

SCHEDULE C

SCHEDULE C

SCHEDULE C: Applications Determined by Other Authorities

Item No: 18

Between 23/02/2013 and 05/04/2013

Appn Ref No:

13/9003

Applicant:

Jean Nichol

Parish:

Carlisle

Date of Receipt:

23/01/2013

Agent:

Cumbria County Council -
Economy & Planning

Ward:

Upperby

Location:

Upperby Primary School, Uldale Road, Upperby,
Carlisle, Cumbria, CA2 4JT

Grid Reference:

340866 553668

Proposal: Extensions To School To Form 4No. Classrooms, Activity Space,
Library, Nurture Room, Kitchen, 2No. Withdrawal Rooms, W.C.'s And
Stores

Amendment:

REPORT

Case Officer: Barbara Percival

City Council Observations on the Proposal:

Decision: City Council Observation - Raise Objection(s)

Date: 08/02/2013

Decision of: Cumbria County Council

Decision Type: Grant Permission

Date: 11/03/2013

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

CUMBRIA COUNTY COUNCIL

TOWN AND COUNTRY PLANNING ACT, 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2010

NOTICE OF PLANNING CONSENT

To: Cumbria County Council
Parkhouse Building
Kingmoor Business Park
Carlisle

In pursuance of the powers under the above Act and Order the Cumbria County Council as local planning authority hereby **permit** the development described in your application and on the plans/drawings attached thereto received on 7 January 2013.

viz: Extensions to school to form 4 no. classrooms, activity space, library, nurture room, kitchen, 2 no. withdrawal rooms, WC's and stores

Upperby Primary School, Uldale Road, Upperby, Carlisle, Cumbria, CA2 4JT

Subject to due compliance with the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by the Planning and Compulsory Purchase Act 2004).

- 2 The development shall be carried out strictly in accordance with the approved documents, hereinafter referred to as the approved scheme. The approved scheme shall comprise the following:
 - a. The submitted Application Form - dated 04/01/2013
 - b. Drawing: Site Location, plan no. 12051-06, dated 11/12.
 - c. Drawing: Site Layout, plan no. 12051-04, dated 09/12;
 - d. Drawing: As Existing Site Plan, plan no. 12051-00, dated Nov/12;
 - e. Drawing: As Existing Plan, plan no. 12051-01, dated Sept/12;
 - f. Drawing: As Existing Elevations, plan no. 12051-02, dated Sept/12;
 - g. Drawing: As Proposed Plan, plan no. 12051-03F, dated 09/12;
 - h. Drawing: As Proposed Elevations & Sections, plan no. 12051-05C, dated 10/12;
 - i. Drawing: Block Plan, plan no. 12051-09, dated 01/13;
 - j. Design and Access Statement, dated December 2012;
 - k. Ecological Appraisal, dated December 2012;
 - l. Upperby Primary School Travel Plan, dated 2012;
 - m. Transport Statement, dated November 2012;
 - n. Drawing: Site Layout (showing football pitch), plan no. 12051-04A, dated 09/12, submitted by email 07/02/2013;
 - o. The details or schemes approved in relation to conditions attached to this permission.
 - p. This Decision Notice

Reason: To avoid confusion as to what comprises the approved scheme and ensure the development is carried out to an approved appropriate standard.

- 3 The measures identified in the Travel Plan shall be implemented by the applicant within 12 months of the development (or any part thereof) commencing use. An annual review of the effectiveness of the Travel Plan, including any necessary amendments or additional measures, shall be subsequently prepared by the applicant/occupier and submitted to the LPA for approval

Reason: To aid in the delivery of sustainable transport objectives in accordance with Local Transport Plan Policies WS1 and LD4.

- 4 Prior to the new buildings being occupied, details of the parent shelter and the covered bike store for 8 no. bikes shall be submitted to the Local Planning Authority for approval. Once approved they shall be implemented within 6 months of the development being occupied

Reason: To aid in the delivery of sustainable transport objectives in accordance with Local Transport Plan Policies WS1 and LD4.

