

Schedule of Decisions

Control of Development and Advertisements

The Development Control Committee received and considered the following applications:

Item no: 01

Appn Ref No: 19/0185	Applicant: Story Homes Limited	Parish: St Cuthbert Without
Date of Receipt: 04/03/2019	Agent:	Ward: Dalston & Burgh
Location: Land bounded by Hammonds Pond, Oaklands Drive and Durdar Road, Carlisle		Grid Reference: 340586 553114

Proposal: Erection Of 104no. Dwellings (Revision Of Previously Approved Permission 12/0793 Phase 3b To Increase Number Of Dwellings From 89no. To 104no. And Reconfiguration Of Layout)

Members resolved to defer consideration of the proposal in order to consider a revised layout in relation to location of the affordable rental units within the development and to await a further report on the application at a future meeting of the Committee.

Item no: 02

Appn Ref No: 19/0060	Applicant: AP&J Brown Ltd	Parish: Wetheral
Date of Receipt: 23/01/2019 16:01:09	Agent: Hyde Harrington	Ward: Wetheral & Corby
Location: Land Adjacent to Beech Cottage, Cumwhinton, Carlisle, CA4 8DL		Grid Reference: 344658 552699

Proposal: Erection Of 15no. Dwellings Including 3no. Affordable Bungalows And 1no. Dwelling For The Elderly Without Compliance With Conditions 2 & 3 Imposed On Planning Permission 12/0856 For Modifications To House Types And Associated Changes To Site Layout (Including Reduction Of Number Of Dwellings To 14) Along With Re-design Of Strip Of Land To Protect The Residential Amenity Of Beech Cottage.

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: 03

Appn Ref No:
19/0244

Applicant:
Citadel Estates Ltd

Parish:
Burgh-by-Sands

Date of Receipt:
22/03/2019 11:00:46

Agent:
Sam Greig Planning

Ward:
Dalston & Burgh

Location:
Land at field 3486, Monkhill Road, Moorhouse,
Carlisle

Grid Reference:
333336 556858

Proposal: Erection Of 17no. Dwellings

Members resolved to defer consideration of the proposal in order to update the report on a number of issues along with additional information in relation to the proposed drainage and design and to await a further report on the application at a future meeting of the Committee.

Item no: 04

Appn Ref No:
18/1106

Applicant:
Mr Gearing

Parish:
Carlisle

Date of Receipt:
12/12/2018 23:00:43

Agent:
Robinson Drafting &
Design

Ward:
Currock & Upperby

Location:
Land to rear of 5-8 Sewell Place, Carlisle, CA2 4QR

Grid Reference:
340439 553990

Proposal: Erection Of 1no. 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 development shall be undertaken in strict accordance with the approved documents for this Planning Permission which comprise:
 1. the submitted planning application form received 12th December 2019;
 2. the site location plan and block plan received 14th February 2019 (Drawing No. RDD-135-18-001 Rev D);

3. the proposed floor plans and elevations received 12th December 2018 (Drawing No.RDD-135-18-002);
4. the Notice of Decision; and
5. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

3. Details of the relative heights of the existing and proposed ground levels and the height of the proposed finished floor levels of the dwelling shall be submitted to and approved in writing by the local planning authority before any site works commence. The dwelling shall then be constructed in accordance with the approved details.

Reason: To ensure that the development respects the visual amenity of the area. In accordance with Policies SP6 and HO2 of the Carlisle District Local Plan 2015-2030.

4. Prior to the commencement of any development, a surface water drainage scheme, including a sustainable drainage management and maintenance plan for the lifetime of the development, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the local planning authority. The surface water drainage scheme shall then be installed in accordance with the approved details.

In the event of surface water discharging to public sewer, the rate of discharge shall be restricted to the lowest possible rate which shall be agreed with the statutory undertaker prior to connection to the public sewer.

For the avoidance of doubt surface water shall be drained on separate systems.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding in accordance with Policies SP6 and CC5 of the Carlisle District Local Plan 2015-2030 and to promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with policies within the National Planning Policy Framework and National Planning Practice Guidance.

