

SCHEDULE B

Applications
determined by other
authorities.

SCHEDULE B

Item No: 09

Between 27/03/2022 and 29/04/2022

Appn Ref No:

21/0702

Applicant:

Alight Media

Parish:

Carlisle

Date of Receipt:

09/07/2021 16:00:56

Agent:

Mr Chris Thomas

Ward:

Cathedral & Castle

Location:

Crown Street Car Park, Botchergate, Carlisle, CA1
5AB

Grid Reference:

340451 555439

Proposal: Display Of 1no. Freestanding Internally Illuminated Single Sided 48
Sheet Digital LED Display Sign

REPORT

Case Officer:

Barbara Percival

Decision on Appeals:

Appeal Against: Against Advert Decision

Type of Appeal: Written Representations

Report: A copy of the Notice of the decision of the Determining Authority is
printed following the report

Appeal Decision: Appeal Dismissed

Date: 28/03/2022

Appeal Decision

Site visit made on 18 January 2022

by C Coyne BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th March 2022

Appeal Ref: APP/E0915/Z/21/3284701

Crown Street Car Park, Botchergate, Carlisle CA1 5AB

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Graeme Hughes (Alight Media) against the decision of Carlisle City Council.
 - The application Ref 21/0702, dated 7 July 2021, was refused by notice dated 11 October 2021.
 - **The advertisement proposed is described on the application form as 'The erection and display of a freestanding 48-sheet digital advertisement display'.**
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The relevant Regulations regarding advertisements stipulate that control may **only be exercised in the interests of 'amenity' and 'public safety'.** In **determining the appeal, the Council's development plan policies (and Conservation Appraisal and Management Plan)** are not determinative, but I have taken them into account as a material consideration.
3. In accordance with the statutory duty set out in section 72(1) of the Planning **(Listed Building and Conservation Areas) Act 1990 ('The Act')** I have paid special attention to the desirability of preserving or enhancing the character or appearance of the Botchergate Conservation Area (CA).
4. In accordance with the statutory duty set out in Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have given special regard to the desirability of preserving the listed buildings on Tait Street or their settings or any features of special architectural or historic interest which they possess.

Main Issue

5. The main issue is the effect of the proposed advertisement on visual amenity.

Reasons

6. The appeal site comprises a car park which fronts onto Botchergate and given its location I consider the appeal site to be in a visually prominent location. The site is also located within the CA and is directly opposite Tait Street which contains rows of Grade II listed two storey terraced dwellings.

7. The Botchergate Conservation Appraisal and Management Plan (BCAMP) states that Botchergate was originally a linear development on the approach to the walled city of Carlisle and it became increasingly urban and commercial in character during the nineteenth century. It also described the current character of the CA as being urban. The appeal site is within character area 2 as identified by the CAMP which states that this area has less grandeur than character area 1 and that the parts of it fronting Botchergate are commercial in character.
8. It also goes on to highlight that this part of the CA has suffered significantly from a decline and change in retail patterns as evidenced by the neglected state of many of its buildings **and the clearance of housing in the 1960's**. That being said it does highlight the surviving and well-preserved Tait Street and its Grade II listed buildings as being a stark positive contrast to this decline. In addition, according to the historical maps contained within the BCAMP, it would appear that the appeal site formerly had a building or buildings which fronted onto Botchergate, complementing its linear development pattern. On my visit, I observed that Botchergate still has a relatively linear development pattern with buildings fronting onto it.
9. It is proposed to erect a digital LED sign that would have an overall height of approximately 5.7 metres, a width of approximately 6.4 metres and a depth of approximately 0.6 metres. The sign would be internally illuminated and would display static advertisements with images changing no more than every 10 seconds. The proposal would align with the existing street frontage meaning that it would be directly opposite the middle point of Tait Street and face the oncoming traffic at its junction with Botchergate.
10. Given its visually prominent location and its orientation the proposal would not obstruct any views along Botchergate particularly those towards the Citadel as highlighted as important ones in the BCAMP. It would however be fully visible from Tait Street.
11. Electronic signs are designed to change display at regular intervals which could also reasonably be an added potential distraction as the eye would be naturally drawn to a changing scenario. Furthermore, even though the proposed advertisement/information images would be static they would change intermittently meaning that the proposed screen would introduce a new element to the visual field of passers by and persons viewing it from certain vantage points such as Tait Street. As a result, I consider that the proposal would represent a new and highly conspicuous feature would be added to the street scene.
12. It therefore seems valid to conclude that given its location and orientation that the proposal would visually interfere with the setting of the CA and the nearby listed buildings. Consequently, given its nature, scale and design I find the proposal to be neither sympathetic nor appropriate when considered within the historical context of its surroundings. It would therefore fail to preserve or enhance the character of the CA as a whole thereby having a negative effect on the significance of a designated heritage asset resulting in less than substantial harm. For similar reasons, the proposal would also cause less than substantial harm the settings of the nearby listed buildings nos. 1-21, 10-30, 25-29 and 32-36 Tait Street.

