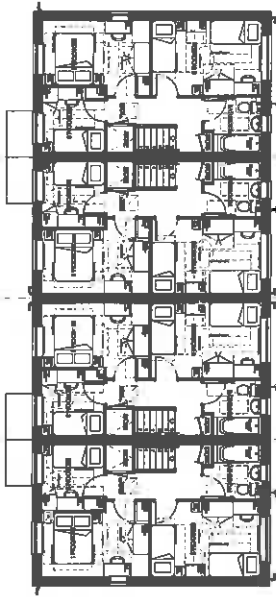


GABLE ELEVATIONS

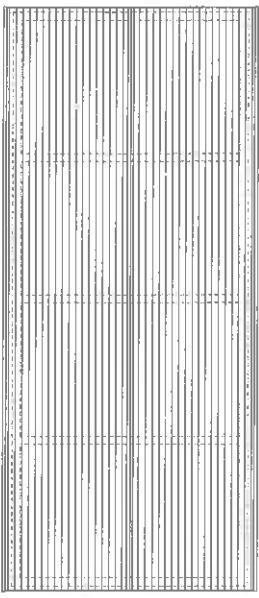
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	1881-P1-01 -	Block A - Residential Development
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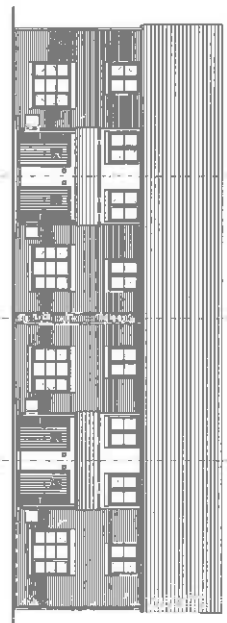
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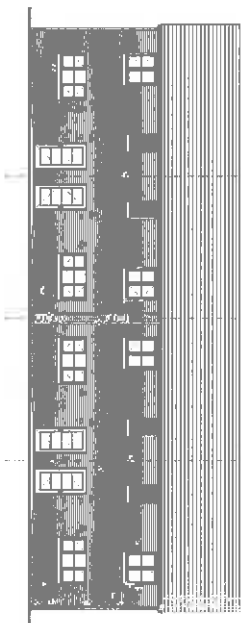
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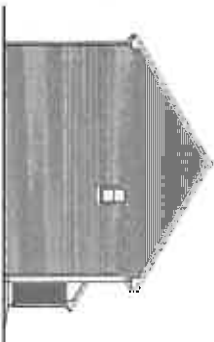
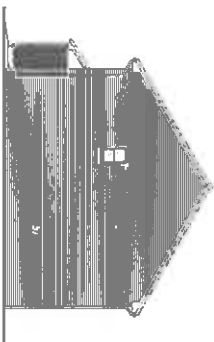
ROOF FLOOR PLAN



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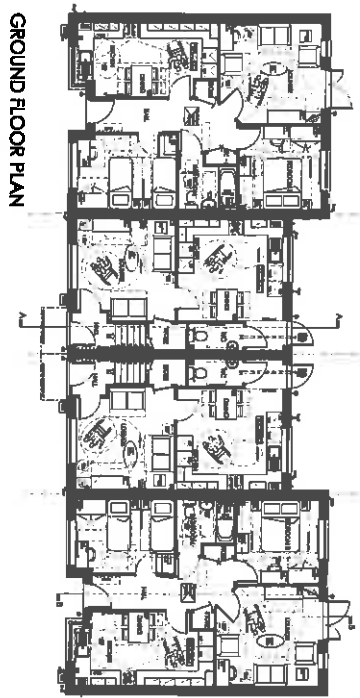


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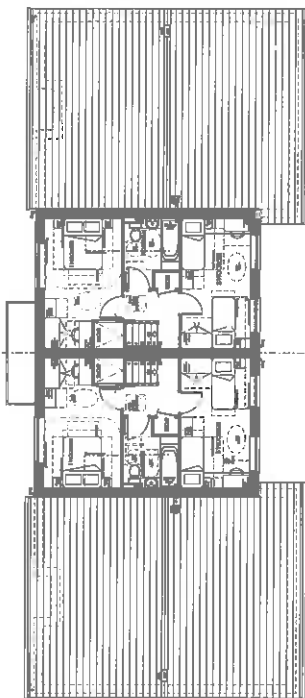


GABLE ELEVATIONS

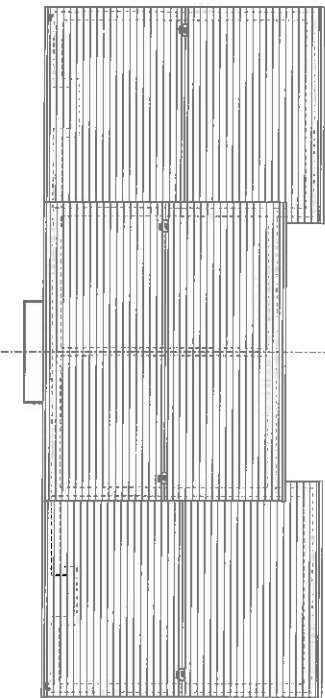
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13844-01-02 - Model Plan and Drawings	13844-01-02 - Model Plan and Drawings



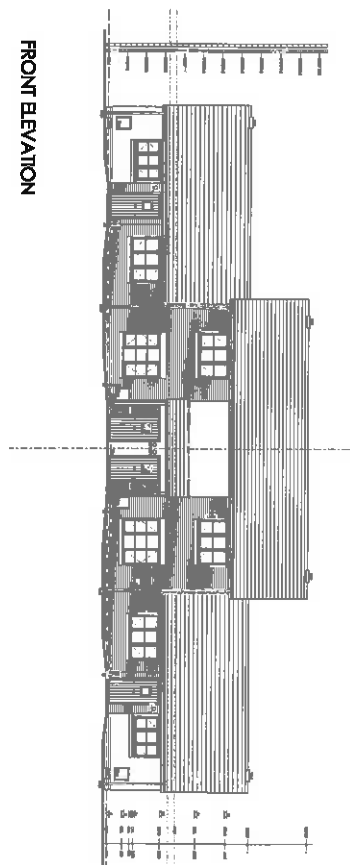
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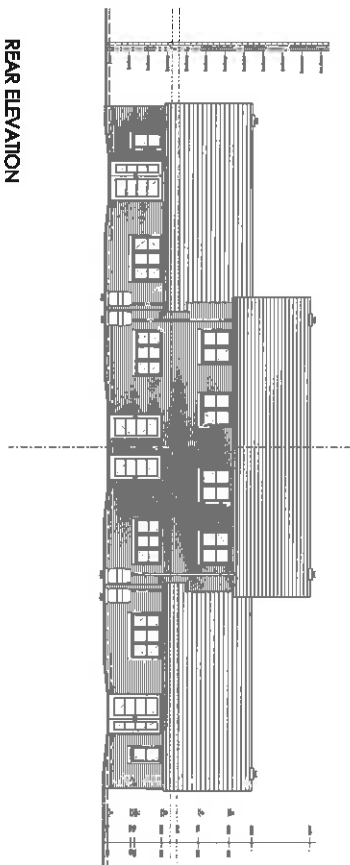
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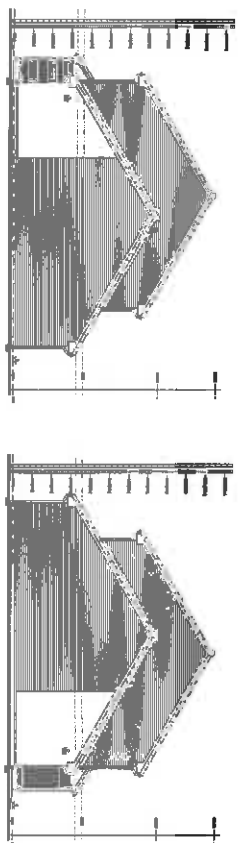
ROOF FLOOR PLAN



FRONT ELEVATION

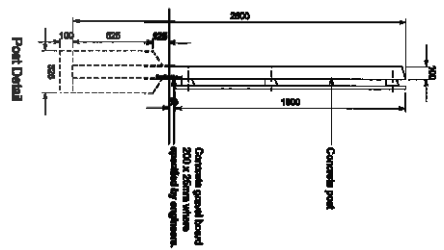
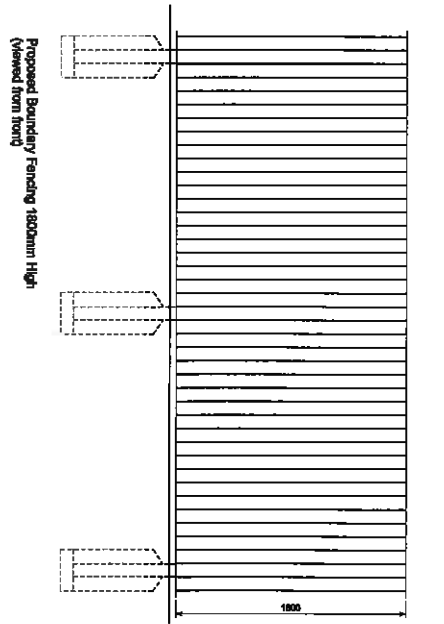
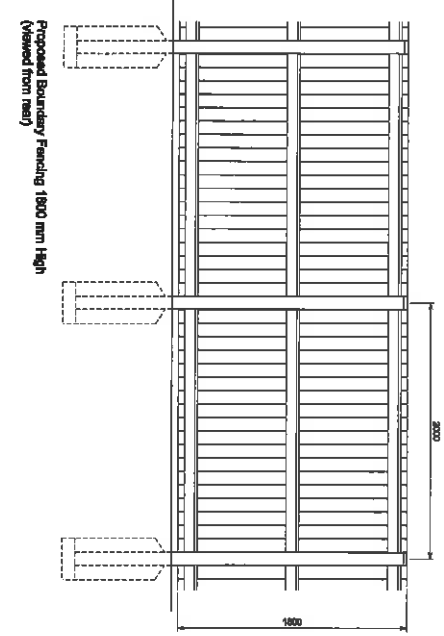
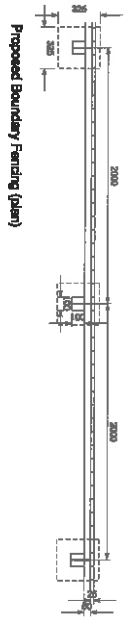


REAR ELEVATION



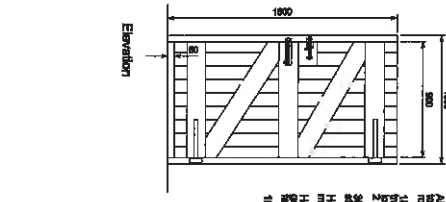
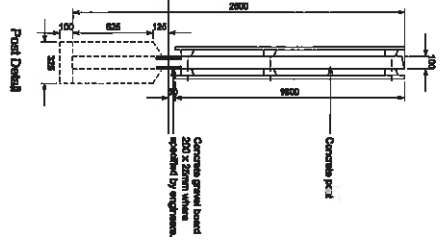
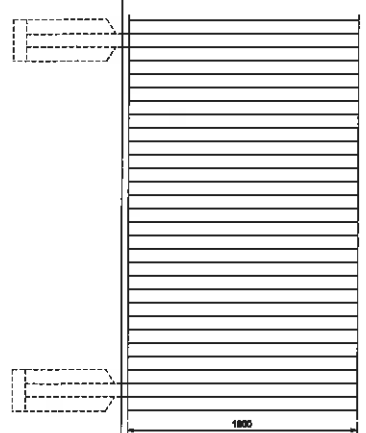
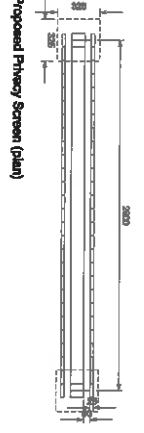
CABLE ELEVATIONS

Ainsley Gorman	
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10/01/01	10/01/01
10/01/01	10/01/01



24m x 180mm (high) square head weathered oak post
to be used for 24m high fence. All posts at 2m centres
with a minimum tolerance of 25mm. All posts to be
sharpened weather end. Treated penetration beyond
all to be to 50mm. Length of rod to be sufficient to
penetrate 200mm into ground and to be secured to
ground with 200mm x 200mm x 200mm concrete
posts to be fixed to ball (y) steel toe post.

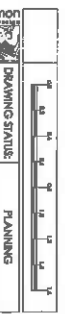
1800 x 180mm (high) square head weathered oak post
to be used for 1800mm high fence. All posts at 2m centres
with a minimum tolerance of 25mm. All posts to be
sharpened weather end. Treated penetration beyond
all to be to 50mm. Length of rod to be sufficient to
penetrate 200mm into ground and to be secured to
ground with 200mm x 200mm x 200mm concrete
posts to be fixed to ball (y) steel toe post.



All horizontal rails and diagonal bracing are
to be formed in 20mm x 150mm treated oak
timber. Posts are to be formed in 1800 x 180 x 80
weathered oak. All posts to be sharpened weather
end. Treated penetration beyond all to be to 50mm.
Length of rod to be sufficient to penetrate 200mm
into ground and to be secured to ground with
200mm x 200mm x 200mm concrete posts to be
fixed to ball (y) steel toe post.

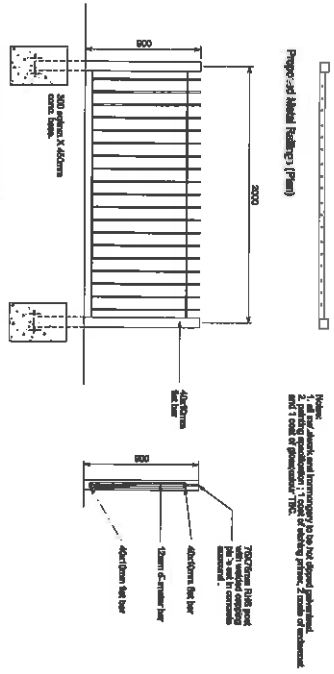
Proposed Privacy Screen 1800mm High
1800mm HIGH DOUBLE BOARDED
TIMBER PRIVACY SCREEN

1800mm HIGH CLOSE BOARDED
LEDGED AND BRACED GATE



Ainsley Common	
Site Plan	Planning
1500-04-1201	Proposed Detailed Fence Detail Sheet (1)
1/20	1/20
1/20	1/20
1/20	1/20
1/20	1/20
1/20	1/20
1/20	1/20
1/20	1/20
1/20	1/20
1/20	1/20
1/20	1/20
1/20	1/20

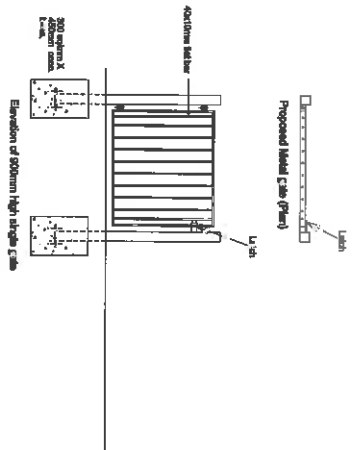
Proposed Metal Railings (Plan)



900mm HIGH METAL RAILINGS

Note:
1. Finished and transported to site, delivered and installed.
2. Railing to be finished with a 100x10mm handrail and a 40x10mm balustrade.
3. Railing to be finished with a 100x10mm handrail and a 40x10mm balustrade.
4. Railing to be finished with a 100x10mm handrail and a 40x10mm balustrade.

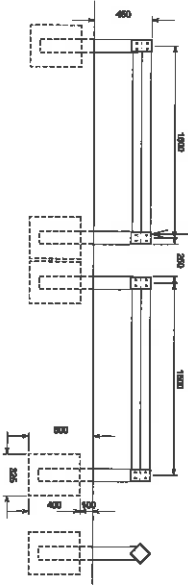
Proposed Metal Gate (Plan)



900mm HIGH METAL GATE

Note:
1. Finished and transported to site, delivered and installed.
2. Railing to be finished with a 100x10mm handrail and a 40x10mm balustrade.
3. Railing to be finished with a 100x10mm handrail and a 40x10mm balustrade.
4. Railing to be finished with a 100x10mm handrail and a 40x10mm balustrade.

Note:
1. 200x100mm x 40mm concrete bases.
2. 200x100mm x 40mm concrete bases.
3. 200x100mm x 40mm concrete bases.



450mm HIGH TIMBER KNEE RAIL

DRAWING STATUS:	
PLANNING	
1:844-S-12/D2	
Project: [Blank]	
Date: [Blank]	
Scale: [Blank]	
[Blank]	

Ainsley Common
 1891 - 1899 Building of National Historic Significance
 1844-S-12/D2
 Project: [Blank]
 Date: [Blank]
 Scale: [Blank]
 [Blank]

these would be replaced within the site with suitable replacement specimens which would be acceptable.

5. Affordable Housing

- 6.14 The land is presently owned by Riverside Housing Association, and the whole site is being developed for affordable housing. In order to secure the provision of these affordable properties, in perpetuity, it would be appropriate to enter into a Section 106 Agreement to ensure that the properties are retained as such. If Members are minded to approve this application it is requested that authority to issue an approval is granted subject to the completion of the Section 106 agreement.

6. Crime And Disorder

- 6.15 Section 17 of the Crime and Disorder Act together with Policy CP17 of the Local Plan requires that 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 site is partially bounded by a 1.8 metre high palisade fence, particularly adjacent to the public footpath.

- 6.16 The proposed development would see the removal of this fencing which, whilst practical, is unsightly within this residential area. The development would include the provision of suitably sized boundary treatments that would include more sympathetic materials. There would be better defined spaces to the properties in place of the currently unrestricted open access to the rear of the properties. There would be compartmentalised space that would bring a sense of ownership and natural surveillance. The scheme has been designed to achieve Secured By Design and is supported in the comments received from Cumbria Constabulary.

- 6.17 There may be a perception that the proximity of the footpath to the adjacent residential properties results in an element of anti-social behaviour in the area. The re-orientation of the bungalows from that of the existing layout means that the properties would face the footpath which would be an improvement to the orientation of the existing buildings and would provide improved natural surveillance from these properties. In such terms, the proposal is acceptable.

7. Open Space

- 6.18 Whilst there would be a net increase of 10 bedrooms throughout the development compared to the existing provision, as the proposal involves the redevelopment of existing residential properties of a lesser number, it would be unreasonable to request a financial contribution to open space provision in this instance.

8. Highway Issues

- 6.19 The development would provide 1 incurtilage parking space for each of the 4

2 bedroom properties; 2 incurtilage parking spaces for each of the 3 bedroom properties; 1 incurtilage parking space for each of the 2 bedroom bungalows and 2 visitor spaces. The currently arrangement comprises of informal parking within the site and a recessed on-street parking area along part of the frontage. The proposal would provide dedicated parking for each of the properties which would be an improvement over and above the existing layout and would be sufficient in parking spaces. Whilst there would be 2 visitor spaces within the on-street area, this would not result in significant harm to the availability of on-street parking within the vicinity. Members will note that the scheme is supported by the Highway Authority.

9. Flooding And Drainage Issues

6.20 The site is within Flood Zone 2 and consequently, the applicant has submitted a Flood Risk Assessment (FRA). In respect of the development, the applicant has confirmed that the minimum finished floor levels will be set at 17.52 AOD; that flood resilient materials will be used up to damp proof course; external levels will be designed to allow surface water flows around the properties in the unlikely event of flooding; the properties will be included within the Environment Agency's Flood Line Warning scheme; and a maximum allowable discharge rate is obtained from United Utilities. Given the assessment and the proposals within the FRA, the construction of the properties does not raise any issues with reference to Policy LE27.

6.21 The applicant's engineers are currently assessing the comments made by United Utilities and designing a solution that will minimise the amount of surface water that is disposed of in the main drains. It would be appropriate to impose a condition requiring the submission of these details and upon receipt of such, further consultation would be held with United Utilities.

10. Contamination Issues

6.22 The Phase I Desk Study for ground contamination recommends that a preliminary Phase II (intrusive site investigation and survey) is carried out to determine the status of any contamination. A condition has been included within the decision notice requiring that this is undertaken prior to the commencement of any development.

11. Ecology

6.23 The application is accompanied by an Extended Phase 1 Habitat Survey. The report concludes by advising that the clearance of vegetation should be undertaken outside of the breeding bird season. In addition, the potential for bats has been assessed. The identified features have resulted in a negligible or low bat potential and the development would not harm a protected species or their habitat; however, an Informative has been included within the decision notice ensuring that if a protected species is found all work must cease immediately and the Local Planning Authority informed.

12. Other Matters

SCHEDULE A: Applications with Recommendation

12/1041

Item No: 08

Date of Committee: 08/03/2013

Appn Ref No:
12/1041

Applicant:
Riverside Carlisle

Parish:

Date of Receipt:
09/01/2013

Agent:
Ainsley Gommon
Architects

Ward:
Botcherby

Location:

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

Proposal: Signboard For Proposed Development

REPORT

Case Officer: Richard Maunsell

1. Recommendation

1.1 It is recommended that this application is approved with conditions.

2. Main Issues

- 2.1 Whether The Principle Of The Display Of The Signage Is Acceptable
- 2.2 The Impact On The Occupiers Of The Neighbouring Residential Properties
- 2.3 The Impact Of The Proposal On The Adjacent Trees

3. Application Details

The Site

- 3.1 The 0.25 hectare site is located at the western end of Borland Avenue, Carlisle and is currently occupied by 16no. 2 storey 1 bedroom maisonette flats. The buildings are arranged in a 'u-shape' with access and parking to the front.
- 3.2 The site is flanked by 2 storey houses to the north and east with a pair of bungalows more immediately to the north and to the west. The Crown Bevcan Ltd. factory is situated on the opposite side of Borland Avenue to the

south. A public footpath links Borland Avenue with Ennerdale Avenue immediately adjacent to the site to the west. An area of open land is situated further to the west where there are sports facilities before leading to Melbourne Park.

- 3.3 The site is located within a Primary Residential Area as designated within the Carlisle District Local Plan (CDLP) 2001-2016.

The Proposal

- 3.5 The application seeks temporary advertisement consent for the erection of signage associated with the redevelopment of the site for residential purposes. This proposal is subject to a separate application for planning permission which is reproduced elsewhere within this schedule.
- 3.6 The proposed signage includes the erection of a non-illuminated "stacker board". The stacker board would measure 5.8 metres in height by 2.4 metres in width and would advertise the Riverside, the Homes & Communities Agency together with a description of the development, and 2 contractors logos. The stacker board sign would be positioned centrally within the frontage of the site, close to the existing access, and opposite the main vehicular access to Crown Bevcan Ltd.

4. Summary of Representations

- 4.1 This application has been advertised by means of a site notice. No formal representations have been received.
- 4.2 The Ward Councillor has raised concerns in respect of the signage that it is inappropriate within a residential area and would adversely affect the living conditions of the occupiers of the neighbouring properties.

5. Summary of Consultation Responses

Cumbria County Council - (Econ. Dir. Highways & Transportation): - no objection;

Northern Gas Networks: - no objection.

6. Officer's Report

Assessment

- 6.1 The relevant planning policies against which the application is required to be assessed are Policies EC17 and CP5 of the Carlisle District Local Plan 2001-2016. The proposals raise the following planning issues.

1. Whether The Siting And Design Of The Signage Is Appropriate To The Area

6.2 In design terms, the scale and appearance of the signage is not unduly garish nor would detract from the setting of this residential area. Notwithstanding this fact, the Council would not encourage the display of such signage on a permanent basis; however, temporary consent has only been sought for a period of 1 year after which the signage would be removed. In light of this, there would be no long standing harm to the setting of the surrounding area.

6.3 The Highway Authority has also raised no concerns on highway safety grounds

2. The Impact Of The Proposal On The Living Conditions Of Neighbouring Residents

6.4 Whilst the sign may be visible from within neighbouring residential properties given the oblique angle and the distance that it is located from these dwellings, there would be no adverse upon the living conditions of the occupants.

3. The Impact Of The Proposal On The Adjacent Trees

6.5 There are a number of trees within the site; however these are not protected by Tree Preservation Orders; nevertheless, the signage would be located away from the trees and the foundations required for the installation of the signage would not interfere with the root system of these trees and the proposal would pose no significant harm to the trees.

Conclusion

6.6 In summary, the signage is acceptable in terms of its siting and design and there would be no adverse impact upon the living conditions of nearby residents. As the signage is only being granted for a temporary period there would be no lasting adverse impact upon the setting of the surrounding area. In all aspects the proposals are compliant with Policies EC17 and CP5 of the Carlisle District Local Plan.

7. Planning History

7.1 Planning permission was granted in 1993 for single storey extensions to form new entrances/ internal alterations to form additional bedrooms for 190-196 Borland Avenue.

7.2 An application for full planning permission is currently being considered for the proposed demolition of 16no. 2 storey maisonette flats together with the redevelopment of the site with 11 houses and bungalows for social rent.

8. Recommendation: 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.

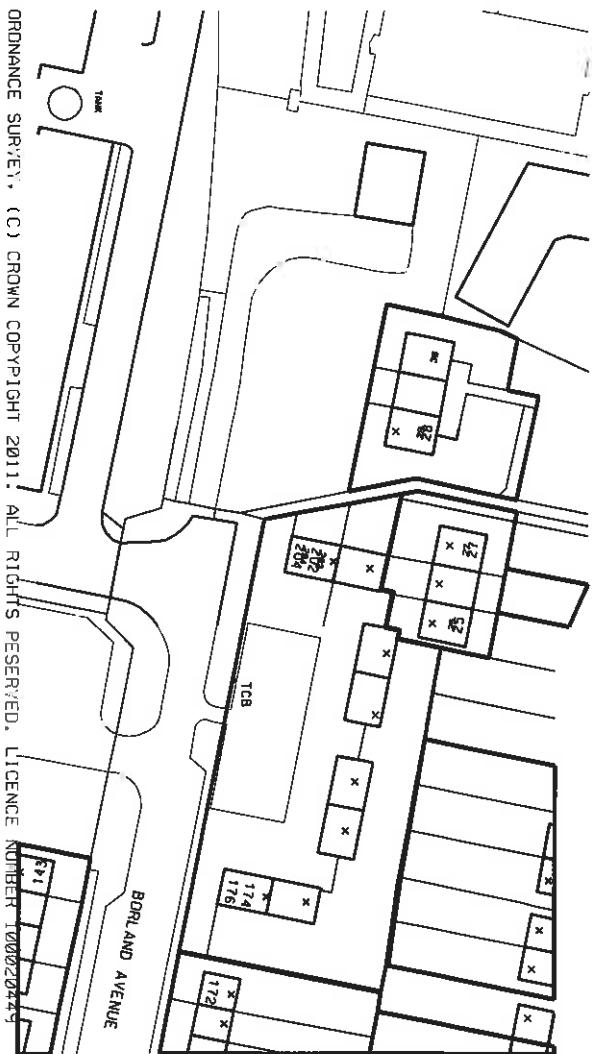
6. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

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.



Site Location Plan 1:1250



Aerial View NTS



DRAWING STATUS:	
PLANNING	
g New Housing at Borland Avenue, Carlisle, for Riverside Borders	
1384-SI-01 Site Location Plan	

Ainsley Gorman
 architecture : urban design
 17 Rose Street, Riverside Station, Broughby, Marylebone, CH1 4LN, Tel: 01753 442711. Email: 1384-si-01@ainsleygorman.co.uk
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Revision	Comments	Date

Ainsley Gorman
 ARCHITECTS
 1394-SH-07 Proposed Site Layout
 1394SH07 Rev 12 RW 8-8-12

DRAWING STATUS: PLANNING

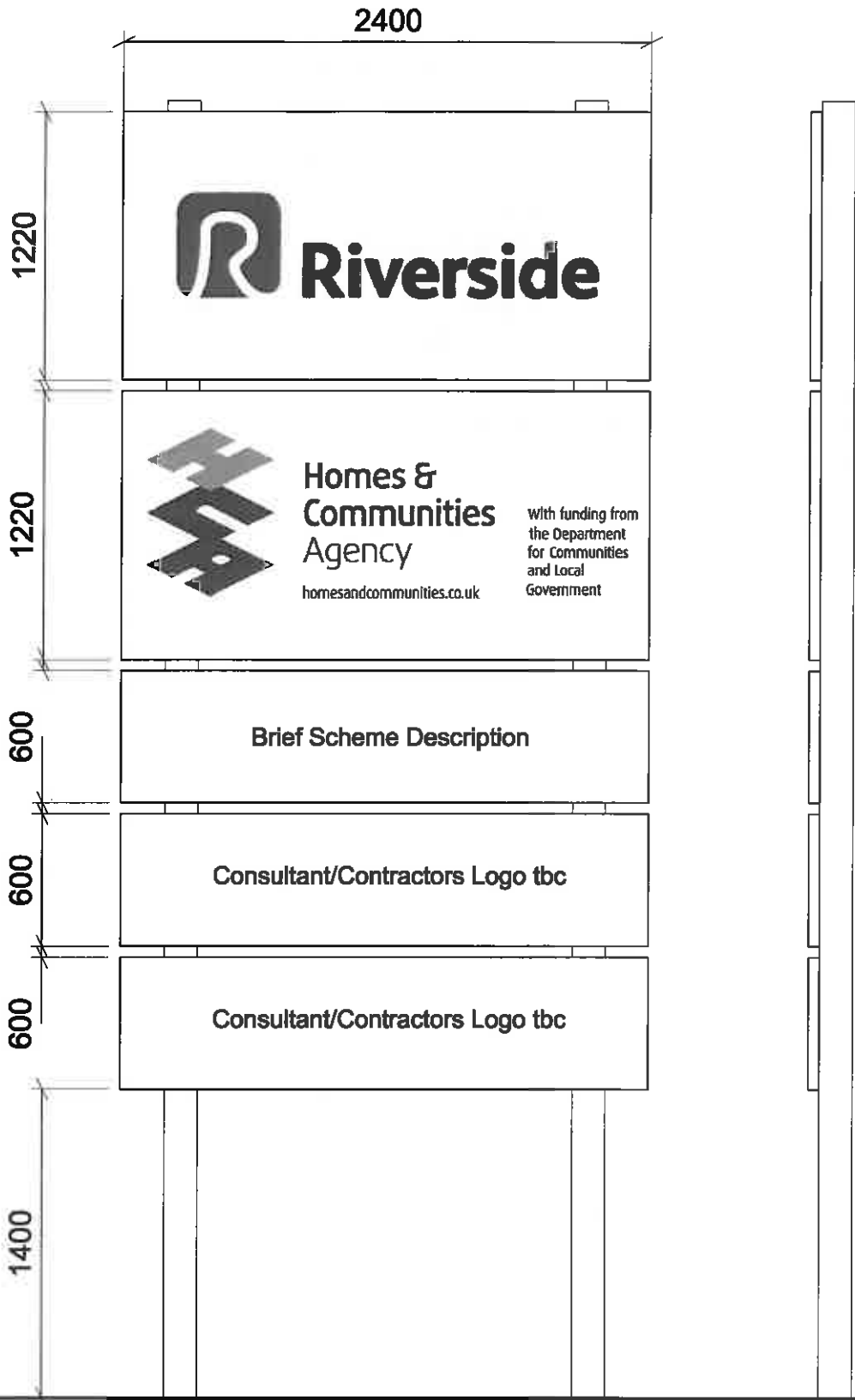
1: New Housing or Borland Avenue, Centre, for Riverside Borders

00 02 04 06 08 10 12 14

0 20 40 60 80 100 120 140

0 2 4 6 8 10 12 14

03 no. 2B 3P two storey houses @ 83.8m2
 02 no. 2B 3P two storey houses @ 82.0m2
 02 no. 2B 4P one storey bungalow @ 67.4m2
 04 no. 3B 5P two storey houses @ 87.2m2
 Slab levels to be within +/- 250mm of those stipulated.
 Rear access to gardeners designed in accordance with BSS300.



	DRAWING STATUS:		PLANNING	
	1384 - New Housing at Borland Avenue, Carlisle, for Riverside Borders			
	1384-SI-20		Proposed Site Signboard	
	SCALE	DATE	DRAWN	CHECKED
1:20@A3	Dec '12	HF	-	-

1 Pilsa Street, Hamilton Square, Birstanhead, Mersyple, CH41 6AN, Tel: 0151 647 6011 E-mail: birstanhead@ainsleygorman.co.uk Fax: 0151 646 2975
Copyright in this drawing remains with Ainsley Gorman. Do not reproduce for any purpose without the written permission of Ainsley Gorman. Check all dimensions on site. In the event of any discrepancy, refer query to Ainsley Gorman.

SCHEDULE A: Applications with Recommendation

12/0900

Item No: 09

Date of Committee: 08/03/2013

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

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

REPORT

Case Officer: Stephen Daniel

1. Recommendation

1.1 It is recommended that this application is approved with conditions.

2. Main Issues

- 2.1 Whether The Proposal Is Acceptable In Principle
- 2.2 Whether The Scale And Design Are Acceptable
- 2.3 Impact Of The Proposal On The Living Conditions Of The Occupiers Of Any Neighbouring Properties
- 2.4 Highway Matters
- 2.5 Affordable Housing

3. Application Details

The Site

3.1 The site, which is currently vacant, is the former St Edmund's Social Centre. A building, which is in a poor state of repair, is located on the southern part of the site. The building is constructed of brick, with a shallow pitched felt roof. The northern side of the site is currently hard standing. The site is enclosed by a 2.4m high metal palisade fence, which is screened by

landscaping along Newlaithes Avenue and Levens Drive, and which has a low brick wall in front. The site falls away gradually from south to north and west to east.

- 3.2 The site is adjoined to the north by an unadopted service road, which runs to the rear of a parade of shops that front on to Newlaithes Avenue. Access to the site is currently taken from this service road. There is a wide grass verge to this road which is not under the applicant's control. Newlaithes Avenue adjoins the site to the west, with Levens Drive running along the southern boundary of the site, each having a wide grass verge and pavement adjacent to the highway. An existing bus stop is located adjacent to the site on Levens Drive. Residential properties on Levens Drive and Barras Close lie to the east of the application site.

The Proposal

- 3.3 The proposal is seeking planning permission to demolish the social centre and to erect fourteen dwellings on the site. All of the dwellings would be small two-bed properties. A terrace of nine dwellings would face on to Newlaithes Avenue and would have small front gardens that would be separated from the highway by a low stone wall. The ridge line of the terrace would vary due to the change in ground levels across the site and the dwellings would incorporate different features to add visual interest, including small pitched roof porches and small pitched roofs at eaves level. A terrace of three dwellings would be provided in the north-east corner of the site which would face onto a communal parking area, with a pair of semi-detached properties being provided in the south-west corner, which would front onto Levens Drive. The dwellings would be constructed of meadow red clay facing brick, with buff artstone sills and heads, under a grey concrete tiled roof.
- 3.4 A new access would be provided off Levens Drive and this would provide access to the communal parking area, which would lie to the rear of five of the dwellings that front onto Newlaithes Avenue and to the front of the dwellings in the north-east corner of the site. This would be constructed of block pavements and would provide seventeen car parking spaces, one for each dwelling plus three visitor spaces.

4. Summary of Representations

- 4.1 This application has been advertised by means of site and press notices as well as notification letters sent to fifteen neighbouring properties. A petition has been received, which has been signed by thirty-six people, and which raises the following concerns:

1. the proposed access to the site is located where an established bus stop exists. Where would the bus stop be re-located;
2. the existing bus services run frequently every hour and removal of this service would adversely affect the surrounding community;
3. the addition of an access road for vehicles to service 14 dwellings will

result in increased congestion on an already very busy section of road in a restricted space;

4. the proposed site access is close to the main T-junction at Newlalthes Avenue;

5. there is an existing access road off Newlalthes Avenue, which has been established for many years and access at this point will affect fewer residents. The road is less congested and provides a wider road area for vehicles. This access would cause less disruption to the surrounding area and less risk and stress to local residents. The residents request that this alternative access should be considered further.

5. Summary of Consultation Responses

Cumbria County Council - (Econ. Dir. Highways & Transportation): - no objections, subject to conditions;

Local Environment (former Community Services) - Drainage Engineer: - comments awaited;

Local Environment - Environmental Protection: - no objections, subject to conditions;

Northern Gas Networks: - no objections;

Housing Strategy: - in accordance with Policy H5, the proposal equates to an on-site affordable housing contribution of 4.2 dwellings - request that 4 dwellings be considered for the City Council's discounted sale scheme.

Prepared to enter into discussions with the applicant on the affordable housing contribution of this site, subject to the viability of the scheme;

United Utilities: - no objections - surface water should discharge to a soakaway/ watercourse/ surface water sewer.

6. Officer's Report

Assessment

6.1 The relevant planning policies against which the application is required to be **assessed** are Policies DP1, H1, H2, H5, CP5, CP12, CP15, CP17 and T1 of the Carlisle District Local Plan 2001-2016. The proposals raise the following planning issues:

1. Whether The Proposal Is Acceptable In Principle

6.2 The site, which is brownfield, lies within a Primary Residential Area. The proposal to redevelop the site for housing is, therefore, acceptable in principle.

2. Whether The Scale And Design Are Acceptable

6.3 The terrace that faces onto Newlalthes Avenue would have a varied ridge height and would be of varied design to improve visual interest. Small gardens would be provided to the front of the dwellings and these would be separated from Newlalthes Avenue by a low brick wall. A pair of semi-detached properties would front onto Levens Drive to the east of the new access. A terrace of three dwellings would be located in the north-east

corner of the site and these would face onto the communal parking area, that would be sited to the rear of the dwellings that front onto Newlaithes Avenue. The dwellings would be constructed of meadow red clay facing brick, with buff artstone sills and heads, under a grey concrete tiled roof. In light of the above, the scale and design of the proposal would be acceptable.

3. Impact Of The Proposal On The Living Conditions Of The Occupiers Of Any Neighbouring Properties

6.4 The dwellings that front onto Newlaithes Avenue would have front elevations a minimum of 25m away from the dwellings on the opposite side of Newlaithes Avenue. Unit 9 would have a side elevation 22m away from the nearest dwellings on Levens Drive, whilst the new semi-detached dwellings fronting onto Levens Drive would be 21m away from the dwellings on the opposite side of Levens Drive. The terrace of three dwellings would lie to the west of 34 Caslin Way and would sit at a 1.5m higher level. There would be no windows in the side elevation of the terrace. 34 Caslin Way has patio doors and a window in the rear elevation and a window in the side elevation. The terrace has been positioned so that it does not sit in front of the side window. Whilst there would be some overshadowing of part of the garden of 34 Caslin Way at certain times, the property has a long rear garden, the southern section of which would be unaffected. In light of the above, the proposal would not have an adverse impact on the living conditions of the occupiers of any neighbouring properties through loss of light, loss of privacy or over-dominance.

4. Highway Matters

6.5 A petition has been received which raises concerns about the creation of a new access onto Levens Drive and considers that the existing access to the site from Newlaithes Avenue should be used. The existing access is, however, onto an unadopted service road and cannot be improved, as the existing access and adjacent grass verges are not in the applicant's ownership.

6.6 County Highways has raised no objections to the creation of a new access onto Levens Drive, the position of which in relation to the existing junction with Newlaithes Avenue and the existing bus stop on Levens Drive, was agreed on site. The bus stop would remain in place. The level of parking (one space per dwelling and three visitor spaces) has also been agreed with County Highways. In light of the above, the proposed access and parking would be acceptable.

5. Affordable Housing

6.7 The applicant has submitted a Viability Appraisal with the application, which identifies that the proposed scheme could viably provide £15 towards planning contributions, including affordable housing. The Council has appointed consultants to undertake a review of this appraisal and this has indicated that the developer could reasonably afford to provide two affordable units, to be either sold or rented at a discounted rate. The Council is currently waiting for the applicants to respond on this issue and Members will

be updated at committee. If the applicant is unwilling to provide a reasonable level of affordable housing the application should be refused.

Conclusion

- 6.8 In overall terms, the proposal is acceptable in principle. The scale and design of the proposal would be acceptable and it would not have an adverse impact on the living conditions of the occupiers of any neighbouring properties through loss of light, loss of privacy or over-dominance. The proposed access and parking would be acceptable. If the affordable housing issue is resolved satisfactorily, then the application is recommended for approval subject to the applicant entering into a S106 Agreement for the provision of affordable housing.
- 6.9 If the applicant is not willing to provide a reasonable level of affordable housing, then the applicant should be refused for this reason.

7. Planning History

- 7.1 In November 2001, planning permission was granted for the erection of 2.4m high palisade fencing around inner perimeter (01/0910).

8. Recommendation: Grant Subject to S106 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 approved documents for this Planning Permission comprise:
1. the submitted planning application form received 30th October 2012;
 2. the Location Plan (drawing reference 12055-00) received 30th October 2012;
 3. the Block Plan (drawing reference 12055-03A) received 14th January 2013;
 4. the Site Plan (drawing reference 12055-01A) received 14th January 2013;
 5. the Site Section and Elevations (drawing reference 12055-02B) received 14th January 2013;
 6. the Topographic Survey (drawing reference 2216/1) received 30th

October 2012;

7. the Design and Access Statement received 30th October 2012;
8. the Desk Top Study for Contamination report received 30th October 2012;
9. the Notice of Decision; and
10. 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 a satisfactory external appearance for the completed development, in accordance 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. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been approved in writing by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans.

Reason: To ensure a satisfactory means of surface water disposal and

in accord with Policy CP12 of the Carlisle District Local Plan 2001-2016.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) there shall be no enlargement or external alterations to the dwellings to be erected in accordance with this permission, within the meaning of Schedule 2 Part (1) of these Orders, without the written approval of the Local Planning Authority.

Reason: To ensure that the character and attractive appearance of the buildings is not harmed by inappropriate alterations and/or extensions and that any additions which may subsequently be proposed satisfy the objectives of Policy CP5 of the Carlisle District Local Plan 2001-2016.

8. 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 the Carlisle District Local Plan 2001-2016.

9. 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 & LD8.

10. The access road/parking areas etc shall be designed, constructed, drained to the satisfaction of the Local Planning Authority and in this respect full constructional details shall be submitted to the Local Planning Authority for approval before work commences on site. No work shall be commenced until a full specification has been approved. Any works so approved shall be constructed before first occupancy and shall be maintained operational thereafter.

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

LD5, LD7 & LD8.

11. The **access/parking/turning facilities**, shown on the Plan, shall be substantially met before any building work commences on site so that constructional traffic can park and turn clear of the highway.

Reason: The carrying out of building works without the provision of these facilities is likely to lead to inconvenience and danger to road users. Retention of the facilities ensures an appropriate standard of parking and access for as long as the use continues and to support Local Transport Policies LD5, 7 & 8.

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PRELIMINARY
ARCHITECTS
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revision
 Rev. Date Description Revised by

Project
**RESIDENTIAL DEVELOPMENT
 NEWLAITHES AVENUE, CARLISLE**

Drawing
LOCATION PLAN

Scale Date Drawn Comp.No Number
 1:1250@A 109/12 DB E02 12055-00

Client
IRVING BUILDERS

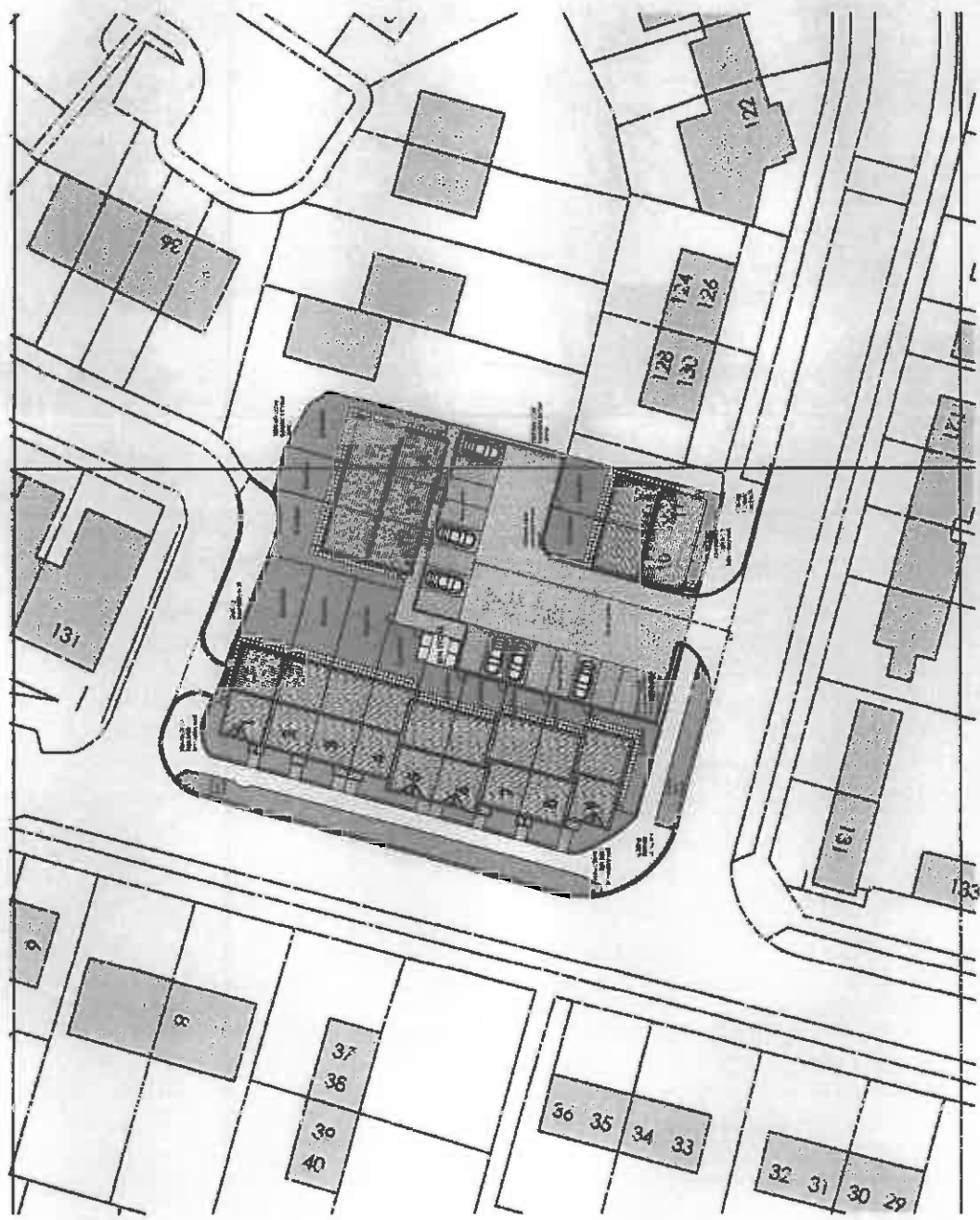
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Rev. Date Description
 01/11/13 P1-2-3-4-5-6-7-8-9-10-11-12-13-14-15-16-17-18-19-20-21
 Revised by
 21

REVISED
 16 MAY 2013



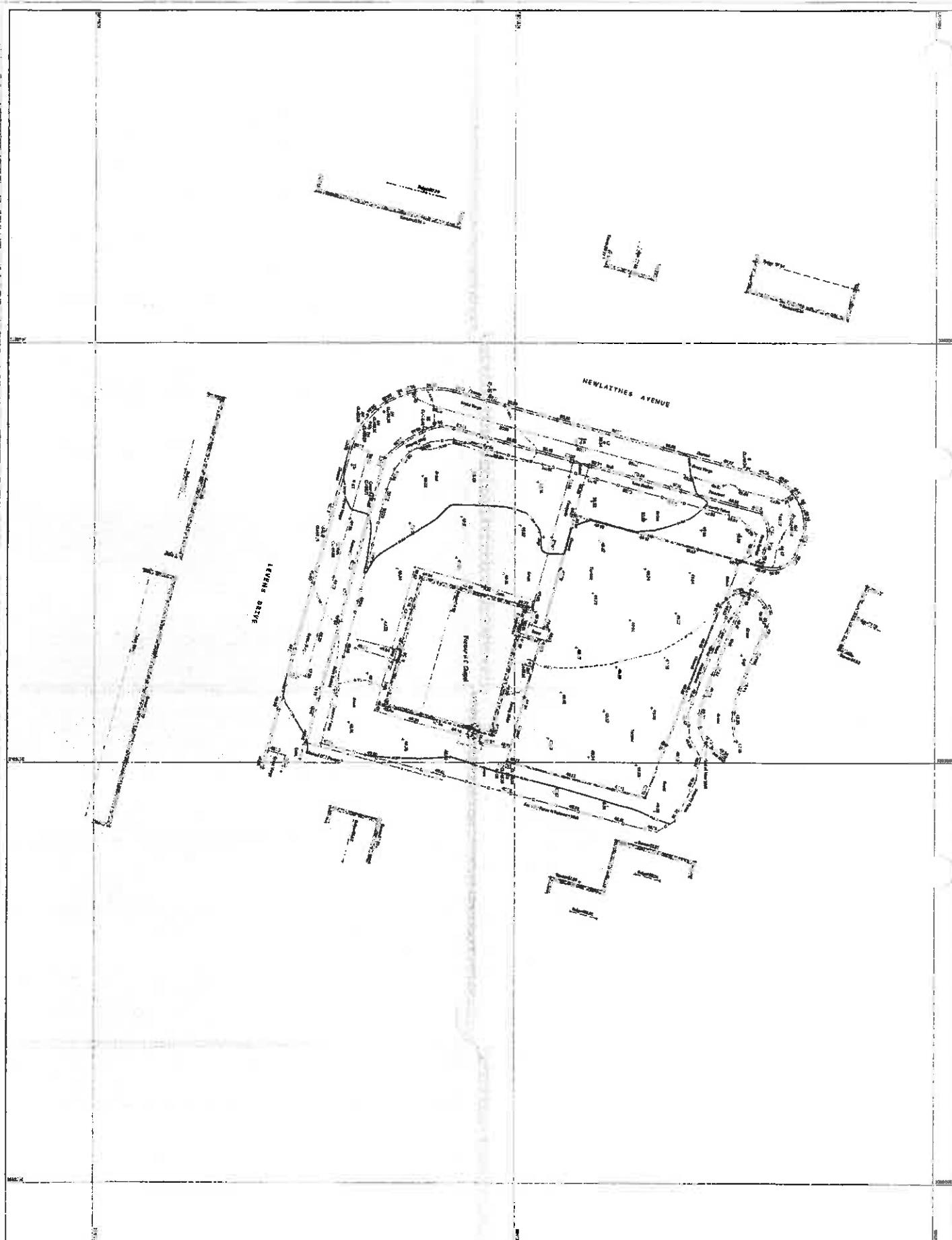
PLANNING
ARCHITECTS
P L U S

Project
 PROPOSED HOUSING DEVELOPMENT
 NEWLAITHES AVENUE, MORTON
 Client
 IRVING BUILDERS
 Drawing
 BLOCK PLAN

Scale	Date	Revision	Comments	Number
1:500	10/12	BC	P02	120155-03A

Architects Plus, 12511 Highway 101, Richmond, BC V6V 1K9
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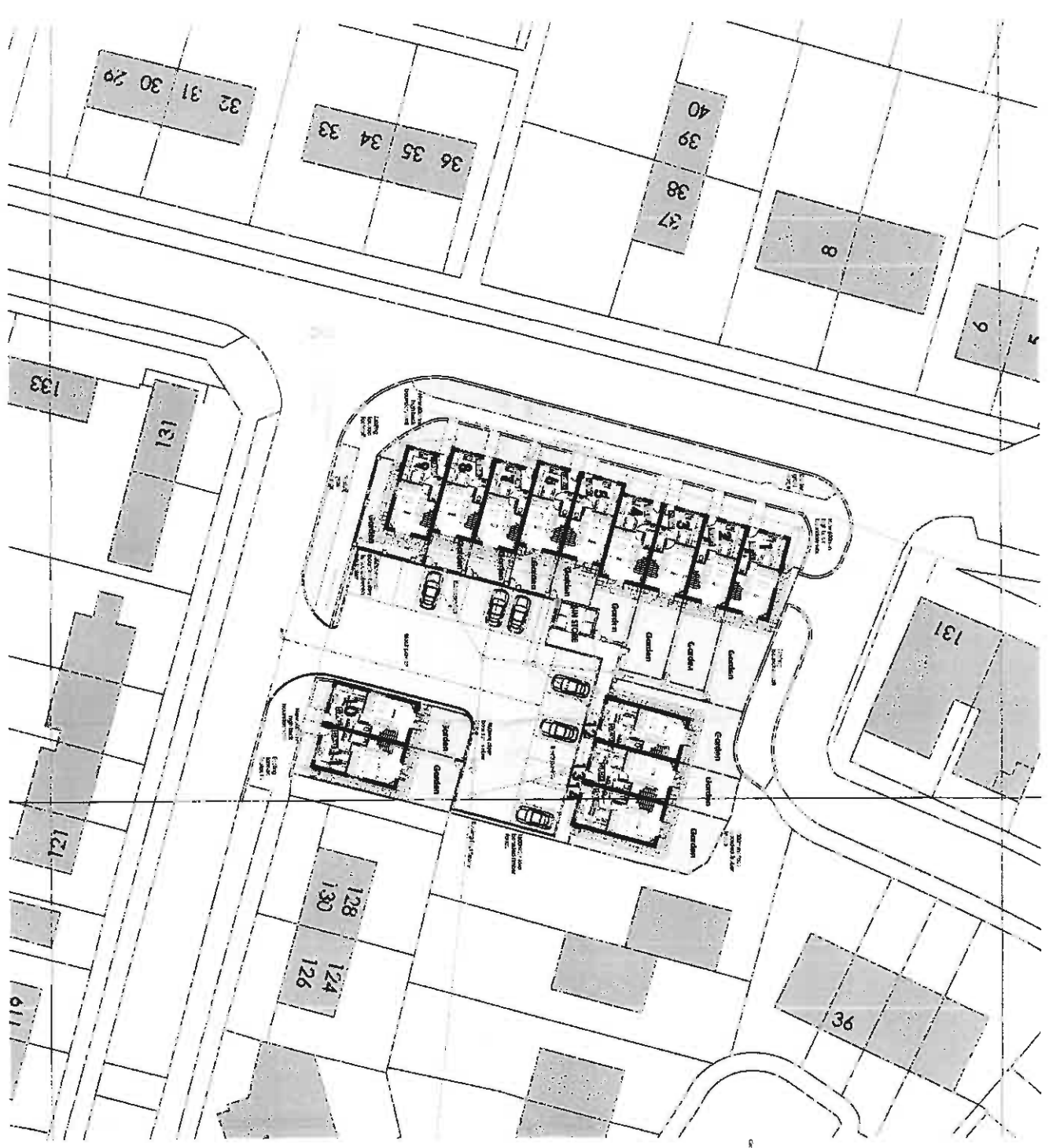
This is a plan of the site of the proposed development, showing the boundaries of the site and the proposed buildings and other structures. It is intended to provide a clear and concise summary of the site plan for the proposed development.

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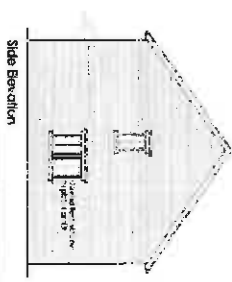
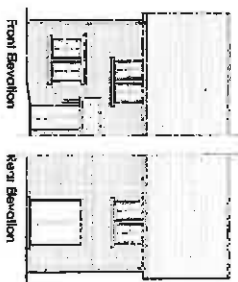
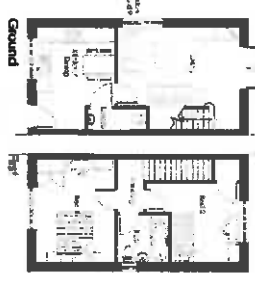
248

Architects Plus
 Former R.C. Chapel on
 Newlathees Avenue, Martin,
 Corsham for Living Builders.

