

SCHEDULE A: Applications with Recommendation

09/0964

Item No: 03

Date of Committee: 29/01/2010

Appn Ref No:
09/0964

Applicant:
Hayton Reading Room
Chairman

Parish:
Hayton

Date of Receipt:
04/11/2009 08:00:47

Agent:
SPACE Designed Solutions
Ltd

Ward:

Location:
Reading Room, Hayton, Brampton, CA8 9HT

Grid Reference:
351012 557752

Proposal: Single Storey Side Extension To Provide Function Room, WC Facilities
And Disabled Access (Revised Application)

Amendment:

REPORT

Case Officer: Angus Hutchinson

Reason for Determination by Committee:

In the light of the number of objections received. Members will be aware that the Committee on 18 December agreed to defer consideration of this application for a site visit. The recommendation in the report remains to grant the application subject to conditions.

1. Constraints and Planning Policies

Tree Preservation Order

The site to which this proposal relates has within it a tree protected by a Tree Preservation Order.

Airport Safeguarding Area

Local Plan Pol EC13-Sustaining Rural Facilities&Services

Local Plan Pol CP2 - Biodiversity

Local Plan Pol CP3 - Trees and Hedges on Development Sites

Local Plan Pol CP5 - Design

Local Plan Pol CP6 - Residential Amenity

Local Plan CP15 - Access, Mobility and Inclusion

Local Plan Pol CP16 -Public Trans.Pedestrians & Cyclists

Local Plan Pol CP17 - Planning Out Crime

Local Plan Pol T1- Parking Guidelines for Development

Local Plan Pol DP1 - Sustainable Development Location

2. Summary of Consultation Responses

Environmental Services: no observations on the above application.

Hayton Parish Council: unanimously agreed and supported by the Parish Council.

Carlisle Airport: no objection to this proposal.

Cumbria County Council (Highway Authority): taking into account the existing use of the property, it is considered that the proposal will be unlikely to have a material affect on existing highway conditions. Therefore confirm that the Highway Authority has no objection to the proposal.

Development Services Planning & Housing Services - Local Plans (Trees): a tree protected by Tree Preservation Order 241 stands within the footprint of the proposed extension. Further trees and hedges surround the site the most prominent being on the western boundary in close proximity to the proposed extension. Whilst information has been supplied regarding the protected tree, no information regarding the remaining trees and hedges that will be retained post development has been supplied. These trees and hedges will be affected due to the proximity of the development and this information should be forthcoming to advise on how the proposal can be achieved without unduly affecting the character of the area due to unacceptable tree and hedge loss/pruning and ensure that there is adequate spacing between existing trees and the proposed extension in compliance with Policy CP3 of the Local Plan.

If the application were to prove successful the loss of the protected tree and management/pruning of the remaining trees and hedgerow could have a detrimental effect on the visual amenity of the location. To offset this loss of amenity, landscaping should be provided. I consider it important that the details of any such landscaping scheme are agreed prior to the granting of consent. The site itself is rather tight and appropriate landscaping/tree replacement may be considered off site but within Hayton.

Options for the proposed landscaping are set out in the Design and Access Statement, but there is no detailed scheme/drawings showing the location of the proposed planting and a specification for the species, or the size of tree to be planted, and for clarification this needs to be addressed.

Development Services Planning & Housing Services - Access Officer: handrails should be provided to either side of the stepped access to assist ambulant disabled people. This is a requirement for Building Regulations and it has an impact on visual of the building which will impact on a planning application.

Cumbria Constabulary - Crime Prevention: comments awaited.

3. Summary of Representations

Representations Received

Initial:	Consulted:	Reply Type:
26 Skiddaw Road		
26 Skiddaw Road	23/11/09	
Applegarth	13/11/09	Objection
The Nurses Cottage		
The Nurses Cottage		
The Nurses Cottage	23/11/09	
The Nurses Cottage		Objection
The Nurses Cottage	23/11/09	Objection
Croft View		Objection
Croft View	23/11/09	Objection
East View Cottage	13/11/09	Comment Only
The Old Post Office		Objection
The Old Post Office	23/11/09	Objection
Millbrook		Objection
A Millbrook	23/11/09	Objection
Holly House		Objection
Townhead Cottage		Support
Hard Bank Croft		Support
Townhead Cottage		Support
The Conifers		Support
The Reading Rooms		Support
Arthur's Old Barn		Support
How Cottage		Support
Ashness		Support
Davaar		Support
1 Cairn Wood		Support
1 The Orchard		Support
Bunkers Hill		Support
Bunkers Hill		Support
Wellfield		Support
Geltside Lodge		Support
Two Hoots		Support
Inwood		Support
Ling Dene		Support
South View Cottage		Support
Hom Green		Support
Orchard Bank		Support
Old Vicarage		Support
East View		Objection

Ring Gate Lodge	Support
66 Hurley Rd	Support
Geltside	Support
Aikrigg	Support
Little Garth	Support
4 Stonehouse Cottages	Objection
The Orchard	Objection
Bothy Cottage	Objection
Croft Cottage	Objection
Friars Garth	Objection
Kinrara	Objection
Low Moor Lodge	Support
Toppin Castle	Support
Low Moor Lodge	Support
Jesmond Cottage	Objection
The Vicarage	Comment Only
Underwood	Support
Mr Bowman, Ferndale	Support
Ms Balmer, Rose Cottage	Objection
Blacksmiths Cottage	Comment Only
Flat 3, Sutcliffe House	Support
Pump Cottage	Comment Only
Town Foot Farm	Support
6 Castle View	Support

3.1 This application has been advertised by means of notification letters sent to 9 neighbouring properties. 15 letters of objection and 35 letters of support have been received.

3.2 The letters of objection raise the following:

1. Increase in noise, nuisance and disturbance that would have an adverse impact on the living conditions of nearby residential properties contrary to criterion 5 of policy CP5 and policy CP6 of the Carlisle District Local Plan 2001-2016

2. The proposal will exacerbate the existing incidence of car parking and congestion on the immediate public highway

3. There will be an increase in vehicular movements

4. A tree covered by a TPO will need to be removed contrary to Policies CP3 and CP5 of the Carlisle District Local Plan 2001-2016

5. This application does not fundamentally change or affect the three reasons that the planning committee cited for refusing the first application

6. Concerns about highway safety

7. It will be decades before the proposed new trees attain the stature of the present one

8. The village school has a large hall should there be a need for a function

venue in Hayton

9. The building is described as single storey however it is in fact 7 metres high on an already elevated site

10. The proposal is too imposing for the position almost doubling the size of the existing building and exceeding it in height

11. There is a disabled access already available in the form of a door with a path leading to it to the west of the existing main building

12. Planning consent has been granted for an addition 11 dwellings at Stonehouse Far, has the impact of this future intensification been taken into account by the Highway Authority?

13. The application appears to have totally ignored or provided solutions to deal with the major issues i.e. the detrimental impact to the local highways network and neighbouring properties

14. The tree in question is in excellent health and will have a life expectancy in excess of forty years

15. There is no evidence to suggest that the tree has or ever will affect the structure of the existing building

16. The current proposals should not be given planning approval on the grounds that as a community facility for Hayton they are not fit for the purpose

17. The hedge, which grows on top of a retaining wall, along the western boundary has not been regularly maintained. The current height and size of the self seeded trees that used to form part of the hedge is due to this recent neglect which has caused damage to the sandstone retaining wall.

3.2 The letters of support raise the following:

1. Extension is a much needed facility

2. Room will be a useful amenity for the village

3. As the reading room committee already lets the premises out to the WI for meetings once a month no extra parking or activities should take place as the plans will restrict opening hours to 23:00 hours on weekdays and 22:00 hours on sundays

4. The number of users will not be increasing dramatically

5. The benefits of an extension would be something for generations to come

6. The village needs a facility with a bigger hall to hold community events
7. Rural communities are losing many facilities now therefore we need to provide them ourselves
8. It will improve the reading room facilities without interfering with the local village
9. It will enable existing users to be more comfortable
10. It will allow minor functions such as coffee mornings and funeral teas to take place during term time
11. It will benefit Little Acorns Nursery
12. It will enhance the facilities and provide a much needed meeting room
13. There will be no change of use and no increase in the present level of traffic at the Reading Room
14. It is unfortunate that because of objections, mainly from adjoining property owners who have no off road parking facilities that the original development plan which included off road parking spaces is no longer viable
15. The biggest car parking problems in the village are associated with the school
16. Loss of the WI Hall and increased use of the Reading Room by the pre-school group has meant there is no daytime facilities in the village for minor functions
17. The reading room at present is far from ideal for the needs of the WI
18. The Parish Council support this application
19. It would be a travesty to deny the application and therefore the subsequent benefit to the wider parish community because of a tree
20. To offer to plant trees around Hayton village is a very reasonable compromise
21. Proposal will provide a facility from the tiny tots to the aged
22. The WI are not a nosy organisation
23. If the proposal is a village amenity a lot of users will hopefully walk to the venue
24. The Copper Beech Tree is a fine tree but eventually will outgrow its location and will have to be cut down

25. The room will be far too small for discos, parties and wild nights
26. At present there is only one adult toilet which is inadequate on occasions such as the WI meeting where there may be more than 20 adults present
27. The cost of the proposal to the community will be nothing
28. The closing time will provide no disturbance to nearby homes
29. The reading room was built by the Lamb Family in memory of their son who was killed in the first world war
30. The building is not only used by the people of Hayton Village but also by people from surrounding hamlets
32. If this application is not taken up the funds will be not available at a later date

4. Planning History

- 4.1 In 1993, under application 93/0293, planning permission was given for alteration and extension to the existing outbuildings to provide sanitary facilities and storage.
- 4.2 In August 2009, under application 09/0517, planning permission was refused for the erection of a single storey side extension to provide a function room etc.

