

# **Eden District Council**

## **Planning Committee Minutes**

**Date: 13 August 2020 Venue: This meeting was virtual therefore there was no venue Time: 9.30 am**

### **Present:**

Chairman: Councillor W Patterson

Vice Chairman: Councillor I Chambers

Councillors:	M Clark	H Sawrey-Cookson
	M Eyles	G Simpkins
	D Holden	J G Thompson
	A Ross	D Wicks

Officers Present: Nick Atkinson, Planning Services Development Manager  
Ian Irwin, Principal Planning Officer  
Rebecca Harrison, Senior Solicitor

Democratic Services Officer: Nichola Baker and Karen Wyeth

### **Pla/38/8/20 Apologies for Absence**

At the start of the meeting, the Senior Solicitor 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 Senior Solicitor 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 J Lynch.

### **Pla/39/8/20 Minutes**

**RESOLVED** that the public minutes

1. Pla/14/07/20 to Pla/19/07/20 of the meeting of this Committee held on 9 July 2020; and
2. Pla/20/07/20 to Pla/37/07/20 of the meeting of this Committee held on 16 and 17 July 2020

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

### **Pla/40/8/20 Declarations of Interest**

Councillor Clark gave a personal explanation with regards to Planning Application 20/0165 in that she knew the grandparents of the applicant. She confirmed that she came to committee with an open mind on the applications.

Councillor Eyles gave a personal explanation with regards to Planning Application 20/0165, in that he had been contacted by the objector for a copy of his recording of the Planning Committee Meeting from 17 July 2020 and referred the objector to the Monitoring Officer. He had subsequently contacted the objector to ensure they were aware the application was being heard at the August Planning Committee Meeting. Councillor Eyles confirmed that he came to committee with an open mind on the applications. Councillor Eyles was also gave a personal explanation in that he was recording the meeting for his personal use.

Councillor Holden gave a personal explanation with regards to Planning Application 19/0908, in that the application sat within her ward and she had been petitioned by residents. She confirmed that she came to committee with an open mind on the application.

Councillor Ross gave a personal explanation with regards to Planning Application 19/0980, in that the application sat within her ward. She confirmed that she came to committee with an open mind on the application.

## **Pla/41/8/20 Appeal Decision Letters**

Members considered report PP31/20 of the Assistant Director Planning and Economic Development which detailed decision letters received since the last meeting.

<b>Application Number(s)</b>	<b>Applicant</b>	<b>Appeal Decision</b>
20/0108	<p>Mr P Hussey Land North of Cornerstone Cottage, Great Strickland, CA10 3DG</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 the erection of two self-build/custom dwellings.</p>	The appeal is dismissed.
19/0719	<p>Mr P Hussey Land north of Cornerstone Cottage, Great Strickland, CA19 3DG</p> <p>The appeal is made under the section 78 of the Town and Country Planning Act</p>	The appeal is dismissed.

	<p>1990 against a refusal to grant planning permission.</p> <p>The development proposed is the erection of one local occupancy dwelling.</p>	
19/0807	<p>Mr Frederick Markham Williams Wood, Morland, Penrith, CA10 3BJ</p> <p>The appeal is made under the section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.</p> <p>The development proposed is the creation o 'glamping' cabin.</p>	The appeal is dismissed.
19/0821	<p>Mr and Mrs A Bircher Garden ground east of Littlethwaite, Catterlen, Penrith, CA11 0BQ</p> <p>The appeal is made under the section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.</p> <p>The development proposed is erection of a self-build/custom-build dwelling with all matters reserved.</p>	The appeal is dismissed.
	<p>Mr and Mrs A Bircher Garden ground east of Littlethwaite, Catterlen, Penrith, CA11 0BQ</p> <p>The application is made under the Town and Counry 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</p>	The application for a full award of costs is refused.

	permissions for erection of a self-build/custom-build dwelling with all matters reserved.	
19/0500	<p>Mr John Davidson Rynrew barn, Newton Reigny, Penrith, CA11 0AY</p> <p>The appeal is made under the section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.</p> <p>The development proposed was originally described as a one and half storey three bedroom detached residential dwelling.</p>	The appeal is dismissed.
	<p>Mr John Davidson Rynrew barn, Newton Reigny, Penrith, CA11 0AY</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 development originally described as a one and half storey three bedroom detached residential dwelling.</p>	The application for a full award of costs is refused.

