

Committee Minutes

Control of Development and Advertisements

The Development Control Committee received and considered the following applications:

Item no: 01

Appn Ref No:
13/0331

Applicant:
Mr & Mrs Fisher

Parish:
Arthuret

Date of Receipt:
24/04/2013 13:01:09

Agent:
Edwin Thompson

Ward:
Longtown & Rockcliffe

Location:
Land to the North East of Scaurbank Wood,
Longtown

Grid Reference:
338820 569869

Proposal: Formation Of Slurry Lagoon

Refuse Permission

1. **Reason:** The proposal would involve the development of large slurry lagoon in the open countryside and detached from the applicant's farm steading. Due to the remote location of the structure from the farm, the development will result in an increase number of larger agricultural vehicles travelling through Longtown. The lagoon will result in an increase in odour and pathogens being released into the atmosphere. Consequently, the proposal will have an unacceptable impact on the occupiers of residential properties in Longtown together with residents and visitors accessing the adjacent woodland. The proposal is therefore contrary to criterion 4 of Policy LE25 (Agricultural Buildings) and Policy CP6 (Residential Amenity) of the Carlisle District Local Plan 2001-2016.
2. **Reason:** The proposed slurry lagoon will be clay lined. Adequate information has not been submitted to satisfy the Local Planning Authority that the proposal would not have a detrimental impact on the groundwater and pollution to the tributaries to the River Esk. The proposal may also adversely impact on local biodiversity as a result of seepage from the lagoon contrary to Policies CP2 (Biodiversity), CP11 (Protection of Groundwaters and Surface Waters), CP13 (Pollution) of the Carlisle District Local Plan 2001-2016.
3. **Reason:** The proposal, by virtue of its scale, massing and position within the open countryside would not be well related to any physical man-made structure resulting in an awkward intrusion into open countryside. In this location, the proposal represents an inappropriate development that would result in a discordant feature within the rural area and due to the aforementioned reasons would be detrimental to the character of the local landscape. The

proposal is therefore contrary to the National Planning Policy Framework, Policy CP1 (Landscape Character) and criterion 2 of Policy CP5 (Design) of the Carlisle District Local Plan 2001-2016.

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP1 - Landscape Character

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

Development will be considered appropriate to the character of the landscape provided the proposal has regard to and conserves:

the landform and natural patterns of drainage;

- the pattern of trees and woodland;
- the habitats of species of importance for wildlife;
- the pattern and composition of field boundaries;
- the pattern of historic landscape features;
- the pattern and distribution of settlements

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP2 - Biodiversity

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

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

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP5 - Design

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

- 1 Respond to the local context and the form of surrounding buildings in relation to height, scale and massing, and by making use of appropriate materials and detailing;
- 2 Take into consideration any important landscape or topographical features and respect local landscape character;
- 3 Reinforce local architectural features, where appropriate, promoting and respecting local distinctiveness;
- 4 Ensure all components of the proposal, such as buildings, car parking, access routes, open space and landscaping, are well related to one another to ensure a well integrated, successful and attractive development;
- 5 Ensure there is no adverse effect on the residential amenity of existing areas, or adjacent land uses, or result in unacceptable standards for future users and occupiers of the development;
- 6 Ensure the retention and enhancement of existing trees, shrubs, hedges and other wildlife habitats where possible. Where environmental features are lost as a result of the proposal, appropriate mitigation measures should be put in place

- and on-site replacement of those features will be sought;
- 7 Include landscaping schemes (both hard and soft) to assist the integration of new development into existing areas and ensure that development on the edge of settlements is fully integrated into its surroundings;
 - 8 Ensure that the necessary services and infrastructure can be incorporated without causing unacceptable harm to retained features;
 - 9 Ensure that the layout and design incorporates adequate space for waste and recycling bin storage and collection.

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP6 - Residential Amenity

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

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

Carlisle District Local Plan 2001 - 2016

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

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

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP13 - Pollution

Development will not be permitted where it would generate, either during construction or on completion, significant levels of pollution (from contaminated substances, odour, noise, dust, vibration, light, heat) which can not be satisfactorily mitigated within the development proposal or by means of planning conditions.

Carlisle District Local Plan 2001 - 2016

Local Environment - Policy LE1 - Urban Fringe Landscape

Within the Urban Fringe Landscape areas, shown on the Proposals Map, permission will not be given for development which adversely affects the open character of the areas. Development of open space recreational uses such as golf courses and playing fields which retain the essential open nature will be acceptable. In addition, small scale development within or adjacent to established farmsteads and other groups of buildings, together with buildings associated with and required for the use of the area for open recreational areas will be acceptable providing that:

- 1 the proposal reflects the scale and character of the existing group of buildings; and
- 2 there is no unacceptable adverse effect on the amenity of neighbouring property; and
- 3 there is no unacceptable adverse effect on the character and appearance of the surrounding area; and
- 4 where appropriate satisfactory access and car parking can be achieved.

Carlisle District Local Plan 2001 - 2016
Local Environment - Policy LE25 - Agricultural Buildings

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

- 1 the building or structure is sited where practical to integrate with existing farm buildings and/or take advantage of the contours of the land and any existing natural screening; and
- 2 the scale and form of the proposed building or structure relates to the existing group of farm buildings; and
- 3 within AONBs, conservation areas and Landscapes of County Importance, the design and materials used reflect the overall character of the area; and
- 4 the proposal would not have an unacceptable impact on any adjacent properties.

Item no: 02

Appn Ref No:

11/1063

Applicant:

Hayton Construction
Limited

Parish:

Hayton

Date of Receipt:

08/12/2011

Agent:

Space Designed Solutions
Limited

Ward:

Hayton

Location:

Garden Walk, Edmond Castle, Corby Hill, Carlisle,
Cumbria, CA4 8QD

Grid Reference:

349935 558735

Proposal: Erection Of A Single Terrace Of 4no. Two Storey Holiday Let Units With
Associated Access And Parking

Grant Permission

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

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

2. The approved documents for this Planning Permission comprise:

1. the submitted planning application form received 8th December 2011;
2. the Design and Access Statement received 8th December 2011;
3. the Planning Proposal Document received 8th December 2011;
4. the Desktop Study for Environmental History received 8th December 2011;
5. the Phase 1 Habitat, Badger and Bat Survey produced by Echoes Ecology Limited received 8th December 2011;
6. the Phase 1 Habitat, Badger and Bat Survey produced by Echoes Ecology

- Limited received 8th December 2011;
7. the Phase 1 Habitat, Badger, Bat and Nesting Bird Survey produced by Echoes Ecology received 30th April 2013;
8. the Contract Bat Survey produced by Echoes Ecology Limited received 8th December 2011;
9. the Breeding Bird Survey produced by Echoes Ecology Limited received 8th December 2011;
10. the Otter, Water Vole and Red Squirrel Survey produced by Echoes Ecology Limited received 8th December 2011;
11. the Otter, Water Vole and Red Squirrel Survey produced by Echoes Ecology Limited received 30th April 2013;
12. the Sewage Treatment and Disposal System Report produced by D Clayton received 30th April 2013;
13. the Report on the results of the infiltration Testing of land produced by D Clayton received 13th May 2013;
14. the Additional Information produced by D Clayton received 9th May 2013;
15. the Tree Survey produced by Edwin Thompson received 24th October 2012;
16. the Addendum to Tree Survey produced by Edwin Thompson received 30th April 2013
17. the Site Plan received 8th December 2011 (Drawing Number 1304 001 Rev B);
18. the Site Plan as Existing received 8th December 2011 (Drawing Number 1304 005);
19. the Proposed Plans received 8th December 2011 (Drawing Number 1304 012 Rev A);
20. the Proposed Elevations received 8th December 2011 (Drawing Number 1304 013 Rev A);
21. the Site Plan as Proposed received 23rd October 2012 (Drawing Number 1304 015 Rev D);
22. the Block Plan received 20th September 2012 (Drawing Number 1304 016 Rev G);
23. the Site Drainage Plan received 7th May 2013 (Drawing Number 1213.20 01 Rev A);
24. the Viability Assessment submitted by Edwards and Partners dated 11th March 2014;
25. the Notice of Decision; and
26. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

3. The premises shall be used for let holiday accommodation and for no other purpose, including any other purpose in Class C of the Schedule to the Town and County Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order with or without modification.

Reason: To ensure that the approved holiday accommodation is not used for unauthorised permanent residential occupation in accord with the objectives of Policy EC16 of the Carlisle District Local Plan

2001-2016.

4. The premises shall not be used as a second home by any person, nor shall it be used at any time as a sole and principal residence by any occupants.

Reason: To ensure that the approved holiday accommodation is not used for unauthorised permanent residential occupation in accord with the objectives of Policy EC16 of the Carlisle District Local Plan 2001-2016.

5. A bound register of all occupants of the accommodation hereby approved shall be maintained at all times and shall be made available for inspection by the Local Planning Authority on request. The register shall contain details of those persons occupying the premises, their name, normal permanent address and the period of occupation of the premises by them.

Reason: To ensure that the approved holiday accommodation is not used for unauthorised permanent residential occupation in accord with the objectives of Policy EC16 of the Carlisle District Local Plan 2001-2016.

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

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

7. Details shall be submitted of the proposed hard surface finishes to all external areas within the proposed scheme and approved by the Local Planning Authority before any site works commence. The approved scheme shall be fully implemented prior to the commencement of use of any unit hereby permitted.

Reason: To ensure that materials to be used are acceptable and in compliance with the objectives of Policy EC16 of the Carlisle District Local Plan (2001-2016).

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order), no extensions shall be carried out on the units hereby permitted without the permission of the Local Planning Authority.

Reason: The local planning authority wishes to retain full control over the matters referred to in order to protect the living conditions of the neighbouring residents and safeguard the character of the area in accordance with Policy EC16 of the Carlisle District Local Plan 2001-2016.

9. No development shall be commenced on site, including site work of any description, until a Detailed Method Statement has been submitted to, and

approved in writing, by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction process. The Statement shall provide for:

- i. the method of construction for all works in the root protection area of the retained trees.

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

- 10. Before any development is commenced on the site, including site works of any description, a protective fence in accordance with Fig. 2 in B.S. 5837: 2005 shall be erected around the trees and hedges to be retained at the extent of the Root Protection Area as calculated using the formula set out in B.S. 5837. Within the areas fenced off no fires should be lit, the existing ground level shall be neither raised nor lowered, and no materials, temporary buildings or surplus soil of any kind shall be placed or stored thereon. The fence shall thereafter be retained at all times during construction works on the site.

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

- 11. The development shall be landscaped in accordance with details to be submitted to and approved by the Local Planning Authority and shall include details of the proposed type and species of all planted material including particulars of the proposed heights and planting densities. Any landscaping scheme should include fruit-bearing trees and shrubs together with nectar-rich plants.

Reason: To ensure that a satisfactory landscaping scheme is prepared. and to ensure compliance with Policy CP2 and Policy CP3 of the Carlisle District Local Plan 2001-2016.

- 12. All works comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the commencement of use of any unit hereby permitted or completion of the development, whichever is the sooner.

Reason: To ensure that a satisfactory landscaping scheme is implemented in accord with Policy CP3 of the Carlisle District Local Plan 2001-2016.

- 13. The development hereby approved shall not be carried out otherwise than in complete accordance with the birds requirement/recommendations contained within the Action Plan in Section 5.2 of the Breeding Bird Survey and Section 5.4 of the Phase 1 Habitat, Badger, Bat and Nesting Bird Survey prepared by Echoes Ecology Limited dated 30th June 2011 and 30th April 2013 respectively.

Reason: In order to ensure no adverse impact on a European Protected Species in accordance with Policy CP2 of the Carlisle District Local

Plan 2001-2016.

