

Development Control Committee Main Schedule

Schedule of Applications for
Planning Permission

29th January 2010

Applications Entered on Development Control Committee Schedule

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02.	<u>09/0978</u> A	St Nicholas Retail Park, St Nicholas Gate, St Nicholas, Carlisle	<u>RJM</u>	66
03.	<u>09/0964</u> A	Reading Room, Hayton, Brampton, CA8 9HT	<u>ARH</u>	133
04.	<u>09/0949</u> A	Field 4818, Beaumont, Carlisle	<u>SD</u>	154
05.	<u>09/1085</u> A	Carlisle College, Strand Road, Carlisle, CA1 1NB	<u>ARH</u>	162
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10.	<u>08/1184</u> C	Spar Stores plc, 63-69 Newtown Road, Carlisle, CA2 7JB	<u>ST</u>	258
11.	<u>09/9014</u> C	Cardewmires Quarry, Cardewmires, Dalston, CA5 6LF	<u>SD</u>	259
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13.	<u>09/9045</u> C	Jewsons Builders Merchants, Eastern Way, Carlisle CA1 3QZ	<u>AMT</u>	277
14.	<u>09/9049</u> C	Kingmoor Infants School, Hether Drive, Lowry Hill, Carlisle, CA3 OES	<u>BP</u>	282
15.	<u>09/9044</u> C	L/adj to Newtown School, Raffles Avenue, Carlisle CA2 7EQ	<u>AMT</u>	286

Applications Entered on Development Control Committee Schedule

Item No.	Application Number/ Schedule	Location	Case Officer	Page No.
16.	<u>09/9033</u> C	Low Gelt Quarry, Low Gelt Bridge, Brampton, Carlisle CA8 1SY	<u>RJM</u>	293
17.	<u>09/9037</u> C	Richard Rose Morton Academy, Wigton Road, Carlisle CA2 6LB	<u>SD</u>	308
18.	<u>09/0988</u> D	Land Adjacent To The Cottage, Smithfield, Carlisle, CA6 6BP	<u>SE</u>	320
19.	<u>09/0708</u> D	Bridge End Service Station, Bridge End, Dalston, Carlisle, CA5 7BH	<u>DNC</u>	324

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, Planning Policy Guidance Notes, Development Control Policy Notes and other Statements of Ministerial Policy;
- the adopted provisions of the 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 Control Section of the Department of Environment and Development.

This Schedule of Applications contains reports produced by the Department up to the 15/01/2010 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 20/01/2010.

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 on the day of the meeting.

SCHEDULE A

SCHEDULE A

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SCHEDULE A

SCHEDULE A: Applications with Recommendation

09/0413

Item No: 01

Date of Committee: 29/01/2010

Appn Ref No:
09/0413

Applicant:
Church Commissioners
For England

Parish:
Cummersdale

Date of Receipt:
19/05/2009

Agent:
Smiths Gore

Ward:
Multiple Wards

Location:
Land At Morton Bounded By Wigton Road, Peter
Lane And Dalston Road, Carlisle, Cumbria

Grid Reference:
337919 553677

Proposal: Development Of Land At South Morton Bounded By Wigton Road, Peter Lane And Dalston Road, Carlisle, For Residential (Maximum 825 Dwellings), Employment (40,000m2 Floorspace), And Public Open Space Purposes As Well As Associated Works

Amendment:

1. Revised Parameter Plan 1 Access Points/Movement Framework, and Indicative Masterplan received 30.09.09. The revised Parameter Plan shows a future link to Caldew Cycleway; the revised Indicative Masterplan shows the future link to the Caldew Cycleway, relocation of the suggested footpath to the rear of Ellesmere Way and extension of allotments, realignment of the existing right of way, the introduction of new squares within the residential areas, and adjustment to planting on northern boundary of central open space to allow filtered views through to central open space for residents of Ellesmere Way.
2. Revised plans received 15th December 2009.
3. Revised Parameter Plan 2 (Rev A) showing the relocation of the allotments, informal play space and reserved site for a primary school; revised Parameter Plan 3 (Rev A) detailing slight amendments to the shape of the residential blocks in the vicinity of the primary school and adjacent to the employment area; revised Indicative Masterplan to take account of the relocated reserve site for the primary school and change in location of the allotments, and a new indicative line of a pedestrian path and cycleway; alteration to the Potential Phasing Plan (Rev A) concerning the residential land blocks on and adjacent to the previous reserve site for the primary school. Revised plans received 24th December 2009.

Reason for Determination by Committee:

This is a Major application of local significance that has been advertised as a Departure to the Local Plan.

1. Constraints and Planning Policies**Gas Pipeline Safeguarding Area**

The proposal relates to land or premises situated within or adjacent to the Gas Pipeline Safeguarding Area.

Public Footpath

The proposal relates to development which affects a public footpath.

Flood Risk Zone**RSS Pol CNL 1 - Overall Spatial Policy for Cumbria****RSS Pol CNL 2 - Sub-area Development Priorities for Cumbria****RSS Pol DP 1 - Spatial Principles****RSS Pol DP 2 - Promote Sustainable Communities****RSS Pol DP 3 - Promote Sustainable Economic Development****RSS Pol DP 5 - Manage Travel Demand. Reduce Need to Travel****RSS Pol DP 7 - Promote Environmental Quality****RSS Pol DP 9 - Reduce Emissions & Adapt to Climate Change****RSS Pol W 2 - Locations Reg. Significant Economic Development****RSS Pol W 3 - Supply of Employment Land****RSS Pol W 4 - Release of Allocated Employment Land****RSS Pol L 1 - Health, Sport, Recreation, Cultural and Education****RSS Pol L 4 - Regional Housing Provision****RSS Pol L 5 - Affordable Housing****RSS Pol - Walking and Cycling**

RSS Pol EM1 (A) - Landscape

RSS Pol EM1 (B) - Natural Environment

RSS Pol EM1 (D) - Trees, Woodlands and Forests

RSS Pol EM 16 - Energy Conservation & Efficiency

RSS Pol EM 18 - Decentralised Energy Supply

Joint St. Plan Pol ST1: A Sustainable Vision for Cumbria

Joint Str. Plan Pol ST2: Assessing impact on sustainability

Joint St. Plan Pol ST3: Principles applying to all new devel.

Joint Str. Plan Pol ST4: Major development proposals

Joint Str. Plan Pol ST5: New devt & key service centres

Joint Str. Plan Pol ST8: The City of Carlisle

Joint Str. Plan Pol EM13: Employment land provision

Joint Str. Plan Pol EM14: Dev.employment land other purposes

Joint St. Plan Pol H17: Scale of housing provision

Joint St. Plan Pol H19: Affordable housing outside Lake Dist.

Joint St. Plan Pol T29: Safeguarding future transport schemes

Joint St. Plan Pol T30: Transport Assessments

Joint St. Plan Pol T31: Travel Plans

Joint St. Plan Pol E37: Landscape character

Joint St. Plan Pol C42: Flood risk and development

Joint St. Plan Pol R44: Renew. energy out. LDNP & AONBs

Joint St. Plan Pol L57: Leisure and recreation spaces

Local Plan Pol DP1 - Sustainable Development Location

Local Plan Pol DP6 - Carlisle Northern Development Route

Local Plan Pol CP2 - Biodiversity

Local Plan Pol CP3 - Trees and Hedges on Development Sites

Local Plan Pol CP5 - Design

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

Local Plan Pol CP10 - Sustainable Drainage Systems

Local Plan Pol CP11-Prot.Groundwaters &Surface Waters

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

Local Plan Pol CP13 - Pollution

Local Plan Pol CP14 - Waste Minim.& Recycling of Waste

Local Plan CP15 - Access, Mobility and Inclusion

Local Plan Pol CP16 -Public Trans.Pedestrians & Cyclists

Local Plan Pol CP17 - Planning Out Crime

Local Plan Pol EC1 - Primary Employment Areas

Local Plan Pol EC22 - Employment & Commercial Growth Land Al

Local Plan Pol H1 - Location of New Housing Develop.

Local Plan Pol H3 - Residential Density

Local Plan Pol H5 - Affordable Housing

Local Plan Pol H16 - Residential Land Allocations

Local Plan Pol IM1 - Planning Obligations

Local Plan Pol LE8 - Archaeology on Other Sites

Local Plan Pol LE10 - Archaeological Field Evaluation

Local Plan Pol LE26 - Undeveloped Land in Floodplains

Local Plan Pol T1- Parking Guidelines for Development

Local Plan Pol LC4 - Children's Play and Recreation Areas

Local Plan Pol LC8 - Rights of Way

Local Plan Pol LC11- Educational Needs

Local Plan Pol LC15 - Percent for Art

2. Summary of Consultation Responses

Cumbria County Council - (Highway Authority): when assessing this application issues have centred around the capacity of the Peter Lane/ Dalston Road Junction (and some other junction assessments), the linkages to the Cycling network and a possible car club. Further work has also been done to the framework travel plan, which is now considered acceptable.

The applicant has justified the traffic reductions, carried out a capacity assessment of the development access junctions, provided details of the capacity assessments carried out over the wider network and produced Isochrone maps showing accessibility to services for non car drivers with and without the proposed transport measures in place.

To be able to proceed, the applicant will however need to ; enter into a Section 106 agreement for the various measures with both the planning Authority and the Local Highways Authority.

Additionally, the subsequent developer(s) will be required to enter into a section 278 of the Highways Act 1980, for works within the highway as well as, during the reserved matters applications, to enter into a section 38 agreement for prospective adoption of the internal road network.

The Section 106 agreement will need to cover:

Triggers for each element will need to be specified for each Phase of the development (if not already agreed).

Funding to the County Council for

- 1) modal shift contribution & Temporary traffic management
- 2) contribution to bus stop upgrades
- 3) Bus infrastructure (revenue) for 3 years / Capital costs (purchase of a new bus)
- 4) Pedestrian connectivity
- 5) McVities roundabout improvements contribution
- 6) Wigton Rd/Orton Rd/Dunmail Drive Traffic Signal Enhancement contribution
- 7) Cross City Bus Corridor contribution
- 8) travel plan performance including a potential car club
- 9) Linkages to the Cycle Network

The Section 278 agreement(s) will need to cover:

- 1) 4 priority junctions into the site
- 2) Pedestrian improvement / minor road alignment works Dalston rd/Peter Lane
- 3) Pedestrian refuge on Dalston Road
- 4) Wigton Rd/ Peter Lane/ Dalston Rd, footway/ cycleway and lighting improvements
- 5) Improvement to Peter Lane (with the inclusion of a cycle path along its length.
- 5)Possible 40mph speed limit extension on Dalston Rd
- 6)Bus stop provision and possibly contribution to real time display information
- 7) Bus link to Newlaithes Ave (can possibly be done under a section 38 agreement)

Section 38 agreement:

- 1) This element will be conditioned as normal with all internal road/ footways and cycleways to be laid out and constructed to adoptable standards.
- 2) The above will include measures to make the site permeable and accessible from the neighbouring sites.

The detail of the above agreements will need to be formalised and approved by all relevant parties and considering the scale of this development , it would be imperative to include reference to all 3 agreements into any permission the Planning Authority might grant.

The cycle link (mirroring the provision on the CNDR) can be created alongside Peter Lane as part of the section 278 works but the developer is also required to contribute towards linkages from the site to the Cycle Network.

Therefore confirm that this application is considered acceptable and that the Highway Authority has no objection, but would recommend the imposition of the following conditions in any consent:

The carriageway, footways, footpaths, cycleways etc shall be designed, constructed, drained and lit to a standard suitable for adoption and in this respect further details, including longitudinal/cross sections, shall be submitted to the Local Planning Authority for approval before work commences on site/ for each phase. No work shall be commenced until a full specification has been approved. For each separate phase 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 and no dwelling within each separate phase shall be occupied until the section 38 (or its relative phase) is signed.

Reason: To ensure a minimum standard of construction in the interests of highway safety.

To support Local Transport Plan Policies: LD5, LD7, LD8

No development shall commence until detailed drawings showing the development and means of access (for that phase)thereto have been submitted to the Local Planning Authority for approval. Any such approved means of access shall be completed in accordance with the approved details before that phase of the development is occupied.

No dwelling within any sub-phase shall be occupied until details of the space to be laid out for parking and stationing of vehicles clear of the public carriageway, within that sub-phase, have been approved in writing by the local planning authority. No dwelling within each sub-phase shall be occupied until the parking space relating to that dwelling has been surfaced, drained and completed. The space so provided shall not thereafter be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: To ensure that vehicles can be properly and safely accommodated clear of the highway. To support Local Transport Plan Policies: LD7, LD8 and Structure Plan Policy T32

The access and parking/turning requirements shall be substantially met before any building work commences on site for each separate phase of this development so that constructional traffic can park and turn clear of the highway. This should be linked to a construction management plan for each phase.

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.

To support Local Transport Policies: LD8 Note

No development within any sub-phase shall take place unless and until details of the layout and specifications of and construction programmes for the roads (including visibility splays), footpaths, cycleways and casual parking areas in that sub-phase, have been submitted to and approved in writing by the local planning authority. No dwelling shall be occupied until it is provided with access constructed in accordance with such approved details to the established highway network.

Reason: To ensure a minimum standard of construction in the interests of highway safety.

To support Local Transport Plan Policies: LD5, LD7, LD8

An annual report reviewing the effectiveness of the Travel Plan and including any necessary amendments or measures shall be prepared by the subsequent developer/s and submitted to the Local Planning Authority for approval.

Reason: To aid in the delivery of sustainable transport objectives. To support Local Transport Plan Policies: WS3, LD4 and Structure Plan Policy T31

The amendment has now been discussed with the applicant in some detail.

It has been agreed that due to the very robust nature of the application (and its trip generation considering worst case) that there will be no need to remodel the development with these changes. Considering that the application is an outline application, I can confirm that the comments made previously would still apply.

Dalston Parish Council: the Parish Council at its meeting held on 9th June 2009 resolved to make the following comments regarding application 09/0413:

1. Dalston's main interest lies in the traffic and environmental impacts. It is essential that the infrastructure to accommodate this size of development is in place before it is commenced. The North West Development Route is not yet built and, in any case, stops at Peter Lane.
2. It was thought to be a pity that these proposed dwellings are not designed to the highest environmental standard.
3. The proposed development is only 2 miles from Dalston, therefore, where provided, residents will use Dalston services with consequential impact on traffic and parking – up to 970 additional daily vehicle movements indicated on Peter Lane, Dalston Road and Wigton Road. A proportion of these will travel through Dalston to the south end of Carlisle and J42 on M6.
4. Surely this development should re-open the consideration for a southern by-pass

to J42 on M6.

5. Note should be taken that Dalston has a HGV restriction which must continue to apply to all heavy goods vehicles, particularly those of contractors accessing this proposed development site if approved.
6. It has been indicated to Dalston Parish Council that both Wigton Road and Dalston Road are of insufficient width to accommodate a bus lane. The success of park and ride must rest on the efficiency and speed of access to the city centre.
7. While the scheme is to be phased, there is not much mention of the shopping demands. If, in the early stages, the likelihood is that residents will come to Dalston, then this will seriously impact on traffic and parking.
8. It should be remembered that there is still an undetermined proposal for a Dobbies Garden World and associated out of town shopping in Dalston Parish. Cumbria County Council has already expressed concerns regarding the effects of traffic volumes arising from this separate development.
9. The Morton development brings Carlisle much closer to Dalston and erodes the intervening green field land.
10. It should be noted that there remains a proposal for a Cumbria waste management centre on part of this development land with a significant consequential increase in heavy goods vehicles in the area. This is not apparent on the plans.
11. The development of this large residential and employment area would put pressure on the policing resources in this rural area of Carlisle District.

Dalston Parish Council at its meeting held on 13th October 2009 resolved to make the following additional comments regarding the revised plans for application 09/0413. Peter Lane/Dalston Road - The Parish Council is disappointed that the Development Access Junction Capacity Test of the junctions surrounding the site considered that the current infrastructure in place was satisfactory. In its original response, Dalston Parish Council highlighted that it considered that additional road infrastructure should be introduced in the areas of Peter Lane and Dalston Road to accommodate the increased vehicle movements expected.

The Parish Council, at its meeting on the 12th January 2010 resolved to make no additional observations on the amendments but reiterated its comments from June last year.

Cummersdale Parish Council: recognise that the adopted Local Plan 2008 confirms its District Centre status and the development of the site for housing, employment, retail and local amenity. Having had a presentation of the plans at an earlier Parish Council meeting the members were broadly supportive of the proposals for the development. However, the Council do have concerns about the apparent lack of evidence of the supporting infrastructure for this application and wish to make the following observations.

Infrastructure - this application represents one of the largest schemes to come before the Council, in what is now designated as a District Centre. At the Re-Deposit Draft Stage a paragraph was inserted into the Local Plan to the effect that there should be no development until there is the infrastructure to support it. As far as we are aware, the Inspector did not rescind this statement. It is not sufficient to simply provide the infrastructure for the site itself and its immediate area. It is

disappointing then to see the minor nature of the changes to the two principle roads Dalston Road and Wigton Road, to accommodate a development on this scale.

The initial application is for 825 houses plus retail and employment, but this does not include the two separate sites at Dalston Road and another substantial site at the North side of Wigton Road, shown on the plans. The total number of housing units to be serviced by these two roads, we estimate will eventually be of the order of 1,300. There are already infrastructure issues, even without 1,000+ houses plus these other developments at Morton.

Traffic Issues - for those locals who use the road network in the area on a regular basis, particularly in the peak periods, there appears to be virtually no changes to the road network and associated infrastructure to accommodate a development on this scale. This applies particularly in the approaches to the hub. For example, tailbacks from Junction Street to Dunmail Drive on Dalton Road, and even more so on Wigton Road, suggest that these junctions are already at or above capacity at peak periods. At over 40,000 vehicles per day, Castle Way is one of the busiest roads in Carlisle.

