

Eden District Council

Planning Committee Minutes

Date: 21 May 2020 Venue: This meeting is a virtual meeting and therefor will not take place in a physical location Time: 9.30 am

Present:

Chairman: Councillor W Patterson

Vice Chairman: Councillor I Chambers

Councillors: M Clark G Simpkins
M Eyles J G Thompson
D Holden D Wicks
A Ross

Standing Deputies: Councillor S Lancaster

Officers Present: Nick Atkinson, Planning Services Development Manager
Rebecca Harrison, Solicitor
Ian Irwin, Principal Planning Officer
Lisa Tremble, Assistant Director Governance

Democratic Services Officer: Nichola Baker, Vivien Little, Claire Watters and Karen Wyeth

Pla/164/05/20 Apologies for Absence

At the start of the meeting, the Monitoring Officer advised that this meeting was being hosted remotely using conferencing software which allowed Members, Officers and public attendance whilst being able to protect themselves and others, whilst observing the Government's lockdown measures.

The Monitoring Officer also stated that all votes during this meeting would be taken through an informal recorded vote, though would not be noted as such in the minutes.

A roll call of all those Members in attendance remotely was then taken.

Apologies for absence were received from Councillor Lynch and Councillor Sawrey-Cookson, Councillor Lancaster attended as substitute.

Pla/165/05/20 Minutes

RESOLVED that the public minutes Pla/145/03/20 to Pla/163/03/20 of the meeting of this Committee held on 19 March 2020 be confirmed and signed by the Chairman as a correct record of those proceedings.

Pla/166/05/20 Declarations of Interest

Councillor Chambers gave a personal explanation with regards to Planning Applications 20/0098 and 19/0159 as he had visited the sites to better understand the applications under consideration. He confirmed that he came to committee with an open mind on the applications.

Councillor Clark gave a personal explanation with regard to Planning Applications 20/0109, 19/0900 and 20/0014 as she was a Member of Penrith Town Council. She confirmed that this was not on the Planning Committee and that she came to committee with an open mind on the applications.

Councillor Eyles gave a personal explanation in that he was recording the meeting for personal use.

Councillor Holden gave a personal explanation with regard to Planning Applications 19/0900 and 20/0014 in that she was the Ward Councillor. She confirmed that she came to committee with an open mind on the applications.

Councillor Ross gave a personal explanation with regard to Planning Applications 19/0900 and 20/0014 in that she was the Ward Councillor. She confirmed that she came to committee with an open mind on the applications.

Councillor Wicks gave a personal explanation with regard to Planning Applications 20/0126 and 20/0014 in that she was a regular attendee at the venue. She confirmed that she came to committee with an open mind on the application.

Pla/167/05/20 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/168/05/20 Planning Application No: 20/0109, Replacement porch and construction of garage/store, Abeto House, Fell Lane, Penrith

The Committee received a presentation from Mr N Barrett, in objection to the application.

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

Proposed by Councillor Thompson
Seconded by Councillor Chambers

For: 5
Against: 5

The Chairman used his **casting vote** and it was **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.

Approved Plans

2. The development hereby granted shall be carried out in accordance with the application form and drawings hereby approved:
 - i) Location plan ref 19-185-01 date-stamped 14 Jan 2020
 - ii) Block plan ref 19-185-02 dated February 2020
 - iii) Proposed plan and elevations ref 19-185-08C dated 23/03/20

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

Ongoing Conditions

3. All external materials to be used in the development shall match the appearance of those of the existing house, in size, type, colour and texture.

Reason: To ensure that the materials harmonise with the surroundings.

Pla/169/05/20 Planning Application No: 18/1009, Reserved matters application for access, appearance, landscaping, layout and scale attached to approval 15/0974, Land north of Pennine Close, Hackthorpe

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

Proposed by Councillor Chambers
Seconded by Councillor Thompson

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

Approved Plans

1. The development hereby granted shall be carried out strictly in accordance with the application form dated 20 December 2018 and the following details and plans hereby approved;
 - i) Proposed Site Plan, ref 118-132-02 Rev. L, dated 10.10.18;
 - ii) Existing Site and Location Plan, ref 118-138-01, dated 11.10.18;
 - iii) Proposed Plans and Elevations, ref 118-138-03 Rev. C, dated 11.10.18;
 - iv) Proposed Plans and Elevations, ref 118-138-04 Rev. C, dated 11.10.18;
 - v) Proposed Plans and Elevations, ref 118-138-05 Rev. B, dated 11.10.18;
 - vi) Proposed site plan showing materials, ref 118-138-06 Rev. E, dated 24.10.18;
 - vii) Drainage Design, ref. 19-157r002_C, dated 19 October 2019;
 - viii) Proposed Foul and Surface water diversions for UU infrastructure, ref. 19-157-DWG001, Rev. A, dated August 2019;
 - ix) Foul and Surface Water System – Northern, ref. 19-157-DWG004, Rev. D, dated August 2019;
 - x) Foul and Surface Water System – Southern, ref. 19-157-DWG003, Rev. C, dated August 2019;
 - xi) Overall Foul and Surface Water System, ref. 19-157-DWG002, Rev. B, dated August 2019;
 - xii) Foul and Surface Water Drainage System – Annotated Northern Plan “Northern Outfall detail”, Rev. A, dated August 2019.

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

Prior to commencement

2. The development shall not commence until visibility splays providing clear visibility of 60 metres measured 2.4 metres down the centre of the access road on to the U3180 and 120 metres measured 2.4 metres down the centre of the access road onto the A6 and the nearside channel line of the major road have been provided at the junction of the access road with the county highway.

Reason: In the interests of highway safety.

3. 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.

4. 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.

On-going conditions

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

07:30-18:00 Monday to Friday;

08:30-13:00 Saturday; and

No Activity on Sundays or Bank Holidays

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

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

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

The Committee was adjourned at 11.18am

The Committee reconvened at 11.24am

Pla/170/05/20 Planning Application No: 20/0130, Reserved Matters application for appearance, landscaping, layout and scale attached to approval 17/0887, Land adjacent Harberry, Renwick

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

Proposed by Councillor Eyles
Seconded by Councillor Ross

and **RESOLVED** that planning permission be 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 received 20 February 2020
 - ii) Location Plan (116-111B-01) received 20 February 2020
 - iii) As Proposed Site Plan (116-111B-02B) received 20 February 2020
 - iv) As Proposed Plan and Elevations (116-111B-03) received 20 February 2020
 - v) As Proposed Plan and Elevations (116-111B-04A) received 29 April 2020

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

Pre-Occupancy or Other Stage Conditions

2. The approved landscaping scheme shall be carried out in strict accordance with the details on 'As Proposed Site Plan (116-111B-02B) received 20 February 2020. Within 6 months of the date of the first occupation of any building or completion of the development whichever is the sooner; any trees or plants/grassed areas which within a period of 5 years from the date of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planning season with others of similar size and species and quality, unless the local planning authority gives written consent to any variation.

Reason: To ensure the satisfactory appearance of the site in the interests of visual amenity.

Pla/171/05/20 Planning Application No: 20/0126, Variation of Condition 8 (Landscaping) attached to approval 18/0669, Nord Vue, Armathwaite

The Planning Services Development Manager read a representation from Mr A Willison-Holt, an agent, in support of the application.

Proposed by Councillor Wicks
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 before the 21 March 2022.

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 9 August 2018.
 - ii) Design and Access Statement. Dated August 2018.
 - iii) Site Location Plan (1807-PL-101 A). Dated June 2017.
 - iv) Proposed Plans (1807-PL-301 B). Dated May 2018.
 - v) Proposed elevations (1807-PL-501 B). Dated May 2018.
 - vi) Location Plan (1807-PL-100 A). Dated June 2017.
 - vii) Foul Drainage Strategy. Dated 30 July 2018.
 - viii) Treatment Plant details. Dated 19 January 2012.
 - ix) Location Site Plan (1807-PL-102 A). Dated June 2017.
 - x) Nord Vue Access Road Details (1807-PL-100 B). Dated June 2017.
 - xi) Site Plan (1807-PL-200 L). Dated April 2018.
 - xii) Proposed Site Sections (1807-PL-400 E). Dated April 2018.
 - xiii) Additional Statement. Dated January 2019.

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

Prior to Commencement

3. 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. 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.

4. Prior to the commencement of development, full details of the scale, appearance and materials of the proposed 'caravans' shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, development is to be undertaken in accordance with the approved plans.

Reason: To safeguard the amenity of the area.

Ongoing

5. No more than 20 'caravans' as defined with the Caravan Sites Act 1968 or any subsequent replacement legislation, shall be sited at any one time on land edged red on the submitted 'Location Plan' (1807-PL-102 A), dated June 2017' and shall only be sited as shown on the submitted 'Site Plan' (1807-PL-200 L), dated April 2018.

Reason: To safeguard the amenity of the area.

6. The 20 'caravans' hereby approved shall be used for holiday use only and shall not be used as the sole or principal residence by any one person.

Reason: The site is one which does not accord with the Council's regional or national guidance in respect of the spatial distribution of residential accommodation for housing.

