# **SCHEDULE A: Applications with Recommendation**

19/0193

Item No: 03 Date of Committee: 10/01/2020

**Appn Ref No:** Applicant: Parish: 19/0193 Dalston Parochial Church Dalston

Council

Agent: Ward:

Architects Plus (UK) Ltd Dalston & Burgh

Location: St Michaels and All Angels Church, The Square, Dalston, Carlisle, CA5

7PJ

Proposal: Erection Of Extension To Provide Library, Function Room And

Entrance; Conversion Of Existing Vestry To Form New Accessible Toilet, Office And Kitchen And Alterations To Existing Disabled WC To

Provide Vestry And Accessible Toilet

Date of Receipt: Statutory Expiry Date 26 Week Determination

06/03/2019 01/05/2019

**REPORT** Case Officer: Suzanne Osborne

### 1. Recommendation

1.1 It is recommended that this application is approved with conditions.

### 2. Main Issues

- 2.1 Whether the principle of the development is acceptable;
- 2.2 Whether the scale and design is acceptable together with the impact upon the Grade II\* Listed Building;
- 2.3 Impact upon the setting of nearby Grade II Listed Buildings;
- 2.4 Impact upon Dalston Conservation Area;
- 2.5 Impact upon the living conditions of neighbouring residents;
- 2.6 Highway issues;
- 2.7 Impact upon protected species;
- 2.8 Impact upon trees;
- 2.9 Archaeological issues/gravestone removal; and
- 2.10 Other matters.

# 3. Application Details

### The Site

- 3.1 This application relates to St Michaels and All Angels Church, a Grade II\*
  Listed Building located at the northern end of The Square in the centre of
  Dalston village. The church is set within a large churchyard which extends to
  the north and east, running parallel to the River Caldew. A number of large
  mature trees are located along the western boundary of the site as well as a
  footpath which links The Square to the northern end of the village.
- 3.2 Beyond the northern boundary of the site are two residential properties "The Old Vicarage and Caldew House". To the west is the B5299 which runs through the village with residential properties located beyond. To the south is a variety of residential and commercial properties located around The Square. The church is wholly located within Dalston Conservation Area and all of the buildings surrounding the application site are Grade II Listed.

## The Proposal

- 3.3 The proposal seeks full planning permission for the erection of a single storey extension on the northern side of the church to provide a multi-purpose function room (which will incorporate a library), an office and store together with converting the existing flat roof vestry to provide an accessible toilet and kitchen. The new extension will be linked internally to the church via the existing vestry, which is a single storey Victorian extension to the church, and will also have its own separate external access. The submitted plans illustrate that the proposal comprises of a single storey flat roof link (former vestry extension) and a steeply pitched roof extension to reflect the angles of the other pitches on the church. The extension will be constructed from the same pallet of materials to that of the church with a natural slate roof and locally sourced dressed sandstone walls. All new windows and external doors will be constructed from oak.
- 3.4 Members should be aware that when the application was first submitted the submitted plans illustrated a larger extension to the north of the church which included a separate library and function room with two existing prominent mature trees (Lawson Cypress and a Whitebeam) near the entrance to the north of the site to be removed to provide the proposed extension. Following concerns raised by Officers in relation to the removal of the trees and the design of the extension the proposed plans have been amended to those discussed in paragraph 3.3 above.
- 3.5 Various documents have been submitted to accompany the application namely a Planning Statement, Heritage Impact Assessment, Gravestone Survey, Archaeological Evaluation Report, Design and Access/Heritage Statement, Tree Survey Report, Statement Determining Need, Baseline Ecology Survey, a Scoping Bat Survey and a Contaminated Land Desk Top Study.

# 4. Summary of Representations

- 4.1 The application has been advertised by the display of a site notice, press notice and by means of notification letters sent to 43 neighbouring properties/interested parties. In response to the consultation undertaken 29 objections (some of which are from the same properties), 9 letters/emails of support and 1 comment has been received.
- 4.2 The objections received cover a number of matters which are summarised as follows:
  - 1. question the need/justification for the proposal;
  - 2. number of other venues/facilities within the village that could be used as well as the existing church and Church House;
  - 3. query whether community services should be placed within a church;
  - 4. no need for a permanent library as last one was closed down due to lack of use and there is already a library that attends the village
  - 5. impact upon the character/appearance of the Grade II\* Listed Church including its setting;
  - 6. impact upon the churchyard including the removal of historic tombstones;
  - 7. impact upon existing healthy trees and shrubs within the churchyard which are highly valued and common features of Victorian churchyards;
  - 8. trees should be protected by a Tree Preservation Order;
  - 9. impact upon trees within the grounds of the adjacent residential property
  - 10. impact upon existing habitats including ancient meadowland, slow worms, Holly Blue butterfly, bats, barn owls and other protected species;
  - 11. no environmental assessment submitted with the application;
  - 12. impact upon views of the church including the vestry stone door and rose window in the north wall of the church;
  - 13. artists impression of the development is misleading;
  - 14. development will have a substantial impact upon the Grade II Listed Old Vicarage:
  - 15. development will increase existing anti-social behavioural problems;
  - 16. query regarding level of consultation behind the application;
  - 17. accuracy of documentation submitted;
  - 18. development would exacerbate parking problems in the square;
  - 19. impact upon green spaces in the centre of the village;
  - 20. concern that church funds might be used for the development;
  - 21. little detail on materials and finishing of the development;
  - 22. impact upon the amenity of the neighbouring residential property;
  - 23. development does not satisfy Policies E1 and E2 of the Dalston Parish Neighbourhood Plan or Policies HE3 and HE7 of the Carlisle District Local Plan 2015-2030;
  - 24. exploratory trenches dug to enable archeological assessment follow footprint of earlier proposals and not footprint of development now proposed:
  - 25. do not agree with digging up consecrated ground;
  - 26. development will damage beauty of church paths,

- 27. parish council has objected to the development;
- 28. ecology report not fit for purpose timings of slow worm survey, local records not referred to and no reference regarding bats;
- 29. saving of trees is welcome;
- 30. appears original plan for library has been replaced by small fixed shelving; and
- 31. accuracy of 3D visuals;
- 4.3 The letters of support covers a number of matters which are summarised as follows:
  - 1. Church House is not suitable for use as it has no disabled access (due to steps and lack of disabled toilet) and needs refurbishment;
  - 2. a new hall with modern facilities is required;
  - 3. library can be accessed directly from outside and will have a computer for anyone to use;
  - 4. meeting room will be a homely space and will enable people to meet informally;
  - 5. as the vicarage is away from the church a central office is needed;
  - 6. hall will be a smaller space than other halls within the village and will complement village resources and meet different needs;
  - 7. development would be a major asset to St Michael's Church and to the wider community;
  - 8. development is an imaginative scheme which will provide a substantial meeting place as well as a permanent location for the public library;
  - 9. have been assured that the trees to be felled have no particular value and they will be replaced with others that are more suitable;
  - 10. scheme will ensure future of the library;
  - 11. local venues will not be affected as church will use larger venues in the village when needed;
  - 12. not a member of Church of England but Dalston Church has provided support;
  - 13. architectural detail is in harmony with the church;
  - 14. there are currently no changing facilities for performers in the church or catering facilities other than provision of basic refreshments;
  - 15. a suitable home for the library in Dalston could not be found;
  - 16. rows of pews have been removed for the library and will be reinstated on completion of the extension;
  - 17. auxiliary seating is currently employed for events and stored with library moved along the aisles to the vestry;
  - 18. useful facility for church community;
  - 19. church is one of the hubs of the village; and
  - 20. proposal will provide much needed space for the Sunday school
- 4.4 The comment received is summarised as follows:
  - 1. there are two trees in a neighbouring property closer to the proposed extension and foundations; and
  - concern regarding root interference and safety of trees in the neighbouring property.

