

Committee Minutes

Control of Development and Advertisements

The Development Control Committee received and considered the following applications:

Item no: 01

Appn Ref No:
10/1116

Applicant:
Stobart Air Limited

Parish:
Irthington

Date of Receipt:
14/12/2010

Agent:
URS/Scott Wilson

Ward:
Stanwix Rural

Location:
Carlisle Lake District Airport, Carlisle, Cumbria CA6
4NW

Grid Reference:
348000 561000

Proposal: Erection Of A Distribution Centre (Inclusive Of Air Freight And Road Haulage, And Including Integrated +3°C Chiller Chamber, +12°C Chiller Chamber, Workshop And Offices)(Use Classes B1 And B8), Gatehouse, Canteen/Welfare Facilities, Landscaping, New Access, Parking And Other Infrastructure Works (Such As Auxiliary Fire Station, Package Sewage Treatment Works, Fire Sprinkler System And Electrical Substation) And Raised And Re-Profiled Runway 07/25

Following a request from the applicant, Members resolved to defer consideration of the proposal in order to allow the submission of additional information and to await a further report on the application at a future meeting of the Committee.

Item no: 02

Appn Ref No:
11/0171

Applicant:
Story Group

Parish:

Date of Receipt:
03/03/2011 16:00:24

Agent:

Ward:
Belah

Location:
Land between Stainton Road and track to
Kingsmoor Depot, Etterby Road, Carlisle

Grid Reference:
338565 557061

Proposal: Creation Of Construction Storage Compound In Association With The Development Of 30. Dwellings Previously Approved Under Planning Permission Reference 10/0508

Grant Permission

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

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The approved documents for this Planning Permission comprise:

1. the submitted planning application form;
2. drawing number SH071.90.9.SL.LP.SC the location plan received 3rd March 2011;
3. drawing number SH071.90.9.SL.PL.CC the site layout plan received 3rd March 2011;
4. drawing numbers COM-CONA, COM-001, COM-002, COM-003, COM-004, COM-005 and COM-006 proposed site compound details received 9th March 2011;
5. the design and access statement received 3rd March 2011;
6. the ecological and management report received 16th March 2011;
7. the Notice of Decision; and
8. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: For the avoidance of doubt.

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

Reason: To ensure the objectives of Policy CP5 of the Carlisle District Local Plan 2001-2016 are met and to ensure a satisfactory external appearance for the completed development.

4. Any existing highway fence/hedge shall be reduced to a height not exceeding 1.0m above the carriageway level of the adjacent highway in accordance with details to be submitted, in writing, to the Local Planning Authority. Once

approved it shall be in place before development commences and shall remain at/below this height whilst the compound is in use.

Reason: In the interests of highway safety and to support Local Transport Plan Policies LD7 and LD8.

5. The access drive shall be surfaced in bituminous or cement bound materials, or otherwise bound and shall be constructed and completed before building works start to the dwellings permitted by application 10/0508.

Reason: In the interests of highway safety and to support Local Transport Plan Policies LD5, LD7 and LD8.

6. The site compound hereby permitted shall be removed from the site within 3 months of the final house being completed and within 3 months of the date of the removal of the compound the site shall be restored so far as is reasonably possible to its condition prior to the compound being installed.

Reason: To preclude the possibility of the use of the premises for purposes inappropriate in the locality, in accordance with the Carlisle District Local Plan 2001-2016.

Summary of Reasons for the Decision

Whilst the compound is to be erected within an open field, it is noted that planning permission for 30no. dwellings has been granted adjacent to the site. The applicants have confirmed that they wish the construction phase to start as soon as is practically possible, and as such the compound will be viewed as part of the building site.

Various neighbouring properties have objected to the application stating that it is not appropriate to the locality. However, due to the temporary nature of the compound, which would only be required during the construction of the adjacent site, it is not considered that it would cause demonstrable harm the amenity of the area. The applicants have initially indicated that the build time of the adjacent site would be approximately 30 months, as such, a condition is recommended to be imposed requiring the 'physical' elements of the compound (i.e. the fencing, cabins etc) to be removed within 3 months of the completion of the final dwelling, and further to that, the site restored as far as practically possible to its current condition (i.e. hardcore removed and the ground re-seeded) within 3 further months.

This staggered time frame is considered necessary in order to allow the site to be cleared as soon as possible, but also so as not to stifle the developers from being able to bring the whole site up to an adoptable standard, after the dwellings themselves are complete. This way there will still be a hardcore area for parking and

any storage, which will also be of benefit to the neighbouring properties along Etterby Road and Stainton Road, as vehicles will not need to park on the road side.

The compound is to be located to the rear of a site which is on a public frontage and as such is surrounded by residential properties. Several residents have expressed concern that the compound will impact upon their enjoyment of their homes. However, the compound is to the rear of what will be a building site and in design terms it is not felt that the appearance would detract from the appearance of this residential area, or that it would have a significant additional impact upon. Furthermore it is noted that consent will be for a temporary period only, all of which are considered to reduce the impact of the compound upon the neighbouring properties.

Whilst several of the neighbours have objected to the proposal on the grounds of highway safety, the Highway Department have raised no objections to the compound, subject to the inclusion of two conditions.

The trees and hedgerow on the common boundary with application 10/0508 have been dealt with during the previous application for 30 dwellings on the adjacent site and the conditions which were included on that application.

The application proposes using the existing access from Stainton Road, and the Highways Department have required a condition that the hedgerows in this area are reduced to 1 metre in height in the interests of highway safety. This condition will be valid for the duration of the use of the site as a compound.

In overall terms the compound is appropriate to the location and it does not compromise the visual amenity of the area, nor will it detract from the living conditions of any neighbouring properties. Given that the compound is temporary in its nature, in that it will only be required for as long as the adjacent site is under construction, and that it will be located to the rear of a public frontage it is considered that the proposal would not cause a sufficient demonstrable harm to the visual environment to warrant refusal of the application on this basis. In all aspects the proposal is considered to be compliant with the objectives of the relevant Local Plan policies, and the application is recommended for approval.

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016 Core Development Policies - Policy CP5 - Design

All new development proposals will be assessed against the following design principles. Proposals should:

- 1 Respond to the local context and the form of surrounding buildings in relation to height, scale and massing, and by making use of appropriate materials and detailing;
- 2 Take into consideration any important landscape or topographical features and respect local landscape character;
- 3 Reinforce local architectural features, where appropriate, promoting and

- respecting local distinctiveness;
- 4 Ensure all components of the proposal, such as buildings, car parking, access routes, open space and landscaping, are well related to one another to ensure a well integrated, successful and attractive development;
 - 5 Ensure there is no adverse effect on the residential amenity of existing areas, or adjacent land uses, or result in unacceptable standards for future users and occupiers of the development;
 - 6 Ensure the retention and enhancement of existing trees, shrubs, hedges and other wildlife habitats where possible. Where environmental features are lost as a result of the proposal, appropriate mitigation measures should be put in place and on-site replacement of those features will be sought;
 - 7 Include landscaping schemes (both hard and soft) to assist the integration of new development into existing areas and ensure that development on the edge of settlements is fully integrated into its surroundings;
 - 8 Ensure that the necessary services and infrastructure can be incorporated without causing unacceptable harm to retained features;
 - 9 Ensure that the layout and design incorporates adequate space for waste and recycling bin storage and collection.

Carlisle District Local Plan 2001 - 2016
Core Development Policies - Policy CP6 - Residential Amenity

The amenity of residential areas will be protected from inappropriate development where that development:

- 1 is for a use inappropriate for residential areas; and/or
- 2 is of an unacceptable scale; and/or
- 3 leads to an unacceptable increase in traffic or noise; and/or
- 4 is visually intrusive.

Item no: 03

Appn Ref No: 10/1066 **Applicant:** Citadel Estates Ltd. **Parish:** Wetheral

Date of Receipt: 25/11/2010 13:00:25 **Agent:** Holt Planning Consultancy **Ward:** Wetheral

Location: Skelton House, Wetheral, Carlisle, CA4 8JG **Grid Reference:** 346433 554571

Proposal: Demolition Of House, Adjoining Barn And Outbuildings; Redevelopment Of Site For The Erection Of Single Block Comprising 15No. Two-Bed Apartments With Dedicated Access, Off-Street Parking And Private Amenity Spaces

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

- a) the provision of three affordable units which will be made available by discounted sale, with the discount set at 30% below open market value;
- b) a financial contribution of £3,500 to secure an amendment to the Traffic Regulation Order to provide bus clearway markings;
- c) a financial contribution of £3000 to be spent by the Parish Council towards the provision of play facilities for older children and/or the provision of allotments; and
- d) the provision of a management company to oversee the maintenance of the building and the collection of refuse.

Item no: 04

Appn Ref No:
10/1067

Applicant:
Citadel Estates Limited

Parish:
Wetheral

Date of Receipt:
25/11/2010 13:00:25

Agent:
Holt Planning Consultancy

Ward:
Wetheral

Location:
Skelton House, Wetheral, Carlisle, CA4 8JG

Grid Reference:
346433 554571

Proposal: Demolition Of House, Adjoining Barn And Outbuildings (Conservation Area Consent)

Grant Permission

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

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The approved documents for this Conservation Area Consent comprise:

1. The Planning Application Form received 25th November 2010;
2. The existing site location plan received 2nd December 2010 (Drawing No. 00revA);
3. The existing block plan received 2nd December 2010 (Drawing No. 02);
4. The Design and Access Statement received 2nd December 2010;
5. The Bat Survey received 25th November 2010;
6. The Notice of Decision; and
7. Any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

3. The buildings shall not be demolished before a contract for the carrying out of works of redevelopment of the site has been made and planning permission has been granted for the redevelopment for which the contract provides.

Reason: To safeguard against premature demolition in accord with Policies LE17 and LE19 of the Carlisle District Local Plan 2001-2016.

4. Prior to the carrying out of any construction works the existing farmhouse, barn and outbuilding affected by the proposed development shall be recorded in accordance with a Level 3 survey as described by English Heritage's document "Understanding Historic Buildings, A guide to Good Recording Practise, 2006". Within 2 months of commencement of the construction works 3 copies of the resultant level 3 survey report shall be furnished to the Local Planning Authority.

Reason: To ensure that a permanent record is made of the building of architectural and historic interest prior to their demolition as part of the proposed development in accordance with Policy LE8 of the Carlisle District Local Plan 2001-2016.

Summary of Reasons for the Decision

This application seeks "Conservation Area Consent" for the demolition Skelton House and its associated buildings, which are located at the northern extent of Pleasant View in Wetheral. The land is situated within the Wetheral Conservation Area and a Grade II Listed Property, known as Acorn Bank, is located immediately to the east of the site.

