

SCHEDULE A: Applications with Recommendation

19/0840

Item No: 06

Date of Committee: 08/01/2021

Appn Ref No:
19/0840

Applicant:
Lidl Great Britain Ltd

Parish:
Carlisle

Agent:
Rapleys LLP

Ward:
Botcherby & Harraby North

Location: Land off Warwick Road, Carlisle

Proposal: Erection Of Discount Foodstore With Car Parking And Landscaping
(Outline)

Date of Receipt:
06/11/2019

Statutory Expiry Date
05/02/2020

26 Week Determination

REPORT

Case Officer: Christopher Hardman

1. Recommendation

- 1.1 It is recommended that this application is approved with conditions, subject to the completion of a S106 agreement to secure a travel plan monitoring contribution of £6,600.

If the Legal Agreement is not completed, delegated authority should be given to the Corporate Director of Economic Development to refuse the application.

2. Main Issues

- 2.1 The Principle of Development
- 2.2 Sequential Test and Retail Impact
- 2.3 Impact On Flood Risk
- 2.4 Whether the Scale and Design of the Proposal is Acceptable
- 2.5 Highways Impact
- 2.6 Drainage Impact
- 2.7 Landscaping Considerations
- 2.8 Other Matters

3. Application Details

The Site

- 3.1 The application site covers 8,785 sq metres and lies approximately 1.15 miles to the east of the city centre on the northern side of the A69 Warwick Road. The site is on the eastern part of a field and bordering the field to the west is the Riverside development and residential properties along Warwick Road, and to the east the Shiny Car Wash. On the southern side of Warwick Road lie some residential properties fronting Warwick Road, its junction with Victoria Road, the Botcherby Community Centre and access to Willow Park. Further west is the Lakeland Gate travel inn and the Kingfisher Park development. The site is contained at the front of a larger field and from the northern edge of the site it is a further 280 metres to the flood defences.

Background

- 3.2 The planning history for this site is limited and only relates to the proposal in this report. A previous application submitted in 2015 was withdrawn before consideration by the Local Planning Authority. This was withdrawn shortly after the December 2015 floods. Members will be aware that this site flooded in both the 2005 and 2015 events as did much of the Warwick Road area. Since withdrawal of the application, investigation on the flood event and investment by the Environment Agency has led to proposals for increased flood defences in this part of the City as phase 1 of a three-phase scheme. These are currently under construction and whilst formulating the scheme for the most appropriate type of defences, the potential to use this site was given consideration. The resultant scheme, however, did not require the use of this land.

The Proposal

- 3.3 This application is for the erection of a discount foodstore with car parking and landscaping. It is an Outline application with all matters reserved. The application is accompanied by an indicative layout of the proposed development however given the nature of the proposal and its location there are a number of issues which required additional work. In particular, the retail aspect, the flood risk aspect and the transport implications given that it would be accessing the A69 (Warwick Road) close to another junction with Victoria Road. All these matters are relevant to the consideration of whether Outline permission should be given.

4. Summary of Representations

- 4.1 This application has been publicised by the posting of a site notice, press notice and direct notification to 980 properties within approximately 500m (crow flies) of the proposed development. In response 60 representations have been received comprising 35 objections, 28 in support and 1 comment.
- 4.2 The representations of objection raise the following issues:

Flooding and Drainage

Flooding could still occur - when we have excess rainfall I don't think the new defences could cope given two bad floods in last 20 years and global warming. Warwick Road has flooding since the 1950s and it is a ridiculous idea to build on a flood plain.

The application is substandard and deficient and should be withdrawn - it should not be approved with conditions for the deficient items: drainage arrangements and flooding - the site currently permits water to seep through the ground - the building and car park will not permit this and alternative arrangements are required - the applicant should submit a revised planning application with a suitable drainage plan (likely to be approved) before any planning permission is granted. Flooding - defer to local residents but this does not seem to suitably address the flooding issues and a revised flooding statement/methodology should be submitted.

The flood risk sequential test was flawed - concerned this would add to the risk of future flooding through loss of floodplain.

Proposed store lies in flood risk zone 3a - high probability of flooding - Lidl FRA asserts the loss of floodplain storage to be negligible - loss of floodplain from individual planning application likely to be marginal but if multiple developments are permitted the cumulative impact will be significant. National planning policy recognises this danger - we believe the sequential test carried out by Lidl is too narrow in scope. Why confine the search to 500m radius of the application site. It is likely many of the alternative sites will be in flood zone, three of the eight are, they have engineered a search that is doomed to fail from the outset. Some LAs provide written guidance on the scope of the search area - a district wide search would be appropriate in this case.

Whilst the direct impact of flooding can be managed, the indirect impact is not easy to determine - the area and properties around the site would have an increased flood risk from increased run-off from the site, reduction in permeable surface area, changes to volume direction and speed of water regress, reduction of flood plain storage. The suggestion of reducing capacity for water storage by building on the site does not make sense.

When the River Eden floods but doesn't rise above the flood banks, the water table rises and the field acts as an outlet. If concreted where will the water be dispersed to?

I worry that further concreting of floodplain land will increase flooding as happened in Sept/Oct this year as increased run-off may have been due to recent construction of houses on green land close to areas which flooded. There is less area for the water to be absorbed - I fear more houses in a bigger area will flood in the future.

As no further flood defences have been put in place since 2015, the construction of this supermarket seems a step too far.

Warwick Road and surrounding area is high flood risk and the proposed site is a flood plain.

To build a large foodstore with car park will increase the already high risk of flooding which must be avoided.

This land is already wet and would be ideal for tree planting to absorb excess moisture and carbon emissions from the traffic.

After 2005 flood many trees were planted beside the Petteril to absorb flood water - this would be another positive step towards climate change.

The site retains vast quantities of water in the event of a flood the proposed store will displace water which will increase likelihood of flooding other property.

Lidl planned to build 3-4 years ago but withdrew after the 2015 flood - what has changed?

During the last floods if this land had not been there to absorb some of the water, it would have been significantly worse.

Where will the flood water go as climate change progresses this will become a more regular event?

Because of the saturated state of the land no cattle have been grazed on the land for a number of years.

What is the point of allowing the Environment Agency to invest millions on defences to then allow building on a flood area?

Note the distress this proposal has had on myself and other local residents whose homes have been previously flooded.

This land was originally due to be an environment area including landscaping and tree planting on the EA plans in Jan 2019 - what has changed?

Insensitive and negligent to allow building on a flood plain - Council has to be active regarding climate change to this development would be against its own policy.

As EA have stopped improvement works the only report they can submit has to be the same as 2015, nothing will have changed.

Building here will be a catastrophe waiting to happen - we live in constant fear of flooding - why build something unnecessary as there are plenty of shopping facilities.

If this store is allowed it would open the door to every other application to build on the flood plain in the future - or is it one law for the big players and another for the rest.

This is dangerous when you look at recent floods at Fishlake which was caused by building on a flood plain.

Infilling of this land will displace flood water to the detriment of existing local residents and businesses.

Have seen the devastating effects of two catastrophic floods and to propose to build on the floodplain is nothing short of madness - I'm sure there are more suitable places than on a floodplain.

We had 7ft of water, how much higher will this go when we start putting concrete car parks on a designated flood field?

Building this store will make the defences null and void - they have stopped as the ground is too wet to continue.

This application is insensitive to local residents - I'm sure there are sites that are not in the floodplain.

Why is building on the flood plan being considered.

Work is ongoing to improve the flood defences why would you hinder to the future of residents in this way.

Outline application indicates the development is to be on land previously highlighted as an area for improvement to protect local residents and businesses from future floods. Carlisle Flood Risk Management documents identifies this as an area to become an extension of the existing Durranshill Flood Basin - increasing attenuation. Why does the

City Council appear to disregard proposed flood protection measures in preference for complete contradiction to allow development of this land. Can't understand the logic for building on a floodplain. Has the potential to increase downstream flood risk by decreasing flood plain storage.

Would any new development on a recognised flood plain affect you directly? Tesco, Lakeland Gate and Kingfisher Park have all been granted permission to build on the flood plain - the affect this has had on recent flooding is incalculable. To allow almost total erosion of the recognised flood plain can only cause even more hardship to those directly affected - further displacement of pre/post flood water can only add to almost impossible situation. At recent exhibition by Lidl none of these issues were addressed, I only sensed contempt for anyone who would object. They have figures suggesting 70% of those surveyed are in favour but no figures available as to where these people are from.

Building on a recognised flood plain following two floods in ten years seems crazy - visited the recent exhibition by Lidl and no one knew what precautions would be put in place in the event of more flooding - passed the buck with no concrete answers.

Previous development on flood plains has caused the flooding to be more wide spread and pushed the water further.

It is a worry every time it rains in Carlisle, in case we flood again - this has a detrimental effect on our mental health.

Does anyone who makes decision on this application live in the affected area - unless you have experienced flooding of a house you do not know how it feels.

Thought the flood defences installed after 2005 would keep us safe and still waiting completion of defences following 2015 floods - this application must be turned down as we have suffered enough. Over a minimum of three years of our life lost due to dealing with the effects of flooding - also at a loss why money is being spent on the Sands Centre which is also on a flood plain.

Nothing has changed since 2015 application to make me feel more favourably disposed to this application - in fact quite the contrary - extreme weather conditions have increased in frequency and sea levels have risen making possibility of flooding more likely. - I think I speak for all residents of Warwick Road area that we have no wish to see any development that could in any way contribute to a repeat of the events of Dec 2015. Proposed site of the building and car park with its impervious surface are situated on an open field within the flood plain of the River Petteril close to its confluence with the River Eden which is either waterlogged or flooded on a regular basis. Loss of open land would contribute to increased water levels in any further flood events. Government money is being spent to heighten and improve flood defences not to be usurped to enable the building of a new supermarket which could negate their effect. There are a number of commercial properties in the city which are not situated on the flood plain.

Building on land which is already set aside as flood plain is crassly irresponsible - have you no regard for the people who live in that area who have already lost their homes twice in recent years - many of these people are elderly - devastation caused by flooding and the mental

distress as well as costs cannot be overlooked by building of a foodstore - if this goes ahead would let down a whole community - should be ashamed to call yourself planners.

Water moves around the defences and comes down Warwick Road.

Note the applicant states that 5,000 cubic metres of water will be displaced and the land has a high probability of flooding - why is it willing to take the risk? Whilst it may take steps to mitigate the risk it puts the community at a major disadvantage - residents will be placed at greater risk from displaced water affecting property and insurance premiums - a major company can mitigate this, local community cannot.

