

DEVELOPMENT CONTROL COMMITTEE

FRIDAY 20 APRIL 2012 AT 10.00 AM

PRESENT: Councillor Mrs Parsons (Chairman), Councillors Bloxham, Cape, M Clarke, Craig, Mrs Farmer, McDevitt, Morton, Mrs Riddle, Mrs Rutherford, Scarborough and Warwick

ALSO

PRESENT: Councillor Mrs Prest attended the meeting in her role as Ward Councillor having registered a right to speak in respect of Application 12/0158 (The Corner House, Penton, Carlisle, CA6 5QW)

DC.28/12 APOLOGIES FOR ABSENCE

There were no apologies for absence submitted.

DC.29/12 DECLARATIONS OF INTEREST

Councillor Cape declared a personal interest in accordance with the Council's Code of Conduct in respect of Applications 11/0799 and 11/0800. The interest related to the fact that he was a member of the same sports club as the agent

Councillor Cape declared a personal interest in accordance with the Council's Code of Conduct in respect of Application 12/0079. The interest related to the fact that he was a member of the same sports as the agent

Councillor Mrs Farmer declared a personal and prejudicial interest in accordance with the Council's Code of Conduct in respect of Application 12/0094. The interest related to the fact that she was involved with matters against the developer which may be seen as prejudicing her

Councillor McDevitt declared a personal interest in accordance with the Council's Code of Conduct in respect of Application 12/0017. The interest related to the fact the he was a member of Cumbria County Council

Councillor Scarborough declared a personal interest in accordance with the Council's Code of Conduct in respect of Application 11/1037. The interest related to the fact that he had lived in the property in the early 1980s and helped to build the property.

DC.30/12 MINUTES

The Minutes of the site visit meeting held on 18 April 2012 were noted.

DC.31/12 PUBLIC REPRESENTATIONS IN RESPECT OF PLANNING APPLICATIONS

The Legal Services Manager outlined, for the benefit of those members of the public present at the meeting, the procedure to be followed in dealing with rights to speak.

DC.32/12 CHAIRMAN'S ANNOUNCEMENT

The Chairman reminded Members that Councillors Mrs Farmer and Mrs Rutherford would be standing down as Councillors at the forthcoming local election and therefore the meeting would be their last. The Chairman thanked the Members for their input and added that she had enjoyed working with them and wished them well for the future.

Councillor Scarborough stated thanks on behalf of the Labour Group for the work that the Councillors had done during their time on the Committee and expressed his best wishes for the future.

Councillor Mrs Rutherford stated that she had enjoyed the time spent as a member of the Development Control Committee, despite being frustrating at times, as the Committee made decisions rather than recommendations. The experience had been very positive and she had enjoyed taking part in the site visits, which she had not initially realised, took in such a large area.

Councillor Mrs Farmer expressed her thanks to the members of the Committee and officers for their help and support and added that she had enjoyed working with them.

DC.33/12 CONTROL OF DEVELOPMENT AND ADVERTISING

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

- (1) Mixed development comprising retail development for Co-operative store with 18no houses and 10no apartments (Revised Scheme), land at/adjacent to former George PH, Warwick Bridge, Carlisle, CA4 8RL (Application 12/0094)**

Having declared a personal and prejudicial interest Councillor Mrs Farmer left the meeting and took no part in the discussions on the application.

The Planning Officer submitted the report on the application, which had been the subject of a site visit on 18 April 2012, and outlined the background to the proposal, design and site details, together with the main issues for consideration. The application had been advertised by means of a site notice, a press notice and notification letters sent to 41 neighbouring properties. In response 2 letters of objection had been received during the consultation period and a further letter of

objection and one letter of support were included in the Supplementary Schedule. The Planning Officer summarised the main issues.

The Planning Officer advised that in overall terms the principle of the development of the brownfield site was acceptable. The scale, design and layout of the site took account of the character and appearance of the surrounding built environment and adhered to the advice within current planning policies and Supplementary Planning Documents. The development would provide an employment opportunity for local people, potentially less reliance on travelling to main centres for everyday goods and social inclusion.