The site comprises Skelton House, a former farmhouse, with an attached two storey barn, detached stables and two polytunnels, which are associated with its former use as a commercial nursery. The application proposes to remove the majority of the buildings on the site to enable its redevelopment to provide fifteen apartments (Application 10/1066).

The relevant planning policies against which the application is required to be assessed are Policies CP5, LE8, LE17 and LE19 of the Carlisle District Local Plan 2001-2016.

The proposal raises the following planning issue:

1. Whether The Removal Of The Buildings Is Acceptable.

The removal of these buildings will not have an adverse impact upon the setting of the Wetheral Conservation Area provided that it is undertaken in conjunction with an acceptable scheme to redevelop the site. A condition is imposed that prevents this work from being carried out prior to a contract being agreed for the redevelopment of the site that is in accordance with an "approved" scheme.

When initial enquiries were made regarding the redevelopment of this site the Council's former Principal Conservation Officer contacted English Heritage to verify whether the buildings were worthy of listing; however, English Heritage advised that they were not.

Whilst the building may not be of sufficient architectural merit to warrant listing the County Council's Historic Environment Officer (HEO) has advised that the farmhouse, the attached barn and some of the outbuildings are shown on the first edition OS map and, therefore, date to at least the 19th century. The HEO also advised that the farmhouse has architectural features and a form, which indicate an earlier origin than the 19th century.

Consequently the HEO considers that these buildings are of some historic importance, which would be lost as part of the proposed development. A condition has been imposed that requires an archaeological building recording programme of these buildings to be undertaken in advance of the development.

In conclusion, as the Development Control Committee granted authority to issue an approval for the "Full" application to redevelop the site, this permission can be granted. It is subject to the imposition of a condition that prevents the buildings from being demolished until a contract has been agreed to redevelop the site in accordance with an approved scheme. In light of the above the proposal accords with the relevant Local Plan policies.

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016 Core Development Policies - Policy CP5 - Design

All new development proposals will be assessed against the following design principles. Proposals should:

- 1 Respond to the local context and the form of surrounding buildings in relation to height, scale and massing, and by making use of appropriate materials and detailing;

- 2 Take into consideration any important landscape or topographical features and respect local landscape character;
- 3 Reinforce local architectural features, where appropriate, promoting and respecting local distinctiveness;
- 4 Ensure all components of the proposal, such as buildings, car parking, access routes, open space and landscaping, are well related to one another to ensure a well integrated, successful and attractive development;
- 5 Ensure there is no adverse effect on the residential amenity of existing areas, or adjacent land uses, or result in unacceptable standards for future users and occupiers of the development;
- 6 Ensure the retention and enhancement of existing trees, shrubs, hedges and other wildlife habitats where possible. Where environmental features are lost as a result of the proposal, appropriate mitigation measures should be put in place and on-site replacement of those features will be sought;
- 7 Include landscaping schemes (both hard and soft) to assist the integration of new development into existing areas and ensure that development on the edge of settlements is fully integrated into its surroundings;
- 8 Ensure that the necessary services and infrastructure can be incorporated without causing unacceptable harm to retained features;
- 9 Ensure that the layout and design incorporates adequate space for waste and recycling bin storage and collection.

Carlisle District Local Plan 2001 - 2016

Local Environment - Policy LE8 - Archaeology On Other Sites

On land for which there is no archaeological information, but where there are reasonable grounds for believing remains to be present, the City Council will ensure that the archaeological aspects of development proposals are examined and evaluated before planning applications are determined. Planning permission will not be granted without adequate assessment of the archaeological implications.

Carlisle District Local Plan 2001 - 2016

Local Environment - Policy LE19 - Conservation Areas

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

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

- 1 the development should preserve or enhance all features which contribute positively to the area's character or appearance, in particular the design,

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

Carlisle District Local Plan 2001 - 2016
Local Environment - Policy LE17 - Development Involving The Demolition Of Unlisted Buildings In Conservation Areas

There will be a general presumption in favour of the retention of buildings which make a positive contribution to the character or appearance of a conservation area. Applications for planning permission for development proposals that would require the total demolition of unlisted buildings in conservation areas will be assessed against the following criteria:

- 1 the contribution of the building to the landscape/townscape; and
- 2 the structural condition of the building; and
- 3 the suitability of the building for its existing, proposed or any other use; and
- 4 the cost of repair; and
- 5 the contribution which the demolition/ redevelopment would make to broader conservation objectives.
- 6 the inclusion of any building on a local list as defined in policy LE16

All proposals for demolition must be accompanied by details of redevelopment, which will normally be secured by means of a legal agreement.

Item no: 05

Appn Ref No:

Applicant:

Parish:

11/0350

Mr Spedding

Carlisle

Date of Receipt:

03/05/2011 08:00:16

Agent:

Rodney Jeremiah

Ward:

Castle

Location:

123 Warwick Road, Carlisle, CA1 1JZ

Grid Reference:

340775 555930

Proposal: Change Of Use From Dwelling To House Of Multiple Occupancy

Refuse Permission

1. **Reason:** The proposal would exacerbate existing problems with parking in the area and would result in the loss of vehicle parking facilities and would therefore encourage inappropriate parking on the highway, with consequent risk of additional danger to all users of the road, contrary to Local Transport Plan Policies LC7 and LD8.

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP5 - Design

All new development proposals will be assessed against the following design principles. Proposals should:

- 1 Respond to the local context and the form of surrounding buildings in relation to height, scale and massing, and by making use of appropriate materials and detailing;
- 2 Take into consideration any important landscape or topographical features and respect local landscape character;
- 3 Reinforce local architectural features, where appropriate, promoting and respecting local distinctiveness;
- 4 Ensure all components of the proposal, such as buildings, car parking, access routes, open space and landscaping, are well related to one another to ensure a well integrated, successful and attractive development;
- 5 Ensure there is no adverse effect on the residential amenity of existing areas, or adjacent land uses, or result in unacceptable standards for future users and occupiers of the development;
- 6 Ensure the retention and enhancement of existing trees, shrubs, hedges and other wildlife habitats where possible. Where environmental features are lost as a result of the proposal, appropriate mitigation measures should be put in place and on-site replacement of those features will be sought;
- 7 Include landscaping schemes (both hard and soft) to assist the integration of new development into existing areas and ensure that development on the edge of settlements is fully integrated into its surroundings;
- 8 Ensure that the necessary services and infrastructure can be incorporated

- without causing unacceptable harm to retained features;
- 9 Ensure that the layout and design incorporates adequate space for waste and recycling bin storage and collection.

Carlisle District Local Plan 2001 - 2016
Core Development Policies - Policy CP6 - Residential Amenity

The amenity of residential areas will be protected from inappropriate development where that development:

- 1 is for a use inappropriate for residential areas; and/or
- 2 is of an unacceptable scale; and/or
- 3 leads to an unacceptable increase in traffic or noise; and/or
- 4 is visually intrusive.

Carlisle District Local Plan 2001 - 2016
Housing - Policy H12 - Subdivision Of Houses And Houses In Multiple Occupation

Proposals for the subdivision of houses into smaller units, or for change of use to a house in multiple occupation will be acceptable provided that:

- 1 there is no loss of amenity to surrounding residential properties, including loss of privacy through overlooking and through noise transmission; and
- 2 appropriate access and car parking provision can be achieved; and the proposal ensures the creation of units of a good standard and does not result 3 in the creation of substandard units; and
- 4 the internal layout of accommodation, provision of amenities, outside drying space, where appropriate, and bin space is sufficient to provide future occupiers with an adequate standard of amenity.

Proposals for additional subdivision of properties within Chatsworth Square and Portland Square will not be acceptable

Carlisle District Local Plan 2001 - 2016
Transport - Policy T1- Parking Guidelines For Development

The level of car parking provision for development will be determined on the basis of the following factors:

- 1 the Parking Guidelines for Cumbria as updated by additional requirements in PPG 13;
- 2 the availability of public car parking in the vicinity;
- 3 the impact of parking provision on the environment of the surrounding area;
- 4 the likely impact on the surrounding road network; and
- 5 accessibility by and availability of, other forms of transport.

Item no: 06

Appn Ref No:
11/0067

Applicant:
Messrs M J Hodgson & J
Webster

Parish:
Carlisle

Date of Receipt:
28/01/2011

Agent:
Jock Gordon

Ward:
Castle

Location:
125 Warwick Road, Carlisle, Cumbria, CA1 1JZ

Grid Reference:
340783 555930

Proposal: Change Of Use Of Dwelling To House Of Multiple Occupation

Refuse Permission

1. **Reason:** The proposal would exacerbate existing problems with parking in the area and would result in the loss of vehicle parking facilities and would therefore encourage inappropriate parking on the highway, with consequent risk of additional danger to all users of the road, contrary to Local Transport Plan Policies LC7 and LD8.

Relevant Development Plan Policies

**Carlisle District Local Plan 2001 - 2016
Core Development Policies - Policy CP5 - Design**

All new development proposals will be assessed against the following design principles. Proposals should:

- 1 Respond to the local context and the form of surrounding buildings in relation to height, scale and massing, and by making use of appropriate materials and detailing;
- 2 Take into consideration any important landscape or topographical features and respect local landscape character;
- 3 Reinforce local architectural features, where appropriate, promoting and respecting local distinctiveness;
- 4 Ensure all components of the proposal, such as buildings, car parking, access routes, open space and landscaping, are well related to one another to ensure a well integrated, successful and attractive development;
- 5 Ensure there is no adverse effect on the residential amenity of existing areas, or adjacent land uses, or result in unacceptable standards for future users and occupiers of the development;
- 6 Ensure the retention and enhancement of existing trees, shrubs, hedges and other wildlife habitats where possible. Where environmental features are lost as

- a result of the proposal, appropriate mitigation measures should be put in place and on-site replacement of those features will be sought;
- 7 Include landscaping schemes (both hard and soft) to assist the integration of new development into existing areas and ensure that development on the edge of settlements is fully integrated into its surroundings;
 - 8 Ensure that the necessary services and infrastructure can be incorporated without causing unacceptable harm to retained features;
 - 9 Ensure that the layout and design incorporates adequate space for waste and recycling bin storage and collection.

Carlisle District Local Plan 2001 - 2016 Core Development Policies - Policy CP6 - Residential Amenity

The amenity of residential areas will be protected from inappropriate development where that development:

- 1 is for a use inappropriate for residential areas; and/or
- 2 is of an unacceptable scale; and/or
- 3 leads to an unacceptable increase in traffic or noise; and/or
- 4 is visually intrusive.

