

Notice of Decision

The logo for Eden District Council, featuring the word "Eden" in a large, elegant serif font with a wavy line underneath it.

District Council

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

To: Wayne Croasdell
2 Cumberland Close
Clifton
Penrith
CA10 2EN

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

Application No: 22/0530
On Behalf Of: Mr and Mrs Davidson

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: Proposed sun room.
Location: WEST VIEW BLENCARN PENRITH CA10 1TX

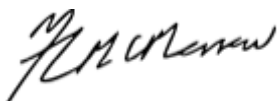
The reason(s) for this decision are:

The proposal by virtue of its inappropriate siting, scale, design and fenestration would result in an overly prominent, bulky and incongruous addition that would harm the established character and appearance of the host property, the street scene and the character and setting of the North Pennines AONB. The application is contrary to Policy DEV5 and ENV3 of the Eden Local Plan 2014-32, the North Pennines AONB Design Guide 2011 and Paragraph 130 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: 8 September 2022

Signed:

A handwritten signature in black ink, appearing to read "Fergus McMorro".

Fergus McMorro BA (Hons)
Assistant Director Planning and Economic Development

www.eden.gov.uk **Fergus McMorro BA (Hons)**
Assistant Director Planning and Economic



Your Reference:
Our Reference: 22/0661
Enquiries to: Karen Thompson
Direct Dial: (01768) 212481
Email: karenl.thompson@eden.gov.uk
Date: 26 September 2022

The logo for Eden District Council features the word "Eden" in a large, elegant serif font. A stylized, wavy line resembling a river or a breeze flows through the letter "E".

District Council

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

Mr Ian Cleasby
Ian Cleasby Drafting & Design Limited
East View
Tirril
Penrith
Cumbria
CA10 2JE

Dear Sirs

Schedule 2, Part 6, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Application Number: 22/0661

Site: Land adjacent (opposite) Sunbeams Music Centre, Stainton

Proposal: Permitted Development Prior Approval for an agricultural storage building.

I refer to the above Prior Approval application.

I have considered the information submitted with the application including the application form, the elevation plans and block plans which were received on 30 August 2022. On this occasion I can advise that Eden District Council as the Local Planning Authority **REQUIRES PRIOR APPROVAL** in respect of the siting, design and external appearance of the building.

The location of the proposed building is away from the main farm steading, Brigg Farm, in a field with no other agricultural buildings associated with the farm. The siting of the proposed building is approximately 27.5 metres from the nearest road (C3088) and would be set in 25 metres from the field boundary, on the highest part of the field. Although outside of the submitted red line location plan, additional supporting details submitted show a new access road of approximately 75 metres in length from an existing access off the C3088; hard standing area to the front of the proposed building; and extensive tree planting to the north and west of the proposed building. Although connecting to an existing access, this internal track falls within 25m of a classified road and is therefore **not** development permitted by the Permitted Development Order.

Clause (h) of Part 6, Class A Paragraph A.1 states development is not permitted by Class A if:

“any part of the development would be within 25 metres of a metalled part of a trunk road or classified road”

Where the Local Planning Authority requires prior approval for a proposed agricultural building, as in this case, the applicant must 'display a site notice by site display on or near the land on which the proposed development is to be carried out, leaving the notice in position for not less than 21 days in the period of 28 days from the date on which the local planning authority gave the notice to the applicant'. Please refer to Part 6, Class A of Schedule 2 (conditions A.2 (2) (iv) (aa)) of the Town and Country Planning (General Permitted Development) (England) Order 2015.

We do not have a prescribed form for the site notice; however the following information is provided within the GDPO:

“site notice” means a notice containing—

- (a) the name of the applicant,
 - (b) the address or location of the proposed development,
 - (c) a description of the proposed development and of the materials to be used,
 - (d) a statement that the prior approval of the authority will be required as to the siting, design and external appearance of the building or, as the case may be, the siting and means of construction of the private way,
 - (e) the name and address of the local planning authority,
- and which is signed and dated by or on behalf of the applicant;

[Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Part 6, Class A, Paragraph D.1]

Development should not proceed until the requisite notice period has been observed and the details have been approved by the Local Planning Authority.

Since on this occasion we do not require any further details of the proposal, all we will require is confirmation that the site notice containing all the required information has been placed in a publicly visible location for the site and has been in situ for 21 days. We will then make an assessment as to whether the siting of the agricultural building is appropriate in view of its landscape impacts.

Please get in touch if you would like to discuss any of the above information further.

Yours faithfully

Karen Thompson
Planning Officer