

Eden District Council

Planning Committee Minutes

Date: 19 March 2020 Venue: Council Chamber, Town Hall, Penrith Time: 9.30 am

Present:

Vice Chairman:	Councillor I Chambers	
Councillors:	D Holden	D Wicks
	G Simpkins	
Standing Deputies:	Councillor S Lancaster	
Officers Present:	Nick Atkinson, Planning Services Development Manager	
	Rebecca Harrison, Solicitor	
	Nicholas Unwin, Planning Officer	
Democratic Services Officer:	Claire Watters	

Pla/145/03/20 Apologies for Absence

Apologies for absence were received from Councillor Clark, Councillor Eyles, Councillor Lynch, Councillor Patterson, Councillor Lancaster attended as substitute, Councillor Ross, Councillor Sawrey-Cookson, and Councillor Thompson.

The Solicitor advised that, in light of the Corona Virus outbreak, Eden District Council had effected measures to protect members of the public, elected Members and staff. The Committee had been reduced to 6 to remain quorate and provide political balance.

The Planning Services Development Manager advised that, to minimise the spread of the virus, in line with national guidance, all those registered to speak had been contacted and invited to submit written representations should they wish to do so. All representations received prior to the meeting had been circulated and would be read out at the appropriate time.

A request had been received to hear Planning Application 19/0724 as the first application for debate and the Chairman had agreed to this.

Pla/146/03/20 Minutes

RESOLVED that:

1. the public minutes Pla/125/02/20 to Pla/138/02/20 of the meeting of this Committee held on 13 February 2020; and

2. Pla/139/02/20 to Pla/144/02/20 of the site visit meeting of this Committee held on 27 February 2020

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

Pla/147/03/20 Declarations of Interest

Councillor Lancaster gave a personal explanation with regard to Planning Applications 19/0724 and 19/0696 as she was the Ward Councillor for both of these items. She intended to speak with regard to these items in her capacity as Town Councillor (from the speakers table), but would not take part in any debate or vote on these applications. She would remain in the room for the duration of the meeting.

Councillor Wicks gave a personal explanation with regard to Planning Application 19/0923 in that the applicants were known to her. She confirmed that this was a non-prejudicial interest and that she came to committee with an open mind on the application.

All Members had been lobbied by an objector in respect of Planning Application 19/0708.

Pla/148/03/20 Appeal Decision Letters

Members considered report PP13/20 of the Assistant Director Planning and Economic Development which detailed decision letters received since the last meeting.

Application Number(s)	Applicant	Appeal Decision
19/0219	<p>Mr Metcalfe Land adjacent to Hillside, Ruckcroft, Carlisle, CA4 9QR</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 described as 'outline consent for a single dwelling'.</p>	<p>The appeal is allowed and planning permission granted subject to conditions.</p>

RESOLVED that the report be noted.

Pla/149/03/20 Planning Issues

RESOLVED that the attached lists of the Assistant Director Planning and Economic Development:

- a) Applications determined under office delegated powers for the month of February 2020
- b) Reasons for refusal on delegated decisions for the month of February 2020

Pla/150/03/20 Planning Issues - Applications for Debate (Green Papers)

Members were advised of the applications requiring a decision by Members as detailed in a report of the Assistant Director Planning and Economic Development.

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 Assistant Director Planning and Economic Development 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/151/03/20 Planning Application No: 19/0829, Creation of new access, Fernwood, Edenhall

The Committee received a presentation from Mr J Corbishley, from Langwathby Parish Council, in objection to the application.

The Planning Services Development Manager read a representation from Mr C Harrison, an agent, in support of the application.

Proposed by Councillor Wicks
Seconded by Councillor Holden

and **RESOLVED** that planning permission was GRANTED 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 drawings hereby approved:

- i) Application Form dated 10 October 2019
- ii) Site Location Plan (19/060 LP) received 18 November 2019
- iii) Proposed Access (19/0060/002) received 18 October 2019
- iv) Visibility Splays (19/0060/PP1) received 18 November 2019
- v) Tree Survey (0033) dated 21 January 2020

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

Prior to First Use

3. Prior to first use of the hereby approved access, a scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented so that planting is carried out no later than the first planting season following the occupation of the building(s). All planted materials shall be maintained for five years and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted.

Reason: To ensure there is no loss in biodiversity.

Ongoing

4. The access drive shall be surfaced in bituminous or cement bound materials, or otherwise bound and shall be constructed and completed before the development is brought into use. This surfacing shall extend for a distance of at least 5 metres inside the site, as measured from the carriageway edge of the adjacent highway.

Reason: In the interests of highway safety.