5. Details of Proposal/Officer Appraisal

Introduction

- 5.1 Hayton Reading Room is located on the southern side of the Hayton/Townhead Road, opposite the junction of the highway leading to The Woodlands, and provides the eastern approach to the Village. To the immediate east and south there are open fields with a field access and the garden serving Croft Cottage to the west. On the opposite side of the road there are domestic properties in the form of the Nurses Cottage, East View, The Old Post Office, East View Cottage and Croft View. Parking restrictions are not in place along this part of the Hayton/Townhead Road which is part of the National Cycle Route. The road and pavement are respectively just over 5 metres and less than a metre in width.
- 5.2 The Reading Room is constructed externally from sandstone with slate roofing and has an overall floor space of 145 sq. metres. The other notable features relate to the way the existing building has been cut into the site as it rises in a southerly direction away from the road; the presence of a copper

beech tree subject of a Tree Preservation Order; mature ash and sycamore trees along the western boundary with the field access; a stone boundary wall with wire fencing above fronting the road; and a metal rail fence delineating the eastern and southern boundaries. A notice board identifies use of the Reading Room by Hayton Pre-School Group.

- 5.3 The Woodlands currently serves a total of 10 dwellings although Members should also be aware that under application 07/0088 authority has been given to issue approval for the conversion of farm buildings to create an additional 11 dwellings at Stonehouse Farm.

Background

- 5.4 In August of this year, under application 09/0517, planning permission was refused for a single storey side extension to provide a function room on the following grounds:

“The addition of the proposed function room catering for up to 60-70 persons, coupled with the proposed use of the accommodation late into the evening, notably up to 0300 hours on Sundays, would be likely to result in an inappropriate and unacceptable increase in noise, nuisance and disturbance that would seriously and detrimentally detract from the living conditions of adjacent and nearby residential properties, contrary to criterion 5 of Policy CP5 and Policy CP6 of the Carlisle District Local Plan 2001-2016.”

“The additional accommodation and the intensification of the use of the premises that would ensue would, in the absence of any off-site parking provision, exacerbate the existing incidence of car parking and congestion on the immediate public highway. This would, particularly during use of the extended facilities at evening and early morning times, be to the detriment of the living conditions of adjacent and nearby occupiers through increased vehicle movements, and associated noise and activity, contrary to Policy CP6 of the Carlisle District Local Plan 2001-2016, and increase potential road safety risks to pedestrians and vehicles.”

“The siting of the proposed function room would necessitate the removal of a fine specimen of Copper Beech tree that is a prominent feature in the street scene in this part of Hayton and has justified its protection through imposition of a Tree Preservation Order. The removal of the tree would be contrary to the provisions of Policies CP3 and CP5 of the Carlisle District Local Plan 2001-2016.”

- 5.5 The current revised application has been submitted on the basis that the proposed operating hours have been reduced to 23.00 hrs on weekdays and 22.00 hrs on Sundays; the nature of the use has been clarified such that the County Highway Engineer no longer wishes to object to the proposal; and the loss of the copper beech tree subject of the TPO is to be mitigated by the planting of three trees at two separate locations, namely in the field adjacent to the Church and on the Village Green. The proposed "function room" extension measures 7 metres by 11.6 metres with a new glazed entrance lobby and reconfigured internal layout including provision of new w.c.

facilities. Externally the proposed extension is to be constructed with red sandstone and a wet dash render. The ridge height of the existing building is 6.6 metres in comparison to the proposed of 7.6 metres.

5.6 The application is accompanied by a Design and Access Statement that explains amongst other things:

1. The Reading Room Management Committee have identified that due to long standing commitments/lettings from the nursery group and their use of the kitchen and adjacent space as a dining area, booking opportunities are severely limited - demand exceeds supply. The proposed extension seeks to provide a base for village functions and meetings without disturbance to the nursery including separate entrances, improved sanitary and catering facilities and full disabled access to the whole building;
2. The proposed extension is in proportion with the Reading Room but somewhat taller. This is to provide adequate means of providing sufficient replenishment air to 60-70 occupants, as well as offering opportunities for acoustic absorption;
3. It is alleged that the beech tree subject of the TPO has now reached a size that it is beginning to invade the foundations of the existing building and thus it's eventual demise is inevitable;
4. The Committee are in the fortunate position of having sufficient financial resources gifted to them to allow them to contemplate building an extension to this already successful facility at the necessary expense of the tree - an application to take down the tree will be presented to the Council in due course;
5. There is no provision on the site either as existing or under the new proposal as there is not enough land available in the ownership of the Reading Room Committee. Currently disabled access is possible from the road level to the door of the Reading Room but a step into the property precludes full disabled access. This situation will be resolved in the proposal with a continuation of the existing ramped path to a level access threshold giving level access internally to all rooms;
6. The extension to the Reading Room is proposed as a timber frame structure that will be heavily insulated. This will give a low energy usage building that will be heated by Air Source Heat Pumps, thus reducing the building's reliance on fossil fuels.

5.7 The applicant's agent has confirmed that the alternative options considered were either a building to the "rear", "front" or do nothing. In the case of the "rear" this was abandoned on cost grounds, and the "front" discounted because of concerns re. overlooking/overbearing impact on the dwelling opposite. The do nothing option was not considered to be appropriate because there is strong demand through the week for a village facility.

- 5.8 The applicant has also confirmed that there are no plans for the Reading Room to become licensed premises; it will be used for Use Class D1 purposes; and the nature of the unmet demand referred to is adhoc events such as a coffee morning and Bring and Buy sale to raise money for the Cockermonth Mountain Rescue Team.

Assessment

- 5.9 When assessing this application it is considered that the main issue revolves around whether the advantages of the proposal outweigh the disadvantages with regard to the possible adverse effects on the living conditions of neighbouring residents; highway safety/parking; and the loss of the beech tree subject of the TPO.
- 5.10 In relation to the living conditions of neighbouring residents it is appreciated that the operation of the existing long established use is not subject to a planning condition, and the application has been submitted on the basis of enabling the more efficient use by Hayton Pre-School Group. This aside, the proposed hours of use and the nature of the use are now considered more appropriate to its context.
- 5.11 On the basis of the revised details the Highway Authority does not wish to raise any objections to the proposal.
- 5.12 Finally, when considering the loss the beech tree and impact on the character of the area the City Council's Landscape Officer has not raised a fundamental objection presumably in the acknowledgement that there is an existing row of mature hedge trees that will still be retained by the proposal. The aforementioned Landscape Officer has raised a number of matter concerning the trees to be retained and the submission of a landscaping scheme. However, it is considered that these matters can be satisfactorily addressed by the imposition of suitable conditions.

Other Matters

- 5.13 It is appreciated that concerns have been raised on the grounds that the proposal may not be "fit for purpose" but this is considered to be a matter of more relevance to the applicant.

Conclusion

- 5.14 On the basis of the foregoing the proposal is considered acceptable and therefore recommended for approval.

6. Human Rights Act 1998

- 6.1 Several provisions of the above Act can have implications in relation to the consideration of planning proposals, the most notable being:

Article 6 bestowing the "Right to a Fair Trial" is applicable to both applicants seeking to develop or use land or property and those whose interests may be affected by such proposals;

Article 7 provides that there shall be "No Punishment Without Law" and may be applicable in respect of enforcement proceedings taken by the Authority to regularise any breach of planning control;

Article 8 recognises the "Right To Respect for Private and Family Life";

6.2 **Article 1 of Protocol 1** relates to the "Protection of Property" and bestows the right for the peaceful enjoyment of possessions. This right, however, does not impair the right to enforce the law if this is necessary;

6.3 The proposal has been considered against the above but in this instance it is not considered that there is any conflict. If it was to be alleged that there was conflict it is considered not to be significant enough to warrant the refusal of permission.

7. Recommendation - Grant Permission

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

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

2. This permission relates to the use of the hereby permitted premises for purposes falling within Use Class D1 of the Schedule of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to the Class(es) in any Statutory Instrument revoking and re-enacting that Order.

Reason: To preclude the possibility of the use of the premises for purposes inappropriate in the locality.

3. The premises hereby permitted shall not be in use before 08.30 hours or after 23.00 hours on weekdays and Saturdays; or before 08.30 hours and after 22.00 hours on Sundays or statutory holidays.

Reason: To prevent disturbance to neighbouring residents.

4. Prior to the commencement of development details of the design, height and finish of any external handrails shall be submitted to and approved in writing by the local planning authority.

Reason: To safeguard the character of the area.

5. No development shall take place until details of a landscaping scheme have been submitted to and approved by the local planning authority.