Carlisle District Local Plan 2001 - 2016 Housing - Policy H12 - Subdivision Of Houses And Houses In Multiple Occupation

Proposals for the subdivision of houses into smaller units, or for change of use to a house in multiple occupation will be acceptable provided that:

- 1 there is no loss of amenity to surrounding residential properties, including loss of privacy through overlooking and through noise transmission; and
- 2 appropriate access and car parking provision can be achieved; and the proposal ensures the creation of units of a good standard and does not result 3 in the creation of substandard units; and
- 4 the internal layout of accommodation, provision of amenities, outside drying space, where appropriate, and bin space is sufficient to provide future occupiers with an adequate standard of amenity.

Proposals for additional subdivision of properties within Chatsworth Square and Portland Square will not be acceptable

Carlisle District Local Plan 2001 - 2016 Transport - Policy T1- Parking Guidelines For Development

The level of car parking provision for development will be determined on the basis of the following factors:

- 1 the Parking Guidelines for Cumbria as updated by additional requirements in PPG 13;
- 2 the availability of public car parking in the vicinity;
- 3 the impact of parking provision on the environment of the surrounding area;

- 4 the likely impact on the surrounding road network; and
- 5 accessibility by and availability of, other forms of transport.

Item no: 07

Appn Ref No: 11/0315	Applicant: Mr & Mrs Farrer	Parish: Kirklington Middle
Date of Receipt: 15/04/2011 13:00:22	Agent: PFK Planning	Ward: Lyne
Location: Land between Longlands and Stonelea, Greenwoodside, Smithfield, CA6 6DL		Grid Reference: 344526 565491

Proposal: Proposed Live - Work Unit (Outline)

Members resolved to give authority to the Assistant Director (Economic Development) to issue approval for the proposal subject to the completion of a Section 106 Agreement to cover the live/ work unit.

Item no: 08

Appn Ref No: 11/0437	Applicant: Everything Everywhere Ltd	Parish: Wetheral
Date of Receipt: 26/05/2011	Agent: Galliford Try	Ward: Wetheral
Location: Wheatsheaf Inn, Wetheral, Carlisle, CA4 8HD		Grid Reference: 346457 554254

Proposal: Erection Of 10m Timber Effect Telegraph Pole With Omni Antenna And Ground Based Equipment

Grant Permission

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

Reason: In accordance with the provisions of Section 91 of the Town and

Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The approved documents for this planning permission comprise:
 1. The Planning Application Form;
 2. Drawing 01B the Location and Block Plans received 3rd June 2011;
 3. Drawing 04A the Enlarged Block Plan received 3rd June 2011;
 4. Drawing 10A the Proposed Site Layout and West Elevation received 26th May 2011;
 5. Drawing 02A the Proposed Site Layout received 26th May 2011;
 6. Drawing 03A the Proposed South West Elevation received 26th May 2011;
 7. The Health and Safety Statement received 26th May 2011;
 8. Network and 3G information received 26th May 2011;
 9. Supplementary Information received 26th May 2011;
 10. The Design and Access and Supporting Statement received 26th May 2011;
 11. The Cell Justification received 26th May 2011;
 12. Any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

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

Reason: To ensure the objectives of Policy CP5 of the Carlisle District Local Plan 2001-2016 are met and to ensure a satisfactory external appearance for the completed development.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2001, (or any Order revoking and re-enacting that Order), no additional dishes or antennas shall be installed on the telecommunications mast hereby approved without the prior permission of the Local Planning Authority.

Reason: To prevent the proliferation of antennas/dishes whose external appearance or siting may be detrimental to the visual amenities of the surrounding area in accordance with Policy EC19 Carlisle District Local Plan 2001-2016.

Summary of Reasons for the Decision

Under current government guidelines and legislation identified in Planning Policy Guidance Note 8 -Telecommunication (PPG8) and in Part 24 of The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2001, the principle of masts under 15 metres is acceptable.

In considering this particular location, PPG8 recommends that authorities and operators should use sympathetic design and camouflage to minimise the impact of development on the environment. It goes on to state that particularly in designated areas, the aim should be for apparatus to blend into the landscape.

In this particular location there are a number of other wooden telegraph poles. This wood effect pole would sit to the rear of the Wheatsheaf, out of direct view from the majority of properties. It is acknowledged that the mast would be in the conservation area but as there are a number of other existing telegraph poles in the conservation area it is not considered acceptable to refuse the application on this basis. In light of the above, the siting and design of the pole are acceptable.

Its noted that before deciding on this location seven other sites were considered and discounted, either because the coverage would not be acceptable, or because the owners of the properties were not interested in the mast being on their property. These sites are: Wetheral Village Hall, Existing Orange site at Eden Mount, Abbey Farm, The Crown Hotel, The Village Shop, along the footpath at Steels Bank and the BT Exchange.

The visual impact the mast would have upon the amenity of residents and the surrounding area is one of the key considerations in determining telecommunications applications. Whilst the mast proposed by this application may be visible from within some private properties, on balance, it is not considered to be intrusive to residents because of its design and, to a lesser extent, the position of the mast in relation to these properties.

Although local residents have objected on the grounds that their living conditions would be affected as a result of the masts presence, it is not considered that the mast would have such an impact that would warrant refusal of the application in the 'public' interest on the grounds of its siting or appearance.

Issues surrounding the potential health implications commonly arise in respect of applications for telecommunications development. Paragraph 30 of PPG8 states that:

"it is the Government's firm view that the planning system is not the place for determining health safeguards. It remains central Government's responsibility to decide what measures are necessary to protect public health. In the Government's view, if a proposed mobile phone base station meets the International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines for public exposure it should not be necessary for a Local Planning Authority, in processing an application or prior approval, to consider further health aspects and concerns about them".

Everything Everywhere Ltd have submitted a declaration stating that the proposal is in full compliance with the ICNIRP public exposure guidelines and, therefore, in

accordance with the advice of paragraph 30 of PPG8, it is not necessary to consider further the health effects of the proposal and concerns of telecommunications masts.

In conclusion, the location of the mast in the proposed location is necessary for coverage in this area. In accordance with PPG8 it would be unreasonable to refuse the application on the basis of the perceived health risks. The siting of the mast is deemed to be acceptable in terms of its position and the proposed design. It is not considered that the mast will have a significant adverse impact upon the living condition of local residents or the appearance of the street scene.

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016

Economic & Commercial Growth - Policy EC19 - Telecommunications

Where either full permission, or prior approval for the siting and appearance under permitted development rights, is required for telecommunications development (including masts and ancillary equipment) permission will be granted subject to the following criteria:

- 1 the design and siting of the proposal has been given careful consideration, within the constraints faced by the operator, to take account of its surroundings, and the landscape character if it is to be located in a rural area; and
- 2 the proposal would not result in any adverse impact on heritage features of the built environment; and
- 3 the proposed telecommunications service can not be provided by another means; and
- 4 there is no reasonable possibility of sharing existing facilities; and
- 5 there is no reasonable possibility of erecting antennas on an existing building or other structure; and
- 6 evidence is submitted that all measures to reduce environmental impacts has been pursued; and
- 7 evidence is submitted that the apparatus is in compliance with ICNIRP guidelines

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP5 - Design

All new development proposals will be assessed against the following design principles. Proposals should:

- 1 Respond to the local context and the form of surrounding buildings in relation to height, scale and massing, and by making use of appropriate materials and detailing;
- 2 Take into consideration any important landscape or topographical features and respect local landscape character;
- 3 Reinforce local architectural features, where appropriate, promoting and respecting local distinctiveness;
- 4 Ensure all components of the proposal, such as buildings, car parking, access routes, open space and landscaping, are well related to one another to ensure a well integrated, successful and attractive development;

- 5 Ensure there is no adverse effect on the residential amenity of existing areas, or adjacent land uses, or result in unacceptable standards for future users and occupiers of the development;
- 6 Ensure the retention and enhancement of existing trees, shrubs, hedges and other wildlife habitats where possible. Where environmental features are lost as a result of the proposal, appropriate mitigation measures should be put in place and on-site replacement of those features will be sought;
- 7 Include landscaping schemes (both hard and soft) to assist the integration of new development into existing areas and ensure that development on the edge of settlements is fully integrated into its surroundings;
- 8 Ensure that the necessary services and infrastructure can be incorporated without causing unacceptable harm to retained features;
- 9 Ensure that the layout and design incorporates adequate space for waste and recycling bin storage and collection.

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

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

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

- 1 the development should preserve or enhance all features which contribute positively to the area's character or appearance, in particular the design, massing and height of the building should closely relate to adjacent buildings and should not have an unacceptable impact on the townscape or landscape;
- 2 the development should not have an unacceptable impact on the historic street patterns and morphology, roofscape, skyline and setting of the conservation area, important open spaces or significant views into, out of and within the area;
- 3 development proposals should not result in the amalgamation or redrawing of boundaries between traditional buildings and plots, or demolition and redevelopment behind retained facades;
- 4 wherever practicable traditional local materials such as brick, stone and slate should be used and incongruous materials should be avoided;
- 5 individual features both on buildings and contributing to their setting, should be retained e.g. doorways, windows, shopfronts, garden walls, railings, cobbled or flagged forecourts, sandstone kerbs, trees and hedges, etc. Where features have deteriorated to the extent to which they have to be replaced, the replacement should match the original;
- 6 proposals which would generate a significant increase in traffic movements and heavy vehicles or excessive parking demands will not be permitted since these

- would be prejudicial to amenity;
- 7 proposals which would require substantial car parking and servicing areas which can not be provided without an adverse effect on the site and its surroundings will not be permitted.

Item no: 09

Appn Ref No:
10/1026

Applicant:
Persimmon Homes
Lancashire Ltd

Parish:
Cummersdale

Date of Receipt:
12/11/2010

Agent:
Taylor & Hardy

Ward:
Dalston

Location:
Land to the rear and west of Garden Village, Wigton
Road, Carlisle, CA2 6QX

Grid Reference:
337422 554099

Proposal: Residential Development Comprising The Erection Of 253No. Dwellings;
Associated Access; Parking; Engineering Works And Landscaping

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

- a) the provision of 56 affordable units, which comprises 37 units that would be made available by discounted sale and 19 properties available to rent at discounted rates;
- b) a financial contribution of £804,000 towards improvements to primary school infrastructure in the vicinity, which may include the provision of a new primary school proposed as part of the residential allocation on the southern side of Wigton Road;
- c) a financial contribution of £10,000 towards highway/signage improvements in the surrounding area and £6,125 to enable monitoring of the Travel Plan;
- d) the provision of a management company to maintain the areas of public open space within the development; and
- e) the provision of a bus service to serve the development.

