

# Committee Minutes

## Control of Development and Advertisements

The Development Control Committee received and considered the following applications:

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### Item no: 01

**Appn Ref No:**  
12/0845

**Applicant:**  
Mr & Mrs S Nelson

**Parish:**  
Stanwix Rural

**Date of Receipt:**  
11/10/2012 16:00:09

**Agent:**  
Ian Pick Associates Ltd

**Ward:**  
Stanwix Rural

**Location:**  
Greenfield Farm, The Green, Houghton, Carlisle,  
CA3 0LP

**Grid Reference:**  
340789 558915

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Proposal: Change Of Use Of Land To Permit The Storage Of 20 Touring Caravans

### Grant Permission

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

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

2. The approved documents for this Planning Permission comprise:

1. the submitted planning application form;
2. the site plan received 11th October 2012;
3. the location plan received 15th October 2012;
4. the accompanying letter received 11th October 2012;
5. the Notice of Decision; and
6. any such variation as may subsequently be approved in writing by the Local Planning Authority.

**Reason:** To define the permission.

3. The premises shall be used for the storage of touring caravans and for no other purpose.

**Reason:** To preclude the possibility of the use of the premises for purposes inappropriate in the locality occupiers in accordance with Policy DP1 and CP6 of the Carlisle District Local Plan 2001-2016.

4. This permission shall not be exercised by any person other than Mr and Mrs S Nelson.

**Reason:** In order to safeguard the amenity of the character of the locality in accordance with the objectives of Policy DP1 and CP5 of the Carlisle District Local Plan 2001-2016.

5. There shall be no interference with the public's right of way over Public Footpath No. 132010 at any time during or after construction.

**Reason:** In order to prevent any obstruction to a public right of way in accordance with Policy CP1 of the Carlisle District Local Plan 2001-2016.

6. The proposed caravan storage area shall not be open for business except between 0800 hours and 2000 hours on Mondays-Sundays.

**Reason:** To prevent disturbance to nearby residential occupiers and in accord with Policy CP6 of the Carlisle District Local Plan 2001-2016.

7. No static caravans shall be stationed within the site without the prior permission of the Local Planning Authority.

**Reason:** To preclude the possibility of the use of the premises for purposes inappropriate in the locality occupiers in accordance with Policy DP1 and CP6 of the Carlisle District Local Plan 2001-2016.

8. No hiring, sales or human occupation of caravans shall take place within the storage area, which shall only be used for the storing of touring caravans with any maintenance of the caravans limited to cleaning and valeting.

**Reason:** To preclude the possibility of the use of the premises for purposes inappropriate in the locality occupiers in accordance with Policy DP1 and CP6 of the Carlisle District Local Plan 2001-2016.

9. The access track to the development site forms part of PROW no.132010. The surface of the PROW must be maintained in good condition, free of potholes, in accordance with standards set by the Local Planning Authority.

**Reason:** In order to prevent any damage to the public right of way in accordance with Policy CP1 of the Carlisle District Local Plan 2001-2016.

10. The proposed development shall be used solely for the storage of caravans and no washing of caravans or cleaning or emptying of chemical toilets shall be carried out therein or therefrom.

**Reason:** To preclude the possibility of the use of the premises for purposes inappropriate in the locality, and contrary to the CP11 and CP13 of

## **Summary of Reasons for the Decision**

The decision to grant planning permission has been taken having regard to the Development Plan, including Supplementary Planning Guidance/ Documents and Design Guidance. The relevant Development Plan policies and Supplementary Guidance have been considered in conjunction with comments received from consultees (including statutory consultees) and any responses from third parties, together with other material planning considerations. On balance the proposal was regarded as acceptable and it was considered that the development does not cause demonstrable harm to interests of acknowledged importance that justifies withholding permission.

## **Relevant Development Plan Policies**

### **Carlisle District Local Plan 2001 - 2016**

#### **Leisure & Community Uses - Policy LC8 - Rights Of Way**

Carlisle City Council will seek to retain all existing footpaths, bridleways and other rights of way and to establish new routes wherever possible. New development will seek to maintain the existing rights of way network and where possible local improvements and extensions will be sought as part of new developments. Proposals to close or divert existing rights of way will not be permitted unless an alternative route is available which is attractive, serves the same area and is not significantly longer than the original route.

### **Carlisle District Local Plan 2001 - 2016**

#### **Spatial Strategy & Development Principles - Policy DP1 - Sustainable Development Locations**

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

Urban Area                      City of Carlisle

Key Service Centres      Brampton  
   Longtown

Local Service Centres	Burgh by Sands	Heads Nook
	Castle Carrock	Houghton
	Cummersdale	Irthington
	Cumwhinton	Raughton Head
	Dalston	Rockcliffe
	Gilsland	Scotby
	Great Corby	Smithfield

Great Orton  
Hallbankgate  
Hayton

Thurstonfield  
Warwick Bridge  
Wetheral

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

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

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

Settlement Boundaries have been established on the Proposals Map to recognise the extent of built development or where planning permission already exists to judge proposals for development and are not indicative of land ownership.

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

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

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

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

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

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

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

#### **Item no: 02**

**Appn Ref No:**  
12/0983

**Applicant:**  
Mr & Mrs Sykes

**Parish:**  
Castle Carrock

**Date of Receipt:**  
30/11/2012 16:00:44

**Agent:**  
Bell Cornwell LLP

**Ward:**  
Great Corby & Geltsdale

**Location:**  
The Weary Inn and Restaurant, Castle Carrock,  
Brampton, CA8 9LU

**Grid Reference:**  
354261 555371

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Proposal: Demolition Of Building And Erection Of 2No. Three Bedroom Dwellings  
And 1No. Two Bedroom Dwelling

#### Grant Permission

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

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

2. The approved documents for this planning permission comprise:

1. the submitted planning application form, received 30 November 2012;
2. Design & Access Statement, received 30 November 2012;
3. Phase 1 Environmental Review, received 30 November 2012;
4. Bat Survey, received 30 November 2012;
5. Site Location Plan, received 30 November 2012 (Plan No. 11.05/P/001B);
6. Existing Site Plan, received 30 November 2012 (Plan No. 11.05/P/002 Rev A);
7. Proposed Site Plan, received 9 January 2013 (Plan No. 11.05/P/003 Rev E);
8. Proposed Ground Floor Plan, received 9 January 2013 (Plan No. 11.05/P/006 Rev D);
9. Proposed First Floor Plan, received 9 January 2013 (Plan No. 11.05/P/007 Rev D);
10. Proposed Second Floor Plan, received 9 January 2013 (Plan No. 11.05/P/008 Rev C);
11. Proposed Roof Plan, received 9 January 2013 (Plan No. 11.05/P/009 Rev C);
12. Existing North Facing Elevations, received 30 November 2012 (Plan No. 11.05/P/010);
13. Proposed North Facing Elevations, received 9 January 2013 (Plan No. 11.05/P/011E);
14. Proposed South Facing Elevations, received 9 January 2013 (Plan No. 11.05/P/012C);
15. Proposed West Facing Elevations, received 9 January 2013 (Plan No. 11.05/P/013B);
16. Proposed East Facing Elevations, received 10 December 2012 (Plan No. 11.05/P/014 Rev A);
17. Proposed West Facing Elevation & Cross Section, received 30 November 2012 (Plan No. 11.05/P/015);

18. the Notice of Decision; and
19. any such variation as may subsequently be approved in writing by the Local Planning Authority.

**Reason:** For the avoidance of doubt.

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

**Reason:** To ensure the works harmonise as closely as possible with dwellings in the vicinity and to ensure compliance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

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

**Reason:** To ensure that a satisfactory landscaping scheme is prepared and to ensure compliance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

5. No development shall commence until details of any walls, gates, fences and other means of permanent enclosure and/or boundary treatment to be erected have been submitted to and approved, in writing, by the Local Planning Authority.

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

6. No development approved by this permission shall be commenced until a scheme for the provision of foul and surface water drainage works has been approved in writing by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans.

**Reason:** To ensure a satisfactory means of surface water and foul drainage disposal and in accord with Policy CP12 of the Carlisle District Local Plan 2001-2016.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) there shall be no enlargement or external alterations to the dwellings to be erected in accordance with this permission, within the meaning of Schedule 2 Part (1) of these Orders, without the written approval of the Local Planning

Authority.