Pla/152/03/20 Planning Application No: 19/0566, Retention of Existing Free Range Egg Laying Unit and Associated Infrastructure, Land North-East of High Meadow Farm, Marton Moor

This item was withdrawn prior to the start of the meeting.

Pla/153/03/20 Planning Application No: 19/0708, Retrospective application for change of use of land to domestic, mitigation works carried out to the scheduled ancient monument site, move existing gate to lane boundary and erect stone wall either side to boundary edge and restoration of stone building, Land west of Castle Farm, Hardendale

The Planning Services Development Manager advised that written representations had been received from an objector and the agent. The objector had requested a site visit.

Proposed by Councillor Chambers
Seconded by Councillor Simpkins

and **RESOLVED** that a site visit be undertaken regarding this application at a date to be agreed.

Pla/154/03/20 Planning Application No: 19/0923, Erection of building for ancillary uses associated with Heather Glen Country Hotel, including staff and management accommodation and ancillary storage, Land adjacent to the Heather Glen Country House Hotel, Ainstable

The Committee received a presentation from Mr P Tunstall, an agent, in support of the application.

The Committee received a presentation from Councillor M Robinson, the Ward Councillor and representative for Ainstable Parish Council, in support of the application.

Proposed by Councillor Holden
Seconded by Councillor Lancaster

and **RESOLVED** that planning permission was GRANTED, with delegated powers be given to the Assistant Director Planning and Economic Development to agree conditions, on the grounds that the development would support an existing and established rural business and the local economy.

Pla/155/03/20 Planning Application No: 19/0790, Extensions and alterations to dwelling, The Lodge, Temple Sowerby

The Planning Services Development Manager read a representation from Temple Sowerby Parish Council in objection to the application.

Proposed by Councillor Lancaster
Seconded by Councillor Wicks

and **RESOLVED** that It is recommended that planning permission was 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 strictly in accordance with the application form and following details and plans hereby approved:
 - Site Location plan ref L5/19/3007 dated Sept 2019
 - Proposed Ground Floor Plan ref L2/19/2307 date-stamped 6/1/2020
 - Proposed First Floor / Sections Plan ref L3/19/2407 date-stamped 6/1/2020
 - Proposed Elevations ref L4/19/2507 dated 7/1/2020

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

3. Samples of the materials to be used for the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority prior to their first use on site. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the materials harmonise with the surroundings. The condition is considered necessary to be complied with prior to construction 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.

Councillor Lancaster moved to the public area at 11.10am

Pla/156/03/20 Planning Application No: 19/0724, Change of use of workshop into two holiday apartments and associated alterations, The Band Room, Black Bull Yard, Market Street, Kirkby Stephen, CA17 4QW

The Committee received a presentation from Councillor Lancaster, on behalf of Kirkby Stephen Town Council, in objection to the application.

The Planning Services Development Manager read a representation from Mr P Davenport, the applicant, in support of the application.

Proposed by Councillor Wicks
Seconded by Councillor Chambers

and **Resolved** that planning permission was GRANTED subject to the following conditions/for the following 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 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 drawings hereby approved:

- i. Application Form received by the Local Planning Authority on 1 October 2019.
- ii. Location Plan received by the Local Planning Authority on 1 October 2019.
- iii. Site Plan, Drawing Number: 1/15 received by the Local Planning Authority on 1 October 2019.
- iv. Proposed North Elevation, Drawing Number: 7/15 B received by the Local Planning Authority on 22 November 2019.
- v. Proposed South Elevation, Drawing Number: 9/15 received by the Local Planning Authority on 22 November 2019.
- vi. Block Plan, Drawing Number: 2/15 received by the Local Planning Authority on 1 October 2019.
- vii. Proposed Ground Floor, Drawing Number: 6/15 received by the Local Planning Authority on 1 October 2019.
- viii. Proposed First Floor, Drawing Number: 4/15 received by the Local Planning Authority on 1 October 2019.
- ix. Proposed West Elevation, Drawing Number: 11/15 received by the Local Planning Authority on 1 October 2019.
- x. Proposed East Elevation, Drawing Number: 13/15 received by the Local Planning Authority on 1 October 2019.
- xi. Proposed Cross Section, Drawing Number: 15/15 received by the Local Planning Authority on 1 October 2019.
- xii. Grant UK Aeron3 R32 Heat Pump Range Specification relating to HPID10R32.
- xiii. Heritage Assessment received by the Local Planning Authority on 22 November 2019.

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

Ongoing Conditions

- 3. The development hereby approved shall be used for holiday use only and should not be used as a sole or principle residence by any person.

