

Schedule of Decisions

Control of Development and Advertisements

The Development Control Committee received and considered the following applications:

Item no: 01

Appn Ref No:
19/0905

Applicant:
Gleeson Homes

Parish:
Carlisle

Date of Receipt:
27/11/2019 16:01:18

Agent:
PFK Land and
Development

Ward:
Belah & Kingmoor

Location:
Land at Deer Park (land between Kingmoor
Industrial Estate & Saint Pierre Avenue, Kingmoor
Road), Carlisle

Grid Reference:
338819 557621

Proposal: Erection Of 80no. Dwellings

Refuse Permission

- Reason:** This application is seeking planning permission for the erection of 80 new dwellings on a site at Deer Park, which lies in north Carlisle. There is currently a lack of primary school places in north Carlisle and by 2023 there is forecast to be a lack of secondary school places. Despite funding having been secured by the County Council from a number of housing developments, no progress has been made on the provision of a primary school in north Carlisle or the expansion of any secondary schools in Carlisle to deliver much needed places. If this current proposal is approved, it would exacerbate the existing problem of a lack of school places. This would have a detrimental impact on any school aged children occupying the proposed Deer Park development and others in north Carlisle requiring school places contrary to Policy CM2 and supporting paragraphs (Educational Needs) of the Carlisle District Local Plan 2015-2030.

Relevant Development Plan Policies

Item no: 02

Appn Ref No:
20/0245

Applicant:
Sound Leisure Limited

Parish:
Carlisle

Date of Receipt:

Agent:

Ward:

09/04/2020

Day Cummins Limited

Cathedral & Castle

Location:

4-14 Victoria Place, Carlisle, CA1 1ER

Grid Reference:

340292 556022

Proposal: Change Of Use Of Redundant Office Building To Form 6no. Houses Of Multiple Occupation

Grant Permission

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

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

2. The development shall be undertaken in strict accordance with the approved documents for this Planning Permission which comprise:
 1. the Planning Application Form received 20th April 2020;
 2. the Block Plan & Location Plan received 15th April 2020 (Drawing no. 06 Rev A);
 3. the Proposed Plans and Elevations received 9th July 2020 (Drawing no. 02 Rev G) as amended by the Proposed Site Plan received 16th November 2020 (Drawing no. 08);
 4. the Typical Ensuities & Ground Floor received 9th April 2020 (Drawing no. 04);
 5. the Proposed Section received 9th April 2020 (Drawing no. 03);
 6. the Design and Access Statement received 9th April 2020;
 7. the Heritage Statement received 9th April 2020;
 8. the Management Plan received 16th November 2020;
 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.

3. The bin storage area serving each property (shown on the Proposed Plans and Elevations Drawing no. 02 Rev G) shall be provided, together with appropriate refuse receptacles, prior to the first occupation of each individual property and shall be retained thereafter.

Reason: To ensure that adequate provision is made for refuse in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

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

Sundays or statutory holidays).

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

5. The development hereby approved shall be undertaken in strict accordance with the Management Plan received 16th November 2020.

Reason: To ensure that the future occupation of the buildings does not adversely affect the amenity of occupiers of neighbouring properties in accordance with Policy CM5 of the Carlisle District Local Plan 2015-2030.

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

- the siting of any skips;
- parking arrangements for contractors engaged in the conversion of the buildings;
- areas for loading and unloading of delivery vehicles;
- times for delivery vehicles.

The development shall be carried out in accordance with the approved CPTM.

Reason: To minimise any interruption to the free-flow of traffic inconvenience and danger to road users which may occur during the construction work in accordance with Policies CM5 and IP2 of the Carlisle District Local Plan 2015-2030.

7. All new external doors shall be certified to PAS 24:2016.

Reason: To minimise the potential for crime in accordance with Policy CM4 of the Carlisle District Local Plan 2015-2030.

