

Committee Minutes

Control of Development and Advertisements

The Development Control Committee received and considered the following applications:

Item no: 01

Appn Ref No: 11/0595	Applicant: BRB (Residuary) Ltd	Parish: Kingmoor
Date of Receipt: 15/07/2011 13:00:57	Agent: Jacobs UK Limited	Ward: Stanwix Rural
Location: Waverley Viaduct, River Eden, Willowholme, CA2	Grid Reference: 338317 556513	

Proposal: Temporary Consent For Retention Of Existing Steel Palisade Security Fences Located At Each End Of Viaduct For A Further 3 Years

Grant Permission

1. The approved documents for this Planning Permission comprise:
 1. the submitted planning application form, received 15 July 2011;
 2. Design & Access Statement, received 15 July 2011;
 3. Site Plan, received 25 July 2011 (Drawing No. B123600-ETC 265-002);
 4. Block Plan, received 25 July 2011 (Drawing No. B123600-ETC 265-002);
 5. Elevations & Sections, received 15 July 2011 (Drawing No. J98238A-YCE-432 Rev 0);
 6. Palisade Fencing Elevation, received 25 July 2011 (Drawing No. B123600-ETC 265-003);
 7. the Notice of Decision; and
 8. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: For the avoidance of doubt.

2. The fences hereby approved, shall be removed and there shall be carried out such works as may be required for the reinstatement of the land to the satisfaction of the Local Planning Authority by not later than the 31st December 2012.

Reason: The Local Planning Authority wish to review the matter at the end of the limited period specified.

Summary of Reasons for the Decision

The relevant planning policies against which the application is required to be assessed are Policies CP5, LE2, LE4, LE7, LE12, LE13 and LC2 of the Carlisle District Local Plan 2001-2016. The proposals raise the following planning issues:

1. Impact On The Character Of The Area And On The Listed Waverley Viaduct

The steel sheeting looks very unsightly. The fencing is clearly visible from the surrounding area, including from the public footpaths that run in close proximity to the northern and southern ends of the viaduct. It has a significant adverse impact on the character of the area and on the listed viaduct, which is constructed of stone and only has a low parapet wall along its edge. The retention of this fencing in the long-term would not be acceptable.

BRB is currently trying to come up with a long-term solution for the future of the structure. Until this is resolved, it is trying to prevent public access, to reduce the risk of vandalism and for public safety reasons. In order to do this, it wants to retain the security fencing for a further three years.

BRB is currently in discussions with the City Council about the future of the viaduct. The provision of a fenced footpath down the centre of the viaduct is currently being explored and Sustainable Carlisle has produced a plan of this for consideration. In other parts of the country BRB has worked with Trusts and local Councils in order to open up viaducts for public access. It has lease agreements in place with some organisations, where the organisations are responsible for the parapet, path and waterproofing and BRB is responsible for everything else. This option could be explored for Waverley Viaduct.

A key issue which would need to be resolved if public access is to be provided across the viaduct is that of land ownership on the north side of the River Eden. The owner of the land adjacent to the viaduct, which the public would have to cross in order to get from the viaduct onto the public footpaths on the north side of the river, supports the retention of the security fences and does not want public access over the viaduct. Unless this issue can be resolved through negotiation with the landowner, then the provision of public access over the viaduct would not be appropriate, given that it would lead to issues of trespass on the north side of the river.

Given the continued dialogue with BRB about the future of the viaduct and the need for further discussions with Sustainable Carlisle and the landowner on the north side of the river, the granting of a further temporary consent is considered to be acceptable. A temporary permission for another three years seems excessive, but a further permission for one year would allow the above issues to be explored further.

If Members are minded to refuse planning permission and Listed Building Consent for the current proposals, BRB would revert back to the palisade fencing which was in place when the structure was listed in 1994. Members should also be aware that anybody going onto the viaduct is trespassing, given that there is no public right of way over the structure.

Conclusion

Whilst the current fence is unsightly and has an adverse impact on the character of the area and on the listed viaduct, its retention for a further temporary twelve month period would be acceptable, whilst the issues over the long-term future of viaduct are explored.

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 LE2 - Sites Of Special Scientific Interest

Development proposals within or likely to affect the nature conservation or geological interest of Sites of Special Scientific Interest will be subject to special scrutiny and will not be permitted unless:

- 1 The reasons for the development clearly outweigh the nature conservation value of the site for which it is of special interest and therefore designated as part of the national series of SSSIs; or
- 2 the nature conservation interest of the site can be fully protected and enhanced by the appropriate use of planning conditions or obligations.

Carlisle District Local Plan 2001 - 2016

Local Environment - Policy LE4 - River Corridors

Permission will not be granted for developments which are likely to have a detrimental impact on nature conservation, public access, the quality of the landscape or recreational facilities found within the river corridors.

Opportunities for economic development in relation to the rivers will only be considered provided there is no adverse impact on wildlife habitats, species or natural process associated with or affecting the rivers. Access for operational or maintenance purposes will be protected and culverting to provide access for maintenance will not be acceptable

Carlisle District Local Plan 2001 - 2016

Local Environment - Policy LE7 - Buffer Zone On Hadrian's Wall World Heritage Site

Within the buffer zone of Hadrian's Wall Military Zone World Heritage Site, as defined on the Proposals Map, proposals for development which would have an unacceptable impact on the character and/or setting of the World Heritage Site will not be permitted. Development within or adjacent to existing settlements, established farmsteads and other groups of buildings will be permitted, where it is consistent with other policies of this Plan, 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 character and/or appearance of the Hadrian's Wall Military Zone World Heritage Site.

