

Schedule of Decisions

Control of Development and Advertisements

The Development Control Committee received and considered the following applications:

Item no: 01

Appn Ref No: 17/0688	Applicant: Mr & Mrs Coulthard	Parish: Brampton
Date of Receipt: 03/08/2017 11:02:45	Agent: Mr Beattie	Ward: Brampton
Location: Land Adjacent Highfield, Capon Tree Road, Brampton, CA8 1QL	Grid Reference: 352880 560002	

Proposal: Erection Of 1no. Dwelling With Detached Garage

Members resolved to give authority to the Corporate Director (Economic Development) to issue approval for the proposal subject to the resolution of the means of drainage for the replacement foul drainage system to serve Highfield.

Item no: 02

Appn Ref No: 17/0473	Applicant: Denton Holme Student Village Ltd	Parish: Carlisle
Date of Receipt: 25/05/2017 23:02:37	Agent: Michael Hyde and Associates	Ward: Denton Holme
Location: Land at Norfolk Street, Denton Holme, Carlisle, Cumbria, CA2 5GX	Grid Reference: 339545 554853	

Proposal: Variation Of Condition 2 To Allow For Non Student Related Temporary Lets Outside The Academic Letting Period Of 42 Weeks, Between July And September Of Previously Approved Planning Permission 11/0863

Refuse Permission

- Reason:** The proposed development would intensify the use of existing accommodation and exacerbate anti-social and unneighbourly nuisance resulting in an adverse impact on the residential amenity

of neighbouring residents and their health and wellbeing contrary to Policies SP 6 (7), CM5 (1) and SP9 of the Carlisle District Local Plan 2015-2030.

Relevant Development Plan Policies

Item no: 03

Appn Ref No: 17/0711	Applicant: Canvas Stretcher Bars	Parish: St Cuthberts Without
Date of Receipt: 10/08/2017 16:02:40	Agent: Concept A & D Services	Ward: Dalston
Location: Land to the rear of Stribers, 23 Newbiggin Road, Durdar, Carlisle, CA2 4UJ	Grid Reference: 340767 551036	

Proposal: Proposed Demolition Of Existing Garage And Erection Of 1no. Dwelling
(Revised Application)

Members resolved to defer consideration of the proposal in order to investigate the potential impact of the proposed development on the adjacent endangered butterfly breeding programme and to await a further report on the application at a future meeting of the Committee.

Item no: 04

Appn Ref No: 17/0777	Applicant: Rickerby Retreat Limited	Parish: Stanwix Rural
Date of Receipt: 11/09/2017 08:02:53	Agent: Ogden Pitt and Company Limited	Ward: Stanwix Rural
Location: Rickerby Retreat, Rickerby Cottage, Rickerby, Carlisle, CA3 9AA	Grid Reference: 341221 557044	

Proposal: Enclosure Of Existing Flat Roof Patio To Provide Extension To Existing Restaurant & Seating Area Together With Covering Of Ground Floor Patio Area Adjacent To The Swimming Pool; Increasing Of Car Parking Spaces From 21 To 42 Spaces Including 2no. Disabled, 2no. Staff, 4no. Bicycle & 3no. Motorcycle Spaces

Grant Permission

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

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

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

1. the submitted planning application form received 11th September 2017;
2. the Location Plan (1:3,000) received 11th September 2017;
3. the Block Plan (1:2500) received 11th September 2017;
4. the Existing Plans and Elevations (drawing no. 01) received 11th September 2017;
5. the Proposed Ground Floor Plan (drawing no. 02) received 9th October 2017;
6. the Existing Site Plan (drawing no. 03) received 11th September 2017;
7. the Proposed Site Plan (drawing no. 04A) received 15th October 2017;
8. the Planning Statement received 11th September 2017;
9. the Arboricultural Report received 11th September 2017;
10. the Tree Protection Plan (drawing no. RCP/TPP/01) received 11th September 2017;
11. the Tree Constraints Plan (drawing no. RCP/TCP/01) received 11th September 2017;
12. the Arboricultural Impact Plan (drawing no. RCP/AIP/01) received 11th September 2017;
13. the Heritage Statement received 15th September 2017;
14. the Notice of Decision; and
15. 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 the objectives of Policies HE7 and SP6 of the Carlisle District Local Plan 2015-203 are met and to ensure a satisfactory external appearance for the completed development.