**Reason:** To ensure that the character and attractive appearance of the buildings is not harmed by inappropriate alterations and/or extensions and that any additions which may subsequently be proposed satisfy the objectives of Policy CP5 of the Carlisle District Local Plan 2001-2016.

8. No dwelling shall be occupied until the vehicular access and parking requirements have been constructed in accordance with the approved plan and brought into use. These facilities 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 and to support Local Transport Plan Policies LD5, LD7 and LD8.

9. Prior to the commencement of development the applicant shall submit, for approval in writing by the Local Planning Authority, details of the proposed mitigation measures in relation to bats. The development shall then be carried out in strict accordance with these mitigation measures.

**Reason:** In order to protect bats, in accordance Policy CP2 of the Carlisle District Local Plan 2001-2016.

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

**Reason:** To ensure that a permanent record is made of the buildings of architectural and historic interest prior to their demolition as part of the proposed development

11. No construction work associated with the development hereby approved shall be carried out before 07.30 hours or after 18.00 hours Monday to Friday, before 07.30 hours or after 13.00 hours on Saturdays, nor at any times on Sundays or Bank Holidays.

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

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### Summary of Reasons for the Decision

The decision to grant planning permission has been taken having regard to the Development Plan, including supplementary planning guidance/documents and

design guidance. The relevant Development Plan policies and supplementary guidance have been considered in conjunction with comments received from consultees (including statutory consultees) and any responses from third parties, together with other material planning considerations. On balance the proposal was regarded as acceptable and it was considered that the development does not cause demonstrable harm to interests of acknowledged importance that justifies withholding permission.

## **Relevant Development Plan Policies**

### **Carlisle District Local Plan 2001 - 2016**

#### **Spatial Strategy & Development Principles - Policy DP1 - Sustainable Development Locations**

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

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

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

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

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

Settlement Boundaries have been established on the Proposals Map to recognise the extent of built development or where planning permission already exists to judge proposals for development and are not indicative of land ownership.



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

**Carlisle District Local Plan 2001 - 2016**  
**Spatial Strategy And Development Principles - Policy DP9 - Areas Of Outstanding Natural Beauty**

Within the North Pennines and Solway Coast Areas of Outstanding Natural Beauty, and their settings, permission will not be given for development that would harm the special characteristics and landscape quality of the areas. Development proposals must conserve or enhance the natural beauty of the areas, including scenic qualities, landform, ecology, geology, cultural interests, and the historic environment, so that these qualities can be enjoyed by present and future generations.

Major development of a national scale will only be permitted in exceptional circumstances where it can be demonstrated to be in the public interest. Development required to meet local infrastructure needs which cannot be located anywhere else will be permitted provided it is sited to minimise environmental impact and meet high standards of design.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

affect.

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

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

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

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

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

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

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

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

- 1 the Parking Guidelines for Cumbria as updated by additional requirements in

- PPG 13;
- 2 the availability of public car parking in the vicinity;
  - 3 the impact of parking provision on the environment of the surrounding area;
  - 4 the likely impact on the surrounding road network; and
  - 5 accessibility by and availability of, other forms of transport.

**Item no: 03**

<b>Appn Ref No:</b> 13/0065	<b>Applicant:</b> Magnus Homes Limited	<b>Parish:</b> Wetheral
<b>Date of Receipt:</b> 24/01/2013	<b>Agent:</b> Taylor & Hardy	<b>Ward:</b> Wetheral
<b>Location:</b> Land to the rear of Lime House, Wetheral, Carlisle, Cumbria, CA4 8EH		<b>Grid Reference:</b> 346524 554435

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Proposal: Erection Of 7no. Dwellings And Associated Parking, Engineering Works  
And Landscaping

Members resolved to defer consideration of the proposal in order to allow officers time to go back to the developer to request they amend the scheme and to await a further report on the application at a future meeting of the Committee.

**Item no: 04**

<b>Appn Ref No:</b> 13/0115	<b>Applicant:</b> Mr Fell	<b>Parish:</b> Wetheral
<b>Date of Receipt:</b> 12/02/2013 13:00:09	<b>Agent:</b> Mrs Halton	<b>Ward:</b> Wetheral
<b>Location:</b> Wheelbarrow Hall Farm, Aglionby, Carlisle, CA4 8AD		<b>Grid Reference:</b> 343580 556455

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Proposal: Erection Of A Single Wind Turbine (60kW), 30.1m Hub Height, 41.6m To  
Tip Height And Associated Infrastructure (Revised Application)

Grant Permission

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

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

2. The approved documents for this Planning Permission comprise:
1. the submitted Planning Application Form received 3rd April 2013;
  2. the Site Location Plan received 3rd April 2013 (Drawing No. WHEEL/0001 REVB);
  3. the Block Plan received 3rd April 2013 (Drawing No.WHEEL/002/REV B);
  4. the Proposed Elevations received 15th February 2013 (Drawing No.1012907);
  5. the Design and Access Statement and Planning Statement received 15th February 2013;
  6. the Landscape and Visual Impact Assessment received 15th February 2013;
  7. the Photomontage Assessment received 15th February 2013;
  8. the Desktop Bird Risk Assessment received 15th February 2013;
  9. the Extended Phase 1 Habitat Survey and Bat Risk Assessment received 15th February 2013;
  10. the Grid Connection Information received 13th March 2013;
  11. the Aviation Assessment Undertaken by Cyrrus received 15th February 2013;
  12. the Turbine Specification received 15th February 2013;
  13. the Sheet Containing Electrical Output Details received 15th February 2013;
  14. the Noise Impact Assessment undertaken by PDA Acoustic Consultants received 13th March 2013 (used for information purposes with regard to background noise levels);
  15. the Notice of Decision; and
  16. any such variation as may subsequently be approved in writing by the Local Planning Authority.

**Reason:** To define the permission.

3. If the wind turbine hereby permitted ceases to be operational for a continuous period of twelve months the operator shall give notice in writing to the local planning authority of the end date of the twelve month period. Within six months of this end date the wind turbine and all associated infrastructure and services shall be removed from the site and the site shall be reinstated to its original condition.

**Reason:** In the interests of the visual amenity of the area and to accord with the objectives of Policies CP1 and CP8 of the Carlisle District Local Plan 2001-2016.

4. The permission hereby granted is for the wind turbine to be retained for a period of not more than 25 years. The local planning authority shall be notified in writing of the date of the commissioning of the wind turbine. By no later than the end of the 25 year period the turbine shall be de-commissioned, and it and all related above ground structures shall be removed from the site which shall be reinstated to its original condition.

**Reason:** In the interests of the visual amenity of the area and to accord with

the objectives of Policies CP1 and CP8 of the Carlisle District Local Plan 2001-2016.

5. No logos, advertisements, lettering, lights or other information (other than that required for health, safety and legal reasons) shall be displayed on the turbine hereby permitted, nor shall the turbine be illuminated without the prior written approval of the local planning authority.

**Reason:** To safeguard the character of the area in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

6. The level of noise emissions from the turbine hereby permitted when measured in free field conditions at the boundary of the nearest noise sensitive receptor which lawfully exists or has planning permission for construction at the date of this planning permission, or measured closer to the turbine and calculated out to the receptor in accordance with a methodology previously approved in writing by the local planning authority, shall not exceed 35 dB LA90,10min up to wind speeds of 10 m/s measured at a height of 10 m above ground level at a specified location near to the turbine which has been previously approved in writing by the local planning authority.

**Reason:** To minimise any potential adverse impact on nearby occupiers and in accordance with the objectives of Policy CP8 (Criteria 4) of the Carlisle District Local Plan 2001-2016.

7. The developer shall give advance notice in writing to the Ministry of Defence (including the local planning authority) of the date construction of the turbine hereby permitted commences and ends, and shall include details about the maximum height of construction equipment, together with the blade tip height of the turbine above ground level, and the latitude and longitude of the turbine.

**Reason:** In the interests of air safety.

8. No construction works of any kind shall take place during the breeding bird season (1st March - 31st August) unless the absence of nesting birds has been established through a survey and such survey has been agreed in writing beforehand by the local planning authority.

**Reason:** To protect features of recognised nature conservation importance in accordance with Policy CP2 of the Carlisle District Local Plan 2001-2016.