13. Accordingly, the proposal would neither preserve nor enhance the character or appearance of the CA. Likewise, as it would be clearly visible from Tait Street, given its size and location, I also consider that in accordance with the clear expectations of the Planning (Listed Buildings & Conservation Areas) Act 1990, anticipating the development permitted, the setting of the listed buildings on Tait Street would also not be preserved.
14. Having regard to paragraph 202 of the *National Planning Policy Framework* (the Framework), given its scale, the proposed advertisement would provide limited economic benefits. However, these benefits would not be of sufficient weight to outweigh the harm to the CA and listed buildings to which I must attach great weight.
15. I note that many of the buildings fronting onto Botchergate have a commercial or retail element on their ground floor with some of them also having advertising signage on their respective frontages. However, none of these signs are as large as the proposal would be nor do they display static interchanging **images that are as large as the proposal's would be.**
16. I also note that Botchergate is classed as an A-road in a major city conurbation and that it is partially a commercial area. However, just because the appeal site is next to an A-road, in a conurbation and in a partially commercial area does not necessarily mean that it would be a suitable location for the proposal.
17. Therefore, I conclude that the proposal would have a harmful effect on visual amenity. In accordance with the Regulations, I have taken into account the provisions of the development plan so far as they are relevant. Policies SP6, HE3 and HE7 of the adopted Carlisle District Local Plan seek to protect visual amenity and so are relevant in this case. As I have concluded that the proposed advertisement would harm visual amenity, it would consequently also conflict with these policies.
18. For similar reasons the proposal would conflict with paragraph 199 of the Framework, which anticipates that great weight be afforded to the conservation of designated heritage assets, including their setting and conflict with paragraphs 200 and 202 of the Framework which seek to conserve and enhance the historic environment. It would also conflict with paragraph 136 of the Framework.

Conclusion

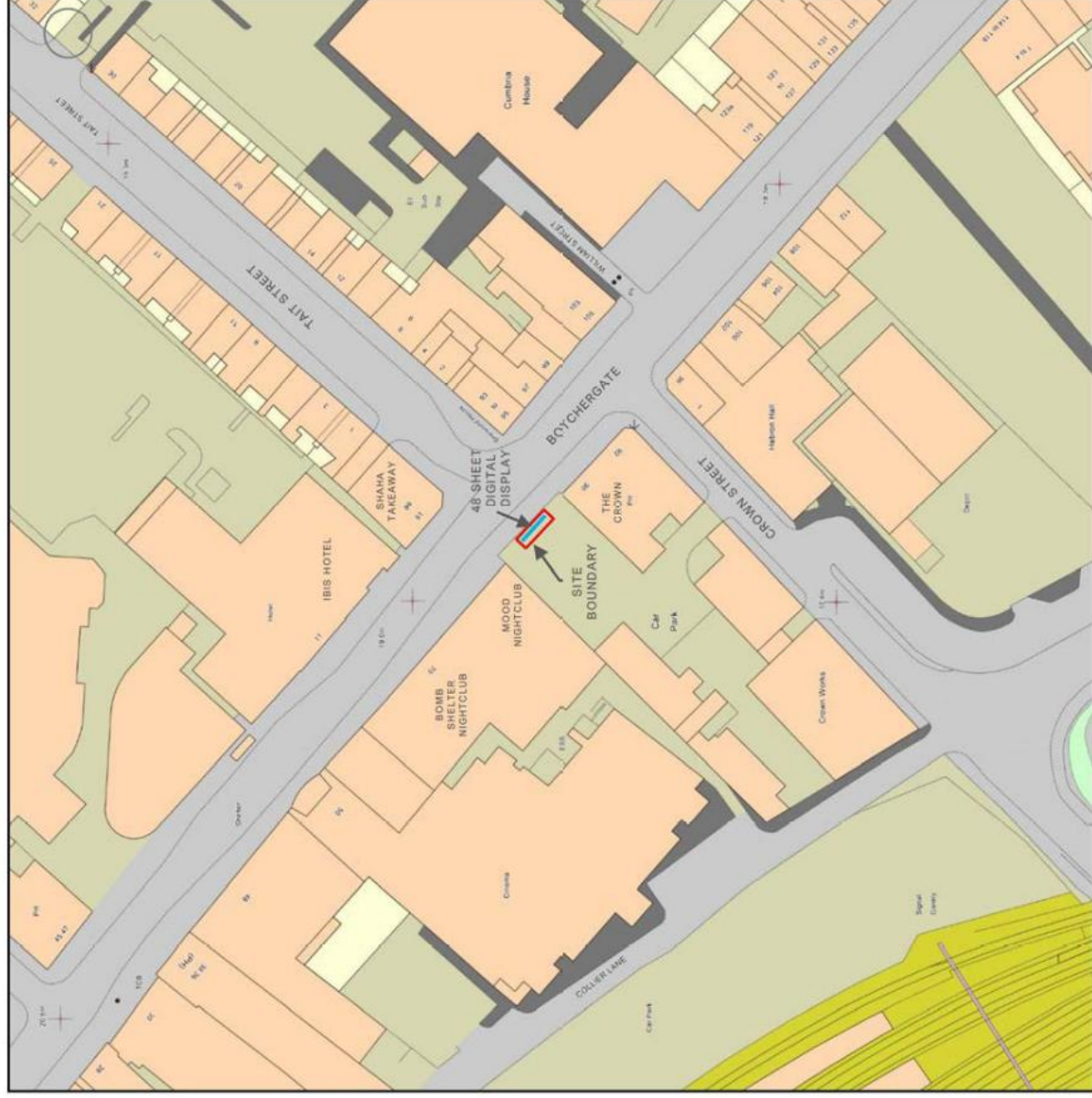
19. For the reasons given above and bearing in mind paragraph 79 of the Planning Practice Guidance and paragraph 81 of the Framework, I conclude that the appeal should be dismissed.