7. The 'illuminated bollards' within the submitted 'Site Plan' (1807-PL-200 L), dated April 2018 shall be limited to:

- Less than 60w bulbs
- Less than 600 lumens
- Within the 3000-4000 Kelvin range (light 'colour')
- A Maximum height of light source of less than 1200mm on non-reflective surfaces.

Reason: To safeguard the amenity of the area.

Prior to Occupation

8. None of the 'caravans' shall be sited before the expiry of a period of four (4) years after the implementation of the approved landscaping scheme detailed within the submitted 'Woodland Creation Map' (1807-PL-101 B), dated June 2017 and 'Site Plan' (1807-PL-200 L), dated April 2018. Written confirmation of the completion of landscape planting should be provided to the Local Planning Authority within seven (7) days of the completion of the works. Any trees or other plants which die or are removed within the first 5 years following the completion of the siting of all 20 'caravans' shall be replaced during the next planting season. Written confirmation of the completion of the siting of all 20 'caravans' should be provided to the Local Planning Authority within seven (7) days of the completion of the works.

Reason: To safeguard the amenity of the area.

Pla/172/05/20 Planning Application No: 20/0098, Reserved Matters application for access, appearance, landscaping, layout and scale attached to approval 17/0661, Land between Manatee & Beacon View, Little Salkeld,

The Committee received a presentation from Councillor W Addis, Hunsonby Parish Council, in objection to the application.

The Committee received a presentation from Mr J Connelly, and agent, in support of the application.

The Committee received a presentation from Mrs C Harrison, in objection to the application.

Proposed by Councillor Thompson
Seconded by Councillor Lancaster

and **RESOLVED** that the meeting continue beyond 3 hours.

Proposed by Councillor Eyles
Seconded by Councillor Ross

that a site visit be undertaken.

For: 4
Against: 6

The motion therefore **FELL**.

Proposed by Councillor Lancaster
Seconded by Councillor Chambers

and **RESOLVED** that planning permission be 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 received 11 February 2020
 - ii) Location Plan (1836-002) received 11 February 2020
 - iii) Site Layout (1836-001) received 11 February 2020
 - iv) Proposed Plot 1 & 4 (1836-100 Rev a) received 14 February 2020
 - v) Proposed Plot 2 & 3 (1836-101 Rev a) received 14 February 2020
 - vi) Site Section (1836-004) received 11 February 2020
 - vii) Hard Surfaces (1836-003) received 11 February 2020
 - viii) Drainage Design received 9 March 2020
 - ix) Proposed Drainage Layout Overall site (19-210-DWG001 Rev received 9 March 2020 C)
 - x) Proposed Levels Sketch GA and Longsection (19-210-DWG002 Rev A) received 11 February 2020
 - xi) Proposed Levels Sketch Road Longsections (19-210-DWG003 Rev A) received 11 February 2020
 - xii) Proposed Levels Sketch Unit Sections (19-210-DWG004 Rev A) received 11 February 2020
 - xiii) Planning Statement received 11 February 2020
 - xiv) Tree Report received 5 March 2020
 - xv) Tree Protection Plan (1836-005) received 4 May 2020

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

Pre-Occupancy or Other Stage Conditions

2. The approved landscaping scheme shall be carried out in strict accordance with the details in the Tree Report received 5 March 2020, Tree Protection Plan (1836-005) received 4 May 2020 and the Planning Statement received 11 February 2020. The tree protection hoardings shall remain in place until all works are completed on site. Within 6 months of the date of the first occupation of any building or completion of the development whichever is the sooner; any trees or plants/grassed areas which within a period of 5 years from the date of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planning season with others of similar size and species and quality, unless the local planning authority gives written consent to any variation.

Reason: To prevent damage to the trees in the interest of the visual character and to ensure the satisfactory appearance of the site in the interests of visual amenity.

The Committee was adjourned at 1.27pm

The Committee reconvened at 9.44am Friday, 22 May 2020.

Councillor Chambers opened the meeting as Vice Chair.

Councillor Patterson joined the meeting at 9.47am and took the Chair.

Pla/173/05/20 Planning Application No: 19/0159, Erection of 4 local occupancy dwellings, Churnside Farm Sheds, Melmerby, Penrith

The Planning Services Development Manager read a representation from Mr A Willison Holt, an agent, in support of the application.

Due to technical issues Councillor Chambers took the Chair at 10.02am.

Councillor Patterson resumed the Chair at 10.06am.

Proposed by Councillor Chambers
Seconded by Councillor Thompson

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

The proposed development does not constitute an infill or rounding off development and therefore does not comply with Local Development Plan Policies LS1 and HS2. The scheme is also considered to be contrary to Policies DEV2 in that it has not been demonstrated how the proposal would achieve an appropriate drainage scheme and Policy DEV5 due to being an underdevelopment of the site and being out of character by developing a site that was beyond modest in scale in a designated smaller village and hamlet.

Pla/174/05/20 Planning Application No: 19/0900, Conversion of community and commercial premises into 3 -bed apartment, erection of

new detached 4 bed dwelling, and refurbishment of existing 3 bed apartment. (As amended), The Bridge, Wordsworth Street, Penrith

The Committee received a presentation from Manning Elliott Architects, an agent, in support of the application.

Proposed by Councillor Clark
Seconded by Councillor Thompson

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

1. The development permitted shall be begun within three years starting with the date of this approval.

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 submitted Application form, plans, drawings and details (as revised and amended) and hereby approved:
 - Site Location Plan, Drawing Ref No 1859 EX 100 Rev A as dated received by the Local Planning Authority on the 16 December 2019.
 - Proposed Block Plan (as amended), Drawing Ref No 1859-PL200 Rev B as dated received by the Local Planning Authority on the 20 February 2020.
 - Proposed elevations (as amended), Drawing Ref No 1859 PL 501 Rev B as dated received by the Local Planning Authority on the 28 February 2020.
 - Proposed elevations (as amended), Drawing Ref No 1859 PL 502 Rev B as dated received by the Local Planning Authority on the 28 February 2020.
 - Proposed floorplans (as amended), Drawing Ref No 1859 PL 302 Rev B as dated received by the Local Planning Authority on the 28 February 2020.
 - Proposed Floor Plans (The Bridge), Drawing Ref No 1859 PL 300 Rev A as dated received by the Local Planning Authority on the 16 December 2019.
 - Proposed Floor Plans (The Bridge), Drawing Ref No 1859 PL 301 Rev A as dated received by the Local Planning Authority on the 16 December 2019.
 - Proposed Floor Plans (The Bridge), Drawing Ref No 1859 PL 3012 Rev A as dated received by the Local Planning Authority on the 16 December 2019.
 - Proposed elevations (The Bridge), Drawing Ref No 1859 PL 500 Rev A as dated received by the Local Planning Authority on the 16 December 2019.

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

3. The finished sandstone cladding, quoins, cills, lintels and steps shall be of the Penrith red sandstone variety in colour and appearance, and the natural slate to be used on the roof of the new dwelling to be constructed shall be of the Westmorland Blue/Grey variety in colour and appearance.

Reason: For the avoidance of doubt and in order to secure a satisfactory form of development in this sensitive location.

4. No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:
- i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
 - ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
 - iii) A timetable for its implementation.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

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

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

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

Pla/175/05/20 Planning Application No: 20/0014, Variation of condition 2 (plans compliance) to include a reduction in the number of units from 5 no. apartments to 3 no. townhouses attached to approval 16/0035, 3 Lowther Street, Penrith

The Planning Services Development Manager read a representation from Mr A McNaughton and objector, in objection to the application.

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

Proposed by Councillor Chambers
Seconded by Councillor Wicks

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

Approved Plans

1. The development hereby granted shall be carried out in accordance with the application form and drawings hereby approved:
 - i) Location and block plans ref 1779.p.01 rev O dated 30.10.19
 - ii) Floor plans ref 1779.p.03 rev O dated 30.10.19
 - iii) Elevations plan ref 1779.p.04 rev A dated 28.01.20
 - iv) Street elevations plan ref 1779.p.05 rev A dated 28.01.20

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

Before development above DPC level

2. Samples of all external walling and roofing materials proposed for the development shall be submitted to and approved in writing by the Local Planning Authority prior to their use on site. The development shall then be completed in accordance with the approved scheme.

Reason: To ensure that the materials are acceptable and executed to the highest standard in keeping with this sensitive location in the conservation area. The condition is considered necessary to be complied with prior to occupation 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

3. Foul and surface water shall be drained on separate systems and maintained as such in perpetuity

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

4. Windows and doors shall be timber-framed and shall be retained as such thereafter.

Reason: To ensure that the materials are acceptable and executed to the highest standard in keeping with this sensitive location in the conservation area.

Councillor Chambers left the meeting at 12.30pm

Pla/176/05/20 Appeal Decision Letters

Members considered report PP19/20 of the Assistant Director Planning and Economic Development which detailed decision letters received since the last meeting.

