

Development Control Committee

Date: Friday, 03 December 2021

Time: 10:00

Venue: Council Chamber

Present: Councillor Ruth Alcroft, Councillor Nigel Christian, Councillor Mrs Christine Finlayson, Councillor Mrs Anne Glendinning, Councillor Keith Meller, Councillor David Morton, Councillor Paul Nedved, Councillor David Shepherd, Councillor Christopher Southward, Councillor Raymond Tinnion
Councillor Pamela Birks (for Councillor Lisa Brown)

Also Present: Councillor J Mallinson (in his capacity as Ward Member) attended the meeting having registered a Right to Speak in respect of application 21/051 – Land to the rear of South View, The Green, Houghton, Carlisle, CA3 0LN.

Officers: Corporate Director of Economic Development
Head of Development Management
Head of Legal and Democratic Services
Principal Planning Officer
Planning Officer (x 4)

DC.95/21 APOLOGIES FOR ABSENCE

An apology for absence was submitted on behalf of Councillor Brown.

DC.96/21 DECLARATIONS OF INTEREST

In accordance with the Council's Code of Conduct the following declarations of interest were submitted:

Councillor Morton declared an interest in respect of application 21/0928 – Land South and West of Castle Grounds, Wetheral, Carlisle, CA4 8JQ. The interest related to objectors being known to him.

Councillor Tinnion declared an interest in respect of application 21/0449 – Land at Stonehouse Farm, Hayton, Brampton, CA8 9JE. The interest related to the landowner and objectors being known to him.

Councillor Mrs Birks declared an interest in respect of application 2/0951 - Land to the rear of South View, The Green, Houghton, Carlisle, CA3 0LN. The interest related to a relative living near the application site.

Councillor Meller declared an interest in respect of the following applications:

- 21/0498 – Land North East of Inglewood Meadows, Wetheral. The interest related to objectors being known to him.

- 21/0928 – Land South and West of Castle Grounds, Wetheral, Carlisle, CA4 8JQ. The interest related to objectors being known to him.

- 21/0641 – Yew House, Sikeside, Kirklington, Carlisle, CA6 6DR. The interest related to objectors being known to him.

DC.97/21 PUBLIC AND PRESS

RESOLVED – That the Agenda be agreed as circulated.

DC.98/21 MINUTES OF PREVIOUS MEETINGS

RESOLVED – 1) The Chair signed the minutes of the meetings held on 8 September (site visits) and 10 September 2021.

2) That the minutes of the meetings held on 22 October and 1 December 2021 (site visits) be approved.

DC.99/21 PUBLIC REPRESENTATIONS IN RESPECT OF PLANNING APPLICATIONS

The Head of Legal and Democratic Services set out the process for those members of the public who had registered a Right to Speak at the Committee.

DC.100/21 CONTROL OF DEVELOPMENT AND ADVERTISING

That the applications referred to in the Schedule of Applications under A be approved/refused/deferred, subject to the conditions as set out in the Schedule of Decisions attached to these Minutes.

1. Application 20/0797 - Land to the North West of Stainton Gardens, Stainton Road, Etterby, Carlisle

Proposal: Erection of 33no. dwellings

Councillors Alcroft, Birks, Glendinning and Southward took no part in the discussion nor determination of the item of business.

The Principal Planning Officer submitted the report on the application. The Committee considered the application at its meeting of 10 September 2021 and deferred determination in order to commission an independent Highway Assessment.

The Principal Planning Officer advised that the independent Highway Assessment, which was reproduced in full in the report confirmed that the residential impact of the development was not severe and that the application should not be refused on highways grounds. The Principal Planning Officer summarised the highways measures to be implemented as part of the development, and noted that the independent report had recommended the provision of a 1m paved strip to allow passengers to alight on to a paved surface. In the Officer's view such a provision was not necessary and would reduce the area of soft landscaping and open space, however, should Members wish it to be included it was able to be incorporated into the scheme.

The Principal Planning Officer proposed that condition 22 be amended in line with suggestions from Environmental Health as set out in the report.