C Coyne

INSPECTOR



Crown Copyright 2021 Ordnance Survey



36 Soho Square
London
W1D 3QY
www.alightmedia.com

SITE LOCATION

Crown Street Car Park
Botchergate
Carlisle
CA1 5AB

DRAWING NAME

CSCPB2 Location Plan

DRAWING SCALE

1:1250 @ A4

DATE

7th July 2021

ALIGHT MEDIA REFERENCE

8784

Item No: 10**Appn Ref No:**

21/9106

Applicant:

Cumbria County Council

Parish:

Multiple Parishes

Date of Receipt:

28/10/2021

Agent:Cumbria County Council -
Economy & Planning**Ward:**

Multiple Wards

Location:Land between Junction 42 of M6 & Newby West
Roundabout (Junction of A595 & A689 CNDR) to
South of Brisco, Durdar & Cummersdale Villages,
Carlisle**Grid Reference:**

337346 553615

Proposal: Discharge Of Conditions 3 (Advance Enabling Works - Tree & Hedgerow Removal & Fencing Establishment); 7 (Hedgerow, Tree And Woodland Protection; 9 (Protection Of European Protected Species **9(a) - Partial Submission Relating To Bats Only**); 10 (Protection Of Badgers) & 11 (Breeding Bird Mitigation) Of Previously Approved Permission 19/9012/CTY**REPORT****Case Officer:**

Christopher Hardman

Decision of: Cumbria County Council**Decision Type:** Grant Permission for Conditions 3 and 10
only.**Date:** 22/03/2022

A copy of the Notices of the decisions of the Determining Authority are printed following the report.

Cumbria County Council

Development Control
County Offices • Busher Walk • Kendal • LA9 4RQ
T: 01539 713 424 • E: developmentcontrol@cumbria.gov.uk

Ms Julie Diamond
Capita
Englishgate Plaza
Carlisle
CA1 1RP

Date: 11 February 2022
Reference: 1/19/9012-C03-#3-AEW-THR-P1-Reg1

Dear Ms Diamond,

DECISION NOTIFICATION

Planning Permission Reference No. 1/19/9012

Condition No. 03 – Advanced Enabling Works (AEW) – Tree and Hedgerow Removal, fencing provision and associated ecological mitigation

Development: Creation of Carlisle Southern Link Road (CSLR). Comprising of the construction of 8.1km of new two way single carriageway road (with 2.2km of climbing lanes) that incorporates 3 new road bridges; a combined cycleway/footway on the northern side of the road with 4 shared-use overbridges; 7 new or modified road junctions; 2 overbridges; an underpass; related links and modifications to existing highway, cycleway, footpaths and agricultural access tracks; plus creation of drainage infrastructure (including balancing ponds), landscaping and lighting; and associated engineering and ancillary operations (including the associated demolition of 2 dwellinghouses - Station House and Newbiggin View).

Location: Corridor of land between Junction 42 of the M6 and the Newby West Roundabout (junction of the A595 and A689 CNDR) to the south of Brisco, Durdar and Cummersdale villages, Carlisle.