- 4.5 One of the letters of support is from a local ward councillor (Cllr Allison) which is summarised as follows:
  - 1. welcome changes in response to concerns expressed regarding felling of trees whilst retaining essential elements of original plans;
  - 2. most earlier responses classified as neutral are in fact supportive;
  - 3. church authorities see future of the church being dependant of wider role in community;
  - 4. present facilities are inadequate;
  - 5. extension will help secure future of the building;
  - 6. threat to existing facilities, perceived by some, is not a planning issue;
  - 7. query whether it is the role of planning to apportion parking spaces on the highway to a particular venue;
  - 8. there were 26 parking spaces available at 13:30 hours in Dalston mid week:
  - 9. the offer of a library service in the back of the church saved the library service when the library vehicle was withdrawn;
  - 10. lighting between bookshelves is not adequate, bottom shelves are few inches from the floor which are inaccessible to older users, and, shelves have to be moved out when there is an event in the church;
  - 11. wall mounted shelving in new extension will extend the offer and be secure. Computer facility will allow access to full catalogue of Carlisle Library etc;
  - 12. pews will be able to be restored in the church; and
  - 13. Policy HE2 provides for new development and future economic viability of the heritage asset; and
  - 14. proposal shows a commitment to the church in Dalston and should be supported.

# 5. Summary of Consultation Responses

**Cumbria County Council - (Highways & Lead Local Flood Authority): -** no objection subject to the imposition of one condition regarding details of the surface water drainage system. Standing advice also received regarding highway permits and drainage.

**Dalston Parish Council:** - request a site visit. The Parish Council unanimously agreed the development be refused on the grounds that there is no provision for car parking and the extension is to be built over existing graves.

The PC feel that parking within the village is already stretched to its limit and this extension will only exacerbate the problem unless the church can provide its own parking provision.

The PC are however pleased to see that the trees aren't going to be disturbed.

The PC are also extremely concerned that a number of graves will be disturbed and need to be relocated. No provision has been made for these relocation arrangements.

Dalston is a thriving village with many existing community facilities available to all. Therefore would it not be more viable to make better use of the church space as it is, perhaps by replacing the fixed pews with moveable chairs and providing some means of sub-division? Church House is of a similar size to the extension and could also be utilised.

Planning - Access Officer: - no objection;

Ancient Monument Society - Amenity: - no response received;

Council for British Archaeology - Amenity: - no response received;

National Amenity Society: - no response received;

Georgian Group - Amenity: - no response received;

Victorian Society - Amenity: - no objection to amended plans;

Twentieth Century Society - Amenity: - no response received;

Historic England - North West Office: - no objection;

Crime Prevention): - presently no issues relating to youth nuisance or anti-social activity at this location and it is not on any patrol plan at this time. From a crime prevention perspective any increase in legitimate activity in the church and new facility would be favourable, as this will extend the amount of time throughout the day that 'capable guardians' shall be on site to be able to notice any unwelcome behaviour. Standing advice received regarding crime prevention.

Local Environment - Environmental Protection (former Comm Env Services- Env Quality): note comments of the Heritage Impact Assessment and Archaeological Report. Advice received regarding lawful permissions which should of been obtained/need to be obtained in order to disturb buried human remains.

## 6. Officer's Report

#### Assessment

- 6.1 Section 70 (2) of the Town and Country Planning Act 1990/Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that an application for planning permission is determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.
- The relevant planning policies against which the application is required to be assessed are the National Planning Policy Framework (NPPF), the Planning Practice Guidance (PPG), Dalston Parish Neighbourhood Plan together with Policies SP1, SP2, SP6, SP7, SP9, EC5, EC11, IP3, IP6, CC5, CM4, CM5,

HE3, HE7, GI1, GI3 and GI6 of the Carlisle District Local Plan 2015-2030 (CDLP). The Council's Supplementary Planning Documents on "Trees and Development" and "Designing Out Crime" are also material planning considerations.

The proposal raises the following planning issues:

## 1. Whether The Principle Of Development Is Acceptable

6.3 The Church of St Michael and All Angels, Dalston has originated on the site since the 12th Century. An extension to an existing established church is therefore acceptable in principle subject to an appropriate scale and design, and, no adverse impacts upon the Grade II\* Listed Building, the setting of adjacent Listed Buildings, the character/appearance of Dalston Conservation Area, protected species, living conditions of neighbouring dwellings, trees etc. All of these issues are discussed in the following paragraphs below:

# 2. Whether The Scale And Design Is Acceptable Together With The Impact Upon The Grade II\* Listed Building

- 6.4 The NPPF attaches great importance to the design of the built environment recognising that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. The NPPF states that planning decisions should ensure developments function well and add to the overall quality of the area; are visually attractive; are sympathetic to local character and history whilst not preventing or discouraging appropriate innovation or change; establish or maintain a strong sense of place; and, optimise the potential of the site to accommodate and sustain the appropriate mix of development. Paragraph 130 of the NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Paragraph 131 goes on to confirm that in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.
- 6.5 Policy SP6 of the Carlisle District Local Plan 2015-2030 also seeks to secure good design and contains 12 design principles of how proposals should be assessed.
- 6.6 Section 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 highlights the statutory duties of Local Planning Authorities whilst exercising of their powers in respect of listed buildings. The aforementioned section states that "In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".

- 6.7 Accordingly, considerable importance and weight should be given to the desirability of preserving listed buildings and their settings when assessing this application. If the harm is found to be less than substantial, then any assessment should not ignore the overarching statutory duty imposed by section 66(1).
- 6.8 Paragraph 193 of the revised NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 6.9 Paragraph 194 goes onto state that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification. Substantial harm to or loss of assets of highest significance, such as Grade II\* Listed Buildings, should be wholly exceptional.
- 6.10 Paragraph 195 of the NPPF outlines that where a development will lead to substantial harm (or total loss of significance) of a designated heritage asset local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve public benefits that outweigh that harm or loss, or all of the following apply:
  - a) the nature of the heritage asset prevents all reasonable uses of the site;
     and
  - b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
  - c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
  - d) the harm or loss is outweighed by the benefit of bringing the site back into use.
- 6.11 Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 6.12 Policy HE3 (Listed Buildings) of the Local Plan also indicates that listed buildings and their settings will be preserved and enhanced. Any harm to the significance of a listed building will only be justified where the public benefits of the proposal clearly outweighs the harm. The policy states that any works to listed buildings or new development within the curtilage and/or its setting must have regard to: 1) the significance of the heritage asset, including its intrinsic architectural and historic interest and its contribution to the local distinctiveness and character of the District, 2) the setting of the asset and its contribution to the local scene; 3) the extent to which the proposed works would result in public benefits; 4) the present or future economic viability or function of the heritage asset; and 5) the preservation of the physical features

of the building in particular scale, proportions, character and detailing (both internally and externally) and of any windows and doorways.

- a) the significance of the heritage asset and the contribution made by its setting
- 6.13 The Church of St Michael and All Angels, Dalston was listed as Grade II\* in 1984. By way of background there are over 374,000 listed buildings within England which are categorised as Grade I, Grade II\* and Grade II. Grade I are of exceptional interest, sometimes considered to be internationally important, only 2.5% of Listed Buildings are Grade I. Grade II\* Buildings are particularly important buildings of more than special interest, 5.5% of listed buildings are Grade II\*. The final tier of Listed Buildings are Grade II buildings which are nationally important and of special interest.
- 6.14 The listing details of the church are as follows:

Church. C12 and C13, partly rebuilt on 1749; 1890 restoration by C.J. Ferguson. Red sandstone rubble; graduated greenslate roof with coped gables. 4-bay aisled nave, the lower part of which is C13, with double open belicote and north porch; north and south transepts. 3-bay C13 chancel with 1890 north vestry. nave: blocked medieval south door now forms recess under 1890 rededication inscription. Blocked C18 entrance in west wall. C19 porch incorporates, inside, an C18 font, 2 medieval graveslabs, a carved Transitional style capital and a C17 inscription stone partly covered by 1914-18 war memorial. C19 2-light windows with geometrical tracery. North transept has C19 circular window with geometrical tracery. Chancel: priest's door in pointed arch under pedimented hood. Original lancet windows and small pointed leper window. 3-light east window. Interior of nave: open timber ceiling of 1890, supported on timber columns. Continuous low stone seat along south wall is thought to be medieval. Walls panelled in 1890 with wood from the C18 box pews. South transept stained glass by clayton and Bell, 1909. North transept organ screen by C.J. Ferguson. C19 font by R.H. Billings with carved oak cover by Sir Robert Lorimer. Chancel: rounded rere-arches to medieval windows. White marble wall plaque to Reverend Walter Fletcher 1846 by Musgrave Lewthwaite Watson.