Slides were displayed on screen showing: Location / Redline Boundary Plan; Proposed Boundary Treatment and Hard Landscaping Plans; Proposed Street Scenes Plan; Proposed Site Layout Plan; and, photographs of the site, an explanation of which was provided for the benefit of Members.

The Principal Planning Officer recommended:

1) That Authority to Issue be granted to the Corporate Director of Economic Development, subject to the completion of a satisfactory Section 106 Agreement to secure:

a) the provision of the proposed level of affordable units (nine units at plots 19-21, 23-25 and 27-29 that would be made available at discounted sale, with the level of discount set at 30% below open market value);

b) a financial contribution of £5,500 towards speed limit changes and traffic calming measures;

c) a financial contribution of £122,770 to Cumbria County Council towards education provision (including 20mph zone should Members agree to it);

d) the maintenance of the informal open space, play provision and SUDs within the site by the developer;

e) financial contributions of £9,533.27 towards the upgrade of off-site sport pitches and recreation provision, and, £5,382.03 towards the upgrading and maintenance of off-site open space.

2) That should the legal agreement not be completed within a reasonable time, authority be delegated to the Corporate Director of Economic Development to refuse the application.

3) That condition 22 be amended to incorporate the suggestions of Environmental Health.

The Committee then gave consideration to the application.

A Member commented that with the findings of the independent Highway Assessment, he felt able to support the Officer's recommendation; he further supported the imposition of a 20mph speed limit and the provision of signage informing cyclist and motorists of each others presence on the highway.

A Member moved the Officer's recommendation which was seconded and it was:

RESOLVED: 1) That Authority to Issue be granted to the Corporate Director of Economic Development, subject to the completion of a satisfactory Section 106 Agreement to secure:

a) the provision of the proposed level of affordable units (nine units at plots 19-21, 23-25 and 27-29 that would be made available at discounted sale, with the level of discount set at 30% below open market value);

b) a financial contribution of £5,500 towards speed limit changes and traffic calming measures;

c) a financial contribution of £122,770 to Cumbria County Council towards education provision (including 20mph zone should Members agree to it);

d) the maintenance of the informal open space, play provision and SUDs within the site by the developer;

e) financial contributions of £9,533.27 towards the upgrade of off-site sport pitches and recreation provision, and, £5,382.03 towards the upgrading and maintenance of off-site open space;

2) That should the legal agreement not be completed within a reasonable time, authority be delegated to the Corporate Director of Economic Development to refuse the application.

3) That condition 22 be amended to incorporate the suggestions of Environmental Health.

2. Application 21/0498 - Land North East of Inglewood Meadows, Wetheral

Proposal: Change of Use of agricultural land for siting of 6no. pods; formation of parking area and footpaths; erection of service building and bin store.

Councillors Alcroft, Birks, Glendinning and Southward took no part in the discussion nor determination of the item of business.

The Planning Officer submitted the report on the application which had been deferred by the Committee at its meeting of 22 October in order to allow Officers to negotiate the relocation of the parking provision at the site with the applicant.

During the Committee's earlier consideration of the application, there were a number of matters relating to policy compliance were identified by Members, the Agent's responses to those matters were set out in the report along with the process for dealing with the water from the hot tubs. With regards to the parking provision at the site, the scheme had been amended to relocate the parking facilities at a lower section of the site and including a turning circle. Amended plans had been submitted illustrating the new position, the applicant had confirmed that the car park would be surfaced in a permeable material which may be secured by the imposition of a further condition should Members require it.

Slides were displayed on screen showing: Location Plan; Site Plan and Pod Design – originally submitted amended; and, photographs of the site, an explanation of which was provided for the benefit of Members.

The Planning Officer recommended that the application be approved subject to the conditions detailed in the report.

The Committee then gave consideration to the application.

A Member commented that he was satisfied with the relocated parking provision and the method of disposal of the waste water from the hot tubs, accordingly he moved the Officer's recommendation which was seconded.