Topographic Survey.
 Survey Station
 1:1000
 1st August 2012
 22/8/12



- Materials Schedule**
- Walls: Clay facing brick
 - Roofs: Asphalt/Flt concrete roof tile
 - Windows/Doors: White UPVC frame windows
 - External finishes: White UPVC frame windows
 - Internal finishes: White UPVC frame windows
 - External surfaces: Brick paving and concrete



249

PLANNING ARCHITECTS

PROPOSED HOUSING DEVELOPMENT
NEWLAITHES AVENUE, MORRION

SITE PLAN HOUSE TYPE PLAN AND ELEVATIONS

12055-01A

SCHEDULE A: Applications with Recommendation

12/0856

Item No: 10

Date of Committee: 08/03/2013

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

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

REPORT

Case Officer: Suzanne Edgar

1. Recommendation

1.1 It is recommended that this application is approved with conditions.

2. Main Issues

- 2.1 Principle of development
- 2.2 Scale, layout and design of the development
- 2.3 Impact upon the living conditions of neighbouring residents
- 2.4 Impact upon the landscape character of the area
- 2.5 Affordable housing
- 2.6 Provision of public open space
- 2.7 Educational infrastructure
- 2.8 Foul and surface water drainage
- 2.9 Highway issues
- 2.10 Landscaping
- 2.11 Contamination
- 2.12 Crime
- 2.13 Whether the proposal would lead to the loss of the best and most versatile agricultural land
- 2.14 Biodiversity
- 2.15 Other matters

3. Application Details

The Site

- 3.1 This application seeks "Full" planning permission for the erection of fifteen dwellings on 0.67 hectares of agricultural land that is situated to western extent of Cumwhinton. The intention is for these properties to be for open market housing with three of the dwellings being affordable and one dwelling being specifically for the elderly. The site is situated at the edge of the village on the southern side of the highway when entering Cumwhinton from the direction of Harraby.
- 3.2 The site, which is broadly square in shape, extends 74 metres along its frontage with the highway and projects 70 metres into the field. The site is situated on the periphery of the settlement boundary of Cumwhinton, as defined on the Inset Map that accompanies the Carlisle District Local Plan 2001-2016 (CDLP).
- 3.3 The site is undeveloped 'greenfield' land and comprises part of a larger field that is in agricultural use. Its defining feature is the mature hedgerow that aligns the road frontage. The topography of the site is such that the land falls in a north-south direction. There are two residential properties that are situated to the north of the site on the opposite side of the road. There is also a residential property, known as Beech Cottage, which is situated immediately adjacent to the eastern boundary. To the south and west of the site lies agricultural land.

Background

- 3.4 In September 2012 the application site was granted "Outline" planning permission for the erection of 14no. dwellings comprising affordable housing and housing for the elderly (application reference 11/0730). A reserved matters application has not been submitted.

The Proposal

- 3.5 The submitted site location plan shows that access to the site would be centrally located along its frontage. Either side of the main access to the site would be a pair of semi-detached bungalows. Three of these bungalows will be affordable (plots 1-3) with the remaining bungalow (plot 4, which is closest to Beech Cottage) designated as a dwelling specifically for the elderly. The other properties within the site would be open market housing arranged around a cul-de-sac. Two pairs of semi-detached bungalows will be located adjacent to the rear garden of Beech Cottage with the remainder of the properties within the scheme being either detached or semi-detached two storey dwellings. Overall the layout provides a mixture of house types that includes 2 bedroom bungalows and 3 - 4 bedroom houses. The dwellings will be positioned so that they follow the topography of the land.
- 3.6 The properties would be finished with a mix of stone, brick and render, with

natural slate roofs. Each property would have adequate parking spaces and reasonably sized gardens. The rear gardens of each property will be separated by 1.5 metre high fencing with new hedgerows planted along the west and southern boundaries of the site. The site entrance will be delineated by a 900mm high random coursed stone wall. It is intended to discharge foul water to the mains sewer and surface water run-off to soakaways.

- 3.7 The site layout plan indicates that a strip of land that measures 5 metres in width will be included within the garden of Beech Cottage to offset any potential adverse impact that the development may have upon the occupiers of that property.

4. Summary of Representations

- 4.1 This application has been advertised by the display of site and press notices as well as notification letters sent to 31 neighbouring properties. At the time of preparing the report 11 letters of objection and 2 letter of comment have been received. The grounds of objection are summarised as;

1. The size of the development would adversely change the character of the village
2. Rural character of Cumwhinton Village is gradually being eroded as village has undergone much development over the past year
3. Density of the development is not in keeping with the surrounding properties
4. The proposal is building houses on a green belt for profit
5. There is plenty of space in Carlisle for housing developments without resorting to building on greenbelt land
6. The size of the dwellings and retrospective plots would not be useful for the elderly
7. There is no local need demonstrated in Cumwhinton for affordable housing/housing for the elderly
8. It is unfair to force all the affordable need in Cumwhinton
9. There are limited amenities for the elderly in the village
10. The village school is at full capacity
11. Proposal will generate more traffic at the edge of the 30mph zone. This zone should be moved nearer to Carlisle
12. Increasing the number of dwellings from the last application by 28% is an

attempt to manipulate planning procedures

13. Allegations that the proposal is a "done deal"

14. The detrimental effect of the plans could be mitigated by the development bringing cable provision to the village to improve the current poor broadband provision

15. Similar application was withdrawn 5 years ago due to local and MP opposition

16. Concern that community bonds and nature of village life will be lost as the village moves nearer to Carlisle

17. Unclear how many houses/bungalows will be used for social housing

4.2 The letters of comment are summarised as follows:

1. The scheme should include a buffer zone measuring 5 metres by 51 metres adjacent to Beech Cottage. There should be a secure fence and landscaping within this area
2. The Buffer Zone is essential to mitigate problems of privacy and overlooking to Beech Cottage
3. Proposal is increasing number of dwellings by 4
4. Proposed dwellings could add to further flooding problems in the village
5. A clause should be imposed ensuring that the dwellings along the boundary of Beech Cottage are only one storey dwellings to prevent loss of light to Beech Cottage
6. Is there a need for further properties to be built in the village?
7. Proposal is a profit making scheme

4.3 Cllr Trevor Allison has also made representations on the proposal stating no objection in principle to the application but urges that the informal undertakings that were given at the time the application was first presented (in respect of Beech Cottage) should be honoured and not increased simply maximised to the advantage of the developer.

4.4 Members should be aware that this application originally proposed 18no.dwellings when it was first submitted however the number of dwellings have now been reduced to 14 and the plans modified accordingly. Some of the representations therefore made by third parties are in respect to the original scheme submitted.

5. Summary of Consultation Responses

Housing Strategy: -while it is disappointing that this development is no longer 100% affordable, given its original conception as a rural exception site, the three units provided by the developer on this site comply with Policy H5 of the Local Plan.

Cumbria County Council - (Education Department): - has requested a financial contribution of £39,117 towards the provision of school transport from the village of Cumwhinton that will be required as a consequence of this development;

Wetheral Parish Council: - in relation to the original plans submitted (proposal for 18 houses) the Parish Council sought further clarification on the access and parking to plot 1 and what will be happening to the undesignated land behind plots 7/8. The Council also cited concerns regarding the surface water drainage from the site, the lack of school places available should the development proceed and the number of affordable houses proposed for a site of 18 houses.

The Parish Council were reconsulted on the amended plans (reduction in number of houses to 15) and requested further information on: which bungalows will be affordable, the management of the affordable properties; access to the ditch at the bottom of the field to the rear of the site for maintenance purposes and information on how the 30 stated parking spaces would be provided as well as visitor parking for plots 1-8.

Further information has been provided to the Parish Council and the Parish Council has confirmed that their previous comments should still stand.

Environment Agency: - no comment;

Cumbria Constabulary - North Area Community Safety Unit: - no objection. Advice received regarding physical security measures and boundary treatments;

British Gypsum: - no response received;

Cumbria County Council - (Highway Authority): - no objection subject to the imposition of four conditions;

Local Environment - Environmental Protection: - no objection subject to a condition being imposed regarding unsuspected contamination;

United Utilities: no objection subject to the imposition of conditions requesting final details of foul and surface water drainage.

6. Officer's Report

Assessment

6.1 The relevant planning policies against which the application is required to be

assessed are Policies DP1, CP1, CP2, CP3, CP4, CP5, CP6, CP10, CP12, CP17, H1, H5, H13, LC4, LE29 and T1 of the CDLP.

6.2 The proposals raise the following planning issues:

1. Principle Of Development

6.3 Members will recall that this site was granted outline planning permission in 2012, under application 11/0730, for the erection of 14 dwellings comprising affordable housing and housing for the elderly. The site at this time was considered to be an exception site as it was outside the defined settlement boundary for Cumwhinton however it catered for an identified affordable housing need and was considered to be well related, both visually and physically, to the village.

6.4 This application in comparison to the previous application approved by Members seeks permission for 15 dwellings of which 11 will be for open market housing with the remainder comprising 3no. affordable bungalows and 1no. bungalow specifically for the elderly. The main issue for Members to establish in consideration of this application is therefore the principle of market led housing on this site in line with current policy and the principle of an additional unit.

6.5 Cumwhinton is identified as a sustainable development location within Policies DP1 and H1 of the Carlisle District Local Plan 2001-2016. Whilst Policy H1 permits small-scale development within Cumwhinton it is noted that the National Planning Policy Framework which has been published in the intervening period since the previous approval is a material consideration for the determination of this application. The NPPF indicates that housing applications should be considered in the context of the presumption in favour of sustainable development and relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites.

6.6 In the absence of a 5 year supply of housing land, as defined by the National Planning Policy Framework, the Council adopted an Interim Planning Statement - Housing on 1st May 2012, as a material planning consideration to deal with the identified shortfall. This process encouraged a number of applications to come forward and be considered against the criteria set out in the Interim Statement. Given the short notice of the introduction of the Interim Statement and level of detail required from any planning application it is only now that we are in a position to consider applications submitted at that time.

6.7 Since the Interim Statement was introduced another update has been provided and as of 30 September 2012 the Council had a five year supply of housing albeit only an additional 65 units over the NPPF requirement. This change in housing supply is accounted for by the change in delivery of some sites and not through a significant change to the number of dwellings granted permission during the 6 month period the Interim Statement applied. In order to avoid repetition of 6 monthly variations on whether the Council has a 5

year supply or not it would be apposite to make certain that a decent buffer of housing supply is provided. This would ensure that applications were not decided randomly on appeal due to short term lack of housing supply.

- 6.8 This application was submitted at the time when the Interim Planning Statement was still valid therefore this statement should be considered still as a material consideration when determining this application. Members should however note that the interim planning statement does not supersede all saved policies in the Local Plan and should be interpreted in conjunction with them.
- 6.9 On the basis of the interim statement, the Council considered proposals for new housing developments on land excluded from housing development either through other designated use or outside existing settlement boundaries which: are well related to the built framework of the existing settlement; would not result in a prominent intrusion into the countryside; would not result in settlements merging; would not detract from the landscape character of the area as contained in the Cumbria Landscape Strategy and would not cause harm to some other overriding policy objective.
- 6.10 Whilst the application site is located outside the settlement boundary for Cumwhinton identified in the local plan, the NPPF does not advocate the use of settlement boundaries and states that in order to promote sustainable development in rural areas, housing should be located where it will enhance and maintain the vitality of rural communities. Members will note from previous paragraphs that the NPPF is a material consideration in the determination of this application and limited weight can therefore be given to the fact that the site is outside the settlement boundary of Cumwhinton.
- 6.11 Development of the site has already been established through the previous housing application for this site as being well related, both physically and visually, to the village of Cumwhinton which has a range of services (school, public house, village hall etc). The proposal creates an opportunity to sustain the existing rural facilities and it is well related to the village with residential properties located to the north and east of the site. In such circumstances it is considered that the proposal would not result in a prominent intrusion into the Countryside nor would it result in settlements merging. In relation to the above it is considered that the principle of open market housing (and an additional dwelling) in this location is deemed acceptable. The impact on the landscape character and design of the proposal is discussed below.

2. Scale, Layout And Design Of The Development

- 6.12 The proposed development is well laid out and will encourage and promote the creation of a neighbourhood. The properties overlook one another thereby creating a degree of natural surveillance and the distinction between public and private space is clearly defined, both of which will act as a deterrent to potential offenders and reduce the likelihood of crime occurring.
- 6.13 In terms of the units there are a range of differing house types, which, aesthetically, will add variety to the estate and create its own identity. The

dwellings incorporate reasonably sized garden areas that are comparable to the size of the units that they serve, thereby ensuring that the development does not appear cramped or overdeveloped. The size of the gardens and the way that the properties are laid out will help create a sense of space within the estate. Whilst some of the distances between the proposed plots (particularly plots 3-4 in relation to plot 5) do not strictly comply with the distances outlined in the Achieving Well Designed Housing Supplementary Planning Document, given the positioning of primary windows, proposed boundary treatments and the topography of the site it is not considered that the layout of the scheme would have an adverse impact upon the living conditions of the future occupiers of the dwellings sufficient to warrant refusal of the application on this basis.

- 6.14 Single storey bungalows are proposed along the frontage of Cumwhinton Road (plots 1-4) and to west of Beech Cottage (plots 5-8) with the remainder of the properties within the site comprising two storey detached or semi-detached properties. The bungalows along the road frontage relate to the other single storey properties that can be viewed when entering the village. The taller two storey dwellings are located further into the site where the topography of the lands falls away thereby reducing the visual impact that these properties will have when viewed from the main road.
- 6.15 Each property has sufficient incurtilage parking provision, together with access to the rear gardens for refuse/green recycling bins. It is considered unreasonable to request a contribution towards waste/recycling provision given that there was no contribution in the previous application and this application is for one additional dwelling.

3. Impact Upon The Living Conditions Of Neighbouring Residents

- 6.16 Whilst the impact upon all the neighbouring residents is relevant, the property most affected by this development is that known as Beech Cottage, which is positioned immediately to the east of the application site. Beech Cottage, which is a bungalow, has a series of primary windows along its flank elevation that face directly towards the site. These windows are located within 1 metre of the application boundary and there is no notable physical demarcation that separates the bungalow from the site.
- 6.17 To mitigate any concerns in relation to loss of privacy to the occupiers of Beech Cottage the applicant proposes that a strip of land measuring 5 metres in width and 47 metres in length be incorporated within the domestic garden of Beech Cottage, which would provide a buffer between the curtilage of Beech Cottage and the proposed dwellings. The submitted layout plan also shows that the dwellings directly to the west of Beech Cottage will be single storey bungalows with a 1.8 metre high fence and hedge (planted on the development side) delineating the boundary of the proposed buffer zone. There will be one storey dwelling located to the south-west of Beech Cottage however this is situated a sufficient distance from Beech Cottage to prevent an adverse impact on the residential amenity of this property.
- 6.18 The submitted Design and Access Statement suggests that the strip of land

will be sold to the owner of Beech Cottage should permission be forthcoming. Whatever arrangements are agreed between the developer and the owner of Beech Cottage regarding the transfer of this land is not material to the outcome of the planning application; however, in order to safeguard the living conditions of the occupier of Beech Cottage a condition is recommended that prevents development commencing on the construction of the proposed dwellings until such time that the land in question has been included within the curtilage of Beech Cottage and the 1.8 metre high fence erected along the length of the extended curtilage in perpetuity. This will help ensure that the occupiers of that property are afforded an acceptable level of privacy and security once the development is complete, but also during the construction phase.

- 6.19 Adequate separation distances are also achieved between the development and the two residential properties located on the opposite side of Cumwhinton Road.
- 6.20 Subject to the foregoing Officers are satisfied that the development can be designed in such a way as to ensure that there will be no adverse impact upon the living conditions of neighbouring residents through loss of light, privacy or over dominance. In order to further protect the living conditions of the occupiers of Beech Cottage permitted development rights have been removed for dormer windows and roof lights on the east elevation of plots 4,5,6,7 and 8.
- 6.21 It is also acknowledged that given the scale of the development there will be a degree of disturbance during the construction of the dwellings. In order to mitigate the impact that the construction phase will have upon the living conditions of neighbouring residents a condition is recommended that limits construction work to between 7.30am and 6pm Monday to Friday, 7.30am to 1pm on Saturdays, with no work permitted on Sundays or Bank Holidays.

4. Impact Upon The Landscape Character Of The Area

- 6.22 As this development involves building on open fields there will undoubtedly be some impact upon the landscape character of the area. As demonstrated in paragraph 6.14 above this impact has been reduced through the design of a sympathetic scheme with single storey properties located at the front of the development and larger two storey properties located further into the site where the land is located at a lower level. Where practical existing hedgerows are to be retained and additional landscaping is proposed to soften the edge of the development.
- 6.23 It is acknowledged that this development will also be visible when entering Cumwhinton from the direction of the Golden Fleece roundabout (Junction 42); however, for the most part views will be obstructed by the roadside hedge. Where views are afforded, the development will be seen in conjunction with the other residential properties that form the western extent of the village.
- 6.24 The land in question is not designated as being of any special landscape

character and it is the Officer's view that there is no significant adverse impact upon landscape character to warrant refusal of the application.

5. Affordable Housing

- 6.25 It is proposed that 3no. affordable bungalows will be provided and 1no. bungalow specifically for the elderly. The affordable bungalows will be the dwellings on plots 1-3 at the front of the site which would be made available by discounted sale/let, with the discount set at 30% below open market value.
- 6.26 By way of background, Members should be aware that this application originally proposed 18no.dwellings when it was first submitted however the number of dwellings have now been reduced to 14 and the plans modified accordingly. The agent also originally proposed that the four bungalows to the front of the site were not only affordable properties but also properties for the elderly. Following discussions with the Councils Housing Strategy Officer it was considered that four dwellings on the site being allocated as affordable housing specifically for the elderly would present unnecessary burdens on the developer and it would be discriminatory against other people already on the existing housing register. The agent has therefore modified the affordable housing requirement to that outlined in paragraph 6.25 accordingly. Members should however note that there is still eight bungalows within the housing scheme which would help to achieve the housing requirements indicated in the Housing Demand Need and Demand Study (November 2011) for 2 bedroom bungalows in the rural east.
- 6.27 Policy H5 of the Carlisle District Local Plan 2001-2016 indicates that for medium sites in the rural area the contribution towards affordable housing is 20%, this equates to the provision of 3 dwellings in this case. Thus the number of affordable houses proposed is compliant with Policy H5.
- 6.28 The Council's Housing Strategy Officer (HSO) has been consulted on the proposed development and has confirmed that whilst it is disappointing that the site is no longer 100% affordable (as proposed under the previous application for this site 11/0730), given its original conception as a rural exception site, the three units provided by the developer on this site comply with Policy H5 of the Carlisle District Local Plan 2001-2016. The HSO has indicated that affordable housing provision on this site is justified by the large affordable housing need in the rural east of Carlisle (101 affordable homes required per annum over the next five years), within which is located this proposed development. The HSO has indicated that the affordable units should be made available for either discounted sale, or for intermediate rent, and secured in perpetuity through a section 106 agreement. The section 106 agreement should also ensure that priority is given to local people when the properties are ready to be allocated.
- 6.29 In relation to the above it is considered that there is no policy conflict as the number of affordable houses proposed complies with Policy H5 of the Carlisle District Local Plan 2001-2016.

6. Provision Of Public Open Space

- 6.30 The Parish Council in their consultation response for the previous application for this site (11/0730) indicated that there are no playing facilities for children in the village. To assist the Parish Council in providing these facilities the applicant agreed to pay a financial contribution of £5000, secured through the completion of a S106 agreement. The applicant is still willing to provide the same contribution for this application. The Council's Green Spaces Manager has been consulted on the proposal and has raised no objections to the amount offered. In such circumstances there is no policy conflict.

7. Educational Infrastructure

- 6.31 Objectors to the scheme have questioned whether the local primary school has adequate capacity to cater for any increase in demand for pupil school places that might arise as a consequence of this development. Cumbria County Council have been consulted on the proposed development who have advised that Cumwhinton Primary School is oversubscribed at present and that this development could result in an additional pupil yield of approximately 2.3 primary school places. To address this increased burden the Education Authority has requested a financial contribution of £39,117 to be used to provide school transport from Cumwhinton. The Education Authority has considered the cumulative effect of this application together with the application for 8 dwellings at land adjacent to The Sheiling and Meadow View (approved under application 11/0818). The agent has agreed to this contribution.

8. Foul And Surface Water Drainage

- 6.32 The applicant has indicated that the foul drainage will connect into the public sewer via a pumping station which is acceptable to United Utilities. The development will incorporate permeable block paving and surface water will be disposed of via soakaways which is an acceptable and sustainable means of surface water disposal. Suitable conditions have been imposed within the Decision Notice at the request of United Utilities with regard to the final details of the drainage schemes proposed.
- 6.33 A local resident has indicated that adding more dwellings into the mains sewer could add to further flooding problems in the village and that the nearby beck, which lies to the south of the site is susceptible to flooding. Given that the surface water run-off will be discharging to soakaways and not directly into the beck it is not considered that the development would worsen the present situation. United Utilities have also clarified that there is capacity in the existing sewage network to accommodate the foul flow from the development.

9. Highway Issues

- 6.34 The Highway Authority has raised no objections to the proposal, subject to the imposition of four standard highway related planning conditions that relate to the construction of the access (including drainage), access and parking

requirements being met before any building work commences on site and details reserving adequate land for construction storage/parking.

- 6.35 Objectors have commented that the site is not easily accessible by public transport. Whilst the comments of the objectors are noted Cumwhinton is identified as a Local Service Centre, which, in policy terms, is a recognised sustainable location for new development. It is also a sizeable village with its own primary school, village hall, shop and public house. Whilst the public transport links may not be as good as other villages in the district this issue in its own right should not preclude the provision of affordable housing or the designation of 1 no. house being specifically for the elderly within the development.
- 6.36 Concerns have also been raised from an objector with regard to the amount of traffic the scheme will generate and potential impacts on highway safety. The Parish Council has also made comment with regard to the number of parking and visitor spaces proposed. The Highways Authority have confirmed that there is sufficient parking space for each dwelling and the layout of the scheme does not preclude "on street" visitor parking. The siting and design of the access is acceptable and will be within the restricted 30mph speed limit. In such circumstances it is not considered that there would be any policy conflict.

10. Landscaping

- 6.37 There are existing mature hedgerows delineating the north and part of the eastern boundary of the application site. The existing hedging to the north of the site will be removed in order to facilitate the development however new hedgerows will be planted along the west and southern boundaries of the site as well as on the development side of the proposed buffer zone. The submitted layout plan also shows the planting of a number of trees within the site itself. The Councils Landscape Architect/Tree Officer has been consulted on the proposed development and has raised no objections subject to the imposition of conditions within the Decision Notice regarding tree/hedgerow protection. It is also proposed that a condition is imposed within the Decision Notice requesting further details of the proposed landscaping within the application site. It is therefore the Officers view that the landscaping proposed is sufficient to compensate for the loss of hedgerow which is to be removed to facilitate the development; and, the additional landscaping particularly within the site will help retain the site's rural setting.

11. Contamination

- 6.38 As the site is a greenfield site the likelihood of contamination being present is low. Notwithstanding this fact a condition is recommended that caters for the event that contamination is found during the construction phase. Environmental Services has been consulted on the proposed development and has raised no objections.

12. Crime

6.39 As previously stated in paragraph 6.12 the proposed development is well laid out and will encourage and promote the creation of a neighbourhood. The properties overlook one another thereby creating a degree of natural surveillance and the distinction between public and semi-public space is clearly defined, both of which will act as a deterrent to potential offenders and reduce the likelihood of crime occurring. The Crime Prevention Officer has been consulted on the proposed development and has provided advice with regard to physical security measures and boundary treatments. This advice has been forwarded to the applicant.

13. Whether the Proposal Would Lead To The Loss Of The Best And Most Versatile Agricultural Land

6.40 It is accepted that the proposal would lead to the loss of agricultural land. The Agricultural Land Classification identifies this land as Grade 3, Grades 1 and 2 being of the highest quality. Grade 3 land is common both within the immediate vicinity of the application site and within the District as a whole. As such, it is not considered that the loss of this small area of agricultural land would provide grounds for refusal of the application.

6.41 14. Biodiversity

6.42 The Council's GIS Layer has identified that there is the potential for a range of species to be present within the vicinity. Using the guidance issued by Natural England, the development would not harm protected species or their habitat; however, an Informative has been included within the Decision Notice ensuring that if a protected species is found all work must cease immediately and the Local Planning Authority informed. A condition has also been imposed ensuring that no site clearance or works to hedges takes place during the bird breeding season.

15. Other Matters

6.43 It is noted that some of the objectors have indicated that the detrimental effect of the proposed development could be mitigated by the development bringing cable provision to the village to improve the current poor broadband provision. Whilst cabling may be provided for this development it would not be appropriate to require provision for the whole village.

6.44 Some objectors have also alleged that the application is a "done deal". Members are reminded that every application is treated on its own merits in line with current planning policy taking into account comments from statutory consultees and third parties.

6.45 The Parish Council has raised queries regarding the maintenance of the ditch to the bottom of the field. This ditch is located outside of the application site boundary but is within the ownership of the applicant. The applicant's agent has confirmed that this land will be left to lay fallow for the long term future and drainage of the field will be as existing. Any maintenance of the ditch is a civil matter.

- 6.46 Article 8 and Article 1 Protocol 1 of the Humans Rights Act are relevant but the impact of the development in these respects will be minimal and the separate rights of the individuals under this legislation will not be prejudiced. If it was to be alleged that there was conflict it is considered not to be significant enough to warrant the refusal of permission.

Conclusion

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

- 6.48 If Members are minded to grant planning approval it is requested that "authority to issue" the approval is given subject to the completion of a s106 agreement to secure:

- a) the provision of 3no.affordable houses
- b) a financial contribution of £5000 to be used by the Parish Council towards the provision of children's playing facilities within the village.
- c) a financial contribution of £39,117 towards education provision.

7. Planning History

- 7.1 In 2011 Outline Planning Permission was granted subject to a legal agreement for the erection of 14no.dwellings comprising affordable housing and housing for the elderly (reference 11/0730);
- 7.2 In 2007 planning permission was sought for the erection of 8 dwellings to meet an identified need for affordable housing within the agricultural community. The application was withdrawn by the applicant prior to determination (reference 07/0209).

8. Recommendation: Grant Permission

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

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

2. The approved documents for this Planning Permission comprise:

1. the submitted planning application form received 17th December 2012 and subsequent email from agent dated 13th February 2013;
2. the site location plan, block plan and proposed layout ground floor plans received 14th February 2013 (Drawing No. 1128-02F);
3. the proposed floor plans and elevations for plots 1,2,3,4,5,6,7,8,12,13,14 and 15 received 20th December 2012 (Drawing No.11280-04B);
4. the proposed floor plans and elevations for plots 9,10 and 11 received 10th January 2013 (Drawing No. 11280-03C);
5. the long sections and road profile received 14th February 2013 (Drawing No.11280-05);
6. the design and access statement received 17th December 2012;
7. the desk top study received 17th December 2012;
8. the Notice of Decision; and
9. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

3. No development shall commence until a strip of land measuring not less than 5 metres in width (as shown on Drawing No. 11280-02F) has been incorporated as part of the domestic curtilage of Beech Cottage and a 1.8 metre high timber fence erected along the length of the new boundary. The 1.8 metre high fence should remain in perpetuity.

Reason: To safeguard the living conditions of the occupier of Beech Cottage, both during the construction phase and when the properties become occupied, in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order), no dormer window or roof light shall be inserted above the ground floor on the east elevations of plots 4,5,6, 7 and 8 without the prior written consent of the Local Planning Authority.

Reason: In order to protect the privacy and amenities of residents in close proximity to the site and to ensure compliance with Policy H11 of the Carlisle District Local Plan 2001-2016.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any other Order revoking and re-enacting that Order), no wall, fence or other means of enclosure shall be erected along the northern boundary of the site (other than those shown in any plans which form part of this application), without the approval of the Local Planning Authority.

Reason: To ensure that any form of enclosure is carried out in a co-ordinated manner in accord with Policies CP1, CP5 and H11 of the Carlisle District Local Plan 2001-2016.

6. Notwithstanding any description of materials in the application no development shall be commenced until samples or full details of materials to be used externally on the building(s) have been submitted to and approved by the Local Planning Authority. Such details shall include the type, colour and texture of the materials.

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

7. Notwithstanding any description of materials in the application no development shall be commenced until samples or full details of the proposed hard surface finishes to all public and private external areas within the proposed scheme have been submitted to and approved, in writing, by the Local Planning Authority.

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

8. No development shall take place until full details of the soft landscape works within the site have been submitted to and approved in writing by the Local Planning Authority. The details shall indicate the proposed types, species planting heights and planting densities of all trees and shrubs to be planted together with the heights and profiles of any proposed earth modelling.

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

9. All works comprised in the approved details of landscaping (including the proposed hedging shown on Drawing No. 11280-02F) shall be carried out either contemporaneously with the completion of individual plots or, in the alternative, by not later than the end of the planting and seeding season following completion of the development.

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

Reason: To ensure that a satisfactory landscaping scheme is implemented in accordance with Policies CP3 and CP5 of the Carlisle District Local Plan 2001-2016.

10. Before any development is commenced on the site, including site works of any description, a protective fence shall be erected around those hedges to be retained in accordance with a scheme that has been submitted to and agreed, in writing, by the Local Planning Authority. Within the areas fenced off the existing ground level shall be neither raised nor lowered, except in accordance with the approved scheme, and no materials, temporary buildings or surplus soil of any kind shall be placed or stored thereon. The fence shall thereafter be retained at all times during construction works on the site to the satisfaction of the Local Planning Authority.

Reason: In order to ensure that adequate protection is afforded to all hedges to be retained on site in support of Policy CP5 of the Carlisle District Local Plan 2001-2016.

11. No development shall commence until a method statement for any work within the root protection area of those hedges to be retained has been submitted to and agreed, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved statement.

Reason: In order to ensure that adequate protection is afforded to all hedges to be retained on site in support of Policy CP5 of the Carlisle District Local Plan 2001-2016.

12. Following completion of construction works and removal of site machinery and materials, protective fencing may be dismantled to permit ground preparation and cultivation works, if required, adjacent to the hedges. Any such ground preparation and cultivation works shall be carried out by hand, taking care not to damage any roots encountered.

Reason: To protect the hedges during development works in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

13. 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 CP5 of the Carlisle District Local Plan 2001-2016.

14. No construction work associated with the development hereby approved shall be carried out before 07.30 hours or after 18.00 hours Monday to Friday, before 07.30 hours and 13.00 hours on Saturdays, nor at any times on Sundays or Bank Holidays.

Reason: To prevent disturbance to nearby occupants in accordance with

Policy CP6 of the Carlisle District Local Plan 2001-2016.

15. No development approved by this permission shall be commenced until full details of the foul and surface water drainage works (including any associated pumping stations) have been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans. No part of the development shall be occupied until the drainage scheme has been constructed in accordance with the approved details. For the avoidance of doubt, neither surface water, land drainage nor highway drainage shall connect into the public sewerage system (directly or indirectly).

Reason: To ensure that adequate means of foul and surface water disposal and to prevent increased risk of flooding in accordance with Policies CP10 and CP12 of the Carlisle District Local Plan 2001-2016.

16. No dwelling shall be occupied until its foul drainage system is connected to a public sewer.

Reason: To ensure that adequate drainage facilities are available and to ensure compliance with Policy CP12 of the Carlisle District Local Plan 2001-2016.

17. 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 in accordance with the condition above, which is 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 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 off site receptors in accordance with Policy LE29 of the Carlisle District Local Plan 2001-2016.

18. The bungalow hereby approved on plot 4 shall only be occupied by persons where at least one member of the household is aged 55 years or over (the qualifying age) save that such restriction shall not apply to the continued occupation of the dwelling by a surviving spouse, partner or member of the household under the qualifying age after the death of the member of the household who was of the qualifying age.

Reason: To ensure that the proposed bungalow on plot 4 is occupied by suitable persons.

19. The shared access way shall be designed, constructed, drained and lit to a standard suitable for adoption and in this respect further details shall be submitted to the Local Planning Authority for approval before work commences on site. No work shall be commenced until a full specification has been approved. These details shall be in accordance with the standards laid down in the current Cumbria Design Guide. Any works so approved shall be constructed before the development is complete.

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.

20. Full details of a sustainable surface water drainage system shall be submitted to the Local Planning Authority for approval prior to development being commenced. Any approved works shall be implemented prior to the development being completed and shall be maintained operational thereafter.

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

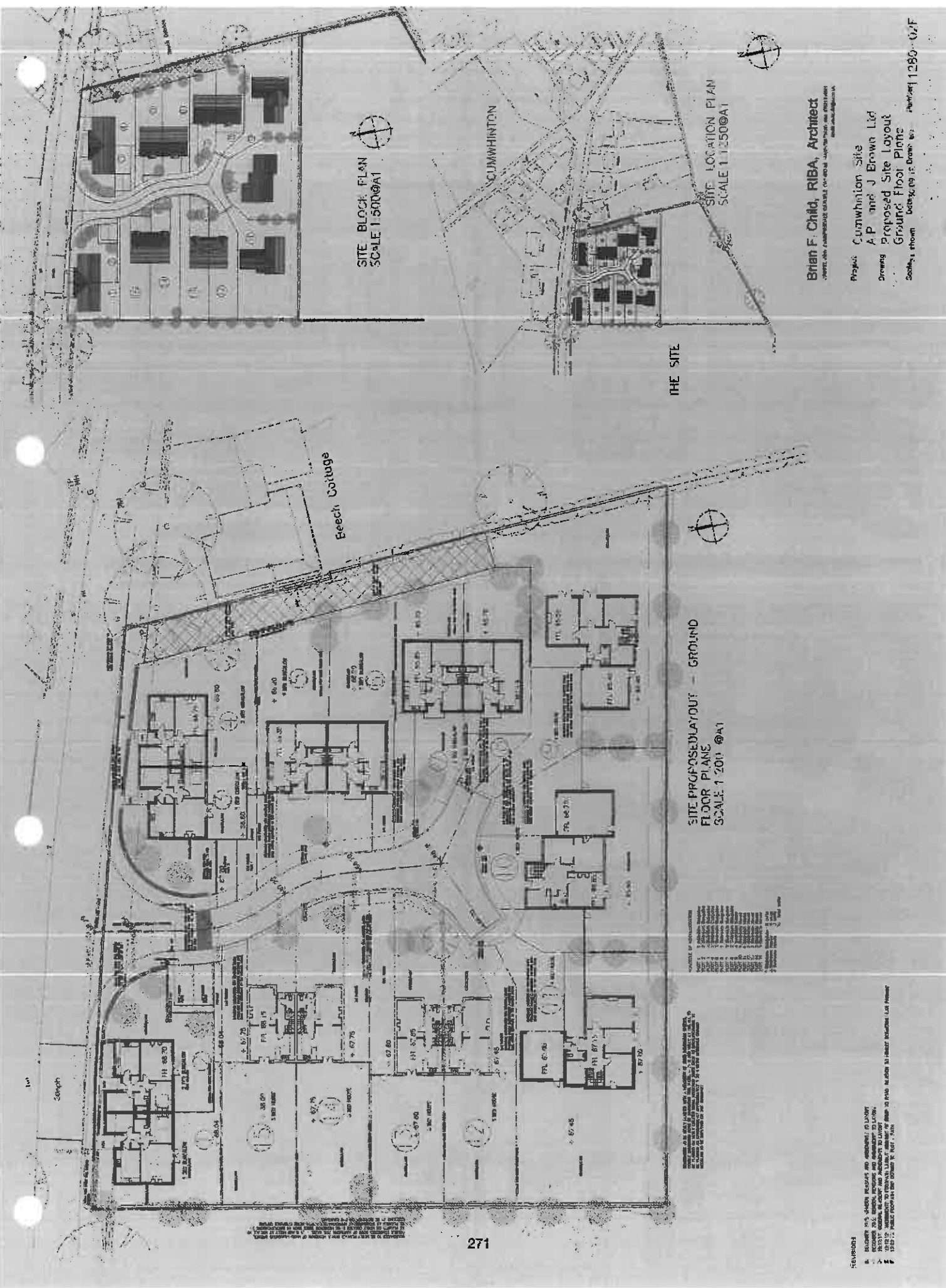
21. The access and parking/turning requirements, shown on the plan, shall be substantially met before any building work commences on site so that constructional traffic can park and turn clear of the highway. Once complete they shall be retained capable of use thereafter and shall not be altered without the prior consent of the Local Planning Authority.

Reason: The carrying out of building works without the provision of these facilities is likely to lead to inconvenience and danger to road users/ Retention of the facilities ensures an appropriate standard of parking and access for as long as the use continues.

22. Before any development takes place, a plan shall be submitted for approval by the Local Planning Authority, reserving adequate land for the storage of materials, site messing and offices and the parking of vehicles & plant, engaged in construction operations associated with the development hereby approved, and these facilities shall be used for or be kept available for these purposes at all times until completion of the constructional works.

Reason: The carrying out of this development without the provision of

these facilities during the constructional work is likely to lead to inconvenience and danger to road users. To support Local Transport Policies: LD8.



SITE BLOCK PLAN
SCALE 1:500 @A1

SITE LOCATION PLAN
SCALE 1:1250 @A1

SITE PROPOSEDLAYOUT - GROUND
FLOOR PLANS
SCALE 1:200 @A1

Brian F. Child, RIBA, Architect

Project: Cumwhinton Site
AP and J Brown Ltd
Drawing: Proposed Site Layout
Ground Floor Plans
Scale: as shown

Number 1280-02/F

NOTES TO BE READ IN CONNECTION WITH THE PROPOSEDLAYOUT - GROUND FLOOR PLANS. THE PROPOSEDLAYOUT IS SUBJECT TO THE NECESSARY CONSENTS OF THE LOCAL AUTHORITY AND THE LOCAL PLANNING AUTHORITY. THE PROPOSEDLAYOUT IS SUBJECT TO THE NECESSARY CONSENTS OF THE LOCAL AUTHORITY AND THE LOCAL PLANNING AUTHORITY.

- REVISIONS
- A. REVISIONS TO BE MADE TO THE PROPOSEDLAYOUT - GROUND FLOOR PLANS.
 - B. REVISIONS TO BE MADE TO THE PROPOSEDLAYOUT - GROUND FLOOR PLANS.
 - C. REVISIONS TO BE MADE TO THE PROPOSEDLAYOUT - GROUND FLOOR PLANS.
 - D. REVISIONS TO BE MADE TO THE PROPOSEDLAYOUT - GROUND FLOOR PLANS.
 - E. REVISIONS TO BE MADE TO THE PROPOSEDLAYOUT - GROUND FLOOR PLANS.

PROPOSED PLAN 2 BED BUNGALOW
PLOTS 1, 2, 3, 4

PROPOSED PLAN 1 BED BUNGALOW
PLOTS 5, 6, 7, 8

PROPOSED PLAN 2 BED BUNGALOW
PLOTS 12, 13, 14, 15

PROPOSED PLAN 1 BED BUNGALOW
PLOTS 12, 13, 14, 15

PROPOSED ROOF PLAN 2 BED BUNGALOW
PLOTS 1, 2, 3, 4

PROPOSED ROOF PLAN 1 BED BUNGALOW
PLOTS 5, 6, 7, 8

PROPOSED ROOF PLAN 2 BED BUNGALOW
PLOTS 12, 13, 14, 15

PROPOSED ROOF PLAN 1 BED BUNGALOW
PLOTS 12, 13, 14, 15

REAR ELEVATION PLOTS 1, 2, 3, 4

REAR ELEVATION PLOTS 5, 6, 7, 8

REAR ELEVATION PLOTS 12, 13, 14, 15

FRONT ELEVATION PLOTS 1, 2, 3, 4

FRONT ELEVATION PLOTS 5, 6, 7, 8

FRONT ELEVATION PLOTS 12, 13, 14, 15

LEFT GABLE PLOTS 1, 2, 3, 4

LEFT GABLE PLOTS 5, 6, 7, 8

LEFT GABLE PLOTS 12, 13, 14, 15

RIGHT GABLE PLOTS 1, 2, 3, 4

RIGHT GABLE PLOTS 5, 6, 7, 8

RIGHT GABLE PLOTS 12, 13, 14, 15

FIRST FLOOR PLOTS 12, 13, 14, 15

GROUND FLOOR PLOTS 12, 13, 14, 15

ROOF PLAN PLOTS 12, 13, 14, 15

REAR ELEVATION PLOTS 1, 2, 3, 4

REAR ELEVATION PLOTS 5, 6, 7, 8

REAR ELEVATION PLOTS 12, 13, 14, 15

FRONT ELEVATION PLOTS 1, 2, 3, 4

FRONT ELEVATION PLOTS 5, 6, 7, 8

FRONT ELEVATION PLOTS 12, 13, 14, 15

LEFT GABLE PLOTS 1, 2, 3, 4

LEFT GABLE PLOTS 5, 6, 7, 8

LEFT GABLE PLOTS 12, 13, 14, 15

RIGHT GABLE PLOTS 1, 2, 3, 4

RIGHT GABLE PLOTS 5, 6, 7, 8

RIGHT GABLE PLOTS 12, 13, 14, 15

FIRST FLOOR PLOTS 12, 13, 14, 15

GROUND FLOOR PLOTS 12, 13, 14, 15

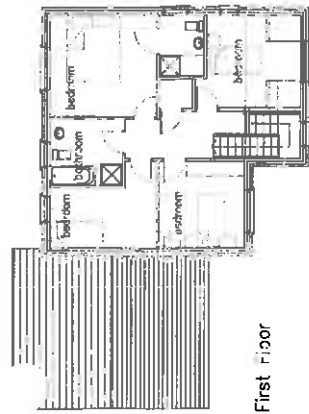
ROOF PLAN PLOTS 12, 13, 14, 15

Project: **Cumwhinton Site**
 A.P. and J. Brown Ltd
 Proposed House types
 Plans and Elevations
 Scale: 1:1000-1 Date: 11.12.15 Drawn by: Number: 1230-01/B

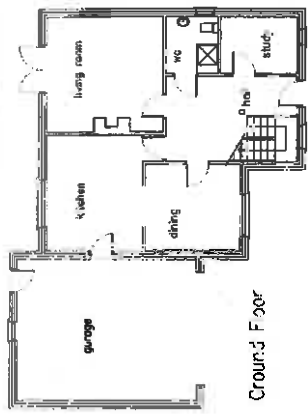
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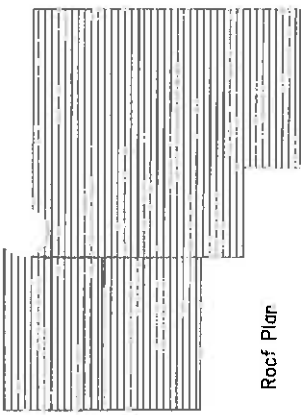
Project: **Cumwhinton Site**
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 Scale: 1:1000-1 Date: 11.12.15 Drawn by: Number: 1230-01/B



First Floor



Ground Floor

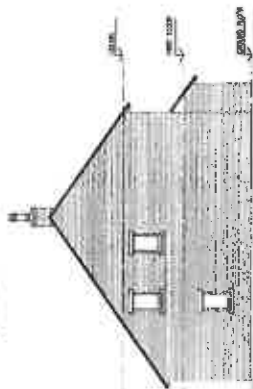


Roof Plan

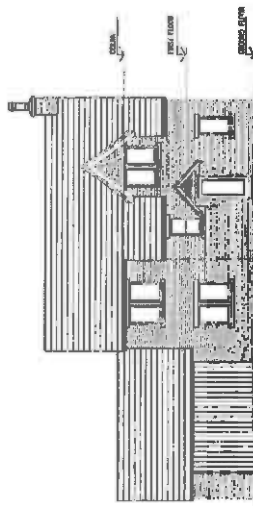
DETAILS OF ACCOMMODATION
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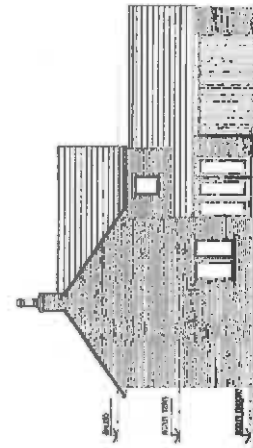
PLOT 10



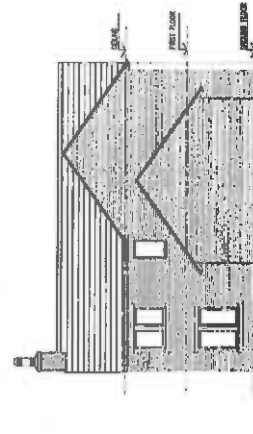
Right Gable



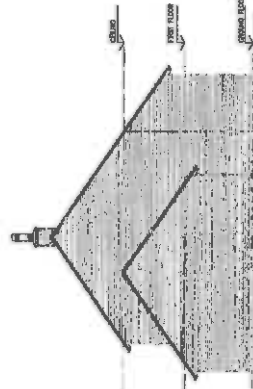
Front Elevation



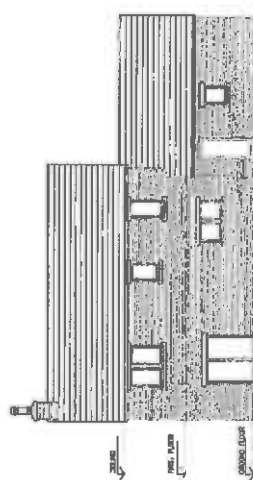
Rear Elevation



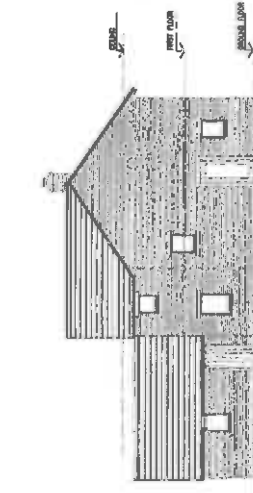
Left Gable



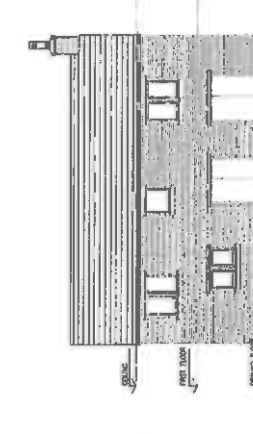
Left Gable



Front Elevation



Rear Elevation

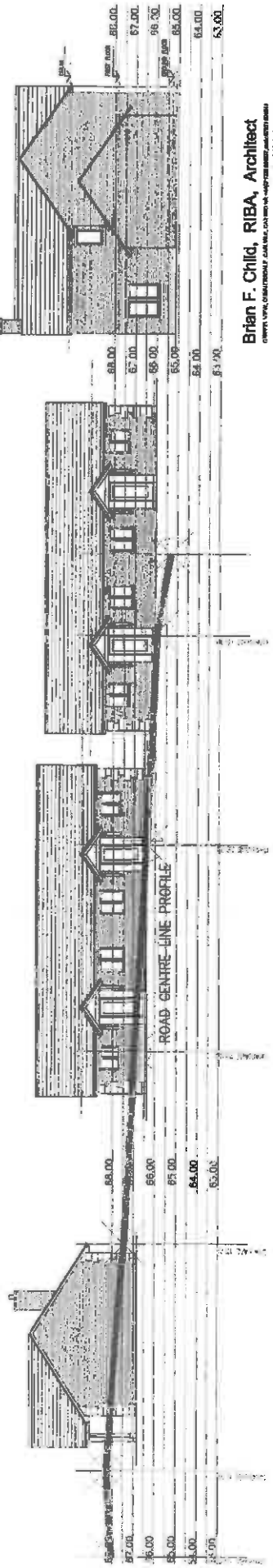
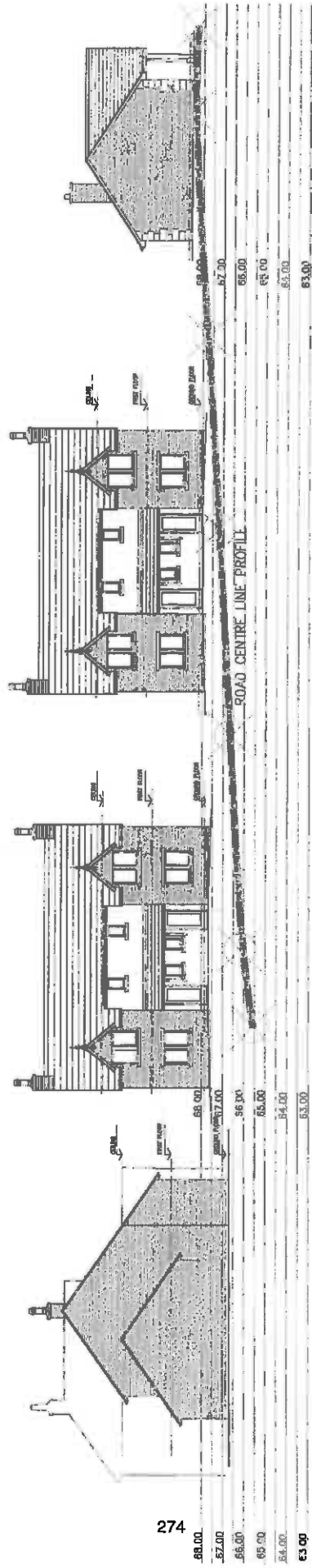
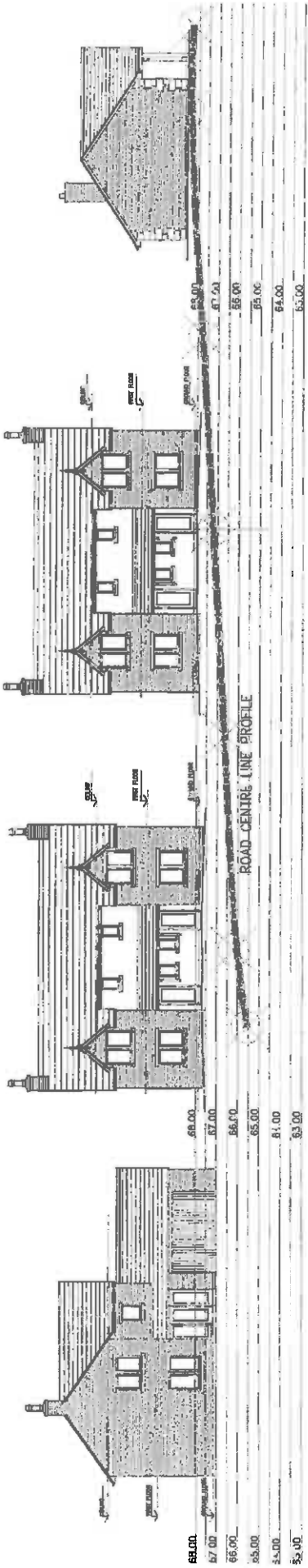


Right Gable

PLOTS 9, 11

Project: Cumnor Hill Site
 A.P. and J. Brown Ltd
 Proposed House Types
 Plans and Elevations
 Scale: 1:1000 A1 Date: 11/12/12 Drawn: B.C.
 Number: 11280-030

14 FEB 2005



Brian F. Child, RIBA, Architect
CHILDF, CHILD & BROWN ARCHITECTS

Project Cumwhinton Site
 A.P. and J Brown Ltd
 Drawing Long Sections
 Road Profile
 Scale: 1:1000 A1 Date: 05/11/04 Drawn by: Number: 1280-05

Revisions

SCHEDULE A: Applications with Recommendation

12/0447

Item No: 11

Date of Committee: 08/03/2013

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

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

REPORT

Case Officer: Shona Taylor

1. Recommendation

1.1 It is recommended that this application is approved with conditions.

2. Main Issues

- 2.1 Whether the principle of the proposed development is acceptable.
- 2.2 Whether the scale, layout and design of the development is acceptable.
- 2.3 The impact of the proposal on the living conditions of neighbouring residents.
- 2.4 Highway matters.

3. Application Details

The Site

- 3.1 This application seeks full planning permission for the conversion of two garages and first floor storage to a two bedroom dwelling house with a garage.
- 3.2 The site is situated within the Brampton Conservation Area and the surroundings to the application site are predominantly residential.

Proposal

- 3.3 The applicant proposes to convert the building, which has previously been identified as garages but are used as storage by the applicant.
- 3.4 The existing building is constructed from brick walls with a slate roof. The property is set back from the road and as such does not appear obtrusive nor dominant in the street scene.
- 3.5 The conversion involves the bricking up of one of the garage doors and its replacement with two windows. There will also be the introduction of a new door and window at ground floor, a landing window at first floor and two velux rooflights. These windows and doors would be finished in upvc, and the roof would be slate.
- 3.6 It is proposed to discharge foul drainage to the public sewer and surface water to the existing surface water drainage system.

4. Summary of Representations

- 4.1 This application has been advertised by means of site and press notices as well as notification letters sent to ten neighbouring properties. No verbal or written representations have been made during the consultation period.

5. Summary of Consultation Responses

Cumbria County Council - Highway Authority: - no objections to the proposal;
Brampton Parish Council: - no objections;
Northern Gas Networks: - no response received;
Carlisle Airport: - no response received;
Conservation Area Advisory Committee: - raised questions as to whether the building was of a quality to be converted and they considered that the design could have better contributed to the appearance of the Conservation Area.

6. Officer's Report

Assessment

- 6.1 The relevant planning policies against which the application is required to be assessed are Policies DP1, CP5, CP6, CP11, LE19, H1 and T1 of the Carlisle District Local Plan 2001-2016.
- 6.2 The proposals raise the following planning issues:
1. Whether The Principle Of The Proposed Development Is Acceptable.
- 6.3 The application site lies within the settlement boundary of Brampton, which is identified as a Key Service Centre by Policy H1 of the Local Plan. As such the

principle of residential accommodation is acceptable, subject to compliance with the criteria identified in Policy H1 and other relevant policies contained within the Local Plan.

2. Whether The Scale, Layout And Design Of The Development Is Acceptable.

6.4 The Conservation Area Committee raised concerns that the existing building was of such poor quality that it did not justify conversion and that a well-designed new structure would be preferable. They felt that a more thought through design could have contributed to the appearance of the Brampton Conservation Area, for example, through better materials and detailing.

6.5 Further to these comments, amended plans were received, lowering the landing window, and altering the front elevation from one large ground floor window to two smaller ones. Regarding the materials, it is considered that it would not be appropriate to ask the applicant to use wooden windows as the surrounding development features upvc windows.

3. The Impact Of The Proposal On The Living Conditions Of Neighbouring Residents.

6.6 The majority of the neighbouring properties are positioned sufficient distance away or orientated in such a way not to be directly affected as a result of loss of light, loss of privacy or overdominance. No objections to the proposal have been received from neighbouring properties.

4. Highway Matters

6.7 As the mews court layout is not adopted highway, the Highway Authority's concerns would relate only to the intensification of use of the access off the A6071, which in this instance they considered to be negligible, and have confirmed that they have raised no objections to the proposal.

Conclusion

6.8 In overall terms, the principle of the proposed development is acceptable. The proposed dwelling can be accommodated on the site without detriment to the living conditions of the neighbouring properties or the character/setting of the Brampton Conservation Area. In all aspects the proposal is compliant with the objectives of the Carlisle District Local Plan 2001-2016.

7. Planning History

7.1 This application has various planning history relating to the development of this site, however, none is directly relevant to this application.

8. Recommendation: Grant Permission

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

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

2. The 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.

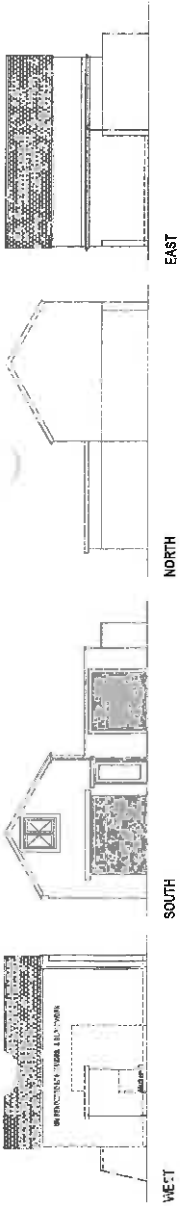
Reason: To define the permission.