Reason: To ensure that the holiday lets are occupied as holiday accommodation only and not used for unauthorised permanent residential occupation.

Councillor Lancaster returned to the Committee at 11.37am

Pla/157/03/20 Planning Application No: 19/0875, Conversion of barn to create three dwellings, Barn at High Galligill, Nenthead

The committee received a presentation from Mr D Addis, an agent, in support of the application.

Proposed by Councillor Wicks
Seconded by Councillor Lancaster

and **RESOLVED** that planning permission was GRANTED 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 drawings hereby approved:
 - i) Application Form dated 6 December 2019
 - ii) Bat Survey received 6 December 2019
 - iii) Site Location Plan (119-121-01) received 6 December 2019
 - v) Proposed Plans and Elevations (2) (119-121-05 A) received 6 December 2019
 - v) Proposed Plans and Elevations (119-121-04 A) received 6 December 2019
 - vi) Proposed Plans and Elevations (119-121-04 A) received 6 December 2019
 - vii) Visibility Splays (119-121-06 G) received 19 February 2019

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 development, full details of the proposed package treatment plant shall be submitted to and agreed in writing by the Local Planning Authority. The development shall then be completed in accordance with the approved details.

Reason: To prevent the risk of pollution of land and watercourses and to prevent harm to protected species.

4. Notwithstanding the submitted plans, prior to the commencement of any development, a surface water drainage scheme informed by 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. The development shall then 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. 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.

Ongoing Conditions

5. 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, Schedule 2 to the Order shall be carried out.

Reason: In order to preserve the character of the area.

6. The hereby approved development shall only be constructed during the following times –
Monday to Friday – 08.00 – 17.00
Saturday – 08.30 – 12.00
No construction works are permitted during Sundays, Bank and Public Holidays.

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

7. The access drive shall be surfaced in bituminous or cement bound materials, or otherwise bound and shall be constructed and completed before the development is brought into use. This surfacing shall extend for a distance of at least 5 metres inside the site, as measured from the carriageway edge of the adjacent highway.

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

8. Any existing highway fence/wall boundary shall be reduced to a height not exceeding 1.05m above the carriageway level of the adjacent highway in accordance with details submitted to the Local Planning Authority and which have subsequently been approved (before development commences) (before the development is brought into use) and shall not be raised to a height exceeding 1.05m thereafter.

Reason: In the interests of highway safety. To support Local Transport Plan Policies: LD7, LD8.

The Planning Officer left the Council Chamber at 11.46am

The Committee was adjourned at 11.46am

The Committee reconvened at 11.56am

Councillor Lancaster moved to the public area at 11.56am

Pla/158/03/20 Planning Application No: 19/0696, Reserved matters application for access, appearance, layout, scale, design and landscaping in relation to planning permission ref. 17/0922 for residential development, Land off Kirkby Stephen Grammar School, Kirkby Stephen

The Committee received a presentation from Councillor Lancaster, on behalf of Kirkby Stephen Town Council, in objection to the application.

The Planning Services Development Manager read a representation from Mr C Cadwallander, the applicant, in support of the application.

Proposed by Councillor Holden
Seconded by Councillor Simpkins

and **RESOLVED** that Planning Permission was granted subject to the following conditions:

Time Limit for Commencement

1. The development permitted shall be begun before the expiration of two 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 strictly in accordance with the application form dated 20 September 2019 and the following details and plans hereby approved;
 - i. Location Plan, ref. 18071-LP, dated Sept 2019;
 - ii. Design and Access Statement, ref. 18071-DA v 1.0, dated September 2019;
 - iii. Proposed Site Plan, ref. 18071-SP-102 Rev. E, dated 12 November 2019;
 - iv. Acoustic Survey, ref. R1441-T01B-PB, dated 12 February 2018;
 - v. Technical Note, ref. R1441-T01-SJW, dated 8 January 2018;
 - vi. Technical Note, ref. R1441-T01C-PB, dated 19 March 2018;
 - vii. Environmental Noise Study, ref. R1441-REP01-JR, dated 14 November 2017;
 - viii. Proposed Site Plan – Acoustic Fence, ref. 10871-SP-104-A Rev. A, dated Jan 2020;
 - ix. Existing Ground Level Site Survey, ref. 18071 – EcGL Survey – 101, dated August 2019;
 - x. Speed Survey and Assessment of Site Access, ref. A3614, dated 15 February 2018;
 - xi. Phase 1 Site Investigation Report, ref. 4494/R01/1, dated 8 May 2019;
 - xii. House Type 3A, ref. 18071-3A-104-A, dated 27 September 2019;
 - xiii. House Type 4A, ref. 18071-4A-105-A, dated 26 September 2019;
 - xiv. House Type 2A, ref. 18071-2A-103-A Rev. A, dated Jan 2020;
 - xv. House Type 4B, ref. 18071-4B-106-A, dated 26 September 2019;
 - xvi. House Type 4C, ref. 18071-4C-107-A, dated 27 September 2019;
 - xvii. House Type 4D, ref. 18071-4D-108-A, dated 26 September 2019.