**RESOLVED** that the report be noted.

## **Pla/42/8/20 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 July 2020 **(attached as Appendix 1 to these minutes).**
- b) Reasons for refusal on delegated decisions for the month of July 2020 **(attached as Appendix 2 to these minutes).**

be noted.

### **Pla/43/8/20 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/44/8/20 Planning Application No: 19/0908 Erection of 100% affordable housing development comprising of 76 residential dwellings. Land at White Ox Farm, Inglewood Road, Penrith. Riverside/Atkinson Building Contractors Ltd**

The Senior Planning Officer informed the Committee of an amendment to Criteria B of the recommended Section 106. This amendment referred to a scheme detailing the specification and location of a pelican crossing on the A6, which would be submitted, approved and constructed prior to the occupation of any hereby approved dwellings. Furthermore condition 21 was to be removed from the draft conditions as it duplicated condition 19.

The Committee received a presentation from Mr Graham Norman, Architect, on behalf of Dudsons, an objector, in objection to the application.

The Development Manager, Planning Services read out a written statement from Mr Richard Thorburn, Atkinson Building Contractors Ltd, the applicant.

**Councillor Thompson left the meeting at 10:37**

Proposed by Councillor Sawrey-Cookson  
Seconded by Councillor Eyles

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

1. The development would result in adverse amenity impacts for future occupants resulting from noise contrary to Policy DEV5 of the Eden Local Plan.
2. The proposed development represented an overly dense development.
3. The proposal would not enable sustainable modes of transport for future residents and therefore would result in adverse Highway Safety impacts contrary to Policy DEV3 of the Eden Local Plan.
4. The development failed to provide required Education Contributions to support local education provision within Penrith.

**Pla/45/8/20 Planning Application No: 20/0165, Proposed two storey extension to rear and front elevations, together with single storey extension to side and new porch (as amended), 8 Frenchfield Way, Penrith, Mr Martin Woodhall**

The meeting was adjourned at 11:19  
The meeting was reconvened at 11:25

**Councillor Thompson returned to the meeting at 11:30**

**Councillor Patterson left the meeting at 11:43**  
**Councillor Patterson returned to the meeting at 11:46**

Proposed by Councillor Eyles  
Seconded by Councillor Sawrey-Cookson

That the application be REJECTED as the objector would be overshadowed and suffer loss of amenity contrary to the amenity protection elements of Policy DEV5 of the Eden Local Plan.

For: 3  
Against: 7

The motion therefore FELL.

Proposed by Councillor Chambers  
Seconded by Councillor Thompson

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 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, as amended and hereby approved:
3.
  - i. Application form and detail received 5 March 2020.
  - ii. Location and Block plan, drawing Ref No. 1 as received 5 March 2020.
  - iii. Proposed floor plan and elevations, as amended, drawing Ref No. 20-03-02 Rev B as dated received 4 June 2020.

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

### **Pla/46/8/20 Confirmation of Site Visits (if any)**

No site visits were confirmed at this meeting.

### **Pla/47/8/20 Any Other Items which the Chairman decides are urgent**

There were no items which the Chairman felt were urgent.

### **Pla/48/8/20 Date of Next Meeting**

The date of the next meeting was confirmed as 17 September 2020.

The meeting closed at 11.52 am

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# PLANNING COMMITTEE

Agenda Item No.

