

# AGENDA

## Development Control Committee

**Friday, 19 June 2020 AT 10:00**

**This meeting will be a virtual meeting and therefore will not take place in a physical location.**

### Special Meeting

#### **Virtual Meeting - Link to View**

This meeting will be a virtual meeting and therefore will not take place at a physical location following guidelines set out in Section 78 of the Coronavirus Act 2020.

[To view the meeting online click this link](#)

#### **Register of Attendance and Declarations of Interest**

A roll call of persons in attendance will be taken and Members are invited to declare any disclosable pecuniary interests, other registrable interests and any interests, relating to any item on the agenda at this stage.

#### **Apologies for Absence**

To receive apologies for absence and notification of substitutions

#### **Public and Press**

To agree that the items of business within Part A of the agenda should be dealt with in public and that the items of business within Part B of the agenda should be dealt with in private.

## **Minutes of Previous Meetings**

**5 - 14**

To approve the minutes of the meetings held on 22 May, 5 June and 17 June 2020 (virtual site visits).

### **PART A**

**To be considered when the Public and Press are present**

#### **A.1 CONTROL OF DEVELOPMENT AND ADVERTISING**

To consider applications for:

- (a) planning permission for proposed developments
- (b) approval of detailed plans
- (c) consents for display of advertisements.

#### **Explanatory Notes**

**15 -  
20**

**Item 01 - 20/0091 - Land north of Rockcliffe School, Rockcliffe, Carlisle,  
CA6 4AH**

**21 -  
38**

**Item 02 - 20/0081 - Land to the rear of 28 Beech Grove, Houghton,  
Carlisle, CA3 0NU**

**39 -  
54**

**Item 03 - 19/0556 - BSW Sawmills, Cargo, Carlisle, CA6 4BA**

**55 -  
76**

**Item 04 - 19/0869 - Cumbria Wildflowers, The Stables, Great Orton,  
Carlisle, CA5 6NA**

**77 -  
112**

## **PART B**

**To be considered when the Public and Press are excluded from the meeting**

-NIL-

### **Members of the Development Control Committee**

**Conservative** – Christian, Collier, Morton, Nedved, Shepherd, Tarbitt, Mrs Bowman (sub), Mrs Finlayson (sub), Meller (sub)

**Labour** – Birks, Brown, Mrs Glendinning (Vice Chair), Patrick, Rodgerson, Alcroft (sub), Glover (sub), Miss Whalen (sub)

**Independent** - Tinnion (Chair), Paton (sub)

Enquiries, requests for reports, background papers etc to:

Jacqui Issatt, Committee Clerk - [jacqui.issatt@carlisle.gov.uk](mailto:jacqui.issatt@carlisle.gov.uk)

To register a Right to Speak at the Committee contact:  
DCRTS@carlisle.gov.uk



## DEVELOPMENT CONTROL COMMITTEE

**FRIDAY 22 MAY 2020 AT 10.00 AM**

**PRESENT:** Councillor Tinnion (Chair), Councillors Birks, Bradley (as substitute for Councillor Patrick), Brown, Christian, Collier, Mrs Glendinning, Meller (as substitute for Councillor Tarbitt) Morton, Nedved, Rodgerson, and Shepherd.

**OFFICERS:** Corporate Director of Economic Development  
Development Manager  
Legal Services Manager  
Principal Planning Officer  
Mr Allan, Flood Development Officer (Cumbria County Council)

### **DC.031/20 APPOINTMENT OF CHAIR**

The Legal Services Manager indicated that the first item of business was to appoint a Chair for the Committee for the 2020/21 Municipal Year and sought nominations in respect thereof.

It was moved and seconded that Councillor Tinnion be appointed as Chair of the Development Control Committee for the Municipal Year 2020/21.

**RESOLVED** – That Councillor Tinnion be appointed as Chair of the Development Control Committee for the Municipal Year 2020/21.

Councillor Tinnion thereupon took the Chair.

### **DC.032/20 APPOINTMENT OF VICE CHAIR**

The Chairman sought nominations with regard to the appointment of Vice-Chair for the Committee.

It was moved and seconded that Councillor Mrs Glendinning be appointed as Vice-Chair of the Committee for the Municipal Year 2020/21.

**RESOLVED** – That Councillor Mrs Glendinning be appointed as Vice-Chair of the Development Control Committee for the Municipal Year 2020/21.

### **DC.033/20 APOLOGIES FOR ABSENCE**

Apologies for absence were submitted on behalf of Councillors Patrick and Tarbitt.

### **DC.034/20 DECLARATIONS OF INTEREST**

In accordance with the Council's Code of Conduct the following declarations of interest were submitted:

Councillor Morton declared an interest with the respect to applications:

- 19/0493 – Land to rear of 44 Scotby Road, Scotby, Carlisle, CA4 8BD;
- 19/0936 – 124 Scotland Road/2A Beechwood Avenue, Carlisle, CA3 9BU

The interest related to his professional association with a director of PFK who were representing the applicants.

Item A.1(1) application 19/0748 – Land north of Hurley Road and east of Little Corby Road, Little

Corby, Carlisle had previously been considered by the Committee at its meeting of 14 February 2020. Councillors Bradley, Brown and Meller indicated that they had not been present at that meeting, therefore they would not take part in the discussion nor determination of the application.

#### **DC.035/20 PUBLIC AND PRESS**

RESOLVED – That the Agenda be agreed as circulated.

#### **DC.036/20 MINUTES OF PREVIOUS MEETINGS**

RESOLVED That the minutes of the meeting held on 24 April 2020 be approved.

#### **DC.037/20 PUBLIC REPRESENTATIONS IN RESPECT OF PLANNING APPLICATIONS**

The Legal Services Manager set out the process for those Members of the public who had registered a Right to Speak at the Committee.

#### **DC.038/20 CONTROL OF DEVELOPMENT AND ADVERTISING**

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

##### **1. Erection of 45no. dwellings (Outline), Land north of Hurley Road and east of Little Corby Road, Little Corby, Carlisle (Application 19/0748).**

The Principal Planning Officer submitted the report on the application which had been considered and deferred by the Committee at its 24 April 2020 meeting in order to allow further consideration to be given to the proposed footpath / pedestrian linkages to the site and potential flooding from the site.

Slides were displayed on screen showing: site location plan; aerial photo of the site; illustrative layout plan; proposed access location plan, and photographs of the site, an explanation of which was provided for the benefit of Members.

The Principal Planning Officer summarised the planning history of the site including: work undertaken in allocating the site for housing as part of the Carlisle District Local Plan 2015 – 30 (Local Plan) including issues of pedestrian links, and flooding; an application for development of the site in February 2017 (including an additional parcel of land) which had been refused, and a subsequent appeal which had been refused. It was noted that during the consideration of the appeal, the Inspector had been of the view that the application site was currently deliverable, subject to the required highway improvements.

The scheme proposed that access to the development would be contained within an extended 30mph zone, to the north of the site on Little Corby Road, which would also comprise a gateway feature to further restrict the speed of vehicles entering Little Corby. The applicant had commissioned speed surveys, data from which was used in the design of the visibility splays at the access which exceeded those required by the Highway Authority.

The width of the Little Corby Road would not be reduced, and a footpath would be provided adjacent to the existing road that would link the site entrance to the kissing gate on Little Corby Road. A condition had been included in the permission requiring the construction details of the road / footway be submitted to the Local Planning Authority for approval.

A further condition had been added to the permission which stipulated that, prior to the commencement of development, a footpath be provided from the edge of the site to Hurley Road, the details of which were to be agreed by the Local Planning Authority.

In relation to flood risk, the applicant had submitted a detailed Drainage Strategy and Flood Risk Assessment. It demonstrated that the development would not increase levels of flooding, rather it would reduce the risk due to the improved drainage on site. The uplift in water retention on site along with an allowance for climate change, through additional water storage and improved drainage would reduce the impact of water flow from this site.

In conclusion, the Principal Planning Officer recommended:

- 1) That the application be approved, subject to the conditions detailed in the report and the completion of a Section 106 Legal Agreement to secure:
  - a) the provision of 30% of the units as Affordable;
  - b) a financial contribution of £171,878 to be paid to Cumbria County Council towards the provision of secondary places;
  - c) a financial contribution of £38,000 to be paid to Cumbria County Council towards secondary school transport;
  - d) financial contribution of £8,505 to upgrade existing off-site sports pitches;
  - e) the maintenance of open space within the site by the developer;
  - f) a financial contribution of £5,500 to enable the 30mph speed limit to be extended and village gateway signage and road marking to be introduced.
- 2) That should the Legal Agreement not be completed, delegated authority be given to the Corporate Director of Economic Development to refuse the application.

The Committee then gave consideration to the application.

A number of Members remained concerned about pedestrian access and the impact of the proposed scheme on highway safety on Little Corby Road. In response to those concerns, the Principal Planning Officer confirmed:

- The proposed footpath would avoid the steepest part of the bank;
- Condition 24 of the permission required the details of path to be submitted to the Local Planning Authority for approval. The condition further required that the path be installed prior to the commencement of the development's construction;
- The visibility splays at the proposed access at Little Corby Road would be 120m to the north and 86m to the south, which was greater than the 60m required by the Highway Authority.

Mr Allan (Cumbria County Council) advised that the pedestrian footpath would be maintained by the developer initially, following completion of the development it may be adopted by Cumbria County Council were it constructed to an appropriate standard.

A Member requested that a condition be added to the permission requiring the path be constructed to an adoptable standard and that an application be made to Cumbria Council for its adoption.

The Corporate Director agreed to the inclusion of the condition.

During discussion a Member moved the Officer's recommendation and the proposal was seconded.

The Chairman asked whether the Walk to School Safety Officer had been involved in the consultation on the application, and if not whether they were able to be consulted on any future

Reserved Matters application. He further requested that a full Safety Audit be carried out as part of any Reserved Matters application.

In response Mr Allan stated that the Walk to School Safety Officer had not been involved with the current application. However, the Highway Authority had raised concerns throughout the application process which had led to the inclusion of conditions in the permission to make the application acceptable.

He further noted that, as part of the current application, a Transport Assessment had been carried out which had considered the impact of the proposed development on the adjacent highway network as acceptable.

The Corporate Director indicated that, should Members deem it necessary, it was possible to add a condition to the permission requiring a full Road Safety Audit be submitted as part of any future Reserved Matters application.

The Chairman sought the views of the Committee on the matter. A majority of Members agreed to the inclusion of the condition.

Responding to a question from the Chairman as to whether the proposed footpath not being sited adjacent to the highway would affect the Safety Audit, Mr Allan advised that the removal of the footpath would be a matter for the applicant. The Highway Authority had no objection to the application in its current form.

The Chairman noted that the Officer's recommendation had been moved and second.

The Legal Services Manager noted that two additional conditions had been requested by the Committee: the adoption of the footpath and a road safety audit, both of which were reasonable and legally enforceable

The Chairman put the Officer's recommendation with additional conditions (the adoption of the footpath and the road safety audit) to the vote and it was:

RESOLVED: 1) That the application be approved, subject to the conditions detailed in the report (including references to the new footpath being provided to adoptable standard and an additional condition requiring a road safety audit) and the completion of a Section 106 Legal Agreement to secure:

- a) the provision of 30% of the units as Affordable;
- b) a financial contribution of £171,878 to be paid to Cumbria County Council towards the provision of secondary places;
- c) a financial contribution of £38,000 to be paid to Cumbria County Council towards secondary school transport;
- d) financial contribution of £8,505 to upgrade existing off-site sports pitches;
- e) the maintenance of open space within the site by the developer;
- f) a financial contribution of £5,500 to enable the 30mph speed limit to be extended and village gateway signage and road marking to be introduced.

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



## **2. Erection of 4no. dwellings, Land to rear of 44 Scotby Road, Scotby, Carlisle, CA4 8BD (Application 19/0493).**

The Development Manager submitted the report on the application which had been deferred by Members at the January 2020 meeting of the Committee for further discussions with the applicant regarding Plot 4.

As a consequence of that deferment amended drawings were received and further consultation undertaken on the application. The Parish Council reaffirmed its original comments on the application and at the time of preparing the report no further comments had been.

Slides were displayed on screen showing: original location and site layout plan; revised location and proposed site layout plan; original layout plan; revised layout plans; plot plans; entrance junction plan; site cross section plan, and photographs of the site, an explanation of which was provided for the benefit of Members.

This revised proposal retained the fourth plot however, its form had been reduced so that its style was similar to those on plots 1 to 3 and it had been moved closer to the internal road layout of the proposed development. The reduced scale of Plot 4 also brought it closer to the other proposed dwellings so that it would sit in an alignment from the end of Hill Head to the north and Alders Edge to the south.

The main issues relating to the proposed scheme were outlined in the report. The Development Manager stated that the photographs taken of the site over the last couple of years gave an understanding of the concerns of neighbours due to the changes that had taken place. Nevertheless, the site was a garden area, albeit an extensive one, and previous Planning Consent had established the principle of development at the site.

During the determination of the earlier proposals Members had expressed concerns about whether the development extended into open countryside. The Development Manager was of the view that site felt like a domestic lawn with tree and hedge lined boundaries. The current proposal had reduced the scale of Plot 4 with the land to the west continuing its use as a domestic garden.

Members were made aware of a recent appeal in Scotby on a site which had been dismissed previously on appeal for extending development into the countryside. That development was now granted as the Planning Inspector considered the nature of the area had changed and in their opinion was now part of the settlement. The Development Manager noted that without defined settlement boundaries the matter was a subjective judgement for Members, however he was of the view that the site related well to the form of Scotby.

Following publication of the report, further correspondence had been received regarding the potential for nuisance from dust or noise to neighbouring properties should permission be granted. Condition 5 related to a Construction Management Plan and it was usual for all aspects of nuisance to be covered in such a plan. However, as that was not specified in the condition text and for the avoidance of doubt it was recommended that the condition be revised with the addition of wording to include reference to measures to mitigate noise and dust pollution.

In conclusion, the Development Manager recommended that the application be approved, subject to the conditions detailed in the report, with the revision of condition 5 to include reference to measures to mitigate noise and dust pollution.

Dr Brader (Objector on his own behalf and on behalf of Mrs Holliday) spoke against the proposal in the following terms: the submitted amendments did not address the issues of scale and

encroachment into the countryside; the proposal was at odds with the stipulation on the Outline Permission that development be restricted to one dwelling and as such was not compliant with Local Plan policy HO 3 – Housing in Residential Gardens; the lower areas of the site were liable to flooding and the development would exacerbate that; car parking provision associated with the scheme would have a significant impact on the environment and the living conditions of neighbouring properties; the access arrangements set a dangerous precedent for Scotby Road; the use of fencing at the boundary was not in keeping with adjacent properties where hedges were common; Wetheral Parish Council had objected on design matters.

Ms Lightfoot (Agent) responded in the following terms: the site benefitted from outline planning permission and was in a sustainable settlement which offered a range of services; the brownfield site was well contained within existing landscape features; the proposed dwellings met the minimum separation distances required by Council policy, had well proportioned gardens and used a mix of vernacular and new design materials; Plot 4 had been redesigned at a smaller scale and had been relocated closer to the other units; the proposal would create high value properties which would support the Council's housing and economic offer; no objections had been received from technical consultees.

The Committee then gave consideration to the application.

Regarding the loss of wildlife habitat, a Member asked whether the Committee was able to impose any mitigation measures.

The Development Manager responded that it was only possible to protect habitat where regulations made such a provision, for example Tree Preservation Orders and Sites of Special Scientific Interest species or, locally designated wildlife sites: none of which had been applied to the application site. The Wildlife and Countryside Act made provision for other authorities to pursue habitat protection measures, but they were outwith the planning process.

The Member asked how the Outline Permission related to the current application.

The Development Manager stated that the Outline Permission had been granted for the red line boundary of the site, with no details other than access being approved at that stage. The current application was for Full Planning Permission and was not dependent on the Outline permission, excepting the principle of development and the access arrangements. Members needed to consider whether the proposed scheme was acceptable, as submitted, in the context of the relevant planning policies.

Considering the road within the development a Member asked: whether vehicles would be able to turn at the eastern side of the site which did not have a hammerhead, and: whether refuse collection vehicles would be able to access the road.

The Development Manager advised that the visitor parking spaces at the eastern end of the site would allow vehicles to turn. Refuse collection vehicles would not need to access the site as refuse collections points were to be provided adjacent to the access to the site where residents would deposit their receptacles.

A Member expressed concerns about flood risk at the site, he asked whether options for drainage (other than discharge into the Pow Maugham Beck) had been considered.

The Development Manager explained that conditions within the permission required the submission of details of the methods of drainage (both foul and surface water) be submitted to the Local Planning Authority for approval. He added that discussions on the matter had commenced with both the Lead Local Flood Authority and United Utilities. It was feasible for foul

drainage to be pumped from the site, connecting to the mains drainage on Scotby Road, that would not be possible for surface water drainage. Other matters for consideration were the use of sustainable drainage methods which may include water storage mechanisms on site.

A Member moved the Officer's recommendation which was seconded, and following voting it was:

RESOLVED: That the application be approved, subject to the implementation of relevant conditions as indicated within the Schedule of Decisions attached to these minutes.

**3. Change of Use from Retail (Class A1) to hot food takeaway (Class A5), 124 Scotland Road/2A Beechwood Avenue, Carlisle, CA3 9BU (Application 19/0936).**

The Development Manager advised the Committee that the application had been withdrawn.

RESOLVED – That it be noted that the application was withdrawn.

**4. Erection of 5no. dwellings (Reserved Matters Application Pursuant to Outline Approval 16/1038), Land north of Rockcliffe School, Rockcliffe, Carlisle, CA6 4AH (Application 20/0091).**

The Principal Planning Officer submitted the report on the application. Slides were displayed on screen showing: site location plan; proposed site layout plan; elevation, roof and floor plans; access engineering drawing, and photographs of the site, an explanation of which was provided for the benefit of Members.

Outline Planning Permission was granted for the site in February 2017, the current proposal was a Reserved Matters application which sought approval for the layout, scale, appearance, access and landscaping. The Principal Planning Officer considered the scale and design of the proposed dwellings, which incorporated a range of features, to be acceptable

The proposed development would be served by a new access from the C1016 which was in the same place as shown in the outline application. A condition of the Outline Permission required the C1016 to be widened to 5.5m in the vicinity of the site and visibility splays of 70m in both directions to be provided. The Highway Authority had no objections to the proposed access.

Concerns regarding flooding and drainage had been raised by objectors and the Parish Council. The Principal Planning Officer advised that drainage was not a matter for consideration in the current application. Conditions had been included in the Outline Permission which required details of surface water drainage to be agreed with the Local Planning Authority, it was noted that those conditions had recently been discharged.

In conclusion, the Principal Planning Officer recommended that the application be approved, subject to the conditions detailed in the report.

The Committee then gave consideration to the application.

Concerns were expressed by some Members regarding the lack of a pedestrian footpath from the proposed scheme to the village and school.

The Principal Planning Officer advised that matters relating to the provision of a footpath from the site to the school had been determined during the Outline application and therefore did not form part of the current application. Should Members wish for such provision to be made an informal request may be made to the applicant, however, the Committee was not able to insist that a footpath be created.

Mr Allan added that Cumbria County Council had considered the issue, but the widening of the highway negated the provision of a footpath from the development.

A Member noted that there were a number of trees at the site, she asked what protection they would be afforded in the future.

The Principal Planning Officer explained that the maintenance and retention of trees would be a matter for individual property owners. Given their positions within the site they contributed to the privacy of each dwelling, therefore it was likely they would be retained. Were Members to require it, a Tree Preservation Order assessment was able to be carried out.

A Member moved the Officer's recommendation, and the proposal was seconded.

Responding to concerns from Members on the proposed design of the dwellings, the Principal Planning Officer noted that the materials to be used were required, by condition, to be submitted to the Local Planning Authority for approval. On balance he considered the proposed design acceptable.

A Member stated that she considered that she did not have sufficient information to determine the application. She requested that the matter be deferred in order for video footage to be prepared, in lieu of a site visit. The proposal was seconded.

The Legal Services Manager stated that it was important that all members of the Committee felt they had all the information they required to determine the application. She noted that the Officer's recommendation had been moved and seconded, along with a proposal to defer the application, and advised that the deferral proposal be considered first.

The Chairman put the proposal to defer the application to the vote; the numbers for and against being equal, the Chairman used his casting vote and it was:

**RESOLVED:** That the application be deferred in order to allow a video of the site to be produced (in lieu of a site visit due to Covid-19 restrictions) and to await a further report on the application at a future meeting of the Committee.

[The meeting closed at 11:57pm]

## **DEVELOPMENT CONTROL COMMITTEE**

**FRIDAY 5 JUNE 2020 AT 10.00 AM**

**PRESENT:** Councillor Tinnion (Chair), Councillors Alcroft (as substitute for Councillor Brown), Birks, Christian, Collier, Mrs Glendinning, Meller (as substitute for Councillor Tarbitt) Morton, Nedved, Rodgerson, Shepherd and Whalen (as substitute for Councillor Patrick)

**OFFICERS:** Corporate Director of Economic Development  
Development Manager  
Legal Services Manager  
Planning / Landscapes Enforcement and Compliance Officer

### **DC.039/20 APOLOGIES FOR ABSENCE**

Apologies for absence was submitted on behalf of Councillors Brown, Patrick and Tarbitt.

### **DC.040/20 DECLARATIONS OF INTEREST**

There were no declarations of interest submitted.

### **DC.041/20 PUBLIC AND PRESS**

**RESOLVED** – That the Agenda be agreed as circulated.

### **DC.042/20 CONTROL OF DEVELOPMENT AND ADVERTISING**

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

- 1. Proposed landscaping of plot boundaries and access arrangements for each plot (Reserved Matters Application Pursuant to Outline Consent 18/0796), Land adjacent to Shortdale Cottage, Tarraby Lane, Tarraby, Carlisle, CA3 0JT (Application 19/0973).**

The Development Manager advised that following the production of the report, discussions had been ongoing with the applicant in respect of a number of technical and legal issues. Those matters had not been resolved and consequently the Agent had requested that the matter be withdrawn from debate so as to allow further discussion to take place.

**RESOLVED:** That application be withdrawn from discussion in order to undertake further discussion with the applicant/agent on technical/legal matters. The application may, dependent upon the outcome of those actions, be the subject of an additional Report at a future meeting of the Committee.

### **DC.43/20 PUBLIC AND PRESS**

**RESOLVED** – That in accordance with Section 100A(4) of the Local Government Act 1972 the Public and Press were excluded from the meeting during consideration of the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in the paragraph number (as indicated in brackets against the minute) of Part 1 of Schedule 12A of the 1972 Local Government Act.

## **DC.044/20    QUARTERLY REPORT ON PLANNING ENFORCEMENT**

The Planning/Landscapes Compliance and Enforcement Officer submitted report ED.22/20 – Quarterly Report on Planning Enforcement which set out details of a number of enforcement case being dealt with by the Council and analysis of quarterly and annual figures. She provided a verbal update on progress regarding several of the cases therein.

The Committee gave consideration to a number of enforcement cases set out in the report. With regard to the Extension of Construction Hours, as set out in the Written Ministerial Statement made by the Secretary of State for Housing, Communities and Local Government, a number of Members expressed concern about the impact on the living conditions of those located near to development sites. Officers were asked to take this into account when considering requests to extend construction hours.

The Development Manager explained that local authorities had been given ten days to determine any such requests, therefore consultation with neighbouring properties was not feasible. However, in assessing any requests received, the impact on neighbouring properties would be considered.

The Corporate Director advised that she would circulate a letter to all Members of the Council to update them on the position regarding the extension to construction hours.

A Member moved the Officer's recommendation which was seconded, and following voting it was:

**RESOLVED** - That the content of the report be noted.

[The meeting closed at 10:32pm]

# **Development Control Committee Main Schedule**

## **Schedule of Applications for Planning Permission**

**19<sup>th</sup> June 2020**

## The Schedule of Applications

This schedule is set out in five parts:

**SCHEDULE A** - contains full reports on each application proposal and concludes with a recommendation to the Development Control Committee to assist in the formal determination of the proposal or, in certain cases, to assist Members to formulate the City Council's observations on particular kinds of planning submissions. Officer recommendations are made, and the Committee's decisions must be based upon, the provisions of the Development Plan in accordance with S38(6) of the Planning and Compulsory Purchase Act 2004 <http://www.legislation.gov.uk/ukpga/2004/5/contents> unless material considerations indicate otherwise.

In order to reach a recommendation the reports have been prepared having taken into account the following background papers:-

- relevant planning policy advice contained in Government Circulars, National Planning Policy Framework, [https://www.gov.uk/government/publications/national-planning-policy-frame work--2](https://www.gov.uk/government/publications/national-planning-policy-frame-work--2),
  - Planning Practice Guidance <http://planningguidance.planningportal.gov.uk/> and other Statements of Ministerial Policy;
  - Carlisle District Local Plan 2015-2030 <http://www.carlisle.gov.uk/planning-policy/Local-Plan/Carlisle-District-Local-Plan-2015-2030> ;
  - Conservation Principles, Policies and Guidance – <https://historicengland.org.uk/advice/constructive-conservation/conservation-principles/>
  - Enabling Development and the Conservation of Significant Places <https://historicengland.org.uk/images-books/publications/enabling-development-and-the-conservation-of-significant-places/>
- Flood risk assessments: climate change allowances  
<https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>
- Consultee responses and representations to each application;



- <http://publicaccess.carlisle.gov.uk/online-applications/>
- Cumbria Landscape Character Guidance and Toolkit  
<http://www.cumbria.gov.uk/planning-environment/countryside/countryside-landscape/land/landcharacter.asp>
- Natural Environment and Rural Communities Act (2006)  
<http://www.legislation.gov.uk/ukpga/2006/16/contents>
- Wildlife and Countryside Act 1981 <http://www.legislation.gov.uk/ukpga/1981/69>
- Community Infrastructure Levy Regulations 2010  
<http://www.legislation.gov.uk/ukdsi/2010/9780111492390/contents>
- EC Habitats Directive (92/43/EEC)  
[http://ec.europa.eu/environment/nature/legislation/habitatsdirective/index\\_en.htm](http://ec.europa.eu/environment/nature/legislation/habitatsdirective/index_en.htm)
- Equality Act 2010  
[http://www.legislation.gov.uk/ukpga/2010/15/pdfs/ukpga\\_20100015\\_en.pdf](http://www.legislation.gov.uk/ukpga/2010/15/pdfs/ukpga_20100015_en.pdf)
- Manual For Streets 2007  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/341513/pdfmanforstreets.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/341513/pdfmanforstreets.pdf)
- Condition 2 of each application details the relevant application documents

**SCHEDULE B** - provides details of the decisions taken by other authorities in respect of those applications determined by that Authority and upon which this Council has previously made observations.

The officer recommendations made in respect of applications included in the Schedule are intended to focus debate and discussions on the planning issues engendered and to guide Members to a decision based on the relevant planning considerations. The recommendations should not therefore be interpreted as an intention to restrict the Committee's discretion to attach greater weight to any planning issue when formulating their decision or observations on a proposal.

If you are in doubt about any of the information or background material referred to in the Schedule you should contact the Development Management Team of the Planning Services section of the Economic Development Directorate.

This Schedule of Applications contains reports produced by the Department up to the 04/06/2020 and related supporting information or representations received up to the Schedule's printing and compilation prior to despatch to the Members of the Development Control Committee on the 19/06/2020.

Any relevant correspondence or further information received subsequent to the printing of this document will be incorporated in a Supplementary Schedule which will be distributed to Members of the Committee 5 working days prior to the day of the meeting.

Applications Entered on Development Control Committee Schedule

Item No.	Application Number/ Schedule	Location	Case Officer
1.	20/0091 A	Land north of Rockcliffe School, Rockcliffe, Carlisle, CA6 4AH	SD
2.	20/0081 A	Land to the rear of 28 Beech Grove, Houghton, Carlisle, CA3 0NU	BP
3.	19/0556 A	BSW Sawmills, Cargo, Carlisle, CA6 4BA	SD
4.	19/0869 A	Cumbria Wildflowers, The Stables, Great Orton, Carlisle, CA5 6NA	RJM

SCHEDULE A

SCHEDULE A

## SCHEDULE A: Applications with Recommendation

20/0091

Item No: 01

Date of Committee: 19/06/2020

**Appn Ref No:**  
20/0091

**Applicant:**  
Cumbria County Council

**Parish:**  
Rockcliffe

**Agent:**  
Savills (Newcastle Office)

**Ward:**  
Longtown & the Border

**Location:** Land north of Rockcliffe School, Rockcliffe, Carlisle, CA6 4AH

**Proposal:** Erection Of 5no. Dwellings (Reserved Matters Application Pursuant To Outline Approval 16/1038)

**Date of Receipt:**  
11/02/2020 16:00:47

**Statutory Expiry Date**  
07/04/2020 16:00:47

**26 Week Determination**  
19/06/2020

### REPORT

**Case Officer:** Stephen Daniel

The application was deferred at the Development Control Committee meeting on the 22nd May 2020 in order to allow a video of the site to be produced (in lieu of a site visit due to Covid-19 restrictions).

#### 1. Recommendation

- 1.1 It is recommended that this application is approved.

#### 2. Main Issues

- 2.1 Whether The Layout, Scale And Appearance Of The Dwellings Would Be Acceptable
- 2.2 Whether The Proposed Access Would Be Acceptable
- 2.3 Whether The Proposed Landscaping Would Be Acceptable
- 2.4 Impact Of The Proposal On The Living Conditions Of The Occupiers Of Any Neighbouring Properties
- 2.5 Flooding & Drainage Issues
- 2.6 Other Matters

#### 3. Application Details

##### The Site

- 3.1 The site covers an area of approximately 0.47 hectares and is currently in agricultural use. It is bounded by hedges to all four sides, with mature trees situated along the northern, southern and western boundaries. An existing field gate provides access from the site to the adjacent road (C1016).
- 3.2 The C1016 adjoins the application site to the west, beyond which lies Ordnance Cottage. Rockcliffe Primary School adjoins the southern boundary of the site and has playing fields adjacent. Open fields adjoin the site to the north and east.

## **Background**

- 3.3 In February 2017, outline planning permission was granted for residential development on this site, with all matters reserved for subsequent approval. The indicative layout plan, that was submitted with the application, shows five large detached dwellings set within large plots. Two of the dwellings have detached double garages, with the other three having integral garages. The indicative elevations show three two-storey dwellings and two dwellings with a two-storey gable to the front elevation and two pitched roof dormer windows in the front roofslope.
- 3.4 Access was shown via a new road that would link from the C1016 and would run along the southern side of the site, ending at a hammer head/ turning area. The existing hedges and trees around the periphery of the site were shown as being retained.