14. The development hereby approved shall not be carried out otherwise than in complete accordance with Bat Mitigation Method Statement contained within Appendix II of the Contract Bat Survey, Section 5.2 of the Phase 1 Habitat, Badger and Bat Survey and Section 5.4 of the Phase 1 Habitat, Badger, Bat and Nesting Bird Survey prepared by Echoes Ecology Limited dated 30th June 2011 and 30th April 2013 respectively.

Reason: In order to ensure no adverse impact on a European Protected Species in accordance with Policy CP2 of the Carlisle District Local Plan 2001-2016.

15. A scheme for the provision of bat and bird roosting boxes shall be submitted within two months of the grant of this permission and subsequently approved in writing by the Local Planning Authority.

Reason: In order to ensure no adverse impact on a European Protected Species in accordance with Policy CP2 of the Carlisle District Local Plan 2001-2016.

16. Before any development takes place, a plan shall be submitted for the prior approval of the Local Planning Authority reserving adequate land for the parking of vehicles engaged in construction operations associated with the development hereby approved, and that land, including vehicular access thereto, shall be used for or be kept available for these purposes at all times until completion of the construction works.

Reason: The carrying out of this development without the provision of these facilities during the construction works is likely to lead to inconvenience and danger to road users in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

17. No work associated with the construction of the residential units hereby approved shall be carried out before 07.30 hours on weekdays and Saturdays nor after 18.00 hours on weekdays and 16.00 hours on Saturdays (nor at any times on Sundays or statutory holidays).

Reason: To prevent disturbance to nearby occupants in accordance with Policy H2 of the Carlisle District Local Plan 2001-2016.

Summary of Reasons for the Decision

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

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016

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

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

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

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

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

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

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

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

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP1 - Landscape Character

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

Development will be considered appropriate to the character of the landscape provided the proposal has regard to and conserves:

the landform and natural patterns of drainage;

- the pattern of trees and woodland;
- the habitats of species of importance for wildlife;
- the pattern and composition of field boundaries;
- the pattern of historic landscape features;
- the pattern and distribution of settlements

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP2 - Biodiversity

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

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

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP3 - Trees And Hedges On Development Sites

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

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

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

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

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

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP5 - Design

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

- 1 Respond to the local context and the form of surrounding buildings in relation to

height, scale and massing, and by making use of appropriate materials and detailing;

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

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP6 - Residential Amenity

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

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

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP7 - Use Of Traditional Materials

In order to sustain the local environment consideration will be given to locally sourced traditional materials to maintain the local character of buildings and their environment.

Within conservation areas the City Council will seek to ensure that existing traditional materials are reinstated following repairs to roads, pavements, kerbs and underground services.

Carlisle District Local Plan 2001 - 2016

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

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

Carlisle District Local Plan 2001 - 2016

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

Development proposals should make provision for easy, safe and inclusive access to, into and within buildings and facilities. The layout and design of developments should meet the requirements of accessibility and inclusion for all potential users regardless of disability, age or gender. The Council will have regard to the following criteria when assessing development proposals:

- 1 The design of entrances and exits and ease of permeation through and between developments in terms of street furniture, circulation areas and pedestrian routes;
- 2 The location of any development proposal in relation to its potential users;
- 3 Accessibility to all transport modes and provision of adequate parking for disabled people;
- 4 Provision of on-site facilities such as public toilets, and appropriate signage

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP17 - Planning Out Crime

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

The following points should be applied to all development proposals:

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

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

Carlisle District Local Plan 2001 - 2016

Economic & Commercial Growth - Policy EC11 Rural Diversification

Development proposals to diversify and expand upon the range of economic activities undertaken in rural areas will be encouraged where the proposal re-uses or adapts existing traditional buildings (of permanent construction) for commercial, industrial or recreational uses. Any new building required as part of a diversification scheme must be well related to an existing group of buildings to minimise its impact, blending satisfactorily into the landscape through the use of suitable materials, design and siting.

Proposals should:

- 1 Be complementary to or compatible with the agricultural operations in the rural area; and
- 2 Be compatible with the character and scale of the operation and its landscape character; and
- 3 Not lead to an increase in traffic levels beyond the capacity of the surrounding local highway network; and
- 4 Be capable of providing adequate access and parking arrangements.

Carlisle District Local Plan 2001 - 2016

Economic & Commercial Growth - Policy EC16 - Tourism Development

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

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

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

Carlisle District Local Plan 2001 - 2016

Transport - Policy T1- Parking Guidelines For Development

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

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

Item no: 03

Appn Ref No:
13/0881

Applicant:
Mr Rodney Lovell

Parish:
Stanwix Rural

Date of Receipt:

Agent:

Ward:

07/11/2013

Black Box Architects
Limited

Stanwix Rural

Location:

South View, The Green, Houghton, Carlisle, CA3
0LN

Grid Reference:

340559 559185

Proposal: Rear Extension To Existing Stable Block (Part Retrospective)
Grant Permission

1. The approved documents for this Planning Permission comprise:
1. the submitted planning application form;
 2. the location plan received 7th November 2013;
 3. the block plan received 7th November 2013;
 4. the proposed plans received 7th November 2013;
 5. the design and access statement received 7th November 2013;
 6. the Notice of Decision; and
 7. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

2. The extension to the stables hereby permitted shall be used only for private purposes relating to the stabling of horses and storage of associated equipment and feed and no other commercial, industrial and/or retail activity shall take place without the prior permission of the local planning authority.

Reason: To control the precise nature of the use to safeguard the living conditions of neighbouring residents and character of the area and in accordance with Policy LE24 of the Carlisle District Local Plan 2001-2016.

Summary of Reasons for the Decision

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

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP5 - Design

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

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

Carlisle District Local Plan 2001 - 2016

Local Environment - Policy LE24 - Equestrian Development

The development of stables, horse riding schools and/or riding centres in the rural area will be permitted provided that:

- 1 There will be no unacceptable impact upon the landscape and character of the area; and
- 2 Adequate access arrangements and on-site car parking can be achieved; and
- 3 The scheme will not have a detrimental effect upon nearby properties or surrounding land uses; and
- 4 The scheme reuses an existing building(s) where possible and any associated new build, where necessary, should be located within or adjacent to an existing building or group of buildings; and
- 5 The surrounding roads and bridleways are adequate for the increased use by horseriders, with the roads being suitable for both riders and motorists; and
- 6 The issue of lighting is addressed to ensure that there is no impact on surrounding uses; and,
- 7 The intensity of use is appropriate for the character of the area.

Item no: 04

Appn Ref No:
13/0778

Applicant:
Aldi Stores Ltd

Parish:
Carlisle

Date of Receipt:
30/09/2013 13:00:09

Agent:
Signet Planning

Ward:
Denton Holme

Location:

Land between Dalston Road and Stanhope Road,
Carlisle

Grid Reference:

339287 555530

Proposal: Erection Of Foodstore With Associated Vehicular Access, Pedestrian Access And Cycle Path; Car Parking Associated With The Store And Provision Of 7No. Parking Bays For Use By Residents At No's. 20, 22, 24, 26, 28, 30, 32 Dalston Road Only; Hard And Soft Landscaping Works

Members resolved to defer consideration of the proposal in order to undertake an independent highways report on the existing access/egress arrangements, an alternative access/egress using Stanhope Road and pedestrian crossing arrangements for Dalston Road and to await a further report on the application at a future meeting of the Committee.

Item no: 05**Appn Ref No:**

14/0124

Applicant:

Mr Paul Holder

Parish:

Dalston

Date of Receipt:

18/02/2014

Agent:**Ward:**

Dalston

Location:

Dalston Hall Caravan Park, Dalston, Carlisle, CA5
7JX

Grid Reference:

337701 551733

Proposal: Change Of Use Of Golf Practice Range/Course To Provide Extension To Existing Caravan Park To Form 16no. Additional Stances For Holiday Use (Revised Application)

Members resolved to defer consideration of the proposal in order to allow Officers to further assess issues raised by third parties and to await a further report on the application at a future meeting of the Committee.

Item no: 06**Appn Ref No:**

14/0129

Applicant:

Carlisle City Council

Parish:**Date of Receipt:**

19/02/2014 08:00:12

Agent:

Day Cummins Limited

Ward:

Castle

Location:

Former Fire Station, Warwick Street, Carlisle, CA3
8QW

Grid Reference:

340054 556222

Proposal: Erection Of Two Storey Extension Together With Internal Alterations And Refurbishment To Create An Arts Centre

Members resolved to give authority to the Director (Economic Development) to issue approval for the proposal subject to undertaking further discussions with the Ministry of Justice to agree the imposition of additional conditions to address their concerns about the impact of the proposed arts centre on the operation of the courts.

Item no: 07

Appn Ref No:

14/0013

Applicant:

Mr Swainson

Parish:

Burgh-by-Sands

Date of Receipt:

08/01/2014 23:00:05

Agent:

Gray Associates Limited

Ward:

Burgh

Location:

Bramblebeck Cottage, Moor Park, Thurstonfield,
Carlisle, CA5 6HB

Grid Reference:

332412 556770

Proposal: Change Of Use Of Small Area Of Field To Residential; Erection Of
Detached Domestic Garage

Refuse Permission

- Reason:** The proposal, by virtue of its scale, massing and position within the site would not be well related to the existing building. The garage would be visually dominant within the site and would result in an awkward intrusion into open countryside. In this location, the proposal represents an inappropriate development that would result in a discordant feature within the rural area and due to the aforementioned reasons would be detrimental to the character of the local landscape. The proposal is therefore contrary to the National Planning Policy Framework and Policy H11 (Extensions to Existing Residential Dwellings) of the Carlisle District Local Plan 2001-2016.

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP2 - Biodiversity

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

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

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP5 - Design

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

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

detailing;

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

Carlisle District Local Plan 2001 - 2016

Housing - Policy H11 - Extensions To Existing Residential Premises

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

Item no: 08

Appn Ref No:

14/0120

Applicant:

MW SIPP Trustees Ltd

Parish:

St Cuthberts Without

Date of Receipt:

17/02/2014 16:01:16

Agent:

South Bank Architects

Ward:

Dalston

Location:

The White Quey PH, Stoneraise, Durdar, Carlisle,
CA5 7AT

Grid Reference:

340241 549358

Proposal: Implementation Of Approved Extensions And Outbuildings Of Previously Approved Application 12/0458; Change Of Use From Public House To 5no. Dwellings (Revised Application)

Members resolved to defer consideration of the proposal in order to allow officers to further investigate an affordable housing contribution and to await a further report on the application at a future meeting of the Committee.