Application Number(s)	Applicant	Appeal Decision
19/0101	<p>Mr and Ms Maurice & Young (Wanderlusts) Nutwood, Melmerby, Cumbria CA101HF</p> <p>The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.</p> <p>The development proposed is change of use from agriculture to mixed use of agriculture and sustainable tourism, comprising grazing and the use for up to 3 No. horse-drawn caravans solely for the purpose of tourism.</p>	The appeal is allowed and planning permission granted, subject to conditions.
	<p>Mr and Ms Maurice & Young (Wanderlusts) Nutwood, Melmerby, Cumbria CA101HF</p> <p>The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).</p> <p>The appeal was against the refusal of planning permission for the change of use from agriculture to mixed use of agriculture and sustainable tourism, comprising grazing and the use for up to 3 No. horse-drawn caravans solely for the purpose of tourism.</p>	The award of costs is refused.

RESOLVED that the report be noted.

Pla/177/05/20 Planning Issues

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

- a) Applications determined under office delegated powers for the months of March 2020 and April 2020
- b) Reasons for refusal on delegated decisions for the months of March 2020 and April 2020

be noted.

Pla/178/05/20 Confirmation of Site Visits (if any)

No site visits were confirmed at this meeting.

Pla/179/05/20 Any Other Items which the Chairman decides are urgent

There were no items which the Chairman felt were urgent.

Pla/180/05/20 Date of Next Meeting

The date of the next meeting was confirmed as 18 June 2020.

The meeting closed at 12.16 pm
Friday 22 May 2020

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Report No: PP19/20

Eden District Council**Planning Committee****21 May 2020****Appeal Decision Letters****Report of the Assistant Director Planning
and Economic Development**

Attached for Members' information is a list of Decision Letters received since the last meeting:

Application Number(s)	Applicant	Appeal Decision
19/0101	<p>Mr and Ms Maurice & Young (Wanderlusts) Nutwood, Melmerby, Cumbria CA101HF</p> <p>The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.</p> <p>The development proposed is change of use from agriculture to mixed use of agriculture and sustainable tourism, comprising grazing and the use for up to 3 No. horse-drawn caravans solely for the purpose of tourism.</p>	The appeal is allowed and planning permission granted, subject to conditions.
	<p>Mr and Ms Maurice & Young (Wanderlusts) Nutwood, Melmerby, Cumbria CA101HF</p> <p>The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).</p> <p>The appeal was against the refusal of planning permission for the change of use from agriculture to mixed use of agriculture and sustainable tourism, comprising grazing and the use for up to 3 No. horse-drawn caravans solely for the purpose of tourism.</p>	The award of costs is refused.

Oliver Shimell

Assistant Director Planning and Economic Development



Appeal Decision

Site visit made on 5 February 2020

by Beverley Wilders BA (Hons) PgDurp MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 April 2020

Appeal Ref: APP/H0928/W/19/3239535

Nutwood, Melmerby, Cumbria CA10 1HF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Ms Maurice & Young (Wanderlusts) against the decision of Eden District Council.
 - The undated application, Ref 19/0101, was refused by notice dated 18 April 2019.
 - The development proposed is change of use from agriculture to mixed use of agriculture and sustainable tourism, comprising grazing and the use for up to 3 No. horse-drawn caravans solely for the purpose of tourism.
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Decision

1. The appeal is allowed and planning permission is granted for the change of use from agriculture to mixed use of agriculture and sustainable tourism, comprising grazing and the use for up to 3 No. horse-drawn caravans solely for the purpose of tourism at Nutwood, Melmerby, Cumbria CA10 1HF in accordance with the terms of the application, Ref 19/0101, subject to the conditions set out in the attached schedule.

Preliminary Matter

2. The appellants currently reside on land adjacent to the appeal site. Planning permission was granted by the Council for the retention of two horse drawn caravans, ancillary cabin, solar panels, landscape planting, animal feed store, compost toilet, washroom as "off grid" residential unit for one gypsy/traveller family on a temporary and personal basis in 2018 (Ref 18/0421). In granting permission, the Council appear to have accepted that the appellants have traveller status. In reaching my decision I have had regard to this and to the planning history of the site and adjacent land only insofar as it is relevant to the determination of the proposal.

Application for costs

3. An application for costs was made by Mr & Ms Maurice & Young (Wanderlusts) against Eden District Council. This application is the subject of a separate Decision.

Main Issues

4. The main issues are:

- the effect of the proposal on the North Pennines Area of Outstanding Natural Beauty (NPAONB);
- whether the access and parking arrangements proposed are acceptable.

Reasons

Effect on NPAONB

5. The appeal site comprises a parcel of land positioned in a countryside location between the small settlements of Melmerby and Gamblesby. The land comprises reasonably flat grassy areas together with more undulating land and areas of woodland. Access to the site is via an unmade track known locally as **a "lonning" that runs** between Melmerby and Gamblesby and which is positioned at a lower ground level relative to the site. In the main, the site is separated from the lonning by an agricultural field and at the time of my visit I noted that the boundary between the lonning and the field was marked by a wall and that some planting had taken place within the field adjacent to the wall. The land surrounding the site and nearby is generally open and agricultural in character offering far reaching views towards the surrounding landscape.
6. The site is within the NPAONB, much of which is remote, wild countryside. The Cumbria Landscape Character Guidance and Toolkit states that it falls within landscape sub-type 11a (Foothills) one of the key characteristics of which is rolling, hilly or plateau farmland and moorland. Settlements are generally dispersed and sparse. At the time of my visit I noted that the site and surrounding area has a peaceful and tranquil character.
7. Local and national planning policy seeks to protect and enhance valued landscapes and paragraph 172 of the National Planning Policy Framework (the Framework) states that great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs which have the highest status of protection in relation to these issues. Policy ENV3 of the Eden Local Plan 2014-2032 (LP) relates specifically to the NPAONB and states that development will not be permitted unless it complies with the listed criteria.
8. In determining the application, the Council acknowledged that the site is well screened by existing topography and vegetation and that this has been augmented by further planting that has taken place following the residential permission granted in 2018. However, it is nevertheless concerned about the effect of a permanent business use on the site on the NPAONB, noting that AONBs are not designated for recreational use and that rather the intent is to conserve the quietness, isolation and natural beauty of the area. In reaching my decision I also note and have had regard to the objection received from the North Pennines AONB Partnership.
9. The proposal is for the change of use of the land from agriculture to a mixed use comprising agriculture and the use for up to 3 No. horse-drawn caravans solely for the purpose of tourism. The appellants operate '**Wanderlusts**', described by them as a low impact, low tech, sustainable tourism business. It offers horse-drawn and stationary Gypsy caravan holidays in and around the Eden Valley and Cumbria. It appears from the evidence that the proposal was altered after submission from one for a permanent camp to effectively comprise a '**temporary stopping place**' for horse drawn caravans travelling in

the course of holiday tours in connection with the appellants existing tourism business and would, it is stated, provide for up to a maximum of two groups comprising a maximum of 12 guests accommodated in up to 3 horse drawn wagons. Guests would not bring cars to the site and would be encouraged to travel to the area by public transport. If they do travel by car then their cars would be parked off site and they would be transported to site by horse and wagon.

10. As the Council acknowledge, the nature of the site and the scale of the proposal is such that the positioning of 3 horse drawn caravans and associated development would not be visually prominent and, subject to the imposition of suitably worded conditions controlling the scale and management of the use, I consider that the proposal would protect and conserve the landscape and scenic beauty of the NPAONB. Although the proposal would increase the level of activity at the site and has the potential to reduce the tranquillity of the area, having regard to the nature of the holiday offer, its limited scale and restrictions on guest numbers and vehicular access, I consider that any reduction in tranquillity is unlikely to be significant or harmful to the NPAONB.
11. Taking the above matters into consideration, I conclude that the proposal would not have a harmful effect on the North Pennines Area of Outstanding Natural Beauty. It therefore accords with policies DEV1, DEV5, ENV2 and ENV3 of the LP and paragraphs 170 and 172 of the Framework. These policies seek, amongst other things, to ensure that development reflects local distinctiveness and protects and conserves landscape character including not having a significant or adverse impact upon the special qualities or statutory purpose of the NPAONB.

Access and Parking

12. As stated above, guests would arrive by horse drawn caravan or on foot and therefore no vehicular access or parking arrangements are proposed. The proposal appears to have been amended since a previous application was refused which related to a residential and tourism use (Ref 17/0883). As set **out in the appellants' statement of case, the proposal now** seeks permission for the site to be used effectively as a temporary stopping place for wagons travelling in the course of holiday tours, rather than for the siting of permanent tourism accommodation.
13. Access to the site would either be by horse or on foot via the lonning located to the west and which links the site to Melmerby and Gamblesby. At my visit I noted that the lonning is a narrow, unsurfaced and undulating track which appears to be used by vehicles as well as by pedestrians and horses. Gill Beck, a watercourse to the north of the site crosses the lonning near to the site and at the time of my visit, water levels were low at the crossing point. It appears from the evidence that the Council has previously accepted the lonning to be an unadopted right of way, the use of which by the public is unrestricted and I have seen no substantive evidence to suggest otherwise.
14. Whilst I acknowledge that the proposal would increase the use of the lonning by horses and pedestrians, having regard to the modest scale of the proposal and the likely number of guests at the site, I do not consider that any increase in its use would be harmful to the NPAONB or would be likely to give rise to frequent conflict with other users of the lonning including agricultural vehicles. Though access along the lonning may be more difficult in inclement weather,

there is no substantive evidence that such difficulties would be frequent, particularly given that visits to the site are most likely to occur at times of the year when the weather is less likely to be inclement.