- b) the effect of the proposed development on the Grade II\* Listed Building
- 6.15 As stated in paragraph 3.3 the proposal seeks full planning permission for the erection of a single storey extension on the northern side of the church to provide a multi-purpose function room (which will incorporate a library), an office and store together with converting the existing flat roof vestry to provide an accessible toilet and kitchen. The new extension will be linked internally to the church via the existing parapeted flat roof Victorian vestry extension and will also have its own separate external access. The submitted plans illustrate that the proposal comprises of a single storey flat roof link (former vestry extension) and a steeply pitched roof extension. The extension will be constructed from the same pallet of materials to that of the church with a natural slate roof and locally sourced dressed sandstone walls. All new windows and external doors will be constructed from oak and will have

moulded sandstone surrounds to echo the existing vestry extension.

- 6.16 The steep pitched roof of the proposed extension will reflect the angle of other pitches on the building. The linked extension will be located a sufficient distance from an existing rose window in the wall on the north elevation of the church to not obscure the window or obstruct light into the window or the nave. The proposal will also retain the existing internal door from the north transept into the vestry and will reuse the existing walling stone and moulded stone features to the demolished part of the Victorian vestry. The development will also incorporate a new feature circular glass window in the south-west and north-east elevations of the extension which picks up details from the existing elevations of the church.
- 6.17 The application is accompanied by a Heritage Impact Assessment (HIA) which confirms that the proposed development lies to the north of the Grade II\* listed church and associated graveyard. The affected area contains several gravestones and a pathway. The development will abut the vestry to the north and west. Several gravestones are placed along the west elevation of the vestry which maybe affected by the development. The interior of the vestry is plain, and, the east and south elevations of the vestry will not be significantly impacted upon. The west elevation will however be completely removed including the lead glass and stone mullion window. The HIA confirms that the development will result in a major impact on the heritage significance of the Grade II\* listed church and associated graveyard which may require mitigation perhaps through design and further archaeological work. The development will impact upon a Victorian extension of the church. thus the impact on the historic value of the church would be low. Although there is a substantial magnitude of impact, the developments aim is to retain the church as an active centre of the community which would raise the community value of the site. The HIA states that the structure is subordinate in its size with the church and partially obscured by greenery to the north.
- 6.18 The application is also accompanied by a "Statement Determining Need" which confirms that the new extension will provide a home for the village library (which is temporarily placed at the rear of the church in the place of 3 rows of seating); a reception/church office to accommodate the church secretary, records and office equipment; a disabled toilet with changing facilities; a modern kitchen equipped to a level to enable preparation of light lunches etc; a community function room which will seat up to 50 people but will allow flexibility in use (meeting room, hiring for small groups etc) and a changing room/store area for performers during performances and events.
- 6.19 The Heritage Statement goes onto state that the 850 year old church is not suitable for reordering, is not a large building, is often full to capacity for religious and non religious functions on numerous occasions during the year, and, the acoustic quality of the building must be protected. The HS confirms that the PCC owns Church House within The Square however this is not suitable to be used as a public building as the property is small and it unable to be extended. Furthermore the access to Church House does not comply with building regulations. The HS states that the extension will provide a modern, flexible and equipped facility alongside the historic building. The

- development will provide a community hub which will accord with the 12 petals of the "sustainability rosette" of the Churches Trust for Cumbria.
- 6.20 The Council's Heritage Officer has been consulted on the development and has confirmed that the revised scheme with its smaller footprint, reuse of existing fabric, defenestration and retention of the two mature trees within the grave yard is far more acceptable. Given the case made for additional space at the church and the desirability of retaining the building in church use the use optimum to its preservation it is considered that the proposed extension would be compliant with Policies HE3 and HE7 of the CDLP and the considerations set out in chapter 16 of the NPPF. The Heritage Officer therefore has no objections to the proposal subject to the imposition of relevant conditions regarding joinery details, a bedding and pointing specification and a sample stone area.
- 6.21 Historic England has been consulted on the proposed development and has also raised no objection. Historic England confirmed in respect of the original plans submitted (which included a larger footprint and removal of two mature trees) that there would be some minor harm to the listed building as a result of the proposed works, including alterations to the late 19C vestry and the loss of trees. However, the location of the extension minimises the impact on the architectural character and setting of the church, particularly its nave, with sufficient space to allow the form of the church to be appreciated. The extension provides facilities that would support the continued use of the church and sustain its future. The siting still allows access to the churchyard to the rear and the loss of trees, which are poor specimens, can be mitigated by re-planting.
- 6.22 Historic England, when commenting on the plans as first submitted, confirmed that the design might be improved by the reuse of carved stone features from the demolished west elevation of the vestry. The door surround could be re-used for the new vertical window on the east elevation and paired arched windows and surrounding stonework in the disabled toilet, with secondary obscured glazing. As stated in section 3 of this report the design of the proposed extension has been amended since the original submission to reduce the footprint of the extension, retain the mature trees to the front of the site and re salvage the materials from the demolished west elevation of the vestry. Historic England has been re consulted on the amendments and has raised no objection.
- 6.23 The relevant amenity societies have also been consulted on the development. The Victorian Society when commenting on the original plans submitted confirmed that they were broadly content with the principle of the extension but made a number of comments in relation to design with particular reference to fenestration details and details of panelling in the vestry. The submitted plans have since been amended and the Victorian Society has confirmed that they are much happier with the revisions, particularly with the fenestration.
- 6.24 When assessing the impact of the proposed development on the Grade II\*
  Listed Building it is appreciated that there will be some harm to the listed

building as a result of the proposal as the development will include alterations to the Victorian vestry. The level of harm however is deemed to be less than substantial due to the location of the development which is set substantially back from the front elevation of the church (which faces towards Carlisle Road) and way from the north elevation of the main church. Although the development requires the removal of the west elevation of the vestry and alterations to the north elevation it is appreciated that the vestry is an existing Victorian extension to the building and the features that are to be removed will be re salvaged in the new extension. The positioning of the proposed extension still allows the existing architectural form of the church to be appreciated with the old and new buildings being clearly defined. The proposed extension will be subordinate in terms of scale and will be constructed from materials to match the existing church. In such circumstances the scale and design of the development is considered to be sympathetic to the historic character of the Grade II\* Listed Building.

6.25 It is appreciated that where a proposal will lead to less than substantial harm to the significance of a designated asset this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. As stated in paragraph 6.18 the supporting documents accompanying the application confirm that the proposed development will provide a multi-purpose function room which will be used for a variety of uses including community hire, a venue following events in the church, home for the village library, meeting room for the PPC and bible studies etc. The extension will also provide a reception/church office to accommodate the church secretary, records and office equipment; a disabled toilet with changing facilities; a modern kitchen equipped to a level to enable preparation of light lunches etc and a changing room/store area for performers during performances and events. The proposal will clearly provide additional facilities for the community of Dalston which will be a public benefit. The extension will also provide improved amenities for the existing use of the church as a place of worship which will also help contribute to the sustained use of the church for this purpose which in turn will contribute to the revenue stream helping to secure future viability and maintenance of the church. This is also a public benefit as a Grade II\* Listed Building is an asset of highest significance. On balance it is considered that the public benefits of the proposal (as described above) would outweigh the limited harm created.

# 3. Impact Of The Development On The Setting Of Nearby Grade II Listed Buildings

- 6.26 The application site is surrounded by Grade II Listed Buildings to the north (The Old Vicarage and Caldew House), to the west (No.s 24-28 The Square) and to the south (Nos.1-6 The Square).
- 6.27 Paragraphs 6.4-6.12 of this report describe the policy considerations for Members to have regard to when assessing the impact of the development on the setting of the Grade II Listed Buildings which surround the application site.
- 6.28 The Heritage Impact Assessment (HIA) which accompanies the application

confirms that there are 29 heritage assets located outside the development boundary of which 18 are Grade II listed buildings or structures and are therefore of district of county significance, 2 are find spots of negligible significance and the remaining 9 are unlisted and of local significance. Members should be aware that the 29 assets described in the HIA include buildings located further beyond the development site boundary than those described in paragraph 6.26 above.

