

# **Eden District Council**

## **Planning Committee Minutes**

**Date: 18 February 2016 Venue: Council Chamber, Town Hall, Penrith Time: 9.40 am**

### **Present:**

Chairman:	Councillor W Patterson	
Vice Chairman:	Councillor J G Thompson	
Councillors:	A Armstrong I Chambers Miss M Clark D Holden	Mrs V Kendall J C Lynch Mrs E Martin H Sawrey-Cookson
Standing Deputies:	Councillor M Eyles	
Officers Present:	Gwyn Clark, Head of Planning Services Lisa Tremble, Legal Services	
Democratic Services Officer:	John Greenbank	

### **Pla/194/02/16 Apologies for Absence**

Apologies for absence were received from Councillor J Tompkins, Councillor M Eyles attended as a substitute.

### **Pla/195/02/16 Minutes**

**RESOLVED** that;

- the public minutes Pla/173/01/16 to Pla/175/01/16 of the special meeting of this Committee held on 21 January 2016 and
- the public minutes Pla/175/01/16 to Pla/190/01/16 of the meeting of this Committee held on 21 January 2016

be confirmed and signed by the Chairman as a correct record of those proceedings.

### **Pla/196/02/16 Declarations of Interest**

1. All Members declared a registerable but non-pecuniary interest in that they had been lobbied regarding the applications relating to Eden Grove, Bolton.
2. Councillor J Thompson declared a registerable but non-pecuniary interest in planning application 15/0606, as the applicant was a former Eden District Councillor and was known to him.

3. Councillor M Eyles and Councillor J Lynch declared a registerable but non-pecuniary interest in planning application 08/0291, as part of the application site was within their ward.

### **Pla/197/02/16 Appeal Decision Letters**

The Planning Committee considered report CD17/16 of the Head of Planning services which detailed the decision letters received since its last meeting.

<b>Application Number(s)</b>	<b>Applicant</b>	<b>Appeal Decision</b>
15/0001	<p>Mr I Davidson Land West of Station Road, Penruddock, Cumbria, CA11 0RR</p> <p>The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015.</p> <p>The development proposed is the change of use of an agricultural building to a dwellinghouse with associated operational development.</p>	The appeal is allowed and approval is granted.
14/0919	<p>Mr P Montgomerie Land to rear of Lilacs, Lazonby, Penrith, Cumbria, CA10 1AQ</p> <p>The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.</p> <p>The development proposed is 5 houses.</p>	The appeal is allowed and outline planning permission is granted.

**RESOLVED** that the report be noted.

### **Pla/198/02/16 Planning Issues**

**RESOLVED** that:

1. Applications determined under officer delegated powers for the month of January 2016 (attached to these minutes as Appendix 1)

2. Reasons for refusal on delegated decisions for the month of January 2016 (attached to these minutes as Appendix 2)

be noted.

### **Pla/199/02/16 Planning Issues - Applications for Debate (Green Papers)**

The Committee was advised of the applications requiring a decision by Members as detailed in a report of the Head of Planning Services.

#### **RESOLVED** that

1. the following applications for planning permissions ("those applications") are determined as indicated hereunder;
2. those applications which are approved be approved under the Town and Country Planning Act, 1990, subject to any detailed conditions set out in the Report, to any conditions set out below and to any conditions as to time stipulated under Sections 91 and 92 of the Act;
3. those applications which are refused be refused for the reasons set out in the report and/or any reasons set out below;
4. those applications which the Head of Planning Services is given delegated powers to approve under the Town and Country Planning Act, 1990, be approved by him subject to any detailed conditions set out in the Report, to any conditions as to time stipulated under Sections 91 and 92 of the Act, to the receipt of satisfactory replies.

### **Pla/200/02/16 Conversion of buildings to residential use and construction of new dwellings to provide 35 units on site, Eden Grove, Bolton, Eden Grove Investment Properties Ltd (Planning Application 15/0728)**

The Committee received a presentation from Mr P Griffiths, Chairman of Bolton Parish Council, objecting to the application.

The Committee received a presentation from Mr R Bird objecting to the application.

Councillor Mrs J Raine, as Ward Member, addressed the Committee objecting to the application.

The Committee received a presentation from Mr L Donnelly, the agent, in support of the application.

**RESOLVED** that the Members be **MINDED TO REFUSE** the application on the grounds that it was contrary to the NPPF and CS1, 2, 4, 17 and 18 of the Core Strategy, did not provide amenity to or enhance the application site.

Members and the public were informed that the application would be considered further at a future meeting of the Committee.

**Pla/201/02/16 Proposed refurbishment of gatehouse and (Lodge) bungalow to form two independent dwellings and one new build bungalow, Eden Grove, Bolton, Eden Grove Investment Properties Ltd (Planning Application 15/0633)**

The Committee received a presentation from Mr A McVitie, a local resident, objecting to the application.

The Committee received a presentation from Mr L Donnelly, the agent, supporting the application.

Members considered application 15/0633 regarding the proposed refurbishment of gatehouse and (Lodge) bungalow to form two independent dwellings and one new build bungalow at Eden Grove, Bolton.

Moved by Councillor J Thompson  
Seconded by Councillor E Martin

That the recommendations contained within the report be approved

A vote was taken:

For - 8  
Against – 1

Councillor Mrs V Kendall asked that her abstention be noted.