15. With regard to parking, it seems to me that none is required given that the appellants propose that the site be used as a stopping place for guests as part of a holiday tour operated by them as part of their existing business. It appears that the appellants have existing agreements in place to accommodate parking for their guests should they choose not to travel by public transport. Whilst I note the concerns raised about the apparent lack of control over these existing parking arrangements, there is no substantive evidence before me to suggest that they will not remain in place. In any event, in the apparent unlikely event that guests were to require parking near to the site, given the likely small number of vehicles involved, it seems that any such parking could take place nearby including in the settlements of Gamblesby and Melmerby without detriment to either highway safety or to the amenity of those settlements and the living conditions of their residents. I note that no objections were raised to the proposal by the Highway Authority.
16. Taking the above matters into consideration, I conclude that the access and parking arrangements proposed are acceptable. The proposal therefore accords with Policy EC4 of the LP which requires, amongst other things, that suitable access and car parking arrangements are defined.

Other Matters

17. In reaching my decision I have had regard to a number of other matters raised in relation to the proposal. Firstly, in determining this appeal there is no requirement for me to consider whether there are any other, more suitable locations available, particularly given my findings that the proposal is acceptable. I note the concerns raised about the ability of guests with mobility problems or the young to access to the site as well as emergency services. As stated, the intention is that guests would be transported to site by horse drawn wagons and vehicular access along the lonning, though restricted due to its nature and width, is nevertheless available and the site is also reasonably close to the road that runs between Melmerby and Gamblesby. I am therefore satisfied that the site location and access arrangements are adequate and enable sufficient access to the site.
18. There is no evidence that use of the site by a relatively small number of guests would lead to harm to wildlife or to the natural environment and I note that no objections were raised to the proposal by Natural England. Only a small section of the appeal site adjoins the lonning and consequently I consider it unlikely that the proposed use of the site and any associated noise and disturbance would be likely to materially affect the enjoyment of recreational users of it. There is no evidence that the proposal would significantly increase the number of horses at the site or consequently increase the amount of development and movement to/from the site in connection with the keeping of horses.
19. Though I note the site history and the conditions attached to the previous planning permission (Ref 18/0421), there is no substantive evidence to suggest that allowing the proposal would result in a breach of any conditions attached to the appellants' residential consent. Additionally some concerns have been raised about the lack of clarity and detail from the appellants about where their

other sites and parking areas are and about the ability to formalise and control such arrangements. However, it appears from the evidence that the appellants have successfully operated their business using their existing model for a number of years and whilst I accept that there is limited information regarding the arrangements that are in place and the security of such arrangements, I do not consider that this means that the proposal is unacceptable. I am satisfied that any permission granted could be the subject of appropriately worded conditions meaning that if circumstances on other sites were to change in the future, this would not mean that the impact of the proposal on the site and the surrounding area would significantly change.

Conditions

20. I have had regard to the conditions suggested by the Council and to the **appellants' comments on conditions**. I have imposed a condition specifying the approved plans as this provides certainty. I have also imposed conditions restricting the type, use and maximum number of caravans on site to 3; restricting the amount and type of shelters/tents on site; restricting the number of guests to 12 and restricting lighting. This is having regard to the location of the site in the countryside and the NPAONB and in order to control the scale of development. Though I note the appellants' comments in respect of the enforceability of restricting the number of guests, I consider that such a condition does meet the tests for conditions as set out in paragraph 55 of the Framework and that it would be enforceable.
21. I have not imposed the suggested conditions regarding buildings or structures (condition 4), restricting the types of caravan and wagon (condition 5) and regarding landscaping (condition 8) as I do not consider these conditions to be necessary having regard to what is proposed as part of the application.
22. However, I do consider that some amendments are required to a number of suggested conditions in the interests of clarity and to ensure sufficient control over the proposed development. I also consider that conditions are necessary restricting vehicular access onto the site and restricting the number of compost toilets to be provided. The main parties have been consulted regarding the additional conditions and regarding any significant amendments to the suggested conditions and in reaching my decision I have had regard to the comments made.
23. Though I note that only 2 compost toilets are shown on the submitted site plan, one to serve each camp is referred to elsewhere in the submission and I therefore consider a condition restricting the number to no more than 3 to be reasonable. It also seems clear to me from the submission that temporary canvas shelters serving the caravans are also proposed and that the erection of such structures ought to be addressed by a suitably worded condition. With regard to access, **I note the Council's comments with regard to enforceability** and have therefore slightly amended the wording of the suggested condition to refer to guest access onto the site. Although a visitor book is not required by the conditions, I consider that should vehicular access and parking by guests occur in breach of the condition, it would be possible for the Council to ascertain whether this was in fact the case.
24. In responding to the suggested conditions, the appellants raised a number of queries regarding restrictions on the use of the site including for agricultural and educational purposes. As stated, the proposal is for the mixed use of the

site for agriculture and sustainable tourism and permission is granted subject to the stated conditions. The proposed description of development makes no reference to the use of the site for educational purposes and I have determined the appeal as such.

Conclusion

25. For the above reasons and having regard to all matters raised, I conclude that the appeal should be allowed.

Beverley Wilders

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall be begun not later than the expiration of three years beginning with the date of this permission.
- 2) The development hereby permitted shall be carried out in accordance with the following submitted plans: Nutwood Site Plan and Site Block Plan.
- 3) No more than 3 horse drawn caravans shall be stationed on the site at any one time.
- 4) No more than 12 guests shall occupy the site at any one time.
- 5) The caravans hereby approved shall be used for holiday purposes only and shall not at any time be occupied as a permanent or sole residence.
- 6) No floodlighting, security lighting or other external lighting shall be installed or operated at the site.
- 7) No tents or other shelters shall be erected on site other than for purposes ancillary to the tourism use of the 3 horse drawn caravans. Such tents and shelters shall be removed from site when not in use.
- 8) No more than 3 compost toilets shall be provided on site.
- 9) There shall be no vehicular access onto the site by guests.



Costs Decision

Site visit made on 5 February 2020

by Beverley Wilders BA (Hons) PgDurp MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 April 2020

Costs application in relation to Appeal Ref: APP/H0928/W/19/3239535
Nutwood, Melmerby, Cumbria CA10 1HF

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Mr & Ms Maurice & Young (Wanderlusts) for a full award of costs against Eden District Council.
 - The appeal was against the refusal of planning permission for change of use from agriculture to mixed use of agriculture and sustainable tourism, comprising grazing and the use for up to 3 No. horse-drawn caravans solely for the purpose of tourism.
-

Decision

1. The application for an award of costs is refused.

Reasons

2. Paragraph 030 of the National Planning Practice Guidance (NPPG) advises that costs may be awarded where a party has behaved unreasonably and the unreasonable behaviour has directly caused another party to incur unnecessary or wasted expense in the appeal process.
3. Paragraphs 046 to 049 set out the circumstances when the behaviour of a local planning authority might lead to an award of costs. These can either be procedural, relating to the appeal process or substantive, relating to the planning merits of the appeal. Examples of unreasonable behaviour by a local planning authority includes preventing or delaying development which should clearly be permitted, having regard to its accordance with the development plan, national policy and any other material considerations; lack of co-operation with the other party; delay in providing information or other failure to adhere to deadlines and providing information that is shown to be manifestly inaccurate or untrue.
4. The case for the appellants is essentially that in determining the application, Councillors appeared to be unaware of all of the supporting information and that one Committee member who read out a statement appeared to be hard of hearing and to have pre-determined the case. The appellants also claim that the Council has behaved unreasonably in misrepresenting the proposal; being unwilling to negotiate; presenting evidence in a misleading manner; failing to carry out its administrative duties promptly and in opening an unsubstantiated enforcement case.
5. I have been provided with a copy of the minutes of the Planning Committee meeting at which the application was determined. However, these are very

brief and do not provide any substantive details regarding the committee proceedings. The appellants have made reference to an audio recording of the meeting and to comments made during the meeting by Officers and Councillors. Allegations about one particular Councillor have been disputed by the Council and Officers advise that a legal advisor was present at the meeting and would have intervened had Councillors behaved inappropriately. Reference is also made to the fact that the appellants did not subsequently make any complaints to the Council about the conduct of committee members.