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

Prior to commencement

3. The development shall not commence until visibility splays as shown within the Speed Survey, ref. A3614, dated 15 February 2018. 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 the development of the hereby approved dwellings so that construction traffic is safeguarded.

Reason: In the interests of highway safety.

4. The hereby approved development shall not be commenced until the access has been formed with 6metre radius kerbs, to give a minimum carriageway width of 4.8metres, and that part of the access road extending 15metres into the site from the existing highway has been constructed in accordance with details submitted to and approved by the Local Planning Authority.

Reason: In the interests of highway safety.

5. Prior to the commencement of the development of any of the hereby approved dwellings, samples of external finishes for walls, roofs, windows, doors and hard surfaces shall be submitted to the Local Planning Authority for written approval. Once approved, these materials shall be utilised in the construction of the site.

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

Ongoing Conditions:

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

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

7. The development shall adhere to the 'Initial Site Set up' plan, ref. 18071 – CFP, dated October 2019 throughout the construction works undertaken on site. This approved plan shall be used for or be kept available for these purposes at all times until completion of the construction works.

Reason: In the interests of highway safety and to protect vulnerable road users.

Councillor Lancaster returned to the Committee at 12.34pm

Pla/159/03/20 Planning Application No: 19/0021, Variation of condition No 5 (Accommodation Use) from guesthouse/holiday establishment to residential use attached to approval 04/0033, 2 Primrose Court, Tebay CA10 3TR

Proposed by Councillor Lancaster
Seconded by Councillor Wicks

and **RESOLVED** that planning permission was granted subject to the following conditions:

Approved Plans

1. The development hereby granted shall be carried out in accordance with the drawings hereby approved:
 - i) Application Form and supporting detail as received by the Local Planning Authority on the 13 January 2020.
 - ii) Site Location Plan Ref No 1 as dated received by the Local Planning Authority on the 13 November 2019, and
 - iii) Proposed Plan, Drawing No 03.37/P/03 as dated received by the Local Planning Authority on the 13 January 2020.

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

Pla/160/03/20 Planning Application No: 19/0713, Conversion of stone bank barn, reconstruction of stone byre to rear and re-modelling modern cow byre to form a dwelling, Town Head Farm, Kirkland Road, Skirwith

The Planning Services Development Manager read a representation from Mr T Ellis, an agent, in support of the application.

Proposed by Councillor Simpkins
Seconded by Councillor Holden

and **RESOLVED** that planning permission was 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 strictly in accordance with the application form and following details and plans hereby approved:
 - Site Location plan ref p2buk/320778/436095 dated 18 Feb 2019
 - Block Plan ref THFB/0618/05 dated October 2019
 - Plans and Section as proposed ref THFB/0618/03 Rev D dated November 2019
 - Elevations as proposed ref THFB/0618/04 Rev D dated November 2019
 - Design and Heritage Statement Rev C date-stamped 29 Jan 2020
 - Bat Survey from Flight Ecology ref Q101-D02 dated July 2019

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

Prior to Construction

3. Prior to any other development commencing, 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 agreed in writing with the Local Planning Authority. The scheme shall include a plan which demonstrates how the development will achieve a neutral or positive

impact in permeability of surface water drainage. The approved surface water drainage scheme shall then be implemented in full before the occupation of the development. 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.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding. The condition is considered necessary to be complied with prior to development 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 alterations to the building permitted, shall be executed wherever possible by re-using existing materials or similar second-hand materials or, if necessary, new materials to match the existing building. Samples of the materials to be used shall be submitted to and approved by the Local Planning Authority in writing prior to their first use on site. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the materials harmonise with the surroundings. The condition is considered necessary to be complied with prior to construction 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. Before any other operations, the temporary vehicular access through the stone wall to the east of Town Head Farmhouse shall be created in accordance with Block Plan ref THFB/0618/05 and the building materials excavated from the stone wall shall be set aside for reuse. Within 2 months of the first occupation of the barn conversion, the temporary vehicular access created to the east of Town Head Farmhouse shall be permanently closed and the dry stone wall rebuilt using the set aside stones.

