

Eden District Council

Planning Committee Minutes

Date: 17 August 2017 Venue: Council Chamber, Town Hall, Penrith Time: 9.30 am

Present:

Chairman: Councillor J G Thompson

Vice Chairman: Councillor W Patterson

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| Councillors: | A Armstrong | V Kendall |
| | I Chambers | J C Lynch |
| | M Eyles | R Sealby |
| | D Holden | H Sawrey-Cookson |

Standing Deputies: Councillor M Smith

Officers Present: Lisa Tremble, Assistant Director Legal Services
David Wright, Planning Services Development Manager
Nick Atkinson, Senior Planning Officer
Paula Smith, Planning Conservation Officer

Democratic Services Officer: John Greenbank

Pla/57/08/17 Apologies for Absence

Apologies for absence were received from Councillor Clark, Councillor Smith attended as a substitute.

Pla/58/08/17 Minutes

RESOLVED that the public minutes Pla/34/7/17 to Pla/56/7/17 of the meeting of this Committee held on 20 July 2017 be confirmed and signed by the Chairman as a correct record of those proceedings.

Pla/59/08/17 Declarations of Interest

The following declarations of interest were made;

1. Councillor Sawrey-Cookson gave a personal explanation in respect of planning application number 17/0334 stating that they had met the applicant.
2. Councillor Kendall gave a personal explanation in respect of planning application number 16/0224 stating that they had spoken to local residents regarding the application, but had not expressed an opinion in favour or against.

Pla/60/08/17 Planning Issues

RESOLVED that the attached lists of the Assistant Director Technical Services:

- a) Applications determined under office delegated powers for the month of July 2017 (**attached as appendix 1 to these minutes**)
- b) Reasons for refusal on delegated decisions for the month of July 2017 (**attached as appendix 2 to these minutes**)

Pla/61/08/17 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 Assistant Director Technical 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 Deputy Chief Executive 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.

The Chairman informed Members that Planning Application Number 17/0493 had been withdrawn from consideration at this meeting, and resolved under delegated powers.

Pla/62/08/17 Planning Application No: 17/0432 Outline Application for residential development, all matters reserved, land opposite Ivy House Ousby

The committee received a presentation from Ms S Whitehead, a local resident, objecting to the application

The committee received a presentation from Mr P Neary, a local resident, objecting to the application

The committee received a presentation from Parish Councillor S Castle-Clarke, representing Ousby Parish Council, objecting to the application

Moved by Councillor Sawrey-Cookson
Seconded by Councillor Eyles

That the application be deferred for a site visit to allow Members to gain more information about the site.

Councillor Eyles subsequently withdrew their second for the motion, to allow the committee to hear from the applicant's agent, and another seconder could not be found and so the motion fell.

The committee received a presentation from Mr D Addis, the applicant's agent, in support of the application

Moved by Councillor Sawrey-Cookson
Seconded by Councillor Eyles

That the application be deferred for a site visit to allow Members to gain more information about the site.

A vote was taken and there were;

For the motion – 5
Against the motion – 6

The motion was therefore LOST

Moved by Councillor Smith
Seconded by Councillor Chambers

That the application for outline planning permission be approved

A vote was taken and there were;

For the motion – 5
Against the motion – 6

The motion was therefore LOST

Moved by Councillor Sawrey-Cookson
Seconded by Councillor Eyles

That the application be refused.

A vote was taken and there were;

For the motion – 7
Against the motion – 4

and **RESOLVED** that the application be REFUSED as contrary to Core Strategy policies CS1, CS3, CS8 and CS16.

The meeting adjourned at 11.00am
The meeting reconvened at 11.10am

Pla/63/08/17 Planning Application No 17/0334 Residential development with all matters reserved, land south-east of Templars Court, Temple Sowerby

Moved by Councillor Patterson
Seconded by Councillor Chambers

and **RESOLVED** that planning permission be GRANTED subject to the following conditions:

Time Limit for Commencement

1. The development permitted shall be begun either before the expiration of three years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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

2. Application for approval of all reserved matters shall be made to the Local Planning Authority 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.

Approved Plans

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

- i) Location Plan 049.101 dated 20 November 2016
- ii) Block Plan 049.100 dated 20 November 2016
- iii) Drainage Proposal - Pond Drawing Ref 17-C-14638/I Rev A submitted by email 18/7/17 (In respect of drainage only)

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

4. The development shall comprise a maximum of five dwellings.

Reason: To prevent the overdevelopment of the site and to preserve the character of the Conservation Area.

Before the Development is Commenced

5. Prior to the commencement of development, full details for how foul and surface water shall be drained on a separate system shall be submitted to the local planning authority and approved in writing. The development shall be completed in accordance with the approved details.

Reason: In order to ensure a satisfactory drainage system for the site. The condition is considered necessary to be complied with pre-commencement as compliance with

the requirements of the condition at a later time could result in unacceptable harm contrary to the policies of the Development Plan.

6. Prior to the commencement of development, a scheme for surface water and foul water drainage (informed by consultation with the Water Authority and inclusive of how the scheme shall be maintained and managed after completion) shall be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the drainage scheme has been constructed in accordance with the approved details. The development shall be completed, maintained and managed in accordance with the approved details.

Reason: In order to ensure a satisfactory drainage system for the site. The condition is considered necessary to be complied with pre-commencement as compliance with the requirements of the condition at a later time could result in unacceptable harm contrary to the policies of the Development Plan.

7. The reserved matters application shall include details showing provisions within each dwelling site for parking provision in accordance with Cumbria Parking Standards. The approved parking areas shall be constructed before the associated dwelling is occupied and shall be kept available for those purposes at all times thereafter.

Reason: To ensure an appropriate level of car parking is provided.

8. The development shall take place in accordance with the recommendations of the Ecological Appraisal submitted with the application and carried out by Envirotech.

Reason: In order to preserve the ecological interest of the site.

Ongoing Conditions

9. Construction works shall only take place within the following hours:

Monday - Friday 8:00 - 18:00

Saturday - 09:00 - 13:00

Sunday/Bank Holidays - no activity

Reason: In order to protect residential amenity.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order with or without modification), no development permitted by Part 1 of Schedule 2 to the Order shall be carried out without the express permission of the Council in writing.

Reason: To prevent the overdevelopment of the site and to preserve the character of the Conservation Area.

Pla/64/08/17 Planning Application No 17/0351 Outline application for the erection of a dwelling with all matters reserved, land at Townhead, Lamonby

Moved by Councillor Eyles
Seconded by Councillor Sealby

that application be approved.

Councillor Sealby subsequently withdrew their second for the motion following which Councillor Lynch seconded the motion.

A vote was taken and the motion was LOST

Moved by Councillor Patterson
Seconded by Councillor Chambers

and **RESOLVED** that planning permission be REFUSED for the following reasons:

1. the application proposes a new house in an unsustainable location in the open countryside, outside of a Key or Local Service Centre. The site is which is poorly related to the nearest settlement and remote from local services without a demonstrated need contrary to Core Strategy policies CS1, CS2, CS3, CS7 and CS9 and also part 6 of the NPPF.

Pla/65/08/17 Planning Application No 16/1029 Outline application for residential development of 51 dwellings with all matters reserved, White Ox Farm, Inglewood Road, Penrith

Councillor Holden asked that it be noted that the Committee had concerns regarding construction traffic accessing the site in view of the number of other site under development in the area. They also asked that all those involved in the application including the Council, the developer and Cumbria County Council work together to reduce the impact of increased construction traffic on local residents and that a co-ordinated approach be taken in relation to the installation of utility services on the site to reduce disruption to road users.

In addition Councillor Eyles asked that it be noted that the experiences of delivering other large residential developments in Penrith be used to ensure that the impact of this development was minimal.