- 6.29 The HIA confirms that the magnitude of the impact of the development on 18 of the assets of district/county significance would be no change as there would be no inter visibility with the development. For three of the assets immediately opposite the development site (Dover House at 24 The Square, 25-26 The Square and 27 The Square) the magnitude of impact would be minor as the development would change their immediate setting.
- 6.30 The HIA states that the magnitude of impact for the 9 assets of local significance would be no change as these assets mainly comprise documentary evidence and records of buildings and demolished buildings, with no inter visibility. There would also be no change to the find spots.
- 6.31 Given the location of the proposed development to the north of the church it is not considered that the development would have an adverse impact upon the setting of Nos.1-6 The Square or No.s 24-6 The Square as the development would not be visible from these properties. Whilst the extension maybe visible from No.s 27-28 The Square it is also not considered that the development would affect the setting of either of these properties as the development is located on the opposite side of the road and is set back significantly back from the front elevation of the church.
- 6.32 The proposed development will be seen in certain viewpoints from The Old Vicarage and Caldew House to the north however as the proposed extension is of an acceptable design and scale (as described in paragraphs 6.4-6.25 above) it is not considered that the development would have an adverse impact upon the setting of either of these Grade II Listed Buildings.

### 4. Impact Upon Dalston Conservation Area

- 6.33 The application site is located within Dalston Conservation Area. As highlighted earlier in the report, Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, the NPPF, PPG and Policy HE7 (Conservation Areas) of the Local Plan are relevant.
- 6.34 Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 highlights the statutory duties of Local Planning Authorities whilst exercising of their powers in respect to any buildings or land in a conservation area. The aforementioned section states that "special attention shall be paid to the desirability or preserving or enhancing the character or appearance of that area".
- 6.35 The aims of the 1990 Act are reiterated in both the NPPF, PPG and policies within the Local Plan. Paragraph 193 of the NPPF states that when

considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 194 of the NPPF goes onto state that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Paragraph 195 states that where a proposed development will lead to substantial harm to a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or total loss or if 4 criteria apply (i.e. the mature of the assets prevents all reasonable uses of the site, no viable use of the asset can be found in the medium term, conservation by grant funding is not possible, and, the harm/loss is outweighed by the benefit of bringing the site back into use).

- 6.36 Paragraph 196 of the NPPF confirms that where a development will lead to less than substantial harm to the significance of a designated asset, this harm should be outweighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Paragraph 200 of the NPPF states that LPA's should look for opportunities for new developments within Conservation Areas to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset should be treated favourably. Paragraph 201 highlights that not all elements of a Conservation Area will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of a Conservation Area should be treated as substantial harm or less than substantial harm taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area.
- 6.37 Policy HE7 (Conservation Area) of the Local Plan advises that proposals within Conservation Areas should preserve or enhance the special character and appearance of the conservation area and its setting. Specifically proposals should: harmonise with their surroundings; be sympathetic to the characteristics of the conservation area; preserve or enhance features which contribute positively to the areas character/appearance; not have an unacceptable impact upon historic street patterns, boundaries, roof scape, skyline and setting including protecting important views into and out of conservation areas; not other than a last resort result in demolition and redevelopment behind retained facades; where possible draw on a local palette of materials; retain individual features of interest; and not generate a significant increase in traffic movements.
- 6.38 The Heritage Impact Assessment confirms that the magnitude of impact of the proposed development on Dalston Conservation Area, an asset of District or County (Higher) significance, is likely to be less than substantial, as there would be visual changes to a few key aspects of the historic landscape. A magnitude of impact of less than substantial on the Conservation Area, an

asset of District or County (Higher) significance, would result in a limited impact on heritage significance, which may require mitigation, perhaps through design.

- 6.39 The Conservation Area Advisory Committee (CAAC) has been consulted on the application as first submitted and confirmed that they considered the principle of the extension to be acceptable. They did however have significant concern over the loss of trees; and, concern over the removal of gravestones, construction access and buildability of the scheme. CAAC suggested revisions to the northern elevation by omitting clear story windows and nudging the remaining windows to allow more mass at the edges. They also had concerns over the east elevation door and suggested making it full height and omitting the fanlight over. CAAC also suggested strengthening plinth detail and kneelers/springers. Overall CAAC recommended that the scheme should not be approved in its current form.
- 6.40 As stated in section 3 of this report the scheme has been amended to reflect the comments made by Historic England and CAAC. Whilst the proposed extension will be visible from some parts of Dalston Conservation Area it is considered that the scale and design of the extension is acceptable (as discussed in paragraphs 6.4-6.25 above). Furthermore non of the statutory consultees have raised any objections to the proposed revisions etc. In such circumstances the development will not have an adverse impact upon the character and appearance of Dalston Conservation Area.

# 5. Impact Upon The Living Conditions Of Neighbouring Residents

6.41 Paragraph 127(f) of the NPPF highlights that developments and decisions should

"create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."

6.42 The City Councils' Supplementary Planning Document "Achieving Well Designed Housing", on the matter of privacy, states that:

"where a development faces or backs onto existing development, in order to respect privacy within rooms a minimum distance of 21 metres should usually be allowed between primary facing windows (and 12 metres between any wall of the building and a primary window). However, if a site is an infill, and there is a clear building line that the infill should respect, these distances need not strictly apply (para 5.44)."

6.43 The relevant planning policies require that development proposals should not adversely affect the living conditions of occupiers of residential properties by virtue of inappropriate development, scale or visually intrusive. Furthermore, Policy DNP-JE7 (Dalston Village Square) also seeks to ensure that new development fronting Dalston Square (as defined in the maps accompanying the Neighbourhood Plan) does not have a detrimental impact on residential

properties and residential amenity in the immediate locality.

6.44 Although the church is not included within the defined area subject to the Dalston Square policy in the neighbourhood plan it is located immediately to the north. When assessing the impact of the proposed development on residential properties that surround the site, including Dalston Square, it is appreciated that all of the windows in the development will be compliant with the separation distances outlined in the Council's Achieving Well Designed Housing SPD. As discussed in the previous paragraphs the proposed development is of an appropriate scale and given the relatively small footprint of the development coupled with the proposed use (facilities to complement existing activities taking place within the church) it is not considered that the development would cause an adverse impact upon the living conditions of the occupiers of any neighbouring properties (through loss of light, over looking, over dominance or undue noise and disturbance) to warrant refusal of the application on this basis.

## 6. Highway Issues

- 6.45 Policy DNP-JE5 (Transport and New Development) of the Dalston Parish Neighbourhood Plan 2015-2030 states that any application for business development must satisfactorily demonstrate that levels of traffic increase would not have a severe detrimental impact on the free and safe flow of vehicles on the local road network. Policy IP3 of the CDLP also seeks to ensure that there is appropriate parking provision for new developments.
- 6.46 The application site has no specific allocated parking areas however the church is located to the north of The Square where there is informal parking and in close proximity to two car parks adjacent to the Co-Op and The Green. The application site is situated within the centre of the village and is easily accessible by foot. There is also a bus stop in close proximity to the site and a train station within the village.
- 6.47 The relevant Highway Authority has been consulted on the proposal and has raised no objections. In such circumstances, and given that the site is located within a sustainable location which can be accessed via a range of transport modes, the proposal will not cause a detrimental impact upon highway safety or existing parking conditions to warrant refusal of the application on these grounds.