Another Member also welcomed the work undertaken by the applicant to amended the scheme. However, he remained of the view that the car park would be visually intrusive and that the overall proposal was not inkeeping with the surrounding landscape. He moved that the application be refused on the grounds that it was not compliant with Local Plan policies: G 1 - Landscapes; EC 9 – Arts, Culture, Tourism and Leisure Development; EC 10 – Caravan, Camping Chalet Sites; SP 6 – Securing Good Design; and SP 8 – Green and Blue Infrastructure. The proposal was seconded.

The Chair noted that two proposals had been put forward, he put the matter to the vote and it was:

RESOLVED: That the application be approved, subject to the implementation of relevant conditions as indicated on the Schedule of Decision attached to these minutes.

3. Application 21/0314 - Land off Orton Road, Carlisle

Proposal: Residential development and associated landscaping and infrastructure.

Councillors Alcroft, Birks, Glendinning and Southward took no part in the discussion nor determination of the item of business.

The Principal Planning Officer submitted the report on the application which had been deferred by the Committee at its meeting of 22 October 2021 in order to allow discussions to take place with the applicant in relation to the replacing of two-storey dwellings at plots 7 to 9 with bungalows.

The Principal Planning Officer reported that following the deferral, the applicant had revised the layout in line with the Committee's request. There were a number of other changes to the layout of the scheme which the Principal Planning Officer outlined for Members.

Slides were displayed on screen showing: Location Plan; Proposed Site Layout; Proposed Site Sections; and, photographs of the site, an explanation of which was provided for the benefit of Members.

The Principal Planning Officer recommended:

1) The application be approved with conditions, subject to the completion of a Section 106 agreement to secure:

a) the provision of 30% of units as affordable;

b) an off-site open space contribution of £31,038 for the upgrading of existing open space;

c) a financial contribution of £45,000 to support the off-site improvement of existing play area provision;

d) a financial contribution of £33,327 to support the off-site improvement of existing sports pitches;

e) the maintenance of an informal open space within the site by the developer;

f) a financial contribution of £554,158 to Cumbria County Council towards secondary education provision;

g) a financial contribution of £6,600 to Cumbria County Council for Travel Plan monitoring;

h) a financial contribution of £5,500 to Cumbria County Council for relocating the 30mph zone and a new gateway feature.

2) Should the legal agreement not be completed, delegated authority be given to the Corporate Director of Economic Development to refuse the application.

A Member moved the Officer's recommendation which was seconded and following voting it was:

RESOLVED: That the application be approved, subject to the implementation of relevant conditions as indicated on the Schedule of Decision attached to these minutes.

4. Application 21/0951 - Land to the rear of South View, The Green, Houghton, Carlisle, CA3 0LN

Proposal: Erection of agricultural building (Revision to application 14/0678 Part Retrospective)

Councillor Mrs Birks having declared an interest in the item of business, took no part in the discussion nor determination of the application.

The Planning Officer submitted the report on the application. Slides were displayed on screen showing: Site Location Plan; Proposed Site Block Plan; Proposed Elevation, Floor and Section Plans; and photographs of the site, an explanation of which was provided for the benefit of Members.

The Planning Officer recommended that the application be approved subject to the conditions detailed in the report.

Mr Klein (Objector) spoke against the application in the following terms: a previous application at the site had been rejected due to the visual impact on the countryside of the stored vehicles; the manege had been relocated within the site; the proposed building was obscured by the number of parked vehicles at the site; there were inconsistencies relating to the floor space of the proposed building in the application documentation; the proposed screening would not be sufficient to prevent a negative visual impact of the building; the Officer's report was inconsistent and incorrectly asserted that the scale of the structure was reasonable; approving the application would create an adverse impact on the character and visual amenity of the location. Mr Klein displayed slides on screen showing: an article from the local press relating to the storage of vehicles at the application site; extracts from the planning application form; and, photographs of the site.

Councillor J Mallinson (Ward Member) addressed the Committee in the following terms: he acknowledged that the principle of development at the site had been agreed in 2014; the access road was in private ownership but a section of it ran through a residential area, the condition of the road was poor due to the impact of high levels of vehicular traffic use; the visual impact of the structure was significant, Members would benefit from a site visit to fully understand the impact; Councillor Mallinson questioned the applicant's need for an agricultural building.