4. Prior to the extension being brought into use the applicant shall submit full details of soft landscape works, including a phased programme of works, for approval 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 extension 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 SP6 of the Carlisle District Local Plan 2015-2030.

5. The glazing in the east elevation of the first floor canopy (located on the swimming roof) shall be obscure glazed and non-opening, in accordance with details to be agreed in writing by the Local Planning Authority and thereafter retained as such to the satisfaction of the Local Planning Authority.

Reason: In order to protect the privacy and amenities of residents in close proximity to the site in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

6. For the duration of the development works, existing trees to be retained shall be protected by suitable barriers erected in accordance with the details shown on the Tree Protection Plan (Dwg No. RCP/TPP/01, received 11 September 2017). The Authority shall be notified at least seven days before work starts on site so that barrier positions can be established. Within this protected area there shall be no excavation, tipping or stacking, nor compaction of the ground by any other means.

Reason: To protect trees and hedges during development works, in accordance with Policy GI6 of the Carlisle District Local Plan 2015-2030.

7. The development shall be undertaken in strict accordance with the Arboricultural Method Statement set out in the Arboricultural Report, received 11 September 2017.

Reason: To protect the existing trees, in accordance with Policy GI6 of the Carlisle District Local Plan 2015-2030.

8. Prior to the commencement of development, the applicant shall submit a Construction Method Statement, which identifies the proposed route that construction vehicles will take to and from the site, for approval in writing by the Local Planning Authority.

Reason: To prevent construction traffic using the road through Rickerby Park, in the interest of highway safety.

9. The proposed cafe/ restaurant shall not be open for trading except between 10:00 hours and 23.00 hours from Sundays to Thursdays and from 10:00 hours to 23.30 hours on Fridays and Saturdays. All staff shall leave the premises within 30 minutes of the closing times. The proposed leisure facilities (swimming pool, gym and treatment rooms) shall not be open for trading except between 06:30 hours and 21:00 hours Mondays-Sundays.

Reason: To prevent disturbance to nearby residential occupiers and in

accord with Policy SP6 of the Carlisle District Local Plan 2015-2030.

10. No deliveries shall take place except between 09.00 hours and 17.00 hours.

Reason: To prevent disturbance to nearby residential occupiers and to ensure that delivery vehicles do not arrive/ leave the site during peak periods, in accord with Policy SP6 of the Carlisle District Local Plan 2015-2030.

11. Prior to the commencement of the development hereby permitted, details of the proposed external lighting (inclusive of the design, locations and luminance levels) shall be submitted to the Local Planning Authority for approval in writing. The development shall only be carried out in accordance with the approved details.

Reason: To protect the living conditions of the neighbouring residents and to ensure the objectives of Policy SP6 of the Carlisle District Local Plan 2015-2030 are met.

12. Prior to the construction of the additional car parking areas hereby approved, the applicant shall submit details of the proposed method of construction and details of the existing and proposed ground levels for approval in writing by the Local Planning Authority. The car parking areas shall then be constructed in accordance with these details.

Reason: To ensure that the proposal does not increase flood risk, in accordance with Policy CC4 of the Carlisle District Local Plan 2015-2030.

13. No tree or shrub clearance shall take place during the bird breeding season from 1st March to 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 nesting birds in accordance with Policy GI3 of the Carlisle District Local Plan 2015-2030.

14. 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.