Moved by Councillor Lynch
Seconded by Councillor Patterson

And **RESOLVED** that delegated power be given to the Assistant Director Technical Services to grant planning permission subject to a Section106 Agreement being entered into to the absolute satisfaction of the Deputy Chief Executive and the Assistant Director Technical Services requiring the provision of 30% affordable Houses; and financial contributions comprising:

- A financial contribution in relation to education; and
- A financial contribution to a Toucan crossing.

and the Council's reasonable costs being paid in relation to that Section 106 Agreement and subject to the following conditions:

1. The development permitted shall be begun either before the expiration of three years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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

2. An application for approval of all reserved matters shall be made to the Local Planning Authority 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.

Prior to commencement

3. Prior to the commencement of the development, the carriageway, footways, footpaths, cycleways etc shall be designed, constructed, drained and lit to a standard suitable for adoption. Details shall be submitted to the Local Planning Authority for written approval and should include longitudinal/cross sections. No work shall be commenced until a full specification has been approved. These details shall be in accordance with the standards laid down in the current Cumbria Design Guide. Any works so approved shall be constructed before the development is complete. Once approved, these details shall be adhered to at all times.

Reason: To ensure a minimum standard of construction in the interests of highway safety. It is necessary for the condition to be on the basis that 'No development shall commence until' as compliance with the requirements of the condition at a later time could result in unacceptable harm contrary to the policies of the Development Plan.

4. The development shall not commence until visibility splays providing clear visibility of 43 metres and 215 metres measured 2.4metres 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. It is necessary for the condition to be on the basis that 'No development shall commence until' as compliance with the requirements of the condition at a later time could result in unacceptable harm contrary to the policies of the Development Plan.

5. No development of any dwellings or buildings or structures shall be commenced until the access roads, as approved, are defined by kerbs and sub base construction.

Reason: To ensure that the access roads are defined and laid out at an early stage. It is necessary for the condition to be on the basis that 'No development shall commence until' as compliance with the requirements of the condition at a later time could result in unacceptable harm contrary to the policies of the Development Plan.

6. Prior to the commencement of the development details of all measures to be taken by the applicant/developer to prevent surface water discharging onto or off the highway shall be submitted to the Local Planning Authority for written approval. Once approved, these 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. It is necessary for the condition to be on the basis that 'No development shall commence until' as compliance with the requirements of the condition at a later time could result in unacceptable harm contrary to the policies of the Development Plan.

7. Prior to the commencement of the development a plan shall be submitted for written approval to the Local Planning Authority which reserves adequate land for the parking of vehicles engaged in construction operations associated with the development. Once approved 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 work is likely to lead to inconvenience and danger to road users. Reason: In the interests of highway safety and environmental management.

8. No development shall commence until a detailed scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include appropriate aftercare and management plans. Thereafter, the development shall be undertaken in accordance with the approved scheme, with all planting undertaken within the first available planting season. Any trees or other plants which die or are removed within the first five years following the implementation of the approved scheme shall be replaced during the next planting season.

Reason: In the interests of protecting the visual character and appearance of the area. It is necessary for the condition to be on the basis that 'No development shall commence until' as compliance with the requirements of the condition at a later time could result in unacceptable harm contrary to the policies of the Development Plan.

9. No development shall commence until details of an Arboricultural Impact Assessment, Tree Protection Plan and Arboricultural Method Statement are submitted to the Local Planning Authority for written approval. Once approved, these plans shall be adhered to at all times.

Reason: To maintain the contribution the trees and hedgerows make to the area. It is necessary for the condition to be on the basis that 'No development shall commence

until' as compliance with the requirements of the condition at a later time could result in unacceptable harm contrary to the policies of the Development Plan.

10. 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. It is necessary for the condition to be on the basis that 'No development shall commence until' as compliance with the requirements of the condition at a later time could result in unacceptable harm contrary to the policies of the Development Plan.

11. 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 then be completed, maintained and managed in accordance with these approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. It is necessary for the condition to be on the basis that 'No development shall commence until' as compliance with the requirements of the condition at a later time could result in unacceptable harm contrary to the policies of the Development Plan.

12. Prior to the commencement of the development, clear arrangements must be in place for ongoing maintenance of the drainage system over the lifetime of the development. The drainage system must be designed for ease of maintenance. In this respect further details shall be submitted to the Local Planning Authority for approval in writing and once approved shall be adhered to at all times.

Reason: To ensure flood risk is not increased within the site or elsewhere. It is necessary for the condition to be on the basis that 'No development shall commence until' as compliance with the requirements of the condition at a later time could result in unacceptable harm contrary to the policies of the Development Plan.

13. No development shall commence until a construction surface water management plan has been agreed in writing with the local planning authority.

Reason: To safeguard against flooding to surrounding sites and to safeguard against pollution of receiving surface water systems or watercourses downstream of the site. It is necessary for the condition to be on the basis that 'No development shall commence until' as compliance with the requirements of the condition at a later time could result in unacceptable harm contrary to the policies of the Development Plan.

14. Prior to the commencement of development, details of the foul and surface water drainage schemes (inclusive of how the schemes shall be maintained and managed after completion) shall be submitted to and approved in writing by the local planning authority.

The foul and surface water drainage schemes shall provide details of measures required to mitigate any risks to groundwater and public water supply from the development. The mitigation measures shall include the highest specification design for the new foul and surface water sewerage system.

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. The site lies within a Groundwater Source Protection Zone 1 for a nearby public water supply abstraction, and as such the site is considered to be particularly sensitive to the input of pollutants at the surface. In accordance with the Environment Agency position statement in The Environment Agency's Approach to Groundwater Protection March 2017, the Environment Agency and United Utilities require the highest specification pipework and design for the sewerage system at this site. It is necessary for the condition to be on the basis that 'No development shall commence until' as compliance with the requirements of the condition at a later time could result in unacceptable harm contrary to the policies of the Development Plan.

15. No development shall take place until a Construction Phase Environmental Management Plan (CEMP), for the construction phase of the proposed development, is submitted to and approved by the Local Planning Authority in writing. The developer will need to refer to all relevant pollution prevention guidelines. The statement shall outline the potential impacts from all construction activities on groundwater and identify mitigation measures to protect and prevent pollution of these waters. In particular it will need to be ensured that any facilities for the storage of oils, fuels or chemicals is appropriately bunded and contained to prevent the discharge of contaminated fluids to ground. The site compound shall be located as far as possible from the public water supply boreholes. The development shall be undertaken in accordance with the approved CEMP.

Reason: To promote sustainable development and to manage the risk of pollution. The site lies within a Groundwater Source Protection Zone 1 for a nearby public water supply abstraction, and as such the site is considered to be particularly sensitive to the input of pollutants at the surface. It is necessary for the condition to be on the basis that 'No development shall commence until' as compliance with the requirements of the condition at a later time could result in unacceptable harm contrary to the policies of the Development Plan.

16. At the detailed planning application stage, the applicant submits to the Local Planning Authority, in writing, a noise assessment by a competent noise consultant which demonstrates that the proposed properties can achieve the following:

Living Room 07:00-23:00 35 dB LAeq (16 hour)
Dining Room/area 07:00-23:00 40 dB LAeq (16 hour)
Bedroom 07:00-23:00 35 dB LAeq (16 hour)
Bedroom 23:00-07:00 30 dB LAeq (8 hour)
Bedroom 23:00-07:00 45dB LAmx
Garden and Outdoor Amenity Areas: 50dB LAeq16hr 0700hrs- 2300

The noise assessment will follow the methodology referred to in BS8233 and the ProPG: Planning & Noise Professional Practice Guidance on Planning & Noise- New Residential Development. (May 2017) to demonstrate that a good acoustic design has been followed throughout the process of building design, layout and siting. The noise assessment will need to be approved by the LPA. The noise assessment will be based on the transport modelling for the current year, 2017

Reason: To ensure that the scheme is safeguarded in respect of potential noise nuisance from the adjoining road network.

