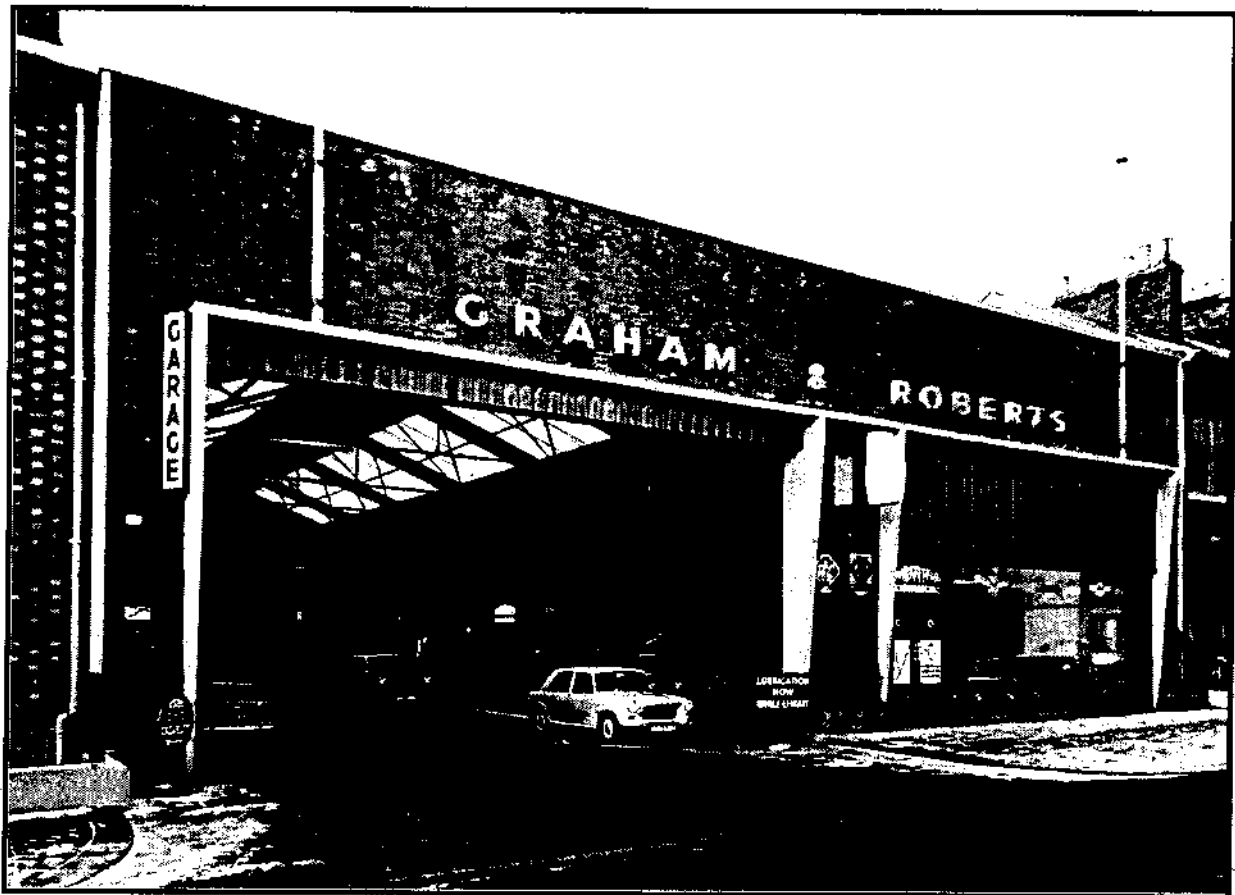


Development Control Committee

Schedule of Applications for Planning Permission



1st February 2002

THE SCHEDULE OF APPLICATIONS

This schedule is set out in five parts:

SCHEDULE A - contains full reports on each application proposal and concludes with a recommendation to the Development Control Committee to assist in the formal determination of the proposal or, in certain cases, to assist Members to formulate the City Council's observations on particular kinds of planning submissions. In common with applications contained in Schedule B, where a verbal recommendation is made to the Committee, Officer recommendations are made having regard to material planning considerations pertaining to the specific proposal and in particular to:-

- relevant planning policy advice contained in Government Circulars, Planning Policy Guidance Notes, Development Control Policy Notes and other Statements of Ministerial Policy;
- the adopted provisions of the Cumbria and Lake District Joint Structure Plan;
- the City Council's own statement of approved local planning policies including the Carlisle District Local Plan;
- established case law and the decisions on comparable planning proposals including relevant Planning Appeals.

SCHEDULE B - comprises applications for which a full report and recommendation on the proposal is not able to be made when the Schedule is compiled due to the need for further details relating to the proposal or the absence of essential consultation responses or where revisions to the proposal are awaited from the applicant. As the outstanding information and/or amendment is expected to be received prior to the Development Control Committee meeting, Officers anticipate being able to make an additional verbal report and recommendations.

SCHEDULE C - provides details of the decisions taken by other authorities in respect of those applications determined by that Authority and upon which this Council has previously made observations.

SCHEDULE D - reports upon applications which have been previously deferred by the Development Control Committee with authority given to

Officers to undertake specific action on the proposal, for example the attainment of a legal agreement or to await the completion of consultation responses prior to the issue of a Decision Notice. The Reports confirm these actions and formally record the decision taken by the City Council upon the relevant proposals. Copies of the Decision Notices follow reports, where applicable.

SCHEDULE E - is for information and provides details of those applications which have been determined under powers delegated by the City Council since the previous Development Control Committee meeting.

The officer recommendations made in respect of applications included in the Schedule are intended to focus debate and discussions on the planning issues engendered and to guide Members to a decision based on the relevant planning considerations. The recommendations should not therefore be interpreted as an intention to restrict the Committee's discretion to attach greater weight to any planning issue when formulating their decision or observations on a proposal.

If you are in doubt about any of the information or background material referred to in the Schedule you should contact the Development Control Section of the Department of Environment and Development.

This Schedule of Applications contains reports produced by the Department up to the 22/01/2002 and related supporting information or representations received up to the Schedule's printing and compilation prior to despatch to the Members of the Development Control Committee on the 25/01/2002.

Any relevant correspondence or further information received subsequent to the printing of this document will be incorporated in a Supplementary Schedule which will be distributed to Members of the Committee on the day of the meeting.

DEVELOPMENT CONTROL MONITOR

Planning Applications

From a total of 282 outstanding planning applications (at 22nd January 2002) it is clear that 141 will not be determined within two months of receipt in the Department :-

- 21 of these are included in this Schedule or appear as Agenda Items.

Of the remaining :- 120

- 83 are awaiting information from applicants/consultees
- 18 are awaiting completion of a legal agreement
- 8 are expected to be withdrawn
- 4 is awaiting issue under delegated powers
- 3 are to be considered at a special meeting
- 4 are called in by Secretary of State

Enforcement 6th December 2001 until 22nd January 2002

The Enforcement Officers investigated 42 complaints and enquiries.

- 20 of these were found to involve a breach of planning control which require submission of planning applications or compliance with conditions.
- 15 cases were resolved as a result of a single visit and interview or telephone call
- 7 cases involve continuing action including removal of unauthorised advertisements without recourse to formal enforcement procedures.

CITY OF CARLISLE

Applications Entered on Committee Schedule - Date of Committee 01/02/2002

Item No.	Applic. Number/ Schedule	Location	Page No.
1	01 /1013 B	Greensyke Farm, Cumdivock, Dalston, Carlisle, Cumbria	1 ARH
2	01 /1043 B	Greensyke Farm, Cumdivock, Dalston, Carlisle, Cumbria	115 ARH
3	01 /1099 B	Greensyke Farm, Cumdivock, Dalston, Carlisle, Cumbria	124 ARH
4	01 /1151 B	Greensyke Farm, Cumdivock, Dalston, Carlisle, Cumbria	133 ARH
5	01 /0840 B	No. 3 Barrel House, Caldew Maltings, Carlisle Cumbria	143 RSM
6	01 /0854 A	93 Tribune Drive, Ashleigh Park Houghton, Carlisle	164 RSM
7	01 /1047 A	Windyke, 10 Houghton Road, Houghton Carlisle, Cumbria	190 RSM
8	01 /1055 A	81 Ashley Street & 1 Newtown Road, Carlisle Cumbria	208 AE
9	01 /1154 B	37 New Road, Dalston Carlisle, Cumbria	226
10	01 /0867 A	L/A part field 7900, Brocklewath Farm, Great Corby, Carlisle, Cumbria	240 RSM
11	01 /0569 A	L/ADJ Green Farm Cottage, Stockdalewath, Carlisle Cumbria	257 AMT

Applications Entered on Committee Schedule - Date of Committee 01/02/2002

Item No.	Applic. Number/ Schedule	Location	Page No.
12	01 /0788 A	Holme Eden Abbey, Warwick Bridge, Carlisle Cumbria	263
13	01 /0787 A	Holme Eden Abbey, Warwick Bridge, Carlisle Cumbria	289
14	01 /0869 A	L/A walled gardens - Holme Eden, Warwick Bridge, Cumbria	292
15	01 /0870 A	L/A walled gardens - Holme Eden, Warwick Bridge, Cumbria	363
16	01 /0916 A	White House, Dalston, Carlisle Cumbria	367
17	01 /0962 A	24 Botchergate, Carlisle Cumbria	376
18	01 /0984 A	26 Botchergate, Carlisle Cumbria	386
19	01 /0985 A	18 Botchergate, Carlisle Cumbria	394
20	01 /1022 A	Crown & Thistle, Rockcliffe, Carlisle Cumbria	402
21	01 /1034 A	Westwinds, Front Street, Cotehill Carlisle, Cumbria	410
22	01 /1100 A	Chapel Cottage, Newtown, Irthington Cumbria	416

Applications Entered on Committee Schedule - Date of Committee 01/02/2002

Item No.	Applic. Number/ Schedule	Location	Page No.	
23	01 /1108 A	L/A outside 2 Gelt Road at junction with Front Street, Brampton, Cumbria	425	
24	01 /1109 A	L/A outside 38 Main Street, Brampton Cumbria	434	
25	01 /1112 A	L/Adj to Red House, Scotby Road, Scotby Carlisle, Cumbria	438	AMT
26	01 /1113 A	L/A Kingrigg, Morton Park Carlisle, Cumbria	443	
27	01 /1122 A	L/Adj building 29, Carlisle Airport, Crosby-on-Eden Carlisle, Cumbria	451	
28	01 /1123 A	Fire Station, Carlisle Airport, Crosby-on-Eden Carlisle, Cumbria	462	
29	01 /1125 A	Plot 7 Kingstown Broadway, Kingsmoor Park South, Carlisle, Cumbria	469	AMT
30	01 /1126 A	Bay Tree House, Plains Road, Wetheral Carlisle, Cumbria	482	
31	01 /1127 A	Bay Tree House, Plains Road, Wetheral Carlisle, Cumbria	551	
32	01 /1161 A	L/A Beech Grove, Stanwix Carlisle, Cumbria	603	CST
33	01 /1162 A	L/A opposite Townfoot Farm, West Hall, Brampton Cumbria	617	CST

Applications Entered on Committee Schedule - Date of Committee 01/02/2002

Item No.	Applic. Number/ Schedule	Location	Page No.
34	01 /9015 A	Watchtree-Great Orton Airfield, Great Orton, Carlisle, Cumbria	632
35	02 /0004 A	80 Croft Road, Carlisle Cumbria	639
36	01 /0789 B	Plot 2 & 3, Baron Way, Kingmoor Park North Kingmoor, Carlisle	649
37	01 /0800 B	Site 25 Wakefield Road, Kingstown Industrial Estate Carlisle, Cumbria	680
38	01 /1088 B	Telecommunications cell site 5806, Warwick Mill Business Park, Carlisle, Cumbria	704
39	01 /1143 B	Gilestown, Blackford, Carlisle Cumbria	713
40	01 /1144 B	Gilestown, Blackford, Carlisle Cumbria	722
41	01 /1145 B	L/A to rear Oulton House, 66 Carlisle Road, Brampton Cumbria	731
42	01 /9010 C	Cardewmires Quarry, Cardewlees, Dalston Carlisle, Cumbria	742
43	01 /0936 D	L/A Lough Farm, Brisco, Carlisle Cumbria	748

SCHEDULE A

SCHEDULE A

SCHEDULE A

SCHEDULE A

SCHEDULE A

SCHEDULE A

SCHEDULE B: Reports Requiring Further Information

ITEM NO. 1

Date of Committee: 01/02/2002

APPN REF NO:
01/1013 /

APPLICANT:
Kingswood Learning & Leisure Group

PARISH:
Dalston

DATE OF RECEIPT:
15/11/2001

AGENT:
Demesne Partnership

WARD:
Dalston

LOCATION:

Greensyke Farm, Cumdivock, Dalston, Carlisle, Cumbria

GRID REF:

335440 548400

PROPOSAL: Construction of dining/function hall with kitchens, teachers retreat and ancillary accommodation on site of partially constructed chapel

ACH

REPORT

PLANNING POLICIES:-

CUMBRIA & LAKE DISTRICT JOINT STRUCTURE PLAN POLICY 13

In the areas not covered by Policies 11 and 12, development will normally be permitted which in its use, siting, scale and design is well related to existing developed areas of the countryside and does not harm distinctive features of local landscape significance. In the undeveloped open countryside development will not normally be permitted except when it is required to meet local infrastructure needs which cannot be located elsewhere, and provided it is sited to minimise environmental impacts and meets high standards of design.

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E8

Within the remainder of the rural area not covered by Policies E2-E6. Proposals which are well related in use, siting, scale and design to existing settlements or other small clusters of buildings including farm buildings will be acceptable providing that:

1. the proposal reflects the scale and character of the existing group of buildings or settlement; and
2. there is no adverse effect upon the amenity of neighbouring property, and the character and appearance of the area; and
3. satisfactory access and appropriate car parking can be achieved; and
4. any existing wildlife habitats are safeguarded.

Permission will not be granted for development in the undeveloped open countryside unless it is required to meet local infrastructure needs, or for dwellings supported by a proven agricultural or forestry need.

CARLISLE DISTRICT PLAN EMPLOYMENT - POLICY EM15

Proposals for small scale tourism related development will be acceptable providing that:

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1013 /

1. there is no unacceptable adverse impact on the landscape; and
2. adequate access and appropriate car parking can be achieved; and
3. if the proposal is within the rural area it is well related to an established settlement or group of buildings or involves the conversion of an existing building, or would form an important element of a farm diversification scheme.

CARLISLE DISTRICT PLAN LEISURE - POLICY L4

Within the Plan area, outside Primary Leisure Areas, proposals for leisure development including sport and active recreation development will be acceptable provided that:

1. the proposal does not have an adverse impact on the amenity of the surrounding area; and
2. appropriate car parking and access to the site can be achieved; and
3. the proposed use is of an appropriate scale to the locality; and
4. where practicable, the proposal can be accessed by public transport; and
5. the proposal makes a positive contribution to the development of tourism in the district; and/or
6. if the proposal is within Carlisle, it brings a vacant or part vacant building into use or contributes to the development of a mixed use scheme.

CARLISLE DISTRICT PLAN EMPLOYMENT - POLICY EM11

Within the rural area proposals for the reuse and adaptation of buildings (of permanent construction) for commercial, industrial or recreational uses will be acceptable subject to the following criteria:

1. the form, bulk and general design of the buildings are in keeping with the surroundings;
2. adequate access and appropriate parking arrangements are made;
3. any increased traffic generated by the proposal can be accommodated by the existing highway network;
4. there is no unacceptable adverse effect on the amenity of adjacent property or the surrounding landscape.

SUMMARY OF CONSULTATION RESPONSES:-

DALSTON PARISH COUNCIL: Following a lengthy period for public participation, Dalston Parish Council agreed to put in a holding objection to applications 1013, 1043 and 1099 pending a

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1013 /

site visit. The main concerns expressed were:

1. The proposed use of the site by Kingswood Learning and Leisure Group as an activity centre constituted a change of use and therefore required planning permission.
2. The impact of the additional traffic generated on a narrow road, already used by heavy goods vehicles and with a record of road accidents.
3. The affect of the scheme on the agricultural ambience of the area.
4. The large scale of the proposal.
5. The unknown quantity and effect of off site activities in relation to traffic generation.
6. The effectiveness and availabiltiy of services, such as drainage and sewage (septic tank capacity), in relation to the large increase in proposed number of residents on site.
7. The potential for non-educational use during holiday times as advertised in the Kingswood Activity Centre brochure.
8. Potential for noise and nuisance problems in the locality, particularly in relation to go-carting activities as advertised for Greensyke.
9. Building work already commenced, out with the scope of repairs not requiring planning consent.
10. The proposed sports hall, although not yet subject of a planning application, to be situated in a very prominent location on the site.

ENVIRONMENT AGENCY: No objections but recommend the attachment of a supplementary informative note to any decision notice.

HIGHWAYS AUTHORITY: The main entrance serving the site was designed and constructed some years ago to Highway Authority standards and should therefore be suitable for this proposed use. No wish to raise any highway objections to the proposal subject to adequate parking being provided within the curtilage of the site.

Further observations are awaited following receipt of additional imformation from applicants.

HEAD OF ENVIRONMENTAL SERVICES: Regarding the previous use as a junior school with lodging, together with outdoor sports and play facilities this Division has no record of any noise complaints concerning this. Although the proposals would indicate an intensification of use, this would appear to be rather low key from a noise point of view. There is a

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1013 /

reasonable distance between the nearest noise sensitive dwelling and the proposals which should alleviate any concerns.

If motorised recreation were to take place on site, this would require further investigations and noise monitoring to comment further.

ACCESS OFFICER: Access for disabled people does not appear to have been considered at all.

THE RAMBLERS ASSOCIATION: I am very concerned about the proposed development at Greensyke Farm, Cumdivock, on environmental and traffic safety grounds. One of the main reasons for walking, cycling, etc., in rural areas is to escape from the noise pollution which pervades life today. Increasing the population by such a huge margin in this small community will destroy the peace and tranquility it currently enjoys.

With regard to traffic safety, this minor road is the kind of road that walkers use quite safely as a connection between footpaths. The undoubted increase in traffic resulting from the change of role of the Greensyke site will pose a great threat to walkers, as well as any cyclists and horse riders. It is an unclassified, narrow road with many blind bends and in many places there is no verge. As a consequence, people faced with sudden, busy traffic are in a very vulnerable position.

In my opinion, this is an unsuitable site for such a large venture.

ENGLISH NATURE: It has been brought to my attention that a colony of bats has been present, at the site, for a number of years and the resident who provided that information is concerned about the effect that development may have upon the colony.

To conform with current legislation under the terms of the Wildlife and Countryside Act 1981 (as amended) the presence of a protected species will require that the species are not harmed or killed and their roost site is not intentionally or recklessly destroyed, damaged or obstructed. However, that is not to say that work cannot proceed but advice is needed to avoid any harm to the species or the roost site.

DEFRA: The risk to livestock from children attending the proposed Educational Activity Centre at Greensyke Farm could stem from two possible sources:

- a. Livestock gaining access and consuming food contaminated with a diseased agent.

Current legislation prohibits the feeding of waste food (defined as containing or having been in contact with material containing blood, bones of any animal or eggs or butchery waste). I am sure that the public health requirements imposed and monitored by your Environmental Health Department will ensure that all waste food is effectively disposed of, and

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1013 /

scrupulous hygiene observed at such an establishment, bearing in mind the number of people involved and the age of the majority of them. These precautions should ensure the safe disposal of any snacks/sandwiches brought onto the site by visitors.

- b. Livestock having contact with visitors that come from a farm on which disease exists.

This potential route needs to be considered as a two way process. There are a number of zoonotic diseases of livestock to which staff and children are susceptible. The precautions taken to prevent such infections will be adequate to protect livestock from any disease visitors' clothing or footwear might carry.

Provided sensible hygiene precautions are taken, I can see no added risk to the livestock around this centre as a result of the proposal being granted planning permission.

SUMMARY OF REPRESENTATIONS:-

Publicity for this proposal has been in the form of a site notice and the direct notification of the occupiers of three neighbouring properties. Neighbouring residents have, at their own volition, also organised a public meeting which has been reported in the local press. In addition, the applicants have held a public exhibition at Greensyke Farm. At the time of preparing the report 30 letters of objection have been recieved. The basic issues raised being:

- The proposal will involve upto 200 children and 50 staff on 1, 3 and 5 day change rounds so that the amount of traffic will be horrendous along minor roads which are virtually single carriageway in parts.
- The emphasis seems to be on the leisure adventure playground aspect which should be an application for a change of use.
- All sorts of development have already taken place on site and brochures published.
- It is really difficult to assess the scale of the project, which does seem to be growing vastly.
- The property will be intensively used during school terms and holiday periods which does not give the residents a break from the impact of larger traffic, noise, visual amenity and light pollution.
- The access road is the Rievers Cycle Route which should provide a safe country road cycleway. Already feel vulnerable, particularly at Greensyke, Gillbeck and Bridgend corners, where it becomes so narrow, without verges to escape onto. It will become terrifying when we have to face such continuous heavy traffic as is proposed.

SCHEDULE B: Reports Requiring Further Information

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- Greensyke is not on main sewerage, so foul drainage facilities need to be able to take the effluent from 250 people.
- Any perimeter security fence and other installations are likely to be unsightly unless well landscaped.
- The existing peace and tranquility will be broken with the increased traffic and noise from on site activities.
- Most worrying is the nature of the children who will be attending the centre, as this is unknown.
- The road condition, currently, is such that after a brief twenty minute shower standing water collects which is dangerous for current users and detrimental to property.
- This development will seriously affect the environment and drive out Red Squirrels, Badgers, Buzzards etc from the area.
- Fears that bias already exists and that opponents of the development are unlikely to have their case fairly heard.
- The proximity of the development to several surrounding large livestock premises could compromise the biosecurity of these premises. Only a fence will separate the proposed development from livestock and it is inevitable that some debris will find its way onto adjacent farm land, and, there exists the possibility of disease spread to animals from human waste.
- The initial development could be just the beginning of more ambitious plans.
- Farm land and stock will be threatened and there is likely to be an increase in vandalism and petty crime that always seem to occur when small groups are inadequately supervised. Will this lead to an additional policy requirement and yet another increase in Council Tax.
- Any proposed motor sports, such as quad biking, will make a quiet area unpleasant to live in.
- The Kingswood brochure shows the archery facility sited on a narrow piece of land between the highway and the main entrance, thereby endangering public safety.
- The surrounding area is very much involved in agriculture and this would appear to be a non-conforming development in a rural environment.
- Cumdivock and The Gill is a very small community and this development will result in very nearly a 300% increase in the population. The stress of having to cope with such a large development will no doubt generate tension and break down these good relationships.

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1013 /

- It is unlikely to provide work for many local people, bring in investment or significantly increase trade to local business.
- Question the need for such a facility considering the number of facilities available within the Lake District.
- Interested to know whether the property is a Listed Building.
- Such a facility should be closer to the City and the motorway and should have public transport links to cut down on traffic and pollution.
- The Orthopaedics Department of the Cumberland Infirmary is already carrying a trauma workload over and above what could be reasonably expected and every extra patient from outside our catchment area means less time, manpower and equipment to deal with the local population. It is felt that the proposal would be detrimental to the population of Carlisle and the surrounding district if there is a further increase in trauma due to another outdoor enterprise on our doorstep.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

In February of 1988, under application number 88/0007, planning permission was given for the conversion of farm buildings to provide classroom, dormitory and other facilities for a junior school. In June of 1988, under application number 88/0386, planning permission was also given to use the premises at Greensyke House as boarding accommodation for children attending Lime House School.

In 1989, under application number 89/0616, planning permission was granted to convert the existing barn and garages into classroom and staff accommodation.

In 1993, under application 93/0630, planning permission was given for the erection of an assembly hall and girls dormitory.

In 1995/96, under application numbers 95/0092 and 95/0879, planning permission was given for the erection of a chapel/function building and science labs.

The site is also currently subject to application numbers 01/1043, 01/1099, 01/1151, and, the recently received 02/0019. The applicants have also indicated that further applications will be submitted concerning the provision of: a dry weather hall; change of use of the former headmaster's house to staff accommodation; climbing/abseiling tower with zip wire; car park; change of use of dining room to accommodation; proposed quad track; a single storey extension to "The Cottage";

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1013 /

classrooms on existing science block base; and, entrance signs and house flags to the campus.

DETAILS OF PROPOSAL

Members will recall that consideration of this application was deferred at their last Meeting in order to seek further clarification on the precise nature of use of the site; the adequacy of the foul drainage facilities; to ensure that the design of the building takes account of access for disabled people; and, to allow the undertaking of a site visit.

Greensyke House is a substantial Victorian property set within attractive grounds to the east of the farmhouse and outbuildings associated with the original steading. The property was previously used to provide accommodation for boarding girls; classrooms for the junior school; accommodation for the Headmaster, a matron, and, 4 members of staff. The previous occupiers of the site have confirmed that the maximum number of boarding students at Greensyke was 75, whilst the maximum number of students using the classrooms was 105.

The applicants have recently acquired a 10 year lease on the property with a view to opening an Educational Activity Centre. Kingswood Educational Activity Centres have been in existence for almost two decades with residential study centres located in Norfolk, the Isle of Wight, Wales and Staffordshire. The applicants offer courses to school children, accompanied by their teachers, which are designed to support primary school teaching in the 5-14 National Guideline framework. There will be 35-40 staff employed at the site, with accommodation being provided for approximately 200 children.

The existing buildings are to be augmented by a number of new facilities, including a reception/dining centre, multi-purpose dry weather hall, climbing/abseiling tower, low and high rope courses, a quad track, additional classrooms, and, a problem solving area with caving system. Each of these will form the basis of separate planning applications. A copy of an overall "Masterplan" provided by the applicants has been attached to this report.

The proposal under application number 01/1013 is to create a dining/function hall, kitchen, shop, reception and toilets on the ground floor with a teacher's common room and plant room on the first floor - see attached copies of plans.

This application, and the following items (reference numbers 01/1043, 01/1099 and 01/1151) should, however, be viewed within the wider context. The intention with this report is to provide an overview of the situation and discuss the relevant issues whether at a general or detailed level which are also relevant to the other applications currently under consideration.

Members cannot be otherwise than impressed by the volume of written and verbal objection to the proposals. The local

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1013 /

community's disillusionment and frustration at the way work has already commenced on the site is also understandable.

These matters aside, it is felt that the following points should be kept in mind:

a) NATURE OF THE USE

The planning consultant and solicitor acting on behalf of local residents have pointed out that:

- The authorised use of Greensyke is as a residential educational establishment i.e. within Use Class C2 of the Town and Country Planning (Use Classes) Order 1997.

- It is argued that the use to which the applicants intend to put the site divides into two parts. Namely, the "Kingswood" element during term times which could be a use within Class C2; and, the Camp Beaumont element during the summer offering themed holidays which is in the nature of a hotel use, i.e. Use Class C1. The C1 use being considered more than de minimus.

In response, the applicants solicitor has stated that:

- The enquiries with other local authorities whose area the existing Kingswood Centres fall, have accepted that all of Kingswood's and Camp Beaumont's activities fall within Use Class C2. One authority, North Norfolk, did raise questions about the proposed use at the West Runton site, at which time the Opinion of Jeremy Sullivan QC was obtained - see attached copy.

- It is common practice for residential schools up and down the country to allow activities to be conducted on their premises during summer vacations. He is not aware of any appeal case or High Court case which has considered this position which suggests that local authorities generally must be satisfied that these kinds of activities fall within the general run of activities which apply to residential schools. In the opinion of the applicants solicitor it is suggested that use of the Greensyke site for "Camp Beaumont" type activities would fall within the current lawful use of the premises.

- However, given the level of public concern about the proposed activities, Kingswood have decided to take no bookings for Camp Beaumont activity holidays at Greensyke. The applicants solicitor states that this is put forward in the spirit of compromise and does not imply acceptance of the legal arguments which have been put forward. Instead, the Centre will host children sent under the auspices of the Bank of France for courses for children to learn English and to improve their awareness of English culture which have previously been run by Kingswood, including at the main

SCHEDULE B: Reports Requiring Further Information

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Lime House School site.

- Jeremy Sullivan's Opinion includes a paragraph concerning the fact that in the case of West Runton there would be a greater level of activity than the previous residential school use, including more vehicular movements. Mr Sullivan sets out his clear opinion that such intensification does not amount to a material change of use if the new use is within the same Use Class as the former use, citing the case of Brooks and Burton vs SoS.

From the local planning authority's point of view it is readily apparent that the solicitors representing the local residents and applicants both agree that the Kingswood use falls with Use Class C2. At face value, it is also considered likely that the proposed courses during the summer holiday for children of Bank of France staff would fall within Use Class C2.

Reference has also been made by the Opinion of Jeremy Sullivan QC who cited the case of Brooks and Burton vs SoS(1978) to establish that intensification does not necessarily amount to a material change of use if the new use is within the same Use Class as the former use. This opinion is consistent with Part 3B-959/4 to the Town and Country Planning (Use Classes) Order 1987 which states that:

"In the case of a use falling within a class of Use Classes Order, the doctrine of intensification is qualified by the working of the Order. Despite a process of intensification which would normally constitute development, there will be no development involved if the intensified use is still within the same use class as the former use (see, e.g. Brooks and Burton vs Secretary of State for the Environment (1978) 1 All E. R. 733)"

As such it is considered that planning permission would not be required, based on the current intentions of the applicants, for a change of use of the whole site. Members should therefore deal with the current applications on this basis. If the applicants were to change their minds in the future and wish to introduce a Camp Beaumont style use, then this matter will have to be addressed at that time.

Members should also be aware that the formal observations of North Norfolk DC, Isle of Wight and South Staffordshire DC have been sought concerning their attitude to the similar facilities which exist within their districts. The respective Parish Councils have also been consulted concerning their experiences. Their formal responses are awaited at the time of preparing the report.

b) CONSEQUENCES OF REFUSAL

Members have to take into account the likelihood or probability of development which could take place even if the current

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1013 /

planning applications were refused. Bearing in mind that the property is subject to a ten year lease and it is considered that the applicants use of the site falls within the same Use Class, it is thought likely that the site would continue to be used for C2 purposes.

In such circumstances the more material issue is whether the level of use by the applicants would be the same just using the existing buildings, which would be difficult to stop, or do the applicants need the new facilities to intensify or consolidate the use.

When considering this point it is relevant to note that the Secretary of Lime House School (LHS) has confirmed that the maximum number of boarding students at Greensyke was 75 and the maximum number of students using the classrooms on a daily basis was 105. In addition, the current owner and former Chairman of the Board of Governors of Lime House School, has indicated that at it's peak the premises at Greensyke had 107 junior pupils and over 100 boarders. The boarding school provided many different sports and activities which included a double decker activity bus parked on the site for 4-5 years. The traffic flow over the period was an average of five to six 53 seater coach trips per day, with 10 to 12 mini bus trips onto site per day, seven days per week. Parents setting down and collecting pupils averaged approximately 20 to 30 trips twice per day. It is also stated that the school had been used in the past for holiday camps during the holiday as has the main Lime House site for the last 20 years.

The applicants agent has stated that whilst the accommodation provided would be for approximately 200 students, on average, Kingswood Centres operate at no more than 70-75 per cent capacity across term time as a whole. The applicants agent has also explained that the changes to the existing buildings are required to enable proper teaching and dormitory accommodation to be provided at modern-day standards.

In summary, there is a discrepancy of 20 pupils plus between the figures provided by the Secretary of LHS and the former Chairman of the Board of Governors. when comparing the lower figures of the Secretary of LHS to that of the maximum number associated with the proposed Educational Activity Centre (EAC) there is an apparent increase in student numbers by approximately 15 pupils. When comparing the figures of the Secretary of LHS to those associated with the EAC at 70 per cent capacity (i.e. 140) the scale of the proposed EAC, in terms of pupil numbers, is less by approximately 40 pupils. Further clarification is, nonetheless, being sought on former staffing levels.

When visiting the premises it is readily apparent that there are major shortcomings with the existing facilities. Some of the classrooms do not have natural ventilation or lighting; the dormitories are sub-standard; the former dining room lacks a kitchen; and, the toilet facilities are basic. It is therefore possible to appreciate the applicants desire to upgrade and

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1013 /

modernise the premises.

c) CAPACITY OF EXISTING HIGHWAYS

It is understood that full regard needs to be made to the capacity and safety of the existing road infrastructure to carry any additional traffic and whether this would lead to increased hazards in terms of vehicle/vehicle or vehicle/pedestrian. Any assessment would need to look at whether the approaches to the site are adequate to cater for any additional traffic or the type of likely vehicles not only because of its physical capacity but also due to the current level of use i.e. its environmental capacity.

In assessing any harm that could be caused by the traffic generated by the proposed development, the Highways Authority views are also constrained by the need to consider whether there is a reasonable possibility that should permission be refused, the previous use or the one that could lawfully replace it, would generate a similar amount of traffic. At the time of preparing the report the further views of the Highway Authority are, however, still awaited concerning the suggested routes and additional information received from the applicants concerning the likely traffic levels.

Interested parties have also referred to the present condition of the road and the possibility that increased traffic may damage the surface. Members need to be aware that this issue is not usually considered to be a concern of the planning system. This is because if it is established that the highways are adequate to deal with the traffic generated by any proposal, it is usually part of the duty of the Highways Authority to maintain those roads.

d) SECURITY AND HEALTH

Fear about security and anti-social behaviour are capable of being a material consideration. In response to this issue the applicants have explained that Kingswood EACs merely provide residential courses for state schoolchildren and their teachers, together with foreign students and their supervisors; they do not cater for "problem children" from sources such as Borstal or approved school institutions.

This aside, it is the case that the school use is a lawful activity, there is no clear evidence that such a situation would occur, and, if the breaking of the law did take place this would be a law and order matter.

It is a similar situation with regard to the provision of care by the Health Authority.

Further information is, nonetheless, anticipated from the applicants outlining the level of supervision of the children at the premises.

e) WILDLIFE (BATS)

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1013 /

Government advice contained in PPG9 "Nature Conservation" emphasises in paragraph 3 that the conservation of nature is essential to social and economic well-being. Paragraphs 45 and 46 also explain that under the Wildlife and Countryside Act 1981 it is an offence to kill, injure or disturb any protected species found without first notifying English Nature. The presence of a protected species is a material consideration when a local planning authority is considering a development proposal which, if carried out, would be likely to result in harm to the species or its habitat.

In order to address this matter the applicants have employed the services of a consultant recommended by English Nature to undertake a site investigation. The aforementioned investigation has revealed that Greensyke House has evidence of bat roosting in the roof space although there are no bats at present. There has been no evidence of bats in the remaining buildings but a full survey has yet to be undertaken with regard to the former headmaster's house.
derelict barn building
The findings of the consultants are currently awaited.

f) FOUL AND SURFACE WATER DRAINAGE

The applicants have provided an engineer's report confirming that the existing Bio Tank has been surveyed with assistance from Klargester Engineers. It was found that remedial works in the form of new bearings and seals would suffice to bring the tank and system up to full working specification. The tank and system being designed to adequately deal with up to 300 people.

The report also identifies the need to clean the drainage channel and redirect existing surface water drains so no surface waters will enter the foul water system.

On the basis of the foregoing the report concluded that the system would operate to meet requirements.

g) FLOODLIGHTS

Glare from the floodlights can affect residential amenity and the character of the countryside. The use of floodlights enables evening activity which may also cause problems for neighbours in terms of increased noise and activity. This matter can be treated on its own merits, in those instances where planning permission is required, and be mitigated by hours of illumination and lighting level conditions.

The applicants have also stated that any submitted application will be on the basis of using low intensity lights set just above ground level specifically designed not to allow light spillage outside the site.

h) NOISE

PPG1 (paragraph 54) and PPG24 "Planning and Pollution Control"

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1013 /

recognise that the impact of noise is a material planning consideration in the determining of planning applications. Paragraph 10 of PPG24 states:

"Much of the development that is necessary for the creation of jobs and the construction and improvement of essential infrastructure will generate noise. The planning system should not place unjustifiable obstacles in the way of such development. Nevertheless, local planning authorities must ensure that development does not cause an unacceptable degree of disturbance. They should also bear in mind that a subsequent intensification of change of use may result in greater intrusion and they may wish to consider use of appropriate conditions"

Paragraph 13, which relates to ways of reducing noise impact, identifies three measures that may be taken; a) engineering; b) layout and, c) administrative. Engineering measures are defined as including the reduction of noise at point of generation, such as would ensue from using quiet machines or methods of working, the insulation of noise generating buildings or the provision of purpose built barriers around sites or the insulation of the affected buildings. Lay-out is defined as adequate distance between sources and noise-sensitive buildings or screening by natural barriers including other buildings or non-critical rooms within a building. Administrative measures are stated to be limits on the operating time of the noise source or the specification of an acceptable noise limit.

Members can, however, only deal with development requiring planning permission which may give rise to a noise nuisance. In effect the wider use of the site for C2 purposes or those uses which would constitute permitted development would not be material to the planning process. Development which needs planning permission, such as the proposed quad bike track, would have to be treated on its own merits.

In relation to the proposed dining/function hall and the contents of paragraph 13 of PPG24, the nature of the use would take place indoors, and the nearest residential unit is located on the opposite side of the road approximately 70 metres to the north. Approximately 300 metres to the east there is the property known as Bellgate, and, 130 metres to the west is The White House. In effect there is a "buffer area" which would also mitigate any problems. The periods of congregation or dispersal are also unlikely to be at unsocial hours. In addition, The Head of Environmental Services has not raised any objections.

i) ECONOMIC AND SOCIAL CONSIDERATIONS

Ministerial advice contained in paragraph 3.13 of PPG7 "The Countryside - Economic Quality and Economic and Social Development" states that increasing opportunities for people to enjoy the countryside for sport and recreation provides new

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1013 /

uses of land in the countryside and is an important source of income and employment. Paragraph 3.14 also highlights that the re-use and adaptation of existing rural buildings has an important role in meeting the needs of rural areas: "It can reduce the demands for new building in the countryside, avoid leaving an existing building vacant and prone to vandalism and dereliction, and provide jobs".

The applicants solicitor has highlighted that the principal advantages with the proposed EAC is that it will: i) bring to local children the benefits of a well-designed and executed learning programmes by a company that is the leader in its field with a track record of educational provision recognised by Central and Local Government as such and in respect of which over £2m of taxpayers money is spent per annum towards the fees involved; ii) bring about a sensitive refurbishment and re-use of buildings in the countryside for an appropriate use, in line with planning policies; iii) provide local jobs.

j) LANDSCAPE

The proposed dining/function hall has been deliberately located between the existing buildings and based on the foundations of the chapel approved under 95/0092. In so doing it will create a traditional courtyard. In the context of the existing buildings and trees, the proposed structure should not harm the visual character of the area.

k) ACCESS FOR DISABLED PEOPLE

The applicants are actively seeking to resolve any matters with the City Council's Access Officer. A meeting has been arranged, the results of which will be reported to Members at the Meeting.

l) INCREMENTAL INTENSIFICATION

In response to the concern that they are "planning by stealth" the applicants maintain that they have been open about their intentions from the outset. For the reasons already outlined the applicants did not perceive a need to submit an application for the principle of the intended uses. The applicants feel that it is sensible to submit the applications in a logical series especially since the Committee will be able to treat each application on its individual merits.

m) BIOSECURITY

Concerns have been raised that the proposed EAC could compromise the biosecurity of adjoining livestock farms.

The applicants have responded by pointing out that they operate a very efficient rubbish retrieval regime at each of its sites in order that there will be no spread of litter to adjacent properties.

The Head of Veterinary Operations at DEFRA has also confirmed

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1013 /

that providing sensible routine hygiene precautions are taken, he can see no added risk to the livestock around the proposed centre.

CONCLUSION

In conclusion Members are in the difficult position of trying to forecast future consequences of a development that has not yet occurred and then weigh what harm or good would follow if planning permission was granted. This situation is compounded in two significant ways.

Firstly, it is considered that planning permission is not required, based on the current intentions of the applicants, for a change of use of the site as a whole. In effect Members have the task of assessing the impact of the proposals, subject to the current applications, as opposed to the wider use of the site for C2 purposes or those activities which would constitute permitted development.

Secondly, Members also have to take into account the likelihood of development which could take place even if the current planning applications were refused. In light of the lengthy period of the lease, and, that the applicants use falls with the same Use Class, it is considered highly probable that the premises would continue to be used for C2 purposes at a level which is comparable to a modernised centre with the implementation of the current proposals. At a 70-75 per cent capacity, the proposed EAC would operate with less pupils than the maximum figures associated with its former use by Lime House School. Further information on former staffing levels is, however, being sought.

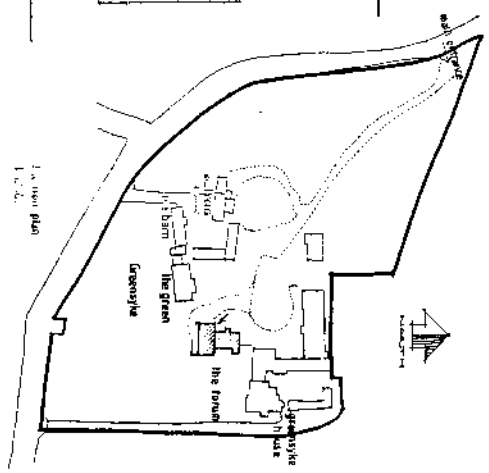
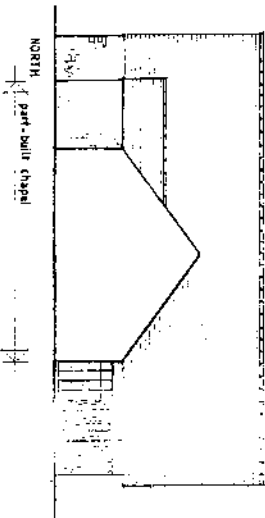
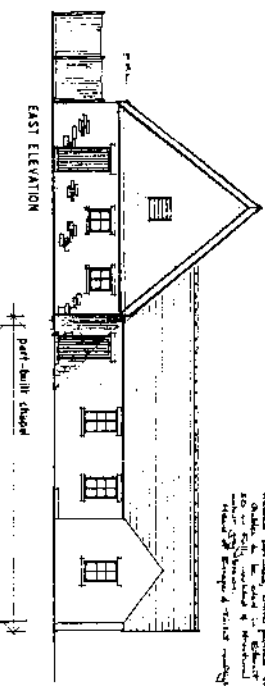
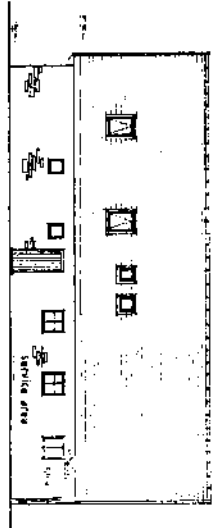
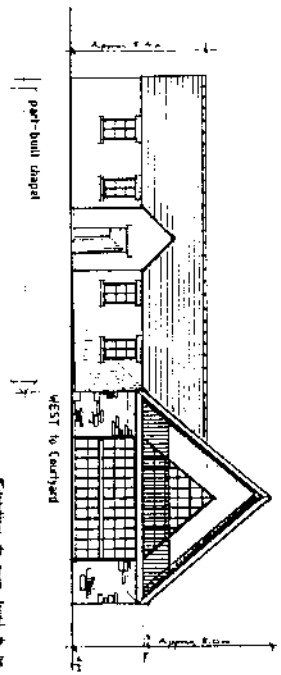
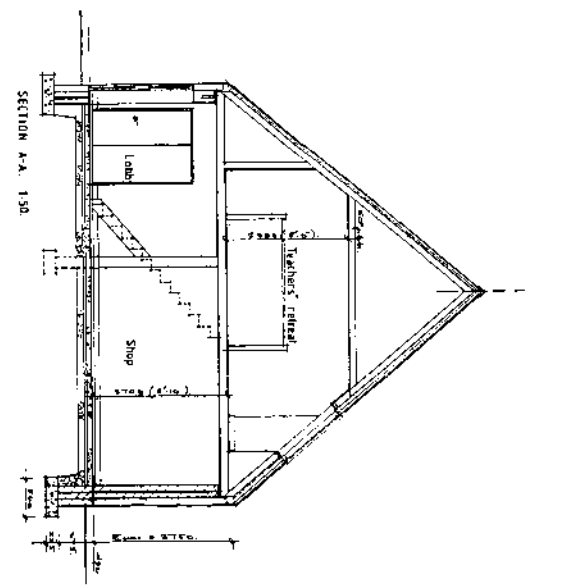
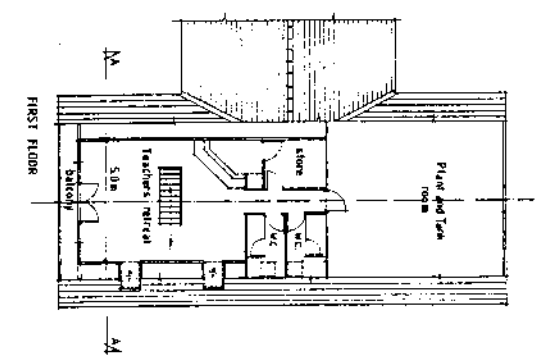
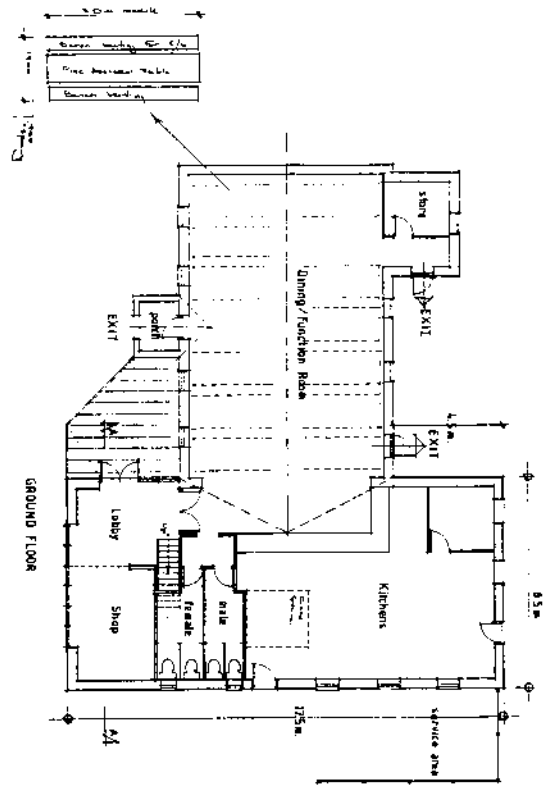
When considering the current application on its own merits it is felt that the proposed dining/function hall should not, in itself, harm the amenity of neighbouring residents or the character of the area.

At the time of writing the report further observations are, however, awaited from the County Highways Authority, the wildlife consultant, and, the City Council's Access Officer.

RECOMMENDATION:-

Director to report

Highway Authority's letter
in Supp Page 2.



10/10/2001
 10/10/2001
 10/10/2001

Proposed conversion and extension of Kingswood School (The Green)	October 2001
Job no. 2346/23	Scale 1:100
Drawn 2346/23	
Kingswood	

APPLICATIONS 01/1013, 01/1043 AND 01/1099 RELATING TO LIME HOUSE SCHOOL, GREENSYKE FARM, CUMDIVOCK, DALSTON

SUMMARY OF COMMENTS MADE UNDER SCHEME FOR PUBLIC REPRESENTATIONS

Mr N W Armstrong (Objector)

Thank you for the opportunity to speak. I live within 100 m of the proposed development and have lived there for the past 24 years. If permission is granted our peace will be shattered by the inappropriate scale, noise and increase in traffic. The area comprises open farm land with no natural boundary. There will be floodlighting and problems associated therewith. The company will want more land in future, where will it end?

The issue of increased noise worries me most. It would be comparable with that from a holiday site and there has been hassle from the other sites they operate. There are four dairy herds in close proximity. Children will not stay on the site with resulting implications for foot and mouth. There will also be an increase in the numbers of persons using the facility, including teachers, cleaners, suppliers, etc who will all come to junction 42.

I would therefore ask that you give the matter serious consideration.

Mr N Spruce (on behalf of Applicant)

My name is Noel Spruce and I am a planning and design consultant representing my client here today. The applications relate to three separate buildings, the first relating to a central facility, the second being a change of use of a disused barn and the third construction of an above ground caving system for use by students.

I have listened to the comments from members of the public and Kingswood Learning and Leisure Group is not a theme or holiday parks company, but serious operators used by dozens of Schools throughout the country.

Use would be during term time with lessons comprising two types i.e. intensive IT studies and earth care studies. Children also undertake outdoor activities with an educational bias, the aim being that teaching both in the classroom and outdoors will develop the character of individuals.

It is important to be aware that the company operates on the Isle of Wight, Staffordshire, North Wales and Norfolk. Occasional noise problems have arisen, but it has a good working relationship with neighbours and encourages them to see for themselves the work done. Children do make noise.

I would ask that the Committee look carefully and accept C2 use class existing. We could re-open tomorrow as it stands but have given the full picture of what is intended on the site.



Willowgarth High School

Brierley Road Grimethorpe BARNSELY S72 7AJ
Tel: 01226 711542 - Fax:01226 711560

Headteacher: Mr. W.R. Beswick
Deputy Headteacher: Mr. A.W. Loveday

21st January 2002

For the attention of Angus Hutchinson
Department of Environment and Development
Carlisle City Council
Civic Centre
Carlisle
CA3 8QG

Dear Mr. Hutchinson,

I am Deputy Headteacher at Willowgarth High School in Barnsley. My responsibilities include both the school's ICT systems and the education of pupils outside the traditional school day.

In August 2001 gifted and talented pupils from our school attended a week long residential course at Kingswood in Norfolk. In September 2001, all Year 8 pupils attended an extended weekend residential course there.

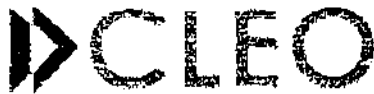
On both occasions all staff and pupils were impressed with the administration, management and professionalism of the Kingswood organisation. The arrangements for the pupils were appropriate and clear, with due regard to the important issues of health and safety, insurance and supervision.

Our pupils have benefited greatly from the Kingswood experiences, so much so that reservations for this summer have already been made by the school. The opportunity provided by the Centre enhanced both the social and the academic skills of the pupils. The former has been observed subjectively upon return to school, and we can provide evidence to describe objective measurable improvements in the ICT skills of the pupils.

The positives that have accrued from the visit of Willowgarth pupils to Kingswood are continuing to become apparent. I have no doubt that the opening of a similar centre in Cumbria will enable such a highly valuable opportunity to support and enhance the current educational provision in the county.

Yours sincerely,

A.W. Loveday
Deputy Headteacher



CLEO Broadband
C/o Skerton High School
Owen Road
Lancaster
LA1 2BL



(01524) 36965



(01524) 36964



office@cleo.net.uk



www.cleo.net.uk

To:
Department of Environment & Development
Carlisle City Council
Civic Centre
Carlisle
CA3 8QG
BY FAX: 01228 817413
For the attention of Angus Hutchinson

Dear Mr Hutchinson,

CLEO (Cumbria and Lancaster Online Education) is a joint project between Cumbria LEA and Lancaster LEA. CLEO is creating the infrastructure necessary to provide broadband access to all schools in the two LEAs.

We are aware of the activities and courses that Kingswood provides, and we recognise the importance of this work in support of the National Curriculum at Key Stages 2 and 3.

In addition to their normal work we believe there could be many benefits in a relationship with an educational partner such as Kingswood. For example, schools could access Kingwoods specialist equipment via our broadband network.

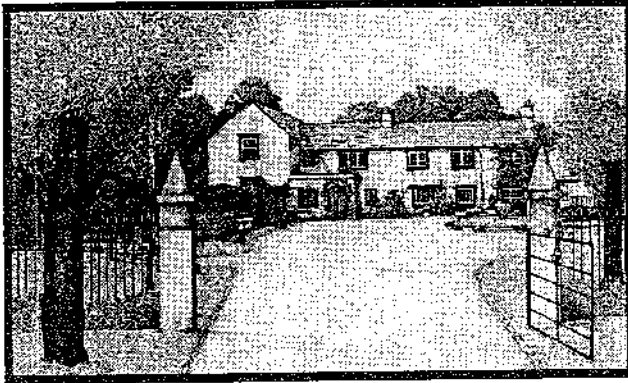
The residential facilities will also provide a very useful resource for local schools that wish to enrich their curriculum. It will also help schools deliver some of the Government agenda to raise standards, by providing suitable accommodation and motivation for summer booster camps in literacy and numeracy.

In view of the above and the great number of schools visiting their centres, we certainly support Kingswood opening a centre in the North West of England that makes it more accessible and available for school children from this area.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Steve Sansom', with a long horizontal line extending from the end of the signature.

Steve Sansom
Acting Project Director



LIME HOUSE ESTATES

Grantraven Limited

Lime House • Holm Hill • Dalston • Nr. Carlisle
Tel: Dalston (01228) 710225 Estate Office: 07977 759903

Mr A.R.Hutchinson,
Department of Environment,
Planning Services Division,
Carlisle City Council,
Civic Centre,
Carlisle,
CA3 8QG.

18th January 2002

To Chairman & Members of The Development Control Committee

Planning Application 01/1013, 01/1043, 01/1099 and 01/1151

We opened Lime House junior school and boarding units at the Greensyke site in the mid eighties. At it's peak we had 107 junior pupils plus over 100 boarders - at an average of just over 200 pupils plus staff at that time.

Being a boarding school, we had to offer many different sports and activities. Examples being : football, cricket, rugby, archery, athletics, baseball, netball, fencing, army cadets, abseiling, assault course, Duke of Edinburgh, car maintenance, driving instruction, war games, hockey, horse riding. None of them ever caused a problem to our neighbours or a complaint.

We also had a double decker activity bus parked on site for 4 to 5 years

The traffic flow over the period was an average of five to six 53 seater coach trips per day, with ten to twelve mini bus trips onto site per day, seven days per week.

Parents setting down and collecting pupils averaged approximately twenty three trips per day x2.

Recently the school has also been used for holiday camps during the holidays as has the main Lime House site for the last twenty years. This is common practice for public schools.

Kingswood will find it difficult to reach these traffic flow figures.

Yours Faithfully,

WILLIAM BROTHERTON
CHAIRMAN & MANAGING DIRECTOR

Directors:

LIME HOUSE SCHOOL



Holm Hill, Dalston, Carlisle, CA5 7BX. Telephone: Dalston (01228) 710225 Fax: (01228) 710508
ESTABLISHED 1899

18th January, 2002

Carlisle City Council,
Department of Environment & Development,
The Civic Centre,
Carlisle,
Cumbria,
CA3 8QG

Dear Mr Hutchinson,

Further to your letter dated the 17th of January, 2002. I would like to confirm the following:-

Maximum boarding students at Greensyke would be 75, minimum would be our final term ending July 2001 which was 36.

Maximum students using classrooms on a daily basis would be 75, minimum would be our final term ending July 2001 which was 40.

Should you require any further information, please do not hesitate to contact the school direct.

Yours sincerely,

J.F. FISHER
SCHOOL SECRETARY

PLANNING	
REF	
18 JAN 2002	
RECEIVED	MH
SIGNED	
PASSED TO	AKH.
ACTION	

LIME HOUSE SCHOOL



Holm Hill, Dalston, Carlisle, CA5 7BX. Telephone: Dalston (01228) 710225 Fax: (01228) 710508
ESTABLISHED 1899

21st January, 2002

Carlisle City Council,
Department of Environment & Development,
The Civic Centre,
Carlisle,
Cumbria,
CA3 8QG

Dear Mr Hutchinson,

PLANNING SERVICES	
DATE	27 JAN 2002
RECEIVED	MM
FILED TO	MM
ACTION	

Further to our letter dated the 18th of January, 2002.

I would like to confirm that we have infact given you incorrect information, in that the maximum students using classrooms on a daily basis would be 105,(we did not count the special needs unit)

the minimum would be our final term ending July, 2001 which was 40.

Should you require any further information, please do not hesitate to contact the school direct.

Yours sincerely,

J.F. FISHER
SCHOOL SECRETARY

01/10/13.



Tel: 01228 710507
Fax: 01228 712691
Mob: 07712794481

Mr E Chandler
Kingswood Centre
Greensyke Farm
Cumdivock
Dalston
Carlisle CA5 7JW
10/12/01

Dear Mr. A Hutchinson,

This evening I have had a telephone conversation with Noel Spruce, the company architect, regarding some matters of the development at our Cumdivock Centre. During this conversation he mentioned to me that he had informed you that I had conducted some research into the route that coach traffic would be accessing the Centre when open and that you would find this information of value during the forthcoming Parish/City Council meetings.

At this juncture we plan to route all coach traffic off the M6 at junction 41 and onto the B5305. They would stay on this road until joining the B5299. The coaches would turn off the B5299 prior to Hawksdale and then straight to the Centre. This route would put the coaches on the best route from the M6 avoiding Carlisle, Dalston and all the bridges in the Dalston/Cumdivock area with weight restrictions. Also the least impact would be caused to other road users, as apart from a bottleneck at Sebergham the coaches should not impact on other road traffic. Traffic approaching the Centre from the Southeast can pick up the B5305 off of the A595 outside Wigton.

Also enclosed is a confidential company document outlining the proposed staffing levels at the Centre. As can be seen the highlighted portions are where we believe opportunities exist for local people to be employed, which would put us inline with other centres. There would also be some employment for local activity staff as this also happens at a few of our centres. This document is by no means definitive but only for discussion.

Yours sincerely

E.J. Chandler



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Geoffrey Searle

Planning & Property Solicitors

Principal: Geoffrey J. Searle Consultant: Peter Glyn-Jones

26 Priestgate Peterborough PE1 1WG Telephone: 01733 865051
 Fax: 01733 865052 email: gis@geoffreysearle.com
www.geoffreysearle.com

PLANNING SERVICES	
REF	
18 JAN 2002	
RECORDED	
SCANNED	
PASSED TO	ARK
ACTION	

Department of Environment & Development
 Carlisle City Council
 Civic Centre
 Carlisle
 CA3 8QG

17th January 2002

BY FAX: 01228 817413 (13 pages)

For the attention of **Angus Hutchinson**

Dear Sirs

Lime House School, Greensyke Farm, Cumdivock, Dalston, Carlisle
Planning Application Nos. 01/1013, 01/1043 & 01/1099

Further to our telephone conversation yesterday, we are writing with additional information on planning and legal aspects of these applications due for determination by your Committee at its meeting on 1st February.

Do the Proposed Uses fall within Use Class C2?

There is general recognition that the current authorised use for the land and buildings falls within Use Class C2.

As to whether the proposed uses fall within Use Class C2, there appears to be general acceptance that the "Kingswood Learning and Leisure" activities fall squarely within Use Class C2. Even the solicitor acting for some of the objectors, Peter Wilbraham of Peter Wilbraham & Co, accepts this in his two letters of 13th December. The difference of opinion is confined to the "Camp Beaumont" activities.

As to these, your enquiries of the other Local Authorities within whose areas the existing Kingswood Centres fall, have confirmed to you that they have accepted that all of Kingswood's and Camp Beaumont's activities fall within Use Class C2. Indeed, it would be surprising if this was not the case, since none of them has taken enforcement action in this regard. One authority, North Norfolk, did raise questions about the proposed uses generally some years ago when the West Runton site was still a proposal (i.e. at the same stage as Greensyke now) and we obtained the Opinion of Jeremy Sullivan QC (as he then was- he was then a much-respected planning QC and is now Mr. Justice Sullivan). We enclose that Opinion and the Instructions for your information.

As you will know, it is common practice for residential schools up and down the country to allow activities of this kind to be conducted on their premises, typically during the long summer vacations. We are unaware of any enforcement appeal case or High Court case which has considered this position. This would suggest that local planning authorities generally must be satisfied that these kinds of activities fall within the general run of activities which apply to residential schools (Use Class C2).

In our opinion, therefore, we would suggest that use of the Greensyke site for "Camp Beaumont" type of activities would fall within the current lawful use of the premises. However, given the level of public concern which has been expressed about these proposed activities, and given that it is appreciated that to some extent these can be explained by the "fear of the unknown", we can report that Kingswood have, as a policy decision, decided to take no bookings for Camp Beaumont activity holidays at the Lake District site and have issued an addendum to go with this year's brochure indicating that that Centre will not be available. This is put forward in the spirit of compromise and does not imply acceptance of the legal arguments which have been put forward. Instead, the Centre will host children sent under the auspices of the Bank of France for courses for children of the Bank's employees to learn English and to improve their awareness of English culture. These have previously been run by Kingswood, including at the main (senior) Lime House School a few miles away from the application site.

Do the planning applications (existing and intended) raise intensification issues?

It will be observed that Jeremy Sullivan's Opinion includes a paragraph concerning the fact that in the case of West Runton there would be a greater level of activity than the old residential school use, including more vehicular movements. He set out his clear opinion that such intensification does not amount to a material change of use if the new use is within the same Use Class as the former use, citing the case of *Brooks and Burton v. Secretary of State for the Environment*. Applying this, in theory there could, hypothetically, be a considerable increase in the level of usage of the current facilities at Greensyke and no planning application would be needed.

However, since some of Kingswood's proposals involve building or engineering operations (as opposed to a material change of use) planning applications have and will be needed. With regard to these applications, the issue might arise in your mind as to whether these building or engineering operations would allow a more intensive use of the land and buildings, including traffic generation.

On this score, we are advised that the former school use in its heyday was for 200 pupils (100 residential and 100 day pupils). We understand our clients will be submitting confirmation of this from the school proprietor. The proposed capacity of the Kingswood Centre will be no higher at 200. Essentially, the changes to the existing buildings are required to enable proper teaching and dormitory accommodation to be provided at modern-day standards. Furthermore, it should be noted that all pupils will be residential, either from Friday to Monday or Monday to Friday. Contrary to the suggestion in Mr Wilbraham's first letter of 13th December,

pupils will *not* be accommodated for only one or two nights. Thus, the developments proposed in the current and intended planning applications do not raise issues of intensification of activity, either on-site or off-site, including traffic levels.

Other Issues raised by objectors

We understand that concern has been expressed that our clients have been guilty of "planning by stealth" in their intentions of submitting a series of planning applications. On the contrary, our clients have been very open about their overall intentions from the outset. The planning applications are being phased purely to coincide with the priorities of the building works required and the capacity of our clients' architect to prepare the applications in a logical order. Drawing No. 2350/28/3 of December 2001 (which indicates and lists the various intended changes at the site – whether or not needing planning permission) was lodged with Mr. Hutchinson some weeks ago, well before the meeting of the Committee on 14th December. For reasons set out above, no need was seen to submit an application for the principle of the intended uses, and it seemed sensible that these applications for operational development should be submitted in series, if only to make the whole process more manageable for all concerned, especially since the Committee will be able to treat each application on its individual merits. It is quite appreciated that it would be helpful to the Committee and interested parties to gain an appreciation of the overall proposals- this has been done even in relation to those changes not requiring planning permission.

We understand that there is concern about possible light pollution. Our clients fully understand potential concerns about this. It has been clarified in the letter of 14th January from Demesne to your Department that this will be low-level lighting, that is low intensity lights set just above ground level specifically designed to assist internal circulation within the site and specifically designed not to allow light spillage outside the site.

Advantages of the Proposed Uses by Kingswood

In summary, the following are the principal advantages with the Kingswood proposal:

- Bringing to the children of this region the benefits of well-designed and executed learning programmes, especially in IT skills and environmental awareness, by a company that is the leader in its field with a track record of educational provision recognised by Central and local government as such and in respect of which over £2m. of taxpayers money is spent per annum towards the fees involved. We would suggest that this, of itself, indicates the degree of recognition by public authorities. Mr. Wiley of Kingswood will be writing in more detail in this regard
- Bringing about a sensitive refurbishment and re-use of buildings in the countryside for an appropriate use, in line with central, regional and local planning policies.
- Bringing local jobs to an area of comparatively high unemployment whose economy has suffered considerably in recent times. It is Kingswood's policy to give preference to suitable local recruits. We are instructed that there will be

at least 40 jobs created by Kingswood at this proposed Centre, most of which will be for local people.

We trust that the information contained in this letter is helpful, but if any further information or clarification is required, please do not hesitate to contact us.

Yours faithfully,


Geoffrey Searle Planning & Property Solicitors

**TOWN AND COUNTRY PLANNING ACTS
TOWN AND COUNTRY PLANNING (USE CLASSES) ORDER 1987
KINGSWOOD CENTRE LIMITED**

**LAND AND BUILDINGS FORMERLY KNOWN
AS THE RUNTON AND SUTHERLAND SCHOOL,
CROMER ROAD, WEST RUNTON, NORFOLK**

OPINION

1. This Advice is very brief because the answer to the question in my Instructions is clear beyond any doubt: the use of the former school premises as an IT Centre and for the teaching of English to foreign students, as described in my Instructions and in the Kingswood IT Study Centre brochure, is squarely within Class C2 in the Use Classes Order, being a use as a residential school, college or training centre. It is common ground that the former school use also fell within Class C2.
2. That being so, the fact that the new residential training centre use within Class C2 will be more intensive than the old residential school use within Class C2 and will, eg generate more vehicular movements, which may have more of an effect on local amenities, is irrelevant. Intensification does not amount to a material change of use if the new use is within the same Use Class as the former use: see Brooks and Burton v Secretary of State for the Environment (1978) 1 All ER 733 at pp 743-744 cited in paragraph 3B-958 of the Encyclopaedia of Planning Law.


JEREMY SULLIVAN QC

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25 April 1996

TOWN AND COUNTRY PLANNING ACTS
TOWN AND COUNTRY PLANNING (USE CLASSES) ORDER 1987
KINGSWOOD CENTRE LIMITED

LAND AND BUILDINGS FORMERLY KNOWN
AS THE RUNTON AND SUTHERLAND SCHOOL,
CROMER ROAD, WEST RUNTON, NORFOLK

INSTRUCTIONS TO LEADING COUNSEL
TO ADVISE IN WRITING

Leading Counsel will find herewith the following documents :-

1. Local Search concerning the land and buildings the subject of these Instructions.
2. Sales Particulars produced by Savills.
3. Brochure for the Kingswood Centre in Staffordshire.
4. Brochure for the new Kingswood IT Study Centre at West Runton.
5. Brochure from Camp Beaumont offering teaching of English to overseas Children.
6. Letter from Kingswood Centre of 15th November 1995 to Local Planning Authority.
7. Letter from Senior Planning Assistant (Appeals) at North Norfolk District Council to Kingswood Centres Limited dated 12th February 1996.

8. Chasing letter from North Norfolk to Kingswood Centre of 19th March 1996.
9. Letter from Instructing Solicitor to North Norfolk Council dated 1st April 1996.
10. Article in the Eastern Daily Press January 18, 1996

Introduction

Instructing Solicitor acts for Kingswood Centre Limited who, earlier this year, acquired the freehold of the whole of the land and buildings formerly known as the Runtun and Sutherland School, Cromer Road, West Runtun, Norfolk as shown with a bold line on the plan attached to the Local Search (Document 1). The land and buildings are also indicated on a more modern ordnance survey base on the copy of the sales particulars produced by Savills copied herewith (Document 2).

The village of West Runtun lies on the North Norfolk coast road (A149) between Cromer and Sheringham. As can be seen from the extract of the OS plan on the sales particulars, the settlement of West Runtun has extended to the west of the school with the development of residential properties in Church Close. There are also residential properties on the southern side of Cromer Road. The main part of the village is to the east of the school.

It is understood that the land and buildings operated as a Girls' Boarding School from 1911 until 1995 following the merger in May 1990 with the Sutherland House School based at Cromer. It is further understood that since the date of closure of the School, there has been no use of the land and buildings until the purchase by Kingswood and the recent internal fitting out of the buildings in preparation for the intended use (see further below).

It is understood that in its heyday the School had approximately 300 fully boarding pupils all of whom had living accommodation within the School precincts. In addition, there were about 50 day pupils and about 50 infants in the nursery school. There would have been an (unknown) number of resident teachers.

In general terms, the School is understood to have operated as a typical Country Boarding School with occasional visits from parents during term-time and little, if any, activity out of term-times other than for normal school repairs, maintenance and improvements.

The Intended Uses of the Premises

Kingswood Centre Limited (Kingswood) is a Company which specialises in the provision of integrated fully-residential courses directed to school pupils principally in computers and information technology.

Kingswood operates as an established Centre known as the Kingswood Centre in Staffordshire which is targeted to primary, middle and secondary schools. Typically groups of say 30 pupils accompanied by their regular teaching staff will visit the Centre for either a long week-end (Friday to Sunday) or a short week (Sunday to Friday) or variations thereon, to engage in a programme of activities underpinned by computer and IT training and use. As will be seen from the brochure for the Kingswood Centre in Staffordshire (Document 3), there are physical activities as well as "class-room" activities but many of the physical activities will also be linked in some way into the use of information technology. Each pupil spends about half of each day in one of the computer labs. The brochure promises a minimum of 3 hours "hands-on" computing each day.

Since attendance at the Centre takes place during regular term-time, it is a statutory requirement (it is understood under the Education Reform Act 1988), that the School is not able to attend unless it is satisfied with the educational content of the course. Indeed, the courses are specifically designed to form an integral part of the pupils' achievements under the National Curriculum in Information Technology. At the present time, Kingswood Centre draws its custom from a very wide catchment area, extending from Scotland in the north down to the south-west of England in the south. During a typical year some 21,000 children attend the Kingswood Centre for IT training. The capacity at any one time would be about 250 pupils. The number of coaches would be about 12 coaches coming and going each week.

Kingswood has a limited number of competitors in the field of residential computer training for school pupils.

The proposed Kingswood IT Study Centre at the West Runton premises will largely replicate the Kingswood Centre in Staffordshire and is expected to draw its custom from a similarly wide catchment area with the dividing line between the two catchment areas being a north/south line drawn along the Pennines and notionally southwards down to the English Channel although no doubt there will be some overlap in these areas. Similarly, it is expected that the overall capacity of the new centre will be similar to the existing centre with children attending the term-time courses in IT called "Action Adventure" and "Earth Care". Leading Counsel's attention is drawn to the brochure for the new Kingswood IT Study Centre at West Runton produced in recent weeks (Document 4).

During Easter and summer vacations there will be teaching of English to overseas Children through an associated Company, Camp Beaumont, as illustrated in the separate brochure enclosed (Document 5).

Overall, therefore, it will be seen that the uses will be much more intense than the former use as a residential school, that there will clearly be a significantly greater amount of comings and goings and associated vehicular movement and noise associated therewith and that therefore prima facie there will be a materially different impact on the Village as compared with the previous range of activities. However, the principal question which arises is whether the uses for the IT training centre and the vacation time teaching of English to overseas children will fall within the same Use Class as the residential school and if not whether the Local Planning Authority would be justified in regarding the new range of uses as amounting to a material change of use requiring planning permission.

It should be noted that, in common with many other schools and colleges up and down the Country, Kingswood Centre Ltd. proposes to let out its facilities for part of the Easter and Summer vacations for the purposes of a residential activity centre (to be run by Camp Beaumont under licence). The turnover of visitors for these activities would be less than 5% of the total throughout the year and Leading Counsel is not asked to advise on this as part of these Instructions.

Dealings with the Local Planning Authority

There was some concern within Kingswood Centres that the planning position should be clarified with the Local Planning Authority. Without advice and somewhat unguardedly a letter was written by Mr. David Dallimore, a Manager at Kingswood Centre on 15th November 1995 (Document 6). In particular, it will be noted that the letter gave no indication of the educational content and stringent local authority requirements or a breakdown between IT training and activity training. It may well have given the local authority an inaccurate indication of the emphasis - this appears to be the case given that they have headed up their correspondence with the description "Activity Centre"..

After a considerable period of time and indeed after the purchase had been completed the letter of 12th February 1996 from the Senior Planning Assistant (Appeals) at North Norfolk District Council was received (Document 7). Leading Counsel will observe that following consultation with the Legal Section, the author of the letter stated that it was considered that the existing use of the premises falls within Class C2 of the Use Classes Order and pointed out the other uses which fall within the same Use Class. He then expressed some doubt as to whether or not the activities described in the brochures enclosed fell within that Use Class and pointed out potential concerns about possible intensification of use and potential effects on neighbours and invited an application for a Certificate of Lawful Use or Development.

Subsequently, North Norfolk wrote a chasing letter of 19th March (Document 8) which was then given an interim response by Instructing Solicitor of 1st April (Document 9).

Issues on which Leading Counsel's advice is sought

Leading Counsel's advice in the form of a written opinion is requested on :-

Whether the proposed uses to which the premises are intended to be put as an IT training centre and for the teaching of English to foreign students can overall properly be described as uses which fall within Class C2 of the Use Classes Order as, for example, a residential training centre ?

Commentary

If overall the proper planning use does fit within this description, then the fact that the uses are overall much more intense than the previous uses would not trigger a material change of use requiring planning permission. If, however, the overall range of uses cannot be described as properly falling within Class C2, then, potentially, a situation might arise where the different use and the intensification of activities becomes an issue to the extent that it might be proper for the Local Planning Authority to decide as a matter of fact and degree that there has been a material change of use requiring planning permission.

It is perhaps worth noting here that although Boarding Schools are typically comparatively low generators of movement and associated vehicular activity, nevertheless a residential Training Centre (for example a management training centre), typically might be visited by business executives for comparatively short residential courses and thus would tend to generate significantly higher levels of coming and going and associated vehicular movements. Thus, the spectrum of uses falling within Class C2 already contemplates significantly different levels of intensity of environmentally sensitive activities such as vehicular movements and associated noise.

Geoffrey Searle

Planning & Property Solicitors

Principal: Geoffrey J. Searle Consultant: Pater Glyn-Jones

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www.geoffreysearle.com

Department of Environment & Development
Carlisle City Council
Civic Centre
Carlisle
CA3 8QG

12th December 2001

For the attention of **Angus Hutchinson**

Dear Sirs

Lime House School, Greensyke Farm, Cumdivock, Dalston, Carlisle
Planning Application Nos. 01/1013, 01/1043 & 01/1099

We act for the applicants Kingswood Learning & Leisure Group, who have consulted us in relation to these applications which are being reported to the meeting of your Committee this Friday 14th December.

We are writing especially because it has come to our clients' notice that a Planning Consultant instructed by local residents intends to make representations to your Committee on Friday. We believe these representations may include the suggestion that our clients' intended use of the land and buildings as an Educational Activity Centre would involve a material change of use of the existing land and buildings thus requiring a separate planning permission.

We would therefore request that this letter should be placed before the Committee in order that they may be reassured on this legal point. It is clear from the section of your reports dealing with the history of the land and buildings that this is a single planning unit whose authorised use is as a residential school and ancillary facilities, clearly falling within **Class C2** of the Use Classes Order "**Residential Institutions**". This Use Class encompasses a wide range of residential uses which include residential care homes, hospitals or nursing homes and, in particular, "**use as a residential school, college or training centre**".

In analysing a proposed use (or set of uses) in order to establish whether the use or uses fall within a particular Use Class or none, it is settled law that it is important to look at all of the uses *as a whole* and also to consider whether there is a predominant activity and any ancillary activities. We understand that very full disclosure has been made about the purposes of a Kingswood Educational Activity Centre and the range of uses which would be carried on. These range from "pure" classroom learning to a range of activities which also involve physical exertion and teamwork together with other outdoor learning activities, such as habitat study and other environmental

learning. The bedrock of these courses is intensive training on the use of modern technology in a way rarely available to these youngsters . We would stress that as a matter of legal approach it is important to analyse the underlying purpose of all of these activities in their various guises, namely the *education* of young school age children in a wide range of skills which are important to their development as individuals and as members of society. As a matter of law, these are educational activities in a boarding environment developing both intellectual and physical skills in parallel. Thus, these activities fall four-square within the range of activities to be found in a residential school (for example the better-equipped fee paying independent schools) or training centre. No doubt attempts will be made to suggest that not all of the activities are educational or to suggest that because the Centre does not provide the whole range of education to be found in a conventional school, that somehow the uses fall outside Use Class C2 and are "stand-alone" or *sui generis*. Such an analysis is unsustainable. This will be a residential centre which provides training and thus clearly falls within Use Class C2 . Thus, if no extra facilities were required, it would be possible for our clients to open "tomorrow". The fact is that, in order to provide the optimum facilities, they need to apply for planning permission for these various aspects. However, in considering these applications, *it will be an important material consideration to bear in mind that the use of the existing land and buildings as an Educational Activity Centre is already permitted*. These applications are for facilities which are complementary to the already authorised principal activity.

What is properly before the Committee on Friday is whether there are any reasonable and sustainable planning objections to any of the proposals contained in any of the individual applications. It is quite right that the Committee must be satisfied on these points. Equally, it is important that non-material considerations should be ignored.

Furthermore, as you have correctly reported, any longer-term aspirations for the future for other facilities which involve development would require further planning application(s) which can be treated on their own merits in due course if and when any such facilities may be proposed.

Yours faithfully



Geoffrey Searle Planning & Property Solicitors

Demesne

Architectural and Interior Designers



Lees Yard, Bull Street, Holt, Norfolk NR25 6HP

Telephone: 01263 860134

Mobile: 0411 565946

Your Reference:

Our Reference: NAS/2351/29/RS

Department of Environment & Development,
Carlisle City Council,
Civic Centre,
Carlisle, CA3 8QG

RECEIVED SERVICES
22 JAN 2002
BF
ARH
ACTION

14th January, 2002

Attention: Mr. Angus Hutchinson

Dear Sirs,

Kingswood Centre, Greeesyke Farm, Cumdivock, Dalston

We refer to extended telephone conversations with Mr. Hutchinson of your department on Wednesday and Friday of last week in connection with the above and would respond as follows:-

1. Kingswood educational activity centres provide residential courses for state schoolchildren and their teachers, together with foreign students and their supervisors; they do not cater for "problem children" from sources such as Borstal or approved school institutions and the like as has apparently been alleged by certain parties in the Carlisle area.
2. A letter has been received by your department from a veterinary surgeon expressing concern at the possibility of spreading foot-and-mouth disease to the surrounding area from the Greensyke Farm site by rubbish and/or children. We would respond by advising that in the whole of 2001 the Norfolk West Runton and Overstrand Centres operated at something approaching 75% capacity with children attending from the south of England and abroad. There were no reported outbreaks of foot-and-mouth in Norfolk during the whole of the national outbreak and it is therefore difficult to comprehend why such fears should be expressed in connection with this residential establishment in particular. Furthermore, Kingswood operates a very efficient rubbish retrieval regime at each of its sites in order that there will be no spread of litter to adjacent properties.
3. You have already been supplied with details of the proposed vehicular movements of visiting schools on changeover days and we would confirm that, subject to County Highways' agreement, Kingswood will be advising parties coming to the Centre which routes they should follow from the M6.

Partners:

Noel A. Spruce: Diploma in Architecture.
School of Architecture, Liverpool Polytechnic, 1965-70.
College of Interior Design, Rhodex International, 1980.

Robin Spruce: College of Interior Design, Rhodex International, 1987.

First Registered as Architectural Design Studio February 1997.

VAT Reg. No. 426 4074 63

Department of Environment & Development

14th January, 2002

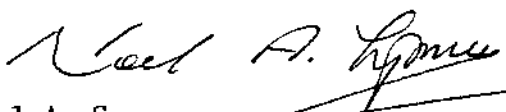
4. We cannot over-stress the educational content of the courses offered by Kingswood at their existing five centres throughout the United Kingdom. Suffice to state that schools repeatedly re-visit the Centres as part of the on-going education of their pupils with the content of the courses offered being regarded as an integral part of National Curriculum policy.
5. Bats: a preliminary and quite thorough site investigation has revealed that Greensyke House (now Windermere) has evidence of bat roosting in the roof space; there are no bats there at present and no building activity within that space is planned. There has been no evidence of bats in either the derelict barn building, which is now re-roofed, or the ICT building, which is identified as "The Cottage" on the site plan. There is no evidence of any bat roosting in the roof space of Ullswater and to date no inspection has been made of the former headmaster's house roof space. The latter is likely to be undertaken shortly with a full survey being made of that building. Kingswood Centres frequently have squirrel, fox, rabbit and other wild life visitors and these species are neither encouraged nor discouraged but merely left to their own devices in order that children from inner city areas may have the opportunity to view them in their natural habitat. It is appreciated that bats are a protected species.
6. With reference to the centrally located sewage treatment plant, we can advise that Klargester have already visited the site, inspected the installation and quoted for its servicing and overhaul. Separately, a drainage consultant from Staffordshire has advised that the existing equipment is capable of handling all the effluent from the site with its proposed level of students and staff and letters from each of these bodies will be forwarded to you as soon as they are available to us.
7. Security fencing: at the time of writing, we do not have our Clients' firm instructions on this matter and until such time as we do, there can be no planning application submitted for its proposed installation if, indeed, it is to happen.
8. With regard to lighting on the site, we can advise that the existing lighting is sufficient only for general circulation and night security purposes; there will be a need for low level lighting to certain of the outdoor activities and we recognise that this will require a separate planning application. The timing of this is likely to be early summer.
9. With regard to other Kingswood Centres, we enclose names and addresses of each, together with addresses for the local authorities under whose control they come. We do not have details of the parish councils concerned with the relevant Kingswood Centres but no doubt the local authorities will be able to advise on this point.
10. There is likely to be a further letter from Geoffrey Searle (planning & property solicitors) regarding the existing and proposed class uses and we understand there is to be a meeting later this week between Kingswood and Mr. Searle.

11. We have now prepared a car parking layout for the Greensyke site and shall be submitting this for planning permission shortly. We have not as yet been able to contact County Highways in spite of several attempts. We are prepared to consider a restriction of use on the vehicular access leading to the former headmaster's house in order that this driveway may only be utilised by emergency vehicles and not used as a regular means of site access. Our car parking layout drawing confirms this point.
12. Our A3 drawing No. 2350/28/3 indicated the total extent of existing and proposed uses of buildings and areas at the Greensyke site: although this information was available to the City Council for its meeting on 14th December, certain councillors appeared not to have absorbed this information and alleged there was much more to come in terms of additional works not advised to the Council. With the exception of the proposed quad track this was not the case and we would hope that at the next planning committee meeting this point can be made clear to the members of the committee. In accordance with the details outlined on that drawing, the remaining matters which will require planning are:-
- (a) Dry weather area (hall)
 - (b) Change of use of headmaster's house to staff accommodation
 - (c) Climbing/abseiling tower with zip wire
 - (d) Car park
 - (e) Proposed change of use of dining room to accommodation
 - (f) Proposed quad track
 - (g) Single storey extension to the ICT building ("The Cottage")
 - (h) Additional classrooms on existing science block base, previously approved
 - (i) Entrance signs and house flags to the campus

We are arranging for copies of as many of these applications as possible to be with you prior to the meeting of 1st February, although they will not necessarily have been formally submitted as planning applications. Where practicable, two or more applications are being combined on to a single drawing.

Our Clients are proposing an exhibition Open Day at Greensyke Farm on Saturday, 19th January when members of the general public and the local authority may wish to see for themselves the extent of works carried out on site to date in order to prevent weather damage to buildings and to inspect a typical classroom environment. Staff will be on hand to answer questions and to allay fears which visitors may have arising from misinformation which would appear to have been circulated in the community over the past two months. We trust the foregoing clarifies the current situation but should you have any further queries, please do not hesitate to contact us on behalf of our Clients.

Yours faithfully,


Noel A. Spruce
for
Demesne

Demesne

Architectural and Interior Designers



Lees Yard, Bull Street, Holt, Norfolk NR25 6HP

01/1013-1043-1099

Telephone: 01263 860134

Mobile: 0411 565946

0774 8073348

Your Reference:

Our Reference: NAS/2346/24/RS

Carlisle City Council,
Department of Environment & Development,
Civic Centre,
Carlisle, CA3 8QG

7th December, 2001

Attention: Mr. Angus Hutchinson

Dear Sirs,

Kingswood Centre, Greensyke Farm, Cumdivok, Dalston

We refer to our letter dated 3rd December and to phone conversation with Angus Hutchinson of the planning department earlier this week. In reply to further queries raised by the Council we would advise as follows:-

1. Kingswood Centres are attended by State school children accompanied by teaching staff, which may include a small number of handicapped or disabled as one would expect. There is no provision for accommodating children from any form of secure establishment, either by virtue of behavioural problems or severe mental handicaps.
2. Learning is the underlying aim of the residential courses. This takes the form of Information and Computer Technology sessions interspersed with Earth Care instruction designed to familiarise the students with their surroundings in order to gain a fuller appreciation of them. Children are encouraged to develop their personal qualities of self-confidence, competitiveness, teamwork, leadership, problem-solving and so forth through the physical activities such as climbing, abseiling, caving, rope-walking, fencing, archery and canoeing. The learning process is thus encouraged through both 'classroom' and 'outdoor' formats, a tried and proven formula and one greatly respected by visiting schools.
3. Kingswood has been led to believe that the former school accommodated approximately 140 students at its peak. The intention is to boost this number to approximately 210 bedspaces, accommodated in Windermere, Lakerigg, Ullswater Wing and The Green. The numbers proposed for each of these buildings are 55, 70, 65 and 36 respectively, inclusive of teacher bedrooms.
4. Apart from the applications to complete and extend the part-built chapel to create 'The Forum', and the provision of an All Weather

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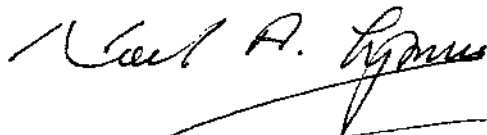
First Registered as Architectural Design Studio February 1971.

VAT Reg. No. 426 4074 63

Area (Hall), there is no plan to generate new buildings on the site of Greensyke Farm. Intensive use of all existing buildings is scheduled, subject to planning where appropriate, and to return part-derelict structures to a useful function. There will be an application for a building on the commenced 'science lab' pad, to provide office accommodation.

5. It is envisaged that approximately 35 staff will be resident on site, to be accommodated in the remodelled Headmaster's House. However, if this number is not practical to achieve within the existing square footage, staff will live off-site. The preference is for on-site staff accommodation to minimise traffic movements and help create a vehicle-free campus as at other Kingswood Centres.
6. We can confirm that the General Manager for Kingswood, together with their architectural consultant, will be present at the City Council meeting on Friday, 14th December to support the applications for development.

Yours faithfully,



Noel A. Spruce
for
Demosne

Document Ref. 2346/24/2

Kingswood Educational Activity Centres have been in existence for almost two decades, with residential study centres located in North Norfolk, Isle of Wight, North Wales and in Staffordshire, from which the Group takes name from the Kingswood Centre.

The Organisation offers courses to school children (accompanied by their teachers) in Computer & Information Technology, with sessions interspersed by Activities designed to develop and encourage the individual's self-confidence, leadership potential, spirit of competitiveness and awareness of his natural surroundings.

Activities incorporated into a typical Centre include archery, problem-solving, caving, canoeing & swimming, low & high-rope walking, abseiling, orienteering and environmental studies. A dedicated staff supervise and instruct the children at every stage of a stay at one of the centres.

Kingswood have recently acquired a 10-year lease on the former Lime House School at Cumdivok, Dalston, near Carlisle, with a view to opening a new centre in spring 2002. There will be 35-40 staff resident at the site, with accommodation being provided for approximately 200 children.

The existing buildings are to be augmented by a number of new facilities, including Reception Centre & Dining/Function Room, multi-purpose Sports Hall, climbing/abseiling tower with zip wire, low & high rope courses and a problem-solving area together with a caving system. Each of these will form the basis of a separate planning application to Carlisle City Council.

The timescale associated with the development and launching of the Centre necessitates a rolling programme of applications, of which this is the first. The Forum is to be developed around the part-built chapel located centrally at the site, comprising Dining/Function Hall, Kitchens, Shop, Reception Area, Toilets and, at the upper level, a Teachers' Retreat and Plant Room.

Kingswood is keen to develop a good relationship with the local authority and the local community, and will have a need for ancillary staff drawn from the locality to assist in the day-to-day running of the campus.

While creating new development at the site, existing buildings will also be restored or renovated where these are devoid of roofs and where fixtures and fittings have been stripped out. The overall plan is to enhance the former Lime House School

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premises as a whole, while adapting the property to a 21st century use for which there is a proven need. Kingswood Education programmes are designed to support primary school teaching in the 5-14 National Guideline framework.

Demesne Partnership,
Lees Yard,
Bull Street,
Holt, Norfolk, NR25 6HP

5th November, 2001

Demesne

Architectural and Interior Designers



Lees Yard, Bull Street, Holt, Norfolk NR25 6HP

Telephone: 01263 860134

Your Reference: ARC/DC/01

01/10/13-1043 Mobile: 0177 565946

Our Reference: NAS/2350/28/RS

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Carlisle City Council,
Department of Environment & Development,
Civic Centre,
Carlisle, CA3 8QG

ARC
S

3rd December, 2001

Attention: Mr. A.R. Hutchinson

Dear Sirs,

Development Plans, Greensyke Farm, Cundivok, Dalston

We refer to three recently submitted planning applications for development at the above location on behalf of our Clients, Kingswood Learning & Leisure Ltd., and to our phone conversation of Monday, 26th November when you requested a fuller picture of our Clients' overall intentions for the site.

We can advise that in addition to changes of use intended for certain existing buildings, our Clients have a requirement for a new dry weather activities hall, high and low ropes problem-solving area, climbing/abseiling tower with zip wire facility and an above-ground caving system, details of which have most recently been submitted to the Council.

We enclose A3 layout plan indicating the existing uses of the various buildings at the site, together with an indication of the proposed new uses and have also shown where the other intended facilities are to be located. We have in addition shown an area for staff car parking.

You raised the question of vehicular movements to and from the site once Kingswood's activities are up and running: normally, changeover days for schoolchildren arriving at and departing from a Centre are Friday and Sunday; if the Centre were fully occupied, that is to say with approximately 210 bed spaces filled, then there could be a maximum of six 50-seater coach movements into and out of the site on each of those days; however, it is fair to say that, on average, Kingswood Centres operate at no more than 70% capacity across term-time as a whole and that during school holidays the premises are virtually unoccupied. In practice, the number of coach movements to and from a Centre poses little or no problem in terms of access to a site through a local community or disturbance to neighbours caused by arrivals and departures. Where smaller groups of children come to a Centre then mini buses are used in preference to 50-seater coaches. The changeover periods are relatively short-lived, that is to say, rarely exceeding two to three hours in duration on any one day and there are never any night time arrivals or departures.

Partners:

Noel A. Spruce: Diploma in Architecture.
School of Architecture, Liverpool Polytechnic, 1965-70.
College of Interior Design, Rhodex International, 1980.

Robin Spruce: College of Interior Design, Rhodex International, 1987.

First Registered as Architectural Design Studio February 1971.

VAT Reg. No. 426 4074 63


Carlisle City Council

3rd December, 2001

You also raised the question of whether a go-kart facility was to be provided at the site: we have no information that such a facility is proposed but it is true to note that Kingswood Centres in Staffordshire, Norfolk and the Isle of Wight each have buggy and quad track facilities; these are much quieter in operation than go-karts and are specifically sited to minimise noise disturbance either to the rest of the site or to any surrounding area. It is fair to say that in the time this practice has been associated with Kingswood activities there have been no complaints regarding noise levels generated by buggy/quad track activities at any of the aforementioned locations.

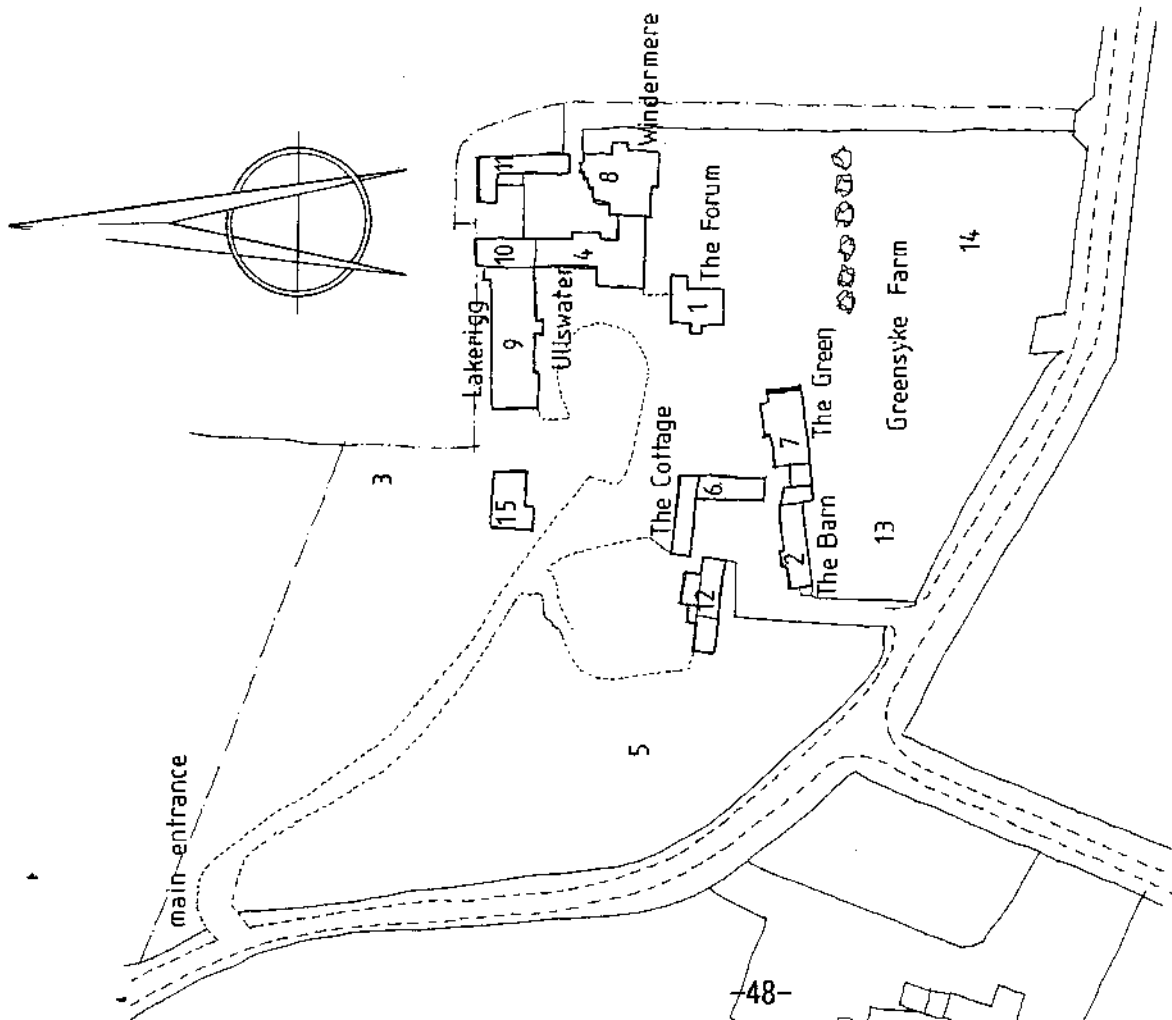
We trust this information provides you with a fuller picture of Kingswood's intentions at Cumdivok and shall be pleased to continue to liaise with you in whatever way possible to achieve a smooth introduction of our Clients' operation into the area.

Yours faithfully,



Noel A. Spruce
for
Demesne

Enc. ✓



EXISTING USES

1. Part-built Chapel/Function Room
2. The Barn - semi derelict two storey barn.
3. Rough grassed area with earth mound.
4. Ullswater Wing - part classroom, part dormitory, part vacant roofspace.
5. Rough grassed area and scrub.
6. Former classrooms.
7. Sleeping accommodation (The Green).
8. Windermere (formerly Greensyke House) Dormitories with basic toilet blocks.
9. Lakerigg Building - dormitories.
10. Ullswater annexe - dining room but no kitchen.
11. Matron's House.
12. Headmaster's House and Office.
13. Rough grassed area.
14. Rough grassed area.
15. Commenced Science Labs. building.

PROPOSED USES

- The Forum - Dining, Kitchen, Shop, Teacher Retreat and Function Accommodation.
- Indoor activities e.g. Laser tag, Fencing.
- Above-ground Caving System, earth-covered.
- Dormitory accommodation, additional toilets.
- Dry Weather Area (Halt) for archery, climbing walls, ball games, etc...
- 5 no. Information computer technology labs and 4 no. Earthcare labs.
- Sleeping quarters.
- Dormitory accommodation with upgraded facilities.
- Dormitories with upgraded toilet facilities.
- No use yet identified.
- Centre Manager's House.
- Centre Office and Staff accommodation.
- Challenge course with low rise equipment.
- Nite Line.
- Classrooms to support 6. No change.

Planning ref.

- 01/1013.
- 01/1043.
- 01/1099.

Present and Proposed Uses of Buildings and Land at Greensyke Farm, Cumdivock, Dalston, Carlisle.

Job no.2350/28. December 2001.

Dwg.no.2350/28/3. -Scale 1:1250

Kingswood DISTRICT

Deverea Partnership - Holt - Norfolk - NR25 6HP.

RECEIVED
- 9 DEC 2001

CUMDIVOCK AND DALSTON PARISH PUBLIC MEETING

Tuesday 15th January 2002 at 7.30pm

RE: KINGSWOOD LEARNING AND LEISURE GROUP
GREENSYKE, CUMDIVOCK

We strongly recommend that if anyone has any objections, queries, or concerns of whatsoever nature regarding the proposed development at Greensyke, Cumdivock we urge you to write immediately to:

Mr. A. R. Hutchinson,
The Department of Environment and Development,
Planning Services Division,
Carlisle City Council,
Civic Centre,
Carlisle,
CA3 8QG

Please address your letters to:

"The Chairman and Members of The Development Control Committee"
and quote planning applications:

01/1013; 01/1043; 01/1099; and 01/1151

19 16 15 17

The majority of local residents are concerned about the following issues:

1. The **legality** of the present planning use of Greensyke to encompass the proposed Children's Activity Centre without submitting a planning application for change of use.
2. The **procedures** that have been adopted by the Kingswood Group to submit a series of planning applications in an attempt to achieve the change of use by stealth.
3. The **intensive** nature of the scheme impacting on matters such as local road safety, visual amenity, noise, light pollution, and wildlife.
4. The **unsuitability** of the location in relation to the rural nature of the area, the distance from main arterial routes, external services and other off-site activities.
5. The **material change of use** required for the Camp Beaumont operation that offers holidays for children to participate in various activities.
6. The **misleading** emphasis on **education interspersed with outdoor activities** submitted by the Kingswood Group in correspondence and planning applications, conflicting with the emphasis on **outdoor activities interspersed with education** in their promotional literature, and
7. The recent **indiscriminate** developments on the site prior to planning approval being granted.

8 THE FIGURES GIVEN BY KINGSWOOD GROUP
DO NOT ADD UP, THE NUMBERS THEY
QUOTE IN THEIR PLANNING APPLICATION
THEREFORE IN ORDER TO MEET THE RUNNING
COSTS, THE NUMBERS OF CHILDREN NEEDED
WILL HAVE TO BE GREATLY INCREASED FROM THE
2000 QUOTED (11) TO 1000 OR MORE. THIS IS
-49-

9 Finkle Street
Carlisle
Cumbria CA3 8UL

Tel: (01228) 538886

Fax: (01228) 810362

Email: planners@taylorandhardy.co.uk

Taylor & Hardy Limited, Registered in England No. 3977505
Registered Office: 9 Finkle Street, Carlisle, Cumbria CA3 8UL

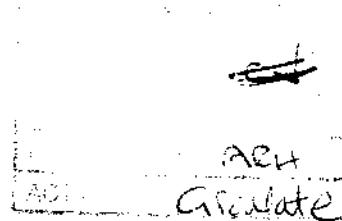
TAYLOR & HARDY

Chartered Town Planners

Our Ref : MEH/J/C01/140

Your Refs : 01/1013, 01/1043
& 01/1099

The Chairman and Members of
The Development Control Committee,
Carlisle City Council,
Civic Centre,
CARLISLE.
CA3 8QG



13th December, 2001

Dear Chairman and Members,

**REPRESENTATIONS ON PROPOSALS TO USE GREENSYKE,
CUMDIVOCK, DALSTON AS A CHILDRENS ACTIVITY CENTRE
THREE CURRENT APPLICATIONS : 01/1013, 01/1043 AND 01/1099
SUBMITTED BY KINGSWOOD LEARNING AND LEISURE GROUP**

I am writing on behalf of Mr. and Mrs. Naylor, Mr. and Mrs. Armstrong, Mr. and Mrs. Marsden, Mr. and Mrs. Gardhouse, Mr. and Mrs. Cowen, Mr. and Mrs. Harle, Mr. and Mrs. Wright and Mr. and Mrs. Henderson, who live in the vicinity of the application site, to lodge representations and objections to the proposals described above.

My Clients' primary objections relate to the principle, particularly its nature, scale and intensity, of the activity centre on the application site which is in a quiet rural location and the impacts the development will have in terms of noise, disturbance, traffic generation, visual and environmental aspects.

It is noted that the previous use on the site subject of the current applications was educational, a part of Lime House School, and fell within Class C2 of the Use Class Order. The premises used during term time for educational purposes only.

My Clients are concerned that the nature of the use now proposed is different.

The nature of the proposed uses are detailed in two 2002 brochures, one for the Kingswood Educational Activity Centres and the other for Camp Beaumont, the relevant extracts of which are attached.

In these brochures the Greensyke facility is advertised as offering the following:

i. **Kingswood**

- (a) **Courses** : ICT Action Adventure; Earthcare; Adventure Choice; Field Studies;
- (b) **Activities** : Abseiling; Aeroball; Archery; Caving; Climbing; Fencing; Go-karts; High ropes; Initiative exercises; Kart driving school; Laser tag; Low ropes; Mission impossible; Nightline; Orienteering; Personal Development; Team challenge; Quad bikes; Zip wire.

ii. **Camp Beaumont**

- (a) **Camps** : Super-Camp Holidays;
Super-Camp Plus Holidays;
(Selection 1 - ComputerCamp Light, Eco Ranger, Motorsports, Water Sports, Wizard School; Selection 2 - ComputerCamp, Horseriding, Star Maker);
Mini-breaks - 3 day and 4 day.
A wide range of excursions are also offered.
- (b) **Activities** : Abseiling, Aeroball, Archery; Bingo; Caving; Climbing wall; Computing; Fencing; Football; Go-karts; High ropes; Initiative games; Internet Café; Karaoke; Laser tag; Low ropes; Matrix; Mission impossible; Nightline; Orienteering; Quad bikes; Softball; Talent Show; Team challenge; Team trail; Unihoc; Volleyball; Wide games; Zip wire.

It is considered that the uses detailed above do not fall within Class C2 but are a mixed use of C1 and C2.

The legal view which supports this analysis is set out in a letter from Peter Wilbraham, Peter Wilbraham & Co., a copy of which is attached.

It is considered that the proposed use of the site is one which if it is introduced without planning permission would be unlawful.

To consider the three current applications without addressing the planning aspects of the actual use of the site as a Childrens Activity Centre would be inappropriate.

The Committee are respectfully requested to defer any decision on the three current proposals until a planning application for the actual change of use is before you for consideration and a site visit has been made.

Earlier today I received from the Planning Officer a copy of a letter dated 12th December 2001 from Geoffrey Searle, Planning and Property Solicitors, which I understand will be circulated to you by the Planning Officer. I have copied that letter to Peter Wilbraham and sought his further comments. Those further comments are set out in a separate letter a copy of which is also enclosed. As you can see from this letter Peter Wilbraham's views have not changed.

Yours sincerely,



MARGARET HARDY

- cc. Mr. A.R. Hutchinson, Principal Development Control Officer,
Carlisle City Council;
Mr. A.C. Eales, Head of Planning Services, Carlisle City Council;
Mr. & Mrs. Naylor;
Mr. & Mrs. Armstrong;
Mr. & Mrs. Marsden;
Mr. & Mrs. Gardhouse;
Mr. & Mrs. Cowen;
Mr. & Mrs. Harle;
Mr. & Mrs. Wright;
Mr. & Mrs. Henderson
Mrs. E. Auld, Clerk to Dalston Parish Council, Bannerdale, Unthank,
Dalston, Near Carlisle.

WILBRAHAM & CO
S O L I C I T O R S

Minerva House, East Parade, Leeds LS1 5PS Tel: 0113 243 2200 Fax: 0113 244 9777
E-mail: wilbraham@wilbraham.co.uk
E-mail: peter.wilbraham@wilbraham.co.uk

Our Ref: PNW.KLC

Your Ref:

Date: 13 December 2001

Mrs Margaret Hardy
Taylor and Hardy
9 Finkle Street
Carlisle
Cumbria
CA3 8UU

By fax: 01228 810362

Dear Mrs Hardy

Greensyke, Cumdivock

You have sought my opinion, on behalf of a number of the residents of Cumdivock, about the proposed development at Greensyke by Kingswood Educational Activity Centres and Camp Beaumont. Although marketed separately, I am considering them together for the purpose of this advice since they will be carried out on the same planning unit. In particular you have asked for an opinion on whether the proposed use constitutes a material change from the presently authorised use. You have supplied me with an outline of the planning history, a copy of the Kingswood and Camp Beaumont brochures, a letter of support from the Applicant's architect and a report on your enquiries of local authorities.

It appears that the authorised use of Greensyke is as a residential educational establishment. It is clearly a use within Class C2 of the Town and Country Planning (Use Classes) Order 1987.

The use to which Kingswood intends to put the site divides into two parts (although there is no division within the site itself).

1. The 'Kingswood' element. It appears that parties of schoolchildren, accompanied by their teachers, will visit the site for periods from between one and five nights. They will participate in courses that involve various skills largely related to outdoor activities. It appears to me that those courses could fall within the definition of 'educational'.
- 1.1 I have been concerned that the nature of the residential element of the Kingswood activities is different from the traditional residential school or college; the turnover of those attending the Kingswood courses is between one and five nights as opposed to the term or full year residence of schools or colleges. At first sight, this has the characteristics of an hotel as opposed to a boarding educational establishment. However, bearing in mind that the characteristic of this class is the delivery of care and a service, I can see that it is arguable that the use is within Class C2



Peter N Wilbraham Richard W Wade-Smith David R Walton Kate L Butterfield Robert J Waite
Consultant: Carolyn M Stephenson

This firm is regulated by the Law Society

WILBRAHAM & CO
S O L I C I T O R S

- 2 The 'Camp Beaumont' element. During summer the centre offers holidays to children where they can participate in various activities. I note from the brochure that there are themed holidays on offer. The period of residence may be a week but the brochure offers shorter camps of three and four days. I consider that this element of the activities is not an educational establishment within use class C2. It is in the nature of an hotel use, which is Use Class C1. That is a material change of use from that which is authorised.
- 2.1 The overall position is that, on the information presently before me, the Kingswood element could be a use within Class C2. The Camp Beaumont element is within Class C1. I regard the C1 use as more than *de minimis*. It seems clear to me that the use is a mixed use, combining the two elements. As such it is a material change of use from that which is authorised and planning permission is required.

I am aware that your enquiries have shown that there have been complaints about the activities of Kingswood in other locations. In at least one case, a noise abatement notice has been served which is, of course, the first stage of public nuisance proceedings. It is, therefore, essential that the planning authority take the opportunity of considering whether Greensyke is an appropriate location for the proposed activities.

Yours sincerely


Peter Wilbraham

(W)

WILBRAHAM & CO
S O L I C I T O R S

Minerva House, East Parade, Leeds LS1 5PS Tel: 0113 243 2200 Fax: 0113 244 9777
E-mail: wilbraham@wilbraham.co.uk
E-mail: peter.wilbraham@wilbraham.co.uk

Our Ref: PNW.KLC

Your Ref:

Date: 13 December 2001

Second Letter

Mrs Margaret Hardy
Taylor and Hardy
9 Finkle Street
Carlisle
Cumbria
CA3 8UU

By fax: 01228 810362

Dear Mrs Hardy

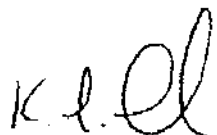
Greensyke, Cumdivock

I have received a copy of the letter from Mr Searle in which he comments on the need for planning permission for the proposed use of Greensyke by Kingswood Educational Activity Centres and Camp Beaumont.

Mr Searle's letter considers in some detail the nature of the 'Kingswood' element of the proposed use, which relates directly to the paragraph numbered 1 in my earlier letter. Clearly, he has a greater knowledge of the activities than is available to me but it is noteworthy that we come to similar conclusions about that element of the use.

Mr Searle does not give any consideration to the matters that I consider in the paragraph numbered 2 in my letter. Those are the 'Camp Beaumont' activities. I remain strongly of the view that that element of the use is not within the same use class and that the planning unit would have a mixed use comprising classes C1 and C2. Since the present authorised use is within class C2, that change would be a material change of use for which planning permission is required.

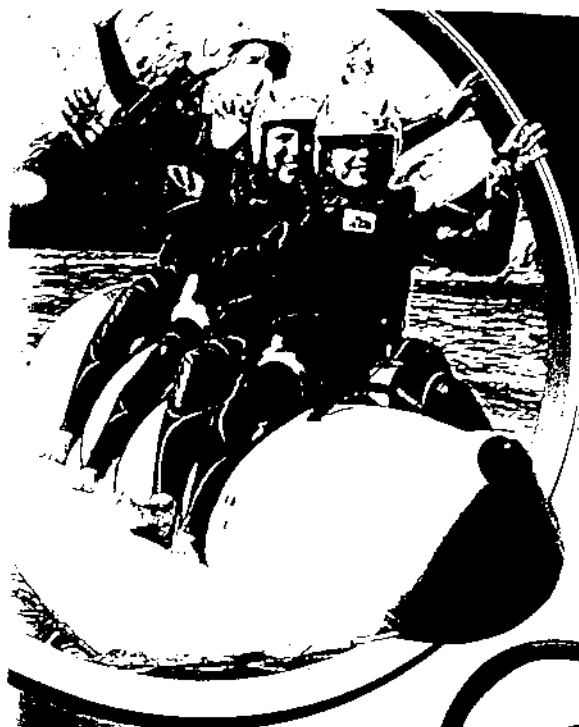
Yours sincerely


Peter N Wilbraham



Peter N Wilbraham Richard W Wade-Smith David R Walton Kate L. Butterfield Robert J Waite
Consultant: Carolyn M Stephenson

2002



22 Great Years

CAMP BEAUMONT

No.1 for Summer Camp
Fun!!!



Lake District

Camp Beaumont Lake District lies in the north of England close to the pretty village of Dalston, not far from Carlisle.



Great Facilities

This self-contained camp has loads of sports and adventure facilities, all set within a secure, well-planned outdoor environment.

The camp is surrounded on all sides by rolling farmland. It has a range of all-weather facilities including a sports centre, laser zone, twin motorsports tracks, Beaumont climbing wall, a zip wire and an underground man-made caving system.

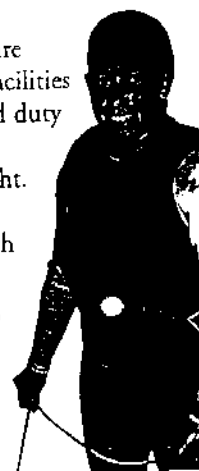
Elsewhere in the camp there is an Internet Café, archery ranges, a fencing salon, an arts and crafts room, theatre, disco and cinema.

Watersports

Our camp has access to a safe, inland sheltered lake which offers action packed sessions of sailing, windsurfing, canoeing and even raft building for the Robinson Crusoe in every child - all under the watchful eye of our Camp Beaumont qualified Lifeguards.

Accommodation

Accommodation is in simple dormitory rooms within easy walking distance of all activity zones. All rooms are comfortably furnished with space for hanging clothes and storing belongings. There are shower and toilet facilities near each room and duty staff are on hand throughout the night. This self-contained camp offers a wealth of sports and adventure facilities, all within a safe, secure and structured environment.





Lake District

**6-9
YEARS**

**9-14
YEARS**



Abseiling
Aeroball
Archery
Bingo
Caving

Climbing wall
Computing
Fencing
Football
Go-karts

High ropes
Initiative games
Internet Café
Karaoke
Laser tag
Low ropes
Matrix

Mission impossible
Nightline
Orienteering
Quad bikes
Softball
Talent Show
Team challenge

Team trail
Unihoc
Volleyball
Wide games
Zip wire

Location

Near Dalston, in Cumbria, south of Carlisle and north of Lake Ullswater.

Camp dates

Camps run from Saturday to Saturday departing on 20/7, 27/7, 3/8, & 10/8.

SuperCamp Holidays **£358 p.w.**

Enjoy all the activities listed left. A perfect solution for first time campers or for children who love to take part in as many things as possible.

SuperCamp Plus Holidays

The very best holidays of all. Ideal for returning campers or kids who love one special activity. See Pp.20-29.

Selection 1

ComputerCamp Light, Eco Ranger, Motorsports, Watersports, Wizard School.

Selection 2

ComputerCamp, Horseriding, Star Maker.

+£35 p.w.

+£98 p.w.

Mini-breaks:

3 Day £149 4 Day £199

Campers can also come for a 3-day (Wed-Sat) and 4-day (Sat-Wed) mini-breaks that fit in with your own holiday plans.

Excursions

We offer a wide range of excursions, see p.33 for details.

Booking

See p.8 of the Parent Guide for details. Or phone our booking team on:

01692 824 828

2002

KINGSWOOD
EDUCATIONAL ACTIVITY CENTRES

Residential Courses for ICT, Adventure Activities and Field Studies
for Primary, Middle & Secondary Schools



Our first Centre in the north of the country opens at Dalston, a pretty village lying between Carlisle and the Lake District. Here, Years 3-9 will be able to enjoy our popular *ICT Action Adventure*, *Earthcare*, *Field Studies* and *Adventure Choice* courses.



Our new Centre near the Lake District will be opening in 2002



The campus

The Centre occupies a large, well-defined site surrounded on all sides by rolling farmland. It is planted everywhere with mature yew and deciduous trees. The main building was once a Georgian farmhouse and latterly the headmaster's house of a junior school. Nearby are clusters of modern and traditional buildings, many set around courtyards and all built of honey coloured local stone.

Accommodation

Visiting pupils are housed in warm and comfortable residential buildings and sleep in multi-bedded dorms with bunk beds. Warm duvets and fresh linen are supplied and all dorms are close to shower and toilet facilities.



Children are supervised until 9pm - then their busy day ends back at the dorms.

Teachers' quarters are cosy single rooms or twin-bedded rooms with separate bathrooms. In all cases they are not far from pupils' dorms.



Entrance to teacher lounge

Courses

Our countryside location makes the Cumbria Centre an ideal base for environment studies. Pupils on Earthcare courses will have a chance to explore local habitats and to learn about the natural history of the region. Meanwhile, excursions to the nearby Lake District National Park will give them a chance to study the impact of tourism on a region of outstanding beauty and to conduct detailed river and woodland studies.

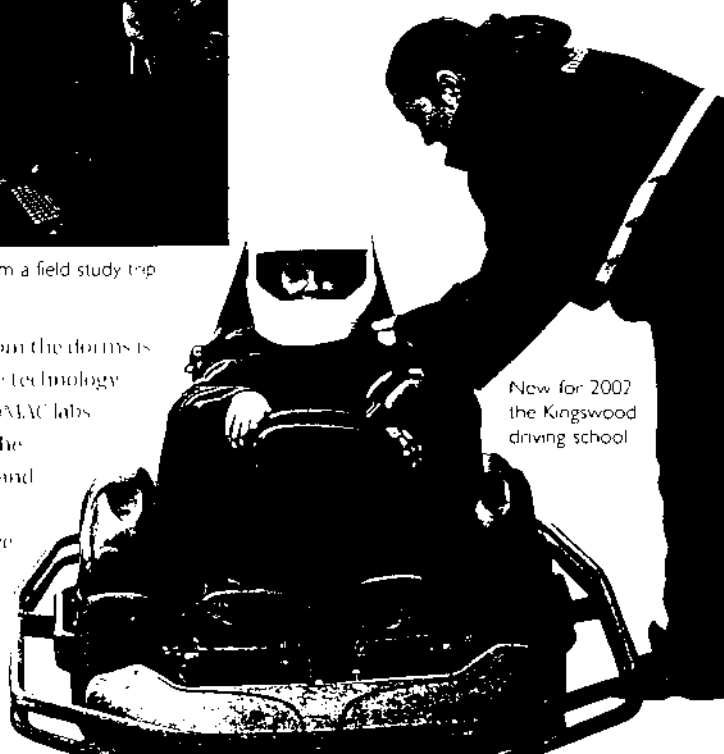


Pupil built rafts are tested in a team race



Downloading data from a field study trip

The Centre's proximity to Carlisle Castle and to the 73 miles of Hadrian's Wall also makes it a wonderful place from which to explore forts and museums. Pupils can see for themselves what life on the most famous frontier of the Roman Empire was like.



New for 2002
the Kingswood
driving school

A short distance from the dorms is our most up to date technology block with ICT and MAC labs fitted out with all the latest in computer and control technology. Here too pupils have access to the Internet and to digital cameras, scanners and printers.

Location

Near Dalston, Cumbria, south of Carlisle, north of Lake Ullswater

Courses

ICT Action Adventure

Years 3-9, Key Stages 2 & 3

Earthcare

Years 3-6, Key Stage 2

Adventure Choice

Years 3-9, Key Stage 2 & 3

Field Studies

Years 7-11, Key Stages 3

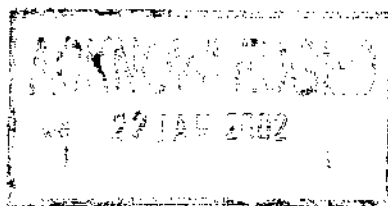
Activities

- Abseiling
- Aeroball
- Archery
- Caving
- Climbing
- Fencing
- Go-karts
- High ropes
- Initiative exercises
- Kart driving school
- Laser tag
- Low ropes
- Mission impossible
- Nightline
- Orienteering
- Personal development
- Team challenge
- Quad bikes
- Zip wire

DEPARTMENT OF ORTHOPAEDICS

Mr G K Ions, Mr A N Edwards, Mr G H H Broome, Miss C G Brignall
Mr M M Orr, Miss G M Ferrier, Mr M J Dawson

The Chairman and Members of the Development Control Committee **Direct Line: 01228 814754**
The Department of Environment and Development **Our Ref: GKI/TM**
Planning Services Division **Clinic Date:**
Carlisle City Council **Date: 18 January 2002**
Civic Centre
Carlisle
CA3 8QG



PLANNING	
REF	
21	2002
MM	
ARJ	

Dear Mr Hutchinson

Re: Planning Applications 01/1013; 01/1043; and 01/1151

26 23 24

We are writing as a department to express our concerns about the proposed development at Greensyke.

The orthopaedic department in Carlisle deals with all the limb, spine and pelvic fractures for a huge geographical area stretching from north of the border with Scotland down to Kirkby Stephen and beyond in the south east, across to Haltwhistle and beyond in the east and out to the coast on the west. We drain more or less most of the northern half of the Lake District and as you are probably aware the Lake District has something in the order of 25 million visitors a year. Our department deals with a lot of injured patients who come from areas of the country other than Cumbria and in fact we also deal with injured patients from around the world who visit the Lake District. This enormously increases our workload over and above what we would be expected to deal with for the resident catchment population. No real provision for this extra work has ever been allocated and when the Oasis site opened a few years ago we were concerned that we would get even more trauma coming our way from their activities. This has indeed proved to be the case with a steady stream of injured patients coming to us from Oasis.

We are very concerned about the prospect of 200 children a week going to Greensyke to do "outdoor activities". We are particularly concerned about the prospect of these children being allowed to use quad bikes. We know these to be very dangerous vehicles having had experience of some fairly horrific injuries caused to farm workers who use quad bikes in the course of their work. The prospect of a couple of hundred children a week running around on quad bikes is somewhat alarming to us. Our department is fairly heavily stretched with big waiting lists, insufficient beds and all the other ills that afflict the health service generally.

We feel that our department is already carrying a trauma workload over and above what could be reasonably expected and every extra patient from outside our catchment area means less time, manpower and equipment to deal with our local population who we see as our primary reason for being here.

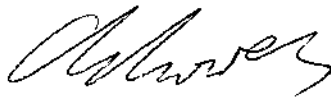
We would therefore urge your committee to take very seriously the implications to the local hospital of allowing this development to go ahead. We feel very aggrieved that we were never consulted over the Oasis site which has plagued us with a steady stream of injuries since its opening and we feel it would be detrimental to the population of Carlisle and the surrounding district who we are supposed to serve if we have a further increase in trauma due to another outdoor enterprise on our doorstep.

We understand that these concerns are likely to be significantly different to most objections to planning applications, however ^{we} we feel that the impact of this venture will be felt on the whole of the population of Carlisle and the surrounding districts via its effect on their hospital service, that serious consideration should be given to our concerns.

Yours sincerely



MR G K IONS



MR A N EDWARDS



MR G H H BROOME



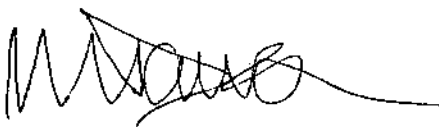
MISS C G BRIGNALL



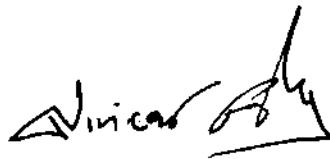
MR M M ORR



MISS G M FERRIER
(on leave)



MR M J DAWSON



FOODWORTHY,
AEE CONSULTANT.



CARLISLE HOUSE, TOWNHEAD ROAD, DALSTON, CARLISLE, CUMBRIA, CA5 7JF
 TEL (01228) 710208 FAX (01228) 711960 E-MAIL vets@caldewvet.co.uk

2.1.2002

Mr A M Taylor
 Chief Development Control Officer
 Department of Environment & Development
 Planning Services Division
 Carlisle City Council
 Civic Centre
 CARLISLE, Cumbria
 CA3 8QG

PLANNING SERVICES	
REF	Carried to files
67 JAN 2002 9, 8, 7 & 9	
RECORDED	CN
BOARDED	
PASSED	ACH
ACTION	

Dear Sir

***Proposed Development at Greensyke Farm, Cumdivock, Dalston, Carlisle
 By Kingswood Learning and Leisure Group Limited
 Planning Applications Nos. 01/1013, 01/1043, 01/1099 and 01/1151***

With reference to the above-mentioned planning applications, I wish to record my opposition to the proposed development as I believe it is totally out of keeping with the nature of the village and surrounding countryside, which will be irrevocably altered. I was also alarmed to discover that Kingswood are already advertising the 'new' site in their brochure with bookings being taken, which raises fears and suggestions that bias already exists and that opponents of the development are unlikely to have their case fairly heard.

In addition to my concerns on the effect such a development could have on the area generally, I am also concerned that the proximity of the development to several surrounding large livestock premises could compromise the biosecurity of these premises, a shield which some have utilised to good effect to protect themselves during the recent Foot and Mouth Disease epidemic. Only a fence will separate the proposed development from livestock and it is inevitable that some debris from the proposed development would find its way onto adjacent farm land, and with the likelihood of visitors to the site coming from a variety of countries and backgrounds, there exists the possibility of disease spread to animals from human waste.

I hope you will consider my comments carefully and consult further opinion on the issues I have raised.

Yours faithfully

J G Cook BVSc Cert CHP MRCVS

CHIEF PLANNING OFFICER
Dept ENV. & Development
PLANNING SERVICES DIV
The Civic Centre
CARLISLE

PLANNING SERVICES	
01/10/13 et al	
10 JAN 2002	
RECORDED	en
SCANNED	
PASSED TO	ACH
ACTION	

"The White House"
CUMDIVOCK
DARSTON
CARLISLE
CUMBRIA
9th Jan '02.

REF: 1/1099 1/1013 1/1043 1/1151
2 GREENSYKE CUMDIVOCK

Dear Sir,

You will be aware that we are at the forefront of objections to the above proposals.

We attended our local Darston Parish Council meeting last night when the latest application from Kingswood (the developers) was on the agenda.

In discussion, when their spokesman from Norfolk and their local site manager MR Eddie Chandler were asked why they had displayed such a cavalier attitude towards the decision of your planning committee (to delay any decision until the next meeting) their reply was and I quote:-

"MR Hutchinson gave them permission to continue with repair work to improve the derelict buildings and make them safe and to allow construction of the assault course to proceed in the front paddock" (area 13).

You will be aware that work has continued on this site ^{virtually} every day except Xmas Day, Boxing Day & New Year's Day since your last planning meeting on 14/12/01. I enclose my record of events on site daily since 17/12/01.

Yours faithfully, N/A. ...

Dec 01

KV: NWA Armstrong
THE WHITEH. CUM DIVERK12-01 RANNING
H1 YEE DEFER
SITE MEETING 30/1/02

GREENSYKE

RECORD OF PHYSICAL EVENTS FROM 17-12-01

Date	HAPPENINGS ON SITE
7-12-01	8:00 AM Storeys Builders arrive 4/5 men + caterpillar digger + ^{KEN HOPE} dumper truck excavating the central ditch from roadside fence to north of site behind all the buildings, work went on all day.
12-01	8:00 AM ^{+ KEN HOPE MEN} STOREYS here again. A big 20' load gravel tipped up for use at the unauthorised entrance to the garth fronting the road. Washed clean gravel. Dumper truck is full of Storeys men in big van of which there are 5 on site white/yellow/blue time 10:00 AM. Lot of internal work proceeding in No 6 and No 2 Barn. Men wheeling in sand & cement from outside courtyard. Drilling/sawing going on inside No 6 and No 2. PART road marked 13 is being excavated this morning.
12-01	Lot of work continuing inside and out. Work in particular in the 2 old Barns at Greensyke Farm. Another load washed gravel delivered and ^{KEN HOPE} Storeys dumper truck and excavator working on draining the front garth of what was part of Greensyke Farm. 4:00 PM. Diggers & men working away frantically in front garth under floodlighting.
12-01	Workers all in again today - early work 8:00 AM on front garth drainage again and other work on inside buildings 3:30 PM - much work continues with digger + dumper in 13 front garth. Lot of work going on inside Building No 6 in particular. STOREYS & KEN HOPE DIGGERS + DUMP TRUCK WORKING
4-12-01	Again a lot of digging/excavating in progress in No 13 area by Storeys men in their yellow garb. Mostly AM quiet in the afternoon. Also Ken Hope men on digger.
2/12/01	Sat - lot of work again on the site digging and excavating, earth moving. Ken Hope men
3/12/01	Sunday seems quiet on site
4/12/01	No work visible
5-12-01	No work seen

27/12

GREENOP

Record of Physical Events on Site

Date

THURS 27th

Didn't see any activity AM but some work done by local staff PM.

28th Fri

Ken Hogg Digger and Dumper-truck in action PM. by what would seem to be resident "on site" labour.

29th

away we were on NO 13th

30th

away " " " " "

31st

Away " " " " "

1st Jan 02

away but work by site employees continues!

2nd Wed

Work on site continues in area 13 building what looks like an assault course, sleeper and steel walls, posts/pits, etc. to create an obstacle course

3rd Jan

Local workmen on site preparing Assault course (13)

4th Jan

Work continues on the ASSAULT course more large wooden poles inserted into the ground

5th Sat

Working again in area 13 more horizontal poles

6th Sun

Working all day again in area 13 on assault course more upright poles installed.

Mon 7th

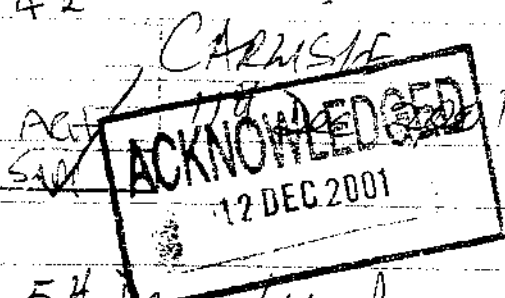
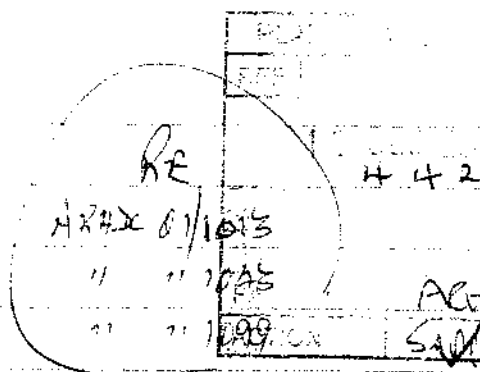
Some work continues on the obstacle/assault course.

Tues 8th

local council meeting tonight; site seems quiet today.

CHIEF BRANNING OFFICER
Dept ENVIRONMENT
Planning Dept
CIVIC CENTRE
CARLISLE

The White House
CUMSDIVOCK
DALSTON



Dear Sir,

Further to my letter dated 5th December, I now enclose for your perusal a photocopy of information contained in the Handbook for 2002 of Kingwood Leisure & Leisure Group.

Now you can see what alarms all those of us in CUMSDIVOCK who will have to live with this proposed development. This is a quiet rural area of CUMSDIVOCK chosen by many of us who live here for its place and quiet. The area abounds in wildlife particularly the area just to the north of this proposed development known as GILL BECK. It is home to badgers, foxes, buzzards, greenfinch, chaffinch, blackbird, thrush, tree-creeper, pied wagtail, flycatchers, wild duck, bullfinch, magpie, jay, robin, and of course many of the crow family. You can see from the enclosed photocopy that proposed ACTIVITIES include:-

ABSEILING

CLIMBING

GOLFS

KART DRIVING SCHOOL

QUAD BIKES

This is precisely what puts the fear of God up all of us round here. Our peace will be shattered. They will wish (in due course) as they expand to purchase more and more land for an ever greater range of activities. This is a COMMERCIAL VENTURE pure and simple and if resident students are not attracted in sufficient numbers to ensure viability then sure as eggs are eggs they will seek to sell times at their facilities to all a Sunday car when they will have little control. I do hope this proposal is not allowed. Would anyone wish to be in our position now?

-68- Yours faithfully

RET TYLER
CHIEF DEV CONT. Officer
Dept ENVIR + DEV.
Planning Dept.
CIVIC CENT RE
CARLISLE

WILLIE ARMSTRONG
"THE WHITE HOUSE"
CUMDROCK
DALSTON
CARLISLE
CUMDROCK
CASE T JW

ARH/X/01/1013
ARH/X/01/1013
ARH/X/01/1099

ACKNOWLEDGED

06 DEC 2001

Dear Sir,

Thank you for your letter regarding this proposed development(s).

We live next door, some 200m away and we are obviously extremely unhappy at this proposed development. The proposed site is in the middle of unspoilt farming countryside and whilst a degree of development on the existing site would improve the site (particularly improving the barn that had the old stone slates stripped off for the roof at ~~the~~ DAKES UTAGE Hawksdale) it is the on-going developments that concern us most. THESE APPLICATIONS ARE THE THIN END OF THE WEDGE.

Adjoining landowners have already been "sounded out" as to their readiness to sell more land. No doubt over a period of time the site will expand and become an eyesore. This area is farmland and all who live nearby do not want their peace and quiet disturbed. Previous dealings with your department leave me with no confidence whatsoever that our local views will matter one iota. All you are concerned with are the legalities; that satisfied, you will side-sleigh over any objections based on noise, unsightliness, access etc etc.

So, whilst we object to the whole scheme we are wasting our breath and our time bothering with it. You will already have decided in favour anyway because the application mentions I.T., education, outdoor activities etc - full marks to the applicants timing just after F.H.D. in the County!!! Finally - Y/N I would like to speak at the SUB COMMITTEE MEETING in due course.

Yours sincerely

W.A. Armstrong

1) Mr A.R. Hutchinson,
The Department of Environment
and Development
Planning Services Division,
Carlisle City Council,
Civic Centre,
Carlisle CA3 8QG.

The White House,
Cumdivock,
Dalston,
Carlisle
Cumbria CA5 7JW
18th January 2002

PLANNING SERVICES
21 JAN 2002
MM
ARCH
ACTION

Re: Kingswood Learning and Leisure Group.

Dear Mr Hutchinson,

Please ensure that the following letter is brought to the attention of:

The Chairman of Members of the Development Control Committee

and refers to the planning applications

01/1013; 01/1043, 01/1099; and 01/1151
4 4 2 4

I strongly object to the proposed planning applications, as quoted above, which are for The Greensyke site at Cumdivock by the Kingswood Learning and Leisure Group, and although no reference is made to it, other than in their brochures, Camp Beaumont

A casual drive past the site indicates that the building work is in progress, even though there was a deferment of a planning decision until January 30th (site visit by planning committee) and 1st February 2. Similarly the advanced advertisement in Kingswood and Camp Beaumont brochures (written in the present tense) looks premature and suggests a "Cavalier" attitude of the applicants to the Planning Committee and to local residents.

It does seem curious that Kingswood have

1) opted to submit a rolling programme of separate planning applications for the same site !!
Originally there were three applications, then a further one, plus nine more in the pipeline !!
This looks rather suspicious and perhaps is intended to understate the collective significance of the site, or even disarm the Planning Committee??

I question the proposed use of the site as a Children's Activity Centre, not entirely Educational and would challenge the legality of it, without a planning application for Change of Use - particularly for Camp Beaumont

The locality of the site in relation to the rural nature of the area is totally unsuitable. It is surrounded by few dairy farms or grazing pastures (not rolling country side) with between 500 and 600 grazing dairy cows in summer, with no natural boundaries. The bio-security of the site causes great anxiety to the farming community following on so closely from Foot and Mouth Disease

The intensive nature of the scheme, the number of pupils (210) and staff (40-60), and the frequent change over stays, plus the trips out to Carlisle Castle, Hadrian's Wall, The Lake District, for sporting activities and field trips to woods and rivers etc will have a huge impact on the traffic along a quiet country lane. The bridge at The Gill is 4 metres at its maximum width, two cars cannot pass, let alone buses. This will cause danger to other road users, walkers, joggers, horse riders and cyclists. The Leiver's Cycle Route passes along this road.

3. I object to the misleading emphasis on education interspersed with outdoor activities submitted by the Kingswood Group in correspondence and planning applications, conflicting with the emphasis on outdoor activities interspersed with education, in their promotional literature.

Leading on from that, the scheme is so intensive on such a small back site; it must be detrimental to the visual amenity, noise (from go karting, Quad bikes, Zip wires, barbecues, orienteering and traffic etc) light pollution and wild life. There is a substantial colony of Pipistrelle Bats in the attic of Greensyke House and they are a protected species. There are badger's sets at Gill Beck, 200 metres away, red squirrels in the vicinity and many different species of nesting birds in the area. The Noise will have a truly tremendous effect on all who live and work in the area particularly as there will be rotas of pupils involved in the outdoor activities on site, which will go on all day and part of the evening, almost 365 days a year!

According to Kingswood and Camp Beaumont brochures Dabten and Cundivock are in the Lake District.

We do not want to change the whole nature of rural Cundivock and make it into a Butlin's Holiday Campsite.

to: A.C. Kales (Head of Planning)
P. Stykel/Vii (Chief Executive)
M. Mitchelson (Leader of Gt. Council)

Yours sincerely,
Mrs E. Armstrong (H)

12/1/03
It is advisable to check as early as possible whether European protected species are present on potential sites for development - ideally before the land is bought.

Developers need to be aware of the implications of encountering European protected species on potential development sites. If a development is likely to result in disturbance or killing of a European protected species, damage to its habitat or any of the other activities listed above, then a licence will usually be required. An understanding of the legislation, processes for obtaining licences and ideal procedures at the initial stages of development is likely to help ensure that the nature conservation considerations are fully addressed, particularly if considered at the early stages of the planning process. Finding European protected species on a development site at a later stage could result in delays whilst a licence is sought or even offences being committed.

Note: In this context, "development" should be interpreted broadly to include plans or projects such as the carrying out of building, engineering, mining or other operations, on, over, or under land, or the material change in use of any buildings or other land. This would also include the demolition of buildings, rebuilding, structural alterations of, or additions to, buildings.

* The Planning System and Nature Conservation *

Many European protected species licence applications relate to developments which are subject to planning permission. Guidance on the consideration that local planning authorities should give to nature conservation interest is contained in Planning Policy Guidance 9 on Nature Conservation. This states, *the presence of a protected species is a material consideration when a local planning authority is considering a development proposal which, if carried out, would be likely to result in harm to the species or the habitat. Local authorities should consult English Nature before granting planning permission. The local planning authority should consider attaching appropriate planning conditions or entering into planning obligations under which the developer would take steps to secure the protection of the species.* English Nature local teams will advise local planning authorities on their policies for European protected species and also any conservation implications of individual planning decisions which affect European protected species.

Mitigation proposals may be significant when considering the impact of planning applications upon European protected species. Reducing the impact or providing alternative habitat within or near to the development site may enable the favourable conservation status of the species concerned to be maintained. It is the developer's responsibility to produce a mitigation plan, normally through a suitable consultant. It is not English Nature's role to produce mitigation proposals on behalf of developers, though it can advise Local Planning Authorities of their suitability and give general advice to developers.

Licences:

Licences derogating from the protection afforded to European protected species can be granted for a number of specified reasons. Several of these reasons are outlined below:

Bellgate House
Cumdivock
CARLISLE
Cumbria
CA5 7JJ

Tel: 01228 712065

11/12/2001

PLANNING SERVICES	
REF	01/1013 & 1043
14 DEC 2001	
RECORDED	CN
INDEXED	
LOANED TO	ALH
ACTION	Crookdale

Councillor L Crookdale
Ashbridge
Stockdalewath
CARLISLE
CA5 7DP

Dear Councillor Crookdale

**Subject:-Planning Applications 01/1013 and 01/1043
Greensyke Farm, Cumdivock**

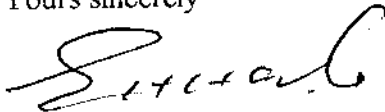
I am disturbed by the manner in which this proposed development has been presented to the public by Kingswood Learning and Leisure (Group) Ltd.

- From their 2002 brochure (which clearly shows the complete layout and facilities), they have obviously known of the intended development for some months yet the first two planning applications were not submitted until mid-November and published in the 'Cumberland News' on Friday 23rd November. I now understand that these applications are to be presented to the Planning Committee meeting on 14th December. As one of the nearest residents, I contacted the Planning Department to enquire why I had not been advised of this proposed development; apologies were given and I received notification dated 28th November. As I have the statutory 21 days to respond, this takes us up to 19th December, five days after the Planning Committee meets. I will be submitting my objections in full to the Planning Department (copy attached).
- With Kingswood's advertised opening date of 4th January 2002, it appears they are attempting to push this through unopposed by creating deadlines that do not give local people enough time to research and submit their objections. In addition, Mr Hutchinson's report to the members of the committee was prepared without the benefit of these objections, nor the comments from Dalston Parish Council, the Highways Authority or the Head of Environmental Services.
- Their overview document (reference 2346/24/2) of the planned development, dated 5th November 2001, and submitted to the Planning Department conveniently omits the more controversial activities, such as go-karts, quad bikes, discos, etc. On a visit to the Planning Department on Monday, 26th November, I asked Mr Hutchinson about go-karts and he said the architect had told him that these were not for this site; yet the plan in their brochure clearly shows a go-kart track, which they obviously knew about when submitting this document. In addition, the brochure states 'New for 2002 - the Kingswood Kart Driving School' under their Lake District heading. What else are they not telling us?

- These planning applications are always presented as 'Location - Lime House School' yet this is a commercial development, nothing whatsoever to do with Lime House School. Why present it in this manner? Is it an attempt to confuse people and make them believe this is part of a well-established and respected local school, thereby making objections less likely?
- In my opinion, Kingswood has already anticipated full planning permission being granted as work began on-site some weeks ago.

In conclusion, I respectfully suggest that, before making any decision, time should be allowed for the Planning Officer to properly complete his report and a site visit by the Planning Committee arranged. I appreciate the desire to action planning applications as quickly as possible, but from my perspective it does seem that an attempt is being made to push this one through with unseemly haste, particularly when the applicants appear to have been well aware of their intended development months in advance of submitting the applications.

Yours sincerely



Edward H. Harle

Note: I have forwarded a copy of the Kingswood brochure with my letter of objection to the Planning Committee in case you have not had the opportunity to view it. I further understand there is another brochure from a company called Chateau-Beaumont who use Kingswood's facilities during school holiday periods. As I have not seen this brochure myself, I cannot comment fully on the content.

Objections to Proposed Development at Greensyke Farm, Cumdivock
Reference: Planning Applications Nos. 01/1013 and 01/1043

Public Safety

The Kingswood brochure shows the archery facility sited on a fairly narrow strip of land between the public highway and the main entrance drive, thereby endangering public safety. The bow is a formidable weapon and stray arrows in either direction could have serious, if not fatal, consequences.

Noise Pollution (Now recognised as a health hazard)

Although presented as educational, the brochure indicates the main emphasis is on outdoor pursuits, that is, climbing walls, wires, caves, etc. During such activities children are usually urged to SHOUT encouragement at others. This will of course be further exacerbated by the advertised go-karts (advertised for Dalston - 'New for 2002, Kingswood Driving School'), quad bikes and night time discos. As they intend to operate seven days per week throughout the year, this small rural community will be subjected to an unacceptable and stressful level of noise EVERY DAY.

We know from the use by Lime House School just how disturbing the penetrating and high pitched voices of children shouting can be and the great distance over which they can be heard. This was acceptable during their occupancy as it only occurred during their morning and afternoon breaks and once or twice a week when playing sports. To have to face this all day, seven days a week, is not acceptable.

Inappropriate Development

The surrounding area is very much involved in agriculture and this would appear to be a non-conforming development in a rural environment almost totally devoted to farming.

Cumdivock combined with The Gill is a very small community and this development will result in very nearly a 300% increase in the population. As no doubt they hope to fill it every day of the week, I fear it will ultimately destroy the warm and hospitable community relationship that exists today. The stress of having to cope with such a large development will no doubt generate tension and break down these good relationships.

Apart from a few ancillary staff, it is unlikely to provide work for many local people, bring in investment or significantly increase trade to local business - they will even have their own shop.

In their overview document (reference 2346/24/2), Kingswood state that there is a 'proven' need for this development but do not quantify this statement. I would question this considering the number of outdoor activities and facilities available within the Lake District, many specifically for schools.

Fountain Head
Dalston
Cumbria
CA5 7BP
14 January, 2002

Objection to proposed development at Greensyke, Cummdivock.

Dear Sir,

My wife and I feel that the proposed development at Greensyke, Cummdivock is unsuitable development in several respects.

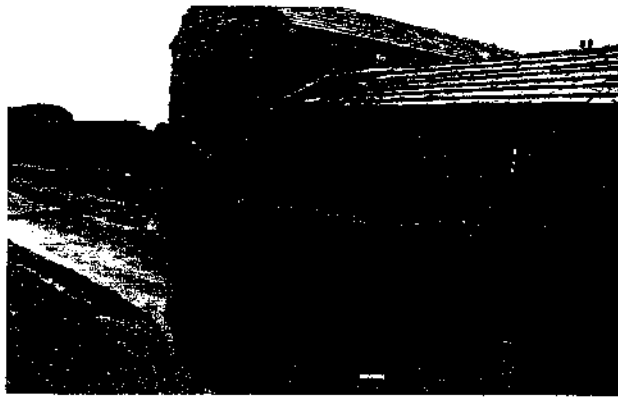
1. **The surrounding road infrastructure is totally unsuitable for the additional type of traffic this proposed development would introduce.**
The proposal is to cater for 200 plus youths and associated staff. This will require, private cars, mini-buses and coaches. In addition there will be the service vehicles associated with meeting the needs of 200 to 250 people per day. **The proposal is for the 'stay' to be one to five nights, which implies a coach transfer rate of up to 12 coaches per change over day, with additional coaches for field trips.**
The road condition, currently, is such that after a brief twenty minute shower standing water collects (shown below) and only disperses through evaporation.

PLANNING SERVICES	
REF	2001/1013
15 JAN 2002	
RECEIVED	
DELETED	
PASSED TO	
ACTION	



Standing water after a brief shower shown from Fountain Cottage looking towards Greensyke

This problem is dangerous for current road users and is detrimental to my property (shown on the following page), as the walls are continually drenched with the standing water being thrown up by passing traffic (photo attached taken on the same day after a brief shower).



The problem will deteriorate further if the increased traffic resulting from the proposed development is allowed to happen.
The road width is not really suitable for increased traffic flow as the photo below shows existing traffic is taking to the verges and causing damage and dangerous conditions through mud being thrown onto the road.



In this photograph the mud has cleared and the damage was not severe, but it can be seen along the length of the road how the verge is being damaged.

Within a half mile of Greensyke there is a very narrow bridge with bad blind bend on its approach from either direction. The bridge is not wide enough for two cars to pass simultaneously.

Furthermore this is an unclassified road which is not gritted during the winter and can be extremely hazardous to negotiate in winter conditions.

2. Development will increase noise pollution.

The proposal for a Quad Bike track is unbelievable. We can currently hear a single chain saw when used sporadically on farms within a mile. This commercial venture would not be viable if only used sporadically and the site lies only half a mile from my property. The previous use meant that children (up to 60 reserved junior age) played out at night and we could hear them on a summer evening. This development proposes up to 210 children (up to 15 year olds) with outdoor activities which will bring to the fore the modern need for vocal excess demonstrated by modern youth, especially teenagers.

3. Development may introduce light pollution.

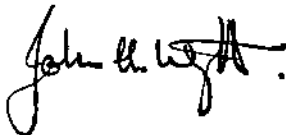
I assume that the proposed development will run in the winter months and that it would not be good business practice to have outdoor facilities (investment) standing idle. This may then require artificial lighting to allow the full use of these facilities. If this were the case an oasis of light in the natural darkness of the countryside can only be detrimental to wildlife and local residents alike.

4. Development will begin the non agricultural development of the countryside if this ill-conceived commercial venture is allowed to proceed.

- 5. Disturbance of wildlife.** Within the area of Greensyke there are Red squirrels, Badgers and other easily disturbed wildlife such as buzzards, which have just become established in the area over recent years.. I am sure that this development and the pollutions mentioned above would seriously affect the environment of these creatures and would probably drive them out of the area.
This is a delicately balanced environment for the wildlife and we must not disturb it with such a development.

This objection applies to ALL applications submitted for the development of Greensyke on behalf of any applicant.

Yours Faithfully



John H Wright

Fountain Head
Dalston
Cumbria
CA5 7BP
14 January, 2002

Copy of letter to Highways Department

Re Standing water on the Lakerigg to Cummdivock Road

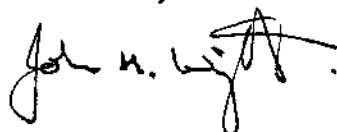
Dear Sir,

I have recently purchased Fountain Cottage, Dalston, CA5 7BP from a Mr A Readdie. The road outside the property is badly affected by standing water which is thrown onto the property by passing traffic. This constant soaking is extremely detrimental to the property causing damp above the damp course. (The property has solid walls which can contend with atmospheric wetting via evaporation but not the amount of water thrown onto it by traffic.) I understand from Mr Readdie that he had requested that something be done to alleviate the problem. Indeed after his last letter to you I talked to some of your operatives who came to clean the drain to the right of the property and pointed out to them that the road to the left of the drain (directly outside Fountain Cottage) was lower than the drain and stands in water until it evaporates. The operative said he would report the situation back to his superiors. Could you please inform me of the current situation and if any proposed action is anticipated. The road from Nook Lane to Cummdivock was recently resurfaced and we hoped it would continue to Lakerigg and offer some hope of rectification. Is there any plan to resurface this section?

I enclose some photographs of the standing water problem for your records.

In addition to my concerns about the standing water on this section of road I understand that there is a planning application for development at Greensyke and the increased traffic, which is thought will be coaches and support vehicles to maintain up to 250 people daily and field trips to and from the site, probably daily can only further deteriorate the road condition. Surely this road is not suitable for increased traffic. Apart from the standing water problem which can only be compounded if there were an increase in traffic there is a very narrow bridge before Greensyke with band bends on either side of it. The width of the road is not suitable for coaches and the verges are constantly being damaged with the current traffic. Furthermore this is an unclassified road which is not gritted in winter and would pose hazardous conditions for transporting the public under these conditions.

Yours Faithfully



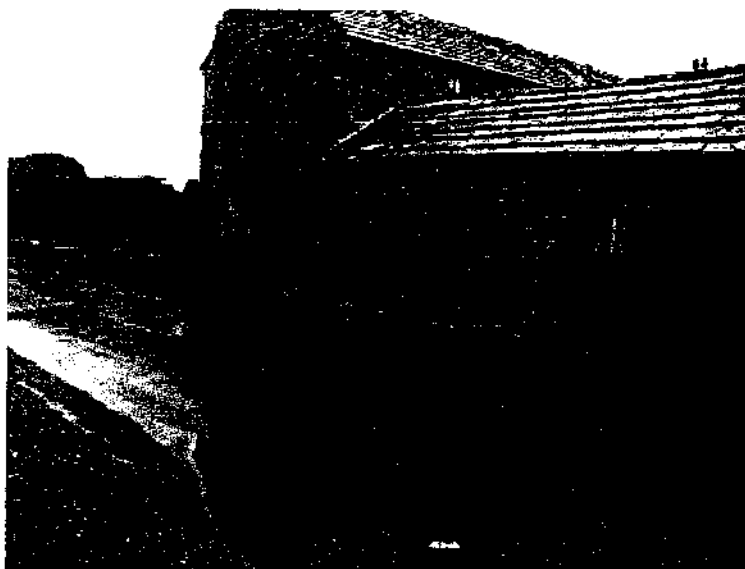
John H Wright

Examples of the problems on the Cummdivock Road.



Standing water outside Fountain Cottage after a twenty minute shower.

The drain is situated just off the picture in the foreground but is higher than the standing water.



The water is thrown onto the property by passing traffic and is causing damp problems.



The verges are being eroded and damaged almost daily by passing traffic.

The damage is along the length of the road and is much worse in other locations than this photograph suggests.

Application By KINGSWOOD LEARNING - LEISURE GROUP?

622 N. 01/1013

01/1043

61 / 1099

01/1151

BP
ARTS

MR C BLAND
BIRCH GARTH
LAKERIGG
DALSTON
CA5 7BS

DEAR SIR/MADAM

I AM WRITING TO OBJECT TO THE GREENSYKE DEVELOPMENT. DALSTON AND SURROUNDING VILLAGES ARE UNSPOILT AREAS OF NATURAL BEAUTY THAT DEPEND ON THE GOOD WILL OF LOCAL PEOPLE AND LAND OWNERS ALIKE. LOSE THE GOOD WILL AND PLACES WILL FALL INTO DECLINE, BELIEVE ME IVE SEEN THIS HAPPEN IN BRADFORD WHERE I LIVED FOR 35 YEARS.

WE BOUGHT PROPERTY AT LAKERIGG BECAUSE OF THE RURAL ASPECT OFFERING PEACE AND TRANQUILITY, WHICH WILL BE BROCKEN WITH THE INCREASED TRAFFIC PROBLEMS FROM THE FREQUENT CHANGE OVERS, WITH BUSES, CARS, DELIVERY VEHICLES ETC MAKING THE ROADS IN THE WHOLE AREA MORE DANGEROUS. ALSO THERE WILL BE CONSIDERABLE NOISE FROM ON SITE ACTIVITIES.

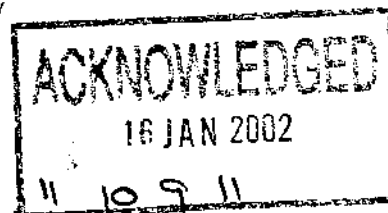
MOST WORRING OF ALL IS THE NATURE OF THE CHILDREN WHO WILL BE ATTENDING THIS ACTIVITY CENTRE, AS THIS IS UNKNOWN.

THE CONCEPT OF THIS PROJECT SEEMS TO HAVE BEEN SEALED AND DELIVERED BEFORE THE PROPER APPROVAL AS BEEN SOUGHT FROM YOURSELVES. THIS IS NO WAY, EITHER FOR A PRIVATE INDIVIDUAL OR A BUSINESS TO CONDUCT THEMSELVES, IS THIS THE WAY KINGSWOOD LEISURE GROUP WORK.

I STRONGLY FEEL THAT THIS PROJECT SHOULD BE REJECTED.

YOURS CONCERNED

Stand



Tel. Dalston 710676

18 JAN 2002	
RECORDED	MM
SCANNED	
PASSED TO	7
ACTION	

Pin Cushion,
Hawkesdale,
Dalston,
Carlisle,
CA5 7BJ
17/01/02
Development

To the Chairman and
Control Committee.

Ref Planning application 01/1013; 01/1043; 01/1099
+ 01/1151.

I am deeply concerned about the impact
the above will have on the local area. I have
read the brochure of Camp Beaumont and Kingwood
Group which reveal up to 200 children and 50 staff
on 1, 3 and 5 day change rounds so that the
amount of extra traffic will be horrendous,
and this on minor roads which are virtually
single carriageway in parts. These roads are
also used by route 7 & 10 cycleways, and walkers
as well as horse riders, as it forms the only
access to 2 bridleways.

Yours faithfully
R. Reedch.

PLANNING SERVICES	
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99	100

Boulder Garth
31 The Green
Dalston
Nr Carlisle
CA5 7QD

Thursday 17 th January 2002

Mr AR Hutchinson
Chairman and Members of the Development Control Committee
Department of Environment and Development
Planning Services Division
Carlisle City Council
Civic Centre
Carlisle CA3 8QG

Mr Hutchinson, Chairman and Members of The Development Control Committee,

Planning applications: 01/1013, 01/1043, 01/1099, and 01/1151.

Whilst I welcome diversification in the countryside, and re-use of existing buildings which can be a positive move for the better in many cases, I have severe reservations about what is proposed for the Greensyke site.

1. **Legal:** Although Beaumont and Kingsway have an element of education in their brochure proposal, for the most part the emphasis seems to be on the leisure, adventure playground aspect. I wonder if this is slipping in by the back door of what should be an application for change of use of the property. Also, all sorts of developments have taken place on site, before you have given planning permission.

2. **Procedural:** Kingsway and Beaumont have made a series of planning applications, rather than a complete one. It is really difficult to access the scale of the project, which does seem to be growing, vastly.

3. **Intensity:** From the brochure evidence, it looks as if Greensyke will be under intensive use, during school time and in the holiday periods. While this maximises profit for the companies, it gives the residents no break from the impact of extra and larger traffic, noise, visual amenity and light pollution.

4. The **access road** is the Rievers cycle route, which should provide a safe country road cycleway. Amongst many others I **walk, cycle and ride a horse** regularly around by Cumdivock, and already feel very vulnerable, particularly at the Greensyke, Gillbeck and Bridgend corners, where it becomes so narrow, without verges to escape onto. It will become terrifying when we have to face such continuous heavy traffic as is proposed. The route gives us six, local, adult riders access to seven bridleways, and numerous country lanes, never mind riders from further afield, and children on ponies.

5. Greensyke is not on main **sewerage** so I hope that they have adequate proposals to take the effluent from 250 people, consistently and constantly.

6. The perimeter security fence proposed, and other installations, are likely to be **unsightly** unless well landscaped. Greensyke is on a ridge and part of very attractive, peaceful, countryside, close to the road, used inoffensively, by very many people.

Yours sincerely,

E M Craig

Mrs E M Craig

Tel: 01228 710274

PLANNING SERVICES	
REF	STONEHWAITE CARDEW DALSTON CARLISLE CA5 6JQ
18 JAN 2002	
RECORDED	MM.
SEARCHED	
PASSED TO	ARH
ACTION	
Jan 16 2001	

"The Elayman and
The Development
Planning Applications.
01/1013; 01/1043; 01/1000 and 01/1151.
Dec 15 13 12 14

We are dismayed that the Kingswood Development at Greenyke appears to going ahead without Planning permission being granted. We would be interested to know if the properties are listed buildings? if so how are they managing to alter these properties without permission? We live in a listed property and had to obey planning guidelines when doing improvements. We understand they are to do as good a job as they can. Have they applied to the Planning Office shortly are they trying to pull the wool over our eyes as to the size of this project?

Tel: 01228 710274

2

STONETHWAITE
CARDEW
DALSTON
CARLISLE CA5 6JQ

The local road safety is of major concern with poor access to the property, these roads already have weight restrictions in force surely this is some indication to the type of roads in question. Another concern is the visual impact and noise levels which will result from the various outdoor activities i.e. go-karts, Quad-Bikes and other outdoor sports, this will have a serious impact on the local residents and livestock which graze the adjoining fields.

The Brochure which is already published despite no planning permission being granted puts emphasis on the Educational side of the activities whereas it appears that the true emphasis will be on outdoor activities. There will be no break from traffic & noise and it appears to be happening seven days a week fifty weeks of the year.

Tel: 01228 710274

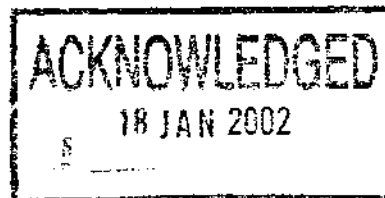
STONETHWAITE
CARDEW
DALSTON
CARLISLE CA5 6JQ

The existing sewage system will not be adequate for the increasing residents, how do they propose to overcome this problem?

Taking everything into consideration this development appears to be wrong for this area, the people involved are trying to steam roller over the wishes of the local residents and ^{employing} bullying tactics.

Yours,

John + Hilda Shacklock



LAKELISS c.
DALSTON

Dear Sir

WE ARE VERY CONCERNED
ABOUT THE PROPOSED DEVELOPMENT
AT SKIRNSYKE, THE ISSUES ARE
ON THE ATTACHED FORM.

IT WOULD APPEAR THAT THE
FIRST THREE PLANNING (APRIL)
& THE FURTHER (9.) TO FOLLOW
SMACK OF A MUCH LARGER
SCHEME THAN APPLIED FOR
AT PRESENT

~~SECRET~~

M. F. [Signature]

ARCH

Cartner House
Lakerigg
Dalston
Carlisle
Cumbria CA5 7BS

17/1/02

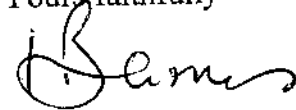
The Chairman and Members of The Development Control Committee

Re. Planning Applications 01/1013; 01/1043; 01/1099 and 01/1151

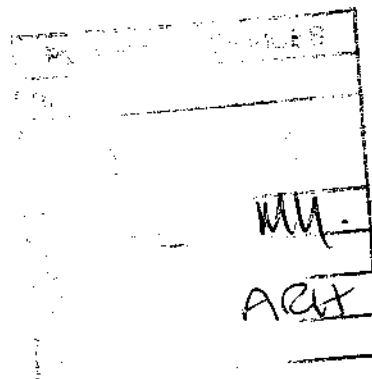
I write as a resident of Lakerigg Dalston since 1962 expressing my concern at the proposed development at Greensyke to accommodate the activities of the Kingswood Learning and Leisure Group. This is a major change of use of the premises and surrounding land which is not in keeping with the rural nature of the area.

The narrow roads leading to Greensyke, which are a popular walking and cycling attraction, are totally unsuitable for both the increased number and size of vehicles which the new venture would require. The manner in which the planning permission has been applied for, little by little, is extremely dubious and the cavalier fashion in which the applicants have already started the developments and advertised the courses before permission has been granted is insulting to both the planning committee and the local residents (unless of course they have inside knowledge and influence!)

Yours faithfully



Ian Barnes



Primrose Hill, Bridge End, Dalston, Cumbria CA5 7BJ
Tel: 01228 712310

PLANNING SERVICES
01/1013, 1043, 1099, 1151
21 JAN 2002 +
MU
ARCH

The Chairman & Members of the Development Control Committee,
Carlisle City Council,
City Hall, Carlisle.

**Re: Kingswood Learning & Leisure Group plc : Development at Greensyke
Planning Applications 01/1013;01/1043;01/1099;011151**

I wish to object to this proposed development for the following reasons :

1.1 The proposed use can not only be fairly described as being of merely pseudo-educational nature for thirty two weeks of the year, but for the remainder of the year it is advertised (by the developers) as being a holiday camp & activity centre.

1.2 The proposed use presents a marked intensification of activity on and around the site. Previously, the site provided accommodation for Junior pupils (25 Resident, 30 Day). Their impact on the local community amounted to one bus in the morning and one in the afternoon; twice a week they were transported to Holme Hill for lunch. The four staff used private cars. There was no presence outside normal school term times.

The Kingswood proposals involve the housing, feeding, care and entertainment of 256 persons, 7 days a week, 52 weeks in the year. This represents not simply the normal occupancy of 100 houses, but 100 houses constantly involved in intense activity (some of an especially noisy nature, such as quad biking and Karting) and other outdoor pursuits such as horse riding plus excursions to the Lakes, Carlisle, Hadrian's Wall, Talkin Tarn etc.

The proposed use represents both a material change in, and an intensification of activity upon the site which requires Planning Approval for Change of use. The developers should be instructed to stop work on the site until such time as this has been determined.

2. A study of the impact of traffic generated by this proposal does not appear to have been carried out. I understand the developers have been asked to indicate the effect on roads in the area and have simply offered a route from the M6 (leaving at Junction 41) for a small number of buses bringing schoolchildren to the site.

This ignores the prospect of clients coming from the North or East of Carlisle (neither of which would be likely to stay on the M6 until Junction 41) and none of which could in any case be policed to ensure observance.

It also glosses over the volume of traffic engendered by participation in activities provided for clients off-site, delivery vehicles (food, laundry, etc) medical attention, refuse collection, non-resident staff arriving and leaving work, building and equipment maintenance, statutory inspections for safety etc., resident staff shopping and entertainment and all the thousand and one things necessary to service 256 persons throughout the year. What the developers propose will turn what has been an imperceptible presence in the community into one having major impact.

A traffic impact study should be carried out, bearing in mind that also that a Weight Restriction Order has just recently been placed on H.G.V's passing through Dalston and an opportunity for public consultation upon the results given before consideration is given to the question of Change of Use.

3. The developer is dealing with this project in a piecemeal fashion, obviously with the intention of disguising the impact of their proposals and wearing down opposition to their proposals whilst gaining the Local Authority's commitment to the enterprise by stages. This is not reasonable behaviour.

The developers should be instructed to submit one application for all proposed uses of the site.

4 No attempt appears to have been made to gauge the effect of the proposals on local wildlife.

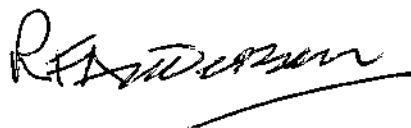
A study of local wildlife should be carried out and its future assessed in terms of this development.

4.

5.

I feel that if these matters were seriously considered any reasonable person would conclude that this proposed development is simply in the wrong place. Bearing in mind that there are 51 activity centres in the Lakes area offering all those recreations -and more - offered by this venture (often at far less cost) one wonders if indeed it is even desirable. And to claim (as the attendant literature does) that it is "The Lake District", together with the fact that work is being carried out in contravention of Planning regulations (i.e., before approval) poses questions about the veracity of claims made by the developers.

Yours sincerely,



PLANNING SERVICES	
21 JAN 2002	
RECEIVED	MH
DATE	AKH
19th January 2002	

Boulder Garth
31 The Green
Dalston
Nr Carlisle
CA5 7QD
19th January 2002

Mr AR Hutchinson
Chairman and Members of the Development Control Committee
The Department of Environment and Development
Planning Services Division
Carlisle City Council
Civic Centre
Carlisle. CA3 8QG

Dear Mr Hutchinson,

Planning applications: 01/1013, 01/1043, 01/1099, and 01/1151.

I would be grateful if you could consider my views on the above application and pass them onto the Chairman and Members of The Development Control Committee.

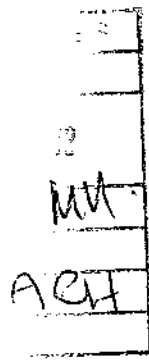
Having perused the above planning applications, I have serious concerns about what is being proposed:

- **the size of the development and its effect on the Infrastructure.** Within the plans proposed there could be 200 pupils plus 50 staff on site at any one time. That is nearly five times the number of people who were resident when Greensyke was part of Lime House School. The surrounding infrastructure would not be able to cope with such an increase. Roads are narrow and are not suitable for an increase in buses taking pupils backwards and forwards. As a regular user of the roads in Cumdivock both for walking, cycling and motoring, I view with considerable apprehension the possibility that this development could go ahead. In addition the sewage system could not cope with the effluent resulting from such a large increase in the number of people.
- **the Unsuitability of the Location.** Taking into account the rural nature of the area, the buildings and other structures being proposed and the noise and light pollution resulting from the proposed activities, the location is totally unsuitable.
- **Change in Use.** The Kingswood Group places considerable emphasis on outdoor and leisure activities and that is clear in their promotional literature. In any planning application consideration must be given to the change in use resulting from this scheme.
- **Submission of Planning Application on a Piecemeal Basis.** The procedure by which the Kingswood Group are submitting a series of planning applications will make it difficult to assess the overall impact that the project will have on the community and countryside.

Yours sincerely,

Ronald Craig

Ronald Craig



Ladywood,

Nook Lane

Dalston

CAS 7JR.

18th January, 2001

Mr A. R. Hutchinson
Dept. of Environment and Development
Planning Services Division
Carlisle City Council
Civic Centre
Carlisle CA3 8QG.

Re Planning Application 01/1013: 01/1043: 01/1099 and 01/1151
Kingwood Learning and Leisure Group, Greensyke, ¹³Condlisock ¹⁵ ¹⁴ ¹⁶

Dear Sir,

I am very concerned to learn of the proposed developments at Greensyke and strongly object to them.

This is a quiet, rural area where I and my family have our home. I was born here and have always valued the quietness and calm of the area which is in great contrast to that in the South of England where I have my employment.

The proposed developments would seriously damage this quiet environment, and I think it is quite unsuitable for this area. The local roads are very narrow and on many of them it is not possible to pass opposite direction traffic without both parties slowing or stopping. The main arterial routes are distant from the proposed site as are the main external services. There are few amenities in the surrounding area.

I would also question the legality of the present planning use of Greenwyke to encompass the proposed Childrens Activity Centre since it would appear that no planning application has been submitted for change of use.

Further, it seems to me that the Kingwood Group have sought to be less than straightforward in their application in any case, by submitting a series of applications to disguise their true intent. Clearly a single application for change of use would have been refused.

I am particularly concerned by the intensive nature of the scheme which will undoubtedly have a severe impact upon the visual amenity, noise light pollution, wildlife and, not least road safety. I am particularly concerned by the last of these since I have young children.

The Kingswood Group have also sought to mislead by putting their emphasis on education interspersed with outdoor activities in correspondence and planning applications which is in conflict with their promotional literature which offers outdoor activities interspersed with education.

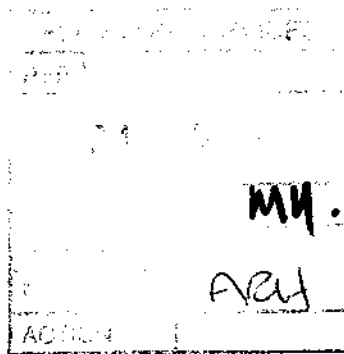
I also object most strongly to the recent developments on the site which have taken place prior to any planning approval being granted.

Yours faithfully

Neil G. R. Moffat.

CAPTAIN N.G.R. MOFFAT.

Mr A.R.Hutchinson
Dept. of Environment & Development
Planning Services Division
Carlisle City Council
Civic Centre
CARLISLE
CA5 8QG



Gill House
Gill
Dalston
CARLISLE
CA5 7JP

(01228) 710584
17 January 2002

For: The Chairman and Members of the Development Control Committee

Ref: Planning applications 01/1013; 01/1043; 01/1099; 01/1151 Greensyke, Cumdivock

We would like to draw Members' attention to the scale and size of the proposed Kingswood Learning and Activity Centre at Greensyke.

Previously it was a small residential school, with approximately 40 children and 3 teachers, in use during term time only. **It is now proposed to hold 200 children, 35-40 teaching staff, plus ancillary workers**, offering in addition to computer studies a wide range of outdoor activities both on- and off-site. With Camp Beaumont, the Centre is advertised as being open **50 weeks a year**.

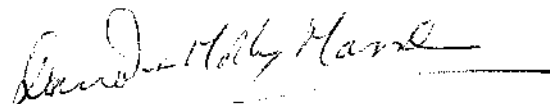
We are told that there are proposed to be 60 computer terminals - which, with other indoor activities, presumably means that **up to 100 children will be outdoors at any one time**. We feel strongly that this level of activity, on a site of less than 7 acres, is contrary to your District Plan policy L4 in that it is **not of an appropriate scale to the locality and will have an adverse effect on the amenity of the surrounding area**.

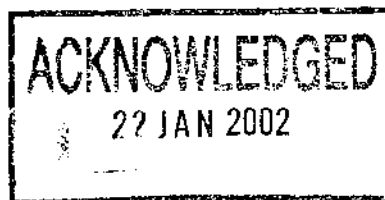
In our previous letter of objection, we forecast a considerable increase in the volume of traffic. Since that letter, we have obtained Kingswood's brochure specifically for the Greensyke **"New Lake District Centre"** The "Earthcare" course offered lists "Woodland trails not far from the Centre"; "Village and town study"; "River study"; as three out of four study subjects. Since none of these are available on-site, this implies even more traffic than we had previously anticipated.

In that same letter we expressed concern about noise occasioned by the on-site course activities of Kingswood. Having now received the Camp Beaumont brochure, we find listed evening activities like campfires, karaoke, disco and barbecues - **even more noisy activities going on into the Summer evenings!**

We hope that you will appreciate the quiet nature of this area when you pay your site visit at the end of the month, and can realistically assess the effect that allowing the Kingswood and Camp Beaumont development proposals to go ahead would have.

Yours sincerely,


Mr. & Mrs. D Marsden



K1/1/02.

Church View,
The Square,
DALSTON
CAS 794,

To:

The Chairman & Members of the Development
Control Committee,

REF: Planning applications 01/1013; 01/1043; 01/1099; & 01/1151.
(23) (23) (10) (21)

- Objections.
1. no planning application submitted for change of use.
 2. Difference of emphasis on use between correspondence with planning applications, & that in their promotional literature.
 3. recent indiscriminate developments on site PRIOR to planning approval being granted.
 4. Road use - greatly increased traffic on unsuitable roads. Will there be 30MPH restrictions followed by street lighting?

PLANNING SERVICES	
REF	
22 JAN 2002	
RECEIVED	EN
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PASSED	A2H
ACTION	

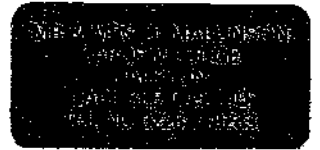
"The procedures that have been adopted by the KINGSWOOD Group to submit a series of planning applications in an attempt to achieve the change of use by Stealth".

Yours faithfully,

J. Lyle Dalton (MRS) -

Please feel free to use ~~the~~ any part of this letter

18 JAN 02



CHAIRMAN & MEMBERS OF DEVELOPMENT
CONTROL COMMITTEE

PLANNING APPLICATION
01/1013, 01/1043, 01/1099 & 01/1151

²⁴ ²¹ ²⁰ ²²
RE. KINGSWOOD LEARNING & LEISURE GROUP
GREENSYKE, CUMBUCK

Dear Sir,

We wish to complain about the
above proposed development, and
strongly object on the following grounds

- 1, Local road safety
- 2, Visual amenity, noise & light pollution
- 3, General unsuitability of the location
- 4, Misleading emphasis on the whole project

Yours faithfully

22 JAN 2002

Margaret MacLennan

Eric Hallin

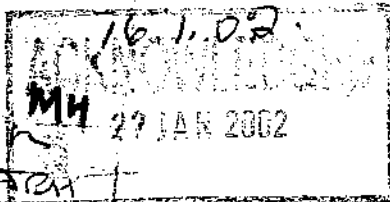
PL	
PE	
IP	
PP	
PA	
ACT	

2002
MM.
ACH

TEL. (0228) 710338

BROOMFIELD FARM,
DALSTON,
CARLISLE,
CUMBRIA.
CA5 7JL

Mrs. A. R. Hutchinson



Dear Sir,

re: applications 01/1013 - 01/1043
01/10991 - 01/1151

My husband & I hereby
register our objection to the
proposed change of use of the
Prep School at Greensylke to a
nursure Centre.

