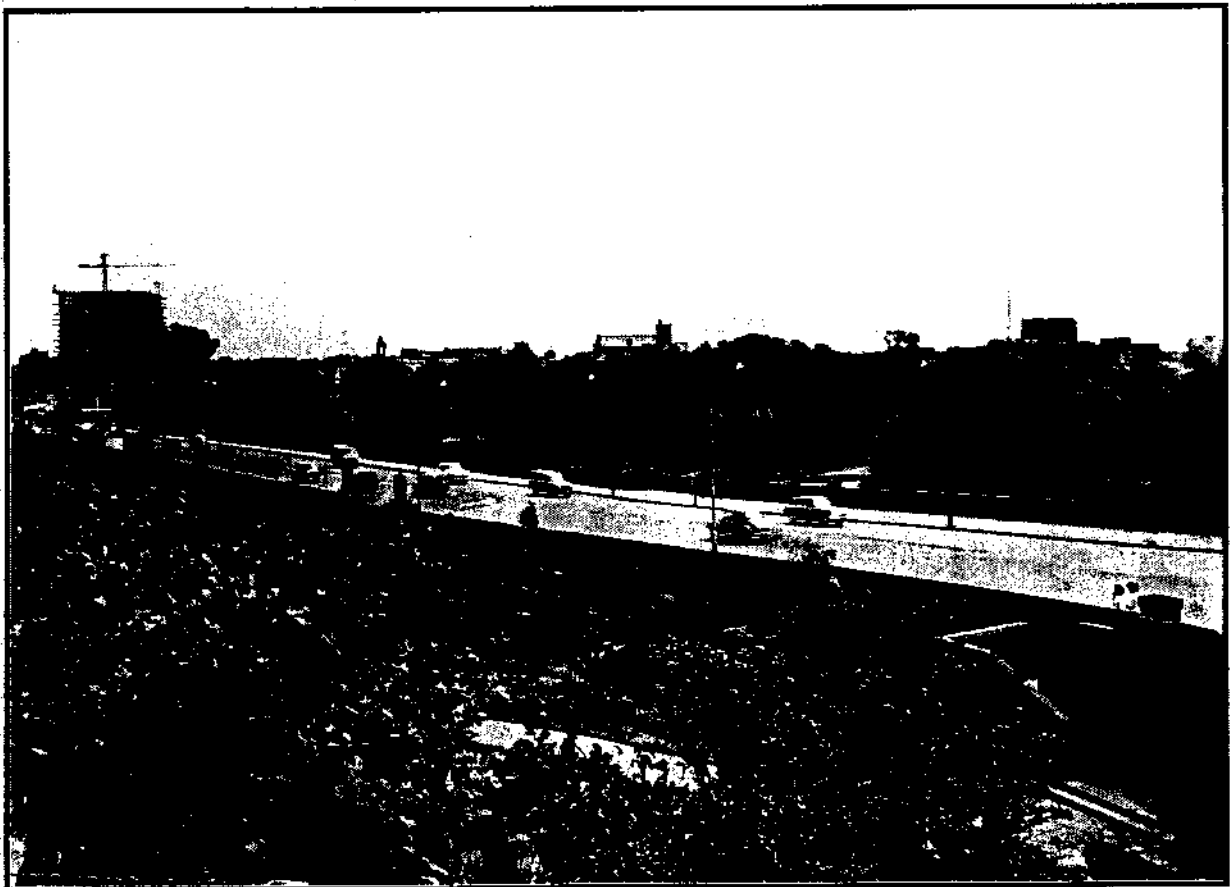


Development Control Committee

Schedule of Applications
for
Planning Permission



2nd November 2001

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 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 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 22/10/2001 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 26/10/2001.

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 253 outstanding planning applications (at 24th October 2001) it is clear that 113 will not be determined within two months of receipt in the Department: -

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

Of the remaining:-82

- 52 are awaiting information from applicants
- 15 are awaiting completion of a legal agreement
- 8 are expected to be withdrawn
- 4 are awaiting issue under delegated powers
- 3 have been "called in" by the Secretary of State
- **Enforcement 10th September 2001 until 23rd October 2001**

The Enforcement Officers investigated 69 complaints and enquiries.

- 28 of these were found to involve a breach of planning control which require submission of planning applications or compliance with conditions.
- 23 cases were resolved as a result of a single visit and interview or telephone call
- 18 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 02/11/2001

Item No.	Applic. Number/ Schedule	Location	Page No.
1	01 /0100 A	171 Brampton Road, Carlisle Cumbria	1
2	01 /0512 B	L/Adj The Elms, Plains Road, Wetheral Carlisle, Cumbria	28
3	01 /0570 A	10 Holme Close, Scotby Carlisle, Cumbria	79
4	01 /0573 A	L/Adj Hayton Gardens, Hayton, Carlisle Cumbria	101
5	01 /0626 A	L/A Field 3644 adj Cairn Bridge, Heads Nook, Carlisle, Cumbria	152
6	01 /0638 A	L/A Field 3644 adj Cairn Bridge, Heads Nook, Carlisle, Cumbria	178
7	01 /0654 B	L/Adj ECM, Carlisle Airport, Crosby-on-Eden Carlisle, Cumbria	194
8	01 /0735 A	Ghyll Bank, Harker, Carlisle Cumbria	210
9	01 /0800 A	Site 25 Wakefield Road, Kingstown Industrial Estate Carlisle, Cumbria	243
10	01 /0257 A	Beechwood, Broomhills, Longtown, Carlisle Cumbria	251
11	01 /0334 A	L/A Rigghead, Bewcastle, Carlisle Cumbria	259 ✓

Applications Entered on Committee Schedule - Date of Committee 02/11/2001

Item No.	Applic. Number/ Schedule	Location	Page No.
12	01 /0579 A	L/A The Sands House Hotel, The Sands, Brampton Cumbria	282 ✓
13	01 /0581 A	The Sands House Hotel, The Sands, Brampton Cumbria	295 ✓
14	01 /0322 A	2A Lowther Street, Carlisle Cumbria	311
15	01 /0447 A	48 Abbey Street, Carlisle Cumbria	325
16	01 /0446 A	48 Abbey Street, Carlisle Cumbria	339
17	01 /0518 A	Hempsgillhow, Stockdalewath, Carlisle Cumbria	341
18	01 /0586 A	1 Aglionby Street, Carlisle Cumbria	349
19	01 /0629 A	Croft House, Carleton, Carlisle Cumbria	356
20	01 /0687 A	204 Chesterholm, Sandsfield Park Carlisle, Cumbria	361
21	01 /0702 A	L/Adj White House & 29, Eden Place, Stanwix Carlisle, Cumbria	376
22	01 /0724 A	Morrisons, Kingstown Road, Kingstown Carlisle, Cumbria	386 ✓

Applications Entered on Committee Schedule - Date of Committee 02/11/2001

Item No.	Applic. Number/ Schedule	Location	Page No.
23	01 /0785 A	24 Berkeley Grange, Carlisle Cumbria	408
24	01 /0819 A	L/A former Builder Yard (Fld 2872), Cumwhinton, Carlisle, Cumbria	421
25	01 /0838 A	Lonsdale Fisheries, Cumwhinton, Carlisle Cumbria	429
26	01 /0871 A	Byron House, Shaddongate, Carlisle Cumbria	436
27	01 /0876 A	L/A Pt Fld 0872 (opp. St Johns Church), Houghton, Cumbria	446
28	01 /0884 A	14 High Street, Longtown Carlisle, Cumbria	452
29	01 /0625 A	Woodlands Hotel, London Road, Carlisle Cumbria	460
30	01 /0366 B	L/A buildings at Heads Lane, Carlisle Cumbria	468
31	01 /0505 ✓ B	L/A Carleton Grange, Carlisle Cumbria	498
32	01 /0596 ✓ B	L/A Scotby House, Park Road, Scotby Carlisle, Cumbria	503
33	01 /0676 B	07-09 Fisher Street, Carlisle Cumbria	574

Applications Entered on Committee Schedule - Date of Committee 02/11/2001

Item No.	Applic. Number/ Schedule	Location	Page No.
34	01 /0677 B	07-09 Fisher Street, Carlisle Cumbria	588
35	01 /0678 B	07-09 Fisher Street, Carlisle Cumbria	592
36	01 /0691 B	L/A plots 11-16 The Limes, Durranhil Road, Durranhil Carlisle, Cumbria	596
37	01 /0728 B	L/A site 1A Cumberland Infirmary, Newtown Road, Carlisle, Cumbria	610
38	01 /0767 B	L/Adj Brunstock Cottage, Brunstock, Carlisle Cumbria	620
39	01 /9004 C	L/A Brocklewath Farm, Great Corby, Carlisle, Cumbria	629
40	01 /0493 D	L/A Capon Tree House, Capon Tree Road, Brampton Cumbria	635
41	01 /0555 D	L/ADJ Scarrowhill Farm, Cumwhitton, Carlisle, Cumbria	636
42	01 /0623 D	L/A Barns Farlam Farm, Farlam, Brampton Cumbria	636
43	01 /0736 D	1 Eden Mount, Stanwix Carlisle, Cumbria	637
44	98 /0649 D	L/A Thurstonfield Lough, Thurstonfield Carlisle, Cumbria	634

Applications Entered on Committee Schedule - Date of Committee 02/11/2001

Item No.	Applic. Number/ Schedule	Location	Page No.
45	98 /0650 D	L/A Thurstonfield Lough, Thurstonfield Carlisle, Cumbria	634

SCHEDULE A

SCHEDULE A

SCHEDULE A

SCHEDULE A

SCHEDULE A

SCHEDULE A

SCHEDULE A: Applications with Recommendation

ITEM NO. 1

Date of Committee: 02/11/2001

APPN REF NO:
01/0100 /

APPLICANT:
Mr N Harrison

PARISH:
Carlisle

DATE OF RECEIPT:
13/02/2001

AGENT:

WARD:
Stanwix Urban

LOCATION:
171 Brampton Road, Carlisle Cumbria

GRID REF:
340791 557522

PROPOSAL: Erection of extension to form bedroom, bathroom, garage and kitchen

AMENDMENT: i) Revised plans showing a hipped roof on extension received 15th May.

ii) Revised plans received 16th October.

Angus

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
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.

SUMMARY OF CONSULTATION RESPONSES:-

HIGHWAYS AUTHORITY - No objection

COUNTY ARCHAEOLOGIST - Comments awaited.

SUMMARY OF REPRESENTATIONS:-

The application was originally advertised in the form of the

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0100 /

direct notification of the occupiers of five neighbouring properties. The neighbours have subsequently been re-notified with regard to the revised plans. In response a total of seven letters of objection have been received. The concerns raised are: the scale of the proposal; the impact of the proposal upon the amenities currently enjoyed; the impact of the proposal upon the levels of daylight and sunlight; the effect upon the character of the property and the area; the adverse effect upon views of the Vallum and mature trees; reduction in privacy; lead to an increase in on-street parking; and, this application may open the floodgates which will lead to the detrimental appearance of the front elevation of the houses on the northern side of Brampton Road, thereby creating a row of terraced houses.

At a site meeting, the occupiers of a neighbouring property also informally raised concerns over: the alleged oppressive nature of the side wall, the loss of light would lead to the use of more electricity; there would be a loss of light not only in the house but also occur with regard to the patio/garden; unclear whether the existing garage would be retained; the building operations will lead to dust which is an important consideration because a neighbour suffers from asthma; the building works may affect the neighbouring house structurally; and, with the extension there would be limited space to get out of a car if parked on the driveway.

The neighbouring residents have been re-notified concerning the latest plans received on the 16th October. No observations have been received at the time of writing the report.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

In 1941, under application reference number 18030, planning permission was given for a kitchen extension. In 1965, under application number 27566, permission was granted for the construction of a bay window.

DETAILS OF PROPOSAL

This application relates to a two storey semi-detached house located on the northern side of Brampton Road approximately 150 metres to the east of the junction with Croft Road. The house has a slated hipped roof with brick walls. There are also a flat roofed single storey kitchen extension and conservatory on the "rear"/northern elevation. A double garage has been removed and replaced by a garden shed. A wall topped by fencing runs along the boundary with 173 Brampton Road. The Vallum runs parallel to the northern boundary of the site.

The proposal, as revised, involves the erection of a two storey side extension which is set back 1.8 metres from the front of the house and comprises a garage and kitchen on the ground floor with two bedrooms and a bathroom above. The design is based on continuing the proposed roof in a monopitch from the

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0100 /

eaves of the existing house.

When considering this application and the comments made by third parties it should be noted from the outset that Ministerial advice contained in Annex C of PPG1 "General Policy and Principles" emphasises that the planning legislation should not normally be used to secure objectives achievable under other legislation. For example, dust nuisance from building operations is controlled under Environmental Health legislation by the Clean Air Act and the Environmental Protection Act 1990 whilst any "Rights to Light" are mainly subject to the provisions of the Prescription Act of 1832. Whilst, any damage caused by building work to a neighboring property would be a civil matter.

At a general level, paragraph 64 of PPG1 also identifies that the planning system does not exist to protect the private interests of one person against the activities of another, although private interests may coincide with the public interest in some cases. PPG1 continues "it can be difficult to distinguish between public and private interests, but this may be necessary on occasion. The basic question is not whether owners and occupiers of neighbouring properties would experience financial or other loss from a particular development, but whether the proposal would unacceptably affect amenities and the existing use of land and building which ought to be protected in the public interest. Good neighbourliness and fairness are among the yardsticks against which development proposals can be measured, for example, it might be material to consider the question of 'overlooking' or loss of privacy experienced by a particular resident".

In effect, there is no reason why the loss of amenity suffered by occupiers of a single dwelling (which may be a step in the degradation of a residential area) cannot be considered as a material planning consideration. For this reason it is normally accepted that there is no private right to a view that the planning system should protect. However, the loss of a view from a public vantage point is a material consideration.

In line with the forgoing it is felt that the two fundamental issues are: a) whether the proposal can be considered detrimental to the amenity of neighbours; and, b) whether the proposal is detrimental to the character of the area including the setting of Hadrian's Wall.

a) WHETHER DETRIMENTAL TO THE AMENITY OF NEIGHBOURS

In considering this issue it is felt that the following points need to be kept in mind:

- With the exception of a ground floor kitchen window, the windows on the western side of the neighbouring house at 173 Brampton Road are obscurely glazed and serve a hallway, stair landing, porch/store, toilet and bathroom. The effect on outlook from the hall, landing, store, toilet and bathroom are not felt to be of significance.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0100 /

- In relation to the kitchen window it is appreciated that the proposed extension would be built up to the boundary and measure 4.3 metres to the eaves. It is also recognised that the proposed extension would be set back from the front of the house and viewed across an existing drive. When compared to the present outlook, it is not considered that any perceived overdominance from the kitchen window is a significant enough reason to withhold permission.
- Because of the design of the existing semi-detached houses, there is already overlooking of neighbouring gardens. The proposed extension will not make the situation worse. A condition concerning the insertion of additional windows to serve the rear bedroom could also be imposed to safeguard privacy.
- The City Council's Architect is, at the time of writing the report, attempting to quantify the likely loss of light/overshadowing caused by the proposal as compared to the existing situation.

b) WHETHER DETRIMENTAL TO CHARACTER OF THE AREA

It is appreciated that if the occupiers of 173 Brampton Road decided to build a similar extension the physical gap between the properties would be lost. However, in mitigation, the design of the current proposal is based on the existing form of the houses at 143-165 Brampton Road, the proposed extension is set back from the front wall, and, is not at the same height as the original house. The neighbouring property at 173 Brampton Road is at a lower level and further forward in comparison to 171 Brampton Road. The aforementioned factors would count against any impression of continuous building.

Brampton Road also consists of a mixture of house types whether semi-detached or detached with restricted views of the countryside beyond. The design of the proposed extension is in the same idiom to complement the original house.

In overall terms it is considered that the proposal would not harm the character or appearance of the area. In the context of the existing properties along Brampton road, the proposal would not harm the setting of Hadrian's Wall.

In conclusion, the principal judgement that Members have to make is whether, bearing in mind all the relevant factors relating to light and design, the proposal will lead to either a significant reduction in the level of amenity that any occupier of an adjoining property could reasonably expect to enjoy, or, be detrimental to the character of the area. In relation to the first issue further information from the City's Architect will be presented to Members during the Meeting. This aside, it is considered that the proposal will not harm the character and appearance of the area.

On the basis that the awaited information shows that the

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0100 /

proposal will not lead to a significant reduction in the level of amenity, the application will be recommended for approval.

RECOMMENDATION:-

Deferred

P28 →

APPROVE WITH CONDITIONS

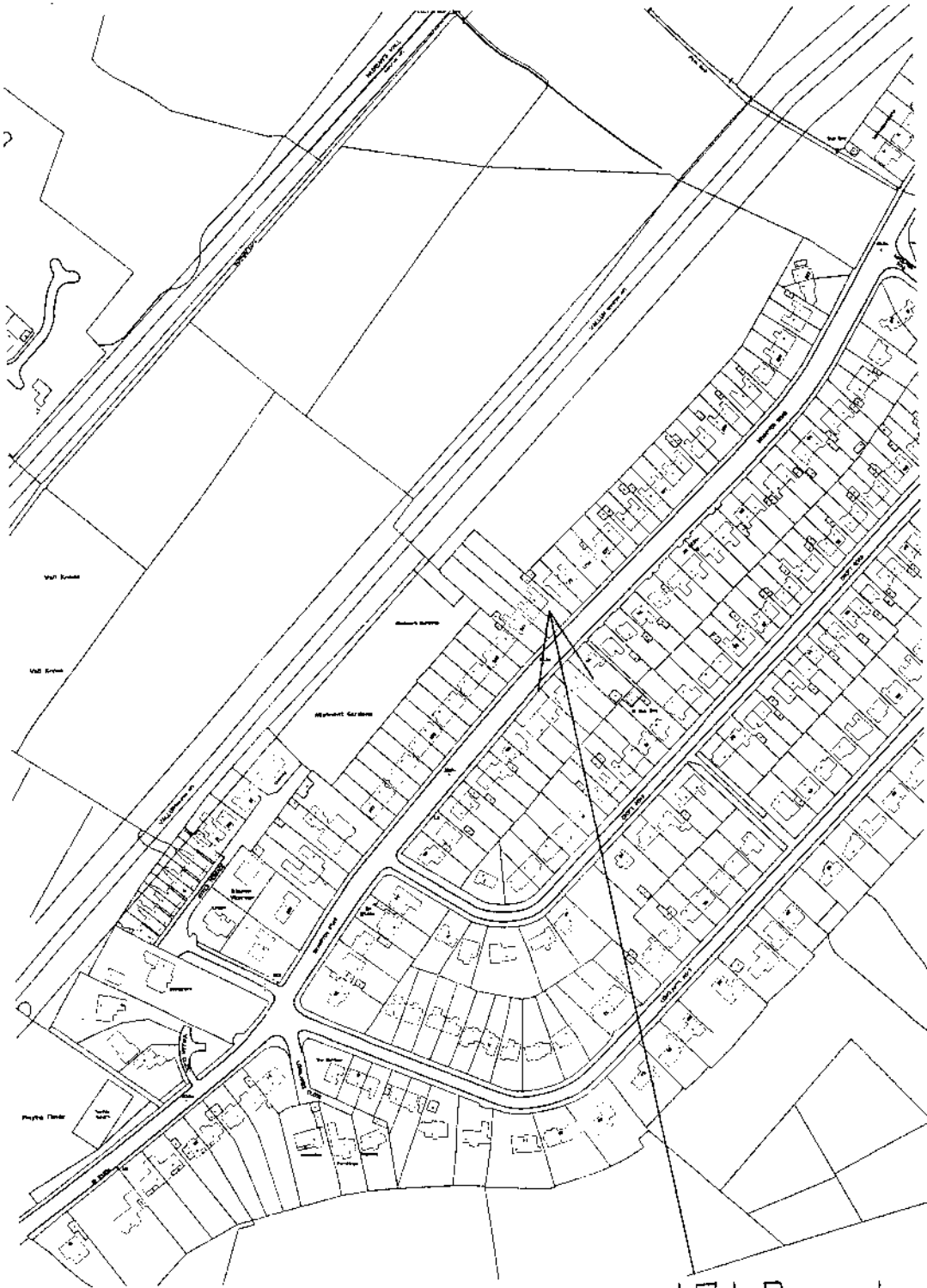
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1. Standard time limit
2. Materials to match existing
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order), no additional windows, skylights or dormers shall be inserted above the ground floor on the western and eastern elevations without the prior consent of the local planning authority.