Members also resolved that Officers undertake an “Assessment of Likely Significant Effect” as requested by Natural England and that the modifications to condition 8 and 15, which were outlined in the Officer’s presentation, be incorporated in the prospective Decision Notice.

Item no: 10

Appn Ref No:
10/1141

Applicant:
Mr J Caven

Parish:
Cummersdale

Date of Receipt:
22/12/2010

Agent:
HTGL Architects

Ward:
Dalston

Location:
L/Adj Garden Village-Caven Close, Wigton Road,
Carlisle, Cumbria

Grid Reference:
337561 554050

Proposal: Erection Of 3no. Bungalows & 1no. House

Grant Permission

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

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The approved documents for this planning consent comprise:
 1. The Planning Application Form received 22nd December 2010;
 2. The site location plan received 18th January 2011 (Drawing No. 1655.10.S01a);
 3. The proposed block plan received 18th January 2011 (Drawing No. 1655.10.S02a);
 4. The proposed site layout plan received 26th January 2011 (Drawing No. 1655.10.S03B);
 5. The proposed elevations received 28th January 2011 (Drawing No. 1655.10.A01a);
 6. The proposed floor plans received 22nd December 2010 (Drawing No. 1655.10.A02);

7. The proposed elevations received 28th January 2011 (Drawing No. 1655.10.M01a);
8. The proposed floor plans received 22nd December 2010 (Drawing No. 1655.10.M02);
9. The proposed elevations received 22nd December 2010 (Drawing No. 1655.10.J02);
10. The proposed floor plans received 22nd December 2010 (Drawing No. 1655.10.J01);
11. The proposed elevations received 22nd December 2010 (Drawing No. 1655.10.P02);
12. The proposed floor plans received 28th January 2011 (Drawing No. 1655.10.P01a);
13. Design and Access Statement received 22nd December 2010;
14. The Tree Report received 22nd December 2010;
15. The Contamination Survey 24th December 2010;
16. The Notice of Decision; and
17. Any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

3. There shall be no vehicular access to or egress from the site other than via the approved access (as indicatively shown on Drawing No. 1655.10.S01a received 18th January 2011), unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: To avoid vehicles entering or leaving the site by an unsatisfactory access or route, in the interests of road safety and to support Local Transport Plan Policies LD7 and LD8.

4. Samples or full details of all materials to be used on the exterior shall be submitted to and approved, in writing, by the Local Planning Authority before any work is commenced.

Reason: To ensure the materials used are acceptable and to ensure compliance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

5. No development shall commence until details of the proposed hard surface finishes to all public and private external areas within the proposed scheme have been submitted to and approved, in writing, by the Local Planning Authority.

Reason: To ensure the materials used are acceptable and to ensure compliance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

6. No dwelling shall be occupied until its foul drainage system is connected to a public sewer and the existing effluent drain from the properties at Garden Village has been diverted to a new mains drainage system.

Reason: To ensure that adequate drainage facilities are available and to ensure compliance with Policy CP12 of the Carlisle District Local Plan 2001-2016.

7. Notwithstanding the proposed means of surface water disposal no development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water drainage system has been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: To ensure that adequate means of surface water disposal and to prevent increased risk of flooding in accordance with Policy CP12 of the Carlisle District Local Plan 2001-2016.

8. No development shall commence until a desk top study and site reconnaissance (walkover) have been undertaken to assess need for further information regarding the possible presence of contamination. Should any contamination be identified a remediation scheme shall be submitted to and approved, in writing, by the Local Planning Authority. Upon completion of the approved remediation measures, a remediation report must be submitted to the Local Planning Authority for approval in writing.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies LE2 and LE29 of the Carlisle District Local Plan 2001-2016.

9. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in accordance with the condition above, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those

to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies LE2 and LE29 of the Carlisle District Local Plan 2001-2016.

10. No work associated with the construction of the development hereby approved shall be carried out before 0730 hours or after 1800 hours on weekdays and Saturdays (nor at any times on Sundays or statutory holidays) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent disturbance to nearby occupants in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

11. If street lighting is proposed no development shall commence until details of the lighting columns, their position and level of illumination have been submitted to and approved, in writing, by the Local Planning Authority.

Reason: To ensure that the details are acceptable and to ensure compliance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

12. No development shall take place until full details of the proposed soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved prior to the occupation of any part of the development or in accordance with the programme agreed by the Local Planning Authority. Any trees or other plants which die or are removed within the first five years following the implementation of the landscaping scheme shall be replaced during the next planting season.

Reason: To ensure that an acceptable landscaping scheme is prepared to compensate for the loss of the existing vegetation and to ensure compliance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

Summary of Reasons for the Decision

This application seeks “Full” planning permission for the erection of four dwellings on land adjacent to Garden Village, which is located off Wigton Road on the western periphery of Carlisle. The application site is undeveloped ‘greenfield’ land and forms a small portion of a much larger site that has been allocated for residential development in the Carlisle District Local Plan.

In overall terms, the principle of the development is acceptable. The dwellings can

be accommodated on the site without detriment to the living conditions of the neighbouring properties through loss of light, privacy or overdominance. Adequate amenity space, incurtilage parking provision would be available to serve the dwellings. In all aspects the proposals are considered to be compliant with the objectives of the relevant Local Plan policies.

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP3 - Trees And Hedges On Development Sites

Proposals for new development should provide for the protection and integration of existing trees and hedges. Where trees and hedges are present, a survey will be required showing the following:

- 1 the location of existing trees and hedges;
- 2 the species, age, height and crown spread of each tree;
- 3 an assessment of the condition of each tree;
- 4 the location and crown spread of trees on adjacent land which may be affected by the development;
- 5 existing and proposed changes in ground level.

In order to protect and integrate existing trees and hedges within new development, the City Council will resist proposals which cause unacceptable tree loss, and which do not allow for the successful integration of existing trees identified in the tree survey.

Layouts will be required to provide adequate spacing between existing trees and buildings, taking into account the existing and future size of the trees, and their impact both above and below ground.

The City Council will protect existing trees and woodlands where appropriate, by tree preservation orders, and by the use of planning conditions requiring protective fencing around trees to be retained to prevent site works within their crown spread.

Carlisle District Local Plan 2001 - 2016

Core Development Policies - Policy CP5 - Design

All new development proposals will be assessed against the following design principles. Proposals should:

- 1 Respond to the local context and the form of surrounding buildings in relation to height, scale and massing, and by making use of appropriate materials and detailing;
- 2 Take into consideration any important landscape or topographical features and respect local landscape character;
- 3 Reinforce local architectural features, where appropriate, promoting and respecting local distinctiveness;
- 4 Ensure all components of the proposal, such as buildings, car parking, access

- routes, open space and landscaping, are well related to one another to ensure a well integrated, successful and attractive development;
- 5 Ensure there is no adverse effect on the residential amenity of existing areas, or adjacent land uses, or result in unacceptable standards for future users and occupiers of the development;
 - 6 Ensure the retention and enhancement of existing trees, shrubs, hedges and other wildlife habitats where possible. Where environmental features are lost as a result of the proposal, appropriate mitigation measures should be put in place and on-site replacement of those features will be sought;
 - 7 Include landscaping schemes (both hard and soft) to assist the integration of new development into existing areas and ensure that development on the edge of settlements is fully integrated into its surroundings;
 - 8 Ensure that the necessary services and infrastructure can be incorporated without causing unacceptable harm to retained features;
 - 9 Ensure that the layout and design incorporates adequate space for waste and recycling bin storage and collection.

Carlisle District Local Plan 2001 - 2016
Core Development Policies - Policy CP12 - Foul And Surface Water Sewerage And Sewage Treatment

Development will not be permitted where inadequate foul and surface water sewerage infrastructure and sewage treatment capacity exists, or where such provision can not be made within the time constraint of the planning permission.

Carlisle District Local Plan 2001 - 2016
Housing - Policy H1 - Location Of New Housing Development

New housing development will be located in sustainable locations in accordance with PPS3: *Housing*, Regional Planning Guidance and the Joint Structure Plan. During the Plan period 80% of new development will be located within the urban area of Carlisle, including allocated sites on the edge of the City referred to in Proposal H16. The remaining 20% will be permitted in the rural area of the District with the focus on the two Key Service Centres of Brampton and Longtown.

In the remainder of the rural area small-scale development will be located in accordance with Policy DP1 and other policies of this Plan to ensure that:

- 1 the site is well related to the landscape of the area and does not intrude into open countryside; and
- 2 the scale of the proposed development is well related to the scale, form and character of the existing settlement; and
- 3 the layout of the site and the design of the buildings is well related to existing property in the village; and
- 4 the siting and design of the buildings is well related to and does not adversely affect the amenity of neighbouring property; and
- 5 appropriate access and parking can be achieved; and
- 6 the proposal will not lead to the loss of amenity open space within or at the edge of the settlement; and

7 the proposal will not lead to the loss of the best and most versatile agricultural land.

Settlement boundaries have been drawn for the following Local Service Centres within which proposals will be judged against the above criteria.

Burgh-by-Sands	Castle Carrock	Cummersdale
Cumwhinton	Dalston	Gilsland
Great Corby	Great Orton	Hallbankgate
Hayton	Heads Nook	Houghton
Irthington	Raughton Head	Rockcliffe
Scotby	Smithfield	Thurstonfield
Warwick Bridge (including Little Corby & Corby Hill)	Wetheral	

In the following settlements small-scale infilling (development between an otherwise continuous frontage) will be allowed where this does not conflict with the criteria above and is evidenced by local need to be in that location. S106 agreements may be used to ensure local occupancy to provide for the identified need.

Blackwell	Cardewlees	Cargo
Carleton	Cotehill	Cumwhitton
Durdar	Faugh	Harker
Hethersgill	How Mill	Lanercost
Laversdale	Low Row	Monkhill
Moorhouse	Talkin	Todhills
Walton	Warwick-on-Eden	Wreay

Carlisle District Local Plan 2001 - 2016 Housing - Policy H16 - Residential Land Allocations

To provide for housing needs an additional 4955 dwellings are required between April 1st 2002 and March 31st 2016. This figure takes account of the number of outstanding permissions at 1st April 2002. Making allowances for windfall sites provision, land for a further 2190 dwellings is allocated for primary residential purposes, providing for a variety of housing needs. The additional sites, are set out in the table below and subsequent paragraphs. All housing developments will be closely monitored to ensure that the scale of residential development relates to the Structure Plan requirement.