Mr Greig (Agent) responded in the following terms: the principle of development at the site had already been approved via the consent of general agricultural shed at the site; the current application proposed a structure that was in a similar location to the approved shed with a 50cm increase in height which was not significant in planning terms; another agent had prepared the original application and it was not clear how the floor space of the buildings in some of the submitted documents varied, however, the Council was clear on the scale of the proposed dimensions were; the applicant had lodged an appeal with the Planning Inspectorate in relation to the refusal of permission for a Change of Use of the former manege to a vehicle storage area, objectors were able to make representations to the Inspectorate: the applicant had sufficient land holdings to justify the need for an agricultural building.

The Chair invited the Officer to respond issues raised in the verbal representations.

The Planning Officer reiterated that the principle of development at the site had been approved. The current application was a revised scheme, therefore the Committee need only consider the revisions compared to the previously consented shed. The proposed conditions detailed in the report covered matters such as: restricting the use of the shed to agricultural purposes; landscaping scheme; the submission of a surface water drainage scheme.

The Committee then gave consideration to the application.

In response to a question from a Member regarding the enforceability of the condition restricting shed to agricultural use, the Planning Officer advised that it was a standard condition and as such was enforceable.

A number of Members were of the view that the condition restricting the use of the shed to agricultural use required reinforcing to stipulate that only vehicles serving an agricultural purpose may be stored therein.

The Planning Officer responded to Members' questions on the future use of the shed, by advising that in determining the application the Committee was to consider the enlarged footprint of the shed not its use.

A Member proposed determination of the application be deferred in order for the Committee to undertake a site visit. The proposal was seconded.

A Member moved the Officer's recommendation, and the proposal was seconded.

The Chair noted that two proposals had been moved and seconded. The proposals were put to the vote and it was:

RESOLVED: That the application be approved, subject to the implementation of relevant conditions as indicated on the Schedule of Decision attached to these minutes.

5. Application 20/0096 - Land at Richardson Street, Denton Home, Carlisle

Erection of 39.no. dwellings

The Head of Development Management submitted the report on the application which had been subject of a site visit by the Committee on 1 December 2021. Slides were displayed on screen showing: Location Plan; Previously Approved Site Layout Plan Application 11/0863; Floor and Elevation Plans; and photographs of the site, an explanation of which was provided for the benefit of Members.

Further to the publication of the report additional correspondence from an objector had been received which reiterated points set out in earlier submissions, the Head of Development Management read out the correspondence for the benefit of Members.

The Head of Development Management recommended that the application be approved subject to the conditions detailed in the report.

The Committee then gave consideration to the application.

In response to questions from Members, Officers confirmed:

- The density of dwellings within the scheme was greater than the existing adjacent terraced properties, and the individual properties were of a smaller scale, however, the proposed dwellings met current minimum building standards in terms of size and scale;
- During the redevelopment of the wider site work to remove contamination had taken place;
- In terms of green infrastructure, the Little Caldew provided an area for wildlife as well as functioning as a flood defence;
- The scheme was not subject to a contribution in respect of Green Spaces;
- The lane to the north of the site was adopted along its entire length.

During the Committee's site visit, a Member had asked whether the layout was able to be amended to stagger the entrance. The Head of Development Management had discussed the matter with the agent who had advised any such revision would necessitate the removal of plots from the scheme thereby reducing the viability of the proposal.

In response to a question from a Member regarding the significance of developer profit, the Head of Development Management set out the considerations relating to viability in the determination of planning applications.

A Member moved the Officer's recommendation which was seconded and following voting it was:

RESOLVED: That the application be approved, subject to the implementation of relevant conditions as indicated on the Schedule of Decision attached to these minutes.

Councillor Birks left the meeting at 11:50am.

The Committee adjourned at 11:50am and reconvened at 12:00pm

6. Application 21/0928 - Land South and West of Castle Grounds, Wetheral, Carlisle, CA4 8JQ

Erection of 4.no bungalows and 3.no two storey dwellings.

The Planning Officer submitted the report on the application. Slides were displayed on screen showing: Location Plan; Block Plan as proposed; Site Plan and Site Elevations; Plots 3 to 9 – Plans and Elevations as proposed; Site Section through plots 8 – 9 as proposed; and, photographs of the site, an explanation of which was provided for the benefit of Members.

