

SCHEDULE A: Applications with Recommendation

13/0359

Item No: 08

Date of Committee: 19/07/2013

Appn Ref No:
13/0359

Applicant:
Lovers Lane Community
Garden

Parish:
Brampton

Date of Receipt:
08/05/2013

Agent:

Ward:
Brampton

Location:

L/A Millfield House, Craw Hall, Brampton, CA8 1TN

Proposal: 5 Year Temporary Change Of Use Of Paddock Area To Community
Garden

REPORT

Case Officer: Stephen Daniel

1. Recommendation

- 1.1 It is recommended that this application is approved with conditions.

2. Main Issues

- 2.1 Whether The Proposal Is Acceptable In Principle
- 2.2 Impact Of The Proposal On The Brampton Conservation Area
- 2.3 Impact Of The Proposal On The Living Conditions Of The Occupiers Of Any Neighbouring Properties
- 2.4 Highway Matters
- 2.5 Crime Prevention Issues

3. Application Details

The Site

- 3.1 The application site is a paddock that is owned by the occupiers of Millfield House, which adjoins the site to the west. Lovers Lane, a narrow road that is used as a pedestrian route, runs along the southern and eastern boundaries of the site and is separated from it by a stone wall. Residential properties on Jocks Hill and the Army Cadet Centre lie to the south of Lovers Lane, with a

residential terrace (Sands Cottages) lying to the east. Murray Park adjoins the site to the north and is separated from it by a stone wall/ post and wire fence. The site lies within the Brampton Conservation Area.

The Proposal

- 3.2 The application is seeking temporary planning permission for the change of use of the paddock to a community garden. The garden would contain a number of raised beds, a herb garden, a soft fruit cage, a hen run, an office/ tool shed, a poly tunnel, compost bins, a lawned area, which would contain bench seats and/or a picnic table and a number of fruit shrubs and small fruit trees.
- 3.3 The poly tunnel would be a standard steel tube, polythene covered tunnel, which would measure 12.8m in length by 4.3m in width and would have a maximum height of 2.7m. This would be used to germinate seeds, growing more exotic plants during the summer and extending the overall growing season into the winter. One of the garden sheds would be used to store tools, with the second shed being used as a potting shed/ office. The sheds, which would be sited next to each other, would measure 3m in length by 2.4m in width and would have a maximum height of 2.1m.
- 3.4 The existing pedestrian gate from Lovers Lane into the paddock would be used for access by community garden members. There would be no vehicular access to the site and it is anticipated that the vast majority of members would walk to the garden. If any deliveries are required to be undertaken by vehicles these would use the existing Millfield House access.

4. Summary of Representations

- 4.1 This application has been advertised by means of site and press notices as well as notification letters sent to two neighbouring properties. Four letters of objection and twelve letters of support have been received.
- 4.2 The letters of objection raise the following concerns:
- have concerns about the size and location within the site of the structures and the incongruous nature of the poly tunnel proposed which do not meet the criteria and requirements of the Brampton Conservation Area Appraisal and Management Plan;
 - the proposed intensity of use is in sharp contrast to the open character of the area and appears alien in character - the buildings will detract from the current openness of the site;
 - the poly tunnel is incongruous - it would have less impact if it was sited in alignment to the existing poly tunnel on the owner's land and against the wall on the northern boundary;
 - the proposal will detract from the beauty of the conservation area;

- there is no information on how the site will be serviced for delivery of materials. fertilisers etc or how produce and non-compostable waste will be removed from the site;
- no thought has been given to access during construction or how visitors will access the site with vehicles;
- there is no plan for parking - there is inadequate parking in the vicinity;
- Community Service workers parking in front of Sands Cottages has caused problems with pedestrian visibility, preventing residents from parking outside their own homes - the occupier of 4 Sands Cottage is registered disabled and needs easy access to a car;
- community garden will create noise - one day someone was strimming for over 5 hours, which went on until after 8pm - this disturbs local residents leisure time;
- unsure of the community need for the garden/ nothing has been put forward to support the need - it is an unnecessary change with little community gain whilst affecting people in the surrounding area with a lot of building work, noise, disruption and upheaval;