## **The Proposal**

- 3.5 This is a Reserved Matters application which is seeking approval for the layout, scale, appearance, access and landscaping of the proposed residential development that was granted outline planning permission in February 2017.
- 3.6 The proposed layout is very similar to that shown on the indicative plans that were submitted with the outline application. Five detached dwellings are proposed and these would be served by a new road that would connect to the C1016. The road would run along the southern boundary of the site and would connect to a turning head at the eastern end of the site. Four visitor parking bays would be provided on the southern side of the new access road. An area of amenity space would be provided at the western end of the site, adjacent to the C1016, and this would be enclosed by a 1.2m high timber post and rail fence, with a further area of amenity space being provided to the south of the access road.
- 3.7 Plot 1 would be a two-storey five bedroom property. The front elevation would contain two two-storey projecting gables, with the main entrance being located between these. The west elevation, which would be visible from the C1016, would contain a chimney and a number of windows to add visual interest. The dwelling would have an integral single garage and parking for further four cars within the plot. The dwelling would have

gardens to the side and rear.

- 3.8 Plot 2 would be a four-bedroom property. It would have a two-storey projecting gable to the front elevation. A single garage would be attached to the dwelling and this would have a pitched roof dormer window in the front facing roofslope. Three car parking spaces would be provided to the front of the dwelling, together with a garden area, with a larger garden being provided to the rear.
- 3.9 Plots 3 and 4 would be four-bedroom properties. The front elevations would contain a two-storey projecting gable, which would be adjoined by a pitched roof that would contain two pitched roof dormer windows. The dwellings would have an integral single garage, with three further parking spaces being provided to the front of the properties. A small garden would be provided to the front of the dwellings, with larger gardens being provided to the rear.
- 3.10 Plot 5, which would be located at the eastern end of the development, would be a two-storey five bedroom dwelling. The front elevation would contain a two-storey projecting gable and a single-storey pitched roof porch. The dwelling would have a detached double garage that would be located to the front of the dwelling, adjacent to the turning head. Four additional car parking spaces would be provided within the curtilage. The dwelling would have small garden areas to the front and eastern side, with a larger garden being provided to the rear.
- 3.11 All of the dwellings would be constructed of red multi clay facing brickwork, with artstone sills and heads, under smooth grey interlocking concrete tiled roofs. Windows would be anthracite grey UPVC, with doors being dark grey. Dormer windows would be formed from cladding panels with a smooth white render finish. Front boundaries would largely be 1.2m high brick walls, with 1.8m high close boarded fences separating the back gardens. Driveways would be constructed of permeable materials.
- 3.12 All of the existing trees along the northern and southern site boundaries would be retained. Some trees on the western site boundary would be retained, but some would need to be removed to facilitate the new access road into the development and to provide appropriate visibility splays. Small sections of beech hedgerow would be planted within the gardens of Plots 1, 2, 3 and 5, with some new Rowan trees being planted within plots 1 and 2 and within the amenity area that is being provided to the south of the access road.

#### **4. Summary of Representations**

- 4.1 This application has been advertised by means of a site notice and notification letters sent to 17 neighbouring properties. In response, 3 letters of objection have been received and these raise the following concerns:
- the access is extremely dangerous - would not want to be someone who

knew the area and didn't object, if subsequently an accident were to occur;

- don't think that the application should be passed due to the horrendously dangerous access issue;
- the access is not safe - it is on an already dangerous dip in the road, on a corner, next to a school - if the development is to happen another access route would need to be considered;
- those entering the site from the village side would be pulling over a blind corner;
- road users passing the entrance will be put most at risk by drivers approaching from the north pulling over at the sign of a vehicle exiting - this would possibly put them on collision course with other road users approaching from the opposite direction;
- a small development of quality houses such as this would be good for the village, and apart from the access would welcome it;
- there is an existing parking issue during school pick up and drop off- part of the application should include parking for parents;
- the applicant should not be allowed to subsequently increase the number of units;
- council need to ensure that the design of the drainage will actually work.

The development has the potential to exacerbate existing problems downstream of the adjacent beck, and water should be allowed to enter this beck extremely slowly, otherwise properties downstream are likely to be flooded;

- the attenuation tank proposal is not adequate to deal with the volume of water that need to be discharged into the stream - this stream is already massively over capacity and regularly floods;
- the stream into which it is proposed to drain is already at over capacity during wet periods - a require attenuation facility is required;
- the materials proposed are out of keeping with the rest of the village;
- the developer claims to be attempting to build houses in empathy with the traditional houses in the village. However the drawings show that the developer intends to use grey concrete roof tiles. Whilst there are some houses in the village that utilise these horrible materials, all of the traditional and older houses in the village use slates. New houses in School Lane have used slates and the four bungalows currently being built in Lonning Foot are using slates - urge the council to insist that the developer uses slates for the roof and not awful grey concrete tiles;
- note that the footpath out of the development does not extend beyond the development. Given that the same body owns the site and the adjacent school, surely they could find a way to install a footpath from the development to link to the existing footpath at the school - the planners should insist on this - these appear to be family homes and children are likely to be using the route to school. It is a dangerous corner and a footpath is vital;
- need a footpath link to the entrance to the school;
- the development could lead to further residential development in the field beyond which would put more pressure on the entrance.

## **5. Summary of Consultation Responses**

**Cumbria County Council - (Highways & Lead Local Flood Authority): - no**



objections;

**Rockcliffe Parish Council:** - any developments will have a serious reservations about the surface area due to flooding in that area and the surrounding area; reservation to access turning right into the site; any development on the field should provide a footpath to meet the present path outside the school; consideration should be given to the roof, slate is on the surrounding properties;

**Historic England - North West Office:** - no comments received;

**Local Environment, Waste Services:** - no objection - layout looks acceptable and the applicants have shown how waste collection vehicles;

**Planning - Access Officer:** - no objections;

**United Utilities:** - previously commented on the outline application. The submitted proposed surface water drainage layout proposing surface water discharging into the ditch is acceptable in principle.

## **6. Officer's Report**

### **Assessment**

- 6.1 Section 70(2) of the Town and Country Planning Act 1990/Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that an application for planning permission is determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.
- 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, SP6, HO2, HO4, GI3, GI6, CC5, IP3, IP6 and CM4 of the Carlisle District Local Plan 2015-2030. The Supplementary Planning Documents Achieving Well Designed Housing and Trees and Development are also material planning considerations.
- 6.3 The proposal raises the following planning issues.
1. Whether The Layout, Scale And Appearance Of The Dwellings Would Be Acceptable
- 6.4 The proposed layout is very similar to that shown on the indicative plans that were submitted with the outline application. Five detached dwellings are proposed and these would be served by a new road that would connect to the C1016. The road would run along the southern boundary of the site and would connect to a turning head at the eastern end of the site. Four visitor parking bays would be provided on the southern site of the new access road. An area of amenity space would be provided at the western end of the site, adjacent to the C1016, and this would be enclosed by a 1.2m high timber post and rail fence, with a further area of amenity space being provided to the south of the access road.
- 6.5 Plot 1 would be a two-storey five bedroom property with a ridge height of 8m. The front elevation would contain two two-storey projecting gables, with the main entrance being located between these. The west elevation, which

would be visible from the C1016, would contain a chimney and a number of windows to add visual interest. The dwelling would have an integral single garage and parking for further four cars within the plot. The dwelling would have gardens to the side and rear.

- 6.6 Plot 2 would be a four-bedroom property, with a ridge height of 8m. It would have a two-storey projecting gable to the front elevation. A single garage would be attached to the dwelling and this would have a pitched roof dormer window in the front facing roofslope. Three car parking spaces would be provided to the front of the dwelling, together with a garden area, with a larger garden being provided to the rear.
- 6.7 Plots 3 and 4 would be four-bedroom properties, with ridge heights of 7.8m. The front elevations would contain a two-storey projecting gable, which would be adjoined by a pitched roof that would contain two pitched roof dormer windows. The dwellings would have an integral single garage, with three further parking spaces being provided to the front of the properties. A small garden would be provided to the front of the dwellings, with larger gardens being provided to the rear.
- 6.8 Plot 5, which would be located at the eastern end of the development, would be a two-storey five bedroom dwelling, with a ridge height of 7.8m. The front elevation would contain a two-storey projecting gable and a single-storey pitched roof porch. The dwelling would have a detached double garage that would be located to the front of the dwelling, adjacent to the turning head. Four additional car parking spaces would be provided within the curtilage. The dwelling would have small garden areas to the front and eastern side, with a larger garden being provided to the rear.
- 6.9 All of the dwellings would be constructed of red multi clay facing brickwork, with artstone sills and heads, under smooth grey interlocking concrete tiled roofs. Windows would be anthracite grey UPVC, with doors being dark grey. Dormer windows would be formed from cladding panels with a smooth white render finish. Front boundaries would largely be 1.2m high brick walls, with 1.8m high close boarded fences separating the back gardens. Driveways would be constructed of permeable materials.
- 6.10 The proposal would provide different house types, which would incorporate a range of features to provide variety and improve the visual appearance of the dwellings. The proposed materials would be acceptable, with bricks and tiles being common throughout the village. Whilst objectors and the Parish Council have raised concerns about the use of tiles, tiles with a thin leading edge would not be inappropriate. A condition is attached to the outline permission which requires samples or full details of all materials to be used on the exterior to be submitted to the LPA for approval before any work is commenced. The exact details of the proposed bricks and tiles, therefore, still need to be approved.

## 2. Whether The Proposed Access Would Be Acceptable

- 6.11 A number of objectors and the Parish Council have raised concerns about

the proposed access to the site from the C1016. Whilst access was a Reserved Matter in the outline planning application, the principle of accessing the site from the C1016 has been established by the granting of the outline permission.

- 6.12 The Highways Authority has been consulted on the application. The vehicular access to the proposed development is taken from the southwest of the site from the C1016. Visibility splays of 2.4m x 87m are required for this junction which have been demonstrated to be achievable within the submitted plans. The access into the development has a 6m radii with a footway either side of the junction which is 2m in width connecting into the development site. The width of the access road is 5.5m and meets the requirements set out within the Cumbria Development Design Guide.
- 6.13 With regards to the internal layout of the development site, there is a 2m footway which flows throughout the site connecting all five dwellings to the C1016. As the development comprises of five, four/ five-bedroom dwellings it is expected as part of the Cumbria Development Design Guide that three car parking spaces are provided for a four-bedroom dwelling, and four car parking spaces for a five-bedroom dwelling. Each car parking space is to be 2.6m x 5m.
- 6.14 Further to the Highways Authority's initial response, which highlighted that the Proposed Site Layout did not illustrate the number of car parking spaces available per property, the applicant has submitted a series of revised site layout plans. The car parking provision associated with all of the plots is included within the revised site layout plan and it illustrates that sufficient car parking is available within the curtilage of each plot in accordance with the Cumbria Development Design Guide.
- 6.15 Objectors and the Parish Council consider that a footpath should be provided from the site to link into the existing footpath to the front of the school. Given that the proposal is only for five dwellings, the Highways Authority does not consider that this footpath is necessary and has not requested funding for this footpath.
- 6.16 Therefore, to conclude the Local Highways Authority has no objections with regards to the approval of the Reserved Matters application.

### 3. Whether The Proposed Landscaping Would Be Acceptable

- 6.17 All of the existing trees along the northern and southern site boundaries would be retained, with some trees on the western site boundary being retained. Some trees along the western site boundary, adjacent to the C1016, would need to be removed to facilitate the new access road into the development and the provision of suitable visibility splays.
- 6.18 Small sections of beech hedgerow would be planted within the gardens of plots 1, 2, 3 and 5, with two Rowan trees also being planted in the front gardens of plots 1 and 2. Two further Rowan trees would also be planted in the amenity space that is to be provided to the south of the access road.

6.19 In light of the above, the proposed landscaping would be acceptable.

#### 4. Impact Of The Proposal On The Living Conditions Of The Occupiers Of Any Neighbouring Properties

6.20 Ordnance Cottage, which fronts onto the C1016, is located to the west of the application site. Plot 1 would be the nearest dwelling to Ordnance Cottage and this would be a minimum of 35m away and would not directly face the existing dwelling. In light of the above, the proposal would not have an adverse impact on the occupiers of any neighbouring properties through loss of light, loss of privacy or over-dominance.

#### 5. Flooding & Drainage Issues

6.21 A number of objectors and the Parish Council have raised concerns that the development could increase flood risk in the village. This is a Reserved Matters application which is only dealing with layout, scale, appearance, landscaping and access. The outline permission contained a condition which required the applicant to submit details of the proposed surface water drainage scheme. These details having recently been provided (application 20/0092) and the Lead Local Flood Authority was consulted on the details. It confirmed that the proposed drainage scheme was acceptable and the drainage condition that was attached to the outline permission has, therefore, been discharged in part (the surface water drainage scheme will need to be implemented in accordance with the approved details).

#### 6. Other Matters

6.22 There are a number of conditions on the outline planning permission which still need to be discharged. This will be done through a subsequent discharge of conditions application and the relevant statutory consultees will be consulted.

### **Conclusion**

6.23 In conclusion, the principle of development on this site has been established by the earlier outline permission. The layout, scale, appearance, access and landscaping of the proposed development would be acceptable. The proposal would not have a adverse impact on the occupiers of any neighbouring properties through loss of light, loss of privacy or over-dominance. In all aspects, the proposals are compliant with the objectives of the relevant adopted Local Plan policies.

## **7. Planning History**

4.1 In February 2015, an outline application for residential development on this site was refused (13/0776).

4.2 In May 2015, outline planning permission was granted for residential

development (15/0350).

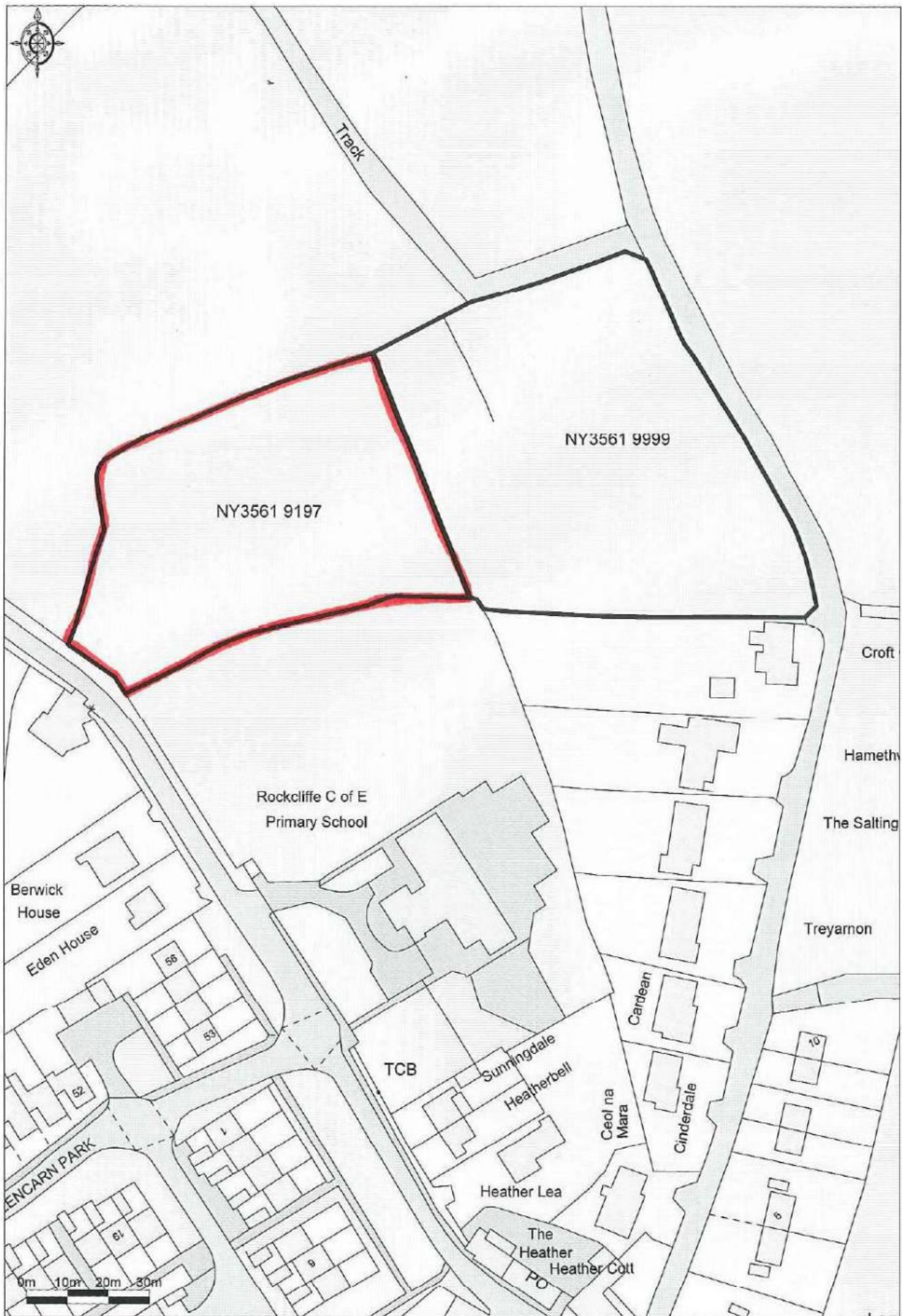
- 4.3 In February 2017, an outline application was approved for residential development (16/1038).
- 4.4 In February 2020, an application was approved for variation of condition 14 of previously approved permission 16/1038 (residential development (outline/revised application) to alter width and details of C1016 carriageway (19/0923).

## **8. Recommendation: Grant Permission**

- 1. The development shall be undertaken in strict accordance with the approved documents for this Reserved Matters application which comprise:
  - 1. the submitted planning application form, received 11th February 2020;
  - 2. Compliance, Design and Access Statement, received 11th February 2020;
  - 3. Location Plan, received 11th February 2020;
  - 4. Proposed Site Layout (Dwg No. 448911/06 Rev A), received 16th March 2020;
  - 5. Proposed Plot 1 (Dwg No. 448911/01), received 16th March 2020;
  - 6. Proposed Plot 2 (Dwg No. 448911/02), received 11th February 2020;
  - 7. Proposed Plot 3 (Dwg No. 448911/03), received 11th February 2020;
  - 8. Proposed Plot 4 (Dwg No. 448911/04), received 11th February 2020;
  - 9. Proposed Plot 5 (Dwg No. 448911/05), received 11th February 2020;
  - 10. Proposed Double Garage (Plot 5) (Dwg No. 448911/07 Rev A), received 16th March 2020;
  - 11. the Notice of Decision; and
  - 12. any such variation as may subsequently be approved in writing by the Local Planning Authority.

**Reason:** To define the permission.

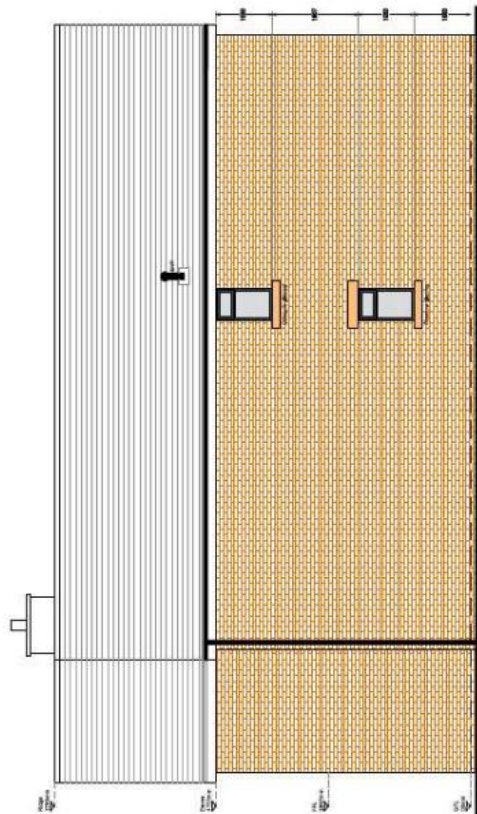
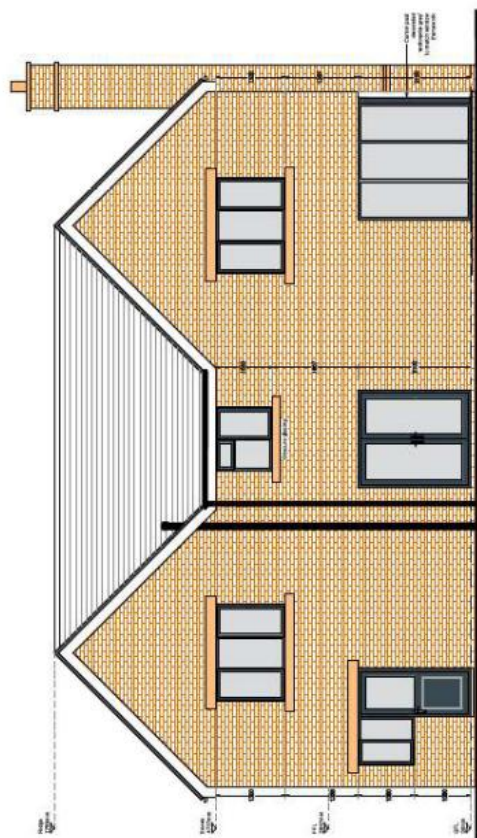
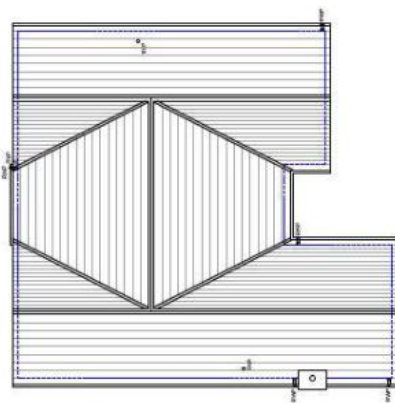
- 2. In discharge of requirements for the submission of detailed particulars of the proposed development imposed by condition 2 attached to the outline planning consent to develop the site.





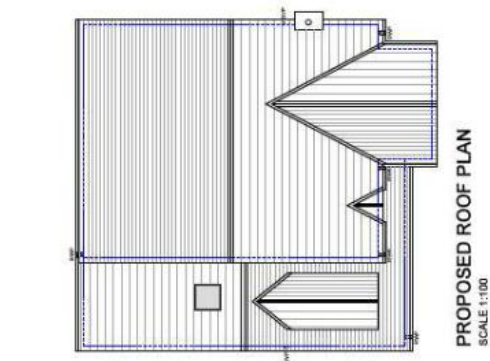




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PROJECT NAME	REF	NOTES / CHANGES BY	DATE
Development and Construction of a 252m <sup>2</sup> Primary School	A	Approved (perpetrator) North Devon Innovation report	10/05/2020
North Devon Innovation report	A	Approved (perpetrator) North Devon Innovation report	10/05/2020
Planning	A	Approved (perpetrator) North Devon Innovation report	10/05/2020
Construction	A	Approved (perpetrator) North Devon Innovation report	10/05/2020
RT	A	Approved (perpetrator) North Devon Innovation report	10/05/2020
Combiner County Council	A	Approved (perpetrator) North Devon Innovation report	10/05/2020
Internal Floor Area 252m <sup>2</sup>	A	Approved (perpetrator) North Devon Innovation report	10/05/2020





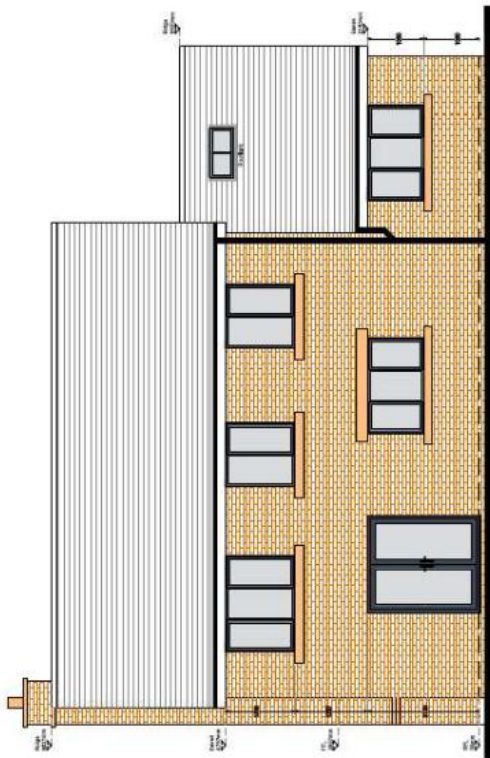
PROPOSED ROOF PLAN  
SCALE 1:100



PROPOSED FIRST FLOOR PLAN  
SCALE 1:100



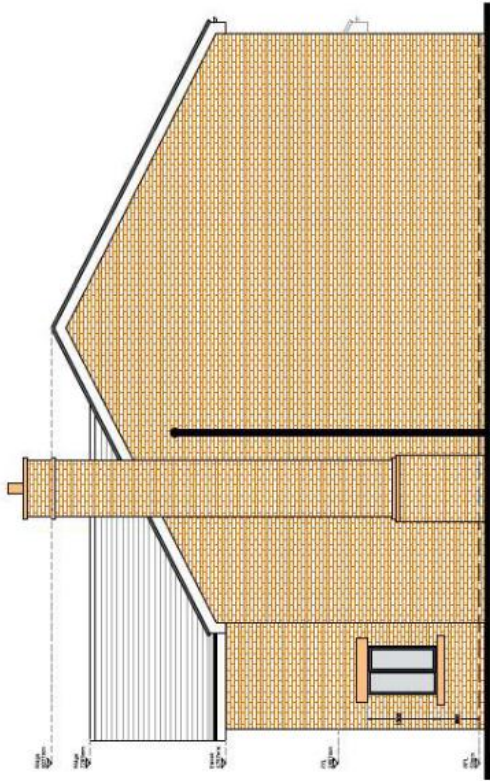
PROPOSED GROUND FLOOR PLAN  
SCALE 1:100



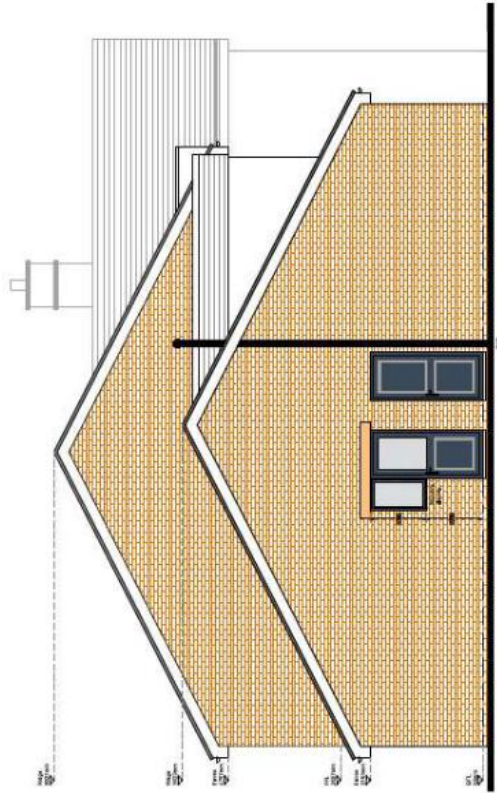
PROPOSED NORTH ELEVATION  
SCALE 1:50



PROPOSED SOUTH ELEVATION  
SCALE 1:50



PROPOSED EAST ELEVATION  
SCALE 1:50



PROPOSED WEST ELEVATION  
SCALE 1:50

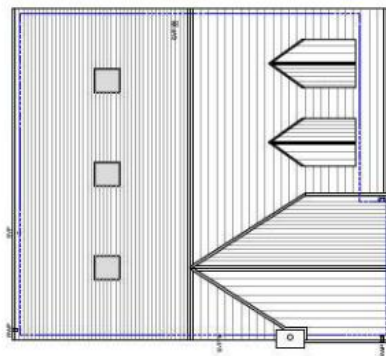
Proposed Building Materials	
<p><b>Roof</b> Pitched roof covered with 40/20/20 Gutter with existing half round ridge line and 1/2" x 1/2" x 1/2" application. Lead where necessary and lead flashing. Weather stripping applied to all external doors.</p> <p><b>External Cladding</b> Solid brickwork and solid brickwork (Brick) with semi-glazed pattern and matching windows and doors as follows shown on plan.</p> <p><b>Windows</b> 1/2" x 1/2" x 1/2" solid glass (Glass) to match appearance of existing goods.</p> <p><b>Doors</b> 1/2" x 1/2" x 1/2" solid glass (Glass) to match appearance of existing goods.</p> <p><b>Chimney</b> As above and lead to chimney as shown on elevation. Chimney leading to chimney pots as shown on elevation with chimney pot to match.</p> <p>Chimney located from existing chimney with smooth weather brick finish.</p>	<p><b>Internal</b> 40/20/20 Gutter covered exterior with 40/20/20 Gutter. New to elevation for exterior style and location of chimney glass.</p> <p><b>Conservatory</b> Conservatory style rooflight by 'The Rooflight Company'.</p> <p><b>South Elevation</b> Composite exterior door (Dark Grey) with glazing to upper half and solid glass (Glass) to lower half. Solid glass (Glass) to lower half and solid glass (Glass) to lower half.</p> <p><b>West Elevation</b> 1/2" x 1/2" x 1/2" Composite exterior door (Dark Grey) with glazing to upper half and solid glass (Glass) to lower half.</p> <p><b>North Elevation</b> 1/2" x 1/2" x 1/2" Composite exterior door (Dark Grey) with glazing to upper half and solid glass (Glass) to lower half.</p> <p>Conservatory located across the garden and (Internal glass).</p>

**PLOT 2**  
**Two Storey, 4 Bedroom House**  
**Internal Floor Area 220m<sup>2</sup>**

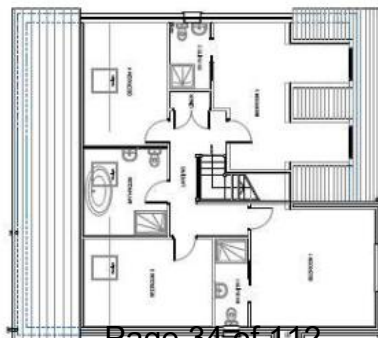
Project Name	Project Number	Project Date	Project Status
North of Housfield Primary School	448811/02	2022	Approved
Plot 2, 220m <sup>2</sup>	1:50/100BAL	1:50/100BAL	1:50/100BAL
Cumbria County Council	1:50/100BAL	1:50/100BAL	1:50/100BAL



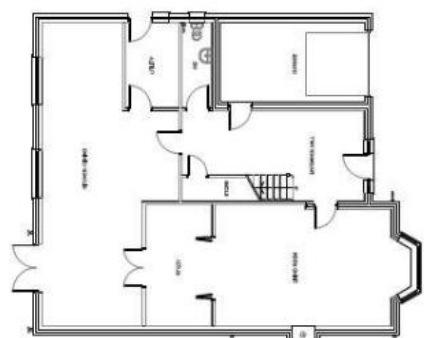




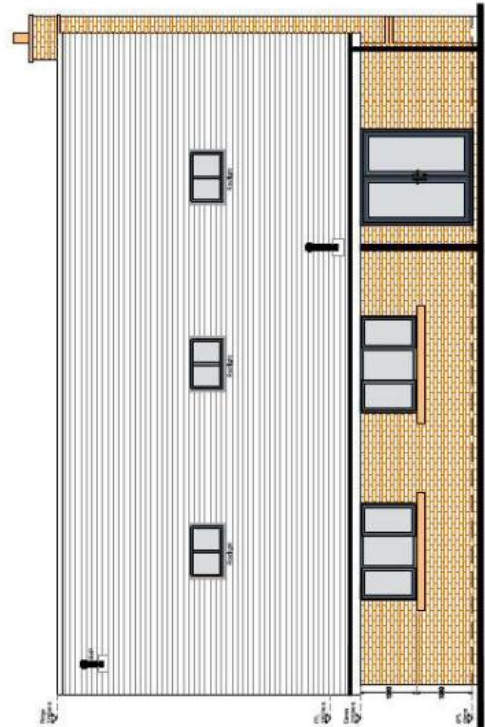
PROPOSED ROOF PLAN  
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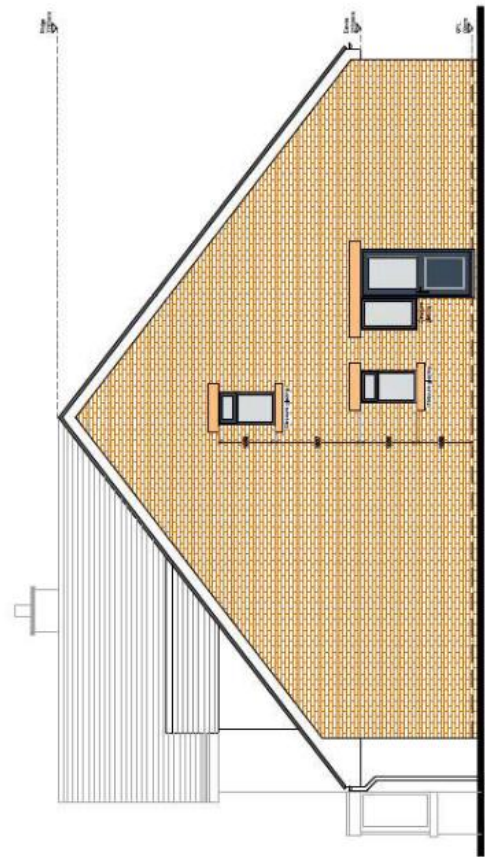
PROPOSED FIRST FLOOR PLAN  
SCALE 1:100



PROPOSED GROUND FLOOR PLAN  
SCALE 1:100



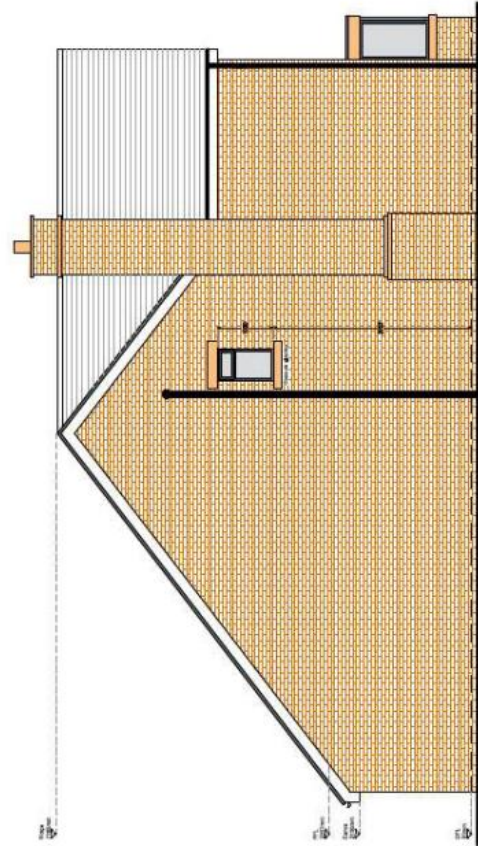
PROPOSED NORTH ELEVATION  
SCALE 1:50



PROPOSED EAST ELEVATION  
SCALE 1:50



PROPOSED SOUTH ELEVATION  
SCALE 1:50



PROPOSED WEST ELEVATION  
SCALE 1:50

#### Proposed Building Materials

**Roof**  
Pitched roof, concrete roof tiles (Shedding Grey) with existing half round ridge tiles and PV-type application. Lead where necessary and lead flashings. Flashings and gutters to be replaced with new materials.