Relevant Development Plan Policies

Item no: 03

Appn Ref No:
20/0246

Applicant:
Sound Leisure Limited

Parish:
Carlisle

Date of Receipt:
09/04/2020

Agent:
Day Cummins Limited

Ward:
Cathedral & Castle

Location:
4-14 Victoria Place, Carlisle, CA1 1ER

Grid Reference:
340292 556022

Proposal: Change Of Use Of Redundant Office Building To Form 6no. Houses Of Multiple Occupation Together With Various Internal And External Alterations (LBC)

Grant Permission

1. The works identified within the approved application shall be commenced within 3 years of this consent.

Reason: In accordance with the provisions of Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

2. The development shall be undertaken in strict accordance with the approved documents for this Listed Building Consent which comprise:
 1. the Listed Building Application Form received 20th April 2020;
 2. the Block Plan & Location Plan received 15th April 2020 (Drawing no. 06 Rev A);
 3. the Proposed Plans and Elevations received 9th July 2020 (Drawing no. 02 Rev G) as amended by the Proposed Site Plan received 16th November 2020 (Drawing no. 08);
 4. the Typical Ensuities & Ground Floor received 9th April 2020 (Drawing no. 04);
 5. the Proposed Section received 9th April 2020 (Drawing no. 03);
 6. the Design and Access Statement received 9th April 2020;
 7. the Heritage Statement received 9th April 2020;
 8. the Notice of Decision;
 9. any such variation as may subsequently be approved in writing by the local planning authority.

Reason: To define the consent.

3. All new windows and doors to be installed in the extension to the listed building shall strictly accord with detailed drawings and specifications that shall first have been submitted to and approved in writing by the local planning authority. Such details shall include the frames, means of affixing to the wall, the size and opening arrangements of the window, the method of glazing, frames, cill and lintel arrangement.

Reason: To ensure that the works harmonise as closely as possible with the listed building, in accordance with Policy HE3 of the Carlisle District Local Plan 2015-2030.

4. Prior to the carrying out of any construction works, the following elements of the historic fabric of the building, which will be impacted upon by the development, shall be recorded in accordance with a Level 3 Survey as described by Historic England's document 'Understanding Historic Buildings A Guide to Good Recording Practice, 2016': Within 2 months of the commencement of construction works a digital copy of the resultant Level 3 Survey report shall be furnished to the local planning authority.

Reason: To ensure that a permanent record is made of the buildings of

architectural and historic interest prior to their alteration as part of the proposed development, in accordance with Policy HE3 of the Carlisle District Local Plan 2015-2030.

5. All new mortar and plaster used in the repairs/ refurbishment of the listed buildings, hereby approved, shall be lime mortar without the use of cement, coloured and of a type, mix and joint finish matching in accordance with details which have been submitted to and approved in writing by the local planning authority. The development shall then be undertaken in accordance with the approved details.

Reason: To ensure the works harmonise as closely as possible with the existing building in accordance with Policy HE3 of the Carlisle District Local Plan 2015-2030.

6. Prior to the installation of any mechanical ventilation extraction system, their details shall be submitted to and approved in writing by the local planning authority. Development shall be undertaken in strict accordance with these approved details.

Reason: In order to safeguard the character and appearance of the listed building in accordance with Policy HE3 of the Carlisle District Local Plan 2015-2030.

Relevant Development Plan Policies

Item no: 04

Appn Ref No:
20/0563

Applicant:
Mr J Bishop

Parish:
Burtholme

Date of Receipt:
19/08/2020

Agent:
PFK Land and
Development

Ward:
Brampton & Fellside

Location:
Garthside, Walton, Brampton, CA8 2JP

Grid Reference:
354438 564581

Proposal: Conversion Of Barns To Form 3no. Dwellings, Change Of Use Of Land Of The Siting Of 8no. Camping Pods, Partial Demolition And Remodelling Of Agricultural Building And Associated Development

Grant Permission

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

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

2. The development shall be undertaken in strict accordance with the approved documents for this Planning Permission which comprise:
 1. the submitted planning application form;
 2. Drawing ref. 226-02-B 'Site Plan as Existing', received on 26 October 2020;
 3. Drawing ref. 226-13-C 'Site Plan as Proposed', received on 26 October 2020;
 4. Drawing ref. 226-08 'Building 3 Elevations and Sections as Existing', received on 24 August 2020;
 5. Drawing ref. 226-19-B 'Building 3 Elevations and Sections as Proposed', received on 26 October 2020;
 6. Drawing ref. 226-07 'Buildings 1 and 2 Elevations and Sections as Existing', received on 24 August 2020;
 7. Drawing ref. 226-18-A 'Buildings 1 and 2 Elevations and Sections as Proposed', received on 26 October 2020;
 8. Drawing ref. 226-06 'Buildings 1 and 2 Elevations as Existing', received on 24 August 2020;
 9. Drawing ref. 226-17-A 'Buildings 1 and 2 Elevations as Proposed', received on 26 October 2020;
 10. Drawing ref. 226-05 'Roof Plan of Main Barns as Existing', received on 24 August 2020;
 11. Drawing ref. 226-16-B 'Roof Plan of Main Barns as Proposed', received on 26 October 2020;
 12. Drawing ref. 226-04 'First Floor Plan of Main Barns as Existing', received on 24 August 2020;
 13. Drawing ref. 226-15-B 'First Floor Plan of Main Barns as Proposed', received on 26 October 2020;
 14. Drawing ref. 226-03 'Ground Floor Plan of Main Barns as Existing', received on 24 August 2020;
 15. Drawing ref. 26-14-A 'Ground Floor Plan of Main Barns as Proposed', received on 26 October 2020;
 16. Drawing ref. 226-11 'Building 9 Plan and Elevations as Existing', received on 24 August 2020;