Within the outer visual envelope, beyond the Hadrian's Wall Military Zone World Heritage Site, proposals for major development which would have an adverse effect on the character of the World Heritage Site will not be permitted unless the need for the development outweighs the environmental costs.

Carlisle District Local Plan 2001 - 2016

Local Environment - Policy LE12 - Proposals Affecting Listed Buildings

Proposals for new development which adversely affects a listed building or its setting will not be permitted. Any new development within the setting of a listed building should preserve the building's character and its setting. The City Council will seek to encourage any new development to be sympathetic in scale, character and materials.

Carlisle District Local Plan 2001 - 2016

Local Environment - Policy LE13 - Alterations To Listed Buildings

Applications for alterations or extensions to listed buildings must have regard to the scale, proportions, character and detailing of the existing building (both internally and externally) and of its windows and doorways. Any proposals which have an unacceptable impact on the listed building will not be permitted.

Applications will be assessed against the following criteria:

1. the importance of the building, its intrinsic architectural and historic interest and rarity, and its significance to the local distinctiveness and character of the district;
2. the particular physical features of the building
3. the setting of the building and its contribution to the local scene;
4. the extent to which the proposed works would bring substantial benefits for the community.

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.

Item no: 02

Appn Ref No:
11/0701

Applicant:
BRB (Residuary) Ltd

Parish:
Kingmoor

Date of Receipt:
17/08/2011 08:00:21

Agent:
Jacobs UK Ltd

Ward:
Stanwix Rural

Location:
Waverley Viaduct, River Eden, Willowholme, CA2
7NY

Grid Reference:
338317 556510

Proposal: Temporary Consent For Retention Of Existing Steel Palisade Security Fences Located At Each End Of Viaduct For A Further 3 Years (LBC)

Grant Permission

1. The approved documents for this Planning Permission comprise:
 1. the submitted planning application form, received 17 August 2011;
 2. Design & Access Statement, received 17 August 2011;
 3. Site Plan, received 17 August 2011 (Drawing No. B123600-ETC 265-002);
 4. Block Plan, received 17 August 2011 (Drawing No. B123600-ETC 265-002);
 5. Palisade Fencing Elevation, received 17 August 2011 (Drawing No. B123600-ETC 265-003);

6. Proposed Palisade Fencing, received 17 August 2011 (Drawing No. BAL-01-ETC/265);
7. Proposed Palisade Fencing Plan, received 17 August (Drawing No. BAL-02-ETC/265);
8. the Notice of Decision; and
9. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: For the avoidance of doubt.

2. The fences hereby approved, shall be removed and there shall be carried out such works as may be required for the reinstatement of the land to the satisfaction of the Local Planning Authority by not later than the 31st December 2012.

Reason: The Local Planning Authority wish to review the matter at the end of the limited period specified.

Summary of Reasons for the Decision

The relevant planning policies against which the application is required to be assessed are Policies LE12 and LE13 of the Carlisle District Local Plan 2001-2016. The proposals raise the following planning issues:

1. Impact On The Listed Waverley Viaduct

The steel sheeting looks very unsightly. The fencing is clearly visible from the surrounding area, including from the public footpaths that run in close proximity to the northern and southern ends of the viaduct. It has a significant adverse impact on the character of the area and on the listed viaduct, which is constructed of stone and only has a low parapet wall along its edge. The retention of this fencing in the long-term would not be acceptable.

BRB is currently trying to come up with a long-term solution for the future of the structure. Until this is resolved, it is trying to prevent public access, to reduce the risk of vandalism and for public safety reasons. In order to do this, it wants to retain the security fencing for a further three years.

BRB is currently in discussions with the City Council about the future of the viaduct. The provision of a fenced footpath down the centre of the viaduct is currently being explored and Sustainable Carlisle has produced a plan of this for consideration. In other parts of the country BRB has worked with Trusts and local Councils in order to open up viaducts for public access. It has lease agreements in place with some

organisations, where the organisations are responsible for the parapet, path and waterproofing and BRB is responsible for everything else. This option could be explored for Waverley Viaduct.

A key issue which would need to be resolved if public access is to be provided across the viaduct is that of land ownership on the north side of the River Eden. The owner of the land adjacent to the viaduct, which the public would have to cross in order to get from the viaduct onto the public footpaths on the north side of the river, supports the retention of the security fences and does not want public access over the viaduct. Unless this issue can be resolved through negotiation with the land owner, then the provision of public access over the viaduct would not be appropriate, given that it would lead to issues of trespass on the north side of the river.

Given the continued dialogue with BRB about the future of the viaduct and the need for further discussions with Sustainable Carlisle and the landowner on the north side of the river, the granting of a further temporary consent is considered to be acceptable. A temporary permission for another three years seems excessive, but a further permission for one year would allow the above issues to be explored further.

If Members are minded to refuse planning permission and Listed Building Consent for the current proposals, BRB would revert back to the palisade fencing which was in place when the structure was listed in 1994. Members should also be aware that anybody going onto the viaduct is trespassing, given that there is no public right of way over the structure.

Conclusion

Whilst the current fence is unsightly and has an adverse impact on the listed viaduct, its retention for a further temporary twelve month period would be acceptable, whilst the issues over the long-term future of viaduct are explored.

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016

Local Environment - Policy LE12 - Proposals Affecting Listed Buildings

Proposals for new development which adversely affects a listed building or its setting will not be permitted. Any new development within the setting of a listed building should preserve the building's character and its setting. The City Council will seek to encourage any new development to be sympathetic in scale, character and materials.