Item no: 09

Appn Ref No: 14/9002	Applicant: Cumbria County Council - Mr Stephen Leaper	Parish: Carlisle
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Date of Receipt: 30/01/2014	Agent: Cumbria County Council - Economy & Planning	Ward: Currock
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Location: The Courts, English Street, Carlisle, Cumbria, CA3 8NA	Grid Reference: 340211 555617
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Proposal: Installation Of Cast Iron Downpipe And Hopper To Discharge To New
Gulley (LBC)

tem no: 10

Appn Ref No: 14/9001	Applicant: Cumbria County Council ccc	Parish:
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Date of Receipt: 16/01/2014	Agent: Cumbria County Council - Economy & Planning	Ward: Belah
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Location: Kingmoor Infant School, Hether Drive, Lowry Hill, Carlisle, Cumbria, CA3 0ES	Grid Reference: 339200 558486
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Proposal: Erection Of Temporary Building, Housing 2No Classrooms And
Associated Toilet Provision For A Period Commencing March 2014 And
Terminating 31st October 2014

Decision: City Council Observation - Raise No Objection **Date:** 04/02/2014

Decision of: Cumbria County Council

Decision Type: Grant Permission **Date:** 03/03/2014

Item no: 11

Appn Ref No: 12/0829	Applicant: Story Construction Limited	Parish:
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Date of Receipt: 05/10/2012	Agent: Positive Planning Solutions	Ward: Belle Vue
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Location:	Grid Reference:
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Land Adj. To Thomas Lane, Burgh Road Industrial
Estate, Carlisle, CA2 7NA

337895 556233

Proposal: Change of Use of Vacant Field to Create Additional Yard Storage For
Existing Business (Revised Application)

Decision: Refuse Permission

Date: 19/04/2013

Decision of: Planning Inspectorate

Decision Type: Appeal Dismissed

Date: 07/02/2014

Item no: 12

Appn Ref No:
12/0793

Applicant:
Story Homes

Parish:
St Cuthberts Without

Date of Receipt:
20/09/2012 23:00:42

Agent:
Positive Planning Solutions
Ltd

Ward:
Dalston

Location:
Land bounded by Hammonds Pond, Oaklands Drive
and Durdar Road, Carlisle

Grid Reference:
340586 553114

Proposal: Erection Of 318no. Dwellings (Including 66no. Affordable Dwellings),
Associated Open Space and Infrastructure

Members will recall at Committee meeting held on 20th December 2013 that authority was given to the Director (Economic Development) to issue approval subject to the satisfactory completion of a Section 106 Agreement securing:

- a) the payment of a commuted sum towards improvements to the CCTV system serving Hammonds Pond (£10,000); improve the drainage to the football pitches at Hammonds Pond (£40,000); improvements to the skate park at Hammonds Pond (£133,000); carry the diversion, re-instatement and provision of lighting to two footpaths at Hammonds Pond (£185,000);
- b) the transfer an area of land to form an extension to Hammonds Pond to the City Council;
- c) the payment of the commuted sum (£171,000 plus an administration fee of £8,500) requested by the Education Authority;
- d) the provision to each unit of a refuse wheeled bin;
- e) the provision of the affordable housing (66 units with 35 in the form of low cost units, and 31 as rented units - the 35 low cost units comprise x10 two bed apartments; x23 three bed houses; and x2 four bed houses, and the affordable rented units are specified as x10 two bed apartments; x15 three bed houses; and x2 four bed houses);
- f) the payment of £10,000 to enable improvements to be carried out to the Caldew Cycleway;
- g) the submission of a full Travel Plan involving the appointment of a Travel Plan Co-ordinator (to produce annual reports until one year after the completion of the final property) and a target reduction of 10% in AM and PM peak hour trips;

- h) the payment of a Travel Plan bond in favour of the County Council to be used in the event that the targets have not been achieved i.e. £77,175 (based on the cost of an annual Carlisle Megarider bus ticket multiplied by the proposed reduction in the number of AM and PM peak hour car trips multiplied by 5 years), and an administration contribution of £6,600; and
- i) the City Council's monitoring fee of £300 per commitment.

The S106 Agreement has been completed and approval was issued on 13th March 2014.

Granted Subject to Legal Agreement

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

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

2. The approved documents for this Planning Permission comprise:

1. the submitted planning application form received 21st September 2012 and accompanying letters from the agent dated 21.02.13 (inclusive of attached Development Plot Schedule), 22.04.13, 10.07.13 and 10.12.13;
2. the Location Plan (drawing number BLA-LP1 Rev A) received 21st February 2013;
3. the Site Layout Plan (drawing number 20868-05 Rev X);
4. Site Context Photographs 3 & 4 received 21st September 2012;
5. the Site Context Plan (drawing number L1) received 21st September 2012;
6. the Site Appraisal Plan (drawing number L2) received 21st September 2012;
7. the Visual Appraisal Plan (drawing number L4) received 21st September 2012;
8. the Street Elevations 1 of 2 (drawing number SE-01 Rev C) received 21st September 2012 (amended);
9. the Street Elevations 2 of 2 (drawing number SE-02 Rev C) received 21st September 2012;
10. House Type 1 (Handed) (drawing numbers PLP2H; PLE2/4H; PLE2/5H; PLE2/6H; PLE2/7H) received 21st February 2013;
11. House Type 5 (Handed) (drawing numbers PLP1H; PLP2H; PLE1/4H; PLE2/4H Rev A) received 21st February 2013;
12. House Type 6 (Handed) (drawing numbers PLP1H Rev A; PLE1/3H Rev C; PLE1/4H Rev D; PLE1/8H Rev C; PLE1/11H Rev B) received 21st February 2013;
13. House Type 9 (Handed) (drawing numbers PLP3H Rev A; PLE3/1H) received 21st February 2013;
14. House Type 11 (Handed) (drawing numbers PLP1H Rev A; PLE1/1H Rev A; PLE1/4H Rev A) received 21st February 2013;
15. House Type 12 (Handed) (drawing numbers PLP1H; PLP2H; PLE1/2H; PLE2/4H) received 21st February 2013;
16. House Type 14 (Handed) (drawing numbers PLP1H; PLP2H; PLE1/3H; PLE1/5H; PLE2/1H) received 21st February 2013;

17. House Type 16 (Handed) (drawing numbers PLP1H; PLE1/2H; PLE1/3H) received 21st February 2013;
18. House Type 20 (Handed) (drawing numbers PLP1H; PLE1/1H; PLE1/2H) received 21st February 2013;
19. House Type 28 (Handed) (drawing numbers PLP1H; PLE1/1H; PLE1/2H; PLE1/3H) received 21st February 2013;
20. House Type 32 (Handed) (drawing numbers PLP1H; PLE1/4H; PLE1/5H; PLE1/7H) received 21st February 2013;
21. House Type 4-2 (drawing numbers PLP1; PLE1/1; PLE1/10; PLE1/11) received 21st February 2013;
22. House Type 32 (drawing numbers CRL-PLP1; CRL-PLE1/4; CRL-PLE1/7) received 21st February 2013;
23. House Type 28 (drawing numbers PLP1; PLE1/2; PLE1/3; PLE1/1) received 21st February 2013;
24. House Type 21 (drawing numbers PLP1; PLE1/1; PLE1/2; PLE1/3) received 21st February 2013;
25. House Type 20 (drawing numbers PLP1; PLE1/1; PLE1/2) received 21st February 2013;
26. House Type 1 (drawing numbers PLP2; PLE2/4; PLP4; PLE2/5; PLE2/6; PLE2/7; PLE4/4; PLE4/7) received 21st February 2013;
27. House Type 2 (drawing numbers PLP1; PLP3; PLE1/3; PLE3/3) Received 21st February 2013;
28. House Type 5 (drawing numbers PLP1; PLP2; PLE1/4; PLE1/5; PLE2/4) received 21st February 2013;
29. House Type 6 (drawing numbers PLP1 Rev A; PLE1/4 Rev B; PLE1/8 Rev A; PLE1/11) received 21st February 2013;
30. House Type 9 (drawing numbers PLP1 Rev A; PLP3 Rev A; PLE1/2; PLE1/5; PLE1/6; PLE3/1) received 21st February 2013;
31. House Type 10 (drawing numbers PLP1; PLP2; PLE1/4; PLE1/5; PLE1/6; PLE2/1) received 21st February 2013;
32. House Type 11 (drawing numbers PLP1; PLE1/1; PLE1/4) received 21st February 2013;
33. House Type 12 (drawing numbers PLP1; PLP2; PLP3; PLE1/2; PLE2/4; PLE3/1) received 21st February 2013;
34. House Type 13 (drawing numbers PLP1; PLP2; PLP3; PLE1/1 Rev A; PLE1/2; PLE1/3; PLE1/5; PLE1/7; PLE2/2; PLE3/6; PLE3/7) received 21st February 2013;
35. House Type 14 (drawing numbers PLP1; PLP2; PLE1/3; PLE1/4; PLE1/5; PLE2/1) received 21st February 2013;
36. House Type 16 (drawing numbers PLP1; PLE1/2; PLE1/3) received 21st February 2013;
37. Detached Garages (drawing number SG1-EPS1) received 21st February 2013;
38. the Boundary Details (drawing numbers BD-03; BD-15; BD-24; BD-29; BD-35) received 21st September 2012;
39. the External Layout 1 of 6 (drawing number 001 Rev P2) received 21st February 2013;
40. the External Layout 2 of 6 (drawing number 002 Rev P2) received 21st February 2013;
41. the External Layout 3 of 6 (drawing number 003 Rev P2) received 21st February 2013;
42. the External Layout 4 of 6 (drawing number 004 Rev P2) received 21st

- February 2013;
43. the External Layout 5 of 6 (drawing number 005 Rev P2) received 21st February 2013;
 44. the External Layout 6 of 6 (drawing number 013 Rev P1) received 21st February 2013;
 45. the Development Plot Schedule received 21st February 2013;
 46. Plan 1 of 3 (drawing number PL-01 E);
 47. Plan 2 of 3 (drawing number PL-02 E);
 48. Plan 3 of 3 (drawing number PL-03 E);
 49. the Elevation Treatment Plan (drawing number ML01 Rev E);
 50. the Boundary Treatments (drawing number BT01 Rev E);
 51. Site Sections 1 of 2 (drawing number 011 Rev P2) received 21st February 2013;
 52. Site Sections 2 of 2 (drawing number 012 Rev P2) received 21st February 2013;
 53. the Drainage Layout 1 of 6 (drawing number 006 Rev P2) received 21st February 2013;
 54. the Drainage Layout 2 of 6 (drawing number 007 Rev P2) received 21st February 2013;
 55. the Drainage Layout 3 of 6 (drawing number 008 Rev P2) received 21st February 2013;
 56. the Drainage Layout 4 of 6 (drawing number 009 Rev P2) received 21st February 2013;
 57. the Drainage Layout 5 of 6 (drawing number 010 Rev P2) received 21st February 2013;
 58. the Drainage Layout 6 of 6 (drawing number 014 Rev P1) received 21st February 2013;
 59. the Development Phasing Plan (drawing number Indd01) received 21st September 2012;
 60. the Flood Risk and Surface Water Assessment received 21st September 2013;
 61. the Phase 1 Geo-Environmental Ground Investigation Report received 21st September 2012;
 62. the Design and Access Statement received 21st September 2012;
 63. the Transport Assessment received 21st September 2012;
 64. the Interim Travel Plan received 21st September 2012;
 65. the Planning Statement received 17th October 2012;
 66. the Community and Stakeholder Engagement Statement received 17th October 2012;
 67. the Ecology Report;
 68. the Bat Survey Report;
 69. the Tree Report;
 70. the Affordable Housing Plan (drawing number 20868-06);
 71. the SUDS Design Plan (drawing number 677-01B);
 72. the Secondary Access Plan to Scalegate Road (drawing number ITM7072-GA-028);
 73. the Bus Tracking Plan (drawing number SL030.90.9.SL.TL1);
 74. the Engagement Report;
 75. the Materials Schedule (Rev A);
 76. Public Rights of Way (drawing number SL030.90.9.PRW Rev B);
 77. the Notice of Decision; and
 78. any such variation as may subsequently be approved in writing by the

Local Planning Authority.

Reason: To define the permission.

3. Prior to the commencement on any part of the site there shall be submitted to, and approved in writing by the Local Planning Authority, a plan and/or programme showing the proposed phasing of the development. That phasing plan shall include the phasing of the overall development hereby permitted in terms of:

1. the provision of pedestrian and vehicular connectivity;
2. the provision of foul and surface water drainage infrastructure;
3. the delivery of other services such as gas, electricity and telecommunications;
4. the provision of storage receptacles for waste and recyclable materials for each residential unit including suitable accessing arrangements for recyclable/waste collection vehicles;
5. the provision of bat friendly ridge tiles, and bat and bird boxes; and
6. the undertaking of flood mitigation measures.

The development shall thereafter proceed only in accordance with the approved phasing plan and/or programme or such variation to that plan and/or programme as may subsequently be agreed in writing by the Local Planning Authority.

Reason: To ensure that the site is developed in a co-ordinated manner.