Human Rights Act

Supp Schedule

Pages 6-11



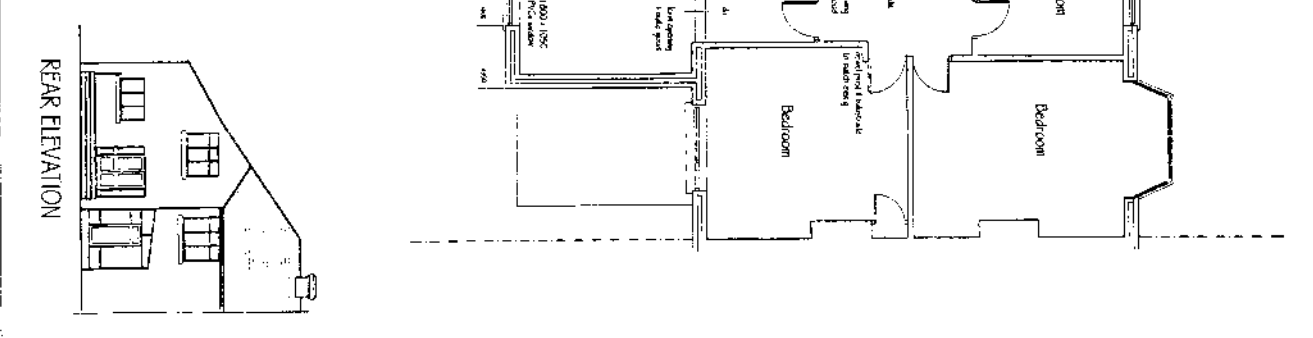
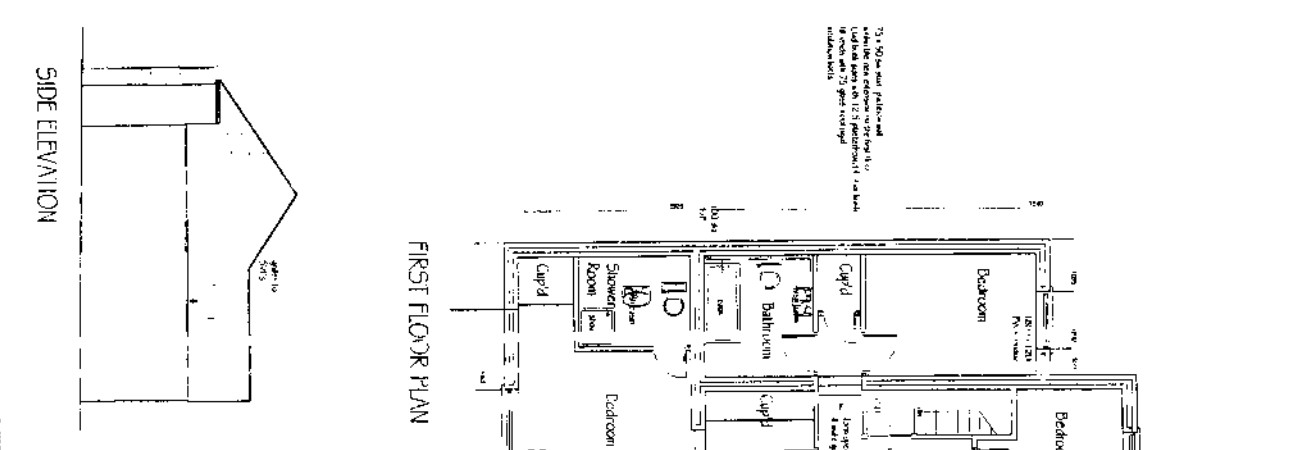
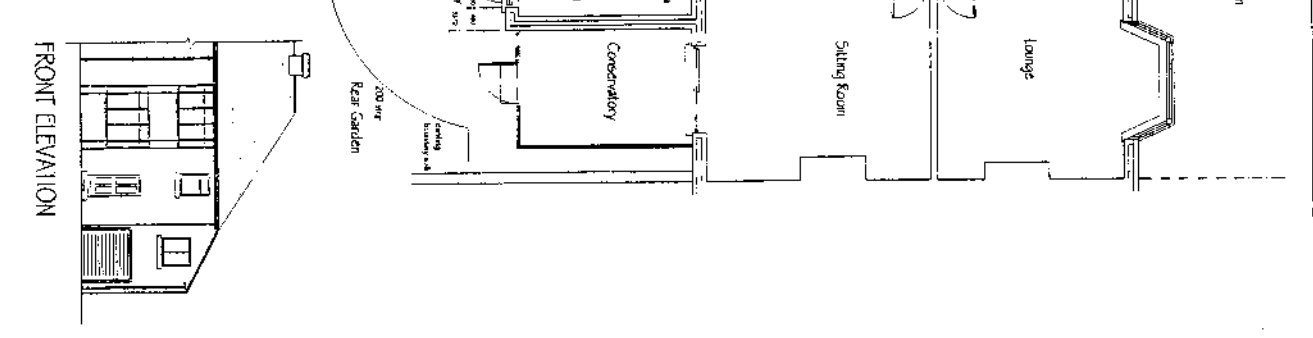
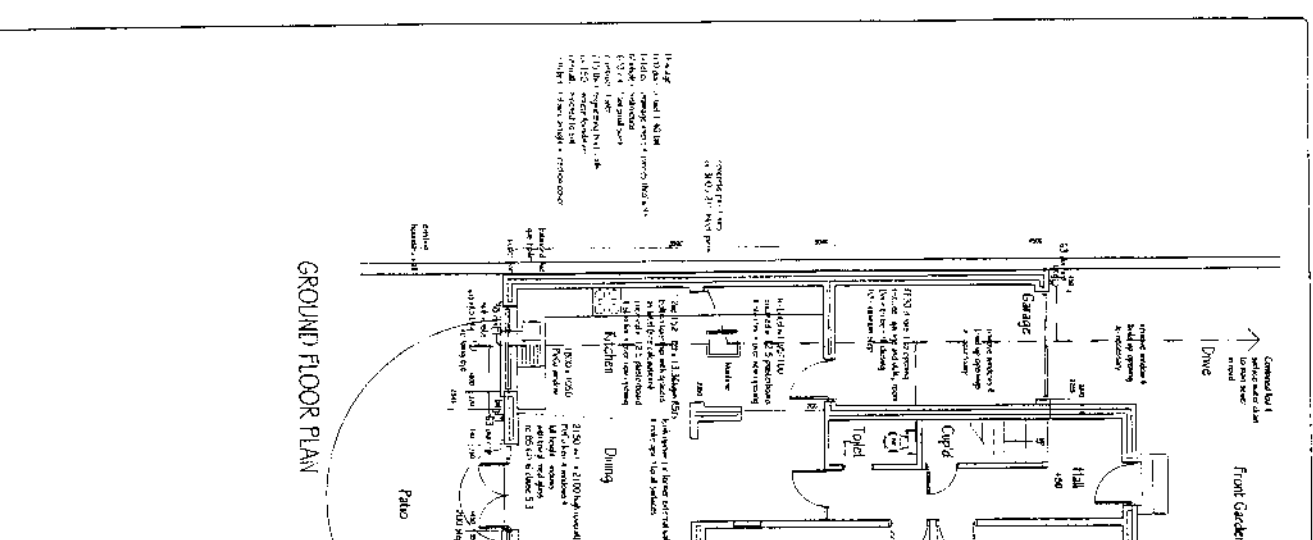
171 Brampton Road

LOCATION PLAN scale 1:2500

RECEIVED

13 FEB 2001

2001/0100



NOTES

1. All work shall be in accordance with the latest editions of the National Building Code of Canada and the Ontario Building Code, unless otherwise specified.

2. The contractor shall be responsible for obtaining all necessary permits and approvals from the relevant authorities.

3. The contractor shall maintain access to all existing services and structures on the site.

4. The contractor shall protect all existing trees and landscaping on the site.

5. The contractor shall be responsible for the disposal of all waste materials from the site.

6. The contractor shall provide a site plan showing the location of all proposed work.

7. The contractor shall provide a detailed schedule of work.

8. The contractor shall provide a list of all subcontractors and suppliers.

9. The contractor shall provide a list of all materials to be used in the work.

10. The contractor shall provide a list of all tools and equipment to be used in the work.

11. The contractor shall provide a list of all safety equipment to be used in the work.

12. The contractor shall provide a list of all first aid kits to be used in the work.

13. The contractor shall provide a list of all fire extinguishers to be used in the work.

14. The contractor shall provide a list of all fall protection equipment to be used in the work.

15. The contractor shall provide a list of all personal protective equipment to be used in the work.

16. The contractor shall provide a list of all safety training to be provided to all workers.

17. The contractor shall provide a list of all safety meetings to be held on the site.

18. The contractor shall provide a list of all safety audits to be conducted on the site.

19. The contractor shall provide a list of all safety incidents to be reported to the relevant authorities.

20. The contractor shall provide a list of all safety records to be maintained on the site.

CLIENT:
MR. & MRS. N. HARRIS

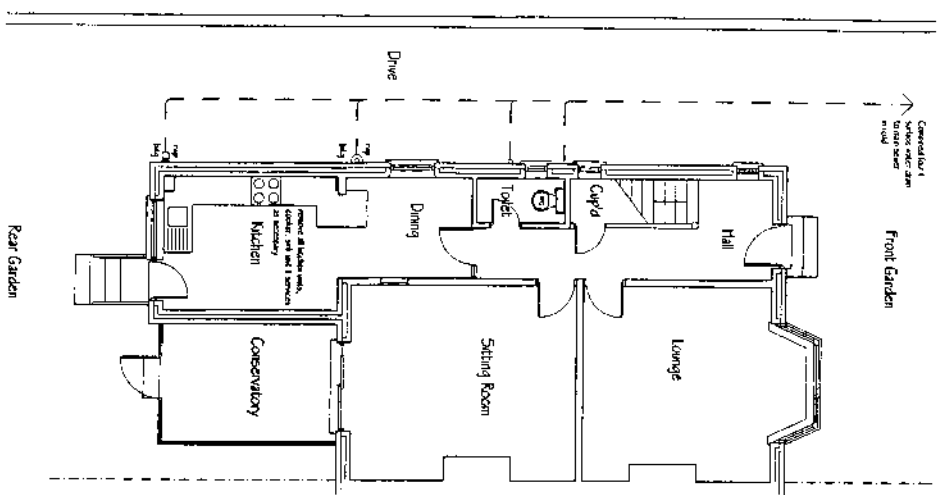
PROJECT:
TWO STORY EXTENSION
171 DRAMPTON ROAD
CARLISLE

DATE:
AS PROPOSED

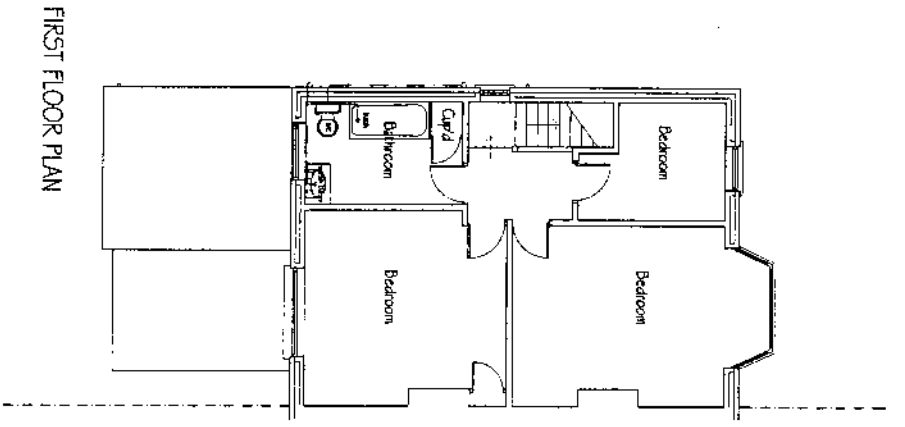
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ISSUED:
JUN 2001

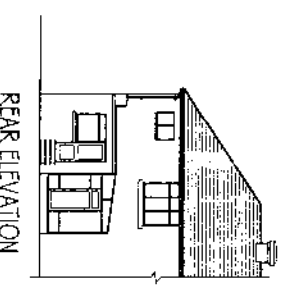
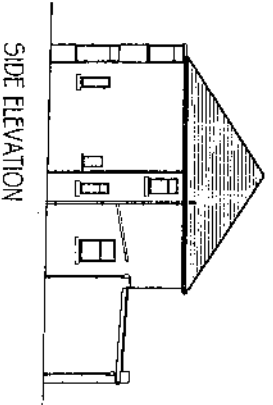
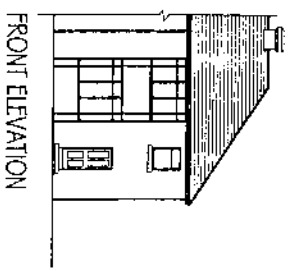
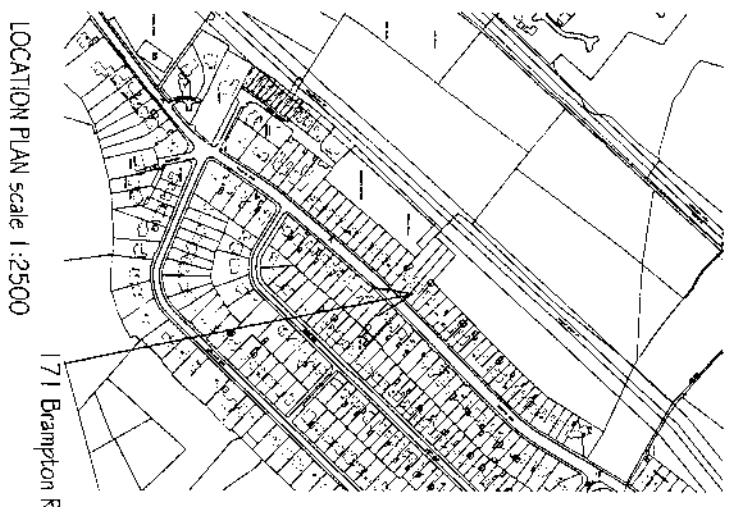
PREPARED BY:
N.H. ZB



GROUND FLOOR PLAN



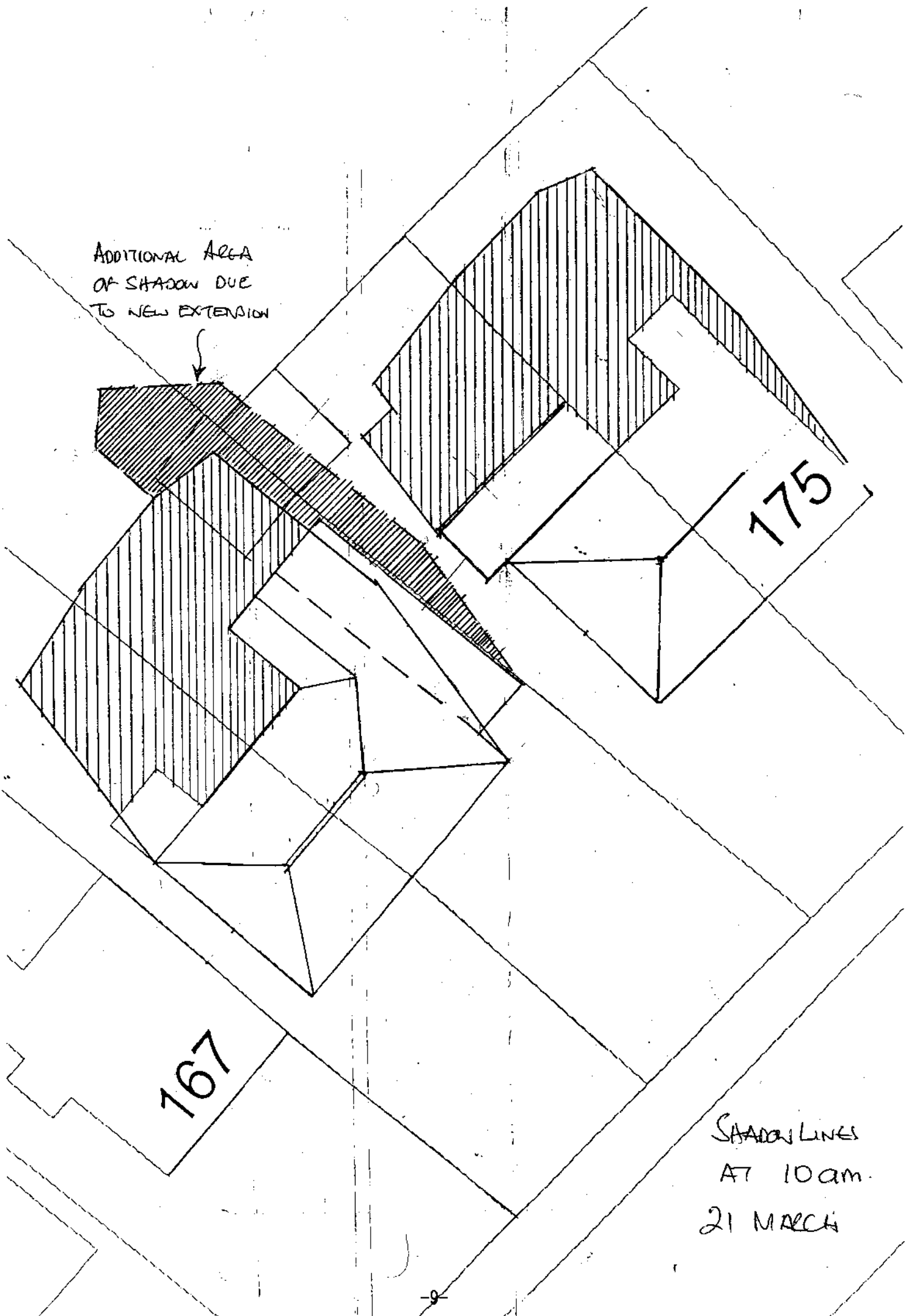
FIRST FLOOR PLAN



RECEIVED
11 FEB 2001
Keele Estates

Client: MR & MRS N HARRISON
Project: TWO STOREY EXTENSION
171 BRAMPTON ROAD
CARLISLE
Scale: AS EXISTING
Floor Plans & Elevations
Location Plan
Date: Jan 2001
Drawing No: NH 1