Development of the site would ultimately change the appearance following the demolition of the buildings three years ago. However the impact on the living conditions of the occupiers of the neighbouring properties had been taken into account and the proposal would not conflict with current planning policies in that respect. The Planning Officer concluded by advising that the failure to provide any affordable housing and public open space contribution were significant drawbacks for the scheme, which were not outweighed by the positive benefit of allowing a market housing only scheme with new convenience store to go ahead.

The Planning Officer presented slides of the site. He advised that the Environment Agency had responded to the effect that they were broadly receptive of the amended details but there were some outstanding matters in relation to the surface water drainage arrangements.

The Planning Officer reminded Members that the Green Spaces Officer had requested a Public Open Space contribution which would be used for the maintenance of facilities at Downagate. The applicant had suggested that he would be prepared to provide the Public Open Space contribution in lieu of the bus shelter. The applicant had also confirmed that dropped kerbs would be provided at the junction with the A69.

The Planning Officer further reminded Members of a letter that had been circulated to them from the Co-op's planning manager. Further to that, correspondence had been received from the applicant immediately prior to the start of the meeting with regard to the viability of the scheme and the provision of affordable housing but without any supporting evidence.

In view of the aforementioned the Planning Officer recommended that the application be refused.

The Committee then gave consideration to the application.

A Member clarified that the dropped kerb would be essentially for the benefit of people in wheelchairs as the current situation allowed them to cross the A69 but not access the Co-op store.

The Member moved the Officer's recommendation that the application be refused as the Council had targets for affordable housing that they were obliged to meet. Housing had to be provided for a range of people and that included affordable

housing. There had been no evidence that the applicants had worked with housing providers or registered landlords on matter.

A Member was not satisfied with the arrangements for the turning area for the large delivery vehicles. The Member queried whether the access was similar to the original application that had been approved.

The Planning Officer showed a slide that indicated that the turning arrangements in the original scheme were similar and confirmed that the Highways Authority was satisfied with the arrangements.

A Member stated that as the revised application was for 28 properties in total affordable housing had to be considered and therefore he seconded the Officer's recommendation for refusal.

The Legal Services Manager clarified that although the application did go against Policy H5, the Committee could approve the application if the applicant had shown the provision of affordable housing to be unviable, as that could be a material consideration. Evidence of viability needed to be made clear in the application.

A Member responded that there had been no information from the Officers that indicated that the scheme was not viable and the information was the information that Members had to consider.

RESOLVED – That permission be refused, in accordance with the reasons indicated in the Schedule of Decisions attached to these Minutes.

(2) Retention of temporary 60m anemometer mast for the purpose of measuring wind speed and wind direction (Renewal of Application 09/0983), Solway Moss Peat Works, Springfield, Longtown, Cumbria, CA6 5NH (Application 12/0017)

The Planning Officer submitted the report on the application and outlined for Members the background to the proposal, design and site details, together with the main issues for consideration. The application had been advertised by means of site and press notices. In response 58 letters of objection had been received of which 50 were identical standard letters that had been countersigned by objectors. There were also 7 individual objections and 1 letter of objection from Friends of Rural Cumbria's Environment (FORCE). The Planning Officer summarised the issues raised therein.

The Planning Officer explained that the purpose of the mast was to gather information to facilitate a renewable energy scheme. In that context, it was considered that the proposal fell within the remit of Local Plan Policy CP8.

Whilst it was noted that the mast had already been in place for a period of 2 years (as of 20 April 2012), given its temporary nature and limited harm, it was considered that the proposal complied with the relevant policies in terms of its landscape impact.

The Planning Officer reminded Members that a site visit had been undertaken for a previous application in December 2011 and recommended that the application be approved for a further 12 months subject to conditions outlined in the report.

Mrs Trotter (Objector) advised Members that she was speaking on behalf of the Solway Moss Protection Committee the members of which lived in close proximity to the test mast. Mrs Trotter queried the use of the word “temporary” in the application as there had been a mast in that location since 2006 and was permission to retain the mast was renewed for 2 years in 2008. The present application was approved in 2009 for 2 years and if the Council was to approve a further extension the Solway Moss Protection Committee felt that the test mast would have become an unwanted permanent feature that was inappropriate for the area in scale and design. The application was against the Cumbria County Council’s landscape character guidance policy.