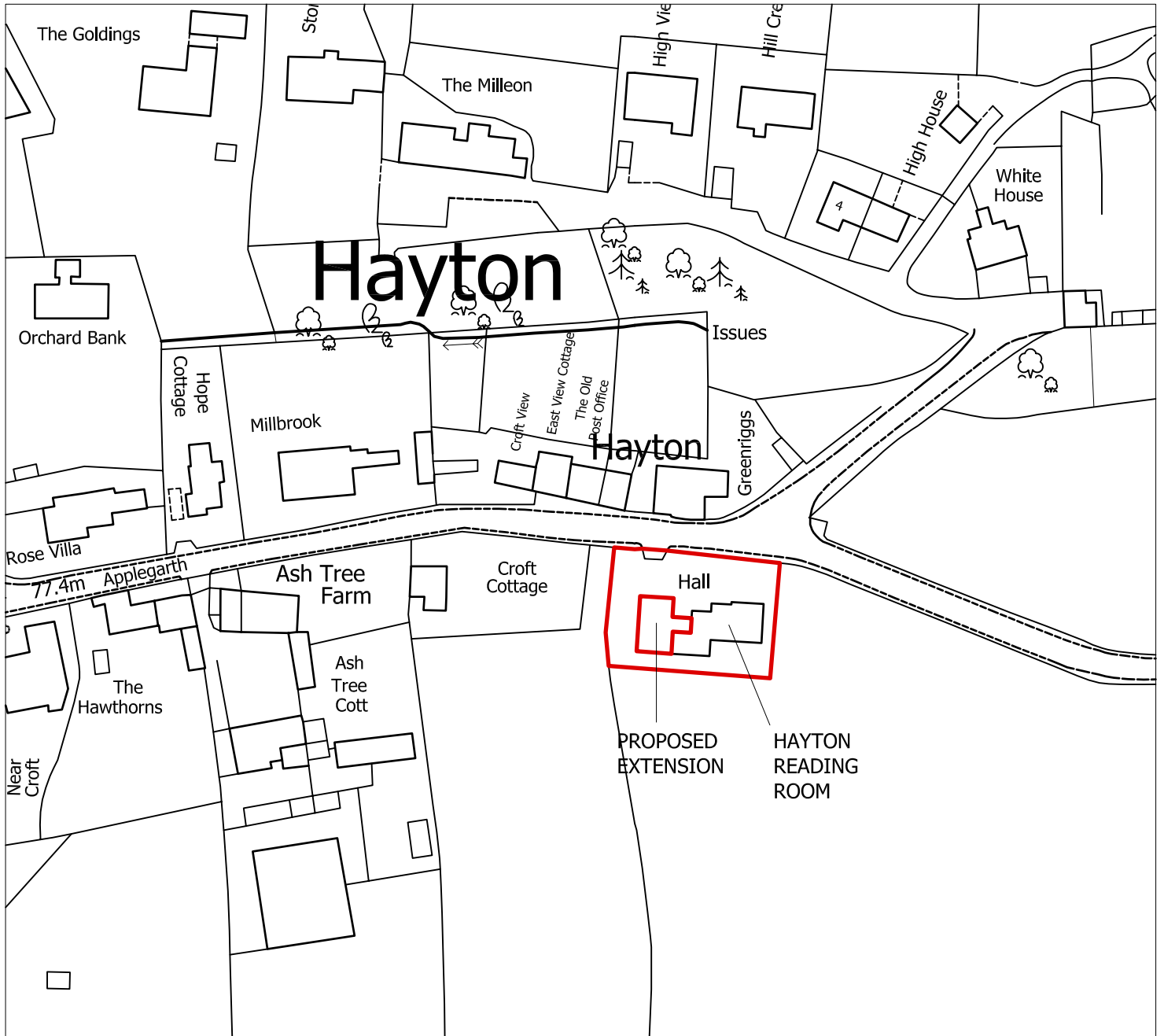
Reason: To ensure that a satisfactory landscaping scheme is prepared in accord with Policy E9 and E19 of the Carlisle District Local Plan.

6. Other than the copper beech tree identified for removal on the approved plan, no tree or hedgerow existing on the site shall be felled, lopped, uprooted or layered without the prior consent in writing of the local planning authority and the protection of all such trees and hedgerows during construction shall be ensured by a detailed scheme to be agreed with the local planning authority.

Reason: The local planning authority wishes to see existing hedgerows/trees incorporated into the new development where possible and to ensure compliance with Policy CP3 of the Carlisle District Local Plan (2001-2016).

7. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the hereby permitted building or the completion of the development, whichever is the sooner, and maintained thereafter to the satisfaction of the Council; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that a satisfactory landscaping scheme is implemented in accordance with the objectives of Policy CP3 of the Carlisle District Local Plan 2001-2016.



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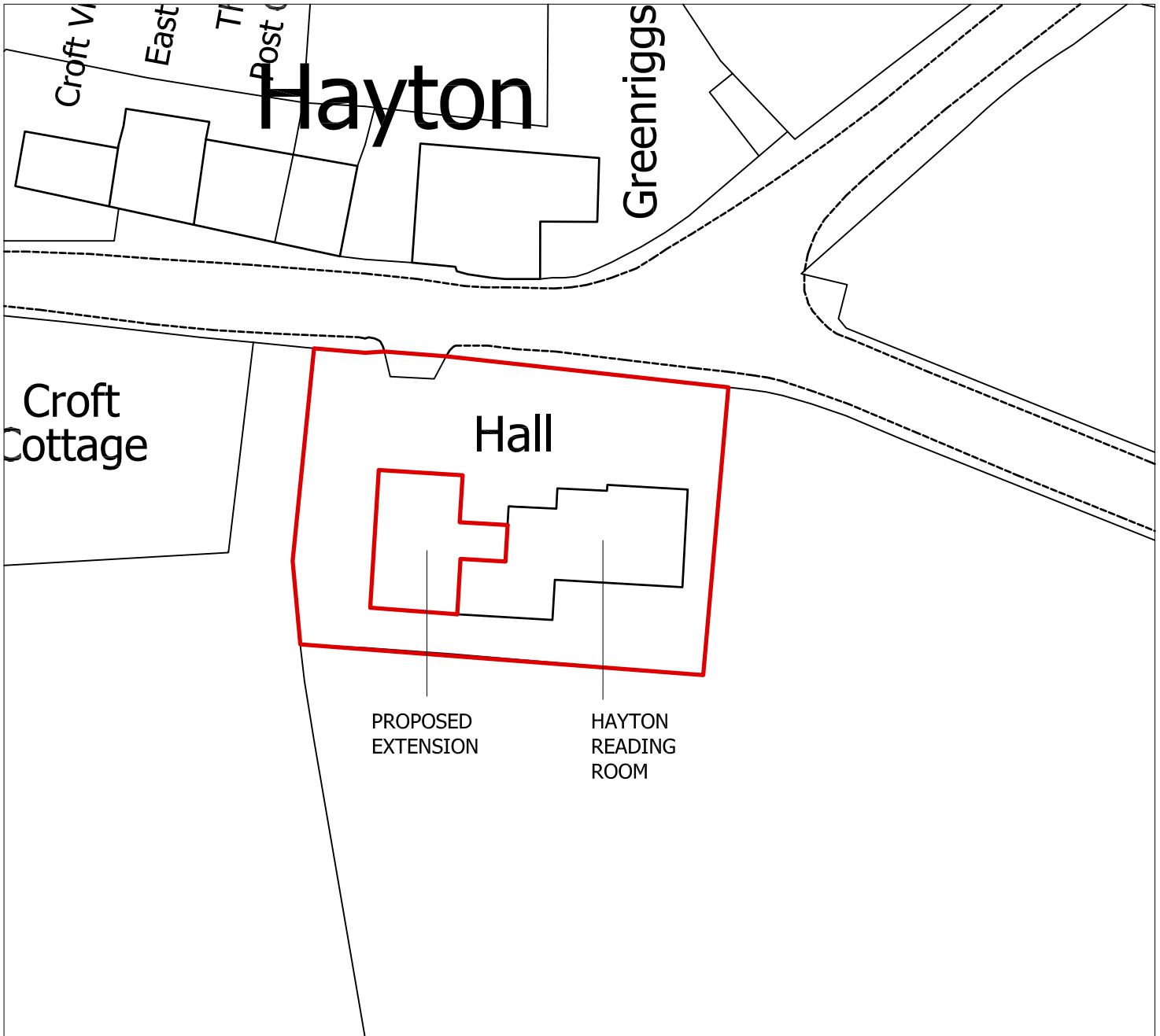
PROPOSED EXTENSION & ALTERATIONS TO HAYTON
 READING ROOMS, HAYTON