We have farmed here for over
50 years & the affect on the
highways, environment, sewage
& other services would be
disastrous, let alone the noise

in this one of the few remaining
peaceful hamlets in Cumbria.

We hope you have seen the
prospectus issued by Camp
Beaumont. How do they get
away with this — the sort of
thing that undermines the
ordinary person's faith in
local govt.

Yours faithfully
(Mrs) Green/atson

MR P. Wain RD. BARR.
retor.

P.S. let's celebrate
our diamond
wedding anniversary
in March in peace
please.

Mr. A.R. Hutchinson

Department of Environment and Development
Planning Services Division
Carlisle City Council,
Civic Centre
CARLISLE

19th January 2002
2002
AW
AQH
ACTION

To: The Chairman and Members of the Development Control Committee

Ref: Planning Applications 01/1013; 01/1043; 01/1099; 01/1151
(22) (19) (18) (20)

Dear Sirs,

Re proposed development at Greensyke, Cumdivock

I live less than half a mile from the proposed development and wish to register my strong objections to it for the following reasons, as previously expressed in a letter to Dalston Parish Council.

1. CHANGE OF USE

There is very obviously a significant change in the use of the premises and the scale of activities. One only has to read the Kingswood brochure to see that the final product will be far removed from the quiet little school of some 50 pupils that previously occupied the site. Two hundred children will

②

require numerous supervisors and ancillary staff. The emphasis is very much on sporting, leisure and outdoor activities rather than indoor learning.

2. EFFECT ON THE CHARACTER OF THE AREA

This change of use conflicts with the nature of the surrounding area which is primarily agricultural with a scattering of private houses. In addition it is an important "green belt" on the fringes of the city which is used by residents of Carlisle and Dalton for walking, cycling and horse riding and is a tranquil retreat. A major development such as this will alter the character of the area with increased traffic and noise.

3. LACK OF BENEFIT TO THE COMMUNITY

The development would be of no benefit to the local community and would not offer any additional amenities to us. It is unlikely that local businesses will benefit from any additional trade. There is bound to be more noise and disturbance from the activities on the site. Unless there is tight security, what is to prevent teenagers wandering out along the dangerous roads, possibly trespassing on farmland and endangering livestock, crops and wildlife and generally causing mischief and vandalism? In the light of foot and mouth, it is not

③

sensible to encourage the movement of large numbers of people from all over this country, and possibly also from abroad, into agricultural areas. This is still a highly sensitive issue in this area.

A. TRAFFIC AND ROAD ACCESS AND SAFETY

The lane linking the B road Dalston/Caldbeck with the site is totally inadequate for the increase in coaches, delivery vans etc. that would inevitably arise if the development is allowed. Along most of its length, two cars can only just pass. There is a narrow bridge and several blind corners. The lane is liable to flood at various points. It is not gritted in winter and can be treacherous, something for which long distance travellers from the motorway would be unprepared. The main entrance is between two sharp bends with no visibility due to high hedgerows.

S. DISTANCE FROM AMENITIES

The site is 2 miles from the nearest village amenities in Dalston and a mile from the nearest public transport, an hourly bus to Carlisle. Access to the M6 is on rural roads. Surely such a development should be closer to the city and the motorway and should have public transport links to cut down on traffic and pollution.

(4)

These are my principal objections to the applications but I am also appalled by the high handed way in which Kingwood is proceeding with work on the site and has published a glossy colour brochure to market it for this year before obtaining planning consent, presumably considering it to be a mere formality. The company has also attempted to cloud the issue by making the applications piecemeal. I do not wish my local council to be a pushover for any developer that decides to come to the area and I strongly urge you to take a stand on behalf of your electors and council tax payers in Dalston and Cumdivock and refuse permission for this most unsuitable scheme.

Yours faithfully,

David Shingler

DAVID SHINGLER

to The Chairman and Members
of the Development Control Cmttee,
Civic Centre,
CARLISLE CA3 8QG.

S. H. Sinclair
Gambling Croft
Hawksdale
Dalston
Carlisle CA5 7BJ
Tel: 01228 710664

Planning Ref 01/1013, 1043, 1049, 1151
(21) (12) (17) (14)

Dear Sir,

PROPOSED DEVELOPMENT AT
GREENSYKE, CUMDIVOCK BY KINGSWOOD

PLANNING	21 Jan 2002
REF	22 JAN 2002
RECEIVED	cn
FORWARDED	
APPROVED	(initials)
ACTION	

I am writing to express my concern at the premature development which is taking place at Greensyke, Cumdivock by Kingswood Learning and Leisure Group. They have advertised in their brochures and are currently building to provide extensive leisure facilities which are far in excess of the use made of Greensyke by Lime House School.

I understand that there are four retrospective planning applications submitted to date but further developments are expected. May I

suggest that you ask for a total development plan and then consider if it is appropriate for an open site in an agricultural area served by a road of inadequate alignment and width for buses and poor public services. e.g. foul drainage, &

I welcome the provision of children's leisure facilities on an appropriate site (Lime House School itself has provided similar facilities for years without major problems) but I strongly believe that the rural environment around Greenayke should not be sacrificed for development of this nature.

The traffic generated noise and other environmental pollution should not be acceptable.

Yours Faithfully
S. H. Dunlop

8. 01/10/13 01/10/13 104316

13 DEC 2001

ACK

RECEIVED

13 DEC 2001

ARCH

SUPP



To: Members of Carlisle City Council
Development Control Committee

cc Mr. Crookdale

Gill House
Gill
Dalston
CARLISLE
CA5 7JP

☎ (01228) 710584
11 December 2001

**Planning application by Kingswood Educational Activity Centre
on the former Lime House School site at Cumdivock, Dalston**

Dear Councillor Crookdale

I write to **object** to, and to try to persuade you to **vote against** the current, and future, planning applications by Kingswood in respect of the above.

My objections are two-fold: -

1. The location of the Centre is **unsuitable** on **Road safety** grounds.
2. Outdoor activities planned in the longer term will be detrimental to the peace and quiet of this rural area and will almost certainly cause **nuisance** to local residents.

• **General**

The planning application states that "There will be 35-40 staff resident at the site, with ... approximately 200 children."

The Company's brochure for 2002 offers the following activities at their Dalston centre.

"Abseiling	Aeroball	Archery	Caving	Climbing	Fencing
Go-karts	High ropes	Initiative exercises	Kart driving school	Laser tag	
Low ropes	Mission impossible	Nightline	Orienteering		
Personal development	Team challenge	Quad bikes	Zip wire"		

The brochure also mentions excursions to the Lake District, to Carlisle Castle and Hadrian's Wall.

Generally, most school visits are for a week (Sunday to Friday - 5 nights) with another option of weekends (Friday to Sunday - 2 nights).

• **Road safety**

It is obvious from the numbers of staff and children and the frequency of visits, as well as the necessary services to deal with food and laundry supplies, that there will be a **considerable increase in the volume of traffic** using the roads leading to the site.

Those familiar with the main approach road will know that only a short distance from the site is a very narrow bridge (Approx. 3 metres carriageway width) with a blind bend immediately preceding it from the Dalston side. Over the last few years there have been three or four accidents on and approaching this bridge, fortunately none, yet, serious. We are very concerned about the safety of children being taken to the centre by drivers unfamiliar with this dangerous section of road.

• **Nuisance**

In addition to the nuisance of additional traffic, we are very concerned about the **noise nuisance**. Up to 200 children enjoying outdoor activities will inevitably make a great deal of noise, and this is a major concern about the centre when it is in full swing. Of even greater concern, though is the potential machine noise created by activities such as karting.

- Finally

We local residents are given to understand that your Planning Officer is recommending that your Committee accept the **current** planning proposals. We personally are concerned that Kingswood have chosen to make separate planning applications for different parts of their overall plan (document ref. 2346/24/2, 5th paragraph). We are anxious that your Committee realise the full implications of the centre as a fully operational entity, and its impact on this quiet rural area. Another concern is that there has been very limited time for local people to be consulted about the proposed development.

We would therefore **urge you to defer any decision** for the time being; **to examine Kingswood's full plan by obtaining their brochure** (from Kingswood Main Office, Overstrand Hall, Overstrand, Norfolk NR27 0JJ) or by **visiting their website** (www.kingswood.co.uk); **to seriously consider a site visit** before considering the current planning application(s).

Yours sincerely,



Mr and Mrs D Marsden

Tarn Rigg
Dalston.
Carlisle
Dec 12th

Dear Sir We wish to object to the
proposed Kingswood Educational Centre
Activity at Cumbisworth.

These country roads are already congested
and far too narrow to accommodate the
volume of traffic such a venture would
generate.

Yours faithfully
H. J. Holliday.

PLANETARY SERVICES	
PL	01/10/13
5 13 DEC 2001	
1	CN
2	ACH
3	SUP

Cumdivock House

11/12/01.

Cumdivock

Dalston

Carlisle • Cumbria CA5 7JJ

01228 710551

To The Clerk of the Parish Council

Dear Madam,

Owing to a previous commitment, I will not be able to attend the meeting this evening, but wish to make my views known on the proposed Kingswood Activity Centre at 'Greensyke'.

1/ This area is predominately an agricultural one. Difficulty of passing with care, with large tractors, milk lorries etc is already a continuing problem.

2/ The access to the new development is inadequate for the coaches - plus the existing traffic at the corner. Cars already have to get into the Dyke to allow School,

Dalston Parish Council

Middle Farm
Cummervech
Dalston.

Tues 11th Dec 61

Dear Chairman,

I am unable to get home at work but I would like to express my concerns about the proposed development of Greensyke farm.

I am not opposed to development in the countryside or rural diversification in principle.

I do have concerns about the SCALE of development proposed by Leigsworth, the effect on the local community and the increased traffic along an inadequate road.

³/ Quad-biking and go-karting are already advertised at this "LAKE DISTRICT" site although, in effect they would be the subject of future planning permission.

(These activities are available locally in Carlisle)

There is a worrying trend that brochures have already been issued, presumably bookings taken and developments started before planning permission has been granted. Are we allowed to have any objections to anything Kingwood proposes or are we to be sacrificed for the sake of a few jobs and local supply contracts.

Yours Faithfully

Lindsay Graham

GRAY GARTH
CUMDIVOCK
DALSTON
CARLISLE CA5 7JJ

Mrs E Auld
Clerk to Dalston Parish Council

9TH DECEMBER 2001.

Dear Mrs. Auld,

DEVELOPMENT AT GREENSYKE, CUMDIVOCK

I have only recently found out about the above and cannot attend this week's meeting. As I live only half a mile from Greensyke I would be grateful if the following objections could be taken into account:

1. This is obviously a significant change of use (even if it is still "educational" in "planning-speak"). The school was fairly small and seemed to fit quite happily into the area. What is proposed is a large scale leisure development run for profit by an outside developer with no local connections and no allegiance to the local community. It is totally out of scale in a rural area of farms, small businesses and private houses.

(3)

One final comment. No doubt the planners and developers will assert that they have followed the letter of the law in terms of the procedures they have followed, but surely it would have been better to circulate the details to all households in Cumbriock. The impression is that the whole thing is being pushed through as quickly and as quietly as possible, which does nothing to inspire confidence in either party.

For these reasons I hope that the Parish Council will oppose the development to the best of its ability. I feel sure that the majority of local residents hope so too.

Yours sincerely,

David Shingler

DAVID SHINGLER

SCHEDULE B: Reports Requiring Further Information

ITEM NO. 2

Date of Committee: 01/02/2002

APPN REF NO: 01/1043 /	APPLICANT: Kingswood Learning & Leisure Group	PARISH: Dalston
DATE OF RECEIPT: 14/11/2001	AGENT: Demesne Partnership	WARD: Dalston
LOCATION: Greensyke Farm, Cumdivock, Dalston, Carlisle, Cumbria	GRID REF: 335369 548364	

PROPOSAL: Change of use of disused barn to provide two storey accommodation for "laser-tag" and similar indoor activities

REPORT

PLANNING POLICIES:-

CUMBRIA & LAKE DISTRICT JOINT STRUCTURE PLAN POLICY 13

In the areas not covered by Policies 11 and 12, development will normally be permitted which in its use, siting, scale and design is well related to existing developed areas of the countryside and does not harm distinctive features of local landscape significance. In the undeveloped open countryside development will not normally be permitted except when it is required to meet local infrastructure needs which cannot be located elsewhere, and provided it is sited to minimise environmental impacts and meets high standards of design.

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E8

Within the remainder of the rural area not covered by Policies E2-E6. Proposals which are well related in use, siting, scale and design to existing settlements or other small clusters of buildings including farm buildings will be acceptable providing that:

1. the proposal reflects the scale and character of the existing group of buildings or settlement; and
2. there is no adverse effect upon the amenity of neighbouring property, and the character and appearance of the area; and
3. satisfactory access and appropriate car parking can be achieved; and
4. any existing wildlife habitats are safeguarded.

Permission will not be granted for development in the undeveloped open countryside unless it is required to meet local infrastructure needs, or for dwellings supported by a proven agricultural or forestry need.

CARLISLE DISTRICT PLAN EMPLOYMENT - POLICY EM15

Proposals for small scale tourism related development will be acceptable providing that:

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1043 /

1. there is no unacceptable adverse impact on the landscape; and
2. adequate access and appropriate car parking can be achieved; and
3. if the proposal is within the rural area it is well related to an established settlement or group of buildings or involves the conversion of an existing building, or would form an important element of a farm diversification scheme.

CARLISLE DISTRICT PLAN LEISURE - POLICY L4

Within the Plan area, outside Primary Leisure Areas, proposals for leisure development including sport and active recreation development will be acceptable provided that:

1. the proposal does not have an adverse impact on the amenity of the surrounding area; and
2. appropriate car parking and access to the site can be achieved; and
3. the proposed use is of an appropriate scale to the locality; and
4. where practicable, the proposal can be accessed by public transport; and
5. the proposal makes a positive contribution to the development of tourism in the district; and/or
6. if the proposal is within Carlisle, it brings a vacant or part vacant building into use or contributes to the development of a mixed use scheme.

CARLISLE DISTRICT PLAN EMPLOYMENT - POLICY EM11

Within the rural area proposals for the reuse and adaptation of buildings (of permanent construction) for commercial, industrial or recreational uses will be acceptable subject to the following criteria:

1. the form, bulk and general design of the buildings are in keeping with the surroundings;
2. adequate access and appropriate parking arrangements are made;
3. any increased traffic generated by the proposal can be accommodated by the existing highway network;
4. there is no unacceptable adverse effect on the amenity of adjacent property or the surrounding landscape.

SUMMARY OF CONSULTATION RESPONSES:-

DALSTON PARISH COUNCIL: Following a lengthy period for public participation, Dalston Parish Council agreed to put in a holding objection to applications 1013, 1043 and 1099 pending a

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1043 /

site visit. The main concerns expressed were:

1. The proposed use of the site by Kingswood Leisure and Learning Group as an activity centre constituted a change of use and therefore planning permission.
2. The impact of the additional traffic generated on a narrow road, already used by heavy goods vehicles and with a record of road accidents.
3. The affect of the scheme on the agricultural ambience of the area.
4. The large scale of the proposal.
5. The unknown quantity and effect of off site activities in relation to traffic generation.
6. The effectiveness and availability of services, such as drainage and sewage (septic tank capacity), in relation to the large increase in proposed number of residents on site.
7. The potential for non-educational use during holiday times as advertised in the Kingswood Activity Centre brochure.
8. Potential for noise and nuisance problems in the locality, particularly in relation to go-carting activities as advertised for Greensyke.
9. Building work already commenced, out with the scope of repairs not requiring planning permission.
10. The proposed sports hall, although not yet subject of a planning application, to be situated in a very prominent location on the site.

ENVIRONMENT AGENCY: No objections but recommend the attachment of a supplementary informative note to any decision notice.

HIGHWAY AUTHORITY: The main entrance serving the site was designed and constructed some years ago to Highway Authority standards and should therefore be suitable for this proposed use. No wish to raise any highway objections to the proposal subject to adequate parking being provided within the curtilage of the site.

Further observations are awaited following receipt of additional information from applicants.

HEAD OF ENVIRONMENTAL SERVICES: Regarding the previous use as a junior school with lodging, together with outdoor sports and play facilities this Division has no record of any noise complaints concerning this. Although the proposals would indicate an intensification of use, this would appear to be rather low key from a noise point of view. There is a

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1043 /

reasonable distance between the nearest noise sensitive dwelling and the proposals which should alleviate any concerns.

If motorised recreation were to take place on site, this would require further investigations and noise monitoring to comment further.

ACCESS OFFICER: Access for disabled people do not appear to have been considered at all.

THE RAMBLERS ASSOCIATION: I am very concerned about the proposed development at Greensyke Farm, Cumdivock, on environmental and traffic safety grounds. One of the main reasons for walking, cycling, etc., in rural areas is to escape from the noise pollution which pervades life today. Increasing the population by such a high margin in this small community will destroy the peace and tranquility it currently enjoys.

With regard to traffic safety, this minor road is the kind of road that walkers use quite safely as a connection between footpaths. The undoubted increase in traffic resulting from the change of role of the Greensyke site will pose a great threat to walkers, as well as any cyclists and horse riders. It is an unclassified, narrow road with many blind bends and in many places there is no verge. As a consequence, people faced with sudden, busy traffic are in a very vulnerable position.

In my opinion, this is an unsuitable site for such a large venture.

ENGLISH NATURE: It has been brought to my attention that a colony of bats has been present, at the site, for a number of years and the resident who provided that information is concerned about the effect that development may have upon the colony.

To conform with current legislation under the terms of the Wildlife and Countryside Act 1981 (as amended) the presence of a protected species will require that the species are not harmed or killed and their roost site is not intentionally or recklessly destroyed, damaged or obstructed. However, that is not to say that work cannot proceed but advice is needed to avoid any harm to the species or the roost site.

DEFRA: The risk to livestock from children attending the proposed Educational Activity Centre at Greensyke Farm could stem from two possible sources:

- a. Livestock gaining access and consuming food contaminated with a diseased agent.

Current legislation prohibits the feeding of waste food (defined as containing or having been in contact with material containing blood, bones of any animal or eggs or butchery waste). I am sure that the public health requirements imposed and monitored by your Environmental Health Department will ensure that all waste food is effectively disposed of, and

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1043 /

scrupulous hygiene observed at such an establishment, bearing in mind the number of people involved and the age of the majority of them. These precautions should ensure the safe disposal of any snacks/sandwiches brought onto the site by visitors.

- b. Livestock having contact with visitors that come from a farm on which disease exists.

This potential route needs to be considered as a two way process. There are a number of zoonotic diseases of livestock to which staff and children are susceptible. The precautions taken to prevent such infections will be adequate to protect livestock from any disease visitors' clothing or footwear might carry.

Provided sensible hygiene precautions are taken, I can see no added risk to livestock around this centre as a result of the proposal being granted planning permission.

SUMMARY OF REPRESENTATIONS:-

Publicity for this proposal has been in the form of a site notice and the direct notification of the occupiers of three neighbouring properties. Neighbouring residents have, at their own volition, also organised a public meeting which has been reported in the local press. In addition, the applicants held an exhibition for the public at Greensyke Farm. At the time of preparing the report 30 letters of objection have been received. The basic issues being:

- The proposal will involve up to 200 children and 50 staff on 1, 3 and 5 day change arounds so that the amount of traffic will be horrendous along minor roads which are virtually single carriageway in parts.
- The emphasis seems to be on the leisure adventure playground aspect which should be an application for a change of use.
- All sorts of development have already taken place on site and brochures published.
- It is really difficult to assess the scale of the project, which does seem to be growing vastly.
- The property will be intensively used during school terms and holiday periods which does not give the residents a break from the impact of larger traffic, noise, visual amenity and light pollution.
- The access road is the Rievers Cycle Route which should provide a safe country road cycleway. Already feel vulnerable, particularly at Greensyke, Gillbeck and Bridgend corners, where it becomes so narrow, without verges to escape onto. It will become terrifying when we have to face such continuous heavy traffic as is proposed.

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1043 /

- Greensyke is not on main sewerage, so foul drainage facilities need to be able to take the effluent from 250 people.
- Any perimeter security fence and other installations are likely to be unsightly unless well landscaped.
- The existing peace and tranquility will be broken with the increased traffic and noise from on site activities.
- Most worrying is the nature of the children who will be attending the centre, as this is unknown.
- The road condition, currently, is such that after a brief twenty minute shower standing water collects which is dangerous for current users and detrimental to property.
- This development will seriously affect the environment and drive out Red Squirrels, Badgers, Buzzards etc from the area.
- Fears that bias already exists and that opponents of the development are unlikely to have their case fairly heard.
- The proximity of the development to several surrounding large livestock premises could compromise the biosecurity of these premises. Only a fence will separate the proposed development from livestock and it is inevitable that some debris will find its way onto adjacent farm land, and, there exists the possibility of disease spread to animals from human waste.
- The initial development could be just the beginning of more ambitious plans.
- Farm land and stock will be threatened and there is likely to be an increase in vandalism and petty crime that always seems to occur when small groups are inadequately supervised. Will this lead to an additional policy requirement and yet another increase in Council Tax.
- Any proposed motor sports, such as quad biking, will make a quiet area unpleasant to live in.
- The Kingswood brochure shows the archery facility sited on the narrow piece of land between the highway and the main entrance, thereby endangering public safety.
- The surrounding area is very much involved in agriculture and this would appear to be a non-conforming development in a rural environment.
- Cumdivock and The Gill is a very small community and this development will result in very nearly a 300% increase in the population. The stress of having to cope with such a large development will no doubt generate tension and break

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1043 /

down these good relationships.

- It is unlikely to provide work for many local people, bring in investment or significantly increase trade to local business.
- Question the need for such a facility considering the number of facilities available within the Lake District.
- Interested to know whether the property is a Listed Building.
- Such a facility should be closer to the City and the motorway and should have public transport links to cut down on traffic and pollution.
- The Orthopaedic Department of the Cumberland Infirmary is already carrying a trauma workload over and above what could be reasonably expected and every extra patient from outside our catchment area means less time, manpower and equipment to deal with the local population. It is felt that the proposal would be detrimental to the population of Carlisle and the surrounding district if there is a further increase in trauma due to another outdoor enterprise on our doorstep.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

In 1988, under application numbers 88/0007 and 88/0386, planning permission was given to provide classroom, dormitory and other facilities for a junior school; and, to use the premises at Greensyke House as boarding accommodation for children attending Lime House School.

In 1989, under application number 89/0616, planning permission was granted to convert the existing barn and garages into classroom and staff accommodation.

In 1993, under application number 93/0630, planning permission was given for the erection of an assembly hall and girls dormitory.

In 1995/96, under application numbers 95/0092 and 95/0879, planning permission was given for the erection of a chapel/function building and science labs.

The site is also currently subject to application numbers 01/1013, 01/1099, 01/1151, and, the recently received 02/0019.

DETAILS OF PROPOSAL

This application relates to a two storey barn lying to the south of the former headmaster's house. The nature of the proposed conversion is considered sympathetic to the original building whilst the relatively low key nature of the use should not harm the amenity of neighbouring residents.

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Schedule continued for 01/1043 /

In line with the report accompanying application number 01/1013 an updated presentation will be made following the receipt of the awaited observations from the Highway Authority, wildlife consultant, and, the City Council's Access Officer.

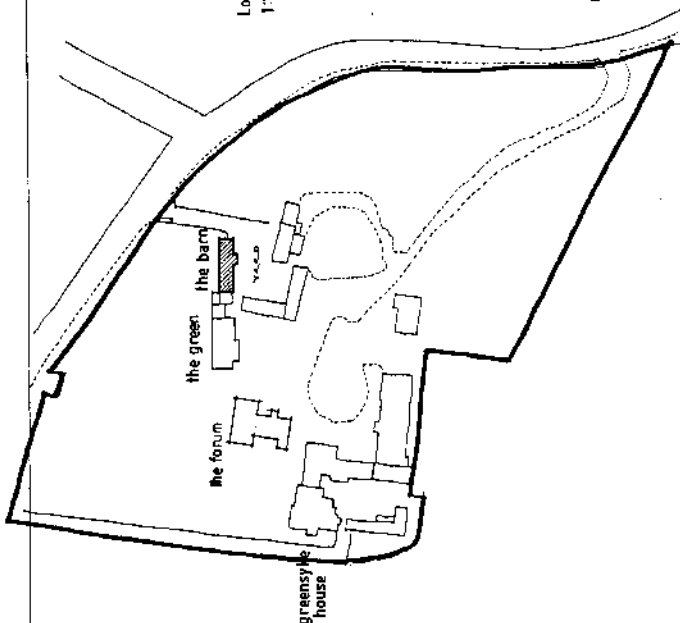
RECOMMENDATION:-

12/11/01
1/12

Location plan
11250.



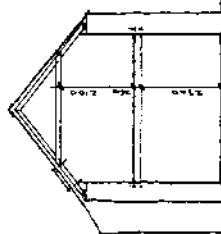
main
entrance



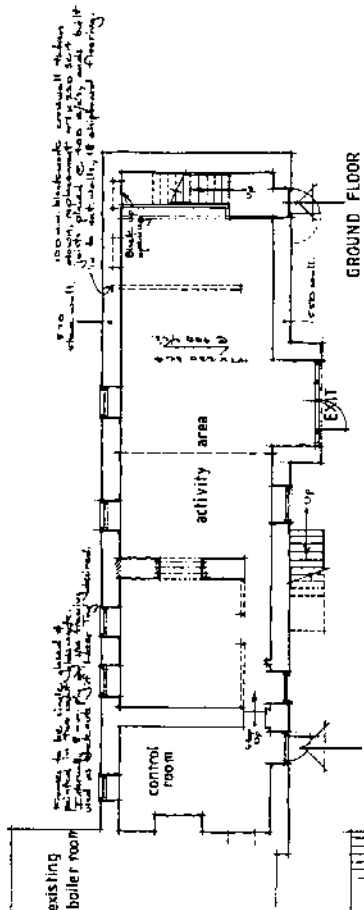
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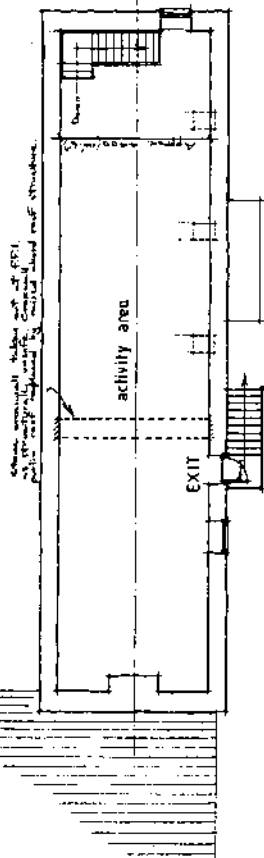


PLEASE NOTE!
Please call the local planning authority to check the site is suitable for the proposed development and any other changes of use.



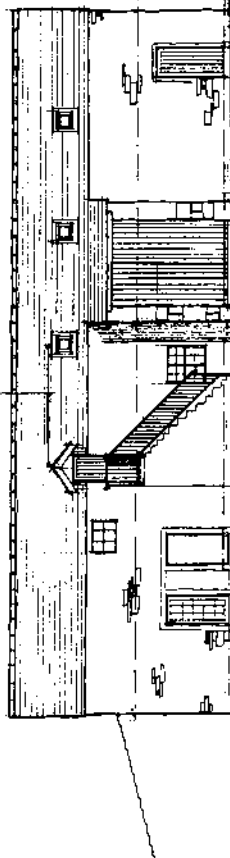
GROUND FLOOR

yard



UPPER LEVEL

Construction to be in accordance with the Building Regulations and the Planning Regulations. The building is to be constructed of brickwork and the roof to be of concrete.



North elevation to yard.

Some of the existing building is to be retained and the new building is to be constructed of brickwork and the roof to be of concrete. The building is to be constructed in accordance with the Building Regulations and the Planning Regulations.

Proposed change of use of barn to
Activity Accommodation, former
Lime House School, Dalston.
Job no 2347125. November 2001.
Dwg no 2347125/14 Scale 1:100.
Kingswood
Landscape Architects

SCHEDULE B: Reports Requiring Further Information

ITEM NO. 3

Date of Committee: 01/02/2002

APPN REF NO: 01/1099 /	APPLICANT: Kingswood Learning & Leisure Group	PARISH: Dalston
DATE OF RECEIPT: 29/11/2001	AGENT: Demesne	WARD: Dalston
LOCATION: Greensyke Farm, Cumdivock, Dalston, Carlisle, Cumbria	GRID REF: 335369 548364	

PROPOSAL: Construction of above ground caving system for use by students

REPORT

PLANNING POLICIES:-

CUMBRIA & LAKE DISTRICT JOINT STRUCTURE PLAN POLICY 13

In the areas not covered by Policies 11 and 12, development will normally be permitted which in its use, siting, scale and design is well related to existing developed areas of the countryside and does not harm distinctive features of local landscape significance. In the undeveloped open countryside development will not normally be permitted except when it is required to meet local infrastructure needs which cannot be located elsewhere, and provided it is sited to minimise environmental impacts and meets high standards of design.

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E8

Within the remainder of the rural area not covered by Policies E2-E6. Proposals which are well related in use, siting, scale and design to existing settlements or other small clusters of buildings including farm buildings will be acceptable providing that:

1. the proposal reflects the scale and character of the existing group of buildings or settlement; and
2. there is no adverse effect upon the amenity of neighbouring property, and the character and appearance of the area; and
3. satisfactory access and appropriate car parking can be achieved; and
4. any existing wildlife habitats are safeguarded.

Permission will not be granted for development in the undeveloped open countryside unless it is required to meet local infrastructure needs, or for dwellings supported by a proven agricultural or forestry need.

CARLISLE DISTRICT PLAN EMPLOYMENT - POLICY EM11

Within the rural area proposals for the reuse and adaptation of buildings (of permanent construction) for commercial, industrial or recreational uses will be acceptable subject to the following criteria:

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1099 /

1. the form, bulk and general design of the buildings are in keeping with the surroundings;
2. adequate access and appropriate parking arrangements are made;
3. any increased traffic generated by the proposal can be accommodated by the existing highway network;
4. there is no unacceptable adverse effect on the amenity of adjacent property or the surrounding landscape.

CARLISLE DISTRICT PLAN EMPLOYMENT - POLICY EM15

Proposals for small scale tourism related development will be acceptable providing that:

1. there is no unacceptable adverse impact on the landscape; and
2. adequate access and appropriate car parking can be achieved; and
3. if the proposal is within the rural area it is well related to an established settlement or group of buildings or involves the conversion of an existing building, or would form an important element of a farm diversification scheme.

CARLISLE DISTRICT PLAN LEISURE - POLICY L4

Within the Plan area, outside Primary Leisure Areas, proposals for leisure development including sport and active recreation development will be acceptable provided that:

1. the proposal does not have an adverse impact on the amenity of the surrounding area; and
2. appropriate car parking and access to the site can be achieved; and
3. the proposed use is of an appropriate scale to the locality; and
4. where practicable, the proposal can be accessed by public transport; and
5. the proposal makes a positive contribution to the development of tourism in the district; and/or
6. if the proposal is within Carlisle, it brings a vacant or part vacant building into use or contributes to the development of a mixed use scheme.

SUMMARY OF CONSULTATION RESPONSES:-

DALSTON PARISH COUNCIL: Following a lengthy period for public participation, Dalston Parish Council agreed to put in a holding objection to applications 1013, 1043 and 1099 pending a site visit. The main concerns expressed were:

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1099 /

1. The proposed use of the site by Kingswood Learning and Leisure Group as an activity centre constituted a change of use and therefore required planning permission.
2. The impact of the additional traffic generated on a narrow road, already used by heavy goods vehicles and with a record of road accidents.
3. The affect of the scheme on the agricultural ambience of the area.
4. The large scale of the proposal
5. The unknown quantity and effect of off site activities in relation to traffic generation.
6. The effectiveness and availability of services, such as drainage and sewage (septic tank capacity), in relation to the large increase in proposed number of residents on site.
7. The potential for non-educational use during holiday times as advertised in the Kingswood Activity Centre brochure.
8. Potential for noise and nuisance problems in the locality, particularly in relation to go-carting activities as advertised for Greensyke.
9. Building work already commenced, out with the scope of repairs not requiring planning consent.
10. The proposed sports hall, although not yet subject of a planning application, to be situated in a very prominent location on the site.

ENVIRONMENT AGENCY: No objections but recommend the attachment of a supplementary informative note to any decision notice.

HIGHWAYS AUTHORITY: The main entrance serving the site was designed and constructed some years ago to Highway Authority standards and should therefore be suitable for this proposed use. No wish to raise any highway objections to the proposal subject to adequate parking being provided within the curtilage of the site.

Further observations are awaited following receipt of additional information from applicants.

HEAD OF ENVIRONMENTAL SERVICES: Regarding the previous use as a junior school with lodging, together with outdoor sports and play facilities this Division has no record of any noise complaints concerning this. Although the proposals would indicate an intensification of use, this would appear to be rather low key from a noise point of view. There is a reasonable distance between the nearest noise sensitive

SCHEDULE B: Reports Requiring Further Information

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dwelling and the proposals which should alleviate any concerns.

If motorised recreation were to take place on site, this would require further investigations and noise monitoring to comment further.

ACCESS OFFICER: Access for disabled people does not appear to have been considered at all.

THE RAMBLERS ASSOCIATION: I am very concerned about the proposed development at Greensyke Farm, Cumdivock, on environmental and traffic safety grounds. One of the main reasons for walking, cycling, etc., in rural areas is to escape from the noise pollution which prevade life today. Increasing the population by such a high margin in this small community will destroy the peace and tranquility it currently enjoys.

With regard to traffic safety, this minor road is the kind of road that walkers use quite safely in a connection between footpaths. The undoubted increase in traffic resulting from the change of role of the Greensyke site will pose a great threat to walkers, as well as any cyclists and horse riders. It is an unclassified, narrow road with many blind bends and in many places there is no verge. As a consequence, people faced with sudden, busy traffic are in a very vulnerable position.

In my opinion, this is an unsuitable site for such a large venture.

ENGLISH NATURE: It has been brought to my attention that a colony of bats has been present, at the site, for a number of years and the resident who provided that information is concerned about the effect that development may have upon the colony.

To conform with current legislation under the terms of the Wildlife and Countryside Act 1981 (as amended) the presence of a protected species will require that the species are not harmed or killed and their roost site is not intentionally or recklessly destroyed, damaged or obstructed. However, that is not to say that work cannot proceed but advice is needed to avoid any harm to the species or the roost site.

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Current legislation prohibits the feeding of waste food (defined as containing or having been in contact with materials containing blood, bones of any animal or eggs or butchery waste). I am sure that the public health requirements imposed and monitored by your Environmental Health Department will ensure that all waste food is effectively disposed of, and

SCHEDULE B: Reports Requiring Further Information

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scrupulous hygiene observed as such an establishment, bearing in mind the number of people involved and the age of the majority of them. These precautions should ensure the safe disposal of any snacks/sandwiches brought onto the site by visitors.

- b. Livestock having contact with visitors that come from a farm on which disease exists.

This potential route needs to be considered as a two way process. There are a number of zoonotic diseases of livestock to which staff and children are susceptible. The precautions taken to prevent such infections will be adequate to protect livestock from any disease visitors' clothing or footwear might carry.

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SUMMARY OF REPRESENTATIONS:-

Publicity for this proposal has been in the form of a site notice and the direct notification of the occupiers of three neighbouring properties. Neighbouring residents have, at their own volition, also organised a public meeting which has been reported in the local press. In addition, the applicants held an exhibition for the public at Greensyke Farm. At the time of preparing the report 30 letters of objection have been received. The basic issues raised being:

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- The existing peace and tranquility will be broken with the increased traffic and noise from on site activities.
- Most worrying is the nature of the children who will be attending the centre, as this is unknown.
- The road condition, currently, is such that after a brief twenty minute shower standing water collects which is dangerous for current users and detrimental to property.
- This development will seriously affect the environment and drive out Red Squirrels, Badgers, Buzzards etc from the area.
- Fears that bias already exists and that opponents of the development are unlikely to have their case fairly heard.
- The proximity of the development to several surrounding large livestock premises could compromise the biosecurity of these premises. Only a fence will separate the proposed development from livestock and it is inevitable that some debris will find its way onto adjacent farm land, and, there exists the possibility of disease spread to animals from human waste.
- The initial development could be just the beginning of more ambitious plans.
- Farm land and stock will be threatend and there is likely to be an increase in vandalism and petty crime that always seem to occur when small groups are inadequately supervised. Will this lead to an additional police requirement and yet another increase in Council Tax.
- Any proposed motor sports, such as quad biking, will make a quiet area unpleasant to live in.
- The Kingswood brochure shows the archery facility sited on a narrow piece of land between the highway and the main entrance, thereby endangering public safety.
- The surrounding area is very much involved in agriculture and this would appear to be a non-conforming development in a rural environment.
- Cumdivock and The Gill is a very small community and this development will result in a very nearly a 300% increase in the population. The stress of having to cope with such a large development will no doubt generate tension and break down these good relationships.

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1099 /

- It is unlikely to provide work for many local people, bring in investment or significantly increase trade to local business.
- Question the need for such a facility considering the number of facilities available within the Lake District.
- Interested to know whether the property is a Listed Building.
- Such a facility should be closer to the City and the motorway and should have public transport links to cut down on traffic and pollution.
- The Orthopaedics Department of the Cumberland Infirmary is already carrying a trauma workload over and above what could be reasonably expected and every extra patient from outside our catchment area means less time, manpower and equipment to deal with the local population. It is felt that the proposal would be detrimental to the population of Carlisle and the surrounding district if there is a further increase in trauma due to another outdoor enterprise on our doorstep.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

In 1988, under application number 88/0386, planning permission was given to use the premises at Greensyke House as boarding accommodation for children attending Lime House School.

In 1989, under application number 89/0616, planning permission was granted to convert the existing barn and garages into classroom and staff accommodation.

In 1993, under application number 93/0630, planning permission was given for the erection of an assembly hall and girls dormitory.

In 1995/96, under application numbers 95/0092 and 95/0879, planning permission was given for the erection of a chapel/function building and science labs.

The property is also currently subject to applications numbers 01/1013, 01/1043, 01/1151, and, the recently received 02/0019.

DETAILS OF PROPOSAL

This application relates to an existing grassed mound adjoining the sports pitch of the former school premises. The proposed cave system is not felt to be detrimental to the character of the area nor should it, in itself, harm the amenities of neighbouring residents.

In line with the previous reports concering application numbers

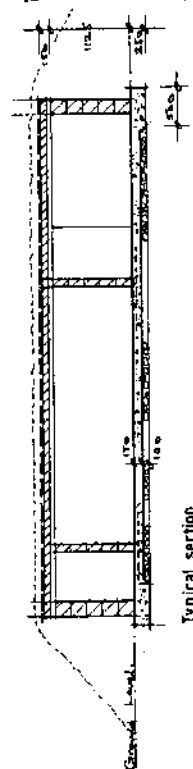
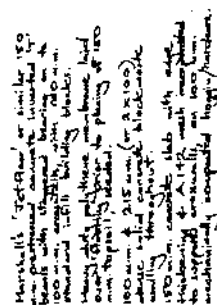
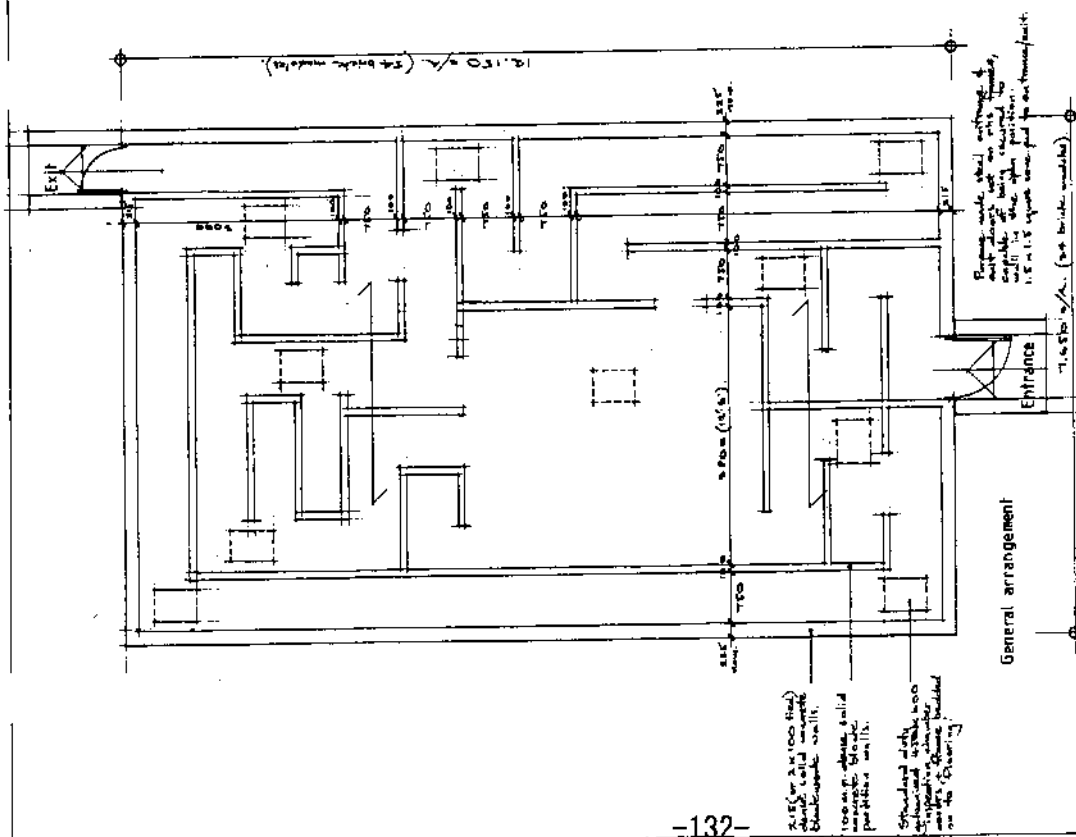
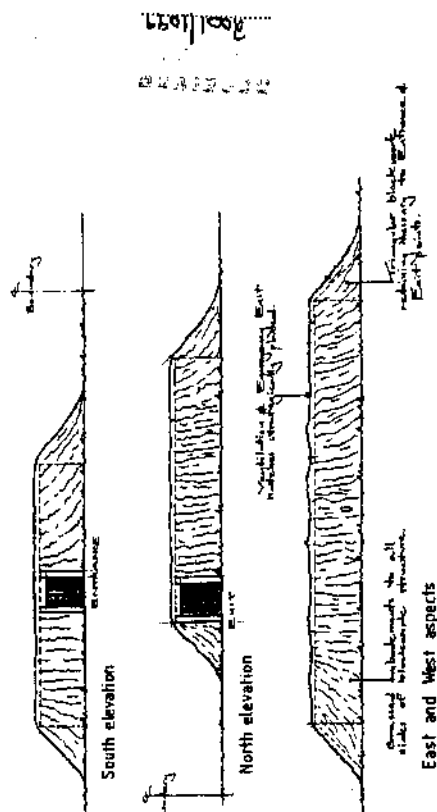
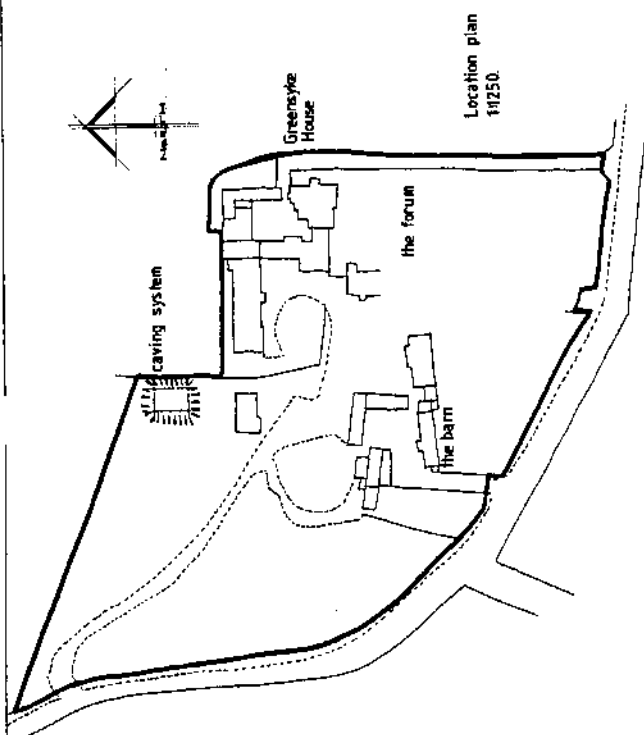
SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1099 /

01/1013 and 01/1043 an updated presentation will be made following the awaited observations from the Highway Authority, wildlife consultant, and, City Council's Access Officer.

RECOMMENDATION:-

P143 →



Proposed Caving System for Student Use, former Greenshake Farm, Cumbjok Dailton, Cumbria.

Job no 2349/27.	November 2001.
Dwg no 2349/27/1	Scale 1:50, 110g.

Kingswood
LANCE DISTRICT
Planning Partnership, Holt - Kingsfield - 10235 WY

SCHEDULE B: Reports Requiring Further Information

ITEM NO. 4

Date of Committee: 01/02/2002

APPN REF NO: 01/1151 /
APPLICANT: Kingswood Learning & Leisure Group
PARISH: Dalston

DATE OF RECEIPT: 13/12/2001
AGENT: Demesne Partnership
WARD: Dalston

LOCATION: Greensyke Farm, Cumdivock, Dalston, Carlisle, Cumbria
GRID REF: 335440 548400

PROPOSAL: Change of use from part dormitory, part classroom and part vacant roofspace, to additional dormitory, teachers rooms and toilet accommodation

REPORT

PLANNING POLICIES:-

CUMBRIA & LAKE DISTRICT JOINT STRUCTURE PLAN POLICY 13

In the areas not covered by Policies 11 and 12, development will normally be permitted which in its use, siting, scale and design is well related to existing developed areas of the countryside and does not harm distinctive features of local landscape significance. In the undeveloped open countryside development will not normally be permitted except when it is required to meet local infrastructure needs which cannot be located elsewhere, and provided it is sited to minimise environmental impacts and meets high standards of design.

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E8

Within the remainder of the rural area not covered by Policies E2-E6. Proposals which are well related in use, siting, scale and design to existing settlements or other small clusters of buildings including farm buildings will be acceptable providing that:

1. the proposal reflects the scale and character of the existing group of buildings or settlement; and
2. there is no adverse effect upon the amenity of neighbouring property, and the character and appearance of the area; and
3. satisfactory access and appropriate car parking can be achieved; and
4. any existing wildlife habitats are safeguarded.

Permission will not be granted for development in the undeveloped open countryside unless it is required to meet local infrastructure needs, or for dwellings supported by a proven agricultural or forestry need.

CARLISLE DISTRICT PLAN EMPLOYMENT - POLICY EM11

Within the rural area proposals for the reuse and adaptation of buildings (of permanent construction) for commercial, industrial or recreational

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1151 /

uses will be acceptable subject to the following criteria:

1. the form, bulk and general design of the buildings are in keeping with the surroundings;
2. adequate access and appropriate parking arrangements are made;
3. any increased traffic generated by the proposal can be accommodated by the existing highway network;
4. there is no unacceptable adverse effect on the amenity of adjacent property or the surrounding landscape.

CARLISLE DISTRICT PLAN
EMPLOYMENT - POLICY EM15

Proposals for small scale tourism related development will be acceptable providing that:

1. there is no unacceptable adverse impact on the landscape; and
2. adequate access and appropriate car parking can be achieved; and
3. if the proposal is within the rural area it is well related to an established settlement or group of buildings or involves the conversion of an existing building, or would form an important element of a farm diversification scheme.

CARLISLE DISTRICT PLAN
LEISURE - POLICY L4

Within the Plan area, outside Primary Leisure Areas, proposals for leisure development including sport and active recreation development will be acceptable provided that:

1. the proposal does not have an adverse impact on the amenity of the surrounding area; and
2. appropriate car parking and access to the site can be achieved; and
3. the proposed use is of an appropriate scale to the locality; and
4. where practicable, the proposal can be accessed by public transport; and
5. the proposal makes a positive contribution to the development of tourism in the district; and/or
6. if the proposal is within Carlisle, it brings a vacant or part vacant building into use or contributes to the development of a mixed use scheme.

CARLISLE DISTRICT PLAN
HOUSING - POLICY H12

Proposals for the conversion of non residential property to provide residential accommodation in locations where planning permission for new

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1151 /

build residential development would not be granted will not be approved unless:

1. the building is of permanent construction; and
2. the building can be converted without extensions or major alterations which would destroy its character; and
3. the details of the proposed conversion respect the building's character; and
4. adequate access and appropriate car parking can be achieved.

Where appropriate, in order to retain the character and fabric of historic farm buildings, development rights originally permitted by Class A of Part One of Schedule Two to the Town and Country Planning General Development Order (1988 as amended) may be withdrawn by a condition attached to a planning consent.

The conversion of recently constructed or very remote rural buildings will not be permitted.

SUMMARY OF CONSULTATION RESPONSES:-

DALSTON PARISH COUNCIL: The Parish Council agreed to reiterate the comments made when putting in a holding objection to applications 1013, 1043 and 1099 pending a site meeting. An extraordinary Parish Council meeting will be held on the 31st January to consider all the applications further. It was also agreed to object to the piecemeal drip feed of applications and that the Parish Council would like to reserve judgement on this development prior to knowledge of further applications that will be made. The main concerns expressed were:

1. The proposed use of the site by Kingswood Learning and Leisure Group as an activity centre constituted a change of use and therefore planning permission.
2. The impact of the additional traffic generated on a narrow road, already used by heavy goods vehicles and with a record of road accidents.
3. The affect of the scheme on the agricultural ambience of the area.
4. The large scale of the proposal.
5. The unknown quantity and effect of off site activities in relation to traffic generation.
6. The effectiveness and availability of services, such as drainage and sewage (septic tank capacity), in relation to the large increase in proposed number of residents on site.
7. The potential for non-educational use during holiday times as advertised in the Kingswood Activity Centre

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1151 /

brochure.

8. Potential for noise and nuisance problems in the locality, particularly in relation to go-carting activities as advertised for Greensyke.
9. Building work already commenced, out with the scope of repairs not requiring planning consent.
10. The proposed sports hall, although not yet subject of a planning application, to be situated in a very prominent location on the site.

ENVIRONMENT AGENCY: No objections but recommend the attachment of two supplementary informative notes to any decision notice.

HIGHWAY AUTHORITY: No objections.

Further observations are awaited following receipt of additional information from applicants concerning application numbers 01/1013, 01/1043 and 01/1099.

HEAD OF ENVIRONMENTAL SERVICES: No objection to the application.

ACCESS OFFICER: Access for disabled people does not appear to have been considered at all.

THE RAMBLERS ASSOCIATION: I am very concerned about the proposed development at Greensyke Farm, Cumdivock, on environmental and traffic safety grounds. One of the main reasons for walking, cycling, etc., in rural areas is to escape from the noise pollution which pervade life today. Increasing the population by such a huge margin in this small community will destroy the peace and tranquility it currently enjoys.

With regard to traffic safety, this minor road is the kind of road that walkers use quite safely as a connection between footpaths. The undoubted increase in traffic resulting from the change of role of the Greensyke site will pose a great threat to walkers, as well as cyclists and horse riders. It is an unclassified, narrow road with many blind bends and in many places there is no verge. As a consequence, people faced with sudden, busy traffic are in a very vulnerable position.

In my opinion, this is an unsuitable site for such a large venture.

ENGLISH NATURE: It has been brought to my attention that a colony of bats has been present, at the site, for a number of years and the resident who provided that information is concerned about the effect that development may have upon the colony.

To conform with current legislation under the terms of the Wildlife and Countryside Act 1981 (as amended) the presence of a protected species will require that the species are not

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1151 /

harmed or killed and their roost site is not intentionally or recklessly destroyed, damaged or obstructed. However, that is not to say that work cannot proceed but advice is needed to avoid any harm to the species or the roost site.

DEFRA: The risk to livestock from children attending the proposed Educational Activity Centre at Greensyke Farm could stem from two possible sources.

- a. Livestock gaining access and consuming food contaminated with a diseased agent.

Current legislation prohibits the feeding of waste food (defined as containing or having been in contact with material containing blood, bones of any animal or eggs or butchery waste). I am sure that the public health requirements imposed and monitored by your Environmental Health Department will ensure that all waste food is effectively disposed of, and scrupulous hygiene observed at such an establishment, bearing in mind the number of people involved and the age of the majority of them. These precautions should ensure the safe disposal of any snacks/sandwiches brought onto the site by visitors.

- b. Livestock having contact with visitors that come from a farm on which disease exists.

This potential route needs to be considered as a two way process. There are a number of zoonotic diseases of livestock to which staff and children are susceptible. The precautions taken to prevent such infections will be adequate to protect livestock from any disease visitors's clothing or footwear might carry.

Provided sensible hygiene precautions are taken, I can see no added risk to the livestock around this centre as a result of the proposal being granted planning permission.

SUMMARY OF REPRESENTATIONS:-

Publicity for this proposal has been in the form of a site notice and the direct notification of the occupiers of eight neighbouring properties. Neighbouring residents have, at their own volition, also organised a public meeting which has been reported in the local press. In addition, the applicants held an exhibition for the public at Greensyke Farm. At the time of preparing the report 30 letters of objection have been received. The basic issues being raised being:

- The proposal will involve up to 200 children and 50 staff on 1, 3 and 5 day change rounds so that the amount of traffic will be horrendous along minor roads which are virtually single carriageway in parts.
- The emphasis seems to be on the leisure adventure playground aspect which should be an application for change of use.

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1151 /

- All sorts of development have already taken place on site and brochures published.
- It is really difficult to assess the scale of the project, which does seem to be growing vastly.
- The property will be intensively used during school terms and holiday periods which does not give the residents a break from the impact of larger traffic, noise, visual amenity and light pollution.
- The access road is the Rievers Cycle Route which should provide a safe country road cycleway. Already feel vulnerable, particularly at Greensyke, Gillbeck and Bridgend corners, where it becomes so narrow, without verges to escape onto. It will become terrifying when we have to face such continuous heavy traffic as is proposed.
- Greensyke is not on main sewerage, so foul drainage facilities need to be able to take the effluent from 250 people.
- Any perimeter security fence and other installations are likely to be unsightly unless well landscaped.
- The existing peace and tranquility will be broken with the increased traffic and noise from on site activities.
- Most worrying is the nature of the children who will be attending the centre, as this is unknown.
- The road condition, currently, is such that after a brief twenty minute shower standing water collects which is dangerous for current users and detrimental to property.
- This development will seriously affect the environment and drive out Red Squirrels, Badgers, Buzzards etc from the area.
- Fears that bias already exists and that opponents of the development are unlikely to have their case fairly heard.
- The proximity of the development to several surrounding large livestock premises could compromise the biosecurity of these premises. Only a fence will separate the proposed development from livestock and it is inevitable that some debris will find its way onto adjacent farm land, and, there exists the possibility of disease spread to animals from human waste.
- The initial development could be just the beginning of more ambitious plans.
- Farm land and stock will be threatened and there is likely to be an increase in vandalism and petty crime that always seem to occur when small groups are inadequately supervised.

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1151 /

Will this lead to an additional police requirement and yet another increase in Council Tax.

- Any proposed motor sports, such as quad biking, will make a quiet area unpleasant to live in.
- The Kingswood brochure shows the archery facility sited on a narrow piece of land between the highway and the main entrance, thereby endangering public safety.
- The surrounding area is very much involved in agriculture and this would appear to be a non-conforming development in a rural environment.
- Cumdivock and The Gill is a very small community and this development will result in very nearly a 300% increase in the population. The stress of having to cope with such a large development will no doubt generate tension and break down these good relationships.
- It is unlikely to provide work for many local people, bring in investment or significantly increase trade to local business.
- Question the need for such a facility considering the number of facilities available within the Lake District.
- Interested to know whether the property is a Listed Building.
- Such a facility should be closer to the City and the motorway and should have public transport links to cut down on traffic and pollution.
- The Orthopaedics Department of the Cumberland Infirmary is already carrying a trauma workload over and above what could be reasonably expected and every extra patient from outside our catchment area means less time, manpower and equipment to deal with the local population. It is felt that the proposal would be detrimental to the population of Carlisle and the surrounding district if there is a further increase in trauma due to another outdoor enterprise on our doorstep.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

In 1988, under application reference number 88/0386, planning permission was given to use the premises at Greensyke House as boarding accommodation for children attending Lime House School.

In 1989, under application 89/0616, planning permission was granted to convert the existing barn and garages into classroom and staff accommodation.

In 1993, under application 93/0630, planning permission was

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1151 /

given for the erection of an assembly hall and girls dormitory.

In 1995/96, under application numbers 95/0092 and 95/0879, planning permission was given for the erection of a chapel/function building and science labs.

The site is also currently subject to application numbers 01/1013, 01/1043 and 01/1099, and, the recently received 02/0019. Further applications are awaited.

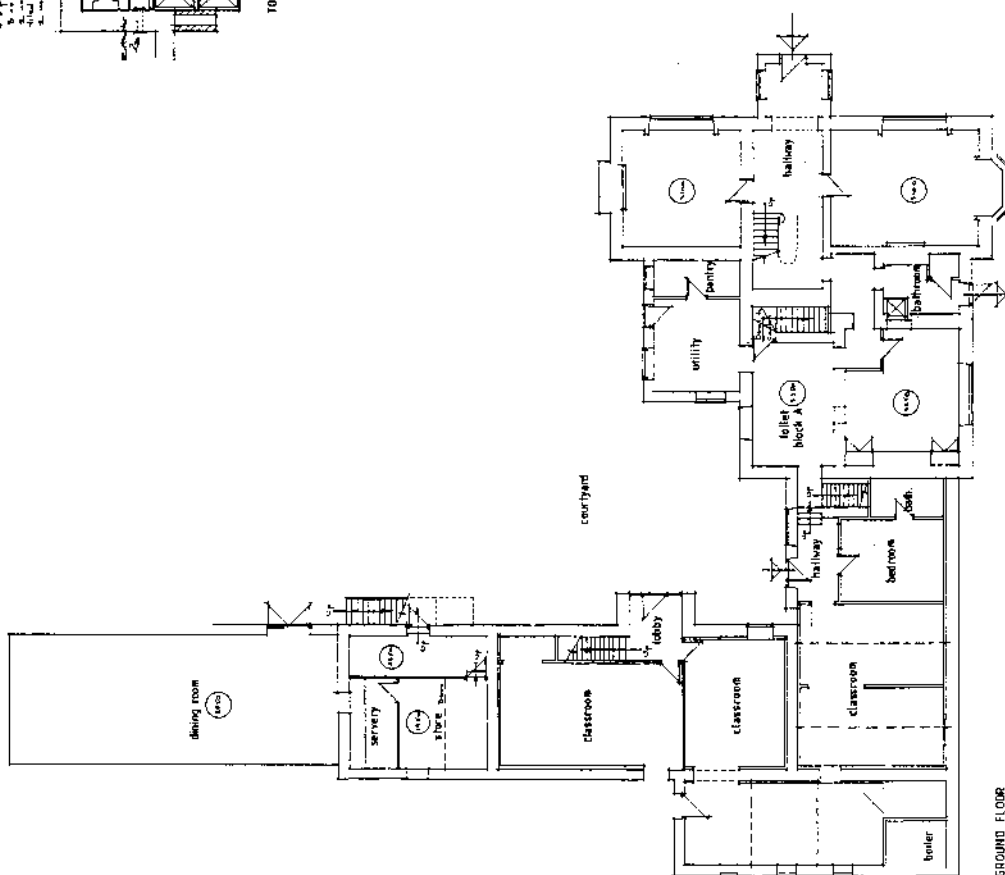
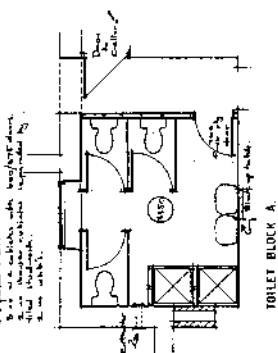
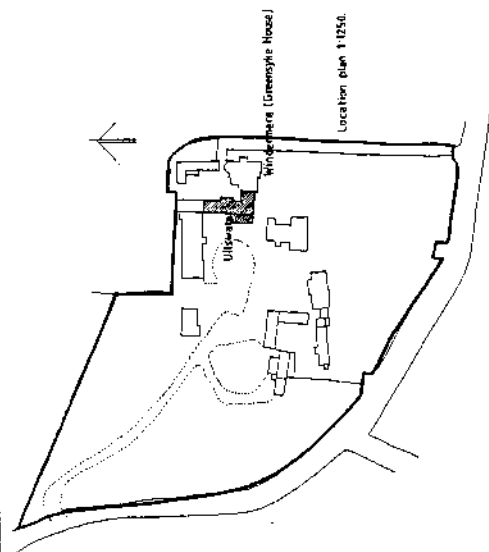
DETAILS OF PROPOSAL

This application relates to the two storey natural stone barn located adjoining Greensyke House. The building was previously used as part classroom, part vacant roof space, part dormitory and kitchen servery. The previously used classrooms had no natural lighting or ventilation. The re-arranged dormitories will be able to accommodate 56 pupils and four teachers.

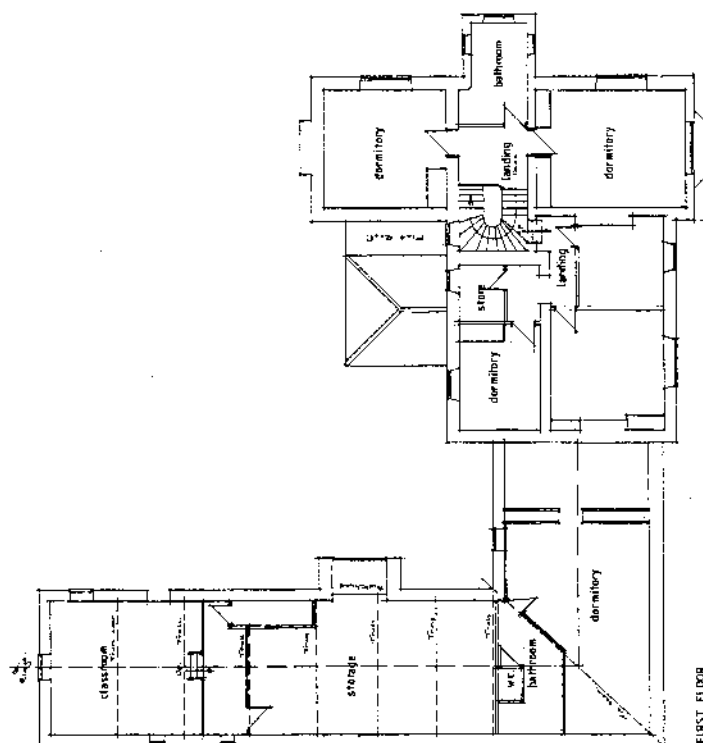
The work is considered to be sympathetic to the character of the existing building.

This aside, and in line with previous reports concerning application numbers 01/1013, 01/1043 and 01/1099, an updated presentation will be made following receipt of the awaited observations from the Highways Authority, wildlife consultant, and City Council's Access Officer.

RECOMMENDATION:-



GROUND FLOOR



FIRST FLOOR

[illegible]

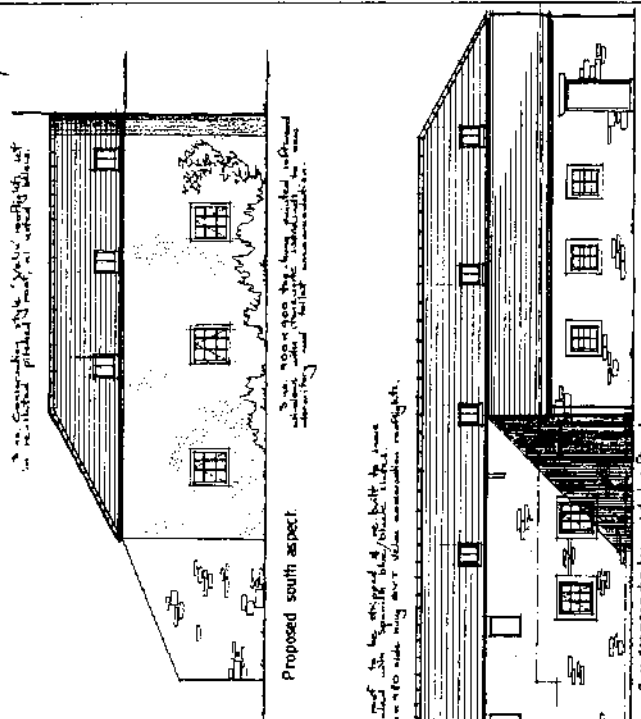
Windermere House and Ullswater-Kingswood Centre, Greenside Farm, Dalton. Existing floor plans.

Job no 2350/26.	November 2001.
Org no 2350/26/A.	Scale 1:50, 1:100.

Kingswood.

Donovan Robinson Ltd. 102-104

1/12 ⑦



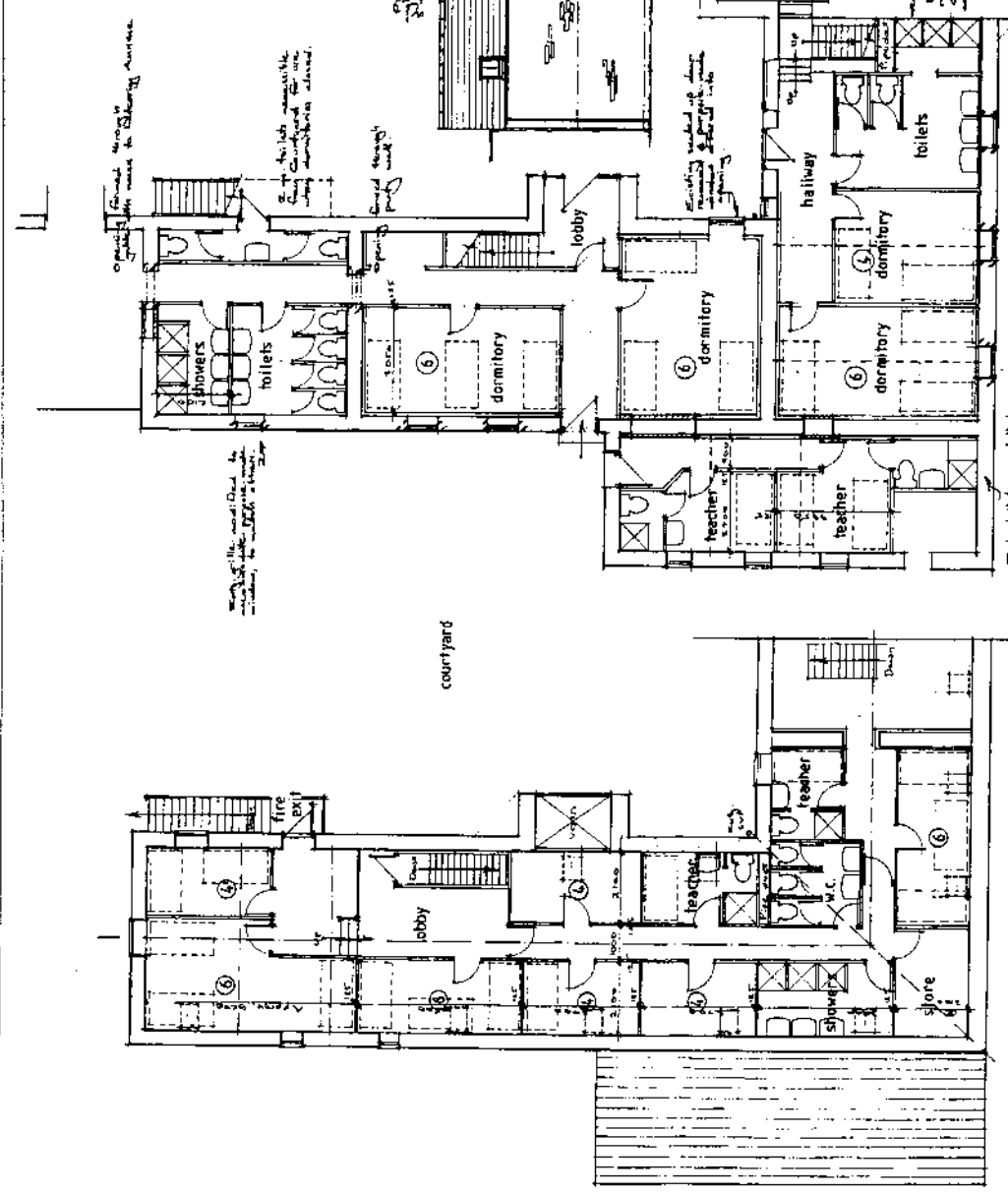
Proposed west elevation.

NOTE: This drawing is to be read in conjunction with the Day Book 2350/28/21 for building footprint & floor plan.

revisions

RECEIVED
11 DEC 2001
Kingswood

Proposed dormitory and sanitary accommodation, Ullswater Wing, Kingswood Centre, Cumbria, Carlisle.	
Job no 2350/28	December 2001.
Dwg no 2350/28/2	Scale 1:100.
Kingswood DISTRICT	
Dormitory & Sanitary Accommodation, Ullswater Wing, Kingswood Centre, Cumbria, Carlisle.	

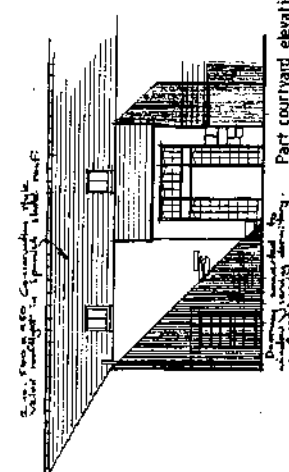


FIRST FLOOR

student beds 22.
teacher beds 23.

GROUND FLOOR

student beds 22.
teacher beds 23.



SCHEDULE B: Reports Requiring Further Information

ITEM NO. 5

Date of Committee: 01/02/2002

APPN REF NO:

01/0840 /

APPLICANT:

Mr A Graham

PARISH:

Carlisle

DATE OF RECEIPT:

26/09/2001

AGENT:

WARD:

Castle

LOCATION:

No. 3 Barrel House, Caldew Maltings, Carlisle Cumbria

GRID REF:

339468 556150

PROPOSAL: Insertion of windows into existing openings

Rich

REPORT

PLANNING POLICIES:-

CARLISLE DISTRICT PLAN

ENVIRONMENT - POLICY E20

Development which would result in the raising of the floor of the floodplain, or which would have an adverse impact on the water environment due to additional surface water run off, or adversely affect river defences will not be permitted unless appropriate alleviation or mitigation measures are included. This applies to the floodplains of the River Eden, Caldew, Petteril, Esk, Irthing and Lyne and their tributaries which are all subject to periodic flooding.

SUMMARY OF CONSULTATION RESPONSES:-

HIGHWAY AUTHORITY: No objection.

ENVIRONMENT AGENCY: The Agency is aware of this application as the work has already been carried out and we have been contacted separately regarding the need for land drainage consent. We have met the Applicant and carried out a site visit.

Windows can be successfully installed in locations where they may be periodically submerged by floodwater, provided they are designed appropriately. However, in this case, an application for land drainage consent has not been submitted and no information has been provided by either the Applicant or his window supplier/ installer to substantiate the structural design and installation of the window. If such an application has been submitted, together with information that substantiated the design and installation, it is likely that consent would have been given. However, land drainage consent cannot be issued retrospectively.

In considering the planning application we believe it needs to be judged against Policy E20 of your adopted local plan. Although this policy is entitled 'Development in Floodplains', it says that development that would adversely affect river defences will not be permitted unless appropriate alleviation or mitigation measures are included. Although the application site is not strictly a flood defence, it does constrain the river and floodwater could enter the building through a window

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0840 /

opening. Therefore detail of the structural design of the window are required to assess whether appropriate alleviation or mitigation measures are included.

Similarly the new Planning Policy Guidance 25 (PPG25) entitled 'Development and Flood Risk', requires applicants to submit a flood risk assessment where development is proposed in a flood risk area. Therefore details of the design and installation of the windows are required to comply with PPG25.

So far the Agency has been unable to obtain information from the Applicant or his window supplier/ installer. Therefore we recommend that determination of the application is deferred until this information is produced. In the meantime you may wish to write separately to the Applicant.

If the information is not produced we may have to raise an objection to the application.

As the River Caldw forms part of the River Eden candidate Special Area of Conservation, if any further work is required from the riverside, an assessment of significance may be required in accordance with the Habitats Directive.

Further comments were received on 22 January 2002 and read as follows:

Since writing we have approached the firm responsible for installing the windows (Surefit Windows) and have received extracts from various technical brochures with samples of the 12mm galss and fixing bolts.

However, despite receiving this information I do not consider it is the Agency's responsibility to approve the structural integrity of the whole installation.

One of the leaflets, supplied by Surefit, refers to technical advice on lagings etc. being available from VEKA Technical Department. Therefore, we recommend that, before the application is determined, a statement is received from either 'VEKA' or a reputable structural engineering consultancy firm that the window installation is capable of withstanding the hydrostatic pressure of water during a flood event.

We would also recommend that the window is non-opening, otherwise, any statement regarding its structural integrity would be negated if the window was left open.

SUMMARY OF REPRESENTATIONS:-

This application has been advertised by way of a site notice and five individual letters to the occupiers of neighbouring properties. One letter of support has been received.

Two letters of objection has also been received and the main issues raised are summarised as follows:

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0840 /

1. The provision of opening windows beneath the property will lead to a flooding of the entire basement area affecting the other five properties including No 2.
2. Even the installation of fixed non-opening windows could be subject to the force of water and floating debris which may break through.
3. The flooding of the cellar area may lead to resultant damage to domestic services i.e. sewerage pipework.
4. There will be a loss of privacy in the basement voids as free access must be maintained along the basement void.
5. The building is located close a major listed building. The provision of a window beneath No. 3 in isolation will destroy the appearance of this building. The installation of these windows in this section of the riverside wall is not in keeping with the overall conversion and contrary to conditions impose by the Local Planning Authority.

A further letter of objection from a local resident on 7 January 2002 and the issues raised are as follows:

1. The original planning permission sought to preserve the character of the building and this permission would contradi this.
2. The applicant has had sufficient time to supply the additional information. He has consistently failed to supply the additional details.
3. The City Council is disregarding the well-being of the other residents and their properties in affording the applicant this additional time.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

There are number of planning applications relating to this site. Most relevant to this current application, is an application for planning permission for the conversion of Brewery building to hotel and leisure centre, conversion of barrel house to 6no. apartments and 75 new housing units which was granted on 27 May 1988, under reference 88/0295.

DETAILS OF PROPOSAL

This application seeks full planning permission for the installation of two windows and replacement of internal doors at number 3 The Barrel House, Caldew Maltings, Carlisle.

The site is the basement to one of six apartments within a building which is located adjacent to the River Caldew.

Planning permission is required following the application made under reference 88/0295 whereby condition number 10 states:

"Notwithstanding the provisions of the Town and Country General Development Orders 1977-87 there shall be no enlargement or alterations to the dwelling units to be formed in accordance with this permission, within the

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0840 /

meaning of Schedule 1 Class (1) of these Orders,
without the written approval of the City Council."

The reason given states:

"To ensure that the character and appearance of the development and its relationship with the adjoining listed building is not marred by inappropriate or injudicious alterations or extension or unsympathetic screen walls or fences."

The outline of the window openings to the basement can clearly been seen from the photographs which are reproduced following this Report, with the stone header, cills and quoin detail which surround the bricked up openings.

The listed building which is referred to in the reason for the condition and is an issue raised in the correspondence received from the objectors is the Old Brewery Residence. The elevation to which this application relates does not overlook this building and it is considered that the development does not adversely affect the character of this building.

Members will note from the site location plan attached to this report that this building lies to the south of the application site and is now the Old Brewery Residences. The development within number 3 Barrel House faces east and the two buildings would not be seen in juxtaposition.

There is no objection to the principle of the installation of these windows in terms of the aesthetic affect on the character of the building. Of greater concern, as can be seen from the photographs which are reproduced following this report, is the adverse consequences which may result following high river levels.

Policy E20 of the Carlisle District Local Plan makes specific reference to the fact that development within designated floodplains should not adversely affect river defences or surface water run off. A determination is unable to be made until further information is received.

The applicant was asked by both the Environment Agency and by Council Officers to submit further information. Greater detail was required regarding the specific construction and materials of the window units, and also the method of installation. Information was received on 15 January 2002 in the form of two photocopies from a trade brochure. The Environment Agency response is reproduced earlier in this report.

The applicant has been afforded a reasonable amount of time in which to produce the information requested. It is not considered that the well-being of the property or any of its residents has been put in jepody during this time.

Members have two options at this stage of the application:

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0840 /

1. The application could be refused on Policy E20 of the Local Plan. However, the applicant would have a maximum period of six months in which to lodge an appeal to the Planning Inspectorate. The appeal process could take several months and if the Inspector were to agree with the Council's decision, the applicant would be afforded a period of time in which to carry out any remediation works.
2. The matter could be deferred in order that a report from a structural engineer regarding the installation of the window

RECOMMENDATION:-

A full Report and recommendation cannot be made as further details are required to be submitted by the applicant. These will then need to be evaluated by the Environment Agency.

Supp Pages 4-6
App + Bingham Yates

Deferred

1.00m Song

Existing	Fine Brn	79925	± 2.5m
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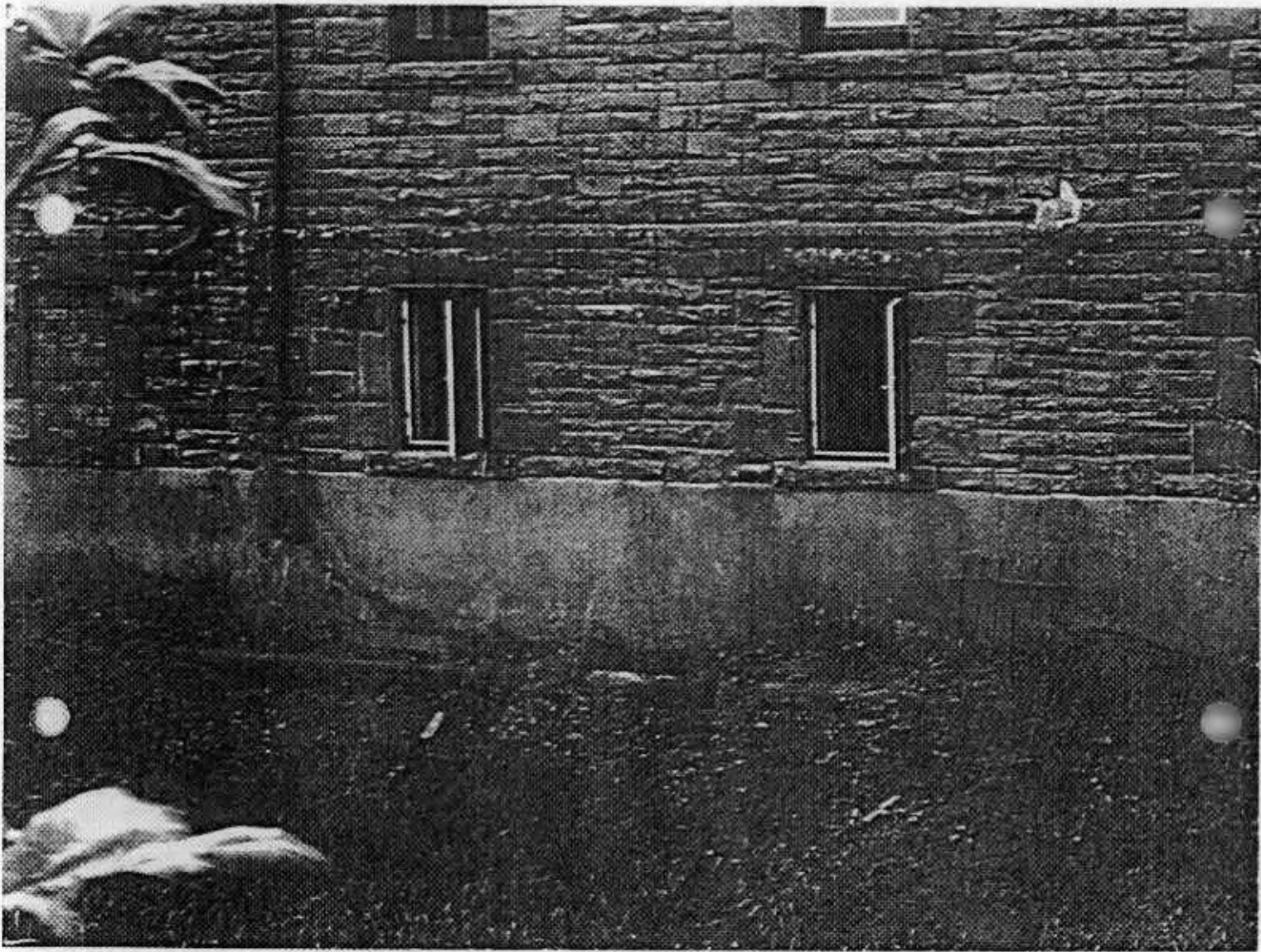
Based IN CONOUR SPECIALITY STRONG TIES
Any EXTRA TIES FITTING

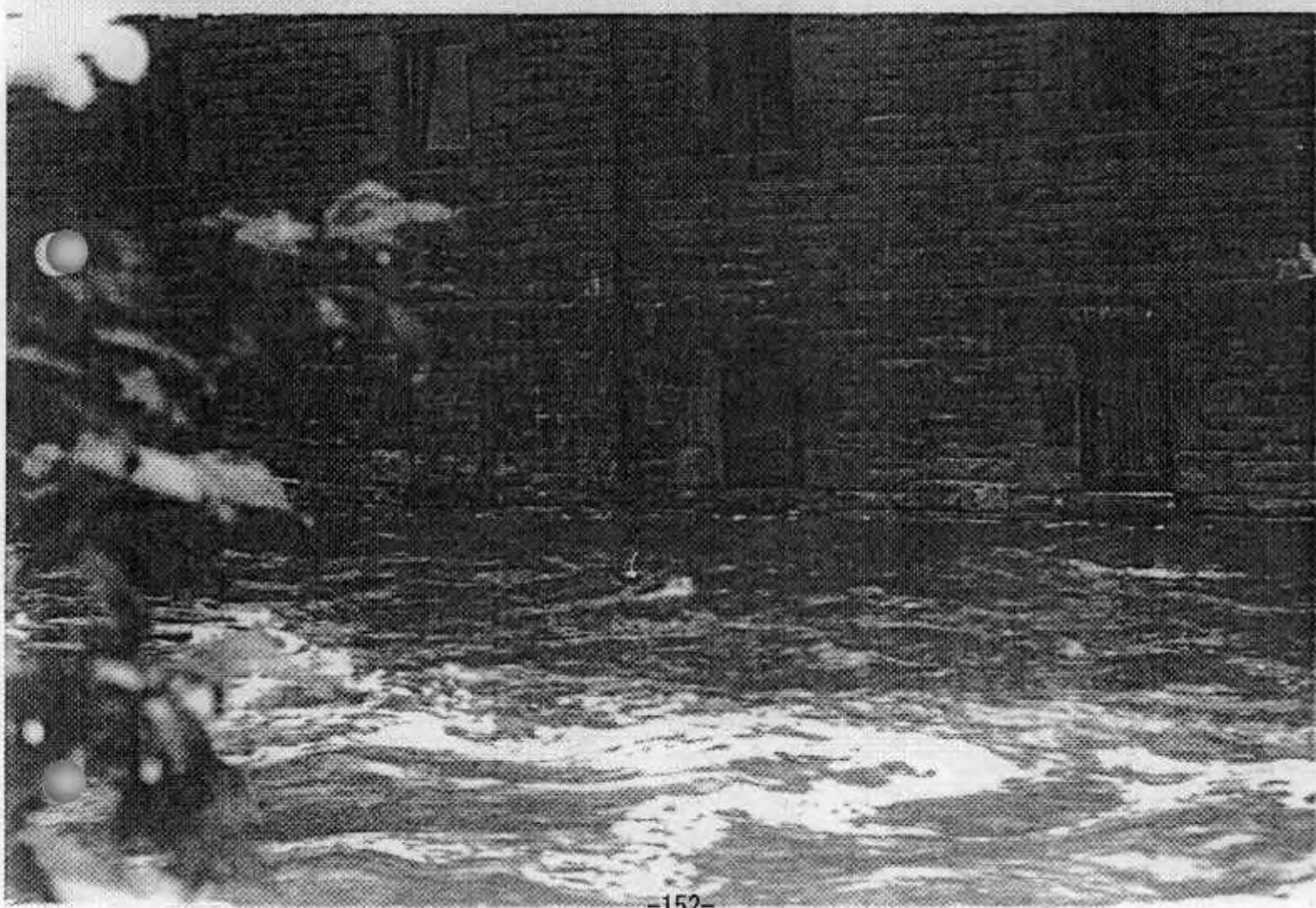
20/9/2001

ONE WARDING TO CORNERS 4, 5 - 6 AND
THAT OUTSIDE VIA EXIT HATCH CORNER (6).

TWO WARDING TO CORNERS 2 - 1 AND
THAT OUTSIDE, VIA DOUBLE EXIT DOORS CORNER (1).









12.2. MAUNSELM
DEPT. OF ENVIRONMENT
& DEVELOPMENT
PLANNING SERVICES DIVISION
THE CIVIL COURSE
CA2 HISE

3 BARREN HOUSE
CANDREW MARTINEZ
CA2 HISE
CA2 5 SW

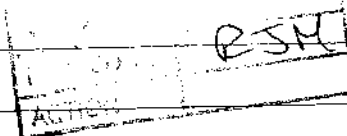
19 NOV. 2001

01/08/01

ON

DEAR SIR,

RE APPN. No. 2001/0840



(REFERRING TO YOUR LETTERS DATED
26 SEPT 2001 AND 06 NOV. 2001

(NS)

I GIVE NOTICE OF 'RIGHT TO SPEAK'
AND TO RESPOND IF AN OBJECTOR HAS
TAKEN OPPORTUNITY TO SPEAK, OR IN
EVENT THAT APPLICATION IS RECOMMENDED
FOR REFUSAL, TO SPEAK IN SUPPORT
OF THE APPLICATION.

(I ASSUME THIS REFERS TO MATTERS
BEING PRESENTED TO MEMBERS OF THE
DEVELOPMENT CONTROL COMMITTEE ON
WEDNESDAY 14 DEC 2001 OR 02 FEB 2002.

PLEASE NOTE I WILL BE OUT OF
COUNTRY 27 NOV 2001 - 11 DEC 2001 INCLUSIVE.

Yours sincerely

MR. A. BRADMAN

6 The Barrel House
Caldew Maltings
Bridge Lane
Carlisle CA2 5SW

Alan Eales
Planning Services
Carlisle City Council
Civic Centre
Carlisle CA3 8QG

16 October 01

01/0840

RJM

Dear Mr Eales

Appn Ref: 01/0840 Insertion of windows into existing openings, 3 The Barrel House, Caldew Maltings, Carlisle

I wish to object most strongly to the above application. I occupy property in the same block, which consists of residential units, converted from the former barrel house. The cellar runs beneath all the units and the proposed works will thus affect the property of all occupants.

My grounds for objection are

1. The windows (already installed, thereby making this a retrospective application) are capable of opening. At times during the winter, the river can rise, bringing the water level to about 6 inches below the level of the windows on the ground floor i.e. the windows above the cellar level. This would mean that the cellar windows would be below the water level. A few days ago (while the applicant was away), the river rose to the window level of the cellar i.e. the level where any new windows would be installed. I have enclosed for information photographs taken on 8 October, after only 24 hours of rain which demonstrate how quickly river levels rise at this point. During winter months, the cellar level windows are at times totally submerged.

2. I would also object to fixed, non-opening windows. When the river is in flood, the speed and weight of water must build up a great deal of pressure. I have serious concerns about whether windows in this location could withstand the force of that water, together with the additional problems caused by the various large items of debris (including large logs and tree trunks) carried by the water.
3. Since the cellar lies below the river level, the only way to get rid of water in the cellar would be by pumping it out. If water entered the applicant's cellar, it would obviously also enter the other cellars, where there are domestic services e.g. sewerage pipe work. The presence of this water could lead to damage to the fabric of the whole building, including my own property.
4. I believe that, prior to the building of the railway and the attendant canalisation of the river, the Barrel House stood on a flood plain and was thus not subject to the rise in river levels which have been seen more recently. With the railway construction and restriction of the river, however, the windows were, of necessity, bricked up to protect the cellars from flooding.
5. The cellar currently is one single unit which runs beneath all the properties, separated by fire break walls, and all owners have rights of access via an opening adjacent to 1 The Barrel House. The applicant is proposing to close off completely his section of the cellar, creating access problems for residents in the other units. By installing doors to his cellar, not only will access be denied but it will not prevent flooding into the cellar as a whole as the firebreak walls are very porous.
6. The Planning Authority rightly insisted on conditions to ensure that the Barrel House and other buildings on the site have been sympathetically converted. It is obvious that the installation of these windows in one section of the riverside wall is not in keeping with the overall conversion, especially when the buildings are adjacent to and visible from the major listed building, the castle.

I understand that the applicant proposes using the cellar as a gym/fitness room. I stress that I have no objection to this. I must, however, object most

strongly to a proposal which potentially threatens the fabric of my and my neighbours' property.

Yours sincerely

Elsie B. Martlew.

Elsie Martlew

Department of Environment &
Development Planning Services
Carlisle City Council
The Civic Centre
Carlisle
Cumbria CA3 8QG

PLANNING SERVICES	
REF	01/0840
6 - 3 OCT 2001	
RSM	

Mr A G Tucker
Bunkers Hill West
Orton Road
Carlisle
Cumbria CA2 6RA
Tel. + 44 (0)1228 819964
Fax + 44 (0)1228 513282

Dear Sirs

02/10/01

Your Ref. RJM / DC / 01 / 0840

The referred planning application relates to the insertion of windows into the basement space below No. 3 Barrel House, Caldew Maltings, Carlisle.

I am the owner of the adjacent property, No. 2 Barrel House.

I am opposed to the above planning application on the following grounds:

- The windows were originally bricked up in an attempt to stop the frequent flooding of the entire basement area in times of high river levels.
I am concerned that the provision of opening windows beneath No. 3 Barrel House will lead to a flooding of the entire basement area affecting the other five adjacent properties including No. 2.
- The individual basement areas apart from No. 3 are totally unused. (As one of the original developers, I can inform you that the initial plan was for this entire basement area to be converted into a communal gymnasium facility for the benefit of all residents. Because of severe cost and logistical problems, this initial plan was dropped at an early pre-planning stage and the developers' intent was to leave this void simply as an access to services).
I am therefore concerned about the loss of privacy in the other five adjacent basement voids as clearly free access must be maintained, for the purposes of any necessary maintenance works, along the entire basement void.
- The entire Barrel House block is an attractive building adjacent to a major listed building. The provision of a window beneath the No. 3 property in isolation will destroy the appearance of this building as viewed from the railway side of the development.

Yours faithfully



Alan G. Tucker

Terry Jones

1 Barrel House,
Caldew Maltings,
Carlisle,
Cumbria, CA2 5SW.

Telephone 01228 590175
E-mail terryjones@cix.co.uk

Dept. of Env., Plan. & Development,
Attn Mr R J Maundell
The Civic Centre,
Carlisle, CA3 8QG



28th September 2001

Ref. RJM/DC/01/0840

Dear Mr Maundell,

My wife and I support the proposal to insert windows into the existing openings at 3, The Barrel House, Caldew Maltings.

Yours sincerely

A handwritten signature in dark ink, appearing to read "T L Jones". The signature is fluid and cursive, with a long horizontal stroke extending to the left.

T L Jones

PLANNING SERVICES	
REF	61/0840
1 - 1 OCT 2001	
REMOVED	CD
SCANNED	
PASSED	EM
ACTION	

PLANNING SERVICES	
01/0840	
07 JAN 2002	
RECORDED	an
SCANNED	
PARTIAL	RSM
ACTION	

6 The Barrel House
Caldew Maltings
Bridge Lane
Carlisle
CA2 5SW



Alan Taylor
Head of Development Control
Carlisle City Council
Civic Centre
Carlisle

3 January 2002

Dear Mr Taylor

Proposal: Insertion of windows into existing openings
Location: No 3 Barrel House, Caldew Maltings, Carlisle
Appln No: 01/0840/

I am replying to your letter of 17 December 2001 informing me that consideration of the above application has been deferred.

I would like to record my concern and strong objection to the deferment of this decision.

There are two issues upon which I seek clarification.

Firstly, when the Barrel Houses were granted planning permission there were a number of conditions relating to the visual aspect of the whole building.

I would be interested to learn what importance has been placed upon the aesthetics of the application and what influence they will have on the final determination of it. Presumably, you have by now considered this aspect of the proposal. If you have objections on the grounds of the effect of the proposal on the whole building why can the application not be refused on this basis?

This leads me to my second concern. In normal circumstances I would have no objection to a deferment but in this case, I believe there is urgency due to matters beyond anyone's control. This is a retrospective application submitted in September 2001 (the work being carried out in the Summer of 2001) and the applicant has consistently failed to supply information required by you.

We are now in the winter months with every likelihood of the newly installed windows being totally submerged by the rising levels of the River Caldew. This, indeed, could lead to serious flooding of the properties 1 - 6 The Barrel House, which as you know have a single continuous cellar running beneath them, resulting in the risk of structural damage and damage to furniture and fittings. This scenario is one which the City Council had been made aware of and yet unfortunately, you have still recommended deferment.

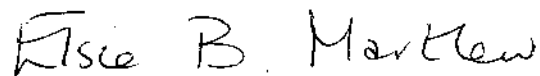
Mr A Taylor
Carlisle City Council

3 January 2002

How long is the City Council prepared to wait for the applicant's response, however tardy, whilst disregarding the well-being of other residents and their properties.

I, therefore, must make it clear that if there is any flood damage to my property due to the failure of the Council to act expeditiously, I will have no alternative but to seek legal redress against the City Council.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Elsie B. Martlew'. The script is cursive and somewhat stylized, with the first letters of each word being capitalized and prominent.

ELSIE MARTLEW

Copy: Lewis Silkin Solicitors, London
Mr M Lambert, Town Clerk & Chief Executive's Department,
Carlisle City Council



Tilt & Turn

- An ideal window for many different types of installation from high rise blocks to domestic houses.
- Features include the ability to clean the outside glass from the inside and the ventilation benefits while in the tilt position.
- 58mm front to back multi-chambered profiles.
- Option of standard and slimline tilt and turn sashes.
- Choice of outer frames.
- Option of sculptured and sloped glazing beads.
- Available in white, woodgrain and coloured finishes.

RECEIVED
15 JAN 2002



REQUIREMENTS

Reinforcement

A range of aluminium and steel reinforcement sections are available for window and door profiles in the VEKA range, the use of which is dependent upon the loading requirements of each individual window or door.

A general guide on maximum outer frame and sash sizes is shown on the opposite page but consideration

must also be given to loads on mullions and transoms particularly when those items are also acting as protective barriers above ground floor level.

Further details can be found in our technical manuals. VEKA Technical Department will be pleased to advise on reinforcement and the suitability of proposed window designs.

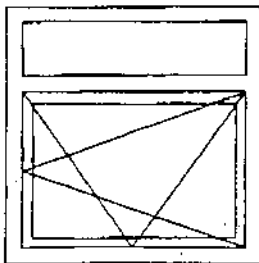
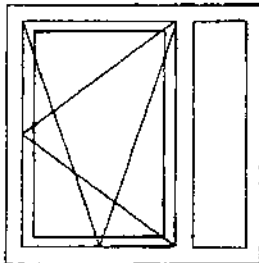
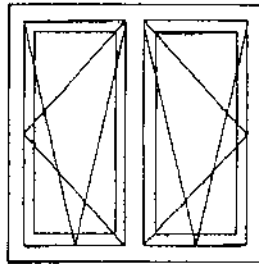
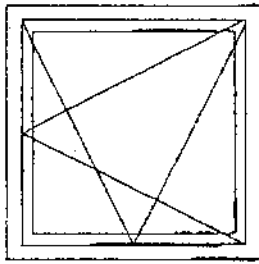
Gearing

A wide range of gearing, hardware and fittings is available for each of the VEKA window and door systems.

Details of recommended items and suppliers are available in the relevant VEKA system technical manual.

For specific information regarding suitability of a product to fit a VEKA window or door system please consult the VEKA Technical Department.

F.A.O R Mansell



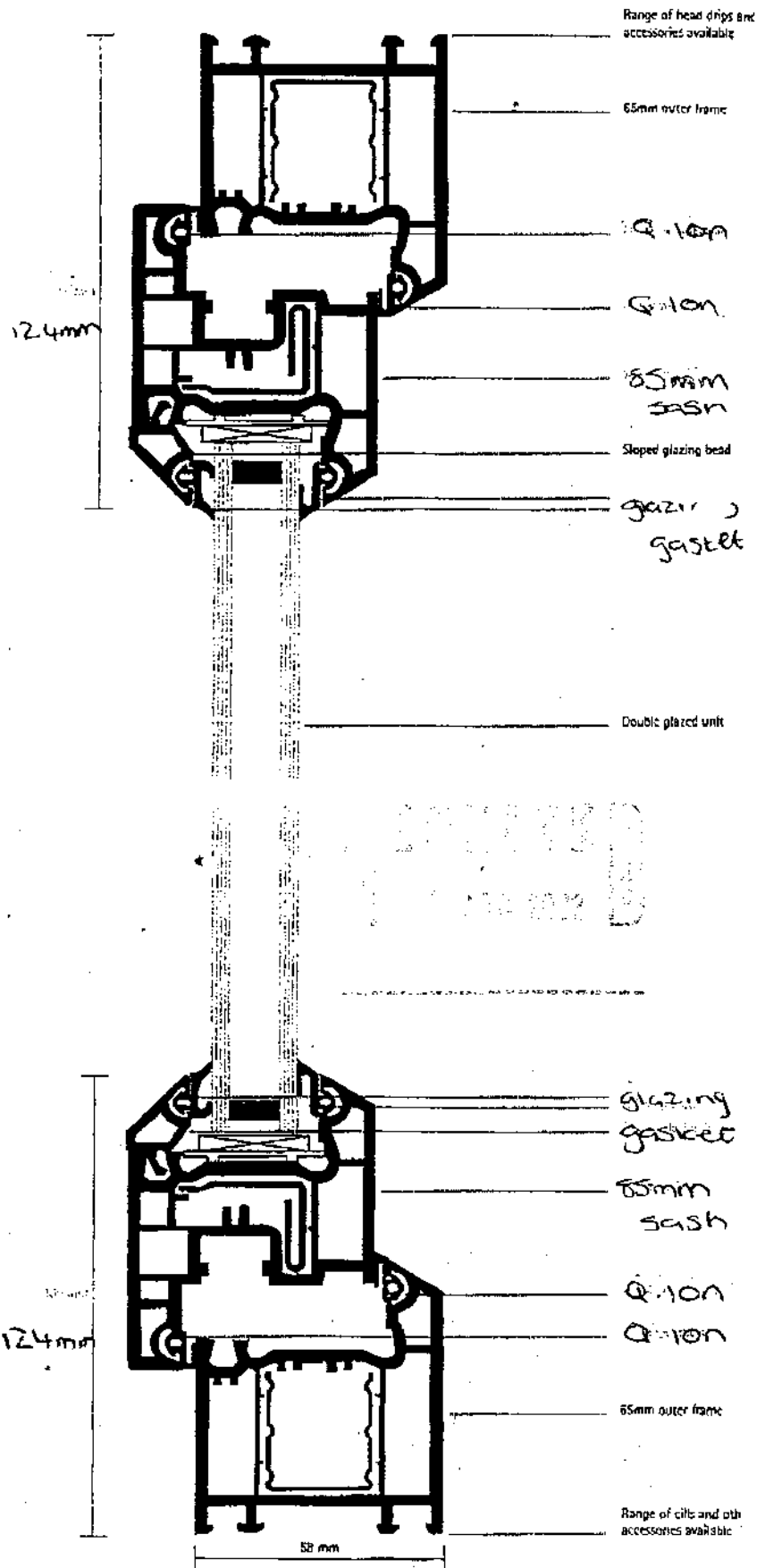
- All main profiles shown with galvanised steel reinforcement sections
- Alternative outer frame and transom/mullion sizes available
- Alternative beads available in sloped or sculptured designs to suit 4mm to 28mm glazing
- Glazing beads available with co-extruded PVC nitrile gaskets
- Gaskets also available in Q-Lon material

RECEIVED
15 JAN 2002

13

SIZE CAPABILITIES

Frame Size	Transom/Mullion Size	Glazing Size
1000mm	1000mm	1000mm
1200mm	1200mm	1200mm
1400mm	1400mm	1400mm



From

-163-

Tony Dodd

SCHEDULE A: Applications with Recommendation

ITEM NO. 6

Date of Committee: 01/02/2002

APPN REF NO: 01/0854 /	APPLICANT: Mr & Mrs C Birch	PARISH: Stanwix Rural
DATE OF RECEIPT: 19/09/2001	AGENT: Mr G R Stephen	WARD: Stanwix Rural
LOCATION: 93 Tribune Drive, Ashleigh Park Houghton, Carlisle	GRID REF: 341300 558619	
PROPOSAL: Erection of two storey extension to provide enlarged garage with lno. en-suite bedroom at first floor		

Richard

REPORT

PLANNING POLICIES:-

CARLISLE DISTRICT PLAN HOUSING - POLICY H14

Applications for extensions to existing dwellings will be approved provided the City Council is satisfied that the proposals are appropriate to the dwelling, its design and setting. Inappropriate extensions which adversely affect the amenities of adjacent properties by poor design, unreasonable overlooking and/or unreasonable loss of daylight and sunlight will not be permitted.

CARLISLE DISTRICT PLAN HOUSING - POLICY H17

The amenity of residential areas will be protected from inappropriate development where that development:

1. is for a use inappropriate for residential areas; and/or
2. is of an unacceptable scale; and/or
3. leads to an unacceptable increase in traffic or noise; and/or
4. is visually intrusive; and/or
5. leads to a loss of housing stock.

SUMMARY OF CONSULTATION RESPONSES:-

STANWIX RURAL PARISH COUNCIL: The Parish Council does not object to the enlarged garage and bedroom but is concerned about parking on the highway in this very confined cul-de-sac if vehicles are not parked on driveways.

HIGHWAY AUTHORITY: No objection.

Further comments received on 22 January 2002 read:

No objections.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0854 /

SUMMARY OF REPRESENTATIONS:-

This application has been advertised by way of a site notice and thirteen individual letters to the occupiers of adjacent properties. Five letters of objection have been received and the issues raised are summarised as follows:

1. The design, scale and character of the proposed alteration is not in keeping with the original design of the houses and planning of the estate and it is inappropriate;
2. The development would be an eye sore if constructed as proposed;
3. The proximity of the proposed extension to neighbouring properties would result in loss of daylight;
4. The extension would result in additional on-street parking in a restricted cul-de-sac;
5. The adjacent property would be further 'pinned in' to the corner of the cul-de-sac; and
6. When the building was originally constructed the foundations already had to be moved.

A further letter of objection was received on 18 January 2002 in relation to the revised plans from the occupier of the adjacent property and the issues raised are summarised as follows:

1. The roof is not the same height as the original main roof, which will still block light from the front windows;
2. The development would still 'pin' the corner property in;
3. The roof would resemble a dry ski slope;
4. The roof should have a hip on the gable;

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

There are numerous planning records pertaining to the development of the estate as a whole but there are no individual records relating to the application site itself.

DETAILS OF PROPOSAL

This application seeks full planning permission for the erection of a two storey extension to number 93 Tribune Drive, Houghton. The property forms one a number of detached two storey dwellings within a cul-de-sac on a modern housing estate. A detached single storey garage is sited to the rear of the property.

The proposal involves the erection of a two storey extension to the north west facing gable. The extension consists of the erection of a replacement garage which would be integral by way of the construction of a passageway between the house and the garage. The frontage of this structure would be set back 5.2 metres from the front elevation of the property and the garage itself would measure 8.5 metres in length by 3.3 metres wide. The adjoining passageway would measure 1.7 metres wide by 6.15

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0854 /

metres in length.

The first floor would consist of an en-suite bedroom over part of the garage and the passageway and would measure 5 metres in width by 6.15 metres in length. A small area of the garage to the rear of the property would not be built over but would instead be covered with a mono pitch roof.

Amended plans have now been received which show the ridge height of the extension reduced to 6.9 metres from 7.4 metres, and the profile has also been altered to produce one continuous roof slope to the rear of the property.

Presently, it is proposed to construct the extension from rendered elevations with brick quoin detail under a modern tiled roof. The ground floor area would be brick with the first floor being rendered.

The original layout of the estate as a whole, has been densely developed, and the issues pertaining to any subsequent planning application are magnified. Accordingly, a number of concerns have been raised by the residents of neighbouring properties. The most relevant issues are the scale and design of the proposed extension, and the resulting loss of daylight.

The resultant building would be on the boundary with the adjacent property, number 95 Tribune Drive, which is itself built at an angle of approximately 45 degrees to the application site. Compounding the issues of amenity, is the fact that the adjacent property is also set back in the corner of the cul-de-sac.

Policy H14 of the Local Plan requires that extensions should be appropriate to the dwelling, its design and setting. The plot is relatively large in comparison the other dwellings on the estate and should the development proceed, there would remain a reasonable amount of garden area. As the proposal currently stands, the extension would be substantial but is not considered to be of a scale or design that would be disproportionate or obtrusive. There are no new windows proposed in the extension that would present an issue of overlooking.

Policy H17 also seeks to protect residential amenity. Reference is made in the letters of objection to the possible loss of daylight/ sunlight that would occur, particularly to occupier of the adjacent property, should the development proceed. The issues of 'right to light' is detached from the planning system. Number 95 Tribune Drive is angled to number 93 and faces out into the cul-de-sac. Although the extension is substantial, it is situated approximately 8 metres from the adjacent property and it is considered that there would be no unreasonable loss of daylight or sunlight to the occupiers of this property.

With regard to the highway issues, the Authority have raised no objection in their consultation response. Furthermore, the

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0854 /

applicants would be retaining their garage and have sufficient length on the driveway on which to park a vehicle.

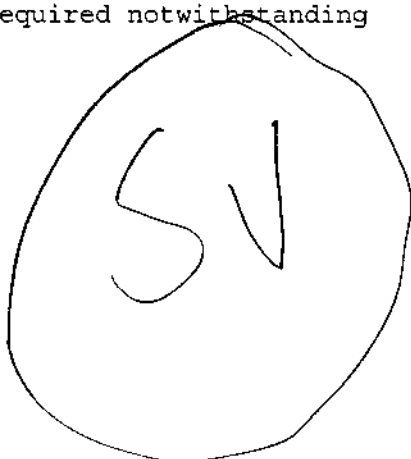
In conclusion, the merits of this application are finely balanced. However, the proposed extension is substantial but is of a scale and design that is reflective of the existing dwelling. It is not considered that the occupier of the neighbouring property would be adversely affected. Furthermore, no objections have been received from the Highway Authority.

RECOMMENDATION:-

APPROVE WITH CONDITIONS

1. Standard time limit
2. Samples required notwithstanding

P1A0 →



95 Tribune Drive

Houghton

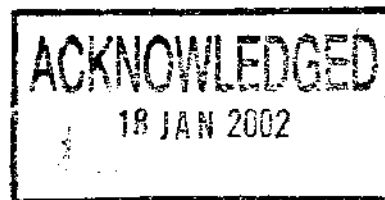
Carlisle

CA3 0LE

Mr R. Mansell,
Planning Dept.,
Carlisle City Council,
The Civic Centre,
CARLISLE,
CA3 8QA,

PLANNING	01/0854
REF	10/1/02
DATE	MM
ASSIGNED TO	RTM
ACTION	

16.1.02



Dear Sirs,

Re: Proposed two storey extension to
93 Tribune Drive, Houghton.
Appn. Ref. 1/0854

With reference to your letter of 11.1.02
we write to advise you that we
have now viewed the revised plans
for the proposed extension and would
comment as follows:-

- 1) In our opinion, the roof is still not
the same height as the original
main roof, which will still block
out light from our front windows.

- 2) We are still concerned about our property being 'pinned in' to the corner due to the extension being so close to the front of our property and looking out of our windows at a gable end 6 metres or so away;
- 3) We are concerned about the roof to the rear looking like a 'dry sk' slope;
- 4) We would still like to see a 'hump' on the roof of the gable end so it does not make it look so 'big', this would be in keeping with other houses on the estate;
- 5) We have enclosed a rough plan as an idea only, of how we, and other neighbours, think might help to overcome the problems to the side & rear. We notice that the size of the bedroom and en suite has not changed since lowering the roof height! Therefore why was it so high originally?

In our opinion, the roof could be lowered to the original roof height of the main house, even it means the proposed bedroom being 'slightly' smaller.

We await your comments and would confirm that we will be attending the 'Right to speak' meeting at The Civic Centre on the 1st February 2002.

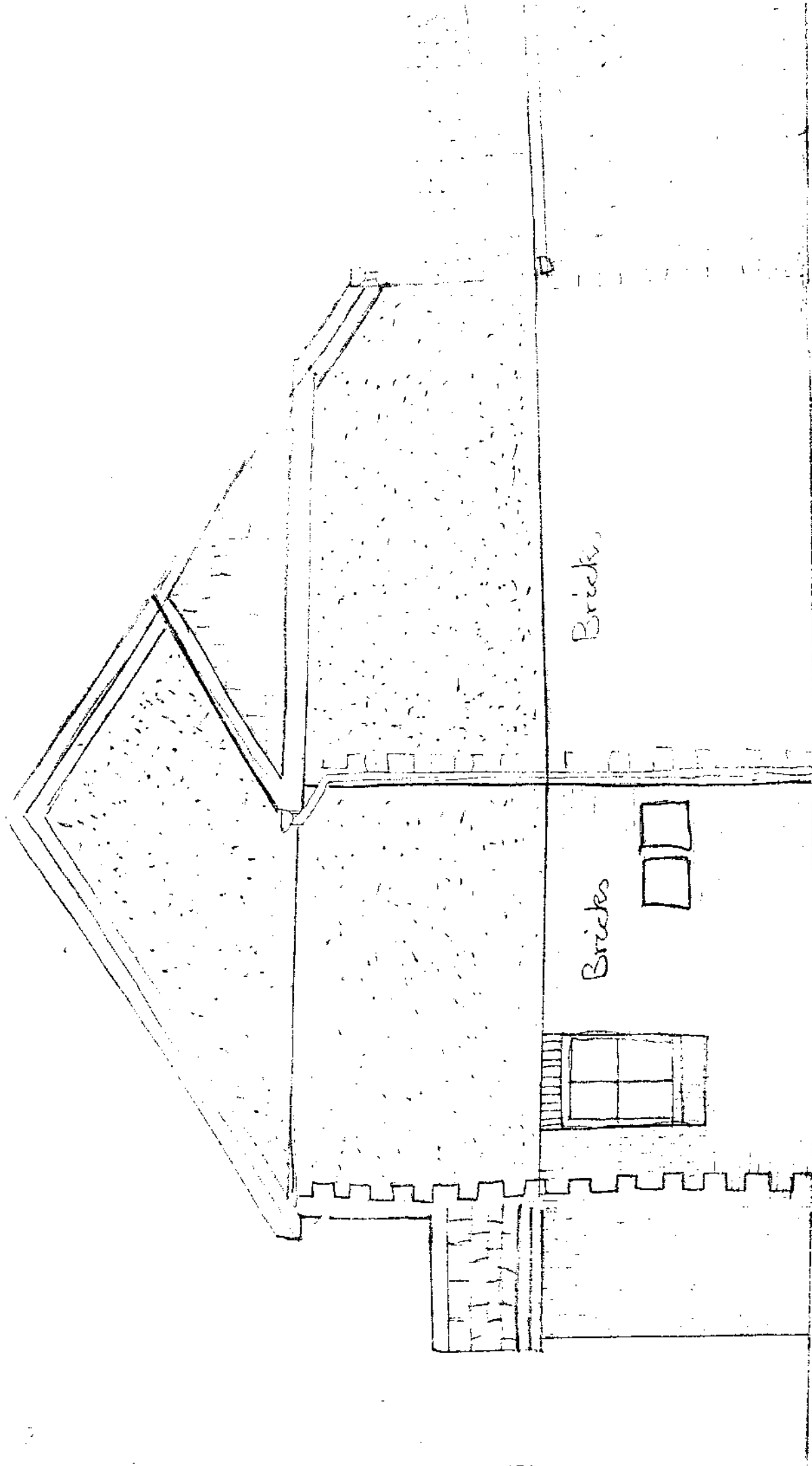
Yours faithfully

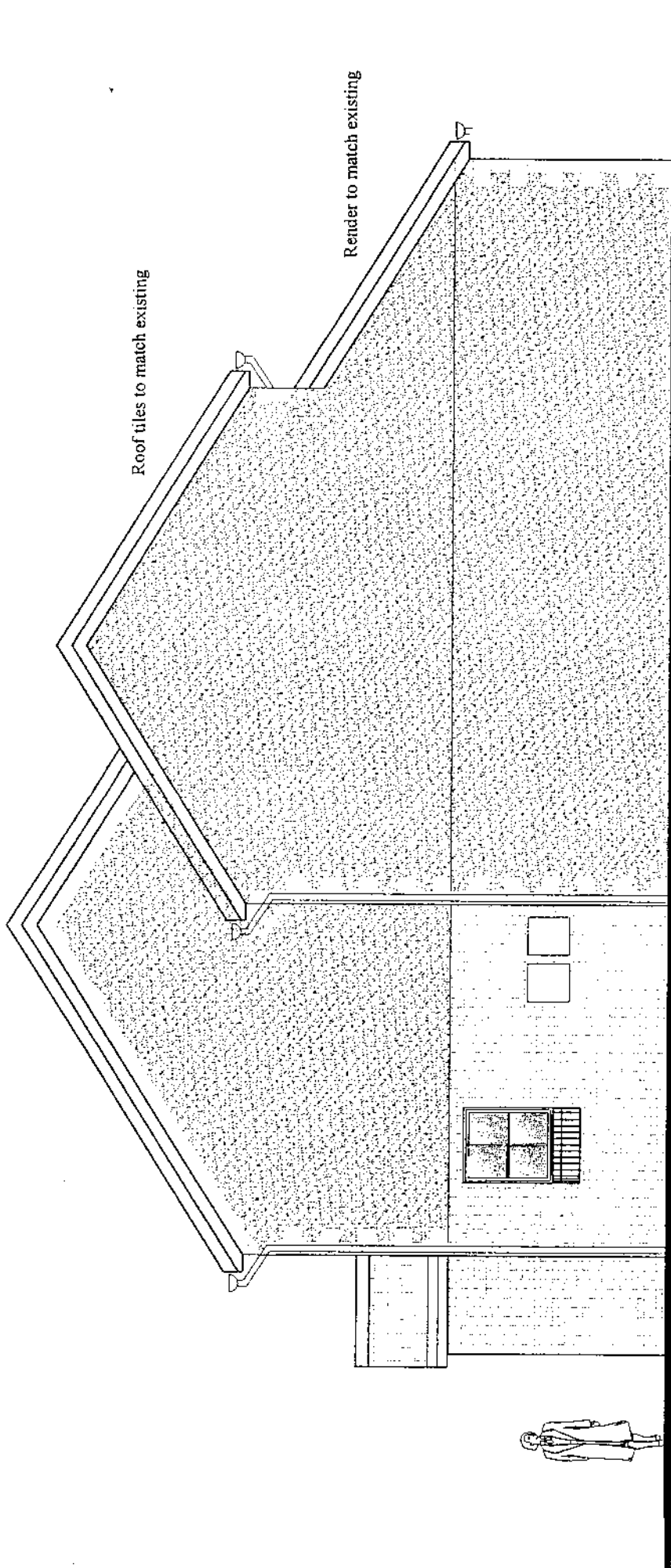
S.R.

S. Ross

T. Ross

T. Ross





PROPOSED GABLE
ELEVATION

RECEIVED

19 SEP 2001

2001/09/19

Notes

Plans prepared by
GR & AJ Stephen
The Barn, Crooked Holme,
Nr, Brampton CA8 2AT
Tel. 016977 3338
Email address : stephens@quista.net

Drawn : GRS

Job : 01/013

Date : Sept 2001

Scale : 1 : 50

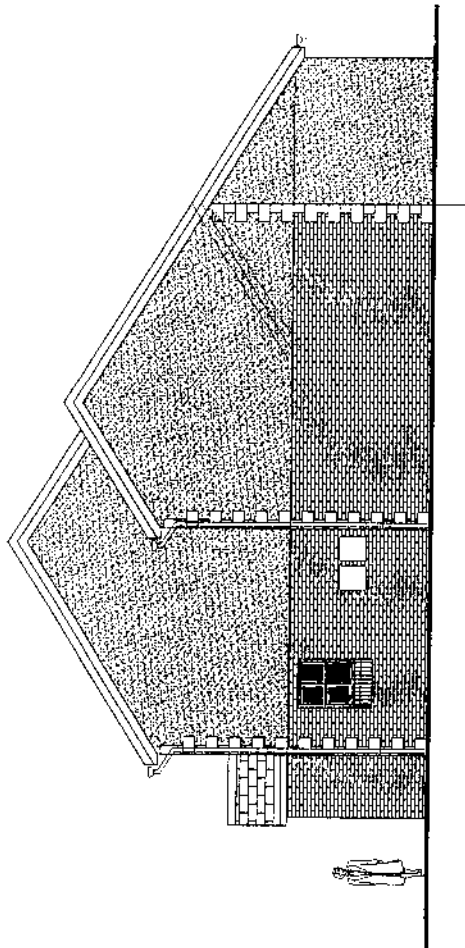
Revision :

L.A. No. 013/024

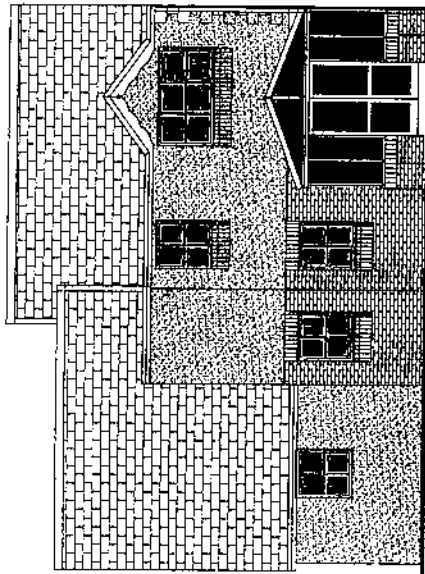
Proposed Extension to
93 Tribune Drive
Houghton, Carlisle
For Mr & Mrs Birch

Proposed Gable Elevation

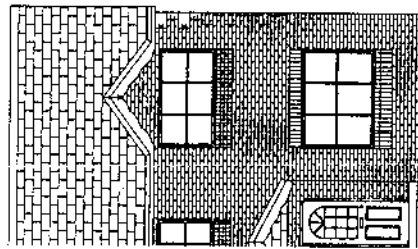
24



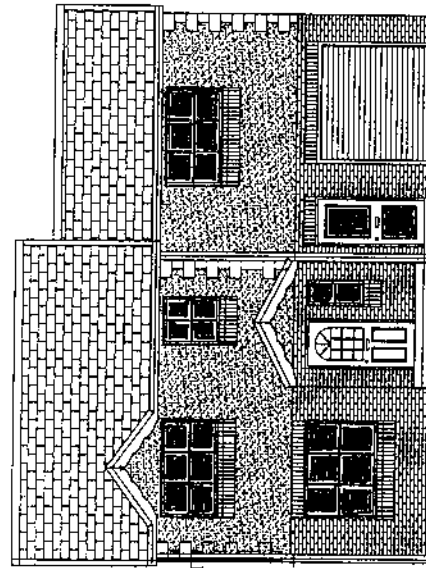
Gable Elevation



Rear Elevation



Front Elevation



Notes

Plans prepared by
GR & AJ Stephen
The Barn, Crooked Holme,
Nr, Brampton CA8 2AT
Tel. 016977 3338
email address : stephens@quista.net

Drawn : GRS

Job : 01/013

Date : Sept 2001

Scale : 1 : 100

Revision :

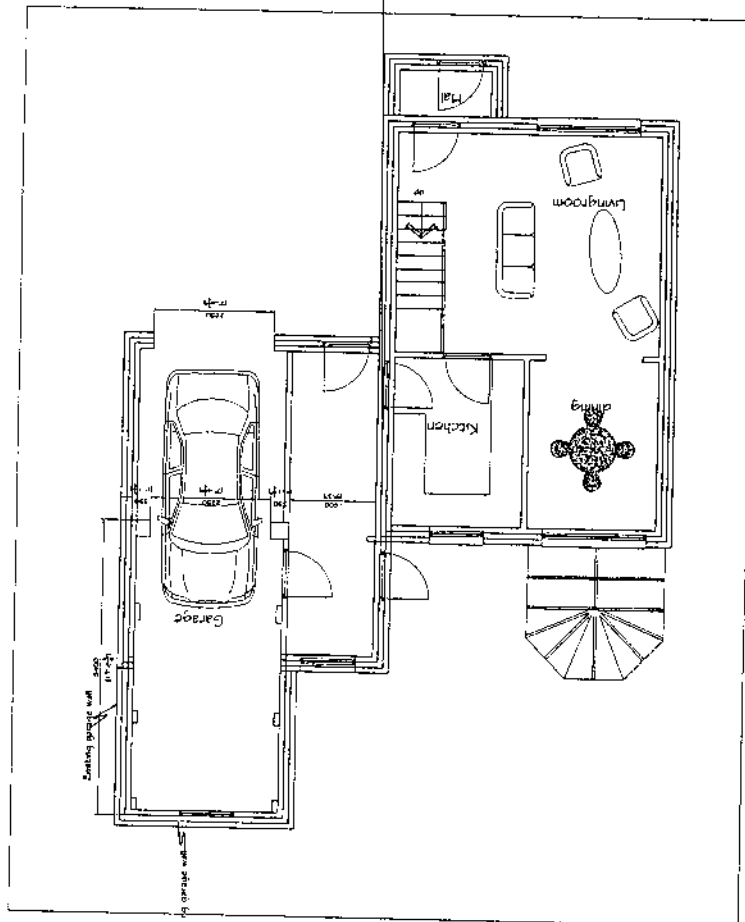
Drawing No. 013/033

RECEIVED

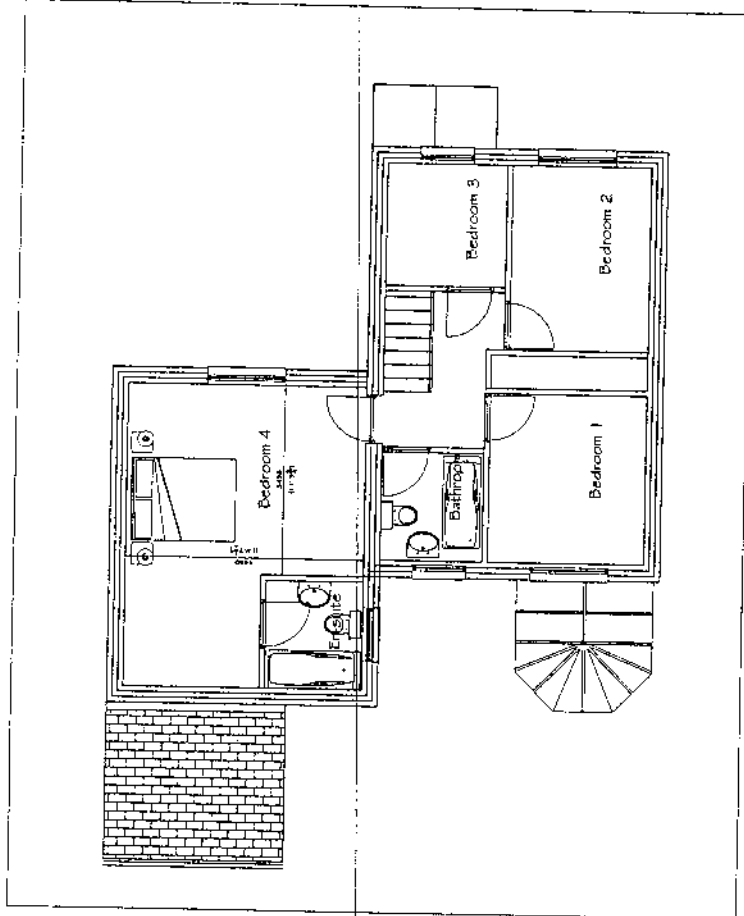
Proposed Extension to
93 Tribune Drive
Houghton, Carlisle 2001 0854
For Mr & Mrs Birch

Revised elevations

33



GROUND FLOOR
PROPOSED



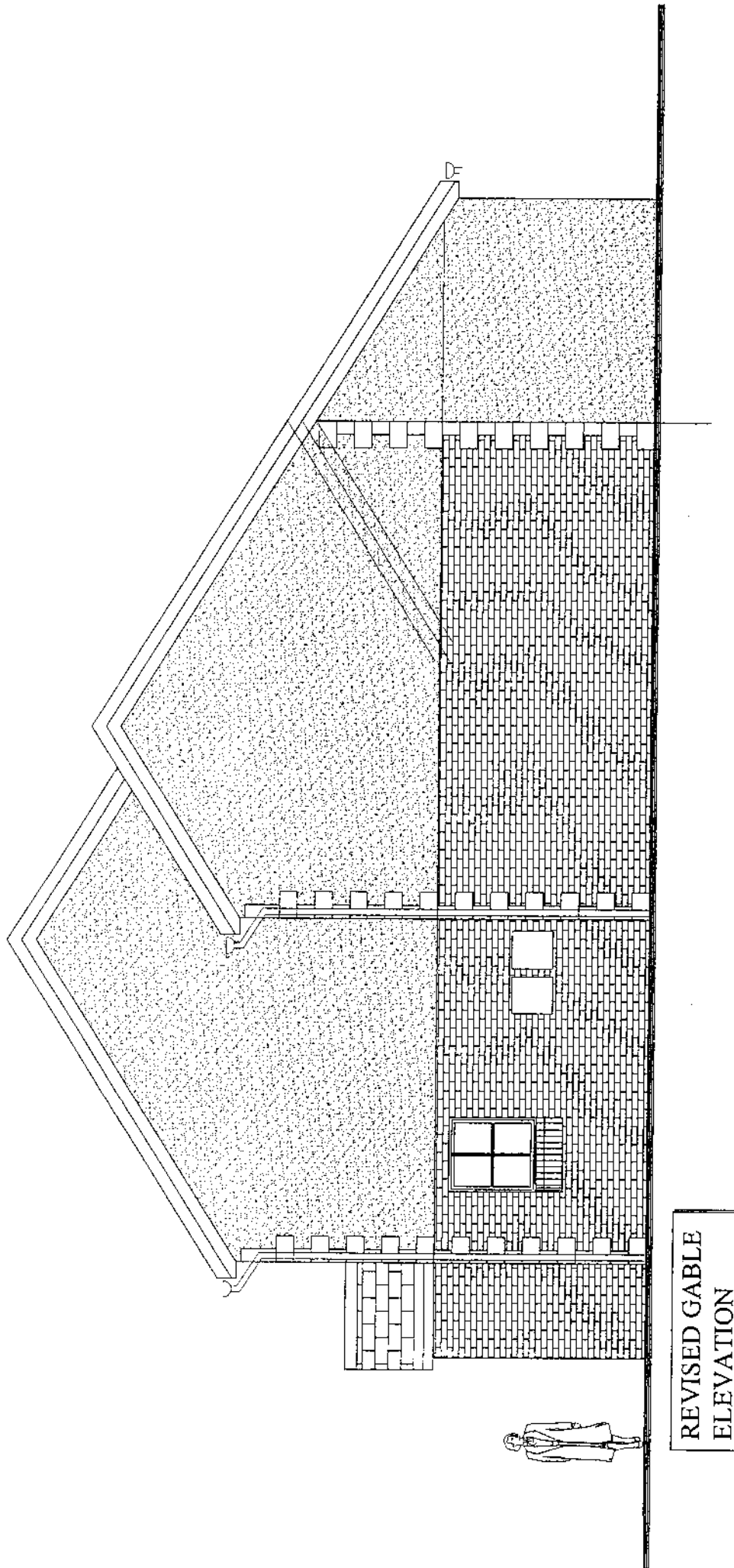
FIRST FLOOR
PROPOSED

Notes

Plans prepared by
GR & AJ Stephen
The Barn, Crooked Holme,
Nr, Brampton CA8 2AT
Tel. 016977 3338
email address : stephens@quista.net

Drawn : GRS
Job : 01/013
Date : Sept 2001
Scale : 1 : 100
Rev :
Drawing No. 013/026

RECEIVED
Proposed Extension to
93 Tribune Drive 2001/0854
Houghton, Carlisle
For Mr & Mrs Birch
Revised ground & first floor (30)



Notes

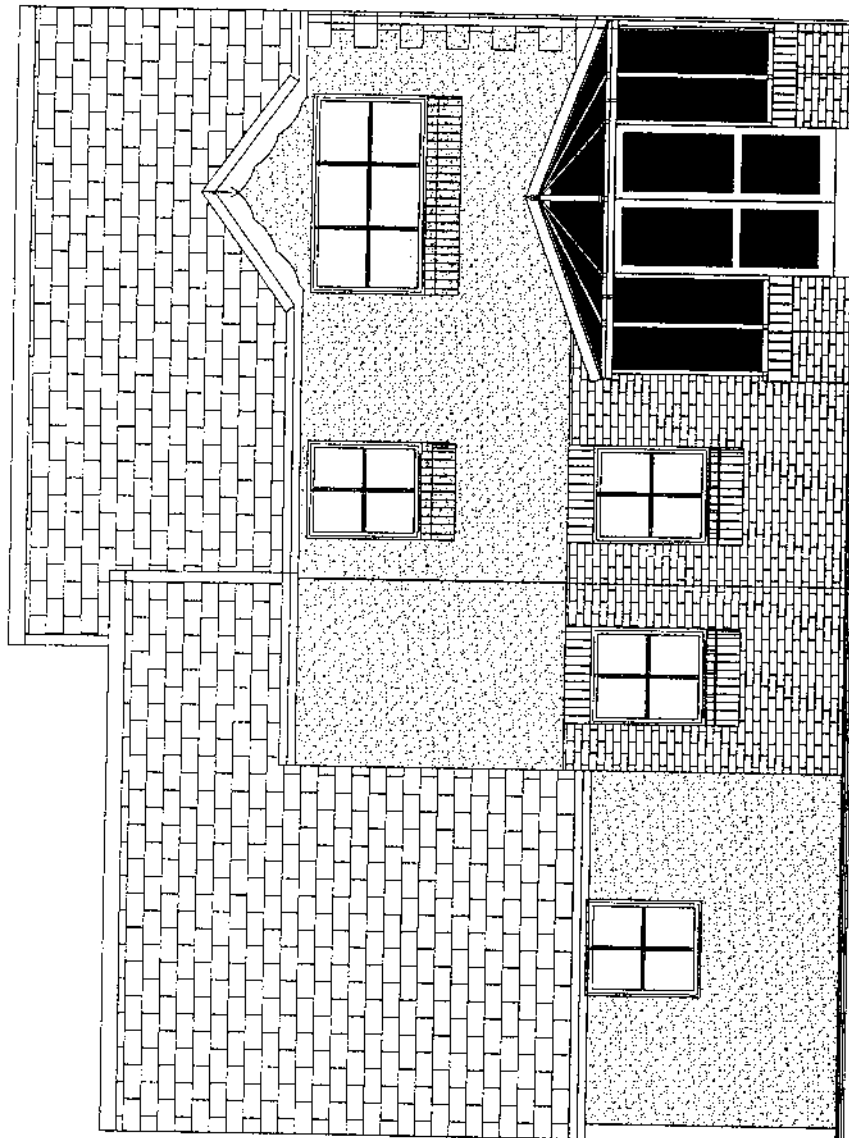
Plans prepared by
GR & AJ Stephen
The Barn, Crooked Holme,
Nr, Brampton CA8 2AT
Tel. 016977 3338
email address : stephens@quista.net

Drawn : GRS
Job : 01/013
Date : Sept 2001
Scale : 1 : 50
Revision :
Drawing No. 013/031

Proposed Extension to
93 Tribune Drive
Houghton, Carlisle
For Mr & Mrs Birch
2001.0834

Revised Gable

31



REAR
ELEVATION

Notes

Plans prepared by
GR & AJ Stephen
The Barn, Crooked Holme,
Nr, Brampton CA8 2AT
Tel. 016977 3338
email address : stephens@quista.net

Drawn : GRS
Job : 01/013
Date : Sept 2001
Scale : 1" = 50'
Revis.
Drawing No. 013/032

Proposed Extension to
93 Tribune Drive
Houghton, Carlisle *2001/0034*
For Mr & Mrs Birch
Revised Rear Elevation





95 Tribune Drive
Houghton

CARLISLE

CAS OLE

Mr R. Mounsell,
Planning Dept.,
Civic Centre,
(7th Floor),
CARLISLE.



28 September '01

Dear Sir,

Re: Proposed extension to No. 93 Tribune
Drive, Houghton - Job No. 01/013,
Drawing No: 013/026 for Mr & Mrs Birch

We write to express our objections
with regard to the above proposed
extension.

We are of the opinion that the
extension will block out light to
one of our bedroom windows and
greatly spoil the appearance of our
property, as we will be looking
at the gable end of the extension
which is proposed to be a large

white fully pebble dashed wall
(not even in keeping with the
other properties).

The houses in the circle-sac are
already built closely together
and with our property already being
'tucked' into the corner, we
feel the extension will further
'block' us in and may hinder
any future sale of our property,
should we ever decide to sell.

The extension will result in one of
the owner's cars being permanently
parked on the road which will
create problems, as the car parking
arrangements are already a huge
problem in the circle-sac, due
to the lack of space available.

We have expressed our concerns to
Mr & Mrs Birch and having
heard nothing further from them,
await their reply through yourselves

if necessary.

We look forward to your comments.

Yours faithfully,

S. Ross.

S. ROSS

T. Ross

T. ROSS (Mrs)

95 Tribune Drive
Houghton

CARLISLE
CA3 0LE

Mr R. Mansell
Planning Dept
7th Floor
Civic Centre
CARLISLE
CA3 8QG

S.12

01	01/0854
-7 DEC 2001	
CN	
ESM	

Dear Sir,

Re: Proposed two storey extension
93 Tribune Drive, Houghton
Appn. Ref. 01/0854

Further to our recent correspondence regarding the above, we write to advise you that we are prepared to compromise on the above extension in order to buy and solve the situation.

If the extension was to follow the roof line (as we were told it was going to), this would be acceptable. Also if the roof could be 'hipped',

so that it does not make it look
so large.

It is intended that the gable end
is to be fully pebble dashed -
this is not in keeping with the
property, nor the other surrounding
properties, can this not be half
brick, half dashed to stay
in keeping with the property?

Another idea to solve the parking
would be if they created a
parking space where the shed is,
we are prepared to let them
use our land to access the
parking space, on the understanding
that a solicitors letter is
drawn up stating it is our land
and should only be used for
this reason, at no cost to ourselves.

These are obviously suggestions
to try and help matters, which
can be discussed further at the

meeting if necessary and we look forward to hearing from you to keep us informed as to the situation.

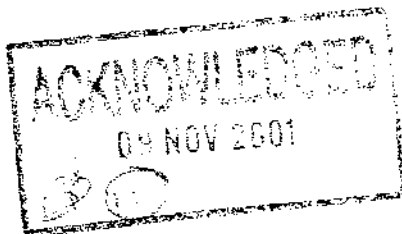
Yours faithfully,

S. Ross.

S. ROSS

T. Ross

T. ROSS



01/0854

B

Department of Environment & Development
Planning Services Division
The Civic Centre
Carlisle
CA3 8QG

RJM

(11)

73 Tribune Drive,
Houghton,
Carlisle
CA3 0LE
7 November 2001
Your ref: RJM/DC/01/0854

Dear Sir

Notification of Planning Proposal

Location: 73 Tribune Drive, Houghton, Carlisle

App Ref: 01/0854

I am writing in response to your letter of 23 October regarding the planning proposal on the above property.

Having inspected the proposed plans at your offices on 2 November I wish to formally object to the proposed alterations on the following grounds:-

1. The close proximity of the proposed extension to my property. I would suggest that a precedent was set in 1991 when the original developer was obliged to move the foundations for 73 Tribune Drive after I asked the planning department to check the original site plans. It would appear that the developer, Hassall Homes, had mis-calculated when putting in the road leading to 73 Tribune Drive and were putting in the foundations for that plot too close to my property. Following a site inspection by your office the foundations were moved away from my property and nearer the road. The current proposal would effectively negate that earlier intervention by the planning department and bring the property too close to my own home again.

2. I would suggest that the design, scale and character of the proposed alteration is not in keeping with the original design of the houses and planning of the estate and is inappropriate as currently submitted. The extension as proposed would considerably alter the aesthetics of the property by not following the lines of the rear elevation of the property.

I hope that you will give my objection reasonable consideration and that you will ask for revised drawings to be submitted and approved before granting planning permission for any extension to that property.

Yours faithfully,

J G F Duff



Department of Environment & Development
Planning Services Division
The Civic Centre
Carlisle
CA3 8QC

93 Tribune Drive,
Houghton,
Carlisle
CA3 0LE
12 November 2001
Your ref. RJM/DC/01-0854

Dear Sir

Notification of Planning Proposal

Location: 93 Tribune Drive, Houghton, Carlisle

App Ref: 01/0854

I am writing in response to your letter of 27 October regarding the planning proposal on the above property.

Having inspected the proposed plans at your offices I wish to formally object to the proposed alterations on the following grounds:-

1. The close proximity of the proposed extension to my property, which will result in a loss of daylight onto my property particularly in the mornings.
2. The design, scale and character of the proposed alteration is not in keeping with the original design of the houses and planning of the estate and is inappropriate as currently submitted.

I hope that you will give my objection reasonable consideration and that you will ask for revised drawings to be submitted and approved before granting planning permission for any extension to that property.

Yours faithfully

John S Almeida

01/0854

10

CA3

RJM

Department of Environment & Development
Planning Services Division
The Civic Centre
Carlisle
CA3 8QG

75 Tribune Drive,
Houghton,
Carlisle
CA3 0LE
12 November 2001
Your ref: RJM/DC/01/0854

Dear Sir,

Notification of Planning Proposal

Location: 93 Tribune Drive, Houghton, Carlisle

App. Ref.: 01/0854

I am writing in response to your letter of 23 October regarding the planning proposal on the above property.

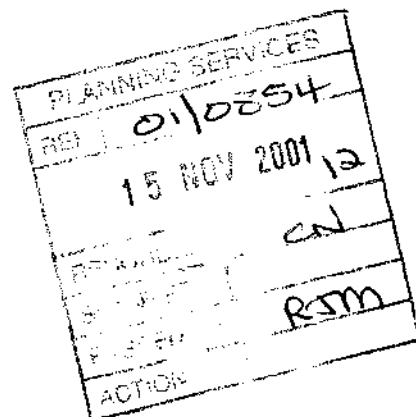
Having inspected the proposed plans at your offices I wish to formally object to the proposed alterations on the following grounds:-

The design, scale and character of the proposed alteration is not in keeping with the original design of the houses and planning of the estate and is inappropriate as currently submitted. The proposed alteration is not in keeping with the character of the original structure and will be an eye-sore if allowed to be constructed as shown on the submitted plans.

I hope that you will give my objection reasonable consideration and that you will ask for revised drawings to be submitted and approved before granting planning permission for any extension to that property.

Yours faithfully,

MPS



Mr R. J. Maunsell,
Civic Centre,
CARLISLE,
Cumbria
CA3 8QG

PLAN	01/01/03
REF	01/01/03
216 OCT 2001	
CN	

14th October 2001

Dear Sir,

Re: Proposed Extension to 93, Tribune Drive, Houghton, Carlisle

Job: ~~01/013~~ - Mr & Mrs Birch

We write with regard to the above application for a two storey extension. Our property, no.97, Tribune Drive, Houghton overlooks the side of no.93 Tribune Drive and we do have some concerns about the effect the proposed extension, as per the plans deposited, would have on our property, particularly with regard to light.

We have made it clear to Mr & Mrs Birch that we do not hold any strong objections to the general appearance of the extension but we are concerned that the "double Peak" (the existing gable end of the house and the gable end of the proposed extension) would have the effect of cutting out light to the front living room window of our house.

Our living room is already a comparatively dark room and we recently took measures to improve the amount of light coming into the room by removing several coniferous shrubs planted by the previous owners.

Our concern is therefore that the building of a second gable end may have a further impact on the amount of light.

We have no way of knowing whether our fears would be justified but wished our concerns to be considered **before** the building work goes ahead and it becomes too late.

If we can be re-assured by an independent expert that our light would not be affected, and given a guarantee to this effect, we would be satisfied.

We would therefore be grateful if our concerns could be noted and investigated and we look forward to hearing from you further as to how and when this will be done.

Yours faithfully,

Gerard and Joanne Rogerson

Gerard and Joanne Rogerson,
97, Tribune Drive,
Houghton,
Carlisle,
CA3 0LE

Tel: 01228 593061 (Home)
01228 822666 (Work)

SCHEDULE A: Applications with Recommendation

ITEM NO. 7

Date of Committee: 01/02/2002

APPN REF NO: 01/1047 /
APPLICANT: Mrs S Lowther
PARISH: Stanwix Rural

DATE OF RECEIPT: 15/11/2001
AGENT: HTGL Architects
WARD: Stanwix Rural

LOCATION: Windyke, 10 Houghton Road, Houghton Carlisle, Cumbria
GRID REF: 341260 558210

PROPOSAL: Removal of existing flat roofed car port, internal alterations and two storey extension to front of dwelling to create dining room, garage and enlarged bedrooms

Richard

REPORT

PLANNING POLICIES:-

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E26

Within the buffer zone of Hadrian's Wall Military Zone World Heritage Site, as defined on the Proposals Map, proposals for development which would have an unacceptable adverse impact on the character and/or setting of the World Heritage Site will not be permitted. Development within or adjacent to existing settlements, established farmsteads and other groups of buildings will be permitted providing that:

1. the proposal reflects the scale and character of the existing group of buildings; and
2. there is no unacceptable adverse effect on the character and/or appearance of the Hadrian's Wall Military Zone World Heritage Site.

CARLISLE DISTRICT PLAN HOUSING - POLICY H14

Applications for extensions to existing dwellings will be approved provided the City Council is satisfied that the proposals are appropriate to the dwelling, its design and setting. Inappropriate extensions which adversely affect the amenities of adjacent properties by poor design, unreasonable overlooking and/or unreasonable loss of daylight and sunlight will not be permitted.

CARLISLE DISTRICT PLAN HOUSING - POLICY H17

The amenity of residential areas will be protected from inappropriate development where that development:

1. is for a use inappropriate for residential areas; and/or
2. is of an unacceptable scale; and/or
3. leads to an unacceptable increase in traffic or noise; and/or
4. is visually intrusive; and/or

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1047 /

5. leads to a loss of housing stock.

SUMMARY OF CONSULTATION RESPONSES:-

STANWIX RURAL PARISH COUNCIL: The Parish Council objects to this application on the following grounds:

1. The proposed extension will undoubtedly impinge greatly upon the amount of light being allowed into the front rooms of No 12 Houghton Road, more especially during the Autumn and Winter months;
2. The overall scale of the proposal is unsympathetic to its environment and out of character with the neighbouring dwellings;
3. The proposal extends beyond the building line.

HIGHWAY AUTHORITY: No objection.

COUNTY ARCHAEOLOGIST: I have checked with the County Sites and Monuments Record and this site lies within an area of archaeological interest, the projected line of Hadrian's Wall and vallum. Archaeological remains associated with the wall could survive as buried deposits within the area of the proposed extension.

Therefore, in accordance with my previous recommendation made in response to application 01/0274, I shall therefore be grateful for the opportunity to undertake a watching brief during the course of the developer groundworks. I suggest that this be secured using the wording given in DoE Circular 11/95, model condition 54;

"The developer shall afford access at all reasonable times to any archaeologist nominated by the local planning authority and shall allow him/ her to observe the excavations and record items of interest and finds."

Reason: To allow for an archaeological watching brief during the construction works as the site is considered to have an archaeological interest.

I also recommend the additional proviso that the applicant should provide me with a minimum of one week's notice of their intention to commence groundworks. The watching brief will then be undertaken at no cost to the applicant and will not hinder the progress of the development.

SUMMARY OF REPRESENTATIONS:-

This application has been advertised by means of site notice and ten individual letters to occupiers of nearby residential properties. Four letters of objection have been received and the main issues raised are summarised as follows:

1. The scale of the proposal is contrary to Policies H14 and H17 of the Local Plan;

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1047 /

2. The adjacent property has a 'right to light' which the proposed extension would impinge upon;
3. Both numbers 8 and 10 Houghton Road would be used for a commercial venture;
4. The extension is of an inappropriate scale to the rural setting;
5. The extension measures 5.8 metres in front of the present building blocking the light and view;
6. There is a right to a view under Policies H14 and H17; and
7. The extension would devalue number 12 Houghton Road;

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

Full planning permission was refused for internal alterations to create garage and dining room and erection of extension to the rear to provide indoor swimming pool and associated plant room, under application reference 01/0274 on 21 September 2001.

The reasons for refusal were given as follows:

"1. The proposed extension to the rear of the property, by virtue of its scale and siting, would be unacceptable and would be visually intrusive to the detriment of the amenity of the occupier of the adjacent property, contrary to policy H14 (Extensions to Dwellings) of the Carlisle District Local Plan.

2. The proposed extension to the rear of the property would be of an unacceptable scale and height, and due to the proximity to the boundary, would form a visually intrusive development to the detriment of the amenity of the occupier of the adjacent property. The development would also result in an increase in background noise levels from the resultant plant room, contrary to Policy H17 (Residential Amenity) of the Carlisle District Local Plan."

DETAILS OF PROPOSAL

This application seeks full planning consent for the erection of a two storey extension to the front of the property known as 'Windyke', 10 Houghton Road, Carlisle.

The proposal consists of:

1. A two storey extension to provide a garage at ground floor with an extension to the existing bedroom accommodation at first floor. This extension would measure 3.9 metres by 3 metres in width and would replace the existing car port which measures 5.5 metres by 3 metres in width. The first 2.4 metres of which would be two storey in height with the remaining 1.5 metres being single storey. This area of the proposal would be sited adjacent to the boundary with the neighbouring property number 12 Houghton Road;

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1047 /

2. Adjacent to the garage, the applicant proposes to erect a two storey extension which would project 5.7 metres from the front elevation of the dwelling. A curved bay window would be constructed on the frontage of this room which would be used as a dining room. Above this extended area would be an enlarged bedroom; and
3. It is the applicants intention to extend the living area in line with the dimensions of the existing porch, which is immediately to the south of the extension detailed in 2. above, and extend this area almost the remaining length of the dwelling, measuring 2.8 metres in length and 1.75 metres in depth.

The applicant's agent has indicated that all materials would be to match the existing, and would consist consist of brick work to the ground floor with render at first floor level, under a tiled roof and together with the installation of white upvc windows.

The site is located within the Buffer Zone of Hadrian's Wall World Heritage Site and is subject to consideration against Policy E26 of the Local Plan. It is not considered that the proposed development would have an adverse effect on the Buffer Zone. The Assistant County Archaeologist has no objection to the proposal, subject to a condition allowing access during the construction of the development.

The dwelling is set back approximately 18 metres from the pavement and is situated within a substantial garden area. The area to be extended would be parallel with the adjacent property number 12 Houghton Road. Along this boundary there is established landscaping, including a hedge measuring approximately 2.5 metres in height.

The dining room and bedroom extension aspect of the proposal shows a gable within the design and facing the highway, which is no higher than the original ridge level of the dwelling.

In consideration of this application Policies H14 and H17 are relevant. Policy H14 of the Local Plan requires that extensions are of good design and are of an acceptable scale. The scale and design of the proposed extensions are considered to be appropriate to this detached dwelling which, as previously mentioned, it situated within a substantial garden area.

This Policy also seeks to protect the amenity of adjacent properties from proposals which adversely affect them, through inappropriate scale, design or unreasonable overlooking. The proposals which are being presented for consideration are substantial but are not considered to be of a scale or design that would be disproportionate or obtrusive. Furthermore, there are no windows proposed in the gable that would create an issue of overlooking. A single window is proposed at ground floor level for the garage accommodation.

Members will note from the site plan which is reproduced

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1047 /

following this report, the relationship between the proposed extensions and the adjacent property number 12 Houghton Road.

The single storey aspect of the development would be 1.2 metres from the boundary, in line with the existing gable of the dwelling. The two storey aspect of the development would project 400mm further forward of the corner of the neighbouring property, with the larger two storey extension some 3 metres further away from the property boundary.

Reference is made in the letters of objection to the neighbour's 'right to light'. Rights to light are detached from the planning system. The main statutory power is the Prescription Act 1832 which provides that where access of light has been enjoyed for a period of more than 20 years without interruption, such a right is "absolute and indefeasible". In other cases so called "rights of light" are easements granted to adjacent property owners.

In this instance, there is no dispute that using this criteria, the occupant of number 12 does enjoy a 'right to light'. It is not considered that the development proposed would adversely affect this right. It is also accepted that the development will, particularly during the winter months, reduce to a certain extent sunlight to the front garden. Again, the extent of this reduction, is not considered unacceptable.

Other objections reference the loss of a view which the occupier of number 12 Houghton Road would endure. There is no private 'right to a view' that the planning system should protect. However, the whole of the proposed development would not be visible from the adjacent property, as there is a substantial hedge adjacent to the living room window that blocks the view.

Both these issues could be loosely classed under the umbrella of 'amenity'. However, it is not considered that the development adversely affects the amenities of adjacent properties by poor design, unreasonable overlooking or unreasonable loss of daylight or sunlight. Although substantial, it is not considered to be of an unacceptable scale or visually intrusive.

The letters of objection also make reference to the devaluation of the adjacent property but this is not a relevant planning consideration.

In conclusion, the proposed extension is of a scale and design that is appropriate to the dwelling and it is not considered that the occupier of the neighbouring property would be adversely affected by the development, in accordance with the relevant Local Plan policies.

RECOMMENDATION:-

APPROVE WITH CONDITIONS

1. Standard time limit

P 208 →

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1047 /

2. Samples required notwithstanding
3. Access for archaeologist

HEEA -

26 Members

PC, WM's + local residents all oppose.

Criticises planning officer (biased document)
no heights mentioned.

29' high, 536 ft² to wall.

loss of light/sunlight infeasible.

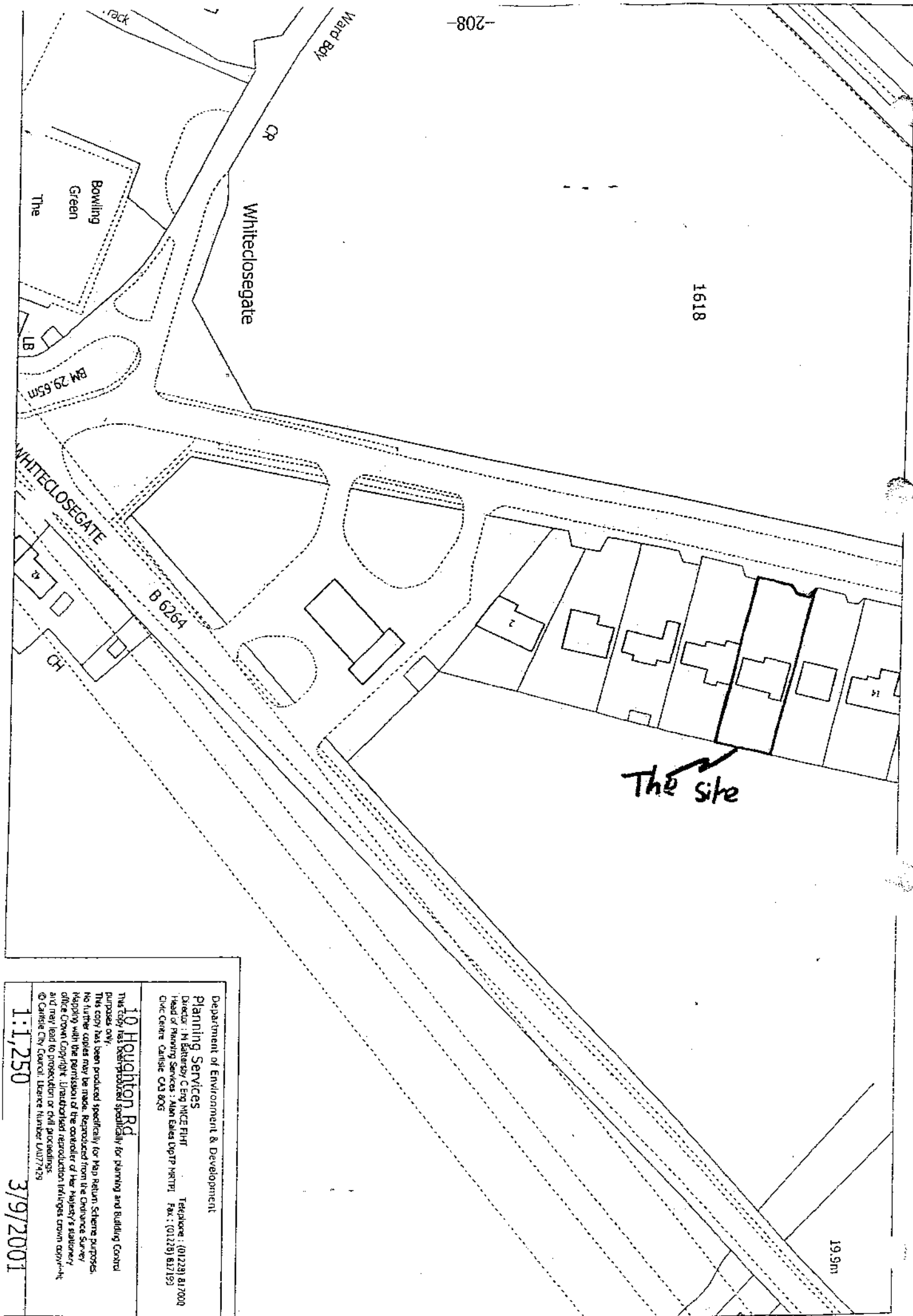
Report accepts loss but states "not unacceptable"

loss of amenity (pleasantness)

Not afforded details in Supr schedule

Coun Bowman - refer to H14 + H17

Coun Firth - refer to pns. app'n.
loss of light



-208-

1618

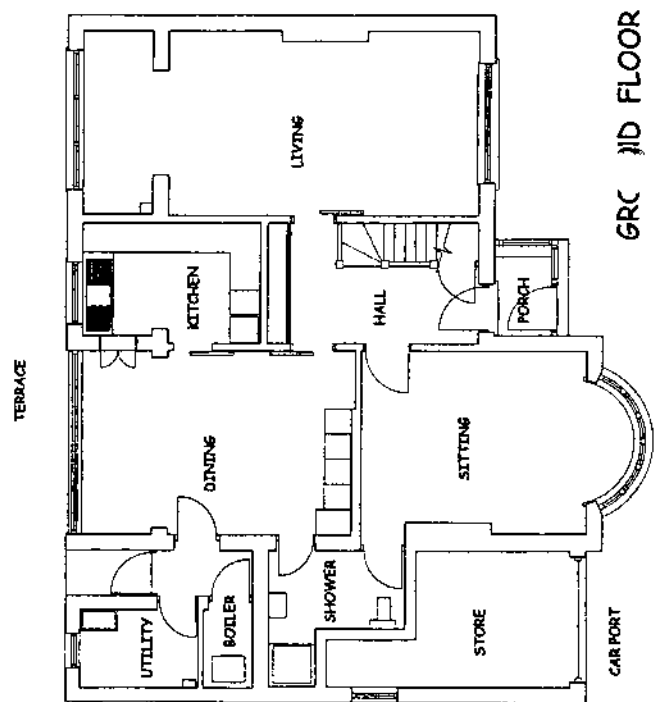
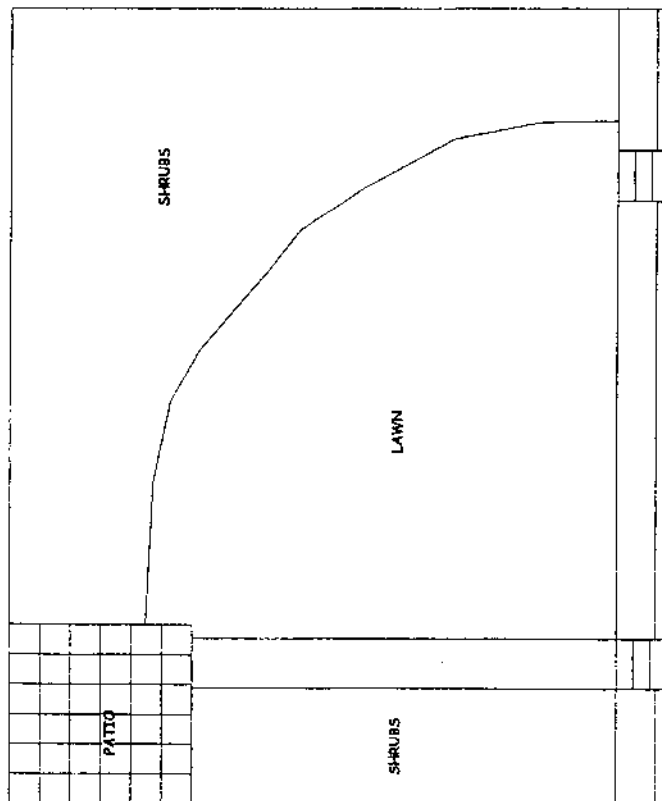
The site

19.5m

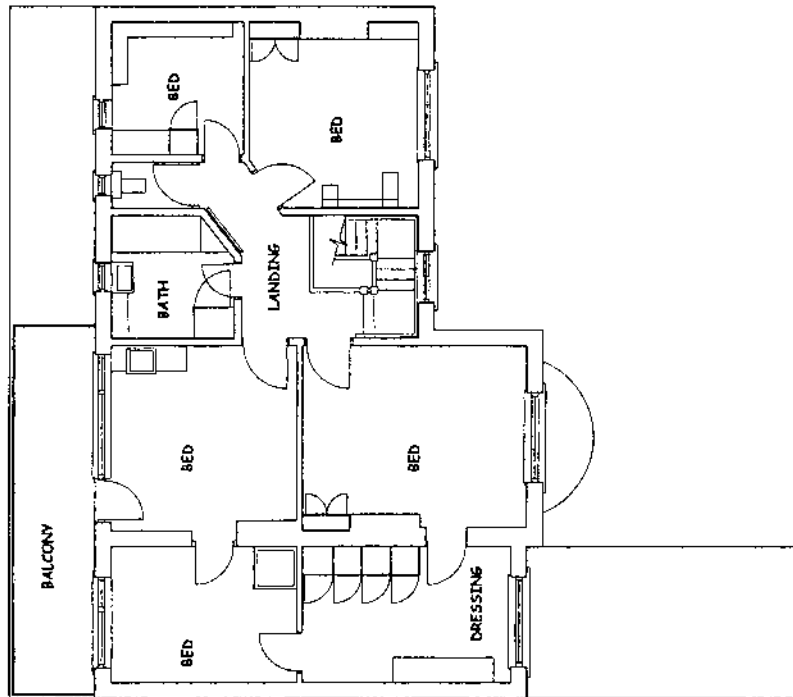
Department of Environment & Development
Planning Services
 Director: Mr. Anthony C. Eng MBE PHD Telephone: (01223) 817000
 Head of Planning Services: Alan Bates MBE PHD FAX: (01223) 817193
 Civic Centre, Carlisle, Cumbria CA3 8Q6

10 Houghton Rd
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1:1,250 3/9/2001



GROUND FLOOR



FIRST FLOOR



ARCHITECTS

Hodgson Tritton Glover Little

15 BROADWOOD ROAD, CHICHESTER, SUSSEX PO19 1JH TEL: 01243 821887 FAX: 01243 818863

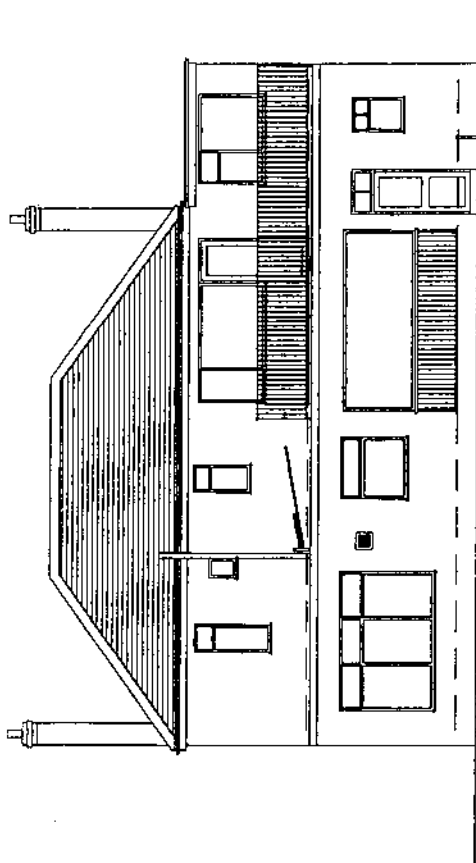
Client: Mr & Mrs W Lowther

Project: Windyke Houghton Road Carlisle Cumbria

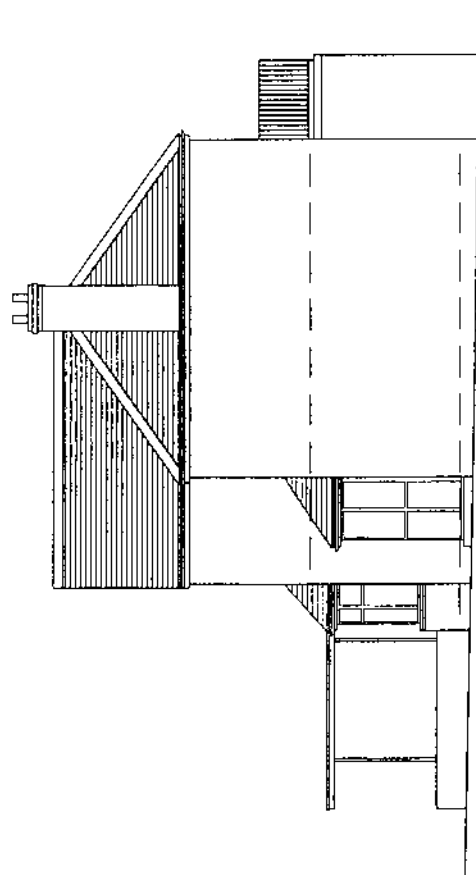
Title: Premises As Existing

Date: 03/10/00 Scale: 1:50

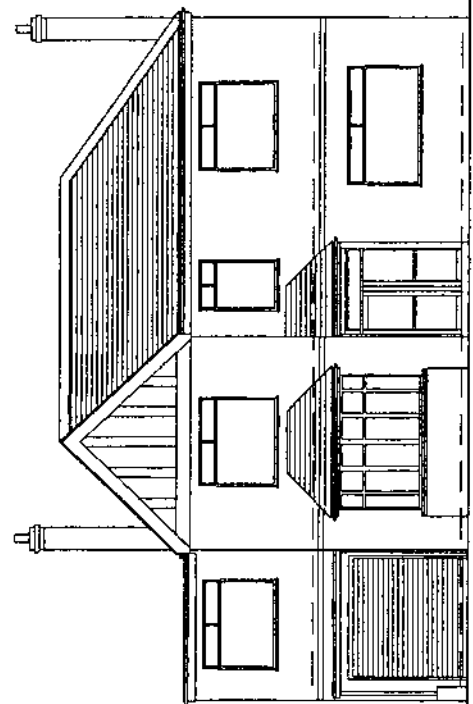
1665/02



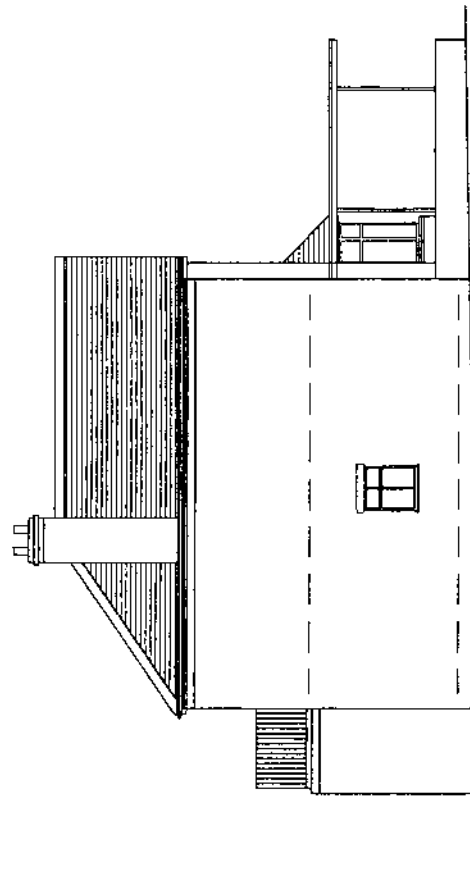
EAST ELEVATION



SOUTH ELEVATION



WEST ELEVATION



NORTH ELEVATION

Provisional to 25/04/2018. All dimensions subject to change without notice.

HTGL



ARCHITECTS

Hodgson Tritton Glover Little & Co. Ltd

13 Richmond Street Carlisle, Cumbria, CA1 1PF Tel: 01228 511487 Fax: 01228 511493

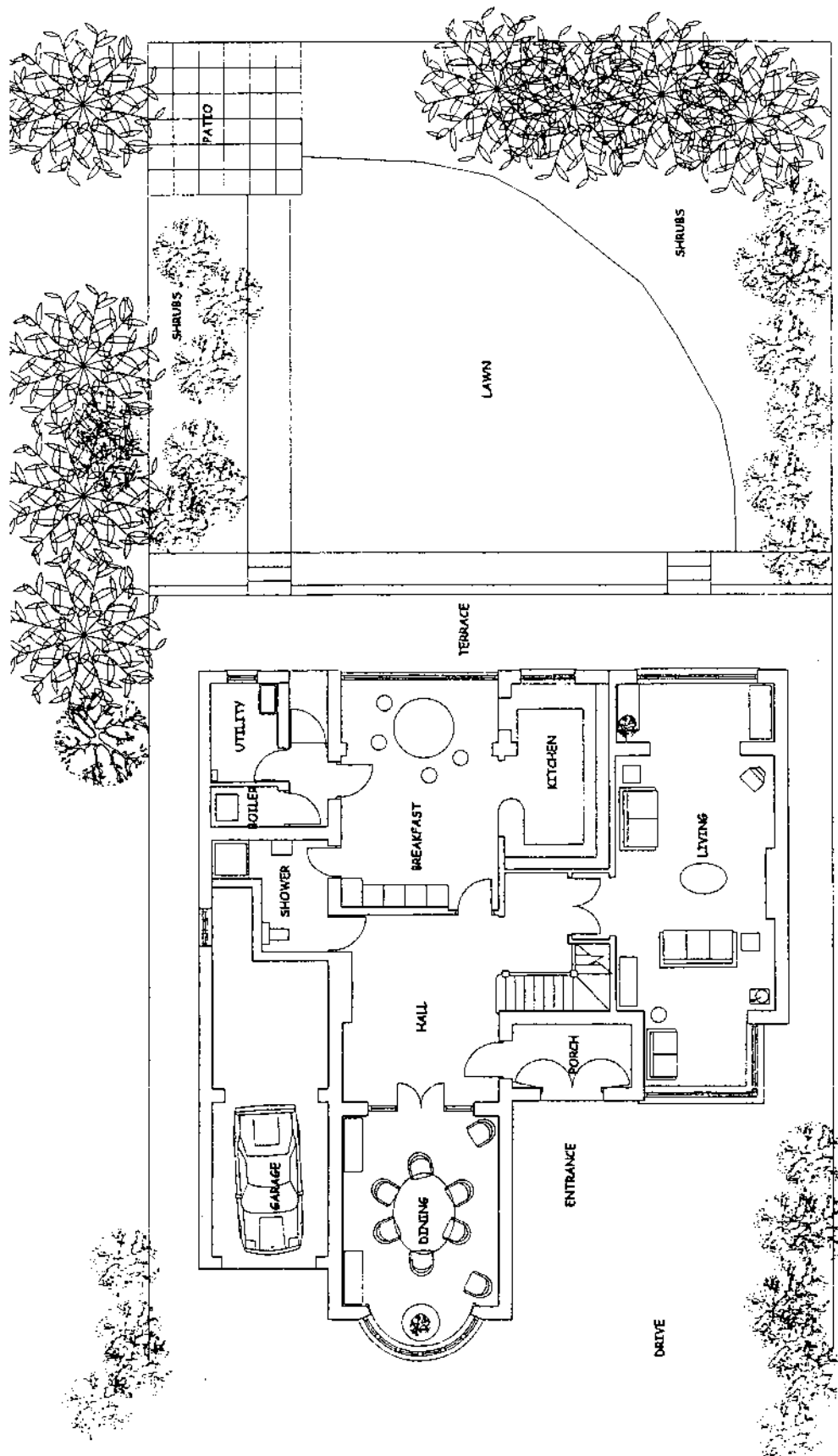
Client: Mr & Mrs. W. Lowther.

Project: Windyke, Houghton Road, Carlisle.

Title: Elevations as Existing.