## APPLICATIONS DETERMINED UNDER OFFICER DELEGATED POWERS FOR THE MONTH OF JULY 2020

App No	App Type	Parish	Description	Location	Applicant	Decision
19/0562	Full Application	Alston	Part retrospective change of use of the ground floor and basement of a former bank (A2) to coffee shop (A3) and the upper floors to residential (C3) and insertion of new door and the addition of 2no. velux windows to rear roof slope.	FORMER HSBC, MARKET PLACE, ALSTON, CA9 3QN	Mr P Bell	APPROVED
19/0624	Full Application	Penrith	Proposed erection of detached live-work unit in association with existing timber processing and variation of conditions 5 and 6 attached 15/0748 to increase hours of working. New vehicular access and driveway to site.	LAND AT FIELD 5070, INGLEWOOD ROAD, STONEYBECK, PENRITH,	R A Biomass - Mr R Bell	APPROVED
20/0088	Reserved by Cond	Penrith	Discharge of condition 3 (construction environment management plan), 4 (surface water drainage scheme), 5 (surface water management plan), 6 (maintenance of drainage system), 8 (carriage foot and cycleways), 9 (construction phase traffic management plan) and 13 (construction traffic plan) attached to approval 19/0426.	LAND OFF CARLETON ROAD, PENRITH,	Mrs J Taylor - Story Homes	APPROVED
20/0163	Full Application	Culgaith	Proposed erection of two buttresses to barn to stabilise the wall.	BARN AT WHITEHALL, BLENCARN, PENRITH, CA10 1TX	Mr P Brown	APPROVED
20/0172	Full Application	Penrith	Two-storey extension and conservatory to the rear of dwelling.	10 CARLETON DRIVE, PENRITH, CA11 8JP	Mr A Mawer	APPROVED
20/0179	Full Application	Penrith	Variation of condition 17 (working hours) to extend working hours from 08:00 - 18:00 to 07:30 - 18:00 Monday to Friday, attached to approval 19/0426.	LAND OFF CARLETON ROAD, PENRITH,	Story Homes - Mrs J Taylor	APPROVED
20/0193	Full Application	Kirkby Thore	Replacement of ground floor window with french doors on the front elevation and install an additional roof light to the rear (roadside) elevation.	FORGE COTTAGE HORSE AND FARRIER COURTYARD, LOW MOOR, KIRKBY THORE, PENRITH, CA10 1XJ	Mr S Perris	APPROVED
20/0229	Advertisement	Appleby	Advertisement consent for 2no illuminated and 1no non-illuminated fascia signs, 15no non-illuminated wall mounted signs, 1no wall mounted community board, 1no LED door surround and 1no internally illuminated flag pole sign.	GARAGE, THE SANDS, APPLEBY-IN-WESTMORLAND, CA16 6XN	Co-op	APPROVED