We understand that the Highways Authority have commissioned Capita to produce a report but that this is not yet available. Given the traffic problems in the Wigton Road, Dalston Road, Caldewgate area, we see this as a pre-requisite for any consideration of this application.

No-one has challenged Professor Whitelegg's assertion in his previous report on the Morton Masterplan, that on average, each new household will generate 7 additional car journeys a day. Even allowing for mitigating measures, including extending the bus service into the site, it seems reasonable to assume that, together with the retail and employment proposals, there will be several thousand additional car journeys per day in this area, - we estimate in the order of 5-7,000. There is no guarantee that the bus operator will maintain the projected service levels unless subsidised by the Council.

Development on this scale will inevitably increase the pressure on Dalston Road and Wigton Road, especially at the junction with Caldewgate/ Castle Way, and also in Dalston. The Dalston to Durdar/M6 road is increasingly being used as a rat run and is de-facto Carlisle's Southern by-pass. For those going South, it will be used as such by significant numbers of these new residents in order to avoid the city.

Roundabout at Dalston Road/ Peter Lane - the phased development of the site is to start at the Dalston Road side. Given the above, we are particularly concerned to see that the intended roundabout at the junction of Peter Lane, Grace Lane (an offset junction) with Dalston Road, at very edge of Morton site, has been removed from the current plan. A roundabout would have slowed the traffic coming down on the de-restricted road from Brow Nelson, and allowed an orderly merging of the traffic at this busy junction. The residents from Grace Lane have already raised this matter as a formal objection. It seems that there has been a meeting with representatives from the Highways Department specifically on this issue. We urge that the roundabout be re-instated.

Junctions - residents are concerned about the access to the site (there ate 5 shown)

and particularly the one shown on Wigton Road at the approach to Garden Village which will serve both residential and commercial. There is a gradient with a crest and bend at this point.

Employment Site - it is noted that the roundabout on Wigton Road has also been reduced from 5 spokes to 4 spokes, and now with no direct access to the employment site at the corner. Vehicles can only access it from further along Wigton Road. Vehicles emerging from the site must turn left towards the CNDR roundabout at Newby West. We assume that this is in recognition of the traffic pressures in that area.

The employment site is for light industrial/commercial, Category B1. Despite this, the County Council, in The Cumbria Minerals And Waste Development Framework consultation document dated 5.6.09, still identifies this corner site on Peter Lane ad CA 06, as one of the possible sites of 2-3 hectares, for waste management facilities. The Parish Council previously objected to the location of a facility of this sort at the gateway to the city and consider it totally inappropriate.

Air Quality - the Environmental Protection Services of the City Council have a statutory obligation to inform the authority of the consequential environmental impact of any large scale scheme such as this, in areas beyond the immediate development site. From discussions with the department it is clear that they have exercised that responsibility and at this time are not satisfied in this respect. The figures show that Nitrogen Dioxide (NO₂) air pollution levels (microgrammes/ cubic meter) in the rural areas of Dalston Road, Wigton Road and Peter Lane, as expected are well within the set limits of 40 units. But their NO_x Diffusion Tube monthly analysis in the Dalston Road Wigton Road, Junction Street area, show significant breaches of air pollution limits, some by substantial margin. This may well lead to (Air Quality Measurement Area) AQMA designations requiring appropriate action, at a number of locations. This is even before the proposed developments at Morton. It is not evident in the application what measures are being taken to deal with this.

Sewage/ Waste water treatment capacity - a significant local company has consent for a substantial discharge of effluent into the local sewer network. Because of capacity issues, United Utilities impose a reservation charge which allows the company to reserve additional capacity for future expansion of the operation, potentially restricting other companies from discharging into the sewer network. Presumably this is to avoid exceeding the capacity of the treatment works.

Under the proposal, a pumping station is to be installed at the North East end of the site, delivering into the existing network. This raises the issue of the capacity of the network and treatment works to cope with this development. Since Carlisle has been identified as been identified as a growth point in the NW Sub region, we assume that additional capacity may well need to be installed at the sewage treatment works.

United Utilities are regulated by the Environment Agency, including their discharges.

Our understanding is that current works at the Willowholme treatment plant is not designed to increase capacity but for the installation of Phosphate removal plant.

PPS25 Development and Flood Risk. (Sustainable Urban Drainage System (SUDS)) - we assume that the holding tanks on Dlaston Road, which take the run off from the Pirelli site, have been factored in to the overall scheme.

"Local Authorities have the role of implementing Agenda 21 and developing strategies to secure sustainability at local level. This general principle applies to drainage - - -"

"The ownership and maintenance of conventional piped drainage systems is clearly defined in Sewers for Adoption (Water Services Association 1994) However, by their nature many SUDS can be regarded as drainage or landscape features, and there is no clear guidance on who is responsible for the operation and maintenance of such facilities."

This is an outline planning application for one part of the site and does not include all the potential developers. Whose responsibility is it for the system which is an integral part of the on-site infrastructure, particularly since this is to be a phased development?

One area of the site has been identified as susceptible to flooding, but in general we anticipate that the attenuation ponds are designed to accommodate the expected run off. On at least two occasions in recent years, Dalston Road has been impassable due to flooding. It is suggested that this is due to the capacity of the culvert which is to be removed, but presumably the culvert under the road will be retained. This poses a number of questions;

- a. Are the rainfall figures based on the Met. Office figures for Carlisle?
- b. Are the attenuation ponds designed to handle a 1 in 30 year rainfall event?
- c. Which of the following rainfall patterns have been used; 1 in 15mins, 1 in 30mins, 1 in 60mins or 1 in 120mins?

Electricity Pylons - from discussions, it seems that the Electricity Pylons will need to be removed and re-routed to service the site. This will be extremely costly. Again, given that it is to be a phased development with a number of developers, how will this be accomplished and who is to be responsible for this?

These are all essentially infrastructure issues associated with the site and the wider area affected by the development.

One further letter of response has been received from Cummersdale Parish Council on the basis that they are deeply concerned both by the fact that the City and the County appear to have differing plans for the area and are allegedly unaware of the others ideas. The idea of any kind of recycling/ waste facility on such a prominent gateway site would be completely out of keeping with the area and would certainly be detrimental to your plans for the area.

Environment Agency (N Area (+ Waste Disp)):

Development and Flood Risk - this site is located within Flood Zones 1, 2 and 3 as defined in Table D.1 of Planning Policy Statement 25: Development and Flood Risk (PPS25). Due to the size scale of development proposed this application if approved could result in a significant change in the hydrological conditions and will generate significant quantities of rainfall runoff, which if not managed in line with current best practice guidance could exacerbate flood risk elsewhere.

The Environment Agency have been involved in consultation and liaison with the applicant's consulting engineers in relation to the supply of information pursuant to the production of the FRA and the ongoing development of the design proposals in relation to floor risk management and the disposal of clean uncontaminated surface water from the development site.

The Environment Agency broadly support the findings of the May 2009 Flood Risk Assessment Report (FRA) produced by Mouchel and therefore has no objection in principle to the development providing the findings and mitigation measures outlined in the Report are taken forward into further detailed design.

As a result of the Development Team Group meeting held in Committee Room C of your Civic Centre on 10 June 2009, the Environment Agency understands that this may result in some revision of the indicative masterplan as currently proposed. However, none of the above discussed changes are likely to significantly affect our comments in relation to the FRA or the parameters for managing flood risk in relation to the development.

The Environment Agency are therefore happy to recommend the inclusion of the following conditions in relation to the current outline application.

Condition 1:

Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

- details of how the scheme shall be maintained and managed after completion

Reason

To prevent the increased risk of flooding, to improve and protect our water quality, improve habitat amenity, and ensure future maintenance of the surface water drainage system.

Condition 2:

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated 2009 and produced by Mouchel and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off generated by the 1 in 100 yr plus climate change rainfall event, in accordance with section 7.5 of the Flood Risk Assessment Report, so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
2. In accordance with section 7.2 and 7.4 page 18 of the Flood Risk Assessment Report, all development inclusive of the proposed attenuation ponds shall be located outside the 100 year with climate change outline.
3. Confirmation of the opening up of any culverts across the site.
4. In accordance with section 7.3 of the Flood Risk Assessment Report and Appendix E. Finished floor levels shall be set no lower than 600mm above the modelled 1 in 100 year flood level plus an allowance for climate change. OK

Reason

1. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
2. To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.
3. To reduce the risk of flooding from blockages to the existing culverts (s).
4. To reduce the impact of flooding on the proposed development and future occupants.

The Environment Agency is supportive of the environmental enhancement possibilities offered as a result of realignment of Fairy Beck main river into a more natural sinuous and natural form.

Please be aware however, that Fairy Beck is designated 'main river'. Therefore, under the terms of Water Resources Act 1991 and Land Drainage Byelaws, the prior written consent of the Environment Agency is required for any works in, over, under or within 8m of the 'main river'.

The applicant should note that the Environment Agency has a period of two months to determine a valid application for Land Drainage Consent. We would advise that this period is taken into account when planning works which require such consent.

Recreation and Biodiversity - we consider that the wetland planting indicated on the indicative masterplan will contribute to meeting the requirements of PPS9 for protecting and enhancing biodiversity. The following condition is therefore necessary:

Condition 3:

A scheme for wetland planting along the course of Fairy Beck must be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason

To improve the biodiversity along the course of Fairy Beck and enhance the area as a green corridor.

It may be appropriate that this condition is combined with other elements of landscaping and planting to create one catch all condition. This would be acceptable to us provided the wetland planning is specifically mentioned as a requirement of any larger landscaping scheme.

Pollution Control - the sewerage undertaker should be considered regarding the availability of capacity in the foul water sewer. If there is not capacity in the sewer then the Environment Agency must be re-consulted with alternative methods of disposal.

In England, it is a legal requirement to have a site waste management plan (SWMP) for all new construction projects worth more than £300,000. The level of detail that your SWMP should contain depends on the estimated build cost, excluding VAT. You must still comply with the duty of care for waste. Because you will need to record all waste movements in one document, having a SWMP will help you to ensure you comply with the duty of care.

Contaminated Land - we agree with the recommendations in 11.71 of the Environmental Statement regarding the need for supplementary ground investigation. We would expect that this further work is conditioned in line with comments from Environmental Health. Areas of concern for such investigation should include, the vicinity of the substation, farm burial sites, disposal pits and landfill;

Cumbria County Council - (Archaeological Services): our records indicate that the site lies in an area of some archaeological potential. The archaeological desk-based assessment and Environmental Impact Assessment of the site indicate that a number of prehistoric finds have been revealed in the vicinity, that the line of a Roman road is likely to diverge from the main road and cross part of the site, and that the site has the potential to contain medieval and early post-medieval agricultural remains.

The site has been the subject of an archaeological geophysical survey. This has identified some features that may be of archaeological interest and warrant further archaeological investigation. Slight prehistoric remains are very difficult to find through a geophysical survey, as shown recently in the investigation at Carlisle Airport, and the EIA suggests that the soil make-up on the site may mask any remains of the Roman road, which was not shown in the geophysical survey. Consequently, there is still the potential for unknown archaeological remains to survive on the site.

Although the extent of the archaeological work undertaken to date is not sufficient to

confidently indicate that no remains of archaeological interest survive on the site, it is considered that the results of the geophysical survey are detailed enough to indicate that it is highly unlikely archaeological remains of national importance survive that would be regarded worthy of preservation in situ.

There is a likelihood that archaeological remains survive that would be of sufficient worth to preserve by record and so further information regarding the quality and survival of archaeological remains within the development area is still required. I do not consider an appropriate mitigation scheme to be an archaeological watching brief on the ground works across the whole development site, as suggested by the EIA. Undertaking a watching brief on a 47 hectare development would not be an efficient use of resources and would not be the most successful method of identifying and recording archaeological remains. Instead, I recommend that the site should be subject to a programme of targeted archaeological evaluation and, where important archaeological remains survive, recording. I consider that this programme of work should be commissioned and undertaken at the expense of the developer and can be secured through the inclusion of two conditions in any planning consent. I suggest the following form of words:

Condition 1:

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 by the Planning Authority.

This written scheme will include the following components:

- i) An archaeological evaluation to be undertaken in accordance with the agreed written scheme of investigation;
- ii) An archaeological recording programme the scope of which will be dependant upon the results of the evaluation and will be in accordance with the agreed written scheme of investigation.

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

Condition 2:

Where appropriate, an archaeological post-excavation assessment and analysis, preparation of a site archive ready for deposition at a store, completion of an archive report, and publication of the results in a suitable journal as approved beforehand by the Local Planning Authority (LPA) shall be carried out within two years of the date of commencement of the hereby permitted development or otherwise agreed in writing by the LPA.

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.

I would also suggest that you advise the applicant that such archaeological

investigations are liable to involve some financial outlay.

Department for Transport (Highways Agency): having concluded our review on this proposal, and having reviewed the Transport Assessment which accompanied the application, it is the considered view of the Highway Agency that the residential development proposed would not have a material impact on the Agency's network. Therefore we do not object to the proposal.

In relation to the Framework Travel Plan the Agency would emphasise the need for this to be covered by appropriate condition(s) on any planning permission which may be issued and with individual travel plans prepared for each land use/business occupier under an "umbrella" master document. This would assist in demand management of vehicle trips generated by the development on the local network.

Amongst other relevant policy guidance, of particular importance is the DfT guidance contained in "Delivering Travel Plans through the Planning Process" (April 2009). We are of the view that the "menu" approach which has been demonstrated at the outset of travel plan formulation here should be promoted so as to capitalise on the most successful schemes both in local practice and based on national statistics.

United Utilities (water & wastewater): originally objected. The site must be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to the soakaway/watercourse/surface water sewer and may require the consent of the Environment Agency. If surface water is allowed to be discharged to the public surface water sewerage system we may require the flow to be attenuated to a maximum discharge rate determined by United Utilities. The applicant must agree the proposals for the provision of foul sewerage and connection with United Utilities. We request that this is discussed before planning permission is granted. The developer should contact Andrew Roughley, catchment analyst (tel no 01925 537179) to discuss this matter in more detail.

We can readily supply water for domestic purposes but would require further details regarding water demand for employment uses.

A separate metered supply to each unit will be required at the applicant's expense and all internal pipework must comply with current water supply (water fittings) regulations 1999.

The level of cover to the water mains and sewers must not be compromised either during or after construction.

United Utilities (electricity): the area of land covered by the attached planning application contains electrical apparatus which is protected by the Electricity Act 1989. It would be advisable that the developer make early contact with United Utilities Electricity Services to discuss their development plans.

Cumbria County Council (Strategic Planning Authority): we do not consider the

proposal to be a Category 1 application consultation because the proposal broadly fits with the mixed residential/business park allocation in the adopted Carlisle District Local Plan 2001-2016 (adopted 9th September 2008). The County Council will not therefore be responding with a detailed corporate report from a strategic planning policy perspective. However, we would nevertheless wish to raise concerns that the proposal would provide 4ha less Business/Science Park land than that allocated under Policy EC22 in the adopted Carlisle District Local Plan. This situation would, as a consequence, leave insufficient Business/Science Park land remaining to accord with the saved and extended Cumbria and Lake District Joint Structure Plan Policy EM13. In this regard, Policy EM13 requires a total Business/Science Park provision of 20ha within Carlisle District, between the period 2006-2016.

According to the County Council's Employment Land and Floorspace Assessment (March 2008), and by taking account of the 12ha of Business/Science Park land allocated at Morton and the 4.37ha of land that has the benefit of planning permission at Rosehill Industrial Estate, together with a small parcel of Business/Science Park land already completed at Harraby Green Business Park since 2006 (total 0.26ha), there is currently a deficit of 3.37ha Business/Science Park employment land within the adopted Local Plan.

In other words, there is a total of 16.63ha available up to 2016, as against a requirement of 20ha under Joint Structure Plan Policy EM13.

The proposal arising out of the current planning application to reduce the amount of Business/Science Park land by taking 4ha out of the Morton Business/Science Park allocation (12ha – 4ha = 8ha) would, in effect, make this situation much worse, leading to a total deficit of 7.37ha up until 2016 (i.e. 20ha – 16.63ha - 4ha = 7.37ha).

Should Carlisle City Council be minded to approve the current planning application for Morton, we would recommend the following in order to make sure that sufficient Business/Science Park land is provided throughout the period 2006-2016 to accord with Joint Structure Plan Policy EM13. Carlisle City Council could therefore either:

- identify additional Business/Science Park land through the new Local Development Framework process, and/or
- re-allocate other Regional Investment Site and Strategic Employment Site allocations to Business/Science Park land.

Cumbria Constabulary - Crime Prevention: The Design and Access Statement makes various references to community safety and crime prevention issues and it is clear that the basic principles to design out crime have been demonstrated. The document acknowledges that the principles of 'Secured by Design' shall be followed. We are satisfied that this application complies with CP17 of the Local Plan.

1) Points of Access

The site has four designated vehicle access points, with a separate dedicated route for buses via Millbeck. The access points are well-overlooked by dwellings, within 'active' streets, which should generate plenty of casual supervision of semi-public spaces. It is intended to retain the bridleway that runs east-to-west across the site. Following discussion at the DTG on 10th June 2009, a section of this route shall be

re-aligned, to dispense with the sudden changes in direction and ensure that sightlines are improved and potential hiding places are removed.

It is proposed to establish a pedestrian/cycle link towards the Richard Rose Morton Academy and the DAS also advises of the intention to 'enhance the existing footpath routes connecting the new development to the housing, local facilities and bus stops in Morton Park'.