Carlisle District Local Plan 2001 - 2016

Local Environment - Policy LE13 - Alterations To Listed Buildings

Applications for alterations or extensions to listed buildings must have regard to the scale, proportions, character and detailing of the existing building (both internally and externally) and of its windows and doorways. Any proposals which have an

unacceptable impact on the listed building will not be permitted.

Applications will be assessed against the following criteria:

1. the importance of the building, its intrinsic architectural and historic interest and rarity, and its significance to the local distinctiveness and character of the district;
2. the particular physical features of the building
3. the setting of the building and its contribution to the local scene;
4. the extent to which the proposed works would bring substantial benefits for the community.

Item no: 03

Appn Ref No:
10/1102

Applicant:
EDF Energy Renewables

Parish:
Kirkandrews

Date of Receipt:
09/12/2010

Agent:
EDF Energy Renewables

Ward:
Longtown & Rockcliffe

Location:
Beck Burn Peat Works, Springfield, Longtown,
Cumbria CA6 5NH

Grid Reference:
334466 568940

Proposal: Erection Of 9No. 126 Metre High (To Tip) Wind Turbine Generators, Transformer Housings, Control Room, 80m High Meteorological Mast And Formation Of Associated Laydown Area, Crane Pads And Access Tracks; Associated Change Of Use To Mixed Use Comprising Operational Peat Works And Wind Farm

Refuse Permission

1. **Reason:** The Eskdalemuir monitoring site is part of the seismic network of the International Monitoring System established to help verify compliance with the nuclear arms Comprehensive Test Ban Treaty. In order to ensure compliance with the Treaty, which also requires that Parties not interfere with the verification system, a noise budget has been allocated by the Ministry of Defence within a safeguarding area around Eskdalemuir. At present this budget has been reached and the proposed turbines will generate additional seismic noise that will compromise the capability of the UK to detect distant nuclear tests and breach the agreement under the Comprehensive Test Ban Treaty.

Relevant Development Plan Policies

The North West Of England Plan Regional Spatial Strategy To 2021 Policy EM 17: Renewable Energy

In line with the North West Sustainable Energy Strategy, by 2010 at least 10% (rising to at least 15% by 2015 and at least 20% by 2020) of the electricity which is supplied within the Region should be provided from renewable energy sources. To achieve this new renewable energy capacity should be developed which will contribute towards the delivery of the indicative capacity targets set out in Tables 9.6 and 9.7a-c. In accordance with PPS22, meeting these targets is not a reason to refuse otherwise acceptable development proposals.

Local authorities should work with stakeholders in the preparation of sub regional studies of renewable energy resources so as to gain a thorough understanding of the supplies available and network improvements, and how they can best be used to meet national, regional and local targets. These studies should form the basis for:

- informing a future review of RSS to identify broad locations where development of particular types of renewable energy may be considered appropriate ⁽¹¹⁹⁾; and
- establishing local strategies for dealing with renewable resources, setting targets for their use which can replace existing sub regional targets for the relevant authorities.

Plans and strategies should seek to promote and encourage, rather than restrict, the use of renewable energy resources. Local planning authorities should give significant weight to the wider environmental, community and economic benefits of proposals for renewable energy schemes to:

- contribute towards the capacities set out in tables 9.6 and 9.7 a-c; and
- mitigate the causes of climate change and minimise the need to consume finite natural resources.

Opportunities should be sought to identify proposals and schemes for renewable energy. The following criteria should be taken into account but should not be used to rule out or place constraints on the development of all, or specific types of, renewable energy technologies:

- anticipated effects on local amenity resulting from development, construction and operation of schemes (e.g. air quality, atmospheric emissions, noise, odour, water pollution and disposal of waste). Measures to mitigate these impacts should be employed where possible and necessary to make them acceptable;
- acceptability of the location/scale of the proposal and its visual impact in relation to the character and sensitivity of the surrounding landscape, including cumulative impact. Stringent requirements for minimising impact on landscape and townscape would not be appropriate if these effectively

preclude the supply of certain types of renewable energy, other than in the most exceptional circumstances such as within nationally recognised designations as set out in PPS22 paragraph 11;

- effect on the region's World Heritage Sites and other national and internationally designated sites or areas, and their settings but avoiding the creation of buffer zones and noting that small scale developments may be permitted in such areas provided there is no significant environmental detriment;
- effect of development on nature conservation features, biodiversity and geodiversity, including sites, habitats and species, and which avoid significant adverse effects on sites of international nature conservation importance by assessment under the Habitats Regulations;
- maintenance of the openness of the Region's Green Belt;
- potential benefits of development to the local economy and the local community;
- accessibility (where necessary) by the local transport network;
- effect on agriculture and other land based industries;
- ability to make connections to the electricity distribution network which takes account of visual impact (as qualified above);
- integration of the proposal with existing or new development where appropriate;
- proximity to the renewable fuel source where relevant – e.g. wood-fuel biomass processing plants within or in close proximity to the region's major woodlands and forests;
- encourage the integration of combined heat and power (CHP), including micro CHP into development.

Developers must engage with local communities at an early stage of the development process prior to submission of any proposals and schemes for approval under the appropriate legislation.

The North West Of England Plan Regional Spatial Strategy To 2021 Policy EM 1: Integrated Enhancement And Protection Of The Region's Environmental Assets

The Region's environmental assets should be identified, protected, enhanced and managed.