ADDITIONAL AREA
OF SHADOW DUE
TO NEW EXTENSION

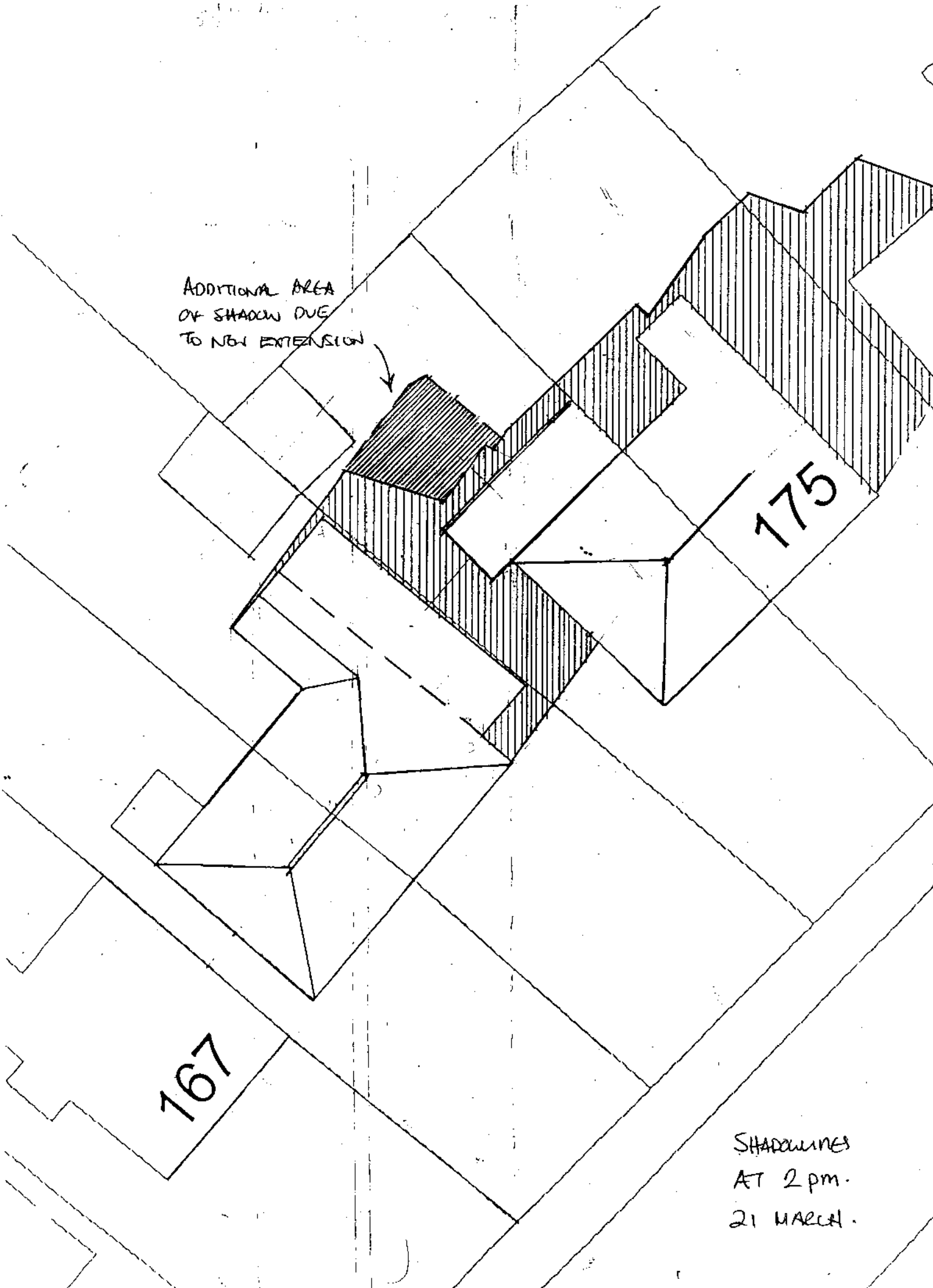


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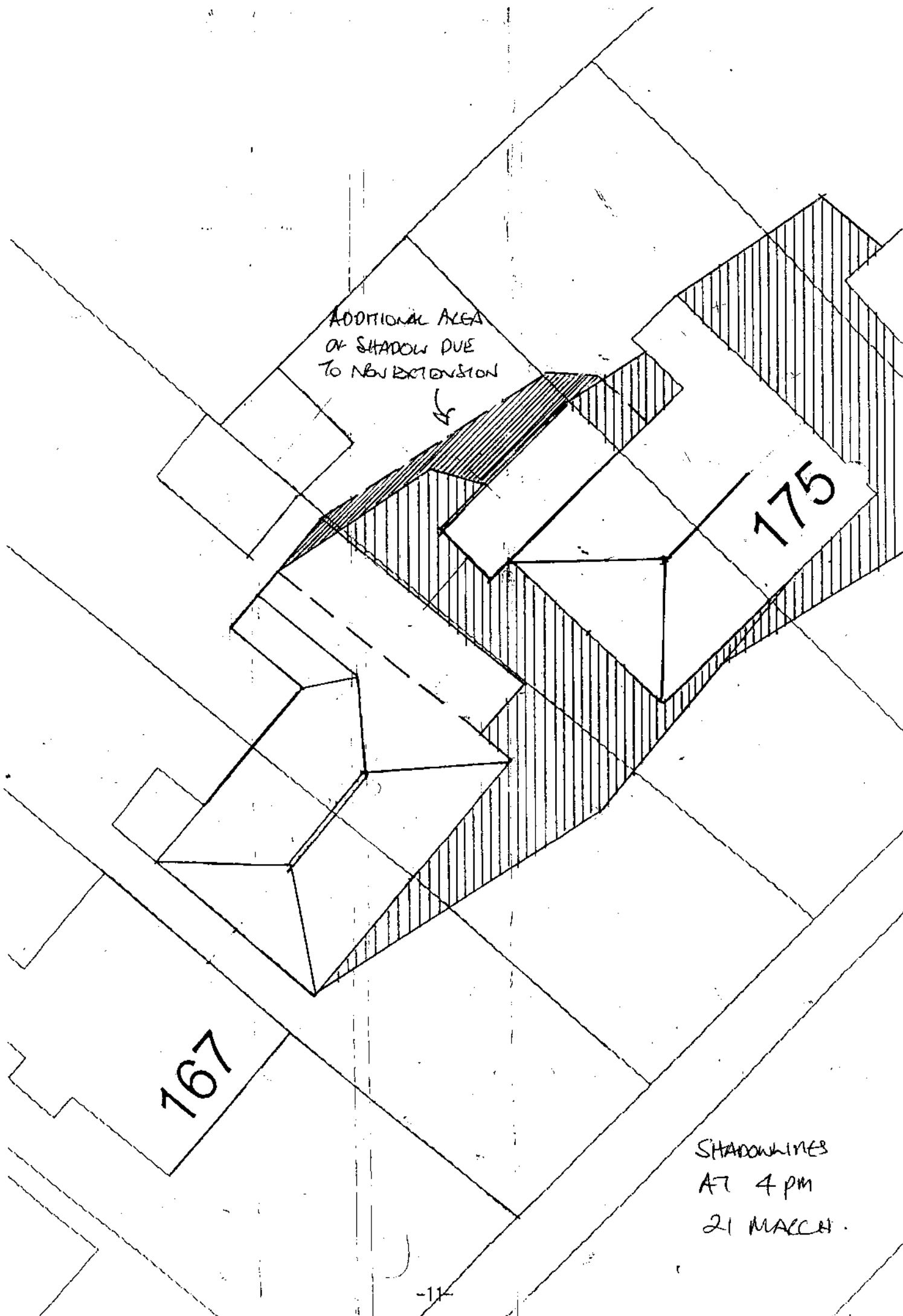
167

SHADOW LINES
AT 10am.
21 MARCH

ADDITIONAL AREA
OF SHADOW DUE
TO NEW EXTENSION



SHADOWS
AT 2 pm.
21 MARCH.



ADDITIONAL AREA
OF SHADOW DUE
TO NEW EXTENSION

175

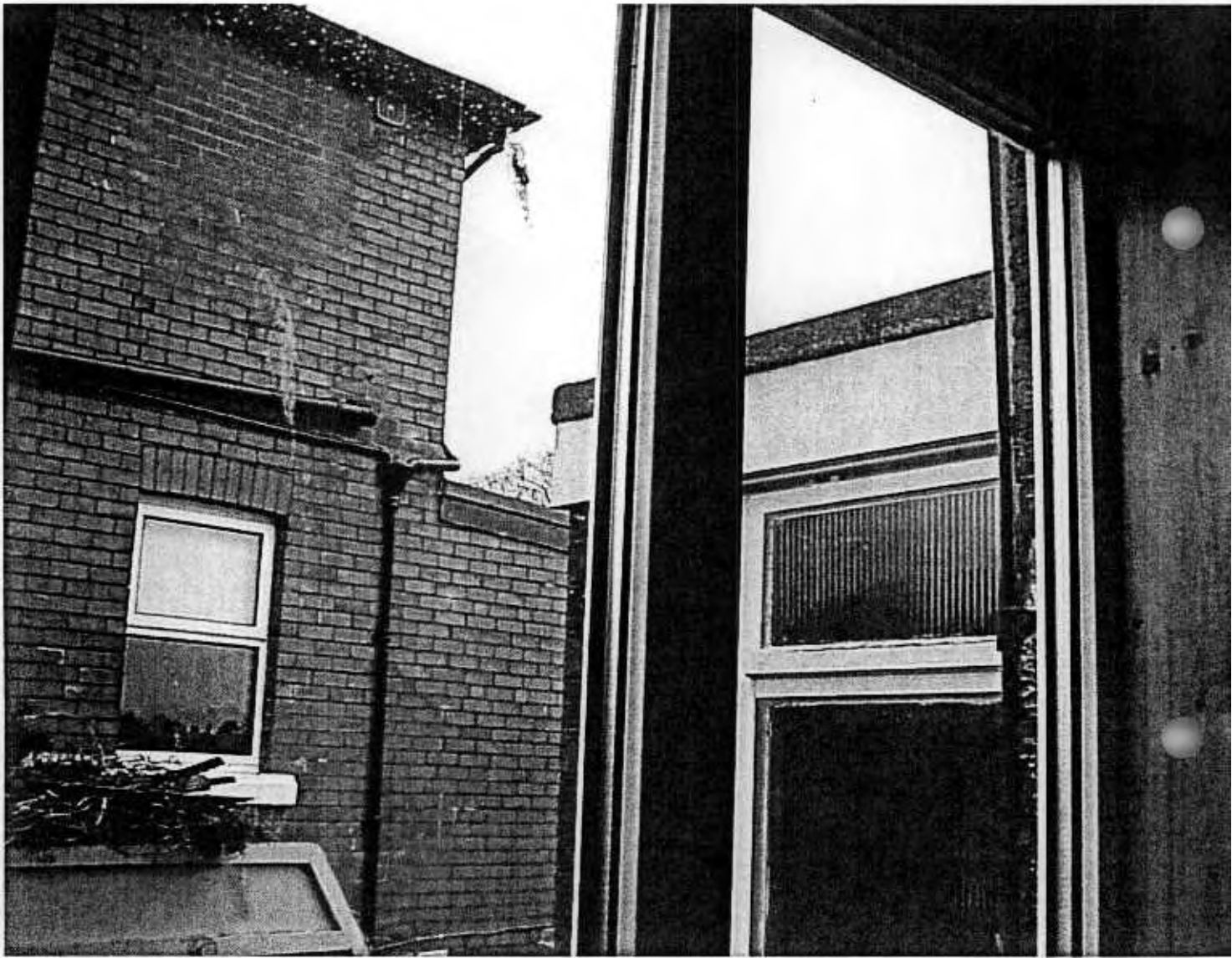
167

SHADOW LINES
AT 4 PM
21 MARCH.















4 Blake Street
Carlisle
Cumbria CA3 8QT

Tel: 01228 519886
Fax: 01228 810862
Email: thplanning@taylorhardy.co.uk

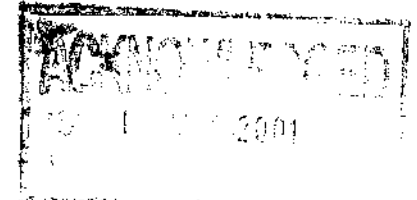
TAYLOR & HARDY
01228 519886
28 FEB 2001

Chartered Town Planners

Our Ref : RT/J/C01/025

Your Ref : MS/DC/01/0100

Chief Development Control Officer,
Planning Services Division,
Department of Environment and
Development,
Carlisle City Council,
Civic Centre,
CARLISLE.
CA3 8QG



28th February, 2001

For the attention of Mr. A.M. Hutchinson

Dear Mr. Hutchinson,

**ERECTION OF AN EXTENSION TO DWELLING
171 BRAMPTON ROAD, CARLISLE**

I refer to our recent conversation concerning the above and am writing to confirm that we represent Mr. and Mrs. S. Train of 173 Brampton Road, Carlisle who wish to object to the above development.

My Clients are concerned about:


- the scale of the proposal;
- the impact of the proposal upon their residential amenity;
- the impact of the proposal upon the levels of daylight and sunlight that they enjoy;
- the effect upon the character of the property and the area.

They also have concerns about the manner in which the development would be constructed. Would it be necessary for access to be gained to their land in order to construct the proposal and its foundations? I appreciate that these concerns may be more relevant to any Building Regulations Application and I would be grateful if you could let me know whether any such application has been submitted.

As you will know, Policy H14 in the Carlisle District Local Plan is relevant and requires consideration of the effect upon the amenities of adjacent properties by, amongst other things, the loss of daylight and sunlight. I understand from our conversation that you are taking advice on this aspect from the Architects' Section. Once you are in a position to discuss this aspect I would be grateful if you could let me know.

If this application is to be considered at the next meeting on 16th March 2001, please take this letter as a formal intention to speak on my Clients' behalf at that meeting.

Yours sincerely,

A handwritten signature in black ink that reads "R Taylor". The signature is written in a cursive style with a large initial "R".

BOB TAYLOR

70 Brampton Road
Carlisle
Cumbria
CA3 9AU

2nd June 2001

A M Taylor
Chief Development Control Officer
Carlisle City Council
The Civic Centre
Carlisle

PLANNING SERVICES	
REF	01/100
- 5 JUN 2001	
RECORDED	
SCANNED	
PASSED TO	ARCH
ACTION	

Dear Mr Taylor

Proposed extension 171 Brampton Road, Carlisle

The revised proposals for an extension etc., at 171 Brampton Road has not changed the fact that it will adversely affect our view through to the Vallum and will have a detrimental effect on the townscape and landscape.

Yours truly,



John Forde 

To AM. TAYLOR
CASE OFFICER
MR. M. SAUNDERS
REF. MS/DC/01/0100

74 BRAMPTON RD
CARLISLE
CA3 9TU

With regard to the planning application for 171 Brampton Road I wish to object on the following basis.

I note that in your letter with guidelines for objections to the proposed works there seems to be little to what one can object. Objections that could be levied, unreasonable loss of daylight, view or even value, palls in insignificance when one considers the detrimental effect these proposals could ultimately promote on the area.

We are considering extensions to the side of a semi-detached house. Houses which were planned as the name implies, two houses joined together but with adequate spaces inbetween (surely the whole point of a semi-detached house) opposed to a street or terrace.

What is planned must be seen to be contrary to this ethos and against the holistic plan that the original architects had envisaged. To use your own planning department's phrase, it is surely "out of keeping" with the rest of the houses and aesthetically unsound.

One has only to look at the rear of many houses in the city where the effect of indiscriminate building extensions, with little regard for the overview of the area, has resulted in an eyesore and yet in all cases individual planning permission will have been granted. This application may open the floodgates which will lead to the detrimental appearance of the front elevation of the houses on the northern side of Brampton Road, thereby creating a row of terraced houses. It would be ironic if you as a planning committee in some future debate were to be held responsible for the downgrading of one of the nicest main roads leading into the city.

I hope the day never arrives when one sees Brampton Road ~~is~~ developing into one long terrace.

Yours faithfully

B. Dabson

(MRS)

PLANNING SERVICES	
Office	
- 5 MAR 2001 3	
SEARCHED	
SERIALIZED	
INDEXED	MS
ACTION	

PLANNING SERVICES	
REF	C/100
- 2 MAR 2001 ✓	
RECORDED	
SEARCHED	
INDEXED	MS
ACTION	

169 Brampton Road
Carlisle
CA3 9AX

2 March 2001

Your Ref MS/DC/01/0100

Chief Development Control Officer
Planning Services Division
Department of Environment
and Development
Carlisle City Council
Carlisle
CA3 8QG

For the attention of Mark Saunders

Dear Mr Saunders

I wish to object to the proposed extension to 171 Brampton Road Carlisle on the following grounds:-

- 1) loss of light and
- 2) reduction of privacy.

I am also concerned about the size of the development extension as this seems inappropriate to the house, its design and surrounding area.

Yours sincerely

Margaret Roberts

Margaret Roberts (Miss)

70 Brampton Road
Carlisle
Cumbria
CA3 9AU

27th February 2001

A M Taylor
Chief Development Control Officer
Carlisle City Council
The Civic Centre
Carlisle

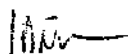
PLANNING SERVICES	
REF	01/100
- 2 MAR 2001	
RECORDED	
SCANNED	
PASSED TO	MS
ACTION	

Dear Mr Taylor

Appx Ref: D1/0150/

The proposed extension etc., at 171 Brampton Road will adversely affect our view through to the Vallum and will have a detrimental effect on the townscape and landscape.

Yours truly,



John Forde

72 Brampton Rd.

Carlisle CA3 9AU.

Planning Services
Carlisle City Council.

Attention of Mr. M. Savard
Ref. 2001/0100.

Dear Sir, 171 Brampton Rd.

PLANNING SERVICES	01.
REF: 01/0100	
2001	2
RECORDED	
SCANNED	
PASSED TO	MS
ACTION	

In reply to your recent letter I make the following comments:-

The proposal will remove about 25 feet of existing space on the house drive at present used for parking vehicles.

This could result in an increase in on street parking already used by the proposer.

It would increase the difficulty in getting my car from my drive on to the busy road.

No. 171 has a long rear garden and I would have thought that an extension

P.T.O

to the back of the house
might be more appropriate.

Also the proposals will
restrict my view of mature
trees on land beyond the
house.

Yours faithfully

J. S. Willis

SCHEDULE B: Reports Requiring Further Information

ITEM NO. 2

Date of Committee: 02/11/2001

APPN REF NO: 01/0512 / APPLICANT: Mr & Mrs B G Lowe PARISH: Wetheral

DATE OF RECEIPT: 22/06/2001 AGENT: Armstrong Payne Associates WARD: Wetheral

LOCATION: L/Adj The Elms, Plains Road, Wetheral Carlisle, Cumbria GRID REF: 346284 555159

PROPOSAL: Variation of condition 2 attached to consent ref.no: 99/0379 to allow resiting of house by 80cm and alteration to house design

ACE

REPORT

PLANNING POLICIES:-

CONSERVATION AREA

The proposal relates to land or premises situated within the Wetheral Conservation Area.

TREE PRESERVATION ORDER

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

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

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0512 /

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, Lyneholmeford, 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 B: Reports Requiring Further Information

Schedule continued for 01/0512 /

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.

1. The Council was satisfied with the overall design of the original ('99) version of the house. The Members did not see the "stack" variation until it was built and the problems began. It is the opinion of the Parish Committee that the amendment submitted results in a much inferior design to the original proposal and one the Council would not have accepted at the outset.
2. This application although stating a variation to the original application on "footprint" terms is not the same in design terms. The ground floor of the minor amendment "stack" is retained with a flat roof which causes the above comments of the Council Committee.

The observations of the Parish Council on the amended scheme are as follows:

The members are very pleased to see the removal of the "stack" from the application.

It is noted that the roof has again been elevated and the members much preferred the reduced height. There is concern that the overall roof height is greater than the approved planning application, the members would like to see the roof height reduced as had been suggested in the previous amended application as well as the removal of the ground floor study.

The members also query the scales being used. It is felt that

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0512 /

the different applications are using different scales which is not being annotated.

Finally the members wish to re-iterate the following:

The Council was satisfied with the overall design of the original (99) version of this house. It is the opinion of the committee that the amendments submitted results in a much inferior design to the original proposal and one the council would not have accepted at the outset.

HIGHWAY AUTHORITY: No objection.

CONSERVATION ADVISORY COMMITTEE: Members support the proposal to reduce the roof height and relocate the first floor bedroom as this will reduce the bulk and alleviate the impact on neighbouring properties.

In relation to the amended drawings Members have no significant comments.

SUMMARY OF REPRESENTATIONS:-

The proposal has been advertised using site and press notices and direct neighbour notification. There have been 15 representations (the letters are reproduced in the Schedule following this report) all are objecting to the application. Many of these representations re-iterate the views expressed with regard to the previous applications 00/0913 and 01/0060.

Objectors to the development consider that it adversely affects the character of the area, it is inappropriate designed in an inappropriate location, it is too high for the area and creates a loss of amenity and privacy for the surrounding properties in particular 1 Greenacres. Concern is also raised about the access onto Plains Road, which was a matter considered acceptable under application 99/0379 and the Highway Authority have made no objection to this application.

There have been a further 15 objections to the revised drawings. Some re-iterate their previous views that the development should revert to the 1999 permission. The majority, however, welcome the complete removal of the stack but object because the amended drawings revert to the higher roof on the main dwelling.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

There have been several planning application 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

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0512 /

outbuildings 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 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

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0512 /

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 limited 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 2001, where it was refused for:

"The revised siting by reason of the dwellings height, scale and disposition in relation to the site boundaries has a 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".

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:

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0512 /

"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.

In addition the applicants had appealed both the decision 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 part 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 appeal. The reconvened inquiry of the 24th September has therefore been cancelled and a date for the linked inquiry had been set for the end of January 2002.

This application was to be 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 be removing the stack completely. This drawing is reproduced in the Schedule following. Although the elevational drawings show the removal of the stack the plan drawings still show the ground floor study. I requested amended plans from the Agent but unfortunately the ones forwarded reverted back to the full stack. I have again requested amended plans but at the time of writing the Report they are not available. They will be reproduced in the Supplementary Schedule.

I also requested greater detail in respect of the suggested landscaping as required by the Enforcement Notice. Again

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0512 /

further details are awaited and will be included in the Supplementary Schedule if available.

Although some discussion has taken place between the agents for the applicant and the principal objector these have not yet resulted in an acceptable compromise being reached.

DETAILS OF PROPOSAL

This application seeks to variation a condition 2 attached to consent reference no: 99/0379 to allow re-siting of the house by 80cm and alterations to house design. The original condition stated:

"The development shall be carried out in accordance with the approved documents, hereinafter referred to as the approved scheme or any such variation to the approved scheme as may subsequently be approved in writing by the local planning authority prior to the work being carried out".

When this application was first received it was not submitted as a result of a compromise being reached between both parties but rather as the applicants preferred compromise. As can be seen from the letter from Taylor & Hardy, the principle objector is not satisfied with the proposal which does not address their concerns. It is unfortunate that the clear purpose of putting the Inquiry in abeyance, to reach an acceptable compromise has not been achieved and negotiations have broken down.

This application, like the previous application 01/0060 seeks to vary condition 2 by re-siting of the dwelling by 80cms and altering the design in three major ways:

- i. by removing the fourth bedroom form the "stack";
- ii. reverting to the approved application 99/0379 in respect of including the fourth bedroom over the garage; and,
- iii. reducing the height of the main roof by 1.1 metres.

This work went someway towards the action required by the Enforcement Notices which require the building to be altered to that approved under application 99/0379 with the exception of putting it back (80cm) in its approved position.

The amended drawing 4761/8E received on the 1st October 2001 completely removed the stack, amended the garage roof slightly but reinstated the full height of the main roof. It has been suggested by the applicants agent in a letter dated the 1st October that this change followed " ... discussions with the objector's agent when it was clearly indicated that if we were to take out the stack they would be content with regard to the existing roof height".

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0512 /

This point is rebutted in the letter from Taylor and Hardy dated 19th October where it stated that "In my discussions with Mr Armstrong Payne I said that the retention of the roof of the house "may be acceptable to my Clients" and this was put to him in correspondence in my letter of the 20th June 2001".

It would appear that it was a suggestion that may be acceptable rather than an agreed position.