I write to advise you that the revised details you have submitted in connection with condition 3 of the above permission concerning tree and hedgerow removal works and fencing provision (and directly related ecological mitigation works) proposed to take place as advanced enabling works, have been reviewed and that the above works proposed to take place in Region 1 have now been found to be acceptable. Tree and hedgerow removal works and fencing provision (including directly related ecological mitigation works) may now take place across the full extent of Region 1 as advance enabling works.

For the avoidance of doubt, the documents and plans submitted and now approved are:

- The written commentary text of the Planning Condition 3 Cover Sheet – dated 12 October 2021 in so far as it relates to Region 1;
- Document No. A689-CAP-LPN-ZZZ-RP-YX-0009 – Updated Cover Sheet concerning Bats (CSLR PC09a) – received 2022-02-11 in so far as measures relate to Region 1;

- Environmental Management Plan (EMP) for AEW: Project Execution Plan (PEP) – Part 1 for Stage 1 and Enabling Works - Rev.2 (Report Ref. A689-MSI-GEN-ZZZ-PL-WM-0003) received 2021-12-14 in so far as measures relate to Region 1;
- Procedure – Tree Protection – Rev.2 – dated 10 February 2022 (Document Ref. A689-MSI-HSC-ZZZ-PR-WM-0001);
- Ecological Mitigation Sheet 1 of 6 – Chainage 100 to 1410 - Drawing No. A689-CAP-EBD-R10-DR-CH-3001-Rev.P04;
- Ecological Mitigation Sheet 2 of 6 – Chainage 1410 to 2915 - Drawing No. A689-CAP-EBD-R10-DR-CH-3002-Rev.P04;
- Vegetation Site Clearance Sheet 1: Chainage 100 to 445, CNDR - Drawing No. A689-CAP-HSC-R10-DR-CH-3001-Rev.P09;
- Vegetation Site Clearance Sheet 2: Chainage 445 to 790, A595 Rbt - Drawing No. A689-CAP-HSC-R10-DR-CH-3002-Rev.P09;
- Vegetation Site Clearance Sheet 3: Chainage 790 to 1125, Peter Lane - Drawing No. A689-CAP-HSC-R10-DR-CH-3003-Rev.P09;
- Vegetation Site Clearance Sheet 4: Chainage 1125 to 1410 - Drawing No. A689-CAP-HSC-R10-DR-CH-3004-Rev.P09;
- Vegetation Site Clearance Sheet 5: Chainage 1410 to 1750, Cummersdale - Drawing No. A689-CAP-HSC-R10-DR-CH-3005-Rev.P09;
- Vegetation Site Clearance Sheet 6: Chainage 1750 to 2060 - Drawing No. A689-CAP-HSC-R10-DR-CH-3006-Rev.P09;
- Vegetation Site Clearance Sheet 7: Chainage 2060 to 2340 - Drawing No. A689-CAP-HSC-R10-DR-CH-3007-Rev.P09;
- Vegetation Site Clearance Sheet 8: Chainage 2340 to 2665 - Drawing No. A689-CAP-HSC-R10-DR-CH-3008-Rev.P09;
- Vegetation Site Clearance Sheet 9: Chainage 2770 to 2915 - Drawing No. A689-CAP-HSC-R10-DR-CH-3009-Rev.P10;
- Vegetation Site Clearance Sheet 29: A595, West - Drawing No. A689-CAP-HSC-R10-DR-CH-3029-Rev.P09;
- Vegetation Site Clearance Sheet 30: A595, East - Drawing No. A689-CAP-HSC-R10-DR-CH-3030-Rev.P09;
- Vegetation Site Clearance Sheet 31: B5299, East - Drawing No. A689-CAP-HSC-R10-DR-CH-3031-Rev.P09;
- Vegetation Site Clearance Sheet 32: Grace Lane - Drawing No. A689-CAP-HSC-R10-DR-CH-3032-Rev.P09;
- Vegetation Site Clearance Sheet 33: Cummersdale Cycle Path - Drawing No. A689-CAP-HSC-R10-DR-CH-3033-Rev.P10;
- Vegetation Site Clearance Sheet 34: Cummersdale Cycle Path - Drawing No. A689-CAP-HSC-R10-DR-CH-3034-Rev.P10.

These above approved documents now form part of the planning permission and should be kept alongside the original decision notice and other approved planning documents/drawings.

