

# Schedule of Decisions

## Control of Development and Advertisements

The Development Control Committee received and considered the following applications:

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### Item no: 01

<b>Appn Ref No:</b> 20/0586	<b>Applicant:</b> Mr R Little	<b>Parish:</b> Kirkandrews
<b>Date of Receipt:</b> 01/09/2020 17:01:24	<b>Agent:</b> Graham Anthony Associates	<b>Ward:</b> Longtown & the Border
<b>Location:</b> Land adjacent Richardson House, Gretna Loaning, Mill Hill, Gretna, DG16 5HU	<b>Grid Reference:</b> 333653 567611	

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Proposal: Creation Of A Lorry Park Up to 40no. Spaces Including Conversion Of Existing Buildings To Provide Welfare Facilities & Storage Unit; Erection Of Commercial Vehicles Maintenance Building & Associated Preparation Yard; Installation Of 2.5m High Acoustic Fence (Bund)

Members resolved to defer consideration of the proposal in order to allow additional time for re-consultation, re-notification and further consideration by the Planning Service in respect of supplementary information submitted (Arboricultural Implication Assessment etc) and to await a further report on the application in the light of these actions at a future meeting of the Committee.

### Item no: 02

<b>Appn Ref No:</b> 21/0212	<b>Applicant:</b> Haddon Construction Ltd	<b>Parish:</b> Burgh-by-Sands
<b>Date of Receipt:</b> 08/03/2021	<b>Agent:</b> Robinson Drafting & Design	<b>Ward:</b> Dalston & Burgh
<b>Location:</b> Land adjacent to Chapelfield Lane, Thurstonfield, Carlisle, CA5 6HP	<b>Grid Reference:</b> 331677 556466	

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Proposal: Erection Of 9no. Dwellings & Associated Access/Infrastructure (Outline)

Grant Permission

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

later than the expiration of 3 years beginning with the date of this permission, and the development shall be begun not later than whichever is the later of the following dates:

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

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

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

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

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

- 1. the submitted planning application form, received 11th March 2021;
- 2. Location & Block Plan (Dwg No. RDD-431-21-01 Rev A), received 11th March 2021;
- 3. Design & Access Statement, received 11th March 2021;
- 4. Desk Top Study, received 11th March 2021;
- 5. Initial Infiltration Assessment, received 11th March 2021;
- 6. Drainage Investigation Report, received 11th March 2021;
- 7. the Notice of Decision; and
- 8. any such variation as may subsequently be approved in writing by the Local Planning Authority.

**Reason:** To define the permission.

- 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 prior to their first use on site. The development shall then be undertaken in strict accordance with the approved materials.

**Reason:** To ensure the design of the dwellings is appropriate to the area and to ensure compliance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

- 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 SP6 of the Carlisle District Local Plan 2015-2030.

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. The development shall then be undertaken in strict accordance with the approved details.

**Reason:** To ensure the design and materials to be used are appropriate and to ensure compliance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

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

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

8. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

The development shall be completed, maintained and managed in accordance with the approved details.

**Reason:** To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution and this condition is imposed in light of policies within the NPPF and NPPG.

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

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

10. Prior to the commencement of any development, a condition and capacity survey of the culverted watercourse (or piped drainage system) downstream of the surface water discharge point shall be provided to the Local Planning Authority. The information provided should also include mitigation measures where it is deemed the improvements are required.

**Reason:** To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.

11. No development shall commence until full details of the wildlife enhancement measures to be undertaken at the site (together with the timing of these works) have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in strict accordance with the agreed details.

**Reason:** In order to enhance the habitat for wildlife in accordance with Policy GI3 of the Carlisle District Local Plan 2015-2030.

12. Prior to the occupation of each dwelling hereby permitted suitable receptacles shall be provided for the collection of waste and recycling in line with the schemes available in the Carlisle District.

**Reason:** In accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

13. Adequate infrastructure shall be installed to enable telephone services, broadband, electricity services and television services to be connected to the premises within the application site and shall be completed prior to the occupation of the dwellings.

**Reason:** To ensure adequate provision of infrastructure and to accord with Policy IP4 of the Carlisle District Local Plan 2015-2030.

14. 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.

15. Prior to the occupation of any dwelling, a 32Amp single phase electrical supply shall be installed to allow future occupiers to incorporate an individual electric car charging point for the property. The approved works for any dwelling shall be implemented on site before that unit is first brought into use and retained thereafter for the lifetime of the development.