EDF had stated that the site had enough wind to host their 9 126m high wind turbines and therefore it was unclear how further information would impact on EDF’s plans and there was nothing to be gained by renewing planning permission.

The Solway Moss Protection Committee believed that the Council’s time and money were being wasted on the application as the application for the proposed wind farm was strongly refused on the grounds of seismic noise. The present mast had become a blot on the landscape and was having a psychological effect on people’s daily lives as it was a constant reminder of the threat of the wind farm development.

Councillor Mrs Farmer returned to the meeting and agreed to take no part in the discussions or voting relating to the application as she had missed the initial consideration of the application.

Mr Wheeler (Agent) introduced himself to the Committee and stated that the Officer’s report was a good summation of the position and set out the reasons why the application should be approved. He advised that EDF would be happy with a temporary consent for a further year.

Mr Wheeler responded to the objections as set out within the report as follows:

- With regard to retention of the mast EDF had 6 months, until 16 June 2012, in which to consider whether they would wish to lodge an appeal against the refusal of the application for the wind farm. No decision had been made whether an appeal would be made but if EDF were to appeal it would be useful to continue the wind monitoring using the mast
- With regard to Eskdalemuir Mr Wheeler advised that it had no bearing on the consent for wind testing masts
- EDF would be happy with a further one year consent therefore the mast must still be a temporary structure in planning terms
- The Design and Access Statement had said that the mast would be removed after one year. However, Mr Wheeler advised that it was normal practice to keep masts on site up to the commencement of construction of a wind farm. The additional information would be used in deciding what type of wind turbine to use to generate the most electricity from the site

- Some of the objections related to the application for the wind farm which was a separate matter and furthermore EDF had not decided whether to appeal against the decision to refuse that application
- With regard to the visual and auditory intrusion of the mast the Officer's report had set out the reasons why a wind testing mast in that location would be acceptable.

Mr Wheeler concluded by stating that the National Planning Policy Framework provided a clear presumption in favour of sustainable development. Whilst the Council had refused the application for the 9 turbine wind farm a temporary wind testing mast for renewable energy purposes must be regarded as sustainable development.

The Committee then gave consideration to the application.

A Member queried how long the temporary mast could be in place before it became a permanent structure.

The Ward Councillor stated that he knew the area well and that he had been against the original application for the wind turbines. He added that it would be illogical to refuse that scheme yet leave the mast in place to determine if there was sufficient wind to maintain a wind farm as that could lead to a further application for another scheme. He believed that the mast had been in situ for more than 2 years and reiterated the query about the meaning of temporary in respect of the present case.

One of the key principles of the National Planning Policy Framework was to enhance the natural environment. The mast was intrusive and therefore had to be considered in planning terms. The Member reminded the Committee that the report did not refer to the gas extractions that were taking place in the area and stated that there could be associated dangers.

The Member believed that if EDF wished to appeal that was their right but until they did and a decision was made the Committee should refuse the application on the basis that the mast was no longer a temporary structure and the application should be refused on the grounds that it was a man made intrusion. The Members therefore moved that the application be refused.

The Director of Economic Development advised that granting planning permission on a year by year basis implied that the structure was temporary and that it was up to Members to decide whether there had been sufficient time for EDF to draw together the relevant information and therefore the structure could be deemed to be no longer required.

A Member believed that as the mast had been in the location since 2006 there was no reason to consider it a temporary structure and that all information would have been gleaned by now and therefore the Member seconded the proposal that the application be refused.

A Member queried a report she had read in relation to on shore wind farms no longer being supported by the coalition government. The Planning Manager advised that

Officers were aware of the statement but that no information on changes to policy had been received therefore such an application could still be acceptable at present.

RESOLVED – That permission be refused in accordance with the reasons indicated in the Schedule of Decisions attached to these Minutes.

(3) Erection of 3no dwellings, land between 16a and 20 Eden Place, Stanwix, Carlisle, CA3 9JH (Application 11/0799)

Members agreed that consideration of the application should be deferred to allow a site visit to be undertaken and a further report to be considered.

The Chairman advised those people who had registered a right to speak that they could speak at the meeting or defer their right to speak until the next meeting when the application would be considered following the site visit. All agreed to defer their right to speak until the next meeting.