For
The Committee

LOCATION PLAN

SCALE 1: 1250

DRAWING No: 0809.09.01



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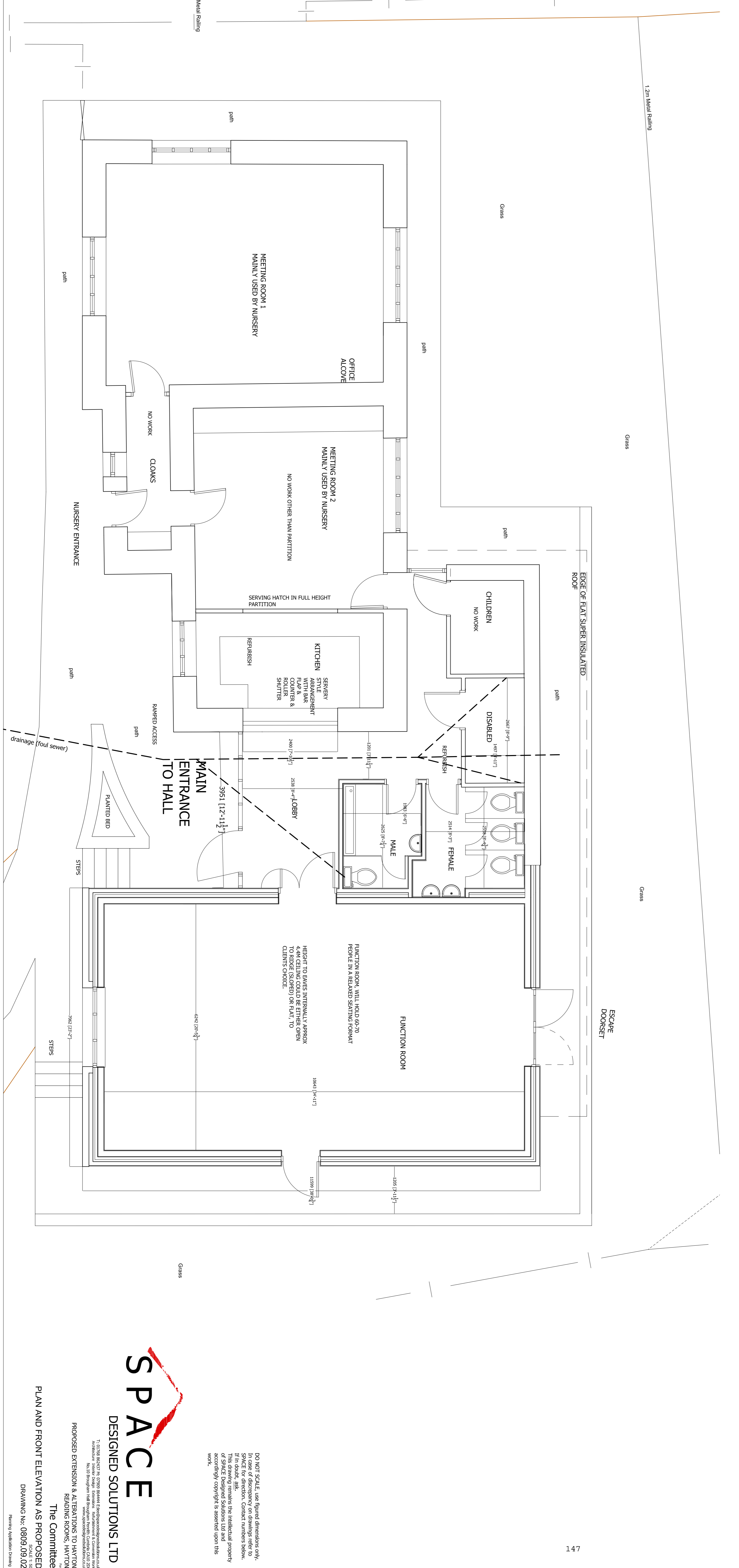
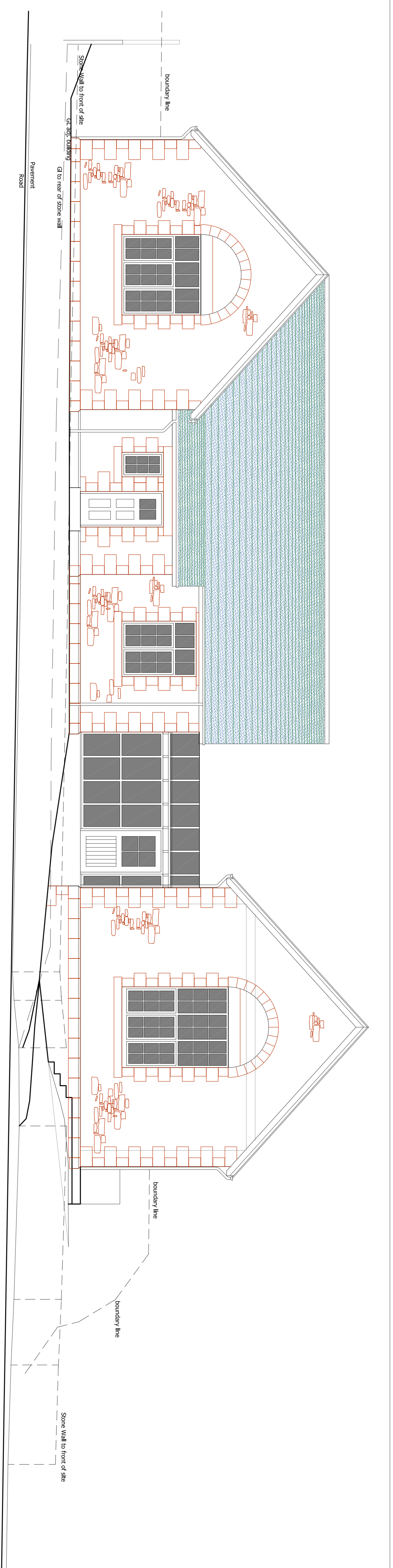
PROPOSED EXTENSION & ALTERATIONS TO HAYTON
 READING ROOMS, HAYTON

For
The Committee

BLOCK PLAN

SCALE 1: 500

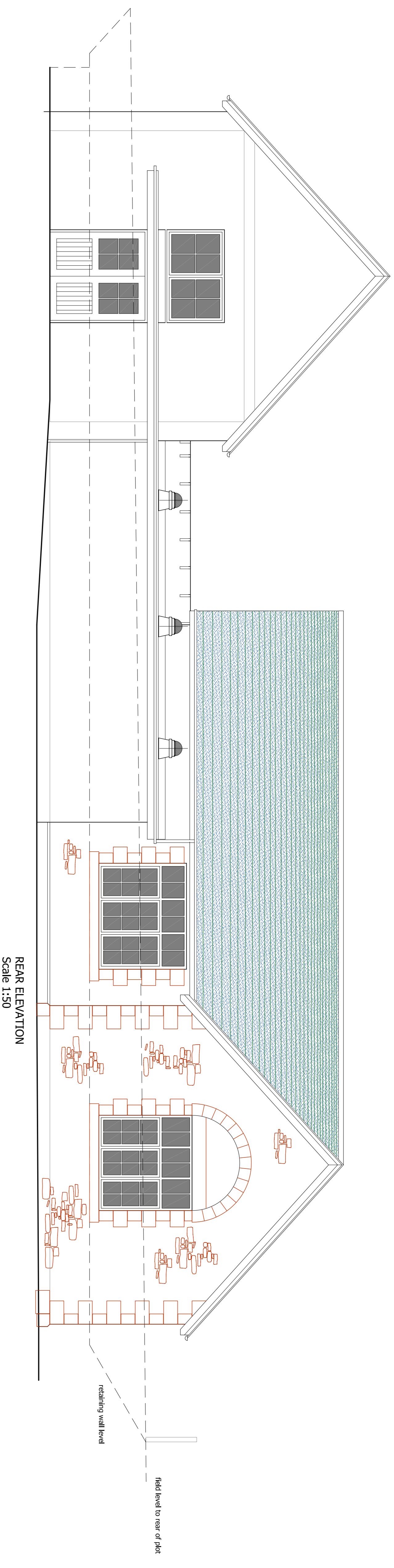
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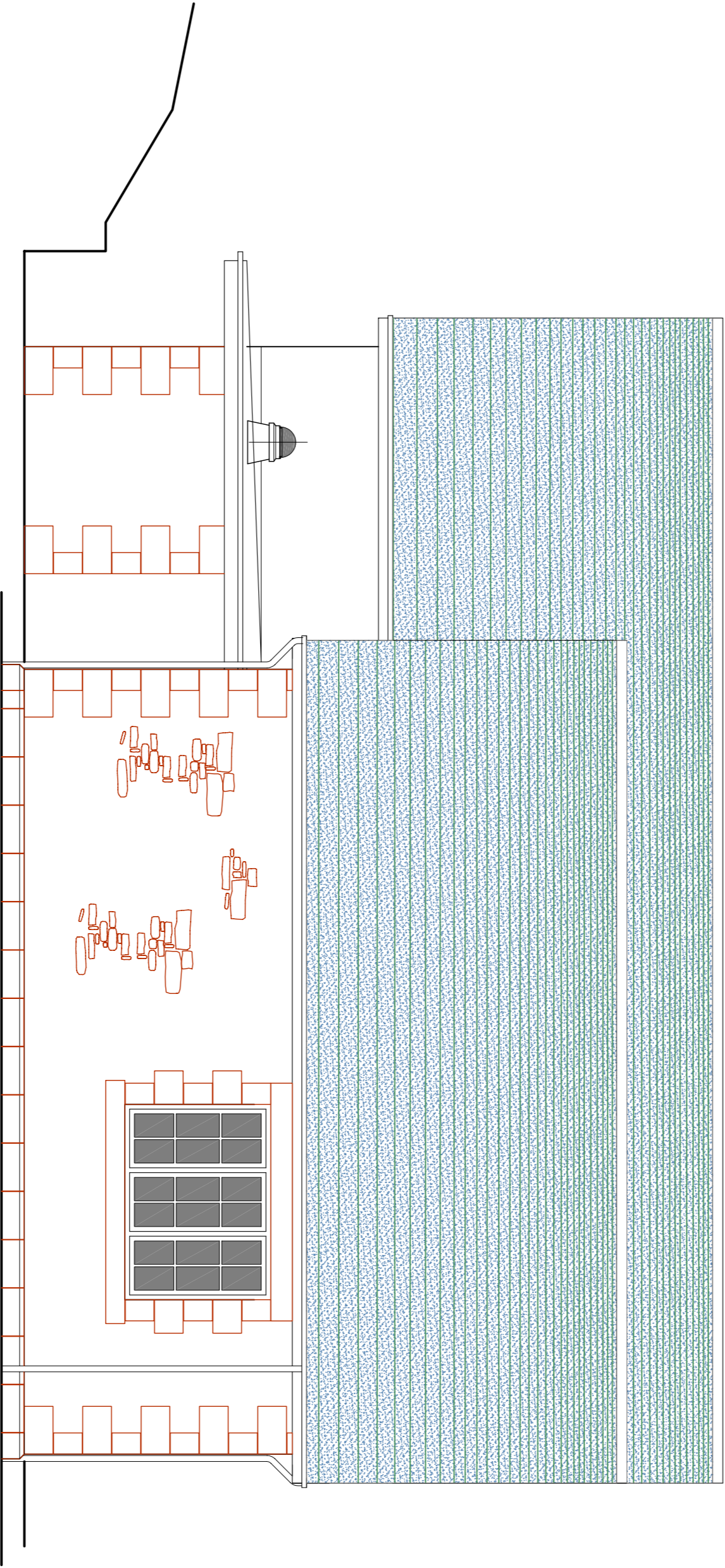
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 Proposed Extension & Alterations to Hayton Reading Rooms, Hayton
 The Committee
 PLAN AND FRONT ELEVATION AS PROPOSED
 SCALE 1:50
 DRAWING NO: 0809.09.02
 Preparing: Architects: Drawing