**Reason:** To ensure the provision of electric vehicle charging points for each dwelling, in accordance with Policy IP2 of the Carlisle District Local Plan 2015-2030.

16. 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 SP6 of the Carlisle District Local Plan 2015-2030.

17. Prior to the commencement of development, the applicant shall submit a Construction Management Plan (CMP) for approval in writing by the Local Planning Authority. The development shall then be undertaken in strict accordance with the details contained within the CMP.

**Reason:** In order to protect the residential amenity of the occupiers of neighbouring properties in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

18. Prior to the commencement of development, the applicant shall submit details of hedgerow protection fencing to be installed on the site for approval in writing by the Local Planning Authority. This fencing shall be erected prior to the commencement of development and shall remain in place until the works are completed.

**Reason:** To ensure that the existing hedgerow is protected in accordance with Policy GI6 of the Carlisle District Local Plan 2015-2030.

19. The development shall not commence until visibility splays providing clear visibility of 60 metres measured 2.4 metres down the centre of the access road and the nearside channel line of the carriageway edge have been provided at the junction of the access road with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grown within the visibility splay which obstruct the

visibility splays. The visibility splays shall be constructed before general development of the site commences so that construction traffic is safeguarded.

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

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

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

21. Development shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority. The CTMP shall include details of:

- Pre-construction road condition established by a detailed survey for accommodation works within the highways boundary conducted with a Highway Authority representative; with all post repairs carried out to the satisfaction of the Local Highway Authority at the applicants expense;
- Details of proposed crossings of the highway verge;
- Retained areas for vehicle parking, maneuvering, loading and unloading for their specific purpose during the development;
- Cleaning of site entrances and the adjacent public highway;
- Details of proposed wheel washing facilities;
- The sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway
- Construction vehicle routing;
- The management of junctions to and crossings of the public highway and other public rights of way/footway;
- Details of any proposed temporary access points (vehicular / pedestrian)

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

22. Any existing highway fence/wall boundary shall be reduced to a height not

exceeding 1.05m above the carriageway level of the adjacent highway in accordance with details submitted to the Local Planning Authority and which have subsequently been approved (before development commences) (before the development is brought into use) and shall not be raised to a height exceeding 1.05m thereafter.

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

23. A maximum of nine dwellings shall be erected on the site.

**Reason:** To ensure that the proposal fits in with the character of the area, in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

24. The dwellings hereby approved shall be single-storey or one-and-a-half-storey, with accommodation on one floor only or on one floor and within the roofspace, and shall be retained as such unless otherwise agreed in writing by the local planning authority.

**Reason:** In the interests of preserving the privacy and amenity of the neighbouring residents and to ensure that the development respects the scale and character of the built environment in the locality, to accord with Policy SP6 of the Carlisle District Local Plan 2015-2030.

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## Relevant Development Plan Policies

### Item no: 03

**Appn Ref No:**  
19/0935

**Applicant:**  
Citadel Estates

**Parish:**  
Carlisle

**Date of Receipt:**  
10/12/2019

**Agent:**  
Sam Greig Planning

**Ward:**  
Denton Holme & Morton  
South

**Location:**  
Former KSS Factory Site, Constable Street,  
Carlisle, CA2 6AQ

**Grid Reference:**  
339574 554722

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Proposal: Variation Of Condition 2 (Approved Documents) And Removal Of Condition 13 (Emergency Vehicle Access) Of Previously Approved Application 18/0125 (Erection Of 43no. Dwellings) To Amend The Site Layout To Allow Units 12-31 (Inclusive) To Use The Adopted Highway East Of The Site (Retrospective Application)

Refuse    Permission

1. **Reason:** Planning decisions should ensure that developments will function well and add to the overall quality of the area. The retention of the vehicular access onto Leicester Street results in increased vehicle movements from the development through the local highway network. The locality is characterised by terraced properties with narrow roads and on-street parking. The resulting increase in traffic has an adverse effect on the residential amenity of the existing areas. The proposal is therefore contrary to Paragraph 127 a) of the National Planning Policy Framework; and criterion 7 of Policy SP6 (Securing Good Design) of the Carlisle District Local Plan 2015-2030.
2. **Reason:** The proposal impacts on the wider local road network by increasing potential conflicts in relation to pupils attending Robert Ferguson Primary School and along Denton Street and given the narrow nature of local roads and junctions cause potential conflicts with larger vehicles e.g. delivery vehicles, conflicting with Policy IP2 (Transport and Development) of the Carlisle District Local Plan 2015-2030.