Reason: In the interests of the appearance of the area and to respect the visual amenity and character of the street.

Highways

6. Before the first occupation of the dwelling provided by the barn conversion, the access drive and parking and turning area shall be provided in full, and shall be retained as such thereafter.

Reason: In the interests of highway safety.

7. Any vehicular access gates installed shall be set back from the highway by a minimum of 4m and shall open inwards only.

Reason: In the interests of highway safety.

Ongoing Conditions

8. The first-floor kitchen window in the west side-facing elevation of the rebuilt leanto shall be non-opening and obscure glazed at level 4 or 5, and shall be retained as such thereafter.

Reason: In the interests of the privacy and amenity of neighbouring occupiers.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2018 (or any order revoking, re-enacting or modifying that Order with or without modification), no development falling within Classes A, B, C, D or E of Part 1 Schedule 2 to that Order shall be carried out.

Reason: To prevent the overdevelopment of the site and to safeguard the visual appearance of the building.

Pla/161/03/20 Confirmation of Site Visits (if any)

It was agreed that a date for the next site visit would be confirmed at a later date.

Pla/162/03/20 Any Other Items which the Chairman decides are urgent

There were no items which the Chairman felt was urgent.

Pla/163/03/20 Date of Next Meeting

The date of the next scheduled meeting was confirmed as 16 April 2020.

The meeting closed at 1.00 pm

.....

PLANNING COMMITTEE

Agenda Item No.

APPLICATIONS DETERMINED UNDER OFFICER DELEGATED POWERS FOR THE MONTH OF FEBRUARY 2020

App No	App Type	Parish	Description	Location	Applicant	Decision
19/0349	Reserved by Cond	Bolton	Discharge of conditions 3 (surface water drainage), 4 (surface water discharge), 5 (carriage, foot and cycleways) and 6 (sample materials) attached to approval 15/0728.	EDEN GROVE, BOLTON, APPLEBY-IN-WESTMORLAND, CA16 6AJ	Y Bhailok	APPROVED
19/0544	Full Application	Hesket	Variation of condition 2 (plans compliance) to include new site layout plan and condition 4 (surface water drainage) attached to approval 17/0476.	STATION BRIDGE BUILDING, PLUMPTON, PENRITH, CA11 9NU	Mr R Thompson	APPROVED
19/0583	Reserved by Cond	Alston	Discharge of condition 3 (landscaping), 5 (Boundaries), 6 (Visibility Splays) and 9 (Surface water Drainage) attached to approval 15/0832.	LAND ADJACENT FELL VIEW, NENTHEAD, ALSTON, CA9 3PS	Mr J R Edgar	APPROVED
19/0672	Full Application	Ainstable	Subdivision of residential annex to form 2 residential annexes.	ARMATHWAITE PLACE, ARMATHWAITE, CARLISLE, CA4 9PB	Mr & Mrs Maclellan	APPROVED
19/0673	Listed Building	Ainstable	Listed building consent to enable subdivision of residential annex to form 2 residential annexes.	ARMATHWAITE PLACE, ARMATHWAITE, CARLISLE, CA4 9PB	Mr & Mrs Maclellan	APPROVED
19/0674	Full Application	Newby	Change of use of barn to dwellinghouse and proposed extension.	CROSS HOUSE BARN, NEWBY, PENRITH, CA10 3EX	Mr & Mrs G Murchie	APPROVED
19/0712	Full Application	Alston	Erection of polytunnel.	VALLEY VIEW, NENTHEAD, ALSTON, CA9 3NA	Mr J & Mrs P Baker	APPROVED
19/0758	Full Application	Appleby	Removal of Condition 3 (Studio Apartment shall not be sold, let, disposed of or used as separate living accommodation) attached to approval 06/0159.	STUDIO APARTMENT REAR OF REDSTONES, THE SANDS, APPLEBY-IN-WESTMORLAND, CA16 6XR	Mr P Leach	APPROVED
19/0784	Outline Application	Newby	Demolition of farm buildings and erection of three self build/custom build dwellings with all matters reserved.	LAND AT NEWBY HEAD, NEWBY, CA10 3EX	Mr & Mrs I Willan	REFUSED
19/0791	Full Application	Winton	Variation of condition 2 (plans compliance) to use render for the south, east and west elevations, north elevation only to be stone faced, attached to approval 18/0482.	LAND BETWEEN HILL TOP AND MYRTLE COTTAGE, MAIN STREET, WINTON, CA17 4HS	Mrs M Longden	APPROVED