Date: 5.5.18 Scale: 1/50

HTGL/2018/001



GROUND FLOOR

HTGL
H. T. G. L. & SONS

11 M I L L E R

13 Wrentham Street

Carlisle CA1 1PB

Tel: 01228 831887

Fax: 01228 838882

mail@htgl.com.au



Client:

MR & MRS BELL LOWTHER

Project:

WYNBYKE HOUGHTON ROAD,
HOUGHTON

Title:

GROUND FLOOR PLAN AS
PROPOSED

Drawn: TR

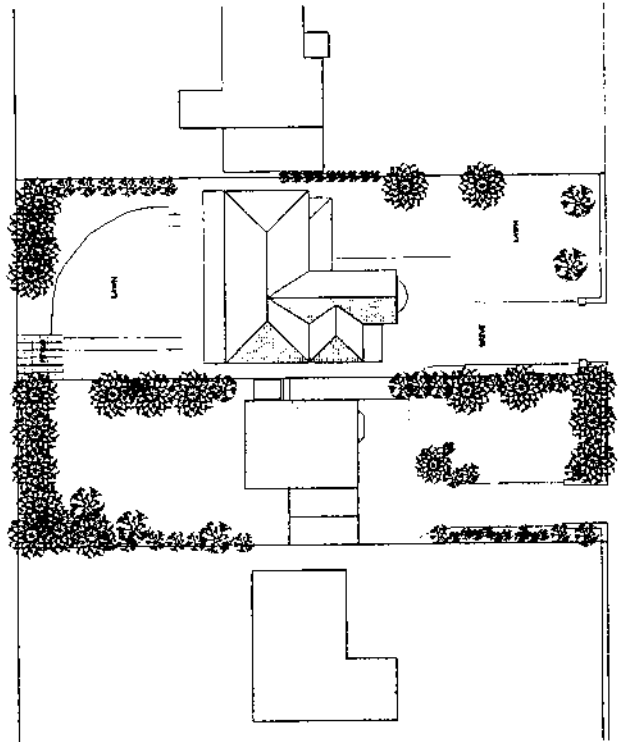
Rev: 01/01/01

Date: 01/01/01

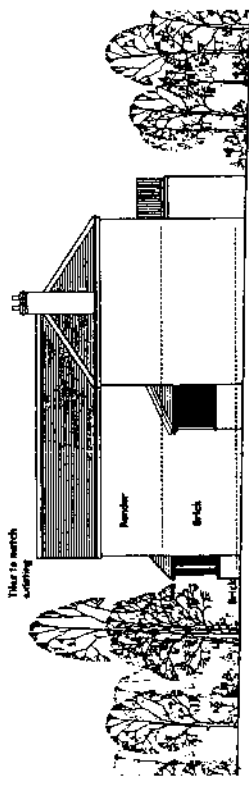
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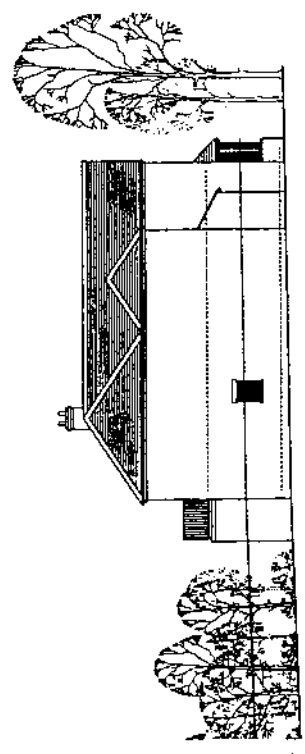
1665 / 23



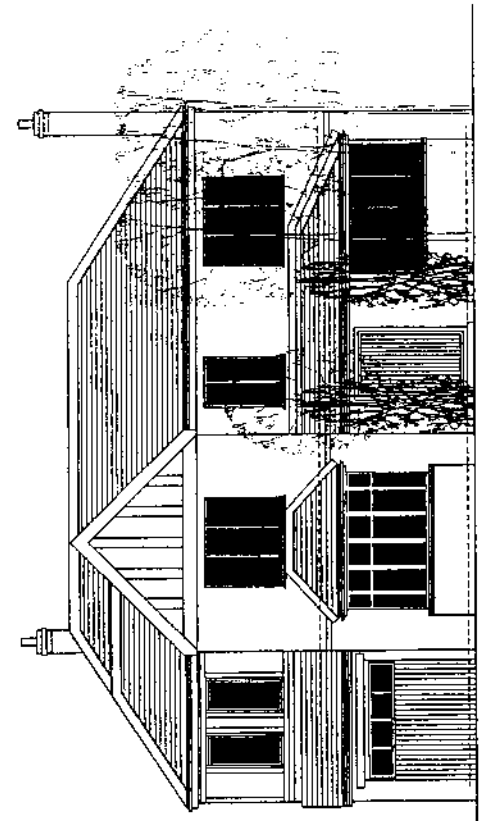
SITE PLAN



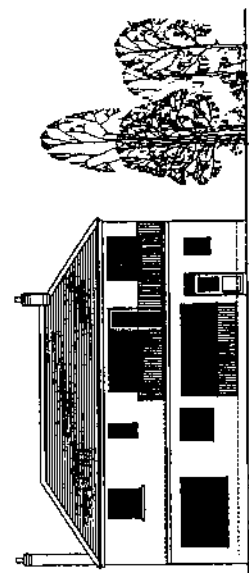
SOUTH ELEVATION



NORTH ELEVATION



WEST ELEVATION



EAST ELEVATION

HTGL
HARTMAN THORNTON GROUP, LLC

15 BREWER STREET
CERES, CA 95308
Tel: 923.28.5210/47
Fax: 923.28.6188/12
mailto:htgl@comcast.net



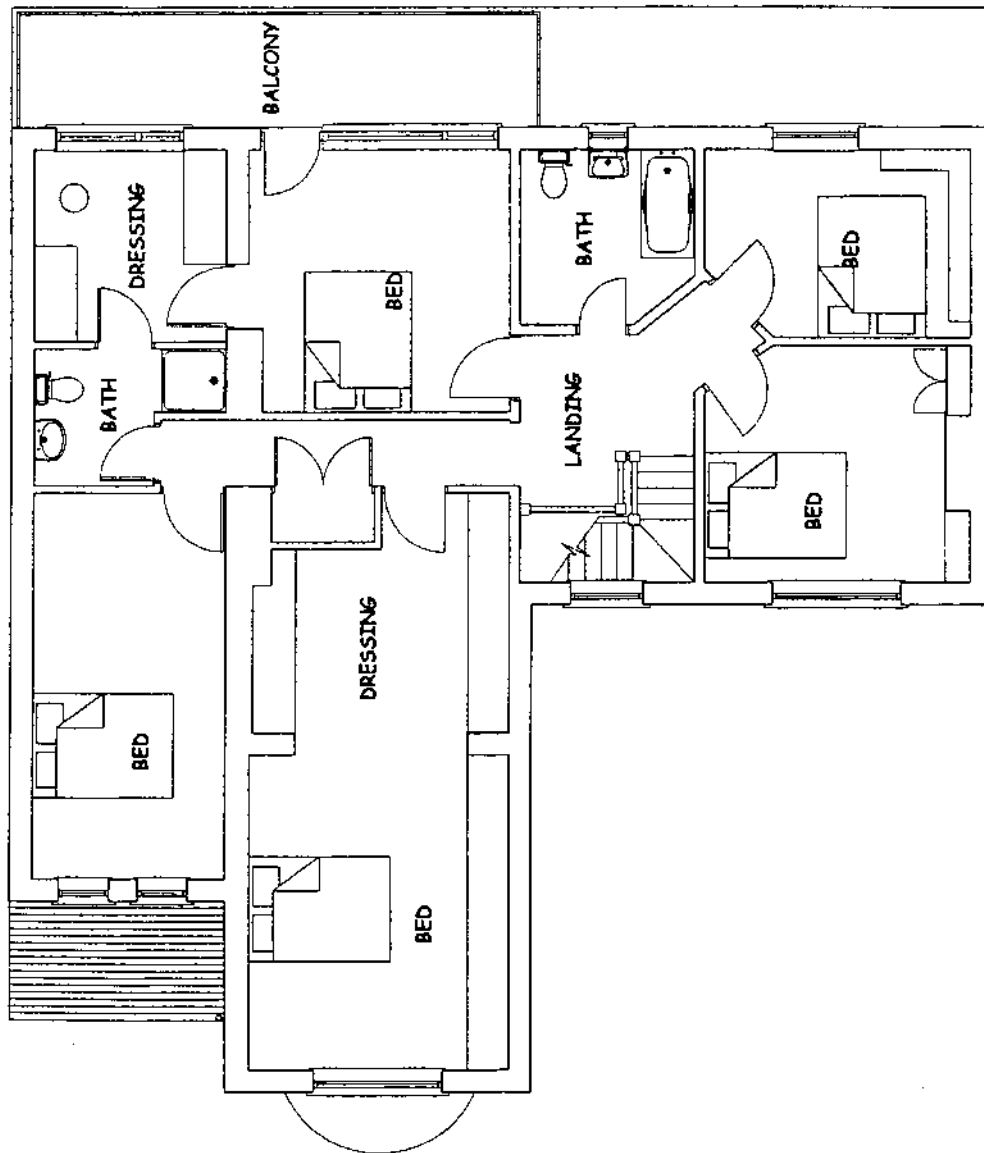
Client:
MR & MRS W. LOWMYER

Project:
WYNDFY HIGHTON ROAD,
HIGHTON

Title:
ELEVATIONS & ROOF PLAN
AS PROPOSED

Drawn: D.J.L.
Date: 10/08
Scale: 1/8" = 1'-0"

DRAWING NO.
1665 / 25



FIRST FLOOR

HTGL

L I M I T E D

13 Grosvenor Street
Cardiff CF1 1 9B
Tel: 01222 531887
Fax: 01222 838883
mail@htgl.com.au



Client: MR & MRS W LOWTHER

Project: WYNDFIE, HOUGHTON
ROAD, HOUGHTON

Title: FIRST FLOOR PLAN
AS PROPOSED

Drawn: D.J.L.

Date: 10/01

Scale: 1:50

Drawing No: 1665 / 24

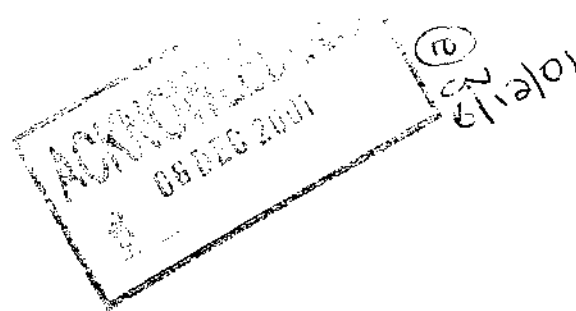
11 NOV 2001
2001/10/01



Houghton Road Residents Association
C/o Roman Way
32 Houghton Road
Carlisle
CA3 0LA
01228-537590

2 December 2001

P.Stybelski Esq
Town Clerk & Chief Executive
Carlisle City Council
Civic Centre
Carlisle
CA3 8QG



Dear Sir,

REFERENCE A **Planning Proposal Ref: 2001/1047 Windykes 10 Houghton Road Carlisle**

REFERENCE B **Your CE3/CP04/DK – dated 12 September 2001**

The Houghton Road Residents Association (HRRA) of which I am the Secretary wish to record formal objections to the proposal at Reference A. The scale of the proposal clearly contravenes policy H14 and elements of policy H17 of the Carlisle District Plan (Housing) and we trust that you will ensure that our objections, and the basis for them, are communicated comprehensively to Members by your officials. Additionally Number 12 Houghton Road which was built in 1936 has the right to light as stated on page 7 of the booklet "Planning - a Guide For Householders". The proposal if approved would impinge on this right which is therefore the basis of a further objection.

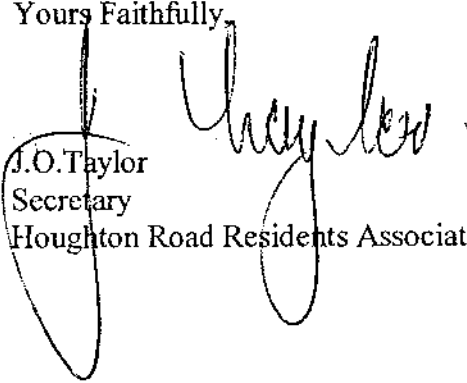
You may wonder why we are addressing our objections to you. In your conclusion at Reference B you state that our comments " - - - have been poorly served by Planning Officers to be unfair - - -". Given the unanimous cross party rejection of the previous proposal and Planning Officer's recommendations within days of your letter we chose not to respond. However we now understand that the applicant's husband and his architect met with your Chief Development Control Officer (CDCO) at 1600 hours on Thursday 1st November 2001 "To prepare the way for a revised submission". This before Reference A was submitted!! We contend this to be unfair. Would you please afford a representative of the HRRA together with the occupant of 12 Houghton Road the same facility to provide advice on why Reference A should not be approved. Clearly it would not be appropriate to discuss the matter with the CDCO nor his subordinates and a response to this request by 7th December would be appreciated please.

Whilst not directly a planning consideration within the terms of Reference A the occupant of 12 Houghton Road has received a letter dated 23rd November from the applicant's Husband which states that he would "Make a new application for

alterations to the front of the property and would try and decide what to do about the swimming pool some time in the future". One wonders if the strategy is to secure Reference A and follow this with a further application, supported by your officials as indeed the original proposal was, for a swimming pool. Despite assurances from the applicants husband that they have absolutely no plans for a commercial venture, if he were to secure his aims and subsequently sell both numbers 10 and 8 Houghton Road, who would police this issue.

Finally please note that we reserve the right to speak at the Planning Committee Meeting at which Reference A will be discussed. Copies of this letter go to interested parties.

Yours Faithfully,

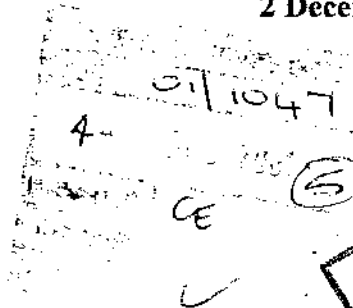


J.O. Taylor
Secretary
Houghton Road Residents Association

14 Houghton Road
Carlisle
CA3 0LA

2 December 2001

P. Stybelski Esq
Town Clerk & Chief Executive
Carlisle City Council
Civic Centre
Carlisle
CA3 8QG



Dear Mr Stybelski

Planning Proposal Ref: 2001/0274 Windykes 10 Houghton Rd Carlisle

You may recall I wrote to you on 10th August 2001 expressing concern about the way the above planning application was being dealt with by planning officers of your Council. Despite numerous contraventions of the Carlisle District Plan (Housing) the application was recommended for acceptance by the planning officers. Following a considerable number of objections by local residents (neither the applicant nor her husband being local residents despite owning two adjacent houses which have remained empty for over a year) and others however, the application was eventually rejected unanimously by the planning committee.

A new planning application (Ref: 01/1047) for around 50% of the original proposal has now been submitted and I must again express my concern about the way in which this is being handled by Council planning officers. I understand the husband of the applicant and his agent met (with apparent familiarity) with the Chief Development Control Officer, Mr A.M. Taylor before the new planning application was submitted. This raises the obvious question of the impartiality of this person in dealing with the application. While the new planning application may not be as extensive as that originally proposed (although there are reasons to suggest that this will be 50% now and 50% later) it does cause a number of concerns to the local residents and these will be communicated to you separately by Mr. J Taylor, Secretary of Houghton Road Residents Association.

Yours Sincerely

Handwritten signature of John Watson.

Professor John Watson
Chairman
Houghton Road Residents Association.

01/1047
1743
16 DEC 2001
Sypp

PLANNING SERVICES	
REF	01/1047
	16 DEC 2001
RECORDED	
SCANNED	
PASSED TO	RJM
ACTION	

Mayfield
48 Houghton Road
Carlisle
CA3 0LA

6 December 2001



To Mr P Stybelski, Town Clerk and Chief Executive
Carlisle City Council
Civic Centre
Carlisle

Re: Planning Application No. 01/1047
For - Windykes, 10 Houghton Road, Carlisle

Dear Mr Stybelski

Having seen the above-mentioned plans we feel we must object to same due to their sheer scale and inappropriateness in this rural setting.

The plans show an extension at the front of the house of some 5.8 metres in front of the present building which surely is going to be detrimental to the house next door (No. 12) i.e. blocking the light and the view.

As No. 12 was built more than sixty years ago surely the right to light and possibly right to a view exists under Policy H14 and parts of Policy H17 of the Carlisle District Plan (Housing). The applicants purchased number 8 and number 10 Houghton Road. Having let number 8 could it be that some type of commercial venture is proposed for number 10 which has been vacant for a considerable time.

Consideration must be given to the fact these absentee owners have not maintained nor bothered to care for this property in all the time they have owned it.

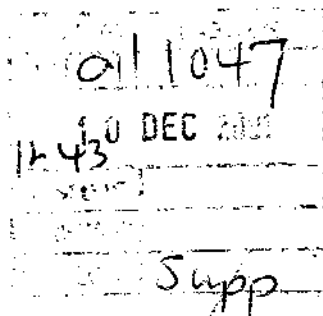
One wonders if this is a pointer to the future state of this property.

We feel this will be an unmitigated disaster for everyone in close proximity and probably devalue the adjacent property (No. 12); after all who wants to look out onto a two storey high by 5.8m long blank wall?

It does seem as if the applicants have been given the impression this application will succeed even though it has not reached the planning committee yet - we do hope this is not the case. We therefore hope that sense will prevail and this planning application be rejected.

Yours sincerely

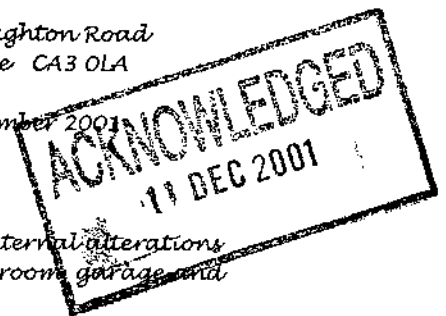
J Robertson (Mr) and Y Robertson (Mrs)



PLANNING SERVICES	
REF	01/1047
10 DEC 2001 3	
ON	
ESM	

12 Houghton Road
Carlisle CA3 0LA

7 December 2001



To Mr P Stybelski, Town Clerk & Chief Executive

Your Ref: Application 01/1047

Planning Proposal: Removal of existing flat roofed car port, internal alterations and two storey extension to front of dwelling to create dining room, garage and enlarged bedroom

Re: Windyke, 10 Houghton Road, Carlisle

Dear Mr Stybelski

I am writing to you with reference to the above amended planning proposal; there are several issues which need to be raised in relation to this matter.

1. The large size of the proposed development which greatly affects the view from the front windows and the front garden of my property.
2. Reduction of the amount of light into the front rooms nearest to No. 10.
3. Reduction of the amount of light to the southerly aspect of my garden.
4. General deterioration in the panoramic view from my property.
5. Unsightly building some 5.8 metres forward from the front building line would most definitely reduce the marketable value of my property.
6. I believe the sheer size of this proposed extension contravenes Policy H14 and parts of Policy H17 of the Carlisle District Plan (Housing).
The fact that my home was built in 1936 does I believe give it the right to light as stated in the booklet 'Planning - a Guide for Householders'.
7. The property has been vacant for over a year now; it would appear the new owners care very little for the maintenance of their property; it is in a very shabby and unkempt state. No. 8 which is also owned by them is at least being looked after by the tenants they have installed.
8. The architect seems to have made a number of errors in his measurements - e.g. on the drawing he shows the carport as being 5.2m when in fact it is only 4.7m; one can only wonder how many other errors there are.
9. Following his unannounced visit to my home and subsequent letter Mr Lowther stated he would "make a new application for alterations to the front of the property and try and decide what to do about the swimming pool some time in the future". I do hope he was not given the impression this new application would be approved without question at the meeting on 1st November with your Chief Development Control Officer.

As well as 'land use considerations' one has to consider the environmental, personal comfort and relaxation factors. This proposal may enhance 10 Houghton Road to the detriment of the properties adjacent to it. Obviously the absentee owners of the property who wish to erect this extension will not have to look at it everyday whereas I will be subjected to the sight of it on a daily basis.

I therefore ask consideration be given to my views and this planning proposal be refused.

May I also ask if you would please let me have a copy of the information being passed to the Planning Committee for the next meeting a few days before the meeting takes place so I may see what is being said; thank you in anticipation.

Yours sincerely

M Graham

M Graham (Mrs)

SCHEDULE A: Applications with Recommendation

ITEM NO. 8

Date of Committee: 01/02/2002

APPN REF NO: 01/1055 /
APPLICANT: Mr I Holliday

PARISH: Carlisle

DATE OF RECEIPT: 19/11/2001
AGENT: Mr I Holliday

WARD: Castle

LOCATION: 81 Ashley Street & 1 Newtown Road, Carlisle Cumbria

GRID REF: 338935 555885

PROPOSAL: Change of use from dwelling to guest house and from greengrocers to cafe

Andy

REPORT

PLANNING POLICIES:-

CARLISLE DISTRICT PLAN SHOPPING - POLICY S15

Within the Plan area, proposals for uses within Use Class A3 (food and drink, including restaurants, public houses, wine bars and take aways) will be approved provided that:

1. the proposal does not involve disturbance to occupiers of residential property; and
2. the proposal does not involve unacceptable intrusion into open countryside; and
3. the proposal, whether new development or conversion complements surrounding development or the character of the existing building; and
4. appropriate access and parking can be provided; and
5. within the City Centre Shopping Area opening hours are restricted to no later than 1.30 am. Here and elsewhere in the Plan area opening hours will be imposed having regard to the surrounding uses, the character of the area and the possibility of disturbance to residential areas.

CARLISLE DISTRICT PLAN EMPLOYMENT - POLICY EM16

Proposals for change of use from residential to guest house will be permitted provided that there is no unacceptable adverse impact upon the amenity of any neighbouring property, and any additional parking requirements can be accommodated.

Proposals for guest house accommodation in the rural area will be acceptable providing that:

1. the proposal involves the use of an existing building or the extension of an existing guest house; and
2. the proposal reflects the scale and character of any existing

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1055 /

development in the area; and

3. there is no unacceptable adverse effect upon the amenity of neighbouring property, and the character and appearance of the area.

CARLISLE DISTRICT PLAN
HOUSING - POLICY H17

The amenity of residential areas will be protected from inappropriate development where that development:

1. is for a use inappropriate for residential areas; and/or
2. is of an unacceptable scale; and/or
3. leads to an unacceptable increase in traffic or noise; and/or
4. is visually intrusive; and/or
5. leads to a loss of housing stock.

CARLISLE DISTRICT PLAN
TRANSPORT - POLICY T7

The level of car parking provision for development will be determined on the basis of the following factors:

1. the Parking Guidelines for Cumbria as detailed in Appendix 2;
2. the availability of public car parking in the vicinity;
3. the impact of parking provision on the environment of the surrounding area;
4. the likely impact on the surrounding road network; and
5. accessibility by, and availability of, other forms of transport.

CARLISLE DISTRICT PLAN
TRANSPORT - POLICY T11

Within the Plan area the control of on-street car parking will be considered in locations where parking:

1. results in an unacceptable reduction in the capacity of the road network; or
2. reduces the amenity of a conservation or residential area; or
3. is a safety hazard.

SUMMARY OF CONSULTATION RESPONSES:-

HIGHWAY AUTHORITY: In accordance with Parking Guidelines in Cumbria, 2 delivery spaces are required for the proposal and 1 parking space per resident staff, which could possibly be accommodated within the curtilage of the property depending upon

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1055 /

the number of resident staff. The areas required for delivery/servicing should be kept unobstructed and not utilised for guest parking.

The locality currently experiences problems regarding on-street parking and a disc parking scheme is currently in operation. The applicant has stated that any overspill occurring as a result of the development can be accommodated by the use of the nearby Cumberland Infirmary car park. The applicant should provide written consent from the hospital that such an arrangement is acceptable prior to the application being determined. However, it is considered unlikely that guests would utilise the pay and display car park and would be more likely to park on street to the detriment of highway safety. Given the existing problems of on-street parking being experienced in the vicinity of the development 1 parking space per guest bedroom should also be provided.

It may be necessary to consider refusing this application as it is considered that in the absence of adequate on-site parking facilities the proposed development would be likely to result in vehicles being parked on the highway to the detriment of the free flow of traffic and road safety.

ENVIRONMENTAL SERVICES: Have reservations about this application, and have requested details from the applicant concerning the layout of kitchen for the cafe.

CUMBRIA FIRE SERVICE: No objection in respect of water supplies. Access for fire service vehicles must be in accordance with approved document B5 of the Building Regulations 1991. Further comment on fire precautions and access for our vehicles may be made through the Building Regulation consultation procedure when an application for approval under Building Regulations is submitted.

SUMMARY OF REPRESENTATIONS:-

This application has been advertised by means of a site notice and the direct notification of 13 neighbouring properties. In response, 2 letters of objection have been received from neighbouring properties, together with an objection from Councillor Aldersey, raising the issues of: effect on parking, road safety, access for fire brigade vehicles and the potential effects on nearby catering businesses.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

There are no planning records for this site.

DETAILS OF PROPOSAL

The application site is a corner property, adjacent to the junction of Ashley Street and Newtown Road. There is a slight bend in the road (Newtown Road) at the point it passes the

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1055 /

application site.

81 Ashley Street is a two storey domestic dwelling. The ground floor has a Living Room, Dining Room and small Kitchen. There are 4 Bedrooms and a Bathroom at first floor level.

1 Newtown Road is a single storey brick building attached to 81 Ashley Street. It is vacant at present. The last use of the shop was as a Greengrocers (Newtown Fruit Stores). The main room is the shopfloor which has access to the kitchen of 81 Ashley Street. The two properties share the same kitchen facilities. There is a separate front door into the shop, located on the corner of Ashley Street and Newtown Road.

This proposal involves 2 changes of use. 81 Ashley Street is proposed to change from a domestic dwelling to a 4 bedroom Guest House. 1 Newtown Road is proposed to change from a Greengrocers to a Cafe. The cafe would be open to the public in addition to being utilised by guests of the proposed B&B.

A small yard area with access gates onto Newtown Road is located adjacent to the shop premises. The applicant has indicated that his intention is to use this yard for the parking of three vehicles. There is no turning space within this yard area. This could result in vehicles reversing onto the highway, either inwards or outwards. The County Council Highway Engineer has stated that this area could be used to accommodate the requirements for delivery and staff parking, but not for guest parking. There is no other parking area within the curtilage of either 81 Ashley Street or 1 Newtown Road. The parking requirements for guests is set at 1 parking space per guest bedroom. These spaces are only achievable by either the applicant obtaining 4 Resident Parking Permits, or by the use of the nearby Cumberland Infirmary Car Park, located on the opposite side of Newtown Road.

At the time of writing this Report, the applicant has been unable to provide the written consent of the Hospital Management to such an agreement.

In his assessment of the proposal, the Highway Engineer confirms that even if the applicant can obtain the written consent of the Hospital, it is unlikely that guests would utilise the pay and display car park and would be more likely to park on street to the detriment of highway safety.

In view of the lack of adequate on site parking within the curtilage, and the likely effects on traffic safety that this would cause, this application is recommended for refusal

RECOMMENDATION:-

REFUSE ✓

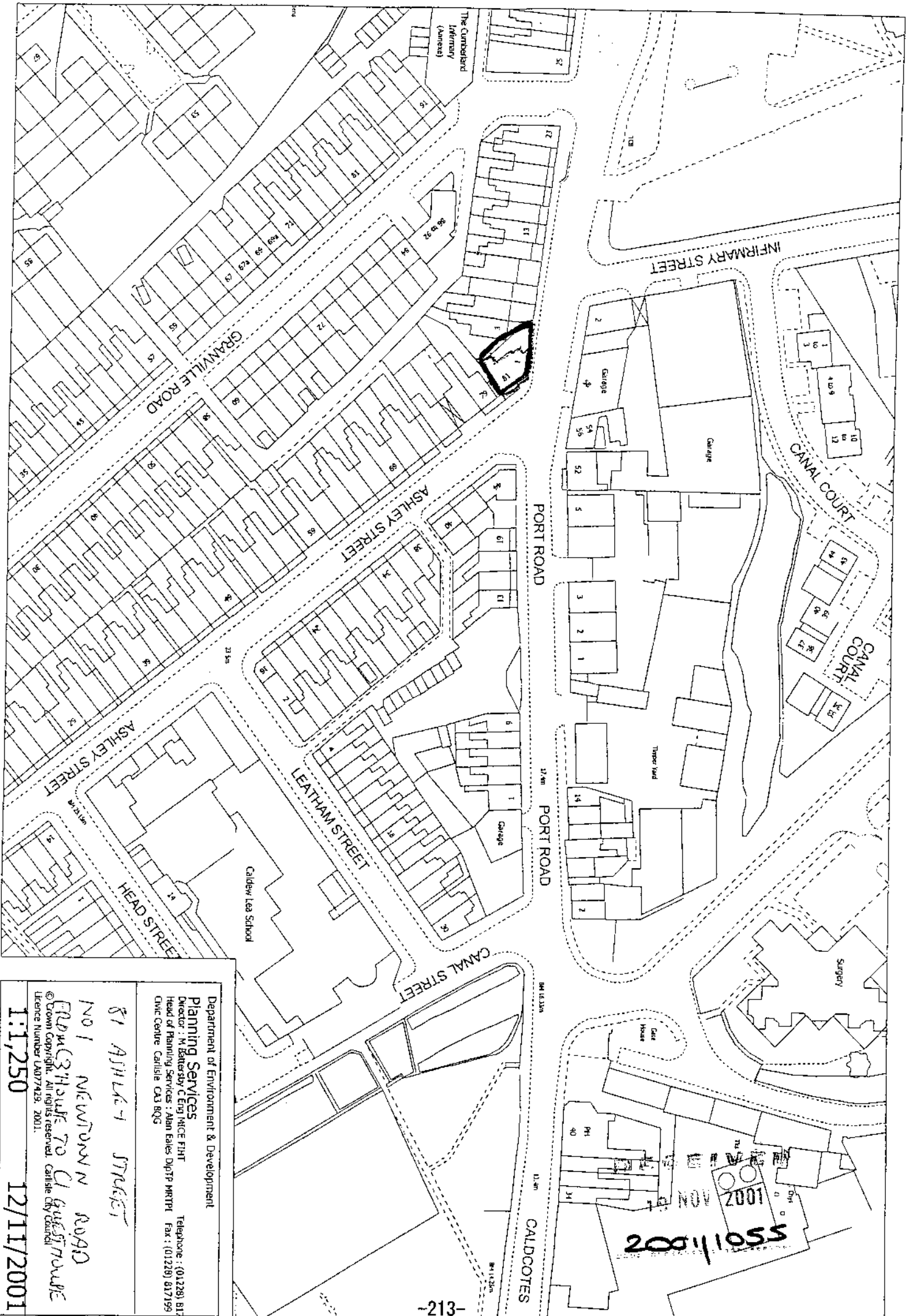
8226 →

1. The application site is two storey corner property adjacent to a main road. The parking requirements for the property cannot be met within either the curtilage of the site, or the surrounding area. This lack of

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1055 /

adequate parking is likely to result in vehicles being parked on the highway to the detriment of the free flow of traffic and road safety, contrary to policy T11 and policy T7 of the Carlisle and District Local Plan.



Department of Environment & Development
Planning Services
 Director : M Battersby C Eng NICE FHRT
 Head of Planning Services : Alan Eales DipTP MPTPI Fax : (01228) 617199
 Civic Centre Carlisle CA3 8QG

81 Ashley Street

NO 1 NEWTON ROAD

Edinburgh 70 Clarendon

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Licence Number U007423, 2001.

1:1,250

12/11/2001

ASHLEY STREET

WINDOW

LIVING ROOM

ENTRANCE

ENTRANCE

ENTRANCE

WINDOW

CAFE

KITCHEN

TRADE
ENTRANCE

OUT HOUSE

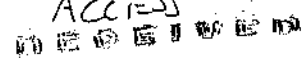
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ENTRANCE

WINDOW

REAR YARD

ACCESS



19 NOV 2001

2001/1055

REFUSE
BIN
AREA

VEHICLE
ENTRANCE



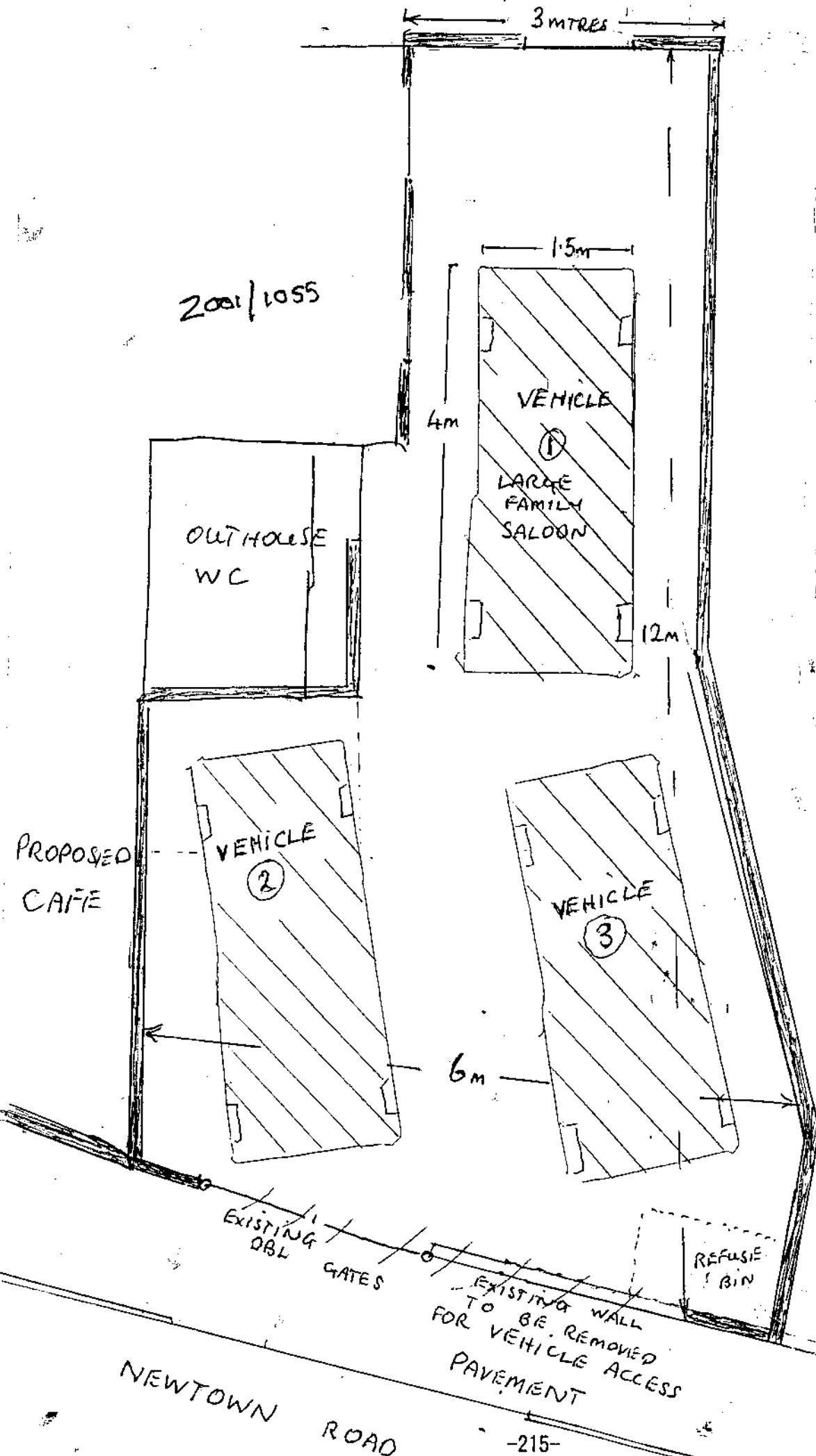
1-50
SCALE

CAFE PROPOSAL

NO 1 NEWTOWN ROAD
CORNER PROPERTY
GROUND FLOOR

NO 1 NEWTOWN-214- ROAD

TO SCALE 1:50



NO1 NEWTO RD
PROPOSED
PARKING PLAN
FOR GUEST
HOUSE
81 ASHLEY ST

SCALE 1:50
ANY
OVER SPILL
TO USE
EXISTING CAR
PARK IN THE
HOSPITAL GROUP
ACROSS THE ROAD



THE GUEST
HOUSE'S MAIN
CLIENTEL IS
EXPECTED TO
BE MADE UP
MAINLY OF
HOSPITAL VISITORS
WHO WOULD
USE THE HOSPITAL'S
OWN PARKING
FACILITIES

OTHER GUESTS
WOULD PROBABLY
ARRIVE AFTER
6PM AND
DEPART BEFORE
8.30 AM.
THEY WOULD
USE THE SECURE
FACILITIES
SHOWN.



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2001/1055



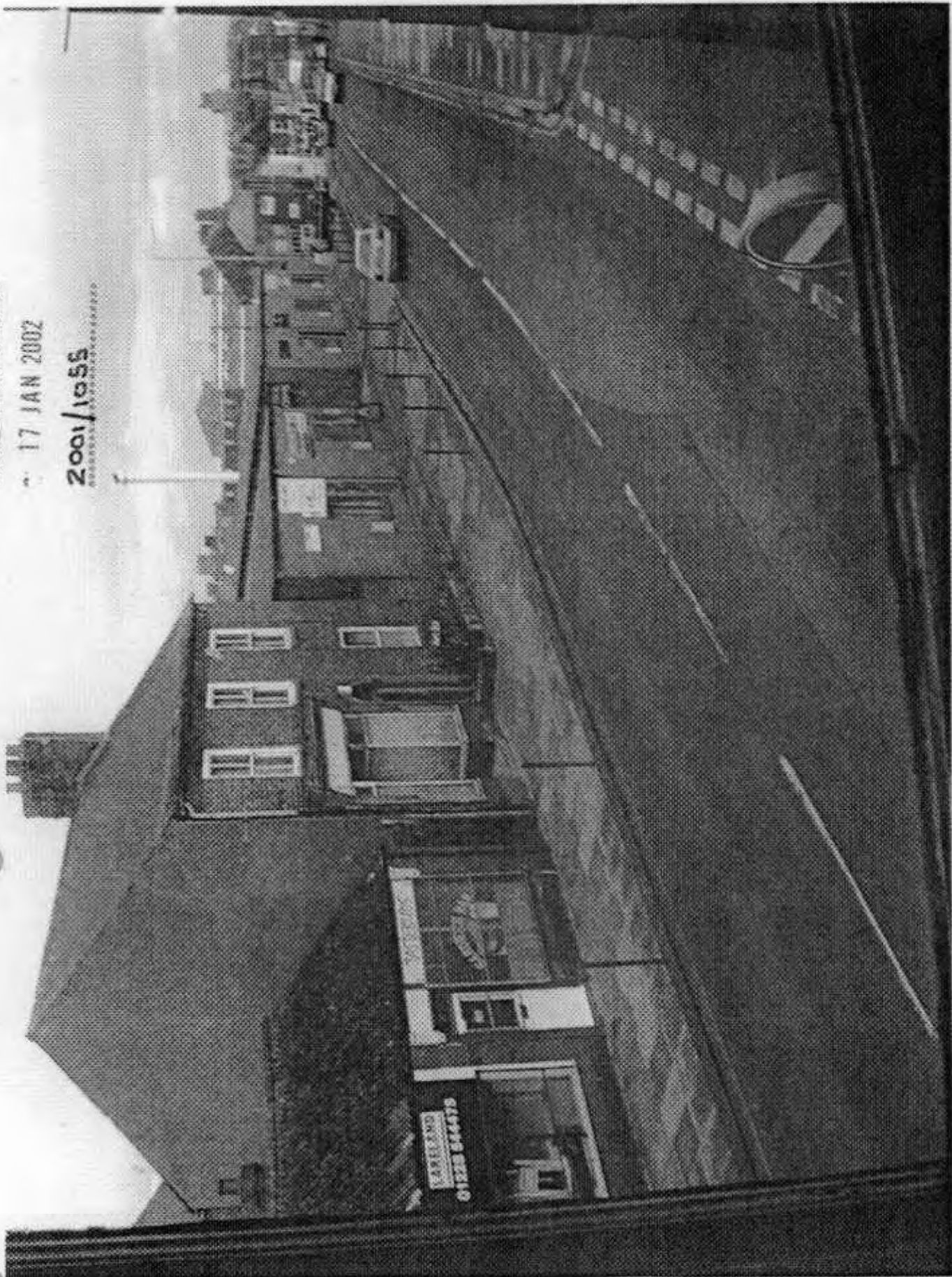
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17 JAN 2002

2001/1055

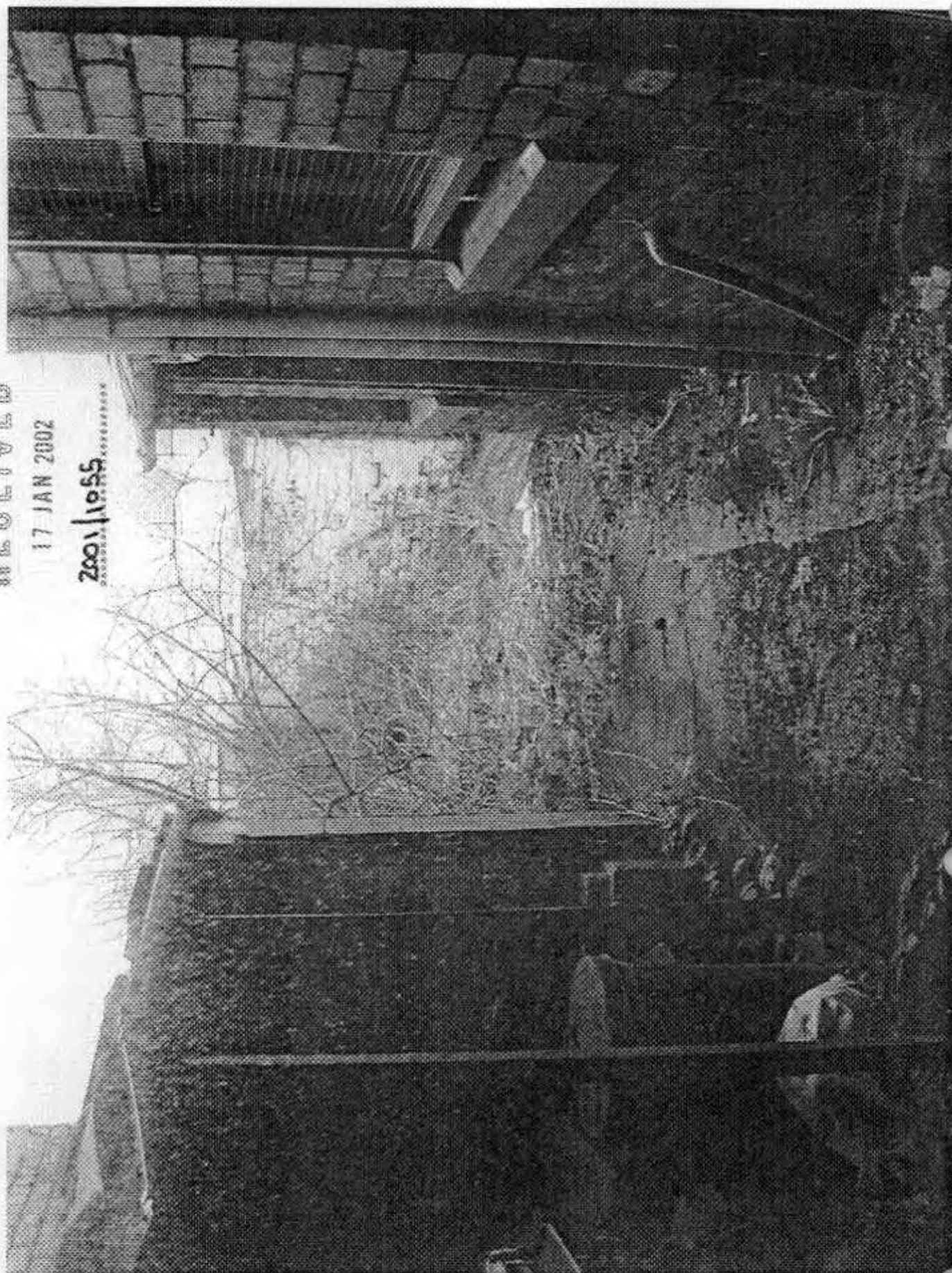
ADDRESS ONLY NOT TO BE REPRODUCED



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17 JAN 2002

2001/1055
ZOOLOGICAL GARDEN





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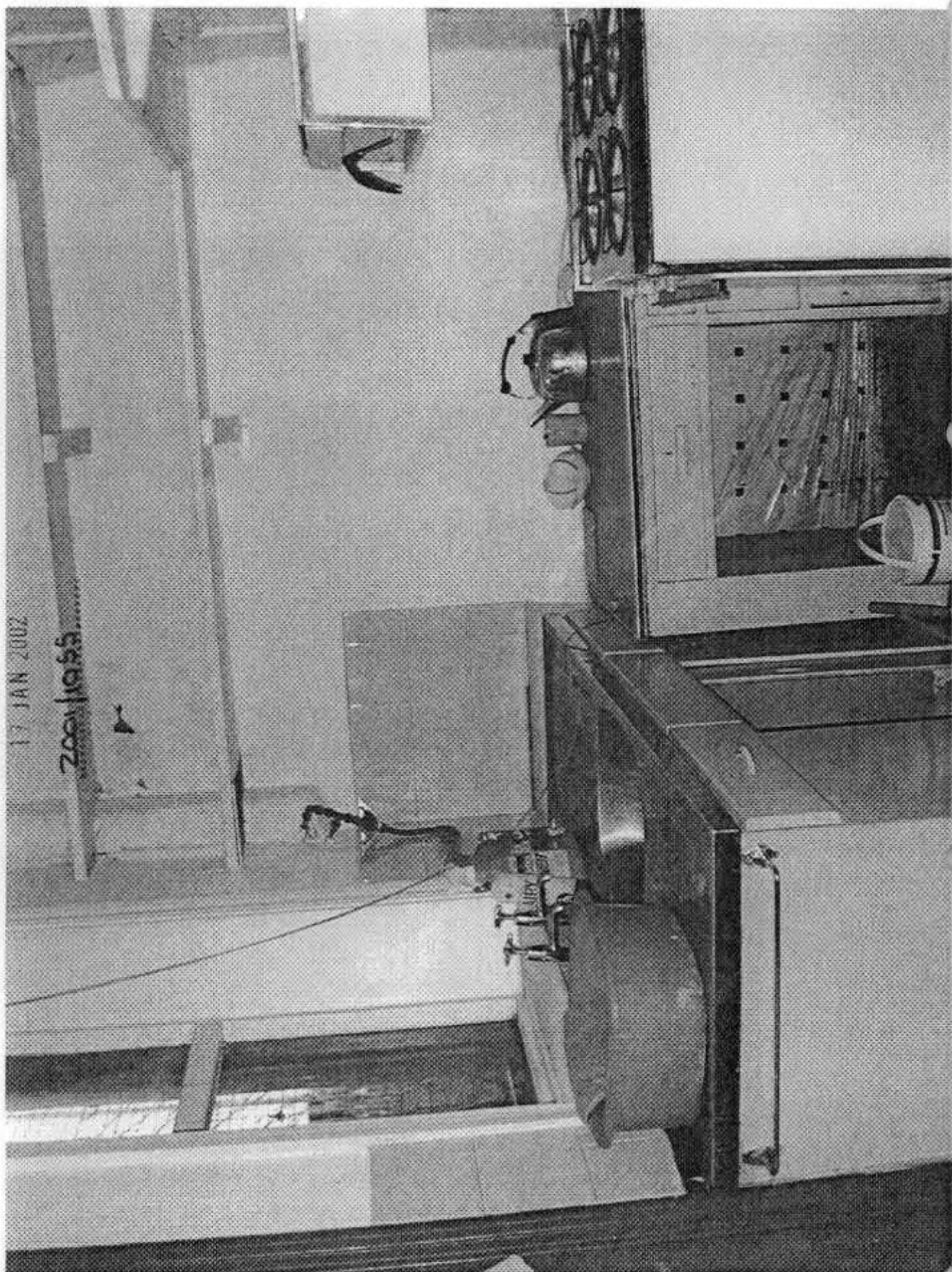
13 JAN 2002

2001/1055

RECEIVED

17 JAN 2002

ZOOLOGICAL



MEERWEE

2001/1055





20 December 2001

From Councillor:

Ralph Aldersey

6 Crosshill Drive

Carlisle CA2 6SE

Telephone 01228 535338

City Councillor for:

Morton Ward

Mr A Evans
Planning Officer
Department of Environment & Development
Civic Centre
CARLISLE

Dear Mr Evans

**RE: PLANNING APPLICATION REF: 01/1055 - CHANGE OF USE
FROM A DWELLING TO GUEST HOUSE AND FROM GREENGROCCERS
TO CAFÉ**

At the location of 81 Ashley Street the above mentioned Planning Application was submitted, and I wish to lodge my opposition to this Planning Application.

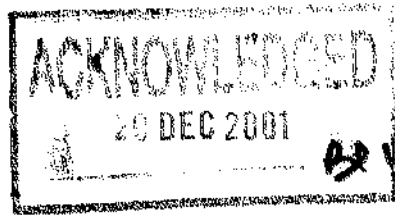
The reasons for my opposition are the dwellings and grocer shop are situated on a very sharp tight corner where traffic is parked under a Residents Parking Scheme, where each householder is only entitled to one Permit and businesses have a similar scheme but given an extra Permit for their business. One has only to look at the pressure placed on this street by the parking problems of the area to realise that a guest house with guests owning vehicles would find the greatest deal of difficulty in finding a parking space. May I remind you that Ashley Street caters for Port Road, Newtown Road and all businesses nearby with car parking interests which includes a Taxi Firm.

The next reason for my opposition is in terms of safety. One can see from the plans submitted that any fire in these buildings would not have good rear access for fire service needs. Also any hazard would immediately affect the junction of Newtown Road/Ashley Street causing an immediate build up of traffic on this now major route.

The last point I wish to make is that whilst not in planning law, regard must be taken in weighing up the balance of the number of catering businesses on a short stretch of road such as Newtown Road. Already in this sector there are 4 similar businesses. I would much rather see a new format of business rather than just catering. Can I also bring to your notice that neighbours to this scheme have complained to me as their County Councillor and have said that they intend to make formal opposition to this scheme.

Yours sincerely

County Councillor R Aldersey



44 Ashley Street,
CARLISLE,
Cumbria.
CA2 7BD.

19th December, 2001.

The Planning Department,
Civic Centre,
CARLISLE,
Cumbria.

Dear Sirs,

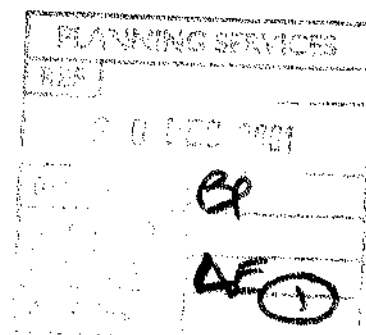
I would like to object to the proposal of turning 81 Ashley Street, Carlisle, into a Guest House (proposal No)

With this being a residents parking area, there are many problems with cars parking on the street, and there are times when residents can not park within the vicinity of their own home, and a Guest House would only add problems that we already have.

Also a Cafe on 1 Newtown Road would also make parking very difficult for the residents nearby, as it is a very bad junction on the Corner of Ashley Street, and Newtown Road.

Yours faithfully,

(Mr. R. Tinning)



REF
011055

Mr. V. Shields,
79 Ashley Street,
Newtown,
Carlisle, CA2 7BD.

19th December, 2001

The Planning Department,
Civic Centre,
Carlisle.

Dear Sir,

I am writing to object to the proposal of 81 Ashley Street and 1 Newtown Road, (proposal No) as this is a residential parking area, with so many cars on this street, we the residents can not get parked on this street as it is, and a guest house would only add to the problems that we already have. Also it is on a very bad junction from Ashley Street to Newtown Road, where there is yellow lines for no parking.

As for the cafe on 1 Newtown Road, I would be worried if there were to be a fire, because there is no back entrance to the cafe, and the fire brigade would not be able to get a vehicle to the back of the building.

Yours faithfully,

Mr. V. Shields.

V. Shields

PLANNING DEPARTMENT	
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DATE	16
ACTION	(4)

SCHEDULE B: Reports Requiring Further Information

ITEM NO. 9

Date of Committee: 01/02/2002

APPN REF NO:
01/1154 /

APPLICANT:
Mr I Murray

PARISH:
Dalston

DATE OF RECEIPT:
02/01/2002

AGENT:

WARD:
Dalston

LOCATION:
37 New Road, Dalston Carlisle, Cumbria

GRID REF:
337585 552085

PROPOSAL: Change of use of 1no. room from residential to office
accommodation for new business and creation of 1no.
parking space for a bus

Richard

REPORT

PLANNING POLICIES:-

GAS PIPELINE SAFEGUARDING AREA

The proposal relates to land or premises situated within or adjacent to the Gas Pipeline Safeguarding Area.

CARLISLE DISTRICT PLAN HOUSING - POLICY H17

The amenity of residential areas will be protected from inappropriate development where that development:

1. is for a use inappropriate for residential areas; and/or
2. is of an unacceptable scale; and/or
3. leads to an unacceptable increase in traffic or noise; and/or
4. is visually intrusive; and/or
5. leads to a loss of housing stock.

SUMMARY OF CONSULTATION RESPONSES:-

DALSTON PARISH COUNCIL: The Parish Council is concerned about the exit onto the main highway. The exit from new Road is on the inside of a bend with poor visibility in the Carlisle direction.

HIGHWAY AUTHORITY: Comments awaited.

SUMMARY OF REPRESENTATIONS:-

This application has been advertised by way of a site notice and five individual letters to the occupiers of neighbouring dwelling. Two letters of objection have been received and the main issues raised are summarised as follows:

1. The area is primarily residential and commercial development is not acceptable;

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1154 /

2. Off-site garaging should be provided;
3. The exit from New Road is onto an extremely dangerous bend, especially for a slow moving bus.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

Full planning permission was granted for a kitchen and bedroom extension on 11 November 1976, under reference 76/0852.

A garage and entrance porch was approved on 2 December 1977, reference 77/0912.

Planning permission was granted for the extension of the first floor bedroom and ground floor lounge and formation of breakfast room on 26 June 1981, reference 81/0491.

A conservatory was granted permission on 16 December 1998, reference 98/0895.

DETAILS OF PROPOSAL

This application seeks full planning permission for the use of one room within the dwelling for use as office accommodation and for the parking of a commercial vehicle on the hardstanding within the curtilage.

New Road is accessed from the main B5299 Carlisle to Dalston Road and is situated approximately 1.5 miles north of Dalston, close to Lingey Close. The property which is the subject of this application is the first on the left, approximately 28 metres from the junction with the main road.

Planning permission is not required for the office accommodation in the house. Were this to be the only change, it would be considered to be ancillary to the main use of the building as a dwelling house.

The application is required due to the parking of a commercial vehicle. The coach is 37 seats in size and is coloured white.

The garden area between the dwelling and the main road is relatively densely populated by trees, providing partial screening from the main road. The boundary along New Road, to the east of the access to number 37, consists of a line of conifer trees measuring approximately 3 metres in height. This provides adequate screening from the other residential properties along New Road, of which there is only one directly opposite the application site.

The photographs reproduced following this report, illustrate the both the coach itself and the siting within the curtilage. From these pictures, it is clear that the coach is sited within a relatively unobtrusive location. It is not considered that the parking of this vehicle would be detrimental to the character of the area.

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1154 /

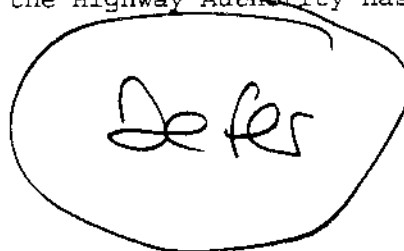
A letter from the applicant accompanies this application. This states that the applicant has worked for coach companies in the Dalston area and is looking to operate the coach from his home as a part-time occupation leading up to retirement. The main area of work is given to be school contracts.

Policy H17 of the Local Plan seeks to protect the residential amenity of local residents from inappropriate development. The nature of the site is such that the vehicle could be partially screened from view, and wholly screened from certain viewpoints. There is sufficient land around the dwelling to position the coach 25 metres away from the boundary with New Road. It is not considered that the proposal would adversely affect the amenity of the local residents.

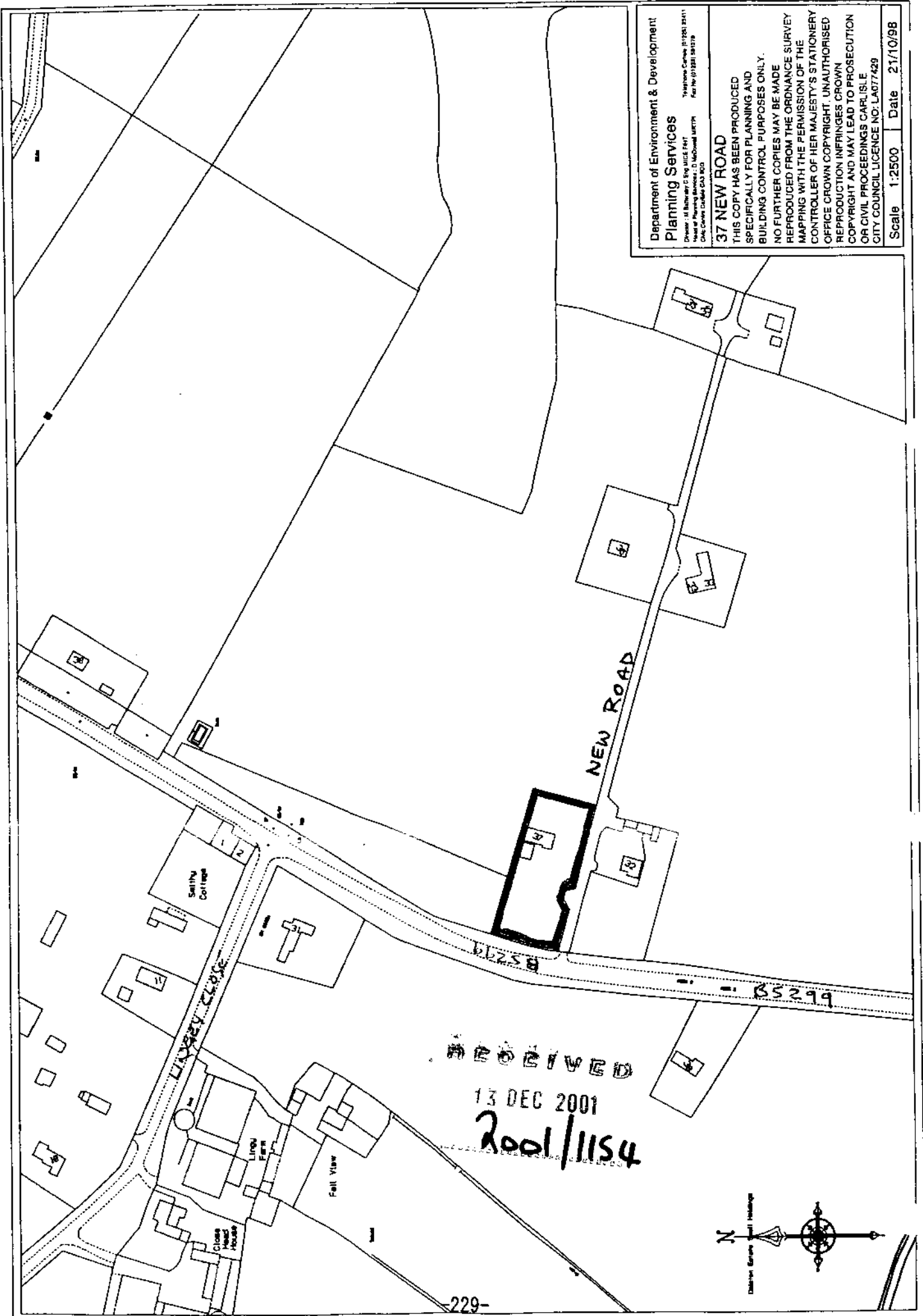
The main issue in consideration of this application is that of the highway issues. This is the main objection received in letters from local residents. When leaving New Road to turn right onto the B5299 towards Carlisle, there is a sweeping bend which reduces the amount of visibility to be able to see on-coming traffic. Until a response has been received from the Highway Authority, further consideration of the proposal is unable to be undertaken.

RECOMMENDATION:-

A full report and recommendation is unable to be made until the consultation response from the Highway Authority has been received.



Defer

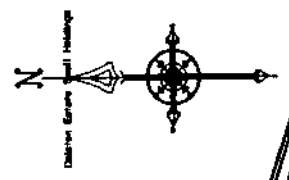


Department of Environment & Development
Planning Services
Director: M. Sullivan, C. Eng. MICE, FHEA
Head of Planning Services: D. McDonald, MSc, PhD
City Council Licence No: LA077429

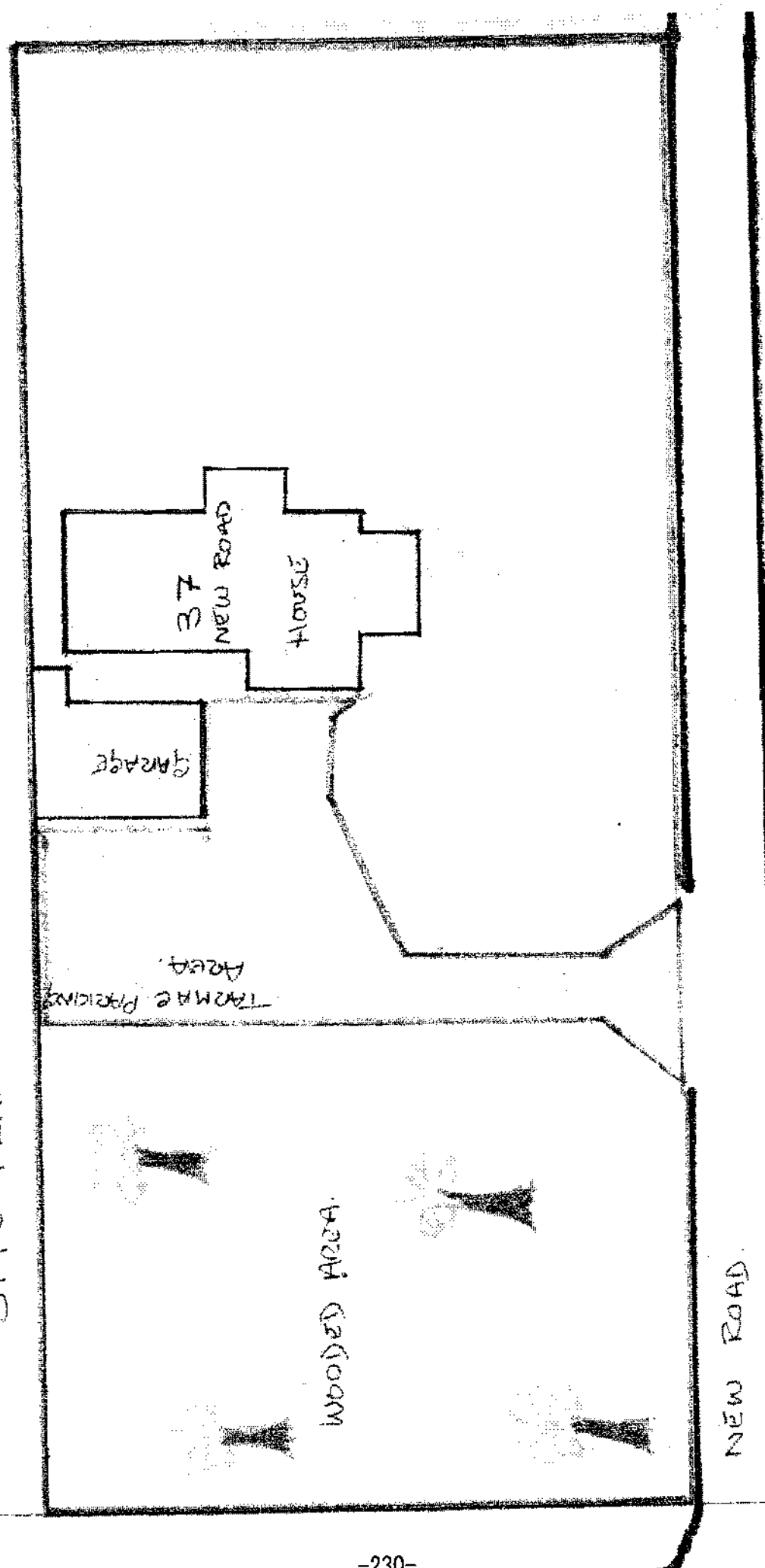
37 NEW ROAD
THIS COPY HAS BEEN PRODUCED SPECIFICALLY FOR PLANNING AND BUILDING CONTROL PURPOSES ONLY.
NO FURTHER COPIES MAY BE MADE REPRODUCED FROM THE ORDNANCE SURVEY MAPPING WITH THE PERMISSION OF THE CONTROLLER OF HER MAJESTY'S STATIONERY OFFICE. UNAUTHORISED REPRODUCTION INFRINGES CROWN COPYRIGHT AND MAY LEAD TO PROSECUTION OR CIVIL PROCEEDINGS. CARLISLE CITY COUNCIL LICENCE NO: LA077429

Scale 1:2500 Date 21/10/98

RECEIVED
13 DEC 2001
2001/1154



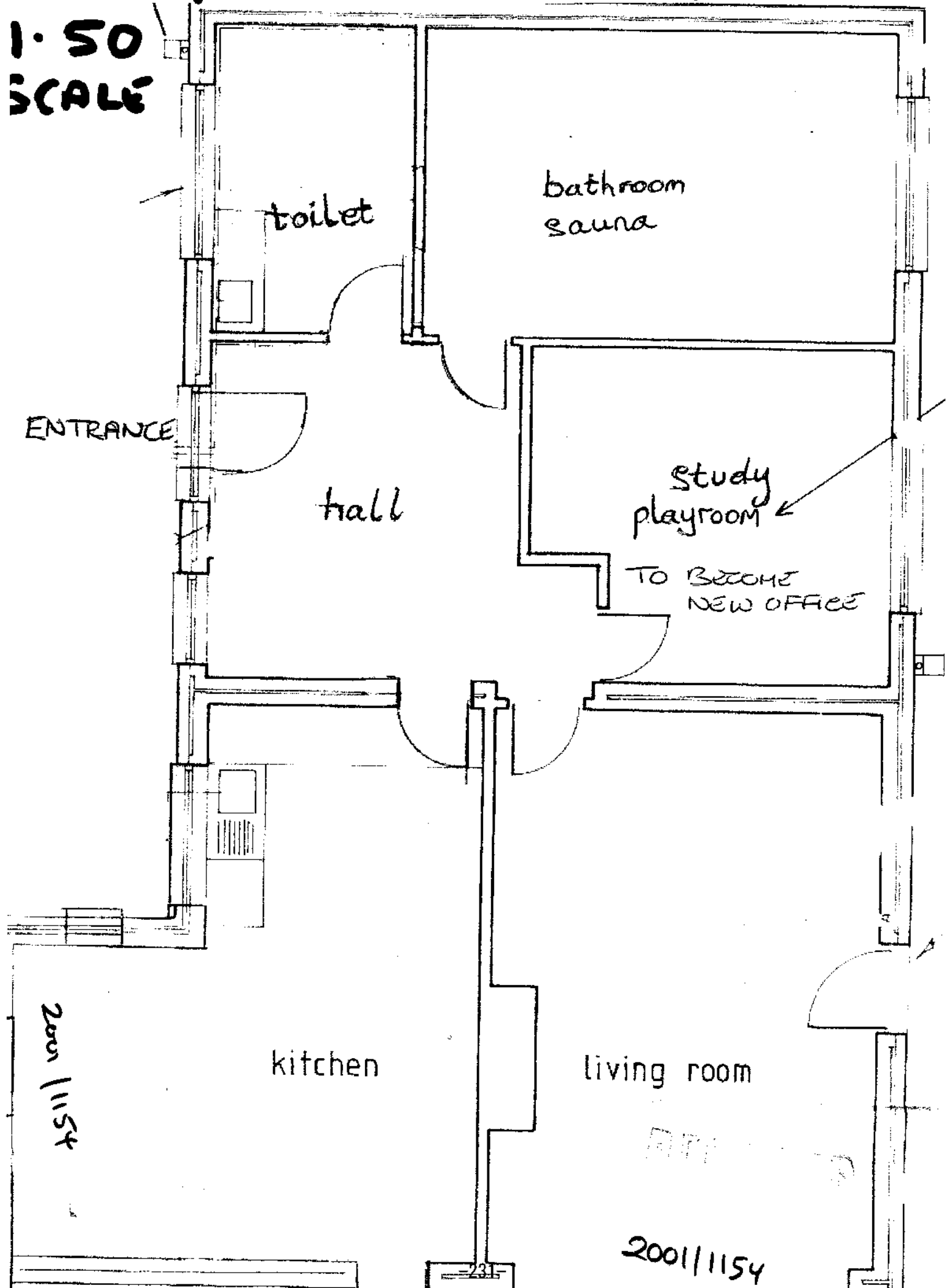
SITE PLAN. 1:300 SCALE. 37 NEW ROAD.



2001/11/54

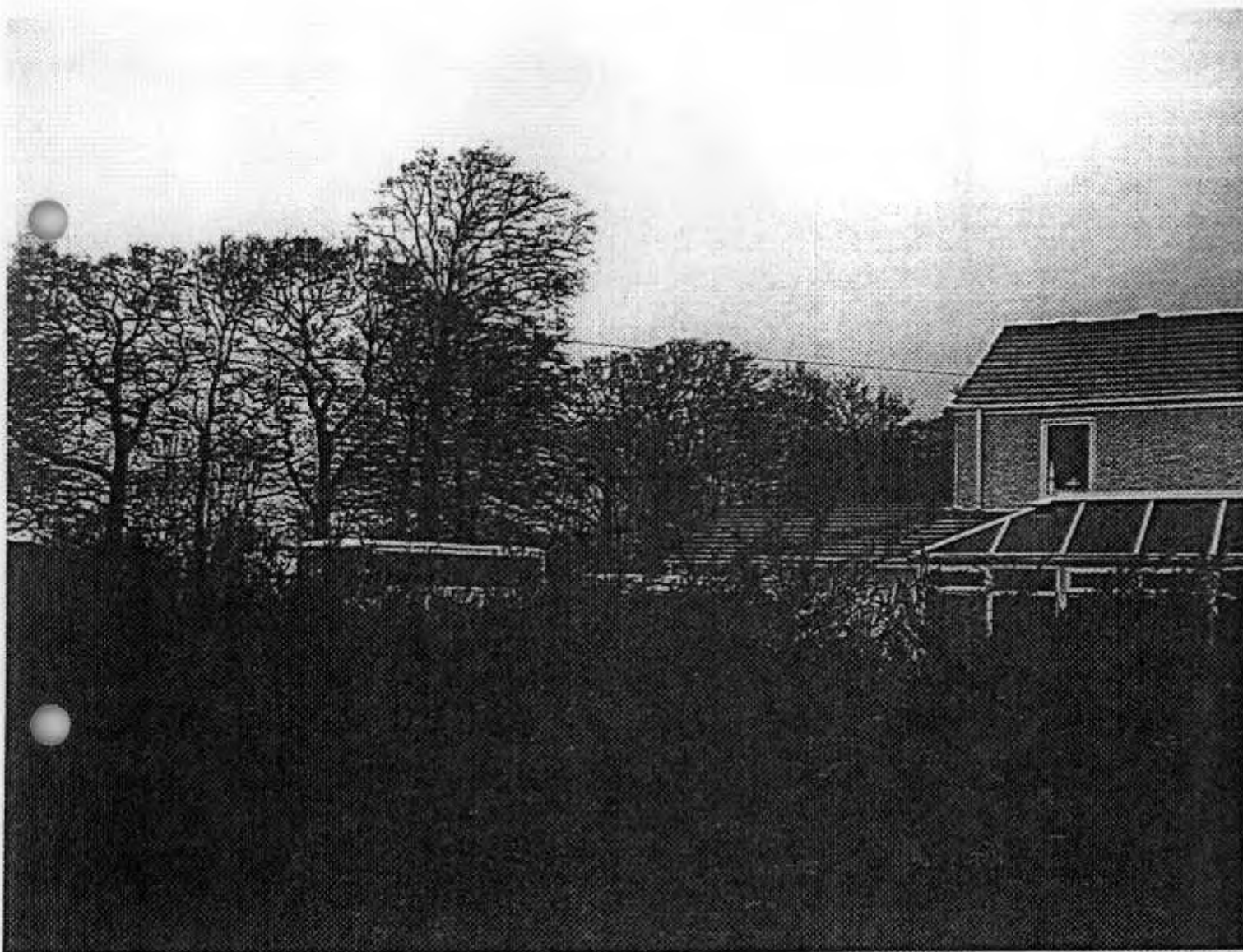
GROUND FLOOR PLAN

1.50
SCALE











35, NEW ROAD
DALSTON
CARLISLE
CUMBRIA CA5 7LA

11 January 2002
01228 710010

SEARCHED	BP
INDEXED	RJM
SERIALIZED	4
FILED	

Dept of Environment & Development
Planning Services Division
The Civic centre
Carlisle CA3 8QG

Your ref: RJM:DC201/1154

Dear Sirs,

We wish to register our objection to the planning application 0/1154 / at 37, New Road, Dalston Carlisle.

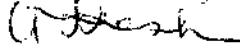
We have understood this area to be for residential occupation, and do not see that there is an urgent need for further bus services in the area. It is surely not the practice to downgrade a residential area to a commercial environment without good cause. Could you send us a copy of the relevant parameters We do not understand why Mr Murray cannot provide offsite garaging for the vehicle as others have to do.

The other concern we have is that the exit from our road is situated on an extremely dangerous bend on main road. Traffic from Carlisle side of the entrance has very little time to react if anyone does come out. I leave the exit, having checked the Dalston side, with my sight steadily fixed on the Carlisle side hilltop and fairly frequently find a vehicle appears from round the bend as I move out. For a car this is safe if one is careful but to move a large slow moving vehicle out onto a road in these circumstances is surely putting lives at hazard. The foregoing assumes that the oncoming driver is driving at a reasonable speed, regrettably this need not be the case. We should mention that a motorcyclist was killed fairly recently and our neighbour was involved in a collision just a few weeks ago.

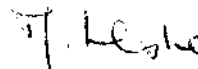
A case against any increase in unnecessary traffic should consider the situation of a driver approaching New Road, from Carlisle, with the intention of entering New Road. If access is denied because of an emerging vehicle then the driver must wait on the busy main road at risk from any speeding driver approaching from the rear.

We wish to register our "right to speak" at any meeting that is held

Yours faithfully



Maureen & Edwin Leslie



PLANNING SERVICES		'OAKHAVEN'	
REF 01/1154		34 NEW ROAD	
10 JAN 2002		LINGY	
3		DALSTON	
RECORDED	CN	CUMBRIA.	
SCANNED		8-1-2002	
APPROVED	RAM		
ACTION			

MR. R. J. MARRAS
DEPT OF ENVIRONMENT, DEVELOPMENT

Dear Sir,

Regarding the application for planning permission Appn Ref 01/1154 for the change of use from Residential to office of 1 room at 37 New Road Dalston and parking space for a bus. I wish to oppose this application most strongly.

The reason for my opposition is that New Road is a one lane road leading directly onto the Dalston - Carlisle dual carriageway on an extremely dangerous bend in the road with very poor vision to traffic from the Carlisle side of the road.

It has been the

several of many accidents, one fatal a few years ago, and on the 12th December 2001. my car was hit in the rear after I had left the road to turn right by a car coming from Carlisle. There is only vision of about 50-75 yds looking towards Carlisle, the main Road has nothing to warn drivers of the dangerous bend or that there is a hidden road leading onto it! Making it almost as dangerous to turn left as to turn right.

Now Road itself is so narrow that anyone wanting to turn in as someone is coming out has to either stop on the main road, very dangerous! or wait until the other driver backs up into a field entrance. Tractors frequently use the road.

The lorries providing services, Ash bin, Coal, and oil have to back the full length of the road, because they cannot

turn road!

Finally in the Deeds of my house and presumatly in the Deeds of all the houses on this road is a clause excluding the use of these houses as business's. does this not still apply?

Yours Sincerely

Elen. M. Steele.

SCHEDULE A: Applications with Recommendation

ITEM NO. 10

Date of Committee: 01/02/2002

APPN REF NO:
01/0867 /

APPLICANT:
Mr W Roper

PARISH:
Wetheral

DATE OF RECEIPT:
24/09/2001

AGENT:
C & D Property Services

WARD:
Great Corby & Gel

LOCATION:

L/A part field 7900, Brocklewath Farm, Great Corby, Carlisle, 348940 552000

GRID REF:

PROPOSAL: Erection of agricultural workers dwelling (outline)

Richard

REPORT

PLANNING POLICIES:-

CUMBRIA & LAKE DISTRICT JOINT STRUCTURE PLAN POLICY 13

In the areas not covered by Policies 11 and 12, development will normally be permitted which in its use, siting, scale and design is well related to existing developed areas of the countryside and does not harm distinctive features of local landscape significance. In the undeveloped open countryside development will not normally be permitted except when it is required to meet local infrastructure needs which cannot be located elsewhere, and provided it is sited to minimise environmental impacts and meets high standards of design.

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E8

Within the remainder of the rural area not covered by Policies E2-E6. Proposals which are well related in use, siting, scale and design to existing settlements or other small clusters of buildings including farm buildings will be acceptable providing that:

1. the proposal reflects the scale and character of the existing group of buildings or settlement; and
2. there is no adverse effect upon the amenity of neighbouring property, and the character and appearance of the area; and
3. satisfactory access and appropriate car parking can be achieved; and
4. any existing wildlife habitats are safeguarded.

Permission will not be granted for development in the undeveloped open countryside unless it is required to meet local infrastructure needs, or for dwellings supported by a proven agricultural or forestry need.

CARLISLE DISTRICT PLAN HOUSING - POLICY H6

Within the remainder of the Plan area, outside areas covered by Proposal H1 and Policies H2-H5, permission will not be given for dwellings, except where applications are supported by a proven agricultural or forestry need.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0867 /

SUMMARY OF CONSULTATION RESPONSES:-

WETHERAL PARISH COUNCIL: This is an isolated development in open countryside which would not usually obtain planning permission unless as an agricultural workers dwelling. The PC is concerned about such developments and would recommend to planners that unless the applicant can produce significant evidence that it is to be used as an agricultural workers dwelling and ownership of the land to which the development is related it should be refused.

HIGHWAY AUTHORITY: No objection subject to conditions.

ENVIRONMENT AGENCY: No objection subject to a condition and supplementary informative.

COUNTY LAND AGENT: Although the propose site in this application is closer to the building than originally proposed, it is still at some distance and due to the topography of the ground, the buildings will not be visible from the proposed dwelling.

It would appear that one of the reasons for the proposed location is to perhaps maintain control over traffic from the gravel workings which is of course not an agricultural enterprise.

SUMMARY OF REPRESENTATIONS:-

This application has been advertised by way of a site notice. At the time of writing this report, no representations have been received.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

An application for outline planning permission for the erection agricultural workers bungalow was approved on 12 June 1981, under reference 81/0404.

This approval was renewed on 10 August 1984, under reference 84/0383.

Outline planning permission for the erection of an agricultural workers bungalow was withdrawn on 15 October 1987, under reference 87/0700.

Outline planning permission was refused on 26 June 1992, under reference 92/0262.

An application for outline planning permission for the erection of a bungalow with detached garage for the accommodation of an agricultural worker was withdrawn on 8 August 2001, under reference 01/0162.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0867 /

DETAILS OF PROPOSAL

Members will recall that this matter was presented at the December meeting of the Development Control Committee and was the subject of a site visit.

This application seeks outline planning permission for the erection of a bungalow with detached garage for occupation by an agricultural worker on 1/a part field 7900, Brocklewath Farm, Great Corby.

The site is accessed from a narrow surfaced road, the turn off for which is situated on the Great Corby to Cumwhitton road. This road winds past the poultry farm known as 'Randlawfoot' and finishes at Brocklewath Farm.

Members should note that the planning history does not necessarily relate to the specific site location which is the subject of this application, but also includes other sites within the holding for which planning permission has been sought.

The agricultural land is bounded to the west by the River Eden, which is designated in the local plan as being a County Landscape. A number of Ancient Woodlands also exist close to the site. However, the agricultural land, and the site which is the subject of this application, are not designated within the Carlisle District Local Plan. The land is level when entering the site from the surfaced road, but slopes steeply down towards the agricultural building and the river in the valley. This is illustrated from the contour lines shown on the location plan which is reproduced following this report.

The circumstances relating to this application are unusual. There is an existing farmhouse at Brocklewath, together with a range of traditional farm buildings. It appears that these have been sold by the applicant (planning permission has been granted for conversion of the farm buildings to a residential unit). The applicant now lives in Heads Nook and travels to the farm, where the only buildings remaining in his ownership are a range of modern farm buildings.

As far as the agricultural need issue is concerned, the County Land Agent concludes that the business is financially viable and that there is a functional need for an agricultural worker to be resident on the farm. This issue is not in dispute.

The siting of the proposed dwelling is of greater concern. The farm buildings themselves are located along an unmade access track leading from the edge of the agricultural land where the dwelling would be sited, due west and down a very steep gradient. The buildings cannot be visibly seen from the proposed development site. Although the land is not specifically designated within the Local Plan, it remains an area of undeveloped open countryside. Policy E8 requires that development should be well related to existing buildings.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0867 /

Policy H6 requires that a proven agricultural or forestry need will need to be demonstrated in order that planning permission may be granted. As mentioned previously in this report, this issue is not under debate.

Paragraph 4.48 of the supporting text states:

"Where an agricultural or forestry need is established, the City Council will be particularly concerned to ensure that the siting of the new dwelling is well related both to existing development and local landscape features. The fact that the principle of a new dwelling has been established does not mean that development in sensitive locations should be approved."

Officers have been in contact with the applicant's agent with a view to seeking a revised site for the proposed dwelling. The applicant would appear unwilling to amend the details of the application and a copy of the letter of response is reproduced following this report.

The applicant's agent outlines the reasons behind the siting of the dwelling in this location. These can be broken down into two issues, namely the short proximity of the proposed dwelling to the agricultural buildings, and the policing of persons entering the land. Counter arguments are put forward against other issues raised by the County Land Agent but no new planning matters have been raised.

Further advice in the consideration of this application has been obtained from Annex I to PPG7 (The Countryside: Environmental Quality and Economic and Social Development). Paragraph I13 states:

"Care should be taken to choose a site which is suitably located to meet the identified need and well-related to existing farm buildings or other dwellings."

In conclusion, whilst the principle of the need for an agricultural worker to be resident on the site has been accepted, the granting of planning permission is also subject to other criteria, such as siting. In this instance, the siting of a dwelling in this area of undeveloped open countryside would be unacceptable and contrary to current planning policy.

RECOMMENDATION: -

REFUSE

APP + 106

1. REASON: The proposal to site a dwelling in this sensitive location in the open countryside, unrelated to the existing farm complex, would be an unacceptable visual intrusion contrary to Policy E8 (Remainder of the Rural Area) of the Carlisle District Local Plan.
2. REASON: Although an agricultural need has been claimed and accepted in support of this application, the siting is unrelated to the farm

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0867 /

buildings and would form an unacceptable visual intrusion in this area of open countryside. In these circumstances, the proposal is contrary to the advice contained within PPG7 and Policy H6 (Agricultural and Forestry Need) of the Carlisle District Local Plan.

P257 →

Taken from NY455E

LEGEND

- Limit of land being farmed
- Hedge
- Stone wall
- Rows of trees, including hedgerow trees
- Bridleway
- Ditch or other water course (unless already marked)
- Pond
- Other features

Field Nos taken from O.S. 1:2500

Sheet Numbers: NY4851, 4852, 4951 & 4952

Scale: 1:5,000

Name: Mr. W. Roper

Signature:

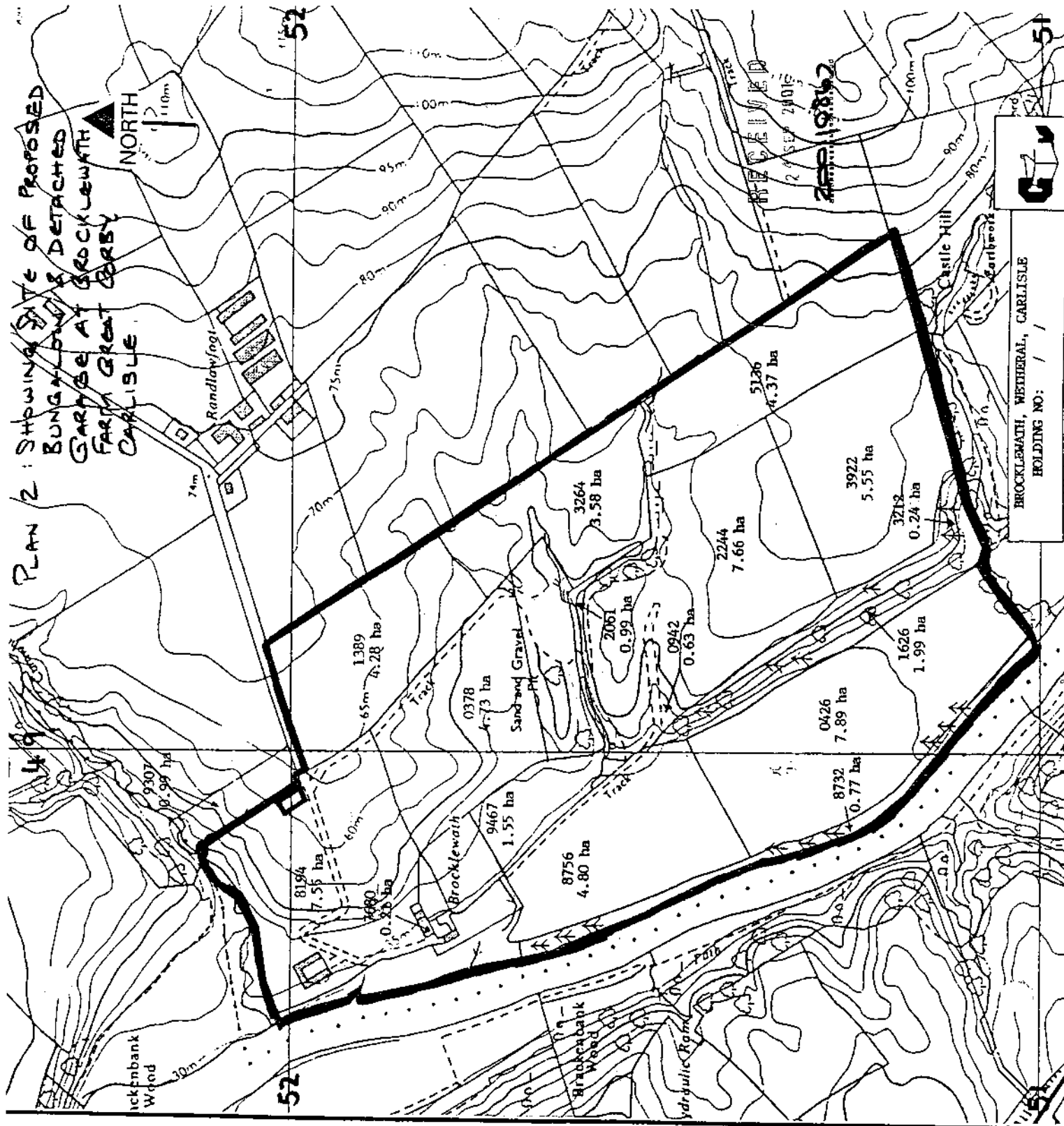
Date:

Copyright Date: 1992

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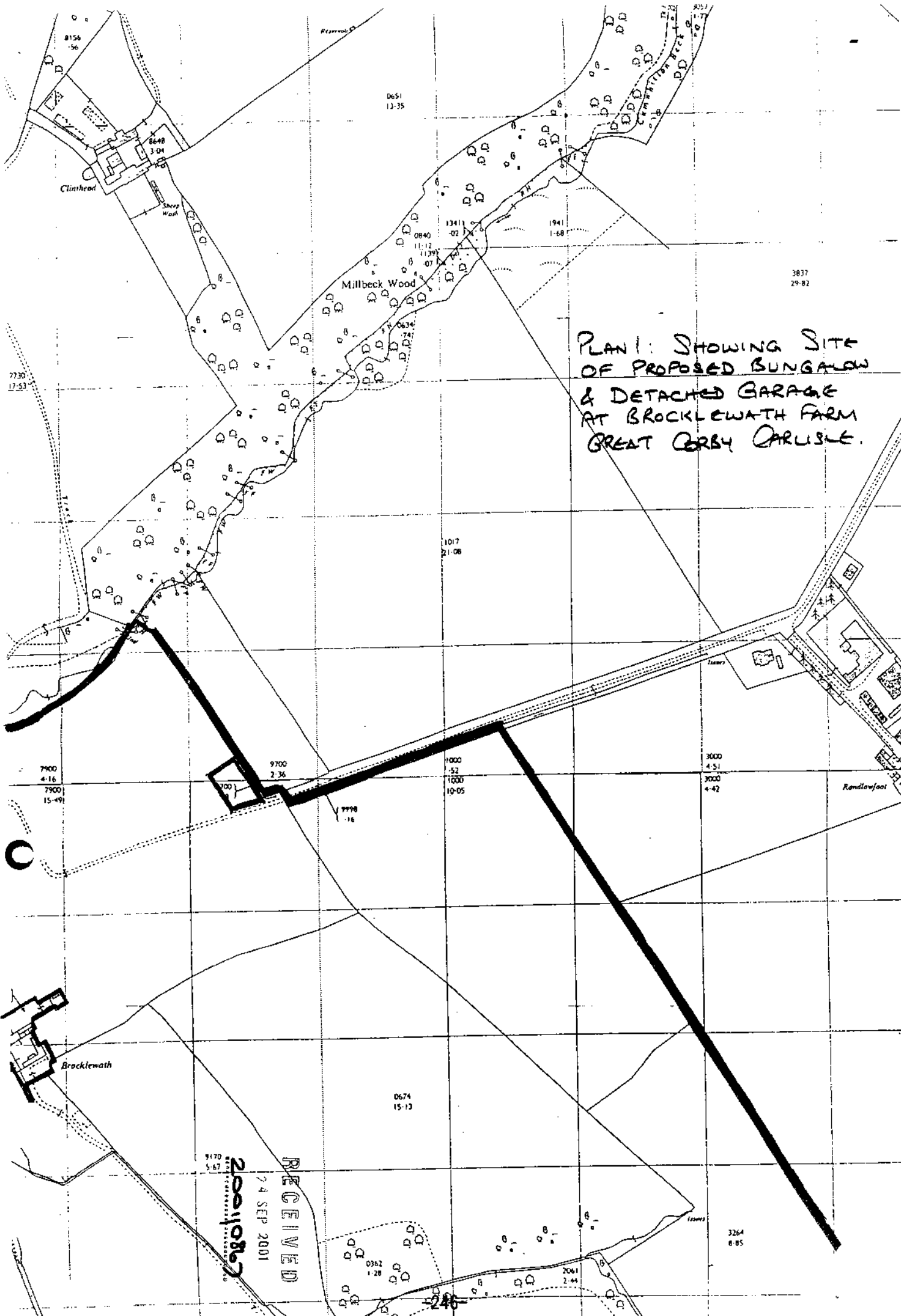
Based on O.S. 1:10,000 map with the permission of
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BROCKLEWATH, WETHERAL, CARLISLE

HOLDING NO: / /



PLAN 1: SHOWING SITE
OF PROPOSED BUNGALOW
& DETACHED GARAGE
AT BROCKLEWATH FARM
GREAT CORBY CARLISLE.

RECEIVED
24 SEP 2001
2001/08/27

2001 / 0867



2001/0867



FIELD 1000 – BROCKLEWATH FARM GREAT CORBY, CARLISLE

Report on the agricultural aspects in relation to a proposed agricultural workers dwelling in Field 1000 – Brocklewath Farm, Great Corby, Carlisle.

CAPITA*db*s
Clint Mill
Cornmarket
PENRITH
CA11 7HP

June 2001



Proposed Agricultural Workers Dwelling field 1000 – Brocklewath Farm, Great Corby, Carlisle

1.0 Introduction

- 1.1 This report has been prepared at the request of Carlisle City Council to advise on the agricultural aspects of the proposal to provide an agricultural workers dwelling in Field 1000 – Brocklewath Farm, Great Corby, Carlisle.
- 1.2 I met the applicant's agent Mr Colin Beattie of C & E Property Services, Longtown, Carlisle on 5 June 2001. The following information was provided by Mr. Beattie on behalf of the applicant.

2.0 Land Occupied

- 2.1 Mr Roper's agricultural holding extends in total to 80 hectares (200 acres) and is made up of the following blocks of land.
 1. 60 hectares (150 acres) of land at Brocklewath Farm, Great Corby as shown edged blue on the plan attached to the application. This land is owner occupied by the applicant.
 2. 20 hectares (50 acres) of land rented in the locality on a seasonal grazing basis.

3.0 Livestock

- 3.1 The applicant normally keeps the following numbers of livestock on the holding: -
 1. 120 head of Beef Cattle. These are bought in as week old calves and reared to 12-18 months of age when they are sold as store cattle.
 2. 350 Grey Faced Breeding Ewes lambing in February, March and April. The lambs are sold fat off the holding in the following autumn and winter. There is a quota allocation of 319 units.
 3. Between 700 and 1000 Store Lambs are bought each autumn and fattened off the holding from February the following year onwards.
 4. The applicant purchases around 3000 day old Turkey chicks in July/August. Approximately 1800 of these are sold on as growers at 6 weeks old and the remaining 1200 are retained on the holding and fattened for the Christmas trade.

4.0 Cropping

4.1 The cropping on the farm comprises the following:

1. 20 hectares (50 acres) of hay/silage for feeding to the livestock.
2. 11 hectares (27 acres) of oats again for feeding to the livestock
3. The remainder of land is in grass for grazing the livestock.

5.0 Farm Buildings

5.1 The farm buildings are situated a little way down the farm entrance track as shown on the application plan. They comprise a general purpose steel framed building measuring about 35m x 21m and bounded on three sides by lean to sheds about 7m wide. There is also another shed of timber frame and corrugated metal construction measuring about 27m x 11m.

6.0 Domestic Buildings

6.1 There are no domestic buildings on the holding. The applicants agent advised that the former farmhouse and traditional buildings on the holding were sold off approximately 10 years ago by the applicant and are no longer available to the business.

7.0 Labour and Residence

7.1 The labour on the holding is provided by the applicant who works full-time together with one other full-time employee.

7.2 The applicant lives at 17 Cairnwood, Heads Nook which is approximately 15 minutes traveling time away from Brocklewath. The full time employee lives off the holding in Carlisle.

8.0 Other Information

8.1 The applicant advised that he wished to provide an agricultural workers dwelling on the holding to have a worker on site to deal with the livestock, especially at lambing time and when the turkeys were being reared before Christmas. He

advised that he had experienced some problems with theft, particularly of diesel from the holding. He also wished to employ a further worker.

9.0 PPG 7 And The Need For Agricultural Workers Dwellings

9.1 The need for agricultural workers dwellings is covered in planning policy guidance note PPG7 “The Countryside Environmental Quality and Economic and Social Development” (revised in February 1997) and in particular annex I to that publication.

9.2 Guidance is given on the criteria to be met for agricultural dwellings and in the relation to a permanent agricultural workers dwelling these criteria are set out in paragraph I5 of annex I to PPG7. These criteria are: -

a. There is a clearly established existing functional need

An established existing functional need arises from the care of the cattle, sheep and turkeys. In particular there will be an intensity of need when the ewes are lambing in March and April. There will also be a need to carry out routine management tasks to ensure the well being of the livestock

b. The need relates to a full time worker

I have calculated the labour requirements of the holding based on the existing numbers of livestock and cropping and am able to advise that it has a labour requirement of at least 2 full time workers.

c. Financial Test

Viability can be defined as offering a competent farmer the prospect of a sufficient livelihood. In practice this can mean a net farming income after expenses such as feed, fertilizer and property maintenance at least equivalent to an agricultural workers minimum wage which is currently in the region of £8,700 per annum. I have calculated the likely net farm income from the livestock normally kept on this holding and am able to advise that it is financially viable.

d. Other Accommodation on the Holding

These days it is only really necessary for specialist workers to live on or immediately adjacent to agricultural holdings. In this instance I am of the opinion that it is necessary for 1 full time worker actively involved in the management of this unit to be resident on or immediately adjacent to this holding to deal with emergencies and the overall need to protect property.

e. **Other normal planning requirements**

These are beyond my instructions.

10.0 CONCLUSION

10.1 I am therefore able to advise as following:

1. There is a clearly established existing functional need for a worker to be resident on this holding.
2. The labour requirement is for a minimum of 2 full time workers and therefore the test in relation to a full time worker is met.
3. The business is financially viable and therefore the financial test is met.
4. There is no existing accommodation on the holding.

10.2 As you will appreciate where livestock have to be the subject of close supervision for example lambing ewes in the springtime it is the usual practice for the agricultural workers dwelling to be in reasonable proximity to the farm buildings. In this case the proposed site is at some distance from the farm buildings and I would advise that it would be more practical in the supervision of livestock to have any dwelling in reasonable close proximity to the farm buildings and not at a distance as proposed.

10.3 In relation to the existing farmhouse and traditional buildings that were sold off from the holding some time ago I would refer you to paragraph I7 in annex I to PPG7 in which it states that where dwellings may have been sold separately to farmland such a sale could constitute evidence of a lack of agricultural need.



A G Jackson BSc FRICS FAAV
CAPITAdbs
Clint Mill
Cornmarket
PENRITH

14 June 2001

C & D Property Services

Land and Estate Agents, Valuers and Surveyors

(part of Cumberland & Dumfriesshire Farmers Mart plc
and incorporating Thomson, Roddick & Laurie, agency and valuations)

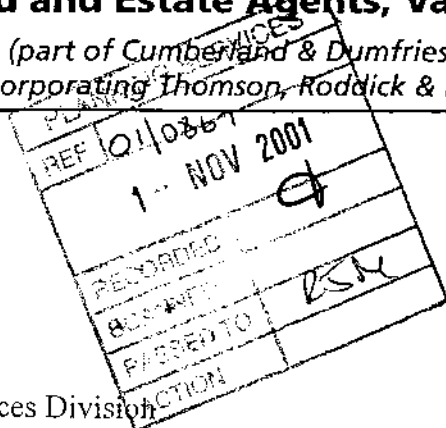
17/19 High Street
Longtown
Carlisle
Cumbria CA6 5UA

Tel: (01228) 792299

Fax: (01228) 792284

Website: www.cdproperty.co.uk

E-mail: office@cdproperty.co.uk



Planning Services Division
Department of Environment & Development
Carlisle City Council
The Civic Centre
CARLISLE
CA3 8QG

Your Ref:

Our Ref:

31st October 2001

For the Attention of Richard Maunsell, Esq.

Dear Sirs

Our Client Mr W Roper, Brocklewath Farm, Great Corby
Erection of Agricultural Worker's Dwelling
Application No 2001/0867

We refer to your letter dated 30th October 2001 in relation to the above subject, and thank you for enclosing a copy of the County Land Agent's Report. We confirm that we have no difficulty in agreeing to an extension of the 8-week period as referred to in your letter. We have considered the Application in the context of your earlier letter dated 23rd October and the County Land Agent's Report. We would respond to the various points raised as follows:-

1. In the first place, responding to the third paragraph of your letter dated 23rd October, we accept that the agricultural buildings would not be visible from the proposed dwelling. We do not however accept the implication that this in any way defeats the objective of erecting the dwelling. We can point to countless examples of working farms where there is no clear path of vision between the farmhouse and the steading. This seems to have no impact on the effectiveness of the business. Even in cases where the steading can be seen directly from the farmhouse, the farmer has no way of inspecting livestock or

machinery within the farm buildings, unless he actually enters the buildings. We suggest that access - not visibility - is important here. The proposed site enjoys good pedestrian and vehicular access to and from the farm buildings.

2. With regard to the third paragraph of the County Land Agent's Report dated 9th October, we suggest that the proposed dwelling would be "within reasonable proximity to the farm buildings". The question of whether a dwelling is within "reasonable proximity" is a matter of construction, and the answer will be informed substantially by reference to Paragraph I13 of PPG7 (referred to below).


3. The County Land Agent quotes Paragraph I13 of PPG7 which states that "Care should be taken to choose a site which is suitably located to meet the identified functional need and well related to existing farm buildings or other dwellings".

We suggest that the identified functional need would be met by the current proposal, and that the following factors are relevant here:-

(a) (most obviously) the site would accommodate an agricultural worker, who would be on the farm at all times to supervise its efficient running. In some cases, animals or agricultural processes require to receive essential care at very short notice. Emergencies require to be dealt with quickly. This would easily be accomplished by the proposed site, which offers good access to, and is within a minute's walking distance of, the farm buildings.

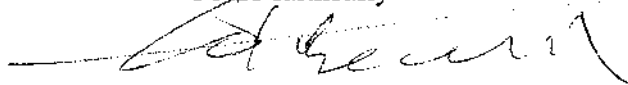
(b) the main entrance to the farm can be seen from the site. Traffic to and from both the farm steading and the quarry could be effectively policed from the proposed site. Our client has also experienced problems in the past with theft from the farm, and with the unlawful tipping of rubbish on the farm. The proposed site would address all these issues. In contrast site nearer the farm buildings would compromise our Client's ability to police access to and from the farm.

On the question of whether the proposed site is "well related to existing farm buildings or other dwellings", it is noted that visibility and distance are not specifically mentioned. As to visibility, see our comments at Paragraph 1 above. On the question of distance, we suggest that the site is "well related" in that it is situated within a minute's walk of the buildings, enjoys good access to the buildings, is situated immediately adjacent to the farm road, and would meet the functional needs of our Client. The land immediately adjacent to the steading is characterised by steep slopes. The proposed site is therefore by far the better site on this criterion.



We respectfully request that the above points be considered in the determination of this Application. We shall look forward to hearing from you when a decision is made, but if in the meantime you require clarification on any point then please do not hesitate to contact the writer.

Yours faithfully

A handwritten signature in dark ink, appearing to read 'C M Beattie', with a long horizontal line extending to the left and a small flourish at the end.

C M Beattie
For C & D Property Services

SCHEDULE A: Applications with Recommendation

ITEM NO. 11

Date of Committee: 01/02/2002

APPN REF NO: 01/0569 /	APPLICANT: Mr J D Alderson	PARISH: Dalston
DATE OF RECEIPT: 04/07/2001	AGENT: HTGL Architects	WARD: Dalston
LOCATION: L/ADJ Green Farm Cottage, Stockdalewath, Carlisle Cumbria	GRID REF: 338690 545070	

PROPOSAL: Demolition of part barn and erection of dwelling and garage
(outline)

REPORT

PLANNING POLICIES:-

CUMBRIA & LAKE DISTRICT JOINT STRUCTURE PLAN POLICY 40

In rural settlements outside the National Parks and AONBs, housing development will normally be permitted, especially where it would help to sustain the existing local community, and provided it is in sympathy with the scale and character of the existing settlement. Outside rural settlements, new dwellings will normally only be permitted for those engaged in agriculture where such a dwelling is essential for the working of the farm.

CARLISLE DISTRICT PLAN HOUSING - POLICY H5

Within the following settlements, large scale residential development will not be permitted. Proposals for small scale residential development will normally be acceptable providing that:

1. the site is well related to the landscape of the area and does not intrude into open countryside; and
2. the scale of the proposed development is well related to the scale, form and character of the existing settlement; and
3. the layout of the site and the design of the buildings is well related to existing property in the village; and
4. the siting and design of the buildings is well related to and does not adversely affect the amenity of neighbouring property; and
5. appropriate access and parking can be achieved; and
6. the proposal will not lead to the loss of amenity open space within or at the edge of the settlement; and
7. the proposal will not lead to the loss of the best and most versatile agricultural land.

Aglionby, Baldwinholme, Banks, Barclose, Beaumont, Blackford, Blackwell,

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0569 /

Boltonfellend, Boustead Hill, Broadwath, Brisco, Brunstock, Burgh-by-Sands, Burnrigg, Cardewlees, Cargo, Carleton, Castle Carrock, Cotehill, Cumdivock, Cummersdale, Cumrew, Cumwhinton, Cumwhitton, Durdar, Easton, Farlam, Faugh, Fenton, Gaitsgill, Gilsland, Great Corby, Great Orton, Grinsdale, Hallbankgate, Harker, Hayton, Hayton Townhead, Heads Nook, Hornsby, Houghton, How Mill, Irthington, Kirkcambeck, Kirkandrews-on-Eden, Knells, Lanercost, Laversdale, Linstock, Little Orton, Low Crosby, Longburgh, Low Row, Lyneholme, Midgeholme, Milton, Moat, Monkhill, Moorhouse, Newby East, Newtown, Raughtonhead, Rockcliffe, Rickerby, Scaleby, Scotby, Smithfield, Stainton, Stockdalewath, Talkin, Tarraby, Thurstonfield, Tindale, Todhills, Walton, Warwick-on-Eden, Warwick Bridge (Including Little Corby & Corby Hill), Westlinton, Wetheral, Wetheral Pasture.

SUMMARY OF CONSULTATION RESPONSES:-

DALSTON PARISH COUNCIL: initial response expressed concern regarding access onto highway at difficult position and contended that demolition of a barn to create a building site including the removal of mature trees is not in line with making a habitable building out of an existing one. Although a Structural Report on the barn's condition and revised layout plans modifying the access and improving the turning area were sent to the Parish Council, their concerns remain;

HIGHWAY AUTHORITY: no objection subject to the imposition of 6 conditions;

DESIGN SERVICES (DRAINAGE): no objections;

ENVIRONMENT AGENCY: no objections but a planning condition is recommended.

SUMMARY OF REPRESENTATIONS:-

Publicity was given to this application in the form of direct neighbour notification and a site notice. No representations have been received.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

There have been no previous planning applications relating to the property.

DETAILS OF THE PROPOSALS

This application is in "outline" and seeks planning consent for the removal of the majority of a sandstone and slate roofed barn situated as part of an L-shaped group at Green Farm Cottage within the centre of Stockdalewath (see location plan) and re-development of the cleared site to provide a dwelling and garage.

The proposed site extends to 680 sq. m. in area and lies off the west side of the county road through the village.

SCHEDULE A: Applications with Recommendation


Schedule continued for 01/0569 /

The application is supported by a Structural Report on the barn (see Schedule) which concludes that the building is in a rather dilapidated condition with only one gable wall and 60% of the rear wall being in a suitable condition for rehabilitation with the roof and first floor areas being so poor as to require demolition. Even with the demolition of the section of building that is proposed, the report expresses caution in relation to the retention of the remainder of the building (outside the application site).

The proposal is also accompanied by a sketch layout plan which shows a dwelling set back from the road frontage with vehicular access and related turning area formed so that vehicles can emerge in a forward gear. The Highway Authority has no objections to the proposal.

In policy terms, Stockdalewath is included in the group of settlements listed under Policy H5 of the Local Plan within which there is a general presumption in favour of limited development subject to a series of criteria being met. It is considered that the proposed site satisfies these criteria and approval is, therefore, recommended.

RECOMMENDATION:-

APPROVE WITH CONDITIONS 

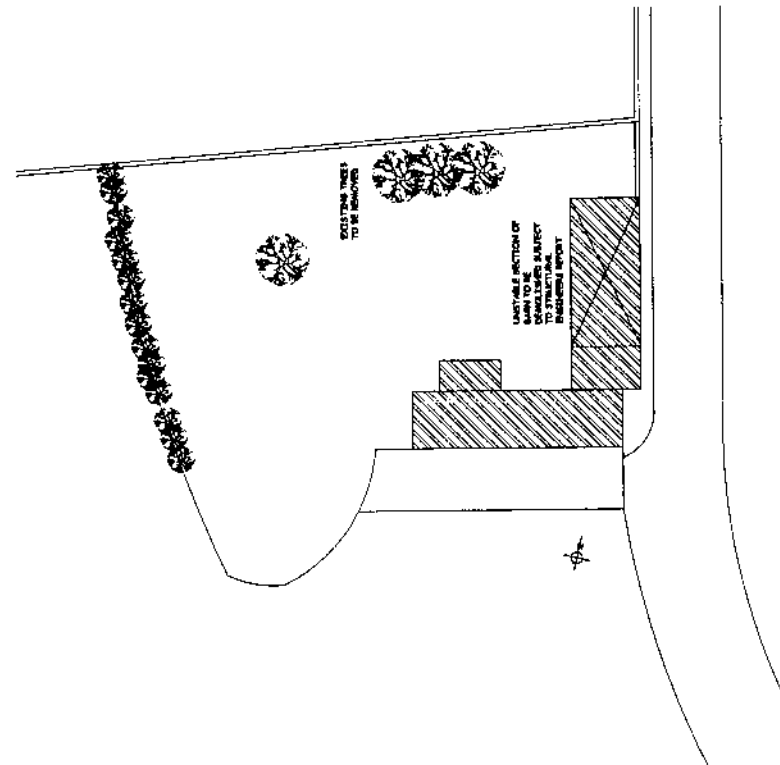
1. Standard time limits - outline
2. Reserved matters details - general
3. This permission shall only be in respect of 1 no. two-storey dwelling and garage(s) which shall be of traditional design and appearance in keeping with the local vernacular tradition, the siting of which shall adhere to the schematic layout plan submitted as part of this application.
4. Details of the relative heights of the existing and proposed ground levels and the height of the proposed finished floor levels of the dwelling and garage(s) shall be submitted to and approved in writing by the local planning authority before any site works commence.
5. Access Gates recessed
6. Layout and Access Requirements
7. The access drive shall be surfaced in bituminous or cement bound materials, or otherwise bound and shall be constructed and completed before the development is occupied.
8. Provision of Vehicle Turning Spaces
9. Construction of Access
10. Details of screen fencing/walling
11. No development approved by this permission shall be commenced until a

SCHEDULE A: Applications with Recommendation

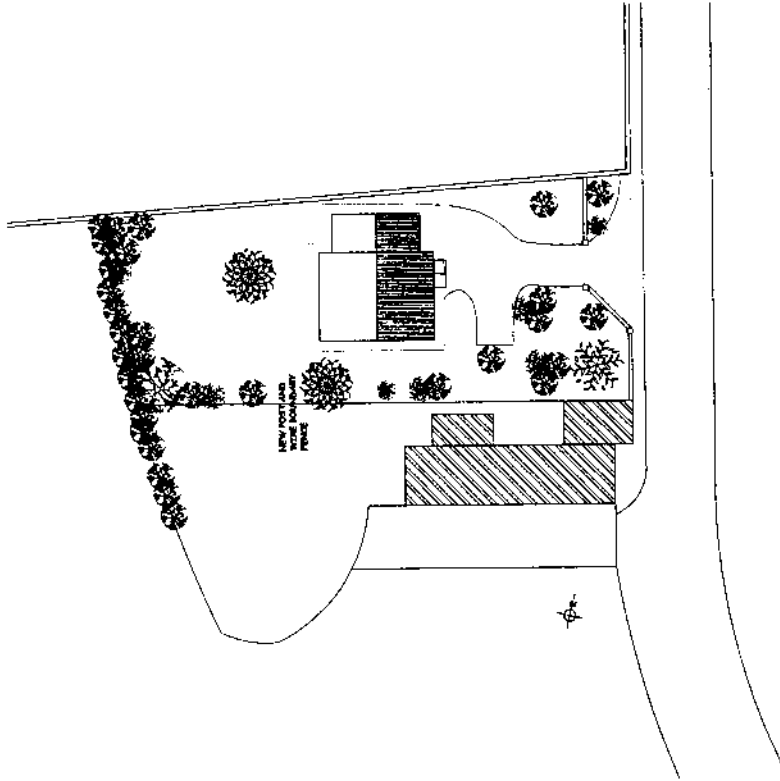
Schedule continued for 01/0569 /

scheme for the disposal of foul drainage to the septic tank has been submitted to and approved in writing by the Local Planning Authority. no part of the development shall be brought into use until such treatment plant has been constructed and completed in accordance with the approved plans.

P263 →



SITE PLAN AS EXISTING



SITE PLAN AS PROPOSED



HTGL
 11 W I L L I A M S
 15 WYOMING STREET
 CARLETON CA 95709
 TEL: 916 339 3210
 FAX: 916 339 3150
 mail@htgl.com, htgl.com



DAVID M. D. ANDERSON
 CIVIL ENGINEER

PROJECT:
 PART SITE 774,
 STOKESDALE PARK

TYPE:
 SITE PLAN AS EXISTING
 AND AS PROPOSED

Drawn: TH

Date: 2001

Scale: 1"=20'

Drawing No.

1690 / 02

SCHEDULE A: Applications with Recommendation

ITEM NO. 12

Date of Committee: 01/02/2002

APPN REF NO: 01/0788 /	APPLICANT: Dare (Northern) Ltd	PARISH: Wetheral
DATE OF RECEIPT: 31/08/2001	AGENT: Countryside Planning	WARD: Wetheral
LOCATION: Holme Eden Abbey, Warwick Bridge, Carlisle Cumbria		GRID REF: 347184 557020
PROPOSAL: Refurbishment and adaptation of Holme Eden Abbey to form 12no. residential apartments		

John

REPORT

PLANNING POLICIES:-

LISTED BUILDING

The proposal relates to a building which has been listed as being of Special Architectural or Historic Interest.

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E34

Applications for alterations or extensions to listed buildings must have regard to the scale, proportions, character and detailing of the existing building (both internally and externally) and of its windows and doorways. Any proposals which adversely affect the listed building will not be permitted.

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E36

The change of use of a listed building will be permitted provided it would not have a detrimental effect on the special architectural and historical interest of the building and neighbouring properties.

CARLISLE DISTRICT PLAN TRANSPORT - POLICY T3

Proposals for development which materially increase the traffic movement on the road network will need to be accompanied by a Traffic Impact Assessment. The City Council will usually require any road improvements or new highways, identified as being necessary by the assessment, to be funded by the developer. Such work should be consistent with the role and function of the highway. In the case of trunk roads all the costs will be borne by the developer and the scheme should be designed to be consistent with the Department of Environment, Transport and Regions' design horizon.

SUMMARY OF CONSULTATION RESPONSES:-

HIGHWAYS AGENCY: The Agency recommended refusal of the application as submitted (using the existing access road) on safety grounds. The Agency is concerned about safety at the access due to its proximity to the bridge. It is understood

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0788 /

that the Agency area also opposed to the scheme with the mini-roundabout. The Agency have now indicated that the latest scheme, with a one-way traffic route, entering the site at the Little Corby Road junction, and exiting at the existing entrance next to the bridge over the River Eden, is acceptable.

ARCHAEOLOGY: No comments.

ENGLISH HERITAGE: English Heritage are broadly supportive of the proposal but have highlighted the need to retain the important internal features. They support the replacement of the metal courtyard staircases but query the choice of a pastiche approach.

FRIENDS OF THE LAKE DISTRICT: No objections.

WETHERAL PARISH COUNCIL: The Parish Council consider the proposal to be suitable and have no objections. For observations on the highway aspect see application 01/0869.

HAYTON PARISH COUNCIL: Comments awaited.

ENVIRONMENT AGENCY: The Agency comment that the site is in a low to medium flood risk area. A condition is recommended regarding electrical wiring on the ground floor.

SUMMARY OF REPRESENTATIONS:-

This application has been advertised by means of site and press notices, and neighbour notification. Four letters have been received. None of these object to the principle of the development. One raises the issue of the building being a calendar house. The others refer to the issue of the access, primarily with reference to the walled garden application.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

The building was a nunnery until 1983 when planning permission was granted for its use as a retired persons home. Since then six listed building consent applications for minor alterations to the building have been approved.

DETAILS OF PROPOSAL

This application, and 01/0787, for listed building consent, which follows in the Schedule, relating to Holme Eden Abbey at Warwick Bridge were deferred at the meeting on 14th December, with authority to issue, subject to completion of a Section 106 Agreement, and clarification of highway conditions. This grade II* listed building is located on the north side of the A69 on the east bank of the River Eden. It is set back from the main road, and is approached by a curved driveway through a parkland setting. The building was erected in 1837 as a house for Peter Dixon who owned the mill at Warwick Bridge. In 1921, it became a nunnery and more recently has been used as a residential care

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0788 /

home. It has been empty for about four years, apart from the owners flat.

The Abbey is an impressive sandstone building. The two applications propose the conversion of the building to form 12 residential apartments, together with communal space for residents and ancillary facilities. The conversion is achieved within the existing structure, as follows:

- i. the impressive vaulted entrance hall is retained as an entrance for all 12 apartments. From here a gallery leads to the main central stairway; this leads to the apartments on the first and second floor, while those on the ground floor are linked to those on the lower ground floor and are accessed from there, apart from a single access to the largest unit on the ground floor only.
- ii. the first floor is converted into five two bedroom and one single bedroom apartment. Almost entirely, the alterations proposed are to the stud partitions erected when the building was converted to a residential care home.
- iii. the tower room over the entrance is to be incorporated into one of the first floor units, while the existing owner's flat is proposed to be sub-divided into two 1 bedroom flats.
- iv. the lower ground and ground floors are to be converted into 2no. three bedroom and 1no. two bedroom maisonettes on both floors, with a single large unit on the remainder of the ground floor in the former staterooms.

The proposals also include the conversion of other rooms on the lower ground floor to communal storage spaces and a gym. In terms of external alterations, the proposal will involve the provision of a limited number of windows which are the reinstatement of original windows. Apart from this the most significant alterations are the replacement of the two existing steel fire escape stairways with the courtyard by circular staircases within tower-like extensions.

The proposals also include the restoration of the grounds of the Abbey. This includes the replacement of the existing fence bordering the drive by metal railings, the reinstatement of a drive which branches off the main access to the houses and passes around its southern elevation, leading to a parking area. This drive then leads to the walled garden and emerges onto the A69 at Holme Eden Cottages. Further residents parking is proposed in the courtyard in front of the western elevation at the end of the main access drive. It is also proposed to restore the principal elements of the landscape setting of the building, including the areas of woodland and avenues of trees and a pathway along an embankment leading to Cairnbeck.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0788 /

The proposal raises a number of significant issues. Firstly, its status as a grade II* listed building consent indicates the importance of this building. Guidance in PPG15 and Policy E36 of the District Plan demonstrate that proposals such as this for the re-use of listed buildings should be approached positively. In this particular case, the building was originally designed as a house and was used as such for almost a hundred years. Although it has been used as a nunnery and a residential care home in the meantime, residential use is clearly appropriate, and sub-division into smaller units is considered acceptable. The building has a number of impressive and significant internal features, and the conversion proposed retains and respects these. The one significant external alteration is the replacement of the existing metal fire escapes by circular staircase enclosed in an extension. Although described as "pastiche" by English Heritage, Officers have carefully considered this point and have concluded that this is the most appropriate treatment. Overall, Officers are satisfied that this scheme is both an appropriate use for the building and is acceptable in terms of its details.

The second principal issue is the future of the landscaped grounds. Although the principal features can still be identified as dating back to the period of the building's construction, this has fallen into disrepair, and become overgrown in recent years. The proposals submitted indicate broadly how these features could be restored, and this is considered acceptable. It would however be necessary to submit further details, together with a plan, to ensure future management.

Finally, there is the issue of access to the site from the A69. The existing access is located to the east of the bridge over the River Eden. When first submitted, it was proposed that this be used for both inward and outward traffic. When the application for the development in the walled garden (see application 01/0869) was submitted, this was amended, so that inward traffic only would use the existing access, with traffic leaving the premises exiting by going past the walled garden and emerging onto a mini roundabout and the A69/Little Corby Road junction. Both these options were opposed by the Highways Agency, on highway safety grounds, and a third option was therefore put forward, with traffic entering the site via the Little Corby Road entrance (without a mini roundabout) and exiting via the existing entrance next to the River Eden Bridge. This solution was accepted in principle by the Highways Agency although Wetheral Parish Council and others maintained their opposition to it.

Following the previous meeting, the wording of the highways conditions has been clarified, and these are listed together with other recommended conditions.

It should be noted that in addition to the need for a Section 106 agreement to link the phasing of the two developments it is necessary to refer this application to the Secretary of State, because it relates to a grade II* listed building. With these

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0788 /

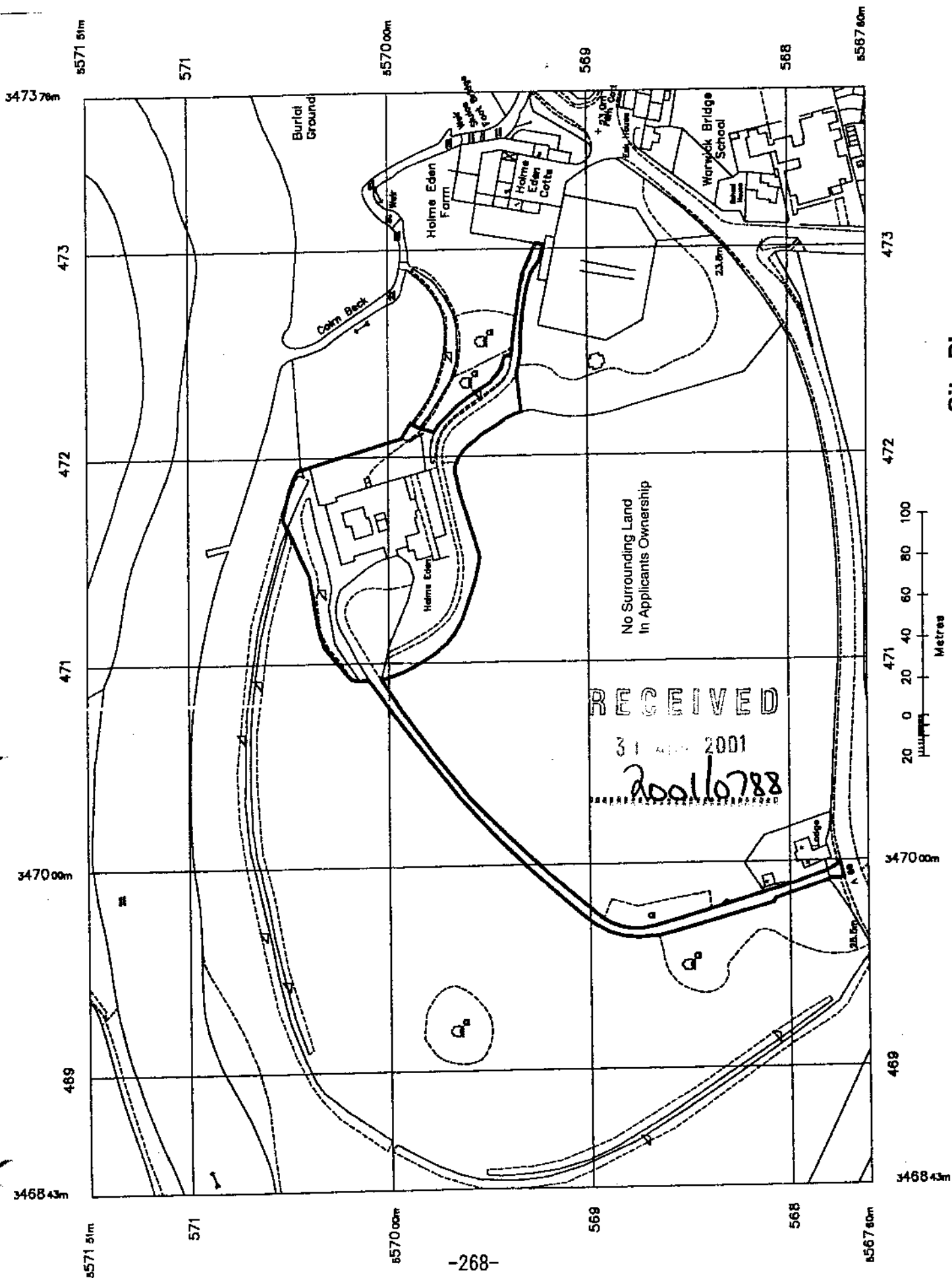
provisos the application is recommended for approval.

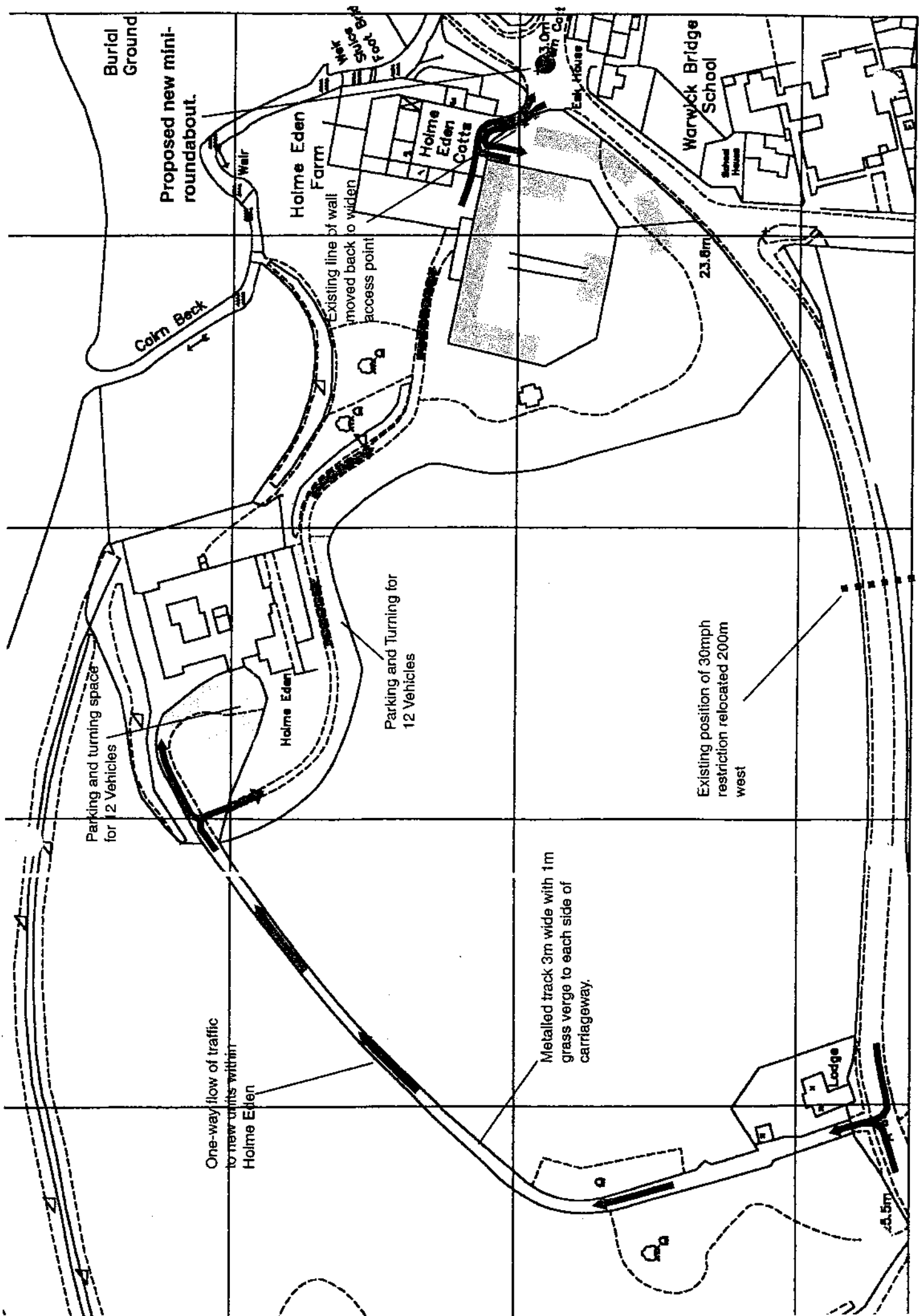
RECOMMENDATION:-

P2a2 →

APPROVE WITH CONDITIONS

1. Standard time limit
2. Materials - submission of samples
3. Hard surface details
4. Details of Const - Roads & Footpaths
5. Roads/Occupation of Dwellings-Timing (1)
6. No development shall commence until visibility splays providing clear visibility of 92.5 metres x 4.5 metres x 148 metres measured down the centre of the access road and the nearside channel line of the major road have been provided at the junction of the access road with the county highway. Notwithstanding the provision of The Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splay which obstruct the visibility splays.
7. All highway improvements works, and related highway traffic measures necessitated by the proposed development, including carriageway widening, provision of amended stabling lane, the re-siting of traffic signs, lane marking and the re-siting or protection of existing services, shall be based on the details shown on the submitted drawings nos. 1 and 2 and any other schedule of drawings or works incorporated in an agreement to be entered into by the applicant and the highways agency (as highway authority) under the provisions of Section 278 of the Highways Act 1980.
8. Notwithstanding any landscaping proposals already submitted, before development commences, detailed plans shall be submitted for the restoration of the site and grounds. The submitted details shall include:
 - i. details of the proposed type and species of all planted material including particulars of the proposed planting heights and densities;
 - ii. a management plan for the future maintenance of the landscaped grounds.
9. Scheme to be implemented and maintained
10. Before development commences, details shall be submitted to and approved by the local planning authority of the position of electrical wiring in the ground floor units. The work shall then be carried out in accordance with approved details.

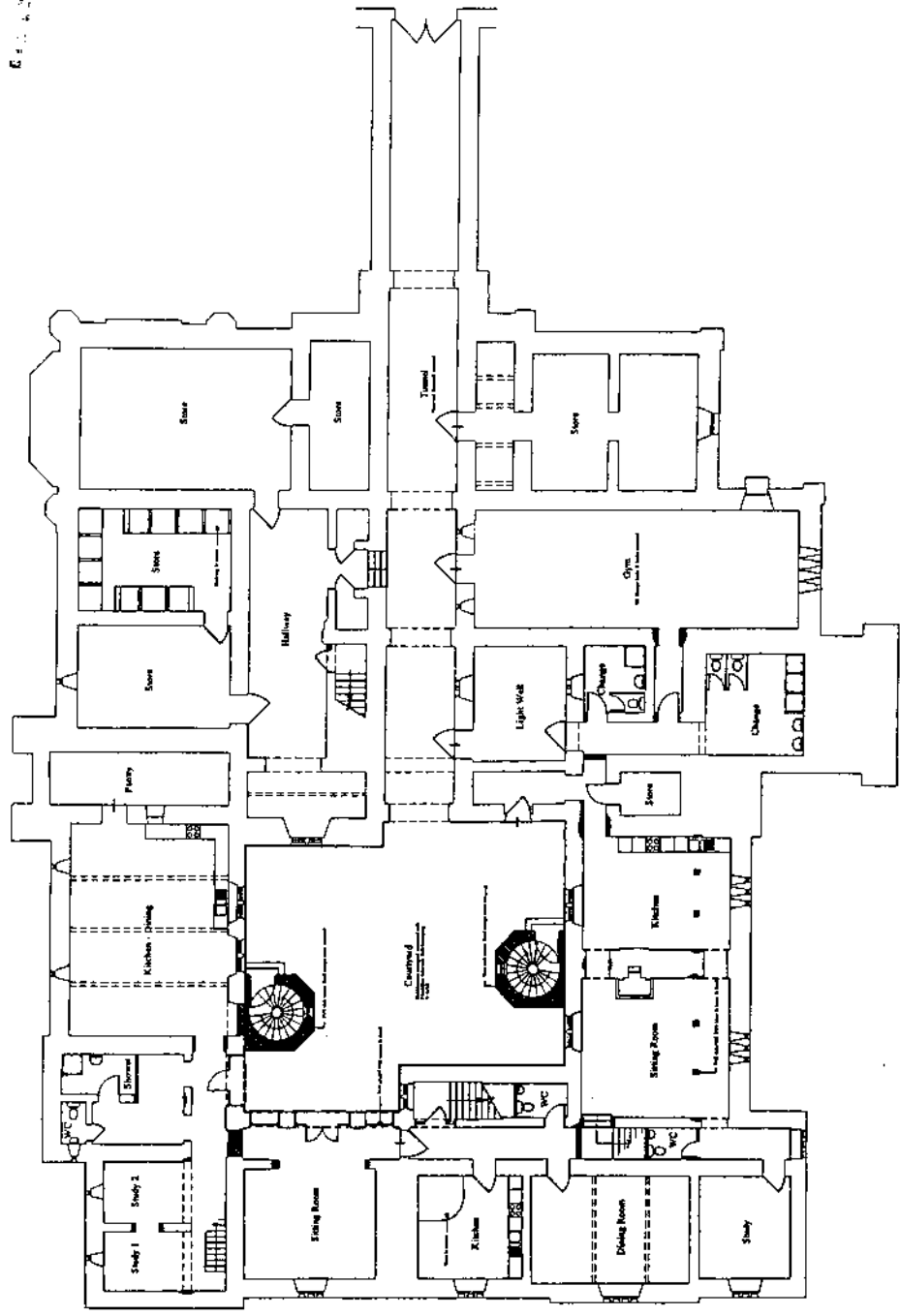




Architects: James H. ...
The ...
...



1
2001/12/28



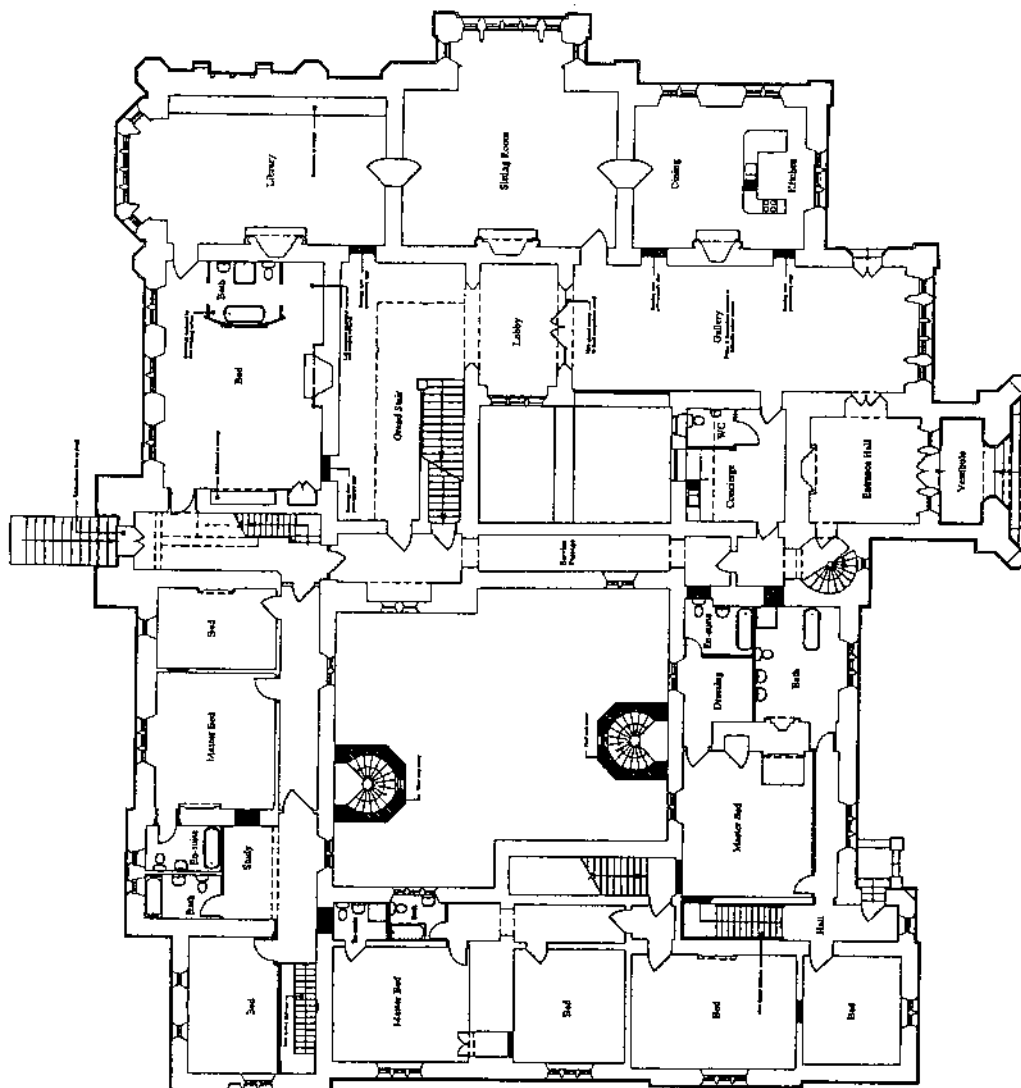
HOLME EDEN

WARWICK BRIDGE, CUMBRIA CA1 1RD
LOWER GROUND FLOOR PLAN AS PROPOSED
1:100

Architect: James H. ...



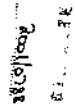
Scale
1:100



HOLME EDEN

WARWICK BRIDGE, CUMBRIA CA4 3ED
GROUND FLOOR PLAN AS PROPOSED
1:100

For Sale, Auction, 11 Springfield Road, Bath BA1 1JA



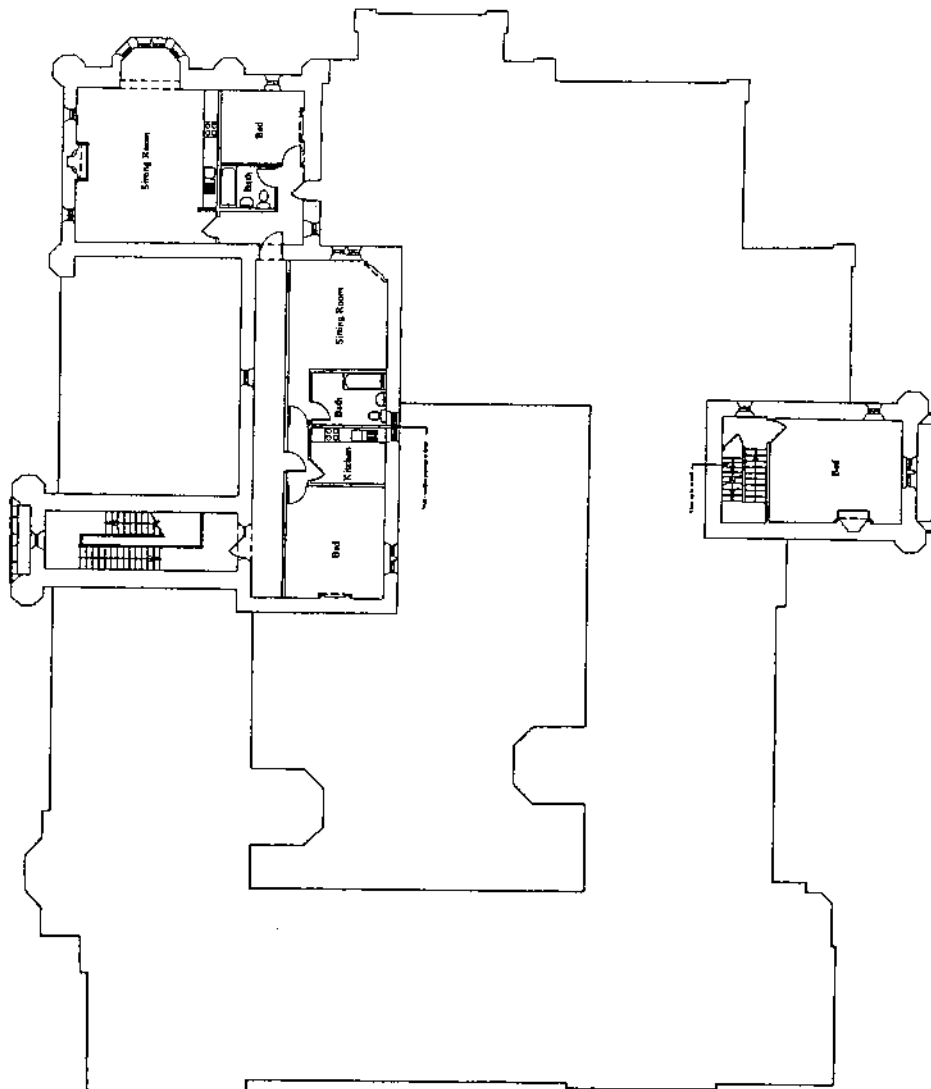
WARWICK BRIDGE, CUMBRIA CA4 8RD

FIRST FLOOR PLAN AS PROPOSED
1:100

Kees Slagter, Amsterdam, 8 Springfield Place, North MA 01861 USA



Scale
1" = 10'



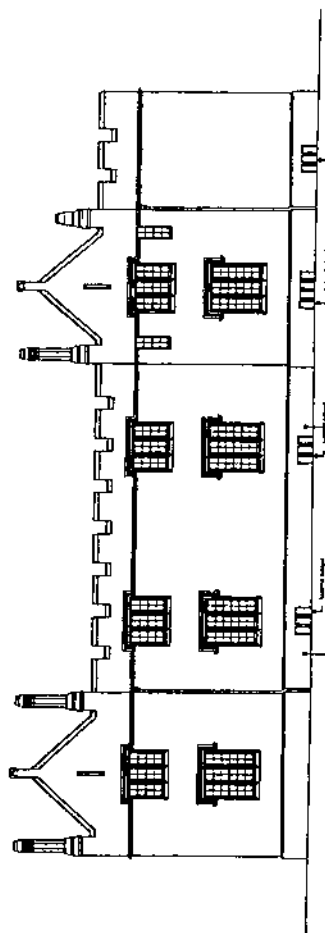
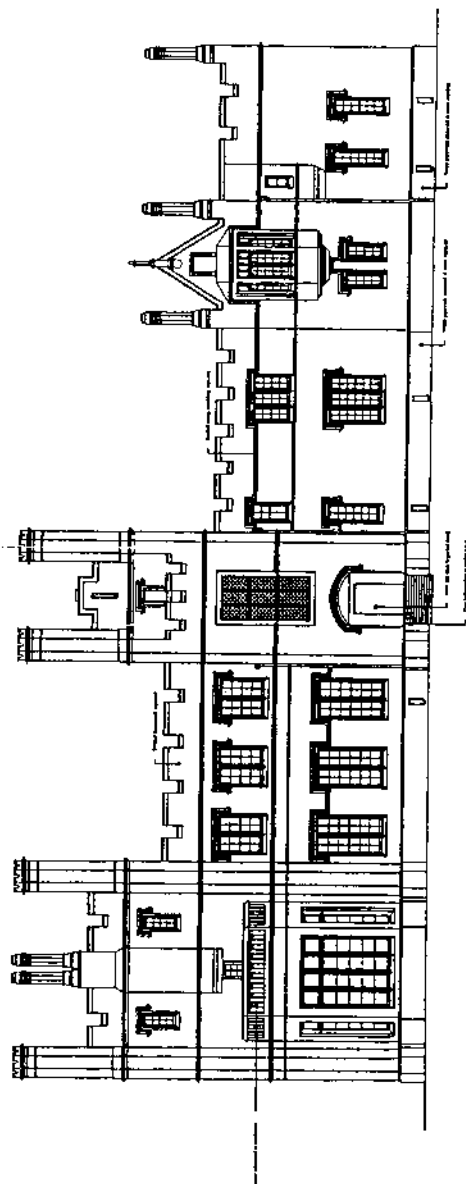
HOLME EDEN

WARWICK BRIDGE, CUMBRIA CA4 8RD

SECOND FLOOR PLAN AS PROPOSED

1:100

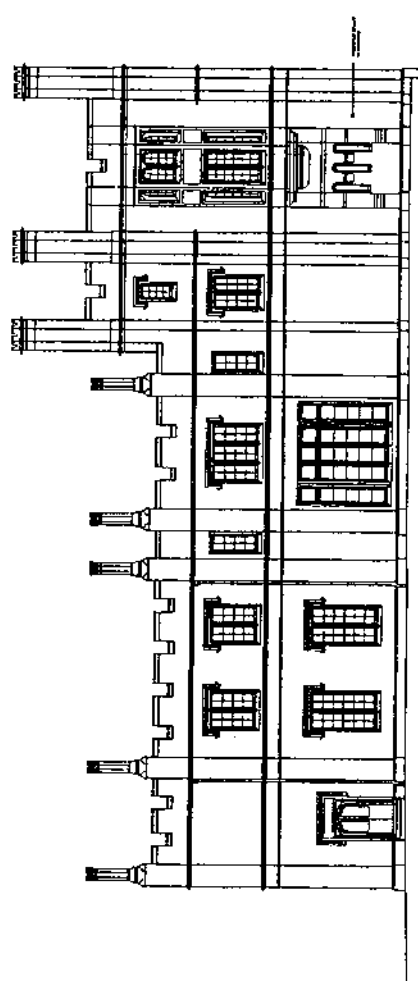
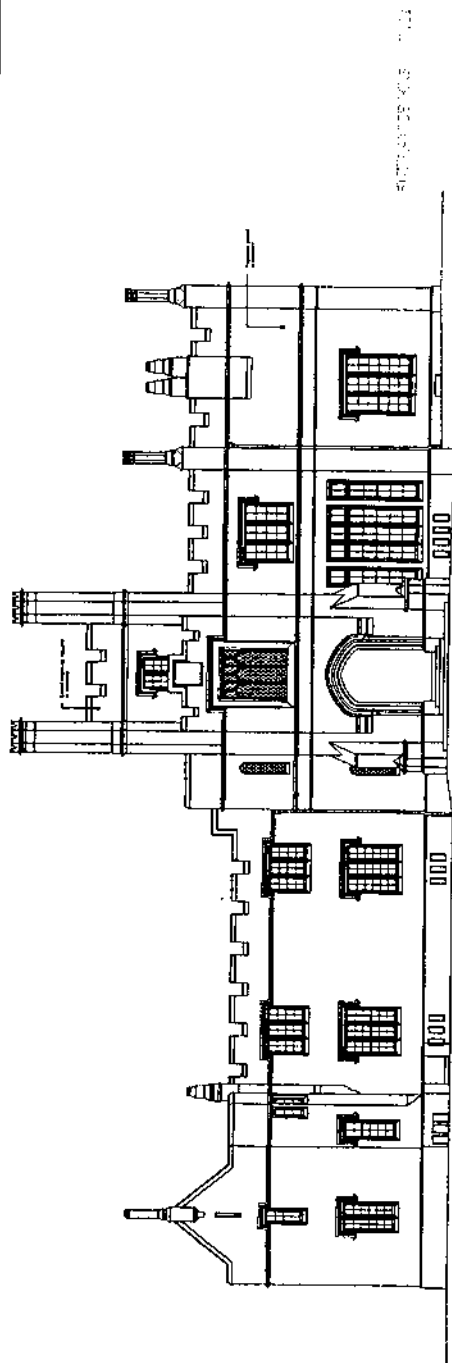
Room Storage Architecture, 2 Springfield Place, Bath BA1 1SA



HOLMES BUILDING

WALLACE BAKER, CHICAGO, ILL. 1914
 HAZARD & BROTHERS, CHICAGO, ILL. 1914
 1914

RECEIVED
 1914



FOLGER HALL

WATERBURY, CONNECTICUT

SOUTHERN ELEVATIONS AND INTERIORS

1900

From Shapley Architects, 4 Sprague Street, New York City

REPRODUCED

ROSLIN

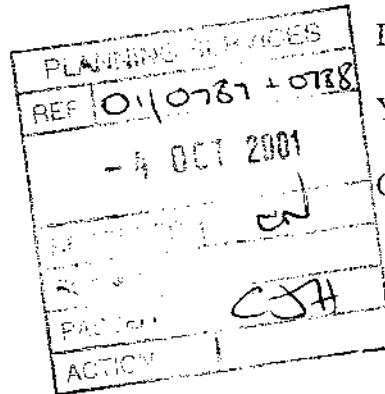
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ENGLISH HERITAGE

NORTH WEST REGION

Mr J.Hamer
Planning Services
Carlisle City Council
Civic Centre
CARLISLE
CA3 8QG



Direct Dial: 0161 242 1413
Your Ref: 01/0787 and 0788
Our Ref: CU/35768 and 35769
03 October 2001

Dear Mr Hamer

HOLME EDEN ABBEY, WARWICK BRIDGE

Thank you for your letter of 7 September 2001, regarding the listed building consent and planning applications for residential conversion at the above Grade II* listed building. I have arranged to visit the site on 24 October with Richard McCoy, to familiarise myself with the site in order to fully consider the impact of the current proposals on the special interest of this important historic building.

Your authority should aim to be satisfied that this proposal represents the optimum viable use for the building, according to the advice within PPG15 (see paragraphs 3.8 to 3.9). I note that the applicants have consulted Richard McCoy and that their proposals have endeavoured to avoid internal subdivision and to respect the integrity of the building's interior. I welcome this approach, but without seeing the interiors it is difficult to offer full advice. I am aware that the building may have suffered from inappropriate changes in its previous use as a residential institution and the careful removal of these insertions will be important.

Your authority should carefully consider the impact of the requirements of the Building Regulations, including thermal insulation, and other issues such as disabled access, prior to determining the applications. Paragraphs 3.26 – 3.28 of the PPG gives some advice on this. Also, the insertion of new services such as plumbing, mechanical ventilation, individual heating systems and television aerials needs to be carefully considered, to minimise damage to the character and fabric of the building. The current plans provide no information on these matters; you will need to seek full details. Provided that an appropriate approach is agreed, the details could perhaps be agreed by the use of conditions.

I support the removal of the metal staircases with less intrusive arrangements, but I would query the choice of a pastiche approach as this risks confusing the historical development and architecture of the building and a simple, more contemporary approach may be preferable.

I very much welcome the applicant's proposals to restore the historic landscape for Holme Eden. I look forward to seeing this at the site visit. Your authority will be able to

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agree the details of the landscape works by condition, but you may like to consider the use of a Section 106 agreement to secure this part of the project.

I hope that this letter provides interim advice. I will write again following the site visit on 24 October, but please contact me if you would like to discuss this in the meantime.

May I also remind you of the need to refer the listed building consent application to the Secretary of State, if your authority is minded to approve the proposals. Please send copies of all drawings, with correspondence, a list of proposed conditions, draft section 106 agreement and an explanation of why you are minded to grant consent.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Marion Barter'. The signature is fluid and cursive, with the first name 'Marion' written in a larger, more prominent script than the last name 'Barter'.

Marion Barter
Historic Buildings Inspector



ENGLISH HERITAGE

A M Taylor Esq
Chief Development Control Officer
Planning Services Division
Department of Environment and Development
Carlisle City Council
The Civic Centre
CARLISLE
CA3 8QG

NORTH WEST REGION

Your ref: 01/0788
Our Ref: CU/

04 January 2002

PLANNING SERVICES	
REF	01/0788 CU
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ACTION	

For the attention of Mr J Hamer

Dear Sir

**NOTIFICATION UNDER ENVIRONMENT CIRCULAR 01/2001
APPLICATION FOR PLANNING CONSENT
HOLME EDEN ABBEY, WARWICK BRIDGE, CARLISLE, CUMBRIA**

Thank you for your letter of 27 November 2001 sending English Heritage amended details on the application for planning consent for the above site. I apologise for the delay in responding caused by staff absence due to illness.

English Heritage has no comment to make on the Traffic Impact Assessment in general, but we feel that before determining the application the Council should seek and agree full details of the wall realignment at Holme Eden Cottages.

If your authority is minded to grant consent you are reminded that the Directions in Environment Circular 01/2001 require you to notify the Secretary of State. In doing so, you will speed up the response if you attach a copy of this letter with your notification accompanied by

1. a confirmation of any amendments subsequent to this letter;
2. an explanation of why you are disposed to grant consent;
3. the extent to which your authority has taken on board any concerns raised by English Heritage and other consultees;
4. a list of the conditions proposed to be attached to the consent.

Yours faithfully

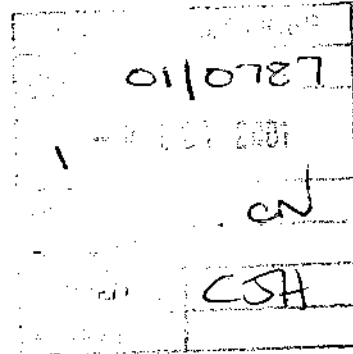
Beverley Jackson
North West Region

Daisy Hill
Warwick on Eden
Carlisle
Cumbria
CA4 8PA

Carlisle City Council
A C Eales Head of Planning Services
Department of Environment & Development
The Civic Centre
Carlisle
CA3 8QG

1 October 2001

Dear Mr Eales



HOLME EDEN ABBEY WARWICK BRIDGE = CONVERSION TO FLATS

Whilst we have no objection to this proposed development on the grounds that the building will deteriorate if it is not properly maintained and cared for. We would like the following point considered in giving the building planning permission. Will the development in any way alter the buildings uniqueness in being a calendar house? If it will then we would like to raise an objection to planning consent being given and ask that the plans are redrawn to ensure that the aspects that make it a calendar house are in no way altered.

Yours faithfully

A & CRH BAKER

Mr Alan Taylor
Planning Services
Carlisle City Council

PLANNING
REF 01/0787
② - 4 OCT 2001
ACTION

① 869/870
①

Mr Terry Jones
1 Holme Eden Farm Cottages
Warwick Bridge
Carlisle CA4 8RQ

3 October 2001-10-03

Dear Sir



I am writing as a resident of Holme Eden Farm Cottages in Warwick Bridge in relation to the planning applications by DARE Northern (Development and Regeneration Excellence) for developments in the immediate vicinity of my property. I wish to raise a number of objections to the proposals.

For purposes of clarification, I am aware that there are currently two separate planning applications.

The first of these for the development of twelve residences affects, principally, the Abbey building itself and entails the development of the access road to the Abbey building which runs alongside the lodge immediately after the Bridge at Warwick Bridge. On that application, the proposed developments do not infringe on my property and I have no objections to raise.

The second planning application submitted by DARE relates to developments of the walled garden site which is adjacent to the courtyard at Holme Eden (the site of five residences, including my property: address above). It is in relation to this proposal that I wish to raise the following objections. I wish to preface these objections by pointing out that I have a legal entitlement to be informed by post of planning applications: to date, that has not happened.

1. The proposed one way road from the Abbey building into the courtyard would infringe directly on to my property (specifically in relation to the garden at the rear of my property) because the width of access is insufficient for it to be avoided.
2. The use of this proposed one way road from the Abbey into the courtyard by vehicular traffic represents a compromise to the structural integrity of my property given that the distance between the proposed road and the wall of my property could be no more than a metre. As such the road would infringe on to the foundations of my property.
3. The proposed road is one way, but I have existing vehicular and pedestrian access against the proposed flow of one way traffic, specifically as access to a site for a garage located at the bottom of my garden. I have recently demolished the old garage and I intend to replace it with one of the same dimensions. The exit from my garage site is immediately on to the proposed road with no separation at all.
4. The proposed road is directly alongside the length of my garden. The distance between the garden and the proposed road could be no more than inches at best, and would constitute a direct intrusion into my property.
5. The pathway from the immediate front of my property on to the proposed road is blind and would entail stepping directly on to the road in the face of incoming traffic. As such it represents a potential hazard to the residents.
6. The proposed development plans do not show an outbuilding of my property which is built on to the walls of the garden. Access to that outbuilding would be similarly jeopardised by on coming traffic from the direction of the Abbey.

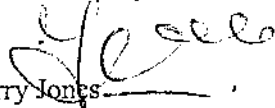
7. Egress from the courtyard for the current five residents of the properties situated there would be jeopardised by the traffic intended to enter and exit from the proposed new two road into the walled garden.

In addition to the above, I wish to raise the following objections.

It is clear that the proposed one way road from the Abbey building into the courtyard is intended to serve the residents of the new developments proposed for the Abbey building. The road would run one way from the Abbey. This proposed development is not indicated as part of the first planning application, but has been included on the second planning application. As such it is probable that the road itself is intended to serve as a lever for further planning applications immediately to the rear of the courtyard. The proposed one way road has been excluded from the first planning application of which it is clearly an integral part.

I would like these objections to be put before all members of the Planning Committee who have oversight responsibilities in relation to these planning applications.

Yours sincerely


Terry Jones

MR & MRS J MCANDREW BRUCE

2 Holme Eden Farm Cottage,
Warwick Bridge,
Carlisle,
Cumbria,
CA4 8RQ.
Phone: 01228 561019
Mobile: 07719911073

PLANNING SERVICES	
REF	01/0788
- 9 OCT 2001	
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ACTION	

8 October 2001

Mr J Hamer,
Department of Environment & Development
Planning Services Division
The Civic Centre,
Carlisle,
CA3 8QG

Dear Sir,

Proposal: Refurbishment and adaptation of Holme Eden Abbey to form 12no.
residential apartments

Location: Holme Eden Abbey, Warwick Bridge, Carlisle, Cumbria

Appn Ref: 01/0788 /

Your ref: CJH/DC/01/0788

Thank you for your letter dated 3rd September 2001. We observe as to the refurbishment adaptation of Holme Eden Abbey. We have also observed the proposed adaptation to the Walled Garden Development, with proposed traffic flows and proposed highway alterations.

We would object to this proposal on the following grounds,

- 1/ The safety of the children in the courtyard
- 2/ The safety of the children getting anywhere from the courtyard (in & out)
- 3/ The safety of all school children getting to and from school
- 4/ The Lollipop Lady stands at the corner where the roundabout is proposed to be put, if the roundabout goes ahead she will have to be moved, this will greatly compromise the safety of the children, she was placed in that position for road safety reasons
- 5/ The dustcart is not permitted to enter the courtyard, this would mean that rubbish from 31 dwellings would be placed at the end of the courtyard. This would also mean that the dustcart would have to stop on the roundabout to collect the rubbish
- 6/ We bought our property on the assumption that it was a safe and quiet secluded place, if these proposals go through this would not be so
- 7/ To our minds the property would be devalued if these proposals go through, because of the amount of traffic they would create
- 8/ Traffic would disrupt ourselves and the owners of 1 and 3 Holme Eden Farm Cottages from getting to the rear of our properties (children bringing bicycles to and

from, adults bringing garden waste, cars motor bikes etc,)


9/ Ourselves and No.1 have got vehicle access to the rear gate, this would be disrupted, as the proposed road leading from the Abbey is one way coming from the Abbey

10/ The extra traffic will disrupt 1 The Steadings as it will pass under their master living room window

11/ The extra traffic will disrupt 1 Holme Eden Farm Cottage as it will pass their kitchen window

12/ There is a Bus stop on the A69 where the proposed roundabout is to be put

Sincerely,

A handwritten signature in black ink, appearing to read 'Katrina McAndrew Bruce', written over a horizontal line.

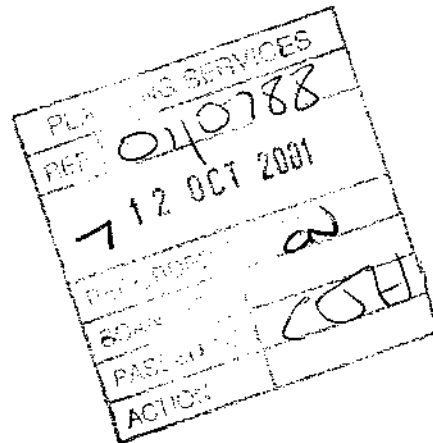
Katrina McAndrew Bruce

MR M. J. EYRE,

1 The Steading,
Warwick Bridge,
Carlisle,
Cumbria,
CA4 8RE.

8 October 2001

Mr J Hamer,
Department of Environment & Development
Planning Services Division
The Civic Centre,
Carlisle,
CA3 8QG



Dear Sir,

Proposal: Refurbishment and adaptation of Holme Eden Abbey to form 12no.
residential apartments

Location: Holme Eden Abbey, Warwick Bridge, Carlisle, Cumbria

Appn Ref: 01/0788 /

Your ref: CJH/DC/01/0788

Thank you for your letter dated 3rd September 2001. We observe as to the refurbishment adaptation of Holme Eden Abbey. We have also observed the proposed adaptation to the Walled Garden Development, with proposed traffic flows and proposed highway alterations.

We would object to this proposal on the following grounds,

- 1/ The safety of the children in the courtyard
- 2/ The safety of the children getting anywhere from the courtyard (in & out)
- 3/ The safety of all school children getting to and from school
- 4/ The Lollipop Lady stands at the corner where the roundabout is proposed to be put, if the roundabout goes ahead she will have to be moved, this will greatly compromise the safety of the children, she was placed in that position for road safety reasons
- 5/ The dustcart is not permitted to enter the courtyard, this would mean that rubbish from 31 dwellings would be placed at the end of the courtyard. This would also mean that the dustcart would have to stop on the roundabout to collect the rubbish
- 6/ We bought our property on the assumption that it was a safe and quiet secluded place, if these proposals go through this would not be so
- 7/ To our minds the property would be devalued if these proposals go through, because of the amount of traffic they would create
- 8/ Traffic would disrupt the owners of 1, 2 and 3 Holme Eden Farm Cottages from getting to the rear of our properties (children bringing bicycles to and from, adults bringing garden waste, cars motor bikes etc.)
- 9/ 1 and 2 Holme Eden Farm Cottages, have got vehicle access to the rear gate, this

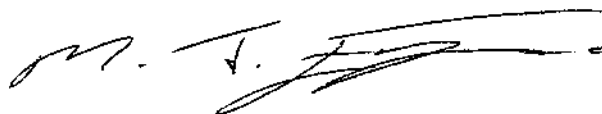
would be disrupted, as the proposed road leading from the Abbey is one way coming from the Abbey

10/ The extra traffic will disrupt us, as it will pass under our master living room window

11/ The extra traffic will disrupt 1 Holme Eden Farm Cottage as it will pass their kitchen window

12/ There is a Bus stop on the A69 where the proposed roundabout is to be put

Sincerely,

A handwritten signature in black ink, appearing to read 'M. J. Eyre', with a long horizontal flourish extending to the right.

M. J. Eyre.

Planning Application – Holme Eden Abbey – Change of access at Warwick Bridge

I observed with serious concern an application for a roundabout on the junction of the A69 – Carlisle – Newcastle road with the Warwick bridge - Newby West road.

I live in Esk House, Warwick Bridge which is right on the junction of these two roads and I am appalled that it can even be considered. The prospect of vehicles that now pass my house actually stopping and pulling away on my very doorstep dismays me. The noise of squealing brakes, low gear pulling away will be unbearable and the exhaust fumes which are belched out, particularly by the HGV,s will be a serious health hazard to my children (two of which are asthmatic) My quality of life will be seriously impaired and what effect on the value of property – I shudder to think!

I have previously applied for an access for one vehicle onto this bend. This was to enable me to convert an outbuilding into a 'granny flat' for my aged mother and was told under no circumstances would vehicle access be permitted onto this part of the road, so how all of a sudden is it to be considered?

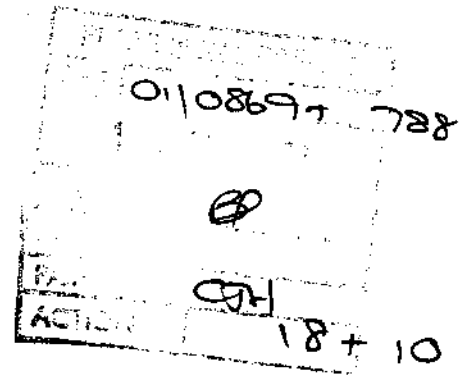
I wish to object in the strictest possible terms against this proposal.

G. Winrow

Mr G Winrow
Esk House
Warwick Bridge.

PLANNING	10/02/09
REF	01/0269 + 01/0788
8	10/02/09
RECEIVED	01/02/09
20/02/09	01/02/09
20/02/09	01/02/09
20/02/09	01/02/09
20/02/09	01/02/09

CAIRN HOUSE
WARWICK BRIDGE
CARLISLE
CUMBRIA CA4 8RL
Telephone 01228 560 253



Councillor John Collier
Chairman Planning & Land Use Committee
Carlisle City Council
Civic Centre
Carlisle CA3 8QG

10th January 2002

Dear Mr Collier,

Re: PLANNING APPLICATION FOR ONE SYSTEM HOLME EDEN ABBEY

We are thankful that the mini roundabout plan has been discarded. In our view this plan should never have even been contemplated.

However, we are horrified to learn that the City Council and the Highways Agency have approved a one way system from Holme Eden Abbey, which will mean traffic exiting onto the A69 by Warwick Bridge. It seems incredible to us, who have to negotiate the, already, extremely dangerous bridge, on a curve, with a road from Great Corby on the opposite side, that such a plan should be approved. It is a part of the road, where you must know, there are already accidents, most of them thankfully minor, but where a major accident involving the many heavy lorries who cross the bridge, is waiting to happen.

As local inhabitants, we are amazed that anyone could allow such a plan to go through, and further surprised that the Highways Agency, who have consistently refused us a by-pass, should allow such a plan. We sincerely hope that common sense will prevail and the plan will be turned down on reflection.

Yours sincerely

R.K. May

Copy to Councillor JRD Robinson

SCHEDULE A: Applications with Recommendation

ITEM NO. 13

Date of Committee: 01/02/2002

APPN REF NO: 01/0787 /	APPLICANT: Dare (Northern) Ltd	PARISH: Wetheral
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DATE OF RECEIPT: 31/08/2001	AGENT: Countryside Planning	WARD: Wetheral
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LOCATION: Holme Eden Abbey, Warwick Bridge, Carlisle Cumbria	GRID REF: 347184 557020
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PROPOSAL: Refurbishment and sub-division of Holme Eden Abbey to form
12no. residential apartments (LBC)

REPORT

PLANNING POLICIES:-

LISTED BUILDING

The proposal relates to a building which has been listed as being of Special Architectural or Historic Interest.

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E34

Applications for alterations or extensions to listed buildings must have regard to the scale, proportions, character and detailing of the existing building (both internally and externally) and of its windows and doorways. Any proposals which adversely affect the listed building will not be permitted.

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E36

The change of use of a listed building will be permitted provided it would not have a detrimental effect on the special architectural and historical interest of the building and neighbouring properties.

CARLISLE DISTRICT PLAN TRANSPORT - POLICY T3

Proposals for development which materially increase the traffic movement on the road network will need to be accompanied by a Traffic Impact Assessment. The City Council will usually require any road improvements or new highways, identified as being necessary by the assessment, to be funded by the developer. Such work should be consistent with the role and function of the highway. In the case of trunk roads all the costs will be borne by the developer and the scheme should be designed to be consistent with the Department of Environment, Transport and Regions' design horizon.

SUMMARY OF CONSULTATION RESPONSES:-

See application 01/0788.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0787 /

SUMMARY OF REPRESENTATIONS:-

See application 01/0788.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

The building was a nunnery until 1983 when planning permission was granted for its use as a retired persons home. Since then six listed building consent applications for minor alterations to the building have been approved.

DETAILS OF PROPOSAL

This application, for listed building consent is for some proposal as application 01/0788 which precedes it in the schedule.

RECOMMENDATION:-

APPROVE WITH CONDITIONS

1. Listed Building Consent - 5 years
2. Materials - submission of samples
3. Hard surface details
4. Details of Const - Roads & Footpaths
5. Roads/Occupation of Dwellings-Timing (1)
6. No development shall commence until visibility splays providing clear visibility of 92.5 metres x 4.5 metres x 148 metres measured down the centre of the access road and the nearside channel line of the major road have been provided at the junction of the access road with the county highway. Notwithstanding the provision of The Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splay which obstruct the visibility splays.
7. All highway improvement works, and related highway traffic measures necessitated by the proposed development, including carriageway widening, provision of amended stabling lane, the re-siting of traffic signs, lane marking and the re-siting or protection of existing services, shall be based on the details shown on the submitted drawing nos. 1 and 2 and any other schedule of drawings or works incorporated in an agreement to be entered into by the applicant and the highways agency (as highway authority) under the provisions of Section 278 of the Highways Act 198.
8. Notwithstanding any landscaping proposals already submitted, before development commences, detailed plans shall be submitted for the restoration of the site and grounds. The submitted details shall include:

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0787 /

- i. details of the proposed type and species of all planted material including particulars of the proposed planting heights and densities;
 - ii. a management plan for the future maintenance of the landscaped grounds.
9. Scheme to be implemented and maintained
10. Before development commences, details shall be submitted to and approved by the local planning authority of the position of electrical wiring in the ground floor units. The work shall then be carried out in accordance with the approved details.

SCHEDULE A: Applications with Recommendation

ITEM NO. 14

Date of Committee: 01/02/2002

APPN REF NO: 01/0869 /	APPLICANT: Dare (Northern) Ltd	PARISH: Wetheral
DATE OF RECEIPT: 25/09/2001	AGENT: Countryside Planning	WARD: Great Corby & Gel
LOCATION: L/A walled gardens - Holme Eden, Warwick Bridge, Cumbria	GRID REF: 347300 556900	
PROPOSAL: Restoration of wall and gardens, erection of 13no. dwellings within walled garden and erection of 2no. garage block with accommodation over together with alterations to highway junction		

REPORT

PLANNING POLICIES:-

LISTED BUILDING

The proposal relates to a building which has been listed as being of Special Architectural or Historic Interest.

CUMBRIA & LAKE DISTRICT JOINT STRUCTURE PLAN POLICY 40

In rural settlements outside the National Parks and AONBs, housing development will normally be permitted, especially where it would help to sustain the existing local community, and provided it is in sympathy with the scale and character of the existing settlement. Outside rural settlements, new dwellings will normally only be permitted for those engaged in agriculture where such a dwelling is essential for the working of the farm.

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E31

On land for which there is no archaeological information, but where there are reasonable grounds for believing remains to be present, the City Council will ensure that the archaeological aspects of development proposals are examined and evaluated before planning applications are determined. Planning permission will not be granted without adequate assessment of the archaeological implications.

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E35

Proposals for new development which adversely affect a listed building or its setting will not be permitted. The City Council will seek to encourage any new development to be sympathetic in scale, character and materials.

CARLISLE DISTRICT PLAN HOUSING - POLICY H5

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0869 /

Within the following settlements, large scale residential development will not be permitted. Proposals for small scale residential development will normally be acceptable providing that:

1. the site is well related to the landscape of the area and does not intrude into open countryside; and
2. the scale of the proposed development is well related to the scale, form and character of the existing settlement; and
3. the layout of the site and the design of the buildings is well related to existing property in the village; and
4. the siting and design of the buildings is well related to and does not adversely affect the amenity of neighbouring property; and
5. appropriate access and parking can be achieved; and
6. the proposal will not lead to the loss of amenity open space within or at the edge of the settlement; and
7. the proposal will not lead to the loss of the best and most versatile agricultural land.

Aglionby, Baldwinholme, Banks, Barclose, Beaumont, Blackford, Blackwell, Boltonfellend, Boustead Hill, Broadwath, Brisco, Brunstock, Burgh-by-Sands, Burnrigg, Cardewlees, Cargo, Carleton, Castle Carrock, Cotehill, Cumdivock, Cummersdale, Cumrew, Cumwhinton, Cumwhitton, Durdar, Easton, Farlam, Faugh, Fenton, Gaitsgill, Gilsland, Great Corby, Great Orton, Grinsdale, Hallbankgate, Harker, Hayton, Hayton Townhead, Heads Nook, Hornsby, Houghton, How Mill, Irthington, Kirkcambeck, Kirkandrews-on-Eden, Knells, Lanercost, Laversdale, Linstock, Little Orton, Low Crosby, Longburgh, Low Row, Lyneholme, Midgeholme, Milton, Moat, Monkhill, Moorhouse, Newby East, Newtown, Raughtonhead, Rockcliffe, Rickerby, Scaleby, Scotby, Smithfield, Stainton, Stockdalewath, Talkin, Tarraby, Thurstonfield, Tindale, Todhills, Walton, Warwick-on-Eden, Warwick Bridge (Including Little Corby & Corby Hill), Westlinton, Wetheral, Wetheral Pasture.

CARLISLE DISTRICT PLAN TRANSPORT - POLICY T3

Proposals for development which materially increase the traffic movement on the road network will need to be accompanied by a Traffic Impact Assessment. The City Council will usually require any road improvements or new highways, identified as being necessary by the assessment, to be funded by the developer. Such work should be consistent with the role and function of the highway. In the case of trunk roads all the costs will be borne by the developer and the scheme should be designed to be consistent with the Department of Environment, Transport and Regions' design horizon.

CUMBERIA & LAKE DISTRICT JOINT STRUCTURE PLAN POLICY 36

Development will not normally be permitted where there is insufficient capacity in the service or transport infrastructure. Permission may be

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0869 /

granted where satisfactory improvements can be made at the developer's expense.

SUMMARY OF CONSULTATION RESPONSES:-

HIGHWAYS AGENCY: The Highways Agency objected to the original proposal, including a mini-roundabout, on highway safety grounds. The revised proposal involved an entrance adjacent to Little Corby Road and a one-way route through the site and exit next to the Eden Bridge is regarded as acceptable, subject to conditions.

HIGHWAYS AUTHORITY: The County Council as highway authority has an interest in this application, from the point of view of the County roads (i.e. Little Corby Road) and the school crossing patrol. Comments are awaited.

CUMBRIA COUNTY COUNCIL (STRATEGIC PLANNING): At a meeting on 28th November, the County Council Development Control and Regulation Committee deferred consideration of this matter to enable members to visit the site. The site visit took place on December 11th, and the application was reconsidered at a meeting on 20th December, when it was resolved that a strategic objection be submitted. The grounds for the objection are that the proposal is unsatisfactory from a highway safety point of view, and therefore conflicts with Structure Plan Policy 36.

WETHERAL PARISH COUNCIL: The Parish Council's initial observations were supportive of the principle of the proposal, but raised concerns that the quality of design should be maintained, and proposals for the restoration maintenance of the landscaped gardens should be guaranteed. Further observations raised objections to the mini-roundabout proposal, and also the current traffic solution, on highway safety grounds.

HAYTON PARISH COUNCIL: Hayton Parish Council objected to the proposal for the mini-roundabout on the grounds that this would make an existing unsatisfactory junction worse.

ENVIRONMENT AGENCY: The site is in a low/medium flood risk area, and a flood risk assessment is required. This has been carried out and has been accepted by the Agency.