**RESOLVED** that;

Delegated powers be granted to the Head of Planning Services to grant planning permission following the receipt of a Unilateral Planning Obligation in relation to a 3% contribution to housing and subject to the following conditions:

1) The development permitted shall be begun before the expiration of three years from the date of this permission.

**Reason:** In order to comply with the provisions of the Town and Country Planning Act 1990.

2) The development hereby granted shall be carried out strictly in accordance with the revised details and plans hereby approved (Drawing Numbers P-01(B), P-05(A), P-02(B), P-06, P-03, P-07(A), P-04 & P-08(A) dated as received on 21 September 2015.

**Reason:** To ensure a satisfactory development and to avoid any ambiguity as to what constitutes the permission.

3) No development shall commence within the site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

The written scheme will include the following components:

i) An archaeological evaluation.

ii) An archaeological recording programme, the scope of which will be dependent upon the results of the evaluation.

iii) Where significant archaeological remains are revealed by the programme of archaeological work, a post-excavation assessment and analysis, preparation of a site archive ready for deposition at a store approved by the Local Planning Authority, completion of an archive report, and submission of the results for publication in a suitable journal.

**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 preservation, examination or recording of such remains.

4) Foul and surface water shall be drained on separate systems.

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

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

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

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

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

6) The proposed development shall be carried out wholly in accordance the conclusions and recommendations of the Phase 1 Habitat Survey report by JCA Limited received on 14 July 2015 and the JCA Ltd Bat Survey and Report, dated as received on 24 September 2015).

**Reason:** to ensure the proposed development does not have a significant adverse impact on biodiversity within the vicinity.

7) All works to be carried out in proximity to trees to be retained shall be undertaken in accordance with the details and recommendations contained within the TPM Tree Survey Report, dated as received on 14 July 2015, and revised site and plan drawings as dated received on 21 September 2015.

**Reason:** In order to secure a satisfactory form of development on the site.

8) Prior to the first occupation of any dwelling hereby approved or the completion of development, whichever the soonest, details and a programme of additional planting to the southwest boundary shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full in the first planting season following the completion of the development or the first residential occupation of the site, whichever the soonest and maintained thereafter. The maintenance shall include the replacement of any tree or shrub which is removed, becomes seriously damaged, seriously diseased or dies within 5 years of planting by the same species. The replacement tree or shrub must be of a similar size to that originally planted.

**Reason:** In the interest of visual amenity and in order to secure a satisfactory form of development on the site.

**Pla/202/02/16 Erection of 3 No detached bungalows, Eden Grove, Bolton, Eden Grove Investment Properties Ltd (Planning Application 15/0917)**

**The Committee received a presentation from Mr D Cotton, a local resident, who was objecting to the application.**

**The Committee received a presentation from Mr R Bird, on behalf of Bolton Parish Council, objecting to the application.**

**The Committee received a presentation from Mr L Donnelly, the agent, in support of the application.**

**RESOLVED** that the application be **APPROVED** subject to the following condition:

1. The development hereby permitted shall be begun not later than the expiration of three years beginning with the date of this permission.

**Reason:** To ensure compliance with 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 completed in accordance with the following approved plans Drawings NB-P01, NB-P05E and NB-P06D received on 17 December 2015 and drawings NB-P07, NB-P08, NB-P09 and NB-P10 received by the Local Planning Authority on 5 October 2015].

**Reason:** To specify the permission and for the avoidance of doubt

3. No development shall commence within the site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

This written scheme will include the following components:

i) An archaeological evaluation;

ii) An archaeological recording programme the scope of which will be dependent upon the results of the evaluation;

iii) Where significant archaeological remains are revealed by the programme of archaeological work, a post-excavation assessment and analysis, preparation of a site archive ready for deposition at a store approved by the Local Planning Authority, completion of an archive report, and submission of the results for publication in a suitable journal.

**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 preservation, examination or recording of such remains.)

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

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

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

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

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

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

6. The proposed development shall be carried out wholly in accordance the conclusions and recommendations of the Phase 1 Habitat Survey report by JCA Limited received on 5 October 2015.

**Reason:** to ensure the proposed development does not have a significant adverse impact on biodiversity within the vicinity.

7. The development shall be carried out wholly in accordance with Drawing 02 revision D Tree Retention Removals and Protection by TPM Landscape received by the Council on 17 December 2015.

**Reason:** To ensure the proposed development does not have an unacceptable impact on the protected trees within the vicinity.

8. Notwithstanding the details on the submitted plans prior to the development hereby approved being substantially completed or first occupied, whichever is the sooner, full

details of the landscaping of the site including details of the specimens to be planted and wherever possible the retention of existing trees and hedges have been submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be implemented in the first planting season following completion of the development, or first occupation/use, whichever is the soonest.

The approved scheme shall be maintained by the applicant or their successors in title thereafter for a period of not less than 10 years to the satisfaction of the local planning authority. This maintenance shall include the replacement of any tree or shrub which is removed, becomes seriously damaged, seriously diseased or dies, by the same species or different species, and shall be agreed in writing by the local planning authority. The replacement tree or shrub must be of similar size to that originally planted.