Prior to occupation

17. The construction of the foul and surface water sewerage systems shall be subject to a watching brief. The watching brief appointment shall be agreed with the local planning authority in liaison with United Utilities Water Limited and the results provided to the Local Planning Authority in writing. No occupation shall take place until a written validation report has been submitted to and agreed with the local planning authority demonstrating completion of the installation of the liner system and confirmation and assurance that mitigation measures have been constructed/implemented as per the agreed design.

Reason: The site lies within a Groundwater Source Protection Zone 1 for a nearby public water supply abstraction, and as such the site is considered to be particularly sensitive to the input of pollutants at the surface.

18. No occupation shall take place until a management plan for the public open space is submitted to and agreed in writing with the local planning authority in liaison with United Utilities Water Limited. The management plan shall ensure that the management of the land closest to the public water supply boreholes is managed to reduce the possibility of pollutants entering groundwater. This should include restrictions on the use of herbicides and pesticides. The public open space shall be

managed in accordance with the agreed management plan for the lifetime of the development.

Reason: To minimise the risk of pollution to the nearby public water supply abstraction

Ongoing Conditions

19. No demolition or construction works shall take place outside the hours of:

08:00-18:00 Monday to Friday;
09:00-13:00 Saturday; and
No Activity on Sundays or Bank Holidays

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

20. There shall be no vehicular access to or egress from the site other than via the approved access

Reason: To avoid vehicles entering or leaving the site by an unsatisfactory access or route, in the interests of road safety.

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

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

Informatives

1. It is considered that the most appropriate method of reducing the speed limit on Inglewood Road to accommodate the development would be by a Traffic Regulation Order to have the existing speed limit extended past the entrance to the proposed site which should also include a gateway feature. A similar scheme to this is currently underway on Salkeld Road. For further details on the TRO design please contact Cumbria County Council Highways on 0300 303 2992 or Better.HighwaysEden@cumbria.gov.uk.
2. Cumbria County Council also consider it to be appropriate that the developer provides a minimum 1.8m footway from the development on both Inglewood Road (to the junction with Salkeld Road) and the A6 (to the footway access to White Ox Way - NGR: 351005, 531249). Final designs to be agreed through the s278 process.
3. United Utilities encourage the construction of the homes with water efficiency measures, especially to the water use standard previously required by Level 3 of the Code for Sustainable Homes. This reflects Policy CS7 of the adopted Core Strategy Development Plan Document for Eden District (March 2010). We also encourage the inclusion of water efficiency options which will help to reduce the flow of surface water from the site, for example, rainwater harvesting systems and rainwater butts.
4. Our water mains will need extending to serve any development on this site. The applicant, who may be required to pay a capital contribution, will need to sign an Agreement under Sections 41, 42 & 43 of the Water Industry Act 1991.

The level of cover to the water mains and sewers must not be compromised either during or after construction.

A separate metered supply to each unit will be required at the applicant's expense and all internal pipe work must comply with current water supply (water fittings) regulations 1999.

Should this planning application be approved, the applicant should contact United Utilities on 03456 723 723 regarding connection to the water mains or public sewers.

Pla/66/08/17 Planning Application No 17/0540 Outline application for residential development, all matters reserved, land to rear (north) of Thorn Lodge, Stainton

The committee received a presentation from Mr C Chapman, a local resident, objecting to the application

The committee received a presentation from Mr D Addis, the applicant's agent, in support of the application

Moved by Councillor Chambers
Seconded by Councillor Patterson

and **RESOLVED** that planning permission be GRANTED subject to the following conditions:

Time Limit for Commencement

1. The development permitted shall be begun either before the expiration of three years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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

2. The approval of the details of the scale, layout, external appearance of the buildings, drainage and the landscaping/boundary treatments of the site (called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: The application is in outline form only and is not accompanied by full detailed plans.

3. An application for approval of all reserved matters shall be made to the Local Planning Authority 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.

Approved Plans

4. The development hereby permitted shall be carried out in accordance with the documents and drawings hereby approved:

- Application Form dated 26 June 2017, received 29 June 2017;
- Location/Block Plan, received 28 June 2017.

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

Prior to Commencement

5. No development shall commence until a surface water drainage scheme and management plan, 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) has been submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in-compliance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. No surface water shall discharge to the public sewerage system either directly or indirectly.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

6. No development shall commence until detailed drawing showing the development and means of access thereto have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved access details shall be completed in accordance with the approved plans before the development is occupied.

Reason: In the interests of highway safety

7. No development shall commence until a plan has been submitted to and approved in writing by the Local Planning Authority reserving adequate land for the parking of vehicles engaged in construction operations associated with the development hereby approved, and that land, including vehicular access shall be used for or kept clear for these purposes at all times until the completion of the construction works.

Reason: The carrying out of this development without the provision for these facilities during construction work is likely to lead to inconvenience and danger to road users.

Prior to Occupation

8. The access drive shall be surfaced in bituminous or cement bound materials and shall be constructed and completed before the development is occupied/brought into use.

Reason: In the interests of highway safety.

9. No dwellings shall be occupied until the vehicular access and turning requirements have been constructed in accordance with the approved plans and has been brought into use. The vehicular access and turning provisions shall be retained and capable of use at all times thereafter.

Reason: To ensure a minimum standard of access to the site.

Ongoing Conditions

10. The reserved matters application shall propose no more than 5 new dwellings.

Reason: To restrict the number of units as any development which exceeds these thresholds would require either a commuted sum (6-10 units) or the provision of an affordable unit (11+ units) which does not form part of this application.

Informative

1. Should any unexpected ground conditions, which could indicate the presence of land contamination (for example unusual colours, odours, liquids or waste materials) be encountered during development, the Environmental Protection Team (01768 212490) should be notified immediately. The Environmental Protection Team liaises with developers to achieve cost effective sustainable solutions to deal with contamination to safeguard the health of future occupants, building structures and the local environment. The responsibility for securing a safe development however, lies with the developer and/or landowner.

Following this item Councillor Thompson left the meeting and did not return

Councillor Patterson, as Vice-Chairman, chaired the remainder of the meeting

The meeting adjourned for lunch at 1.00pm

The meeting reconvened at 1.35pm

Pla/67/08/17 Planning Application No 16/0224 Residential Development of 13 houses, Land off Croglam Park, Rowgate, Kirkby Stephen

Moved by Councillor Chambers

Seconded by Councillor Lynch

and **RESOLVED** that delegated power be given to the Assistant Director Technical Services to grant planning permission subject to a Section 106 Agreement being entered into to the absolute satisfaction of the Deputy Chief Executive and the Assistant Director Technical Services requiring the provision of 30% affordable Houses; and the Council's reasonable costs being paid in relation to that Section 106 Agreement and subject to the following conditions:

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 the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved Plans

2. The development hereby granted shall be carried out in accordance with the documents and drawings hereby approved:
 - i) Application Form dated 07 March 2016;
 - ii) Planning Statement (incl. Design, Heritage and Access Statement) dated March 2016;
 - iii) Existing site plan;
 - iv) Site Location Plan;
 - v) Proposed Site Plan (ref. 109-145-12 - Rev. H) dated 29 March 2017;
 - vi) Proposed Handed House Plans and Sections (ref 109-145-14 - Rev. A) dated 07 June 2016);
 - vii) Proposed House Plans and Elevations ref 109-145-13 - Rev. B) dated 07 June 2016;

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

Prior to commencement

3. Prior to the commencement of the development the applicant shall submit 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.

Once approved the plans shall be adhered to at all times.

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. It is necessary for the condition to be on the basis that 'No development shall commence until' as compliance with the requirements of the condition at a later time could result in unacceptable harm contrary to the policies of the Development Plan.

4. Prior to the commencement of the development, details of the tree protection measures that will be employed during the construction phase shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be adhered to at all times.