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## Summary of Reasons for the Decision

The decision to grant planning permission has been taken having regard to the Development Plan, including Supplementary Planning Guidance/ Documents and Design Guidance. The relevant Development Plan policies and Supplementary Guidance have been considered in conjunction with comments received from consultees (including statutory consultees) and any responses from third

parties, together with other material planning considerations. On balance the proposal was regarded as acceptable and it was considered that the development does not cause demonstrable harm to interests of acknowledged importance that justifies withholding permission.

## **Relevant Development Plan Policies**

### **The North West Of England Plan Regional Spatial Strategy To 2021 Policy EM 1: Integrated Enhancement And Protection Of The Region's Environmental Assets**

The Region's environmental assets should be identified, protected, enhanced and managed.

Plans, strategies, proposals and schemes should deliver an integrated approach to conserving and enhancing the landscape, natural environment, historic environment and woodlands of the region.

Plans and strategies should define spatial objectives and priorities for conservation, restoration and enhancement as appropriate, and provide area-based guidelines to direct decisions and target resources. These will be founded on a sound understanding of the diversity, distinctiveness, significance and sensitivity of the region's environmental assets, and informed by sub-regional environmental frameworks. Special consideration will be given to the impacts of climate change and adaptation measures.

Priority should be given to conserving and enhancing areas, sites, features and species of international, national, regional and local landscape, natural environment and historic environment importance.

Where proposals and schemes affect the region's landscape, natural or historic environment or woodland assets, prospective developers and/or local authorities should first avoid loss of or damage to the assets, then mitigate any unavoidable damage and compensate for loss or damage through offsetting actions with a foundation of no net loss in resources as a minimum requirement.

With regard to specific elements of this integrated approach, the following should be taken into account:

### **The North West Of England Plan Regional Spatial Strategy To 2021 Policy EM1 (A): Landscape**

Plans, strategies, proposals and schemes should identify, protect, maintain and enhance natural, historic and other distinctive features that contribute to the character of landscapes and places within the North West.

They should be informed by and recognise the importance of:

- detailed landscape character assessments and strategies, which local authorities should produce, set in the context of the North West Joint Character Area Map <sup>(93)</sup>. These will be used to identify priority areas for the maintenance, enhancement and/or restoration of that character and will under-pin and act as key components of criteria-based policies in LDFs;
- the special qualities of the environment associated with the nationally designated areas of the Lake District National Park, the Yorkshire Dales National Park, the Peak District National Park, the Forest of Bowland Area of Outstanding Natural Beauty (AONB), the Arnside and Silverdale AONB, the North Pennines AONB and Solway Coast AONB and their settings;
- the characteristics and setting of World Heritage Sites.

## **The North West Of England Plan Regional Spatial Strategy To 2021**

### **Policy EM 17: Renewable Energy**

In line with the North West Sustainable Energy Strategy, by 2010 at least 10% (rising to at least 15% by 2015 and at least 20% by 2020) of the electricity which is supplied within the Region should be provided from renewable energy sources. To achieve this new renewable energy capacity should be developed which will contribute towards the delivery of the indicative capacity targets set out in Tables 9.6 and 9.7a-c. In accordance with PPS22, meeting these targets is not a reason to refuse otherwise acceptable development proposals.

Local authorities should work with stakeholders in the preparation of sub regional studies of renewable energy resources so as to gain a thorough understanding of the supplies available and network improvements, and how they can best be used to meet national, regional and local targets. These studies should form the basis for:

- informing a future review of RSS to identify broad locations where development of particular types of renewable energy may be considered appropriate <sup>(119)</sup>; and
- establishing local strategies for dealing with renewable resources, setting targets for their use which can replace existing sub regional targets for the relevant authorities.

Plans and strategies should seek to promote and encourage, rather than restrict, the use of renewable energy resources. Local planning authorities should give significant weight to the wider environmental, community and economic benefits of proposals for renewable energy schemes to:

- contribute towards the capacities set out in tables 9.6 and 9.7 a-c; and
- mitigate the causes of climate change and minimise the need to consume finite natural resources.

Opportunities should be sought to identify proposals and schemes for renewable energy. The following criteria should be taken into account but should not be used to rule out or place constraints on the development of all, or specific types of, renewable energy technologies:

- anticipated effects on local amenity resulting from development, construction



and operation of schemes (e.g. air quality, atmospheric emissions, noise, odour, water pollution and disposal of waste). Measures to mitigate these impacts should be employed where possible and necessary to make them acceptable;

- acceptability of the location/scale of the proposal and its visual impact in relation to the character and sensitivity of the surrounding landscape, including cumulative impact. Stringent requirements for minimising impact on landscape and townscape would not be appropriate if these effectively preclude the supply of certain types of renewable energy, other than in the most exceptional circumstances such as within nationally recognised designations as set out in PPS22 paragraph 11;
- effect on the region's World Heritage Sites and other national and internationally designated sites or areas, and their settings but avoiding the creation of buffer zones and noting that small scale developments may be permitted in such areas provided there is no significant environmental detriment;
- effect of development on nature conservation features, biodiversity and geodiversity, including sites, habitats and species, and which avoid significant adverse effects on sites of international nature conservation importance by assessment under the Habitats Regulations;
- maintenance of the openness of the Region's Green Belt;
- potential benefits of development to the local economy and the local community;
- accessibility (where necessary) by the local transport network;
- effect on agriculture and other land based industries;
- ability to make connections to the electricity distribution network which takes account of visual impact (as qualified above);
- integration of the proposal with existing or new development where appropriate;
- proximity to the renewable fuel source where relevant – e.g. wood-fuel biomass processing plants within or in close proximity to the region's major woodlands and forests;
- encourage the integration of combined heat and power (CHP), including micro CHP into development.

Developers must engage with local communities at an early stage of the development process prior to submission of any proposals and schemes for approval under the appropriate legislation.

**Cumbria and Lake District Joint Structure Plan 2001 – 2016**  
**Policy R44: Renewable energy outside the Lake District National Park and AONBs**

Outside the Lake District National Park and AONBs proposals for renewable energy including any ancillary infrastructure or buildings will be favourably considered if:

1. there is no significant adverse effect on the landscape character, biodiversity and the natural and built heritage of the area either individually or cumulatively through their relationship with other utility infrastructure

2. there is no significant adverse effect on local amenity, the local economy, highways, aircraft operations or telecommunications,
3. the proposal takes all practicable measures to reduce any adverse impact on landscape, environmental, nature conservation, historical and local community interests,

In considering applications for planning permission in relation to the above criteria, and other policies in this plan, the environmental, economic and energy benefits of renewable energy proposals should be given significant weight.

There are additional requirements in the following cases:

#### **Wind energy development**

4. measures should be included to secure the satisfactory removal of structures/ related infrastructure and remediation of land following cessation of operation of the installation,

#### **New plant for the commercial generation of energy from biomass**

5. shall be sited on existing industrial/ employment sites or previously developed land that is well related to the resource catchment.

Where practicable measures to transport fuel and waste by water or rail shall be made.

#### **Proposals for the recovery of energy from agriculture waste within existing farm units or sewage sludge**

6. shall be well related to the activity, scale and character of the existing business/enterprise and /or setting.

### **Cumbria and Lake District Joint Structure Plan 2001 – 2016**

#### **Policy E35: Areas and Features of nature conservation interests other than those of national and international conservation importance**

Development and other land use changes that are detrimental to these nature conservation interests will not be permitted unless the harm caused to the value of those interests is outweighed by the need for the development. Where development is permitted the loss of nature conservation interest should be minimised and, where practicable, mitigation should be provided.

These nature conservation interests are defined as:

- County Wildlife Sites (CWSs)
- Regionally Important Geological or Geomorphological Sites (RIGGS)
- The UK Biodiversity Action Plan Priority Habitats that occur in Cumbria
- Species of Conservation Importance in the North West Region that occur in Cumbria

- Landscape features of major importance for wild fauna and flora, which are essential for migration dispersal and genetic exchange
- Local nature reserves

## **Cumbria and Lake District Joint Structure Plan 2001 – 2016**

### **Policy E37: Landscape character**

Development and land use change should be compatible with the distinctive characteristics and features of Cumbria's landscape types and sub types.