Yours sincerely

Paul Haggin,
Manager Development Control and Sustainable Development

Development Control • County Offices • Busher Walk • Kendal • LA9 4RQ

E: developmentcontrol@cumbria.gov.uk

Ms Julie Diamond
Capita
Englishgate Plaza
Carlisle
CA1 1RP

Date: 22 March 2022

Reference: 1/19/9012-C03-#5-AEW-THR-P4-S9-Rev.P11

Dear Ms Diamond,

DECISION NOTIFICATION

Planning Permission Reference No. 1/19/9012

Condition No. 03 – Advanced Enabling Works (AEW) - Tree and Hedgerow Removal and fencing establishment [Sheet 9 – Rev.P11]

Development: Creation of the Carlisle Southern Link Road (CSLR).

Location: Corridor of land between Junction 42 of the M6 and the Newby West Roundabout (junction of the A595 and A689 CNDR) to the south of Brisco, Durdar and Cummersdale villages, Carlisle.

I write to advise you that the revised details you have submitted in connection with condition 3 of the above permission concerning tree and hedgerow removal works and fencing provision proposed to take place as advanced enabling works, have been reviewed and that the works proposed to take place as shown on Vegetation Site Clearance Plan Sheet 9 Revision P11 has been found to be acceptable. Tree and hedgerow removal works and fencing provision may now take place within the areas shown on the revised plan as advanced enabling works. For the avoidance of doubt, the plan and documents submitted and now approved are:

- Vegetation Site Clearance Plan Sheet 9: Chainage 2770 to 2960 - Drawing No. A689-CAP-HSC-R10-DR-CH-3009-Rev.P11
- The written commentary text of the Planning Condition 3 Cover Sheet – dated 12 October 2021 in so far as it relates to the spatial area covered by Sheet 9 Revision P11;
- Procedure – Tree Protection – Rev.2 – dated 10 February 2022 (Document Ref. A689-MSI-HSC-ZZZ-PR-WM-0001)
- Environmental Management Plan (EMP) for AEW: Project Execution Plan (PEP) – Part 1 for Stage 1 and Enabling Works - Rev.2 (Report Ref. A689-MSI-GEN-ZZZ-PL-WM-0003) received 2021-12-14 in so far as it relates to the spatial area covered by Sheet 9 Revision P11;

These above listed documents now form part of the planning permission and should be kept alongside the original decision notice and other approved planning documents/drawings.

It is noted that the previously submitted and approved *Vegetation Site Clearance Plan Sheet 9: Chainage 2770 to 2915 (Drawing No. A689-CAP-HSC-R10-DR-CH-3009-Rev.P10)* is now superseded.

Yours sincerely

Mr Richard Cryer,
Lead Officer Development Control

Development Control
County Offices • Busher Walk • Kendal • LA9 4RQ
T: 01539 713 424 • E: developmentcontrol@cumbria.gov.uk

Ms Julie Diamond
Capita
Englishgate Plaza
Carlisle
CA1 1RP

Date: 28 March 2022
Reference: 1/19/9012-C10

Dear Ms Diamond

DECISION NOTIFICATION

Planning Permission Reference No. 1/19/9012

Condition No. 10 – Protection of Badgers

Development: Creation of Carlisle Southern Link Road (**CSLR**). Comprising of the construction of 8.1km of new two way single carriageway road (with 2.2km of climbing lanes) that incorporates 3 new road bridges; a combined cycleway/footway on the northern side of the road with 4 shared-use overbridges; 7 new or modified road junctions; 2 overbridges; an underpass; related links and modifications to existing highway, cycleway, footpaths and agricultural access tracks; plus creation of drainage infrastructure (including balancing ponds), landscaping and lighting; and associated engineering and ancillary operations (including demolition).

Location: Corridor of land between Junction 42 of the M6 and the Newby West Roundabout (junction of the A595 and A689 CNDR) to the south of Brisco, Durdar and Cummersdale villages, Carlisle.

I write to advise you that the revised details submitted in connection with condition 10 of Planning Permission Reference No. 1/19/9012 are acceptable and are hereby approved as of 28 March 2022. I can therefore confirm that the pre-commencement of development element of condition 10 is thus hereby discharged.

For the avoidance of doubt, the documents submitted and now approved are:

- C10.01: Updated Cover Sheet – Condition 10 – Protection of Badgers (*Document Reference No. A689-CAP-LPN-ZZZ-RP-YX-0010*) – Issue: JTD 25-03-22;
- C10.02: Proposed Fencing Standard Design Sheet 1 - *Drawing No. A689-CAP-HFE-ZZZ-DR-CH-2001-Rev.P03*
- C10.03: Proposed Fencing Standard Design Sheet 2 - *Drawing No. A689-CAP-HFE-ZZZ-DR-CH-2002-Rev.P04*
- C10.04: Proposed Fencing Sheet 10 - Chainage 2915 to 3155, Caldew Bridge - *Drawing No. A689-CAP-HFE-R20-DR-CH-1010-Rev.C02*