ENGLISH HERITAGE: English Heritage have commented on the various issues raised by the application, and their letter is reproduced in the Schedule. The response is broadly supportive but it is recommended that safeguards should be sought via a Section 106 agreement to ensure the implementation of the restoration of the landscaped grounds, and to ensure that the repair and conversion of the listed building proceeds in tandem with the walled garden development.

ARCHAEOLOGY: Initially, it was recommended that as the site was of archaeological interest, a pre-determination evaluation should be carried out in accordance with normal practice. In

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0869 /

this instance however the applicant does not own the site and has not been able to obtain access to carry out the evaluation. In this exceptional case therefore it has been recommended that this issue could be dealt with by means of a condition.

COUNCIL FOR THE PROTECTION OF RURAL ENGLAND: The site is not infill, but it is acknowledged that the site represents a logical extension to Warwick Bridge. It is argued however that because the site is a greenfield windfall site, it falls within the ambit of paragraphs 35 and 36 of the new version of PPG3. These two paragraphs exclude greenfield land from the definition windfall sites, which can only be brought forward by local plan allocations.

SUMMARY OF REPRESENTATIONS:-

This application has been advertised by means of site and press notices and neighbour notification. Thirteen letters of objection have been received including one from Warwick Bridge School, plus a petition signed by 338 people. Overwhelmingly the issue raised is opposition to the mini-roundabout as proposed by the original submission, although it follows that the points made would also apply to the current highway proposal.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

There is no planning history relating specifically to the walled garden. For planning history related to the Abbey itself, see report on application 01/0788.

DETAILS OF PROPOSAL

This application, and 01/0870, for listed building consent, both relate to the same proposal, for residential development within the walled garden of Holme Eden Abbey, Warwick Bridge. The applications were deferred at the meeting on 14th December, with authority to issue, subject to the following points:

- i. completion of a legal agreement linking the walled garden development with the conversion of the Abbey;
- ii. clarification of the highway conditions are recommended by the Highways Agency;
- iii. the views of the County Council as strategic planning authority. The County Council have now submitted a strategic objection, and the application is therefore reported back to Committee.

It will be recalled that the walled garden is situated to the east of the Abbey building, close to Holme Eden Cottages and the former eastern access to the Abbey itself. It consists of a brick wall some 2.4 metres high dating from the same period as the Abbey building itself enclosing an area of 1.08ha.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0869 /

Attached to the wall on its eastern side is a building formerly used as a gardener's cottage. Formerly used as a kitchen garden for the house, the area within the wall is now used as allotments.

It is proposed to develop the area within the wall, with the erection of thirteen new build dwellings to create an almshouse style courtyard development. Two new buildings to the east and south east sides of the walled garden will provide parking, with two residential units over. The layout of the development shows the new dwellings around the perimeter of the garden, in terraced form. They are of traditional character, with stone/brick walls, slate roofs, and traditional timber windows. The central courtyard is to be laid out as a formal garden.

In addition to garaging, twenty four car parking spaces are proposed, with access around the eastern perimeter of the walled garden. The proposal also includes the restoration of the informal gardens outside the wall. This area has been overgrown to the point where a summerhouse cannot be seen in the summer as a result of the growth of weeds and self sown trees and shrubs.

As submitted access to the site was proposed to be linked to the rest of the Holme Eden Abbey site, whereby there would be a one way access only to the Abbey via the existing access east of the bridge, with a new exit track from the Abbey to a new mini-roundabout to the Little Corby Road junction. Traffic to and from the walled garden development would both enter and leave the site via the mini-roundabout. A Traffic Impact Assessment accompanied the application, which recommended this solution. This would also have involved the relocation of the existing school patrol, presently located at the Little Corby Road junction, to a new zebra crossing, further west along the main road. This scheme has now been amended, so that the mini-roundabout has been deleted, and the traffic flow reversed, so that vehicles would enter the site via the Little Corby Road junction, and exit via the existing entrance east of the River Eden Bridge.

The proposal raises a number of complex issues, some of which also relate to the applications for the conversion of Holme Eden Abbey itself.

Firstly, the proposal must be examined on the Policy H5 of the District Plan. In this regard, it will be noted that the site adjoins the built up area of Warwick Bridge, with Holme Eden Cottages immediately to the east. Apart from this and the fact the site is largely contained by the wall itself, it is also enclosed by the dense belt of mature trees which separate it from the open parkland landscape leading to the river. The site is therefore considered to be well related to the form and character of Warwick Bridge and consistent with the locational criteria of Policy H5; the issue of highways is dealt with in more detail below.

It will be noted that the CPRE have commented that this site is

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0869 /

contrary to the version of PPG3 because greenfield sites cannot be regarded as new windfall sites and can only be brought forward as local plan allocations. This is obviously a wider issue and clarification has been sought, but Officers' initial view is that this interpretation of PPG3 is not correct. Apart from the three largest settlements of Longtown, Brampton and Dalston, and the remoter rural area, Policy H5 of the District Plan is the basis on which the acceptability or otherwise for any proposal for residential development in a rural settlement is judged. Inevitably, a major proportion of these are undeveloped, greenfield sites. Only those sites complying with the H5 criteria should be approved, and these obviously comply with the policy and the development plan generally. It can therefore be argued that Policy H5 operates as the means of allocating individual sites in the settlements to which it refers. The interpretation advocated by the CPRE would mean firstly that no greenfield sites could be approved in the bulk of settlement in the rural area until such time as the District Plan is reviewed and replaced; and secondly when that review takes place the basis of policy would have to change away from the present criteria based policy to a policy whereby individual sites would have to be allocated (i.e. village plans). Officers have always resisted such an approach.

The second issue is the impact of the development on the setting of Holme Eden and the fabric of the wall. The wall is not listed in its own right, but it is a curtilage structure and therefore listed building consent is required for the development. The site is some 150 metres away from the Abbey itself, and is screened by the existing trees. Furthermore the wall itself will substantially screen the development, with only the roofs visible from outside. The only significant exception to this is the proposed garage blocks between the wall and the A69. These will be clearly visible from the main road, where the perimeter wall is only approximately 1.5 metres high, but this view will be from the developed part of the village in the context of other buildings (e.g. Holme Eden Cottages). The development will also enable the fabric of the wall to be maintained in the future. The proposal is therefore considered acceptable in terms of Policy E35.

A related issue is archaeology. Members will be aware that where a site is considered likely to be of archaeological interest, it is normal practice in accordance with advice in PPG16, to request an evaluation to be carried out before the application is determined. This will demonstrate the extent of archaeological remains on the site, and form the basis for a condition requiring further work if this is required. In this particular case, the applicants do not own the site and have not been able to obtain access to carry out an evaluation. Exceptionally therefore, it is considered that an evaluation would not be a requirement, and that a condition requiring an investigation to be carried out would suffice.

A further consideration is the link between the walled garden development and the conversion of Holme Eden Abbey itself. It has been made clear by the applicants that the walled garden

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0869 /

proposal is not required to finance the conversion proposal, and that it is not therefore enabling development, without which the conversion and re-use of the listed building would not be able to proceed.

Whilst there is not therefore a link between the two proposals in that sense, it is nevertheless necessary to consider the issue of the phasing of the two proposals. It would clearly be undesirable for the walled garden development to proceed whilst the listed building remained empty, and possibly deteriorated. It is therefore considered necessary, if both proposals are approved, to have a Section 106 agreement which links progress on the two schemes and ensures that work on the conversion proposal proceeds along with the walled garden development. The agreement could also include provision for the implementation of the restoration and maintenance of the landscaped grounds, as recommended by English Heritage.

Finally there is the issue of highways. As stated above, the application was submitted on the basis of the provision of a mini-roundabout at the Little Corby Road junction, with traffic to and from the walled garden using this access. This has now been amended so that all traffic would enter the site via the entrance next to Little Corby Road, and exit by going round the western perimeter of the walled garden, along the track past the Abbey and out via the existing exit. It will be noted that it is the aspect of the proposal which is the focus of almost all the objections to the proposal, on the basis that the mini-roundabout would make traffic conditions at this already unsatisfactory junction worse.

It will be noted that the application has been referred to the Highways Agency and the County Council as highway authority for the County roads. The Agency's response to the mini-roundabout proposal was that it did not comply with the required standards and was not acceptable. Their response to the amended one-way scheme was received shortly before the meeting on 14th December, and indicated that the proposal was considered acceptable, although the wording of the conditions still needed to be resolved. It was on this basis that the authority to issue an approval was given by members.

The application has been included in the schedule for this meeting as a result of a strategic objection for the County Council. Copies of both the report to the County Council Committee and the decision letter with details of the objection are included in the schedule, and it will be noted that the objection is made on highway grounds, in that the County Council "considered that this proposal would generate an unacceptable increase in traffic at the junction of the A69 and Little Corby Road (easterly access) and the A69 junction adjacent to the Lodge (westerly access)". The proposal is considered contrary to Structure Plan Policy 36.

In considering this issue, members will be aware that it is the view of the Highways Agency as highway authority which is of paramount importance. Following lengthy consideration of the

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0869 /

alternatives, the Agency have confirmed acceptance of the latest proposal, with an entrance at Little Corby Road, with exit at the Lodge. Whilst members will no doubt wish to reconsider the issue in the light of the County Council objection, Officers consider that there is no basis for the refusal of the application on highway grounds, and it is recommended that authority be given for the issue of an approval, subject to completion of a legal agreement.

RECOMMENDATION:-

APPROVE WITH CONDITIONS

1. Standard time limit
2. Details of Const - Roads & Footpaths
3. Roads/Occupation of Dwellings-Timing (1)
4. No development shall commence until visibility splays providing clear visibility of 92.5m x 4.5m x 148 metres measured down the centre of the exit road and the nearside channel line of the trunk road have been provided at the junction of the access road with the county highway. Notwithstanding the provision of The Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splay which obstruct the visibility splays.
5. All highway improvement works, and related highway traffic measures necessitated by the proposed development, including carriageway widening, provision of amended stabling lane, the re-siting of traffic signs, lane marking and the re-siting or or protection of existing services, shall be based on the details shown on the the submitted drawing nos. 1 and 2 and any other schedule of drawings or works incorporated in the agreement to be entered into by the applicant and the Highways Agency (as highway authority) under the provisions of section 278 of the Highways Act 1980.
6. Materials - submission of samples
7. Hard surface details
8. No development shall commence within the site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.
9. The finished ground floor levels shall not be less than 22.460m AOD (this level includes 600mm freeboard).
10. Notwithstanding any landscaping proposals already submitted, before development commences, detailed plans shall be submitted for the restoration of the site. The submitted details shall include:
 - i. details of the proposed type and species of all planted material including particulars of the proposed planting heights and

SCHEDULE A: Applications with Recommendation

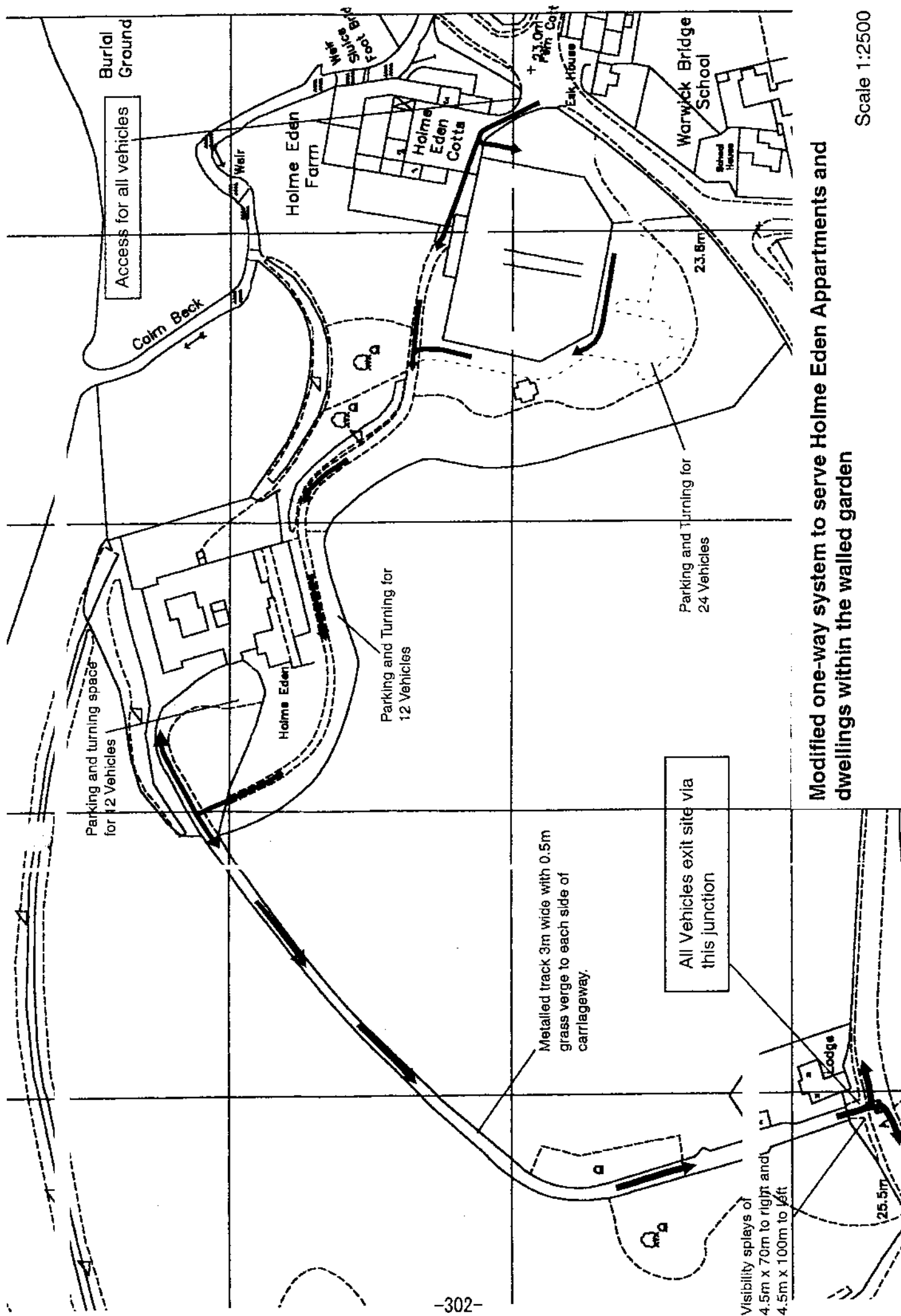
Schedule continued for 01/0869 /

densities;

- ii. a management plan for the future maintenance of the landscaped areas of the site.

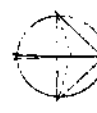
11. Scheme to be implemented and maintained

1303



Modified one-way system to serve Holme Eden Apartments and dwellings within the walled garden

Scale 1:2500



Scale: 1/4" = 10' - 0"

FIELD NO. 101841 - 01/18/1971

PLANTING SCHEDULE
PLANTING SCHEDULE
PLANTING SCHEDULE

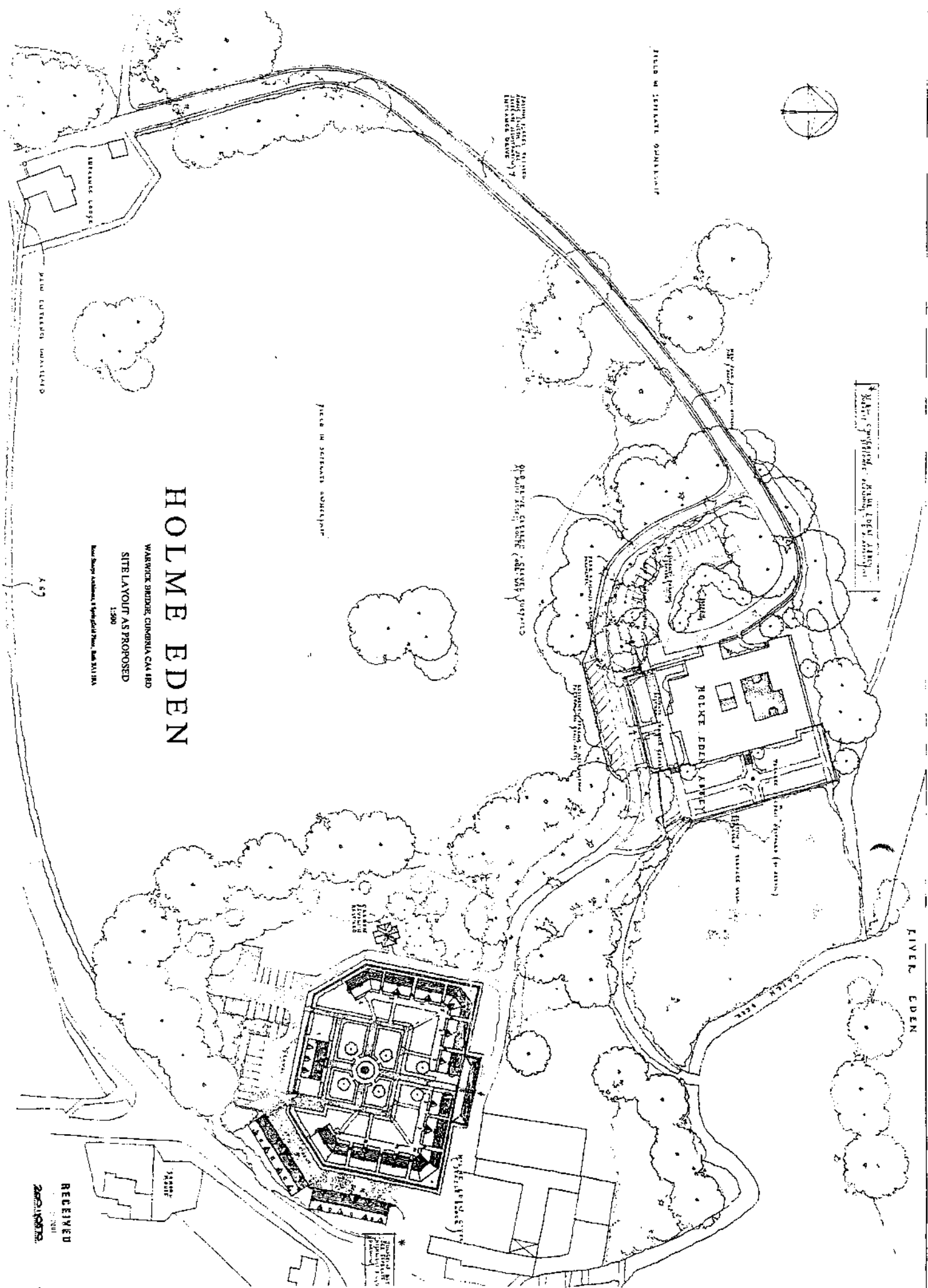
FIELD NO. 101841 - 01/18/1971

HOLME EDEN

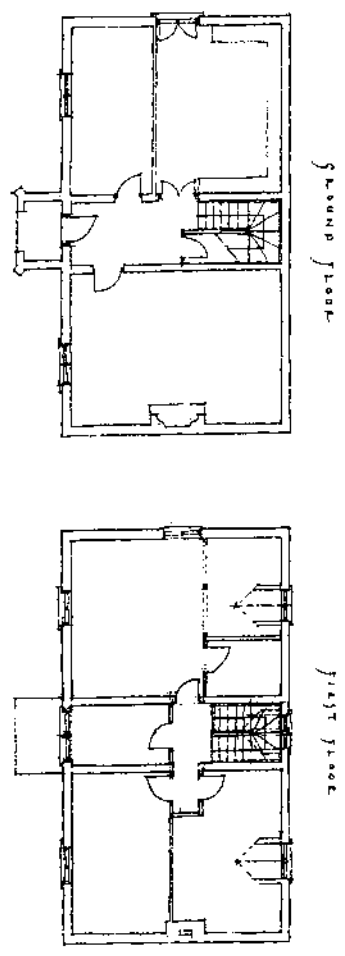
WARWICK BRIDGE, CINCINNATI, OHIO
SITE LAYOUT AS PROPOSED
1:200
Date: 10/18/1971

1:50

RIVER, EDEN



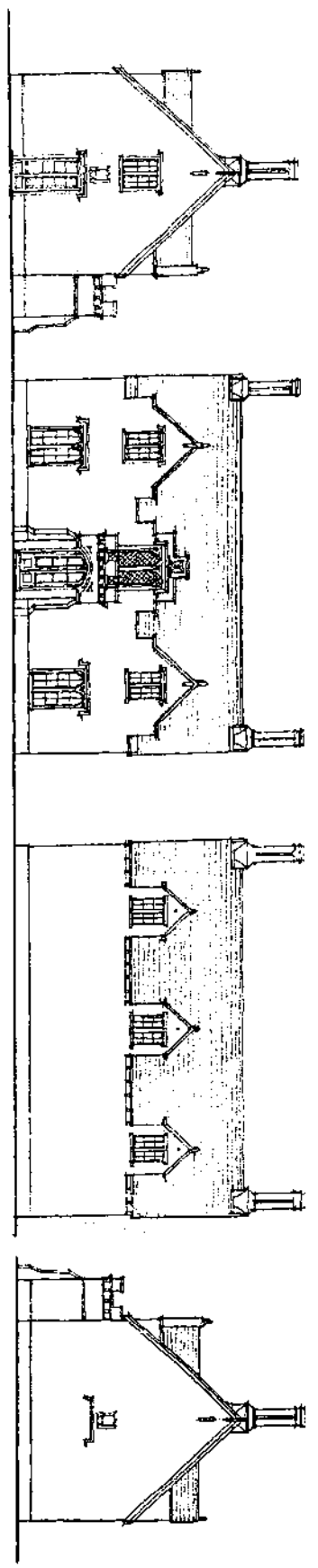
RECEIVED
10/18/1971



SECOND FLOOR

FIRST FLOOR

- LINE OF MATERIALS
- CHIMNEY
- ROOF
- WALLS
- FRONT WALLS (SEEING INTO COUNTRY)
- REAR & SIDE WALLS
- WINDOWS
- DOORS
- DOOR CASES
- CEILING
- STAIRS
- PAINTS, WALLS, STONE COVERS, ETC.
- BRICK TO DETAIL
- NATURAL SLATE WITH LEAD MOULD TO RIDGES AND VEROES
- TIMBER TO DETAIL
- LOCAL STONE (SILAS - TO THE APPROVAL OF CONSERVATION OFFICER)
- AN OTHER WALL ON REAR AND THE OFFICER
- OFF WHITE PAINTED THICK
- STAINED OR OFF WHITE PAINTED THICK
- STONE OR THICK
- STONE TO DETAIL
- STONE TO DETAIL



FRONT ELEVATION

REAR ELEVATION

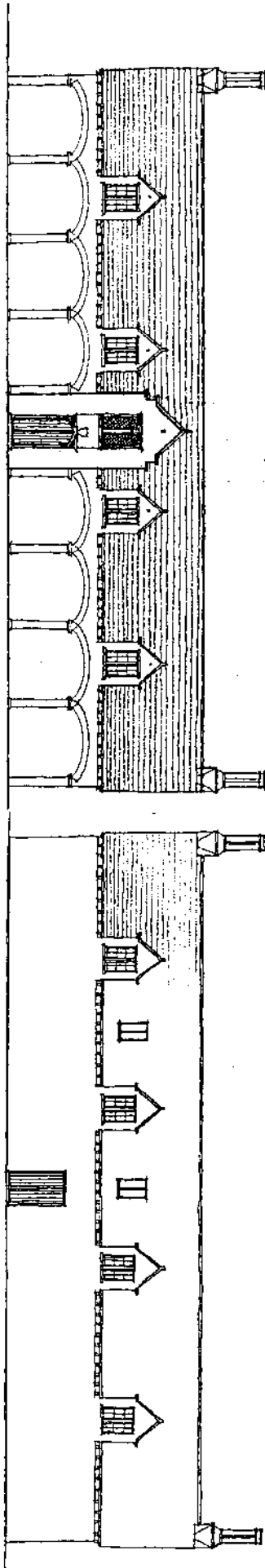
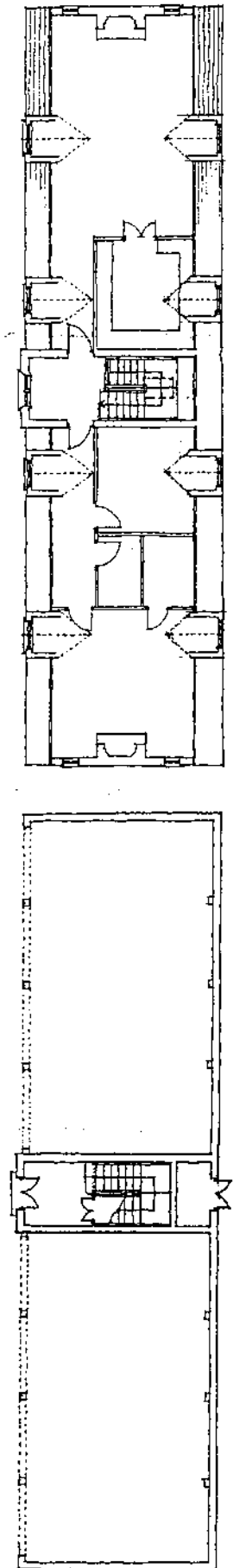
SIDE ELEVATION

NEW HOUSE - H. L. M. EDEN
PLANNED DETACHED COTTAGE IN WALLED GARDEN
1-100

NEW HOUSE - H. L. M. EDEN
PLANNED DETACHED COTTAGE IN WALLED GARDEN
1-100

ROSS SKARPE ARCHITECT, BATH, 2001.

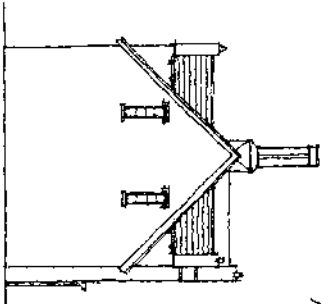
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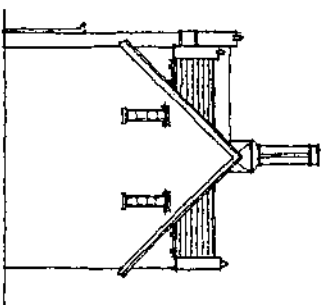
MENT. LITERATURE.

NEW, "HUSING" HALL THE EDEN-
TYPICAL NEWS APARTMENT / OPEN GALLERIES
T100.
RESS SMALLER ARCHITECTS. BATH. SEPT2004

Mr. L. V. T. T. T. T. T.



7916



LIST OF MATERIALS	• MATCH TO DETAIL
CORNER	• MATERIAL MATCH WITH LEADS TO THE
ROOF	• SIDING AND VENTING
WALLS	• TRIMMER TO DETAIL
FRONT WALLS PACKING (OVER COUNTRY)	• LOCAL STONE (GIVE A TITLE APPROX. OR COORDINATION OF DETAILS)
BACK SIDE WALLS	• IN RETURN, MATCH OR ADJUST TO THE DETAILS OF CORNER AND TRIMMER
WINDOWS	• OVER FRONT MATCHED TRIMMER
DOORS	• STAIRS OR OFF WENT'S MATCHED TRIMMER
ROOF CLIMB	• STAIRS OR TRIMMER
OTHER MATERIALS DETAILS INCLUDING ADDITIONAL MATERIALS, ETC.	• STONE TO DETAIL
PAINTER'S POINTS, STAIRS DOWNSTAIRS, ETC.	• STONE TO DETAIL

RECEIVED
JAN 10 1964

**TRAFFIC IMPACT ASSESSMENT (TIA)
FOR PROPOSED RESIDENTIAL DEVELOPMENTS AT
HOLME EDEN ABBEY AND WALLED GARDEN SITE,
WARWICK BRIDGE, NEAR CARLISLE**

SUPPLEMENTARY REPORT No. 1

**VTC (Highway & Transportation Consultants) Limited
29 Howick Park Drive
Preston
PR1 0LU**

**Tel : 01772 740604
Fax : 01772 741670
Email : vtctrffic@compuserve.com**

26 November, 2001

1.0 INTRODUCTION

- 1.1 This is a Supplementary Report for the Traffic Impact Assessment (TIA) that has been prepared on behalf of DARE (Northern) Limited to accompany two Planning Applications for residential development at Holme Eden Abbey, Warwick Bridge near Carlisle in Cumbria. The first application (01/0788) is for the conversion of the existing abbey to provide 12 apartments and the second application (01/0869) includes 15 new dwellings in the walled garden area on the south east side of the site.
- 1.2 This report proposes modifications to the highway access arrangements for the Holme Eden site following discussions with the Highways Agency and consideration of their consultant's report dated 6 November, 2001.

2.0 PROPOSED MODIFICATIONS TO HIGHWAY ACCESS

- 2.1 The Highways Agency (HA) have indicated that they do not consider that there is sufficient justification for a mini-roundabout to be installed at the junction of the A69 Trunk Road and Little Corby Road in Warwick Bridge village. HA have requested that alternative access arrangements are considered for the site and have made a number of suggestions to rationalise movements within the site and at existing access points onto the Trunk Road.
- 2.2 In order to satisfy the requirements of HA, it is proposed that the residential development at Holme Eden Hall and in the Walled Garden area of the site are served via the improved access to Holme Eden Cottages (as shown on the accompanying drawings). Traffic from both developments would enter from the Little Corby Road junction and exit the site via the existing driveway that emerges onto the Trunk Road at the gatehouse where there is good visibility in each direction (see TIA para. 2.3 and Plates 2 and 3). This would provide a One Way route through the site from the Little Corby Road junction to the Trunk Road at the gatehouse access. Traffic from the Walled Garden development would be prevented from exiting via the access onto Little Corby Road by physical means (one way collapsible plates installed in the carriageway).

2.3 The proposed access arrangements have the following advantages :

- No additional traffic emerging from the Holme Eden Cottages access into the Little Corby Road junction.
- One Way traffic only on the existing Holme Eden Hall access (overcoming potential conflicts arising from 2-way traffic movements at the narrow gatehouse access with the existing arrangement).
- No right turning traffic from the Trunk Road into the existing gatehouse access which is a concern for HA because of restricted forward visibility.
- Improved access onto the Trunk Road with pedestrian footway for Holme Eden Cottages.

2.4 As shown in Appendix 1 of the TIA, traffic generation for both developments will be very low with a combined total of 25 vehicle movements at peak hours. This represents a traffic impact of just 2% based on the surveyed flows of around 1200 vehicles/hour on the Trunk Road. This does not constitute a material increase in traffic flows onto the Trunk Road at either access point and should not require off-site highway improvements.

3.0 CONCLUSIONS

3.1 This report and accompanying drawings describe the proposed modifications to the access arrangements for the redevelopment of Holme Eden Hall and development of the Walled Garden area of the site. The proposals have the agreement, in principle, of the Highways Agency who are the Highway Authority for the A69 Trunk Road.

3.2 The proposed developments at the Holme Eden site will generate very low volumes of traffic and will have a minimal effect on the operation and safety of the Trunk Road through Warwick Bridge. The proposed access arrangements will rationalise traffic movements within the Holme Eden site by introducing a One Way flow of vehicles from the Little Corby Road junction to the gatehouse exit (for all development traffic). This will be reinforced by physical measures installed within the site to prevent two-way traffic (collapsible plates for uni-directional travel). These access proposals will overcome the concerns of the Highways Agency relating to vehicles turning right into the gatehouse access and the mini-roundabout proposal at the Little Corby Road junction.



Our ref: Y471 569
Your ref: CJH/DC/01/0788

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MANCHESTER M1 4BE

<http://www.highways.gov.uk>

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Carlisle City Council
Department of Environment and Development
Planning Services Division
The Civic Centre
Carlisle
Cumbria
CA3 8QG

Direct Line: 0161 930 5751
Fax: 0161 930 5611

29 November 2001

For The Attention Of Mr J Hamer

Dear Sir

**TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE)
ORDER 1995
PLANNING APPLICATIONS NOS 01/0788 AND 0869**

I refer to the above planning applications for the residential development of Holme Eden Abbey and walled garden sites at Warwick Bridge, which have been submitted to the Highways Agency for consideration.

Having reviewed the applications, I have the following comments to make:

Planning Application No 01/0788 (Holme Eden Abbey)

This application is for the redevelopment of the Abbey to 12 residential dwellings, which utilise the current westerly access arrangements. The site was previously used as a nursing home, for which there is a current planning permission.

As the use of the site as a nursing home ceased some time ago, I do not regard this previous use as a basis on which the use of the access for residential purposes should automatically be accepted.

Whilst the Transport Assessment indicates that visibility out of the access meets with current standards, the required forward visibility for drivers turning into the access cannot be achieved. Although the TA indicates that there have been no reported accidents involving vehicles turning into or out of the access, this could be due to reduced usage, following the closure of the nursing home. In addition the report contains no information about other accidents in the area. You will be aware from my previous letter of 25 September 2001 that there have been two fatal accidents on the bridge during the past two years.

Due to physical constraints (i.e. the bridge walls), it is accepted that visibility cannot realistically be improved. Therefore, in order to determine whether I can recommend that



INVESTOR IN PEOPLE
29 November, 2001



use of the access should be accepted. I have asked the developer to provide further detailed analysis of the junction.

I will be able to comment further on this application when this is received.

Planning Application No 01/0869 (Walled Garden Site)

This application is for the provision of 15 residential properties within the walled garden area. The two sites will be linked, with ingress only from the westerly access and ingress/egress from the easterly access. In order to accommodate the increase in traffic at the easterly access, a mini roundabout is proposed.

I am of the opinion that a mini roundabout may not be an appropriate solution at this location on the A69, which is a core trunk road. The core trunk road network is intended to carry traffic of regional and national importance and the Highways Agency has a responsibility to ensure that this function is protected. The introduction of a mini roundabout would mean that, over the day as a whole, a considerable total delay would be suffered by strategic trunk road traffic to ease the passage of a small number of vehicles accessing a development of 27 houses.

Whilst the developer's analysis suggests that the junction will operate just within practical capacity in 15 years time, this is based on a lower growth assumption than would normally be used on a core trunk road. In practice, there is a significant risk that, in order to serve a small development, excessive delays on the trunk road may occur.

With regard to the design of the mini roundabout, this fails to comply with a number of mandatory requirements in Standard TD16/93 Geometric Design of Roundabouts. There are also other sections of this standard that go against the provision of a mini roundabout at this location. In particular, the standard states that there is evidence to suggest an increased risk of accidents due the reduced observance by light vehicles of painted (as opposed to raised) central roundabouts.

Although the TA indicates that the introduction of a mini roundabout can expect to have road safety benefits, there is no assessment of the current accident record for the junction. Similarly, there is no assessment of the suitability of the proposed pedestrian crossing nor any indication of how the mini roundabout will reduce the potential hazard of buses stopping adjacent to Little Corby Road.

The replacement of a junction that does not meet with current standards, with another more complex one is not an acceptable method of addressing a problem. In view of this, I have asked the developer to consider alternative methods of using the access points, so that a wider range of possibilities can be analysed before any conclusion is reached.

As you are aware, the developer has now submitted revised access proposals for consideration. I will contact you again when I have reviewed this scheme.

Yours faithfully



Elizabeth Girvan
Development Control Team
E-mail: elizabeth.girvan@highways.gov.uk

OF THE LAKE DISTRICT

Head of Planning Services
Department of Environment & Development
Carlisle City Council
The Civic Centre
Carlisle, Cumbria CA3 8QG

FAO Mr J Hamer

Dear Sir

Town and Country Planning Act 1990.

Planning Application 01/0869 and Listed Building Application 01/870.

Restoration of wall and gardens, erection of 13 no. dwellings within walled garden and erection of 2 no. garage block with accommodation over together with alterations to highway junction.

L/A walled gardens – Holme Eden, Warwick Bridge, Carlisle.

Thank-you for consulting us on the above planning and listed building application. We wish to make the following comments.

We note that the site lies to the west of the village envelope, and in our judgement the location of the proposed 13 dwellings and the garage block with the accommodation over would not comprise infill development within that envelope. In visual terms, we would argue that the existing village envelope ends on the north side of the A69, on the boundary of those properties known as Holme Eden Cottages. Beyond that point, the character changes to open countryside, distinguished by the group of trees that surround the walled garden of Holme Eden. We would however accept that the site could be argued as reasonably well-related to the edge of the village envelope as a potential outward extension of the village in the long-term.

In the context of PPG3 (March 2000) however, the Government has stipulated that unallocated greenfield sites can only come forward as *allocations*, where a justification has been made through the Local Plan process, based upon on the housing requirements for the District, and an agreed and up-to-date Urban Housing Capacity Study. Paragraphs 35 and 36 in PPG3 deal with windfall greenfield sites such as the one at Holme Eden. In that regard, it is our interpretation that PPG3 expressly *prohibits* unallocated windfall greenfield sites. Instead, windfall sites comprise *previously-developed sites* that have unexpectedly become available. The proposed site at Holme Eden is not one that could be described as previously-developed, and therefore it cannot be a windfall site within the terms of PPG3. Certainly the scale of the proposed development is of significance for the size of the village, and the existing infrastructure available ie schools, shops, access to public transport etc. In our judgement, the revisions to PPG3 does not enable the Planning Authority therefore to grant planning

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President
Cumbria District Council

Chairman
Cumbria District Council
Cumbria District Council
Cumbria District Council
Cumbria District Council

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OPRE

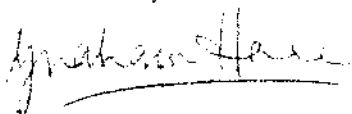


permission for *greenfield unallocated* sites like that at Holme Eden. Consequently, we would strongly recommend that the Planning Authority determine this application in accordance with PPG3, by refusing planning permission accordingly. If the Planning Authority otherwise determine that it should be granted, then given the scale of the development in the context of the size of the village, the application will otherwise at least need to be referred to the Government Office for the North-West as a Departure.

However, in the long-term we would suggest that the proposal ought otherwise to be justified in the light of the housing requirement for the District over the next plan period, and with reference to an up-to-date Urban Housing Capacity Study for the District. In that respect the planning merits of the site should therefore be properly *tested* as part of the Local Plan Review process, which due to commence in 2002. It should not however be tested as a current planning application that may be prejudicial to the strategy of the current Plan, and certainly one that appears to be contrary to the implementation of PPG3 (March 2000). For these reasons we consider that the proposal is premature, and there are grounds to refuse permission.

Please record these comments as those of *CPRE (Cumbria association)*. We would be grateful to receive a copy of the decision notice.

Yours faithfully



Graham Hale BA (Hons) MSc MRTPI
Planning Officer

Cc Government Office for the North West



ENGLISH HERITAGE

NORTH WEST REGION

Mr J. Hamer
Planning Services
Carlisle City Council
Civic Centre
CARLISLE
CA3 8QG

Direct Dial: 0161 242 1413

Your Ref: 01/0870 and 0869

Our Ref: CU/36417

26 October 2001

Dear Mr Hamer

HOLME EDEN ABBEY, WALLED GARDEN, WARWICK BRIDGE

Thank you for your letter of 14 September 2001, regarding the listed building consent and planning applications for residential development in the walled garden at Holme Eden. The structure of the walled garden is within the curtilage of the Grade II* listed building. I visited the site on 24 October with Richard McCoy, Richard Sutcliffe and the applicant DARE (Northern) Ltd. The visit was very helpful and enabled me to appreciate the special interest of the site and the relationship between the walled garden and the main house.

I understand that these proposals are not being put forward as enabling development and also, that the development of new housing here is not, in principle, contrary to the Local Plan. However, there are a number of issues that have some similarity with typical enabling development cases. I have the following comment to make:

1. **Impact of new housing on the special interest of the site.** The walled garden and its surroundings are part of the attractive setting of Holme Eden Abbey. This walled garden is of historic interest in its own right, although not separately listed. The north side of the garden wall appears to incorporate a section of heated wall, adjacent to the gardeners' bothy and potting sheds. This interesting feature is well worth retaining and so this part of the proposal may need review to ensure that damage to the heated wall section is minimised. The arrangement of new houses preserves an important space within the garden and also leaves the walls free of disturbance. However, the mews apartments on the south east outer edge of the walled garden will have an impact on views of the site and on setting; I suggest that this aspect of the scheme is carefully considered, particularly in relation to whether the extra floor over the garages is justified. I have no comments to make on design.
2. **Impact of proposed highway alterations on special interest of the site.** The proposal to dismantle and re-site part of the wall adjoining the existing access to the site is acceptable provided that the details are carefully agreed. The proposal for a new mini-roundabout will inevitably affect the appearance of this part of Warwick Bridge, which I understand is not a conservation area. I have no particular

comments to make on the principle of this proposal, but the details should take account of the setting of nearby historic buildings and structures.

3. **Landscape setting of Holme Eden Abbey.** At present the walled garden forms part of the setting for the Grade II* house and is an essential part of the historic landscape associated with the Holme Eden Abbey. I welcome the applicants proposals to restore the landscape and the garden pavilion. Your authority should consider a section 106 agreement to ensure that this part of the proposal is implemented.
4. **Impact of walled garden development on future of Holme Eden Abbey.** The development of the walled garden itself is likely to generate a significant capital sum, which represents an opportunity to assist with securing a future for the Grade II* listed building. At present Holme Eden Abbey is in fair condition, although there are some signs of dry rot and the building is clearly vulnerable to deterioration as long as it is only partially occupied. The building is of outstanding importance and I am therefore concerned about its future. We have no information on whether the separate residential proposal for its conversion is considered economically viable; if there proves to be doubt about this, the walled garden will have a crucial role to play in this part of the scheme.
5. The applicants have indicated that they will be seeking a developer for both sites; none is yet identified and so it is possible that the ownership relationship between Holme Eden and the walled garden may change. It is therefore imperative that your authority considers securing a Section 106 agreement to ensure that Grade II* house benefits from the generation of finance provided by the walled garden development. A schedule of repairs should be agreed. It would be an unnecessarily lost opportunity if the walled garden was separately developed whilst leaving the future of the house unresolved. I strongly recommend that the future of the Grade II* listed building should be your authority's first priority.

I hope that the above is helpful, but please do call me if you would like a further discussion.

Yours sincerely



Marion Barter
Historic Buildings Inspector



ENGLISH HERITAGE

A M Taylor Esq
Chief Development Control Officer
Planning Services Division
Department of Environment and Development
Carlisle City Council
The Civic Centre
CARLISLE
CA3 8QG

NORTH WEST REGION

Your ref: 01/0788

Our Ref: CU/

04 January 2002

PLANNING SERVICES	
REF	01/0788
07 JAN 2002	
FILED	CU
FILED	2002
ACTION	

For the attention of Mr J Hamer

Dear Sir

**NOTIFICATION UNDER ENVIRONMENT CIRCULAR 01/2001
APPLICATION FOR PLANNING CONSENT
HOLME EDEN ABBEY, WARWICK BRIDGE, CARLISLE, CUMBRIA**

Thank you for your letter of 27 November 2001 sending English Heritage amended details on the application for planning consent for the above site. I apologise for the delay in responding caused by staff absence due to illness.

English Heritage has no comment to make on the Traffic Impact Assessment in general, but we feel that before determining the application the Council should seek and agree full details of the wall realignment at Holme Eden Cottages.

If your authority is minded to grant consent you are reminded that the Directions in Environment Circular 01/2001 require you to notify the Secretary of State. In doing so, you will speed up the response if you attach a copy of this letter with your notification accompanied by

1. a confirmation of any amendments subsequent to this letter;
2. an explanation of why you are disposed to grant consent;
3. the extent to which your authority has taken on board any concerns raised by English Heritage and other consultees;
4. a list of the conditions proposed to be attached to the consent.

Yours faithfully

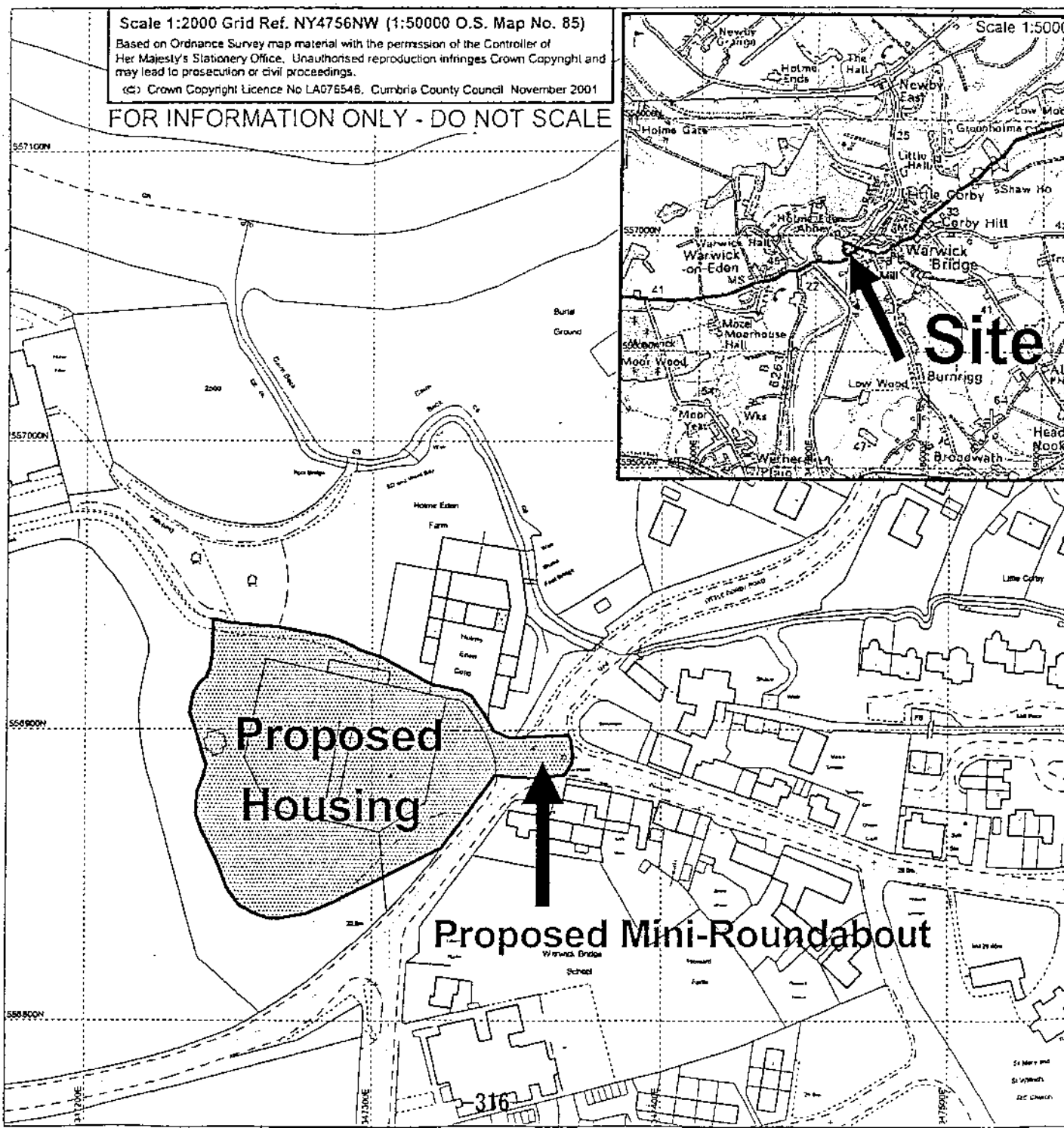
Beverley Jackson
North West Region

DEVELOPMENT CONTROL AND REGULATION COMMITTEE
23 November 2001

A Report by the Assistant Director (Development Control)

District	Carlisle
Application No	1/01/0869
Applicant	Dare (Northern) Ltd

PROPOSAL Restoration of wall and gardens, erection of 13 dwellings, 2 garage blocks with accommodation over and alterations to highway junction
Holme Eden, Warwick Bridge, Carlisle



1 RECOMMENDATION

- 1.1 That, subject to the Highways Agency being satisfied that the development can be accommodated on the highway network, no strategic objection be raised.

2 THE PROPOSAL

- 2.1 The County Council has been consulted by Carlisle City Council on an application to build a total of 15 dwellings within the area of the walled gardens at Holme Eden, a Tudor gothic mansion on the edge of Warwick Bridge, which is a Grade II* Listed Building. The walled garden lies to the north side of the A69 some 150m to the south east of the main house.
- 2.2 The site comprises of the walled garden, which is currently used for vegetable gardening, an area of overgrown shrubs and an access track to Holme Eden House. The actual wall of the garden is constructed of brick and varies in height between 3.5m and 4.1m with a total length of 217m.
- 2.3 The proposal involves the construction of 13 detached dwellings inside the walled garden facing onto the restored garden and two detached mews style garage blocks with 2 residential units above immediately outside the walled garden.
- 3.1 The proposal involves vehicular access from the proposed development onto the former Holme Farm yard (which is surrounded on three sides by residential units) which will then feed onto a proposed new mini roundabout on the A69 trunk road. This would also provide vehicular access from Holme Eden house, which is subject to a separate application, to be converted into apartments.
- 2.4 A Traffic Impact Assessment has been submitted which shows the mini roundabout would also serve the Little Corby Road as well as the proposed access to Holme Eden and Holme Eden Cottages to replace the existing junction. A zebra crossing would also be provided near to Warwick Bridge Primary School and the existing school crossing patrol would be relocated nearer to the school.

3 STRATEGIC ISSUES

- 3.2 It is considered that the strategic issues raised by this application are:

- i) whether there is sufficient land for housing in the area (Structure Plan Policies 30 and 31) and whether the development will help to sustain the local community (Structure Plan Policy 40);
- ii) whether there is sufficient capacity in the local highway network and whether the proposal would help minimise the need for travel (Structure Plan Policies 14 and 36);
- iii) whether the proposal would have a detrimental impact on the character or setting of a Listed Building and whether the development is in keeping with the local vernacular tradition and is well integrated with the existing pattern of surrounding land uses and does not remove or damage any archaeological interests in the site (Structure Plan Policies 25 and 26).

Housing Land Availability

- 3.3 In accordance with the provisions of Policies 30 and 31 of the Joint Structure Plan sufficient land for housing should be provided for the next five years. There is more than sufficient land in Carlisle District with permission and allocated in the Local Plan to meet the Structure Plan requirements.
- 3.4 Notwithstanding the current supply of housing land in Carlisle District as a whole, Structure Plan policy 40 allows housing development in rural settlements where it would help to sustain the existing local community, provided it is in sympathy with the scale and character of the existing settlement. This is supported by Carlisle and District Local Plan Policy H5 which allows large scale housing development in settlements such as Warwick Bridge subject to certain criteria relating to, inter alia, siting, scale and design. The proposal is on the edge of the settlement and relates well to the existing pattern of development, the drawings indicate a high quality development with part sandstone walls and roofs with natural slate and traditional design features reflecting details of Holme Eden. The site is well screened by mature trees, none of which will be felled, and the dwellings which surround the former farmyard are adjacent. The

proposed detached dwellings will contribute to the housing stock of the village and will help to sustain the local community. It is considered that this proposal does not conflict with Structure Plan policies relating to housing development.

Capacity of Highway Network and Minimising the Need to Travel

- 3.5 The proposal involves a new mini-roundabout on the A69 trunk road to replace the existing junction to Holme Eden cottage and the Little Corby Road. As this proposal affects a trunk road the views of the Highways Agency are awaited on the suitability or otherwise of the mini roundabout which will be sited in a sharp bend in the road and is abutted by dwellings. The proposed zebra crossing should improve pedestrian safety located, as it is, close to the school.
- 3.6 Structure Plan Policy 1 seeks to ensure that the location of new development has regard to the principles of sustainability. PPG13 'Transport' stresses the need to plan land use and transport together in ways which enable people to carry out their everyday activities with less need to travel. Developments such as this one in a rural area close to Carlisle are likely to increase car borne commuting. However there is a bus stop nearby and local services and the school are close by.

Impact on the Setting of a Listed Building and Archaeological Interests

- 3.7 As previously stated, Holme Eden is a Grade II* Listed Manor House; such listing would also include the grounds and walled garden. The building had been occupied as a Nunnery prior to its last occupation as a nursing home. Currently it is vacant and the grounds are in a state of neglect. The proposed development inside the walled garden is physically constrained by the wall and the wall itself screens the development. Furthermore, the walled garden is encircled by belts of mature trees which screen the site from distant views of Holme Eden (which is located some 140m away).
- 3.8 The wall itself is in reasonably good condition although there are signs of deterioration. The proposed development has been designed to be free-standing of the wall and it will be restored and retained as an independent structure.
- 3.9 Given that the proposed development will be well screened by existing features from Holme Eden house and there will be no physical alteration to the garden wall, the impact on the setting of the Listed Building should be minimal.
- 3.10 The site lies within an area of archaeological interest with Warwick bridge being medieval in original. Additionally, there are anecdotal references to the Jacobite Army camping at Warwick Bridge during their 17th century campaign. To safeguard any archaeological interests in the site the County Archaeologist has recommended that a condition be imposed on any planning consent that a programme of archaeological work be implemented before development commences.

4 CONCLUSION

- 4.1 This proposal relates well to the existing pattern of development in the settlement and would not be contrary to Structure Plan policies relating to housing development in rural areas. The development has been carefully designed to respect its historic setting using traditional materials and design features and archaeological interests in the site can be safeguarded. The principal issue relating to this proposal is whether the vehicle access, in the form of a mini-roundabout onto the trunk road, is acceptable. The views of the Highway Agency on this aspect of the proposal are still awaited and it is recommended that no strategic objection be raised subject to the Highway Agency being satisfied that the highway network can accommodate this development.

Shaun Gorman
Assistant Director (Development Control)

Contact

Jane Corry, Kendal, tel. 0159 773414

Background Papers

Planning Application File Reference No. 1/01/8869

Electoral Division Identification

John Robinson, Wetherall

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COUNTY COUNCIL

Your ref: CJH/DC/01/0869
Our ref: JLC/1/01/0869/JEF

Community Economy and Environment

8 January 2002

County Offices, Kendal
Cumbria LA9 4RQ
Fax: (01539) 773439
Telephone: (01539) 773414

Mr AM Taylor
Chief Development Control Officer
Department of Environment & Development
The Civic Centre
Carlisle
CA3 8QG

FAO Mr J Hamer

PLANNING SERVICES	
REF	01/0869
11 JAN 2002	
RECORDED	EN
SCANNED	
PASSED TO	CJH
ACTION	

Dear Mr Hamer

TOWN AND COUNTRY PLANNING ACT 1990, SCHEDULE 1, PARAGRAPH 7 CONSULTATION ON PLANNING APPLICATION

The County Council's Development Control and Regulation Committee have considered the following application:

Reference No: 1/01/0869

Description: Restoration of wall and gardens, erection of 13 no. dwellings, erection of 2 no. garage blocks with accommodation over and alterations to highway junction.

Location: Holme Eden Abbey, Warwick Bridge

Applicant: DARE (Northern) Ltd

Given the issues this proposal raises concerning access to and from the A69, Members visited the site on 11 December before consideration of the application at Committee on the 20 December 2001. Whilst the proposal complies with strategic policies relating to housing, archaeology and historic conservation Members raised concerns regarding highway safety issues. Members considered that this proposal would generate an unacceptable increase in traffic at the junctions of the A69 and the Little Corby Road (easterly access) and the A69 junction adjacent to the Lodge (westerly access).

It was considered that the highway safety issues were so significant that they outweighed all other considerations and therefore resolved to raise a strategic objection as the proposal would be contrary to Structure Plan policy 36. A copy of my report to Committee is enclosed.

I should be grateful to be kept informed regarding the progress of this application.

Yours sincerely

Jane Corry

Jane Corry
Senior Planning Officer
(County Council & Strategic Developments)

Email: jane.corry@cumbriacc.gov.uk

DEVELOPMENT CONTROL AND REGULATION COMMITTEE

20 December, 2001

A Report by the Assistant Director (Development Control)

District	Carlisle
Application No	1/01/0869
Applicant	Dare (Northern) Ltd

PROPOSAL	Restoration of wall and gardens, erection of 13 dwellings, 2 garage blocks with accommodation over and alterations to highway junction Holme Eden, Warwick Bridge, Carlisle
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1 RECOMMENDATION

- 1.1 That, subject to the Highways Agency being satisfied that access to and from the A69 Trunk Road is acceptable, no strategic objection be raised.

2 THE PROPOSAL

- 2.1 This application was deferred at the last meeting for a site visit. The site visit was held on the 11 December 2001.
- 2.2 The County Council has been consulted by Carlisle City Council on an application to build a total of 15 dwellings within the area of the walled gardens at Holme Eden, a Tudor gothic mansion on the edge of Warwick Bridge, which is a Grade II* Listed Building. The walled garden lies to the north side of the A69 some 150m to the south east of the main house.
- 2.3 The site comprises of the walled garden, which is currently used for vegetable gardening, an area of overgrown shrubs and an access track to Holme Eden House. The actual wall of the garden is constructed of brick and varies in height between 3.5m and 4.1m with a total length of 217m.
- 2.4 The proposal involves the construction of 13 detached dwellings inside the walled garden facing onto the restored garden and two detached mews style garage blocks with 2 residential units above immediately outside the walled garden. Carlisle City Council are also considering an application to convert Holme Eden House into 12 apartments.
- 2.5 A Traffic Impact Assessment (TIA) has been submitted which originally showed a new mini roundabout on the A69 Trunk road at the Holme Farm Cottages and Little Corby Road junction. This would have served the development at the Walled Garden and the traffic from the 12 units at Holme Eden House (exit only). However, the Highways Agency have indicated that they do not consider that a mini roundabout would be appropriate and have requested that alternative access arrangements be considered.
- 2.6 As a result of this request the applicants have submitted another scheme that shows that traffic for Holme Eden House and the Walled Garden development would enter from the Little Corby Road junction and exit the site via the existing driveway that emerges onto the trunk road at the gatehouse. The traffic would operate in a one-way system through the site.
- 2.7 The TIA shows traffic generated from both developments will be approximately 25 vehicle movements at peak hours. This represents a traffic impact of 2% based on the surveyed flows of around 1200 vehicles/hour on the Trunk Road.

3 STRATEGIC ISSUES

- 3.1 It is considered that the strategic issues raised by this application are:
- i) whether there is sufficient land for housing in the area (Structure Plan Policies 30 and 31) and whether the development will help to sustain the local community (Structure Plan Policies 4 and 40);
 - ii) whether there is sufficient capacity in the local highway network and whether the proposal would help to minimise the need for travel. (Structure Plan Policies 1 and 36);
 - iii) whether the proposal would have a detrimental impact on the character or setting of a Listed Building and whether the development is in keeping with the local vernacular tradition and is well integrated with the existing pattern of surrounding land uses and does not remove or damage any archaeological interests in the site (Structure Plan Policies 25 and 26).

Housing Land Availability

- 3.2 In accordance with the provisions of Policies 30 and 31 of the Joint Structure Plan sufficient land for housing should be provided for the next five years. There is more than sufficient land in Carlisle District with permission and allocated in the Local Plan to meet the Structure Plan requirements.

- 3.3 Notwithstanding the current supply of housing land in Carlisle District as a whole, Structure Plan policy 40 allows housing development in rural settlements where it would help to sustain the existing local community, provided it is in sympathy with the scale and character of the existing settlement. This is supported by Carlisle and District Local Plan Policy H5 which allows large scale housing development in settlements such as Warwick Bridge subject to certain criteria relating to, inter alia, siting, scale and design. The proposal is on the edge of the settlement and relates well to the existing pattern of development. The drawings indicate a high quality development with part sandstone walls and roofs with natural slate and traditional design features reflecting details of Holme Eden. The site is well screened by mature trees, none of which will be felled. The proposed detached dwellings will contribute to the housing stock of the village and will help to sustain the local community. It is considered that this proposal does not conflict with Structure Plan policies relating to housing development.

Capacity of Highway Network and Minimising the Need to Travel

- 3.4 Structure Plan policy 36 states that development will not normally be permitted where there is insufficient capacity in the local highway network. The proposal is located adjacent to the trunk road and the TIA states that the increase in traffic onto the trunk road, as a result of this development, would be 2% which is a relatively modest increase. However this proposal raises issues with regard to the suitability or otherwise of access to and from the trunk road. These issues are still being considered by the Highways Agency and the Highway Authority.
- 3.5 Structure Plan Policy 1 seeks to ensure that the location of new development has regard to the principles of sustainability. PPG13 'Transport' stresses the need to plan land use and transport together in ways which enable people to carry out their everyday activities with less need to travel. Developments such as this one in a rural area close to Carlisle are likely to increase car borne commuting. However there is a bus stop nearby and local services and the school are close by.

Impact on the Setting of a Listed Building and Archaeological Interests

- 3.6 As previously stated, Holme Eden is a Grade II* Listed Manor House; such listing would also include the grounds and walled garden. The building had been occupied as a Nunnery prior to its last occupation as a nursing home. Currently it is vacant and the grounds are in a state of neglect. The proposed development inside the walled garden is physically constrained by the wall and the wall itself screens the development. Furthermore, the walled garden is encircled by belts of mature trees which screen the site from distant views of Holme Eden (which is located some 140m away).
- 3.7 The wall itself is in reasonably good condition although there are signs of deterioration. The proposed development has been designed to be free-standing of the wall and it will be restored and retained as an independent structure.
- 3.8 Given that the proposed development will be well screened by existing features from Holme Eden House and there will be no physical alteration to the garden wall, the impact on the setting of the Listed Building should be minimal.
- 3.9 The site lies within an area of archaeological interest with Warwick Bridge being medieval in origin. Additionally, there are anecdotal references to the Jacobite Army camping at Warwick Bridge during their 17th century campaign. To safeguard any archaeological interest of the site the County Archaeologist has recommended that a condition be imposed on any planning consent that a programme of archaeological work be implemented before development commences.

4 CONCLUSION

- 4.1 This proposal relates well to the existing pattern of development in the settlement and would not be contrary to Structure Plan policies relating to housing development in rural areas. The development has been carefully designed to respect its historic setting using traditional materials and design features and the archaeological interest of the site can be safeguarded.
- 4.2 The principal issue relating to this proposal is whether satisfactory vehicle access to and from the trunk road can be achieved. The views of the Highways Agency on this aspect of the proposal are still awaited therefore it is recommended that no strategic objection be raised subject to the Highways Agency being satisfied that access to and from the A69 trunk road is acceptable.

Shaun Gorman
Assistant Director (Development Control)

Contact

Jane Corry, Kendal, tel. 0159 773414

Background Papers

Planning Application File Reference No. 1/01/8869

Electoral Division Identification

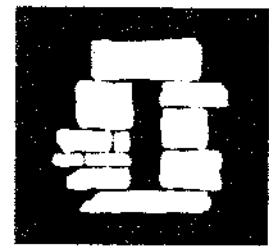
John Robinson, Wetherall

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COUNTRYSIDE SERVICES	
01/0869 4251	
17 JAN 2002	
RECORD	65
STAMPED	
FOR FILE	CSH
ACTION	

14th January 2002

Mr J Harner
Carlisle City Council
Civic Centre
Carlisle
Cumbria
CA3 8QG



**countryside
planning**

West View
Summit House
The Green
Cumbria
LA9 9 4 1 6
01539733955
01539729892
countryside_planning
btinternet.com

Dear John,

RE: HOLME EDEN ABBEY, WARWICK BRIDGE
OUR REF: RMS/DAR/01/001 + 002
YOUR REF: 1/01/0869 1/01/0870

We are obviously disappointed to hear that Cumbria County Council have raised a strategic objection to the above applications. The delays caused by returning these applications to the City Council Committee for determination are frustrating but having discussed the matter with Jane Corry it would appear that there was little that could be done to sway the County Members from this position.

I have now received a copy of Jane Corry's letter regarding the strategic objection and have discussed the meeting with her on the telephone. It is reassuring to note that the County Council acknowledge that the applications comply with housing, archaeology and historic conservation policy but in some ways it is all the more surprising that the County Council should ignore their officers advice and raise a strategic objection on highway safety grounds which is not strictly a strategic issue.

You are aware of the amount of work which has been put into the highways aspects of these schemes both by us and the Highways Agency. This goes way beyond what would ordinarily be the case and should serve to reassure, rather than concern members that highway safety will not be compromised. The Highways Agency would not agree to any scheme which does not meet the strict standards they lay out. That the County Council should choose to ignore the opinion of their Officers, the Highways Agency and your authority in this matter appears somewhat arbitrary.

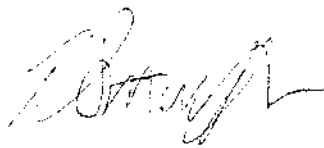
If I may, I would ask that you convey these points to the Development Control Committee in the clearest terms in your upcoming Committee Report. The Committee have already expressed satisfaction with the schemes proposed and as there has been no change to the applications, and no

January 16, 2002

further information forthcoming, I am sure they will be consistent and re-affirm their favourable view of these schemes. Your guidance in this will no doubt be important.

If anything further should arise in the meantime with regard to the highways or other outstanding consultations I would be grateful if you could contact me as soon as possible.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'R. Sutcliffe', with a stylized flourish at the end.

RICHARD M SUTCLIFFE
SENIOR PLANNER

Objections against the proposed construction of a mini roundabout on the junction of the A69 and the Little Corby turn off.

On behalf of the parents of the Children that attend Warwick Bridge School from, Little Corby, Corby Hill and Warwick Bridge, and the residents of Warwick Bridge, Little Corby, Corby Hill and surrounding areas.

We the undersigned object to the proposed construction of a mini-roundabout at Warwick Bridge.

FOR THE REASONS.

1/ It would be situated at the exact point at which the Lollipop Lady stands, and where the school children may cross in safety.

2/ Because of a proposed new housing development in the vicinity, namely the use of Holme Eden Abbey and the Walled Garden of the Abbey, there will be a tremendous increase of traffic in and out of the entrance leading directly to the roundabout.

3/ The location is the stopping place for the Carlisle to Newcastle Bus.

338 NAMES

NAMES	ADDRESS	RESIDENT/PARENT
P. Bates	WALNUT GROVE C.C.	RESIDENT
O. Harrison	3 Cairn Cross	Resident + Parent
J. COOPER	28 Mullingys	Resident
J. Sneyd	Little Green Baby Hill	Resident
J. Sneyd	21 MULLINGYS	36
A. Mowatt	Woodhouse	Resident
ELIZABETH GRADWELL	BRAMPTON	PARENT
A. Harris	73 Millings	
Elizabeth Heshead	15 Little Corby Road	Resident
Tony Hesketh	" " "	"
M. Smith	21 Little Corby Road	RESIDENT
G. Smith	" " "	"
A. E. Andersen	41 Cairn Wood	Resident
J. R. Hullock	33 Chapel Close	"
D. Sneyd	53, HURLEY ROAD LITTLE CORBY	RESIDENT
W. Sneyd	Water Meel	"
W. Taylor	" " "	"
N. MARSHALL	82, MILLINGSS	Resident
Raynolds	Myrtle Faugh	Resident
S. Smith	CROSBY	PARENT
R. Smith	CROSBY	RESIDENT
N. Smith	CROSBY	PARENT
P. Goodfellow	CORBY HILL	RESIDENT
J. M. Rhodes	WARWICK BRIDGE	RESIDENT
D. Connelly	H. Mullingys	"
J. Sneyd	Bramble Rd.	"
J. Harrison	5 THE RICHMOND	Resident / Local
J. Sneyd	29 Hurley Rd	Resident
S. Sneyd	6 Woodlads	Local
J. Sneyd	Eden Grange Little Corby	PARENT / RESIDENT
M. Sneyd	Eden Grange Little Corby	RESIDENT
J. Watson	Eden Grange Little Corby	J. Watson
F. Whelan	Greenacres, Leathers	F. Whelan
E. Nicholson	The Mill Agbony	E. Nicholson
M. Biers	Greenacres Little Corby	Resident
E. Sneyd	9 Eden Grange T. Corby	Resident
H. Johnson	Cairn Drive Corby Hill	Resident
A. Richardson	Holme Eden Lodge Warwick Bridge	
R. Slackson	1 Little Corby Road	Resident
M. E. Graham	18 CHAPEL CLOSE	M. Graham
G. Sneyd	" " "	G. Graham
M. Hall	52 Hurley Rd.	M. Hall
J. Sneyd	Mullingys	Resident
M. Sneyd	3 Holme Eden	
P. Sneyd	Church Rd. Warwick BR	M. Sneyd
P. Sneyd	Beck Grange, Warwick BR	Resident

NAMES	ADDRESS	RESIDENT/PARENT
Went	Brimley Hill	
Smith	Corby Hill	
Smith	CORBY HILL	PARENT
P. Smith	" "	resident
J. BUEGE	CORBY HILL	PARENT
L. Thompson	SCOTBY	Resident
Annmary	CORBY HILL	PARENT
Smith	" "	Parent
D. LIGHTFOOT	CORBY HILL	GRANDPARENT
K. WALKER	CORBY HILL	PARENT
J. MARRIS	Littlecrag	
C. Prince	Warwick Rd Carlsruhe	Parent
Russell	63 Mullings	Parent
F. Fisher	105 Hurley Rd	PARENT
S. MORRIS	80 HURLEY RD	PARENT
J. Errington	71 HURLEY RD	PARENT
C. Sorensen	101 Hurley Rd	parent
W. Fisher	101 Hurley Rd	parent & resident
Andy Fisher	101 Hurley Rd	Parent & Resident
P. Smith	76 Hurley Rd	"
Kim Bouslead	10 Townsend Park	Parent
M. Stolar	23 Cairn Crescent	Parent
J. Roberts	64 Creewades	parent
J. Ghouse	76 Hurley Road	Parent
Edwards	8 Hurley Rd	Parent
J. Cully	23 Eden Gary	Parent
K. H. G. B. B.	24 Huncroft Farm	Parent
A. U. Gough	Durranhill	Grandparents
J. U. Gough	Durranhill	Grand Parents
Robert	Shawlee, Port Linnig	Parent
Robert	" "	"
Robert	" "	"
A. Adams	Holme Eden Warwick Bridge	Resident
N. Bruce	Lyceview Horizons Hdr	GRANDPARENT
J. Bruce	Lyceview Horizons Hdr	GRANDPARENT
W. Kadir	CAIRNWOOD FIELDS Nook	PARENT
A. H. Gough	8 Hurley Rd Little Corby	Parent
Elizabeth Bell	9 Warwick Farm	Parent
A. J. M. M. M.	Rose Mount, Gresham	Parent
G. Ward	1 WARWICK FARM	Parent
S. J. M. M.	1 WARWICK FARM	Parent
N. ORD. M. D.	Warwick Bridge	Parent
Mike Smith	Warwick Bridge	Resident / Parent
Olym Maki	Broadwath	Parent
H. H. H.	CAIRNWOOD FIELDS Nook	Parent
Little	Cairnwood Farm, Harwill	Resident

NAMES	ADDRESS	RESIDENT/PARENT
V PETRY	47 HURLEY RD	RESIDENT
N. ATKIN	41 MILLRIGGS	RESIDENT
R. Butler	77 MYCRENE RD	PARENT
M. Thomthwaite	7 NOISTY CLOE	RESIDENT
M. Smith	4 Hates Moor	Resident/parent
E. Petry	4 Cain Eyes	1
F. Sherriff	72 Hurley Rd	Resident/parent
J. A. Parie	Burnings	Resident
S. SEGGIS	17 MILLRIGGS	RESIDENT
S Longstaff	38 Hurley Rd.	Resident + parent
Y. BULL	Broadway	Resident
J. W. Waler	88 Hurley Road	Resident/Grandparent
A. Backscutite	17 Shed off Rd	Resident
T. Broatch	7, Burnings	Resident
B. Gentry	21 Millriggs	RESIDENT
R. Black	78 Hurley Rd	Resident
J. D. M. Weller	(How close to Cally	RESIDENT
J. M. Weller	2 Hill	RESIDENT
H. B. BROWN	47 MILLRIGGS	RESIDENT
M. E.	Common COTTAGE	Resident
F. W. W.	6th House	Resident
C. W. M. W. W.	Walter's COTTAGE	Resident
N. M. M. M.	Walter's	Resident
C. W. W.	Walter's	Resident
A. W. W.	20 BROADWAY	RESIDENT
A. W. W.	Toutbeck COTTAGE	RESIDENT
S. W. W.	Warwick bridge	RESIDENT PARENT
C. W. W.	Avoncroft. War. Br.	Resident
J. W. W.	6 The Orchard COTTAGE	Resident
M. W. W.	70 MILLRIGGS	RESIDENT
A. J. W. W.	21a 1c of Millriggs	RESIDENT
H. W. W.	32 CHEN COTTAGE	RESIDENT/PARENT
A. W. W.	7 HURLEY RD	RESIDENT/PARENT
P. W. W.	"	"
S. Marshall	48 Millriggs	Resident/Parent
J. W. W.	16 Chalk Garden	Resident
R. W. W.	125 Hurley Rd	Parent
C. W. W.	45 millriggs	Parent
K. W. W.	6, Poleside	Resident
B. W. W.	Carm House	Resident
D. W. W.	W. W. W. HSE	Resident
H. W. W.	millriggs	parent/Resident
K. W. W.	60 M. W. W.	Resident
D. W. W.	60 M. W. W.	Resident
K. W. W.	how Buildings, W.B.	Resident

NAMES	ADDRESS	RESIDENT/PARENT
to Bell	MILLING'S COTTAGE	✓
M. Hodgson	7 Millings, C. Hill	Resident.
E. McCormick	10 fieldside.	Resident.
D. M. RAMSBOTTOM	24 WATERS MEET	RESIDENT.
D. G. New.	32 Horley Rd	Resident.
C. Armstrong	MILLING'S	Resident
N. McHale	Warwick Bridge	Resident
R. W. Adams	6 Waters Meet	RESIDENT / GRAM PARENT
B. Griffiths	Great Corby	Resident
J. Athun	millings	Resident / Parent.
J. Auer	millings	Resident
K. L. M. L.	84 Horley Rd.	RESIDENT / PARENT.
K. McGlasson	31 Cairn Crescent	Resident / Parent.
M. Barty	Warwick Bridge	Resident / parent
E. Holliday	Warwick Bridge	Resident
C. McGlasson	37 Chapel Close	Resident
J. Mott	17 Chapel Close	"
J. W. Leaden	98 Millings	Resident
E. McGlasson	Chapel Close	Resident
A. Barty	Warwick Bridge	Resident / parent
J. McGlasson	Warwick Bridge	Resident
C. Dixon	millings Corby Hill	Parent
R. McGlasson	RURRICKS	RESIDENT.
M. T. WATSON	5 LONG THWATE FARM	RESIDENT
S. Mc Dougall	8 CAIRN CRESENT	RESIDENT
C. Smith	Warwick Bridge	Resident
J. McHale	Warwick Bridge	Resident.
J. SIMPSON	LITTLE CORBY	RESIDENT
I. ARGYRAIDIS	LITTLE CORBY	RESIDENT
J. O'Connell	Hard Bank.	Howmill
A. Frank	Langley 181 Cottage	RESIDENT
J. GARGATT	18 EDEN GRANGE	Resident
T. R. Kelly	Chapel Close	✓
M. D. Kelly	Chapel Close	✓
L. King	Sunnyside, Cumnor	Resident
B. Murphy	Warwick-on-Even	-
S. Smith	CROSBY	-
V. Wilson	beam plan	-
M. Moffat	Millings Corby Hill	RESIDENT
D. Moffat	"	"
C. M. Cuthbert	216 EDEN GRANGE	RESIDENT.
D. A. RASHEED	PENNYVIEW FARM	"
B. CURRIE	Penn Bank, Gt Corby	Resident
B. MARSHALL	85 MILLINGS	-
C. Booth	Croft House	Resident / Parent
M. Douthett	Eden Grange	Resident

46

NAMES	ADDRESS	RESIDENT/PARENT
Michelle Williams	97 Hurley road	Resident
Emma Stewart	35 Millriggs	Resident.
S. Farley	12 Cairn Cres	Resident
Kelsey Farley	12 Cairn Crescent	Resident
C. MATHISON	35 MILLRIGGS	— 11 —
D. PARINGIS	99 MILLRIGGS	"
ALAN IRVING	100 MILLRIGGS	"
LORRINE IRVING	" "	"
KAREN TERRY	35 "	"
Donna Stewart	35 Millriggs	" "
Maime Stewart	Corby Hill Colvent	Resident
Vicky Stewart	Colvent, Corby Hill	Resident
ELIZABETH GARDEN	CORBY HILL	" "
FRANK MILLER	ROSEBANK CLOSE	"
K. Teasdale	107 Hurley Road	— 11 —
C. Teasdale	— " —	— " —
T. Jones	Longthorpe Farm	Resident
M. J. LAWTHIE	105 HURLEY RD	RESIDENT
A. WELLS	85 HURLEY RD	RESIDENT
L. M. Park	973 Hurley Rd	RESIDENT
C. Williams	97 Hurley Rd	Resident
M. Williams	97 Hurley Rd	Resident
E. Teasdale	107 Hurley Rd	Resident
Paula Wright	14 Millriggs	Resident
S. Dwyer	11 HURLEY RD	Resident
MR. SMITH	9 HURLEY RD	RESIDENT
H. Carter	15 Hurley Rd	Resident
K. Carter	15 Hurley Rd	" "
F. Carter	— " —	— " —
A. B. Parker	10 Hurley Rd	Resident
D. Parker	" "	"
C. J. Askew	12 Hurley Rd	Resident
A. M. Jones	14 Hurley Rd	"
Wm. B. Wright	16 Hurley Rd	"
J. K. S. Jones	18 — " —	— 11 —
P. Jones	20 — " —	— 11 —
J. F. Nigham	64 Hurley Rd	J. F. Nigham
Mr. Mathison	112 Hurley Rd	Resident
K. M. CUE	123 Hurley Rd	Resident Resident
Tracey Watson	121 Hurley Rd	Resident
M. Hawkins	114 Hurley Rd	Resident
Jayni Marsden	83 Hurley Rd	Resident/Parent
E. Russell	83 Hurley Road	Resident
Paul Marsden	" " "	Resident/Parent

NAMES	ADDRESS	RESIDENT/PARENT
Terry Jones	1 Holme Eden. Wardour Bridge	Resident
Doreen Fiddons	Edenbank Cott	BOTH
Vikki Howen	RIVERSDALE LITTLE CORBY	BOTH
Alexa	THE WYNNHAM	Resident
STEVE HENRI	RIVERSDALE LITTLE CORBY	BOTH
L. ATKINSON	79 HURLEY RD LITTLE CORBY	Resident
A. SUTHER	Abertawe, Llanelli Hill	Resident
H. Cockburn	Eden Vale Little Corby	Resident
R. Black	78 Hurley Rd	Res
ROSAEEN BLACK	78 Hurley Rd	Res.
PHILIP COCKBURN	Eden Vale Little Corby	Resident
Mary Lyla	72 Milling	Resident
M. PARRIE	96 HURLEY RD	Resident
D. Dixon	ALBACANDA	Resident
W. Hallen	Little Corby	DO
D. Young	"	RES
J. Elchell	52, MILLIGGS.	RESIDENT
John Elchell	" " "	"
LES WHEATON	98 MILLIGGS	Whitehead
Watersdale	Cairn Cres Corby Hill	RESIDENT
JM TEASDALE	14 CAIR CRE Corby Hill	Resident
A. SOWERBY	8 LITTLE CORBY RD	"
P. Rowley	20 MILLIGGS	"
K. Collins	Kingsfisher Rk Carlisle	Parent
M. J. Collins	Kingsfisher Rk Carlisle	Parent
J. Carr	119 HURLEY ROAD	Resident
M. Young	Knarledale, Corby Hill	Resident
M. Young	"	Resident
Paul Davies	119 HURLEY RD	RESIDENT
Michael Hughes	114 HURLEY RD	RESIDENT
Ian Swanson	Milestone House	RESIDENT
L. HENRIKSON	20 HARRISON ST	RESIDENT

Planning Application – Holme Eden Abbey – Change of access at Warwick Bridge

I observed with serious concern an application for a roundabout on the junction of the A69 – Carlisle – Newcastle road with the Warwick bridge - Newby West road.

I live in Esk House, Warwick Bridge which is right on the junction of these two roads and I am appalled that it can even be considered. The prospect of vehicles that now pass my house actually stopping and pulling away on my very doorstep dismays me. The noise of squealing brakes, low gear pulling away will be unbearable and the exhaust fumes which are belched out, particularly by the HGV.s will be a serious health hazard to my children (two of which are asthmatic) My quality of life will be seriously impaired and what effect on the value of property – I shudder to think!

I have previously applied for an access for one vehicle onto this bend. This was to enable me to convert an outbuilding into a 'granny flat' for my aged mother and was told under no circumstances would vehicle access be permitted onto this part of the road. so how all of a sudden is it to be considered?

I wish to object in the strictest possible terms against this proposal.

Mr G Winrow
Esk House
Warwick Bridge.

01/03/99 + 01/07/99

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0574

Mr Alan Taylor
Planning Services
Carlisle City Council

PLANNING SERVICES	
REF	01/0787
② - 4	OCT 2001
RECEIVED	on
RECEIVED	AMT/CH
PASTORAL	
ACTION	

① 869/870

Mr Terry Jones
1 Holme Eden Farm Cottages
Warwick Bridge
Carlisle CA4 8RQ

3 October 2001-10-03

Dear Sir

I am writing as a resident of Holme Eden Farm Cottages in Warwick Bridge in relation to the planning applications by DARE Northern (Development and Regeneration Excellence) for developments in the immediate vicinity of my property. I wish to raise a number of objections to the proposals.

For purposes of clarification, I am aware that there are currently two separate planning applications.

The first of these for the development of twelve residences affects, principally, the Abbey building itself and entails the development of the access road to the Abbey building which runs alongside the lodge immediately after the Bridge at Warwick Bridge. On that application, the proposed developments do not infringe on my property and I have no objections to raise.

The second planning application submitted by DARE relates to developments of the walled garden site which is adjacent to the courtyard at Holme Eden (the site of five residences, including my property: address above). It is in relation to this proposal that I wish to raise the following objections. I wish to preface these objections by pointing out that I have a legal entitlement to be informed by post of planning applications: to date, that has not happened.

1. The proposed one way road from the Abbey building into the courtyard would infringe directly on to my property (specifically in relation to the garden at the rear of my property) because the width of access is insufficient for it to be avoided.
2. The use of this proposed one way road from the Abbey into the courtyard by vehicular traffic represents a compromise to the structural integrity of my property given that the distance between the proposed road and the wall of my property could be no more than a metre. As such the road would infringe on to the foundations of my property.
3. The proposed road is one way, but I have existing vehicular and pedestrian access against the proposed flow of one way traffic, specifically as access to a site for a garage located at the bottom of my garden. I have recently demolished the old garage and I intend to replace it with one of the same dimensions. The exit from my garage site is immediately on to the proposed road with no separation at all.
4. The proposed road is directly alongside the length of my garden. The distance between the garden and the proposed road could be no more than inches at best, and would constitute a direct intrusion into my property.
5. The pathway from the immediate front of my property on to the proposed road is blind and would entail stepping directly on to the road in the face of incoming traffic. As such it represents a potential hazard to the residents.
6. The proposed development plans do not show an outbuilding of my property which is built on to the walls of the garden. Access to that outbuilding would be similarly jeopardised by on coming traffic from the direction of the Abbey.

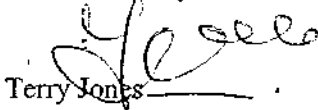
7. Egress from the courtyard for the current five residents of the properties situated there would be jeopardised by the traffic intended to enter and exit from the proposed new two road into the walled garden.

In addition to the above, I wish to raise the following objections.

It is clear that the proposed one way road from the Abbey building into the courtyard is intended to serve the residents of the new developments proposed for the Abbey building. The road would run one way from the Abbey. This proposed development is not indicated as part of the first planning application, but has been included on the second planning application. As such it is probable that the road itself is intended to serve as a lever for further planning applications immediately to the rear of the courtyard. The proposed one way road has been excluded from the first planning application of which it is clearly an integral part.

I would like these objections to be put before all members of the Planning Committee who have oversight responsibilities in relation to these planning applications.

Yours sincerely


Terry Jones

To: The Planning Officer, Civic Centre, Carlisle.

Re: Application to build 13 dwellings plus garage blocks with separate accommodation over, within walled gardens, Holme Eden, Warwick Bridge.

Sir,

The A69 between Brampton and Carlisle serves the villages of Hayton, Great Corby, Wetheral, Scotby and Aglionby as well as being the main road for all E.W. traffic.

Contrast the A689 between Brampton and Brunstock with practically no settlements or dangerous bridge and the case for reversing their roles seems obvious.

The recent calming measures introduced between Warwick on Eden and Corby Hill recognises the hazards faced by the residents.

I submit that the proposed mini round -about at the junction of the A69 and Little Corby Road will increase the dangers, particularly for children crossing to attend Warwick Bridge school and Downgate (a recent similar submission for traffic from Watersmeet to emerge onto Little Corby Road was dismissed as being too dangerous)

Also the increase in traffic associated with the proposal to convert Holme Eden into luxury flats and the associated one-way system could create, for traffic from the East, a hold up of West bound traffic while waiting for an opportunity to turn right against on-coming traffic so close to a dangerous bridge.

For the reasons stated above I wish to object to the proposals.

P.S. The proposal states the names of the Architect from Bath, the developer from Penrith but not the owner of the land - is this omission deliberate?



R. Blackburn
1 Little Corby Road

2001/0869

28

CJH

8

Mr A M Taylor
Chief Development Control Officer
Planning Services Division
The Civic Centre
Carlisle CA3 8QG

Mr T Jones
1 Holme Eden Farm Cottages
Warwick Bridge
Carlisle CA4 8RQ

01/0870

8

8 October 2001

Dear Sir

Re Planning Proposal Application Ref 01/0870 (Holme Eden Warwick Bridge, Cumbria)

I have written previously and received your receipt of my communication in respect of the above planning proposal.

I would wish it to be noted that the proposal as outlined in your communication (your ref. CJH/DC/01/0870) makes no specific reference to the development of a road leading from the Abbey Building (one way) into the Courtyard despite the fact that this would amount to being one of the most major changes to the character of the Courtyard with the attendant hazards I have represented in my previous letter.

The proposal however does refer to alterations to the highway junction and I take it that this refers to the proposal to build a mini roundabout on the A69 at the junction of the A69 with the Courtyard entrance and the Little Corby Road. In relation to this I would wish to raise the following objections.

Firstly the proposal does not take into the account the rate and type of traffic flow through that particular section of road at the different times of day. It seems not to be appreciated that the road is heavily used by HGV traffic which, given the sharp bend on the corner could not reasonably be expected to avoid a proposed mini roundabout. In reality the suggestion on the part of the would be developers that the road would be improved by such a development is an acknowledgement in itself that this a very dangerous proposal that runs counter to the safety of residents of Warwick Bridge and Little Corby,

Additionally, the site of the proposed roundabout is currently and has been for many years the point at which several dozen primary school children cross and re-cross the road to reach Warwick Bridge Primary School. The school-crossing lady stationed there is positioned to maximise the safety of those children. It is the optimum location given those safety considerations. A roundabout would displace the crossing point and would by that fact alone constitute an additional hazard to the safety of the children. Even if the crossing site were not to be moved, then the additional traffic entering the roundabout from the proposed development would in itself constitute an hazard; and even if that were not the case, then the fact of traffic currently using the road would, in its requirement to negotiate an additional road feature, constitute an hazard.

Further, the junction is currently the site of a bus stop for route 685, which stops at the Little Corby junction. The proposal appears to have ignored this additional hazard.

Finally, it is my understanding that a planning application by a private resident of Warwick Bridge which would have the effect of introducing a single additional car onto the junction, was turned down on grounds that suggested that any additional traffic would constitute an hazard.

Yours faithfully

Terry Jones



Tel: 01228 560404

Two Hoots
Heads Nook
Brampton
Cumbria
CA8 9AE

11th October 2001

Head of Planning Services,
Carlisle City Council.

Dear Sir,

Planning Application No: 2001/0869 Holme Eden Abbey, Warwick Bridge.

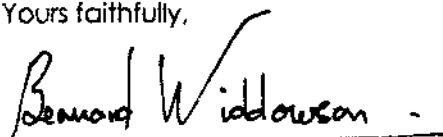
I wish to record my objection to the above planning application. Holme Eden Abbey and its walled garden enjoys some form of 'listed' status, and thus deserves appropriate consideration. This proposal is substantial, intrusive and wholly inappropriate.

Had this application envisaged restoration of the walled garden with befitting use thereafter then it would have been an entirely different consideration; as it is, I believe the application should be rejected.

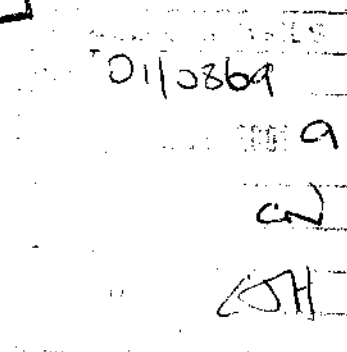
Notwithstanding the above, the proposal to re-shape the A69 road with the introduction of a mini-roundabout to accommodate an increase in traffic, is nothing short of ludicrous in its irresponsibility given the accident record of the road in this vicinity. Public anxiety on this issue alone has already been adequately rehearsed by recent media attention.

I believe the owner of the property is a substitute member of the Development Control Committee of Carlisle City Council and as such will wish to declare an interest.

Yours faithfully,



Bernard Widdowson



1. 560835

The Head of Planning Services
Living Centre
Carlisle.

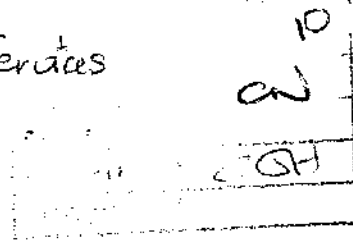
Dear Sir

P.A. No. 20010869 Holme Eden Abbey, Warwick Bridge

Even Holme,
Keads Hook

CA8 9AA

14/10/01



I wish to object to the above application on the following grounds

1) Holme Eden Abbey is a listed building, one of only two calendar crosses in the country, and the future of it, and its walled garden, require the most careful consideration. The houses and garages planned for the garden are a large, insensitive project, which I believe, should be totally (~~completely~~) rejected.

2) The proposed roundabout is at a very dangerous junction near a primary school. Today work was in progress re-erecting the railings at a house on the bend, following yet another traffic incident at that place.

The original drive to the Abbey, near the bridge over the Eden is a hazardous exit on to the A69. Taking into consideration that most rural households now have two cars, to allow this amount of traffic to exit on to the road would, I consider be courting disaster. Particularly for drivers turning right for Carlisle and having to cross the line of traffic.

Yours sincerely,

M. Rosemary Dias (Mrs)

Mrs. A. Richardson
Holme Eden Lodge
Warwick Bridge

PLANNING SERVICE

CA4 BRB

ITAW

Letter of Appreciation

Dear Sir,

Re: Development at
Holme Eden Abbey Warwick
Bridge

I am pleased to
acknowledge the application
of the above and am
very glad to hear of
the early start of the
scheme to develop.

Many thanks

Ann Richardson



PLANNING SERVICES	
REF	01/0869
22 OCT 2001	
RECORDED	MM.
SCANNED	
PASSED TO	COH
ACTION	

①

Beechwood,
Heads Nook,
Brampton,
Cumbria CA8 9J

19th October, 2001.

Dear Sir,

Restoration of Wall & Gardens. Erection of 13 Dwellings within walled garden and erection of 2 garage block with accommodation etc, together with alterations to highway Jct.
Location: L.A. Walled gardens - Holme Eden, Warwick Bridge, Cumbria - App.No. 01/0869.

I would like to register my objection to the above proposals for the following reason

1. This is a notoriously busy road. There have been many accidents, including fatalities on this particularly dangerous stretch. The additional volume of traffic emanating from the new dwellings will only exacerbate the situation.
2. It is already hazardous for the Warwick Bridge school children crossing the road to & from the school, not to mention parents depositing & collecting them on foot & by car, parking alongside the school & invariably overflowing at the bus stop on the A69.
3. Mini roundabout - difficult to negotiate

4. Inappropriate use of walled garden.

For the benefit of present pedestrians, children motorists + present homeowners, I recommend the application be declined.

Yours sincerely

P.A. Richardson (Mrs)

(Daily A69 road user).

**CAIRN HOUSE
WARWICK BRIDGE
CARLISLE CA4 8RL**

Councillor G.Prest
Chairman of the Planning Committee
Carlisle City Council
Albany
Capon Road
Brampton
Cumbria CA8 1QL

25th October 2001

Dear Mr Prest

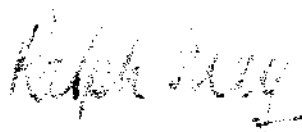
Re: Application for Planning Permission
Mini Roundabout A 69 Warwick Bridge

(OS 1: 50 000 Second Series. Sheet 86 GR 415 569)

As I am not sure who has the final responsibility of granting Planning Permission on the Trunk Road A69, I am enclosing a copy of a letter we have written to Councillor Robinson, whom I understand is Chairman of the County Council Planning Committee, for your information. I have also written to David Maclean to get his support.

I hope you will see how dangerous and impractical a Mini Roundabout would be on that awful corner on the A69, where Little Corby Road comes into the main road, and where the school children have to cross. We have lost count of the number of accidents that have occurred on that corner, and this scheme would, quite obviously, cause more. We hope you will support the villagers in their opposition to this appalling scheme.

Yours sincerely



R.K.May

**CAIRN HOUSE
WARWICK BRIDGE
CARLISLE CA4 8RL
Telephone 01228 560 253**

Councillor J.R.D. Robinson
Chairman of the Planning Committee
Cumbria County Council
24 Summerfields
Dalston
Carlisle CA5 7NW

25th October 2001

Dear Mr Robinson,
Re: Application for Planning Permission
Mini Roundabout A69 Warwick Bridge

(OS 1:50 000 Second Series. Sheet 86 GR 415 569)

It has come to our notice that the owner of Holme Eden Abbey is applying for Planning Permission to build a Housing Estate and twelve flats in the Mansion.

The entrance to the Abbey is on the A 69 Trunk Road, immediately after the dangerous bridge over the River Eden. I understand it is planned that this entrance should become a one-way road to the Mansion and the proposed Housing Estate.

The proposed one-way exit is to be on the extremely dangerous corner where Little Corby Road enters the A69. This is where the school children from the housing estates to the North of the A69 cross the road, with the help of a very brave Lollipop Lady.

As you will see from the enclosed map, the proposed plan is to put a 'Mini Roundabout' on this sharp corner. Heavy articulated lorries already find this corner a problem. You do not have to be an engineer to see that they would be unable to negotiate a mini roundabout. The inevitable consequence will be even more accidents than already occur on this corner.

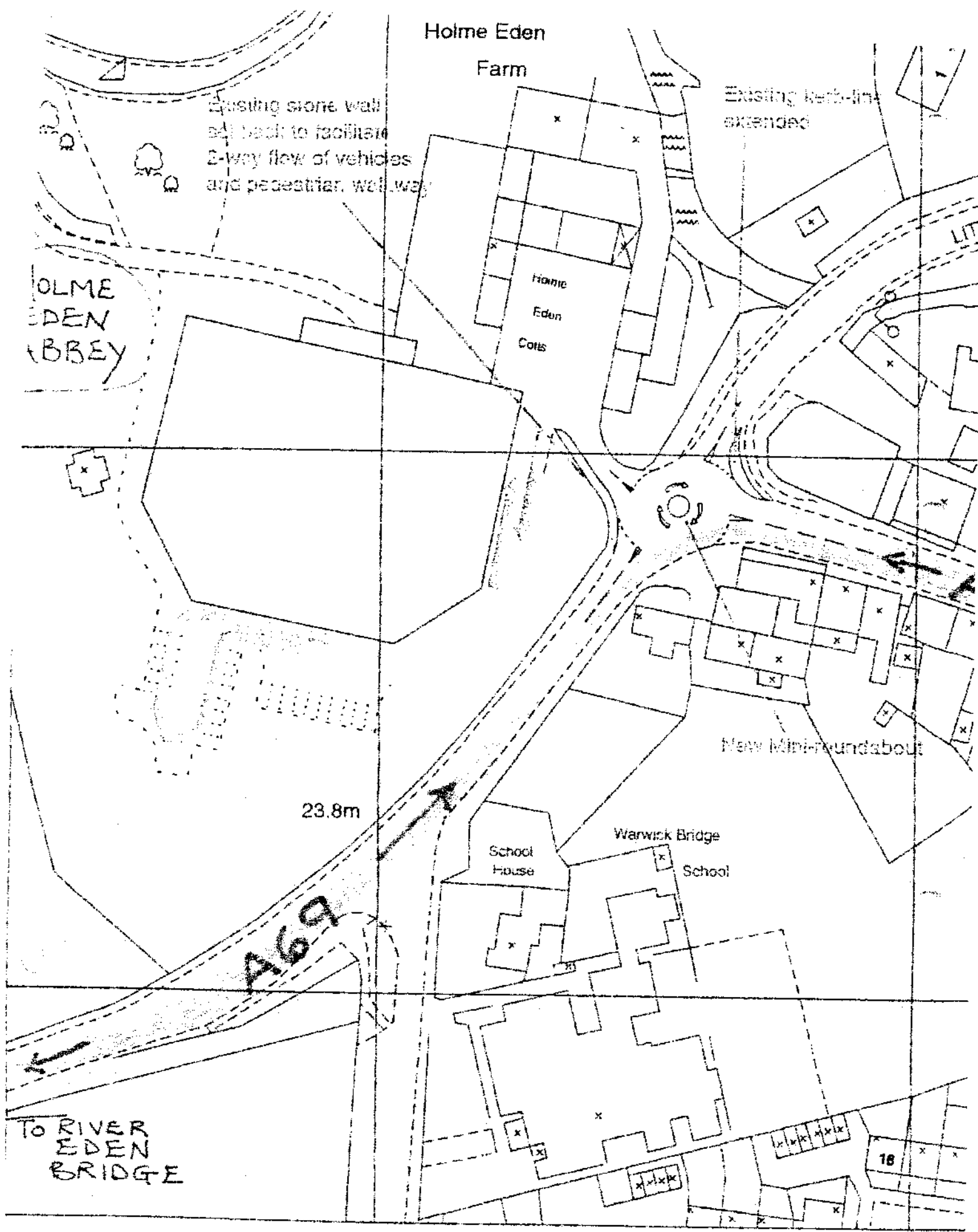
There is a petition by the parents of the children who attend the school, to oppose this extremely dangerous plan. We would be grateful if you could also back the villagers by objecting strongly to this appalling private application for Planning Permission.

We suffer enough as it is by having this Trunk Road dividing our community. It is a road which has been the cause of many accidents and casualties over the years. We are staggered that any such plan should be proposed – a plan which will make this corner even more of an accident spot, and cause more trauma than we already endure.

Yours sincerely

(R.K.May

Mrs B.H.M.May



Proposed High
Home Eden Cottage

our ref. CIH/RC/01/0869.
Head of Planning Services
Coun. Centre, Carlisle.
Dear Sir,

Eden Holmes, Heads Hook - CA8 7AA	
REF	01/0869
DATE	25 OCT 2001
REC'D	CIH
BY	
DATE	25 OCT 2001
ACKNOWLEDGED	
25 OCT 2001	

I wish to make the following additions to my first letter.

① The importance of the building as a Grade II should not be underestimated. The walled garden is an intrinsic part of the setting of the house. The nature of the development should be viewed in the light of Government guidance on listed buildings.

② No evidence has been put forward on a financial case of need to develop 13 houses to fund restoration of, or alterations to, the Abbey. The development must therefore be seen as opportunistic. The house and grounds are free-standing, not forming part of an established settlement. The development proposed is outside the existing settlement, and there should be a presumption against development in accordance with national planning policy guidance. There are alternative allocated sites within the existing settlement boundaries which are more appropriate for residential development.

③ The proposed level of development at the Abbey is inappropriate and it would have a detrimental effect on the character of one of the most important listed buildings in the area. If there is a need to allow development, to ensure the long-term maintenance of the property, a use which requires less alteration of the existing space would be more appropriate.

④ The proposed access arrangements are sub-standard for a major district road.

⑤ I would query whether, in view of the importance of the

P.T.O.

building, and the position of the owner and the financial benefit she would receive if planning consent were given, whether the Council could demonstrate that personal bias had not influenced their decision.

Therefore I submit that it may be more appropriate for the application to be considered by the Secretary of State under the "call-in" provisions.

Yours sincerely,

Mr. Peter Henry Dias (Mrs)

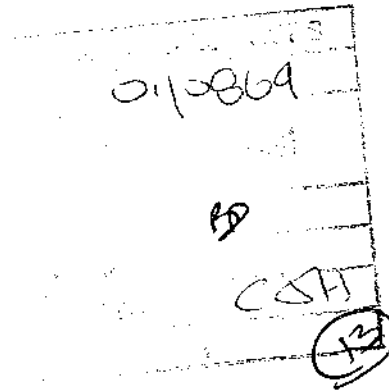


WARWICK BRIDGE

PRIMARY SCHOOL

HEAD TEACHER
Mrs H M Park MA

Planning Applications
Carlisle City Council
Civic Centre
Carlisle
CA3 8QG



19th November 2001

Dear Sir

Proposal 200110869

On behalf of the governing body of Warwick Bridge School we wish to raise concerns about the above planning submission.

The positioning of the roundabout would result in the school crossing patrol being unable to continue at that point. There is no other point on the road where there is visibility sufficient to enable the crossing Patrol to be re-sited. The A 69 has an extremely high traffic flow and some 40 % of the school pupils live across the road. The school is presently involved in the "Better Ways to School" initiative and is working hard to improve the safety of our pupils and access to the school. The dangers which would present themselves should this proposal be approved are too grave to contemplate.

The school welcomes the proposed planning application for the dwellings and realises the difficulties associated with access. However the proposal for a roundabout/ Pelican Crossing increases the dangers to the pupils and local community as a whole.

Yours faithfully

Mrs H M Park

On behalf of the Governing Body of Warwick Bridge School



WARWICK BRIDGE

CARLISLE CUMBRIA

CA4 8RE

Tel 01228 560390

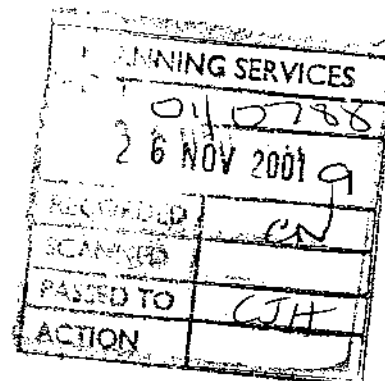
Fax 01228 561186

MR & MRS J MCANDREW BRUCE

2 Holme Eden Farm Cottage,
Warwick Bridge,
Carlisle,
Cumbria,
CA4 8RQ.
Phone: 01228 561019
Mobile: 07719911073

22 November 2001

Mr J Hamer,
Department of Environment & Development
Planning Services Division'
The Civic Centre,
Carlisle,
CA3 8QG



Dear Sir,

Proposal: Refurbishment and adaptation of Holme Eden Abbey to form 12no.
residential apartments

Location: Holme Eden Abbey, Warwick Bridge, Carlisle, Cumbria

Appn Ref: 01/0788 /

Your ref: CJH/DC/01/0788

Thank you for your letter dated 3rd September 2001. We observe as to the refurbishment adaptation of Holme Eden Abbey. We have also observed the proposed adaptation to the Walled Garden Development, with proposed traffic flows and proposed highway alterations.

We would object to this proposal on the following grounds,

- 1/ The safety of the children in the courtyard
- 2/ The safety of the children getting anywhere from the courtyard (in & out)
- 3/ The safety of all school children getting to and from school
- 4/ The Lollipop Lady stands at the corner where the roundabout is proposed to be put, if the roundabout goes ahead she will have to be moved, this will greatly compromise the safety of the children, she was placed in that position for road safety reasons
- 5/ The dustcart is not permitted to enter the courtyard, this would mean that rubbish from 31 dwellings would be placed at the end of the courtyard. This would also mean that the dustcart would have to stop on the roundabout to collect the rubbish
- 6/ We bought our property on the assumption that it was a safe and quiet secluded place, if these proposals go through this would not be so
- 7/ To our minds the property would be devalued if these proposals go through, because of the amount of traffic they would create
- 8/ Traffic would disrupt ourselves and the owners of 1 and 3 Holme Eden Farm Cottages from getting to the rear of our properties (children bringing bicycles to and

from, adults bringing garden waste, cars motor bikes etc,)

9/ Ourselves and No.1 have got vehicle access to the rear gate, this would be disrupted, as the proposed road leading from the Abbey is one way coming from the Abbey

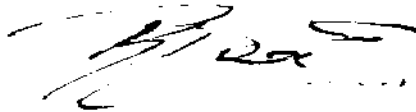
10/ The extra traffic will disrupt 1 The Steadings as it will pass under their master living room window

11/ The extra traffic will disrupt 1 Holme Eden Farm Cottage as it will pass their kitchen window

12/ There is a Bus stop on the A69 where the proposed roundabout is to be put

We have also enclosed the petition that was set up against the mini roundabout. It has 338 names on it.

Sincerely,

A handwritten signature in black ink, appearing to read 'Katrina McAndrew Bruce', with a stylized flourish at the end.

Katrina McAndrew Bruce

ACKNOWLEDGED



DEC 2001

The Town Clerk

Your Ref CSH/DC/01/0804 - WARWICK BRIDGE

01/0869

CAROLINE

CAH SRG

1

ON

6/12/01

Dear Sirs,

CSH

Thank you for letter 27/11/01
regarding planning proposal at Helme Eden.
I would welcome the restoration
of the walled garden as it would
tidy up and improve a rather tatty
corner of Warwick Bridge. In addition,
the proposed alterations to the road
junction should benefit the
village as a whole, by slowing
down traffic that regularly

arrives at that corner apparently
by surprise, despite recent
dankings of red paint etc.

Any traffic calming measures
on this stretch of de A69 would
be welcome bearing in mind
the almost daily occurrences of
accidents, obviously due to the
fact that the nearby bridge an
through road were designed to
accomodate two or three horse-drawn
wheeled per hour and not dozens
of 20 Tonnes plus H.G.V's.

Yours faithfully


RICHARD G. LEASLE

ACKNOWLEDGED

08 JAN 2002 Telephone 01228 561957
e-mail: expo.life@dial.pipex.com

BECK GRANGE
WARWICK BRIDGE,
CARLISLE,
CA4 8RL

4th Jan 2002

Director of Env. & Dev.,
Carlisle City Council,
Civic Centre,
Rickergate,
CARLISLE,
CA3 8QG

PLANNING SERVICES	
REF	01/0869
08 JAN 2002 17	
CN	
CSH	

Dear Sir/Madam

Holme Eden, Warwick Bridge, Development – Objection.

Having read newspaper reports on the above development, I hereby object to same on the following grounds; -


1. THE DEVELOPMENT IS UNLAWFUL ; -

a). - The construction of 13 dwellings in the open countryside surrounding Holme Eden (call it 'grounds' if you wish), is a clear violation of the **Carlisle District Local Plan**, - this plan is, you may recall, that 'legal' and binding plan drawn up by 'yourselves under statute and assessed and approved by Government in accordance with the TOWN AND COUNTRYSIDE ACT 1990. - To which 'you' must adhere. It is apparent you are not.

b). Access to said development, - Further accesses such as this onto this length of this already overstretched and totally inadequate trunk road (A69) is plainly absurd. The 'users' and residents here have long suffered and so do suffer greatly under the present circumstances. - This diabolical 'road' situation itself has developed due to the dubious and incompetent representations and attitudes of those council 'officials' involved.

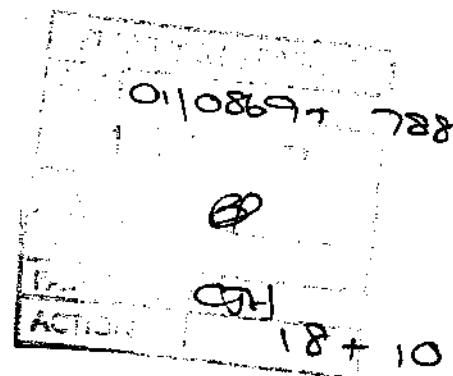
Notwithstanding the foregoing, this development that 'you' favour, is but yet another of a long line of similar 'illegal' violations of the above Act, perpetrated by yourselves and that I have previously brought to yours and others, attention. - Hypocritical, inconsistent and incomprehensible (insofar as truth, decency and honesty are concerned) development approvals. Approvals that can only have been based on, partiality and favours.

Sincerely yours,



MR P. D. BULMAN

CAIRN HOUSE
WARWICK BRIDGE
CARLISLE
CUMBRIA CA4 8RL
Telephone 01228 560 253



Councillor John Collier
Chairman Planning & Land Use Committee
Carlisle City Council
Civic Centre
Carlisle CA3 8QG

10th January 2002

Dear Mr Collier,

Re: PLANNING APPLICATION FOR ONE SYSTEM HOLME EDEN ABBEY

We are thankful that the mini roundabout plan has been discarded. In our view this plan should never have even been contemplated.

However, we are horrified to learn that the City Council and the Highways Agency have approved a one way system from Holme Eden Abbey, which will mean traffic exiting onto the A69 by Warwick Bridge. It seems incredible to us, who have to negotiate the, already, extremely dangerous bridge, on a curve, with a road from Great Corby on the opposite side, that such a plan should be approved. It is a part of the road, where you must know, there are already accidents, most of them thankfully minor, but where a major accident involving the many heavy lorries who cross the bridge, is waiting to happen.

As local inhabitants, we are amazed that anyone could allow such a plan to go through, and further surprised that the Highways Agency, who have consistently refused us a by-pass, should allow such a plan. We sincerely hope that common sense will prevail and the plan will be turned down on reflection.

Yours sincerely

R.K. May

Copy to Councillor JRD Robinson

SCHEDULE A: Applications with Recommendation

ITEM NO. 15

Date of Committee: 01/02/2002

APPN REF NO:
01/0870 /

APPLICANT:
Dare (Northern) Ltd

PARISH:
Wetheral

DATE OF RECEIPT:
25/09/2001

AGENT:
Countryscape Planning

WARD:
Great Corby & Gel

LOCATION:

L/A walled gardens - Holme Eden, Warwick Bridge, Cumbria

GRID REF:
347300 556900

PROPOSAL: Restoration of wall and garden, erection of 13no. dwellings within walled garden and erection of 2no. garage blocks with accommodation over together with alterations to highway junction (LBC)

REPORT

PLANNING POLICIES:-

LISTED BUILDING

The proposal relates to a building which has been listed as being of Special Architectural or Historic Interest.

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E35

Proposals for new development which adversely affect a listed building or its setting will not be permitted. The City Council will seek to encourage any new development to be sympathetic in scale, character and materials.

CARLISLE DISTRICT PLAN HOUSING - POLICY H5

Within the following settlements, large scale residential development will not be permitted. Proposals for small scale residential development will normally be acceptable providing that:

1. the site is well related to the landscape of the area and does not intrude into open countryside; and
2. the scale of the proposed development is well related to the scale, form and character of the existing settlement; and
3. the layout of the site and the design of the buildings is well related to existing property in the village; and
4. the siting and design of the buildings is well related to and does not adversely affect the amenity of neighbouring property; and
5. appropriate access and parking can be achieved; and
6. the proposal will not lead to the loss of amenity open space within or at the edge of the settlement; and
7. the proposal will not lead to the loss of the best and most versatile

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0870 /

agricultural land.

Aglionby, Baldwinholme, Banks, Barclose, Beaumont, Blackford, Blackwell, Boltonfellend, Boustead Hill, Broadwath, Brisco, Brunstock, Burgh-by-Sands, Burnrigg, Cardewlees, Cargo, Carleton, Castle Carrock, Cotehill, Cumdivock, Cummersdale, Cumrew, Cumwhinton, Cumwhitton, Durdar, Easton, Farlam, Faugh, Fenton, Gaitsgill, Gilsland, Great Corby, Great Orton, Grinsdale, Hallbankgate, Harker, Hayton, Hayton Townhead, Heads Nook, Hornsby, Houghton, How Mill, Irthington, Kirkcambeck, Kirkandrews-on-Eden, Knells, Lanercost, Laversdale, Linstock, Little Orton, Low Crosby, Longburgh, Low Row, Lyneholme, Midgeholme, Milton, Moat, Monkhill, Moorhouse, Newby East, Newtown, Raughtonhead, Rockcliffe, Rickerby, Scaleby, Scotby, Smithfield, Stainton, Stockdalewath, Talkin, Tarraby, Thurstonfield, Tindale, Todhills, Walton, Warwick-on-Eden, Warwick Bridge (Including Little Corby & Corby Hill), Westlinton, Wetheral, Wetheral Pasture.

CARLISLE DISTRICT PLAN TRANSPORT - POLICY T3

Proposals for development which materially increase the traffic movement on the road network will need to be accompanied by a Traffic Impact Assessment. The City Council will usually require any road improvements or new highways, identified as being necessary by the assessment, to be funded by the developer. Such work should be consistent with the role and function of the highway. In the case of trunk roads all the costs will be borne by the developer and the scheme should be designed to be consistent with the Department of Environment, Transport and Regions' design horizon.

CUMBRIA & LAKE DISTRICT JOINT STRUCTURE PLAN POLICY 40

In rural settlements outside the National Parks and AONBs, housing development will normally be permitted, especially where it would help to sustain the existing local community, and provided it is in sympathy with the scale and character of the existing settlement. Outside rural settlements, new dwellings will normally only be permitted for those engaged in agriculture where such a dwelling is essential for the working of the farm.

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E31

On land for which there is no archaeological information, but where there are reasonable grounds for believing remains to be present, the City Council will ensure that the archaeological aspects of development proposals are examined and evaluated before planning applications are determined. Planning permission will not be granted without adequate assessment of the archaeological implications.

SUMMARY OF CONSULTATION RESPONSES:-

See application 01/0869 preceeding.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0870 /

SUMMARY OF REPRESENTATIONS:-

See application 01/0869 preceeding.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

There is no planning history relating specifically to the walled garden. For planning history related to the Abbey itself, see report on application 01/0788.

DETAILS OF PROPOSAL

This application, for listed building consent, relates to the same proposal as 01/0869.

RECOMMENDATION:-

APPROVE WITH CONDITIONS

1. Listed Building Consent - 5 years
2. Details of Const - Roads & Footpaths
3. Roads/Occupation of Dwellings-Timing (1)
4. No development shall commence until visibility splays providing clear visibility of 92.5 metres x 4.5 metres x 148 metres measured down the centre of the access road and the nearside channel line of the major road have been provided at the junction of the access road with the county highway. Notwithstanding the provision of The Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splay which obstruct the visibility splays.
5. All highway improvement works, and related highway traffic measures necessitated by the proposed development, including carriageway widening, provision of amended stabling lane, the re-siting of traffic signs, lane marking and the re-siting of or protection of existing services, shall be based on the details shown on the submitted drawing nos. XXXX and any other schedule of drawings or works incorporated in the agreement to be entered into by the applicant and the Highway Agency (as highways authority) under the provisions of Section 278 of the Highways Act 1980.
6. Materials - submission of samples
7. Hard surface details
8. No development shall commence within the site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.
9. The finished ground floor levels shall not be less than 22.460 AOD (this

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0870 /

level includes 600mm freeboard).

10. Notwithstanding any landscaping proposals already submitted, before development commences, detailed plans shall be submitted for the restoration of the site. The submitted details shall include.
 - i. details of the proposed type and species of all planted material including particulars of the proposed planting heights and densities;
 - ii. a management plan for the future maintenance of the landscaped areas of the site.
11. Scheme to be implemented and maintained

1367 →

SCHEDULE A: Applications with Recommendation

ITEM NO. 16

Date of Committee: 01/02/2002

APPN REF NO: 01/0916 / APPLICANT: Mr & Mrs S Cowperthwaite PARISH: Dalston

DATE OF RECEIPT: 05/10/2001 AGENT: Mr B F Child WARD: Dalston

LOCATION: White House, Dalston, Carlisle Cumbria GRID REF: 336930 548530

PROPOSAL: Replacement garage together with kitchen extension

RW.

REPORT

PLANNING POLICIES:-

CARLISLE DISTRICT PLAN
HOUSING - POLICY H14

Applications for extensions to existing dwellings will be approved provided the City Council is satisfied that the proposals are appropriate to the dwelling, its design and setting. Inappropriate extensions which adversely affect the amenities of adjacent properties by poor design, unreasonable overlooking and/or unreasonable loss of daylight and sunlight will not be permitted.

CARLISLE DISTRICT PLAN
HOUSING - POLICY H17

The amenity of residential areas will be protected from inappropriate development where that development:

1. is for a use inappropriate for residential areas; and/or
2. is of an unacceptable scale; and/or
3. leads to an unacceptable increase in traffic or noise; and/or
4. is visually intrusive; and/or
5. leads to a loss of housing stock.

SUMMARY OF CONSULTATION RESPONSES:-

DALSTON PARISH COUNCIL: No objection.

Further comments received on 16 November 2001 and read as follows:

My Council does not wish to make any representation on the proposal detailed above on amended plans.

Further comments received on 15 January 2002 read as follows:

Dalston Parish Council has no objection to the revised plans for this application.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0916 /

HIGHWAY AUTHORITY: No objection.

Further comments received on 7 November 2001 read as follows:

No objection.

SUMMARY OF REPRESENTATIONS:-

This application has been advertised by way of a site notice and one direct notification to the occupier of the adjacent property. One letter of objection has been received from the occupier of this property and the issues raised are summarised as follows:

1. The extension will project 1200-1300mm forward of the existing building, resulting in an overall projection of 2m from the front of my property.
2. The widening of the White House brings the building closer to the boundary. Should an extension be built on Hollin Bush, the two buildings would almost be touching, thereby detracting from the appearance of the buildings. The common boundary should be kept back as far as possible.
3. The garage should be sited towards the rear of the plot, reducing the prominence of the proposal.
4. The two buildings are completely different in style and the extension would detract from the appearance of Hollin Bush.

Further correspondence received on 27 December 2001 reads as follows:

Unfortunately the plans have not changed in any way that would allow us to withdraw our objection.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

There are no planning records relating to this site.

DETAILS OF PROPOSAL

This application seeks full planning permission for the erection of a garage and kitchen extension at the White House, Dalston. The property is located approximately 0.5 miles south west of Bridge End, and is adjacent to the main B5299 Dalston to Caldbeck road. The area is characterised by clusters of detached dwellings leading into open countryside as the road passes through the national speed limit signs.

The White House is set back approximately nine metres from the metalled part of the highway. The property is constructed of brick which has been painted, under a tiled roof. There is an existing garage and utility room attached to the side of the dwelling which is 2.5 metres from the boundary with the

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0916 /

adjacent property which is known as Hollin Bush. To the front of the property is a gravelled area used for the parking and turning of vehicles.

The proposed extension involves the erection of a replacement garage which would be both wider and longer than the existing. The resulting building would now project 1.95 metres from the frontage of the property and leave a passageway of 800 mm to the boundary.

To the rear of the garage it is proposed to construct a kitchen extension which would extend 2.3 metres beyond the existing rear elevation of the dwelling. The proposed extension would result in a continuous wall measuring 11.5 metres in length, 800 mm from the boundary. All materials would match those of the existing.

The garage would be integral and would also be constructed under a pitched roof. The height to the eaves would measure 2.7 metres and 4.2 metres to the ridge of the roof. The ridge would be 3.3 metres from the boundary with the adjacent property.

The drawings which are being considered are the second amendment to the scheme. The applicants have reduced the distance the garage projects forward of the dwelling, have reduced the height of the garage roof, and have increase the distance to the boundary.

Policy H14 of the Local Plan requires proposed extensions to be appropriate to the dwelling and its design. In this regard it is considered that the proposal is acceptable.

Another criteria is that the proposal is appropriate to the setting. Within the objection received, reference is made to the fact that the extension would project forward of the front elevation of the house. The existing garage already projects 850mm.

As already mentioned, the property is set back from the front curtilage boundary and within extensive garden area. Although the resultant structure would be larger than the existing, the effect on this essentially rural street scene would be minimal. The aesthetic relationship with the adjacent property, Hollin Bush would obviously be affected but the scale, design and materials are appropriate to the site. The resulting building would be closer to the boundary and positioned further forward than that of the existing structure. Furthermore, there is a difference in ground level between the two properties, with the White House being higher by approximately 1 metre.

Reference is made in the letter of objection that should the development proceed, a terraced effect would result. Whilst this is a relevant planning consideration, it is not considered to be relevant in this instance because the proposed building is single storey in height. No loss of amenity would result should the development proceed.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0916 /

Whilst Hollin Bush is an attractive building in its own right, it is not considered that the proposed extension would detract from its setting and appearance.

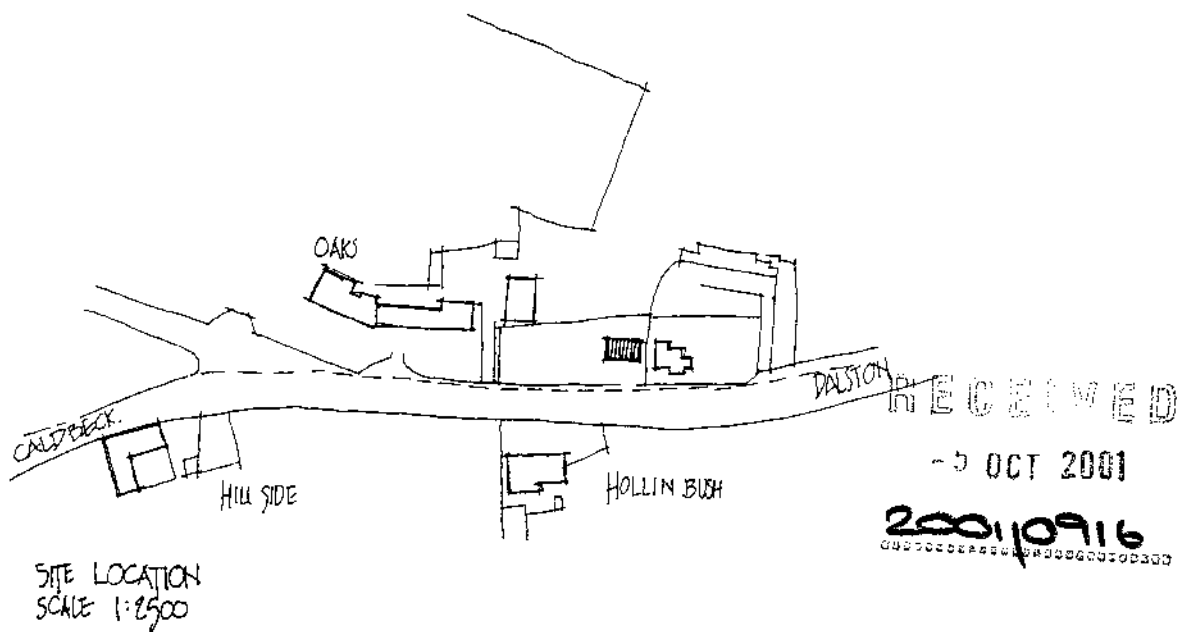
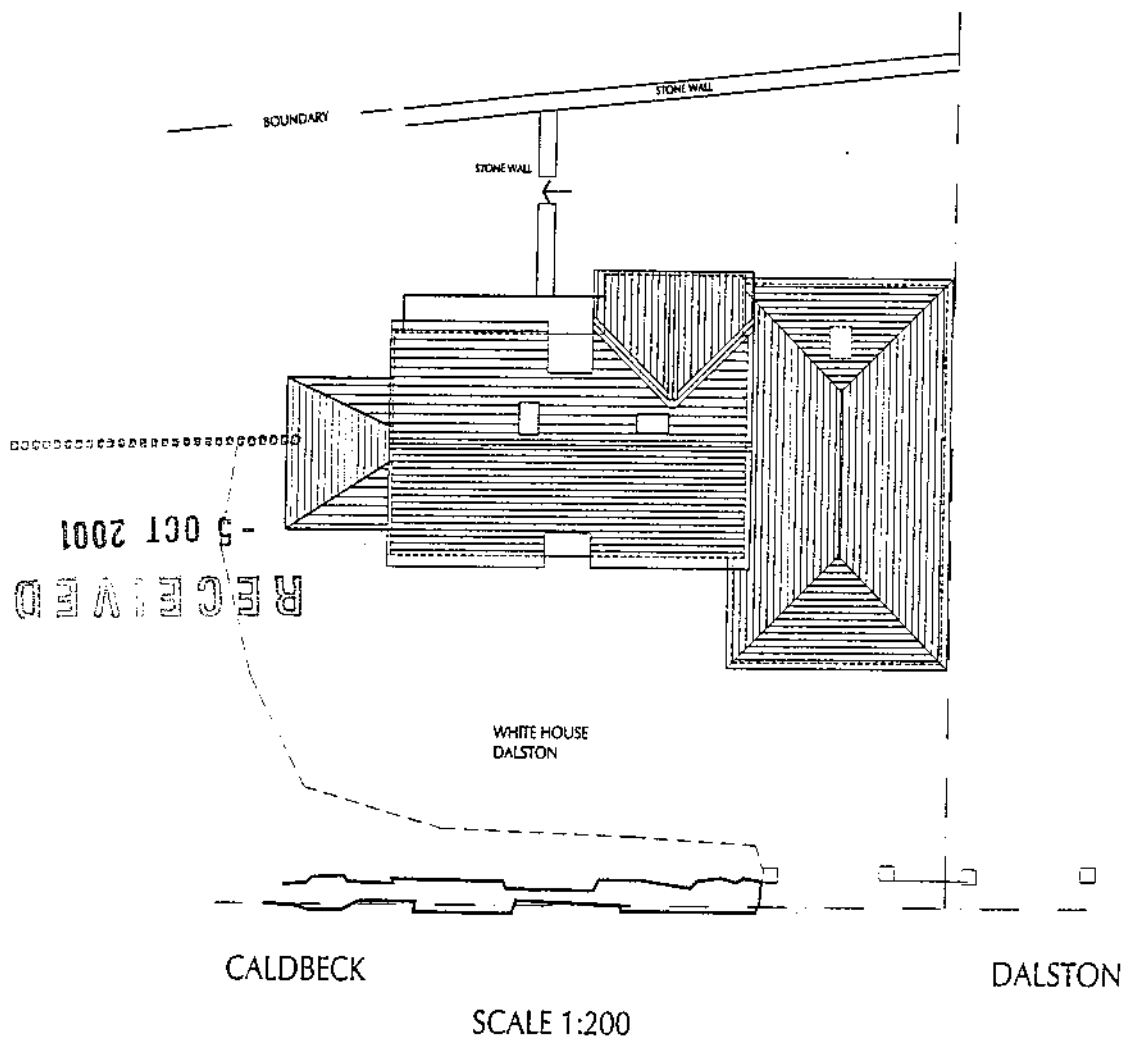
It is not possible to site the garage towards the rear of the plot due to the kitchen extension which would form an integral part of the house. Furthermore, the garage is not considered so obtrusive as to warrant resiting on the plot.

In conclusion, the garage and kitchen extension would be larger than the existing garage structure, but the design scale and materials are appropriate and reflective of the existing dwelling.

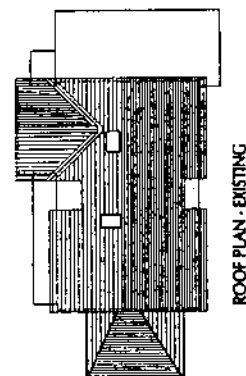
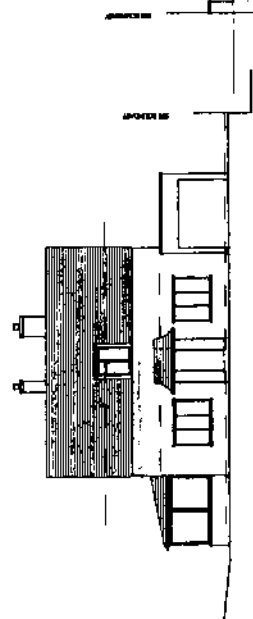
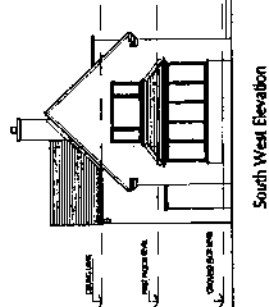
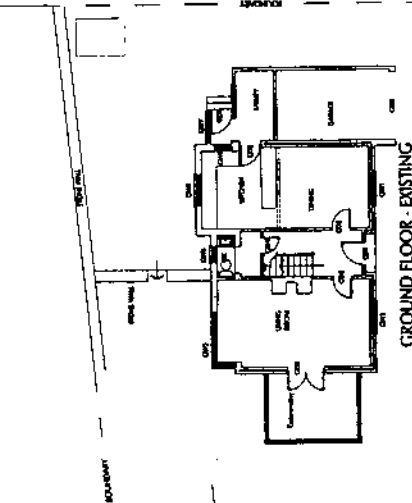
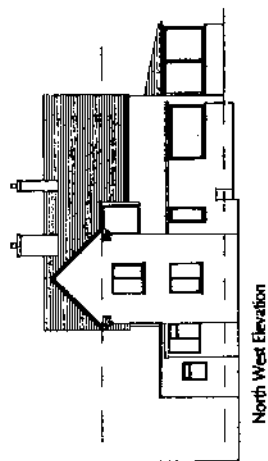
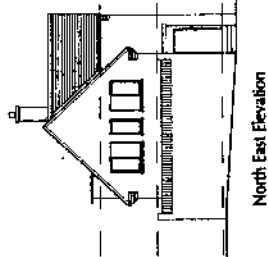
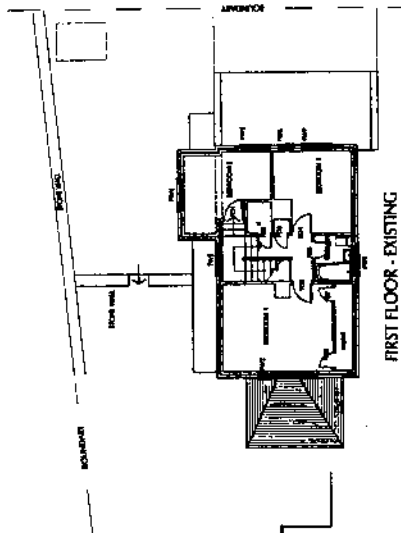
RECOMMENDATION:-

APPROVE WITH CONDITIONS ✓

1. Standard time limit

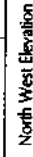
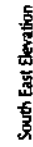


ALTERATIONS AND EXTENSION for MR & MRS S. CONPERTHWAITHE.
WHITE HOUSE, DALSTON, CARLISLE



RECEIVED
-3 OCT 2001
2001/0011

Project S and H Cowperthwaite
The White House, Dalston, Carlisle
Drawing Existing Plans and Elevations
Scale 1:100 Date 14.09.01 Drawn Number 11139-01

[illegible]

Project S and H Cowperthwaite
Drawing The White House, Dalston, Carlisle
Proposed Plans and Elevations
Scale 1:100
Date 14.08.01 Drawn
Number 111135



RECEIVED
16 NOV 2001

Hollin Bush
Dalston
Carlisle
Cumbria
CA5 7BJ

15 November 2001

Carlisle City Council
Dept of Environment & Development
Planning Services Division
Civic Centre
Carlisle CA3 8QG

Your Ref: RJM/DC/01/0916

01/0916
RJ
RSM
(1)

Dear Sirs,

Application Ref: 01/0916 - The White House - Revised Plans

We refer to the revised plans for the above development.

We are disappointed that, having been shown a revised plan by the applicants (our immediate neighbours) which did not extend the building any further forward than its present layout, that the submitted plan still moves the front of building forward some 1200-1300mm. Although this does not seem much, it should be viewed in the context of two very different buildings, both in age and style, their proximity to each other, the size of the new extension and the height difference between our two properties. The existing garage is already set forward by 700mm or so making a total projection of around 2m.

The White House is currently set back in its plot and that there is a gap between it and our house, partly occupied by a car port on the side of the White House garage. Widening the property brings the properties closer together. Were we to build a similar extension the two buildings would be very close to each other detracting from the appearance of both properties. We feel that this should be considered in the decision and that the extension, coming so close to the common boundary should be kept back as far as possible.

The new extension is relatively large and will have a very significant effect on appearance of both our properties. Often garages are set right back on boundaries, as ours is, without significantly affecting appearance. This extension being set forward will be much more prominent. The assumption must be that should the revised plans be accepted that we should also be able to widen our property similarly in the future, although in fact we do not think either we or our neighbours would be happy with the final appearance of two extensions so close to each other on the line of the front elevation.

Whilst recognising that the latest plans have a slightly lesser effect on appearance than the previous submission my wife and I wish to object to the development on the grounds that it is inappropriate in terms of its effect on the appearance of the two properties, all as explained above.

Yours faithfully

Colin and Juliet Rowcroft

Colin Rowcroft

Juliet Rowcroft

SCHEDULE A: Applications with Recommendation

ITEM NO. 17

Date of Committee: 01/02/2002

APPN REF NO: 01/0962 /
APPLICANT: Mr T Fiddler

PARISH:
Carlisle

DATE OF RECEIPT: 23/10/2001
AGENT:

WARD:
Currock

LOCATION:
24 Botchergate, Carlisle Cumbria

GRID REF:
340353 555537

PROPOSAL: Variation of condition no.4 attached to planning consent
96/0896 to allow trading between 0800 until 0330 the following
day (Friday & Saturday only)

Richard

REPORT

PLANNING POLICIES:-

CONSERVATION AREA

The proposal relates to land or premises situated within the Botchergate Conservation Area.

WASTE DISPOSAL SITE

The proposal site is within or adjacent to a Waste Disposal Site.

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E40

Within the City Centre, Botchergate, Brampton, Longtown and Dalston Conservation Areas, there will be a strong presumption in favour of the retention and improvement of key townscape frontage buildings.

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E43

The City Council will encourage, and permission will be granted for development within and adjoining Conservation Areas which preserves or enhances their character. The City Council will seek to ensure any new development or alterations to existing buildings are in sympathy with the setting, scale, density and physical characteristics of Conservation Areas, and protect important views into or out of such areas. Applications for outline planning permission will not be accepted for proposals in Conservation Areas.

CARLISLE DISTRICT PLAN HOUSING - POLICY H17

The amenity of residential areas will be protected from inappropriate development where that development:

1. is for a use inappropriate for residential areas; and/or
2. is of an unacceptable scale; and/or
3. leads to an unacceptable increase in traffic or noise; and/or

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0962 /

4. is visually intrusive; and/or
5. leads to a loss of housing stock.

CARLISLE DISTRICT PLAN
SHOPPING - POLICY S15

Within the Plan area, proposals for uses within Use Class A3 (food and drink, including restaurants, public houses, wine bars and take aways) will be approved provided that:

1. the proposal does not involve disturbance to occupiers of residential property; and
2. the proposal does not involve unacceptable intrusion into open countryside; and
3. the proposal, whether new development or conversion complements surrounding development or the character of the existing building; and
4. appropriate access and parking can be provided; and
5. within the City Centre Shopping Area opening hours are restricted to no later than 1.30 am. Here and elsewhere in the Plan area opening hours will be imposed having regard to the surrounding uses, the character of the area and the possibility of disturbance to residential areas.

SUMMARY OF CONSULTATION RESPONSES:-

HIGHWAY AUTHORITY: No objection.

ENVIRONMENTAL HEALTH OFFICER: No objection.

Further comments have been received which read as follows:

Further to the memos previously sent to you regarding these applications, this division has discovered that No. 22 Botchergate is occupied. I therefore raise concern regarding the erosion of the existing opening hours which I believe were put in place to safeguard the local residents.

If later opening hours were permitted it could adversely affect local residents by disturbance caused by people going/leaving the premises in the early hours of the morning.

This division has no powers to abate this type of disturbance and responsibility would lie with the police.

CUMBRIA CONSTABULARY: No objection.

Further comments were received on 18 January 2002 which detail the issues surrounding late night trading of hot food takeaways within the City Centre. A copy of this response is reproduced following this report.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0962 /

SUMMARY OF REPRESENTATIONS:-

This application has been advertised by means of a site notice and press notice. Three individual letters have been sent to the occupiers of neighbouring properties. At the time of writing this report no representations have been received.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

Full planning permission was granted for the change of use of the premises for the sale of hot food on 16 January 1997, under reference 96/0896. Condition number four of this approval states:

"The premises shall not be open for trading except between 0800 hours and 0130 hours on Mondays to Saturdays and not after 0130 on Sundays."

The reason given states:

"To prevent undue disturbance to nearby occupants/residents."

Planning permission was refused on 18 December 2000 for the variation of condition no. 4 attached to planning consent 96/0896 to allow trading between 0800 and 0300 Monday to Sunday and 0800 to 0000 on Sundays under reference 00/0942.

A planning appeal was lodged against the Council's decision to refuse application 00/0942. The Inspector allowed the decision but the opening hours approved were from 0800 to 0130 hours Monday to Saturday and 0800 to 2400 hours on Sunday.

DETAILS OF PROPOSAL

This application seeks full planning permission to vary condition number 4 of planning consent 96/0896 to allow trading between 0800 until 0330 hours the following day on Fridays and Saturdays only.

The application relates to number 24 Botchergate, Carlisle which is currently trading under the name 'Crusty Cobbler'. The site is a three storey building of traditional appearance and is located within the Botchergate Conservation Area and the frontage is designated within the Carlisle District Local Plan as being a Key Townscape Frontage.

Planning permission was refused for the variation of condition under application 00/0942 for the following reason:

"The application site is a hot food takeaway which is located within the Botchergate Conservation Area and the City Centre Shopping Area as defined in the Carlisle District Local Plan. The proposal to vary the

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0962 /

the imbalance between restricted and unrestricted businesses.

Policy S15 (Food and Drink) of the Local Plan recognises that A3 uses have the potential to introduce a variety of activities into town centre locations, however, this can lead to noise and disturbance. Criteria number 5 of Policy S15 is particularly relevant as it refers to proposals within the City Centre Shopping Area. This criteria means that in City Centre locations, a condition requiring closure no later than 1.30am will normally be imposed on premises within Use Class A3. In that regard opening hours are restricted.

Both Policy H17 and S15 require that proposals should have regard to the residential amenity of neighbouring occupants. From information received from Environmental Services, the landlord of the Cumberland Inn resides at number 22 Botchergate. Notwithstanding the comments received from the police, concern has been expressed by the Environmental Health Officer with regard to the effect the proposal would have on the amenity of local resident.

It is not considered that there has been a material change in circumstances since the refusal of planning application 00/0942 or the Planning Inspectors appeal decision.

Clearly the granting of planning permission in this instance, would be contrary to planning policy and would be detrimental to the character of the conservation area. The planning appeal decision is also a relevant consideration in the determination of this matter.

The business which is the subject of this application, currently operates beyond its permitted opening hours. Should Members agree to the recommendation to refuse this application, it would be appropriate to grant authority to Officers to initiate enforcement action.

RECOMMENDATION:-

REFUSE

1. REASON: The application site is a hot food takeaway which is located within the Botchergate Conservation Area and the City Centre Shopping Area as defined in the Carlisle District Local Plan. The proposal to vary the condition to allow the premises to open beyond 1.30am would attract significant numbers of customers after many licensed premises close resulting in noise and disturbance in the surrounding area. The proposal is therefore contrary to Policy S15 of the Carlisle District Local Plan which restricts opening hours of A3 uses in the City Centre Shopping Area to no later than 01.30am.
2. REASON: The proposal involves the takeaway premises opening until 03.30am which would adversely affect the amenity of the occupier of the residential property on the first floor of the building, contrary to Policy H17 (Residential Amenity) and criteria 1. of Policy S15 (Food and Drink) of the Carlisle District Local Plan.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0962 /

condition to allow the premises to open beyond 1.30am would attract significant numbers of customers after many licensed premises close resulting in noise and disturbance in the surrounding area. The proposal is therefore contrary to Policy S15 of the Carlisle District Local Plan which restricts opening hours of A3 uses in the City Centre Shopping Area to no later than 1.30am."

In consideration of this current application a determination must be sought in accordance with the relevant development plan unless material considerations indicate otherwise.

There are no physical alterations proposed as part of this application. Therefore, the building will not result in a detrimental impact on the character of the area.

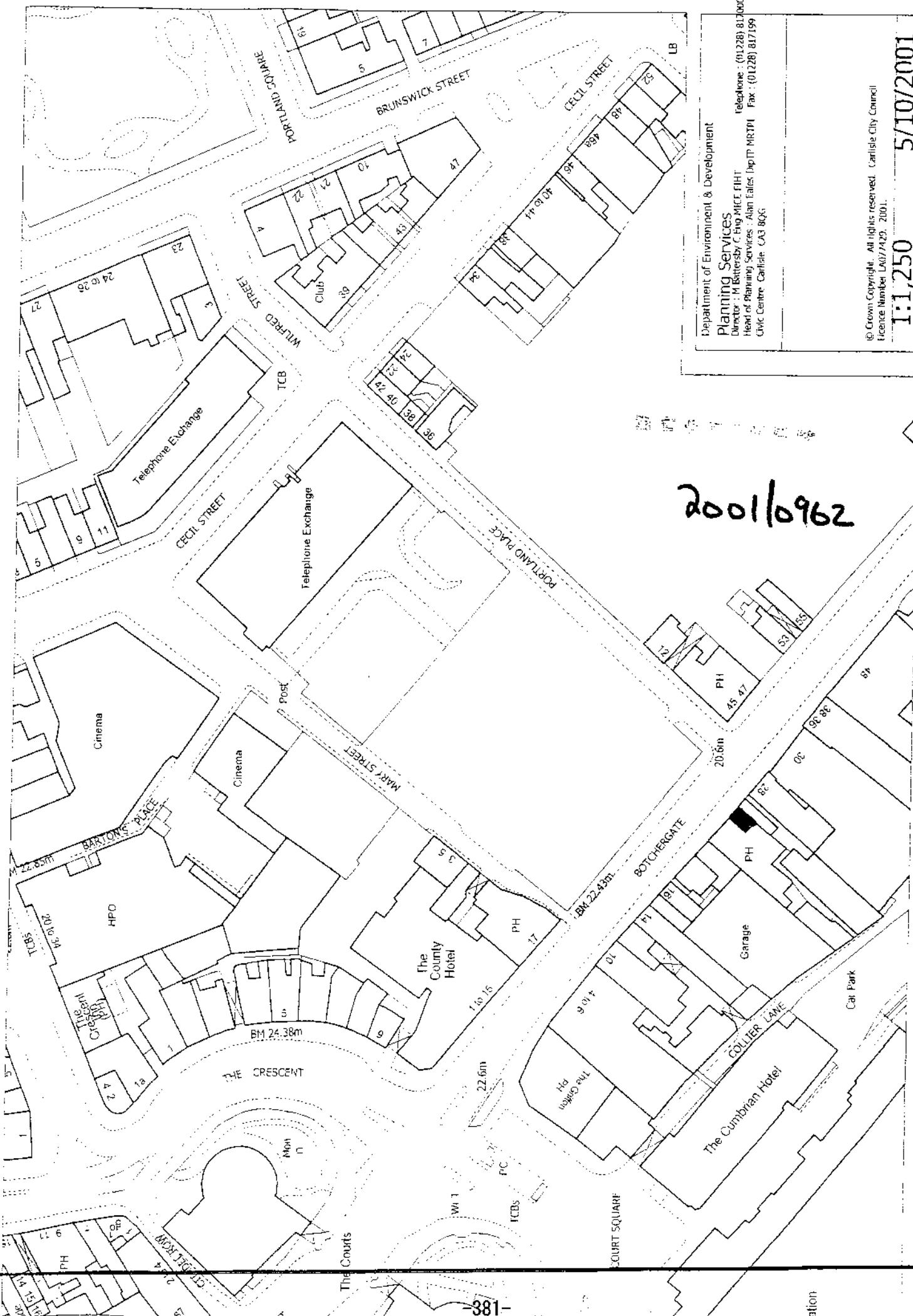
A copy of the Inspector's decision letter is included within this agenda for Members information and attention. Members may wish to note the comments in paragraph 9 in respect of this matter where the Inspector states:

"In my judgement, this would be likely to encourage people to remain in the area when it was becoming less lively, and could increase the prospect of disorder and disturbance at this time. In this respect I consider that the additional activity which would be generated by the takeaway beyond 0200 hours would be damaging to the character of the conservation area."

There are a number of existing public houses and night clubs in the area with additional leisure development proposed as part of the Botchergate Redevelopment Scheme. However, most of these premises are scheduled to close by 0200 hours but the current application seeks permission to remain trading until 0330 hours.

There are a number of hot food takeaways in the vicinity of Botchergate which open beyond 1.30 am. These premises benefit from unrestricted opening hours because their consent pre-dates the current planning policies. The consultation response from Cumbria Constabulary highlights the wider implications surrounding the takeaway businesses.

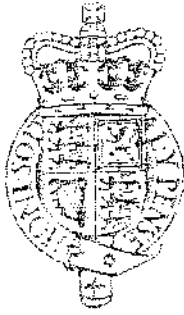
There is clearly a shift in society becoming increasingly 24 hour orientated, with services and businesses becoming more accessible at increasingly later hours. This has repercussions for the planning system and for the policies against which applications are considered. The views of the police have been fully considered and the reasoning behind the comments are justified in their 'all or nothing' approach. Specifically, that by closing all the takeaway premises at the same time, be it at 0130 hours or 0400 hours, the frequency of crime, violence and disorder would be reduced. Given this shift in society is the fact that other takeaway proprietors in the City Centre are not restricted to specific closure times. There is increasing pressure due to competition between traders due to



Department of Environment & Development
 Planning Services
 Director: M Battersby C Eng MICE FIHT
 Head of Planning Services: Alan Eales DipTP MRTP
 Civic Centre Carlisle CA3 8QX
 Telephone: (01228) 812000
 Fax: (01228) 817199

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1:1,250 5/10/2001



Appeal Decision

Site visit made on 10 July 2001

by **Richard Clegg** BA(Hons) DMS MRTPI

an Inspector appointed by the Secretary of State for the
Environment, Transport and the Regions

The Planning Inspectorate
4/05 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ 0117 372 6372
e-mail enquiries@planning-
inspectorate.gov.uk

Date **13 AUG 2001**

Appeal Ref: APP/E0915/A/01/1062327

The Crusty Cobbler, 24 Botchergate, Carlisle

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Mr T Fiddler against the decision of Carlisle City Council.
- The application (Ref. 00/0942), dated 8 November 2000, was refused by the Council by notice dated 18 December 2000.
- The application sought the variation of a condition attached to a planning permission (Ref. 96/0896), dated 16 January 1997, for the change of use to sale of hot food and alterations to shop front.
- The condition in dispute is No 4 which states that: The premises shall not be open for trading except between 0800 hours and 0130 hours on Mondays to Saturdays and not after 0130 on Sundays.
- The reason given for the condition was: To prevent undue disturbance to nearby occupants/residents.

Summary of Decision: The appeal is allowed and planning permission is granted subject to conditions in the terms set out in the Formal Decision below.

Procedural Matters

1. Condition No 4 of the original planning permission limits the opening hours of the hot food take-away to between 0800 hours and 0130 hours on the following day from Monday to Saturday. On Sundays the take-away is not permitted to open after closing at 0130 hours following trading on Saturday. The appellant has explained that he wishes the opening hours to be varied to enable the take-away to trade between 0800 hours and 0300 hours the following day from Monday to Saturday and between 0800 and 2400 hours on Sundays.

Main Issues

2. I consider that the main issues in this appeal are:
 - (i) The effect of the proposed development on the character and appearance of Botchergate Conservation Area.
 - (ii) The effect of the proposed development on the living conditions of residents in the area.

Planning Policy

3. I am required by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area in determining this appeal.

the prospect of disorder and disturbance at this time. In this respect I consider that the additional activity which would be generated by the take-away beyond 0200 hours would be damaging to the character of the conservation area.

10. Condition No 4 does not permit the appeal premises to open on Sundays after closing from the previous day. The appellant's proposal to remain open until midnight would be consistent with Policy S15, which does not distinguish between Sundays and other days with regard to opening hours. I note, moreover, that, in explaining its opposition to the appeal proposal, the Council addresses only the proposed extension to late night opening, and makes no reference to the appellant's proposal to open on Sundays. I anticipate that other A3 and leisure uses in the area open then, and I do not consider that the opening of the appeal premises on Sundays until 2400 hours would have an adverse effect on the character of the conservation area.
11. No external alterations are proposed to No 24 Botchergate, and the appeal proposal would have no effect on the appearance of the conservation area.
12. I conclude that the appeal proposal would preserve the appearance of Botchergate Conservation Area. The proposed extension of opening hours on Sundays would also preserve the character of the conservation area, and would be consistent with Policy S15 of the Local Plan. However, the proposed extension until 0300 hours on other days would be damaging to the character of the conservation area and would conflict with Policy S15.

Living Conditions

13. Hot food take-aways may give rise to problems disturbance as a result of the noise associated with pedestrian and vehicle movement to and from the premises. In this case I observed no dwellings in the immediate vicinity of the appeal site, and none have been identified by the Council. The nearest residential properties are the houses on Tait Street, which is about 130m from the appeal site. Given this distance, I do not consider that the occupiers of these dwellings would be affected by noise from the vicinity of the take-away. I anticipate that customers would arrive from and disperse in different directions, and it is unlikely, therefore, that there would be any significant movement along Tait Street to and from the take-away during the proposed extended opening hours.
14. I conclude that the proposed extension of opening hours would not adversely affect the living conditions of residents in the area, and would not conflict with criterion (1) in Policy S15 of the Local Plan.

Conditions

15. I have considered possible conditions in the light of the advice in Circular 11/95. The appellant has indicated his preparedness to accept a condition in respect of the proposed opening hours, but to avoid any harm to the character of the conservation area, I shall impose a condition providing for extended opening hours on Sundays only.

Conclusions

16. Although I have found that the appeal proposal would not adversely affect the living conditions of residents in the area, this does not overcome my objection to the effect on the character of the conservation area of the proposed extension of opening hours late at night. This objection does not apply to Sunday opening, and consequently Condition No 4 is

CUMBRIA CONSTABULARY

ADD Facsimile: 01768 218400
Telephone: 01228 528191

Please ask for: Mark Pannone

My Reference:
Your Reference: RJM/DC/01/0962, 0984 & 0985

Area Commander
North Cumbria Area
Superintendent G Horlacher
County Police Station
Rickergate
Carlisle
Cumbria CA3 8QW



R Maunsell
Department of Environment and Development
Planning Services Division
Carlisle City Council
The Civic Centre
Carlisle CA3 8QG

PLANNING SERVICES	
REF	
16 JAN 2002	
	RB
	AM
ACTION	

16 January, 2002

Dear *Richard*

City Centre Takeaways

Following our meeting last week, I am writing as requested to explain the view point of Carlisle Police, to hopefully assist in coming to a decision on the 'Takeaway' issue.

As I understand it, Policy S15 (Food and Drink) of the Carlisle District Local Plan requires that hot food takeaway premises within the City Centre shopping area are conditioned to close no later than 0130am. There are however a few takeaway premises which existed prior to the Local Plan and these premises do not have a specified closure time and therefore can open as late as they like. This has created a 'two tier' situation where some premises are open to serve the late night trade once the night clubs have closed, and other which are supposed to close at 0130am, missing the busiest trading periods of the week. The premises which can only stay open until 0130am, on the same road or next door to the unregulated premises, feel aggrieved by what they see to be an unfair situation.

Carlisle Police have a specific focus on preventing violence, crime and disorder in Carlisle City Centre. A lot of research is conducted to identify hot spots for disorder and incidents of violence in the city centre. Without doubt, our peak period for incidents of alcohol related violent crime occurs between 0130 and 0300 am, with the main problem area being the top of Warwick Road, The Crescent and Botchergate. The reason for the disorder is due to persons coming from night clubs and remaining in the city centre rather than going out of the area. Research indicates that the only reasons for staying in the city centre after the clubs close are to go to a takeaway and subsequently eat the food, wait with friends who are eating take away food or to queue for a taxi. We currently enjoy minimal disturbances at taxi ranks and therefore almost all our incidents occur due to the late night opening of takeaway premises.

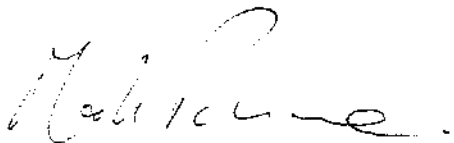
The ideal solution for the police would be for a closure of all takeaway type premises prior to the closure of the majority of nightclubs and other entertainment venues. By closing all takeaways at 0130am, the motivation for remaining in the city centre would reduce and therefore disorder and violence, and the fear of such, would also decline. However, I am aware that such a move could only be considered by Carlisle City Council through moves such as compensating exiting premises which open after 0130am, compulsory purchasing such premises or creating a by-law, restricting such trade. I am also aware that such options may well be unpalatable to Carlisle City Council. Of these options, a by-law based on the desire to

structurally reduce disorder and violence would be the preferred choice of Carlisle Police and a very strong message to the public that such anti social behaviour is being 'designed out' of the late night society by Carlisle City Council. It may be suggested that there is a 'need' for such premises at a later time of night, but it is worth noting that all licensed premises are obliged to serve food during opening hours and therefore minimises the need argument. Invariably the sole users of the takeaways at this time of night are club users.

If the above ideas are deemed inappropriate, our second preferred option would be to remove the current trading restrictions under the Carlisle District Local Plan. This may appear to be a complete contradiction to the above proposal but is also based in a desire to reduce crime and disorder. Currently, there are only a few premises that can stay open without regulation. Others do open contrary to the policy to catch the late night trade. This is preferable for the policing of the city centre as it dilutes the creation of disorder 'hotspots'. Other cities experience serious problems where there are only one or two open takeaway premises within a nightclub zone, such as Botchergate. Queues of potentially hundreds wait to be served at a chip shop or Kebab counter staffed by only a few (overworked) staff. This invariably leads to frustration and annoyance and the outcome is disorder and fighting. By increasing the number of takeaways, the time of waiting and time to be served is reduced, directly having a positive effect on reducing tension and frustration and thereby reducing disorder and violence. What we would like to see in support of this would be a vigorous policing by The Environmental Health Department to ensure that the quality of such premises is maintained and that the Entertainment Zone in the city centre is one of well presented, quality premises. This option of reduced regulation would be consistent with the proposed Government views on 24 hour licensing and the 24 hour society. However, it is also worth noting that a complete review of The Licensing Act, although promised, still appears to be at least a few years away.

I anticipate that these thoughts will be the subject of discussion and I will be available to discuss further if required.

Yours Sincerely,



Mark Pannone
Carlisle City Centre Community Sergeant

SCHEDULE A: Applications with Recommendation

ITEM NO. 18

Date of Committee: 01/02/2002

APPN REF NO:
01/0984 /

APPLICANT:
Azad Miah

PARISH:
Carlisle

DATE OF RECEIPT:
29/10/2001

AGENT:

WARD:
Currock

LOCATION:
26 Botchergate, Carlisle Cumbria

GRID REF:
340354 555533

PROPOSAL: Variation of condition no: 1 attached to consent 01/0019 to
allow opening on Thursday to Sunday from 0900hrs to 0300hrs

REPORT

PLANNING POLICIES:-

WASTE DISPOSAL SITE

The proposal site is within or adjacent to a Waste Disposal Site.

CONSERVATION AREA

The proposal relates to land or premises situated within the Botchergate Conservation Area.

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E40

Within the City Centre, Botchergate, Brampton, Longtown and Dalston Conservation Areas, there will be a strong presumption in favour of the retention and improvement of key townscape frontage buildings.

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E43

The City Council will encourage, and permission will be granted for development within and adjoining Conservation Areas which preserves or enhances their character. The City Council will seek to ensure any new development or alterations to existing buildings are in sympathy with the setting, scale, density and physical characteristics of Conservation Areas, and protect important views into or out of such areas. Applications for outline planning permission will not be accepted for proposals in Conservation Areas.

CARLISLE DISTRICT PLAN HOUSING - POLICY H17

The amenity of residential areas will be protected from inappropriate development where that development:

1. is for a use inappropriate for residential areas; and/or
2. is of an unacceptable scale; and/or
3. leads to an unacceptable increase in traffic or noise; and/or

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0984 /

4. is visually intrusive; and/or
5. leads to a loss of housing stock.

CARLISLE DISTRICT PLAN
SHOPPING - POLICY S15

Within the Plan area, proposals for uses within Use Class A3 (food and drink, including restaurants, public houses, wine bars and take aways) will be approved provided that:

1. the proposal does not involve disturbance to occupiers of residential property; and
2. the proposal does not involve unacceptable intrusion into open countryside; and
3. the proposal, whether new development or conversion complements surrounding development or the character of the existing building; and
4. appropriate access and parking can be provided; and
5. within the City Centre Shopping Area opening hours are restricted to no later than 1.30 am. Here and elsewhere in the Plan area opening hours will be imposed having regard to the surrounding uses, the character of the area and the possibility of disturbance to residential areas.

SUMMARY OF CONSULTATION RESPONSES:-

HIGHWAY AUTHORITY: No objection.

ENVIRONMENTAL HEALTH OFFICER: No objection.

Further comments have now been received and these read as follows:

Further to the memos previously sent to you regarding these application, this division has discovered that No. 22 Botchergate is occupied. I therefore raise concern regarding the erosion of the existing opening hours which I believe were put in place to safeguard the local residents.

If later opening hour were permitted it could adversely affect local residents by disturbance caused by people going/ leaving the premise in the early hours of the morning.

This division has no power to abate this type of disturbance an responsibility would lie with the police.

CUMBRIA CONSTABULARY: No objection.

Further comments were received on 18 January 2002 which detail the issues surrounding the late night trading of hot food takeaways within the City Centre. A copy of this reponse is reproduced following this report.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0984 /

SUMMARY OF REPRESENTATIONS:-

This application has been advertised by way of a site notice and a press notice. Six individual letters have also been sent to the occupiers of neighbouring properties. At the time of writing this report no response had been received.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

An application for the erection of a non-illuminated projecting sign was refused on 18 August 1987, under application reference.

On 8 December 2000, planning permission was refused for the change of use from retail (Class A1) to hot food takeaway (Class A3) and erection of extension to rear of building, under reference 00/0875.

A subsequent application for the change of use from retail (A1) to hot food takeaway (A3) was approved on 16 March 2001, under reference 01/0019.

DETAILS OF PROPOSAL

This application seeks to vary condition number 1 attached to planning consent 01/0019 to allow opening on Thursday to Sunday from 0900 hours to 0300 hours.

This application relates to number 26 Botchergate, Carlisle which trades as 'Indian Spice'. The site is a three storey building of traditional appearance and is located within the Botchergate Conservation Area and the frontage is designated within the Carlisle District Local Plan as being a Key Townscape Frontage.

Planning permission was refused under reference 00/0875 due to the nature of the extension proposed to the rear of the building.

In consideration of this current application a determination must be sought in accordance with the relevant development plan unless material considerations indicate otherwise.

There are no physical alterations proposed as part of this application. Therefore, the building will not have a detrimental impact on the character of the area.

There are a number of existing public houses and night clubs in the area with additional leisure development proposed as part of the Botchergate Redevelopment Scheme. However, most of these premises are scheduled to close by 0200 hours but the application seeks consent to remain trading until 0300 hours.

A number of hot food takeaways exist in the vicinity of

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0984 /

Botchergate which open beyond 0130 hours. These premises benefit from unrestricted opening hours because their consent pre-dates the current planning policies. The consultation response from Cumbria Constabulary highlights the wider implications surrounding the takeaway businesses.

There is clearly a shift in society becoming increasingly 24 hour orientated, with services and businesses becoming more accessible at increasingly later hours. This has repercussions for the planning system and for the policies against which applications are considered. The views of the police have been considered and the reasoning behind the comments are justifiable from a public order perspective in the 'all or nothing' approach. Specifically, that by closing all the takeaway premises at the same time, be it at 0130 hours or 0400 hours, the frequency of crime, violence and disorder would be reduced. Coupled with this shift in society is the fact that other takeaway proprietors in the City Centre are not restricted to specific closure times. There is increasing pressure due to competition between traders resulting from the imbalance between restricted and unrestricted premises.

Policy S15 (Food and Drink) of the Local Plan recognises that A3 uses have the potential to introduce a variety of activities into town centre locations, however, this can lead to noise and disturbance. Criteria number 5 of Policy S15 is particularly relevant as it refers to proposals within the City Centre Shopping Area. This criteria means that in City Centre locations a condition requiring the closure no later than 0130 hours will normally be imposed on premises within Class A3. In that regard opening hours are restricted.

Both Policy H17 and S15 require that proposals should have regard to the residential amenity of neighbouring occupants. From information received from Environmental Services, the landlord of the Cumberland Inn resides at number 22 Botchergate. Concern has been expressed by the Environmental Health Officer with regard to the effect the proposal would have on the amenity of this first floor resident due to the additional noise and disturbance generated.

A appeal was made to the Planning Inspectorate following this Council's decision to refuse an application to allow a variation of condition to allow trading until 0300 hours. The appeal site was number 24 Botchergate and a copy of the appeal decision letter is reproduced following the report under reference 01/0962 found elsewhere in this schedule.

Clearly, the granting of planning permission in this instance, would be contrary to planning policy and would be detrimental to the amenity of local residents.

The business which is the subject of this application, currently operates beyond its permitted opening hours. Should Members agree with the recommendation, it would be appropriate to grant authority to Officers to initiate enforcement action.

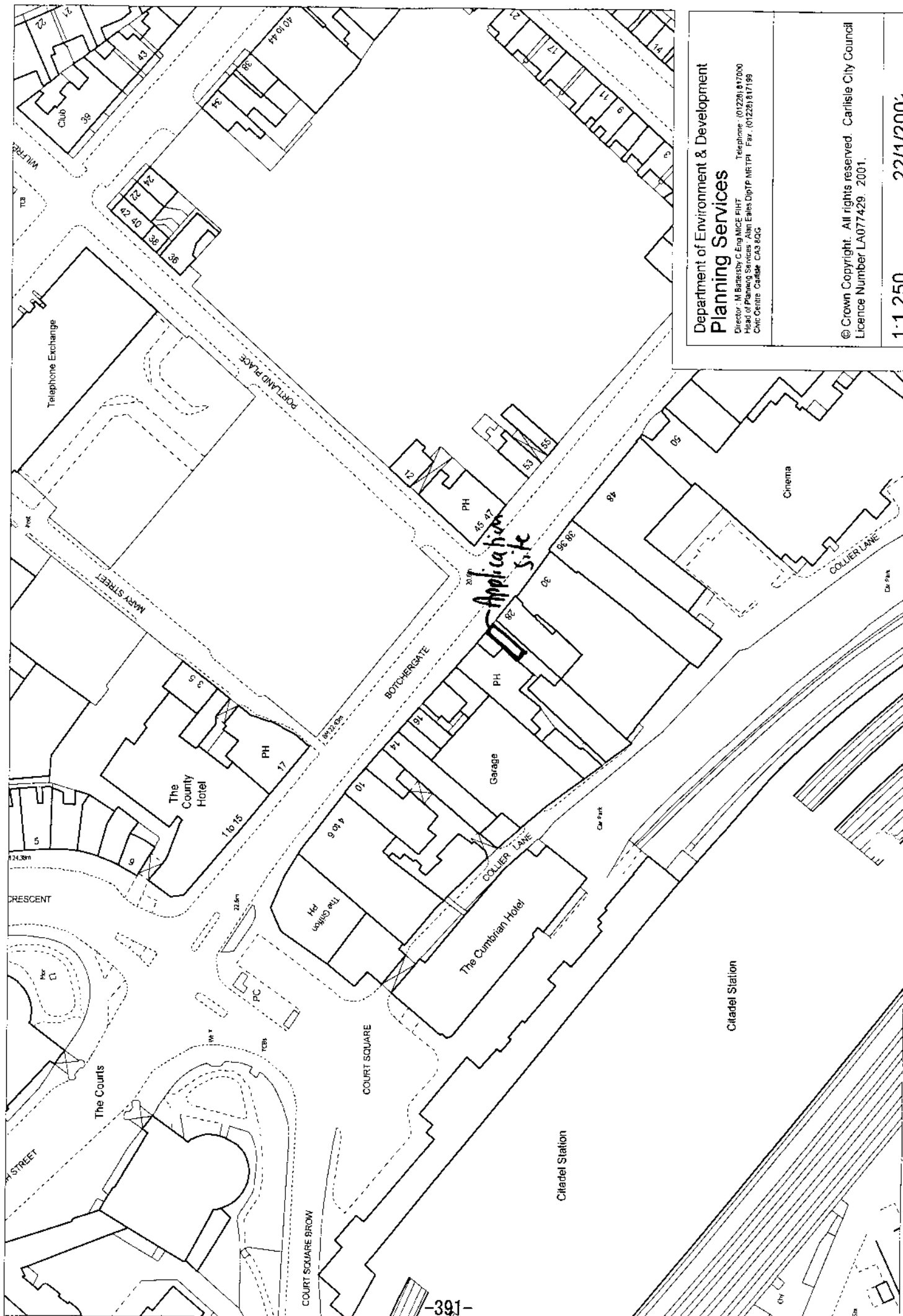
SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0984 /

RECOMMENDATION:-

REFUSE

1. REASON: This application site is a hot food takeaway which is located within the Botchergate Conservation Area and the City Centre Shopping Area as defined in the Carlisle District Local Plan. The proposal to vary the condition to allow the premises to open beyond 01.30am would attract significant numbers of customers to the premises after many licensed premises close resulting in noise and disturbance in the surrounding area. The proposal is therefore contrary to Policy S15 (Food and Drink) of the Carlisle District Local Plan which restricts opening hours of A3 uses in the City Centre Shopping Area to be no later than 01.30am.
2. REASON: The proposal involves the takeaway premises opening until 03.00am which would result in an unacceptable level of noise and disturbance, adversely affecting the amenity of the occupier of the nearby residential property, contrary to Policy H17 (Residential Amenity) of the Carlisle District Local Plan.



Department of Environment & Development Planning Services

Director: M. Battersby C. Eng. MICE EHT
Head of Planning Services: Alan Eales DipTP MRTPI
City Centre: Carlisle CA3 6QG
Telephone: (01228) 817000
Fax: (01228) 817199

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22/1/2002

CUMBRIA CONSTABULARY

Facsimile: 01768 218400
Telephone: 01228 528191

Please ask for: Mark Pannone

My Reference:

Your Reference: RJM/DC/01/0962, 0984 & 0985

Area Commander
North Cumbria Area
Superintendent G Horlacher
County Police Station
Rickergate
Carlisle
Cumbria CA3 8QW



R Maunsell
Department of Environment and Development
Planning Services Division
Carlisle City Council
The Civic Centre
Carlisle CA3 8QG

PLANNING SERVICES
16 JAN 2002
PB
RM
ACTION

16 January, 2002

Dear *Richard*

City Centre Takeaways

Following our meeting last week, I am writing as requested to explain the view point of Carlisle Police, to hopefully assist in coming to a decision on the 'Takeaway' issue.

As I understand it, Policy S15 (Food and Drink) of the Carlisle District Local Plan requires that hot food takeaway premises within the City Centre shopping area are conditioned to close no later than 0130am. There are however a few takeaway premises which existed prior to the Local Plan and these premises do not have a specified closure time and therefore can open as late as they like. This has created a 'two tier' situation where some premises are open to serve the late night trade once the night clubs have closed, and other which are supposed to close at 0130am, missing the busiest trading periods of the week. The premises which can only stay open until 0130am, on the same road or next door to the unregulated premises, feel aggrieved by what they see to be an unfair situation.

Carlisle Police have a specific focus on preventing violence, crime and disorder in Carlisle City Centre. A lot of research is conducted to identify hot spots for disorder and incidents of violence in the city centre. Without doubt, our peak period for incidents of alcohol related violent crime occurs between 0130 and 0300 am, with the main problem area being the top of Warwick Road, The Crescent and Botchergate. The reason for the disorder is due to persons coming from night clubs and remaining in the city centre rather than going out of the area. Research indicates that the only reasons for staying in the city centre after the clubs close are to go to a takeaway and subsequently eat the food, wait with friends who are eating take away food or to queue for a taxi. We currently enjoy minimal disturbances at taxi ranks and therefore almost all our incidents occur due to the late night opening of takeaway premises.

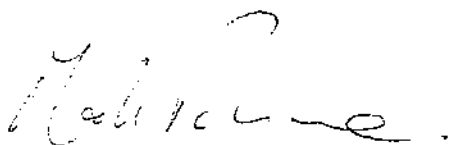
The ideal solution for the police would be for a closure of all takeaway type premises prior to the closure of the majority of nightclubs and other entertainment venues. By closing all takeaways at 0130am, the motivation for remaining in the city centre would reduce and therefore disorder and violence, and the fear of such, would also decline. However, I am aware that such a move could only be considered by Carlisle City Council through moves such as compensating exiting premises which open after 0130am, compulsory purchasing such premises or creating a by-law, restricting such trade. I am also aware that such options may well be unpalatable to Carlisle City Council. Of these options, a by-law based on the desire to

structurally reduce disorder and violence would be the preferred choice of Carlisle Police and a very strong message to the public that such anti social behaviour is being 'designed out' of the late night society by Carlisle City Council. It may be suggested that there is a 'need' for such premises at a later time of night, but it is worth noting that all licensed premises are obliged to serve food during opening hours and therefore minimises the need argument. Invariably the sole users of the takeaways at this time of night are club users.

If the above ideas are deemed inappropriate, our second preferred option would be to remove the current trading restrictions under the Carlisle District Local Plan. This may appear to be a complete contradiction to the above proposal but is also based in a desire to reduce crime and disorder. Currently, there are only a few premises that can stay open without regulation. Others do open contrary to the policy to catch the late night trade. This is preferable for the policing of the city centre as it dilutes the creation of disorder 'hotspots'. Other cities experience serious problems where there are only one or two open takeaway premises within a nightclub zone, such as Botchergate. Queues of potentially hundreds wait to be served at a chip shop or Kebab counter staffed by only a few (overworked) staff. This invariably leads to frustration and annoyance and the outcome is disorder and fighting. By increasing the number of takeaways, the time of waiting and time to be served is reduced, directly having a positive effect on reducing tension and frustration and thereby reducing disorder and violence. What we would like to see in support of this would be a vigorous policing by The Environmental Health Department to ensure that the quality of such premises is maintained and that the Entertainment Zone in the city centre is one of well presented, quality premises. This option of reduced regulation would be consistent with the proposed Government views on 24 hour licensing and the 24 hour society. However, it is also worth noting that a complete review of The Licensing Act, although promised, still appears to be at least a few years away.

I anticipate that these thoughts will be the subject of discussion and I will be available to discuss further if required.

Yours Sincerely,



Mark Pannone
Carlisle City Centre Community Sergeant

SCHEDULE A: Applications with Recommendation

ITEM NO. 19

Date of Committee: 01/02/2002

APPN REF NO:
01/0985 /

APPLICANT:
Abdurrahman Caliskan

PARISH:
Carlisle

DATE OF RECEIPT:
29/10/2001

AGENT:

WARD:
Currock

LOCATION:
18 Botchergate, Carlisle Cumbria

GRID REF:
340340 555550

PROPOSAL: Variation of condition no: 3 attached to consent 00/0502
to allow opening on Thursday to Sunday from 1500hrs to
0300hrs

REPORT

PLANNING POLICIES:-

WASTE DISPOSAL SITE

The proposal site is within or adjacent to a Waste Disposal Site.

CONSERVATION AREA

The proposal relates to land or premises situated within the Botchergate Conservation Area.

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E40

Within the City Centre, Botchergate, Brampton, Longtown and Dalston Conservation Areas, there will be a strong presumption in favour of the retention and improvement of key townscape frontage buildings.

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E43

The City Council will encourage, and permission will be granted for development within and adjoining Conservation Areas which preserves or enhances their character. The City Council will seek to ensure any new development or alterations to existing buildings are in sympathy with the setting, scale, density and physical characteristics of Conservation Areas, and protect important views into or out of such areas. Applications for outline planning permission will not be accepted for proposals in Conservation Areas.

CARLISLE DISTRICT PLAN HOUSING - POLICY H17

The amenity of residential areas will be protected from inappropriate development where that development:

1. is for a use inappropriate for residential areas; and/or
2. is of an unacceptable scale; and/or
3. leads to an unacceptable increase in traffic or noise; and/or

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0985 /

4. is visually intrusive; and/or
5. leads to a loss of housing stock.