Proposals will be assessed in relation to:

1. locally distinctive natural or built features,
2. visual intrusion or impact,
3. scale in relation to the landscape and features,
4. the character of the built environment,
5. public access and community value of the landscape,
6. historic patterns and attributes,
7. biodiversity features, ecological networks and seminatural habitats, and
8. openness, remoteness and tranquillity.

## **Carlisle District Local Plan 2001 - 2016**

### **Core Development Policies - Policy CP1 - Landscape Character**

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

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

the landform and natural patterns of drainage;

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

## **Carlisle District Local Plan 2001 - 2016**

### **Core Development Policies - Policy CP2 - Biodiversity**

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

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

## **Carlisle District Local Plan 2001 - 2016**

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

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

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

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

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

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

#### **Carlisle District Local Plan 2001 - 2016**

##### **Core Development Policies - Policy CP4 - Agricultural Land**

Permission will not be given for development where it would lead to the loss of the best and most versatile agricultural land, unless:

- 1 there is an overriding need for the development; and
- 2 there is insufficient land of a lower grade available; or
- 3 available lower grade land has a statutory landscape, wildlife, historic or archaeological designation.

#### **Carlisle District Local Plan 2001 - 2016**

##### **Core Development Policies - Policy CP5 - Design**

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

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

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

### **Carlisle District Local Plan 2001 - 2016**

#### **Core Development Policies - Policy CP6 - Residential Amenity**

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

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

### **Carlisle District Local Plan 2001 - 2016**

#### **Core Development Policies - Policy CP8 - Renewable Energy**

Proposals for renewable energy will be favourably considered provided that all of the following criteria are satisfied:

- 1 there is no unacceptable visual impact on the immediate and wider landscape and townscape;
- 2 there is no adverse impact on biodiversity;
- 3 any new structures would be sensitively incorporated into the surrounding landscape/ townscape and/or habitat and respect the local landscape character;
- 4 measures are taken to mitigate any noise, smell or other nuisance or pollutants likely to affect nearby occupiers, amenities and/or neighbouring land uses;
- 5 any waste arising as a result of the development is minimised and dealt with using a suitable means of disposal;
- 6 there would be no unacceptable levels of harm to features designated as of local, national or international importance;
- 7 adequate provision can be made for access and parking and the potential impact on the road network;
- 8 there would be no unacceptable conflict with any existing recreational facilities or routes;
- 9 there would be no unacceptable cumulative effects when proposals are considered together with any extant planning approvals or other existing renewable energy developments.

### **Carlisle District Local Plan 2001 - 2016**

#### **Local Environment - Policy LE7 - Buffer Zone On Hadrian's Wall World Heritage Site**

Within the buffer zone of Hadrian's Wall Military Zone World Heritage Site, as defined on the Proposals Map, proposals for development which would have an unacceptable impact on the character and/or setting of the World Heritage Site will not be permitted. Development within or adjacent to existing settlements, established farmsteads and other groups of buildings will be permitted, where it is consistent with other policies of this Plan, providing that:

- 1 the proposal reflects the scale and character of the existing group of buildings; and
- 2 there is no unacceptable adverse effect on the character and/or appearance of the Hadrian's Wall Military Zone World Heritage Site.

Within the outer visual envelope, beyond the Hadrian's Wall Military Zone World Heritage Site, proposals for major development which would have an adverse effect on the character of the World Heritage Site will not be permitted unless the need for the development outweighs the environmental costs.

### **Carlisle District Local Plan 2001 - 2016**

#### **Local Environment - Policy LE12 - Proposals Affecting Listed Buildings**

Proposals for new development which adversely affects a listed building or its setting will not be permitted. Any new development within the setting of a listed building should preserve the building's character and its setting. The City Council will seek to encourage any new development to be sympathetic in scale, character and materials.

### **Carlisle District Local Plan 2001 - 2016**

#### **Local Environment - Policy LE23 - MOD Safeguarding Zone**

Within the MOD Safeguarding Zone as shown on the Proposals Map, development proposals will be the subject of consultation with the MOD. Any proposals that impact upon MOD operations will require mitigation where possible to minimise that impact, or where this is not feasible, permission will be refused.

### **Carlisle District Local Plan 2001 - 2016**

#### **Spatial Strategy And Development Principles - Policy DP5 - Trunk Roads**

Major development proposals will be assessed against their impact on the safe and efficient operation of the trunk road network.

Land will be safeguarded for the Highways Agency road scheme, the M6/A74 extension (Junction 44 - Guardsmill).

#### **Item no: 05**

**Appn Ref No:**  
12/0970

**Applicant:**  
Mr Harris

**Parish:**  
Wetheral

**Date of Receipt:**  
20/11/2012 16:00:07

**Agent:**  
Green Design Architects

**Ward:**  
Wetheral

Limited

**Location:**

Land to the rear of Park House, Parkett Hill, Scotby, Carlisle, CA4 8BZ

**Grid Reference:**

343949 555246

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Proposal: Erection Of 4no. Detached Dwellings And 1no. Bungalow (Outline Application)

Refuse Permission

1. **Reason:** The proposal in its current form would constitute overdevelopment of the site by virtue of the number of dwellings proposed. Subsequently, it is considered that the development would appear cramped and the design of the proposal would be harmful to the character of the surrounding properties and to Scotby village. The proposed development is therefore contrary to Policy CP5 and CP6 of the Carlisle District Local Plan 2001-2016 which seeks to resist development which would result in harm to the character and appearance of a settlement.
  
2. **Reason:** The proposed development would generate vehicular movements utilising an unacceptable standard of access. It is considered that the proposal would result in an unacceptable increase in vehicles movements to and from the site from which there would be insufficient visibility in either direction along Parkett Hill. The proposal would therefore be contrary to Policies LD5, LD7 and LD8 of the Local Transport Plan.

**Relevant Development Plan Policies**

**Carlisle District Local Plan 2001 - 2016**

**Spatial Strategy & Development Principles - Policy DP1 - Sustainable Development Locations**

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

Urban Area                      City of Carlisle

Key Service Centres      Brampton  
   Longtown

Local Service Centres	Burgh by Sands	Heads Nook
	Castle Carrock	Houghton
	Cummersdale	Irthington
	Cumwhinton	Raughton Head
	Dalston	Rockcliffe

Gilsland	Scotby
Great Corby	Smithfield
Great Orton	Thurstonfield
Hallbankgate	Warwick Bridge
Hayton	Wetheral

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

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

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

Settlement Boundaries have been established on the Proposals Map to recognise the extent of built development or where planning permission already exists to judge proposals for development and are not indicative of land ownership.

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

## **Carlisle District Local Plan 2001 - 2016**

### **Housing - Policy H1 - Location Of New Housing Development**

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

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

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



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

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

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

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

### **Carlisle District Local Plan 2001 - 2016**

#### **Housing - Policy H9 - Backland Development**

Proposals for housing development, where appropriate, in large back gardens or behind existing housing developments will be acceptable providing that:

- 1 the scale, design and siting of the proposal is appropriate for the site and is in keeping with the character and quality of the local environment; and
- 2 there is no loss of amenity to surrounding properties; and
- 3 existing landscape features are retained and additional planting is included as an integral part of the scheme; and
- 4 appropriate access and car parking can be achieved.

### **Carlisle District Local Plan 2001 - 2016**

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

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

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

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

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

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

### **Carlisle District Local Plan 2001 - 2016**

#### **Core Development Policies - Policy CP5 - Design**

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

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

### **Carlisle District Local Plan 2001 - 2016**

#### **Core Development Policies - Policy CP6 - Residential Amenity**

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

- 1 is for a use inappropriate for residential areas; and/or

- 2 is of an unacceptable scale; and/or
- 3 leads to an unacceptable increase in traffic or noise; and/or
- 4 is visually intrusive.

### **Carlisle District Local Plan 2001 - 2016**

#### **Core Development Policies - Policy CP12 - Foul And Surface Water Sewerage And Sewage Treatment**

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

### **Carlisle District Local Plan 2001 - 2016**

#### **Transport - Policy T1- Parking Guidelines For Development**

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

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

### **Carlisle District Local Plan 2001 - 2016**

#### **Housing - Policy H3 - \*Residential Density**

New residential development should achieve an average minimum net density of 30 dwellings per hectare. Using land efficiently is a key consideration and exceptions to this must be justified by reference to the character of the surrounding area; the nature of the development proposed and the specific site considerations. Within urban areas development will be expected to achieve a minimum net density of 40 dwellings per hectare and, where appropriate, higher densities close to the City Centre.

