

# Schedule of Decisions

## Control of Development and Advertisements

The Development Control Committee received and considered the following applications:

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**Item no: 01**

**Appn Ref No:**  
18/0499

**Applicant:**  
Hedleys Roofing

**Parish:**  
Westlinton

**Date of Receipt:**  
04/06/2018 08:01:10

**Agent:**

**Ward:**  
Longtown & Rockcliffe

**Location:**  
Newtown House, Blackford, Carlisle, CA6 4ET

**Grid Reference:**  
338922 562547

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Proposal: Change Of Use Of Land And Buildings From Concrete Product Manufacturing Premises To Roofing Business Including The Siting Of A Scaffold Rack, Erection Of A Car Port And Store Together With The Formation Of A Vehicle Wash Bay (Part Retrospective)

The application report was withdrawn from discussion at the meeting in order to investigate additional issues raised that could not be resolved prior to the meeting of the Committee and to await a further report on the application at a future meeting of the Committee.

**Item no: 02**

**Appn Ref No:**  
18/1088

**Applicant:**  
Genesis Homes

**Parish:**  
Burgh-by-Sands

**Date of Receipt:**  
07/12/2018 16:01:12

**Agent:**  
Genesis Homes

**Ward:**  
Burgh

**Location:**  
Land Adjacent To King Edwards Fauld, Burgh By Sands, Carlisle, CA5 6AR

**Grid Reference:**  
332635 558923

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Proposal: Erection Of 24no. 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 agreement to secure:

- a) the provision of four affordable dwellings (two for discounted sale and two for social rent);
- b) a financial contribution of £16,600 to support the off-site improvement of open space in Burgh-by-Sands

c) a financial contribution of £98,216 (based on DIE multiplier of £24,554 per pupil place) to Cumbria County Council towards education provision.

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: 03**

**Appn Ref No:**  
18/0994

**Applicant:**  
Mr A Pape

**Parish:**  
Beaumont

**Date of Receipt:**  
02/11/2018

**Agent:**

**Ward:**  
Burgh

**Location:**  
Land to the rear of Hallcroft, Monkhill, Carlisle CA5  
6DB

**Grid Reference:**  
334385 558527

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Proposal: Erection Of 7no. Dwellings (Outline/Renewal Of Previously Approved  
Permission 15/0284)

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 in writing by the local planning authority. The details shall be accompanied by an appropriate survey to determine the route of services across the land and this survey should inform the final layout of the scheme.

**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 approved documents for this Planning Permission comprise:
1. the Planning Application Form received 2nd November 2018;
  2. the Location Plan received 2nd November 2018;
  3. the Planning Statement received 1st February 2019;
  4. the Tree report received 29th January 2019;
  5. the Statement on Land Contamination received 29th January 2019;
  4. the Notice of Decision;
  5. any such variation as may subsequently be approved in writing by the local planning authority.

**Reason:** To define the permission.

4. Prior to the commencement of development, details of the relative heights of the existing and proposed ground levels and the height of the proposed finished floor levels of the dwellings and garages shall be submitted to and approved in writing by the local planning authority before any site works commence. The development shall then be undertaken in accordance with the approved details.

**Reason:** In order that the approved development is appropriately located within the topography of the land in accordance with Policies SP6 and HO2 of the Carlisle District Local Plan 2015-2030.

5. 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 system shall demonstrate that no flooding will occur on any part of the site for a 1 in 30 year event unless designed to do so, flooding will not occur to any building in a 1 in 100 year event plus 40 % to account for climate change, and where reasonably possible flows resulting from rainfall in excess of a 1 in 100 year 6 hour rainfall event are managed in conveyance routes (plans of flow routes etc). The scheme must also confirm the design of the surface water drainage system will mitigate any negative impact of surface water from the development on flood risk outside the development boundary.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the surface water public sewer, the pass forward flow rate to the surface water public sewer must be restricted to 5l/s for any storm event.

**Reason:** To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off onto adjoining land including the highway and to reduce the risk of flooding in accordance with Policies SP6 and CC5 of the Carlisle District Local Plan 2015-2030, in the interests of highway safety and environmental management and to support Local Transport Plan

Policies LD7 and LD8 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.

6. No development approved by this permission shall be commenced until a scheme for the conveyance of foul drainage to has been submitted to and approved in writing by the local planning authority. No part of the development shall be brought into use until such treatment plant has been constructed and completed in accordance with the approved plans. The development shall then be undertaken in accordance with the approved plans.

**Reason:** To prevent pollution of the water environment in accordance with Policy IP6 of the Carlisle District Local Plan 2015-2030.

7. The shared access way shall be designed, constructed and drained to a standard suitable for adoption and in this respect full engineering details shall be submitted for written approval before work commences on site. Any works so approved shall be constructed before the development is complete.