App No	App Type	Parish	Description	Location	Applicant	Decision
20/0238	Full Application	Penrith	Proposed builders merchants use Class B1(c), B2 and B8 with trade counter and ancillary storage, external storage of materials, parking lighting columns, perimeter fencing, hard and soft landscaping and new site access.	LAND AT EDEN BUSINESS PARK, COWPER ROAD, PENRITH, CA11 9FD	VENTURE BUSINESS SPACE LIMITED - MR A HAYTON	APPROVED
20/0244	Listed Building	Alston	Listed Building Consent for the installation of gas supply including a meter at the rear of the property.	FLAT AT KIRSOPP HOUSE, MARKET PLACE, ALSTON, CA9 3QN	Ms Hilary Spong	APPROVED
20/0246	Reserved Matters	Yanwath & Eamont Bridge	Reserved Matters for access, appearance, landscaping, layout and scale, attached to approval 17/0462.	SITE AT LOWTHER GLEN, EAMONT BRIDGE, PENRITH, CA10 2BP	Mr J Banks	APPROVED
20/0249	Full Application	Kirkby Thore	Variation of condition 2 (plans compliance) for the relocation of approved rooflights, reconfiguration of internal accommodation and addition of a window, attached to approval 17/0989.	METHODIST CHURCH, CHAPEL LANE, KIRKBY THORE, CA10 1UH	Mr B Blythe	APPROVED
20/0255	Full Application	Long Marton	Variation of Condition 3 (holiday restriction) attached to approval 04/0738.	WHITE GATE CARAVAN PARK, LONG MARTON, APPLEBY, CA16 6BU	Thelma Carruthers	APPROVED
20/0256	Full Application	Long Marton	Variation of Condition 3 (holiday restriction) attached to approval 08/0594.	WHITE GATE CARAVAN PARK, LONG MARTON, CA16 6BU	Ms T Carruthers	APPROVED
20/0261	Full Application	Penrith	Retrospective change of use from residential to a mixed use comprising of residential, car servicing and repairs.	2 MELBOURNE COTTAGE, THACKA LANE, PENRITH, CA11 9NG	Mr M Dixon	REFUSED
20/0263	Listed Building	Greystoke	Listed Building Consent for removal and reinstatement of a 1m section of wall of the bridge to enable widening of access.	GREYSTOKE WASTE WATER TREATMENT WORKS, GREYSTOKE, PENRITH, CA11 0TU	Mr Patrick McKeown	APPROVED
20/0269	Full Application	Hesket	Proposed erection of utility and livestock shed.	GREEN LEA, SOUTHWAIT, CARLISLE, CA4 0LB	Mr and Mrs Fisher	APPROVED
20/0270	Full Application	Melmerby	Dwelling on the site of a pole barn, including associated parking, vehicular and pedestrian access, storage, landscaping and habitat features.	LOWER TODHILLS POLE BARN, LOWER TODHILLS, MELMERBY, PENRITH, CA10 1HP	Ms D Selby	REFUSED
20/0275	Full Application	Langwathby	Raise roof level and internal and external alterations.	BANK HOUSE, LANGWATHBY, PENRITH, CA10 1LW	MR & MRS C FORRESTOR	APPROVED
20/0282	Full Application	Appleby	Construction of porch on South elevation.	18 SCATTERGATE GREEN, APPLEBY-IN-WESTMORLAND, CA16 6SP	DW Roofing and Building - MR D Wearmouth	APPROVED

App No	App Type	Parish	Description	Location	Applicant	Decision
20/0283	Reserved Matters	Alston	Reserved Matters application for access, appearance, landscaping, layout and scale, attached to approval 17/0326.	LAND WEST OF BRUNTLEY MEADOWS, ALSTON,	Messrs Walton	APPROVED
20/0289	Reserved by Cond	Bandleside	Discharge of condition 3 (sample materials) attached to approval 19/0187.	ORMSIDE EDUCATION CENTRE, ORMSIDE, APPLEBY, CA16 6EH	Phase 8 Development Company - Mr S Dumbell	APPROVED
20/0292	Full Application	Hunsonby	Variation of conditions 9 (surface water drainage system), 14 (surface water drainage scheme), 15 (foul and surface water drainage) and 16 (foul and surface water management), attached to approval 14/0354.	Thompsons Board Mills Ltd, FORMER THOMPSON BOARD MILL, LITTLE SALKELD, PENRITH, CA10 1NJ	Mr D Montgomery	APPROVED
20/0295	Full Application	Long Marton	Proposed rear extensions.	HARBERWAIN, BRAMPTON, APPLEBY-IN-WESTMORLAND, CA16 6JS	MISS S NUGENT	APPROVED
20/0298	Full Application	Ainstable	Change of use of redundant swimming pool to a dwelling including the reconfiguration of the fenestration and change of use of adjoining land to garden with associated operations including the formation of an access track, the erection of a garage to be used as a plant room and the erection of a shed.	FAUGH HEAD POOL, AINSTABLE, CARLISLE, CA4 9QW	Mr & Mrs D Chesters	APPROVED
20/0299	Full Application	Glassonby	Extension to existing agricultural building.	BANK FARM, UNTHANK, GAMBLESBY, CA10 1JB	T T & J E Mason	APPROVED
20/0303	Reserved by Cond	Crackenthorpe	Discharge of condition 3 (sample materials) attached to approval 18/0662.	HALL FARM HOUSE, CRACKENTHORPE, APPLEBY-IN-WESTMORLAND, CA16 6AF	Mr & Mrs Williamson	APPROVED
20/0308	Full Application	Penrith	Single storey rear extension, part retrospective.	41 CENTURION RISE, PENRITH, CA11 8BQ	Mr S Hall	APPROVED
20/0309	Full Application	Stainmore	Replacement of dissused pig housing with covered muck store building.	BLEATHGILL FARM, BARRAS, KIRKBY STEPHEN, CA17 4ET	J W & M BUCKLE	APPROVED
20/0311	Advertisement	Penrith	Advertisement Consent for 1no wall banner.	32 STRICKLANDGATE, PENRITH, CA11 7NH	Dr S Patel	REFUSED
20/0315	Tree Works (TPO)	Penrith	Reduce height of multi-stemmed Holly tree to 3m.	LONSDALE VILLA, FELL LANE, PENRITH, CA11 8AA	Kate & Glenn Tomkinson	APPROVED
20/0316	Householder PD/PN	Penrith	Single storey rear extension.	5 HOLME RIGGS AVENUE, PENRITH, CA11 8NL	Mr L Austwick	APPROVED