#### **Item no: 06**

##### **Appn Ref No:**

13/0083

##### **Applicant:**

Mr Thompson

##### **Parish:**

Hayton

##### **Date of Receipt:**

31/01/2013 16:01:12

##### **Agent:**

Holt Planning Consultancy  
Ltd

##### **Ward:**

Hayton

##### **Location:**

L/A Fenton Farm, Fenton, How Mill, Brampton, CA8  
9JZ

##### **Grid Reference:**

350298 556068

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Proposal: Residential Development Of 8No. Dwellings Comprising 2No.

Re-Configured Approved Dwellings And 6No. New Dwellings (Outline)

Members resolved to defer consideration of the proposal in order to undertake a site visit and to await a further report on the application at a future meeting of the Committee.

**Item no: 07**

**Appn Ref No:**  
13/0067

**Applicant:**  
Mr & Mrs Routledge

**Parish:**  
Irthington

**Date of Receipt:**  
24/01/2013 16:00:07

**Agent:**  
Tsada Building Design  
Services

**Ward:**  
Stanwix Rural

**Location:**  
Land to the rear of Middlemarch House, Newtown,  
Irthington, Carlisle, CA6 4PF

**Grid Reference:**  
349648 562600

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Proposal: Erection Of 1no. Dwelling

Members resolved to defer consideration of the proposal in order to undertake a site visit and to await a further report on the application at a future meeting of the Committee.

**Item no: 08**

**Appn Ref No:**  
13/0034

**Applicant:**  
Mr & Mrs S Miller

**Parish:**  
Castle Carrock

**Date of Receipt:**  
17/01/2013

**Agent:**  
Taylor & Hardy

**Ward:**  
Great Corby & Geltsdale

**Location:**  
Part OS Field No.0770, Castle Carrock, Cumbria

**Grid Reference:**  
354121 555669

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Proposal: Erection Of 1no. Dwelling (Outline Application) (Revised Application)

Grant Permission

1. Before any work is commenced details of the layout, scale, appearance, access and landscaping of the site (hereinafter called "reserved matters") shall be submitted to and approved by the Local Planning Authority.

**Reason:** The application was submitted as an outline application in accordance with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995.

2. In case of any "Reserved Matter" application for approval shall be made not

later than the expiration of 1 year beginning with the date of this permission, and the development shall be begun not later than whichever is the later of the following dates:

- i) The expiration of 3 years from the date of the grant of this permission, or
- ii) The expiration of 2 years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

3. The approved documents for this Outline application comprise:

- 1. the submitted planning application form, received 17 January 2013;
- 2. Design & Access Statement, received 17 January 2013;
- 3. Planning Statement, received 17 January 2013;
- 4. Landscape & Visual Issues, received 17 January 2013;
- 5. Location Plan (drawing number OPA1), received 17 January 2013;
- 6. Access as Existing (drawing number OPA2), received 17 January 2013;
- 7. the Notice of Decision; and
- 8. any such variation as may subsequently be approved in writing by the Local Planning Authority.

**Reason:** For the avoidance of doubt.

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

**Reason:** To ensure the works harmonise as closely as possible with the existing building and to ensure compliance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

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

**Reason:** To ensure that a satisfactory landscaping scheme is prepared and to ensure compliance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

6. No development shall commence until details of any walls, gates, fences and

other means of permanent enclosure and/or boundary treatment to be erected have been submitted to and approved, in writing, by the Local Planning Authority.

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

7. No development approved by this permission shall be commenced until a scheme for the provision of foul and surface water drainage works has been approved in writing by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans.

**Reason:** To ensure a satisfactory means of surface water and foul drainage disposal and in accord with Policy CP12 of the Carlisle District Local Plan 2001-2016.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) there shall be no enlargement or external alterations to the dwelling to be erected in accordance with this permission, within the meaning of Schedule 2 Part (1) of these Orders, without the written approval of the Local Planning Authority.

**Reason:** To ensure that the character and attractive appearance of the buildings is not harmed by inappropriate alterations and/or extensions and that any additions which may subsequently be proposed satisfy the objectives of Policy CP5 of the Carlisle District Local Plan 2001-2016.

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

Site investigations should follow the guidance in BS10175.

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.

10. Details showing the provision within the site for the parking, turning and loading and unloading of vehicles and for vehicles to enter and leave the site in a forward direction shall be submitted to the Local Planning Authority for approval. The development shall not be brought into use until any such details have been approved and the parking, loading, unloading and manoeuvring facilities constructed. The approved parking, loading, unloading and manoeuvring areas shall be kept available for those purposes at all times and shall not be used for any other purpose.

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

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### **Summary of Reasons for the Decision**

The decision to grant planning permission has been taken having regard to the Development Plan, including supplementary planning guidance/documents and design guidance. The relevant Development Plan policies and supplementary guidance have been considered in conjunction with comments received from consultees (including statutory consultees) and any responses from third parties, together with other material planning considerations. On balance the proposal was regarded as acceptable and it was considered that the development does not cause demonstrable harm to interests of acknowledged importance that justifies withholding permission.

### **Relevant Development Plan Policies**

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

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

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

Great Orton  
Hallbankgate  
Hayton

Thurstonfield  
Warwick Bridge  
Wetheral

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

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

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

Settlement Boundaries have been established on the Proposals Map to recognise the extent of built development or where planning permission already exists to judge proposals for development and are not indicative of land ownership.

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

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

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

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

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

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

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

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



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

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

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

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

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

## **Carlisle District Local Plan 2001 - 2016**

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

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

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

5 existing and proposed changes in ground level.

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

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

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

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

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

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

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

Development will not be permitted where inadequate foul and surface water

sewerage infrastructure and sewage treatment capacity exists, or where such provision can not be made within the time constraint of the planning permission.

## **Carlisle District Local Plan 2001 - 2016**

### **Transport - Policy T1- Parking Guidelines For Development**

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

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

#### **Item no: 09**

**Appn Ref No:**  
12/0610

**Applicant:**  
North Associates

**Parish:**  
Stanwix Rural

**Date of Receipt:**  
19/07/2012

**Agent:**  
Taylor & Hardy

**Ward:**  
Stanwix Rural

**Location:**  
Land at Hadrian's Camp, Houghton Road,  
Houghton, Carlisle, Cumbria, CA3 0LG

**Grid Reference:**  
341238 558806

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Proposal: Residential Development (Outline)

Members resolved to give authority to the Director (Economic Development) to issue approval for the proposal subject to the expiration of the publicity period (22.03.13); the imposition of conditions as modified; and the completion of a Section 106 Agreement concerning:

- 1) the creation and retention of a management company regarding the maintenance of open/amenity space;
- 2) implementation of a Travel Plan and payment of a contribution/bond to the County Council based on the annual cost of a Carlisle Megarider Plus bus ticket;
- 3) the "front loaded" payment of up to £204,867 to provide the required additional school places or (that option failing) a financial contribution of £199,500 for the transportation of children;
- 4) the provision of affordable housing in accordance with Policy H5 of the Carlisle District Local Plan 2001-2016; and
- 5) the payment of £65,000 to enable off-site mitigation and enhancement regarding any impacts on the County Wildlife Site.

**Item no: 10****Appn Ref No:**  
12/0790**Applicant:**  
Simtor Limited**Parish:**  
Wetheral**Date of Receipt:**  
20/09/2012**Agent:**  
Taylor & Hardy**Ward:**  
Wetheral**Location:**  
Land at Broomfallen Road, Scotby, CA4 8DE**Grid Reference:**  
344082 554247

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Proposal: Erection Of 28No. Dwellings

Members resolved to give authority to the Director (Economic Development) to issue approval for the proposal subject to the completion of a Section 106 Agreement to secure:

1. the provision of 7 affordable units;
2. a financial contribution towards the provision and maintenance of public open space within Scotby village;
3. the maintenance of the informal open space within the site by the developer;
4. a financial contribution towards education contribution;
5. a financial contribution together administration costs towards Community Transport;
6. a financial contribution towards waste bin provision.