**Reason:** In the interests of road safety in accordance with Policy IP2 of the Carlisle District Local Plan 2015-2030 and to support Local Transport Plan Policies LD5, LD7 and LD8.

8. Before any development takes place, a plan shall be submitted for the prior approval of the local planning authority reserving adequate land for the storage of materials, parking of vehicles and plant engaged in construction operations associated with the development hereby approved, and that land, including vehicular access thereto, shall be used for or be kept available for these purposes at all times until completion of the construction works.

**Reason:** The carrying out of this development without the provision of these facilities during the construction works is likely to lead to inconvenience in accordance with Policy IP2 of the Carlisle District Local Plan 2015-2030 and danger to road users and to support Local Transport Plan Policy LD8.

9. Before development commences a scheme of tree and hedge protection shall be submitted to and approved in writing by the local planning authority. The scheme shall show the position and type of barriers to be installed. The barriers shall be erected before development commences and retained for the duration of the development.

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

10. Prior to the commencement of development hereby approved, if any work is proposed in the Root Protection Areas of the trees and hedges to be retained a Method Statement detailing the type of materials and construction methods to

be used in the Root Protection Areas shall be submitted to and approved in writing by the local planning authority. The development shall be undertaken in accordance with the approved details.

**Reason:** To protect the trees on and adjacent the site in accordance with Policy GI6 of the Carlisle District Local Plan 2015-2030.

11. Prior to the construction of any building on the site, samples or full details of all materials to be used on the exterior shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The development shall then be undertaken in accordance with the approved details.

**Reason:** To ensure the materials are appropriate to the building and character of the area in accordance with Policies SP6 and HO2 of the Carlisle District Local Plan 2015-2030.

12. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and maintained thereafter to the satisfaction of the Council; and any trees or 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 a satisfactory landscaping scheme is implemented in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

13. No dwelling shall be occupied until the vehicular access and parking requirements have been constructed in accordance with the approved plan and brought into use. These facilities shall be retained and capable of use at all times thereafter and shall not be removed or altered without the prior written consent of the local planning authority.

**Reason:** To ensure a minimum standard of access provision when the development is brought into use in accordance with Policy IP2 of the Carlisle District Local Plan 2015-2030 and to support Local Transport Plan Policies LD5, LD7 and LD8.

14. No development shall commence until visibility splays providing clear visibility of 43 metres measured along the nearside channel lines of the public road from a position of 2.4 metres inset from the carriageway edge, on the centre line of the access, at a height of 1.05 metres, have been provided. Notwithstanding the provision 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 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.

**Reason:** In the interests of highway safety in accordance with Policy IP2 of the Carlisle District Local Plan 2015-2030 and to support Local Transport Plan Policies LD7 and LD8.

15. 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 the Policy CM5 of the Carlisle District Local Plan 2015-2030.

16. Any subsequent application for Reserved Matters shall take account of existing underground infrastructure on the site and the layout shall take account of such to avoid inhibiting future access for maintenance and repair by the relevant entitled party.

**Reason:** To ensure that there is reasonable future access to the septic tanks and other underground infrastructure in accordance with Policy IP6 of the Carlisle District Local Plan 2015-2030.

17. 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 and 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 CM5 of the Carlisle District Local Plan 2015-2030.

18. Prior to the commencement of development a written scheme of investigation for an archaeological watching brief must be submitted by the applicant and approved by the local planning authority. Once approved, the scheme shall be implemented in full with an archaeological watching brief being undertaken by a qualified archaeologist. Within two months of the completion of the development, a digital copy of the archaeological report shall be furnished to the local planning authority.

**Reason:** To afford reasonable opportunity for an examination to be made to

determine the existence of any remains of archaeological interest within the site and for the investigation and recording of such remains in accordance with Policy HE1 of the Carlisle District Local Plan 2015-2030.

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## Relevant Development Plan Policies

### Item no: 04

**Appn Ref No:**  
19/0100

**Applicant:**  
Mr & Mrs Robert & Joan  
Tweddle

**Parish:**  
Kirkandrews

**Date of Receipt:**  
07/02/2019

**Agent:**

**Ward:**  
Longtown & Rockcliffe

**Location:**  
5 Kirkandrews Moat, Longtown, Carlisle, CA6 5PH

**Grid Reference:**  
341067 573912

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Proposal: Single Storey Rear Extension To Provide Sunroom

### 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 7th February 2019;
2. the site location plan received 7th February 2019 (Drawing Ref: Site Location Plan Rev A);
3. the proposed floor plans and elevations received 7th February 2019 (Drawing Ref: Proposed Plans Rev A);
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.

