



**PORTFOLIO AREA: INFRASTRUCTURE, ENVIRONMENT AND
TRANSPORT**

Date of Meeting: 3 March 2003

Public

Key Decision: No

Recorded in Forward Plan: No

Outside Policy Framework

Title: PETITION RE - DEVELOPMENT AT RIVERSIDE WAY,
CARLISLE

Report of: Head of Planning Services

Report reference: P.08/03

Summary:

This report responds to the petition received from Mrs J Crossey received on the 3 February 2003. It sets down the planning history of this site and responds directly to the points raised.

Recommendations:

That the report and proposed action be noted.

Alan Eales
Head of Planning Services

Contact Officer: Alan Eales

Ext: 7170

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers: Petition received from Mrs J Crossey and relevant planning applications.

1.0 Introduction

- 1.1 On the 3 February 2003 the City Council received a petition from Mrs J Crossey of 9 Riverside Way, Carlisle entitled 'Unfinished Development 1-17 Riverside Way, Carlisle'. A copy of the petition is contained in Appendix 1.

- 1.2 The petition states:

"As a result of dilatory action by Carlisle City Council, Planning Department this development has been left unfinished."

Even though this is the case the Planning Department subsequently granted the builder permission for another development at Kingstown WITHOUT completing Riverside Way.

This now means that there are no parking facilities for the properties and they all have to park on Riverside Way itself, causing congestion and danger to vehicles to Riverside Way and The Court. Recently resulting in an ambulance being denied access to sheltered accommodation which could have caused a death.

Also because of the congestion many people park on the path and pedestrians and many with young children have to walk on the road.

Would you please take this matter up on behalf of the following residents."

- 1.3 The petition has been signed by 31 people.

2.0 Riverside Way

- 2.1 1 to 17 Riverside Way was the subject of application 97/0407 approved on the 7th July 1997 and is shown on Plan 1. The area shown hatched area to the rear of the properties is to provide the car parking area for 1-17 Riverside Way. Although all the properties were completed by 25 September 2002 the parking area has not been completed.

- 2.2 The permission was conditional and condition 4 required that details of the proposed hard surface finishes to all public and private external areas within the proposed scheme and approved by the local planning authority before any site

works commence. This has been done but planning authorities are unable to use a condition that states when a scheme has to be completed. Condition 9, however, required that the means of access to be completed in accordance with the approved details before the development is occupied.

2.3 I am aware that this matter has been going on for some time and that the developer does commence new developments without completing the previous one. The Council's Planning Enforcement Officer has been in contact with the developer and has asked them to complete the work. The developer has informed him that they will have the work completed by 3 March 2003.

2.4 If the same applicant submits another application elsewhere, a local planning authority has to determine the application in accordance with the policies of the development plan and therefore if the application is acceptable in all other aspects it can not be refused on the basis that the developer is slow in completing schemes.

2.5 It is hoped that the efforts of the Enforcement Officer to get the developer to complete the scheme will be successful and the problem will be resolved by the 3 March 2003.

3. STAFFING/RESOURCES COMMENTS

None

4. HEAD OF FINANCE'S COMMENTS

None

5. LEGAL COMMENTS

5.1 Should the problem not be resolved in the near future, further consideration be given to possible enforcement action in relation to the failure to comply with the conditions attached to permission 97/0407.

6. CORPORATE COMMENTS

None

7. RISK MANAGEMENT ASSESSMENT

None

8. EQUALITY ISSUES

None

9. ENVIRONMENTAL IMPLICATIONS

None

10. CRIME AND DISORDER IMPLICATIONS

None

11.0 RECOMMENDATIONS

11.1 That the report and proposed action be noted.

12.0 REASONS FOR RECOMMENDATIONS

12.1 Although the developer has stated that the parking area will be completed by the 3 March 2003 and the problem resolved the Council will consider the use of enforcement action if this is not done to ensure proper parking provision in accordance with the planning permission.

Alan Eales
Head of Planning Services

Contact Officer: Alan Eales

Ext: 7170



Planning Services

Head of Planning Services: Alan Eales DipTP MRTPI Telephone: (01228) 817000
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HOUSE OF COMMONS
LONDON SW1A 0AA

LEGISLATIVE SERVICE	
FILE	
~ 3 FEB 2003	
PROCESSED	CE
APPROVED	/
MAILED	

Mr P Stybelski
Chief Executive
Carlisle City Council
Civic Centre
Carlisle CA3 8QG

30 January 2003

Dear Peter

I have enclosed correspondence and a petition from residents of Riverside Way and Threave Court, outlining their concern over the delay in finishing off the development.

I such developments the Council often requires the developer to lodge a bond to cover such eventualities and I should be grateful if you could investigate the situation with the view to resolving matters as quickly as possible.

I look forward to your reply.

Yours sincerely

ERIC MARTLEW MP
Member of Parliament for Carlisle

3 Chatsworth Square, Carlisle, Cumbria, CA1 1HB
Tel: 01228 511395 Fax: 01228 819798

MRS. J. CROSSEY
9, RIVERSIDE WAY
CARLISLE
CA1 2DZ
29/1/03.