Plans, strategies, proposals and schemes should deliver an integrated approach to conserving and enhancing the landscape, natural environment, historic environment and woodlands of the region.

Plans and strategies should define spatial objectives and priorities for conservation, restoration and enhancement as appropriate, and provide area-based guidelines to direct decisions and target resources. These will be founded on a sound understanding of the diversity, distinctiveness, significance and sensitivity of the region's environmental assets, and informed by sub-regional environmental frameworks. Special consideration will be given to the impacts of climate change

and adaptation measures.

Priority should be given to conserving and enhancing areas, sites, features and species of international, national, regional and local landscape, natural environment and historic environment importance.

Where proposals and schemes affect the region's landscape, natural or historic environment or woodland assets, prospective developers and/or local authorities should first avoid loss of or damage to the assets, then mitigate any unavoidable damage and compensate for loss or damage through offsetting actions with a foundation of no net loss in resources as a minimum requirement.

With regard to specific elements of this integrated approach, the following should be taken into account:

Cumbria and Lake District Joint Structure Plan 2001 – 2016

Policy E35: Areas and Features of nature conservation interests other than those of national and international conservation importance

Development and other land use changes that are detrimental to these nature conservation interests will not be permitted unless the harm caused to the value of those interests is outweighed by the need for the development. Where development is permitted the loss of nature conservation interest should be minimised and, where practicable, mitigation should be provided.

These nature conservation interests are defined as:

- County Wildlife Sites (CWSs)
- Regionally Important Geological or Geomorphological Sites (RIGGS)
- The UK Biodiversity Action Plan Priority Habitats that occur in Cumbria
- Species of Conservation Importance in the North West Region that occur in Cumbria
- Landscape features of major importance for wild fauna and flora, which are essential for migration dispersal and genetic exchange
- Local nature reserves

Cumbria and Lake District Joint Structure Plan 2001 – 2016

Policy E37: Landscape character

Development and land use change should be compatible with the distinctive characteristics and features of Cumbria's landscape types and sub types. Proposals will be assessed in relation to:

1. locally distinctive natural or built features,
2. visual intrusion or impact,
3. scale in relation to the landscape and features,
4. the character of the built environment,
5. public access and community value of the landscape,

6. historic patterns and attributes,
7. biodiversity features, ecological networks and seminatural habitats, and
8. openness, remoteness and tranquillity.

Cumbria and Lake District Joint Structure Plan 2001 – 2016
Policy R44: Renewable energy outside the Lake District National Park and AONBs

Outside the Lake District National Park and AONBs proposals for renewable energy including any ancillary infrastructure or buildings will be favourably considered if:

1. there is no significant adverse effect on the landscape character, biodiversity and the natural and built heritage of the area either individually or cumulatively through their relationship with other utility infrastructure
2. there is no significant adverse effect on local amenity, the local economy, highways, aircraft operations or telecommunications,
3. the proposal takes all practicable measures to reduce any adverse impact on landscape, environmental, nature conservation, historical and local community interests,

In considering applications for planning permission in relation to the above criteria, and other policies in this plan, the environmental, economic and energy benefits of renewable energy proposals should be given significant weight.

There are additional requirements in the following cases:

Wind energy development

4. measures should be included to secure the satisfactory removal of structures/ related infrastructure and remediation of land following cessation of operation of the installation,

New plant for the commercial generation of energy from biomass

5. shall be sited on existing industrial/ employment sites or previously developed land that is well related to the resource catchment.

Where practicable measures to transport fuel and waste by water or rail shall be made.

Proposals for the recovery of energy from agriculture waste within existing farm units or sewage sludge

6. shall be well related to the activity, scale and character of the existing business/enterprise and /or setting.

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 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 CP8 - Renewable Energy

Proposals for renewable energy will be favourably considered provided that all of the following criteria are satisfied:

- 1 there is no unacceptable visual impact on the immediate and wider landscape and townscape;
- 2 there is no adverse impact on biodiversity;
- 3 any new structures would be sensitively incorporated into the surrounding landscape/ townscape and/or habitat and respect the local landscape character;
- 4 measures are taken to mitigate any noise, smell or other nuisance or pollutants likely to affect nearby occupiers, amenities and/or neighbouring land uses;
- 5 any waste arising as a result of the development is minimised and dealt with

- using a suitable means of disposal;
- 6 there would be no unacceptable levels of harm to features designated as of local, national or international importance;
- 7 adequate provision can be made for access and parking and the potential impact on the road network;
- 8 there would be no unacceptable conflict with any existing recreational facilities or routes;
- 9 there would be no unacceptable cumulative effects when proposals are considered together with any extant planning approvals or other existing renewable energy developments.

Item no: 04

Appn Ref No:
11/0863

Applicant:
Border Construction
Limited

Parish:

Date of Receipt:
04/10/2011

Agent:

Ward:
Denton Holme

Location:
Land at Norfolk Street, Denton Holme, Carlisle,
Cumbria

Grid Reference:
339545 554853

Proposal: Proposed Student Accommodation Comprising 495No. Bedrooms With Social Hub And Associated Parking, Access And Landscaping

Members resolved to defer consideration of the proposal in order to enable the applicant to consider changes to the scheme, in particular the height of the units and the level of car parking to be provided, and to await a further report on the application at a future meeting of the Committee.