4.3 The letters of support make the following points:

- this is a very positive and important initiative with great potential benefit for all residents in the Brampton and surrounding area;
- it has the potential to provide a model for other community food-growing projects across Carlisle, both its urban and rural areas;
- community projects to grow food are recognised as being important for the local economy, for the local environment, for reducing carbon emissions, for health and wellbeing, for skills and learning opportunities, and for community resilience - this is exactly the kind of project which will be embraced by the forthcoming Carlisle Food Charter;
- the project is one of Brampton Food Network's flagship projects and has arisen from the need to for more growing space in Brampton (there are still 50 people on the allotment list);
- the key limiting factor for communities to make this kind of contribution is land - the Brampton Community has been trying for nearly 10 years to find land for food production, and the security they have now been offered for five years by the owners of the Lovers Lane site is a unique opportunity;
- several groups, as well as individuals, would be involved including the nursery, the primary and secondary schools, housing association, youth

group, community payback and Age UK;

- the site is in an ideal place, next to Murray Park;
- the aim is to provide place where people meet and garden together;
- the community garden will strengthen social cohesion, improve general well being, encourage a respect for nature and enhance awareness of the local environment;
- the garden would teach children about self sufficiency and healthy eating;
- the garden is not going to be noisy, busy or commercial but more structures are needed;
- the site has previously been used as allotments.

5. Summary of Consultation Responses

Cumbria County Council - (Econ. Dir. Highways & Transportation): - no objections;

Brampton Parish Council: - support the proposal;

Cumbria Constabulary - North Area Community Safety Unit: - suggested some security measures that the applicant should consider implementing;

Conservation Area Advisory Committee: - did not consider that the proposal would have an adverse impact on the character of the conservation area.

6. Officer's Report

Assessment

- 6.1 The relevant planning policies against which the application is required to be assessed are Policies H2, LE19 and CP5 of the Carlisle District Local Plan 2001-2016. The proposals raise the following planning issues:

1. Whether The Proposal Is Acceptable In Principle

- 6.2 The proposal is seeking to change the use of a paddock to a community garden for the residents of Brampton, initially for a five-year period. The site would be located within walking distance of the majority of Brampton and would lie in close proximity to the centre and adjacent to Murray Park. The proposal would, therefore, be acceptable in principle.

2. Impact Of The Proposal On The Brampton Conservation Area

- 6.3 A number of objectors have raised concerns about the impact of the proposal on the Brampton Conservation Area and in particular the loss of openness. The community garden would only contain a limited number of structures, the most significant being a poly tunnel and the sheds. The poly tunnel would measure 12.8m in length by 4.3m in width and would have a maximum height of 2.7m. It would only cover a small area of the site and is

not considered to be at odds with designation of the site within a conservation area. The sheds would be small in scale and would have a maximum height of 2.1m. The majority of the site would contain planting beds, fruit trees and a grassed area, which would help to maintain the open character of large sections of the site. The Council's Heritage Officer and the Conservation Area Advisory Committee have raised no objections to the proposals, which are considered to be compatible with the conservation area designation. In light of the above, the proposal would not have an adverse impact on the character or appearance of the Brampton Conservation Area.

3. Impact Of The Proposal On The Living Conditions Of The Occupiers Of Any Neighbouring Properties

- 6.4 The application site lies in close proximity to residential properties and concerns have been raised about the impact of the proposals on local residents.
- 6.5 It is not considered that the use of the site as a community garden would have an adverse impact on the living conditions of local residents. Whilst there might be some noisy activities at certain times these would be limited, would not take place at unsocial hours and would be no worse than if the land was used as a private garden.
- 6.6 The number of vehicles using the site would be limited, with the vast majority of users walking to the site and using the existing pedestrian access from Lovers Lane. If any deliveries/ collections need to be undertaken by vehicles, these would use the existing access to Millfield House.
- 6.7 In light of the above, the proposal would not have an adverse impact on the living conditions of the occupiers of any neighbouring properties.

4. Highway Matters

- 6.8 County Highways has no objections to the proposal, following clarification that the majority of structures are already on site.

5. Crime Prevention

- 6.9 The Crime Prevention Design Advisor has suggested a number of measures that the applicant should consider implementing in order to reduce the risks of crime. These have been forwarded to the applicant.

Conclusion

- 6.10 In overall terms, the proposal is acceptable in principle. The proposal would not have an adverse impact on the Brampton Conservation Area or on the living conditions of the occupiers of any neighbouring properties. In all aspects, the proposals are considered to be compliant with the objectives of the relevant adopted Local Plan policies.

7. Planning History

- 7.1 In October 2012, applications for planning permission and Conservation Area Consent for the demolition of and erection/ re-positioning of boundary wall to allow widening of Lovers Lane to enable vehicular access together with installation of new access and driveway (12/0725 & 12/0726) were withdrawn prior to determination.