5. Prior to the commencement of any development full details of the proposed foul drainage methods shall be submitted to and approved in writing by the local planning authority. The foul drainage shall then be installed in accordance with the approved details.

Reason: To ensure that adequate drainage facilities are available.

6. 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.

7. Prior to the first use on site samples or full details of materials to be used externally on the building shall be submitted to and approved by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. the dwelling shall then be constructed in accordance with the approved details.

Reason: To ensure that materials to be used are acceptable and in accordance with Policies SP6 and HO2 of the Carlisle District Local Plan 2015-2030.

8. Prior to the first use on site details shall be submitted of the proposed hard surface finishes to all public and private external areas within the proposed scheme and approved by the Local Planning Authority. All hard surface materials laid shall then be constructed in accordance with the approved details.

Reason: To ensure that materials to be used are acceptable and in compliance with the objectives of Policies SP6 and HO2 of the Carlisle District Local Plan 2015-2030.

9. As part of the development hereby approved, adequate infrastructure shall be installed to enable telephone services, broadband, electricity services and television services to be connected to the premises within the application site and shall be completed prior to the occupation of the dwelling.

Reason: To maintain the visual character of the locality in accord with Policy IP4 of the Carlisle District Local Plan 2015-2030.

10. 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.

11. Before any development is commenced on the site, including site works of any description, a protective fence in accordance with Fig. 2 in B.S. 5837: 2005 shall be erected around the trees and hedges to be retained at the extent of the Root Protection Area as calculated using the formula set out in B.S. 5837. Within the areas fenced off no fires should be lit, the existing ground level shall be neither raised nor lowered, and no materials, temporary buildings or surplus soil of any kind shall be placed or stored thereon. The fence shall thereafter be retained at all times during construction works on the site.

Reason: In order to ensure that adequate protection is afforded to all trees/hedges to be retained on site in support of Policies SP6 and GI6 of the Carlisle District Local Plan 2015-2030.

12. The development shall not be occupied until the access, turning and parking facilities have been constructed in accordance with the approved plan. The access and turning provision shall be retained and be capable of use when the development is completed and shall not be removed or altered without the prior consent of the local planning authority.

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

Item no: 05

Appn Ref No:
18/1083

Applicant:
Haddon Construction

Parish:
Burgh-by-Sands

Date of Receipt:
06/12/2018

Agent:
Plan B Building Drawing
Limited

Ward:
Dalston & Burgh

Location:
Land Adjacent to Wood Cottage, St Lawrence Lane,
Burgh By Sands, Carlisle CA5 6BS

Grid Reference:
332009 558914

Proposal: Erection Of 2no. Dwellings

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 6 Dec 2018;
 2. the Location and Block Plan (Dwg No. IR01aPL), received 23 May 2019;
 3. the Proposed Floor and Elevations Plan (Dwg No. IR02PL), received 11 Dec 2018;
 4. the Design, Access and Heritage Statement, received 7 Mar 2019;
 5. the Desk Top Study Land Contamination Assessment received 18 Jan 2019;
 6. the BS5837 Tree Survey undertaken by ARBMaP (prepared by Andy Nicol on 6th March 2019), received 7 Mar 2019;
 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.

3. Before any development is commenced on the site, including site works of any description, a scheme of root protection for those trees to be retained shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be implemented and remain in situ for the duration of development works. Within the fenced off areas no fires should be lit, the existing ground level shall be neither raised nor lowered, and no materials, temporary buildings or surplus soil of any kind shall be placed or stored thereon.

Reason: In order to ensure that adequate protection is afforded to all trees/hedges to be retained on site in support of Policy GI6 of the Carlisle District Local Plan 2015-2030.

4. No part of the development shall be commenced until full details of replacement trees have been submitted to and approved in writing by the Local Planning Authority. The details submitted must include:
 - a) a plan showing location of the proposed replacement trees;
 - b) a schedule of proposed replacement trees - indicating species and sizes at time of planting.