Item no: 05

Appn Ref No:
11/0730

Applicant:
A P & J Brown Limited

Parish:
Wetheral

Date of Receipt:
25/08/2011

Agent:
Abacus Building Design

Ward:
Wetheral

Location:
Land Adjacent Beech Cottage, Cumwhinton,
Carlisle, CA4 8DL

Grid Reference:
344658 552699

Proposal: Erection Of 14No. Dwellings Comprising Affordable Housing And Housing For The Elderly (Outline Application)

Members resolved to give authority to the Assistant Director (Economic Development) to issue approval for the proposal s106 agreement to secure:

- a) the provision of affordable housing/ housing for the elderly in perpetuity; and
- b) a financial contribution of £5000 to be used by the Parish Council towards the provision of children's playing facilities within the village.

Members also authorised the Assistant Director (Economic Development) to consider whether the request made by the County Council in respect of funding towards education infrastructure is reasonable and, if appropriate, incorporate the provision of that funding within the s106 agreement.

Item no: 06

Appn Ref No:
11/0818

Applicant:
Two Castles Housing
Association

Parish:
Wetheral

Date of Receipt:
16/09/2011 16:02:28

Agent:
HMH Architects

Ward:
Wetheral

Location:
Land adj The Sheiling & Meadow View, School
Road, Cumwhinton

Grid Reference:
345240 552759

Proposal: Erection Of 8no. Dwellings For Affordable Rent With Associated Parking And Landscaping Comprising: 4No. 2 Bed Bungalows And 4No. 3 Bed Houses Together With New Access Road

Members resolved to give authority to the Assistant Director (Economic Development) to issue approval for the proposal subject to:

1. the completion of a S106 Agreement to ensure that the properties remain for affordable rent in perpetuity; and
2. a financial contribution of £3000 to be used by the Parish Council towards the provision of children's playing facilities within the village.

Members also authorised the Assistant Director (Economic Development) to consider whether the request made by the County Council in respect of funding towards education infrastructure is reasonable and, if appropriate, incorporate the provision of that funding within the S106 agreement.

Item no: 07

Appn Ref No:
11/0716

Applicant:
Mr Paul Marshall

Parish:
Wetheral

Date of Receipt:
22/08/2011

Agent:
Hogg & Robinson (Design
Services) Limited

Ward:
Wetheral

Location:
Ardneil, Aglionby, Carlisle, CA4 8AQ

Grid Reference:
344666 556520

Proposal: Change Of Use Of Land To Domestic Garden; Erection Of General Purpose Building

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 22 August 2011;
 2. Design & Access Statement, received 22 August 2011;
 - 3.
 - 4.
 5. the Notice of Decision; and
 6. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: For the avoidance of doubt.

3. The materials (and finishes) to be used in the construction of the proposed development shall be in accordance with the details contained in the submitted application, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the objectives of Policy CP5 of the Carlisle District Local

Plan 2001-2016 are met and to ensure a satisfactory external appearance for the completed development.

4. The storage building hereby permitted shall not be used except for private and domestic purposes associated with Ardneil and for the storage of agricultural machinery and implements and shall at no time be used for any commercial or business purposes whatsoever.

Reason: To preclude the possibility of the use of the premises for purposes inappropriate in the locality and to ensure compliance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

5. Within 1 month of the general purpose building hereby approved being completed the existing storage building located to the rear of the garden to Ardneil shall be removed from the site and the land restored to its previous use.

Reason: To protect the character of the area and to accord with Policy CP5 of the Carlisle District Local Plan 2001-2016.

Summary of Reasons for the Decision

The relevant planning policies against which the application is required to be assessed are Policies LE7, CP5 and CP6 of the Carlisle District Local Plan 2001-2016. The proposals raise the following planning issues:

Conclusion

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016

Local Environment - Policy LE7 - Buffer Zone On Hadrian's Wall World Heritage Site

Within the buffer zone of Hadrian's Wall Military Zone World Heritage Site, as defined on the Proposals Map, proposals for development which would have an unacceptable impact on the character and/or setting of the World Heritage Site will not be permitted. Development within or adjacent to existing settlements, established farmsteads and other groups of buildings will be permitted, where it is consistent with other policies of this Plan, 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 character and/or appearance of

the Hadrian's Wall Military Zone World Heritage Site.

Within the outer visual envelope, beyond the Hadrian's Wall Military Zone World Heritage Site, proposals for major development which would have an adverse effect on the character of the World Heritage Site will not be permitted unless the need for the development outweighs the environmental costs.

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.

Item no: 08

Appn Ref No:
11/0922

Applicant:
Carlisle City Council

Parish:
Carlisle

Date of Receipt:
21/10/2011 23:00:36

Agent:
Day Cummins Limited

Ward:
Currock

Location:
Land at Water Street, Carlisle, CA2 5AW

Grid Reference:
340188 555237

Proposal: Proposed Female And Family Accommodation Comprising 10No. Residential Units With Communal And Staff Facilities, Associated Parking, Vehicle Access and Landscaping

Members resolved to give authority to the Assistant Director (Economic Development) to issue approval for the proposal subject to no objection being raised by the Environment Agency.

Members also authorised the Assistant Director (Economic Development) to discuss the future use and potential for the parcel of land to the south-west of the proposed building, bounded by Currock Street and Water Street, to be used as a play area.