RESOLVED – That consideration of the application be deferred to enable a site visit to be undertaken and a further report be presented to a future meeting of the Committee

(4) Demolition of gates and stoops (Conservation Area Consent), land between 16a and 20 Eden Place, Stanwix, Carlisle, CA3 9JH (Application 11/0800)

As the item was linked to the previous application (Application 11/0799) Members agreed that consideration of the application should be deferred to allow a site visit to be undertaken and a further report to be considered.

The Chairman advised those people who had registered a right to speak that they could speak at the meeting or defer their right to speak until the next meeting when the application would be considered following the site visit. All agreed to defer their right to speak until the next meeting.

RESOLVED – That consideration of the application be deferred to enable a site visit to be undertaken and a further report be presented to a future meeting of the Committee

(5) Subdivision of single dwelling to create 2no dwellings, The Corner House, Penton, Carlisle, CA6 5QW (Application 12/0158)

The Planning Officer submitted the report on the application setting out the background to the application, together with a description of the site and proposed design and outlined the main issues for consideration.

The application had been advertised by means of a site notice and a notification letter sent to one neighbouring property. In response 2 letters of support had been received. The Planning Officer summarised the issues raised therein.

In conclusion the Planning Officer advised that the proposal to create a new unit in the open countryside, outwith a defined settlement, would be contrary to established planning policy. The proposal would be sited in an unsustainable location, contrary to Policy H1 of the Carlisle District Local Plan. Additionally, it was not considered that sufficient information had been provided to justify the assertion that the additional dwelling was needed in conjunction with a rural based business. For those reasons the Planning Officer recommended that the application be refused.

Councillor Mrs Prest (Ward Councillor) reminded Members that the application was to enable the applicant's son to return to his parents' address to carry on his business as a plumbing and heating engineer which is where the bulk of his business was carried out. The son would prefer his own accommodation and was requesting to subdivide the existing house.

Councillor Mrs Prest explained that the Planning Officer had asked the applicant for information relating to the amount of custom his son relied upon within the area. The applicant stated 70% of the business was in the area. However the Planning Officer's report stated that even if the bulk of the business was in the area it was her view that the nature of the business was such that it could not be reasonably argued that the business was solely dependent upon the rural economy. Councillor Mrs Prest therefore queried why the question had been asked. The Officer had also suggested that the applicant's son could look for housing in areas over the border. However as he did no business in those areas he did not wish to live there. Councillor Mrs Prest further advised that the applicant's wife maintained the paperwork for the business and therefore it would be convenient for their son to be in close proximity.

Councillor Mrs Prest drew attention to the comments within the report that related to an increase in car journeys. A letter from the applicant advised that the applicants and their 5 sons had all lived in the property and all had their own cars. As the sons had now left home there would only be 3 people with cars rather than the 7 that had lived in the property previously.

The report also stated that there was to be a second unit on the site. The Ward Councillor queried how there would be a second unit as the application was to split the original dwelling by the additional of an internal wall between 2 parts of the same property.

Councillor Mrs Prest further reminded Members that the rural area was without gas and that houses were predominantly heated by oil. The applicant's son was seeking to expand the use of renewable energy solutions that would be of great benefit to the rural area.

The Parish Council had raised no objection to the application and added that the family made a big contribution to the community and approval of the application would keep the family in the area. The National Planning Policy Framework

recommended authorities to support mixed use development where it would support economic growth and that economic growth in rural areas should be supported by taking a positive approach to sustainable new development. The applicant's son had stated an intention to take on an apprentice at some point in the future.

Highway safety issues could be satisfactorily addressed by the imposition of conditions and there would be no material difference to the appearance of the building and, as the plans indicated, there would be 1 extra window and a door.

Councillor Mrs Prest concluded by reiterating her initial comments with regard to encouraging young people to stay in the rural areas and promote small new businesses as that would benefit the area now and in the future.

The Committee then gave consideration to the application.

A Member stated that it was not clear why the proposed alterations to the building required planning permission and moved that the application be approved. The Director of Economic Development advised that if a building was to be divided into 2 planning permission was required.