**Reason:** In the interests of the amenity of the area

**The meeting was adjourned at 11:40**

**The meeting reconvened at 11:55**

**Pla/203/02/16 Removal of conditions Nos 3, 4, 5 and 6 (holiday let restrictions) attached to planning approval 11/0646 to allow the dwelling to be used as affordable housing, Honeysuckle Cottage, Kellyberklane, Great Asby, Mr B Walton**

The Committee received a presentation from Councillor Mrs J Raine, the ward member, supporting the application.

The Committee received a presentation from Ms K Bell, on behalf of the agent, in support of the application.

**RESOLVED** that delegated powers be given to the Head of Planning Services to grant planning permission subject to the applicant entering into a Section 106 Legal Agreement to ensure the occupation and future sale of the property complies with the Council's policies and guidance relating to Affordable Housing.

**Pla/204/02/16 Proposed Installation of a Tozzi Nord TN535 10kw domestic wind turbine to generate electricity, Coatlith Hill Farm, Alston, Mr C Harrison (Planning application 15/0606)**

The Committee received a presentation from Mr C Harrison, the applicant, in support of the application.

**RESOLVED** that Members be **MINDED TO APPROVE** the application on the grounds that there was little local objection and the proposed turbine was appropriate for its intended purpose.

**Pla/205/02/16 Retrospective permission for the change of use from cafe to residential and removal of chimney stack, Kirkland Cottage, Orton, Mr A Midgley (Planning Application 15/0813)**



**RESOLVED** that the application be **APPROVED** subject to the following condition:

1. The development hereby granted shall be carried out in accordance with the drawings hereby approved:
  - i. Site location plan received on 28/08/2015

**Reason:** To ensure a satisfactory development and to avoid any ambiguity as to what constitutes the permission.

**Pla/206/02/16 Listed building consent for the demolition of a derelict farm building, Gilts, Crosby Ravensworth, Mr Dent (Planning Application 15/0857)**

**The Committee received a presentation from Mr E Dent, on behalf of the applicant, supporting the application.**

**RESOLVED** that the application be **APPROVED** subject to the following conditions and reasons:

**Time Limit for Commencement**

1. The development permitted shall be begun before the expiration of three years from the date of this permission.

**Reason:** In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

**Approved Plans**

2. The development hereby granted shall be carried out in accordance with the drawings hereby approved:

- i) Location Plan received 15 September 2015

**Reason:** To ensure a satisfactory development and to avoid any ambiguity as to what constitutes the permission.

**The meeting adjourned at 12.40pm**

**The meeting reconvened at 1.30pm**

**Pla/207/02/16 Urban extension to provide market and affordable housing, School, community facilities and associated infrastructure including roads, drainage, open space and landscaping, Carleton Heights, Penrith, Persimmon Homes (Planning Application 08/0291)**

**RESOLVED** that Members **DEFER** consideration of the application until a special meeting of the Committee on Thursday, 3 March 2016, on the grounds that the scale and potential impact of the application require additional consideration.

## **Pla/208/02/16 Any Other Items which the Chairman decides are urgent**

There were no items of urgent business at this meeting.

## **Pla/209/02/16 Date of Next Meeting**

The date of the next meeting of the Committee was confirmed as 17 March 2016.

## **Pla/210/02/16 Exclusion of Press and Public**

**RESOLVED** that in accordance with Section 100A(4) of the Local Government Act 1972, members of the public (including the press) be excluded from the meeting during discussion of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 2 of Part 1 to Schedule 12A of the Act

## **Pla/211/02/16 Car Park Management Plan, Morrison's Supermarket, Penrith**

### **Councillor J Thompson left the meeting at 2.25pm**

Members considered report CD16/16 of the Head of Planning Services which outlined a complaint regarding the Car Park Management Plan at Morrison's Supermarket, Penrith.

The Committee agreed the recommendation within the report.