8. Recommendation: Grant Permission

1. The development shall be begun not later than the expiration of 3 years beginning with the date of the grant of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

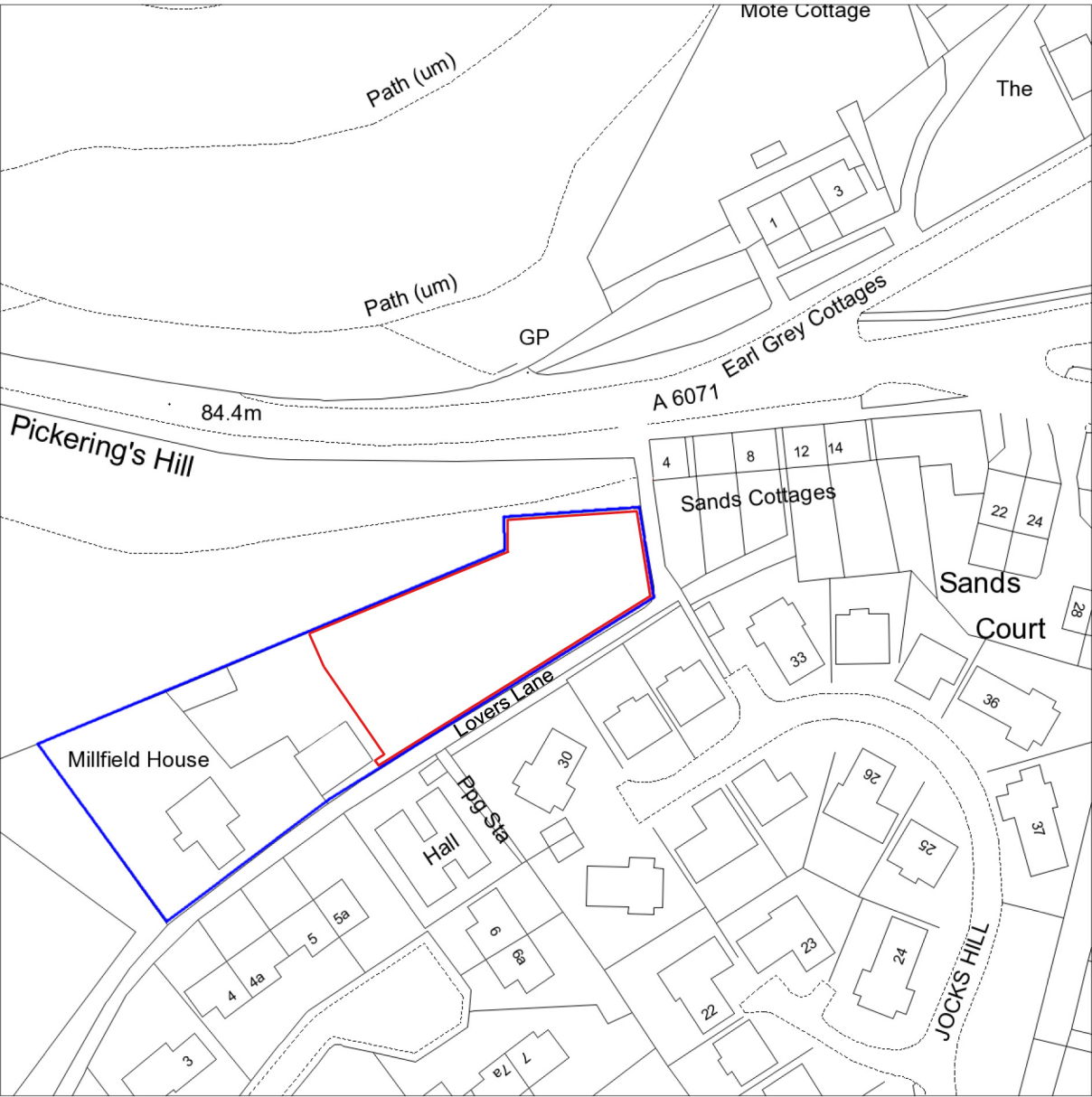
2. The approved documents for this Planning Permission comprise:

1. the submitted planning application form received, 2 May 2013;
2. Design & Access Statement, received 2 May 2013;
3. Location Plan, received 2 May 2013 (Dwg 01);
4. Existing Block Plan, received 2 May 2013 (Dwg 02);
5. Proposed Block Plan, received 8 May 2013 (Dwg 03);
6. Proposed Elevations (Poly tunnel and sheds), received 8 May 2013 (Dwg 04);
7. the Notice of Decision; and
8. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

3. The use hereby permitted shall be discontinued not later than the 19th July 2018 unless in the meantime a further application has been submitted to and approved by the Local Planning Authority.