Members seconded the proposal to approve the application as they believed that the positives of the application outweighed the negatives and that unless young people were encouraged to stay in rural communities they would never be sustainable.

A Member stated that the comments from Members should give guidance to Officers for the future. The Member appreciated the views of the Officer as they were led by guidance and regulations, but added that the National Planning Policy Framework recommended supporting new developments to encourage economic development.

The Member reminded Members that the dwelling had previously been a pub and that would have created a substantial amount of traffic. The property was then home to the applicant and their 5 sons, all of whom owned cars. Again there would have been more traffic than the proposed application would create. The Members also believed that having a plumbing/heating engineer resident in the rural area would be of great benefit to the area and would help the area become more sustainable.

The Member concluded by agreeing with the proposal to approve the application, as it was part of the new guidance, but requested that a condition be imposed that would ensure the property remained within the family rather than being sold on.

The Director of Economic Development confirmed that such a condition would be feasible and that the property would remain in the family name and would therefore extend beyond the present generation. A Member reminded Members that such a condition had been imposed on previous applications and that if circumstances changed the application could be submitted to Committee for consideration.

RESOLVED – That permission be granted subject to the conditions indicated in the Schedule of Decisions attached to these minutes.

(6) Demolition of existing detached garage and erection of 1no detached bungalow, Rosegarth, Brier Lonning, Hayton, Carlisle, CA8 9HL (Application 11/1037)

The Planning Officer submitted the report on the application, which had been the subject of a site visit on 18 April 2012, setting out the background to the application, together with a description of the site and proposed design and outlined the main issues for consideration.

The application had been advertised by means of a site notice and notification letters sent to neighbouring properties. In response one letter of objection had been received that related to a culverted watercourse that ran through the property and the neighbouring property.

The Planning Officer explained that in overall terms the principle of the development was acceptable. The scale, siting and massing of the proposed dwelling was acceptable in relation to the adjacent property, its setting and the street scene. The living conditions of neighbouring properties would not be compromised through unreasonable overlooking or overdominance. Adequate car parking, access and amenity space would be provided to serve the dwelling. In all aspects the proposal was compliant with the objectives of the Local Plan policies. Therefore the Planning Officer recommended that the application be approved.

The Committee then gave consideration to the application.

A Member stated that the site visit had been useful as it allowed Members to see the differences in levels on the site and the drainage issues. The Member moved that the application be approved.

A Member requested clarification about the Environment Agency's comments with regard to the last known flood levels which were above the steps of the original dwelling. The Planning Officer advised that the Council's drainage engineer had looked at the flooding issues and had requested that the floor levels of the proposed dwelling were higher than the height of the last known flood level. The applicants had agreed that they would look at that matter as part of the design of the dwelling. The Director of Economic Development had instructed the Planning Officer to include a condition to ensure the matter was dealt with.

A Member was concerned about the potential level of flooding and that it would be difficult to bring the floor levels up to the required height whilst maintaining the roof levels.

The Planning Officer confirmed that the photovoltaic cells would be at the back of the property.

RESOLVED – That permission be granted subject to the conditions indicated in the Schedule of Decisions attached to these minutes.

(7) Erection of detached 4no bed dwelling with detached garage, land at the garden of Burn Bank, St Lawrence Lane, Burgh-By-Sands (Application 12/0005)

The Planning Officer submitted the report on the application setting out the background to the application, together with a description of the site and proposed design and outlined the main issues for consideration.

The application had been advertised by means of site and press notices as well as notification letters sent to 2 neighbouring properties. In response 2 letters of objection had been received. The Planning Officer summarised the issues raised therein.

The Planning Officer explained that in overall terms the proposed dwelling was acceptable in principle and the scale and design of the proposed dwelling were also acceptable. The proposed dwelling would not have an adverse impact on the Burgh-By-Sands Conservation Area, the Solway Coast Area of Outstanding natural beauty or the Hadrian's Wall World heritage Site Buffer Zone. The proposal would not have an adverse impact on the living conditions of the occupiers of adjacent properties through loss of light, loss of privacy or over-dominance. In all aspects the proposal was compliant with the relevant policies contained within the adopted Local Plan.