6. Though I note the concerns raised by the appellants, having considered the evidence before me, I am satisfied that members of the Planning Committee made a sound decision based on their judgement, something that they were entitled to do. Although the committee reached a different decision to me, this does not in itself mean that they behaved unreasonably and even if the allegations against a particular Councillor were founded, there is no evidence that the committee would have made a different decision.
7. With regard to the conduct of the Council, although I note that the proposal appears to be different to that previously submitted and that the appellants appear to have sought to negotiate with the Council and to provide additional information where necessary, I do not consider that the evidence suggests that the Council materially misrepresented the proposal, were unwilling to negotiate where appropriate or has presented evidence in an intentionally misleading manner.
8. Although I acknowledge that the Council failed to emphasise the changes that have been made to the proposal in response to previous concerns and were reluctant to enter into ongoing dialogue with the appellants, I do not consider that this amounted to unreasonable behaviour under the circumstances. It is clear from the evidence that Council Officers have an in principle objection to the proposal and consequently did not consider that further amendment or negotiation would result in resolution and approval of the proposal. Although I disagree with the Council, I consider that it has produced sufficient evidence to substantiate the reasons for refusal and to demonstrate that further discussions are unlikely to have resulted in an Officer recommendation of approval to committee or that there is evidence to suggest that the committee would have made a different decision even if further discussions had taken place.
9. Whilst there was a delay in the Council providing the appeal questionnaire and copies, this was not significant and does not appear to have resulted in the appellants incurring unnecessary or wasted expense. The allegations made in respect of enforcement action undertaken by the Council though noted, are not directly relevant to the appeal before me.
10. I therefore conclude that for the reasons set out above, unreasonable behaviour resulting in unnecessary or wasted expense during the appeal process has not been demonstrated. For this reason, and having regard to all matters raised, an award of costs is not justified.

Beverley Wilders

INSPECTOR

PLANNING COMMITTEE

Agenda Item No.

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

App No	App Type	Parish	Description	Location	Applicant	Decision
19/0222	Full Application	Langwathby	Residential development for 25 homes, associated roads and infrastructure. Demolition of two existing buildings.	LAND AT LANGWATHBY HALL FARM, LANGWATHBY, PENRITH, CA10 1LW	Willan Homes and Developments - Mr J Willan	APPROVED
19/0626	Reserved by Cond	Penrith	Discharge of conditions 3 (contamination), 4 (parking), 5 (surface water drainage), 6 (construction demolition statement) and 9 (landscaping) attached to approval 18/0970.	THE DEPOT, OLD LONDON ROAD, PENRITH, CA11 8GU	Eden District Council - Mr O Shimell	APPROVED
19/0668	Reserved by Cond	Tebay	Discharge of condition 6 (surface and foul drainage) attached to outline approval 18/0760.	LAND ADJOINING CHURCH RISE, TEBAY, PENRITH, CA10 3SL	Messrs H & J Lewis	APPROVED
19/0762	Listed Building	Dacre	Variation of condition 2 (plans compliance) to include renovation to outbuilding attached to Listed Building Consent 17/0719.	SWALLOW BARN, STANTON, PENRITH, CA11 0ES	Mrs A Blackwell	APPROVED
19/0764	Full Application	Dacre	Variation of condition 2 (plans compliance) to include renovations to outbuilding attached to approval 17/0705.	SWALLOW BARN, STANTON, PENRITH, CA11 0ES	Mrs A Blackwell	APPROVED
19/0798	Outline Application	Great Salkeld	Outline application for one dwelling with approval sought for access.	LAND ADJ TO DENBY, NORTH DYKES, GREAT SALKELD, PENRITH, CA11 9ND	Mr & Mrs Yates	APPROVED
19/0812	Outline Application	Langwathby	Outline application for A1 use with approval sought for access.	HIGH MILL, LANGWATHBY, PENRITH, CA10 1NB	Mr G Monkhouse	APPROVED
19/0828	Listed Building	Warcop	Listed Building Consent for retention of part demolition, alterations and rear extension.	CHAMLEY ARMS, WARCOP, APPLEBY-IN-WESTMORLAND, CA16 6NX	Mr H Evans	APPROVED
19/0830	Reserved Matters	Crackenthorpe	Reserved Matters Application for access, appearance, landscaping, layout and scale attached to outline approval 17/0299.	LAND ADJ GARTH HOUSE, CRACKENTHORPE, APPLEBY-IN-WESTMORLAND, CA16 6AH	Mr Armstrong	APPROVED
19/0876	Full Application	Warcop	Proposed demolition, alterations and rear extension. Part retrospective.	CHAMLEY ARMS, WARCOP, APPLEBY-IN-WESTMORLAND, CA16 6NX	Mr H Evans	APPROVED
19/0878	Full Application	Appleby	Change of use from coach depot to vehicle garage and sales forecourt.	STATION ROAD GARAGE, STATION ROAD, APPLEBY-IN-WESTMORLAND, CA16 6TX	Mr & Mrs M Lees (Sammy Lees Motors Ltd)	APPROVED

App No	App Type	Parish	Description	Location	Applicant	Decision
19/0880	Full Application	Culgaith	Removal of condition 2 (holiday let restriction) attached to approval 04/0711.	HAYRIGGS, SKIRWITH, PENRITH, CA10 1RH	Mrs E Ramsden	APPROVED
19/0885	Reserved by Cond	Penrith	Discharge of condition 10 (soft landscaping) attached to approval 19/0297.	ARMSTRONG & FLEMING LTD, GARAGE ROPER STREET, PENRITH, CA11 8HT	Churchill Retirement Living	APPROVED
19/0890	Full Application	Penrith	Replacement rear door and frame and rear windows.	14 SANDGATE, PENRITH, CA11 7TN	Mrs E Bessant	APPROVED
19/0896	Listed Building	Penrith	Listed building consent for replacement rear door and frame and rear windows.	14 SANDGATE, PENRITH, CA11 7TN	Mrs E Bessant	APPROVED
19/0898	Outline Application	Cliburn	Outline application for one dwelling with all matters reserved, resubmission of 19/0430.	HIGHWAYS, STATION ROAD, CLIBURN, PENRITH, CA10 3AE	Mr P Terry	REFUSED
20/0003	Full Application	Crosby Ravensworth	Proposed agricultural building.	WINTER TARN, NEWBY, PENRITH, CA10 3EW	Mr M Stephenson	APPROVED
20/0004	Full Application	Penrith	Rear and side single storey extension.	6 ASPEN GARDENS, PENRITH, CA11 8UL	Mr & Mrs Ellery	APPROVED
20/0006	Full Application	Lazonby	Retrospective change of use of agricultural land to domestic curtilage and proposed erection of detached garage. Re-submission of 19/0166.	2 HOLMEGARTH, LAZONBY, PENRITH, CA10 1AQ	Mr S Phillipson	APPROVED
20/0010	Full Application	Hesket	Garage link and addition of dormer to annex.	1 MILL BROW, ARMATHWAITE, CARLISLE, CA4 9PJ	Mr & Mrs Plevin	APPROVED
20/0013	Screening Opinion	Appleby	Request for screening opinion for 100 dwellings at Station Road, Appleby.	LAND AT STATION ROAD, APPLEBY,	Heyford Developments Ltd	APPROVED
20/0016	Full Application	Alston	Construction of a porch and steps, a carport, re-render and associated works to dwelling.	BRAMBLE HOUSE, ALSTON, CA9 3DD	Mr D Walters	APPROVED
20/0017	Full Application	Kirkoswald	Two storey rear extension.	MOUNT EDEN, 2 SANDHILL TOP, KIRKOSWALD, PENRITH, CA10 1EW	Mr M Armstrong	APPROVED
20/0022	Full Application	Lazonby	Proposed installation of air source heat pump.	5 SEAT HILL, LAZONBY, PENRITH, CA10 1BD	Mr R Lambert	APPROVED
20/0023	Full Application	Penrith	Extension above garage, with additional 2 storey side and single storey rear extension.	6 PARKLANDS WAY, PENRITH, CA11 8SD	Mr & Mrs A Davidson	APPROVED
20/0024	Full Application	Sockbridge & Tirril	Proposed upper floor front extension.	11 THORPEFIELD, SOCKBRIDGE, PENRITH, CA10 2JN	Mr J Jackson	APPROVED
20/0025	Full Application	Castle Sowerby	Extension and alterations to dwelling and construction of garage/car port.	LIME RIGG, HESKET NEWMARKET, WIGTON, CA7 8JB	Mr C Reay	APPROVED