The Planning Officer recommended that:

- 1) the application be approved, subject to the completion of a Deed of Variation to the Section 106 Agreement to consist of the following obligations:
 - i) a reference to application 21/0928;
 - 2) Should the Deed of Variation not be completed in a reasonable time, delegated authority be granted to the Corporate Director of Economic Development to refuse the application.

The Committee then gave consideration to the application.

In response to questions from Members, Officers confirmed:

- The existing trees within the site were not the subject of a Tree Preservation Order nor in a Conservation Area;
- Conditions 6, 7 and 18 addressed landscaping and the protection of tree root areas;
- Under civil law it was permissible to lop branches from a tree if they overhung across the boundary of an adjacent property, in such circumstances the removed branches were to be returned to the tree owner;
- The layout of the site would prevent access from Ash Gate Lane, with access taken off the Wetheral to Scotby Road.

A Member sought clarification on the applicability of Biodiversity Net Gain in planning permissions, following the assent of the Environment Bill in parliament.

The Head of Development Management anticipated that regulations in respect of Biodiversity Net Gain would be forthcoming, but as yet an issue date was not known. The Council would start to incorporate reference to the matter on its application Validation Checklists.

In response to a request from a Member, the Planning Officer agreed the imposition of an additional condition requiring the use of swift bricks.

A Member moved the Officer's recommendation, along with the imposition of an additional condition requiring the use of swift bricks. The proposal was seconded and it was:

RESOLVED: 1) That the application be approved, subject to the completion of a Deed of Variation to the Section 106 Agreement to consist of the following obligations:

- i) a reference to application 21/0928.
- 2) Should the Deed of Variation not be completed in a reasonable time, delegated authority be granted to the Corporate Director of Economic Development to refuse the application.
- 3) That an additional condition be imposed requiring the use of swift bricks within the development.

7. Application 21/0979 - Unit 1 Site 18, Willowholme Road, Willowholme Industrial Estate, Carlisle, CA2 5RT

Proposal: Variation of Condition 4 (Opening Hours) of previously approved permission 21/0198 (Change of Use from car showroom to gym) to amend opening hours to 24 hours per day.

The Planning Officer submitted the report on the application. Slides were displayed on screen showing: Location Plan; Site Plan; Parking Site Plan; and, photographs of the site, an explanation of which was provided for the benefit of Members.

The Planning Officer recommended that the application be refused for the reasons set out in the report.

Mr Tweddle (Applicant) responded in the following terms: a number of other businesses in the vicinity of the gym operated on a 24 hour basis; other gyms in the city operated in closer proximity to residential properties; the noise impact of the proposal would be minimal; supporting the health and wellbeing of residents through exercise was important the extended opening hours would enable people to exercise at a time that was convenient to them.

The Committee then gave consideration to the application.

In response to questions from Members, Officers confirmed:

- The Showman's Guild site was permanently occupied;
- Concerns in relation to the noise impact related to customer activity on entering and leaving the site i.e. vehicular noises, conversation etc.

A number of Members expressed their support for the proposal and indicated their willingness to approve the application. A Member asked whether it was possible, in the event of the scheme being approved that noise abatement measures may be included in the permission, for example, no music after 10pm.

The Head of Development Management responded that the application was for a Variation of Condition to an existing permission which set out all conditions relating to the scheme, therefore Officers would liaise with the applicant in relation to noise management measures.

A Member moved that the application be approved subject to the imposition of relevant conditions determined by the Corporate Director of Economic Development. The proposal was seconded and following voting it was:

RESOLVED: That the application be approved subject to the imposition of relevant conditions determined by the Corporate Director of Economic Development, as indicated in the Schedule of Decisions attached to these minutes.

8. Application 21/0975 - Green Meadows Country Park, Blackford, Carlisle, CA6 4EA

Proposal: Variation of Conditions 2 (Approved Documents); 5 (Number of Units) & 6 (Holiday Occupancy) of previously approved application 20/0309 (Change of Use of land to provide extension to existing caravan park) to amend the layout & increase the number of static caravans from 25 to 65 in lieu of the 27 touring pitches and 20 tent pitches.