4. Prior to the commencement of development a Construction Management Plan shall be submitted to and agreed, in writing, by the Local Planning Authority. This shall include noise management measures; waste minimisation and management measures; wheel washing; use of vibro-compaction machinery/vibration management; dust management; external lighting; security; vehicle control within the site; full compliance with all of the mitigation measures detailed in the "Air Quality Assessment for Proposed Residential Development Land at Durdar Road, Blackwell, Carlisle"; localised traffic management; measures to prevent silt entering watercourses; and protocols for contact and consultation with local people and other matters to be agreed with the Local Planning Authority.

The agreed scheme shall be implemented upon commencement of development and shall not be varied without prior written agreement of the Local Planning Authority.

Reason: To safeguard the living conditions of neighbouring residents and mitigate impacts on ecology in accordance with Policies CP2, CP5, CP6 and LE2 of the Carlisle District Local Plan 2001-2016.

5. No construction work associated with the development 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).

Reason: To prevent disturbance to nearby occupants in accordance with

Policy CP6 of the Carlisle District Local Plan 2001-2016.

6. Before site works commence on any phase of the hereby permitted development; plans shall be submitted for the prior approval of the Local Planning Authority, indicating adequate land for the site offices, materials storage and parking for plant/vehicles engaged in the construction operations associated with that Phase of the development. Such land, including, the vehicular access(es) thereto, shall be used for, or be kept available for these purposes at all times until completion of the said Phase of the construction works.

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

7. Prior to the commencement of the construction of the dwellings hereby permitted on plot numbers 68 to 73 (as detailed on drawing number 20868 PI-01 Rev. D) a scheme/revised plan(s) shall be submitted detailing how the aforementioned residential units will be accessed by Cumbria Fire Service. The development shall thereafter proceed only in accordance with the approved scheme/revised plan(s).

Reason: In order to ensure effective access.

8. No development shall commence until details of the proposed hard surface finishes to all public and private external areas within the proposed scheme have been submitted to and approved, in writing, by the Local Planning Authority.

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

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

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

10. Before any development is commenced on the site, including site works of any description, a protective fence shall be erected around those hedges and trees to be retained in accordance with a scheme that has been submitted to and agreed, in writing, by the Local Planning Authority. Within the areas fenced off the existing ground level shall be neither raised nor lowered, except in

accordance with the approved scheme, and no materials, temporary buildings or surplus soil of any kind shall be placed or stored thereon, no fires lit, and no cement mixed. 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 25mm or more shall be left unsevered. The fence shall thereafter be retained at all times during construction works on the site.

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

11. No development shall commence until a method statement for any work within the root protection area of those trees and hedges to be retained has been submitted to and agreed, in writing, by the Local Planning Authority. The method statement should provide details on any surface to be installed, the timing of the works and how the works are to be implemented. The development shall be carried out in accordance with the approved statement.

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

12. No development hereby permitted shall commence 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 to and approved in writing beforehand by the Local Planning Authority. This written scheme of investigation will include the following components:

- a) an archaeological evaluation; and
- b) an archaeological recording programme the scope of which will be dependent upon the results of the evaluation.

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

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

Reason: To ensure that a permanent and accessible record by the public is made of the archaeological remains that have been disturbed by the development.

14. The carriageways, footways, cyclepaths etc shall be designed, constructed, drained and lit to a standard suitable for adoption and in this respect full

engineering details shall be submitted for approval by the Local Highways Authority as part of a Highways Act 1980 Section 38 Agreement, before roadworks commence on site. These details shall be in accordance with the standards laid down in the Cumbria Design Guide, all works so approved, shall be constructed before the development (or relevant phase thereof) is considered complete.

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

15. No residential unit hereby permitted shall be occupied until the respective estate road has been constructed in all respects to base course level and street lighting has been provided and brought into full operational use together with the associated means of vehicular and pedestrian access, parking provision, and drainage in accordance with details submitted to and approved in writing beforehand by the Local Planning Authority. The access and parking facilities shall thereafter be retained and capable of use at all times and shall not be removed or altered without the prior consent of the Local Planning Authority.

Reason: To ensure that the matters specified are designed and provided to ensure a minimum standard of access when the development is brought into use.

16. (i) Prior to any site work commencing, full detailed engineering design of the Durdar and Scalegate Rd access points must take place and have a Stage 2 Road Safety Audit carried out, all to the satisfaction of the Local Highways Authority. (If a satisfactory means of access cannot be attained the development cannot commence).

(ii) The access from Durdar Rd. (C1036), shall be substantially met before any sitework (other than precursory works like site investigations) commences so that constructional traffic can safely access the site. No works can commence within the Highway until the developer has entered into a Highways Act 1980 Section 278 Agreement with the Local Highways Authority. This access shall be used for the construction of the infrastructure works and build out of Phases 1 & 2.

(iii) Upon completion of Phase II the Scalegate Rd. (C1037) access and link road shall have been constructed and be used for the construction traffic associated with Phases 3 & 4. Where practicable this will be routed via the C1037 southward to the C1017 so as to minimise construction traffic travelling through the Upperby & Currock residential areas.

(iv) Prior to siteworks commencing, the T&CP Act 1990 Sec: 257 Diversion Order for Public Footpaths 129014 & 109371 shall have been obtained. Detailed proposals shall be submitted for approval, which indicate how the Footpaths are to be maintained usable and diverted in accord with the Construction programmes. The entire route shall be surfaced drained and lit to adoptable standard (including the length through Hammonds Park to Scalegate Rd.) by the time Phase II completes.

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

17. There shall be no means of access, pedestrian or vehicular, between the site and existing highways except by way of the approved estate road, and footways/footpaths.

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

18. 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.

Reason: To protect features of recognised nature conservation importance, in accordance with Policy CP2 of the Carlisle District Local Plan 2001-2016.

19. No development hereby permitted shall commence until:

a) A site investigation has been carried out to include monitoring for methane gas and carbon dioxide, such monitoring to be carried out over a period of 4/6 calendar months duration with a minimum of six readings taken over that period. The readings shall be taken at times of falling barometric pressure where ever possible and some readings must be taken when the pressure is around or below 1000mb;

b) there have been submitted by way of a report to the Local Planning Authority (LPA) the results of the investigation together with, for the approval of the LPA, a scheme of any remedial measures which are identified in the Site Investigation as necessary to combat effectively any risk to future occupiers and property from methane gas and/or carbon dioxide (the Scheme); and

c) following approval in writing by the LPA of the Scheme or agreement in writing by the LPA that no remedial measures are necessary, the development shall be undertaken in complete accordance with the Scheme.

Reason: To ensure that any risks which may arise from the generation of migratory gas from the site and adjacent land is minimised.

20. 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 (in accordance with the guidance in BS10175) must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the prior 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 prior approval in writing of the Local Planning Authority.

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

21. All works comprised in the approved details of means of enclosure and boundary treatment for the constituent phases of development shall be carried out contemporaneously with the completion (i.e. by the plastering out) of each residential unit.

Reason: To ensure that the details are acceptable and to ensure that the work is undertaken in a co-ordinated manner that safeguards the appearance and security of the area in accordance with Policies CP5 and CP17 of the Carlisle District Local Plan 2001-2016.

22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any Order revoking and re-enacting that Order, no electricity sub-stations or gas governors shall be erected as part of the development hereby permitted without the prior permission of the Local Planning Authority.

Reason: The local planning authority wish to retain control over the erection of electricity sub-stations and gas governors in order to maintain the visual integrity of the development in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

23. Prior to the commencement of development details of the height of any residential unit hereby permitted in relation to the existing and proposed ground/road levels and the height of the proposed finished floor levels (inclusive of any garages) shall be submitted to and approved, in writing, beforehand by the Local Planning Authority. The levels shown shall be related to metres above Ordnance Datum (AOD).

Reason: In order that the approved development overcomes any problem associated with the topography of the area, safeguards the living conditions of neighbouring residents, and reduces the risk of flooding in accordance with Policy H1 of the Carlisle District Local Plan 2001-2016.

24. In each Phase, adequate underground ducts shall be installed in accordance with details approved beforehand by the Local Planning Authority to enable broadband, telephone, electricity and television services to be connected to any premises within the application site, without recourse to the erection of distribution poles and overhead lines.

In providing such ducts the developers shall co-ordinate the provision of such services with the respective undertakers.

Notwithstanding the provisions of Article 3(1) and the Schedule 2 Part 17 Class G (b) of the Town and Country Planning (General Permitted Development)

Order 1995 (or any Order revoking or re-enacting that Order), no distribution pole or overhead lines within the area shall be erected, save with the express consent of the Local Planning Authority.

Reason: To maintain the visual character of the locality in accord with Policy CP5 of the Carlisle District Local Plan 2001-2016.

25. The access covers to the underground ducts to be installed pursuant to the above condition shall be carefully located in relation to the surface finishes and to the satisfaction of the local planning authority and shall be of the type whereby the "tray" may be infilled with the appropriate surface materials.

Reason: To maintain the visual character of the locality in accord with Policy CP5 of the Carlisle District Local Plan 2001-2016.

26. No residential unit hereby permitted shall be occupied until an external lighting scheme that minimises any potential impacts of light pollution has been completed in accordance with details submitted to and approved in writing beforehand by the Local Planning Authority.

Reason: To safeguard the ecology and environment of the area.

27. Full engineering details, including calculations, Discharge Consent(s) and approval for channel improvement measures to the Wire Mire Beck, with measures to intercept groundwater discharges that currently occurs through the site (including the protection/improvement/replacement as necessary, of the piped watercourses that are known to pass through Phases 3&4 to the Beck/Hammonds Pond) shall be submitted to the Local Planning Authority for approval prior to any infrastructure works (other than the site accesses) commencing. All such approved works shall be implemented to an agreed programme in accordance with the constructional Phases and shall be maintained operational thereafter.

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

28. No residential unit hereby permitted shall be occupied until the respective foul and surface water drainage works (inclusive of the provision of a shut of valve on the outflow from the SUDS pond and how the respective works shall be maintained and managed after completion) have been completed in accordance with the details submitted to and approved in writing beforehand by the Local Planning Authority. The drainage scheme submitted shall be on the basis of the surface water discharging into the SUDS pond and foul water discharging into the 900mm diameter sewer located at the north of the development site.

Reason: To ensure that adequate drainage facilities are available which are comprehensive in extent and follow a co-ordinated sequence in accord with Policies CP2, CP10, CP12 and LE2 of the Carlisle District Local Plan 2001-2016.

Summary of Reasons for the Decision

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016

Economic & Commercial Growth - Policy EC19 - Telecommunications

Where either full permission, or prior approval for the siting and appearance under permitted development rights, is required for telecommunications development (including masts and ancillary equipment) permission will be granted subject to the following criteria:

- 1 the design and siting of the proposal has been given careful consideration, within the constraints faced by the operator, to take account of its surroundings, and the landscape character if it is to be located in a rural area; and
- 2 the proposal would not result in any adverse impact on heritage features of the built environment; and
- 3 the proposed telecommunications service can not be provided by another means; and
- 4 there is no reasonable possibility of sharing existing facilities; and
- 5 there is no reasonable possibility of erecting antennas on an existing building or other structure; and
- 6 evidence is submitted that all measures to reduce environmental impacts has been pursued; and
- 7 evidence is submitted that the apparatus is in compliance with ICNIRP guidelines

Carlisle District Local Plan 2001 - 2016

Housing - Policy H2 - Primary Residential Areas

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

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

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

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

- 1 satisfactory housing conditions can be achieved; and
- 2 the proposal will complement the existing character of the area; and

- 3 the proposal will not adversely affect the amenity of the area; and
- 4 satisfactory access can be provided; and
- 5 appropriate parking arrangements can be made.

