

Your reference:
Our reference: 22/0363
Enquiries to: Ms C Zalkind
Direct Dial: 01768 212341
Email: planning.services@eden.gov.uk
Date: 6 October 2022



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

Rachel Lightfoot
Summit Town Planning
Apartment 1
Devonshire Chambers
8 Devonshire Street
Carlisle
CA3 8AD

Dear Ms Lightfoot,

Town and Country Planning Act 1990

Planning Application No: 22/0363

Proposal: *Discharge of condition 7 (sample materials) and 8 (boundary treatments), attached to planning approval 21/0583.*

Address: *Land South West of Bank Top, Lazonby.*

I write with reference to your application received as valid by the Council on 11th May 2022 relating to the above.

The below details have been submitted with this application:

- Application Form received 11th May 2022
- Site Plan (14 A) received 11th May 2022
- Image of Roofing Material received 11th May 2022
- Image of Render Colours received 11th May 2022
- Image of Stone Slips(1) received 11th May 2022
- Image of Stone Slips(2) received 11th May 2022
- Image of Railings(1) received 11th May 2022
- Image of Railings(2) received 11th May 2022

Regarding the discharge of condition 7 (sample materials), the condition states:

- 7 Samples of the materials to be used for the external surfaces of the development including the render and its finish shall be submitted to and approved in writing by the Local Planning Authority prior to any part of the construction of the dwellinghouses above damp proof course level commencing, and this condition shall apply notwithstanding any indications as to these matters which have been given in this application. Development shall be carried out in accordance with the approved details.

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

It is duly noted that this condition has not been complied with due to the construction of the properties being almost completed and the materials already installed. As such a breach of condition has occurred.

Further to my e-mail of the 28th July 2022, to which there has been no response I can confirm that condition 7 attached to approval 21/0583 is **NOT** discharged for the following reasons:

- Details of the roofing material, including type and colour has not been provided, only an image.
- Details of the rendering colour has not been provided, only an image with several different colours.
- Two different images of stone slips have been provided, neither of which appear to match what has been installed on site. The colour of the stone slips installed on site are not considered to be in-keeping with the streetscene and are not acceptable.

With regards to condition 8 (boundary treatments), the condition states:

8. Prior to the first occupation of the dwellinghouses, a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To protect the visual appearance of the area and the living conditions of neighbouring occupiers.

It is duly noted that the dwellinghouses do not appear to be occupied at this time, however the boundary treatments have been installed. I can confirm that condition 8 attached to approval 21/0583 is **NOT** discharged for the following reasons:

- Site Plan (14 A) received 11th May 2022 does not accurately represent the works carried out on site.
- The railings that have been installed do not match either of the photos provided with the application.

For the reasons stated above, I can confirm that the details provided with regards to the requirements of conditions 7 and 8 attached to planning approval 21/0583 are **NOT** approved due to the lack of correct and precise details provided to carry out the requisite assessments.

Yours sincerely



Fergus McMorrow
Interim Assistant Director - Development

Notice of Decision



To: Summit Town Planning - Rachel Lightfoot
Apartment 1
8 Devonshire Street
Devonshire Chambers
Carlisle
CA3 8AD

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: 22/0386
On Behalf Of: F Scott Homes

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: Variation of condition 2 (plans compliance) for the insertion of steps from street to dwelling, attached to approval 21/0583.
Location: LAND SOUTH OF WEST BANK TOP LAZONBY PENRITH

The reason(s) for this decision are:

1. Failure to provide accurate and precise details to the Local Planning Authority of the unauthorised amendments carried out on the site to enable a full assessment. Therefore it cannot be established which elements may be considered acceptable within the street scene of this prominent location within the village of Lazonby. As such, the application fails to accord with policies DEV5, ENV1 and ENV10 of the Eden Local Plan.
2. Elements of the unauthorised works carried out (not provided to the Local Planning Authority on plan) are unacceptable, including the stone slips and solid timber fence and would be refused due to their adverse impact on the street scene, therefore failing to meet the aims and requirements of policy DEV5 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: 6 October 2022

Signed:

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

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

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



Notice of Decision

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 decorative flourish, passes behind the letter 'E'.

District Council

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

To: Mr Paul Hindson
Threshing Barn
Warcop
Tower Court
Appleby
CA16 6NL

Town and Country Planning Act 1990

Application No: 22/0495
On Behalf Of: Mr Paul Hindson

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

Application Type: Listed Building
Proposal: Listed Building Consent for the replacement of timber windows and doors with uPVC.
Location: THRESHING BARN TOWER COURT WARCOP APPLEBY-IN-WESTMORLAND CA16 6NL

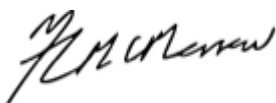
The reason(s) for this decision are:

The use of uPVC would fail to conserve, and would result in substantial harm to the character of this Grade II Listed Building and its setting, and would actively detract from its heritage value. The submitted Heritage Asset Statement fails to adequately assess the heritage significance of the building, or the effect of the proposed works on it, and there is no clear and convincing justification for the harm caused by the proposal. The proposal is therefore considered to be contrary to policy ENV10 of the Local Plan, Section 16 of the NPPF and the requirements of the Listed Building and Conservation Areas Act 1990.

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

Date of Decision: 26 October 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
Development

