

Notice of Decision



To: Yam Architects - Mr S Macaulay
5 Lonsdale Terrace
Penrith
CA11 7TS

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: 21/0086
On Behalf Of: Mr Bruce Johnson

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: Replacement rear single storey extension.
Location: 42 WORDSWORTH STREET PENRITH CA11 7QY

The reason(s) for this decision are:

That the application is refused for the following reasons:

1) The proposed extension would result in an adverse impact upon the amenity and enjoyment of the use of the adjoining property no.41 Wordsworth Street and its private garden area. The proposed extension would appear over-bearing, over-dominant and result in a loss of light to the private garden area, whilst creating an adverse sense of enclosure to no.41 Wordsworth Street. As such the proposal fails to protect the amenity of neighbouring properties and is contrary to the requirements of Policy DEV5 of the Eden Local Plan.

2) The benefits of the proposal to the applicant, does not outweigh the extent of the harm that would be caused to the adjoining property no.41 Wordsworth Street, contrary to the requirements of Policy DEV1 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: 4 June 2021

Signed:

A handwritten signature in black ink, appearing to read 'O Shimell', enclosed within a light grey rectangular border.

Oliver Shimell LLB
Assistant Director Development

Notice of Decision



To: LoftHouse Architectural - Mr T Wharton

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: 20/0982
On Behalf Of: Mr P Adamson

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 a first floor extension to the existing bungalow and alterations to the garage outbuilding and openings for a first floor room.
Location: 4 MONNINGTON WAY PENRITH CA11 8QJ

The reason(s) for this decision are:

1. The proposed first floor extension above the existing bungalow would constitute a domineering and imposing form of development due to the conspicuous scale of development, incongruent design and prominence of the site within the cul-de-sac streetscene. This would have a detrimental impact upon the visual amenity and the character of the streetscene of Monnington Way, failing to reflect or compliment the local surroundings. As such, the proposal is contrary to the requirements of Policy DEV5 of the Local Plan, and Section 12 (Achieving Well-Designed Places) of the National Planning Policy Framework, in particular paragraphs 124, 127 and 128.
2. The rear north facing window to the first floor of the garage outbuilding would present a window opening in unacceptably close proximity to existing window openings to neighbouring residential properties. This would result in unacceptable standards of overlooking and detrimental impacts to the privacy of occupants of the neighbouring bungalow to the north. As such, the proposal is contrary to the requirements of Policy DEV5 of the Local Plan, and Section 12 (Achieving Well-Designed Places) of the National Planning Policy Framework, in particular paragraphs 124 and 127.

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 June 2021

Signed:

A handwritten signature in black ink, appearing to read 'O Shimell', enclosed within a light grey rectangular border.

Oliver Shimell LLB
Assistant Director Development

Notice of Decision



To: Manning Elliot Partnership
Suite 1 Manelli House
4 Cowper Road
Penrith
Cumbria
CA11 9BN

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: 19/0281
On Behalf Of: Mr M Mjca

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: Refurbishment of car wash facilities.
Location: ESSO GARAGE SCOTLAND ROAD PENRITH CA11 7NR

The reason(s) for this decision are:

That the application is REFUSED for the following reasons:

1. The application fails to accord with Policies DEV5 and ENV9 due to adverse noise impacts to nearby residential properties. The application is not supported by an adequate noise assessment and does not propose mitigation measures to protect the nearby residential properties. The prolonged disturbance and nuisance caused by the operation of the site would have an adverse and unacceptable impact upon the amenity of local residents.

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: 21 June 2021

Signed:

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

Oliver Shimell LLB

www.eden.gov.uk Oliver Shimell LLB
Assistant Director Development



Assistant Director Development

Tree Preservation Order Notice of Decision



To: Mr T George
EDENWOOD
LANGWATHBY
PENRITH
CA10 1NB

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

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

Application Ref: 21/0367

Town and Country Planning Act 1990

Town and Country Planning (Trees) Regulations 1999, 2008 and 2012

Tree Preservation Order Application To Carry Out Works To Protected Trees

I refer to your application dated 24 May 2021 to carry out work to a tree(s) protected within the above Order at Edenwood Langwathby Penrith:

Pine - to fell tree and replant with Pine or other as required.

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:

Decision:

Refuse the following works

The removal of the pine tree.

Reason: There is no substantive arboricultural reason to undertake the proposed work. The tree is typical of its species and age, in good condition and free of significant features that could result in failure.

The tree is clearly visible to the public, and along with other trees in the group makes a significant positive contribution to the character of the location.

The harm caused by the tree roots is minimal, does not significantly affect the use or reasonable enjoyment of the property and other options may be available to resolve the problems complained of without the need to fell the tree.

Your Right of Appeal

If you disagree with the decision of the Council or the attachment of any conditions you can appeal to the Secretary of State for the Environment via the Planning Inspectorate. All appeals must be made in writing within 28 days from the date you receive the Council's decision. The Secretary of State has the discretion to allow a longer period.

Appeals are handled by the Planning Inspectorate (PINS). The 1999 Regulations have been amended so that as from 1 October 2008 a fasttrack appeal procedure replaces the previous handling of appeals through the submission of written representations. In practice most cases will therefore be dealt with on the basis of the original application and its supporting information, the decision of the LPA and the reasons they gave when making that decision. The inspector may, however, ask for further information. Either party may if they wish have the appeal dealt with at a hearing or public local inquiry.

When giving notice of appeal to PINS, the appellant must at the same time send a copy of that notice to the Council that made the original decision.

Appeals should be sent in writing to:

The Planning Inspectorate, The Environment Appeals Team, Trees and Hedges,
Room 3/25 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol
BS1 6PN

Tel: 0303 444 5000

e-mail: environment.appeals@pins.gsi.gov.uk

Web: www.planning-inspectorate.gov.uk/pins/appeals/tree_preservation/index.htm

Compensation

If you suffer any loss or damage as a direct consequence of the decision made by the Council, or by the attachment of any conditions, you may be entitled to recover from the Council compensation in respect of such loss or damage. If you wish to make a claim you must do so within 12 months from the date of this decision. Claims should be submitted in writing to: Head of Planning Services, Eden District Council, Mansion House, Penrith CA11 7YG.



Oliver Shimell LLB
Assistant Director Development

Date of Decision: 22 June 2021