17. Drawing ref. 226-21-A 'Building 9 Plan and Elevations as Proposed', received on 26 October 2020;
18. Drawing ref. 226-09 'Building 6 Plan and West and South Elevations as Existing', received on 24 August 2020;
19. Drawing ref. 226-10 'Building 6 Roof Plan and North and East Elevations as Existing', received on 24 August 2020;
20. Drawing ref. 226-20 'Building 6 Plans and Elevations as Proposed', received on 24 August 2020;
21. Drawing ref. 226-23 'Pods as Proposed', received on 24 August 2020;
22. Drawing ref. 226-12 'Entrance as Existing', received on 24 August 2020;
23. Drawing ref. 226-22-A 'Entrance as Proposed', received on 24 August 2020;
24. Drawing ref. 226-01 'Location and Block Plan', received on 24 August 2020;
25. Hesketh Ecology Bat Survey at Garthside Farm, Walton (2020), received on 24 August 2020;
26. PFK 'Planning Statement' (Garthside, Walton), received on 24 August 2020;
27. PFK 'Heritage Statement' (Garthside, Walton), received on 24 August 2020;
28. PFK 'Heritage Statement Addendum' (Garthside, Walton), received on 26 October 2020;
29. the Notice of Decision;
30. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

3. Visibility splays providing clear visibility of 215m in both directions (north and south) and 2.4m back from the carriageway edge down the centre of the access road shall be provided at the junction of the access road with the county highway before development of the main site commences. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) 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 grow within the visibility splay which obstruct the visibility splays, subsequent to their provision.

Reason: In the interests of highway safety, and to accord with Policy IP1 of

the Carlisle District Local Plan and the National Planning Policy Framework (2019) especially Paragraph 108.

4. Any existing fence, hedgerow or other boundary structure located within or adjoining the visibility splay shall be reduced or limited to a height not exceeding 1.05m above the carriageway level of the adjacent highway, and shall not be raised or allowed to grow to a height exceeding 1.05m metres thereafter.

Reason: In the interests of highway safety, by maintaining an acceptable level of visibility and to accord with the National Planning Policy Framework (2019) especially Paragraph 108.

5. The development shall not be occupied until the access and parking provisions identified within the approved scheme have been constructed and brought into use as per the details shown on the approved documents. These provisions shall be retained and be capable of unobstructed use when the development is completed and shall not be removed or altered unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of highway safety and to accord with Policy SP6 of the Carlisle District Local Plan 2015-2030 and the National Planning Policy Framework (2019) especially Paragraph 108.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and/or re-enacting that Order) the following forms of development within the provisions of Part 1 to Schedule 2 of the Order shall not be undertaken without the express permission in writing of the council:

1. Extension or enlargement
2. Additions or alterations to roofs
3. Detached outbuildings
4. Porches
5. Chimneys and flues
6. New window and door openings

Reason: The further extension or alteration of these dwellings arising from the conversion, including the erection of detached buildings requires detailed consideration to safeguard the amenities of the surrounding area including heritage settings, and the character and visual integrity of the buildings, to accord with Policies SP6, HO 6, HE 1, SP 7 and HO 8 of the Carlisle District Local Plan 2015-2030.

7. A section of native hedgerow including mixed species such as hawthorn, beech,

dog rose, hazel, elder, holly, oak and wych elm shall be planted along the entire site boundary between the north-east corner of the plot to 'pod 4' and the point at which the proposed hawthorn hedgerow forming the west boundary to 'pod 8' meets with the southern site boundary, as depicted within the approved drawing ref. 226-13-C (Site Plan as Proposed), before any of the pods 4-8 inclusive are installed. The hedgerow shall comprise a double staggered row of whip plants which are permitted to grow to a minimum height of 1m within the first two years after planting, and maintained no lower than 1m in height above adjacent ground level thereafter.