Reason: To ensure existing trees on site are afforded appropriate protection. It is necessary for the condition to be on the basis that 'No development shall commence until' as compliance with the requirements of the condition at a later time could result in unacceptable harm contrary to the policies of the Development Plan.

5. No development shall commence until a detailed scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include appropriate aftercare and management plans. Thereafter, the development shall be undertaken in accordance with the approved scheme, with all planting undertaken within the first available planting season. Any trees or other plants which die or are removed within the first five years following the implementation of the approved scheme shall be replaced during the next planting season.

Reason: In the interests of protecting the visual character and appearance of the area. It is necessary for the condition to be on the basis that 'No development shall commence until' as compliance with the requirements of the condition at a later time could result in unacceptable harm contrary to the policies of the Development Plan.

6. 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 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.

Once approved, the development shall be completed in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. It is necessary for the condition to be on the basis that 'No development shall commence until' as compliance with the requirements of the condition at a later time could result in unacceptable harm contrary to the policies of the Development Plan.

7. Prior to the commencement of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- i) The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Resident's Management Company; and
- ii) Arrangements concerning appropriate funding mechanisms for its ongoing maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as ongoing inspections relating to performance and asset condition assessments, operation costs, regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

Once approved, the development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development. It is necessary for the condition to be on the basis that 'No development shall commence until' as compliance with the requirements of the condition at a later time could result in unacceptable harm contrary to the policies of the Development Plan.

- 8. Prior to the commencement of the development a plan detailing the designated communal collection areas for refuse and recycling shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the plan shall be adhered to at all times.

Reason: To ensure adequate provision is made for refuse and recycling collections. It is necessary for the condition to be on the basis that 'No development shall commence until' as compliance with the requirements of the condition at a later time could result in unacceptable harm contrary to the policies of the Development Plan.

On-going Conditions

- 9. Foul and surface water shall be drained on separate systems.

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

- 10. No demolition or construction works shall take place outside the hours of:

08:00-18:00 Monday to Friday;
09:00-13:00 Saturday; and
No Activity on Sundays or Bank Holidays

Reason: In the interests of the amenity of the area

- 11. The carriageway, footways, etc shall be designed, constructed, drained and lit to a standard suitable for adoption and in this respect further details, including longitudinal/cross sections, shall be submitted to the Local Planning Authority for approval before work commences on site. No work shall be commenced until a full specification has been approved. These details shall be in accordance with the

standards laid down in the current Cumbria Design Guide. Any works so approved shall be constructed before the development is complete.

Reason: To ensure a minimum standard of construction in the interests of highway safety.

To support Local Transport Plan Policies: LD5, LD7, LD8

12. No dwelling hereby permitted shall be occupied until the vehicular access and turning requirements serving that dwelling 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.

To support Local Transport Plan Policies: LD5, LD7, LD8

13. The whole of the access area bounded by the carriageway edge, entrance gates and the splays shall be constructed and drained to the specification of the Local Planning Authority in consultation with the Highway Authority.

Reason: In the interests of road safety.

To support Local Transport Plan Policies: LD5, LD7, LD8

14. No development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority. The Construction Traffic Management Plan shall include:-

- the expected number of vehicles (including LGV and HGVs)
- construction vehicle routing
- any proposed wheel wash facilities locations
- times of operation where vehicles will be entering and exiting the site.
- Details of proposed banksman role and their location

The development shall be carried out in accordance with the approved Construction Traffic Management Plan.

Reason: The carrying out of this development without the provision of these facilities during the construction work is likely to lead to inconvenience and danger to road users.

To support Local Transport Policies: LD8

It is necessary for the condition to be on the basis that “No development shall commence until” as compliance with the requirements of the condition at a later time would result in unacceptable harm contrary to the policies of the Development Plan

15. No development shall commence until details to confirm the design of the surface water drainage system to mitigate any negative impact of surface water from the development on flood risk outside the development boundary have been agreed in writing with the local planning authority. The approved design will be implemented and maintained thereafter.

Reason: To safeguard against negative impact outside the development boundary to people and property

It is necessary for the condition to be on the basis that “No development shall commence until” as compliance with the requirements of the condition at a later time would result in unacceptable harm contrary to the policies of the Development Plan

Informative

1. It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. United Utilities offers a fully supported mapping service and we recommend the applicant contact our Property Searches Team on 03707 510101 to obtain maps of the site.

Due to the public sewer transfer, not all sewers are currently shown on the statutory sewer records, if a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further.

2. In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. We would ask the developer to consider the following drainage options in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.
3. A separate metered supply to each unit will be required at the applicant's expense and all internal pipe work must comply with current water supply (water fittings) regulations 1999.

Should this planning application be approved, the applicant should contact United Utilities on 03456 723 723 regarding connection to the water mains or public sewers.

4. Should any unexpected ground conditions, which could indicate the presence of land contamination (for example unusual colours, odours, liquids or waste materials) be encountered during development, the Environmental Protection Team (01768 212490) should be notified immediately. The Environmental Protection Team liaises with developers to achieve cost effective sustainable solutions to deal with contamination to safeguard the health of future occupants, building structures and

the local environment. The responsibility for securing a safe development however, lies with the developer and/or landowner.

Pla/68/08/17 Planning Application No 17/0464 Proposed two storey office building (B1) with ancillary use, associated car parking, infrastructure and landscaping

Moved by Councillor Armstrong
Seconded by Councillor Lynch

And **RESOLVED** that planning permission be GRANTED 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 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

- Site Location Plan Proposed - Drawing No A-L-002 Rev I;
- Proposed Site Plan - Drawing No A-L-004 Rev D;
- Site Location Plan Proposed Levels - Drawing No A-L-006 Rev D;
- Plans - Drawing No A-L-100 Rev E;
- Elevations - Drawing No A-L-200 Rev D;
- Elevations - Drawing No. A-L-201 RevD;
- Sections - Drawing No A-L-300 Rev C;
- Site Sections - Drawing No A-L-301 Rev C;
- Landscape Structure Plan - 626THO_08F;
- Indicative Drainage Strategy - WHO-BWB-HDG-XXX-DR-CD-0001 S2 P6;
- Access Arrangements & Amendments to Parking Layout - Drawing No WHO-BWB-GEN-XX-DR-TR-100 SR P8.

Prior to commencement

3. No development shall commence until a construction surface water management plan has been agreed in writing with the local planning authority.

Reason: To safeguard against flooding to surrounding sites and to safeguard against pollution of the watercourse running through the site.

Pre-Occupancy or Other Stage Conditions

4. Any proposed building services plant shall be assessed in noise terms by a competent noise consultant and reported to the Local Planning Authority for written approval.

Reason: To ensure the hereby approved development

5. Prior to occupancy of the hereby approved development details of future maintenance and operation of the proposed surface water system shall be submitted to the Local

Planning Authority for written approval. Once approved the details shall be adhered to at all times.

Reason: To ensure the surface water system continues to function as designed

Informatives:

1. In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. We would ask the developer to consider the following drainage options in the following order of priority:

1. into the ground (infiltration);
 2. to a surface water body;
 3. to a surface water sewer, highway drain, or another drainage system;
 4. to a combined sewer.
2. The level of cover to the water mains and sewers must not be compromised either during or after construction.
 3. A separate metered supply to each unit will be required at the applicant's expense and all internal pipe work must comply with current water supply (water fittings) regulations 1999. Should this planning application be approved, the applicant should contact United Utilities on 03456 723 723 regarding connection to the water mains or public sewers.
 4. It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. United Utilities offer a fully supported mapping service and we recommend the applicant contact our Property Searches Team at Property.Searches@uuplc.co.uk to obtain maps of the site.
 5. Due to the public sewer transfer, not all sewers are currently shown on the statutory sewer records, if a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further.
 6. If the applicant intends to offer waste water assets forward for adoption by United Utilities, the proposed detailed design will be subject to a technical appraisal by an Adoptions Engineer as we need to be sure that the proposal meets the requirements of Sewers for adoption and United Utilities' Asset Standards. The proposed design should give consideration to long term operability and give United Utilities a cost effective proposal for the life of the assets. Therefore, should this application be approved and the applicant wishes to progress a Section 104 agreement, we strongly recommend that no construction commences until the detailed drainage design, submitted as part of the Section 104 agreement, has been assessed and accepted in writing by United Utilities. Any works carried out prior to the technical assessment being approved is done entirely at the developers own risk and could be subject to change.