App No	App Type	Parish	Description	Location	Applicant	Decision
20/0318	Full Application	Langwathby	Proposed single storey side and rear extension, porch and bay window with balcony above.	EWANWAY, EDENHALL, PENRITH, CA11 8SR	Nova Castria Design Limited - Mr R Siddle	APPROVED
20/0319	Notice of Intention	Milburn	Proposed agricultural building.	CROSSFELL HOUSE, MILBURN, CA10 1TW	Messrs JL and RJ Armstrong - Mrs R Armstrong	APPROVED
20/0321	Full Application	Murton	Installation of a containerised ground source heat pump and associated underground pipework.	HEATHER BANK, BRACKENBER, APPLEBY, CA16 6LP	G A & D E Slack - Mr G Slack	APPROVED
20/0323	Full Application	Culgaith	Erection of first floor side extension for additional living accommodation. Revised scheme of previous approval 19/0887.	1 KIRKHILL, BLENCARN, PENRITH, CA10 1TZ	Mr & Mrs A Laker	APPROVED
20/0326	Full Application	Dacre	Change of use from Class D2 (sports club) to Classes B1 (business), B2 (general industrial) and B8 (storage or distribution).	UNIT B SKIDDAW HOUSE, NORTH LAKES BUSINESS PARK, FLUSCO, PENRITH, CA11 0JG	SWS Services Ltd - Mr S Sowerby	APPROVED
20/0327	Reserved by Cond	Castle Sowerby	Discharge of condition 3 (level 2 historic survey), attached to Listed Building Consent 19/0805.	MIRKBOOTH, RAUGHTON HEAD, DALSTON, CARLISLE, CA5 7DT	Mr J Mitchell	APPROVED
20/0331	Tree Works (CA)	Glassonby	Fell large Sycamore tree.	MIDTOWN FARM, GAMBLESBY, PENRITH, CA10 1HR	Mr & Mrs Wilson	NEW TPO SERVED
20/0333	Tree Works (CA)	Great Salkeld	Remove 1 x tree.	CARRICKMORE, GREAT SALKELD, PENRITH, CA11 9NA	Allison & Mike	APPROVED
20/0335	Full Application	Langwathby	Rear extension to dwelling.	10 LOW FARM, LANGWATHBY, PENRITH, CA10 1NH	Mr & Mrs Peter Shepherd	APPROVED
20/0337	Listed Building	Appleby	Listed Building Consent for proposed orangery and alterations.	50 BOROUGHGATE, APPLEBY-IN-WESTMORLAND, CA16 6XG	Mr & Mrs Hodgson	APPROVED
20/0338	Full Application	Appleby	Proposed orangery and alterations.	50 BOROUGHGATE, APPLEBY-IN-WESTMORLAND, CA16 6XG	Mr & Mrs Hodgson	APPROVED
20/0340	Notice of Intention	Stainmore	Proposed roof over existing yard.	GILLSES FARM, SOUTH STAINMORE, KIRKBY STEPHEN, CA17 4DJ	Mr G Wearmouth	APPROVED
20/0342	Tree Works (CA)	Penrith	T1 Laburnum tree - removal of large horizontal branch; T2 Conifer tree - felling of tree; T3 Cherry tree - crown lifting & crown thinning.	7 ARTHUR STREET, PENRITH, CA11 7TT	Mrs Kemp-Dillon	APPROVED
20/0343	Full Application	Alston	Change of use of first floor storage room to create a dwelling.	10 FRONT STREET, ALSTON, CA9 3SE	Revd A Cromarty	APPROVED