Any plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that adequate landscaping is provided on the southern/south-eastern boundaries of the development site to promote a level of screening that is appropriate to the site, having regard to the proximity of the development to the Hadrian's Wall World Heritage Site and associated long distance walking route, and to accord with Policies SP 6, SP 7 and HE 1 of the Carlisle District Local Plan 2015-2030.

8. All new trees, hedgerows, shrubs and grassed areas shown for landscaping within the approved drawing ref. 226-13-C (Site Plan as Proposed), shall be planted prior to the occupation of any of the dwellings or pods hereby approved.

Any plants provided in response to this condition which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that a satisfactory landscaping scheme is implemented, in the interests of public and environmental amenity, in accordance with Policies SP6 and GI 6 of the Carlisle District Local Plan 2015-2030.

9. The development shall be undertaken in strict accordance with the recommendations within the Hesketh Ecology report entitled 'Bat Survey at Garthside Farm, Walton, Brampton, Cumbria, CA8 2JP, 2020', as listed in the documents approved under Condition 2 of this permission, including the mitigation for bats and birds stated within Chapter 8 of the document.

Reason: To ensure that the potential of the site to provide habitat for protected species of fauna is appropriately realised; to ensure that development impacts on bats and Barn Owls, which are both protected by the Wildlife and Countryside Act 1981, are minimised, and to accord with Policy GI 3 of the Carlisle District Local Plan 2015-2030.

10. Prior to the carrying out of any construction work, the buildings affected by the proposed development shall be recorded in accordance with a Level 2 Survey as described by Historic England's document 'Understanding Historic Buildings: A Guide to Good Recording Practice, 2016'. Within 2 months of the commencement of construction works, a digital copy 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 alteration as part of the proposed development, and to accord with the objectives of Policy SP7 of the Carlisle District Local Plan 2015-2030.

11. 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 CM5 of the Carlisle District Local Plan 2015-2030.

12. The glamping pods hereby permitted shall be restricted to self-catering tourist accommodation only and shall not be occupied as permanent residential accommodation either independently or in association with the property within which it is situated.

Reason: To ensure that this element of the development accords with Policy EC 9 of the Carlisle District Local Plan 2015-2030, which only offers support for bona fide tourism developments and not for permanent residential accommodation.

13. The site manager/owner shall keep a register to monitor the occupation of the unit of tourism accommodation hereby approved. Any such register shall be available for inspection by the Local Planning Authority at any time when so requested and shall contain details of those persons occupying the units, their name, normal permanent address and the period of occupation of the units by them.

Reason: To ensure that the tourism unit is not occupied as permanent residential accommodation and to ensure that the development complies with Policy EC 9 of the Carlisle District Local Plan 2015-2030.

14. Notwithstanding any description of materials in the application, prior to their use as part of the development hereby approved, full details of the external materials relating to the following items shall be submitted to and approved in writing by the local planning authority. Such details shall include the type, colour and texture of the materials. The development shall then be undertaken in strict accordance with the approved details:

- (i) the proposed corrugated sheeting to be utilised in proposed roof coverings, as identified in the approved drawings;
- (ii) any replacement natural slate to be utilised on the roofs of the converted buildings;
- (iii) new windows (including rooflights), and doors;
- (iv) new pointing on the converted buildings.

Reason: Satisfactory details of the external materials have not yet been provided, therefore further information is necessary to ensure that materials to be used are acceptable visually and harmonise with existing development, in accordance with Policies SP 6, SP 7 and HO 6 of the Carlisle District Local Plan 2015-2030.

15. The stone flags forming the roof covering to Building 3 shall be carefully lifted, stored and re-used as indicated in drawing ref. 226-19-B 'Building 3 Elevations and Sections as Proposed', received on 26 October 2020 and listed as an approved document in Condition 2 of this planning permission. Any variation to this undertaking shall not be carried out unless written consent has first been obtained from the local planning authority.

Reason: To ensure that all possible measures have been taken to minimise adverse impacts on the character and appearance of the building, which constitutes a non-designated heritage asset, to accord with Policies SP 6, SP 7 and HO 6 of the Carlisle District Local Plan 2015-2030.