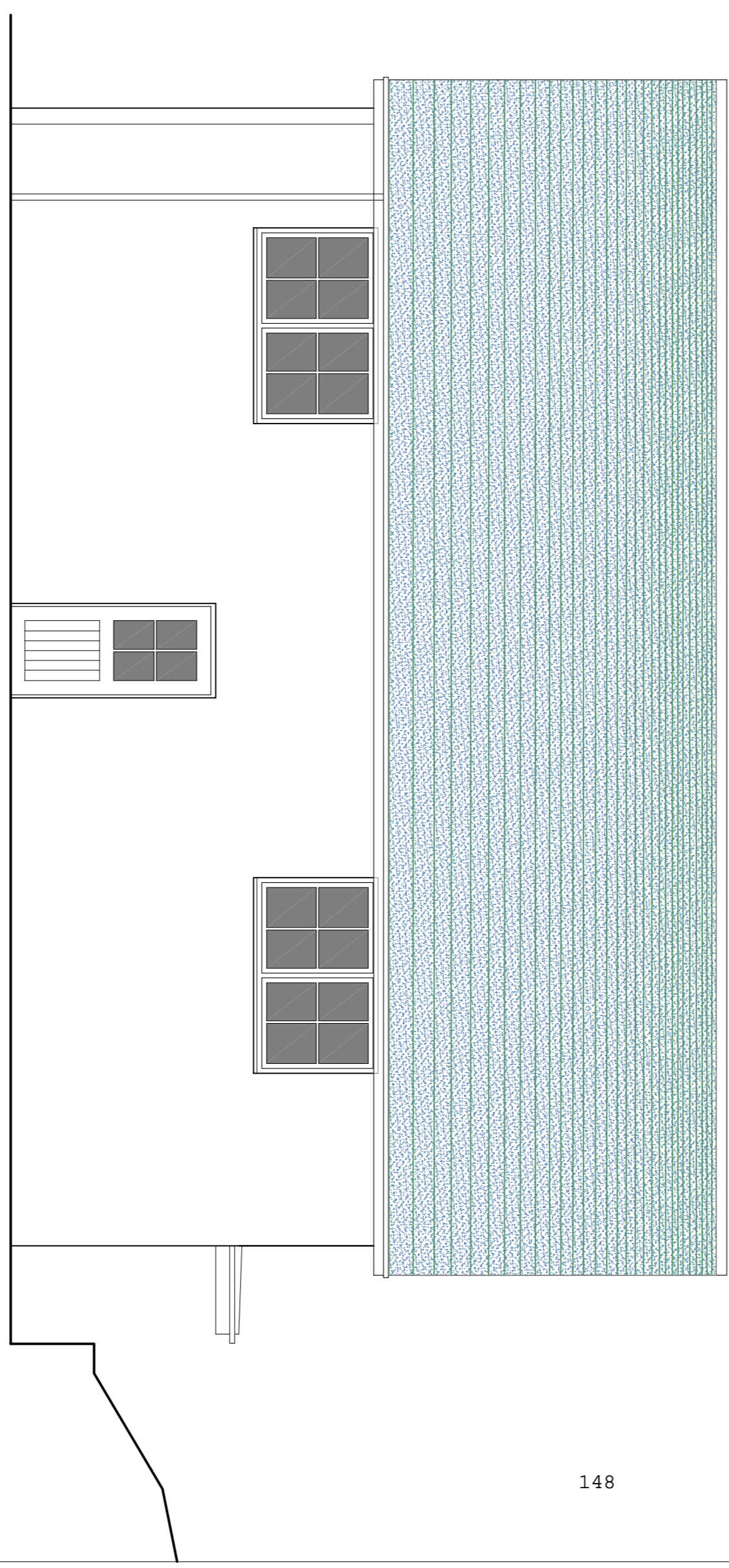
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REAR ELEVATION
Scale 1:50



SIDE (SOUTH) ELEVATION
Scale 1:50



SIDE (NORTH) ELEVATION
Scale 1:50

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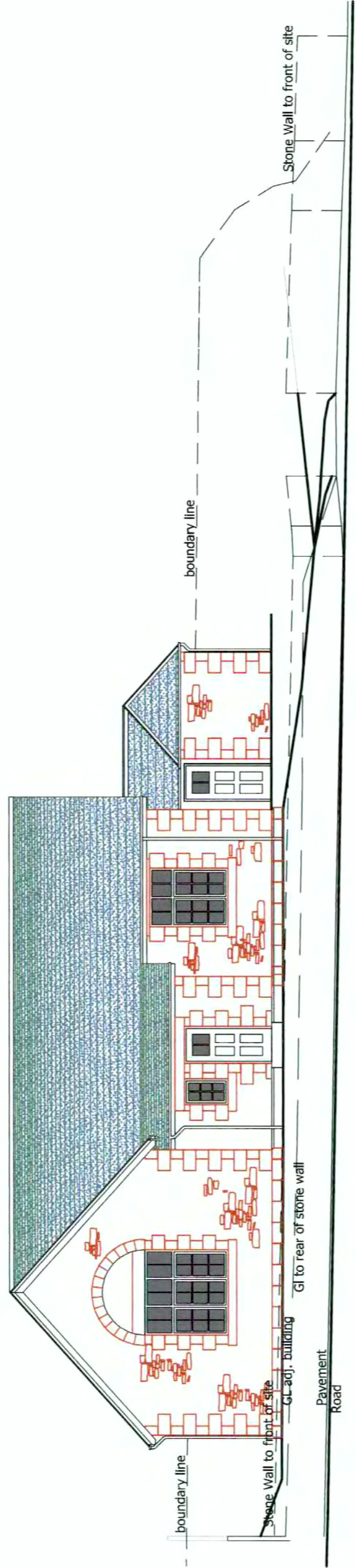
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PROPOSED EXTENSION & ALTERATIONS TO HAYTON
 READING ROOMS, HAYTON