**Item no: 11****Appn Ref No:**  
12/0829**Applicant:**  
Story Construction Limited**Parish:****Date of Receipt:**  
05/10/2012**Agent:**  
Positive Planning Solutions**Ward:**  
Belle Vue**Location:**  
Land Adj. To Thomas Lane, Burgh Road Industrial Estate, Carlisle, CA2 7NA**Grid Reference:**  
337895 556233

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Proposal: Change of Use of Vacant Field to Create Additional Yard Storage For Existing Business (Revised Application)

Refuse Permission

1. **Reason:** The proposed site is an undeveloped field that lies between two existing industrial estates and is designated as Urban Fringe Landscape in the Carlisle District Local Plan 2001-2016. Within areas of Urban Fringe Landscape permission will not be given for development which adversely affects the open character of the area. The proposed use of a large part of the site for the storage of office cabins, containers and other bulky equipment, would have

an adverse impact on the open character of the area and would be contrary to Policy LE1 (Urban Fringe Landscape) of the Carlisle District Local Plan 2001-2016.

2. **Reason:** The site is currently undeveloped and is an important wildlife habitat, within the urban area. The proposal to level the site and to create a storage area would have an adverse impact on the biodiversity of the site. The proposal is, therefore, contrary to Policy CP2 (Biodiversity) of the Carlisle District Local Plan 2001-2016 which seeks to conserve and enhance the biodiversity value of the areas which they affect.

## **Relevant Development Plan Policies**

### **Carlisle District Local Plan 2001 - 2016**

#### **Spatial Strategy & Development Principles - Policy DP1 - Sustainable Development Locations**

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

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

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

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

Proposals for residential development will be considered against the need to give priority to the reuse of previously developed land, with particular emphasis on

vacant and derelict sites and buildings.

Settlement Boundaries have been established on the Proposals Map to recognise the extent of built development or where planning permission already exists to judge proposals for development and are not indicative of land ownership.

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

**Carlisle District Local Plan 2001 - 2016**  
**Local Environment - Policy LE1 - Urban Fringe Landscape**

Within the Urban Fringe Landscape areas, shown on the Proposals Map, permission will not be given for development which adversely affects the open character of the areas. Development of open space recreational uses such as golf courses and playing fields which retain the essential open nature will be acceptable. In addition, small scale development within or adjacent to established farmsteads and other groups of buildings, together with buildings associated with and required for the use of the area for open recreational areas will be acceptable providing that:

- 1 the proposal reflects the scale and character of the existing group of buildings; and
- 2 there is no unacceptable adverse effect on the amenity of neighbouring property; and
- 3 there is no unacceptable adverse effect on the character and appearance of the surrounding area; and
- 4 where appropriate satisfactory access and car parking can be achieved.

**Carlisle District Local Plan 2001 - 2016**  
**Local Environment - Policy LE7 - Buffer Zone On Hadrian's Wall World Heritage Site**

Within the buffer zone of Hadrian's Wall Military Zone World Heritage Site, as defined on the Proposals Map, proposals for development which would have an unacceptable impact on the character and/or setting of the World Heritage Site will not be permitted. Development within or adjacent to existing settlements, established farmsteads and other groups of buildings will be permitted, where it is consistent with other policies of this Plan, providing that:

- 1 the proposal reflects the scale and character of the existing group of buildings; and
- 2 there is no unacceptable adverse effect on the character and/or appearance of the Hadrian's Wall Military Zone World Heritage Site.

Within the outer visual envelope, beyond the Hadrian's Wall Military Zone World Heritage Site, proposals for major development which would have an adverse effect on the character of the World Heritage Site will not be permitted unless the need for the development outweighs the environmental costs.

**Carlisle District Local Plan 2001 - 2016**  
**Local Environment - Policy LE9 - Other Known Sites And Monuments Of Archaeological Significance**

Elsewhere in the Plan area, on other known sites and monuments of archaeological significance, permission for development will be granted, provided the applicant can demonstrate that the site will be either satisfactorily preserved or appropriate arrangements for excavation and recording have been made. These cases will be judged against the following:

- 1 the importance of the archaeological features;
- 2 the effects of the proposal on the archaeological features;
- 3 the need to retain and where possible enhance the features which have a particular archaeological and/or landscape significance;
- 4 the applicant's arrangements for in situ preservation of the features.

On the other known sites of archaeological significance, the City Council will ensure that the archaeological aspects of development proposals are examined and evaluated before planning applications are determined.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Item no: 12**

**Appn Ref No:**  
12/0990

**Applicant:**  
Mr Jim Devers

**Parish:**  
Arthuret

**Date of Receipt:**  
05/12/2012

**Agent:**  
Talking Travellers

**Ward:**  
Longtown & Rockcliffe



**Location:**

Woodlands View, Sandysyke, Longtown, Carlisle,  
CA6 5SR

**Grid Reference:**

338435 566161

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Proposal: Variation Of Condition 2 Of Previously Approved Application 09/0886 To  
Allow The Occupation Of Two Plots By The Applicants & Their Families  
(Retrospective)

**Refuse Permission**

1. **Reason:** There is no proven general need for additional Gypsy sites in the area and the applicant's circumstances appear to be such that it cannot be concluded that continued occupation of the current site outweighs the potential to occupy alternative sites. The proposal would thus be contrary to Policy H14 (Gypsies and Travellers) of the Carlisle and District Local Plan 2001-2016 which seeks to ensure proposals for Gypsies and Travellers stem from an identified need.

**Relevant Development Plan Policies****Carlisle District Local Plan 2001 - 2016****Housing - Policy H14 Gypsies And Travellers**

Where there is an identified need the City Council will consider the provision of Gypsy and Traveller Sites. Proposals for Gypsy and Traveller sites will be acceptable providing that:

- 1 the proposal will not compromise the objectives of the designation of an Area of Outstanding Natural Beauty or Landscape of County Importance; and
- 2 there would be no adverse impact on the local landscape; and
- 3 appropriate access and parking can be achieved; and
- 4 the proposed site is reasonably accessible to community services; and
- 5 the proposal would not adversely affect the amenities of adjacent occupiers by way of noise, vehicular or other activities on site.

**Item no: 13****Appn Ref No:**

12/0900

**Applicant:**

Irving Builders

**Parish:****Date of Receipt:**

30/10/2012

**Agent:**

Architects Plus (UK) Ltd

**Ward:**

Morton

**Location:**

St Edmunds Social Centre, Newlaithes Avenue,  
Morton, Carlisle

**Grid Reference:**

338284 554153

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Proposal: Demolition Of Former St Edmunds Social Centre And Redevelopment Of Site With 14No. Dwellings And Associated Parking

Grant Permission

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

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

2. The approved documents for this Planning Permission comprise:

1. the submitted planning application form received 30th October 2012;
2. the Design and Access Statement received 30th October 2012;
3. the Desk Top Study for Contamination report received 30th October 2012;
4. the Location Plan (drawing reference 12055-00) received 30th October 2012;
5. the Block Plan (drawing reference 12055-03C) received 27th March 2013;
6. the Site Plan (drawing reference 12055-01D) received 27th March 2013;
7. the Site Section and Elevations (drawing reference 12055-02B) received 14th January 2013;
8. the Topographic Survey (drawing reference 2216/1) received 30th October 2012;
9. Typical Road & Paving Details (drawing reference 12055-04A) received 1 March 2013;
10. the Notice of Decision; and
11. any such variation as may subsequently be approved in writing by the Local Planning Authority.

**Reason:** To define the permission.

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

**Reason:** To ensure a satisfactory external appearance for the completed development, in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

4. The hard and soft landscape works shall be undertaken in accordance with the details contained on the Site Plan (Dwg No. 12055-01A, received on 14 January 2013). These works shall be carried out as approved prior to the occupation of any part of the development or in accordance with a programme agreed by the Local Planning Authority. Any trees or other plants which die or are removed within the first five years following the implementation of the landscaping scheme shall be replaced during the next planting season.

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

to ensure compliance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

5. The proposed boundary treatment to be erected shall be in accordance with the details contained on the Site Plan (Dwg No. 12055-01A, received on 14 January 2013) and on the Site Section & Elevations (Dwg No. 12055-02B, received on 14 January 2013).

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

6. The proposed surface water drainage works shall be in accordance with the details contained on. Such a scheme shall be constructed and completed in accordance with the approved plans.