- C10.05: Proposed Fencing Sheet 11 - Chainage 3155 to 3455 - *Drawing No. A689-CAP-HFE-R20-DR-CH-1011-Rev.C02*
- C10.06: Proposed Fencing Sheet 12 - Chainage 3455 to 3800 *Drawing No. A689-CAP-HFE-R20-DR-CH-1012-Rev.P05*
- C10.07: Proposed Fencing Sheet 13 - Chainage 3800 to 4130 - *Drawing No. A689-CAP-HFE-R20-DR-CH-1013-Rev.P05*
- C10.08: Proposed Fencing Sheet 14 - Chainage 4130 to 4470 - *Drawing No. A689-CAP-HFE-R20-DR-CH-1014-Rev.P03*
- C10.09: Proposed Fencing Sheet 15 - Chainage 4470 to 4805 - *Drawing No. A689-CAP-HFE-R20-DR-CH-1015-Rev.P03*
- C10.10: Proposed Fencing Sheet 16 - Chainage 4805 to 5165, Durdar Bridge - *Drawing No. A689-CAP-HFE-R20-DR-CH-1016-Rev.P05*
- C10.11: Proposed Fencing Sheet 17 - Chainage 5165 to 5500 - *Drawing No. A689-CAP-HFE-R20-DR-CH-1017-Rev.P03*
- C10.12: Proposed Fencing Sheet 18 - Chainage 5500 to 5800 - *Drawing No. A689-CAP-HFE-R20-DR-CH-1018-Rev.P03*
- C10.13: Proposed Fencing Sheet 19 - Chainage 5800 to 6120, Redcat Rbt - *Drawing No. A689-CAP-HFE-R30-DR-CH-1019-Rev.P03*
- C10.14: Proposed Fencing Sheet 20 - Chainage 6120 to 6455 - *Drawing No. A689-CAP-HFE-R30-DR-CH-1020-Rev.P03*
- C10.15: Proposed Fencing Sheet 21 - Chainage 6455 to 6790 - *Drawing No. A689-CAP-HFE-R30-DR-CH-1021-Rev.P03*
- C10.16: Proposed Fencing Sheet 22 - Chainage 6790 to 7130 - *Drawing No. A689-CAP-HFE-R30-DR-CH-1022-Rev.P03*
- C10.17: Proposed Fencing Sheet 23 - Chainage 7130 to 7490, Brisco Rbt - *Drawing No. A689-CAP-HFE-R30-DR-CH-1023-Rev.P03*
- C10.18: Proposed Fencing Sheet 36 - Durdar, West - *Drawing No. A689-CAP-HFE-R30-DR-CH-1036-Rev.P03*
- C10.19: Proposed Fencing Sheet 37 - Durdar Link - *Drawing No. A689-CAP-HFE-R30-DR-CH-1037-Rev.P03*
- C10.20: Proposed Fencing Sheet 39 - Durdar Footway, South - *Drawing No. A689-CAP-HFE-R20-DR-CH-1039-Rev.P05*
- C10.21: Proposed Fencing Sheet 41 - Scalegate, South - *Drawing No. A689-CAP-HFE-R30-DR-CH-1041-Rev.P03*
- C10.22: Proposed Fencing Sheet 42 - Scalegate, North - *Drawing No. A689-CAP-HFE-R30-DR-CH-1042-Rev.P03*

- C10.23: Proposed Fencing Sheet 45 - Newbiggin/Brisco Road - *Drawing No. A689-CAP-HFE-R30-DR-CH-1045-Rev.P03*
- C10.24: Figure E3 - Specification for Mitigation /Compensation - Sheet 3 of 6 - Chainage 2915 to 4470 - *Drawing No. A689-CAP-EBD-R10-DR-CH-3003-Rev.P06*
- C10.25: Figure E3 - Specification for Mitigation /Compensation - Sheet 4 of 6 - Chainage 4470 to 5800 - *Drawing No. A689-CAP-EBD-R10-DR-CH-3004-Rev.P06*
- C10.26: Figure E3 - Specification for Mitigation /Compensation - Sheet 5 of 6 - Chainage 5800 to 7490 - *Drawing No. A689-CAP-EBD-R10-DR-CH-3005-Rev.P06*
- C10.27: Appendix 30/12 of the Highway Specification - Landscape and Ecology (Appendix 30) (*Document Reference No. A689-CAP-ELS-ZZZ-SP-CE-0001-RevP05*) - dated 18 February 2022

The above listed approved documents now form part of the planning permission and should be kept alongside the original decision notice and other approved planning documents/drawings.