The routes connecting to the Morton estate are not directly overlooked by new housing and shall permit unrestricted access to the rear of existing dwellings. Consideration must be given to

- Protecting vulnerable rear garden spaces
- Preventing unauthorised motor vehicle access via these routes

2) Demarcation of Space

Part 1 (Introduction and Assessment of Context) of the DAS advises:

'A clear separation of public and private space should be created by having buildings front onto the street. Buildings with a clearly defined front and back provide better security and privacy, animate the public realm and help people orientate themselves. Entrances to buildings should therefore be from the street and easily defined as such by visitors. Private enclosed areas to the back should be secure'

I repeat my recommendation that physical boundary treatments should be incorporated to define dwelling garden curtilages, which conveys clear ownership of spaces. More detailed discussion needs to take place to specify boundary treatments in each case.

The issue of security of allotments was also discussed and I was pleased to note an appreciation of my comments regarding appropriate fence types.

3) Car Parking

Notwithstanding the desire to remove parked motor vehicles from the street scene, the DAS makes specific reference to a requirement for secure car parking:

'...Overlooking of parking areas from properties; minimising the size of any rear parking courts; locating vehicle parking areas as much as possible in-curtilage or at least in semi-private space'.

4) Landscaping

The landscaping scheme forms a major element of the proposed development for the purposes of:

- Enhancing the visual environment
- Retaining the rural nature of the area
- Contributing to local ecology
- Create buffer zones adjacent to commercial activity

However, the DAS acknowledges the requirements of Policy CP17 of the Local Plan

'Landscaping schemes should be designed to ensure that they do not create secluded areas or reduce natural surveillance'.

Consequently, there is a significant responsibility on the landscape architect to ensure that surveillance opportunities are maximised and that there is no conflict with the proposed street lighting and security lighting schemes. The location and choice of species across the entire site is important, to ensure that landscaping elements do not obstruct sightlines or impede the effects of street or security lighting schemes as they mature.

5) Security Lighting

The intention is to illuminate the exterior of the buildings and any vulnerable areas so that these spaces may be more easily overlooked throughout darkness. Illumination need not be harsh or intrusive but must be evenly spread to remove shadows. In domestic situations, the use of compact fluorescent tubes is usually sufficient for this purpose. Lamps may be controlled by photocell or timer switch and should be positioned as high as possible to prevent tampering or damage. The lighting scheme must not cause annoyance, nuisance or unnecessary pollution.

6) Physical Security

We recommend the incorporation of security standard door and window products throughout this development. Domestic exterior doors should be compliant with BS PAS 24 and windows should be compliant with BS 7950. Glazing at ground floor and vulnerable levels should be a laminated type to at least 6.4mm thickness. Where garages have been provided, the vehicle entry door should conform to LPS 1175 level 1.

The Code for Sustainable Homes (DCLG 2007) awards points to developments that have met the requirements of Secured by Design – New Homes, Section 2. Further information on this matter can be provided on request.

Provision of a primary school on this site will create additional crime and ASB risks. Primary schools continue to generate calls for police service, usually due to nuisance gathering by youths (after school hours), burglary and malicious damage. I shall be anxious to influence the design and layout of the buildings - primary schools tend to be single storey, (and complicated footprints), which inevitably creates easy access to flat roofs. I have visited numerous schools over the years that have had damage caused to roof fabrics, resulting in water egress and expensive repairs. I am sure the County Council will wish to avoid this common vulnerability.

In respect of other security issues, I shall expect to see the incorporation of a secure (but aesthetically appealing) boundary treatment - in order to discourage unauthorised access to the school grounds and to provide protection for the existing garden spaces that shall abut it.

Advice in respect of appropriate physical security measures can be given as more detailed proposals become available.

Consideration must also be given to the arrangement of the adjacent (school south

boundary) footpath and associated vehicular traffic links.

I shall be pleased to provide more detailed crime prevention design advice as this proposal progresses.

Development Services Planning & Housing Services - Local Plans: on the 15th July the original consultation response specifically covered the employment land aspects of the proposed development. Namely, in considering the proposals for the land at Morton the issues raised by the Colin Buchanan Report appended to the Planning Statement are understood, however there are still concerns about the loss of employment land.

It is appreciated that at this point in time there may be a reasonable supply of offices in and around the City and recent spec build by Gladman have increased the available office space in recent years. The development of the site at Morton however was never envisaged to be a quick development that would happen in a couple of years but was always envisaged as taking several years to come to fruition and original masterplanning considered a 10 year time horizon from gaining planning permission.

There are therefore a number of issues raised about the development, references to density and its substitution to housing which raise a number of concerns. The report assumes that the land will be developed at a high density and therefore reduce the amount of land available. Density can change over time and can be adapted to suit demand, the loss of 4ha of land however can not be changed once released for housing and should the development occur at a lower density due to future demand the prospect of higher density development will not be realised. If a genuine proposal by a company wanting to relocate at a lower density came forward would we realistically refuse it on the basis of density? Lower density is therefore an issue over time and it would be more beneficial to consider re-use of the land in the longer term should the development not go ahead. After all the land has only just been confirmed as an allocation and there has been no issue about the amount of employment land raised since 1997. Employment land is under pressure for change throughout the city and the losses put forward in Denton Holme in the current Local Plan were on the basis that alternative was being provided on the west. The reuse of the allocation for housing reinforces the losses.

The replacement of 4 hectares of land could be done through the ldf process as suggested but the infrastructure required to service 12 hectares is easier than splitting two sites or 8 and 4. This is especially the case where we would still have to find the 4ha site. The suggestion by the County Council in their consultation response that we reallocate the Regional Investment Site or Strategic Employment Site would just exacerbate the current issues that all employment land is in the north of the City which this application site sought to redress. I do not find that a satisfactory alternative. This would then leave the Council to find more employment land through the ldf process which has to serve the west of the City.

The reference to the undersupply of housing is being addressed through the ldf

process and as referred to earlier the time period over which this site would be developed is envisaged to be at least 10 years. Over that period of time there is ample opportunity to find more housing sites, there is not a pressing need to have that land at this point in time as it will not encourage the site to be developed any faster. It would mean a longer supply with planning permission but delivery is the issue against a five year supply and any growth point targets. Additional numbers on this site do not change that position and am not aware of any phasing plan which would suggest otherwise.

If any land is lost from the Business Park use of 12 hectares due to demand it is envisaged that other employment uses would be considered if the allocation was too restrictive rather than a substitution for housing. Alternatively there may be other complementary uses such as the issue of renewables provision for the site's development which may require land and could be designed out of the residential areas. The Fairy Beck and any SUDS implementation around that area seems a natural divide between uses and the natural land form may therefore limit the hectareage available for employment uses.

It is appreciated that the Buchanan report has raised a number of issues concerning the supply of employment land but less convinced that this should mean an automatic transfer of land from employment to residential use.

Further to the original consultation response of the 15th July and subsequent consideration of those comments by the applicant, Local Plans gave further consideration to the employment provision proposed by this application and made the following response.

We note the work that the applicant has undertaken to consider the existing market and the current economic climate taking account of vacant buildings at Parkhouse. There remains an outstanding issue of the loss of 4 hectares of employment land. All these issues are being examined as part of the Council's current review in order to determine future needs. The Council's work on reviewing its employment provision continues. Since our previous comments the Council working with Carlisle Renaissance will shortly commission additional research to inform the LDF process however this is unlikely to conclude for 6 months. In the meantime we have the Local Plan allocations to bring forward opportunities for employment growth to deliver the Economic Strategy and the growth point programme alongside additional housing.

Neither the housing nor the employment in this application will be totally delivered in the short term and will contribute towards the medium term LDF work. The issue therefore remains as to whether the loss of 4 hectares of Business Park will be significant. The Local Plan strategy recognises that there is provision for Regional, Strategic and Business Park market sectors through land allocations. The greatest deficiency is local employment sites however having raised the issue of alternative sectors I concur that the location and desire for employment uses at this gateway site should be one of prestige as an entrance to Carlisle and not general industrial use. It would therefore be targeted at higher end business park development and not suitable as a Local Employment Site.

At this point in time we are also considering the application for Brunthill which will

bring forward the realisation of large scale employment release north of the City. To some extent people will work where they can get jobs whether Brunthill or Morton but the intention of the plan strategy is to ensure easy access around the City and not just one location, providing a more sustainable pattern of development. There is already a Business Park element within Kingmoor Park but alternatives are limited.

In terms of choice for business location the release of employment land at Morton is significant. The issue raised by the applicant about density is relevant and we need to ensure that an appropriate density of development is maintained to ensure a Business Park environment with optimal use of land. It is therefore essential that we get the correct land uses at Morton.

In the short term the question remains whether this release of land will harm the plan strategy noting that it is contrary to the development plan. The Local Plan seeks to implement the land provision in the Structure Plan and must ensure that for the current plan period there is at least 10 hectares of land available with potential additionality from any remaining land from the first structure plan period. The County Council's comments on the application are an important contributor to the position as the County Council has set out the basis for employment land in its work on the Structure Plan.

The provision of 8 hectares therefore is a significant contribution to this baseline the remaining 4 hectares only having implications for a later plan period. The Council's reassessment of its employment land is also a significant contributor to the future position and therefore this provides an opportunity to further explore the options for the 4 hectares. This will bring forward Core Strategy and Allocations Development Plan Document to replace the later period in the Local Plan Employment Allocations policy. There is therefore an option to update the Local Plan allocations and ensure that provision is aligned to the economic strategy and growth agenda taking account of existing circumstances. If the land is not provided on the Morton allocation it is essential that the LDF processes take this forward in the current review.

As for re-use of the land for housing we concur earlier that alternative employment uses such as general use are not suitable in this location. We also refer to the County Council's latest informal consultation on the provision of waste sites which do not include Peter Lane amongst the County Council's preferred sites for development. Bearing this in mind it would appear that housing would be appropriate re-use to address the increased provision for growth. We also acknowledge the design concept put forward as part of the application.

On the basis of the above information the 4 hectares of employment land can be addressed through the ongoing Employment Land Review and Local Development Framework processes. Given this alternative which will provide a sound basis upon which to develop future employment provision, the loss of 4 hectares of land at this site has diminished significance in the overall strategy. We therefore withdraw an objection to the loss of employment land.

Planning & Housing Services - Housing Strategy: the following comments relate

to the Affordable Housing Statement, included as Annex 1 of the applicant's Planning Statement.

1. The proposed affordable housing percentage 30% meets with Housing Strategy and Local Plan targets. Housing Services would be broadly supportive of the indicative unit mix, set out in table 1 (p.6) and we particularly welcome the fact that the "emphasis will be on houses rather than apartments" due to the current oversupply of flats in the city.

The principle issues requiring further work and negotiations relates to para 2.18: "Discussions with the Council's Housing Enabling Officer have confirmed that the City of Carlisle will support bids for Social Housing Grant funding and this has informed the proposed housing mix and the subsequent wide range of choice offered within the affordable housing tenures...". I don't recall having these discussions (unless the applicant or their agent discussed this with a colleague)? However, it is uncertain how many (if any) units might be eligible for Social Housing Grant. Recently, we have managed to get some units funded by the HCA (Homes & Communities Agency) on S106 schemes - however, these have been classed as "additionality" (i.e. over and above those affordable units already secured through S106 agreement). It seems doubtful whether the HCA would fund the affordable units referred to in the Affordable Housing Statement if they are already subject to a S106.

2. It would be useful to meet the applicant to discuss the issues detailed above in more detail - we would also recommend that the applicant enlists a RSL partner in respect of the affordable housing as a priority, so that we can engage in tri-partite negotiations to reach agreement on the affordable housing requirement as soon as possible.

3. The penultimate bullet point of para 3.5 states that: "The proposed unit sizes reflect the market housing mix with flexibility to enable different units within the affordable housing tenures. Social rented homes may require greatest emphasis on family sized housing and bungalows for the elderly while intermediate tenure properties may be suited better to smaller 1* and 2 bed units to improve affordability. (*There are actually no 1 bed units in the proposed affordable unit types?) Again, this would require careful negotiation, as there are also families requiring larger properties in the intermediate sector.

4. Para 3.7 refers to Local Plan policy H5 stating that "in relation to the affordability of intermediate housing these are to be provided at a discounted market value where a discount in the range of 25-30% will be sought in perpetuity" The updated Housing Strategy for Carlisle 2005-2010 (from 2007) - endorsed by full Council - stipulates that this will be 30% other than in "exceptional circumstances" (para 4.2 (f)).

5. The location of the affordable units should be handled sensitively - these properties should be dispersed over the scheme rather than 'clumped together' so that the different tenures are indistinguishable along the lines of the mixed sustainable community model.

Urban Designer (Carlisle Renaissance): broadly supportive of this proposal and

welcome the applicant's response to the site in terms of suggested urban form and approach to existing and potential landscape features. The disposition of uses across the site is welcome as is the suggested range of building types and storey heights, which I feel has the potential to create a distinctive urban extension with a sense of place. (A number of my comments relate to the reserved matters and detailing of the scheme but it is also important that they are raised at this stage and incorporated into future work).

I raised the bulk of the comments which follow at the Development Group meeting 10/06/09 but restate them here for clarity.

Integration of development - The interface between the application site and surrounding areas is critical. This is both in terms of orientation of buildings and also the movement and landscape framework for the site. As such, full consideration should be given to the integration of the site and Morton Park immediately to the north. The suggested relocation of the proposed allotments from their proposed location to a site straddling the existing POS just south of Ellesmere Way/North west of Millbeck presents an opportunity to eliminate the proposed footpath which passes problematically between the north of the allotments and the southern boundary of Morton Park. 'Land locking' the allotments against the Ellesmere Way boundary will reduce opportunities for antisocial behaviour and fuse the new development more cohesively with its neighbour.

As an aside to this, pulling residential uses to the quadrant formerly occupied by the allotments brings residential uses closer to the proposed district centre, creating a better interface of uses. I would suggest land locking this new residential block against the rear of Ellesmere Way, eliminating the section of footpath proposed at present. The footpath would continue as drawn to the immediate west of the new housing block, before exiting to the north of the new district centre into the Westrigg Road area. The district centre/footpath/POS at Westrigg Road require further consideration but this may be out-with the scope of this application. The western boundary of the new residential block should address the western edge of the site, facing towards Wigton Road.

The additional land gained by residential in the former allotment block could be balanced by the requested widening of the corridor of green space aligning with Fairy Beck and also with a possibility of introducing two or more residential 'squares' at modified junction points within the housing areas, replicating the detail indicated at the core of the commercial element of the scheme.

Landscaping - As discussed, there is a conflict between the geometry of the 'crescent' and the retained hedge-line within the crescent and associated footpaths/bridleway. Resolution of this could be through the modification of the alignment of the bridleway to follow the arc of the crescent, the removal of the discordant hedgerow yet with retention of key or potential trees within this line, and the continuation of wildlife corridors through detailed landscape treatment. The 'soft surface' preferred for the bridleway could be self-binding gravel or similar – as used in the bridleways within London's royal parks. A crescent-path of this material, bounded by a more conventional footpath and accompanied by avenue tree planting might be an appropriate treatment for the circus element of this scheme.

Movement and layout - The approach to highways and access issues as set out in the Design Statement is especially welcome, reflecting as it does current national MfS guidance. The indicative sections set out on p66 of the Design Statement need to be followed through into the implemented scheme. Design elements such as avenue tree planting, on-street parking and an adequate enclosure of space through an appropriate ratio of building height to street width are welcome elements of the proposal which require continuation through to the reserved matters application.

Ramblers Association: awaiting comments.

Cumbria County Council - Transport & Spatial Planning: would like to know if the business park element of the Morton planning application can be included as a possible site for a built waste management facility. In my opinion the most likely type of development could be a small district heating system for the new development using a waste derived fuel. That was why I was asking how the proposed development was intending to comply with the RSS Policy EM18 requirement to secure at least 10% of its energy needs from decentralised renewable or carbon sources. The county's municipal waste management contract is based on two Mechanical and Biological Treatment plants which produce a solid recovered fuel. Planning permission has been granted for one of these plants at Hespian Wood, near Carlisle.

At an earlier stage, in 2007, we identified the Peter Lane, Cummersdale land as a Preferred Area to accommodate a built waste management facility on around 2ha. I shall be grateful if you can let me know what the Church Commissioners views would be about us identifying part of the site as one that is being considered.

Community - Env.Services - Green Spaces - Countryside Officer: I am concerned about how Public Bridleway 111007 will fit into this plan. At this stage we do not want to propose detailed alignments, rather to point out strategic links which we would like to see.

The minor suggested re-alignments of the public bridleway do not fulfil an effective strategic role because both ends of the route meet the highway at points that do not link directly with other countryside links. In this case both the Wigton road and the Dalston road are busy and fast roads so we would wish to minimise or eliminate the need for walkers/ riders to travel along them.

I am listing the nodes that we would ideally like to see paths linking to:-

1. CNDR Roundabout: there will be a parallel footway/cycleway along the length of the CNDR. This makes it an important strategic node particular for cycleway access.
2. Cummersdale Road: the developer's existing proposed footpath/cycleway will neatly link with this route.
3. Public Footpath 109374 (on NE side of Pirelli works): I understand that the City Council are proposing to upgrade this route to cycleway. This path links eastwards to join the Caldew Cycleway at the riverside, thus giving links through towards the city centre and out to Dalston.
The developer's existing proposed footpath cycleway will be ideal to link with this route.

Two of these three proposals (2 and 3) are in place on the plan. We would support

these and urge that these be carried forward. We would strongly value the rerouting of the NW end of the bridleway to link more directly to the CNDR roundabout.

In addition to this we would suggest an additional change (4) on the second phase block at the S corner. If the proposed dead-end footpath/cycleway could be carried through to the junction of Peter Lane and Dalston Road it will link with existing Public Bridleway 111002 Grace Lane opposite.