City Council contributed vast sums of money on flood recovery in the past decade - a cost to the public purse.

To contemplate building on a flood plain with recent evidence of intense flooding is very questionable as the work is being adversely affected by unpredictable weather patterns and increased heavy rainfall - the council is supportive of a Climate Emergency how will this be reconciled given this commitment.

Lidl is irresponsible to submit this application and is not thinking of the people of the city who have had their homes and businesses in that neighbourhood devastated by floods and almost flooded again in February 2020.

The floods of 2005 and 2015 cost the people, insurance companies and councils millions of pounds as well as a good deal of distress. More millions are being spent on enhancing the flood defences as climate change increases the flood risk. There is no justifiable reason to allow more ground to be covered with a large supermarket and tarmac for the car-park which will inevitably worsen the effects of any future floods.

Traffic and Transport

We have now got 4 sets of traffic lights and talk of another set would add to the problem, it will be impossible to get into Carlisle with the additional traffic

The application is substandard and deficient and should be withdrawn - it should not be approved with conditions for the deficient items:
traffic/transport plan - buses - transport statement is incorrect - there is no service 31, there are not 7 buses per hour and infrequent 680 - the design and access statement correctly lists the services
traffic/transport plan - traffic counts - doesn't mention the road works taking place - what about Mon-Fri AM peak and Mon-Thurs PM peak - further clarification required. Electric Vehicle Charging Points - proposed layout doesn't show any, not mentioned in the design and access statement - provision should be mandatory.

Concerned about the impact of movement as the majority of vehicles travel above the 20mph speed limit. Signage is not currently visible so drivers would avoid action against them. There have been a significant number of accidents within 200m of the new junction. The plans don't appear to address this issue and will only amplify the race to the Warwick Road junction.

Increase in traffic will mean more traffic lights on an arterial route into the City which is congested enough.

Warwick Road is already congested and even more traffic and another set of

traffic lights will add to the congestion. There are already added difficulties during the football season when Carlisle are playing at home. Concerned about traffic and the disruption to traffic the pedestrian crossings would create.

Particularly concerned about the safety to pedestrians and motorists with regard to access/egress and the amount of space for emergency vehicles with the race down the centre of Warwick Road far exceeding speed limits.

Serious issue with match day parking on pavements along Warwick Road which makes turning dangerous. There is a need to ban parking on pavements in this area as the driver's view is severely restricted "Keep Clear" markings are required for access to/egress from Botcherby Allotment lane - extra traffic will make this hazardous.

Warwick Road is horrendous for traffic flow even when road works are not going on - adding another set of lights will undoubtedly make it worse.

Pollution from diesel and other vehicles causing more localised health problems i.e. asthma in children.

Traffic will be intensified on an already oversubscribed road.

It is going to make a very cluttered road with traffic lights for short distances - safety issue - have relevant safety reports been done?

Another set of traffic lights will slow down traffic movement and exacerbate the historic congestion problem - only when the volume of traffic on all the countries roads has reached saturation point would be the time to consider such an application as this.

Botcherby Bridge is considered to be unstable why would you potentially let more traffic cross it.

How will this impact on already congested traffic flow?

Signalised junction will increase congestion on a main arterial route - are the authorities in favour of the potential junction improvements paid for by the developer?

Congestion will increase air and noise pollution due to stationary traffic - compounded by increased traffic.

Requires a right turn filter lane which conflicts existing car wash facility and the access to Charlotte Terrace.

Local residents dealing with constant congestion for two years - this will add to this.

Due to frequent repairs and maintenance residents who have to use Warwick Road as only access have experienced endless delays, frustration, waste of fuel causing unhealthy emissions from long standing temporary one-way traffic system - another set of traffic lights will exacerbate the already congested situation.

Traffic is already busy and endured numerous road works probably exacerbated by another set of traffic lights - rep from Lidl didn't fully understand.

Frequently congested especially at peak times and during football matches.

More standing traffic will cause more air pollution and will adversely affect the residents on Warwick Road.

This store is not the correct place if we are to reduce pollution.

Question whether the traffic flow shown in the application can be considered fully representative when the road returns to normal traffic flow.

Question that the buses to Brampton/Dalston are far less frequent than

indicated - information is seriously flawed.

Proposed junction is in outline and given the complexity of this road and increased use of Victoria Road the application is unsound as it is a key safety issue.

Application makes no reference to accessibility to or from Willow Park or Kingfisher Park estates also omitted are Charlotte Terrace and the car wash which will add to flow and complexity of the junction and traffic flow in the area.

Potential increased traffic flow from HGVs which still use Durranhill Road/Victoria Road.

Failed to consider the wider traffic flow from growth at Durranhill Road and Scotby Road.

The traffic on Warwick Road is heavy at the best of times, the queues and delays will be even worse if a supermarket is built as it will attract more traffic including large delivery lorries - even before the impact of yet more traffic lights or a roundabout.

Trees and biodiversity

The application is substandard and deficient and should be withdrawn - it should not be approved with conditions for the deficient items:
tree removal and non-reinstatement - application shows removal of 4 mature trees from the pavement on Warwick Road - given the adverse comments about the Eastern Way/Rosehill improvements the plans were modified to retain trees - this proposal is inappropriate - if necessary to remove trees should include new trees within the site boundary. Suggest two new trees for every tree removed, flood tolerant and reasonably well established.

Land is amazing habitat for multiple species - have seen hundreds of different animals from birds to small mammals, even foxes and deer - how will the impact on habitat space be compensated for?

Wildlife habitat in congested areas support local residents health and wellbeing.

Proposed access require removal of established trees.

Retail

Don't believe this supermarket will add anything different to what we already have.

There is no need for another supermarket - the only reason is pure convenience of not having to walk or drive to stores already in existence.

There are two Tesco stores, a Morrisons store, three Aldi stores, two Sainsburys stores and a Lidl store within two miles of the proposed Warwick Road site; a city of our small size does not need another supermarket and certainly not on the flood plain. If the council is keen to have another supermarket then ask Lidl to look at land that does not flood e.g. Morton where there are no supermarkets and a lot of housing.

CCC should consider using this space, if it must be used at all, to support local business people, erect a market space for local produce and stop investing in huge chain stores which are crushing independent businesses.

Local convenience stores will be affected with the potential for closures/job losses.

Don't need another foodstore in this area.

We have plenty of supermarkets and other smaller shops around the area.

It is a direct threat to local shops and post office.

Fails to address the impact on local community shops and the two sub-post offices - if the two sub post offices are lost a substantial number of residents and businesses would lose a vital service - leaving the nearest service in Cumwhinton Road or City Centre generating additional bus or car journeys.

Overall economic benefit - local authority regularly comments regarding the loss of shopping facilities within the city centre - should turn down this application and encourage the applicant to use vacant facilities in the city within reach of a wide range of buses and central car parks.

Loss of local provision due to low cost competition.

Other Matters

Local businesses will suffer - if these go, so does the community and jobs.

Household insurance premiums within an area defined as having flood risk have risen since 2005 and 2015. No doubt developments within these locations increase premiums as claims increase in events of flooding.

Public Consultation - question the effectiveness as the leaflet was unbalanced promoting the company and not set out any adverse issues arising from the development. Fails to offset the potential 40 jobs with any losses if the same local businesses fail. Exhibition was for 4 hours on a single day - far too limited for community access - attendance was very low and the company used 99 positive responses to substantiate its application.

There will be additional light pollution impacting homes nearby and more traffic until 10pm to disturb them.

4.3 The representations of support raise the following points:

Will create jobs and help the elderly and disabled by being at their convenience.

Welcome resubmission from 2015.

Recent improvements to the flood defences and flood protection measures incorporated into the development, do not see this as a potential threat to extant flooding situation.

Other areas are better served by choice than this area.

Possibility of this store in walking distance would be beneficial.

Employment opportunities would boost local economy, helping people back into work such as those with young families.

The site is an eyesore and needs to be sensitively developed.

Improvements to flood defences and road junction/pedestrian crossing are necessary if the building goes ahead.

Its fruition can benefit all of us in the local area.

Nearest small shop has limited supplies and only reached up a steep hill - impossible for many.

A Lidl store would be a valuable asset for many people as well as the community.

Sited at a convenient walking distance - helping to minimise own carbon footprint.

Sited on a convenient local bus route for inclement weather.
 Support the new store and new layout of the junction.
 Have a number of family members who would use the store on a weekly basis.
 The junction needs traffic lights anyway.
 Would be a great help not having to carry shopping from town or Tesco.
 Would help with floods.
 Give the area a much needed lift.
 Traffic lights would be a good idea as it will allow traffic to flow easier and less awkward.
 Will benefit the city in many respects.
 Should improve the traffic problems at the bottom of Victoria Road.
 Bring more shopping choices - need choice and cheaper prices.
 Having been flooded twice do not believe the building on one field would make the slightest difference.
 A new traffic light system would make a massive improvement to the problem of getting out into the traffic
 Attract jobs to the area.
 Bring money into a poor area.
 Cheap food for low paid.
 Good for old and single parents alike.
 There is no discount retailer in this area of the city and would fill a need not only for those living locally but on the other side of the M6.
 Reservation as the land has been prone to flooding so presumably the new flood defences would prevent a reoccurrence.
 Carlisle roads are becoming a daily obstacle and a supermarket in this area would be a great asset.
 An asset to car users for out of town parking.
 A much needed commodity for us all.
 Would enhance the choice.
 Believe there is enough trade to keep all the people with a good choice.
 An asset to the city as a whole.
 Would make the area more attractive.
 Serve the Botcherby area with affordable and convenient shopping.
 Jobs for local people.
 Will offer healthy competition to Tesco, beneficial to local people.
 Will boost the Warwick Road area and will have a positive impact on house prices.
 Construction will not add to flood risk as new flood defences will be in place.
 If Carlisle is going to flood again I don't think that a new Lidl store will make the difference.
 Given the ageing population in the area it would reduce the impact of extended shopping trips.
 Would give the area a gateway to affordable shopping for people who have limited incomes.
 Potential job vacancies for struggling families in the area

4.4 The comment raises the following issues:

The public consultation document was not particularly balanced in

highlighting issues that might be of concern to local residents and road users
- key road traffic and environmental issues seem to have been largely overlooked or minimised.

The junction alterations and new store create adverse traffic complexity/congestion and safety issues.