The replacement trees shall be planted no later than the first planting season following the completion of the development. Any replacement trees which, within a period of five years from the completion of the planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar species, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect and enhance the character of the site and the area, and to ensure its appearance is satisfactory, in accordance with the objectives of Policy SP6 of the Carlisle District Local Plan

2015-2030.

5. The new hedgerow along the boundaries of the plots as shown on the Block Plan (Dwg No. IR01aPL, received 23 May 2019) shall be comprised of native species and shall be planted no later than the first planting season following the completion of the development. All planted materials shall be maintained for five years and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the council gives written consent to any variation.

Reason: To protect and enhance the character of the site and the area, and to ensure its appearance is satisfactory, in accordance with the objectives of Policy SP6 of the Carlisle District Local Plan 2015-2030.

6. A 2.4 metre x 2.4 metre pedestrian visibility sight splay as measured from the highway boundary (or footpath boundary), shall be provided on both sides of the vehicular access. There shall be no obstruction above a height of 600mm as measured from the finished surface of the access within the area of the visibility sight splays thereafter.

Reason: To provide adequate inter-visibility between the pedestrians and users of the access and the existing public highway for the safety and convenience of users of the highway and of the access and to support Local Transport Plan Policies: LD7, LD8.

7. No work associated with the construction of the dwellings hereby approved shall be carried out before 07.30 hours on weekdays and Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any times on Sundays or statutory holidays).

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

8. As part of the development hereby approved, adequate infrastructure shall be installed to enable telephone services, broadband, electricity services and television services to be connected to the premises within the application site and shall be completed prior to the occupation of the dwelling.

Reason: To maintain the visual character of the locality in accord with Policy IP4 of the Carlisle District Local Plan 2015-2030.

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.

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.

10. Prior to the commencement of development a Construction Environmental Management Plan shall be submitted to and agreed, in writing, by the local planning authority. This shall include noise management measures, waste minimisation and management measures, bio-security measures to prevent the introduction of disease and invasive species, measures to prevent pollution including the management of site drainage such as the use of silt traps during construction, the checking and testing of imported fill material where required to ensure suitability for use and prevent the spread invasive species, the construction hours of working, wheel washing, vibration management, dust management, vermin control, vehicle control within the site and localised traffic management and protocols for contact and consultation with local people and other matters to be agreed with the local planning authority.

The agreed scheme shall be implemented upon commencement of development and shall not be varied without prior written agreement of the local planning authority.

Reason: To safeguard the living conditions of neighbouring residents, prevent pollution, and mitigate impacts on wildlife in accordance with Policies GI1, SP6 and CM5 of the Carlisle District Local Plan 2015-2030.

Item no: 06

Appn Ref No:
18/0937

Applicant:
Chicken Villas Limited and Carlisle
Wm Morrison
Supermarkets plc

Parish:

Date of Receipt:
15/10/2018 16:00:54

Agent:
SSA Planning Limited

Ward:
Belah & Kingmoor

Location:
Wm Morrisons Supermarkets plc, Kingstown Road,
Carlisle, CA3 0QZ

Grid Reference:
339934 558053

Proposal: Erection Of Restaurant With Drive-Through Facility

Refuse Permission

- 1. Reason:** The proposal is for a restaurant with a drive-through facility which is defined in the National Planning Policy Framework as a “main town centre use”. The application site is located outside a defined centre and as such, a sequential test is required to ensure that main town centre uses are located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) consideration can be given to out of centre locations. Although a sequential test has been provided, the assessment fails to look at any sites within the town centre or edge of centre locations. The submitted proposal is therefore contrary to Paragraph 86 of the National Planning Policy Framework together with Policy EC6 (Retail and Main Town Centre Uses Outside Defined Centres) and criteria 1 of Policy EC8 (Food and Drink) of the Carlisle District Local Plan 2015-2030.
- 2. Reason:** The proposed restaurant and drive through will be located at its closest point approximately 7.7 metres from the nearest noise sensitive receptor to the west and approximately 14 metres from residential properties to the north. The Noise Impact Assessment submitted on behalf of the applicant does not make any reference to the nearest noise sensitive receptor to the west, fails to mention the impact of the acoustic fencing illustrated on the site plan, and does not take any background noise levels after 22.47 hours or on a Sunday when activities in the surrounding area are reduced. The Noise Impact Assessment also makes a number of recommendations regarding the location of ordering points, external seating areas, and, extraction units/plant which are unachievable based on the current layout/design. In such circumstances there is insufficient information to fully determine the impact of noise and disturbance at the nearest noise sensitive receptors, and, the development is not compliant with the recommendations set out in the applicant's own Noise Impact Assessment. The application is therefore contrary to the objectives of paragraph 180 of the National Planning Policy Framework together with criteria 7 of Policy SP6 (Securing Good Design), criteria 2 of Policy EC8 (Food and Drink) and criteria 1 of Policy CM5 (Environmental and Amenity Protection) of the Carlisle District Local Plan 2015-2030.
- 3. Reason:** The proposed restaurant and drive-through facility will be located within Morrisons car park with access to the proposed development via the existing Morrisons junction on the A7/Briar Bank. The Transport Assessment submitted on behalf of the applicant contains insufficient information to fully assess the highway safety impacts of the proposed development on the

existing junction and car parking provision within the site. Accordingly, the proposal is contrary to paragraphs 108 and 109 of the NPPF; criteria 3 of Policy EC8 (Food and Drink), Policy IP2 (Transport and Development) and Policy IP3 (Parking Provision) of the Carlisle District Local Plan 2015-2030; together with Policies LD7 and LD8 of Local Transport Plan Policies.

4. **Reason:** The proposed restaurant and drive through facility has the potential to become a gathering point for motorists and patrons which could give rise to anti-social behaviour and cause noise and disruption to nearby residents. The crime prevention measures put forward by the applicant (opening hours of 10:30-23:00 hours Sunday to Thursday and 10:30-24:00 hours Friday-Saturday and the erection of barriers within the car park) would not alleviate this concern as the suggested opening hours are significantly different to those of Morrisons supermarket, and, the existing barriers within the car park (which do not close at night) and one of the proposed barriers are located outside the red line boundary of the application site. In such circumstances the Council would be unable to control the use of existing/proposed barriers by a suitably worded planning condition. In such circumstances the proposal has the potential to create anti-social behaviour arising from the proposed opening hours and patrons being able to access the whole of Morrisons car park. Consequently the proposal will not create a safe and secure environment and will have an adverse impact upon the residential properties that surround the site. The development is therefore contrary to paragraphs 91 and 127 of the NPPF together with Policy CM4 (Planning Out Crime) of the Carlisle District Local Plan 2015-2030.

Item no: 07

Appn Ref No:
18/1142

Applicant:
Gleeson Homes

Parish:
Multiple Parishes

Date of Receipt:
21/12/2018

Agent:

Ward:
Multiple Wards

Location:
Land to North of California Road, Carlisle CA3 0BY

Grid Reference:
339760 559545

Proposal: Erection Of 194no. Dwellings And Associated Infrastructure

Members resolved to give authority to the Corporate Director (Economic Development) to issue approval for the proposal subject to the completion of a S106 legal agreement to secure:

- a) the provision of 20% of the units as affordable (in accordance with the NPPF definition);

- b) an off-site open space contribution of £64,398 for the proviso and maintenance of open space;
- c) a financial contribution of £33,138 to support the off-site improvement of existing sports pitches;
- d) the maintenance of the informal open space within the site by the developer;
- e) a financial contribution of £889,328 to Cumbria County Council towards education provision;
- f) a financial contribution of £282,000 for improvements to pedestrian and cycle networks in the vicinity of the site;
- g) a Travel Plan Monitoring fee of £6,600.

If the S106 Agreement is not completed, Members resolved to give authority to the Corporate Director of Economic Development to issue refusal of the proposal.