The meeting closed at 2.40 pm

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# PLANNING COMMITTEE

# Agenda Item No.

## APPLICATIONS DETERMINED UNDER OFFICER DELEGATED POWERS FOR THE MONTH OF JANUARY 2016

App No	App Type	Parish	Description	Location	Applicant	Decision
15/0564	Outline Application	Warcop	Erection of 10 dwellings (including access) revised proposal of previously approved 11/0145.	EDENGATE, WARCOP, APPLEBY, CA16 6PL	T M Gregson 1986 Settlement - Mr D Gregson	APPROVED
15/0682	Full Application	Penrith	Change of Use Application for the conversion of Former Public House 'A4 Class', B1 Offices and Managers Flat to two retail Units, three one bed & two two bed self contained flats.	WHITE HORSE, GREAT DOCKRAY, PENRITH, CA11 7BL	RJH Ltd	APPROVED
15/0683	Listed Building	Penrith	Listed Building Consent for the change of use for the conversion of Former Public House 'A4 Class', B1 offices and managers flat to 2 No. retail units, 3 No. one bed & two bed self contained flats.	WHITE HORSE, GREAT DOCKRAY, PENRITH, CA11 7BL	RJH Ltd	APPROVED
15/0709	Full Application	Hesket	Change of use of land for the siting of 16no holiday caravans including 1no wardens caravan.	DEEPGHYLL, PLUMPTON, PENRITH, CA11 9PF	Mr M Elliott	REFUSED
15/0824	Full Application	Warcop	Conversion of stable block to residential dwelling including alterations and extension and formation of new vehicular access.	STABLE BLOCK, WARCOP HOUSE, WARCOP, APPLEBY, CA16 6NX	Mr & Mrs Dean-Netscher	REFUSED
15/0825	Listed Building	Warcop	Conversion of stable block to form single dwelling, including alterations and extension and formation of new vehicular access.	STABLE BLOCK, WARCOP HOUSE, WARCOP, APPLEBY, CA16 6NX	Mr & Mrs Dean-Netscher	REFUSED
15/0935	Full Application	Orton	Proposed car park (part retrospective)	TEBAY SOUTH SERVICE AREA, ORTON, PENRITH, CA10 3SB	Westmorland Limited - Mr J France	APPROVED
15/0947	Full Application	Hesket	Proposed operational development for an access track off highway (c1077) and hard surface area for the purposes of agricultural access.	INTACK FARM, SOUTHWAIT, CARLISLE, CA4 0LH	Mr M Threlkeld	APPROVED
15/0948	Full Application	Brough	Proposed 2 no. new build detached bungalows on vacant plots 10 and 11.	LAND AT CHRIST CROFT, BROUGH, KIRKBY STEPHEN, CA17 4AY	Willan Trading - Mr J Willan	APPROVED
15/0954	Full Application	Skelton	Change of use of land for the siting of 12 holiday static caravans.	GREENHOLLOWS COUNTRY PARK, SOUTHWAIT, CARLISLE, CA4 0PT	Martin Bros	APPROVED
15/1010	Full Application	Penrith	Proposed hard standing area.	PLOT 4, EDEN BUSINESS PARK, PENRITH, CA11 9FB	Mr A Hamilton - Cumbria Quarrying Services Limited	APPROVED

App No	App Type	Parish	Description	Location	Applicant	Decision
15/1011	Full Application	Penrith	Erection of new industrial unit including office space.	PLOT 3, EDEN BUSINESS PARK, PENRITH, CA11 9FB	Cumbria Quarrying Services Limited - Mr A Hamilton	APPROVED
15/1023	Full Application	Penrith	Change of use to veterinary surgery premises.	SIGNAL HOUSE, GILLAN WAY, PENRITH 40 BUSINESS PARK, PENRITH, CA11 9BP	Mr G Lewin - Veterinary Vision	APPROVED
15/1024	Full Application	Morland	Change of use of stables at Morland House Farm Shop to shop and micro brewery.	MORLAND HOUSE, MORLAND, PENRITH, CA10 3AZ	Mr F Mills	APPROVED
15/1027	Full Application	Penrith	Change of use of beauty salon to residential.	21 SANDGATE, PENRITH, CA11 7TJ	Miss L Grainger	APPROVED
15/1028	Outline Application	Musgrave	Outline application for the erection of a cottage.	OLD POND HOUSE, LITTLE MUSGRAVE, KIRKBY STEPHEN, CA17 4PQ	Mr & Mrs N & L Emson	REFUSED
15/1033	Full Application	Hesket	Conversion of existing store including extension to create a holiday let.	BIRKTHWAITE FARM, WREAY, CARLISLE, CA4 0RZ	Mr D Patrick	APPROVED
15/1034	Full Application	Penrith	Proposed replacement dwelling.	HEATHER COTTAGE, MAIDENHILL, SALKELD ROAD, PENRITH, CA11 8SQ	Equorium Property Company Ltd	APPROVED
15/1051	Full Application	Glassonby	Proposed porch.	BRIDGE FARM, GAMBLESBY, PENRITH, CA10 1HY	Mr D Henderson	APPROVED
15/1052	Change of Use PD/PN	Skelton	Proposed change of use of agricultural building to a dwellinghouse with associated operational development.	WIGTON ROAD BARN, HUTTON IN THE FOREST, PENRITH,	Inglewood Estate	APPROVED
15/1054	Full Application	Penrith	Proposed two storey side and single storey rear extension.	1 CHERRY GARDENS, PENRITH, CA11 8UE	Mr C Higgins	APPROVED
15/1056	Full Application	Kirkby Stephen	Proposed replacement of timber windows with upvc.	THE METHODIST CHURCH, VICTORIA SQUARE, KIRKBY STEPHEN, CA17 4SE	Rev P Dew	APPROVED
15/1059	Full Application	Skelton	Retrospective application for the erection of an all weather arena.	BROADOAK, LOW BRAITHWAITE, IVEGILL, CARLISLE, CA4 0NJ	Mr & Mrs D & A Routledge	APPROVED
15/1061	Listed Building	Penrith	Listed Building consent for alterations & improvements to a listed building.	62 ARTHUR STREET, PENRITH, CA11 7TU	Mrs J Blackamore	APPROVED
15/1063	Full Application	Ousby	Demolition of existing dwelling and garage and erection of replacement two storey dwelling and garage / classroom.	HELM BAR, MELMERBY, PENRITH, CA10 1HF	J Cafferty	APPROVED