It has to be recognised that the proposed changes do improve the position but the issue is whether the changes are sufficient to overcome the Council's previous concerns.

Members are required to consider the application to vary condition number 2 attached to consent 99/0379 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 suggest 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 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 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 H16 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

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0512 /

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.

When considering application 00/0913 in December 200 Members considered that the building being some 80cms closer to 1 Greenacres did adversely affect the amenity of the occupier(s) of 1 Greenacres and refused the application on that basis.

Application 01/0060 considered in March 2001, was similar to that application but was considered to be varying the location of the north east corner of the building in relation to 1 Greenacres by some 4 metres and increasing the height of the building by some 1.5 metres. This may be considered to have a greater adverse impact than that previously considered.

This amended application does improve that situation by removing the the "stack" but reverts to the higher roof height.

The Enforcement Notice required (in summary) the applicant to:

- a) demolish the two storey extension to the north eastern corner;
- b) removal of present - roof over the house (not the garage) and replace with the roof approved in application 99/0379;
- c) submit for approval in writing by the LPA full details of landscaping works, including planting schemes and schedules of plants.

The amended application complies with a) and partly with c) although I have asked for more details on this point. It does not, however, deal at all with point b). Infact the initial drawings under 01/0512 did show a lowering of the roof by some 1.1 metres but did not revert back to the approved roof. The amended plans of 1st October 2001 revert back to the roof as built.

This is a point raised in Taylor and Hardy's letter of the 19th October 2001 with reference to a letter from Mr Lowe in connection with application 99/0379, which stated Mr Lowe's intention to design a building with hipped roofs:

" ... so as to allow as much sun and daylight over the building onto the rear areas and adjacent adjoining properties. Overlooking has been avoided as far as possible. I believe the new dwelling will sit comfortably (sic) and quietly into its new context".

These points were, however, ignored in respect of the amended drawings of January 2000.

Clearly the applicant has moved significantly towards meeting the requirements of the Enforcement Notice and in line with the

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0512 /

sentiments expressed when the public inquiry in May was adjourned.

The resulting elevations and roof design from these proposed changes are not as satisfactory as the approved design of June 1999, but this is almost inevitable in a compromise solution. Even if the height of the roof is reduced as originally intended by this application, this would reduce some of the impact of the development but would not improve the elevation or roof design of the dwelling.

In terms of seeking a compromise solution there is a requirement for all parties to move from their original positions. The stack has been removed and hopefully the landscaping issue can be resolved prior to Committee. Although the garage roof design has been altered from the original approval it is considered an acceptable compromise. The issue, however, remains the height of the roof and it is a matter that Mr Lowe himself recognised as an issue in his original 1999 application.

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 other, and is proportionate to that aim.

RECOMMENDATION:-

The Director will report further on the issues raised by the application, particularly the receipt of amended plans and revised landscaping scheme.

Recommended for approval ✓

Para →

Supp Schedule
Pages 12-18

Doc 3: cannot accept the recommendation. wants equal or better than.

Group P: note NPS's comment, but refuse to indicate acceptance of revised proposal.

Group E: not happy about approval but reluctantly accept.

- Ace outlined planning history
- explained Appeal Inspector's request for 'compromise'
- Since Sept, app has been amended by deletion of the 'stack' 2 groups 1: objection - some don't want changes at all some volume not change, don't want volume higher.
- referred to EN 3 requirements specified, 2 are achievable!

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

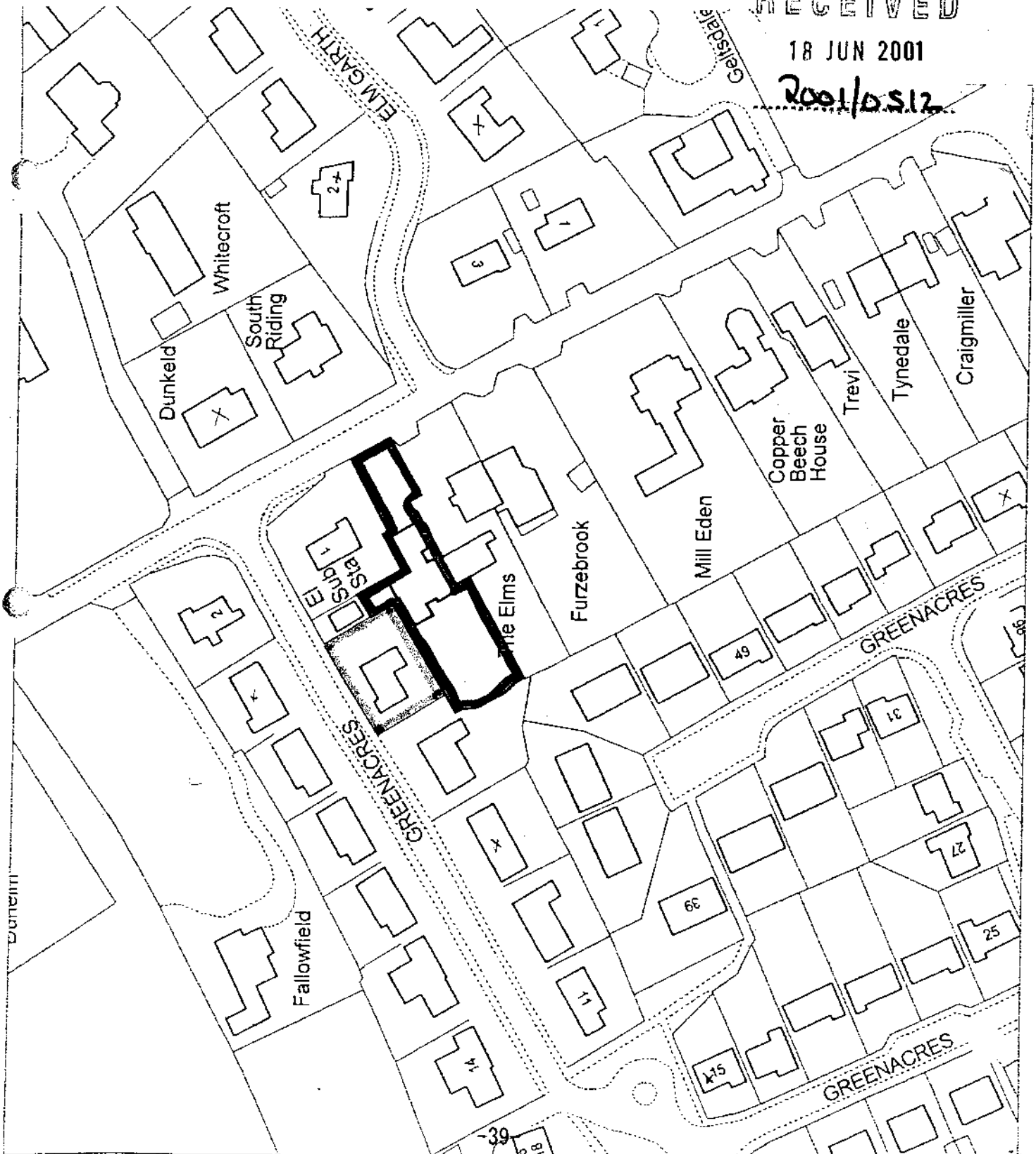
Site Location Plan

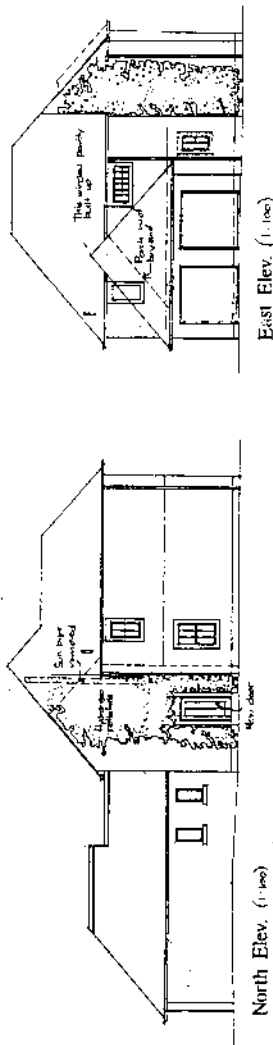
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18 JUN 2001

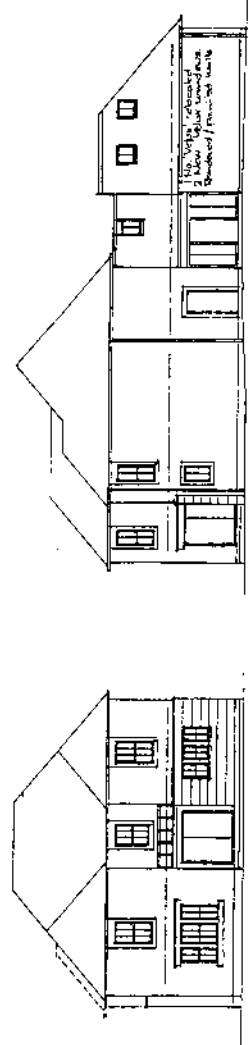
2001/0512





North Elev. (1:100)

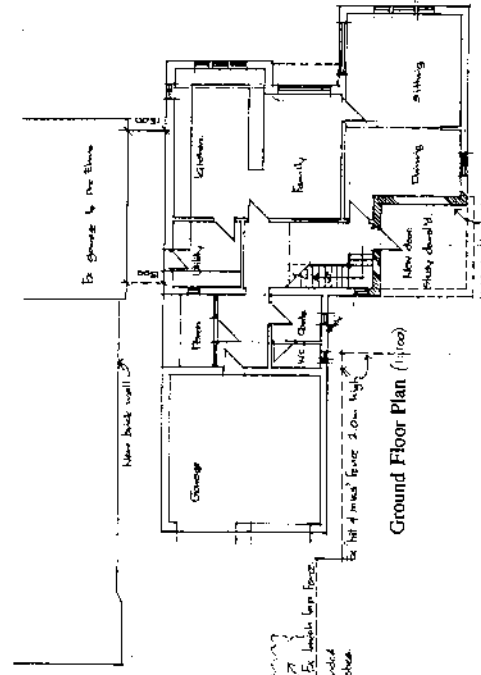
East Elev. (1:100)



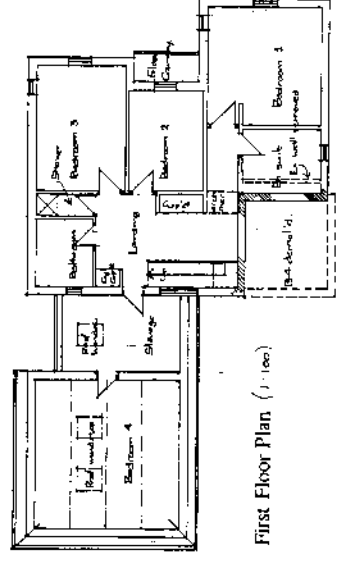
West Elev. (1:100)

South Elev. (1:100)

External Finishes
 Roof: Shingles
 Walls: Smooth and ready finished (item 0101)
 Red/brown brick piers
 Red brick chimney
 All masonry pointing done
 All masonry finished with
 Portland cement
 All masonry finished with
 Portland cement
 All masonry finished with
 Portland cement



Ground Floor Plan (1:100)



First Floor Plan (1:100)

1. Change of location of chimney
 2. Change of location of chimney
 3. Change of location of chimney
 4. Change of location of chimney
 5. Change of location of chimney
 6. Change of location of chimney
 7. Change of location of chimney
 8. Change of location of chimney
 9. Change of location of chimney
 10. Change of location of chimney

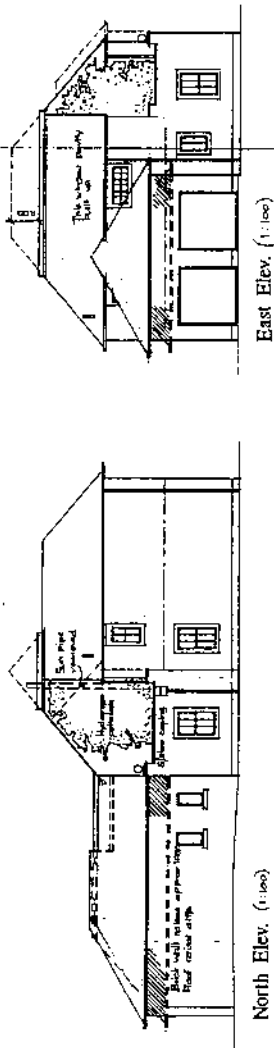
REG

20/11/05/12

Acanthus

4761/8E

Acanthus Lowe Rae
 New House on Plot 102, P21, Wetherill,
 for Mr & Mrs B.G. Lane
 Proposed alterations to existing construction



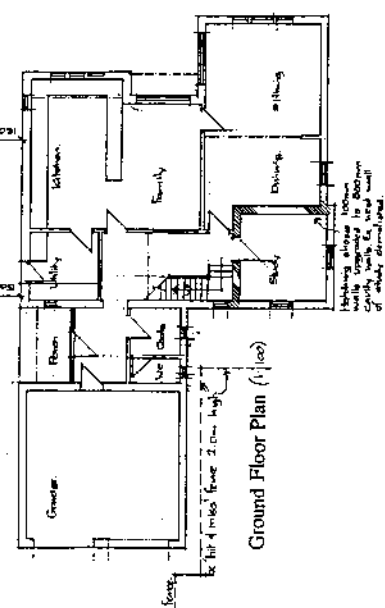
North Elev. (1:100)

East Elev. (1:100)

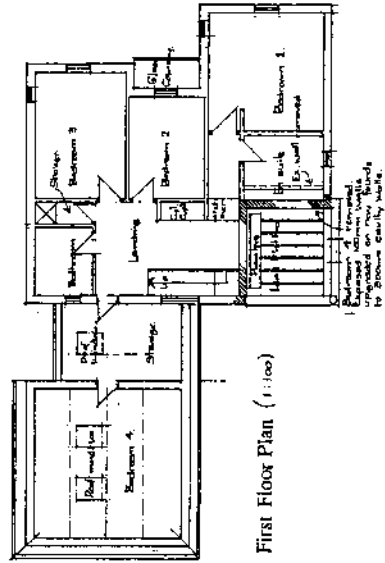
West Elev. (1:100)

South Elev. (1:100)

External Finishes
 Roof: Salvaged Welsh slate. Blue/black ridge.
 Walls: Smooth cast, brick finished (skin stone (1:2:1:2))
 Porch/brown brick finish
 Not available drawings in kind E.P.
 All window painted cast surrounds (skin stone (1:2:1:2))
 Cornices: Painted cast
 Gutters/Downpipes: Black cast finished steel



Ground Floor Plan (1:100)

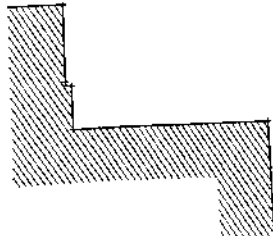


First Floor Plan (1:100)

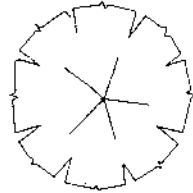
REVISIONS	DATE
1	17. JUL 2001
2	17. JUL 2001
3	17. JUL 2001
4	17. JUL 2001
5	17. JUL 2001

RECEIVED
 17 JUL 2001
 2001/0527

No. 3, GREENACRES



Timber Panel Fence



Electric Substation



Fence/Hedge

13.83m

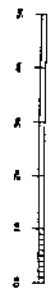
Outline of Present Building



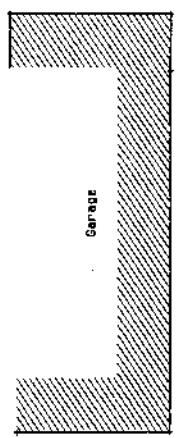
10000

New Building Adjacent to 'The Elms',
Plains Road, Wetheral
For Mr & Mrs B Lowe.

Scale: 1 - 100 July, 2001.



No. 1, GREENACRES



Grass

Path

Shed

Trunk

Trunk

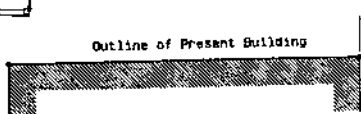
Trunk

Trunk

Timber Panel Fence

RECEIVED
- 6 AUG 2001
R. S. S. S.

Outline of Present Building



1.781m

New Brick Wall

Well

THE ELMS

IC

G

4930E

9 Finkle Street
Carlisle
Cumbria CA3 8UU

Tel: (01228) 538886
Fax: (01228) 810362
Email: tlplan@globalnet.co.uk

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

TAYLOR & HARDY

Chartered Town Planners

BY FAX & POST

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

Your Ref: 99/0512

PLANNING SERVICES	
REF: 99/0512	01/0512
11 SEP 2001	
RECORDED	
SCANNED	
PASSED TO	ACE
ACTION	

11th September, 2001

Dear Mr. Eales,

OBJECTIONS TO APPLICATION L.P.A. REFERENCE NO. 01/0512
PROPOSED VARIATION OF CONDITION 2 ATTACHED TO CONSENT
REFERENCE NO. 99/0379 TO ALLOW RESITING OF HOUSE BY 80 CM
LAND ADJACENT THE ELMS, PLAINS ROAD, WETHERAL

As you know we act for Mrs. Patrick of No.1 Greenacres, Wetheral. Further to your letter dated 29th August 2001 I am writing to lodge objections to the planning application described above.

On 20th April 2001, after very careful consideration, the Council served Enforcement Notices on the applicants, Mr. and Mrs. B.G. Lowe, in respect of a dwelling which was not being constructed in accordance with the planning permission which had been granted (99/0379). These Notices required Mr. and Mrs. Lowe to carry out specified works to the dwelling house which were to:

- demolish the two-storey extension on the north-east corner of the dwelling and reinstate the exposed elevations;
- remove the roof over the house and replace it with the roof approved in the consent of 99/0379;
- landscape the boundaries between the dwelling under construction and my Client's property.

These Enforcement Notices clearly established how the dwelling under construction ought to be modified so as to ensure that its impact on both the neighbouring properties and the area in general was at a level which could be accepted. It should be noted that this involves the building being closer to

Bob Taylor Dip. T.P., M.R.T.P.I.
Margaret Hardy B.A. (Hons), M.R.T.P.I.

Mrs. Patrick's property than the position it was to be in as at June 1999 and, therefore, already represents a compromise on behalf of her and the Council.

A Public Inquiry into appeals in respect of these Enforcement Notices and the related planning application is pending.

In the context of the above it should be noted that the application which has been submitted does not propose the demolition of the two-storey extension for its full height. The ground floor would be retained and covered with a flat lead roof. Nor is it intended to remove the roof and replace it with the lower less bulky one approved under consent 99/0379. The apex would be removed and replaced with a section of flat lead roof.

The submitted proposal in fact seeks consent for the retention of two thirds of that part of the building which has been constructed beyond that approved under 99/0379.

Approval of this application would undermine the Council's case at the forthcoming Inquiry and weaken considerably the opportunity to secure modifications to the present building that would render it acceptable. The application is unacceptable and the Committee are respectfully urged to reject it.

Yours sincerely,

Bob Taylor
BOB TAYLOR

PLANNING SERVICES	
REF	01/0512
03 SEP 2001 27	
RECORDED	al
SCANNED	
PASSED TO	al
ACTION & County Planning Act 1990	

Mr G. M. GANN
 ST MARTINS COTT. E.
 THE GREEN
 WETHERAL
 CA48ET.

Dear Sir

Variation of Condition 2 attached to consent.
 ref no 99/0379 to allow re-roofing of house by 8000
 The Elms, Plains Road, Wetheral

Further to the above application I wish to
 confirm my objection to the proposed
 development as stated in my previous
 correspondence.

Your faithfully

G M Gann

4 Faustin Hill
The Plains Road
Wetheral
Carlisle

A.C. Eales
Head of Planning Services
The Civic Centre
Rickergate
Carlisle
CA3 8QG

PLANNING SERVICES	
REF	0110512
- 6 AUG 2001	
RECEIVED	BB
DATE	06 AUG 2001
BY	ACE
NO.	43



Dear Mr Eales,

Application Number 2001/0512

Thank you for alerting us to the fact that a further planning application has been submitted for the proposed dwelling adjacent to The Elms.

We were very surprised that this should have happened as it was clear from the outcome of the Planning Inquiry that Mr Tucker, Mr and Mrs Lowe's barrister, sought an adjournment so that discussions between themselves and Mrs Patrick could take place. We know that Mr Armstrong - Payne met with Mr Taylor but the contents of the current application were not discussed at the meeting. Indeed no formal suggestions were put forward at the meeting. There was no indication that a further application was imminent. It seems to us that the spirit of compromise is not manifesting itself in this application.

As Mr Lowe did not feel able to approach us for our opinions on this, his latest solution, we must use the channels provided for us by the normal planning process. The application would not improve the overbearing nature of the development on 1 Greenacres. It could be argued that it would be even worse with a garage whose impact was substantially increased and a roof-line which does not significantly recede from the garden. The suggestion that only one floor of the 'stack' should go seems very strange. Indeed the applicant is now seeking permission for **more** than he applied for in June 1999 and **more** than he has built as the restoration of a room over the garage would provide a lot more space than that which he is offering to forego by removing one bedroom.