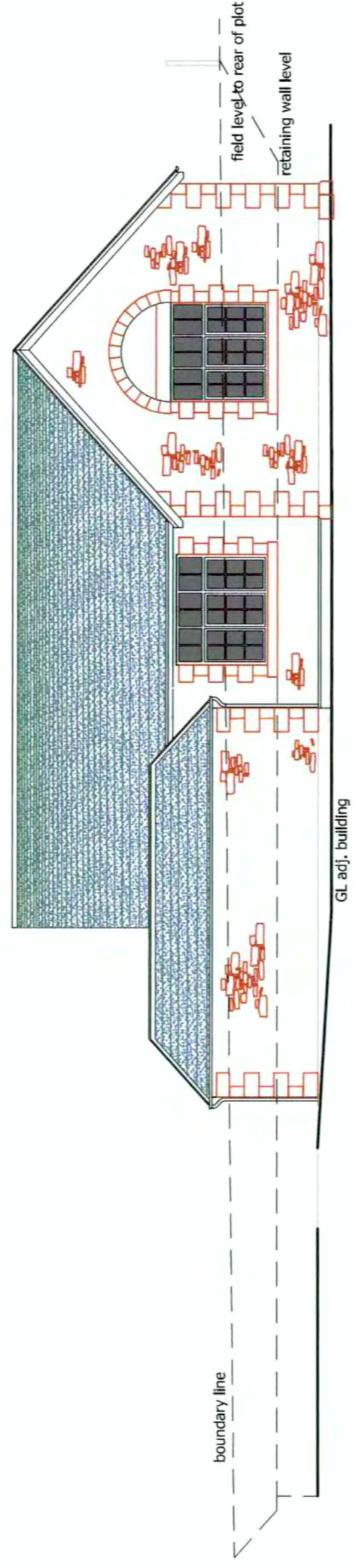
The Committee

REAR AND SIDE ELEVATIONS AS PROPOSED
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 DRAWING NO: 0809.09.03

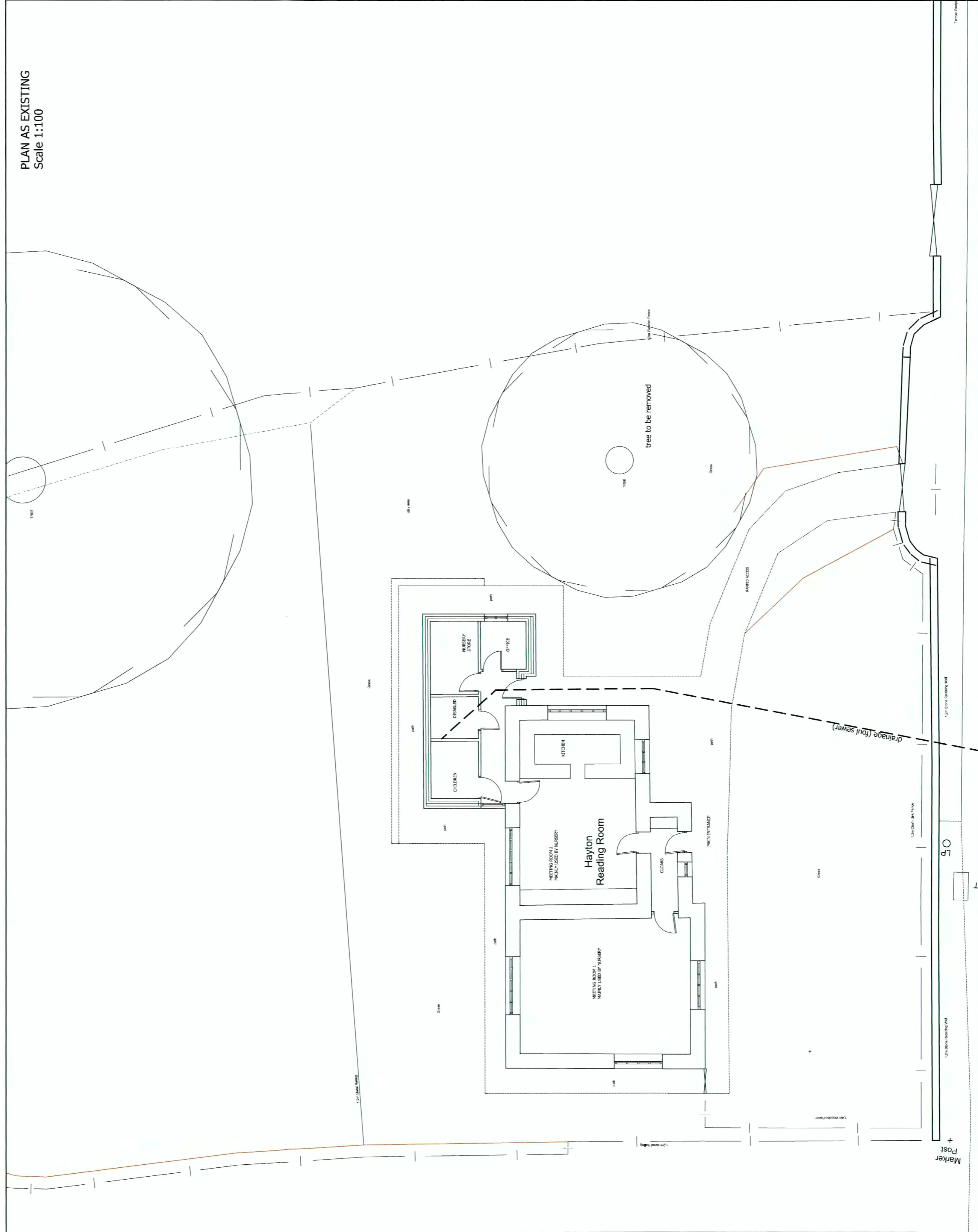
FRONT ELEVATION
Scale 1:100



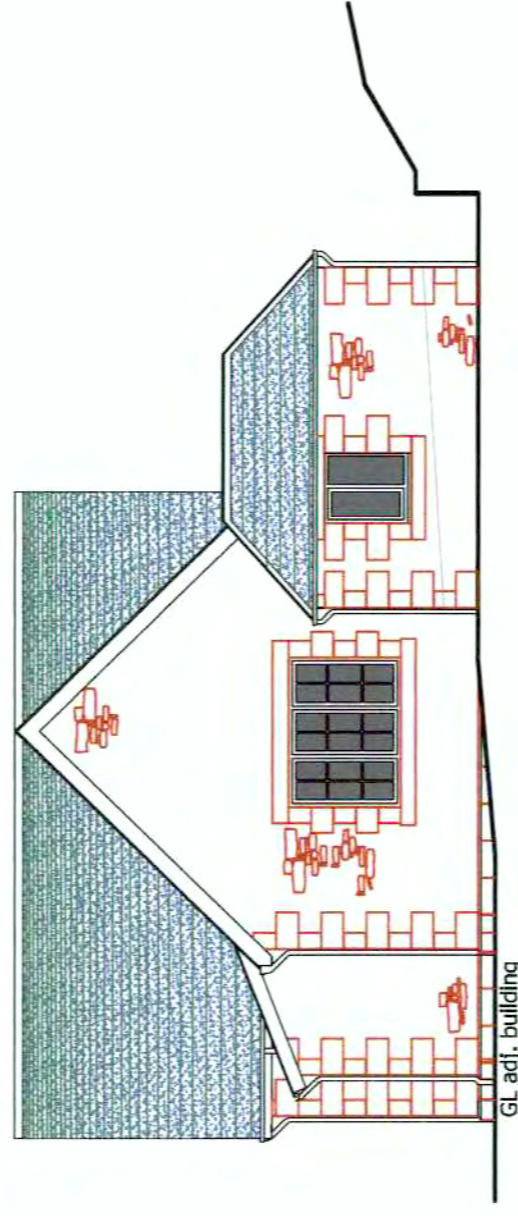
REAR ELEVATION
Scale 1:100



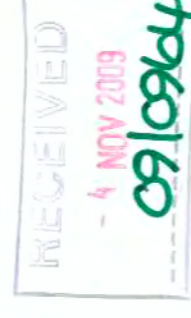
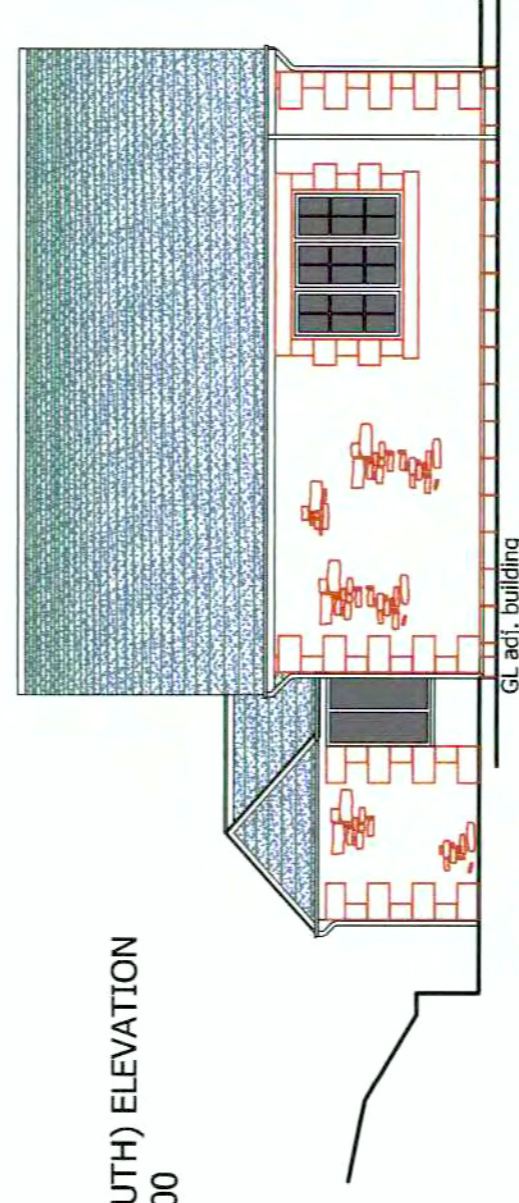
PLAN AS EXISTING
Scale 1:100



SIDE (NORTH) ELEVATION
Scale 1:100



SIDE (SOUTH) ELEVATION
Scale 1:100



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PROPOSED EXTENSION & ALTERATIONS TO HAYTON
READING ROOMS, HAYTON

The Committee

PLAN AND ELEVATIONS AS EXISTING

Scale 1:100
DRAWING No: 0809_09_04

Planning Application Drawing



**DESIGN AND ACCESS STATEMENT
REVISION A 03/11/2009**

Proposed Extension to Hayton Reading Rooms

Hayton, Carlisle

for

Hayton Reading Room Management Committee

Use & Amount

The application under consideration is for an extension to the existing building to provide a dedicated meeting space/small function room. The Committee have identified that due to current long standing commitments/lettings from the local Nursery group within the main Reading Room and their use of the Kitchen and adjacent space as a dining area, booking opportunities are severely limited. Demand exceeds supply. The extension seeks to provide a base for village functions and meetings without disturbance to the Nursery. The Nursery is a highly valued popular and well regarded organisation and it is felt to be an appropriate use of the Reading Room resources to commit to a larger than existing Function Room to meet demand. The proposal seeks to augment the Reading Room by providing readily available letting space for village usage, improved sanitary and catering facilities and full disabled access to the whole of the building. The extension represents 92m². The present building comprises 145m² of accommodation.

Layout

The layout sets out to provide a discrete hiring room, with communal catering and WC facilities serving the extension and Nursery alike. Separate entrances to the Nursery and the Village Hall are created, maintaining security for the Nursery and providing an acoustic barrier between the meeting room and the Nursery. The extension allows for a comprehensive refurbishment of the existing WC facilities which whilst serviceable are generally considered inadequate for the reading rooms intended use and do not fully comply with the latest guidelines. The existing toilet and Nursery office extension on the back of the Reading Room have a slated pitched roof that is awkward in its execution. It is proposed to replace this with a heavily insulated flat roof, pierced with light tubes to

illuminate the WC areas and provide an appropriate location for the air source heat pump equipment.

Scale

The extension as proposed is in proportion with the Reading Room as existing but is somewhat taller. This is to provide adequate means of providing sufficient replenishment air to 60 – 70 occupants, as well as offering opportunities for acoustic absorption within the room.