Installation of a further set of traffic lights will only serve to slow down traffic along a key artery.

No reference to accessibility to/from Willow Park, Riverside or Kingfisher Park Estates adversely affected by this proposal.

Also omitted are Charlotte Terrace and Shiny car wash.

This proposal will worsen traffic flow.

Are the details of traffic flow and density truly representative given the last 18 months disrupted traffic flows.

If the flow data does not represent the normal flow it is severely flawed.

Do not take account of increased traffic flow from Durranhill through Florida Mount/Victoria Road.

Traffic currently regularly builds up (when no road works on Warwick Road). Inevitably lead to more traffic using this as a rat run for easy access to the store.

Additional safety risk to children using St Cuthbert's school, pedestrians and road users/buses trying to negotiate narrow sections at Florida Mount.

Difficult to understand building anything on what is clearly part of the flood plain can be contemplated.

This land area regularly floods to varying degrees.

2005 and 2015 bear witness to the amount of water this area contained.

Raising it and building a store puts at higher risk the properties surrounding areas when further water incursion happens.

Whilst the developer may take steps to mitigate the risk, it inevitably places local community centre, shops and businesses at further risk of more severe flooding.

To contemplate granting consent to building on a flood plain with recent evidence of actual flooding seems questionable.

No application should be allowed to proceed that increases water inundation risk to properties or businesses in the area of anywhere.

The new building could mean the difference between houses being flooded or not.

New job offer does not address the impact on the local community shops and two sub post offices (Greystone Rd/Botcherby), if lost would lose a key service not replicated in the new store, this loss would offset some of the stated bonus of 40 jobs.

Will not have a post office facility.

Further shop closures would lead to more unlet/unoccupied commercial premises.

Could the applicant be encouraged to use vacant facilities in the city within reach of wide range of buses and central car parks helping to regenerate our city centre.

Generally support such stores however for reasons above welcome rejection of this proposal.

Instead of putting traffic lights at this junction, construct a roundabout which would keep traffic flowing plus ordinary pedestrian crossings on each of the four approach roads with a central refuge.

- 4.5 A local ward councillor (Cllr Betton) has raised a number of concerns about the proposal, in particular the effect on flooding to neighbouring properties which were devastated by previous storms and flooding in Carlisle. He has also questioned what would have been the consequences with the supermarket built if the same flood occurred as 2005 and how many more properties would be flooded in the area. He considers that the applicant should not be able to continue working on an application behind the scenes direct with the consultees.

5. Summary of Consultation Responses

Cumbria County Council - (Highways & Lead Local Flood Authority): -

Initial response was that the Lead Local Flood and Highways Authorities recommend this application for refusal due to inadequate information being submitted to satisfy the Local Planning Authority that the proposal is acceptable in terms of:

Site investigation / percolation tests

Outline drainage details

Outline drainage calculations

CCTV survey of the receiving watercourse

Loss of storage within the flood plain

Reservations with regards to the working of the proposed site access / signals

Following the submission of further details the authority has responded as follows:

Local Highway Authority (LHA) comments:

The application under consideration comprises of the creation of a new vehicular access to the development site from Warwick Road opposite the junction with Victoria Road. To facilitate this a signalised junction has been proposed and the outlined design is agreeable to the Highways authority. As normal a 278 will be agreed for the works required to the existing highway including the additional UTC control that is currently used for the Warwick road corridor into the city centre.

A Safety Audit (Stage 1) has been undertaken by the applicant with regards to the proposed design and the recommendations within the report have been incorporated into the design. A Stage 2 Road Safety Audit will be required for the detailed design of the site at the full planning stage. The applicant has also submitted a Travel Plan as part of this application. In order for the Highways Authority to monitor this plan, the applicant is required to contribute £6,600 towards the cost of this undertaking.

Therefore, to conclude the Highways Authority has no objections with regards to the principal of development at this site and no objections are raised with regards to the approval of planning permission subject to a series of conditions at the end of this response being added to any consent you may wish to grant.

Lead Local Flood Authority (LLFA) Response:

Following on from the previous LLFA response to this application dated 23 October 2020, additional technical information has been submitted by the applicant. It has been clarified that the proposed LIDL is to discharge surface water into the culverted ordinary watercourse, or as stated within the additional information, surface water sewer. As stated previously discharge to the ordinary watercourse is the preferred option of the LLFA for the discharge of surface water as infiltration testing in accordance with the BRE 365 method proved not to be viable.

Further CCTV surveys have been undertaken on the culverted ordinary watercourse to identify its location, condition and levels. The results of the CCTV survey illustrate that the 600mm diameter concrete culvert is in good condition downstream of the proposed connection manhole to its outfall into Durranhill Beck. The applicant has confirmed within the FRA that the QBar green field runoff rate for the site of 4.1l/s is to be the maximum surface water discharge rate into the watercourse and attenuation is to be provided to accommodate a 1 in 100 year plus 40% to account for climate change storm event. In the previous response to this application it was noted within the Micro Drainage calculations that the drainage capacity was undersized by approximately 2m². The applicant has revised the drainage design and re-run the Micro Drainage calculations which now illustrate that no flooding will occur on site during a 1 in 100 year plus 40% to account for climate change storm event.

Drainage calculations that the drainage capacity was undersized by approximately 2m². The applicant has revised the drainage design and re-run the Micro Drainage calculations which now illustrate that no flooding will occur on site during a 1 in 100 year plus 40% to account for climate change storm event.

The attenuation provided on the development site is required to take into consideration the presence of shallow ground water as found during site investigation. There is the potential for any storage solution to suffer buoyancy from groundwater pressures. As noted within the LLFA response dated 15 June 2020, further information in relation to the detailed design of the drainage network will be required to be submitted to the LLFA for comment at full planning application. The detailed design of the drainage system will include all relevant calculations for the underground storage, including appropriate safety factors, as defined in section 24.1 of the SUDS Manual. The applicant has noted the requirement for pollution control measures in line with page 568 of the SuDS manual in relation to the treatment of the surface water prior to discharge. The applicant has confirmed that permeable blacktop will be used for the surfacing of the development with further details of the pollution control submitted at a later stage of the planning process.

The LLFA noted previously that the development will result in the loss of floodplain storage if the existing flood defences were overtopped during a flood event. The Environment Agency (EA) have considered the point raised and considered that the FRA submitted is compliant with the requirements for an FRA in the NPPF. As such the EA are satisfied that the proposed development will not be an unacceptable risk of flooding or exacerbate flooding elsewhere.

Therefore, to conclude the LLFA have no objections with regards to the

approval of planning permission subject to the following conditions stated at the end of this response being added to any consent you may wish to grant.

In summary, the Highways and Lead Local Flood Authority have no objections with regards to the approval of planning permission subject to the following conditions being applied to any consent you may wish to grant.

Highways England: - No objection

Environment Agency N Area: -

Initially responded that they object to the application in the absence of an acceptable Flood Risk Assessment - the submitted FRA fails to:

1. take the impacts of climate change into account
2. consider how the range of flooding events (including extreme events) will affect people and property
3. adequately describe the historic flooding of the site
4. adequately demonstrate that the proposed development will not increase flood risk elsewhere
5. consider the requirements for flood emergency planning including flood warning and evacuation of people for a range of flooding events up to and including the extreme event

Following the submission of further information

We have reviewed the Flood Risk Assessment (FRA), referenced Land off Warwick Road, Carlisle- Flood Risk Assessment SLR Ref: 419.08678.00001, Version No: 3, February 2020 on the front cover and containing within the header of the document body: Lidl GB, Land off Warwick Road, Carlisle, CA1 2RU, Filename: 410.05068.00019_Lidl FRA_v3, SLR Ref No:

410.05068.00019, February 2020, produced by SLR, submitted with the application in so far as it relates to our remit and remove our objection as the Flood Risk Assessment is compliant with the requirements for a FRA in the National Planning Policy Framework (NPPF) and we are satisfied that:

☐ unless the flood defence is breached or overtopped (considered a low probability event) it demonstrates that the proposed development will not be at an unacceptable risk of flooding or;

☐ exacerbate flood risk elsewhere.

The proposed development must proceed in strict accordance with this FRA and the mitigation measures identified as it will form part of any subsequent planning approval. Any proposed changes to the approved FRA and / or the mitigation measures identified will require the submission of a revised FRA as part of an amended planning application.

Additional advice is provided and informatives regarding a recent ingress of water which was being investigated.

Historic England - North West Office: - No comment - should consult own specialist for conservation and archaeology.

Local Environment - Environmental Protection: - No objections

Planning - Access Officer: - The proposed location of the disabled toilet is at the far end of the store. If this facility was required prior to a customer

commencing their shopping, Wheelchair users will have to navigate through the sales area and a customer checkout to access this utility furthermore they will have no option but to exit the store and then re-enter. This is not acceptable. I would advise that the disabled toilet is redesigned to be in the proximity of the entrance of the building, within the vicinity of the other welfare units.

Cumbria Constabulary - North Area Community Safety Unit: - No response received

Connect Roads: - No response received

United Utilities:- Request conditions regarding drainage to submit a surface water drainage scheme to follow the hierarchy of drainage options, foul and surface water shall be drained on separate systems; there is an easement crossing the site - two water mains cross the site boundary and UU require an access strip, a critical public sewer also crosses the site and access is required and the developer is not allowed to build over it.

6. Officer's Report

Assessment

- 6.1 Section 70 of the Town and Country Planning Act 1990/Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that an application for planning permission is determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.
- 6.2 The relevant planning policies against which the application is required to be assessed are the National Planning Policy Framework (NPPF), the Planning Practice Guidance (PPG) and Policies SP1, SP2, EC6, SP6, SP9, IP2, IP3, IP6, CC4, CC5, CM4, CM5, GI3 and GI6 of the Carlisle District Local Plan 2015-2030.

1. The Principle of Development

- 6.3 The application site covers 8785 sqm and lies approximately 1.15 miles to the east of the city centre on the northern side of the A69 Warwick Road. The site is on the eastern part of a field and bordering the field to the west is the Riverside development and residential properties along Warwick Road, and to the east the Shiny Car Wash. On the southern side of Warwick Road lie some residential properties fronting Warwick Road, its junction with Victoria Road, the Botcherby Community Centre and access to Willow Park. Further west is the Lakeland Gate travel inn and the Kingfisher Park development. The site is contained at the front of a larger field and from the northern edge of the site it is a further 280 metres to the flood defences.
- 6.4 The site has no specific designation or allocation within the Carlisle District Local Plan 2015-2030. The Policies Map indicates that it lies within indicative flood zones 2 and 3 and that Local Plan Policy CC4 applies. This is considered later in this report. In terms of Local Plan Policies map the site is

therefore considered to be White Land which means no specific proposals are in place for the land within the Local Plan. This does not mean that development is prohibited from the land, but that any proposals which come forward must be considered in the context of the whole Local Plan and any National planning policies which apply.