Failure to remove both floors of the 'stack' would make a satisfactory landscaping scheme impossible to achieve. The earlier removal of the mature hedge between the gardens of The Elms and 3 Greenacres means that effective screening is going to be very difficult to achieve, removal of the whole 'stack' is essential if a useful landscaping project is to be implemented. We feel sure the members will agree that the proposal to plant a climbing hydrangea on the proposed flat roof will not suffice.

Yours truly,

Ian Patrick



Josie Patrick



59 Greenacres

Wethered

CARUSLE

CAA SLD

25th July 2001

Dear Mr Eales,

Planning Application 07/0512

The Plans which have been submitted with this application do not seem acceptable.

Until the section of the House which protrudes into Greenacres has been completely removed, it will not be possible to screen the rest of the House in the way that it would have been in the original application.

Yours Sincerely

Miss L Whitworth

+ Mr G Turner

PLANNING SERVICES	
REF	01/2512
30 JUL 2001 ₂₄	
APPROVED BY	CN
CHECKED BY	ACE
DATE	

PLANNING SERVICE	
REF	01/0512
24 JUL 2001	
RECORDED	MM
SCANNED	
PASSED TO	ACE
ACTION	

21

154 Greenacres
Wetheral
Carlisle

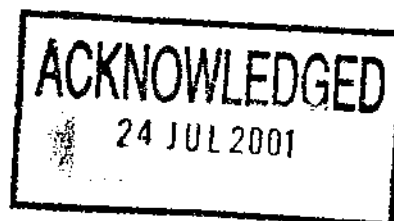
Dear Mr Eales,

Application 01/0512

Thank you for informing us of this latest application. Although the current application differs slightly from the previous two applications I do not feel that this plan has any merits. The overbearing nature of the house would be exacerbated by the plan to increase the height of the garage roof and the failure to remove the offending "wing" of the body of the house would mean the very obvious proximity of the house to its neighbours would be maintained.

Yours Sincerely

[Handwritten signature]
(Per D. TURKISH)



R. H. & S. M. LOGAN

"Dunkeld"
Plains Road
Wetheral
Carlisle
CA4 8LA

01228 560254

19th July 2001

Dear Sir,

TOWN & COUNTRY PLANNING (APPEALS)

Your Ref: 00/0913 & 01/0060

Proposal: Variation of condition 2 attached to ref. 99/0379
to allow re-siting of house by 90cm.

Location: L/Adj The Elms, Plains Rd, Wetheral, Carlisle.

Appn. No. 00/0913 & 01/0060

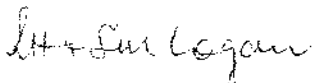
As work has restarted at the above site, we cannot understand why permission has been granted when the result of the Public Inquiry is not due to be heard until 24th September 2001.

In your letter dated 15th June 2001, it states that the Inquiry will reconvene on 24th September 2001. It also mentions that the Inspector decided to adjourn the inquiry in order for the appellant and the principle objector to try and resolve various matters.

If the problem is resolved between the appellant and the principle objector amicably, does this mean that the building/location, which is the subject of the Inquiry, would be acceptable to the planners (who originally refused the application). Surely the plans for the new dwelling are either approved or not approved.

As stated in our letters dated 18th November 2000 and 5th February 2001, we still consider the building to be offensive in appearance and our opinion is not altered that the house is detrimental to the appearance of the village.

Yours faithfully,



R H & S M LOGAN

Copy-Wetheral Parish Council

PLANNING SERVICES	
00/0913 + 01/0060	0060
20 JUL 2001	
<i>[Signature]</i>	
ACE	

PLANNING	
REF	01/0512
	20 JUL 2001
RECORDED	15
SEARCHED	ON
PASSED TO	ACE
ACTION	

176. GREENACRES,
 WETHERAL,
 CARLISLE
 CUMBRIA.
 CA4 8LU

DEAR Mr Sales,

(Development Adjacent to the & Mrs
 Wetheral)

This new application will still
 leave an unacceptable development.

If the garage is increased in
 height it's impact will be even greater.

I notice that the intention is to
 reduce the height of the roof of the
 main building but it is hardly going
 to look less bulky.

All in all the bad effects will
 REMAIN + some parts will be worsened
 & Carrick (Mrs)

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

PLANNING SERVICES	
REF	01/0512
19 JUL 2001 28	
REC'D	en
SCANNED	
PASSED	RUE
ACTION	

17 July 2001

Dear Sir

Planning Application 01/051

Variation of condition 2 attached to consent ref no:99/0379 to allow re-siting of house by 80cm.

Land Adjacent To The Elms, Plains Road, Wetheral.

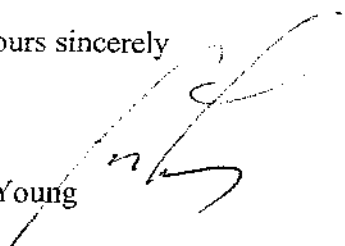
Thank you for the opportunity to view the planing application No. 01/0512. This appears to be an attempt to bypass the Council's recent refusal of retrospective planning permission for application No. 00/0913. This application is virtually identical to application No. 01/0060 with the addition of raising walls and roof in on place and lowering a roof elsewhere.

My objections previously expressed in December 2000 and February 2001 remain, a copy of previous communications is already in your files.

I would hope the Council will resist attempts at piecemeal erosion of its previous decision.

Yours sincerely

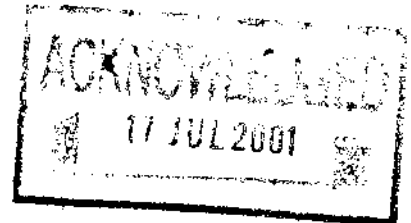
F Young



2 Elm Garth,
WETHERAL.
CA4 8LB.

16th July 2001

A. C. Eales Esq.,
Head of Planning,
Dept. of Environment & Development,
Planning Services Division,
Carlisle City Council,
Civic Centre,
CARLISLE.
CA3 8QG.



Dear Sir,

Proposal: Variation of condition 2 attached to consent ref no: 99/0379
to allow re-siting of house by 80cm.
Location: L/Adj The Elms, Plains Road, Wetheral, Carlisle, Cumbria.
Appu Ref: 01/0512

We formally object to the planning permission sought above.

The reason is;

the dwelling's height, scale and disposition in relation to the site boundaries having a harmful effect on the amenities enjoyed by the occupants 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.

Yours faithfully,

.....
K. S. ASHBURNER

.....
J. M. ASHBURNER

4 Greenacres
Wetheral
Carlisle
CA4 8LD

8 July 2001

Your ref: ACE/DC/01/0512

Mr A C Eales
Head of Planning Services
The Civic Centre
Carlisle
CA3 8QG

Dear Sir

Notification of Planning Proposal 01/0512

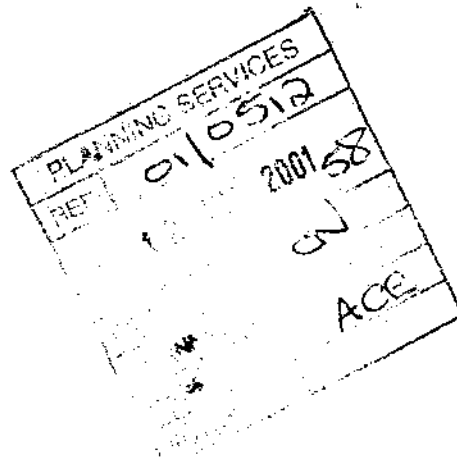
Thank you for keeping me informed of the latest planning proposal about the development of land adjacent to The Elms, Wetheral.

I was not over-joyed when the original proposal received planning approval and the various developments and proposals since then have, in my opinion, exacerbated the situation. As the original approval cannot be withdrawn one can only hope, and expect, that the Council will stand firm and insist that there be no departure from it.

Yours faithfully

J. J. Pattinson

Mr J J Pattinson



Summerfield
Ashgate Lane
Wetheral
CA4 8HN
5 July 2001

Mr A. Eales
Head of Planning Services
Department of Environment and Development
The Civic Centre
Carlisle
CA3 8QG

Dear Mr. Eales,

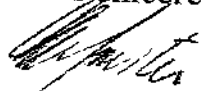
PLANNING APPLICATION REFERENCE 99/0379

Re your letter of 22 June 2001, extending an invitation to comment on the subject planning application.

I write to express my concerns with regards to the planning application for the dwelling under construction adjacent to the Elms, Plains Road, Wetheral. I do not believe the scale and the size of the property is in keeping with the environment in which it has been constructed. The property appears to be far too big, both in height and mass, for a back garden development. Furthermore, it is too close to the rear of the Elms. Is it not unreasonable, to respect the privacy of and amenity of the occupant of that particular dwelling or indeed, the dwellings in the immediate area? In short, I am astonished nay, amazed, that the Planners have allowed the property to be constructed in its current location. It certainly could be argued that it does not fit in with the local design, due to size and position; it is also obtrusive when placed in comparison to the buildings immediately around it.

What's more, the Plains Road is a main artery into the village, it has no footpath at the point of entrance of the property and by developing another, mainly concealed entrance, there is a potential safety risk to both pedestrians and drivers.

Yours sincerely


D. M. Forrester

PLANNING SERVICES	
REF	99/0379
10 JUL 2001	
RECEIVED	CN
SEARCHED	
INDEXED	ACE
FILED	

July 1st. 2001

PLANNING SERVICES	
REF: 01/52	7 Green acres
1	- 3 JUL 2001
RE: D	Wetheral
SCHE: D	barliate
PAGE: 0 TO	Sumbrici
ACTION	PA4 8LD

Dear Sir,

Reference to variation of condition to allow re-siting of house, land adjoining The Elms, Plains Rd. Wetheral.

My previous objections to the above house still stand.

This is not the house for which planning permission was originally given.

If this house is allowed to remain as it is there is no need for a planning department, who obviously were not checking to see the plans were being adhered to.

Yours Sincerely
J. Ravell (Mrs.)

Green Farm,
The Green,
Wetheral,
Carlisle,
Cumbria,
CA4 8ET.

PLANNING SERVICES	
REF	01/0512
- 2 JUL 2001 89	
RECORDED	ON
SEARCHED	
PASSED TO	ACE
ACTION	



26th June 2001.

Mr A.C.Eales,
Head of Planning Services,
Department of Environment & Development Planning Services Division,
Carlisle City Council,
The Civic Centre,
Carlisle,
CA3 8QG.

Dear Sir,

DOE Ref: APP/E0915/A/01/1057974&1062453.

I refer to your letter of the 22nd June 2001 and also a letter received from B.Percival Appeals Administration Officer dated 15th June 2001 and would draw your attention to my letter of the 7th April 2001 copy attached.

Nothing has changed since the Local Public Inquiry was held at the Civic Centre Carlisle on 30th May 2001 and therefore my comments contained in my letter of the 7th April are relevant to this further application.

Yours faithfully,

A handwritten signature in dark ink, appearing to read "W.B. Norgrove". The signature is written in a cursive style.

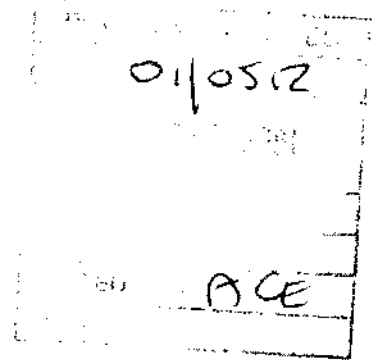
W.B.Norgrove.

Mill Garth
West Woodside
Wigton
Cumbria
6th September 2001

A.C. Eales,
Head of Planning Services
Civic Centre
Rickergate
Carlisle

Dear Mr Eales,

Application 01/0512



I am the daughter of Margaret Patrick who lives at 1 Greenacres.

The cynicism of this application defies belief. When the Public Inquiry was adjourned at the request of Mr and Mrs Lowe's Counsel on 30th May 2001 I, like many others in attendance, believed that Mr and Mrs Lowe genuinely wished to come to some sort of accommodation. It is now apparent that this was not their intention.

In order to obtain the original planning consent Mr and Mrs Lowe courted their neighbours assiduously. At no time since then, even after it became apparent that my mother had concerns about the development, have the Lowe's genuinely consulted my mother or her agents about their plans. The current application was submitted without even telling my mother or her advisers that it was to happen. The appeals against planning refusal were similarly lodged when negotiations were supposedly taking place. I understand that Mr Lowe's agents have made it clear that the application is to establish a fallback position. No doubt if this application is successful they will claim that the design differs very little from that which they seek to retain. In which case, so the argument will go, it would be inequitable to continue with the Enforcement.

The application before you offers to remove less than one third of those parts of the building that Mr and Mrs Lowe have built without planning permission. Your Enforcement Notice returns the building to an approximation of the June 1999 consent. My mother chose not to object to the original application because Mr Lowe stressed to her that the house was to be behind her own back hedge and then behind a further hedge, some twenty feet in height which formed the boundary between The Elms and 3 Greenacres. The whole edifice would have been further away from her and was designed in order to "allow as much sun and daylight over the building into the rear areas and adjacent properties." (Application 99/0379) The dwelling, as built, is overbearing and infringes her Human Rights as you have agreed twice already. I cannot see that this application, even if it were taken at face value does anything to resolve this fact.

Yours Sincerely,

Aileen West.

Aileen West

2 Elm Garth,
Wetheral,
CARLISLE.
Cumbria,
CA4 8LB.

Your Ref: ACE/DC/01/0512

10th September 2001

Carlisle City Council,
Department of Environment & Development,
Planning Services Division,
The Civic Centre,
CARLISLE.
CA3 8QG.

Dear Sir,

NOTIFICATION OF PLANNING PROPOSAL : AMENDED PLANS

Proposal: Variation of condition 2 attachment to consent ref. no: 99/0379 to allow resiting of house by 80cm.

Location: L/adj The Elms, Plains Road, Wetheral, Carlisle, Cumbria.

Appn Ref: 01/0512

We refer to the proposals to vary the previous plans submitted under the above application; and, following our observations thereof, cannot accept that any material improved alterations have been made, and in consequence, we must formally object to the amended plans.

No effort has been made to reduce the "sheer bulk" of the building in relation to the site, thus generating a "pushed in" appearance.

The plans submitted are for a FOUR BED-ROOMED, FOUR RECEPTION ROOMED, DOUBLE GARAGE COUNTRY HOUSE resulting in the development being very much larger than the average family house; a totally excessive development on a site only suitable for a middle sized bungalow.

Certainly bedroom 4 on top of a double garage increases the bulk of the eastern aspect to the detriment of Elm Garth residents.

Yours faithfully,



.....
K. S. ASHBURNER



.....
J. M. ASHBURNER

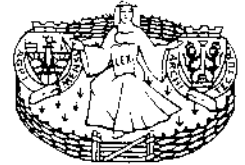
PLANNING SERVICES	
REF	01/0512
12 SEP 2001	
ALCOORD	
ENCL	
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Our Ref. BCAP/RCB/00/0127
Your Ref. ACE/WJT/DC/01/0512
Date. 28th September 2001

Planning Officer
Carlisle City Council
Civic Centre
Carlisle
CA3 8QG

PLANNING SERVICES
2001/0512
28 SEP 2001
♀
ACE

**ARMSTRONG
PAYNE
ASSOCIATES**
Planning & Development
Consultants



Chartered Town Planners

Dear Mr Eales

DEVELOPMENT AT PLAINS ROAD, WETHERAL

I refer to our current application Ref No. 01/0512 and our recent discussions and correspondence.

Please find attached four copies of an amended plan restoring the height of the garage ridge to that shown on the original approval.

I would be obliged if you could substitute this plan, No 4761/8E, for version 4761/8D previously submitted.

Turning to the question of the ridge height of the main dwelling I note the suggestion in your letter of the 25th September that my clients may wish to reduce the roof apex and replace it with a flat roof.

As you know this latest scheme was prepared as a result of discussions with the objector's agent when it was clearly indicated that if we were to take out the stack they would be content with regards to the existing height of the roof. The costs involved in the work covered by this consent are already substantial and to expect additional works to be undertaken, when it has already been agreed with the principal objector that they are not necessary, would seem excessive.

I would be obliged therefore if you could move forward with the consideration of the attached revised plan.

Yours sincerely

Bruce Armstrong-Payne
Enc.



Armstrong Payne Associates is a division of
Penrith Farmers' & Kidd's Plc

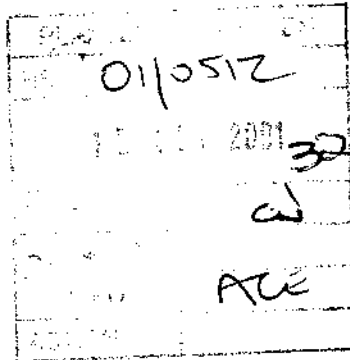
Registered Number: 0553 England

Registered Office: Agricultural Hall, King St, Penrith, Cumbria, CA11 0DN
Telephone: 01768 890140

35 King Street, Penrith
Cumbria, CA11 0AY

Tel: (01768) 890140
Fax: (01768) 890141

Ref ACE/DC/01/0512



2, Elm Garth,

The Plains,

Wetheral,

Carlisle.

CA4 8LB

12th October 2001.

Dear Sir,

Proposal: Variation of condition 2 attached to consent 10f.
no: 09/0379 to allow rising of house by 80cm and alteration
to house design.

Location: 4 Adj The Elms, Plains Road, Wetheral, Carlisle, Cumbria.

Appn Ref 0/0512/1

We now have had an opportunity of considering the revised plans submitted.

Whilst certain amendments have been made, the main objection has not been addressed - the sheer height of the roof.

The height of the roof is particularly disagreeable from the Elm Garth/Plains Road aspect.

We therefore formally object to the Revised Plans submitted and consider that the overall height of the roof should be reduced by 1.5 to 2 metres.

Yours faithfully,

J.M. Ashburner (Mrs)

H. Ashburner

Green Farm,
The Green,
Wetheral,
Carlisle,
Cumbria,
CA4 8ET.

15th October 2001.

A.C.Eales, Dip. TP, MRTPI,
Head of Planning Services,
Department of Environment & Development,
The Civic Centre,
Carlisle,
CA3 8QG.

PLANNING SERVICES	
01/0512	29
	ACE

Dear Sir,

Proposal: Variation of condition 2 attached to consent ref.no:99/0379 to allow resiting of house by 80cm and alteration to house design.

Location: L/Adj The Elms, Plains Road, Wetheral, Carlisle, Cumbria
Appn Ref: 01/0512.

With reference to the above proposal and Plan No:4761/8E dated 1st October 2001 I wish to object to the visual bulk of the building as built. The present height of the roof line, for example, clearly contravenes the planning application of June 1999, and as you are aware this building is totally out of character with the site and it's environs and of course as transgressed a number of policy statements contained in the Carlisle and District Plan.

From the perspective of a Wetheral resident this development creates a visual intrusion on the landscape and as a result should be removed. However if this building is to remain the existing roof line at it's highest level needs to be reduced by some 1.5 metres to bring the roof level compatible with the June 1999 planning application.

I am also aware that a significant mature landscaping programme needs to be put in place this autumn, again if the building is to remain, in order to reduce the impact on the local environment and I would expect this to be enforced forthwith.

Finally, for your information a mechanical digger, during the course of week commencing the 8th October was employed in the driveway to this development and I understand, in this instance, such equipment should not be used in order to safeguard the conservation of existing tree routes etc. You may therefore wish to ascertain the reason for the use of this mechanical equipment.

I should be obliged if you would place this letter before the appropriate planning committee.

Yours faithfully,



W.B.Norgrove.

20 Faustin Hill
The Plains Road
Wetheral

15-10-01

A.C. Eales
Head of Planning Services
Department of Environment and Development
Carlisle City Council
Carlisle

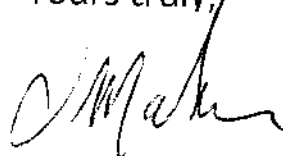
Dear Mr Eales,

Application 01/0512

The revised plans submitted for this application do not address the problem of the adverse impact of the new house in the grounds of The Elms on Wetheral.

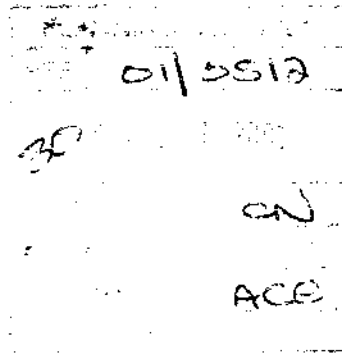
I understand that all previous applications have been refused because of the bulk of the building overbearing the neighbouring properties. Unless the roof height is reduced the impact on the skyline of this section of The Plains Road cannot be reduced. I hope you will advise your members to take this thought into account when they consider this application.