RESIDENTIAL ALLOCATIONS FOR THE URBAN AREA

	Brown field	Green field	Total
Structure Plan Target	2275	1225	3500
Allowance for Raffles dwellings demolished	540		540
(A) Overall Requirement	2815	1225	4040
(B) Permissions 01/04/02-31/03/05	1016	25	1041
(C) Windfall allowance @ 50 per annum	550		550

Total to be allocated A – B + C					1249	1200	2449
(D) Sites to be allocated:	ha	B/fld	G/fld	Total			
Rome Street/Railway Land	2.10	48		48			
77-87 Burgh Road	0.79		28	28			
Land adjacent H K Campbell School	0.90	33		33			
Wakefield Road/Lowry Hill	1.86	60	20	80			
Key Safety Systems Norfolk Street	1.32	100		100			
Carrs Field, Caxton Road	3.82		125	125			
Lindisfarne Street	3.1	130		130			
Nelson Street	2.0	103		103			
Milbourne Street	0.38	30		30			
Cavaghan & Gray London Rd	2.1	104		104			
Laings Site Dalston Road	1.74	90		90			
Penguin Factory Westmorland Street	0.64	64		64			
Hilltop Heights	0.31	80		80			
Harraby Green Road	1.05	45		45			
St Nicholas	0.42	50		50			
Deer Park	3.9	60		60			
Carlisle Racecourse/Lowry Street	0.33	43		43			
Carleton Clinic (Former Garlands Site)	4.19	100		100			
Durranhill	4.80	100		100			
Morton Development	38.31		800	800			
Raffles replacement	10.6	500		500			

(D) Total allocated	1740	973	2713
over/under allocation (+/-)	+491	-227	+264

The negative/positive figures in this table illustrate that the Council will seek to achieve higher brownfield targets by allocating sites above the 65% threshold in the Structure Plan.

RESIDENTIAL ALLOCATIONS FOR THE RURAL AREA

					Brown field	Green field	Total
Structure Plan Target					366	549	915
(A) Overall Requirement					366	549	915
(B) Permissions 01/04/02-31/03/05					284	179	463
Total to be allocated A – B					82	370	452
(C) Sites to be allocated:	ha	B/fld	G/fld	Total			
Longtown South of Moor Road	0.88		26	26			
Longtown Sawmill	1.96	78		78			
Longtown between Mill Street/Burn Street/A6071 (Suttons)	0.65	24		24			
Highway Depot Station Road Brampton	0.8	32		32			
(D) Total allocated					134	26	160
over/under allocation (+/-)					+52	-344	-292

Note the Brownfield rural target has been exceeded however annual targets will still have to be met from any remaining permissions available.

Carlisle District Local Plan 2001 - 2016 Local Environment - Policy LE2 - Sites Of Special Scientific Interest

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

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

Carlisle District Local Plan 2001 - 2016
Local Environment - Policy LE29 - Land Affected By Contamination

Development on land known or thought to be contaminated will be permitted provided that contaminant sources, pathways and human and environmental receptors are clearly identified in a risk assessment and measures taken to treat, contain and control contamination so as not to:

- 1 Expose the occupiers of a development and neighbouring land uses to unacceptable risk;
- 2 Cause the contamination of adjoining land or allow contamination to continue;
- 3 Lead to the contamination of any watercourse, water body or aquifer;
- 4 Have an unacceptable adverse effect on habitats and ecosystems;
- 5 Cause harm to buildings, animals or crops

The Policy will also apply to proposed development on or within 250 metres of an existing landfill or a site known to be used for landfill within the last 30 years.

Carlisle District Local Plan 2001 - 2016
Transport - Policy T1- Parking Guidelines For Development

The level of car parking provision for development will be determined on the basis of the following factors:

- 1 the Parking Guidelines for Cumbria as updated by additional requirements in PPG 13;
- 2 the availability of public car parking in the vicinity;
- 3 the impact of parking provision on the environment of the surrounding area;
- 4 the likely impact on the surrounding road network; and
- 5 accessibility by and availability of, other forms of transport.

Item no: 11

Appn Ref No:
11/0332

Applicant:
Mr A Miah

Parish:
Carlisle

Date of Receipt:
21/04/2011

Agent:

Ward:
Harraby

Location:
33 Mallyclose Drive, Carlisle, Cumbria, CA1 3HH

Grid Reference:
342583 553340

Proposal: Erection Of Single Storey Side And Rear Extension To Provide 2no. Bedrooms, Bathroom And Extended Kitchen And Dining Room (Revised

Application)

Grant Permission

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

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The approved documents for this Planning Permission comprise:

1. The Planning Application Form received 21st April 2011;
2. The Site Location Plan received 21st April 2011;
3. The Block Plan received 21st April 2011 (Drawing No. AM/EXT/SBP Rev B);
4. The Existing And Proposed Floor Plans received 21st April 2011 (Drawing No. AM/EXT/003 Rev B);
5. The Existing Elevations received 21st April 2011 (Drawing No. AM/EXT/001 Rev B);
6. The Proposed Elevations received 21st April 2011 (Drawing No. AM/EXT/002 Rev B);
7. the Notice of Decision; and
8. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: For the avoidance of doubt.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order), no additional windows shall be inserted on the east and west elevations without the prior consent of the local planning authority.

Reason: In order to protect the privacy and amenities of residents in close proximity to the site and to ensure compliance with Policy H11 of the Carlisle District Local Plan 2001-2016.

Summary of Reasons for the Decision

The residential property located to the west (No.31 Mallyclose Drive) is situated at a lower level to the application site. This property has several windows on the eastern gable which face No.33 Mallyclose Drive. The rear windows on this gable are obscured by a 2 metre (approx) high fence. The remaining bedroom window (the southern most window on this elevation) faces a fence with a reduced ridge height. The proposed side extension has been amended from the original plans submitted under application (11/0108) so that it is now stepped away from this bedroom window. It is therefore not considered that the proposed side extension (with no windows on the gable) would have an adverse impact upon the living conditions of the occupiers of the property to the west of the site through loss of light, loss of privacy or over-dominance.

The proposed rear extension will only have windows situated on the north elevation and will be hipped away from the east and western boundaries of the site. The existing boundary treatment along the western periphery will obscure the majority of this extension from No.31 Mallyclose Drive. The rear extension will be located 0.15 metres from the eastern boundary which is delineated by a 1.5 metre (approx) high fence. The property located to the east has french windows situated approximately 1 metre from this boundary. As the proposed rear extension will have a hipped roof sloping away from the east and western boundaries of the site the impact of the proposal on residential properties either side of the site is gradually diminishing. Given the orientation of the application site and design of the proposal it is not considered that the proposed development would cause loss of light, over dominance or loss of privacy to occupants of surrounding residential properties sufficient to warrant refusal of the application on these grounds. Members should however be aware that the proposed development is only 0.5 metres longer than what could be built under householders permitted development rights.

The scale and height of the proposed extensions are comparable to the existing property and appear to be subservient. The extensions would be constructed from materials to match the existing dwelling, and would employ similar detailing. Accordingly, it is considered that the proposed development would complement the existing dwelling in terms of design and materials to be used.

The proposal involves the conversion of the existing garage. Concerns have been raised by occupiers of neighbouring properties with regard to impacts of the proposal on the surrounding highway. The relevant Highway Authority has been consulted on the proposal and has raised no objections. It is therefore considered that a refusal of the application on the grounds of potential impacts on highway conditions could not be justified.

In overall terms it is considered that the scale and design of the proposed extension is acceptable. The proposal would not have an adverse impact on the living conditions of the occupiers of any neighbouring properties through loss of light, loss of privacy or over-dominance. In all aspects the proposal is considered to be compliant with the objectives of the adopted Local Plan policies and approval is

recommended.

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016 Core Development Policies - Policy CP5 - Design

All new development proposals will be assessed against the following design principles. Proposals should:

- 1 Respond to the local context and the form of surrounding buildings in relation to height, scale and massing, and by making use of appropriate materials and detailing;
- 2 Take into consideration any important landscape or topographical features and respect local landscape character;
- 3 Reinforce local architectural features, where appropriate, promoting and respecting local distinctiveness;
- 4 Ensure all components of the proposal, such as buildings, car parking, access routes, open space and landscaping, are well related to one another to ensure a well integrated, successful and attractive development;
- 5 Ensure there is no adverse effect on the residential amenity of existing areas, or adjacent land uses, or result in unacceptable standards for future users and occupiers of the development;
- 6 Ensure the retention and enhancement of existing trees, shrubs, hedges and other wildlife habitats where possible. Where environmental features are lost as a result of the proposal, appropriate mitigation measures should be put in place and on-site replacement of those features will be sought;
- 7 Include landscaping schemes (both hard and soft) to assist the integration of new development into existing areas and ensure that development on the edge of settlements is fully integrated into its surroundings;
- 8 Ensure that the necessary services and infrastructure can be incorporated without causing unacceptable harm to retained features;
- 9 Ensure that the layout and design incorporates adequate space for waste and recycling bin storage and collection.

Carlisle District Local Plan 2001 - 2016 Housing - Policy H11 - Extensions To Existing Residential Premises

Applications for extensions to existing dwellings will be approved provided the City Council is satisfied that the proposals are appropriate to the dwelling, its design and setting. Inappropriate extensions which adversely affect the amenities of adjacent properties by poor design, unreasonable overlooking and/or unreasonable loss of daylight and sunlight will not be permitted. Extensions must be of an appropriate scale and not dominate the original dwelling.

Item no: 12

Appn Ref No:
11/0481

Applicant:
Mr G Ferguson

Parish:
Carlisle

Date of Receipt:
07/06/2011

Agent:

Ward:
Castle

Location:
30 Newtown Road, Carlisle, Cumbria, CA2 7JH

Grid Reference:
338624 555959

Proposal: Change Of Use From Dentist To 1No. Dwelling

Grant Permission

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

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The approved documents for this Planning Permission comprise:
 1. the submitted planning application form, received 7 June 2011;
 2. Location Plan, received 7 June 2011 (Drawing No. A4);
 3. Block Plan, received 21 June 2011 (Drawing No. A3);
 4. Proposed Ground Floor Plan, received 21 June 2011 (Drawing No. A1);
 5. Proposed First Floor Plan, received 21 June 2011 (Drawing No. A2);
 6. the Notice of Decision; and
 7. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: For the avoidance of doubt.

Summary of Reasons for the Decision

The relevant planning policies against which the application is required to be assessed are Policies H1, H2 and CP5 of the Carlisle District Local Plan 2001-2016. The proposal raises the following planning issues:

1. Whether The Proposal Is Acceptable In Principle

The application site is located within a Primary Residential Area and sits within a terrace of residential properties. The proposal is, therefore, acceptable in principle.