**External Walls**  
L and H wall to be replaced with new materials.

**Internal Walls**  
Internal walls to be replaced with new materials.

**Windows**  
New windows to be installed in existing frames.

**Doors**  
New doors to be installed in existing frames.

**Stairs**  
New stairs to be installed in existing frames.

**Floors**  
New floors to be installed in existing frames.

**Roofs**  
New roofs to be installed in existing frames.

**Chimneys**  
New chimneys to be installed in existing frames.

**Other**  
Other materials to be installed in existing frames.

**Roofs**  
Pitched roof, concrete roof tiles (Shedding Grey) with existing half round ridge tiles and PV-type application. Lead where necessary and lead flashings. Flashings and gutters to be replaced with new materials.

**External Walls**  
L and H wall to be replaced with new materials.

**Internal Walls**  
Internal walls to be replaced with new materials.

**Windows**  
New windows to be installed in existing frames.

**Doors**  
New doors to be installed in existing frames.

**Stairs**  
New stairs to be installed in existing frames.

**Floors**  
New floors to be installed in existing frames.

**Roofs**  
New roofs to be installed in existing frames.

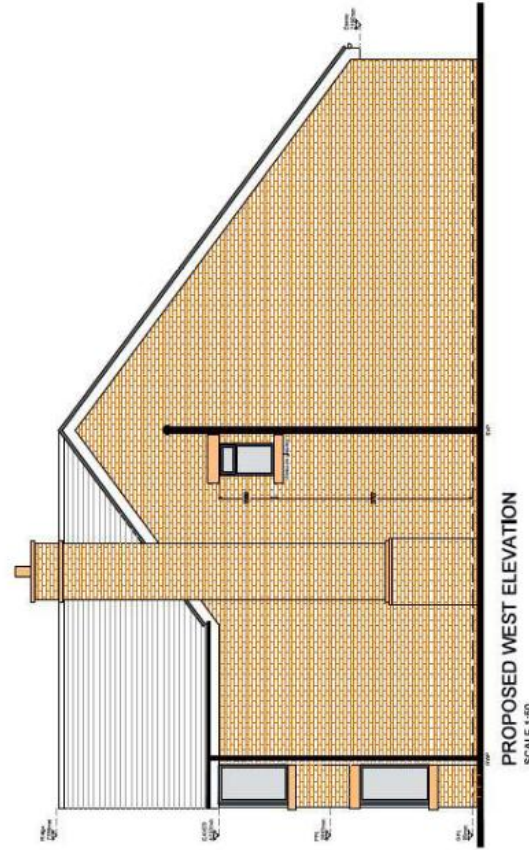
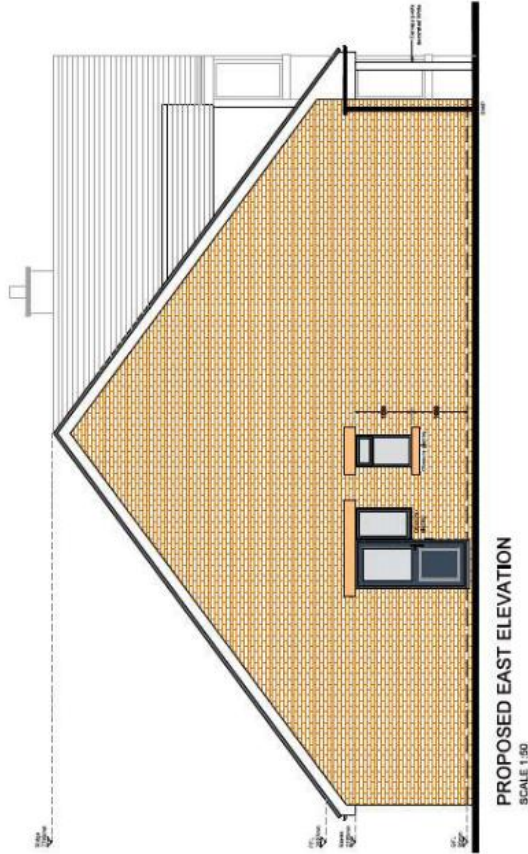
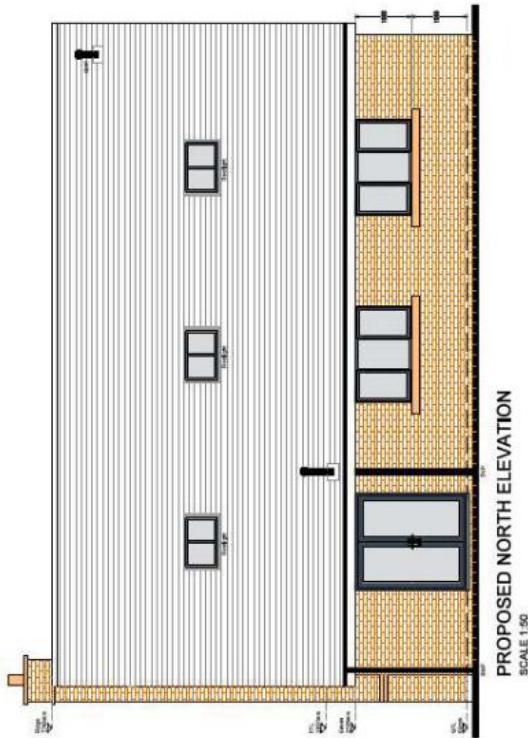
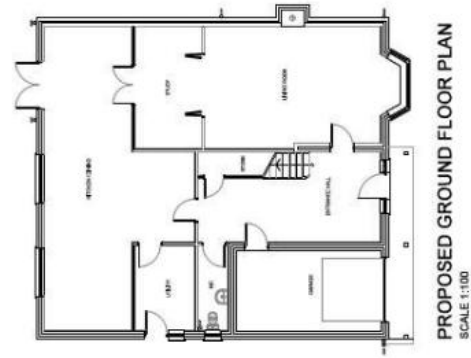
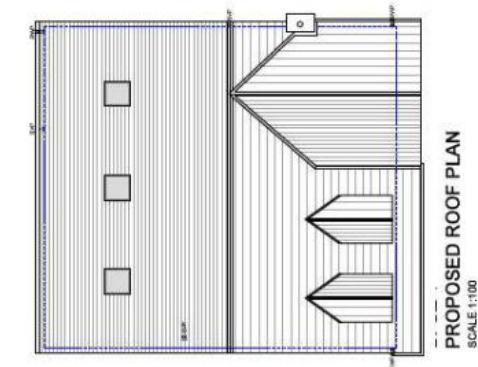
**Chimneys**  
New chimneys to be installed in existing frames.

**Other**  
Other materials to be installed in existing frames.

**PLOT 3**  
**Two Storey, 4 Bedroom House**  
**Internal Floor Area 220m<sup>2</sup>**

Project Name	North of Housfield Primary School
Client	North of Housfield Primary School
Location	Cumbria County Council
Project No.	448811/03
Scale	1:50/100BAL
Date	19/10/19
Drawn by	19/10/19
Checked by	19/10/19
Approved by	19/10/19



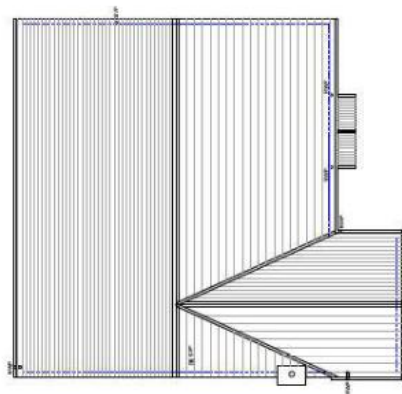


Proposed Building Materials	
<b>Roof</b> Pitching concrete roof (to South) with existing half round ridge tile and Pyralis application. Lead where necessary and lead flashing. Weathered steel eaves, 100mm x 100mm x 10mm.	<b>Windows</b> UPVC double glazed casement windows (white) with black frames. UPVC double glazed casement windows (white) with black frames. UPVC double glazed casement windows (white) with black frames.
<b>External Walls</b> Subsided facade and soft to touch decorative finish. 100mm x 100mm x 10mm. 100mm x 100mm x 10mm. 100mm x 100mm x 10mm.	<b>Internal Walls</b> UPVC double glazed casement windows (white) with black frames. UPVC double glazed casement windows (white) with black frames. UPVC double glazed casement windows (white) with black frames.
<b>Roofing</b> Pitching concrete roof (to South) with existing half round ridge tile and Pyralis application. Lead where necessary and lead flashing. Weathered steel eaves, 100mm x 100mm x 10mm.	<b>Roofing</b> Pitching concrete roof (to South) with existing half round ridge tile and Pyralis application. Lead where necessary and lead flashing. Weathered steel eaves, 100mm x 100mm x 10mm.
<b>Roofing</b> Pitching concrete roof (to South) with existing half round ridge tile and Pyralis application. Lead where necessary and lead flashing. Weathered steel eaves, 100mm x 100mm x 10mm.	<b>Roofing</b> Pitching concrete roof (to South) with existing half round ridge tile and Pyralis application. Lead where necessary and lead flashing. Weathered steel eaves, 100mm x 100mm x 10mm.

**PLOT 4**  
**Two Storey, 4 Bedroom House**  
**Internal Floor Area 230m<sup>2</sup>**

Project Name	Project Ref	Project Date	Project Ref
North of Housfield Primary School	448811/04	11/01/2024	11/01/2024
Plot 4, 448811/04	448811/04	11/01/2024	11/01/2024
Cumbria County Council	11/01/2024	11/01/2024	11/01/2024
11/01/2024	11/01/2024	11/01/2024	11/01/2024





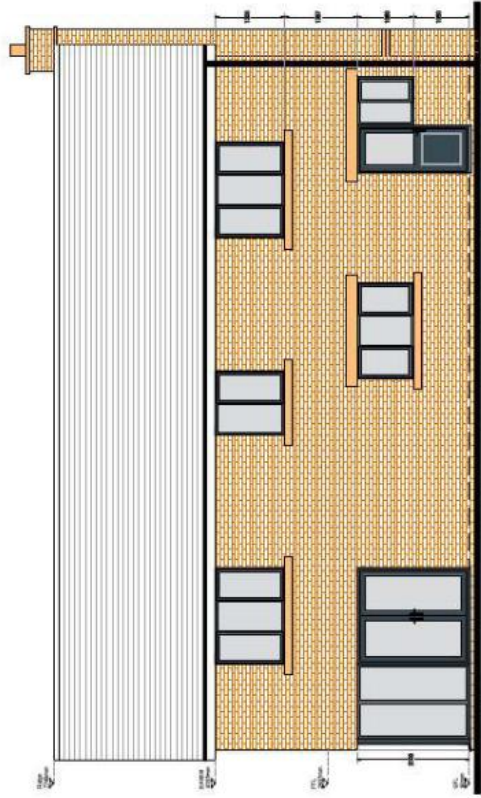
PROPOSED ROOF PLAN  
SCALE 1:100



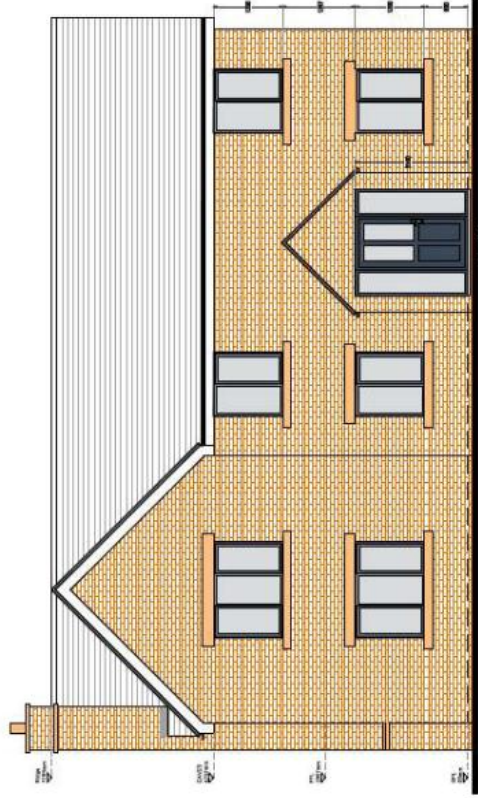
PROPOSED FIRST FLOOR PLAN  
SCALE 1:100



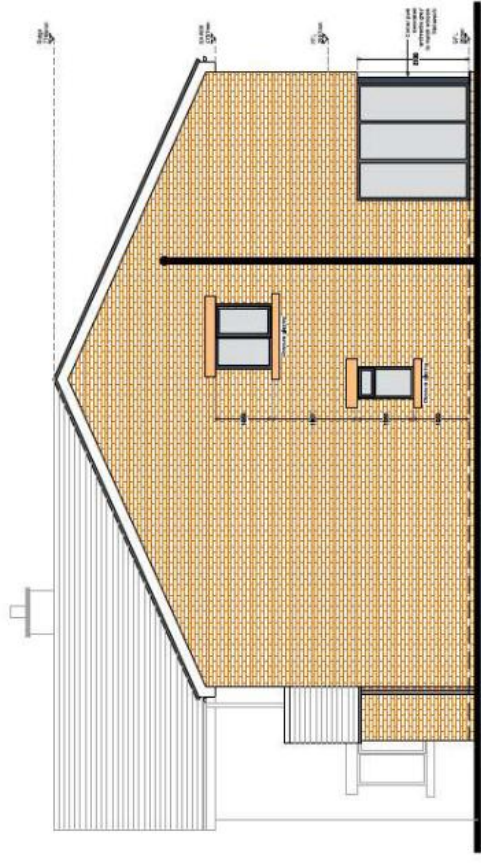
PROPOSED GROUND FLOOR PLAN  
SCALE 1:100



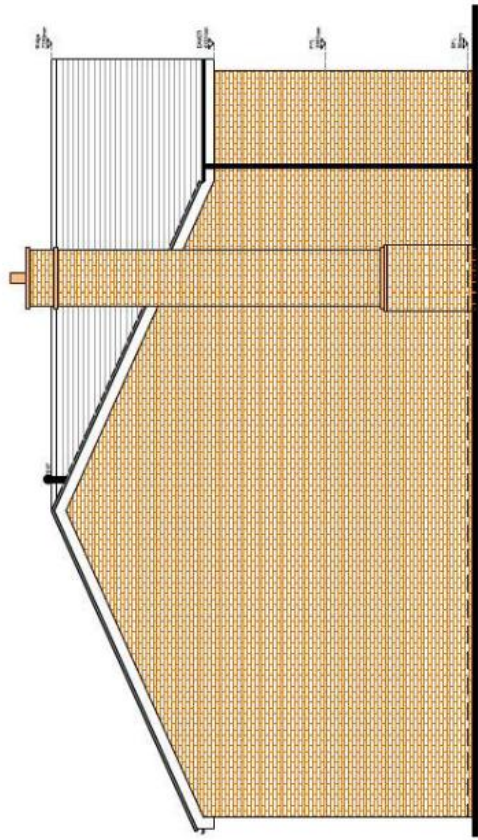
PROPOSED NORTH ELEVATION  
SCALE 1:50



PROPOSED SOUTH ELEVATION  
SCALE 1:50



PROPOSED EAST ELEVATION  
SCALE 1:50



PROPOSED WEST ELEVATION  
SCALE 1:50

**Proposed Building Materials**

**Roof**  
Pitched, concrete roof (to Council Order) with matching half round ridge line and dry verge application. Lead valleys between eaves, chimney and half battens. Weathering tiles (to Council Order).

**External Walls**  
Semi-external walls and soft boards decorated white.

**Windows**  
UPVC double glazed casement windows with Anthracite Grey. New to elevation for window edge line and location of decorative glazing.

**Doors**  
Black UPVC double glazed front and rear entrance doors (to Council Order).

**Roofline**  
Black UPVC double glazed front and rear entrance doors (to Council Order).

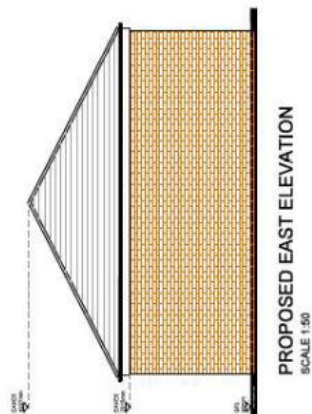
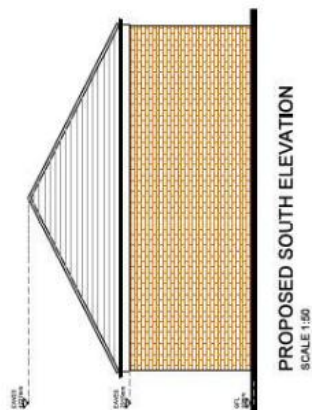
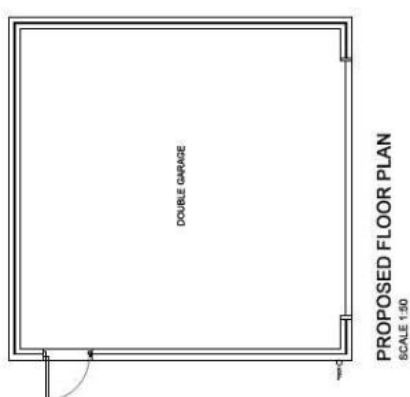
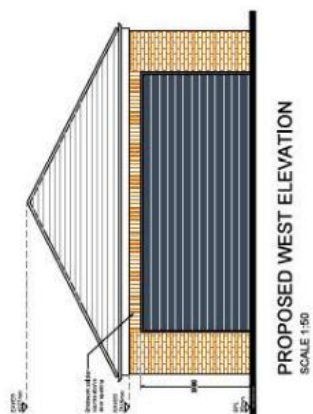
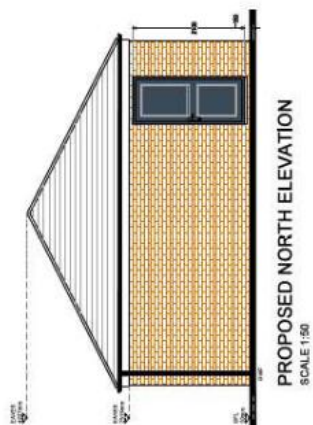
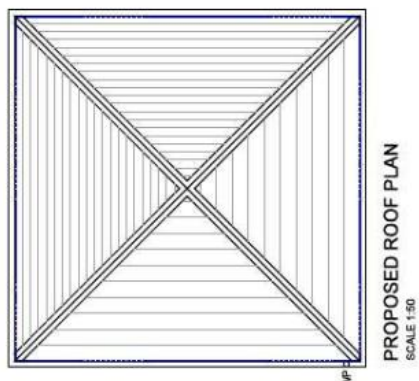
**Internal Walls**  
North East Chamber - Plasterboard with corner glazing arrangement (UPVC double glazed Anthracite Grey). Supporting corner post decorated Anthracite Grey to match windows.

**Roofline**  
Roofline external door window and decorative glazing.

**PLOT 5**  
**Two Storey, 5 Bedroom House**  
**Internal Floor Area 290m<sup>2</sup>**

Project Name	North of Doncaster Primary School
Client	Doncaster City Council
Address	Plot 5, 1.50/1000A1
Area	290m <sup>2</sup>
Scale	1:50
Drawn by	444811/005
Checked by	444811/005
Approved by	444811/005
Drawn by	444811/005
Checked by	444811/005
Approved by	444811/005
Drawn by	444811/005
Checked by	444811/005
Approved by	444811/005



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## SCHEDULE A: Applications with Recommendation

20/0081

Item No: 02

Date of Committee: 19/06/2020

**Appn Ref No:**  
20/0081

**Applicant:**  
Mr M Lund & Miss E Paton

**Parish:**  
Stanwix Rural

**Agent:**  
Aditus Architectural  
Services Limited

**Ward:**  
Stanwix & Houghton

**Location:** Land to the rear of 28 Beech Grove, Houghton, Carlisle, CA3 0NU

**Proposal:** Erection Of Detached Dwelling And Garage Together With Associated Access And Landscaping

**Date of Receipt:**  
06/02/2020 17:00:43

**Statutory Expiry Date**  
02/04/2020 17:00:43

**26 Week Determination**  
22/06/2020

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### REPORT

**Case Officer:** Barbara Percival

#### 1. Recommendation

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

#### 2. Main Issues

- 2.1 Principle of development
- 2.2 Impact of the proposal on the character of the area
- 2.3 Whether the scale and design of the dwelling is acceptable
- 2.4 Impact of the proposal on the living conditions of neighbouring residents
- 2.5 Impact of the proposal on highway safety
- 2.6 Proposed methods for the disposal of foul and surface water drainage
- 2.7 Impact of the proposal on existing trees and hedgerows
- 2.8 Impact of the proposal on biodiversity
- 2.9 Other matters

#### 3. Application Details

##### The Site

- 3.1 Number 28 Beech Grove is a detached property located at the head of a

cul-de-sac. The application site, equating to approximately 0.18 hectares, comprises of part of a paddock located to the rear of 28 Beech Grove. A wooden stable is located in the south western corner of the paddock.

- 3.2 The northern, southern and eastern boundaries of the paddock are enclosed by mature hedgerows with hedgerow trees. A post and rail fence together with a field access gate delineates the domestic curtilage of 28 Beech Grove from the application site. Residential properties are located adjacent to its northern, southern and western boundaries with open fields beyond its eastern boundary.
- 3.3 The topography of the land is such that the application site gently slopes from west to east.

### **The Proposal**

- 3.4 The application seeks full planning permission for the erection of a 'L-shaped' single storey dwelling and detached double garage in the north western corner of the paddock. The measurements and accommodation of the proposed dwelling are as follows:

maximum 16.5 metres in length by a maximum width of 19.185 metres with a Ridge height of 6 metres. The accommodation would comprise of a kitchen, utility, living room, vestibule, cloakroom, master bedroom, 2no. bedrooms, 1no. bedroom/study, shower room and bathroom. The detached double garage located to the west of the proposed dwelling would be 6.55 metres long by 6.56 metres wide with a ridge height of 5.3 metres.

- 3.5 The proposed walling materials for the dwellings are a combination of facing bricks and render. The roofs would be finished in concrete roof tiles. Window frames and doors would be dark grey pvc/composite.
- 3.6 The submitted drawing illustrates the retention of the existing hedgerow along the northern, southern and eastern boundaries of the site. The existing vehicular access currently serving 28 Beech Grove and the paddock would be altered to facilitate access to both the existing and proposed dwellings together with the remaining paddock area.

## **4. Summary of Representations**

- 4.1 This application has been advertised by the direct notification of the occupiers of seven neighbouring properties and the posting of a site notice. No verbal or written representations have been made during the consultation period.

## **5. Summary of Consultation Responses**

**Cumbria County Council - (Highways & Lead Local Flood Authority):** - the infiltration tests undertaken rule out soakaways as a valid method of surface water disposal and the next logical place to discharge surface water is into the watercourse. The calculations are acceptable and show there is



sufficient storage on site to accommodate a 1 in 100 year plus 40% to account for climate change storm event without increasing flood risk. The discharge rate of 1l/s restricted through a hydrobrake is also acceptable as it mimics the greenfield runoff rate for the site. The applicant has submitted the drainage information regarding the proposed development which illustrates that sufficient treatment (gullies and underground attenuation) of the surface water is provided prior to the discharge into the ordinary watercourse. Therefore it would not be appropriate to ask for an interceptor for this application as the drainage layout meets the requirements set out within the Cumbria Development Design Guide.

In respect of highway safety there are no objections subject to the imposition of a conditions. The recommended conditions require: a construction phase traffic management plan; access drive to be surfaced in bituminous or cement bound materials; no access or egress from the site other than by the approved access; access and parking/turning requirements to be substantially met prior to any building works commencing; and no occupation of the dwelling until access/parking requirements have been constructed;

**Stanwix Rural Parish Council:** - recommends refusal of the application. In summary, the objections appear to centre on: scale and design; are of the opinion that application should be assessed against Policy HO3 of the local plan as land is an extended garden not a paddock; detrimental impact on the living conditions of neighbouring properties during construction phase; impact of the proposal on the future occupiers of existing dwelling; and questions acceptability of access on highway safety grounds due to suitability of access roads and existing parking problems within vicinity.

The Parish Council is, however, aware that consent for such tandem development has precedent in the area and should consent be forthcoming robust conditioning should be imposed in order to protect the quality of life and the safety of local residents. Conditions should: restrict if at all possible in law the permitted length and weight of construction vehicles accessing the site; limit the hours of work with no weekend or public holiday working; protect trees and hedges especially during the bird nesting season; limit noise, dust and other nuisance during construction; and require the provision of appropriate interception of contaminants prior to entering drainage to soakaway;

**Northern Gas Networks:** - no objections to the proposals, however, there may be apparatus in the area that may be at risk during construction works and should the planning application be approved, then it is required that the promoter of these works to contact Northern Gas Networks directly to discuss their requirements in detail. Should diversionary works be required these will be fully chargeable;

**United Utilities:** - no objections subject to imposition of a condition requiring foul and surface water drainage are drained on separate systems.

## **6. Officer's Report**

## Assessment

- 6.1 Section 70(2) of the Town and Country Planning Act 1990/Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that an application for planning permission is determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.
- 6.2 The relevant planning policies against which the application is required to be assessed is the National Planning Policy Framework (NPPF), the Planning Practice Guidance (PPG) and Policies SP2, SP6, HO2, IP3, IP4, IP6, CC5, CM5, GI1, GI3 and GI6 of the Carlisle District Local Plan 2015-2030. Other material considerations are Supplementary Planning Documents adopted by the City Council, in particular 'Achieving Well Designed Housing' and 'Trees and Development'.
- 6.3 The proposal raises the following planning issues:

### 1. Principle of development

- 6.4 Paragraph 11 of the NPPF outlines that: *"at the heart of the NPPF is a presumption in favour of sustainable development"*. Paragraph 78 expands by highlighting that: *"To promote sustainable development and in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby"*.
- 6.5 The aims of the NPPF is reiterated in Policy HO2 of the local plan which outlines that new housing development other than those allocated will be acceptable within or on the edge of Carlisle, Brampton, Longtown and in the rural areas provided that the development would not prejudice the delivery of the spatial strategy of the local plan and be focussed in sustainable locations subject to satisfying five criteria.
- 6.6 The application site is well contained within existing and proposed boundaries and adjoins the domestic curtilages of existing residential properties within Houghton. Houghton has a high level of services which consist of a village hall, school, church, post office and village store. Accordingly, Houghton is considered to be a sustainable location, therefore, the principle for the development of the site for housing is consistent with the objectives of the NPPF and Policy HO2 of the local plan.
- 6.7 In overall terms, the application site is well contained within existing landscape features, it is physically connected, and integrates with, the settlement, and would not lead to an unacceptable intrusion into open countryside. The development of one dwelling is of an appropriate scale for the village to accommodate and would not be considered a threat to the delivery of the local plan's spatial strategy. Any perceived visual impact the proposal may have would be mitigated through the retention and implementation of a landscaping scheme. Compliance with other criteria

within Policies HO2 of the local plan will be discussed in the relevant sections below.