Items 1,2 and 3 are the most important nodes. Item 4 would still be valuable, especially for equestrians. It should be noted that there is an equestrian centre at Kingrigg who would benefit from any increase in riding links.

At this stage it is not necessary to discuss how each route would be treated. The alignment of Public Bridleway 111007 through the development site was substantially diverted in 1991 so there are no historic factors to constrain the west end of the route. I cannot envisage any real constraints to the east end either if a proposal was to benefit the public interest.

In relation to the revised indicative Masterplan (Revision B) the Council's Open Spaces Manager has made the following comments:

It's disappointing to see the concept design for this development being compromised by demands which have changed the whole look of the plan. It now looks as though everything is being crammed in to the only available space – which should be the POS – to the extent that its value for recreation and landscape is being eroded. My fear is that the City will lose the opportunity to create a major new green space in an area where it will be desperately needed, putting additional pressure on the next area to be developed (presumably the Persimmon's plan adjacent to the Beeches).

Environmental Services - Environmental Quality (Air): unfortunately Environmental Quality was not originally contacted by the applicant or their consultant in respect to the methodology/scope of works for the assessment (with the exception of the initial scoping opinion requested).

Following recent discussions with the County Council it is considered possible that the development will impact on the local road network and on the areas within/ adjacent to the AQMA's declared on Wigton Rd, Dalston Rd and Bridge Street. It is therefore considered advisable that the impact of the development is fully considered and suitably quantified following the guidance set out in Defra's updated Local Air Quality Management guidance document LAQM(TG09) and the environmental protection UK (formerly the NSCA) guidance document 'Development Control: Planning for Air Quality'.

In particular due to the scale and nature of the development and its possible effect on areas within/ adjacent to our AQMA's it is considered more appropriate for the assessment to be based on a local dispersion model such as ADMS-Roads, and not on the DMRB, a more simple screening model used in the report.

Furthermore receptors quoted as likely to be affected by the development have been

identified in the report and used for modelling purposes. Receptotrs 1-11 are close to the development site, receptors 12-19 are closer to the city centre adjacent to or within the AQMA's. The report however does not provide results of the DMRB modelling for these latter receptors, stating insted that "only incremental contributions from the development are presented for these receptors due to the uncertainty over town centre vehicle movements in future years".

It appears that this is referring to possible changes in traffic flows arising from the Air Quality Action Plan currently being revised by the City Council and the County Council to take account of the AQMA's declared last year. A 'Further Assessment' report has just been completed by AEA Technology to assist the local authority in the action planning process and action measures are still being looked at but it is likely that these will result in significant changes in the traffic flows along Dalston Rd. The County Council is looking to speed up traffic through signalling changes. The CNDR is expected to have an effect on traffic flows on the A595 running through the city. The applicant is advised to speak to the County Council for further details. The local authority has 18 months to produce a revised action plan by Feb 2010.

Their impact assessment also only considers the effect of the development following its completion in 2020. It would be beneficial, as undertaken in the Transport Assessment, for the impact to be assessed for each of the three phases as they occur.

Model varification is essential and should be undertaken as part of the assessment. The report states that there are no diffusion tubes located within 1km of the site; there is in fact annual data available for diffusion tables located around the site for 2008 and these are available from this office.

In November the Council's Air Quality Officer stated that:

I write to advise that the air quality impact assessment has been re-run to take account of my original comments in June.

The effect of pollution emissions from the additional traffic which will be generated by the development has been assessed at receptors near affected roads using the method given in the Highways Agency`s Design Manual for Roads and Bridges.

A total of 37 receptors have been used for assessment purposes, receptors 1-14 around or near to the proposed development site; and receptors 15-37 near or within the Air Quality Management Areas located near to the city centre.

Results of the assessment have been compared to the 'significance criteria' as set out in the NSCA guidance document "Development Control: Planning for Air Quality."

For all receptors around the proposed development site current pollution

concentration are substantially below the Air Quality Standards. Changes in the annual mean nitrogen dioxide concentrations with the development are estimated to be between <1% to 42% and the impact varies from 'negligible' for most receptors to 'moderate' for one receptor when compared to the NSCA guidance. It is important to stress however that the predicted nitrogen dioxide levels with development is still substantially below the annual mean objective levels at all locations.

Changes in the annual mean concentration of PM₁₀ are estimated to be between <1% to 5% indicating negligible impact when compared with the NSCA significance criteria. Again estimated PM₁₀ concentration with development is expected to be substantially below the objective level.

For the town centre receptors (15-37) changes in the annual mean nitrogen dioxide levels are estimated to be between <1% to 2% and impact varies from 'negligible' for most receptors to 'slight adverse' for one location when compared to NSCA significance criteria. It is important to note that concentrations of nitrogen dioxide at all receptors are expected to be below the objective level in the phase years of development, i.e 2014, 2017 and 2020.

Changes in the annual mean concentration of PM₁₀ are estimated to be <1% indicating to 'negligible' impact at all receptors.

On the basis of assessment this section does not have any objections to this proposed development in respect to air quality.

Environmental Services - Environmental Quality (Contamination & Noise): no objections in principal but wish to make the following observations.

Contaminated land - confirm that the conclusion and recommendations related to contaminative land uses should be implemented. Namely that a more accurate assessment of risks is carried out; it should be noted that even after liaison with the farmer then some intrusive investigation should be carried out. The extent of this investigation should be more detailed in the location of the area to be used for allotments.

Investigation of the soil gas regime and potential contamination adjacent to the landfill, fuel station and electricity sub station must also be undertaken.

All investigations etc should be carried out in accordance with CLR11.

In addition to the above although it is unlikely that there is significant contamination on site, there is always a possibility that unforeseen contamination maybe located.

The following condition should therefore be applied.

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.

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.

Noise - Planning needs to bear in mind that properties fronting the A595 (10-20m away from the carriageway edge) scattered properties on the road to Newby West (10-20m away from road), eastern edge of Peter Lane (15-40 m away from the road) and properties fronting Dalston Road (South Of Pirelli 10m from road) fall with NEC 'C' which means planning permission should not normally be granted.

Environmental Quality are of the opinion that should planning permit housing at locations that fall into NEC 'C' then noise mitigation measures are required. These mitigating measures should result in the maximum noise levels being experienced in the property as follows 30 dBA (good bedroom standards) and 40 dBA. (good living room standards). These levels are based on WHO guidance.

Noise, Odour and light nuisance (interface with residential and commercial) - consideration needs to be given to the treatment of the interface between commercial and residential to ensure that the design is such that noise, odour and light nuisance will not arise. A management plan needs to be submitted, that details the measures that will be taken to prevent noise, dust and light intrusion into established residential properties during the development of the site.

Stagecoach Cumberland - Local bus services: awaiting comments.

Cumbria County Council - (Footpaths): Further to the additional details supplied.

The proposed flood plain area set aside in the middle of the site. This area is past through by a public bridleway, what provision will be put in so to prevent this sustainable transport route from being obstructed by seasonal flooding?

What width is being proposed for the bridleway when it follows the line of the foot / cycleway?

The proposed line of the bridleway (foot/cycleway). Is an application to divert the line of the bridleway going to be processed under T&CP?

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

Natural England: Various ditches and a section of Fairy Beck run through the application site. Fairy Beck is a tributary of the Caldew which forms part of the River Eden and Tributaries Site of Special Scientific Interest (SSSI) and River Eden Special Area of Conservation (SAC).

The river SSSI contains features of interest which are of national importance and is notified under Section 28 of the Wildlife and Countryside Act 1981, as amended. The SAC status of the River is due to the fact that the area contains features of interest that are of European importance and are defined by the Conservation (Natural Habitats & c) Regulations 1994, as amended.

The location of the proposal in relation to this European Site means that the application must be determined in accordance with the requirements of the Conservation (Natural Habitats & c) Regulations 1994 (the Habitat Regulations) in particular Regulations 48 and 49. Part I B of ODPM Circular 06/2005 - Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System describes the procedure for the consideration of plans and projects that may affect European and Ramsar sites.

Whilst we note that the Environmental Statement (ES) concludes that there would be no adverse effect on the River Eden SAC and SSSI if the proposed mitigation and recommendations are carried out, we still have one or two queries and some more general comments to make:

1) As stated in Chapter 10 of the ES, the Caldew (part of the River Eden SSSI and SAC) is currently classed as having a high ecological and water quality status and is therefore likely to be very sensitive to pollution and siltation. We acknowledge the measures proposed to minimise the potential impacts of this development on the River Caldew, both during the construction and operational phases and would like to emphasise the importance of ensuring these measures are adequately detailed in the Construction Environmental Management Plan (CEMP) and fully adhered to.

2) The plan to restore part of the culverted section of Fairy Beck to a more natural state is to be welcomed from an ecological perspective. However, this and other aspects of the development will involve very disruptive works to the watercourses on site in the short term. The beck's substrate is described as silty in the ES and such watercourses may support species of lamprey. Brook, river and sea lamprey are all interest features of the River Eden SAC and SSSI. Have these watercourses been assessed for lamprey habitat? If at all suitable, the applicant's ecological consultants should assess the potential impacts of this development on these species and make appropriate recommendations.

3) Part of the mitigation proposed for minimising impacts on flood risk and water quality is to provide a Sustainable Drainage System (SUDS). The ecological benefits that may be achieved through such systems are referred to in Chapters 9 and 10 of

the ES and we ask that such opportunities are taken wherever possible i.e. that attenuation ponds are used in preference to underground storage tanks and are designed to maximise the site's biodiversity. This is in-line with Planning Policy Statement 9 (PPS9): *Biodiversity and Geological Conservation*, which states: "Development proposals provide many opportunities for building in beneficial biodiversity or geological features as part of good design. When considering proposals, local planning authorities should maximise such opportunities in and around developments, using planning obligations where appropriate."

4) The ES states that some 20% of the site's 5675m of hedgerows will be lost and acknowledges that this may cause disruption to the foraging and commuting routes of bats (p. 119). We recommend that the consultants are asked to consider the scale of this impact upon the local population of bats and whether further mitigation / avoidance measures are required. For example, where are the likely roosting and foraging grounds in the vicinity of the proposed development? Which of the site's hedgerows are considered to be critical connectivity features for bats and do the proposed works impact on these particular hedgerows? Are alternative linear connecting features present in the landscape?

Furthermore, we note that the farmhouse and buildings were not surveyed for the presence of bats. Can you confirm that this development does not therefore, involve these buildings?

5) The ES states that 'most' of the hedgerows on sites do not qualify as ancient or species-rich hedgerows as defined by the Cumbria BAP (p. 107). Does this then mean that some of them do qualify? If any of the hedgerows do qualify as a BAP habitat or come under the Hedgerow Regulations 1997, then are these the sections that are proposed for removal? If so, the ecological impacts may need to be re-assessed as these habitats can constitute a material consideration in determining planning applications, as set out in PPS9.

6) The hedgerows that are to be retained have been assessed as potential bird and bat roosting sites and measures are proposed to ensure the protection of these species and the hedgerows and trees themselves in Chapter 9 of the ES. We support the suggestion (p.116), that these measures should be ensured through appropriately worded conditions, should planning permission be granted.

7) Although UU have indicated water can be supplied to the proposed development, supply must not exceed water resource status of this part of the River Eden catchment. This should be clarified via consultation with EA and UU. This must be considered in-combination with other plans or projects e.g. other housing development schemes.

Before Natural England can agree with the conclusions made in Chapter 9 of the ES, namely that the proposed development will not have an adverse effect on the River Eden SAC/SSSI and that the overall ecological impacts will be minor, we request clarification of the issues raised above, specifically in points 2, 4 and 5.

Your consultation was received in the office on 17 September 2009.

Natural England is a statutory agency charged with the responsibility to ensure that

England's unique natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Based on additional information provided by Atkins Ltd. in the form of a report entitled 'South Morton, Carlisle – Bat Survey Report', Natural England would like to confirm that we are now satisfied that the comments raised relating to bats as a European Protected Species in our previous response (dated 10 July 2009) have been fully addressed. Natural England are now satisfied that the survey work conducted and the mitigation measures proposed in section 4 (Mitigation) are adequate to inform a planning application. Should planning permission be granted, adherence to the mitigation measures outlined in section 4 should be ensured via an appropriately worded condition.

Although Natural England are satisfied that the comments made in section 4 of our previous consultation response have been considered and acted upon, the remaining comments made in our previous response remain unaddressed. I therefore repeat; before Natural England can agree with the conclusions made in Chapter 9 of the ES, namely that the proposed development will not have an adverse effect on the River Eden SAC/SSSI and that the overall ecological impacts will be minor, we request clarification of the issues raised in points 2 and 5 (of our previous response);

2) The plan to restore part of the culverted section of Fairy Beck to a more natural state is to be welcomed from an ecological perspective. However, this and other aspects of the development will involve very disruptive works to the watercourses on site in the short term. The beck's substrate is described as silty in the ES and such watercourses may support species of lamprey. Brook, river and sea lamprey are all interest features of the River Eden SAC and SSSI. Have these watercourses been assessed for lamprey habitat? If at all suitable, the applicant's ecological consultants should assess the potential impacts of this development on these species and make appropriate recommendations.

5) The ES states that 'most' of the hedgerows on sites do not qualify as ancient or species-rich hedgerows as defined by the Cumbria BAP (p. 107). Does this then mean that some of them do qualify? If any of the hedgerows do qualify as a BAP habitat or come under the Hedgerow Regulations 1997, then are these the sections that are proposed for removal? If so, the ecological impacts may need to be re-assessed as these habitats can constitute a material consideration in determining planning applications, as set out in PPS9.

Based on additional information provided by Atkins Ltd. in the form of a report entitled 'South Morton, Carlisle – Environmental Statement Addendum', Natural England would like to confirm that we are now satisfied that all the comments raised in our previous response (dated 10 July 2009) have been fully addressed.

- Natural England are now satisfied that the bat survey work conducted and the mitigation measures proposed in section 4 (Mitigation) are adequate to inform a planning application. Should planning permission be granted, adherence to

the mitigation measures outlined in section 4 should be ensured via an appropriately worded condition.

- Natural England are now satisfied that the watercourses have been assessed for lamprey habitat and considering the unsuitable nature of the watercourses for lamprey agree that there is unlikely to be any impact on these species.
- Based on the clarification offered in the 'Environmental Statement Addendum' Natural England are now satisfied that the hedgerows on sites do not qualify as ancient or species-rich hedgerows as defined by the Cumbria BAP (p. 107). We therefore now agree that the impacts do not need to be re-assessed.

Natural England, in response to being consulted on the revised plans, have confirmed that as long as the relocations don't incur any further ecological impacts than previous scheme, there is no need to respond to the consultation.

Cumbria County Council (Education Department): we understand that an application has been submitted for permission to develop 825 dwellings on the above site. This has implications for the provision of primary school places in the area. It is noted that the developers have set aside a site within the development for a primary school, but we understand that the funding to provide that school has not been identified.

You may be aware that the County Council has undertaken over the last few years a programme of removing empty school places, in line with government policy. We now have a very good match between the supply of places and demand for them. The construction of 825 houses may, however, result in added pressure on school places in the West of the City, and existing schools might be unable to cope with the influx of pupils expected. The local schools are very well subscribed, with Newlathes Infant and Junior schools, Yewdale Primary School and Belle Vue Primary School all operating at or very near their full capacity.

Funding for new school places is provided by the government based on County-wide pupil projections. County-wide, our pupil projections do not show any significant growth in pupil numbers. Whilst some 'safety valve' funding has occasionally been available to take account of developments at a more local level, Cumbria has not qualified to receive a share. We are, therefore, left in a difficult position: we have a statutory duty to provide sufficient school places, yet we do not have the funding to react to housing development on this scale if it results in an influx of pupils. In the event that this application proceeds, we may need to seek a contribution from the developer towards the provision of additional school places in the area.

In an e-mail to the applicant sent on the 22nd October the Education Department confirmed the following:

1) that a contribution will be required towards the cost of providing additional primary school capacity and I can confirm that this contribution is based on an estimated pupil product of 159 from the proposed 825 residential units;

2) if the County Council were to procure the additional capacity today, it would require a minimum developer contribution of £2,400 per unit or £1,987,818 based on the Department for Children, Schools and Families cost multiplier (Q4 2008 of £12,500 per pupil for the provision of new schools and extensions to existing schools);

3) the additional capacity will not be required immediately, but is estimated to be required at some point over the next five years assuming of course the development proceeds as you propose. The contribution, if not paid now, will need to be linked to the appropriate index so that it remains contemporary;

4) it is expected that by the occupation of say the 400th house, we would need to have received the above contribution so that arrangements can be made to provide the additional space. If the build and occupation rate was say 100 per annum, one might expect the contribution would be required in say 2013/2014. This coincides with the existing schools being at or over capacity;

5) at present, it is anticipated that the additional space would be provided on existing school sites subject to this being deliverable. The contribution above does not include any abnormal costs etc and one would normally include these in any developer contribution. However at this stage we do not know these costs as we have not undertaken any detailed investigations or feasibility studies. Extending existing schools some distance from the proposed development may not be ideal and it may prove to be a better planning, education and development solution to build a new school as part of your housing development. This would reflect the land use plan, which shows the possible location of a primary school site that, it is understood based on the public consultation, is would favoured by the Community.

6) it is not expected that the Local Education Authority will have to pay for the new school site as this would be part of the developer's contribution (the alternative is for the developer to bear the abnormal costs associated with extending existing schools), however, we would have to bear the additional cost of developing a full new school using your contribution, other developer contributions and our own funds. If the option is not exercised the developer will of course be at liberty to use it for residential development subject to planning.