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.

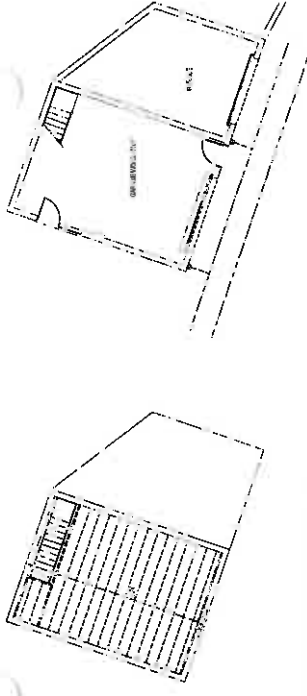
Reason: To ensure the objectives of Policy CP5 of the Carlisle District Local Plan are met and to ensure a satisfactory external appearance for the completed development.

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.

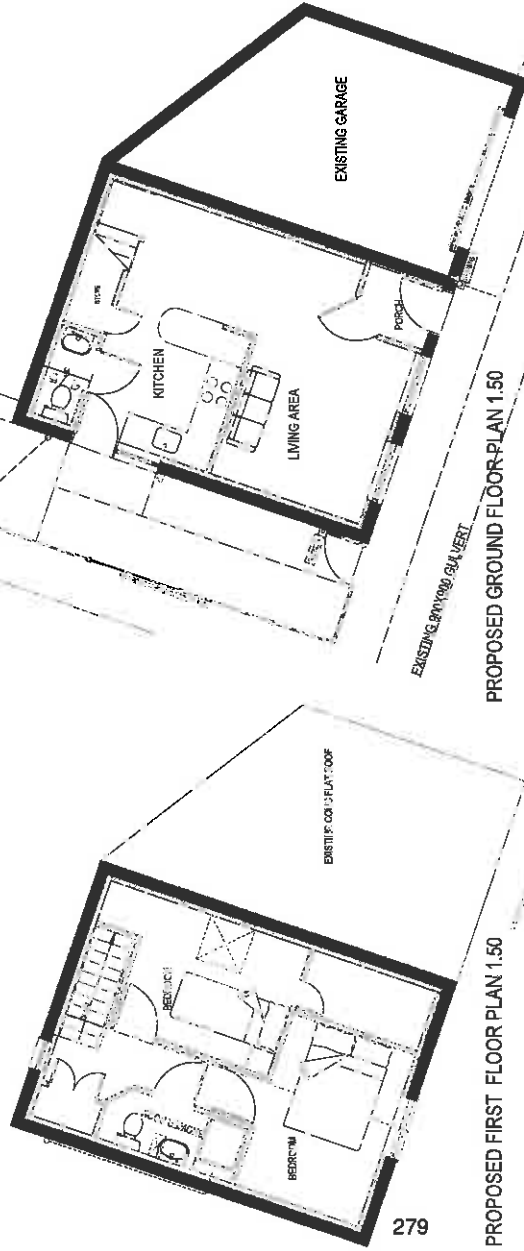


AS EXISTING ELEVATION 1:100



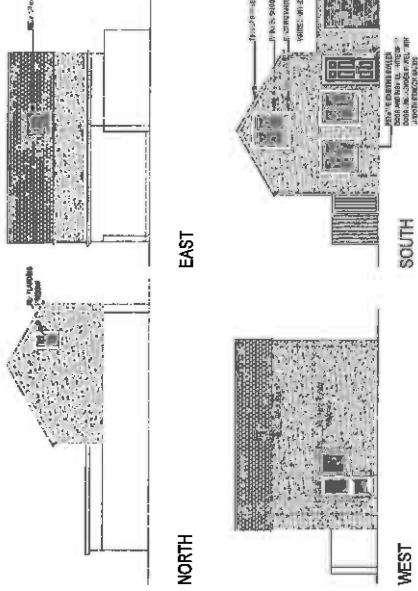
EXISTING FIRST FLOOR PLAN 1:100

EXISTING GROUND FLOOR PLAN 1:100



PROPOSED FIRST FLOOR PLAN 1:50

PROPOSED GROUND FLOOR PLAN 1:50



NORTH

WEST

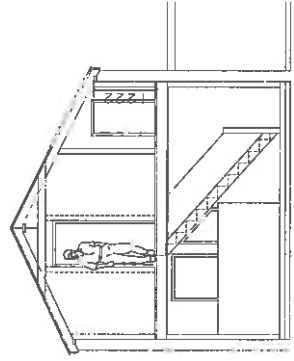
EAST

SOUTH

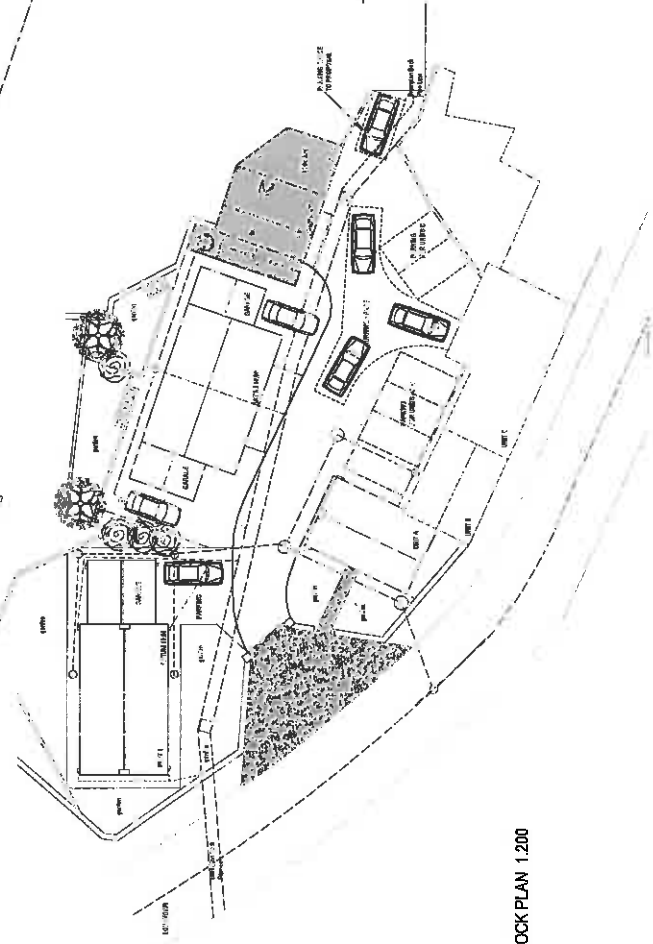
AS EXISTING ELEVATION 1:100



LOCATION PLAN 1:1250



GENERAL SECTION THROUGH BUILDING 1:50



BLOCK PLAN 1:200

TSADA BUILDING DESIGN SERVICES

Craft, Heat & New Town, Carlisle, Cumbria CA 4 4PP
Telephone 012281 51807

Job title
**PROPOSED CONVERSION OF WORKSHOP AND GARAGE
INTO 2BED DWELLING WITH GARAGE
AT SHIPLEY YARD, LONGTOWN ROAD,
BRAMPTON**

Draw No.
6162012FA
Scale
AS SHOWN RA1

Client
MESSRS NOBLE
SHIPLEY YARD
BRAMPTON

Amendments
A 12/05

Drawn by
WIRFAULDER
Date
12/04/2005

SCHEDULE A: Applications with Recommendation

12/0845

Item No: 12

Date of Committee: 08/03/2013

Appn Ref No:
12/0845

Applicant:
Mr & Mrs S Nelson

Parish:
Stanwix Rural

Date of Receipt:
15/10/2012

Agent:
Ian Pick Associates Ltd

Ward:
Stanwix Rural

Location:

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

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

REPORT

Case Officer: Shona Taylor

1. Recommendation

- 1.1 It is recommended that this application is approved with conditions.

2. Main Issues

- 2.1 The Impact Of The Proposal On The Living Conditions Of Neighbouring Residents
2.2 The Impact Of The Proposal On The Character Of The Area
2.3 The Impact Upon The Highway
2.4 Other Matters

3. Application Details

The Site

- 3.1 The application site is located immediately to the rear of 6-8 The Green. With the exception of these properties, located adjacent to the northern boundary, the site is surrounded entirely by open countryside.
- 3.2 The application site comprises the residential property of Greenfield Farm; a storage building and an 11.5 acre field, together with another dwelling, which was approved under application 06/0090. The vehicular access to the site is

obtained via The Green.

- 3.3 The site is currently used for recreational purposes associated with 'horsiculture' together with the keeping of cattle for agricultural purposes. The site subject to this application is an area of existing hardstanding to the rear of the two dwellings, and adjacent to the storage building.

The Proposal

- 3.4 This application seeks approval for a change of use of an existing area of hardstanding to a caravan storage site for up to 20 touring caravans. Vehicular access is provided to the north of the site, adjacent to Number 8 The Green, with its boundaries being made up of hedging along the track with trees shielding the eastern boundary of the site itself.

4. Summary of Representations

- 4.1 This application has been advertised by means of site and press notices as well as notification letters sent to seven neighbouring properties. In response three letters of objection have been received along with five standard letters which have been signed by different individuals as well as a representation from the Ward Councillors. The grounds of objection are summarised as;

1. There is no clear reason for the storage, is it just an extension for the travelling community to live here?
2. The road leading to this farm is inadequate and an increase in traffic will only lead to more potholes;
3. The access is a narrow farm lane that already carries a number of cars both for private and business use, also, there are regular numbers of horses and riders;
4. The surface of the lane up to South View passes Greenfield and is very lightly constructed, there is also a blind turn of over 90 degrees onto the lane between numbers 8 and 9 The Green;
5. The lane is not adopted by the Council, so who would be responsible for the upkeep of the lane surface?
6. There are already large storage sites for caravans at Low Harker and at Greenacres, all easily accessible, why should there be another site in the village area?
7. The proposal will have a detrimental impact upon residential amenities, it is inappropriate and unsympathetic to the appearance and character of the local environment;
8. Overuse of the path will cause potholes, collapsed drains and flooding of the lane; the lane is already subject to flash flooding;
9. The proposal will cause a lack of privacy to neighbouring properties, where most disruption will happen on weekends, when working people want the opportunity to enjoy their own property and garden in peace;
10. Granting this application will breach our human rights in respect of allowing us peaceful enjoyment of our home and property;
11. The caravans will not only be brought in for the winter but owners will access the site to maintain and clean their caravans many times a year;

12. Have **serious** concerns about the safety of pedestrians, cyclists, horse riders, young children on scooters and children playing in the lane;
13. There is no mention of any opening hours for this business, will owners be able to bring there caravans at all hours of the day and night?
14. The location and shape of the proposed storage site will create unacceptable internal circulation and traffic, leading to excessive noise and creating hazards;
15. Ownership of the access lane is unclear;
16. Storing the proposed number of caravans on site is a fire hazard;
17. There is no mention of waste discharging facilities, modern caravans have toilet facilities on board which will need discharging and cleaning;
18. The property has no entrance gate, neither is controlled access in existence, this will raise security issues;
19. There are other facilities for this type of venture already operating in the area which can cope with any additional demand, in much more suitable areas.
20. Will there be any future expansion of the business?

5. Summary of Consultation Responses

Cumbria County Council - Highways & Transportation: - no objections to the proposal, however, the public right of way must not be obstructed at any time;
 Stanwix Rural Parish Council: - object to the proposal
 Ramblers Association: - no response received;
 Cumbria County Council - Highway Authority - Footpaths: - the footpath must be maintained at a width of 1.8m and no additional gates/stiles mst be installed unless required for livestock control, and these must be approved by the highway authority;
 Green Spaces: - no comments.

6. Officer's Report

Assessment

- 6.1 The relevant planning policies against which the application is required to be assessed **are** Policies DP1, CP5, CP6, LC8 and T1 of the Carlisle District Local Plan 2001-2016. The National Planning Policy Framework (NPPF) which was adopted 27th March 2012 is also a material planning consideration in the determination of this application. The proposal raises the following planning issues:

1. Impact Of The Proposal On The Character Of The Area

- 6.2 When considering this application Members should note that the site is located on an existing area of hardstanding, to the rear of the existing dwellings and outbuildings on the site. The proposed caravans will be sited within the existing enclosed site, approximately 55 metres to the rear of the nearest properties.
- 6.3 As such, as the proposal would be located to the rear of an extensive site, well related to existing buildings and partially screened from view by a belt of

landscaping to the east, and hedging and fences to the north, therefore, it is considered that it would not be detrimental to the character of the area.

2. The Impact Of The Proposal On The Living Conditions Of Neighbouring Residents

- 6.4 There have been a number of objections raised against this proposal. Many of these relate to the impact upon the highway network and the inadequacy of the access, but also to the proposal having a detrimental impact upon residential amenities, drainage, loss of privacy, health and safety and security.
- 6.5 The site itself will be largely screened from the properties on The Green by the existing dwellings and associated buildings, along with the hedging and boundary fences. It is not considered that this proposal would impact upon the living conditions of the occupiers through unacceptable overlooking or noise as it would be over 50 metres away.
- 6.6 In terms of the impact of the caravans travelling past the properties on the green in order to gain access to the site the agent has confirmed that due to the nature of the modern caravan industry, it is anticipated that at least 50% of the users of the site will utilise seasonal pitches for the March to October caravan season, with the caravans taken from Greenfield Farm in March and returned in October. Over the course of the year the estimated traffic generation is considered to be 165 return trips per annum (3.1 per week). This is not considered to be at such a level to cause an unacceptable impact upon the occupiers of the neighbouring properties in terms of traffic generation, noise or loss of privacy.
- 6.7 In overall terms it is considered that the proposal would not have an adverse impact on the character of the area nor the living conditions of adjacent properties by unreasonable overlooking or noise. In all aspects the proposal is considered to be compliant with the objectives of the relevant adopted and emerging Development Plan policies.

3. The Impact Upon The Highway

- 6.8 The Highway Authority has raised no objections to the proposal, subject to the footpath not being obstructed during or after the completion of the development. They have stated that whilst the adopted public highway ends at approximately 6 The Green, the access track to the development site forms part of Public Right Of Way 132010. The surface of this PRoW must be maintained in good condition, free of potholes, in accordance with standards set by the Local Planning Authority.

4. Other Matters

- 6.7 Several neighbouring properties along with the Parish Council have raised questions regarding the servicing/cleaning of caravans whilst in storage, along with the servicing and emptying of the toilets relating to storage and disposal of waste. This information has been requested from the applicants

agent and it is anticipated that it will be received in time to be reported to the Committee Members.

Conclusion

- 6.8 Overall it is considered that the proposed caravan storage site will not appear intrinsically out of place or scale in the surrounding landscape. The proposed site is located to the rear of the existing properties and associated outbuildings, approximately 55 metres to the rear of the nearest properties on The Green. The Highway Authority have raised no objections to the proposal. In such circumstances, it is considered that the proposal will not cause unacceptable harm to the living conditions of neighbouring residents. On this basis, the proposal is recommended for approval.

7. Planning History

- 7.1 Permission was granted for a change of use of land to mixed use and erection of storage shed (retrospective) 06/1295;
- 7.2 Permission was granted for demolition of disused stables and erection of 1no. 4no. bedroom bungalow with double garage 06/0090;
- 7.3 Permission was granted for conversion of disused stables to form one detached 2no. bedroomed dwelling 02/0076.

8. Recommendation: Grant Permission

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

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

2. The approved documents for this Planning Permission comprise:

1. the submitted planning application form;
2. the site plan received 11th October 2012;
3. the location plan received 15th October 2012;
4. the accompanying letter received 11th October 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 premises shall be used for the storage of touring caravans and for no other purpose.

Reason: To preclude the possibility of the use of the premises for purposes inappropriate in the locality occupiers in accordance with Policy DP1 and CP6 of the Carlisle District Local Plan 2001-2016.

4. This permission shall not be exercised by any person other than Mr and Mrs S Nelson.

Reason: In order to safeguard the amenity of the character of the locality in accordance with the objectives of Policy DP1 and CP5 of the Carlisle District Local Plan 2001-2016.

5. There shall be no interference with the public's right of way over Public Footpath No. 132010 at any time during or after construction.

Reason: In order to prevent any obstruction to a public right of way in accordance with Policy CP1 of the Carlisle District Local Plan 2001-2016.

6. The proposed caravan storage area shall not be open for business except between 0800 hours and 2000 hours on Mondays-Sundays.

Reason: To prevent disturbance to nearby residential occupiers and in accord with Policy CP6 of the Carlisle District Local Plan 2001-2016.

7. No static caravans shall be stationed within the site without the prior permission of the Local Planning Authority.

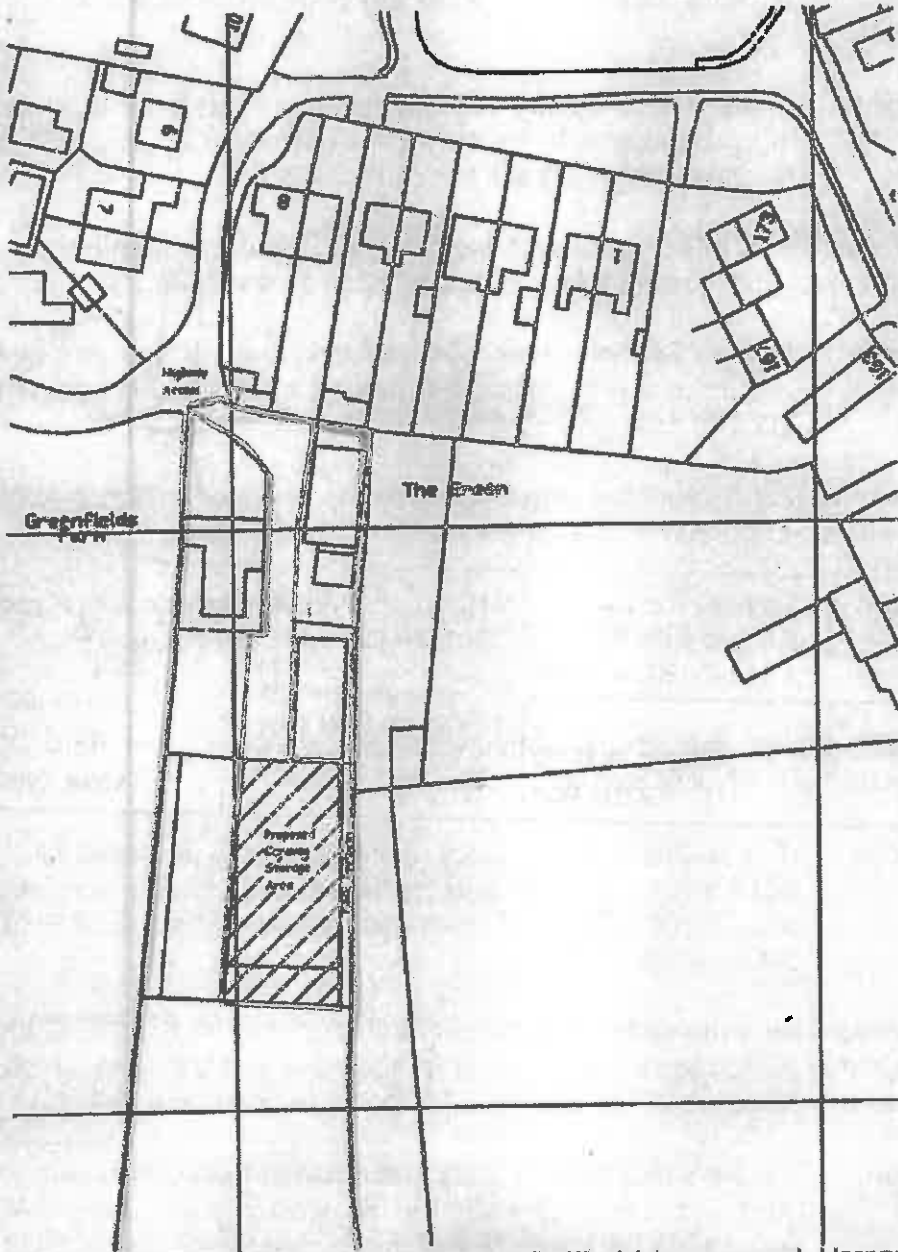
Reason: To preclude the possibility of the use of the premises for purposes inappropriate in the locality occupiers in accordance with Policy DP1 and CP6 of the Carlisle District Local Plan 2001-2016.

8. No hiring, sales or human occupation of caravans shall take place within the storage area, which shall only be used for the storing of touring caravans with any maintenance of the caravans limited to cleaning and valeting.


Reason: To preclude the possibility of the use of the premises for purposes inappropriate in the locality occupiers in accordance with Policy DP1 and CP6 of the Carlisle District Local Plan 2001-2016.

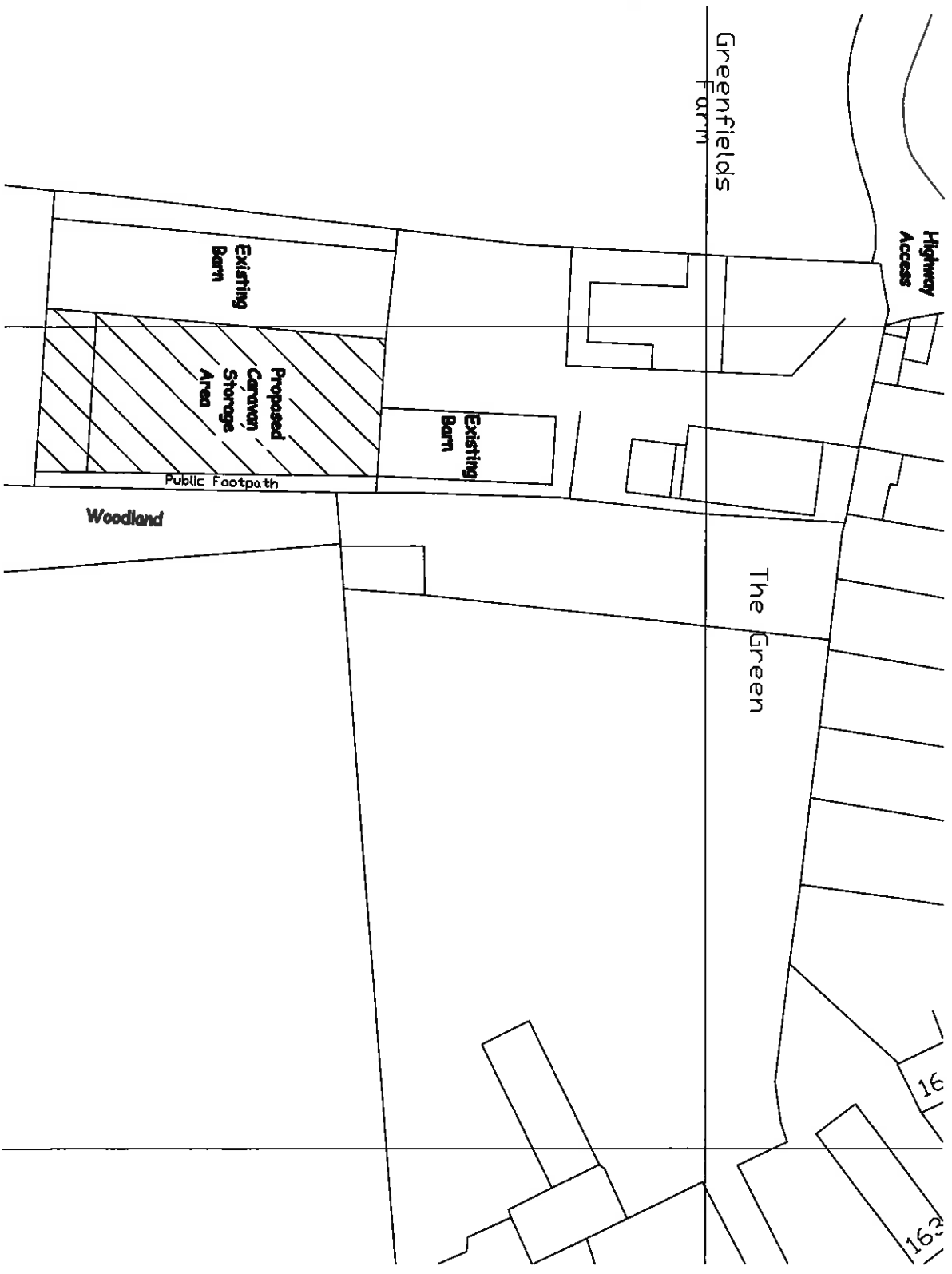


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Ian Pick BSc (Hons) MRICS Llewellyn House Middle Street Kettlewell Driffield East Yorkshire YO25 4RL Tel/Fax (01262) 421007 Mobile 07702914950	Ian Pick Associates 	CLIENT Mr & Mrs Nelson Greenfield Farm Houghton Carlisle CA3 0LP	JOB TITLE Caravan Storage	SCALE 1:1250	Rev -
		DWG. TITLE Location Plan	DWG. NUMBER IP/SN/01	DATE Oct 1..	





Tan Pick Associates

 Ian Pick BSc (Hons) MRICS

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 Mobile 07702814450

CLIENT

 Mr & Mrs Nelson

 Greenfield Farm

 Houghton

 Curle

 CAS OLP

JOB TITLE

 Caravan Storage

DWG. TITLE

 Site Plan

SCALE 1:300

DRN-IP

REVISION

DWG. NUMBER	DATE
IPISW02	Oct 12

SCHEDULE A: Applications with Recommendation

13/0034

Item No: 13

Date of Committee: 08/03/2013

Appn Ref No:
13/0034

Applicant:
Mr & Mrs S Miller

Parish:
Castle Carrock

Date of Receipt:
17/01/2013

Agent:
Taylor & Hardy

Ward:
Great Corby & Geltsdale

Location:

Part OS Field No.0770, Castle Carrock, Cumbria

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

REPORT

Case Officer: Stephen Daniel

1. Recommendation

1.1 It is recommended that this application is refused.

2. Main Issues

- 2.1 Whether The Proposal Is Acceptable In Principle
- 2.2 Whether The Scale & Design Would Be Acceptable
- 2.3 Impact Of The Proposal On The Living Conditions Of The Occupiers Of Neighbouring Dwellings
- 2.4 Highway Matters

3. Application Details

The Site

3.1 This application is seeking outline planning permission for the erection of a dwelling on part of OS field no. 0770, Castle Carrock. The application site lies in the south-east corner of a field and is enclosed by hedgerows and a number of trees. A track, which is designated as a public footpath, runs along the southern side of the site and a field gate provides access from this to the site. A field lies to the south of the track, with a field also adjoining the site to the east, beyond which lies a large detached dwelling, which fronts onto the B6413.

Background

3.2 In October 2012, outline planning permission was refused for the erection of a dwelling on this site (12/0704) for the following reasons:

1. The application site lies outside the settlement boundary of Castle Carrock and is separated from the edge of the village by a field. It is physically and visibly separated from the built form of the settlement and intrudes into the open countryside. The National Planning Policy Framework (NPPF) states that Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances. No special circumstances have put been forward by the applicant that would justify a new dwelling in this location. The proposal is, therefore, contrary to Criterion 1 of Policy H1 of the Carlisle District Local Plan 2001-2016 and Paragraph 55 of the National Planning Policy Framework and does not comply with the Interim Housing Policy (May 2012).

2. The Cumbria Landscape Strategy (CLS) identifies that the site lies within an area of 'sandy knolls and ridges'. The sensitive characteristics or features include traditional vernacular villages which are sensitive to unsympathetic expansion. The CLS states that small scale development should be carefully sited and landscaped to exploit the natural potential for visual containment. This site is not visually contained and the erection of a dwelling on this site would, therefore, have an adverse impact on the character of the area. The urbanisation of the access track to bring it up to adoptable standard was also have an adverse impact on the rural character of the area. The proposal is, therefore, contrary to Criterion 2 of Policy CP5 of the Carlisle District Local Plan 2001-2016.

The Proposal

3.3 The proposal is seeking outline planning permission (with all matters reserved) for the erection of one dwelling. The illustrative site plan/ illustrative sketch, which accompany the application, show a large detached dwelling with a double garage. The Design & Access Statement makes reference to a two-storey family home with a ground floor footprint in the order of 152 sq m and a ridge height of between 7.5m and 8m. The double garage would measure 6m by 6.5m and would be single-storey with a pitched roof.

3.4 The dwelling would provide accommodation for a local family, Mr & Mrs Miller and their three children. They currently live in a property associated with the nearby family farm, which is required to be used in the near future by Mr Miller's father, who is reducing his farming activities and intends to retire into the property that they currently occupy.

3.5 The application is accompanied by a Landscape and Visual Assessment. This includes some landscape design ideas which are intended to make the proposal more acceptable and make it fit better into the village. Suggestions include: strengthening existing hedgerows around the site and plant

hedgerow trees; plant garden boundaries with locally appropriate hedgerows and trees; plant additional trees in the south-eastern corner of the site; to leave the track unimproved; and to design the dwelling to be appropriate with the setting.

4. Summary of Representations

4.1 This application has been advertised by means of site and press notices as well as notification letters sent to two neighbouring properties. Thirteen letters of support and three letters of objections have been received.

4.2 The letters of support make the following points:

- the applicants have lived in this area all of their lives and want to stay in this area;
- the Miller family are very well known locally and have lived and worked in the area for generations;
- to be able to keep local people living within a village environment is essential for the way village life operates;
- it is a good thing that a young family want to stay and build a family house in their local area;
- often in small villages children move away to higher education or into cheaper homes in the cities to find work and they don't return due to work commitments or the cost of housing;
- the applicants have three young children and are keen to bring them up in Castle Carrock and send them to the local school, which would help maintain its viability;
- the village has a school and local amenities and this would be advantageous to the family;
- there is a shortage of good sized family houses in the village.

4.3 The letters of objection make the following points:

- most of the letters of support have been written by friends of the applicant who appear to have no direct connection with Castle Carrock and should be given little, if any, weight;
- the site lies outside the settlement boundary, in the AONB and intrudes into the open countryside and is contrary to Policy H1 of the adopted Local Plan;
- the site is not visually contained and will not complement the existing character of the area and will certainly adversely affect the amenity of the area;
- the proposal would adversely affect the privacy of the occupiers of 2 The

Courtyard and is an unneighbourly development;

- the policy replicates an earlier application which was refused - a local occupancy condition is now advanced there appears to be no hard evidence to support a demonstrable need and, therefore, an exception to policy;
- the track which will serve the site is a public footpath - it is difficult, if not impossible, to achieve a satisfactory means of access without compromising the rights of the public at large;
- the access lane is already over used by large vehicles causing irreparable damage to the lane and retaining walls - significant and permanent reinforcement would be necessary from the main road to the plot;
- if this application is permitted it will be virtually impossible to resist other applications on sites off the lane or track - this site would create an undesirable precedent.

5. Summary of Consultation Responses

Cumbria County Council - (Highway Authority): - has grave concerns over this application as it is some way along a track which is a Public Footpath 110001, the junction of this track with the public highway by Townhead Farm now serves a house on the north side of the junction and is the access to Townhead Farm, which is no longer a Farm and has various Consents for Barn conversions and 2 detached dwellings on the south side of the track. Concerned the proposal will also give rise to further ribbon development beyond the natural limits of the village; if there is to be such development it should be done in a controlled and comprehensive way, thus to my mind the application should be refused. Bearing in mind other recent event it should be demonstrated by the Applicant that they are in control of the land to allow a satisfactory means of access to be achieved, if this involves proprietors other than themselves then written undertakings should be sought that they would be in agreement with the upgrading of the Public Footpath to Highway. Suggested conditions if the application is approved;

Castle Carrock Parish Council: - this application is identical in all but a very few minor points of altered landscaping, to application 12/0704, which was refused permission by Carlisle City Council. As stated in the original objection, the Parish Council is in the process of consulting with the electorate on the issues of planning in conjunction with Carlisle City Council and is putting together a 'Local Plan' which will indicate the feelings of the electorate on these matters, and which will outline sites which might be suitable for future development. It is therefore inappropriate at this time to apply for permission to build outside the current village envelope whilst this process is on-going. This application does not fit in with the Draft Interim Planning Policy Statement for New Housing Development in Carlisle and the reasons for refusal of the earlier application reflect this. Also feel that it is highly unlikely that development could be achieved sensitively or sympathetically in this setting as further screening would inevitably destroy the open landscape character which the Council you rightly

identified as requiring protection in original refusal of application 12/0704. As before, the Parish Council would like to note that highway access would be a problem due to dips in the road to the left, and you can't see to the right when exiting the lonning. The Parish Council would hope, given the fact that this application has already been refused, that the City Council will find no reason to grant permission in this instance;

Local Environment - Environmental Protection: - no objections, subject to conditions;

Carlisle Airport: - no objections;

Cumbria County Council - (Highway Authority - Footpaths): - comments awaited;

Ramblers Association: - comments awaited;

Local Environment-Neighbourhoods & Green Spaces, Countryside Officer - Rights of Way - Rural Area: - comments awaited;

United Utilities: - no objections. Surface water should discharge to a soakaway/ watercourse/ surface water drain.

6. Officer's Report

Assessment

- 6.1 The relevant planning policies against which the application is required to be assessed are Policies DP1, DP10, H1, CP3, CP5, CP12 and T1 of the Carlisle District Local Plan 2001-2016. The proposals raise the following planning issues:
1. Whether The Proposal Is Acceptable In Principle
- 6.2 The site lies outside the settlement boundary of Castle Carrock and is separated from the edge of the village by a field. It is physically and visibly separated from the built form of the settlement, is not well related to the built form of the village and it would, therefore, form a prominent intrusion into the open countryside. The proposal is, therefore, contrary to Criterion 1 of Policy H1 of the Carlisle District Local Plan 2001-2016.
- 6.3 The Cumbria Landscape Strategy (CLS) identifies that the site lies within an area of 'sandy knolls and ridges'. The sensitive characteristics or features of this landscape include traditional vernacular villages which are sensitive to unsympathetic expansion. The CLS states that small scale development should be carefully sited and landscaped to exploit the natural potential for visual containment. This site is not visually contained and would, therefore, have an adverse impact on the character of the area.
- 6.4 Whilst the applicant has submitted a Landscape and Visual Assessment which sets out some landscape design issues which would help to reduce the visual impact of the proposal, these are not considered sufficient to overcome

the visual harm that would be created by the erection of a dwelling in this location.

6.5 The National Planning Policy Framework (NPPF) states that Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances. No special circumstances have put been forward by the applicant that would justify a new dwelling in this location. Whilst the applicants are from the local area and would send their children to Castle Carrock School, this is not sufficient justification to allow a dwelling in this location.

6.6 In light of the above, the proposal is contrary to Criterion 1 of Policy H1 and Criterion 2 of Policy CP5 of the Carlisle District Local Plan 2001-2016; and Paragraph 55 of the NPPF.

2. Whether The Scale & Design Would Be Acceptable

6.7 The application is in outline, with all matters, including scale and design reserved for subsequent approval.

3. Impact Of The Proposal On The Living Conditions Of The Occupiers Of Neighbouring Dwellings

6.8 Given the relationship of the site to existing dwellings, any dwelling on this site would comply with the Council's standards on minimum distances between dwellings.

4. Highway Matters

6.9 Whilst County Highways has concerns about a dwelling in this location, the proposed access would be acceptable. If the application is approved, conditions should be added to ensure that the access track and adjacent verges are maintained and to ensure that there is provision within the site for the parking and turning of vehicles.

Conclusion

6.10 In overall terms, the proposed site is not well related to the existing settlement and is separated from the edge of the village by an open field. Erecting a dwelling on this site would, therefore, form a prominent intrusion into the open countryside and would have an adverse impact on the character of the area. The proposal is, therefore, contrary to Criterion 1 of Policy H1 and Criterion 2 of Policy CP5 of the Carlisle District Local Plan 2001-2016 and Paragraph 55 of the NPPF.

7. Planning History

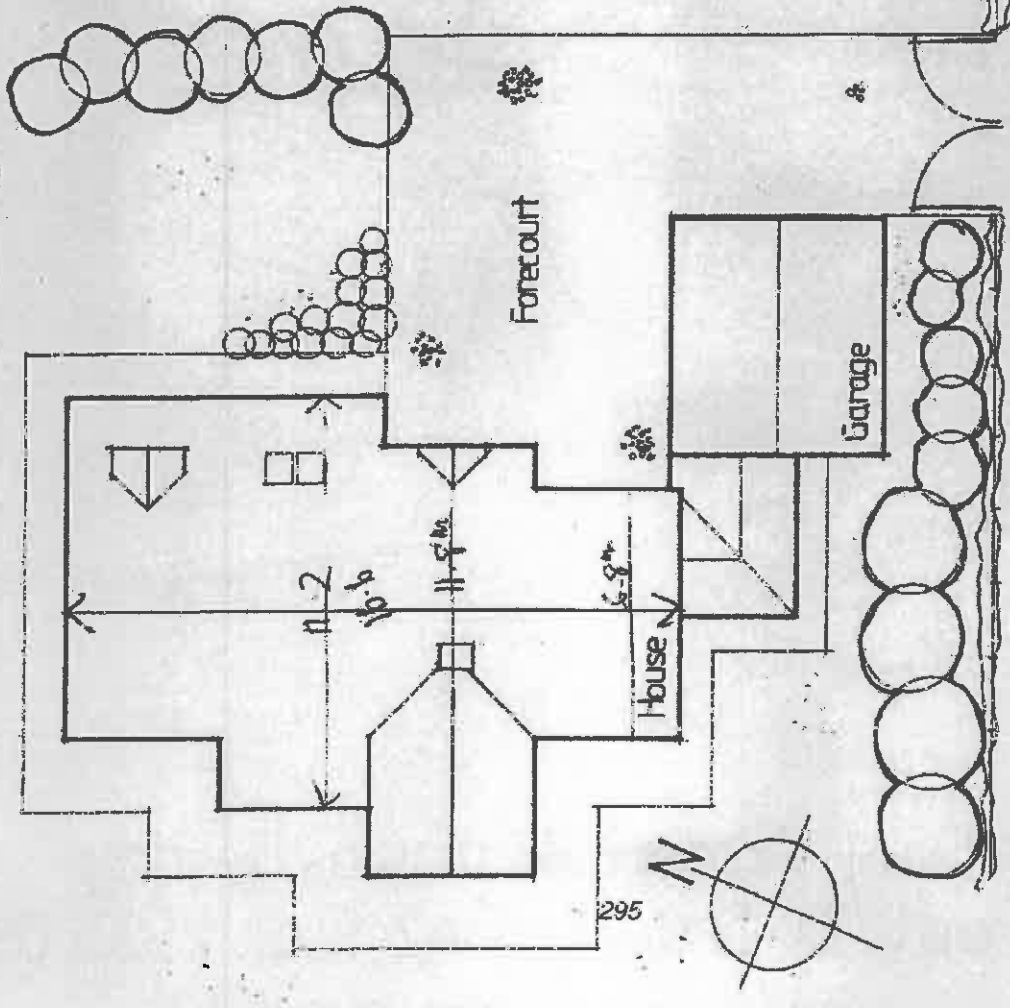
7.1 In October 2012, outline planning permission was refused for the erection of 1no. dwelling (12/0704).

8. Recommendation: Refuse Permission

- 1. Reason:** The application site lies outside the settlement boundary of Castle Carrock and is separated from the edge of the village by a field. It is physically and visibly separated from the built form of the settlement and intrudes into the open countryside. The National Planning Policy Framework (NPPF) states that Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances. No special circumstances have put been forward by the applicant that would justify a new dwelling in this location. The proposal is, therefore, contrary to Criterion 1 of Policy H1 of the Carlisle District Local Plan 2001-2016 and Paragraph 55 of the National Planning Policy Framework.

 - 2. Reason:** The Cumbria Landscape Strategy (CLS) identifies that the site lies within an area of 'sandy knolls and ridges'. The sensitive characteristics or features include traditional vernacular villages which are sensitive to unsympathetic expansion. The CLS states that small scale development should be carefully sited and landscaped to exploit the natural potential for visual containment. This site is not visually contained and the erection of a dwelling on this site would, therefore, have an adverse impact on the character of the area. The proposal is, therefore, contrary to Criterion 2 of Policy CP5 of the Carlisle District Local Plan 2001-2016.
-

Castle Carroek



TRACK

Notional Site Plan · Scale 1/200

17 JAN 2013
130034

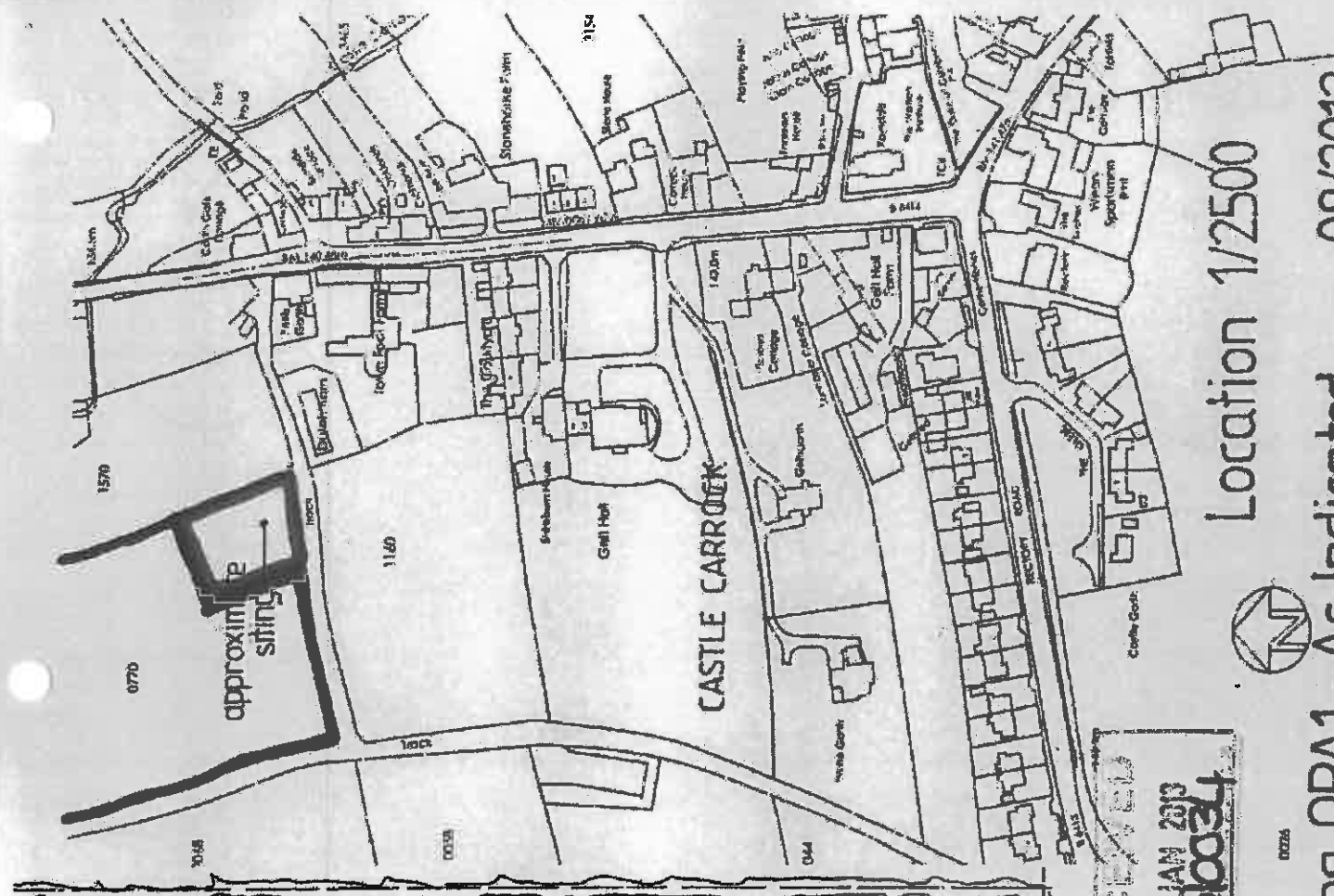
0026

Outline Planning · Part OS Field 0770 · Drawing OPA1 · As Indicated

Location 1/2500

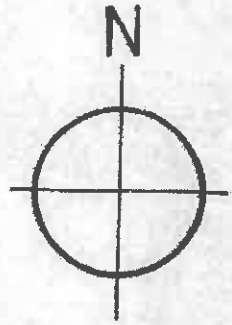


08/2012



Castle Carrock

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17 JAN 2013
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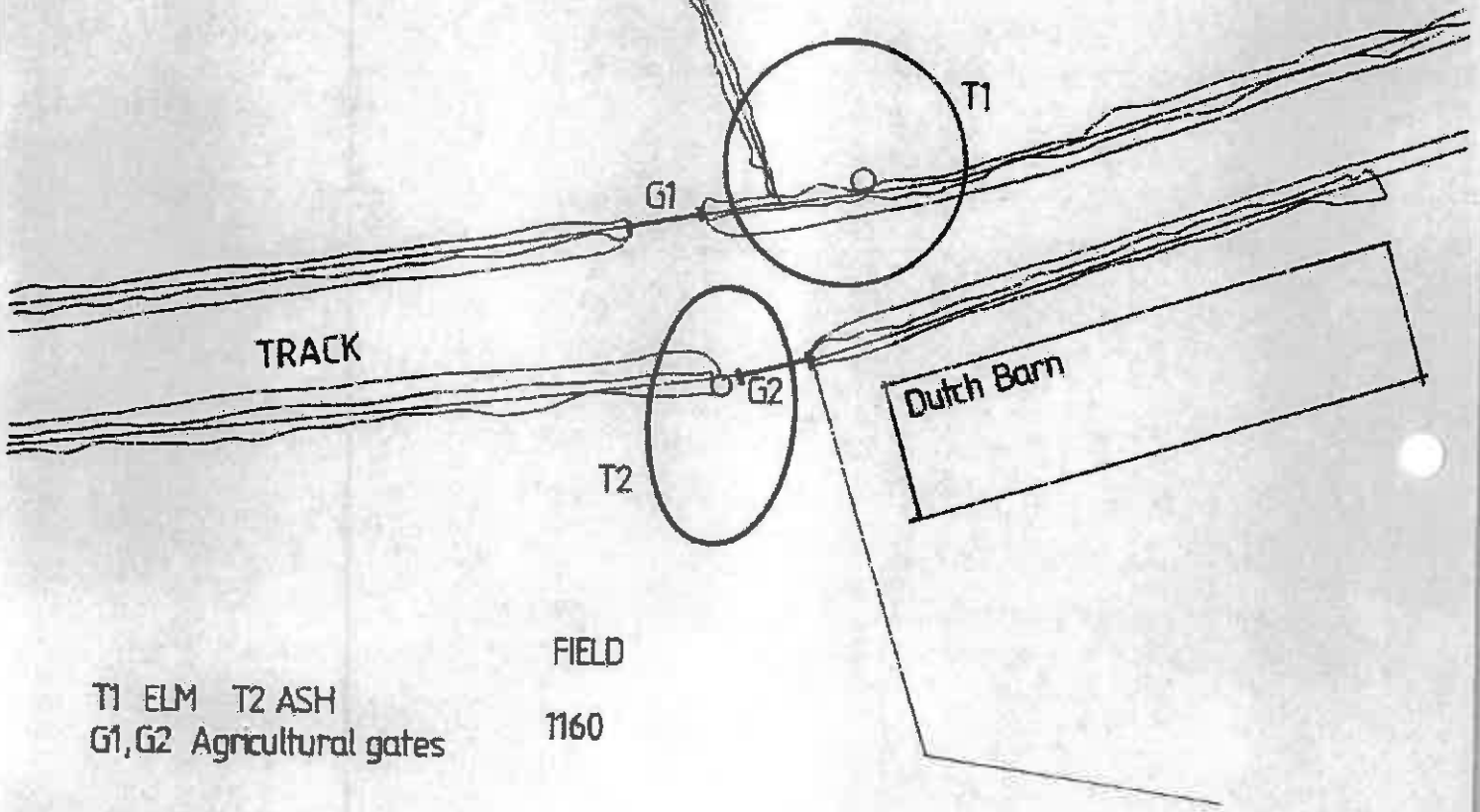


SITE

FIELD

0770

1570



TRACK

Dutch Barn

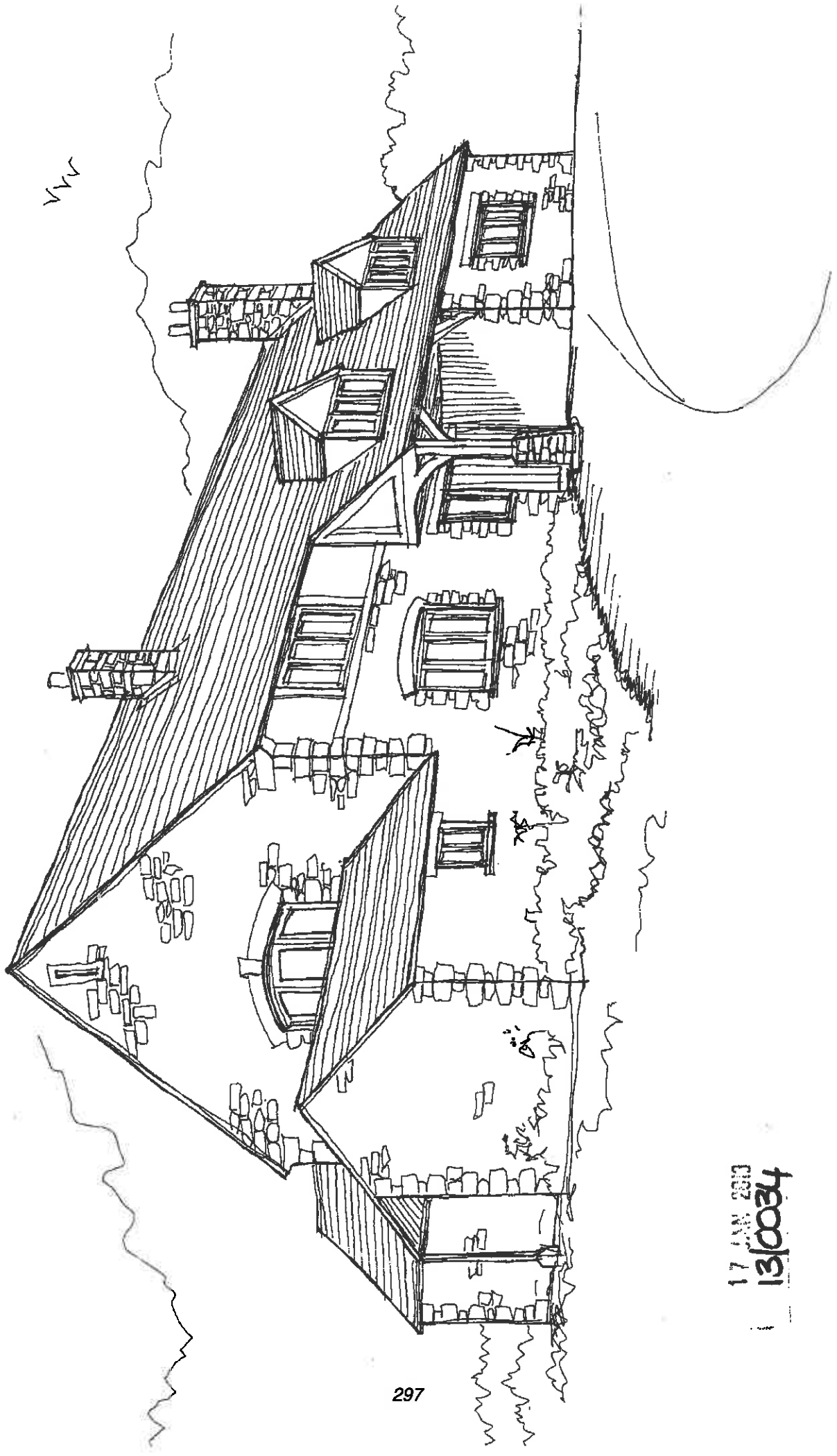
T1 ELM T2 ASH
G1, G2 Agricultural gates

FIELD

1160

Outline Planning · Access Situation as Existing
Part OS Field 0770 · Drawing OPA2 · Scale 1/500 · 08/2012

Castle Carrock



297

17 JAN 2013
13/0034

SCHEDULE A: Applications with Recommendation

12/0970

Item No: 14

Date of Committee: 08/03/2013

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

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

REPORT

Case Officer: Shona Taylor

1. Recommendation

- 1.1 It is recommended that this application is granted subject to the completion of a s106 agreement relating to affordable housing.

2. Main Issues

- 2.1 Whether The Principle of Development Is Acceptable
2.2 Whether The Scale And Design Of The Dwellings Are Acceptable
2.3 The Impact Of The Proposal On The Living Conditions Of Neighbouring Residents
2.4 Impact Of The Proposal On Highway Safety
2.5 Impact Of The Proposal On The Railway

3. Application Details

The Site

- 3.1 The application site is at Parkett Hill, Scotby, and unadopted private road serving eight properties and the playing fields/pavillion.

- 3.2 The site is currently unused and had become overgrown. It is bounded to the north by the railway, to the east by residential properties Lyneside and The Picture House, to the west by 'Wash Beck' a small stream which marks the boundary between the site and Railbeck House, and to the south by Park House and Beckfoot. It is accessed via an existing track between Park House and Beck Foot which exits onto Parkett Hill.

The Proposal

- 3.3 The application is seeking Outline Planning Permission for the erection of five number detached properties. The block plan which accompanies this application outlines that four of the the dwellings will be two storey detached dwellings, and one will be a bungalow.
- 3.4 The indicative plans show that the design, scale and massing of the proposed dwelling houses would be similar to those of their immediate neighbours.

4. Summary of Representations

- 4.1 This application has been advertised by means of a site notice and a notification letter sent to six neighbouring properties. In response three letters of objection have been received. The grounds of objection are summarised as;

1. the number of dwellings in relation to the size of the plot is excessive;
2. the space surrounding each property is not in keeping with the surrounding properties;
3. concerned about loss of privacy;
4. permitted development rights should be removed if these dwellings are approved;
5. the boundary hedge should be protected, it is over 120 years old;
6. will the floor levels of the properties be heightened?
7. the scale, design and appearance of this development is not consistent with the adjoining properties;
8. lack of adequate access to service this level of development, eg. dustbin's and re-cycling;
9. there are issues with the drainage of the site;
10. concerns about the level of the access road;

5. Summary of Consultation Responses

Cumbria County Council - Highways & Transportation: -Parkett Hill is an unadopted road and as such the Highway Authority are not responsible for providing Highways advice;

Wetheral Parish Council: - object to the proposal on grounds of overdevelopment of the site;

Local Environment - Environmental Protection: - a noise survey will be required in order to assess the impact of the railway upon the proposed dwellings;

Network Rail: - no objections to the proposal, however, has raised a series of requirements which must be met;
Local Environment - Waste Services: - the access road appears too narrow for the collection vehicles to travel down to empty refuse bins or recycling containers. Residents will therefore be required to use a collection point at the end of the lane to make collection practical should this application be granted;
Housing Strategy & Support: - have requested a commuted sum in lieu of an affordable housing contribution.

6. Officer's Report

Assessment

- 6.1 The relevant planning policies against which the application is required to be assessed are Policies DP1, H1, H3, H9, CP3, CP5, CP6, CP12 and T1 of the Carlisle District Local Plan 2001-2016.