Dated the 11 March 2013

.....
Signed: Paul Feehily
Assistant Director of Planning & Sustainability
on behalf of the Council.

NOTES

- The local planning authority has worked with the applicant/agent in a positive and proactive manner to seek solutions to any problems which have arisen in relation to dealing with the planning application and has implemented the requirements of the National Planning Policy Framework.
- Where the permission is granted subject to conditions, attention is directed to the attached Appendix/Notes.
- The conditions attached to this permission may override details shown on the application form, accompanying statements and plans.
- Submissions to discharge conditions may require a fee (see Appendix)
- Any approval to be given by the Assistant Director - Planning & Sustainability or any other officer of Cumbria County Council shall be in writing.

CUMBRIA COUNTY COUNCIL

**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2010**

Summary of Reasons For Grant of Planning Permission

1. This application has been determined in accordance with the Town and Country Planning Acts, in the context of national and regional planning policy guidance and advice and the relevant development plan policies.
2. The key development plan policies taken into account by the County Council before granting permission were as follows:

Carlisle City Council Local Plan (2001 – 2016)

POLICY LC11

Educational Needs

Proposals for the development of education facilities should be provided within the existing educational sites as indicated on the Proposals Map. On existing sites, proposals for new buildings should be in close proximity to existing buildings to minimise the visual impact of additional development. Where educational facilities are proposed outside existing sites the location should be close to the intended catchment in order to minimise travel in conjunction with centres listed in policy DP1. Other policies of this Plan will apply dependent upon the proposal and land to be utilised.

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.

POLICY CP16

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.

3. In summary, the reasons for granting permission are that the County Council is of the opinion that the proposed development is in accordance with the development plan, there are no material considerations that indicate the decision should be made otherwise and with the planning conditions included in the notice of planning consent, any harm would reasonably be mitigated. Furthermore, any potential harm to interests of acknowledged importance is likely to be negligible and would be outweighed by the benefits of the development.

Dated the 11 March 2013

.....
Signed: Paul Feehily
Assistant Director, Planning & Sustainability
on behalf of the Council.

APPENDIX TO NOTIFICATION OF PLANNING DECISION

This Appendix does not form part of any consent. However, you should take careful notice of the advice given below as it may affect your proposal.

1. Unless specifically exempt by the Waste Management Licensing Regulations 1994, all operations involving “controlled waste”, which includes most wastes excluding mine and radioactive waste, requires a Waste Management Licence or Pollution Prevention and Control Permit issued by the Environment Agency. Where your proposal includes the disposal, storage, transfer or treatment of any waste material on the permission site, you should contact the Environment Agency, Ghyll Mount, Gillan Way, Penrith 40 Business Park, Penrith, CA11 9BP (08708 506506), regarding applying for a licence, if you have not already done so. It is a criminal offence to deposit controlled waste and in certain circumstances to store, transfer or treat waste without a licence.
2. Obtaining any planning permission does not imply that any consents or licences required to be obtained from United Utilities plc or the Environment Agency would be granted. You are advised to consult the appropriate body to determine if any such consent or licence may be required.
3. Any grant of planning permission does not entitle developers to obstruct a public right of way. Development, insofar as it affects a right of way, should not be started, and the right of way should be kept open for public use, until the necessary order under Section 247 or 257 of the Town and Country Planning Act 1990, or other appropriate legislation, for the diversion or extinguishment of right of way has been made and confirmed.
4. The attention of the person to whom any permission has been granted is drawn to Sections 7 and 8A of the Chronically Sick and Disabled Persons Act 1970 and to the Code of Practice for Access of the Disabled to Buildings or any prescribed document replacing that code.
5. Any application made to the Local Planning Authority for any consent, agreement or approval required by a condition or limitation attached to a grant of planning permission will be treated as an application under Article 30 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and must be made in writing. Applications will be acknowledged and the Local Planning Authority is required to determine them within 8 weeks of receipt unless otherwise agreed in writing. A fee of £85 is payable for each submission (except for mining and landfill sites where fees are chargeable for site visits). A single submission may relate to more than one condition. If the County Council does not make a decision within 12 weeks of the date of submission the fee will be returned.