App No	App Type	Parish	Description	Location	Applicant	Decision
15/1065	Full Application	Morland	Proposed single storey extension to increase size of two classrooms.	MORLAND AREA C OF E SCHOOL, MORLAND, PENRITH, CA10 3AT	Mrs L Anderton	APPROVED
15/1067	Full Application	Yanwath & Eamont Bridge	Proposed single storey extension to existing dwelling, proposed porch extension and proposed double garage.	THE GREEN, YANWATH, PENRITH, CA10 2LF	Mr D Baxter	APPROVED
15/1074	Full Application	Greystoke	New agricultural access.	RECTORY FARM, GREYSTOKE, PENRITH, CA11 0UJ	Mr R Nicholas	REFUSED
15/1077	Full Application	Clifton	The retention of the portakabin for office use.	A W JENKINSON FOREST PRODUCTS, CLIFTON MOOR, CLIFTON, PENRITH, CA10 2EY	A W Jenkinson Forest Products	APPROVED
15/1078	Advertisement	Clifton	Advertisement consent for illuminated fascia sign.	A W JENKINSON FOREST PRODUCTS, CLIFTON MOOR, CLIFTON, PENRITH, CA10 2EY	A W Jenkinson Forest Products	APPROVED
15/1083	Listed Building	Hesket	Listed building consent for the works required to enable the conversion of a curtilage listed outbuilding to a holiday let.	CALTHWAITE HALL LODGE, CALTHWAITE, PENRITH, CA11 9QU	Mr A Kenvig	APPROVED
15/1085	Full Application	Bolton	Retrospective application for erection of conservatory to rear garden.	1 GRAHAM'S RIGG, BOLTON, APPLEBY-IN-WESTMORLAND, CA16 6BS	Mrs T Langley	APPROVED
15/1088	Full Application	Kirkby Stephen	Change of use to Bed & Breakfast.	REDMAYNE HOUSE, SILVER STREET, KIRKBY STEPHEN, CA17 4RB	Mr & Mrs R Paisley	APPROVED
15/1089	Listed Building	Kirkby Stephen	Listed building consent for internal alteration to facilitate change of use to bed and breakfast.	REDMAYNE HOUSE, SILVER STREET, KIRKBY STEPHEN, CA17 4RB	Mr & Mrs R Paisley	APPROVED
15/1090	Full Application	Hesket	Proposed two storey extension linking house to garage.	BARNCROFT, PLUMPTON, PENRITH, CA11 9PA	Mr & Mrs Mark Halliburton	APPROVED
15/1093	Change of Use PD/PN	Ravenstonedale	Change of use from agricultural building to dwellinghouse.	BARN AT LOW FLASS, RAVENSTONEDALE, KIRKBY STEPHEN, CA17 4LJ	Mr M Metcalfe-Gibson	APPROVED
15/1096	Listed Building	Penrith	Proposed replacement portico.	MAIDENHILL, SALKELD ROAD, PENRITH, CA11 8SQ	Equorium Property Company Ltd	APPROVED
15/1098	Full Application	Penrith	Front, side and rear extensions to existing dwelling.	34 TYNE CLOSE AVENUE, PENRITH, CA11 7ER	Mr Stephen Martin	APPROVED

App No	App Type	Parish	Description	Location	Applicant	Decision
15/1100	Full Application	Sockbridge & Tirril	The erection of a new single storey detached classroom with office and WC provision.	YANWATH C P SCHOOL, ASKHAM ROAD, YANWATH, PENRITH, CA10 2LA	Ms J Venus	APPROVED
15/1102	Full Application	Penrith	Reconfiguration of the car park and drive thru to allow for the installation of a side-by-side order point, with the installation of 1 no additional Customer Order Displays (COD) and associated canopy.	MCDONALD'S RESTAURANT, PENRITH RAILWAY STATION, ULLSWATER ROAD, PENRITH, CA11 7JQ	McDonald's Restaurant Ltd	APPROVED
15/1104	Full Application	Alston	Alterations to front and rear, change porch and add rear dormer (resubmission of 14/0911).	WHITBURN COTTAGE, ALSTON, CA9 3DA	Ms Julie Capewell	APPROVED
15/1110	Full Application	Kirkby Stephen	Construction of 5 new units for office B1 class use.	KIRKBY STEPHEN BUSINESS PARK, ST LUKES ROAD, KIRKBY STEPHEN, CA17 4HT	KS Business Park Ltd - Mr Alan Ewbank	APPROVED
15/1111	Full Application	Hesket	Erection of roof over collection yard.	MELLGUARDS FARM, MELLGUARDS, SOUTHWAITE, CARLISLE, CA4 0LE	Mr R Fisher	APPROVED
15/1112	Full Application	Penrith	Formation of 4no windows in existing gable elevation.	UNIT 63 GILWILLY ROAD, GILWILLY INDUSTRIAL ESTATE, PENRITH, CA11 9BL	Trade Copiers Ltd	APPROVED
15/1114	Full Application	Ravenstonedale	Proposed sun room.	HILL TOP BARN, NEWBIGGIN-ON-LUNE, KIRKBY STEPHEN, CA17 4NB	Mr & Mrs J Richardson	APPROVED
15/1115	Tree Works (CA)	Hunsonby	T1 Cherry: Crown raise by removing 3 lower branches as marked on photo; T2 Silver Birch and T4 Silver Birch: Crown reduction by approx. 5-10ft around the crown; T3 Silver Birch: Fell tree; T5 Silver Birch: Remove lowest branch growing towards neighbours; T6 Silver Birch: Remove dropping branches marked on photo; T7 Elder: Fell tree; T8 Ash: Pollard to height shown on photo; All work as shown on photos provided; Hunsonby Conservation Area.	APPLE TREE HOUSE, HUNSONBY, PENRITH, CA10 1PN	Mrs Dr Cambell	APPROVED
15/1116	Tree Works (CA)	Penrith	Remove 3 trees in Penrith New Streets Conservation Area (Laburnum, Yew and 1 other); Penrith New Streets Conservation Area.	ABETO HOUSE, FELL LANE, PENRITH, CA11 8BJ	Dr Barry Halsall	APPROVED
15/1118	Full Application	Alston	Replacement of antenna, 1 x 300mm dish, 1 x 600mm (new), addition of 2 no RRU's and 1 no. Fita Box within existing cabin.	LAND OFF A689, NENTHEAD, ALSTON, CA9 3PB	Vodafone Ltd	APPROVED