7) It has been suggested that the County Council should use the capital receipt from the sale of the former Morton Park school site to at least part fund a new school, however, the Education Authority would not be looking to use public money to reduce the contribution required from a developer. If the former Morton Park school site is sold the capital receipt will augment our capital pot, which is used for a variety of different capital projects including building new schools that are not associated with new development. If we were to opt for a new build school on the South Morton site, this will cost significantly more than the developer contribution suggested above and would require us to pull together funding from a variety of sources.

In response to revised plans received on the 24th December 2009 the Education Authority stated that: "As you know, the County Council is currently in discussions with the South Morton land owners regarding a contribution towards the additional

school places that will be required as a result of this development. I am pleased that this amended application retains a potential primary school site to serve the development and, whilst discussions with the land owners about their contribution are ongoing, I am hopeful that we can reach an agreement acceptable to all parties."

3. Summary of Representations

Representations Received

Initial:	Consulted:	Reply Type:
West House	27/05/09	
Kimberley	27/05/09	
Lark Hill	27/05/09	
Cummersdale Grange	27/05/09	
48 Cummersdale Road	27/05/09	
1 Irvings Place	27/05/09	
2 Irvings Place	27/05/09	
3 Irvings Place	27/05/09	
4 Irvings Place	27/05/09	
5 Irvings Place	27/05/09	
6 Irvings Place	27/05/09	
7 Irvings Place	27/05/09	
8 Irvings Place	27/05/09	
Pirelli Tyres Limited	27/05/09	
11 Deepdale Drive	27/05/09	
13 Deepdale Drive	27/05/09	
15 Deepdale Drive	27/05/09	
17 Deepdale Drive	27/05/09	
19 Deepdale Drive	27/05/09	
21 Deepdale Drive	27/05/09	
23 Deepdale Drive	27/05/09	
25 Deepdale Drive	27/05/09	
27 Deepdale Drive	27/05/09	
29 Deepdale Drive	27/05/09	
31 Deepdale Drive	27/05/09	
33 Deepdale Drive	27/05/09	
35 Deepdale Drive	27/05/09	
37 Deepdale Drive	27/05/09	
39 Deepdale Drive	27/05/09	
41 Deepdale Drive	27/05/09	
43 Deepdale Drive	27/05/09	
45 Deepdale Drive	27/05/09	
47 Deepdale Drive	27/05/09	
49 Deepdale Drive	27/05/09	
51 Deepdale Drive	27/05/09	
53 Deepdale Drive	27/05/09	
55 Deepdale Drive	27/05/09	
57 Deepdale Drive	27/05/09	
59 Deepdale Drive	27/05/09	
61 Deepdale Drive	27/05/09	
63 Deepdale Drive	27/05/09	
65 Deepdale Drive	27/05/09	
1 Millbeck	27/05/09	Objection
2 Millbeck	27/05/09	
3 Millbeck	27/05/09	
4 Millbeck	27/05/09	
5 Millbeck	27/05/09	

6 Millbeck	27/05/09	
7 Millbeck	27/05/09	
8 Millbeck	27/05/09	
168 Newlaithes Avenue	27/05/09	
2 Irton Place	27/05/09	
4 Irton Place	27/05/09	
6 Irton Place	27/05/09	
8 Irton Place	27/05/09	
10 Irton Place	27/05/09	
12 Irton Place	27/05/09	
14 Irton Place	27/05/09	
1 Scale Hill	27/05/09	
3 Scale Hill	27/05/09	
60 Ellesmere Way	27/05/09	
62 Ellesmere Way	27/05/09	Petition
64 Ellesmere Way	27/05/09	
66 Ellesmere Way	27/05/09	
68 Ellesmere Way	27/05/09	
70 Ellesmere Way	27/05/09	
72 Ellesmere Way	27/05/09	Objection
74 Ellesmere Way	27/05/09	
76 Ellesmere Way	27/05/09	
78 Ellesmere Way	27/05/09	
80 Ellesmere Way	27/05/09	
82 Ellesmere Way	27/05/09	
84 Ellesmere Way	27/05/09	
86 Ellesmere Way	27/05/09	
88 Ellesmere Way	27/05/09	
90 Ellesmere Way	27/05/09	
92 Ellesmere Way	27/05/09	
94 Ellesmere Way	27/05/09	
96 Ellesmere Way	27/05/09	
98 Ellesmere Way	27/05/09	
100 Ellesmere Way	27/05/09	
102 Ellesmere Way	27/05/09	
104 Ellesmere Way	27/05/09	
106 Ellesmere Way	27/05/09	
108 Ellesmere Way	27/05/09	
110 Ellesmere Way	27/05/09	
112 Ellesmere Way	27/05/09	
114 Ellesmere Way	27/05/09	
116 Ellesmere Way	27/05/09	
118 Ellesmere Way	27/05/09	
120 Ellesmere Way	27/05/09	
122 Ellesmere Way	27/05/09	
124 Ellesmere Way	27/05/09	
126 Ellesmere Way	27/05/09	
128 Ellesmere Way	27/05/09	
48 Bannisdale Way	27/05/09	
50 Bannisdale Way	27/05/09	
52 Bannisdale Way	27/05/09	Undelivered
54 Bannisdale Way	27/05/09	Undelivered
56 Bannisdale Way	27/05/09	Undelivered
58 Bannisdale Way	27/05/09	Undelivered
1 Garden Village	27/05/09	
2 Garden Village	27/05/09	
3 Garden Village	27/05/09	
4 Garden Village	27/05/09	
5 Garden Village	27/05/09	
6 Garden Village	27/05/09	
7 Garden Village	27/05/09	
8 Garden Village	27/05/09	

Oakbridge	27/05/09	
Torbay	27/05/09	
Cartref	27/05/09	
Dunvegan	27/05/09	
Duntovin	27/05/09	
Cadnant	27/05/09	
Hartside	27/05/09	
Valetta	27/05/09	
Top Flat	27/05/09	
Bottom Flat	27/05/09	
Newby West Petrol Station	27/05/09	
Modeen	27/05/09	
Crinkle Hill	27/05/09	
Thirlstane	27/05/09	
Greenways	27/05/09	
Persimmon Homes Lancashire	27/05/09	
Cummersdale Grange Farm	27/05/09	
High Brow	27/05/09	
High Brow	27/05/09	
High Brow	27/05/09	
Kingrigg Farm	27/05/09	
Kingrigg Farm	27/05/09	
49 Peter Lane	27/05/09	
50 Peter Lane	27/05/09	
51 Peter Lane	27/05/09	
Dansden House	27/05/09	
South View	27/05/09	
Halfway House	27/05/09	
Rosehill	27/05/09	
Burnside	27/05/09	
Larkspur Cottage	27/05/09	
Leswain	27/05/09	
Mandalay	27/05/09	
1 Parham Drive		Objection
21 Glebe Close		Objection

3.1 This application has been advertised by means of a press notice, three site notices displayed around the boundaries of the application site together with the direct notification of the occupiers of 142 neighbouring properties. In response to the original notification exercise objections/concerns from the occupiers of three properties and a petition with eighteen signatures objecting to the development have been received.

3.2 The letters of objection raised the following:

1. Impact on wildlife and their habitats;
2. Loss of view;
3. Objection to other development approved by Carlisle City Council in the urban area;
4. Concern over proposed bus route regarding 1 Millbeck in relation to noise levels;

5. Objection on grounds of need as other developers in the area have been struggling to sell properties;
6. Issue of extra traffic on Wigton Road and Dalston Road especially at peak times;
7. Other brown-field sites available in the district where new housing can be built;
8. Question about the demand for the housing development given the lack of work availability in this part of the country;

3.3 The concern is in the basis of:

1. Lack of visibility turning into Grace Lane from Dalston with traffic turning right from Carlisle into Peter Lane;
2. Concerns over safety of pedestrians and traffic along this route with calls for a roundabout to mitigate this;

3.4 The petition raises the following grounds:

1. Concern regarding the siting of the footpath/cycleway in relation to the properties of Ellesmere Way.
2. Concern over security to the rear of Ellesmere Way as none of the new-build properties will overlook this amenity space.
3. Suggested re-siting of the footpath/ cycleway to further away from existing residences.
4. Question any legal limitations regarding the land.

4. Planning History

- 4.1 The current proposal site is the subject of an application previously "called in" by the Government Office for the North West (GONW), reference number 98/0234, seeking outline permission for the development of land for residential, employment and public open space.
- 4.2 Neighbouring land is also the subject of two previous applications (reference numbers 00/0439 and 00/0748) that were "called in" by the GONW. Application 00/0439 sought outline permission for residential development on land at Peter Lane/Dalston Road. Application 00/0748 was for full permission to erect 198 dwellings on fields adjoining Garden Village, Wigton Road.

5. Details of Proposal/Officer Appraisal

Introduction

- 5.1 The application site, which is located approximately 3 km south west of Carlisle City Centre, comprises 47 hectares of undulating farmland associated with and incorporating Cummersdale Grange Farm steading. It is bounded by Dalston Road to the south-east, by Peter Lane to the south-west and by Wigton Road (A595) to the north-west. The north-eastern boundary backs onto existing suburban residential properties. The site gently rises from the south-west to north-east and is generally characterised by open views interspersed by mature hedgerows and standard trees. A bridleway crosses the site from Dalston Road through the existing buildings of Cummersdale Grange Farm leading to Wigton Road/A595. An overhead power line traverses the north-western portion of the site. Access to a sub-station is achieved via a lane off Wigton Road. Fairy Beck, a designated "Main River", also runs from the Peter Lane boundary to Dalston Road and the land lying to the east of Deep Dale and Winscale Way. A secondary watercourse joins Fairy Beck to the west of Cummersdale Grange Farm steading. The land to the south of Millbeck, Deep Dale and Winscale Way falls, in part, within Flood Zones 2 and 3. Low pressure gas pipelines run down Dalston Road and Wigton Road, and a medium pressure gas pipe along Peter Lane.
- 5.2 The majority of the application site is owned by the applicant with the remainder owned by the City Council. Neighbouring land that is part of the overall development allocation at Morton is owned by the City Council and other third parties.

Background

- 5.3 The site was originally allocated for development under the Carlisle District Local Plan adopted in 1997 and was later subject of the Morton Development Brief. In December 2000 the Morton Masterplan and Development Framework was adopted by the City Council as Supplementary Planning Guidance. Following the review of the Local Plan the land has, again, been allocated for development under the Carlisle District Local Plan 2001-2016 (adopted September 2008). The adjoining area of land to the north-west has also been allocated for development as a site for a District Centre including a retail food store and "Park & Ride" facilities.
- 5.4 The site of the current application, along with neighbouring land, was the subject of three previous applications (reference numbers 98/0234, 00/0439 and 00/0748) that were "called in" by the Government Office for the North West (GONW) in July 2001. Early in June 2009 GONW confirmed that because of the change in circumstances, principally the re-allocation within the 2008 Adopted Local Plan, it has been decided to cancel the July 2001 "call in" letters and that the determination of the previous applications has reverted to the City Council. The letter added that the current proposal may also be decided by the City Council as it considers appropriate.
- 5.5 The present proposal seeks outline permission for a mixed scheme consisting of 20.6 hectares of residential land, 8 hectares of business park, and 13.1 hectares of open space. This includes a maximum of 825 houses, 40,000 sq.

metres of business park floor space, 0.4ha net equipped playgrounds, 0.7ha net informal playspace, 24 allotment plots, and a public art "focal point". The intention is for 1.42ha of the site to be left undeveloped for five years for the possible provision of a primary school. The overhead power line will also be re-routed. Members will appreciate that whilst the application indicates a development specifically of 825 dwellings, the future pattern of "reserved matters" applications for the individual phases will need to demonstrate achievement of adopted and applied standards in relation to privacy and over shadowing within the layout, e.g. including window positions, separation between existing and proposed housing within these phases, etc. Each detailed proposal will be considered on its merits but it is quite possible that the ultimate number of dwellings built could, thus, vary from 825, as has commonly occurred in major housing developments elsewhere.

- 5.6 The submitted indicative Masterplan (as revised) accompanying the current application identifies five points of vehicular access namely: one from Wigton Road serving the employment land in particular; two from Peter Lane; and two from Dalston Road. Two of the proposed accesses via Peter Lane and Dalston Road would also serve land designated for residential purposes under the Local Plan (but not part of this application) at the junction of Peter Lane and Dalston Road. The layout takes account of the proposed roundabout to be formed at the junction of Peter Lane with Wigton Road with the Carlisle Northern Development Route (CNDR), and links in to an indicative junction and road that is envisaged would serve the District Centre and Park and Ride site.
- 5.7 This application is accompanied by an Affordable Housing Statement; Statement of Community Engagement; Development Land Statement; Planning Statement; Flood Risk Assessment; Environmental Statement; Addendum to the Environmental Statement (ecology and air quality); Design and Access Statement; and additional information on Transport including an upgraded Travel Plan.
- 5.8 The submitted Affordable Housing Statement states that there is a significant need for accelerated provision of housing in Carlisle with regard to the North West area's Growth Point Status and the requirement for an additional 30,000 new homes. Application proposals for this development accord with planning policies for affordable housing. The proposals for the delivery of up to 248 affordable units (30% of the total provision) meets the requirements set out in the Local Plan and regional spatial strategy. The mix of tenure proposed by the development will also add to the diversity within the local housing market and contribute to creating a mixed and balanced community. There is a lack of larger family sized social rented housing within Carlisle and so to help address this, 70% of the proposed affordable housing will be in the form of 3 and 4 bed units. This scheme will therefore be of significant benefit in addressing housing need locally.
- 5.9 The Statement of Community Engagement explains that the developer has consulted with the community and local stakeholders in a number of ways. A public exhibition was held to display proposals for the land and gain feedback

on 18th July 2008. This was well publicised with letters of invitation being sent to approximately 5,000 local households and an advertisement being placed in the Carlisle News and Star. This public exhibition was attended by a total of 274 local residents and other interested people. Feedback forms were given out, with 51 handed back with comments. The developer was also contactable by telephone for those people who are hard-to-reach. The mechanisms used for feedback are in line with Carlisle City Councils procedures as listed in its Statement of Community Involvement. In response to feedback gained from this exhibition, some changes were made to the scheme. A further exhibition was also held on 2nd June 2009 to give local residents the opportunity to comment on the submitted proposals. The general feeling from the exhibition was that proposals would have no negative impact on the local area. This Masterplan has therefore been developed with continued input from Councillors and local community representatives. A number of Councillors, one Tenants and Residents Association and one Neighborhood Forum were also consulted on the development proposals. Additionally the owners of adjacent development sites, Persimmon Homes and Story Homes were also consulted.

- 5.10 The submitted Development Land Statement suggests that due to over provision of employment land in Carlisle, with the example of Parkhouse Business Park that is currently vacant, this increases the argument for an increase in housing land and a decrease in employment land. Over supply of office developments are alleged to be driving down rents and have resulted in large scale vacancies. This document goes on to state that this situation is expected to last well into the future, even without further new provision. The supply of 40,000sqm of business park space is considered to be the limit of employment land that should be provided at South Morton, especially given the current market conditions. It is also suggested that this office development should be considered as the ceiling level of office space in Carlisle to reduce this oversupply.
- 5.11 The Planning Statement explains that the scheme includes a hierarchy of roads designed in accordance with Manual for Streets and supporting best practice on residential Travel Plans and Sustainable Transport Infrastructure in New Developments. The aforementioned Statement explains that a significant proportion of residential accommodation is affordable housing. Priority for this housing will be given to local residents, people who are employed locally or people with local connections. There will be large areas of open space for recreational use and there will also be a number of transport improvements including a dedicated bus only route. One part of the site will be left undeveloped for five years for the possible provision of a single-form elementary school. The Planning Statement concludes that the proposed urban extension fully accords with national, regional and local planning policies.
- 5.12 The Flood Risk Assessment explains that a new foul water pumping station will be situated in the north east corner of the site that will be to adoptable standards. United Utilities have, however, highlighted that their assets on the proposed site have been known to flood and subject to vandalism, and that this may affect the possible location of a new pumping station. The pumping

station will connect to the existing sewer system at a location some distance from the site. The site is bisected by Fairy Beck, identified by the Environment Agency as a 'Main River'. The intention is for Fairy Beck to be de-cultivated to create the opportunity for landscape improvement and new habitats.