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## Relevant Development Plan Policies

**Item no: 05**

**Appn Ref No:**  
19/0010

**Applicant:**  
Mr Amos Price

**Parish:**  
Wetheral

**Date of Receipt:**  
07/01/2019

**Agent:**

**Ward:**  
Wetheral

**Location:**  
Land adjacent to Scotby Acres, Broomfallen Road,  
Scotby, Carlisle, CA4 8DE

**Grid Reference:**  
343837 553996

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Proposal: Change Of Use Of Land To Mixed Use Of Agriculture And Siting Of 1No. Residential Gypsy/Travellers Pitch With 3No. Caravans (Including 1No. Static Caravan); Erection Of Amenity Building; Laying Of Hardstanding (Part Retrospective) Without Compliance With Condition 8 Imposed On Planning Permission 14/0825 To Allow The Submission For The Development And Landscape Details Of The Site And Subsequent Completion Of Development

Grant Permission

1. The development shall be begun not later than the 27th April 2019.

**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 7th January 2019;
2. the Notice of Decision;
3. any such variation as may subsequently be approved in writing by the local planning authority.

**Reason:** To define the permission.

3. This permission relates solely to the land edged red on the 1:1250 site plan submitted with a letter from the agent for the appellant dated 8 April 2016 approved under application reference 16/0825.

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

4. Construction of the amenity building shall not commence until details of the external materials to be used have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.



**Reason:** To ensure that the development is appropriate to the character and appearance of the area in accordance with Policies SP6 and HO11 of the Carlisle District Local Plan 2015-2030.

5. The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1 of the Planning Policy for Traveller Sites published in August 2015.

**Reason:** The unfettered occupation of the land for residential purposes would be contrary to Policy HO11 of the Carlisle District Local Plan 2015-2030.

6. No more than three caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, of which no more than one shall be a static caravan, shall be stationed on the site at any time.

**Reason:** To ensure that the development is appropriate to the character and appearance of the area in accordance with Policies SP6 and HO11 of the Carlisle District Local Plan 2015-2030.

7. No commercial activities shall take place on the land, including the storage of materials.

**Reason:** To ensure that the development is appropriate to the character and appearance of the area in accordance with Policies SP6 and HO11 of the Carlisle District Local Plan 2015-2030.

8. No more than one commercial vehicle shall be kept on the land for use by the occupiers of the caravans hereby permitted and it shall not exceed 3.5 tonnes in weight.

**Reason:** To ensure that the development is appropriate to the character and appearance of the area in accordance with Policies SP6 and HO11 of the Carlisle District Local Plan 2015-2030.

9. The use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such use shall be removed within 56 days of the date of failure to meet any one of the requirements set out in (i) to (iv) below:
  - i) prior to the expiry of the planning permission stated in condition 1 of this permission, a scheme for: the layout of the site including the positioning of the caravans and ancillary buildings and areas of hardstanding; boundary treatments; the means of foul and surface water drainage; external lighting; landscaping including tree, hedge and shrub planting including details of species, plant sizes and proposed numbers and densities, hereafter referred to as the site development scheme shall have been submitted for the written approval of the local planning authority and the said scheme shall include a timetable for its implementation;
  - ii) within 11 months of the date of this decision the site development scheme shall have been approved by the local planning authority or, if the local

- planning authority refuse to approve the scheme, or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State;
- iii) if an appeal is made in pursuance of (ii) above, that appeal shall have been finally determined and the submitted site development scheme shall have been approved by the Secretary of State; and
  - iv) the approved scheme shall have been carried out and completed in accordance with the approved timetable.

**Reason:** To ensure that the development is appropriate to the character and appearance of the area in accordance with Policies SP6 and HO11 of the Carlisle District Local Plan 2015-2030.

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### Relevant Development Plan Policies

#### Item no: 06

<b>Appn Ref No:</b> 18/0891	<b>Applicant:</b> HACW Ltd	<b>Parish:</b> Stanwix Rural
<b>Date of Receipt:</b> 01/10/2018 23:00:44	<b>Agent:</b> Haydon Environmental Consultants	<b>Ward:</b> Stanwix Rural
<b>Location:</b> Houghton Hall Garden Centre, Houghton, Carlisle, CA6 4JB		<b>Grid Reference:</b> 341157 559881

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Proposal: Siting Of Hand Car Wash And Valet Facility Including Canopy And Portable Office Store Building (Revised Application)

Refuse Permission

1. **Reason:** The application has failed to demonstrate that adequate foul drainage could be provided. No details with regard to the responsibility, means of operation and management of the system for its lifetime have been provided and no evidence to ensure that the quality of the surrounding environment would not be adversely affected as a result of this development. As such, the proposal is contrary to the objectives of Policy IP6 (Foul Water Drainage on Development Sites) of the Carlisle District Local Plan 2015-2030.