The Planning Officer submitted the report on the application. Slides were displayed on screen showing: Site Location Plan; Previously Approved and Proposed Site Block Plan; and, photographs of the site, an explanation of which was provided for the benefit of Members.

The Planning Officer recommended that the application be approved subject to the conditions detailed in the report.

The Committee then gave consideration to the application.

In response to questions from Members, Officers confirmed:

- The separation distance between the caravans would be 6m, that matter would be dealt with via the Council's Environmental Health services, which would consider a site licence for the scheme;
- The proposal was an expansion of a land based rural business;
- Details of the methods of drainage, both foul and surface water were required to be supplied by condition, the details of the processes would be considered by the Lead Local Flood Authority;
- In addition the Council's Building Control service would consider the means of foul drainage;
- The application had been submitted to enable the business to respond to changing market conditions following the Covid 19 pandemic.

The Planning Officer responded to a number of issues in relation to enforcement in respect of the already permitted development raised by a Member.

A Member moved the Officer's recommendation which was seconded and following voting it was:

RESOLVED: That the application be approved, subject to the implementation of relevant conditions as indicated on the Schedule of Decision attached to these minutes.

9. Application 21/0449 - Land at Stonehouse Farm, Hayton, Brampton, CA8 9JE

Proposal: Demolition of barns, erection of 9.no dwellings and associated infrastructure.

Councillor Tinnion, having declared an interest in the item of business vacated his seat and took no part in the discussion nor determination of the application.

The Principal Planning Officer submitted the report on the application. Slides were displayed on screen showing: Site Location Plan; Proposed Site Plan; Elevation and Floor Plans; and, photographs of the site, an explanation of which was provided for the benefit of Members.

The Principal Planning Officer recommended that:

- 1) Authority to Issue be granted to the Corporate Director of Economic Development subject to the completion of a satisfactory Section 106 agreement to secure:
 - a) a financial contribution of £85,588 towards affordable housing.
 - 2) That should the legal agreement not be completed within a reasonable time, delegated authority be granted to the Corporate Director of Economic Development to refuse the application.

Ms Mitchell (Objector) spoke against the application in the following terms: the proposed development backed directly on to her property which create a loss of privacy and negative impact on her living conditions; the application approved in 2017 was more respectful towards the privacy of her dwelling; in considering the impact of the proposal on her property the large glazed aspect of the property had not been a factor; a request had been made that the separation distances be carefully measured from both the extension wall and the orangery, but this had not been actioned; the proposed dwellings would have 5 windows overlooking the property at 3.5m distance; the proposal amounted to a 30% increase in the overall development; no site visit had been undertaken by the Officer to Ms Mitchell's property; the Highway Authority's response to the application had been based on a road layout from 1990 and so was not valid, the application would have a detrimental impact on road safety.

Ms Eiffel (Objector) spoke against the application in the following terms: access to the proposed development was via The Woodlands which was narrow and without a pavement; increased vehicular traffic was an existing concern, approving the scheme would exacerbate the issue; the entrance to the access road was site on a hill on a bend which made it difficult to safely negotiate; traffic levels in the village were already an issue with the school issuing guidance to parents on the matter; due to the narrow pavements in the village pedestrians often walked in the road; construction traffic accessing the site would be detrimental to highway safety; the Highway Authority needed to reevaluate its response to the application so that it was based on existing conditions; the idea that the granting of previous planning permissions at the site set a precedent for development was objectionable.

Mr Weir (Objector) spoke against the application in the following terms: the application approved in 2017 was more respectful towards the privacy of his dwelling, it would have created 7 windows overlooking his property, the current proposal would generate 14, the loss of privacy was a violation of the Human Rights Act; the 16,800 additional vehicular movements the proposal would create would have a significant impact on road safety; the Highway Authority's response, based as it was on outdated did not factor in increased levels of traffic, for example, from home deliveries; there were often vehicles parked at the entrance to the access road; approving the application would create a long term impact on pedestrian and traffic safety.