- 5.13 The FRA goes on to highlight that surface water will be drained from the site using a sustainable design that sets out to ensure discharge into Fairy Beck do not exceed Greenfield run-off values. It is recognised that runoff would increase due to an increase in impermeable area because of the new development and thus a temporary storm water interception system may be necessary to control this increased surface water run-off. In addition, attenuation ponds will provide storage. Flooding of the site is generally limited to the river corridor and the likely cause of any flooding is excessive rainfall within a limited period overwhelming the drainage capacity of the land and river channel. Petrol interceptors and emergency cut-off at attenuation ponds will ensure that the existing river quality of Fairy Beck or the River Caldeu is not degraded. A small part of the site is at risk of flooding however this area will not be used for built development or the location of attenuation ponds. The relevant guidance from the Environment Agency is that any development at the site should have a finished floor level of 600mm above the 1 in 100 year flood level plus an allowance for climate change. During construction the environmental effects of any works will be monitored and controlled.
- 5.14 The submitted Environmental Statement covers the impacts of the proposal on such matters as landscape and visual character, ecology and biodiversity, agriculture, archaeology and cultural heritage, air quality, noise, socio-economic, sustainability and cumulative effects.
- 5.15 In relation to landscape/visual impacts the ES acknowledges that there will be a loss in improved agricultural grassland but the majority of hedges defining the field boundaries will be retained - 20% of the existing hedges will be lost. The intention is for the effects of the proposals on Fairy Beck and its tributary streams to be largely positive with enhancement of visual, recreational and nature conservation of the river corridor along with the creation of wetland areas. This is in the context that there are no high quality landscape designations in this area. There will however be temporary visual effects during construction phases which will include views of major infrastructure works. Planting along boundaries will be used to mitigate this by providing screening. The aim is for this development to enhance the visual quality of the existing urban edge.
- 5.16 In the case of ecology and biodiversity the ES states that the site is agricultural land which is of limited nature conservation interest. It is the hedgerows and watercourses that are of significant ecological value on this site. Hedgerows are not rich in species but they are well structured whilst watercourses have significant wildlife value and should be conserved. The development aims to retain a substantial proportion of the existing habitats and enhance these as part of the landscaping scheme. This development could potentially result in the loss and disturbance of hedgerows and watercourses however it is suggested that none of the hedgerows that are to be lost are particularly species rich. A small number of beach and ash trees in

the hedgerows will be removed however care will be taken to ensure that bats or their roosts will not be damaged. Existing watercourses will be retained however during construction there is the possibility of surface water run-off and/or pollution to affect Fairy Beck. Measures to mitigate this are therefore proposed during construction to ensure pollutants do not enter the watercourse. The ecology and biodiversity statement concludes that the proposed development will not lead to significant impacts on the ecology or nature conservation of the site. The retention and enhancement of wildlife habitats will more than compensate for the slight adverse ecological impacts predicted and will enhance the range of wildlife and habitats.

- 5.17 On the issue of agriculture and soils the ES explains that the most valuable component of soil resource on the site is the slightly stony, medium loamy topsoil. This development will result in the loss of 45ha of land of which 20% is classed as “best and most versatile” land. To minimise the impacts on the soil resource careful soil handling and the re-use of topsoil is recommended. A land contamination study has been carried out that identified a former Foot and Mouth Lagoon within the site. Additionally a historic landfill site, BP fuel station and electricity substation have been noted close to the site which may be potential sources of contamination if they are mobilised during construction, however the risk of this is unlikely.
- 5.18 In regard to archaeology and cultural heritage the ES highlights that there are no known archaeological features within the site. The proposed development site has a low to nil potential for buried archaeological remains of significant value. There may be potential for the presence of low value small-scale human activity from the Neolithic to the modern period which will be monitored during construction.
- 5.19 The ES assessment of the air quality impact of the development has found that any emissions will be short term and will cease once construction is complete. Construction impacts will be moderated by good working practices. The effects of emissions from additional traffic generated by the development has been assessed and increases in concentrations of nitrogen dioxide and PM10 were estimated to be well below statutory objective concentrations. The effect on local air quality is considered to be largely negligible.
- 5.20 On noise impacts the ES, and following a noise assessment, concludes that during construction noise will be largely contained within the body of the site; however a small number of properties fronting the eastern side of Wigton Road and the western side of Dalston Road may be affected. Noise levels during construction will be controlled by adopting appropriate working hours and using temporary site hoardings around the perimeter of housing groups. Traffic noise within the development and its effect on new properties will be controlled by introducing techniques such as building orientation and by altering the internal layout of noise sensitive rooms. This could be taken further with the use of acoustically insulated windows. Traffic noise level changes are calculated to be minor at properties fronting the existing road network.

- 5.21 With regard to socio economic impacts the ES considers the proposed development will have a positive impact in addressing existing housing requirements in the area and sub-region by providing a variety of housing types and tenure with an emphasis on affordable family housing and small bungalows for the elderly and disabled. Population growth in this area may necessitate additional GP services to be provided. Pupils from the development are likely to be accommodated in existing local schools however a site has been identified for a primary school if the need for this arises. Up to 2,500 permanent and 250 temporary jobs are expected to be directly created in association with this development which will help in providing employment for existing and incoming residents. The development will deliver a large area of open space for existing and incoming residents that exceeds relevant planning and open space standards. It is concluded that this development will therefore help to support the existing services and facilities.
- 5.22 Finally, on the matter of cumulative effects the ES states that the impact of all the developments on the highway network is taken into account in the predicted traffic volumes and is used to estimate changes in noise and air quality along existing routes. As such it is considered that there is a minor but largely imperceptible change in traffic noise levels along existing roads with the increase in pollutants from vehicle emissions being largely balanced by improvements in car engines/ exhaust constituents. The loss of natural assets is balanced by the benefits of new housing, employment, recreation and retail facilities. This site has been selected for development because it minimises the potential environmental impacts and does not result in the loss of assets or resources of acknowledged importance. Many potential adverse impacts of the development have been mitigated by design and good management.
- 5.23 The Addendum to the Environmental Statement relates to ecology and air quality.
- 5.24 In relation to ecology the Addendum explains that the habitat re-survey found the site to comprise agricultural land of limited nature conservation interest. The only features of significant ecological value are the hedgerows and watercourses. The hedgerows are not rich in species so as to qualify as "important" in respect of the Hedgerow Regulations or meet the criteria for "species rich" hedgerows under Cumbria's Biodiversity Action Plan. The highest risk to watercourse is during construction but it is felt that the watercourses are too fast flowing and shallow and the substrate too coarse and firm to provide suitable habitat. In addition, two temporary summer bat roosts were recorded in one of the buildings and several of the farm buildings and mature trees within the site were assessed as having a low or moderate potential to support bat roosts. Subject to phasing of perimeter woodland planting, wetlands and enhancement of the Fairy Beck corridor, there will be continuity of foraging areas and commuting corridors within the site and there remain abundant habitats to the south, east and west. Accordingly the proposed works are considered to be not significant in terms of the favourable conservation status of local bat populations.
- 5.25 On the matter of air quality, the Addendum highlights that an assessment has

been re-run using new traffic figures that were not available at the time of the initial report. Based upon which, predictions in respect of all receptors around the proposed development indicate that there is unlikely to be a significant effect on local air quality. 27 receptors were modelled in the city centre and changes in nitrogen dioxide were estimated to be negligible for most receptors, with a slight adverse impact at one location. The effects of development on annual mean concentrations of small fraction particulates PM10 were estimated to be negligible at all receptors. The results of the interim phase years indicated that concentrations of nitrogen dioxide at all the receptors are below the air quality objective levels.

5.26 The Design and Access Statement goes through the various components directly and indirectly related to the scheme.

1) Housing - the proposed dwelling mix within this development of both open market and affordable housing is in line with local housing need as identified in the Cumbria Housing Strategy 2006/2001 and the Morton Housing Need Survey published in 2005. This development will provide 30% affordable housing - this has been subsequently clarified as involving half to be rented by a Registered Social Landlord/Housing Association and the remainder to be sold at a 25% discount of market value. High density residential dwellings are at the centre of the development area with densities reducing towards the edge of the urban area. This is to provide a transition into open countryside with housing in these areas mainly semi-detached. Buildings are laid out in such a way that it maximises natural surveillance to deter criminal activity. Residential dwellings are laid out in parameter blocks which each have an area of private open space and a small communal parking area. Access through residential areas is designated by a hierarchy of streets including spine roads, local streets, footpaths and cycleways. Use of the parameter block is a defining feature of this development as it has a number of benefits including being able to achieve high densities without the sense of cramming, flexible car parking options, deterrence of criminal activity and good opportunities for urban design.

2) Business Park - the business park will accommodate B1 uses including offices, research and development and light industry. This will widen the choice of employment land which is critical to attracting and retaining investment in the local economy. The business park contains a range of different sized plots which are grouped around central parking courts. This is accessible from both Wigton Road and Peter Lane. Smaller scale workshops could be provided towards the east of the business park to provide a sensitive transition to the residential area.

3) Open Space - The level of open space proposed in this development is in excess of the standards for recreational open space provision as set out in Policy LC2 of the Local Plan. The largest area of open space is located in the northern part of the site which connects the existing residential properties in Morton Park with the new development. This location is designated as the site for a contemporary sculpture. Open space developments include "Fairy Beck Park" with sports pitch, pocket parks through the development, greenways through the residential areas and also landscape wetlands and other SUDS features surrounding Fairy Beck.

4) Primary School - this site could potentially accommodate a single-form elementary school if this is required in the future. The intention is for the land to be available for educational purposes for a period of five years.

5) Development Adjacent to the Site - the design of this scheme demonstrates that it could be successfully integrated with land on the west side of Dalston Road which is allocated for residential development in the Local Plan. The district centre for these developments will include a single food retail store and supporting community facilities including a multi functional community hall. There is also a site allocated for a park and ride facility which could potentially accommodate 450 spaces. This would be served by a dedicated bus link.

6) Movement Hierarchy - a bus only link will connect the proposed development to Morton Park via Newlaithes Avenue. All residential dwellings and the business park are will be within 400m (five minutes walk) of a bus stop.

7) Relationships between Land Uses - both the business park and the district centre are within 700-800m (10 minute walk) of the most distant of the proposed housing which could potentially reduce the need for the use of the private car for day-to-day shopping needs and travel to work. There is the opportunity to access a number of areas of recreational open space from this development, including along Caldew Riverside, "Fairy Beck Park", greenways running through the development and also a number of pocket parks located throughout the development. The proposed "Fairy Beck Park" allows the new development to be set back from existing Morton Park and Millbeck properties.

8) Integration with Existing Community - the intention is for the surrounding residential areas will be well integrated into the site, as they are currently, with the reinforcement of the proposed footpath and cycle network that will enable the existing community to enjoy the new facilities this development will provide. This will help to increase social inclusion between people currently living in Morton and new residents. The new community will also have access to existing facilities within Morton including Morton Academy and swimming pool.

9) Scale of the Development - the proposed development is to be of domestic scale with lower and medium densities at two storey in height and higher density three and four storey townhouses. There will be a landmark building at the gateway corner to the development which will form part of the business park.

10) Landscape Treatment - the aim of the landscaping treatment is to create a distinctive and attractive residential area that recognises the transition between the urban area and the rural environment. Boundary planting of a mix of native species may also act as a windbreak. Throughout the development trees of medium height will form avenues. Hard landscape elements like paving and street furniture will aim to create a locally distinctive environment. The football pitch within the site could be a multi-use games area with an artificial surface and associated parking. The most appropriate means of maintaining the site will be discussed at the reserved matters stage

with Carlisle City Council.

11) Appearance - a number of distinctive features are associated with the City and can be applied to give a sense of identity and community to this development including medium and higher density residential properties reflecting the character of streets and squares like Chatsworth Square and Portland Square. The layout of the business park could also incorporate these characteristics. Lower density residential neighborhoods should display some of the features of rural settlements. Houses will be built with regard to the Code for Sustainable Homes. The key elements of townscape design include the perimeter block, terraced elevations and the street corner building.

12) Access - all users will have equal and convenient access to all buildings and spaces. Sustainable transport choices will be promoted throughout the scheme including public transport, walking and cycling. The aim of the transport package is to create a blend of infrastructure measures to provide a range of choices for residents and businesses. It is important to ensure that the site is based on sound connectivity and permeability principles, creating easy access for pedestrians and cyclists and facilitating the movement of busses throughout the residential development. The scheme enables people to consider alternative more sustainable transport options as an alternative to single occupancy car use.

13) Street User Hierarchy - internal movements by car use will be discouraged by the design and layout of the road network through the site. This gives more consideration to other road users like pedestrians and cyclists. A total of four new junctions will be provided to serve the new development. The Wigton Road/ Peter Lane junction will be replaced by a four arm roundabout. A shared footpath/ cycle way will be used to link the development to Morton Academy and the City Centre. Bus services should improve and become more frequent. A dedicated bus link through Newlaithes Avenue will be provided. This would improve journey times on trips into the City Centre. Bus stops will be easily accessible for all residents and employees of the business park which would act as an alternative to single occupancy car travel. A travel plan has been created for this South Morton development. The plan aims to reduce single occupancy car trips through car sharing and greater local travel information. This travel plan will be agreed with Cumbria County Council.

Assessment

5.27 It is considered that the main planning issues in the case of this application are whether the advantages outweigh the disadvantages with regard to:

1) whether the application is either premature in advance of the completion of the Site Allocations Policies for Cumbria Minerals and Waste Development Framework, or contrary to RSS Policy EM18;

2) whether the proposal, by reducing the extent of allocated employment land by 4 ha, is contrary to Policy EC22 of the Local Plan and Policy EM13 of the Structure Plan;

- 3) whether the proposal is appropriate in the light of existing and proposed service infrastructure (electricity, water and drainage);
- 4) whether the proposal is consistent with the underlying objectives of Policy LC8 in terms of the provision of footpaths, cycletracks and bridleways;
- 5) whether the proposal accords with Policy CP17 of the Local Plan with regard to Planning Out Crime;
- 6) whether the proposal meets the objectives of the Development Plan with regard to the provision of affordable housing;
- 7) whether the proposal would be detrimental to the living conditions of neighbouring residents (inclusive of air quality and noise);
- 8) whether the proposal represents a satisfactory form of development;
- 9) whether the proposed allotments, public open space, play equipment and sports pitch (in association with the "focal point"/art feature) are appropriate;
- 10) whether the proposal would be detrimental to highway safety;
- 11) whether the proposal takes account of the educational needs of the occupiers of the proposed residential units;
- 12) whether the proposal safeguards protected species/biodiversity of the area;
- 13) whether the proposal will safeguard any archaeology.

5.28 In relation to 1), the County Council have provided a consultation draft list (September 2009) of preferred sites for safeguarding/working minerals, waste recycling, waste treatment, energy from waste plants, and landfill up to 2020. Following the expiration of the consultation exercise (15.10.09), the County Council will now decide which sites and areas of land it intends to submit to the Secretary of State in the Site Allocations Policies. A final round of consultations is programmed for December 2009/January 2010. The September 2009 draft list of Preferred Sites does not include the current application site.

5.29 When considering the reduction in extent of the allocated employment land by 4 ha, and in the context of the comments received from the County Council, the City Council's Local Plans and Conservation Manager considers that it can be satisfactorily addressed through the ongoing Employment Land Review and Local Development Framework processes. In effect the loss of 4 hectares of land at the application site has diminished significance in the overall strategy.

5.30 In the case of services, the applicant's agents have been corresponding and discussing matters with United Utilities. As a result of which the applicant is suggesting the imposition of a Grampian type condition. To re-inforce such a

condition, the applicant has also suggested the attachment of an informative note on the Decision Notice that explains the following: "In developing the details referred to in Condition ...above, the local planning authority expects the developer to liaise closely with the sewerage network operator (United Utilities), including agreement and evidence thereof on the timetabling and financial contributions to network improvements."

5.31 When considering above issues 4), 5), 6), 8), 10), 11), 12) and 13 the relevant consultees have not raised any fundamental objections.

5.32 In the case of 6), the City Council's Housing Services Manager has provided the following analysis of the most recent data:

4. average house price (Morton) - £94,654 (land registry 2009);
5. 30% reduction would bring this to £66,258; and
6. 25% " " " £70,990

From the low cost register average joint income is £29,592 and single household income is £17,409. The recommended borrowing levels for property purchase are 2.9 times a joint income and 3.5 times a single income. Based on a 30% reduction house purchase price of £66,258 those households with a joint income would need to borrow 2.24 times their income to purchase. Based on a 30% reduction house purchase price of £66,258 those households with a single income would need to borrow 3.81 times their income to purchase. Based on a 25% reduction house purchase price of 70,990 those households with a joint income would need to borrow 2.4 times their income to purchase. Based on a 25% reduction house purchase price of £70,990 those households with a single income would need to borrow 4.1 times their income to purchase.

5.33 Based on the foregoing, and that single income households may require family accommodation, it is evident that the reduction in intermediate discount from 30% to 25% would work against them making it less affordable. However, this is in circumstances where a household on an average single outcome is unlikely to be able to afford to purchase a property with a 30% discount; and a 25% discount is in accordance with Policy H5 of the Local Plan.

5.34 In the case of the living conditions of neighbouring residents, the revised indicative Master Plan shows the reserve site for a primary school to the south of the dwellings along Ellesmere Way. A primary school is not directly part of this application and therefore any specific details (numbers of students, form of any building and layout) would need to be separately assessed. In the context of the former Morton Park Primary School, and other primary schools throughout the City, being surrounded by residential properties it is not considered that any objections in principle to such an element are of sufficient weight to merit the refusal of permission.

5.35 The accompanying details specify the provision of 24 allotments; 0.4ha net equipped playgrounds, 0.7 ha net informal playspace, a sports pitch, 13.1 ha of open space, and 1.42ha for a primary school. This provision is in

exceedance of the requirements (namely 0.3ha of playgrounds and 0.55ha of informal playspace) under Policies LC4 and LC7 of the Local Plan. The reserved site for the primary school is in accordance with the requirements of the Education Authority. Whilst the content of the associated Section 106 Agreement concerning the payment of the required commuted sum is still the subject of on-going discussions it should be recognised that such a facility also has potential social and recreational benefits to the local community. Any proposal to development land on the western side of Wigton Road would be separately assessed based on the policies of the Development Plan.

Other Matters

5.36 When processing previous applications relating to Morton reference has been made to the Cummersdale Enclosure Act of 1769. At the time the opinion of counsel was sought with reference to the specific allotments that were made by Commissioners in 1770 imposing various obligations as to fencing, ditching, maintenance of watercourses etc. The advice was as follows:

1) the legal obligations probably continue down to the present in the general location of the Wigton Road, Peter Lane and Dalston Road junction through their precise effect has yet to be classified;

2) the grant of planning permission (if Committee so decides) will not of itself have any effect on the status of the Act and the Award ie. the Committee will not be acting unlawfully if permission is granted in the context of the existence of the Enclosure Act;

3) if Members are minded to grant permission then it should be minuted that note has been taken of the existence of the Enclosure Act provisions and attached appropriate weight to these and drawn the applicants attention to their existence.