### 7. Impact Upon Protected Species

- 6.48 The Council's GIS Layer has identified that the site has the potential for a number of species to be present including slow worms. The applicant has therefore commissioned a reptile survey, scoping bat survey and baseline ecological survey to assess the impact of the development on protected species and their habitat.
- 6.49 The reptile survey undertaken states that there are records of Slow Worms at the southern end of the site where the river banking and scrub vegetation provide refuge and a south facing slope for basking. There are no areas of

the core development area at the northern end of the site which would be particularly favourable to reptiles. The very short grass and high levels of maintenance for the graveyard do not provide any safe or suitable refuge areas, basking sites or foraging habitat for reptile species. No indication of reptiles were recorded at the site at the time of inspection. Although the survey confirms that the risk of harm to individual reptiles is low without mitigation it confirms that the risk would be reduced to a negligible level if a number of mitigation measures are incorporated.

- 6.50 The scoping bat survey confirms that the application site is located in good habitat (is as it well connected to river and fragmented woodland) which would provide a good level of foraging opportunities for bat species. The survey states that the external walls of the church are in good condition with no gaps between the stones in the pointing or structural cracks that could provide roosting opportunities. All windows and door frames are fully sealed and ventilation grills are inaccessible to bats from the outside. The parapet roof of the vestry sits within the wall tops of the extension so there are no eaves or wall tops which could provide roosting potential. The parapet wall tops are fully pointed and sealed. No signs of bats were found during the survey and the main church building and its roof will be unaffected by the proposed works. The survey therefore concludes that the proposal will not have a significant impact on bats and the risk is negligible. A number of working guidelines are however suggested.
- 6.51 The ecological survey undertaken confirms that the impacts on amphibians and badgers will be negligible as no ponds were identified on or near the site, grass within the application site is short mown and intensively maintained, and, no badger sets or signs of badgers were recorded on or within 30m of the site. The survey also confirms that no breeding birds were located on the building to be extended or any nesting birds recorded in the grounds affected by the proposal. With regard to invertebrates the survey acknowledges that a small area of meadow saxifrage will be lost to the proposal but this can be compensated through the seeding of a new area of grassland adjacent. The survey also confirmed that the development will have a negligible impact on otters as the construction zone is away from the river bank. The survey acknowledges that there is potential for red squirrels to use the churchyard however no active dreys were located in proximity to the working area.
- 6.52 Subject to the mitigation measures outlined in the reptile survey, scoping bat survey and baseline ecological survey it is not considered that the proposal would have an adverse impact upon any protected species or their habitat.

## 8. Impact Upon Trees

- 6.53 There are a number of matures trees within the application site including a Lawson Cypress and Whitebeam located to the north of the church which are significant features within the existing street scene and have a positive contribution to the character and appearance of Dalston Conservation Area and the setting of the church.
- 6.54 The original plans for the development proposed the removal of the Lawson

Cypress and Whitebeam to facilitate the proposed extension. Given the significance of these trees within the existing street scene the Council appointed an independent tree consultant to inspect the trees. Both trees were deemed to be worthy of retention as the Lawson Cypress was categorised as category B and the Whitebeam as category A. The Lawson Cypress forms a group of three species along the road corridor which increases the importance to keep the group intact.

- 6.55 The consultant noted that a yew tree located next to the Whitebeam, near the development site, is of low landscape and amenity value which can be readily replaced therefore its loss would be negligible, particularly as there are several similar yew trees within the grounds which can satisfy the religious traditions and beliefs on the presence of Yew trees in churchyards. The consultant noted that the Yew tree could be located to another position in the churchyard if required. Two rhododendrons are located to the north of the church however these are classed as low value, category C, and are more shrubs than trees. The consulted also noted a Hornbeam tree adjacent to the road, which whilst not near the development site was categorised as category A and should be protected from any damage. The consultant also noted two trees in the adjacent property (a mature Japanese cedar tree and a twin cherry) which are located on private land and should be protected. In conclusion the consultant stated that the Lawson Cypress and Whitebeam should be retained and the hornbeam protected from construction work.
- 6.56 Based on the above advice the plans for the application were amended to reduce the footprint of the extension so that the Lawson Cypress and Whitebeam trees could be retained. The submitted tree survey which accompanies the application confirms that a small amount of excavation work will be required within the root protection areas of these trees however the foundation design will be of post and beam construction which will minimise any excavation work within the root protection zone. The survey also suggests that any excavation works will be hand dug. Two yews and two rhododendrons will be removed to facilitate the development but will be replaced with additional yew shrubs. It is also recommended that the retained trees and shrubs are protected during development works.
- 6.57 The loss of the shrubs can be mitigated by a suitable replanting scheme. Furthermore subject to the protection measures outlined in the tree survey being adhered to (post and beam foundation design, hand dig construction methods and tree protection barriers) it is not considered that the development will have a significant adverse impact upon retained trees to warrant refusal of the application on this basis.

## 9. Archaeological Issues/Gravestone Removal

6.58 The application is accompanied by an Archaeological Evaluation Report (AER) and a Gravestone Survey. The Gravestone Survey has found that 17 gravestones (which are in a variety of conditions and date from 1800-1914) will be directly or indirectly affected by the development. The proposal would require the removal of gravestone and potentially associated bodies. The survey also confirms that there is the potential for unknown remains to

survive within the development site boundary. The AER states that three trial trenches were excavated to establish the nature and extent of below ground archaeological remains within the vicinity. The investigation revealed a mixed layer of disturbed human remains along with one possible articulated burial, revealed at a depth of 0.9m. The investigation also identified the remains of associated burial shrouds and possible coffin remains. The proposed development on the site would have a significant impact on any further likely remains located outside of the trial trenches. In mitigation the application proposes post and beam foundations to reduce ground disturbance.

- 6.59 The Historic Environment Officer for Cumbria County Council has been consulted and has confirmed that he does not wish to make any comments on the application and whilst any impact upon remains and burials would need to be treated with due respectability, care and attention they are not archaeological concerns. The HEO has therefore confirmed that there is no merit to undertaking archaeological recording.
- 6.60 Whilst concerns have been raised during the consultation period regarding gravestone/grave removals this would be subject to separate ecclesiastical consent and cannot be considered under this application. Any exhumations would also need to comply with the relevant Environmental Health Legislation.

### 10. Other Matters

- 6.61 Objectors have raised concerns regarding competition of the development with other facilities in Dalston. Competition is however not a planning consideration.
- 6.62 Concerns have been raised from third parties that the development would increase anti-social behavioural problems. As stated in section 5 of this report the Crime Prevention Officer for Cumbria Constabulary raises no objections to the application and is of the opinion that the development will be favourable as this would extend the amount of time during the day that capable guardians would be on site.
- 6.63 Concerns have been raised regarding timings of the reptile survey. The surveys were undertaken at the appropriate time of year as per the guidance on the GOV.UK website.
- 6.64 The human rights of the occupiers of the neighbouring properties have been properly considered and taken into account as part of the determination of the application. Several provisions of the Human Rights Act 1998 can have implications in relation to the consideration of planning proposals, the most notable being:
  - Article 6 bestowing the "Right to a Fair Trial" is applicable to both applicants seeking to develop or use land or property and those whose interests may be affected by such proposals;
  - **Article 7** provides that there shall be "No Punishment Without Law" and may be applicable in respect of enforcement proceedings taken

- by the Authority to regularize any breach of planning control; **Article 8** recognises the "Right To Respect for Private and Family Life".
- 6.65 Article 1 of Protocol 1 relates to the "Protection of Property" and bestows the right for the peaceful enjoyment of possessions. This right, however, does not impair the right to enforce the law if this is necessary, proportionate and there is social need.
- 6.66 Article 8 and Article 1 Protocol 1 are relevant but the impact of the development in these respects will be minimal and the separate rights of the individuals under this legislation will not be prejudiced. If it was to be alleged that there was conflict it is considered not to be significant enough to warrant the refusal of permission.