Item no: 08

Appn Ref No:
19/0361

Applicant:
Mr & Mrs Forsyth

Parish:
Wetheral

Date of Receipt:
03/05/2019

Agent:

Ward:
Wetheral & Corby

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

Grid Reference:
343837 554113

Proposal: Change Of Use Of Land To Mixed Agricultural For The Stationing Of 1no. Residential Caravan And 1no. Touring Caravan For Residential Purposes For 1no. Gypsy Pitch Together With The Formation Of Hard Standing, Pony Paddock, Treatment Plant And Amenity Block/Day Room Ancillary To That Use (Resubmission)

The Report was withdrawn from discussion at the meeting as the application was withdrawn by the applicant on 18th July 2019.

Item no: 09

Appn Ref No:
19/0221

Applicant:
Solway Renovations Limited

Parish:
Burgh-by-Sands

Date of Receipt:
18/03/2019

Agent:
Mr R Jeremiah

Ward:
Burgh (Abolished 07/05/2019)

Location:
Thornydyke, Thurstonfield, Carlisle, CA5 6HQ

Grid Reference:
331769 556606

Proposal: Conversion Of Stone Barn To 1no. Dwelling; Alterations To Vehicle Access To Land Behind Barn And Change Of Use Of Land To Garden Area

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 18th March 2019;
2. Supporting Statement, received 3rd June 2019;
3. Location Plan received 19th June 2019;
4. Floor Plans & Elevations as Existing, received 18th March 2019 (Dwg No. 4002-1);
5. Site Plan received 3rd June 2019 (Dwg No. 4004-2);
6. Floor Plans & Elevations as Proposed, received 21st May 2019 (Dwg No. 4003-2);
7. Roadside Shed & Lean-to Store received 3rd June 2019 (Dwg No. 4008-1);
8. Preliminary Roost Assessment Survey received
9. Bat Emergence and Re-entry Surveys received 4th July 2019);
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. 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.

4. No development shall commence until full details of the bat 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 bats in accordance with Policy GI3 of the Carlisle District Local Plan 2015-2030.

5. 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.

6. The development shall not commence until visibility splays providing clear visibility of 60 metres in both directions measured back by 2.4 metres down the centre of the access road and the nearside channel line of the major road 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 grow 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 & LD8.

7. 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.

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

Reason: In the interests of highway safety and to support Local Transport Plan Policies LD5, LD7 & LD8.

9. Access gates, if provided, shall be hung to open inwards only away from the highway.

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

10. The dwelling shall not be occupied until the vehicular access and turning requirements have been constructed in accordance with the approved plan and has been brought into use. The vehicular access turning provisions shall be retained and capable of use at all times thereafter and shall not be removed or altered without the prior consent of the Local Planning Authority.

Reason: To ensure a minimum standard of access provision when the development is brought into use and to support Local Transport Plan Policies LD5, LD7 & LD8.

Item no: 10

Appn Ref No:
19/0220

Applicant:
Solway Renovations
Limited

Parish:
Burgh-by-Sands

Date of Receipt:
18/03/2019

Agent:
Mr R Jeremiah

Ward:
Dalston & Burgh

Location:
Land to the rear of Thorndyke, Thurstonfield,
Carlisle, CA5 6HQ

Grid Reference:
331769 556606

Proposal: Residential Development And Improved Access From Highway (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 18th March 2019;
2. Supporting Statement, received 18th March 2019;
3. Location Plan received 19th June 2019;
4. Visibility Splays received 1st May 2019;
5. Supporting Information on Visibility, received 1st May 2019;
6. the Notice of Decision; and
7. 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. Full details of the surface water drainage system shall be submitted to the Local Planning Authority for approval prior to development being commenced (this must also show how surface water will be prevented from draining on to the Highway). Any approved works shall be implemented prior to the development being completed and shall be maintained operational thereafter.

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

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (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 appearance of the dwellings is not harmed by inappropriate alterations and/or extensions and that any additions which may subsequently be proposed satisfy the objectives of Policy SP6 of the Carlisle District Local Plan 2015-2030.

10. 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.

11. 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.

12. 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.

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

remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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.

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.

15. 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.