You are reminded that it remains the developer's responsibility to undertake the development in accordance with the above approved details for the above conditions to be discharged in full.

Yours sincerely

Richard Cryer,
Lead Officer Development Control

Item No: 11**Appn Ref No:**

21/9108

Applicant:

Cumbria County Council

Parish:

Multiple Parishes

Date of Receipt:

25/11/2021

Agent:Cumbria County Council -
Economy & Planning**Ward:**

Multiple Wards

Location:Land between Junction 42 of M6 & Newby West
Roundabout (Junction of A595 & A689 CNDR) to
South of Brisco, Durdar & Cummersdale Villages,
Carlisle**Grid Reference:**

337346 553615

Proposal: Discharge Of Conditions 15 (Construction Traffic Management Plan); 18 (Soil & Earth Material Management Plan); 21 (Protection Of Utility Infrastructure) & 22 (Archaeology) Of Previously Approved Permission 19/9012/CTY**REPORT****Case Officer:**

Christopher Hardman

Decision of: Cumbria County Council**Decision Type:** Grant Permission for Condition 22 only**Date:** 22/12/2021

A copy of the Notice of the decision of the Determining Authority is printed following the report.

Development Control
County Offices • Busher Walk • Kendal • LA9 4RQ
T: 01539 713 424 • E: developmentcontrol@cumbria.gov.uk

Ms Julie Diamond
Capita
Englishgate Plaza
Carlisle
CA1 1RP

Date: 22 December 2021
Reference: 1/19/9012-C22

Dear Ms Diamond,

DECISION NOTIFICATION

Planning Permission Reference No. 1/19/9012

Condition No. 22 – Archaeological Works

Development: Creation of Carlisle Southern Link Road (**CSLR**). Comprising of the construction of 8.1km of new two way single carriageway road (with 2.2km of climbing lanes) that incorporates 3 new road bridges; a combined cycleway/footway on the northern side of the road with 4 shared-use overbridges; 7 new or modified road junctions; 2 overbridges; an underpass; related links and modifications to existing highway, cycleway, footpaths and agricultural access tracks; plus creation of drainage infrastructure (including balancing ponds), landscaping and lighting; and associated engineering and ancillary operations (including the associated demolition of 2 dwellinghouses - Station House and Newbiggin View).

Location: Corridor of land between Junction 42 of the M6 and the Newby West Roundabout (junction of the A595 and A689 CNDR) to the south of Brisco, Durdar and Cummersdale villages, Carlisle.

I write to advise you that the details you have submitted in connection with condition 22 of Planning Permission Reference No. 1/19/9012 have been found to be acceptable and are hereby approved as of 22 December 2021. In light of this it is considered that the pre-commencement of development element of the condition is duly discharged.

For the avoidance of doubt, the documents submitted and now approved that become part of the approved scheme going forward are:

- C22.1 - Scheme Wide Written Scheme of Investigation (WSI) for Archaeological Mitigation Works - V002 - September 2021
- C22.2 - Written Scheme of Investigation (WSI) for an Archaeological Watching Brief at Compound 7 (Trenches 3, 4 & 10) - November 2021;
- C22.3 - Written Scheme of Investigation (WSI) for Additional Watching Brief Areas - V0.1 - dated December 2021.

These above approved documents now form part of the planning permission and should be kept alongside the original decision notice and other approved planning documents/drawings.

You are reminded that it remains the developer's responsibility to undertake earthworks and hedgerow removal in accordance with the written schemes of investigation.

It is noted that submissions have been made in recent months in connection with conditions 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 17, 18, 21, 23, 24, 25, 26, 27, 30, 31 and 32. The Council is in the process of reviewing these submissions and will respond in respect of them in due course.

It is noted that full submissions are required to be made in connection with the following conditions (and approved in writing) before any development (outside of the advanced enabling works) can take place: 12, 16, 19 and 20. Full submissions under the following conditions are required to be made and approved in writing prior to the provision of specific elements or undertaking of specific actions: 28 and 29

Conditions 38 and 39 require submissions to be made and approved in writing prior to the commencement of use of any element of the development.