CARLISLE DISTRICT PLAN SHOPPING - POLICY S15

Within the Plan area, proposals for uses within Use Class A3 (food and drink, including restaurants, public houses, wine bars and take aways) will be approved provided that:

1. the proposal does not involve disturbance to occupiers of residential property; and
2. the proposal does not involve unacceptable intrusion into open countryside; and
3. the proposal, whether new development or conversion complements surrounding development or the character of the existing building; and
4. appropriate access and parking can be provided; and
5. within the City Centre Shopping Area opening hours are restricted to no later than 1.30 am. Here and elsewhere in the Plan area opening hours will be imposed having regard to the surrounding uses, the character of the area and the possibility of disturbance to residential areas.

SUMMARY OF CONSULTATION RESPONSES:-

HIGHWAY AUTHORITY: No objection.

ENVIRONMENTAL HEALTH OFFICER: No objection.

Further comments have been received which read as follows:

Further to the memos previously sent to you regarding these applications, this division has discovered that No. 22 Botchergate is occupied. I therefore raise concern regarding the erosion of the existing opening hours which I believe were put in place to safeguard the local residents.

If later opening were permitted it could adversely affect local residents by disturbance caused by people going/ leaving the premises in the early hours of the morning.

This division has no powers to abate this type of disturbance and responsibility would lie with the police.

CUMBRIA CONSTABULARY: No objection.

Further comments were received on 18 January 2002 which detail the issues surrounding late night trading of hot food takeaways within the City Centre. A copy of this response is reproduced following this report.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0985 /

SUMMARY OF REPRESENTATIONS:-

This application has been advertised by means of a site notice and a press notice. Three individual letters have been sent to the occupiers of neighbouring properties. At the time of writing this report no representations have been received.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

Planning permission was granted for the change of use from a furniture shop to a fast food takeaway on 20 July 2000, under reference 00/0502.

A variation of condition number 3 attached to planning application reference no 00/0502 to allow trading from 1500 to 0300 hours was refused on 18 December 2000, under reference 00/0943.

Planning permission was refused on 8 June 2001, for the variation of condition number 3 attached to planning application 00/0502 to allow trading until 02.55 am (revised proposal) under reference 01/0291.

DETAILS OF PROPOSAL

This application seeks to vary condition number 3 of planning consent 00/0502 to allow opening on Thursday to Sunday from 1500 hours to 0300 hours.

This application relates to number 18 Botchergate, Carlisle which is currently trading as the 'Merry Chef'. The site is a three storey building of traditional appearance and is located within the Botchergate Conservation Area and the frontage is designated within the Carlisle District Local Plan as being a Key Townscape Frontage.

Planning permission was refused for the variation of condition under application 01/0291 for the following reason:

"The application site is a hot food takeaway which is located within the Botchergate Conservation Area and the City Centre Shopping Area as defined in the Carlisle District Local Plan. The proposal to vary the condition to allow the premises to open beyond 1.30am would attract significant numbers of customers after may of the licensed premises close resulting in noise and disturbance in the surrounding area. The proposal is therefore contrary to Policy S15 of the Carlisle District Local Plan which restricts opening hours of A3 uses within the City Centre Shopping Area to no later than 1.30am."

In consideration of this current application a determination must be sought in accordance with the relevant development plan

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0985 /

unless material considerations indicate otherwise.

There are no physical alterations proposed as part of this application. Therefore, the building will not result in a detrimental impact on the character of the area.

There are a number of existing public houses and night clubs in the area with additional leisure development proposed as part of the Botchergate Redevelopment Scheme. However, most of these premises are scheduled to close by 0200 hours but the application seeks permission to remain trading until 0300 hours.

There are a number of hot food takeaways in the vicinity of Botchergate which open beyond 0130 hours. These premises benefit from unrestricted opening hours because their consent pre-dates the current planning policies. The consultation response from Cumbria Constabulary highlights the wider implications surrounding the takeaway businesses.

There is clearly a shift in society becoming increasingly 24 hour orientated, with services and businesses becoming more accessible at increasingly later hours. This has repercussions for the planning system and for the policies against which applications are considered. The views of the police have been fully considered and the reasoning behind the comments are justifiable from a public order perspective in the 'all or nothing' approach. Specifically, that by closing all the takeaway premises at the same time, be it at 0130 hours or 0400 hours, the frequency of crime, violence and disorder would be reduced. Coupled with this shift in society is the fact that other takeaway proprietors in the City Centre are not restricted to specific closure times. There is increasing pressure due to competition between traders due to the imbalance between restricted and unrestricted businesses.

Policy S15 (Food and Drink) of the Local Plan recognises that A3 uses have the potential to introduce a variety of activities into town centre locations, however, this can lead to noise and disturbance. Criteria number 5 of Policy S15 is particularly relevant as it refers to proposals within the City Centre Shopping Area. This criteria means that in City Centre locations a condition requiring the closure no later than 0130 hours will normally be imposed on premises within Class A3. In that regard opening hours are restricted.

Both Policy H17 and S15 require that proposals should have regard to the residential amenity of neighbouring occupants. From information received from Environmental Services, the landlord of the Cumberland Inn resides at number 22 Botchergate. Concern has been expressed by the Environmental Health Officer with regard to the effect the proposal would have on the amenity of this first floor resident due to the additional noise and disturbance generated.

An appeal was made to the Planning Inspectorate following this Council's decision to refuse an application to allow a

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0985 /

variation of condition to allow trading until 0300 hours. The appeal site was number 24 Botchergate and a copy of the appeal decision letter is reproduced following the report under reference 01/0962 found elsewhere in this schedule.

It is not considered that there has been any material change in circumstances since the refusal of planning application 01/0291.

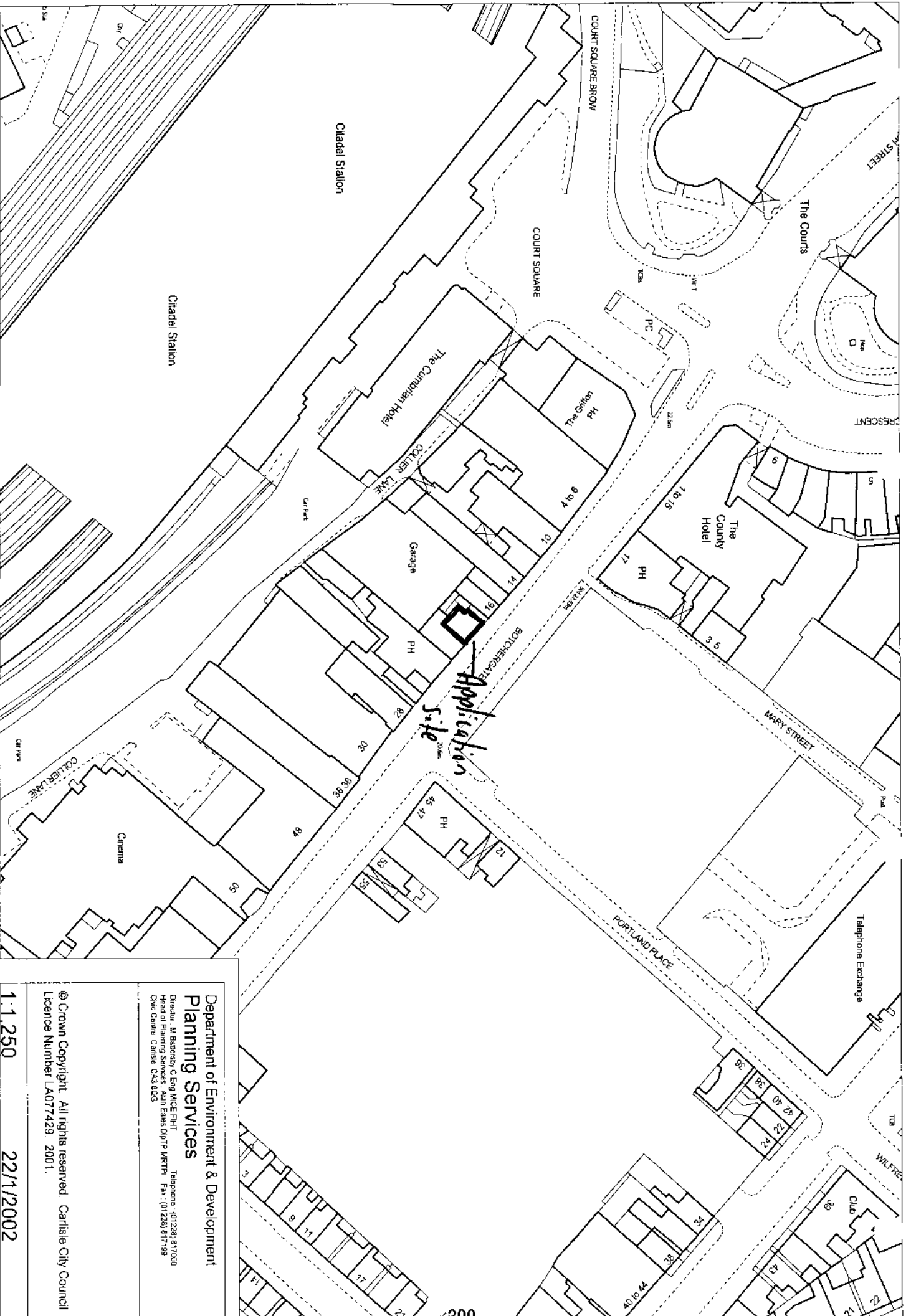
Clearly, the granting of planning permission in this instance, would be contrary to planning policy and would be detrimental to the amenity of local residents.

The business which is the subject of this application, currently operates beyond its permitted opening hours. Should Members agree with the recommendation, it would be appropriate to grant authority to Officers to initiate enforcement action.

RECOMMENDATION:-

REFUSE

1. REASON: This application site is a hot food takeaway which is located within the Botchergate Conservation Area and the City Centre Shopping Area as defined in the Carlisle District Local Plan. The proposal to vary the condition to allow the premises to open beyond 01.30am would attract significant numbers of customers to the premises after many licensed premises close resulting in noise and disturbance in the surrounding area. The proposal is therefore contrary to Policy S15 (Food and Drink) of the Carlisle District Local Plan which restricts opening hours of A3 uses in the City Centre Shopping Area to no later than 01.30am.
2. REASON: The proposal involves the takeaway premises opening until 03.00am which would result in an unacceptable level of noise and disturbance, adversely affecting the amenity of the occupier of the residential property on the first floor of the building, contrary to Policy H17 (Residential Amenity) of the Carlisle District Local Plan.



CUMBRIA CONSTABULARY

JU Facsimile: 01768 218400
Telephone: 01228 528191

Please ask for: Mark Pannone

My Reference:
Your Reference: RJM/DC/01/0962, 0984 & 0985

Area Commander
North Cumbria Area
Superintendent G Horlacher
County Police Station
Rickergate
Carlisle
Cumbria CA3 8QW



R Maunsell
Department of Environment and Development
Planning Services Division
Carlisle City Council
The Civic Centre
Carlisle CA3 8QG

PLANNING SERVICES
16 JAN 2002
16 January, 2002
RM
ACTION

Dear Richard

City Centre Takeaways

Following our meeting last week, I am writing as requested to explain the view point of Carlisle Police, to hopefully assist in coming to a decision on the 'Takeaway' issue.

As I understand it, Policy S15 (Food and Drink) of the Carlisle District Local Plan requires that hot food takeaway premises within the City Centre shopping area are conditioned to close no later than 0130am. There are however a few takeaway premises which existed prior to the Local Plan and these premises do not have a specified closure time and therefore can open as late as they like. This has created a 'two tier' situation where some premises are open to serve the late night trade once the night clubs have closed, and other which are supposed to close at 0130am, missing the busiest trading periods of the week. The premises which can only stay open until 0130am, on the same road or next door to the unregulated premises, feel aggrieved by what they see to be an unfair situation.

Carlisle Police have a specific focus on preventing violence, crime and disorder in Carlisle City Centre. A lot of research is conducted to identify hot spots for disorder and incidents of violence in the city centre. Without doubt, our peak period for incidents of alcohol related violent crime occurs between 0130 and 0300 am, with the main problem area being the top of Warwick Road, The Crescent and Botchergate. The reason for the disorder is due to persons coming from night clubs and remaining in the city centre rather than going out of the area. Research indicates that the only reasons for staying in the city centre after the clubs close are to go to a takeaway and subsequently eat the food, wait with friends who are eating take away food or to queue for a taxi. We currently enjoy minimal disturbances at taxi ranks and therefore almost all our incidents occur due to the late night opening of takeaway premises.

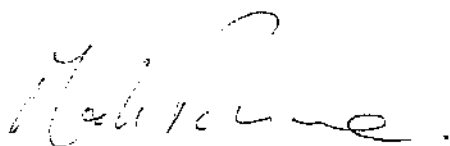
The ideal solution for the police would be for a closure of all takeaway type premises prior to the closure of the majority of nightclubs and other entertainment venues. By closing all takeaways at 0130am, the motivation for remaining in the city centre would reduce and therefore disorder and violence, and the fear of such, would also decline. However, I am aware that such a move could only be considered by Carlisle City Council through moves such as compensating exiting premises which open after 0130am, compulsory purchasing such premises or creating a by-law, restricting such trade. I am also aware that such options may well be unpalatable to Carlisle City Council. Of these options, a by-law based on the desire to

structurally reduce disorder and violence would be the preferred choice of Carlisle Police and a very strong message to the public that such anti social behaviour is being 'designed out' of the late night society by Carlisle City Council. It may be suggested that there is a 'need' for such premises at a later time of night, but it is worth noting that all licensed premises are obliged to serve food during opening hours and therefore minimises the need argument. Invariably the sole users of the takeaways at this time of night are club users.

If the above ideas are deemed inappropriate, our second preferred option would be to remove the current trading restrictions under the Carlisle District Local Plan. This may appear to be a complete contradiction to the above proposal but is also based in a desire to reduce crime and disorder. Currently, there are only a few premises that can stay open without regulation. Others do open contrary to the policy to catch the late night trade. This is preferable for the policing of the city centre as it dilutes the creation of disorder 'hotspots'. Other cities experience serious problems where there are only one or two open takeaway premises within a nightclub zone, such as Botchergate. Queues of potentially hundreds wait to be served at a chip shop or Kebab counter staffed by only a few (overworked) staff. This invariably leads to frustration and annoyance and the outcome is disorder and fighting. By increasing the number of takeaways, the time of waiting and time to be served is reduced, directly having a positive effect on reducing tension and frustration and thereby reducing disorder and violence. What we would like to see in support of this would be a vigorous policing by The Environmental Health Department to ensure that the quality of such premises is maintained and that the Entertainment Zone in the city centre is one of well presented, quality premises. This option of reduced regulation would be consistent with the proposed Government views on 24 hour licensing and the 24 hour society. However, it is also worth noting that a complete review of The Licensing Act, although promised, still appears to be at least a few years away.

I anticipate that these thoughts will be the subject of discussion and I will be available to discuss further if required.

Yours Sincerely,



Mark Pannone
Carlisle City Centre Community Sergeant

SCHEDULE A: Applications with Recommendation

ITEM NO. 20

Date of Committee: 01/02/2002

APPN REF NO:
01/1022 /

APPLICANT:
Scottish & Newcastle Pub Ent.

PARISH:
Rockcliffe

DATE OF RECEIPT:
09/11/2001

AGENT:
Ditchburn Edwards Associates

WARD:
Longtown & Rockcl

LOCATION:
Crown & Thistle, Rockcliffe, Carlisle Cumbria

GRID REF:
335950 561517

PROPOSAL: Creation of improved vehicular access to site

Angus

REPORT

PLANNING POLICIES:-

PUBLIC FOOTPATH

The proposal relates to development which affects a public footpath.

LISTED BUILDING

The proposal relates to a building which has been listed as being of Special Architectural or Historic Interest.

AFFECTING THE SETTING OF A LISTED BUILDING

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E26

Within the buffer zone of Hadrian's Wall Military Zone World Heritage Site, as defined on the Proposals Map, proposals for development which would have an unacceptable adverse impact on the character and/or setting of the World Heritage Site will not be permitted. Development within or adjacent to existing settlements, established farmsteads and other groups of buildings will be permitted providing that:

1. the proposal reflects the scale and character of the existing group of buildings; and
2. there is no unacceptable adverse effect on the character and/or appearance of the Hadrian's Wall Military Zone World Heritage Site.

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E34

Applications for alterations or extensions to listed buildings must have regard to the scale, proportions, character and detailing of the existing building (both internally and externally) and of its windows and doorways. Any proposals which adversely affect the listed building will not be permitted.

CARLISLE DISTRICT PLAN TRANSPORT - POLICY T7

The level of car parking provision for development will be determined on the basis of the following factors:

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1022 /

1. the Parking Guidelines for Cumbria as detailed in Appendix 2;
2. the availability of public car parking in the vicinity;
3. the impact of parking provision on the environment of the surrounding area;
4. the likely impact on the surrounding road network; and
5. accessibility by, and availability of, other forms of transport.

CARLISLE DISTRICT PLAN TRANSPORT - POLICY T15

Within the Plan area existing provision for cyclists and pedestrians will be protected. The improvement of provision for cyclists in the form of both highway improvements and secure parking facilities will be encouraged. All new development will be designed to provide safe and convenient access for cyclists and pedestrians. This should include the provision of secure cycle parking facilities where appropriate.

CARLISLE DISTRICT PLAN HOUSING - POLICY H17

The amenity of residential areas will be protected from inappropriate development where that development:

1. is for a use inappropriate for residential areas; and/or
2. is of an unacceptable scale; and/or
3. leads to an unacceptable increase in traffic or noise; and/or
4. is visually intrusive; and/or
5. leads to a loss of housing stock.

SUMMARY OF CONSULTATION RESPONSES:-

ROCKCLIFFE PARISH COUNCIL: We have always believed that the piece of land in question has formed part of the adjoining land owned by Castletown Estates. We are also concerned at the increase in the gradient because the road is used by wheelchairs and disabled users in the Parish who use this road as a public right of way.

HIGHWAYS AUTHORITY: No objections but with regard to the retaining wall it will be necessary for the applicant to conform to the procedures set out in the County Council guidelines for new structures before any works commence on site. This will involve the applicant securing the services of a qualified structural or civil engineer who will need to certify that the full design details and section of the new wall comply with the current appropriate British Standards and Codes.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1022 /

THE RAMBLERS ASSOCIATION: No objections to the proposal.

SUMMARY OF REPRESENTATIONS:-

This application has been advertised in the form of a site notice and the direct notification of the occupiers of 13 neighbouring properties. In response one letter has been received from Solicitor's acting on behalf of the Castletown Estate objecting to the proposal because their client: a) shares the residents concerns about the development creating increased traffic flows through the village, often at unsocial hours; and, b) owns the greater part of the land on which the development is proposed.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

In 1984, under application reference number 83/0902, planning permission was given for a rear lounge and kitchen extension.

In 1985, application reference number 85/0311, 85/0689 and 85/0723, planning permission and listed building consent was given for a car park and porch extension.

In 1990, application reference numbers 90/0809 and 90/0869, planning permission and listed building consent was given for a lounge extension and internal alterations.

Last year, under application reference numbers 00/0662, 00/0663 and 00/0870 planning permission and listed building consent were granted for alterations and extensions to the building, and, creation of a beer garden.

DETAILS OF PROPOSAL

The Crown and Thistle (PH) is a grade II listed building with white painted walls and principally a slate roof. There are also two single storey extensions one of which has a slate roof and the other a flat roof. A single storey outbuilding used as a beer cellar/store lies to the west of the main building. There is also a car park marked out with 30 spaces although the remaining tarmaced area can accommodate at least another 10 vehicles. The detached house called Methven which lies to the north-west of the public house is also owned by the applicants.

Members may recall that the planning permission granted under application number 00/0662 not only involved altering and extending the public house but also improving the existing vehicular access serving the property. A dispute over land ownership has meant that the originally approved access cannot be implemented. The applicants have therefore submitted the current application which involves improving the access but based on the reduced amount of available land in order to try and resolve matters.

In relation to the representations received it should be noted

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1022 /

that the issues of amenity was taken into consideration at the time of determining application numbers 00/0662 and 00/0633. When addressing the matter of access for disabled people it is apparent that the proposal comprises widening the existing road junction to which both the Ramblers Association and Highways Authority have not raised any objections.

The applicants have now also completed Certificate B confirming that Castletown Estate, as landowner, have been served with the appropriate notice.

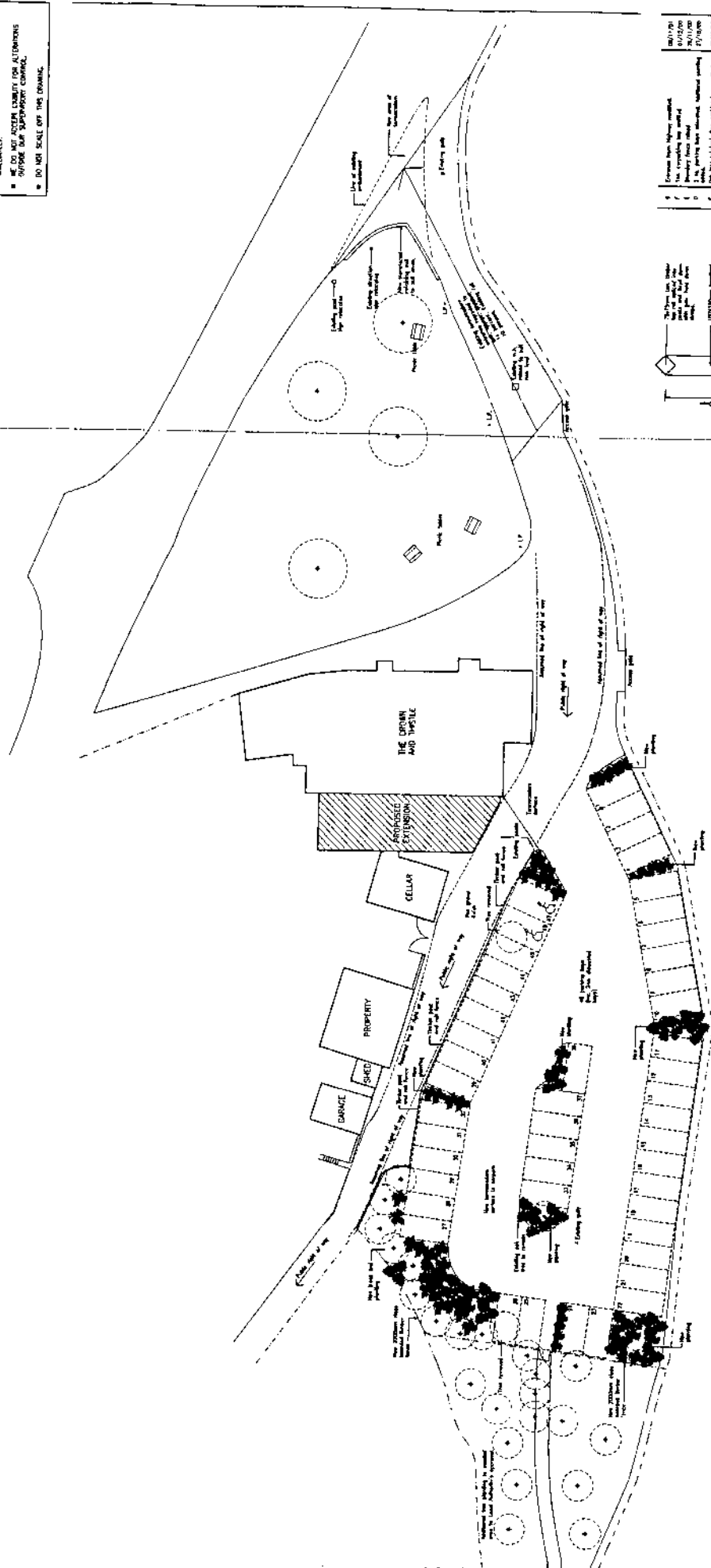
In light of the representations received it appears unlikely that the Castletown Estate, as landowners, will allow the current proposal to take place. Members will be conscious that the function of a planning authority is to decide whether a development is acceptable in the public interest, a matter which is not affected by the fact that a landowner may not wish to allow the development. When considering the application on planning grounds, it is felt that the revised access will achieve the same objectives as the previously approved scheme and, therefore, is recommended for approval.

RECOMMENDATION: -

APPROVE WITH CONDITIONS

1. Standard time limit
2. No development shall commence until full design details have been submitted of the new access, including the retaining wall, and approved in writing by the local planning authority. The scheme shall be constructed and completed in accordance with the approved plans.

- ALL DIMENSIONS TO BE CHECKED ON SITE.
- ALL CONCURRENCES MUST BE REPORTED.
- WE DO NOT ASSUME LIABILITY FOR ALTERATIONS OUTSIDE OUR SUPERVISORY CONTROL.
- DO NOT SCALE OFF THIS DRAWING.



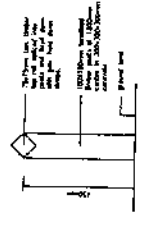
REVISIONS	DATE
1. Original design submitted.	01/12/00
2. The layout has been revised.	01/12/00
3. The layout has been revised.	01/12/00
4. The layout has been revised.	01/12/00
5. The layout has been revised.	01/12/00
6. The layout has been revised.	01/12/00
7. The layout has been revised.	01/12/00
8. The layout has been revised.	01/12/00
9. The layout has been revised.	01/12/00

CLIENT/PROJECT
S & N PUB Enterprises
THE CROWN AND THISTLE
ROSCHELIE

DRAWING TITLE
Proposed corporate layout and
access alterations

DRAWING No. 1128/00/10
SCALE 1:200
DATE 9/00
P.O.D.

DEAN
CONSTRUCTION SERVICES
MANCHESTER, ENGLAND
11-11-00 11-11-00 11-11-00



**SECTION THROUGH TIMBER
POST AND RAIL FENCE
SCALE 1:10**

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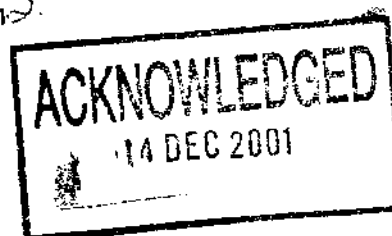
Cluttons Solicitors • Planning • Environmental
Cluttons Rockcliffe, Carlisle, Cumbria CA4 4PN. Telephone 01223 474747
Fax 01223 474748 • Email cluttons@cluttons.com

Dept of Environment & Development
Planning Services Division
The Civic Centre
Carlisle
CA3 8QG

Our Ref: 121201/ce.24a
Contact: Alick Grieve
E-mail: agrieve@cluttons.com

BY FAX & FIRST CLASS POST

13th December 2001



Dear Sirs

Planning Application

Reference No: ~~01/0222~~ 1022, Crown & Thistle (PH), Rockcliffe

As agents for Mr Giles Mounsey-Heysham, owner of Castletown Estate we have been passed your fax transmission of 11th December by Ms Laura Coode of Withers Solicitors, the Estate solicitors.

We wish to record Mr Mounsey-Heysham's objection to the application by Scottish & Newcastle Pub Enterprises for the improved vehicular access to the Crown & Thistle Pub on the grounds that our client shares the residents concerns about the development creating increased traffic flows through the village, often at unsociable hours.

We should also point out that our client owns the greater part of the land on which the development is proposed and that this point has been acknowledged by Scottish & Newcastle Pub Enterprises.

We would be grateful if you would convey this objection to the Planning Committee in time for its meeting on Friday, 14th December.

Yours faithfully

Cluttons



Chartered Surveyors • Property Consultants

Castletown Rockcliffe Carlisle Cumbria CA6 4BN Telephone 01228 674792
Fax 01228 674464 E-mail carlisle@cluttons.com www.cluttons.com

Carlisle City Council
Dept of Environment and Development
6th Floor
Civic Centre
Carlisle
Cumbria

Our Ref: 210102/ce.24a
Contact: Alick Grieve
E-mail: agrieve@cluttons.com

22nd January 2002

Dear Sirs

Crown & Thistle, Rockcliffe

Scottish & Newcastle Pub Enterprises

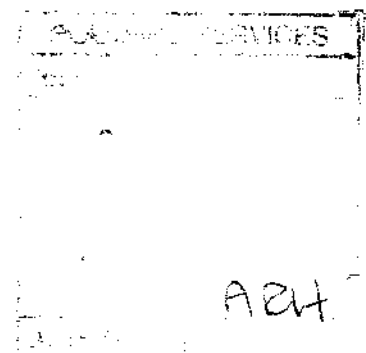
We act as Agents for Mr Giles Mounsey-Heysham, owner of the access to the above premises. We have been served Notice under Section 66 of the Town and Country Planning Act 1990 regarding the proposal to form an improved vehicular access to the above site.

We write to confirm that we wish to object to the application on the following grounds: -

1. Our client shares the village residents' concerns about the development creating increased traffic flows through the village, often at unsociable hours.
2. Our client owns the greater part of the land on which the development is proposed and this point has been acknowledged by Scottish & Newcastle Pub Enterprises.

Yours faithfully

Cluttons



SCHEDULE A: Applications with Recommendation

ITEM NO. 21

Date of Committee: 01/02/2002

APPN REF NO:
01/1034 /

APPLICANT:
Mr J L Donnelly

PARISH:
Wetherall

DATE OF RECEIPT:
20/11/2001

AGENT:

WARD:
Wetherall

LOCATION:
Westwinds, Front Street, Cotehill Carlisle, Cumbria

GRID REF:
346700 550269

PROPOSAL: Removal of condition 04 attached to consent 93/0509
referring to turning area, together with repositioning of
garage.

Andy

REPORT

PLANNING POLICIES:-

CARLISLE DISTRICT PLAN
TRANSPORT - POLICY T7

The level of car parking provision for development will be determined on the basis of the following factors:

1. the Parking Guidelines for Cumbria as detailed in Appendix 2;
2. the availability of public car parking in the vicinity;
3. the impact of parking provision on the environment of the surrounding area;
4. the likely impact on the surrounding road network; and
5. accessibility by, and availability of, other forms of transport.

SUMMARY OF CONSULTATION RESPONSES:-

HIGHWAYS AUTHORITY: The parking arrangements provided are satisfactory from a highway point of view. The planning condition 4 of consent 93/0509 regarding the provision of a turning area is therefore no longer applicable.

WETHERALL PARISH COUNCIL: The P.C. would not wish to see the removal of Condition 4 of the original application, given the location of the property and the access on the corner of Front Street and William Street, Cotehill. This village is noted for its narrow streets and "cottage-type" dwellings with no garaging or off-road parking and the increase in car ownership has increased the problems with on road parking.

The Parish Council see the need to retain the condition as first applied as the traffic and parking problems have not eased in the years in the time the condition has been in force.

SUMMARY OF REPRESENTATIONS:-

This application has been advertised by means of the direct

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1034 /

notification of 7 neighbouring properties. No replies have been received.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

In June 1993 under application reference 93/0509, outline planning permission was given for the erection of a dwelling on land adjacent to Kenmore, Front Street, Cotehill.

Under application 94/0189 the reserved matters of the development were approved.

DETAILS OF PROPOSAL

This application relates to the dwelling known as "West Winds" located on Front Street, Cotehill. The property is a two storey domestic dwelling erected in what was formerly the garden of the adjacent property, "Kenmore".

The application seeks approval for the Removal of Condition 4 attached to outline consent 93/0509. This condition states:

"The dwelling shall not be occupied until a means of vehicular access with associated turning area has been constructed in accordance with plans to be approved by the local planning authority."

REASON: To ensure that sufficient parking and servicing provision is available to service the development.

The position of the garage is also to change, being moved forward towards William Street by 5 metres. This will result in a 25 square metre parking area between the garage and the highway.

After discussions between the Highway Authority and the Applicant, the Authority stated in a letter to the Applicant dated 8th November 2001 that the planning condition regarding the provision of the turning area is no longer applicable.

This planning application is required to formally remove the condition.

In the consultation process of this application the Highway Authority have again stated the parking arrangements which have been provided are satisfactory from a highway point of view, and that the planning condition relating to the provision of a turning circle is no longer applicable.

Both "Kenmore" and "Westwinds" are felt to have adequate off street parking provision.

In view of the comments of the Highway Authority it is felt that the removal of condition 4 is acceptable, therefore this

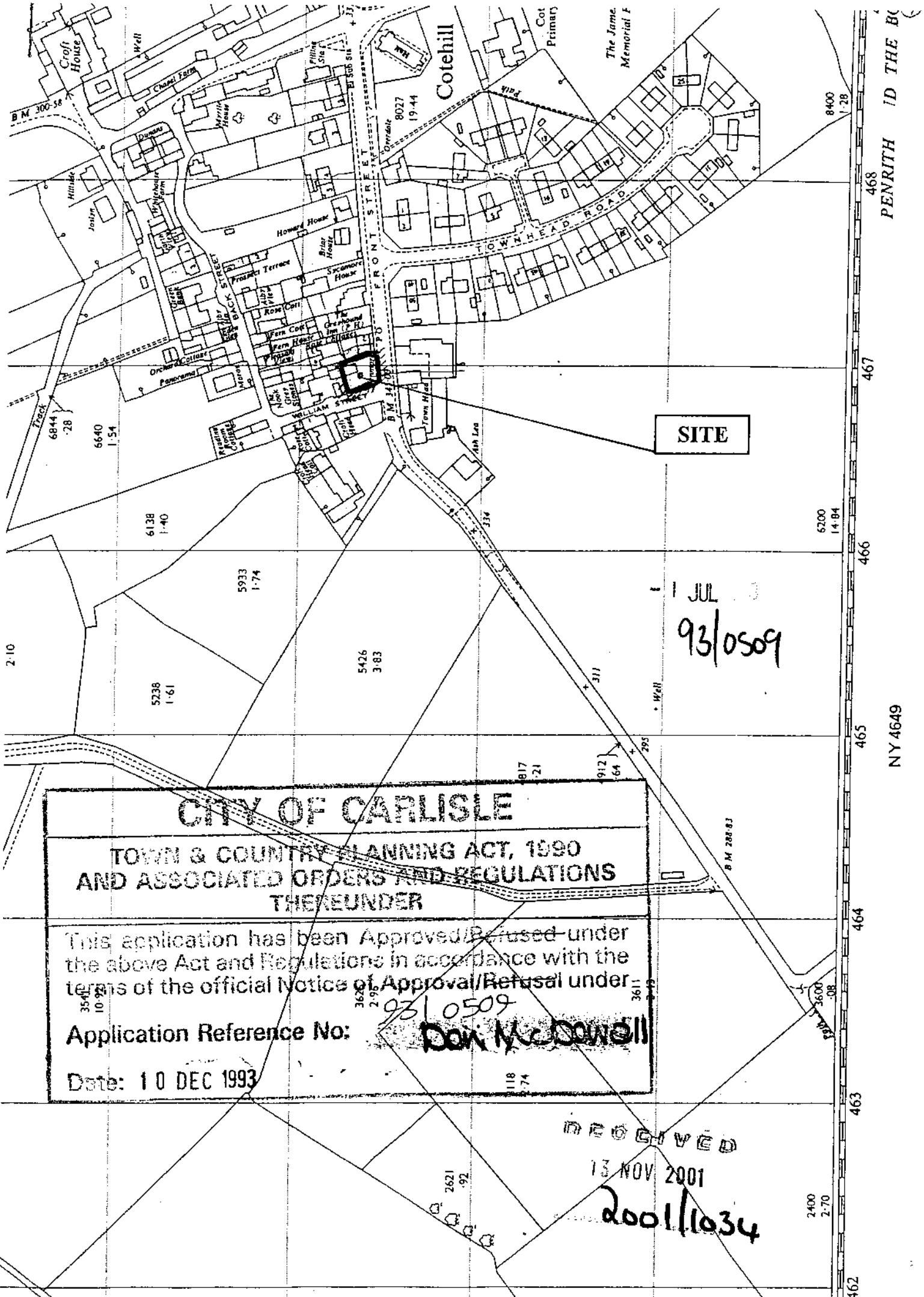
SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1034 /

application is recommended for approval.

RECOMMENDATION:-

APPROVE ✓



SITE

1 JUL 93
93/0509

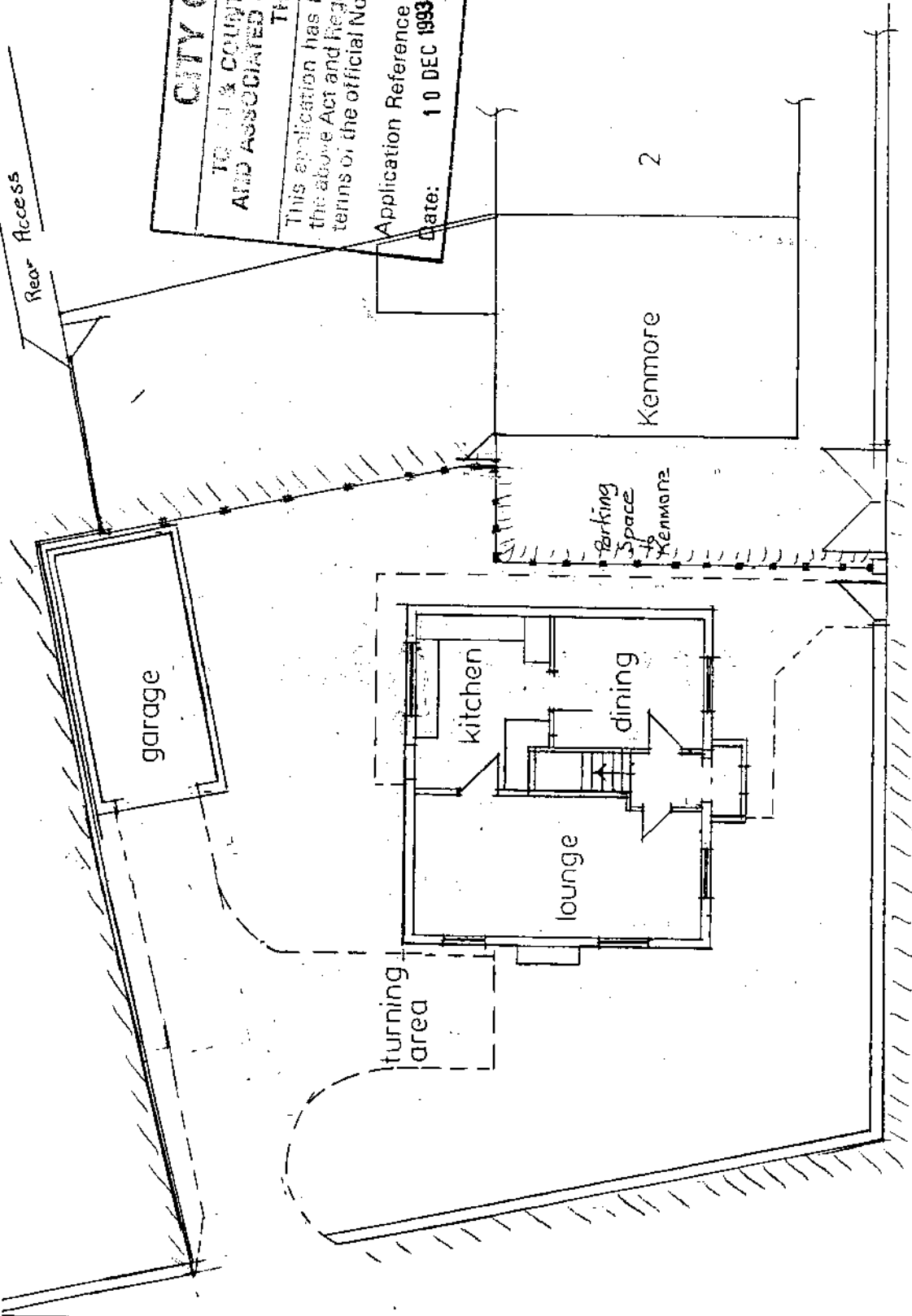
CITY OF CARLISLE
TOWN & COUNTRY PLANNING ACT, 1990
AND ASSOCIATED ORDERS AND REGULATIONS
THEREUNDER

This application has been ~~Approved/Refused~~ under the above Act and Regulations in accordance with the terms of the official Notice of ~~Approval/Refusal~~ under

Application Reference No: **93/0509**
Don McDowell

Date: 10 DEC 1993

RECEIVED
13 NOV 2001
2001/1034



CITY OF CAMBRIDGE
TOWN & COUNTRY PLANNING ACT, 1990
AND ASSOCIATED ORDERS AND REGULATIONS
THEREUNDER

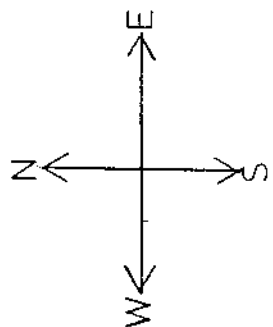
This application has been Approved/Refused under the above Act and Regulations in accordance with the terms of the official Notice of Approval/Refusal under

Application Reference No: **93/0509**
 Date: **10 DEC 1993**
DON McDONNELL

13 NOV 2001
200111034

RECEIVED
 - 6 NOV 1993
93/0509

PROPOSED OUTLINE PLANNING APPLICATION
 AT LAND ADJACENT TO KENMORE COTEHILL
 FOR MR J' DONNELLY



APPROVED PLAN

Scale 1:100

2001/10/27
2001/10/27
2001/10/27

MR J DONELLY
WEST WINDS
COTEHILL
CARLISLE
NY467502
SCALE 1:50

KENNOTE

PARKING AREA
FOR KENNOTE

CONCRETE SECTIONAL GARAGE

5M x 5M
PARKING AREA

N

WILLIAM STREET

FRONT STREET COTEHILL

SCHEDULE A: Applications with Recommendation

ITEM NO. 22

Date of Committee: 01/02/2002

APPN REF NO:
01/1100 /

APPLICANT:
Hogg & Robinson

PARISH:
Irthington

DATE OF RECEIPT:
30/11/2001

AGENT:
Tsada Building Design Services

WARD:
Stanwix Rural

LOCATION:
Chapel Cottage, Newtown, Irthington Cumbria

GRID REF:
349925 562724

PROPOSAL: Erection of replacement dwelling and garage together with creation of vehicular access and extension of garden into adjacent field (revised proposal)

REPORT

PLANNING POLICIES:-

CARLISLE DISTRICT PLAN HOUSING - POLICY H5

Within the following settlements, large scale residential development will not be permitted. Proposals for small scale residential development will normally be acceptable providing that:

1. the site is well related to the landscape of the area and does not intrude into open countryside; and
2. the scale of the proposed development is well related to the scale, form and character of the existing settlement; and
3. the layout of the site and the design of the buildings is well related to existing property in the village; and
4. the siting and design of the buildings is well related to and does not adversely affect the amenity of neighbouring property; and
5. appropriate access and parking can be achieved; and
6. the proposal will not lead to the loss of amenity open space within or at the edge of the settlement; and
7. the proposal will not lead to the loss of the best and most versatile agricultural land.

Aglionby, Baldwinholme, Banks, Barclose, Beaumont, Blackford, Blackwell, Boltonfellend, Boustead Hill, Broadwath, Brisco, Brunstock, Burgh-by-Sands, Burnrigg, Cardewlees, Cargo, Carleton, Castle Carrock, Cotehill, Cumdivock, Cummersdale, Cumrew, Cumwhinton, Cumwhitton, Durdar, Easton, Farlam, Faugh, Fenton, Gaitsgill, Gilsland, Great Corby, Great Orton, Grinsdale, Hallbankgate, Harker, Hayton, Hayton Townhead, Heads Nook, Hornsby, Houghton, How Mill, Irthington, Kirkcambeck, Kirkandrews-on-Eden, Knells, Lanercost, Laversdale, Linstock, Little Orton, Low Crosby, Longburgh, Low Row, Lyneholmford, Midgeholme, Milton, Moat, Monkhill, Moorhouse, Newby East, Newtown, Raughtonhead, Rockcliffe, Rickerby, Scaleby, Scotby, Smithfield, Stainton, Stockdalewath, Talkin, Tarraby, Thurstonfield, Tindale, Todhills, Walton, Warwick-on-Eden,

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1100 /

Warwick Bridge (Including Little Corby & Corby Hill), Westlinton,
Wetheral, Wetheral Pasture.

CARLISLE DISTRICT PLAN
HOUSING - POLICY H13

The replacement of recently occupied permanent dwellings, with existing use rights, will be permitted provided that:

1. the new dwelling is located on or close to the site of the original dwelling; and
2. the scale and design of the replacement dwelling is appropriate to its location and complements the character and size of other dwellings in the locality; and
3. the proposal does not adversely affect the amenity of the area or adjoining property; and
4. appropriate access and parking arrangements can be provided.

SUMMARY OF CONSULTATION RESPONSES:-

IRTHINGTON PARISH COUNCIL: The Parish Council have drawn attention to the fact that one householder has commented on the increased height of the proposal from a bungalow to a dormer bungalow.

HIGHWAYS AUTHORITY: No objection subject to conditions.

COUNTY ARCHAEOLOGIST: No objection.

SUMMARY OF REPRESENTATIONS:-

This application has been advertised by means of a site notice and neighbour notification. One letter has been received which objects to the increased size of the dwelling, and argues that an extension to the original dwelling would be more appropriate.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

In 1973, approval was given for the erection of a garage, and creation of a vehicular access. In April 1994, approval was given for the erection of a kitchen/bathroom extension. Neither of these permissions were implemented, and in August last year permission was granted for a replacement bungalow and garage, creation of a vehicular access and extension of the garden into the adjacent field.

The original bungalow has now been partially demolished.

DETAILS OF PROPOSAL

This application relates to the site of a small bungalow at

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1100 /

Newtown, Irthington, sited on the northern side of the road running through the village, and adjacent to the village green. Other dwellings lie to the west, and on the other side of the road.

It will be noted from the planning history that permission has been granted for the erection of a replacement bungalow, together with a garage, and creation of a vehicular access, and extension of the garden area into the adjacent field.

The current application is similar in character to the existing approval; the differences between the approved proposal, and the current application are as follows:

- i. although the layout is basically the same, with the gable towards the road and the garage adjacent to it, the pitch of the roof is increased so that the height of the principal element facing towards the road is increased from 5 metres to 6 metres, thereby enabling rooms to be incorporated in the roof space, with rooflights.
- ii. the link between the garage and the rest of the bungalow is widened, with roofspan connecting the two.
- iii. the extension of the garden area into the field is amended, and increased in size marginally.

Proposed materials, i.e. stone/render with slate roof remain the same. The two proposals are illustrated in the schedule, so that Members can appreciate the differences between the two proposals.

Members will note that a letter of objection has been received regarding this application, which draws attention to the differences between the current proposal and that previously approved, particularly the increased height.

In considering these points, Members should note that although the general character of the development in the vicinity is bungalows, some of these have rooms in the roofspace. Furthermore, the increase in height as compared with the approved proposal is only 1 metre.

In this situation, Officers consider that the proposal is acceptable, and approval is recommended.

RECOMMENDATION:-

APPROVE WITH CONDITIONS ✓

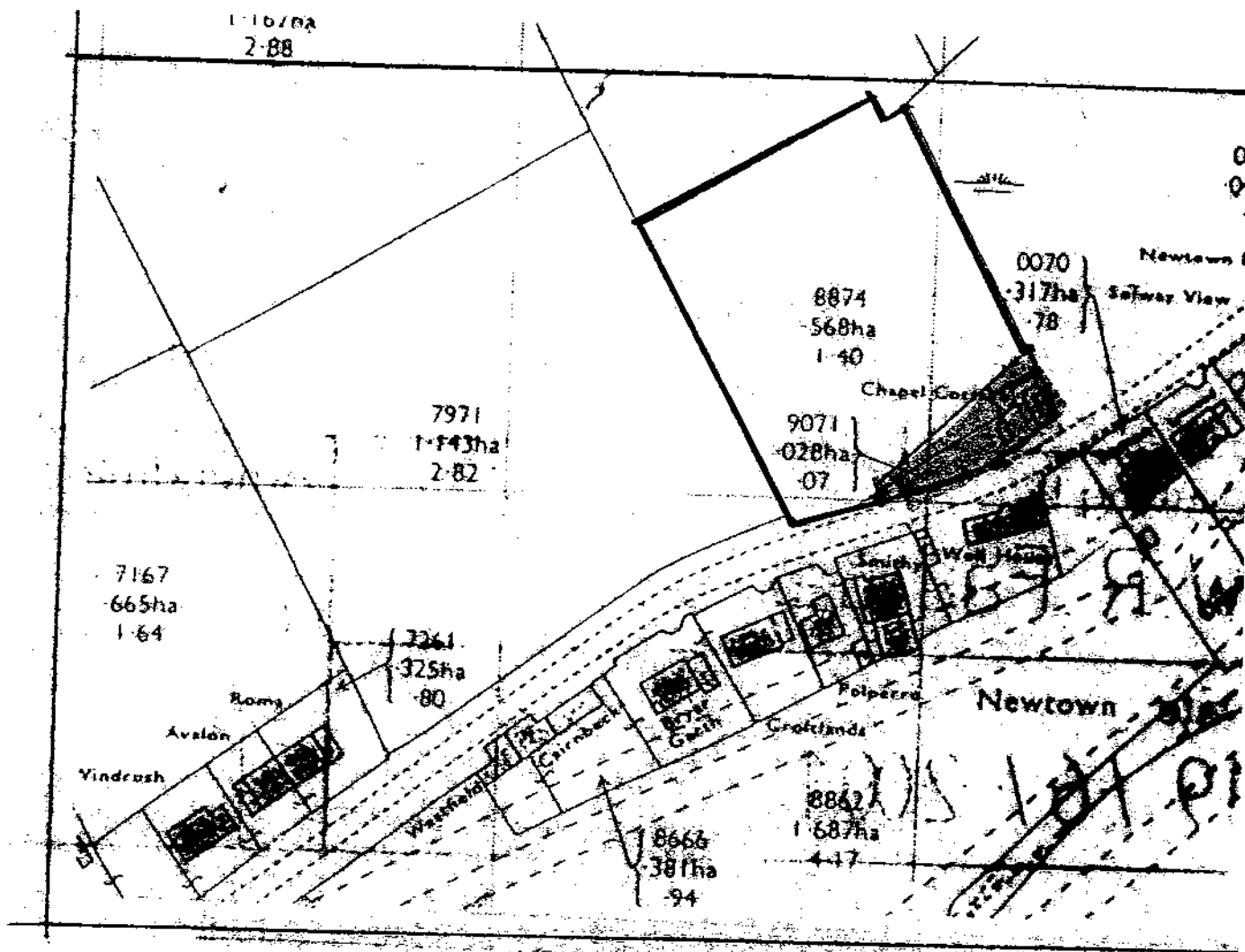
1. Standard time limit
2. No development shall commence until visibility splays providing clear visibility of 45 metres x 2 metres x 45 metres measured down the centre of the access road and the nearside channel line of the major road have been provided at the junction of the access road with the county highway.

SCHEDULE A: Applications with Recommendation

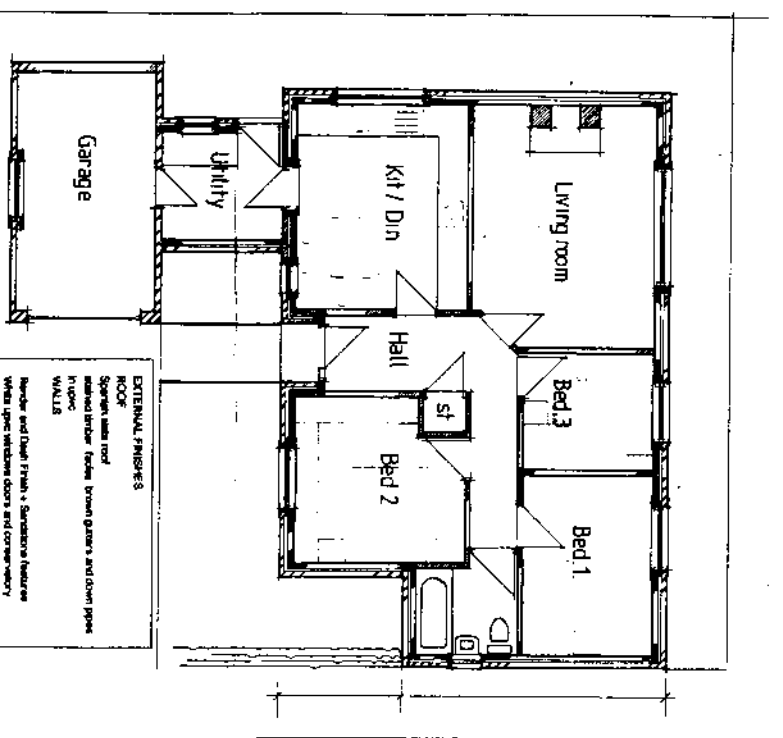
Schedule continued for 01/1100 /

Notwithstanding the provision of The Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splay which obstruct the visibility splays.

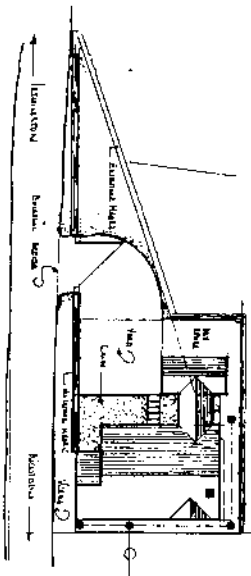
3. Windows abutting the Highway
4. Construction of Access
5. Materials - submission of samples
6. Hard surface details
7. Details of a replacement hedge to be planted along the amended boundary between the site and the adjacent field shall be submitted to and approved by the local planning authority. The submitted details shall comprise native species, and shall include details of the type and species of all planted material including particulars of the proposed planting heights and planting densities.
8. Windows abutting the Highway
9. Access/Turning Area Provision - Domestic
10. Access Gates



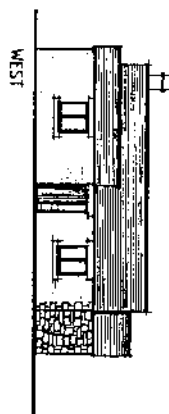
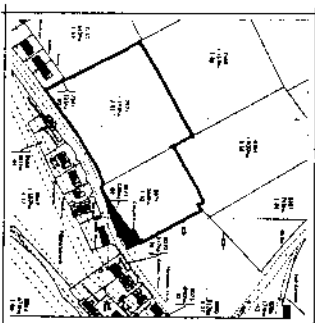
Location plan 1:2500



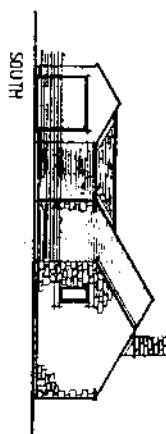
LAYOUT PLAN 1:50



LOCATION PLAN & BLOCK PLAN 1:200 & 1:2500



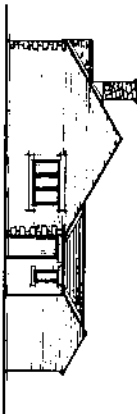
WEST



SOUTH

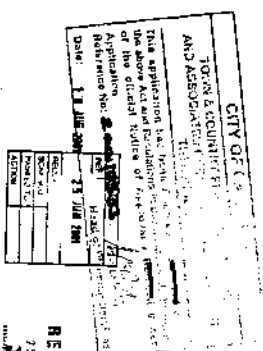


EAST



NORTH

ELEVATIONS 1:100



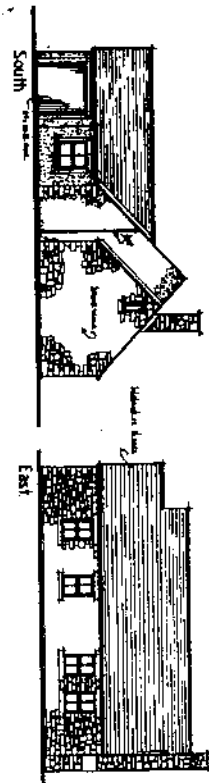
RECEIVED
25 JUN 2001
JPL 010533
WWW.MTSAC.COM

TSADA BUILDING DESIGN SERVICES

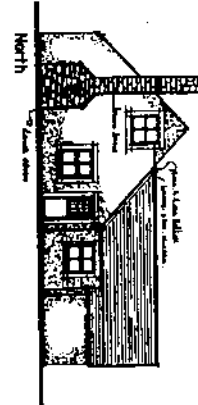
Trade Coverage: Longdon, Carlisle, Cumbria, CA6 5PA
Telephone: (01226) 791807
Telex: (01226) 858718

Proposed replacement dwelling at
Chapel Cottage, Newtown

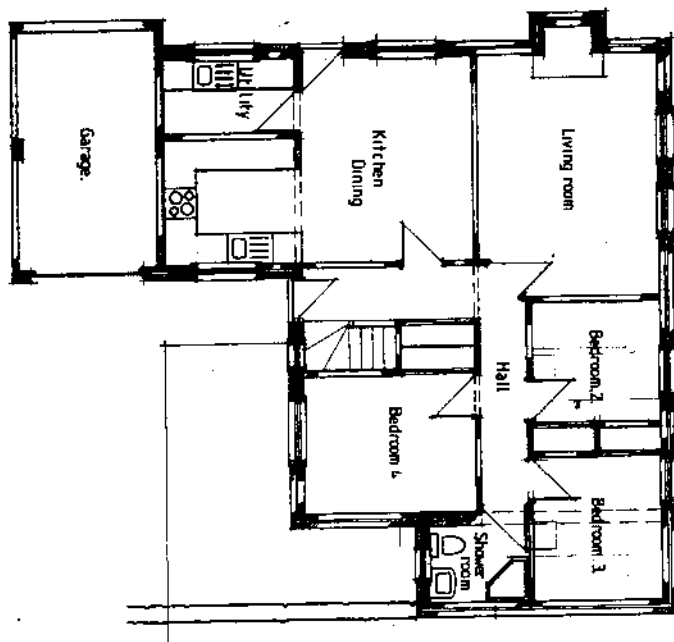
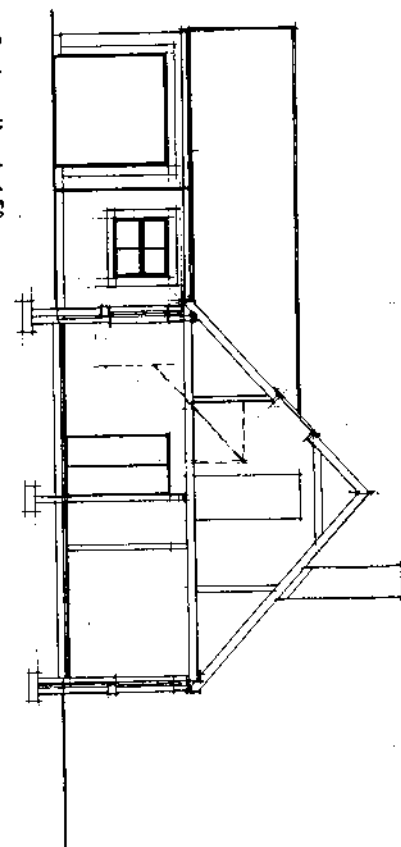
Drawn by W R Faulder	Appointments	Client Hogg & Robinson 101way View Newtown	Dtg No. 20 / 2001 / 1
Date 19 / 6 / 2001			Scale As shown



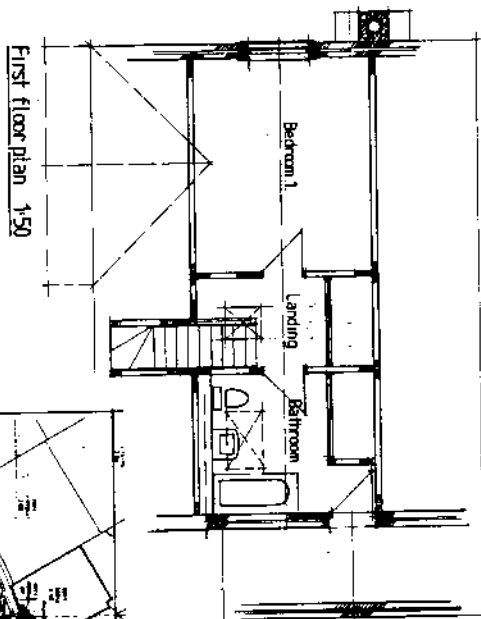
Elevations 1/20



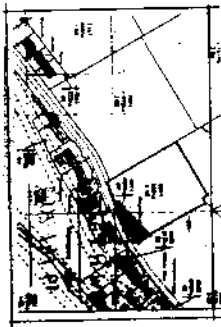
Section A-A 1/50



1st floor plan 1/50

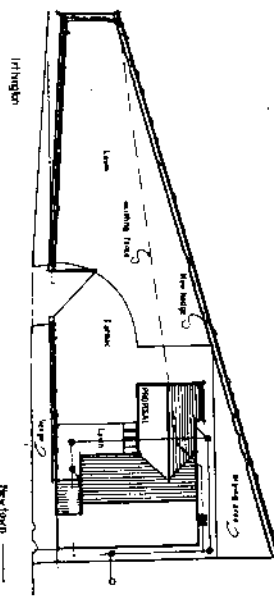


First floor plan 1/50



Location plan 1/2500

Block plan 1/200



TSADA BUILDING DESIGN SERVICES

TSADA Building Design Services
10000 100th Street, Suite 100
Newtown, NJ 07070
Tel: 908.261.1234
Fax: 908.261.1235
Email: info@tsada.com

Job title
Proposed replacement dwelling at
Chapel cottage, Newtown
Revised design

2000/1/10

Drawing by W.R. Faulder		Client Hogg & Robinson Solway Veil Newtown		Day No. 20/2001/1a	
Date 30/11/2001		Scale As shown			

Planning Services Division

The Civic Center

Carlisle

Well House

New Town

Ittrington

ENAB 4 pf

EN

CSH

To whom it may concern,

I am writing

with regard to the revised planning
proposed for Chapple Cottage New
Town Ittrington. I would like to
comment firstly on the extended
size of the new house. I under-
-stand that any new building should
be within the boundary of the old.
Also why has permission for total
demolition been given. I do under-
-stand that it is a small cottage,
could some form of extension
not have been provided to enlarge
the building as at well house.

phc/2

Thus the build would be kept
in keeping with the rest of the
village. In stead of an over sized
brand new house built right by
the village green as the one
previously at Loversdale.

yours sincerely

S A Ridley

Miss Barbara Ridley

SCHEDULE A: Applications with Recommendation

ITEM NO. 23

Date of Committee: 01/02/2002

APPN REF NO: 01/1108 / APPLICANT: Carlisle City Council PARISH: Brampton

DATE OF RECEIPT: 04/12/2001 AGENT: Environmental Services WARD: Brampton

LOCATION: L/A outside 2 Gelt Road at junction with Front Street, Brampt GRID REF: 352890 561032

PROPOSAL: Erection of 9m high camera mast and CCTV camera

Angus

REPORT

PLANNING POLICIES:-

CONSERVATION AREA

The proposal relates to land or premises situated within the Brampton Conservation Area.

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E35

Proposals for new development which adversely affect a listed building or its setting will not be permitted. The City Council will seek to encourage any new development to be sympathetic in scale, character and materials.

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E43

The City Council will encourage, and permission will be granted for development within and adjoining Conservation Areas which preserves or enhances their character. The City Council will seek to ensure any new development or alterations to existing buildings are in sympathy with the setting, scale, density and physical characteristics of Conservation Areas, and protect important views into or out of such areas. Applications for outline planning permission will not be accepted for proposals in Conservation Areas.

CARLISLE DISTRICT PLAN HOUSING - POLICY H17

The amenity of residential areas will be protected from inappropriate development where that development:

1. is for a use inappropriate for residential areas; and/or
2. is of an unacceptable scale; and/or
3. leads to an unacceptable increase in traffic or noise; and/or
4. is visually intrusive; and/or
5. leads to a loss of housing stock.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1108 /

SUMMARY OF CONSULTATION RESPONSES:-

HIGHWAYS AUTHORITY: No objection to the proposal.

BRAMPTON PARISH COUNCIL: No objection to the principle of the proposal subject to the design of the mast being in keeping with the Conservation Area. There is also concern at the proposed site of the mast and its perceived coverage.

SUMMARY OF REPRESENTATIONS:-

This application has been advertised in the form of a site notice and the direct notification of the occupiers of 11 properties. In response one letter of objection has been received which states that there is support in principle to the camera. However, there are concerns over the uncompromising utility of the design of the mast which will not preserve/enhance the character of the Conservation Area nor the setting of the adjoining listed buildings. When so much care has been taken with the design of lighting columns, litter bins and other street furniture this seems a retrograde step.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

This site has not previously been subject to an application.

DETAILS OF PROPOSAL

This application involves the erection of a 9 metre high mast, mounted by a closed circuit television camera, located on the western side of the Front Street/Gelt Road junction. The mast/camera would be outside 2 Gelt Road which, although unlisted, is an attractive period house with painted render and stone walling, and, a slate roof. The pavement also has a cobbled surface. There are listed buildings within the immediate vicinity along Lorne Terrace and at 45/47 Front Street.

The current proposal is part of a wider Rural Crime Reduction Programme a funding bid for which has been submitted to and approved by the Home Office.

In considering this application the three main issues are felt to involve assessing the impact on the amenities/outlook of the neighbouring residents, the effect on the character of Brampton Conservation Area/setting of listed buildings, and, the benefits of having a safer more secure living environment. On this basis the following points need to be kept in mind:

- a) although the occupier(s) of 2 Gelt Road has not objected it is likely that the siting of a 9 metre high mast 2-3metres away from ground and first floor primary windows will harm the outlook, if nothing else, from the property. This is also likely to be the case if the mast was re-located on the opposite side of Gelt

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1108 /

Road. Neighbouring residents may also fear that they are being watched and thus there is a need to acknowledge the potential to harm their privacy. Members, however, should be aware that any operators of the camera would be subject to the City Council's Code of Practice which prohibits the viewing into of private property.

- b) Ministerial advice contained in paragraphs 4.14 of PPG15 "Planning and the Historic Environment" emphasises that under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 special attention needs to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
- c) Circular 5/94 "Planning Out Crime" advises that the design of the built environment has a contribution to make towards the reduction of crime and criminality. The Circular goes on to state that crime prevention is a material consideration in determining applications.
- d) Discussions and meetings have taken place to identify the suitability of any other alternative solutions. Cumbria Constabulary have, however, indicated that the current location and solution involving a mast, although not perfect, is the optimum position in terms of surveillance.

In conclusion it is considered that the current proposal represents a compromise with Members having to weigh the harm caused to the amenities and character of the area with the benefits of a safer environment. It is a finely balanced decision and one that has already been made in other conservation areas within the City. In this instance, it is felt that the creation of a safer environment for the community is of greater importance, despite the acknowledged harm.

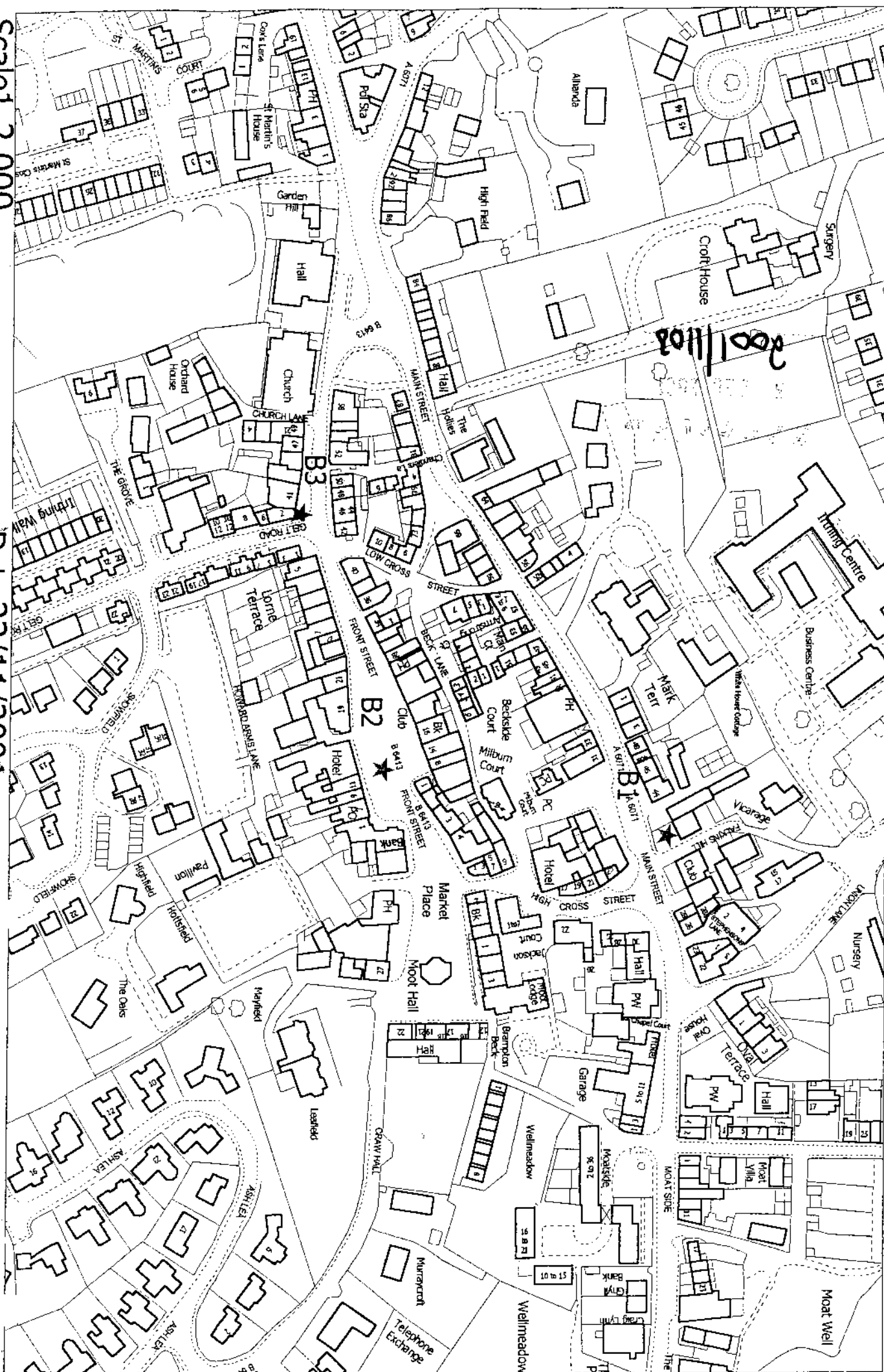
RECOMMENDATION:-

APPROVE WITH CONDITIONS

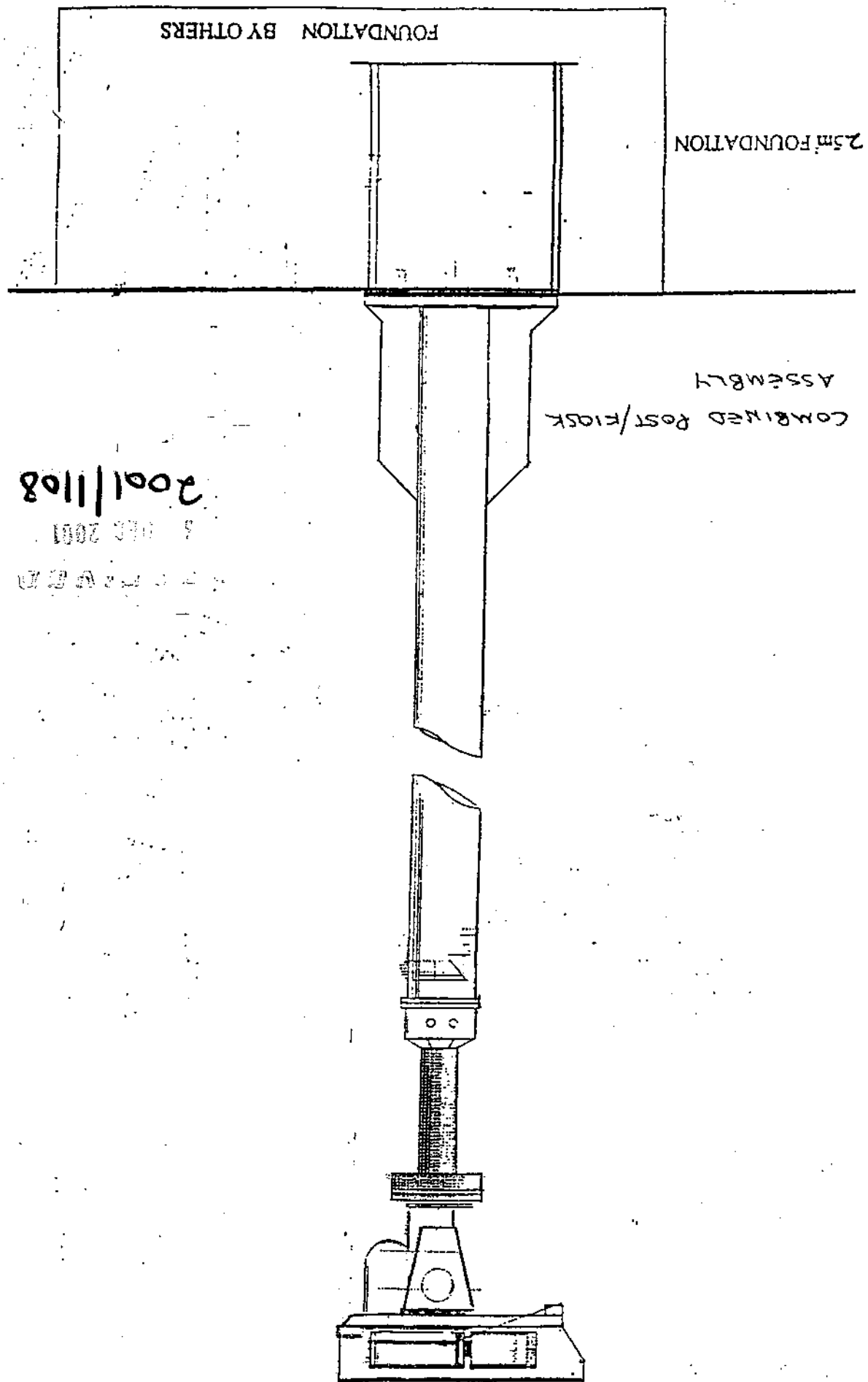
- 1. Standard time limit



BRAMPTON CCTV LOCATION PLAN



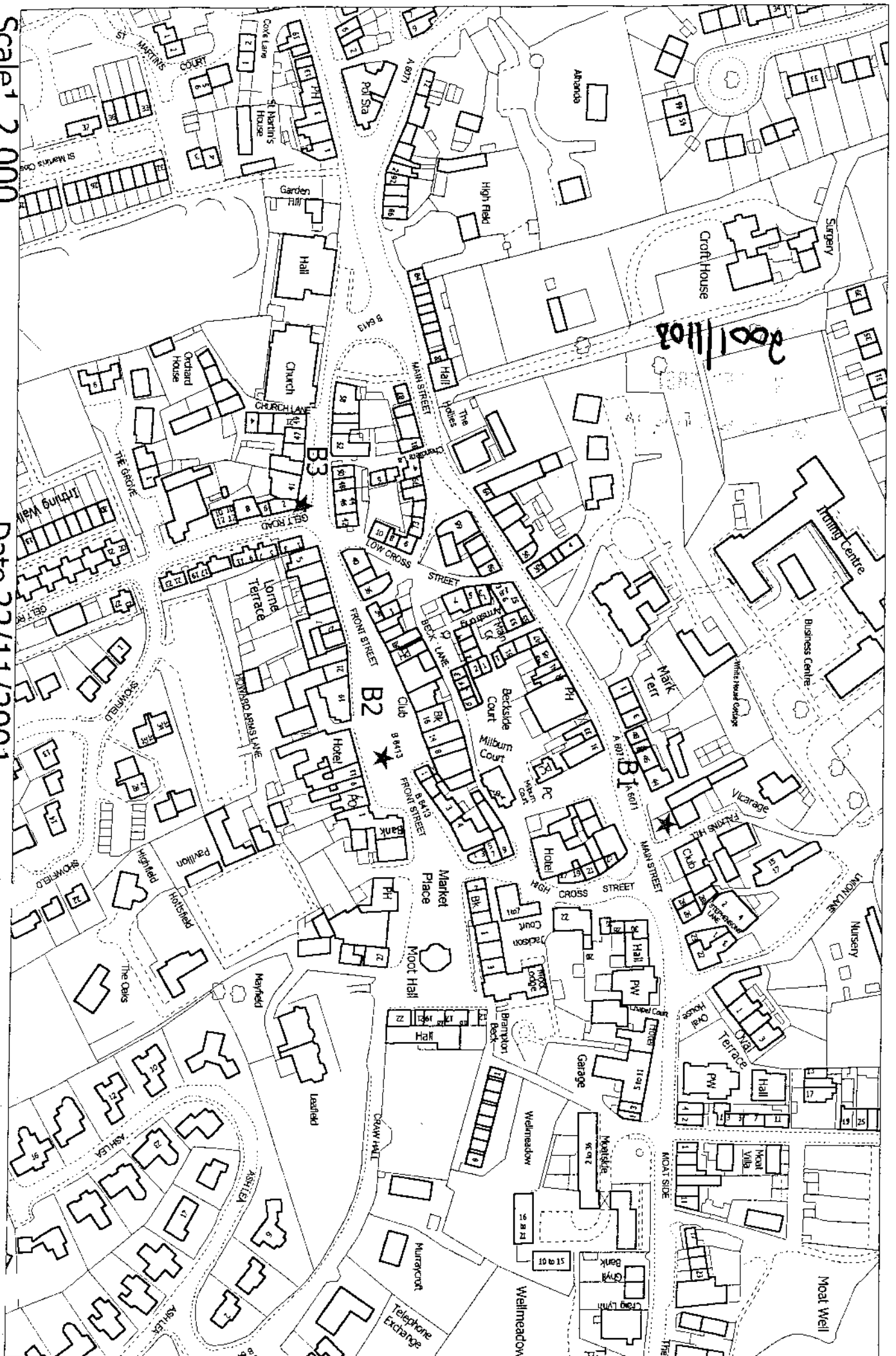
STANDARD ORNATE POST/ ASSEMBLY



Scale 1:2,000

Date 22/11/2001

L.RAMPION CCTV LOCATION PLAN



5 Lorne Terrace,
Brampton,
Cumbria,
CA8 1NS
Tel. 06977 2119

Grny ARH/DC/DI/1108

Chief Development Control Officer,
Barthle Bky Council,
Bivic Centre
Barthle,
Alan Angus Hutchinson
Dear Sir,

25/2/01
01/1108
25/2/01
AN
ARH

Proposed Erection of CCTV
cameras at 2, Galt Road, Brampton

Thank you for notifying us of the above proposal. We have also seen the advertisements for the other two cameras adjoining the junction of Talbain's Hill & Main Street (adjoining 38, Main St) and on Front Street to the west of Howard Arms Lane.

We are thoroughly in favour of the principle of the cameras considering that they could assist in

dealing with vandalism and other anti-social behaviour. The position adjoining 2, Gilt Road should be capable of covering the view back towards the Market Place & also the Gilt Road / Low Cross St / Shephards Lane routes. We endorse the Parish Council's comments on the precise siting of the other two cameras.

We are however concerned about the uncompromising, utilitarian design of the proposed 9m. high poles. They will not preserve or enhance the character of the Conservation Area or the setting of the adjoining listed buildings but rather detract from them. When so much care has been taken with the design of lighting columns, litter bins, finger posts & other street furniture this seems a retrograde step which

could encourage others to take
less care in design to the ultimate
detriment of the area as a whole.
we do hope that you will find
it possible to negotiate an
improved design for the cameras
& associated poles.

Yours faithfully
L. R. Hopkins and
L. J. Hopkins

SCHEDULE A: Applications with Recommendation

ITEM NO. 24

Date of Committee: 01/02/2002

APPN REF NO: 01/1109 /	APPLICANT: Carlisle City Council	PARISH: Brampton
DATE OF RECEIPT: 04/12/2001	AGENT: Environmental Services	WARD: Brampton
LOCATION: L/A outside 38 Main Street, Brampton Cumbria		GRID REF: 353020 561180
PROPOSAL: Erection of 9m high camera mast and CCTV camera		

REPORT

PLANNING POLICIES:-

AIRPORT SAFEGUARDING AREA

AFFECTING THE SETTING OF A LISTED BUILDING

CONSERVATION AREA

The proposal relates to land or premises situated within the Brampton Conservation Area.

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E35

Proposals for new development which adversely affect a listed building or its setting will not be permitted. The City Council will seek to encourage any new development to be sympathetic in scale, character and materials.

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E43

The City Council will encourage, and permission will be granted for development within and adjoining Conservation Areas which preserves or enhances their character. The City Council will seek to ensure any new development or alterations to existing buildings are in sympathy with the setting, scale, density and physical characteristics of Conservation Areas, and protect important views into or out of such areas. Applications for outline planning permission will not be accepted for proposals in Conservation Areas.

CARLISLE DISTRICT PLAN HOUSING - POLICY H17

The amenity of residential areas will be protected from inappropriate development where that development:

1. is for a use inappropriate for residential areas; and/or
2. is of an unacceptable scale; and/or
3. leads to an unacceptable increase in traffic or noise; and/or

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1109 /

4. is visually intrusive; and/or
5. leads to a loss of housing stock.

SUMMARY OF CONSULTATION RESPONSES:-

CIVIL AVIATION AUTHORITY: No safeguarding objection to the proposal.

HIGHWAY AUTHORITY: No objection to the proposal.

BRAMPTON PARISH COUNCIL: No objection to the principle of the proposal subject to the design of the mast being in keeping with the Conservation Area. There is also concern at the proposed site for the mast and its perceived coverage. It is suggested that the mast could be located adjacent to 28 Main Street.

HEAD OF ENVIRONMENTAL SERVICES: No observations in respect of this application.

SUMMARY OF REPRESENTATIONS:-

This application has been advertised in the form of a site notice and the direct notification of the occupiers of three neighbouring properties. No observations have been received at the time of writing the report.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

The site has not previously been subject to an application.

DETAILS OF PROPOSAL

This application relates to the car park located on the northern side of Main Street to the west of the junction with Falkins Hill. There are listed buildings within the immediate vicinity at 31-35 and 32-38 Main Street, Mark Terrace, the Vicarage at Falkins Hill, and, 22 High Cross Street.

The previous issues are as outlined in the previous report concerning application number 01/1108.

Members should be aware that discussions have taken place with representatives of the Parish Council and Cumbria Constabulary. Based on these discussions it appears that the Parish Council have accepted that the proposed location will give maximum visibility.

In line with application number 01/1108, the proposal is recommended for approval.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1109 /

RECOMMENDATION:-

APPROVE WITH CONDITIONS

1. Standard time limit

SCHEDULE A: Applications with Recommendation

ITEM NO. 25

Date of Committee: 01/02/2002

APPN REF NO: 01/1112 /	APPLICANT: Mrs Helen Whitaker	PARISH: Wetheral
DATE OF RECEIPT: 05/12/2001	AGENT: Tiffen & Co -Colin West	WARD: Wetheral
LOCATION: L/Adj to Red House, Scotby Road, Scotby Carlisle, Cumbria	GRID REF: 344000 555230	
PROPOSAL: Erection of detached bungalow and garage (outline)		

REPORT

PLANNING POLICIES:-

GAS PIPELINE SAFEGUARDING AREA

The proposal relates to land or premises situated within or adjacent to the Gas Pipeline Safeguarding Area.

TREE PRESERVATION ORDER

The site to which this proposal relates has within it a tree protected by a Tree Preservation Order.

SUMMARY OF CONSULTATION RESPONSES:-

WETHERAL PARISH COUNCIL: the PC has serious concerns regarding the access. The proposed access is on a stretch of road which has a very sharp corner by the Church and a property named the Dovecot. The wall at the Dovecot has been knocked down on numerous occasions by vehicles travelling too fast to negotiate the corner. The access also is very close to the railway bridge. This area has difficult visibility for egress and has been the site of accidents including one fatality;

HIGHWAY AUTHORITY: recommend that the existing hedge be reduced in height to improve visibility in a northerly direction and a suitable turning area is provided within the site. Otherwise 3 planning conditions are recommended;

ENVIRONMENT AGENCY: no comments.

SUMMARY OF REPRESENTATIONS:-

The proposal has been publicised through the display of a Site Notice and written notification to the adjacent occupier. There are no representations.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

In June 1994 outline planning consent was granted for the erection of a bungalow within the garden of Red House. A "Full"

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1112 /

planning consent was subsequently obtained by a prospective purchaser of the plot in March 1996 for the erection of a dormer bungalow and detached garage within the plot. That purchase did not proceed and the planning permission expired in March 2001.

DETAILS OF THE PROPOSALS

The current application is again in "outline" and relates to exactly the same area of land to which the two previous approvals applied.

The proposed site, shown on the location plan following, comprises part of the rear garden area to "Red House" and presents a frontage of approximately 20 metres to Scotby Road.

The site includes the original vehicular access and driveway to "Red House" but, as indicated on the sketch layout plan that accompanied both the previous application and is submitted with the current application, it was a related part of the general proposals that an entirely new, independent access and driveway be formed from the main frontage onto Parkett Hill to serve "Red House" and its' retained land. Since the previous approvals that access has, in fact, been constructed and is in use by the occupier of the house.

The relevant policy guidance against which this application should be considered is the Carlisle District Local Plan's Policy H5. Members will note that it identifies several criteria which need to be satisfied. Although not formally adopted until September 1997, its' provisions were applicable when the 1996 detailed planning permission was regarded as acceptable. Similarly, the 1994 "outline approval" was considered against similar criteria within its' Policy H5 and was regarded as being in conformity.

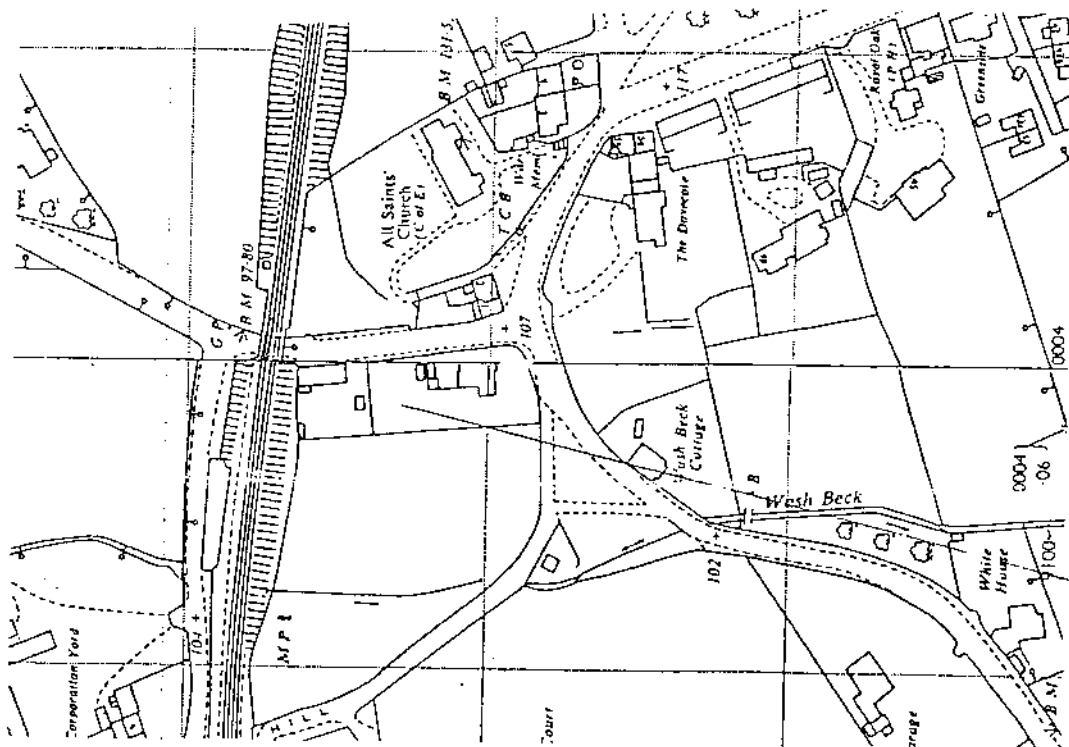
The application would, as there is no change in planning policy since the previous permission was given, have normally been considered under the provisions of the Scheme of Delegation but is brought before Members because of the comments of the Parish Council with regard to access. Similar comments were expressed by the Parish Council in 1994 but, as now, the Highway Authority had no objections to the proposals. It should, nonetheless, be noted that the Highway Authority has recommended that the hedge that forms the roadside boundary to Scotby Road be reduced in height to improve visibility and that action, may, therefore help to resolve some of the Parish Council's concern.

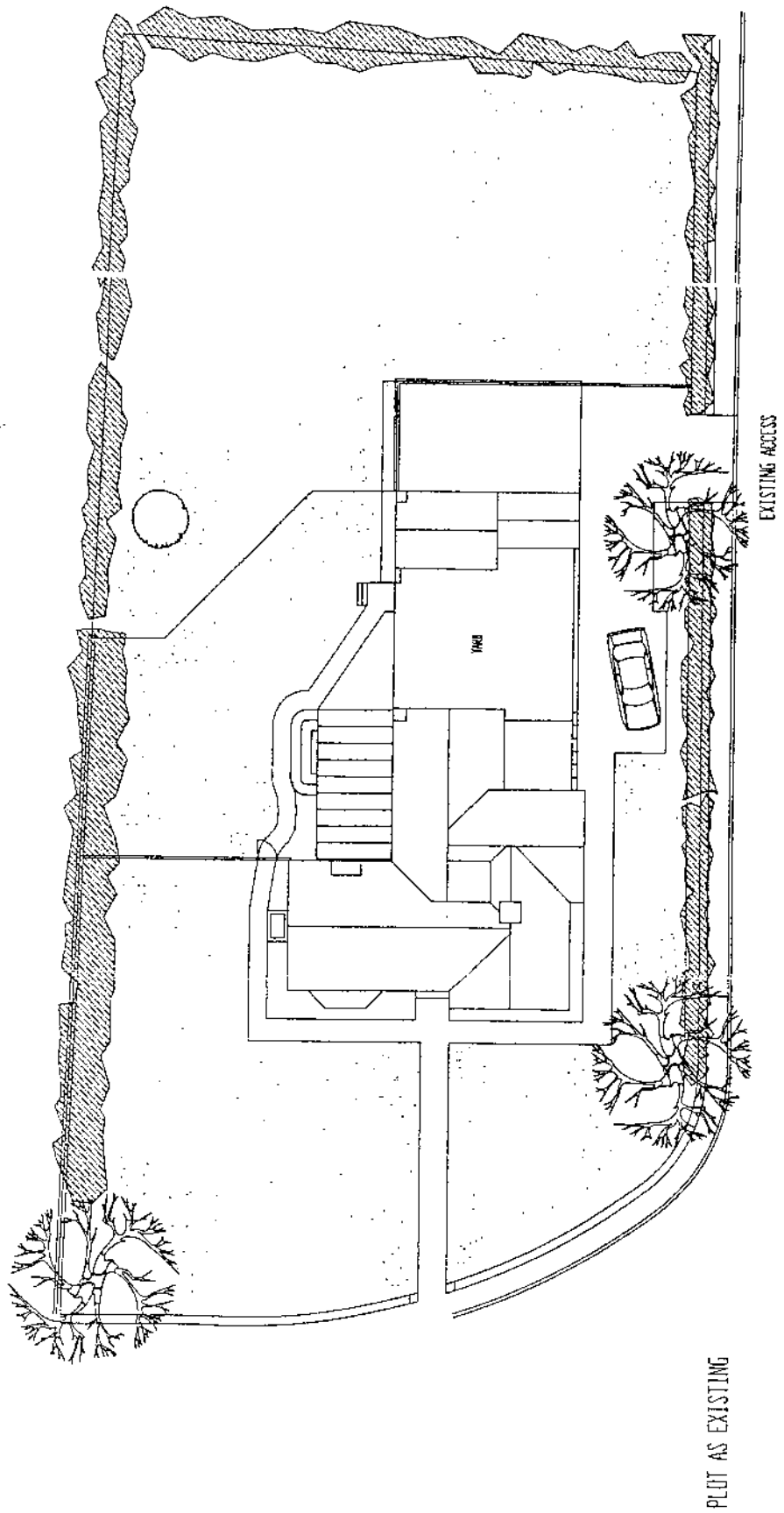
The application is recommended for approval.

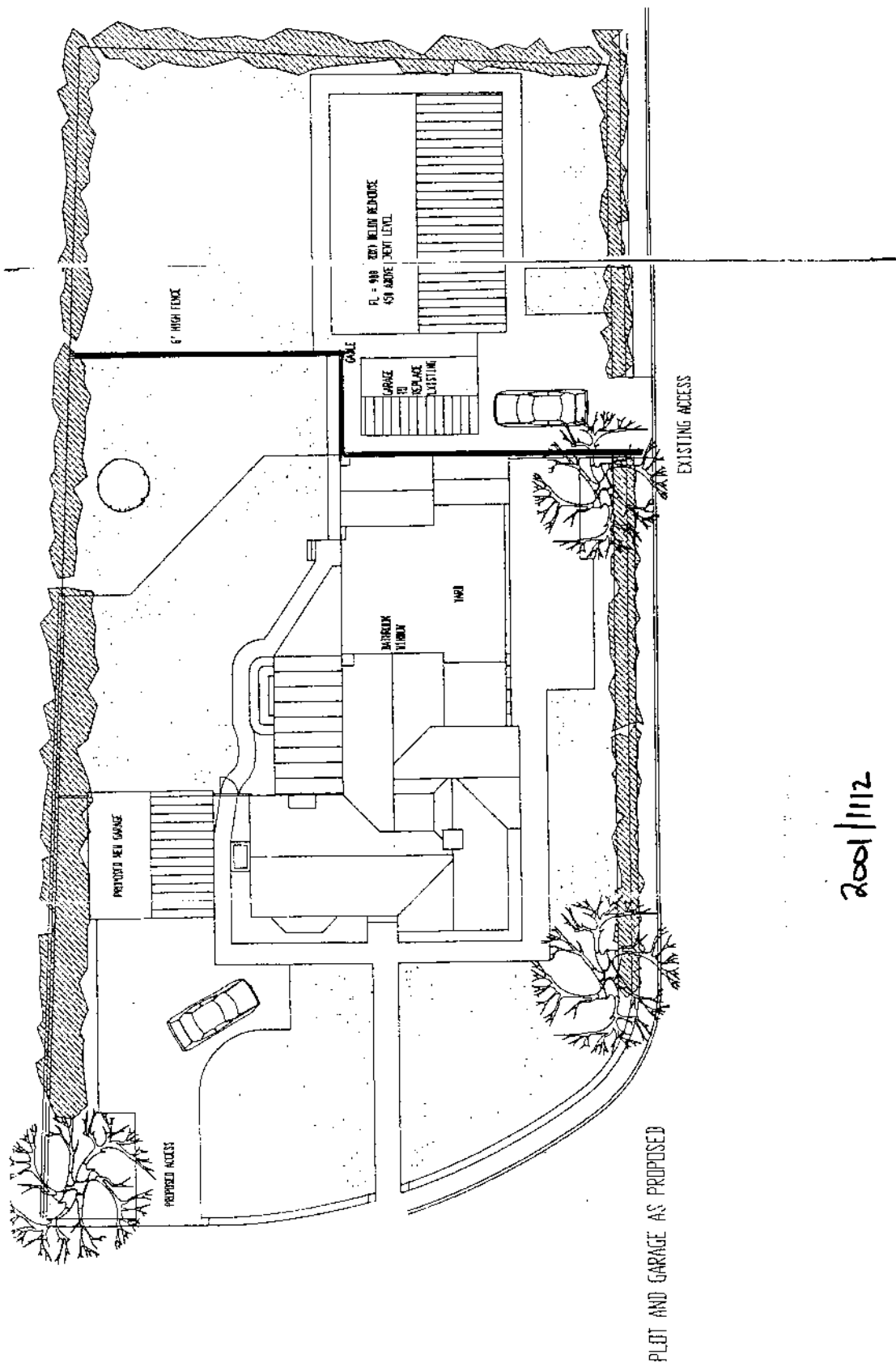
RECOMMENDATION:-

APPROVE









2001/11/12

SCHEDULE A: Applications with Recommendation

ITEM NO. 26

Date of Committee: 01/02/2002

APPN REF NO: 01/1113 /
APPLICANT: Montgomery Housing
PARISH: Carlisle

DATE OF RECEIPT: 04/12/2001
AGENT: Green Design Group
WARD: Morton

LOCATION: L/A Kingrigg, Morton Park Carlisle, Cumbria
GRID REF: 338297 554499

PROPOSAL: Erection of 29no. bungalows

30/1/02

REPORT

PLANNING POLICIES:-

PUBLIC FOOTPATH

The proposal relates to development which affects a public footpath.

CARLISLE DISTRICT PLAN HOUSING - POLICY H4

Within Carlisle, Brampton, Longtown and Dalston, outside the Primary Residential Areas and sites allocated under Proposal H1, applications for residential development, including redevelopment and the change of use of vacant and underused buildings, will be permitted provided that:

1. satisfactory housing conditions can be achieved; and
2. the proposal will complement the existing character of the area; and
3. the proposal will not adversely affect the amenity of the area; and
4. satisfactory access can be provided; and
5. appropriate parking arrangements can be made.

CARLISLE DISTRICT PLAN LEISURE - POLICY L8

The City Council will seek to ensure a suitable area of open space is available for public use, for passive and active recreation within walking distance of every house in Carlisle and the principal settlements, and wherever possible within 0.5km of every home and not separated from it by a busy road. This includes appropriate provision in new developments, which should be dedicated to the Council for maintenance.

CARLISLE DISTRICT PLAN LEISURE - POLICY L11

In the event of playing fields becoming genuinely surplus to requirements, proposals for their development will only be acceptable where:

1. there is no significant loss of amenity to the surrounding area;

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1113 /

2. the proposal is in keeping with the character of the surrounding area;
3. adequate access and appropriate car parking can be achieved;
4. any increased traffic generation can be accommodated by the existing highway network;
5. appropriate landscaping is an integral part of the scheme.

CARLISLE DISTRICT PLAN
LEISURE - POLICY L10

Development which will result in the loss or encroachment upon school or private playing fields or playspace will not be permitted unless:

1. adequate provision is made elsewhere; or
2. an oversupply of provision can be demonstrated.

SUMMARY OF CONSULTATION RESPONSES:-

HIGHWAYS AUTHORITY: The highway authority has no objection in principle to this application, but a number of changes have been requested to the submitted layout. Various conditions are required, including the requirement to divert the footpath.

CUMBRIA CONSTABULARY: No objection, subject to provision of a 1.8 metre fence abutting the re-aligned footpath.

COUNTY ARCHAEOLOGY: No observations.

DRAINAGE: The nearest foul sewer is in Langrigg Road. This has sufficient spare capacity to accommodate the development. Surface water discharge can be to Dow Beck culvert, subject to Environment Agency consent.

ENVIRONMENT AGENCY: Any discharge of surface water to Dow Beck should be subject to a hydraulic assessment to ensure that flooding problems are not increased. An appropriate condition is recommended.

COUNTY COUNCIL (STRATEGIC PLANNING): No observations.

RAMBLERS' ASSOC.: comments awaited

SUMMARY OF REPRESENTATIONS:-

This application has been advertised by means of a press notice and neighbour notification. No representations have been received.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1113 /

Until 1993, when the school closed, various applications for extensions etc were approved. Since then, in October 1997, approval was given for the erection of a 40 bedroom residential home for the elderly and mentally ill.

DETAILS OF PROPOSAL

Permission is sought for the erection of 29 bungalows on a site of 0.885ha at Morton Park, Carlisle. The land is the site of the former Morton Infants School, which was closed in 1993, and the buildings demolished in 1996. It lies between the Morton and Newlaithes Primary Schools, with access from Kingrigg. It is now a flat area of grass, bisected by the footpath which runs between the two schools, and links Stonegarth with Kingrigg.

The proposal is to develop the land for residential purposes, with the erection of 29 detached bungalows. The layout shows a principal access road emerging onto Kingrigg at its northern end, and the creation of five cul-de-sacs leading off that access, with up to seven two bedroom bungalows, with attached single garage, arranged around each cul-de-sac.

The application raises a number of issues, relating to both the principle of the development, and its details. As far as the former is concerned, this land has been declared surplus to the requirements of the schools since Morton Infants closed in 1993. As such, although part of the land had been used as playing field, this use ceased more than five years ago, and therefore falls outside the definition of a playing field in the General Development Order. Policies L8 and L11 of the District Plan require that any area of playing field where development is proposed must be genuinely surplus to requirements, as well as the development being acceptable in its own right. In this case, it is considered that it has been demonstrated that the site is surplus to requirements as playing fields, and that there is a sufficient supply of open space in the local area. It will also be noted that in 1997, these arguments were accepted, when permission was given for the development of a 40 bedroom residential care home. In this situation, it is also considered that the proposal complies with Policy H4, and the development of the site for residential purposes is acceptable in principle.

As far as the details are concerned, the proposal for 29 units on an area of 0.885ha gives an overall density of 31 dwellings per hectare. This is above the guideline density of 25 dwellings per hectare in the District Plan, but is reasonable in the light of the guidance in PPG3 (Housing) which advocates higher densities.

In terms of its character, the development of the site with bungalows will be in character with the immediate surroundings. The layout has been examined with regard to both the Cumbria Design Guide and overall design principles. A number of detailed changes have been required to provide visitor parking and satisfactory manoeuvring and parking space within

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1113 /

individual plots. At the time of writing, the highway authority's response to these changes is awaited, but it is anticipated this issue will be resolved satisfactory.

A further issue concerns the public footpath which runs through the site. It is proposed that this be diverted along the estate road, and then the eastern boundary, up to the north eastern corner of the site. This is considered to be acceptable, but the diversion will need to be implemented by means of an Order under Section 257 of the Town and Country Planning Act, and a proposed condition covers this. Where the new line of the path runs to the rear of the development, the height of the rear fences has been increased to 1.8 metres, in light of advice from Cumbria Constabulary.

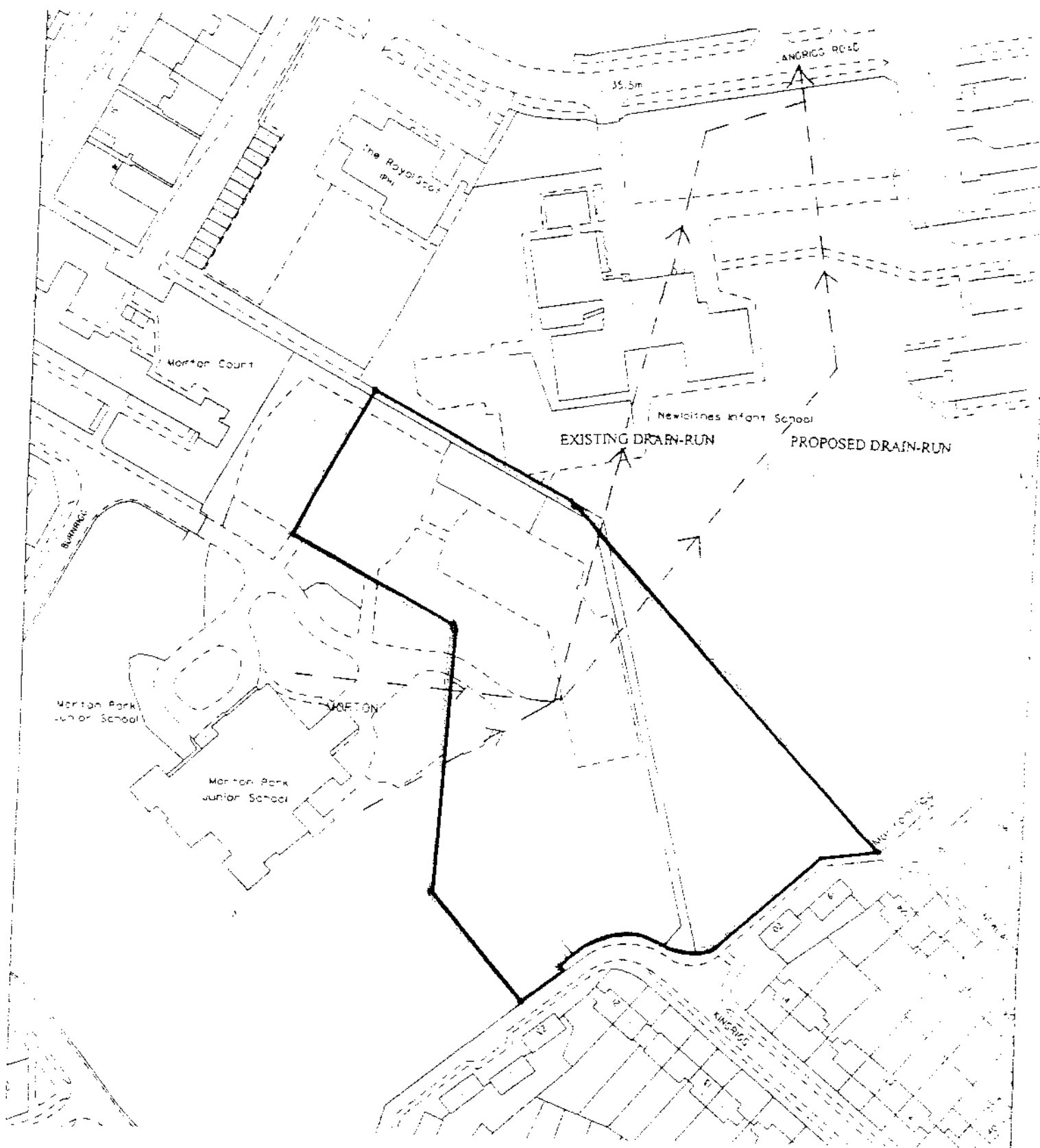
The success of this development will depend in part on the quality of landscaping proposed. With this in mind, the applicant has agreed to plant 6 semi-mature trees in appropriate locations, on the edge and within the site. These will be augmented by other planting as required by conditions.

The proposal is regarded as acceptable, and is recommended for approval.

RECOMMENDATION:-

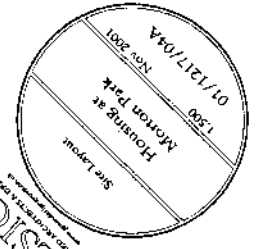
APPROVE WITH CONDITIONS

1. Standard time limit
2. No development shall take place until an Order under Section 257 of the Town and County Planning Act 1990 has been confirmed, which authorises the diversion of footpath number 109285 which crosses the site.
3. Details of Const - Roads & Footpaths
4. Roads/Occupation of Dwellings-Timing (1)
5. The construction of the dwellings shall not commence until the access roads, as approved, are defined by kerbs and sub-base construction.
6. Scheme to include species
7. Scheme to be implemented and maintained
8. Materials - submission of samples
9. Hard surface details
10. No development shall commence until a scheme for the provision of surface water drainage works has been approved by the local planning authority. The scheme shall be completed in accordance with the approved plan.



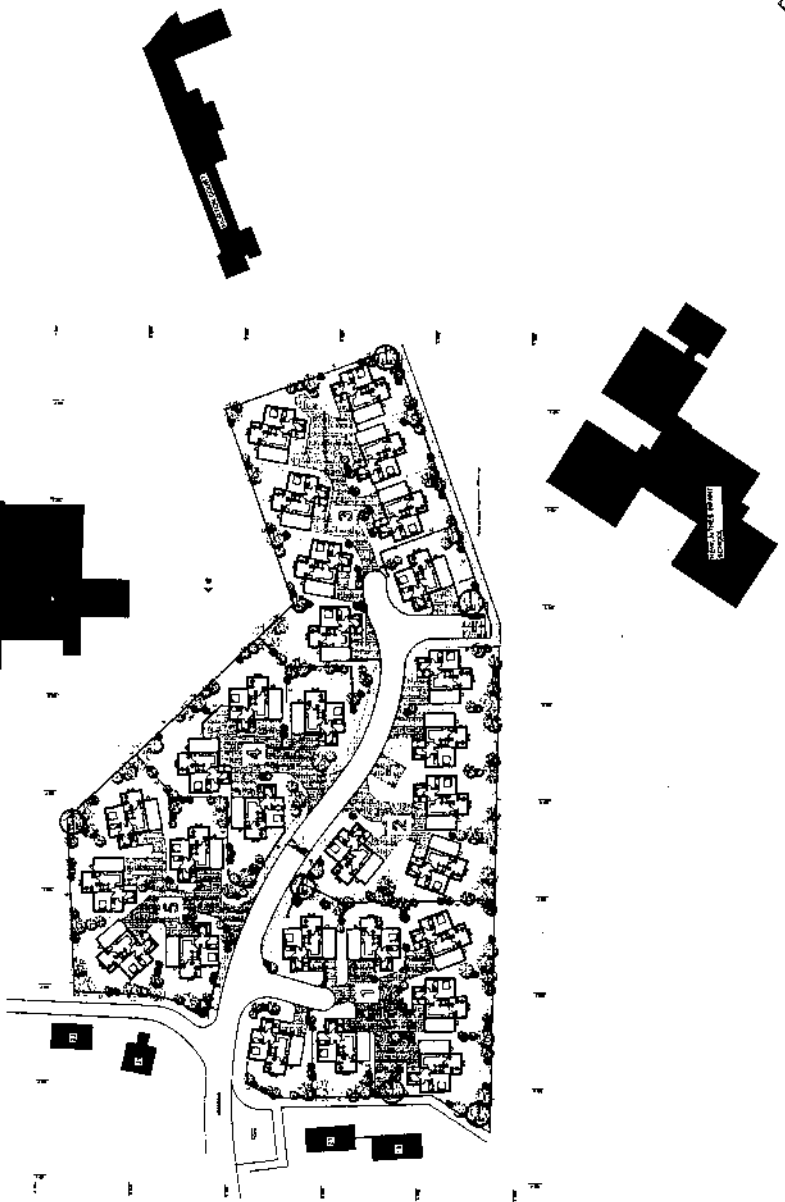
2001/1113

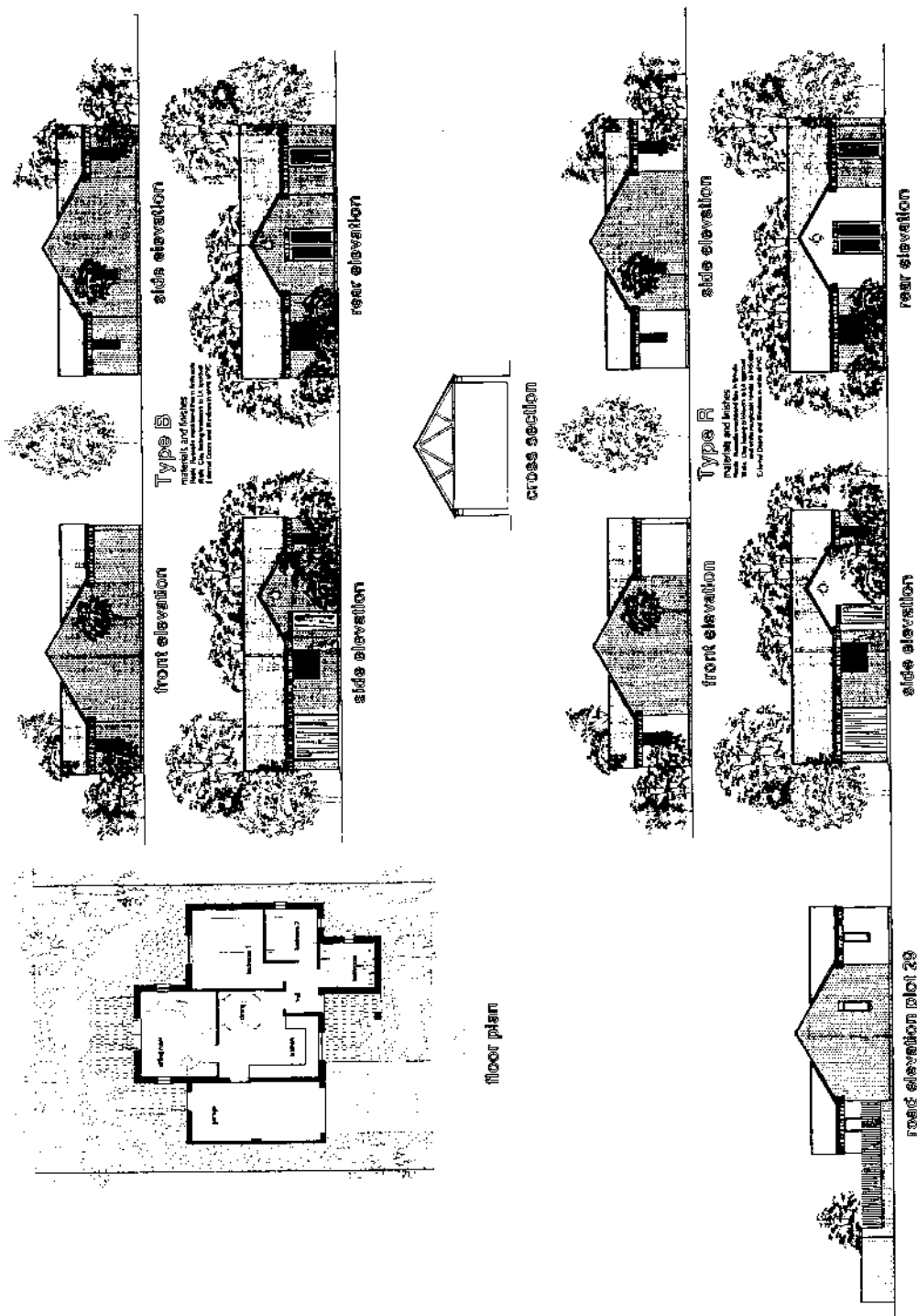
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01/12/17/04A
1:50
Morton Park
Nov 2001





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 Richmond, B.C. V6V 1K1
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 Email: info@greendesigngroup.com

1. MARKET PLACE, RICHMOND, BRITISH COLUMBIA, CANADA
 2. MARKET PLACE, RICHMOND, BRITISH COLUMBIA, CANADA
 3. MARKET PLACE, RICHMOND, BRITISH COLUMBIA, CANADA

SCHEDULE A: Applications with Recommendation

ITEM NO. 27

Date of Committee: 01/02/2002

APPN REF NO: 01/1122 /	APPLICANT: Haughey Airports Ltd	PARISH: Irthington
DATE OF RECEIPT: 20/12/2001	AGENT: Maurice C Buckby-Managing Director	WARD: Stanwix Rural
LOCATION: L/Adj building 29, Carlisle Airport, Crosby-on-Eden Carlisle,	GRID REF: 348000 561000	
PROPOSAL: Erection of new hangar to house aircraft		

Angus

REPORT

PLANNING POLICIES:-

AIRPORT SAFEGUARDING AREA

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E26

Within the buffer zone of Hadrian's Wall Military Zone World Heritage Site, as defined on the Proposals Map, proposals for development which would have an unacceptable adverse impact on the character and/or setting of the World Heritage Site will not be permitted. Development within or adjacent to existing settlements, established farmsteads and other groups of buildings will be permitted providing that:

1. the proposal reflects the scale and character of the existing group of buildings; and
2. there is no unacceptable adverse effect on the character and/or appearance of the Hadrian's Wall Military Zone World Heritage Site.

CARLISLE DISTRICT PLAN EMPLOYMENT - PROPOSAL EM1

To provide for employment development needs, in addition to sites with planning permission, an additional 69 hectares are allocated for employment purposes, providing for a variety of employment needs. These additional sites are:

Site	Area (ha)
1. Kingmoor Marshalling Yard	28.20
2. Land to the South West of Morton	12.00
3. Land to the North of Townfoot, Brampton	5.50
4. Land at Carlisle Airport	22.00
5. Part of William Howard Lower School, Brampton	1.30

Within the 22 hectare allocation at Carlisle Airport, development that is airport or transport related, with a need to be located at the Airport, or meets the need local businesses in the Brampton area, will be

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1122 /

permitted. In addition to this allocation the potential role of the airport as a strategic site for inward investment is acknowledged and permission for industrial or commercial development, with a need to be located at the airport, will be granted.

CARLISLE DISTRICT PLAN
HOUSING - POLICY H17

The amenity of residential areas will be protected from inappropriate development where that development:

1. is for a use inappropriate for residential areas; and/or
2. is of an unacceptable scale; and/or
3. leads to an unacceptable increase in traffic or noise; and/or
4. is visually intrusive; and/or
5. leads to a loss of housing stock.

CUMBRIA & LAKE DISTRICT JOINT STRUCTURE PLAN
POLICY 68

Development proposals which enhance the viability of ports and airports in the county will normally be permitted. Improvements will be made to road access, particularly to the ports of Workington and Barrow-in-Furness and to Carlisle Airport.

SUMMARY OF CONSULTATION RESPONSES:-

HEAD OF DESIGN (Drainage): Comments awaited.

ENVIRONMENT AGENCY: Comments awaited.

IRTHINGTON PARISH COUNCIL: No wish to make any representations.

CIVIL AVIATION AUTHORITY: Comments awaited following completion of safety assessments.

HIGHWAY AUTHORITY: No objections.

HEAD OF ENVIRONMENTAL SERVICES: No objections/observations.

SUMMARY OF REPRESENTATIONS:-

In relation to the application one letter of objection has been received on the basis that: there are local rumours that the Airport is to be extended to allow flights to both London and Europe; this would lead to larger runways, a significant alteration to the road infrastructure, and, a huge amount of pollution and decreasing property values; a number of small planes are equivalent to one big plane; the hanger could be adapted to house a passenger jet in the future; concerned that the Airport are adopting an incremental approach; and, the serenity and beauty of the place will be lost.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1122 /

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

The Airport has an extensive planning history. The more recent and significant decisions being:

In 1986, under application reference number 86/0514, planning permission was given for an extension to the customs hall airport terminal. In 1989, under applications numbers 89/0898, 89/1139 and 89/1140 permission was granted for the provision of small industrial units, flying training facilities, a small business park, new airport terminal complex, hangar, and support facilities.

DETAILS OF PROPOSAL

This application involves the erection of a hangar to the south of the Control Tower and lying between existing hangars 29 and 30. The proposed hangar has an overall floor area of 1260 square metres and an eaves height of 6.2 metres. Externally it would consist of mid grey composite cladding with steel faced doors.

The applicaiton is accompanied by two letters which state:

- The proposed hangar is designed to accept light, single and two engine aircraft up to a maximum weight of 12.5 tonnes.
- The proposed hangar would also house the Haughey Air helicopters.
- The extra accommodation is required to ease the overcrowding in existing hangars and to provide the Carlisle base for the company helicopters.
- The dimensions of the proposed hangar are only suitable for aircraft upto the size of light twin-engined aircraft. These types of aircraft can operate comfortably from the present runway.
- It is too early to say at this time whether or not an application will be submitted for an extension or alterations to the runways but any such application will include an overall development strategy for the airport.
- Movement figures have been attached. It is hoped that in the short term to return to the levels of 1998. The provision of the hangar is unlikely to have any major effect itself on these levels as its main purpose is to alleviate present overcrowding of existing hangars and facilitate the return of based light aircraft to that 1998 level.

In considering this applicaiton it is evident that the proposed hangar is sited and of a design to complement the existing buildings located around the Control Tower. Based on the available information the hangar is also of a size which should

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1122 /

not lead to either a fundamental intensification of use or a change in the nature of the existing aircraft which would harm the amenities of neighbouring residents. The rights of the objector are respected but the proposal is recommended for approval.

RECOMMENDATION: -

APPROVE WITH CONDITIONS

1. Standard time limit ✓

Carlisle Airport

DEC 2001

2001/1122

NORTH
→

EMERGENCY GATE TWO

EMERGENCY GATE ONE

DUNDEE
HANGERS

D' HANGER

ASDALE

CONTROL
TOWER

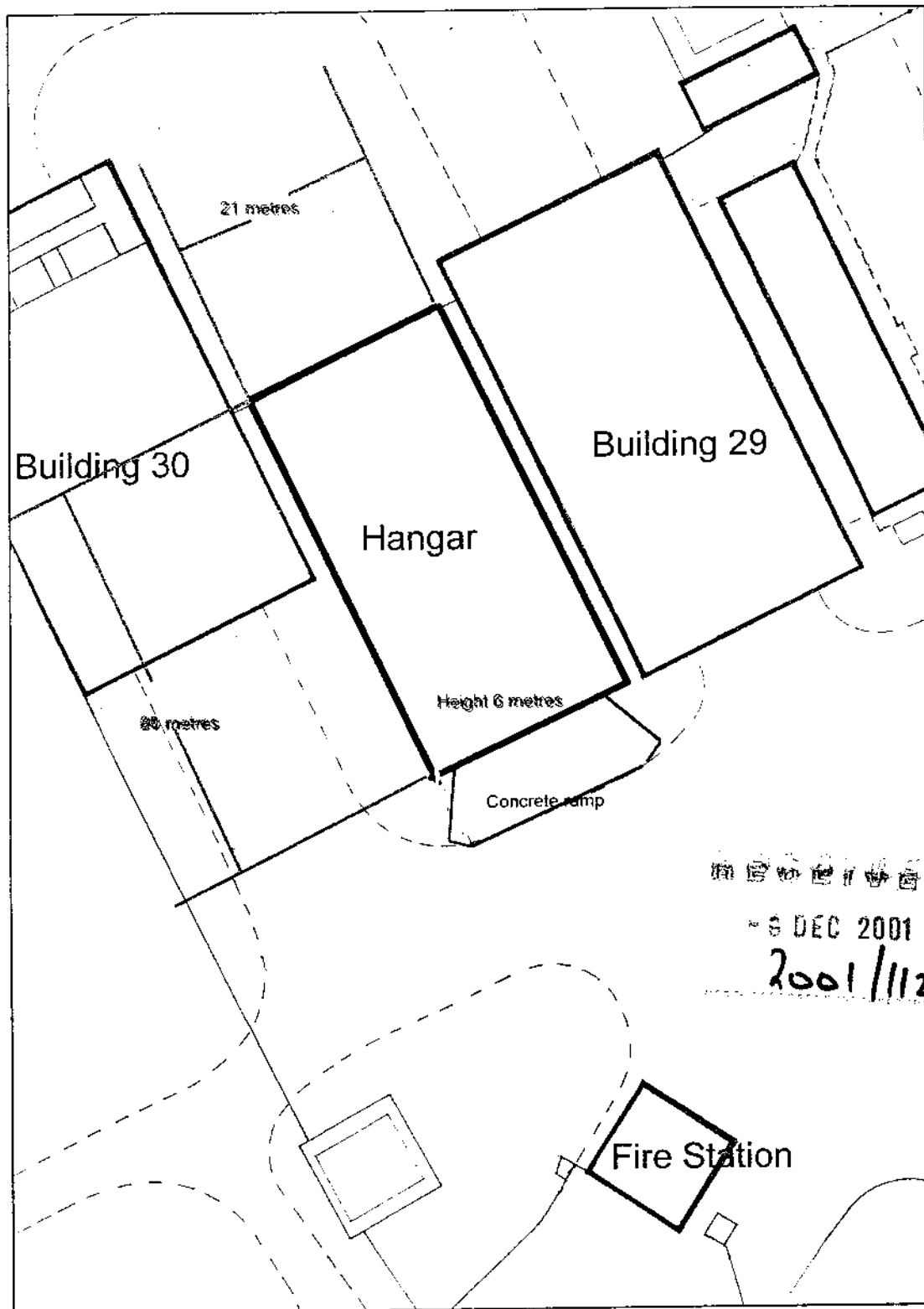
APRON
AREA

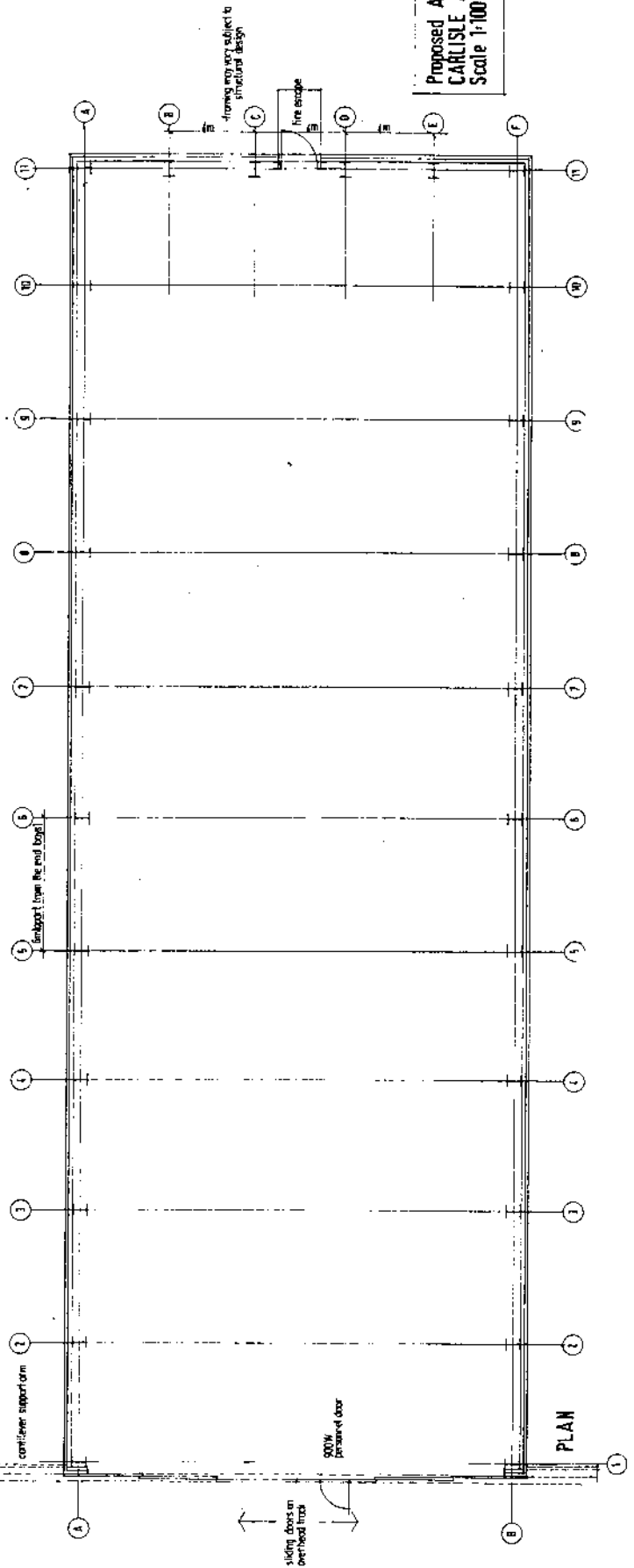
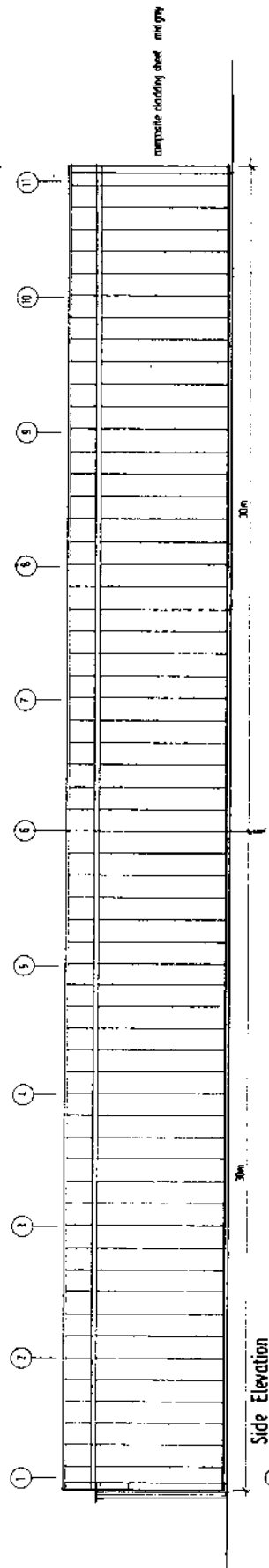
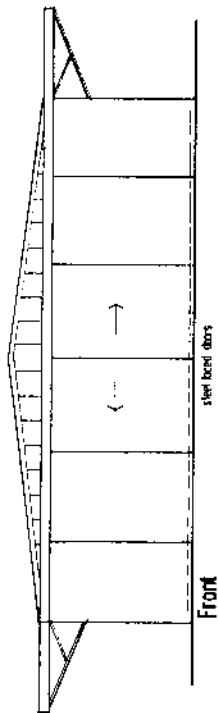
STATION

FUEL FARM

Carlisle Airport

[hangar detail]





DESIGN
BY
2002/11/22

Proposed Aircraft Hanger
CARLSLE AIRPORT
Scale 1:100
1/2002

Carlisle Airport
New Hangar proposal

Proposed Hangar Position



Carlisle City Council.
Department of Environment & Development.
The Civic Centre,
Carlisle,
Cumbria.
CA3 8QG.

PLAN	
REF	01/1122
	04 17 2002 HP
DATE	01
BY	AEU
ACTION	

J.A. Sanderson.
Craft House,
Newtown,
Irthington,
Nr. Carlisle,
Cumbria.
CA64 9F.
2/1/2002

Attention of: Mr. Angus Hutchinson

Planning Services Division

Re: Appn. Ref: 01/1122 Erection of New Hanger
at Carlisle Airport.

Dear Mr. Hutchinson,

Following our telephone conversation of 2/1/2002 about the erection of a new Hanger at Carlisle Airport. As you are aware, I have just set up a new Cattery Business and new home in Newtown. As we intend to settle here and possibly extend the House, we were alarmed at

2

Hanger was to be erected to house a number of small helicopters and planes. But as was mentioned at the gathering the other night; a number of small planes equals one big plane. So if Carlisle Airport build a large enough Hanger for their existing planes and helicopters; it could be easily adapted to house a passenger jet in the future. It seems to be a widely held feeling around here that Carlisle Airport are being cunning and "pulling the wool over people's eyes" by doing a little bit at a time until it is too late and we're stuck with a major airport in our "back garden". Personally I feel we do not have the

3

last few years, the serenity and beauty of this place will be lost, I can assure you.

But in real terms, all I am asking, along with a growing number of others, is could you please keep us informed of what future developments and changes Carlisle Airport has in store for us. I for one do not want to live here nor invest anymore money into my Kennels Business if Newtown/Irthington is going to be under the direct flight path of major jet airliners — my home would become worthless along with hundreds of other.

You said on the telephone that you were going to investigate the matter. I'd be very grateful if you'd let us know what conclusions you make. Thank/you

Yours Sincerely,
J. A-461-Sander son.

SCHEDULE A: Applications with Recommendation

ITEM NO. 28

Date of Committee: 01/02/2002

APPN REF NO:
01/1123 /

APPLICANT:
Haughey Airports Ltd

PARISH:
Irthington

DATE OF RECEIPT:
20/12/2001

AGENT:
Maurice C Buckby-Managing Director

WARD:
Stanwix Rural

LOCATION:

Fire Station, Carlisle Airport, Crosby-on-Eden Carlisle, Cumb 348000 561000

GRID REF:

PROPOSAL: Extension of existing fire station by 3no. 6m. bays to house further fire vehicles

Argus

REPORT

PLANNING POLICIES:-

AIRPORT SAFEGUARDING AREA

CARLISLE DISTRICT PLAN
ENVIRONMENT - POLICY E26

Within the buffer zone of Hadrian's Wall Military Zone World Heritage Site, as defined on the Proposals Map, proposals for development which would have an unacceptable adverse impact on the character and/or setting of the World Heritage Site will not be permitted. Development within or adjacent to existing settlements, established farmsteads and other groups of buildings will be permitted providing that:

1. the proposal reflects the scale and character of the existing group of buildings; and
2. there is no unacceptable adverse effect on the character and/or appearance of the Hadrian's Wall Military Zone World Heritage Site.

CARLISLE DISTRICT PLAN
EMPLOYMENT - PROPOSAL EM1

To provide for employment development needs, in addition to sites with planning permission, an additional 69 hectares are allocated for employment purposes, providing for a variety of employment needs. These additional sites are:

Site	Area (ha)
1. Kingmoor Marshalling Yard	28.20
2. Land to the South West of Morton	12.00
3. Land to the North of Townfoot, Brampton	5.50
4. Land at Carlisle Airport	22.00
5. Part of William Howard Lower School, Brampton	1.30

Within the 22 hectare allocation at Carlisle Airport, development that is airport or transport related, with a need to be located at the Airport,

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1123 /

or meets the need local businesses in the Brampton area, will be permitted. In addition to this allocation the potential role of the airport as a strategic site for inward investment is acknowledged and permission for industrial or commercial development, with a need to be located at the airport, will be granted.

CARLISLE DISTRICT PLAN HOUSING - POLICY H17

The amenity of residential areas will be protected from inappropriate development where that development:

1. is for a use inappropriate for residential areas; and/or
2. is of an unacceptable scale; and/or
3. leads to an unacceptable increase in traffic or noise; and/or
4. is visually intrusive; and/or
5. leads to a loss of housing stock.

CUMBRIA & LAKE DISTRICT JOINT STRUCTURE PLAN POLICY 68

Development proposals which enhance the viability of ports and airports in the county will normally be permitted. Improvements will be made to road access, particularly to the ports of Workington and Barrow-in-Furness and to Carlisle Airport.

SUMMARY OF CONSULTATION RESPONSES:-

IRTHINGTON PARISH COUNCIL: No wish to make any representations.

HEAD OF DESIGN (Drainage): Comments awaited.

CIVIL AVIATION AUTHORITY: Comments awaited following completion of safety assessments.

ENVIRONMENT AGENCY: Comments awaited.

HIGHWAY AUTHORITY: No objections.

SUMMARY OF REPRESENTATIONS:-

This application has been advertised in the form of a site notice. No observations have been received at the time of writing the report.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

The Airport has an extensive planning history. The more recent and significant decisions being:

In 1986, under application reference number 86/0514, planning

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1123 /

permission was given for an extension to the customs hall airport terminal. In 1989, under application reference numbers 89/0898, 89/1139 and 89/1140 permission was granted for the provision of small industrial units, flying training facilities, a small business park, new airport terminal complex, hangar, and support facilities.

DETAILS OF PROPOSAL

This application is for a three storey extension to the existing two bay fire station. The proposed extension measures 18 metres by 13 metres with a ridge height of 6.5 metres. The extension will be constructed externally in profiled cladding to match the existing building.

The proposal obviously represents an improvement to the existing fire station to house additional vehicles.

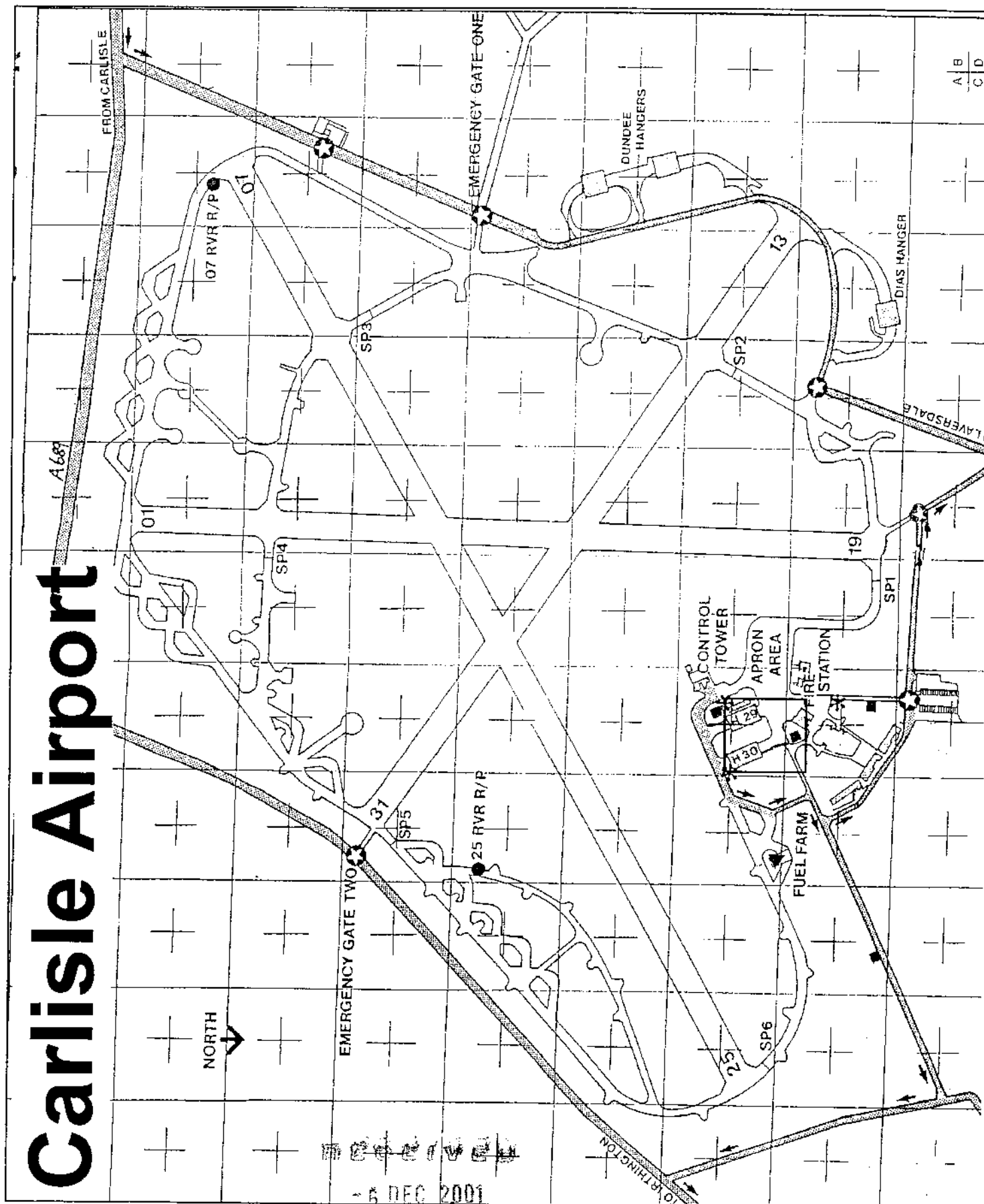
In relation to the policies of the Development Plan and the Airport Development Brief the proposal is considered acceptable and recommended for approval.

RECOMMENDATION:-

APPROVE WITH CONDITIONS

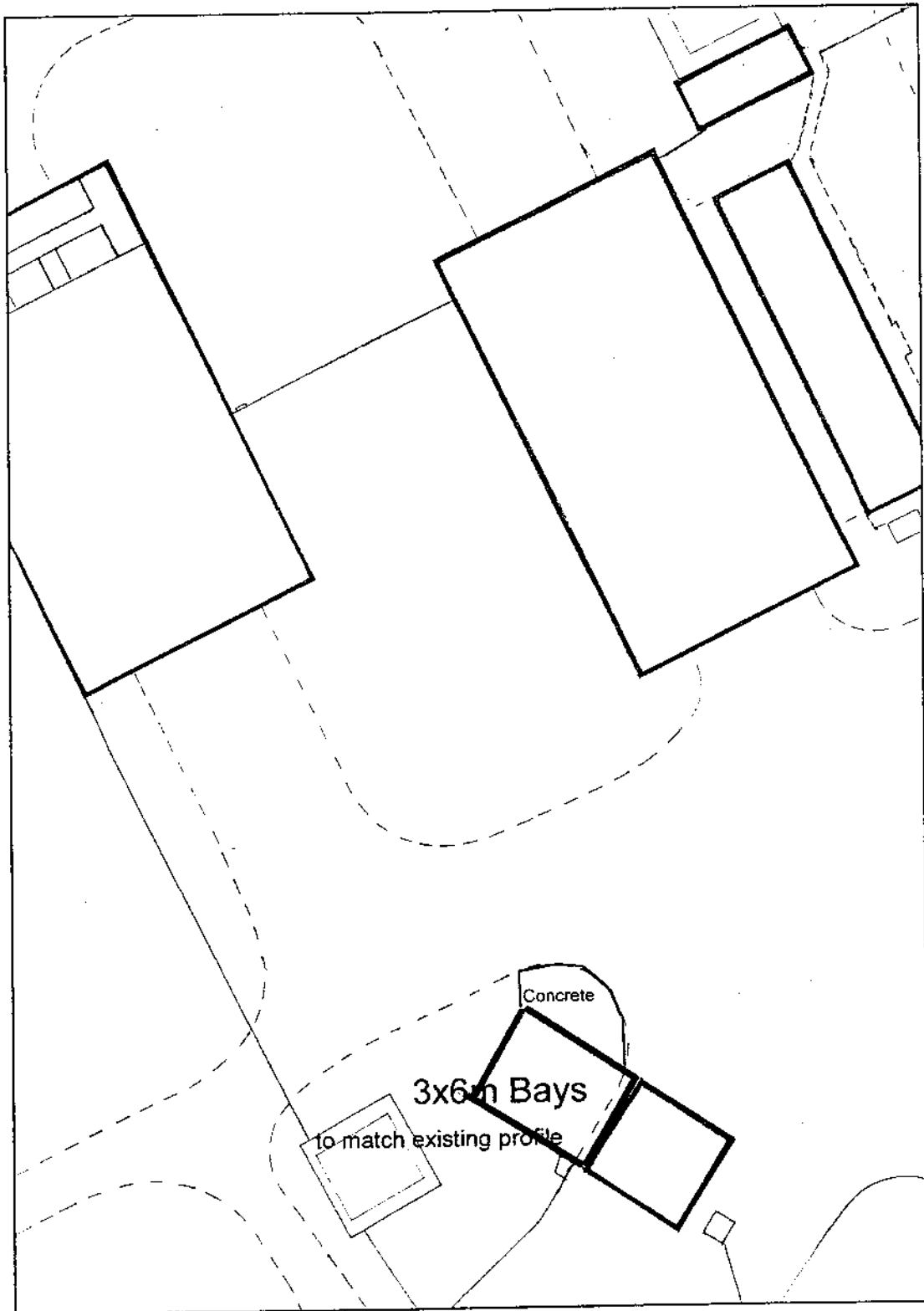
1. Standard time limit

Carlisle Airport



Carlisle Airport

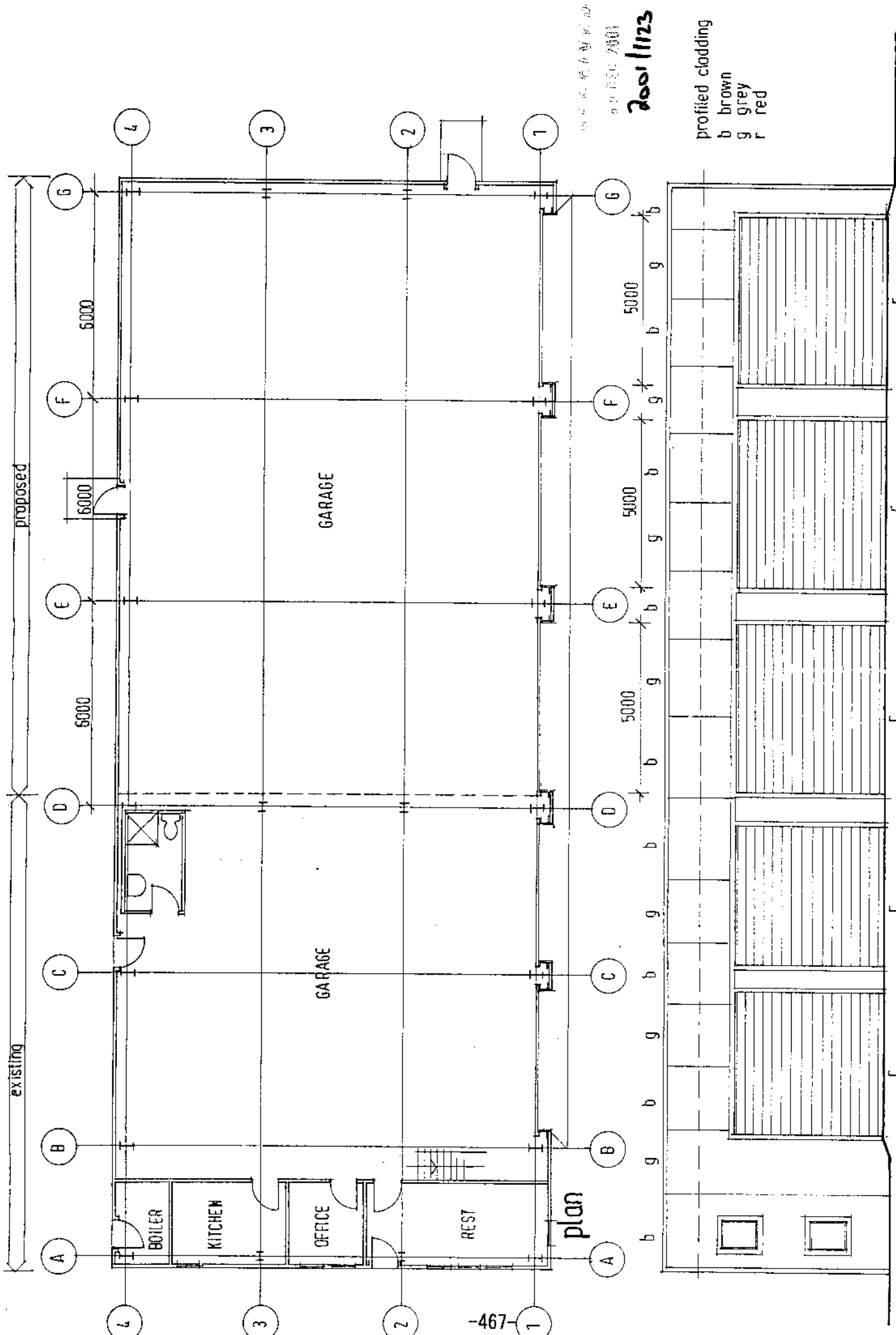
[fire station extension detail]



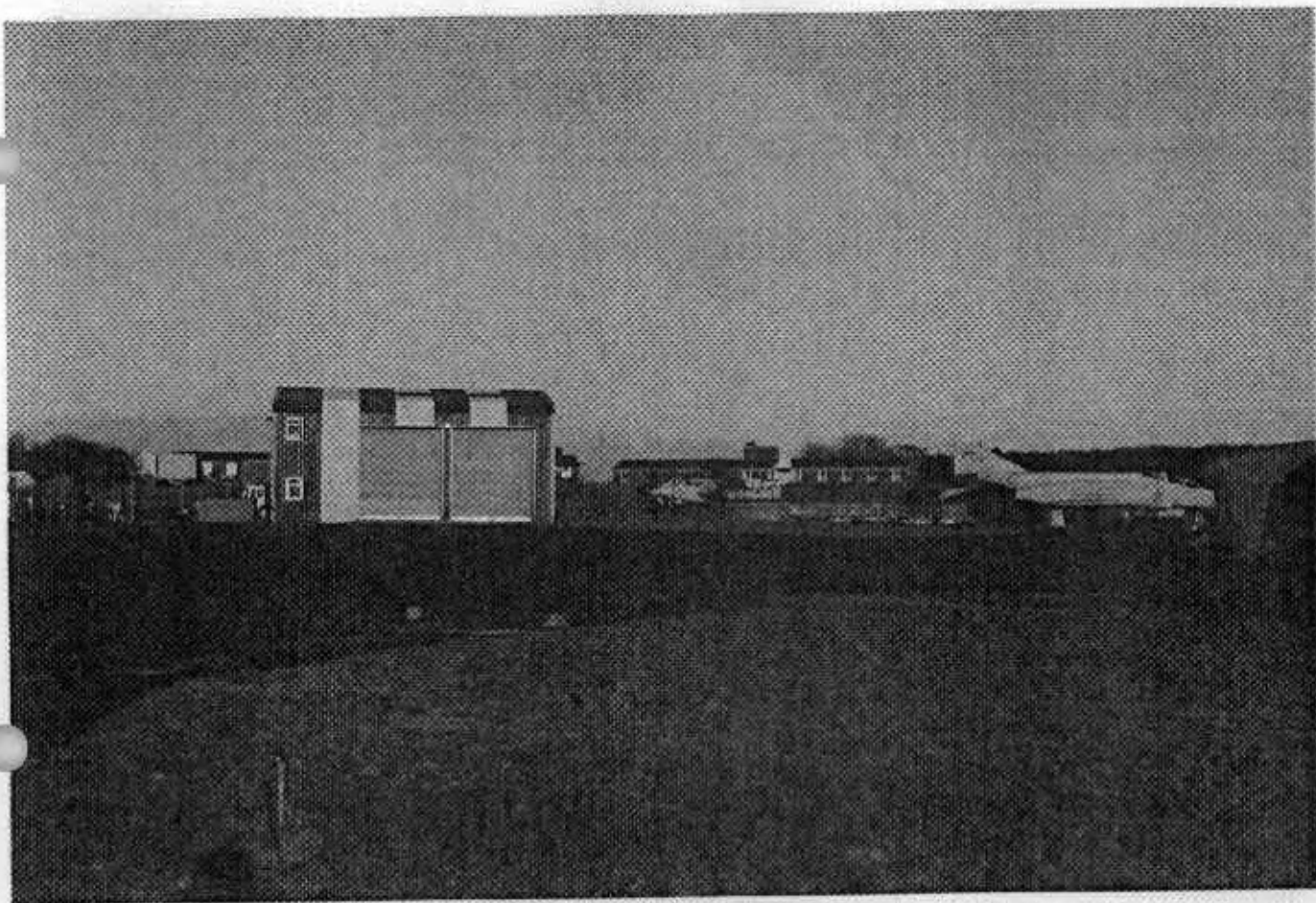
RECEIVED

6 DEC 2001

2001/1123

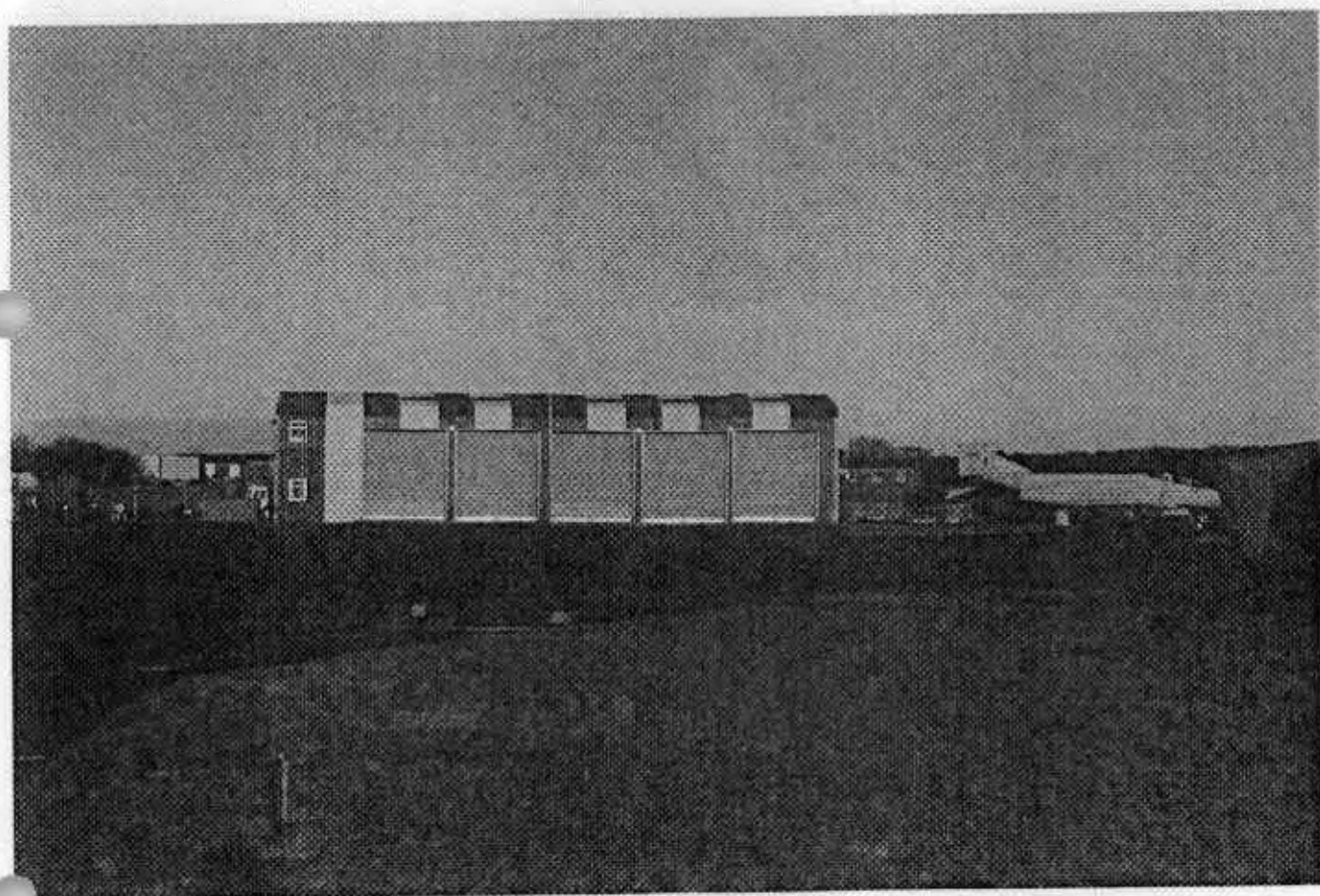


PROPOSED FIRE STATION EXTENSION, CARLISLE AIRPORT : Scale 1:10, 12/01



EXISTING CARLISLE AIRPORT FIRE STATION

27/11/01



CARLISLE AIRPORT FIRE STATION WITH PROPOSED EXTENSION

SCHEDULE A: Applications with Recommendation

ITEM NO. 29

Date of Committee: 01/02/2002

APPN REF NO: 01/1125 /	APPLICANT: Stainsby Grange Ltd & Bendalls Eng. Ltd	PARISH: Kingmoor
DATE OF RECEIPT: 14/12/2001	AGENT: D J Curtis & Associates	WARD: Stanwix Rural
LOCATION: Plot 7 Kingstown Broadway, Kingsmoor Park South, Carlisle, Cu 338400		GRID REF: 559200
PROPOSAL: Development of land to provide new engineering works, offices, and stock compound with associated vehicular access, lorry service area and car park and site landscaping for Bendalls Engineering Ltd		

REPORT

PLANNING POLICIES:-

CUMBRIA & LAKE DISTRICT JOINT STRUCTURE PLAN POLICY 1

New development will be provided, mainly in the towns, to meet the social and economic needs of the County's population, but in a manner which, through appropriate location, scale, design or use, does not diminish the quality of the environment within the County or beyond, or for future generation.

CUMBRIA & LAKE DISTRICT JOINT STRUCTURE PLAN POLICY 4

The quality of the environment within and around towns will be upgraded for the benefit of residents, visitors and the local economy by high standards of design for new development, by improvements to existing buildings, ground surfaces and spaces, and by measures to reduce the impact of traffic.

CUMBRIA & LAKE DISTRICT JOINT STRUCTURE PLAN POLICY 6

The City of Carlisle' sub-regional role as a centre of business, commerce, shopping and tourism will be fostered by the modest acceleration of past rates of development.

CUMBRIA & LAKE DISTRICT JOINT STRUCTURE PLAN POLICY 23

Proposals for the development of potentially unstable or contaminated land will normally not be considered without a satisfactory site investigation and appropriate measures to remedy any identified hazards.

CUMBRIA & LAKE DISTRICT JOINT STRUCTURE PLAN POLICY 28

Proposals for the reuse or improvement of derelict land or other unsightly or contaminated areas will normally be encouraged, and, where appropriate, proposals for development or the use of land for amenity,

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1125 /

nature conservation, or other socially beneficial purposes will normally be permitted.

CUMBRIA & LAKE DISTRICT JOINT STRUCTURE PLAN POLICY 33

Sufficient employment land will be provided to ensure that in each District, subject to Policies 39 and 41 there exists at any one time a minimum of a five year supply of readily available land in each of the following market sectors:

- i. business park
- ii. strategic employment site
- iii. local employment site

CUMBRIA & LAKE DISTRICT JOINT STRUCTURE PLAN POLICY 36

Development will not normally be permitted where there is insufficient capacity in the service or transport infrastructure. Permission may be granted where satisfactory improvements can be made at the developer's expense.

CARLISLE DISTRICT PLAN EMPLOYMENT - POLICY EM3

Within the Headquarters and 1 and 5 sites at RAF 14 MU, development of B1, B2 and B8 uses will be acceptable and, together with the development of the adjacent Kingmoor Marshalling Yard site, will form a major Strategic Employment Site for the District.

SUMMARY OF CONSULTATION RESPONSES:-

KINGMOOR PARISH COUNCIL:

HIGHWAY AUTHORITY: no objections but 6 planning conditions, including a requirement for a Green Travel Plan, are advised;

ENVIRONMENT AGENCY: concern expressed at the failure of the site developer to complete works required to provide for surface water drainage and a number of conditions are therefore recommended including a prohibition on the development being started until the surface water drainage scheme for the whole site is completed;

HEAD OF ENVIRONMENTAL SERVICES:

HEAD OF DESIGN (Drainage):

CUMBRIA COUNTY COUNCIL (Archaeological Services): there have been a number of archaeological finds within the Kingmoor Park

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1125 /

area and there are cropmark indications of possible settlement sites. There is therefore reason to believe that previously unrecorded archaeological remains could survive within the development area. It is consequently recommended that further information on the archaeological potential of the site is required before any development is commenced.

SUMMARY OF REPRESENTATIONS:-

The proposals have been publicised through the display of Site Notices and a Public Notice in the local press. There are no representations.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

The history of the development in 1938, use and subsequent disposal of the former RAF Carlisle 14MU will be generally familiar to Members.

It will be recalled that the former Sites 1, 5 and 8 were subsequently subject of proposals in 1997 and 1998 to re-use existing buildings and develop intervening land to establish a major employment site. Several applications relating to retained buildings have been considered since 1998.

DETAILS OF THE PROPOSALS

The current submission seeks full planning approval to develop what is, thus far, the largest single new build development within the Regional Employment Site at Kingmoor Park.

The proposed site, extending to 2.2 hectares in area, adjoins the eastern site boundary with Kingstown Industrial Estate and fronts onto the recently built extension of Kingstown Broadway into Kingmoor Park (see plan).

The application has been submitted under the joint applicants' names to reflect the linkage between these proposals, which are to re-locate Bendalls Engineering from their existing site at London Road, and the related planning application that has already been before the Committee for that existing site to be re-developed for a new DIY retail store, builders' centre and garden centre with related car parking and access (app'n. ref. no. 01/0201). It will be recalled that the Committee has resolved that it was "minded to approve" that application, subject to reference to GONW and to the provisions of a legal agreement linking planning consent for that store to the re-location of Bendalls within Carlisle.

The proposed new engineering works subject of this application will provide a total of 7177 sq. m. (77,253 sq. ft.) floorspace comprising 5890 sq. m. (63,400 sq. ft.) of industrial space and 1287 sq. m. (13,853 sq. ft.) of ancillary offices. As will be noted from the proposed site layout, a further 1875 sq. m (20,182 sq. ft.) external stock compound is currently also

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1125 /

proposed and provision is made for a future 1463 sq. m. (15,748 sq.ft) expansion to the main workshop area.

The building has a substantial footprint coupled with an expansive service delivery area to the west and parking for 114 cars associated with the two storeyed office area.

The building itself is of variable height with the office area on the Kingstown Broadway frontage being 8 metres high with the bulk of the workshop area behind the office having a height to ridge of 11 metres. However, the rear most bay is specifically designed to cater for the fabrication of the largest items of equipment or plant manufactured by Bendalls and incorporates 9.8 metre high (internal crane rails) to cater for 35 ton overhead cranes. That bay is therefore required to be built to a 15 metre high ridgeline.

The workshop building will be faced with grey horizontal profiled steel cladding with grey friezes and vertical bands, blue loading and personnel doors, and blue rainwater goods under a dark grey sheet roof. The offices will be faced with dark grey horizontal sheeting with blue powder coated aluminium windows.

The submission includes an indicative area of planting along the main approach road frontage, the future western boundary with a section of estate service road yet to be built and alongside the eastern site boundary. A planning condition will require details of that scheme to be submitted.

The proposals are, in policy terms, clearly in accord with the intention for Kingmoor Park to become a major regional employment centre and approval is recommended.

RECOMMENDATION: -

APPROVE WITH CONDITIONS 

1. Standard time limit
2. Samples required notwithstanding
3. Scheme to include species
4. Scheme to be implemented and maintained
5. Details of the height, design and finishes of the proposed palisade fence around the stock compound area, together with details of the proposed design, height and finishes of all other fencing proposed to site boundaries shall be submitted to and approved in writing by the Local Planning Authority.
6. Details of the proposed surfacing and marking out (where appropriate) of the proposed parking, servicing and external stock compound area shall be submitted to and approved in writing by the Local Planning Authority and these facilities shall thereafter be constructed in accordance with the approved plans before the building is occupied and shall not be used

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1125 /

except for the parking of vehicles in connection with the development hereby approved.

7. Details of Const - Roads & Footpaths
8. Provision of Vehicle Turning Spaces
9. The proposed junctions (access/estate road and estate road/distributor road) shall be designed in accordance with the Design Manual for Roads and Bridges Volume 6 Section 2 Part 6 TD 42/95 and be suitable to accommodate the turning movements of large goods vehicles. Details shall be submitted to the Local Planning Authority and Highway Authority for approval of these details before development of the site is commenced and any details so approved shall be constructed as part of the development.
10. The details required by Condition 7 (above) shall provide for the following:
 - i) the incorporation of a 1.8m wide footway along the development side of the new estate road and a 1.8m wide verge on the opposite side of the road and pedestrian facilities should be provided within the site to link with this footway. Such details as are subsequently approved in writing by the Local Planning Authority shall be constructed as part of the development; and
 - ii) the incorporation of pedestrian and cycle crossing facilities at the junction of the estate road and the existing distributor road in accordance with the DETR's publication "Guidance on the Use of Tactile Paving Surfaces".
11. Within 6 months of the date of this approval, the developer shall, in conjunction with the intended occupier of the premises, prepare a Travel Plan which should be agreed with the Local Planning and Highway Authorities. That Plan shall identify measures to be undertaken to minimise the traffic impact of the development and a programme for the implementation of these measures.
12. The development hereby approved shall not commence until such times as a comprehensive sustainable surface water drainage system for the whole of Kingmoor Park development has been completed, commissioned and is fully operational.
13. No development approved by this permission shall be commenced until such times as a scheme for the provision of on-site drainage of Plot 7 has been approved by the Local Planning Authority and that scheme, following its approval in writing by the LPA, shall thereafter be completed in accordance with the approved plans.
14. Before the development is commenced, a desk study shall be carried out to ascertain the potential for contamination to be present on the site. If the results of the desk study reveal the potential for contamination to be present, a detailed site investigation shall be carried out to define the extent and severity of the contamination and proposals formulated for the remediation of the site shall, thereafter, be submitted to the Local Planning Authority. The method and extent of each stage of the site investigation shall be agreed with the Local Planning Authority prior to

SCHEDULE A: Applications with Recommendation

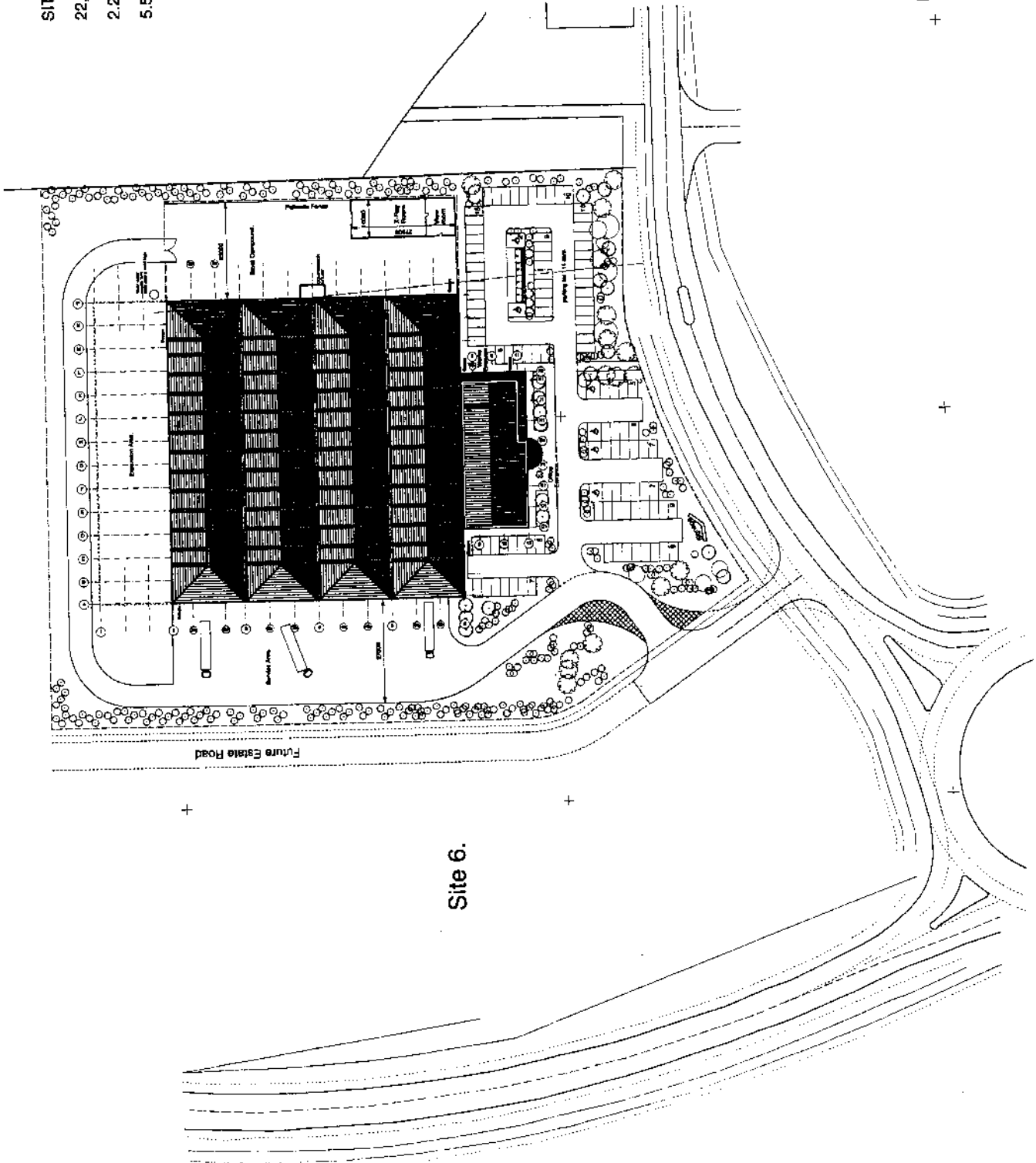
Schedule continued for 01/1125 /

the commencement of the work. Any investigation carried out shall include samples to define the risk to Controlled Waters. Groundwater and leachate samples shall also be taken and no development of the site shall be commenced until any such remediation measures that are required and have been approved by the Local Planning Authority have been implemented.

15. Prior to being discharged to any watercourse, surface water sewer or soakaway system, all surface water from vehicle parking or loading/unloading areas shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. No roof water shall be passed through the interceptor.
16. All areas used for the washing of vehicles shall be contained and connected to foul sewers to prevent the discharge of contaminated drainage to underground strata or controlled waters.
17. All materials that may be used for landscaping or infilling within the site shall be non-leachate forming.
18. No development shall commence within the site until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

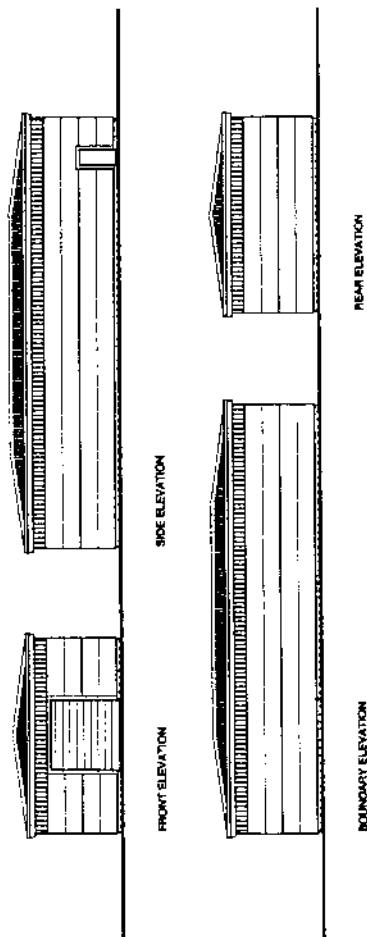
REASON: to afford reasonable opportunity for an examination to be made to determine the existence of any remains of archaeological interest within the site and for the preservation, examination and recording of such remains.

SITE AREA
 22,450 m²
 2.2450 Hectare
 5.547 Acre



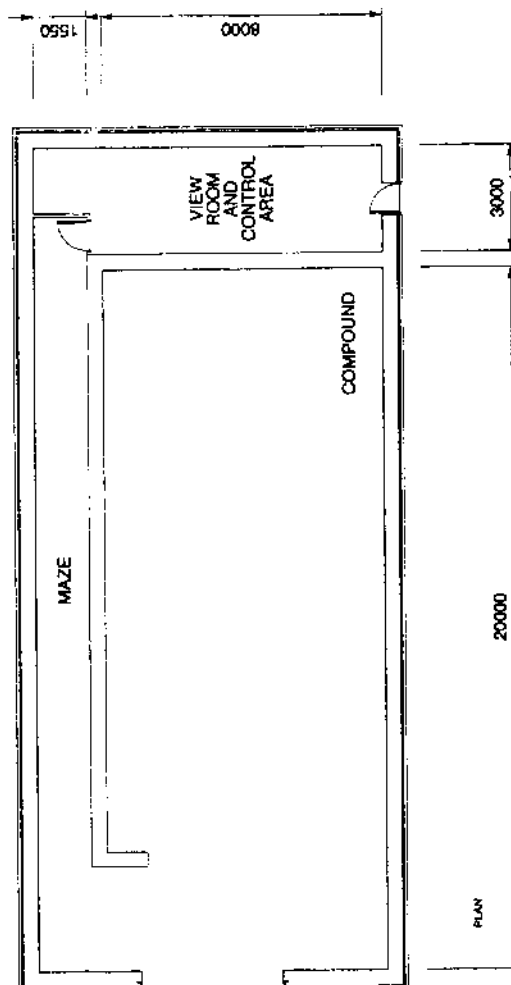
Site 6.

B	APJ	28.11.21	Checked the content and scale of the plan	1:1000	1:1000	1:1000
A	APJ	28.11.21	Checked the content	1:1000	1:1000	1:1000
Revisions						
D J Curtis and Associates Limited DIC Architects						
Stansby Grange Ltd.						
Proposed Facility for Bandale Engineering						
at Plot 7, Kingmoor Park, Carlisle.						
Site Layout.						
Scale: 1:500						
Drawing No: A588.2001.04						
Date: 28.11.21						
By: APJ						
Checked: B						
Scale: 1:500						
Drawing No: A588.2001.04						



EXTERNAL MATERIALS

ZONE	MATERIAL	COLOUR
Roofs	Profile Colourcoat steel sheeting	Greening Grey
Gutters and Rainwater goods	Powder coated Aluminium	Blue RAL 5003
Friase / Entablature	Profile Colourcoat steel sheeting, laid vertical	Merlin Grey
Cladding	Profile Colourcoat steel sheeting, laid horizontal	Albatross
Loading Doors	Colourcoat steel	Blue RAL 5003
Personnel Door	Painted Steel	Blue RAL 5003



Revisions

D J Curtis and Associates Limited  **architects**

York Place Build, 8 Belgrave Street, Leeds LS1 3QS Telephone 0113 244 9457 Facsimile 0113 242 1462

Client	Stainsby Grange Ltd.
Project	Proposed Facility for Bendalls Engineering at Plot 7, Kingmoor Park, Carlisle.
Drawing No	X-Ray Building.
Scale	1:50/1:100
Revision	
Drawn	WJ
Drawing no	A588.2001.09

RECEIVED
- 7 DEC 2001
2001/11/25

Our Ref : NO/2001/003774-1/1
Your Ref : 01/1125



**ENVIRONMENT
AGENCY**

Date : 14 January 2002

Head Of Planning Services
Carlisle City Council
Civic Centre
Carlisle
Cumbria
CA3 8QG

Dear Sir

PLANNING SERVICES	
REF	01/1125
15 JAN 2002	
RECD	68
SCA	
PASSE	AMT
ACTION	

APPLICATION NUMBER: 01/1125

**DEVELOPMENT OF LAND TO PROVIDE NEW ENGINEERING WORKS,
OFFICES AND STOCK COMPOUND WITH ASSOCIATED VEHICULAR ACCESS,
LORRY SERVICE AREA, CAR PARK AND SITE LANDSCAPING
PLOT 7 KINGSTOWN BROADWAY, KINGMOOR PARK SOUTH, CARLISLE**

Thank you for referring the above application which was received on 12th December 2001.