The Planning Officer advised that planning permission for a detached 4 bedroom dwelling on the site was approved in March 2010 and the current application had been submitted as the Parish Council had objected to the design of the proposal which they did not believe was in keeping with the character of the area. The Council's Heritage Officer had no objection to the design. The Planning Officer presented slides that indicated a range of properties in the area and stated that due to the range of styles it would be difficult to define the character of the area.

A neighbour had also objected to the proposal as the applicant may be required to dig up a private road to connect his drainage. However that was not a planning issue.

Therefore the Planning Officer recommended that the application be approved.

The Committee then gave consideration to the application.

A Member moved that the application be approved.

A Member queried whether there had been any comment from the Solway Coast AONB. The Planning Officer confirmed that there had been no comment and that the principle of the dwelling had already been approved. The Member seconded the proposal to approve the application.

RESOLVED – That permission be granted subject to the conditions indicated in the Schedule of Decisions attached to these minutes.

(8) Erection of 1no dwelling, 85 Kingstown Road, Carlisle, Cumbria, CA3 0AJ (Application 11/1110)

The Planning Officer submitted the report on the application setting out the background to the application, together with a description of the site and proposed design and outlined the main issues for consideration.

The application had been advertised by means of a site notice and notification letters sent to 5 neighbouring properties. In response 5 letters of objection had been received. The Planning Officer summarised the issues raised therein.

The Planning Officer explained that in overall terms the principle of the development was acceptable. The scale, siting and massing of the proposed dwelling was acceptable in relation to the adjacent property, its setting and the street scene. The living conditions of neighbouring properties would not be compromised through unreasonable overlooking or overdominance. Adequate car parking, access and amenity space would be provided to serve the dwelling. In all aspects the proposal was compliant with the objectives of the Local Plan policies. Therefore the Planning Officer recommended that the application be approved.

The Committee then gave consideration to the application.

A Member queried the roof height of the proposed dwelling against the neighbouring properties. The Planning Officer advised that it was difficult to indicate the roof lines on the plans as the proposed dwelling was at an angle to the neighbouring dwelling but that the front of the building was in line with the front of the neighbouring property and was similar in style to the end dwelling at the other side of the lane.

The Planning Officer confirmed that there would be a yard to the front of the property and that the front elevation would be in line with the front of the neighbouring property.

RESOLVED – That permission be granted subject to the conditions indicated in the Schedule of Decisions attached to these minutes.

(9) Erection of 1no replacement dwelling with integral garages and associated landscaping (Revised Application), land adjacent West Brighten Flatt, Scaleby, Carlisle, CA6 4LA (Application 12/0038)

The Planning Officer submitted the report on the application setting out the background to the application, together with a description of the site and proposed design and outlined the main issues for consideration.

The application had been advertised by means of a site notice and notification letters sent to 10 neighbouring properties. In response 3 letters of objection had been received.

The Planning Officer explained that the proposal, whilst being larger than would normally be permitted under the replacement dwelling policy, was considered to be

of sufficient architectural merit to allow it to be approved as an exception to Policy H10 and to comply with the guidance in the National Planning Policy Framework. The proposed dwelling had been designed with strong Arts and Crafts influences and was based on a dwelling at Blackwell, Windermere. The dwelling was considered to be of sufficient architectural merit to allow it to be approved as an exception to the replacement dwellings policy and to comply with guidance in the new National Planning Policy Framework. The proposal would not have an adverse impact on the character of the area or on the living conditions of the occupiers of any neighbouring properties through loss of light, loss of privacy or over-dominance.

The Planning Officer further informed Members that the Highway Authority had advised that the current access from the Brampton/Longtown Road would be downgraded to an agricultural access only.

Therefore the Planning Officer recommended that the application be approved.

The Committee then gave consideration to the application.

A Member stated that he would not vote on the decision on the application as he did not believe that the appearance of the dwelling was appropriate in the area but there was no appropriate planning reason not to approve the application.

A Member believed it was an outstanding property and believed that the appearance of the proposed dwelling was appropriate to the area. Whilst the proposal was against policy H10 it was to be constructed to a high standard, with high energy efficiency and of exceptional architectural merit. The Member moved that the application be approved.