Carlisle District Local Plan 2001 - 2016

Local Environment - Policy LE1 - Urban Fringe Landscape

Within the Urban Fringe Landscape areas, shown on the Proposals Map, permission will not be given for development which adversely affects the open character of the areas. Development of open space recreational uses such as golf courses and playing fields which retain the essential open nature will be acceptable. In addition, small scale development within or adjacent to established farmsteads and other groups of buildings, together with buildings associated with and required for the use of the area for open recreational areas will be acceptable providing that:

- 1 the proposal reflects the scale and character of the existing group of buildings; and
- 2 there is no unacceptable adverse effect on the amenity of neighbouring property; and
- 3 there is no unacceptable adverse effect on the character and appearance of the surrounding area; and
- 4 where appropriate satisfactory access and car parking can be achieved.

Carlisle District Local Plan 2001 - 2016

Leisure & Community Uses - Policy LC2 - Primary Leisure Areas

Within Primary Leisure Areas proposals that relate to and complement the existing use and are appropriate in character and scale to the surroundings, will be acceptable. Development or change of use of Primary Leisure Areas to non-sport or recreation uses will not be permitted unless:

- 1 an alternative open space can be provided which is equivalent in terms of size, quality, accessibility, usefulness and attractiveness; or–
- 2 the Open Space, Sports and Recreational Facilities Audit indicates that the ward has a surplus of open space.

The Local Planning Authority will aim to achieve the following standards of recreational open space provision:

- 3.6 hectares of land/1000 population of informal and formal grassed, wooded or landscaped land, and small amenity areas of public open space;
- 1.86 hectares of playing pitches/1000 population;
- all dwellings should be within 3km of an open space of at least 20 hectares which provides general facilities for recreational activity within a landscaped setting;
- all dwellings should be within 1km of an open space of between 5 and 20 hectares which provides general facilities for recreation provision within a landscaped setting;
- all dwellings should be within 400 metres of an open space of between 2 and 10 hectares which caters for informal recreational needs;
- all dwellings should be within 200 metres of a small formal or informal open space between 0.2 and 2 hectares that is suitable for informal use and has high amenity value.

Permission will not be given for development where it would lead to a reduction in

the target for recreational open space provision/1000 population in the ward in which it is proposed.

Carlisle District Local Plan 2001 - 2016

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

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

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

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

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

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

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

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

Carlisle District Local Plan 2001 - 2016

Local Environment - Policy LE26 - Undeveloped Land In Floodplains

Development in areas at risk of flooding on undeveloped land will only be permitted where a Flood Risk Assessment has been submitted with a planning application that

confirms:

- 1 no other lower risk alternative site exists; and
- 2 flood defences provide an acceptable standard of protection; and
- 3 access and egress can reasonably be maintained at times of flood risk; and
- 4 adequate floodplain storage capacity can be provided; and
- 5 the development will not interfere with flood flows; and
- 6 mitigation measures will be provided where necessary; and
- 7 the development will not increase flood risk elsewhere.

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP2 - Biodiversity

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

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

Carlisle District Local Plan 2001 - 2016

Leisure & Community Uses - Policy LC8 - Rights Of Way

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

Item no: 13

Appn Ref No:
12/0832

Applicant:
Mr Scott

Parish:
St Cuthberts Without

Date of Receipt:
08/10/2012 13:00:07

Agent:
Planning Branch Ltd

Ward:
Dalston

Location:
Land adjacent 445 Durdar Road, Durdar, CA2 4TT

Grid Reference:
340520 551470

Proposal: Erection Of 5no. Dwellings (Outline Application)

Members will recall at Committee meeting held on 25 January 2013 that authority was given to the Director (Economic Development) to issue approval subject to the completion of a S106 Agreement to secure the provision of an affordable house and a financial contribution to be used by St Cuthbert's Without Parish Council towards the maintenance of play facilities within the parish. The S106 Agreement has been completed and approval was issued on 6 March 2014.

Granted Subject to Legal Agreement

1. In case of any "Reserved Matter" application for approval shall be made not later than the expiration of 1 year beginning with the date of this permission, and the development shall be begun not later than whichever is the later of the following dates:

- i) The expiration of 3 years from the date of the grant of this permission, or
- ii) The expiration of 2 years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

2. Before any work is commenced, details of the layout, scale, appearance and landscaping of the site (hereinafter called "reserved matters") shall be submitted to and approved by the Local Planning Authority.

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

3. The approved documents for this Outline Planning Permission comprise:

1. the submitted planning application form received 17th December 2012;
2. the site location plan received 23rd October 2012 (Drawing No. LOC3);
3. the site plan received 3rd December 2012 (Drawing No.S1);
4. the Design and Access Statement received 8th October 2012;
5. the Contaminated Land Risk Assessment received 8th October 2012;
6. the Notice of Decision; and
7. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

4. The dwellings to be erected on Plots 1 and 5 shall be of single storey construction only and the dwellings to be erected on plots 2, 3 and 4 should be no higher than 1.5 storeys.

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

5. No development approved by this permission shall be commenced until a scheme for the disposal of foul and surface waters (including details of foul sewage connection) has been approved in writing by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans.

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

6. For the avoidance of doubt, neither surface water nor highway drainage shall connect into the public sewerage system (directly or indirectly).

Reason: To ensure that adequate drainage facilities are available. In accordance with Policy CP12 of the Carlisle District Local Plan 2001-2016.

7. No development shall be commenced until samples or full details of materials to be used externally on the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials.

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

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

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

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

Reason: In order that the approved development overcomes any problems associated with the topography of the area in accordance with Policies H1 of the Carlisle District Local Plan 2001-2016.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order), no dormer window or rooflight shall be inserted above the ground floor on the south elevations of plots 1 and 5 without the prior written consent of the Local Planning Authority.

Reason: In order to protect the privacy and amenities of residents in close proximity to the site and to ensure compliance with Policy H11 of the Carlisle District Local Plan 2001-2016.

11. No development shall commence until details of any walls, gates, fences and other means of permanent enclosure and/or boundary treatment to be erected (including along the southern periphery of the proposed access) have been submitted to and approved, in writing, by the Local Planning Authority.

Reason: To ensure the design and materials to be used are appropriate

and to ensure compliance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

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

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

13. Before any development is commenced on the site, including site works of any description, a protective fence in accordance with Fig. 2 in B.S. 5837: 2005 shall be erected around the trees and hedges to be retained at the extent of the Root Protection Area as calculated using the formula set out in B.S. 5837. Within the areas fenced off no fires should be lit, no equipment, machinery or structure shall be attached to or supported by a retained tree or hedge, no mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area, the existing ground level shall be neither raised nor lowered, and no materials, temporary buildings or surplus soil of any kind shall be placed or stored thereon. The fence shall thereafter be retained at all times during construction works on the site.

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

14. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.
Site investigations should follow the guidance in BS10175.
Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 3.

Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CP13 of the Carlisle District Local Plan 2001-2016.

15. No work associated with the construction of the residential units hereby approved shall be carried out before 07.30 hours on weekdays and Saturdays

nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any times on Sundays or statutory holidays).

Reason: To prevent disturbance to nearby occupants in accordance with Policy H1 of the Carlisle District Local Plan 2001-2016.

16. The shared access way shall be designed, constructed and drained to a standard suitable for adoption and in this respect full engineering drawings, shall be submitted for approval before work commences on site. No work other than the consented access to the previously approved dwelling (planning references 11/0528 and 12/0104), site clearance and earthworks, shall be commenced until a Highways Act 1980, Section 38 agreement has been executed with the local Highways Authority. All works so approved shall be constructed before the development is regarded as complete.

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

17. Visibility splays providing clear visibility of 120metres measured along the nearside channel lines of the public road from a position 2.4 metres inset from the carriageway edge, on the centre line of the access, at a height of 1.05 metres, shall be provided and maintained thereafter. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be permitted to grow so as to obstruct these visibility splays.

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

18. Full details of the surface water drainage system(s) shall be submitted to the Local Planning Authority for approval prior to the development being commenced. Any approved works shall be implemented prior to the development being completed and shall be maintained operational thereafter.

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

19. Details showing the provision within each house site for the access parking, turning and loading & unloading of vehicles, in accord with the Cumbria Parking Standards, shall be submitted to the Local Planning Authority for approval. No dwelling shall be brought into use until such details have been approved and these facilities shall be kept available for those purposes at all times and shall not be used for any other purpose.

Reason: To ensure a minimum standard of parking provision is made within the site for vehicles visiting the site. To support Local Transport Plan Policies LD7, LD8.

20. Deep rooted shrubs and trees should not be planted in the vicinity of the public

sewer and overflow systems.

Reason: To protect the public sewer.

Summary of Reasons for the Decision

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

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016

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

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

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

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

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

Proposals for residential development will be considered against the need to give

priority to the reuse of previously developed land, with particular emphasis on vacant and derelict sites and buildings.

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

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

Carlisle District Local Plan 2001 - 2016 **Core Development Policies - Policy CP1 - Landscape Character**

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

Development will be considered appropriate to the character of the landscape provided the proposal has regard to and conserves:

the landform and natural patterns of drainage;

- the pattern of trees and woodland;
- the habitats of species of importance for wildlife;
- the pattern and composition of field boundaries;
- the pattern of historic landscape features;
- the pattern and distribution of settlements

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

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

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

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

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

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

In order to protect and integrate existing trees and hedges within new development, the City Council will resist proposals which cause unacceptable tree loss, and which

do not allow for the successful integration of existing trees identified in the tree survey.

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

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

Carlisle District Local Plan 2001 - 2016 **Core Development Policies - Policy CP4 - Agricultural Land**

Permission will not be given for development where it would lead to the loss of the best and most versatile agricultural land, unless:

- 1 there is an overriding need for the development; and
- 2 there is insufficient land of a lower grade available; or
- 3 available lower grade land has a statutory landscape, wildlife, historic or archaeological designation.

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

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

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

Carlisle District Local Plan 2001 - 2016

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

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

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP17 - Planning Out Crime

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

The following points should be applied to all development proposals:

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

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

Carlisle District Local Plan 2001 - 2016

Housing - Policy H1 - Location Of New Housing Development

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

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

- 1 the site is well related to the landscape of the area and does not intrude into open countryside; and
- 2 the scale of the proposed development is well related to the scale, form and character of the existing settlement; and
- 3 the layout of the site and the design of the buildings is well related to existing property in the village; and
- 4 the siting and design of the buildings is well related to and does not adversely affect the amenity of neighbouring property; and
- 5 appropriate access and parking can be achieved; and

- 6 the proposal will not lead to the loss of amenity open space within or at the edge of the settlement; and
- 7 the proposal will not lead to the loss of the best and most versatile agricultural land.

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

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

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

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

Carlisle District Local Plan 2001 - 2016

Housing - Policy H5 - Affordable Housing

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

All allocated housing sites and windfall sites of 10 or more dwellings in the urban area will be expected to make a contribution of 30% of units on-site towards affordable housing. Only in exceptional circumstances will the Council consider off-site contributions or a financial contribution in lieu of on-site provision.

In the rural area the contribution to affordable housing will be:

- 1 25% of housing on large sites (over 0.8ha or 25 dwellings)
- 2 20% of housing on medium sites (over 0.3ha or 10 dwellings)
- 3 10% of housing on small sites (over 0.1ha or 3 units)

The proportion of affordable housing sought will only be varied if this can be justified on a robust, evidence based, assessment of the economic viability of the site. Where intermediate affordable housing is to be provided at a discounted market value a discount of 25-30% will be sought and the discounted sale will be required to be in perpetuity.

Carlisle District Local Plan 2001 - 2016

Transport - Policy T1- Parking Guidelines For Development

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

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

Carlisle District Local Plan 2001 - 2016

Leisure & Community Uses - Policy LC4 - Children's Play and Recreation Areas

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

Outdoor playgrounds 150m² per hectare

Informal playspace 270m² per hectare

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

On smaller housing sites the developer will be required to make commuted payments towards the provision of play space in the locality if there is a deficiency of play space in the local area judged against the Audit of Open Space currently being carried out by the City Council as required by PPG 17.