The applicant has stated that surface water from the development will be disposed of to a surface water drain. However, although the application has been submitted for full permission, no details of the on-site surface water drainage system have been submitted.

Plot 7 forms part of the Kingmoor Park development for which a comprehensive sustainable surface water drainage scheme has been designed. This comprises two balancing ponds, swales and watercourses, all of which outfall through the Kingmoor Park culvert underneath the marshalling yard. There are also proposals, which have land drainage consent, for dredging the Kingmoor Park culvert and modifying the silt trap downstream of the marshalling yard.

Works within the marshalling yard, to enable the free passage of water, have not yet been completed and as a result the surface water balancing ponds are not yet functioning. Also the Kingmoor Park culvert has not been dredged and works on modifying the silt trap have not yet commenced. Therefore, as the development of Plot 7 will result in the creation of large impermeable areas leading to increased surface water run-off, its development should not be allowed to commence until the above comprehensive drainage works have been completed.

Therefore the Agency has no objection to the proposed development of Plot 7 provided that any approval includes the following planning conditions:

CONDITION

The development hereby approved shall not commence until the comprehensive sustainable surface water drainage system for the whole of the Kingmoor Park development has been completed, commissioned and is fully operational.

REASON

To ensure that surface water run-off from the proposed development is adequately attenuated before being discharged to the receiving watercourse.

CONDITION

- ✓ No development approved by this permission shall be commenced until a scheme for the provision of on-site drainage of Plot 7 has been approved by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.

REASON

- ✓ To reduce the increased risk of flooding by ensuring the provision of satisfactory means of surface water disposal.

CONDITION

- ✓ Before the development is commenced a desk study shall be carried out to ascertain the potential for contamination to be present on the site. If the results of the desk study reveal the potential for contamination to be present, a detailed site investigation shall be carried out to define the extent and severity of the contamination and proposals for the remediation of the site should be submitted to the Planning Authority. The method and extent of each stage of the investigation shall be agreed with the Planning Authority prior to commencement of the work. Any investigation carried out should include samples to define the risk to Controlled Waters. Groundwater and leachate samples should be taken. Development shall not commence until the measures approved by the Planning Authority have been implemented

REASON

To prevent pollution of Controlled Waters

CONDITION

- ✓ Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from vehicle parking areas shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with, the site being drained. Roof water shall not pass through the interceptor.

REASON

To prevent pollution of water resources.

CONDITION

- ✓ All areas used for the washing of vehicles shall be contained and connected to foul sewers to prevent the discharge of contaminated drainage to underground strata or controlled waters.

REASON

- ✓ To prevent pollution of water resources.

CONDITION

All materials used for landscaping/infilling shall be non-leachate forming.

REASON

- ✓ To prevent water pollution.

AGENCY INFORMATIVES

The applicant is advised to consider the use of sustainable drainage systems when submitting details in compliance with the planning condition that refers to the on-site drainage of Plot 7.

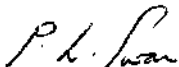
All excavations should be undertaken in accordance with agreed protocols for accumulation and disposal of radioactive wastes that may be discovered

Where it is proposed to store more than 200 litres of any type of oil on site it must be stored in accordance with the Control of Pollution (oil storage) (England) Regulations 2001. Drums and barrels can be kept in drip trays if the drip tray is capable of retaining 25% of the total capacity of all oil stored.

Please send me a copy of the decision notice.

A copy of this letter has been sent to the agent.

Yours faithfully



P L SWAIN

Development Control & Planning Liaison Team Leader

CC: D J Curtis & Associates Ltd

SCHEDULE A: Applications with Recommendation

ITEM NO. 30

Date of Committee: 01/02/2002

APPN REF NO:
01/1126 /

APPLICANT:
Mr & Mrs B Lowe

PARISH:
Wetheral

DATE OF RECEIPT:
28/12/2001

AGENT:
Armstrong Payne Associates

WARD:
Wetheral

LOCATION:

Bay Tree House, Plains Road, Wetheral Carlisle, Cumbria

GRID REF:
346284 555159

PROPOSAL: Retention of existing dwelling

ACE

REPORT

PLANNING POLICIES:-

TREE PRESERVATION ORDER

The site to which this proposal relates has within it a tree protected by a Tree Preservation Order.

CONSERVATION AREA

The proposal relates to land or premises situated within the Wetheral Conservation Area.

CUMBRIA & LAKE DISTRICT JOINT STRUCTURE PLAN POLICY 40

In rural settlements outside the National Parks and AONBs, housing development will normally be permitted, especially where it would help to sustain the existing local community, and provided it is in sympathy with the scale and character of the existing settlement. Outside rural settlements, new dwellings will normally only be permitted for those engaged in agriculture where such a dwelling is essential for the working of the farm.

CUMBRIA & LAKE DISTRICT JOINT STRUCTURE PLAN POLICY 25

The siting, appearance and landscaping of all new development and alterations should aim to enhance the quality of the existing environment. It should be in keeping with the local character of the townscape or landscape, and be well integrated with the existing pattern of surrounding land uses and, where appropriate, be in keeping with the local vernacular tradition. Normally development should make proper provision for access by disabled persons.

CUMBRIA & LAKE DISTRICT JOINT STRUCTURE PLAN POLICY 26

Development and other land use changes which fail to preserve or enhance the character or appearance of Conservation Areas or which damage, obscure or remove important archaeological sites or other historic features, or are detrimental to the character or setting of a Listed Building or Ancient Monument will not normally be permitted.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1126 /

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E43

The City Council will encourage, and permission will be granted for development within and adjoining Conservation Areas which preserves or enhances their character. The City Council will seek to ensure any new development or alterations to existing buildings are in sympathy with the setting, scale, density and physical characteristics of Conservation Areas, and protect important views into or out of such areas. Applications for outline planning permission will not be accepted for proposals in Conservation Areas.

CARLISLE DISTRICT PLAN HOUSING - POLICY H5

Within the following settlements, large scale residential development will not be permitted. Proposals for small scale residential development will normally be acceptable providing that:

1. the site is well related to the landscape of the area and does not intrude into open countryside; and
2. the scale of the proposed development is well related to the scale, form and character of the existing settlement; and
3. the layout of the site and the design of the buildings is well related to existing property in the village; and
4. the siting and design of the buildings is well related to and does not adversely affect the amenity of neighbouring property; and
5. appropriate access and parking can be achieved; and
6. the proposal will not lead to the loss of amenity open space within or at the edge of the settlement; and
7. the proposal will not lead to the loss of the best and most versatile agricultural land.

Aglionby, Baldwinholme, Banks, Barclose, Beaumont, Blackford, Blackwell, Boltonfellend, Boustead Hill, Broadwath, Brisco, Brunstock, Burgh-by-Sands, Burnrigg, Cardewlees, Cargo, Carleton, Castle Carrock, Cotehill, Cumdivock, Cummersdale, Cumrew, Cumwhinton, Cumwhitton, Durdar, Easton, Farlam, Faugh, Fenton, Gaitsgill, Gilsland, Great Corby, Great Orton, Grinsdale, Hallbankgate, Harker, Hayton, Hayton Townhead, Heads Nook, Hornsby, Houghton, How Mill, Irthington, Kirkcambeck, Kirkandrews-on-Eden, Knells, Lanercost, Laversdale, Linstock, Little Orton, Low Crosby, Longburgh, Low Row, Lyneholmfed, Midgeholme, Milton, Moat, Monkhill, Moorhouse, Newby East, Newtown, Raughtonhead, Rockcliffe, Rickerby, Scaleby, Scotby, Smithfield, Stainton, Stockdalewath, Talkin, Tarraby, Thurstonfield, Tindale, Todhills, Walton, Warwick-on-Eden, Warwick Bridge (Including Little Corby & Corby Hill), Westlinton, Wetheral, Wetheral Pasture.

CARLISLE DISTRICT PLAN HOUSING - POLICY H11

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1126 /

Proposals for housing development in large back gardens or behind existing housing developments will be acceptable providing that:

1. the scale, design and siting of the proposal is appropriate for the site and is in keeping with the character and quality of the local environment; and
2. there is no loss of amenity to surrounding properties; and
3. existing landscape features are retained, and additional planting is included as an integral part of the scheme; and
4. appropriate access and car parking can be achieved.

CARLISLE DISTRICT PLAN
HOUSING - POLICY H16

High standards of design in new housing sites and dwellings will be required. Matters to be considered include: the layout of roads and buildings; footpaths and cycleways; the retention of existing trees and hedgerows; planning out crime; the provision of public open space; and the relationship to adjacent development.

SUMMARY OF CONSULTATION RESPONSES:-

WETHERAL PARISH COUNCIL:

1. The Parish Council were given to understand that written agreement had been reached between the applicants and the planners which gave rise to the withdrawal of Enforcement Notices and the cancellation of the Public Inquiry. This new application shows no alteration to make the Parish Council alter their original objections on the previous application, which are again re-iterated below:
2. The application has already been the subject of much discussion and objection.
3. This is "backland" development and the Parish Council object as a matter of policy
 - i. the general pattern of development along Plains Road is for substantial houses with corresponding gardens. Backfill and development in gardens is spoiling this visual amenity.
 - ii. this road still maintains rural character but is slowly being eroded to the detriment of the Conservation Area.
 - iii. the dwelling is in a location on a narrow road without the benefit of a pavement and with limited visibility.
4. The Council was satisfied with the overall design of

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1126 /

the original (99) version of this property. It is the opinion of the members that this application results in a much inferior design and one the Council would not have approved at the outset and is not minded to do so now.

5. The siting of the dwelling breaches the boundary of 3 Greenacres and is too close to 1 Greenacres. The roof height and mass of the dwelling also contributes to the loss of amenities to 1 Greenacres. The "stack" contributes to the roof and amenity problems.
6. In a letter of the 7th November 2001, it was described how a compromise agreement had been reached between all parties. As the study/4th bedroom "stack" had played a major part in the objections when the applicant agreed to remove it together with the request to retain the higher roof line it was felt that the spirit of compromise had been achieved. The members did not object to approval being given. Now the applicant is withdrawing from his agreement surely the Council can enforce a written agreement without all the considerable work, controversy and ill feeling carried on throughout 2001.

HIGHWAY AUTHORITY: The highway boundary wall should be reduced in 0.8 metres in height for visibility purposes as was required for the original application 99/0379.

CONSERVATION AREA ADVISORY COMMITTEE: Comments awaited and will be reported to the Committee.

SUMMARY OF REPRESENTATIONS:-

The proposal has been advertised using site and press notices and direct neighbour notification. There have been 39 representations (the letters are reproduced in the Schedule following this report) nine are objecting to the application and 20 are in support. Many of these are also supporting application 01/1127, which follows in the Schedule and is for the "variation of condition number 4 attached to planning consent reference number 01/0512 to allow 12 months for the completion of additional works".

Those objecting to the application all refer to the agreed compromise reached in respect of application 01/0512 and express concern that the agreement is not being adhered to. Those in support consider that the building as constructed is acceptable and does not adversely affect the privacy of 1 Greenacres. The reasons for the past refusals refer only to the loss of amenity. None of those expressing support for the application refer to the approval of 01/0512 which was a result of the compromise agreed by all parties. Indeed some refer to the refusal of that application and it can only be concluded that they do not necessarily fully understand the situation.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1126 /

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

There have been several planning applications made in relation to this property. In 1958 approval was given for "The Elms" to be converted into two separate dwellings. An approval to convert part of the outbuildings to form a conservatory was granted in February 1962.

In February 1976 approval was granted for conversion of the outbuilding to a workshop and office. In July 1976 approval was given for conversion of those outbuildings to a dwelling. This approval was renewed in June 1981 and 1986 and lapsed in 1991.

On the 25th June 1999 permission was granted subject to conditions to erect a detached house in the garden of The Elms. There were no objections from the occupiers of neighbouring properties and an objection from the Parish Council was subsequently withdrawn.

In January 2000 the applicant sent the Council two drawings showing amendments to the approved scheme. Following a meeting on the 17th January with a Planning Officer the amended plans were approved as minor modifications. There is no requirement for further consultation or neighbourhood notifications to be undertaken on applications for minor modifications.

The modifications consisted of an amended larger site, including land formerly in the curtilage of 3 Greenacres, owned by the applicant and a 1 metre strip of land, then in the ownership of 1 Greenacres, the removal of a bedroom over the garage, consequential minor amendments to internal layout and the construction of a two storey extension in the north east corner, closest to the neighbouring properties of 1 and 3 Greenacres, to accommodate the bedroom from over the garage and ground floor study. The roof design was altered and raised by some 1.5 metres.

A Building Regulations Application was approved on the 9th March 2000 and building commenced in May 2000.

In late August or early September 2000 the owner of 1 Greenacres and her daughter and son-in-law expressed concern that the building, then in the course of construction was different to the one they thought was going to be built. They particularly objected to a bedroom that was directly overlooking 1 Greenacres.

Following further concerns raised by the owner of 1 Greenacres further visits were made to 1 Greenacres by the Director of Environment and Development on the 29th September and also the Head of Planning Services on the 6th October 2000. Following the latter visit the planning application approved plans were compared with those approved for Building Regulations and it became apparent that the building had been constructed in

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1126 /

accordance with the Building Regulation approval. However, these plans differed by some 80cm from those approved under the Planning Approval.

The measurements were checked on site and these confirmed that the building had been constructed some 80cm to the north east of the position in the planning permission.

On the basis of this information and following legal advice it appeared that the building had been built in breach of condition number 2 of the planning approval and Mr Lowe was invited in writing to submit a revised planning application to vary condition 2 of the 1999 application (99/0379).

The applicant agreed in writing to stop construction work on the building and work stopped on the 26th October 2000. It was agreed to limit the works being undertaken to make the building secure and weatherproof entirely at the applicants risk and without prejudice to the Committee's consideration of the application.

Application 00/0913 for demolition of outbuildings and erection of a single dwelling (revised siting) was received on the 8th November 2000. It was considered at the Planning and Land Use Sub-Committee meeting on the 15th December 2000, where it was refused for:

"The revised siting by reason of the dwellings height, scale and disposition in relation to the site boundaries has harmful effect on the amenities enjoyed by the occupant(s) of the neighbouring property contrary to criteria 4 of Policy H5 and criteria 1 and 2 of the Policy H11 of the Carlisle and District Local Plan, and, contrary to Article 8 of the Human Rights Act".

In addition Report EN.277/00 The Elms, Wetheral - Potential Enforcement Action was considered in Part B of the Committee. The Committee resolved:

"1. That, subject to the advice received from Counsel the City Solicitor and Secretary, in conjunction with the Director of Environment and Development, be authorised to serve all statutory requisitions for information and Notices as, may be required under Section 172 of the Town and Country Planning Act 1990 to ensure compliance with Condition No. 2 of Application 99/0379 not later than three months from the date upon which the Notice(s) takes effect and to take any legal proceedings in the Courts by way of civil injunction or criminal prosecution as might be necessary thereafter.

2. That the Director of Environment and Development be authorised to take steps to seek a compromise solution between the applicant and objectors".

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1126 /

The issue of a possible compromise was raised in the statement made to the Committee by Mr R Taylor acting on behalf of Mrs Patrick.

Application 01/0060 variation of condition 2 attached to consent reference no: 99/0379 to allow re-siting of house by 80cm was received on the 25th January 2001. The application was considered by the Planning and Land Use Sub-Committee on the 16th March 2001, where it was refused for the following reason:

"1. REASON: The variation of condition 2 attached to consent 99/0379 by reason of the dwellings height, scale and disposition in relation to the site boundaries has a harmful effect on the amenities enjoyed by occupant(s) of the neighbouring property contrary to criterion 4 of Policy H5, and criteria 1 and 2 of Policy H11 of the Carlisle District Local Plan, and, contrary to Article 8 of the Human Rights Act 1998".

Subsequent to this decision the Council served the Enforcement Notices on Mr & Mrs Lowe on the 20th April 2001. They were to take effect from the 21st May 2001, unless an appeal was made against it beforehand. Mr & Mrs Lowe appealed the Enforcement Notices on the 17th May 2001.

In addition the applicants had appealed both the decisions on application 00/0913 and 01/0060 and these were combined and were to be heard on the 30th May 2001. The Inquiry opened but at the request of the appellant's barrister the Inquiry was adjourned to enable discussion to take place between the parties to seek a possible compromise. The Planning Inspector agreed to this and following discussion during the morning all parties agreed to adjourn the Inquiry and re-open it on the 24th September 2001. It was hoped that during the interim a compromise solution could be reached that would be acceptable to all parties and the Inquiry could be cancelled.

At the same time it was agreed that the Council would allow Mr Lowe to continue work and complete those parts of the property that were unaffected by the Enforcement Notices.

On the 26th July 2001 the Planning Inspectorate decided to link the planning appeals and the enforcement appeals. The reconvened inquiry of the 24th September was therefore cancelled and a date for the linked inquiry was set for the end of January 2002.

Application 01/0512 was to have been considered at the Development Control Committee on 21st September 2001, with a recommendation for refusal. On seeing the Committee Report the applicant asked if the consideration of the application could be deferred.

Following this request amended drawings were received that moved towards a compromise solution by removing the stack completely.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1126 /

Following a series of discussions, amended drawings and exchange of letters were reported to the Development Control Committee on the 2nd November 2001, the amended application 01/0512 was approved subject to conditions.

The applicant agreed to withdraw their appeals if the Council withdrew the Enforcement Notices, did not make a claim for costs in respect of the withdrawn appeals and application 01/0512 was approved subject to acceptable conditions. Subsequently the applicants withdrew their appeals and the Council withdrew the Enforcement Notices and therefore it is reasonable to conclude the applicant considered the conditions acceptable at that time.

DETAILS OF PROPOSAL

This application is for the retention of the existing dwelling as built. It has been described in the planning history section of this report that the City Council has consistently refused applications for the retention of the building and had served Enforcement Notices on the applicants requiring certain works to be undertaken. The applicants had appealed both the decisions on the planning applications and the Enforcement Notices and it was these appeals that were withdrawn following the agreement reached with the approval of the amended application 01/0512.

It was anticipated that the approval would bring an acceptable conclusion to this protracted situation. This unfortunately has not happened. There is a typed comment on the application form that states "WITHOUT PREJUDICE TO OUR CASE THAT CONSENT HAS BEEN GRANTED AS AN AMENDMENT TO 99/0379". I am unclear as to the purpose of this comment but it is possible to conclude that the applicant is intending to continue to argue that the building as built has permission and not implement the approval of application 01/0512 granted in November.

Members are required to consider the application to retain the dwelling as built against the policies of the Development Plan as well as the material considerations that indicate otherwise.

With regard to the Cumbria and Lake District Joint Structure Plan, Policy 40 suggests that housing development in rural settlements should normally be approved provided it is in sympathy, in scale and in character of the existing settlement. Policy 25 requires that all new development and alterations should aim to enhance the quality of the existing landscape and where appropriate be in keeping with the local vernacular tradition. Policy 26 requires that development which fails to preserve or enhance the character or appearance of conservation areas will not be permitted.

Local Plan policies reflect very similar concerns but with the addition of Policy H5, which requires the siting and design of the buildings to be well related to and not adversely affecting the amenity of neighbouring property. Policy H11 states that

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1126 /

proposals for housing development in large back gardens or behind existing housing development will be acceptable providing amongst other matters there is no loss of amenity to surrounding properties.

Policy H6 requires high standards of design in new housing and matters to be considered include the relationship to adjacent development. The Reasons/Explanation to the Policy states:

"4.88 ... Whilst it is appreciated that many home buyers do not require large gardens and the former minimum standards between principle windows often lead to rigid and unimaginative layout, there needs to be a balance between high density development, privacy and good design".

Paragraph 4.96 states:

" ... it is not unreasonable for new development to respect the privacy and amenity of occupiers of existing residential areas".

Members are also required to consider the constitutional rights of the applicant and the neighbours, particularly under Article 8 of the European Convention on Human Rights (ECHR) (*see footnote). In respect of the neighbours under Article 8, their privacy and amenity is considered to be relevant for the purpose of the application.

Applications 00/0913 and 01/0060 were both refused for the same reason, which was:

" ... by reason of the dwellings height, scale and disposition in relation to the site boundaries has a harmful effect on the amenities enjoyed by occupant(s) of the neighbouring property contrary to criterion 4 of the Policy H5 and criteria 1 and 2 of Policy H11 of the Carlisle District Local Plan, and, contrary to Article 8 of the Human Rights Act 1998".

As this application seeks to retain the building which the Committee have twice refused permission for and in the absence of any additional information I see no reason to alter the previous recommendation.

FOOTNOTE

Article 8 states that public authorities may only interfere with this right where such action is in accordance with the law and is necessary in a democratic society for one of the aims including the protection of the rights and freedom of others, and is proportionate to that aim.

RECOMMENDATION:-

REFUSE

1. REASON: The retention of the existing dwelling by reason of the

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1126 /

dwelling's height, scale and disposition in relation to the site boundaries has a harmful effect on the amenities enjoyed by occupant(s) of neighbouring property contrary to criterion 4 of Policy H5 and criteria 1 and 2 of Policy H11 and Policy H16 of the Carlisle District Local Plan, contrary to Policies 25 and 40 of the Lake District Joint Structure Plan, and, contrary, to Article 8 of the Human Rights Act 1998.

ARMSTRONG PAYNE ASSOCIATES

35 King Street, Penrith, CA11 7AY
Tel. 01768 890140 Fax. 01768 890141

LAND ADJACENT TO THE ELMS, WETHERAL
MR & MRS B LOWE

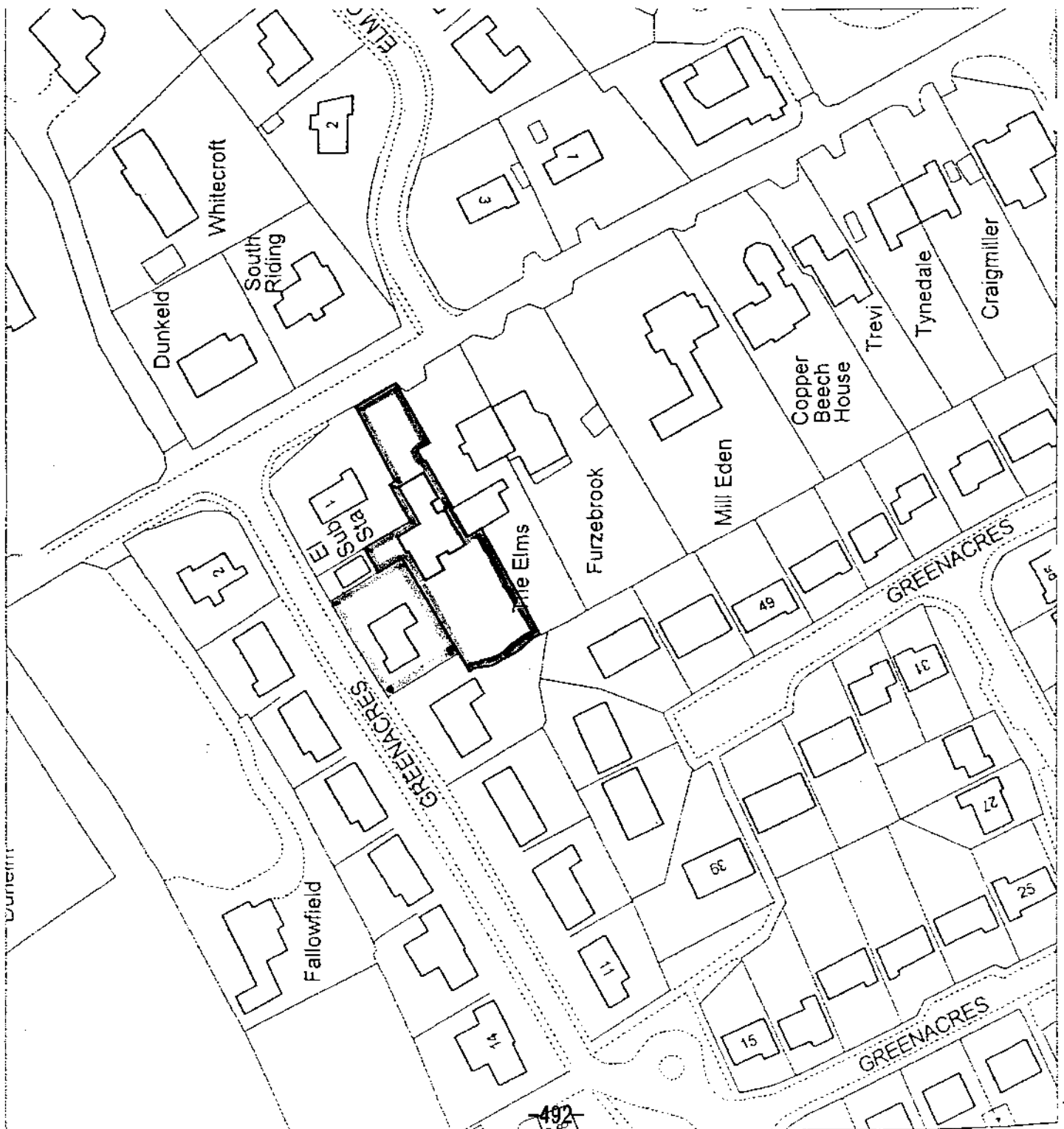
RECEIVED

- 7 DEC 2001

2001/1126

SITE LOCATION PLAN

SCALE 1:2500



The Elms' and Adjacent Properties.

Plains Road, Wetheral for Mr & Mrs B Lowe.

Scale: 1" = 30' August, 1929.

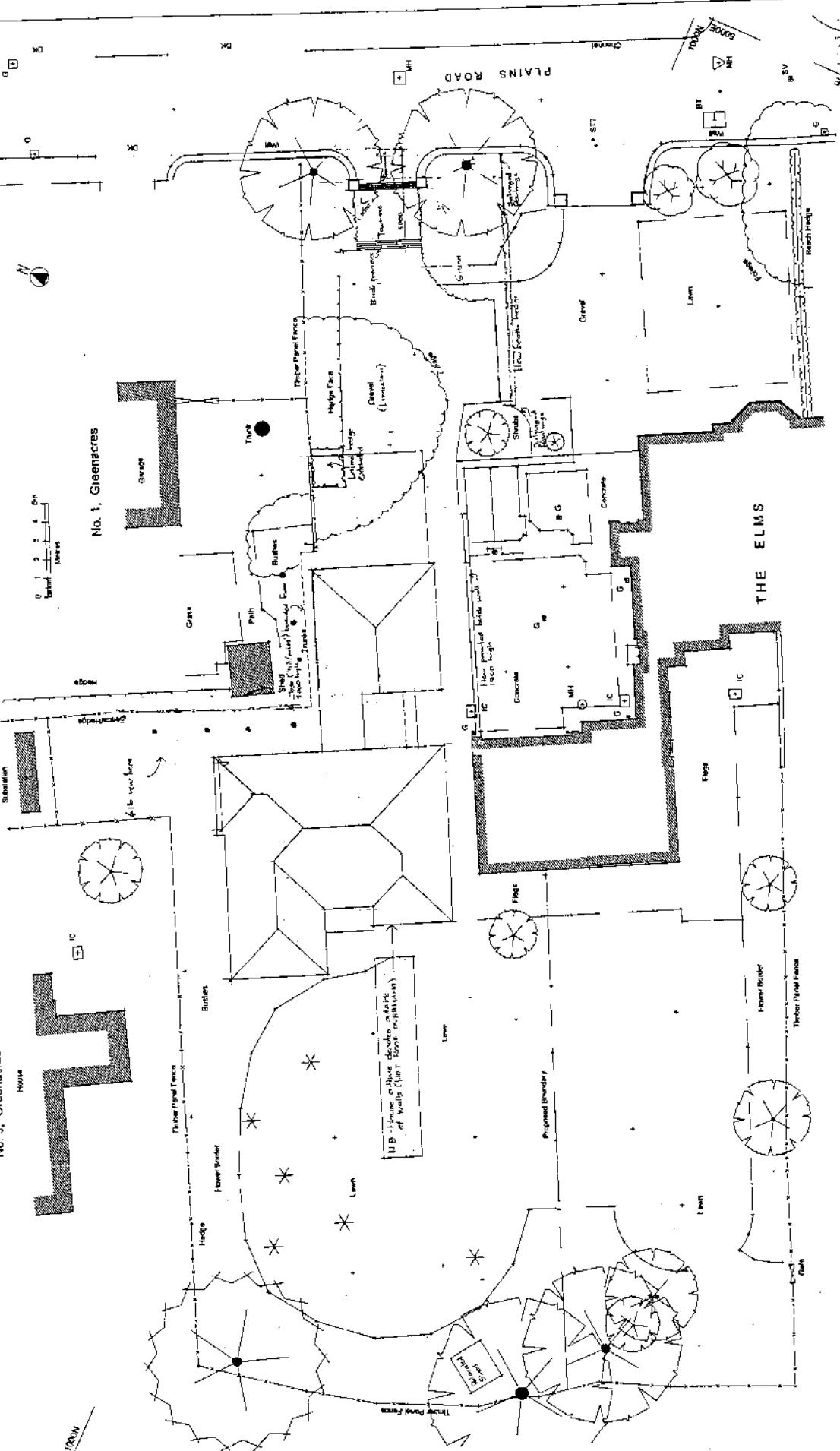
No. 3, Greenacres

House

No. 1, Greenacres

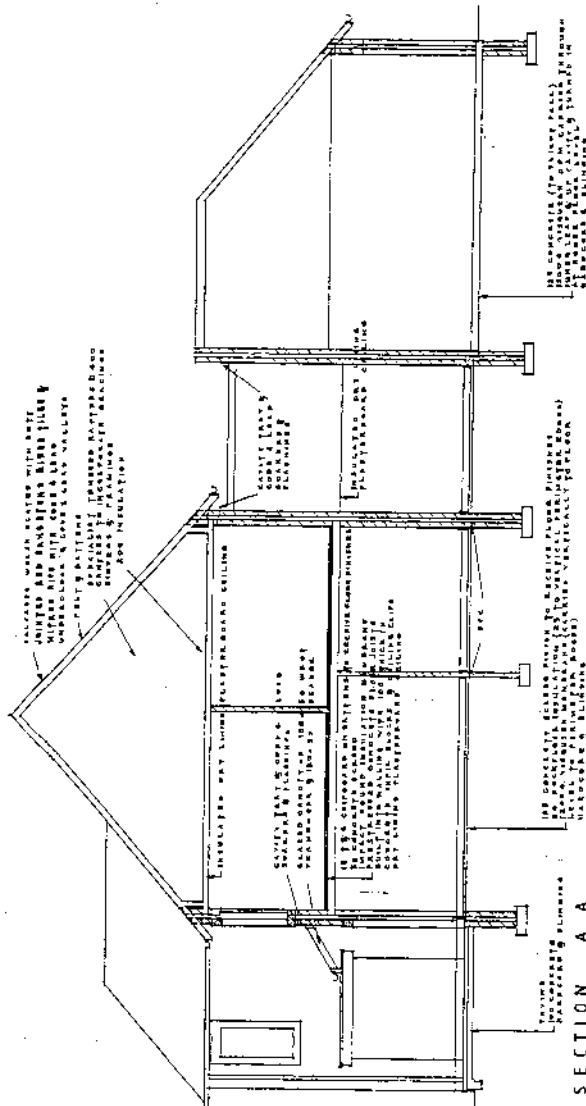
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Station

0 1 2 3 4 5
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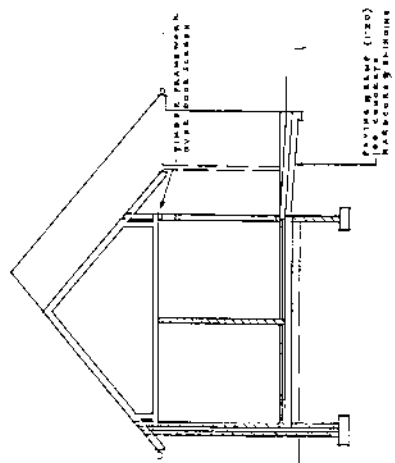


Project	New House in the grounds of The Elms, Plains Road, Wetheral
Client	Mr & Mrs B G Lowe
Architects	Acanthus LOWE & RAE ARCHITECTS 10, GERRARD STREET EAST, LONDON, E.C. 4
Site Plan	Existing Site Plan
Scale	1" = 100'
Sheet	476/17A

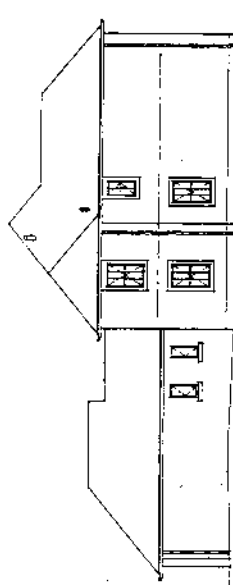
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SEE ALSO PLANS FOR ADDITIONAL INFORMATION



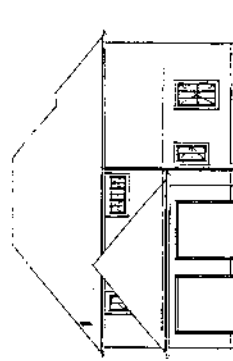
SECTION A A



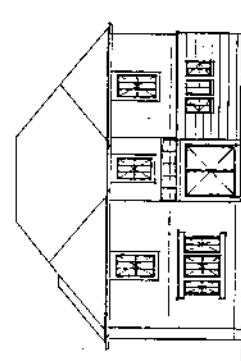
SECTION B B



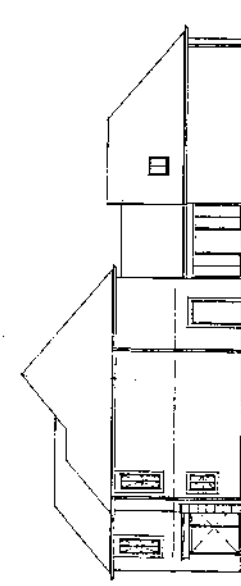
NORTH ELEVATION



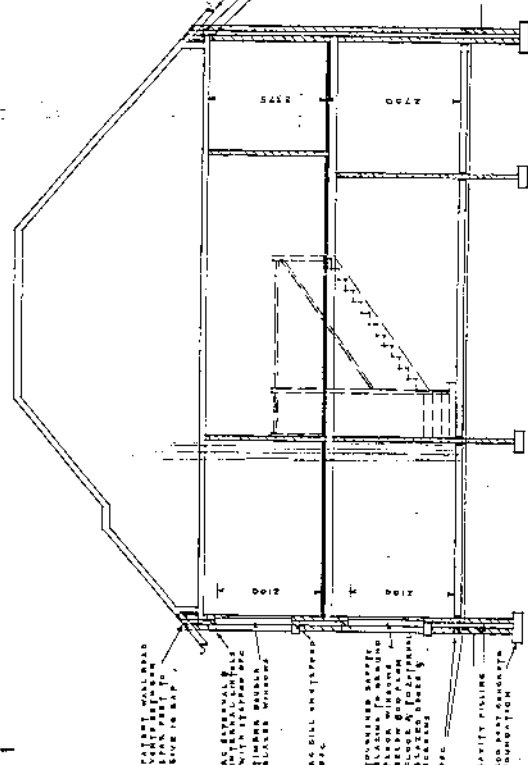
EAST ELEVATION



WEST ELEVATION



SOUTH ELEVATION



SECTION C C

2001/11/24

LOVE-RAB PROPOSED DWELLING ADJACENT
ARCHITECTS THE ELMS, PLAINS ROAD
WETHPA

REVISIONS
A 30 LOW GIBBERY BRITISH, PLAIN FLOOR ANCHORS, REPAIRS, BRICKS, GARDEN, UTILITY & GENERAL UPDATES

9 Finkle Street
Carlisle
Cumbria CA3 8UU

Tel: (01228) 538886
Fax: (01228) 810362
Email: planners@taylorandhardy.co.uk

Taylor & Hardy Limited, Registered in England No. 3977505
Registered Office: 9 Finkle Street, Carlisle, Cumbria CA3 8UU

TAYLOR & HARDY

Chartered Town Planners

Our Ref : RT/J/C00/158A

Mr. A.C. Eales,
Head of Planning Services,
Planning Services Division,
Department of Environment and
Development,
Carlisle City Council,
Civic Centre,
CARLISLE
CA3 8QG

PLANNING SERVICES	
REF	01/1126
DATE	22 JAN 2002
BY	BP
FOR	
FILED TO	ACE
ACTION	30 + 49

Your Ref : 01/1126
01/1127

22nd January, 2002

Dear Mr. Eales,

PROPOSED VARIATION OF CONDITION 4 ATTACHED TO CONSENT NO.
01/0512 AND PROPOSED RETENTION OF EXISTING DWELLING
LAND AT BAY TREE HOUSE, PLAINS ROAD, WETHERAL

Thank you for your letters dated 10 December, 2001 and 2nd January 2002 notifying me of the receipt of the above applications.

The Council have determined a number of applications seeking to retain the building as built. All of those applications were refused permission because of their impact on my client's property. It is well understood that planning proposals should receive similar outcomes unless there has been a material change in circumstances. In this case there are no such changes. Permission should be refused and Enforcement Action to remedy the breach should again follow.

In respect of the application to vary the condition Mr Lowe confirmed via his agent that the conditions imposed in November 2001 were acceptable to them. It seems perverse that some 5 to 6 weeks later they should be unacceptable. Bearing in mind the time scale of this matter since my client first drew it to your attention in August 2000 a period of 12 months to complete seems far too long.

This letter has been written without the benefit of seeing your Committee Report and it is possible that we may wish to comment further and to utilise the Right to Speak to the Committee should that be considered necessary.

Yours sincerely,

RTaylor

BOB TAYLOR

13 Lupin Road
Bassett
SOUTHAMPTON
SO16 3LD

19th January 2002

A Eales Esq
Head of Planning Services
Department of Environment & Development
Civic Centre
CARLISLE
CA4 8QG

PLANNING SERVICES	
REF	01/1126
22 JAN 2002	
DATE	
BY	
FOR	ACE
ACTION	

Dear Sir

PLANNING REFERENCES: 01/1126 - RETENTION OF EXISTING DWELLING
01/1127 - EXTENSION OF TIME

I am the eldest daughter of Brian and Valerie Lowe and feel that I must write with reference to the above two applications.

I have watched with horror and dismay as my parents have battled with your planning department to build a new house for themselves. It seems inexplicable to me that the Planning Approval letter issued on 17th January 2000 on delegated powers holds no relevance and is regarded as "purported". If this is the case, why were my parents allowed to continue building up to the 25th October 2000 and complete the extension and hipped roofs? It wasn't until the 20th April 2001 that they were served with two Enforcement Notices alleging unauthorised development. They have always accepted that the house was built 80cm nearer Plains Road and are grateful to you to allow this error to go through, although surely you would not have insisted on them resiting the house correctly?

My father, who as you know is brain damaged, has sustained a personal attack from the family at No.1 Greenacres and has been accused of misinformation and misrepresentation. I can say with all honesty that he would never knowingly do this. During the development of the plans, which were approved in June 1999, my father was constantly around at No.1 explaining the plans and going to extra lengths to accommodate their suggestions. He very much regrets that he forgot to inform Mrs Patrick of his amendments – it was a sin of omission for which he has paid a high price. In any event, it was the responsibility of your department to inform her of these alterations.

In November 2000 my parents made a second application for the building as built (Ref. 00/0913). In your Report, you required further information but recommended approval. I quote:- "Members must only consider the difference between the approved scheme and the revised location 80cm to the north east..... **The original permission 00/0379 of June 1999 and the minor modifications of January 2000 are still valid and cannot be revoked unless compensation is paid by the Council to the applicant.**" However, on the following day, you recommended refusal. Although the

objectors knew of this, my parents were not informed. In fact, throughout the dispute, my parents have been aware that the objectors have appeared to know what was going on within the Planning Department well in advance of my parents being informed. How can this be?

In May 2001 the Public Inquiry was adjourned so that a negotiated settlement could be reached.

In June 2001 my parents submitted another application (Ref. 01/0512) to lower the roof by 1.1 metres and to remove the first floor bedroom. **Surely this represents a compromise?** The objectors have never made any attempt to reach a compromise solution, instead preferring to go "all out" to cause maximum disruption and demanding the removal of the entire study and bedroom "stack". This application was deferred to the September meeting of the Planning Committee and recommended for refusal. Therefore the plans were amended to show the roof at its existing height and the whole "stack" removed. I am informed by my parents that you then told their Planning Agent that unless they agreed to withdraw their appeals at the Public Inquiry to be held on the 31st January 2002, you could defer the application and may refuse it at a subsequent meeting. In return for withdrawing their appeals, you would approve the application and withdraw the Enforcement Notices. This action surely amounts to blackmail and is therefore absolutely outrageous

There are now two submitted applications. Application Ref. 01/1126 seeks the approval of the house as built. My partner and I spent Christmas at Bay Tree House. We saw for ourselves that the house does not overlook nor infringe upon the privacy or amenity of No.1 Greenacres. (Incidentally, due to the lack of fourth bedroom, we had to sleep on the sitting room floor, whilst my younger sister slept on the landing floor, which was ridiculous).

The second Application (Ref. 01/1127) is for the extension of time. In order to finance their legal and planning costs and to carry out the demolition work, my parents need to sell No.3 Greenacres which they intend to do in the Spring. **Both of these applications should be approved.** My parents have had to spend thousands of pounds on these unforeseen costs (not to mention taxpayers' money for your own costs). My father can no longer work and my mother, who is not in the best of health, is only able to work part-time. Why should they be penalised and burdened with all of these costs when Carlisle City Council has obviously made a complete and utter hash of the whole case amounting to maladministration?

The situation has been mismanaged and my parents have been treated unjustly. As an outsider, this injustice appals me. I sincerely hope that it is exposed and that the Planning Department at Carlisle City Council sorts out its internal problems and stops using my parents as a scapegoat.

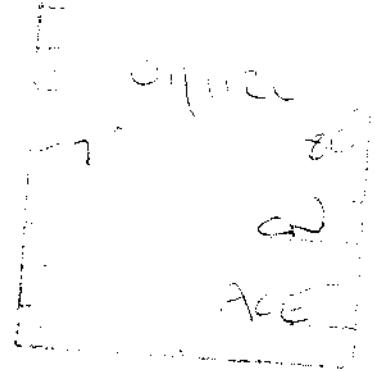
Yours faithfully



Emily Lowe LLB (Hons)

"Bowling Green Lodge
Edenside
Wetheral
Cumbria
CA4 8HA

Tel/Fax 01228 560340



20 January 2002

Mr A Eales
Head of Planning Services
Department of Environment & Development
The Civic Centre
Carlisle CA3 8QG.

Re: Bay Tree House. Planning References 01/1126 and 01/1127.

Dear sir,

In our letter of 1st May 2001 we expressed our support for Mr and Mrs B Lowe in their Appeal No 2000 913.

Having now seen the house in its finished state we consider that the house fits well into its surroundings and does not interfere with its neighbour's privacy. Furthermore should the stack be removed we believe that this will result in an unattractive prospect not only from the immediate neighbours but in relation to other properties in the area.

Yours faithfully

 
Jeremy H. and Jennifer Kendall.

5, Goosegarth,
Wetheral,
Carlisle,
Cumbria.
CA4 8JR.

21st January 2002.

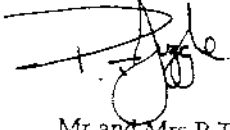
Dear Mr Eales:

Re : Bay Tree house - Planning references, 01/1126 and 01/1127

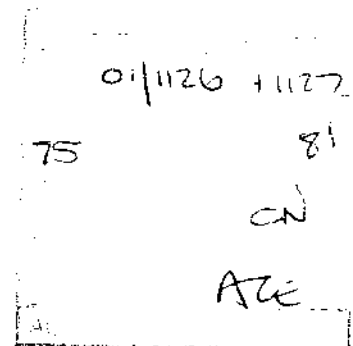
With reference to the above application, having recently visited the property in order to assess the impact of this property on No 1 Greenacres. We are writing to express our view that the completed property, now externally painted sits comfortably into its context and that its impact on No 1 Greenacres is minimal. Removal of the stack would be counter productive in that the view of the amended structure from No 1 Greenacres would be unsatisfactory.

It would also seem reasonable to allow an extension of time to allow the applicants to finance legal and planning costs.

Yours Sincerely,



Mr and Mrs P.T Diggle.



4 Greenacres
Wetheral
Carlisle
CA4 8LD

19 January 2002

Your ref: ACE/DC/01/1126

Mr A C Eales
Head of Planning Services
The Civic Centre
Carlisle
CA3 8QG

PLANNING	
REF	01/1126
21 JAN 2002	
RE	ON
REASON	
PASS	ACE
ACTION	

Dear Sir

Your letter of 2 January seems to imply to the uninitiated that this sorry business has gone full circle and is back to where it was over 12 months ago, except that the developer has meanwhile been allowed to complete and occupy the premises. One has to say that it grows more bizarre by each application, re-application, appeal, etc, and leaves the impression that there must be something sadly amiss with the planning system; or the Planning Authority's implementation of it.

Having already set out many times my reasons, on planning grounds, for opposing this development through all its tedious twists and turns, I do not propose to do so yet again. I merely re-iterate my complete opposition and comment that since it was painted the house looks even more obtrusive than in the raw.

Yours faithfully

J. J. Pattinson

Mr J J Pattinson

4 Goosegarth
Wetheral
Carlisle
CA4 8JR

18 January 2002

Mr A Eales
Head of Planning Services
Department of the Environment & Development
The Civic Centre
Carlisle
CA3 8QG

Dear Mr Eales

Bay Tree House. Planning References 01/1126 and 01/1127

I know I am not alone in sharing my concerns with you that there appears to be an anomaly in the manner in which the Lowes of Bay Tree House are being treated in the planning permission process. It strikes me as unusual that someone professionally so familiar with the planning laws as Mr Lowe should find himself continually at odds with your officers.

Isn't the purpose of the planning legislation to maximise, enhance and protect the aesthetic quality of everyone's living space? In my view Mr Lowe, as an architect, has gone to great lengths to design a residential dwelling that both fits and indeed enhances the site. Demanding any alteration at this late stage would compromise the integrity of the design, now that the building can be appreciated as a completed structure. Furthermore I do believe that any effect Bay Tree House has on the privacy of No 1 Greenacres is minimal.

I urge you to consider that this is a situation where to interpret and apply the spirit of the law would be preferable to rigorously applying the letter.

Yours sincerely



Julie Ratcliffe

18 24

PLANNING	
01/1126 -	01/1127
21 JAN 2002	
MR.	
ACU	

**Barn Croft
Applethwaite
Keswick
Cumbria CA12 4PN
Tel. 017687 74899
e-mail: mjct@mmatthews.fsbusiness.co.uk**

January 15th 2002

A Eales Esq
Head of Planning Services
Department of Environment and Development
The Civic Centre
Carlisle CA3 8QG

Dear Mr Eales

Bay Tree House. Planning References, 01/1126 and 01/1127


I write as a former resident of Wetheral (1982-1993) and having lived in two properties along Plains Road, the second being very near to Bay Tree House.

I have taken the opportunity to inspect this new property both internally and externally and am much impressed by the quality and sensitivity of its design and construction, particularly in relation to the character of this road and other properties nearby. I regard its impact on No. 1 as minimal and in no way do I consider that any resident's privacy has been compromised. Moreover, I understand from the owners, Mr and Mrs Lowe, that your Authority is now considering requiring them to remove the stack (extension). This I consider would be totally detrimental to the general ambience of the property and to the visual image, and with it the property value of No. 1 but also of other nearby properties, would be prejudiced.

I have questioned Mr and Mrs Lowe as to the reasons behind such a possibility and their own compliance with planning requirements. I am satisfied that they have done their utmost to accommodate the views of neighbours, other local residents and yourselves. Further, I fail to see why your Authority is pursuing the line it is taking, given that the Lowes received in writing approval to a modified design under 'delegated powers' as long ago as January 2000.

No doubt you will offer reasons but to my mind the course of action that you have pursued is little more than an attempt to mask what I deem to be a serious case of maladministration by the Carlisle City Council at the expense of defenceless private individuals. I hope that at your next Planning meeting your committee will bring this whole unhappy saga to an end by positive approval of the current Planning Application..

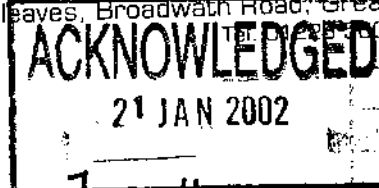
Yours faithfully



C T MATTHEWS

71 MM 73
01/1126 + 1127

MM
AC



17/01/02

01/1126 - 1127

Bay Tree House

Planning refs. 01/1126 and 01/1127.

Dear Sir,

I have visited the above house, and feel that it has been most sympathetically sited. It is neatly placed, adjacent to the transformer house, and between existing houses. It is a first-class example of reuse of an existing 'in-fill' site.

Approaching from Plains road, and from the road

opposite the entrance, it fits very well between the older buildings, and no recently built houses. It does not in any way affect the usage of any of the existing buildings. In fact, it is so skillfully inserted that it would not be noticed by the casual observer.

If the 'stake' were removed, it would adversely affect the appearance of the building.

I therefore consider that the house should be left 'as built'.

Yours Faithfully,

J. G. Sampson.

76
77
01/1126/01/11
N. A. H. STAFFORD
SANDY LODGE
THE PLAINS
WETHERAL
CARLISLE CA4 8LE
01228 560376



17 January 2002

SEARCHED	INDEXED
SERIALIZED	FILED
ACTION	

mm.
DUE

Bay Tree House, Plains Road, Wetheral.
Planning References 01/1126 & 01/1127

Dear Sir,

I refer to the Planning Application
'Retention to existing dwelling' described above.

The property now completed is a very
satisfactory in-filling and a building of distinction.

It is surprising that this development
should have required a planning process lasting
from May 1999 to date, even taking into account
the various objections, appeals and revisions
needing to be resolved.

Yours faithfully,

Head of Planning Services,
Dept. of Environment & Development,
The Civic Centre,
Carlisle CA3 8QG

Telephone 0228 560133

73

69

011126 1127

48 Greenacres,
Wetheral,
Carlisle

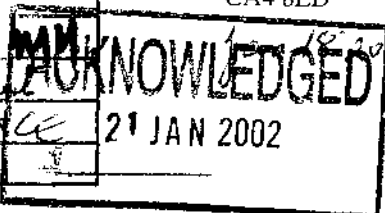
CA4 8LD

Mr A. Eales

Head of Planning Services

Department of Environment & Development

Civic Centre, Carlisle



Dear Mr Eales,

My wife and I were sorry to learn that our near neighbour Mr Brian Lowe was not yet in the clear in respect of the planning position for his impressive new house on Plains Road, Wetheral.

We have now had a better opportunity of inspecting the new property and its siting and can now say with confidence that we feel that the total structure successfully settles into its surroundings. It is a major construction but quite in keeping with existing house styles and sizes which characterise neighbourhood dwelling houses. One might say that the new house compares more easily with adjoining larger houses in size, but ⁱⁿ its modern style it relates reasonably well with the later and smaller dwellings.

We would not be happy with the prospect of removing parts of the building. It would probably look wrong and offend the eye for ever more.

We trust these comments will be favourably considered.

Yours sincerely, E. Williamson

*The Elms
Plains Road
Wetheral
Carlisle CA4 8LA
Tel (01228) 560098*



18 January 2002

*Mr A Eales
Head of Planning Services
Department of Environment & Development
The Civic Centre
Carlisle CA3 8QG*

Dear Mr Eales

**RE BAY TREE HOUSE – PLANNING REFERENCES 01/1126
AND 01/1127**

I am writing to confirm my support of the above two current planning applications.

Yours sincerely


Jane Shiach

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PLANNING SERVICES	
REF	01/1126 + 1127
21 JAN 2002	
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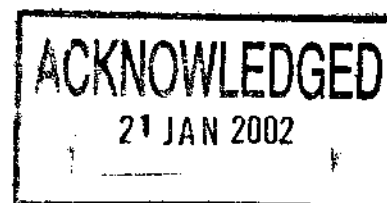
PLANNING SERVICES	
REF	01/1126 + 1127
21 JAN 2002	
BY	MM.
FOR	
PAID	ACE
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Riversdale
Wetheral,
Carlisle.
Cumbria.
CA4 8JD

Our ref: PMH.JB

18th January 2002

Mr. A. Eales,
Head of Planning Services,
Department of Environment and Development,
The Civic Centre,
Carlisle.
CA3 8QG



Dear Sirs,

Bay Tree House, Plains Road, Wetheral. Mr. & Mrs. Lowe
Planning Reference 01/1126. Retention of Existing Dwelling

I write in support of the above application made by Mr. & Mrs. Lowe.

I am reasonably familiar with the scenario surrounding this unfortunate situation and thus I feel compelled to comment both as a resident of Wetheral and as a Chartered Surveyor and Estate Agent with an understanding of residential property matters.

In my view Bay Tree House now shows every sign of accruing a level of maturity which allows it to merge quite naturally into the mixed bag of properties which make up Plains Road.

There is in my view no visual incongruity relating to Bay Tree House when one looks at the age and design of the various homes in this immediate location, all of which are relatively diverse both in overall mass, vertical dimension and style – typically English village perhaps. In my personal view Bay Tree House nicely bridges the architectural gap between The Elms to the east and the first two properties on Greenacres to the west.

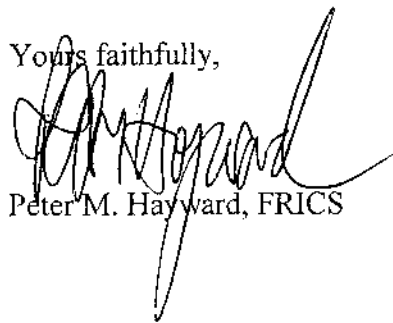
My experience of Wetheral as a professional person both surveying and selling properties in the area is that the essential appeal of the village is the balance of amenities relative to the location and access to road and rail communications. A further part of the appeal is the eclectic nature of the properties which are available at any one time.

Certainly from my own perspective I have no doubt whatsoever that neither of the Greenacres properties which abut the boundaries to Bay Tree House will in any way suffer either in terms of value or demand because of the nature or proximity of Bay Tree House. Ultimately, properties stand or fall on their own merits and thus within the context of the immediate environment this collection of properties do in my opinion sit entirely comfortably adjacent to one another.

Based on these views I can see no reason why Bay Tree House cannot be allowed to remain, particularly taking account of the fact that in essence the house that has been built is essentially the house that was granted consent on 25th June 1999 (application reference 99/0379).

I hope you will find these comments useful.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'P. Hayward', written over the typed name.

Peter M. Hayward, FRICS

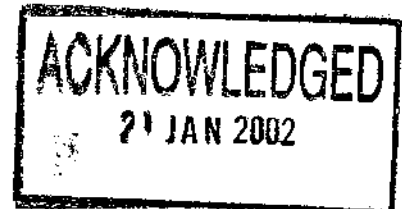
3 Greenacres
Wetheral
Carlisle
CA4 8LD

17 January 2002

Mr. A. Eales,
Head of Planning Services
Carlisle City Council
Civic Centre
Carlisle
CA3 8QG

3 2

PLANNING SERVICES	
REF	01/1126 + 1127
21 JAN 2002	
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Dear Sir

Mr. & Mrs. B. Lowe, Bay Tree House, Wetheral
Planning References 01/1126 and 01/1127

As the occupier of 3 Greenacres I am probably the person most affected by Bay Tree House which lies on the southern perimeter of my garden.

I write in support of the two above applications.

I understand that the Lowes were granted planning approval by delegated powers in January 2000. By October of that year the roof was on and they hoped to be the house by Christmas. However, due to a neighbour objecting to the house, the Lowes were ordered to stop building by Carlisle City Council and a protracted dispute has been going on since that time. I find it difficult to follow the complicated chapter of events but I do know that the Lowes are reasonable people and their attempt of reaching a compromise by lowering the roof and removing bedroom four, was refused.

In my opinion Bay Tree House has fitted in well and is in keeping with the surrounding properties and has its own sizable rear garden. I find it difficult to understand why the occupier of 1 Greenacres feels that her privacy and amenity are compromised when no windows from Bay Tree House overlook her.

The Lowes are also requesting in Planning Ref. 01/1127 for an extension of time in order that they may find the finances to undertake the demolition of the above. This extension of time appears to be very reasonable and should also be approved.

This dispute has gone on for long enough and both applications should be approved as soon as possible.

Yours faithfully

Barry Twiss

Eden Mount, Wetheral, Carlisle, Cumbria, CA4 8ET
Tel. 01228 560976

15 January 2002

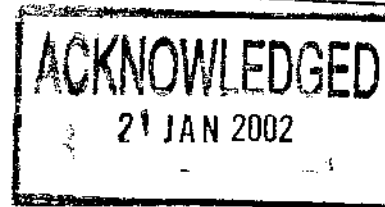
Mr. A. Eales
Head of Planning Services
Department of Environment & Development
Civic Centre
Carlisle
CA3 8QG.

Dear Sir,

Bay Tree House, Plains Road, Wetheral
Planning References: 01/1126 and 01/1127
Mr. & Mrs. G. G. Lowe

74 70

PLANNING SERVICES	
REF	01/1126/01/1127
21 JAN 2002	
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We write to support Mr. & Mrs. Lowe in their unending and incomprehensible pursuit to gain approval for their new house. There appear to be two current issues:-

1. Re. Application No. 01/1127 - Extension of Time

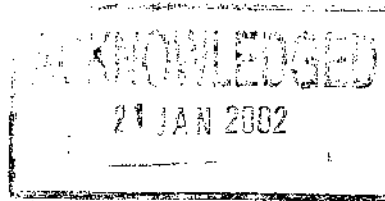
We understand that in order to carry out any further work and in order to comply with your conditions the Lowes must sell No. 3 Greenacres in the Spring. This is entirely plausible and they should be given more time.

2. Re: Application No. 01/1126 - Retention of Existing House

In our opinion Bay Tree House sits comfortably into it's context on Plains Road and we are at a loss to understand how it can impact on the privacy or amenity of No. 1 Greenacres as not one window actually overlooks this property. The proposition to remove the so-called two storey 'stack' is preposterous and would leave the new house looking clearly 'unfinished'. The new house should be approved just as it is now built.

Yours faithfully

A. C. Johnston



10, Elm Garth
The Plains Road
Wetheral
17th January 2002

A.C. Eales,
Head of Planning Services
Department of Environment and Development
The Civic Centre
Rickergate
Carlisle

Dear Mr Eales,

Application 01/1126

We are disappointed to find that yet another application has been submitted with respect to this development. Surely the matter was agreed in November 2001 when a compromise agreement was reached and it was determined that part of the building would be removed. The building, as it stands, was deemed unacceptable: have planning guidelines altered in some way which renders it acceptable today? We certainly have not altered our opinion that the house detracts considerably from The Plains Road and that its visual impact is totally disproportionate. We hope that you will impress on the developers that they are expected to keep their word once it has been given and demonstrate your determination to do the same by refusing this application.

Yours Sincerely,

R. Breckenfield

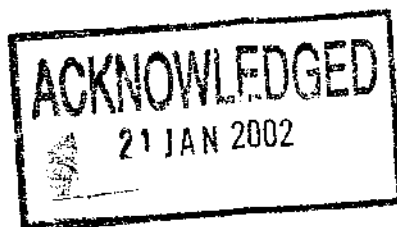
R. Breckenfield

E. Breckenfield

E. Breckenfield

42

PLANNING SERVICES	
REF	01/1126
21 JAN 2002	
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20 Faustin Hill
The Plains Road
Wetheral

A.C. Eales
Head of Planning Services
Department of Environment and Development
Carlisle City Council
Carlisle

Dear Mr Eales,

01/1126

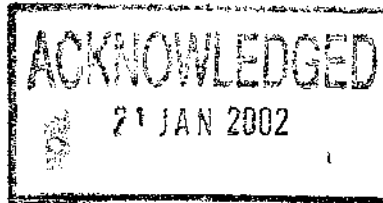
I refer you to my earlier letters. The house remains unsuitable for the site on which it is built. For this reason I ask you to reject the application to retain it as it now is.

I understood that a compromise had been reached in November and a date upon which alterations should begin had been agreed. I can see no reason to encourage the authority to change their minds about that agreement and ask you to refuse that section of the application as well.

Yours Truly,

31

01/1126
21 JAN 2002
MH
ATC



15 Greenacres
Wetheral
Carlisle

Head of Planning Services
The Civic Centre
Carlisle

Dear Sir,

Application 01/1126

I must confess I am completely confused by this whole situation. I do not know whether it is the developer or yourselves who is trying hardest to confuse us.

I understood that the matter had been resolved and that part of the house was to come down. It now turns out that this isn't the case at all and that the owners have changed their minds and want you to change your minds too.

I first wrote to the City Council in October 2001 because of my concern about the house then under development. Now that it has been allowed to be completed I feel vindicated in having written so soon and can only repeat once more my opposition to its retention.

Yours Sincerely

S. Poskett

S. Poskett

2

PLANNING SERVICES	
REF	01/1126
21 JAN 2002	
RECEIVED	MM
ALL	

Miss L Whitworth +
Mr G.R Turner

59 Greengates
Wetheral
Carlisle
CA4 8LD



18TH January 200

Dear Mr Eales

Re: APPLICATION 01/1126

We understand things are going from 'Bad to Worse', it is clear that Mr + Mrs Lowe are now just stalling for time in the hope and knowledge that your good selves will eventually 'Grant' them Planning Permission that they originally wanted in view of the amount of time that has now passed! I trust you are aware of this practice which does seem to happen with some Planning Applications!

They appear to be continually trying to ride 'rough shod' over Planning Department Officers and more importantly over Council's in which we place our trust! This situation cannot be allowed to succeed and we would respectfully suggest that no further amendments are granted in view ~~of~~ of what has already been agreed, ~~as~~ as this would surely set a precedence for future applications.

The house should clearly not have been built where it is (and how!) and we respectfully request all future amendments, including this one be refused.

Yours Sincerely

L. Whitworth.

24

PLANNING SERVICES	
REF	01/1126
21 JAN 2002	
FILED	MM.
DATE	ALC

ACKNOWLEDGED
21 JAN 2002

Mr A C Gates
Planning Services
Civic Centre
Carlisle
CA3 8PS

34

PLANNING SERVICES	
REF	01/1126
21 JAN 2002	
FILE	MM.
REPLY	
FOR	ALL
ACTION	

10 Faustin Hall
Wetheral
Carlisle
Cumbria
CA4 8JZ
17 January 2002

Dear Mr Gates

Application 01/1126 (Retention and Variation)

Please note my concern that this saga is continuing
I had believed that the matter was settled in November
and was anticipating that the builder would soon be
arriving to begin the agreed alterations to the house.
If the developer agrees to the conditions of the consent
given in November 2001 is it legitimate for them to
now seek to vary this consent? Surely it demonstrates
considerable inconsistency in their approach, not to mention
a certain lack of integrity. I am sure the Council
will not demonstrate similar weakness and that they
will reject this application.

Yours sincerely

Suzanne Pellmar

66 GREENACRES
WETHERAL
CARLISLE
CA4 8LD
CUMBRIA
TEL: 01228 561184

71

01/11/26

PLANNING	YES
21 January 02	
21 JAN 2002	
MM.	
ACE	
AC	

Mr. A. Eales,
Head of Planning Services,
The Civic Centre
Carlisle



Dear Sir, Bay Tree House, Plains Rd, Wetheral.

As a near neighbour of Mr Brian Lowe of the above address I write to support his application for retention of his house as it now stands. Now that the dwelling has been completed and particularly now that it has been painted it seems to me to fit very well into the surrounding environment.

I find it difficult to understand any objection to the situation from N°1 Greenacres as the rear of this property already looks out at an electric sub-station and in any case the public rooms of N°1 look out over the opposite direction. Surely the occupant of N°1 is not going to sit at a bedroom window and gaze out at the sub-station and consider the view is spoiled by a tiny fraction of Bay Tree House!

Yours faithfully.

(J.F.M. DALTON)

Ashley House, Ashton Street, Lytham, Lancashire, FY8 5NT

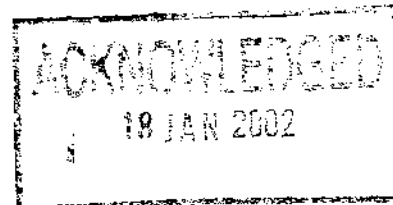
Tel. 01253 739666

70 67

16 January 2002

Mr. A. Eales,
Head of Planning Services
Carlisle City Council
Civic Centre
Carlisle
CA3 8QG.

PLANNING SERVICES	
18 JAN 2002	
MH	
ACE	
ACTION	



Dear Sir,

70 67

Mr. & Mrs. B Lowe - Planning References 01/1126 and 01/1127

As a frequent visitor to the Lowe household I write in support of the above applications.

It seems incomprehensible to me that the Lowes have had such problems with their local planning authority. I understand they had obtained all the necessary approvals before they started building their house, and that after the roof was on your department changed it's mind and decided that the approval given on delegated powers to the amendments, was worthless. They have had a miserable year worrying about the enforcement notices, not to mention the huge amounts of money they have had to find to pay their legal and professional fees, together with the looming prospect of having take down the fourth bedroom and study 'stack'. It seems to me that you have gone out of your way to appease the occupier of 1 Greenacres and her family and ignored the needs of the Lowe family.

I am told that it is claimed that Mrs. Patrick's Human Rights have been violated. What about the Lowe's Human Rights? They have done everything you have asked and yet find themselves after a year in the position of still have to remove the 'stack'. In the Application submitted in June 2001 they requested permission to lower the roof and remove bedroom 4. I would have thought this was a generous offer and compromise, but you again recommended refusal to this application.

Both the above applications should be approved and a line drawn under this hideous dispute. Carlisle City Council's Planning Department should get it's own "house" in order rather than use innocent residents in this way.

Yours faithfully,

P Z Bradshaw

48

PLANNING SERVICES	
REF	2001/1126
16 JAN 2002	
REC'D	WM
SCANNED	
APPROVED	ACE
DATE	

11 Croft Park,
Wetheral,
Carlisle,
CA4 8JH

Mr. A. Eales,
Head of Planning Services,
Department of Environment & Development,
The Civic Centre,
Carlisle.
CA3 8QG



17th January 2002

Dear Mr Eales,

We would like to add some weight to Mr & Mrs Lowe's planning application 'Retention of Existing Dwelling Reference 01/1126' as we feel the said house, which is now painted externally, fits satisfactorily into its environment therefore its impact on No. 1 Greenacres is minimal and should not impose on their privacy to any extent. We think the view of the Lowe's property from No. 1 Greenacres would be unsatisfactory if the stack (extension) were to be removed and would completely change the appearance of the structure. We would therefore wish to back the Lowe's application for the retention of the existing dwelling and approval of the house exactly as built.

Yours sincerely,

P. Dodd.
G.M. Dodd.

Mr & Mrs G. M. Dodd.

ACKNOWLEDGED
17 JAN 2002

Eden Croft
Wetherai
Carlisle
Cumbria

15 January 2002

Mr. A. Fales
Head of Planning Services
Dept. Of Environment & Development
Civic Centre
Carlisle, CA3 8QG.

Dear Sir,

Planning References: 01/1126 and 01/1127 - Bay Tree House

I am very distressed to learn that the poor Lowe's planning problems are not yet resolved. Their house is quite beautiful inside and out and a credit to them and the village. I cannot understand how the house as now built can possibly impact unfavourably on it's neighbours and both of these planning applications before you should be speedily approved.

Yours sincerely,

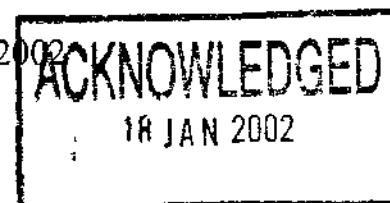
Diana Harris

PLANNING SERVICES	
REF	01/1126 / 01/1127
18 JAN 2002	
APPROVED	MM
APPROVED TO	ACE
ACTION	

5 The Orchard
Great Corby
Carlisle
CA4 8LS

01228 561766

17 January 2002



Dear Mr. Eales,

Bay Tree House,
Planning References, 01/1126 and 01/1127

We understand that despite the efforts and expense involved in the Public Enquiry into the Planning Applications to erect the dwelling, Bay Tree House, on Plains Road, Wetheral, the house remains the subject of continuing planning applications.

Our purpose in writing again in support of the above Planning References is to emphasise a layperson's view of the property as it stands currently and its impact on its environs, with particular regard to No. 1 Greenacres.

Now that the external surfaces are finished and the entrance to Plains Road is complete the dwellinghouse sits comfortably in its surroundings. It is well hidden from Plains Road and when viewed from Greenacres shows a natural step line rising from the properties on Greenacres to the high Victorian rooflines along Plains Road. Having visited Bay Tree House, an internal viewing confirms that the building does not overlook No. 1 Greenacres and it does appear that the objections have been fully satisfied by the immediate action taken by the Lowes to block up the offending window.

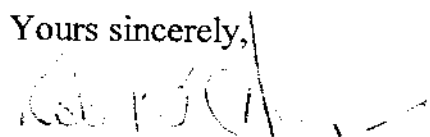
We unreservedly support this latest application for retention of the existing dwellinghouse, which does not impinge on the neighbours' privacy or adversely affect their immediate environs.

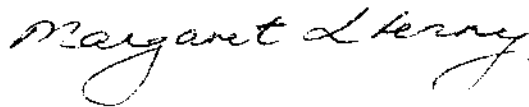
In the event that the Council should not see fit to pass the latest

Planning Application it seems inappropriate and inconsiderate if the revised proposal has to be undertaken within such tight timescales. The expense and additional costs of this whole exercise could not have been foreseen by the Lowes and the extension in timescales now sought to November 2002 for completion of any further works does not seem unreasonable to allow them time to organise their finances.

Ideally we hope that the Planners and Carlisle City Council can see their way to approve, even at this late stage, the Application for Retention of the existing dwelling.

Yours sincerely,


Robert and Margaret Henry.

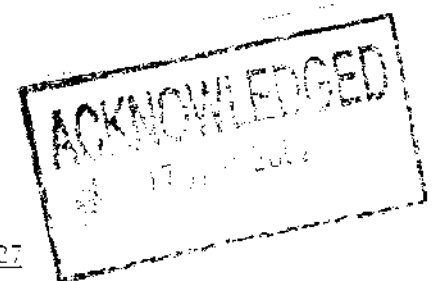


01/11/2014

14

14

14



Dear Mr Eales

Re Bay Tree House Wetheral Planning References 01/1126 and 01/1127

Further to your recent notification of the above Planning Application, we would like to confirm our wholehearted approval of the house as it now stands.

We feel that, now completed, it is tastefully finished, blends well with existing properties and in no way compromises the privacy of any of its neighbours.

It is our view that any plan to remove sections of the house would detract from its overall appearance and setting, and would be totally counterproductive.

Yours sincerely

Richard Murray
Magenta Murray

Dr and Mrs Richard Murray

Mr A Sales
Head of Planning

176, Greenacres
Wetherall
Carlisle
CA4 8LU

Application 01/1126

Dear Mr Sales,

I clearly understood from your letter in November that the developer had undertaken to abide by the repeated decision of the Council that this house is unacceptable in the position in which it has been built. It remains a blot on the landscape and I hope that you will continue to recommend refusal of any more alteration and that Mr + Mrs Howe agree to do as they have been asked.

Yours

Elizabeth Carrick (Mrs)

PLANNING SERVICES
01/1126
17 JAN 2002
ACE

Rev. Prof. John M. Beazley, M.D., F.R.C.O.G., F.A.C.O.G.

01228 670353

01/12/02	002
67	46
16/01/02	
PASSED TO	ACE
SECTION	

High Rigg

Faugh

Heads Nook

Brampton

CA8 9EA

Dear Mr. Sales,

It has been suggested that I might write to you in support of Mr & Mrs Lowe, of Bay Tree House, Plains Road, Wetheral, Carlisle, CA4 8LA

I do not know the details of the present controversy. However, I am familiar with the property under discussion and fail to see what serious objection can be raised to its present site & construction. It appears to someone like me to fit well into the context of the adjoining houses, compromises no one's privacy, and does not detract from the value of surrounding homes.

Having known Brian Lowe for some time, it also is difficult to believe that a respected Cathedral Architect and a man of undoubted integrity could begin to build his house in

Whether if he thought he did not have permission so to do.

I am not sure if these personal observations are of service to you in trying to resolve the present dispute amicably. One can hope only that common sense will prevail and that legislation will enable a sense of perspective & justice to foster a sensible solution to the problem.

Yours sincerely
John Beasley

5 Greenacres
Wetheral
Carlisle
CA4 8LD

11 January 2002

Mr. A. Eales,
Head of Planning Services
Department of Environment & Development
Civic Centre
Carlisle
CA3 8QG.

5		3	
PLANNING SERVICES			
REF: 01/1126 + 1127			
16 JAN 2002			
RE:	MH.		
SUBJECT:			
PROCESSED BY:	ACE		
ACTION:			

Dear Sir,

Bay Tree House, Plains Road, Wetheral.
Planning Refs: 01/1126 and 01/1127 (Lowe)

01/1126 - Retention of Existing Dwelling

I write in support for the retention of the new house as it is now built. In my opinion as a very near neighbour the new house sits very well within the landscape and does not impact on the privacy or amenity of No. 1 Greenacres. If the two storey stack is removed it will leave the house looking unbalanced and unfinished. This application should definitely be approved.

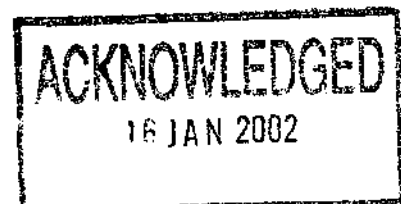
01/1127 - Extension of Time

I also feel the Lowe's must have an extension of time. In order to meet their costs and carry out your conditions they need to sell No. 3 Greenacres which is going on the market in the spring.

I understand that the Lowe's were happy to compromise by lowering the roof height and removing the offending bedroom but you recommended this for refusal. It seems to me that this dispute has gone on for long enough and the above two applications should be approved.

Yours faithfully,

J M Evans.
MR J. M. EVANS.



23 Greenacres
Wetheral
CUMBRIA CA4 8LD
14 January 2002

The Head of Planning Services
Department of Environment and Development
Carlisle City Council
The Civic Centre
Carlisle CA3 8QG



66 65

PLANNING SERVICES	
REF	01/1126 + 1127
	16 JAN 2002
	MH.
	ACE

Dear Sirs,

Applications Numbers 01/1126 and 01/ 1127
Bay Tree House, Plains Road, Wetheral, Cumbria

I write to support these two applications for Planning Approval.

Ref 01 / 1126 Retention of the Existing Dwelling

Carlisle City Council have singularly failed to recognise their role in this continuing problem by not accepting *prima facie* their approval to the minor amendments, sought by the Applicant, in their letter of 17 January 2000.

The Council must now recognise their present illogical and untenable position by giving approval to this application. The dwelling, as it now stands sits comfortably in the streetscape and has no deleterious effect on local amenity. In my opinion its location and massing does not compromise the privacy of any of its neighbours. In particular, the impact of the building on No 1 Greenacres is certainly not significantly different from that envisaged in the original application, which was approved by the City Council 25th June 1999. (Appln Ref 99/0379)

I am of the opinion that any change in the building, brought about by the enforcement of the condition to remove the bedroom/study extension, will have an altogether damaging effect on the appearance of the dwelling, resulting in a reduction in the visual quality of the building as viewed from No 1 Greenacres or the North and West generally. The effect of the removal of the bedroom/study extension will be to seriously damage the continuity of the roofscape and will give rise to ugly and architecturally unsustainable compromises in the roof/envelope as it attempts to return around the truncated corner.

Furthermore I consider that, in terms of the outlook from No 1 Greenacres, there will be no perceptible visual advantage - in terms of massing and apparent proximity - gained by the removal of the extension.

Ref 01 / 1127 Extension of Time

Without prejudice to any decision pending on Application Ref 01/1126, the Applicant must be accorded the time to programme and finance the outcome of this procedure.

Your Faithfully

A handwritten signature in black ink, appearing to read "Robert S Barnes".

Robert S Barnes M.Sc (Arch) M.A (Landscape Design) Registered Architect
Winifred Barnes pp.

45 41 Grable Corner,
The Green
Wetherol,
Carlisle
14.1.02

Bay Tree House
Planning Ref 01/126+127

PLANNING SERVICES	
REF	01/126+127
16 JAN 2002	
RECEIVED	MM.
SEARCHED	ACE
INDEXED	
FILED	

ACKNOWLEDGED
16 JAN 2002

Dear Mr Eales,

I have now visited Bay Tree House and viewed it from the Plains Road and the Greenacres. The house now painted externally is a splendid addition to the area; does not compromise their neighbour's privacy and has a minimal impact on No 1 Greenacres.

I understand that unless/until No 3 Greenacres is sold the house cannot finance the legal and planning costs associated with this application or indeed the potential cost of taking down the shack (attention). They therefore will need more time to organise themselves financially.

I sincerely hope that in the interest of both parties this matter can be satisfactorily concluded at the Planning Committee meeting.

to be held on 14 Feb 02.

Yours faithfully

John C. Wildman.

PLANNING SERVICES	
REF	01/1126 + 1127
15 JAN 2002	
RECEIVED	PD
SCANNED	
PASSED	ACE
ACTION	65

Mr A Eales
Head of Planning Services
Department of Environment and Development
The Civic Centre
Carlisle
CA3 8QG

53 Greenacres
Wetheral
nr Carlisle
Cumbria
CA4 8LD



11th January 2002

Dear Mr Eales

REPRESENTATION RE. PLANNING APPLICATIONS REFS. 01/1126 AND 01/1127

You will be aware that we made representations to the Planning Inspectorate when the matter of a new house adjacent to The Elms, Plains Road, Wetheral was subject to an Appeal against an Enforcement Notice from Carlisle City Council (DOE Ref APP/EO915/A/01/1057974).

Our interest at that time arose from our concern, as residents of Wetheral of over twenty years standing that our local environment should be properly and fairly protected by the planning process, and those who implement it. This remains our motivation in this current representation.

We were disappointed to learn that following adjournment of the Public Inquiry in order that a negotiated settlement could be reached, a compromise application submitted in June 2001 was subsequently recommended for refusal.

In writing in support of the applications 01/1126 and 01/1127, we would point out that the existing house as now constructed is appropriate to it's surroundings, and does not have any negative impact on the surrounding properties or the aesthetics of the Conservation Area.

We can, from the standpoint of residents concerned for the protection of the Wetheral environment, Council taxpayers, and taxpayers, see nothing to be gained, and even the prospect of loss, in terms of any tangible benefits to the local environment, sustainability issues, and respect for the planning process, in the event that our representatives continue to commit our resources, and force the Lowe's to continue to commit their's, to the continuation of this wasteful and unnecessary action.

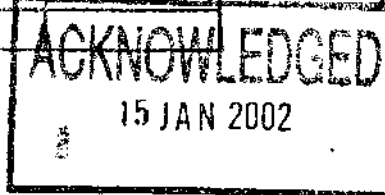
Yours sincerely

Raymond and Joy Prigg

PLANNING SERVICES	
REF	01/1126 + 1127
15 JAN 2002	
RECORDED	
SCANNED	
PASSED TO	ACC 12
ACTION	

Mrs Jill Doody
30 Greenacres
Wetheral
Carlisle
CA4 8LD

14 January 2002



Dear Mr Eales

Bay Tree House – Planning References; 01/1126 & 01/1127

With reference to the above planning applications and the letter received from A M Taylor at the beginning of January, I am writing to give my support to Mr & Mrs Lowe in respect of the "retention of the existing building", which is now their home.. Now that the property has been finished and externally painted it fits in with the neighbouring properties, and Wetheral as a whole, very well. In my opinion if the rooms in question were to be removed the building would then look unbalanced and quite peculiar and would most certainly not compliment this very pleasant village in which I live.

With regard to 01/1127 I believe that Mr & Mrs Lowe have already suffered quite significantly in respect of the building in question. In view of the length of time this issue has already taken I feel that to grant them a few more months to raise some capital from the sale of their house, which would be necessary to finance any alterations, could only benefit both parties.

Yours sincerely

J. Doody (Mrs)



5 Greenacres
Wetheral
Carlisle
CA4 8LD

11 January 2002

Mr. A. Eales,
Head of Planning Services
Department of Environment & Development
Civic Centre
Carlisle
CA3 8QG.

PLANNING SERVICES	
REF	01/1126 + 1127
15 JAN 2002	
RECORDED	<i>PS</i>
SCANNED	
PASSED TO	<i>ACE</i>
ACTION	<i>SAB</i>

Dear Sir,

Bay Tree House, Plains Road, Wetheral.
Planning Refs: 01/1126 and 01/1127 (Lowe)

01/1126 - Retention of Existing Dwelling

I write in support for the retention of the new house as it is now built. In my opinion as a very near neighbour the new house sits very well within the landscape and does not impact on the privacy or amenity of No. 1 Greenacres. If the two storey stack is removed it will leave the house looking unbalanced and unfinished. This application should definitely be approved.

01/1127 - Extension of Time

I also feel the Lowe's must have an extension of time. In order to meet their costs and carry out your conditions they need to sell No. 3 Greenacres which is going on the market in the spring.

I understand that the Lowe's were happy to compromise by lowering the roof height and removing the offending bedroom but you recommended this for refusal. It seems to me that this dispute has gone on for long enough and the above two applications should be approved.

Yours faithfully,

D H CONNELL

64 (2) 2001/02
Mott
Carrick
CA4 803

PLANNING SERVICES	
REF	01/1126 + 1127
15 JAN 2002	
DATE	15 JAN 2002
TIME	15 JAN 2002
BY	ACE
FOR	64 x 63

14/1/02



Dear Sir

Planning References 01/1126 and 01/1127

We write in support of the above two
Planning Applications submitted by our
neighbours Mr & Mrs House.

Now that the house is almost complete
we feel that it is within context
to the rear proximity and does not
appear to be impacting any nearby
property.

As regards the time extension application
we feel that this is a reasonable request
on the part of Mr & Mrs House given the
considerable difficulties that they have
to put up with over the past year.
So

Yours Faithfully

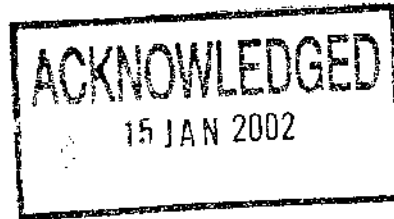
Michael & Eileen Bennett

Mr A Eales
Head of Planning
Carrick Civil Centre

Carleton House, Carleton, Carlisle, Cumbria
Tel. 01228 523389

13 January 2002

Mr. A. Eales,
Head of Planning Services
Department of Environment & Development
Civic Centre
Carlisle
CA3 8QG.



PLANNING SERVICES	
REF	01/1126 + 1127
	15 JAN
REMOVED	029
FILE	ACE
ACTION	49 + 48

Dear Sir,

Bay Tree House, Plains Road, Wetheral.
Planning Refs: 01/1126 and 01/1127

01/1126 - Retention of Existing Dwelling

We write in support for the retention of the new house as it is now built. In our opinion the new house sits well within the landscape and does not impact on the privacy or amenity of No. 1 Greenacres. If the two storey 'stack' is removed it will leave the house looking unbalanced and leave the occupant of No. 1 Greenacres looking at a dreadful blank eyesore. This application should definitely be approved. The house is a credit to the village and it's designer. We are a complete loss to understand the Council's dissembling over this whole matter.

01/1127 - Extension of Time

We also feel the Lowe's must have an extension of time. In order to meet their costs and carry out your conditions they need time to sell No. 3 Greenacres.

Our understanding is that the Lowe's were happy to compromise by lowering the roof height and removing the offending bedroom but you recommended this for refusal. It seems to me that this dispute has gone on for long enough and the above two applications should be approved.

Yours faithfully,

William Sherman
Ann Wynn Sherman

The Venerable T. R. B. Hodgson
(Archdeacon Emeritus)

☎ (01228) 561159

58 Greenacres
Wetheral
Carlisle
Cumbria
CA4 8LD

14th. January 2002

Head of Planning Services,
Department of Environment & Development,
The Civic Centre,
Carlisle CA3 8QG



Dear Mr. Eales,

"Bay Tree House", Plains Road, Wetheral, Your ref: 01/1126.

Thank you for your letter of January 2nd. with its information and invitation to make our comments.

We have had a number of opportunities to study, - not merely to look at, - Bay Tree House both within and without in relation to its surroundings and particularly concerning No. 1 Greenacres. Windows in Bay Tree House which might possibly have been thought to allow intrusion into the privacy of No. 1 have either been removed or glazed with translucent material, and the landing window has been diminished to such an extent that no one could look down into the house and garden without standing on a chair. We do not believe that Bay Tree House could reasonably be regarded as an invasion of any neighbour's privacy.

It seems to us that there must be a hidden and malevolent agenda somewhere or other to account for this strange and sad saga. We wonder why there have been so many twists and turns in this protracted business of what started as a straightforward grant of planning permission: permission was given, construction began, and only after three months an objection was passed on by telephone, to be followed as long as six weeks later by a letter. I do hope that you can understand why we have suspicions about the conduct of this matter.

Mr. and Mrs. Lowe have been subjected to enormous expense and heartbreaking anxiety and the details ought to be looked into with integrity by all concerned.

Yours sincerely,

T. R. B. Hodgson

M. E. Hodgson

The Venerable T. R. B. Hodgson and Mrs. M. E. Hodgson

PLANNING SERVICES	
REF	01/1126 + 1127
15 JAN 2002	
REC'D	BT
SCA	
PASSED	ACE
ACTION	6

D Wrigley
5 Elm Garth
Wetheral
Carlisle CA4 8LB
Tel: 01228 560413
11th January 2002

Department of Environment
& Development
Planning Services Division
Civic Centre
Carlisle CA3 8QG

Your Ref: ACE/DC/01/1126

Dear Sir

Proposal: Retention of existing dwelling.
Location: Bay Tree House, Plains Road, Wetheral, Carlisle, Cumbria.
Appn. Ref: 01/1126 /

PLANNING SERVICES	
REF	
14 JAN 2002	
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PASSED TO	ACE
ACTION	19

32

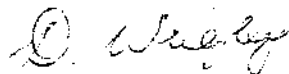
In reply to your letter dated 2 January 2002 I really must raise the strongest objections to this (yet another) proposal in regard to Bay Tree House. No sooner is one proposal under consideration than another is raised. Is this a strategy to delay the matter even further, perhaps in the hope that objectors and/or Councillors will become so fed up that they will give up in desperation.

As I understand the matter, as per your letter dated 7th November 2001, the applicant had to remove the fourth bedroom and study, work to commence by the 15th February and be completed by 15th April 2002. I also understood that this was the FINAL decision and was accepted by both parties. Hardly has the ink dried than there are further applications - firstly for an extension of time and secondly for retention of the existing dwelling.

Surely in fairness to all concerned it is time for the Council to make it clear once and for all that the decision given by the Council, as shown in your letter of 7th November 2001, is not negotiable and is to be strictly observed, especially as this was a compromise situation accepted by both parties at the time.

As per my letter of 22.12.01, I raise very strong objections to any changes in the decision given by the Council in November 2001.

Yours faithfully



Hyde Harrington

CHARTERED BUILDING SURVEYORS
ARCHITECTURE & PROPERTY CONSULTANTS

5 Fisher Street, Carlisle, Cumbria CA3 8RR

Telephone: 01228 595600 Fax: 01228 595525

e-mail: hydeharrington@compuserve.com website: www.hydeharrington.co.uk

Our Ref: SGH/ST/70211

Your Ref:

Date: 11 January 2002

Mr Eales
Head of Planning Services
Department of Environment & Development
Civic Centre
CARLISLE
CA3 8QG

PLANNING SERVICES	
14 JAN 2002	
RECORDED	P8
SCANNED	
PASSED TO	ACE
ACTION	63

Dear Mr Eales

RE: BAYTREE HOUSE, WETHERAL – YOUR REF. 01/1126 & 01/1127

I write in connection with the above and wish to register my views in connection with the above applications.

It is my view that, with the external decoration to the property now having been completed, that the property can now be seen to sit very well in the context of the adjoining properties. It is my firm view that the impact upon the adjoining neighbour's privacy is not compromised in any way. Furthermore, it is also my view that if the stack is removed the structure will have an unsatisfactory visual appearance, especially when viewed from No. 1 Greenacres or from Greenacres itself.

I also to record my support for the application for an extension of time to allow Mr & Mrs Lowe to finance their legal and planning costs and I do trust that this matter will now be brought to a satisfactory conclusion.

Yours sincerely


SCOTT HARRINGTON
Hyde Harrington

43 Greenacres, Wetheral, Carlisle, Cumbria, CA4 8LD
Tel. 01228 560037

12 January 2002

Mr. A. Eales
Head of Planning Services
Department of Environment & Development
The Civic Centre
Carlisle
CA3 8QG

Dear Sir,

Bay Tree House, Wetheral
Planning Ref. 01/1126

PLANNING SERVICES	
14 JAN 2002	
RECORDED	BP
SCANNED	
PASSED TO	ACE
ACTION	62

I am writing as an interested party to thank you for keeping me informed since I first wrote to the Planning Inspectorate on 2 May 2001.

I understand that the current application is for approval of the house as now built and occupied. As an adjoining owner and (I trust) an enlightened citizen of Wetheral, this application has my wholehearted support.


I have studied the history of the various Planning Applications, and although there appear to have been some technical or administrative complications, I can see no reason to change my opinion.

I have made a careful study of the elevations in question, and have concluded that nothing is to be gained by insisting on any structural alterations. In fact, if the fourth bedroom was removed, this would involve the destruction of the hipped roof which is in perfect symmetry with the whole building, to be replaced by two awkward looking half-gables.

Finally, I would like to add that although further away than No. 1 Greenacres (which I understand is the principal source of the objection) my property can be overlooked from Bay Tree House. This cannot be said of No. 1 Greenacres.

I trust that these observation, together with my letter of the 2 May 2001, will be placed before your Committee at the appropriate time.

Yours faithfully,


F. J. Nicholl, D.F.C., F.R.I.C.S.
Chartered Surveyor (Construction Division)

Tel: 01228 560353

Mr A Eales
Head of Planning Services
Department of Environment & Development
The Civic Centre
Carlisle
CA3 8QG

13 Croft Park
Wetheral
Carlisle CA4 8JH

10 January 2002

Dear Mr Eales

Bay Tree House. Planning References 01/1126 and 01/1127

Ref 01/1126 Retention of Existing Dwelling

We feel that this application should be accepted and that planning consent is granted. We believe that this would be right because the house as it stands certainly looks as if it "belongs" to the area and, indeed, looks as if it has always been there.

We have many friends who live in Greenacres and are, therefore, often in that area and have walked around the property on both Plains Road and Greenacres. It in no way seems to be out of place from either road and, in fact, is not all that easily seen.

We understand that the lady in No 1 Greenacres feels that there has been a loss of privacy since Bay Tree House was built but it is difficult to see the justification for saying this. The main windows of the house face its own back garden and the main living areas are on that side of the house too. The one or two windows facing in the other direction do not, in fact, look into any rooms of No 1 Greenacres but, in any event, few of us have the luxury of having a property without another one overlooking us to some extent. If the stack (extension) is removed, it is our belief that Bay Tree House would then look rather odd and would appear most unsatisfactory when viewed from any angle. There seems little point in such an unnecessary exercise.

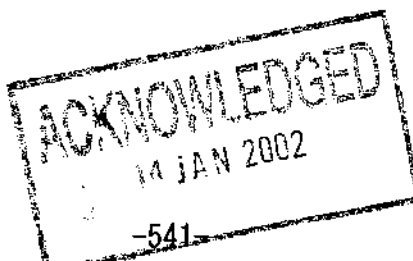
Ref 01/1127 Extension of Time

We support this application because we know that Mr & Mrs Lowe need to sell their previous property in order to finance any further work on Bay Tree House. After being unable to sell it in the autumn, they were obliged to lease it until May 2002. It will then be put back on the market and will, hopefully, sell then. It seems a reasonable request to ask for more time to organise finances.

Yours faithfully

Barbara and John Eden

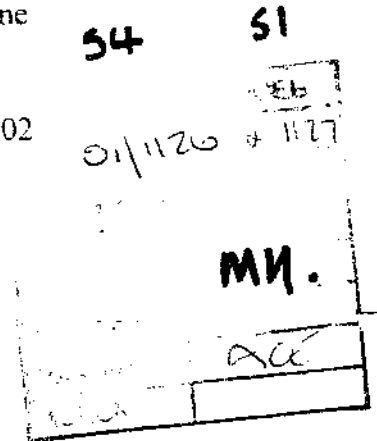
Barbara and John Eden



59 59

PLANNING SERVICES	
REF 01/1126 & 1127	
10 JAN 2002	
RECORDED	MM.
ADMITTED	
PASSED TO	ACC
ACTION	

Summerfield
Ashgate Lane
Wetheral
Cumbria
5 January 2002



Mr. A.C. Eales
Department of Environment & Development
Planning Services Division
The Civic Centre
Carlisle
CA3 8QG

Dear Mr Eales,

**PLANNING PROPOSAL - RETENTION OF EXISTING DWELLING, BAY
TREE HOUSE, PLAINS ROAD, WETHERAL, CARLISLE, CUMBRIA. APPN
REF 01/1126/**

Thank you for your letter dated 2nd January 2002, seeking comments on the subject application.

I am astonished, nay furious to have received the document. I understood a compromise had been reached between the parties concerned. It appears the applicant now wishes to give back word and break a brokered deal. From a moral stand point, I find this very difficult to even begin to accept and conclude, that under no circumstances should this application be given any serious consideration. I have always been convinced the said building has placed a blight over surrounding properties. Additionally, it has bestowed on at least one individual a substantial amount of personal and unjustifiable sadness and suffering.

Any other observations I have on this issue can be referred to in correspondence relating to previous planning applications.



Yours sincerely

A handwritten signature in dark ink, appearing to read 'D. M. Forrester'.

D. M. Forrester

THE PARISHES OF CROGLIN, HOLME EDEN

WETHERAL & WARWICK

(Web Site: <http://home.freeuk.net/carandall>)

PLANNING SERVICES	
01/1126 + 1127	
14 JAN 2002	
RECEIVED	MM
PASSED TO	AC
ACTION	

Priest in Charge:

Rev. Colin Randall

The Vicarage

Warwick Bridge

Carlisle

CA4 8RF

Tel. 01228-560332

Email: carandall@freeuk.com

11th January 2002

Re: Bay Tree House. Planning References, 01/1126 and 01/1127

Dear Mr. Eales,

I am writing in to support the above planning applications by Mr. & Mrs. B. Lowe. Now that the house is built I have observed it from both the outside and the inside and do not believe that it is any way a threat to the privacy of No. 1 Greenacres. Moreover I do not believe that removing bedroom No. 4 will have constitute any improvement. In fact it will have a negative aesthetic impact as the overall design of the house will suffer a loss. I do hope that the Council will visit the said properties for themselves before making a judgment. This, pertains of course, to Reference 01/1126. If notwithstanding the argument for the granting of permission for the property as built. I do hope that consideration of 01/1127 with its request for additional time will be granted. This whole sorry situation has already caused the price of having the property built to increase considerably. If demolition is required the cost is such that it will require the selling of No. 3 Greenacres and this cannot be done until May 2002.

Yours faithfully,

Colin Randall



60 60

PLANNING SERVICES	
REF	01/1126 + 1127
14 JAN 2002	
RECORDED	MM
SCANNED	
PASSED TO	RUE
ACTION	

Mr A Eales
 Head of Planning Services
 Department of Environment & Development
 The Civic Centre
 Carlisle
 CA3 8QG

Watch Hill
 How Mill
 Brampton
 Carlisle
 Cumbria CA8 9JX
 Tel 01228 670071

10th January 2002

Dear Mr Eales

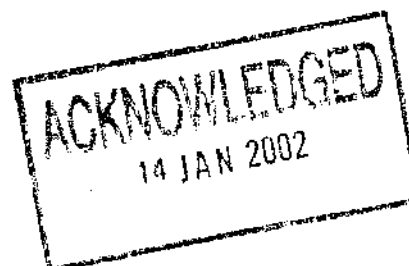
Bay Tree House, Planning References 01/1126 and 01/1127

We are writing to you in support of the two planning applications submitted by Mr & Mrs B.G Lowe. We have visited Bay Tree House and were most impressed with the design and standard of construction and feel that the house sits very comfortably and that its' presence actually enhances the neighbourhood. In our view the impact on No.1 Greenacres is minimal and the privacy of Mr & Mrs Lowe's neighbours is not at all compromised. It would be a travesty of justice if they are forced to remove the two story extension and we urge you to give approval of the house exactly as built.

Yours sincerely

J R Holt
M E Meller

Mr J R Holt
 Mrs M E Meller



Jan 4th. 2002

4 Greenacres
Wetheral
Carlisle
Cumbria
CA4 8LD

Dear Sir,

Re your letter concerning Bay
Tree House Ref 01/1126.

I understood from a recent
letter that no more appeals were to be
made regarding this property.

No, I do not agree to the house
being allowed to stay as it is.

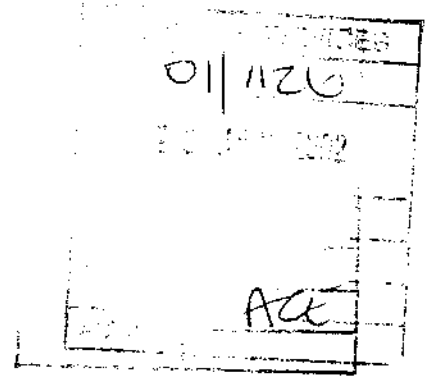
Yours Sincerely

J. Reavell (elko.)



PLANNING SERVICES	
REF	01/1126
07 JAN 2002 7	
REC'D	✓
BCA/FO	
PASSED	AKC
ACTION	

Rev'd Colin Randall
The Vicarage
Warwick Bridge
Carlisle
CA4 8RF
Tel. 01228-560332
Email: carandall@freeuk.com



22nd January 2002

re: Bay Tree House. Planning Reference 01/1126

Dear Mr. Eales,

I write further to my letter of 11th January to make a number of points.

First, it has been pointed out to me that in using headed notepaper it could appear that I was trying to bring 'the authority of the church' down on one side of this debate. That was not my intention and I wish to stress that I was writing in a personal capacity only.

Second, I have now had the occasion to meet with the objectors and listen to their concerns and this leads me to a number of observations:

a) the key turning point in this saga was the submission and authorisation of alterations to the original design of Bay Tree House. It is beyond dispute that in their letter of 17th January 2001 the Council gave authorisation for the alterations and it was on this basis that work on the house was begun and no objections were made until August when substantial progress on the house had been made. It is a great shame that neither the Council (who I believe should have done so) nor Mr. Lowe (for whom it would have been courteous to do so) contacted Mrs. Patrick about the alterations. Had her objections been made known at that stage then the whole situation would now be different. For his part Mr. Lowe deeply regrets not having contacted Mrs. Patrick.

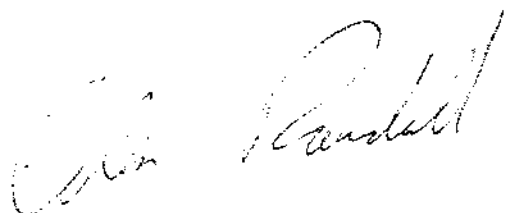
b) one of the main grievances of Mrs. Patrick has been the removal of a hedge/trees which now mean that her kitchen window view is of Bay Tree House itself (although there are no windows which overlook her). It does seem to me that a hedge/row of trees should be planted to address this grievance (I understand four trees already have been). There are obviously strong feelings about how well the house fits into its' environs. Personally I do feel that it is an appealingly designed property that does fit in, although this is not actually a point at issue in this planning application.

c) the question remains about the benefits of removing the 'two-storey' stack. I personally do not believe that its' removal would be a practical improvement, and indeed the alteration to the house would cause a deterioration in its appearance. I therefore continue to support the above planning application. However I do believe that some compensation should be offered to Mrs. Patrick for the grievance caused, and I believe Mr. & Mrs. Lowe are quite willing to do this.

d) Mr. & Mrs. Lowe have been portrayed as 'determined to get their own way' regardless of the feelings of their neighbour. I honestly do not believe this to be the case. I have known Mr. & Mrs. Lowe since my arrival here just over two years ago, indeed Mrs. Lowe was the first person I ever visited - and that was when she was in hospital for a cancer operation. Indeed it is well-known that Mr. & Mrs. Lowe have both had significant health problems for some time. It is because of this that I have come to know them well. I honestly

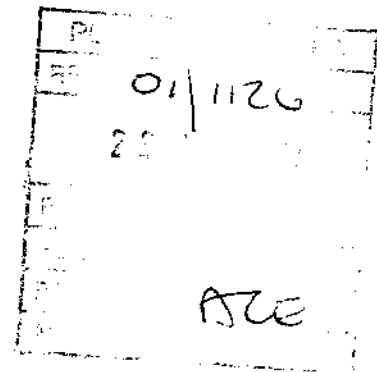
believe that they are people of integrity who are tremendously grieved at the present situation, and who would still hope that good neighbourly relations can be restored. As already stated Mr. Lowe deeply regrets not telling Mrs. Patrick of the alterations (even though he was under no legal obligation to do so) and evidence of his desire for co-operation can be seen that when a proposed window would overlook her property Mr. Lowe instructed for it to be bricked up immediately.

Yours faithfully.

A handwritten signature in cursive script, appearing to read "Colin Randall". The signature is written in dark ink on a white background.

St Martins
The Green
Wetheral
Carlisle
CA4 8ET

A M Taylor
Chief Development Control Officer
Department of Environment
Carlisle City Council
Civic Centre
Carlisle
CA3 8QC



21 January 2002

Dear Sir

Proposal: Retention of existing dwelling
Location: Bay Tree House, Plains Road, Wetheral, Carlisle
Ref 01/1126

Thank you for the opportunity to view the above proposal.

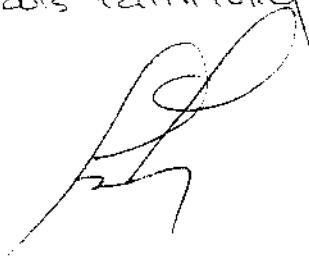
It is of concern that, despite building a house without appropriate planning permission and numerous attempts to defer compliance with the Council's determination it now appears that, as I have previously warned, there is an attempt to completely evade the planning process altogether.

It must by now be clear to you that this whole process has been a carefully calculated gamble, by a person fully aware of planning procedures to bypass the normal planning process. It must have been clear to the owner that he would not get planning permission for such a house. As you are already aware this building appears to be at odds with planning policies including HS, H11 and E43.

It is my strong opinion that the Council must reject

this proposal otherwise it would appear to be open
to a charge of collusion with the carrier or
attempting to cover up errors on its own part.

Yours faithfully

A handwritten signature in black ink, consisting of a large, stylized capital 'F' followed by a capital 'Y' and a capital 'G'. The signature is written in a cursive, flowing style.

F. Young

Green Farm,
The Green,
Wetheral,
Cumbria,
CA4 8ET.

22nd January 2002.

Mr A.C.Eales,
Case Officer,
Department of Environment & Development,
Planning Services Division,
The Civic Centre,
Carlisle,
CA3 8QG.

Dear Sir,

Proposal: Variation of condition no.4 attached to planning consent ref. No: 01/0512 to allow 12 months for the completion of additional works.Appn ref: 01/1127.

Proposal: Retention of existing dwelling.Appn Ref: 01/1126.

Location: Bay Tree House, Plains Road, Wetheral, Carlisle, Cumbria.

I refer to your letters of the 10th December 2001 and the 2nd January 2002 and wish to object most strongly to both proposals put to you by the applicant.

From the Development Control Committee meeting on the 2nd November 2001 the applicant accepted the planning requirement to remove the study and 4th bedroom by the 15th April 2002.

If these recent proposals by the applicant are not strenuously rejected then it is clear, as I have always said, that the maladministration conducted in this case by the Planning Services Division of the Carlisle City Council needs to be brought into the open to safeguard the future planning process within Carlisle.

As requested in my letter to you of the 13th November 2001 I am still awaiting a reply as to the internal action taken against the employee who was the Case Officer for the original application.

Yours faithfully,

W.B. Norgrove

W.B.Norgrove.

01/1126	
22 JAN 2002	
NCE	
ACTION	

SCHEDULE A: Applications with Recommendation

ITEM NO. 31

Date of Committee: 01/02/2002

APPN REF NO:	APPLICANT:	PARISH:
01/1127 /	Mr & Mrs B G Lowe	Wetheral

DATE OF RECEIPT:	AGENT:	WARD:
07/12/2001	Armstrong Payne Associates	Wetheral

LOCATION:	GRID REF:
Bay Tree House, Plains Road, Wetheral Carlisle, Cumbria	346284 555159

PROPOSAL: Variation of condition no. 4 attached to planning consent
ref. no; 01/0512 to allow 12 months for the completion
of additional works

REPORT

PLANNING POLICIES:-

TREE PRESERVATION ORDER

The site to which this proposal relates has within it a tree protected by a Tree Preservation Order.

CONSERVATION AREA

The proposal relates to land or premises situated within the Wetheral Conservation Area.

CUMBRIA & LAKE DISTRICT JOINT STRUCTURE PLAN POLICY 40

In rural settlements outside the National Parks and AONBs, housing development will normally be permitted, especially where it would help to sustain the existing local community, and provided it is in sympathy with the scale and character of the existing settlement. Outside rural settlements, new dwellings will normally only be permitted for those engaged in agriculture where such a dwelling is essential for the working of the farm.

CUMBRIA & LAKE DISTRICT JOINT STRUCTURE PLAN POLICY 25

The siting, appearance and landscaping of all new development and alterations should aim to enhance the quality of the existing environment. It should be in keeping with the local character of the townscape or landscape, and be well integrated with the existing pattern of surrounding land uses and, where appropriate, be in keeping with the local vernacular tradition. Normally development should make proper provision for access by disabled persons.

CUMBRIA & LAKE DISTRICT JOINT STRUCTURE PLAN POLICY 26

Development and other land use changes which fail to preserve or enhance the character or appearance of Conservation Areas or which damage, obscure or remove important archaeological sites or other historic

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1127 /

features, or are detrimental to the character or setting of a Listed Building or Ancient Monument will not normally be permitted.

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E43

The City Council will encourage, and permission will be granted for development within and adjoining Conservation Areas which preserves or enhances their character. The City Council will seek to ensure any new development or alterations to existing buildings are in sympathy with the setting, scale, density and physical characteristics of Conservation Areas, and protect important views into or out of such areas. Applications for outline planning permission will not be accepted for proposals in Conservation Areas.

CARLISLE DISTRICT PLAN HOUSING - POLICY H5

Within the following settlements, large scale residential development will not be permitted. Proposals for small scale residential development will normally be acceptable providing that:

1. the site is well related to the landscape of the area and does not intrude into open countryside; and
2. the scale of the proposed development is well related to the scale, form and character of the existing settlement; and
3. the layout of the site and the design of the buildings is well related to existing property in the village; and
4. the siting and design of the buildings is well related to and does not adversely affect the amenity of neighbouring property; and
5. appropriate access and parking can be achieved; and
6. the proposal will not lead to the loss of amenity open space within or at the edge of the settlement; and
7. the proposal will not lead to the loss of the best and most versatile agricultural land.

Aglionby, Baldwinholme, Banks, Barclose, Beaumont, Blackford, Blackwell, Boltonfellend, Boustead Hill, Broadwath, Brisco, Brunstock, Burgh-by-Sands, Burnrigg, Cardewlees, Cargo, Carleton, Castle Carrock, Cotehill, Cumdivock, Cummersdale, Cumrew, Cumwhinton, Cumwhitton, Durdar, Easton, Farlam, Faugh, Fenton, Gaitsgill, Gilsland, Great Corby, Great Orton, Grinsdale, Hallbankgate, Harker, Hayton, Hayton Townhead, Heads Nook, Hornsby, Houghton, How Mill, Irthington, Kirkcambeck, Kirkandrews-on-Eden, Knells, Lanercost, Laversdale, Linstock, Little Orton, Low Crosby, Longburgh, Low Row, Lyneholmford, Midgeholme, Milton, Moat, Monkhill, Moorhouse, Newby East, Newtown, Raughtonhead, Rockcliffe, Rickerby, Scaleby, Scotby, Smithfield, Stainton, Stockdalewath, Talkin, Tarraby, Thurstonfield, Tindale, Todhills, Walton, Warwick-on-Eden, Warwick Bridge (Including Little Corby & Corby Hill), Westlinton, Wetheral, Wetheral Pasture.

CARLISLE DISTRICT PLAN

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1127 /

HOUSING - POLICY H11

Proposals for housing development in large back gardens or behind existing housing developments will be acceptable providing that:

1. the scale, design and siting of the proposal is appropriate for the site and is in keeping with the character and quality of the local environment; and
2. there is no loss of amenity to surrounding properties; and
3. existing landscape features are retained, and additional planting is included as an integral part of the scheme; and
4. appropriate access and car parking can be achieved.

CARLISLE DISTRICT PLAN HOUSING - POLICY H16

High standards of design in new housing sites and dwellings will be required. Matters to be considered include: the layout of roads and buildings; footpaths and cycleways; the retention of existing trees and hedgerows; planning out crime; the provision of public open space; and the relationship to adjacent development.

SUMMARY OF CONSULTATION RESPONSES:-

WETHERAL PARISH COUNCIL: Objection - the Parish Council feels that sufficient time was given to complete the work required on the original consent and was agreed in writing between the applicant and the City Council.

HIGHWAY AUTHORITY: No objection.

CONSERVATION AREA ADVISORY COMMITTEE: Comments awaited and will be reported to the Committee.

SUMMARY OF REPRESENTATIONS:-

The proposal has been advertised using site and press notices and direct neighbour notification. There have been 35 representations (the letters are reproduced in the Schedule following this report) 9 are objecting to the application including two letters from 1 person and 26 are in support. Many of these are also supporting application 01/1126, which precedes this application in the Schedule and is for the retention of the existing dwelling.

Those objecting to the application express concerns about further delays to the resolution of this problem and refer to the agreed compromise reached in respect of 01/0512 and urge the Council to adhere to the original timescale. Those in support consider that an extension of time to complete the work should be allowed to give time for the applicants to make adequate arrangements.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1127 /

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

See application 01/1126 preceeding in the Schedule.

DETAILS OF PROPOSAL

This application is for the variation of condition 4 attached to planning consent reference number 01/0512 to allow 12 months for the completion of additional works.

Condition 4 of planning consent 01/0512 states that:

"The work hereby permitted shall be commenced by 18th February 2002 and completed by the 15th April 2002".

The applicant has asked for a further 9 months to complete the work that is to commence on the 18th February 2002. This condition was accepted by letter dated 1st November 2001 from Armstrong Payne Associates which clearly states:

"Further to my recent correspondence and telephone discussions I confirm that my clients, Mr & Mrs Lowe, are willing to withdraw their four current Section 78 and Enforcement Notice appeals on the following conditions:

1. The City Council agrees to withdraw the current Enforcement Notices.
2. The City Council confirms that neither the Council or the objectors will make a claim for costs against my clients further to withdrawal of these appeals.
3. My clients current application reference number 01/0512 is granted consent on the 2nd November with acceptable conditions".

As I received confirmation of the withdrawal of the appeals from the Planning Inspectorate in a letter dated the 5th November 2001. I can only conclude that the applicants considered the four planning conditions attached to consent 01/0512 to be acceptable.

Members are required to consider the application to vary condition number 4 attached to consent 01/0512 against the policies of the Development Plan as well as the material considerations that indicate otherwise.

With regard to the Cumbria and Lake District Joint Structure Plan, Policy 40 suggests that housing development in rural settlements should normally be approved provided it is in sympathy in scale and character of the existing settlement. Policy 25 requires that all new development and alterations should aim to enhance the quality of the existing landscape and

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1127 /

where appropriate be in keeping with the local vernacular tradition. Policy 26 requires the development which fails to preserve or enhance the character or appearance of conservation areas will not be permitted.

Local Plan policies reflect very similar concerns but with the addition of Policy H5, which requires the siting and design of the buildings to be well related to and not adversely affecting the amenity of neighbouring property. Policy H11 states that proposals for housing development in large back gardens or behind existing housing development will be acceptable providing amongst other matters there is no loss of amenity to surrounding properties.

Policy H6 requires high standards of design in new housing and matters to be considered include the relationship to adjacent development. The Reasons/Explanations to the Policy states:

"4.88 ... Whilst it is appreciated that many home buyers do not require large gardens and the former minimum standards between principle windows often lead to rigid and unimaginative layout, there needs to be a balance between high density development, privacy and good design".

Paragraph 4.96 states:

" ... it is not unreasonable for new development to respect the privacy and amenity of occupiers of existing residential areas".

Members are also required to consider the constitutional rights of the applicant and the neighbours, particularly under Article 8 of the European Convention of Human Rights (ECHR) (*see footnote). In respect of the neighbours under Article 8, their privacy and amenity is considered to be relevant for the purpose of the application.

This application seeks to allow an additional 9 months to complete the work that is to commence on the 18th February 2002. As the applicant is not seeking a delay in commencement of the work I cannot see any necessity for the work to take more than 3 months to complete.

If the work were to take over 3 months that part of the building the City Council have considered to have a harmful effect on the amenities enjoyed by the occupant(s) of the neighbouring property would continue to be wholly or partial intact and contrary to policies of the Local Plan.

ADVISORY NOTE TO COMMITTEE:

Condition 4 to consent 01/0512 requires the work permitted by the consent to be commenced by the 18th February 2002. In the event that this does not occur enforcement action may be necessary in order to remedy the breach of planning control. Members are therefore requested to give authority for such

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1127 /

formal legal action as may be required, to be initiated by the Town Clerk and Chief Executive in discussion with the Director of Environment and Development.

FOOTNOTE

Article 8 states that public authorities may only interfere with this right where such action is in accordance with the law and is necessary in a democratic society for one of the aims including the protection of the rights and freedoms of others, and is proportionate to that aim.

RECOMMENDATION: -

REFUSE

1. REASON: The retention of the existing dwelling by reason of the dwelling's height, scale and disposition in relation to the site boundaries has a harmful effect on the amenities enjoyed by occupant(s) of neighbouring property contrary to criterion 4 of Policy H5 and criteria 1 and 2 of Policy H11 and H16 of the Carlisle District Local Plan, contrary to Policies 25 and 40 of the Lake District Joint Structure Plan, and, contrary, to Article 8 of the Human Rights Act 1998.

ARMSTRONG PAYNE ASSOCIATES

35 King Street, Penrith, CA11 7AY

Tel. 01768 890140 Fax. 01768 890141



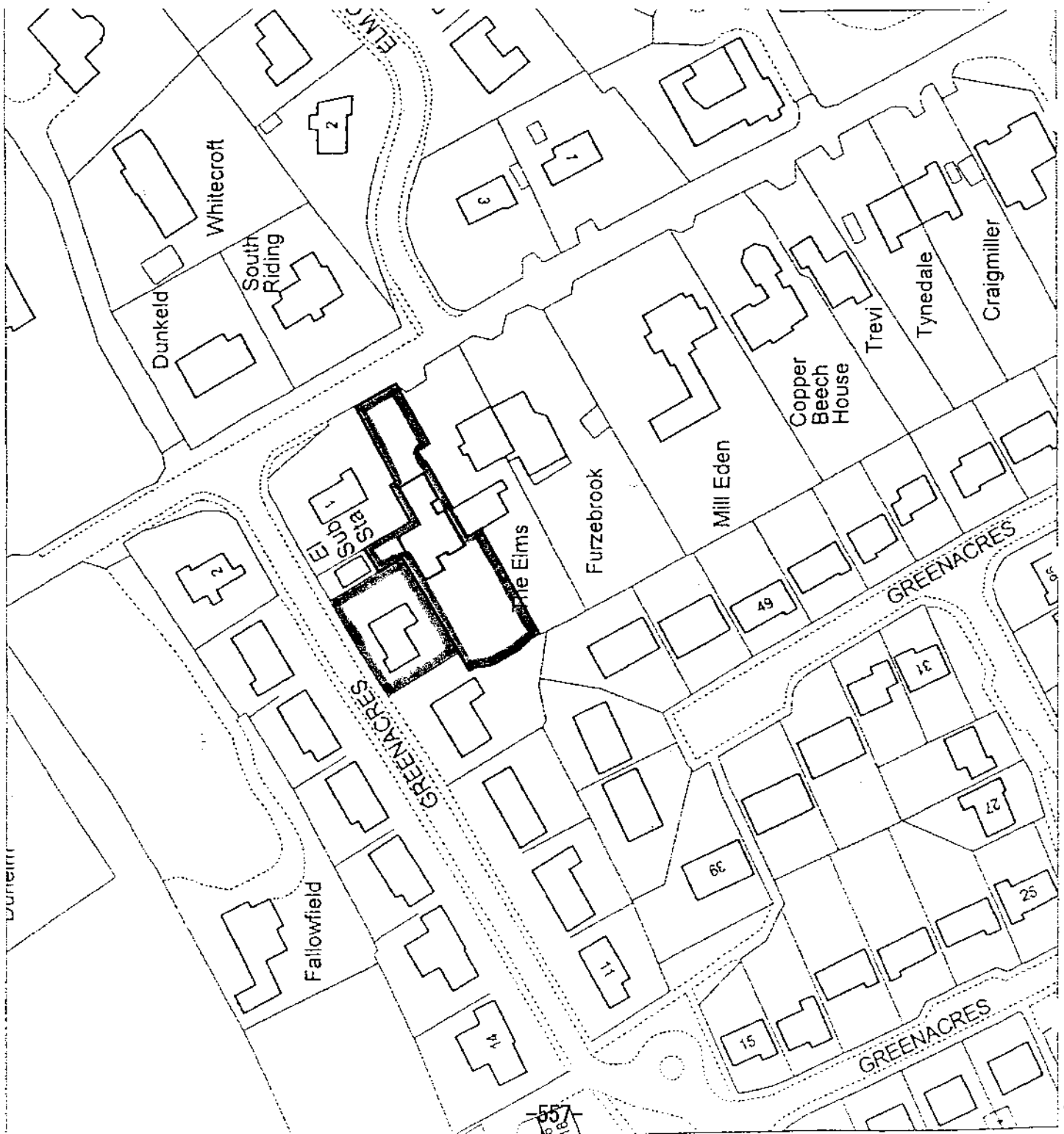
LAND ADJACENT TO THE ELMS, WETHERAL
MR & MRS B LOWE

* 7 DEC 2001

2001/1127

SITE LOCATION PLAN

SCALE 1:2500



9 Finkle Street
Carlisle
Cumbria CA3 8UU

Tel: (01228) 538886
Fax: (01228) 810362
Email: planners@taylorandhardy.co.uk

Taylor & Hardy Limited. Registered in England No. 3977505
Registered Office: 9 Finkle Street, Carlisle, Cumbria CA3 8UU

TAYLOR & HARDY

Chartered Town Planners

Our Ref : RT/J/C00/158A

Mr. A.C. Eales,
Head of Planning Services,
Planning Services Division,
Department of Environment and
Development,
Carlisle City Council,
Civic Centre,
CARLISLE,
CA3 8QG

PLANNING SERVICES	
REF	01/1126
DATE	22 JAN 2002
RECEIVED	BP
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ACTION	50+ 49

Your Ref : 01/1126
01/1127

22nd January, 2002

Dear Mr. Eales,

**PROPOSED VARIATION OF CONDITION 4 ATTACHED TO CONSENT NO.
01/0512 AND PROPOSED RETENTION OF EXISTING DWELLING
LAND AT BAY TREE HOUSE, PLAINS ROAD, WETHERAL**

Thank you for your letters dated 10 December, 2001 and 2nd January 2002 notifying me of the receipt of the above applications.

The Council have determined a number of applications seeking to retain the building as built. All of those applications were refused permission because of their impact on my client's property. It is well understood that planning proposals should receive similar outcomes unless there has been a material change in circumstances. In this case there are no such changes. Permission should be refused and Enforcement Action to remedy the breach should again follow.

In respect of the application to vary the condition Mr Lowe confirmed via his agent that the conditions imposed in November 2001 were acceptable to them. It seems perverse that some 5 to 6 weeks later they should be unacceptable. Bearing in mind the time scale of this matter since my client first drew it to your attention in August 2000 a period of 12 months to complete seems far too long.

This letter has been written without the benefit of seeing your Committee Report and it is possible that we may wish to comment further and to utilise the Right to Speak to the Committee should that be considered necessary.

Yours sincerely,

R Taylor

BOB TAYLOR

13 Lupin Road
Bassett
SOUTHAMPTON
SO16 3LD

19th January 2002

A Eales Esq
Head of Planning Services
Department of Environment & Development
Civic Centre
CARLISLE
CA4 8QG

PLANNING SERVICES
01/1126
22 JAN 2002
ACE

Dear Sir

PLANNING REFERENCES: 01/1126 - RETENTION OF EXISTING DWELLING
01/1127 - EXTENSION OF TIME

I am the eldest daughter of Brian and Valerie Lowe and feel that I must write with reference to the above two applications.

I have watched with horror and dismay as my parents have battled with your planning department to build a new house for themselves. It seems inexplicable to me that the Planning Approval letter issued on 17th January 2000 on delegated powers holds no relevance and is regarded as "purported". If this is the case, why were my parents allowed to continue building up to the 25th October 2000 and complete the extension and hipped roofs? It wasn't until the 20th April 2001 that they were served with two Enforcement Notices alleging unauthorised development. They have always accepted that the house was built 80cm nearer Plains Road and are grateful to you to allow this error to go through, although surely you would not have insisted on them resiting the house correctly?

My father, who as you know is brain damaged, has sustained a personal attack from the family at No.1 Greenacres and has been accused of misinformation and misrepresentation. I can say with all honesty that he would never knowingly do this. During the development of the plans, which were approved in June 1999, my father was constantly around at No.1 explaining the plans and going to extra lengths to accommodate their suggestions. He very much regrets that he forgot to inform Mrs Patrick of his amendments – it was a sin of omission for which he has paid a high price. In any event, it was the responsibility of your department to inform her of these alterations.

In November 2000 my parents made a second application for the building as built (Ref. 00/0913). In your Report, you required further information but recommended approval. I quote:- "Members must only consider the difference between the approved scheme and the revised location 80cm to the north east.... **The original permission 00/0379 of June 1999 and the minor modifications of January 2000 are still valid and cannot be revoked unless compensation is paid by the Council to the applicant.**" However, on the following day, you recommended refusal. Although the

5, Goosegarth,
Wetheral,
Carlisle,
Cumbria.
CA4 8JR.

21st January 2002.

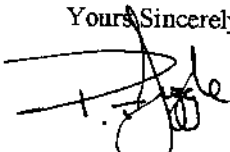

Dear Mr Eales:

Re : Bay Tree house - Planning references, 01/1126 and 01/1127

With reference to the above application, having recently visited the property in order to assess the impact of this property on No 1 Greenacres. We are writing to express our view that the completed property, now externally painted sits comfortably into its context and that its impact on No 1 Greenacres is minimal. Removal of the stack would be counter productive in that the view of the amended structure from No 1 Greenacres would be unsatisfactory.

It would also seem reasonable to allow an extension of time to allow the applicants to finance legal and planning costs.

Yours Sincerely,

Mr and Mrs P.T Diggle.

PL	01/1126 + 1127
TS	81
APL	CN
REG	
PASSED	ATC
ACTION	

"Bowling Green Lodge"
Edenside
Wetheral
Cumbria
CA4 8HA

Tel/Fax 01228 560340

PLANNING SERVICES	
REF	01/1126
22 JAN 2002 80	
FILE	W
SUB	
FILED	ACE
ACTION	

20 January 2002

Mr A Eales
Head of Planning Services
Department of Environment & Development
The Civic Centre
Carlisle CA3 8QG.


Re: Bay Tree House. Planning References 01/1126 and 01/1127.

Dear sir,

In our letter of 1st May 2001 we expressed our support for Mr and Mrs B Lowe in their Appeal No 2000/913.

Having now seen the house in its finished state we consider that the house fits well into its surroundings and does not interfere with its neighbour's privacy. Furthermore should the stack be removed we believe that this will result in an unattractive prospect not only from the immediate neighbours but in relation to other properties in the area.

Yours faithfully


Jeremy H. and Jennifer Kendall.

objectors knew of this, my parents were not informed. In fact, throughout the dispute, my parents have been aware that the objectors have appeared to know what was going on within the Planning Department well in advance of my parents being informed. How can this be?

In May 2001 the Public Inquiry was adjourned so that a negotiated settlement could be reached.

In June 2001 my parents submitted another application (Ref. 01/0512) to lower the roof by 1.1 metres and to remove the first floor bedroom. **Surely this represents a compromise?** The objectors have never made any attempt to reach a compromise solution, instead preferring to go "all out" to cause maximum disruption and demanding the removal of the entire study and bedroom "stack". This application was deferred to the September meeting of the Planning Committee and recommended for refusal. Therefore the plans were amended to show the roof at its existing height and the whole "stack" removed. I am informed by my parents that you then told their Planning Agent that unless they agreed to withdraw their appeals at the Public Inquiry to be held on the 31st January 2002, you could defer the application and may refuse it at a subsequent meeting. In return for withdrawing their appeals, you would approve the application and withdraw the Enforcement Notices. This action surely amounts to blackmail and is therefore absolutely outrageous.

There are now two submitted applications. Application Ref. 01/1126 seeks the approval of the house as built. My partner and I spent Christmas at Bay Tree House. We saw for ourselves that the house does not overlook nor infringe upon the privacy or amenity of No.1 Greenacres. (Incidentally, due to the lack of fourth bedroom, we had to sleep on the sitting room floor, whilst my younger sister slept on the landing floor, which was ridiculous).

The second Application (Ref. 01/1127) is for the extension of time. In order to finance their legal and planning costs and to carry out the demolition work, my parents need to sell No.3 Greenacres which they intend to do in the Spring. **Both of these applications should be approved.** My parents have had to spend thousands of pounds on these unforeseen costs (not to mention taxpayers' money for your own costs). My father can no longer work and my mother, who is not in the best of health, is only able to work part-time. Why should they be penalised and burdened with all of these costs when Carlisle City Council has obviously made a complete and utter hash of the whole case amounting to maladministration?

The situation has been mismanaged and my parents have been treated unjustly. As an outsider, this injustice appals me. I sincerely hope that it is exposed and that the Planning Department at Carlisle City Council sorts out its internal problems and stops using my parents as a scapegoat.

Yours faithfully



Emily Lowe LLB (Hons)

**Barn Croft
Applethwaite
Keswick
Cumbria CA12 4PN
Tel. 017687 74899
e-mail: injet@mmatthews.fsbusiness.co.uk**

January 15th 2002

A Eales Esq
Head of Planning Services
Department of Environment and Development
The Civic Centre
Carlisle CA3 8QG

Dear Mr Eales

Bay Tree House. Planning References, 01/1126 and 01/1127

I write as a former resident of Wetheral (1982-1993) and having lived in two properties along Plains Road, the second being very near to Bay Tree House.

I have taken the opportunity to inspect this new property both internally and externally and am much impressed by the quality and sensitivity of its design and construction, particularly in relation to the character of this road and other properties nearby. I regard its impact on No. 1 as minimal and in no way do I consider that any resident's privacy has been compromised. Moreover, I understand from the owners, Mr and Mrs Lowe, that your Authority is now considering requiring them to remove the stack (extension). This I consider would be totally detrimental to the general ambience of the property and to the visual image, and with it the property value of No. 1 but also of other nearby properties, would be prejudiced.

I have questioned Mr and Mrs Lowe as to the reasons behind such a possibility and their own compliance with planning requirements. I am satisfied that they have done their utmost to accommodate the views of neighbours, other local residents and yourselves. Further, I fail to see why your Authority is pursuing the line it is taking, given that the Lowes received in writing approval to a modified design under 'delegated powers' as long ago as January 2000.

No doubt you will offer reasons but to my mind the course of action that you have pursued is little more than an attempt to mask what I deem to be a serious case of maladministration by the Carlisle City Council at the expense of defenceless private individuals. I hope that at your next Planning meeting your committee will bring this whole unhappy saga to an end by positive approval of the current Planning Application.

Yours faithfully



C T MATTHEWS

11 MM 73
01/1126 + 1127

MM
ACC

4 Goosegarth
Wetheral
Carlisle
CA4 8JR

18 January 2002

Mr A Eales
Head of Planning Services
Department of the Environment & Development
The Civic Centre
Carlisle
CA3 8QG

Dear Mr Eales

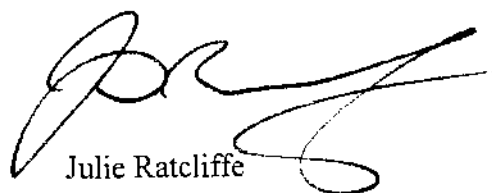
Bay Tree House. Planning References 01/1126 and 01/1127

I know I am not alone in sharing my concerns with you that there appears to be an anomaly in the manner in which the Lowes of Bay Tree House are being treated in the planning permission process. It strikes me as unusual that someone professionally so familiar with the planning laws as Mr Lowe should find himself continually at odds with your officers.

Isn't the purpose of the planning legislation to maximise, enhance and protect the aesthetic quality of everyone's living space? In my view Mr Lowe, as an architect, has gone to great lengths to design a residential dwelling that both fits and indeed enhances the site. Demanding any alteration at this late stage would compromise the integrity of the design, now that the building can be appreciated as a completed structure. Furthermore I do believe that any effect Bay Tree House has on the privacy of No 1 Greenacres is minimal.

I urge you to consider that this is a situation where to interpret and apply the spirit of the law would be preferable to rigorously applying the letter.

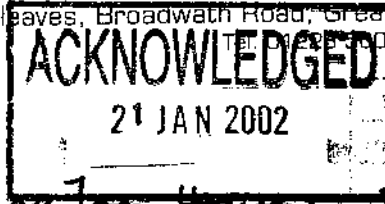
Yours sincerely



Julie Ratcliffe

18 24

01/1126 - 01/1127
21 JAN 2002
MM.
ACU



17/01/02

01/1126 + 1127

Bag Tree House

Planning refs. 01/1126 and 01/1127.

Dear Sir,

I have visited the above house, and feel that it has been most sympathetically sited. It is neatly placed, adjacent to the transformer house, and between existing houses. It is a first-class example of usage of an existing 'in-fill' site.

Approaching from Plover road, and from the road

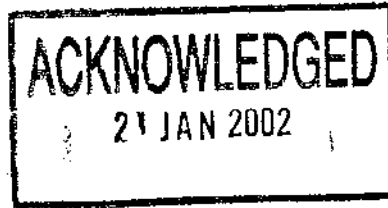
opposite the entrance, it fits very well between the older buildings, and no recently built houses. It does not in any way affect the usage or appearance from the existing buildings. In fact, it is so skillfully sited that it would not be noticed by the casual observer.

If the 'stack' were removed, it would adversely affect the appearance of the building.

I therefore consider that the house should be left 'as built'.

Yours Faithfully,

J. G. Sampson.



N. A. H. STAFFORD
SANDY LODGE
THE PLAINS
WETHERAL
CARLISLE CA4 8LE
01228 580376

17 January 2002

76

01/1126/01/1

77

my.

ALL

ACTION	
--------	--

Bay Tree House, Plains Road, Wetheral.
Planning References 01/1126 & 01/1127

Dear Sir,

I refer to the Planning Application
'Retention to existing dwelling' described above.

The property now completed is a very
satisfactory in-filling and a building of distinction.

It is surprising that this development
should have required a planning process lasting
from May 1999 to date, even taking into account
the various objections, appeals and revisions
needing to be resolved.

Yours faithfully,

Head of Planning Services,
Dept. of Environment & Development,
The Civic Centre,
Carlisle CA3 8QG

Telephone 0228 560133

13

61

011126 + 1127

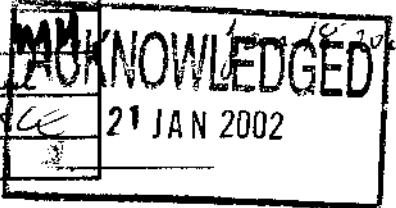
48 Greenacres,
Wetheral,
Carlisle
CA4 8LD

Mr A. Eales

Head of Planning Services

Department of Environment & Development

Civic Centre, Carlisle



Dear Mr Eales,

My wife and I were sorry to learn that our near neighbour Mr Bruin Lowe was not yet in the clear in respect of this planning position for his impressive new house on Plains Road, Wetheral.

We have now had a better opportunity of inspecting the new property and its siting and can now say with confidence that we feel that the total structure successfully settles into its surroundings. It is a major construction but quite in keeping with existing house styles and sizes which characterise neighbourhood dwelling houses. One might say that the new house compares more easily with adjoining larger houses in size, but ⁱⁿ its modern style it relates reasonably well with the later and smaller dwellings.

We would not be happy with the prospect of removing parts of the building. It would probably look wrong and offend the eye far even more.

We trust these comments will be favourably considered.

Yours sincerely, E. Williamson

*The Elms
Plains Road
Wetheral
Carlisle CA4 8LA
Tel (01228) 560098*



18 January 2002

*Mr A Eales
Head of Planning Services
Department of Environment & Development
The Civic Centre
Carlisle CA3 8QG*

Dear Mr Eales

**RE BAY TREE HOUSE – PLANNING REFERENCES 01/1126
AND 01/1127**

I am writing to confirm my support of the above two current planning applications.

Yours sincerely


Jane Shiach

PLANNING SERVICES	
REF	01/1126 & 1127
21 JAN 2002	
FOR	M.H.
FOR	
PAGE	ALL
ACTION	

PLANNING SERVICES	
REF	01/1126 + 1127
21 JAN 2002	
RE	MM
SC	
PA	ACE
ACTION	

Riversdale
Wetheral,
Carlisle.
Cumbria.
CA4 8JD

Our ref: PMH.JB

18th January 2002

Mr. A. Eales,
Head of Planning Services,
Department of Environment and Development,
The Civic Centre,
Carlisle.
CA3 8QG



Dear Sirs,

Bay Tree House, Plains Road, Wetheral. Mr. & Mrs. Lowe
Planning Reference 01/1126. Retention of Existing Dwelling

I write in support of the above application made by Mr. & Mrs. Lowe.

I am reasonably familiar with the scenario surrounding this unfortunate situation and thus I feel compelled to comment both as a resident of Wetheral and as a Chartered Surveyor and Estate Agent with an understanding of residential property matters.

In my view Bay Tree House now shows every sign of accruing a level of maturity which allows it to merge quite naturally into the mixed bag of properties which make up Plains Road.

There is in my view no visual incongruity relating to Bay Tree House when one looks at the age and design of the various homes in this immediate location, all of which are relatively diverse both in overall mass, vertical dimension and style – typically English village perhaps. In my personal view Bay Tree House nicely bridges the architectural gap between The Elms to the east and the first two properties on Greenacres to the west.

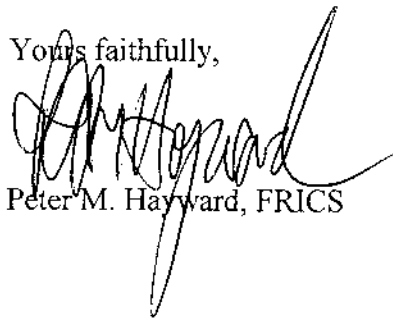
My experience of Wetheral as a professional person both surveying and selling properties in the area is that the essential appeal of the village is the balance of amenities relative to the location and access to road and rail communications. A further part of the appeal is the eclectic nature of the properties which are available at any one time.

Certainly from my own perspective I have no doubt whatsoever that neither of the Greenacres properties which abut the boundaries to Bay Tree House will in any way suffer either in terms of value or demand because of the nature or proximity of Bay Tree House. Ultimately, properties stand or fall on their own merits and thus within the context of the immediate environment this collection of properties do in my opinion sit entirely comfortably adjacent to one another.

Based on these views I can see no reason why Bay Tree House cannot be allowed to remain, particularly taking account of the fact that in essence the house that has been built is essentially the house that was granted consent on 25th June 1999 (application reference 99/0379).

I hope you will find these comments useful.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'P. Hayward', written over the typed name.

Peter M. Hayward, FRICS

3 Greenacres
Wetheral
Carlisle
CA4 8LD

17 January 2002

Mr. A. Eales,
Head of Planning Services
Carlisle City Council
Civic Centre
Carlisle
CA3 8QG

3 2

PLANNING SERVICES
REF 01/1126 + 1127
21 JAN 2002
MM.
ACE
ACTION



Dear Sir

Mr. & Mrs. B. Lowe, Bay Tree House, Wetheral
Planning References 01/1126 and 01/1127

As the occupier of 3 Greenacres I am probably the person most affected by Bay Tree House which lies on the southern perimeter of my garden.

I write in support of the two above applications.

I understand that the Lowes were granted planning approval by delegated powers in January 2000. By October of that year the roof was on and they hoped to be the house by Christmas. However, due to a neighbour objecting to the house, the Lowes were ordered to stop building by Carlisle City Council and a protracted dispute has been going on since that time. I find it difficult to follow the complicated chapter of events but I do know that the Lowes are reasonable people and their attempt of reaching a compromise by lowering the roof and removing bedroom four, was refused.

In my opinion Bay Tree House has fitted in well and is in keeping with the surrounding properties and has its own sizable rear garden. I find it difficult to understand why the occupier of 1 Greenacres feels that her privacy and amenity are compromised when no windows from Bay Tree House overlook her.

The Lowes are also requesting in Planning Ref. 01/1127 for an extension of time in order that they may find the finances to undertake the demolition of the above. This extension of time appears to be very reasonable and should also be approved.

This dispute has gone on for long enough and both applications should be approved as soon as possible.

Yours faithfully

Betty Twiss

Eden Mount, Wetheral, Carlisle, Cumbria, CA4 8ET
Tel. 01228 560976

15 January 2002

Mr. A. Eales
Head of Planning Services
Department of Environment & Development
Civic Centre
Carlisle
CA3 8QG.

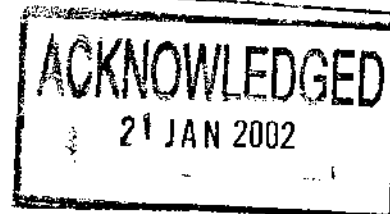
Dear Sir,

Bay Tree House, Plains Road, Wetheral
Planning References: 01/1126 and 01/1127
Mr. & Mrs. G. G. Lowe

74 70

PLANNING SERVICES	
REF	01/1126/01/1127
21 JAN 2002	
REF	
SCA	
PAUSE	
ACTION	

MM
ACE



We write to support Mr. & Mrs. Lowe in their unending and incomprehensible pursuit to gain approval for their new house. There appear to be two current issues:-

1. Re. Application No. 01/1127 - Extension of Time

We understand that in order to carry out any further work and in order to comply with your conditions the Lowes must sell No. 3 Greenacres in the Spring. This is entirely plausible and they should be given more time.

2. Re: Application No. 01/1126 - Retention of Existing House

In our opinion Bay Tree House sits comfortably into it's context on Plains Road and we are at a loss to understand how it can impact on the privacy or amenity of No. 1 Greenacres as not one window actually overlooks this property. The proposition to remove the so-called two storey 'stack' is preposterous and would leave the new house looking clearly 'unfinished'. The new house should be approved just as it is now built.

Yours faithfully

A. C. JOHNSTON

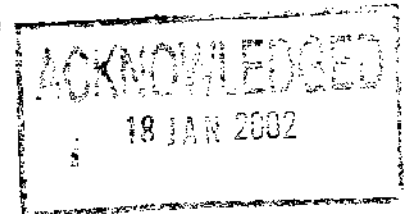
Ashley House, Ashton Street, Lytham, Lancashire, FY8 5NT
Tel. 01253 739666

70 67

16 January 2002

Mr. A. Eales,
Head of Planning Services
Carlisle City Council
Civic Centre
Carlisle
CA3 8QG.

PLANNING SERVICES	
18 JAN 2002	
MH	
ACE	
ACTION	



Dear Sir,

70 67

Mr. & Mrs. B Lowe - Planning References 01/1126 and 01/1127

As a frequent visitor to the Lowe household I write in support of the above applications.

It seems incomprehensible to me that the Lowes have had such problems with their local planning authority. I understand they had obtained all the necessary approvals before they started building their house, and that after the roof was on your department changed it's mind and decided that the approval given on delegated powers to the amendments, was worthless. They have had a miserable year worrying about the enforcement notices, not to mention the huge amounts of money they have had to find to pay their legal and professional fees, together with the looming prospect of having take down the fourth bedroom and study 'stack'. It seems to me that you have gone out of your way to appease the occupier of 1 Greenacres and her family and ignored the needs of the Lowe family.

I am told that it is claimed that Mrs. Patrick's Human Rights have been violated. What about the Lowe's Human Rights? They have done everything you have asked and yet find themselves after a year in the position of still have to remove the 'stack' In the Application submitted in June 2001 they requested permission to lower the roof and remove bedroom 4. I would have thought this was a generous offer and compromise, but you again recommended refusal to this application.

Both the above applications should be approved and a line drawn under this hideous dispute. Carlisle City Council's Planning Department should get it's own "house" in order rather than use innocent residents in this way.

Yours faithfully,

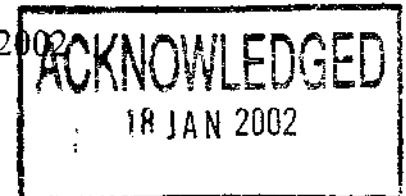
P Z Bradshaw

PLANNING SERVICES	
REF	01/1126
18 JAN 2002	
INITIALS	MH
APPROVED	
FORWARDED TO	ACE
ACTION	

5 The Orchard
Great Corby
Carlisle
CA4 8LS

01228 561766

17 January 2002



Dear Mr. Eales,

Bay Tree House,
Planning References, 01/1126 and 01/1127

We understand that despite the efforts and expense involved in the Public Enquiry into the Planning Applications to erect the dwelling, Bay Tree House, on Plains Road, Wetheral, the house remains the subject of continuing planning applications.

Our purpose in writing again in support of the above Planning References is to emphasise a layperson's view of the property as it stands currently and its impact on its environs, with particular regard to No. 1 Greenacres.

Now that the external surfaces are finished and the entrance to Plains Road is complete the dwellinghouse sits comfortably in its surroundings. It is well hidden from Plains Road and when viewed from Greenacres shows a natural step line rising from the properties on Greenacres to the high Victorian rooflines along Plains Road. Having visited Bay Tree House, an internal viewing confirms that the building does not overlook No. 1 Greenacres and it does appear that the objections have been fully satisfied by the immediate action taken by the Lowes to block up the offending window.

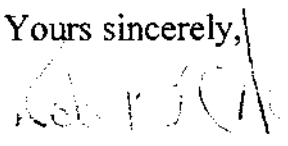
We unreservedly support this latest application for retention of the existing dwellinghouse, which does not impinge on the neighbours' privacy or adversely affect their immediate environs.

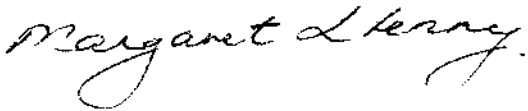
In the event that the Council should not see fit to pass the latest

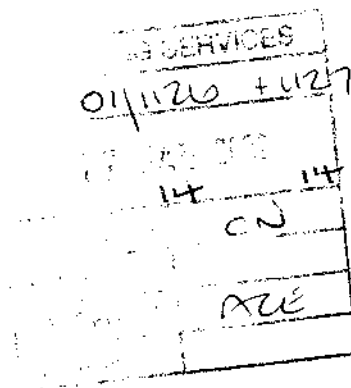
Planning Application it seems inappropriate and inconsiderate if the revised proposal has to be undertaken within such tight timescales. The expense and additional costs of this whole exercise could not have been foreseen by the Lowes and the extension in timescales now sought to November 2002 for completion of any further works does not seem unreasonable to allow them time to organise their finances.

Ideally we hope that the Planners and Carlisle City Council can see their way to approve, even at this late stage, the Application for Retention of the existing dwelling.

Yours sincerely,


Robert and Margaret Henry.





Dear Mr Eales

Re Bay Tree House Wetheral. Planning References 01/1126 and 01/1127

Further to your recent notification of the above Planning Application, we would like to confirm our wholehearted approval of the house as it now stands.

We feel that, now completed, it is tastefully finished, blends well with existing properties and in no way compromises the privacy of any of its neighbours.

It is our view that any plan to remove sections of the house would detract from its overall appearance and setting, and would be totally counterproductive.

Yours sincerely

Richard Murray
Marguerite Murray
Dr and Mrs Richard Murray

Tel/Fax: 01228-560392
Mobile: 07971-888053
e-mail: helenhinvest@gtcorby.fsworld.co.uk

1 The Orchard
Great Corby
Carlisle
Cumbria
CA4 8LS

10 January 2002

Mr A Eales
Head of Planning Services
Department of Environment & Development
The Civic Centre
CARLISLE
CA3 8QG

PLANNING SERVICES	
01/1126 & 01/1127	
11 JAN 2002	
RECORDED	CN
SEARCHED	
PASSED TO	ACE
ACTION	

Dear Sir

Bay Tree House, Plains Road, Wetheral
Ref. 01/1126 and 01/1127

We write in support of Mr and Mrs Brian Lowe's planning applications.

The house has fitted in very well to the plot, and is very much in keeping with the other neighbouring properties; it is no larger, and certainly no higher, and the garden is of a good size. It is extremely difficult to see No 1 Greenacres from any of the windows in the house so we cannot believe that there is any problem with privacy. You only have to look at other houses on Greenacres to see that they are much closer together and must constitute much more of a privacy problem than Bay Tree House. The house has fitted in so well to the area, and is so inconspicuous that if you go down the road into Greenacres you are hardly aware of it, and when you do see it, it looks as if it has always been there because it is built from local materials which blend in well.

The new house would look most peculiar if the stack was removed – not only would the aesthetics not be right but it would not fit in with the design of other houses in the vicinity.

We would also ask that you agree to the Lowe's request for an extension of time as they are, understandably, experiencing financial difficulties due to the length of time this matter has been going on and the extra costs with which they have been burdened.

From the very beginning this whole planning application appears to have been very badly handled by Carlisle City Council. What started out as a straightforward request to construct a family home has turned into a nightmare for the Lowe's, causing an incredible amount of stress and heartache to a couple who are both battling with their own health problems and something like this is the last thing they need on their road to recovery. They are the last people who would wish to cause distress to their neighbours and we can only deduce that this unpleasant action has been instigated by other parties who may have an interest in the property at No 1 Greenacres.

We should be grateful if you would seriously consider giving your approval to these two planning applications so that this matter may once and for all be brought to a close.

Yours faithfully

Helen and Brian Hinvest
Helen and Brian Hinvest

Eden Croft
Wetheral
Carlisle
Cumbria

15 January 2002

Mr. A. Eales
Head of Planning Services
Dept. Of Environment & Development
Civic Centre
Carlisle, CA3 8QG.

01/1126 & 1127	
17 JAN 2002	
44	CN
RECORDED	
EXAMINED	
PASSED TO	ACE
ACTION	

Dear Sir.

Planning References: 01/1126 and 01/1127 - Bay Tree House

I am very distressed to learn that the poor Lowe's planning problems are not yet resolved. Their house is quite beautiful inside and out and a credit to them and the village. I cannot understand how the house as now built can possibly impact unfavourably on it's neighbours and both of these planning applications before you should be speedily approved.

Yours sincerely,

Diana Harris

Ant Taylor
Chief Development Control Officer
Dept of Environment
Carlisle City Council
Civic Centre
Carlisle
CA3 8QC
28th Dec 2001

St Martins
The Green
Wetheral
Carlisle
CA4 8EF

01/2512 1127	
02 JAN 2002	
RECORDED	en
SCANNED	
PASSED TO	ALE
ACTION	

Dear Sir

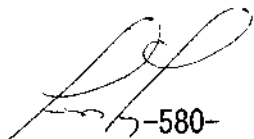
Re: Proposed variation of condition 4 attached to Planning
Application 01/512

'Bay Tree House' Land Adjacent to The Elms, Plains Rd Wether
ref 01/1127

Thank you for the opportunity to view the above proposal.
It is of concern that despite building on house without
appropriate planning permission the owner now want
to defer compliance with the Council's determination.
In view of his previous success in bypassing normal
planning procedure I feel the Council cannot afford
to be seen to waver from its decision. To do so would
suggest there was no point in having a planning department.

The Council must reject the proposed deferment of compliance.
I would hope the council will resist attempts at piecemeal
evasion of its previous decision.

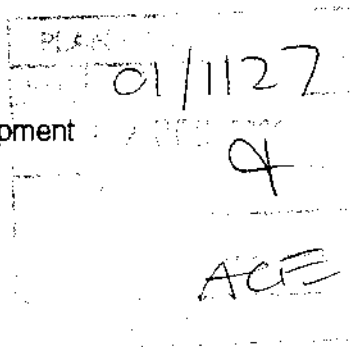
Yours sincerely



2 Elm Garth,
Wetheral,
CARLISLE.
Cumbria.

Yr. Ref: ACE/DC/01/1127

Carlisle City Council,
Department of Environment & Development
Planning Services Division,
The Civic Centre,
CARLISLE.
CA3 8QG.



21st December 2001

Dear Sir/Madam,

NOTIFICATION OF PLANNING PROPOSAL

Proposal: Variation of condition no. 4 attached to planning consent ref. no: 01/0512 to allow 12 months for the completion of additional works

Location: Bay Tree House, Plains Road, Wetheral, Carlisle, Cumbria.

Appn Ref: 01/1127

We refer to your letter of 10th December 2001 in which you intimate a proposal to vary, by extending the period from 15th April 2002 for a period of one year from the existing conditions.

Your Committee resolved to approve the application on the condition, requiring work to commence on the removal of 4th bedroom and study by the 18th February 2002 with the work completed by the 15th April 2002."

Either the applicant adheres to this condition or planning approval should be withdrawn forthwith.

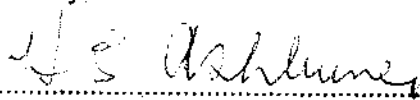
It matters to us greatly that the main object ^{is} an elderly lady; and, whereas a year in the life of the applicant may be of no consequence, a year in the life of an elderly lady is proportionally an extremely long time.

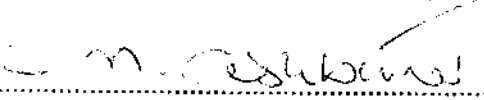
Whereas we all now have to endure this unpleasant development permanently, we see no reason that we have to endure that part of the building that is not authorised, and in fact is illegal.

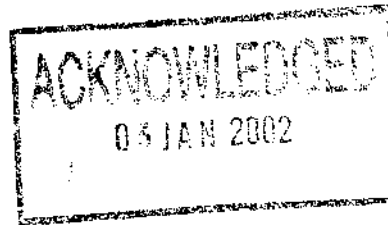
This case has become extremely protracted and leaves a great number of misgivings with regard to the whole affair.

It is imperative that such a variation is not granted. The applicant has some 116 days to complete if he commences forthwith. This matter should be resolved within the dates granted, for the well-being of the main object and the entire community.

Yours faithfully,


..... K. S. ASHBURNER ESQ.


..... J. M. ASHBURNER (MRS.)



Planning
The Green
Weather
Carlisle
C.A. 815

Mr. Tingle
Chief Executive & Control Officer
Dept. of Environment
Carlisle City Council
Civic Centre
Carlisle
C.A. 815
28th Dec 2001

01/2512	1127
RECORDED	ON
INDEXED	
PASSED TO	ALL
ACTION	

Dear Sir

Re: Proposed variation of condition 1, attached to Planning
Application 01/512

'Bay Tree House' Land Adjacent to The Elms, Plains Rd North
ref 01/1127

Thank you for the opportunity to view the above proposal.
It is of concern that despite building on brown without
appropriate planning permission the owner was able
to obtain compliance with it. Council's determination
in view of his previous success in bypassing normal
planning procedure I feel the Council cannot afford
to be seen to waver from its decision. To do so would
suggest there was no point in having a planning department.

The Council must reject the proposed abandonment of compliance.
I would hope the Council will resist attempts at persuasion
to overturn its previous decision.

Yours sincerely,

582-

5 Greenacres
Wetheral
Carlisle
CA4 8LD

11 January 2002

Mr. A. Eales,
Head of Planning Services
Department of Environment & Development
Civic Centre
Carlisle
CA3 8QG.

5		3	
RECEIVED			
REF 01/1126 + 1127			
16 JAN 2002			
PL	MH.		
SL			
PL	ACE		
ACT			

Dear Sir,

Bay Tree House, Plains Road, Wetheral.
Planning Refs: 01/1126 and 01/1127 (Lowe)

01/1126 - Retention of Existing Dwelling

I write in support for the retention of the new house as it is now built. In my opinion as a very near neighbour the new house sits very well within the landscape and does not impact on the privacy or amenity of No. 1 Greenacres. If the two storey stack is removed it will leave the house looking unbalanced and unfinished. This application should definitely be approved.

01/1127 - Extension of Time

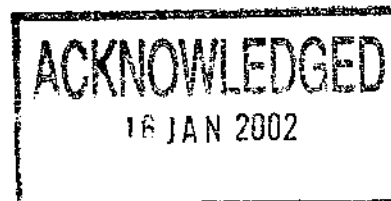
I also feel the Lowe's must have an extension of time. In order to meet their costs and carry out your conditions they need to sell No. 3 Greenacres which is going on the market in the spring.

I understand that the Lowe's were happy to compromise by lowering the roof height and removing the offending bedroom but you recommended this for refusal. It seems to me that this dispute has gone on for long enough and the above two applications should be approved.

Yours faithfully,

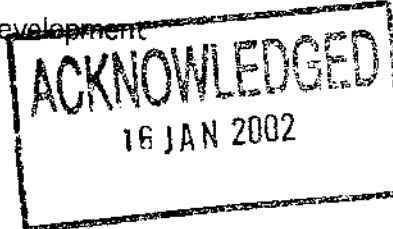
J M Evans.

MR J. M. EVANS.



23 Greenacres
Wetheral
CUMBRIA CA4 8LD
14 January 2002

The Head of Planning Services
Department of Environment and Development
Carlisle City Council
The Civic Centre
Carlisle CA3 8QG



66 65

PLANNING SERVICES	
REF	01/1126 + 1127
16 JAN 2002	
MH.	
ACE	

Dear Sirs,

Applications Numbers 01/1126 and 01/ 1127
Bay Tree House, Plains Road, Wetheral, Cumbria

I write to support these two applications for Planning Approval.

Ref 01 / 1126 Retention of the Existing Dwelling

Carlisle City Council have singularly failed to recognise their role in this continuing problem by not accepting *prima facie* their approval to the minor amendments, sought by the Applicant, in their letter of 17 January 2000.

The Council must now recognise their present illogical and untenable position by giving approval to this application. The dwelling, as it now stands sits comfortably in the streetscape and has no deleterious effect on local amenity. In my opinion its location and massing does not compromise the privacy of any of its neighbours. In particular, the impact of the building on No 1 Greenacres is certainly not significantly different from that envisaged in the original application, which was approved by the City Council 25th June 1999. (Appln Ref 99/0379)

I am of the opinion that any change in the building, brought about by the enforcement of the condition to remove the bedroom/study extension, will have an altogether damaging effect on the appearance of the dwelling, resulting in a reduction in the visual quality of the building as viewed from No 1 Greenacres or the North and West generally. The effect of the removal of the bedroom/study extension will be to seriously damage the continuity of the roofscape and will give rise to ugly and architecturally unsustainable compromises in the roof/envelope as it attempts to return around the truncated corner.

Furthermore I consider that, in terms of the outlook from No 1 Greenacres, there will be no perceptible visual advantage - in terms of massing and apparent proximity - gained by the removal of the extension.

Ref 01 / 1127 Extension of Time

Without prejudice to any decision pending on Application Ref 01/1126, the Applicant must be accorded the time to programme and finance the outcome of this procedure.

Your Faithfully

A handwritten signature in dark ink, appearing to read "Robert S Barnes".

Robert S Barnes M.Sc (Arch) M.A (Landscape Design) Registered Architect
Winifred Barnes pp.

Bay Tree House
 Planning Ref: 01/126+127
ACKNOWLEDGED
 16 JAN 2002

45 41 Stable Corner,
 The Green
 Wetherall,
 Carlisle
 14.1.02

PLANNING SERVICES
 REF: 01/126+127
 16 JAN 2002
 TEL: MM.
 FAX: ACE
 ACTION:

Dear Mr Eales,

I have now visited Bay Tree House and viewed it from the Plains Road and the Greenacres. The house now painted externally is a splendid addition to the area; does not compromise their neighbour's privacy and has a minimal impact on No1 Greenacres.

I understand that unless/until No3 Greenacres is sold the house cannot finance the legal and planning costs associated with this application or indeed the potential cost of taking down the crack (extension). They therefore will need more time to organise themselves financially.

I sincerely hope that in the interest of both parties this matter can be satisfactorily concluded at the Planning Committee meeting.

to be held on 14th Feb 02.

Yours faithfully

John C. Wildman.

PLANNING SERVICES	
REF	01/1126 + 1127
15 JAN 2002	
RECEIVED	PD
SEARCHED	
PASSED	ACE
ACTION	65

Mr A Eales
 Head of Planning Services
 Department of Environment and Development
 The Civic Centre
 Carlisle
 CA3 8QG

53 Greenacres
 Wetheral
 nr Carlisle
 Cumbria
 CA4 8LD



11th January 2002

Dear Mr Eales

REPRESENTATION RE. PLANNING APPLICATIONS REFS. 01/1126 AND 01/1127

You will be aware that we made representations to the Planning Inspectorate when the matter of a new house adjacent to The Elms, Plains Road, Wetheral was subject to an Appeal against an Enforcement Notice from Carlisle City Council (DOE Ref APP/EO915/A/01/1057974).

Our interest at that time arose from our concern, as residents of Wetheral of over twenty years standing that our local environment should be properly and fairly protected by the planning process, and those who implement it. This remains our motivation in this current representation.

We were disappointed to learn that following adjournment of the Public Inquiry in order that a negotiated settlement could be reached, a compromise application submitted in June 2001 was subsequently recommended for refusal.

In writing in support of the applications 01/1126 and 01/1127, we would point out that the existing house as now constructed is appropriate to it's surroundings, and does not have any negative impact on the surrounding properties or the aesthetics of the Conservation Area.

We can, from the standpoint of residents concerned for the protection of the Wetheral environment, Council taxpayers, and taxpayers, see nothing to be gained, and even the prospect of loss, in terms of any tangible benefits to the local environment, sustainability issues, and respect for the planning process, in the event that our representatives continue to commit our resources, and force the Lowe's to continue to commit their's, to the continuation of this wasteful and unnecessary action.

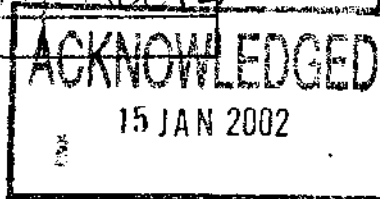
Yours sincerely

Raymond and Joy Prigg

PLANNING SERVICES	
REF	01/1126 & 1127
15 JAN 2002	
RECORDED	
SCANNED	
PASSED TO	ACC 12
ACTION	

Mrs Jill Doody
30 Greenacres
Wetheral
Carlisle
CA4 8LD

14 January 2002



Dear Mr Eales

Bay Tree House – Planning References; 01/1126 & 01/1127

With reference to the above planning applications and the letter received from A M Taylor at the beginning of January, I am writing to give my support to Mr & Mrs Lowe in respect of the "retention of the existing building", which is now their home.. Now that the property has been finished and externally painted it fits in with the neighbouring properties, and Wetheral as a whole, very well. In my opinion if the rooms in question were to be removed the building would then look unbalanced and quite peculiar and would most certainly not compliment this very pleasant village in which I live.

With regard to 01/1127 I believe that Mr & Mrs Lowe have already suffered quite significantly in respect of the building in question. In view of the length of time this issue has already taken I feel that to grant them a few more months to raise some capital from the sale of their house, which would be necessary to finance any alterations, could only benefit both parties.

Yours sincerely

J. Doody (Mrs)



5 Greenacres
Wetheral
Carlisle
CA4 8LD

11 January 2002

Mr. A. Eales,
Head of Planning Services
Department of Environment & Development
Civic Centre
Carlisle
CA3 8QG.

PLANNING SERVICES	
REF	01/1126 + 1127
15 JAN 2002	
RECEIVED	PT
SEARCHED	
PASSED TO	ACE
ACTION	S43

Dear Sir,

Bay Tree House, Plains Road, Wetheral.
Planning Refs: 01/1126 and 01/1127 (Lowe)

01/1126 - Retention of Existing Dwelling

I write in support for the retention of the new house as it is now built. In my opinion as a very near neighbour the new house sits very well within the landscape and does not impact on the privacy or amenity of No. 1 Greenacres. If the two storey stack is removed it will leave the house looking unbalanced and unfinished. This application should definitely be approved.

01/1127 - Extension of Time

I also feel the Lowe's must have an extension of time. In order to meet their costs and carry out your conditions they need to sell No. 3 Greenacres which is going on the market in the spring.

I understand that the Lowe's were happy to compromise by lowering the roof height and removing the offending bedroom but you recommended this for refusal. It seems to me that this dispute has gone on for long enough and the above two applications should be approved.

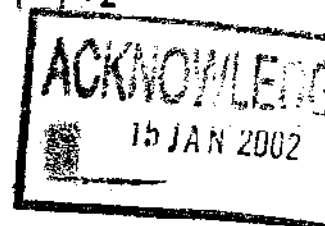
Yours faithfully,

D H CONNELL

to Planning
Methuen
Council
CA4 8UD

PLANNING SERVICES
REF 01/1126 + 1127
15 JAN 2002

14/1/02



PB

ACE
64 x 63

Dear Sir,

Planning References 01/1126 and 01/1127

We write in support of the above two
Planning Applications submitted by our
neighbours Mr & Mrs Howe.

Now that the house is almost completed
we feel that it is within context
to the rear proximity and does not
appear to be impairing any nearby
property.

As regards the time extension application
we feel that this is a reasonable request
on the part of Mr & Mrs Howe given the
considerable difficulties that they have
to put up with over the past year.
So

Yours Faithfully

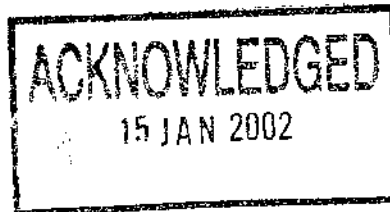
Michael & Eileen Barrett

Mr A Eales
Head of Planning
Methuen Civil Centre

Carleton House, Carleton, Carlisle, Cumbria
Tel. 01228 523389

13 January 2002

Mr. A. Eales,
Head of Planning Services
Department of Environment & Development
Civic Centre
Carlisle
CA3 8QG.



PLANNING SERVICES	
REF	01/1126 + 1127
15 JAN	
REMOVED	DP
FILE	ACE
ADDED	49 + 48

Dear Sir,

Bay Tree House, Plains Road, Wetheral.
Planning Refs: 01/1126 and 01/1127

01/1126 - Retention of Existing Dwelling

We write in support for the retention of the new house as it is now built. In our opinion the new house sits well within the landscape and does not impact on the privacy or amenity of No. 1 Greenacres. If the two storey 'stack' is removed it will leave the house looking unbalanced and leave the occupant of No. 1 Greenacres looking at a dreadful blank eyesore. This application should definitely be approved. The house is a credit to the village and it's designer. We are a complete loss to understand the Council's dissembling over this whole matter.

01/1127 - Extension of Time

We also feel the Lowe's must have an extension of time. In order to meet their costs and carry out your conditions they need time to sell No. 3 Greenacres.

Our understanding is that the Lowe's were happy to compromise by lowering the roof height and removing the offending bedroom but you recommended this for refusal. It seems to me that this dispute has gone on for long enough and the above two applications should be approved.

Yours faithfully,

William Sherman
Ann Wynn Sherman

Hyde Harrington

CHARTERED BUILDING SURVEYORS
ARCHITECTURAL & PROPERTY CONSULTANTS

5 Fisher Street, Carlisle, Cumbria CA3 8RR

Telephone: 01228 595600 Fax: 01228 595525

e-mail: hydeharrington@compuserve.com website: www.hydeharrington.co.uk

Our Ref: SGH/ST/70211

Your Ref:

Date: 11 January 2002

Mr Eales
Head of Planning Services
Department of Environment & Development
Civic Centre
CARLISLE
CA3 8QG

PLANNING SERVICES	
14 JAN 2002	
RECORDED	PS
SCANNED	
PASSED TO	ACE
ACTION	63

Dear Mr Eales

RE: BAYTREE HOUSE, WETHERAL - YOUR REF. 01/1126 & 01/1127

I write in connection with the above and wish to register my views in connection with the above applications.

It is my view that, with the external decoration to the property now having been completed, that the property can now be seen to sit very well in the context of the adjoining properties. It is my firm view that the impact upon the adjoining neighbour's privacy is not compromised in any way. Furthermore, it is also my view that if the stack is removed the structure will have an unsatisfactory visual appearance, especially when viewed from No. 1 Greenacres or from Greenacres itself.

I also to record my support for the application for an extension of time to allow Mr & Mrs Lowe to finance their legal and planning costs and I do trust that this matter will now be brought to a satisfactory conclusion.

Yours sincerely


SCOTT HARRINGTON
Hyde Harrington

60 60

PLANNING SERVICES	
REF	01/1126 + 1127
14 JAN 2002	
RECORDED	MM
SCANNED	
PASSED TO	RUE
ACTION	

Mr A Eales
 Head of Planning Services
 Department of Environment & Development
 The Civic Centre
 Carlisle
 CA3 8QG

Watch Hill
 How Mill
 Brampton
 Carlisle
 Cumbria CA8 9JX

Tel 01228 670071

10th January 2002

Dear Mr Eales

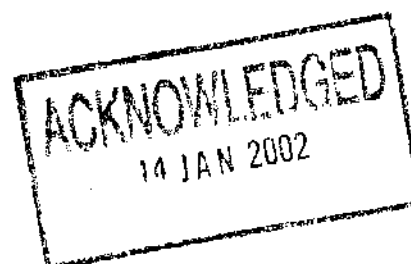
Bay Tree House, Planning References 01/1126 and 01/1127

We are writing to you in support of the two planning applications submitted by Mr & Mrs B.G Lowe. We have visited Bay Tree House and were most impressed with the design and standard of construction and feel that the house sits very comfortably and that its' presence actually enhances the neighbourhood. In our view the impact on No.1 Greenacres is minimal and the privacy of Mr & Mrs Lowe's neighbours is not at all compromised. It would be a travesty of justice if they are forced to remove the two story extension and we urge you to give approval of the house exactly as built.

Yours sincerely

J R Holt
M E Meller

Mr J R Holt
 Mrs M E Meller



57

01/11/27

MM.

PAID TO ACE

ACTION

21 Faustin Hill
The Plains Road
Wetheral
Carlisle
9th January 2002

A.C. Eales
Head of Planning Services
The Civic Centre
Rickergate
Carlisle
CA3 8QG

Dear Mr Eales,

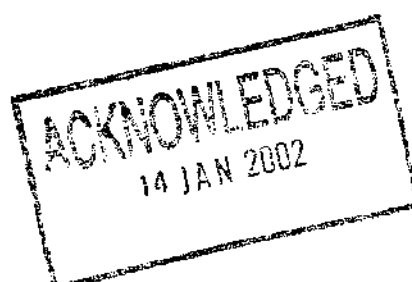
Application 01/1172 Bay Tree House.

I am at a loss to understand the mentality behind these applications. When you wrote to us in November informing all interested parties that a compromise agreement had been reached between the City Council and Mr and Mrs Lowe we thought that the matter had been resolved. How is it that Mr and Mrs Lowe now feel free to apply not only to vary the conditions agreed in November 2001 but also to ask again to be allowed to retain what your committee have so regularly denied them. It goes without saying that I hope you will continue to refuse these applications and make it very clear to the developers that they cannot continue to attempt to breach agreements into which they have voluntarily entered.

Yours Sincerely

H. Wilson

H. Wilson (F.C.I.E.H.)



THE PARISHES OF CROGLIN, HOLME EDEN

WETHERAL & WARWICK

(Web Site: <http://home.freeuk.net/carandall>)

Priest in Charge:

Rev. Colin Randall
The Vicarage
Warwick Bridge
Carlisle
CA4 8RF
Tel. 01228-560332
Email: carandall@freeuk.com

61 61	
CROGLIN SERVICES	
01/1126 + 1127	
14 JAN 2002	
RECEIVED	MM
SEAWED	
PASSED TO	PRC
ACTION	

11th January 2002

Re: Bay Tree House. Planning References, 01/1126 and 01/1127

Dear Mr. Eales,

I am writing in to support the above planning applications by Mr. & Mrs. B. Lowe. Now that the house is built I have observed it from both the outside and the inside and do not believe that it is any way a threat to the privacy of No. 1 Greenacres. Moreover I do not believe that removing bedroom No. 4 will have constitute any improvement. In fact it will have a negative aesthetic impact as the overall design of the house will suffer a loss. I do hope that the Council will visit the said properties for themselves before making a judgment. This, pertains of course, to Reference 01/1126. If notwithstanding the argument for the granting of permission for the property as built. I do hope that consideration of 01/1127 with its request for additional time will be granted. This whole sorry situation has already caused the price of having the property built to increase considerably. If demolition is required the cost is such that it will require the selling of No. 3 Greenacres and this cannot be done until May 2002.

Yours faithfully,

Colin Randall



Tel: 01228 560353

Mr A Eales
Head of Planning Services
Department of Environment & Development
The Civic Centre
Carlisle
CA3 8QG

13 Croft Park
Wetheral
Carlisle CA4 8JH

10 January 2002

Dear Mr Eales

Bay Tree House. Planning References 01/1126 and 01/1127

Ref 01/1126 Retention of Existing Dwelling

We feel that this application should be accepted and that planning consent is granted. We believe that this would be right because the house as it stands certainly looks as if it "belongs" to the area and, indeed, looks as if it has always been there.

We have many friends who live in Greenacres and are, therefore, often in that area and have walked around the property on both Plains Road and Greenacres. It in no way seems to be out of place from either road and, in fact, is not all that easily seen.

We understand that the lady in No 1 Greenacres feels that there has been a loss of privacy since Bay Tree House was built but it is difficult to see the justification for saying this. The main windows of the house face its own back garden and the main living areas are on that side of the house too. The one or two windows facing in the other direction do not, in fact, look into any rooms of No 1 Greenacres but, in any event, few of us have the luxury of having a property without another one overlooking us to some extent.

If the stack (extension) is removed, it is our belief that Bay Tree House would then look rather odd and would appear most unsatisfactory when viewed from any angle. There seems little point in such an unnecessary exercise.

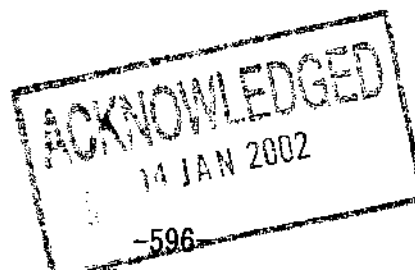
Ref 01/1127 Extension of Time

We support this application because we know that Mr & Mrs Lowe need to sell their previous property in order to finance any further work on Bay Tree House. After being unable to sell it in the autumn, they were obliged to lease it until May 2002. It will then be put back on the market and will, hopefully, sell then. It seems a reasonable request to ask for more time to organise finances.