The proposals raise the following issues:

1. Whether The Principle of Development Is Acceptable

- 6.2 The application site is located on land which is currently vacant and overgrown. Policies require that development proposals, and in this instance residential development, should enhance the overall quality of life within Cumbria through the promotion of sustainable development that seeks to protect the environment, ensure prudent use of resources and maintain social progress and economic growth. In particular, H1 of the Local Plan, identifies Local Service Centres that are considered to be sustainable and appropriate for additional development, subject to consideration against the relevant policy criteria. Scotby is one such Local Service Centre; therefore, the principle of development is considered to be acceptable.

2. Whether The Scale And Design Of The Dwellings Are Acceptable

- 6.3 The submitted plans illustrate that the proposed dwellings would be of a similar scale and massing to the majority of their immediate neighbours. As this application is for outline consent, these plans are indicative only and any design/layout issues can be resolved within the reserved matters application.
- 6.4 In summary, the scale and massing of the proposed dwellings appear comparable to the existing properties within Parkett Hill. Accordingly, it is not considered that the development would form a discordant feature in the street scene.

3. The Impact Of The Proposal On The Living Conditions Of Neighbouring Residents

- 6.5 The proposed dwellings would need to be orientated so as to achieve adequate separation distance between the primary windows of the existing residential properties and the proposed dwellings. This is not the case with this layout, however, it is considered that problems with the layout will be able

to be overcome at the reserved matters stage by way of relocating the proposed footprints of the plots, or switching the location of the different house types, along with sympathetic design. As such, taking into consideration the scale and position of the proposed application site in relation to these properties, it is unlikely that the living conditions of the occupiers of the surrounding properties will be compromised through loss of light, loss of privacy or overdominance.

4. Impact Of The Proposal On Highway Safety

- 6.6 The proposal seeks approval to use the existing access, and illustrates parking and turning space for the dwellings within their curtilage. The Highway Authority have not raised any objections to the application as it will not take access directly onto the public maintained highway, as Parkett Hill is an unadopted road. However, they did raise concerns regarding the lack of parking spaces. However, it is considered that adequate spaces can be provided, and a plan has been requested showing adequate spaces for each property. It is anticipated that this will be available prior to the Committee Meeting. The Highways Authority have raised no objections to the impact of the increase in numbers of dwellings, and therefore cars, accessing Scotby Road from Parkett Hill. As such, it is therefore considered that the proposal will not have a material effect on existing highway conditions.

5. Impact Of The Proposal On The Railway

- 6.7 Network Rail have no objections to the principle of the development, but have raised several issues relating to the drainage, boundary fencing, soundproofing and landscaping of the development, with regard to the safety, operational needs and integrity of the railway. The applicants agent has been provided with a copy of these comments.
- 6.8 Advice has been taken from the Council's Environmental Quality Department regarding possible soundproofing measures, they have advised that a condition be attached to the decision notice relating to acceptable sound levels.

6. Other Matters

- 6.9 Housing services have requested a commuted sum for affordable housing, as the relevant policy contribution would be 0.5 of a unit. So, the figure for the commuted sum would be worked out as follows:

$(A \times 0.1) \times 30\%$ where 'A' is the market value of the relevant unit as at the relevant units practical completion date or sale.

This would be secured by the provision of a section 106 legal agreement.

Conclusion

- 6.10 In overall terms, the principle of the proposed development is acceptable. The scale, siting and massing of the proposed dwellings are acceptable in

relation to the site and the surrounding properties. With minimal alterations to the layout, the living conditions of neighbouring properties would not be compromised through unreasonable overlooking or overdominance. Adequate car parking, access and amenity space would be able to be provided to serve the dwellings. In all aspects the proposal is compliant with the objectives of the Local Plan policies and the proposal is recommended for approval subject to the completion of a S106 Agreement.

7. Planning History

- 7.1 Permission was granted in 2010 for the erection of 2no. 2 storey detached dwellings (Outline Application reference 09/0314).

8. Recommendation: Grant Permission

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

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

2. Before any work is commenced, details of the layout, scale, appearance, access and landscaping of the site (hereinafter called "reserved matters") shall be submitted to and approved by the Local Planning Authority.

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

3. The approved documents for this Planning Permission comprise:

- 1. the submitted planning application form;
- 2. the indicative house types received 22nd November 2012 (drawings 12/2153/11, 12/2153/12 and 12/2153/13);
- 3. the access plan received 9th January 2013 (drawing 12/2153/14);
- 4. the desk top study received 23rd November 2012;
- 5. the design and access statement received 22nd November 2012;
- 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.

4. No development hereby approved by this permission shall commence until samples or full details of all materials to be used on the exterior of the dwelling have been submitted to and approved in writing by the Local Planning Authority. The development shall then be undertaken in accordance with the approved details.

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.

5. No development hereby approved by this permission shall commence until details of the proposed hard surface finishes to all public and private external areas within the proposed scheme have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

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

6. No development hereby approved by this permission shall commence until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans.

Reason: To ensure a satisfactory means of surface water disposal and in accord with Policy CP12 of the Carlisle District Local Plan 2001-2016 and in order to protect the safety, operational need and integrity of the railway.

7. No development hereby approved by this permission shall commence until a scheme for the conveyance of foul drainage has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use the approved drainage scheme has been constructed and completed in accordance with the approved plans.

Reason: To prevent pollution of the water environment in accordance with Policy CP12 of the Carlisle District Local Plan 2001-2016.

8. No development hereby approved by this permission shall commence until particulars of height and materials of all boundary fences have been submitted to and approved in writing by the Local Planning Authority. The development shall then be undertaken in accordance with the approved details.

Reason: To ensure that the appearance of the area is not prejudiced by lack of satisfactory screening which is not carried out in a co-ordinated manner and to ensure compliance with Policy CP5 of the Carlisle District Local Plan 2001-2016 and in order to protect the safety, operational need and integrity of the railway.

9. No development hereby approved by this permission shall commence until details of a landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include the proposed type and species of all planted material including particulars of the proposed heights and planting densities.

Reason: To ensure that a satisfactory landscaping scheme is prepared in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016 and in order to protect the safety, operational need and integrity of the railway.

10. All works comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following occupation of the dwelling or completion of the development, whichever is the sooner.

Reason: To ensure that a satisfactory landscaping scheme is implemented in accord with Policy CP5 of the Carlisle District Local Plan 2001-2016.

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

Reason: In order that the approved development overcomes any problems associated with the topography of the area, that it satisfies the requirements of the Drainage Engineer in relation to flood risk and that it meets the objectives of Policies H1 of the Carlisle District Local Plan 2001-2016.

12. Development shall not begin until a scheme for protecting the proposed dwellings from noise from the adjacent railway has been submitted to and approved by the Local Planning Authority; and all works which form part of the scheme shall be completed before any of the permitted dwellings are occupied. The internal noise levels for each dwelling shall meet the WHO guidelines for LAeq and LAm_{ax} sound levels.

Reason: So that the externally generated sound level within each dwellings are acceptable in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016

13. No tree or hedgerow existing on the site shall be felled, lopped, uprooted or layered without the prior consent in writing of the Local Planning Authority and the protection of all such trees and hedgerows during construction shall

be ensured by a detailed scheme to be agreed with the Local Planning Authority.

Reason: The Local Planning Authority wishes to see existing hedgerows/trees incorporated into the new development where possible and to ensure compliance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) there shall be no enlargement or external alterations to the dwelling units to be erected in accordance with this permission, within the meaning of Schedule 2 Part (1) of these Orders, without the written approval of the Local Planning Authority.

Reason: To ensure that the character and attractive appearance of the buildings is not harmed by inappropriate alterations and/or extensions and that any additions which may subsequently be proposed satisfy the objectives of Policies CP5 and CP6 of the Carlisle District Local Plan 2001-2016.

15. No development shall take place until full details of all excavations and earthworks to be carried out near the railway undertakers boundary fence have been submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Local Planning Authority.]

Reason: To protect the safety, operational needs and integrity of the railway to the north of the site.

16. Before the development hereby permitted is occupied a suitable 1.8 metre (minimum) high trespass proof boundary fence shall be erected shall be erected and maintained in perpetuity to the satisfaction of the Local Planning Authority.

Reason: In order to prevent trespass onto the railway.

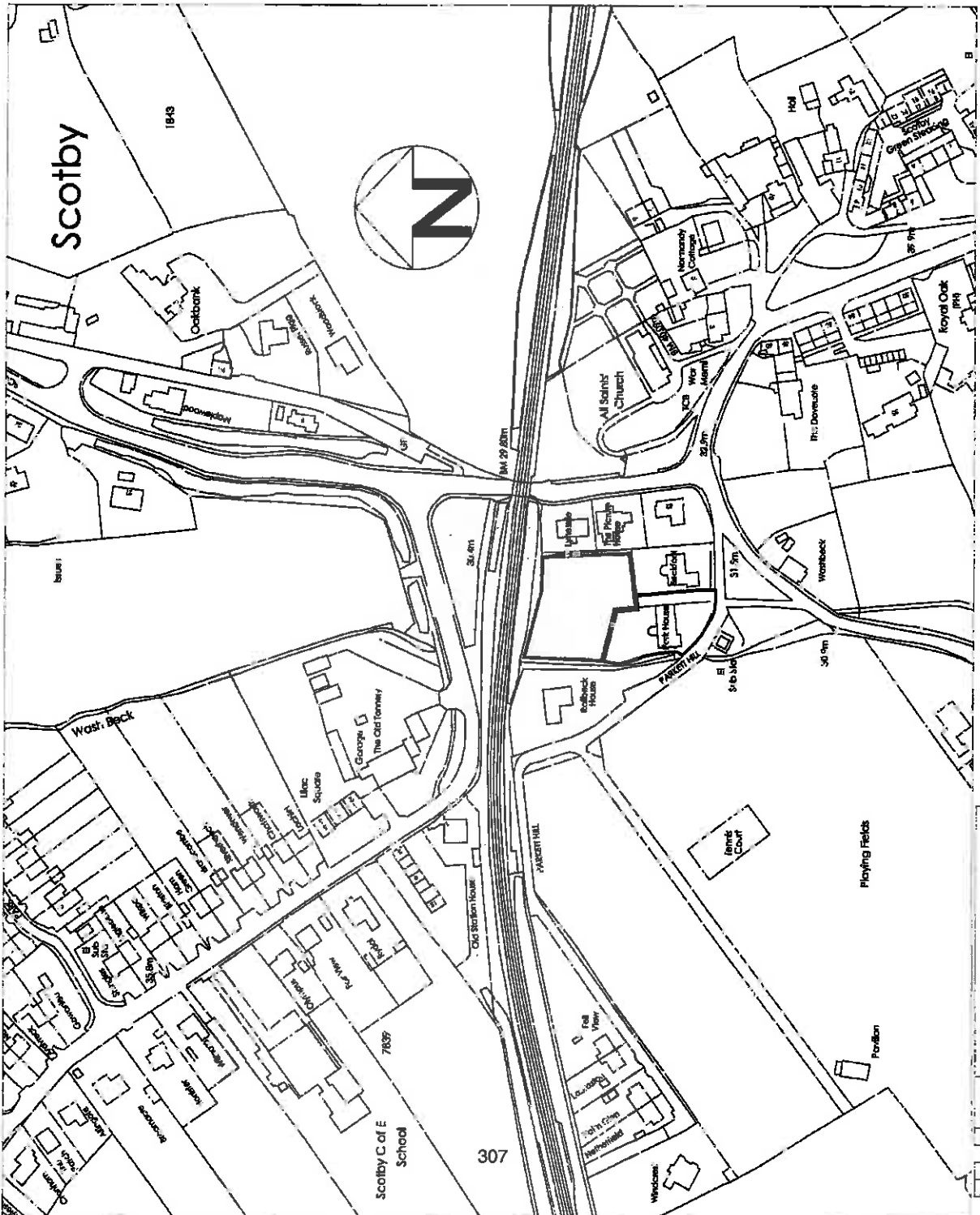
17. A scheme for all external lighting within and around the site (including temporary and permanent) shall be submitted to and approved in writing by the Local Planning Authority before any work on the site is commenced. The approved scheme shall be permanently retained and maintained thereafter.

Reason: To protect the safety, operational needs and integrity of the railway to the north of the site.

18. No development shall take place until full details of all excavations and earthworks to be carried out near the railway undertakers boundary fence have been submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be

3 agreed in writing with the Local Planning Authority.

Reason: To protect the safety, operational needs and integrity of the railway to the north of the site.



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 22 MAY 2012
 10:00 AM

GREEN DESIGN ARCHITECTS
 5, IFFIN PLACE, CROYDON, SURREY, GU9 0JW, TEL: 01877 3320

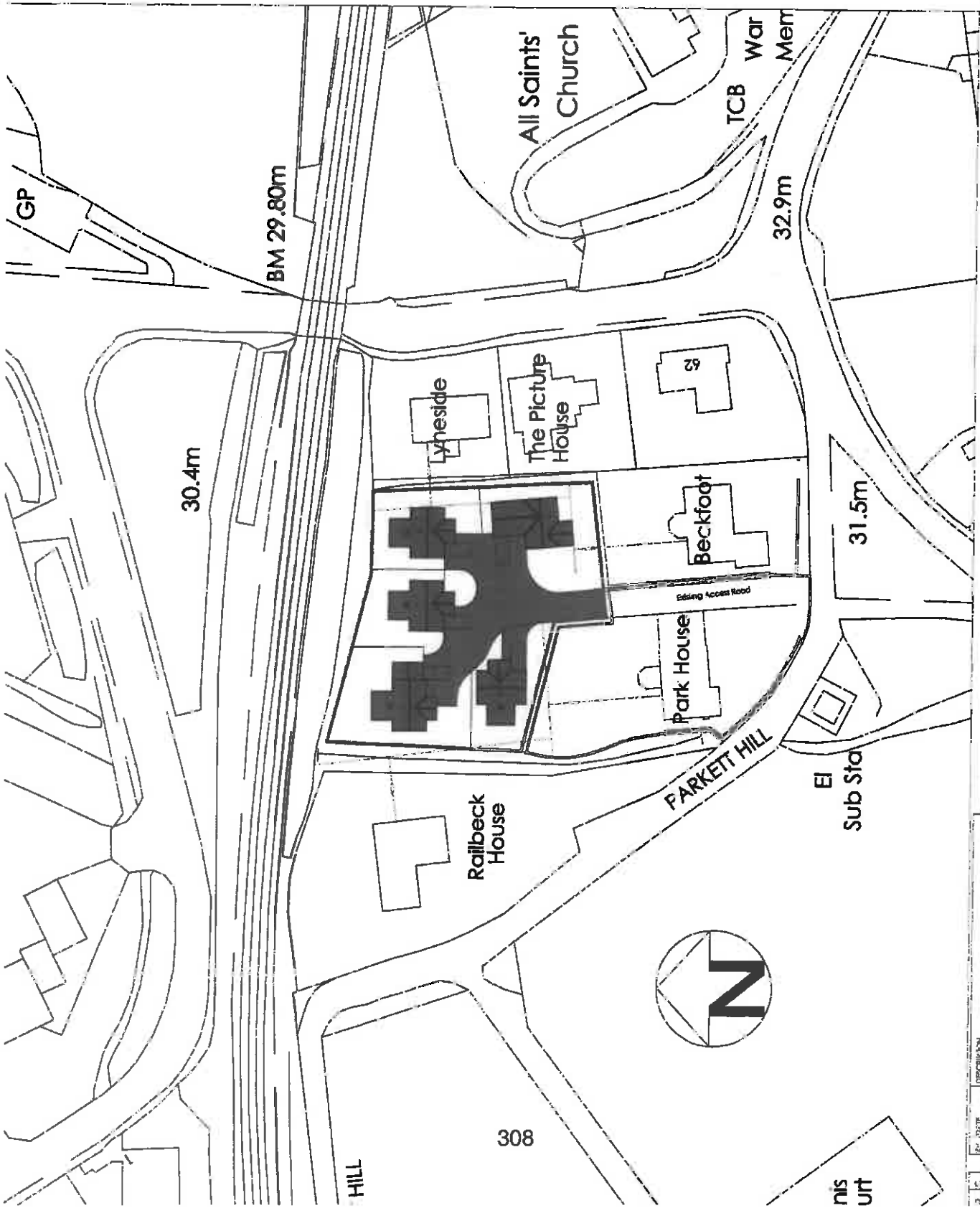
Location Plan
 For Mr & Mrs M Jones
 Scotby Hill, Scotby, Croyde
 November 2012
 12/12/12/12/10

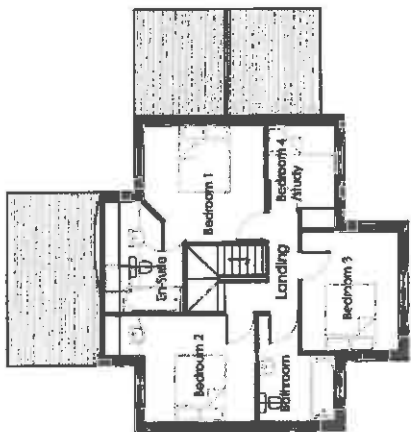
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BY DATE	DESCRIPTION

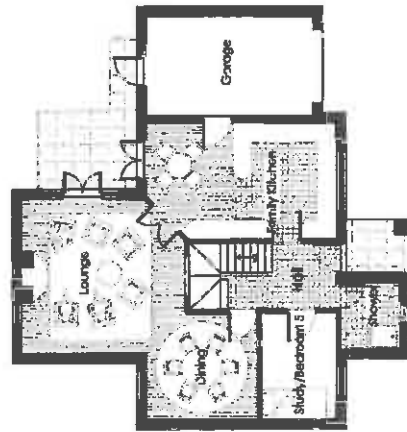
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 12/21/2010
 For Mr & Mrs M. H. Jones
 Parkett Hill, Society, Conn.
 New Site General Park House
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RECEIVED
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 12/10/10

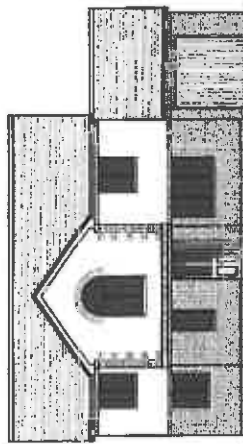




First Floor Plan



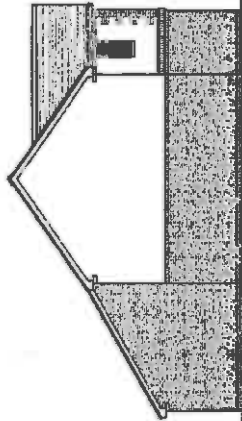
Ground Floor Plan



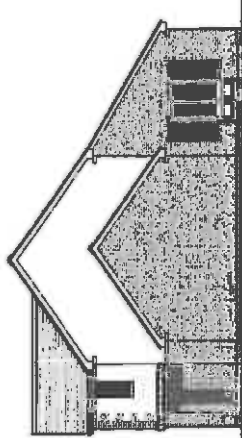
Front Elevation



Rear Elevation



Side Elevation



Side Elevation

Design Parameters Plot 1

4 Bed House -
Width 12.7m
Depth 12m
Height 7.1m

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10000 Greenway Drive, Suite 100, Irvine, CA 92618
Tel: 949.261.1111
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21 MAY 2012

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12/21/2011
Scale: 1/8" = 1'-0"
For Mr. & Mrs. M. Jones
Parker Hill, Scottsdale, CA
4 Bed House, Type 1
Inclusive
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Rear Elevation

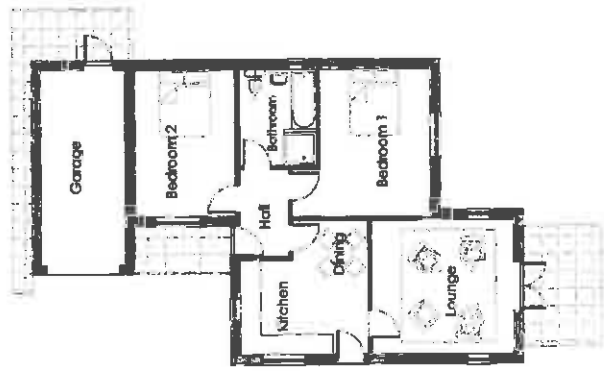
Design Parameters Plot 5

2 Bed Bungalow - Width 14.0m
Depth 12.0m
Height 5m

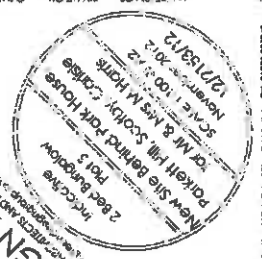
Front Elevation

Side Elevation

Side Elevation



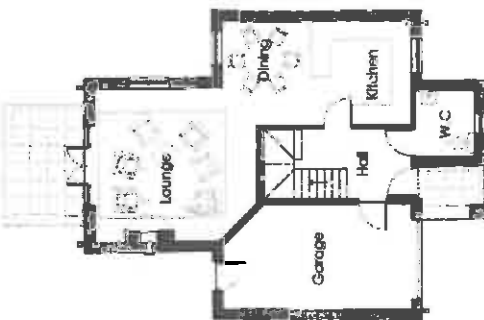
Ground Floor Plan



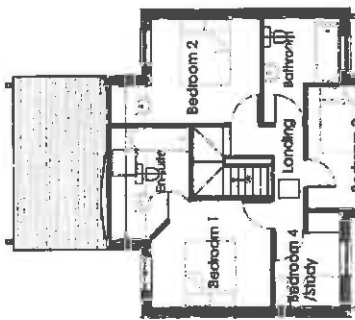
GREEN DESIGN ARCHITECTS
www.greendesignarchitects.co.uk
GREEN DESIGN ARCHITECTS AND PARTNERS
2 Bed Bungalow
Plot 5
New Site Refined Park House
Scale: 1:100, 2012
for Mr. & Mrs. M. Horis
November 2012
12/13/12

DATE	DESCRIPTION

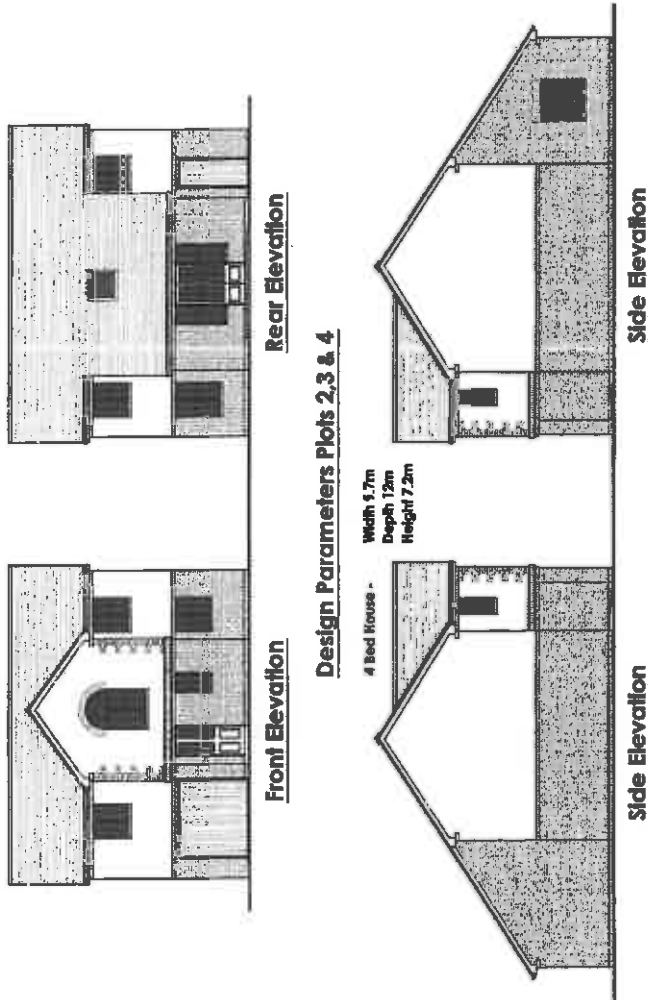
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Ground Floor Plan



First Floor Plan



Rear Elevation

Front Elevation

Side Elevation

Side Elevation

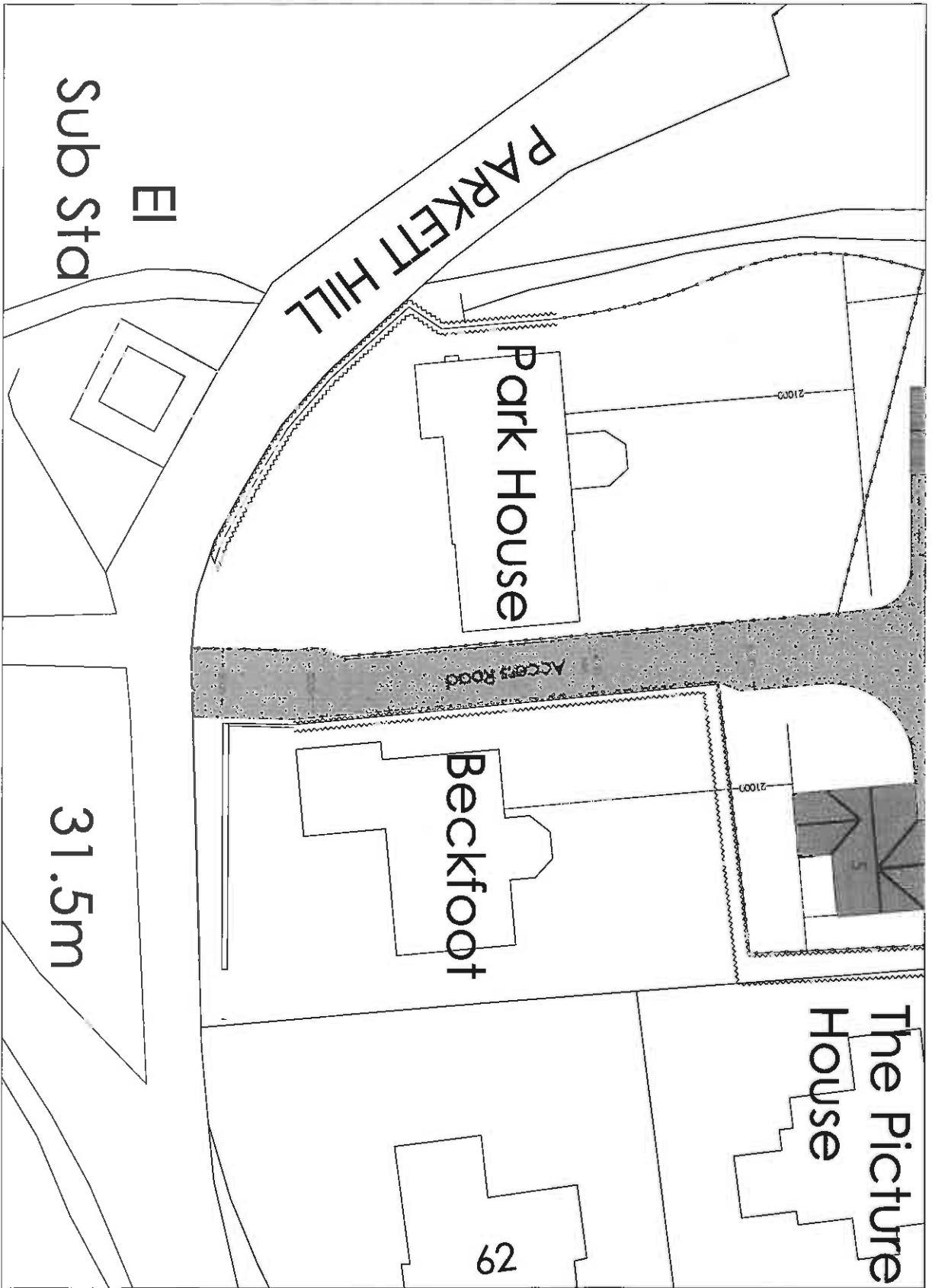
Design Parameters Plots 2,3 & 4

Width 5.7m
Depth 12m
Height 7.2m

4 Bed House -

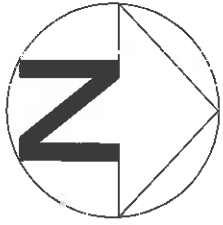
GREEN DESIGN ARCHITECTS
11 MAY 2012
RECEIVED

GREEN DESIGN ARCHITECTS
11 MAY 2012
RECEIVED
New Site Based Park House
for Mr & Mrs M Hicks
November 2012
Scale: 1:100 & 1:50
1 Bed House Type 8
1 Bed House Type 9



D	C	R	DATE	DESCRIPTION

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GREEN DESIGN ARCHITECTS
 CHARLES D. GREEN ARCHITECTS
 1000 10th Street, Suite 200
 Cambridge, MA 02142
 TEL: 617.552.3246

Access Plan
 New Site Behind Park House,
 Parkett Hill, Scotby, Calisle
 for Mr & Mrs M. Harris
 SCALE: 1:200 @ A2
 January 2012
 12/2153/14

SCHEDULE A: Applications with Recommendation

12/1014

Item No: 15

Date of Committee: 08/03/2013

Appn Ref No:
12/1014

Applicant:
Mr W Coulthard

Parish:
Burgh-by-Sands

Date of Receipt:
19/12/2012

Agent:
Architects Plus (UK) Ltd

Ward:
Burgh

Location:

Land adjacent North End, Burgh by Sands, Carlisle,
CA5 6BD

Proposal: Erection Of 1no. Dwelling

REPORT

Case Officer: Shona Taylor

1. Recommendation

- 1.1 It is recommended that this application is approved with conditions.

2. Main Issues

- 2.1 Whether the principle of the proposed development is acceptable.
2.2 Whether the scale, layout and design of the development is acceptable in terms of its impact upon the Conservation Area and AONB.
2.3 The impact of the proposal on the living conditions of neighbouring residents.
2.4 The impact of the proposal on Archaeology.
2.5 Highway matters.

3. Application Details

The Site

- 3.1 This application seeks full planning permission for the erection of a dwelling within the grounds of North End, Burgh by Sands. North End is a two storey property constructed from brick walls under a slate roof, located on the western side of the road leading from Burgh by Sands to Sandsfield. The application site, which is enclosed by tall dense hedging and mature trees, is located to the immediate west of North End. It's boundaries to the north and

east are formed by North End's garden. To the west of the application site there is a small enclosed field which is currently used as a paddock. The site is accessed via an unadopted track situated to the south of the site known as Tatty Pot Lane.

- 3.2 The site is situated within the Burgh by Sands Conservation Area and Solway Coast AONB. The surroundings to the application site are predominantly residential.

Proposal

- 3.3 The applicant proposes to erect a one and a half story dwelling house in an area of their existing garden. It would provide a study, hall, WC, kitchen, dining room, living room and conservatory on the ground floor with 2no. bedrooms, bathroom, store and 1no. en-suite bedroom situated above. The dwelling is proposed to be constructed from brick walls under a blue-black tiled roof and will feature stained timber windows and doors.
- 3.4 It is proposed to discharge foul drainage to the public sewer and surface water to a sustainable drainage system and soakaways.

4. Summary of Representations

- 4.1 This application has been advertised by means of site and press notices as well as notification letters sent to two neighbouring properties. In response two letters of objection have been received. The grounds of objection are summarised as;

1. the proposal is outside of the settlement boundary, application number 09/1058 was refused for this reason
2. concerns that this development will set a precedent for development to the rear of Lamonby Farm, The White House, Rosemount, Rosemount Cottage and Buckbottom Farm;
3. concerns about Highway safety, the access is a local lane, which is a narrow public right of way, over which only one property has access;
4. the junction of the main road has very poor visibility in all directions and puts pedestrians into conflict with vehicles;
5. the increase in use of a lane clearly only suitable for pedestrian use will cause degradation of the quality of the lane, already in a very poor condition, posing a health and safety risk for all users;
6. the conflict this proposal will cause between pedestrians/ramblers and vehicles will deter the safe use of this historic lane (which is a public right of way and provides access to the AONB).

5. Summary of Consultation Responses

Cumbria County Council - Highways & Transportation: - no objections subject to two conditions;

Burgh-by-Sands Parish Council: - object to the proposal on several grounds,

which are discussed within the report;
Cumbria County Council - Drainage Engineer: - Are unaware of any flooding issues at the site;
Local Environment - Environmental Protection: - no objections;
Ramblers Association: - no response received;
Solway Coast AONB Partnership: - no response received;
Cumbria County Council - Highway Authority - Footpaths: - the footpath adjacent the development must not be obstructed during or after the development;
English Heritage - North West Region: - a condition requiring an archaeological watching brief should be included on any permission;
Cumbria County Council - Archaeological Services: - a condition requiring an archaeological watching brief should be included on any permission;
United Utilities: - no objections to the proposal.

6. Officer's Report

Assessment

6.1 The relevant planning policies against which the application is required to be assessed are Policies DP1, CP9, CP5, CP6, CP11, LE6, LE19, H1 and T1 of the Carlisle District Local Plan 2001-2016.

6.2 The proposals raise the following planning issues:

1. Whether The Principle Of The Proposed Development Is Acceptable.

6.3 Burgh by Sands is identified as a sustainable development location within Policies DP1 and H1 of the Carlisle District Local Plan 2001-2016. Whilst Policy H1 permits small-scale development within Burgh it is noted that the National Planning Policy Framework (NPPF) published in March 2012 is a material consideration for the determination of this application. The NPPF indicates that housing applications should be considered in the context of the presumption in favour of sustainable development.

6.4 Whilst the application site is located outside the settlement boundary for Burgh identified within the local plan, the NPPF does not advocate the use of settlement boundaries and states that in order to promote sustainable development in rural areas, housing should be located where it will enhance and maintain the vitality of rural communities.

6.5 Members will note that the NPPF is a material consideration in the determination of this application and limited weight can therefore be given to the fact that the site is outside the settlement boundary of Burgh.

6.6 The application site is located in a sustainable location close to the centre of Burgh by Sands, public transport links and the city of Carlisle. Burgh village has a range of services (school, public house, church, village hall, playing field) and the proposal would create an opportunity to support these existing rural facilities. In such circumstances the principle of an additional dwelling in this location is deemed acceptable.

2. Whether The Scale, Layout And Design Of The Development Is Acceptable In Terms of Its Impact On The Conservation Area And AONB.

- 6.7 The footprint of the proposal is similar to that of the surrounding dwellings and the ridge height of the new dwelling has been kept to a minimum through the design of the property as 1.5 stories. The external appearance when viewed from the front elevation utilises design features of the adjacent properties, including the facing brick and the 'T' form of the layout, reducing the visual impact of the building by breaking up the main frontage onto the lane.
- 6.8 On balance, the design of the building would not adversely affect the character or appearance of the Burgh by Sands Conservation Area or the AONB, a view that is supported by the Council's Conservation Officer.

3. The Impact Of The Proposal On The Living Conditions Of Neighbouring Residents.

- 6.9 The majority of the neighbouring properties are positioned sufficient distance away or orientated in such a way not to be directly affected as a result of loss of light, loss of privacy or overdominance.
- 6.10 Two objections have been received from neighbouring properties. However, neither of these relate to the impact upon either property, but instead refer to the principle of the development. As discussed within paragraph 6.4 of this report, whilst the site is located outwith the settlement boundary, this would no longer constitute a reason for refusal, since the introduction of the NPPF.

4. The Impact Of The Proposal On Archaeology.

- 6.11 English Heritage confirmed that the development lies in an area of very high archaeological sensitivity, close to the Roman form known to underlie the current settlement at Burgh. The archeological evaluation submitted with the application showed the presence of a series of pit and ditch features on the site, and this makes it likely that they relate to features at the edge of the Roman settlement and to the north of Hadrian's Wall. As such, the Inspector of Ancient Monuments and the County's Historic Environment Officer have requested a condition requiring an Archeological watching brief be included on any permission.

5. Highway Matters

- 6.12 The proposed dwelling takes its access from Tatty Pot Lane, which is proposed to be modified to permit vehicle access. The Highway Authority have raised no objections to the proposal, subject to the inclusion of two conditions, providing the footpath is not obstructed during or after the development.

6. Other Issues

- 6.13 The Parish Council raised several objections to the proposal, those that have not been previously discussed within this report are: 1. the new property will exceed the current capacity of an already overloaded sewerage system. However, United Utilities have not objected to the proposal, and 2. they are concerned that materials and style are not in keeping with the Parish design statement, however, they are in keeping with the existing property at North End, and the immediately surrounding properties.

Conclusion

- 6.14 In overall terms, the principle of the proposed development is acceptable. The proposed dwelling could be accommodated on the site without detriment to the living conditions of the neighbouring properties or the character/setting of the Burgh by Sands Conservation Area or the Solway Coast AONB. In all aspects the proposal is compliant with the objectives of the Carlisle District Local Plan 2001-2016.

7. Planning History

- 7.1 In 2010 permission was refused for the erection of 1 no. dwelling (Application reference 09/1058).

8. Recommendation: Grant Permission

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

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

2. The 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.

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REGISTERED
 13 DEC 2012
 12/11014

ARCHITECTS AT
PLUS

PROPOSED DWELLING, LAND ADJOINING
 NORTH END, BURGH BY SANDS
 LOCATION PLAN

Scale: 1:1000
 Date: 12/09
 Comp: C1
 Number: 09026-06A

Architect: Plus (UK) Limited
 Registered in England No. 0791112
 No. 01228 5151-4
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Revised by: **BJW**
 Date: **02/09**
 Description: **CONCEPT ARCHITECTURE**
 A: **20.11.12** Revised to add prelease comments for new planning application

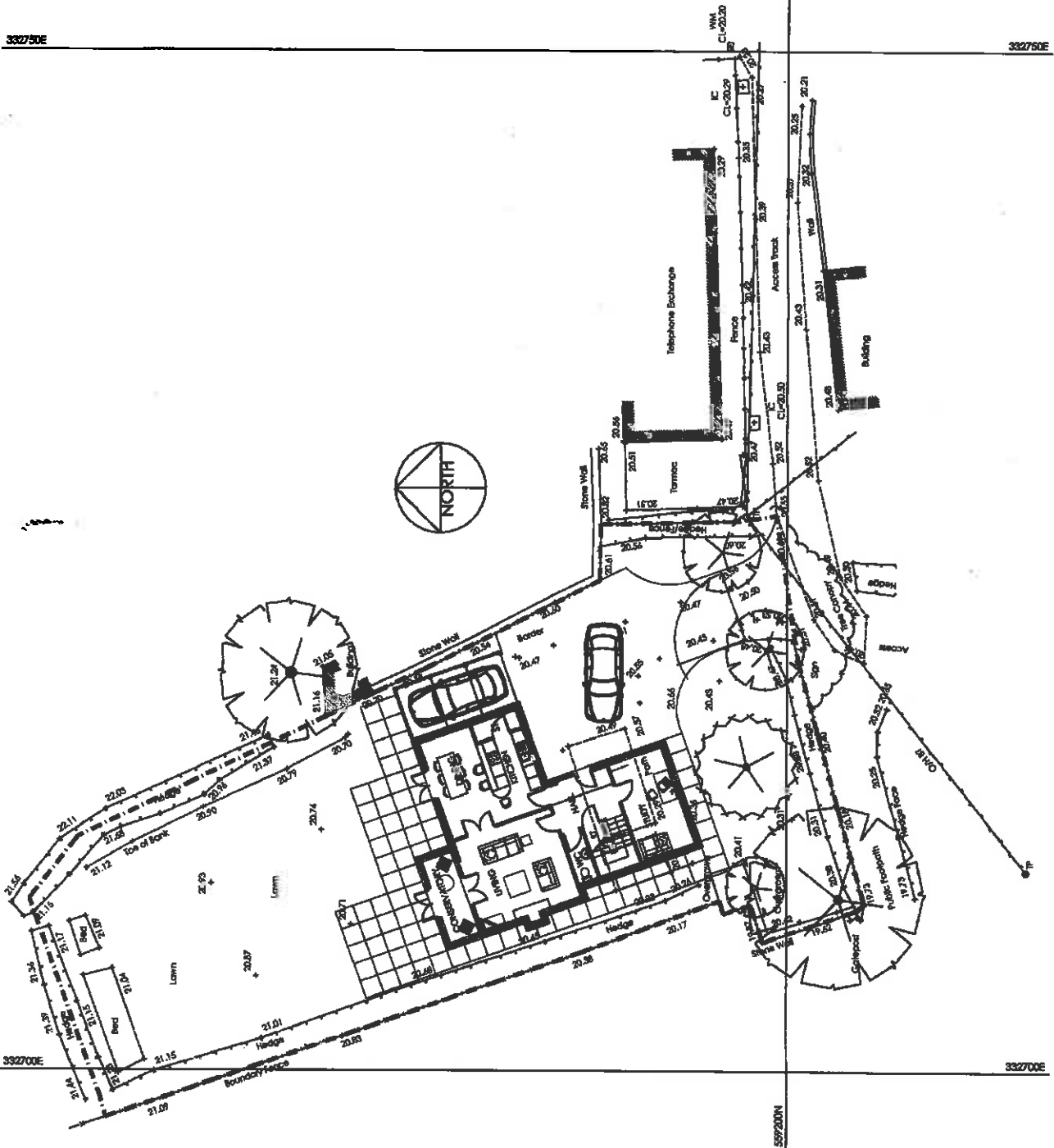
RECEIVED
 10 DEC 2012
 2012.11014

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P L U S

Project: **PROPOSED DWELLING, LAND ADJOINING NORTH END, BURGH BY SANDS**
 Drawing: **SITE PLAN**

Scale: **1/200**
 Date: **06/09**
 Drawn: **BJW**
 Checked: **C1**
 Number: **09026-01B**

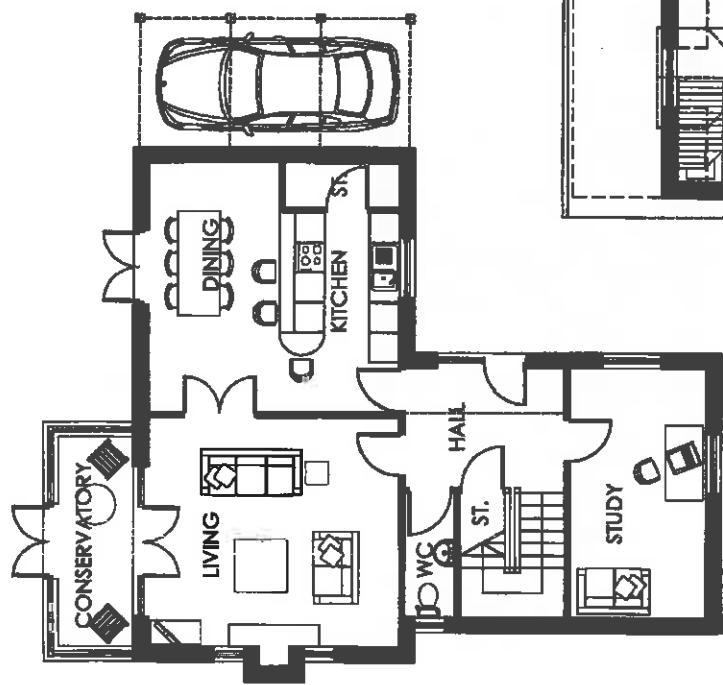
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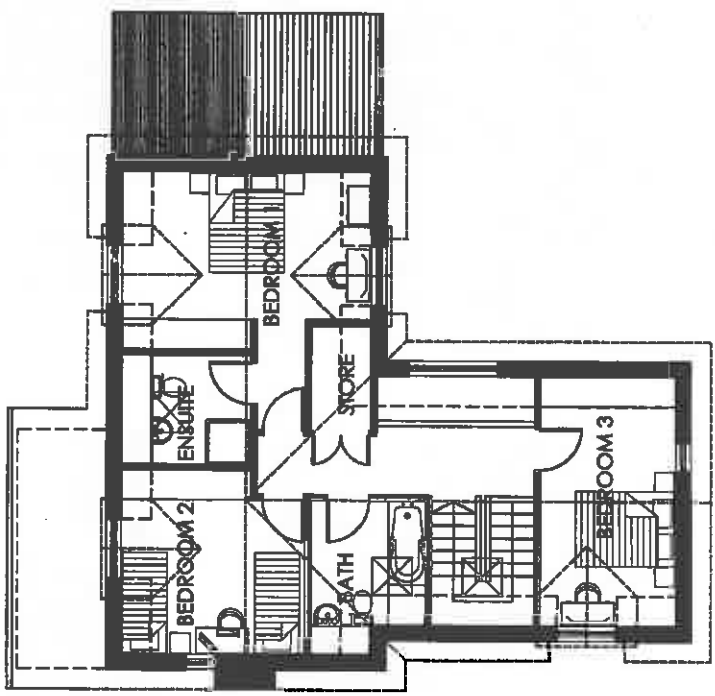
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Revision: A
 Date: 07/09
 Description: GROUND FLOOR PLAN
 20.11.09. Revised to suit planning application.

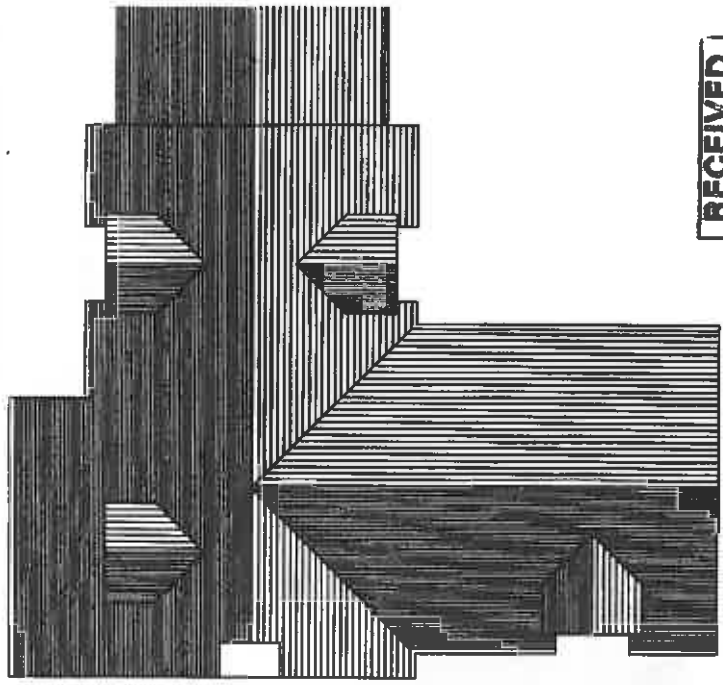
Scale: 1/100
 Date: 06/09
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 Number: 09026-02B



GROUND FLOOR



FIRST FLOOR



ROOF

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Project: PROPOSED DWELLING, LAND ADJOINING NORTH END, BURGH BY SANDS
 Drawing: PLANS

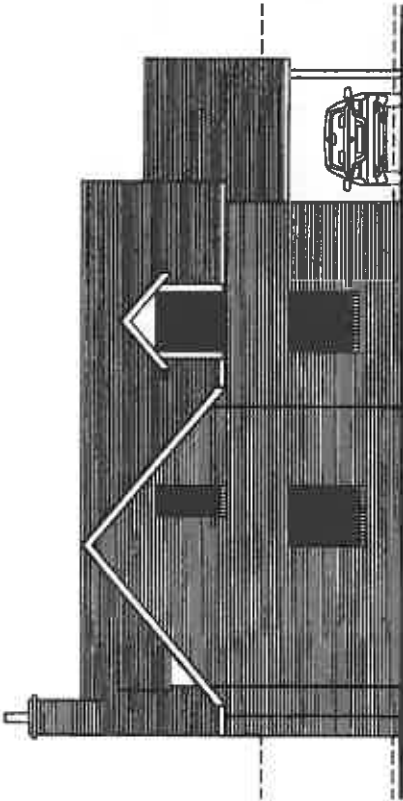
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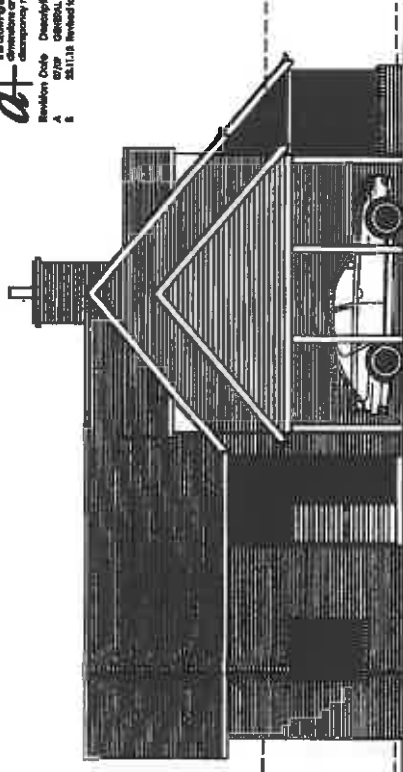
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Reviewed by
 A. GIBSON, ARCHITECTS
 B. 5/11/13 Revised to add previous comments for cover planning application

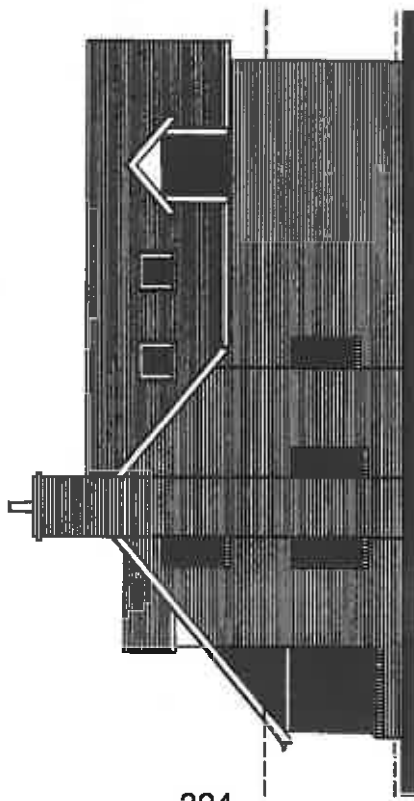
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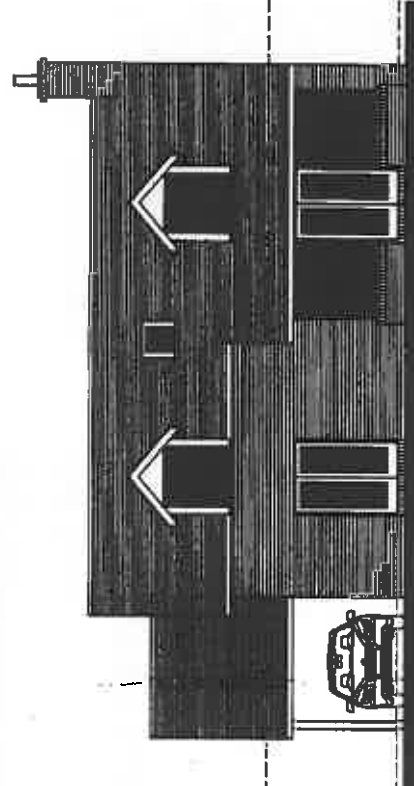
SOUTH ELEVATION



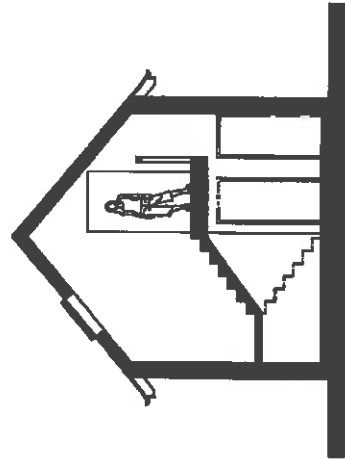
EAST ELEVATION



WEST ELEVATION



NORTH ELEVATION



SECTION AT STAIRS

MATERIALS
 ROOF: BLUE BLACK TILES with thin leading edge
 WALLS: RED CLAY FACING BRICK
 WINDOWS/DOORS: WHITE PAINTED TIMBER

RECEIVED
 10 DEC 2012
 2012 11014

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 P L U O

Project
**PROPOSED DWELLING, LAND ADJOINING
 NORTH END, BURGH BY SANDS
 ELEVATIONS / SECTION**

Scale 1/100 Date 06/09 Drawn R. J. W. Company C. I. Number 09026-03B

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SCHEDULE A: Applications with Recommendation

12/0983

Item No: 16

Date of Committee: 08/03/2013

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

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

REPORT

Case Officer: Stephen Daniel

1. Recommendation

- 1.1 It is recommended that this application is approved subject to a legal agreement.

2. Main Issues

- 2.1 Whether The Proposal Is Acceptable In Principle
- 2.2 Whether The Demolition Of The Weary Would Be Acceptable
- 2.3 Whether The Scale And Design Would Be Acceptable
- 2.4 Impact Of The Proposal On The Living Conditions Of The Occupiers Of Any Neighbouring Properties
- 2.5 Affordable Housing
- 2.6 Protected Species
- 2.7 Highway Matters

3. Application Details

The Site

- 3.1 The application site lies within the village of Castle Carrock and is located in the North Pennines Area of Outstanding Natural Beauty. The Weary, which

fronts onto a main road, formerly comprised a pub/ restaurant with five en-suite letting rooms above, but is currently vacant. Planning permission has recently been granted to the convert the building into four holiday units and the applicant has started to implement this permission.

- 3.2 The building is finished in white render under a slate roof. Owners accommodation was located in a converted stone barn to the rear of the property. This building lies outside the current application site and would be retained as a holiday cottage. There is a small car park for six cars to the front of the building and a small beer garden to the rear. Residential properties adjoin The Weary to both sides, with The Duke of Cumberland Public House, being located directly across the road.

Background

- 3.2 In October 2011, planning permission was granted for the change of use from inn/restaurant to holiday accommodation and alterations to create 5no. holiday units (11/0683). A revised application to convert the building into 4no. holiday units was approved in December 2012 (11/1091).

The Proposal

- 3.3 The proposal is seeking to demolish The Weary and to replace it with two three-bedroom and one two-bedroom dwellings. The existing cottage that is located to the rear of The Weary is excluded from the application site and this would be retained as holiday accommodation. A new access would be created to this property and a garden and two car parking spaces would be provided within the application site.
- 3.4 The main front elevation of The Weary, that lies to the south of the existing car park, would be replaced by a pair of semi-detached two-and-a-half storey dwellings (Cottages 1 & 2). The front elevation would contain a single-storey section which would have lead flat roof dormer windows within the slate roof. The main roof, which would also be slate, would contain rooflights. The height of the new dwellings would be 1.4m higher than the height of the existing building but would be the same height as that of the neighbouring property, The Birches. The rear elevation of Cottage 1 would have a single-storey extension, which would link into a two-storey extension on the rear of Cottage 2. Good sized gardens would be provided to the rear of the dwellings, with cycle stores being provided on the southern boundary. The cottages would contain an open plan living/ dining area, a kitchen and a w.c. to the ground floor; two bedrooms and a bathroom to the first floor (with Cottage 2 having an en-suite bedroom) and an en-suite bedroom in the roofspace.
- 3.5 The section of The Weary that lies to the east of the car park and abuts the highway would be replaced by a two-storey two-bedroom cottage (Cottage 3). This would have a side elevation facing the road, with the front elevation facing the car park. A single-storey section would be attached to the front and rear of the dwelling, with a large masonry chimney being added to the front elevation. This dwelling would have an open plan living/ dining area, a

kitchen and w.c. to the ground floor and two bedrooms (one en-suite) and a bathroom to the first floor. The dwelling would have a small rear garden, which would be enclosed by a garden wall, and which would contain a bin store and cycle store to the rear.

- 3.6 The dwellings would be finished in render, under reclaimed slate roofs, with timber windows, with masonry sills and hardwood doors.
- 3.7 Six car parking spaces would be provided for the three dwellings on the site of the existing car park.

4. Summary of Representations

4.1 This application has been advertised by the posting of a site notice, and also the posting of 8 notification letters to neighbouring properties. In response, 13 letters of objection have been received to the proposal.