5.37 In addition, Members should be aware that the application has been advertised as a departure from the Local Plan but under the provisions of Circular 02/2009 the application does not have to be referred to the Government Office for the North West.

Conclusion

5.37 In conclusion it is considered that the advantages outweigh the disadvantages and therefore the proposal is recommended for approval subject subject to the satisfactory completion of a Section 106 Agreement and the imposition of relevant conditions an indicative schedule of which is attached to this report.

6. Human Rights Act 1998

6.1 Several provisions of the above Act can have implications in relation to the

consideration of planning proposals, the most notable being:

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

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

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

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

6.3 The proposal has been considered against the above but in this instance it is not considered that there is any conflict. If it was to be alleged that there was conflict it is considered not to be significant enough to warrant the refusal of permission.

7. **Recommendation** - Grant Permission

INDICATIVE SCHEDULE OF CONDITIONS

Time Limits

1. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the "reserved matters" for the 1st Phase of the housing development, whichever is the later.

Phasing of the Housing Development

2. Before the submission of an application for Approval of Reserved Matters for the 1st Phase of the housing development, details of the intended programme of Phasing of the overall housing development hereby permitted (including Phasing of the construction programmes for the associated highways, footpaths/cycleways, re-routeing of the existing overhead power line, provision of the dedicated bus link, services and linkages [up to the boundaries] with adjoining land) shall be submitted to and approval obtained in writing from the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details or any amendments to those details as may subsequently be agreed in writing by the Local Planning Authority.
3. Following the commencement of Phase 1 of the housing development in accord with the requirements of Condition 1 [above], an application for the Approval of Reserved Matters in relation to Phase 2 of the housing development shall be made not later than 4 years from the date of this Outline Planning Permission. Subsequent submissions of Applications for Approval of Reserved Matters for the remaining Phases of the housing development shall be submitted at intervals of not more than two years following the date of approval of the preceding Phase with the submission of an application for Approval of Reserved Matters for the final Phase of the housing development being made by not later 8 years from the date of this Outline Planning Permission. All of the details to be submitted shall be based upon the design and layout principles set out within the "parameter plans" constituting part of the approved details of the current application which (for the avoidance of doubt) comprises:

- i) Access Points/Movement Framework Parameter Plan (Revision A)
 - ii) Layout/Land Use Framework Parameter Plan 2 (Revision A)
 - iii) Scale Parameters/Residential Density and Building Heights Parameter Plan 3 (Revision A)
4. The overall housing development shall provide for the construction of 825 residential units to be erected pursuant to the grant of this Outline Planning Permission.

Reserved Matters for the Housing Development

5. Prior to the commencement of development within any of the approved Phases of the housing development, full details of the siting, design and external appearance of the buildings to be erected within that Phase; the proposed road and cycle/pedestrian routes within that Phase (including any new road junctions into that Phase); details or samples of all external materials and finishes to be used in the construction of that Phase (inclusive of hard surface finishes to all public and private external areas); and the proposed details of intended landscaping for that Phase (all of these hereinafter being called the "Reserved Matters") shall be submitted to (and approval in writing obtained from) the Local Planning Authority.

Provision of Public Open Space and Allotments

6. No development shall be commenced within any Phase of the proposed housing development until such times as details, as applicable, of the respective proposed public open space provision, allotments, and focal point (including the quantum, type, location, timing of provision of those facilities, any intended play or sports equipment and safety surfacing to be installed thereon, associated landscaping and boundary fencing, and the future maintenance arrangements thereof) to be provided in that Phase have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and completed prior to the completion (by the plastering out) of

the last unit within that Phase unless otherwise agreed in writing by the Local Planning Authority.

Employment Land

7. The land proposed to be utilised for employment purposes shall be developed as a Business Park/Science Park specifically for land uses falling within Class B1 of the Schedule of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting the Order.
8. Particulars of the siting, design, appearance and finishes of each building, and the related provision of drainage, lighting, parking and servicing areas, together with proposals for the landscaping/screening of the development and the boundary treatment to each constituent plot within the "employment land" shall be submitted to, and approved in writing by, the Local Planning Authority prior to any development being undertaken within that plot. The development shall thereafter be undertaken in full accord with those approved details.
9. A scheme for the implementation of security measures, with particular regard to the means of enclosure/boundary treatment, landscaping, lighting, cycle parking, CCTV and the installation of any gated access points, for each plot within the "employment land" shall be submitted to, and approved in writing by, the Local Planning Authority. No employment floor space shall be brought into use until the aforementioned works have been fully implemented in accordance with the approved details.
10. No employment unit which is constructed pursuant to this Outline Planning Permission shall be occupied until it is:
 - i) provided with a connection to the highway network that has been constructed in all respects to base course level;
 - ii) street lighting has been provided and has been brought into full operational use; and
 - iii) associated off-street parking and turning facilities, including all surfacing, marking out, drainage and lighting, has been completed and is available for use.

Highway Works

11. The carriageway, means of access, footways, footpaths, cycleways, and street lighting within each Phase shall be designed, constructed, drained and lit to a standard suitable for adoption. In this respect before commencement of construction works on any part of this overall development [including any individual Phase of the housing development] full details (including longitudinal/cross sections, means of surface water drainage, specifications and construction programmes) shall be submitted to and approved in writing by the Local Planning Authority. These details shall be in accordance with the standards laid down in the current Cumbria Design Guide (or such amendments to the Guide as may subsequently come into effect during the course of the development).
12. Any works approved under the provisions of Condition 11 [above] shall be constructed progressively as the site [or relevant constituent Phase of the site] is developed and all approved works, in relation to the housing development, shall be concluded prior to the completion of the last unit (by the plastering out) within that Phase and, in the case of the employment land, prior to the occupation of any unit served by the public highway.
13. Adequate underground ducts shall be installed by the developers, in accordance with details approved beforehand by the Local Planning Authority, before any of the residential and non-residential units hereby permitted are occupied, to enable telephone services, electricity services and communal television services to be connected to any premises within the application site, without recourse to the erection of distribution poles and overhead lines, and in providing such ducts the developers shall co-ordinate the provision of such services with the respective undertakers; notwithstanding the provisions of Article 3(1) and the Schedule 2 Part 17 Class G (B) of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), no distribution pole or overhead lines within the area shall be erected, save with the express consent of the Local Planning Authority.
14. The access covers to the underground ducts to be installed pursuant to the above condition 13 shall be carefully located in relation to the surface finishes in accordance with details

submitted to and approved in writing beforehand by the Local Planning Authority and shall be of the type whereby the "tray" may be in-filled with the appropriate surface materials.

Archaeology

15. No development shall commence within any part of 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.

The written scheme shall include the following components:

- i) An archaeological evaluation to be undertaken in accordance with the agreed written scheme of investigation;
 - ii) An archaeological recording programme the scope of which will be dependant upon the results of the evaluation and will be in accordance with the agreed written scheme of investigation.
16. Where appropriate, an archaeological post-excavation assessment and analysis, preparation of a site archive ready for deposition at a store, completion of an archive report, and publication of the results in a suitable journal as approved beforehand by the Local Planning Authority (LPA) shall be carried out within three years of the date of completion of the archaeology programme as specified in Condition 15 above or otherwise agreed in writing by the LPA.

Contamination

17. No development shall be commenced within any part of the site [including any constituent Phase of the housing development] until a scheme to deal with any site contamination has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include investigation and assessment to establish the extent of contamination and measures to be taken to avoid risk to people, buildings and the environment. The scheme as approved, in respect of any part of the site [including constituent Phases], shall be fully implemented and completed before occupation of that part of the site.

18. In the event that contamination, not previously identified, is found at any time when carrying out 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 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.

Construction Impacts

19. Prior to the commencement of development hereby permitted, a Construction Method Statement shall be submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- i) the laying out of land for and details of the means of access and parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - v) wheel washing facilities;
 - vi) measures to control the emission of dust and dirt during construction; and
 - vii) a scheme for the re-cycling/disposal of waste resulting from demolition and construction works.
20. No work associated with construction 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 Bank Holidays).
21. No part of the development shall commence until a scheme of noise mitigation measures is submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details unless otherwise agreed in writing beforehand by the Local Planning Authority.

22. For the duration of the development works within any constituent part of the site, a suitable barrier preventing siltation and pollutants entering any watercourse within that part of the site shall be erected and maintained in accordance with details submitted to and approved in writing by the Local Planning Authority before any development is commenced on that sector of the site.

Landscaping and Biodiversity

23. No development shall take place until a detailed Biodiversity Enhancement and Protection Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include, but not be limited to, the mitigation measures proposed in Chapter 4 of the South Morton Carlisle Bat Survey Report (Church Commissioners) September 2009 (Environmental Statement Addendum September 2009).

The Biodiversity Enhancement and Protection Plan shall be implemented in accordance with the approved details and development phasing, unless otherwise agreed in writing by the Local Planning Authority.

24. No clearance of or damage to hedgerows 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.
25. The plans and particulars of the Reserved Matters for the landscaping to be submitted under provisions of this Outline Planning Permission shall include identification of those trees/shrubs to be retained, and a scheme for wetland planting along the course of Fairy Beck. These works shall be carried out either contemporaneously with the completion of individual residential/non-residential units or, in the alternative, by not later than the end of the planting and seeding season following the completion of each Phase of the development through which the watercourse flows, in accord with the phasing Plan and programme required to be submitted by Condition 2 above.
26. Any trees or other plants, which die, are removed or become seriously damaged or diseased within the first five years following the implementation of the landscaping scheme in each Phase of the housing development or within the employment land, shall be replaced during the next planting season with others of similar size or species unless other agreed in writing by the Local Planning Authority.

27. The landscaping plan for each Phase of the housing land or the employment land should identify the crown spread of the trees to be retained, including the crown spread of any trees that overhang the boundary, and those trees shall be protected by a suitable barrier in accordance with details to be submitted to and approved, in writing, beforehand by the Local Planning Authority.
28. Within the areas fenced off the existing ground level shall be neither raised nor lowered, and no materials, temporary buildings or surplus soil of any kind shall be placed or stored thereon unless otherwise agreed in writing by the Local Planning Authority. If any trenches for services are required in the fenced off area, they shall be excavated or back filled by hand and any roots encountered with a diameter of 50mm or more shall not be left uncovered. The fence shall thereafter be retained at all times during construction works on the site.
29. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for a period of not less than 5 years from the commencement of the work for all landscape areas (other than domestic gardens) within each Phase of the housing development and in relation to the employment land shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan for those areas shall thereafter be implemented in accordance with the approved details unless otherwise agreed to in writing by the Local Planning Authority.
30. No development within a phase shall take place until details of earthworks for that phase have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform. Development of that phase shall be carried out in accordance with the approved details.

Drainage

31. No part of the development shall commence until details of the surface water drainage and means of disposal, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development (inclusive of how the scheme shall be maintained and managed after completion and any

necessary off-site improvements for that phase) have been submitted to and approved in writing by the Local Planning Authority. No residential and/or non-residential unit hereby permitted shall be occupied until the approved works to connect that unit to the surface water drainage system has been completed.

32. No part of the development shall commence until details of the foul drainage, including any necessary off-site improvements, for area of the site, have been submitted to and approved in writing by the Local Planning Authority. No residential and/or non-residential unit hereby permitted shall be occupied until the approved works to connect that unit to the foul drainage system(s) have been completed.

Flood Risk

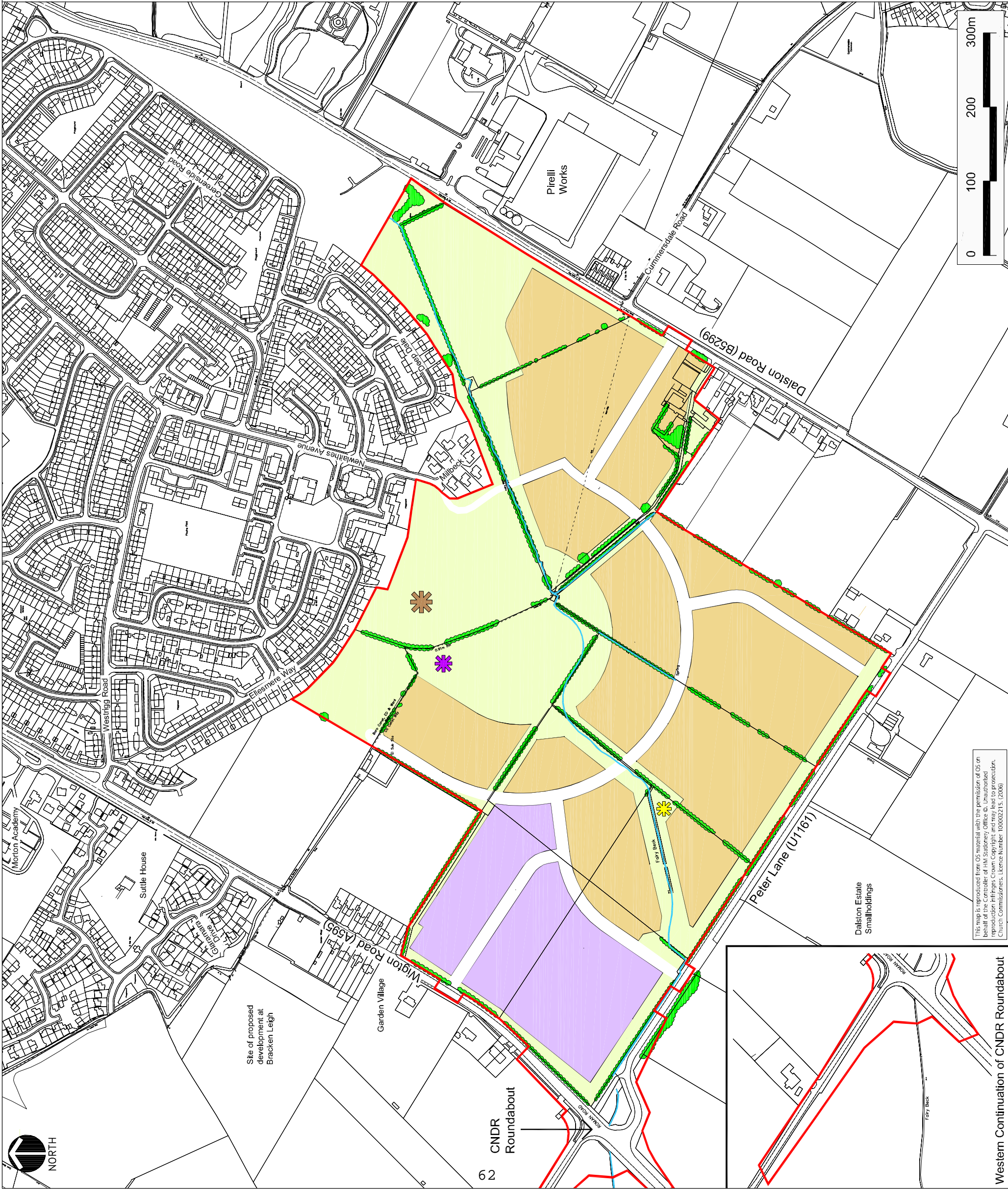
33. Construction of each Phase of the housing development shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) produced by Mouchel and dated 2009, together with the following mitigation measures detailed within the FRA:
 - i) limiting the surface water run off generated by the 1 in 100 year plus climate change rainfall event, in accordance with section 7.5 of the Flood Risk Assessment Report, so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site;
 - ii) in accordance with section 7.2 and 7.4 page 18 of the Flood Risk Assessment Report, all development inclusive of the proposed attenuation ponds shall be located outside the 100 year with climate change outline;
 - iii) confirmation of the opening up of any culverts across the site; and
 - iv) in accordance with section 7.3 of the Flood Risk Assessment Report and Appendix E finished floor levels shall be set no lower than 600 mm above the modelled 1 in 100 year flood level plus an allowance for climate change.

Design

34. No development shall commence within any Phase of the housing development until particulars of the height and materials of all boundary walls and fences to proposed plots within that Phase have been submitted to and approved in writing by the Local Planning Authority. All works comprised in the approved details of fencing/walling shall be carried out contemporaneously with the completion (by the plastering out) of each residential unit.

35. Details of existing and proposed site levels and proposed finished floor levels of all dwellings, garages and any other buildings within each constituent Phase of the housing development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works on that phase on site. The development of that Phase shall be carried out fully in accordance with those approved details.

36. No development within any Phase of the housing development and any part of the employment land having a floor space threshold of 1,000m² and above, shall take place until details showing how the development will meet the requirement for achieving 10% of its predicted energy requirements from decentralised and renewable or low-carbon sources have been submitted to and approved in writing by the Local Planning Authority. Development of that Phase or area of employment land shall be carried out in accordance with those approved details unless otherwise agreed in writing by the Local Planning Authority.