7. Any works on and around an ordinary watercourse such as the watercourse which is mentioned as a dike in the FRA and Sustainable Drainage Statement would require an Ordinary Watercourse Flood Defence Consent (OWFDC). The applicant should contact Cumbria County Council on 01228 221330 or email LFRM Consent at LFRM.consent@cumbria.gov.uk

Pla/69/08/17 Confirmation of Site Visits (if any)

There were no site visits confirmed at this meeting.

Pla/70/08/17 Any Other Items which the Chairman decides are urgent

There were no items of urgent business raised at this meeting.

Pla/71/08/17 Date of Next Meeting

The date of the next scheduled meeting of the Committee was confirmed as 14 September 2017.

The meeting closed at 2.20 pm

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PLANNING COMMITTEE

Agenda Item No.

APPLICATIONS DETERMINED UNDER OFFICER DELEGATED POWERS FOR THE MONTH OF JULY 2017

| App No | App Type | Parish | Description | Location | Applicant | Decision |
|---------|---------------------|---------------|--|---|--|----------|
| 16/0544 | Outline Application | Warcop | Erection of 10 dwellings (including access) revised proposal of previously approved 11/0145. | EDEN GATE, WARCOP, APPLEBY-IN-WESTMORLAND, CA16 6PL | T M Gregson 1986 Settlement | APPROVED |
| 16/1107 | Full Application | Hunsonby | Change of use of redundant agricultural building to house 6no. Energy storage batteries. | LONG MEG FARM, LITTLE SALKELD, PENRITH, CA10 1NW | Mr H Lowthian | APPROVED |
| 17/0100 | Full Application | Hesket | Removal of Condition 12 related to outline Planning Approval 13/0746. | LAND ADJACENT TO COOPERS CLOSE, HIGH HESKET, CARLISLE, CA4 0JD | Mr Raymond McManus - McManus Builders Ltd. | REFUSED |
| 17/0126 | Reserved Matters | Hunsonby | Reserved Matters application for appearance, landscaping, layout and scale attached to approval 15/0476. | WEST GARTH, WINSKILL, PENRITH, CA10 1PD | Mrs Winslow | APPROVED |
| 17/0147 | Full Application | Penrith | Erection of an agricultural workers dwelling. | LINGSTUBBS FARM, GREYSTOKE ROAD, PENRITH, CA11 0BX | Mr & Mrs W Jackson | APPROVED |
| 17/0176 | Listed Building | Appleby | Internal alterations and covered canopy (omitting window to the South East elevation). | BONGATE HOUSE, BONGATE, APPLEBY-IN-WESTMORLAND, CA16 6UE | Mrs A Jeffs | APPROVED |
| 17/0215 | Full Application | Hesket | Proposed alterations and extension to cottage and conversion of barn. | WEST BANK COTTAGE, SOUTHWAIT, CARLISLE, CA4 0LU | Mr Fisher | APPROVED |
| 17/0233 | Full Application | Lowther | Replacement chicken rearing unit to replace old out of date unit. | MELKINTHORPE POULTRY FARM, MELKINTHORPE, PENRITH, | Performance Pullets Ltd | APPROVED |
| 17/0240 | Full Application | Kings Meaburn | Proposed barn conversion and extension for a two storey dwelling. | BARN ADJOINING PROSPECT VIEW, KINGS MEABURN, PENRITH, CA10 3BU | Mr & Mrs G.I. Hayhurst | APPROVED |
| 17/0270 | Full Application | Great Salkeld | Proposed extension, annexe and garage and change of use of agricultural land to residential. | LYNDON, NORTH DYKES, GREAT SALKELD, PENRITH, CA11 9ND | Messrs Kelso | APPROVED |
| 17/0301 | Full Application | Appleby | Installation of ATM machine to front elevation. | 26 BOROUGHGATE, APPLEBY-IN-WESTMORLAND, CA16 6XB | Mrs Ling Dadswell | APPROVED |
| 17/0302 | Advertisement | Appleby | Advertisement consent for the addition of 1no non-illuminated ATM collar sign. | 26 BOROUGHGATE, APPLEBY-IN-WESTMORLAND, CA16 6XB | Mrs L Dadswell | APPROVED |
| 17/0310 | Full Application | Penrith | Development of a Class B2 industrial building and associated demolition works. | OMEGA PROTEINS PENRITH LTD, PROCESSING PLANT, PENRITH, CA11 0BX | Omega Proteins Limited | APPROVED |

| App No | App Type | Parish | Description | Location | Applicant | Decision |
|---------|---------------------|----------------|---|--|-------------------------------------|----------|
| 17/0311 | Full Application | Brough Sowerby | Erection of detached dwelling. | LAND ADJACENT TO SOWERBY LODGE, BROUGH SOWERBY, KIRKBY STEPHEN, CA17 4EG | Mrs D Chester | APPROVED |
| 17/0326 | Outline Application | Alston | Outline application for 5 dwellings with all matters reserved. | LAND WEST OF BRUNTLEY MEADOWS, ALSTON, | Mr & Mrs Walton | APPROVED |
| 17/0327 | Full Application | Glassonby | Proposed agricultural building. | ELLWOOD CROFT, GAMBLESBY, PENRITH, CA10 1HY | Mr C Blackshaw | APPROVED |
| 17/0341 | Notice of Intention | Stainmore | Proposed agricultural building. | BLUE GRASS, NORTH STAINMORE, KIRKBY STEPHEN, CA17 4DY | Mrs P Alexander - Blue Grass Trust | APPROVED |
| 17/0344 | Cert. of Lawful | Hesket | Application for a lawful development certificate for the siting of 15m non climbable telecoms pole on 2.1m square concrete base and associated underground ducts. | BECKSTONES FARM, SOUTHWAIT, CARLISLE, CA4 0PY | Electricity North West Ltd | APPROVED |
| 17/0348 | Full Application | Lazonby | Proposed extension to existing factory building. | EDENHOLME BAKERY, LAZONBY, PENRITH, CA10 1BG | Bells Of Lazonby | APPROVED |
| 17/0352 | Change of Use PD/PN | Hutton | Prior approval of proposed change of use of agricultural building to a dwellinghouse | BARN APPROX 475M WEST OF ROSEDENE, MOTHERBY, PENRITH, | Mr B Davidson | APPROVED |
| 17/0356 | Full Application | Temple Sowerby | Change of use of agricultural building to accommodate an energy storage battery. | HOOTSAY PARK, PRIEST LANE, TEMPLE SOWERBY, PENRITH, CA10 1SN | Mr H Lowthian | APPROVED |
| 17/0357 | Full Application | Skelton | Change of use of agricultural building to accommodate 6 no. energy storage batteries. | LOW DYKE, CALTHWAITE, PENRITH, CA11 9PS | Mr H Lowthian | APPROVED |
| 17/0359 | Full Application | Lowther | Retrospective application for extension to dwelling. | LARCH COTTAGE, MELKINTHORPE, PENRITH, CA10 2DR | Larch Cottage Nurseries | APPROVED |
| 17/0360 | Listed Building | Lowther | Listed building consent for retrospective application for extension to dwelling. | LARCH COTTAGE NURSERIES, MELKINTHORPE, PENRITH, CA10 2DR | Larch Cottage Nurseries | APPROVED |
| 17/0362 | Full Application | Alston | Construction of a check weir in the river Nent, new vehicular entrance from the A689 and new hard standing adjacent to weir. | FIELD NEAR THE OLD CHAPEL, NENTSBERRY, ALSTON, | Miss C Donohoe - The Coal Authority | APPROVED |
| 17/0365 | Full Application | Langwathby | First floor side extension to dwelling. | ELM COTTAGE, LANGWATHBY, PENRITH, CA10 1LW | Mr A Kelly | APPROVED |