App No	App Type	Parish	Description	Location	Applicant	Decision
20/0026	Full Application	Long Marton	Proposed alterations and extension.	BRANTON, BRAMPTON, APPLEBY-IN-WESTMORLAND, CA16 6JS	Mr & Mrs Howard	APPROVED
20/0028	Full Application	Sleagill	Proposed Agricultural Building.	WHITESTONE FARM, NEWBY, PENRITH, CA10 3HB	Mr R Drake	APPROVED
20/0029	Full Application	Penrith	Replacement of garage 2 and conservatory with extension.	1 RIGGSIDE, PENRITH, CA11 8LQ	Mr & Mrs Davidson	APPROVED
20/0033	Full Application	Cliburn	Proposed Demolition of Existing House and Garage & Erection of New Eco Passivhaus Replacement Dwelling & Garage.	GREENSIDE, CLIBURN, PENRITH, CA10 3AL	Mr & Mrs Stigant	APPROVED
20/0035	Full Application	Lazonby	Erection of single storey extension to front elevation.	RECTORY BARN, LAZONBY, PENRITH, CA10 1BL	Mr & Mrs J Campbell Flynn	APPROVED
20/0036	Full Application	Lazonby	Retrospective application for erection of 2 no storage sheds with side covered area.	BRACKENBANK BOARDING KENNELS, LAZONBY, PENRITH, CA10 1AX	Mr Tim Mitchell - Dogs Trust Leeds	APPROVED
20/0037	Full Application	Penrith	Install wooden summerhouse to back garden.	25 MANOR PARK, CARLETON, PENRITH, CA11 8AL	Mr R Taplin	APPROVED
20/0038	Full Application	Culgaith	Part Retrospective Change Of Use of land alongside the formation of a lunging arena and a dressage arena, formation of an access track and erection of a stable block and hardstanding.	HELMWINDS, CULGAITH, PENRITH, CA10 1QT	Mr & Mrs N Pallister	APPROVED
20/0040	Full Application	Kirkoswald	Retrospective variation of Condition 2 (plans compliance) attached to approval 19/0240.	LAND OPPOSITE BUSK RIGG FARM, BUSK, RENWICK, PENRITH, CA10 1LA	Mr G Brooks	APPROVED
20/0041	Full Application	Glassonby	Four-bay garage.	HONEYSUCKLE HOUSE, GAMBLESBY, PENRITH, CA10 1JA	Mr M Chapelhow	APPROVED
20/0046	Listed Building	Warcop	Retrospective Listed Building Consent for re-roofing of dwelling house roof.	2 EDEN GATE, WARCOP, APPLEBY-IN-WESTMORLAND, CA16 6PL	Mr S Moules	APPROVED
20/0047	Full Application	Kirkoswald	Change of use of agricultural barn to domestic use and associated works.	HIGH HOUSE, SCALEHOUSES, RENWICK, PENRITH, CA10 1JY	Mrs C Heathfield	APPROVED
20/0048	Listed Building	Penrith	Listed Building Consent to enable change of use from restaurant kitchen to 2 bedroom ground floor flat.	19 KING STREET, PENRITH, CA11 7AJ	Atkinson Building Contractors - Ms A Turner	APPROVED
20/0049	Full Application	Skelton	Retrospective application for extension to agricultural shed.	ARNOLD HOUSE, IVEGILL, CARLISLE, CA4 0PW	Mr S Wood	APPROVED

App No	App Type	Parish	Description	Location	Applicant	Decision
20/0050	Full Application	Penrith	Change of use from restaurant kitchen to 2 bedroom ground floor flat.	19 KING STREET, PENRITH, CA11 7AJ	Atkinson Building Contractors - Miss A Turner	APPROVED
20/0052	Full Application	Hesket	Conversion of mill building to dwelling.	3 BARROW MILL COTTAGES, SOUTHWAIT, CARLISLE, CA4 0LX	Mr P Glouchkow	APPROVED
20/0053	Full Application	Alston	Replacement windows to front and rear elevations.	Cumbrian Pantry, RANDAL HOUSE, FRONT STREET, ALSTON, CA9 3HU	Mr Ian Pullen	APPROVED
20/0054	Full Application	Penrith	Two storey side extension and front porch.	19 FOLLY LANE, PENRITH, CA11 8BT	Mr L Dixon	APPROVED
20/0056	Full Application	Penrith	Two bedroom dwelling on land to the side of 45 Folly Lane, Penrith.	45 FOLLY LANE, PENRITH, CA11 8BU	Mrs Rigby	APPROVED
20/0057	Notice of Intention	Hesket	Proposed agricultural building.	SCAR FOOT, PLUMPTON, PENRITH, CA11 9PF	Messrs Atkinson - Mr B Atkinson	APPROVED
20/0059	Full Application	Musgrave	Retrospective provision of log cabin for additional ancillary residential accommodation (as amended).	THE GARTH, GRASSGILL, APPLEBY-IN-WESTMORLAND, CA16 6QB	Mr K Denby	APPROVED
20/0061	Full Application	Murton	Proposed extension to agricultural building.	CROSS KEYS, HILTON, APPLEBY-IN-WESTMORLAND, CA16 6LU	Mr N Frith	APPROVED
20/0063	Full Application	Shap	Addition of porch, garage and rear extension. Re-submission of 19/0531.	15 CROFT AVENUE, SHAP, PENRITH, CA10 3NR	Mr & Mrs B C Holder	APPROVED
20/0064	Full Application	Brough	Change of use of garage/store to holiday accommodation and replacement storage shed.	ASH GARTH, BROUGH, KIRKBY STEPHEN, CA17 4EJ	Mr & Mrs S Wilkinson	APPROVED
20/0066	Full Application	Greystoke	Change of use of first floor of cycle barn to allow mixed use as part B1 (craft workshops), part C3 (ancillary living accommodation).	POPLIN DUB, JOHNBY, GREYSTOKE, CA11 0UT	Mrs A Swarbrick	APPROVED
20/0067	Listed Building	Kirkoswald	Listed Building Consent for installation of 2 no. Air vents and a kitchen extractor kit.	HOLLY BANK HOUSE, RENWICK, PENRITH, CA10 1JT	Mr L Ryan	APPROVED
20/0069	Full Application	Great Salkeld	Change of use of agricultural land to form additional residential garden to allow single storey extension to existing dwelling.	WRAYSIDE, SALKELD ROAD, GREAT SALKELD, CA11 9NF	Mr H Blake	APPROVED
20/0070	Full Application	Sleagill	Proposed lean-to roof over existing sheep yard.	OLD MILL FLAT FARM, NEWBY, PENRITH, CA10 3HG	Mr S Ellwood & Son	APPROVED
20/0071	Listed Building	Appleby	Listed Building Consent for works associated with change of use of outbuildings to form ancillary residential accommodation.	PARKIN HILL FARM, APPLEBY-IN-WESTMORLAND, CA16 6EA	Mr & Mrs R Atkinson	APPROVED

App No	App Type	Parish	Description	Location	Applicant	Decision
20/0073	Full Application	Castle Sowerby	Proposed installation of a replacement septic tank.	SOWERBY HALL, HUTTON ROOF, PENRITH, CA11 0XY	Mr P Foote	APPROVED
20/0076	Listed Building	Kirkoswald	Retrospective application for variation of condition 2 (plans compliance) to make internal amendments attached to Listed Building Consent approval 19/0402.	BARN ADJ SADDLE HOUSE, BUSK, RENWICK, PENRITH, CA10 1LA	Mr G Brooks	APPROVED
20/0081	Tree Works (TPO)	Appleby	T1 Beech - Remove lowest branch on west side at approx. 7m height above ground. Agreed in site meeting with Council Arboriculturist. Branch to be removed highlighted in yellow on photographs provided. Reason: Branch overhangs garden. Tree Preservation Order No 199, 2019, Land adjacent to 11 Battlebarrow, Appleby.	11 BATTLEBARROW, APPLEBY-IN-WESTMORLAND, CA16 6XS	Mrs S Jowett	APPROVED
20/0082	Tree Works (CA)	Langwathby	Remove 3 x Birch; Repollard Birch to previous cutting point; Limes 1 and 2 Crown raise to 3m above ground; Remaining Limes repollard and remove selected side shoots; Sycamore group, maintain at 2.5m height annually; Yews 1, 2, 3 prune (as discussed on site with Arboriculturist); Remove Willow; Pear 1 and 2 prune to previous level, approx. 3m; Hazel to coppice to ground level; All trees/work as shown on plan provided and agreed on site with Arboriculturist 31/1/2020; Edenhall Conservation Area.	EDEN HOUSE, EDENHALL, PENRITH, CA11 8SX	Mr Trevor Jackson	APPROVED
20/0085	Full Application	Warcop	Conversion of garage to provide additional ancillary accommodation.	SYCAMORE HOUSE TOWER COURT, WARCOP, APPLEBY-IN-WESTMORLAND, CA16 6NL	Mr B Bell	APPROVED
20/0089	Full Application	Penrith	Change of use from A1 (shop) to C3 (dwellinghouse).	THE ARCHES, 1 VICTORIA ROAD, PENRITH, CA11 8HR	Mr T Oliver	APPROVED
20/0096	Non-Material Amend	Penrith	Non Material Amendment to replace approved brick types, mortar and block paviors, attached to approval 19/0426.	LAND OFF CARLETON ROAD, PENRITH,	Mrs J Taylor - Story Homes	APPROVED
20/0107	Tree Works (CA)	Penrith	Holly T1 - Reduce height and spread to level shown on marked photograph provided; Penrith New Streets Conservation Area.	112 LOWTHER STREET, PENRITH, CA11 7UW	Mrs Christine McNaughton	APPROVED
20/0119	Tree Works (CA)	Kirkby Stephen	Remove Acacia tree from courtyard at rear of property as it has become too big, is too close to house and wall and causing ground heave; Kirkby Stephen Conservation Area.	35 MARKET SQUARE, KIRKBY STEPHEN, CA17 4QT	Alison Gerke	APPROVED
20/0121	Tree Works (CA)	Brough	Remove 3 x decayed Willow adjacent to riverbank; Church Brough Conservation Area.	ASH GARTH, BROUGH, KIRKBY STEPHEN, CA17 4EJ	Brough Parish Council	APPROVED