- 6.5 Policy EC 6 of the Carlisle District Local Plan 2015-2030 provides the framework for retail and main town centre uses.
Outside Defined Centres - states:

Development proposals for new retail and main town centre uses should in the first instance be directed towards defined centres, and for comparison retailing proposals the defined Primary Shopping Areas (where designated) within these centres, in accordance with the hierarchy set out in Policy SP 2. In line with national policy proposals outside of defined centres will be required to undertake a sequential test. In addition, locally set impact thresholds for retail floorspace have been set for the urban area and will be required for proposals which exceed 1000sqm (gross) for convenience retail and 500sqm (gross) for comparison retail. A separate impact threshold of 300sqm (gross) for convenience and comparison retail proposals has been set for Brampton, Dalston and Longtown.

This approach also applies to proposals for the extension of floorspace (including the use of a mezzanine floor) at existing stores or retail warehouses where these are outside defined centres.

Any proposals for a foodstore will be required, as part of the impact test, to demonstrate that they would not undermine the planned delivery of the Morton District Centre foodstore anchor, or impact on its trading viability.

- 6.6 The justification continues that:

4.25 Policy EC 6 seeks to ensure that the vitality and viability of defined retail centres is not undermined by proposals for retail and other main town centre uses outside of these centres or where comparison (non-food) retail is concerned out with designated Primary Shopping Areas within these centres. Main town centre uses are defined within the glossary and mirror those currently employed by national policy for retail planning purposes.

4.26 The Carlisle Retail Study (2012) found that there was limited spare capacity in the initial years of the plan period and therefore that any development should aim to reinforce the City Centre as the prime retail location. To achieve this, proposals for new retail and main town centre uses will, in line with national policy, have to undertake a sequential test. A locally set threshold has also been established for undertaking retail impact assessments which addresses the requirements of National Planning Policy Guidance (NPPG) and updates the threshold set in the 2012 study.

4.27 The Retail Impact Threshold update (September 2015) recommends that in respect of the urban area of Carlisle separate retail thresholds for convenience and comparison retailing should be applied to enable sufficient opportunity to robustly assess the impact of any future edge/out of centre proposal on existing urban centres.

- 6.7 With regards to the principle of development, the policy does not preclude

retail proposals coming forward and they may be acceptable subject to consideration of the impacts particularly on the City Centre but also the retail allocation at the Morton site.

- 6.8 Policy CC4 refers to the potential flood risk which must be taken into account when considering any development proposals for the site. This means that dependent on the type of proposal, certain tests will have to be undertaken and this is considered further in the report.
- 6.9 Given the above circumstances the proposed use may be acceptable in principle if the retail tests of Policy EC6 and the flood risk tests of Policy CC4 can be satisfied.

2. Sequential Test and Retail Impact

- 6.10 In considering retail proposals the NPPF advises in paragraph 85 that decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation by:
- defining a network and hierarchy of town centres and promote their long-term vitality and viability;
 - defining the extent of town centres and primary shopping areas, and make clear the range of uses permitted in such locations;
 - retaining and enhancing existing markets and, where appropriate, re-introduce or create new ones;
 - allocating a range of suitable sites in town centres to meet the scale and type of development likely to be needed;
 - where suitable and viable town centre sites are not available for main town centre uses, allocating appropriate edge of centre sites that are well connected to the town centre; and
 - recognising that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.
- 6.11 The NPPF continues at paragraph 86 to state that local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.
- 6.12 The NPPF continues at paragraph 87 that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.
- 6.13 In considering this application a Retail Statement has been submitted which considers the sequential test required by the NPPF. The proposal is for a

new discount foodstore of 1,900 sq metres gross internal floorspace which relates to 1,256 sqm net sales area which is characteristic of this type of operator. The statement advises that Lidl performs as a predominantly "top up" shopping role and acts as complementary retailers to conventional food shopping. This proposal provides increased competition and consumer choice, and will create additional local jobs, in addition to improving convenience shopping in this part of Carlisle. Members may be aware that it is often the case that a discount store will co-locate near to one of the larger operators as they fulfil a top-up role and at the time of submitting this application in 2019 Lidl were rolling out a series of new stores across the country. As a result, their market share has increased in recent years acknowledging the demand for their model of operation.

- 6.14 In considering the sequential test aspects of the NPPF the main centre for any retail development should be Carlisle City Centre and this approach is contained in Local Plan policy EC6. The proposals therefore have to consider whether there are any available sites within the City Centre that would be suited to the proposed development. The main site that has a large floorspace available is the former Hoopers store in Castle Street however the type of retail space available does not suit the proposed use as the internal layout of the building does not suit the space requirements irrespective of the need to transport such goods without easy vehicular access. Other sites around the city centre have been considered but do not meet the particular requirements for convenience retailing. The submitted retail and planning report refers correctly to the need for sites not only to be possible but the need for them to be suitable and available.
- 6.15 In considering possible sites future development allocated in the Local Plan should also be taken into account. This includes the Citadel area and the Caldew Riverside which would form part of larger development sites as well as recent planning permissions such as the Lowther Street site. Neither of the sites is readily available at the time of consideration of the application without further works being undertaken to prepare the sites for redevelopment. As they currently stand, the Listed Citadel buildings and surrounding site is in the formative stages of planning proposals. The Caldew Riverside requires remediation over a larger area and is therefore not readily available. The Lowther Street site requires replacement car parking to make a viable scheme. Whilst the sites may become available during the life of the Local Plan the consideration of this planning application has to be made at this point in time.
- 6.16 Questions have been raised as to whether the 0-5 minute drive time is an appropriate consideration and that consideration should be given to the whole of the city. In Local Plan terms this would mean that in particular, the District Centre allocation at Morton should also be considered, as a District Centre would be a preferable location to an out-of-centre development. The Local plan policy for the Morton development relies on an anchor food retail store coming forward as the major development. However, when looking at the distribution of discount operators it is clear that the market for the west of the city is currently served by Aldi on Dalston Road and Lidl at Charlotte Street. This proposal would therefore be duplicating existing provision and until there

is further development to the west of the city and the St Cuthbert's Garden Village development it could potentially result in existing operations locating further from the City Centre which would be less sustainable for existing residents in the west. The allocation still has potential to accommodate retail provision as the residential allocations in the Local Plan are built out and local demand increases. This proposal however would have minimal impact on the Morton allocation due to the distance and scale of operation proposed.

- 6.17 The report also considers the possibility of locating within other smaller local centres identified in the Local Plan however there are no sites readily available in those centres.
- 6.18 In considering the sequential test the format of the development should also be taken into account and whether the development can be disaggregated. In terms of format the application is clear that the nature of the proposed use is for convenience goods and although there is a small element of comparison goods this is restricted to time limited special offers which are ancillary to the main use and therefore the requirements of the format cannot be changed to reduce the scale of the proposal.
- 6.19 On the basis of the proposal and the consideration of sequentially preferable locations there are no sites available and therefore if there are no suitable sequentially preferable locations, the sequential test is passed.
- 6.20 Once the sequential test is passed the NPPF states at paragraph 89 that an impact assessment is required if the development is over a proportionate, locally set floorspace threshold (or default is 2,500sqm) to consider the impact on planned investment in Carlisle City Centre and the overall impact on vitality and viability. Planning Practice Guidance states that the impact test determines whether there would be likely significant adverse impacts of locating main town centre development outside of existing town centres (and therefore whether the proposal should be refused in line with policy). Paragraph 90 of the NPPF continues that where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the considerations in paragraph 89, it should be refused.
- 6.21 Policy EC6 of the local plan echoes the National Planning Policy Guidance and requires the submission of an impact assessment where the threshold would be breached.
- 6.22 The purpose of the impact test is to ensure that the impact over time (up to 5 years (10 for major schemes) of certain out of centre and edge of centre proposals on existing town centres is not significantly adverse. The test relates to retail, office and leisure development (not all main town centre uses) which are not in accordance with an up to date Local Plan and outside of existing town centres.
- 6.23 As a guiding principle impact should be assessed on a like-for-like basis in respect of that particular sector (e.g. it may not be appropriate to compare the impact of an out of centre DIY store with small scale town-centre stores as they would normally not compete directly). Retail uses tend to compete with

their most comparable competitive facilities.

- 6.24 The proposal consists of a new Class A1 discount foodstore with a gross internal area of 1,900 sqm and a potential split of net retail space of 1,003sqm convenience/ 252sqm comparison. It can be seen immediately from those figures that the proportion of retail space given over to comparison goods is very limited. In relation to convenience retail the proposal is significantly below the NPPF threshold of 2,500sqm for impact assessments. The Local Plan reduces the impact threshold to 1,000 sqm in order to assess proposals and therefore a Retail Impact Assessment is required.
- 6.25 The applicant has undertaken an impact test which considers a base line at 2018 and a projection at 2025 which accords with the PPG requirements at the time of submission in order to assess impact. Delays with the application have been as a result of additional work in relation to drainage and flood impacts of the development which has delayed consideration however the trading year for retailers has been unusual and updating to take into account 2020 data may not provide a true reflection of potential impacts. Consideration has been given to trade diversion away from existing centres.
- 6.26 The report acknowledges that whilst most customers will come from within a 5-minute drive time there will be consumer spend draw from outside that area and there will be some trade diversion including from its own stores as well as direct competitors. The main diversion of trade to consider is however the impact on City Centre stores. The report concludes that the impact of the development will be 1.9% on the city centre with the greatest impact on the City Centre Tesco. That level of impact is not significant and therefore the proposed development passes the impact test. It is worth noting however that since the submission of the application trade at the City Centre store has significantly changed with its closure during works at Victoria Viaduct and the advent of the Covid-19 pandemic which has reduced the amount of footfall in the City Centre this year. These will be directly felt on the Tesco store and whilst it is acknowledged that additional impacts may appear to take a disproportionate effect on the main convenience operator in the city centre the timing of such events is unique. Hence the need to consider the position at 2018 which avoids anomalous data.
- 6.27 It should be noted that in terms of representations to this application, there has been a level of support from local people particularly on the retail aspect of the application. One thing that has been identified from the impacts of Covid-19 was the need to be able to shop local. Restrictions meant people were limited in their daily exercise and at the peak of lockdown were advised to combine a daily exercise or a short walk with a visit to the supermarket for essential supplies to limit outdoor activities. An unusual situation and one that in future years we hope won't have to be repeated, but it did highlight the responses prior to the pandemic that some local people wanted a store that they could walk to which would also provide them with something more aligned to their family budgets. The unique circumstances we found ourselves in during 2020 manifested the points made and the proposal to provide a discount store in this location may provide those shop local benefits.