The glazed link between new and old buildings is designed to sit under the new and old roof constructions and to offer a warm and friendly low key entrance area, full of light and with an open feel to encourage use of the building.

The original reading room sits in a fairly high position on a cut banking some way back from the boundary line. Whilst this extension is higher in scale than the existing the overall effect will be mitigated somewhat by keeping to the same building line as the existing Reading Room.

Appearance

The Function Room extension is designed on the principal elevation to be stone clad to match the Reading Room, and shares the same stonework and detailing with the intention being to compliment the Reading Room. The side and rear elevations are in painted smooth render to deliver a cost effective building and to the side elevation in particular refract light onto the surrounding path which may well feel out, as the intention is to retain in place the shrubbery forming the site boundary to the farm access track, to soften the impact of the extension viewed down the streetscene.

The glazed link will be completely different in feel, less austere and purposefully more domestic in nature to create a contrast with the heavy stonework and provide a bright welcoming focus of activity to visitors to the Reading Room.

Both the glazed link and the windows to the extension will be in white UPVC to match the existing Reading Room fenestration.

To the rear and side low level retaining walls faced in stone and heavily battered bankings, as per the existing arrangement will help the building sit down in the same low key manner as the original building.

Landscaping

Much of the front garden will be as is, in particular the front access path will be reinstated as it is on completion, with an addition of stepped access up to the new main entrance landing/lobby. The transitional area between start and finish of the steps and the ramps in association will be infilled with a feature stonework planted bed.

Levels to the side and rear of the site dictate low retaining walls and battered grassed banks; as the change in level across the site boundaries from front to back is considerable. The original Reading Room and play area to the side are cut from the normal ground level to provide an opportunity to place the building.

Within the site area in question is a beech tree. This tree has been the subject of a recent Tree Preservation Order (TPO). The TPO has been placed to protect a tree that has been stated as being a commemorative tree. No records exist of such commemoration in the Reading Room archives/minutes. The tree has now reached a size that it is beginning to invade the foundations of the existing building. Given the highly valued and well used nature of the important community building the tree is directly affecting this building; its eventual demise is inevitable. The Committee feel that by placing the extension on the footprint of the removed tree root ball best use can be made of the tree's departure which is now outgrowing its siting and must be removed in time in any event. The Committee are in the fortunate position of having sufficient financial resources gifted to them to allow them to contemplate building an extension to this already successful facility at the necessary expense of the tree. A supporting statement from the Committee's Arboricultural Consultant expanding upon and confirming the case for its removal is available for inspection on request from the Committee and a copy of the same together with an application to take down the tree will be presented to the Council by the Committee in due course.

Subsequent to refusal a meeting was held between members of the reading rooms committee and Charles Bennett of Carlisle City Council (Landscape/Tree Officer)_to discuss any possible mitigation measures in respect of the loss of the protected beech tree at the Reading Rooms, should a future planning application prove successful. It was agreed that the Reading Room Committee would plant at least three trees at two separate locations. Two trees along the rear boundary of the playing field adjacent the Church. The species of trees chosen for this site should reflect the rural/Village edge character of the site. Native species such as Oak, Ash, or Beech would be acceptable.

For the tree that is proposed on the Village Green, a more central village location, which is surrounded by mature gardens containing a variety of exotic species something a little more interesting/rare/exotic that will be a feature of the Green and Village for many years will be considered. Namely one of the following

Nyssa sylvatica – Pyramidal form when young, glossy green leaves with magnificent autumn colour.

Quercus castanefolia – A large tree with an oval form. An Oak whose leaves look similar to those of Sweet Chestnut.

Zelkova serrata – A relative of the Elm with a wide spreading form. Nice red and bronze autumn colours.

Access

There is no provision for parking on the site either as existing or under the new proposal as there is not enough land available in the ownership of the Reading Room Committee.

Currently disabled access is possible from the road level to the door of the Reading Room. A step into the property precludes full disabled access.

This situation will be resolved in the proposal with a continuation of the existing ramped path to a level access threshold giving level access internally to all rooms.

Further Points of Note

The extension to the Reading Room is proposed as a timber frame structure which will be heavily insulated. This will give a low energy usage building which will be heated by Air Source Heat Pumps, thus reducing the building's reliance on fossil fuels. In this matter and with point of use electric water heating to the refurbished WC's the existing gas fired condensing boiler can be left in situ intact to deal with the older building, as originally designed.

Lee Page,
Space Designed Solutions Ltd
03 November 2009

SCHEDULE A: Applications with Recommendation

09/0949

Item No: 04

Date of Committee: 29/01/2010

Appn Ref No:
09/0949

Applicant:
William Highton

Parish:
Beaumont

Date of Receipt:
29/10/2009

Agent:

Ward:
Burgh

Location:
Field 4818, Beaumont, Carlisle

Grid Reference:
335477 560177

Proposal: Temporary Siting Of Residential Caravan During Building Works
(Retrospective)

Amendment:

REPORT

Case Officer: Stephen Daniel

Reason for Determination by Committee:

An objection has been received from Beaumont Parish Council and Cllr John Collier has objected to the application. The application was deferred at the last committee so that a site visit could be undertaken.

1. Constraints and Planning Policies

Area Of Outstanding Natural Beauty

Ancient Monument

Local Plan Pol DP1 - Sustainable Development Location

Local Plan Pol DP9 - Areas of Outstanding Natural Beauty

Local Plan Pol H1 - Location of New Housing Develop.

Local Plan Pol H7 - Agric,Forestry and Other Occup.Dwgs

Local Plan Pol CP5 - Design

2. Summary of Consultation Responses

Cumbria County Council - (Highway Authority): no objections;

Beaumont Parish Council: the caravan was not in the original application, although it appeared relatively quickly after the permission was granted - believe it would have been refused had it been in the original application.

Every attempt has been made to hide the caravan - the entrance to the field has been boarded up for many months so the caravan could not be seen and it was only the Parish that alerted Enforcement Officers. The obscuring of the field gate is out of character with the area and the use of a generator 7 days a week is not in keeping with the environment.

The development has been in progress for the past 2 years. The project is still to show any signs of achieving its original objectives and the site needs to be closely monitored. Since permission was only granted based of the scheme's green credentials, a continuous test of compliance should be required.

Object to the application as the conditions attached to the original application do not seem to have been adhered to;

English Heritage - North West Region: no comments;

Hadrians Wall Heritage Limited: comments awaited;

Solway Coast AONB Unit: no comments, provided it is removed by the stated time.

3. Summary of Representations

Representations Received

Initial:	Consulted:	Reply Type:
Burgh by Sands		Objection

3.1 This application has been advertised by means of a site notice. No verbal or written representations have been made during the consultation period.

4. Planning History

4.1 In April 2007, planning permission was granted for the erection of an agricultural building (07/0035).

5. Details of Proposal/Officer Appraisal

Introduction

- 5.1 The proposal is seeking planning permission for the temporary siting (for 2 years) of a residential caravan at Field 4818, Beaumont. The site, which extends to 1.4 hectares, is located 970 metres north east of Beaumont Village, within the Solway Coast Area of Outstanding Beauty and the Hadrian's Wall Military Zone World Heritage Site Buffer Zone. The site is bounded on all sides by hedging and is accessed by an unmade track.
- 5.2 An agricultural building, which was granted planning permission in April 2007, is currently under construction on the site. The site contains a caravan which is used for storage, a residential caravan (which is the subject of this application), a storage container and various vehicles. A solid timber gate has been erected across the entrance to the site.
- 5.3 Members will recall that this application was deferred at the last meeting of the Development Control Committee, so that a site visit could be undertaken.

Background

- 5.4 In April 2007, planning permission was granted for the erection of an agricultural building at this site. The site is being used to establish whether sustainable farming can be achieved and the applicant intends to grow fruit, vegetables and some varieties of plants on the site. The intention is for the process to be self sustainable with no external influences required in the growing process. The agricultural building will enable the applicants to produce renewable energy through various means (solar, waste, compost), to produce fertiliser and compost and to re-use rainwater.

The Proposal

- 5.5 The proposal is to site a residential caravan for a temporary two year period, whilst the agricultural building is completed. The caravan (which is two caravans joined together) has a floor area of 60 sq m. One of the caravans measures 9.5m by 3.8m, with the other measuring 7.9m by 3m and both have a maximum height of 2.8m. The caravan has a cassette toilet, which the applicant takes off-site to be emptied.
- 5.6 The applicant has submitted some supporting information, which seeks to justify why a residential caravan is needed on the site for a two year period. The applicant states that the caravan is needed for security purposes, whilst the agricultural building is under construction. In September 2007, steel for the building was removed from the site within 24 hours of delivery and two trailers have been stolen from the site, one in the summer of 2007 and one at the end of 2007. There have also been instances of trespass, ill treatment of animals and vandalism.
- 5.7 The project is privately funded and the applicant estimates that it will cost in the region of £200,000 to test all the projects involved. The grants that were originally available have dried up and obtaining funding from the bank has become more difficult. The applicant is hoping to have funding in place and the building completed within two years, at which point the caravan would be

removed from the site.

Assessment

- 5.8 The relevant policies against which the application is required to be assessed include Policies DP1, DP9, H1, H7 and CP5 of the Carlisle District Local Plan 2001-2016.