App No	App Type	Parish	Description	Location	Applicant	Decision
15/1119	Notice of Intention	Kirkby Stephen	Change of use from agricultural building to dwellinghouse.	BARN IN FIELD ADJOINING KIRKBY STEPHEN INDUSTRIAL/BUSINESS PARK, SOULBY ROAD, KIRKBY STEPHEN, CA17 4RN	Mr & Mrs W Chapman	REFUSED
15/1120	Full Application	Tebay	Change of use of part of agricultural field to site cabin for health and safety training (retrospective).	LUNESBRIDGE FIELD, TEBAY, PENRITH,	Lyon Equipment LTD - Mr J Capper	APPROVED
15/1121	Notice of Intention	Ravenstonedale	Proposed road.	RIGG END, NEWBIGGIN-ON-LUNE, KIRKBY STEPHEN, CA17 4NB	Mr M Dent	APPROVED
15/1123	Notice of Intention	Ravenstonedale	Agricultural building.	RIGG END, NEWBIGGIN-ON-LUNE, KIRKBY STEPHEN, CA17 4NB	Mr M Dent	APPROVED
15/1124	Full Application	Hesket	Extension of a garden room to existing ancillary building.	COBBLETHWAITE, WREAY, CARLISLE, CA4 0RZ	Mr C Dodds	APPROVED
15/1126	Listed Building	Appleby	Proposed external alterations and revisions to approved listed planning application ref 15/0500.	17 DOOMGATE, APPLEBY-IN-WESTMORLAND, CA16 6RB	Mr & Mrs S GAUGHAN	APPROVED
15/1133	Change of Use PD/PN	Nateby	Change of use from agricultural building to dwellinghouse.	AGRICULTURAL BUILDING AT WHITE BRACKEN, KIRKBY STEPHEN, CA17 4LQ	Mr P Dixon	APPROVED
15/1135	Listed Building	Penrith	Installation of a station footbridge and associated lift shafts.	PENRITH RAILWAY STATION, ULLSWATER ROAD, PENRITH, CA11 7JQ	Newtwork Rail Infrastructure LTD	APPROVED
15/1137	Full Application	Penrith	Change of use from A1 (retail) to B1 (office) and associated external alterations.	UNIT 3 MONTAL PLACE, STALKER ROAD, GILWILLY INDUSTRIAL ESTATE, PENRITH, CA11 9FE	Cumbrian Stone Ltd	APPROVED
15/1148	Non-Material Amend	Penrith	Non material amendment to planning approval 08/0295 comprising of addition of a condition.	CARLETON MANOR PARK, CARLETON HILL, PENRITH, CA11 8AL	Cumbrian Homes	APPROVED
15/1154	Non-Material Amend	Kirkoswald	Non material amendment to planning approval 15/0855 comprising of the relocation of the dwelling.	LAND AT SPRINGFIELD, KIRKOSWALD, PENRITH, CA10 1EX	Mr J Farish	APPROVED
15/1155	Tree Works (CA)	Dufton	Fell Birch tree due to proximity to overhead cables and excessive shading; Replace with smaller tree; Dufton Conservation Area.	GLEN VIEW, DUFTON, APPLEBY-IN-WESTMORLAND, CA16 6DF	Julie Smith	APPROVED
15/1175	Notice of Intention	Stainmore	Construction of forestry road.	EWEBANK PARK FOREST, KIRKBY STEPHEN,	Mr P Smith - Swift Group Ltd	APPROVED
15/1176	Notice of Intention	Stainmore	Construction of forestry road.	EWEBANK PARK FOREST, KIRKBY STEPHEN,	Mr P Smith	APPROVED

App No	App Type	Parish	Description	Location	Applicant	Decision
16/0040	Reserved by Cond	Ainstable	Discharge of condition 3 (tree protection details) attached to planning application 15/1007.	HEATHER GLEN, AINSTABLE, CARLISLE, CA4 9QQ	Mr D Smith	APPROVED
16/0041	Non-Material Amend	Penrith	Non material amendment to planning approval 15/0701 comprising of amendments to window sizes and window/door materials.	11 THE GREEN, PENRITH, CA10 2BA	Cumbria Constabulary	APPROVED

In relation to each application it was considered whether the proposal was appropriate having regard to the Development Plan, the representations which were received including those from consultees and all other material considerations. In cases where the application was approved the proposal was considered to be acceptable in planning terms having regard to the material considerations. In cases where the application was refused the proposal was not considered to be acceptable having regard to the material and relevant considerations. In all cases it was considered whether the application should be approved or refused and what conditions, if any, should be imposed to secure an acceptable form of development.