Relevant Development Plan Policies

Item no: 05

Appn Ref No:
17/0776

Applicant:
Rickerby Retreat Limited

Parish:
Stanwix Rural

Date of Receipt:
11/09/2017 08:02:59

Agent:
Ogden Pitt and Company
Limited

Ward:
Stanwix Rural

Location:
Rickerby Retreat, Rickerby Cottage, Rickerby,
Carlisle, CA3 9AA

Grid Reference:
341221 557044

Proposal: Variation Of Condition 9 (Restaurant Covers) & 10 (Spa/Swimming Pool Users) Of Previously Approved Application 12/0835 To Increase The Covers In The Restaurant From 48 To 96 & The Number Of People Permitted To Use The Spa/Swimming Pool Increase From 12 To 24

Grant Permission

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

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

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

1. the submitted planning application form received 11th September 2017;
2. the Location Plan (1:3,000) received 11th September 2017;
3. the Block Plan (1:2500) received 11th September 2017;
4. the Existing Plans and Elevations (drawing no. 01) received 11th September 2017;
5. the Proposed Ground Floor Plan (drawing no. 02) received 9th October 2017;
6. the Existing Site Plan (drawing no. 03) received 11th September 2017;
7. the Proposed Site Plan (drawing no. 04A) received 6th October 2017;
8. the Planning Statement received 11th September 2017;
9. the Notice of Decision; and
10. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

3. The restaurant/ cafe hereby approved shall be restricted to a maximum of 96 covers at any one time and these covers shall be located within the cafe/ restaurant area, identified on the Proposed Floor Plans & Elevations, received on 11 September 2017 (Drawing No. 02)

Reason: To ensure that the proposal does not have an adverse impact on the living conditions of the occupiers of any neighbouring properties, in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

4. The swimming pool, gym and treatment rooms hereby approved shall be used by a maximum of 24 customers at any one time.

Reason: To ensure that the proposal does not have an adverse impact on the living conditions of the occupiers of any neighbouring properties, in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

5. This permission shall not be exercised by any person other than the occupiers of Rickerby Cottage.

Reason: To protect the living conditions of the occupiers of Rickerby Cottage, in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

6. The proposed cafe/ restaurant shall not be open for trading except between 10:00 hours and 23.00 hours from Sundays to Thursdays and from 10:00 hours to 23.30 hours on Fridays and Saturdays. All staff shall leave the premises within 30 minutes of the closing times. The proposed leisure facilities (swimming pool, gym and treatment rooms) shall not be open for trading except between 06:30 hours and 21:00 hours Mondays-Sundays.

Reason: To prevent disturbance to nearby residential occupiers and in accord with Policy SP6 of the Carlisle District Local Plan 2015-2030.

7. No deliveries shall take place except between 09.00 hours and 17.00 hours.

Reason: To prevent disturbance to nearby residential occupiers and to ensure that delivery vehicles do not arrive/ leave the site during peak periods, in accord with Policy CP5 of the Carlisle District Local Plan 2001-2016.

8. The development shall be implemented in strict accordance with conditions 4, 6, 7, 13, 17 and 18 of permission 12/0835.

Reason: For the avoidance of doubt.

Relevant Development Plan Policies

Item no: 06

Appn Ref No:
17/0733

Applicant:
Mr Christopher Hendren

Parish:
Carlisle

Date of Receipt:
23/08/2017

Agent:
Centreplan

Ward:
Castle

Location:
23-23A Newtown Road, Carlisle, CA2 7HZ

Grid Reference:
338874 555886

Proposal: Change Of Use From A1 (Shop) To A5 (Hot Food Takeaway); Installation Of Replacement Shop Front; Installation Of Wall Mounted Extractor And Flue To Rear Elevation

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 comprises:
 1. the submitted planning application form received 5th October 2017;
 2. the Site Plan received 1st September 2017;
 3. the Block Plan received 1st September 2017;
 4. the Proposed & Existing Changes To Shop Front & Signage Plan (Dwg. TF-CP02) received 5th October 2017;
 5. the Existing Side Elevation (Dwg. TF-CP01B) received 1st September 2017
 6. the Proposed Side Elevation Showing Signage & Extract (Dwg. TF-CP01A) received 1st September 2017;
 7. the Existing & Proposed Rear Elevations (Dwg. TF-CP03) received 1st September 2017;
 8. the Existing Floor Plan (Dwg. TF-CP04) received 1st September 2017;
 9. the Proposed Shop Layout received 23rd August 2017;
 10. the Flood Risk Assessment received 23rd August 2017;