Yours faithfully

Barbara and John Eden

Barbara and John Eden



59	
PLANNING SERVICES	
REF 01/1126 & 1127	
10 JAN 2002	
RECORDED	MH.
SCANNED	
PASSED TO	ACC
ACTION	

Summerfield
Ashgate Lane
Wetheral
Cumbria
5 January 2002

54

51

56

01/1120 + 1127

MM.

Mr. A.C. Eales
Department of Environment & Development
Planning Services Division
The Civic Centre
Carlisle
CA3 8QG

Dear Mr Eales,

**PLANNING PROPOSAL - RETENTION OF EXISTING DWELLING, BAY
TREE HOUSE, PLAINS ROAD, WETHERAL, CARLISLE, CUMBRIA. APPN
REF 01/1126/**

Thank you for your letter dated 2nd January 2002, seeking comments on the subject application.

I am astonished, nay furious to have received the document. I understood a compromise had been reached between the parties concerned. It appears the applicant now wishes to give back word and break a brokered deal. From a moral stand point, I find this very difficult to even begin to accept and conclude, that under no circumstances should this application be given any serious consideration. I have always been convinced the said building has placed a blight over surrounding properties. Additionally, it has bestowed on at least one individual a substantial amount of personal and unjustifiable sadness and suffering.

Any other observations I have on this issue can be referred to in correspondence relating to previous planning applications.



Yours sincerely

D. M. Forrester

Jan 109. 2002

REF. NOS. 01/05/2
01/1121

REF	01/1121
03 JAN 2002 -1	
RECORDED	an
SCANNED	
PASSED TO ACTION	<u>no</u>

Greenacres

Wetheral

barlisle

bumbria

CA48LD

Dear Sir,

~~could you please~~ tell me if the twelve months requested to complete the works at Bay Tree House, Plains Rd. will be from the date of the original order? Is there any good reason why this work cannot be done by April 2002?

If the twelve months are granted, is there a possibility that retrospective planning permission will be applied for to keep the house as it is?

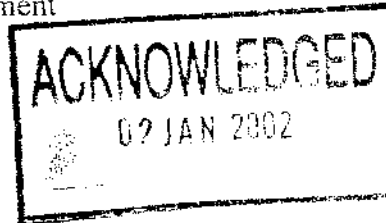
This affair has gone on long enough. How much longer is it going to continue?

Yours Sincerely

G. Reavell (clerk)

D Wrigley
5 Elm Garth
Wetheral
Carlisle CA4 8LB
28.12.01

Department of Environment & Development
Planning Services Division
Civic Centre
Carlisle CA3 8QG



Your Ref: ACE/DC/01 1127

Dear Sir

Planning Proposal: Variation of condition no. 4 attached to planning consent ref. no. 01 0512 to allow 12 months for the completion of additional works.

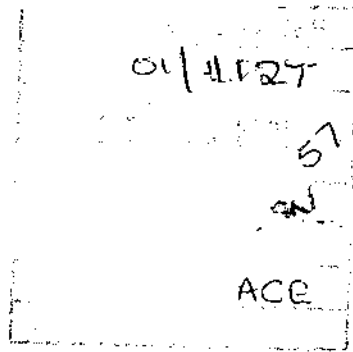
Location: Bay Tree House, Plains Road, Wetheral, Carlisle.
Appn Ref 01/1127

In reply to your letter of the 10th December 2001 I wish to raise formal objection to the proposed extension to 12 months for completion of the a.m works. This matter has been under consideration for some 15 months and has been delayed on a number of occasions following renewed applications of one kind or another. As the Council's determination, as per your letter of the 6th November, was clearly set out I am of the opinion that all parties should be bound strictly by that decision.

Yours faithfully

A handwritten signature in dark ink, appearing to be "D. Wrigley".

02 JAN 2002	
RECORDED	_____
SCANNED	_____
PASSED TO	_____
ACTION	_____



21 Faustin Hill
The Plains Road
Wetheral
Carlisle
18th December 2001

A.C. Eales
Head of Planning Services
The Civic Centre
Rickergate
Carlisle
CA3 8QG

Dear Mr Eales,

Application 01/1172 Bay Tree House.

Further to our telephone conversation I felt it was necessary to mark in writing my continued objection to this development. As we discussed I cannot understand why the developer continues to pursue his desire to retain the house which has been so roundly, and frequently, rejected by the Planning and Land-Use Subcommittee. I certainly hope that the committee will not see this latest request as acceptable.

Your Sincerely,

H. Wilson (F.C.I.E.H.)

4 Greenacres
Wetheral
Carlisle
CA4 8LD

16 December 2001

Your Ref: ACE/DC/01/1127

Mr A C Eales
Head of Planning Services
The Civic Centre
CARLISLE
CA3 8QG

PLANNING SERVICES	
REF	01/1127
DATE	17 DEC 2001
BY	CE
FILE	ACE
ADIC	1.1

Dear Sir

I have received your letter of 10 December, keeping me abreast of the latest happenings in the long running farce over the development of land adjacent to The Elms, Wetheral, albeit now under a different name and reference.

We surely cannot be far from the time when the behaviour of the developers can reasonably be described as vexatious.

As the developers themselves submitted the application to remove the fourth bedroom and the study to avoid compliance with the Enforcement Notice – and did so in October – it is difficult to see the need for extra time to carry it out. My information is that the five months allowed (November to April) was perfectly adequate if the will ~~to~~ carry out the work existed.

In the circumstances it seems to me that the Council must not only stand firm on its decision of 2 November but must also pursue rigorously its implementation. The history of this case suggest that to give way will lead inevitably to a further application; and another; and another

Yours faithfully

J. J. Pattinson

J J Pattinson

Green Farm,
The Green,
Wetheral,
Cumbria,
CA4 8ET.

22nd January 2002.

Mr A.C.Eales,
Case Officer,
Department of Environment & Development,
Planning Services Division,
The Civic Centre,
Carlisle,
CA3 8QG.

Dear Sir,

Proposal: Variation of condition no.4 attached to planning consent ref. No: 01/0512 to allow 12 months for the completion of additional works.Appn ref: 01/1127.
Proposal: Retention of existing dwelling.Appn Ref: 01/1126.
Location: Bay Tree House, Plains Road, Wetheral, Carlisle, Cumbria.

I refer to your letters of the 10th December 2001 and the 2nd January 2002 and wish to object most strongly to both proposals put to you by the applicant.

From the Development Control Committee meeting on the 2nd November 2001 the applicant accepted the planning requirement to remove the study and 4th bedroom by the 15th April 2002.

If these recent proposals by the applicant are not strenuously rejected then it is clear, as I have always said, that the maladministration conducted in this case by the Planning Services Division of the Carlisle City Council needs to be brought into the open to safeguard the future planning process within Carlisle.

As requested in my letter to you of the 13th November 2001 I am still awaiting a reply as to the internal action taken against the employee who was the Case Officer for the original application.

Yours faithfully,

W.B. Norgrove

W.B.Norgrove.

01/1126
22 JAN 2002
W.B. Norgrove
ACTION

SCHEDULE A: Applications with Recommendation

ITEM NO. 32

Date of Committee: 01/02/2002

APPN REF NO: 01/1161 /	APPLICANT: Two Castles Housing Association Ltd	PARISH: Carlisle
DATE OF RECEIPT: 17/12/2001	AGENT: Johnston & Wright	WARD: Stanwix Urban
LOCATION: L/A Beech Grove, Stanwix Carlisle, Cumbria		GRID REF: 340500 557400
PROPOSAL: Erection of 18no. dwellings (phase 7)		

John

REPORT

PLANNING POLICIES:-

CARLISLE DISTRICT PLAN HOUSING - POLICY H2

Within the Primary Residential Areas defined on the Inset Maps for Carlisle, Brampton, Longtown and Dalston, proposals for new residential development will be acceptable provided that:

1. existing areas of open space and other amenity areas are safeguarded; and
2. the proposed development does not adversely affect the amenity of adjacent residential property; and
3. the proposed development complements or enhances existing adjacent residential areas and their amenity; and
4. satisfactory access and appropriate parking arrangements can be achieved.

Proposals for uses other than residential will not be permitted in Primary Residential Areas other than where they do not adversely affect residential amenity. Development that would create unacceptable noise, smell, safety and health impacts or excessive traffic generation will not be acceptable. Such schemes falling within the scope of this Policy will be considered against the above criteria as well as other Policies of the Plan appropriate for the proposed use.

CARLISLE DISTRICT PLAN HOUSING - POLICY H16

High standards of design in new housing sites and dwellings will be required. Matters to be considered include: the layout of roads and buildings; footpaths and cycleways; the retention of existing trees and hedgerows; planning out crime; the provision of public open space; and the relationship to adjacent development.

SUMMARY OF CONSULTATION RESPONSES:-

HIGHWAYS AUTHORITY: comments received on 22/01/02 make reference to amendments to the layout and required conditions. These will be discussed with the highway authority before the

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1161 /

meeting.

LEISURE SERVICES: Comments awaited.

ENVIRONMENT AGENCY : condition re surface water disposal required

SUMMARY OF REPRESENTATIONS:-

This application has been advertised by means of a site notice and neighbour notification. Two letters of objection have been received, which argue that the land should be regarded as a greenfield site and not developed. It is also argued that the development is out of character with the area.

A further letter does not object to the development itself, but expresses concern about the impact which it will have on trees and hedges.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

This site has a lengthy planning history, going back to the 1971's, when a number of permission were given for a total of some 400 houses. These covered an extensive area running southeast from the current site, towards Brampton road, where a vehicular access was to be. Although a start was made on the construction of the access, no dwellings were ever constructed, and the future of this area became a significant planning issue during the 1980's, as the significance of the Hadrian's Wall corridor became increasingly recognised.

This situation was eventually resolved in 1993, when two applications were given permission for the development of a reduced area, in return for an agreement which revoked the extant permissions. One of these was in outline, and covered the area which is now the McAlpine's Larch Drive development, and the other was a full permission for 143 houses in favour of Laing's, who had an agreement with Two Castles Housing Association. Both sites were treated in such a way that relevant issues such as the retention of existing trees and hedgerows, archaeology, traffic calming and the provision of traffic signals at Scotland Road/Knowefield Avenue were covered whereas the 1975 permissions had not done this. Furthermore, the land released from the earlier permissions together with areas of woodland was transferred to the City Council and are now managed by Leisure Services.

The development of Two Castles site has proceeded in a number of phases to the point where the site of the current application is the only remaining undeveloped area.

DETAILS OF PROPOSAL

This application relates to the last remaining phase of the Two Castle development at Beech Grove. It is proposed to erect 18

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1161 /

dwellings of different design and layout on the remaining land, together with 4 as originally approved, making a total of 22 dwellings to be erected in this final phase.

It will be apparant to Members from the history of this site, that the principle of development on this land is clearly established, and that consideration of the current application should reflect that, and be limited to the layout and design of the proposal.

The current proposal relates to two areas of land. The first is immediately adjacent to the main access to the site from Beech Grove, where it is proposed to erect two pairs of semi-detached houses. The remaing area is in the north west corner of the overall site, where it is proposed to retain the approved road layout, with a cul-de-sac and turning area, and erect seven pairs of semi-detached houses. Of the total of 18 units eleven are slightly larger three bedroom units with garages, and the remaining seven are two bedroom units without garages.

The approved layout for this part of the site shows the same number of dwellings (i.e. 18 in the area of the current application). All but two of those now proposed are of the same type (i.e. semi-detached houses), but with an amended layout, and different house types, as described above. The approved layout includes two bungalows, with the remaining units being semi-detached houses.

It will be apparent from the above that the development now proposed is similar in character to that originally approved. Members will note that two letters of objection have been received, but the matters raised therein relate primarily to matters of principle relating to the development of the site. A further letter has been received relating to trees and hedgerows. It should be noted that as far as the trees and hedges are concerned, the detailed boundaries of the development are to be agreed with Leisure Services, and any felling/lopping will only relate to peripheral areas.

The application is recommended for approval.

RECOMMENDATION:-

APPROVE WITH CONDITIONS 

1. Standard time limit
2. Details of Const - Roads & Footpaths
3. Roads/Occupation of Dwellings-Timing (1)
4. Materials - submission of samples
5. Hard surface details
6. Details of screen fencing/walling

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1161 /

7. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been approved by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.

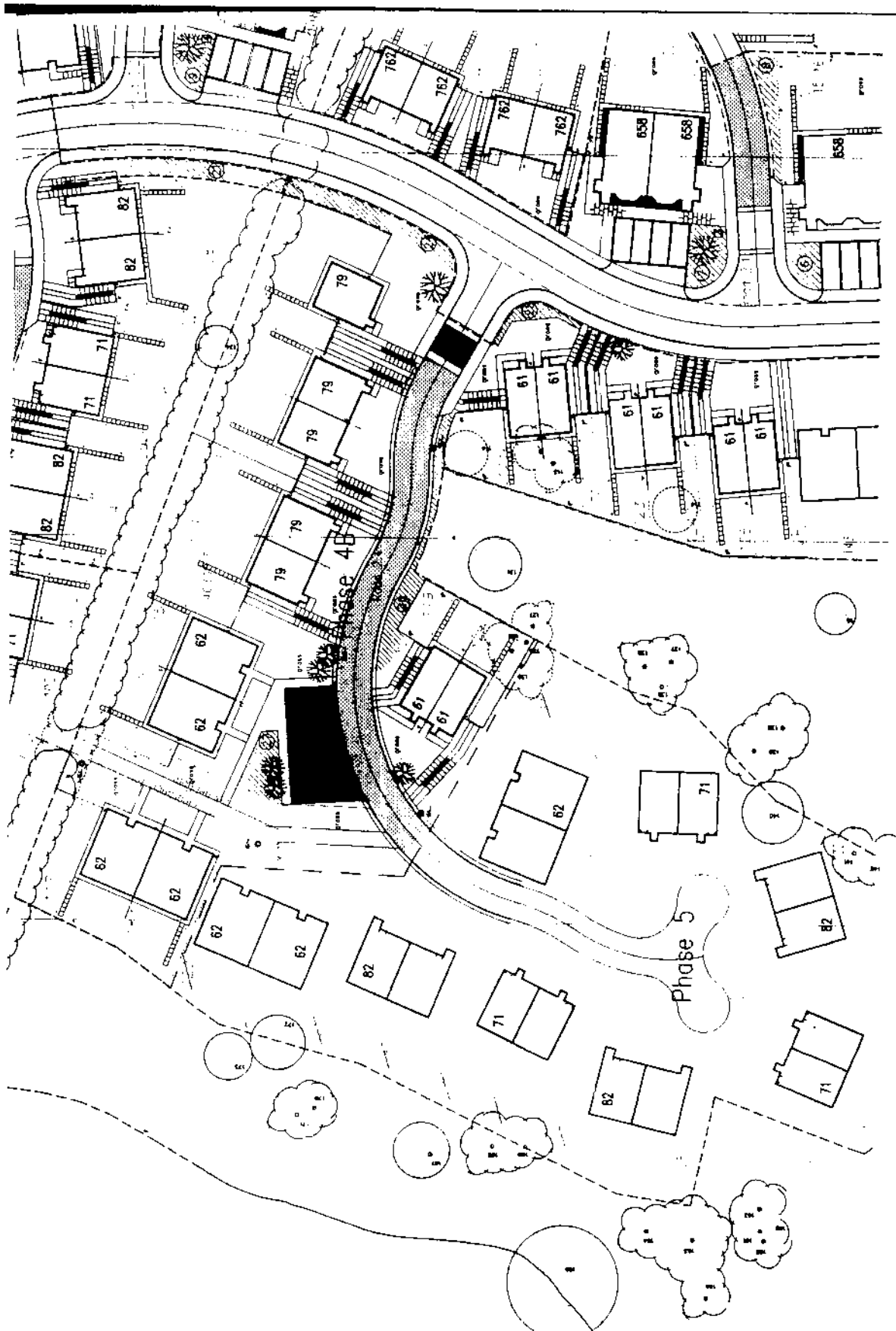
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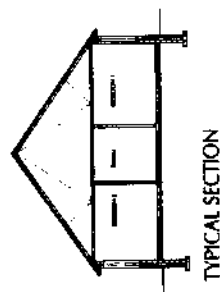
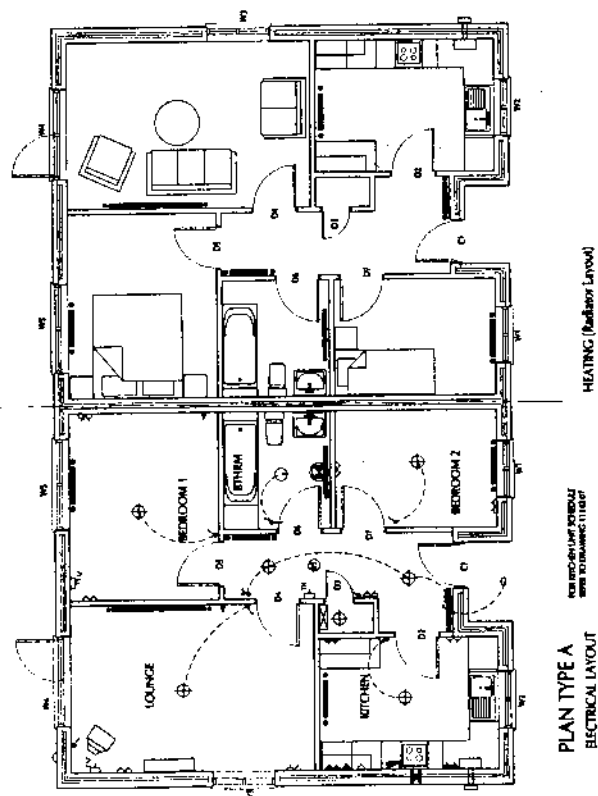
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Head of Planning: Alan Eales DipTP MRTI
 Civic Centre Carlisle CA3 8QG
 Tel (01228) 817000 Fax (01228) 817199









2025-2026

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Johnston and Wright Chartered Architects
15 Clare Street, Carlisle, Cumbria, CAX 9TD. Tel: 0447 (0) 1228 33364. Fax: 0447 (0) 1228 33556.
e-mail: johnstonwright.co.uk

Proposed Housing
KNOWEFIELD, CARLISLE

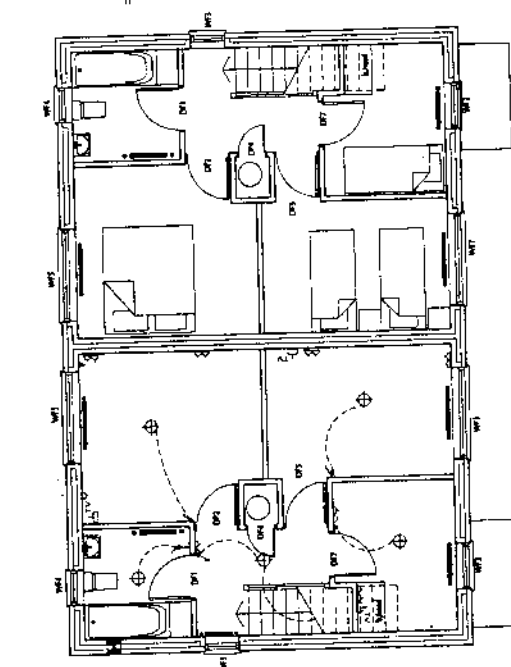
Planning Type A
PLAN, ELEVATIONS

Scale: 1:50, 1:100 Date: 22.11.01 Drawn: NAC. Number: 111142-02

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ELECTRICAL SYMBOLS

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- 2. 10 AMP FUSEBOX SWITCH AT HIGH LEVEL
- 3. 10 AMP FUSEBOX SWITCH AT LOW LEVEL
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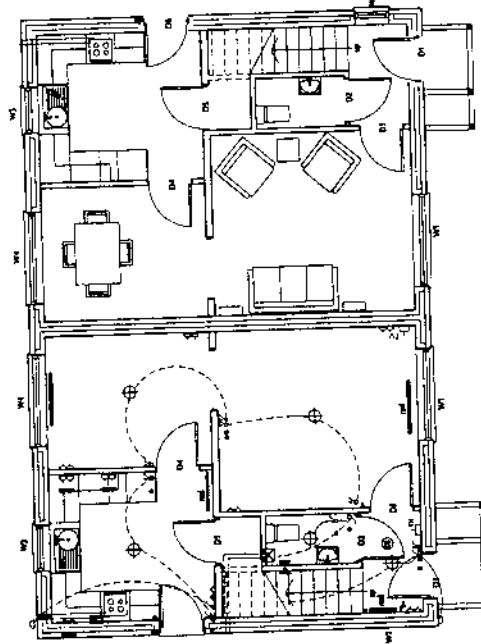


FOR KITCHEN LAYOUTS REFER TO DRAWING 11142-07

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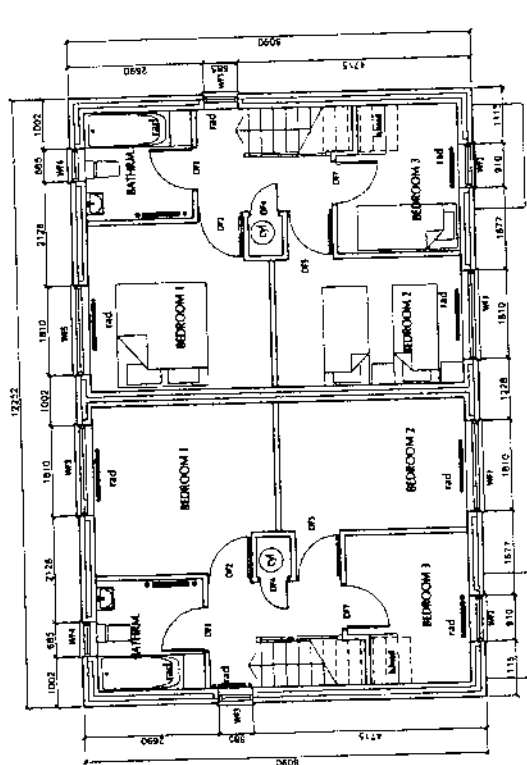
FURNITURE



GROUND FLOOR PLAN

ELECTRICAL LAYOUT

FURNITURE

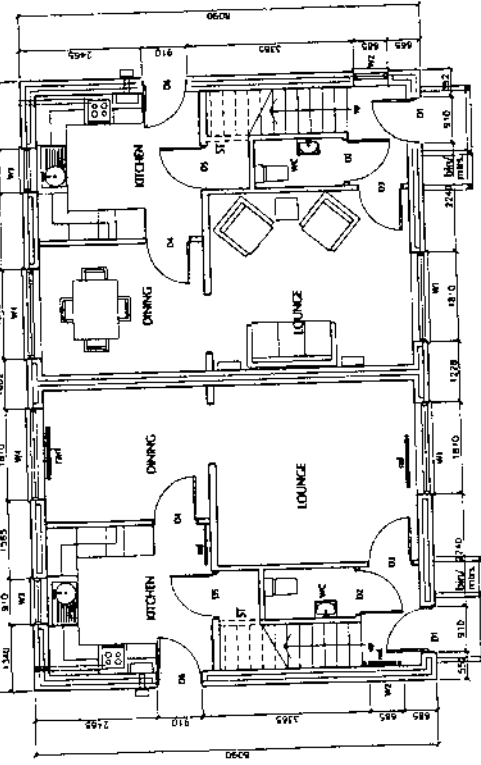


FOR KITCHEN LAYOUTS REFER TO DRAWING 11142-07

ELECTRICAL LAYOUT

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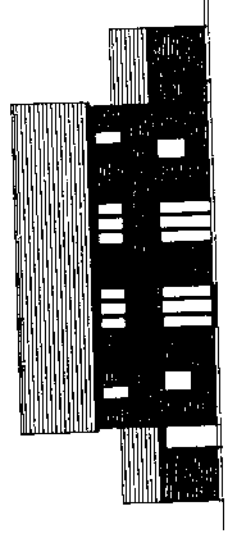
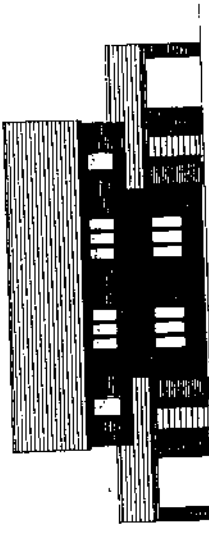
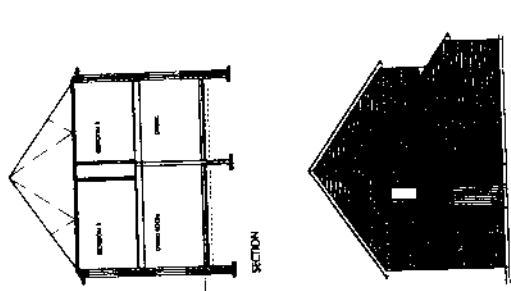


GROUND FLOOR PLAN

ELECTRICAL LAYOUT

FURNITURE

TYPE C - 3 bed. / 5 person House



RECEIVED
17 DEC 2001
2001/11/17

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email: jrw@johnstonwright.co.uk

Project: PROPOSED HOUSING
KNOWEFIELD, CARLISLE

Drawing: TYPE C
PLANS, ELEVATIONS, SECTION

Scale: 1:50, 1:100, 1:200, 1:400, 1:800, 1:1600, 1:3200, 1:6400, 1:12800, 1:25600, 1:51200, 1:102400, 1:204800, 1:409600, 1:819200, 1:1638400, 1:3276800, 1:6553600, 1:13107200, 1:26214400, 1:52428800, 1:104857600, 1:209715200, 1:419430400, 1:838860800, 1:1677721600, 1:3355443200, 1:6710886400, 1:13421772800, 1:26843545600, 1:53687091200, 1:107374182400, 1:214748364800, 1:429496729600, 1:858993459200, 1:1717986918400, 1:3435973836800, 1:6871947673600, 1:13743895347200, 1:27487790694400, 1:54975581388800, 1:109951162777600, 1:219902325555200, 1:439804651110400, 1:879609302220800, 1:1759218604441600, 1:3518437208883200, 1:7036874417766400, 1:14073748835532800, 1:28147497671065600, 1:56294995342131200, 1:112589990684262400, 1:225179981368524800, 1:450359962737049600, 1:900719925474099200, 1:1801439850948198400, 1:3602879701896396800, 1:7205759403792793600, 1:14411518807585587200, 1:28823037615171174400, 1:57646075230342348800, 1:115292150460684697600, 1:230584300921369395200, 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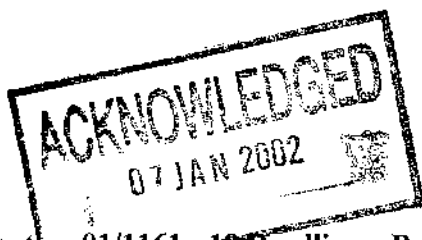
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158 Lansdown Cres,
Stanwix,
Carlisle,
CA3 9ER.
31 December 01

Director of Environment & Development,
7th Floor
Civic Centre,
Carlisle,
CA3 8QG.

Dear Sirs,



Ref - Planning Application 01/1161 - 18 Dwellings, Beech Grove (Phase 7)
Two Castles Housing Association.

I wish to formally register my objection to the above planning application for the following reasons: -

1. The site is currently a 'Green Field Site' and so therefore should not be offered for development when area's such as Raffles is being demolished and not subsequently being reused for similar housing.
2. The existing road infrastructure is inadequate to support any further development in the area.
3. The local Schools are also stretched in respect of classroom sizes, which is in breach of the present Government Education Policy.
4. Trees and hedgerows will again be destroyed, which is also in breach of Government Policy.
5. When the Phase 7 started about 18 months ago the plots could be seen to encroach into areas of new tree planting, for this to happen again would be totally unacceptable.
6. The development and indeed previous development phases, are totally inconsistent with the original existing surrounding quality of properties which has reduced their market value for which financial compensation will be sought should it continue.
7. Previous developments have increased the use of the public thoroughfare linking Beech Grove and Lansdowne Crescent, this has caused added concern due to noise, litter and pets fouling paths and highways. Living next to the thoroughfare affects my household directly.
8. It is my belief also that the current planning policy for Stanwix is being orchestrated, to import voters, to reverse previous Conservative local election successes which is in breach of fair competition laws.

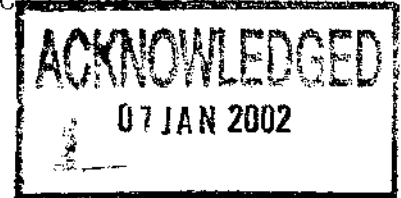
On receipt of this letter I require you to formally record this objection.

Yours Sincerely

PLANNING SERVICES	
01/1161	
07 JAN 2002 3	
RECEIVED	an
SCANNED	
PASSED TO	CSH
ACTION	

Department of Environment & Development,
Planning Services Division,
Civic Centre,
CA3 8BQ.

103, Beech Grove,
Carlisle,
Cumbria,
CA3 9BN



4th. January 2002.

Your Ref. CJH/DC/01/1161.

Dear Sirs,

Notification of Planning Proposal.
Erection of 18 No. Dwellings (Phase 7)
Beech Grove, Stanwix, Carlisle, Cumbria.
Appn. Ref. 01/1161.

I refer to your letter dated 18th. December 2001 in which you invite observations on the above named proposal.

Having examined the submitted plans and other documents I note that the application "involves the felling of trees".

Throughout the whole of the recent history of the proposals to develop this site assurances have always been given that the area of woodland opposite Nos. 97 to 103 Beech Grove would be preserved and enhanced, and indeed, a casual examination of the submitted plans would give the impression that the woodland will not be disturbed by the proposals.

However, this would not seem to be the intention of the developer for, having regard to the statement in the submission and my having also checked the measurements on both the ground and on the plan there is a not insignificant discrepancy, which means that the woodland will be disturbed by the proposals. The recent appearance of a number of wooden pegs within the area of the woodland would seem to confirm my views.

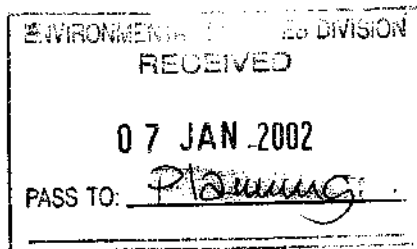
Some of the plans are drawn to a scale of 1/200 and provide some quite minor details of the developer's proposals, but in doing so they carefully avoid any reference to to any felling of trees. The developer is clearly seeking a carte blanche to fell any tree which he feels might be desirable. Some of the trees along the borders of the woodland are the tallest and most mature of the wood and would seem to be under serious threat from these proposals.

I would respectfully suggest that one, or both, of two steps be taken to resolve the present situation, which I hope you will agree, is unacceptable. The developer should submit for your approval specific details of each tree he proposes to fell and/or displace the the whole layout which lies to the north of the wood in a northerly direction, perhaps a distance of only two or three yards, and so avoid the felling of any mature trees.

Yours Faithfully,

L. D. Paige

L. D. Paige



181 Lansdowne crescent
Stanwix,
Carlisle,
CA39ER.

30th Dec. 2001.

Director of Environment & Development,
7th Floor
Civic Centre,
Carlisle,
CA3 8QG.



Dear Sirs,

Ref - Planning App. 01/1161 -18 Dwellings,Beech Grove (Phase 7) Two Castles Housing Association.

I wish to make a formal objection to the above planning application in respect of 18 dwellings, off Beech Road ,by Two Castles Association, for the following reasons:-

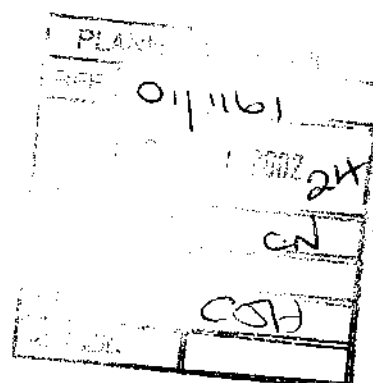
- 1) The existing road infrastructure is inadequate to support any further development in the area.
- 2) The local School is also stretched in respect of classroom sizes, which is in breach of the present Government Education Policy.
- 3) The site is presently a GREEN FIELD SITE and should not be developed when area's such as Raffles are being demolished and not subsequently reused for similar housing.
- 4) Trees and hedgerows will be destroyed yet again, in breach of Government policy.
- 5) When the Phase 7 started about 1½ years ago the plots could be seen to encroach into area's of new tree planting which may happen again and is totally unacceptable.
- 6) The development and indeed previous development phases, are totally inconsistent with the original existing surrounding quality of properties which has reduced their market value for which financial compensation will be sought should it continue.
- 7) It is the writers belief that the current planning policy for Stanwix is being orchestrated, to import voters, to reverse previous Conservative local election successes which is in breach of fair competition laws.

By copy of this letter I require you to formally record this objection.

Yours Faith fully

M T Swindlehurst

M T Swindlehurst



SCHEDULE A: Applications with Recommendation

ITEM NO. 33

Date of Committee: 01/02/2002

APPN REF NO: 01/1162 / APPLICANT: Mr & Mrs M Bauer PARISH: Kingwater

DATE OF RECEIPT: 17/12/2001 AGENT: Taylor & Hardy WARD: Irthing

LOCATION: L/A opposite Townfoot Farm, West Hall, Brampton Cumbria GRID REF: 356680 567630

PROPOSAL: Residential development (outline)

John

REPORT

PLANNING POLICIES:-

CARLISLE DISTRICT PLAN HOUSING - POLICY H7

Within the Remote Rural Area (as defined on the Proposals Map), large scale development will not be permitted. Proposals for small scale development within existing hamlets or groups of houses will be acceptable in principle provided that:

1. The proposal is well related to existing local landscape features and is sited in such a way as to make maximum use of such features for screening and does not adversely affect the landscape; and
2. the proposal complements the character and size of the hamlet or group of dwellings; and
3. appropriate access and parking can be obtained.

In addition proposals will be acceptable for additional accommodation on farm complexes which contain an existing occupied dwelling. However, in these cases clear evidence of the need for such development must be given. Such consents will be limited to one additional dwelling per farm.

CARLISLE DISTRICT PLAN HOUSING - POLICY H16

High standards of design in new housing sites and dwellings will be required. Matters to be considered include: the layout of roads and buildings; footpaths and cycleways; the retention of existing trees and hedgerows; planning out crime; the provision of public open space; and the relationship to adjacent development.

SUMMARY OF CONSULTATION RESPONSES:-

HIGHWAY AUTHORITY: No objection in principle, subject to conditions. In particular it is a requirement that there be a single access to the site.

KINGWATER PARISH COUNCIL: The Parish Council objects to the application for the following reasons:

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1162 /

- i. the access is on a blind corner
- ii. the site is within the restricted development area of Bewcastle and the fells, with other applications in the area being refused
- iii. the development is of urban style and does not reflect the style of other properties within the hamlet.

HEAD OF DESIGN (Drainage): There is an existing adopted treatment works in West Hall which can accommodate foul drainage from the site. Separate provision must be made for surface water disposal.

ENVIRONMENT AGENCY: Drainage condition recommended.

SUMMARY OF REPRESENTATIONS:-

This application has been advertised by means of a site notice and neighbour notification. Three letters of objection have been received, which raise the following issues:

- i. the access to the site in terms of highway safety
- ii. the scale and character of the development in relation to existing properties, and the impact on residential amenity
- iii. trees on the site
- iv. open space

Any further comments on the amended plan will be reported at the meeting.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

There is no planning history relating to this site.

DETAILS OF PROPOSAL

Outline planning permission is sought for the erection of two dwellings on land amounting to 0.12ha. at Townfoot Farm, West Hall. This small settlement is located to the north of the B6318 Gilsland - Roadhead road, some 7km west of Gilsland. The site is located at the southern end of the village, and was formerly used as a farm stackyard, with a large dutch barn located thereon. The site itself is flat, but there is a significant bank to the rear, where it borders open countryside. There is a traditional bungalow located to the north and a stone barn opposite. A large Ash tree is located in the corner of the site, with a smaller Ash tree on the rear boundary, and a small Beech tree on the site frontage.

It is proposed to redevelop the site for residential purposes, with the erection of two dwellings. The application is

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1162 /

supported by an indicative layout which has now been amended to show a single vehicular access to the two plots, with a four bedroom detached house on each. The footprint of the two proposed dwellings approximates closely to the dutch barn on the site at present.

This application raises the following issues, primarily related to the principle of development on the site. Firstly, West Hall is within the remote rural area, and is not therefore a designated settlement under Policy H5 of the District Plan, but is rather subject to Policy H7. On the basis of this policy, small scale development within existing hamlets, such as West Hall, is acceptable, subject to three criteria. The first issue to be considered, therefore, is whether the site should be regarded as "within" the hamlet. In this regard, it should be noted that although the site is beyond the first dwelling in the settlement, it is contained by the significant break of slope to the rear, and the bend of the road. Furthermore, it is occupied by a substantial building. This, together with the stone barn on the opposite side of the road can be regarded as the entrance of the settlement, and Officers therefore consider that the site can legitimately be regarded as within the settlement.

On this basis, therefore, the three linked criteria must be examined. The first of these relates to landscape impact and relationship with landscape features. The points made above contribute to the site being well screened, and the two larger trees in the corner of the site, and along the rear boundary are also relevant in this regard. It will also be noted that the siting of the two dwellings relates closely to the existing dutch barn.

The second criterion relates to the size of the development in relation to the existing settlement. West Hall is one of the larger settlements in the Remoter Rural Area, with 13 existing dwellings. In this context, two additional dwellings can be regarded as complementary in terms of size and character.

The third criterion relates to access and parking and in this regard, it will be noted that the proposal has been redesigned in accordance with the highway authority's requirements. Although a small Beech tree is within the visibility splay and will therefore have to be removed, it will nevertheless be possible to retain a stone wall along the site frontage.

The adjoining bungalow does have two windows in the gable which overlooks the site, but the two dwellings would be set back, so that this would not be unduly obstructed.

It will be noted that observations from the Parish Council and the two letters of objection relate to highway matters, and the principle of development and also the details. As far as the highway issue is concerned, it should be noted that the observations submitted to date relate to the original plan, with separate accesses, whereas the latest highway observations relate to an amended plan, with a shared access. In relation

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1162 /

to the details of the proposals, it should be noted that as an outline application, no details have yet been given of the design of the dwellings. It is clear however that in the context of the settlement, traditional design, with extensive use of stone as a material, would be appropriate.

The proposed development is therefore considered acceptable, and the application is recommended for approval, subject to conditions covering matters including drainage and highways and a requirement that the dwellings to be of appropriate vernacular design.

RECOMMENDATION:-

*Deferred
Su.*

APPROVE WITH CONDITIONS

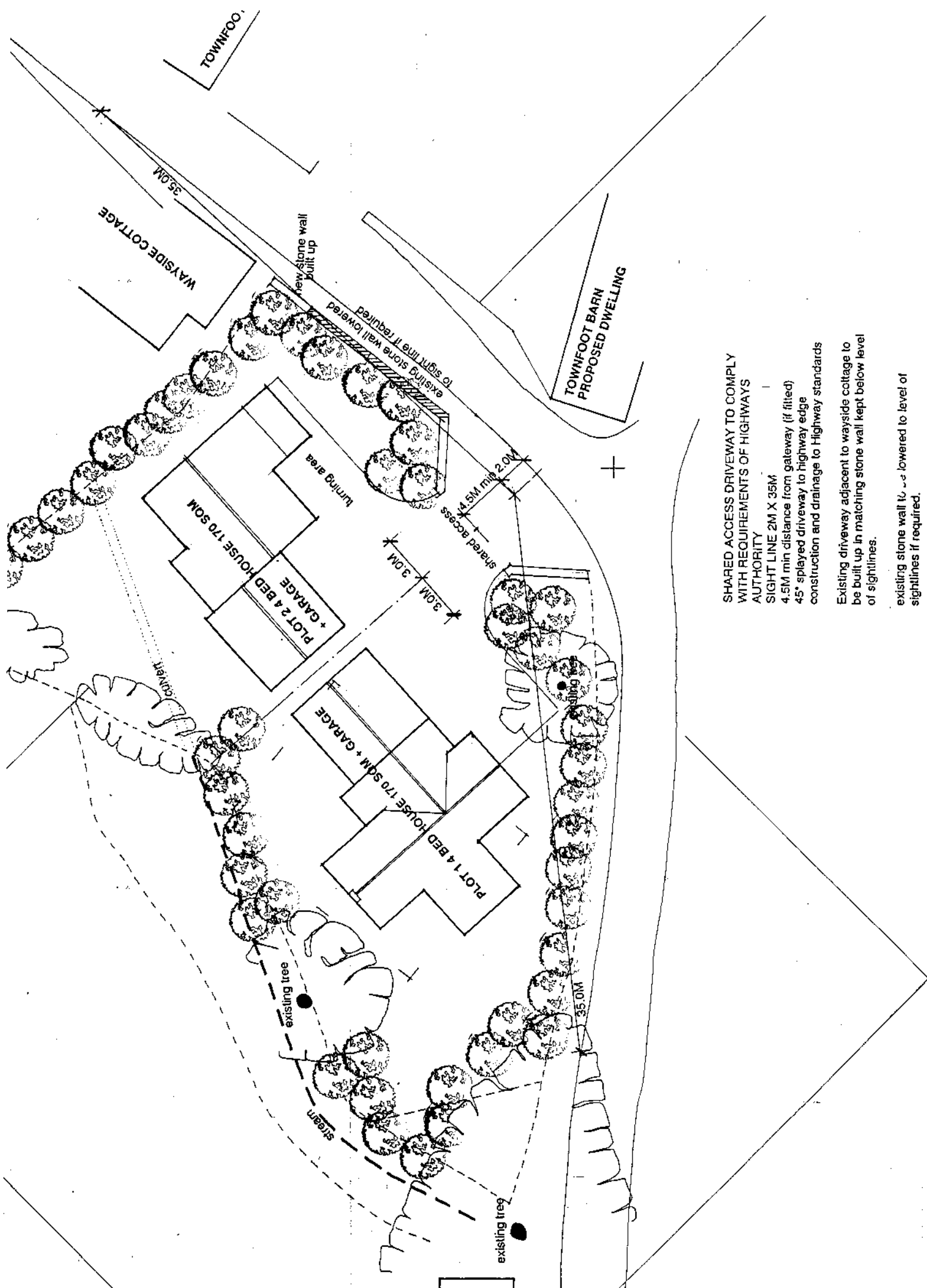
1. Standard time limits - outline
2. Reserved matters details - general
3. This permission shall only be in respect of two dwellings and garages which shall be of traditional design and appearance in keeping with the local vernacular tradition, the siting of which shall adhere to the schematic layout plan submitted as part of this application. *Page 2*
4. Access Gates recessed
5. Layout and Access Requirements
6. Before the dwellings are occupied the existing access to the highway as marked on the approved plan shall be permanently closed and the highway crossing and boundary shall be reinstated in accordance with details which have been submitted to and approved by the local planning authority.
7. No development shall commence until visibility splays providing clear visibility of 35 metres x 2 metres x 35 metres measured down the centre of the access road and the nearside channel line of the major road have been provided at the junction of the access road with the county highway. Notwithstanding the provision of The Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splay which obstruct the visibility splays.
8. The access drive shall be surfaced in bituminous or cement bound materials, or otherwise bound and shall be constructed and completed before the development is occupied.
9. Provision of Vehicle Turning Spaces
10. Construction of Access
11. All trees and hedges within the site, except those within the visibility splay, shall be retained, and before the development commences, all trees to be retained shall be protected by chestnut paling fence to be erected

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/1162 /

at a distance from the tree corresponding to their branch spread. Within the protective fencing, there shall be no storage of materials, parking of vehicles, deposit of waste, erection of site accommodation, lighting of fires or other action likely to damage the tree.

12. Scheme to include species
13. Scheme to be implemented and maintained
14. Before development commences, details shall be submitted to and approved by the local planning authority of measures for the disposal of surface water.
15. Drainage to public sewer



SHARED ACCESS DRIVEWAY TO COMPLY
WITH REQUIREMENTS OF HIGHWAYS
AUTHORITY

SIGHT LINE 2M X 35M

4.5M min distance from gateway (if fitted)

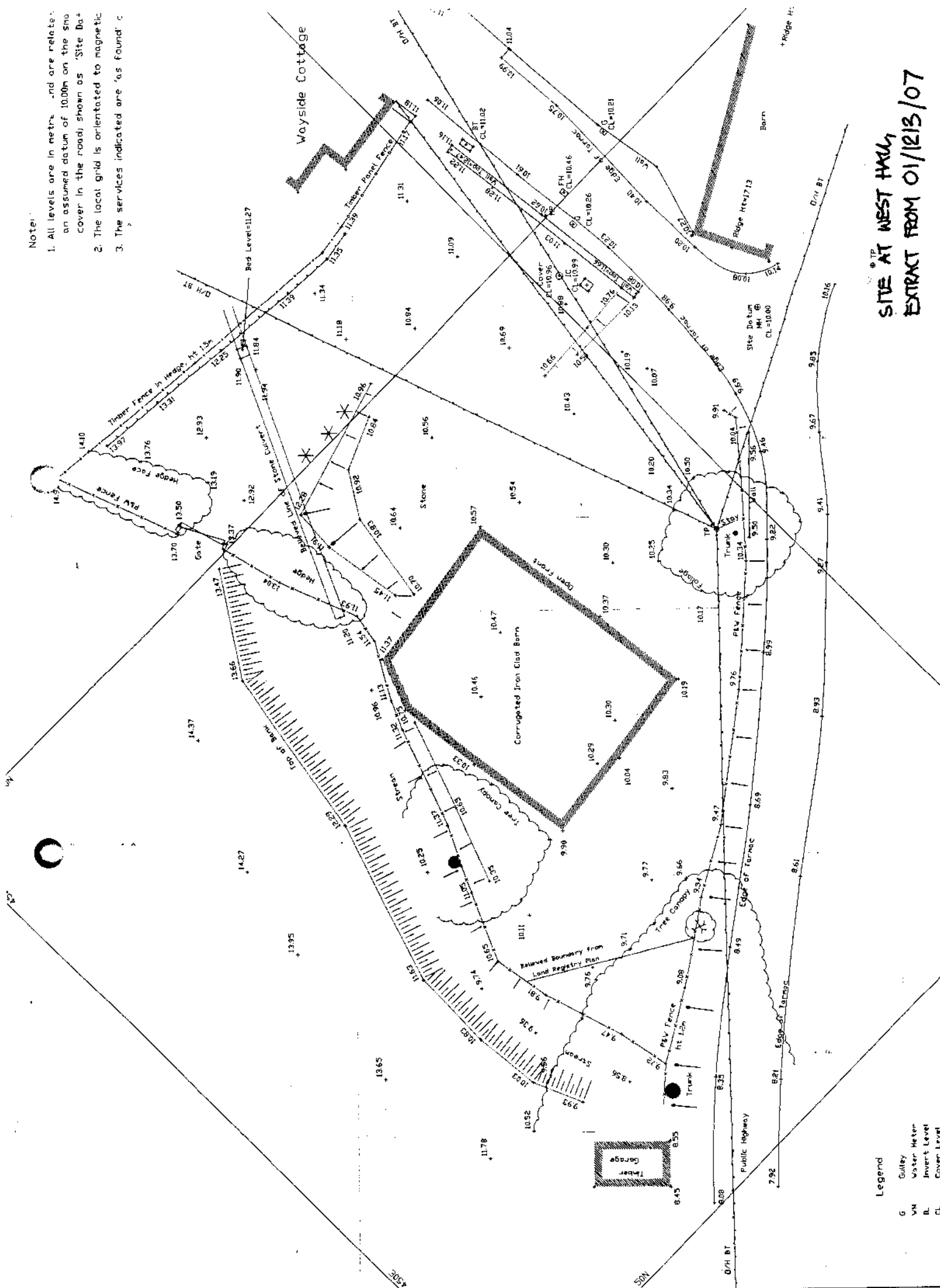
45° splayed driveway to highway edge
construction and drainage to Highway standards

Existing driveway adjacent to wayside cottage to
be built up in matching stone wall kept below level
of sightlines.

existing stone wall to be lowered to level of
sightlines if required.

Note:

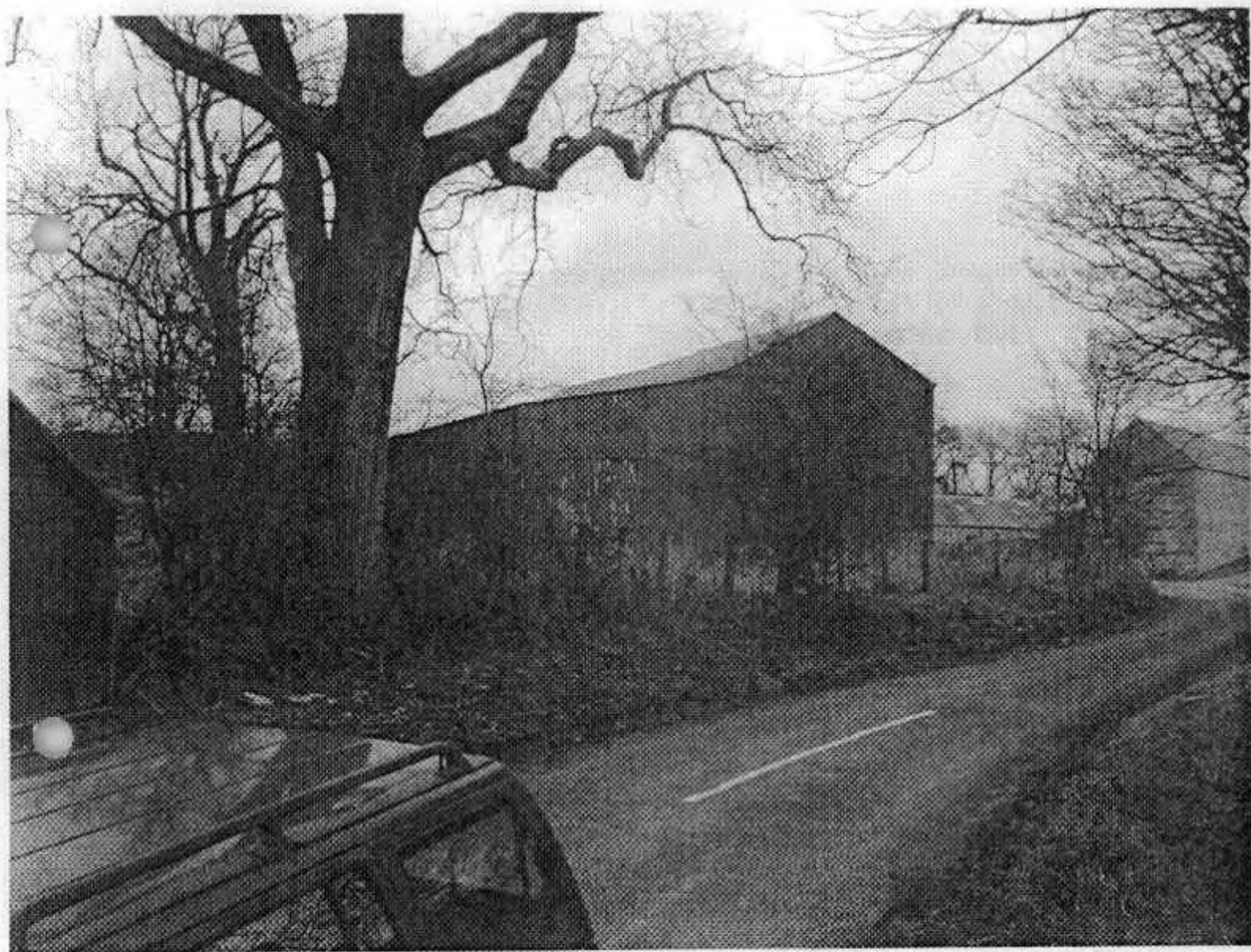
1. All levels are in metres and are related to an assumed datum of 10.00m on the site cover in the road shown as 'Site Datum'.
2. The local grid is orientated to magnetic.
3. The services indicated are 'as found'.



SITE AT WEST HALL
EXTRACT FROM 01/12/13/07

Legend
G Gully
W Water
M Meter
B. B.
I Invert Level
C Cover Level





Wayside Cottage
West Hall
Brampton
Cumbria, CA8 2EH

21 December, 2001

Mr M. Battersby
Director of Environment & Development
Carlisle City Council
Planning Services Division
Civic Centre
Carlisle CA3 8QG

PLANNING SERVICES	
REF:	01/1162
04 JAN 2002 1	
RECEIVED	CN
SEARCHED	
PASSED TO	COTH
ACTION	

Dear Sir

Re: Proposal: Residential Development (outline)
Location: L/A opposite Townfoot Farm, West Hall, Brampton, Cumbria
Appn. Ref: 01/1162

We wish to object to the above application for outline planning permission for the erection of two four bedroomed houses on the site at West Hall, Brampton, Cumbria.

The following Policy paragraphs and statements are taken from the current "Carlisle District Local Plan" September 1997

The reasons are as follows:

Policy E4 County Landscapes

West Hall lies within the Bewcastle Fells and Remote Rural Area which are considered County Landscapes (as defined on the Proposals Map of the Carlisle District Local Plan).

Policy E5 Areas of Local Landscape Significance

This proposal does not reflect the scale and character of the existing buildings.

There will be an unacceptable adverse effect on the amenity of neighbouring property.

There will be an unacceptable adverse effect on the character and appearance of the surrounding area.

There will not be satisfactory access to the proposed dwellings.

Policy E8 Remainder of the Rural Area

This proposal is not required to meet local infrastructure needs, or for dwellings supported by a proven agriculture or forestry need.

Policy E9 Landscaping of New Development

This proposal will have a hard urban style edge as a residential development and no details are given regarding landscaping, retention of existing trees, hedges, wild life habitats and new plantings.

Policy E18 Tree Preservation Orders

A tree preservation order should be placed on a giant beech tree on the proposed site to protect it from damage or destruction.

Policy E19 Landscaping of New Development

No details are given regarding the retention of existing trees, shrubs, hedges and other wildlife habitats.

Policy E50 Open spaces within Settlements

Should this proposal be implemented there will be a loss of open space within the settlement of West Hall.

This proposal site provides important views within the Hamlet.

Policy H7 Remote Rural Area

This proposal is not related to existing local landscape features and is not sited in such a way as to make maximum use of such features for screening and does adversely affect the landscape.

The proposal does not complement the character and size of the hamlet of West Hall.

Inappropriate access and parking will result.

Policy H6 Agricultural and Forestry Need

This proposal is for development outside the following policy areas:

Primary Residential areas	H2
Capon Tree Road	H3
Housing elsewhere	H4
Village Development	H5

Rural Exception Sites	H9
Backland Development	H11
Replacement Dwellings	H13
Extensions to Dwellings	H14

and is not supported by a proven agricultural or forestry need.


Policy H16 (4.96) Design Considerations

As it is considered not unreasonable for new development to respect the privacy and amenity of occupiers of existing residential areas, this proposal does not adhere to those guidelines as proposed by the Carlisle City Council.

Policy H17 Residential Amenity

The proposal is inappropriate for residential areas and is of an unacceptable scale, it would lead to an unacceptable increase in traffic and noise and would be visually intrusive.

Yours faithfully,

J. M. Cherrie 

Mr D.M. & Mrs J.M. Cherrie

Cc: Kingwater Parish Council

PLANNING SERVICES	
REF	01/1162
10 JAN 2002 2	
RECORDED	an
SCANNED	
PASSED TO	CSH
ACTION	

Tin Castle
West Hall
Brampton
Cumbria
CA8 2EH
Tel 016977 41741

8th January 2002

Mr A Taylor
Carlisle City Council
Dept of Environment and Development
Planning Services Division
Development Control
6th Floor Civic Centre
Carlisle CA3 8QG

Dear Mr Taylor,

Proposed Residential Development
Townfoot, West Hall, Brampton
Ref 01/1162/

Having viewed the plans for the above development can I please express my concerns regarding access. The blind corner which is proposed to be used for the bottom dwelling is unsuitable being situated on a blind corner with very restricted views. Pedestrians would be particularly at risk from traffic, with the potential for two vehicles meeting where no footpath or grass verge is available. At present the existing barn is primarily used for farm machinery access where high visibility vehicles and low usage do not present a risk. This new development will have a high usage by cars which will not be visible to oncoming traffic.

As with other recent developments in West Hall including the renovation of my own house I would ask the council to ensure that suitable materials and designs are used to match with the existing dwellings. This at present from viewing the plans does not appear to be the case.

I trust this information is of some use but should you wish to discuss it with me then please do not hesitate to contact me.

Yours sincerely



Ian Blair

Ref. 2001/1162.

Meadow Park,
West Hall,
Champton,
CA8 2 EH

20th January, 2002.

Dear Mr. Hamer,

Proposed Development opposite Town Foot Farm

I live about a hundred yards north of the proposed development, along the village street in West Hall.

I consider this proposal unobjectionable in principle, since it would put to use a vacant and rather untidy piece of land at this bottom corner of the village. However, the following matters of detail should be considered:

1. I understand that the proposal is for two new four-bedroomed dwellings on this site. On a site of less than a third of an acre, this is too many. The illustrative plan shows clearly how cramped would be the result.

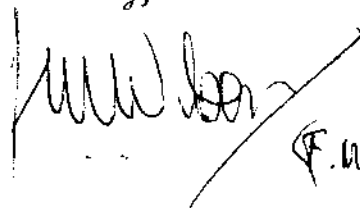
2. There are two vehicular access points shown, one of them right on the corner of the sharp bend in the road. There would be a serious traffic hazard, bearing in mind the speed at which vehicles descend the hill, and the inevitably limited visibility on this corner. One access point only, at the northern corner of the site, would minimise the risk, notably to the safety of children.

3. The plan shows an impossible cramped turning space at the northern end of the site. With one dwelling only this fault could easily be avoided.

4. I understand that this proposal is for the new buildings to be in local stone roofed with slate. There should be no departure from this intention.

I hope you will bring these points to the notice of the Committee on 1st February. As it stands, the proposal is in my opinion unacceptable.

Yours sincerely,


(F. N. Wilson)

SCHEDULE A: Applications with Recommendation

ITEM NO. 34

Date of Committee: 01/02/2002

APPN REF NO:
01/9015 /

APPLICANT:
DEFRA

PARISH:
Orton

DATE OF RECEIPT:
18/12/2001

AGENT:
Cumbria County Council

WARD:
Burgh

LOCATION:

Watchtree-Great Orton Airfield, Great Orton, Carlisle, Cumbri 331350 554000

GRID REF:

PROPOSAL: Use of land for burial of slaughtered animals as a foot and mouth control measure (retrospective)

Alan

REPORT

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

There is no relevant planning history related to this submission.

DETAILS OF THE PROPOSALS

The above application, which seeks retrospective approval for the use of an area of land at Great Orton Airfield as a burial site for slaughtered animals, is a "County Matter" and consequently this Council's role is that of a consultee.

The submission relates to an area extending to 83 hectares in total, of which approximately 50 hectares has been used directly for burial related activities with the remainder incorporated in site restoration activities. Almost all of that land is outside the administrative area of this Council but lies within Allerdale District Council's area.

The submission is supported by a document that aggregates a Planning Statement and an Environmental Statement. Together these extend to 161 pages supplemented by 3 detailed Appendices. It is recommended that Members avail themselves of the opportunity to read that document for a comprehensive background to the circumstances that necessitated the use and operation of the land as a burial site for slaughtered animals in the context of the Government's strategy for dealing with Foot and Mouth Disease, and the related environmental management measures employed in the operation and monitoring of that use.

As Members will be aware, development that would normally require planning permission but is undertaken on behalf of "The Crown" usually follows a consultation procedure whereby the commissioning Government Department submits to the relevant Planning Authority a "Notification of Proposed Development" under the provisions of Circular 18/84. It should be emphasised that this is voluntary rather than mandatory process but it has nonetheless been widely employed for Government proposals within the Carlisle area, e.g. in relation to development at

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/9015 /

RAF Spadeadam.

Since the nature of the work Great Orton is "landfill", the submission has been made directly to Cumbria County Council as the waste planning authority. Although such submissions are normally made in advance of a proposed development, the urgency with which work was required to commence in order to deal with a substantial number of animal carcasses obviated that process.

Following acquisition of the land subject of this application by DEFRA, the site was brought into use with burial operations for the initial two weeks being supervised by the Army. These have subsequently been managed by DEFRA. The site received both live animals and pre-slaughtered animals with delivery lorries bringing animals or carcasses to the site using a one-way route system. Carcasses were immediately taken to the disposal trenches and no animals over the age of 5 years were accepted at the site. Disposal requirements necessitated 24 hour operations at the outset but these were later reduced, through the drop-off in the number of carcasses arising, to a 12 hour day (0700-1900 hours).

A total of 29 trenches were excavated of which 26 were filled with carcasses and subsequently capped and covered over. These 26 trenches contained over 466,000 sheep and cattle carcasses.

One trench was excavated but found to be unsuitable due to ground conditions. One of the 3 unfilled trenches has been used to contain contaminated soil while the other two have been used in part to assist with surface water storage requirements.

The filled trenches are located to either side of the former northern runway with the majority of trenches not being lined prior to filling with carcasses. This has necessitated the installation of a preventative system to prevent leachate migrating from the site and polluting local watercourses.

That system has been installed in accordance with the agreement of the Environment Agency and comprises a combination of burial trench underdrainage and a scheme of drains to capture leachate in groundwater around the site perimeter. Subsequent to construction, each trench has been fitted with a system that collects leachate and pumps it directly to a holding tank prior to disposal away from the site. Similarly, any leachate that might have migrated away from the trenches in groundwater is captured by a series of drains and a cut-off wall that extends to a depth of up to 12 metres. Contaminated groundwater that is captured by this mechanism is also pumped to a holding tank for subsequent off-site disposal.

Various temporary buildings and plant has been sited on the land, the numbers and nature of these having changed from time to time. It is now expected that a maximum of 6 portacabins will remain in the long term together with a large shed structure which was initially used to cover over the slaughter area but has since been re-located to cover the leachate treatment plant and provide temporary office accommodation

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/9015 /

close to the leachate storage tanks. Other mobile plant has been deployed from time to time and some remains on site. This will, however, be removed as the need diminishes.

Outstanding work that remains to be carried out at the site is effectively mitigation measures, although some of that work (related to the leachate collection system was expected to be completed in December of last year. That collection infrastructure is intended to be removed in due course, i.e. when it is no longer required, but that will only occur when the Environment Agency considers that monitoring analysis results justify removal.

Site restoration works will also be on-going although some work to re-profile to reflect original levels has taken place. A framework for the continuation of that work is being developed with the Waste Planning Authority involving the utilisation of remaining soil stockpiles and establishment of an appropriate management and after care scheme. It is also proposed to erect approximately 6 kilometres of security fencing in and around the burial site. Three different types of fencing are proposed: stockproof fencing to outlying fields; boundary fencing to the central burial area and finally, fencing to enclose the main buildings and structures. Again, the principles of the design of these fences has been agreed with the Waste planning Authority.

Vehicle movements by lorries will continue, in order to remove leachate and leachate contaminated groundwater from the storage tanks until such times as the leachate collection system is decommissioned. This is expected to amount to not more than 1 or 2 lorry movements per day. A dedicated lorry route for these vehicles is subject of continued discussions with the Waste Planning and Highway Authority and any highway improvement works that are considered necessary are expected to be identified during the current "Notication of Proposed Development" process.

Members will wish to know that the Head of Environmental Services has been directly consulted on these proposals by the County Council and has considered the submission. His observations are reproduced following this Report. It will be noted that he concludes that the proposals for the minimisation of environmental nuisance and mitigation of any adverse impact are acceptable, subject to future monitoring arrangements. Rather than responding independently, it is suggested that the comments of the Head of Environmental Services be incorporated into a single composite response to consultation with this Authority.

In conclusion, it is recommended that the City Council raises no objections to the submission but requests that any future odour monitoring and management arrangement that is introduced once the leachate collection system is removed is prepared in consultation with the Head of Environmental Services. It is also recommended that the Waste Planning Authority imposes suitable planning conditions that ensure the longer term

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/9015 /

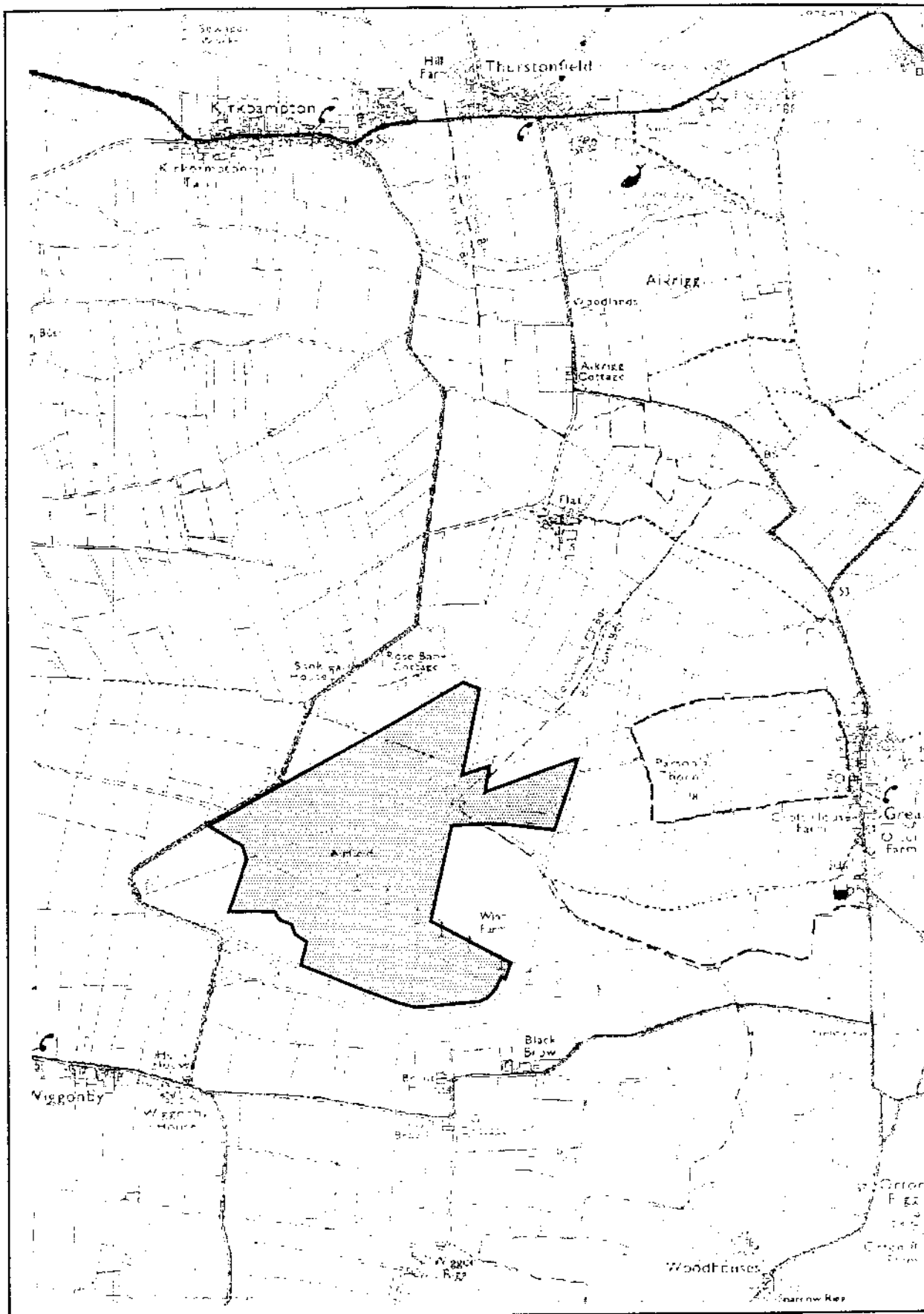
monitoring and management of leachate and leachate migration from the site to prevent any future risk of contamination.

RECOMMENDATION:-

RAISE NO OBJECTION SUBJECT TO THE FOLLOWING:

1. There is no objection to the retrospective application although the City Council remains concerned about future arrangements for the monitoring and management of any residual impacts caused by odour from leachate collection and disposal. It is requested that any alternative proposals for dealing with leachate disposal, following decommissioning of the existing system, involve the Council's Head of Environmental Services to prevent any future risk of odour nuisance.

Similarly, the City council would hope that any conditions that the Waste Planning Authority seeks to agree with the applicants include appropriate provision for long term monitoring and management of the site to ensure that there is no future risk of leachate migration to adjacent land, watercourses or groundwater systems.



WATER
MANAGEMENT
CONSULTANTS

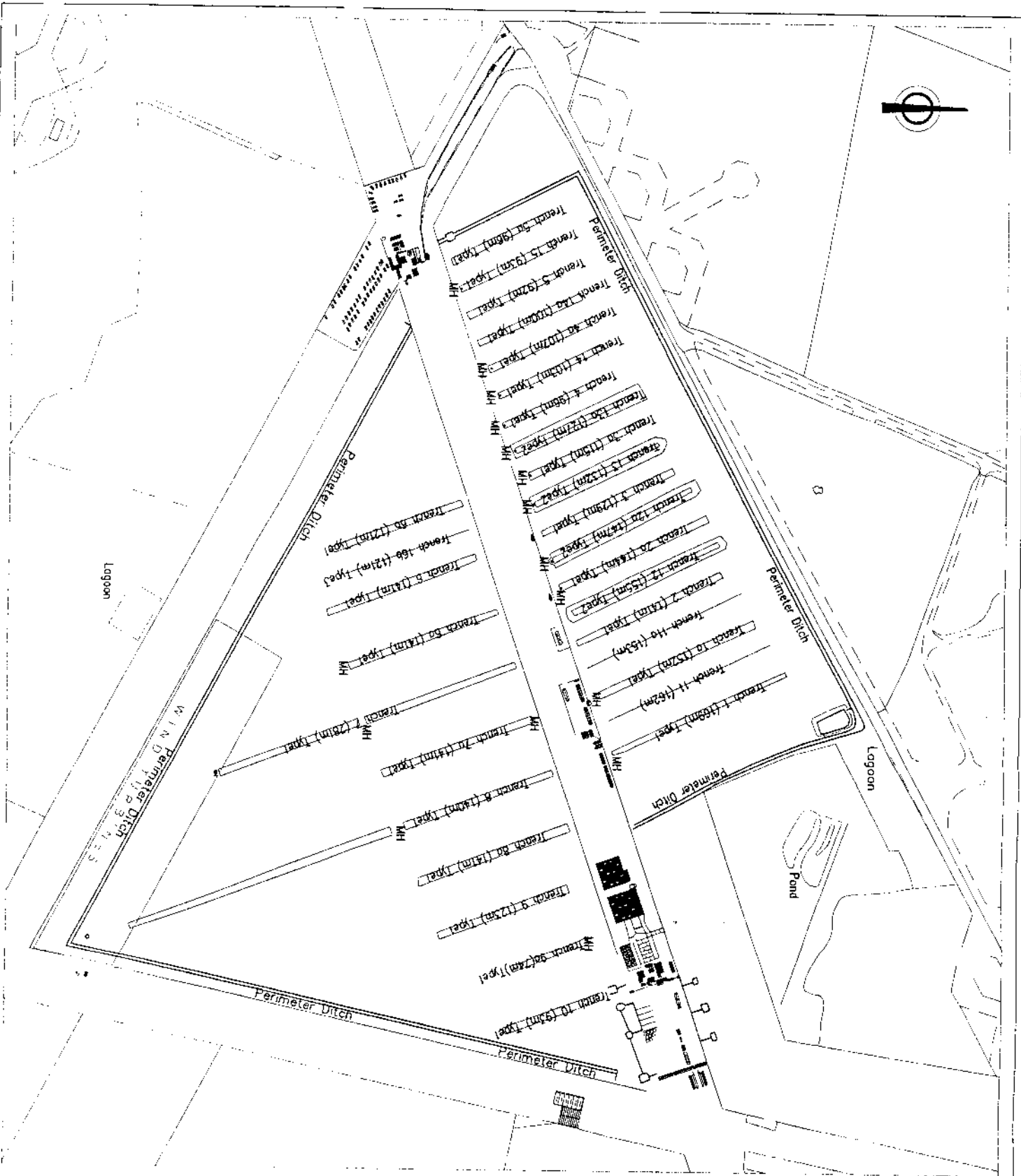
Halcrow

Halcrow Group Limited
Burderop Park Swindon Wiltshire SN4 0DD
Tel: +44 (0)1793 812479 Fax: +44 (0)1793 812089
www.halcrow.com

NOPD SITE AREA

Figure 5.2

Notes:



WATER MANAGEMENT CONSULTANTS

Malcolm Group Limited
Ground Floor, 100, Market Street, 3rd Floor
100, Market Street, 3rd Floor, 100, Market Street, 3rd Floor
100, Market Street, 3rd Floor, 100, Market Street, 3rd Floor

Malcrow

WATCHTREE

LOCATION OF BURIAL TRENCHES

Drawn By	JAT	Date	08/10/01
Checked By		Date	
As To Scale		Date	
Scale			
Drawn By			
Checked By			
As To Scale			
Scale			
Drawn By			
Checked By			
As To Scale			
Scale			

FIGURE 5.3

MIS

FIGURE 5.30MG P. 11

Carlisle City Council

Environment & Development

Environmental Services

INTERNAL MEMORANDUM

From:	HEAD OF ENVIRONMENTAL SERVICES	Please ask for:	Richard Speirs
To:	ALAN TAYLOR, PLANNING SERVICES	Extension:	7325
FAO:		E-mail:	Richard Speirs
		Your ref:	
		Our ref:	ES.1/9/2 RWSS/AJE
			07 January 2002

CONSULTATION ON RETROSPECTIVE NOTICES OF PROPOSED DEVELOPMENT 2/01/9039 AND 1/01/9015 – USE OF LAND FOR BURIAL OF SLAUGHTERED ANIMALS AS A FOOT AND MOUTH CONTROL MEASURE, WATCH TREE, GREAT ORTON, CUMBRIA.

I have now had the opportunity to consider in detail the consultation in respect of the retrospective application for Great Orton disposal site and, more importantly, the proposals for the future operation of Watch Tree.

I have considered the proposals specifically for the minimisation of environmental nuisance and am satisfied that adequate attention has been given to noise, air borne particulates and odour.

The proposals contained within the consultation document should be adequate to prevent any nuisance to residents in the neighbourhood. My one concern however relates to the long-term leachate disposal system which is identified in paragraph 14.5.1. When the existing treatment plant is removed and an alternative form of leachate disposal introduced I would consider it advisable that the City Council is involved in the consideration of odour management for any new leachate disposal system.

I have briefly responded to the Waste Planning Officer at Cumbria County Council and I attach hereto a copy of my response for your information.


RWS Speirs

Head of Environmental Services

PLANNING SERVICES	
REF	0119015
09 JAN 2002	
RECEIVED	
SCANNED	
PASSED TO	AMT
ACTION	

SCHEDULE A: Applications with Recommendation

ITEM NO. 35

Date of Committee: 01/02/2002

APPN REF NO:
02/0004 /

APPLICANT:
Mr A Nayar

PARISH:
Carlisle

DATE OF RECEIPT:
07/01/2002

AGENT:

WARD:
Stanwix Urban

LOCATION:
80 Croft Road, Carlisle Cumbria

GRID REF:
341054 557608

PROPOSAL: Extension to rear ground floor living room

Ady

REPORT

PLANNING POLICIES:-

CARLISLE DISTRICT PLAN
HOUSING - POLICY H14

Applications for extensions to existing dwellings will be approved provided the City Council is satisfied that the proposals are appropriate to the dwelling, its design and setting. Inappropriate extensions which adversely affect the amenities of adjacent properties by poor design, unreasonable overlooking and/or unreasonable loss of daylight and sunlight will not be permitted.

CARLISLE DISTRICT PLAN
HOUSING - POLICY H17

The amenity of residential areas will be protected from inappropriate development where that development:

1. is for a use inappropriate for residential areas; and/or
2. is of an unacceptable scale; and/or
3. leads to an unacceptable increase in traffic or noise; and/or
4. is visually intrusive; and/or
5. leads to a loss of housing stock.

SUMMARY OF CONSULTATION RESPONSES:-

HIGHWAY AUTHORITY: No objections.

SUMMARY OF REPRESENTATIONS:-

This application has been advertised by means of a site notice, and the direct notification of 2 neighbouring properties. No representations have been received at the time of writing this report.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY:

SCHEDULE A: Applications with Recommendation

Schedule continued for 02/0004 /

In November 1972, application 23057 was approved for the erection of a 2 storey extension on the side of the dwelling to provide a garage and w.c. at ground level, with bedroom above.

DETAILS OF PROPOSAL:

This application seeks full planning permission for the erection of a single storey extension to the ground floor living room. The proposed extension is to be located to the rear of the property and will tie in with the existing pitched roof kitchen extension.

It is drawn to Members attention that, in accordance with the adopted Code of Conduct, this application is before Committee due to the Applicant's Wife being a City Council employee.

The proposed extension has dimensions of 3.5m x 1.7m. This gives an area of 5.95 square metres. The extension would occupy a volume of 19 cubic metres.

Despite the relatively small size of the extension, planning permission is necessary due to the presence of a 2 storey extension on the side of the house. This extension used up the property's permitted development rights

The rear of 80 Croft Road is well screened from the neighbouring properties, 78 and 82 Croft Road, by a mature hedge approximately 3 metres high, running the length of the back garden.

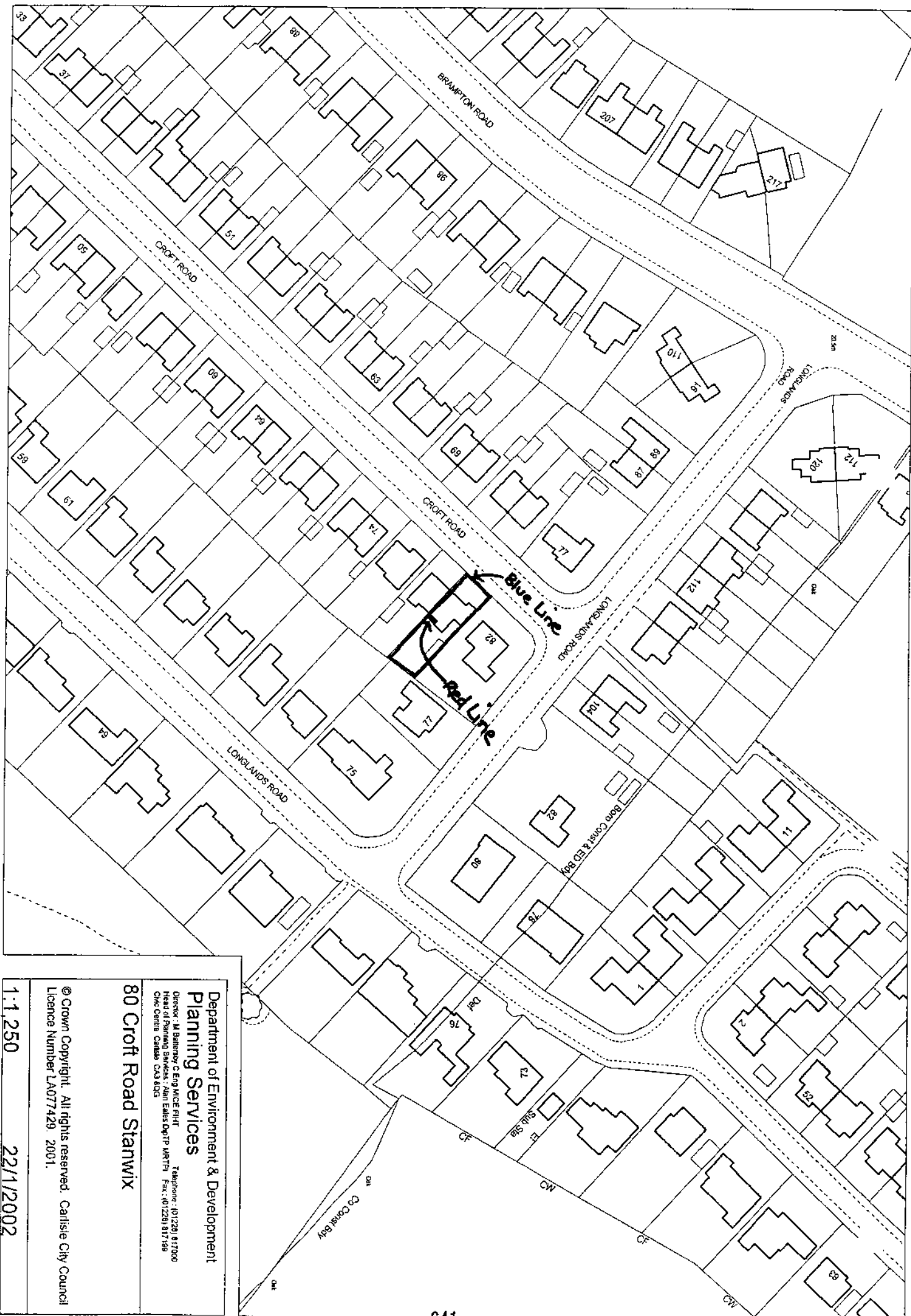
Policies H14 and H17 apply when assessing this application. The proposal is felt to be in accordance with both of these policies and is recommended for approval.

RECOMMENDATION: -

APPROVE WITH CONDITIONS



1. Standard time limit
2. Materials to match existing



**Department of Environment & Development
Planning Services**

Director: M. BARNES, C. ENGELKE, P. HILL
Head of Planning Services: Paul Eales, Deputy: Martin Hill
One Centre, Carlisle, Cumbria, CA2 6DS

80 Croft Road Stanwix

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Licence Number LA077429, 2001.

1:1,250

22/1/2002

Stacy Pr

Preservation

2002/0004

LONGE

EXISTING
KITCHEN

REMOVE EXISTING PATIO
DOORS. ENLARGE OPENING

1 FT 2 IN STEEL BEAMS WITH 2 NO. 178 x 102 x 19 MM BOLTED TOGETHER WITH STEEL SPACER BETWEEN WITH 150 MM END BEARING

NEW PVC FULL
GLAZED UNIT.

WILLIAM D. D.

PART GROUND FLOOR PLAN

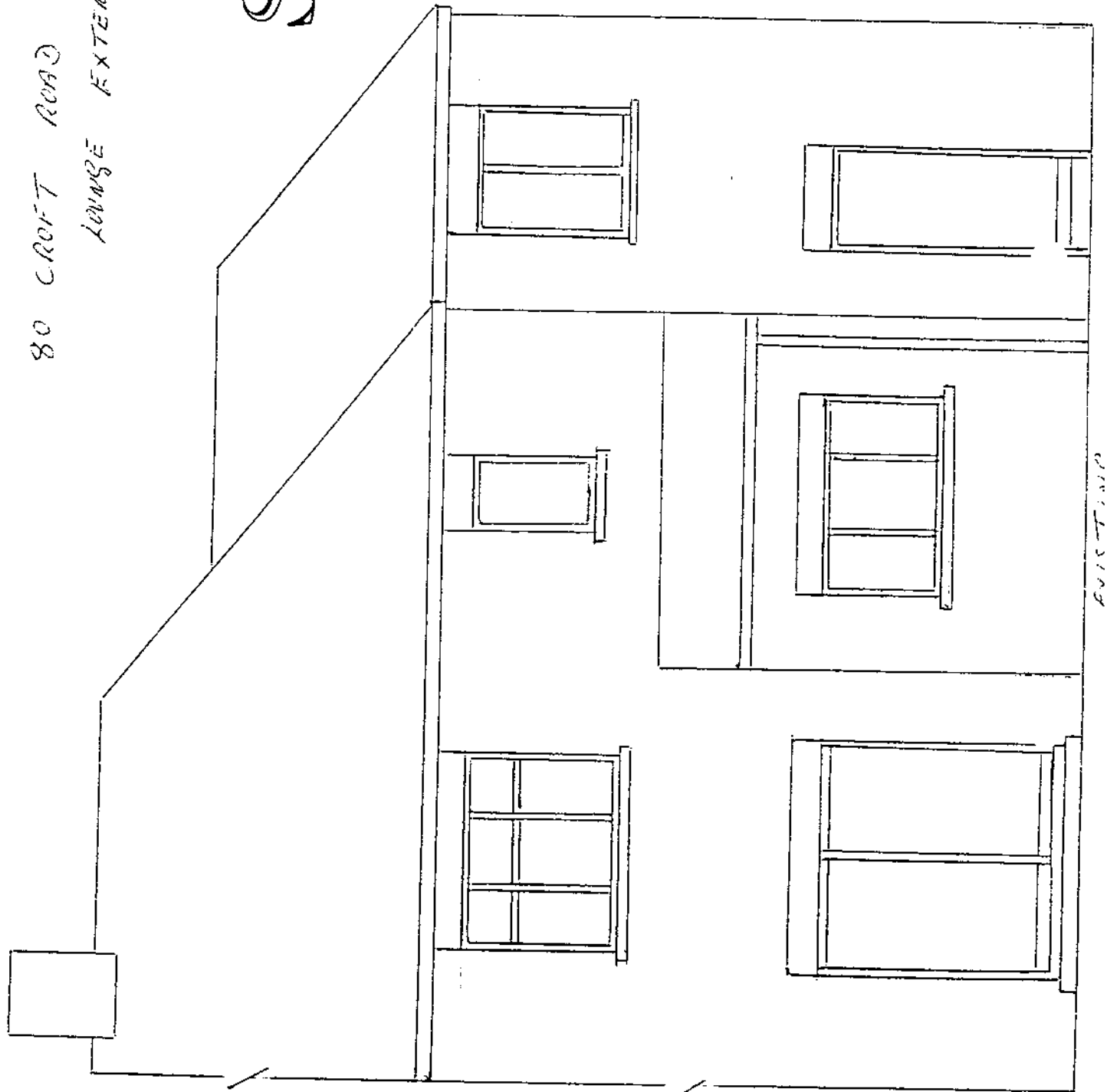
NOTES - E1 - E1

SCALE 1.50

-642-

80 CROFT ROAD CARLISLE.
 LOUNGE EXTENSION

SCOTBY
 Joinery & Preservation
 General Joinery, Woodwork, Dry Rot
 & Damp Proofing Treatments



80 CROFT ROAD CARLISLE.
LOUNGE EXTENSION

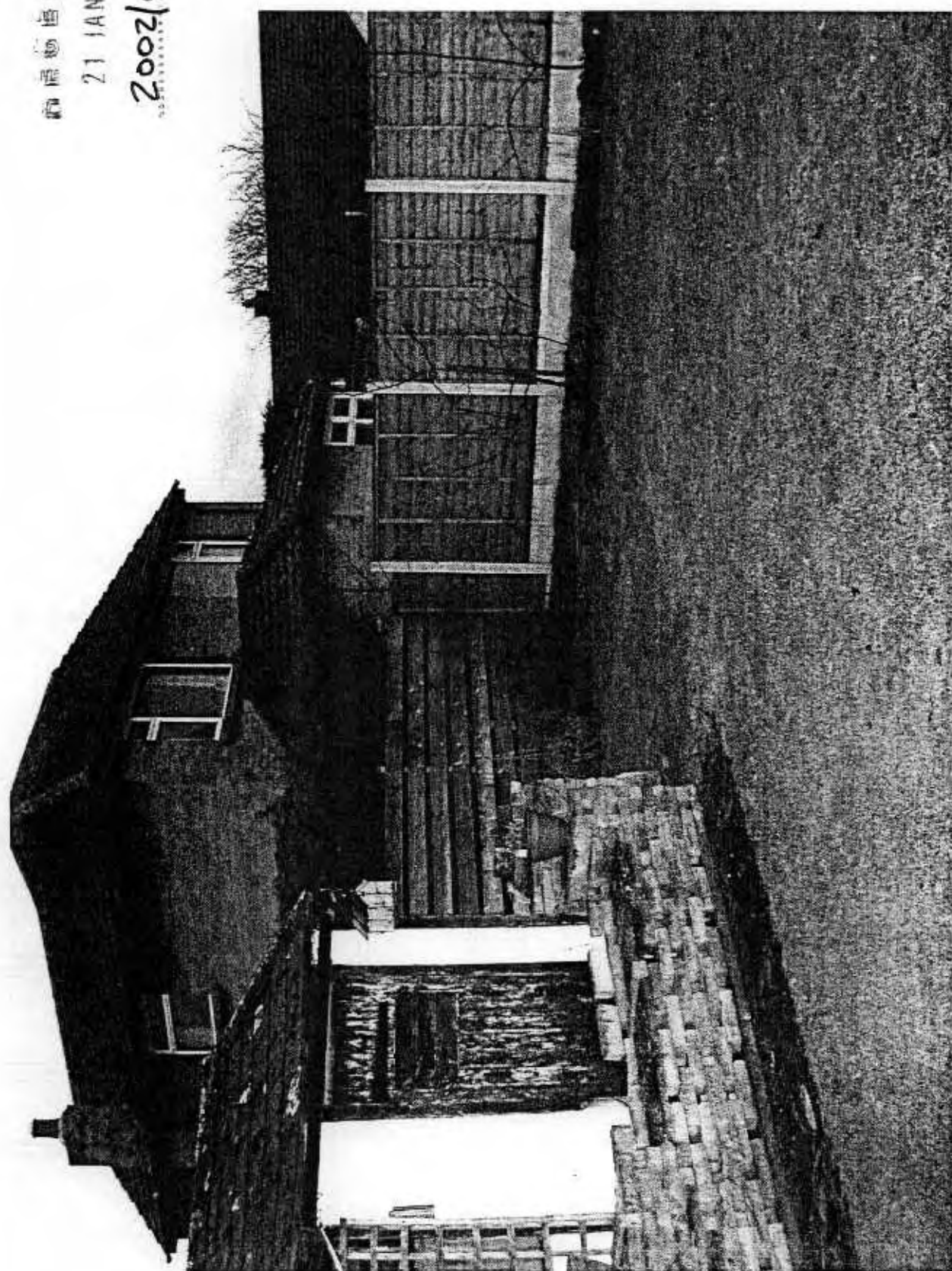
SCOTBY
Joinery & Preservation
General Joinery, Woodwork, Dry Rot
& Damp Proofing Treatments



西屋地處井林莊北

21 JAN 2002

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21 JAN 2002

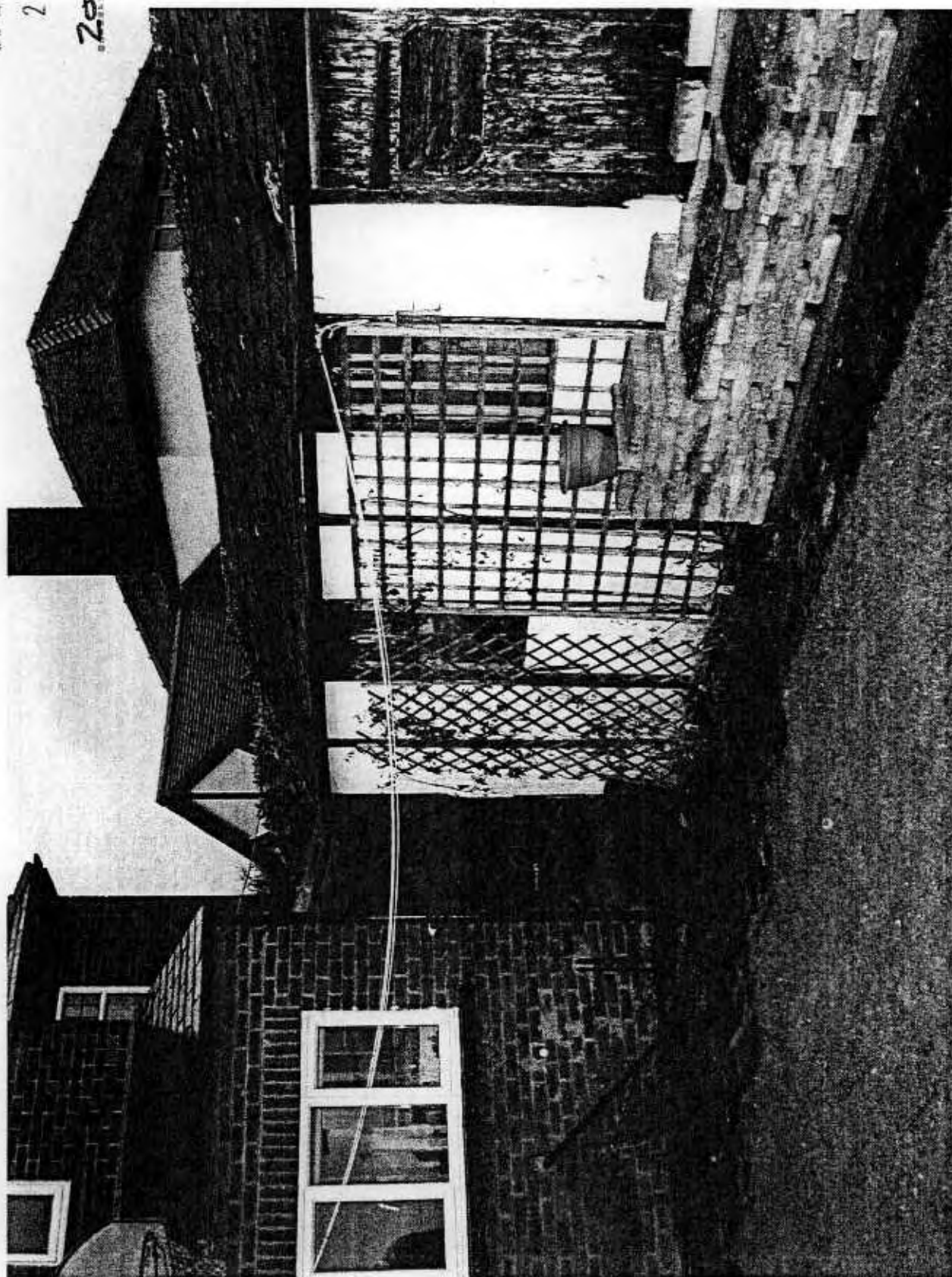
2002/0004



2002/0004

21 JAN 2002

2002/0004



SCHEDULE B

SCHEDULE B

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SCHEDULE B

SCHEDULE B: Reports Requiring Further Information

ITEM NO. 36

Date of Committee: 01/02/2002

APPN REF NO: 01/0789 /	APPLICANT: Kingmoor Park Properties Ltd	PARISH: Kingmoor
DATE OF RECEIPT: 31/08/2001	AGENT: Capita DBS	WARD: Stanwix Rural
LOCATION: Plot 2 & 3, Baron Way, Kingmoor Park North Kingmoor, Carlisle	GRID REF: 338300 560300	
PROPOSAL: Erection of new office building for 500 staff built in two phases with associated car parking and landscape works		

REPORT

PLANNING POLICIES:-

CUMBRIA & LAKE DISTRICT JOINT STRUCTURE PLAN POLICY 6

The City of Carlisle' sub-regional role as a centre of business, commerce, shopping and tourism will be fostered by the modest acceleration of past rates of development.

CUMBRIA & LAKE DISTRICT JOINT STRUCTURE PLAN POLICY 33

Sufficient employment land will be provided to ensure that in each District, subject to Policies 39 and 41 there exists at any one time a minimum of a five year supply of readily available land in each of the following market sectors:

- i. business park
- ii. strategic employment site
- iii. local employment site

CUMBRIA & LAKE DISTRICT JOINT STRUCTURE PLAN POLICY 36

Development will not normally be permitted where there is insufficient capacity in the service or transport infrastructure. Permission may be granted where satisfactory improvements can be made at the developer's expense.

CARLISLE DISTRICT PLAN EMPLOYMENT - POLICY EM3

Within the Headquarters and 1 and 5 sites at RAF 14 MU, development of B1, B2 and B8 uses will be acceptable and, together with the development of the adjacent Kingmoor Marshalling Yard site, will form a major Strategic Employment Site for the District.

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0789 /

SUMMARY OF CONSULTATION RESPONSES:-

KINGMOOR PARISH COUNCIL: the Parish Council is not opposed to the application but asks that consideration be given to the amount of motorists using the gateway to the above site. The roads in this area all have a high record of fatalities and injuries to motorists and pedestrians;

ENVIRONMENT AGENCY: no objections but request that 2 conditions are imposed if planning consent is given. Additionally, the Agency notes the submission of a Desk Study in relation to contaminated land and advises that there is no objection subject to the recommendations being endorsed as a planning condition;

HIGHWAY AUTHORITY: detailed comments awaited;

UNITED UTILITIES: no objections.

SUMMARY OF REPRESENTATIONS:-

The proposals have been advertised by means of a Site Notice. There have been no representations.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

Members will be familiar with the history of RAF 14MU from its' development in 1938 until closure in 1997. Subsequent to closure planning approval has been granted for the development of Sites 1, 5 and 8 as a Regional Employment Site and Certificates of Lawfulness issued in relation to outlying sites and the former Headquarters' Site.

DETAILS OF THE PROPOSALS

The current application relates to a 2.2 hectare parcel of land comprising the former Helicopter Landing Pad and adjacent main car park at Headquarters Site (see plan following).

The proposal is to re-develop the land to provide a new Regional Business Centre for Capita dbs. The proposed office development would be built in two phases and is expected to accommodate 500 staff including the Managing Director and 4 of the 5 Directors of Capita. The first of the proposed two phases would accommodate all existing Carlisle based staff with the exception of Business Services.

The proposed building would be sited on the former Helicopter Landing Pad with the associated car parking area affording its related parking facilities. The first phase of development comprises two wings, forming a V-shape on plan, which contain two floors of largely open plan office space. These link, from their point of intersection, by corridors through to a central suite of conference and meeting rooms with related kitchen area. The second phase would provide a similar third wing of

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0789 /

two storey offices which would complete a triangle of office spaces enclosing an inner courtyard containing the proposed conference/meeting facilities. The total floorspace within the development will be 5290 sq. m. (57,000 sq. ft, approx) with 245 parking spaces.

The design and finishes of the proposed development reflect the design objectives of a low energy, low operating cost building and these are expressed in a very contemporary way. These elements are described in the "Executive Summary" that the applicants have prepared, salient sections of which are printed in the Schedule. The building is constructed of pre-fabricated curved timber ribbing which is clad in exposed steel sheeting extending down to ground level at the ends of the facades but otherwise cut away in the centre sections of the vertical walling and glazing to the two floors of offices. These "recessed" facades have a deep roof overhang with fixed solar shading and an external walkway to enable maintenance of the upper facade. Each of the 3 "pods" is naturally ventilated using louvres in the facades and clerestory lighting and ventilation running lengthways along the highest part of the rooflines. These are best appreciated from the "standard cross section" drawing. As a design solution the proposals may be unusual but they are not, in the context of the location, "unacceptable".

The planning application is also supported by a Transport Impact Assessment which has been carried out by the applicants themselves. Its' "Non Technical Summary" follows in the Schedule but Members will note that it concludes that the traffic generated by the proposal can be accommodated on the local transport network with the proposed signalised T-junction at Kingstown Road/Kingstown Broadway and the mini-roundabout at Kingstown Broadway/Parkhouse Road. Members will, however, recall that the latter, whilst referred to in the TIA for the Kingstown Road/Kingstown Broadway signalised T-junction proposal, did not actually form part of that submission and, to date, no funding for that roundabout has been committed.

The highway issues related to this application are a matter for the Highway Authority to comment upon as a statutory consultee. However, although Officers are aware that the County Council's Local Committee for Carlisle has discussed the proposals and has resolved that that Authority should seek a S278 Agreement with the developers to secure necessary highway improvements, no formal, reasoned consultation response has been received from the Highway Authority.

In summary, whilst the proposals are supported from a planning point of view, further guidance from the Highway Authority is awaited concerning what highway works are required, and how these are expected to be procured.

The proposals are, moreover, consistent with the Council's aspirations to attract major investment into the Kingmoor Park development.

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0789 /

Members will recall that a Report on this application was included in the Schedule of Applications at the last meeting of the Committee but was deferred in order to await the views of the Highway Authority. At the time this Report was drafted these views had still not been received but it is assumed a formal response will be made in time for the meeting on 1st February.

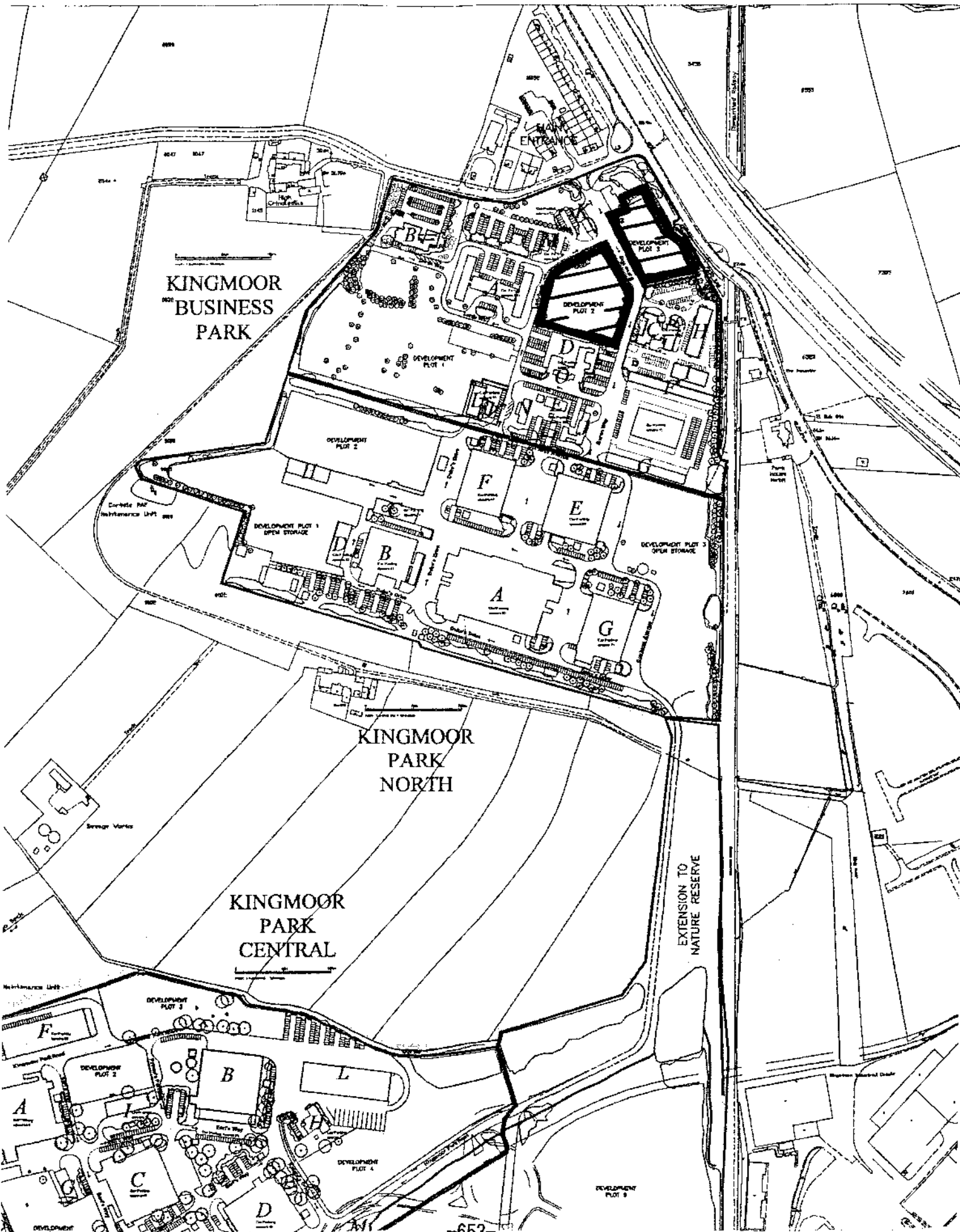
RECOMMENDATION: -

A full Report and Recommendation is not able to be made as a full and comprehensive consultation response is awaited from the County Council.

NTS - Page 11.

Apple

See end



DO NOT SCALE THIS DRAWING



External works

Car Park

Existing procedures require, in the case of a full-time student, that a student be in attendance for 75 percent of the term in order to be eligible for financial aid. In the case of a part-time student, the requirement is 50 percent. The new regulations require that a student be in attendance for 75 percent of the term in order to be eligible for financial aid. In the case of a part-time student, the requirement is 50 percent.

THE

Background

Authors' disclosures of potential conflicts of interest and author contributions are found at the end of this article.

A full technique design package will be submitted for the complete assessment by the summer. The body assessment of the team focuses on head injury in helping voluntary and common public with head injury because subject to large numbers. Cervical: head injury with thoracic injury. Body: head injury to patients of cervical conditions. Body: cervical: head injury with thoracic injury to patients and game. Cervical: head injury with thoracic injury to patients and game. Cervical: head injury with thoracic injury to patients and game.

Pharmacokinetics[illegible][illegible]

Plants 2 yrs. old and of any other landscaping and materials of other kinds and materials shall be placed in place by the contractor in the space of 60 days after the date of completion of the work.

Treatment group		Outcome
Day	Case	Admission
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18.7	18.7	Admission
20.7	20.7	Admission
21.7	21.7	Admission
22.7	22.7	Admission
23.7	23.7	Admission
24.7	24.7	Admission
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99.7	99.7	Admission
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2001/008

CAPITA

PROPERTY CONSULTANCY

3 Alfred Street North, Carlisle,
Cumbria CA1 1PX
Tel 01228 836181 Fax 01228 600112
www.cupcliff.co.uk

Office of Capital, Development, and

[illegible]

LE

Klimmory Park Properties Ltd.

THE UNIVERSITY OF CHICAGO

15

CAPIT Acids

Regional Business Center

DATE

Proposed Site Plan

Location of Buildings and Car

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

Year	Number of cases	Rate per 100,000
1990	1,000	1.0
1991	1,100	1.1
1992	1,200	1.2
1993	1,300	1.3
1994	1,400	1.4
1995	1,500	1.5
1996	1,600	1.6
1997	1,700	1.7
1998	1,800	1.8
1999	1,900	1.9
2000	2,000	2.0
2001	2,100	2.1
2002	2,200	2.2
2003	2,300	2.3
2004	2,400	2.4
2005	2,500	2.5
2006	2,600	2.6
2007	2,700	2.7
2008	2,800	2.8
2009	2,900	2.9
2010	3,000	3.0
2011	3,100	3.1
2012	3,200	3.2
2013	3,300	3.3
2014	3,400	3.4
2015	3,500	3.5
2016	3,600	3.6
2017	3,700	3.7
2018	3,800	3.8
2019	3,900	3.9
2020	4,000	4.0

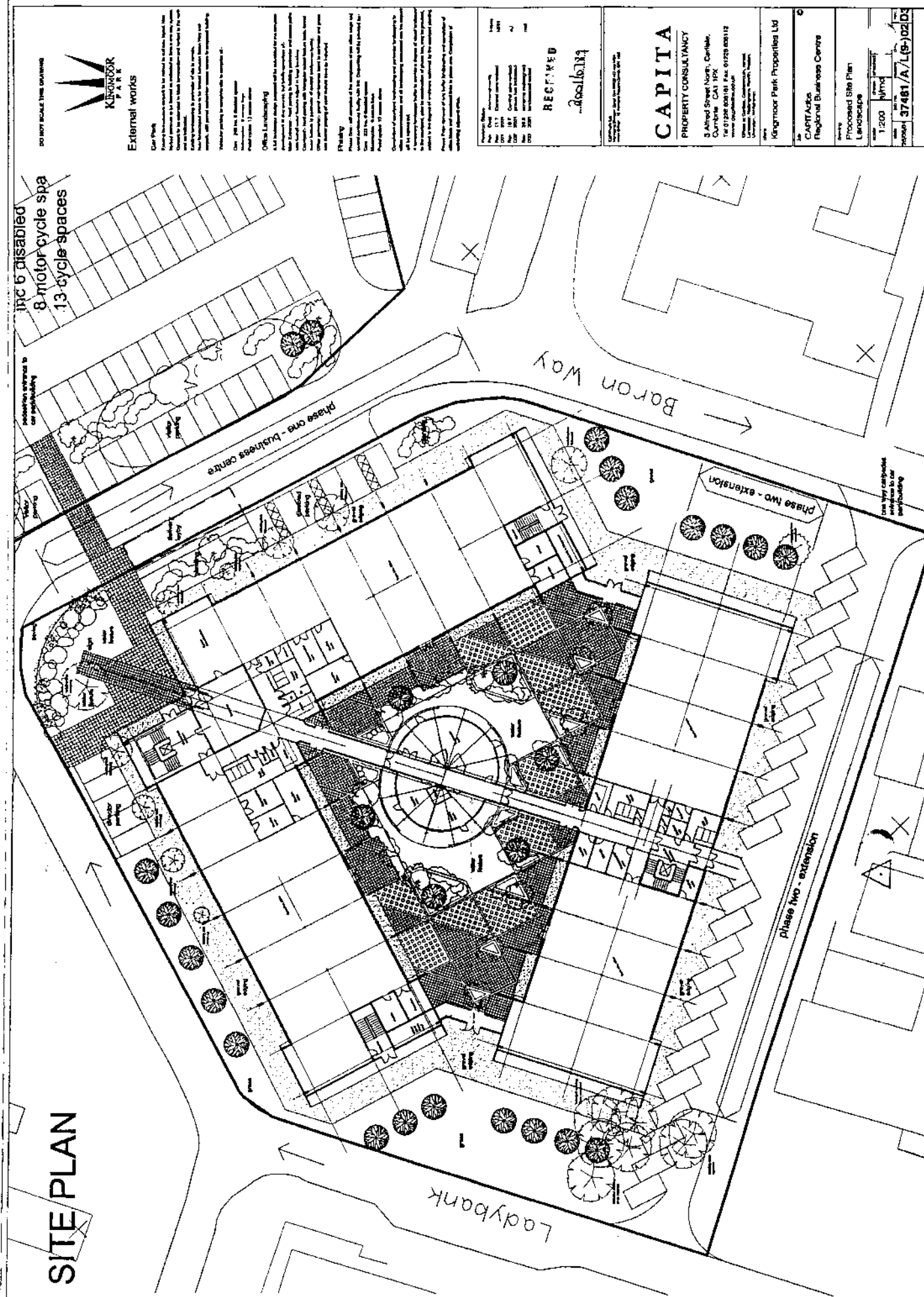
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-654-



SITE PLAN

inc 6 disabled
8 motor cycle spa
13 cycle spaces

Access point to
car parking

Phase one - business centre

Baron Way

Phase two - extension

Phase two - extension

Ladybank

DO NOT SCALE THIS DRAWING



External works

Site Plan
 The site plan shows the layout of the development, including the building footprint, parking areas, and landscaping. The plan is divided into three main sections: Phase one - business centre, Phase two - extension, and Phase three - extension. The site is bounded by Ladybank to the west and Baron Way to the east. A north arrow is located in the center of the plan. The drawing includes detailed architectural elements like windows, doors, and landscaping with trees and shrubs.

Office Landscaping

A detailed landscape plan for the office building, showing the layout of the building, parking areas, and landscaping. The plan is divided into three main sections: Phase one - business centre, Phase two - extension, and Phase three - extension. The site is bounded by Ladybank to the west and Baron Way to the east. A north arrow is located in the center of the plan. The drawing includes detailed architectural elements like windows, doors, and landscaping with trees and shrubs.

Planting

The planting plan shows the layout of the development, including the building footprint, parking areas, and landscaping. The plan is divided into three main sections: Phase one - business centre, Phase two - extension, and Phase three - extension. The site is bounded by Ladybank to the west and Baron Way to the east. A north arrow is located in the center of the plan. The drawing includes detailed architectural elements like windows, doors, and landscaping with trees and shrubs.

Item	Quantity	Unit
1. Office Landscaping	1	1000
2. Planting	2	1000
3. Office Landscaping	1	1000
4. Planting	2	1000
5. Office Landscaping	1	1000
6. Planting	2	1000
7. Office Landscaping	1	1000
8. Planting	2	1000
9. Office Landscaping	1	1000
10. Planting	2	1000

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3/10/2019

CAPITA

PROPERTY CONSULTANCY

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Kingmoor Park Properties Ltd

CA1 1PX

Regional Business Centre

CA1 1PX

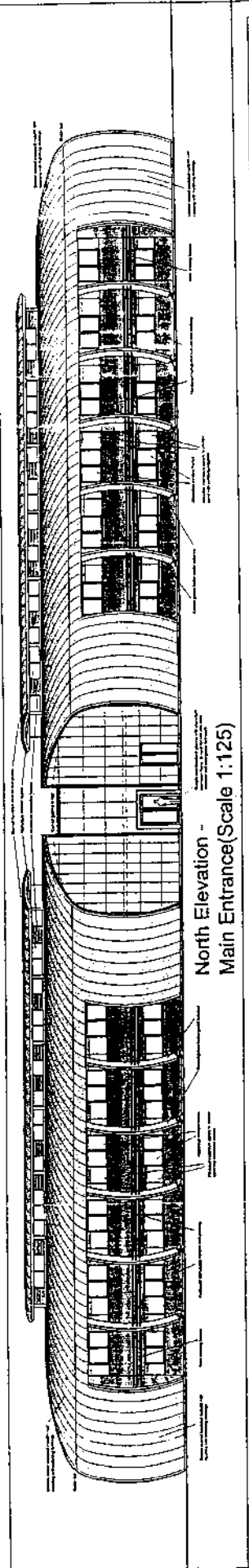
Proposed Site Plan

CA1 1PX

Landscaping

CA1 1PX

37481/A/L/9-0203



OUTLINE ARCHITECTURAL SPECIFICATION

1. The building shall be a three-story structure with a total height of approximately 100 feet. The building shall be constructed of concrete and steel. The building shall have a curved facade with a series of arched windows. The building shall have a central entrance area. The building shall have a flat roof. The building shall have a parking area. The building shall have a landscaping area. The building shall have a security system. The building shall have a fire alarm system. The building shall have a ventilation system. The building shall have a heating system. The building shall have a cooling system. The building shall have a water supply system. The building shall have a waste disposal system. The building shall have a telecommunications system. The building shall have a data processing system. The building shall have a security system. The building shall have a fire alarm system. The building shall have a ventilation system. The building shall have a heating system. The building shall have a cooling system. The building shall have a water supply system. The building shall have a waste disposal system. The building shall have a telecommunications system. The building shall have a data processing system.



REVISIONS

1.0

31/08/01

37481/A/12-104/00

PROPERTY CONSULTANCY

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Project: Kingmoor Park Properties

Client: CAPITAdbx Regional Business Centre

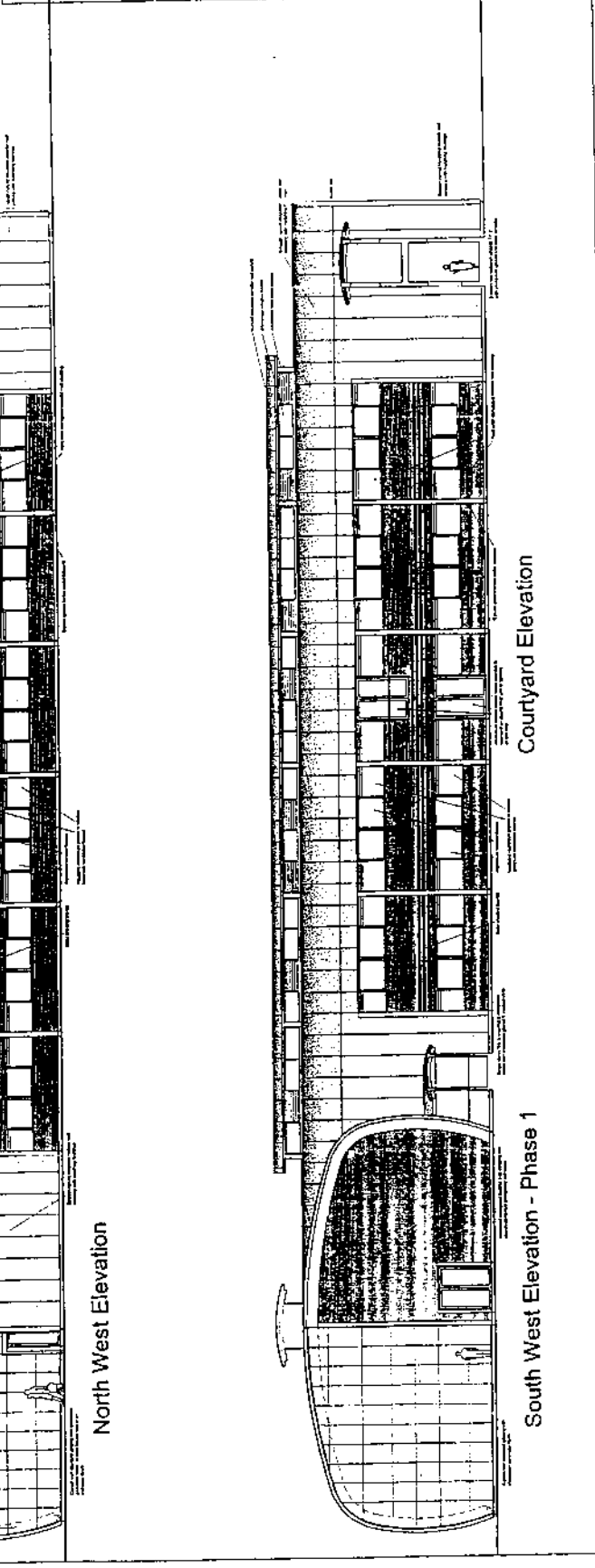
Proposed Elevations (Phase 1)

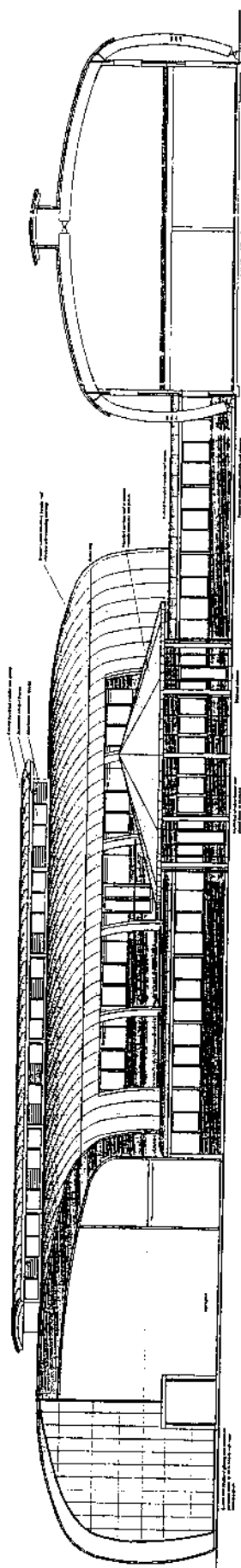
Scale: 1:100

Drawn: 31/08/01

Checked: 31/08/01

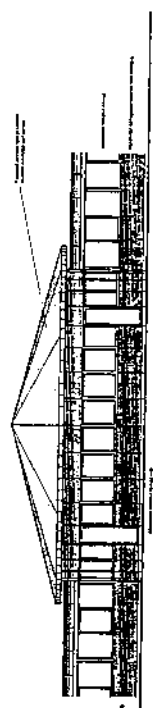
Approved: 31/08/01



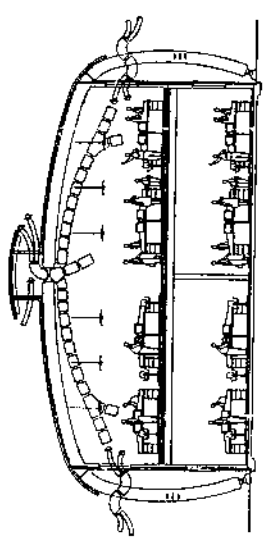


Section Through Main Entrance

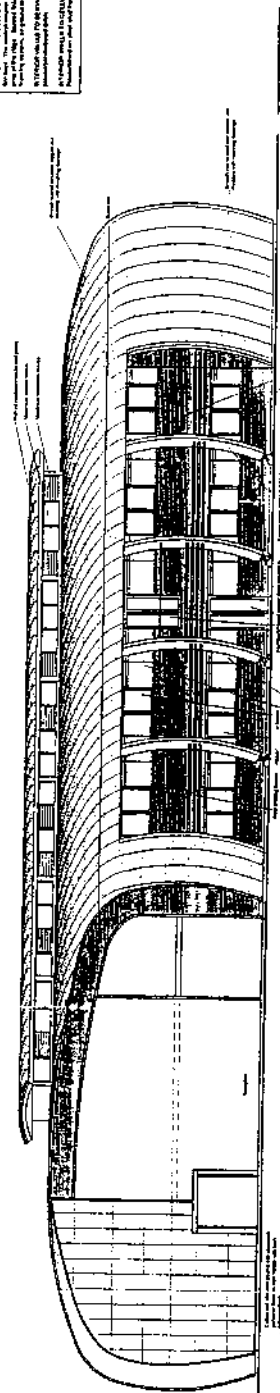
Meeting room 'pavilion'
& link corridors



Conference room 'pavilion'
& link corridors



Standard Cross Section



Section Through Main Entrance

Courtyard Elevation

OUTLINE ARCHITECTURAL SPECIFICATION

The following is a summary of the key design requirements for the proposed building. It is intended to provide a clear understanding of the project's goals and objectives, and to serve as a guide for the design team.

1.0 PROJECT BACKGROUND

The project is a proposed new building for the [Client Name], located at [Address]. The building is intended to provide a modern, functional workspace for the company's employees, and to serve as a landmark building for the area.

2.0 DESIGN REQUIREMENTS

The building is to be a three-story structure, with a total floor area of approximately [Area]. The design should be modern and functional, with a focus on creating a high-quality workspace for the company's employees. The building should be designed to be energy-efficient, and to provide a high level of security and safety for the occupants.

3.0 KEY DESIGN FEATURES

The building should feature a variety of key design elements, including:

- A modern, functional workspace for the company's employees.
- A high level of energy efficiency.
- A high level of security and safety for the occupants.
- A variety of amenities, including a gym, a lounge, and a cafeteria.

RE: [Project Name]

3 Alfred Street North, Sydney, NSW 1585

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PROPERTY CONSULTANCY

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Kingsthorpe Park Properties Ltd

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Proposed Elevational Sections (Phase 1)

Scale	1:100	NSW	AJ	31/08/01
Project	37481/A/L/2-0500			

KINGMOOR PARK REGIONAL BUSINESS CENTRE

Transport Assessment

NON TECHNICAL SUMMARY

1. CAPITA*ads* has been commissioned to prepare a Transport Assessment for a proposed Regional Business Centre, located at the Kingmoor Park site at Carlisle.
2. A study report for the Carlisle Northern Development Route (CNDR) was produced in 1998. This report confirmed that with the construction of the CNDR and the introduction of a signalised junction at Kingstown Road / Kingstown Broadway, the traffic generated from the full Kingmoor Park development can be accommodated on the local highway network up to a design year of 2018.
3. This report is primarily concerned with establishing the level of highway improvements needed to accommodate the additional traffic from the Kingmoor Park Regional Business Centre on the highway network prior to the 2005 year of opening of the CNDR. The report complements previous Traffic Impact Assessments and studies carried out as development plans for Kingmoor Park have progressed.
4. The proposed Business Centre development consists of Type B1 Office accommodation for up to 500 employees at the former 14MU HQ site to the north of the Kingmoor Park Development site, Carlisle.
5. Trip generation estimates for the proposed office development were prepared using data held on the TRICS computer database. 85th percentile rates were used in the calculation of development traffic.
6. The extent of the local highway network over which the impact of the proposed development has been assessed consists of the following junctions: U1281/Parkhouse Road junction, A7 Kingstown Road/Kingstown Broadway, A7 Kingstown Road/Parkhouse Road, and Parkhouse Road/Kingstown Broadway.
7. The base traffic levels were estimated for the years 2001 and 2005 by applying 1997 NRTF Central Growth factors to the 1997 survey flows detailed in the original TIA report. These flows are consistent with the flows used in Report No TC/98/59/Rev1 for the CNDR. In addition the projected development traffic from the Kingmoor Park East site, as detailed in the Revised Transport Assessment Report No TC/01/11/Rev0, has been included with the base traffic levels as committed development flows.
8. TRANSYT analysis has shown that traffic from the proposed Kingmoor Regional Business Park development can be accommodated on the highway network with the signalised T-junction at Kingstown Road/Kingstown Broadway in place. It is, however, clear that a number of links are close to, if not exceeding, their theoretical capacity during the PM peak up to 2005.
9. The mini-roundabout design proposed for the Parkhouse Road/Kingstown Broadway junction in the previous transport assessment would need minor revisions to accommodate all committed and projected development traffic. The decision to introduce a mini-roundabout at this location prior to the construction of the CNDR will be dependent upon the rate of development and traffic growth.
10. It is envisaged that additional public transport, walking and cycling facilities will be provided as the site develops. These will be incorporated into a green travel plan for Kingmoor Park. In order to represent a robust analysis, this assessment has assumed that all traffic generated by the proposed development will be new to the highway network. In addition, no account has been taken of the potential modal shift which could result from the introduction of a green travel plan, which could be up to 20%.
11. The assessment confirms that the Kingmoor Park Regional Business Centre development can be accommodated on the local highway network with the signalised T-junction at Kingstown Road/Kingstown Broadway and a mini-roundabout at the Parkhouse Road/Kingstown Broadway junction.

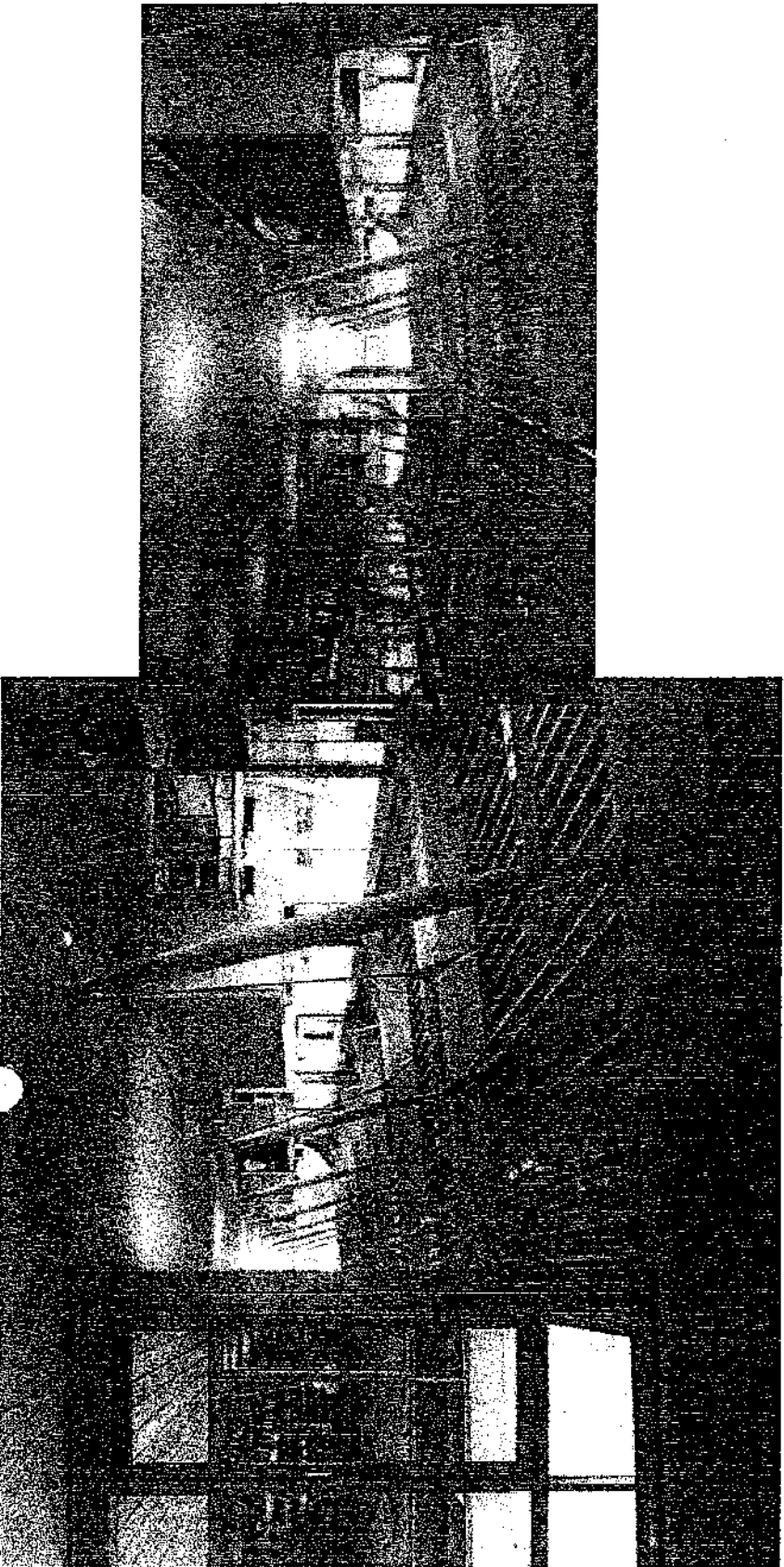
3.1 Building form

The proposed contemporary design solution seeks to combine a strong architectural form with flexibility and economy in use.

As a visual statement the building is clearly looking to the future, rather than the past, however, only well established and proven construction is employed, untested 'state of the art' technologies are avoided.

The structure of the building is exposed and expressed, forming a principal aspect of the architectural design.

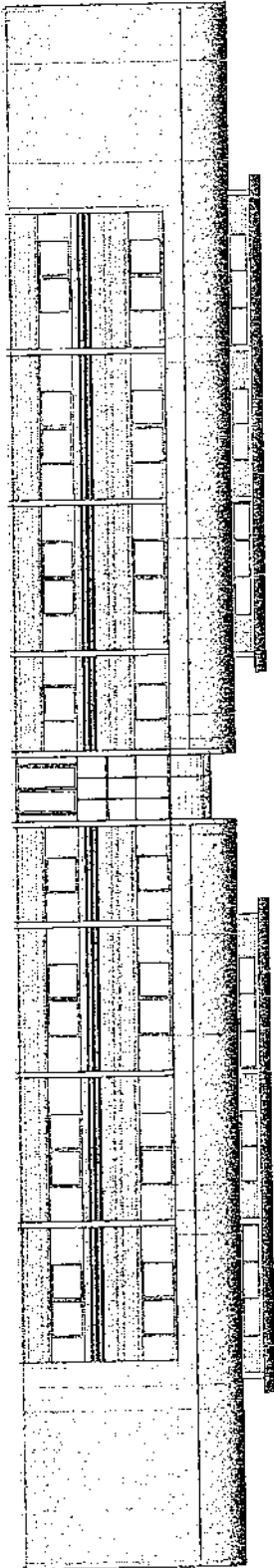
The combination of curved, prefabricated timber frames, with exposed steel sheeting following the curved profile, will create a simple, but elegant, interior environment.



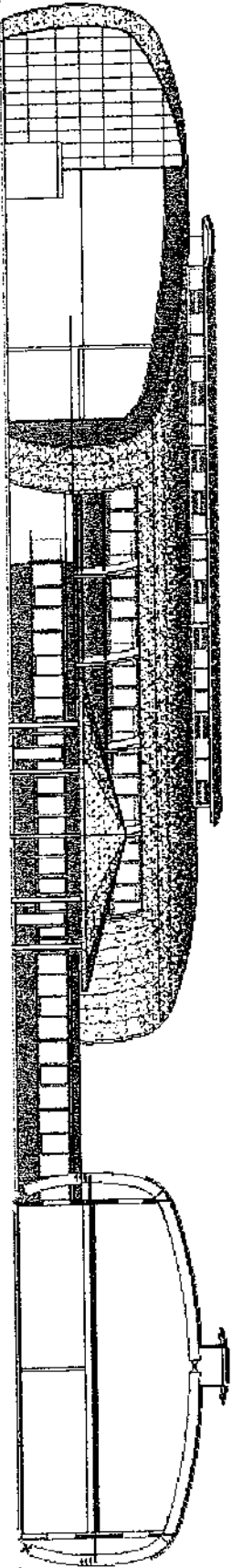
The curved form of the pre-fabricated timber framing is further emphasised by extending the metal cladding down to ground level at the end bays, resulting in a 'dynamic' form perhaps more reminiscent of the transportation industry than traditional building construction.

The curved 'ribs' of the roof structure are exposed throughout the centre section of the 'wings', providing support for a deep roof overhang, fixed solar shading and maintenance walkway, shading the ground floor windows. The recessed vertical wall in the centre section provides an efficient perimeter for placement of furniture, and an economical solution for window installation.

The proposed design incorporates a considerable proportion of repetitive elements, which will permit prefabrication off-site under controlled conditions, resulting in greater quality control, and reduced construction time.

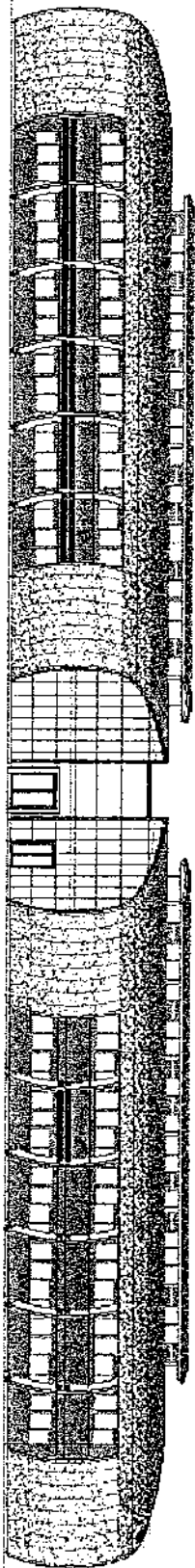


South Elevation

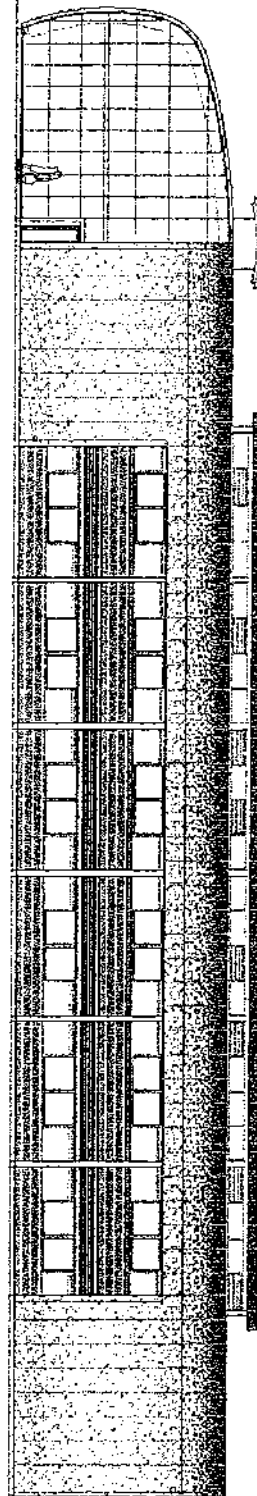


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North Elevation - Main Entrance



North West Elevation

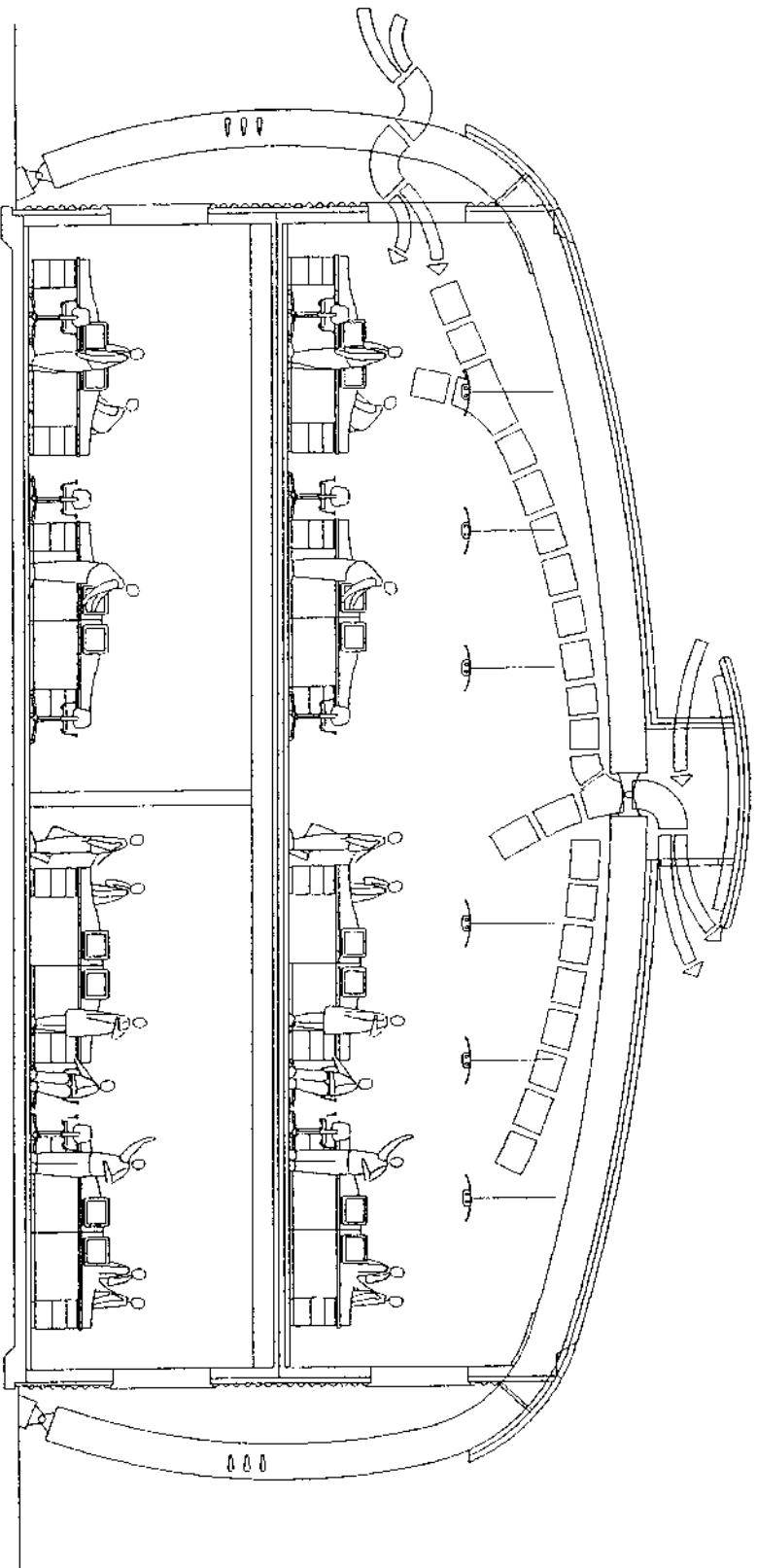


C A P I T A d b s

One of the principal design objectives is the creation of a low-energy building to obtain a low operating cost, without reliance on expensive capital plant and equipment. Close collaboration with building services engineers within the design team has taken place from the initial concept stage, to achieve this objective.

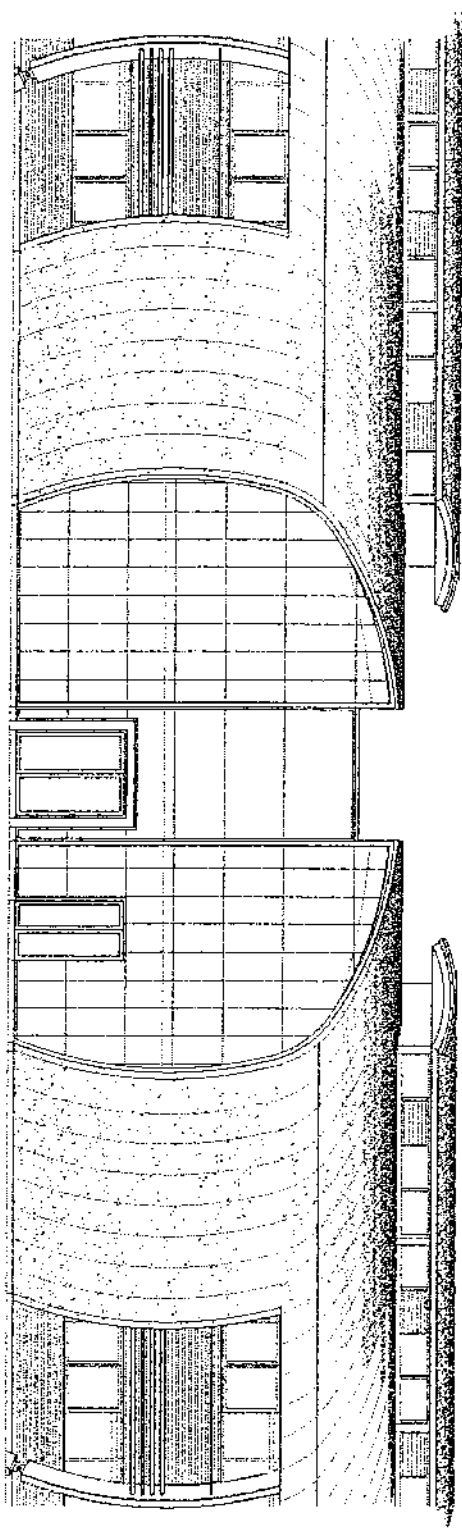
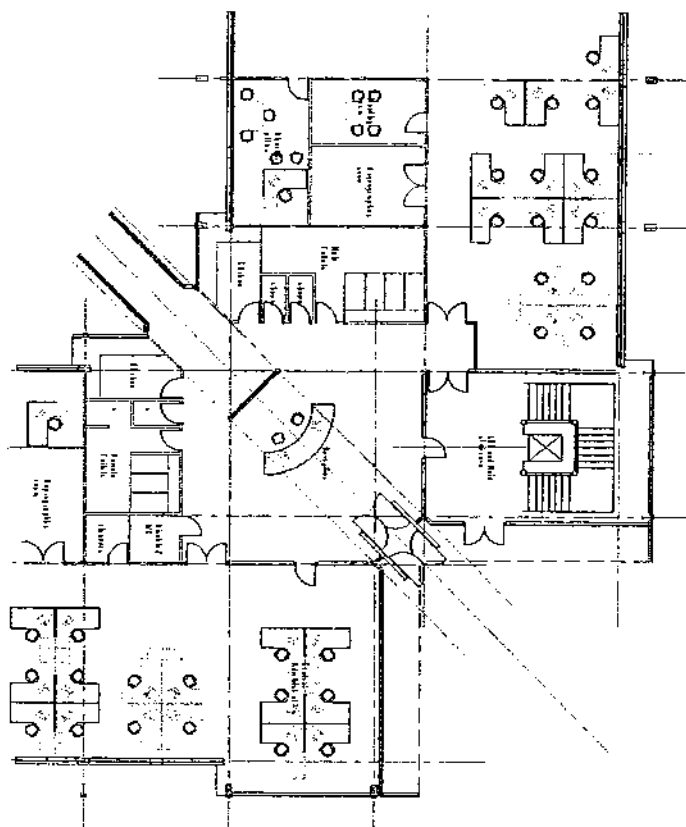
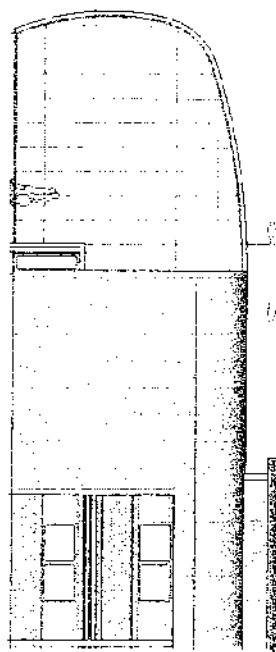
The building is entirely naturally ventilated, except for local cooling to the conference room and extract from toilet and staff kitchen areas etc. A healthy and comfortable interior environment will be achieved by controllable ventilation through louvers at both low and high (roof) level, supplemented by opening windows during summer months.

A combination of dense internal construction (concrete floors and masonry walls) enclosed within high levels of insulation will maintain a stable interior temperature.



Standard Cross Section

The main entrance is directly opposite the entrance to the Business Park, and is immediately visible upon entering the site. Upon approaching the entrance, the glazed end walls of both 'wings' will provide a degree of transparency. The main stair and lift will be visible prior to entering.



Part North Elevation -
Main Entrance

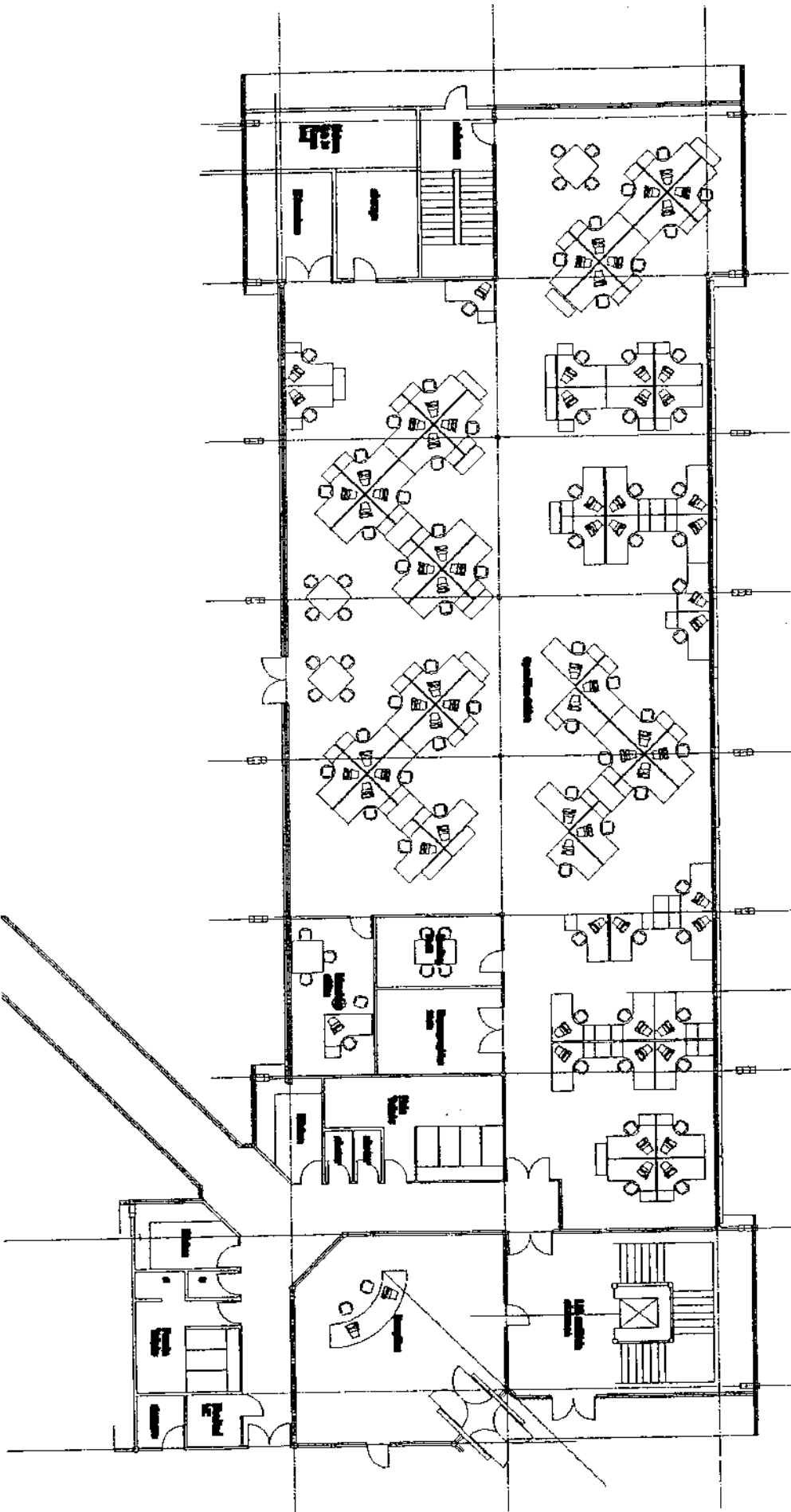
C A P I T A d b s

3.2 Building layout

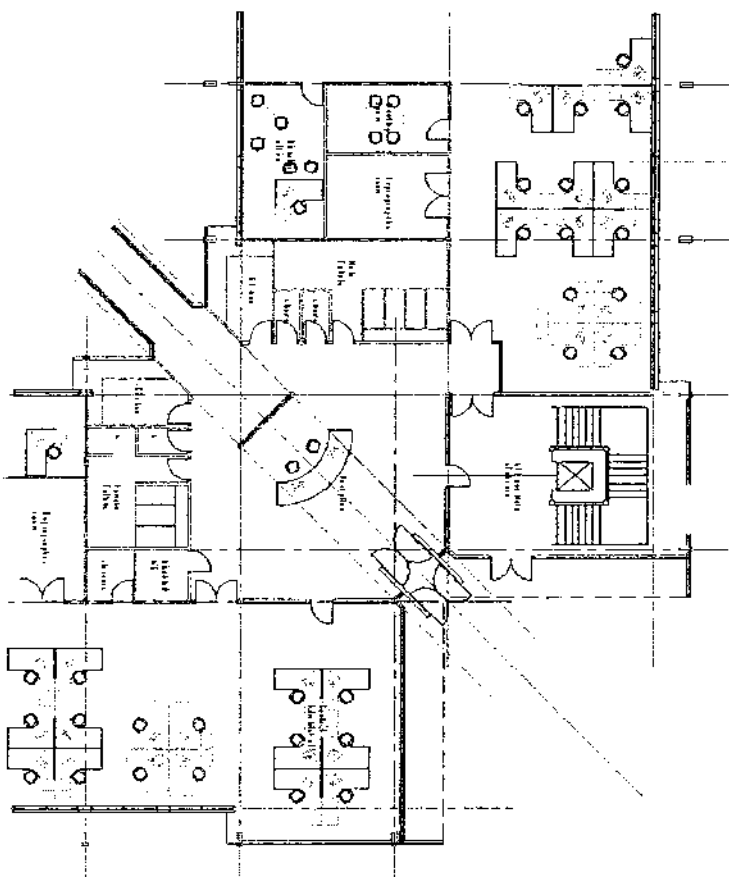
The entrance and reception area is at the centre of the building and is a two storey high space with a three metre wide strip of roof glazing above. An access control system will restrict visitors to this space until received by staff.

The interior layout provides four areas of general open-plan office area in Phase One, each accommodating up to 71 staff. Phase Two provides an additional four areas each accommodating up to 50 staff.

The open plan office layout provides maximum flexibility, accommodating changes due to internal re-organisation, expansion, and the formation of project teams.



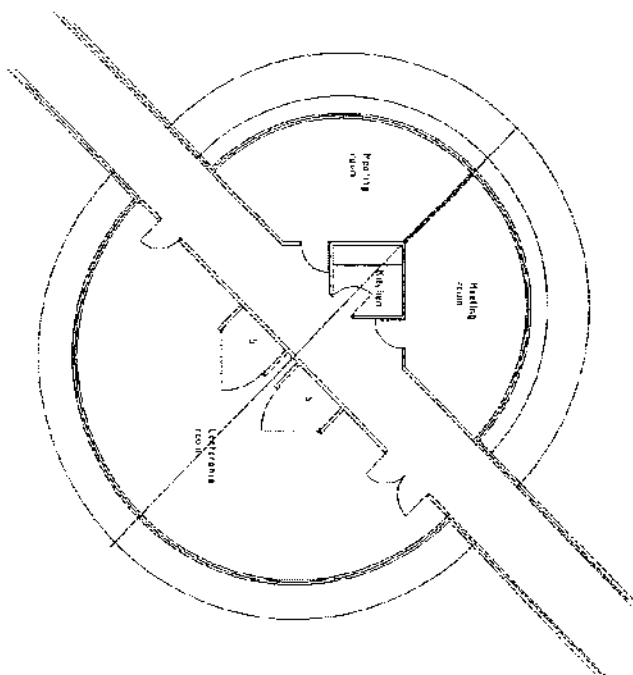
CAPIT Adbs



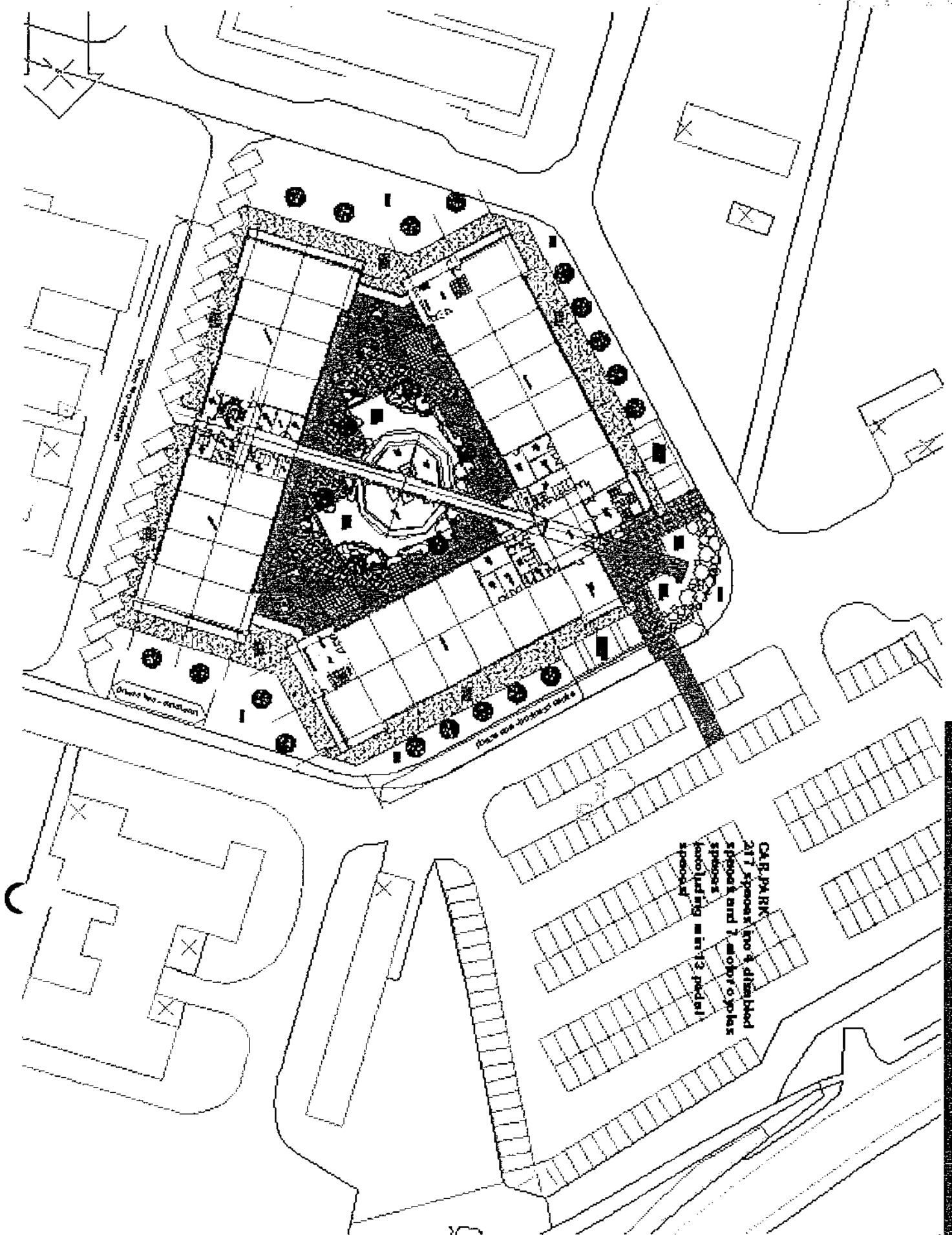
A direct link between Phase Two and the main entry avoids reliance on a 'racetrack' circulation system through Phase One open office areas.

The principal meeting rooms are equally accessible from all areas of the building, and are conveniently located relative to the entrance and reception area. The courtyard location provides a pleasant aspect, and the 'pavilion-like' setting contributes to the creation of a positive outdoor environment, reducing the remaining space to a scale that can be dealt with by predominantly hard landscape treatment.

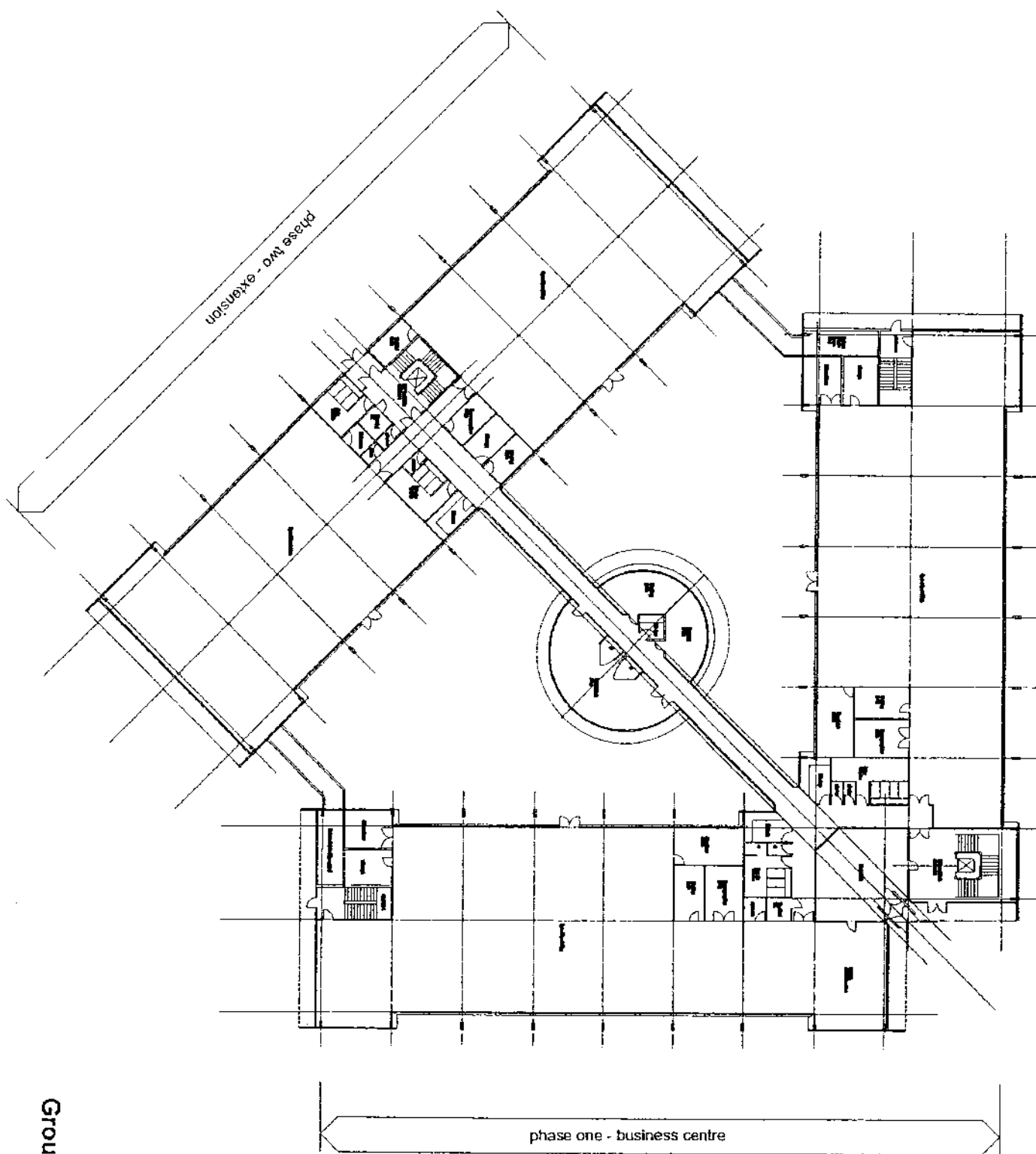
Staff kitchens, toilets etc. are clustered together forming a 'central core' of serviced spaces, to obtain economies in water services, drainage and extract ventilation. The plant room, and a central IT server room are located above these areas, and by virtue of the lower ceiling height required in the serviced areas, can be accommodated within the overall roofline.



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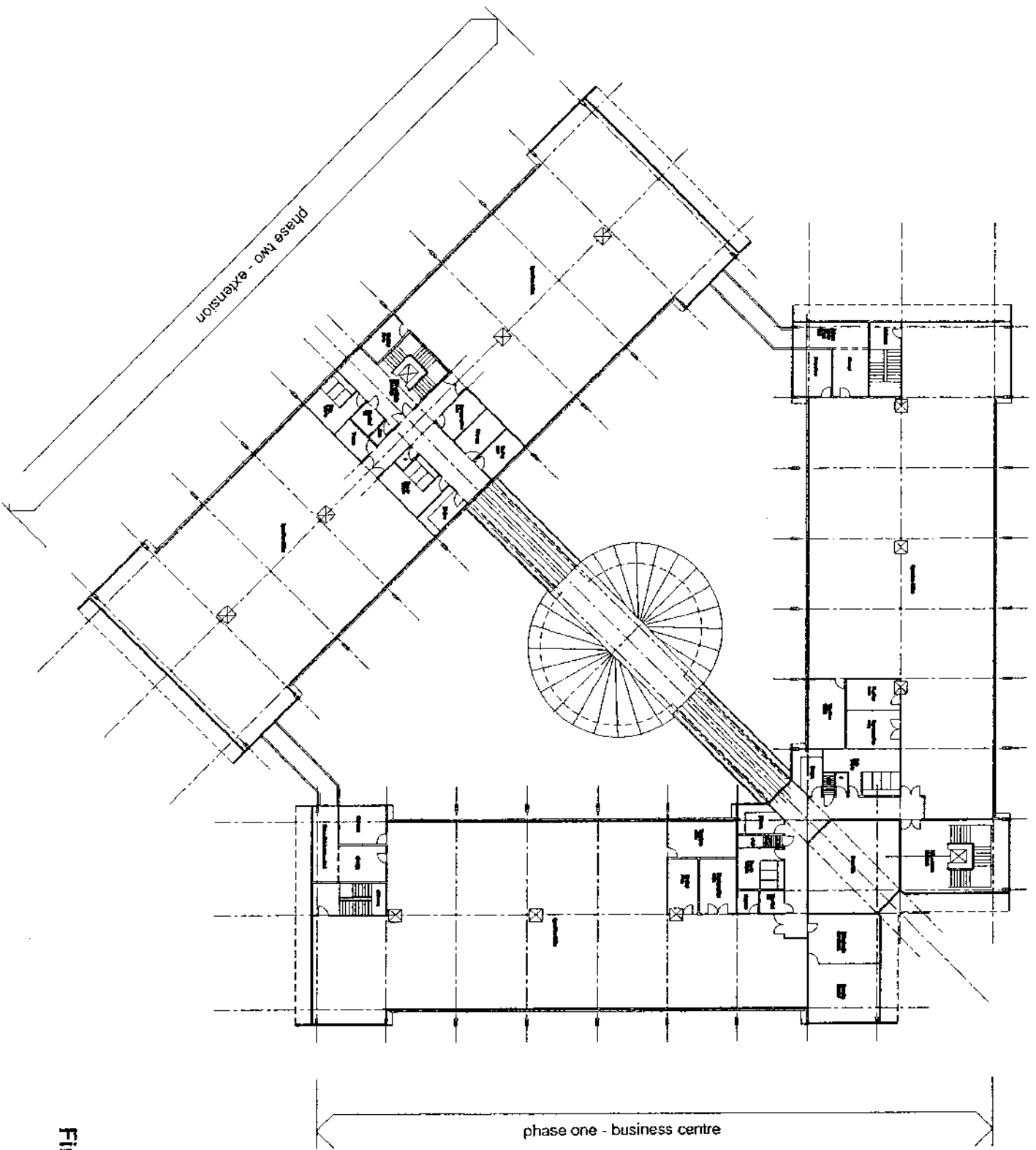


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Ground Floor Plan

CAPIT Adbs



First Floor Plan

CAPIT Adb's

3.3 Outline architectural specification

EXTERIOR CURVED ROOF/WALL: Composite and/or built-up metal panels with smooth metallic finish. Profiled metal liner forming ceiling finish, supported on prefabricated 'glulam' portal frames.

ROOF TO MEETING ROOMS IN COURTYARD: Composite and/or built-up metal panels with smooth metallic finish, metal liner to underside, forming ceiling finish, roof supported on exposed steel framing.

EXTERIOR RECESSED VERTICAL WALL TO CENTRE SECTIONS: Concrete block, with interior plaster finish, rigid insulation to exterior face, horizontal corrugated metal siding forming a continuous horizontal band above and below windows. Flat metal panels between window openings, finish to match window frames. Aluminium window frames with metallic finish to match curved cladding, manually operable. Louvers providing trickle ventilation, comprising weather louvers to the exterior, with mechanically driven blades to rear.

EXTERIOR HIGH-LEVEL GLAZING & VENTILATION LOUVRES TO CENTRE OF ROOF: Aluminium window frames and louvers as above, all windows non-operable.

EXTERIOR RECESSED VERTICAL WALL TO END OF 'WINGS': Concrete block, with interior plaster finish, rigid insulation to exterior face, horizontal corrugated metal siding.

EXTERIOR RECESSED GLAZED WALL TO ENDS OF 'WINGS': Aluminium curtain walling, with sealed insulated glazing, glazing to be either, fixed using structural silicone to the interior framing members only (with frameless exterior finish), or, fixed with conventional exterior metal capping with glazing gaskets.

EXTERIOR ROOF GLAZING OVER CENTRE CORE AREA: Aluminium curtain walling as above.

GROUND FLOOR: Ground bearing reinforced concrete slab, rigid insulation, screed finish accommodating under floor heating (plastic pipework retained in clipping system, and three compartment trunking system, accommodating telephone, data, and power).

FIRST FLOOR: Composite construction, exposed profiled steel deck forming the ground floor ceiling, with shear studs and insitu concrete topping, supported on a steel frame comprising 6m x 8m bays. The central column of the steel frame extends through the first floor to form the portal prop at the ridge. Screed finish accommodating under floor heating and three compartment trunking system, as ground floor.

INTERIOR WALLS TO SERVICED AREAS & SECONDARY STAIRS: Concrete block with plaster/plasterboard finish.
INTERIOR WALLS TO CELLULAR SPACES ADJACENT TO OPEN PLAN OFFICES: Plasterboard on steel stud framing, performance rated for acoustic separation.

The structural design of the proposed business centre can be best described as a propped curved prefabricated 'Glulam' portal, pin jointed at the base and centre of roof, and externally clad with a structural liner to provide the weather screen of the building envelope. Longitudinal bracing will be positioned within the fully clad end bays and gable elevations will be partially glazed on an exposed wind load resistant structural sub frame.

The floor and wall construction provides the thermal mass required to maintain stable interior environmental conditions. The first floor construction will be of composite construction, exposed profiled steel deck forming the ground floor ceiling, with shear studs and insitu concrete topping, supported on a steel frame comprising 6m x 8m bays, transmitting the floor loads to the foundations. The central column of the steel frame extends through the first floor to form the portal prop at the ridge.

The span of the floor beams and foundations will be finalised following receipt of the ground investigation report, they are likely to take the form of a grillage at 6m x 8m to mass concrete pad bases, for the steel frame, and strip foundations for the walls. The ground floor is most likely to be formed as a ground bearing reinforced concrete slab.

Structural detailing will be exposed and will require additional care in design, to be both aesthetically acceptable and prevent adverse weathering of the glulam connections. The detailing of the ground and first floors will reflect the mechanical and electrical requirements and the steel frame will support external solar shading above windows.

Dimensional limitations relating to the transportation of the curved prefabricated 'glulam' sections is recognised as an issue that will require careful consideration to avoid a cost premium, specialist advice is currently being sought through consultation with potential suppliers.

C A P I T A d b s

5.1 General

A detailed Mechanical & Electrical Design Report has been produced for this project, a summary of which is included in this section. Building services proposals have been investigated and tested from two previous reports titled "Building Services Engineering Feasibility Report" and "Building Services Engineering Modelling Conclusions".

The Regional Business Centre is proposed to be a low energy & low capital cost building using the best practice of natural ventilation, energy storage by high thermal mass fabric, night cooling, use of low grade heat condensing boilers & under floor heating, direct gas fired water heating, and energy efficient lighting with good day lighting/electric lighting control.

5.2 Mechanical Services

5.2.1 Heating

OPEN PLAN OFFICE AREAS

Open plan office areas are to be heated using low-pressure hot water under floor heating. The benefits of under floor heating are as follows:

Under floor heating when used in a high thermal mass building has good temperature control and thermal stability.

The life expectancy of modern under floor pipe system using modern plastics is between 50-100 years

Under floor heating is the most efficient heating system for office spaces.

Under floor heating provides an environment that follows the ideal comfort parameters of warm feet, cooler head.

Modern under floor systems now operate at low surface temperatures (Maximum 29°C) due to improved thermal insulation.

The under floor heating pumps can be run in summer (isolated from the boilers) to provide a measure of free cooling.

The following design considerations will be adopted to maximize thermal comfort:

The room temperature is to be elevated to 22°C thus heating up any draughts induced by perimeter trickle vents.

Additional under floor heating coils are to be provided under windows and adjacent to trickle vents to prevent any cold down draughts.

CELLULAR OFFICE AREAS

Central cellular offices are to be heated using radiators, due to the higher proportion of glazing and potential downdraughts. Radiator heat output is highly convective and will offset these draughts.

HEATING PLANT

The under floor heating circuits require a low grade of heat (50°C flow 30°C return) and therefore gas fired condensing boilers are proposed to exclusively heat the under floor heating. At these low temperatures condensing boilers operate at 99% efficiency (gross calorific value) as compared to 80% for traditional boilers.

The cellular office area radiators will be served from a dedicated and hydraulically separate boiler system operating at 80°C flow and 70°C return. A weather compensated three-port valve will control this circuit. All radiators will be provided with hermostatic radiator valves for individual room control.

Wall mounted compact condensing boilers are to be provided so that they can be carried up plant room stairs and also be easily replaced in the future.

Balanced flue boilers will be required so that make up air in the plant rooms is required at a minimum to ventilate the build up of heat.

C A P I T A d b s

5.2.2 Ventilation

OPEN PLAN OFFICES – IN WINTER

Trickle vents located on the external elevations of the building will provide minimum fresh air requirements for occupants in the winter. The trickle vents will be provided at high level above windows and automatically opened and closed.

OPEN PLAN OFFICES – IN SUMMER

On the ground floor manually operable windows, automatic trickle vents, three automatic thermal chimneys, and an airway into the atrium stack will provide natural ventilation to enable the office to be free cooled. Modelling has shown that the building will achieve CIBSE criteria for naturally ventilated spaces in that the space will be in excess of 25°C for 73 hours (CIBSE maximum recommended 125 hours) and over 28°C for 9 hours (CIBSE maximum recommended 25 hours). Building users must accept that in a naturally ventilated building, higher internal temperatures will occasionally occur in the office spaces, but for the majority of the time the office temperature will be within the range of 22 +/- 4°C.

The first floor is naturally ventilated via manually operable windows, automatic trickle vents, and automatic high level louvers inducing a natural stack effect. Slightly improved summertime temperatures will be experienced on the first floor due to a higher ceiling assisting the stack effect of air.

The atrium will be provided with automatic air inputs from the ground floor offices and the outside. Automatic high-level louvers will induce a stack effect in the atrium and providing natural ventilation and free cooling.

All open plan spaces will use night cooling strategies to further free cool spaces during warmer weather.

CELLULAR OFFICES

Director's offices will be provided with operable windows for natural ventilation. Internal spaces will be provided with mechanical extract and door transfer grilles for make up air.

TOILET, STAFF KITCHENS, AND INTERNALLY OCCUPIED SPACES

A mechanical extract system will be provided, operated on a time control set to occupied hours.

5.2.3 Hot & Cold Water Services

HOT WATER GENERATION

Hot water will be produced by a high efficiency gas fired hot water heater.

COLD WATER SERVICE

No cold water storage is proposed for the building so to minimize the risks of legionnaires disease and to reduce maintenance costs for tank cleaning.