#### Conclusion

- 6.67 To conclude the Church of St Michaels and All Angels, Dalston has originated on site since the 12th Century. The principle of extending an established church to provide facilities which are complementary to its existing use is acceptable. There will be some harm to the Grade II\* listed building as a result of the proposal as the development will include alterations to the Victorian vestry. The level of harm however is deemed to be less than substantial due to the location of the development which is set substantially back from the front elevation of the church (which faces towards Carlisle Road) and way from the north elevation of the main church. Although the development requires the removal of the west elevation of the vestry and alterations to the north elevation it is appreciated that the vestry is an existing Victorian extension to the building and the features that are to be removed will be re salvaged in the new extension. The positioning of the proposed extension still allows the existing architectural form of the church to be appreciated with the old and new buildings being clearly defined. The proposed extension will be subordinate in terms of scale and will be constructed from materials to match the existing church. In such circumstances, and subject to the imposition of relevant planning conditions regarding materials, the scale and design of the development is considered to be sympathetic to the historic character of the Grade II\* Listed Building.
- 6.68 As the development is acceptable in terms of its scale and design it is not considered that the proposal will harm the setting of any Grade II Listed properties that surround the site or have an adverse impact upon the character/appearance of Dalston Conservation Area. Furthermore due to its positioning in relation to neighbouring properties, coupled with its design, it is not considered that the proposal would have a detrimental impact upon the living conditions of the occupiers of any neighbouring residential properties.
- 6.69 The site is situated in the centre of Dalston village (a sustainable location) and can be accessed via a range of transport modes. Given that the relevant highway authority has raised no objections to the proposal it is not considered that the development would have an adverse impact upon highway safety. Furthermore, subject to the imposition of appropriate planning conditions, as discussed within the report, the proposal will also not have an adverse impact

upon any trees or protected species.

- 6.70 Whilst the development will involve gravestone and possibly burial removal this would be subject to separate ecclesiastical consent and cannot be considered under this application
- 6.71 The proposal will provide additional facilities for the community of Dalston which will be a public benefit. The extension will also provide improved amenities for the existing use of the church as a place of worship which will also help contribute to the sustained use of the church for this purpose. This in turn will contribute to the revenue stream of the church which will help to secure its future viability and contribute to maintenance. This will also be a public benefit as a Grade II\* Listed Building is an asset of highest significance.
- 6.72 On balance it is considered that the public benefits of the proposal (as described in paragraph 6.71 above) would outweigh the limited harm created to the Grade II\* Listed Building, protected species and trees which can be adequately controlled by the imposition of relevant planning conditions. Accordingly the application is considered to be compliant with the criteria of the relevant Development Plan Policies and is therefore recommended for approval subject to the imposition of relevant conditions.

### 7. Planning History

- 7.1 In 2009 a discharge of condition application was granted for discharge of condition 3 of previously approved planning application 08/0123 (reference 09/0194);
- 7.2 In 2009 a discharge of condition application was granted for the discharge of condition 6 of previously approved application 08/0123 (reference 09/0003);and
- 7.3 In 2008 full planning permission was granted for external alterations comprising formation of west doorway and porch and construction of notice case within the existing porch doorway (reference 08/0123).

### 8. Recommendation: 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 development shall be undertaken in strict accordance with the approved documents for this Planning Permission which comprise:

- 1. the submitted planning application form received 6th March 2019;
- 2. the site location plan received 6th March 2019 (Drawing No. 12013-20);
- 3. the block plan as proposed received 5th November 2019 (Drawing No.12013-25A);
- 4. the proposed site plan/floor plans received 5th November 2019 (Drawing No.12013-23C);
- 5. the proposed elevations received 5th November 2019 (Drawing No.12013-27B);
- 6. the statement determining need received 6th March 2019;
- 7. the design and access statement and heritage statement received 5th November 2019 (revision A);
- 8. the reptile survey received 29th April 2019 (ref 5235);
- 9. the baseline ecology survey received 23rd May 2019 (ref 5235);
- 10. the scoping bat survey received 29th April 2019 (ref 5235);
- 11. the tree survey report received 5th November 2019 (revised 1st November 2019);
- 12. the tree root protection plan received 5th November 2019 (Drawing No.12013-28A);
- 13. the contaminated land desk top study received 6th March 2019;
- 14. the typical section of foundation received 6th March 2019;
- 15. the gravestone survey received 6th March 2019 (Dated November 2017);
- 16. the planning statement received 5th November 2019;
- 17. the archaeological evaluation report received 6th March 2019 (Dated January 2019);
- 18. the heritage impact assessment received 5th November 2019 (October 2019);
- 19. the Notice of Decision; and
- 20. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

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

**Reason:** In the interests of highway safety and environmental management.

4. Prior to the commencement of development a bedding and pointing specification shall be submitted to and approved in writing by the local planning authority. All bedding and pointing shall then be undertaken in accordance with the approved specification.

**Reason:** To ensure the works harmonise as closely as possible with the existing building in accordance with Policy HE3 of the Carlisle

5. A sample area of the stonework for the proposed extension measuring no less than 1m x 1m, including a corner detail as well as proposed mortar and pointing details, shall be prepared and approved in writing by the local planning authority in advance of the erection of the extension. The extension shall then be constructed in strict accordance with the approved sample area.

Reason: To ensure the works harmonise as closely as possible with the

existing building in accordance with Policy HE3 of the Carlisle

District Local Plan 2015-2030.

6. Prior to the commencement of any development details of all new joinery at 1:1 or 1:2 shall be submitted to and approved in writing by the local planning authority. The development shall then take place strictly in accordance with the approved details.

**Reason:** To ensure that the works harmonise as closely as possible with

the listed building, in accordance with Policy HE3 of the

Carlisle District Local Plan 2015-2030.

7. The development hereby approved shall be undertaken in accordance with the mitigation measures and working practices outlined in the Reptile Survey received 29th April 2019 (Ref:5235), the Baseline Ecology Survey received 23rd May 2019 (Ref 5235) and the Scoping Bat Survey received 29th April 2019 (Ref:5235).

**Reason:** In order to ensure that the works do not adversely affect the

habitat of protected species in accordance with Policy GI3 of

the Carlisle District Local Plan 2015-2030.

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

**Reason:** In order to ensure that adequate protection is afforded to all

trees/hedges to be retained on site in support of Policy GI6 of

the Carlisle District Local Plan 2015-2030.

9. Any excavation works within the root protection zones of the trees to be retained shall be hand dug in accordance with BS5387, 2012. In the event of trenches or excavations exposing tree roots of 50mm/2 inches diameter or more, these should be carefully retained and protected by suitable measures including (where otherwise unavoidable) bridging trenches. No severance of tree roots 50mm/2 inches or more in diameter shall be undertaken without prior notification to, and the subsequent approval of the local planning authority and where such approval is given, the roots shall be cut back to a smooth surface.

**Reason:** To protect trees and hedges during development works. In

accordance with Policy GI6 of the Carlisle District Local Plan

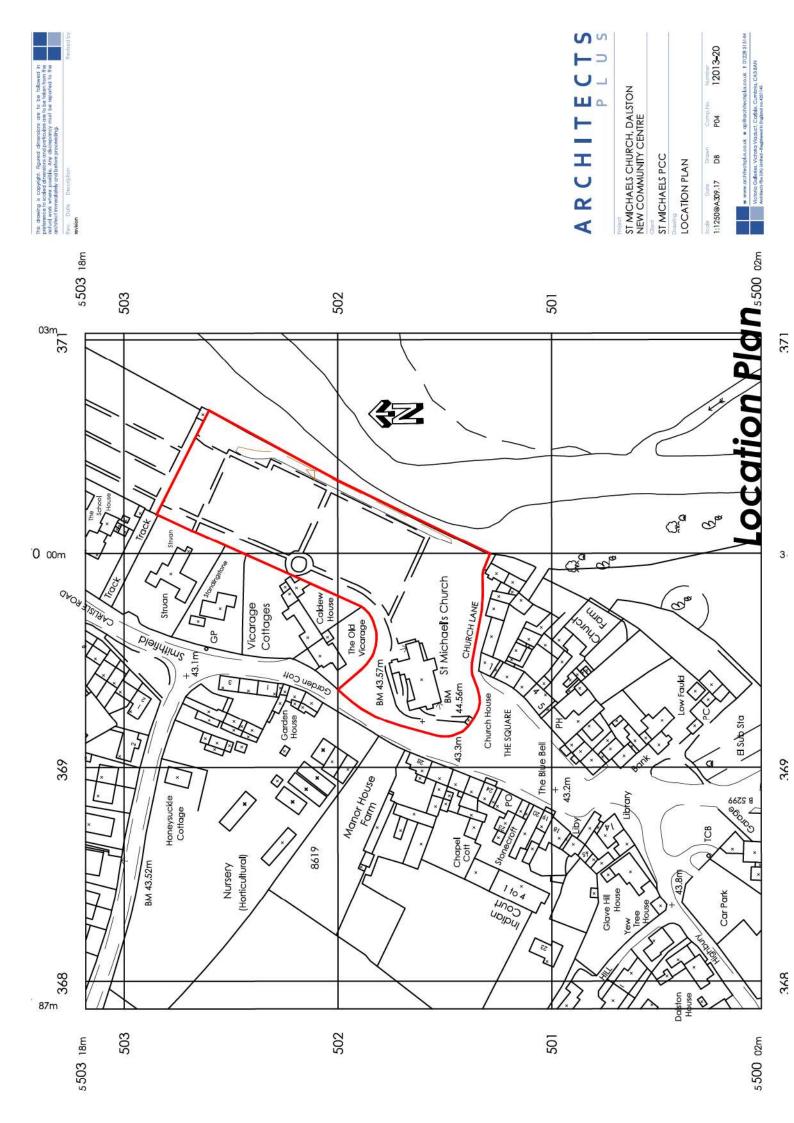
2015-2030.