Item no: 09

Appn Ref No:
11/0941

Applicant:
Mr & Mrs Barker

Parish:
Wetheral

Date of Receipt:
28/10/2011

Agent:
Jock Gordon

Ward:
Wetheral

Location:
11 Holme Fauld, Scotby, Carlisle, Cumbria, CA4 8BL

Grid Reference:
343812 555857

Proposal: Raising Of Existing Roof, Erection Of Two Storey Extension Together With Internal Reconfiguration To Provide: Study; Dining Room; Hall; Living Room; Kitchen/Family Room; w.c.; Utility; Store And Garage With 2no. En-Suite Bedrooms; 1no. Bedroom, Gallery And Bathroom Above

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 28th October 2011;
2. the location plan received 28th October 2011 (Drawing Number 2009/1);
3. the site plan received 28th October 2011 (Drawing Number 2009/2);
4. the existing floor plan received 28th October 2011 (Drawing Number 2009/3);
5. the existing elevations received 28th October 2011 (Drawing Number 2009/4);
6. the proposed floor plans received 10th November 2011 (Drawing Number 2009/5A);
7. the proposed elevations received 28th October 2011 (Drawing Number 2009/6);
8. the Notice of Decision; and
9. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: For the avoidance of doubt.

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 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 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.

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: 10

Appn Ref No: 11/0955	Applicant: Mr D Jackson	Parish: Brampton
Date of Receipt: 02/11/2011	Agent: TSF Developments Ltd	Ward: Brampton
Location: The White House, Main Street, Brampton, Cumbria, CA8 1SB		Grid Reference: 352933 561162

Proposal: Levelling Of Terraced Garden; Erection Of Retaining Wall Together With Timber Panelled Fencing Above And Additional Landscaping (Retrospective Application)

Members resolved to defer consideration of the proposal in order to undertake a site visit and to await a further report on the application at a future meeting of the Committee.

Item no: 11

Appn Ref No: 10/0986	Applicant: Egertons Recovery Ltd	Parish: Carlisle
Date of Receipt: 03/11/2010	Agent: Taylor & Hardy	Ward: Belle Vue
Location: Caxton Road, Newtown Industrial Estate, Carlisle CA2 7HS		Grid Reference: 338054 556147

Proposal: Variation Of Condition 7 (Revised Drainage Details) Relating To Planning
Ref: 08/1089

Withdrawn by Applicant/or by default

Item no: 12

Appn Ref No:
11/0822

Applicant:
Mr G Stockdale

Parish:
Burtholme

Date of Receipt:
20/09/2011

Agent:

Ward:
Irthing

Location:
2 Roman Retreat, Burthinghurst, Walton, Brampton
CA8 2JW

Grid Reference:
355003 566130

Proposal: Variation Of Condition 12 (Restriction Of Length Of Letting Period) Of
Previously Approved Planning Application 02/0342 To Increase From 21
Day Let To Up To 56 Day Let

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 Planning Application Form received 20th September 2011;
2. the Location Plan received 20th September 2011 (Drawing no. 01);
3. the Notice of Decision; and
4. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

3. This permission relates to:

- a) the conversion of "unit 1", as identified on drawing number 01/1222/04/REV A, as a single dwelling;
- b) the use of "unit 2", as identified on drawing number 01/1222/04/REV A, solely for short term holiday units which shall not be let for more than 56 days to any individual or party at anytime. The aforementioned "units 2" shall not be subsequently sold, let or otherwise be allowed to be occupied as permanent accommodation; and
- c) the use of "unit 3", as identified on drawing number 01/1222/04/REV A, solely for short term holiday units which shall not be let for more than 21 days to any individual or party at anytime. The aforementioned "units 3" shall not be subsequently sold, let or otherwise be allowed to be occupied as permanent accommodation.

Reason: The proposal is not considered to be a sustainable form of development and the site is within an area where to preserve the character of the countryside it is the policy of the local planning authority to restrict development to that required to satisfy a special agricultural or other proven local need. On this basis the local planning authority wish to control the precise nature of the use of the properties in accordance with Policy H1 of the Carlisle District Local Plan 2001-2016.

4. The development shall be carried out in accordance with the remaining conditions attached to the "Full Planning" permission approved under application 02/0342.

Reason: For the avoidance of doubt.

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 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
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 EC15 - Tourism Caravan Sites

Proposals for the development of caravan sites will be acceptable provided that:

- 1 The siting and scale of the proposal does not have an unacceptable adverse effect on the character of the local landscape; and
- 2 The site is adequately landscaped; and
- 3 The site is contained within existing landscape features; and
- 4 The level of traffic generated by the proposal can be adequately accommodated by the local road network without detriment to the particular rural character of the area;
- 5 Adequate access and appropriate car parking can be provided.

In addition, the Council will consider the need to impose seasonal restrictions through the use of planning conditions to safeguard the environment and landscape through the winter months.

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:
11/0859

Applicant:
Two Castles Housing
Association

Parish:
Carlisle

Date of Receipt:
03/10/2011 13:00:24

Agent:
Elliott Johnson Ltd

Ward:
Castle

Location:
Two Castles Housing Association, 3 Castle Street,
Carlisle, CA3 8SY

Grid Reference:
339819 556105

Proposal: Display Of 2No. Fascia Signs And 1No. Hanging Sign (Non Illuminated)
(LBC)

Grant Permission

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

Reason: In accordance with the provisions of Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

2. The approved documents for this Listed Building Consent comprise:

1. the submitted planning application form, received 5 October 2011;
2. Design & Access Statement, received 5 October 2011;
3. Location Plan, received 3 October 2011 (Drawing 01);
4. Block Plan, received 10 October 2011 (Drawing 02);

5. Existing Front Elevation, received 3 October 2011 (Drawing 03);
6. Proposed Elevations, received 10 October 2011 (Drawing 04 Rev A);
7. Signage Details, received 3 October 2011;
8. the Notice of Decision; and
9. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: For the avoidance of doubt.