Ms Lightfoot (Agent) responded in the following terms: she set out the history of planning permissions at the site noting that access had always been provided for via The Woodlands; the current application increased the size of the overall development by two dwellings which was a reduction of four units granted under a previous permission; the principle of development at the site had been accepted with the granting of the earlier permissions; the Highway Authority had approved previously proposals for development which had been larger in scale; the separation distance between the existing and proposed dwellings were similar to approved under previous applications; the western boundary of the existing development contained smaller house types, the proposed dwellings would be sited at the eastern boundary; a condition of the permission was the submission of a Construction Management Plan, where the Highway Authority would be consulted on the routing of vehicles; the existing access had been designed for the purpose and there had been no material change in circumstances; the proposed scheme was an effective use of land.

The Chair invited the Principal Planning Officer to respond to issues raised in the submissions to the Committee.

The Principal Planning Officer responded on the following points:

- The matter of separation distances had been fully covered in the report (paragraph 6.21);
- The overlooking of existing dwellings was via bedroom windows and as such was considered acceptable.

The Chair stated that having heard the representations of objectors, there was a need for the Committee to undertake a site visit. He put the matter to the Committee which indicated its assent.

RESOLVED: That determination of the application be deferred in order for the Committee to undertake a site visit.

Councillor Tinnion resumed his seat.

The Committee adjourned at 13:00 and reconvened at 13:50

DC.101/21 STANDING ORDERS

RESOLVED – That Council Procedure Rule 9, in relation to the duration of meetings be suspended in order the at the meeting could continue over the time limit of 3 hours.

10. Application 21/0513 - Buck Bottom Farm, Burgh by Sands, Carlisle, CA5 6AN

Proposal: Demolition of 2.no barns; conversion of 1.no barn to dwelling and erection of 3no dwellings;

&

11. Application 21/0514 - Buck Bottom Farm, Burgh by Sands, Carlisle, CA5 6AN

Demolition of 2no barns; conversion of barn to dwelling and erection of 3no dwellings (LBC)

The Planning Officer submitted the report on the applications. Slides were displayed on screen showing: Site Location Plan; Elevation and Floor Plans; Block Plan; House Type Plans; and, photographs of the site, an explanation of which was provided for the benefit of Members.

Further to the publication of the report additional correspondence from an objector had been received which reiterated points set out in earlier submissions, the Planning Officer read out the correspondence for the benefit of Members.

The Planning Officer recommended that the applications be approved subject to the conditions detailed in the report.

The Committee then gave consideration to the applications.

In response to questions from Members, Officers confirmed:

- The Heritage Officer was not entirely satisfied with the proposed scheme, his comments had been considered as part of the overall assessment of the application. The Heritage Officer had a number of outstanding concerns regarding the application, however, it was the Planning Officer's view that they were not sufficiently overriding as to justify refusal;

- When an application proposed the demolition of a Listed Building, rather than conversion, the Local Planning Authority required the submission of structural survey to confirm that the structure was not fit for conversion, such confirmation had been submitted in relation to the proposed scheme;

- Conditions had been included requiring the submission of details of the means of surface water and foul drainage, for approval by the Local Planning Authority;

- United Utilities had responded to the application confirming the development was able to be connected to the mains sewer. The response also advised that there was no extant drainage issues in the area.

A Member requested that consideration be given to the retention and reuse of timbers from the existing building in the new build properties in respect of application 21/0512. The Planning Officer undertook to amend condition 3 accordingly.

The Member further requested that the applicant be required to provide swift bricks and swallow cups in the new build properties in respect of application 21/0512. The Planning Officer undertook to impose appropriate additional conditions.

A Member moved the Officer's recommendation which was seconded and following voting it was:

RESOLVED: That the applications be approved, subject to the implementation of relevant conditions as indicated on the Schedule of Decision attached to these minutes.

12. Application 21/0732 - Land adj. Hallmoor Court, (Plot 4), Wetheral, Carlisle, CA4 8JS

Erection of 1no. dwelling

The Planning Officer submitted the report on the application. Slides were displayed on screen showing: Location Plan; Block Plan; Proposed Site Plan; Floor Plans; Proposed Elevation Plans; and, photographs of the site, an explanation of which was provided for the benefit of Members.