- 6.28 It should be noted that as part of the operating model the store would seek to operate in a complementary location to one of the Big-4 convenience stores. This location would not only impact on the City Centre Tesco store but also the Warwick Road store. If the impacts are not on the city centre as part of the sequential approach planning should not seek to interfere with market competition.
- 6.29 PPG states that if an out-of-centre site is to be developed preference should be given to accessible sites that are well connected to the town centre. The proposed site is located on a main arterial route into Carlisle with public transport access. The site is well connected and easily accessible to those in the east of Carlisle within both the city and the surrounding rural area.

3. Impact On Flood Risk

- 6.30 This site lies within an area designated as Flood Zone 3 and as such there is potential for the site to flood and the proposed discount foodstore is referred to as a "less vulnerable use" in flood risk terms. Members will be aware that during the storm events in 2005 and 2015 the site and surrounding area was underwater. New flood defences were installed after the 2005 floods however the storm event in 2015 caused additional flooding and the Environment Agency are now in the process of installing additional defences. The site lies within Flood Zone 3a which is not functional flood plain and is defended in flood risk terms however there is still the requirement to assess the proposal against the Government's guidance on flood risk as well as consider a possible breach scenario.
- 6.31 Planning Practice Guidance states that "The National Planning Policy Framework sets strict tests to protect people and property from flooding which all local planning authorities are expected to follow. Where these tests are not met, national policy is clear that new development should not be allowed". This is crucial to this application and whilst the retail aspects of the application considered above may be considered to be acceptable and many of the other matters in this application are reserved for later consideration, the issue of flood risk remains key to the principle of whether development is acceptable.
- 6.32 In areas at risk of flooding or for sites of 1 hectare or more, developers undertake a site-specific flood risk assessment to accompany applications for planning permission and one was submitted with this application. In decision-taking, where necessary, local planning authorities also apply the 'sequential approach'. In decision-taking this involves applying the Sequential Test for specific development proposals and, if needed, the Exception Test for specific development proposals, to steer development to areas with the lowest probability of flooding. Where development needs to be in locations where there is a risk of flooding as alternative sites are not available, local planning authorities and developers ensure development is appropriately flood resilient and resistant, safe for its users for the development's lifetime, and will not increase flood risk overall.
The objectives of a site-specific flood risk assessment are to establish:

- whether a proposed development is likely to be affected by current or future flooding from any source;
- whether it will increase flood risk elsewhere;
- whether the measures proposed to deal with these effects and risks are appropriate;
- the evidence for the local planning authority to apply (if necessary) the sequential test, and;
- whether the development will be safe and pass the Exception Test, if applicable.

- 6.33 The sequential approach to flood risk planning is designed to ensure that areas at little or no risk of flooding from any source are developed in preference to areas at higher risk. The aim should be to keep development out of medium and high flood risk areas (Flood Zones 2 and 3) and other areas affected by other sources of flooding where possible. Only where there are no reasonably available sites in Flood Zones 1 or 2 should the suitability of sites in Flood Zone 3 (areas with a high probability of river or sea flooding) be considered, taking into account the flood risk vulnerability of land uses and applying the Exception Test if required.
- 6.34 For individual planning applications where there has been no sequential testing of the allocations in the development plan, or where the use of the site being proposed is not in accordance with the development plan, the area to apply the Sequential Test across will be defined by local circumstances relating to the catchment area for the type of development proposed. For some developments this may be clear, for example, the catchment area for a school. In other cases, it may be identified from other Local Plan policies, such as the need for affordable housing within a town centre, or a specific area identified for regeneration. For example, where there are large areas in Flood Zones 2 and 3 (medium to high probability of flooding) and development is needed in those areas to sustain the existing community, sites outside them are unlikely to provide reasonable alternatives.
- 6.35 When applying the Sequential Test, a pragmatic approach on the availability of alternatives should be taken. For example, in considering planning applications for extensions to existing business premises it might be impractical to suggest that there are more suitable alternative locations for that development elsewhere. For nationally or regionally important infrastructure the area of search to which the Sequential Test could be applied will be wider than the local planning authority boundary.
- 6.36 Any development proposal should take into account the likelihood of flooding from other sources, as well as from rivers and the sea. The sequential approach to locating development in areas at lower flood risk should be applied to all sources of flooding, including development in an area which has critical drainage problems, as notified to the local planning authority by the Environment Agency, and where the proposed location of the development would increase flood risk elsewhere.
- 6.37 It is for local planning authorities, taking advice from the Environment Agency as appropriate, to consider the extent to which Sequential Test

considerations have been satisfied, taking into account the particular circumstances in any given case. The developer should justify with evidence to the local planning authority what area of search has been used when making the application. Ultimately the local planning authority needs to be satisfied in all cases that the proposed development would be safe and not lead to increased flood risk elsewhere.

- 6.38 The Exception Test, as set out in paragraph 160 of the Framework, is a method to demonstrate and help ensure that flood risk to people and property will be managed satisfactorily, while allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available.
- 6.39 Essentially, the 2 parts to the Test require proposed development to show that it will provide wider sustainability benefits to the community that outweigh flood risk, and that it will be safe for its lifetime, without increasing flood risk elsewhere and where possible reduce flood risk overall.
- 6.40 Local planning authorities will need to consider what criteria they will use in this assessment, having regard to the objectives of their Local Plan's Sustainability Appraisal framework, and provide advice which will enable applicants to provide the evidence to demonstrate this part of the Exception Test is passed.
- 6.41 If a planning application fails to score positively against the aims and objectives of the Local Plan Sustainability Appraisal or Local Plan policies, or other measures of sustainability, the local planning authority should consider whether the use of planning conditions and/or planning obligations could make it do so. Where this is not possible, the Exception Test has not been satisfied and planning permission should be refused.
- 6.42 The developer must provide evidence to show that the proposed development would be safe and that any residual flood risk can be overcome to the satisfaction of the local planning authority, taking account of any advice from the Environment Agency. The developer's site-specific flood risk assessment should demonstrate that the site will be safe and that people will not be exposed to hazardous flooding from any source. The following should be covered by the flood risk assessment:
- the design of any flood defence infrastructure;
 - access and egress;
 - operation and maintenance;
 - design of development to manage and reduce flood risk wherever possible;
 - resident awareness;
 - flood warning and evacuation procedures; and
 - any funding arrangements necessary for implementing the measures.
- 6.43 In terms of this application, the applicant has provided a detailed flood risk assessment which deals with the issues as required by the guidance. It confirms that the proposed use is a "less vulnerable use" and is therefore compatible with Flood Zone 3a. On first principles the use would be acceptable subject to matters of detail and satisfying the relevant tests.

- 6.44 In terms of the sequential test the applicant states that as the use is less vulnerable and the Flood Zone is 3a they have undertaken an assessment of available sites in the area and there are no alternatives and thereby satisfy the Sequential Test. The initial assessment by the applicant only looked at sites within 500 metres of the site however this was extended to all the sites which were also subject to the Retail sequential test including those around the city centre and other smaller local centres. In flood risk terms the larger sites which formed part of that assessment were also in defended areas such as Caldew Riverside and those sites which were in Flood Zone 1 such as the former Hoopers building or Lowther Street were not suitable for the proposal. Whilst the 500 metres initial search was considered to be too narrowly defined, extending the search area to include those sites considered for a retail proposal didn't come up with an alternative site available that was of lower risk. This means that if the consideration is based on the need for this proposal to deliver retail to the east of Carlisle as accepted in the Retail Assessment and Sequential Test then the Sequential Test for flood risk has been satisfied. The only alternatives in Flood Zone 1 would be outside the limits of the urban area or to other parts of Carlisle which do not serve the east of the City. As the Sequential Test has been satisfied, the Exception Test is not triggered for the proposed use in line with the Flood Risk Vulnerability Table contained in the PPG.
- 6.45 The Environment Agency (EA) has been consulted on the application and whilst they initially had objections, the Flood Risk Assessment was updated in February 2020 and they have removed their objection as the Flood Risk Assessment is compliant with the requirements for a FRA in the National Planning Policy Framework (NPPF) and the EA are satisfied that:
- unless the flood defence is breached or overtopped (considered a low probability event) it demonstrates that the proposed development will not be at an unacceptable risk of flooding or;
 - exacerbate flood risk elsewhere.
- This is on the basis that the proposed development must proceed in strict accordance with this FRA and the mitigation measures identified as it will form part of any subsequent planning approval. Any proposed changes to the approved FRA and / or the mitigation measures identified will require the submission of a revised FRA as part of an amended planning application.
- 6.46 At the time however recent heavy rainfall events (Storm Ciara and Storm Dennis) have identified water ingress at the proposed development site that both the EA and Lead Local Flood Authority (LLFA) were previously unaware of. The water ingress experienced necessitated the deployment of pumps by the EA to reduce the risk of flooding. The Agency and Cumbria County Council (Lead Local Flood Authority) were investigating the ingress of water with a view to understanding the source(s) and the mechanism(s) occurring. Until there was a better understanding of the mechanism(s) responsible then the integrity of the surface water management system proposed may be compromised to the extent that potentially it results in an increase on and/or off site of flood risk. Surface water management is not within the EA's remit however they have made the LPA aware of the recently changed situation at site and the ongoing investigation. The EA therefore feel it would be prudent

to await for the findings of the investigation prior to a decision being taken on the surface water management scheme proposed and required at site to ensure no increase in risk of flooding on or off site. It is not the Agency's intention to provide pumping on a "long term" basis at this location to reduce flood risk.