Children's play and recreation areas required by this policy will be dedicated to the City Council for maintenance purposes and a commuted payment equivalent to 10 year's maintenance costs will be required.

Item no: 14

Appn Ref No:

13/0655

Applicant:

Top Notch Contractors Ltd

Parish:**Date of Receipt:**

20/08/2013 13:02:41

Agent:

Hyde Harrington

Ward:

Botcherby

Location:

Former Dairy Site, Holywell Crescent, Botcherby,
Carlisle, CA1 2TD

Grid Reference:

342261 555062

Proposal: Residential Development (Outline Application)

Members will recall at Committee meeting held on 15th November 2013 that authority was given to the Director (Economic Development) to issue approval subject to the satisfactory completion of a Section 106 Agreement to secure:

- a) the payment of a commuted sum (£107,838) towards sports and play provision; and
- b) the provision to each unit of a refuse wheeled bin.

The agreement has been completed and the approval was issued on 26th March 2014.
Granted Subject to Legal Agreement

1. In case of any "Reserved Matter" application for approval shall be made not later than the expiration of 3 years beginning with the date of this permission, and the development shall be begun not later than whichever is the later of the following dates:

- i) The expiration of 5 years from the date of the grant of this permission, or
- ii) The expiration of 2 years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

2. Before any work is commenced, details of the layout, scale, appearance, and landscaping of the site (hereinafter called "reserved matters") shall be submitted to and approved by the Local Planning Authority.

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

3. The approved documents for this planning consent comprise:

1. The Planning Application Form dated the 19th August 2013;
2. The site location plan, Block Plan (drawing number 70490), the Topographic survey- As existing (1 and 2) (drawing numbers 70490/Topo/01 and 02), the Topographic survey - With proposed road junction (drawing number 70490/Topo/03 Rev. A);
3. Planning Statement (received 20.08.13);
4. Scoping Survey for European Protected Species (OpenSpace ref: OP-CWS Dairy SCS28v1);
5. Daytime Roost Inspection Survey (OpenSpace ref: OP-CWSDairy-BAT65v1);
6. Affordable Housing Statement (received 20.08.13);
7. Drainage Statement (reference number RO/11042.1) prepared by RWO Associates;
8. Tree and Hedge Survey Report (OpenSpace ref: OP-CWS Dairy-TRE35v1);
9. Phase 1:Dest Top Study Report (Project No: 13-085) prepared by arc environmental;
10. Noise Survey and Facade Acoustic Design (report no. 2717.2) prepared by Apex Acoustics Ltd;
11. Design and Access Statement (received 20.08.13);
12. The Notice of Decision; and
13. Any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

4. Prior to the commencement on any part of the site there shall be submitted to,

and approved in writing by the Local Planning Authority, a plan and/or programme showing the proposed phasing of the development. That phasing plan shall include the phasing of the overall development hereby permitted in terms of:

1. the provision of pedestrian and vehicular connectivity;
2. the provision of foul and surface water drainage infrastructure;
3. the delivery of other services such as gas, electricity and telecommunications;
4. the provision of storage receptacles for waste and recyclable materials for each residential unit including suitable accessing arrangements for recyclable/waste collection vehicles; and
5. the provision of bat friendly ridge tiles, and bat and bird boxes.

The development shall thereafter proceed only in accordance with the approved phasing plan and/or programme or such variation to that plan and/or programme as may subsequently be agreed in writing by the Local Planning Authority.

Reason: To ensure that the site is developed in a co-ordinated manner.

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

a) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 30% of the residential units;

b) the timetable for the making available of the affordable housing in relation to the programme for completion of construction works and the occupancy of the residential units;

c) the arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Provider is involved;

d) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing unless other arrangements are agreed in writing by the Local Planning Authority; and

e) if applicable, the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and means by which such occupancy criteria shall be enforced.

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

6. Prior to the commencement of development a Construction Management Plan

shall be submitted to and agreed, in writing, by the Local Planning Authority. This shall include noise management measures, waste minimisation and management measures, wheel washing, use of vibro-compaction machinery/vibration management, dust management, external lighting, security (inclusive of the railway boundary), provision of Armco safety barriers, demolition and clearance works near to the operational railway infrastructure, vehicle control within the site and localised traffic management and protocols for contact and consultation with local people and other matters to be agreed with the Local Planning Authority.

The agreed scheme shall be implemented upon commencement of development and shall not be varied without prior written agreement of the Local Planning Authority.

Reason: To safeguard the living conditions of neighbouring residents and mitigate impacts on ecology and operational railway infrastructure in accordance with Policies CP2, CP5, CP6 and LE2 of the Carlisle District Local Plan 2001-2016.

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

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

8. No development shall commence until details of the proposed hard surface finishes to all public and private external areas within the proposed scheme have been submitted to and approved, in writing, by the Local Planning Authority.

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

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

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

10. Any clearance of or damage to trees, saplings, bramble scrub, hedgerows or demolition of the existing building shall take place in accord with the proposed mitigation and recommendations contained in the "Daytime Roost Inspection

Survey" (ref: OP-CWSDairy-BAT65v1) and "Scoping Survey for European Protected Species" (ref: OP-CWS Dairy-SCS28v1) prepared by OpenSpace.

Reason: To protect features of recognised nature conservation importance, in accordance with Policy CP2 of the Carlisle District Local Plan 2001-2016.

11. Any clearance works associated with the hereby permitted development shall be undertaken in accordance with the recommendations and mitigation identified in the "Scoping Survey for European Protected Species at the Former CWS Dairy, Botcherby, Carlisle" (March 2013) prepared by OpenSpace.

Reason: To protect features of recognised nature conservation importance, in accordance with Policy CP2 of the Carlisle District Local Plan 2001-2016.

12. No construction work associated with the development 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).

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

13. No development approved by this permission shall be commenced until a Full Flood Risk Assessment together with a fully developed Drainage Strategy has been submitted to and approved in writing by the Local Planning Authority. The Flood Risk Assessment and Drainage Strategy shall provide:

1. details of the surface water drainage scheme that ensures that for a range of annual flow rate probabilities up to and including the 1% annual probability (1 in 100 year event), the developed rate of runoff into a receiving watercourse should be no greater than the undeveloped rate of runoff for the same event. The volume of run-off should be ideally dealt with at source primarily by the use of Sustainable Drainage Systems (SUDS), which could effectively negate any need to discharge to a watercourse.
2. sufficient pollution prevention measures are designed into the Drainage Strategy in order to avoid impacts on the River Eden and Tributaries Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC).

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To ensure adequate means of surface water disposal; to prevent and reduce the risk of flooding; and avoid impacts on a designated site in accordance with Policies CP2, CP10, CP12 and LE2 of the Carlisle District Local Plan 2001-2016.

14. No development shall commence until a comprehensive foul drainage scheme identifying the location of the proposed connection point(s) into the existing foul

drainage system, and a flow and load impact assessment to demonstrate that the existing foul drainage system has the capacity to cope with the increased load, have been submitted to and agreed, in writing, by the Local Planning Authority.

Reason: To ensure that adequate drainage facilities are available and to ensure compliance with Policy CP12 of the Carlisle District Local Plan 2001-2016.

15. No dwelling shall be occupied until the respective foul and surface water drainage works, submitted under the above conditions 13 and 14, have been completed in accordance with the details approved by the Local Planning Authority.

Reason: To ensure that adequate drainage facilities are available which are comprehensive in extent and follow a co-ordinated sequence in accord with Policies CP2, CP10, CP12 and LE2 of the Carlisle District Local Plan 2001-2016.

16. No development shall commence until details of any walls, gates, fences and other means of permanent enclosure and/or boundary treatment to be erected (inclusive of the 1.8 metre high solid noise mitigation barrier surrounding the site) have been submitted to and approved in writing, by the Local Planning Authority. All works comprised in the approved details of means of enclosure and boundary treatment for the constituent phases of development, with the exception of the noise mitigation barrier, shall be carried out contemporaneously with the completion (i.e. by the plastering out) of each residential unit.

Reason: To ensure that the details are acceptable and to ensure that the work is undertaken in a co-ordinated manner that safeguards the appearance and security of the area in accordance with Policies CP5 and CP17 of the Carlisle District Local Plan 2001-2016.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any Order revoking and re-enacting that Order, no electricity sub-stations or gas governors shall be erected without the prior permission of the Local Planning Authority.

Reason: The local planning authority wish to retain control over the erection of electricity sub-stations and gas governors in order to maintain the visual integrity of the development in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

18. Prior to the commencement of development details of the height of any residential unit hereby permitted in relation to the existing and proposed ground levels and the height of the proposed finished floor levels (inclusive of any garages) shall be submitted to and approved, in writing, beforehand by the Local Planning Authority.

Reason: In order that the approved development overcomes any problem associated with the topography of the area, safeguards the living conditions of neighbouring residents in accordance with Policy H1

of the Carlisle District Local Plan 2001-2016.

19. No development shall commence until further investigation works have been undertaken to assess the nature and degree of contamination and a consequent report prepared and submitted to the Local Planning Authority. Should any contamination be identified a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. Upon completion of the approved remediation measures, a remediation report must also be submitted to the Local Planning Authority for approval in writing.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies LE2 and LE29 of the Carlisle District Local Plan 2001-2016.

20. Prior to the commencement of the hereby permitted development a Phase 2 intrusive ground investigation shall be carried out the results of which shall be submitted to and approved in writing beforehand by the Local Planning Authority. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in accordance with the condition above, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies LE2 and LE29 of the Carlisle District Local Plan 2001-2016.

21. The carriageway, footways, and provision of ramps on each side of every junction shall be designed, constructed, drained and lit to a standard suitable for adoption and in this respect further details with levels and full engineering details, shall be submitted with the first Reserved Matters application to the Local Planning Authority. No work shall be commenced until a full specification has been approved. These details shall be in accordance with the standards laid down in the current Cumbria Design Guide. Any works so approved shall be constructed progressively as the constituent phases of the site are developed and prior to the completion of the last dwellinghouse (by the plastering out) within that phase of the said development, as specified in the phasing plan and/or programme required to be submitted by condition 4.

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

highway safety and to support Local Transport Plan Policies LD5, LD7 and LD8.

22. No residential unit hereby permitted shall be occupied until the respective estate road has been constructed in all respects to base course level and street lighting has been provided and brought into full operational use together with the associated means of vehicular and pedestrian access, parking provision, drainage, and provision of any necessary Armco barriers in accordance with details submitted to and approved in writing beforehand by the Local Planning Authority. The access and parking facilities shall thereafter be retained and capable of use at all times and shall not be removed or altered without the prior consent of the Local Planning Authority.

Reason: To ensure that the matters specified are designed and provided to ensure a minimum standard of access when the development is brought into use.

23. No development shall commence until visibility splays providing clear visibility of 43 metres measured along the nearside channel lines of the public road from a position 2.4 metres inset from the carriageway edge, on the centre line of the access, at a height of 1.05 metres, have been provided. Notwithstanding the provision of The Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splay which obstruct the visibility splays.

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

24. There shall be no means of access, pedestrian or vehicular, between the site and existing highways except by way of the approved estate road, and footways/footpaths.

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

25. Before any development takes place, a plan shall be submitted for the prior written approval of the Local Planning Authority reserving adequate land for the storage of materials, parking of vehicles engaged in construction operations associated with the development hereby approved, and that land, including vehicular access thereto, shall be used for or be kept available for these purposes at all times until completion of the construction works.

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

26. In each Phase, adequate underground ducts shall be installed in accordance with details approved beforehand by the Local Planning Authority to enable

broadband, telephone, electricity and television services to be connected to any premises within the application site, without recourse to the erection of distribution poles and overhead lines.