## Relevant Development Plan Policies

### Item no: 04

**Appn Ref No:**  
21/0286

**Applicant:**  
Mr Derek Johnston

**Parish:**  
Wetheral

**Date of Receipt:**  
26/03/2021

**Agent:**  
Croft View Construction

**Ward:**  
Wetheral & Corby

**Location:**  
Fairfield Cottage, Wetheral Pasture, Carlisle, CA4  
8HR

**Grid Reference:**  
345827 553365

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Proposal: Erection Of Garage With Office Above (Revised Application)

### Refuse Permission

1. **Reason:** Due to its scale and massing the proposed roadside outbuilding would not be a subservient addition, nor would it complement the existing dwelling. The proposed roadside garage would reduce the openness of the area and have an enclosing impact upon Steele's Bank, which the front boundaries to dwellings along this part of Wetheral Pasture are predominantly defined by trees and shrubs, low walls and hedges. The proposed roadside garage would be an incongruous and unduly obtrusive feature in the street scene and

harmful to the visual amenity of the area. The proposal would not have any benefits that would outweigh the harm caused upon the character of the dwelling and the street scene. The proposal would, therefore, contrary to Policies SP6 (criteria 1) and HO8 (criteria 1, 2 and 5) of the Carlisle District Local Plan 2015-2030, and paragraphs 127 and 130 of the NPPF.

## Relevant Development Plan Policies

### Item no: 05

<b>Appn Ref No:</b> 19/0871	<b>Applicant:</b> Magnus Homes Ltd	<b>Parish:</b> Wetheral
<b>Date of Receipt:</b> 13/11/2019 16:00:52	<b>Agent:</b> Hyde Harrington	<b>Ward:</b> Wetheral & Corby
<b>Location:</b> Land North of Holme Meadow, Cumwhinton, Carlisle, CA4 8DR		<b>Grid Reference:</b> 344780 552906

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Proposal: Erection Of 5 No. Market Dwellings; Erection Of 9 No. Self/Custom Build Dwellings; Formation Of Vehicular Access And Road; Provision Of Structural Landscaping/Planting; Formation Of Amenity Area And Provision Of Associated Infrastructure And Services (Outline)

### Refuse Permission

- Reason:** The proposed development will lead to an unacceptable intrusion into the open countryside and therefore conflicts with criterion 3 of Policy HO2 of the Carlisle District Local Plan 2015- 2030.

## Relevant Development Plan Policies

### Item no: 06

<b>Appn Ref No:</b> 21/0038	<b>Applicant:</b> East Brownrigg Ltd	<b>Parish:</b> Beaumont
<b>Date of Receipt:</b> 18/01/2021 16:00:56	<b>Agent:</b> Concept Architectural Design Ltd	<b>Ward:</b> Dalston & Burgh
<b>Location:</b> Land to the rear of Hallcroft, Monkhill, Carlisle, CA5 6DB		<b>Grid Reference:</b> 334385 558527

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Proposal: Erection Of 7no. Dwellings (Reserved Matters Application Pursuant To Outline Permission 18/0994)

Grant Permission

1. In discharge of requirements for the submission of detailed particulars of the proposed development imposed by conditions 1 and 2 attached to the outline planning consent to develop the site granted under reference 18/0994.
2. The development shall be undertaken in strict accordance with the approved documents for this Planning Permission which comprise:
  1. the Planning Application Form received 18th January 2021;
  2. the Site Location Plan received 18th January 2021;
  3. the Site Layout Plan received 21st May 2021 (Drawing no. CA-272-06 Rev C);
  4. the Plot 1 & 2 (Plot 2 Handed) received 18th January 2021 (Drawing no. CA-272-01 Rev A);
  5. the Plot 3 received 18th January 2021 (Drawing no. CA-272-02 Rev A);
  6. the Plot 4 & 6 (Plot 6 Handed) received 18th January 2021 (Drawing no. CA-272-03 Rev A);
  7. the Plot 5 received 18th January 2021 (Drawing no. CA-272-04 Rev A);
  8. the Plot 7 received 18th January 2021 (Drawing no. CA-272-05 Rev A);
  9. the Notice of Decision;
  10. any such variation as may subsequently be approved in writing by the local planning authority.

**Reason:** To define the permission.

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**Relevant Development Plan Policies**