Yours sincerely

Paul Haggin,
Manager Development Control and Sustainable Development

Item No: 12**Appn Ref No:**

21/9110

Applicant:

Cumbria County Council

Parish:

Multiple Parishes

Date of Receipt:

23/12/2021

Agent:Cumbria County Council -
Economy & Planning**Ward:**

Multiple Wards

Location:Land between Junction 42 of M6 & Newby West
Roundabout (Junction of A595 & A689 CNDR) to
South of Brisco, Durdar & Cummersdale Villages,
Carlisle**Grid Reference:**

337346 553615

Proposal: Discharge Of Conditions 4 (Detailed Scheme Design); Condition 9[b] (Protection Of European Protected Species - Otters); 13 (Detailed Construction Environmental Management Plan); 14 (Temporary Construction Compound & Bridge Construction Area Plans); 17 (Management Of Agricultural Interests During The Construction Phase); 27 (Peastree Stream Woodland Clough Ground Flora Translocation Methodology & Plan & Further NVC Survey) & 32 (Private Roads & Access Tracks) Of Previously Approved Permission 19/9012/CTY**REPORT****Case Officer:**

Christopher Hardman

Decision of: Cumbria County Council**Decision Type:** Grant Permission for Condition 27 only**Date:** 28/03/2022

A copy of the Notice of the decision of the Determining Authority is printed following the report.

Development Control
County Offices • Busher Walk • Kendal • LA9 4RQ
T: 01539 713 424 • E: developmentcontrol@cumbria.gov.uk

Ms Julie Diamond
Capita
Englishgate Plaza
Carlisle
CA1 1RP

Date: 28 March 2022
Reference: 1/19/9012-C27

Dear Ms Diamond

DECISION NOTIFICATION

Planning Permission Reference No. 1/19/9012

Condition No. 27 – Peastree Stream Woodland Clough Ground Flora Translocation Methodology and Plan and Further NVC Survey

Development: Creation of Carlisle Southern Link Road (**CSLR**). Comprising of the construction of 8.1km of new two way single carriageway road (with 2.2km of climbing lanes) that incorporates 3 new road bridges; a combined cycleway/footway on the northern side of the road with 4 shared-use overbridges; 7 new or modified road junctions; 2 overbridges; an underpass; related links and modifications to existing highway, cycleway, footpaths and agricultural access tracks; plus creation of drainage infrastructure (including balancing ponds), landscaping and lighting; and associated engineering and ancillary operations (including demolition).

Location: Corridor of land between Junction 42 of the M6 and the Newby West Roundabout (junction of the A595 and A689 CNDR) to the south of Brisco, Durdar and Cummersdale villages, Carlisle.

I write to advise you that the details submitted in connection with condition 27 of planning permission reference No. 1/19/9012 are acceptable and are hereby approved as of 28 March 2022. I can therefore confirm that the pre-commencement of development element of condition 27 is thus hereby discharged.

For the avoidance of doubt, the documents submitted and now approved are:

- C27.01: Cover Sheet – Condition 27 – Peastree Stream Woodland Clough Ground Flora Translocation Methodology and Plan and Further NVC Survey - *Document Reference No. A689-CAP-LPN-ZZZ-RP-YX-0027*
- C27.02: Sections 4 and 5 of Appendix 30/12 - Highway Specification - Landscape and Ecology – *Document Reference No. A689-CAP-ELS-ZZZ-SP-CE-0001-Rev.P05* - dated 18 February 2022
- C27.03: Translocation Methodology for the Peastree Stream Woodland Clough Ground Flora – dated 24 November 2021 (*as supplemented by Appendix 30/12-Rev.P05 above*)

- C27.04: Peastree Clough Woodland Location Plan – *Drawing No. A689-CAP-HSC-ZZZ-DR-CH-1052-Rev.P01*
- C27.05: Tree Removal Plan at Peastree Clough Woodland – *Drawing No. A689-CAP-HSC-ZZZ-DR-CH-1050-Rev.P01*
- C27.06: Peastree Clough Woodland Indicative Woodland Soils Translocation Plan - *Drawing No. A689-CAP-HSC-ZZZ-DR-CH-1051-Rev.P01*
- C27.07: Vegetation Site Clearance - Sheet 11 - Chainage 3155 to 3455 - *Drawing No. A689-CAP-HSC-R20-DR-CH-3011-Rev.C02*
- C27.08: Vegetation Site Clearance - Sheet 12 - Chainage 3455 to 3800 - *Drawing No. A689-CAP-HSC-R20-DR-CH-3012-Rev.C02*
- C27.09: Vegetation Site Clearance - Sheet 13 - Chainage 3800 to 4130 - *Drawing No. A689-CAP-HSC-R20-DR-CH-3013-Rev.C01*
- C27.10: National Vegetation Classification Report – *Document Reference No. A689-CAP-EBD-ZZZ-RP-LE-0002-Rev.P01*

The above listed approved documents now form part of the planning permission and should be kept alongside the original decision notice and other approved planning documents/drawings.

You are reminded that it remains the developer's responsibility to undertake the development in accordance with the above approved details for the above conditions to be discharged in full.

Yours sincerely

Richard Cryer,
Lead Officer Development Control