Summary of Reasons for the Decision

1. Impact On The Character And Appearance Of The Listed Building

Both the Conservation Area Advisory Committee (CAAC) and the Council's Heritage Officer consider that the proposed signage is excessive. CAAC considers that the hanging sign sets an unwelcome precedent for the advertisement of office premises which adds additional clutter to this important elevation. It suggests that the hanging sign should be removed from the application but that the fascia signs be approved. The Council's Heritage Officer considers that either the hanging signs or the wall mounted signage would be acceptable, but that both elements taken together constitute an adverse impact on the appearance of the building, which is listed and which lies within the conservation area.

In response to this objection, the applicant considers that a precedent has already been set in Castle Street for hanging signs on buildings providing services to the local community. The building provides a range of services including interviews, rent payments, rent reviews and a range of tenancy related issues for existing and potential customers (tenants). Two Castles provides 3,400 affordable homes to the North of England and are committed to providing more high quality affordable homes. The proposed hanging signage is deemed essential to allow the building to be readily identified by all members of the public from Castle Street. There are a number of examples of hanging signs on listed buildings located on Castle Street that house companies providing services similar to that of Two Castles Housing.

The proposed two fascia signs would replace the two existing signs that are located on the columns at either side of the main entrance and would be of a similar size. The CAAC has raised no objections to these signs. In light of the above, the two fascia signs are acceptable.

The hanging sign would be located on a rendered strip at the end of the property, adjacent to 5 Castle Street. It would be small in scale and would hang from a metal bracket. It would contain the name of the company and their logo. A number of properties in the vicinity, including a number of listed buildings, have existing

hanging signs. These include retail units, restaurants, Tullie House Museum and offices. Whilst the concerns of the CAAC and the Council's Heritage Officer are noted, it would be unreasonable to refuse permission for a small, well designed hanging sign, given the presence of a large number of existing hanging signs on listed buildings in close proximity to the application site.

In overall terms, the proposal would not have a significant adverse impact on the character or appearance of the listed building. In all aspects the proposal is compliant with the objectives of the adopted Local Plan Policies.

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016

Economic & Commercial Growth - Policy EC17 - Advertisements

Proposals for advertisements in Carlisle, Brampton and Longtown will be permitted providing that they are not detrimental to visual amenity and do not prejudice public safety. All of the following criteria will be used to assess suitability:

- 1 size;
- 2 location;
- 3 illumination;
- 4 design;
- 5 materials;
- 6 means of fixture; and
- 7 impact upon the street scene/local environment.

The display of advertisements in conservation areas which are of an inappropriate scale, illumination or materials, lead to clutter or obstruct or detract from the character or appearance of the conservation area or the architectural features of the buildings on which they are displayed will not be permitted.

Discontinuance action will be taken to remove posters and other material considered to cause a substantial injury to the character or appearance of the conservation area.

Carlisle District Local Plan 2001 - 2016

Local Environment - Policy LE12 - Proposals Affecting Listed Buildings

Proposals for new development which adversely affects a listed building or its setting will not be permitted. Any new development within the setting of a listed building should preserve the building's character and its setting. The City Council will seek to encourage any new development to be sympathetic in scale, character and materials.

Carlisle District Local Plan 2001 - 2016

Local Environment - Policy LE19 - Conservation Areas

The City Council will continue to review existing and designate new conservation areas. Development proposals within and adjoining conservation areas will be granted planning permission provided they preserve or enhance their character and appearance. Any new development or alterations to existing buildings should harmonise with their surroundings and be in sympathy with the setting, scale, density and physical characteristics of conservation areas, and protect important views into or out of such areas. Applications for outline planning permission will not be accepted for proposals in conservation areas.

Proposals for new development and/or alterations to buildings in conservation areas will be judged against the following criteria:

- 1 the development should preserve or enhance all features which contribute positively to the area's character or appearance, in particular the design, massing and height of the building should closely relate to adjacent buildings and should not have an unacceptable impact on the townscape or landscape;
- 2 the development should not have an unacceptable impact on the historic street patterns and morphology, roofscape, skyline and setting of the conservation area, important open spaces or significant views into, out of and within the area;
- 3 development proposals should not result in the amalgamation or redrawing of boundaries between traditional buildings and plots, or demolition and redevelopment behind retained facades;
- 4 wherever practicable traditional local materials such as brick, stone and slate should be used and incongruous materials should be avoided;
- 5 individual features both on buildings and contributing to their setting, should be retained e.g. doorways, windows, shopfronts, garden walls, railings, cobbled or flagged forecourts, sandstone kerbs, trees and hedges, etc. Where features have deteriorated to the extent to which they have to be replaced, the replacement should match the original;
- 6 proposals which would generate a significant increase in traffic movements and heavy vehicles or excessive parking demands will not be permitted since these would be prejudicial to amenity;
- 7 proposals which would require substantial car parking and servicing areas which can not be provided without an adverse effect on the site and its surroundings will not be permitted.

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.