**Reason:** To ensure a satisfactory means of surface water disposal and in accord with Policy CP12 of the Carlisle District Local Plan 2001-2016.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) there shall be no enlargement or external alterations to the dwellings to be erected in accordance with this permission, within the meaning of Schedule 2 Part (1) of these Orders, without the written approval of the Local Planning Authority.

**Reason:** To ensure that the character and attractive appearance of the buildings is not harmed by inappropriate alterations and/or extensions and that any additions which may subsequently be proposed satisfy the objectives of Policy CP5 of the Carlisle District Local Plan 2001-2016.

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. Site investigations should follow the guidance in BS10175. 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 LE29 of the Carlisle District Local Plan 2001-2016.

9. Prior to the occupation of any of the dwellings hereby approved, the whole of the vehicular access area off Levens Drive and two parking areas off Newlaithes Avenue, bounded by the carriageway edge and the highway boundary shall be constructed and drained to the specification of the Local Highways Authority.

**Reason:** In the interests of road safety and the relief of potential parking congestion and to support Local Transport Plan Policies LD5, LD7 & LD8.

10. The access road/parking areas etc shall be designed, constructed, drained to the satisfaction of the Local Planning Authority and in this respect full constructional details shall be submitted to the Local Planning Authority for approval before work commences on site. No work shall be commenced until a full specification has been approved. Any works so approved shall be constructed before first occupancy and shall be maintained operational thereafter.

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

11. The access/parking/turning facilities, shown on the Plan, shall be substantially met before any building work commences on site so that constructional traffic can park and turn clear of the highway.

**Reason:** The carrying out of building works without the provision of these facilities is likely to lead to inconvenience and danger to road users. Retention of the facilities ensures an appropriate standard of parking and access for as long as the use continues and to support Local Transport Policies LD5, 7 & 8.

12. No dwelling permitted by this approval shall be occupied until a planning obligation pursuant to S106 of the Town and Country Planning Act 1990 has been made and lodged with the Local Planning Authority and the Local Planning Authority has notified the persons submitting the same that it is to the Local Planning Authority's approval. The said planning obligation will provide the provision of 1 no affordable housing unit (Unit 5) either for sale with a discount of 30% or at an affordable rent.

**Reason:** To ensure the provision of affordable housing on the site, in accordance with Policy H5 of the Carlisle District Local Plan 2001-2016.

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## Summary of Reasons for the Decision

The decision to grant planning permission has been taken having regard to the Development Plan, including supplementary planning guidance/documents and design guidance. The relevant Development Plan policies and supplementary guidance have been considered in conjunction with comments received

from consultees (including statutory consultees) and any responses from third parties, together with other material planning considerations. On balance the proposal was regarded as acceptable and it was considered that the development does not cause demonstrable harm to interests of acknowledged importance that justifies withholding permission.

## **Relevant Development Plan Policies**

### **Carlisle District Local Plan 2001 - 2016**

#### **Spatial Strategy & Development Principles - Policy DP1 - Sustainable Development Locations**

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

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

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

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

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

Settlement Boundaries have been established on the Proposals Map to recognise the extent of built development or where planning permission already exists to judge proposals for development and are not indicative of land ownership.

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

location specified.

## **Carlisle District Local Plan 2001 - 2016**

### **Housing - Policy H1 - Location Of New Housing Development**

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

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

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

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

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

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

Blackwell	Cardewlees	Cargo
Carleton	Cotehill	Cumwhitton
Durdar	Faugh	Harker
Hethersgill	How Mill	Lanercost
Laversdale	Low Row	Monkhill
Moorhouse	Talkin	Todhills

## **Carlisle District Local Plan 2001 - 2016**

### **Housing - Policy H2 - Primary Residential Areas**

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

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

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

Outside the Primary Residential Areas and sites allocated under Proposal H16 for Carlisle, Brampton and Longtown, applications for residential development, including redevelopment and the change of use of vacant and underused buildings, will be only be permitted provided that:

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

## **Carlisle District Local Plan 2001 - 2016**

### **Housing - Policy H5 - Affordable Housing**

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

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

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

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

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

### **Carlisle District Local Plan 2001 - 2016**

#### **Core Development Policies - Policy CP5 - Design**

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

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

### **Carlisle District Local Plan 2001 - 2016**

#### **Core Development Policies - Policy CP12 - Foul And Surface Water Sewerage And Sewage Treatment**

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

### **Carlisle District Local Plan 2001 - 2016**

#### **Core Development Policies - Policy CP15 - Access, Mobility And Inclusion**

Development proposals should make provision for easy, safe and inclusive access to, into and within buildings and facilities. The layout and design of developments should meet the requirements of accessibility and inclusion for all potential users



regardless of disability, age or gender. The Council will have regard to the following criteria when assessing development proposals:

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

### **Carlisle District Local Plan 2001 - 2016**

#### **Core Development Policies - Policy CP17 - Planning Out Crime**

The design of all new development must contribute to creating a safe and secure environment, integrating measures for security and crime prevention and minimising the opportunity for crime.

The following points should be applied to all development proposals:

- 1 Security measures should be an integral part of the design
- 2 Developments should be laid out and buildings positioned to maximise natural surveillance with the intention of creating a sense of neighbourhood and deterring criminal and anti-social activity
- 3 Public and private spaces should have clearly defined boundaries.
- 4 Footpaths and cycleways should be designed to maximise their use and prevent opportunities for concealment, unauthorised access or provide a choice of escape routes.
- 5 Landscaping schemes be designed to ensure that they do not create secluded areas, opportunities for climbing or reduce natural surveillance.
- 6 Lighting should deter criminal and antisocial activity whilst minimising light pollution. CCTV may be considered necessary in certain circumstances.

Developers should, at the earliest stage possible, consult Architectural Liaison Officer to advise on measures to be incorporated for designing out crime.

### **Carlisle District Local Plan 2001 - 2016**

#### **Transport - Policy T1- Parking Guidelines For Development**

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

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

#### **Item no: 14**

**Appn Ref No:**  
13/0047

**Applicant:**  
Story Homes

**Parish:**  
Burgh-by-Sands

**Date of Receipt:**  
21/01/2013 13:02:38

**Agent:**  
Positive Planning Solutions  
Ltd

**Ward:**  
Burgh

**Location:**  
Buck Bottom Farm, Burgh by Sands, CA5 6AN

**Grid Reference:**  
332695 559100

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Proposal: Erection Of 3No. Dwellings, Conversion Of Barn To 1No. Dwelling And Demolition Of Outbuilding (Revised Application)

Members resolved to defer consideration of the proposal in order to undertake a site visit and to await a further report on the application at a future meeting of the Committee.

**Item no: 15**

**Appn Ref No:**  
13/0048

**Applicant:**  
Story Homes

**Parish:**  
Burgh-by-Sands

**Date of Receipt:**  
21/01/2013 13:02:38

**Agent:**  
Positive Planning Solutions  
Ltd

**Ward:**  
Burgh

**Location:**  
Buck Bottom Farm, Burgh by Sands, CA5 6AN

**Grid Reference:**  
332695 559100

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Proposal: Erection Of 3No. Dwellings, Conversion Of Barn To 1No. Dwelling And Demolition Of Outbuilding (LBC) (Revised Application)

Members resolved to defer consideration of the proposal in order to undertake a site visit and to await a further report on the application at a future meeting of the Committee.

**Item no: 16**

**Appn Ref No:**  
13/0046

**Applicant:**  
Story Homes

**Parish:**  
Burgh-by-Sands

**Date of Receipt:**  
21/01/2013 13:00:28

**Agent:**  
Positive Planning Solutions  
Ltd

**Ward:**  
Burgh

**Location:**  
Buck Bottom Farm, Burgh by Sands, CA5 6AN

**Grid Reference:**  
332695 559100

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Proposal: Demolition Of Barns To Enable Proposed Development Of Erection Of 3No. Dwellings And 1No. Barn Conversion (Conservation Area Consent ) (Revised Application)

Members resolved to defer consideration of the proposal in order to undertake a site

visit and to await a further report on the application at a future meeting of the Committee.