4.2 The letters of objection make the following points:

- Site is not large and to have 4 dwellings, some of which are three-storey, is out of proportion and an over development of the site - 1 or 2 dwellings on the site would be more appropriate;
- The building, which is to be demolished, dates back to the C18th and has historic significance especially in relation to the village itself;
- Proposed dwellings are out of character with the rest of the properties in the centre of the village - they look like town houses, most dwellings are cottage/farmhouse style properties;
- The raised rooflines and modern style will be totally out of context;
- There are no 3 storey buildings in the vicinity;
- The dwellings will unsympathetically dominate the visual aspect of Castle Carrock from all directions;
- Presume the holiday cottage to the rear would be sold as an individual dwelling;
- The proposal encroaches onto the neighbours land;
- The height of the buildings will reduce light coming into The Birches via rooflights. It would totally block light coming into the en-suite and substantially affect light coming into the wardrobe area and the master bedroom;
- The proposed two-storey rear extension would impact on the view/light into a kitchen/dining room of The Birches - the kitchen window is the only direct source of light into this room and if the extension is built right in front of this window it would be over dominant as to not only affect the light and views but also the enjoyment of the main living area of the property. No objections to a

single-storey extension because historically there has been a single-storey conservatory;

- A bathroom window at first floor level above the kitchen in the Birches would be affected by the two storey extension in the same way;
- The proposal includes two windows in the west elevation - there are currently no such openings - if these windows open outwards they would open onto the land owned by The Birches;
- Occupiers of The Birches would be able to look into these windows, leading to a loss of privacy for future occupiers;
- The rooflights at the rear would be 1 to 2m above ground floor level - an adult will be able to stand at these and look directly into the bathroom of The Birches;
- Originally the building was going to be converted into holiday accommodation which would preserve the facade of the building;
- The Weary is an historic building and should be preserved. All efforts should be made to address its structural problems with demolition as a last resort;
- When the barn behind the Weary was converted into living accommodation 5 years ago it could not be sold off as a separate dwelling, presumably due to restrictive access;
- The creation of a vehicular access adjacent to Bag End which is over 200 years old might result in de-stabilisation of the property. The Weary has been de-stabilised following excavation work last summer and such disturbance close to Bag End could cause similar structural issues. There should be no excavation within 3m of Bag End.;
- The lack of space at the rear of the development will mean vehicles reversing out into a busy road;
- Whilst the roofline would be the same as that of The Birches, that property is built on higher ground and it should not be used as a precedent to replicate The Birches roofline;
- The village doesn't need more houses - it would benefit more from some local business units or other uses that bring people into the village;
- The site is in an Area of Outstanding Natural Beauty and this should be taken into account, when designing the dwellings;
- There is no evidence that The Weary cannot be remedied or rectified - setting aside financial implications and taking into account the historical significance of the building it should be retained;
- Holiday lets would have supported the local term viability of existing businesses in the village and would be of great benefit to the village;

- Unrealistic parking provision is shown for the three properties, which is likely to lead to parking and congestion in the busiest part of the village.

5. Summary of Consultation Responses

North Pennines AONB Partnership: - comments awaited;
 Castle Carrock Parish Council: - objects to the proposal. The Weary is a landmark building within the village and should be subject to listing and should have the frontage changed as little as possible. Surprised that the building has suddenly deteriorated to the point where it needs demolition. There are no structural problems that cannot be resolved - the main reasons for wanting to demolish the building are purely financial and are planned to maximise the commercial potential of the site. The replacement by a 3-storey building in this prominent location is entirely unacceptable. The proposed buildings are ill-designed and unsympathetic. The height will compromise 'Bag End' dwarfing it by some considerable height. Proposal is entirely out of keeping with other buildings in the village and is without precedent. The approved holiday accommodation would boost the economy of the village, whereas dwellings would not have this potential;
 Carlisle Airport: - comments awaited;
 Local Environment - Drainage Engineer: - comments awaited;
 Cumbria County Council - (Econ. Dir. Highways & Transportation): - no objections, subject to conditions;
 Local Environment - Environmental Protection: - no objections;
 United Utilities - (for water & wastewater comment): - no objections. Surface water should discharge to a soakaway as stated on the application;
 Cumbria County Council - (Archaeological Services): - an archaeological building recording programme should be undertaken in advance of development and this should be secured by condition;
 Housing Strategy & Support: - request an affordable housing contribution of 10% of the 3 units by way of a commuted sum.

6. Officer's Report

Assessment

- 6.1 The relevant planning policies against which the application is required to be assessed are Policies DP1, DP9, H1, H5, CP2, CP5, CP12 and T1 of the Carlisle District Local Plan 2001-2016. The proposal raises the following planning issues:
1. Whether The Proposal Is Acceptable In Principle
- 6.2 The site is in the middle of Castle Carrock, which is identified as a Local Service Centre in the adopted Local Plan. The redevelopment of the site for housing is, therefore, acceptable in principle, subject to other policies in the Local Plan being satisfied.
2. Whether The Demolition Of The Weary Would Be Acceptable
- 6.3 Planning permission currently exists to the convert The Weary into holiday

accommodation. This proposal is seeking to demolish the building and to redevelop the site for housing. Whilst the building is of local historic interest, it is not listed and does not lie within a conservation area. The Council cannot, therefore, prevent the building from being demolished.

- 6.4 The application is accompanied by a Structural Report, which identifies that there are a number of structural problems with the building, which only became apparent when the conversion of the building to holiday cottages commenced. This identifies that whilst there are options to repair the structural defects there is no guarantee that these works would be successful and the cost of repairs would not be viable for the intended use. The new proposals which replace the existing building with new buildings, provide a solution with more certainty and the guarantee of a workable solution that is economically viable. The Council's Building Control Section has been consulted on the Structural Report and concurs with its findings. In light of the above, the proposal to demolish the existing buildings would be acceptable.

3. Whether The Scale And Design Would Be Acceptable

- 6.5 A number of objections have been received which consider that the scale and design of the proposed dwellings would be out of keeping with the character of the village. Whilst it is acknowledged that the dwellings would be higher than the existing building, the ridge heights of the semi-detached dwellings would be the same as the ridge height of the neighbouring property, The Birches, and would not, therefore, be out of keeping. The detached dwelling would have a slightly lower ridge height than the semi-detached dwellings. Objectors have also raised concerns about three-storey dwellings. The semi-detached properties are actually two-and-a-half-storey and would contain accommodation in the roofspace, which would be served by rooflights. They would have the appearance of two-storey dwellings when viewed from road to the front of the site. The detached dwelling would be two-storey.
- 6.6 The dwellings would incorporate single-storey sections, chimneys and lead dormers and would be visually interesting. They would be finished in render, under a slate roof, with timber windows and doors. The Weary itself is finished in render under a slate roof. The Council's Heritage Officer has raised no objections to the design of the dwellings.
- 6.7 In light of the above, the scale and design of the proposed dwellings would be acceptable.

4. Impact Of The Proposal On The Living Conditions Of The Occupiers Of Any Neighbouring Properties

- 6.8 The Birches adjoins the site to the west and has a kitchen/ dining room window at ground floor level and a bathroom window at first floor level facing the site. The proposed single-storey extension on Cottage 1 and the two-storey extension on Cottage 2 would lie opposite the kitchen/ dining room window. The Weary previously had a conservatory to the rear in close proximity to this window and there were trees on the site boundary in close proximity to the window. The single-storey extension would have an eaves height of 2.4m and a maximum height of 4.1m and due to the change in levels

between the sites would not adversely affect this window. Whilst the two-storey extension would have a side elevation 8m away from this kitchen window it would only project out 2.3m and would have a maximum height of 6.6m. It would not, therefore, be over dominant and given its height and the fact that it lies to the east it would not have lead to a significant loss of light. The first floor bathroom window is not classed as a primary window and so has no protection under policy. The amended plans that have been received remove the windows from the side elevation facing The Birches.

- 6.9 The occupier of The Birches has also raised concerns about loss of light to their rooflights, which provide the only natural light to an en-suite bathroom and wardrobe area. These are not primary windows and the loss of light to these areas, which is not likely to be significant, would not be sufficient to warrant refusal of the application. Concerns have also been expressed about overlooking of The Birches bathroom window from rooflights in the proposed dwellings. These would, however, face the rear garden of the proposed dwellings and would not easily permit overlooking of The Birches.
- 6.10 Bag End has a single-storey section along the boundary with the application site, which would lie in close proximity to the proposed two-bedroom dwelling (Cottage 3). This building does not, however, have any windows in the elevation facing The Weary and would not, therefore, be adversely affected.
- 6.11 Whilst Cottage 3 would have bedroom windows in the side (east) and rear elevations, the acute angle would not allow overlooking of Bag End. Cottage 2 would only have a bathroom window at first floor level in the elevation facing Bag End.
- 6.12 The owner of Bag End has raised concerns about the impact that any construction works (particularly the construction of the new access) would have on this property. This is not, however, a planning issue but is covered by other legislation.
- 6.13 In light of the above, the proposal would not have an adverse impact on the living conditions of the occupiers of any neighbouring properties through loss of light, loss of privacy or over-dominance.

5. Affordable Housing

- 6.14 The application proposes the erection of three new dwellings and, therefore, in accordance with Policy H5 of the adopted Local Plan, an element of affordable housing must be provided. On this site, the affordable housing provision equates to 0.3 of a unit (i.e. 10% of 3 units). Given that the Council cannot reasonably request a full affordable unit from the developer, the Housing Strategy Team has requested a commuted sum and this would need to be secured through a Section 106 Agreement.

6. Protected Species

- 6.15 A Bat Report has been submitted with the application. This includes a Mitigation Strategy for bats and these mitigation measures, which would be enforced by condition, would ensure that the proposal does not have an adverse impact on bats.

7. Highway Matters

- 6.16 Six car parking spaces would be provided for the three dwellings, with two spaces also being provided for the retained holiday cottage and this is acceptable to County Highways. The proposed new access to serve the retained holiday cottage would also be acceptable to County Highways.

Conclusion

- 6.17 The proposal would be acceptable in principle. The scale and design of the proposal would be acceptable and it would not have an adverse impact on the living conditions of the occupiers of any neighbouring properties through loss of light, loss of privacy or over-dominance. The proposed access and parking arrangements would be acceptable and the proposal would not have an adverse impact on protected species. In all aspects, the proposal is compliant with the relevant planning policies contained within the Carlisle District Local Plan 2001-2016.

7. Planning History

- 7.1 In January 2008, planning permission was granted for the erection of orangery to replace existing lean to conservatory (07/1320).
- 7.2 In October 2011, planning permission was granted for the change of use from inn/restaurant to holiday accommodation and alterations to create 5no. holiday units (11/0683).
- 7.3 In December 2012, planning permission was granted for the change of use from inn/restaurant to holiday accommodation and alterations to create 4no. holiday units (11/1091).

8. Recommendation: Grant Subject to S106 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 approved documents for this planning permission comprise:
1. the submitted planning application form, received 30 November 2012;
 2. Design & Access Statement, received 30 November 2012;
 3. Phase 1 Environmental Review, received 30 November 2012;
 4. Bat Survey, received 30 November 2012;

5. Site Location Plan, received 30 November 2012 (Plan No. 11.05/P/001B);
6. Existing Site Plan, received 30 November 2012 (Plan No. 11.05/P/002 Rev A);
7. Proposed Site Plan, received 9 January 2013 (Plan No. 11.05/P/003 Rev E);
8. Proposed Ground Floor Plan, received 9 January 2013 (Plan No. 11.05/P/006 Rev D);
9. Proposed First Floor Plan, received 9 January 2013 (Plan No. 11.05/P/007 Rev D);
10. Proposed Second Floor Plan, received 9 January 2013 (Plan No. 11.05/P/008 Rev C);
11. Proposed Roof Plan, received 9 January 2013 (Plan No. 11.05/P/009 Rev C);
12. Existing North Facing Elevations, received 30 November 2012 (Plan No. 11.05/P/010);
13. Proposed North Facing Elevations, received 9 January 2013 (Plan No. 11.05/P/011E);
14. Proposed South Facing Elevations, received 9 January 2013 (Plan No. 11.05/P/012C);
15. Proposed West Facing Elevations, received 9 January 2013 (Plan No. 11.05/P/013B);
16. Proposed East Facing Elevations, received 10 December 2012 (Plan No. 11.05/P/014 Rev A);
17. Proposed West Facing Elevation & Cross Section, received 30 November 2012 (Plan No. 11.05/P/015);
18. the Notice of Decision; and
19. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: For the avoidance of doubt.

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

dwellings in the vicinity 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. No development approved by this permission shall be commenced until a scheme for the provision of foul and surface water drainage works has been approved in writing by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans.

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

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) there shall be no enlargement or external alterations to the dwellings to be erected in accordance with this permission, within the meaning of Schedule 2 Part (1) of these Orders, without the written approval of the Local Planning Authority.

Reason: To ensure that the character and attractive appearance of the buildings is not harmed by inappropriate alterations and/or extensions and that any additions which may subsequently be proposed satisfy the objectives of Policy CP5 of the Carlisle District Local Plan 2001-2016.

8. No dwelling shall 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 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. Prior to the commencement of development the applicant shall submit, for approval in writing by the Local Planning Authority, details of the proposed mitigation measures in relation to bats. The development shall then be carried out in strict accordance with these mitigation measures.

Reason: In order to protect bats, in accordance Policy CP2 of the Carlisle District Local Plan 2001-2016.

10. Prior to the carrying out of any demolition works the existing buildings affected by the proposed development shall be recorded in accordance with a Level 2 survey as described by English Heritage's document Understanding Historic Buildings A Guide to Good Recording Practice, 2006. Within 2 months of the commencement of construction works 3 copies of the resultant level 2 survey report shall be furnished to the Local Planning Authority.

Reason: To ensure that a permanent record is made of the buildings of architectural and historic interest prior to their demolition as part of the proposed development

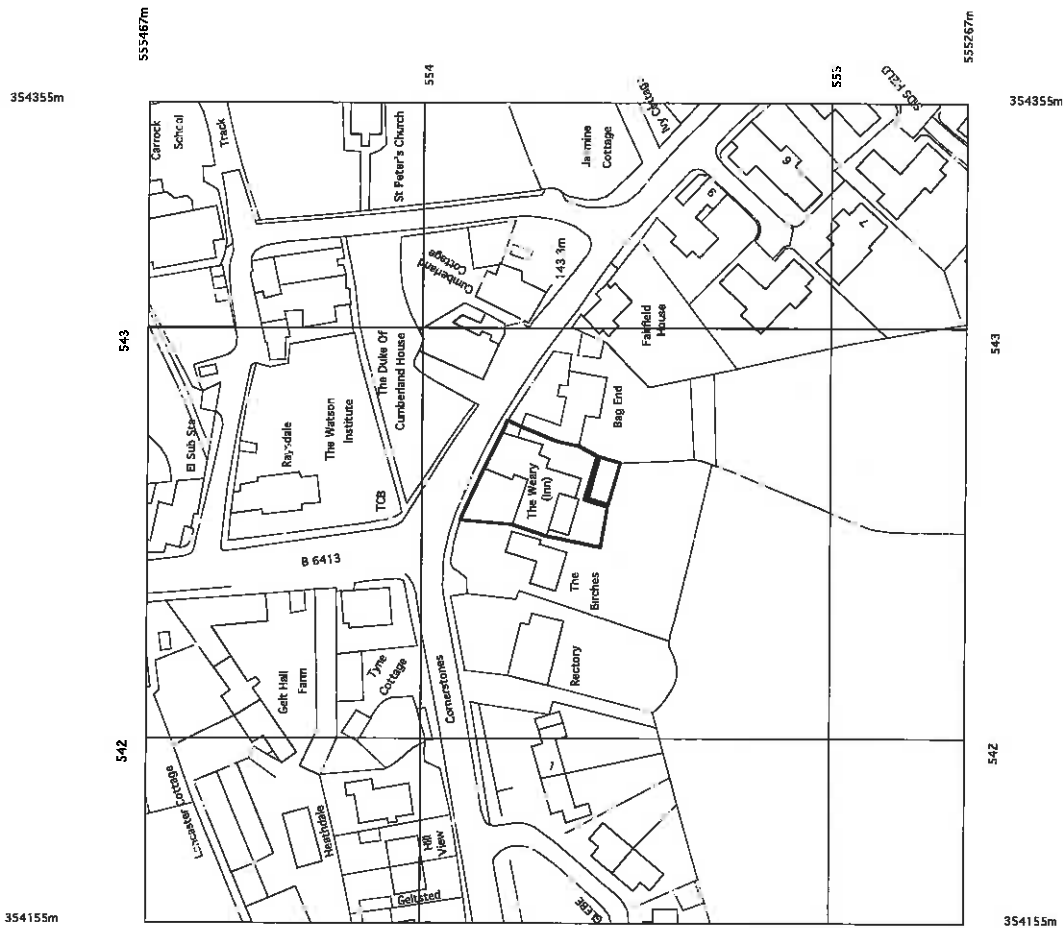
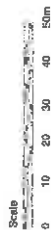
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FOR PLANNING APPLICATION

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project : The Weary, Castle Carrock, Brampton
client : Mr A Sykes
date: Nov 2012

drawing: Site Location Plan
ref: 11.05/P/001B
scale: 1:1250 @



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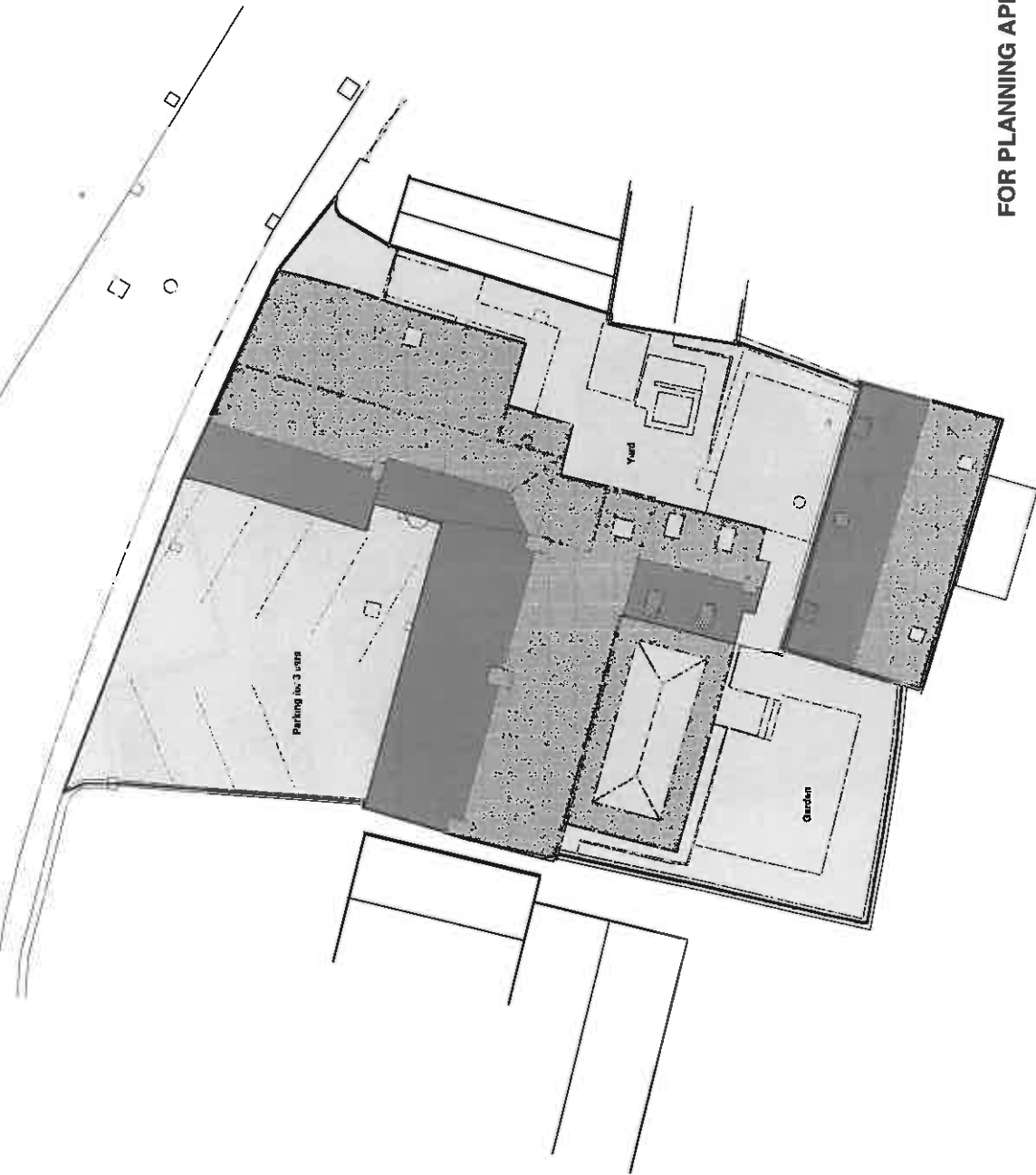
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FOR PLANNING APPLICATION



drawing: Existing Site Plan
 ref: 11.05/P/002 Rev A
 scale: 1:200 @ A3

project : The Weary, Castle Carcock, Brampton
 date: Nov 2012
 client : Mr A Sykes

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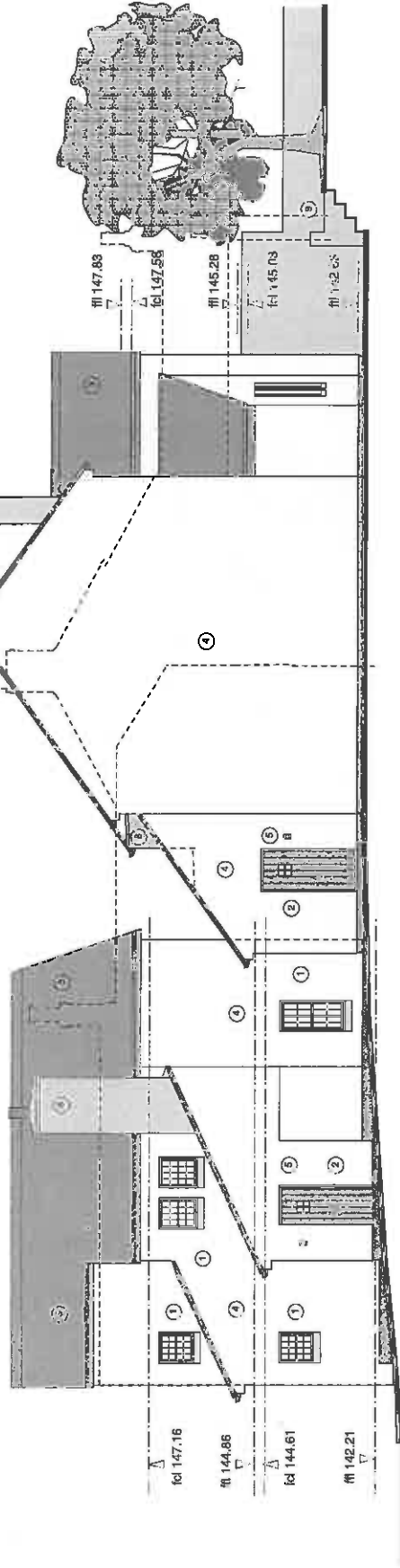
FOR PLANNING APPLICATION

PROPOSED NEW COTTAGES

COTTAGE 3

COTTAGE 1

ridge 151.29



datum 148.00

PROPOSED WEST FACING ELEVATIONS COTTAGE 1 AND COTTAGE 3

KEY

- 1 windows as Magnet Cottage Bar or similar approved with masonry sills
 - 2 glazed hardwood door and frame
 - 3 roof finished with reclaimed re-used Welsh slate roofing including matching bat slate units, roof vent units and ridge units
 - 4 external walls to be finished with smooth surface self coloured polymer modified render.
 - 5 exterior light
 - 6 masonry chimney stack with clay terminals
 - 7 conservation type rooflight
 - 8 lead faced dormer window
 - 9 masonry garden wall with metal railings and h/w gate
- outline of existing building to be removed



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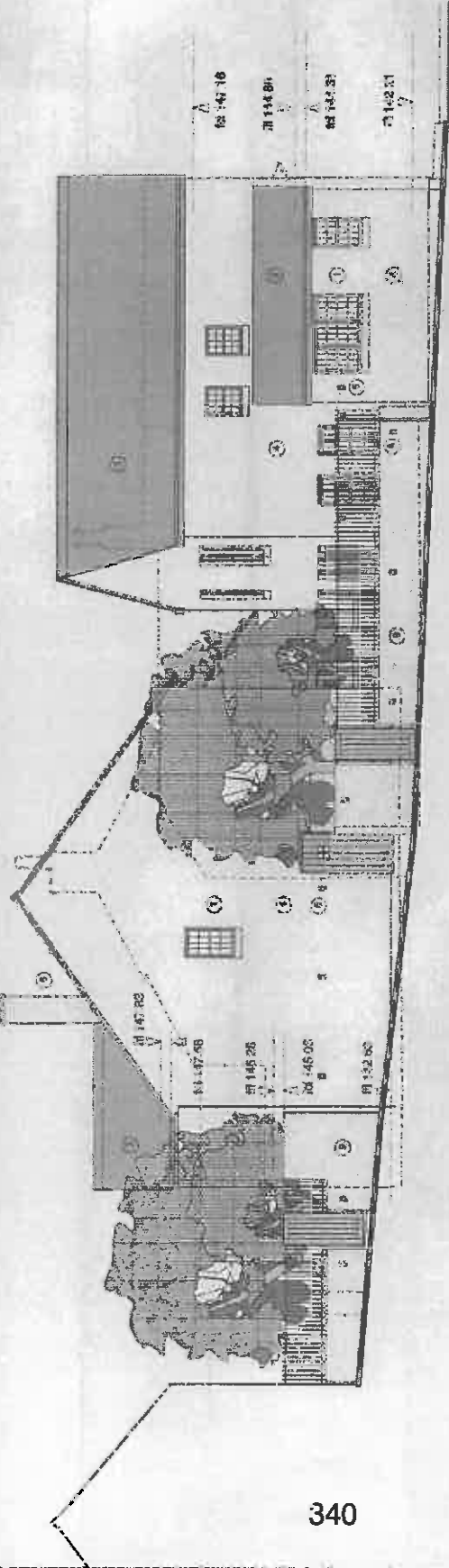
drawing: Proposed West Facing Elevation
 ref: 11.05/P/013B
 scale: 1:100 @ A3

FOR PLANNING APPLICATION

PROPOSED NEW COTTAGES

COTTAGE 3

COTTAGE 2



datum 141.06

KEY

- 1 Windows as Modern Cottage No. 6 - single top and bottom masonry gills
- 2 Gable half-timber - half and four
- 3 Roof finished with untreated, stained with cedar redwood, weathering treatment but with some roof work with copper
- 4 External walls to be finished with smooth surface with textured physical modified plaster
- 5 Section 1/4" x 1/4"
- 6 Section 1/2" x 1/2" with oak
- 7 Conservation type rooflight
- 8 Half-timbered window
- 9 External gables with oak metal roofing and half space
- 10 Details of existing buildings to be retained

EAST FACING ELEVATIONS COTTAGE 2 AND 3



12/0923

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Project: The Weary, Castle Carroch, Brampton
 Client: Mr A Sykes
 Date: Nov 2011

Drawing: Proposed East Facing Elevation
 Ref: 11.05/P/014 Rev A Scale: 1:100 @ A3

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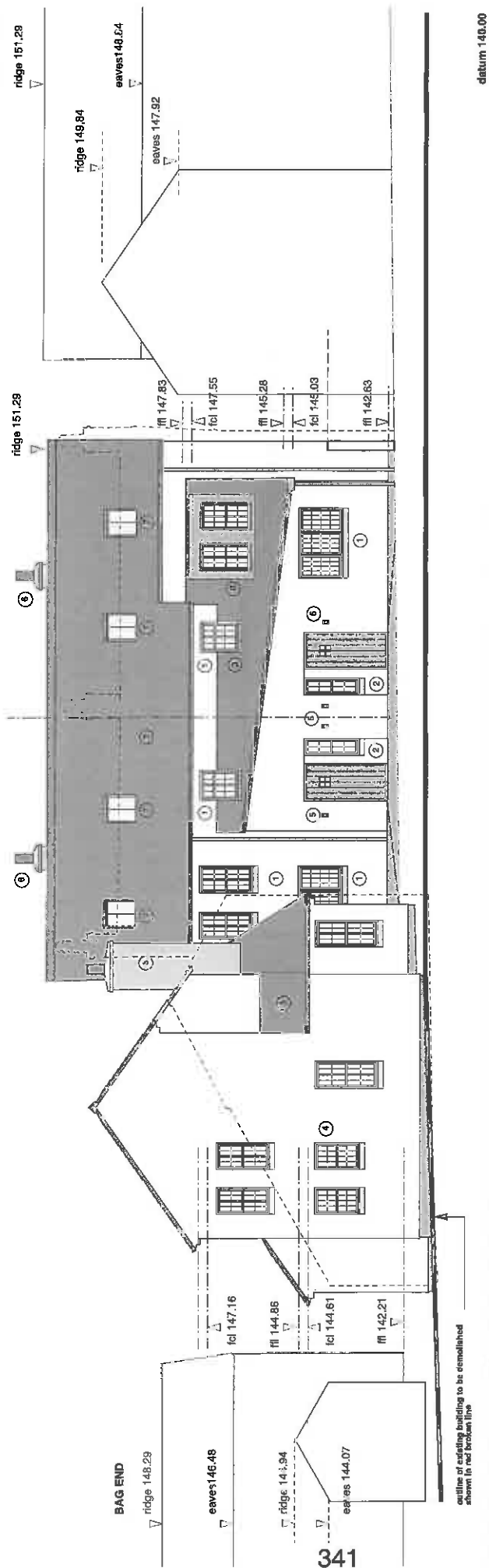
PROPOSED NEW COTTAGES

COTTAGE 3

COTTAGE 2

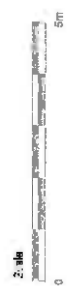
COTTAGE 1

THE BIRCHES



PROPOSED NORTH FACING ELEVATIONS

- KEY**
- ① windows as original Cottage Bar or similar approved with masonry glazing
 - ② glazed hardwood door and frame
 - ③ roof finished with reclaimed/re-used Welsh slate roofing including matching oak slate sinks, roof vent units and ridge units
 - ④ external walls to be finished with smooth surface self-coloured polymer modified render.
 - ⑤ exterior light
 - ⑥ masonry chimney stack with clay terminal
 - ⑦ conservation type rooflight
 - ⑧ lead faced dormer window
 - ⑨ masonry garden wall with metal railings and h/w gates
 - - - outline of existing building to be removed



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project : The Weary, Castle Carrook, Brampton
 client : Mr A Sykes
 date: Nov 2011

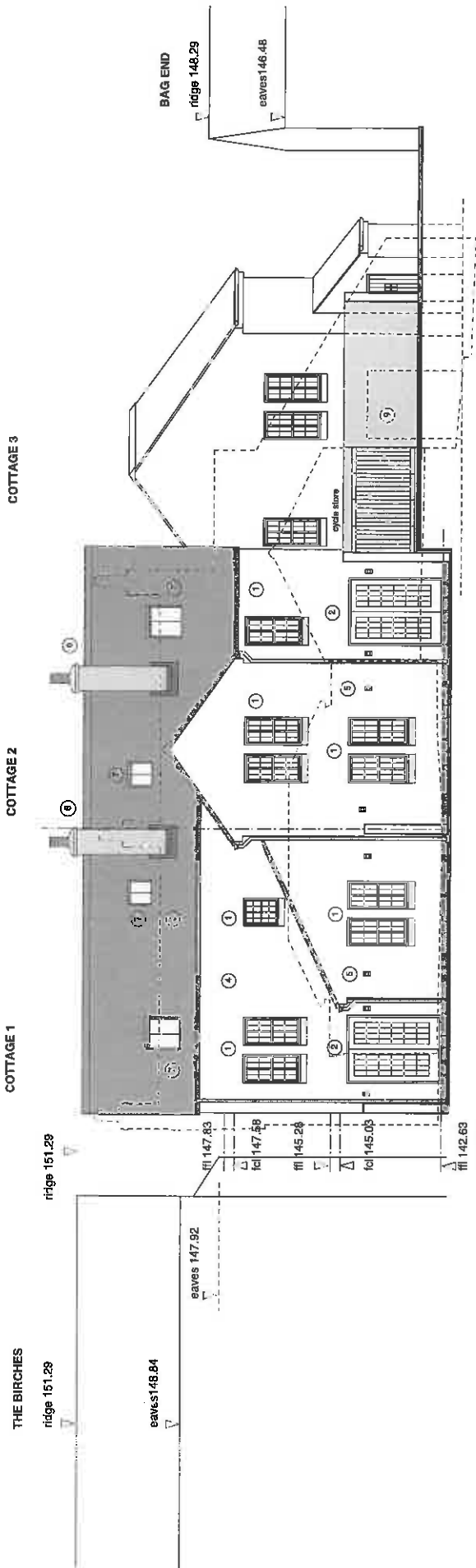
drawing: Proposed North Facing Elevation
 ref: 11.05/P/011 E
 scale: 1:100 @ A3



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PROPOSED NEW COTTAGES



KEY

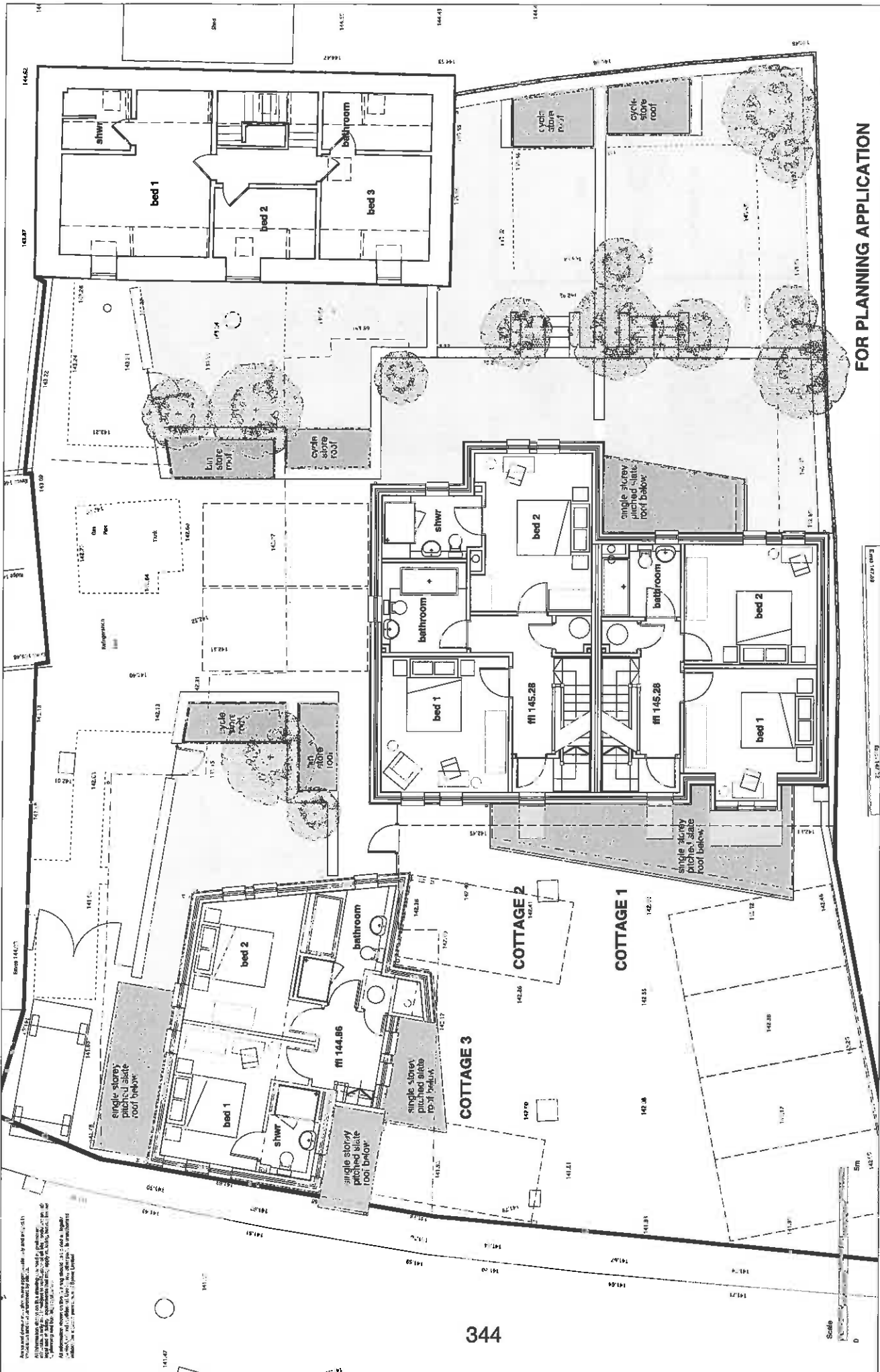
- 1 windows as Magnet Cottage Bar or similar approved with masonry sill.
 - 2 glazed hardwood door as-d frame
 - 3 roof finished with reclaimed re-used Welsh slate roofing including matching bat stone units, roof vent units and ridge units
 - 4 external walls to be finished with smooth surface self coloured polymer modified render.
 - 5 exterior light
 - 6 masonry chimney stack with clay terminals
 - 7 conservation type rooflight
 - 8 lead lined dormer window
 - 9 masonry garden wall with metal railings and h/w gates
- indicates existing building to be removed

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project : The Weary, Castle Carrock, Brampton
 client : Mr A Sykes
 : Nov 2011

drawing: Proposed South Facing Elevation
 ref: 11.05/P/012 C
 scale: 1:100 @ A4

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FOR PLANNING APPLICATION

project : The Weary, Castle Carrook, Brampton

drawing: Proposed 1st Floor Plan

ref: 11.05/P/007 Rev D

scale: 1:100 @ A3

client : Mr A Sykes

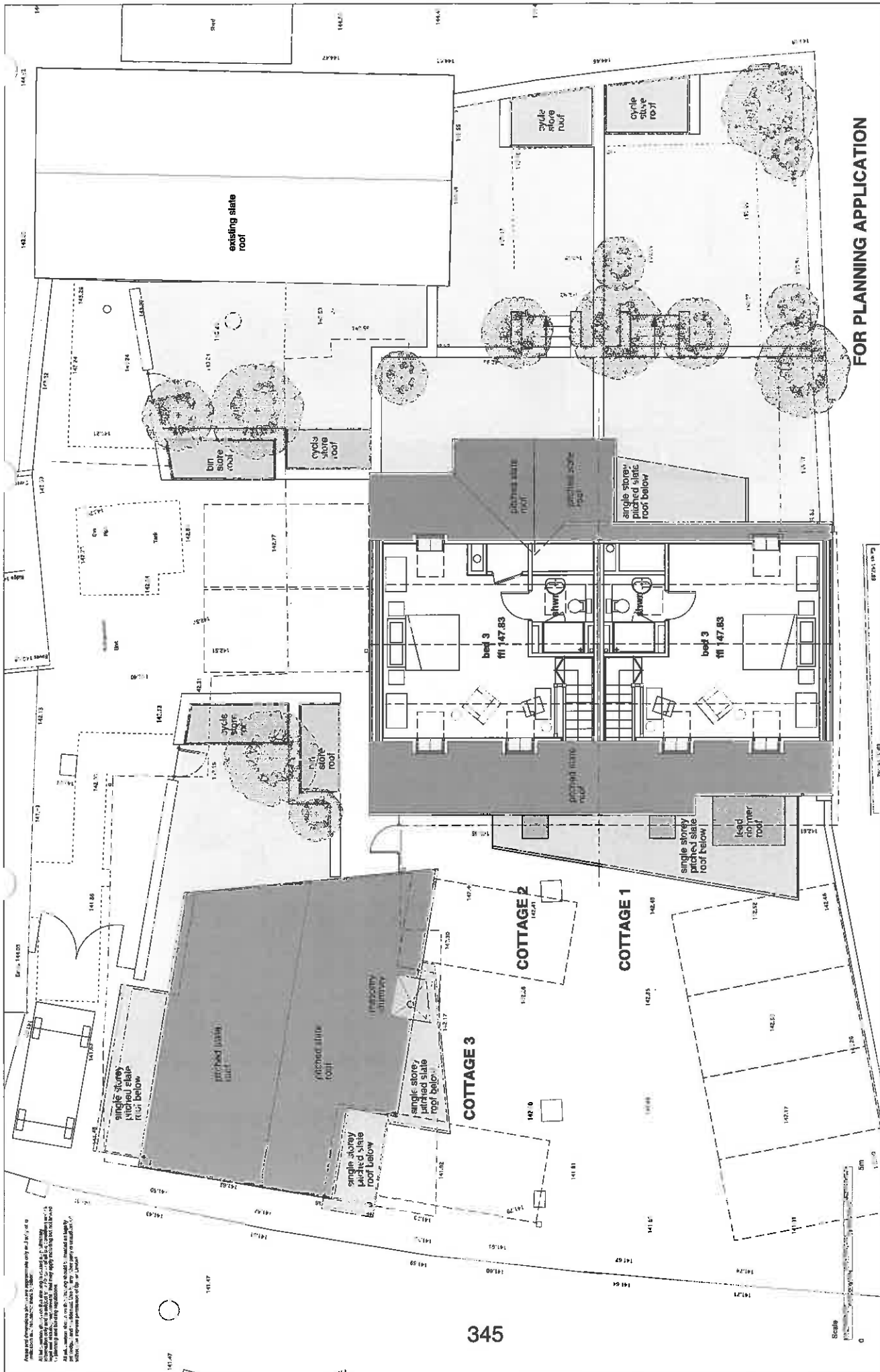
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FOR PLANNING APPLICATION



project : The Weary, Castle Carcock, Brampton
 drawing: Proposed 2nd Floor Plan
 client : Mr A Sykes
 date: Nov 2012
 ref: 11.05/P/008 Rev C
 scale: 1:100 @ A3

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SPICER APD



FOR PLANNING APPLICATION



drawing: Proposed Roof Plan

scale: 1:100 @ A3

project : The Weary, Castle Carrock, Brampton

ref: 11.05/P/009 Rev C

Nov 2012

client : Mr A Sykes

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SPICER APD

SCHEDULE A: Applications with Recommendation

13/0030

Item No: 17

Date of Committee: 08/03/2013

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

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

REPORT

Case Officer: Angus Hutchinson

1. Recommendation

- 1.1 It is recommended that this application is approved subject to the imposition of a condition.

2. Main Issues

- 2.1 Impact on visual/residential amenity.
2.2 Impact on the character of the area.

3. Application Details

The Site

- 3.1 Hawthorns (formerly Ghyll Bank House) is located to the east of the M6 on the southern side of the road leading to Harker with access achieved via an unclassified lane to the west of Ghyllwood, opposite the Harker electricity sub-station and buildings occupied by FPL and Haulage Express Ltd. The site currently comprises a detached house with an ancillary annexe (referred to as Hawthorns Cottage); a portacabin/office, a corrugated sheeted building; a storage area for caravans (i.e. "Carlisle Caravan Storage"); and a private Gypsy and Traveller site with full permission for 12 pitches (Atchin Tan). The northern boundary of Hawthorns (inclusive of Atchin Tan) adjoins the City

Council's Gypsy-Traveller site at Low Harker Dene and the property known as Ghyll Bank Park.

- 3.2 In April 2009, under application 08/1204, planning permission was given for the private Gypsy and Traveller site at Atchin Tan.

Background

- 3.3 In October last year the occupiers of Ghyll Bank Park visited the Civic Centre to, amongst other things, state their objection to the erection of a concrete wall 2.4 metres in height delineating the boundary with Atchin Tan - in particular a north eastern section of the wall approximately 20 metres in length.
- 3.4 Following investigation, the available records indicate that the wall in question replaced a chain link fence 2.4 metres in height with barbed wire above, and was constructed prior to June 2010 in association with the implementation of the permission granted under 08/1204.
- 3.5 During a site meeting on the 23rd November 2012 the occupier of Ghyll Bank Park (Mr W Francis) explained that there were concerns regarding the wall because of its appearance and alleged movement within the brackets of the steel stanchions during high winds. In response to these concerns, and with the then agreement of Mr Francis, the operator of Atchin Tan (Mr I Stewart) consented to inserting additional wall plugs, and the planting of wall climbing species.
- 3.6 On the 5th December 2012 the Council received a letter from an agent acting on behalf of Mr Francis explaining that, since the site meeting, his client (in consultation with members of his family) were not now satisfied with the suggested solution. The letter stating that the wall had been erected in the last couple of years without planning permission, and allegedly transgresses the boundary line between the two properties. Mr Francis now wants the Council to take enforcement action to have the wall removed. This wish was reiterated by Mrs Francis and one of her daughters when visiting the Civic Centre also on the 5th December.

The Proposal

- 3.7 The application is accompanied by a Design and Access Statement which explains that: the majority of the wall is hidden from view by an existing row of leylandi conifers; the section of wall which is seen is viewed behind an existing concrete and wood panel fence; should the application be successful the applicant would plant suitable climbing plants as recommended by the Council's Landscape/Tree Officer; and the purpose of the wall is to provide a solid, secure boundary for the occupiers of Atchin Tan, and help maintain the privacy of the neighbours.

4. Summary of Representations

4.1 This application was advertised in the form of the direct notification of the occupiers of two neighbouring properties. In response, the Council has received nine letters raising the following objections and concerns about the proposal.

- 1) The “fence” is unsightly and oppressive because of its height, type of construction and materials used – resembles a security compound. The previous wire mesh fence was less unsightly
- 2) The “fence” is not of a proprietary construction.
- 3) The “fence”, because of its non proprietary construction, is dangerous - do not park vehicles adjacent to the “fence”. Young children play within the area of land adjacent to the wall.
- 4) The fence transgresses the boundary onto the property of Ghyll Bank Park.
- 5) Does Atchin Tan (Caravan Park) have planning permission for the floodlights and security cameras which allegedly overlook and have an adverse effect on the privacy and amenity of Ghyll Bank Park?

5. Summary of Consultation Responses

Cumbria Constabulary - North Area Community Safety Unit (formerly Crime Prevention): - the submitted Design and Access Statement reports that the replacement structure has been chosen for security and privacy purposes. The intention is to create a physical barrier that exhibits two specific characteristics, i.e. resistance to physical breaching and deterrence to climbing. However, other site specific characteristics should also be considered when specifying a security perimeter such as enhancing surveillance opportunities through the structure (so that intruders may be noticed); appearance; protection against burrowing; and maintenance requirements.

Consequently, security perimeters normally take the form of fences, rather than solid walls.

A block or brick wall may be specified as a security barrier – if surveillance opportunities are not appropriate or feasible. To be effective, the barrier should be not less than 2.0m in height, constructed so that no feature can be exploited as a climbing aid and topped with a triangular-profiled coping.

In this case, the stated requirement for privacy compromises surveillance opportunities. The nature of the barrier’s construction introduces an obvious visual obstruction, which the applicant has decided supersedes other beneficial attributes.

In the context of the submitted comments referring to the stability and integrity of the structure, the applicant will always be subject to responsibilities under Occupiers Liability legislation.

Rockcliffe Parish Council: - do not wish to make any representation on the proposal.

6. Officer's Report

Assessment

- 6.1 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.
- 6.2 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.
- 6.3 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.
- 6.4 In relation to traffic safety, the wall does not transgress any sight lines.

Other Matters

- 6.5 The City Council's Principal 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.
- 6.6 The allegation over ownership of land is not considered to be a determining consideration.
- 6.7 The installation of CCTV cameras at Atchin Tan are a separate and distinct matter to the proposal subject of this application.

Conclusion

- 6.8 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.

7. Planning History

- 7.1 In 2009, under application, ref. no. 08/1204, planning permission was given for the creation of a private residential caravan park of 12 pitches.

8. Recommendation: Grant Permission

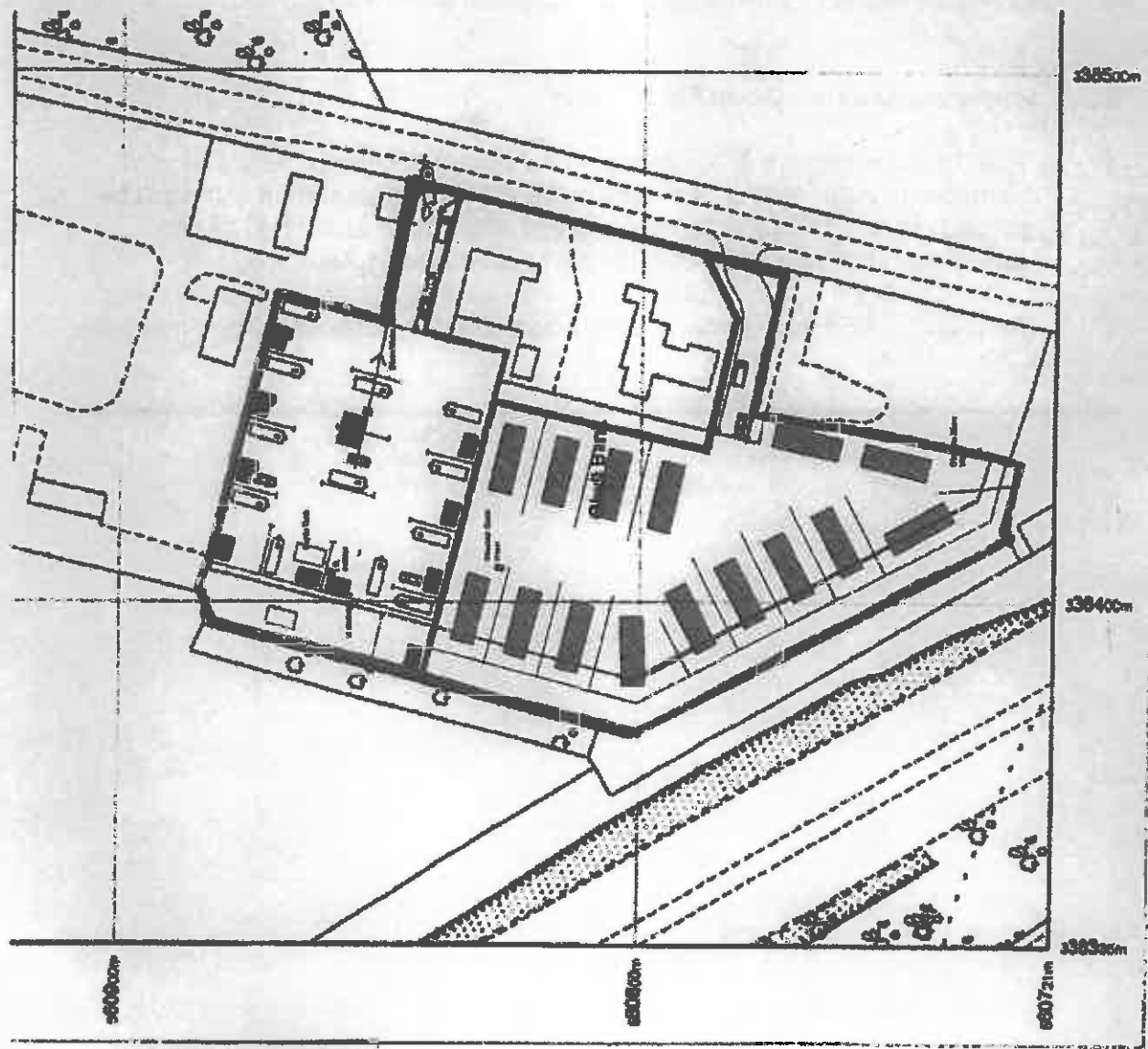
1. Prior to the expiration of the first growing season following the granting of permission, planting to screen and cover the hereby permitted wall shall be carried out and completed in accordance with details submitted to and approved in writing beforehand by the Local Planning Authority.

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

ATCHIU TAN
 CARNIAN PARK.
 LOCATION PLAN
 DWG 01



SCALE 1:1250



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 14 JAN 2013
 13/0030

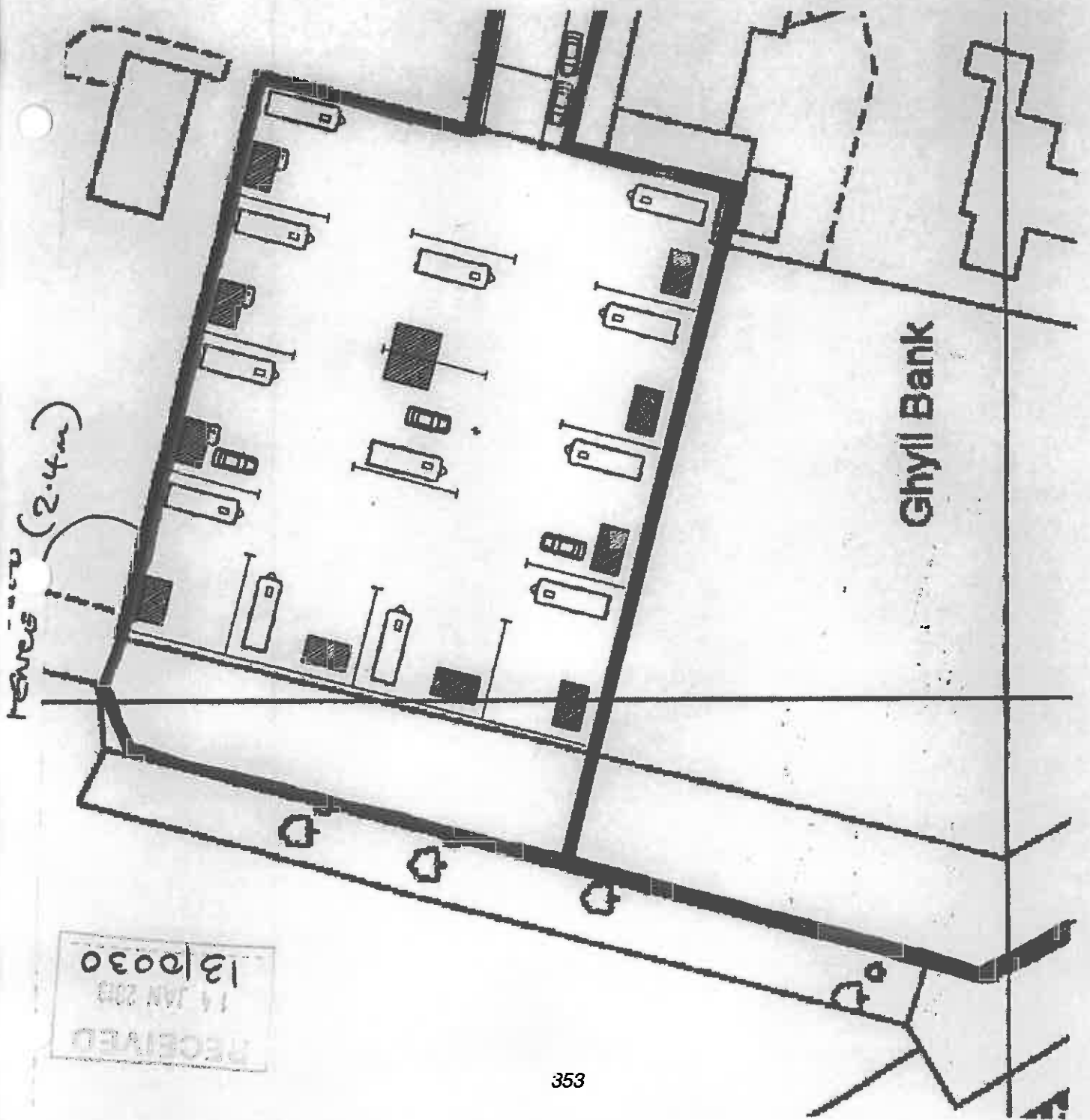
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ATCHIN TAN
Block Plan
DWG 02



NORTH

Scale 1:500



FENCE (2.4m)

Ghyll Bank

RECEIVED
14 JAN 2013
13/0030



SCHEDULE A: Applications with Recommendation

12/1052

Item No: 18

Date of Committee: 08/03/2013

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

Proposal: Extension Of Existing Cycle Way (Revised Application)

REPORT

Case Officer: Stephen Daniel

1. Recommendation

- 1.1 It is recommended that authority to issue is granted to the Director of Economic Development, subject to no issues being raised by the Assessment of Likely Significant Effects.