Item no: 14

Appn Ref No:
11/0872

Applicant:
Mr Brittain

Parish:
Carlisle

Date of Receipt:
05/10/2011 16:00:19

Agent:
Asquith

Ward:
Castle

Location:
Two Castles Housing Association, 3 Paternoster Row, Carlisle, CA3 8TT

Grid Reference:
339819 556105

Proposal: Display Of 1No. External Fascia Sign And 1No. Hanging Sign; Display Of 2No. Internal Fascia Signs (Non Illuminated) (LBC)

Grant Permission

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

Reason: In accordance with the provisions of Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

2. The approved documents for this Listed Building Consent comprise:

1. the submitted planning application form, received 5 October 2011;
2. Design & Access Statement, received 5 October 2011;
3. Location Plan, received 5 October 2011 (Drawing 01);
4. Block Plan, received 10 October 2011 (Drawing 02);
5. Existing Front Elevation, received 5 October 2011 (Drawing 03);
6. Proposed Front Elevation, received 10 October 2011 (Drawing 04);
7. Proposed Internal Signage, received 14 October 2011 (Drawing 01 Rev RA);
8. Signage Details, received 5 October 2011;
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.

Summary of Reasons for the Decision

Both the Conservation Area Advisory Committee (CAAC) and the Council's Heritage Officer consider that the proposed signage is excessive. CAAC considers that the hanging sign sets an unwelcome precedent for the advertisement of office premises which adds additional clutter to this important elevation. It suggests that the hanging sign should be removed from the application but that the fascia sign be approved. The Council's Heritage Officer considers that either the hanging sign or the wall mounted signage would be acceptable, but that both elements taken together constitute an adverse impact on the appearance of the building, which is listed and which lies within the conservation area.

In response to this objection, the applicant considers that a precedent has already been set in Paternoster Row for hanging signs on buildings providing services to the local community. The building provides a range of services including interviews, rent payments, rent reviews and a range of tenancy related issues for existing and potential customers (tenants). Two Castles provides 3,400 affordable homes to the North of England and are committed to providing more high quality affordable homes. The proposed hanging signage is deemed essential to allow the building to be readily identified by all members of the public from Paternoster Row. The building next door but one, which is occupied by the University of Cumbria and which is also a listed building, has a hanging sign.

The proposed external fascia sign would replace an existing sign adjacent to the main entrance into the property and would be of a similar size. The two internal fascia signs would be small in scale and would not be visible from outside the property. The CAAC has raised no objections to these signs. In light of the above, the fascia signs are acceptable.

The hanging sign would be located on the wall above the proposed external fascia sign. It would be of an acceptable scale and would hang from a metal bracket. It would contain the name of the company and their logo. An adjacent building, which is listed, has an existing hanging sign. Whilst the concerns of the CAAC and the Council's Heritage Officer are noted, it would be unreasonable to refuse permission for a small, well designed hanging sign, given the presence of an existing hanging sign on a listed building in close proximity to the application site.

In overall terms, the proposal would not have a significant adverse impact on the character or appearance of the listed building. In all aspects the proposal is compliant with the objectives of the adopted Local Plan Policies.

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016 Economic & Commercial Growth - Policy EC17 - Advertisements

Proposals for advertisements in Carlisle, Brampton and Longtown will be permitted providing that they are not detrimental to visual amenity and do not prejudice public safety. All of the following criteria will be used to assess suitability:

- 1 size;
- 2 location;
- 3 illumination;
- 4 design;
- 5 materials;
- 6 means of fixture; and
- 7 impact upon the street scene/local environment.

The display of advertisements in conservation areas which are of an inappropriate scale, illumination or materials, lead to clutter or obstruct or detract from the character or appearance of the conservation area or the architectural features of the buildings on which they are displayed will not be permitted.

Discontinuance action will be taken to remove posters and other material considered to cause a substantial injury to the character or appearance of the conservation area.

Carlisle District Local Plan 2001 - 2016 Local Environment - Policy LE12 - Proposals Affecting Listed Buildings

Proposals for new development which adversely affects a listed building or its setting will not be permitted. Any new development within the setting of a listed

building should preserve the building's character and its setting. The City Council will seek to encourage any new development to be sympathetic in scale, character and materials.

Carlisle District Local Plan 2001 - 2016 Local Environment - Policy LE19 - Conservation Areas

The City Council will continue to review existing and designate new conservation areas. Development proposals within and adjoining conservation areas will be granted planning permission provided they preserve or enhance their character and appearance. Any new development or alterations to existing buildings should harmonise with their surroundings and be in sympathy with the setting, scale, density and physical characteristics of conservation areas, and protect important views into or out of such areas. Applications for outline planning permission will not be accepted for proposals in conservation areas.

Proposals for new development and/or alterations to buildings in conservation areas will be judged against the following criteria:

- 1 the development should preserve or enhance all features which contribute positively to the area's character or appearance, in particular the design, massing and height of the building should closely relate to adjacent buildings and should not have an unacceptable impact on the townscape or landscape;
- 2 the development should not have an unacceptable impact on the historic street patterns and morphology, roofscape, skyline and setting of the conservation area, important open spaces or significant views into, out of and within the area;
- 3 development proposals should not result in the amalgamation or redrawing of boundaries between traditional buildings and plots, or demolition and redevelopment behind retained facades;
- 4 wherever practicable traditional local materials such as brick, stone and slate should be used and incongruous materials should be avoided;
- 5 individual features both on buildings and contributing to their setting, should be retained e.g. doorways, windows, shopfronts, garden walls, railings, cobbled or flagged forecourts, sandstone kerbs, trees and hedges, etc. Where features have deteriorated to the extent to which they have to be replaced, the replacement should match the original;
- 6 proposals which would generate a significant increase in traffic movements and heavy vehicles or excessive parking demands will not be permitted since these would be prejudicial to amenity;
- 7 proposals which would require substantial car parking and servicing areas which can not be provided without an adverse effect on the site and its surroundings will not be permitted.

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.