| App No | App Type | Parish | Description | Location | Applicant | Decision |
|---------|---------------------|-------------------------|---|--|---|------------------|
| 17/0366 | Advertisement | Penrith | Advertisement consent for 3 no. banner signs, 1 no. speaker post, 1 no. 8 panel board, 2 no. vinyl signs, 1 no. illuminated colonel logo box and 2 no. individual KFC letters. | KFC RESTAURANT, BRIDGE LANE, PENRITH, CA11 8JB | QFM | APPROVED |
| 17/0368 | Reserved by Cond | Penrith | Part discharge of condition 3 (engineering details - phase 1 only) and discharge of condition 4 (landscaping) attached to approval 16/0811. | LAND AT CARLETON HILL ROAD, PENRITH, | Persimmon Homes Lancashire - Mrs R Graham | APPROVED |
| 17/0369 | Reserved by Cond | Penrith | Discharge of conditions 7, 9 & 16 (construction management plan), 15 & 14 (construction method statement), 22 (SUDS maintenance), 8 & 18 (landscaping and surfacing) and 6 & 13 (drainage and highways) attached to approval 08/0291. | CARLETON HILL ROAD, PENRITH, | Persimmon Homes Lancashire - Mrs R Graham | PARTIAL APPROVED |
| 17/0377 | Full Application | Ainstable | Two storey extension with single storey sun lounge. Resubmission of 14/0943. | HILL VIEW HOUSE, THE DALE, AINSTABLE, CARLISLE, CA4 9RH | Mr Tony Sessford | APPROVED |
| 17/0379 | Full Application | Penrith | Conversion of existing garage to habitable room, replacement flat roof above with pitched roof, replacement porch and insert window to front elevation of main house. | 6 OAK ROAD, PENRITH, CA11 8TS | Mr & Mrs J Ingram | APPROVED |
| 17/0382 | Full Application | Murton | Proposed first floor extension over existing garage | LABURNHAM HOUSE, MURTON, APPLEBY-IN-WESTMORLAND, CA16 6ND | Mrs J T Foster | APPROVED |
| 17/0385 | Listed Building | Bolton | Listed building consent for proposed external and internal improvements and renovations. | MIDTOWN COTTAGE & FERN COTTAGE, BOLTON, APPLEBY-IN-WESTMORLAND, CA16 6AR | Mr & Mrs T EWBANK | APPROVED |
| 17/0388 | Reserved by Cond | Yanwath & Eamont Bridge | Discharge of conditions 5 (materials) and 6 (hard and soft landscaping) attached to approval 14/0151. | PARK HOLME, EAMONT BRIDGE, PENRITH, CA10 2BX | Mr & Mrs J. Heath | APPROVED |
| 17/0389 | Full Application | Hesket | Two Storey Side Extension and single storey Rear Extension | ROSE COTTAGE, IVEGILL, CARLISLE, CA4 0PA | Mr Simon Ruggles | APPROVED |
| 17/0393 | Outline Application | Penrith | Outline application for one dwelling with approval sought for access. | AIMSHAUGH, BARCO AVENUE, PENRITH, CA11 8LZ | Mr J Graham | APPROVED |
| 17/0394 | Full Application | Kirkby Stephen | Proposed change of use of 8 no. touring pitches to 8 no. static pitches / camping pods. | CARAVAN PARK, STATION ROAD, KIRKBY STEPHEN, CA17 4SZ | Pennine View Park - Mrs R Gowing | APPROVED |
| 17/0395 | Full Application | Dacre | Change of use of agricultural land to domestic for siting of storage shed | 4 KELLS SPRING, CLICKHAM, BLENCOW, PENRITH, CA11 0BZ | Mr M Hall | APPROVED |
| 17/0396 | Full Application | Hesket | Proposed cover over existing slurry tower. | MONKS HOUSE, PLUMPTON, PENRITH, CA11 9NS | Mr I A Turnbull | APPROVED |

| App No | App Type | Parish | Description | Location | Applicant | Decision |
|---------|---------------------|---------------|--|--|--|----------|
| 17/0397 | Full Application | Bandleside | Single storey garage extension to existing garage. | FALLOWFIELD, COLBY, APPLEBY, CA16 6BD | Mr P Charlson | APPROVED |
| 17/0399 | Full Application | Ainstable | Proposed replacement outhouse. | THORNTHWAITE HOUSE, AINSTABLE, CARLISLE, CA4 9RJ | Miss P Wright | APPROVED |
| 17/0403 | Listed Building | Penrith | Listed building consent for internal alterations and addition of new sign to front elevation. | 11 DEVONSHIRE STREET, PENRITH, CA11 7SR | ASAP Accountancy Services Ltd - Mrs Stirland | APPROVED |
| 17/0404 | Full Application | Winton | Variation of condition 2 (plans compliance) comprising of amendments to original scheme attached to approval 17/0164 | THE BAY HORSE INN, WINTON, KIRKBY STEPHEN, CA17 4HS | Mr D Rodgie & Mr J Bowler | APPROVED |
| 17/0407 | Full Application | Appleby | Replace existing rear conservatory with orangery | FAIRVIEW, BATTLEBARROW, APPLEBY-IN-WESTMORLAND, CA16 6XT | Mrs C Davidson | APPROVED |
| 17/0413 | Full Application | Dacre | Proposed garage extension | HOLLY FIELD, STAINTON, PENRITH, CA11 0ES | Mr E Slater | APPROVED |
| 17/0414 | Full Application | Hesket | Proposed first floor balcony and doors to side elevation | THE CORN MILL, SOUTHWAITHE, CARLISLE, CA4 0EW | Mr & Mrs Randall | APPROVED |
| 17/0415 | Outline Application | Crackenthorpe | Outline application for residential development with all matters reserved. | HALL FARM HOUSE, CRACKENTHORPE, APPLEBY-IN-WESTMORLAND, CA16 6AF | Mr S & Mrs S Williamson | APPROVED |
| 17/0421 | Full Application | Alston | Proposed reinstatement gabion wall to protect former mine shaft. | LAND AT GRID REF 374783,546769, WEST OF FORESHIELDS BRIDGE, BLAGILL, ALSTON, CA9 3LE | Mr C Whittaker - The Coal Authority | APPROVED |
| 17/0425 | Outline Application | Lowther | Outline application for replacement residential development with approval sought for access. | HACKTHORPE HOUSE, HACKTHORPE, PENRITH, CA10 2HX | Mr & Mrs Sayer | APPROVED |
| 17/0429 | Full Application | Alston | Proposed side extension and front porch. | FOUL LOANING, ALSTON, CA9 3BD | Mr & Mrs J BROWN | APPROVED |
| 17/0431 | Reserved by Cond | Penrith | Discharge of condition 4 (noise) attached to approval 15/0898. | GREENGILL FARM, GREENGILL, PENRITH, CA11 8SE | Hayton Agricultural Ltd | APPROVED |
| 17/0433 | Full Application | Penrith | Change of use of C1 guest house to C3 dwellinghouse | 8 VICTORIA ROAD, PENRITH, CA11 8HR | Active Ark Ltd Pension Scheme | APPROVED |
| 17/0438 | Listed Building | Penrith | Listed building consent for installation of gas fired central heating system. | FLAT 3 LARKHALL MEWS, ROBINSON STREET, PENRITH, CA11 9HR | S Plaskett | APPROVED |