- 6.8 In light of the foregoing, the site for housing is consistent with both the NPPF and local plan, the principle of development is acceptable.

## **2. Impact Of The Proposal On The Character Of The Area**

- 6.9 The Cumbria Landscape Character Guidance and Toolkit (March 2001) identifies that the site falls within the Cumbria Landscape Character Sub-Type 5b 'Low Farmland'. The toolkit advises that key characteristics of this landscape are: undulating and rolling topography; intensely farmed agricultural pasture dominates ; patchy areas of woodland provide contrast to the pasture; woodland is uncommon west towards the coast; fields are large and rectangular; hedges, hedgerow trees and fences bound fields and criss cross up and over the rolling landscape.
- 6.10 The application site forms part of a paddock located to the rear of 28 Beech Grove. The paddock has a wooden stable in its south western corner with its boundaries delineated by native hedgerows and mature trees. It is inevitable that the erection of a new dwelling within the paddock would have some visual impact on the landscape character of the area. In mitigation, the proposed dwelling would be well contained within existing landscape features utilising existing vehicular accesses. The proposed dwelling would be of single storey construction with the proposed palette of materials helping to soften any perceived visual impact. Furthermore, the dwelling would be viewed against the backdrop of the existing dwellings located along the application sites northern, southern and western boundaries. The proposal has also been so designed to achieve adequate amenity space and off-street parking to serve both the existing and proposed dwellings.
- 6.11 In light of the foregoing assessment, the proposal would respond to the local context and would not be disproportionate or obtrusive within the character of the streetscene.

## **3. Whether The Scale And Design Of The Dwelling Is Acceptable**

- 6.12 Policies seek to ensure that development proposals are appropriate in terms of quality to that of the surrounding area and that development proposals incorporate high standards of design including siting, scale, use of materials and landscaping which respect and, where possible, enhance the distinctive character of townscape and landscape. This theme is identified in Policies SP6 and HO2 of the local plan which requires that development proposals should also harmonise with the surrounding buildings respecting their form in relation to height, scale and massing, make use of appropriate materials and detailing and achieve adequate amenity space.
- 6.13 When assessing the character of the area, it is evident that there are a variety of properties of differing ages and styles within the immediate vicinity. The dwellings within Green Lane to the north of the application site are two storey. Whilst, those dwellings along the southern and western boundaries, Tribune

Drive and Beech Grove respectively, are single storey.

- 6.14 In overall terms, the scale and massing of the proposed dwelling would respond to the form of other dwellings within this part of Houghton and achieve adequate external space and in-curtilage parking provision to serve both the existing and proposed dwellings. The proposed palette of materials would also respect and harmonise with those of the adjacent properties. Furthermore, the retention of existing boundaries would also help to soften and blend the proposed dwelling into the landscape.

#### **4. Impact Of The Proposal On The Living Conditions Of Neighbouring Residents**

- 6.15 Development should be appropriate in terms of quality to that of the surrounding area and do not have an adverse impact on the living conditions of the occupiers of adjacent residential properties. The City Council's SPD 'Achieving Well Designed Housing' provides guidance as to minimum distances between primary windows in order to respect privacy and avoid overlooking i.e. 12 metres between primary windows and blank gables and 21 metres between primary windows.
- 6.16 The orientation of the dwelling would ensure that the minimum distances between primary windows to protect against loss of privacy as outlined in the SPD 'Achieving Well Designed Housing' would be exceeded. In respect of intensification of use, it is inevitable that any development proposals in an otherwise undeveloped area would lead to increased levels of traffic and noise; however, given that the proposal is for a single dwelling it would be difficult to substantiate a refusal of the application on this basis.
- 6.17 Existing and proposed landscaping would also mitigate for any perceived impact in respect of the unacceptable loss of light, overlooking or over-dominance of neighbouring properties. In overall terms, the siting, scale and design of the dwelling would not adversely affect the living conditions of the occupiers of the neighbouring properties by virtue of loss of privacy, over-dominance or intensification of use. To further protect the residential amenity of the occupiers of neighbouring properties from unacceptable noise during construction, a condition is recommended that would restrict construction hours.

#### **5. Impact Of The Proposal On Highway Safety**

- 6.18 The submitted drawings illustrate that there would be adequate in-curtilage parking provision to serve both the existing and proposed dwellings. The existing vehicular access serving 28 Beech Grove would also be altered to facilitate access to serve both the existing and proposed dwelling. The entrance into the development would be 4.1 metre wide access extending for 10 metres into the site. This is in line with the objectives of the Cumbria Design Guide which highlights: *"a carriageway width of 4100mm will allow light vehicles such as cars and vans to pass each other without the need to give way .."*.
- 6.19 The Parish Council has raised objections to the proposal on highway safety

grounds as access to the site would be: *"via narrow residential roads having sharp bends and corners ... cars and other vehicles habitually park along the sides of these roads ... roads leading to the site are unsuitable for long or heavy vehicles; the drivers of refuse collection trucks and delivery vans etc often finding great difficulty in manoeuvring safely"*.

- 6.20 Cumbria County Council, as Highways Authority, has been consulted and raise no objections to the proposal subject to the imposition of conditions. The recommended conditions require: the submission of a construction phase traffic management plan; access drive to be surfaced in bituminous or cement bound materials; no access or egress from the site other than by the approved access; access and parking/turning requirements to be substantially met prior to any building works commencing; no occupation of the dwelling until access/parking requirements have been constructed.
- 6.21 The objections of the parish council are noted; however, subject to compliance with the conditions recommended by the Highways Authority it would be difficult to substantiate a refusal of the application on highway safety grounds.

## **6. Proposed Method For The Disposal Of Foul And Surface Water Drainage**

- 6.22 There is a clear policy requirement to provide adequate provision for foul and surface water facilities to ensure that sufficient capacity exists prior to commencement of any development. A Drainage Strategy has subsequently been submitted which details that: surface water drainage would be attenuated prior to its connection to an existing surface water pipe before entering an existing ditch which drains into Brunstock Beck located approximately 100 metres to the south east; foul drainage would enter the existing mains foul drainage network.
- 6.23 Cumbria County Council, as Lead Local Flood Authority (LLFA), has been consulted and raise no objections to the proposed method for the disposal of surface water drainage. The LLFA consultation response detailing that: *"the infiltration tests undertaken rule out soakaways as a valid method of surface water disposal and the next logical place to discharge surface water is into the watercourse. The calculations are acceptable and show there is sufficient storage on site to accommodate a 1 in 100 year plus 40% to account for climate change storm event without increasing flood risk. The discharge rate of 1 litre per second restricted through a hydrobrake is also acceptable as it mimics the greenfield runoff rate for the site"*.
- 6.24 The parish council requests that a condition is imposed requiring the installation of a contaminants interceptor to prevent any pollutants entering Brunstock Beck. The requirement for an interceptor has been raised with the LLFA who have confirmed that: *"sufficient treatment (gullies and underground attenuation) of the surface water is provided prior to the discharge into the ordinary watercourse. Therefore it would not be appropriate to ask for an interceptor for this application as the drainage layout meets the requirements set out within the Cumbria Development Design Guide"*.

- 6.25 Foul water from the development would enter the mains sewer currently serving Beech Grove. The submitted Drainage Strategy document highlighting that: *"a formal connection will be made with United Utilities for this connection in due course"*. United Utilities has been consulted and raise no objection to the proposal subject to the imposition of a condition requiring foul and surface water be drained on separate systems.
- 6.26 In light of the views of the statutory consultees the proposed methods for the disposal of foul and surface water drainage are acceptable.

## **7. Impact Of The Proposal On Existing Trees And Hedgerows**

- 6.27 Policy GI6 of the local plan seek to ensure that proposals for new development should provide for the protection and integration of existing trees and hedges. In respect of new development, the City Council will resist proposals which cause unacceptable tree loss, and which do not allow for the successful integration of existing trees and hedges. This aim is further reiterated in Policy SP6 of the local plan which requires all developments to take into account important landscape features and ensure the enhancement and retention of existing landscaping.
- 6.28 The City Council's SPD 'Trees and Development' outlines that native large growing species are intrinsic elements in the landscape character of both rural and urban areas alike and acquire increasing environmental value as they mature. Large trees need space in which to grow to maturity without the need for repeated human intervention. Not only should the design of the development seek to retain existing tree and hedgerow features, but sufficient space should be allocated within the schemes to ensure integration of existing features and space for new planting it is important that these issues are considered at the very start of the planning process.
- 6.29 The application site is enclosed along its northern, eastern and southern boundaries by a mature hedgerow with some hedgerow trees. The submitted drawings illustrating that the hedge would be retained and be unaffected by the development. Nevertheless, in order to protect existing hedgerows during construction works a condition is recommended which would ensure that tree and hedge protection barriers are erected prior to the commencement of any works and remain in situ during construction works. In overall terms, existing landscaping would help to soften and blend the development into the landscape.

## **8. Impact Of The Proposal On Biodiversity**

- 6.30 The Council's GIS Layer has identified that there is the potential for several key species to be present within the vicinity. Using the guidance issued by Natural England it is unlikely that the proposed development would harm protected species or their habitat. To further protect biodiversity and breeding birds, informatics are recommended within the decision notice drawing the applicant's attention to the requirement under conservation legislation such as the Wildlife and Countryside Act 1981, The Conservation of Habitats and

Species Regulations 2010 etc.

## **9. Other Matters**

- 6.31 The parish council disputes the use of the land is that of a paddock and contends that the application should be assessed against Policy HO3 (Housing in Residential Gardens) of the local plan. The views of the parish council are respected, however; the application site to the rear of 28 Beech Grove is separated from the domestic curtilage of 28 Beech Grove by a post and rail fence and access gate. There is also a wooden stable located to the south western corner of the land with the remaining land having the appearance of a uncultivated field.

## **Conclusion**

- 6.32 In overall terms, the principle of residential development on the site is acceptable under the provisions of the NPPF and the local plan. The application site is well contained within existing landscape features, it is physically connected, and integrates with, the settlement, and would not lead to an unacceptable intrusion into open countryside. The development of a dwelling is of an appropriate scale for the village to accommodate and would not be considered a threat to the delivery of the local plan spatial strategy.
- 6.33 The scale, design and massing of the proposed dwelling would be appropriate and would not have a have a detrimental impact on the occupiers of neighbouring properties through unacceptable overlooking, over-dominance or intensification of use. Existing landscaping together with the proposed palette of materials would also help to soften and blend the proposed dwelling into the landscape, thereby, minimising any perceived visual impact. The proposal is unlikely to have a detrimental impact on biodiversity. No highway or drainage issues have been raised by Cumbria County Council or United Utilities as the relevant consultees.
- 6.34 In all other aspects, the proposal is compliant with the objectives of the NPPF, PPG, relevant local plan policies and SPDs. Accordingly, the application is recommended for approval.

## **7. Planning History**

- 7.1 There is no relevant planning history.

## **8. Recommendation: Grant Permission**

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

**Reason:** In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of

the Planning and Compulsory Purchase Act 2004).

2. The development shall be undertaken in strict accordance with the approved documents for this Planning Permission which comprise:
  1. the submitted planning application form received 6th February 2020;
  2. the Desk Study Assessment for Contamination received 6th February 2020;
  3. the Drainage Strategy received 14th May 2020;
  4. the plans and elevations received 6th February 2020 (Drawing No. 1936-01);
  5. the sections received 6th February 2020 (Drawing No. 1936-02);
  6. the block and location plans received 9th March 2020 (Drawing No. 1936-03A);
  7. the Notice of Decision;
  8. any such variation as may subsequently be approved in writing by the Local Planning Authority.

**Reason:** To define the permission.

3. 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 and HO2 of the Carlisle District Local Plan 2015-2030.

4. 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 and HO2 of the Carlisle District Local Plan 2015-2030.

5. Development shall not be begun until a Construction Phase Traffic Management Plan (CPTMP) has been submitted to and approved in writing by the local planning authority. The CPTMP 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 applicants expense;
- details of proposed crossings of the highway verge;
- retained areas for vehicle parking, maneuvering, 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; and
- the management of junctions to and crossings of the public highway and other public rights of way/footway.

**Reason:** In the interests of highway safety in accordance with Policy IP2 of the Carlisle District Local Plan 2015-2030.

6. The access drive shall be surfaced in bituminous or cement bound material, or otherwise bound and shall be constructed and completed before the development is brought into use. This surfacing shall extend for a distance of at least 10 metres inside the site, as measured from the carriageway edge of the adjacent highway.

**Reason:** In the interests of highway safety in accordance with Policy IP2 of the Carlisle District Local Plan 2015-2030.

7. 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 in accordance with Policy IP2 of the Carlisle District Local Plan 2015-2030.

8. The dwelling shall not be occupied until the vehicular access and turning requirements have been constructed in accordance with the approved plan and has been brought into use. The vehicular access turning provisions shall be retained and capable of use at all times thereafter 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 in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

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

**Reason:** To secure proper drainage and to manage the risk of flooding and pollution in accordance with Policies IP6 and CC5 of the Carlisle District Local Plan 2015-2030.

10. As part of the development hereby approved, adequate infrastructure shall be installed to enable telephone services, broadband, electricity services and

television services to be connected to the premises within the application site and shall be completed prior to the occupation of the dwelling.

**Reason:** To establish an acceptable level of access to connectivity resources, in accord with Policy IP4 of the Carlisle District Local Plan 2015-2030.

11. Before any development is commenced on the site, including site works of any description, a protective fence in accordance with Fig. 2 in B.S. 5837: 2012 shall be erected around the trees and hedges to be retained at the extent of the Root Protection Area as calculated using the formula set out in B.S. 5837. Within the areas fenced off no fires shall be lit, the existing ground level shall be neither raised nor lowered, and no materials, temporary buildings or surplus soil of any kind shall be placed or stored thereon. The fence shall thereafter be retained at all times during construction works on the site.

**Reason:** In order to ensure that adequate protection is afforded to all trees/hedges to be retained on site in support of Policies SP6 and GI 6 of the Carlisle District Local Plan 2015-2030.

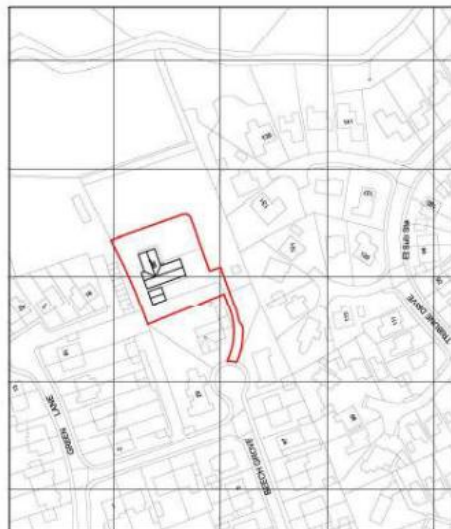
12. No work associated with the construction of the development hereby approved shall be carried out before 0730 hours on weekdays and Saturdays nor after 1800 hours on weekdays and 1300 hours on Saturdays (nor at any times on Sundays or statutory holidays).

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

13. 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.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

**Reason** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CM5 of the Carlisle District Local Plan 2015-2030.



Location Plan 1:1250



Site Plan 1:200



10/10/2020

10/10/2020

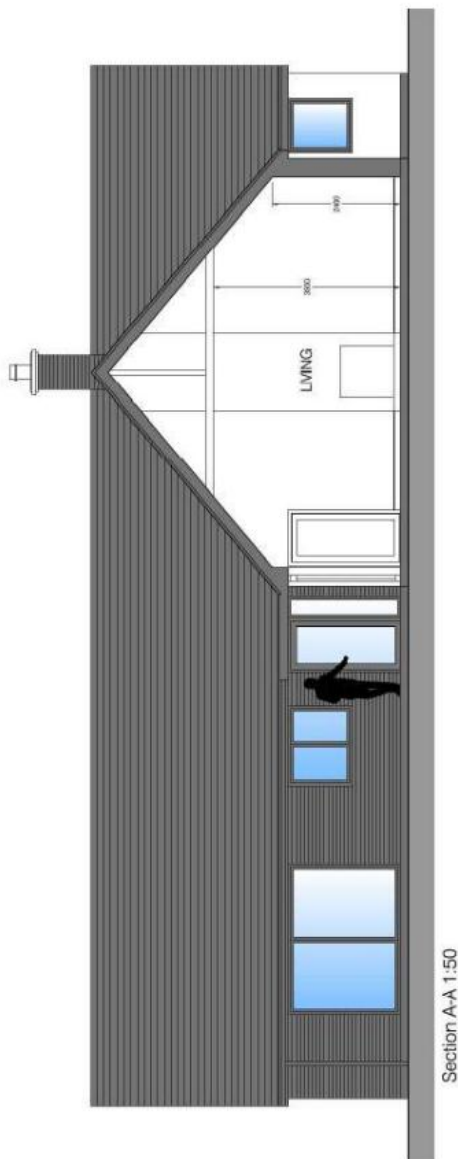
The CDM Regulations 2015 apply to all construction work carried out in Great Britain. The Regulations require the client to ensure that the project is managed in accordance with the Regulations. The Regulations also require the client to ensure that the project is managed in accordance with the Regulations.

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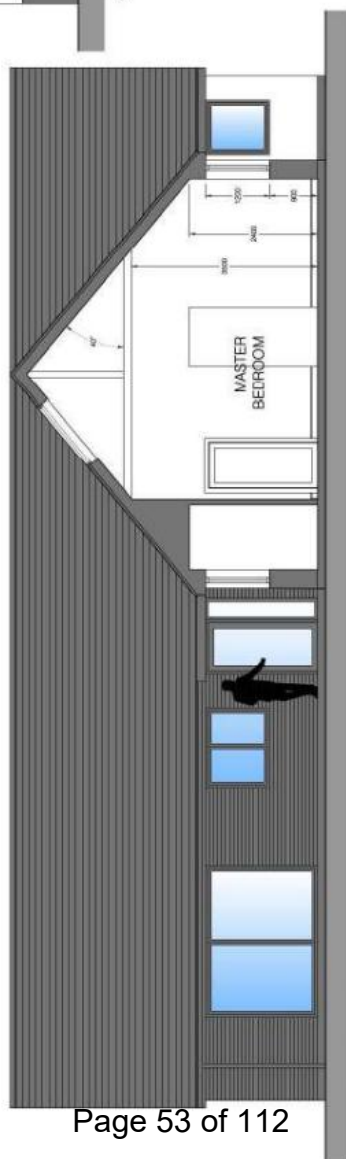


**ADITUS**  
ARCHITECTURAL SERVICES  
**PLANNING**  
Beech Grove Houghton  
New Dwelling  
Bungabur  
Block and Location Plans  
Scale: 1:1250  
Date: 10/10/2020  
Drawn: [Name]  
Checked: [Name]  
Number: 150-03A  
T: 01223 802008  
17 Beech Grove, Loughborough, Leicestershire, LE11 1BB  
www.aditusarchitecturalservices.co.uk

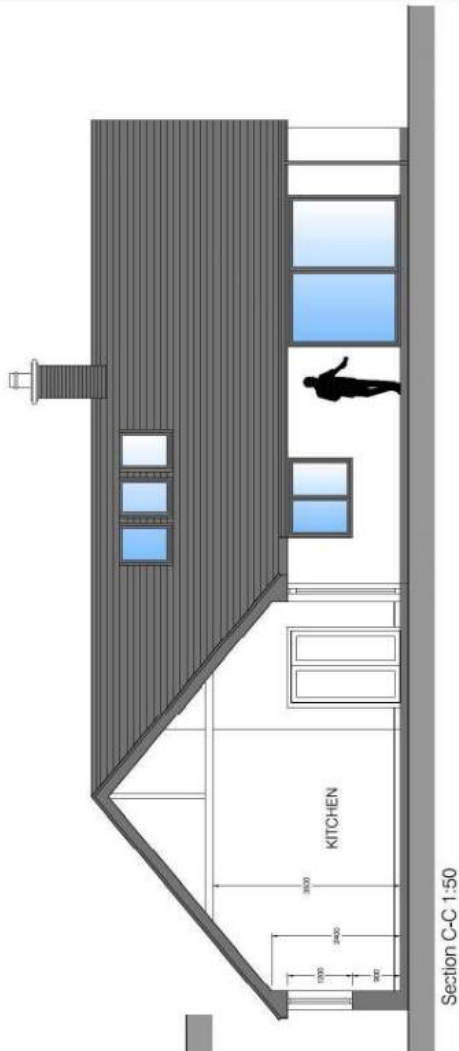




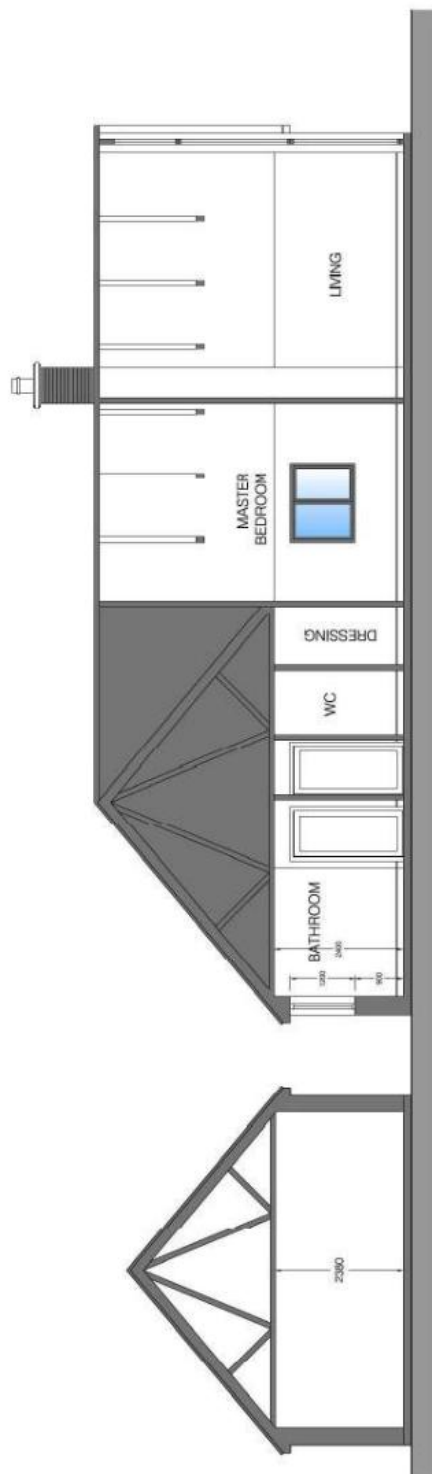
Section A-A 1:50



Section B-B 1:50



Section C-C 1:50



Section D-D 1:50

**ADITUS ARCHITECTURAL SERVICES**  
**PLANNING**  
 Project: Beech Grove Houghton  
 New Dwelling  
 Location: Burslow  
 Sections: 1:50  
 Scale: 1:50  
 Date: 20/01/2020  
 Drawn: JH  
 Checked: JH  
 Number: 1506-02  
 ADITUS Architectural Services Ltd  
 17 Main Road, Liphigton, Cambridgeshire, UK  
 Tel: 01223 802008  
 Email: info@aditusarchitectural.co.uk  
 Web: www.aditusarchitectural.co.uk



## SCHEDULE A: Applications with Recommendation

19/0556

Item No: 03

Date of Committee: 19/06/2020

**Appn Ref No:**  
19/0556

**Applicant:**  
BSW Timber Group

**Parish:**  
Kingmoor

**Agent:**  
WYG

**Ward:**  
Belah & Kingmoor

**Location:** BSW Sawmills, Cargo, Carlisle, CA6 4BA

**Proposal:** Removal Of Conditions Of Previously Approved Permissions 90/1152 (Conditions 10, 11, 12, 16); 92/0219 (Conditions 7, 8, 9, 12); 92/0733 (Conditions 7, 8, 9, 11); 99/0313 (Condition 6); 01/0075 (Condition 6) And 15/0418 (5) Relating To Hours Of Operation; Restricting The Movement Or Operation Of Vehicles Or Plant Within And To And From The Sawmill; Restricting The Despatch Of Timber Or By-Products From The Site And Deliveries Of Timber; And Restricting The Maintenance, Repair, Servicing, Replacement Or Re-Fitting Works To Plant, Equipment Or Vehicles

**Date of Receipt:**  
17/07/2019 10:00:42

**Statutory Expiry Date**  
11/09/2019 10:00:42

**26 Week Determination**  
06/07/2020

### REPORT

**Case Officer:** Stephen Daniel

#### 1. Recommendation

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

#### 2. Main Issues

- 2.1 Whether The Removal Of Conditions Restricting The Timing Of Vehicle Movements To And From The Site Would Be Acceptable
- 2.2 Whether The Removal Of Conditions Restricting The Hours Of Use Of The Site Would Be Acceptable
- 2.3 Impact Of The Proposals On The Hadrian's Wall World Heritage Site Buffer Zone

#### 3. Application Details



## **The Site**

- 3.1 The existing sawmill site is situated approximately 500m to the east of the settlement of Cargo which lies to the north of Carlisle. The site covers approximately 15 hectares of land and is accessed via the main road (C1016) that lies to the west of the site.
- 3.2 BSW Timber Group (BSW) has occupied and operated from the site for over 30 years, and during this time the manufacturing processes and the site development has evolved. Currently, the main activities that take place are the conversion of round wood into sawn timber and co-products (chips, sawdust bark and shavings). Additional value is added to this sawn timber by further processing such as kilning, grading and crosscutting.
- 3.3 The site is adjoined to the north, east and south by railway tracks, sidings and storage areas, with the adjacent site to the north being occupied by Network Rail. Kingmoor Park Central lies to the east of the railway line, together with an area of land that is allocated for employment use. The land to the north of this is committed to residential development and forms part of the Story Crindledyke development.
- 3.4 Agricultural land and a used car dealership are located on land immediately adjoining the site to the west. The C1016 also adjoins part of the western site boundary and a large lay-by lies to the west of this road near to the main entrance into the site.

## **Background**

- 3.5 BSW is the largest integrated forestry business in the UK. It is a family-owned business that has four main operating divisions: forestry, sawmilling, timber manufacturing and energy. The group has seven sawmills in the UK – in Newbridge-on-Wye, Southampton, Carlisle, Dalbeattie, Petersmuir, Fort William and Boat of Garten – and one in Riga, Latvia. The headquarters remain in Earlston, Berwickshire, where the business originated.
- 3.6 BSW has 1,300 employees nationally and is passionate about creating a sustainable future for British forests and woodlands, and as such the company is a proud member of 'Grown in Britain'. There are 162 direct employees on the site at the Cargo with an additional 21 office-based Group Company employees for BSW support functions.
- 3.7 The site operates a 75-hour week and annual input is 330,000 cubic metres of roundwood and it produces 178,000 cubic metres of sawn timber.

## **The Proposal**

- 3.8 The site at Cargo is a key strategic investment location as part of the BSW portfolio. BSW operates seven sawmills across the UK, six of which have no planning restrictions on operating hours with Cargo being the only site that is restricted by hours of operation, which is making the site



uncompetitive. To retain market share, it is essential that BSW has the operating flexibility to respond to surges in demand and to sustain customer confidence in continuity of supply. In addition, BSW's largest British competitor operates their largest sawmill complex only 25 miles north of Cargo without planning restrictions on hours. The BSW Cargo sawmill is therefore seriously disadvantaged by the restrictions on the operations imposed by the current planning conditions.

3.9 Whilst BSW has no immediate intentions to extend their sawmill operating hours, the lifting of some restrictive planning conditions would provide greater flexibility to enable them to make further investment in the Carlisle site to offset the challenging economic conditions affecting the business and to bring the site into line with other modern facilities in common with their other BSW site operations across the country.

3.10 The proposal is seeking to remove 15 planning conditions that relate to the following six applications:

- 90/1152 - sawmill development for the conversion of logs into sawn timber with by-products of chips, sawdust and bark (approved December 1990).

- 92/0219 - the erection of six new kilns and an extension to sawmill building (approved June 1992).

- 92/0733 - increase of storage areas for logs and sawn timber (approved March 1993).

- 99/0313 - installation of cross-cut sawline incorporating new building to enclose automated saw equipment in lieu of existing manual chainsaw operations (approved June 1999).

- 01/0075 - extension to sawmill building (revised proposal) (approved March 2001).

- 15/0418 - single-storey extension to existing sawmill building (approved July 2015).

3.11 The relevant conditions that require removal from the above planning decisions can be summarised as:

- restricting the use and hours of operation from 0600 to 2200 on Mondays – Fridays, 0800 to 1300/1800 on Saturdays and not permitting any work on Sundays or Bank Holidays;
- preventing the despatch of timber or by-products from the site and deliveries of timber to the site from 1800 to 0600 from Monday to Saturday, after 1300 hours on Saturdays and not at all on Sundays; and
- preventing the maintenance, repair, servicing, replacement or re-fitting works to plant, equipment or vehicles from 2200 to 0600 on Mondays to Fridays or before 0800 or after 1800 on Saturdays.

3.12 These conditions are repeated to varying degrees in each of the above

planning decision notices but all have essentially the same effect. The exact wording of each of the 15 conditions that is seeking to be removed is set out below.

- 3.13 Application 90/1152 - sawmill development for the conversion of logs into sawn timber with by-products of chips, sawdust and bark. The relevant conditions that the application is seeking to remove from this planning decision are:
- Condition No. 10:  
There shall be no movement or operation of vehicles or plant in the log or timber storage areas between the hours from 2200 hours to 0600 hours on Mondays to Saturdays; or after 1300 hours on Saturdays except in respect of vehicular activity relating to planned or routine maintenance, repair, servicing, replacement of machinery, plant or equipment or refitting works undertaken until not later than 1800 hours; or at any time on Sundays.
  - Condition No.11:  
There shall be no despatch of timber or by-products from the site and no deliveries of timber to the site between the hours from 1800 to 0600 from Monday to Saturday and after 1300 hours on Saturdays or at any time on Sundays.
  - Condition No.12:  
The proposed use shall only operate between the hours from 0600 to 2200 on Mondays – Fridays, 0800 to 1800 on Saturdays and not at all on Sundays or Bank Holidays.
  - Condition No.16:  
No maintenance, repair, servicing, replacement or re-fitting works to plant, equipment or vehicles, including testing, shall be carried out within the outdoor areas of the site between the hours 2200 – 0600 on Mondays to Fridays or before 0800 or after 1800 hours on Saturdays other than works of an essential and emergency nature where the works concerned are unable to be undertaken either during the intended production shift times or between 1300 – 1800 hours on Saturdays when planned or routine maintenance, repair, servicing, replacement of machinery plant or equipment or refitting works can be specifically programmed.
- 3.14 Application 92/0219 - the erection of six kilns and extension to sawmill building. The relevant conditions that the applicant is seeking to remove are conditions 7, 8, 9 and 12 which are identical to the conditions listed in paragraph 3.13 above.
- 3.15 Application 92/0733 - increase of storage areas for logs and sawn timber. The relevant conditions that are seeking to be removed are conditions 7, 8, 9 and 11 which are identical to the conditions listed in paragraph 3.13 above.
- 3.16 Application 99/0313 - installation of cross-cut sawline incorporating new building to enclose automated saw equipment in lieu of existing manual

chainsaw operations. The relevant condition that the application is seeking to remove from this planning decision is:

- Condition No. 6:

The proposed use shall only operate between the hours from 06.00 to 22.00 on Mondays to Fridays, 08.00 to 13.00 on Saturdays and not at all on Sundays or Public Holidays.