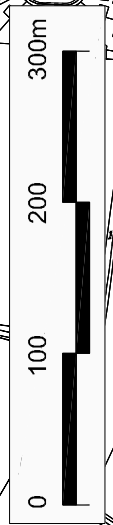


- Planning Application Boundary
- Residential
- Employment
- Open Space
- Allotments
- Existing Woodland and Hedgerows (to be retained)
- Existing Watercourses (to be retained)
- Neighbourhood Area for Play (NEAP)
- Locally Equipped Area for Play (LEAP)

Rev.	Description	Drawn	Chk'd	Date
A	Amendment to residential blocks in vicinity of primary school Relocation of NEAP	GA	B5	21.12.09

South Morton, Carlisle
Parameter Plan 2 (Rev A):
Layout/Land Use Framework

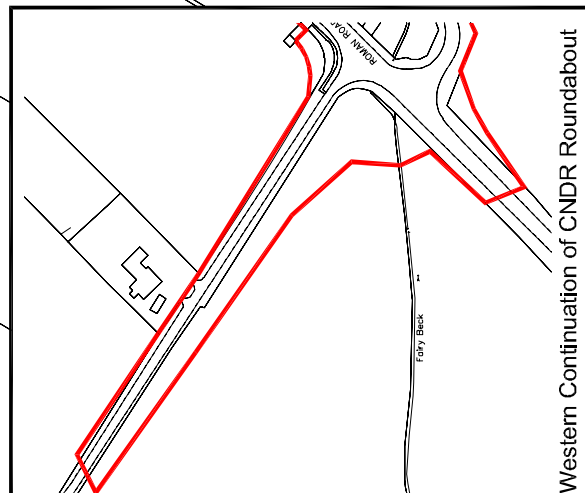
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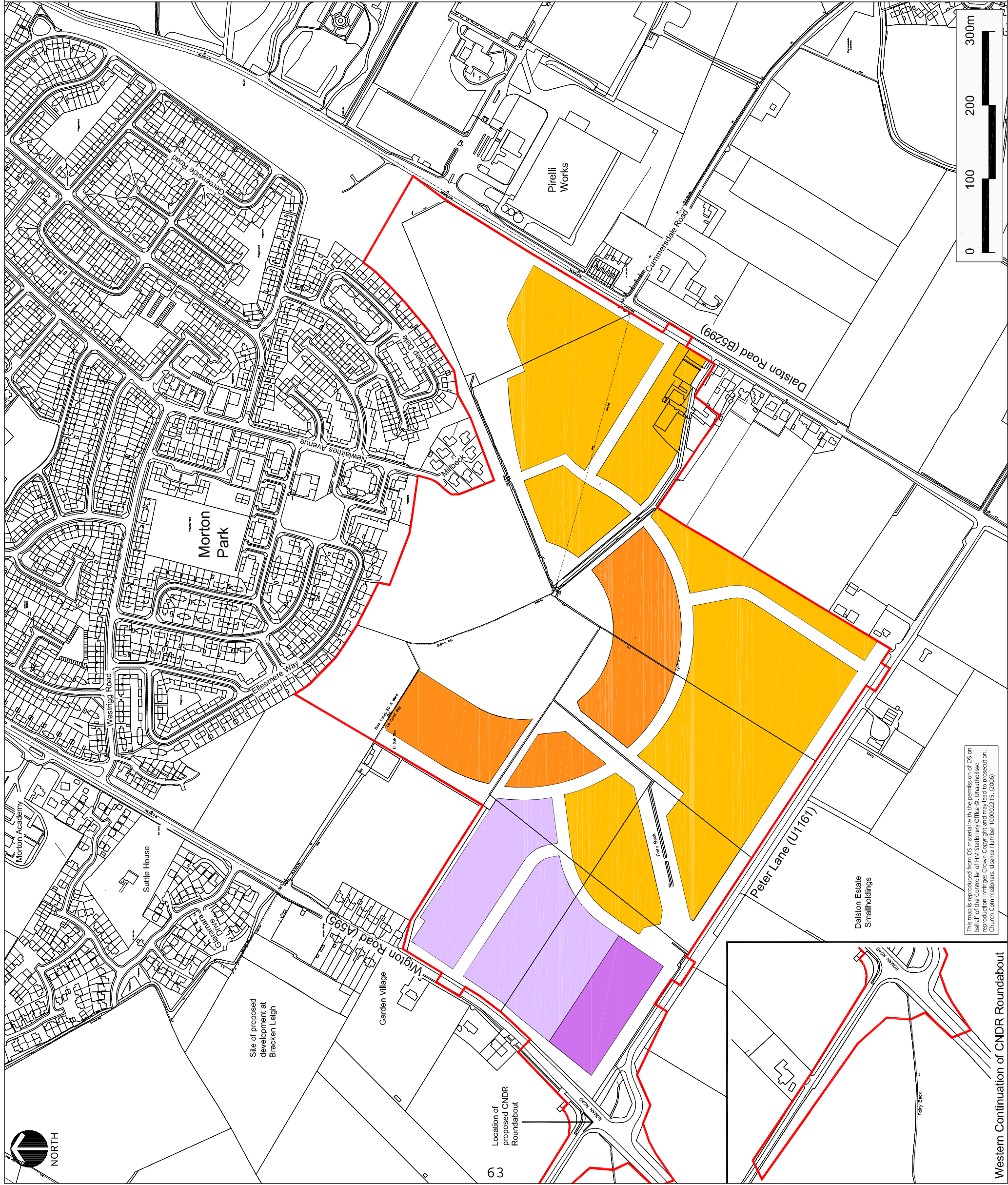
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Western Continuation of CNDR Roundabout



-  Planning Application Boundary
-  Low to Medium Density Residential (20-45 dph) - up to 2 Storeys with Occasional 3 Storeys
-  Higher Density Residential (46+ dph) - up to 3 Storeys with Occasional 4 Storeys
-  Employment - up to 2 Storeys
-  Employment - up to 4 Storeys

Notes:

1. Residential: Building Heights

- Up to 2 storeys:
max. 9m to ridge-line above existing ground level
(max. 50m AOD)
- Up to 3 storeys:
max. 12m to ridge-line above existing ground level
(max. 48m AOD)
- Up to 4 storeys:
max. 15m to ridge-line above existing ground level
(max. 47m AOD)

2. Employment: Building Heights

- Up to 2 storeys:
max. 12m to ridge-line above existing ground level
(max. 50m AOD)
- Up to 4 storeys:
max. 18m to ridge-line above existing ground level
(max. 50m AOD)

3. Building Envelopes

For Building Envelopes refer to Section 8 in the Design and Access Statement

Rev.	Description	Drawn	Chk'd	Date
A	Amendment to residential blocks in vicinity of primary school	GA	BS	21.12.09

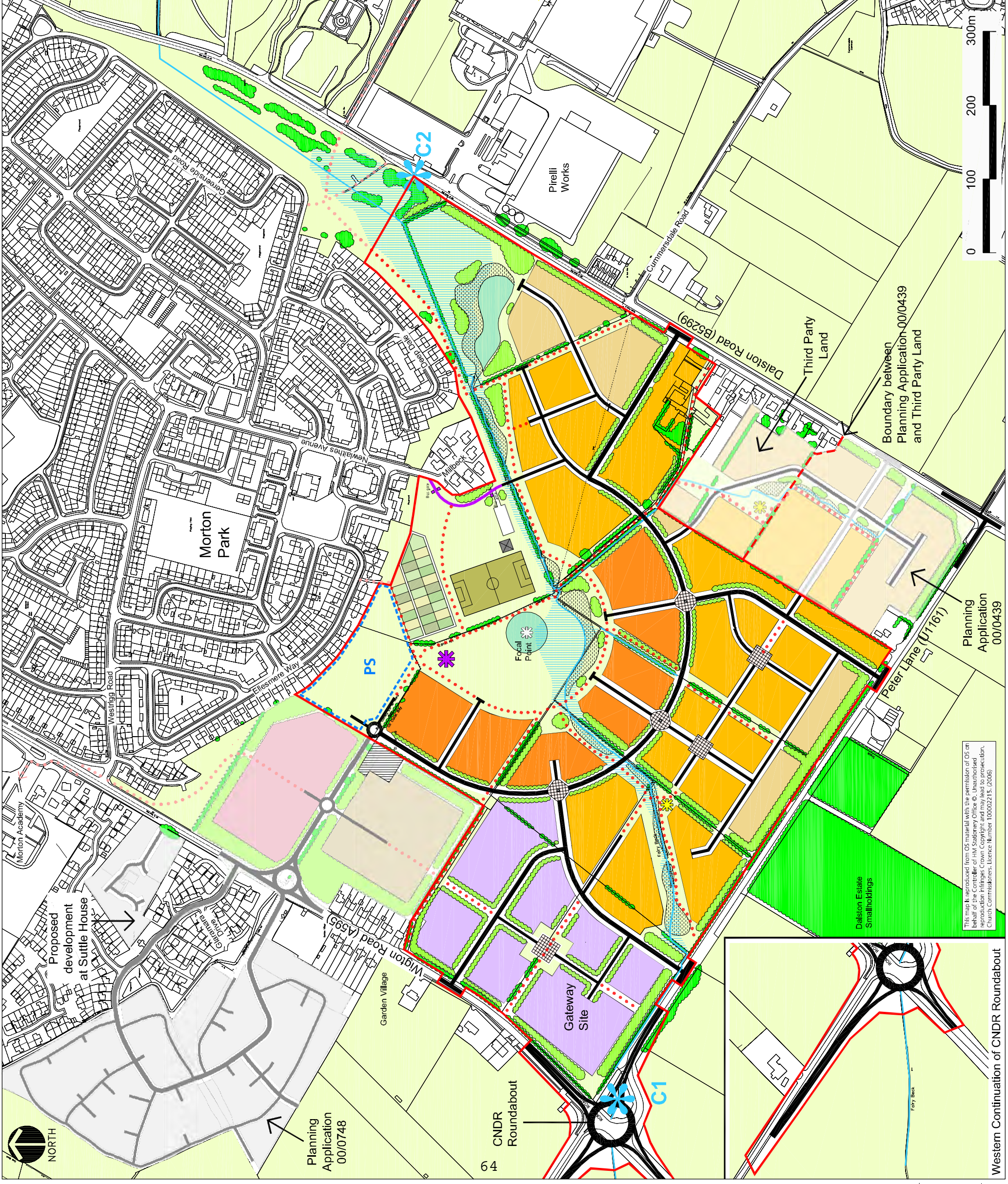
South Morton, Carlisle
 Parameter Plan 3 (Rev A):
 Scale Parameters/
 Residential Density and
 Building Heights

Scale 1:2500 at A1



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Western Continuation of CNDR Roundabout



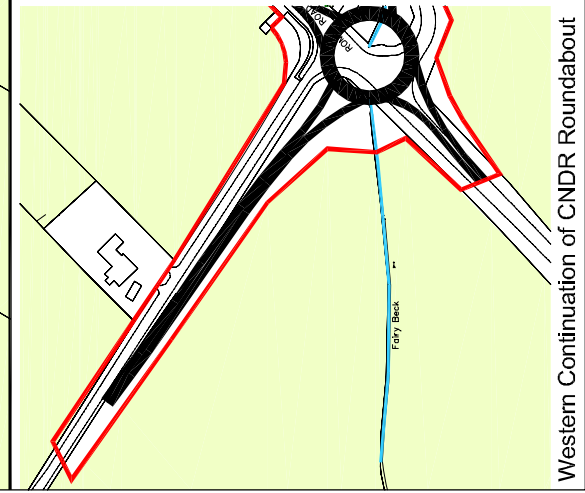
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- Planning Application Boundary
- Low Density Residential
- Medium Density Residential
- Higher Density Residential
- Employment
- Retail
- PS Primary School (Reserve Site)
- Sports Pitch, Youth Shelter and Parking
- Park & Ride
- Open Space
- Informal Playspace
- Equipped Playground
- Allotments
- Street Network
- Traffic Calmed Square
- Footpath/Cycleway
- Dedicated Bus Link
- Existing Woodland & Hedgerows
- Structural Planting
- Watercourses
- Floodplain
- Wetland Planting
- Balancing Pond
- Existing Electricity Sub Station
- Approximate Future Link Point to Caldew Cycleway

Note:
 In order to maintain connectivity to the Caldew Cycleway, locations C1 and C2 are required to be connected as part of the application's Transport Package.

Rev	Description	Drawn	CHK'd	Date
B	Relocation of reserve primary school site and allotments	GA	BS	16.12.09
	Realigning of proposed footpath/cycleways in the vicinity of the above			
	Future link to Caldew Cycleway added			
	Relocation of the path to the rear of Ellersmere Way to cater for existing residents' concerns			
	Realigning of the existing Right of Way to follow the arc/shape of the interface between residential area and the open space			
A	Introduction of new squares within the residential areas as a result of AAA the consultation response by Child Renaissance	GA	RCA	7.9.09

South Morton, Carlisle
 Indicative Masterplan (Rev B)
 Scale 1:2500 at A1



Planning Application 00/0748

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Western Continuation of CNDR Roundabout

Boundary between Planning Application 00/0439 and Third Party Land

Planning Application 00/0439

Third Party Land

Dalsion Road (B5299)

Peter Lane (U7161)

Dalston Estate Smallholdings

Gateway Site

CNDR Roundabout

Garden Village

Wigton Road (A595)

Proposed development at Suttle House

Morton Academy

Morton Park

Pirelli Works

Cummerdale Road

Newliths Avenue

Geenside Road

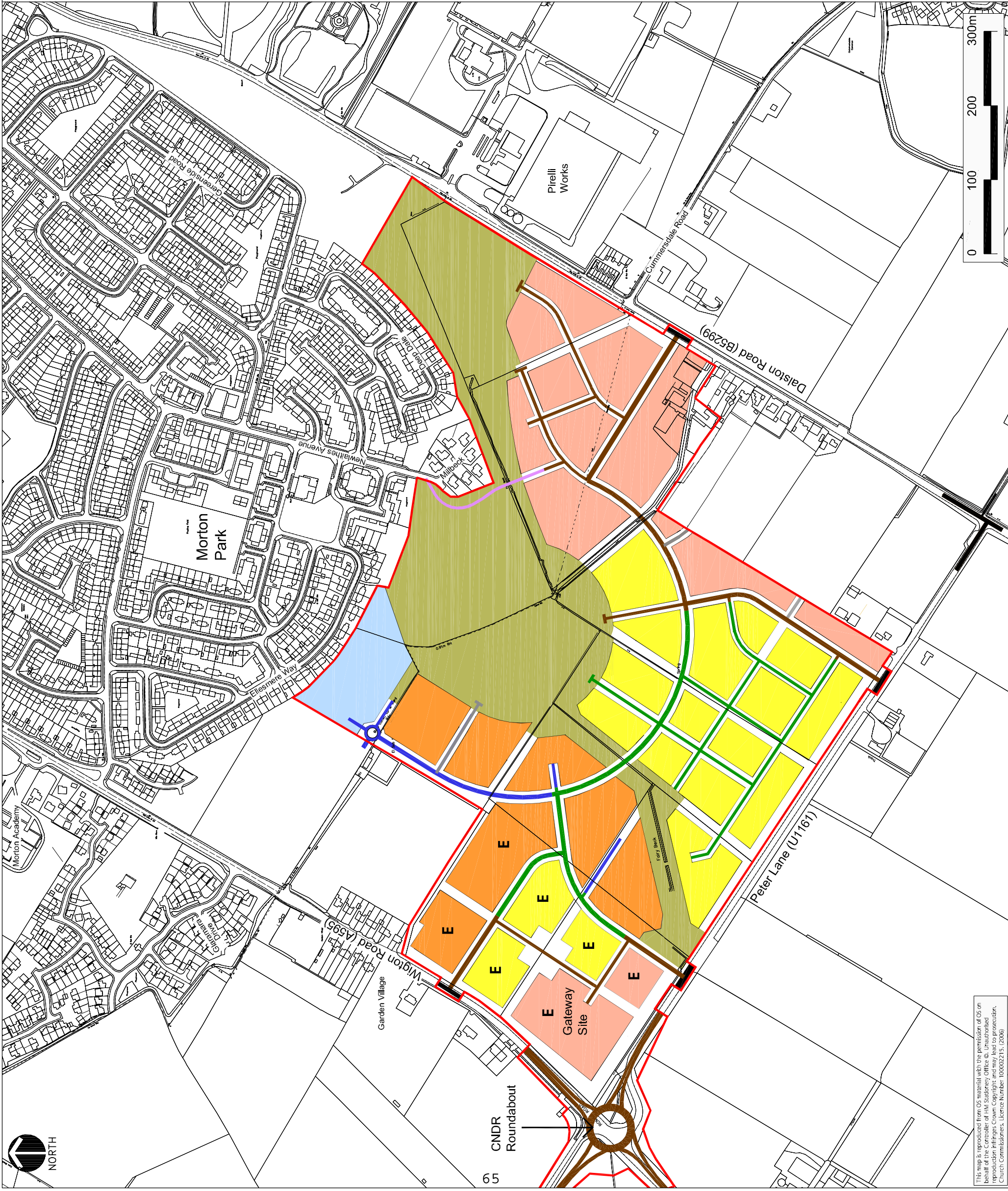
Ellersmere Way

Westing Road

PS

C1

C2



- Planning Application Boundary
- Primary Leisure Area
- Primary School (Reserve Site)
- Phase 1 (2010/11 - 14)**
- Roads
- Dedicated Bus Link
- Residential (255 houses)
Annual build rate = 64 houses
- E** Employment (13,150m² floorspace)
- Phase 2 (2014 - 17)**
- Roads
- Residential (385 houses)
Annual build rate = 128 houses
- E** Employment (13,630m² floorspace)
- Phase 3 (2017 - 20)**
- Roads
- Residential (185 houses)
Annual build rate = 62 houses
- E** Employment (13,220m² floorspace)

Notes:
 1. Timing of the Phase 3 roads could be brought forward to coincide with the programme for development of the District Centre and/or Park & Ride Facility.
 2. Under provisions of the Section 106 Agreement the reserve site for the Primary School will be made available for educational purposes for a period of five years from the date of commencement of development.
 3. Timing of the phasing of provision of the Primary Leisure Area to be agreed with the City Council.

Rev.	Description	Drawn	Checked	Date
A	Relocation of the reserve site for the primary school	GA	BS	17.12.09
	Alteration to the phasing of two adjacent residential lots			

South Morton, Carlisle
 Environmental Statement
 Potential Phasing (Rev A)
 Figure 5.5

Scale 1:5000 at A3



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