5.2.4 Controls

A Building Management System is proposed control the building services engineering systems

This will include:

Energy monitoring of gas, water and electricity consumption.

Control of heating plant, under floor heating and radiators

Control of ventilation plant

Control of natural ventilation trickle vents, high level exhaust louvers

Control of water heating plant

The building will be heated to 22°C in winter using under floor heating / radiators and ventilated from trickle vents opened by CO₂ detectors to achieve minimum fresh air requirements.

In the summertime internal temperature sensors will open trickle vents and stack high-level louvers to provide adequate ventilation to free cool the building to 22 +/- 4°C. A weather station will monitor external temperature, external wind speed and direction, rain, solar radiation & air quality and provide the necessary correction factors to open/close louvers further. To supplement the natural ventilation strategy in times of prolonged high external temperatures night cooling will be employed.

During the night time trickle vents and louvers will be opened to pre-cool the office space to 18 +/- 2°C thus enabling cooler daytime indoor summertime temperatures to be achieved.

5.3 Electrical Services

5.3.1 Lighting

OFFICE AREAS

Office areas will be provided with suspended fluorescent luminaries. Lighting will be provided with day lighting control for all areas that fall within good natural lighting zones. Areas in poor day lighting zones will be manually switched.

Office lighting will be designed to 500 lux as per CIBSE guidelines.

MEETING / CONFERENCE ROOMS

An architectural lighting solution will be provided in the meeting rooms and conference room.

Lighting will be designed to 500 lux as per CIBSE guidelines.
ENTRANCE AREA

An architectural lighting solution will be provided in the entrance and reception areas, designed to 250 lux (general) and 500 lux (on displays) as per CIBSE guidelines.

TOILETS

Toilets will be provided with a suitable lighting system for the area, designed to 150 lux as per CIBSE guidelines.

OUTSIDE LIGHTING

External lighting will be provided for security purposes and to emphasize the structure and form of the building. A colour rendered light source will be selected to suit the architecture of the building.

5.3.2 Power

OFFICE AREAS

Office areas will be provided with a combination of three-compartment floor trunking with floor boxes and three-compartment dado trunking for the distribution of power data and voice wiring.

Floor boxes will be provided to suit a flexible furniture layout.

5.3.3 Other Services

FIRE ALARM

A fire alarm system will be provided to BS 5839 and to comply with statutory regulatory bodies.

SECURITY ALARM

A security alarm will be provided with controlled access to comply with statutory regulatory bodies.

Lightning Protection

A lightning protection system will be provided for the protection of the building structure and internal equipment.

IT WIRING

IT data wiring will be provided to suit the open plan office layout and IT network requirements.

An IT "power down" strategy is to be developed in consultation with IT staff, so that computers are set up to automatically power down when not in use. This will reduce power consumption and heat gains.

5.4 Architectural issues

BUILDING FABRIC

The under floor heating, natural ventilation and night cooling strategy will function best and provide optimum thermal comfort conditions with a high thermal mass building.

High thermal mass allows the space in winter to retain heat and not be subject to rapid changes in external temperature and solar heat gain. In the summer the high thermal mass will assist night cooling in that internal surfaces will be cooled down overnight and will absorb heat the following day.

WINDOWS

All windows are to be manually operated giving the building users a degree of control over their thermal environment.

Thermal modelling indicates that each open plan office would require 23.4 m² of fully open able windows on each side of the office.

Glazing will be provided in the raised section to the centre of the roof to give good levels of day lighting. An option exists to provide roof glazing above each 'thermal chimney' to provide additional natural lighting to the ground floor.

The solar overhang greatly reduces the direct solar gain to the office spaces and reduces internal summertime temperatures.

THERMAL CHIMNEYS & LOUVERS

Each ground floor open plan office is to be provided with three thermal chimneys of approximately 1m x 1m, that will link the ground floor to the roof top louvers, providing deep plan ventilation to the ground floor and summertime free cooling.

Additional ventilation from the ground floor office via transfer grills to the two-storey high entrance atrium, which will be provided with two low level louvers and six high level louvers to exhaust warm air.

All louvers are to be weather louvers fitted with insect screens, with mechanically driven blades behind. Control is via a 0-10V actuator capable of tight shut off to fully open modulating control.

The first floor open plan office spaces are to be provided with automatic high level louvers to exhaust warm air. Each open plan office is to be provided with ten 1m² louvers, arranged five per side of the raised roof detail at the ridge.

Each open plan office is to be provided with controllable trickle ventilation via twelve 0.5m² louvers, six down each side of the open plan office.

Landscape design will focus on four separate areas: the main building entrance, the courtyard, perimeter margins to the building, and the main parking area. Whilst all these areas will be subject to a detailed landscape design, which has not yet been developed, the proposed design principals are outlined below.

6.1 Main building entrance

Due to the concentration of pedestrian movement in this area, predominantly hard landscape treatment will be used. The principal circulation route will be to/from the main parking area, hard paving will be separated from the building by a gravel/pebble strip. The 'corner' of the site will be free of circulation, and offers an opportunity to enhance the entry with an area of natural stone boulders with infill planting located around the outer quadrant, a shallow water feature will occupy the area between the boulders/planting and the paved circulation areas. Bubble fountains will be used to create water movement, to avoid wind blown spray.

6.2 Courtyard

The 'pavilion-like' setting of the principal meeting rooms accessed from the link corridor, contributes to the creation of a positive outdoor environment, reducing the remaining space to a scale that can be dealt with by predominantly hard landscape treatment. The landscape treatment will include a variety of paving materials, gravel and pebbles, the use of some raised planting beds. Planting will include species selected for their strong leaf form, especially where set in grave/pebble areas, flowering shrubs for seasonal colour, and evergreens for winter foliage.

The layout will be structured and semi-formal, and will be directly related to the building by using the principal structural grid lines, extended into the courtyard, to form the basis for defining the layout.

Shallow water features will included adjacent to the principal meeting rooms, conventional fountains will be used to contribute to the quality of the courtyard environment, both visually and acoustically.

A band of planting will provide a visual screen between the principal meeting rooms and the immediately adjacent open office areas.

The perimeter, adjacent to the building will be finished in a variety of hard landscape materials, without any change in level, to permit the use of small powered access equipment for maintenance purposes. Equipment access to the courtyard will be via pairs of doors on each side of the links between the end of phase one 'wings', and phase two.

A temporary landscape buffer to provide a degree of visual 'enclosure' to the courtyard, prior to construction of phase two, may be provided, subject to the degree of enclosure achieved by the courtyard planting.

6.3 Perimeter margin to the building

A gravel strip will be provided adjacent to the building to accommodate access by powered access equipment for maintenance. A simple repetitive planting layout related to the structural bays of the building will be used along the length of the 'wings'. Simple screen planting will be inserted opposite the glazed ends of the 'wings' (except the main entry as described above), this will provide a visual filter, providing a degree of privacy for occupants, solar shading from low angle sun, and a pleasant outlook. All planting to the perimeter margin will be selected with consideration for the depth of root structure, as the existing services are all located within these areas.

6.4 Main parking area

Infill planting will supplement the existing perimeter vegetation to strengthen the screening of the parking area. It is not proposed to introduce planting within the areas of the existing car park. A new landscape feature, consisting of natural stone boulders and planting, is to be created at the north-east corner of the Business Park, adjacent to the junction of the unclassified road (U1281) containing the site entry, and Parkhouse Road. This new landscaping is not related to this project, but will enhance the approach to the site, and will contribute to the screening of the parking area.

SCHEDULE B: Reports Requiring Further Information

ITEM NO. 37

Date of Committee: 01/02/2002

APPN REF NO: 01/0800 /
APPLICANT: McNicholas Construction Services Ltd
PARISH: Carlisle

DATE OF RECEIPT: 05/09/2001
AGENT:
WARD: Belah

LOCATION: Site 25 Wakefield Road, Kingstown Industrial Estate Carlisle, 339457 558815
GRID REF:

PROPOSAL: Creation of contractors depot for installation of EON
communications system (temporary permission for 3 years)

Angus

REPORT

PLANNING POLICIES:-

HEALTH & SAFETY EXECUTIVE CONSULTATION

The proposal relates to development involving or affected by hazardous substances or noise.

CARLISLE DISTRICT PLAN EMPLOYMENT - POLICY EM2

Within Primary Employment Areas proposals for B1, B2 and B8 uses will be acceptable. Permission will not be given for redevelopment or changes of use within such areas for other purposes. Exceptions may be permitted where:

1. the existing use of the site adversely affects or could adversely affect adjacent residential properties; or
2. the proposed alternative use is essential for the redevelopment of the majority of the site for employment purposes; and
3. the alternative development would be appropriate in terms of scale and design to the surrounding area, and the amenity of adjacent properties would not be prejudiced.

CARLISLE DISTRICT PLAN HOUSING - POLICY H17

The amenity of residential areas will be protected from inappropriate development where that development:

1. is for a use inappropriate for residential areas; and/or
2. is of an unacceptable scale; and/or
3. leads to an unacceptable increase in traffic or noise; and/or
4. is visually intrusive; and/or
5. leads to a loss of housing stock.

CARLISLE DISTRICT PLAN

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0800 /

ENVIRONMENT - POLICY E13

The City Council will seek to protect existing and establish additional Local Nature Reserves on areas of land which have ecological or geological value.

SUMMARY OF CONSULTATION RESPONSES:-

ENVIRONMENT AGENCY: No objection subject to the imposition of conditions re. the storage of any oils, fuels or chemicals, provision of an oil interceptor, and surface water drainage.

CITY COUNCIL'S COUNTRYSIDE OFFICER: It is considered that there will be no real problems from a viewpoint of landscape and impact on adjacent Nature Reserve due to the compound being fenced, lit and with security.

HEALTH AND SAFETY EXECUTIVE: No wish to make any comments within the terms of Circular 04/2000.

HIGHWAY AUTHORITY: No objections.

HEAD OF ENVIRONMENTAL SERVICES: I am in receipt of the report provided by Noise and Vibration Association (NVA) Consultants acting on behalf of McNicholas Ltd and would comments as follows.

It is evident that noise monitoring undertaken by both this Division and NVA that certain existing operations on site may lead to noise complaints. Noise levels measured during vehicle loading particularly from impacting materials and the diesel operated loader are significantly higher than prevailing background noise levels.

Complaints of nuisance from noise and also fumes have been received via a petition from local residents. Investigations at number 6 Lowry Hill Road and 26 Sanderson Close have to date not substantiated a statutory nuisance. Comments have been received by residents at No. 2 and No. 6 Lowry Hill Road and 2 St Peters Drive, stating that they have noticed a marked improvement over the past 2 weeks concerning noise levels from the site particularly regarding early morning activities.

I have no objections in principle to the application, however it is essential that control measures to reduce noise emissions from the site are adopted and I recommend that conditions are included which restrict: i) the hours of operation; ii) noise levels from the site; iii) periods of use of any mechanical loading equipment; and, iv) a scheme for acoustically screening the site.

It should be noted that Condition ii) may be met but intrusive noise arising from actual loading of vehicles impacting materials could still give rise to complaints. It is essential that good practice during loading is implemented to minimise noise e.g. not dropping materials from a height and not running engines whilst vehicles are stationary. Loading of building

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0800 /

material should only take place within the screened loading area.

Finally it is advised that measures are in place to prevent dust nuisance occurring particularly during periods of dry weather.

SUMMARY OF REPRESENTATIONS:-

This application has been advertised in the form of a site notice and the direct notification of the occupiers of 22 properties. In response 13 letters of objection and a petition with 22 signatures have been received raising the following concerns: the additional noise created by the 60 lorries loading up on site; doubtful whether the loading and departure of lorries between 0700 and 0900 can be maintained, or the return limited to 1630 until 1800; the southern hedge of Site 25 is deciduous and, therefore, for five or six months of each year the site will be visible; if permission is given could the south-east and west boundaries of the site be marked by a solid fence; the number of lorries leaving and returning to the site at peak times as well as cars will further exacerbate an existing traffic problem on Kingstown Road; when will the lorries be loaded?; what mechanical aids will be used to load the lorries?; the lighting hinders sleep at night; the smell of diesel fumes hangs in the air during certain weather conditions; dust and dirt from the site getting into homes; how can anyone quietly enjoy the wildlife pool with a JCB operating continuously within twenty yards; neighbouring residents believed that permission was being sought for limited activity during limited time periods - the reality is neither of these scenarios; and, it is believed that this application clearly breeches the Council's own planning regulations and as such should be refused.

A resident has also suggested that a solution might be to increase the height of the earth bund which runs along the western boundary in the Nature Reserve. If this was not acceptable, an alternative suggestion is to allow the applicants to erect fencing on the bund and behind the hedge bordering Lowry Hill Road.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

In 1951, under application reference number TP111, planning permission was given to use the site for general engineering. In 1967, application number 28536, permission was given for an extension to the engineering workshop.

In 1968, application number T91903, permission was given for outdoor storage.

In 1969, application number 29801, permission was granted to use the site for packing case manufacture and joinery.

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0800 /

In 1972 and 1973, application numbers 31676, TP2900 and 32787, permission was given for an engineering store, storage, a fitting shop, and, open storage.

In 1998, application number 98/0151, permission was given for a change of use to classes B1, B2 and B8.

DETAILS OF PROPOSAL

This application relates to the recently cleared site which adjoins the workshop occupied by Titterington's and DCS Auto Electrics. To the immediate west there is Kingmoor Nature Reserve, whilst to the east are St Peter's Church and Council allotments. The southern boundary abuts the verge along Lowry Hill Road.

The submitted layout plans shows the provision of five portakabin offices, materials, storage bins, bunded fuel storage, 60 lorry spaces, and, 40 car parking spaces. Seven security light standards, 6 metres high, will be positioned around the boundary.

The application is accompanied by a series of letters from the applicants confirming that:

- the intention is not for any materials to be screened or sorted on the site.
- a solid 2.4 metre high fence painted green will be erected along the eastern, southern and western site boundaries.
- the intention is to work within the stated hours i.e. 0700 to 1900 hours Monday to Friday (1800 hours during the winter months), 0700 to 1500 hours on Saturdays.
- traffic will be routed via Kingstown Broadway to Parkhouse Road rather than straight onto the Kingstown Road.
- the permission sought is for a Contractors Depot/Storage area for the period of the contract only i.e. 3 years.
- approximately 240 workers will be based at the site, most of whom will be locally recruited.
- on completion of the contract a smaller more permanent force will be established at other premises to carry out maintenance work.
- the time scale imposed by the employer requires the applicants to have commenced works in the City on the 1st November 2001.
- the working practice is for lorries to turn left into Kingstown Broadway and join Parkhouse Road.

The employer is a Company called Omne who wish to establish a digital network in competition with BT. The services provided

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0800 /

include telecommunications, domestic cable television and internet access.

The site obviously has a history of industrial purposes and is located within a designated primary employment area. This aside, and in considering the application, it is felt that the main issue which needs to be resolved is the impact of the proposal on the amenities of neighbouring residents in terms of noise, dust, glare from lights and fumes.

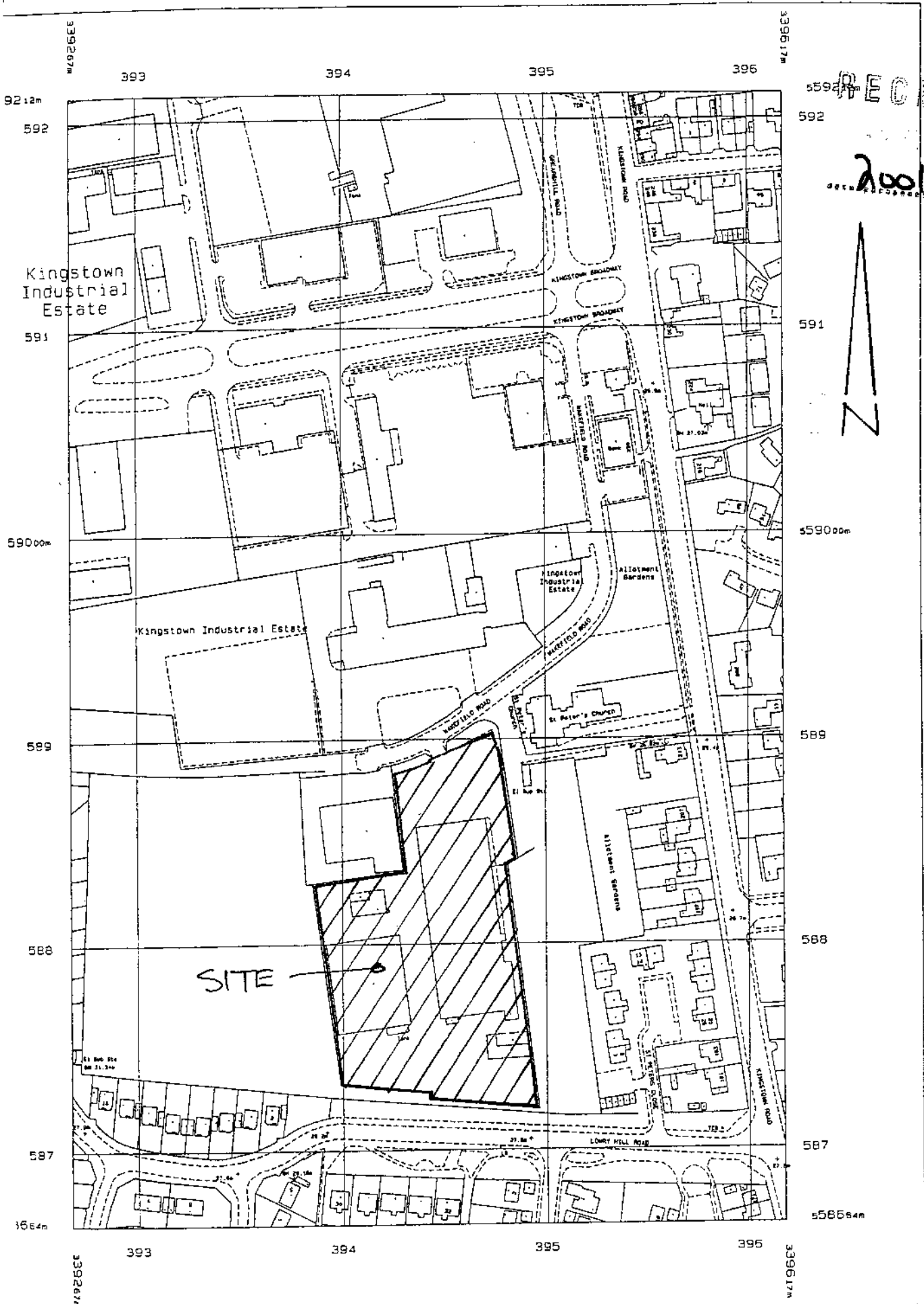
Glare from floodlights and dust may be held to affect residential amenity. The applicants are trying to mitigate the problem by installing individual switches for all the lights and ensuring that the light spills in certain directions as opposed to directly facing residential properties. Any problems associated with dust can also be mitigated by the installation of appropriate suppression measures such as the use of a water bowser.

It is acknowledged that Smells and fumes caused by proposed developments may be considered for their effect on neighbours when making a decision on a planning application. In this instance, and based on a number of visits, such problems have not been readily apparent or attributable to the application site.

In response to the observations of the Head of Environmental Services the applicant's are seeking the advice and recommendations of a noise consultant. The neighbouring resident's suggestion of increasing the height of the existing bund has been explored, however, there are concerns over its effectiveness to act as a sound barrier because of the location of the existing mast; the likely impact on the immediately neighbouring properties; and, the need to ensure that imported material did not introduce any alien flora into the Nature Reserve.

A further report will be presented to Members following receipt of the noise consultants report.

RECOMMENDATION: -



1:2500

0033/2

McNICHOLAS

CONSTRUCTION

1. Offices to be Portacabin type portable units placed on existing hard standing.
2. Security light standards to be limited to 6 m. height and to have shades to direct light downwards and prevent glare.

54.5 indicates security with city standard. Light standard.

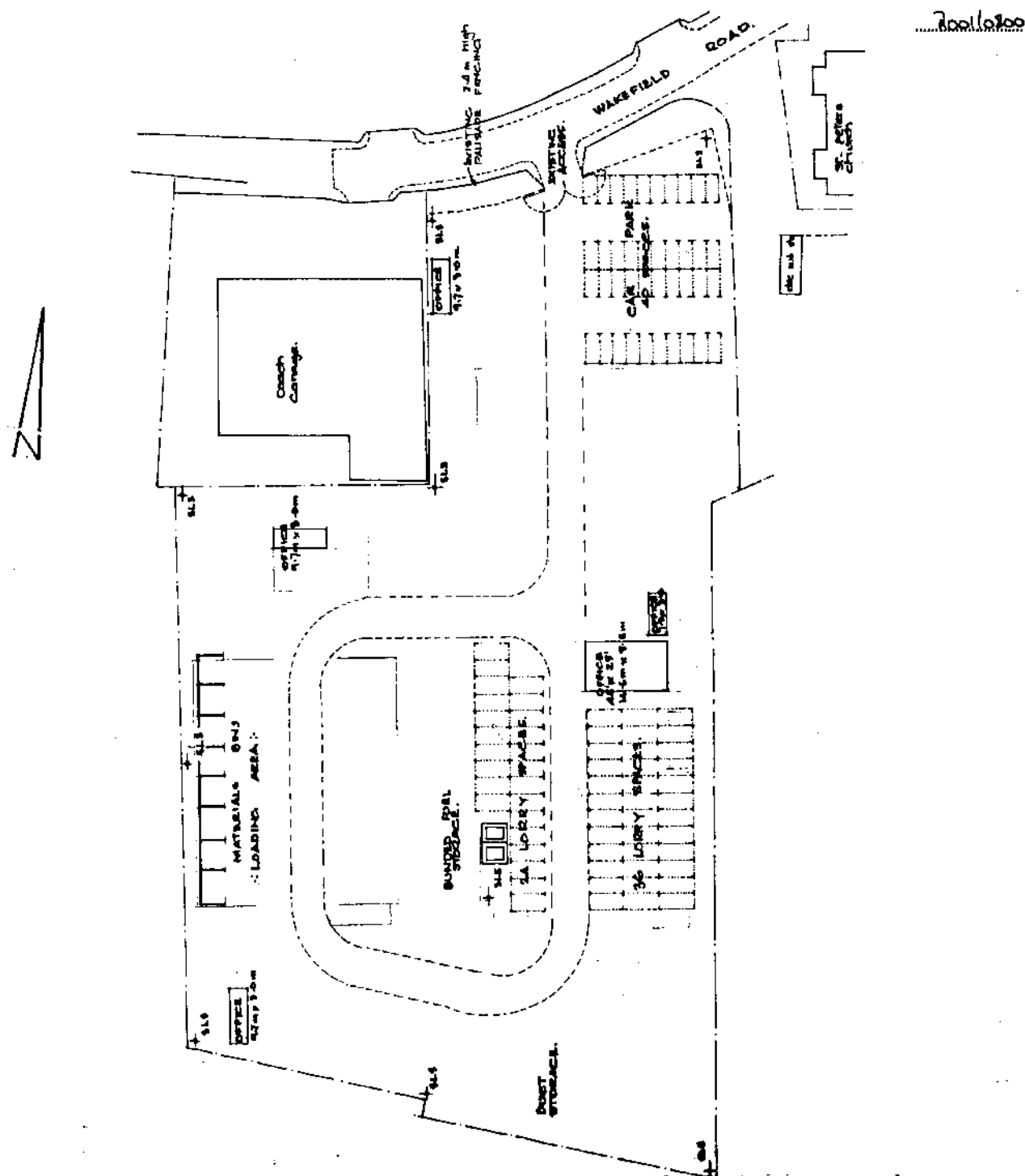
MENICHO LAS CONSTRUCTION
SERVICES LTD Lismore Park
Elstree Rd Elstree Werts WD6 5LA.

Proposed Depot at Watfield Rd.
Kingdown Industrial Estate for
EON Communications Installation.

Proposed layout of Dept.

1:500
viva

DATE	Aug 2001.	Eng Mt	0053/1
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PLANNING SERVICES
DEPT 011 0800
- 4 DEC 2001
32
PROCESSED
SCANNED
1/12/01
MR. M. Nicholas
1/12/01

30 Lowry Hill Rd.,
Lowry Hill,
CARLISLE CB3 0DG

2nd December 2001.

Dear Sir

Site backing
adjacent to Lowry Hill Rd + St. Peter's Close

I understand that the above site is to be used for 3 years while cable laying is undertaken. Is that how long it will take to do the work in this area, or is this site going to be in use while the whole of Carlisle is "cabled"?

To have this site with many vehicles going in + out + the continuous noise, set so close to houses, gives real cause for concern.

Over the last 20 years the noise from the Industrial Estate has risen dramatically, not to mention flocks of screeching seagulls, which has spoilt any hope of enjoying a

peaceful hour or so in the back garden, especially in the Summer. The McNicholas site is going to make the situation much worse.

I do hope that your Committee will refuse planning approval, even though on looking at the site, the company seem to think they already have approval!

Yours faithfully,
Eleanor P. Bell (Miss)

Mr. A. Hutchinson,
Planning Services Division,
Carlisle City Council,
Civic Centre,
CARLISLE
CA3 8QG.

6 Lowry Hill Road
Kingstown
Carlisle
CA3 0DF
02/12/01

Mr Angus Hutchinson
Planning Services Division
Carlisle City Council,
Civic Centre,
Carlisle.
CA3 8QG

Dear Mr Hutchinson,

Re: McNicholas Site

I wish to complain about the proposed planning application by McNicholas Site to the rear of Lowry Hill Road on the following grounds:

- Noise, all day, every day
- Lights illuminating the rear bedroom at night
- Diesel fumes from plant and vehicles
- Dust and dirt from the site getting into our home

I would be grateful if the resident's views were taken into consideration before the above application is given approval.

Yours sincerely



Barry W. Roberts

Cc; Cllr David Morton

PLANNING SERVICES	
REF	01/0800
- 4 DEC 2001	
RE	CN
ALH	

PROTEST ABOUT THE NUISANCE CAUSED BY McNICHOLAS LTD IN THEIR OPERATION OF SITE 25 WAKEFIELD RD, KINGSTOWN.

We the undersigned are residents of Lowry Hill Rd whose properties back on to the above mentioned site.

We wish to protest about being unable to enjoy normal occupation of our homes because of nuisances caused by McNicholas in their operation of this site.

These include:

NOISE from tractors and JCB's loading and unloading wagons all day, seven days per week, which we understand will continue for the next three years.

BRIGHT LIGHTS during all hours of darkness which hinder sleep in rear facing bedrooms.

SMELL of diesel fumes which hang in the air during certain weather conditions.

We, therefore, implore Carlisle City Council to bring an end this situation as quickly as possible and to refuse the planning permission being sought by this company.

MRS J. Bell MRS J. BELL 32 LOWRY HILL RD.
 MRS J. Bell MISS E. BELL 30 LOWRY HILL RD.
 MRS E. DAVIS 28 LOWRY HILL RD
 J. Balcomb 22 LOWRY HILL ROAD
 E. M. Bell 20 LOWRY HILL ROAD
 J. M. Bell 14 LOWRY HILL ROAD
 J. M. Bell 10 LOWRY HILL ROAD
 J. M. Bell 12 LOWRY HILL RD
 J. M. Bell 6 LOWRY HILL
 S. M. Bell 4 LOWRY HILL
 M. E. Wilson 15 LOWRY HILL ROAD
 E. M. Wilson 15 LOWRY HILL RD
 E. M. Wilson 26
 E. M. Wilson 2 LOWRY HILL ROAD
 H. M. Wilson 9 LOWRY HILL ROAD
 E. M. Wilson 18 LOWRY HILL ROAD
 J. M. Wilson 3 LOWRY HILL RD
 J. M. Wilson 3 NEWCASTLE DRIVE CARLISLE
 J. M. Wilson 8 LOWRY HILL RD CARLISLE
 J. M. Wilson 10 LOWRY HILL RD CARLISLE
 J. M. Wilson 2 St. Peter's Drive Lowry Hill

Mr A. A. HUTCHINSON
DEVELOPMENT CONTROL SECTION
THE CIVIC CENTRE
CARLISLE
CA3 8QG.

PLANNED SERVICES	
REF	01/0800
30 NOV 2001	
RECORDED	CN
SCANNED	ARH
PASSED TO	
ACTION	

Mr & Mrs F. HOLMES.

28 Sanderson Close
Lowry Hill
CARLISLE
CA3 0QA

Tel: 01228 528735

OBJECT: SITE 25

WAKEFIELD ROAD, KINGSTOWN INDUSTRIAL ESTATE.

Dear Sir, at about 7AM every morning we are awakened by the clashing of industrial plant "metallic thunder" I call it, and accelerated diesel engines. This is highly unacceptable to people living close by, especially the elderly and/or frail folk, and the three year period which I hear is a trial period is a daunting thought.

Surely there must be some way to abate the present situation by better fencing or a later start. Some personal connections of mine have told me they can hear the noise every morning from Moorville Road when they are walking to work.

May I conclude in anticipation of some form of improvement to the present scenario.

Yours faithfully
F A Holmes

24 Sanderson Close
Lowry Hill
Carlisle
CA3 0AA

26-11-01.

Mr. A. R. Hutchinson
Planning Services Division,
Carlisle County Council,
Civic Centre
Carlisle. CA3 8AG
Ref. ARH/DC/01/0800

Site 25. Wakefield Rd.
Kingstown Industrial Estate.

Dear Sir.

The Southern Boundary of the above site is only 40 yards from the back of my Bungalow. As a pensioner I cannot tolerate the very loud noises, which are pre didicably being made since Mc Nicholas moved onto the site in October, and I ask for some action to be taken.

Yours faithfully
Mrs. Mary J. Sewell

PLANNING SERVICES	
REF	01/0800
28 NOV 2001 30	
BY	CH
BOOKED	
PERMITTED	ARH
ACTION	

8 LOWRY HILL ROAD,
CARLISLE,
CA3 8DF.
25 NOVEMBER, 2001.

MR. ANGUS HUTCHINSON
PLANNING SERVICES DIVISION
CARLISLE CITY COUNCIL
CIVIC CENTRE
CARLISLE CA3 8QG.

PLANNING SERVICES	
REF	01/0800
27 NOV 2001, 16	
RECORDED	CN
SEARCHED	
PASSED TO	ARH
ACTION	

Dear Mr. Hutchinson,

I feel I must write personally in support of the petition organised by Henry Bell on behalf of all residents 2 to 32 Lowry Hill Road.

The noise during the daytime coming from the N^o Nicholas site, I personally can tolerate (NOW WE ARE IN WINTERTIME) Come the Summer when one uses the garden will be another matter altogether!

However during these long winter evenings the site is covered by HIGH VISIBILITY LIGHTING. No account at all has been taken into account by this firm, by disturbing residents

sleep, on top of the NOISE during daylight hours.

Have they also thought about the Senior Citizens residents who occupy the flats at St. Peter's Close? No.

I hereby most strongly object to Planning Permission being given to this firm

MENICHOLOS SITE

and also to the length of time required for it.

Trusting you, and the Planning Committee, will give this, your most careful and thoughtful consideration.

Yours sincerely

C. Humphrey

(MRS. C. HUMPHREY)

200,10860
001
28
ACH
19th Nov 2001

26, Sanderson Close,
Carlisle. CA3 0QA.

19th November, 2001.

Mr. A.R. Hutchinson,
Development Control Section,
The Civic Centre,
Carlisle. CA3 8QG.

Dear Mr. Hutchinson,

Site 25, Wakefield Road, Kingstown Industrial Estate, Carlisle.

Further to my letter of 11th November, the McNicholas Construction Services Ltd., planning application specified for lorries leaving the site between 0700 - 0900, and for return between 1630 - 1800.

Whilst the period 0700-0900 is critical with regard to the amount of noise produced, during the seven and a half hours not mentioned in the application there is almost continuous very noisy activity on the site. This noise is sufficient for it to be heard above the passing car traffic on Lowry Hill Road and also the buses arriving and departing from the bus terminus. We find this noise totally unacceptable on the fringe of a housing estate.

Yours sincerely,

E. Veitch

E. Veitch.

PLANNING SERVICES	
REF	
20 NOV 2001	
RECORDED	BP
SCANNED	
PASSED TO	ALH
ACTION	29

32 Lowry Hill Rd,
Carlisle,
CA3 0DG

Phone 529976 Home
606966 Work

20th November 2001.

Carlisle City Council,
Civic Centre,
Carlisle

Attn Mr Angus Hutchinson,

Dear Sirs,

Planning Application Reference 01/0800. Site 25 Wakefield Road, Kingstown Trading Estate.

Further to the application of Mc Nicholas Ltd to operate a contractors depot on the above site.

Attached is a protest petition which has been signed by every household on Lowry Hill Road backing onto this site asking the Council to bring an immediate end to the nuisance being caused and to refuse the planning permission sought.

Please note that this is not in response to your letter ARH/DC of 6th September 2001, (as most of us did not receive it) but a protest about the actual operation of the site by McNicholas as it has affected us over the past few weeks.

During this period the normal occupation of our homes has been seriously disturbed. This particularly affects those who are at home during the day time. The major concern is over the noise caused by the operation throughout the day of mechanised plant, ie high revving engines, vibrating equipment and the dumping of materials into wagons, but there are also complaints about the lighting at night and diesel fumes.

My first query is about the actual application by Mc Nicholas. Those who received and followed up your letter were clearly given the impression that vehicle and plant movements would be contained to 07.00 to 09.00 and 16.30 to 18.00 on six days per week. The actual on-site operation has been carried out all throughout the day, every day, from 07.00 to darkness and they have certainly been operating mechanical plant during the last two Sundays. Could you please clarify this matter because having a JCB dumping stones into wagons at the bottom of our gardens most daylight hours, seven days per week for the next three years is clearly an intolerable prospect.

I personally have lived in this house for thirty years and whilst there has been occasional noise from the various occupants of this site I have accepted that it is an industrial estate and never felt it necessary to complain before. The difference is that this is an outdoor operation and as such it is located too close to residential property on three of its sides for it not to cause unreasonable loss of amenity to neighbouring property.

It is clearly a use of this site which is wholly inappropriate for residential areas.

There is mention in the plans of a 2.4 metre (7'10") fence being erected around the site to contain noise. This may (or may not) provide some relief for the low set bungalows on Sanderson Close (who I understand to be making their own protest) but it will be totally ineffectual for the South facing houses on Lowry Hill Rd which are two storey or for the West facing bungalows which are set on higher ground than site 25. This level of noise can not be contained, it must be stopped at source.

Your papers also refer to maintenance staff remaining on site after completion of the construction phase. Could you please clarify if this means **after** the three years of the planning application or does it form **part** of that three year period?

Your report also refers to there being no visual impact on the nature reserve which I would agree with, but what about the noise, the light and the diesel fumes. I understand that the **Council's policy refers to 'the quiet enjoyment of nature reserves'**. How can anyone quietly enjoy the wildlife pool with a JCB operating continuously within twenty yards?

Residents of Lowry Hill Rd have endured significant disturbance over the past few weeks. Most were not aware of what was going on and expected life to return to normal in the near future. Those who had received and followed up your letter believed that permission was being sought for limited activity during limited time periods. The reality is neither of these scenarios.

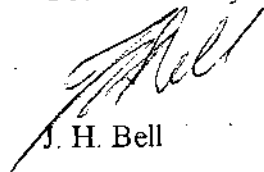
The nuisance we are now experiencing now, in Winter, is nothing to what we will face in Summer if we decide to open our rear windows or to attempt to enjoy reasonable amenity from the use of our gardens.

We stress that we do not view this as a marginal decision and no fudge on planning conditions or fencing will make any material difference to the detrimental impact this operation is having on the daily lives of ALL those on the attached list.

We believe that this application clearly breeches the Councils own planning regulations and as such should be refused.

If you could contact me with reference to the specific queries raised I would be happy to meet with you to discuss your answers.

Yours sincerely



J. H. Bell

CE. COUNSELLOR M.B.T.M.

26, Sanderson Close,
Carlisle. CA3 0QA.

11th November, 2001.

A.R. Hutchinson,
Development Control Section,
The Civic Centre,
Carlisle. CA3 8QG.

Ref.ARH/DC/01/0800.

Dear Mr. Hutchinson,

Site 25, Wakefield Road, Kingstown Industrial Estate, Carlisle.

Thank you for letters from your Department dated 10th October and 2nd November. The latter letter asked for anything to add to my correspondence of 28th September, with a deadline of 24th October. I had nothing further to add by the deadline.

However, during the week ending 3rd November it was evident from observation and noise, that contractors Mc.Nicholas from Elstree, Herts, had occupied Site 25. During week ending 10th November we were made fully aware of the consequences of the site occupation. At 0700 on four mornings out of the five we were wakened and disturbed by lorries etc., loading up for the day ahead. The noise was quite unacceptable. Something more than a fence will be required to nullify it.

Why was the site being put to full use, when the Planning Application was still being considered by the Planning and Land Use sub-committee?

Yours sincerely,



E. Veitch.

01/0800
CN
ARH

01-03-02 33
12-12-01 04

RECEIVED	2
BOA/PLANNING	
PASSED TO	ALH
DATE	

32 Lowry Hill Rd
Carlisle CA3 0DG

Phone. Day 01228.606966
Date 21.12.01

Mr A Hutchinson,
Planning Department
Carlisle City Council
Civic centre
Carlisle



Dear Mr Hutchinson,

Application 2001/0800. McNicholas, Site 25 Kingstown Estate.

Further to deferral of a decision on this application by Planning Committee on 14th December.

I am still unconvinced that Messrs McNicholas will be able to achieve any significant and permanent reduction in noise levels from their operation of this site. Part of the reason for this is that the site appears to sit below surrounding ground levels and as such any boundary fencing they might erect would barely reach above the existing landscape.

One solution might be to create an earth bund between the site and the nature reserve. A low level version already exists running North / South between the radio mast and Lowry Hill Road which could be increased relatively easily to a similar height to the existing East / West bund which shelters no's (approx) 50 to 70 Lowry Hill Road from other parts of the Industrial Estate.

The advantages of this approach are that:

- the Council would achieve a permanent solution, beyond the current use of this site,
- it would be paid for by McNicholas, and
- it would provide top soil, the lack of which is preventing trees from growing here.

If, for some reason, this were not acceptable might it be possible to allow Mc Nicholas to erect temporary fencing outside the boundary of their site, ie along this low bund and also immediately behind the hedge bordering Lowry Hill Road? This is likely to produce a much more effective barrier which **might** actually achieve reductions in noise nuisance.

If these proposals are the remit of other departments could you please pass on this letter accordingly or alternatively advise me who I should be talking to.

Unfortunately I have to advise that, whilst there have been changes, the levels of noise remain a nuisance although the timings appear to have moved. There are still frequent occasions when the operation of this site dominates the sound climate and when the stench of diesel fumes pervades nearby gardens.

I hope you will give these suggestions serious consideration.

Yours truly,

Handwritten signature



Mrs A Sloan
22 Sanderson Close
Lowry Hill
Carlisle
CA3 0QA
9th December 2001

Civic Centre
Carlisle

Dear Mr Hutchinson,

I am writing with regard to the noise from site No 25 Wakefield Road, Kingstown Trading Estate, Carlisle.

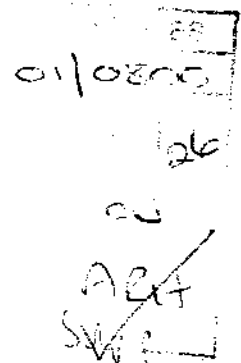
My husband and I retired to the above address 6 years ago and until recently have found it very quiet and peaceful (Our bungalow is just across Lowry Hill Road opposite the compound). We are now awoken by the noise at 7am and after having to be up at 5.45am all our working lives find this intolerable. We should be able to have a lie in if we so wish. The situation will only become worse in summer when windows need to be open.

We would appreciate you looking into this matter and look forward to your reply.

Yours sincerely,

A Sloan
a Sloan (Mrs)

Mrs A Sloan





32 Lowry Hill Rd
Carlisle
CA3 0DG

5th December 2001.

Carlisle City Council
Planning Services Division
Civic Centre
Carlisle

Attn. Mr A R Hutchinson,

Dear Mr Hutchinson,

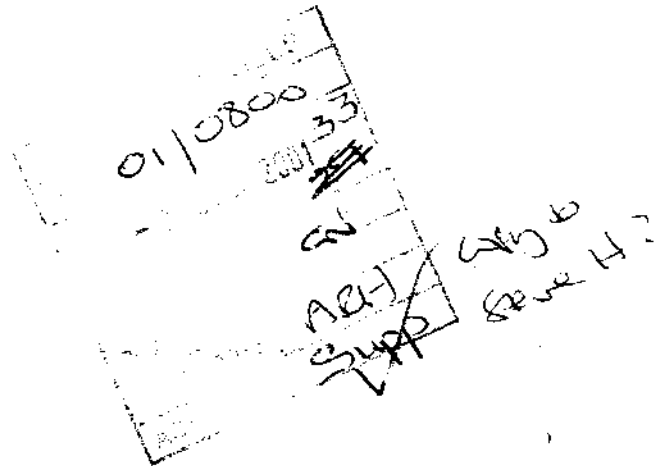
Application 2001 / 0800

I have registered to speak at the Planning Meeting on 14th December 2001, and I have also listed on the attached document the current situation as I see it.

I look forward to bringing these concerns to the Members of your planning committee.

Yours sincerely

J. H. Bell.



The points I would like to make to the Members of Carlisle City Council Planning Committee are :

Although an industrial estate it is not designated for the type of work which Messrs Mc Nicholas are carrying out. Planning permission is, therefore, needed and they have to satisfy you that their use of this site is appropriate for an area surrounded on three sides by residential property and that it will not cause unreasonable loss of amenity to the residents of this property, or to visitors to the adjacent nature reserve.

It now appears likely that your Environment Officers will advise that the current situation, which we have lived with for the last two months, does not meet the above criteria and that permission should not be granted.

Whilst pleased with this development our concern is that the company will now offer to make cosmetic changes which will turn an intolerable situation into a barely tolerable one. Whilst the result may be that your monitoring equipment detects half a decibel less noise thereby taking the reading just below some theoretical threshold our human ears will probably not notice the difference and the irritation will be just as great as it is at present.

We offer the following reasons why planning permission should be refused unless the degree of nuisance can be reduced dramatically below current levels.

This is not a five day 40 hour week operation. Permission is being sought for 68 hours per week and already there are many examples of them working far beyond this, including through the night when they have not been allowed to close roads during daytime hours, and there have been more operational Sundays than non-operational ones. As we will have to live with any noise almost constantly it would need to be at an extremely low level to be acceptable.

There is residential property within 25 metres of the site to the South West, within 30 metres to the East and although I am almost 100 metres away to the West I still find the noise levels intolerable

Your nature reserve actually borders the site and the Kingstown wildlife pond and the seating you have kindly provided is only 35 metres away. The quiet relaxation for which you provide this facility will be impossible.

We do not believe that they can muffle the high revving engine and jangling bucket of the mechanical shovel in such a large outdoor area. This is the principal nuisance as it operates throughout the day.

We have no confidence that the level of activity will not intensify if permission is granted or if the project starts running behind schedule, eg two mechanical shovels.

Permission is being sought for three years. This is not a short term problem which will go away if we just grin and bear it.

The noise is particularly intrusive, even when not at its loudest. Its intermittent nature means we are constantly waiting for the next disturbance and **the actual nuisance is greater during the day** than early in the morning when it is more intensive.

On behalf of all those residents on Lowry Hill Rd who signed the petition which you have seen I would suggest that the only basis on which permission could be granted would be if all those activities requiring the use of mechanical plant were excluded.

SCHEDULE B: Reports Requiring Further Information

ITEM NO. 38

Date of Committee: 01/02/2002

APPN REF NO:
01/1088 /

APPLICANT:
Vodafone

PARISH:
Wetheral

DATE OF RECEIPT:
27/11/2001

AGENT:
Daly International-Damian Hosker

WARD:
Great Corby & Gel

LOCATION:

GRID REF:

Telecommunications cell site 5806, Warwick Mill Business Park 347828 556663

PROPOSAL: Erection of 24m high replacement telecommunications lattice tower

REPORT

PLANNING POLICIES:-

CARLISLE DISTRICT PLAN
ENVIRONMENT - POLICY E52

In considering applications for larger telecommunications development the Council will wish to be satisfied that there is no spare capacity on existing structures or that technical and/or operational difficulties preclude such spare capacity from being exploited. High masts and other large apparatus will only be permitted within AONBs if they are sited and designed to minimise their impact on the landscape, taking into account their technical and locational requirements.

SUMMARY OF CONSULTATION RESPONSES:-

HIGHWAY AUTHORITY: No objection.

WETHERAL PARISH COUNCIL: The proposal replaces a 20 metre pole with a 24 metre pylon tower in a highly visible area close to a listed building. The Parish Council objects on the grounds of visual impact.

RAMBLERS ASSOCIATION: No objection.

SUMMARY OF REPRESENTATIONS:-

This application has been advertised by means of a site notice and neighbour notification. No responses have been received.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

In June 1997, planning permission was given for the erection of an 18 metre monopole telecommunications mast. Since then, in 1999, an application under the prior notification procedure, for a 15 metre lamp post tower was approved on a site to the west of the monopole, and in September 2000 a further 15 metre monopole was approved under the prior notification procedure. There are therefore three monopole structures at this site.

DETAILS OF PROPOSAL

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1088 /

Permission is sought for the erection of a 24 metre high telecommunications lattice tower at Warwick Mill Business Park. The proposal is to replace an existing 18 metre high monopole with a higher and more substantial mast, so that additional equipment can be accommodated. The location of the tower is to the rear of the former mill building, on the far side of the car park. Photographs in the Schedule indicate both the current appearance of the site, with the three towers and the location of the proposed tower.

In this location, it is clear that the proposed new lattice tower mast, 6 metres higher than the existing monopole will have significantly greater visual impact. It can reasonably be argued that this is not an ideal location for a telecommunications facility given the nearby presence of the listed former mill building, and residential property only 40 metres away, although it should be acknowledged that this was being converted when the monopole mast was erected. It will be noted that the Parish Council have made similar points.

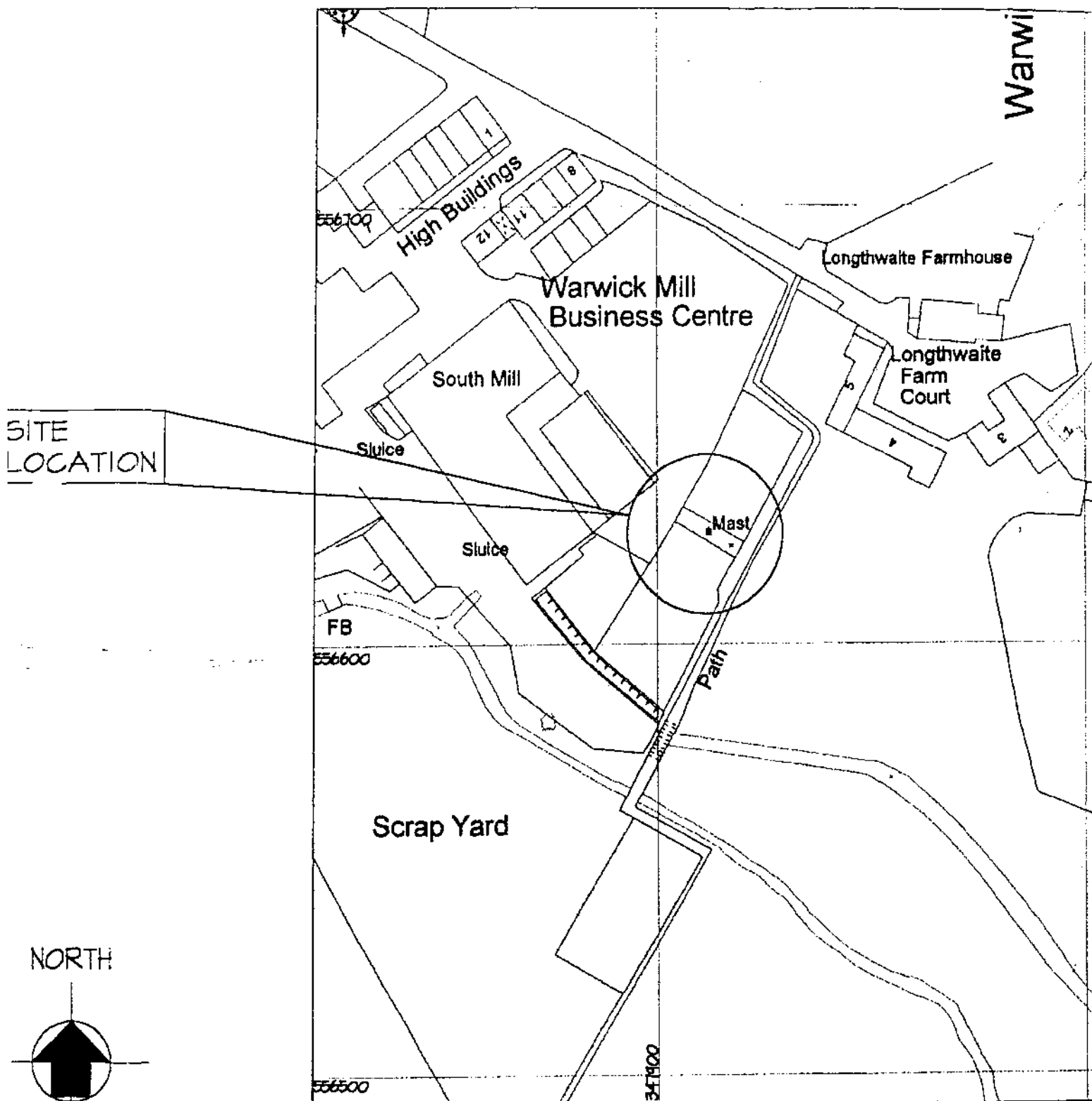
On the other hand, Members will be aware of the guidance in Planning Policy Guidance Note 8, which advises local planning authorities to adopt a positive attitude toward telecommunications development. The applicants have therefore been requested to examine alternative proposals with a view to reducing the visual impact of the proposal, either by amending the location of the mast, or its detailed design.

Officers will report on the outcome of these discussions.

RECOMMENDATION:-

The Director will report on discussions with the applicant regarding the siting and design of the mast, which may result in the submission of an amended proposal.

Defer!



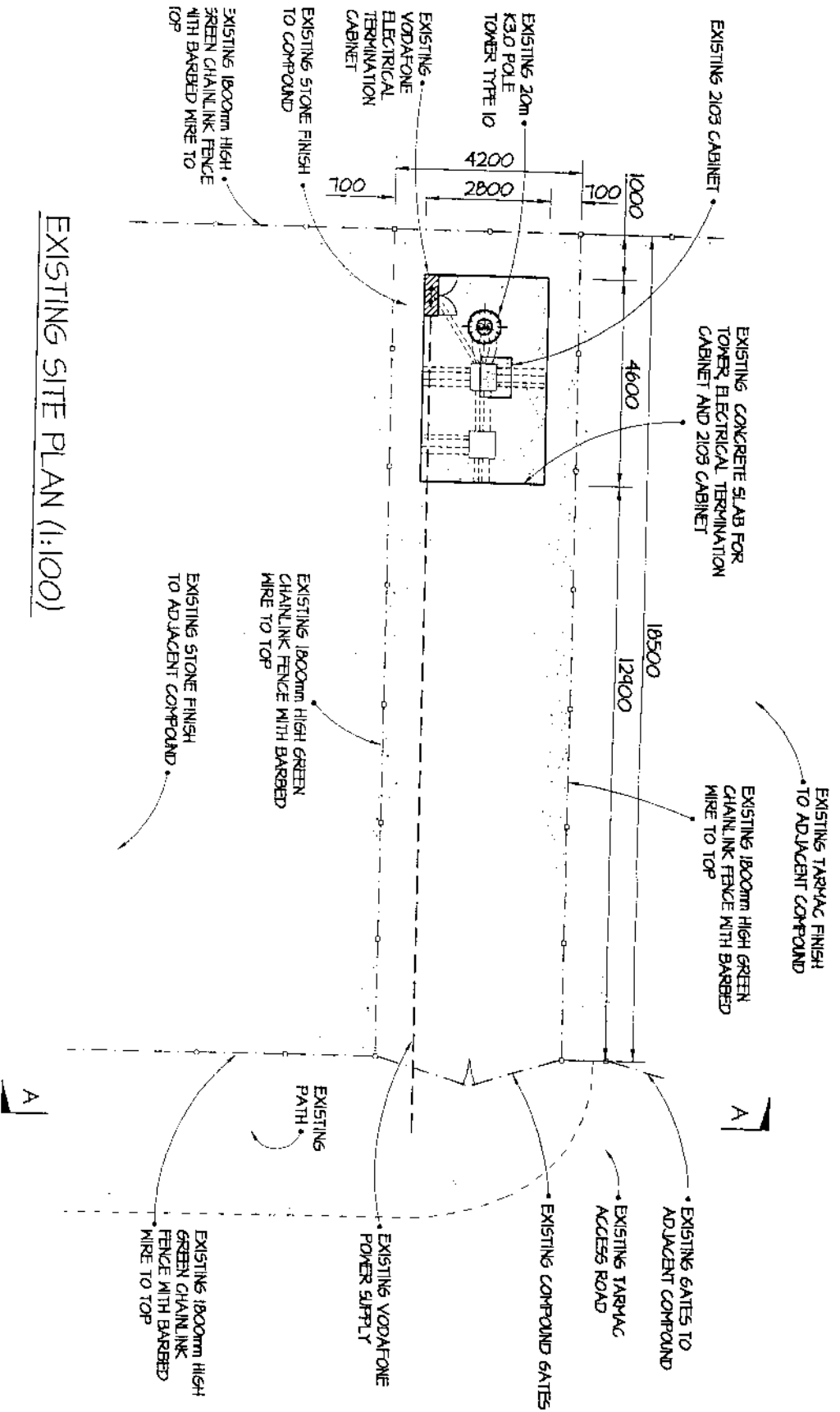
SITE LOCATION PLAN (1:1250)

SITE NGR: 347910, 556625

ic lafone	Drawn: SR	Project: CELL SITE 5806C			
	Date: 21/08/01	WARWICK BRIDGE			
	Scale: As Shown	Drawing Title: Site Location Maps			
CONSTRUCTION <input type="checkbox"/>	Checked: J Leffler	Dwg No: -706-396842	SD	SC	05806-01

2001/1088

- NOTES**
1. DO NOT SCALE OFF THIS DRAWING
 2. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH DRG No. 5 05806-01 TO 01



EXISTING SITE PLAN (1:100)

2001/1088

THESE DRAWINGS COMPLY WITH THE
ISSUES OF VODAFONE DOCUMENTAT
HOSP 450 & THE 'CONTRACTORS A'
BUILD GUIDELINES.

Issue	Amendment	By	Ck
<div style="display: flex; justify-content: space-between;"> <div> <p>Shepherd</p> <p>Shepherd Design Frederick House Rutland Road York England YO1 4EA Tel: +44 (0)1904 664539 Fax: +44 (0)1904 870266</p> </div> <div> <p>vodafone</p> </div> </div>			
<p>Drawing Issue Status: <input type="checkbox"/> PRELIMINARY <input type="checkbox"/> TENDER <input type="checkbox"/> CONSTRUCTION <input type="checkbox"/></p>		<p>Client: vodafone</p>	
<p>Drawn: DD</p> <p>Date: 20/8/01</p> <p>Scale: 1:100 @ A3</p>		<p>Project: CELL SITE 5806C</p> <p>WARWICK BRIDGE</p> <p>Drawing Title: EXISTING SITE PLAN</p>	
<p>Checked: J. Laffler</p>		<p>Dwg No: 396842 SD SC 05806</p>	



1. REMOVE EXISTING REDUNDANT VODAFONE 20m K30 POLE TOWER TYPE 10 WHEN NEW SITE IS ON AIR - VODAFONE & BT CELL
 2. REMOVE EXISTING FENCE TO SIDE OF COMPOUND AND CONSTRUCT NEW FENCE INCREASING COMPOUND BY 25m
 3. CAST NEW BASE & ERECT NEW 24m MTA 340T TOWER - STANDARD BASE CONSTRUCTION
 4. CAST NEW BASE FOR BT CELLNET CABIN AND INSTALL NEW CABIN FOR BT CELLNET
 5. CAST BASE EXTENSION AS DETAILED TO EXISTING SLAB FOR FUTURE VODAFONE UPGRADE
 6. SUPPLY ELECTRICAL TERMINATION CABINE FOR BT CELLNET & CAST NEW BASE FOR BT CELLNET & FUTURE VODAFONE CABINET
 7. ALL NEW CABLE TRAY AND POLE WORK REQUIRED FOR BT CELLNET
 8. SUPPLY ALL MOUNTINGS FOR BOTH OPERATORS ON NEW TOWER
 9. ALL DUCTS TO HAVE LONG RADIUS EASY BENDS
 10. VODAFONE DISHES & ANCILLARIES TO BE RELOCATED ON NEW TOWER - PIECES TO BE CONFINED
 11. S.C.L. TO PROVIDE THE LATEST VODAFONE SIGNAGE IN ACCORDANCE WITH THE VODAFONE SPECIFICATION
- WORKS BY OTHERS
- RIGGING BY INDIVIDUAL OPERATORS
- THESE DRAWINGS CONFLY WITH THE LATEST ISSUES OF VODAFONE DOCUMENTATION HOSP 450 & THE 'CONTRACTORS ANTENNA BUILD GUIDELINES'

-708-

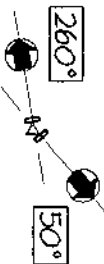
EXISTING,
2 NO ADJACENT
1210, PANEL TYPE,
ANTENNA

FOR SITE LOCATION MAPS REFER
TO DRAWING No. 05806-01

- NOTES
1. DO NOT SCALE OFF THIS DRAWING
 2. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH
DWS No. 5 05806-01 TO 07

20000

EXISTING 20m K3.0 POLE
TOWER TYPE 10



PLAN ON EXISTING ANTENNA HEADLOAD

2001/1088

EXISTING ELECTRICAL
TERMINATION CABINET

EXISTING CHAINLINK FENCE
ON CONCRETE POSTS WITH
BARBED WIRE TO TOP

EXISTING COMPOUND GATES
EXISTING GATES TO
ADJACENT COMPOUND

EXISTING
GROUND
LEVEL

EXISTING TOWER
BASE TYPE 'J'

THESE DRAWINGS COMPLY WITH THE LATEST
ISSUES OF VODAFONE DOCUMENTATION
HSP 450 & THE 'CONTRACTORS ANTENNA
BUILD GUIDELINES'

EXISTING
ELEVATION A-A
(1:100)

Shepherd

Shepherd Design
Frederick House
Ratford Road
York

vodafone

Drawn DD

Date 21/08/01

Scale 1:100 @ A3

Project

CELL SITE 5806C
WARWICK BRIDGE

Drawing Title EXISTING ELEVATION A-A

Drawing Issue Status

PRELIMINARY

ENDER

CONSTRUCTION

Checked J Laffler

Dwg No.

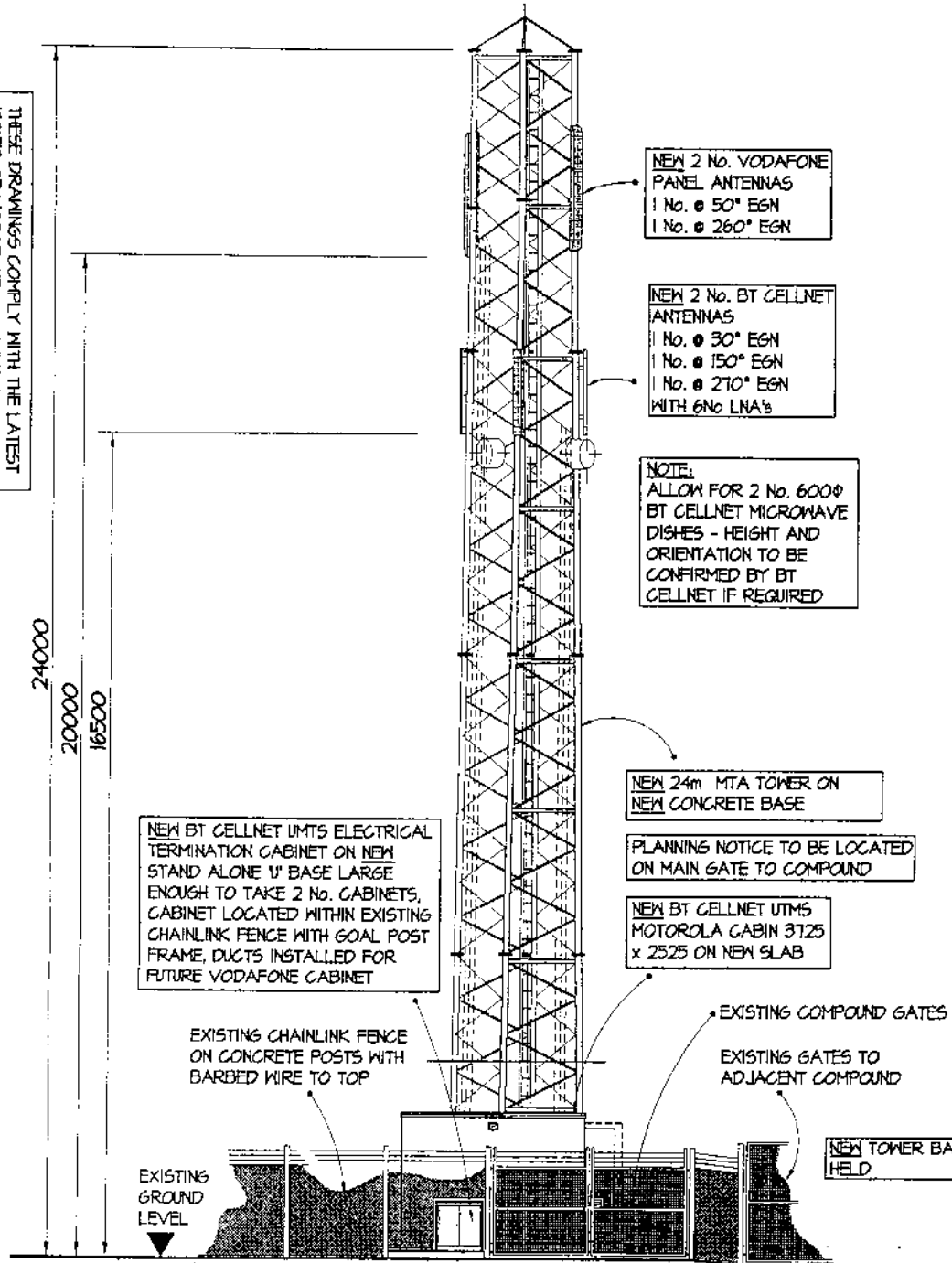
396842

SD

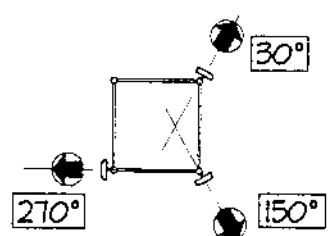
SC

05806-05

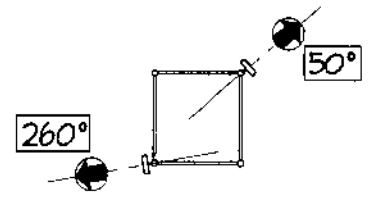
FOR SITE LOCATION MAPS REFER
TO DRAWING NO. 05806-01



PROPOSED ELEVATION A-A (1:100)



PLAN ON CELLNET ANTENNAS



PLAN ON VODAFONE ANTENNAS

NOTES
1. DO NOT SCALE OFF THIS DRAWING
2. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH
DRG No. 05806-01 TO 07

Issue	Amendment	By	CHK
A		PAH	AS
B	TOWER REVISED TOWER REVISED		

Shepherd

Shepherd Design
Frederick House
Fulford Road
York

England YO20 4EA
Tel: +44 (0)1904 864633
Fax: +44 (0)1904 812286

vodafone

Drawing Issue Status: ☐ PRELIMINARY ☐ TENDER ☐ CONSTRUCTION

Client:

Drawn: DD

Date: 21/08/01

Scale: 1:100 @ A3

Checked: J. Leffer

Dwg No: 396842

Project:

CELL SITE 5806C

WARWICK BRIDGE

PROPOSED ELEVATION A-A

8001/1088



SCHEDULE B: Reports Requiring Further Information

ITEM NO. 39

Date of Committee: 01/02/2002

APPN REF NO: 01/1143 /	APPLICANT: Mr & Mrs A McCamish	PARISH: Kirklington Midd
DATE OF RECEIPT: 11/12/2001	AGENT: Tsada Building Design Services	WARD: Lyne
LOCATION: Gilestown, Blackford, Carlisle Cumbria		GRID REF: 341350 564500
PROPOSAL: Erection of agricultural workshop to be used for the repair and maintenance of agricultural vehicles and machinery <i>S&M</i>		

REPORT

PLANNING POLICIES:-

CUMBRIA & LAKE DISTRICT JOINT STRUCTURE PLAN POLICY 13

In the areas not covered by Policies 11 and 12, development will normally be permitted which in its use, siting, scale and design is well related to existing developed areas of the countryside and does not harm distinctive features of local landscape significance. In the undeveloped open countryside development will not normally be permitted except when it is required to meet local infrastructure needs which cannot be located elsewhere, and provided it is sited to minimise environmental impacts and meets high standards of design.

CUMBRIA & LAKE DISTRICT JOINT STRUCTURE PLAN POLICY 38

In rural areas, the development or conversion of premises for small scale employment uses will normally be permitted, except where there is a damaging impact on the local environment or in the case of new development where the proposal is in the undeveloped open countryside.

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E8

Within the remainder of the rural area not covered by Policies E2-E6. Proposals which are well related in use, siting, scale and design to existing settlements or other small clusters of buildings including farm buildings will be acceptable providing that:

1. the proposal reflects the scale and character of the existing group of buildings or settlement; and
2. there is no adverse effect upon the amenity of neighbouring property, and the character and appearance of the area; and
3. satisfactory access and appropriate car parking can be achieved; and
4. any existing wildlife habitats are safeguarded.

Permission will not be granted for development in the undeveloped open countryside unless it is required to meet local infrastructure needs, or

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1143 /

for dwellings supported by a proven agricultural or forestry need.

CARLISLE DISTRICT PLAN
ENVIRONMENT - POLICY E19

In considering proposals for new development the City Council will where appropriate require the retention of existing trees, shrubs, hedges and other wildlife habitats, and the replacement of any environmental feature lost to development. Landscaping schemes to be implemented by the applicant will be required as part of most planning applications.

CARLISLE DISTRICT PLAN
EMPLOYMENT - POLICY EM10

Within the remainder of the Plan area permission will not be granted for industrial, warehousing and commercial development. However, small scale development within existing settlements, the curtilage of existing employment premises, or groups of farm buildings, or moderate extensions to existing premises will be acceptable provided:

1. there is no unacceptable adverse impact on the local landscape; and
2. there is no unacceptable adverse effect on nature conservation interests; and
3. adequate access and appropriate parking provision can be achieved; and
4. there is no unacceptable adverse affect on the amenity of any adjacent properties.

CARLISLE DISTRICT PLAN
TRANSPORT - POLICY T7

The level of car parking provision for development will be determined on the basis of the following factors:

1. the Parking Guidelines for Cumbria as detailed in Appendix 2;
2. the availability of public car parking in the vicinity;
3. the impact of parking provision on the environment of the surrounding area;
4. the likely impact on the surrounding road network; and
5. accessibility by, and availability of, other forms of transport.

SUMMARY OF CONSULTATION RESPONSES:-

HIGHWAY AUTHORITY: no objections subject to the attachment of one planning condition;

KIRKLINTON MIDDLE PARISH COUNCIL: no objections;

ENVIRONMENT AGENCY: no objections subject to the imposition of one planning condition and the attachment of one supplementary

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1143 /

informative to any notice of consent.

SUMMARY OF REPRESENTATIONS:-

The application has been advertised by means of a site notice and notification letters have been sent to the occupiers of two nearby properties. No letters of objection have been received.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

There is no planning history relating to this site.

DETAILS OF PROPOSAL

Full planning permission is sought for the erection of an agricultural workshop at Gilestown, Blackford, Carlisle. The site is situated adjacent to the road which runs between Alstonby Grange and Scaleby Moss. The site is situated in rural setting, surrounded by fields on all sides. The site is that of a redundant farm steading that has been vacant for some time. The land is currently owned by a neighbouring farm. However since the foot and mouth epidemic it has been redundant to the need of the farm. To the south east of the application site is a large agricultural building which is somewhat larger than the workshop proposed. There are a number of mature trees along the eastern boundary which are to be retained. The nearest residential unit is located on the opposite side of the road approximately 95 metres to the north of the site. The occupant of this property owns the application site. The next nearest property "Gillbrow " is located approximately 235 metres to the north west of the application site.

The proposal, as submitted, involves the erection of an agricultural repair workshop to be used for business purposes associated with the repair and maintenance of agricultural vehicles. The proposed workshop measures 18 metres in length and 16 metres in width. The building will reach 4 metres at the eaves and 5.3 metres at the ridge. The proposed workshop will have two ridge lines in order to help minimise the overall height. The front of the building, the north west elevation, will have two large roller shutter doors measuring 3.5 metres in width and in height. These doors will provide the main access to the workshop. An additional access to the building is provided in the south west elevation by means of two sliding doors with an overall dimension of 9 metres in width by 4 metres in height. The walls will be constructed from shuttered concrete to a height of 2 metres. The remainder of the wall will be cladded with dark green steel profile sheeting. The roof will be cladded using asbestos sheets, the colour of which has yet to be confirmed. Transparent sheets will be incorporated into the roof design. As stated above there are a number of mature trees along the southern and eastern boundary of site. However additional landscaping is proposed to help screen the building further.

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1143 /

In considering this proposal it is felt that the main issue revolves around the potential impact of the proposal on the character of the surrounding open countryside. In considering this application it is felt that the following should be kept in mind:

- i) Under the Cumbria and Lake District Joint Structure Plan paragraph 3.14 which relates to Policy 13 states that "In the rest of the countryside, rural change which either supports communities or aids economic diversification should be accommodated, but must not harm distinctive features of local landscape significance". The text goes on to state that development should be well related to existing developed areas. This includes small clusters of buildings. However further clarity should be sought from Local Plan guidance which should clarify the basis on which development will be determined. Members should make reference to Policy EM10 of the Carlisle District Local Plan which is referred to in section iii) below.
- ii) Policy 38 of the Cumbria & Lake District Joint Structure Plan states "In rural areas, the development or conversion of premises for small scale employment uses will normally be permitted, except where there is a damaging impact on the local environment or in the case of new development where the proposal is in the undeveloped open countryside. This policy should be read in conjunction with Policy 13 of the Cumbria and Lake District Joint Structure Plan, which describes what is to be included in 'developed areas of the countryside'.
- iii) Under the Carlisle District Local Plan policies E8 & EM10 state that proposals for small scale development which are well related in use, siting & design to small clusters of buildings including farm buildings will be acceptable subject to a specific criteria. Officers are satisfied that there is no adverse impact upon the local landscape, nature conservation, the amenity of any adjacent properties and that adequate access and appropriate car parking can be achieved.
- iv) Members also need to appreciate the relationship of the site to neighbouring properties. The nearest residential unit is located on the opposite side of the road approximately 95 metres to the north of the site. The occupant of this property owns the application site. The next nearest property "Gillbrow" is located approximately 235 metres to the north west of the application site. In effect there is a "buffer area" which would help mitigate any possible noise problems. The comments of the Head of Environmental Services are awaited at the time of writing this report.

Members should note that this application should be considered together with a current application for the conversion of the

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1143 /

adjacent farm buildings to a residential dwelling. This application follows in the schedule. It is felt necessary to link the two proposals by means of a Section 106 agreement. The reason for this is because the erection of the workshop and its proposed use would only be acceptable on the basis that the applicant occupied both the dwelling and the workshop. The Section 106 agreement would tie the two developments together under the same ownership. This would prevent the dwelling and the workshop being disposed of independantly to one another.

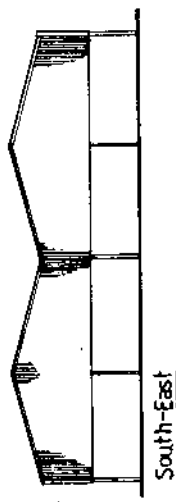
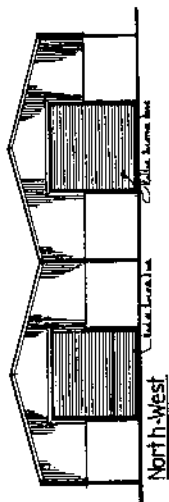
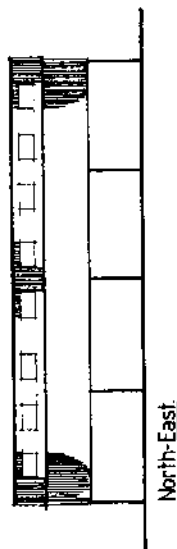
Amended plans have been requested in order to clarify a number minor points. The principle of the proposed development is deemed to be acceptable. The officers requests the authority to issue an approval subject to the receipt of satisfactory amendments and the applicants agreement to enter into a Section 106 agreement.

It is the officers opinion that the proposed development is deemed acceptable subject to the applicant entering into a Section 106 agreement linking the two applications and the receipt of satisfactory amendments. It is not felt that the proposed development will be detrimental to the landscape quality of the open countryside nor detrimental to surrounding residential or visual amenity.

RECOMMENDATION:-

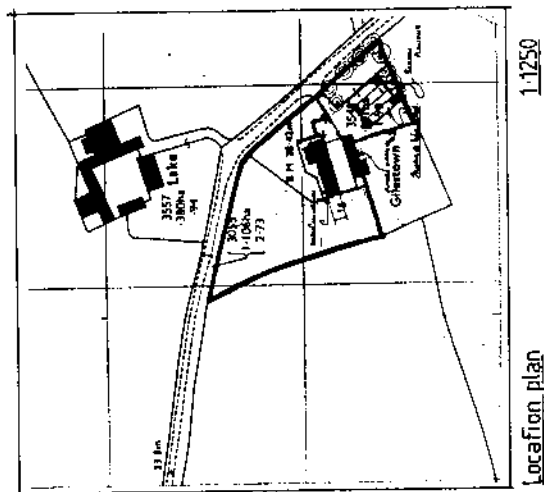
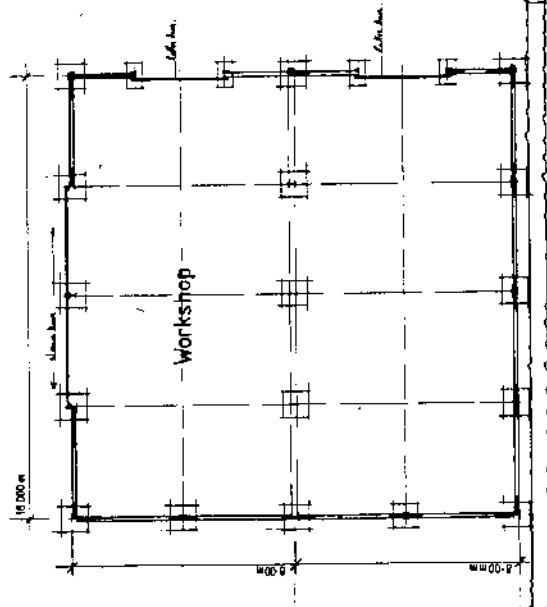
The Director will report on the latest position with regard to the application particularly with regard to the amended plans requested.

A to I S106



Elevations 1:100

Layout plan 1:100



TSADA BUILDING DESIGN SERVICES
1001 / 1001
2001 / 1001

TSADA BUILDING DESIGN SERVICES

1001 / 1001
2001 / 1001
3001 / 1001
4001 / 1001
5001 / 1001
6001 / 1001
7001 / 1001
8001 / 1001
9001 / 1001
10001 / 1001

Job title
Proposed Workshops at Giles town

Client
Mr & Mrs A. Mc Camish
Prior Rigg
Kirkinton

Design No
53/2001/1

Amendments

Drawing by
W. R. Faulder

Date
4 / 12 / 2001

Scale
As Shown







SCHEDULE B: Reports Requiring Further Information

ITEM NO. 40

Date of Committee: 01/02/2002

APPN REF NO:
01/1144 /

APPLICANT:
Mr & Mrs A McCamish

PARISH:
Kirklington Midd

DATE OF RECEIPT:
11/12/2001

AGENT:
Tsada Building Design Services

WARD:
Lyne

LOCATION:
Gilestown, Blackford, Carlisle Cumbria

GRID REF:
341350 564500

PROPOSAL: Demolition of cottage and conversion of barn to dwelling

REPORT

PLANNING POLICIES:-

CUMBRIA & LAKE DISTRICT JOINT STRUCTURE PLAN POLICY 13

In the areas not covered by Policies 11 and 12, development will normally be permitted which in its use, siting, scale and design is well related to existing developed areas of the countryside and does not harm distinctive features of local landscape significance. In the undeveloped open countryside development will not normally be permitted except when it is required to meet local infrastructure needs which cannot be located elsewhere, and provided it is sited to minimise environmental impacts and meets high standards of design.

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E8

Within the remainder of the rural area not covered by Policies E2-E6. Proposals which are well related in use, siting, scale and design to existing settlements or other small clusters of buildings including farm buildings will be acceptable providing that:

1. the proposal reflects the scale and character of the existing group of buildings or settlement; and
2. there is no adverse effect upon the amenity of neighbouring property, and the character and appearance of the area; and
3. satisfactory access and appropriate car parking can be achieved; and
4. any existing wildlife habitats are safeguarded.

Permission will not be granted for development in the undeveloped open countryside unless it is required to meet local infrastructure needs, or for dwellings supported by a proven agricultural or forestry need.

CARLISLE DISTRICT PLAN HOUSING - POLICY H12

Proposals for the conversion of non residential property to provide residential accommodation in locations where planning permission for new build residential development would not be granted will not be approved unless:

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1144 /

1. the building is of permanent construction; and
2. the building can be converted without extensions or major alterations which would destroy its character; and
3. the details of the proposed conversion respect the building's character; and
4. adequate access and appropriate car parking can be achieved.

Where appropriate, in order to retain the character and fabric of historic farm buildings, development rights originally permitted by Class A of Part One of Schedule Two to the Town and Country Planning General Development Order (1988 as amended) may be withdrawn by a condition attached to a planning consent.

The conversion of recently constructed or very remote rural buildings will not be permitted.

CARLISLE DISTRICT PLAN
ENVIRONMENT - POLICY E19

In considering proposals for new development the City Council will where appropriate require the retention of existing trees, shrubs, hedges and other wildlife habitats, and the replacement of any environmental feature lost to development. Landscaping schemes to be implemented by the applicant will be required as part of most planning applications.

CARLISLE DISTRICT PLAN
TRANSPORT - POLICY T7

The level of car parking provision for development will be determined on the basis of the following factors:

1. the Parking Guidelines for Cumbria as detailed in Appendix 2;
2. the availability of public car parking in the vicinity;
3. the impact of parking provision on the environment of the surrounding area;
4. the likely impact on the surrounding road network; and
5. accessibility by, and availability of, other forms of transport.

SUMMARY OF CONSULTATION RESPONSES:-

HIGHWAY AUTHORITY: no objections subject to the attachment of one planning condition to any notice of consent;

KIRKLINTON MIDDLE PARISH COUNCIL: no objections;

ENGLISH NATURE: no objections but recommend the attachment of one supplementary informative to any notice of consent;

CUMBRIA WILDLIFE TRUST: awaiting response;

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1144 /

ENVIRONMENT AGENCY: no objections but recommend the attachment of two supplementary informatives to any notice of consent. The supplementary informatives relate to the disposal of foul drainage from the site.

SUMMARY OF REPRESENTATIONS:-

The application has been advertised by means of a site notice and notification letters have been sent to the occupiers of two nearby properties. No letters of objections have been received.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

There is no planning history relating to this site.

DETAILS OF PROPOSAL

Full planning permission is sought for the demolition of a cottage and the conversion of the attached barn to a dwelling at Gilestown, Blackford, Carlisle. The site is situated adjacent to the road which runs between Alstonby Grange and Scaleby Moss. The site is that of a redundant farm steading that has been vacant for some time. The site is situated within a rural setting, surrounded by fields on all sides. The land is currently owned by the neighbouring farm. However since the foot and mouth epidemic it has become redundant to the needs of the farm. The cottage which is attached to the eastern gable of the barn has been vacant for over 17 years. The barn is made up of two parts. The original barn, situated on the eastern extent of the existing barn, is of traditional construction. A later and larger additional to the barn was added in 1884. This part of the barn is of brick built construction and forms the main part of the proposed dwelling house. There are a number of mature trees along the eastern boundary which are to be retained. The nearest residential unit is located on the opposite side of the road approximately 95 metres to the north of the site. The occupant of this property owns the application site. The next nearest property "Gillbrow" is located approximately 235 metres to the north west of the application site.

The proposal, as submitted, involves the demolition of the cottage situated on the eastern gable end of the barn and the conversion of the barn to a five bedroom dwelling. The conversion of the barn does not involve any significant alterations to the structure of the barn. A single storey extension, measuring 3.9 metres in width by 8.6 metres in length, will be added to the northern elevation of the barn to provide a dining room, utility and toilet. The existing lean to attached to the northern elevation will be removed to make way for the proposed single storey extension. In addition to this the eastern extent of the barn will be subdivided to create a ground and first floor. New openings will be kept to a minimum. Only three additional windows will be inserted into the eastern

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1144 /

elevation of the barn. Additional lighting will be provided by six new roof lights. Four of these are situated in the eastern section of the barn and the remaining two in the proposed single storey extension. The existing cowsheds, which are detached from the barn, are to be retained for domestic use.

In considering this application it is felt that the following should be kept in mind:

- i) Under the Cumbria & Lake District Joint Structure Plan paragraph 3.14 states that "development which well related to existing developed areas of the countryside should be permitted". The definition of developed areas includes small clusters of buildings. However further clarity should be sought from Local Plan guidance which should clarify the basis on which development should be determined. This policy should be read in conjunction with Policy H12 of the Carlisle District Local Plan.
- ii) Policy E8 of the Carlisle District Local Plan states that "proposals which are well related in use, siting, scale and design to existing settlements or other small clusters of buildings including farm buildings will be acceptable" subject to a specific criteria. The criteria states that the proposal should reflect the scale and character of the existing group of buildings, there should be no adverse impact on the amenities of neighbouring properties or the character and appearance of the area, wildlife habitats are safeguarded and satisfactory access and car parking can be achieved.
- iii) Under Policy H12 of the Carlisle District Local Plan proposals for the conversion of non residential property to provide residential accommodation where planning permission for new build residential development will be acceptable provided that the building is of permanent construction, it can be converted without extensions or major alterations which would have an adverse impact upon its character, and details of the proposed conversion should reflect the buildings character. Adequate access and car parking should be achievable. Officers are satisfied that the development can be carried out in accordance with the above policy.
- iv) The cottage to be demolished is of clay construction and is in a poor state of repair. A variety of modern extensions have been carried out significantly altering the character of the original building. The Conservation Officer has inspected the property and has not found the building to be of architectural value nor was there any internal features of significant importance. Nevertheless, a photographic record of the building has been carried out and drawings of the building to be demolished have been requested. No drawings have been received at the time of writing this report. Members should note that whilst the building is

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1144 /

in a dilapidated state the building still enjoys existing use rights and could be reoccupied.

Members should note that this application should be considered together with the current application (Ref. 01/1143) for the erection agricultural workshop on the adjoining land. This application has already been addressed earlier in the schedule. It is felt necessary to link the two proposals by means of a Section 106 agreement. The reason for this is because the erection of the workshop and its proposed use would only be acceptable on the basis that the applicant occupied the dwelling and the workshop. The Section 106 agreement would tie the two developments together under the same ownership. This would prevent the workshop and the dwelling being disposed of independantly to one another.

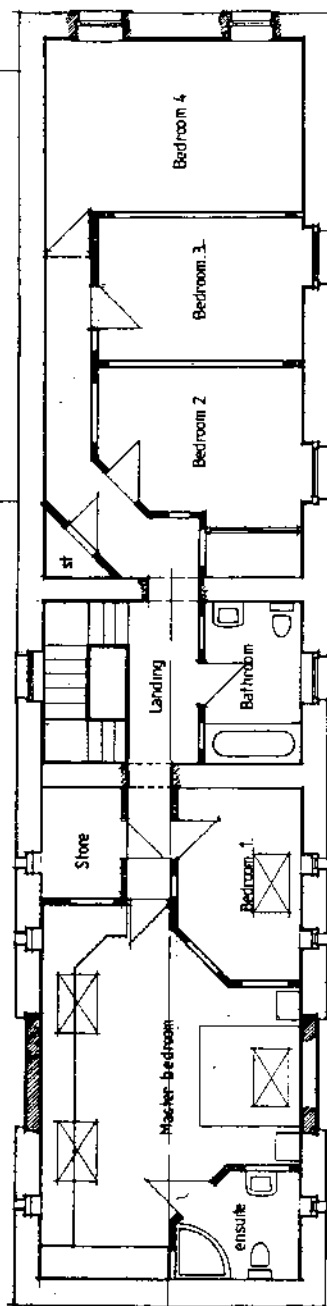
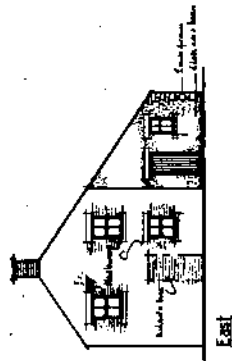
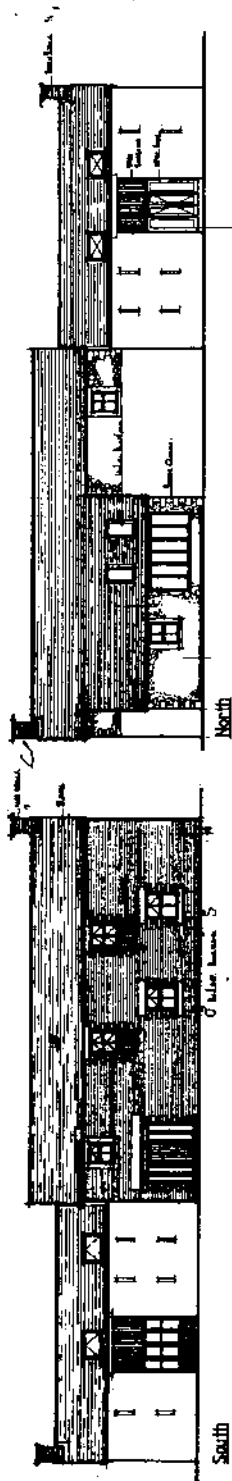
Amended plans have been requested in order to clarify a number of minor points referring to the detailing of the proposed conversion. The principle of the proposed development is deemed acceptable. The officer requests the authority to issue an approval subject to the receipt of satisfactory and the applicants agreement to enter into a Section 106 Agreement.

In conclusion, it is the officers opinion that the proposed development is deemed acceptable subject to the applicant entering into a Secion 106 agreement linking the two application and the receipt of satisfactory amendments. The proposed development can be carried out without detriment to the fabric of the existing barn and without causing an adverse impact on the residential or visual amenities of neighbouring properties.

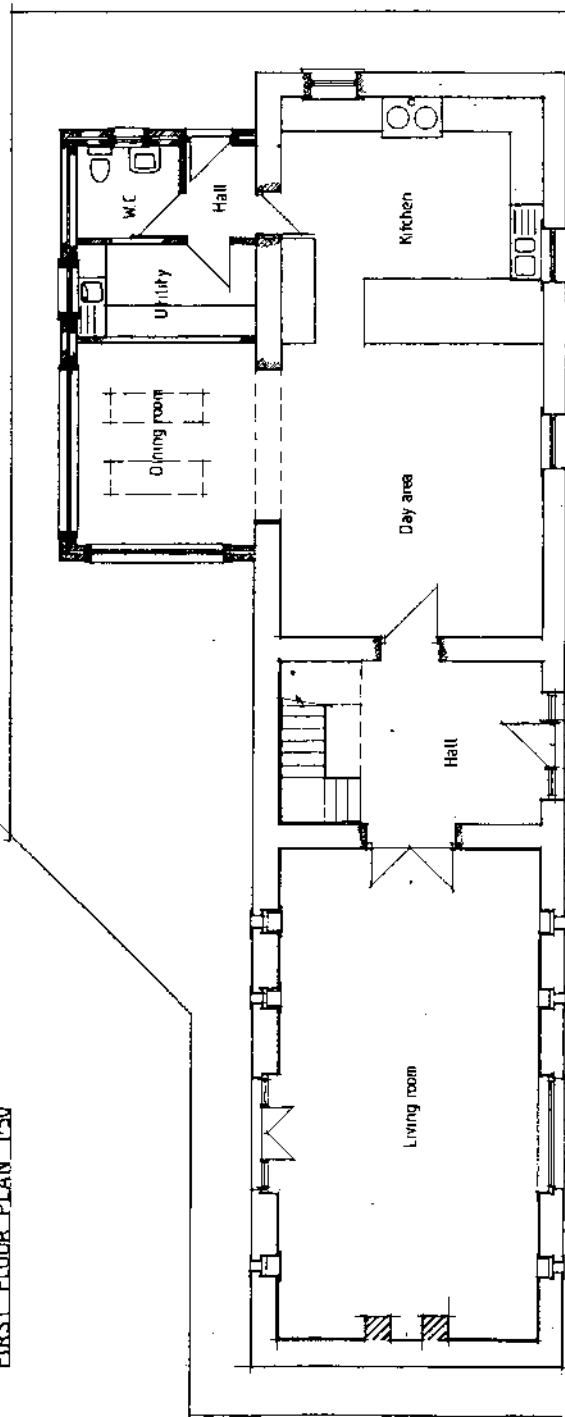
RECOMMENDATION:-

The Director will report on the latest position with regard to the application particularly with regard to the amended plans requested.

A to I S106

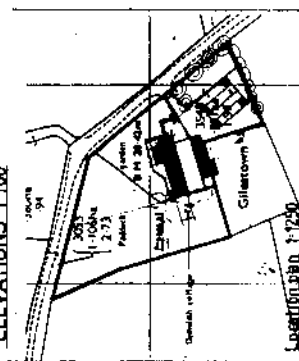


FIRST FLOOR PLAN 1:50



GROUND FLOOR PLAN 1:50

ELEVATIONS 1:100



TSADA BUILDING DESIGN SERVICES

Tsada Group, Longway, Cumbria, Cumbria CA6 5DA
Tel: 01283 500000
Fax: 01283 500001
Mobile: 07793 000112

Job title

Demolish existing cottage + Conversion of
buildings + Yard to dwelling

Layout plans + Elevations

20/11/2001

Drawing by

W.R. Faulder

Date

3/12/2001

Amendments

Client

Mr & Mrs. A. Mc Carish

Prior Rigg

Kirklington

Day No.

52 / 2001 / 1

Scale

As shown







SCHEDULE B: Reports Requiring Further Information

ITEM NO. 41

Date of Committee: 01/02/2002

APPN REF NO:
01/1145 /

APPLICANT:
Mr I Noble

PARISH:
Brampton

DATE OF RECEIPT:
11/12/2001

AGENT:
Tsada Building Design Services

WARD:
Brampton

LOCATION:

L/A to rear Oulton House, 66 Carlisle Road, Brampton Cumbria

GRID REF:

352595 561043

PROPOSAL: Erection of dwelling and garage

John

REPORT

PLANNING POLICIES:-

AFFECTING THE SETTING OF A LISTED BUILDING

CONSERVATION AREA

The proposal relates to land or premises situated within the Brampton Conservation Area.

CARLISLE DISTRICT PLAN
ENVIRONMENT - POLICY E43

The City Council will encourage, and permission will be granted for development within and adjoining Conservation Areas which preserves or enhances their character. The City Council will seek to ensure any new development or alterations to existing buildings are in sympathy with the setting, scale, density and physical characteristics of Conservation Areas, and protect important views into or out of such areas. Applications for outline planning permission will not be accepted for proposals in Conservation Areas.

CARLISLE DISTRICT PLAN
ENVIRONMENT - POLICY E35

Proposals for new development which adversely affect a listed building or its setting will not be permitted. The City Council will seek to encourage any new development to be sympathetic in scale, character and materials.

CARLISLE DISTRICT PLAN
HOUSING - POLICY H2

Within the Primary Residential Areas defined on the Inset Maps for Carlisle, Brampton, Longtown and Dalston, proposals for new residential development will be acceptable provided that:

1. existing areas of open space and other amenity areas are safeguarded; and
2. the proposed development does not adversely affect the amenity of adjacent residential property; and
3. the proposed development complements or enhances existing adjacent

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1145 /

residential areas and their amenity; and

4. satisfactory access and appropriate parking arrangements can be achieved.

Proposals for uses other than residential will not be permitted in Primary Residential Areas other than where they do not adversely affect residential amenity. Development that would create unacceptable noise, smell, safety and health impacts or excessive traffic generation will not be acceptable. Such schemes falling within the scope of this Policy will be considered against the above criteria as well as other Policies of the Plan appropriate for the proposed use.

SUMMARY OF CONSULTATION RESPONSES:-

HIGHWAYS AUTHORITY: No objection.

BRAMPTON PARISH COUNCIL: The Parish Council considers the proposal to be overdevelopment of the site, with the site being too restricted for the size of dwelling proposed.

COUNTY ARCHAEOLOGY: No objection, subject to a watching brief condition.

SUMMARY OF REPRESENTATIONS:-

The application has been advertised by means of a site and press notices, and neighbour notification. Two letters of objection have been received, which raise the issues of the excessive size and dominance of the proposed house, loss of privacy, increased levels, and loss of trees and hedges particularly in relation to the proposed double garage.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

In 1986, listed building consent was given for the demolition of a disused wash house to the rear of the existing properties.

DETAILS OF PROPOSAL

Permission is sought for the erection of a dwelling on land at the rear of Oulton House (number 66) and 68/72 Carlisle Road, Brampton. These are the two end houses in a terrace on the north side of Carlisle Road, immediately west of the junction with the former A69. Oulton House is a grade II listed building, and the site is within the Brampton Conservation Area. To the rear, there are substantial brick sheds. It is proposed to gain access from a driveway which runs to the side of number 72, giving access to four detached dwellings, to provide access to a plot for a new dwelling running across the rear gardens of the two frontage properties. The plot is 24 metres x 22 metres (528 square metres). To the rear are two bungalows of recent construction, while to the north, there is a dormer bungalow, set at a lower level. There is a fall across the site of some 2 metres.

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/1145 /

It is proposed to erect a four bedroom dormer bungalow, with a detached double garage on the site. Three dormers are proposed on the frontage, facing towards the drive, with rooflights to the rear. The access also provides access to parking spaces for the existing houses on the Carlisle Road frontage.

This applications raises a number of issues. Firstly, there is the question of whether this site is acceptable as a plot for a new dwelling, given its size and relationship with neighbouring dwellings. Officers' view is that the site is acceptable in this regard. It is of sufficient size to satisfactorily accommodate a dwelling and properties to the rear and to the north do not overlook it.

The second issue relates to the details of the proposal, and in this regard, there are significant reservations regarding the proposal as submitted. Firstly, the footprint of the building, plus the double garage is such as to occupy most of the site, with little area left as garden. The proposed dwelling is therefore considered to be too large for the plot. Secondly, the siting of the double garage on the rear boundary would involve the removal of a significant proportion of the rear boundary hedge. Thirdly, the level of the proposed house is shown as being set at that of the access which is some 2 metres above that of the bottom end. It is considered that this would make the dwelling unduly prominent. Finally, the design, with three dormers is regarded as inappropriate in a conservation area setting.

It will be noted that the above points have also been made by objectors to the application, and the Parish Council.

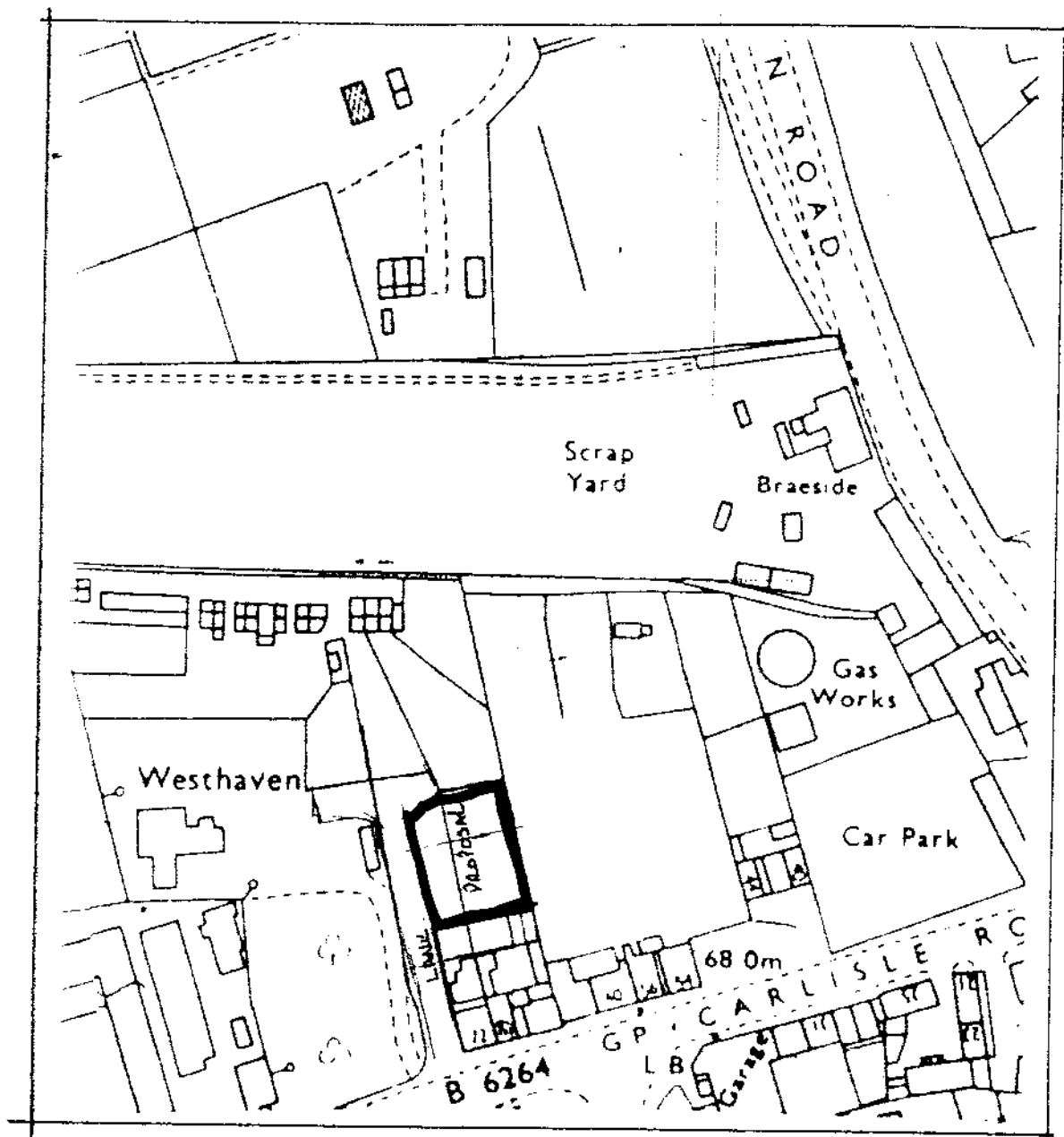
The applicant has been advised that the proposal is unacceptable as it stands for the reasons stated above, but that a proposal of reduced scale, with a single garage, could be acceptable. Such a revised proposal is expected to be submitted in the near future, and will be subject to re-consultation.

The latest position will be reported verbally at the Committee.

RECOMMENDATION: -

The Director will report on the latest position regarding the application, with particular reference to a revised proposal which is expected to be submitted.

Defer



First

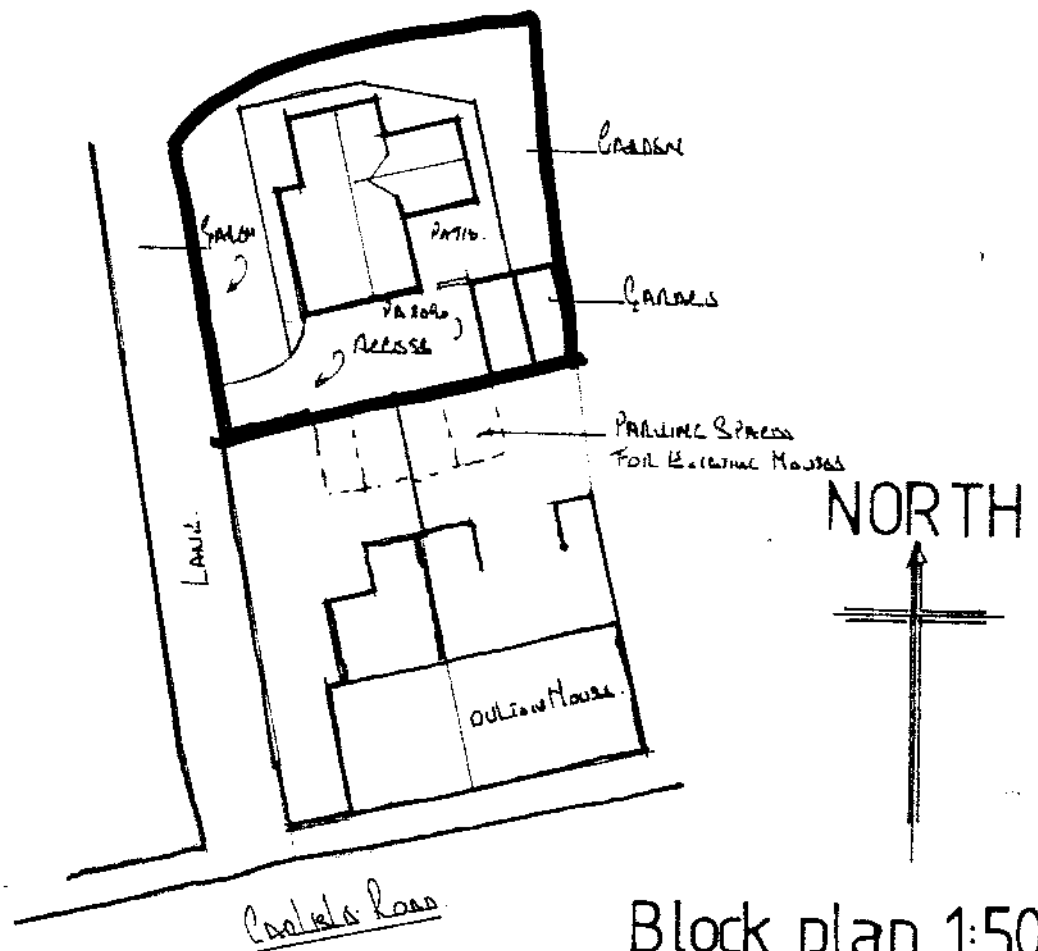
Location plan

1:1250

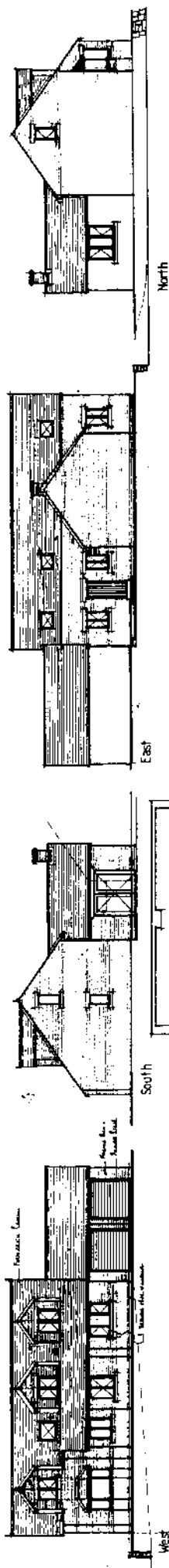
Drawing by
W.R.Faulder

Date
8/12/2001

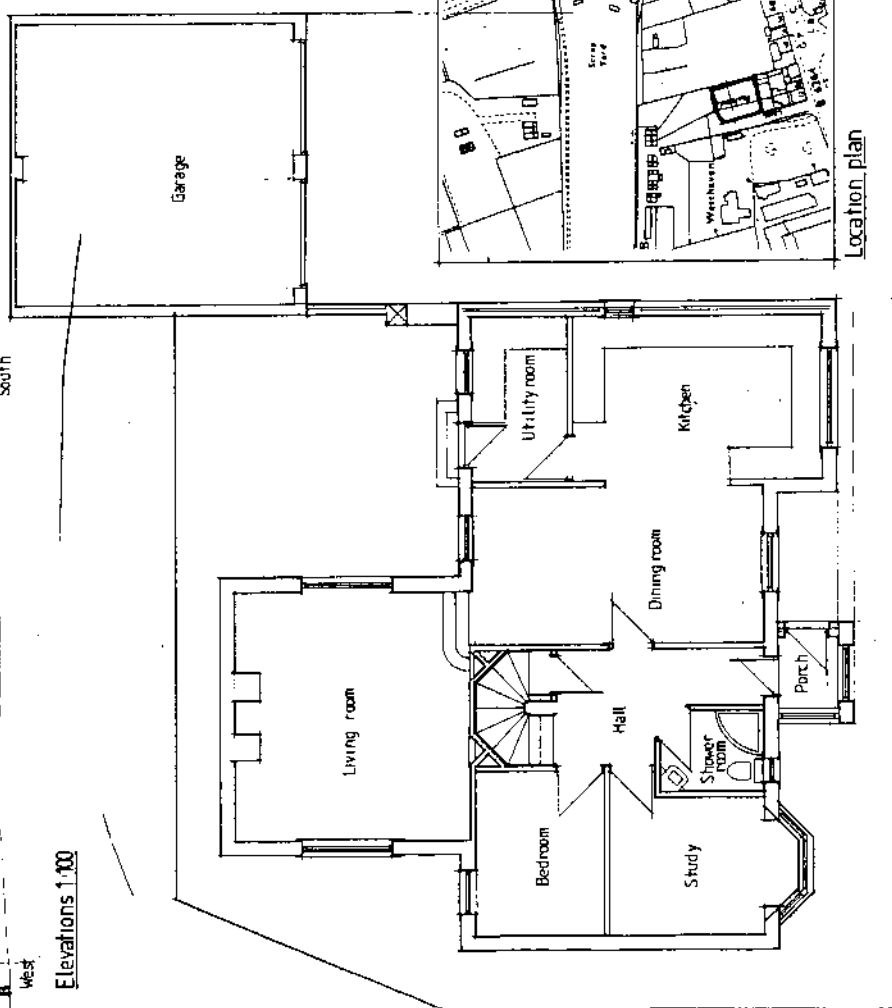
First Floor Plan 1:50



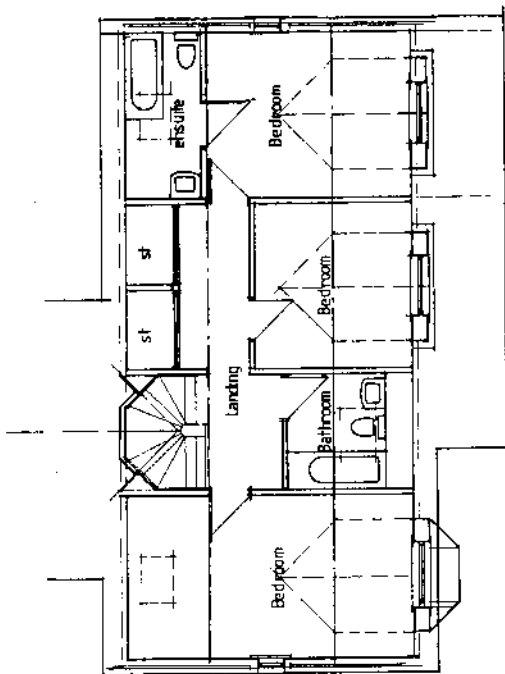
Builder	Amendments		
001			



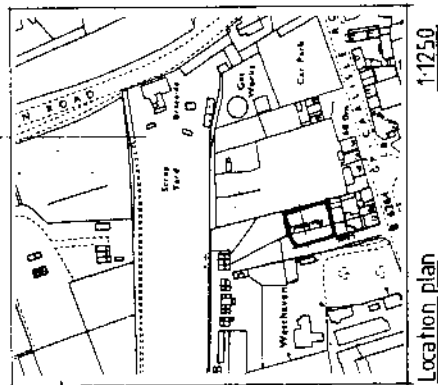
Elevations 1:100



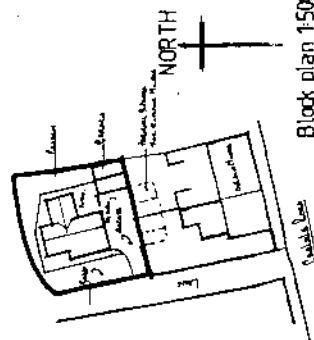
Ground Floor Plans 1:50



First Floor Plan 1:50



Location plan 1:1250



Block plan 1:500

TSADA BUILDING DESIGN SERVICES
11111 11111
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TSADA BUILDING DESIGN SERVICES

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11111 11111
11111 11111

Formation of Dwelling at Land to rear
of Oulton house, Brampton.

Drawing by W.R. Faulder	Client Mr I Nobel	Dwg No. 56 / 2001/1
Date 8/12/2001	Amendments	Scale 1:50 1:100 1:500 1:2500
	No 1 Surgery lane Brampton	

2 Beck Orchard
Brampton
Cumbria
CA8 1UR

A M Taylor, Chief Development Control Officer
Department of Environment & Development Services
Carlisle City Council
The Civic Centre
Carlisle
CA3 8QG

5 January 2002



PLANNING SERVICES	
REF	01/1145
07 JAN 2002	
RECORDED	CW
BOARDED	
FILED TO	ASH
ACTION	

Dear Sir,

**PROPOSED ERECTION OF DWELLING AND GARAGE
LAND AT REAR OF OULTON HOUSE, 66 CARLISLE ROAD BRAMPTON
REFERENCE 01/1145**

With reference to the above application I wish to make the following observations and comments.

This proposed development is in what is a back garden.

The size of the house will be dominant above the existing houses in the area.

This proposal is for what is in effect a two storey house. Due to the rising gradient of the land, the situation of the house and the fact that it has first floor rooms this will give the occupants an excellent view down and into my bathroom and bedrooms. No person should be allowed to have such a close view of his neighbours.

The construction of this house will inevitably lead to the destruction of the mature trees and hedging which forms such an integral part of the landscape in this area.

I am concerned that the plan submitted uses a location plan that does not accurately represent the area concerned. The drawer of the plan must surely have been aware that the scrap yard, gas works and car park no longer exist. The plan also fails to show the significant development of the area for housing purposes. This error seems most advantageous to the applicant in that it shows large tracts of undeveloped land.

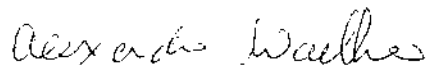
2 Beck Orchard
Brampton
Cumbria
CA8 1UR

I am informed by Mr Hamer of your department that a new plan will be available for inspection a week before the application goes to committee. I am concerned that Mr Hamer knows of the deficiencies of this plan but gives an impression of a laissez- faire attitude to the proposal and that everything will be attended to on the day. It does not seem right that a document open to public inspection is displayed when it is know that it is completely inaccurate.

I am totally opposed to this proposal on the grounds of its size, location, elevation and loss of existing plantings. I am also very concerned about the loss of privacy in what are the most intimate parts of my home.

I would consider it most advantageous for the committee to make a site visit prior to any decision being made.

Yours faithfully,

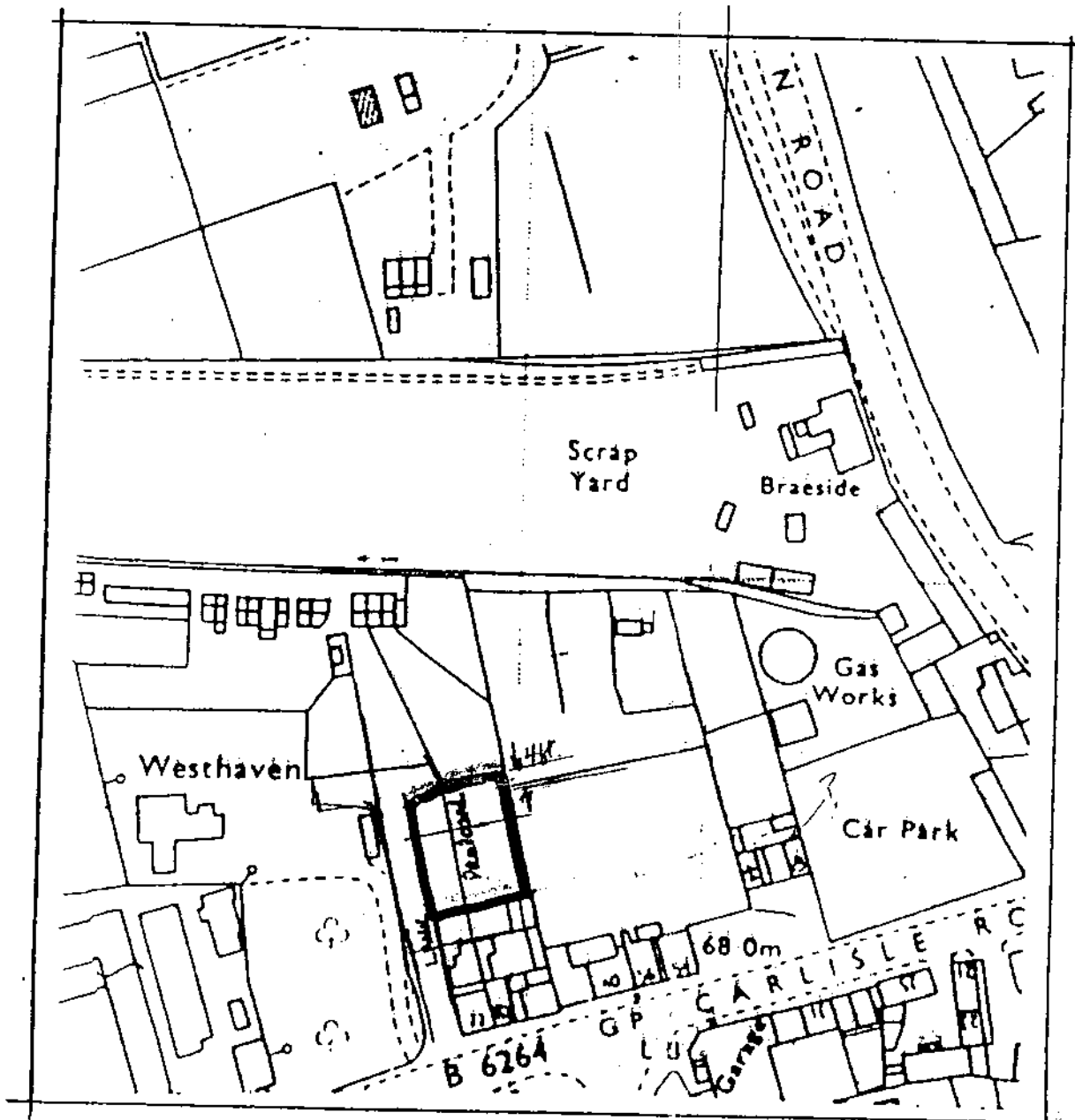
A handwritten signature in cursive script that reads "Alexander Walker".

Alexander Walker

Copy of location plan as submitted on planning application reference 01/1145.

Planning proposal for erection of garage and dwelling on land at rear of Oulton House, Carlisle Road, Brampton.

This plan is wholly out of date.



Location plan

1.1250

Carlisle City Council
Dept. of Environment & Development
Planning Services Division

1 Beck Orchard
Brampton
CA8 1UR

Case Officer: Mr J.Hamer

Ref: CJH/DC/1145

2nd January 2002

Dear Sir/Madam

RE:NOTIFICATION OF PLANNING PROPOSAL

Proposal: Erection of dwelling and garage
Location: L/A to rear Oulton House, 66 Carlisle Road, Brampton
Appn Ref: 01/1145/

We have viewed the plans for the above proposed development, and wish to make the following comments.

- 1) We understood that this area was designated a conservation area and as such, would not have expected new property to be built in existing gardens.
- 2) There are mature trees and hedges on the site, and whilst they may not be cut down during construction, the roots would most certainly be damaged, causing eventual deterioration to them.
- 3) The location of the proposed double garage directly on the boundary line, ie the hedge, would not facilitate maintenance of the hedge or garage, and would in fact require removal in part, of the mature hawthorne hedge for its construction.
- 4) The location plan submitted by the architect, is at least twenty years out of date, and does not show Beck Orchard or the surrounding development of the area, thus giving a false picture of the location of the proposed dwelling.
- 5) The Block Plan 1:500 does not show other properties which could be affected by this development, nor does it show hedges and trees located thereon.

Yours faithfully

Mr.F.Scott & Mrs.M.Scott

J. Scott M. Scott

Copy to Chairman of Brampton Parish Council.

PLANNING SERVICES	
REF	01/1145
DATE	2 JAN 2002
PROPOSED	
COMMENTS	CN
DECISION	CJH
ACTION	

SCHEDULE C

SCHEDULE C

SCHEDULE C

SCHEDULE C

SCHEDULE C

SCHEDULE C

SCHEDULE C: Applns Determined by Other Authorities

ITEM NO. 42

Between 29/11/2001 and 23/01/2002

APPN REF NO:
01/9010 /

APPLICANT:
Tarmac Northern Ltd

PARISH:
Dalston

DATE OF RECEIPT:
04/09/2001

AGENT:
Cumbria County Council

WARD:
Dalston

LOCATION:

Cardewmires Quarry, Cardewlees, Dalston Carlisle, Cumbria

GRID REF:
334800 550800

PROPOSAL: Continued extraction of sand and gravel

REPORT

CITY COUNCIL OBSERVATIONS ON THE PROPOSAL:

DECISION: Raise No Objection

DECISION OF: Cumbria County Council

DECISION: Grant Permission

DATE: 29/11/2001

A COPY OF THE NOTICE OF THE DECISION OF THE DETERMINING AUTHORITY IS PRINTED FOLLOWING THIS REPORT.

CUMBRIA COUNTY COUNCIL

ENVIRONMENT ACT, 1995
TOWN AND COUNTRY PLANNING ACT, 1990
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER, 1995

NOTICE OF DETERMINATION OF NEW CONDITIONS

To: Tarmac Northern Limited
Lingerfield
Scotton, Knaresborough
North Yorkshire
HG5 9JN

In pursuance of the powers under the above Acts and Order the Cumbria County Council as local planning authority hereby gives notice of the determination of new conditions as described in your application and on the plans and drawings attached thereto received on the 9th August, 2001.

**viz: First periodic review application for determination of new conditions for a minerals site (for continued extraction of sand and gravel);
Cardewmires Quarry, Cardewlees, Dalston, Carlisle, Cumbria.**

(This schedule of conditions determined under the Environment Act 1995 applies to the whole Cardewmires site extending to 46.9 ha and comprising the sites of planning permissions BA3935, 1/85/0475 and 2/85/0396.)

APPROVED DOCUMENTS

1. The development hereby permitted shall be carried out in accordance with the application details dated May 1985 and the subsequent Review (August 2001), including the supporting written statements and plans appended thereto, or with such other details as may be subsequently approved by the Mineral Planning Authority.

Reason: To define the permission.

2. A copy of this permission, including all documents hereby approved and any other documents subsequently approved in accordance with this permission, shall always be held in the quarry office.

Reason: To ensure those operating the site are conversant with the approved scheme and are aware of the requirements of the planning permission.

TIME LIMITS

3. The permission shall expire on 31st October 2009 by which date all plant and machinery shall be removed from the site and the land restored in accordance with the approved scheme.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

4. Upon completion of working, all buildings, plant, machinery and ancillary material associated with the operation shall be removed from the site and the land restored in accordance with the approved plans.

Reason: To secure the proper restoration of the site following the approved period for this temporary development.

ACCESS

5. Access to the site shall be via the existing access and no other access shall be used except as may be required in an emergency.

Reason: In the interests of highway safety.

6. Such steps as may be reasonably necessary shall be taken to ensure that no mud or waste material is deposited on the public highway. Any deposit of mud or other materials on nearby highways resulting from the operations hereby permitted shall be removed to the reasonable satisfaction of the Mineral Planning Authority.

Reason: To ensure that no material from the access road is carried on to the public highway in the interests of highway safety.

APPROVED OPERATIONS PROGRAMME

7. The site shall be worked in phases and progressively restored to a standard capable of amenity use in accordance with the proposals submitted or any variation to the approved scheme agreed in writing with the Mineral Planning Authority.

Reason: To ensure that the site is worked and restored in accordance with the approved scheme.

8. The causeway to be retained across the site shall be wholly reconstructed in accordance with the final landform requirements shown on the approved plans, prior to the cessation of quarrying at the site.

Reason: To ensure that the site is restored in accordance with the approved scheme.

9. A strip of land at least fifteen metres wide shall be left unworked between the final boundary of the workings and adjoining lands and the River Wampool. Where erosion occurs threatening the stability of adjacent land or the water course, the fifteen metre strip shall be reinstated by backfilling.

Reason: To protect the stability of adjacent land.

10. The developer shall, until the restoration is completed, maintain a stock proof fence, hedge or wall, around the perimeter of the area from which the mineral has been extracted or is in the process of being removed.

Reason: To prevent stock from entering the working area and to discourage unauthorised access.

11. No more land than is necessary for eighteen months extraction shall be taken out of agricultural production in advance of working.

Reason: To maintain the maximum amount of land possible in agricultural use.

12. All topsoil, subsoil and overburden shall be retained on site for use in restoring the site and none shall be sold off or removed from the site.

Reason: To ensure soil and overburden is properly retained for subsequent use in restoration.

13. Prior to the removal of overburden from any part of the site to be excavated, traversed by heavy machinery or used for roads or the storage of overburden, all available topsoil shall be stripped from that part of the site and where possible immediately respread on an area at the appropriate stage of restoration. Where immediate use is not possible, topsoil shall be stored in positions as indicated in the application details and subsequent Review or as otherwise approved by the Mineral Planning Authority.

Reason: To ensure topsoil is properly separated to prevent any damage to its structure.

14. The stockpiling of processed sand and gravel shall, unless previously agreed in writing with the Mineral Planning Authority, be restricted to the plant area and Phase 5 as shown on Plan C164/5.

Reason: To maintain planning control in minimising visual impact.

ENVIRONMENTAL PROTECTION

15. No refuse or waste material from outside the site shall be deposited within the site without the prior approval of the Mineral Planning Authority.

Reason: To maintain planning control.

16. No materials shall be burnt within the boundaries of the site save as may be approved by the Mineral Planning Authority.

Reason: In the interests of the amenity of the area.

17. Any chemical, oil or diesel storage tanks on the site shall be sited on impervious bases and surrounded by impervious bund walls; the bunded areas shall be capable of containing 110% of the largest tank's volume and should enclose all fill and drawpipes.

Reason: To avoid the pollution of any watercourse or groundwater resource.

18. All mobile plant and machinery and vehicles on the site shall be operated and maintained properly, including the fitting of effective silencers in accordance with the manufacturers recommendations.

Reason: To minimise noise and prevent nuisance off the site.

RESTORATION

19. Excavated overburden shall be progressively backfilled in the areas shown as being worked and infilled to either dry land or shallow water on Plan C164/4. The details of this restoration shall be incorporated in a method statement to be submitted to and approved in writing by the Mineral Planning Authority by 31st December 2002 and subsequently implemented on site.

Reason: To ensure a satisfactory restoration profile.

20. The reserve area shown on Plan C164/4 shall not be used for water based recreation, including fishing.

Reason: To ensure a compatible afteruse.

21. The planting of trees and shrubs shall be carried out progressively, in step with the restoration of the land, in accordance with the landscaping proposals submitted as part of the application dated 24 May 1985 and subsequent Review. Any trees or shrubs planted in accordance with such schemes removed or found to be dead or dying or becoming diseased within five years of planting shall be replaced to the satisfaction of the Mineral Planning Authority. All trees and shrubs planted in accordance with this condition shall be maintained to the satisfaction of the Mineral Planning Authority for a period of five years after planting.

Reason: To secure the satisfactory establishment of planting in the interests of amenity.

22. By 30th April 2008, or such later date as may be agreed in writing by the Mineral Planning Authority, a formal review meeting shall be held to consider operations which have taken place at the site over the last twelve months and those scheduled for the next twelve months. Subsequent review meetings shall be held every year during the final working and restoration period. The parties to be invited to this review shall include the mineral operator, the Mineral Planning Authority, DEFRA and the owners of the land.

Reason: To allow for a formal review of the approved operations to facilitate the effective restoration of the site.

Dated the 29th day of November, 2001



.....
Signed: Shaun Gorman,
Assistant Director (Development Control),
Community, Economy and Environment,
on behalf of the Council.

NOTE TO APPLICANT

The applicant's attention is drawn to the consultation responses from Railtrack dated 12 October 2001 and from the Environment Agency dated 29 October 2001, copies of which are attached to this determination

STANDARD NOTES

- Where the permission is granted subject to conditions, attention is directed to the attached Notification to Appellants.
- The conditions attached to this permission may override details shown on the application form, accompanying statements and plans.
- Any approval to be given by the Director of Community, Economy and Environment or any other officer of Cumbria County Council, shall be in writing.

SCHEDULE D

SCHEDULE D

SCHEDULE D

SCHEDULE D

SCHEDULE D

SCHEDULE D

SCHEDULE D: Reports on Previously Deferred Decisions

ITEM NO. 43

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/0936 /	APPLICANT: Messrs M & G Park	PARISH: St Cuthberts Wit
DATE OF RECEIPT: 16/10/2001	AGENT: Taylor & Hardy	WARD: Dalston
LOCATION: L/A Lough Farm, Brisco, Carlisle Cumbria		GRID REF: 342228 551217
PROPOSAL: Change of use to provide a Sunday market		

REPORT

DETAILS OF DEFERRAL:

Members will recall at the Committee meeting held on 14th December 2001 that authority was given to the Director of Environment and Development to issue approval for the proposal subject to confirmation of conditions to be imposed. These conditions have now been confirmed and approval was issued on 16th January 2001.

DECISION: Grant Permission

DATE: 16/01/2002

1. Standard time limit
2. The market shall operate only between 0900 and 1500 hours
3. This permission shall be in respect of a Sunday market which shall be confined to the areas specified on the submitted plan, and which shall operate on not more than a total of 40 days in any one calendar year. Notification of the programme shall be given in advance in writing to the local planning authority and notice of any changes to the programme shall be given in writing at least one month in advance.
4. The applicant shall notify the local planning authority in writing of the date when the use is to commence, and within three months of the specified date the following highway works shall be implemented :-
i the provision of visibility splays providing clear visibility of 215m x 2.4m x 215m measured down the centre of the access road and the nearside channel line of the major road have been provided at the junction of the access road with the county highway. Notwithstanding the provisions the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splay which obstructs the visibility splays.

ii the access shall be surfaced for at least 20 metres inside the site, as measured from the highway boundary in accordance with details to be submitted to and approved by the local planning authority
5. Access Gates recessed
6. Construction of Access

SCHEDULE D: Reports on Previously Deferred Decisions

Schedule continued for 01/0936 /

7. Scheme to include species
 8. Scheme to be implemented and maintained
 9. During the operation of the market, no amplified music shall be played, and no amplified system of public address shall be used.
-

SCHEDULE E

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SCHEDULE E: Decisions Issued Under Delegated Powers

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/0425 /
APPLICANT: Mr & Mrs W J Wilson
PARISH: Hethersgill

DATE OF RECEIPT: 05/12/2001
AGENT:
WARD: Lyne

LOCATION: Lyndhurst, Kirklington, Cumbria
GRID REF: 345567 567781

PROPOSAL: Application for Certificate of Lawfulness in respect of the occupancy of dwelling without compliance with agricultural occupancy condition attached to application no: BA4730

DECISION: Grant Permission

DATE: 28/12/2001

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/0701 /
APPLICANT: Irving Builders
PARISH: Carlisle

DATE OF RECEIPT: 06/08/2001
AGENT:
WARD: Morton

LOCATION: L/Adj Morton Methodist Chapel, Newlaithes Avenue, Morton, Car
GRID REF: 338240 554188

PROPOSAL: Erection of pair of semi-detached dwellings

DECISION: Grant Permission

DATE: 14/12/2001

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/0741 /
APPLICANT: Peregrine Properties (Northern)
PARISH: Carlisle

DATE OF RECEIPT: 20/08/2001
AGENT: Hills Erwin Partners
WARD: Castle

LOCATION: Former BT Site, Willow Holme Industrial Estate, Carlisle, Cum
GRID REF: 339420 556140

PROPOSAL: Erection of 10no. residential apartments with associated car parking (phase 2)

DECISION: Grant Permission

DATE: 14/01/2002

SCHEDULE E: Decisions Issued Under Delegated Powers

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/0803 /	APPLICANT: Avis Rent A Car Ltd	PARISH: Carlisle
DATE OF RECEIPT: 07/09/2001	AGENT: Delta Chartered Architects	WARD: St Aidans
LOCATION: 99 London Road, Carlisle Cumbria		GRID REF: 340945 555085
PROPOSAL: Erection of internally illuminated box sign		

DECISION: Grant Permission

DATE: 14/01/2002

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/0817 /	APPLICANT: Royal Mail-Dave Graham	PARISH: Carlisle
DATE OF RECEIPT: 11/09/2001	AGENT:	WARD: Stanwix Urban
LOCATION: L/A opposite 40 Larch Drive, Knowefield Carlisle, Cumbria		GRID REF: 340500 557400
PROPOSAL: Installation of postal pouch box		

DECISION: Grant Permission

DATE: 13/12/2001

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/0825 /	APPLICANT: Ms M Van Tilburg	PARISH: Carlisle
DATE OF RECEIPT: 17/09/2001	AGENT:	WARD: Castle
LOCATION: 15 Chiswick Street, Carlisle Cumbria		GRID REF: 340495 555918
PROPOSAL: Replacement of rear window with timber 6no. paned window (LBC)		

DECISION: Grant Permission

DATE: 06/12/2001

SCHEDULE E: Decisions Issued Under Delegated Powers

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/0843 /	APPLICANT: Mr B Edmundson	PARISH: Castle Carrock
DATE OF RECEIPT: 21/09/2001	AGENT: Design Division	WARD: Great Corby & Gel
LOCATION: The Watson Hall, Castle Carrock, Cumbria		GRID REF: 354308 555424
PROPOSAL: Internal alterations to kitchen comprising erection of lno. stud partition wall and replacement of flooring material		

DECISION: Grant Permission

DATE: 06/12/2001

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/0899 /	APPLICANT: J A Bowman (Hexham) Ltd	PARISH: Brampton
DATE OF RECEIPT: 02/10/2001	AGENT: Taylor & Hardy	WARD: Brampton
LOCATION: Saw Mill, Sawmill Lane, Brampton Cumbria		GRID REF: 353177 561505
PROPOSAL: Existing use of saw mill (Certificate of Lawful Use)		
AMENDMENT: 11/12/01 : letter from Taylor & Hardy with plan omitting Sawmil Lane from application		

DECISION: Grant Permission

DATE: 11/01/2002

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/0905 /	APPLICANT: United Utilities PLC	PARISH: Dalston
DATE OF RECEIPT: 02/10/2001	AGENT: Mr D R Watson-Planning Liaison Manager	WARD: Dalston
LOCATION: Rosebank Service Reservoir, Dalston, Carlisle Cumbria		GRID REF: 336430 546956

SCHEDULE E: Decisions Issued Under Delegated Powers

Schedule continued for 01/0905 /

PROPOSAL: Construction of new pumping station and access road
AMENDMENT: The roof finish of the proposed pumping station building
amended to slate in lieu of tiles by letter dated 3rd December
2001.

DECISION: Grant Permission

DATE: 13/12/2001

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/0909 /
APPLICANT: Carlisle Council for Voluntary Service
PARISH: Carlisle

DATE OF RECEIPT: 03/10/2001
AGENT: Capita dbs
WARD: Castle

LOCATION: 27 Spencer Street, Carlisle Cumbria
GRID REF: 340434 555929

PROPOSAL: Single storey extension to rear of property to replace
outbuildings for use as office space

DECISION: Grant Permission

DATE: 06/12/2001

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/0912 /
APPLICANT: University of Northumbria
PARISH: Carlisle

DATE OF RECEIPT: 04/10/2001
AGENT: Capita Property Consultants
WARD: Denton Holme

LOCATION: L/A north end of Milbourne Street, Carlisle, Cumbria
GRID REF: 339625 555790

PROPOSAL: Erection of 3no freestanding monolith signs and 1no wall
mounted sign to south gable

DECISION: Grant Permission

DATE: 13/12/2001

SCHEDULE E: Decisions Issued Under Delegated Powers

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/0913 /	APPLICANT: Mr J Grant	PARISH: Kingmoor
DATE OF RECEIPT: 04/10/2001	AGENT: Capita DBS	WARD: Stanwix Rural
LOCATION: L/A Crindledyke Estate - (2nd phase) Carlisle, Cumbria	GRID REF: 338349 560500	
PROPOSAL: Erection of 7no dwellings and associated access road		

DECISION: Grant Permission

DATE: 11/01/2002

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/0925 /	APPLICANT: Mr & Mrs Pennington	PARISH: Carlisle
DATE OF RECEIPT: 10/10/2001	AGENT: Jock Gordon	WARD: Belle Vue
LOCATION: 5 Kirkstead Road, Belle Vue Carlisle, Cumbria	GRID REF: 336830 556050	
PROPOSAL: Erection of single storey extension to provide extra living accommodation		

DECISION: Grant Permission

DATE: 06/12/2001

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/0939 /	APPLICANT: Carlisle Council for Voluntary Service	PARISH: Carlisle
DATE OF RECEIPT: 16/10/2001	AGENT: Capita dbs	WARD: Castle
LOCATION: 27 Spencer Street, Carlisle Cumbria	GRID REF: 340434 555929	
PROPOSAL: Extension to rear and internal alterations to increase office space and demolition of stores to rear (LBC)		

DECISION: Grant Permission

DATE: 06/12/2001

SCHEDULE E: Decisions Issued Under Delegated Powers

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO:
01/0941 /

APPLICANT:
Northern Rock

PARISH:
Carlisle

DATE OF RECEIPT:
16/10/2001

AGENT:
Escott Signs

WARD:
Castle

LOCATION:
4 Devonshire Street, Carlisle Cumbria

GRID REF:
340191 555730

PROPOSAL: Erection of internally illuminated fascia sign and projecting sign

DECISION: Grant Permission

DATE: 13/12/2001

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO:
01/0943 /

APPLICANT:
Scot Self Storage

PARISH:
Carlisle

DATE OF RECEIPT:
16/10/2001

AGENT:
Albany Sign Display

WARD:
Denton Holme

LOCATION:
Escott Works, Rome Street, Carlisle Cumbria

GRID REF:
340040 555125

PROPOSAL: Erection of non illuminated signage

DECISION: Grant Permission

DATE: 20/12/2001

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO:
01/0956 /

APPLICANT:
Richard Turner

PARISH:
Wetheral

DATE OF RECEIPT:
22/10/2001

AGENT:

WARD:
Great Corby & Gel

LOCATION:
Brook Villa, Great Corby, Carlisle Cumbria

GRID REF:
347465 554650

PROPOSAL: Erection of porch and conservatory to rear of dwelling (LBC)

DECISION: Grant Permission

DATE: 21/01/2002

SCHEDULE E: Decisions Issued Under Delegated Powers

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/0957 /	APPLICANT: Richard Turner	PARISH: Wetheral
DATE OF RECEIPT: 22/10/2001	AGENT:	WARD: Great Corby & Gel
LOCATION: Brook Villa, Great Corby, Carlisle Cumbria		GRID REF: 347465 554650
PROPOSAL: Erection of conservatory and porch to rear of dwelling		

DECISION: Grant Permission

DATE: 21/01/2002

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/0959 /	APPLICANT: Congregational Church	PARISH: Carlisle
DATE OF RECEIPT: 22/10/2001	AGENT:	WARD: Castle
LOCATION: Congregational Church, Lowther Street, Carlisle Cumbria		GRID REF: 340262 555752
PROPOSAL: Internal alterations to form office area (LBC)		

DECISION: Grant Permission

DATE: 14/12/2001

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/0968 /	APPLICANT: Mr & Mrs Graham	PARISH: Carlisle
DATE OF RECEIPT: 25/10/2001	AGENT: Mr Jock Gordon	WARD: Stanwix Urban
LOCATION: 14 Knowe Road, Stanwix Carlisle, Cumbria		GRID REF: 340120 557295
PROPOSAL: Erection of extension to provide kitchen, dining room and bedroom		

DECISION: Grant Permission

DATE: 14/12/2001

SCHEDULE E: Decisions Issued Under Delegated Powers

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO:
01/0973 /

APPLICANT:
Mr & Mrs P Bainbridge

PARISH:
Stapleton

DATE OF RECEIPT:
26/10/2001

AGENT:
Acorn Associates

WARD:
Lyne

LOCATION:
Heathercroft, The Barracks, Hethersgill, Carlisle Cumbria

GRID REF:
347891 569317

PROPOSAL: Erection of extension to form bedroom/playroom

DECISION: Grant Permission

DATE: 06/12/2001

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO:
01/0974 /

APPLICANT:
Gary J Graham

PARISH:
Carlisle

DATE OF RECEIPT:
26/10/2001

AGENT:

WARD:
Upperby

LOCATION:
13 Manor Road, Upperby Carlisle, Cumbria

GRID REF:
341045 553750

PROPOSAL: Erection of two storey extension to provide utility room,
games room and bedroom at first floor together with
formation of vehicular access

DECISION: Grant Permission

DATE: 20/12/2001

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO:
01/0977 /

APPLICANT:
Mr R A Carter

PARISH:
Arthuret

DATE OF RECEIPT:
29/10/2001

AGENT:
Burnetts

WARD:
Longtown & Rockcl

LOCATION:
Iona, Parcelstown, Longtown, Carlisle Cumbria

GRID REF:
339235 565620

PROPOSAL: Certificate of Lawfulness for occupation of dwelling
(without compliance with Agricultural Occupancy condition)

DECISION: Grant Permission

DATE: 18/01/2002

SCHEDULE E: Decisions Issued Under Delegated Powers

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/0980 /	APPLICANT: Birketts division of Greggs PLC	PARISH: Carlisle
DATE OF RECEIPT: 29/10/2001	AGENT: Mr Brian Halliburton	WARD: Castle
LOCATION: 24 Scotch Street, Carlisle Cumbria		GRID REF: 340086 556113
PROPOSAL: Installation of a new shop front		

DECISION: Refuse Planning Permission

DATE: 19/12/2001

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/0983 /	APPLICANT: Neil Ritson	PARISH: Brampton
DATE OF RECEIPT: 29/10/2001	AGENT:	WARD: Brampton
LOCATION: Brackenfell, Capon Tree Road, Brampton Cumbria		GRID REF: 352860 559850
PROPOSAL: Replacement south elevation windows and lno. west elevation window (LBC)		

DECISION: Grant Permission

DATE: 14/12/2001

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/0988 /	APPLICANT: Northern Rock	PARISH: Carlisle
DATE OF RECEIPT: 30/10/2001	AGENT: Escott Signs Ltd	WARD: Castle
LOCATION: 4 Devonshire Street, Carlisle Cumbria		GRID REF: 340191 555730
PROPOSAL: Erection of internally illuminated fascia sign and projecting sign (LBC)		

DECISION: Grant Permission

DATE: 13/12/2001

SCHEDULE E: Decisions Issued Under Delegated Powers

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/0989 / APPLICANT: Mr P Cody PARISH: Carlisle

DATE OF RECEIPT: 31/10/2001 AGENT: Mr Jock Gordon WARD: Harraby

LOCATION: 59 London Road, Carlisle Cumbria GRID REF: 340817 555184

PROPOSAL: First floor extension to provide staff accommodation

DECISION: Grant Permission

DATE: 21/12/2001

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/0994 / APPLICANT: Cavaghan & Gray Group Ltd PARISH: Carlisle

DATE OF RECEIPT: 01/11/2001 AGENT: Day Cummins Ltd WARD: Harraby

LOCATION: Eastern Way Factory 1, Arkwright Road, Durranshill Ind. Est., GRID REF: 341867 554352

PROPOSAL: Erection of lean-to tray store

DECISION: Grant Permission

DATE: 18/01/2002

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/0997 / APPLICANT: Michael Carigiet PARISH: Stanwix Rural

DATE OF RECEIPT: 06/11/2001 AGENT: Unwin Jones Partnership WARD: Stanwix Rural

LOCATION: Tower Villa, Rickerby, Carlisle Cumbria GRID REF: 341487 556970

PROPOSAL: Change of use of part of dwelling to form single practitioners office

DECISION: Grant Permission

DATE: 14/12/2001

SCHEDULE E: Decisions Issued Under Delegated Powers

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/0998 / APPLICANT: Marks & Spencers PLC PARISH: Carlisle

DATE OF RECEIPT: 02/11/2001 AGENT: Nathaniel Lichfield & Partners Ltd WARD: Castle

LOCATION: Marks & Spencers, 42 English Street, Carlisle Cumbria GRID REF: 340022 555780

PROPOSAL: Erection of 2no.refrigeration plant units and handrail
on roof of store

DECISION: Grant Permission

DATE: 07/12/2001

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/0999 / APPLICANT: Hutchison 3G UK Ltd PARISH: Cummersdale

DATE OF RECEIPT: 02/11/2001 AGENT: Nathaniel Lichfield & Partners Ltd WARD: Dalston

LOCATION: L/A New House Farm, Newby West, Carlisle Cumbria GRID REF: 337210 554540

PROPOSAL: Telecommunication installation comprising 18metre monopole and
equipment cabinets with 36sqm compound

DECISION: Grant Permission

DATE: 13/12/2001

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/1009 / APPLICANT: Mr & Mrs J Sewell PARISH: Carlisle

DATE OF RECEIPT: 07/11/2001 AGENT: Mr G Tyler WARD: Stanwix Urban

LOCATION: 11 Beech Grove, Stanwix Carlisle, Cumbria GRID REF: 340330 557390

PROPOSAL: Two storey extension to provide bedroom and en suite bathroom
at first floor and garage, WC, kitchen and utility room at
ground floor

DECISION: Grant Permission

DATE: 17/12/2001

SCHEDULE E: Decisions Issued Under Delegated Powers

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/1012 /	APPLICANT: Mr & Mrs Jardine	PARISH: Burgh-by-Sands
DATE OF RECEIPT: 07/11/2001	AGENT: Chris Brown	WARD: Burgh
LOCATION: 3 Orchard Close, Burgh-by-Sands Carlisle, Cumbria		GRID REF: 332126 558915
PROPOSAL: Erection of conservatory		

DECISION: Grant Permission

DATE: 10/12/2001

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/1014 /	APPLICANT: Mr & Mrs H Turner	PARISH: St Cuthberts Wit
DATE OF RECEIPT: 07/11/2001	AGENT:	WARD: Dalston
LOCATION: 239 Durdar Road, Durdar Carlisle, Cumbria		GRID REF: 340470 552320
PROPOSAL: Kitchen and conservatory extension and renewal of permission for garage		

DECISION: Grant Permission

DATE: 11/01/2002

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/1015 /	APPLICANT: Messrs Brough	PARISH: Dalston
DATE OF RECEIPT: 07/11/2001	AGENT: Scholefield & Co	WARD: Dalston
LOCATION: Buckabank Farm, Buckabank, Dalston Carlisle, Cumbria		GRID REF: 337966 549444
PROPOSAL: Erection of general purpose agricultural building		

DECISION: Grant Permission

DATE: 20/12/2001

SCHEDULE E: Decisions Issued Under Delegated Powers

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/1016 / APPLICANT: Hutchison 3G UK Ltd PARISH: Carlisle

DATE OF RECEIPT: 07/11/2001 AGENT: Nathaniel Lichfield & Partners Ltd WARD: Castle

LOCATION: Broadacre House, 16-20 Lowther Street, Carlisle Cumbria GRID REF: 340270 555818

PROPOSAL: Installation of hand railing on upper roof

DECISION: Grant Permission

DATE: 10/12/2001

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/1017 / APPLICANT: Messrs Forbes PARISH: Westlinton

DATE OF RECEIPT: 08/11/2001 AGENT: Scholefield & Co WARD: Longtown & Rockcl

LOCATION: Dyke Head, Blackford, Carlisle Cumbria GRID REF: 341150 563550

PROPOSAL: Erection of calf building

DECISION: Grant Permission

DATE: 18/01/2002

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/1018 / APPLICANT: Messrs Forbes PARISH: Westlinton

DATE OF RECEIPT: 08/11/2001 AGENT: Scholefield & Co WARD: Longtown & Rockcl

LOCATION: Dyke Head, Blackford, Carlisle Cumbria GRID REF: 341150 563550

PROPOSAL: Erection of cattle youngstock shed

DECISION: Grant Permission

DATE: 18/01/2002

SCHEDULE E: Decisions Issued Under Delegated Powers

ITEM NO. 0 Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/1024 /
APPLICANT: Mrs G H S Holland
PARISH: Wetheral

DATE OF RECEIPT: 09/11/2001
AGENT: Andrew Nash
WARD: Wetheral

LOCATION: Moorhouse Hall, Warwick-on-Eden, Carlisle Cumbria
GRID REF: 346166 556160

PROPOSAL: Conversion of outbuilding to form self contained flat
including a double height bay window and erection of a
conservatory (LBC) (revised proposal)

DECISION: Grant Permission DATE: 10/12/2001

ITEM NO. 0 Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/1023 /
APPLICANT: C N Group Ltd
PARISH: Carlisle

DATE OF RECEIPT: 09/11/2001
AGENT: Swarbrick Associates
WARD: Denton Holme

LOCATION: Cumbrian Newspapers, (formerly T Nivens) Dalston Road, Carlisle
GRID REF: 339376 555427

PROPOSAL: Re-cladding of existing building to form new reel store
accommodation

DECISION: Grant Permission DATE: 10/12/2001

ITEM NO. 0 Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/1025 /
APPLICANT: Mrs G H S Holland
PARISH: Wetheral

DATE OF RECEIPT: 09/11/2001
AGENT: Andrew Nash Associates
WARD: Wetheral

LOCATION: Moorhouse Hall, Warwick-on-Eden, Carlisle Cumbria
GRID REF: 346166 556160

SCHEDULE E: Decisions Issued Under Delegated Powers

Schedule continued for 01/1025 /

PROPOSAL: Conversion of outbuilding to form self contained flat
including a double height bay window and erection of a
conservatory (revised proposal)

DECISION: Grant Permission

DATE: 10/12/2001

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO:
01/1026 /

APPLICANT:
Mr D Fairhurst

PARISH:
Carlisle

DATE OF RECEIPT:
11/12/2001

AGENT:

WARD:
Yewdale

LOCATION:
1 Avon Close, Morton West Carlisle, Cumbria

GRID REF:
337990 554930

PROPOSAL: Formation of pitched tiled roof to garage and front canopy

DECISION: Grant Permission

DATE: 23/01/2002

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO:
01/1027 /

APPLICANT:
Mr & Mrs G Whitfield

PARISH:
Scaleby

DATE OF RECEIPT:
09/11/2001

AGENT:

WARD:
Stanwix Rural

LOCATION:
Mossdale, Scaleby, Carlisle Cumbria

GRID REF:
342620 562790

PROPOSAL: Extension to form lounge, study, bedroom and bathroom

DECISION: Grant Permission

DATE: 20/12/2001

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO:
01/1032 /

APPLICANT:
M R Construction

PARISH:
Kirklington Midd

DATE OF RECEIPT:
13/11/2001

AGENT:
Architects Plus

WARD:
Lyne

LOCATION:
L/A Poultry Farm, Alstonby Hall Farmstead, Westlinton, Carlisle

GRID REF:
340850 565150

SCHEDULE E: Decisions Issued Under Delegated Powers

Schedule continued for 01/1032 /

PROPOSAL: Erection of dwelling (plot 3) -revised application

DECISION: Grant Permission

DATE: 10/12/2001

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO:

01/1036 /

APPLICANT:

Mr & Mrs Ballantyne

PARISH:

Stanwix Rural

DATE OF RECEIPT:

22/11/2001

AGENT:

Surveying Services

WARD:

Stanwix Rural

LOCATION:

Houghton Stores, 39 The Green, Houghton Carlisle, Cumbria

GRID REF:

340900 559205

PROPOSAL: Reinstatement of existing roof structure with amended ridge
line and profiles

DECISION: Grant Permission

DATE: 27/12/2001

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO:

01/1037 /

APPLICANT:

Solway Daf Ltd

PARISH:

Carlisle

DATE OF RECEIPT:

14/11/2001

AGENT:

Mr Brian Halliburton

WARD:

Belah

LOCATION:

Solway Daf Ltd, Site 10C Kingstown Broadway, Kingstown Carlisle

GRID REF:

338957 559038

PROPOSAL: Extension to vehicle parts store and offices

DECISION: Grant Permission

DATE: 17/12/2001

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO:

01/1039 /

APPLICANT:

Cumbria Marketing & Mortgage Directory

PARISH:

Carlisle

DATE OF RECEIPT:

14/11/2001

AGENT:

WARD:

Castle

LOCATION:

1A/5 Lowther Street, Carlisle Cumbria

GRID REF:

340244 555700

SCHEDULE E: Decisions Issued Under Delegated Powers

Schedule continued for 01/1039 /

PROPOSAL: Change of use from A1 to A2 office use

DECISION: Grant Permission

DATE: 20/12/2001

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO:
01/1040 /

APPLICANT:
Mr A Allport

PARISH:
St Cuthberts Wit

DATE OF RECEIPT:
14/11/2001

AGENT:
HTGL Architects

WARD:
Dalston

LOCATION:

L/A Scuggar House Farm - Barn No 2, Durdar, Carlisle, Cumbria

GRID REF:

340730 552030

PROPOSAL: Change of use of barn No 2 to dwelling including rebuilding
of front elevation wall

DECISION: Grant Permission

DATE: 21/12/2001

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO:
01/1041 /

APPLICANT:
Mr I Williamson

PARISH:
St Cuthberts Wit

DATE OF RECEIPT:
14/11/2001

AGENT:
HTGL Architects

WARD:
Dalston

LOCATION:

L/A Scuggar House Farm - Barn No1, Durdar, Carlisle, Cumbria

GRID REF:

340730 552030

PROPOSAL: Change of use of barn No 1 to dwelling, including rebuilding
of front elevation wall

DECISION: Grant Permission

DATE: 21/12/2001

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO:
01/1042 /

APPLICANT:
Mr W Slater

PARISH:
Carlisle

DATE OF RECEIPT:
14/11/2001

AGENT:

WARD:
Belah

LOCATION:

59 Kingstown Road, Carlisle, Cumbria

GRID REF:

339700 558089

SCHEDULE E: Decisions Issued Under Delegated Powers

Schedule continued for 01/1042 /

PROPOSAL: Extension provide 3no. additional bedrooms

DECISION: Grant Permission

DATE: 11/01/2002

ITEM NO. 0 Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/1045 /
APPLICANT: Carlisle City Council
PARISH: Carlisle

DATE OF RECEIPT: 15/11/2001
AGENT: Carlisle Design - Helen Winfield
WARD: Morton

LOCATION: Morton Community Centre, Wigton Road, Carlisle, Cumbria
GRID REF: 338275 554991

PROPOSAL: Installation of a new P1 Fire Alarm system (LBC)

DECISION: Grant Permission

DATE: 11/01/2002

ITEM NO. 0 Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/1048 /
APPLICANT: Mrs J Armstrong
PARISH: Wetheral

DATE OF RECEIPT: 15/11/2001
AGENT:
WARD: Wetheral

LOCATION: 5 Glenwillie Cottages, Great Corby, Carlisle, Cumbria
GRID REF: 347445 554672

PROPOSAL: Single storey extension to side of dwelling with provision for bathroom and kitchen

DECISION: Grant Permission

DATE: 17/12/2001

ITEM NO. 0 Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/1051 /
APPLICANT: Toyota (GB) Plc
PARISH: Carlisle

DATE OF RECEIPT: 16/11/2001
AGENT: Hawes Signs Ltd - Mike Doyce
WARD: Belah

LOCATION: Fellside Toyota, Kingstown Broadway, Carlisle, Cumbria
GRID REF: 339230 559475

SCHEDULE E: Decisions Issued Under Delegated Powers

Schedule continued for 01/1051 /

PROPOSAL: Erection of 3no aluminium sign trax posts and 1no internally illuminated fascia sign

DECISION: Grant Permission

DATE: 17/12/2001

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO:

01/1052 /

APPLICANT:

Tandoori Take Away

PARISH:

Carlisle

DATE OF RECEIPT:

16/11/2001

AGENT:

Mr David L B Reeder

WARD:

Castle

LOCATION:

31 John Street, Caldewgate, Carlisle, Cumbria

GRID REF:

339401 555939

PROPOSAL: Erection of illuminated fascia sign

DECISION: Grant Permission

DATE: 13/12/2001

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO:

01/1053 /

APPLICANT:

Mr & Mrs R Brown

PARISH:

Carlisle

DATE OF RECEIPT:

16/11/2001

AGENT:

WARD:

Belah

LOCATION:

5 California Road, Kingstown Carlisle, Cumbria

GRID REF:

339590 559190

PROPOSAL: Amendment to original planning permission for utility room changing roof from flat to pitched

DECISION: Grant Permission

DATE: 13/12/2001

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO:

01/1054 /

APPLICANT:

Mr D Veitch

PARISH:

Carlisle

DATE OF RECEIPT:

19/11/2001

AGENT:

WARD:

Yewdale

LOCATION:

83 Orton Road, Carlisle, Cumbria

GRID REF:

337953 555300

SCHEDULE E: Decisions Issued Under Delegated Powers

Schedule continued for 01/1054 /

PROPOSAL: Single storey extension to side and two storey extension to rear provide shower/utility room, sun lounge and additional bedroom accommodation

DECISION: Grant Permission

DATE: 18/01/2002

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/1058 /
APPLICANT: Mr & Mrs Raphael

PARISH:
Carlisle

DATE OF RECEIPT: 20/11/2001
AGENT: S Buttler

WARD:
Harraby

LOCATION:
27 Ashford Way, Carlisle Cumbria

GRID REF:
342313 553594

PROPOSAL: First floor extension over existing ground floor utility room and rear part of garage

DECISION: Grant Permission

DATE: 20/12/2001

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/1066 /
APPLICANT: Mr & Mrs N Smith

PARISH:
St Cuthberts Wit

DATE OF RECEIPT: 21/11/2001
AGENT: Tsada Building Design Services

WARD:
Dalston

LOCATION:
Seton House, Wreay, Carlisle Cumbria

GRID REF:
343000 550250

PROPOSAL: Extension to form kitchen/day room

DECISION: Grant Permission

DATE: 14/01/2002

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/1067 /
APPLICANT: Dr & Mrs Edge

PARISH:
Cumwhitton

DATE OF RECEIPT: 21/11/2001
AGENT: Tsada Building Design Services

WARD:
Great Corby & Gel

LOCATION:
Cairnbridge House, Heads Nook, Carlisle Cumbria

GRID REF:
350316 554161

SCHEDULE E: Decisions Issued Under Delegated Powers

Schedule continued for 01/1067 /

PROPOSAL: Conversion of stable to day room, installation of new windows and boundary walls and gates

DECISION: Grant Permission

DATE: 11/01/2002

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO:

01/1068 /

APPLICANT:

Mr & Mrs A Carson

PARISH:

Carlisle

DATE OF RECEIPT:

21/11/2001

AGENT:

Tsada Building Design Services

WARD:

Stanwix Urban

LOCATION:

4 Devonshire Terrace, Stanwix Carlisle, Cumbria

GRID REF:

339970 556790

PROPOSAL: Erection of metal railings, and alteration to existing vehicular access

DECISION: Grant Permission

DATE: 11/01/2002

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO:

01/1069 /

APPLICANT:

Mr & Mrs A Carson

PARISH:

Carlisle

DATE OF RECEIPT:

21/11/2001

AGENT:

Tsada Building Design Services

WARD:

Stanwix Urban

LOCATION:

4 Devonshire Terrace, Stanwix Carlisle, Cumbria

GRID REF:

339970 556790

PROPOSAL: Removal of stone wall, installation of railings, provision of rear dormer window and replacement velux rooflights to front and rear, reduction in chimney stack and installation of kitchen in cellar and en-suite bathroom (LBC)

DECISION: Grant Permission

DATE: 11/01/2002

SCHEDULE E: Decisions Issued Under Delegated Powers

ITEM NO. 0 Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/1074 / APPLICANT: Carlisle City Council PARISH: Carlisle

DATE OF RECEIPT: 23/11/2001 AGENT: Parks & Countryside - Elizabeth Allnut WARD: Belah

LOCATION: Play Area, Briar Bank, Belah Carlisle, Cumbria GRID REF: 339540 557992

PROPOSAL: Renovation of existing playarea, installation of playunit, seesaw and spinning item with rubber safety surfacing and surrounding low fence

DECISION: Grant Permission DATE: 14/01/2002

ITEM NO. 0 Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/1075 / APPLICANT: Mr & Mrs B Donley PARISH: Carlisle

DATE OF RECEIPT: 23/11/2001 AGENT: Architects Plus WARD: Stanwix Urban

LOCATION: 12 Longlands Road, Stanwix Carlisle, Cumbria GRID REF: 340751 557230

PROPOSAL: Erection of detached double garage, conversion of existing garage to studio and replacement of existing flat roofed boiler room with a utility room

DECISION: Grant Permission DATE: 28/12/2001

ITEM NO. 0 Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/1076 / APPLICANT: Mr & Mrs B Donley PARISH: Carlisle

DATE OF RECEIPT: 23/11/2001 AGENT: Architects Plus WARD: Stanwix Urban

LOCATION: 12 Longlands Road, Stanwix Carlisle, Cumbria GRID REF: 340751 557230

SCHEDULE E: Decisions Issued Under Delegated Powers

Schedule continued for 01/1076 /

PROPOSAL: Demolition of flat roofed boiler house on east elevation (CAC)

DECISION: Grant Permission

DATE: 28/12/2001

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO:
01/1077 /

APPLICANT:
H Williams

PARISH:
Farlam

DATE OF RECEIPT:
23/11/2001

AGENT:

WARD:
Irthing

LOCATION:

St Michaels Church, Riggfoot, Tindale Fell, Cumbria

GRID REF:
362035 559310

PROPOSAL: Repair and renovation of existing structure and conversion to
a woodworking workshop (class B1) from church (class D1)

DECISION: Grant Permission

DATE: 18/01/2002

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO:
01/1079 /

APPLICANT:
Mr & Mrs RW Graham

PARISH:
Carlisle

DATE OF RECEIPT:
26/11/2001

AGENT:

WARD:
Castle

LOCATION:

10 Aglionby Street, Carlisle Cumbria

GRID REF:
340600 555584

PROPOSAL: Erection of conservatory and double garage

DECISION: Grant Permission

DATE: 11/01/2002

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO:
01/1082 /

APPLICANT:
Susan Graham

PARISH:
Carlisle

DATE OF RECEIPT:
26/11/2001

AGENT:

WARD:
Castle

LOCATION:

23 Bank Street, Carlisle Cumbria

GRID REF:
340175 555865

SCHEDULE E: Decisions Issued Under Delegated Powers

Schedule continued for 01/1082 /

PROPOSAL: Change of use of first floor flat from residential to
commercial (beauty salon)

DECISION: Grant Permission

DATE: 18/01/2002

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: APPLICANT:
01/1083 / Susan Graham

PARISH:
Carlisle

DATE OF RECEIPT: AGENT:
26/11/2001

WARD:
Castle

LOCATION:
23 Bank Street, Carlisle Cumbria

GRID REF:
340175 555865

PROPOSAL: Partition of 2no. existing rooms to create 4no. rooms (LBC)

DECISION: Grant Permission

DATE: 18/01/2002

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: APPLICANT:
01/1085 / Mr I McKenna

PARISH:
Carlisle

DATE OF RECEIPT: AGENT:
27/11/2001

WARD:
Denton Holme

LOCATION:
15 St James Avenue, Carlisle Cumbria

GRID REF:
339240 555050

PROPOSAL: Erection of extension to form kitchen, utility and garage

DECISION: Grant Permission

DATE: 15/01/2002

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: APPLICANT:
01/1089 / Mr J Saunders

PARISH:
Hethersgill

DATE OF RECEIPT: AGENT:
29/11/2001 John Taylor & Co

WARD:
Lyne

LOCATION:
L/A Croft Farm, Hethersgill, Cumbria

GRID REF:
347682 567127

SCHEDULE E: Decisions Issued Under Delegated Powers

Schedule continued for 01/1089 /

PROPOSAL: Erection of single dwelling (revised site)

DECISION: Grant Permission

DATE: 02/01/2002

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO:
01/1093 /

APPLICANT:
Mr & Mrs N Munro

PARISH:
Carlisle

DATE OF RECEIPT:
28/11/2001

AGENT:
Mr N Elsworth

WARD:
Morton

LOCATION:
27 Skiddaw Road, Carlisle Cumbria

GRID REF:
339020 555115

PROPOSAL: Erection of single storey extension to form kitchen, dining room and bedroom

DECISION: Grant Permission

DATE: 16/01/2002

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO:
01/1094 /

APPLICANT:
Lonsdale Entertainments

PARISH:
Carlisle

DATE OF RECEIPT:
28/11/2001

AGENT:
Mr David L B Reeder

WARD:
Castle

LOCATION:
24 Lonsdale Street, Carlisle Cumbria

GRID REF:
340330 555860

PROPOSAL: Installation of new shop front (retrospective)

DECISION: Grant Permission

DATE: 02/01/2002

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO:
01/1097 /

APPLICANT:
Lewis Shop Holdings

PARISH:
Carlisle

DATE OF RECEIPT:
29/11/2001

AGENT:
Lewis Shop Holdings- R G Tippin

WARD:
Castle

LOCATION:
River Island, 57 English Street, Carlisle Cumbria

GRID REF:
340167 555783

SCHEDULE E: Decisions Issued Under Delegated Powers

Schedule continued for 01/1097 /

PROPOSAL: Erection of illuminated signage

DECISION: Grant Permission

DATE: 21/01/2002

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO:
01/1098 /

APPLICANT:
Lewis Shop Holdings

PARISH:
Carlisle

DATE OF RECEIPT:
29/11/2001

AGENT:
Lewis Shop Holdings-RG Tippin

WARD:
Castle

LOCATION:
River Island, 57 English Street, Carlisle Cumbria

GRID REF:
340167 555783

PROPOSAL: New shopfront (revised proposal)

DECISION: Grant Permission

DATE: 21/01/2002

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO:
01/1102 /

APPLICANT:
Mrs E Hartley

PARISH:
Burgh-by-Sands

DATE OF RECEIPT:
30/11/2001

AGENT:
Mr Jock Gordon

WARD:
Burgh

LOCATION:
Garden Cottage, Burgh-by-Sands, Cumbria

GRID REF:
332320 559035

PROPOSAL: Single storey extension to provide 1no. bedroom

DECISION: Grant Permission

DATE: 18/01/2002

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO:
01/1103 /

APPLICANT:
Mr & Mrs Bradley

PARISH:
Carlisle

DATE OF RECEIPT:
30/11/2001

AGENT:
Mr Jock Gordon

WARD:
Morton

LOCATION:
12 Mossrigg, Morton Park Carlisle, Cumbria

GRID REF:
338195 554320

SCHEDULE E: Decisions Issued Under Delegated Powers

Schedule continued for 01/1103 /

PROPOSAL: Two storey extension to provide kitchen, w.c. and garage with
2no. bedrooms above

DECISION: Grant Permission

DATE: 18/01/2002

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO:
01/1104 /

APPLICANT:
Cumbria Park Hotel

PARISH:
Carlisle

DATE OF RECEIPT:
30/11/2001

AGENT:
Mr Jock Gordon

WARD:
Stanwix Urban

LOCATION:
Cumbria Park Hotel, Scotland Road, Carlisle Cumbria

GRID REF:
340019 557147

PROPOSAL: Replacement of roof windows with dormers

DECISION: Grant Permission

DATE: 28/12/2001

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO:
01/1105 /

APPLICANT:
Mr & Mrs R J Vince

PARISH:
Arthuret

DATE OF RECEIPT:
03/12/2001

AGENT:
John Lyon Associates

WARD:
Longtown & Rockcl

LOCATION:
Livingstone, Moat, Longtown Carlisle, Cumbria

GRID REF:
340875 573497

PROPOSAL: Erection of conservatory

DECISION: Grant Permission

DATE: 18/01/2002

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO:
01/1111 /

APPLICANT:
Carlisle City Council

PARISH:
Arthuret

DATE OF RECEIPT:
04/12/2001

AGENT:
Environmental Services

WARD:
Longtown & Rockcl

LOCATION:
L/A outside 53 Swan Street, Longtown Carlisle, Cumbria

GRID REF:
338113 568749

SCHEDULE E: Decisions Issued Under Delegated Powers

Schedule continued for 01/1111 /

PROPOSAL: Erection of 9m high camera mast and CCTV camera

DECISION: Grant Permission

DATE: 18/01/2002

ITEM NO. 0 Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/9014 /	APPLICANT: Cumbria County Council	PARISH: Carlisle
DATE OF RECEIPT: 07/12/2001	AGENT: Cumbria County Council	WARD: Botcherby
LOCATION: Botcherby Family Centre, Ennerdale Avenue, Botcherby Carlisle	GRID REF: 341775 555341	

PROPOSAL: Erection of new Family Centre to replace former building damaged by fire

DECISION: Raise No Objection

DATE: 20/12/2001

ITEM NO. 0 Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/1130 /	APPLICANT: Mr & Mrs R Bulman	PARISH: Wetheral
DATE OF RECEIPT: 10/12/2001	AGENT: John Lyon Associates	WARD: Wetheral
LOCATION: Mill Race, Wragmire, Cotehill, Carlisle Cumbria	GRID REF: 346300 549700	

PROPOSAL: Erection of extension and conservatory (revised scheme)

DECISION: Grant Permission

DATE: 14/01/2002

ITEM NO. 0 Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/1131 /	APPLICANT: Mr Alan Faxon	PARISH: Brampton
DATE OF RECEIPT: 10/12/2001	AGENT: Green Design Group	WARD: Brampton
LOCATION: L/A part field 4966, Milton, Cumbria	GRID REF: 355450 560558	

SCHEDULE E: Decisions Issued Under Delegated Powers

Schedule continued for 01/1131 /

PROPOSAL: Temporary siting of residential caravan

DECISION: Grant Permission

DATE: 18/01/2002

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO:
01/1133 /

APPLICANT:
Persimmon Homes (Lancashire) Ltd

PARISH:
Stanwix Rural

DATE OF RECEIPT:
10/12/2001

AGENT:

WARD:
Stanwix Rural

LOCATION:

30 Wolsty Close, Windsor Park Carlisle, Cumbria

GRID REF:
340000 558300

PROPOSAL: Erection of dwelling to include conservatory

DECISION: Grant Permission

DATE: 07/01/2002

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO:
01/1134 /

APPLICANT:
Platinum Homes Ltd-Mr Shields

PARISH:
Wetheral

DATE OF RECEIPT:
10/12/2001

AGENT:

WARD:
Wetheral

LOCATION:

L/A between Fern Bank & Garth Cottage, Wetheral Pastures, Car 345933 553371

GRID REF:

PROPOSAL: Erection of dwelling to include conservatory(revised proposal)

DECISION: Grant Permission

DATE: 07/01/2002

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO:
01/1135 /

APPLICANT:
Mr & Mrs C Waldie

PARISH:
Wetheral

DATE OF RECEIPT:
10/12/2001

AGENT:

WARD:
Wetheral

LOCATION:

Brundene, Plains Road, Wetheral Carlisle, Cumbria

GRID REF:
346348 555028

SCHEDULE E: Decisions Issued Under Delegated Powers

Schedule continued for 01/1135 /

PROPOSAL: Replacement of flat roof with monopitch roof

DECISION: Grant Permission

DATE: 18/01/2002

ITEM NO. 0 Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/1136 / APPLICANT: Carlisle City Council PARISH: Carlisle

DATE OF RECEIPT: 11/12/2001 AGENT: Department of Environment & Development WARD: Morton

LOCATION: Nos. 38-42-86-88-90-92, Winscale Way, Morton Park Carlisle, C 338735 GRID REF: 554300

PROPOSAL: Erection of storm porches to front of existing aged persons bungalows

DECISION: Grant Permission

DATE: 18/01/2002

ITEM NO. 0 Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/1137 / APPLICANT: Carlisle City Council PARISH: Carlisle

DATE OF RECEIPT: 11/12/2001 AGENT: Department of Environment & Development WARD: Morton

LOCATION: 271-273 Wigton Road, Carlisle Cumbria GRID REF: 337800 554335

PROPOSAL: Erection of storm porches to front of existing aged persons bungalows

DECISION: Grant Permission

DATE: 18/01/2002

ITEM NO. 0 Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/1138 / APPLICANT: Carlisle City Council PARISH: Carlisle

DATE OF RECEIPT: 11/12/2001 AGENT: Department of Environment & Development WARD: Morton

LOCATION: Nos. 3-5-23-25-44-46-64-66, Dunmallet Rigg, Morton Park, Carli 338250 GRID REF: 554840

SCHEDULE E: Decisions Issued Under Delegated Powers

Schedule continued for 01/1138 /

PROPOSAL: Erection of storm porches to front of existing aged persons
bungalows

DECISION: Grant Permission

DATE: 18/01/2002

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/1142 /
APPLICANT: Mr John Harris

PARISH:
Carlisle

DATE OF RECEIPT: 11/12/2001
AGENT:

WARD:
Belle Vue

LOCATION:
110 Wigton Road, Carlisle Cumbria

GRID REF:
338684 555434

PROPOSAL: Erection of first floor bedroom extension

DECISION: Grant Permission

DATE: 21/01/2002

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/1146 /
APPLICANT: Peter Barlow

PARISH:
Carlisle

DATE OF RECEIPT: 11/12/2001
AGENT:

WARD:
Currock

LOCATION:
Units 1 & 5 James Street Workshops, Carlisle Cumbria

GRID REF:
340147 555242

PROPOSAL: Change of use from workshops to photographic studios

DECISION: Grant Permission

DATE: 18/01/2002

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/1147 /
APPLICANT: Mr J C Bannister

PARISH:
Burtholme

DATE OF RECEIPT: 12/12/2001
AGENT: Acanthus Lowe Rae Architects

WARD:
Irthing

LOCATION:
High Barns, Banks, Cumbria

GRID REF:
356710 564480

SCHEDULE E: Decisions Issued Under Delegated Powers

Schedule continued for 01/1147 /

PROPOSAL: Erection of double garage with room over and terrace,
alterations to existing store to form bedroom and ensuite
and alterations to existing dwelling

DECISION: Grant Permission

DATE: 18/01/2002

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/1160 /
APPLICANT: Stead McAlpin & Co

PARISH:
Kingmoor

DATE OF RECEIPT: 14/12/2001
AGENT:

WARD:
Stanwix Rural

LOCATION: Unit A, Kingmoor Park Road, Kingmoor Park Central Kingmoor, C 338100 559400
GRID REF:

PROPOSAL: Extension to existing warehouse to provide covered loading bay

DECISION: Grant Permission

DATE: 21/01/2002

ITEM NO. 0

Between 06/12/2001 and 23/01/2002

APPN REF NO: 01/1164 /
APPLICANT: Mr Stubbs

PARISH:
Carlisle

DATE OF RECEIPT: 17/12/2001
AGENT: Paramount Windows Ltd

WARD:
Belle Vue

LOCATION: 1 Archers Garth, Carlisle Cumbria

GRID REF:
338030 556020

PROPOSAL: Erection of conservatory to West elevation

DECISION: Grant Permission

DATE: 11/01/2002