2. Impact on The Living Conditions Of The Occupiers Of Neighbouring Properties

The proposal is seeking to change the use of a dental surgery into a dwelling. A dwelling in this location would have less impact on the occupiers of the neighbouring properties than the previous use.

Conclusion

The proposal is acceptable in principle and would not have an adverse impact on the living conditions of the occupiers of any neighbouring properties. In all aspects the proposal would be compliant with the objectives of the relevant Local Plan policies.

Relevant Development Plan Policies

Carlisle District Local Plan 2001 - 2016

Housing - Policy H1 - Location Of New Housing Development

New housing development will be located in sustainable locations in accordance with PPS3: *Housing*, Regional Planning Guidance and the Joint Structure Plan. During the Plan period 80% of new development will be located within the urban area of Carlisle, including allocated sites on the edge of the City referred to in Proposal H16. The remaining 20% will be permitted in the rural area of the District with the focus on the two Key Service Centres of Brampton and Longtown.

In the remainder of the rural area small-scale development will be located in accordance with Policy DP1 and other policies of this Plan to ensure that:

- 1 the site is well related to the landscape of the area and does not intrude into open countryside; and
- 2 the scale of the proposed development is well related to the scale, form and character of the existing settlement; and
- 3 the layout of the site and the design of the buildings is well related to existing property in the village; and
- 4 the siting and design of the buildings is well related to and does not adversely affect the amenity of neighbouring property; and
- 5 appropriate access and parking can be achieved; and
- 6 the proposal will not lead to the loss of amenity open space within or at the edge of the settlement; and
- 7 the proposal will not lead to the loss of the best and most versatile agricultural land.

Settlement boundaries have been drawn for the following Local Service Centres within which proposals will be judged against the above criteria.

Burgh-by-Sands	Castle Carrock	Cummersdale
Cumwhinton	Dalston	Gilsland
Great Corby	Great Orton	Hallbankgate
Hayton	Heads Nook	Houghton
Irthington	Raughton Head	Rockcliffe
Scotby	Smithfield	Thurstonfield
Warwick Bridge (including Little Corby & Corby Hill)		Wetheral

In the following settlements small-scale infilling (development between an otherwise continuous frontage) will be allowed where this does not conflict with the criteria above and is evidenced by local need to be in that location. S106 agreements may be used to ensure local occupancy to provide for the identified need.

Blackwell	Cardewlees	Cargo
Carleton	Cotehill	Cumwhitton
Durdar	Faugh	Harker
Hethersgill	How Mill	Lanercost
Laversdale	Low Row	Monkhill
Moorhouse	Talkin	Todhills
Walton	Warwick-on-Eden	Wreay

Carlisle District Local Plan 2001 - 2016 Housing - Policy H2 - Primary Residential Areas

Within the Primary Residential Areas defined on the Inset Maps for Carlisle, Brampton and Longtown, proposals for new residential development will be acceptable provided that:

- 1 existing areas of open space and other amenity areas are safeguarded; and
- 2 the proposed development does not adversely affect the amenity of adjacent residential property; and
- 3 the proposed development complements or enhances existing adjacent residential areas and their amenity; and
- 4 satisfactory access and appropriate parking arrangements can be achieved.

Proposals for non-residential uses will be permitted in Primary Residential Areas provided that they do not adversely affect residential amenity. Development that would create unacceptable noise, smell, safety and health impacts or excessive traffic generation will not be acceptable. The traffic impact of new development upon existing residents through inconvenience and detrimental effect will be taken into account. Such schemes falling within the scope of this policy will be considered against the above criteria as well as other policies of the Plan appropriate for the proposed use.

Outside the Primary Residential Areas and sites allocated under Proposal H16 for Carlisle, Brampton and Longtown, applications for residential development,

including redevelopment and the change of use of vacant and underused buildings, will be only be permitted provided that:

- 1 satisfactory housing conditions can be achieved; and
- 2 the proposal will complement the existing character of the area; and
- 3 the proposal will not adversely affect the amenity of the area; and
- 4 satisfactory access can be provided; and
- 5 appropriate parking arrangements can be made.

Carlisle District Local Plan 2001 - 2016
Core Development Policies - Policy CP5 - Design

All new development proposals will be assessed against the following design principles. Proposals should:

- 1 Respond to the local context and the form of surrounding buildings in relation to height, scale and massing, and by making use of appropriate materials and detailing;
- 2 Take into consideration any important landscape or topographical features and respect local landscape character;
- 3 Reinforce local architectural features, where appropriate, promoting and respecting local distinctiveness;
- 4 Ensure all components of the proposal, such as buildings, car parking, access routes, open space and landscaping, are well related to one another to ensure a well integrated, successful and attractive development;
- 5 Ensure there is no adverse effect on the residential amenity of existing areas, or adjacent land uses, or result in unacceptable standards for future users and occupiers of the development;
- 6 Ensure the retention and enhancement of existing trees, shrubs, hedges and other wildlife habitats where possible. Where environmental features are lost as a result of the proposal, appropriate mitigation measures should be put in place and on-site replacement of those features will be sought;
- 7 Include landscaping schemes (both hard and soft) to assist the integration of new development into existing areas and ensure that development on the edge of settlements is fully integrated into its surroundings;
- 8 Ensure that the necessary services and infrastructure can be incorporated without causing unacceptable harm to retained features;
- 9 Ensure that the layout and design incorporates adequate space for waste and recycling bin storage and collection.

Item no: 13

Appn Ref No:
11/9009

Applicant:
Edward Wannop Ltd

Parish:
Hayton

Date of Receipt:
04/04/2011

Agent:
Cumbria County Council

Ward:
Hayton

Location:
Faugh No. 2 Sand Pit, Heads Nook, Brampton CA8
9EG

Grid Reference:
351073 554911

Proposal: Section 73 Application For Time Extension To Extend The Operation Of
The Site Until 30 September 2014

Decision: City Council Observation - Observations

Date: 26/04/2011

Decision of: Cumbria County Council

Decision Type: Grant Permission

Date: 22/06/2011

Item no: 14

Appn Ref No:
10/0577

Applicant:
Citadel Estates Ltd.

Parish:
Brampton

Date of Receipt:
21/06/2010 13:00:30

Agent:
Holt Planning Consultancy

Ward:
Brampton

Location:
Tarn End House Hotel, Talkin, CA8 1LS

Grid Reference:
354388 558357

Proposal: Removal Of The Effects Of Conditions 2, 3, 4, 5 And 6 Attached To The
Grant Of Full Planning Permission Under Application 06/0693
(Conversion To 8no. Holiday Units) To Enable Unrestricted Residential
Occupation

Members will recall at Committee meeting held on 10th June 2011 that authority was given to the Assistant Director (Economic Development) to issue approval subject to the completion of a Section 106 Agreement. The Section 106 Agreement has been completed and approval was issued on 24th June 2011.

Granted Subject to Legal Agreement

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 hereby approved shall not be carried out otherwise than in complete accordance with the mitigation proposals as identified in Section 7 of the Bat and Barn Owl Survey report from Marshall Ecology (Rev. 4 September 2006), and subsequent details approved under application 09/0534. In particular:
- i) no work which would result in disturbance to bats (i.e. the removal of the roof, demolition, or any noisy or vibrating construction work) shall commence/take place between mid-November and mid-April;
 - ii) at least three weeks prior to the commencement of development three bat boxes shall be erected on trees within the grounds of the site at a height of at least 3.5 metres on the south-west, south or south-eastern side of the trees in accordance with details submitted to and approved in writing beforehand by the local planning authority;
 - iii) a dusk emergence or dawn swarming survey shall be undertaken immediately prior to the commencement of work followed by the exclusion of any bats present undertaken by a licensed bat consultant;
 - iv) existing holes and gaps at the eaves, in walls and under ridge tiles shall be retained, unless otherwise approved in writing by the local planning authority;
 - v) in the event that re-roofing is required, the mitigation detailed on page 19 of the aforementioned Bat and Barn Owl Survey report shall be fully followed in accordance with details submitted to and approved beforehand by the local planning authority;
 - vi) no tree existing on the site shall be felled, lopped, uprooted or layered without the prior consent of the local planning authority. Any request to lop, top, uproot or fell any tree shall be accompanied by a further bat survey undertaken by a licensed bat worker to check for the presence of bats;
 - vii) any in-situ timber treatment shall use only chemicals which are listed by Natural England as suitable for use in bat roosts and applied at times when bats are not present; and,
 - viii) if any bats are found during work, all work must stop and Natural England contacted immediately for advice on how to proceed.

Reason: In order to avoid any harm to protected species of wildlife in accordance with Policy CP2 of the Carlisle District Local Plan 2001-2016.

3. No tree or hedgerow existing on the site shall be felled, lopped, uprooted or layered without the prior consent in writing of the local planning authority and the protection of all such trees and hedgerows during construction shall be ensured by a detailed scheme to be agreed with the local planning authority.

Reason: The local planning authority wishes to see existing hedgerows/trees incorporated into the new development where possible and to ensure compliance with Policy CP3 of the Carlisle District Local Plan 2001-2016.

4. Particulars of height and materials of all screen walls and boundary fences shall be submitted to and approved by the local planning authority prior to the commencement of the development hereby permitted.

Reason: To safeguard the character of the area in accord with Policy H8 of the Carlisle District Local Plan 2001-2016.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any other Order revoking and re-enacting that Order), no wall, fence or other means of enclosure shall be erected within any part of the site (other than those shown in any plans which form part of this application), without the approval of the local planning authority.

Reason: To ensure that any form of enclosure is carried out in a co-ordinated manner in accord with Policy H8 of the Carlisle District Local Plan 2001-2016.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) there shall be no enlargement or external alterations (including the installation of exterior lights) to the units hereby given consent, within the meaning of Schedule 2 Part (1) of these Orders, without the written approval of the local planning authority.

Reason: To ensure that the character and attractive appearance of the buildings is not harmed by inappropriate alterations and/or extensions, to safeguard protected wildlife, and the living conditions of the future occupiers of the units in accordance the objectives of Policies CP2 and H8 of the Carlisle District Local Plan 2001-2016.

7. Before the commencement of use/occupation of any unit hereby given consent the proposed cooperate ground source heat pumps shall be installed and fully operational in accordance with details submitted to and approved in writing beforehand by the local planning authority.

Reason: In order to insure the effective utilisation of alternative sources of energy in accord with Policy CP9 of the Carlisle District Local Plan 2001-2016.

8. The parking area(s) shall be constructed in accordance with the approved plans before the commencement of use/occupation of any unit hereby given consent and shall not be used except for the parking of vehicles in connection with the development hereby approved.

Reason: To ensure adequate access is available for each occupier in accord with Policy T1 of the Carlisle District Local Plan 2001-2016.