The Planning Officer recommended that the application be approved subject to the conditions detailed in the report.

A Member moved the Officer's recommendation which was seconded and following voting it was:

RESOLVED: That the application be approved, subject to the implementation of relevant conditions as indicated on the Schedule of Decision attached to these minutes.

13. Application 21/0641 - Yew House, Sikeside, Kirkclinton, Carlisle, CA6 6DR

Change of Use of garage and part first floor to form holiday let.

The Planning Officer submitted the report on the application. Slides were displayed on screen showing: Location Plan; Block Plan; Floor, Elevations and Roof Plans, as existing; Floor, Elevations and Roof Plans, as proposed; and photographs of the site, an explanation of which was provided for the benefit of Members.

The Planning Officer recommended that the application be approved subject to the conditions detailed in the report.

Mr Forrester (Objector on his own behalf and behalf of Ms Francis-Green) spoke against the application in the following terms: approving the proposal would have an adverse impact on the character and tranquillity of the surrounding residential area and the Heritage Assets in the vicinity of the site; the proposed hot tub was situated very close to Mr Forrester's boundary wall and was likely to lead to a loss of privacy for him; there was no soak away at the site to deal with the discharge from the hot tub; as part of the scheme the applicant had erected, without planning permission a metal shed within the application site which was totally out of character with the surrounding area; the access road was in a poor condition, did not have a footpath nor signs warning motorists of pedestrian users and was not gritted in winter, permitting the scheme would exacerbate those issues and increase the likelihood of an accident occurring.

Mr Gash (Objector) spoke against the application in the following terms: the report and recommendations had not allayed concerns set out in previous objection submissions; approving the application would significantly alter the tranquil, rural nature of the area through noise intrusion and the unpredictable behaviour of users of the proposed facility; the proposed location of the holiday let was too close to existing residential property; the access to the site was communal and already breaking up under current domestic use, granting permission would exacerbate the issue; the septic tank that the proposed holiday let would use was shared with Mr Gash's property, the Officer's assertion that that "the level of usage would be unlikely to change" was not feasible given the additional discharge created by an increased number of users.

Mr Smith (Applicant) responded in the following terms: the scale of the development was small, and would only create a small additional traffic flow on the shared access; the discharge to the septic tank would remain at a residential level; the site was within the boundary of Mr Smith's domestic property allowing an oversight and management of visitor's conduct; the quiet nature of the location had been a factor in the decision to purchase the residential property, and Mr Smith intended to preserve that.

The Committee then gave consideration to the application.

In response to a question from a Member regarding the ownership of the shared septic tank, the Planning Officer advised that the applicant was one of the owners and therefore had legitimate access to it.

A Member sought clarification on the access arrangements to the proposed development.

The Planning Officer using slides displayed on screen of the site, described the proposal.

A number of Members felt that they did not have sufficient understanding of the site in order to properly determine the application. Accordingly, a Member proposed that determination of the application be deferred in order for the Committee to undertake a site visit. The proposal was seconded and following voting it was:

RESOLVED: That the determination of the application be deferred in order for the Committee to undertake a site visit.

14. Application 21/0915 - Meadow View, Smithfield, Kirklington, Carlisle, CA6 6BP

Demolition of existing conservatory; erection of replacement sun room together with enlarged bedroom above and formation of balcony.

The Principal Planning Officer submitted the report on the application which was presented to the Committee as the applicant was an employee of the Council. Slides were displayed on screen showing: Block Site Plan; Proposed Elevations and photographs of the site, an explanation of which was provided for the benefit of Members.

The Principal Planning Officer recommended that the application be approved subject to the conditions detailed in the report.

In response to a request from a Member, the Principal Planning Officer agreed the imposition of an additional condition requiring the use of swift bricks.

A Member moved the Officer's recommendation, along with the imposition of an additional condition requiring the use of swift bricks. The proposal was seconded and it was:

RESOLVED: That the application be approved, subject to the implementation of relevant conditions as indicated on the Schedule of Decision attached to these minutes.

The Meeting ended at: 14:55