App No	App Type	Parish	Description	Location	Applicant	Decision
20/0124	Notice of Intention	Alston	Proposed lean-to extension to agricultural building.	LAND AT GHYLL HOUSE, ALSTON, CA9 3BL	Mr D Watson	APPROVED
20/0128	Tree Works (CA)	Alston	Remove T1 and T2 Pollarded Poplars; Reduce T3 Beech to 12ft; Reduce T4 overgrown hedges (to be agreed on-site with Rob Sim); Reduce T5 Hornbeam to height shown on photograph provided; Garrigill Conservation Area.	1 (ROWAN TREE), GATEHEAD, GARRIGILL, ALSTON, CA9 3EB	Mr Tim Haldon	APPROVED
20/0138	Notice of Intention	Castle Sowerby	Proposed roofing over livestock handling area.	WELL HOUSE, HESKET NEWMARKET, WIGTON, CA7 8HT	Mr Dennis Strong - Messrs DH & ER Strong	APPROVED
20/0139	Notice of Intention	Soulby	Proposed agricultural building.	GRASSGILL LODGE, SOULBY, KIRKBY STEPHEN, CA17 4PT	Mr P Chester	APPROVED
20/0164	Notice of Intention	Glassonby	Proposed agricultural building.	MAUGHANBY FARM, LITTLE SALKELD, PENRITH, CA10 1NP	Mr G Rowley	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.

PLANNING COMMITTEE

Agenda Item No.

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

App No	App Type	Parish	Description	Location	Applicant	Decision
19/0491	Reserved by Cond	Lowther	Discharge of conditions: 3 (surface water discharge), 4 (external finishes), 5 (access), 6 (footways), 7 (hard and soft landscaping), 8 (tree and root protection measures), 12 (external finishes), 13 (construction fencing), 14 (surface water drainage scheme), 15 (surface water management plan), 16 (future maintenance and operation of surface water system), 17 (carriageways), 18 (construction method statement), 19 (construction phase traffic management plan) attached to approval 17/0527.	LAND TO THE NORTH OF HACKTHORPE HALL, HACKTHORPE, PENRITH, CA10 2HW	Genesis Homes	APPROVED
19/0494	Full Application	Lowther	Variation of condition 2 (plans compliance) in relation to site layout, streetscapes, boundary treatments and house plans attached to approval 17/0527.	LAND NORTH OF HACKTHORPE HALL, HACKTHORPE, PENRITH, CA10 2HW	Genesis Homes	APPROVED
19/0714	Full Application	Brougham	Conversion of buildings to create a Crematorium with associated access, parking and burial ground.	ASH HILL FARM, TEMPLE SOWERBY, PENRITH, CA10 2AG	Fishwicks Ltd - Mr Fishwick	APPROVED
19/0781	Full Application	Penrith	Variation of condition 2 (plans compliance), condition 3 (surface water drainage scheme) and condition 4 (surface water management plan) attached to approval 18/1008.	FORMER CARE HOME, BEACON EDGE, PENRITH, CA11 8BN	Atkinson Homes Ltd - Mr R Cowperthwaite	APPROVED
19/0847	Advertisement	Great Salkeld	Retention of 1no. roadside advertisement sign.	LAND SOUTHEAST OF B6412/LANE JUNCTION, GREAT SALKELD, PENRITH,	Mr J Beard	APPROVED
19/0894	Listed Building	Kirkby Stephen	Listed building consent for change of use of existing rear courtyard area into new external drinking area.	THE BLACK BULL, MARKET STREET, KIRKBY STEPHEN, CA17 4QW	Mr W Hunt- Punch Limited	APPROVED
19/0895	Full Application	Kirkby Stephen	Change of use of existing rear courtyard area into new external drinking area.	THE BLACK BULL, MARKET STREET, KIRKBY STEPHEN, CA17 4QW	Mr W Hunt- Punch Limited	APPROVED
19/0912	Advertisement	Penrith	Advertisement consent to replace 1no. existing external ATM sign with 1no. new external ATM sign.	HSBC, 16 MARKET SQUARE, PENRITH, CA11 7SN	Mr Ben French- HSBC Corporate Real Estate	APPROVED
20/0005	Full Application	Skelton	Change of use of barn from domestic storage to holiday accommodation.	CHURCH HOUSE, SKELTON, PENRITH, CA11 9TE	Mrs J Fisher	APPROVED
20/0011	Reserved by Cond	Penrith	Discharge of condition 3 (surface water drainage) attached to approval 19/0579.	HIGHWAYS DEPOT AREA 13, REDHILLS, PENRITH, CA11 0FF	Highways England	APPROVED

App No	App Type	Parish	Description	Location	Applicant	Decision
20/0020	Full Application	Culgaith	Internal alterations and refurbishments to enlarge dwelling into attached barn.	ROSE WALK, CULGAITH, PENRITH, CA10 1QL	Mr & Mrs Marie & Michael Addison	APPROVED
20/0030	Full Application	Culgaith	Variation of condition 2 (plans compliance) for the re-siting of a dwelling, attached to approval 19/0197.	LAND ADJACENT TO B6412, CULGAITH, PENRITH, CA10 1QT	Mr Paul Lowthian	APPROVED
20/0032	Full Application	Penrith	Subdivision of existing business park to create five business units including associated changes of use (part retrospective).	MYERS LANE BUSINESS PARK, MYERS LANE, PENRITH, CA11 9DP	Willan Trading Ltd	APPROVED
20/0034	Full Application	Sockbridge & Tirril	Demolition and re-build of existing barn to form dwelling.	LAND ADJ EAST VIEW, TIRRIL, PENRITH, CA10 2JE	Mr & Mrs I and E Cleasby	APPROVED
20/0044	Full Application	Kirkoswald	Retrospective change of use of agricultural barn to allow mixed use as part of B1 (craft workshop), part C3 (holiday accommodation).	THE BARN MIDLAND HOUSE, RENWICK, PENRITH, CA10 1JL	Mr L Barrett	APPROVED
20/0072	Full Application	Appleby	Change of use of outbuilding to form ancillary residential accommodation.	PARKIN HILL FARM, APPLEBY-IN-WESTMORLAND, CA16 6EA	Mr & Mrs R Atkinson	APPROVED
20/0075	Full Application	Penrith	Change of Use Class from A1 (shops) to A5 (hot food takeaway).	37 MIDDLEGATE, PENRITH, CA11 7PT	Freehold Ventures Ltd	APPROVED
20/0079	Full Application	Penrith	Creation of new road access off the B5305.	LAND AT THE JUNCTION OF A6 AND B5305, NR. PENRITH,	PFK	APPROVED
20/0083	Listed Building	Brougham	Listed Building Consent to enable change of use of barn.	BARN ADJ CROSS FELL COTTAGE, CLIFTON DYKES, PENRITH, CA10 2DG	Ms C Beckett	APPROVED
20/0084	Full Application	Skelton	Change of use of agricultural buildings to stables and workshop/storage.	CROFT HEAD FARM, IVEGILL, CARLISLE, CA4 0QE	P.D. & J.S. Fearon	APPROVED
20/0086	Change of Use PD/PN	Skelton	Change of Use of agricultural building to dwelling house.	BARN WEST OF INTACK HOUSE, IVEGILL, CARLISLE, CA4 0QF	Mr & Mrs Vane	APPROVED
20/0090	Cert. of Lawful	Skelton	Certificate of Lawful development for continued use of Byeways, Skelton as an independent residence.	BYEWAYS, SKELTON, PENRITH, CA11 9UB		APPROVED
20/0093	Full Application	Lowther	Proposed rear flat roof extension and window alterations to rear.	12 HACKTHORPE GARDENS, HACKTHORPE, PENRITH, CA10 2HW	Mr S Niner	APPROVED
20/0095	Full Application	Hesket	Extension to existing livestock buildings.	ROMANWAY FARM, PLUMPTON, PENRITH, CA11 9NS	Mr A Turnbull - Turnbull Farming Ltd	APPROVED
20/0097	Full Application	Yanwath & Eamont Bridge	Proposed first floor rear extension.	PADUA, RAILWAY TERRACE, YANWATH, PENRITH, CA10 2LE	Mr & Mrs C & V Wilson	APPROVED