- 3.17 Application 01/0075 - extension to sawmill building (revised proposal). The relevant condition that requires removal from this planning decision is:

- Condition No. 6:

The use of the premises hereby permitted shall not commence before 0600 hours or remain in operation after 2200 hours on Mondays to Fridays, 0800 hours to 1300 hours on Saturdays and shall not operate at all on Sundays or Statutory Holidays.

- 3.18 Application 15/0418 - single-storey extension to existing sawmill building. The relevant condition that requires removal from this planning decision is:

- Condition No. 5:

The proposed extension shall only be used between the hours of 0600 to 2200 on Mondays -Fridays, 0800 to 1800 on Saturdays and not at all on Sundays or Bank Holidays.

#### **4. Summary of Representations**

- 4.1 The application has been advertised by means of a site notice and notification letters sent to 4 neighbouring properties. In response 4 letters of objection and 8 letters of support have been received. Cllr Trevor Allison supports the application; Cllr Helen Davison has concerns about the impact of the proposal on local residents; and Cllr Gareth Ellis has requested that the application be determined by the Development Control Committee.

- 4.2 The letters of objection raise the following concerns:

- can hear noise from the plant;
- the prevailing wind carries the noise of the machines working in and around the site to homes at Low Crindledyke;
- the site already operates long hours and concerned that the increased noise from 24 hour operation would be detrimental to residents sleep and health;
- proposal will have a detrimental effect on those who live nearby;
- the noise from the sawmill is loud enough to disturb sleep, especially through the summer when windows are open;
- proposal is not good for the environment or public health in what is becoming any increasing populated area with new housing development at Cargo and Crindledyke both of which are very near BSW;
- there would be a significant increase in traffic movements from large wagons;

- increased operating will benefit the company financially however the quality of residents' lives are of equal if not more importance;
- residents of Phase 1 Crindledyke are already subject to noise and dust from the Woodward, the Network Rail Site and NW Recycling - the Crindledyke housing estate will extend right up to the railway line and be less than 30m from these noisy dirty sites;
- the Council has said that only planning related considerations will be taken into account when reaching a decision but the whole of BSW's argument is an economic one;
- policies seek to protect the amenity of residential areas and ensure that there is no detrimental effect on residential amenity through noise, nuisance, damage to visual amenity or increase in traffic;
- the proposed development at Crindledyke will create a residential area very near to BSW - the noise from BSW can already be heard from the gardens of properties on Fenwick Drive - those in the next phase of Crindledyke will hear noise on a 24/7 basis - this could be avoided by the council ensuring that the amenity of future residents is protected by rejecting this application.

#### 4.3 The letters of support make the following comments:

- the sawmill is a fairly large employer in the area and the company's growth plans for the Carlisle site would be helped by a decision that allows it to operate at different hours;
- the BSW operation at Carlisle is an important part of the success of the forest industry in the Carlisle and Borders Region - it is a major contributor to local employment directly within the site and also supports significant rural employment in the local forestry sector;
- BSW is one of the largest saw milling operations in the UK and lifting the current restrictions will allow the site to compete with other saw mills on a level playing field which is imperative to the long term prosperity of the site and the 140 direct employees;
- BSW helps to ensure the availability of local domestic timber for local and regional building, fencing and packaging businesses;
- as we move towards a new situation in Europe it is even more important to protect jobs and maintain a viable local economy;
- the timber industry in the UK faces many challenges from imported products and BSW needs to have full flexibility to be able to compete in these markets;
- BSW has to compete with cheaper imported wood products and this can only be achieved through improved efficiencies and cost effective operations;
- primary processing of local wood products using locally sourced sustainable timber is key to global sustainability;
- limiting the sites operating hours is to limit the site's potential- BSW's competitors don't have the same restrictions;
- restricted operating hours is another disadvantage the Carlisle site has against competitors;
- the business needs to be able to operate at full capacity and grow to create jobs for the local community without unreasonable restrictions;
- in today's current market BSW needs to be able to operate as efficiently as possible in order to remain competitive;

- BSW are a major employer in the area and indirectly support a number of other companies which contributes to the local economy;
- extending the operating hours for BSW will allow greater output of productivity which will benefit all businesses associated with them;
- if BSW is restricted to current working practices there is the potential of lost business to competitors which will impact a number of businesses;
- the company will do everything it can to ensure that it acts in the best interests of the community if the hours of operation are extended;
- industrial activity will inevitably result in some local concerns but BSW works with its customers, suppliers and transport service providers to minimise the impact of their activities on their immediate neighbours and the wider community;
- all drivers of road haulage businesses visiting the site have been instructed and comply in using the most direct route to the A689;
- hauliers will be instructed to use direct main roads rather than travel through nearby villages;
- all haulage coming into and leaving the site will be via the bypass;
- it is likely that hauliers delivering to the adjacent railway are being confused with BSW hauliers;
- as a resident of Cargo for 20 years noise is not an issue - the sound of dogs at the local kennels close to the mill is more noticeable;
- the Port of Workington wished to offer its support to the application - BSW is a major customer, shipping cargoes of sawn timber into the port. It has attracted investment in plant and equipment, which has meant the port has expanded its workforce to facilitate the additional business from BSW;

- 4.4 Cllr Gareth Ellis has requested that the application is determined by the Development Control Committee.
- 4.5 Cllr Helen Davison has raised concerns on behalf of residents about the additional operation that will end up happening over night and the associated noise, which will have much more impact on residents than daytime noise.
- 4.6 Cllr Trevor Allison (who as City and County Councillor for the Dalston & Burgh represents Kingmoor Parish including Cargo and the Crindledyke Estate) supports the application.

- it is clear from the number of cars in the car park that BSW is a very significant local employer. Some employees are from Cargo village close by the site.
- after a career in manufacturing I am well aware of the impact of continuous working on operating efficiency and commercial viability. Compared to their other sites in Scotland which operate on a 24 hour basis, the Cargo site is at a commercial disadvantage. They are seeking to address this.
- This is consistent with Policy SP1 3.2 *"The NPPF sets out a presumption in favour of sustainable development....an economic role contributing to building a strong responsive and competitive economy"* and Policy EC1 4.1 *"...a key element of the Plan's economic strategy is to support investment in existing sites to facilitate their modernisation and reconfiguration."*
- In supporting this application appreciate that there are a small number of respondents with concerns about noise and traffic which may lead to the

application going before committee rather than under delegated powers.

- note that Rockcliffe Parish Council has no objection and that at their last meeting, Kingmoor Parish Council resolved to support the application.

- A Cargo resident described BSW as a “good neighbour for the community”

- of the statutory consultees, Highways are now satisfied that the C1016 is capable of carrying any potential increase in HGV traffic. The recommendations from the City Council Environmental Health are negative and relate largely to potential noise and traffic nuisance.

- BSW and their neighbour Railtrack are located on the long established industrial land of the Marshalling Yard, sandwiched between the C1016 and the railway line. Cargo's Edenside estate is 400m from BSW with 4 dwellings opposite the entrance to the Rail site on the C1016 and BSW about 150m distance towards the CNDR roundabout. The Crindledyke estate is 1,700m north east of BSW at the other side of the Strategic Employment site plus an adjoining area designated for further industrial development in the CDLP.

- I subjectively assessed the noise generated by the site both during the day and early evening when traffic volumes had subsided. At Crindledyke a low distant noise could be heard from the land at the rear of both ends of Fenwick Drive but was non existent on the frontage. At the perimeter fence of the Rail and BSW sites at Cargo I judged both sites to be similar with most noise from fork lift truck activity. New buildings on the designated development site rather than open countryside may well have the same sound blocking effect as at Fenwick Drive.

- to put this in perspective, the traffic and industrial noise is far less than the 24 hour traffic noise at other locations such as the housing developments bordering the M6 motorway which have been granted permission.

- at Cargo, noise can occasionally be heard emanating from the operations on the other side of the C1016. Although I have never had a complaint in my time as a councillor, this can best be assessed by measurement as proposed by Environmental Health and addressed through “Conditions”.

- in January 2019 as part of the Cargo Cycleway Project (which has wide support from Cargo residents) a traffic monitoring device (ATC) was installed for a week on the C1016 between the BSW site and the CNDR roundabout.

- HGVs represent 16.6% of total traffic, of which a significant proportion are clearly not BSW related. In fact some HGVs with timber are destined for the neighbouring Rail depot.

- best estimate suggest that there are already around 20 HGVs per day on the C1016 outside of BSW's current working day some during the early hours.

- the issue of turning right when exiting the BSW site I understand is the subject of discussions with the applicant. Turning left onto the C1016 is an issue that has been raised with me by residents and at the parish council.

HGVs exiting to the left, cross over onto the opposite carriageway to make the turn. A re-profiling of the left hand side of the exit could facilitate a quieter smoother exit.

- the 7 day assessment illustrated a greater proportion of car traffic with an increase in late night/early hours movements.

- hopefully you will be able to address concerns expressed in submissions and use appropriate conditions to protect local residents.

## **5. Summary of Consultation Responses**

**Kingmoor Parish Council:** - fully supports the application;

**Rockcliffe Parish Council:** - has no comments to make;

**Cumbria County Council - (Highways & Lead Local Flood Authority):** - no objections - the proposal will not be increasing the vehicle usage of the C1016 and the applicant has implemented a policy to prevent HGVs from entering the site via Rockcliffe;

**Local Environment - Environmental Protection:** - the conditions to be removed have been attached to the existing planning permission over a long period of time. The intention is to restrict noise levels generated on site and restrict noise created from vehicular movements to and from the site. The conditions are in place to protect residential amenity of nearby residents. The restrictions are also intended to reduce the likelihood of complaints and prevent the facility from causing a statutory nuisance.

There are a large number of residential receptors in the vicinity of BSW. This proposal would increase the levels of noise, which is likely to affect these properties. This is of particular concern during night time hours. The surrounding rural area is inherently quiet during the night, therefore any increase in noise, above background levels, has the potential to be problematic.

The existing conditions which limit noise are not considered to be sufficient to protect nearby residents from noise nuisance. HGVs associated with BSW routinely use the C1016 towards Rockcliffe and the C1015 towards Todhills and pass a number of residential properties and housing estates. They also routinely use the Network Rail entrance to the site which is located directly opposite several residential properties. The noise caused by HGV movements could result in disturbance during the night if the conditions are removed.

The applicant has provided insufficient information to allow a decision to be made on this application at this stage. There is a notable absence of any on site noise monitoring or any report detailing current noise emissions from the site. It is recommended, as a minimum, that the applicant carries out a noise report in accordance with BS4142, using the one-third octave method. This should detail all current and expected future noise levels at several of

the nearest sensitive receptors.

The application is contrary policies SP6, SP9 and HO12 of the Carlisle District Local Plan 2015-2030.

A Noise Assessment was submitted in February 2020, but this is not in accordance with BS4142 as requested - it needs to be revised to include a full BS4142 assessment. More information is requested in relation to the tonal nature of the noise; how the existing baseline levels were obtained at the nearest resident receptors; the application of a 30db sound reduction for single glazed window; and the proposed on-site mitigation measures, including why the measures have been selected and expected noise attenuation levels that will be achieved. The report demonstrates that the proposal is expected to exacerbate night time sound levels at the nearest residential receptors.

**Historic England - North West Office:** - does not wish to offer any comments.

## **6. Officer's Report**

### **Assessment**

- 6.1 Section 70(2) of the Town and Country Planning Act 1990/Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that an application for planning permission is determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.
- 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, SP5, SP6, SP9, IP2, CM5 and HE1 of the Carlisle District Local Plan 2015-2030. Both national and local plan policies seek to promote economic development and also to protect residential amenity.
- 6.3 The proposal raises the following planning issues.
  1. Whether The Removal Of Conditions Restricting The Timing Of Vehicle Movements To And From The Site Would Be Acceptable
- 6.4 Whilst there are no properties opposite the main access to the site, a number of HGVs travelling to and from the sawmill site used the route through Cargo and Rockcliffe. A number of residential properties lie in close proximity to the roadside along this route and the Council was concerned that noise and vibration from these HGVs during the evening, at night and at weekends would have an adverse impact on the living conditions of the occupiers of these properties.
- 6.5 As a consequence, planning conditions were placed on applications 90/1152 (condition 11), 92/0219 (condition 8) and 92/0733 (condition 8) to prevent



the despatch of timber or by-products from the site, and deliveries of timber to the site, between 1800 and 0600 Monday to Saturday and after 1300 hours on Saturday and at no time on Sundays. Further conditions (condition 10 on application 90/1152 and condition 7 on applications 92/0219 and 92/0733) also prevent the movement of vehicles in the log storage areas between 2200 hours and 0600 hours on Mondays to Saturdays or after 1300 hours on Saturdays with none permitted on Sundays.

- 6.6 The introduction of the Northern Relief Road has enabled commercial traffic to access the BSW site directly from the M6 via junction 44 and the A689. The total distance travelled by vehicles between Junction 44 to the sawmill site is 2.5 miles, which can be covered in 5 minutes comprising a mix of dual and single carriageway and which is suitable for HGVs. In addition, commercial traffic travelling to West Cumbria can likewise use the new A689, which by-passes any local settlements around the west of Carlisle before reaching the A595 the main strategic route to Workington and Whitehaven.
- 6.7 These changes have meant that commercial vehicles using the BSW site no longer need to use the local minor roads (such as via the road up to Rockcliffe, or via Harker) to get access to the wider local and national transport network.
- 6.8 A Traffic Management Plan has been submitted with the application. This includes a copy of a letter which has been sent out to all hauliers accessing the site. This letter gives explicit instructions that all vehicles are to approach the sawmill site from the south along the A689. The instruction includes a map showing that vehicular access to the site from the northern direction is not permitted by BSW. This instruction has now been put in place since November 2019 as part of the overall management plan for the site.
- 6.9 In addition, BSW has erected a directional sign at the exit from its site making it clear that all HGV vehicles leaving their premises must not turn right (towards Cargo/ Rockcliffe). BSW is also proposing to put in place CCTV camera surveillance at the entrance and exit to the site so that they can monitor all vehicles entering and leaving their site. Should any HGV driver not abide by the new instruction they will be contacted and will be informed as to how they will be expected to reach the site in future. In addition, BSW has produced an engineering drawing and has a quote for improving the access for vehicles turning left out of the site and these works are currently awaiting budget approval.
- 6.10 In light of the above, the existing conditions referred to in paragraph 6.5, to restrict the timing of the despatch of timber or by-products from the site and deliveries of timber to the site and the conditions to prevent the movement of vehicles in the log storage areas at certain times are no longer considered to be necessary. A new condition has been added to the permission to ensure that HGVs visiting the site comply with the Traffic Management Plan (which requires HGVs visiting and leaving the site to use the Northern Relief Road). The existing condition that limits noise levels at the site boundary would be

replaced by a condition that would measure noise levels at any existing properties and this in with current planning guidance and World Health organisation standards for restful sleep. In addition, the condition that restricts the number of HGV movements entering and leaving the site to 208 in total per working day would be retained.

2. Whether The Removal Of Conditions Restricting The Hours Of Use Of The Site Would Be Acceptable

- 6.11 The applicant is keen to remove the conditions which currently restrict the hours that the site can operate. Five applications that have previously been approved contain conditions that restrict the hours of use of the site (conditions 10, 12 and 16 of application 90/1152; conditions 7, 9 and 12 of application 92/0219; conditions 7, 9 and 11 of application 92/0733; condition 6 of application 99/0313; condition 6 of application 01/0075; and condition 5 of application 15/0418). The site is currently permitted to operate from 0600 to 2200 hours from Monday to Saturday and from 0800 to 1800 hours on Saturdays (with some parts of the site only allowed to operate until 1300 hours on Saturday). There is an existing condition in place which restrict noise levels at the site boundary and this would remain in place (but would be amended to bring it in line with current best practice).
- 6.12 Following initial comments from Environmental Health, the applicant has submitted a Noise Assessment. This considers the effects of extended night time operations at the BSW site at existing and proposed residential receptors. A monitoring survey was undertaken to characterise the baseline ambient noise levels currently experienced on the site using nine locations. These locations included sensors positioned in proximity to the nearest residential properties that are located opposite the entrance to the Network Rail site as well as nearby residential properties in the village of Cargo itself. It should be noted that there are no residential properties located opposite the BSW site entrance, apart from a dilapidated building beside the lay-by opposite the entrance.
- 6.13 The Noise Assessment incorporated a range of potential mitigation measures that are proposed to be implemented at the site. The assessment included the beneficial effects of closed roller-shutter doors to the main building. The other measures chosen to be taken forward as being the most effective in terms of noise reduction are the installation of 4.5m high barriers adjacent to the log sorting and conveyor machinery. These on-site mitigation measures could be ensured by planning condition.
- 6.14 The Noise Assessment measured the external noise levels at nearby sensitive receptors based on measurements undertaken during the existing baseline night-time period monitoring. The Noise Assessment then measured the external noise levels at nearby sensitive receptors with combined sources of potential noise associated with extended operating hours, including all measured operating activities during the day.
- 6.15 The Noise Assessment demonstrates that existing internal noise levels at the nearest residential receptors are predicted to be within the

BS8233/WHO noise intrusion criteria at the majority of existing receptors with windows closed. The internal noise levels at two properties (Chapel Cottages and Wood Villa which lie adjacent to the C1016) which are the two closest receptors to the site, are currently above the BS8233/WHO noise intrusion criteria with windows open and closed. This is likely to be due to noise from traffic travelling along the C1016, from HGVs accessing the Network Rail site which has an access opposite these dwellings, from the railway and possibly from the neighbouring kennels.

- 6.16 Even with the extended operating hours (including continuous use of the log sorters and conveyors, main sawmill building and vehicle movements around the site) the internal noise levels from the proposed development are predicted to be within the BS8233/WHO noise intrusion criteria at the majority of existing receptors with windows closed. The internal noise levels at two properties (Chapel Cottages and Wood Villa) would be above the BS8233/WHO noise intrusion criteria with windows closed. Existing night time noise levels at these dwellings are, however, already above the BS8233/WHO noise intrusion criteria.
- 6.17 The Noise Assessment includes a cumulative comparison of the difference between the existing conditions and the contribution from the proposed development involving night time operations. The conclusion from the cumulative comparison is that the use of the site during the night is not expected to significantly increase existing noise levels. The expected increases range from 0.1dB (at Chapel Cottages and Wood Villa) to no greater than 1.4dB at all receptors, which is considered to be not significant. Accordingly, the proposed operations are not expected to have a significant 'adverse impact' on health or quality of life at nearby dwellings and satisfies the relevant policy considerations set out in the NPPF.
- 6.18 It should be noted that the Noise Assessment represents a worst-case scenario. The likelihood is that the effects would be less than demonstrated in the Noise Assessment.
- 6.19 It is worth pointing out that the vast majority of the HGVS (82.76%) travelling along the C1016 are not attributable to BSW. The entrance to the Network Rail site is located 245m to the north of the BSW site entrance and this site accounts for a number of the HGV movements, with HGVs delivering timber and concrete sleepers for subsequent loading onto freight trains for onward transit. The use of the Network Rail site is unrestricted and contributes to the existing night time noise. This has perhaps led to a degree of public misunderstanding as to where noise actually emanates from in the locality.
- 6.20 Officers in Environmental Health note that the Noise Assessment refers to BS8233 and that it is not in accordance with BS4142. The report should be revised to include a full BS4142 assessment. It has also requested more information on: the tonal nature of the noise which might lead to a tonal penalty being applied; as to how the existing baseline levels were obtained at the nearest residential receptors; the application of a 30db sound reduction for single glazed windows; and the reason why the on-site mitigation measures have been selected and the expected noise attenuation

levels that are expected to be achieved. The report states that night time sound levels at the nearest residential receptors do not meet the requirements of BS8233, either before or after the proposed extension of hours and demonstrates that the proposal is expected to exacerbate this noise problem at these properties.

6.21 Environmental Consultants at WYG have provided a response (dated 7th April 2020) to the issues raised by Environmental Health.

- as part of the noise survey and noted within the noise assessment, attended noise measurements of operational activities and machinery were undertaken across the application site. In total 19 measurements were taken of different machinery across the application site. From the measurements, only the use of the log conveyor into the building displayed tonal characteristics but no readily distinguishable tonal noise was observed off-site.

- a Noise Assessment in line with BS4142 has been undertaken. Whilst this identifies that during the night-time noise levels have the potential to be significantly above existing background levels, this is based on the worst-case assumption of all the machinery and processes operating at once (which is unlikely).

- although the attended baseline noise survey measurements were not taken at the façade of nearby dwellings due to the number of dwellings and access restrictions at third-party properties, they were taken at representative locations for the closest existing receptor locations. Additionally, long-term noise measurements were taken around the application site to gather representative typical free-field noise levels of the processes that occur at the site.

- a single glazed window was used as a worst-case assumption within the noise assessment for the existing residential dwellings. Based on the sound insulation software Insul 9.0, a single glazed window of 6mm thickness would be expected to achieve an overall reduction of 30dB Rw, which is considered representative of typical residential dwellings (although it should be noted that many benefit from double glazing).

- the changes in noise levels at nearby properties are not expected to be significant. Indeed, cumulative noise intrusion levels at the location where the largest nominal change in noise level is predicted (1.4 dB at Cervantes in Cargo) are below the BS8233 guideline values. At the closest properties to the development site where the residual acoustic environment is dominated by regular contributions from passing road traffic along the road parallel to the site, the predicted contribution to overall noise levels is 0.1 dB (noise level changes of up to  $\pm 3$  dB are generally imperceptible to the human ear, and the overall contribution does not exceed this and is, therefore, considered not significant). As a consequence, internal resting conditions are not expected to be adversely affected.

- as detailed in the WYG Noise Assessment February 2020, mitigation

measures are proposed to control noise from within the site at-source, including the provision of localised 4.5m high acoustic barriers adjacent to the log sorting machinery and conveyor. Furthermore, the assessment includes the beneficial effects of closed roller-shutter doors to the main building. The closed roller-shutter door is proposed as a mitigation measure to ensure noise levels from the machinery that operate inside the building are kept to a minimum. The inclusion of a 4.5m barrier adjacent to the log conveyor belt is deemed the most appropriate form of mitigation along a noisy section of machinery to assist in controlling noise levels at source. Consideration was given to the provision of acoustic barriers at the boundary of the site, however, given the distance from the fixed machinery on site and variable locations of mobile plant and the presence of large stocks of timber across the site which provide some screening already, the effectiveness of alternative barriers would be reduced.

6.22 Officers in Environmental Health still consider that a full BS4142 noise assessment should be carried out. This should disclose the monitoring results and be in line with the BS4142 methodology in order to make an informed decision and give confidence that nearby residents will not be adversely affected by activities from this site in the future. Any further monitoring and assessment should be undertaken once “lockdown” restrictions are lifted and the site is operating at “normal” level. Concerns have also been raised about why the measurements were not taken at the façade of the properties and that a difference of 11dB at the nearest properties which has been identified in the latest noise report is significant.

6.23 Environmental Consultants at WYG have provided a response (dated 11th May 2020) to the issues raised by Environmental Health.

- the previous WYG response (Dated 7th April 2020) includes a specific assessment in accordance with the requirements of BS4142:2014 + A1:2019 which measured the existing baseline conditions and sources of noise separately. As the application is to extend the operating hours to include night-time, measurements of the machinery were undertaken during the daytime period during existing operational hours, whilst measurements of the existing baseline noise levels were undertaken during the night-time period. The source noise levels from each individual measured operation were then input into Cadna noise modelling software to propagate the noise levels to the nearby properties and compared to the representative background (LA90) noise levels. This approach is outlined at section 7.3.6 of BS4142, which outlines a method to “determine the specific sound level by calculation alone if measurement is not practicable, for example if the source is not yet in operation.” This approach also allows for the specific source level to be calculated where it is “composed of contributions from several sources which have been measured separately and, if necessary, corrected for propagation effects.” This approach also allows for specific configurations of plant and activities to be represented, as well as for mobile plant to be assessed at different locations and reduces the uncertainty of measuring noise levels from multiple sources at receptor locations that may not be readily identifiable, or influenced by external noise sources.

- the baseline noise monitoring locations are considered to be representative of existing night-time conditions at the closest sensitive receptors, in the absence of the specific noise source. It should be noted that this approach is outlined within BS4142 (section 8.1.2), which states that “where possible, measure the background sound level at the assessment location(s), if this is not possible measure at an alternative location where the residual sound is comparable to the assessment location(s).” In this instance, it was not possible to measure in all private gardens or at the facades of each property that was assessed during the night-time period. However, long-term and short-term noise meters were located close to representative residential receptors used within the assessment. Furthermore, in accordance with BS4142 (section 6.2) noise measurements were undertaken 1.2m-1.5m above ground and were located at least 3.5m from reflective surfaces such as buildings etc.

- as detailed in the previous set of WYG comments, although the BS4142 assessment identified rating noise level which is up to 11dB above background at Wood Villa, Cargo, it was identified that the assessment undertaken is considered to represent a worst case scenario with all plant operating simultaneously, which is highly unlikely to occur. Additionally, the residual acoustic environment is considered to remain constant, with regular contributions from passing road traffic along the road adjacent to the site and railway noise affecting the closest sensitive receptor locations. Considering the more variable nature of road traffic contributions (e.g. rapid onset, multiple sources) which are also expected to be slightly noticeable to residents who are already awake, the contribution from night-time site operation is not expected to have an adverse impact.

- 6.24 The agent considers Environmental Health Officer's request for a full BS4142 monitoring and assessment to be undertaken once “lockdown” restrictions are lifted and the site is operating at “normal” level is both unrealistic and seriously damaging. ‘Lockdown’ is going to extend for the foreseeable future and BSW need a positive decision to get the flexibility they need – this is now getting very urgent. There seems to the agent to be no comprehension of the damage that is being done to the UK economy with Covid, and at this time Officers should be even more conscious of the need to find positive ways to enable economic development to take place, and to allow businesses to operate flexibly, such as BSW.
- 6.25 Whilst Environmental Health Officers consider that a full BS4142 noise assessment should be submitted, the applicant has provided a robust noise assessment, as well as an additional assessment which considers the effects of the proposals in line with the guidance presented within BS4142, which demonstrates that, with appropriate mitigation (which would be secured by condition), the increased noise from the operation of the site at night time would not have a significant impact on the amenity of occupiers of existing dwellings (with the overall change in noise exposure being a maximum of 1.4dB at all receptors).
- 6.26 The existing condition that limits noise levels at the site boundary would be replaced by a condition that would measure noise levels at any existing

properties and this in line with current planning guidance and World Health Organisation standards for restful sleep. A further condition has also been added to the permission which requires the applicant to investigate any noise complaints from the operation of the plant to assess if the agreed noise levels have been exceeded. The applicant would be required to submit a noise report to the local planning authority and take such actions as are necessary to ensure that noise levels return to the agreed limit.

- 6.27 In light of the above, the proposal to remove, the existing conditions referred to in paragraph 6.11, which restrict the hours that the site can operate, would be acceptable.

### 3. Impact Of The Proposals On The Hadrian's Wall World Heritage Site Buffer Zone

- 6.28 The only physical changes to the site that would result from this application would be the erection of two sections of 4.5m high acoustic fencing within the site. The fencing would be set back within the site and would largely be screened by the existing buildings or the existing boundary treatment. The proposal would not, therefore, have an adverse impact on the Hadrian's Wall World Heritage Site Buffer Zone

## Conclusion

- 6.29 The proposal to remove 15 conditions from 6 planning applications that relate to the following matters are considered to be acceptable:
- restricting the use and hours of operation between the hours from 0600 to 2200 on Mondays – Fridays, 0800 to 1300/1800 on Saturdays and not at all on Sundays or Bank Holidays;
  - preventing the despatch of timber or by-products from the site and deliveries of timber to the site from 1800 to 0600 from Monday to Saturday, after 1300 hours on Saturdays and not at all on Sundays; and
  - preventing the maintenance, repair, servicing, replacement or re-fitting works to plant, equipment or vehicles from 2200 to 0600 on Mondays to Fridays or before 0800 or after 1800 on Saturdays.
- 6.30 The existing condition that limits noise levels at the site boundary would be replaced by a condition that would measure noise levels at any existing properties and this in with current planning guidance and World Health Organisation standards for restful sleep. New conditions have been added to the permission to ensure that HGVs visiting the site comply with the Traffic Management Plan (which requires HGVs visiting and leaving the site to use the Northern Relief Road); to secure the implementation of the mitigation measures outlined in the Noise Assessment; and to require the applicant to investigate any noise complaints from the operation of the plant to assess if the agreed noise levels have been exceeded. The applicant would be required to submit a noise report to the Local Planning Authority and take such actions as are necessary to ensure that noise levels return to the agreed limit.



## **7. Planning History**

- 7.1 There is an extensive planning history relating to the use of the site as a sawmill.

## **8. Recommendation: Grant Permission**

1. The development shall be undertaken in strict accordance with the approved documents for this Planning Permission which comprise:
  1. the submitted planning application form, received 17th July 2019;
  2. Location Plan/ Site Plan (Dwg No. R-GO-GE-02-00-002), received 17th July 2020;
  3. Planning Statement, received 17th July 2020;
  4. Noise Assessment, received 10th February 2020;
  5. Letter from WYG dated 7th February 2020 (received 10th February 2020), which contains the Traffic Management Plan;
  6. the Notice of Decision;
  7. any such variation as may subsequently be approved in writing by the Local Planning Authority.

**Reason:** To define the permission.

2. Between the hours of 22:00 and 06:00, operational noise levels shall not exceed 45dB LAeq, 8 hours or 60dB LAmax(15 mins) so as to comply with, with World Health Organisation standards for restful sleep. Operational noise levels shall be measured at free-field locations representing facades of residential dwellings or via a combination of measurement and propagative calculations.

**Reason:** To ensure that the proposal would not have an adverse impact on the living conditions of the occupiers of neighbouring properties, in accordance with Policy CM5 of the Carlisle District Local Plan 2015-2030.

3. Should noise complaints arise from the operation of the plant, it should be the responsibility of the applicant to investigate if agreed noise levels have been exceeded. A noise report should be forwarded to the local planning authority and the applicant shall take such actions as are necessary to ensure that noise levels return to the agreed limit.

**Reason:** To ensure that the proposal would not have an adverse impact on the living conditions of the occupiers of neighbouring properties, in accordance with Policy CM5 of the Carlisle District Local Plan 2015-2030.

4. Prior to the site being brought into use between 2200 hours and 0600 hours Monday to Saturday, after 1300 hours on Saturdays or on Sundays, the mitigation measures contained within the Noise Assessment (produced by WYG dated February 2020 Report, received 10th February 2020) shall be fully implemented and shall remain in place at all times thereafter.