Mr Eric Martlew
M.P.

UNFINISHED DEVELOPMENT
1 - 17 RIVERSIDE WAY CARLISLE

As a result of dilatory action by Carlisle City Council Planning Department this development has been left unfinished.

Even though this is the case the Planning Dept subsequently granted the builder permission for another development at Kingstown WITHOUT completing Riverside Way.

This now means there are no parking facilities for the properties and they all have to park on Riverside Way itself, causing congestion and danger to vehicles entering Riverside Way and Threave Court. Recently resulting in an Ambulance being denied access to Sheltered Accom. which could have caused a death.

Also, because of congestion many people park on the path and pedestrians many with young Children have to walk on the road.

Could you please take this matter up on behalf of the following Residents.

NAME	ADDRESS
Mrs Mrs E.K. Crossey	9, Riverside Way
Mrs V. Blythe	Carlisle
MRS N. TEASDALE	23, Pease Court
Mr & Mrs F. BATEY	Carlisle
I. Bogue	89 THREAVE COURT
MRS M. BLAYLOCK	1 THREAVE COURT.
R. Gelford	15 THREAVE "
V. Leitch	16 THREAVE CT.
Mr & Mrs Jackson	12A " "
MRS B. Fisher	11 " "
E. Gelford	12 " "
Mr. Matman	18 = =
J. Ball	20 = =
J. Gyle & Gyle	26 " "
S. Warren.	22 - -
	25 - -
	19 " "

J. Layland

H. P. Lynd.

J. Shan

H. Brown

D. Brown 4-1
y n s m s

M. Zinner

L. Brown

J. K. OATES

B. NELSON.

F. M. Buller

W. H. BISS

J. Bell

J. W.

M. Thompson

F. Bell

M. Bell

No 7 THREAVES COURT

27 THREAVE CAT

30 Threave Court

8 Threave Court

9 THREAVE COURT.

10 THREAVE COURT

5, Threave Court.

6. THREAVE COURT.

4 " " " "

3 " " " "

7 RIVERSIDE WAY.

5 RIVERSIDE WAY

3 RIVERSIDE WAY.

3 " " "

5 RIVERSIDE WAY

5 Riverside Way

We the undersigned residents of Threave Court, Carlisle petition CASTA to provide double yellow lines around our properties 1-30 Threave Court.

These properties are all 2 bedroomed flats built especially for Senior Citizens with private parking facilities. Many of us are disabled, some with wheelchairs and walking impliments etc.

On football match days it is impossible to use the pavements because of the congestion caused by the amount of parked cars. If there was a fire or someone took ill, the appropriate Services would be unable to reach us which is very worrying.

- | | |
|-----------------------------|----------------------------|
| 1. Frederic Batay | 23 V. Bythe |
| 2. B Oats | 24 J. H. Butler. |
| 3. W. M. Bullock | 25 J. H. Butler |
| 4. B. Bullock | 26 M. H. Motman |
| 5. J. Brown. | 27 J. F. Leyland |
| 6. Joe D. Oates | 28 M. G. Gifford |
| 7. J. Lyland | 29 J. H. Gaddale |
| 8. A. Brown | 30 J. Shaw |
| 9. B. Brown. | |
| 10. S. H. Bennie | |
| 11. V. Leyland | |
| 12. R. Telford. | |
| 13. John J. Jackson. | |
| 14. Wood. | |
| 15. I. Colague | |
| 16. M. Blaylock. | |
| 17. R. McArthur. | |
| 18. B. Fisher. | |
| 19. S. Warren | |
| 20. E. Taylor | |
| 21. M. Dalton | |
| 22. D. Bell. | |



City of Carlisle

John Egan LLB
Head of Legal and Democratic Services
Civic Centre
Carlisle
CA3 8QG



AI refers

From Councillor:

Anne Quilter
24 Melbourne Road
Carlisle
CA1 2DW

Telephone 01228 514653

City Councillor for:
St Aidans

25th February 2003

Dear John

Petition re Development at Riverside Way, Carlisle

I am unable to attend the meeting of the City Council's Executive on Monday 3rd March due to work commitments but I would be grateful if you could read out the following in support of the petition.

Mr Jim Kyle of 25 Threave Court contacted me late last year asking for my support of his petition regarding parking issues outside Threave Court. The petition was presented to the County Council's Transport and Advisory Group on 2nd October 2002 but was rejected. The minutes of the meeting only refer to traffic congestion and suggest that police should address the parking issues, particularly on match days. The safety element was not considered.

All residents of Threave Court are elderly people, some disabled, and some of their doorways are only accessible from the rear of the property. Cars parking across the entrance to rear of the property, especially on match days block off any entrance. If an emergency was to arise the emergency services would not be able to access some properties which could prove to be life threatening.

I also fully support the petition presented by Mrs Crossey regarding the delay in finishing Riverside Way and the resulting problems regarding parking in the area, providing a danger to pedestrians.

I look forward to receiving a positive outcome to this matter.

Yours sincerely,

Anne Quilter

Anne Quilter