App No	App Type	Parish	Description	Location	Applicant	Decision
20/0101	Full Application	Brougham	Change of use of barn to domestic studio.	BARN ADJ CROSSFELL COTTAGE, CLIFTON DYKES, PENRITH, CA10 2DG	Ms C Beckett	APPROVED
20/0103	Full Application	Skelton	Proposed creation of a 1 No. animal shelter and 1 No. storage building.	BROUGHTON HOUSE, SKELTON, PENRITH, CA11 9SQ	Mr D Wilson	APPROVED
20/0105	Full Application	Clifton	Alterations to existing garage to include first floor living accommodation and external car port.	LOW CLIFTON DYKES BARN, CLIFTON DYKES, PENRITH, CA10 2DH	Mr I Harfield	APPROVED
20/0108	Full Application	Great Strickland	Erection of 2 No. self-build / custom-build dwellings. Resubmission of 19/0719.	LAND NORTH OF CORNERSTONE COTTAGE, GREAT STRICKLAND, PENRITH, CA10 3DG	Mr P Hussey	REFUSED
20/0110	Full Application	Hartley	Proposed first floor rear extension with link to garden.	HARCLA WATH, HARTLEY, KIRKBY STEPHEN, CA17 4JH	Mr & Mrs S Silvester	APPROVED
20/0111	Full Application	Warcop	Replacement agricultural building.	HIGH GREEN, WARCOP, APPLEBY, CA16 6NX	Defence Infrastructure Organisation - Holden	APPROVED
20/0112	Full Application	Penrith	Garden store to side elevation.	9 SYCAMORE DRIVE, PENRITH, CA11 8UG	Mr & Mrs N Henderson	APPROVED
20/0114	Full Application	Hunsonby	Proposed extension and alterations.	ROSE COTTAGE, WINSKILL, PENRITH, CA10 1PD	Mr & Mrs Watson	APPROVED
20/0115	Listed Building	Castle Sowerby	Listed building consent for installation of conservation rooflight to single storey byre.	THE ASHES, RAUGHTON HEAD, CARLISLE, CA5 7DT	Mr R Arkell	APPROVED
20/0116	Listed Building	Castle Sowerby	Listed building consent for installation of velux light tube/sun tunnel to roof of west elevation.	THE ASHES, RAUGHTON HEAD, CARLISLE, CA5 7DT	Mr R Arkell	APPROVED
20/0117	Full Application	Castle Sowerby	Demolition of existing open-sided outbuilding. Construction of new replacement outbuilding and extension of existing yard area.	LAND AT LIME RIGG, HESKET NEWMARKET, WIGTON, CA7 8JB	Mr C Reay	APPROVED
20/0120	Full Application	Hesket	Variation of condition 2 (plans compliance) to re-position the silage clamp, attached to approval 19/0800.	CAUSEWAY HOUSE, CARLETON, CARLISLE, CA4 0DA	Mr Harrison - HH Building Ltd	APPROVED
20/0123	Full Application	Alston	Extension to existing equine arena.	LAND ADJACENT TO GHYLL HOUSE, ALSTON, CA9 3BL	Mr D Watson	APPROVED
20/0125	Advertisement	Penrith	Advertisement consent for 3no. information board signs, and 6no. flags and poles.	LAND OFF CARLETON ROAD, PENRITH,	Story Homes - Mrs J Taylor	APPROVED
20/0141	Full Application	Penrith	Siting of temporary sales cabin.	LAND OFF CARLETON ROAD, PENRITH,	Story Homes - Mrs J Taylor	APPROVED

App No	App Type	Parish	Description	Location	Applicant	Decision
20/0142	Listed Building	Penrith	Listed Building Consent for demolition of flat roofed extension, erection of replacement linked building, re-instate door opening, increase garden curtilage, erect new boundary wall and formation of hardstanding.	THE LODGE, MAIDENHILL, SALKELD ROAD, PENRITH, CA11 8SQ	HH Building Ltd - Mr Harrison	APPROVED
20/0145	Full Application	Hesket	Proposed single and two storey extension.	THACKWOOD FARMHOUSE, SOUTHWAIT, CARLISLE, CA4 0PZ	Mr & Mrs Wilson	APPROVED
20/0146	Full Application	Penrith	Demolition of flat roofed extension, erection of replacement linked building, re-instate door opening, increase garden curtilage, erect new boundary wall and formation of hardstanding.	THE LODGE, MAIDENHILL, SALKELD ROAD, PENRITH, CA11 8SQ	HH Building Ltd - Mr Harrison	APPROVED
20/0148	Full Application	Glassonby	Retrospective application for new access.	HONEYSUCKLE HOUSE, GAMBLESBY, PENRITH, CA10 1JA	Mr M Chapelhow	APPROVED
20/0153	Full Application	Kirkby Stephen	Side extension to provide additional residential accommodation.	ORCHARD HOUSE, THE GREEN, KIRKBY STEPHEN, CA17 4RG	Mr & Mrs R Coleman	APPROVED
20/0158	Full Application	Warcop	Change of use from retail unit (A1) and domestic garage to place of worship (D1).	COMMERCIAL UNIT ADJACENT TO SANDALE, COUPLAND BECK, APPLEBY, CA16 6LN	Mr O Thoburn	APPROVED
20/0161	Full Application	Culgaith	Two storey side extension.	3 CROSSFELL VIEW, CULGAITH, PENRITH, CA10 1QJ	McCulloch	APPROVED
20/0162	Listed Building	Kirkoswald	Listed Building Consent for works to electricity apparatus supporting Busk Rigg Farm, Saddle House and Sky Barn, Busk, Renwick, Penrith.	BUSKRIGG, RENWICK, PENRITH, CA10 1LA	Mrs Purdham - Electricity North West Limited	APPROVED
20/0169	Tree Works (CA)	Langwathby	1. Yew trees T1 and T2: reduce the overhang over the boundary wall towards the road to a vertical line 1m to the east of the road edge and then reduce the overall crown shape by up to 1m to leave a more compact and formal shape to both trees. 2. Yew tree T3: reduce the overhang towards the lane to a vertical line 1m distant from the outer edge of the wall and crown reduce by up to 1m to leave a more compact and formal shape.	THE OLD VICARAGE, EDENHALL, PENRITH, CA11 8SX	Mr Stewart Dixon	APPROVED
20/0190	Notice of Intention	Stainmore	Proposed agricultural building.	BLUE GRASS, NORTH STAINMORE, KIRKBY STEPHEN, CA17 4DY	Blue Grass Trust - Mrs P Alexander	APPROVED
20/0196	Tree Works (CA)	Penrith	Various tree pruning works.	46 WORDSWORTH STREET, PENRITH, CA11 7QY	Anita Broadbent	APPROVED

App No	App Type	Parish	Description	Location	Applicant	Decision
20/0204	Non-Material Amend	Warcop	Non Material Amendment to change the wall cladding material from corrugated steel to vertical board on board larch wood, attached to approval 18/0888.	CARPOOL HOUSE, MASK ROAD, BLEATARN, APPLEBY-IN-WESTMORLAND, CA16 6PX	Mrs A Joynson	APPROVED
20/0205	Notice of Intention	Dacre	Proposed extension to existing straw and machinery storage building.	TOWN HEAD FARM, BLENCOW, PENRITH, CA11 0DB	Messrs J Sisson & Sons - Mr J Sisson	APPROVED
20/0207	Tree Works (CA)	Milburn	T1 ash: remove lowest branch back to main stem; G1 sycamore, ash, elder: remove trees to facilitate wall rebuilding and G2 elm and elder: prune branches overhanging lane to allow access.	4 COBBLE COURTYARD, MILBURN, PENRITH, CA10 1DA	Mr B Murphy	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



To: Mr P Terry
3 WOODVILLE TERRACE
SHAP
PENRITH
CA10 3PL

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: 19/0898
On Behalf Of: Mr P Terry

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

Application Type: Outline Application
Proposal: Outline application for one dwelling with all matters reserved,
resubmission of 19/0430.
Location: HIGHWAYS STATION ROAD CLIBURN PENRITH CA10 3AE

The reasons for this decision are:

1) The application site is considered to stand apart from the village of Cliburn, and the proposal is therefore for new residential development in the countryside. New dwellings in the countryside (in the Rural Areas outside the Key Hubs and Villages and Hamlets) are permitted by Eden Local Plan Policy LS1 only where they involve the conversion of an existing building, or where affordable housing is proposed as an exception to policy, or where the proposal accords with other policies in the Local Plan. The dwelling would not meet the criteria of this or any other policy in the Local Plan, or the exceptions set out in Paragraph 79 of the National Planning Policy Framework, which might justify on an exceptional basis a new dwelling in the countryside. The application does not justify why the needs of the applicant's family could not reasonably be provided in an existing settlement, and therefore the proposal is contrary to Policy LS1 of the Local Plan and Paragraph 79 of the National Planning Policy Framework.

2) The development of a single dwelling would make only a very limited contribution to the Council's statutory obligations with regard to self and custom build development. As such, the benefits of the proposed self-build development cannot reasonably be said to outweigh the harm resulting from the development of a dwelling in such an unsustainable location.

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: 13 March 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

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: 20/0108
On Behalf Of: Mr P Hussey

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: Erection of 2 No. self-build / custom-build dwellings. Resubmission of 19/0719.
Location: LAND NORTH OF CORNERSTONE COTTAGE GREAT STRICKLAND PENRITH CA10 3DG

The reason(s) for this decision are:

1) The proposal is located adjacent to a 'Smaller Village and Hamlet' and is not considered to be either infill or rounding off. Therefore, the application fails to accord with Policy LS1 and Policy HS2 of the Eden Local Plan 2014-32.

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: 15 April 2020

Signed:

A handwritten signature in black ink, appearing to read "O Shimell", written over a light blue rectangular background.

Oliver Shimell LLB
Assistant Director Planning and Economic Development

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