9. No residential unit hereby permitted shall be occupied until the foul drainage works approved under application 09/0902 have been fully constructed and completed in accordance with the approved plans.

Reason: To prevent pollution of the water environment in accordance with Policy CP12 of the Carlisle District Local Plan 2001-2016.

Summary of Reasons for the Decision

The Tarn End House Hotel is prominently located on the southern side of the Brampton/Talkin road with a northern frontage facing Talkin Tarn. The Tarn is a designated Wildlife Site and has a public footpath around its perimeter inclusive of part of the Hotel's grounds. The Hotel and Tarn fall within part of a designated County Landscape. To the north of the Tarn there is an Ancient Woodland. The former Hotel, is primarily two storeys in height and constructed externally with sandstone walls and slate roofs. The existing property has an "E" shaped layout and comprised a kitchen, w.c facilities, bar, dining room, lounge, garage, four store rooms and two bedrooms. Attached to which there is a barn which provides additional storage. The first floor had seven bedrooms and a staff room.

In 2006, under application 06/0693, full planning permission was given to convert the hotel and outbuildings to provide 8 holiday units. In 2009, under applications 09/0534 and 09/0902 the discharge of conditions 7 (safeguarding bats and barn owls), 10 (barn owl nesting box) and 13 (foul drainage) imposed under 06/0693 were granted.

The current application seeks permission for the removal of conditions 2 (restriction of use to holiday lets), 3 (the holiday lets not to be used as sole/principal residence), 4 (the holiday lets not to become second home), 5 (the holiday lets not to be rented to any person or connected group for a period exceeding 8 weeks), and 6 (the maintenance of a bound register of guests) imposed under 06/0693 to enable unrestricted residential occupation of the units. The proposal also includes the payment of £31,000 as a commuted sum towards affordable housing.

It is considered that any assessment of this application revolves around (a) an initial consideration of whether the marketing exercise undertaken on behalf of the applicant is satisfactory (criterion 7 of Policy H8); and then address the subsequent question of whether the advantages of seeing the premises re-used in the near

future outweigh the disadvantages and the policy benefits of retaining the premises in economic/tourism use. In order to address the latter question this report will look at (b) the viability of the approved use and any other realistic use (criterion 1 of Policy H8); (c) whether the proposal is in accordance with Policy H5 regarding the provision of affordable housing; (d) the suitability of the location (Policies DP1, H1, and H8); (e) highway safety (criterion 5 of Policy H8); and (f) the benefits of the scheme.

When assessing the marketing undertaken by Hyde Harrington, GVA consider it to be robust and appropriate for a property of this type. However, in GVA's opinion, it would be reasonable to conclude that the property was overpriced at the time of marketing.

GVA conclude that the scheme approved under 06/0693 is currently not financially viable, and in order for the proposals to become viable it is anticipated that the market will need to improve to around 2006/2007 levels which is anticipated to take three to five years. GVA are of the view that given the location of the site and the lack of any passing trade or major tourist 'honey pots', a hotel in this location would not attract the occupancy rates that would be required to make a scheme viable. GVA are also of the opinion that an open residential permission is unlikely to be deliverable in the current market because the profit margin is minimal.

In the case of this latter assertion, the applicant has confirmed a willingness to take on the scheme in the current market place (accepting all of the risks), has no need for third party funding, and explained that he is a local well established niche developer with a track record of delivering residential developments. This is in the context of no evidence having been submitted that conclusively demonstrates the current proposal not to be viable, and the applicant submitting a spread sheet identifying over 40 sales enquiries from prospective purchasers.

The provision of a commuted sum less than the full quota with regard to affordable housing is a recognised drawback to the scheme, although a Section 106 Agreement could be worded to require the applicant or any future developer to provide a commuted sum on a sliding scale if and when house prices recovered so that profits increased.

Achieving a viable development for this local landmark in a prominent and attractive location, together with a small but contributory increase in the District's housing supply are benefits that weigh in favour of the proposal.

In overall terms it is considered that the disadvantages would be compensated for by the benefits brought forward by the scheme, and therefore the recommendation is authority to issue an approval following the satisfactory completion of a Section 106 Agreement concerning the payment of a commuted sum towards affordable housing. The aforementioned Agreement including the requirement that the applicant or any future developer to provide a commuted sum on a sliding scale if and when house prices recovered so that profits increased but starting from the base sum of £31,000.

Relevant Development Plan Policies

The North West Of England Plan Regional Spatial Strategy To 2021 Policy RDF 2: Rural Areas

Plans and strategies for the Region's rural areas should support the priorities of the Regional Rural Delivery Framework and:

- maximise the economic potential of the Region's rural areas;
- support sustainable farming and food;
- improve access to affordable rural housing;
- ensure fair access to services for rural communities;
- empower rural communities and address rural social exclusion;
- enhance the value of our rural environmental inheritance.

Key Service Centres

Plans and Strategies should identify a subset of towns and villages as Key Service Centres which:

- act as service centres for surrounding areas, providing a range of services including retail, leisure, community, civic, health and education facilities and financial and professional services; and
- have good public transport links to surrounding towns and villages, or the potential for their development and enhancement.

Development in rural areas should be concentrated in these Key Service Centres and should be of a scale and nature appropriate to fulfil the needs of local communities for housing, employment and services, and to enhance the quality of rural life.

Local Service Centres

Small scale development to help sustain local services, meet local needs, or support local businesses will be permitted in towns and villages defined as Local Service Centres in Local Development Documents which already provide a more limited range of services to the local community.

Outside Key and Local Service Centres

In remoter rural areas particularly the 'sparse' rural areas of the region, more innovative and flexible solutions to meet their particular development needs should be implemented and targeted towards achieving:

- more equitable access to housing, services, education, healthcare and employment; and
- a more diverse economic base, whilst maintaining support for agriculture and tourism.

Exceptionally, new development will be permitted in the open countryside where it:

- has an essential requirement for a rural location, which cannot be accommodated elsewhere (such as mineral extraction);
- is needed to sustain existing businesses;
- provides for exceptional needs for affordable housing;
- is an extension of an existing building; or
- involves the appropriate change of use of an existing building.

LDDs should set out criteria for permitting the re use of buildings in the countryside in line with PPS7

**Carlisle District Local Plan 2001 - 2016
Spatial Strategy & Development Principles - Policy DP1 - Sustainable
Development Locations**

All proposals for development will be assessed against their ability to promote sustainable development. Proposals will be considered favourably in the following locations, provided they are in scale with their location and consistent with other Policies of this Local Plan.

Urban Area	City of Carlisle	
Key Service Centres	Brampton Longtown	
Local Service Centres	Burgh by Sands Castle Carrock Cummersdale Cumwhinton Dalston Gilsland Great Corby Great Orton Hallbankgate Hayton	Heads Nook Houghton Irthington Raughton Head Rockcliffe Scotby Smithfield Thurstonfield Warwick Bridge Wetheral

Proposals for development within these locations will be assessed on the basis of the need for development to be in the location specified.

Within the Urban Area proposals for retail, office and leisure developments will be subject to a sequential approach which requires that locations re considered as follows: firstly within the City Centres; secondly edge-of-centre locations; and thirdly the remainder of the urban area.

Proposals for residential development will be considered against the need to give priority to the reuse of previously developed land, with particular emphasis on vacant and derelict sites and buildings.

Settlement Boundaries have been established on the Proposals Map to recognise

the extent of built development or where planning permission already exists to judge proposals for development and are not indicative of land ownership.

Outside these locations development will be assessed against the needs to be in the location specified.

**Carlisle District Local Plan 2001 - 2016
Spatial Strategy And Development Principles - Policy DP10 - Landscapes Of
County Importance**

Within Landscapes of County Importance, permission will only be given for development provided that:

- 1 there is no detrimental impact on the distinctive landscape character and features of the area; and
- 2 the proposal preserves or enhances the special features and character of the particular landscape within which it is to be sited.

Development required to meet local infrastructure needs which can not be located elsewhere will be permitted provided it is sited to minimise environmental impact and meet high standards of design.

**Carlisle District Local Plan 2001 - 2016
Core Development Policies - Policy CP1 - Landscape Character**

Proposals for development in the rural area must seek to conserve and enhance the special features and diversity of the different landscape character areas.

Development will be considered appropriate to the character of the landscape provided the proposal has regard to and conserves:

the landform and natural patterns of drainage;

- the pattern of trees and woodland;
- the habitats of species of importance for wildlife;
- the pattern and composition of field boundaries;
- the pattern of historic landscape features;
- the pattern and distribution of settlements

**Carlisle District Local Plan 2001 - 2016
Core Development Policies - Policy CP2 - Biodiversity**

Proposals in both the rural and urban area should not harm the integrity of the biodiversity resource as judged by key nature conservation principles, and proposals should seek to conserve and enhance the biodiversity value of the areas which they affect.

In areas where species protected under national and European legislation are most likely to occur, special account will be given to their presence in the consideration of development proposals.

Carlisle District Local Plan 2001 - 2016
Core Development Policies - Policy CP3 - Trees And Hedges On Development Sites

Proposals for new development should provide for the protection and integration of existing trees and hedges. Where trees and hedges are present, a survey will be required showing the following:

- 1 the location of existing trees and hedges;
- 2 the species, age, height and crown spread of each tree;
- 3 an assessment of the condition of each tree;
- 4 the location and crown spread of trees on adjacent land which may be affected by the development;
- 5 existing and proposed changes in ground level.

In order to protect and integrate existing trees and hedges within new development, the City Council will resist proposals which cause unacceptable tree loss, and which do not allow for the successful integration of existing trees identified in the tree survey.

Layouts will be required to provide adequate spacing between existing trees and buildings, taking into account the existing and future size of the trees, and their impact both above and below ground.

The City Council will protect existing trees and woodlands where appropriate, by tree preservation orders, and by the use of planning conditions requiring protective fencing around trees to be retained to prevent site works within their crown spread.

Carlisle District Local Plan 2001 - 2016
Core Development Policies - Policy CP5 - Design

All new development proposals will be assessed against the following design principles. Proposals should:

- 1 Respond to the local context and the form of surrounding buildings in relation to height, scale and massing, and by making use of appropriate materials and detailing;
- 2 Take into consideration any important landscape or topographical features and respect local landscape character;
- 3 Reinforce local architectural features, where appropriate, promoting and respecting local distinctiveness;
- 4 Ensure all components of the proposal, such as buildings, car parking, access routes, open space and landscaping, are well related to one another to ensure a well integrated, successful and attractive development;
- 5 Ensure there is no adverse effect on the residential amenity of existing areas, or adjacent land uses, or result in unacceptable standards for future users and occupiers of the development;
- 6 Ensure the retention and enhancement of existing trees, shrubs, hedges and other wildlife habitats where possible. Where environmental features are lost as a result of the proposal, appropriate mitigation measures should be put in place

- and on-site replacement of those features will be sought;
- 7 Include landscaping schemes (both hard and soft) to assist the integration of new development into existing areas and ensure that development on the edge of settlements is fully integrated into its surroundings;
 - 8 Ensure that the necessary services and infrastructure can be incorporated without causing unacceptable harm to retained features;
 - 9 Ensure that the layout and design incorporates adequate space for waste and recycling bin storage and collection.