Reason: The Local Planning Authority wish to review the matter at the end of the limited period specified.



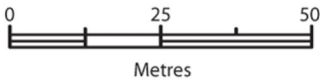
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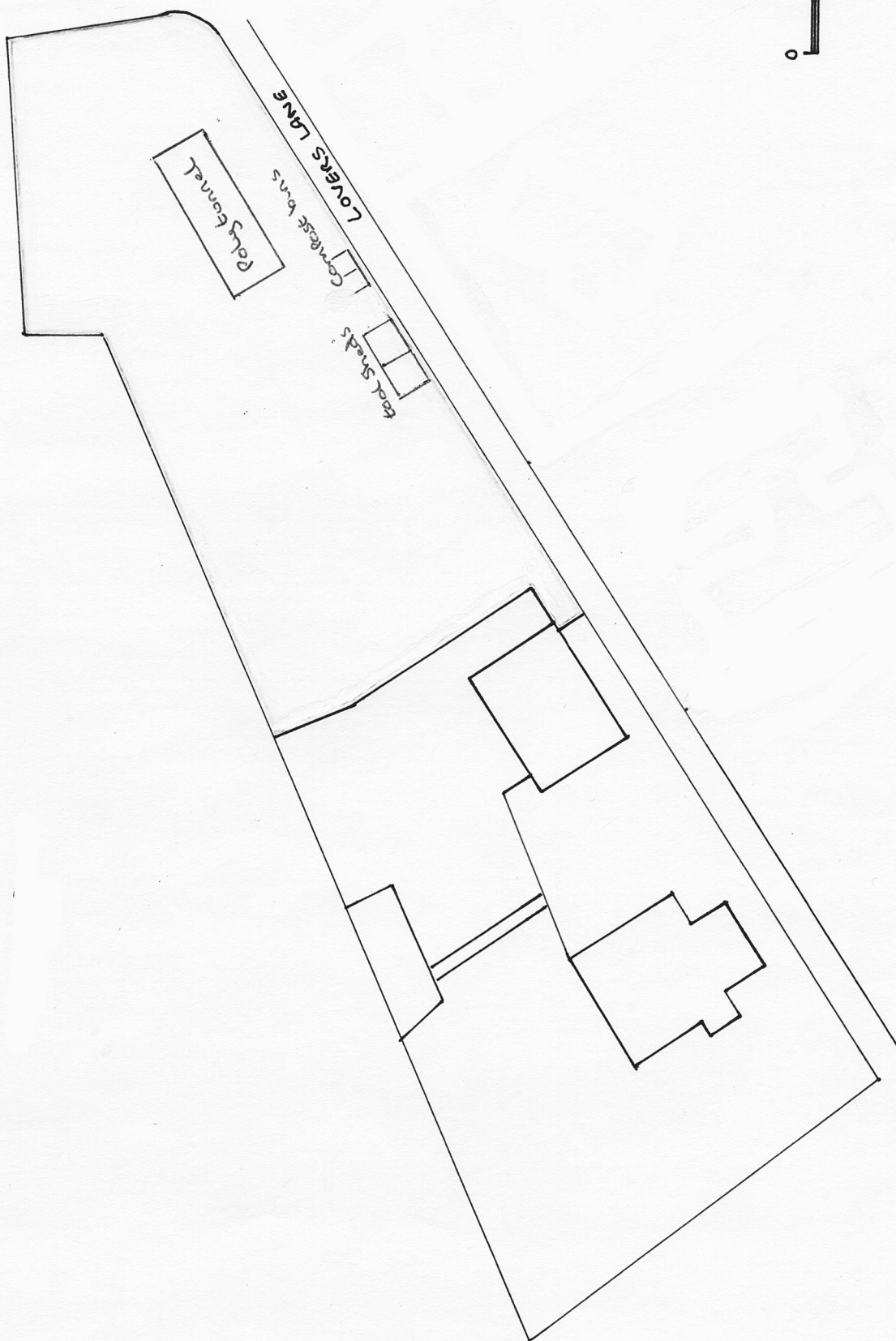


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LOVERS LANE COMMUNITY
GARDEN
21st APRIL 2013