# Notice of Decision



**District Council**

To: H&H Land and Property - Mr T Woof  
Borderway  
Rose Hill Industrial Estate  
Carlisle  
Cumbria  
CA1 2RS

Mansion House, Penrith, Cumbria CA11 7YG  
Tel: 01768 817817  
Fax: 01768 212320

*Town and Country Planning Act 1990  
Town and Country Planning (Development Management Procedure) Order 2015*

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Application No: 15/1074  
On Behalf Of: Mr R Nicholas

In pursuance of their powers under the above Act and Order, Eden District Council, as local planning authority, hereby REFUSE full planning permission for the development described in your application and on the plans and drawings attached thereto, viz:

Application Type: Full Application  
Proposal: New agricultural access.  
Location: RECTORY FARM GREYSTOKE PENRITH CA11 0UJ

The reason(s) for this decision are:

1) The application proposes an access and an access track in a prominent location at the edge of the village which would fail to protect or enhance the natural environment contrary to CS16 and fail to show a clear understanding of the form and character of the natural environment or complement and enhance the existing area contrary to CS18.

*Where necessary the local planning authority has worked with the applicant in a positive and proactive manner seeking solutions to problems arising in relation to dealing with the planning application and to implement the requirements of the NPPF and the adopted development plan.*

Date of Decision: 5 January 2016

Signed:

(Authorised Officer)  
G Clark BSc (Hons), DipTP, MRTPI

**Attention is drawn to the attached notes.**

# Notice of Decision



To: PF&K Planning - Mr Neil Henderson  
Agricultural Hall  
Skirsgill  
Penrith  
Cumbria  
CA11 0DN

Mansion House, Penrith, Cumbria CA11 7YG  
Tel: 01768 817817  
Fax: 01768 212320

## *Town and Country Planning Act 1990*

Application No: 15/0825  
On Behalf Of: Mr & Mrs Dean-Netscher

In pursuance of their powers under the above Act and Order, Eden District Council, as local planning authority, hereby REFUSE listed building consent for the works described in your application and on the plans and drawings attached thereto, viz:

Application Type: Listed Building  
Proposal: Conversion of stable block to form single dwelling, including alterations and extension and formation of new vehicular access.  
Location: STABLE BLOCK WARCOP HOUSE WARCOP APPLEBY CA16 6NX

The reason(s) for this decision are:

1) The form and character of the proposed extension would result in harm to the listed building and fails to take opportunities to conserve and enhance the special characteristics of the listed building in line with the NPPF, CS17 of Core Strategy and section 66 of Planning (Listed Buildings and Conservation Areas) Act 1990.

*Where necessary the local planning authority has worked with the applicant in a positive and proactive manner seeking solutions to problems arising in relation to dealing with the planning application and to implement the requirements of the NPPF and the adopted development plan.*

Date of Decision: 6 January 2016

Signed:

A handwritten signature in black ink, appearing to read "G Clark".

(Authorised Officer)  
G Clark BSc (Hons), DipTP, MRTPI

**Attention is drawn to the attached notes.**

# Notice of Decision



## District Council

To: PF&K Planning - Mr Neil Henderson  
Agricultural Hall  
Skirsgill  
Penrith  
Cumbria  
CA11 0DN

Mansion House, Penrith, Cumbria CA11 7YG  
Tel: 01768 817817  
Fax: 01768 212320

*Town and Country Planning Act 1990  
Town and Country Planning (Development Management Procedure) Order 2015*

Application No: 15/0824  
On Behalf Of: Mr & Mrs Dean-Netscher

In pursuance of their powers under the above Act and Order, Eden District Council, as local planning authority, hereby REFUSE full planning permission for the development described in your application and on the plans and drawings attached thereto, viz:

Application Type: Full Application  
Proposal: Conversion of stable block to residential dwelling including alterations and extension and formation of new vehicular access.  
Location: STABLE BLOCK WARCOP HOUSE WARCOP APPLEBY CA16 6NX

The reason(s) for this decision are:

That the application is REFUSED for the following reasons:

- 1) Due to its form and character the proposal would result in harm to the listed building whilst failing to conserve or enhance the special characteristics of the listed building contrary to the NPPF, CS17 of Core Strategy and section 66 of Planning (Listed Buildings and Conservation Areas) Act 1990.
- 2) The proposed extension fails to show a clear understanding of the form and character of the original building and surrounding built environment contrary to CS18 and paragraph 56 of the NPPF.