2. Main Issues

- 2.1 The Need For The Proposal
- 2.2 Whether The Scale And Design Would Be Acceptable
- 2.3 Impact On The City Centre Conservation Area
- 2.4 Impact On The River Eden Site of Special Scientific Interest
- 2.5 Other Matters

3. Application Details

The Site

- 3.1 The site includes a small section of the River Caldew Cycleway, that lies to the east of the CTD building and which links onto Viaduct Estate Road; a section of landscaping that lies to the rear of the Ceramic Tile Distributors (CTD) building; a section of the CTD car park; a section of existing tarmac

track, that runs parallel to Viaduct Estate Road; an archway that goes under the A595 Caldew Bridge; and an area of grass, which contains some trees and shrubs, that lies to the east of Caldew Bridge and between the River Caldew and West Coast Main Line.

Background

- 3.2 The River Caldew Cycleway currently links onto Viaduct Estate Road. Cyclists have to travel up the one way Viaduct Estate Road, against the flow of traffic, before having to cross the A595 Castle Way via a pedestrian crossing that is somewhat remote from the junction of Viaduct Estate Road and Castle Way.

The Proposal

- 3.3 The proposal is seeking to extend the existing River Caldew Cycleway that currently links onto the Viaduct Estate Road so that it exits directly onto Castle Way. The proposed cycleway would be extended to the rear of the CTD building on an area that is currently grass and shrubs and is adjoined by the flood defence wall. The cycleway would be 2.5m wide and would be adjoined by a free draining gravel service strip. The cycleway would then pass over part of the existing CTD car park. A 1.8m high palisade fence would separate the cycleway from the back of the CTD building and the car park. Lockable bollards would be used to prevent vehicular access onto the cycleway.
- 3.4 The cycleway would then continue over the existing tarmac track that runs adjacent to Viaduct Estate Road before continuing through the second archway that runs under the A595 Castle Way. The first archway is used by Network Rail for servicing the West Coast Main Line and the Environment Agency for maintaining the River Caldew.
- 3.5 The cycleway would then link into a ramp that would get cyclists and pedestrians up onto Caldew Bridge, the pavement of which would be approximately 5.8m above the cyclepath. This ramp would measure 47m in length by 8.9m in width and would have a gradient of 1:20. The ramp would be enclosed by handrails and would be constructed of steel, which would be coloured leaf green. The ramp would lie to the north of flood defence walls that adjoin the River Caldew and to the south of the West Coast Main Line.
- 3.6 Following comments from the Council's Access Officer, steps have been incorporated into the ramp and these provide access from Caldew Bridge to the eastern end of the ramp.
- 3.7 A small section of the parapet wall would be removed from the Caldew Bridge to provide access from the top of the ramp and a section of the parapet wall would be lowered to 1.4m to improve visibility for cyclists exiting the ramp. Although the cycleway would be located behind the flood defence walls, lockable flood gates would be provided at the top of the ramp, which would be closed if the cycleway is flooded. A safety barrier would be provided adjacent to the edge of Castle Way to prevent cyclists riding out into

the road.

- 3.8 The cycleway would be lit by lighting columns and bulk head lighting that would be attached to Caldew Bridge and the retaining wall of Viaduct Estate Road.

4. Summary of Representations

- 4.1 This application has been advertised by means of site and press notices as well as notification letters sent to two neighbouring properties. One letter of support has been received, which agrees totally with the plans, which would increase safer bicycle/footpath access to parks and many other facilities away from the many busy roads near the Carlisle to Dalston cycleway.

5. Summary of Consultation Responses

Cumbria Constabulary - North Area Community Safety Unit: - no comments on proposed structure. The palisade fence to the rear of the CTD building and alongside their car park is not suitable as it can be breached by several methods and is not aesthetically pleasing. A welded mesh fence should be considered as an alternative;

Cumbria County Council - (Archaeological Services): - no objections, subject to conditions (watching brief);

Cumbria County Council - (Econ. Dir. Highways & Transportation): - no objections, subject to conditions;

Environment Agency (N Area (+ Waste Disp & Planning Liaison Team): - no objections in principle, subject to conditions and the Flood Risk Assessment being implemented;

Local Environment - Environmental Protection: - no objections.

Enhancements should be considered for bats and otters;

Natural England - relating to protected species, biodiversity & landscape: - no objections;

Network Rail: - no objections, subject to conditions;

Access Officer, Economic Development - Building Control: - no objections;

United Utilities - (for water & wastewater comment): - no objections;

Conservation Area Advisory Committee: - objects to the current proposal - it is executed in an extremely inelegant way. It is an 'engineering solution' to a problem when it should be a 'design solution' that then requires the support of engineers.

6. Officer's Report

Assessment

- 6.1 The relevant planning policies against which the application is required to be assessed are Policies LE2, LE19, LE26, CP5 and CP15 of the Carlisle District Local Plan 2001-2016. The proposal raises the following planning issues:

1. The Need for the Proposal
- 6.2 At present when cyclists reach the western end of the River Caldw Cycleway they have to travel up the one way Viaduct Estate Road, against the flow of traffic, before having to cross the A595 Castle Way via a pedestrian crossing that is somewhat remote from the junction of Viaduct Estate Road and Castle Way. The extended cycleway would allow cyclists and pedestrians to travel under Castle Way and access onto the northern side of Caldew Bridge via a ramp or steps, which would be very beneficial. The extension to the cycleway would be paid for by money that has been secured through a S106 Agreement attached to the Sainsbury planning permission, which is aimed at improving accessibility in the area.
2. Whether The Scale & Design Would Be Acceptable
- 6.3 The Conservation Area Advisory Committee has raised concerns about the design of the ramp. Whilst it is acknowledged that the ramp would be a large structure, it needs to be the scale proposed to get cyclists (at a gradient of 1:20) and pedestrians from the end of the cycleway up onto Caldew Bridge. The ramp has been redesigned following comments from the Council's Heritage Officer, and the ends have been curved to improve its visual appearance. The Council's preferred option, which would have involved providing a ramp through one of the arches and then attaching it to the side of Caldew Bridge, has been ruled out by the Environment Agency as it would lie within a flood risk area. In light of the above, the scale and design of the proposal would be acceptable.
3. Impact on the City Centre Conservation Area
- 6.4 The ramp would not lie within the City Centre Conservation Area, but would be visible from it, particularly from the walls of Carlisle Castle. A number of other large structures, including the recently constructed Sainsbury store, McVities factory, the West Coast Main Line and Devonshire Walk Car Park, are visible from the conservation area in the vicinity of the ramp and as a consequence it would not be an over dominant feature. The Old Brewery Residences and some trees would lie to the rear of the ramp when it is viewed from the conservation area and these would help to lessen its impact. The proposal would not, therefore, have an adverse impact on the City Centre Conservation Area.
4. Impact on the River Eden Site of Special Scientific Interest (SSSI)
- 6.5 The new cycleway and ramp would be separated from the River Caldw by the flood defence wall. This would ensure that the proposals would not have an adverse impact on the SSSI. A condition has been added to the permission to ensure that lighting does not shine onto the river or river banks. In light of the above, the proposal would not have an adverse impact on the SSSI.
- 6.6 Given the proximity of the River Eden SAC to the site, it will be necessary to undertake an Assessment of Likely Significant Effects (ALSE) prior to the determination of the application. On the basis of the conditions proposed, it

is unlikely that the proposal would have a significant effect.

5. Other Matters

- 6.6 The Police Architectural Liaison Officer has questioned the use of palisade fencing to the rear of the CTD building and within the car park, as this might be breached and is not aesthetically pleasing. The palisade fencing, however, is not for security reasons but is to fence off the cycle path. The fence has been selected following discussions with CTD.

Conclusion

- 6.7 In overall terms, there is a need for the proposal. The scale and design of the ramp would be acceptable and the proposal would not have an adverse impact on the City Centre Conservation Area or on the SSSI. Providing that the Assessment of Likely Significant Effects concludes that the proposal is unlikely to have a significant effect on the River Eden SAC the proposal would be acceptable. In all aspects, the proposal is compliant with the relevant planning policies contained within the Carlisle District Local Plan 2001-2016.

It is recommended that authority to issue is granted to the Director of Economic Development, subject to no issues being raised by the Assessment of Likely Significant Effects.

7. Planning History

- 7.1 In December 2012, an application for an extension to existing cycleway was withdrawn prior to determination (12/0870).

8. Recommendation: Grant Permission

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

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

2. The approved documents for this Planning Permission comprise:
1. the submitted planning application form received 28th December 2012;
 2. the Site Location Plan (drawing number 12-C-13334-2.5/10A) received 28th December 2012;
 3. the Site Location Plan - Appendix A (drawing number 12-C-13334/10) received 28th December 2012;

4. the Block Plan (drawing number 12-C-13334-2.5/11B) received 28th December 2012;
5. Cycle Way View A, B & C (2.5M) received 28th December 2012;
6. Existing Cycleway Extension Plan (drawing number 12-C-13334-2.5/4) received 28th December 2012;
7. Cycle Way Bridge Plan (2.5M) (drawing number 12-C-13334-2.5/1B) received 28th December 2012;
8. Cycle Way Section A-A & B-B (2.5M) received 28th December 2012;
9. BHA Tree Drawing received 28th December 2012;
10. Flood Risk Assessment Report received 28th December 2012;
11. Arboriculturist's Report received 28th December 2012;
12. Bat Survey Report received 28th December 2012;
13. Otter Survey Report received 28th December 2012;
14. Environmental Risk Assessment and Ground Investigation received 28th December 2012;
15. the Notice of Decision; and
16. 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.

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. 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.

Reasons: 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.

6. Prior to the commencement of development, the applicant shall submit a Construction Method Statement to be agreed in writing with the Local Planning Authority. The development shall be carried out in strict accordance with this Method Statement.

Reason: To ensure that the proposal does not have an adverse impact on the adjacent railway, including the overhead lines.

7. For the first three months following the installation and operation of the new lighting an assessment will be made to check the effect of the lighting on the nearby railway line. If it is found that there is a problem with driver visibility additional screening/cowling or light adjustment must be employed as appropriate to alleviate the problem, to the satisfaction of the Local Planning Authority in association with Network Rail and the train operating companies.

Reason: To eliminate the potential for train drivers to be dazzled and to ensure that the character of the area is not adversely affected by inappropriate lighting in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

8. No machinery or vehicle movements, or storage of building materials, vehicles or machinery shall take place within the areas designated as the River Eden SAC or the River Eden Site of Special Scientific Interest. The boundaries of the designated areas within the development site shall be marked prior to works commencing and the above activities prohibited during all construction works.

Reason: To safeguard the biodiversity of the River Eden which is a SSSI and SAC and to accord with Policy LE2 of the Carlisle District Local Plan 2001-2016.

9. There shall be no artificial lighting erected on site (temporary or permanent) in such a manner that it illuminates the banks or channel of the

watercourse(s) on site.

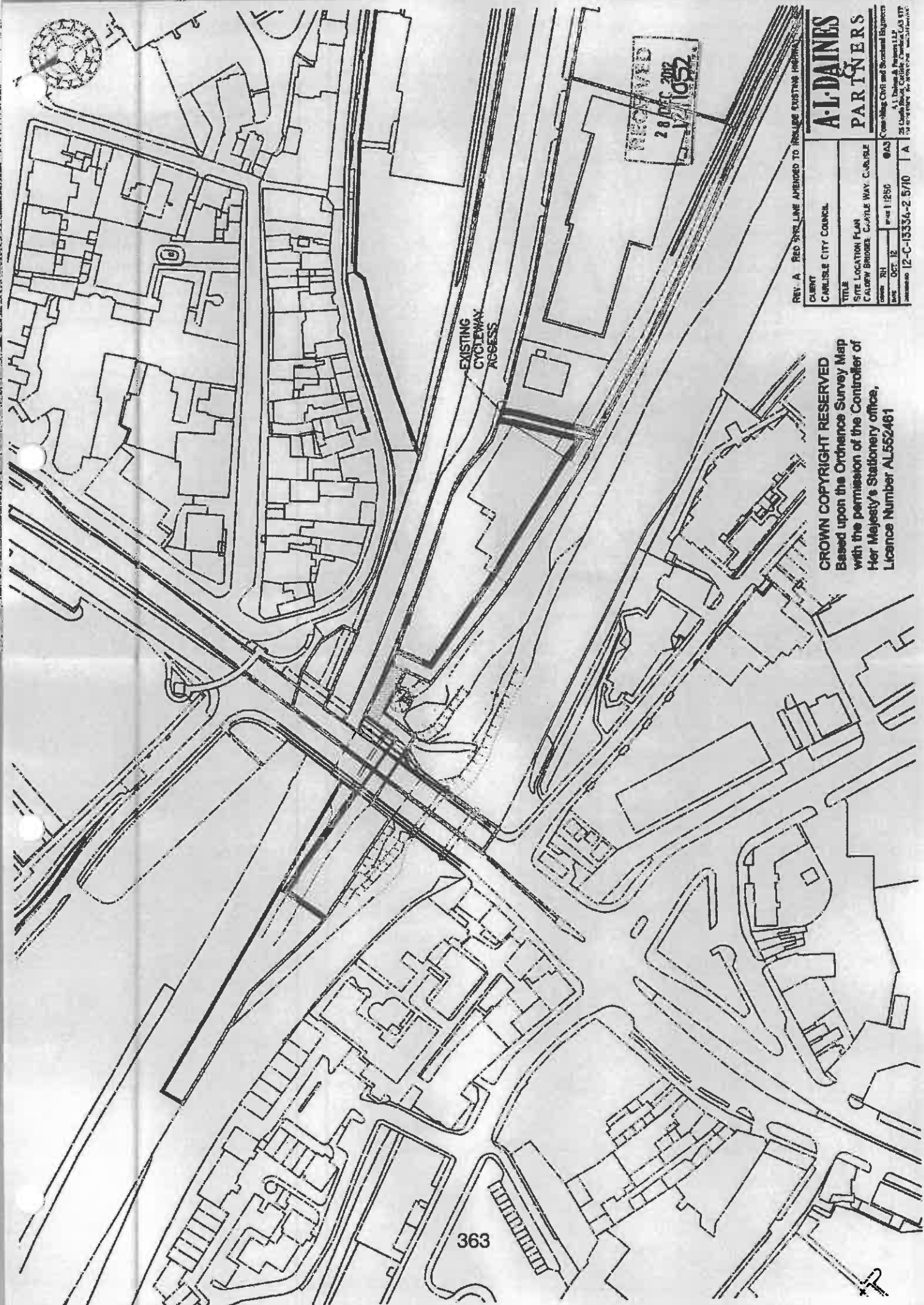
Reason: To safeguard the biodiversity of the River Eden which is a SSSI and SAC in accordance with Policy LE2 of the Carlisle District Local Plan 2001-2016.

10. The cyclepath and structure shall be designed, constructed, drained and lit to a standard suitable for adoption and in this respect full engineering details, including full structural approval documentation shall be submitted for approval before any work commences on site. All works so approved shall be constructed before the development is regarded as complete.

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.

11. Before any development takes place, a plan shall be submitted for the prior approval of the Local Planning Authority showing adequate land (including the means of access thereto) for the site compound, including space for the storage of materials, parking of vehicles/plant engaged in the various construction operations associated with the development hereby approved, and such land, including vehicular access thereto, shall be used for or 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.



REV. A RED SYR LINE ADDED TO INCLUDE EXISTING HIGHWAY

CLIENT
CARLISLE CITY COUNCIL

TITLE
SITE LOCATION PLAN
CALDWY BRIDGE, CALDWY WAY, CARLISLE

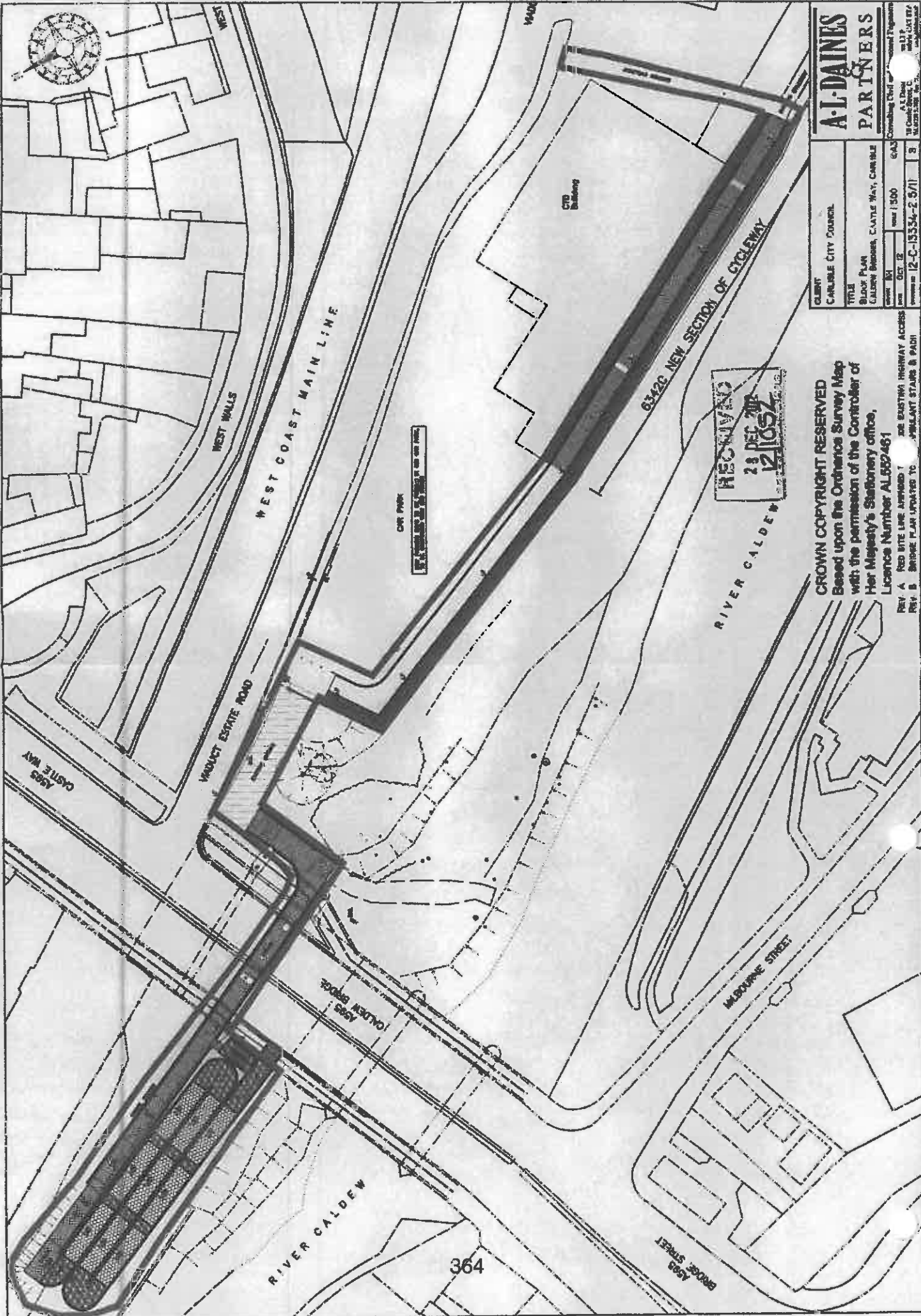
DATE
28 DEC 12

SCALE
1:1250

PROJECT NO
12-C-18334-2 5/10

PROJECT NAME
A1 DAINES & PARTNERS LLP
25 South Road, Carlisle, Cumbria, LA5 1PT
Tel: 01274 626100 Fax: 01274 626101

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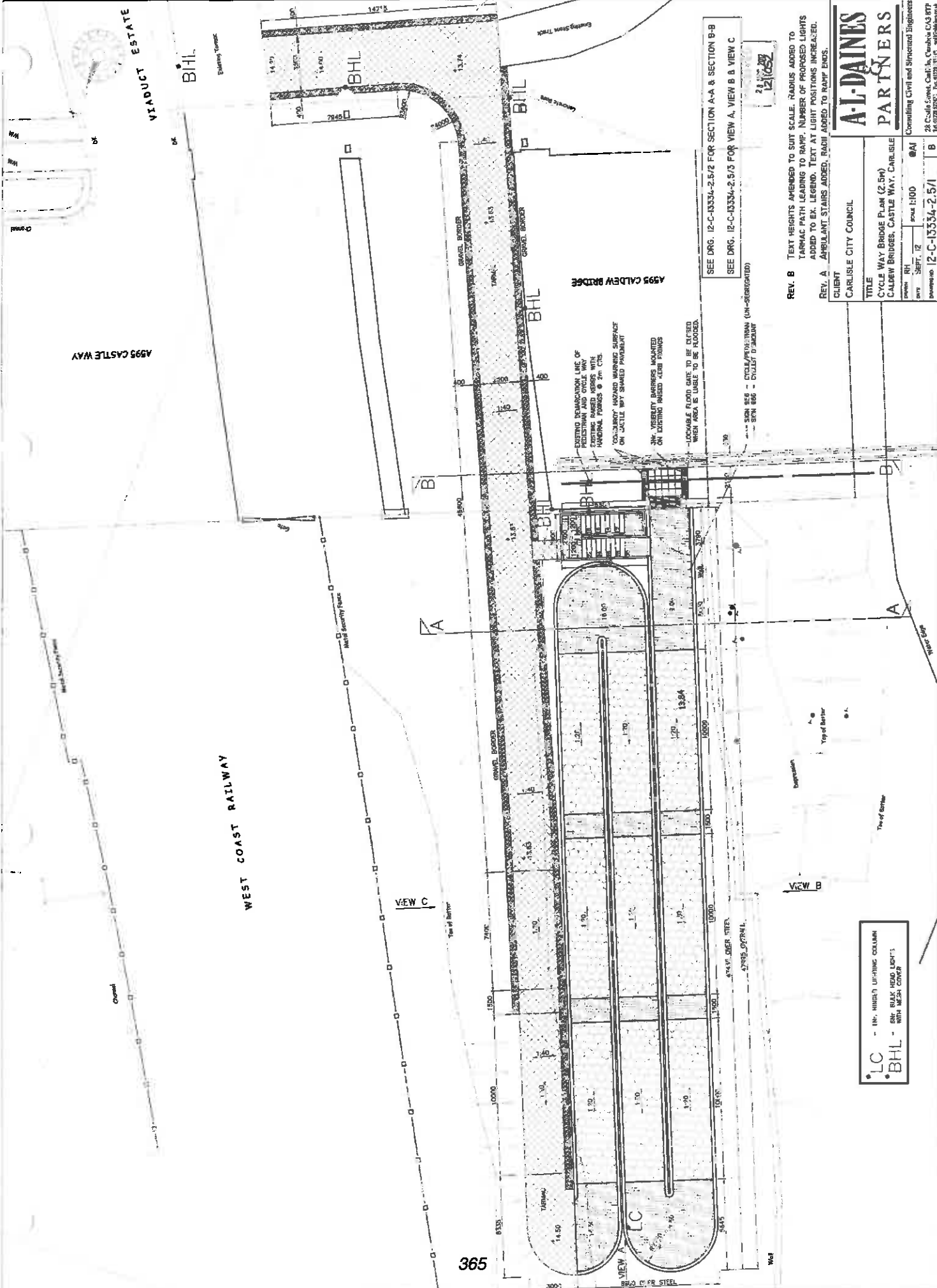
CLIENT CARLISLE CITY COUNCIL	
TITLE BLOCK PLAN CALVERT BRIDGE, CALVERT WAY, CARLISLE	
DATE 12 OCT 12	SCALE 1:500
PROJECT NO 12-C-15334-2-5/11	DATE 8
DRAWN BY A.L. DAINES	
CHECKED BY A.L. DAINES	
APPROVED BY A.L. DAINES	

A.L. DAINES PARTNERS

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REV A RED WIRE LINE APPROVED FOR EXISTING HIGHWAY ACCESS
REV B BRIDGE PLAN UPDATED TO REFLECT STAIRS & PAVI

RECEIVED
28 DEC 2012
12/1057



SEE DRG. 12-C-15334-2.5/2 FOR SECTION A-A & SECTION B-B
 SEE DRG. 12-C-15334-2.5/3 FOR VIEW A, VIEW B & VIEW C

REV. B TEXT HEIGHTS ADJUSTED TO SUIT SCALE. RADIUS ADDED TO TARMAC PATH LEADING TO RAMP. NUMBER OF PROPOSED LIGHTS ADDED TO EX. LEGEND. TEXT AT LIGHT POSITIONS INCREASED.

REV. A AMPULLANT STAIRS ADDED. RADIUS ADDED TO RAMP ENDS.

CLIENT
 CARLISLE CITY COUNCIL

TITLE
 CYCLE WAY BRIDGE PLAN (2.5M)
 CALVERT BRIDGES, CASTLE WAY, CARLISLE

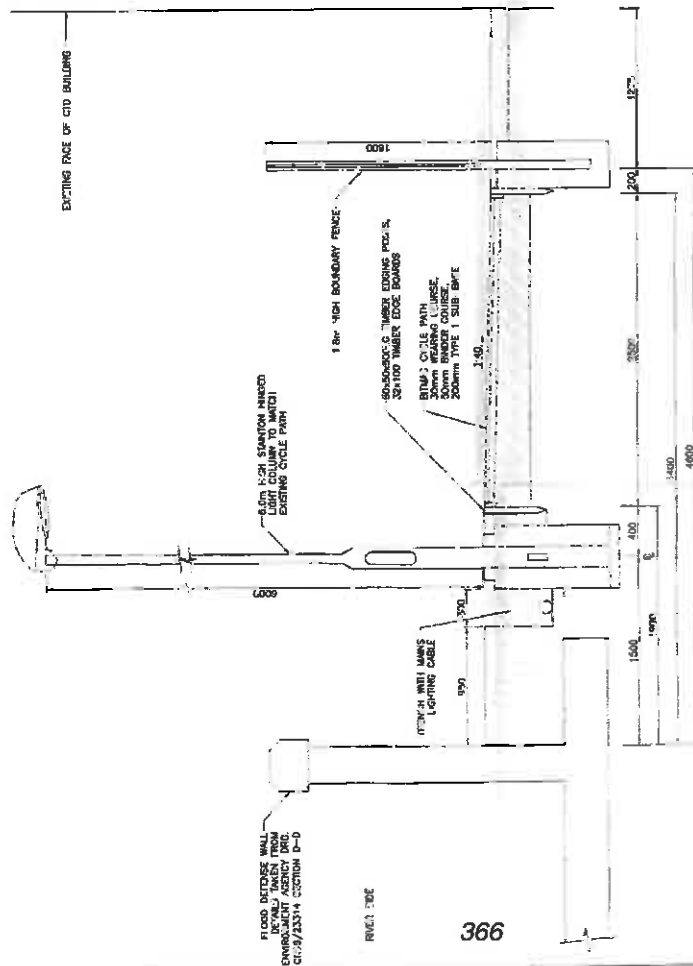
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 12/05/2012

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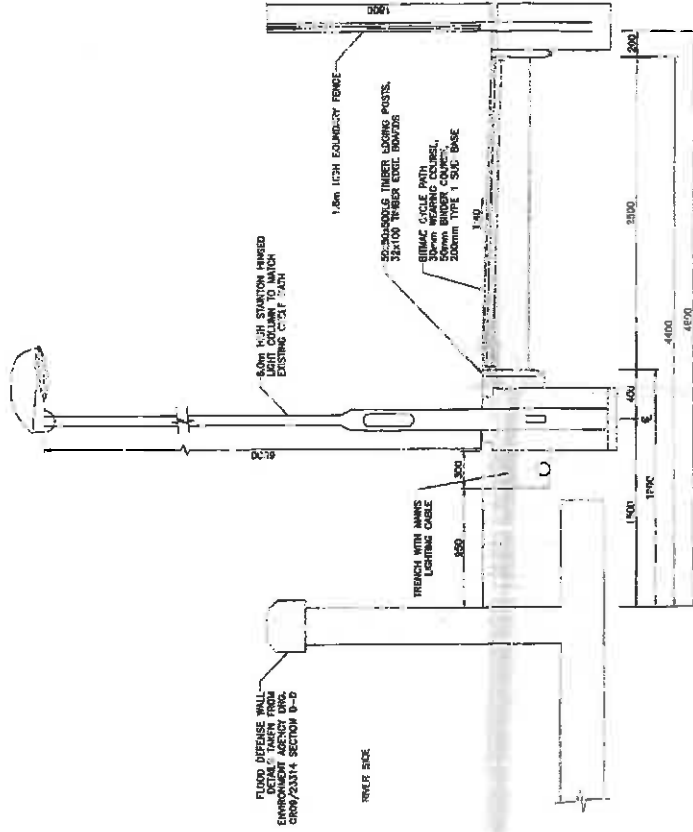
PROJECT NO.
 12-C-15334-2.5/1

28 Castle Street, Carlisle, Cumbria CA3 9TF
 Tel: 01753 557777 Fax: 01753 557777 www.a-j-daines.com

LC - 10' MIN. MINOR LIGHTING COLUMN
 BHL - 15' MIN. HIGH LIGHTS WITH MESH COVER



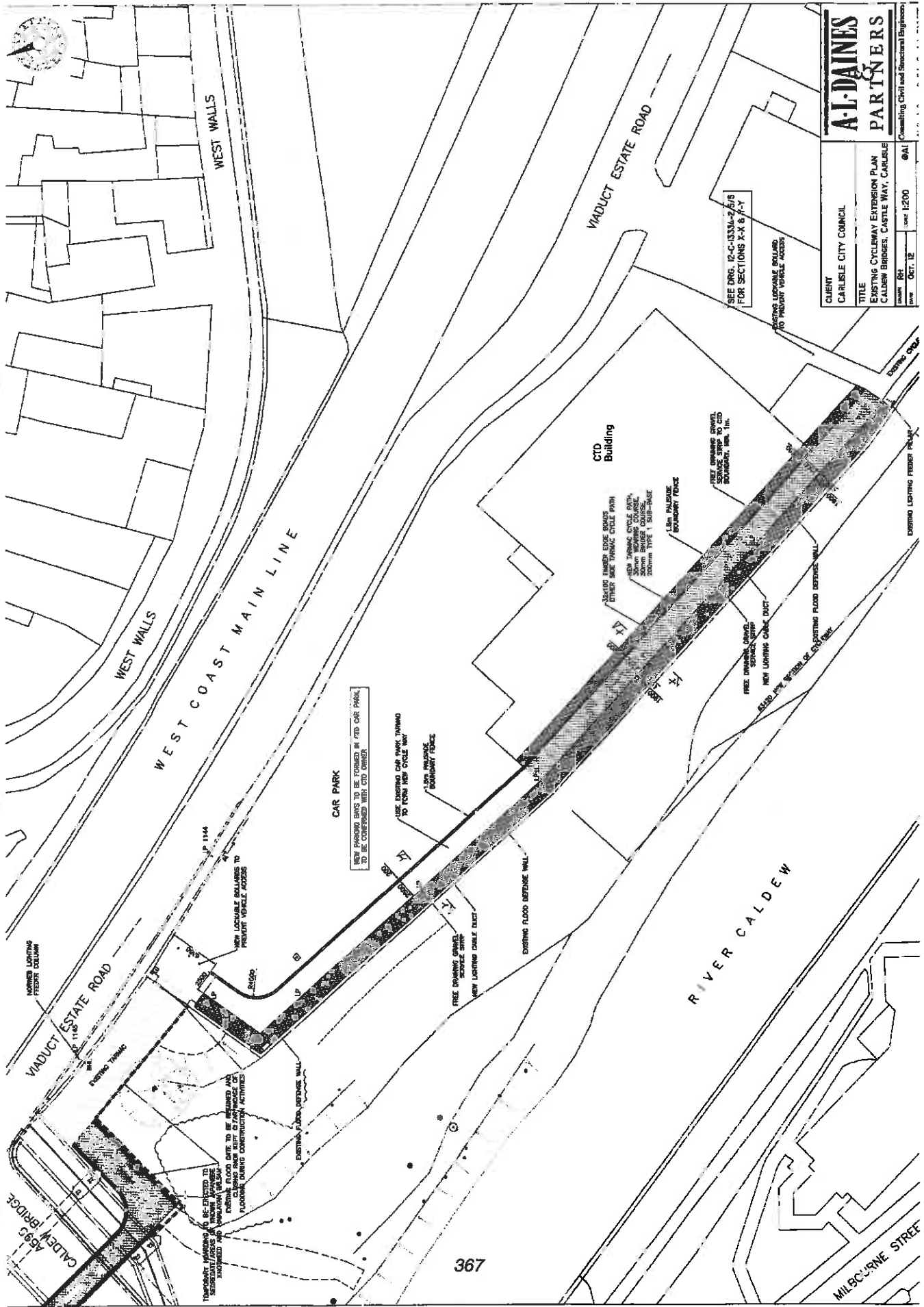
366



SEE DRG. 12-C-13334-2.5/4 FOR
POSITION OF SECTIONS X-X & Y-Y

1210870

CLIENT CARLISLE CITY COUNCIL		A.L. DAINES PARTNERS	
TITLE 2.5M CYCLE PATH SECTIONS X-X & Y-Y CALDEW BRIDGES, CASTLE WAY, CARLISLE			
DATE	REV	BY	CHKD
OCT. 12		JAN. 1:20	GAJ
Drawing No. 12-C-13334-2.5/5		Consulting Civil Engineer	
21 Castle Street, Carlisle, Cumbria, CA1 1PP		21 Castle Street, Carlisle, Cumbria, CA1 1PP	
01275252525		01275252525	
www.aldaines.co.uk		www.aldaines.co.uk	



A.I. DAINES PARTNERS
 CONSULTING CIVIL AND STRUCTURAL ENGINEERS
 CLIENT: CARLISLE CITY COUNCIL
 TITLE: EXISTING CYCLEWAY EXTENSION PLAN FOR SECTIONS X-X, Y-Y AND Z-Z
 DRAWN BY: [Name] DATE: OCT. 12
 CHECKED BY: [Name] DATE: OCT. 12
 SCALE: 1:200
 ©A.I. DAINES PARTNERS 2000

SEE DRG. 12-C-1331A-2/6/5 FOR SECTIONS X-X, Y-Y AND Z-Z

EXISTING LOCKABLE BOLLARD TO PREVENT VEHICLE ACCESS TO FLOOD DEFENCE WALL

NEW PARKING BAYS TO BE FORMED IN THE CAR PARK TO BE COORDINATED WITH CTD WORKS

USE EXISTING CAR PARK FENCING TO FORM NEW CYCLE WAY

1.5m PALISADE BOUNDARY FENCE

NEW TRAMWAY CYCLE PATH, 2.0m WIDE, 200mm BRICK COURSE, 200mm TYPE 1 SUB-BASE

1.5m PALISADE BOUNDARY FENCE

FREE DRAINAGE GULLY, SPACE STEP TO CTD BOUNDARY, MIN. 1m

FREE DRAINAGE GULLY, SPACE STEP TO CTD BOUNDARY, MIN. 1m

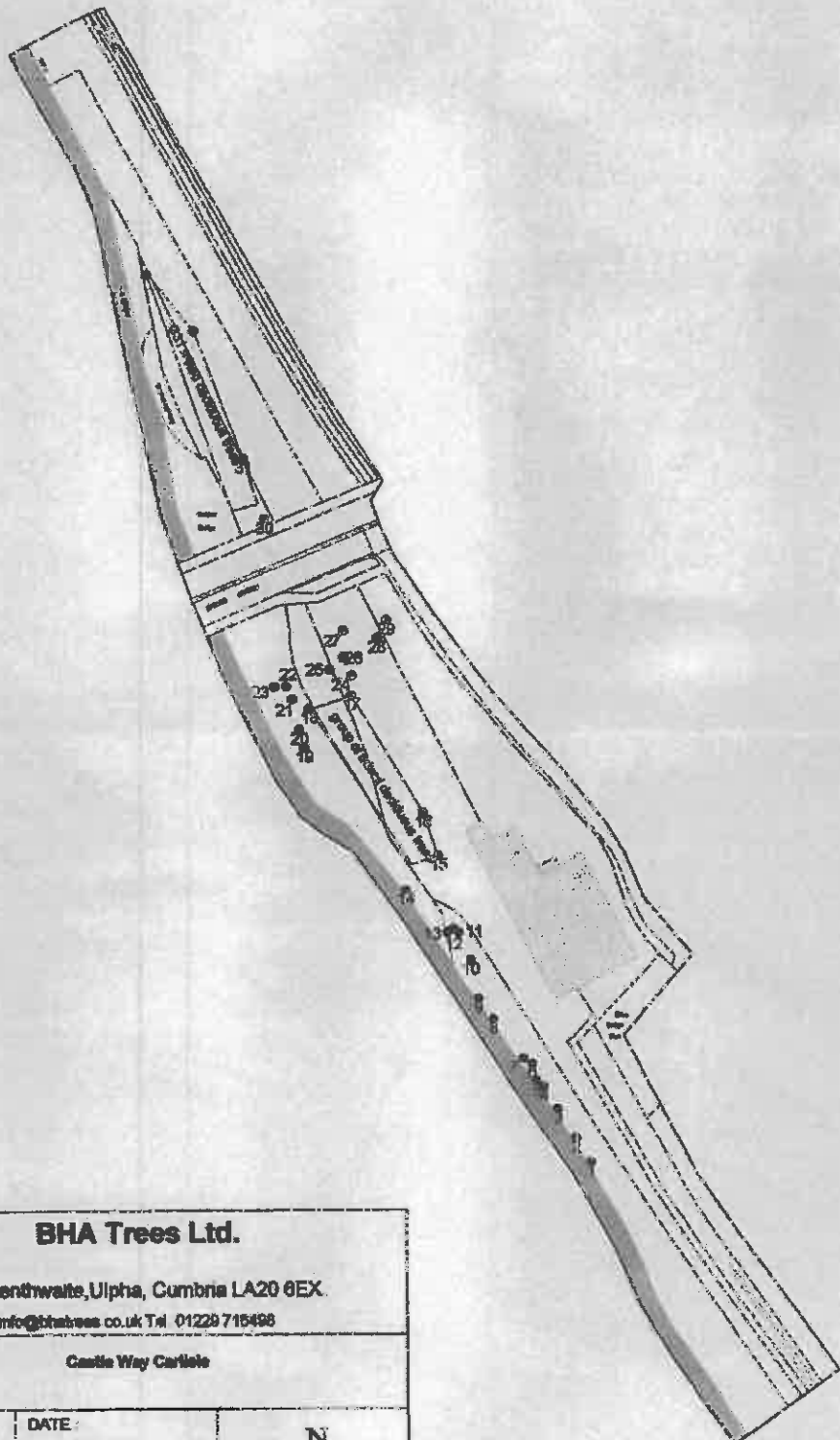
NEW LIGHTING CABLE DUCT

NEW LIGHTING CABLE DUCT

EXISTING FLOOD DEFENCE WALL

NEW LIGHTING CABLE DUCT

EXISTING LIGHTING PIPER PILE



BHA Trees Ltd.		
Brackenthwaite, Ulpha, Cumbria LA20 6EX. info@bhatrees.co.uk Tel: 01228 715498		
Castle Way Carlisle		
SCALE: 1 : 1250	DATE: 25/04/2012	
MAP FILENAME: [Filename]		
<small>Plan / Drawing created by BHA Trees Ltd. All rights reserved. Map based on Ordnance Survey (OS) data or 1:25000 OS map data with the permission of the Controller of OS. © Crown Copyright</small>		

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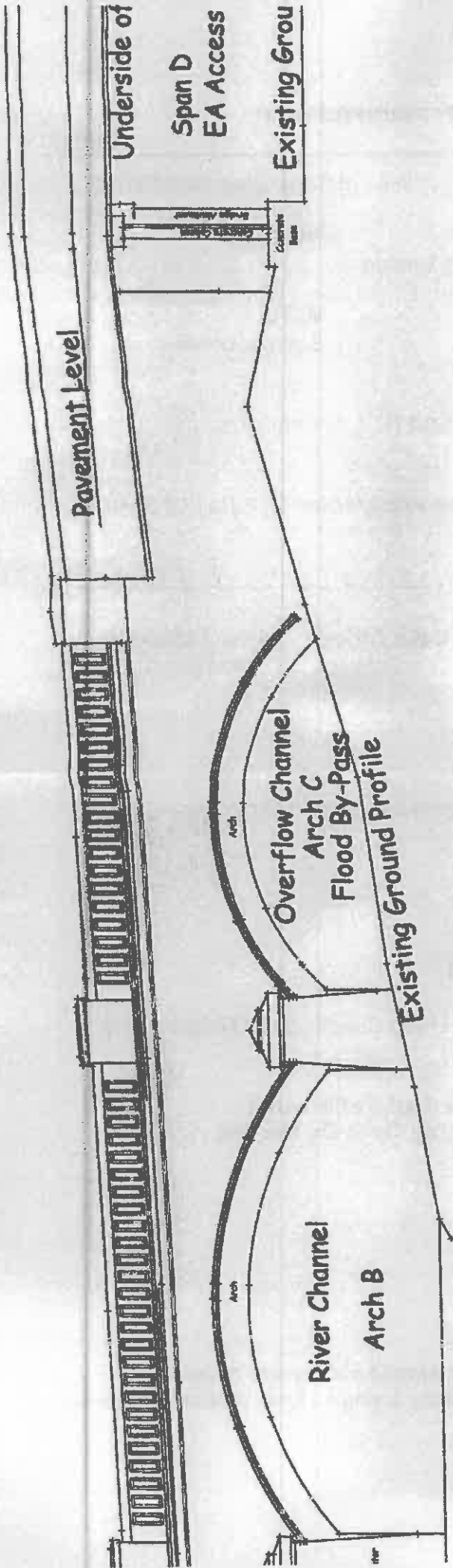


A.L. DAINES PARTNERS	
CLERK CARLISLE CITY COUNCIL	
TITLE SITE LOCATION CARLISLE PROBAND, CASTLE WAY, CARLISLE	
DATE 12/10/02	SCALE 1:1250
DRAWN BY 12-C-18334/10	
PROJECT NO. 12-C-18334/10	

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APPENDIX A

370



371

CALDEW

SOUTH ELEVATION

Caldew Bridges, Castle Way, Carlisle

RECEIVED
28 DEC 2012
12/1052

SCHEDULE A: Applications with Recommendation

13/0063

Item No: 19

Date of Committee: 08/03/2013

Appn Ref No:
13/0063

Applicant:
Magnus Homes Limited

Parish:

Date of Receipt:
28/01/2013

Agent:
Taylor & Hardy

Ward:
Stanwix Urban

Location:

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

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

REPORT

Case Officer: Richard Maunsell

1. Recommendation

1.1 It is recommended that this application is approved with conditions.

2. Main Issues

- 2.1 Principle Of Residential Development
- 2.2 Scale, Siting And Design
- 2.3 The Impact Of The Proposal On The Living Conditions Of Neighbouring Residents
- 2.4 Highway Matters
- 2.5 The Impact On The Character Of The Conservation Area
- 2.6 The Impact Of The Development On The Trees On The Site
- 2.7 Development Within The Flood Zone
- 2.8 Biodiversity

3. Application Details

The Site

3.1 The application site, which extends to around 650 square metres, is rectangular in shape. The site comprises a single storey property that is set

back approximately 40 metres within the site. The front garden of the property is bounded along the frontage of Eden Street by a hedgerow and a small brick retaining wall. There are residential properties bounding the site on all sides and the application site is within a Primary Residential Area and the Stanwix Conservation Area.

- 3.2 The site is flanked on either side by two storey terraced properties of brick construction under a slate roof. The site is a 'gap' site between number 16a Eden Street to the east and number 20 Eden Street to the north. The terraces are set back from the curtilage frontage, the distance of which diminishes between the two groups of properties with 20 Eden Street being closer to the road.

The Proposal

- 3.3 This application seeks "Full Planning" permission for the demolition of 1 dwelling and the erection of 1 pair of semi-detached properties.
- 3.4 The accommodation to be provided within each of the proposed dwellings would consist of a W.C., living room, dining room and kitchen on the ground floor, 2 bedrooms, a bathroom and 1 ensuite bedroom on the first floor.
- 3.5 The properties would be constructed from clay facing brickwork under an interlocking slate effect roof. The window and door would be white upvc and the openings detailed with painted concrete cills. The access would be via the existing vehicular access (as amended by the planning permission granted under application reference 11/0799) that would lead to a communal parking area to the front of the properties, each with its own dedicated space.
- 3.6 The site would be bounded by a 1.8 metre high timber fence with the existing hedgerow retained to the sides and rear where practical.
- 3.7 The foul drainage system would connect into the mains sewer.

4. Summary of Representations

- 4.1 This application has been advertised by means of a site notice, a press notice and direct notification to the occupiers of 26 of the neighbouring properties. In response, 1 letter of objection has been received and the main issues raised are summarised as follows:

1. this is a conservation area that is also subject to Article 4(2) status. As this direction is designed to help protect the architectural character of the buildings it is difficult to see how erecting five new dwelling within this area can possibly be regarded as conservation;
2. It would appear that this is a prime case of "Garden Grab", purely for profit, by a property developer, in a conservation area, with Article 4(2) protection, and as such should not be granted planning permission;
3. there are considerable traffic hazard implications with this proposal, given

the blind exit onto a convex bend, the fact that the entrance/exit into the site is situated at the narrowest point of the road and that it also faces the junction of the south side of Eden Place with the same road;

4. the proposal also poses a danger to pedestrians;
5. if this development were to be permitted it would greatly increase the amount of surface drainage water in an area where the existing drains struggle to cope as it is.

4.2 In addition, 1 letter of comment has been received which raises the following issues:

1. there are concerns regarding the excavation and building work near the raised area of 4ft 6ins running along the eastern edge of the proposed site development, particularly as the wall running alongside the building is leaning inwards onto the neighbouring garden;
2. demolition of the house may result in the wall collapsing on the adjoining garden;
3. on completion of the demolition there would be an unacceptable gap which should be suitably screened.

5. Summary of Consultation Responses

Cumbria County Council - (Econ. Dir. Highways & Transportation): - no objection subject to the imposition of conditions;

Northern Gas Networks: - no objection;

Local Environment - Environmental Protection: - no objection subject to the imposition of a condition;

United Utilities: - no objection. If possible this site should be drained on a separate system with only foul drainage connected into the foul sewer;

Conservation Area Advisory Committee: - the Committee noted that the 3 units to the front had been won on appeal there was no merit in objecting to the 2 replacement dwellings proposed on the footprint of the single existing dwelling on the site. The application was recommended for approval.

6. Officer's Report

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that applications for planning permission are determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise. In respect of this application, the National Planning Policy Framework (NPPF) together with CP2, CP3, CP5, CP6, CP9, CP12, CP17, H1, H2, T1, LE19 and LE29 of the Carlisle District Local Plan 2001-2016 are relevant. The proposal raises the following planning issues.

1. Principle Of Residential Development

6.2 The application site lies within the urban area of Carlisle. Policy H2 of the

Local Plan states that new residential development will be acceptable providing that compliance with four specific criteria is achievable on site. In this instance, the relevant criteria are met and, on this basis, the principle of residential development is considered acceptable.

2. Scale, Siting And Design

6.3 Policies seek to ensure the development is appropriate in terms of quality to that of the surrounding area and that development proposals incorporate high standards of design including siting, scale, use of materials and landscaping which respect and, where possible, enhance the distinctive character of townscape and landscape. This theme is identified in Policy CP5 of the Local Plan which requires that development proposals should also harmonise with the surrounding buildings respecting their form in relation to height, scale and massing and make use of appropriate materials and detailing. Development of this frontage site within the urban area will have a significant impact on the character of the area unless it is sympathetically designed.

6.4 The footprint of the building would be largely on the site of the existing building but set back a further 2 metres within the site. The submitted drawings illustrate that the proposed dwellings would be of a similar scale and massing to its immediate neighbours and other properties within the immediate vicinity of the application site. The proposed materials would also complement the existing dwellings. Furthermore, the proposal would achieve adequate amenity space and off-street parking. The character and appearance of the dwellings would not be disproportionate or obtrusive within the streetscene.

3. The Impact Of The Proposal On The Living Conditions Of Neighbouring Residents

6.5 Given the orientation of the application site with adjacent properties, it is not considered that the living conditions of the occupiers would suffer from loss of privacy or unacceptable levels of noise or disturbance. The development would not result in an overall loss of daylight or sunlight due to the distances involved between the application site and the residential properties.

6.6 As the proposal involves the introduction of windows that face the neighbouring property, it is appropriate to consider the development against the Supplementary Planning Document "Achieving Well Designed Housing". It requires that a distance of 21 metres is provided between primary windows. The proposed building would be sited adjacent to residential properties; however, there would be no conflict with the minimum distances required by the SPD.

4. Highway Matters

6.7 The site is served from an existing vehicular access that leads from the County highway. The access comprises of a narrow entrance located on the sweeping bend on Eden Place. During consideration of the previous application for the development of 3 houses along the frontage of the site

along Eden Place, several objectors raised concerns that the access would be inappropriate to deal with the level of car parking use associated with the properties.

- 6.8 The approved scheme proposes to increase the width of the pavement that bounds the site, thereby narrowing the width of the road. This would reduce the severity of the bend and provide visibility splays of 2.4 metres by 43 metres. This access arrangement was considered satisfactory to the Highway Authority and to the Planning Inspector during the consideration of the subsequent appeal.
- 6.9 During the appeal, the objectors also raised concerns about additional traffic pressure on the access generated by potential future redevelopment to the rear of the site, which is the subject of this application. In responding to these concerns, the Inspector commented that:
- “It would be for the Council to assess any future proposal in the context of the site and surrounding circumstances at that time and in the light of the up to date development plan as I have done in this case.”
- 6.10 The proposal seeks to replace an existing dwelling with 2 properties and therefore, there would be an overall net increase of 1 property on the site. Given this variation in vehicle movements, it is considered that the proposed improved access arrangements would be acceptable.
- 6.11 The scheme proposes a level of 2 off-street parking spaces per dwelling which is acceptable. Members will note that the Highway Authority has raised no objection.

5. The Impact On The Character Of The Conservation Area

- 6.12 The site is located within the Stanwix Conservation Area. Proposals for development within such designated areas should enhance the character and appearance of the area and protect the specific characteristics of the Conservation Area. The fact that the site is within the Conservation Area does not preclude development per se. Consideration of any proposal has to be against the relevant planning policy.
- 6.13 The objector has raised concerns that issue that 5 dwellings on the site would not enhance the character of the Conservation Area; however, Members will note that this application seeks consent for the erection of 2 dwellings. Whilst the cumulative total would be 5 new houses, the application has to be considered in context.
- 6.14 The site is well contained within the site and the development would not have a significant impact on the streetscene or the character of the Conservation Area. The scale, design and use of materials would be appropriate for a building in this context and the character of the Conservation Area would not be adversely affected.

6. The Impact Of The Development On The Trees On The Site

- 6.15 There are several trees along the eastern boundary of the site which would be removed as part of the development. The trees are not significant in size or position within the site and do not positively contribute to the overall character of the area. No objection has been raised by the Council's Tree Officer subject to the imposition of appropriate conditions.

7. Development Within The Flood Zone

- 6.16 Part of the site is within Flood Zone 2. In respect of the development, it is only the south-east corner of the site that forms part of the vehicular access is within the Flood Zone. The proposed dwellings are out with the Flood Zone and in this respect, the construction of the properties does not raise any issues with reference to Policy LE27.

8. Biodiversity

- 6.17 Planning Authorities in exercising their planning and other functions must have regard to the requirements of the EC Habitats Directive (92/43/EEC) when determining a planning application as prescribed by regulation 3 (4) of the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended). Such due regard means that Planning Authorities must determine whether the proposed development meets the requirements of Article 16 of the Habitats Directive before planning permission is granted. Article 16 of the Directive indicates that if there is reasonable likelihood of a European protected species being present then derogation may be sought when there is no satisfactory alternative and that the proposal will not harm the favourable conservation of the protected species and their habitat.
- 6.18 A Bat, Barn Owl and Breeding Bird Survey has been submitted. The survey concludes that no signs of barn owls, bats or birds roosting or nesting in the building. Brown Long Eared bats were observed flying around the garden and feeding around the boundary trees. The report identifies suitable mitigation measures and timing of works to minimise potential harm to bats and birds. An informative is included within the decision notice ensuring that if a protected species is found all work must cease immediately, the Local Planning Authority information and that a European Protected Species Licence will be required.

9. Other Matters

- 6.19 The applicant has provided further information that addresses the concerns of the resident. In essence, the floor level of the properties would be 160mm below the height of the wall. The gable of the existing building would be demolished by hand with the assistance of scaffolding on the neighbouring property and a 1.8 metre high timber fence would screen the site from the neighbouring property. The neighbour has welcomed this response from the applicant and is satisfied that her issues have been addressed.
- 6.20 The objector has raised concerns that the site is within an areas subject to an Article 4(2) direction and that development would adversely affect this

designated area. The properties immediately to the east and west of the site are within the designated area but the application site is excluded. Notwithstanding this, for the aforementioned reasons the development would not be detrimental to the character of the area or the adjacent Article 4(2) designations.

- 6.21 Article 8 and Article 1 Protocol 1 of the Humans Rights Act are relevant but the impact of the development in these respects would be minimal and the separate rights of the individuals under this legislation will not be prejudiced. If it was to be alleged that there was conflict it is considered not to be significant enough to warrant the refusal of permission.

Conclusion

- 6.22 In overall terms, the principle of residential development on the site is acceptable. The dwellings would be set back from the frontage of the site and the scale, design and massing takes account of the character and appearance of the surrounding built environment ad to the advice within current planning policies and Supplementary Planning Documents. Further, it proposes an appropriate design and use of vernacular materials such that the development would not adversely affect the character or appearance of the Conservation Area. In all aspects the proposal is compliant with the objectives of the relevant Local Plan policies.

7. Planning History

- 7.1 Planning permission was granted in 2003 for the erection of a conservatory. Later in the same year, a revised scheme was approved.
- 7.2 An application for full planing permission for the erection of 3 dwellings was refused in 2012. The application was later allowed by the Planning Inspectorate.
- 7.3 In 2012, conservation area consent was refused for the demolition of a gate and gate stoops. The application was later allowed by the Planning Inspectorate.
- 7.4 An application for conservation area consent for the demolition of a dwelling is currently being considered under application reference 13/0064.

8. Recommendation: Grant Permission

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

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

2. The 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 Notice of Decision.

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.