A Member stated that whilst she believed the design to be impressive and that the proposed building would be attractive, she was not convinced that the proposed dwelling was in the correct location and for that reason she would abstain from voting on a decision on the application.

The Planning Manager advised that the proposed dwelling would be set apart from other properties in the area and that other properties were of differing architectural design. Whilst the property was an example of an icon of the Arts and Crafts style, and whilst not a local design, it was an iconic design.

The Director of Economic Development advised that if Members were concerned about the proposed scheme further evidence could be requested to gain a better understanding of how the proposed dwelling would fit in the area and the design qualities.

A Member stated that he had no issue with the design in the Windermere area as there were other buildings in that area of similar design. The Member suggested that if Members were not clear about the location a site visit should be undertaken. The proposal for a site visit was seconded.

A Member queried whether the caravan site would remain adjacent to the proposed dwelling. The Planning Officer advised that it would remain but the caravan site would not be visible within the long distance view of the dwelling.

Following a vote it was:

RESOLVED – That consideration of the application be deferred in order to undertake a site visit and to await a further report on the application at a future meeting of the Committee.

(10) Erection of 1no dwelling (Outline), 2 Parkhead Road, Brampton, CA8 1DE (Application 12/0079)

The Planning Officer submitted the report on the application setting out the background to the application, together with a description of the site and proposed design and outlined the main issues for consideration.

The application had been advertised by means of a site notice and notification letters sent to 13 neighbouring properties. In response 1 letter of objection had been received that stated that the proposal to erect an additional two-storey dwelling would be out of keeping with the existing building/extension works that had been granted over the past years (Park Head Estate). A single storey bungalow type of dwelling would be more suited.

The Planning Officer advised that the application had been presented to the Committee as the Parish Council had objected to the proposal on the grounds that it was over-development of the site and there were concerns about the potential increase in the number of vehicles accessing onto Sawmill Lane which provided access to Brampton Primary School. The Planning Officer presented slides of the site and stated that he did not believe that the safety of children going to the primary school would be compromised.

The Planning Officer explained that, in his view, there was sufficient space to erect a dwelling on the site and that details of the siting and design of the dwelling would be determined at the Reserved Matters stage. Union Court was located on the opposite side of Sawmill Lane, and lay in close proximity to Union Lane, and therefore a new dwelling on the site would not be out of keeping with the character of the area. The Planning Officer advised that in overall terms, the proposal was acceptable in principle. The indicative layout plan illustrated that a dwelling could be located on the application site without having any adverse impact on the character of the area or on the living conditions of the occupiers of any neighbouring properties. In all aspects the proposal was considered to be compliant with the objectives of the relevant adopted Local Plan policies. Therefore the Planning Officer recommended that the application be approved.

The Committee then gave consideration to the application.

A Member asked whether there was provision for parking on the site. The Planning Officer advised that there would be in-curtilage parking and that there was sufficient

space to have in-curtilage parking for the original property and the proposed property.

The Member requested that a condition be imposed that required the applicants to look at the parking issues as it was important that there was adequate parking on the site.

RESOLVED – That permission be granted subject to the conditions indicated in the Schedule of Decisions attached to these minutes.

(11) Demolition of former Platform 1 night club to form beer garden and demolition of redundant boiler house to provide secure storage building (Revised Application), Former Platform 1 and Boiler House, Collier Lane, Carlisle (Application 12/0100)

The application report was withdrawn from discussion at the meeting as an anticipated letter of objection was not forthcoming and the remaining level of opposition was such that the application could be determined under the Council's Scheme of Delegation.

(12) Demolition of former Platform 1 night club to form beer garden; demolition of redundant former Boiler House to provide secure storage building (Revised application) (LBC), Former Platform 1 and boiler house, Collier Lane, Carlisle, CA1 1QX (Application 12/0099)

The application report was withdrawn from discussion at the meeting as an anticipated letter of objection was not forthcoming and the remaining level of opposition was such that the application could be determined under the Council's Scheme of Delegation.

(13) Demolition of former Platform 1 night club and redundant former boiler house (Conservation Area Consent) (Revised application), Former Platform 1 and Boiler House, Collier Lane, Carlisle, CA1 1QX (Application 12/0099)

The application report was withdrawn from discussion at the meeting as an anticipated letter of objection was not forthcoming and the remaining level of opposition was such that the application could be determined under the Council's Scheme of Delegation.