| App No | App Type | Parish | Description | Location | Applicant | Decision |
|---------|---------------------|----------------|---|---|--|----------|
| 17/0439 | Full Application | Langwathby | Single storey front, side and rear extensions to dwelling. | ARDALE, LANGWATHBY, PENRITH, CA10 1NU | Mr & Mrs R & E Burne | APPROVED |
| 17/0441 | Listed Building | Sleagill | Listed building consent for the installation of oil fired central heating system and oil tank | OLD MILL FLATT, NEWBY, PENRITH, CA10 3HG | Mr S Ellwood | APPROVED |
| 17/0443 | Full Application | Dacre | Change of use from C3 residential to B1 office | 15 REDHILLS BUSINESS PARK, REDHILLS, PENRITH, CA11 0DT | Geltsdale Limited | APPROVED |
| 17/0444 | Full Application | Tebay | Proposed dwelling. | 11 HIGHFIELD, TEBAY, PENRITH, CA10 3TJ | Mrs H Pattinson | APPROVED |
| 17/0445 | Notice of Intention | Skelton | Installation of 3 no. antennas and 1 no. 0.6m diameter dish mounted on a 20m monopole. 3 no. equipment cabinets, meter cabinet and associated works and 2.1m high palisade fence. | MUSGRAVE HALL FARM, SKELTON, PENRITH, CA11 9SE | Telefonica UK Ltd and CTIL | APPROVED |
| 17/0446 | Listed Building | Alston | Listed building consent for the replacement of single glazed top opening windows with timber casement mock sash windows. | IVY HOUSE, THE ROW, NENTHEAD, ALSTON, CA9 3PE | Mr & Mrs Taylor-Lynch | APPROVED |
| 17/0447 | Reserved by Cond | Kirkby Stephen | Discharge of conditions 5 (sample materials) and 7, (surface water drainage) attached to 16/0484. | SANDWATH FARM, KIRKBY STEPHEN, CA17 4HE | Mr S Dargue | APPROVED |
| 17/0448 | Notice of Intention | Bandleyside | Proposed roof over midden. | HAWKRIGG FARM, COLBY, APPLEBY-IN-WESTMORLAND, CA16 6BB | Mr Robert Atkinson | APPROVED |
| 17/0450 | Full Application | Penrith | Second floor extension to provide additional living space to the rear bedrooms with a shared en-suite (re-submission of 16/0681). | 18 PENNINE WAY, PENRITH, CA11 8EE | Mr C Barker | APPROVED |
| 17/0451 | Full Application | Alston | Proposed garage/workshop. | WILLOW FELL, NENTHEAD, ALSTON, CA9 3LP | Mr S Oakes | APPROVED |
| 17/0456 | Full Application | Hesket | Proposed roof over slurry store. | PETTERIL BANK FARM, PETTERIL BANK, SOUTHWAITHE, CARLISLE, CA4 0JJ | M/s S & A Morley | APPROVED |
| 17/0463 | Full Application | Langwathby | Proposed staff welfare building | HIGH MILL, LANGWATHBY, PENRITH, CA10 1NB | Mr L Sharp - ABAGri Ltd | APPROVED |
| 17/0466 | Notice of Intention | Musgrave | Proposed agricultural building. | WOODHOUSE FARM, LITTLE MUSGRAVE, KIRKBY STEPHEN, CA17 4PQ | Mr E Hewetson-Hewetson and Johnson Ltd | APPROVED |
| 17/0472 | Full Application | Mungrisdale | Lean-to extension to existing agricultural building. | BERRIER HEAD, BERRIER, PENRITH, CA11 0XD | Mr Hunter | APPROVED |

| App No | App Type | Parish | Description | Location | Applicant | Decision |
|---------|---------------------|---------------|--|---|--|----------|
| 17/0475 | Householder PD/PN | Lazonby | Proposed rear conservatory. | REDESDALE COTTAGE, LAZONBY, PENRITH, CA10 1AJ | Mr R Campbell | APPROVED |
| 17/0476 | Full Application | Hesket | Change of use of agricultural storage building to general storage and distribution (B8), formation of new access with change of use of part field to turning area. | BARN OPPOSITE POT PLACE, PLUMPTON, PENRITH, | Mr P Thompson | APPROVED |
| 17/0480 | Notice of Intention | Penrith | Proposed demolition of building. | THE DEPOT, OLD LONDON ROAD, PENRITH, CA11 8GU | Atkinson Building Contractors Ltd | APPROVED |
| 17/0482 | Notice of Intention | Skelton | Proposed agricultural building. | WOOD CLOSE FARM, SKELTON, PENRITH, CA11 9UA | Mr A Bargh | APPROVED |
| 17/0488 | Tree Works (CA) | Penrith | Fell Cherry tree to rear of Beacon Bank House; Penrith New Streets Conservation Area. | BEACON BANK, BEACON EDGE, PENRITH, CA11 7BD | Mr F Woodhouse | APPROVED |
| 17/0491 | Full Application | Appleby | Proposed side extension. | 60 GLEBE ROAD, APPLEBY-IN-WESTMORLAND, CA16 6RU | Mr & Mrs G Vermaak | APPROVED |
| 17/0514 | Non-Material Amend | Ousby | Non material amendment comprising of the addition of 2 no windows and 1 no roof light attached to approval 09/0545. | TODD HILLS, MELMERBY, PENRITH, CA10 1HP | Mr & Mrs Rowley | APPROVED |
| 17/0522 | Tree Works (CA) | Penrith | Prune two branches from Lime tree as shown in photographs provided; Penrith New Streets Conservation Area. | CHADWELL HOUSE, NICHOLSON LANE, PENRITH, CA11 7UL | Rachael Polkinghorne (Bonham) | APPROVED |
| 17/0532 | Tree Works (CA) | Dufton | Remove pine tree to rear of Village Hall to facilitate construction of drain. | VILLAGE HALL, DUFTON, APPLEBY-IN-WESTMORLAND, CA16 6DB | Dufton Village Hall Management Committee | APPROVED |
| 17/0537 | Notice of Intention | Dacre | Proposed agricultural access track. | LAND TO THE NORTH OF STAINTON, | Mr & Mrs J Dawson | APPROVED |
| 17/0543 | Reserved by Cond | Penrith | Discharge of condition 5 surface water drainage, attached to approval 16/0359. | LAND OFF RIDLEY COURT, PENRITH, CA11 8RT | Mr B Turner - Atkinson Homes Ltd | APPROVED |
| 17/0545 | Reserved by Cond | Crackenthorpe | Discharge of condition 3 (lantern details) attached to approval 16/0375. | CRACKENTHORPE HALL, CRACKENTHORPE, APPLEBY-IN-WESTMORLAND, CA16 6AE | Mr P Barrett | APPROVED |
| 17/0553 | Non-Material Amend | Penrith | Non material amendment comprising of the addition of window and relocation of approved window on rear elevation attached to approval 15/0938. | 1 MILESTONE COTTAGES, PENRITH, CA11 9NQ | Mr C Stewart | APPROVED |
| 17/0573 | Reserved by Cond | Penrith | Discharge of condition 3 (drainage) and condition 7 (Landscaping) attached to approval 16/0917. | GARAGES ADJACENT TO SIM COURT HOUSE, PATEGILL ROAD, PENRITH, CA11 8LL | Rebecca Field | APPROVED |

| App No | App Type | Parish | Description | Location | Applicant | Decision |
|---------|------------------|---------|--|-------------------------------------|------------------|----------|
| 17/0589 | Tree Works (TPO) | Penrith | 1) Crown reduce Oak tree by no more than 2m to suitable growth points (shown on photos provided); Minor reduction work (less than 10% of crown / no live branch removal exceeding 10cm); Reasons for work: Signs of decline and stress in upper crown / extended lateral scaffold limbs; To prevent branch failure and reduce end loading; T7 of Tree Preservation Order No 123, 2005, The Parklands, Penrith. | 18 THE PARKLANDS, PENRITH, CA11 8TF | Mr Alan Robinson | 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.