- 6.47 In addition to the above the EA noted that the surface water management system proposed in the FRA (Section 7.2.2) states "Pumping will be required for flows to be discharged to either the United Utilities combined sewer crossing the site or the highways surface water sewer adjacent to the eastern site boundary". They had concerns as to the sustainability of a system that effectively relies on two pumping stations.
- 6.48 Further investigations have taken place and took considerable time to resolve which meant that this application had been delayed until the Environment Agency and LLFA were able to resolve the issue. The LLFA has now informed the City Council that the cause of the water ingress has been dealt with and should not be affected by the proposed application. They have subsequently been able to provide the LPA with updated consultation response in relation to surface water which is outlined in the drainage section of this report.
- 6.49 The EA response reminds the LPA that it is for the local planning authority to determine if the sequential test has to be applied and whether or not there are other sites available at lower flood risk.
- 6.50 On the basis of the above information the proposed use is acceptable.

4. Whether the Scale and Design of the Proposal is Acceptable

- 6.51 The application seeks outline planning permission for a convenience retail store with associated car parking and landscaping. As all matters are reserved the design and layout will be considered at a later stage. Given the proposed location it is anticipated that a design could be prepared which would accord with local plan Policy SP6 even allowing for increased floor levels to deal with flood risk (anticipated 300mm above ground level) and therefore scale and design would be acceptable and be able to be compliant with the Policy.

5. Highways Impact

- 6.52 The development proposes access from the A69 (Warwick Road). Although access is a Reserved Matter, it has been important to establish that there would be no objections to the principle of an access in this location from the Highway Authority. Given the proximity of other accesses onto Warwick Road including necessary access/egress to the adjacent car wash and the junction with Victoria Road, detailed consideration has been given to establishing that a new access to cater for the proposed store, potential customer parking and deliveries, would not impinge on highway safety. The proposed site access arrangements comprises a new signalised junction at the Warwick Road/Victoria Road junction. The design of which would be a

reserved matter.

- 6.53 A transport assessment was submitted with the application which was based on a store of 1900sqm gross internal area. The proposed development indicates parking for 149 spaces for cars including 12 accessible spaces, 13 parent and child spaces and 2 charging points together with secure cycle parking and storage provision. The transport assessment has the parking requirements and traffic flows at two peak period times Friday 17:00-18:00 and Saturday 12:00-13:00.
- 6.54 It should be noted that many representations raise the increase in traffic as an issue and Members will be aware that during the time of this application there was a long period of roadworks affecting traffic flows on Warwick Road. This was particularly the case with works by United Utilities and the Environment Agency which at times overlapped but resulted in additional traffic signals and reduction to traffic flows. In addition, roadworks at the Warwick Road/Eastern Way junction meant that for some time traffic was re-routed via Durranhill Road/Victoria Road to avoid long delays. Some have compared the signalisation during the road works to the likely impacts of the new junction arrangements. Whilst it does result in an additional set of traffic lights which may slow progress along Warwick Road, it would allow for the two-way flow of traffic along Warwick Road which was halted during the road works (only single carriageway in one-direction at times). In addition, it would allow traffic to access/egress from Victoria Road at a programmed time rather than trying to join/cross free flowing traffic.
- 6.55 The Highway Authority (Cumbria County Council) has considered the proposed level of car parking in relation to the proposed floorspace and the potential traffic flows and need for junction improvements. The Highways Authority has no objections with regards to the principal of development at this site and no objections are raised with regards to the approval of planning permission subject to a series of conditions (changes to the highway verge/footway; carriageway/footways/footpaths/cycleway construction details; ramps at junctions; approved access only; parking requirements; vehicle turning space; parking and servicing arrangements; construction traffic management plan; and, annual report in relation to the travel plan). To facilitate this proposal, they acknowledge that a signalised junction has been proposed and the outlined design is agreeable to the Highways Authority. As normal a 278 will be agreed for the works required to the existing highway including the additional UTC control that is currently used for the Warwick Road corridor into the city centre. A Safety Audit (Stage 1) has been undertaken by the applicant with regards to the proposed design and the recommendations within the report have been incorporated into the design. A Stage 2 Road Safety Audit will be required for the detailed design of the site at the full planning stage (Reserved Matters application).
- 6.56 One representation has pointed out the localised issue relating to parking during match days. Currently along Warwick Road there is a wide pavement particularly in the vicinity of this site. It has become established practice for cars to be parked in a line along the pavement allowing pedestrians to pass but taking up space. These cars would be displaced in the vicinity of the

proposed new junction and would need to park elsewhere however it would only be a small number of cars which would be impacted on. Given that match day parking is available in other locations it is not seen as a significant issue in relation to the proposed length of pavement. The operator of the store would also have to ensure that car parking was available for its customers and not taken over by match day parking (some operate 2-3-hour free parking) to ensure the highway continues to function safely for customers of the proposed store.

- 6.57 As part of the application the applicant has also submitted a Travel Plan. In order for the Highways Authority to monitor this plan, the applicant is required to contribute £6,600 towards the cost of this undertaking. As we are not able to condition financial payments this would have to be by way of a S106 legal agreement.
- 6.58 The proposal is therefore acceptable in highways terms.

6. Drainage Impact

- 6.59 The proposed development is on a greenfield site within a flood risk zone and whilst the issue of flood risk is considered earlier in this report, it is nevertheless the requirement of the Lead Local Flood Authority (LLFA) to consider the drainage for the site which in this instance has to take into account the Flood Risk Assessment and proposed mitigation strategy. Whilst the application is in outline and details would normally be submitted at Reserved Matters stage the location of this proposal required additional technical details to ensure an adequate assessment of the principle of this site being developed could be undertaken. The initial response of the LLFA was that additional information was requested. The local ward councillor considers that the ability to have direct discussions on such matters direct between the two parties should not be allowed however where there are technical issues that require resolution it is the role of the planning authority to use a planning condition where matters may be resolvable. In this instance, the usual planning conditions would have required additional information in relation to the technical details without any certainty over the outcome. As the site is within a flood zone it was important that these issues were explored in more detail to give members some degree of certainty as to whether these matters can be resolved or not.
- 6.60 Additional technical information has therefore been submitted by the applicant. It has been clarified that the proposed Lidl is to discharge surface water into the culverted ordinary watercourse, or as stated within the additional information, surface water sewer. The LLFA stated previously that discharge to the ordinary watercourse is the preferred option of the LLFA for the discharge of surface water as infiltration testing in accordance with the BRE 365 method proved not to be viable.
- 6.61 Further CCTV surveys have been undertaken on the culverted ordinary watercourse to identify its location, condition and levels. These are normally required by planning condition if not undertaken at the Outline stage. The results of the CCTV survey illustrate that the 600mm diameter concrete

culvert is in good condition downstream of the proposed connection manhole to its outfall into Durranshill Beck. The applicant has confirmed within the FRA that the QBar greenfield runoff rate for the site of 4.1l/s is to be the maximum surface water discharge rate into the watercourse and attenuation is to be provided to accommodate a 1 in 100 year plus 40% to account for climate change storm event. In the previous response to this application it was noted within the Micro Drainage calculations that the drainage capacity was undersized by approximately 2m². The applicant has revised the drainage design and re-run the Micro Drainage calculations which now illustrate that no flooding will occur on site during a 1 in 100 year plus 40% to account for climate change storm event.

- 6.62 The attenuation provided on the development site is required to take into consideration the presence of shallow ground water as found during site investigation. Some objectors who are concerned about future flooding had remarked about the ground water levels which occur during periods of heavy rainfall. There is the potential for any storage solution to suffer buoyancy from groundwater pressures. As noted within the LLFA earlier response, further information in relation to the detailed design of the drainage network will be required to be submitted to the LLFA for comment at Reserved Matters application. The detailed design of the drainage system will include all relevant calculations for the underground storage, including appropriate safety factors, as defined in section 24.1 of the SUDS Manual. The applicant has noted the requirement for pollution control measures in line with page 568 of the SuDS manual in relation to the treatment of the surface water prior to discharge. The applicant has confirmed that permeable blacktop will be used for the surfacing of the development with further details of the pollution control submitted at a later stage of the planning process.
- 6.63 The LLFA noted previously that the development will result in the loss of floodplain storage if the existing flood defences were overtopped during a flood event. The Environment Agency (EA) has considered the point raised and considered that the FRA submitted is compliant with the requirements for an FRA in the NPPF. As such the EA are satisfied that the proposed development will not be an unacceptable risk of flooding or exacerbate flooding elsewhere. This is an important factor when considering the proposed drainage for the site which to accord with the LLFA requirements includes an uplift for climate change and has taken into account existing ground conditions.
- 6.64 In summary relating to surface water therefore, the LLFA have no objections with regards to the approval of planning permission subject to conditions relating to: a surface water drainage scheme; construction surface water management plan; and, under separate legislation Ordinary Watercourse Flood Defence Consent is required.
- 6.65 In relation to foul drainage, United Utilities require drainage for surface water and foul water to be disposed of by way of separate systems and reinforce the LLFA surface water drainage scheme condition. It is also noted that they have a number of assets in the vicinity of the site and require stand-off distances for construction and the ability to access their infrastructure for

operational and maintenance purposes. This can be dealt with in detail at the Reserved Matters stage.

7. Landscaping Considerations

- 6.66 The application proposes a foodstore with associated car parking and landscaping. Landscaping is a reserved matter and details are not contained within the current application. It should be noted however that as part of the application the requirement for a new access necessitates tree removal for visibility and the proposed site layout indicates that at least four trees would have to be removed for junction widening. The planning statement makes reference to improved landscaping however this is not evident at this stage of the planning process. It should also be noted that in its wider context, landscaping can refer to hard landscaping (external surfaces) as well as soft (vegetation). It would therefore be prudent to use a planning condition to ensure that any trees lost as a result of the development are replaced to accord with Policy GI6 of the Local Plan. Whilst there is a wide strip of landscaping at the front of the site which may be an obvious choice, United Utilities has made reference to ensuring that no planting occurs within close proximity to their protected assets. The exact location of replacement trees would therefore have to be determined at the reserved matters stage.
- 6.67 Policy GI3 relates to biodiversity and whilst the larger field remains there would be some loss of ecological value by removal of vegetation to build the store and car park. To ensure that no protected species are harmed during the process an informative stating that works should stop if protected species are found and specialist advice sought would be appropriate to include in any decision.

8. Other Matters

- 6.68 The Police's Crime Design Advisor was consulted on the application however as this is an outline application there are very few details to consider. At the detailed design stage Lidl consider the layout to ensure that opportunities for anti-social behaviour and crime are minimised. They provide well-lit schemes which deter criminal activity and will install CCTV if required. These matters can be picked up at the detailed design stage and advised separately where not covered by planning requirements.
- 6.69 The Council's Access Officer has raised no concerns about the development as level access can be achieved to the store and accessible parking is proposed.
- 6.70 The Council's Environmental Health service raises no objections to the proposal however it notes that if permission is granted, the company must ensure that an "Application for the Registration of a Food Business" is received at least 28 days prior to trading.