**Reason:** To ensure that the proposal would not have an adverse impact on the living conditions of the occupiers of neighbouring properties, in accordance with Policy CM5 of the Carlisle District Local Plan 2015-2030.

5. All HGVs entering and leaving the site shall do so in accordance with the details set out in Traffic Management Plan contained within a letter from WYG dated 7th February 2020 and received on 10th February 2020.

**Reason:** To protect the residential amenity of existing areas in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

6. Unless otherwise approved in writing by the local planning authority, the number of heavy goods vehicle movements entering and leaving the site shall not exceed 208 in total per working day.

**Reason:** To ensure that the proposed development does not generate an unacceptable burden of heavy goods vehicles, in accordance with Policy IP2 of the Carlisle District Local Plan 2015-2030.

7. A record of all heavy goods vehicles entering or leaving the site shall be maintained by the application at all times and access to this record shall be afforded to the local planning authority as requested.

**Reason:** To ensure that the traffic levels entering and leaving the site can be monitored, in accordance with Policy IP2 of the Carlisle District Local Plan 2015-2030.

8. The existing landscaping along the boundaries of the site, which helps to screen the site, shall be maintained to the satisfaction of the local planning authority.

**Reason:** To ensure that the proposal does not adversely affect the visual amenity of the area, in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

9. Materials shall not be stacked or deposited at a height exceeding 4m above the adjacent ground level of the proposed site.

**Reason:** To ensure that the proposal does not adversely affect the visual amenity of the area, in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

10. No cross-cut operations shall be undertaken within the open areas of the site.
- Reason:** To ensure that the proposal would not have an adverse impact on the living conditions of the occupiers of neighbouring properties, in accordance with Policy CM5 of the Carlisle District Local Plan 2015-2030.
11. Kiln drying of timber shall take place prior to any treatment process or impregnation.
- Reason:** To ensure that the proposal would not have an adverse impact on the living conditions of the occupiers of neighbouring properties, in accordance with Policy CM5 of the Carlisle District Local Plan 2015-2030.
12. All fuel and chemical tanks shall be surrounded by protective sealed bund walls with no outlets, the capacity of which shall be equal to the largest tank within the bund plus 10%.
- Reason:** To ensure that the proposal would not have an adverse impact on the environment, in accordance with Policy CM5 of the Carlisle District Local Plan 2015-2030.
13. All areas used for the handling, loading and unloading of fuels, oils, chemicals, or effluents must have an impermeable base to prevent discharge of contaminated drainage or accidental spillages to underground strata or surface waters.
- Reason:** To ensure that the proposal would not have an adverse impact on the environment, in accordance with Policy CM5 of the Carlisle District Local Plan 2015-2030.
14. Only totally uncontaminated surface water shall be discharged to any watercourse.
- Reason:** To ensure that the proposal would not have an adverse impact on surface water, in accordance with Policy CM5 of the Carlisle District Local Plan 2015-2030.
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## SCHEDULE A: Applications with Recommendation

19/0869

Item No: 04

Date of Committee: 19/06/2020

**Appn Ref No:**  
19/0869

**Applicant:**  
Cumbria Wildflowers Ltd

**Parish:**  
Orton

**Agent:**  
WYG

**Ward:**  
Dalston & Burgh

**Location:** Cumbria Wildflowers, The Stables, Great Orton, Carlisle, CA5 6NA

**Proposal:** Use Of Former Stable Building And Erection Of Extension To Provide Storage Facilities; Reconfiguration Of Staff And Visitor Parking Facilities; Retention And Extension Of Administration Building; Siting Of Polytunnel; Erection Of Potting Shed; Erection Of Tray Filling Building; Change Of Use Of Land From Meadow To Hardstanding; Installation Of Standalone Solar Panels; Erection Of Additional Greenhouse (Part Retrospective)

**Date of Receipt:**  
25/11/2019

**Statutory Expiry Date**  
20/01/2020

**26 Week Determination**  
24/04/2020

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### REPORT

**Case Officer:** Richard Maunsell

#### 1. Recommendation

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

#### 2. Main Issues

- 2.1 Whether The Proposal Is Appropriate To The Rural Area
- 2.2 Scale, Design And Impact On The Character And Appearance Of The Area
- 2.3 The Impact On Amenity Of The Occupiers Of The Neighbouring Property
- 2.4 Highway And Parking
- 2.5 Foul and Surface Water Drainage
- 2.6 Biodiversity

#### 3. Application Details

**The Site**

- 3.1 The application site is located between Moorhouse and Great Orton and is approximately 1.4 kilometres (0.87 miles) south of Moorhouse and approximately 1.26 kilometres (0.78 miles) north of Great Orton.
- 3.2 Bluebell House is the applicant's dwelling and is situated close to the entrance of the site but the majority of the 2.59 hectare site is set back from the county highway. An access road leads from the C1021 road. Bluebell House is on the left of this access road. An open area exists on the opposite side of the access road at which there is then a storage building which at its closest point, is approximately 48 metres from the county highway. A single greenhouse encroaches in this open area between the storage building and the highway.
- 3.3 The road sweeps in front of the storage building to the rear of the structure which provides some parking facilities and is also where the administrative building is located. In this locality can also be found the existing polytunnel and set out area for plants.

## **Background**

- 3.4 Members will note from the planning history, that planning permission was granted in 2014 for the change of use of land and buildings from a riding centre to a horticultural use; erection of administrative building, one greenhouse and two polytunnels; associated landscaping and parking.
- 3.5 Following on from this certain elements of the development were not implemented in accordance with planning permission and additional works on the site have been undertaken which has resulted in the current application.

## **The Proposal**

- 3.6 The current proposal comprises a number of different elements and the following are retrospective:
1. use of former stable building to provide storage facilities;
  2. reconfiguration of staff and visitor parking facilities;
  3. retention of administration building;
  4. erection of potting shed;
  5. demolition of a building;
  6. installation of standalone solar panels;
  7. change of use of land from meadow to hardstanding;
- 3.7 The following elements of the application are proposed:
1. erection of extension to former stable building to provide additional storage facilities;
  2. extension of administration building
  3. siting of polytunnel;
  4. erection of tray filling building;
  5. erection of additional greenhouse.



## 4. Summary of Representations

- 4.1 This application has been advertised by means of a site notice and direct notification to the occupiers of three of the neighbouring properties. In response 16 letters of objection has been received. The main issues raised are summarised as follows:

### Application details

1. there are numerous inconsistencies and contradictions within the planning application documents and the presented in the plans is selective – relevant information has been omitted or brushed over;
2. the plans give the impression that some features have always been there, when in fact they haven't which is very misleading;
3. the plans have been submitted by Mr Jonathan Rook under company name Cumbria Wildflowers Ltd. which is a horticultural business growing and selling wildflowers. However, Mr Rook also operates a second and very different business from the same site – Open Space Cumbria Ltd. There is no mention of Open Space Cumbria Ltd in this planning application;
4. the operation of Open Space Cumbria Ltd next to neighbouring properties imposes a threat to residential amenity and safety and cannot be properly examined in the planning application as it has been omitted. Cumbria Wildflowers Ltd. is used as a smoke screen to hide the true activities.

### Change of use of land from meadow to hardstanding

5. an area of previous green field meadow has been encroached into in multiple phases by the owner. This encroached green field land has been converted into industrial hard standing directly behind the neighbouring property. This land is used to operate Open Space Cumbria Ltd, not Cumbria Wildflowers Ltd and includes the storing, loading and use of dangerous heavy plant machinery and industrial processes associated with the business (e.g. wood chipping, chain sawing, grinding, burning waste);
6. the undertaking of activities associated with Open Space Cumbria Ltd in such close proximity to neighbouring properties incurs major safety issues, and stress. Also, the scale of the operation in a relatively small parcel of land, particularly in such close proximity to a residential property is completely inappropriate;
7. apart from the description referring to the change of use of the land and shown on the existing site plan, there is no further reference of this change of land use at all in the planning documents. The failure to mention this illustrates that Mr Rook recognises that this activity is inappropriate, contentious and dangerous to us and the surrounding area, and it would risk the passing of these plans;
8. the fence line (between the 'meadow' and 'outside storage area') shown on the Existing Site Plan drawing (04 6na 06 site plan 25112019) inaccurately shows the fence line in its current position, rather than its original position which is very misleading;
9. the change of use of this land and how it is used (by Open Space Cumbria Ltd) significantly affects how the garden of the neighbouring property can be used;

10. there are a number of references included within the background paper which are inaccurate in relation to the actual operations undertaken on this site and the impact on the countryside;
11. the land was previously an area of unspoilt tranquil countryside which has changed with no respect for the character of the countryside and surrounding area nor neighbouring properties;
12. numerous large diggers and heavy plant machinery are stored on this hardstanding area which is not at all respectful or in keeping with the character of the countryside and it has indeed been spoilt. This business should be sited on a suitable brown field site / industrial estate where the potential for contamination from diesel and oils spills, for example, would be less damaging;
13. industrial processes are also carried out on this hard-standing area, this includes the chipping of logs causing significant noise along with substantial dust pollution. Lignin in wood is carcinogenic and that wood operations require stringent extraction and operating procedures;
14. the applicant portrays his business values that he is an environmental, ecological, habitat, and conservation company - in reality this is not always the case;
15. the operation of dangerous plant machinery and industrial processes are done so with absolutely no regard for safety of users of the adjacent property.

#### Erection of extension to provide storage facilities

16. the proposal includes the erection of a new lean-to store. The building of this store commenced in June 2019. The plans describe the poles as 'existing' - this is misleading;
17. the site is already overdeveloped with buildings, there are currently more than sufficient sheds to operate a horticultural business - why are more needed?
18. the background papers imply that the new shed will be used for storing wood and other materials. However, as the shed is on the compound used by Open Space Cumbria Ltd, in reality it is more likely to be used to store equipment and machines resulting in heavy machinery manoeuvring with safety concerns;
19. the location of the proposed store sits on the top of a raised area of land and the poles which have already been erected stand proud and already have a visual impact to the countryside;
20. without the green field meadow encroachment and illegitimate operation of Open Space Cumbria Ltd on this land, this new shed would not be viable as its requirement would be negated and access to the 3 bays impossible;
21. the size and location of the proposed new store will be visually intrusive which will be wider than the existing shed and will have a detrimental impact on the neighbouring property creating overshadowing, blocking out sunlight and reduction of the amenity value of being able to sit in the garden and enjoyment of the beautiful rural countryside would be further spoilt.

#### Proposed Hours of Opening

22. if workers were tending to flowers at the proposed start times, this would

not be an issue; however, more often than not all the noise created on these weekday early starts are to load and transport heavy machinery associated with Open Space Cumbria Ltd.

#### Burning of Commercial Waste

23. rubbish from both businesses is often burned on a green field meadow area close to the neighbouring property. This is mounted up and when substantial enough, it is burnt. This can include plastic flower trays and other commercial waste. On burning this rubbish, black putrid smoke plummets into the sky. The burning of such commercial waste contaminates the ground and also creates environmental health issues to residents;

#### Siting of Polytunnel

24. the background papers state that four new polytunnels are proposed yet there are two polytunnels on site with one new polytunnel shown on the proposed site plan;

#### Other Concerns

25. the applicant lives in Blue Bell House which is a private dwelling but not declared on the planning application and the site plans makes it look like it's separate and not associated with the application;
26. a flag pole is shown on the proposed plan but here is no information about it in the supporting documentation;
27. the background paper states that the existing timber fence will be replaced with a new hedge but this is new and shouldn't be replaced;
28. both the current and original (13/0914) planning applications were submitted under Cumbria Wildflowers. The background papers state that Mr and Mrs Rook own most of the land and Cumbria Wildflowers own only a small amount. Does the application sit with Cumbria Wildflowers or Mr Rook, and what happens if the company name is changed to accommodate Open Space Cumbria Ltd operations?;
29. the application does nothing to mitigate and reduce potential adverse impacts resulting from new development or avoid noise giving rise to significant adverse impacts on health and the quality of life;

#### Conclusion

30. the planning documents of poor quality as they do not clearly and honestly describe the development proposal. There are inconsistencies and some key details have been omitted. They are ambiguous and misleading;
31. the applicant has failed to comply with the original planning permission hence the need to submit this part-retrospective application which questions whether there would be future breaches if permission is granted;
32. an objection is made to the running of Open Space Cumbria Ltd from this site and the industrial processes associated with it. This is not included in this planning application but is in fact occurring and affecting neighbouring occupiers;
33. it is insisted that the original boundary fence line (separating the green field meadow from the hard standing area) is re-instated and the

illegitimately claimed green field land (as hard standing) returned to its original status of green field meadow and in keeping with the surrounding area;

34. it is requested that any subsequent approvals place conditions/ restrictions to prevent further inappropriate use of the land behind the neighbouring property to save further wastage of council and associate's time and unnecessary stress for neighbours, the following should be considered:
- reinstatement of the land and fences behind the neighbouring property to green field/ wildflower meadow, in accordance with the original approval;
  - a condition prohibiting any activity other than wildflower planting and cultivation in this meadow in accordance with the original approval;
  - no operation of Open Space Cumbria Ltd (and associated industrial processes including chipping) on land beyond the original fence line and behind the neighbouring property;
  - no further wood chipping in any location close to our property that would have a detrimental effect on the neighbouring environment and safety.

4.2 In addition, four letters of support have been received and the issues raised are summarised as follows:

1. the application and the work undertaken by Cumbria Wildflowers and its aims especially the opportunity offered for local people with employment should be supported;
2. the company has extensive knowledge and is essential in protecting the Cumbrian countryside in a wide range of diverse projects in the nature conservation field;
3. the promotion of Cumbrian Wildflowers for Cumbria and the specialised work on peat bogs is essential to protect the landscape is essential;
4. the improvements by the applicant to the site and adjoining has removed localised flooding issues; undertaken by the owner in the adjoining field have removed it;
5. the view to the whole site approaching from Great Orton when looking at the buildings has been greatly improved;
6. the proposals submitted seem small and hopefully this will enable them to further expand the business and add more awards and praise for the work they have done in Cumbria and the Scottish Borders;
7. a small unobtrusive expansion would not only improve local job prospects but would increase the capacity for the production of plants from a peat free site that are actually contributing to pollination, carbon absorption and reclaiming the countryside for future generations.

4.3 Following the receipt of the objection, the applicant submitted a further document addressing each of the points raised. Three other supporting documents including images and diagrams were also submitted. The main points raised are summarised as follows:

Boundary A the line agreed with the occupiers of the neighbouring property

1. the current line where the stock fence is positioned was installed on a line

- which was agreed with the occupiers of the neighbouring property;
2. the wooden fence between the application site and neighbouring property was a replacement of a gable wall that was dangerous and since this wall was along a boundary was within the legal duty of the occupiers of the neighbouring property, the applicant offered to pay for and install the fence in lieu of slightly moving the fence line which was agreed;
  3. the applicant also agreed to plant a new hedge with some trees along this boundary and has planted a native, species rich hedge with the hedge border being about 2m wide to encourage wildlife. The current stock fence is very close to a line of a previous temporary fence confirmed by the previous owner of the land.

#### Danger to children playing in the garden/ play area

4. there is no risk of any of the applicant's machinery making contact with the play area or persons using this for the following reasons:
  - the applicant has been using the rear area for the purpose to manage land for over 4 years and in the short term to store construction equipment and to date there has not even been any incident which could even be counted as a near miss. A telegraph pole has been placed on the ground near the fence to act as a visual barrier to allow machine operators to put down the implement a good 1.5m before the fence and provides a safety buffer.
  - in the course of the year the hay cutting implements are only moved for 7 - 8 times this means for the vast majority of the year they are left in place, causing no issue or danger. This means the frequency of use of this area is very low.
  - tractors with hay cutting equipment are undertaken mainly in weekdays (usually when children are at school) and therefore the play area is not being used. This greatly reduces the risk level.
  - before the new telegraph pole was installed if a tractor wheel would have touched the telegraph pole before hitting the fence and the only way to break through the fence would be for a tractor to purposely drive at the fence at speed (which is unlikely since most of the operations here are reversing). The fence is reasonable robust and the concrete posts offer some protection, but again this is so unlikely;
5. it was the applicant who was proactive in removing an unstable shed, whereby the gable end was actually leaning over the play area;
6. the applicant has fixed a telegraph pole to some concreted posts at a height of 600mm which will act as a more robust barrier, which means any implements will be stored up to 1.5m away from the fence boundary.

#### Damaging a Wild flower meadow

7. the area which is partly hardstand and also hedgerow was an area used by the previous owner for her horse riding business and was never a 'wildflower meadow' but a mix of rubble, horse manure, some grass (species poor grass) and fences;
8. the field in question up until 2013 was grazed by horses and would be considered low species diverse grassland. On purchasing the land the applicant has been undertaking a programme of habitat recreation to change the meadow from a grass dominated meadow to a species diverse meadow;

9. good access is required for seed harvesting and hay making equipment and the gateway has been improved both in terms of drainage and access levels.

#### Equipment being seen and a scrap yard/ hire company site?

10. the comments relating to equipment being stored in the rear area mostly relate to the construction period where the rear hardstand was used for storing construction equipment and materials. The hedge planted by the applicant will screen this rear area and in another 2 years will be higher and denser;
11. the purpose of the proposed lean-to building is to allow under cover storage of the hay making and grass cutting equipment which will further remove equipment from the rear boundary and the issue of equipment being seen from the main road or the neighbour's property will be reduced greatly. The 4 poles in currently in place for the building will actually be 4 feet lower than shown as they need cut down. The visual impact of the lean to will be minimal.

#### Waste Management

12. Cumbria Wildflowers are a responsible business and operate high environmental standards with aim being to minimise the impact on the environment from our business activities which includes using renewable energy (solar power and biomass boiler), rainwater harvesting, using roof water to water our plants, built in bio-digester (effluent plant) which discharges in to a reedbed, use of biological control (no pesticides), using plant based fertilisers and are a fully peat free nursery;
13. the business re-uses about 80% of our plastic pots and trays as re-using is part of our sustainable aims. Where plastic has to be removed, there is an arrangement in place with local companies.

#### Sparks flying

14. any welding that is required, which is rarely, has been undertaken by a mobile plant fitter and has always been done in the large barn under cover;
15. the barn is being used for a number of horticultural operations and includes a general mix of activities associated with the business. Part of the reason for the application is that more space is needed for the compost tray filling operation as there is not much workable space.

#### Use of OpenSpace equipment

16. during the construction of the nursery there were two activities which were considered suitable for OpenSpace to undertake. These were demolition and groundwork's (which includes drainage, access, underground tanks, soil move, landscaping and boundary work). To reduce construction costs using OpenSpace machinery allowed saved funds to be deployed into other areas of the build. During the construction phase diggers, tractors and other equipment were stored around the site with some being left in the rear hardstand for a few weeks;
17. in 2017 Mr & Mrs Rook commenced work on their private house which is on land adjacent to the nursery. The Principal Contractor chose to use OpenSpace diggers to perform the ground strip, drainage, dig trenches

- and landscaping (soil move). This created a situation of having two OpenSpace diggers on site from April 2017 to November 2017 and then again in summer 2018. Often the diggers were stored in the rear area;
18. OpenSpace equipment has also been used from time to time when a digger has been required. In the last few years there have been drainage issues which has required a digger to investigate and repair;
  19. one of the points in the objection infers a digger has been incorrectly used. This is totally incorrect as the broken boom was due to a hidden fault in the boom and not operator mistreatment and has now returned to the base at Kirkbride Airfield;
  20. the applicant is aware of the use of the rear area for storage of construction machinery and some materials increased the activity in this area but these are almost entirely during weekdays and between 8am and 5pm. There was no night-time operations and Saturday working was minimal, with no Sunday working;
  21. the nursery operations are very much less intrusive than the previous business use of a riding stables where customers would come to site 7 days a week and on weekdays up to 9pm resulting in increased lighting and noise.

General point relating to the nursery site and OpenSpace

22. the site at the stables is owned by the Mr & Mrs Rook who have a formal and legal lease in place with Cumbria Wildflowers to operate the buildings and 3 fields as part of a horticultural business. The lease gives Cumbria Wildflowers sole ownership of the site and from this Cumbria Wildflowers are able to undertake their activities on site to run the nursery and other horticultural activities;
23. the use of OpenSpace equipment during both construction phases has given the impression OpenSpace operate our conservation contracting activities from the Stables. OpenSpace currently operate our OpenSpace conservation contracting company from a business unit on Kirkbride Airfield. Mr Rook has an office in his private home which he uses for some OpenSpace contracting activities. OpenSpace's registered address for the Limited Company is Bluebell House.

4.4 Following the submission by the applicant, this information was made publicly available and a further objection has been received which is summarised as follows:

1. this further response from the applicant contains contradictory statements when compared to the submitted planning application which are a misrepresentation of the truth;
2. it would appear the applicant is trying to support the addition of an extensive area of hardstanding, the storage of machinery and associated new fence line that the applicant appears to have created new but is trying to pass it off as existing which is not the case;
3. there is photographic evidence which shows that the grass extends close to the stables which contradicts the applicant's statement that the grass never extended up to the stables up to September 2013 when horses were grazing;
4. the applicant states that the area subject to the hardstanding was



- contained by a post and rail fence but then in 1995/ 96 was cleared and leftover hardcore laid. This is a substantially smaller area than now being applied/installed for and is of a materially different nature. There is no justification for the size of hardstanding proposed, that can be drawn from its previous use and believe that this should be dismissed entirely from consideration as justification;
5. historically there was a clear divide between grazed and ungrazed grass which is the line of one of the temporary fences which took the form of portable electric fences, moved as required to protect grass or other access routes. This is not justification for covering the area with hardcore and storing heavy machinery and is materially different nature to anything that existed previously;
  6. the objector has been reasonable and accommodating allowing the applicant to develop his site. This is despite their misgivings and whilst the applicant's responses may also seem reasonable they have not been borne out by his actions or personal interactions with them. Additionally, they feel their goodwill has been exploited, their concerns only really paid lip service to and the implementation of the applicant's wider development objectives masked from both them and the planning department and council;
  7. the applicant provides many assertions regarding actions by the himself which it is assumed are provided to demonstrate his reasonableness and all-around good character but objectors maintain through evidence submitted that this is not the case;
  8. on the basis of the authors of the report's own professional interaction with the applicant's ecological consulting company, OpenSpace (Cumbria) Ltd, the objector highlight that at least one assertion could be interpreted as an outright lie – that being the presence of OpenSpace (Cumbria) Ltd on the application site. The applicant's own website up until our first report in December 2019 listed OpenSpace's address as the application site, and its employees continue to post photographs and comment on social media further proving this. If so basic and checkable a fact can be easily dismissed as a falsification, how much else in the applicant's applications and responses could therefore be considered as reliable?;
  9. regardless of what may or may not have been discussed, the temporary fence was not included on the original application, which remains the only planning approval on the site. The temporary fence was to allow the management of horses and grazing not as a hardstanding that has been used for the storage of large machinery and industrial processes;
  10. the objectors have little to do with Cumbria Wildflowers but are concerned with OpenSpace (Cumbria) Ltd and its operation of heavy plant and machinery on the site which has been stored on and moved on the hardstanding. This plant then miraculously was cleared out of the way when the planning officer visited intrigues the authors of this report greatly and may bear greater investigation on the part of the council;
  11. despite claims that there have been no near misses, the objectors claim that a wall has been damaged, immediately adjacent a garden and children's play area;
  12. the telegraph pole has appeared and been mounted on posts from January 2020 and it could be speculated that it is solely in response to the

- objection and should be recorded as such;
13. a timber barrier has questionable protection against heavy plant and machinery and there is no evidence that it has been structurally designed. Will the Planning Department subsequently take responsibility for the safety of our the occupiers of neighbouring property and the property;
  14. these features and operations are underplayed in the current application, there is not enough detail to fairly assess the risk and there is also not enough detail for the planning officers to fairly assess the scale and nature of development;
  15. there is evidence of a tractor, with forks raised, moving at a noticeable speed in forward gear in this area;
  16. the need for the removal of the building that is claimed to have been dangerous is questioned and a structural engineer's report is requested as the building only become unstable when other structural elements were removed by the applicant. It is a recognised tactic to get rid of inconvenient buildings by carrying out works to elements of their fabric that result in destabilisation of the remaining structure;
  17. the barrier is claimed to be robust by the applicant is not a qualified engineer. If it is decorative and a placatory measure it serves no purpose;
  18. the objections are not against the use of the field as a wildflower meadow but that this is a significant part being turned into a vehicle hardstanding and is entirely contradictory;
  19. the applicant claims that the machinery was only ever a temporary measure but then argues that a hedge has been planted to screen the site which is contradictory as it should never have been there;
  20. the applicant states that the use of equipment in the rear area will reduce greatly with only horticultural implements being stored which is a written admission that there is and will still be other plant and machinery. There was no mention of this in the original planning application;
  21. a drawing should be presented that accurately dimensions this proposed building that relates to the telegraph poles, for the avoidance of doubt and suspicion? If the information and descriptions of the development and processes included with a planning application do not accurately describe what the development will actually entail, the planning authority, planning officers, planning committee, statutory consultees and the public cannot accurately assess the impact of the development, whether it will have negative effects on neighbours, the wider community and infrastructure and fairly determine whether it should receive approval;
  22. there is a lengthy statement regarding waste management and recycling activities. The applicant does provide evidence of the agreement with a local company for the removal of plastic waste; however, there is also evidence of waste material being burned on the site. A formal method statement be submitted to support the application;
  23. there is video evidence of a grinder in use with sparks flying and portable petrol welding kits with sufficient power are readily available for such works on site;
  24. the objector maintains that chipped wood is stored in the barn and following correspondence with the applicant, the objector was under the impression the applicant was agreeing with them to restrict chipping operations to within the barn and only certain times; regardless of the applicant's statement about agreeing working regarding chipping in the

- barn, this issue of this has been conveniently ignored in subsequent evidence;
25. the applicant submits paragraphs in his response that are set up to deny that OpenSpace (Cumbria) Ltd have ever had an operational presence on the Great Orton site which is a false assertion;
  26. the assertion that the existing activities are less intrusive is disputed. The noise, disruption, danger and pollution they have faced from the operation of the site by Cumbria Wildflowers and OpenSpace is of an entirely different scale and because the applicant continues to mask the presence and operations of OpenSpace from the planners, statutory consultees and the public generally by this inadequate application there seems no method to control this threat to the neighbour's ability to enjoy their property safely;
  27. the applicant states that "the use of OpenSpace equipment during both construction phases has given the impression OpenSpace operate our conservation contracting activities from the stables." The companies house listing for OpenSpace gave their registered address as The Stables, Great Orton as recently as December 2019. Evidence gathered indicates that OpenSpace operated from The Stables, Great Orton from 2014 to January 2020. The move to Kirkbride Airfield only seems to have happened following publication of the objection highlighting their presence at The Stables, Great Orton and may be a 'paper' exercise as continues smaller scale operations by OpenSpace on the application site continue to be recorded and documented;
  28. OpenSpace (Cumbria) Ltd is a materially different company to Cumbria Wildflowers. If it was always the intention of the applicant to operate this company from this location, the original application was misleading and did not give the planners fair opportunity to assess the impact of the proposals;
  29. the applicant maintains that works have been undertaken on the area of hardstanding to address drainage issues. The original area of hardstanding covers an area of approximately 88m<sup>2</sup> with the new area being approximately 454m<sup>2</sup> - 500% its original size which is overdevelopment carried out without planning approval and on the basis of the most tenuous justification;
  30. if Cumbria Wildflowers/ OpenSpace require an area so large, representing such an increase over any original size they need to state the precise square meterage to allow fair consideration and to demonstrate that the 'turning circle' is really necessary and cannot be placed;
  31. images provided by the applicant demonstrates that a fixed axle lorry can turn within the existing concrete yard making a mockery of the suggestion that the hardstanding area is required unless of course the applicant has larger, more industrial articulated vehicles that need to access the area for other purposes, such as those owned and operated by OpenSpace?;
  32. a direct admission by the applicant that wood chipping is ongoing on the site and an attempt to pass it off as not a problem and something that has been agreed with the objector. Wood chipping is an industrial process which creates dust and noise pollution and was not mentioned on either of the two planning applications so cannot be scrutinized, objected to or conditioned. This is a crucial omission due to the potential impact on the

- health and wellbeing residents. A solution would be to restrict this process to another location on the applicant's land perhaps nearer the house and polytunnels the chips are to serve;
33. the applicant states that forty tonnes of wood are required quarterly, then logically 160 tonnes is needed annually. The wood needs to dry for twelve months after felling, where is this felled wood being stored – is it all on the hardstanding area? If forty tonnes is chipped and lasts for three months, the next forty tonnes must have been drying for nine months, the forty after for six months, the forty after that for three months, and so on at that point in time. The applicant needs to explain where this drying takes place;
  34. the applicant has presented a photographic timeline in a clear attempt to justify the application and present the situation from a very one-sided view. The photographs are mostly irrelevant in respect of responding the objections submitted; however, there are some factual errors:
    - the applicant did not buy, nor has ever owned Stonerigg – they bought the stables and associated house 'The Bungalow' which they demolished to build their home, Bluebell House. The applicant has either inadvertently or deliberately misrepresented himself as the owner of Stonerigg which causes the occupiers problems with obtaining services and has created confusion in previous planning applications.
    - an extended construction period is referred to – there is a route for the planners through conditions to limit any negative effects upon our the occupiers of neighbouring properties by, for example, restricting the storage of construction machinery to a location other than adjacent to their garden, given the noise and danger highlighted;
    - the unstable gable wall is mentioned without suitable context or history;
    - asbestos removal is mentioned; this is acknowledged but this is related to the protection of their own workforce not neighbouring residents. There is still apparently further asbestos that hasn't been removed and it is unclear whether the applicant expects to be applauded for this or what relevance it actually has to the planning application?
  35. the applicant has operated a second business, OpenSpace (Cumbria) Ltd, from the application site was a charge levelled in the original objection this report and evidence has been presented that strongly indicates this to be the case. That the applicant has attempted to distance themselves from this and has attempted to deny it raises the question as to why? It is suggested that the reason might be that OpenSpace (Cumbria) Ltd is an unsuitable business to operate from this site and were the true extent and nature of its operations (in the context of the residential setting) presented for consideration by the planning officer and statutory consultees, both at the time of the original application for Cumbria Wildflowers and now, it would struggle to find support and approval;
  36. the continued denial by the applicant that they have ever been here is proved untrue by the evidence presented. Indeed, the city council planners are invited to search their records for any ecological reports prepared by OpenSpace and check the address listed on any that were

issued between 2014 and 2020, or any emails, if it is felt insufficient evidence has been presented;

37. if OpenSpace has genuinely withdrawn from the application site (and there is little evidence currently to suggest this), the planning officers are requested to consider what measures are open to them to prevent any of their harmful operations returning to the site or preventing the gross inconvenience and disruption which neighbours have suffered over the previous six years being repeated regardless of which company operates there.