*Where necessary the local planning authority has worked with the applicant in a positive and proactive manner seeking solutions to problems arising in relation to dealing with the planning application and to implement the requirements of the NPPF and the adopted development plan.*

Date of Decision: 14 January 2016

Signed:

**G Clark** BSc (Hons), DipTP, MRTPI, ACMI  
Head of Planning Services



**www.eden.gov.uk**



(Authorised Officer)  
G Clark BSc (Hons), DipTP, MRTPI

**Attention is drawn to the attached notes.**

# Notice of Decision



**District Council**

To: Mr & Mrs N & L Emson  
Old Pond House  
Little Musgrave  
Kirkby Stephen  
CA17 4PQ

Mansion House, Penrith, Cumbria CA11 7YG  
Tel: 01768 817817  
Fax: 01768 212320

*Town and Country Planning Act 1990  
Town and Country Planning (Development Management Procedure) Order 2015*

Application No: 15/1028  
On Behalf Of: Mr & Mrs N & L Emson

In pursuance of their powers under the above Act and Order, Eden District Council, as local planning authority, hereby REFUSE outline planning permission for the development described in your application and on the plans and drawings attached thereto, viz:

Application Type: Outline Application  
Proposal: Outline application for the erection of a cottage.  
Location: OLD POND HOUSE LITTLE MUSGRAVE KIRKBY STEPHEN  
CA17 4PQ

The reasons for this decision are:

1) The application proposes an unrestricted market-led house located in an unsustainable location, outside of a Key or Local Service Centre with no overriding essential need or special circumstance being demonstrated sufficient as to allow an unrestricted dwelling in such a location contrary to Core Strategy Policies CS1, CS2, CS3, CS7, CS9, and CS10, and the provisions of the NPPF.

*Where necessary the local planning authority has worked with the applicant in a positive and proactive manner seeking solutions to problems arising in relation to dealing with the planning application and to implement the requirements of the NPPF and the adopted development plan.*

Date of Decision: 14 January 2016

Signed:

(Authorised Officer)

G Clark BSc (Hons), DipTP, MRTPI

**G Clark** BSc (Hons), DipTP, MRTPI, ACMI  
Head of Planning Services



**[www.eden.gov.uk](http://www.eden.gov.uk)**

**Attention is drawn to the attached notes.**

Your reference:  
Our reference: 15/1119  
Enquiries to: Mr D Cox  
Direct Dial: 01768 212476  
Email: [planning.services@eden.gov.uk](mailto:planning.services@eden.gov.uk)  
Date: 18 January 2016



Mansion House, Penrith, Cumbria CA11 7YG  
Tel: 01768 817817  
Fax: 01768 212320

IPS Architects  
The Studio  
Outhgill  
Kirkby Stephen  
Cumbria  
CA17 4JU

Dear Sir/Madam

### **Town and Country Planning Act 1990**

**Planning Application No: 15/1119**

**Proposal:** *Change of use from agricultural building to dwellinghouse.*

**Address:** *BARN IN FIELD ADJOINING KIRKBY STEPHEN INDUSTRIAL/BUSINESS  
PARK SOULBY ROAD KIRKBY STEPHEN CA17 4RN*

Your Notice of Intention in respect of the above development has been considered by this Authority. I am writing to inform you that it has been REFUSED for the following reason(s):

- 1) The barn is impractical for conversion due to its elevated and isolated location close to a neighbouring business park.
- 2) The proposal would introduce a domestic use and associated features which would be visually intrusive in the landscape, being significantly at odds with the surrounding predominantly rural character of the area.
- 3) The required access track to facilitate access for domestic use would be cut through the middle of an agricultural field which would be at odds with the rural character of the area.
- 4) Inadequate information and detail has been submitted to satisfy the Local Planning Authority that the proposal is acceptable in terms of access, visibility splays, off-street parking, surface water drainage, on site turning facility and its effect on local traffic conditions and public safety.

Should you have any queries regarding this refusal please do not hesitate to contact the Case Officer directly at the above address.

Yours faithfully



A handwritten signature in black ink, appearing to read 'G. Clark'.

G Clark BSc (Hons), DipTP, MRTPI

# Notice of Decision



To: Taylor & Hardy Ltd.  
North House  
Kingstown  
Carlisle  
CA6 4BY

Mansion House, Penrith, Cumbria CA11 7YG  
Tel: 01768 817817  
Fax: 01768 212320

*Town and Country Planning Act 1990  
Town and Country Planning (Development Management Procedure) Order 2015*

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Application No: 15/0709  
On Behalf Of: Mr M Elliott

In pursuance of their powers under the above Act and Order, Eden District Council, as local planning authority, hereby REFUSE full planning permission for the development described in your application and on the plans and drawings attached thereto, viz:

Application Type: Full Application  
Proposal: Change of use of land for the siting of 16no holiday caravans including  
1no wardens caravan.  
Location: DEEPGHYLL PLUMPTON PENRITH CA11 9PF

The reason(s) for this decision are:

1) The proposed development is considered to be remote from the settlement of Plumpton and located in open countryside without any justification for the location or demonstration of need. It is considered that the proposal is therefore contrary to Policy NE1 of the Eden Local Plan (Saved Policies) and Policies CS12, CS14 and CS15 of the adopted Eden Core Strategy and paragraph 28 of the National Planning Policy Framework.

*Where necessary the local planning authority has worked with the applicant in a positive and proactive manner seeking solutions to problems arising in relation to dealing with the planning application and to implement the requirements of the NPPF and the adopted development plan.*

Date of Decision: 20 January 2016

Signed:

A handwritten signature in dark ink, appearing to read "G Clark".

(Authorised Officer)  
G Clark BSc (Hons), DipTP, MRTPI

**Attention is drawn to the attached notes.**

**[www.eden.gov.uk](http://www.eden.gov.uk)**

**G Clark** BSc (Hons), DipTP, MRTPI, ACMI  
Head of Planning Services