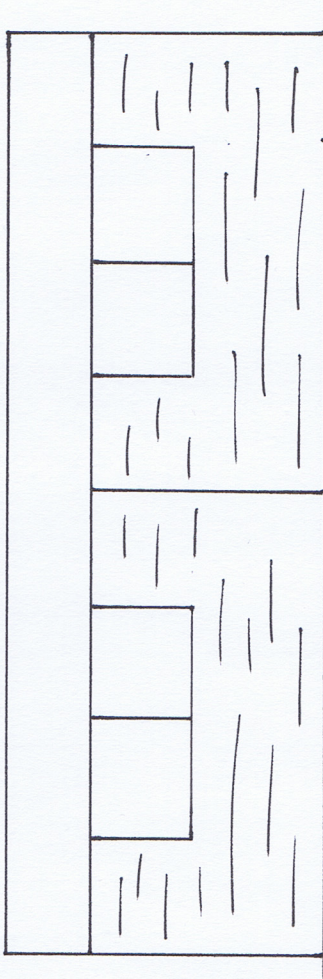
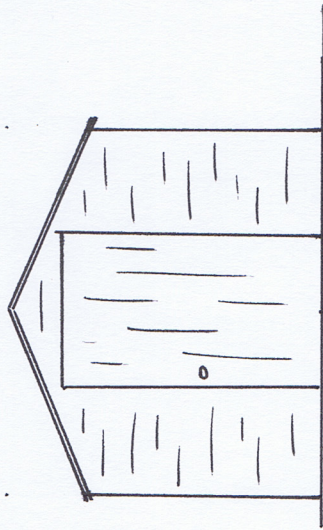
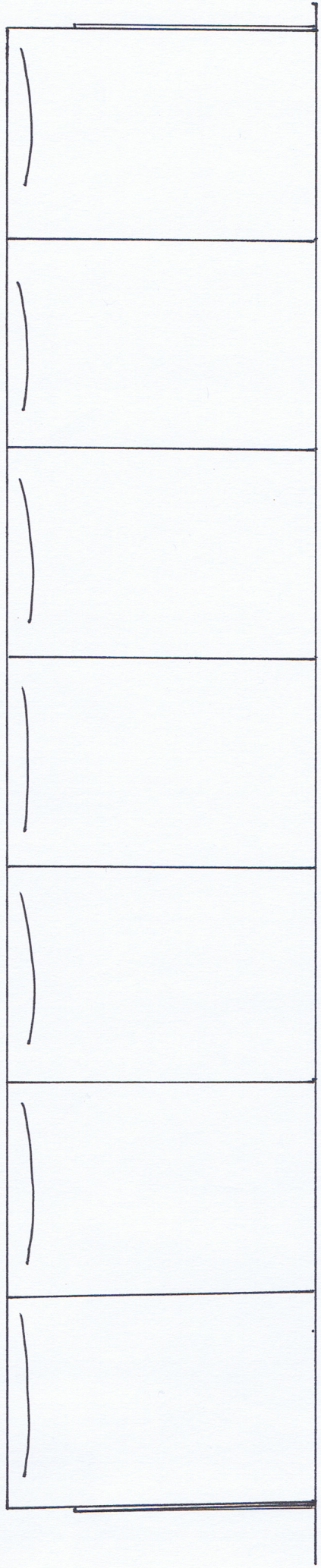
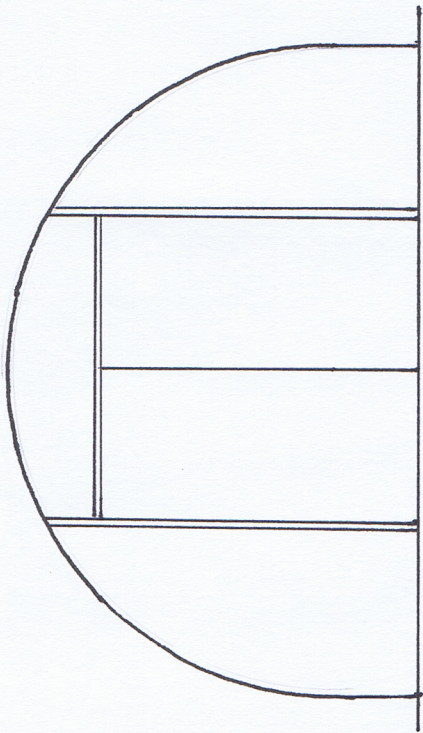
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LOVERS LANE COMMUNITY

GARDEN

21st APRIL 2013

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Lovers Lane Community Garden
Polytunnel and sheds elevation
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6th May 2013