Yours truly,



01/0512
42 16 101 2005
en
ACE

21 Faustin Hill
The Plains Road
Wetheral
Carlisle
12th October 2001



A.C. Eales
Head of Planning Services
The Civic Centre
Rickergate
Carlisle
CA3 8QG

Dear Mr Eales,

Land Adjacent to The Elms (Application 01/0512)

Thank you for giving me a second chance to comment on this application. The new drawings are an improvement in the sense that they apply to remove the stack. However the adverse impact of the building will not be ameliorated until the applicant complies with the Enforcement Notice and alters the roofline so that it is hipped and not gabled. I cannot understand why Mr and Mrs Lowe have changed their minds with respect to the roof. Why have you allowed Mr and Mrs Lowe to change their minds about the roof? When this application was first tendered there was an intention to reduce the overall roof height by 1.1 metres. This would not have been ideal, as I have already indicated in my letter of 12th July, but it would have demonstrated that they were paying lip-service to the interests of the village. This would have made it a compromise worth considering.

I need not remind you that Mr Lowe's original letter of application stated that he would have preferred gabled roofs but had applied for hipped roofs which would be to the advantage of neighbours. Hipped roofs allow more light into the garden and rear areas of the property. It would seem that this concern for their neighbours has been forgotten. I hope the Council's consideration of this plan does not indicate complicity in this aspiration at the expense of neighbours, Mrs Patrick's Human Rights and, ultimately, of the Local Plan.

If you recommend that the members approve this plan I can only conclude that expediency has triumphed at the expense of the Local Plan and its principles to which you have dedicated so much of your career. This would be a sad day for local government to which I dedicated so much of my life, and in which I have always invested so much belief as a vehicle for democratic protection of the greater good.

Yours Faithfully

H. Wilson
(F.C.I.E.H.)

Mr A C Eales
Planning Services
Civic Centre
Cambridge
CA3 8QG.

01/05/10
45
CN
AGE

10 Forest Hill
Wetheral
Carlisle
Cumbria
CA4 8JZ

15 October 2001

Dear Mr Eales

Application 01/0512

Thank you for your recent communication with respect to this application.

I am surprised to find that the applicant is seeking to keep the excessively high roof which he has built. I had understood that there was a requirement on them to reduce the height of the roof. The reduction outlined in the original version of his application would surely have been preferable.

Yours sincerely

Jacqueline Pelham

MES J PELHAM.

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

15 Oct. 2001

Dear Sir

PLAN
REF 01/0512
20 17 2001
ACE

Planning Application 01/0512/

Variation of condition 2 attached to consent ref no:99/0379 to allow re-siting of house by 80cm and alteration to house design.

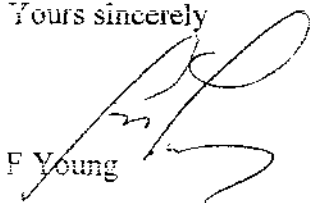
Land Adjacent To The Elms, Plains Road, Wetheral.

Thank you for the opportunity to view the revised planing application No. 01/0512. This appears to be an attempt to bypass the Council's recent refusal of retrospective planning permission for application No. 00/0913. This application is similar to previous applications which the Council refused. It must be of concern that despite refusal of planning permission this building has apparently been built spanning The Elms, no. 1 and no. 3 Greenacres

My objections previously expressed in December 2000, February 2001 and July 2001 remain, a copy of previous communications is already in your files.

I would hope the Council will resist attempts at piecemeal erosion of its previous decision.

Yours sincerely


F Young

MISS L WHITWORTH
Turner

59 Greenacres
Wetheral
CARLISLE
CUMBRIA
CA4 8LD

15TH October 2001

Dear Mr Eales,

PLANNING APPLICATION NO 01/0512

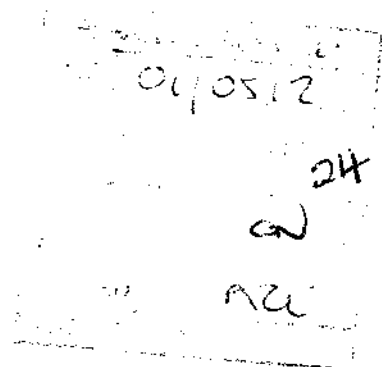
I am writing with regard to the above 'planning application'. We understand that the latest Plans submitted by Mr Lowe, offer to remove a section of the Building, but he wishes the height of the Roof to remain as it is.

Surely if he is to comply with the Council's Enforcement then the Roof should be lowered by 1.5 metres. If the Roof is left as it is then he would appear to not be complying to the Council's instructions, we therefore feel you should continue to refuse the application.

If he were to drop the Roof by 1.5 metres we feel it would make a big difference to the effect when you turn into Greenacres.

Yours Faithfully

L. Whitworth



R. H. & S. M. LOGAN

"Dunkeld"
Plains Road
Wetheral
Carlisle
CA4 8LA

01228 560254

17th October 2001

Dear Sir,

TOWN & COUNTRY PLANNING (APPEALS)

NOTIFICATION OF PLANNING PROPOSAL - AMENDED PLANS

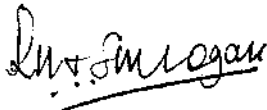
Your Ref: ACE/DE/01/0512 dated 4th October 2001

Proposal: Variation of condition 2 attached to ref. 99/0379
to allow re-siting of house by 80cm.
Location: L/Adj The Elms, Plains Rd, Wetheral, Carlisle.
Appn. No. 01/0512

In response to your letter dated 4th October 2001 regarding the amended plans in respect of the above property, we still contest the height of the building which is overwhelming to all surrounding properties.

As stated in our previous correspondence on the subject matter, we still consider the building to be offensive in appearance and in our opinion detrimental to the appearance of the village.

Yours faithfully



RH & SM LOGAN

Copy - Wetheral Parish Council

01/0512
391
can
ACE

REF 01/0502
MR A.C. Eades
Civic Centre
Carlisle.

176, GREENACRES,
WETHERAL.
CARLISLE.
16-10-01.

DEAR SIR,

I understand that the latest change in the plans for this development conforms with the council's desire to remove a section of the building. I assume that as it does not meet their instruction to lower the roof that you will continue to regard it as unacceptable.

01/0502	Yours
15	
AN	
ACE	

Elizabeth Carrick (ms)

ACKNOWLEDGED
19 OCT 2001

The Arches,
The Green, Wetheral
Carlisle.
Cumbria. CA4 8ET.

15th October 2001.

A.C.Eales.
Head of Planning Services,
Department of Environment & Development,
The Civic Centre,
Carlisle.
CA3 8QG.

(49)

PLANNING SERVICES	
REF	01/0512
18 OCT 2001	
RECORDED	MH
SCANNED	
PASSED TO	ACB
ACTION	

Dear Mr Eales

Re : Planning Application No's 99/0379, 01/0512 & 4761/8E
L/Adj The Elms Plains Rd, Wetheral Carlisle.

Having viewed the latest plans on file at your offices, I would object to the amended plans for the following reasons.

The height and bulk of the building has a harmful effect on neighbouring properties.

Specificly :

- 1/. The roof line has not been reduced.
- 2/. The wall of the garage adjacent to number 1 Greenacres should have been moved 80cm back towards The Elms.
- 3/. The north wall of the development appears to have been built on land belonging to number 3. Greenacres.
- 4/. The environment has suffered due to the removal of trees and hedges.

I would also like to point out that it has become very difficult to make out changes to the plans as there are no original plans to refer back to. My belief is that the building was to be put back to the original structure that was given planning approval in June 1999.

I would ask you to place this letter before the planning sub committee.

Yours sincerely,

I. Brierley.

4 Greenacres
Wetheral
Carlisle
CA4 8LD

17 October 2001

Your Ref: ACE/DC/01/0512

4

Mr A C Eales
Head of Planning Services
The Civic Centre
CARLISLE
CA3 8QG

PLANNING	REF ID
REF	01/0512
19 OCT 2001	
RE:	MM
BCA:	ACE
PAS:	
ACTION:	

Dear Sir

I write in response to your letter of 4 October regarding the latest move over the development of land adjacent to The Elms, Wetheral.

Basically, the building height, scale and disposition in relation to the site boundaries would still have a harmful effect on the amenities enjoyed by the neighbours contrary to Criterion 4 of Policy H5 and Criteria 1 and 2 of Policy H11 of the Carlisle District Plan, and contrary to Article 8 of the Human Rights Act 1998. I, therefore, believe that the proposal should be rejected.

Without prejudice to this view, I do welcome the belated acceptance by the developer that there may be something unacceptable about the project, with the offer to demolish the ground floor study and the first floor bedroom in the north eastern corner without increasing the height of the garage roof. But there is still no recognition of the particular offence caused by the height of the main roof. Maybe this is an issue which could be addressed, together with adequate screening with mature trees on the northern side. It is the over-bearing appearance from the entrance to Greenacres which has probably given rise to most of the objections from those not directly affected.

Yours faithfully

J. J. Pattinson

Mr J J Pattinson



Telephone: 01228 560457

The Shrubbery
Wetheral
Carlisle
Cumbria
CA4 8HD

Ref ACE/DC 01/0512.
Re The Glass Plains Ltd.

Dear Sirs
The removal of the
stack will ameliorate the situation,
however, I fail to understand why
he no longer indicates that he
intends to reduce the roof line
in accordance with planning
permissions, considering the site
and proximity to surrounding
houses.

Yours faithfully
M. Bentley

51

ACKNOWLEDGED
19 OCT 2001

PLANNING SERVICES	
REF	01/0512
19 OCT 2001	
RECORDED	MH
FORWARDED	
PASSED TO	ACE
ACTION	



D WRIGLEY
5 Elm Garth
Wetheral
Carlisle CA4 8LB
17 October 2001

Department of Environment & Development
Planning Services Division
Carlisle CA3 8QG

Your Ref: ACE/DC/01/0512

Dear Sir

PLAN	CEB
REF	01/0512
19 OCT 2001	
RECEIVED	MH.
SCANNED	
PASSED	ACE
ACTION	

35

NOTIFICATION OF PLANNING PROPOSAL - AMENDED PLANS

Proposal: Variation of condition 2 attached to consent ref.no: 99/0379 to allow resiting of house by 80 cm and alteration to house design.

Location: L/adj The Elms, Plains Road, Wetheral, Carlisle, Cumbria.

Appn. Ref: 01/0512/

In reply to your letter of the 4th October 2001, I wish to confirm my objections to the development of the a/n building bearing in mind the following particular issues, and I wish the comments previously made by my wife and myself to be given due consideration.

1. Any proposal outside the original site agreed by the Planning Committee should not be accepted. The building is entirely out of character with the local environment and in no way fits in with other bungalows and houses in the area.
2. There should be no deviation from the agreed plan in respect of boundary and roof heights. In all respects both of these should be strictly observed.
3. A copy of letter dated 5.2.2001 is attached. Paras. 1 to 4 inclusive are still applicable as part of this objection. Para. 5 would still apply if the boundary line at any point would be outside that originally agreed.
4. Your letter of the 16th March 2001 ref. ACE/DC/01/0060 advised that the Council's determination was to REFUSE variation, and I see no subsequent reason for the ~~decision~~ ^{Council} to accept any variation.
5. Your letter of 15.6.2001 ref: 00/0913 and 01/0060 advised that the Inspector at the Public Inquiry on 20.5. 2001 decided to adjourn the Inquiry in order for the applicant and the principal objector to try to resolve various matters. I have not been made aware of any agreement, and therefore repeat my strong objection.

PLEASE NOTE. You will observe that previous correspondence has been with both my wife and myself, but that this letter is only from me. This is not that Mrs Wrigley is not in agreement with this letter, but is a consequence of her death a few weeks ago.

Yours faithfully

D & AD WRIGLEY
5 Elm Garth
Wetheral
Carlisle CA4 8LB
5 February 2001

Department of Environment & Development
Planning Services Division
Civic Centre
Carlisle CA3 8QG

Your Ref: ACE/DC/01/0060

Dear Sir

Proposal: Variation of condition 2 attached to consent ref. no. 99/0379
to allow re-siting of house by 80 cm.

Location: L/Adj The Elms, Plains Road, Wetheral, Carlisle, Cumbria.
Appn. Ref: 01/0060/

In reply to your letter of the 26th January 2001 regarding the above proposal to allow re-siting of house by 80 cm, we wish to object on the following grounds:-

1. Your letter of the 18th December 2000 advised us that the earlier proposal had been refused by
REASON
"The revised siting 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 the 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."
This new proposal would not, in our opinion, in any way alter that reason for refusal. Unless this house is completed moved a long way from its present position it would still be out of character with the area and with the properties and amenities enjoyed by neighbouring properties.
2. Wetheral is designated as an area of outstanding natural beauty and any new buildings in the area should recognise this and not blight existing facilities and properties.
3. This current new building is far too large for the existing area and overlooks existing properties to their detriment. The erection of a single storey building would be more in keeping with those properties closest to it, i.e. those at 1, 3 and 5 Greenacres.
4. As a matter of added interest, as indicated in your letter of 5th October 2000, it is not surprising that the owner of No 3 Greenacres did not object to the proposals as this is the home of the applicant. The owner of No 1 Greenacres has taken up this matter with your Department, as you will be aware.
5. We question again whether the current application for revised siting is simply another attempt to have the existing (unauthorised) structure site accepted. Obviously this would be a contravention of the Planning Committee's own refusal and the Council's determination as per your letter of the 18th December 2000; and therefore unacceptable.

All in all we can see no reason to alter our objections. In fact, in view of Article 8 of the Human Rights Act, Paras. 1 & 2, we consider that our objections are even more enhanced; and especially when read alongside Part II of the First Protocol, Article 1, Protection of Property, which states inter alia "Every natural or legal person is entitled to peaceful enjoyment of his possessions."

We trust that our objections will be given due consideration.

Yours faithfully,

9 Finkle Street
Carlisle
Cumbria CA3 8UU

T: (01228) 538886
Fax: (01228) 810362
Email: thplan@globalnet.co.uk

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

TAYLOR & HARDY

43

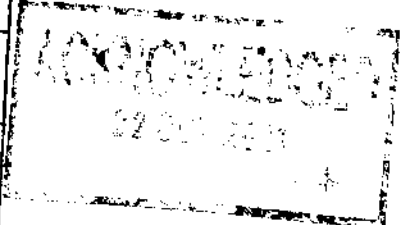
Chartered Town Planners

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	01/0512
22 OCT 2001	
RECORDED	MH
SCANNED	
PASSED TO	ACE
ACTION	

Your Ref : 01/0512



19th October, 2001

Dear Mr. Eales,

**PROPOSED VARIATION OF CONDITION 2 ATTACHED TO CONSENT
REFERENCE NO. 99/0379 TO ALLOW RESITING OF HOUSE BY 80 CM
LAND ADJACENT THE ELMS, PLAINS ROAD, WETHERAL**

Thank you for your letter dated 4th October, 2001 which you gave me when we met to discuss this matter on Monday, 8th October, 2001.

Firstly, my Clients are pleased to note the deletion of the study as well as the bedroom from the "stack" at the nearest point of the main building to No. 1 Greenacres.

In my discussions with Mr. Armstrong-Payne I said that the retention of the roof to the house "*may be acceptable to my Clients.*" This was put to him in correspondence in my letter of 20th June 2001, a copy of which I have provided earlier. As a matter of record you should be aware that that letter has never been responded to.

My Clients have given very careful consideration to the current proposal, and Mr. and Mrs. West have supplied you with their Red Books 16, 17 and 18 from which you will see the amount of detailed consideration that they have given to this matter.

Their starting point is Mr. Lowe's stated intention to design a building with hipped roofs "... so as to allow as much sun and daylight over the building into the rear areas and adjacent adjoining properties. *Overlooking has (sic) been avoided as far as possible. I believe the new dwelling will sit comfortably (sic) and quietly into its new context.*" This, of course, was Mr. Lowe's letter of 10th May 1999 in the context of the approved development.

The Council have clearly considered that the increasing height of the roof is unacceptable, since its reduction is part of the Council's formal Enforcement Notice.

My Clients are keen to see an end to this matter, but believe that the current roof proposal is still unacceptable. They believe that the roof construction as more recently suggested in the application that was to be considered in September, (ie Drawing 4761/8A) but which has now been amended, is the right solution. The illustrations provided in Red Book 17 clearly demonstrate the impact of the proposed roof and the benefits to the surrounding properties and to the character of the area by reducing it by the height of 1.1 m as was previously suggested. It is of course this reduction in height that was noted in your Committee Report of September to be acceptable to the Conservation Area Advisory Committee.

As I have previously stated, my Clients wish to see this matter concluded speedily. They would ask that this further alternative be explored, either before the Planning Committee due to take place on 2nd November, or that this possibility be discussed with your Members who might be minded to approve the application subject to this final revision.

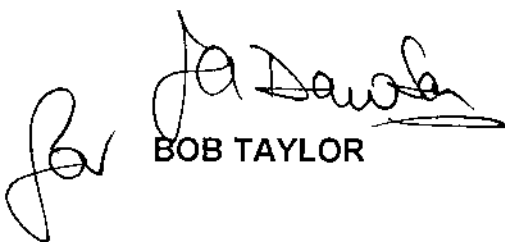
As also discussed, there are further matters that it would be helpful to clarify. Firstly, it would be sensible to ensure that this application was considered together with the landscaping proposals that the Council sought as part of the Enforcement Notice. We would like the opportunity to comment upon any proposals that are submitted.

It would be helpful to have an explicit assurance that should planning permission be granted for this amendment, then the outstanding Planning and Enforcement Appeals will be withdrawn.

It would also be helpful to establish the time-frame within which the amendments to the building can be expected to occur. As you will appreciate the Enforcement Notice required compliance within 16 weeks.

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,


BOB TAYLOR

St. Martins Cottage,
The Green,
Wetheral,
Carlisle.
Cumbria.

(27)

16th October 2001.

Mr. A.C.Eales,
Head of Planning Services,
Dept: of Environment & Development,
The Civic centre,
Carlisle,
CA3 8QG.

PLANNING SERVICES	
REF:	01/0512
22 OCT 2001	
RECEIVED	MH.
SCANNED	
PASSED	ACE
ACTION	

Proposal: Variation of condition 2 attached to consent ref.no:99/0379 to allow resiting of house by 80cm and alteration to house design.
Location: L/Adj The Elms, plains Road, Wetheral, Carlisle, Cumbria.
Appn Ref:01/0512.

Dear Sir.

I refer to the above proposal and as previously stated wish to object to the development of this building which is an eyesore from all viewpoints within the village.

The height of this building should be reduced significantly.

Extensive landscaping needs to be implemented so as to hide the bulk of this development as much as possible.

Please place this letter before the appropriate planning committee.

Yours faithfully,



SCHEDULE A: Applications with Recommendation

ITEM NO. 3

Date of Committee: 02/11/2001

APPN REF NO: 01/0570 / APPLICANT: Adam Jackson PARISH: Wetheral

DATE OF RECEIPT: 11/07/2001 AGENT: WARD: Wetheral

LOCATION: 10 Holme Close, Scotby Carlisle, Cumbria GRID REF: 343980 555720

PROPOSAL: Erection of kitchen extension, conservatory, W.C., utility room and 2no. bedrooms.

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 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:-

WETHERAL PARISH COUNCIL: No objection.

HIGHWAY AUTHORITY: No objection.

SUMMARY OF REPRESENTATIONS:-

This application has been advertised by way of a site notice

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0570 /

and three individual letters to the occupiers of neighbouring properties. Five letters of objection have been received and the issues raised are summarised as follows:

1. The proposal will result in a development which will be completely out of character and imbalance with the area;
2. The development will generate traffic problems, particularly with the movement of vehicles;
3. Due to the scale of the extension, numbers 9 and 10 Holme Close would only have a 5 foot gap, to the detriment of the spatial effect of the estate layout;
4. The design of the roof and front elevation will be unsatisfactory as they are out of scale with the existing dormer window;
5. There has already been a previous extension to the property and with the addition of the proposed extension, the length of the property will have doubled in size;
6. The house in its proposed form would never have been approved by the local planning authority;
7. There is already sufficient accommodation for the applicant's and their two small children. There is no need for this development;
8. The development may be used to accommodate the needs of the applicant's business;
9. Development has already begun with the insertion of two velux roof lights;
10. The proposed extension would be within 5 feet of the adjacent house at the nearest point and 9 feet from the bedroom window;
11. An extension could be accommodated to the rear with little effect on the adjoining properties and on the visual amenity;
12. The proposal would result in loss of daylight and sunlight, contrary to Policy H14 of the local plan.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

Planning permission was granted for the provision of an extra lounge and extension of bedroom and dining room on 17 December 1980, under application reference 80/1012.

DETAILS OF PROPOSAL

This application seeks full planning permission for the erection of additional extensions and alterations to number 10

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0570 /

Holme Close, Scotby.

The property is one of several similar properties located in a cul-de-sac. The properties are single storey in height and are set in substantial grounds.

The proposed development consists of the erection of a conservatory to the rear of the property. A dwarf wall would be constructed from brick to match the existing with a UPVC frame above. The structure would measure 5.5 metres in width at a distance of 3.8 metres from the dwelling. The height would vary between 4.3 metres to 4.4 metres. This is due to the ground sloping away from the property to the rear of the garden. Steps would also be constructed from the conservatory leading down into the garden.

A single storey flat roof garage exists on the western elevation. The application involves a 1 metre extension to the front of the garage and a 2 metre extension to the rear. The internal layout would then be altered to create a W.C. and utility room. The application then proposes to roof over this building with a mono pitch roof. The highest part of the roof would measure 4.3 metres from the ground to the point where it joins the main dwelling.