10. A landscaping scheme to mitigate for the loss of the two yew trees shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented during the first planting season following the completion of the development hereby approved and any trees or shrubs which die, become diseased or are lopped, topped, uprooted or wilfully destroyed within the following five years shall be replaced by appropriate nursery stock.

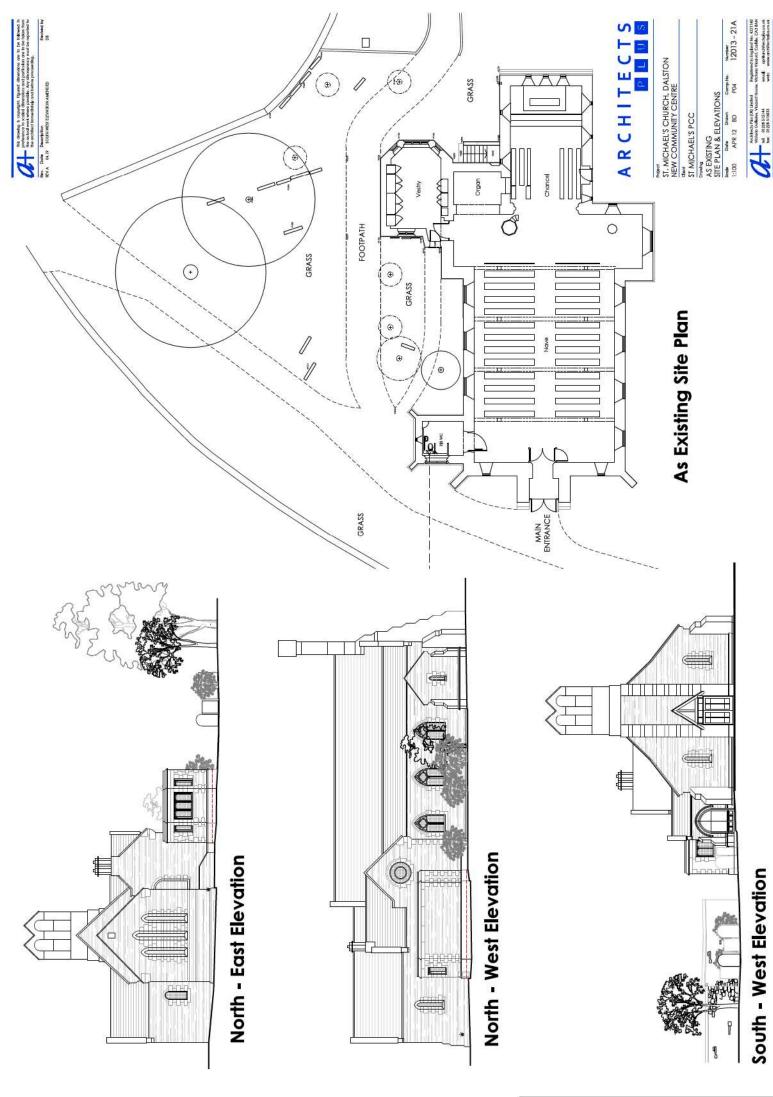
**Reason:** To ensure that a satisfactory landscaping scheme is prepared

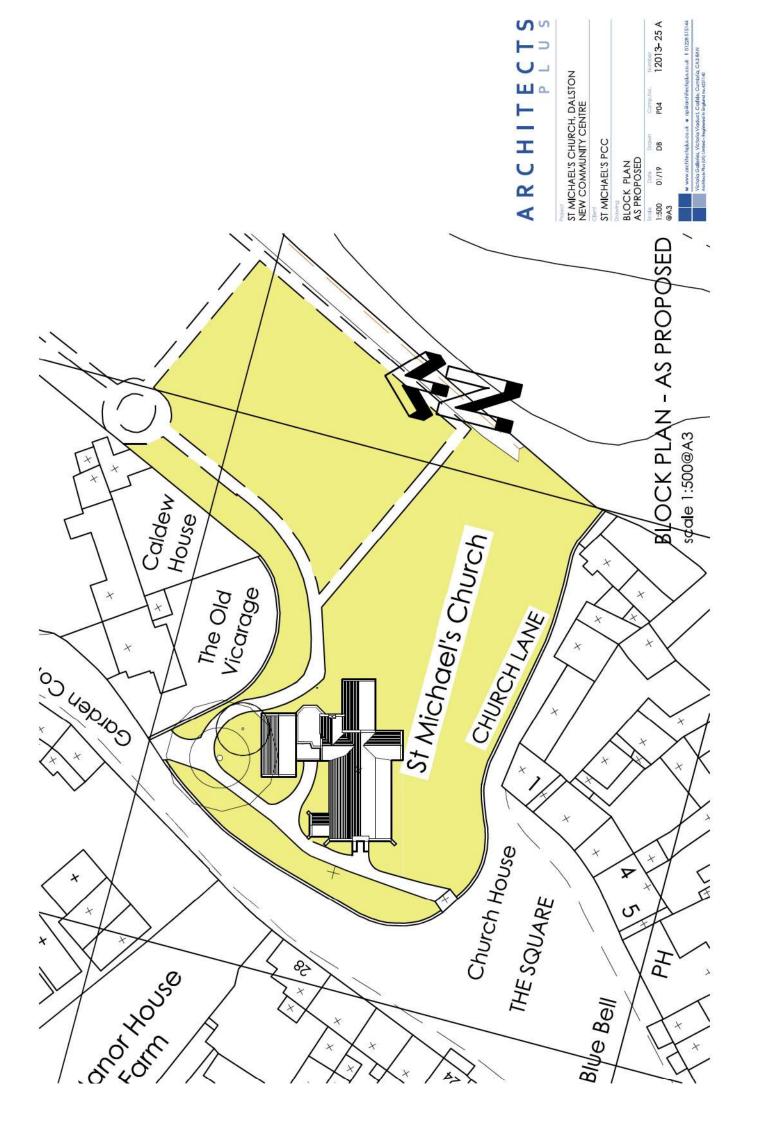
in accordance with Policy GI6 of the Carlisle District Local Plan