App No	App Type	Parish	Description	Location	Applicant	Decision
19/0808	Reserved by Cond	Kirkby Stephen	Discharge of condition 2 (access road, drainage and utility services) and condition 4 (colour and type of stone, render and slate) attached to approval 18/0045.	LAND AT LEVENS HOUSE FARM, NATEBY ROAD, KIRKBY STEPHEN, CA17 4AA	Mr A Davis	APPROVED
19/0817	Advertisement	Penrith	Advertisement consent for replacement non-illuminated fascia sign.	Eden Animal Rescue, 37 GREAT DOCKRAY, PENRITH, CA11 7BN	Mr R Holder- Eden Animal Rescue	APPROVED
19/0821	Outline Application	Catterlen	Erection of a self-build / custom build dwelling with all matters reserved.	LAND ADJ LITTLETHWAITE, CATTERLEN, PENRITH, CA11 0BQ	Mr & Mrs A Bircher	REFUSED
19/0832	Full Application	Melmerby	Retrospective application for demolition of existing dwelling and erection of replacement dwelling.	BROAD MEADOWS, MELMERBY, PENRITH, CA10 1HA	Messrs Awde	APPROVED
19/0843	Full Application	Kirkby Stephen	Siting of bronze statue/sculpture.	PAVEMENT OUTSIDE OF TOURIST INFORMATION CENTRE, MARKET SQUARE, KIRKBY STEPHEN, CA17 4QN	Kirkby Stephen Town Council - Mr C Barnes	APPROVED
19/0846	Advertisement	Langwathby	Retention of 2 no. roadside advertisement signs.	LAND NORTH WEST OF B6412/A686, NR. EDENHALL, PENRITH,	Mr J Beard	APPROVED
19/0849	Listed Building	Hesket	Listed building consent for replacement of bay window frames to front.	SOUTHWAITE HILL, SOUTHWAITE, CARLISLE, CA4 0EW	Mr A Gosling	APPROVED
19/0850	Full Application	Skelton	Proposed general purpose agricultural building.	BRAITHWAITE MILL, IVEGILL, CARLISLE, CA4 0NG	Mr D & C Pollock	APPROVED
19/0857	Full Application	Appleby	Proposed garage with store room above.	HILL TOP COTTAGE, BONGATE, APPLEBY-IN-WESTMORLAND, CA16 6HW	Mr J Dinsdale	APPROVED
19/0863	Full Application	Alston	Variation of condition 2 (plans compliance) in respect of siting and design of plot 2 dwelling attached to approval 14/0178.	2 JOSEPH GARDENS, NENTHEAD, ALSTON, CA9 3LU	Mr S Richardson	APPROVED
19/0867	Listed Building	Penrith	Listed Building Consent for retention of replacement windows and condenser units to 26 Cornmarket and retention of replacement doors and windows and proposed internal alterations, door and balustrades to 5A White Hart Yard.	26 CORNMARKE / 5A WHITE HART YARD, CORNMARKE, PENRITH, CA11 7HR	Mr F Proudfoot - Fred Proudfoot Ltd	APPROVED
19/0871	Listed Building	Kirkby Stephen	Listed Building Consent for the addition of information plaque adjacent to front door.	HALLS NEWSAGENTS,, 8 MARKET SQUARE, KIRKBY STEPHEN, CA17 4QT	Kirkby Stephen Walkers Are Welcome - Mrs A Sandell	APPROVED
19/0873	Full Application	Skelton	Change of use to form holiday lodge park and access.	LAND ADJ THE LIMES, FIELDHEAD, CALTHWAITE, PENRITH, CA11 9PU	Mr A Porter	APPROVED