In providing such ducts the developers shall co-ordinate the provision of such services with the respective undertakers.

Notwithstanding the provisions of Article 3(1) and the Schedule 2 Part 17 Class G (b) of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), no distribution pole or overhead lines within the area shall be erected, save with the express consent of the Local Planning Authority.

Reason: To maintain the visual character of the locality in accord with Policy CP5 of the Carlisle District Local Plan 2001-2016.

27. The access covers to the underground ducts to be installed pursuant to the above condition shall be carefully located in relation to the surface finishes and to the satisfaction of the local planning authority and shall be of the type whereby the "tray" may be infilled with the appropriate surface materials.

Reason: To maintain the visual character of the locality in accord with Policy CP5 of the Carlisle District Local Plan 2001-2016.

28. No residential unit hereby permitted shall be occupied until a 1.8 metre solid barrier surrounding the site and the respective minimum glazing (for all windows) and ventilation strategy options identified in the "Noise Survey and Facade Acoustic Design" report number 2717.2 prepared by Andrew C Gibson of Apex Acoustics Limited have been fully installed and completed.

Reason: To safeguard the living conditions of the occupiers of the residential units.

29. No residential unit hereby permitted shall be occupied until an external lighting scheme that minimises any potential impacts of light pollution has been completed in accordance with details submitted to and approved in writing beforehand by the Local Planning Authority.

Reason: To safeguard the ecology and environment of the area.

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016

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

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

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

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

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

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

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

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

Carlisle District Local Plan 2001 - 2016

Spatial Strategy And Development Principles - Policy DP7 - European Natura 2000 Sites

Except where there are imperative reasons of overriding public interest, proposals that would have an impact on a European Natura 2000 site* will not be permitted unless it can be objectively demonstrated that they would be unlikely to have a significant adverse effect, either alone or in combination with other plans or projects.

*For the purposes of this policy European Natura 2000 sites include Ramsar sites and provisional SPAs.

Carlisle District Local Plan 2001 - 2016

Local Environment - Policy LE29 - Land Affected By Contamination

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

- 1 Expose the occupiers of a development and neighbouring land uses to unacceptable risk;
- 2 Cause the contamination of adjoining land or allow contamination to continue;

- 3 Lead to the contamination of any watercourse, water body or aquifer;
- 4 Have an unacceptable adverse effect on habitats and ecosystems;
- 5 Cause harm to buildings, animals or crops

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

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP2 - Biodiversity

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

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

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP3 - Trees And Hedges On Development Sites

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

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

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

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

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

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP5 - Design

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

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

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

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP7 - Use Of Traditional Materials

In order to sustain the local environment consideration will be given to locally sourced traditional materials to maintain the local character of buildings and their environment.

Within conservation areas the City Council will seek to ensure that existing traditional materials are reinstated following repairs to roads, pavements, kerbs and underground services.

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP9 - Development, Energy Conservation And Efficiency

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

These elements will contribute to the energy efficiency of a new development.

Developers should also consider the possible incorporation of photovoltaic cells, active solar panels and other small-scale sources of renewable energy.

Consideration should be given to recycled materials, waste minimisation and recycling measures within the design.

Designers will be encouraged to include systems for collecting roof water to enable its re-use.

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP10 - Sustainable Drainage Systems

Sustainable drainage systems (SUDS) should be incorporated into development proposals when the following conditions apply:

- 1 The development will generate an increase in surface water run-off; and
- 2 The rate of surface water run-off is likely to create or exacerbate flooding problems

Where SUDS are incorporated the following details shall be provided:

- 1 The type of SUDS; and
- 2 Hydraulic design details/calculations; and
- 3 Pollution prevention and water quality treatment measures together with details of pollutant removal capacity; and
- 4 Operation, maintenance and adoption details (SUDS structures will not be adopted by the statutory sewerage undertaker unless maintenance and legal agreements are in place).

Carlisle District Local Plan 2001 - 2016

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

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

Carlisle District Local Plan 2001 - 2016

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

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

Carlisle District Local Plan 2001 - 2016

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

Development proposals should make provision for easy, safe and inclusive access to, into and within buildings and facilities. The layout and design of developments should meet the requirements of accessibility and inclusion for all potential users regardless of disability, age or gender. The Council will have regard to the following criteria when assessing development proposals:

- 1 The design of entrances and exits and ease of permeation through and between developments in terms of street furniture, circulation areas and pedestrian routes;
- 2 The location of any development proposal in relation to its potential users;
- 3 Accessibility to all transport modes and provision of adequate parking for disabled people;
- 4 Provision of on-site facilities such as public toilets, and appropriate signage

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Public Transport, Pedestrians And Cyclists

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

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP17 - Planning Out Crime

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

The following points should be applied to all development proposals:

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

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

Carlisle District Local Plan 2001 - 2016

Housing - Policy H1 - Location Of New Housing Development

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

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

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

7 the proposal will not lead to the loss of the best and most versatile agricultural land.

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

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

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

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

Carlisle District Local Plan 2001 - 2016

Housing - Policy H4 - Residential Development On Previously Developed Land And Phasing Of Development

In order to achieve the higher target of 65% brownfield permissions in the urban area, applications for greenfield development in addition to any allocations in H16 will not be granted planning permission. A sequential approach to site development will be applied and, in the context of Policy DP1, brownfield sites in unsustainable locations will not be given priority over more sustainably located greenfield sites. Permission will be phased on sites over 20 dwellings in the urban area and over 10 dwellings in the rural area.

Carlisle District Local Plan 2001 - 2016

Housing - Policy H5 - Affordable Housing

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

All allocated housing sites and windfall sites of 10 or more dwellings in the urban area will be expected to make a contribution of 30% of units on-site towards affordable housing. Only in exceptional circumstances will the Council consider off-site contributions or a financial contribution in lieu of on-site provision.

In the rural area the contribution to affordable housing will be:

- 1 25% of housing on large sites (over 0.8ha or 25 dwellings)
- 2 20% of housing on medium sites (over 0.3ha or 10 dwellings)
- 3 10% of housing on small sites (over 0.1ha or 3 units)

The proportion of affordable housing sought will only be varied if this can be justified

on a robust, evidence based, assessment of the economic viability of the site. Where intermediate affordable housing is to be provided at a discounted market value a discount of 25-30% will be sought and the discounted sale will be required to be in perpetuity.

Carlisle District Local Plan 2001 - 2016

Leisure & Community Uses - Policy LC2 - Primary Leisure Areas

Within Primary Leisure Areas proposals that relate to and complement the existing use and are appropriate in character and scale to the surroundings, will be acceptable. Development or change of use of Primary Leisure Areas to non-sport or recreation uses will not be permitted unless:

- 1 an alternative open space can be provided which is equivalent in terms of size, quality, accessibility, usefulness and attractiveness; or–
- 2 the Open Space, Sports and Recreational Facilities Audit indicates that the ward has a surplus of open space.

The Local Planning Authority will aim to achieve the following standards of recreational open space provision:

- 3.6 hectares of land/1000 population of informal and formal grassed, wooded or landscaped land, and small amenity areas of public open space;
- 1.86 hectares of playing pitches/1000 population;
- all dwellings should be within 3km of an open space of at least 20 hectares which provides general facilities for recreational activity within a landscaped setting;
- all dwellings should be within 1km of an open space of between 5 and 20 hectares which provides general facilities for recreation provision within a landscaped setting;
- all dwellings should be within 400 metres of an open space of between 2 and 10 hectares which caters for informal recreational needs;
- all dwellings should be within 200 metres of a small formal or informal open space between 0.2 and 2 hectares that is suitable for informal use and has high amenity value.

Permission will not be given for development where it would lead to a reduction in the target for recreational open space provision/1000 population in the ward in which it is proposed.

Carlisle District Local Plan 2001 - 2016

Leisure & Community Uses - Policy LC4 - Children's Play and Recreation Areas

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

Outdoor playgrounds 150m² per hectare

Informal playspace 270m² per hectare

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

On smaller housing sites the developer will be required to make commuted payments towards the provision of play space in the locality if there is a deficiency of play space in the local area judged against the Audit of Open Space currently being carried out by the City Council as required by PPG 17.

Children's play and recreation areas required by this policy will be dedicated to the

City Council for maintenance purposes and a commuted payment equivalent to 10 year's maintenance costs will be required.

Carlisle District Local Plan 2001 - 2016

Local Environment - Policy LE3 - Other Nature Conservation Sites

Development which would have a detrimental effect on Regionally Important Geological/Geomorphological Sites, County Wildlife Sites and other sites of nature conservation significance, Local Nature Reserves and Ancient Woodlands will not be permitted unless:

- 1 The harm caused to the value of those interests is clearly outweighed by the need for the development in that location; and
- 2 Where practical, any environmental feature lost is replaced with an equivalent feature.

Carlisle District Local Plan 2001 - 2016

Local Environment - Policy LE29 - Land Affected By Contamination

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

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

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

Carlisle District Local Plan 2001 - 2016

Local Environment - Policy LE30 - Derelict Land

Development involving the reclamation of derelict land and buildings will be permitted provided that the land has been remediated to a standard that is fit for the proposed land use. The proposed land use shall also be appropriate to the location, and the development and accompanying landscaping are in keeping with the surroundings. Where the derelict land has reverted to a natural state its quality, and the importance as a green area, will be taken into account in any decision about its future development.

Carlisle District Local Plan 2001 - 2016

Transport - Policy T1- Parking Guidelines For Development

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

- 1 the Parking Guidelines for Cumbria as updated by additional requirements in PPG 13;
- 2 the availability of public car parking in the vicinity;
- 3 the impact of parking provision on the environment of the surrounding area;

- 4 the likely impact on the surrounding road network; and
- 5 accessibility by and availability of, other forms of transport.

Item no: 15

Appn Ref No: 13/0787	Applicant: Mr & Mrs Percival	Parish: Stanwix Rural
Date of Receipt: 04/10/2013 14:34:01	Agent: Jock Gordon	Ward: Stanwix Rural
Location: Land at Orchard Gardens, Houghton, Carlisle, CA3 0LH	Grid Reference: 340607 559189	

Proposal: Residential Development Of Approximately 6no. Bungalows (Outline)

Members will recall at Committee meeting held on 15th November 2013 that authority was given to the Director (Economic Development) to issue approval subject to the satisfactory completion of a legal agreement in respect of a contribution to affordable housing provision.

The agreement has been completed and the approval was issued on 24th March 2014.

Granted Subject to Legal Agreement

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

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

2. Before any work is commenced, details of the appearance, landscaping, layout, drainage and scale of the site (hereinafter called "Reserved Matters") shall be submitted to and approved by the Local Planning Authority.

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

3. The approved documents for this Outline Planning Permission comprise:
 1. the submitted planning application form received 4th October 2013;
 2. the Design and Access Statement received 4th October 2013;

3. the Assessment of Likelihood of Contamination received 4th October 2013;
4. the Tree Survey received 4th October 2013;
5. the Hedge Survey received 4th October 2013;
6. the location plan received 4th October 2013 (Drawing Number 3002/1);
7. the block plan received 4th October 2013 (Drawing Number 3002/2);
8. the Notice of Decision; and
9. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

4. Notwithstanding the details shown in the application, the dwellings subject of this approval shall be no higher than 1.5 storeys and be able to achieve the minimum distances as outlined in the Supplementary Planning Document 'Achieving Well Designed Housing'.

Reason: In the interests of preserving the privacy and amenity of the neighbouring residents, to ensure that the development respects the scale and character of buildings in the locality and to ensure compliance with Policy CP5 of the Carlisle District Local Plan 2001-2016 and the Supplementary Planning Document 'Achieving Well Designed Housing'.

5. No development approved by this permission shall be commenced until a scheme for the provision of foul and surface waters have been approved in writing by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans.