4.5 Representation has also been received from Cllr Allison as the city and county councillor for Orton Parish. The issues raised are summarised as follows:

1. during the consultation process detailed submissions have been made which reflects the concerns relating to the current activity at the site;
2. the filed accounts of the two companies (both family owned) have been assessed and it is noted that the machinery operation paid £16,000 to the flower company for the storage of machinery on their site. Earlier accounts show a substantial capital investment in machines and equipment which gives an indication of the scale of the operation;
3. there is no objection to the application itself and it should be considered on its merits from the planning perspective but it should be refused if, as a retrospective application, it simply consolidates the development and activity at the location where it is currently taking place, adjacent to the garden of the neighbouring property. Intrusion into open countryside is also a consideration;
4. there is particular concern at the serious risk to health of their neighbours from the smoke and particularly wood dust emanating from the site which has been well documented. The noise and unsocial hours with the machinery operation is also unacceptable. The area which has been levelled and consolidated should be returned to grass or horticultural use such as polytunnels. Any alternative site in the vicinity should be professionally evaluated for its suitability;
5. this application should not simply be passed subject to conditions and should not be considered until agreement has been reached on an alternative location for the machinery operation and separately for the chipping of the tons of timber.

## 5. Summary of Consultation Responses

**Cumbria County Council - (Highways & Lead Local Flood Authority):** - no response received;

**Orton Parish Council:** - the following response has been received:

Orton Parish Council has no objections to the new proposals, as submitted. However, it does feel that the area of hard-standing towards the rear of Stonerigg should be returned to pasture land.

In addition, the council feels strongly that the location of any part of the

development should not cause distress, loss of amenity, or health risk to the occupants of nearby Stonerigg, especially activities involving heavy machinery or timber processing.

The location is crucial to achieving this and should be assessed and identified in the permission document;

**Local Environment - Environmental Protection:** - the following comments have been received:

the following conditions are recommended to prevent the activities on site from causing a statutory nuisance, particularly in terms of noise and dust:

#### Noise & vibration

Consideration should be given to limit the permitted hours of work in order to protect any nearby residents from possible statutory noise nuisance, this includes vibration. Perhaps working hours could be limited to between 8am and 6pm. Any other appropriate noise mitigation measures should be considered, for example, the use of noise attenuation barriers, the storage/unloading of materials away from sensitive receptors and the use of white noise reversing alarms, where possible. These measures should aim to minimise the overall noise disturbance during construction works and operational phases of the development.

A condition should be added to restrict where very noisy activities can take place on site. In particular, wood chipping must not take place in close proximity to neighbouring properties and should be restricted to a location which is furthest away from neighbouring residential properties.

#### Dust

It is necessary to protect any nearby residents or sensitive receptors from statutory nuisance being caused by dust from the site. Given that the site is located in a residential area it would be advisable to consider all appropriate mitigation measures. Vehicles carrying materials on and off site must be sheeted or otherwise contained. During construction works, water suppression equipment should be present on site at all times and used when required, wheel wash facilities should be made available for vehicles leaving site and piles of dusty material should be covered or water suppression used.

A condition which restricts where the wood chipping activity can take place should be included. This should aim to minimise the risk of a nuisance being caused by the dust and airborne wood fragments, which can be generated, when undertaking this particular activity.

#### Contamination

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.

### Burning

The burning of waste on the site should not be permitted at any time.

## **6. Officer's Report**

### **Assessment**

- 6.1 Section 70(2) of the Town and Country Planning Act 1990/ Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that an application for planning permission is determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.
- 6.2 The relevant planning policies against which the application is required to be assessed are Policies SP1, SP2, SP6, IP2, IP3, IP6, CC5, CM5 and GI3 of The Carlisle District Local Plan 2015-2030. The proposal raises the following planning issues.

#### **1. Whether The Proposal Is Appropriate To The Rural Area**

- 6.3 Within the NPPF there is a presumption in favour of sustainable development. Paragraph 7 requires that:

*“The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.”*

- 6.4 Paragraph 8 continues and identifies that to achieve sustainable development there are three overarching objectives. Paragraph 10 states “so that sustainable development is pursued in a positive way, at the heart of the Framework is a **presumption in favour of sustainable development** (paragraph 11).”

- 6.5 Paragraph 83 of the NPPF states that:

*“Planning policies and decisions should enable:*

- a) the sustainable growth and expansion of all types of business in rural*

- areas, both through conversion of existing buildings and well-designed new buildings;*
- b) the development and diversification of agricultural and other land-based rural businesses;*
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and*
- d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.”*

6.6 The Framework continues in paragraph 84 that:

*“Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.”*

6.7 Policy SP2 of the local plan requires that development proposals will be assessed against their ability to promote sustainable development. Policy EC11 of the local plan states that any new buildings within the rural area should be well related to an existing group of buildings to minimise their impact and ensure they blend satisfactorily into the landscape through suitable materials, design and siting and these matters are considered in the following paragraphs of this report.

6.8 The principle of the use of the site has been established for several years following the grant of planning permission and it is clearly established on the site. There is policy support at both national and local level for the further expansion of the business and the principle of development is therefore acceptable. The remaining planning issues raised by this application are discussed in the following paragraphs.

## **2. Scale, Design And Impact On The Character And Appearance Of The Area**

6.9 The NPPF promotes the use of good design with paragraph 127 outlining that:

*“Planning policies and decisions should ensure that developments:*

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding*



*built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*

- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*

- 6.10 It is further appropriate to be mindful of the requirements in paragraph 130 of the NPPF which states:

*“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).”*

- 6.11 Policies require that development is appropriate, in terms of quality, to that of the surrounding area. Proposals should, therefore, incorporate high standards of design including care in relation to siting, scale, use of materials and landscaping that respects and, where possible, enhances the distinctive character of townscape and landscape. This is reflected in Policy SP6 of the local plan which requires that development proposals should also harmonise with the surrounding buildings respecting their form in relation to height, scale and massing and making use of appropriate materials and detailing.
- 6.12 The site is set back from the county highway. The site already comprises a number of former equestrian buildings that have been reused together with horticultural buildings and structures.
- 6.13 The former single storey stable building is located in the north-east corner of the site, close to the rear boundary with Stonerigg. It is proposed that this building is extended on the north-east elevation with a single storey structure. This building would be constructed from telegraph poles which have already been installed.
- 6.14 The administrative building is located to the rear of the large storage building, adjacent to the north-west boundary. This was initially used as the site office but was retained and has subsequently been used as office accommodation.

The building presently has a small covered entrance in its south-east corner and it is proposed that this is enclosed and incorporated within the building to provide additional accommodation.

- 6.15 Adjacent to the gable of the office building is an area of visitor parking and beyond which to the south, is an existing potting shed. Between the potting shed and a polytunnel again, further to the south, it is proposed to site a smaller polytunnel. This would be flanked to the east by the proposed 'Tray Filling Building' which would be a single storey building constructed from concrete panels, vertical red cedar cladding, metal sheeted and sedum roof. This building would replace the administrative building that was approved as a part of the extant planning permission.
- 6.16 To the south of this building and between the existing polytunnel and Bluebell House to the east, it is proposed to site the solar panels.
- 6.17 Close to the east elevation of the large building and adjacent to the access road through the site, is an existing greenhouse. It is proposed that this is extended on the north-east elevation.
- 6.18 In addition to the physical structures, it is further proposed to extend an area of hardstanding on the north-east boundary of the site. This extension is retrospective and involves the repositioning of the fence line into the adjacent meadow so instead of forming a continuous linear boundary that would have taken the same line and form as that which passes Stonerigg, it now curves onto the adjacent land before connecting with the north-west boundary. The extended area has been planted with native hedgerow species.
- 6.19 When approaching from Moorhouse, the road rises up on the approach to the site and the adjoining fields and meadow are bounded by a hedgerow. Whilst there may be views across the land of the extended area, these are glimpsed views and the enlarged hardstanding is not detrimental to the character or appearance of the area.
- 6.20 The scale, design and use of materials of the proposed buildings is considered to be appropriate in the context of the site, its surroundings and overall character of the area and is acceptable in this regard.

### **3. The Impact On The Living Conditions Of The Occupiers Of The Neighbouring Properties**

- 6.21 Paragraph 127(f) of the NPPF highlights that developments and decisions should:

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

- 6.22 Paragraph 180 of the NPPF states that planning decisions should ensure that new development is appropriate to its location taking into account the likely

affect (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development - and avoid noise giving rise to significant adverse impacts on health and the quality of life; b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

- 6.23 Paragraph 182 of the NPPF goes on to state that planning decisions should ensure that new development can be integrated effectively with existing businesses and community facilities. Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.
- 6.24 Moreover, Policies SP6 and HO8 of the local plan requires that proposals ensure that there is no adverse effect on residential amenity or result in unacceptable conditions for future users and occupiers of the development and that development should not be inappropriate in scale or visually intrusive.
- 6.25 The site is generally surrounded by open countryside but Stonerigg and its curtilage are immediately adjacent to the north-east corner of the application site. The retention of the buildings and with the proposed siting of the new development would not affect the amenity of the occupier of the neighbouring property through their siting nor would they result in a loss of privacy, overshadowing or through poor design.
- 6.26 Members will note in the detailed objections that have been received, that the principle area of concern relates to overall impact on the amenity of occupiers of residential properties primarily from the nature and level from the use of the extended hardstanding and associated intensification of its use, including the proposed extension to the storage building. This manifests itself in all aspects of amenity including from increased noise, disturbance, concerns over their safety, pollution.
- 6.27 Planning control is the process of managing the development of land and buildings. The system exists to ensure that development is in the public interest, weighing up its economic, environmental and social benefits and drawbacks.
- 6.28 The physical changes to the land, as already detailed earlier in this report, are considered to be acceptable. The objectors make reference to the use of this land which are described as anti-social and which have affected the amenity of neighbouring residents.

- 6.29 The description for the extant permission for the site granted under application 13/0914 reads:

*“Change of use of land and buildings from riding centre to horticultural use; erection of administrative building, 1no. greenhouse and 2no. polytunnels; associated landscaping and parking.”*

- 6.30 The conditions associated with permission include the standard time limit for implementation; a list of the approved documents; a requirement for the submission of sample materials; details of tree hedgerow protection measures; and a condition prohibiting work within the protected tree and hedgerow areas. Of relevance is the fact that no condition was imposed limiting the nature of the use of the land or any condition which made the permission personal or limited who could use the land.

- 6.31 Paragraph: 014 Reference ID: 21a-015-20140306 Revision Date: 06 03 2014 of the NPPG provides further commentary on this issue and states:

***“Is it appropriate to use conditions to limit the benefits of the planning permission to a particular person or group of people?”***

*Planning permission usually runs with the land and it is rarely appropriate to provide otherwise. There may be exceptional occasions where development that would not normally be permitted may be justified on planning grounds because of who would benefit from the permission. For example, conditions limiting benefits to a particular class of people, such as new residential accommodation in the open countryside for agricultural or forestry workers, may be justified on the grounds that an applicant has successfully demonstrated an exceptional need.*

*A condition limiting the benefit of the permission to a company is inappropriate because its shares can be transferred to other persons without affecting the legal personality of the company.”*

- 6.32 It is not disputed that certain operations have taken place on the land which is evidenced in the objections, such as the storing and chipping of tonnes of timber for the applicant's biomass boiler or the burning of waste and that both of these activities may have had an impact on the occupiers of the neighbouring property. If Members are minded to approve the application, it would be appropriate to impose a condition prohibiting such activities to safeguard the amenity of the residents. This would, in fact, be a betterment to the existing situation whereby no condition currently exists on the applicant will be at liberty in planning terms to carry out such activities on the area of hard standing that does benefit from the extent planning permission.
- 6.33 The applicant states the some of the machinery currently store on the hardstanding would be stored in the building that is proposed to be extended. Accordingly, it is reasonable to assume that there would be some movement of machinery on this land to manoeuvre the equipment and implements into the building. The objectors state that when machinery does operate on the

land there have been occasions when they have been driven recklessly to the point where the forks of tractors have overhung the boundary and the objects have been in fear of machines breaking through boundary fence.

- 6.34 The obvious concerns of the residents are accepted; however, the planning system must deal with the land use planning issues. Under the extant planning permission machinery can already operate in this area and the extension of the hardstanding would not change this. Whether a building or object over sails a boundary onto neighbouring land is a civil matter as it may be an issue of trespass.
- 6.35 Again, as a betterment, Members may wish to consider that the imposition of a condition limiting the hours during which machinery can operate on the land to be appropriate.
- 6.36 It is noted that waste can be burned on land; however, there are certain conditions and criteria that must be adhered to, including the fact that the bonfire must not cause a nuisance. For clarity and certainty in the interests of residential amenity, it would be appropriate to impose a condition prohibiting the burning of any waste within the application site. If the applicant burns waste outwith this area, including material that ought not to be burned, then this would delegate as an issue for Environmental Health Officers to investigate and enforce under their relevant legislation.
- 6.37 Members will note that the council's Environmental Health Officer has raised no objection to the application but has instead recommended a series of conditions. With the exception of the issue of dust, these have been incorporated within the suggested conditions. With regard to the issue of dust, the response advises that this is necessary due to the proximity of the site and neighbouring residents, being in a residential area. The neighbours immediately affected by any development or activity are adjacent a portion of the eastern boundary of the site. The majority of the development proposed would occur on the opposite side of the site, away from the neighbours and therefore, the occupiers of this property would not be affected by this potential issue.

#### **4. Highway And Parking**

- 6.38 Planning policies generally require that development proposals do not lead to an increase in traffic levels beyond the capacity of the surrounding local highway and provide adequate parking facilities.
- 6.39 No response has been received from Cumbria County Council as the Local Highway Authority; however, the development would utilise the existing access. It is not considered that approval of the application would result in a significant number of additional vehicles to the site. The proposal would continue to provide parking facilities within the site and on this basis, on this basis the proposal does not raise any highway issues and is acceptable.

#### **5. Foul and Surface Water Drainage**

- 6.40 In order to protect against pollution, Policies IP6 and CC5 of the local plan seek to ensure that development proposals have adequate provision for the disposal of foul and surface water. The application documents, submitted as part of the application, outlines that the soakaway water would discharge into a watercourse.
- 6.41 The application form details that both the foul and surface water would be connected into the respective systems. Given the scale of the development and potential relative low increased level of flow, it is considered this is acceptable and that no issues are raised in respect of the drainage arrangements.

## **6. Biodiversity**

- 6.42 Planning Authorities in exercising their planning and other functions must have regard to the requirements of the EC Habitats Directive (92/43/EEC) when determining a planning application as prescribed by regulation 3 (4) of the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended). Such due regard means that Planning Authorities must determine whether the proposed development meets the requirements of Article 16 of the Habitats Directive before planning permission is granted. Article 16 of the Directive indicates that if there is reasonable likelihood of a European protected species being present then derogation may be sought when there is no satisfactory alternative and that the proposal will not harm the favourable conservation of the protected species and their habitat.
- 6.43 The Councils GIS Layer has identified that the site has the potential for protected species to be present on or in the vicinity of the site. Given the scale and nature of the development, it is not considered that the development would harm a protected species or their habitat; however, an Informative has been included within the decision notice ensuring that if a protected species is found all work must cease immediately and the local planning authority informed.

## **Conclusion**

- 6.44 In overall terms, the development will continue to sustain a rural-based and the building is of a scale and design that is appropriate. The buildings and development proposed as part of this application are well-related to the existing form of the site and several of the buildings would replace buildings granted by the extant planning permission. As such, the principle of development is acceptable and the building is of an appropriate scale and design which is not detrimental to the character or setting of the area.
- 6.45 The development does not raise any highway, drainage or biodiversity issues.
- 6.46 A number of objections have been received that are detailed in their response to the application and it is evident that the operations conducted on the land have an impact on the amenity of the occupiers of the neighbouring property and that approval of this application may exacerbate any existing issues. In

addition to the standard planning conditions, two further conditions are recommended to protect the amenity of the neighbouring residents which is a betterment to the existing situation where there are no such restrictions.

- 6.47 In all aspects the proposals are considered to be compliant with the objectives of the relevant local plan policies and the application is therefore recommended for approval.

## **7. Planning History**

- 7.1 There is a brief planning history in relation to the site and its' previous use under separate ownership.
- 7.2 In 2013 a certificate of existing lawfulness was granted for the occupation of a dwelling house without agricultural restriction.
- 7.3 Planning permission was granted in 2014 for the change of use of land and buildings from a riding centre to a horticultural use; erection of administrative building, one greenhouse and two polytunnels; associated landscaping and parking.
- 7.4 In 2014, an application was approved for the discharge of condition 4 (scheme of tree and hedge protection) of the previously approved permission.
- 7.5 Also in 2014, planning permission was granted for the erection of a replacement dwelling.
- 7.6 In 2015, an application was approved to discharge condition 3 (materials) of previously relating to the replacement dwelling.
- 7.7 Later in 2015, a non-material amendment of previously approved application for the replacement dwelling was approved.
- 7.8 In 2017, an application was approved to discharge condition 4 (surface water drainage) relating to the replacement dwelling.

## **8. Recommendation: Grant Permission**

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

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

2. The development shall be undertaken in strict accordance with the approved documents for this Planning Permission which comprise:

1. the Planning Application Form received 20th November 2019;

2. the Location Plan As Proposed received 20th November 2019 (Drawing no. 6NA:12);
3. the Site Plan As Proposed received 20th November 2019 (Drawing no. 6NA:06);
4. the CWF Admin Building As Proposed Plans & Elevations received 12th November 2019 (Drawing no. 6NA:02);
5. the Tray Filling Building As Proposed received 12th November 2019 (Drawing no. 6NA:05);
6. the CWF Lean-To Store As Proposed received 12th November 2019 (Drawing no. 6NA:04);
7. the Polytunnel Plan & Elevations received 25th November 2019 (Drawing no. 6NA:13);
8. the Greenhouse Plan & Elevations received 20th November 2019 (Drawing no. 6NA:09);
9. the Potting Shed Plan & Elevations received 20th November 2019 (Drawing no. 6NA:08);
10. the Solar Panels Plan & Elevations received 20th November 2019 (Drawing no. 6NA:10);
11. the Supporting Statement by WYG dated 4th November 2019 received 12th November 2019;
12. the Notice of Decision;
13. any such variation as may subsequently be approved in writing by the local planning authority.

**Reason:** To define the permission.

3. Within 6 months from the date of this permission, details of the means of siting and construction details within the application site of means to prevent plant and machinery breaching the boundary with the neighbouring property 'Stonerigg' shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be completed in accordance with the approved details and retained thereafter.

**Reason:** To ensure that the safety of the occupiers of the neighbouring property are not adversely affected as a result of vehicle movements on the site in accordance with Policy CM5 of the Carlisle District Local Plan 2015-2030.

4. No plant or machinery shall be operated on any part of the application site between the gable of the Seed Building and the north-east boundary of the 'Existing Meadow enhanced by wildflower planting' shown on the Site Plan As Proposed (Drawing no. 6NA 05) received 20th November 2019 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 statutory holidays).

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

5. No waste shall be burned on any part of the application site between the north-east gable of the Seed Building and the north-east boundary of the



'Existing Meadow enhanced by wildflower planting' shown on the Site Plan As Proposed (Drawing no. 6NA 05) received 20th November 2019.

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

6. No chipping of timber or wood products shall take place on any part of the application site between the north-east gable of the Seed Building and the north-east boundary of the 'Existing Meadow enhanced by wildflower planting' shown on the Site Plan As Proposed (Drawing no. 6NA 05) received 20th November 2019.

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

7. 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 statutory holidays).

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

8. 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 in accordance with Policy of the Carlisle District CM5 Local Plan 2016-2030.

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□ SITE BOUNDARY

TOWARDS BOW &  
MOORHOUSE

STONE LODGE

WOODLAND

CWF LTD

BLACK BELL HOUSE

TOWARDS GREAT ORTON

AS PROPOSED

### LOCATION PLAN

CUMBRIA WILDFLOWERS LTD  
THE STABLES  
GREAT ORTON, CARLISLE CA5 6NA  
PLANNING DWG

## CONCEPT SUPPORT PROJECT DEVELOPMENT

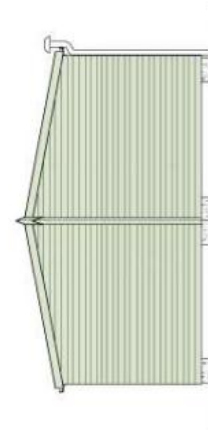
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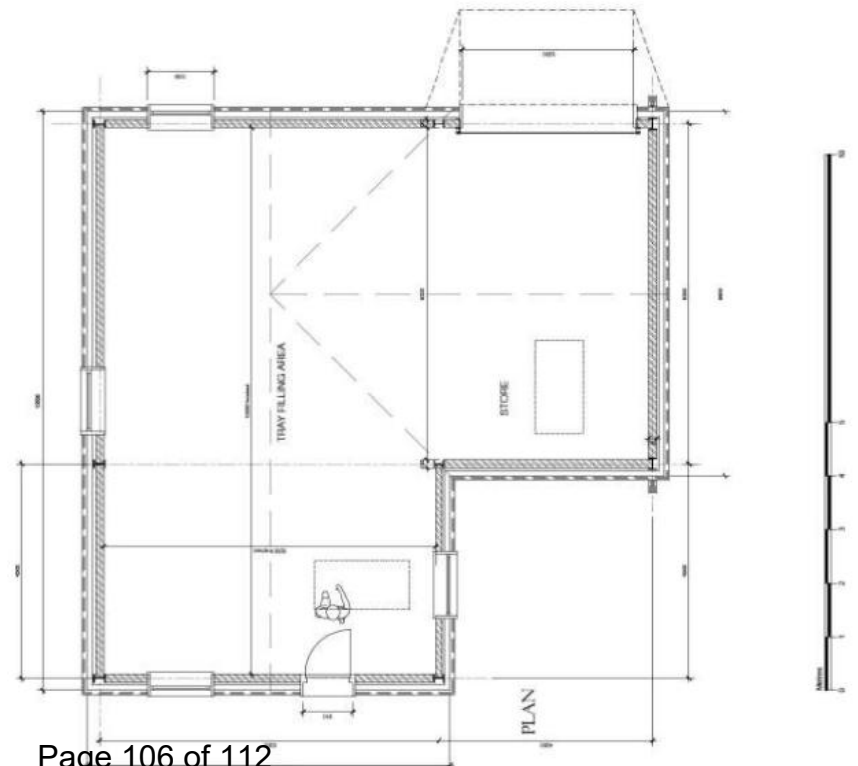
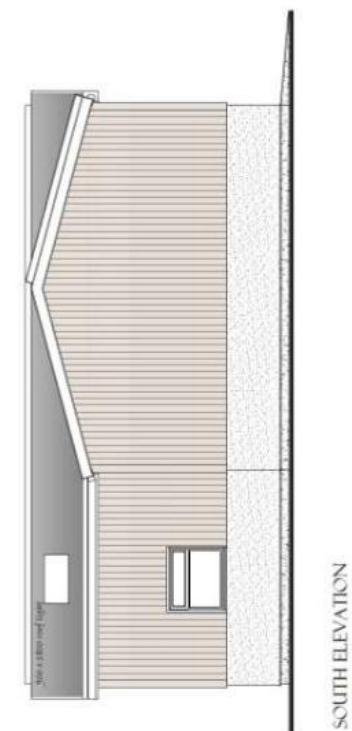
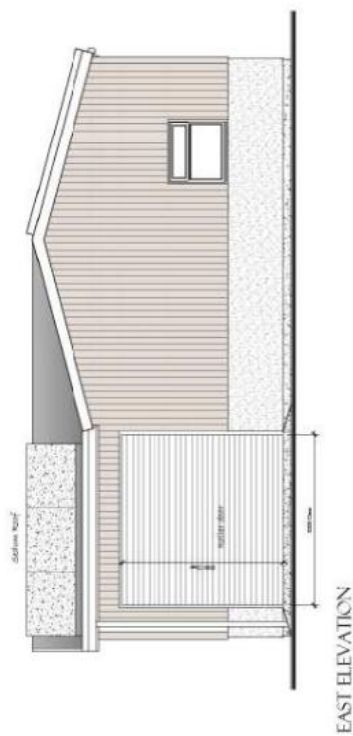
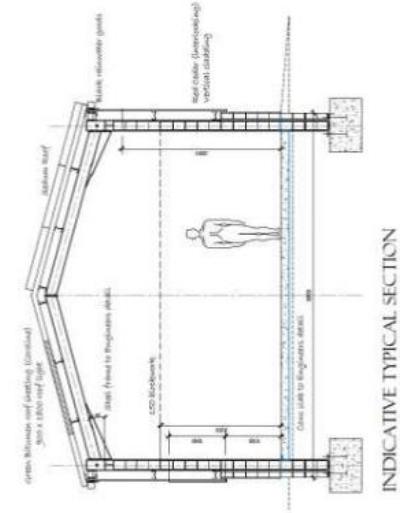
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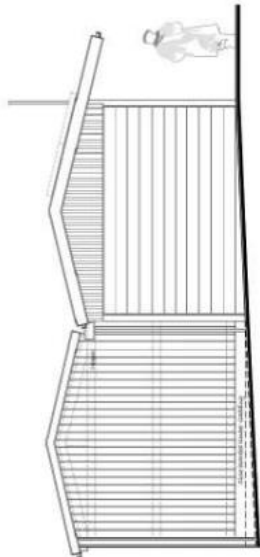
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Chapel Hill, NC 27515-7050



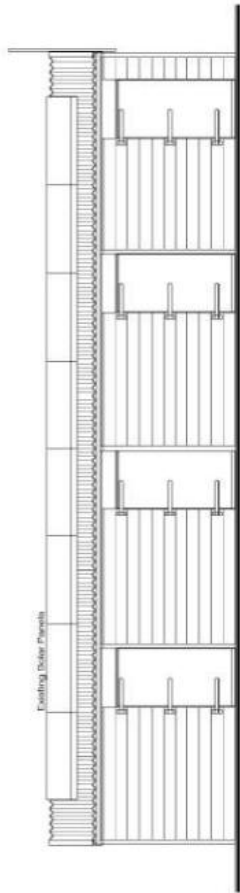




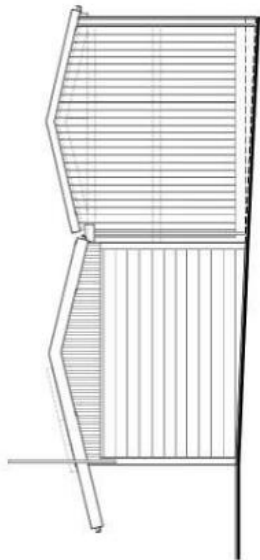




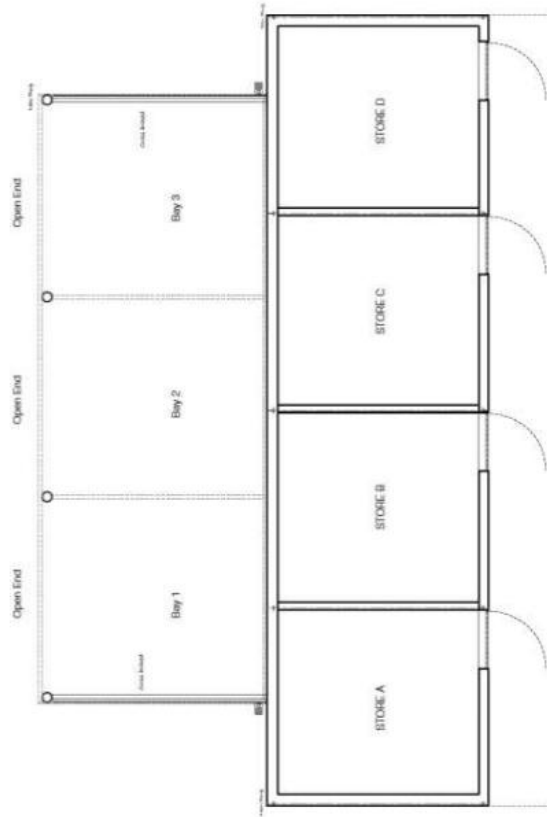
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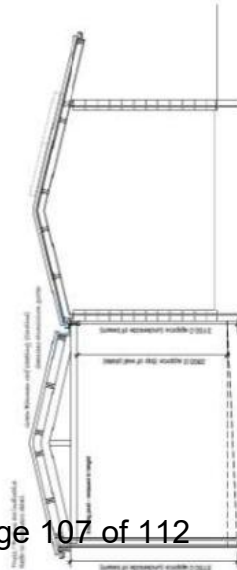
FRONT ELEVATION (FACING SOUTH)



EAST ELEVATION



REAR ELEVATION (FACING NORTH)



TYPICAL SECTION (THROUGH A)  
INDICATIVE



**CUMBRIA  
WILDFLOWERS**

3 - CWF LEAN-TO STORE  
AS PROPOSED

PLAN & ELEVATIONS

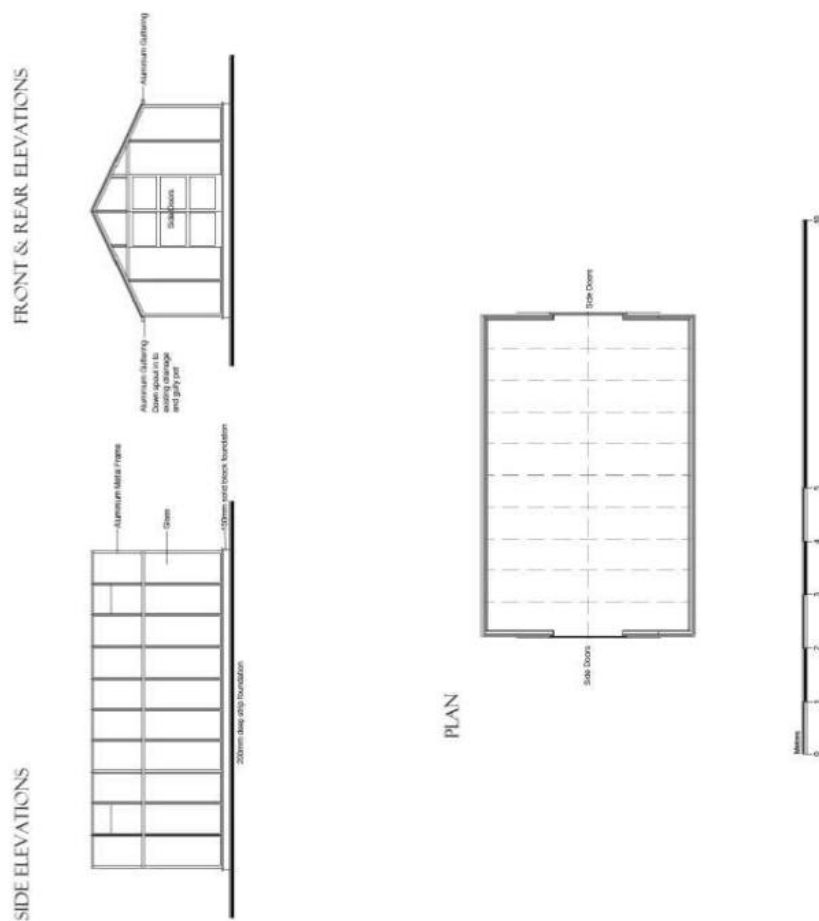
CUMBRIA WILDFLOWERS LTD  
THE STABLES  
GREAT ORTON, CARLISLE CA5 6NA  
PLANNING DWG