App No	App Type	Parish	Description	Location	Applicant	Decision
20/0344	Full Application	Hesket	Proposed change of use from annexe to residential dwelling.	SCEUGH DYKE HOUSE, CALTHWAITE, PENRITH, CA11 9QY	Mrs Tinkler	APPROVED
20/0352	Full Application	Hesket	Replacement agricultural building.	BECK HOUSE, SOUTHWAIT, CARLISLE, CA4 0PY	Messrs J H Mitchinson - Mr H Mitchinson	APPROVED
20/0353	Tree Works (TPO)	Greystoke	Crown lift trees 1801-1804 (as per tree report), to 5.2m over highway and to 2.5m over verge; T1 Yew and 3 Yew trees in Group 1 of Tree Preservation Order No 196, 2018.	ROOKCROFT, JOHNBY, PENRITH, CA11 0UU	c/o Agent	APPROVED
20/0356	Full Application	Brough	Single storey extension to existing utility room.	LINDUM HOUSE, HIGH STREET, BROUGH, KIRKBY STEPHEN, CA17 4BL	Mr M Hall & Ms M Celli	APPROVED
20/0359	Tree Works (CA)	Penrith	Fell Elderberry tree and trim/thin Laburnum tree (works as shown on photographs).	FAIRFIELD, WORDSWORTH STREET, PENRITH, CA11 7QY	Mr Graham Allan	APPROVED
20/0361	Full Application	Little Strickland	Proposed sheep handling building.	MOORRIGGS, THRIMBY, PENRITH, CA10 3EA	S ARMSTRONG & SONS	APPROVED
20/0363	Full Application	Melmerby	Two storey front extension.	WREN HOUSE, CHURCH ROAD, MELMERBY, PENRITH, CA10 1HD	Mr and Mrs Lewis Renvoize	APPROVED
20/0367	Reserved by Cond	Hunsonby	Discharge of conditions 5 (archaeology), 6 (crossings), 7 (surface water drainage system), 9 (construction parking) and 12 (carriageways, footways, footpaths and cycleways), attached to approval 17/0661.	LAND BETWEEN MANATEE AND BEACON VIEW, LITTLE SALKELD, PENRITH, CA10 1NN	CJP Northwest	APPROVED
20/0368	Non-Material Amend	Ainstable	Non Material Amendment to change approved triple glazed, fixed roof glazing panels to triple glazed, fixed velux style windows and roof tiles, and rotate rear extension window by 90 degrees, attached to approval 18/0043.	THE SQUARE, HEADS NOOK, BRAMPTON, CA8 9DH	Mrs T McCrimmon	APPROVED
20/0375	Notice of Intention	Hesket	Proposed agricultural building.	TOPPIN HILL, SOUTHWAIT, CARLISLE, CA4 0LN	Mr V A George	APPROVED
20/0376	Notice of Intention	Brougham	The erection of a covered midden.	LAND AT HIGHGROUNDS, CLIFTON DYKES, PENRITH, CA10 2DH	Mr & Mrs C Chappelhow	APPROVED
20/0377	Tree Works (CA)	Kirkby Stephen	Lilac (T1) - fell and remove due to progressive lean causing structural damage to boundary wall.	73 HIGH STREET, KIRKBY STEPHEN, CA17 4SH	Mr Philip Harrison	APPROVED
20/0379	Notice of Intention	Hesket	Proposed agricultural building.	INGLEWOOD HOUSE, CALTHWAITE, PENRITH, CA11 9RE	Messrs Williamson	APPROVED