Carlisle District Local Plan 2001 - 2016
Core Development Policies - Policy CP7 - Use Of Traditional Materials

In order to sustain the local environment consideration will be given to locally sourced traditional materials to maintain the local character of buildings and their environment.

Within conservation areas the City Council will seek to ensure that existing traditional materials are reinstated following repairs to roads, pavements, kerbs and underground services.

Carlisle District Local Plan 2001 - 2016
Core Development Policies - Policy CP9 - Development, Energy Conservation And Efficiency

Development proposals should take into account the need for energy conservation and efficiency in their design, layout and choice of materials. The principles should be introduced in the early stages of the design process in order to consider the orientation of buildings to maximise solar gain coupled with high levels of insulation to reduce heating costs. The efficient and effective use of land, including the reuse of existing buildings and the use of environmentally sustainable materials should also be encouraged. Landscaping schemes also may be used to shelter buildings in exposed positions to reduce heat loss.

These elements will contribute to the energy efficiency of a new development. Developers should also consider the possible incorporation of photovoltaic cells, active solar panels and other small-scale sources of renewable energy. Consideration should be given to recycled materials, waste minimisation and recycling measures within the design.

Designers will be encouraged to include systems for collecting roof water to enable its re-use.

Carlisle District Local Plan 2001 - 2016
Core Development Policies - Policy CP10 - Sustainable Drainage Systems

Sustainable drainage systems (SUDS) should be incorporated into development proposals when the following conditions apply:

- 1 The development will generate an increase in surface water run-off; and

- 2 The rate of surface water run-off is likely to create or exacerbate flooding problems

Where SUDS are incorporated the following details shall be provided:

- 1 The type of SUDS; and
- 2 Hydraulic design details/calculations; and
- 3 Pollution prevention and water quality treatment measures together with details of pollutant removal capacity; and
- 4 Operation, maintenance and adoption details (SUDS structures will not be adopted by the statutory sewerage undertaker unless maintenance and legal agreements are in place).

Carlisle District Local Plan 2001 - 2016
Core Development Policies - Policy CP12 - Foul And Surface Water Sewerage And Sewage Treatment

Development will not be permitted where inadequate foul and surface water sewerage infrastructure and sewage treatment capacity exists, or where such provision can not be made within the time constraint of the planning permission.

Carlisle District Local Plan 2001 - 2016
Core Development Policies - Policy CP15 - Access, Mobility And Inclusion

Development proposals should make provision for easy, safe and inclusive access to, into and within buildings and facilities. The layout and design of developments should meet the requirements of accessibility and inclusion for all potential users regardless of disability, age or gender. The Council will have regard to the following criteria when assessing development proposals:

- 1 The design of entrances and exits and ease of permeation through and between developments in terms of street furniture, circulation areas and pedestrian routes;
- 2 The location of any development proposal in relation to its potential users;
- 3 Accessibility to all transport modes and provision of adequate parking for disabled people;
- 4 Provision of on-site facilities such as public toilets, and appropriate signage

Carlisle District Local Plan 2001 - 2016
Core Development Policies - Public Transport, Pedestrians And Cyclists

New developments should offer a realistic choice of access by public transport, walking and cycling. Priority should be given to the provision for safe and convenient pedestrian and cycle access including secure cycle parking provision facilities, where appropriate, in all new developments accessible to the public.

Carlisle District Local Plan 2001 - 2016
Economic & Commercial Growth - Policy EC13 - Sustaining Rural Facilities

And Services

Outside the key service centres of Brampton and Longtown, the change of use of a local shop, public house, post office, doctor's surgery, dental surgery, school, bank, church/chapel, village hall or other facility considered important to the community will only be permitted where it can be demonstrated that:

- 1 Its current use is no longer viable and there is currently scope for an alternative community use; and
- 2 There is adequate alternative provision in the locality to serve the local community; and
- 3 All options for their continuance have been fully explored.

Proposals for the development of or extension to village services and facilities, including proposals which will assist in their retention, will be permitted provided that:

- 1 The scale and design does not adversely affect the local built environment ~~or~~ and respects local landscape character; and
- 2 It does not have an adverse impact upon residential amenity; and
- 3 Appropriate parking and servicing arrangements can be made.

Carlisle District Local Plan 2001 - 2016

Housing - Policy H1 - Location Of New Housing Development

New housing development will be located in sustainable locations in accordance with PPS3: *Housing*, Regional Planning Guidance and the Joint Structure Plan. During the Plan period 80% of new development will be located within the urban area of Carlisle, including allocated sites on the edge of the City referred to in Proposal H16. The remaining 20% will be permitted in the rural area of the District with the focus on the two Key Service Centres of Brampton and Longtown.

In the remainder of the rural area small-scale development will be located in accordance with Policy DP1 and other policies of this Plan to ensure that:

- 1 the site is well related to the landscape of the area and does not intrude into open countryside; and
- 2 the scale of the proposed development is well related to the scale, form and character of the existing settlement; and
- 3 the layout of the site and the design of the buildings is well related to existing property in the village; and
- 4 the siting and design of the buildings is well related to and does not adversely affect the amenity of neighbouring property; and
- 5 appropriate access and parking can be achieved; and
- 6 the proposal will not lead to the loss of amenity open space within or at the edge of the settlement; and
- 7 the proposal will not lead to the loss of the best and most versatile agricultural land.

Settlement boundaries have been drawn for the following Local Service Centres within which proposals will be judged against the above criteria.

Burgh-by-Sands	Castle Carrock	Cummersdale
Cumwhinton	Dalston	Gilsland
Great Corby	Great Orton	Hallbankgate
Hayton	Heads Nook	Houghton
Irthington	Raughton Head	Rockcliffe
Scotby	Smithfield	Thurstonfield
Warwick Bridge (including Little Corby & Corby Hill)		Wetheral

In the following settlements small-scale infilling (development between an otherwise continuous frontage) will be allowed where this does not conflict with the criteria above and is evidenced by local need to be in that location. S106 agreements may be used to ensure local occupancy to provide for the identified need.

Blackwell	Cardewlees	Cargo
Carleton	Cotehill	Cumwhitton
Durdar	Faugh	Harker
Hethersgill	How Mill	Lanercost
Laversdale	Low Row	Monkhill
Moorhouse	Talkin	Todhills
Walton	Warwick-on-Eden	Wreay

Carlisle District Local Plan 2001 - 2016 Housing - Policy H5 - Affordable Housing

The City Council will negotiate with developers for an element of affordable housing to be included in the majority of housing developments.

All allocated housing sites and windfall sites of 10 or more dwellings in the urban area will be expected to make a contribution of 30% of units on-site towards affordable housing. Only in exceptional circumstances will the Council consider off-site contributions or a financial contribution in lieu of on-site provision.

In the rural area the contribution to affordable housing will be:

- 1 25% of housing on large sites (over 0.8ha or 25 dwellings)
- 2 20% of housing on medium sites (over 0.3ha or 10 dwellings)
- 3 10% of housing on small sites (over 0.1ha or 3 units)

The proportion of affordable housing sought will only be varied if this can be justified on a robust, evidence based, assessment of the economic viability of the site. Where intermediate affordable housing is to be provided at a discounted market value a discount of 25-30% will be sought and the discounted sale will be required to be in perpetuity.

Carlisle District Local Plan 2001 - 2016 Housing - Policy H6 - Rural Exception Sites

Proposals for residential development may be permitted in locations where such development would not usually be permitted, provided the following conditions are

met:

- 1 the proposal is for low cost affordable housing to meet an identified need; and
- 2 the proposal is supported by a S106 agreement which will satisfy the requirement that once built the residential units are retained for the benefit of successive as well as initial occupiers; and
- 3 the proposal is well related to the settlement where the need has been identified and respects the local landscape character.

Carlisle District Local Plan 2001 - 2016 Housing - Policy H8 - Conversion Of Existing Premises

Proposals for the conversion of non-residential property to provide residential accommodation in locations where planning permission for new build residential development would not be granted will not be approved unless:

- 1 the building is of sufficient historic or architectural interest or which makes a contribution to local character such as to warrant its retention, and alternative use for economic or community purposes is either not viable or would be inappropriate in other respects; and
- 2 an appreciation of the historic, architectural, or archaeological significance of the building is submitted with the application against which the proposed development can be assessed, together with the need for further archaeological recording; and
- 3 the building can be converted without extensions or major alterations which would destroy its character; and
- 4 the details of the proposed conversion respect the building's character; and
- 5 adequate access and appropriate car parking can be achieved whilst respecting the character of the landscape; and
- 6 the design and appearance of the building and the site boundaries should be in keeping with its surrounding landscape; and
- 7 evidence is provided of marketing the building for economic development uses for a minimum period of six months

Where appropriate, in order to retain the character and fabric of historic farm buildings, development rights originally permitted by Classes A to E inclusive of Part One of Schedule Two to the *Town and Country Planning General Development Order 1995* as amended may be withdrawn by a condition attached to a planning consent.

The conversion of very remote rural buildings will be subject to sustainability tests to assess their acceptability.

Carlisle District Local Plan 2001 - 2016 Implementation, Resources And Monitoring - Policy IM1 - Planning Obligations

The Council will consider the use of Planning Obligations (S106 Agreements) in order to provide for local or community needs relevant to the proposed development as set out in other policies of this Plan. Planning Obligations will cover a number of

issues such as affordable housing, recreational space, art, transport/traffic improvements, community facilities, archaeology, amenity space/landscaping, training and employment and crime and disorder measures. Separate guidance will be prepared to set out details of requirements.

Carlisle District Local Plan 2001 - 2016

Local Environment - Policy LE3 - Other Nature Conservation Sites

Development which would have a detrimental effect on Regionally Important Geological/Geomorphological Sites, County Wildlife Sites and other sites of nature conservation significance, Local Nature Reserves and Ancient Woodlands will not be permitted unless:

- 1 The harm caused to the value of those interests is clearly outweighed by the need for the development in that location; and
- 2 Where practical, any environmental feature lost is replaced with an equivalent feature.