The proposal raised the following planning issues:

1. The Principle Of The Development

- 5.9 The proposal is seeking planning permission for a two year period for a residential caravan, whilst the agricultural building, which is currently under construction on the site, is completed. Whilst a permanent dwelling in this location would be contrary to planning policy, a temporary permission is considered to be acceptable, given the need for a security presence on the site whilst the building is under construction. The completion of the building should improve the appearance of the site and would allow some of the sustainable farm projects to be started.

- 5.10 The request for a residential caravan for a two-year period does, however, seem to be excessive. The frame of the building is already in place and part of the building has been clad in green profile sheeting. A temporary permission for a 12 month period would give the applicants sufficient time to complete the building works and remove the caravan from the site.

2. The Impact Of The Proposal On The Character Of The Solway Coast AONB And On The World Heritage Site

- 5.11 The caravan would be located in close proximity to a hedge which runs around the periphery of the site and would not be readily visible from outside the site. The Solway Coast AONB Unit has raised no objections to the caravan, provided that it is removed from the site at the end of the 2 year period and English Heritage has no objections. In light of the above, the proposal would not have an adverse impact on the AONB or on the World Heritage Site

Conclusion

- 5.12 A permanent residential dwelling on the site would be contrary to planning policy. However, a temporary planning permission for a 12 month period would give the applicants a security presence on the site whilst the building work is completed. The caravan would not have an adverse impact on the character of the Solway Coast AONB or on the World Heritage Site. In all aspects, the proposal is compliant with the relevant policies contained within the adopted Local Plan.

6. Human Rights Act 1998

6.1 Several provisions of the above Act can have implications in relation to the consideration of planning proposals, the most notable being:

Article 6 bestowing the "Right to a Fair Trial" is applicable to both applicants seeking to develop or use land or property and those whose interests may be affected by such proposals;

Article 7 provides that there shall be "No Punishment Without Law" and may be applicable in respect of enforcement proceedings taken by the Authority to regularise any breach of planning control;

Article 8 recognises the "Right To Respect for Private and Family Life";

6.2 **Article 1 of Protocol 1** relates to the "Protection of Property" and bestows the right for the peaceful enjoyment of possessions. This right, however, does not impair the right to enforce the law if this is necessary;

6.3 The proposal has been considered against the above but in this instance it is not considered that there is any conflict. If it was to be alleged that there was conflict it is considered not to be significant enough to warrant the refusal of permission.

7. Recommendation - Grant Permission

1. The mobile home hereby permitted shall solely be occupied by the applicant and his family and shall be removed from the site before 31 December 2010 or when the accommodation is no longer required by the applicant for occupation, whichever is the sooner.

Reason: To preclude the possibility of the use of the premises for purposes inappropriate in the locality, in accordance with Policy H1 of the Carlisle District Local Plan 2001-2016.

Beaumont Sustainable Development Farm Project

Using natural resources and alternative energy for sustainable development.

1:2500 Scale

Project Aim:
To prove that Self Sustainable Development is possible and effective by the use of natural resources with alternative energy for Agricultural use.



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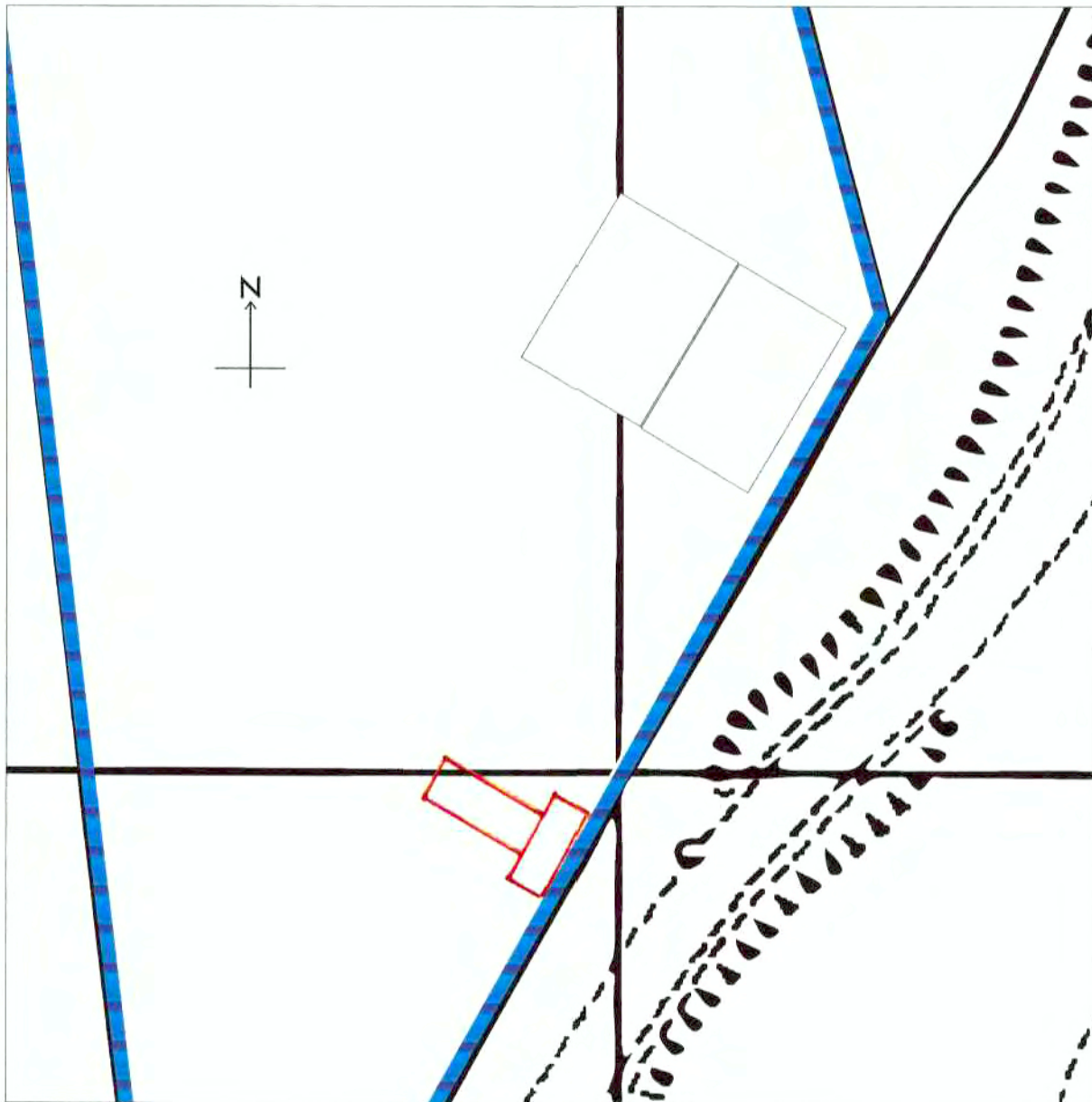
Beaumont Sustainable Development Farm Project

1:500 Scale

Using natural resources and alternative energy for sustainable development.

Project Aim:

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Beaumont Sustainable Development Farm Project

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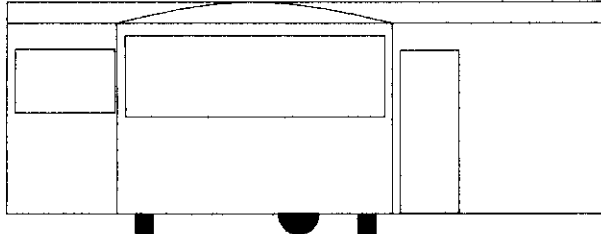
Project Aim:

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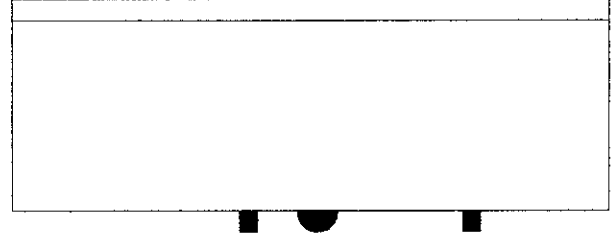
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mm



Rear Elevation

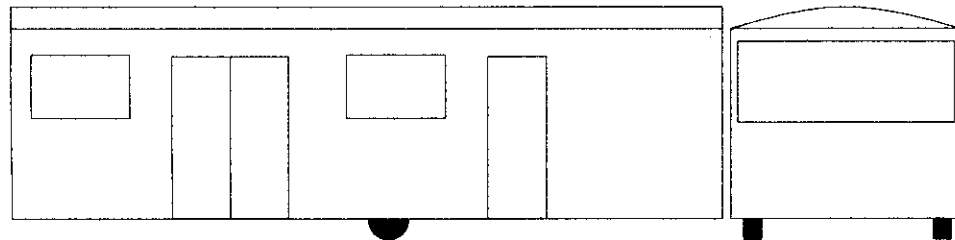
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RH Side Elevation

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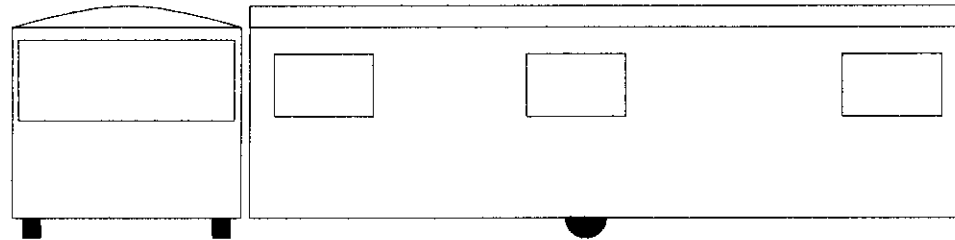
2880
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LH Side Elevation

12600mm

2880
mm



2009/09/49