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Client: Magnus Homes

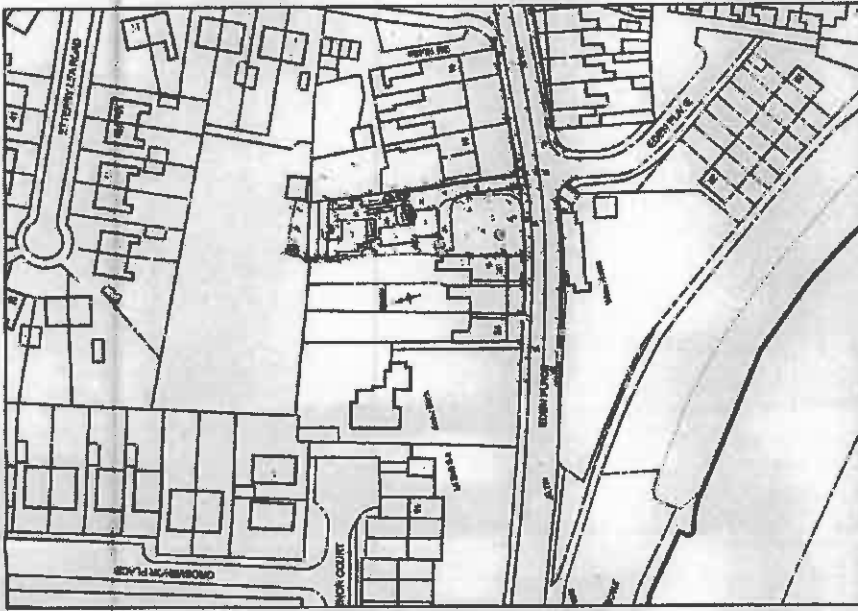
Project:

Eden Place Phase 2
 Proposed Residential Development
 Carlisle

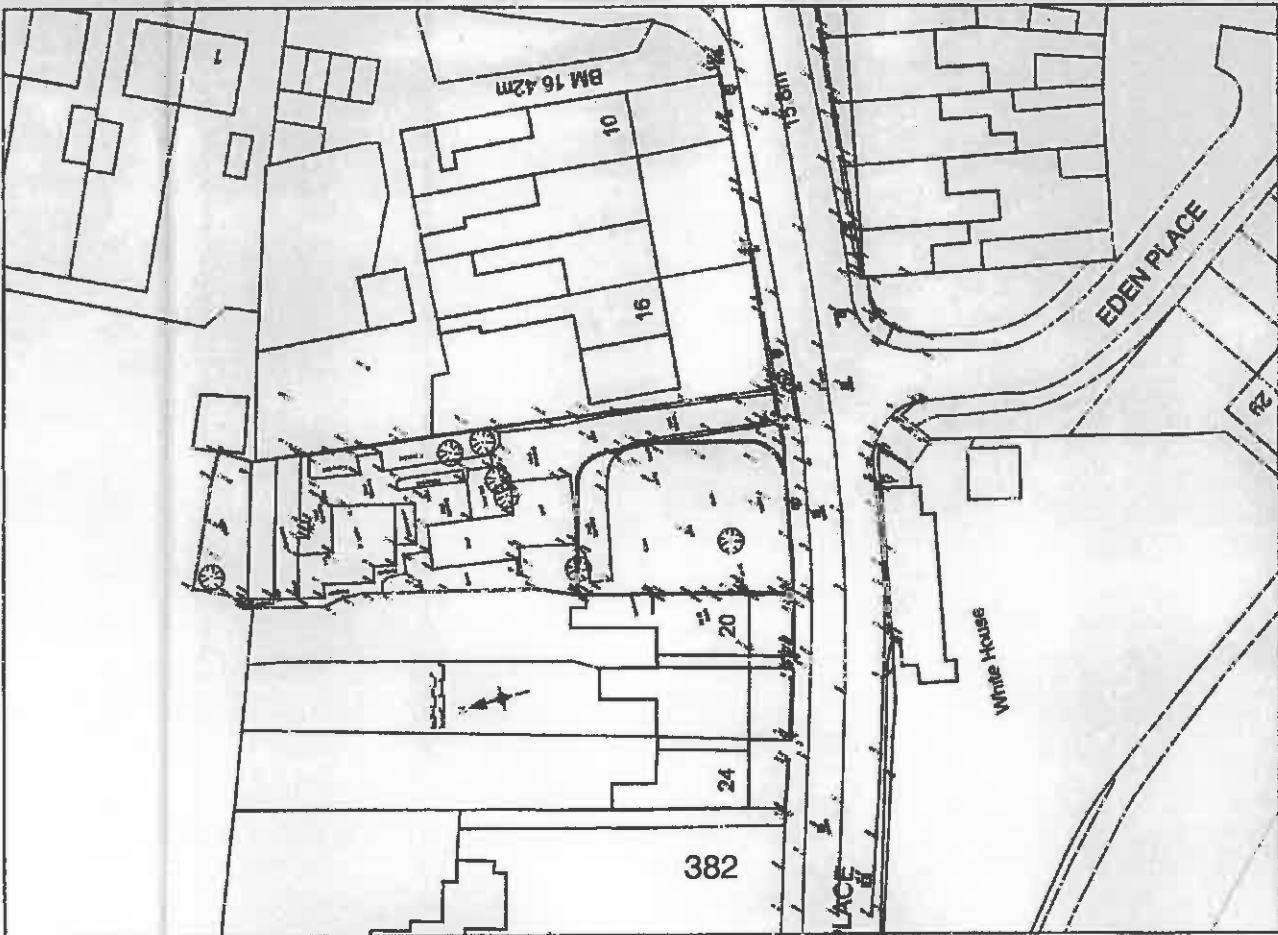
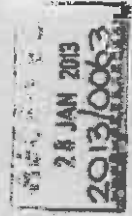
Title:

Block Plan as Existing

Sheet	Project No.	Drawn	Date
1/1250/600	A3	JC	01/13
Project No.	Drawing No.	Number	
1422	003		



Location Plan as Existing
1:1250



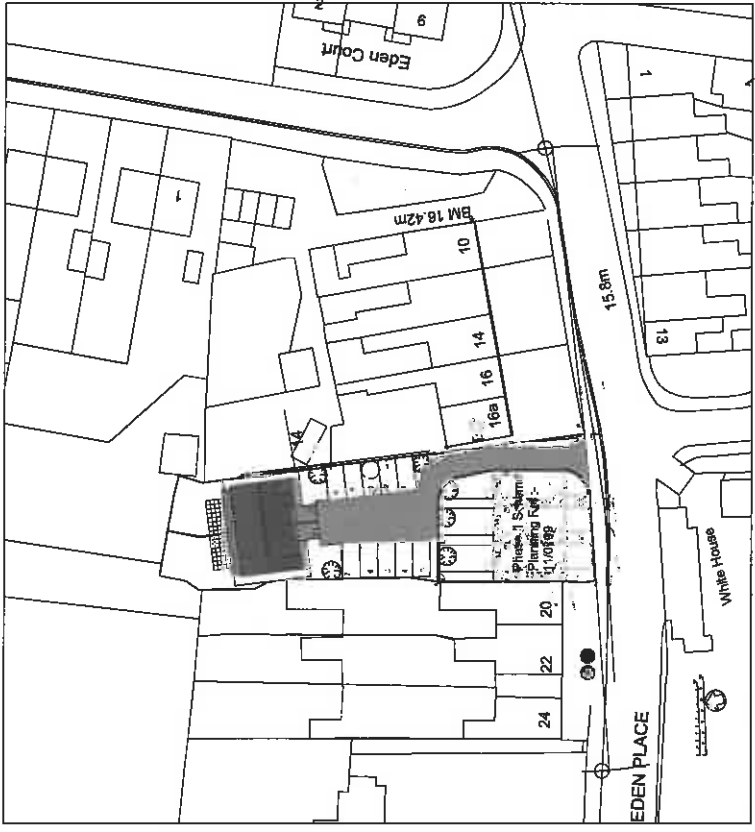
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NOTES AND AMENDM^T

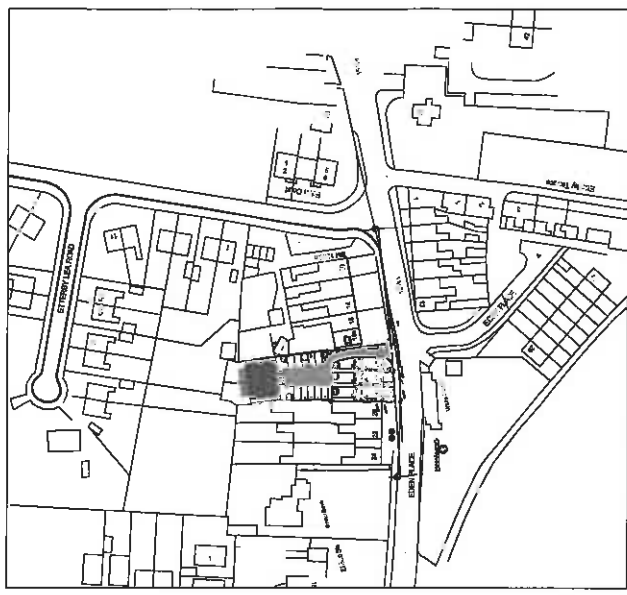
1. Additional information added regarding boundary's & levels

REVISIONS

No.	Date	By	Check	Drawn
A			JC	BC13



**Block Plan
1:500**



**Location Plan
1:1250**



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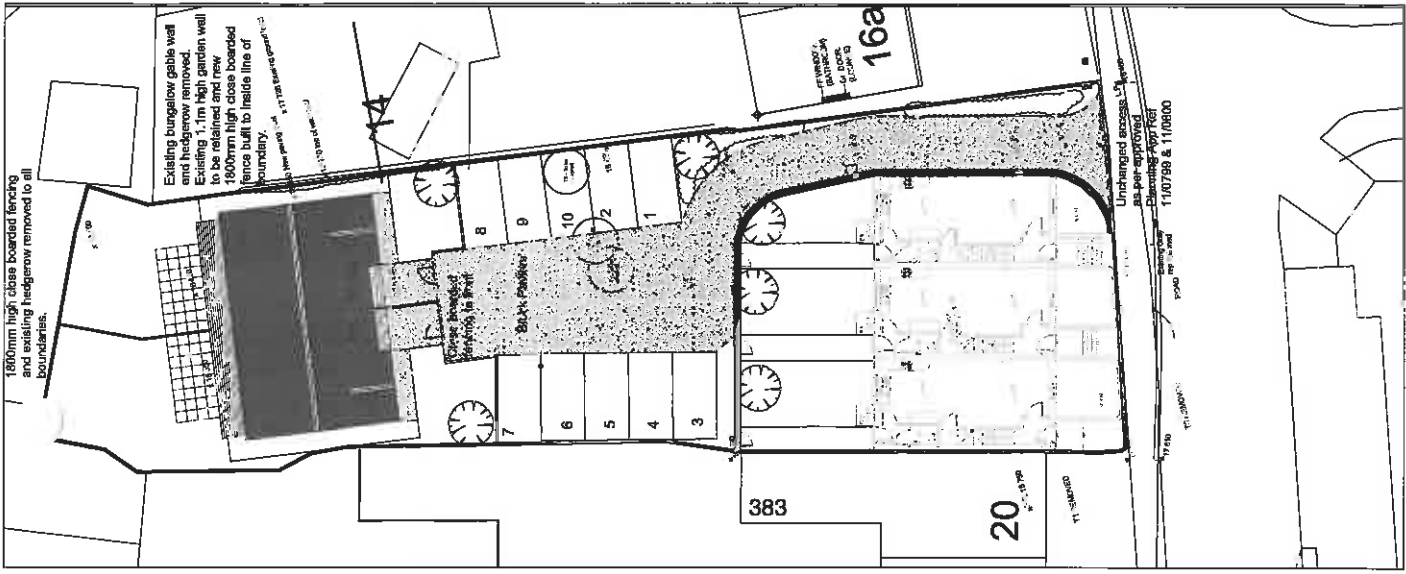
04-4
 Magnus Homes

Eden Place Phase 2
 Proposed Residential Development
 Carlisle

Site Plan, Block Plan &
 Location Plan

Version	Date	By	Check	Drawn
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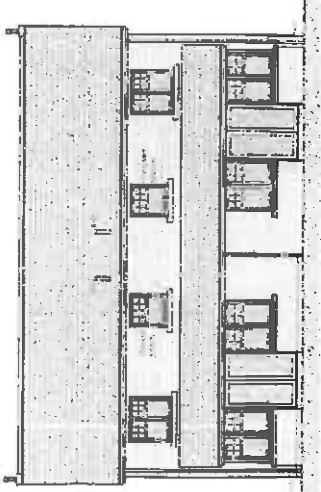
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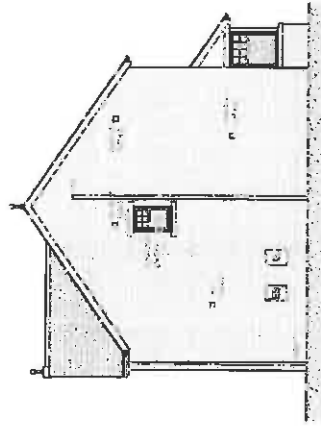
**Site Plan
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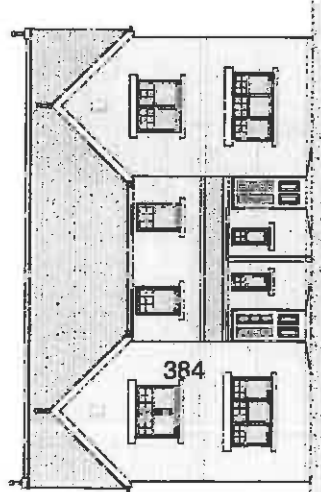
Walls - Claycrete Primercoat
 Main Roof - 300mm Insulated Rafters with 200mm Dry Slag and 150mm Gypsum Board
 Lean To Roofs - 200mm Insulated Rafters with 200mm Dry Slag and 150mm Gypsum Board
 Windows - White UPVC 6-point
 Doors - White UPVC 6-point
 Front Doors - Coloured composite door with leaded glass
 Bathrooms - White UPVC with 200mm tiles
 Kitchens - White UPVC with 200mm tiles
 External Walls - White UPVC with 200mm tiles
 External Doors - Black UPVC



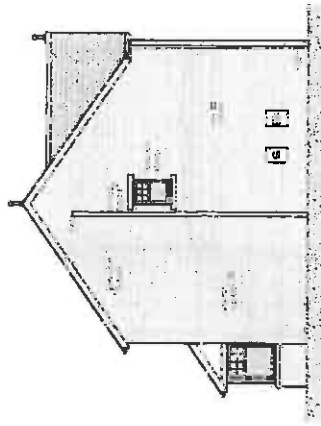
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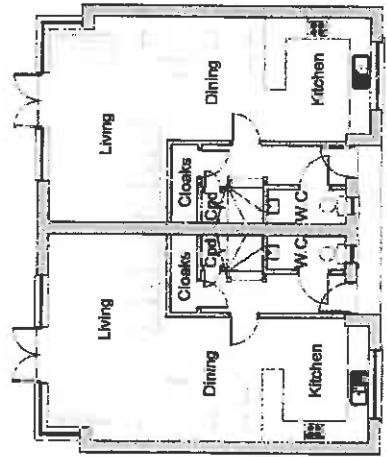
Side Elevation



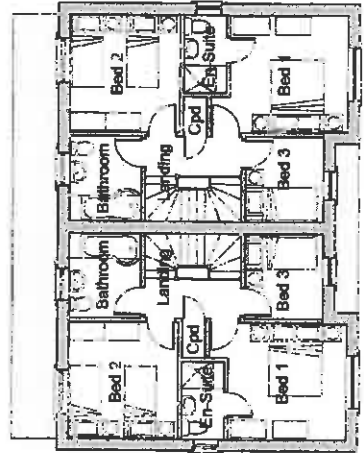
Front Elevation



Side Elevation



Ground Floor Plan



First Floor Plan



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Client: Magnus Homes

Project:
 Eden Place Phase 2
 Proposed Residential Development
 Carlisle

Site:
 Proposed Housing

No.	Revision	Date
1422	001	0015

SCHEDULE A: Applications with Recommendation

13/0064

Item No: 20

Date of Committee: 08/03/2013

Appn Ref No:
13/0064

Applicant:
Magnus Homes Limited

Parish:
Carlisle

Date of Receipt:
28/01/2013

Agent:
Taylor & Hardy

Ward:
Stanwix Urban

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

Proposal: Demolition Of Detached Bungalow (Conservation Area Consent)

REPORT

Case Officer: Richard Maunsell

1. Recommendation

- 1.1 It is recommended that this application is approved with conditions.

2. Main Issues

- 2.1 Whether The Demolition Of The Property In The Conservation Area Is Acceptable

3. Application Details

The Site

- 3.1 The site comprises a single storey property that is set back approximately 40 metres within the site. The front garden of the property is bounded along the frontage of Eden Street by a hedgerow above a 700mm high retaining brick wall. There are residential properties bounding the site on all sides and the application site is within a Primary Residential Area and the Stanwix Conservation Area.
- 3.2 The site is flanked on either side by two storey terraced properties of brick construction under a slate roof. A vehicular access serves the property adjacent to 16a Eden Street. The site is a visual 'gap' site between number

16a Eden Street to the east and number 20 Eden Street to the north. The terraces are set back from the curtilage frontage, the distance of which diminishes between the two groups of properties with 20 Eden Street being closer to the road.

Background

- 3.3 An application for Conservation Area Consent was refused in 2012 for the demolition of gate and stoops for the following reason:

“The stone gate stoops are located either side of the vehicular access and are prominently sited within the Stanwix Conservation Area. These traditional gates stoops form part of the historic fabric of the area and make a substantial contribution to the character and appearance. Heritage assets are irreplaceable, any harm or loss require clear and convincing justification. Historic features should be retained and preserved and in this instance, there is insufficient justification to warrant their removal. The proposed removal of these stone gate stoops would detract from the special architectural and historic interest which designation as a Conservation Area seeks to preserve or enhance. Approval would therefore be contrary to paragraph 132 of the National Planning Policy Framework and criteria 1 of Policy LE19 (Conservation Areas) of the Carlisle District Local Plan 2001-2016.”

- 3.4 Following an appeal to the Planning Inspectorate, the Inspector considered that stone or brick stoops of various degrees of quality and design are a characteristic feature of the conservation area; however, they do not occur universally within the conservation area nor is any particular pattern evident in this part of it.
- 3.5 The Inspector noted that these particular gate stoops are unusual but not a key characteristic of the area. They are not designated assets or so unique as to be considered to make a significant contribution to the conservation area.
- 3.6 The Inspector concluded that whilst their removal without any other development would not preserve the conservation area, their loss as part of a coherent access improvement for acceptably designed residential development on the site would not cause substantial harm to it and for these reasons, consent was granted.

The Proposal

- 3.7 This application seeks “Conservation Area Consent” for the demolition of the dwelling. The property is single storey in height and is constructed from painted render under a slate roof. The building has been altered over time with the addition of single storey extensions.

4. Summary of Representations

- 4.1 This application has been advertised by means of a site notice, a press notice

and direct notification to the occupiers of 25 of the neighbouring properties. In response, 1 letter of objection has been received and the main issues raised are summarised as follows:

1. this is a conservation area that is also subject to Article 4(2) status. As this direction is designed to help protect the architectural character of the buildings it is difficult to see how erecting five new dwelling within this area can possibly be regarded as conservation;
2. It would appear that this is a prime case of "Garden Grab", purely for profit, by a property developer, in a conservation area, with Article 4(2) protection, and as such should not be granted planning permission;
3. there are considerable traffic hazard implications with this proposal, given the blind exit onto a convex bend, the fact that the entrance/exit into the site is situated at the narrowest point of the road and that it also faces the junction of the south side of Eden Place with the same road;
4. the proposal also poses a danger to pedestrians;
5. if this development were to be permitted it would greatly increase the amount of surface drainage water in an area where the existing drains struggle to cope as it is.

5. Summary of Consultation Responses

Cumbria County Council - (Econ. Dir. Highways & Transportation): - comments awaited;

Local Environment - Environmental Protection (former Comm Env Services-Env Quality): - no objection in principle. It should be noted however that the process will be noisy and it is essential that on site operations are managed in such a way as to prevent a statutory noise nuisance.

6. Officer's Report

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that applications for planning permission are determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise. In respect of this application, the National Planning Policy Framework (NPPF) together with Policies LE17 and LE19 of the Carlisle District Local Plan 2001-2016 are relevant. The proposal raises the following planning issues.

1. Whether The Demolition Of The Building Is Acceptable

6.2 Planning policies require that 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 contribution of the building to the landscape/townscape; and the structural condition of the building; and the suitability of the building for its existing, proposed or any other use; and the cost of repair; and the contribution which the demolition/redevelopment would make to broader conservation objectives the inclusion

of any building on a local list.

- 6.3 Members will be aware that the Government published revised planning guidance on 27th March 2012 entitled “National Planning Policy Framework” which revises a large number of previous planning policies and circulars. Paragraph 134 of this document states that:

“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.”

- 6.4 The issue lies solely with the removal of the property and the impact on the character and appearance of the Conservation Area. The supporting text in paragraph 6.72 to Policy LE17 of the Local Plan states:

“In assessing applications for planning permission involving proposals that would involve the demolition of an unlisted building in the conservation area, the Council will have regard to the desirability of preserving or enhancing the character and appearance of the conservation area in which the building is situated, and the wider benefits of demolition on the building’s surroundings and on the conservation area as a whole.

- 6.5 A balanced judgement of the proposal is therefore necessary. Whilst the building has some historic significance, the single storey property is set back within the site and views from outwith the site are minimal and glimpsed. The building itself is of little architectural merit. The Inspector concluded the removal of the wall and gate stoops would be acceptable. Whilst there is no direct comparison, the loss of the property would arguably have less of an impact on the Conservation Area due to the position within the site; therefore, its contribution to the character and appearance of the Conservation Area is minimal.

- 6.6 In light of these reasons, the demolition of the building would not have an adverse impact on the Conservation Area and the proposal to demolish the building is considered to be acceptable.

- 6.7 Ordinarily, proposals to demolish buildings and structures in the Conservation Area are linked to a planning application to redevelop the site and this linkage is enforced by way of a condition. The reason for the condition is to ensure that the character of the Conservation Area is not blighted by vacant sites where buildings have been demolished. In this instance, the application for Full Planning permission is also before Members elsewhere in this schedule under application reference 13/0063; however, it would be unreasonable to impose such a condition as the demolition of the visual loss of the building would be negligible and would not adversely impact on the character of the area.

- 6.8 In order to ensure that the demolition is undertaken in an appropriate manner that takes into account the occupiers of the neighbouring properties, it is recommended that a condition is imposed requiring the submission of a

management plan.

2. Other Matters

- 6.9 Although 1 letter of objection has been received, the issues raised relate to the redevelopment of the site which is the subject of a separate application. No issues are raised with regard to the demolition of the property.
- 6.10 The objector has raised concerns that the site is within an areas subject to an Article 4(2) direction and that development would adversely affect this designated area. The properties immediately to the east and west of the site are within the designated area but the application site is excluded. Notwithstanding this, for the aforementioned reasons the development would not be detrimental to the character of the area or the adjacent Article 4(2) designations.
- 6.11 Article 8 and Article 1 Protocol 1 of the Humans Rights Act are relevant but the impact of the development in these respects would be minimal and the separate rights of the individuals under this legislation will not be prejudiced. If it was to be alleged that there was conflict it is considered not to be significant enough to warrant the refusal of permission.

Conclusion

- 6.12 In overall terms, the property is not of architectural merit and its contribution to the character and appearance of the Conservation Area is limited. In all aspects the proposal is considered to be compliant with the objectives of the relevant Local Plan policies.

7. Planning History

- 7.1 Planning permission was granted in 2003 for the erection of a conservatory. Later in the same year, a revised scheme was approved.
- 7.2 An application for full planing permission for the erection of 3 dwellings was refused in 2012. The application was later allowed by the Planning Inspectorate.
- 7.3 In 2012, conservation area consent was refused for the demolition of a gate and gate stoops. The application was later allowed by the Planning Inspectorate.
- 7.4 An application for planning permission for the demolition of detached bungalow and erection of a pair of semi detached dwellings is currently being considered under application reference 13/0063.

8. Recommendation: Grant Permission

1. The development shall be begun not later than the expiration of 3 years

beginning with the date of the grant of this permission.

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

2. The 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 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.

SCHEDULE A: Applications with Recommendation

12/1051

Item No: 21

Date of Committee: 08/03/2013

Appn Ref No:
12/1051

Applicant:
Mr T A Smith

Parish:
Carlisle

Date of Receipt:
04/01/2013

Agent:

Ward:
Yewdale

Location:

1 Inglewood Road, Carlisle, Cumbria, CA2 6JH

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

REPORT

Case Officer: Stephen Daniel

1. Recommendation

- 1.1 It is recommended that this application is approved with conditions.

2. Main Issues

- 2.1 Whether The Scale And Design Would Be Acceptable
2.2 Impact Of The Proposal On The Living Conditions Of The Occupiers Of Any Neighbouring Properties

3. Application Details

The Site

- 3.1 1 Inglewood Road forms part of a semi-detached dwelling, the front section of the ground floor of which is currently occupied by a sandwich shop (15 Orton Road). The property, which is accessed via a door in the side elevation, contains a living room and a small kitchen, which is located in a small single-storey rear extension. The first floor, which extends over the sandwich shop, contains two bedrooms and a bathroom.
- 3.2 The adjoining semi-detached dwelling, which is in residential use, has a single-storey rear extension. The property to the rear (3 Inglewood Road) is

also in residential use.

Background

- 3.3 This application has been brought to committee because the applicant's son works for the City Council.

The Proposal

- 3.4 The proposal is seeking planning permission for the erection of a single-storey side and rear extension. The existing single-storey rear extension, which projects out 2.4m and measures 2.2m in width, would be demolished. The new rear extension would project out 3.3m and would have a monopitch roof, which would measure 2.5m to the eaves and 3.7m at its highest point. It would be set in 0.2m from the edge of the boundary with 13 Orton Road and would tie in with the side extension, which would measure 2.9m in width. The extensions, which would contain a sitting room, a kitchen and a w.c., would be constructed of red facing brick, with tiles to match the existing dwelling.

4. Summary of Representations

- 4.1 This application has been advertised by means of a site notice and notification letters sent to five neighbouring properties. No verbal or written representations have been made during the consultation period.

5. Summary of Consultation Responses

Cumbria County Council - (Econ. Dir. Highways & Transportation): - no objections;
Northern Gas Networks: - no objections.

6. Officer's Report

Assessment

- 6.1 The relevant planning policies against which the application is required to be assessed are Policies H11 and CP5 of the Carlisle District Local Plan 2001-2016. The proposals raise the following planning issues:
1. Whether The Scale And Design Would Be Acceptable
- 6.2 The rear extension would project out 3.3m from the existing rear elevation of the dwelling, whilst the side extension would project out 2.9m. The extensions would have an eaves height of 2.5m and a maximum height of 3.7m and would, therefore, be of an appropriate scale. The extensions would be constructed of brick, with tiles to match the existing dwelling. Whilst the existing property is finished in render, there are dwellings in the vicinity which are brick to the ground floor and render to the first floor. The scale and

design of the proposals would, therefore, be acceptable.

2. Impact Of The Proposal On The Living Conditions Of The Occupiers Of Any Neighbouring Properties

- 6.3 There would be no windows in the side elevation facing 13 Orton Road. Given the scale of the rear extension, it would not have an adverse impact on the living conditions of the occupiers of this dwelling, through loss of light or over dominance.

Conclusion

- 6.4 In overall terms, the scale and design of the proposal would be acceptable and it would not have an adverse impact on the living conditions of the occupiers of any neighbouring properties through loss of light, loss of privacy or over dominance. In all aspects the proposal is considered to be compliant with the objectives of the relevant adopted Local Plan policies.

7. Planning History

- 7.1 There is no planning history relating to this site.

8. Recommendation: Grant Permission

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

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

2. The 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.

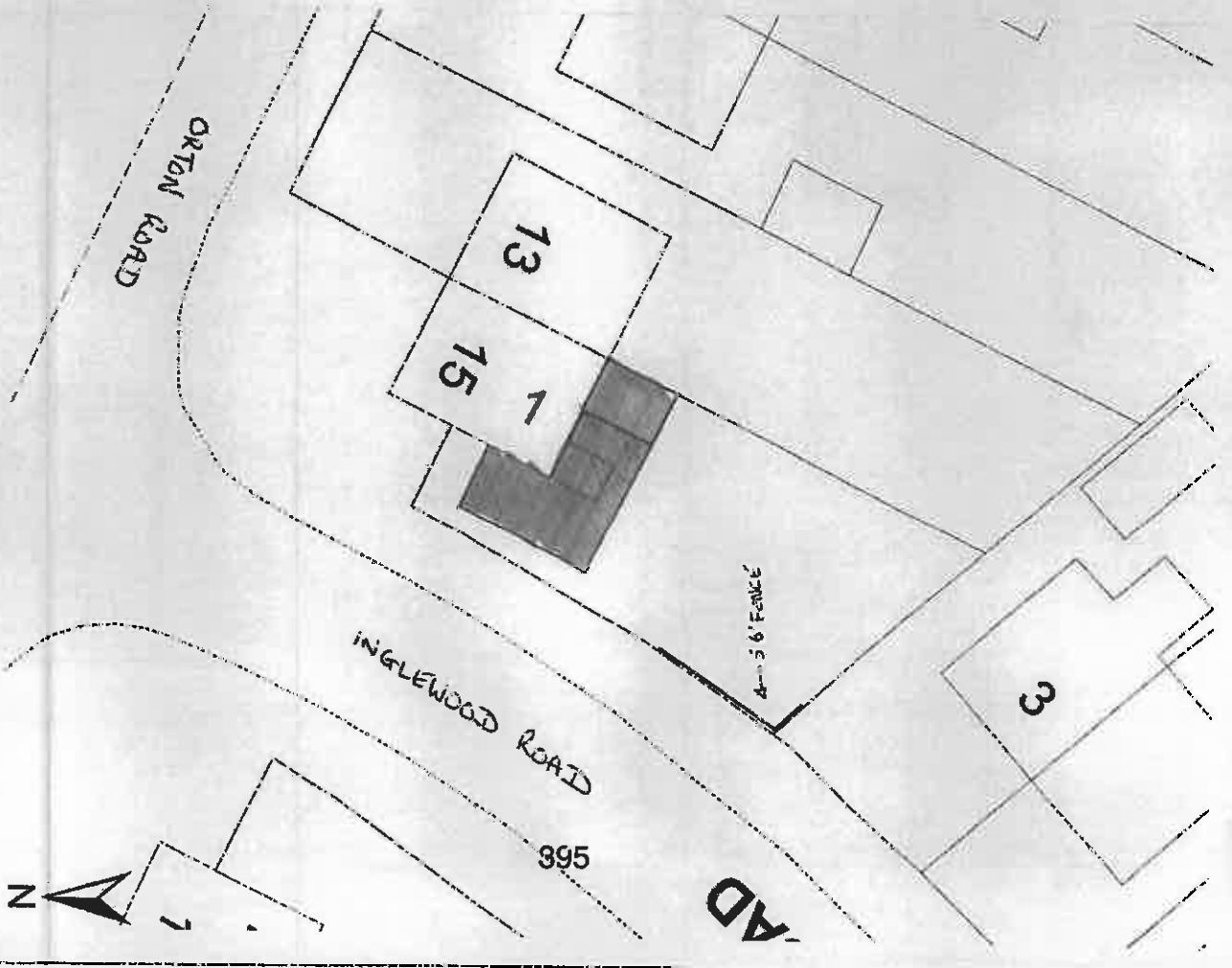
Reason: To ensure the objectives of Policy CP5 of the Carlisle District Local Plan 2001-2016 are met and to ensure a satisfactory external appearance for the completed development.

SITE LOCATION PLAN
scale 1:1250

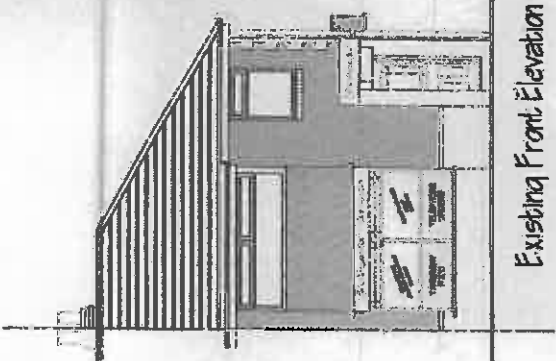


project	PROPOSED SINGLE STOREY SIDE AND REAR EXTENSION PROVIDING NEW KITCHEN DINING ROOM AND GROUND FLOOR WC - SHOWER ROOM, INGLEWOOD ROAD AT 153333333333 CARLISLE FOR MR IAN SMITH			
drawing	SITE LOCATION PLAN SITE BLOCK PLAN			
scale	1:1250	1:200	date	21-04-12
drawn by	no			18/04

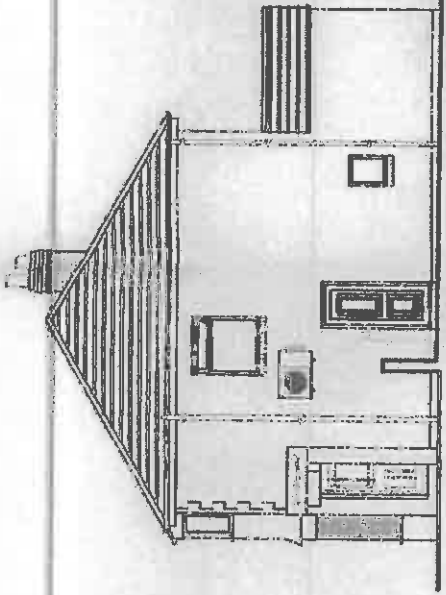
28 DEC 2012
12:05:11
PLOT 1051



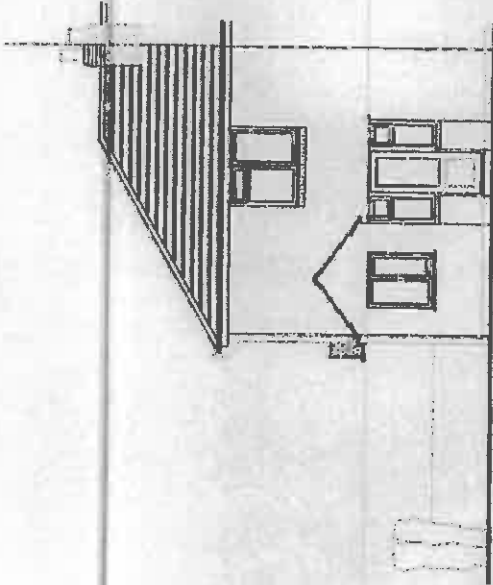
SITE BLOCK PLAN
scale 1:300



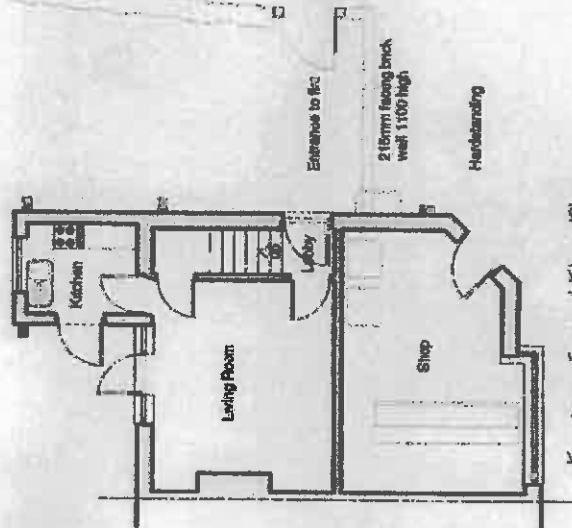
Existing Front Elevation



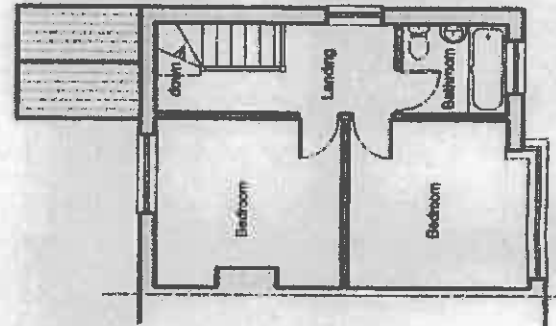
Existing Side Elevation



Existing Rear Elevation



Existing Ground Floor Plan



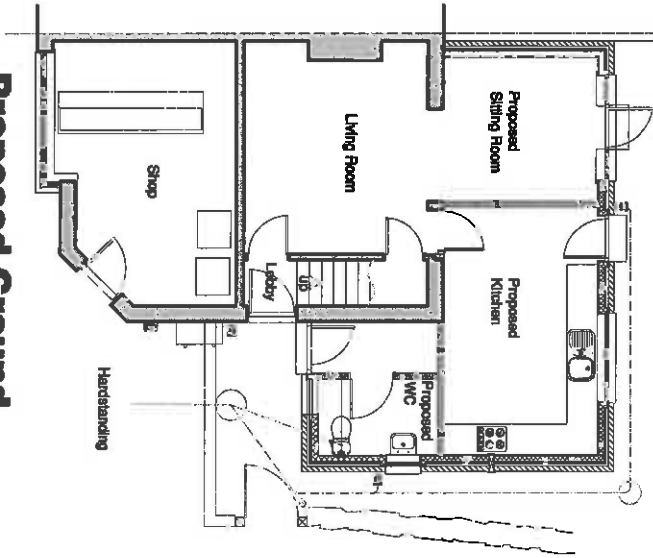
Existing First Floor Plan

- NOTES - EXISTING CONSTRUCTION**
- ROOF** - Red Gable Endworking roof tile
 - RAINWATER GOODS** - Black half round plastic guttering
Black plastic eave and downpipes
 - WALLS** - Red rubble facing brickwork to front side panel,
Clype gables and pillars
Upper panels front ver deck painted white
 - WINDOWS & DOORS** - White upvc

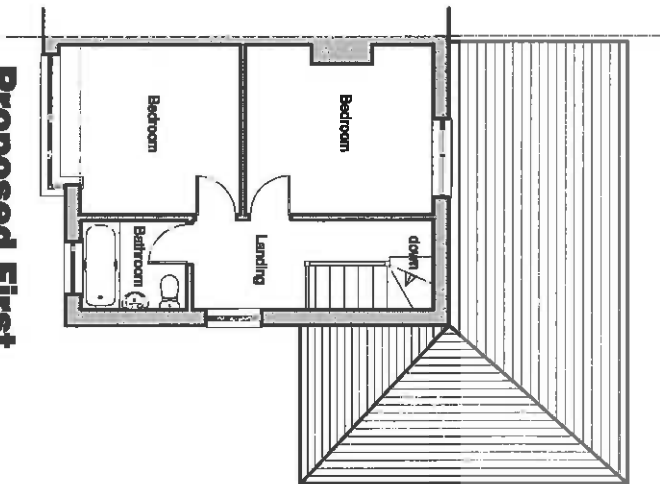
RECEIVED
28 DEC 2012
12:05

PROJECT PROPOSED SINGLE STOREY SIDE AND REAR EXTENSION TO EXISTING NEW LIVING DINING ROOM AND GROUND FLOOR WC - LOWER ROOM		DRAWING NO. 1100		DATE 08 AUG 12	SCALE 1:50
DRAWING NO. 1100		DRAWING NO. 1100		DATE 08 AUG 12	SCALE 1:50
DRAWING NO. 1100		DRAWING NO. 1100		DATE 08 AUG 12	SCALE 1:50
DRAWING NO. 1100		DRAWING NO. 1100		DATE 08 AUG 12	SCALE 1:50


Proposed Ground Floor Plan



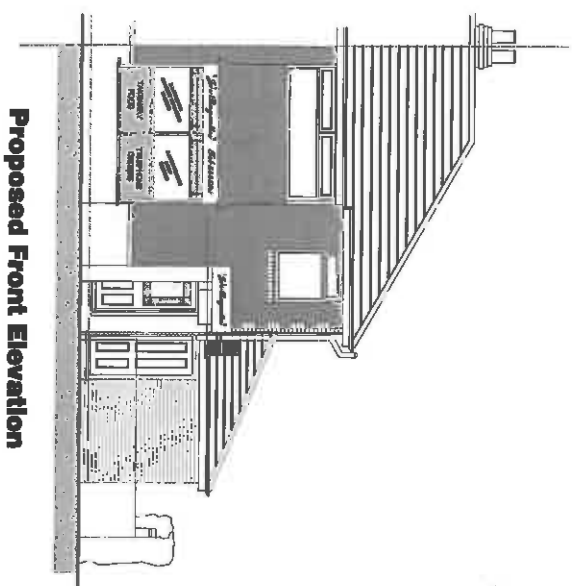
Proposed First Floor Plan



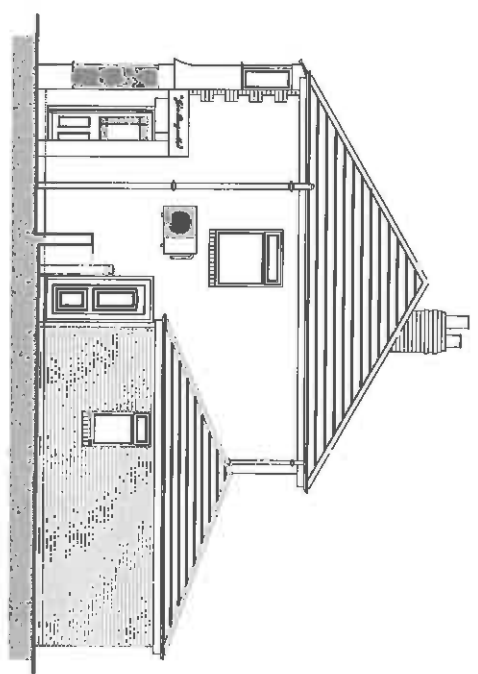
PROPOSED ONE AND A HALF STOREY - ONE AND A HALF STOREY FRAMEWORK INCLUDING NEW LIVING ROOM AND BATHROOM - SHOWER ROOM AND KITCHEN - SHOWER ROOM AND STAIRS - STAIRS FOR THE FIRST FLOOR

drawn by  18/02/05

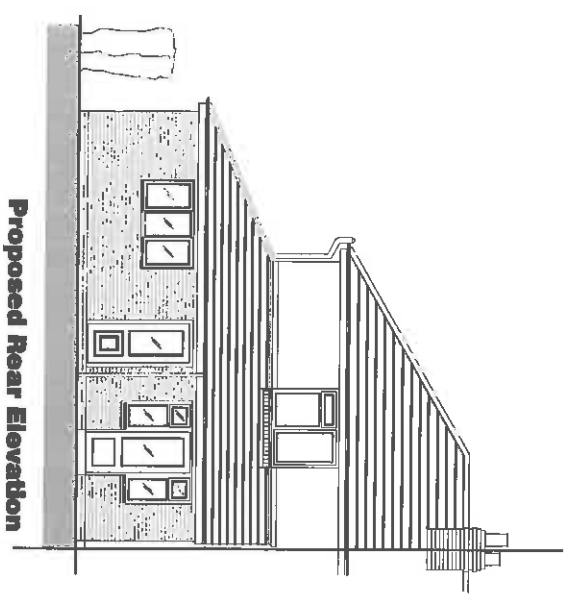
scale	1:100	date	28-01-13
drawn by		no	



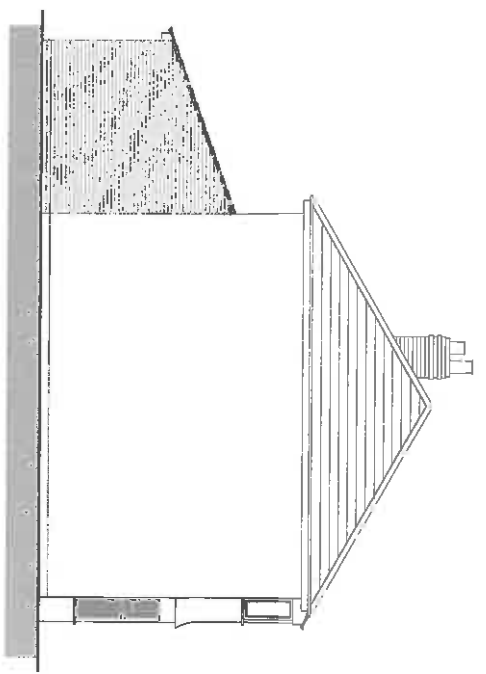
Proposed Front Elevation



Proposed Side Elevation



Proposed Rear Elevation



Proposed Side Elevation

NOTES - PROPOSED CONSTRUCTION.

- ROOF - Roof tiles to match existing.
- RAINFATHER GOODS - Black half round plastic gutters.
- Black plastic eap and downpipes.
- WALLS - Red rustic facing brickwork.
- WINDOWS & DOORS - White upvc.

<p>Project PROPOSED SINGLE STOREY SIDE AND REAR EXPANSION PROVIDING NEW KITCHEN, BATHING ROOM AND GROUND FLOOR WC, STORE ROOM AT 1 NABLEWOOD CRESCENT CARLEISLE FOLKLETON STRA DUNSTON</p>	
scale	date
1:100	28-01-13
drawn by	ms
	19/03/13

SCHEDULE B

SCHEDULE B

SCHEDULE C

SCHEDULE C

SCHEDULE C: Applications Determined by Other Authorities

Item No: 22

Between 12/01/2013 and 22/02/2013

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
Amendment:

REPORT

Case Officer: Suzanne Edgar

City Council Observations on the Proposal:

Decision: City Council Observation - Observations

Date: 15/01/2013

Decision of: Cumbria County Council

Decision Type: Grant Permission

Date: 13/02/2013

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

CUMBRIA COUNTY COUNCIL

TOWN AND COUNTRY PLANNING ACT, 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2010

NOTICE OF PLANNING CONSENT

To: Cumbria County Council
Parkhouse Building
Kingmoor Business Park
Carlisle

In pursuance of the powers under the above Act and Order the Cumbria County Council as local planning authority hereby **permit** the development described in your application & on the plans/drawings attached thereto received on 18 December 2012.

**viz: Proposed New Bridlebridge over the New Water River in Geltsdale
(Resubmission of 1/12/9009)**

**New Water River, East of Cumrew Fell, Cumrew, Heads Nook, Brampton,
[Grid Ref: NY 5788 5154]**

Subject to due compliance with the following conditions:

Time Limit for Implementation of Permission

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990

Approved Documents

2. The development shall be carried out strictly in accordance with the approved documents, hereinafter referred to as the approved scheme. The approved scheme shall comprise the following:
 - a. The submitted Application Form – dated 18 December 2012
 - b. Design and Access Statement – dated November 2012
 - c. Supporting Statement – dated December 2012
 - d. Flood Risk Assessment – dated 18 December 2012
 - e. Watercourse Flood Defence Consent – dated 17 August 2012
 - f. Construction Method Statement – dated November 2012
 - g. Pre-construction Photographs
 - h. Phase 1 Habitat Survey – dated June 2012
 - i. Plans numbered:
 - i) Site Plan – Drawing No 116001/112005/02
 - ii) Castle Carrock Packhorse Route
 - iii) General Arrangement – Drawing No BW116001/112005/01 rev 2
 - iv) Site Access Plan – Drawing No BW116001/112005/03 Rev 0
 - j. The details or schemes approved in relation to conditions attached to this permission.
 - k. This Decision Notice

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

Operational Matters

3. Prior to starting works on site, a survey for potential otter holts should be carried out continuing a reasonable distance (not less than 20 metres) upstream and downstream of the proposed bridge location. If potential otter holts are discovered further advice must be sought from Natural England before proceeding.

Reason: To prevent harm to protected otter holts.

4. All excavations deeper than 0.5m that will be left unattended overnight will be kept to a minimum. Where excavations must unavoidably be left open overnight they will be securely fenced with Herras fencing with an additional lower guard to prevent otters from entering the working area.

Reason: In order to prevent otters or wildlife becoming trapped in deep excavations.

5. All building materials shall be stacked safely to prevent accidental collapse.

Reason: In order to prevent otters or wildlife being trapped, injured or killed if exploring stockpiles of materials.

6. All plant will be checked by the operative daily before moving to ensure otters are not sheltering beneath.

Reason: To prevent harm to flora and fauna.

7. Satisfactory provision shall be made for the collection, treatment and disposal of all water entering or arising on the site, including an increased flow from the land to ensure that there shall be no pollution of watercourses by the approved operations.

Reason: To prevent any solid and / or water-soluble contaminants from entering the New Water River and / or neighbouring land.

8. Any fuel, lubricant or/and chemical storage vessel shall be placed or installed within an impermeable container with a sealed sump and capable of holding at least 110% of the vessels capacity. All fill, draw and overflow pipes shall be properly housed within the bunded area to avoid spillage. The storage vessel, impermeable container and pipes shall be maintained for the duration of the development.

Reason: To minimise the risk of pollution to water courses or groundwater resource.

9. Any refuelling or vehicle maintenance will be undertaken by a trained individual within a drip tray large enough to contain 150% of any spilled fluids. Any spillage will then be disposed of in a safe and appropriate manner.

Reason: To minimise the risk of pollution to water courses or groundwater resource.

10. Operators will check their vehicles on a daily basis before starting work to confirm the absence of leakages. A reporting system shall be devised and implemented to ensure that repairs are undertaken as soon as discovered and before starting work. Plant will be fitted with bio-degradable hydraulic oil, and will not be allowed to emit black exhaust fumes.

Reason: To minimise the risk of pollution to water courses or groundwater resource.

11. Sufficient oil sorbent material shall be available on site to cope with a loss equals to the total fluid content of the largest item of plant. Following the use of such oil sorbent material, any contaminated materials shall be disposed of in a safe and appropriate manner. Spill kits and booms will be kept on site at all times close to the potential source of contamination.

Reason: To minimise the risk of pollution to water courses or groundwater resource.

12. The new bridge shall be painted/stained prior to installation to minimise the risk of pollution.

Reason: To minimise the risk of pollution to water courses or groundwater resource.

13. All the stone cladding shall be from a local source a sample of which shall be submitted to and approved in writing with the Local Planning Authority.

Reason: To ensure the stone is natural to the area.

14. No stone shall be removed from the area identified in the Construction Method Statement as 'pile of stone to be used to clad the ramp retaining walls' dated 3 July 2012.

Reason: To ensure the archaeological importance of the site is not disturbed.

15. No work that involves machinery crossing the river bed shall be carried out between October and May (inclusively).

Reason: New Water is a trout spawning stream and machine access to the river in the spawning season (October to May) could result in direct damage to redds, eggs or buried fry or indirect damage of spawning gravels downstream due to siltation

16. Before commencement of development a method statement must be submitted to and agreed in writing to ensure that concrete does not cause damage to plant/habitats in the area.

Reason: To avoid damage to plant/habitats which are pH sensitive (e.g. upland heath and blanket bog).

17. On completion of the development both compound areas, access routes, and any other disturbance caused as a result of the development shall be returned to their original condition.

Reason: To secure the restoration of the construction compound and access routes associated with this development.

Dated the 13 February 2013

.....
Signed: Paul Feehily
Assistant Director of Planning & Sustainability
on behalf of the Council.

NOTES

- The local planning authority has worked with the applicant/agent in a positive and proactive manner to seek solutions to any problems which have arisen in relation to dealing with the planning application and has implemented the requirements of the National Planning Policy Framework.
- Where the permission is granted subject to conditions, attention is directed to the attached Appendix/Notes.
- The conditions attached to this permission may override details shown on the application form, accompanying statements and plans.
- Submissions to discharge conditions may require a fee (see Appendix)
- Any approval to be given by the Assistant Director - Planning & Sustainability or any other officer of Cumbria County Council shall be in writing.

CUMBRIA COUNTY COUNCIL

**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2010**

Summary of Reasons For Grant of Planning Permission

- 1 This application has been determined in accordance with the Town and Country Planning Acts, in the context of national and regional planning policy guidance and advice and the relevant development plan policies.
- 2 The key development plan policies and other planning documents that are material considerations which were taken into account by the County Council before granting permission were as follows:

Cumbria and Lake District Joint Structure Plan 2001-2016 – Saved Policies

Policy E37 – Landscape Character

Development and land use change should be compatible with the distinctive landscape characteristics and features of Cumbria's landscape types and sub types. Proposals will be assessed in relation to: local distinctive natural or built features, visual intrusion or impact, scale in relation to the landscape and features, the character of the build environment, public access and community value of the landscape, historic patterns and attributes, biodiversity features, ecological networks and semi-natural habitats and openness and remoteness and tranquillity.

Carlisle District Local Plan 2001 -2016

Policy DP 7 – European Natura 2000 Sites

Except where there are imperative reasons of overriding public interest, proposals that would have an impact on a European Natura 2000 site will not be permitted unless it can be objectively demonstrated that they would be unlikely to have a significant adverse impact either alone or in combination with other plans or projects.

Policy DP 9 – Areas of Outstanding Natural Beauty

With 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.

Policy CP 1 – Landscape Character

Proposals for development in the rural area must seek to conserve and enhance the special features and diversity of the different landscape areas. Development will be considered appropriate to the character of the landscape provided the proposal has regard to and conserves : the landform and natural patterns of drainage, the patterns of trees and woodlands, the habitats or species or

importance for wildlife, the pattern and composition of field boundaries, the pattern of historic landscape features and the pattern and distribution of settlements.

Policy CP 2 – 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.

Policy CP 5 – Design

All new development proposal will be **assessed** against the following design principles : 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, taking into consideration and important landscape or topographical features and respect local landscape character, ensure all components of the proposal such are building, car parks, access routes, open space and landscape are well related to one another to ensure a well integrated successful and attractive development, 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.

Policy CP 7 – Use of Traditional Materials

In order to sustain the local environment consideration will be given to local sourced traditional materials to maintain the local character of buildings and their environment.

Policy CP 13 – Pollution

Development will not be permitted where it would generate either during construction or on completion significant levels of pollution (from contaminated substances, odour, noise, dust, vibration, light, heat) which can not be satisfactorily mitigated within the development proposal or by means of planning conditions.

Policy LE2 – Sites of Special Scientific Interest

Development proposals within or likely to affect the nature conservation or geological interest of Sites of Special Scientific Interest will be subject to special scrutiny and will not be permitted unless : the reasons for the development clearly outweigh the nature conservation value of the site for which it is of special interest and therefore designated as part of the national series of SSSI's or, the nature conservation interest of the site can be fully protected and enhanced by the appropriate use of planning conditions or obligations.

Policy LE4 – River Corridors

Permission will not be granted for developments which are likely to have a detrimental impact on nature conservation, public access, the quality of the landscape or recreational facilities within the river corridors. Opportunities for

economic development in relation to the rivers will only be considered provided there is no adverse impact on wildlife habitats, species or natural process associated with or affecting the rivers.

Policy LC8 – Rights of Way

Carlisle City Council will seek to retain all existing footpaths, bridleways and other rights of way 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.

The National Planning Policy Framework

3. Supporting a prosperous rural economy

Supporting sustainable rural tourism and leisure development that benefit businesses in rural areas, communities and visitors and which respect the character of the countryside.

7. Requiring good design

Local Authorities should consider using design codes where they could deliver high quality outcomes. Although visual appearance and architecture are very important factors securing high quality and inclusive design goes beyond aesthetic considerations. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

11. Conserving and enhancing the natural environment

Great weight should be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty which have the highest status of protection in relation to landscape and scenic beauty. Local Authorities should aim to conserve and enhance biodiversity.

- 3 In summary, the reasons for granting permission are that the County Council is of the opinion that the proposed development is in accordance with the development plan, there are no material considerations that indicate the decision should be made otherwise and with the planning conditions included in the notice of planning consent, any harm would reasonably be mitigated. Furthermore, any potential harm to interests of acknowledged importance is likely to be negligible and would be outweighed by the benefits of the development.

Dated the 13 February 2013

.....
Signed: Paul Feehily
Assistant Director, Planning & Sustainability
on behalf of the Council.