The rear of the property would be extended by 1.9 metres to a width of approximately 7 metres. The pitch roof which is proposed would tie in to the ridge of the main roof and due to the slope in ground level at this point, the distance from ground to the ridge would measure 8 metres. Two window openings would be installed in the gable which would overlook the rear garden area. The nearest part of this extension measures 5.4 metres from the boundary with the adjacent property, number 9 Holme Close.

The comments detailed in this report received from the consultees and the occupiers of neighbouring properties relate to a previous scheme which proposed to continue the existing roof over the single storey garage. Due to the scale and proximity of the proposal to the boundary of the adjacent property, number 9, Officers have negotiated an amended scheme. Many of the issues raised in the letters of objection are no longer relevant. All interested parties have been reconsulted but at the time of writing this report no further comments have been received. The consultation period is due to expire on 1 December. Any new issues raised will be addressed verbally at the Meeting.

Policy H14 of the local plan requires that extensions to dwellings should be appropriate to the dwelling, its design and setting. There is no objection to the principle of an extension on the site. In particular, the proposal to erect the conservatory to the rear and the extension to the kitchen area would be innocuous and appropriate to the dwelling. The scale accords closely with that of the existing building.

The scale of the extension to the rear is significant. The

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0570 /

steeply sloping pitch roof is reflective of the character of this property, and others in the cul-de-sac. This is illustrated through the photographs which have been attached to this report.

Policies H14 and H17 seek to protect residential amenity. The adjacent property, number 9, has a window in the gable at first floor level and because this property is built at an angle to number 10, it is possible to overlook the garden area. Clearly, the extension will be visible from this vantage point.

The nearest point of this extension would be approximately 11 metres from the window. Whilst the application site is located to the south of number 9, it is not considered that there would be any adverse loss of daylight to the occupiers of this property.

The extension of the garage would project this part of the dwelling by 1 metre in front of the existing front elevation. This would serve to break up a continuous front elevation.

It is not the role of the planning system to regulate how much bedroom accommodation is provided as part of this extension, provided that the development is appropriate in terms of planning policy. Furthermore, the issue of a business operating from the property, would be for investigation at a later stage should the matter arise.

In conclusion, the proposals which are being presented for consideration are large in scale and will have a noticeable impact on this site. On balance, however, the scale and the design of the extensions are appropriate and accord with current planning policy.

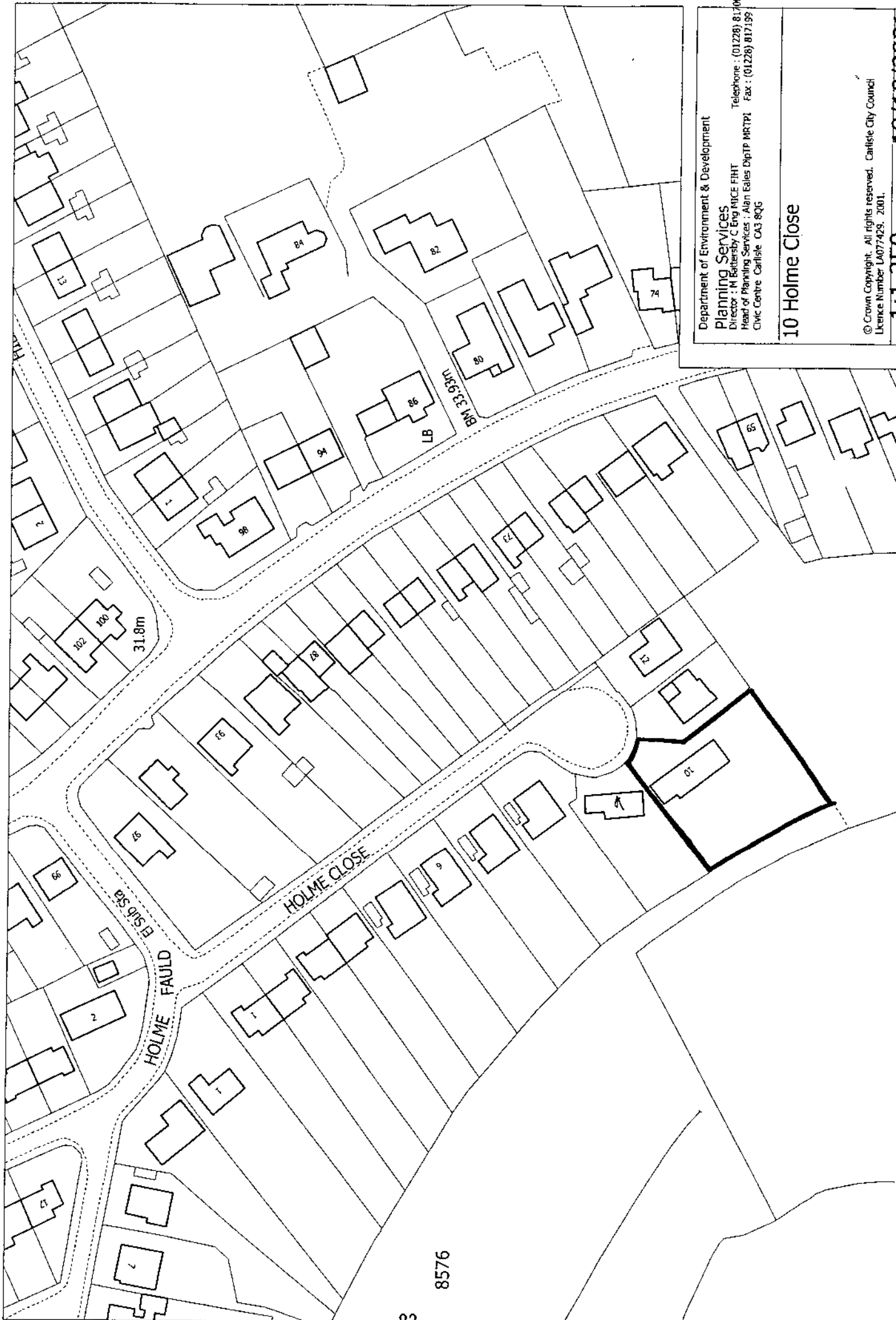
RECOMMENDATION:-

APPROVE WITH CONDITIONS ✓

1. Standard time limit
2. Materials to match existing

Supp Page 18-19
letters from neighbors

- 11.11.10
- House has already been extended
 - Speculative app
 - nothing personal
 - not opposed to good design level ext'n's.
 - proximity to other houses
 - scale of new extension is significant
 - refer to H14 + H17
 - ask for S.V.



Department of Environment & Development

Planning Services

Director : M. Battersby C. Eng MICE FRHT

Head of Planning Services : Alan Eales DipTP MRTPP

Civic Centre, Carlisle, CA3 8QG

Telephone : (01228) 817000

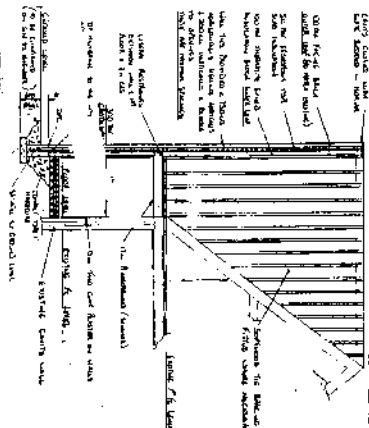
Fax : (01228) 817199

10 Holme Close

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 Licence Number LA07742S, 2001.

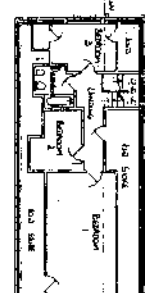
Roof Construction

200 top section to provide proper drainage & provide 1" level of finished roof. The finished roof shall be 1" level and shall be finished with 1/2" thick concrete. The roof shall be finished with 1/2" thick concrete. The roof shall be finished with 1/2" thick concrete.

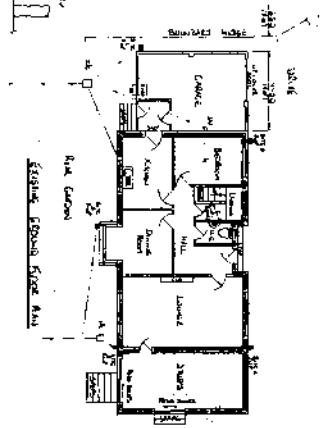


Floor Construction

1. 4" thick concrete on 4" thick sand. 2. 4" thick concrete on 4" thick sand. 3. 4" thick concrete on 4" thick sand. 4. 4" thick concrete on 4" thick sand. 5. 4" thick concrete on 4" thick sand.



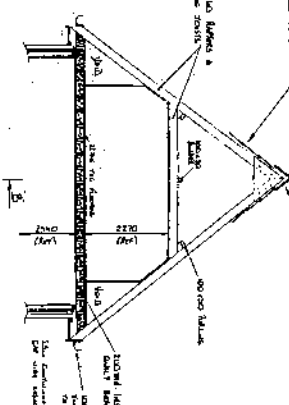
Existing First Floor Plan



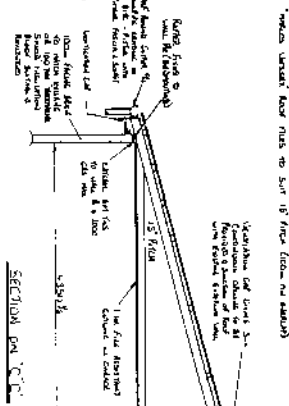
Proposed Ground Floor Plan

Roof Construction

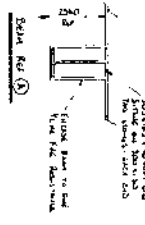
1 1/2" x 1 1/2" section to provide proper drainage & provide 1" level of finished roof. The finished roof shall be 1" level and shall be finished with 1/2" thick concrete. The roof shall be finished with 1/2" thick concrete.



Scale 1/8" = 1'-0"

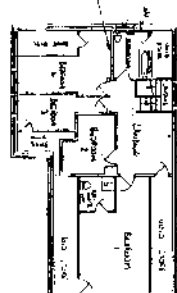


Scale 1/8" = 1'-0"

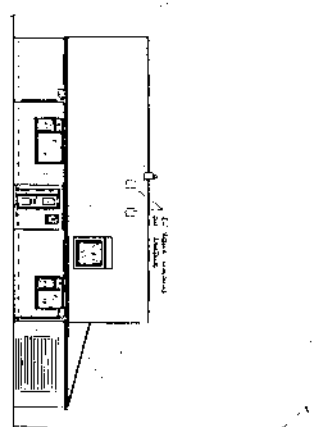


Scale 1/8" = 1'-0"

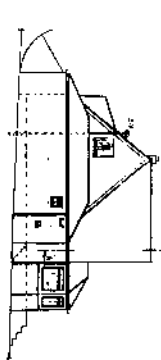
Standard Partitions 1/2" x 4" gypsum board on 2x4 studs. 1/2" x 4" gypsum board on 2x4 studs. 1/2" x 4" gypsum board on 2x4 studs. 1/2" x 4" gypsum board on 2x4 studs.



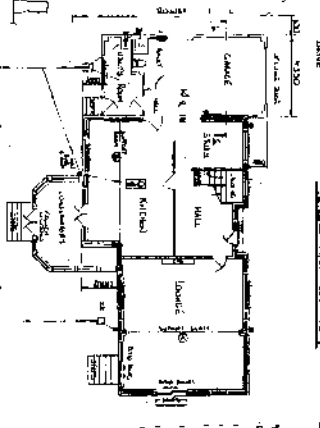
Proposed First Floor Plan



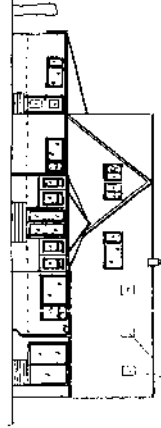
Existing Front Elevation



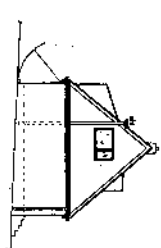
Proposed Front Elevation



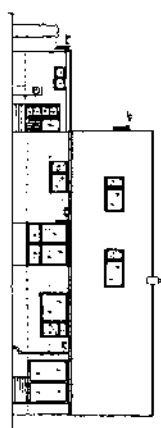
Existing Side Elevation



Proposed Side Elevation



Existing Rear Elevation



Proposed Rear Elevation

Scale 1/8" = 1'-0"
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 20010620

2001 / 0570







ALAN FRASER MA LMHTPI
SOLICITOR

ACKNOWLEDGED
17 SEP 2001

0110570
17 SEP 2001
RJM

9 HOLME CLOSE
SCOTBY
CARLISLE
CUMBRIA CA4 8BN

Tel: 01228 513480
Fax: 01228 513880

A M Taylor Esq
Chief Development Control Officer
Dept of Environment & Development
(Planning Services Division)
The Civic Centre
Carlisle CA3 8QG

Ref: RJM/DC/01/0570

15th September 2001

For the attention of Mr R J Maunsell

Dear Sir:

NOTIFICATION OF PLANNING PROPOSAL, AMENDED PLANS

Development at 10 Holme Close, Scotby

Thank you for your letter of 11th September 2001 informing me of the submission of revised plans. I called in the office at 1.45 pm yesterday, and the revised plans were not available for inspection. But in confirmation of my conversation with Mr Maunsell later in the afternoon, I understand that Mr Jackson has indicated that he intends to submit a further revised plan, and there is little point in attempting to comment on the present revision if it is to be superseded.

Obviously when the further amended plans are available, we need the time both to consider and to take advice on these before we submit our comments. It is clear that the matter cannot be determined by the Sub Committee at its meeting on 21st September. I have already indicated that I wished to speak at the meeting. Clearly it would be pointless attempting to do so until such time as one has actually seen and considered the revised plans, and I would therefore like your assurance that I will be able to speak at the next meeting of the Sub Committee (presumably in October) when the revised plans are before the Sub Committee for their consideration.

From what Mr Maunsell told me, I understand that the large dormer windows at the north end of the proposed extension to the first floor and roof have now been removed. But it would appear that the proposal is otherwise similar, and our strong objection in principle to the development remains.

As I mentioned to you I am in London on business next week, and away on holiday the following week. I therefore will not be able to let you have comments on the revised plans until some time after 1st October 2001, when hopefully I will have seen the plans in their further revised form.

Yours faithfully

Alan Fraser

9 HOLME CLOSE
SCOTBY
CARLISLE
CUMBRIA CA4 8BN

Tel: 01228 513480
Fax: 01228 513880

Mr A M Taylor
Chief Development Control Officer
Director of Environment & Development
(Planning Services Division)
Civic Centre
Carlisle CA3 8QG

RJM/DC/01/0570

18th October 2001

Dear Mr Taylor

Application No 01/0570
Development at 10 Holme Close Scotby

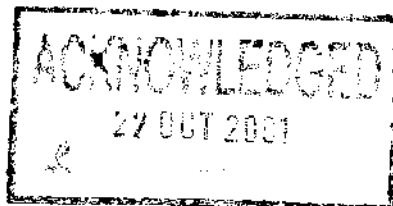
Further to my letter of 13th October 2001, and to my telephone conversation with Mr Maunsell this morning, I am enclosing my letter of objection to the current application (Revision G). It is understood that this is to be withdrawn, and therefore this objection will not need to be taken to Committee.

But I felt that it should be on the record that we did have a strong objection to that set of proposals.

It is understood, by both of us, that a major amendment to the scheme is in preparation. I look forward to hearing further when this is formally submitted so that we may have a further opportunity to submit comments when we have had a chance to consider the revised proposals.

Yours sincerely,

Alan France



①

PLANNING SERVICES	
REF	01/0570
27 OCT 2001	
FILED	MH.
PAID	PSH
ACTION	

9 HOLME CLOSE
SCOTBY
CARLISLE
CUMBRIA CA4 8BN

Tel: 01228 513480
Fax: 01228 513880

Mr A M Taylor
Chief Development Control Officer
Director of Environment & Development
(Planning Services Division)
Civic Centre
Carlisle CA3 8QG

RJM/DC/01/0570

18th October 2001

Dear Mr Taylor

Application No 01/0570
Development at 10 Holme Close Scotby

I am writing to thank you for your letter of 21st September 2001, informing me that consideration of the above application had been deferred, following the submission of a further amendment to the plan on the 19th September.

I have now had the opportunity to study the full size drawing, and have the following observations.

1. Mr Jackson suggests in his letter that his revised proposals "should be acceptable to all concerned" and that they "have no intention of upsetting our neighbours". But he has not spoken to anyone, and does not appear to understand what our objection is about.

2. It is true that the extension will be further away from the boundary. But what he does not say is that the north western wall, which faces my house, has been increased in length. The extension now advances in front of the present building line. This does upset the relationship between the 5 houses at the end of Holme Close, and particularly as between no 10 and its two neighbouring houses.

3. In the report to the Planning Committee, reference is made to Local Plan Policy H14. But in interpreting this, it is submitted that one should have in mind the Reasons/Explanations set out in paras 4.82 & 4.83, which refer to the case for proposing extensions rather than moving to a larger property. As the applicant moved here as recently as April 2001 from a house some 200 yards away **which he had already extended**, this is not presumably what this Policy has in mind.

4. The proposals are, it is suggested, **inappropriate**. They involve **poor design**. The style of roof, which is related to and proportionate to the original house, is less in keeping with the extended length of the building. If one was starting from scratch, the approach to the roof design would be quite different. This is made far worse by the

revised proposal which raises the height of the roof extension. The result, combined with the proposed dormer windows, is something that looks like an upturned beached boat, with a tail fin!

5. The dormer windows, at the extreme north western end of the roof, would detract even further from the appearance of the building.

6. The appearance of the roof has further suffered by the addition of the 'velux windows', which have already been installed and are not as shown on the plan. Whilst one is not looking for uniformity, no other houses around here have these sky-lights, and I suggest that it is not good design.

7. The revised plans do not deal at all with the objections set out fully in Mr Taylor's letter of 17th August 2001 and the letters of objection from Mrs Nelson, Mr and Mrs Smith and Mr and Mrs Whaley, that the proposal would obliterate the view between the properties of the trees in the medium- and back-grounds which contribute so much to the general street scene in Holme Close and Holme Fould. The space, at first floor level, is an important element in the visual character of this small estate.

8. I am not opposed in principle to extensions at no 10. But it is important that extensions should be sympathetic to the original building. Policy H14 says that extensions will be approved provided that the 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."

Mr Jackson's revised design would, I suggest, never have been approved at the original development stage. It is incongruous both in terms of the design of the original house, its relationship with the adjoining properties and the general street scene. Far from being an improvement, his revised plan is, if anything, worse. It is ridiculous for him to claim that it will be an "improvement to the neighbourhood". We believe that it would be perfectly possible to extend the property towards the south west. There is ample room to do this. It would be easy to design a scheme giving at least the additional floor space (at ground and first floor levels), in a far more convenient interior design, without any damage to the appearance of the building that the present revised proposals involve. If Mr Jackson wishes to extend the property, this would be a much more appropriate way of doing so, and would be much more in keeping with the original layout and design concept of the estate.

In the meantime, and in the belief that this revised plan meets none of the matters mentioned in the report to the Planning Committee at its meeting on 21 September, I would most strongly urge the Committee to refuse the present application.

Yours sincerely

Alan Jones

01/0570
1
RSN

9 HOLME CLOSE
SCOTBY
CARLISLE
CUMBRIA CA4 8BN

Tel: 01228 513480
Fax: 01228 513880

Mr A M Taylor
Chief Development Control Officer
Director of Environment & Development
(Planning Services Division)
Civic Centre
Carlisle CA3 8QG

RJM/DC/01/0570

13 October 2001

Dear Mr Taylor

Application No 01/0570
Development at 10 Holme Close Scotby

I am writing to thank you for your letter of 21st September 2001, informing me that consideration of the above application had been deferred, following the submission of a further amendment to the plan on the 19th September.

After careful study of the revised plans it would have been my intention to submit a further letter of objection, as the new plans did not seem to take any significant account of our objections, and in some respects the revised design was even worse than the original scheme.

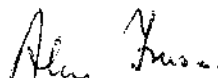
However Mrs Jackson came to see me yesterday, and told me that they were not now proceeding with that scheme (revision G), and were proposing to submit a revised plan extending to the rear of the property and retaining the garage in its present form, but with a slightly pitched roof.

I said that, in principle, this would appear to meet our main objections, but that obviously we would need to see and consider the revised plans.

The purpose of my writing however is to let you know that, in the circumstances I do not now propose to submit objections to the present scheme (Revision G) if that is now to be withdrawn or superseded by a further amendment. If however that application is to be considered by the Planning Committee, then I would still want the opportunity to submit a letter of objection.

Hopefully the further amendment will meet our concerns.