**DC.34/12 RULE 6 STATEMENT REGARDING APPEAL BY MR M CORKER,
NEWLANDS FARM, CARLETON, CARLISLE**

The Principal Planning Officer (Development Management) submitted Report ED.19/12 that provided a formal update on the contents of the Rule 6 Statement submitted on behalf of the City council regarding the forthcoming Public Inquiry commencing on 29 May 2012.

Since the Rule 6 Statement had been prepared the National Planning Policy Framework had come into force and the information in the statement was not explicit to the report. Therefore, the Principal Planning Officer recommended that consideration of the information be deferred and the meeting adjourned to enable the report to take account of the new guidance within the National Planning Policy Framework.

RESOLVED: That the meeting of the Development Control Committee be adjourned and re-convened on Friday 27 April 2012 at the rise of training on Localism and Planning, or 12:30 whichever was soonest.

DC.35/12 FORTHCOMING TRAINING OF LOCALISM AND PLANNING

The Planning Manager reminded Members that training, provided by Trevor Roberts Associates, on Localism and Planning had been arranged for members of the Committee for the morning of Friday 27 April 2012.

DC.36/12 CHAIRMAN'S ANNOUNCEMENT

The Chairman and Members thanked Officers and staff for their work and support over the past municipal year.

**The meeting adjourned at 11.35am and reconvened on Friday 27 April 2012 at
12:30**

PRESENT: Councillor Mrs Parsons (Chairman), Councillors Bloxham, Cape,
Craig, Mrs Riddle, Scarborough and Warwick

APOLOGIES: Councillors M Clarke, Mrs Farmer, Mrs Rutherford and Morton

**DC.37/12 RULE 6 STATEMENT REGARDING APPEAL BY MR M CORKER,
NEWLANDS FARM, CARLETON, CARLISLE**

The Principal Planning Officer (Development Management) submitted report ED.19/12 in respect of the Rule 6 Statement regarding an appeal by Mr M Corker, Newlands Farm. Carleton, Carlisle.

The Principal Planning Officer reminded Members that in 2008 planning permission was refused for the erection of three wind turbines and associated infrastructure, and the erection of a 60m high meteorological mast. The Principal Planning Officer outlined the issues considered by the Inspector when assessing the subsequent appeals. In 2011, planning permission was sought for a single 3 blade turbine (11/0596) and a separate application (11/0597) for 2 wind turbines was also submitted. In light of independent advice to the City Council the Development Control Committee refused planning permission for both applications at their meeting on 11 November 2011. The Principal Planning Officer outlined the reasons for that decision.

In January 2012 an appeal was submitted concerning the refusal of permission of application 11/0596 with the Public Inquiry due to commence on 29 May 2012. Following the submission of the appeal Mark Steele Consultants (MSC) was appointed by the City Council to act on their behalf with regard to the visual impact assessment aspect of the forthcoming inquiry. The Council had outlined the case that it would make in a Rule 6 Statement submitted to the Planning Inspectorate on 24 February 2012. In light of advice received from MSC reference was made to more properties than given in the reason for refusal of the application.

A Member queried why some of the properties on the plan were not included as being affected by the proposal. The Principal Planning Officer advised that the consultant had completed his assessment following two visits of the village during which it became apparent that some occupiers were not available but it was also evident, having visited the neighbouring properties, that certain residents were unlikely to be the subject of significant effects. The Director of Economic Development advised that, as a result, there would be no implications to those properties.

A Member sought clarification on the required distances between wind turbines and residential properties. The Principal Planning Officer advised that the distance between the wind turbine and the nearest property was 420m; and there was no separating distance specified in current legislation covering England although aware that Scottish Power's Site Selection Policy allegedly requires at least 1,000m.

IT WAS UNANIMOUSLY RESOLVED: – Members approved the contents of the Rule 6 Statement submitted on behalf of the City Council regarding the forthcoming public inquiry commencing on 29 May 2012 as representing their position at the inquiry, with appropriate amendments to reflect the National Planning Policy Framework.

[The meeting ended at 12:45 pm]