CONCEPT SUPPORT LTD PROJECT DEVELOPMENT  
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CHECKED BY: 2. Alexander Ford  
DATE: 01/11/2023  
FILE: CWF-3-STORES-PLAN-01.dwg

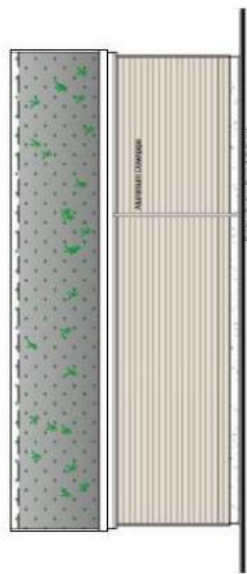
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DATE: 01/11/2023  
DRAWN BY: 1. Alexander Ford

ALL DRAWINGS TO BE APPROVED AND SIGNED OFF BY THE CLIENT  
AND THE ARCHITECTURAL FIRM  
AND THE COUNCIL





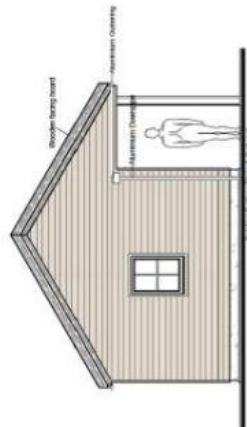




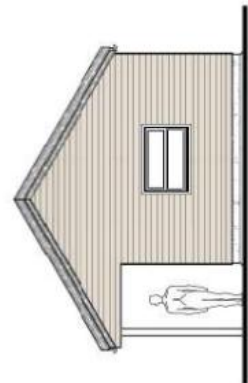
REAR ELEVATION (FACING NORTH)



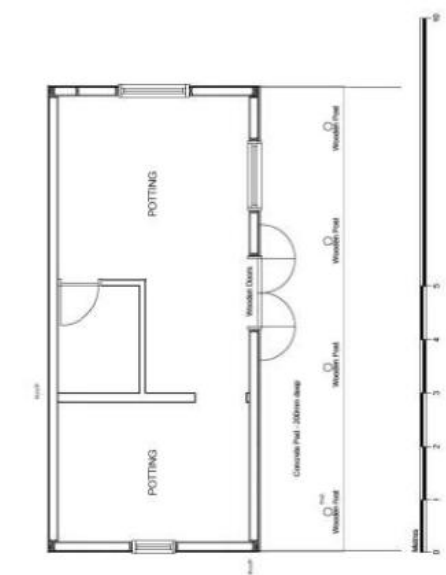
FRONT ELEVATION (FACING SOUTH)



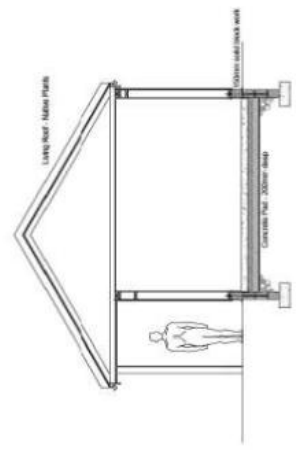
SIDE ELEVATION (FACING WEST)




SIDE ELEVATION (FACING EAST)



PLAN



TYPICAL SECTION (INDICATIVE)

 <b>CUMBRIA WILDFLOWERS</b>		<b>POTTING SHED</b>	
<b>PLAN &amp; ELEVATIONS</b>		<b>CUMBRIA WILDFLOWERS LTD</b> <b>THE STABLES</b> <b>GREAT ORTON, CARLISLE CA5 6NA</b> <b>PLANNING DWG</b>	
<b>CONCEPT SUPPORT LTD PROJECT DEVELOPMENT</b>		<b>Drawn by:</b> <b>1. Alexander Ford</b> <b>2. James Smith</b> <b>3. David Jones</b> <b>4. Chris Lee</b> <b>5. Sarah White</b> <b>6. Tom Black</b> <b>7. Emily Green</b> <b>8. Jack Brown</b> <b>9. Lily Gold</b> <b>10. Noah Silver</b> <b>11. Ava Copper</b> <b>12. Leo Nickel</b> <b>13. Mia Zinc</b> <b>14. Oliver Tin</b> <b>15. Sophia Lead</b> <b>16. Lucas Iron</b> <b>17. Charlotte Steel</b> <b>18. William Nickel</b> <b>19. Amelia Zinc</b> <b>20. Benjamin Tin</b> <b>21. Sophia Lead</b> <b>22. Lucas Iron</b> <b>23. Charlotte Steel</b> <b>24. William Nickel</b> <b>25. Amelia Zinc</b> <b>26. Benjamin Tin</b> <b>27. Sophia Lead</b> <b>28. Lucas Iron</b> <b>29. Charlotte Steel</b> <b>30. William Nickel</b> <b>31. Amelia Zinc</b> <b>32. Benjamin Tin</b> <b>33. Sophia Lead</b> <b>34. Lucas Iron</b> <b>35. Charlotte Steel</b> <b>36. William Nickel</b> <b>37. Amelia Zinc</b> <b>38. Benjamin Tin</b> <b>39. Sophia Lead</b> <b>40. Lucas Iron</b> <b>41. 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Benjamin Tin</b> <b>123. Sophia Lead</b> <b>124. Lucas Iron</b> <b>125. Charlotte Steel</b> <b>126. William Nickel</b> <b>127. Amelia Zinc</b> <b>128. Benjamin Tin</b> <b>129. Sophia Lead</b> <b>130. Lucas Iron</b> <b>131. Charlotte Steel</b> <b>132. William Nickel</b> <b>133. Amelia Zinc</b> <b>134. Benjamin Tin</b> <b>135. Sophia Lead</b> <b>136. Lucas Iron</b> <b>137. Charlotte Steel</b> <b>138. William Nickel</b> <b>139. Amelia Zinc</b> <b>140. Benjamin Tin</b> <b>141. Sophia Lead</b> <b>142. Lucas Iron</b> <b>143. Charlotte Steel</b> <b>144. William Nickel</b> <b>145. Amelia Zinc</b> <b>146. Benjamin Tin</b> <b>147. Sophia Lead</b> <b>148. Lucas Iron</b> <b>149. Charlotte Steel</b> <b>150. William Nickel</b> <b>151. Amelia Zinc</b> <b>152. Benjamin Tin</b> <b>153. Sophia Lead</b> <b>154. Lucas Iron</b> <b>155. Charlotte Steel</b> <b>156. William Nickel</b> <b>157. Amelia Zinc</b> <b>158. Benjamin Tin</b> <b>159. Sophia Lead</b> <b>160. Lucas Iron</b> <b>161. Charlotte Steel</b> <b>162. William Nickel</b> <b>163. Amelia Zinc</b> <b>164. Benjamin Tin</b> <b>165. Sophia Lead</b> <b>166. Lucas Iron</b> <b>167. Charlotte Steel</b> <b>168. William Nickel</b> <b>169. Amelia Zinc</b> <b>170. Benjamin Tin</b> <b>171. Sophia Lead</b> <b>172. Lucas Iron</b> <b>173. Charlotte Steel</b> <b>174. William Nickel</b> <b>175. Amelia Zinc</b> <b>176. Benjamin Tin</b> <b>177. Sophia Lead</b> <b>178. Lucas Iron</b> <b>179. Charlotte Steel</b> <b>180. William Nickel</b> <b>181. Amelia Zinc</b> <b>182. Benjamin Tin</b> <b>183. Sophia Lead</b> <b>184. Lucas Iron</b> <b>185. Charlotte Steel</b> <b>186. William Nickel</b> <b>187. Amelia Zinc</b> <b>188. Benjamin Tin</b> <b>189. Sophia Lead</b> <b>190. Lucas Iron</b> <b>191. Charlotte Steel</b> <b>192. William Nickel</b> <b>193. Amelia Zinc</b> <b>194. Benjamin Tin</b> <b>195. Sophia Lead</b> <b>196. Lucas Iron</b> <b>197. Charlotte Steel</b> <b>198. William Nickel</b> <b>199. Amelia Zinc</b> <b>200. Benjamin Tin</b> <b>201. Sophia Lead</b> <b>202. Lucas Iron</b> <b>203. Charlotte Steel</b> <b>204. William Nickel</b> <b>205. Amelia Zinc</b> <b>206. Benjamin Tin</b> <b>207. Sophia Lead</b> <b>208. Lucas Iron</b> <b>209. Charlotte Steel</b> <b>210. William Nickel</b> <b>211. Amelia Zinc</b> <b>212. Benjamin Tin</b> <b>213. Sophia Lead</b> <b>214. Lucas Iron</b> <b>215. Charlotte Steel</b> <b>216. William Nickel</b> <b>217. Amelia Zinc</b> <b>218. Benjamin Tin</b> <b>219. Sophia Lead</b> <b>220. Lucas Iron</b> <b>221. Charlotte Steel</b> <b>222. William Nickel</b> <b>223. Amelia Zinc</b> <b>224. Benjamin Tin</b> <b>225. Sophia Lead</b> <b>226. Lucas Iron</b> <b>227. Charlotte Steel</b> <b>228. William Nickel</b> <b>229. Amelia Zinc</b> <b>230. Benjamin Tin</b> <b>231. Sophia Lead</b> <b>232. Lucas Iron</b> <b>233. Charlotte Steel</b> <b>234. William Nickel</b> <b>235. Amelia Zinc</b> <b>236. Benjamin Tin</b> <b>237. Sophia Lead</b> <b>238. Lucas Iron</b> <b>239. Charlotte Steel</b> <b>240. William Nickel</b> <b>241. Amelia Zinc</b> <b>242. Benjamin Tin</b> <b>243. Sophia Lead</b> <b>244. Lucas Iron</b> <b>245. Charlotte Steel</b> <b>246. William Nickel</b> <b>247. Amelia Zinc</b> <b>248. Benjamin Tin</b> <b>249. Sophia Lead</b> <b>250. Lucas Iron</b> <b>251. Charlotte Steel</b> <b>252. William Nickel</b> <b>253. Amelia Zinc</b> <b>254. Benjamin Tin</b> <b>255. Sophia Lead</b> <b>256. Lucas Iron</b> <b>257. Charlotte Steel</b> <b>258. William Nickel</b> <b>259. Amelia Zinc</b> <b>260. Benjamin Tin</b> <b>261. Sophia Lead</b> <b>262. Lucas Iron</b> <b>263. Charlotte Steel</b> <b>264. William Nickel</b> <b>265. Amelia Zinc</b> <b>266. Benjamin Tin</b> <b>267. Sophia Lead</b> <b>268. Lucas Iron</b> <b>269. Charlotte Steel</b> <b>270. William Nickel</b> <b>271. Amelia Zinc</b> <b>272. Benjamin Tin</b> <b>273. Sophia Lead</b> <b>274. Lucas Iron</b> <b>275. Charlotte Steel</b> <b>276. William Nickel</b> <b>277. Amelia Zinc</b> <b>278. Benjamin Tin</b> <b>279. Sophia Lead</b> <b>280. Lucas Iron</b> <b>281. Charlotte Steel</b> <b>282. William Nickel</b> <b>283. Amelia Zinc</b> <b>284. Benjamin Tin</b> <b>285. Sophia Lead</b> <b>286. Lucas Iron</b> <b>287. Charlotte Steel</b> <b>288. William Nickel</b> <b>289. Amelia Zinc</b> <b>290. Benjamin Tin</b> <b>291. Sophia Lead</b> <b>292. Lucas Iron</b> <b>293. Charlotte Steel</b> <b>294. William Nickel</b> <b>295. Amelia Zinc</b> <b>296. Benjamin Tin</b> <b>297. Sophia Lead</b> <b>298. Lucas Iron</b> <b>299. Charlotte Steel</b> <b>300. William Nickel</b> <b>301. Amelia Zinc</b> <b>302. Benjamin Tin</b> <b>303. Sophia Lead</b> <b>304. Lucas Iron</b> <b>305. Charlotte Steel</b> <b>306. William Nickel</b> <b>307. Amelia Zinc</b> <b>308. Benjamin Tin</b> <b>309. Sophia Lead</b> <b>310. Lucas Iron</b> <b>311. Charlotte Steel</b> <b>312. William Nickel</b> <b>313. Amelia Zinc</b> <b>314. Benjamin Tin</b> <b>315. Sophia Lead</b> <b>316. Lucas Iron</b> <b>317. Charlotte Steel</b> <b>318. William Nickel</b> <b>319. Amelia Zinc</b> <b>320. Benjamin Tin</b> <b>321. Sophia Lead</b> <b>322. Lucas Iron</b> <b>323. Charlotte Steel</b> <b>324. William Nickel</b> <b>325. Amelia Zinc</b> <b>326. Benjamin Tin</b> <b>327. Sophia Lead</b> <b>328. Lucas Iron</b> <b>329. Charlotte Steel</b> <b>330. William Nickel</b> <b>331. Amelia Zinc</b> <b>332. Benjamin Tin</b> <b>333. Sophia Lead</b> <b>334. Lucas Iron</b> <b>335. Charlotte Steel</b> <b>336. William Nickel</b> <b>337. Amelia Zinc</b> <b>338. Benjamin Tin</b> <b>339. Sophia Lead</b> <b>340. Lucas Iron</b> <b>341. Charlotte Steel</b> <b>342. William Nickel</b> <b>343. Amelia Zinc</b> <b>344. Benjamin Tin</b> <b>345. Sophia Lead</b> <b>346. Lucas Iron</b> <b>347. Charlotte Steel</b> <b>348. William Nickel</b> <b>349. Amelia Zinc</b> <b>350. Benjamin Tin</b> <b>351. Sophia Lead</b> <b>352. Lucas Iron</b> <b>353. Charlotte Steel</b> <b>354. William Nickel</b> <b>355. Amelia Zinc</b> <b>356. Benjamin Tin</b> <b>357. Sophia Lead</b> <b>358. Lucas Iron</b> <b>359. Charlotte Steel</b> <b>360. William Nickel</b> <b>361. Amelia Zinc</b> <b>362. Benjamin Tin</b> <b>363. Sophia Lead</b> <b>364. Lucas Iron</b> <b>365. Charlotte Steel</b> <b>366. William Nickel</b> <b>367. Amelia Zinc</b> <b>368. Benjamin Tin</b> <b>369. Sophia Lead</b> <b>370. Lucas Iron</b> <b>371. Charlotte Steel</b> <b>372. William Nickel</b> <b>373. Amelia Zinc</b> <b>374. Benjamin Tin</b> <b>375. Sophia Lead</b> <b>376. Lucas Iron</b> <b>377. Charlotte Steel</b> <b>378. William Nickel</b> <b>379. Amelia Zinc</b> <b>380. Benjamin Tin</b> <b>381. Sophia Lead</b> <b>382. Lucas Iron</b> <b>383. Charlotte Steel</b> <b>384. William Nickel</b> <b>385. Amelia Zinc</b> <b>386. Benjamin Tin</b> <b>387. Sophia Lead</b> <b>388. Lucas Iron</b> <b>389. Charlotte Steel</b> <b>390. William Nickel</b> <b>391. Amelia Zinc</b> <b>392. Benjamin Tin</b> <b>393. Sophia Lead</b> <b>394. Lucas Iron</b> <b>395. Charlotte Steel</b> <b>396. William Nickel</b> <b>397. Amelia Zinc</b> <b>398. Benjamin Tin</b> <b>399. Sophia Lead</b> <b>400. Lucas Iron</b> <b>401. Charlotte Steel</b> <b>402. William Nickel</b> <b>403. Amelia Zinc</b> <b>404. Benjamin Tin</b> <b>405. Sophia Lead</b> <b>406. Lucas Iron</b> <b>407. Charlotte Steel</b> <b>408. William Nickel</b> <b>409. Amelia Zinc</b> <b>410. Benjamin Tin</b> <b>411. Sophia Lead</b> <b>412. Lucas Iron</b> <b>413. Charlotte Steel</b> <b>414. William Nickel</b> <b>415. Amelia Zinc</b> <b>416. Benjamin Tin</b> <b>417. Sophia Lead</b> <b>418. Lucas Iron</b> <b>419. Charlotte Steel</b> <b>420. William Nickel</b> <b>421. Amelia Zinc</b> <b>422. Benjamin Tin</b> <b>423. Sophia Lead</b> <b>424. Lucas Iron</b> <b>425. Charlotte Steel</b> <b>426. William Nickel</b> <b>427. Amelia Zinc</b> <b>428. Benjamin Tin</b> <b>429. Sophia Lead</b> <b>430. Lucas Iron</b> <b>431. Charlotte Steel</b> <b>432. William Nickel</b> <b>433. Amelia Zinc</b> <b>434. Benjamin Tin</b> <b>435. Sophia Lead</b> <b>436. Lucas Iron</b> <b>437. Charlotte Steel</b> <b>438. William Nickel</b> <b>439. Amelia Zinc</b> <b>440. Benjamin Tin</b> <b>441. Sophia Lead</b> <b>442. Lucas Iron</b> <b>443. Charlotte Steel</b> <b>444. William Nickel</b> <b>445. Amelia Zinc</b> <b>446. Benjamin Tin</b> <b>447. Sophia Lead</b> <b>448. Lucas Iron</b> <b>449. Charlotte Steel</b> <b>450. William Nickel</b> <b>451. Amelia Zinc</b> <b>452. Benjamin Tin</b> <b>453. Sophia Lead</b> <b>454. Lucas Iron</b> <b>455. Charlotte Steel</b> <b>456. William Nickel</b> <b>457. Amelia Zinc</b> <b>458. Benjamin Tin</b> <b>459. Sophia Lead</b> <b>460. Lucas Iron</b> <b>461. Charlotte Steel</b> <b>462. William Nickel</b> <b>463. Amelia Zinc</b> <b>464. Benjamin Tin</b> <b>465. Sophia Lead</b> <b>466. Lucas Iron</b> <b>467. Charlotte Steel</b> <b>468. William Nickel</b> <b>469. Amelia Zinc</b> <b>470. Benjamin Tin</b> <b>471. Sophia Lead</b> <b>472. Lucas Iron</b> <b>473. Charlotte Steel</b> <b>474. William Nickel</b> <b>475. Amelia Zinc</b> <b>476. Benjamin Tin</b> <b>477. Sophia Lead</b> <b>478. Lucas Iron</b> <b>479. Charlotte Steel</b> <b>480. William Nickel</b> <b>481. Amelia Zinc</b> <b>482. Benjamin Tin</b> <b>483. Sophia Lead</b> <b>484. Lucas Iron</b> <b>485. Charlotte Steel</b> <b>486. William Nickel</b> <b>487. Amelia Zinc</b> <b>488. Benjamin Tin</b> <b>489. Sophia Lead</b> <b>490. Lucas Iron</b> <b>491. Charlotte Steel</b> <b>492. William Nickel</b> <b>493. Amelia Zinc</b> <b>494. Benjamin Tin</b> <b>495. Sophia Lead</b> <b>496. Lucas Iron</b> <b>497. Charlotte Steel</b> <b>498. William Nickel</b> <b>499. Amelia Zinc</b> <b>500. Benjamin Tin</b> <b>501. Sophia Lead</b> <b>502. Lucas Iron</b> <b>503. Charlotte Steel</b> <b>504. William Nickel</b> <b>505. Amelia Zinc</b> <b>506. Benjamin Tin</b> <b>507. Sophia Lead</b> <b>508. Lucas Iron</b> <b>509. Charlotte Steel</b> <b>510. William Nickel</b> <b>511. Amelia Zinc</b> <b>512. Benjamin Tin</b> <b>513. Sophia Lead</b> <b>514. Lucas Iron</b> <b>515. Charlotte Steel</b> <b>516. William Nickel</b> <b>517. Amelia Zinc</b> <b>518. Benjamin Tin</b> <b>519. Sophia Lead</b> <b>520. Lucas Iron</b> <b>521. Charlotte Steel</b> <b>522. William Nickel</b> <b>523. Amelia Zinc</b> <b>524. Benjamin Tin</b> <b>525. Sophia Lead</b> <b>526. Lucas Iron</b> <b>527. Charlotte Steel</b> <b>528. William Nickel</b> <b>529. Amelia Zinc</b> <b>530. Benjamin Tin</b> <b>531. Sophia Lead</b> <b>532. Lucas Iron</b> <b>533. Charlotte Steel</b> <b>534. William Nickel</b> <b>535. Amelia Zinc</b> <b>536. Benjamin Tin</b> <b>537. Sophia Lead</b> <b>538. Lucas Iron</b> <b>539. Charlotte Steel</b> <b>540. William Nickel</b> <b>541. Amelia Zinc</b> <b>542. Benjamin Tin</b> <b>543. Sophia Lead</b> <b>544. Lucas Iron</b> <b>545. Charlotte Steel</b> <b>546. William Nickel</b> <b>547. Amelia Zinc</b> <b>548. Benjamin Tin</b> <b>549. Sophia Lead</b> <b>550. Lucas Iron</b> <b>551. Charlotte Steel</b> <b>552. William Nickel</b> <b>553. Amelia Zinc</b> <b>554. Benjamin Tin</b> <b>555. Sophia Lead</b> <b>556. Lucas Iron</b> <b>557. Charlotte Steel</b> <b>558. William Nickel</b> <b>559. Amelia Zinc</b> <b>560. Benjamin Tin</b> <b>561. Sophia Lead</b> <b>562. Lucas Iron</b> <b>563. Charlotte Steel</b> <b>564. William Nickel</b> <b>565. Amelia Zinc</b> <b>566. Benjamin Tin</b> <b>567. Sophia Lead</b> <b>568. Lucas Iron</b> <b>569. Charlotte Steel</b> <b>570. William Nickel</b> <b>571. Amelia Zinc</b> <b>572. Benjamin Tin</b> <b>573. Sophia Lead</b> <b>574. Lucas Iron</b> <b>575. Charlotte Steel</b> <b>576. William Nickel</b> <b>577. Amelia Zinc</b> <b>578. Benjamin Tin</b> <b>579. Sophia Lead</b> <b>580. Lucas Iron</b> <b>581. Charlotte Steel</b> <b>582. William Nickel</b> <b>583. Amelia Zinc</b> <b>584. Benjamin Tin</b> <b>585. Sophia Lead</b> <b>586. Lucas Iron</b> <b>587. Charlotte Steel</b> <b>588. William Nickel</b> <b>589. Amelia Zinc</b> <b>590. Benjamin Tin</b> <b>591. Sophia Lead</b> <b>592. Lucas Iron</b> <b>593. Charlotte Steel</b> <b>594. William Nickel</b> <b>595. Amelia Zinc</b> <b>596. Benjamin Tin</b> <b>597. Sophia Lead</b> <b>598. Lucas Iron</b> <b>599. Charlotte Steel</b> <b>600. William Nickel</b> <b>601. Amelia Zinc</b> <b>602. Benjamin Tin</b> <b>603. Sophia Lead</b> <b>604. Lucas Iron</b> <b>605. Charlotte Steel</b> <b>606. William Nickel</b> <b>607. Amelia Zinc</b> <b>608. Benjamin Tin</b> <b>609. Sophia Lead</b> <b>610. Lucas Iron</b> <b>611. Charlotte Steel</b> <b>612. William Nickel</b> <b>613. Amelia Zinc</b> <b>614. Benjamin Tin</b> <b>615. Sophia Lead</b> <b>616. Lucas Iron</b> <b>617. Charlotte Steel</b> <b>618. William Nickel</b> <b>619. Amelia Zinc</b> <b>620. Benjamin Tin</b> <b>621. Sophia Lead</b> <b>622. Lucas Iron</b> <b>623. Charlotte Steel</b> <b>624. William Nickel</b> <b>625. Amelia Zinc</b> <b>626. Benjamin Tin</b> <b>627. Sophia Lead</b> <b>628. Lucas Iron</b> <b>629. Charlotte Steel</b> <b>630. William Nickel</b> <b>631. Amelia Zinc</b> <b>632. Benjamin Tin</b> <b>633. Sophia Lead</b> <b>634. Lucas Iron</b> <b>635. Charlotte Steel</b> <b>636. William Nickel</b> <b>637. Amelia Zinc</b> <b>638. Benjamin Tin</b> <b>639. Sophia Lead</b> <b>640. Lucas Iron</b> <b>641. Charlotte Steel</b> <b>642. William Nickel</b> <b>643. Amelia Zinc</b> <b>644. Benjamin Tin</b> <b>645. Sophia Lead</b> <b>646. Lucas Iron</b> <b>647. Charlotte Steel</b> <b>648. William Nickel</b> <b>649. Amelia Zinc</b> <b>650. Benjamin Tin</b> <b>651. Sophia Lead</b> <b>652. Lucas Iron</b> <b>653. Charlotte Steel</b> <b>654. William Nickel</b> <b>655. Amelia Zinc</b> <b>656. Benjamin Tin</b> <b>657. Sophia Lead</b> <b>658. Lucas Iron</b> <b>659. Charlotte Steel</b> <b>660. William Nickel</b> <b>661. Amelia Zinc</b> <b>662. Benjamin Tin</b> <b>663. Sophia Lead</b> <b>664. Lucas Iron</b> <b>665. Charlotte Steel</b> <b>666. William Nickel</b> <b>667. Amelia Zinc</b> <b>668. Benjamin Tin</b> <b>669. Sophia Lead</b> <b>670. Lucas Iron</b> <b>671. Charlotte Steel</b> <b>672. William Nickel</b> <b>673. Amelia Zinc</b> <b>674. Benjamin Tin</b> <b>675. Sophia Lead</b> <b>676. Lucas Iron</b> <b>677. Charlotte Steel</b> <b>678. William Nickel</b> <b>679. Amelia Zinc</b> <b>680. Benjamin Tin</b> <b>681. Sophia Lead</b> <b>682. Lucas Iron</b> <b>683. Charlotte Steel</b> <b>684. William Nickel</b> <b>685. Amelia Zinc</b> <b>686. Benjamin Tin</b> <b>687. Sophia Lead</b> <b>688. Lucas Iron</b> <b>689. Charlotte Steel</b> <b>690. William Nickel</b> <b>691. Amelia Zinc</b> <b>692. Benjamin Tin</b> <b>693. Sophia Lead</b> <b>694. Lucas Iron</b> <b>695. Charlotte Steel</b> <b>696. William Nickel</b> <b>697. Amelia Zinc</b> <b>698. Benjamin Tin</b> <b>699. Sophia Lead</b> <b>700. Lucas Iron</b> <b>701. Charlotte Steel</b> <b>702. William Nickel</b> <b>703. Amelia Zinc</b> <b>704. Benjamin Tin</b> <b>705. Sophia Lead</b> <b>706. Lucas Iron</b> <b>707. Charlotte Steel</b> <b>708. William Nickel</b> <b>709. Amelia Zinc</b> <b>710. Benjamin Tin</b> <b>711. Sophia Lead</b> <b>712. Lucas Iron</b> <b>713. Charlotte Steel</b> <b>714. William Nickel</b> <b>715. Amelia Zinc</b> <b>716. Benjamin Tin</b> <b>717. Sophia Lead</b> <b>718. Lucas Iron</b> <b>719. Charlotte Steel</b> <b>720. William Nickel</b> <b>721. Amelia Zinc</b> <b>722. Benjamin Tin</b> <b>723. Sophia Lead</b> <b>724. Lucas Iron</b> <b>725. Charlotte Steel</b> <b>726. William Nickel</b> <b>727. Amelia Zinc</b> <b>728. Benjamin Tin</b> <b>729. Sophia Lead</b> <b>730. Lucas Iron</b> <b>731. Charlotte Steel</b> <b>732. William Nickel</b> <b>733. Amelia Zinc</b> <b>734. Benjamin Tin</b> <b>735. Sophia Lead</b> <b>736. Lucas Iron</b> <b>737. Charlotte Steel</b> <b>738. William Nickel</b> <b>739. Amelia Zinc</b> <b>740. Benjamin Tin</b> <b>741. Sophia Lead</b> <b>742. Lucas Iron</b> <b>743. Charlotte Steel</b> <b>744. William Nickel</b> <b>745. Amelia Zinc</b> <b>746. Benjamin Tin</b> <b>747. Sophia Lead</b> <b>748. Lucas Iron</b> <b>749. Charlotte Steel</b> <b>750. William Nickel</b> <b>751. Amelia Zinc</b> <b>752. Benjamin Tin</b> <b>753. Sophia Lead</b> <b>754. Lucas Iron</b> <b>755. Charlotte Steel</b> <b>756. William Nickel</b> <b>757. Amelia Zinc</b> <b>758. Benjamin Tin</b> <b>759. Sophia Lead</b> <b>760. Lucas Iron</b> <b>761. Charlotte Steel</b> <b>762. William Nickel</b> <b>763. Amelia Zinc</b> <b>764. Benjamin Tin</b> <b>765. Sophia Lead</b> <b>766. Lucas Iron</b> <b>767. Charlotte Steel</b> <b>768. William Nickel</b> <b>769. Amelia Zinc</b> <b>770. Benjamin Tin</b> <b>771. Sophia Lead</b> <b>772. Lucas Iron</b> <b>773. Charlotte Steel</b> <b>774. William Nickel</b> <b>775. Amelia Zinc</b> <b>776. Benjamin Tin</b> <b>777. Sophia Lead</b> <b>778. Lucas Iron</b> <b>779. Charlotte Steel</b> <b>780. William Nickel</b> <b>781. Amelia Zinc</b> <b>782. Benjamin Tin</b> <b>783. Sophia Lead</b> <b>784. Lucas Iron</b> <b>785. Charlotte Steel</b> <b>786. William Nickel</b> <b>787. Amelia Zinc</b> <b>788. Benjamin Tin</b> <b>789. Sophia Lead</b> <b>790. Lucas Iron</b> <b>791. Charlotte Steel</b> <b>792. William Nickel</b> <b>793. Amelia Zinc</b> <b>794. Benjamin Tin</b> <b>795. Sophia Lead</b> <b>796. Lucas Iron</b> <b>797. Charlotte Steel</b> <b>798. William Nickel</b> <b>799. Amelia Zinc</b> <b>800. Benjamin Tin</b> <b>801. Sophia Lead</b> <b>802. Lucas Iron</b> <b>803. Charlotte Steel</b> <b>804. William Nickel</b> <b>805. Amelia Zinc</b> <b>806. Benjamin Tin</b> <b>807. Sophia Lead</b> <b>808. Lucas Iron</b> <b>809. Charlotte Steel</b> <b>810. William Nickel</b> <b>811. Amelia Zinc</b> <b>812. Benjamin Tin</b> <b>813. Sophia Lead</b> <b>814. Lucas Iron</b> <b>815. Charlotte Steel</b> <b>816. William Nickel</b> <b>817. Amelia Zinc</b>	

REAR ELEVATION (FACING NORTH)



SIDE ELEVATIONS



FRONT ELEVATION (FACING SOUTH)



PLAN