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Notice of Decision



District Council

To: Richard Dryell Architect
Woodlands
Lazonby
Rectory Road
Penrith
CA101BX

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: 17/0100
On Behalf Of: Mr Raymond McManus - McManus Builders Ltd.

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: Removal of Condition 12 related to outline Planning Approval 13/0746.
Location: LAND ADJACENT TO COOPERS CLOSE, HIGH HESKET,
CARLISLE, CA4 0JD

The reason(s) for this decision are:

That the application is refused for the following reason -

- 1) The removal of the footpath/cycleway raises concerns of public safety due to the reduced width of footways along the access to the site.
- 2) The application seeks to remove a form of sustainable access provision to the site.
- 3) The applicant has failed to demonstrate that sufficient material justification exists for the removal of the footpath/cycleway to an extent that outweighs the harm the development would cause and that the proposal is contrary to the Development Plan and 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: 24 July 2017

Signed:

Jane Langston

Jane Langston
Assistant Director Technical Services

Your reference:
Our reference: 17/0369
Enquiries to: Mr D Wright
Direct Dial: 01768 212302
Email: planning.services@eden.gov.uk
Date: 27 July 2017



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

Persimmon Homes Lancashire - Mrs R Graham
Persimmon House
Lancaster Business Park
Caton Road
Lancaster
LA1 3RQ

Dear Sir/Madam

Town and Country Planning Act 1990

Planning Application No: 17/0369

Proposal: *Discharge of conditions 7 & 16 (construction management plan), 15 & 14 (construction method statement), 22 (SUDS maintenance), 18 (landscaping and surfacing) and 13 (drainage and highways) attached to approval 08/0291*

Address: *LAND AT CARLETON HILL ROAD PENRITH*

I write with reference to your application received by the Council on 9th May 2017.

Condition 7 – details approved

Condition 7 requires plans to be submitted prior to the commencement of any of the phases of the development which indicate adequate land for site offices, materials storage, parking for plant and vehicles etc. Once plans are approved these areas are to be retained specifically for this purpose until construction works are complete.

The applicant submitted a Traffic Management Plan – 204.305 Rev A, received 10th July 2017.

Cumbria Highways, as the Council's statutory consultee, have reviewed the submitted plan and agrees to the document being approved.

The information provided above is considered acceptable and therefore the pre commencement requirements of the condition have been met. Please note that the condition requires the development to be carried out in accordance with the above approved plan.

Condition 13 – details approved

Condition 13 requires prior to the commencement of development that details of the upsizing of a culvert that runs down Carleton Hill Road to be submitted and approved. Furthermore the works are to be completed prior to any of the approved properties being occupied.

The applicants provided:

- Diverted Culvert Inlet Headland Details- 30037/61- received - 9th May 2017.
- Ladder, Handrailing and safety chains – STND/01/002 – received 9th May 2017

Cumbria County Council, as the Council's statutory consultee, have reviewed the submitted plans and agree to the documents being approved.

The information provided above is considered acceptable and therefore the pre commencement requirements of the condition has been met. Please note that the condition requires the development to be carried out in accordance with the above approved plans.

Condition 14 – details refused

Condition 14 requires a Construction Method Statement to be submitted prior to each phase commencing which would set out a means of access for demolition and construction traffic, the loading and unloading of plant and materials, the storage of plant and materials, measures to prevent silt and other contaminants entering surface water drains, a scheme for recycling/disposing of waste resulting from demolition waste and measures to manage surface water run off.

The applicants provided:-

- Carleton Meadows - Construction Method Statement – received 9th May 2017

The County Council, as the Council's statutory consultee, have reviewed the submitted plans and recommend that the application to discharge the planning condition is refused because they need details showing how they intend to prevent pollution of the downstream watercourse either by silt mats and or straw bales to protect the out fall until the vegetation beds have taken hold.

The information provided above is considered not acceptable and therefore the pre commencement requirements of the condition have not been met. Therefore the requirements of condition 14 remain outstanding and a new application needs to be submitted as soon as possible.

Condition 15 – details refused

Condition 15 requires a scheme to treat and remove suspended solids from surface water run off during construction works to be submitted and approved prior to each phase commencing.

The County Council, as the Council's statutory consultee, have reviewed the submitted plans and recommend that the application to discharge the planning condition is refused because they need details showing how they intend to prevent pollution migration from the Detention

Basin outfalls with the use of silt matts and or straw bales to protect the out fall until the vegetation beds have taken hold.

The information provided above is considered not acceptable and therefore the pre commencement requirements of the condition have not been met. Therefore the requirements of condition 15 remain outstanding and a new application needs to be submitted as soon as possible.

Condition 16 – details refused

Condition 16 requires a Construction Management Plan to be submitted and approved prior to the commencement of development that details expected number of vehicles, routing of vehicles, signage, wheel wash facilities and times of operation. The approved plan must be followed throughout the construction period.

The applicant has submitted:-

- Traffic Management Plan – 204.305 Rev A, received 10th July 2017.
- Carleton Meadows - Construction Method Statement – received 9th May 2017

Cumbria County Council, as the Council's statutory consultee, have reviewed the submitted plans and agree to the documents being approved. However they suggested that the applicant should re-assess the location of the wheel wash facilities to accommodate both construction traffic routes for the development. This should be noted by the applicant as there is a requirement to carry off site sweeping of the roads in the Construction Method Statement and this requirement might become onerous on the developer if the on site wheel wash facility is not prevent mud and detritus entering the public highway.

The applicants proposed to allow construction works to be carried out on the site from 7:30am to 6:30pm during the week and 8am to 1pm on Saturdays. The Environmental Health team requested that the hours of operation are amended to 8am to 6pm weekdays and 9am to 1pm on Saturdays. It is considered that the construction hours of 7:30 am to 6pm during the week and 8am to 1pm on Saturdays is in line with other large developments within Penrith and in accordance with the development plan but any longer periods of construction particularly for development of this scale will have a unreasonable impact on local amenity.

The information provided above is considered not acceptable and therefore the pre commencement requirements of the condition have not been met. Therefore the requirements of condition 16 remain outstanding and a new application needs to be submitted.

Condition 18 – details approved

Condition 18 requires hard and soft landscaping works to be submitted and approved prior to each phase of development commencing. The details should include proposed contours, planting plans, written specification including cultivation and other operations associated with plant and grass establishment, and schedule of plants, including species, numbers and densities.

The applicants provided 2 detailed landscaping plans on the 17th July 2017 (Drawing no C-1282-05 to C-1282-16)

The Council's Arboricultural Officer has advised:-

"The revised plans have included a full schedule of trees to be planted with sufficient information for me to confirm it is an acceptable proposal, what I would also like to see is a maintenance/management schedule to show the aftercare to cover watering, weeding, tree support removal, formative pruning and so on. There are also quite a few hedges being planted and without appropriate care they could become overgrown and be detrimental to the appearance and enjoyment by future residents."

Notwithstanding the Arboricultural Officer's comments the plans provided are in accordance with the requirements of the planning condition and therefore the information provided above is considered acceptable and the pre commencement requirements of the condition has been met. Please note that the condition requires the development to be carried out in accordance with the above approved plans.

Condition 22 – details approved

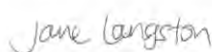
Condition 22 requires full details of the maintenance of the proposed SUDS system is submitted and approved prior to development commencing.

The applicant provided on the 10th July 2017 a Sustainable Urban Drainage System Maintenance Schedule.

Cumbria County Council, as the Council's statutory consultee, have reviewed the submitted plans and agree to the documents being approved..

The information provided is considered acceptable and therefore the pre commencement requirements of Condition 22 are therefore considered discharged. Please note that the condition requires the development to be carried out in accordance with the above approved document.

Yours faithfully



Jane Langston