Conclusion

- 6.71 In planning terms Members must first consider whether the principle of

development is acceptable. There are three strands to this element. The Retail and Sequential Test (for a proposed town centre use), the retail impact assessment on the vitality and viability of the town centre, and the Flood Risk including Sequential Test.

- 6.72 Having undertaken the assessment in the report the principle is considered to be acceptable and the relevant tests have been passed however this is on the basis that the proposed use is in the location required due to its need to serve those in the east of the city.
- 6.73 Once the principle of development has been established other material considerations are to be taken into account and given that the proposed development is an Outline application, other matters such as scale, design and layout would be determined at a later stage.
- 6.74 In terms of highway matters and drainage, whilst the details would to some degree be reserved for a later application, details have been provided to ensure that the impacts on these two essential issues are acceptable or at least would be so on the basis of complying with the proposed planning conditions.
- 6.75 In terms of landscape and impact on trees the proposed development would result in the loss of some existing trees however this can be mitigated. Other matters are also considered to be satisfactory.
- 6.76 When making a balanced judgement on these factors it is recommended that this application is approved with conditions, subject to the completion of a S106 agreement to secure a travel plan monitoring contribution of £6,600. If the Legal Agreement is not completed, delegated authority should be given to the Corporate Director of Economic Development to refuse the application.

7. Planning History

- 7.1 The only planning history related to this site was application 15/0836 for the erection of foodstore with associated car parking and servicing which was withdrawn.

8. Recommendation: Grant Subject to S106 Agreement

- 1. In case of any "Reserved Matter" application for approval shall be made not later than the expiration of 3 years beginning with the date of this permission, and the development shall be begun not later than whichever is the later of the following dates:
 - i) the expiration of 3 years from the date of the grant of this permission, or
 - ii) the expiration of 2 years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval

of the last such matter to be approved.

Reason: In accordance with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended by The Planning and Compulsory Purchase Act 2004).

2. Before any work is commenced, details of the layout, scale, appearance, access and landscaping of the site (hereinafter called "reserved matters") shall be submitted to and approved by the local planning authority.

Reason: The application was submitted as an outline application in accordance with the provisions of Article 3 of the Town and Country Planning (General Development Management Procedure) Order 2015.

3. The development shall be undertaken in accordance with the approved documents for this Outline Permission which comprise:

1. the submitted planning application form;
2. the Site Location Plan received 30 October 2019;
3. the Proposed Site Layout (Dwg ZZ-XX-DR-A-91-0001 Rev P9);
4. the Access Arrangement Option Y (Dwg 16-1102/205 RevC);
5. the Access Arrangement Option Y (Dwg 16-1102/206);
6. the Planning and Retail Assessment dated November 2019;
7. the design and access statement received 30 October 2019
8. the Transport Assessment Issue 1 dated October 2019;
9. the travel plan Issue 1 dated October 2019;
10. the flood risk assessment and associated appendices version 4 received September 2020;
11. the sustainability statement received 30 October 2019
12. the statement of community involvement November 2019;
13. the emergency flood response plan version 1 January 2020;
14. the Road safety audit and response report January 2020
15. the additional drainage information letter from SLR dated 16 November 2020;
16. the highway technical note dated 30 June as updated;
17. the Notice of Decision; and
18. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

4. The carriageway, footways, footpaths, cycleways etc shall be designed, constructed, drained to the satisfaction of the local planning authority and in this respect further details, including longitudinal/cross sections, shall be submitted to the Local Planning Authority for approval before work commences. No work shall be commenced until a full specification has been approved. Any works so approved shall be constructed before the development is brought into use.

Reason: To ensure a minimum standard of construction in the interests of highway safety. To support Local Transport Policies LD5, LD7 and LD8.

5. Details showing the provision of a vehicle turning space within the site, which allows vehicles visiting the site to enter and leave the highway in a forward gear, shall be submitted to the Local Planning Authority for approval. The development shall not be brought into use until any such details have been approved and the turning space constructed. The turning space shall not thereafter be used for any other purpose.

Reason: To ensure that provision is made for vehicle turning within the site and in the interests of highway safety. To support Local Transport Plan Policies: LD7and LD8

6. The use shall not be commenced until the access and parking requirements have been constructed in accordance with the approved plan. Any such access and or parking provision shall be retained and be capable of use when the development is completed and shall not be removed or altered without the prior consent of the Local Planning Authority.

Reason: To ensure a minimum standard of access provision when the development is brought into use. To support Local Transport Plan Policies: LD5, LD7,

7. Ramps shall be provided on each side of every junction to enable wheelchairs, pushchairs etc. to be safely manoeuvred at kerb lines. Details of all such ramps shall be submitted to the Local Planning Authority for approval before development commences. Any details so approved shall be constructed as part of the development.

Reason: To ensure that pedestrians and people with impaired mobility can negotiate road junctions in relative safety. To support Local Transport Plan Policies: LD5, LD7and LD8

8. There shall be no vehicular access to or egress from the site other than via the approved access, unless otherwise agreed 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. To support Local Transport Plan Policies: LD7and LD8

9. Prior to the start of any development details of the proposed highway changes to Warwick Road and Victoria Road including crossing of the highway verge and/or changes to the footway shall be submitted to the Local Planning Authority for approval. The development shall not be commenced until the details have been approved. The approved changes shall be brought into use prior to the first use of the development.

Reason: To ensure a minimum standard of construction in the interests of highway safety and to support Policy IP2 of the Carlisle District Local Plan 2015-2030.

10. An annual report reviewing the effectiveness of the Travel Plan and including any necessary amendments or measures shall be prepared by the developer/occupier and submitted to the Local Planning Authority for approval.

Reason: To aid in the delivery of sustainable transport objectives.

11. Details showing the provision within the site for the parking, turning and loading and unloading of vehicles visiting the site, including the provision of parking spaces for staff and visitors, shall be submitted to the Local Planning Authority for approval. The development shall not be brought into use until any such details have been approved and the parking, loading, unloading and manoeuvring facilities constructed. The approved parking, loading, unloading and manoeuvring areas shall be kept available for those purposes at all times and shall not be used for any other purpose.

Reason: To ensure that vehicles can be properly and safely accommodated clear of the highway. To support Local Transport Plan Policies: LD7 and LD8.

12. Development shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority. The CTMP shall include details of:
- pre-construction road condition established by a detailed survey for accommodation works within the highways boundary conducted with a Highway Authority representative; with all post repairs carried out to the satisfaction of the Local Highway Authority at the applicant's expense;
 - details of proposed crossings of the highway verge;
 - retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development;
 - cleaning of site entrances and the adjacent public highway;
 - details of proposed wheel washing facilities;
 - the sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway;
 - construction vehicle routing;
 - the management of junctions to and crossings of the public highway and other public rights of way/footway;
 - details of any proposed temporary access points (vehicular/pedestrian)
 - surface water management details during the construction phase

Reason: To ensure the undertaking of the development does not adversely impact upon the fabric or operation of the local highway network and in the interests of highway and pedestrian safety. To support Local Transport Plan Policies: WS3, LD4.

13. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

14. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The drainage scheme submitted for approval shall also be in accordance with the principles set out in the Flood Risk Assessment & Drainage Statement dated November 2020 proposing surface water discharging to the culverted ordinary watercourse. The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG and in accordance with Policy CC5 of the Carlisle District Local Plan 2015-2030.

15. No development shall commence until a construction surface water management plan has been agreed in writing with the local planning authority.

Reason: To safeguard against flooding to surrounding sites and to safeguard against pollution of surrounding watercourses and drainage systems.

16. No work associated with the construction of the development hereby approved shall be carried out before 07.30 hours on weekdays and Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any times on Sundays or Bank Holidays).

Reason: To prevent disturbance to nearby occupants in accordance with Policy CM5 of the Carlisle District Local Plan 2015-2030.

17. Prior to their use as part of the development hereby approved, full details of all materials to be used on the exterior of the buildings, including roofs, walls, cladding, doors, windows, external frames and rainwater goods shall be submitted to and approved in writing by the local planning authority. The development shall then be undertaken in strict accordance with the approved details.

Reason: To ensure the development is acceptable visually and

harmonises with existing development, in accordance with Policies SP6 of the Carlisle District Local Plan 2015-2030.

18. Details shall be submitted of the proposed hard surface finishes to all public and private external areas within the proposed application site and approved in writing by the local planning authority before their use as part of the development hereby approved. The approved development shall be carried out in strict accordance with the details approved in response to this condition.

Reason: To ensure that materials to be used are acceptable visually and harmonise with existing development, in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

19. No construction shall commence until, a landscaping scheme has been submitted to and agreed with the local planning authority including details of trees and shrubs to be retained and proposed new planting. The scheme shall include the use of native species and shall also include a detailed survey of any existing trees and shrubs on the site and shall indicate plant species and size for new planting. Any trees which are required to be removed for works associated with the scheme shall be replaced on a 1:1 basis. The scheme shall then be implemented in accordance with the approved details.

Reason: To ensure that a satisfactory landscaping scheme is prepared in accordance with the objectives of Policies SP6 and GI6 of the Carlisle District Local Plan 2015-2030.

20. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and maintained thereafter to the satisfaction of the Council; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that a satisfactory landscaping scheme is implemented and that it fulfils the objectives of Policy SP6 of the Carlisle District Local Plan 2015-2030.

21. No clearance of or damage to hedgerows shall take place during the bird breeding season from 1st March to 31st August unless agreed in writing beforehand by the Local Planning Authority.

Reason: To protect features of recognised nature conservation importance, in accordance with Policy GI3 of the Carlisle District Local Plan 2015-2030.

22. Details of the relative heights of the existing and proposed ground levels and the height of the proposed finished floor levels of the building shall be submitted to and approved in writing by the Local Planning Authority before any construction works begin.

Reason: In order that the approved development does not have an adverse impact on the living conditions of the occupiers of any neighbouring properties and accords with requirements of the flood risk assessment in accordance with Policies SP6 and CC4 of the Carlisle District Local Plan 215-2030.