App No	App Type	Parish	Description	Location	Applicant	Decision
19/0877	Full Application	Kirkby Stephen	Proposed rear two storey extension.	THE GRANARY, SILVER STREET, KIRKBY STEPHEN, CA17 4RB	Mr C Wearmouth & Mrs Z Barnett	APPROVED
19/0879	Listed Building	Dufton	Listed building consent for replacement front door.	BROW FARM, DUFTON, APPLEBY-IN-WESTMORLAND, CA16 6DF	Mrs W Swinbank	APPROVED
19/0887	Full Application	Culgaith	Erection of first floor side extension for additional living accommodation.	1 KIRKHILL, BLENCARN, PENRITH, CA10 1TZ	Mr & Mrs Laker	APPROVED
19/0889	Full Application	Newby	Proposed dayroom extension.	WHITE STONE, NEWBY, PENRITH, CA10 3HQ	Mr & Mrs Brendon	APPROVED
19/0891	Listed Building	Penrith	Listed Building Consent for the removal of 4no. Skylights from roof and replacement of roof tiles.	ROWCLIFFE HOUSE, CROWN SQUARE, PENRITH, CA11 7AB	Mrs S Boye	APPROVED
19/0893	Listed Building	Newby	Listed Building Consent for proposed dayroom extension.	WHITE STONE, NEWBY, PENRITH, CA10 3HQ	Mr & Mrs Brendon	APPROVED
19/0897	Full Application	Alston	Change of use of redundant agricultural barn to holiday accommodation and installation of micro wind turbine.	LITTLE GHYLL COTTAGE, GARRIGILL, ALSTON, CA9 3HB	Mr I Grey	APPROVED
19/0899	Full Application	Long Marton	Replacement livestock and machinery storage building with lean-to cover for midden.	LAND AT RISING SUN, CROFT ENDS, APPLEBY-IN-WESTMORLAND, CA16 6JL	Mr M Huschka	APPROVED
19/0902	Full Application	Penrith	Retrospective replacement windows and condenser units to 26 Cornmarket and retrospective replacement windows and proposed door and balustrades to 5a White Hart Yard.	26 CORNMARKE / 5A WHITE HART YARD, CORNMARKE, PENRITH, CA11 7HR	Mr F Proudfoot- Fred Proudfoot LTD	APPROVED
19/0905	Full Application	Penrith	Replacement of the existing stand-by electrical generator and associated fuel tank and external alterations to building.	PENRITH HOSPITAL, BRIDGE LANE, PENRITH, CA11 8HX	Mr M Armstrong- North Cumbria Intergrated Care Foundation Trust	APPROVED
19/0906	Full Application	Sockbridge & Tirril	Proposed single storey front porch.	2 CROFT FOOT, SOCKBRIDGE, PENRITH, CA10 2JW	Mr & Mrs Stewart	APPROVED
19/0914	Notice of Intention	Dacre	Proposed excavation of land.	MEG BANK FARM, STAINTON, PENRITH, CA11 0EE	D & H Brass Farming	APPROVED
19/0915	Notice of Intention	Dacre	Proposed excavation of land.	MEG BANK, STAINTON, PENRITH, CA11 0EE	D & H Brass Farming	APPROVED
19/0916	Full Application	Orton	Extension to existing butchers.	Westmorland Ltd, TEBAY SOUTH SERVICE AREA, ORTON, PENRITH, CA10 3SB	Mr John France- Westmorland Limited	APPROVED

App No	App Type	Parish	Description	Location	Applicant	Decision
19/0919	Full Application	Penrith	Variation of Condition 2 (plans compliance) to include a reduction of the footprint from 980m2 to 882m2 and increase in height of eaves from 10m to 11.5m and ridge height from 11.4m to 12.9m, attached to approval 17/0821.	OMEGA PROTEINS LTD, GREYSTOKE ROAD, PENRITH, CA11 0BX	Omega Proteins Limited	APPROVED
19/0921	Full Application	Penrith	The erection of a single storey extension to the side of the property plus some landscaping works and tree removal.	7 JUBILEE LODGE, BEACON EDGE, PENRITH, CA11 7SQ	Mr & Mrs Richardson	APPROVED
19/0922	Full Application	Penrith	Retrospective application for the construction of two storey gatehouse building.	OMEGA PROTEINS, GREYSTOKE ROAD, PENRITH, CA11 0BX	Omega Proteins Limited	APPROVED
20/0012	Advertisement	Kirkby Stephen	Advertisement consent for 3 no. fascia signs, 1 no. illuminated hanging sign, 2 no. amenity boards and 2 no. illuminated menu cases.	THE BLACK BULL, MARKET STREET, KIRKBY STEPHEN, CA17 4QW	Punch Partnerships Ltd	APPROVED
20/0015	Listed Building	Kirkby Stephen	Listed Building Consent for 3 no. fascia signs, 1 no. illuminated hanging sign, 2 no. amenity boards and 2 no. illuminated menu cases.	THE BLACK BULL, MARKET STREET, KIRKBY STEPHEN, CA17 4QW	Punch Partnerships Ltd	APPROVED
20/0018	Tree Works (CA)	Great Salkeld	Coppice bedgerow of 24 field Maples to manage in future as a hedge; Great Salkeld Conservation Area.	CARRICKMORE, GREAT SALKELD, PENRITH, CA11 9NA	Mrs Alison Thurgood	APPROVED
20/0019	Tree Works (CA)	Penrith	Acer: Remove the trunk of the multi-stemmed Acer which is crushing guttering on the shed and reduce the height of remaining tree to 3m; Reduce Pear tree back to previous cutting points and crown thin by up to 20%; Penrith New Streets Conservation Area.	BRACKENBAR, GRAHAM STREET, PENRITH, CA11 9LG	Brian Convey	APPROVED
20/0031	Non-Material Amend	Penrith	Non Material Amendment for the addition of window to east elevation attached to approval 19/0744.	43 CROFT TERRACE, PENRITH, CA11 7RU	Mr M Kersey	APPROVED
20/0042	Non-Material Amend	Penrith	Non Material Amendment to replace approved materials with material to match existing dwelling attached to approval 19/0824.	14 SYCAMORE DRIVE, PENRITH, CA11 8UG	Mr J Holdsworth	APPROVED
20/0051	Tree Works (CA)	Brough	Take out Sycamore tree due to rot /danger to building; Church Brough Conservation Area.	ASH GARTH, BROUGH, KIRKBY STEPHEN, CA17 4EJ	Mr Stuart Wilkinson	APPROVED
20/0060	Tree Works (CA)	Penrith	Pear Tree - Reduce crown size to height shown on photographs 1-3 provided; Penrith New Streets Conservation Area.	RAVENSTONE, WORDSWORTH STREET, PENRITH, CA11 7QZ	Mr Ian White	APPROVED
20/0080	Tree Works (CA)	Appleby	Three Irish Yews in garden: Formally prune and re-shape by up to 0.5m; Appleby Conservation Area.	CRESTON MOUNT, GARTH HEADS ROAD, APPLEBY-IN- WESTMORLAND, CA16 6TR	Mrs D Cresswell	APPROVED