APPENDIX TO NOTIFICATION OF PLANNING DECISION

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

1. Unless specifically exempt by the Waste Management Licensing Regulations 1994, all operations involving "controlled waste", which includes most wastes excluding mine and radioactive waste, requires a Waste Management Licence or Pollution Prevention and Control Permit issued by the Environment Agency. Where your proposal includes the disposal, storage, transfer or treatment of any waste material on the permission site, you should contact the Environment Agency, Ghyll Mount, Gillan Way, Penrith 40 Business Park, Penrith, CA11 9BP (08708 506506), regarding applying for a licence, if you have not already done so. It is a criminal offence to deposit controlled waste and in certain circumstances to store, transfer or treat waste without a licence.
2. Obtaining any planning permission does not imply that any consents or licences required to be obtained from United Utilities plc or the Environment Agency would be granted. You are advised to consult the appropriate body to determine if any such consent or licence may be required.
3. Any grant of planning permission does not entitle developers to obstruct a public right of way. Development, insofar as it affects a right of way, should not be started, and the right of way should be kept open for public use, until the necessary order under Section 247 or 257 of the Town and Country Planning Act 1990, or other appropriate legislation, for the diversion or extinguishment of right of way has been made and confirmed.
4. The attention of the person to whom any permission has been granted is drawn to Sections 7 and 8A of the Chronically Sick and Disabled Persons Act 1970 and to the Code of Practice for Access of the Disabled to Buildings or any prescribed document replacing that code.
5. Any application made to the Local Planning Authority for any consent, agreement or approval required by a condition or limitation attached to a grant of planning permission will be treated as an application under Article 30 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and must be made in writing. Applications will be acknowledged and the Local Planning Authority is required to determine them within 8 weeks of receipt unless otherwise agreed in writing. A fee of £85 is payable for each submission (except for mining and landfill sites where fees are chargeable for site visits). A single submission may relate to more than one condition. If the County Council does not make a decision within 12 weeks of the date of submission the fee will be returned.

SCHEDULE C: Applications Determined by Other Authorities

Item No: 23

Between 12/01/2013 and 22/02/2013

Appn Ref No:
13/9004

Applicant:
The School Governors

Parish:
Carlisle

Date of Receipt:
14/01/2013

Agent:
Cumbria County Council

Ward:
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

Amendment:

REPORT

Case Officer: Barbara Percival

City Council Observations on the Proposal:

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

Decision of: Cumbria County Council

Decision Type: Grant Permission

Date: 20/02/2013

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

CUMBRIA COUNTY COUNCIL

TOWN AND COUNTRY PLANNING ACT, 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2010

NOTICE OF PLANNING CONSENT

To: Inglewood Junior School
Arnside Road
Carlisle

In pursuance of the powers under the above Act and Order the Cumbria County Council as local planning authority hereby **permit** the development described in your application and on the plans/drawings attached thereto received on 8 January 2013.

viz: Creation of additional parking spaces and resurfacing of driveway to school kitchen

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

Subject to due compliance with the following conditions:

Time Limit for Implementation

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

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

Approved Scheme

- 2 The development shall be carried out strictly in accordance with the approved documents, hereinafter referred to as the approved scheme. The approved scheme shall comprise the following:
 - a. The submitted Application Form - dated 7 January 2013
 - b. Site Location Plan (Supplied by Streetwise Maps) - dated 14 January 2013
 - c. Supporting Letter from Headteacher - dated November 2012
 - d. Design & Access Statement
 - e. Email from Agent with further and clarifying details - dated 8 January 2013 (21:31pm)
 - f. Travel Plan update - dated 13 June 2012
 - g. Drawing 02 Rev A - Part Plan as Proposed
 - h. Drawing 03 Rev 0 - Details
 - i. This Decision Notice

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

Dated the 20 February 2013

.....
Signed: Paul Feehily
Assistant Director of Planning & Sustainability
on behalf of the Council.

NOTES

- The local planning authority has worked with the applicant/agent in a positive and proactive manner to seek solutions to any problems which have arisen in relation to dealing with the planning application and has implemented the requirements of the National Planning Policy Framework.
- Where the permission is granted subject to conditions, attention is directed to the below Appendix.
- The conditions attached to this permission may override details shown on the application form, accompanying statements and plans.

APPENDIX TO NOTIFICATION OF PLANNING DECISION

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

1. Unless specifically exempt by the Waste Management Licensing Regulations 1994, all operations involving "controlled waste", which includes most wastes excluding mine and radioactive waste, requires a Waste Management Licence or Pollution Prevention and Control Permit issued by the Environment Agency. Where your proposal includes the disposal, storage, transfer or treatment of any waste material on the permission site, you should contact the Environment Agency, Ghyll Mount, Gillan Way, Penrith 40 Business Park, Penrith, CA11 9BP (08708 506506), regarding applying for a licence, if you have not already done so. It is a criminal offence to deposit controlled waste and in certain circumstances to store, transfer or treat waste without a licence.
2. Obtaining any planning permission does not imply that any consents or licences required to be obtained from United Utilities plc or the Environment Agency would be granted. You are advised to consult the appropriate body to determine if any such consent or licence may be required.
3. Any grant of planning permission does not entitle developers to obstruct a public right of way. Development, insofar as it affects a right of way, should not be started, and the right of way should be kept open for public use, until the necessary order under Section 247 or 257 of the Town and Country Planning Act 1990, or other appropriate legislation, for the diversion or extinguishment of right of way has been made and confirmed.
4. The attention of the person to whom any permission has been granted is drawn to Sections 7 and 8A of the Chronically Sick and Disabled Persons Act 1970 and to the Code of Practice for Access of the Disabled to Buildings or any prescribed document replacing that code.

CUMBRIA COUNTY COUNCIL

**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2010**

Summary of Reasons for Grant of Planning Permission

1 This application has been determined in accordance with the Town and Country Planning Acts, in the context of national and regional planning policy guidance and advice and the relevant development plan policies.

2 The key development plan policies taken into account by the County Council before granting permission were as follows:

Carlisle District Local Plan 2001-2016 (Saved Policies thereof)

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.

Policy LC11 - Educational Needs

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

3 The National Planning Policy Framework (March 2012) is also a material consideration, and has been taken into consideration in this report with reference to Paragraph 72 which states that:

The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- give great weight to the need to create, expand or alter schools;
- work with schools promoters to identify and resolve key planning issues before applications are submitted

4 In summary, the reasons for granting permission are that the County Council is of the opinion that the proposed development is in accordance with the development plan, there are no material considerations that indicate the

TCP.1 REFERENCE No. 1/13/9004

decision should be made otherwise and with the planning conditions included in the notice of planning consent, any harm would reasonably be mitigated. Furthermore, any potential harm to interests of acknowledged importance is likely to be negligible and would be outweighed by the benefits of the development.

Dated the 20 February 2013

.....
Signed: Paul Feehily
Assistant Director, Planning & Sustainability
on behalf of the Council.

SCHEDULE C: Applications Determined by Other Authorities

12/0438

Item No: 24 Between 12/01/2013 and 22/02/2013

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)

Amendment:

REPORT

Case Officer: Shona Taylor

Decision on Appeals:

Appeal Against: Appeal against refusal of planning perm.

Type of Appeal: Written Representations

Report: The appeal site relates to 57 Kingstown Road, Carlisle, a corner shop at the end of a residential terrace facing onto one of the main thoroughfares into and out of the city. Planning permission was sought for a change of use from a shop (Use Class A1) to a hot food takeaway (Use Class A5).

The application was determined by Planning Committee on the 17th August 2012 when it was refused on the following grounds:

"The proposal involves an intensification of the use of the site which will increase the amount of pedestrian and vehicular movement, which, together with people congregating in this residential area, would undermine the amenity of the occupiers of the neighbouring properties and would be detrimental to the character of this primarily residential area, contrary to Policy H2 of the Carlisle District Local Plan 2001-2016."

Due to the location of the premises, Council Members considered that the proposed use would have a detrimental impact upon the locale, in terms of noise, disturbance, parking and litter and voted to refuse the application.

The Inspector determined that the proposal would have a materially

SCHEDULE C: Applications Determined by Other Authorities

12/0438
detrimental impact on the living conditions of nearby residents in relation to noise and disturbance, and the appeal was dismissed.

Appeal Decision: Appeal Dismissed

Date: 11/01/2013

SCHEDULE D

SCHEDULE D

SCHEDULE D: Reports on Previously Deferred Decisions

Item No: 25

Between 12/01/2013 and 22/02/2013

Appn Ref No:
10/1116

Applicant:
Stobart Air Limited

Parish:
Irthington

Date of Receipt:
16/12/2010

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

Amendment:

1. Revised Site Plan (drawing number PL D133593/PL/001 Rev. A) and drawing number D133593/PL/07 A showing proposed connection to public sewer received 22/06/11.

REPORT

Case Officer: Angus Hutchinson

Details of Deferral:

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;

SCHEDULE D: Reports on Previously Deferred Decisions

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.

Decision: Granted Subject to Legal Agreement

Date: 06/02/2013

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

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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

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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

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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

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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

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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.

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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

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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.

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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

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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

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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.

SCHEDULE D: Reports on Previously Deferred Decisions

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.

SCHEDULE D: Reports on Previously Deferred Decisions

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.

SCHEDULE E

SCHEDULE E

SCHEDULE E: Decisions Issued Under Delegated Powers

Between 12/01/2013 and 22/02/2013

Appn Ref No: 12/0103 **Applicant:** Briery Homes Limited **Parish:** Arthuret
Date of Receipt: 08/02/2012 **Agent:** MCK Associates Limited **Ward:** Longtown & Rockcliffe

Location: Former Sawmill Site, Netherby Road, Longtown, Carlisle, CA6 5NS **Grid Reference:** 338160 568945

Proposal: Replacement Of Plots 31-34, 50-53 And 85-90 Inc. (14No. Dwellings) With Plots 31-33, 50-57 And 83-94 Inc. (24No. Dwellings) Relating To Previously Approved Application 08/1172

Amendment:

Decision: Granted Subject to Legal Agreement
Date: 21/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No: 12/0383 **Applicant:** Citadel Estates Ltd. **Parish:**
Date of Receipt: 04/05/2012 16:01:31 **Agent:** Holt Planning Consultancy Ltd. **Ward:**

Location: Land At/Adjacent Former George P.H, Warwick Bridge, Carlisle, CA4 8RL **Grid Reference:** 347661 556851

Proposal: Mixed Development Comprising Retail Development For Co-Operative Store With 18No. Houses And 10No. Apartments Including Affordable Housing, Open Space Commuted Contribution, And Highways Improvements (Revised Application)

Amendment:

Decision: Grant Permission **Date:** 18/01/2013

Between 12/01/2013 and 22/02/2013

SCHEDULE E: Decisions Issued Under Delegated Powers

Appn Ref No:
12/0434

Applicant:
Vodafone Limited

Parish:

Date of Receipt:
16/05/2012 23:01:08

Agent:
Mr Kane

Ward:
Castle

Location:
Osborne Earl, Site 13, Willowholme Industrial
Estate, Willowholme Road, Carlisle, CA2 5SB

Grid Reference:
339241 556556

Proposal: Erection Of Replacement 24m High Slim Line Lattice Type
Telecommunications Tower Incorporating 6no. 3g Antennas And 2no. 2g
Antennas together with 1no. Transmission Dish And 2no. Equipment
Cabinets

Amendment:

Decision: Withdrawn by Applicant/or by default
Date: 11/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/0454

Applicant:
Mr Kevin Anderson

Parish:

Date of Receipt:
28/05/2012

Agent:

Ward:
Belah

Location:
83 Pinecroft, Carlisle, Cumbria, CA3 0DB

Grid Reference:
339644 559076

Proposal: Erection Of Detached Garage And Creation Of New Vehicular Access
To Rear Of Property

Amendment:

Decision: Grant Permission

Date: 23/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/0554

Applicant:
Blackdyke Farm & Riding
Centre

Parish:
Westlinton

Date of Receipt:

Agent:

Ward:

SCHEDULE E: Decisions Issued Under Delegated Powers

25/07/2012

Eco Energ Solutions Llimitd Longtown & Rockcliffe

Location:
Blackdyke Farm and Riding Centre, Blackford,
Carlisle, CA6 4EY

Grid Reference:
337942 562094

Proposal: Erection Of 1no. 10kW Wind Turbine With A Hub Height Of 20m (Height To Tip 23.45m)

Amendment:

Decision: Grant Permission

Date: 17/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/0555

Applicant:
Ms Jones

Parish:

Date of Receipt:
02/07/2012 13:00:34

Agent:
Gray Associates Limited

Ward:
Castle

Location:
30 Abbey Street, Carlisle, CA3 8TX

Grid Reference:
339735 555987

Proposal: Refurbishment Of 2No. Bedrooms To Roof Space; Addition Of 1No. Bathroom (LBC)

Amendment:

1. Revised Drawings Including Floor Plans And Window Detail Together With Amended Certificate Of Ownership
2. Revised Positioning Of The Bathroom

Decision: Grant Permission

Date: 30/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/0636

Applicant:
Mr Rob Carr

Parish:
Arthuret

Date of Receipt:
10/08/2012

Agent:
Black Box Architects
Limited

Ward:
Longtown & Rockcliffe

SCHEDULE E: Decisions Issued Under Delegated Powers

Location:
Brackenhill Farm, Longtown, Carlisle, CA6 5TU

Grid Reference:
344473 569541

Proposal: Conversion Of Listed Barns To Form 9No. Dwellings And The Main House To Form 2No. Dwellings) (LBC)

Amendment:

Decision: Grant Permission

Date: 21/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/0788

Applicant:
Mr John Turner

Parish:

Date of Receipt:
11/12/2012

Agent:

Ward:
Belah

Location:
46 Newfield Drive, Carlisle, CA3 0AF

Grid Reference:
339733 558761

Proposal: Two Storey Side Extension To Provide Utility Area On Ground Floor With 1No. En-Suite Bedroom Above

Amendment:

Decision: Grant Permission

Date: 18/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/0850

Applicant:
Mr Bamford

Parish:
Brampton

Date of Receipt:
07/01/2013

Agent:
Green Design Architects
Limited

Ward:
Brampton

Location:
Abbey Mill, Lanercost, Brampton, CA8 2HG

Grid Reference:
355369 563229

Proposal: Subdivision Of Dwelling To Create 1no. Self Catering Holiday Unit

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 21/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/0871

Applicant:
Cloburn Transport Ltd

Parish:
Arthuret

Date of Receipt:
19/12/2012

Agent:

Ward:
Longtown & Rockcliffe

Location:
Unit 7, Brisco Burn Business Park, Longtown,
Carlisle, CA6 5TR

Grid Reference:
339910 567382

Proposal: Relocation Of Existing Portacabin Office And Proposed Modular Office
Extension (Retrospective)

Amendment:

Decision: Grant Permission

Date: 28/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/0902

Applicant:
Network Rail Infrastructure
Ltd

Parish:
Carlisle

Date of Receipt:
30/10/2012 16:02:16

Agent:
Network Rail

Ward:
Currock

Location:
Citadel Railway Station, Court Square, Carlisle, CA1
1QX

Grid Reference:
340247 555468

Proposal: Conversion Of Existing Goods Lifts On Platforms 3/4 To Passenger Use.
Re-Furbishment Of Existing Disused Parcels Subway For Passenger
Use. Creation Of Fire Escape Route Through Basement Rooms Beneath
Platforms 1/3 And West Wall (LBC)

Amendment:

Decision: Grant Permission

Date: 17/01/2013

Between 12/01/2013 and 22/02/2013

SCHEDULE E: Decisions Issued Under Delegated Powers

Appn Ref No:
12/0910

Applicant:
Ms Catherine Thomas

Parish:
Carlisle

Date of Receipt:
29/11/2012

Agent:

Ward:
Castle

Location:
36 Abbey Street, Carlisle, Cumbria, CA3 8TX

Grid Reference:
339764 555967

Proposal: Change Of Use From Dwelling To Walker/Tourist/Backpacking Hostel
Amendment:

Decision: Grant Permission

Date: 24/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/0922

Applicant:
Mr & Mrs Jon & Victoria
Allison

Parish:
Wetheral

Date of Receipt:
19/11/2012

Agent:
Ashwood Design
Associates

Ward:
Wetheral

Location:
Low Cotehill Farm, Low Cotehill, Carlisle, Cumbria,
CA4 0EJ

Grid Reference:
347283 550538

Proposal: Demolition Of 2no. Dwellings And Erection Of 2no. Detached Dwellings
Amendment:

Decision: Grant Permission

Date: 14/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/0927

Applicant:
Hunley Bank Limited

Parish:
Kirklington Middle

Date of Receipt:
07/11/2012

Agent:
Taylor & Hardy

Ward:
Lyne

Location:

Grid Reference:

SCHEDULE E: Decisions Issued Under Delegated Powers

Land Between A6071 And U1084, Smithfield,
Carlisle

343515 565711

Proposal: Discharge Of Conditions 5 (Tree Protection Plan) And 6 (Scheme For
The Provision Of Foul And Surface Water Drainage) Of Previously
Approved Permission 12/0451

Amendment:

Decision: Grant Permission

Date: 28/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/0949

Applicant:
Mrs Rachel McCrea

Parish:
Scaleby

Date of Receipt:
26/11/2012

Agent:

Ward:
Stanwix Rural

Location:
Croft Cottage, Scaleby, Carlisle, CA6 4JX

Grid Reference:
345039 563244

Proposal: Change Of Use Of Outbuilding From Dog Grooming Parlour To Home
Bakery Stall

Amendment:

Decision: Grant Permission

Date: 17/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/0952

Applicant:
Whitbread Plc

Parish:
Carlisle

Date of Receipt:
19/11/2012

Agent:
Vado Associates Ltd

Ward:
Botcherby

Location:
Lakeland Gate, Walkmill Crescent, Carlisle, CA1
2WF

Grid Reference:
341895 555834

Proposal: Display Of 1no. Internally Illuminated Totem Sign (Retrospective)

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Refuse Permission

Date: 14/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/0956

Applicant:
Citadel Estates Ltd

Parish:
Hayton

Date of Receipt:
27/11/2012

Agent:
Holt Planning Consultancy
Ltd

Ward:
Great Corby & Geltsdale

Location:
Land adjacent Overwater, Talkin, Brampton,
Carlisle, Cumbria

Grid Reference:
354932 557485

Proposal: Erection Of 3No. Detached Dwellings (Outline)

Amendment:

Decision: Grant Permission

Date: 22/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/0957

Applicant:
Kingmoor Park Properties
Limited

Parish:
Kingmoor

Date of Receipt:
23/11/2012

Agent:

Ward:
Stanwix Rural

Location:
Kingmoor Park North, Carlisle

Grid Reference:
338400 559200

Proposal: Display Of 3no. Non-Illuminated Free Standing Signs

Amendment:

Decision: Partial Express Consent
18/01/2013

Date:

Between 12/01/2013 and 22/02/2013

Appn Ref No:

Applicant:

Parish:

SCHEDULE E: Decisions Issued Under Delegated Powers

12/0959 E M & E Pattinson & Son Stanwix Rural

Date of Receipt:
21/11/2012

Agent:

Ward:
Stanwix Rural

Location:
Walby Hall Farm, Crosby on Eden, Carlisle, CA6
4QL

Grid Reference:
343643 560215

Proposal: Extension To Existing Livestock Building
Amendment:

Decision: Grant Permission

Date: 07/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/0960

Applicant:
Messrs E M & E Pattinson
& Son

Parish:
Stanwix Rural

Date of Receipt:
23/11/2012

Agent:

Ward:
Stanwix Rural

Location:
Walby Hall Farm, Crosby on Eden, Carlisle, CA6
4QL

Grid Reference:
343643 560215

Proposal: Extension To Existing Livestock Building
Amendment:

Decision: Grant Permission

Date: 07/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/0961

Applicant:
Messrs E M & E Pattinson
& Son

Parish:
Stanwix Rural

Date of Receipt:
23/11/2012

Agent:

Ward:
Stanwix Rural

Location:
Walby Hall Farm, Crosby on Eden, Carlisle, CA6

Grid Reference:
343643 560215

SCHEDULE E: Decisions Issued Under Delegated Powers

4QL

Proposal: Extension To Existing Livestock Building

Amendment:

Decision: Grant Permission

Date: 20/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/0962

Applicant:
Mrs Diana Amos

Parish:
Irthington

Date of Receipt:
04/12/2012

Agent:

Ward:
Stanwix Rural

Location:
Oakdene, Newby East, Wetheral, Carlisle, Cumbria,
CA4 8QX

Grid Reference:
347764 558616

Proposal: Erection Of Wooden Stables For Domestic Use

Amendment:

Decision: Grant Permission

Date: 24/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/0963

Applicant:
Messrs E M & E Pattinson
& Son

Parish:
Stanwix Rural

Date of Receipt:
21/11/2012

Agent:

Ward:
Stanwix Rural

Location:
Walby Hall Farm, Walby, Crosby on Eden, Carlisle,
CA6 4QL

Grid Reference:
343643 560215

Proposal: Extension To Existing Livestock Building

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 20/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/0964

Applicant:
Mr Neil Lewis

Parish:
Arthuret

Date of Receipt:
21/11/2012

Agent:
Mr G Tyler

Ward:
Longtown & Rockcliffe

Location:
15 Dukeswood Road, Longtown, Cumbria, CA6 5UJ

Grid Reference:
338631 569050

Proposal: Erection Of Two Storey Side Extension To Provide Extended Kitchen And Garage On Ground Floor With En-Suite Bedroom And Bathroom Above

Amendment:

Decision: Grant Permission

Date: 15/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/0965

Applicant:
Hazel Rowe

Parish:
Carlisle

Date of Receipt:
21/11/2012

Agent:
Mr G Tyler

Ward:
Dalston

Location:
Larkspur Cottage, Dalston Road, Carlisle, Cumbria, CA2 6BX

Grid Reference:
338289 553430

Proposal: Erection Of First Floor Side Extension To Provide 2no. Bedrooms (1no. En-Suite); Erection Of Detached Garage

Amendment:

Decision: Grant Permission

Date: 15/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/0966

Applicant:
Mr Mike Gillies

Parish:
Cummersdale

SCHEDULE E: Decisions Issued Under Delegated Powers

Date of Receipt:
21/11/2012

Agent:
Tyler Design Services

Ward:
Dalston

Location:
Land Adjacent 49 Peter Lane, Carlisle, CA2 6BZ

Grid Reference:
337974 553255

Proposal: Erection Of Detached Dwelling (Revised Application)

Amendment:

Decision: Grant Permission

Date: 15/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/0968

Applicant:
JD Wetherspoons PLC

Parish:
Carlisle

Date of Receipt:
30/11/2012

Agent:
Harrison Ince Architects
LLP

Ward:
Currock

Location:
Former Platform 1, Collier Lane, Carlisle, CA1 1QX

Grid Reference:
340296 555552

Proposal: Formation Of Beer Garden And Bin Store For Use By JD Wetherspoons PLC

Amendment:

Decision: Grant Permission

Date: 24/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/0969

Applicant:
JD Wetherspoons PLC

Parish:
Carlisle

Date of Receipt:
30/11/2012

Agent:
Harrison Ince Architects
LLP

Ward:
Currock

Location:
Former Platform 1, Collier Lane, Carlisle, CA1 1QX

Grid Reference:
340296 555552

Proposal: Formation Of Beer Garden And Bin Store For Use By JD Wetherspoons

SCHEDULE E: Decisions Issued Under Delegated Powers

PLC (LBC)

Amendment:

Decision: Grant Permission

Date: 24/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/0974

Applicant:
Mr Colin Hewer

Parish:
Carlisle

Date of Receipt:
27/11/2012

Agent:

Ward:
Currock

Location:
City Wash & Valeting, Water Street, Carlisle, CA2
5AW

Grid Reference:
340230 555220

Proposal: Change Of Use Of Vacant Site To Form Car Wash & Valeting Area

Amendment:

Decision: Grant Permission

Date: 18/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/0976

Applicant:
Mr John Blaylock

Parish:
Arthuret

Date of Receipt:
20/12/2012

Agent:
Iggesund Paperboard Ltd

Ward:
Longtown & Rockcliffe

Location:
Hallburn Farm, Longtown, Cumbria, CA6 5TW

Grid Reference:
341075 568306

Proposal: Change Of Use Of Land To Timber Storage (Retrospective)

Amendment:

Decision: Refuse Permission

Date: 14/02/2013

Between 12/01/2013 and 22/02/2013

SCHEDULE E: Decisions Issued Under Delegated Powers

Appn Ref No:
12/0977

Applicant:
Possfund Custodian
Trustee Limited

Parish:

Date of Receipt:
27/11/2012

Agent:
Savills (Commercial)
Limited

Ward:
Multiple Wards

Location:
St Nicholas Gate, London Road, Carlisle

Grid Reference:
340843 555111

Proposal: Display Of Replacement Totem Signage

Amendment:

1. Reduction In Height Of The Totem

Decision: Grant Permission

Date: 14/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/0979

Applicant:
Mrs S Graham

Parish:
Arthuret

Date of Receipt:
29/11/2012

Agent:

Ward:
Longtown & Rockcliffe

Location:
38 Burn Street, Longtown, Cumbria, CA6 5TB

Grid Reference:
338150 568575

Proposal: Replacement Of Window With French Doors To Rear Elevation
(Retrospective)

Amendment:

Decision: Grant Permission

Date: 17/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/0981

Applicant:
Mr John Briggs

Parish:
Wetheral

Date of Receipt:
07/12/2012

Agent:

Ward:
Wetheral

SCHEDULE E: Decisions Issued Under Delegated Powers

Location:
Warathwaite Head Farm, Armathwaite, Carlisle,
Cumbria, CA4 9TB

Grid Reference:
347152 549642

Proposal: Removal Of Condition 7 Of Previously Approved Planning Permission
81/0341 To Allow The Agricultural Barn To Be Used As A Dwelling

Amendment:

Decision: Grant Permission

Date: 30/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/0984

Applicant:
Messrs W Bell

Parish:
Beaumont

Date of Receipt:
04/12/2012

Agent:
David Hetherington E A P
S

Ward:
Burgh

Location:
Cobble Hall, Moorhouse Road, Moorhouse, Carlisle,
CA5 6JJ

Grid Reference:
335291 556627

Proposal: Erection Of Portal Framed Agricultural Building

Amendment:

Decision: Grant Permission

Date: 28/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/0987

Applicant:
Mr J Edgar

Parish:
Beaumont

Date of Receipt:
05/12/2012

Agent:
Unwin Jones Partnership

Ward:
Burgh

Location:
West View, Grinsdale Bridge, Carlisle, CA5 6DR

Grid Reference:
336543 557179

Proposal: Conversion Of Existing Outbuilding Into One Self-Contained Holiday Unit
& Erection Of Domestic Double Garage

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 17/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/0988

Applicant:
Mr Whittle

Parish:

Date of Receipt:
03/12/2012 13:00:11

Agent:

Ward:
Lyne

Location:
Kirkbeckstown, Bewcastle, Carlisle, CA6 6PR

Grid Reference:
354777 574636

Proposal: Erection Of Detached Garage (Part Retrospective)

Amendment:

Decision: Grant Permission

Date: 28/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/0989

Applicant:
Mr David Grey

Parish:
Orton

Date of Receipt:
04/12/2012

Agent:

Ward:
Burgh

Location:
Cross House Farm, Great Orton, Carlisle, CA5 6NA

Grid Reference:
332836 554270

Proposal: Discharge Of Conditions 3 (Materials); 4 (Details Of Joinery) & 5 (Pipework) Of Previously Approved Application 12/0339

Amendment:

Decision: Grant Permission

Date: 28/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/0991

Applicant:
Irthington PCC

Parish:
Irthington

SCHEDULE E: Decisions Issued Under Delegated Powers

Date of Receipt:
14/12/2012

Agent:
Tsada Building Design
Services

Ward:
Stanwix Rural

Location:
Newtown Village Green, Newtown, Irthington

Grid Reference:
349951 562797

Proposal: Installation Of Play Equipment With Amenity Shelter, Football Pitch And
Access Path

Amendment:

Decision: Grant Permission

Date: 15/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/0992

Applicant:
Mr Paul Reynolds

Parish:
Carlisle

Date of Receipt:
04/12/2012

Agent:
Gardner Associates

Ward:
Stanwix Urban

Location:
40 Rosebery Road, Carlisle, CA3 9HU

Grid Reference:
339787 557373

Proposal: Erection Of Two Storey Side Extension To Provide Extended
Kitchen/Living Room, En-Suite Bedroom And Utility On Ground Floor
With 2no. Bedrooms Above Together With Replacement Of Flat Roof To
Lean To Roof To Rear

Amendment:

1. Revised Drawing Showing The Relationship With The Neighbouring
Properties On The Block Plan

Decision: Grant Permission

Date: 25/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/0996

Applicant:
Mr Allen

Parish:
Dalston

Date of Receipt:
04/12/2012 23:00:05

Agent:
Gray Associates Limited

Ward:
Dalston

SCHEDULE E: Decisions Issued Under Delegated Powers

Location:
Ellerslea, Bridge End, Dalston, Carlisle, CA5 7QQ

Grid Reference:
337293 548930

Proposal: Erection Of Agricultural Shed (Revised Application)

Amendment:

Decision: Grant Permission

Date: 29/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/0997

Applicant:
Dr Chin

Parish:
Carlisle

Date of Receipt:
12/12/2012

Agent:
Gray Associates Limited

Ward:
Belah

Location:
174 Lowry Hill Road, Carlisle, CA3 0EZ

Grid Reference:
338924 558172

Proposal: Single Storey Extension To Provide Replacement Garage, Utility Room, En-Suite Day Room And Dining Area; First Floor Rear Extension To Provide 1No. En-Suite Master Bedroom

Amendment:

Decision: Grant Permission

Date: 30/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/1000

Applicant:
Carlisle Assets Ltd C/O (In Administration)

Parish:

Date of Receipt:
05/12/2012

Agent:
Trident Building Consultancy

Ward:
Currock

Location:
68-70 Botchergate, Carlisle, Cumbria, CA1 1QL

Grid Reference:
340433 555463

Proposal: Change Of Use To 5no. Separate Units (Use Classes A2, A4 & A5) Together With Alterations To Existing Shop Front

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 30/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/1002

Applicant:
Possfund Custodian
Trustee Limited

Parish:

Date of Receipt:
27/11/2012

Agent:
Savills (Commercial)
Limited

Ward:
Multiple Wards

Location:
St Nicholas Gate, London Road, Carlisle

Grid Reference:
340843 555111

Proposal: Erection Of Replacement Totem Framework To Display Signage
Amendment:

Decision: Grant Permission

Date: 14/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/1004

Applicant:
Mr McDonald

Parish:
Carlisle

Date of Receipt:
10/12/2012

Agent:
CONCEPT

Ward:
Belle Vue

Location:
9 High Meadow, Carlisle, CA2 7PZ

Grid Reference:
337678 555792

Proposal: Erection Of Single Storey Side And Rear Extension To Provide Kitchen
And Dining Area

Amendment:

Decision: Grant Permission

Date: 25/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:

Applicant:

Parish:

SCHEDULE E: Decisions Issued Under Delegated Powers

12/1005 C & D Property Services Kirkandrews
Date of Receipt: **Agent:** **Ward:**
06/12/2012 Abacus Building Design Longtown & Rockcliffe

Location: **Grid Reference:**
Cumberland and Dumfriesshire Farmers Mart,
Townfoot, Longtown, Carlisle, CA6 5LY 337442 568745

Proposal: Construction Of 2No. Steel Framed Roof Coverings For Existing Areas
Of External Open Air Livestock Pens

Amendment:

Decision: Grant Permission **Date:** 13/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No: **Applicant:** **Parish:**
12/1006 Spirit Pub Company Carlisle

Date of Receipt: **Agent:** **Ward:**
12/12/2012 Fusion By Design Castle

Location: **Grid Reference:**
Pippins, Lowther Street, Carlisle, CA3 8EQ 340210 555927

Proposal: Internal Refurbishment; New Inner And External Entrance Lobby Doors
(LBC)

Amendment:

Decision: Grant Permission **Date:** 01/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No: **Applicant:** **Parish:**
12/1007 Mr JM Long Wetheral

Date of Receipt: **Agent:** **Ward:**
11/12/2012 Architects Plus (UK) Ltd Wetheral

Location: **Grid Reference:**
The Rookery, 15 Scotby Village, Scotby, Carlisle,
CA4 8BS 344197 554904

SCHEDULE E: Decisions Issued Under Delegated Powers

Proposal: Discharge Of Conditions 3 (Samples Of Materials); 4 (Proposed Brick Bond) And 7 (Tree Protection) Of Previously Approved Permission 12/0634

Amendment:

Decision: Grant Permission

Date: 31/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/1008

Applicant:
Mr Edward Jardine

Parish:
Wetheral

Date of Receipt:
07/12/2012

Agent:
Architects Plus (UK) Ltd

Ward:
Wetheral

Location:
The Rookery, 15 Scotby Village, Scotby, Carlisle,
CA4 8BS

Grid Reference:
344197 554904

Proposal: Discharge Of Condition 3 (External Walling & Roofing Materials) Of Previously Approved Permission 12/0633

Amendment:

Decision: Grant Permission

Date: 31/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/1009

Applicant:
Alan Mainwaring

Parish:
Carlisle

Date of Receipt:
07/12/2012

Agent:

Ward:
Stanwix Urban

Location:
6 Grosvenor Place, Carlisle, Cumbria, CA3 9LL

Grid Reference:
339587 557323

Proposal: Erection Of Conservatory To Front Elevation

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 25/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/1010

Applicant:
Mr Bill Trotter

Parish:
Carlisle

Date of Receipt:
07/12/2012

Agent:
Quadrangle Architectural
Design

Ward:
Castle

Location:
35-39 Cecil Street, Carlisle, Cumbria

Grid Reference:
340494 555650

Proposal: Change Of Use Of Former Office And Restaurant To Provide 1No. Townhouse And 2No. Flats At First Floor Level; Retention Of Office To Part Of Ground Floor And 1No. Flat At Second Floor Level

Amendment:

Decision: Grant Permission

Date: 04/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/1012

Applicant:
RC Mitchell & Son

Parish:
Carlton

Date of Receipt:
18/12/2012

Agent:
Hopes Auction Company
Limited

Ward:
Great Corby & Geltsdale

Location:
Saughtreegate, Cumrew, Heads Nook, CA8 9DN

Grid Reference:
353921 551610

Proposal: Proposed Roof Over Existing Yard For Crop Storage

Amendment:

Decision: Grant Permission

Date: 24/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/1013

Applicant:
R C Mitchell & Son

Parish:

SCHEDULE E: Decisions Issued Under Delegated Powers

Date of Receipt:
18/12/2012

Agent:
Hopes Auction Company
Limited

Ward:

Location:
Saughtreegate, Cumrew, Heads Nook, CA8 9DN

Grid Reference:
353921 551610

Proposal: Proposed Extension To Existing Livestock Loose House
Amendment:

Decision: Grant Permission

Date: 24/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/1015

Applicant:
Possfund Custodian
Trustee Limited

Parish:

Date of Receipt:
12/12/2012

Agent:
Savills (Commercial)
Limited

Ward:
Currock

Location:
Unit 5/5A St. Nicholas Gate Retail Park, London
Road, Carlisle, CA1 2EA

Grid Reference:
340831 555044

Proposal: Discharge Of Condition 15 (Delivery/Service Yard Management Plan) Of
Previously Approved Permission 10/0504

Amendment:

Decision: Grant Permission

Date: 11/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/1017

Applicant:
Mr Timperon

Parish:
Wetheral

Date of Receipt:
11/12/2012

Agent:
JPR Building Design Ltd

Ward:
Wetheral

Location:
Eden Croft House, Warwick on Eden, Carlisle, CA4

Grid Reference:
346549 556503

SCHEDULE E: Decisions Issued Under Delegated Powers

8PA

Proposal: Removal And Replacement Of Existing Conservatory With A Two Storey Rear Extension To Provide Dining Area On Ground Floor With First Floor Sitting Room With Timber Balcony Above

Amendment:

Decision: Grant Permission

Date: 31/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/1020

Applicant:
Mr B Corrie

Parish:
Beaumont

Date of Receipt:
17/12/2012

Agent:

Ward:
Burgh

Location:
Tonrie, Grinsdale, Carlisle, CA5 6DS

Grid Reference:
336968 558025

Proposal: Change Of Use And Extension Of Double Garage To Granny Annexe

Amendment:

Decision: Grant Permission

Date: 29/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/1021

Applicant:
Ms A Binns

Parish:
Wetheral

Date of Receipt:
13/12/2012

Agent:

Ward:
Wetheral

Location:
The Nook, School Road, Cumwhinton, Carlisle, CA4 8DU

Grid Reference:
345397 552694

Proposal: Discharge Of Conditions 3 (Floor Levels); 8 (Details Of Screen Fencing/Walling); 9 (Screen Fence/Wall To Be Erected); 10 (Landscape Scheme); 12 (Materials); 13 (Hard Surface Details) And 14 (Drainage) Of Previously Approved Application 10/0169

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Partial Discharge of Conditions
06/02/2013

Date:

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/1022

Applicant:
Dr Hanif

Parish:
St Cuthberts Without

Date of Receipt:
12/12/2012 08:00:11

Agent:

Ward:
Dalston

Location:
The Orchard, Carleton, Carlisle, CA1 3DZ

Grid Reference:
342935 552667

Proposal: Change Of Use From Solicitors Office To Use Class D1 For Non
Surgical Medical Cosmetic Treatments

Amendment:

Decision: Grant Permission

Date: 06/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/1023

Applicant:
Struts Party Superstore
Limited

Parish:
Carlisle

Date of Receipt:
13/12/2012

Agent:
Mr Jock Gordon

Ward:
Castle

Location:
12 Chapel Street, Carlisle, CA1 1JA

Grid Reference:
340297 556065

Proposal: Change Of Use From Gym To Retail And Associated Storage Units

Amendment:

Decision: Grant Permission

Date: 25/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:

Applicant:

Parish:

SCHEDULE E: Decisions Issued Under Delegated Powers

12/1024 Church Commissioners for Cummersdale
England

Date of Receipt: 13/12/2012
Agent: Smiths Gore
Ward: Dalston

Location: Land at Morton bounded by Wigton Road, Peter Lane and Dalston Road, Carlisle, Cumrbia
Grid Reference: 337945 553676

Proposal: Discharge Of Condition 2 (Phasing Plan) Of Previously Approved Application 09/0413

Amendment:

Decision: Partial Discharge of Conditions
04/02/2013 **Date:**

Between 12/01/2013 and 22/02/2013

Appn Ref No: 12/1025
Applicant: Mr K & Mrs S Irving
Parish: Kingmoor

Date of Receipt: 14/12/2012
Agent: Mr Jock Gordon
Ward: Stanwix Rural

Location: Wood Villa, Cargo Beck, Cargo, Carlisle, CA6 4BB
Grid Reference: 337250 559414

Proposal: Discharge Of Conditions 4 (Balcony Screening) And 6 (Details Of Access Closure) Of Previously Approved Application 12/0361

Amendment:

Decision: Grant Permission **Date:** 07/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No: 12/1027
Applicant: Mr & Mrs Hewitt
Parish:

Date of Receipt: 14/12/2012
Agent: Mr Jock Gordon
Ward: Morton

Location: **Grid Reference:**

SCHEDULE E: Decisions Issued Under Delegated Powers

49 Levens Drive, Carlisle, CA2 6JB

338589 554377

Proposal: Erection Of Two Storey Side Extension To Provide Kitchen And Dining Room On Ground Floor With 2no. Bedrooms Above Together With Porch To Front Elevation

Amendment:

Decision: Grant Permission

Date: 07/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/1028

Applicant:
Carlisle City Council

Parish:

Date of Receipt:
21/12/2012

Agent:
Taylor & Hardy

Ward:
Castle

Location:
Land Adjacent West Tower Street, Carlisle,
Cumbria

Grid Reference:
340080 556160

Proposal: Use Of Car Parking/Garaging Area For Private Contract Parking

Amendment:

Decision: Grant Permission

Date: 01/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/1029

Applicant:
Carlisle City Council

Parish:

Date of Receipt:
14/12/2012

Agent:
Taylor & Hardy

Ward:
Castle

Location:
Land Adjacent 2 Warwick Street, Carlisle

Grid Reference:
340033 556189

Proposal: Use Of Car Parking Area For Private Contract Car Parking

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 31/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/1031

Applicant:
Mr J Alastair J Read

Parish:
Burgh-by-Sands

Date of Receipt:
27/12/2012

Agent:

Ward:
Burgh

Location:
Midtown Farm, Burgh By Sands, Carlisle, Cumbria,
CA5 6AN

Grid Reference:
332540 559160

Proposal: Extension To Portal Framed Building For Storage

Amendment:

Decision: Grant Permission

Date: 11/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/1032

Applicant:
Mrs Karen McLean

Parish:
Hayton

Date of Receipt:
17/12/2012

Agent:

Ward:
Hayton

Location:
Site adjacent to West View (Faugh Pines), Faugh,
Heads Nook, Brampton, CA8 9BS

Grid Reference:
351049 554596

Proposal: Removal Of Condition 3 (Local Occupancy) Of Previously Approved
Application 10/0745

Amendment:

Decision: Grant Permission

Date: 24/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/1033

Applicant:
Mr Poland

Parish:
Hethersgill

SCHEDULE E: Decisions Issued Under Delegated Powers

Date of Receipt:
20/12/2012

Agent:
Gray Associates Limited

Ward:
Lyne

Location:
The Stables, Horsegills, Kirkclinton, Carlisle, CA6
6DN

Grid Reference:
346676 565463

Proposal: Change Of Use Of Existing Live/Work Unit To Single Dwelling
Amendment:

Decision: Grant Permission

Date: 06/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/1034

Applicant:
Sainsbury's Supermarkets
Limited

Parish:

Date of Receipt:
19/12/2012

Agent:
WYG Planning &
Environment

Ward:
Stanwix Urban

Location:
Unit 3, 54 Scotland Road, Carlisle, CA3 9DF

Grid Reference:
340034 557265

Proposal: Alterations To Existing Shop Front To Include Window
Amendment:

Decision: Grant Permission

Date: 04/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/1035

Applicant:
Addison Motors Ltd

Parish:
Carlisle

Date of Receipt:
18/12/2012

Agent:
Barnett North LLP

Ward:
Botcherby

Location:
Benfields, Auchinleck Drive, Rosehill Industrial
Estate, CA1 2UR

Grid Reference:
342614 555783

Proposal: Refurbishment And Extension Of Existing Car Showroom And

SCHEDULE E: Decisions Issued Under Delegated Powers

Associated Workshop/Valet Facilities Including New Vehicular Access Points

Amendment:

Decision: Grant Permission

Date: 08/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/1036

Applicant:
Mr Sait Golak

Parish:
Carlisle

Date of Receipt:
17/12/2012

Agent:

Ward:
Currock

Location:
104-106 Botchergate, Carlisle, CA1 1SN

Grid Reference:
340503 555412

Proposal: Change Of Use To Turkish Information Centre Including Recreational Use/Social Centre

Amendment:

Decision: Grant Permission

Date: 05/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/1038

Applicant:
Mr Paul Holder

Parish:
Dalston

Date of Receipt:
21/12/2012

Agent:

Ward:
Dalston

Location:
Dalston Hall Caravan Park, Dalston, Carlisle, CA5
7JX

Grid Reference:
338121 551613

Proposal: Formation Of Lake And Associated Bunding

Amendment:

Decision: Grant Permission

Date: 14/02/2013

SCHEDULE E: Decisions Issued Under Delegated Powers

Between 12/01/2013 and 22/02/2013

Appn Ref No: 12/1043
Applicant: Mr John Cowperthwaite
Parish: Rockcliffe

Date of Receipt: 20/12/2012
Agent: Taylor & Hardy
Ward: Longtown & Rockcliffe

Location: Michelle Cottage, Harker, Carlisle, Cumbria, CA6 4DP
Grid Reference: 339035 560929

Proposal: Alteration, Refurbishment And Conversion of 1No. Dwelling To Form 3No. Dwellings

Amendment:
1. Revised Parking Layout

Decision: Grant Permission

Date: 12/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No: 12/1044
Applicant: Mr Lewis Walker
Parish: Burgh-by-Sands

Date of Receipt: 27/12/2012
Agent:
Ward: Burgh

Location: Land at the garden of Burn Bank, St Lawrence Lane, Burgh By Sands
Grid Reference: 332039 558929

Proposal: Discharge Of Condition 6 (Surface Water Proposals) Of Previously Approved Planning Permission 12/0005

Amendment:

Decision: Grant Permission

Date: 04/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No: 12/1046
Applicant: Mr Pratt
Parish: Brampton

SCHEDULE E: Decisions Issued Under Delegated Powers

Date of Receipt:
28/12/2012

Agent:
Ashton Design

Ward:
Brampton

Location:
Green Lane House, Greenhill, Brampton, CA8 1SU

Grid Reference:
352598 560786

Proposal: Proposed Two Storey Extension To Residential Home To Provide Additional Bedrooms And Associated Facilities Together With Internal Alterations Within Existing Home (Revised Application)

Amendment:

Decision: Grant Permission

Date: 13/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
12/1047

Applicant:
Mr Pratt

Parish:
Brampton

Date of Receipt:
28/12/2012

Agent:
Ashton Design

Ward:
Brampton

Location:
Green Lane House, Greenhill, Brampton, CA8 1SU

Grid Reference:
352598 560786

Proposal: Proposed Two Storey Extension To Residential Home To Provide Additional Bedrooms And Associated Facilities Together With Internal Alterations Within Existing Home (Revised Application) (LBC)

Amendment:

Decision: Grant Permission

Date: 13/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
13/0004

Applicant:
Mr G Mooney

Parish:

Date of Receipt:
21/01/2013

Agent:
Jock Gordon

Ward:
St Aidans

Location:
Parkside, 15 St Aidan's Road, Carlisle, Cumbria,
CA1 1LS

Grid Reference:
341085 556072

SCHEDULE E: Decisions Issued Under Delegated Powers

Proposal: Extension To Existing Outbuilding To Create Annexe To Provide Gym, Home Office And Shower Room

Amendment:

Decision: Grant Permission

Date: 22/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
13/0005

Applicant:
Possfund Custodian
Trustee Limited

Parish:

Date of Receipt:
04/01/2013

Agent:
Savills (UK) Ltd

Ward:
Currock

Location:
Unit 5/5A, St Nicholas Gate Retail Park, London
Road, Carlisle CA1 2EQ

Grid Reference:
340831 555044

Proposal: Non-Material Amendment Of Previously Approved Reserved Matters
Permission 09/0978, As Amended By 12/0673

Amendment:

Decision: Amendment Accepted
14/01/2013

Date:

Between 12/01/2013 and 22/02/2013

Appn Ref No:
13/0009

Applicant:
Miss Claire Murray

Parish:
Carlisle

Date of Receipt:
07/01/2013

Agent:

Ward:
Castle

Location:
14 Hart Street, Carlisle, CA1 2BP

Grid Reference:
340805 555735

Proposal: Single Storey Rear Extension To Provide Extended Kitchen, Utility Room
And W.C.

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 11/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
13/0011

Applicant:
Mr A Pearson

Parish:
Carlisle

Date of Receipt:
07/01/2013

Agent:
Tyler Design Services

Ward:
Stanwix Urban

Location:
50 Eden Street, Carlisle, CA3 9LH

Grid Reference:
339580 557442

Proposal: Erection Of Two Storey And Single Storey Rear Extension To Provide Kitchen And Utility On Ground Floor With Bathrooms Above

Amendment:

Decision: Grant Permission

Date: 11/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
13/0012

Applicant:
Mr Peter Pieri

Parish:
Carlisle

Date of Receipt:
07/01/2013

Agent:

Ward:
Belah

Location:
21 Parkside, Carlisle, CA3 9SE

Grid Reference:
339347 557633

Proposal: Erection Of Two Storey Side Extension To Provide Utility And WC On Ground Floor With Bedroom And Office Above

Amendment:

Decision: Grant Permission

Date: 11/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
13/0017

Applicant:
Mr C Thomlinson

Parish:
Carlisle

Date of Receipt:

Agent:

Ward:

SCHEDULE E: Decisions Issued Under Delegated Powers

09/01/2013

Mr Jock Gordon

Belle Vue

Location:

216 Newtown Road, Carlisle, CA2 7NJ

Grid Reference:

337876 556098

Proposal: Erection of Second Storey Extension Over Existing Single Storey Rear Off Shoot To Provide 1No. Bedroom And Bathroom

Amendment:

Decision: Grant Permission

Date: 19/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
13/0018

Applicant:
Mrs Audrey Plaskett

Parish:

Date of Receipt:
09/01/2013

Agent:
Mr David Shankland

Ward:
St Aidans

Location:
13 Greystone Road, Carlisle, CA1 2DG

Grid Reference:
341134 555473

Proposal: Demolition Of Existing Rear Extension And Erection Of Replacement Single Storey Extension To Provide Kitchen And Shower Room

Amendment:

Decision: Grant Permission

Date: 06/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
13/0020

Applicant:
Town & Country Estate
Agents

Parish:
Stanwix Rural

Date of Receipt:
14/01/2013

Agent:
Gray Associates Limited

Ward:
Stanwix Urban

Location:
27 Whiteclosegate, Carlisle, CA3 0JA

Grid Reference:
341073 557869

Proposal: Non Material Amendment Of Previously Approved Application 12/0954 To Change The External Wall Finish From Render To Facing Brick

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Amendment Accepted
25/01/2013

Date:

Between 12/01/2013 and 22/02/2013

Appn Ref No:
13/0028

Applicant:
Mr Frank Philips

Parish:
Carlisle

Date of Receipt:
16/01/2013

Agent:
Gavin Huston Joinery

Ward:
Castle

Location:
4 Hartington Place, Carlisle, CA1 1HL

Grid Reference:
340675 555911

Proposal: Installation Of Handrails To Front Entrance (LBC)

Amendment:

Decision: Grant Permission

Date: 19/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
13/0043

Applicant:
Mr John Lancaster

Parish:

Date of Receipt:
21/01/2013

Agent:

Ward:
Belle Vue

Location:
42 Beck Road, Carlisle, CA2 7QL

Grid Reference:
337120 555835

Proposal: Renewal Of Unexpired Permission Of Previously Approved Application
10/0528 For The Erection Of 2no. Bed Detached Dwelling

Amendment:

Decision: Grant Permission

Date: 19/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:

Applicant:

Parish:

SCHEDULE E: Decisions Issued Under Delegated Powers

13/0050

Mr Christopher Forster

Scaleby

Date of Receipt:
22/01/2013

Agent:

Ward:
Stanwix Rural

Location:
The Severals, Burnhill, Scaleby, Carlisle, CA6 4LU

Grid Reference:
343252 562989

Proposal: Non Material Amendment Relating To Previously Approved Permission
12/0644

Amendment:

Decision: Amendment Accepted
01/02/2013

Date:

Between 12/01/2013 and 22/02/2013

Appn Ref No:
13/0051

Applicant:
Mr Christopher Forster

Parish:
Scaleby

Date of Receipt:
22/01/2013

Agent:

Ward:
Stanwix Rural

Location:
The Severals, Burnhill, Scaleby, Carlisle, CA6 4LU

Grid Reference:
343252 562989

Proposal: Discharge Of Condition 3 (Materials) Of Previously Approved Permission
12/0644

Amendment:

Decision: Grant Permission

Date: 01/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
13/0052

Applicant:
Mr & Mrs Manley

Parish:

Date of Receipt:
22/01/2013

Agent:
Mr Jock Gordon

Ward:
Wetheral

Location:
15 Greenacres, Wetheral, Carlisle, CA4 8LD

Grid Reference:
346153 555089

SCHEDULE E: Decisions Issued Under Delegated Powers

Proposal: Erection Of Two Storey Side Extension To Provide Enlarged Garage & Dining Room On Ground Floor With 1no. En-Suite Bedroom Above Together With Single Storey Frontage Porch And WC (Revised Application)

Amendment:

Decision: Grant Permission

Date: 19/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
13/0057

Applicant:
Mr N Allan

Parish:
Carlisle

Date of Receipt:
24/01/2013

Agent:
TSF Developments Ltd

Ward:
Stanwix Urban

Location:
5a Firlands, Carlisle, CA3 9FB

Grid Reference:
340273 557865

Proposal: Erection Of Single Storey Side Extension To Provide Lounge

Amendment:

Decision: Grant Permission

Date: 20/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
13/0062

Applicant:
Mr M Wilson

Parish:
St Cuthberts Without

Date of Receipt:
24/01/2013

Agent:
Taylor & Hardy

Ward:
Dalston

Location:
Land at Woodside Farm, Wreay, Carlisle, CA4 0RJ

Grid Reference:
343358 549888

Proposal: Non Material Amendment Of Previously Approved Planning Application 12/0703 To Include First Floor Window To Bedroom In West Elevation

Amendment:

Decision: Amendment Accepted

Date:

SCHEDULE E: Decisions Issued Under Delegated Powers

30/01/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
13/0069

Applicant:
Mrs June Hearsey

Parish:
Carlisle

Date of Receipt:
25/01/2013

Agent:
Mr Gary Tyler

Ward:
Yewdale

Location:
19 Whitfell Avenue, The Beeches, Carlisle, CA2
6QR

Grid Reference:
337558 554390

Proposal: Erection Of Single Storey Rear Extension To Provide Sunroom
Amendment:

Decision: Grant Permission

Date: 21/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
13/9002

Applicant:
Jean Nichol

Parish:
Carlisle

Date of Receipt:
18/01/2013

Agent:
Emma Lunn

Ward:
Upperby

Location:
Petteril Bank Primary School, Burnett Road,
Carlisle, Cumbria, CA1 3BX

Grid Reference:
341780 553432

Proposal: Extension To School To Form 2 No. Classrooms, Staff offices, WC's
And Reception Area

Amendment:

Decision: City Council Observation - Raise No Objection

Date: 08/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
13/9003

Applicant:
Jean Nichol

Parish:
Carlisle

SCHEDULE E: Decisions Issued Under Delegated Powers

Date of Receipt:
23/01/2013

Agent:
Cumbria County Council -
Economy & Planning

Ward:
Upperby

Location:
Upperby Primary School, Uldale Road, Upperby,
Carlisle, Cumbria, CA2 4JT

Grid Reference:
340866 553668

Proposal: Extensions To School To Form 4No. Classrooms, Activity Space,
Library, Nurture Room, Kitchen, 2No. Withdrawal Rooms, W.C.'s And
Stores

Amendment:

Decision: City Council Observation - Raise Objection(s)

Date: 08/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
13/9005

Applicant:
Cumbria County Council

Parish:
Carlisle

Date of Receipt:
25/01/2013

Agent:

Ward:
Botcherby

Location:
Richard Rose Academy (Formerly N.Cumbria
Technology College), Edgehill Road, Carlisle, CA1
3SL

Grid Reference:
342847 554280

Proposal: Variation Of Conditions 1 And 4 Of Previously Approved Permission
1/11/9002: To Extend Use Of Car Park Area Until January 2015 And
Delay Restoration Until July 2015 (ref no: 1/13/9005)

Amendment:

Decision: City Council Observation - Raise No Objection

Date: 05/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
13/9006

Applicant:
Cumbria County Council

Parish:
Carlisle

SCHEDULE E: Decisions Issued Under Delegated Powers

Date of Receipt:
25/01/2013

Agent:

Ward:
Botcherby

Location:
Richard Rose Academy (Formerly N.Cumbria
Technology College), Edgehill Road, Carlisle, CA1
3SL

Grid Reference:
342847 554280

Proposal: Variation Of Conditions 1 And 4 Of Previously Approved Permission
1/11/9003: To Extend Use Of Car Park Area Until January 2015 And
Delay Restoration Until July 2015. (ref no: 1/13/9006)

Amendment:

Decision: City Council Observation - Raise No Objection
Date: 11/02/2013

Between 12/01/2013 and 22/02/2013

Appn Ref No:
13/9007

Applicant:
Cumbria County Council

Parish:
Carlisle

Date of Receipt:
25/01/2013

Agent:

Ward:
Botcherby

Location:
Richard Rose Academy (Formerly N.Cumbria
Technology College), Edgehill Road, Carlisle, CA1
3SL

Grid Reference:
342847 554280

Proposal: Variation Of Conditions 1 And 4 Of Previously Approved Permission
1/11/9004: To Extend Use Of Floodlighting Until January 2015 And
Delay Removal Until July 2015. (ref no: 1/13/9007)

Amendment:

Decision: City Council Observation - Raise No Objection
Date: 11/02/2013