23. The approved store shall not be open for business and operating except between 0700 hours and 2300 hours on Mondays-Saturdays (incl Statutory Holidays) and for 6 consecutive hours no earlier than 1000 hours and no later than 1800 hours on Sundays.

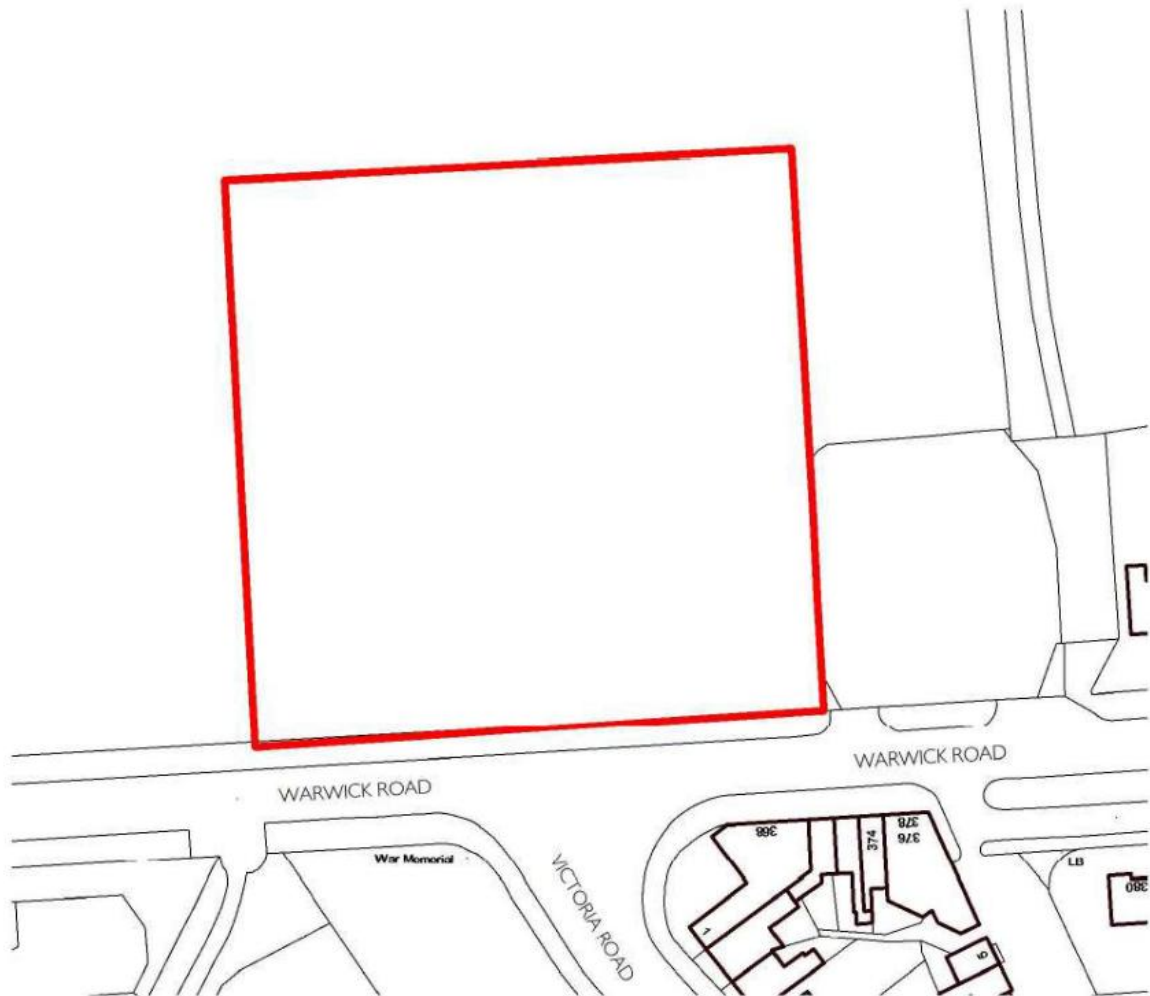
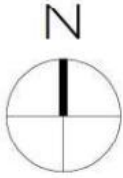
Reason: To prevent disturbance to nearby occupants in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

24. 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, which is subject to the approval in writing of the local planning authority. Further guidance can be found on the Carlisle City Council website "Development of Potentially Contaminated Land and Sensitive End Uses – An Essential Guide For Developers."

Site investigations should follow the guidance in *BS10175:2011 (or updated version) "Investigation of Potentially Contaminated Sites.- Code of Practice "*.

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.



Status	Planning		
Project	Lidl, Warwick Road, Carlisle		
Drawing	Site Location		
Project No.	06927	Dwg. No.	A(90)EXP001 Rev. 4
Scale at A4	1 : 1250	Drawn	DW Checked KH

_space™

Warwick Road, Carlisle - ECO Store Type

Site Area
Overall: 8785m²

Lidl Store Areas
TOTAL GEA: 2144m²
TOTAL GIC: 1900m²

Sales Area: 1256m²
Warehouse Area: 352m²
Ancillary Area: 255m²

Asides: 5no.

(All areas are approximate)

Car Parking Spaces

Standard: 122no.
Disabled: 12no.
Parent & Child: 13no.
Electric Vehicle Charging: 2no.
TOTAL: 149no.

External Surfaces

- Bluminous construction to access road, parking bays and paths
- Dark grey / Anthracite block paving in stretcher bond
- Cast in-situ concrete to external plant compound and delivery ramp
- Landscaped area



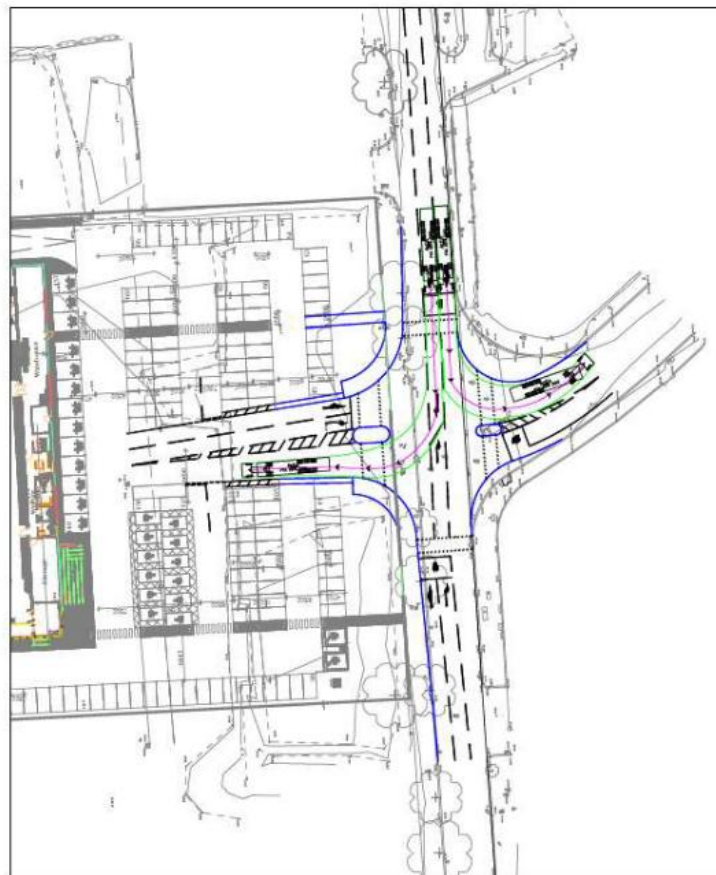
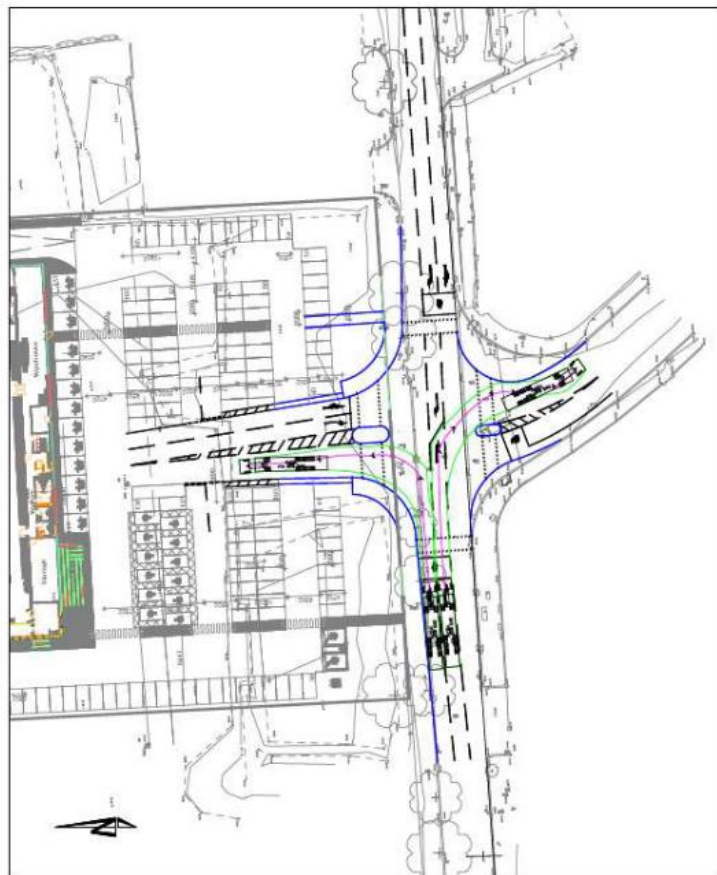
SPACE
ARCHITECTS

Space Architects
Barnard Castle, Co. Durham
Newcastle upon Tyne
NE7 7LX
T: +44 (0)1642 802 690
www.spacearchitects.co.uk

Project
Lidl - Warwick Road, Carlisle

Drawing Title
Proposed Site Layout

Project No.	Drawing No.	Status	Revision	Scale at A3
06927	ZZ-XX-DR-A-91-0001	S3	P9	1 : 500
File Reference: 00687-SPACE-22-XX-DY-A-91-0001-SD-P9				



Page 1 of 1

Cora

Client	LIDL
Project	Cartelle
Type	Access Arrangement Option Y (Tracking)
Drawing No.	16-1102/206
Revision	—
Scale	1:500 (B&A)
Date	28/06/20
Drawn	LC
Checked	YC
Approved	YC
Authorised Issues	Yes
Approved for Issue	Yes
Approved for Construction	Yes
Authorised Issues	Yes
Approved for Issue	Yes
Approved for Construction	Yes