**tem no: 17**

**Appn Ref No:**  
13/0141

**Applicant:**  
Mr & Mrs Tate

**Parish:**  
Wetheral

**Date of Receipt:**  
19/02/2013 23:00:09

**Agent:**  
Green Design Architects

**Ward:**  
Great Corby & Geltsdale

**Location:**  
Wood House, Warwick Bridge, Carlisle, CA4 8RJ

**Grid Reference:**  
347653 556345

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Proposal: Erection Of Replacement Dwelling

Grant Permission

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

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

2. The approved documents for this Planning Permission comprise:
  1. the submitted planning application form, received 19th February 2013;
  2. the Block and Location Plan (drawing number 12/2114/00) received 19th February 2013;
  3. the Existing Site Plan (drawing number 12/2114/01) received 19th February 2013;
  4. the Proposed Site Plan (drawing number 12/2114/12B) received 19th February 2013;
  5. the Proposed Elevations and Sections (drawing number 12/2114/11C) received 2nd April 2013;
  6. the Proposed Plans (drawing number 12/2114/10C) received 2nd April February 2013;
  7. the Design and Access Statement received 19th February 2013;

8. the Notice of Decision; and
9. any such variation as may subsequently be approved in writing by the Local Planning Authority.

**Reason:** For the avoidance of doubt.

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

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

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

**Reason:** To ensure that a satisfactory landscaping scheme is prepared and to ensure compliance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

5. Before any development is commenced on the site, including site works of any description, a protective fence shall be erected around the trees and hedges to be retained in accordance with BS5837, at a distance corresponding with the branch spread of the tree or hedge, or half the height of the tree or hedge, whichever is greater, unless otherwise agreed in writing by the Local Planning Authority. Within the areas fenced off 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 without the written prior agreement of the Local Planning Authority. If any trenches for services are required in the fenced off area, they shall be excavated or back filled by hand and any roots encountered with a diameter of 50mm or more shall be left unsevered. The fence shall thereafter be retained at all times during construction works on the site.

**Reason:** In order to ensure that adequate protection is afforded to all trees/hedges to be retained on site in support of Policy CP3 of the Carlisle District Local Plan 2001-2016.

6. No development shall commence until the proposed means of surface water disposal have been submitted to and approved in writing by the Local Planning Authority.

**Reason:** To ensure that the means of disposal is acceptable and to ensure compliance with Policy CP12 of the Carlisle District Local Plan 2001-2016.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) there shall be no enlargement or external alterations to the dwelling to be erected in accordance with this permission, within the meaning of Schedule 2 Part (1) of these Orders, without the written approval of the Local Planning Authority.

**Reason:** To ensure that the character and attractive appearance of the buildings is not harmed by inappropriate alterations and/or extensions and that any additions which may subsequently be proposed satisfy the objectives of Policy CP5 of the Carlisle District Local Plan 2001-2016.

8. The new dwelling shall not be occupied until the revised vehicular access and parking facilities have been constructed in accordance with the approved plan and brought into use. These facilities 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 and to support Local Transport Plan Policies LD5, LD7 & LD8.

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## **Summary of Reasons for the Decision**

The decision to grant planning permission has been taken having regard to the Development Plan, including supplementary planning guidance/documents and design guidance. The relevant Development Plan policies and supplementary guidance have been considered in conjunction with comments received from consultees (including statutory consultees) and any responses from third parties, together with other material planning considerations. On balance the proposal was regarded as acceptable and it was considered that the development does not cause demonstrable harm to interests of acknowledged importance that justifies withholding permission.

## **Relevant Development Plan Policies**

### **Carlisle District Local Plan 2001 - 2016**

#### **Housing - Policy H10 - Replacement Dwellings In The Rural Area**

The replacement of recently occupied permanent dwellings, with existing use rights, located within the rural area will be permitted provided that:

- 1 The new dwelling is located on or close to the site of the original dwelling; and
- 2 the scale of the dwelling is no greater than a 15% increase in the footprint of the

- original dwelling; and
- 3 the design of the replacement dwelling is appropriate to its location and complements the character and architectural detail of other dwellings in the locality; and
- 4 the proposal does not adversely affect the amenity of the area or adjoining property; and
- 5 appropriate access and parking arrangements can be provided

This policy is not intended to allow small houses to be replaced by much larger properties.

### **Carlisle District Local Plan 2001 - 2016**

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

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

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

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

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

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

### **Carlisle District Local Plan 2001 - 2016**

#### **Core Development Policies - Policy CP5 - Design**

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

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

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

#### **Carlisle District Local Plan 2001 - 2016**

#### **Core Development Policies - Policy CP12 - Foul And Surface Water Sewerage And Sewage Treatment**

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

#### **Item no: 18**

**Appn Ref No:**  
13/9003

**Applicant:**  
Jean Nichol

**Parish:**  
Carlisle

**Date of Receipt:**  
23/01/2013

**Agent:**  
Cumbria County Council -  
Economy & Planning

**Ward:**  
Upperby

**Location:**  
Upperby Primary School, Uldale Road, Upperby,  
Carlisle, Cumbria, CA2 4JT

**Grid Reference:**  
340866 553668

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Proposal: Extensions To School To Form 4No. Classrooms, Activity Space, Library, Nurture Room, Kitchen, 2No. Withdrawal Rooms, W.C.'s And Stores

**Decision:** City Council Observation - Raise Objection(s)      **Date:** 08/02/2013

**Decision of:** Cumbria County Council

**Decision Type:** Grant Permission

**Date:** 11/03/2013

**Item no: 19****Appn Ref No:**  
13/9002**Applicant:**  
Jean Nichol**Parish:**  
Carlisle**Date of Receipt:**  
18/01/2013**Agent:**  
Emma Lunn**Ward:**  
Upperby**Location:**  
Petteril Bank Primary School, Burnett Road,  
Carlisle, Cumbria, CA1 3BX**Grid Reference:**  
341780 553432

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Proposal: Extension To School To Form 2 No. Classrooms, Staff offices, WC's And Reception Area

**Decision:** City Council Observation - Raise No Objection **Date:** 08/02/2013**Decision of:** Cumbria County Council**Decision Type:** Grant Permission**Date:** 11/03/2013**Item no: 20****Appn Ref No:**  
12/0089**Applicant:**  
Mr Tom Johnston**Parish:**  
St Cuthberts Without**Date of Receipt:**  
06/02/2012**Agent:**  
Aeolus Renewable Energy  
Limited**Ward:**  
Dalston**Location:**  
High Burnthwaite Farm, Durdar, Carlisle**Grid Reference:**  
340943 548170

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Proposal: Erection Of A Single Wind Turbine 50m Hub Height, 78m To Tip Height And Associated Infrastructure And Services Including Access Track, External Compact Substation With Underground Cable And Crane Hard Standing

**Decision:** Refuse Permission**Date:** 17/08/2012**Decision of:** Planning Inspectorate**Decision Type:** Appeal Allowed with Conditions**Date:** 26/02/2013**Item no: 21****Appn Ref No:**  
12/0147**Applicant:**  
Mr & Mrs Forsyth**Parish:**  
Wetheral



**Date of Receipt:**  
20/02/2012 13:00:30

**Agent:**  
Green Planning Solutions  
LLP

**Ward:**  
Wetheral

**Location:**  
Washbeck Paddock, Broomfallen Road, Scotby,  
Carlisle, CA4 8DE

**Grid Reference:**  
343906 554078

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Proposal: Change Of Use Of Land For The Stationing Of 1No. Mobile Home And  
1No. Touring Caravan For Residential Purposes For 1No. Gypsy Pitch  
Together With The Formation Of Additional Hard Standing, Stable Block  
And Utility/Dayroom Ancillary To That Use (Retrospective)

**Decision:** Refuse    Permission

**Date:** 02/07/2012

**Decision of:** Planning Inspectorate

**Decision Type:** Appeal Allowed with Conditions

**Date:** 08/03/2013

**Item no:** 22

**Appn Ref No:**  
12/0378

**Applicant:**  
Empirica Investments  
Limited

**Parish:**  
Nicholforest

**Date of Receipt:**  
04/05/2012

**Agent:**  
Knight Frank LLP

**Ward:**  
Lyne

**Location:**  
Low Glendinning Rigg, Penton, Carlisle, Cumbria,  
CA6 5QB

**Grid Reference:**  
344144 575374

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Proposal: Erection Of A 50m High Meteorological Monitoring Mast For A One Year  
Period

**Decision:** Refuse    Permission

**Date:** 17/08/2012

**Decision of:** Planning Inspectorate

**Decision Type:** Appeal Allowed with Conditions

**Date:** 25/02/2013