16. Notwithstanding the information contained within the documents approved as part of this planning permission, and prior to the undertaking of the approved conversions of the farm buildings to dwellinghouses and other uses, details of how the external joinery components located on the south elevation of building 2, the south elevation of building 9, the north elevation of building 1 and the south elevation of building 3 will be retained and/or re-deployed within the site shall be approved in writing by the local planning authority. The joinery items considered in response to this condition shall be re-used or re-deployed in strict accordance with the details approved.

Reason: To ensure that all possible measures have been taken to minimise adverse impacts on the character and appearance of the building, which constitutes a non-designated heritage asset, to accord with Policies SP 6, SP 7 and HO 6 of the Carlisle District Local Plan 2015-2030.

17. A Method Statement, relating to the proposed management of waste water, chemicals and fuel used for the operation of the 11 no. hot tubs identified in the approved planning documents, shall be submitted to and approved in writing by the local planning authority prior to the installation of the tubs. The Method Statement approved in response to this condition shall be strictly adhered to at all times during the operational lifespan of the development.

Reason: To minimise the risk of pollution to the water resource, to accord with Policies CC 5 and CM 5 of the Carlisle District Local Plan 2015-2030.

Relevant Development Plan Policies

Item no: 05

Appn Ref No:
20/0669

Applicant:
Mr Neil Monkhouse

Parish:
Stanwix Rural

Date of Receipt:
02/10/2020

Agent:

Ward:
Stanwix & Houghton

Location:
25 Whiteclosegate, Carlisle, CA3 0JA

Grid Reference:
341068 557859

Proposal: Change Of Use Of Agricultural Land To Garden (Retrospective/Revised Application)

Grant Permission

1. The development shall be undertaken in strict accordance with the approved documents for this Planning Permission which comprise:
 1. the submitted planning application form, received 05 October 2020 ;
 2. the Location Plan, received 05 October 2020;
 3. the Block Plan, received 05 October 2020;
 4. the Fencing Details, received 05 October 2020;
 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.

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking or re-enacting that Order), no building, garage, shed or other structure shall be erected within the rear garden extension hereby permitted, without the prior permission of the Local Planning Authority.

Reason: The Local Planning Authority wishes to retain full control over the matters referred to in order to protect the character, integrity and appearance of the building and its setting in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

Relevant Development Plan Policies

Item no: 06

Appn Ref No:
20/0279

Applicant:
Gladmans

Parish:
Wetheral

Date of Receipt:
30/04/2020 15:01:24

Agent:

Ward:
Wetheral & Corby

Location:
Land at Rookery Park (South of Alders Edge),
Scotby, Carlisle CA4 8EH

Grid Reference:
344357 554934

Proposal: Erection Of Up To 90no. Dwellings, Public Open Space, Landscaping And Sustainable Drainage System (SuDS) And Vehicular Access Point From The Scotby To Wetheral Road (Outline/Revised Application)

Refuse Permission

1. **Reason:** Policy HO2 (Windfall Housing Development) of the Carlisle District Local Plan 2015-2030 seeks to ensure that the scale and design of the proposed development is appropriate to the scale, form, function and character of the existing settlement. The scale of the proposed development would not be appropriate to the scale and character of Scotby. At present the majority of housing is located in a linear form and this development would extend the historic core to the east. In addition, the policy seeks to ensure that sites are well contained within existing landscape features, physically connected to and integrate with the settlement, and does not lead to an unacceptable intrusion into the open countryside. The perception of this site is one of open countryside and not well contained or integrated into the village. The proposal would, therefore, be contrary to Criteria 1, and 3 of Policy HO2 (Windfall Housing Development) of the Carlisle District Local Plan 2015-2030.
2. **Reason:** Criterion 8 of Policy SP2 (Strategic Growth and Distribution) states

that within the open countryside development will be assessed against the need to be in the location specified. The applicant has failed to demonstrate an overriding need for the additional housing to be sited in this location.

3. **Reason:** The application site has been considered throughout the Local Plan process, including the Strategic Housing Land Availability Assessment process, from the inception of the Local Plan. It has been considered against alternative sites and against the Sustainability Appraisal principles. This culminated in the site being omitted from the Local Plan. The site was specifically excluded due to its landscape impact. Policy GI1 of the Local Plan seeks to ensure that development should be appropriate to its surroundings and suitably accommodated within the landscape. When viewing the site from the central section of the village the landscape is typical of the Landscape Character Guidance sub-type 5b. The open nature of this landscape would be eroded by the development and would be harmful contrary to Policy GI1 (Landscape) of Carlisle District Local Plan 2015-2030.

Relevant Development Plan Policies