### Relevant Development Plan Policies

#### Item no: 07

<b>Appn Ref No:</b>	<b>Applicant:</b>	<b>Parish:</b>
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16/0891 Mr & Mrs D Broughton Wetheral

**Date of Receipt:** 10/10/2016 08:02:59  
**Agent:** Heine Planning Consultancy  
**Ward:** Wetheral

**Location:** Oak Meadow, Broomfallen Road, Scotby, Carlisle, CA4 8DE  
**Grid Reference:** 343775 554000

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Proposal: Change Of Use Of Land For Mixed Use Of 1No. Gypsy Pitch For The Stationing Of Up To 3No. Caravans For Residential Occupation, With Utility Building, Hard Standing, Stable Block, Landscaping And Septic Tank; Paddock Area (Part Retrospective)

**Decision:** Refuse Permission **Date:** 09/03/2018

**Decision of:** Planning Inspectorate

**Decision Type:** Appeal Allowed with Conditions **Date:** 04/02/2019

**Item no: 08**

**Appn Ref No:** 17/1066  
**Applicant:** Mr S Fiddler  
**Parish:** Hayton

**Date of Receipt:** 11/12/2017  
**Agent:** Hyde Harrington  
**Ward:** Hayton

**Location:** Plot 3 (Fallows End), Land to rear of Elmfield, Townhead, Hayton, Brampton, CA8 9JF  
**Grid Reference:** 351566 557745

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Proposal: Erection Of 3no. Detached Dwellings Without Compliance With Condition 2 Imposed By Planning Permission 16/0261 To Retrospectively Amend The Design Of The Roof From A Hip To Full Gable And Other Revisions To The Design Of Plot 3

**Decision:** Refuse Permission **Date:** 08/06/2018

**Decision of:** Planning Inspectorate

**Decision Type:** Appeal Allowed with Conditions **Date:** 13/02/2019

**Item no: 09**

**Appn Ref No:** 18/0055  
**Applicant:** Mr Wilson  
**Parish:** Rockcliffe

**Date of Receipt:**  
16/01/2018 11:02:41

**Agent:**  
Sam Greig Planning  
(Cumbria) Ltd

**Ward:**  
Longtown & Rockcliffe

**Location:**  
Land South of Two Hoots, Harker Road Ends,  
Carlisle, CA6 4HL

**Grid Reference:**  
337448 560961

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Proposal: Erection Of 5no. Dwellings (Outline)

**Decision:** Refuse Permission

**Date:** 24/04/2018

**Decision of:** Planning Inspectorate

**Decision Type:** Appeal Dismissed

**Date:** 14/02/2019

**Item no:** 10

**Appn Ref No:**  
18/0506

**Applicant:**  
Simpsons Builders

**Parish:**  
Wetheral

**Date of Receipt:**  
05/06/2018 11:01:01

**Agent:**  
PFK Planning

**Ward:**  
Wetheral

**Location:**  
Land to the rear of 46 Broomfallen Road, Scotby,  
Carlisle, CA4 8DE

**Grid Reference:**  
344234 554334

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Proposal: Demolition Of Lean To At 46 Broomfallen Road And Erection Of 5no.  
Dwellings With Associated Infrastructure

**Decision:** Refuse Permission

**Date:** 24/08/2018

**Decision of:** Planning Inspectorate

**Decision Type:** Appeal Dismissed

**Date:** 14/02/2019

**Item no:** 11

**Appn Ref No:**  
18/0568

**Applicant:**  
Mr & Mrs McKerr

**Parish:**  
Stanwix Rural

**Date of Receipt:**  
25/06/2018 11:01:01

**Agent:**  
SRE Associates

**Ward:**  
Stanwix Rural

**Location:**  
14 Vestaneum, Crosby on Eden, Carlisle, CA6 4PN

**Grid Reference:**  
344627 559643

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Proposal: Erection Of Single Storey Side And Rear Extension To Provide Kitchen/Dayroom To Rear And Utility, W.C. And Hall To Side

**Decision:** Refuse Permission

**Date:** 21/09/2018

**Decision of:** Planning Inspectorate

**Decision Type:** Appeal Dismissed

**Date:** 01/03/2019

**Item no:** 12

**Appn Ref No:**  
19/9001

**Applicant:**  
Brook Street Primary  
School

**Parish:**  
Carlisle

**Date of Receipt:**  
22/01/2019

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

**Ward:**  
St Aidans

**Location:**  
Land adjacent to Brook Street Primary School  
(formerly 3 & 4 Roseville Terrace), Edward Street,  
Carlisle, CA1 2JD

**Grid Reference:**  
340902 555311

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Proposal: Change Of Use To, And Construction Of, A Multi-Use Games Area And Associated, Enabling Demolition And Structural Stabilisation Works

**Decision:** City Council Observation - Raise No Objection

**Date:** 04/02/2019

**Decision of:** Cumbria County Council

**Decision Type:** Grant Permission

**Date:** 22/02/2019