11. the Technical Specification received 23rd August 2017;
12. the 'A working partnership designed to provide solutions to odour control' received 20th September 2017;
13. the Notice of Decision; and
14. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: *To define the permission.*

3. Details of the design, height, external finish and position of the proposed mechanical ventilation system shall be submitted to and approved in writing by the Local Planning Authority prior to the change of use becoming operational. The development shall then be undertaken in accordance with the approved details and the mechanical extraction system installed prior to the change of use becoming operational.

Reason: *To safeguard the environment or health or amenity of future or existing neighbouring occupiers and in accordance with Policy CM5 of the Carlisle District Local Plan 2015-2030.*

4. A written scheme of cleaning and maintenance of the proposed mechanical ventilation system shall be submitted to and approved in writing by the Local Planning Authority prior to the change of use becoming operational. The development shall be undertaken in strict accordance with the approved details.

Reason: *To safeguard the environment or health or amenity of future or existing neighbouring occupiers and in accordance with Policy CM5 of the Carlisle District Local Plan 2015-2030.*

5. Full details of the noise mitigation measures with regard to plant and operational noise shall be submitted to and approved in writing by the Local Planning Authority prior to the change of use becoming operational. The noise mitigation measures shall be in accordance with World Health Organisation guidelines. The development shall be undertaken in strict accordance with the approved details.

Reason: *To safeguard the environment or health or amenity of future or existing neighbouring occupiers and in accordance with Policy CM5 of the Carlisle District Local Plan 2015-2030.*

6. A Waste Management Plan, including details of proposed refuse and oil storage and removal arrangements shall be submitted to and approved in writing by the Local Planning Authority prior to the change of use becoming operational. The development shall be undertaken in strict accordance with the approved details.

Reason: *To safeguard the environment or health or amenity of future or*

existing neighbouring occupiers and in accordance with Policy CM5 of the Carlisle District Local Plan 2015-2030.

7. The development hereby permitted shall be carried out in strict accordance with the Flood Risk Assessment received 23rd August 2017, including the mitigation measures. The mitigation measures shall be fully implemented prior to occupation of the development.

Reason: *To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy CC4 of the Carlisle District Local Plan 2015-2030.*

8. The proposed hot food takeaway shall not be open for trading except between 11:00 hours and 21:30 hours on Mondays to Saturdays or between 16:00 hours and 21:30 hours on Sundays and Bank Holidays

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

Relevant Development Plan Policies

Item no: 07

Appn Ref No:
17/0821

Applicant:
Mr & Mrs D Percival

Parish:
Brampton

Date of Receipt:
25/09/2017 23:02:42

Agent:

Ward:
Brampton

Location:
35 Green Croft, Brampton, CA8 1AX

Grid Reference:
352719 561236

Proposal: Erection Of Two Storey Side Extension To Provide Garage, WC And Snug On Ground Floor With En-Suite Bedroom Above, Together With Single Storey Front And Rear Extension To Provide Sunroom And New Porch

Members resolved to give authority to the Corporate Director (Economic Development) to issue approval for the proposal subject to the imposition of relevant conditions and the expiry of the consultation period (27th October) with no adverse comments raised.

Item no: 08

Appn Ref No:
17/9011

Applicant:

Agent:
Cumbria County Council -

Parish:
Carlisle

Date of Receipt:
14/08/2017

Ward:
Belah

Economy & Planning

Location:

Kingmoor Junior School, Liddle Close, Lowry Hill,
Carlisle, CA3 0DU

Grid Reference:

339199 558562

Proposal: Siting Of A Single Storey Portakabin Single Classroom Building For A
Temporary Period Of 1 Year

Decision: City Council Observation - Raise No Objection **Date:** 22/08/2017

Decision of: Cumbria County Council

Decision Type: Grant Permission

Date: 20/09/2017