App No	App Type	Parish	Description	Location	Applicant	Decision
20/0113	Non-Material Amend	Warcop	Non Material Amendment for reduction in height, window and door amendments and internal layout changes, attached to approval 18/0888.	CARPOOL HOUSE, MASK ROAD, BLEATARN, APPLEBY-IN-WESTMORLAND, CA16 6PX	Mrs A Joynson	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.

This page is intentionally left blank

Notice of Decision



To: Addis Town Planning Ltd - Mr D Addis
Greengage House
Little Salkeld
Penrith
CA10 1NN

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

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

Application No: 19/0821
On Behalf Of: Mr & Mrs A Bircher

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: Erection of a self-build / custom build dwelling with all matters reserved.
Location: LAND ADJ LITTLETHWAITE CATTERLEN PENRITH CA11 0BQ

The reasons for this decision are:

1) The development is considered to be unacceptable on the grounds that the proposal conflicts with the spatial planning policies of the Council. The application site does not meet the criteria of infill or rounding off development as required for new housing within the Smaller Villages and Hamlets. Whilst it is acknowledged that the provision of one house for self-build and custom build would go a small way to meeting the requirement of providing enough permissions to meet the Self-build demand (thereby attracting some weight in favour), this would not outweigh the fundamental policy conflict of allowing market housing in this location. The proposal is therefore considered to be contrary to Policies LS1 and HS2 of the Eden Local Plan 2014-2032.

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: 10 February 2020

Signed:

A handwritten signature in black ink, appearing to read "O Shimell", is written over a faint, circular official stamp.

Oliver Shimell LLB
Assistant Director Planning and Economic Development

Notice of Decision



To: ADDIS TOWN PLANNING LTD - Mr D Addi
GREENGAGE HOUSE
LITTLE SALKELD
PENRITH
CA10 1NN

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

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

Application No: 19/0784
On Behalf Of: Mr & Mrs I Willan

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: Outline Application
Proposal: Demolition of farm buildings and erection of three self build/custom build dwellings with all matters reserved.
Location: LAND AT NEWBY HEAD NEWBY CA10 3EX

The reason(s) for this decision are:

The development is considered to be unacceptable on the grounds that the proposal conflicts with the spatial planning policies of the Council. The application site does not meet the criteria of infill or rounding off development as required for new housing within the Smaller Villages and Hamlets, and as such is considered to fall as development within the Rural Area. Market housing beyond the Main Towns, Key Hubs or Smaller Villages and Hamlets is not in accordance with planning policy. Whilst it is acknowledged that the provision of three houses for self-build and custom build would go a small way to meeting the requirement of providing enough permissions to meet the Self-build demand (thereby attracting some weight in favour), this would not outweigh the fundamental policy conflict of allowing market housing in the countryside. The proposal is therefore considered to be contrary to Policies LS1 and HS2 of the Eden Local Plan 2014-2032.

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: 26 February 2020

Signed:

A handwritten signature in black ink, appearing to read 'O Shimell', is positioned above the printed name.

Oliver Shimell LLB

Assistant Director Planning and Economic Development