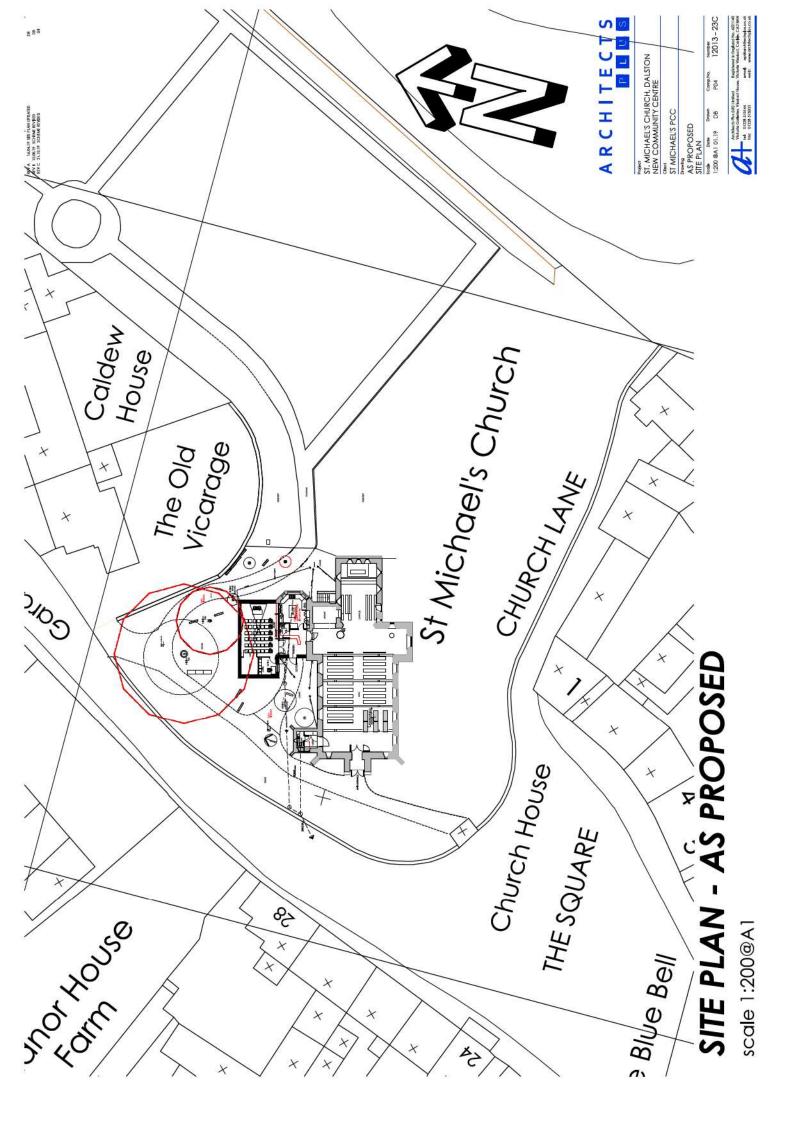
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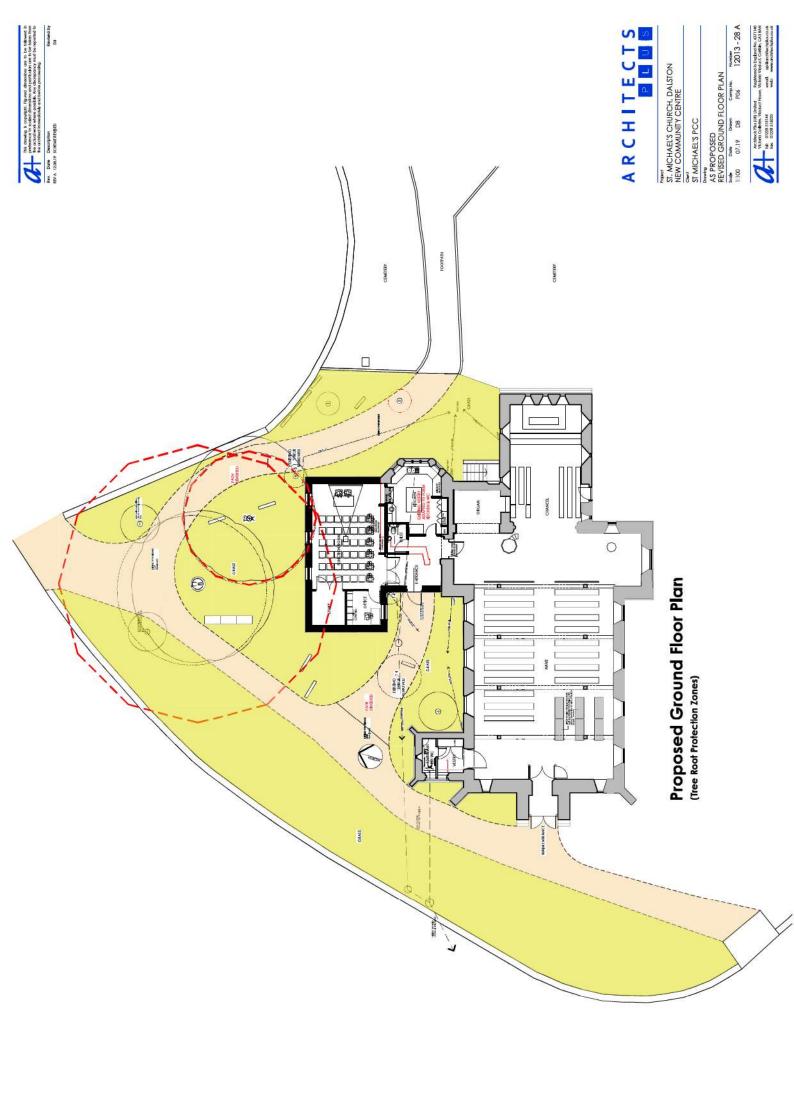


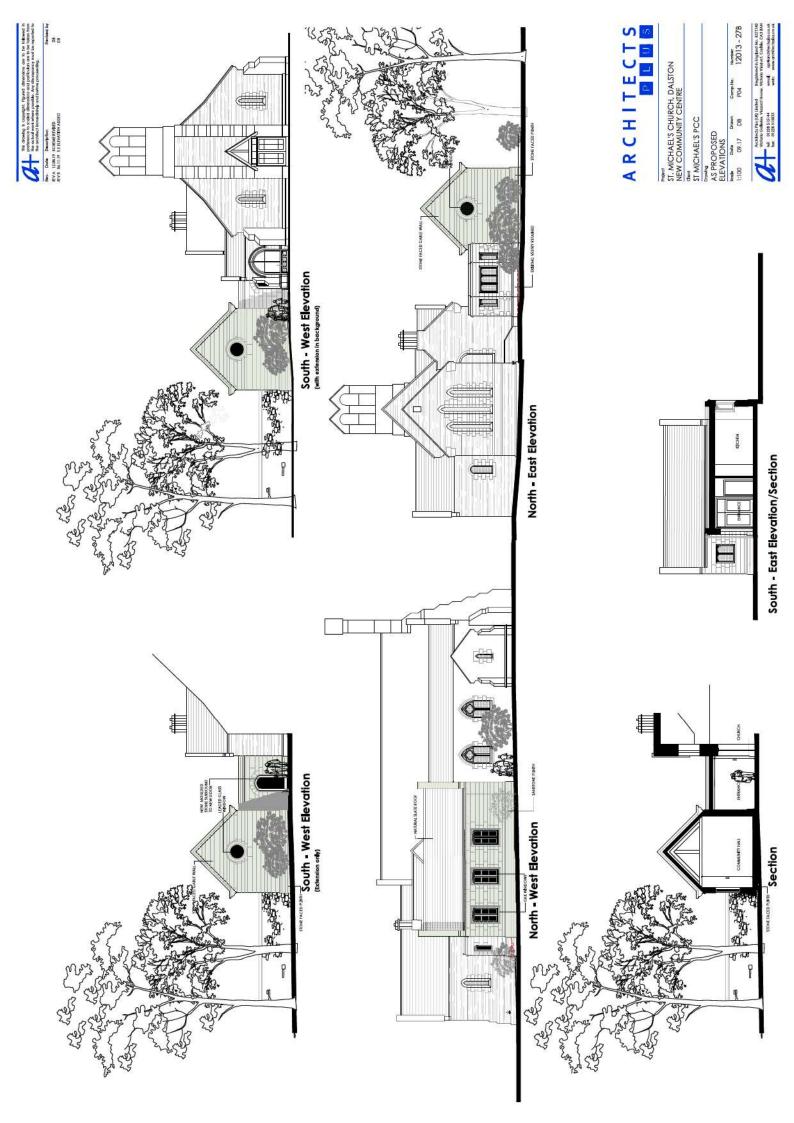


















3D Visuals of revised proposals - retaining 2No mature trees







3D Visuals of revised proposals - retaining 2No mature trees