16. The development shall not commence until visibility splays providing clear visibility of 60 metres in both directions measured back by 2.4 metres down the centre of the access road and the nearside channel line of the major road 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 grow 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 & LD8.

17. 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.

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

Reason: In the interests of highway safety and to support Local Transport Plan Policies LD5, LD7 & LD8.

19. Access gates, if provided, shall be hung to open inwards only away from the highway.

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

20. The dwelling shall not be occupied until the vehicular access and turning requirements have been constructed in accordance with the approved plan and has been brought into use. The vehicular access turning provisions shall be retained and capable of use at all times thereafter and shall not be removed or altered without the prior consent of the Local Planning Authority.

Reason: To ensure a minimum standard of access provision when the development is brought into use and to support Local Transport Plan Policies LD5, LD7 & LD8.

21. Prior to the commencement of development, the applicant shall submit details of tree 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.

Item no: 11

Appn Ref No:
19/0442

Applicant:
Carlisle City Council

Parish:
Carlisle

Date of Receipt:
30/05/2019 13:00:55

Agent:
Gerald Eve LLP

Ward:
Botcherby & Harraby North

Location:
Former Newman School, Lismore Place, Carlisle,

Grid Reference:
340779 556165

Proposal: Temporary Change Of Use Of Former School (Use Class D1) To Gym
And Physiotherapy Clinic (Use Class D2) During The Redevelopment Of
The Sands Centre

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 30th May 2019;
2. the Site Location Plan (drawing ref XXXX_19001 Rev P0) received 30th May 2019;
3. the Existing Site Layout (drawing ref XXXX_09002 Rev P1) received 30th May 2019;
4. the Proposed Site Layout (drawing ref XXXX_19002 Rev P1) received 30th May 2019;
5. the Existing Ground Floor (drawing ref XXXX_00401 Rev P0) received 30th May 2019;
6. the Proposed Ground Floor (drawing ref XXXX_10401 Rev P0) received 30th May 2019;
7. the Flood Risk Assessment (ref B072629.001 Rev V03) received 30th May 2019;
8. the Transport Assessment (ref B072629-CUR-00_XX-RP-TP-06001-V02/TS Rev Final) received 30th May 2019;
9. Supporting letter from Gerald Eve dated 30th May, received 30th May 2019;
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 applicant shall notify the Local Planning Authority of the date on which the use of the building as a gym and physiotherapy clinic first commences. The uses shall cease within 3 years of this date unless in the meantime a further application has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that the temporary uses of the building cease when they are no longer required.

4. The development shall be undertaken in strict accordance with the Flood Risk Assessment (Ref: B072629.001 Rev V03 Issue Date: 30 May 2019) received 30th May 2019.

Reason: To ensure that the proposal would not be at an unacceptable risk of flooding.

5. 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.

Item no: 12

Appn Ref No:
18/0748

Applicant:
Mr & Mrs Ackerley

Parish:
Brampton

Date of Receipt:
10/08/2018 23:00:58

Agent:
Ashton Design

Ward:
Brampton & Fellside

Location:
Land to east of Wilson Homes, Milton, Carlisle, CA8 1JD

Grid Reference:
355784 560454

Proposal: Erection Of 1no. Dwelling

Decision: Refuse Permission

Date: 04/10/2018

Decision of: Planning Inspectorate

Decision Type: Appeal Dismissed

Date: 06/06/2019

Item no: 13

Appn Ref No:
18/0031

Applicant:
Mr William O'Loughlin

Parish:
Stanwix Rural

Date of Receipt:
09/01/2018 23:02:38

Agent:
SRE Associates

Ward:
Stanwix Rural (Abolished 07/05/2019)

Location:
Norfels, Crosby on Eden, Carlisle, CA6 4QY

Grid Reference:
345769 560541

Proposal: Change of Use From Agricultural Land To Dog Breeding Facilities And
Erection Of Single Storey Kennel Building (Retrospective)

Decision: Refuse Permission

Date: 27/09/2018

Decision of: Planning Inspectorate

Decision Type: Appeal Allowed with Conditions

Date: 30/05/2019