App No	App Type	Parish	Description	Location	Applicant	Decision
20/0382	Non-Material Amend	Skelton	Non Material Amendment for alterations to the elevations including the porch, window details and use of stonework to front elevation and porch, attached to approval 19/0292.	PINE LODGE, SKELTON, PENRITH, CA11 9UB	Mrs E Greenland	APPROVED
20/0398	Notice of Intention	Skelton	Proposed roof over existing agricultural yard.	HIGH HEAD CASTLE FARM, IVEGILL, CARLISLE, CA4 0PJ	Mr Stamper	APPROVED
20/0400	Notice of Intention	Alston	Proposed private way for agriculture.	LAND WEST OF HIGH GALLIGILL, NENTHEAD, ALSTON, CA9 3LW	Mr G Cook	APPROVED
20/0401	Listed Building	Langwathby	Listed Building Consent for works to roof, gutters, chimney stacks, windows and internal works.	LUHAM FARM, EDENHALL, CA11 8TA	Mr & Mrs Jayson	APPROVED
20/0411	Tree Works (CA)	Appleby	Fell 1 x Copper Beech tree.	THE CROFT RESIDENTIAL CARE HOME, LOW WIEND, APPLEBY-IN-WESTMORLAND, CA16 6QW	c/o Agent	APPROVED
20/0412	Notice of Intention	Castle Sowerby	Proposed agricultural building and an extension to an agricultural building.	THISTLEWOOD, RAUGHTON HEAD, CARLISLE,	J Bainbridge	APPROVED
20/0414	Notice of Intention	Castle Sowerby	Proposed roofing of silage area.	LAND AT RAINE FARM, RAUGHTON HEAD, CARLISLE, CA5 7DT	J Bainbridge	APPROVED
20/0415	Reserved by Cond	Murton	Discharge of Condition 4 (Landscaping) attached to approval 18/0410.	HEATHER BANK, BRACKENBER, APPLEBY-IN-WESTMORLAND, CA16 6LP	G A & D E Slack - Mr Slack	APPROVED
20/0478	Non-Material Amend	Bandleside	Non material amendment to remove glass link corridor attached to approval 19/0187.	ORMSIDE EDUCATION CENTRE, APPLEBY, CA16 6EH	Phase8 Development Company - Mr S Dumbell	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.

# Conservation Area Tree Work Notification Notice of Decision

The logo for Eden District Council, featuring a stylized wavy line above the word "Eden" in a serif font.

**District Council**

Town Hall, Penrith, Cumbria CA11 7QF  
Tel: 01768 817817

Email: [loc.plan@eden.gov.uk](mailto:loc.plan@eden.gov.uk)  
Direct dial: (01768) 212159

To: Mr & Mrs Wilson  
Midtown Farm  
Gamblesby  
Penrith  
CA10 1HR

**Application Ref: 20/0331**

***Town and Country Planning Act 1990  
Town and Country Planning (Trees) Regulations 2010***

***Conservation Area: Gamblesby***

I refer to your notification to carry out the following tree work at Midtown Farm  
Gamblesby Penrith, within the Gamblesby Conservation Area:

**Fell large Sycamore tree.**

**DECISION:** In pursuance of their powers under the above Act and Regulations, Eden District Council, as local planning authority, hereby REFUSE permission for the tree work proposal described in your application and on the plans and drawings attached thereto. The reason(s) for this decision are:

The removal of this tree will potentially have a detrimental effect upon the local landscape therefore a provisional Tree Preservation Order is to be served to protect the sycamore T1 until a full and appropriate assessment can be undertaken. Any proposed work to the sycamore T1 will therefore require an application under the TPO, the Council will have to make a decision whether or not to confirm the TPO within six months of serving otherwise the protection will lapse.

**The Council has therefore decided to serve a Tree Preservation Order.**

A handwritten signature in black ink, appearing to read "O Shimell".