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

6. No development shall be commenced until samples or full details of materials to be used externally on the dwellings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials.

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

7. Before development commences, particulars of height and materials of all screen walls and boundary fences to be erected shall be submitted to and approved in writing by the Local Planning Authority and the development thereafter carried out in accordance therewith.

Reason: In the interests of privacy and visual amenity in accordance with Policy H2 of the Carlisle District Local Plan 2001-2016.

8. Details of the relative heights of the existing and proposed ground levels and the height of the proposed finished floor levels of the new dwellings shall be submitted to and approved in writing by the Local Planning Authority before any

site works commence.

Reason: In order that the approved development overcomes any problems associated with the topography of the area in accordance with Policies H2 of the Carlisle District Local Plan 2001-2016.

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

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

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

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

11. Within the tree protection fencing approved by Condition 10:

1. No equipment, machinery or structure shall be attached to or supported by a retained tree or by the tree protection barrier.
2. No mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area.
3. No alterations or variations to the approved tree and hedge protection schemes shall be made without prior written consent of the local planning authority.
4. No materials or vehicles shall be stored or parked within the fenced off area.
5. No alterations to the natural/existing ground level shall occur.
6. No excavations will be carried out within the fenced off area.
7. The tree and hedge protection fencing must be maintained to the satisfaction of the Local Planning Authority at all times until completion of the development.

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

12. Trees and shrubs shall be planted in accordance with a scheme to be agreed with the Local Planning Authority before building work commences. The scheme shall be implemented during the planting season following the completion of the development hereby approved and any trees or shrubs which

die, become diseased or are lopped, topped, uprooted or wilfully destroyed within the following five years shall be replaced by appropriate nursery stock. The scheme shall include the use of native species and shall also include a detailed survey of any existing trees and shrubs on the site and shall indicate plant species and those trees and shrubs to be retained.

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

13. The estate road shall be designed, constructed and drained to a standard suitable for adoption and in this respect full engineering details shall be submitted for approval with the first Reserved Matters Application. No work shall be commenced until a full specification has been approved. These details shall be in accordance with the standards laid down in the current Cumbria Design Guide. Any works so approved shall be constructed before the development is considered complete.

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

14. The house accesses, parking area etc shall be designed, constructed and drained to the satisfaction of the Local Planning Authority and in this respect full engineering details shall be submitted with the Reserved Matters Application. No work shall be commenced until a full specification has been approved.

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

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

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

16. Full details of the surface water drainage system shall be submitted to the Local Planning Authority with the first Reserved Matters Application. All approved works shall be implemented as required by the development phasing and shall be maintained operational thereafter.

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

17. No dwelling shall be occupied until its access and parking facilities have been constructed in accordance with the approved plan. These facilities shall be

retained capable of use at all times thereafter and shall not be removed or altered without the prior consent of the Local Planning Authority.

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

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

Reason: To prevent disturbance to nearby occupants in accordance with Policy H2 of the Carlisle District Local Plan 2001-2016.

19. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.
Site investigations should follow the guidance in BS10175.
Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CP13 of the Carlisle District Local Plan 2001-2016.

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016

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

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

Urban Area City of Carlisle

Key Service Centres Brampton
 Longtown

Local Service Centres Burgh by Sands Heads Nook

Castle Carrock	Houghton
Cummersdale	Irthington
Cumwhinton	Raughton Head
Dalston	Rockcliffe
Gilsland	Scotby
Great Corby	Smithfield
Great Orton	Thurstonfield
Hallbankgate	Warwick Bridge
Hayton	Wetheral

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

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

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

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

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

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP1 - Landscape Character

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

Development will be considered appropriate to the character of the landscape provided the proposal has regard to and conserves:

the landform and natural patterns of drainage;

- the pattern of trees and woodland;
- the habitats of species of importance for wildlife;
- the pattern and composition of field boundaries;
- the pattern of historic landscape features;
- the pattern and distribution of settlements

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP2 - Biodiversity

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

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

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP3 - Trees And Hedges On Development

Sites

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Carlisle District Local Plan 2001 - 2016

Housing - Policy H5 - Affordable Housing

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

All allocated housing sites and windfall sites of 10 or more dwellings in the urban area will be expected to make a contribution of 30% of units on-site towards affordable housing. Only in exceptional circumstances will the Council consider off-site contributions or a financial contribution in lieu of on-site provision.

In the rural area the contribution to affordable housing will be:

- 1 25% of housing on large sites (over 0.8ha or 25 dwellings)
- 2 20% of housing on medium sites (over 0.3ha or 10 dwellings)
- 3 10% of housing on small sites (over 0.1ha or 3 units)

The proportion of affordable housing sought will only be varied if this can be justified on a robust, evidence based, assessment of the economic viability of the site.

Where intermediate affordable housing is to be provided at a discounted market value a discount of 25-30% will be sought and the discounted sale will be required to be in perpetuity.

Carlisle District Local Plan 2001 - 2016

Transport - Policy T1- Parking Guidelines For Development

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

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

Item no: 16

Appn Ref No:
13/0792

Applicant:
Mr Watson

Parish:
Wetheral

Date of Receipt:
07/10/2013 08:00:09

Agent:
Ashton Design

Ward:
Great Corby & Geltsdale

Location:
Land to rear of The Whins and adjacent to Sewage Works, Allenwood, Heads Nook

Grid Reference:
349215 555198

Proposal: Residential Development (Outline)

Members will recall at Committee meeting held on 20th December 2013 that authority was given to the Director (Economic Development) to issue approval subject to the completion of a S106 to secure a financial contribution towards the provision of affordable housing. The S106 has been completed and approval was issued on 26th March 2014.

Granted Subject to Legal Agreement

1. Before any work is commenced details of the layout, scale, appearance, access and landscaping of the site (hereinafter called "reserved matters") shall be submitted to and approved by the Local Planning Authority.

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

2. In case of any "Reserved Matter" application for approval shall be made not later than the expiration of 1 year beginning with the date of this permission, and the development shall be begun not later than whichever is the later of the following dates:

- i) The expiration of 3 years from the date of the grant of this permission, or
- ii) The expiration of 2 years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

3. The approved documents for this Outline comprise:

1. the submitted planning application form, received 7 October 2013;
2. Planning Statement, received 8 October 2013;
3. Desk Study - Land Contamination, received 8 October 2013;
3. Site Location & Existing Site Plan, received 7 October 2013 (Dwg. No. P1307/01);
4. Proposed Site Layout, received 7 November 2013 (Dwg. No. P1307/02A);
5. Indicative House Design, received 8 October 2013 (Dwg. No. P1307/03);
6. Tree Survey, received 7 October 2013 (Dwg. No. P1307/05);
7. Desk Top Contamination Study, received 7 October 2013 (Dwg. No. P1307/06);
8. Visibility Splay & Road Width Information, received 6 December 2013

(Dwg. No. P1307/04B);

9. the Notice of Decision; and
10. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: For the avoidance of doubt.

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

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

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

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

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

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

7. Prior to commencement of development, details for how foul and surface water shall be drained on a separate system shall be submitted to the Local Planning Authority and approved in writing. The development shall be completed in accordance with the approved details.

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

8. Prior to the commencement of development, a scheme for surface water and foul water drainage (inclusive of how the scheme shall be maintained and managed after completion) shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme submitted for approval shall be

in accordance with the principles set out in the planning application proposing surface water runoff from the development site discharging into the soakaway. No part of the development shall be occupied until the drainage scheme has been constructed in accordance with the approved details. For the avoidance of doubt, neither surface water, land drainage, nor highway drainage shall connect into the public sewerage system (directly or indirectly). The development shall be completed, maintained and managed in accordance with the approved details.

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

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) there shall be no enlargement or external alterations to the dwellings to be erected in accordance with this permission, within the meaning of Schedule 2 Part (1) of these Orders, without the written approval of the Local Planning Authority.

Reason: To ensure that the character and attractive appearance of the buildings is not harmed by inappropriate alterations and/or extensions and that any additions which may subsequently be proposed satisfy the objectives of Policy CP5 of the Carlisle District Local Plan 2001-2016.

10. The access road, parking areas etc shall be designed, constructed and drained to the satisfaction of the Local Planning Authority and in this respect full engineering details shall be submitted with the Reserved Matters Application. No work shall be commenced until a full specification has been approved.

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

11. A plan shall be submitted with the Reserved Matters Application, reserving adequate land for the storage of materials, parking of vehicles/plant engaged in the construction operations and such land, including the vehicular access thereto, shall be used for these purposes at all times until completion of the construction works.

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

12. The vehicular access ramp leading off the public highway shall be constructed and drained to the specification of the Local Highways Authority.

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

13. Full details of the surface water drainage system shall be submitted to the Local Planning Authority with the reserved matters application. All approved works shall be implemented as required by the development phasing and shall be maintained operational thereafter.

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

14. No dwelling shall be occupied until its access and parking facilities have been constructed in accordance with the approved plan. These facilities shall be retained capable of use at all times thereafter and shall not be removed or altered without the prior consent of the Local Planning Authority.

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

15. A full Tree Survey shall be submitted with the Reserved Matters application. This shall identify the Root Protection Areas (RPAs) of the trees and hedges and to retained on and adjacent to the site. The access road shall be constructed outside the RPAs or a no dig solution shall be used within the RPAs, the details of which shall be agreed in writing with the Local Planning Authority.

Reason: In order to protect existing trees and hedges in accordance with Policy CP3 of the Carlisle District Local Plan 2001-2016.

16. For the duration of the development works existing trees and hedges to be retained shall be protected by a suitable barrier, the position of which shall be indicated on a plan and agreed in writing by the Local Planning Authority before development works commence. Within this protected area there shall be no excavation, tipping or stacking, nor compaction of the ground by any other means.

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

17. The site should be developed for a maximum of five dwellings.

Reason: To ensure that the rural character of the area is retained and to ensure that the proposed access is acceptable, in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

18. Prior to the occupation of the first property suitable receptacles shall be provided for the collection of waste and recycling for each unit in line with the schemes available in Carlisle District.

Reason: In accordance with Policy CP14 of the Carlisle District Local Plan 2001-2016.

Carlisle District Local Plan 2001 - 2016

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

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

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

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

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

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

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

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

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Housing - Policy H1 - Location Of New Housing Development

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

accordance with Policy DP1 and other policies of this Plan to ensure that:

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

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

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

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

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

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Housing - Policy H5 - Affordable Housing

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

All allocated housing sites and windfall sites of 10 or more dwellings in the urban area will be expected to make a contribution of 30% of units on-site towards affordable housing. Only in exceptional circumstances will the Council consider off-site contributions or a financial contribution in lieu of on-site provision.

In the rural area the contribution to affordable housing will be:

- 1 25% of housing on large sites (over 0.8ha or 25 dwellings)
- 2 20% of housing on medium sites (over 0.3ha or 10 dwellings)
- 3 10% of housing on small sites (over 0.1ha or 3 units)

The proportion of affordable housing sought will only be varied if this can be justified on a robust, evidence based, assessment of the economic viability of the site. Where intermediate affordable housing is to be provided at a discounted market value a discount of 25-30% will be sought and the discounted sale will be required to be in perpetuity.

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

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

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

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

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

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

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

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

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

Carlisle District Local Plan 2001 - 2016 **Core Development Policies - Policy CP4 - Agricultural Land**

Permission will not be given for development where it would lead to the loss of the best and most versatile agricultural land, unless:

- 1 there is an overriding need for the development; and
- 2 there is insufficient land of a lower grade available; or
- 3 available lower grade land has a statutory landscape, wildlife, historic or archaeological designation.

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Core Development Policies - Policy CP5 - Design

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

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

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

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

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Transport - Policy T1- Parking Guidelines For Development

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

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

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Leisure & Community Uses - Policy LC8 - Rights Of Way

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