Oliver Shimell LLB  
Assistant Director Planning and Economic Development

**Date of Decision:** 1 July 2020

# Notice of Decision



To: Phi Architects - Ms Sara Darwin  
31 Hawthorn Grove  
Heaton Moor  
Stockport  
SK4 4HZ

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

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

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Application No: 20/0270  
On Behalf Of: Ms D Selby

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: Dwelling on the site of a pole barn, including associated parking, vehicular and pedestrian access, storage, landscaping and habitat features.  
Location: LOWER TODHILLS POLE BARN LOWER TODHILLS MELMERBY PENRITH CA10 1HP

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 does not meet the criteria required for development in 'Other Rural Areas' which are restricted to the re-use of traditional buildings, the provision of affordable housing as an exception to policy only, or where the proposal accords with other policies in the Local Plan. The development is an isolated dwelling in the open countryside without any planning justification. The proposal is therefore considered to be contrary to Policy LS1 of the Eden Local Plan 2014-2032.
- The proposal is not in accordance with the National Planning Policy Framework (paragraph 79) which only supports isolated dwelling houses where 'the design is of exceptional quality'. Although, the new dwelling is of a high quality design, it is not of an exceptional quality that is truly outstanding or innovative, reflecting the highest standards in architecture.
- The application site is occupied by a traditional agricultural building which is of an appropriate design, scale and form within its rural setting. The replacement of the building with a domestic building will not conserve or enhance the rural landscape character and function. The proposal is therefore considered to be contrary to Policies



DEV5 and ENV2 of the Eden Local Plan 2014-2032 and paragraph 79 of the National Planning Policy Framework.

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

Date of Decision: 16 July 2020

Signed:

A handwritten signature in black ink, appearing to read 'O Shimell', is written over a light grey rectangular background.

Oliver Shimell LLB  
Assistant Director Planning and Economic Development

# Notice of Decision



To: Dr S Patel  
32 Stricklandgate  
Penrith  
CA11 7NH

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

*Town and Country Planning Act 1990  
Town and Country Planning (Control of Advertisements) (England) Regulations 2007*

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Application No.: 20/0311  
On Behalf Of: Dr S Patel

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

Application Type: Advertisement  
Proposal: Advertisement Consent for 1no wall banner.  
Location: 32 STRICKLANDGATE PENRITHCA11 7NH

The reason(s) for this decision are:

The proposed advertisement fails to adhere with the development plan by reason of its size, location and the finishing material, and therefore as a result, would not conserve or enhance the character and appearance of the conservation area and would have a significant adverse impact on the grade II listed building, contrary to the aims of Policies DEV5, EC5 and ENV10 of the Eden Local Plan.

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

Date of Decision: 24 July 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

# Notice of Decision



To: Mr M Dixon  
2 MELBOURNE COTTAGE THACKA LANE  
PENRITH  
CA11 9NG

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: 20/0261  
On Behalf Of: Mr M Dixon

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: Retrospective change of use from residential to a mixed use comprising of residential, car servicing and repairs.  
Location: 2 MELBOURNE COTTAGE THACKA LANE PENRITH CA11 9NG

The reason(s) for this decision are:

- i) The proposal represents an incongruous and inappropriate use type for a rural area location, contrary to Policy LS1 of the Eden Local Plan.
- ii) The proposal would result in an increased risk to the safety of highway users on the Public Rights of Way Network, contrary to Policies DEV3 and EC3 of the Eden Local Plan and paragraph 109 of the NPPF.
- iii) The proposal has failed to demonstrate that appropriate levels of residential amenity can be preserved for existing and future residents of neighbouring properties contrary to Policies DEV5, ENV9 and EC3 of the Eden Local Plan.
- iv) The applicant has failed to demonstrate or justify that the benefits of this proposal outweighs the harm that would be caused, contrary to Policy EC3 of the Eden Local Plan.

*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: 29 July 2020

Signed:

A handwritten signature in black ink, appearing to read "O Shimell".

Oliver Shimell LLB  
Assistant Director Planning and Economic Development

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