Yours sincerely



9 Finkle Street
Carlisle
Cumbria CA3 8UU

Tel: (01228) 538886
Fax: (01228) 810362
Email: thplan@globalnet.co.uk

TAYLOR & HARDY

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

Chartered Town Planners

Our Ref : RT/J/C01/091

Your Ref : RJM/DC/01/0570

Chief Development Control Officer,
Planning Services Division,
Department of Environment and
Development,
Carlisle City Council,
Civic Centre,
CARLISLE.
CA3 8QG

PLANNING SERVICES	
REF	01/0570
20 AUG 2001 5	
RECORDED	CW
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INDEXED	
RJM	

17th August 2001

For the attention of Mr. R.J. Maunsel

Dear Mr. Maunsel,

ERECTION OF AN EXTENSION TO DWELLING
10 HOLME CLOSE, SCOTBY.

I refer to our recent conversation concerning the above and am writing to confirm that we represent Mr. Alan Fraser of 9 Holme Close, Scotby who wishes to object to the above development. He has set out his own views in the accompanying letter. I have concentrated my assessment on the effect of the proposal on the character of the area and the individual property.

My Client is concerned about:

- the scale of the proposal;
- the effect upon the character of the property and the area;
- the impact of the proposal upon his residential amenity; and
- the impact of the proposal upon the levels of daylight and sunlight that he enjoys.

Policy H14 in the Carlisle District Local Plan is relevant and requires consideration of the effect of any proposal on the property itself, the character of the area and the effect upon the amenities of adjacent properties by, amongst other things, the loss of daylight and sunlight. I understand that in previous cases you have taken advice on the daylight aspect from your Council's Architects' Section. I would be grateful if you could let me know if you intend to do so in this case.

Mr Fraser and many of his neighbours have lived in Holme Close for a considerable period of time. In his case since 1973. In that time they have come to appreciate the subtle character of the area which derives from the original design intentions of the developer. The properties 8, 9, 10, 11 and 12

are spaced around a large turning circle. The houses are broadly similar in size. They occupy generous sized plots and have a spacious feel. The relationship between the built development and its natural surroundings can be readily appreciated. Longer distance views are available through the gaps at the sides of the properties. In architectural terms the houses have steeply pitched roofs with the end on gables being particularly distinctive. Dormer windows are small in scale and uniformly relate to the landing window.

10 Holme Close has already been extended once. The current proposal would virtually double its original size, close the gap between 9 and 10 and reduce the balance between the built and natural elements. All of these factors would be harmful to the character of the area.

The proposal would also detract from the appearance of the property itself. The proposed box like dormers read with the conservatory would take away from the characteristic steeply pitched gable.

The effect that this proposal would have on my client's amenities are described in his letter.

I consider that this proposal has an adverse effect upon the character of the area and the character of the property itself. It has an adverse effect upon my client's amenities. The current proposal is unsatisfactory. As my client's letter makes clear there are other potential locations for extending the property that would not have these harmful consequences.

If this application is to be considered at the next meeting on 21st September 2001, please take this letter as a formal notification of my Clients' intention to address the Committee.

Yours sincerely,



BOB TAYLOR

11 Holme Close
Scotby
CA4 8BN
1st August 2001

Dear Mr Maunsell

PLANNING PROPOSAL 10 HOLME CLOSE SCOTBY

Thank you for your letter of 30th July informing us of the above planning proposal. While we have no objections to some parts of the planning application, there are some features of the plan that are a cause for concern and we feel therefore that we would like to raise objection to those particular parts.

We have no objection to the erection of a kitchen extension and conservatory. Our concern is about the work planned to the front of the house. The original layout of this particular end of the estate was a very pleasing and symmetrical arrangement of similar sized, yet individually distinctive detached homes. In terms of land use and, in what I feel sure was the planners original vision, the result is a high quality environment which is aesthetically pleasing and spatially balanced.

The house in question has, in fact, already been extended to almost double its original length. We feel that the proposed further extension would result in such an imbalance as to negate the original planning intention. It would fundamentally alter the streetscape and as such would devalue the area as an amenity for all the residents.

In making these comments, we would ask that the Planning and Land Use Sub Committee recommend some modification to this planning application.

Yours sincerely

Carmen and Greg Smith

PLANNING SERVICES	
REF	01/0570
- 3 AUG 2001	
PLANNING	GN
SCOTBY	
PARTIAL	RTM
ACTION	-95-

01228 513484

7. Holme Close

Mr H Battersby
Director of Planning & Environment
 Civic Centre
 Colchester

Scotby
Colchester CA18 8BN

PLAN	
REF	
10 AUG 2001	
RECEIVED	
SCANNED	
ACTION	

ACKNOWLEDGED
10 AUG 2001
AMT B4

Dear Mr Battersby

Application Ref. 01/0577

prepared & issued at 7. Holme Close, Scotby.

I am writing to ask what is the position of the above planning application.

On Monday 6th August 01 a work force arrived at No 10 in the absence of the owner, and also the owners of the adjoining properties, Nos 9 & 11, with the intention of demolishing the garage. But for the action of another resident, who informed your department, the demolition of the garage would no doubt have gone ahead.

There would appear to have been some internal work already done but it is not known if this is work for which planning consent is sought.

If the present proposals are allowed to go ahead, a house would be created completely out of character with the area.

Thought should also be given to the traffic problems which would arise from the movement of materials along the cul-de-sac which is only 16 1/2 feet wide.

Yours Sincerely
-C.G. Whaley

9 HOLME CLOSE
SCOTBY
CARLISLE
CUMBRIA CA4 8BN

Mr M Battersby,
Director of Environment & Development
(Planning Services Division)
Civic Centre
Carlisle CA3 8QG

Ref: RJM/DC/01/0570

16th August 2001

Dear Mr Battersby

Application No: 01.0570
Development at 10, Holme Close, Scotby

I am writing formally to lodge an objection to the proposed development as contained in the above planning application. I know that my neighbours have made similar representations. I have the following comments. Taylor & Hardy are also writing on my behalf.

1. It is clear that the original layout and design of the 12 houses in Holme Close was carefully planned. In particular the houses 8, 9, 10, 11 and 12 are spaced round a large turning circle; they are of broadly similar size and are so located that, taking account of the garages which are at ground floor only, there is plenty of space between the houses. This, with the now well established trees and hedges, makes for a most pleasant environment with distant views through the gaps between the houses.

2. No 10 Holme Close was extended southwards about 15 years ago. Whilst the design of the house is rather less satisfactory, ie less well-proportioned, it has not spoilt the general prospect from the road or the other houses. However the proposed development will effectively add another 18 feet to the front of the house at first floor level, which means that, with the original extension, it will be approaching double its original frontage. The extension appears to be, at its closest point, about 5 feet from no 9, thus removing the gap between these houses which contributes so much to the spatial effects which I have described above. It would be quite out of scale with the other houses at this end of the Close.

3. One can be sure that the house, in its proposed form, would never have been approved by the local planning authority as part of the original estate lay-out.

4. I am very concerned as to the design of the extension. A roof of this type does not seem appropriate for a building of this length, particularly when it virtually adjoins the neighbouring house. It will look more like a row of shops, or a commercial building, than a dwelling house. The front elevation of the house will be most unsatisfactory. The design of the roof extension is particularly unfortunate, with the new large bedroom windows (totally out of scale with the existing dormer window for the landing) looking quite incongruous and ugly, as though the roof has sprouted two immense protuberances.

5. There also seems to be a discrepancy on the drawings. The apparent height of the dormer above existing roof reads at 2.00m at Section A - A and 2.70m on the side elevation. I should be grateful if you could ascertain which is the correct measurement.

6. It is not clear what is the need for this development. As far as I am aware, Mr and Mrs Jackson have two small children, and that is the extent of the family. They already have a lounge, and study, and four bedrooms. If the house was not big enough for their aspirations, then one questions their judgment in purchasing this house only 4 months ago. It seems a particularly retrograde step to be doing away with the garage at this time, whether or not they choose to use it as such. They already have two cars, and trades vehicles have been frequently parked overnight on the site. This could obviously lead to a later planning application, by Mr Jackson or by a subsequent purchaser of the property, to erect a new garage on the site. It is difficult to see where this could be accommodated. Again the garages are an integral part of the design of the 12 houses in Home Close.

7. The inclusion of a second lounge causes one to speculate (in the absence of any information as to the applicant's proposals) whether the real reason for the additional space is to accommodate the needs of his business at some point in the future.

8. Although the development is described on the plan as "proposed", it has already commenced. It appears that the lounge and study have been converted into one room, and two small windows (described on the plan as "velux windows") have already been inserted in the roof fronting the road, (but not on the same place as shown on the plan) which are quite out of character with the houses in the remainder of the Close, and already give a most unsatisfactory pock-marked effect to the front elevation.

9. As far as my own house (no 9) is concerned, the proposed extension approaches to within about 5 feet at its nearest point, and about 9 feet from the main bedroom window. It is no exaggeration to say that the view from the window (the best outlook from the house) will be completely spoilt. It is a most un-neighbourly development, which the applicant has not even thought fit to mention to the adjoining owners.

10. Extensions to give similar floor space could easily be accommodated at the rear of the property with little, if any effect, on the adjoining properties and on the visual amenity from the road and from other parts of the Close.

It is hoped that the Committee will take these representations most carefully into account. A site inspection might be beneficial so that the full implications of the proposal can be taken into account.

Yours sincerely,

Alan Fraser.

PLANNING SERVICES	
REF	
10 AUG 2001	
BY	BJ
FOR	
DATE	BJP
ACTION	

12 Holme Close
 Scotby
 Carlisle
 CA4 8BN
 06-Aug-01



RE: Application No. 01/0570

DEVELOPMENT AT 10 HOLME CLOSE SCOTBY

Mr R J Manusell
 Dept. of Environment & Development
 Civic Centre
 Carlisle
 CA3 8QG

Dear Mr. Manusell,

I am writing to formally lodge an objection to the proposed development as contained in the above planning application. The houses 8, 9, 10, 11 and 12 are spaced round a large turning circle with plenty of space between the houses making a pleasant environment with established trees, hedges and distant views beyond the houses. The proposed development will effectively add another 18 feet to the front of the house at first floor level, which will bring it to within 5 feet from No.9, thus removing the gap between our houses which contributes so much to the spatial effect which I have described above. This development would be quite out of scale with the other houses at this end of the Close.

I am concerned as to the design of this extension. Although the proposal may not look so objectionable on a plan, a site visit would enable the members of the committee to see and fully appreciate the proposal's full potential impact upon our homes in this cul-de-sac. The roof proposed does not seem appropriate for a building of this length, particularly when it virtually adjoins the neighbouring house, it will look more like a commercial building than a dwelling house. The front elevation of the house will be most unsatisfactory, the design of the roof extension with the new bedroom windows being totally out of scale with the existing dormer window for the landing.

Although the development is described on the plans as "proposed", it has already commenced with two velux windows already installed and demolition men working on the garage today (Aug 6th 2001).

No.10 is already a large house and any extension along the front elevation will be totally out of character with the rest of the properties in the cul-de-sac. The house in it's proposed form would never have been approved by the local planning authority as part of the original estate layout.

August 7, 2001

I hope that the committee will take these representations carefully into account and would undertake a site inspection, to see for themselves just what the full impact of such proposals would be on this area of Scotby.

Yours Sincerely,

PJ Nelson

Mrs J Nelson

SCHEDULE A: Applications with Recommendation

ITEM NO. 4

Date of Committee: 02/11/200

APPN REF NO: 01/0573 /	APPLICANT: Miss J & Miss C Tranter	PARISH: Hayton
DATE OF RECEIPT: 05/07/2001	AGENT: Edwin Thompson	WARD: Hayton
LOCATION: L/Adj Hayton Gardens, Hayton, Carlisle Cumbria		GRID REF: 351150 557860

PROPOSAL: Residential development (outline)

AMENDMENT: i) revised layout plan detailing means of access, foul and surface water drainage received 26th July 2001.

ii) revised layout plan received 18th September 2001.

Angus

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 2

The County's scenic beauty, natural resources and the quality of its built environment will be protected from inappropriate development, especially those areas and features of international or national conservation importance where harmful development will not be permitted.

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 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

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0573 /

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 14

Development will not normally be permitted which would result in an unacceptable reduction in the separation of towns and their surrounding settlements.

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 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 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

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0573 /

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.

SUMMARY OF CONSULTATION RESPONSES:-

PARISH COUNCIL: In relation to the originally submitted details the Parish Council felt that the following issues needed to be taken into consideration:

- 1) Potentially access is on to a very narrow road where there are in any case already many parked cars because the existing cottages have no garage facilities;
- 2) Access to this site would not exist at all but for the new access road which is to be built to provide access to the barn conversions and the new Stonehouse Farm development which in itself is controversial and as yet has not been granted formal planning permission. Does this mean that the proposal is actually contingent upon the Stonehouse Farm development being granted permission?;
- 3) There is great disquiet about the Stonehouse Farm development having been the thin end of the wedge of development in this part of the village and Councillors who were in support of the Stonehouse Farm development would not have supported it had they realised it would be opening the flood gates for more and more of the same;
- 4) the conversion of existing farm buildings to produce some 13 dwellings, plus the Stonehouse Farm development of 5 detached dwellings and then this new application for a further

SCHEDULE A: Applications with Recommendation

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6 dwellings could potentially lead to upwards of 30 vehicles using this very small access lane on a daily basis;

5) There must be concern about drainage and how sewerage systems will cope with the cumulative effects of this increased burden on services;

6) Inevitably this part of the village would be changed for all time and yet again the houses being proposed are not the type that a young family in the village would be able to afford nor is there any suggestion of low-cost starter homes or housing for rent either for the young or elderly of the village. The development seems to be profit driven and by its cost and exclusivity will be out of the reach of the very people whose village it is.

The Parish Council also endorsed the views of those members of the village whose lives will be most immediately affected, and the consensus of opinion being that they are clearly not in favour of this proposed development.

In respect of the amended plans the Parish Council is of the opinion that the new entrance onto the existing lane could, if anything, be even more dangerous than the proposal as originally conceived.

The proposed foul sewer system links into the Stonehouse Farm development which as yet does not exist. This reinforces the interdependency of the one development upon the other and and it is again reiterated that Councillors would not have supported the initial Stonehouse Farm development had they realised it would lead on to additional phases.

In regard to the most recent amended plans, having studied the proposed changes to the sewerage system, Councillor and other interested residents do not consider that this has any overall bearing on their objections to the proposal as a whole.

Whilst the amendment deals with the issue of the drainage and sewerage disposal independently prior to linking to the as yet to be constructed Stonehouse development this - whilst being essential to the scheme - does not change the fundamental objection to the development taking place at all and it is the escalation of the development that the Parish Council in representing local residents, is seeking to address.

Again, we wish to reiterate the point that Councillors would not have supported the initial Stonehouse Farm development had they realised it would lead to additional phases. Therefore, the Council stands by its original observations on this development.

HIGHWAYS AUTHORITY: The proposed development will involve the construction of a link to connect to the existing driveway to Stonehouse Farm. The previous proposal for the erection of five dwellings along this private driveway required the upgrading of the access onto the adopted highway together with

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0573 /

a 70 metre visibility splay and the provision of a footway to connect the development with the village of Hayton.

Whilst there is no wish to raise any highway objections to this current proposal, it is recommended that highway requirements are complied with prior to the commencement of development.

HEAD OF DESIGN (Drainage): In relation to the originally submitted plans the comments were as follows:

a) Foul Drainage

A property in Hayton village downstream of the proposed development has a history of internal flooding. Interim measures have been undertaken recently, funded by United Utilities (formerly North West Water) to reduce the risk of future flooding. United Utilities are therefore aware of the problem and the need to provide a permanent solution. However, no timescale of implementation is currently available. Until such time as a permanent solution is implemented this property will remain at risk.

The current proposal to increase the number of properties served by the public sewer network will add to this risk. The development may therefore be considered premature until such time as adequate sewerage infrastructure is made available. The views of United Utilities on possible timescales for implementation of a permanent solution may override this consideration.

b) Surface water drainage

The capacity of the existing watercourse to accept surface water run off should be determined together with the suitability of existing ground conditions to allow the use of soakaways.

With regard to the most recent plans the concerns expressed previously regarding capacity of the downstream foul and surface water drainage systems appear to have been addressed by the use of the on site treatment plant and hydrobrake respectively. Provided that these are installed as shown there is no wish to make any further comments regarding this application.

ENVIRONMENT AGENCY: No objection to the proposed development providing any approval includes a relevant condition concerning the submission and approval of a scheme for the disposal of foul and surface waters. The Agency has no knowledge of flooding in this vicinity.

In relation to the revised proposal no objections raised but recommend the attachment of informative notes to any decision notice.

FRIENDS OF THE LAKE DISTRICT (Council for the Protection of Rural England: It is contended that the proposal would be

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0573 /

contrary to the terms of PPG3 "Housing", and would add to the over-provision of housing supply in the District up until the end of the Plan period 2006. There is no evidence of housing need over and above the existing housing supply. The development would also cause harm to the visual amenities, setting and character of Hayton village and the surrounding countryside.

The development would undermine the Plan, Monitor and Manage approach established by PPG3 (March 2000), and would be contrary to existing Policies E8 and H5 of the Local Plan and Policies 1, 2, 4, 13, 14 and 40 of the Joint Structure Plan. For these reasons it is considered that there are sufficient planning reasons to recommend refusal accordingly. (A copy of the detailed letter received is attached to this report).

UNITED UTILITIES: A separate metered supply will be required at the developers expense to each of the dwellings and all internal pipework must comply with current Water Supply (Water Fittings) regulations 1999. The water mains will need extending to serve development on this site. The developer, who may be required to pay a capital contribution, will need to sign an Agreement under Section 41, 42 and 43 of the Water Industry Act 1991.

It should also be noted that a public sewer passes under the site and therefore will need to be diverted or protected at the developers expense.

SUMMARY OF REPRESENTATIONS:-

Publicity for this application has been in the form of a site notice and the direct notification of the occupiers of 12 neighbouring properties.

In response, to the original and amended plans a total of 13 letters of objection have been received at the time of writing the report. The issues raised relate to:

- access for the development site should only be via the proposed new road and that none of the properties should be constructed or subsequently serviced in any way by the existing private lane ie the new road must be constructed and the site boundaries closed before construction commences and remain closed after completion;
- the new road through the woodland was originally intended to serve the planned converted barns at Stonehouse Farm which has permission for 13 units. The outline permission for 5 properties in the wood has already added to the potential traffic on the road and it is queried whether a further 6 units will overload the already dangerous junction at the Reading Room. Had the original proposal been for 24 units would the highway arrangements have been considered satisfactory? Should some of the traffic be obliged to use the existing access to Stonehouse Farm further towards Townhead?

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0573 /

- Has any study been undertaken of the capacity of this junction? The Reading Room is frequently used for Brownies, Mother and Toddlers etc and at such times the car parking and movement of children around the junction is already dangerous. Further traffic movement will increase that danger and requires careful consideration.
- There are concerns about the capacity of the existing foul water drainage from the site based on the allegation that the existing foul drainage system for Hayton is hydraulically overloaded. If permission was granted on this basis the Council would bear a heavy responsibility if there are any further flooding or health problems arising from this project.
- There have also been problems associated with surface water drainage which in approximately 1982 led to a flash flood washing away a bridge at Orchard Bank on the road to Lane End. The adopted road between Greenriggs and White House frequently floods in heavy rain. The run off from this new development will exacerbate this problem unless there is adequate surface water drainage away from the site.
- There are already enormous difficulties with parking in the village during the school terms. Parents are asked by the School not to turn around at the bottom of the hill, but to drive on right out of the village before turning their vehicles. Many of these vehicles presently use the small turning opposite the Reading Rooms as a turning point. Imagine the potential for disaster if this becomes first a building site, and then a comparatively large residential area.
- Concern over the capacity of the school to accommodate children from a possible 24 families? The School is currently full in the infant classes, and this is the situation for the foreseeable future. It would be a shame to attract families to the village, only for them to find that children of school age would have to be educated outside the area.
- Permission previously refused for residential development in 1975. What has changed?
- In 1980 a Townhead Appraisal Plan was prepared and approved laying down the limit of development of Hayton. These proposals being incorporated in the Carlisle District Local Plan. The current proposal is outside this limit of development and is therefore contrary to the Local Plan.
- Planning approval already exists for 13 residential units to be created in existing buildings at Stonehouse Farm and further 5 dwellings on adjoining land, why should any further be required as these have not yet been developed.
- Understood that there was to be no more development in this

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0573 /

part of Hayton because it would make the mains water pressure even worse than it is at present.

- The lane where the access road is, at best, is not maintained to any high standard by the highway (authority), with the added amount of extra traffic the development will cause it is felt that the lane will not be able to withstand the extra vehicles.
- Like some assurance that the present rear access to the proposed development is not used by any developers to start work if access road is not put into place for the current 5 house development on Stonehouse Farm land.
- The proposal will have a considerable effect upon the existing peaceful amenity of the area if this development should be allowed.
- Aware that some years ago the site was used for dumping building waste, of which some contained asbestos. Added to this glass bottles from a closed brewery where buried in the ground.
- If permission is given, what is to stop the whole site along the access road from being developed.
- Feel that both the Parish Council and local residents have been deceived by the piecemeal approach of the recent planning applications regarding both Stone House Farm and Hayton Gardens.

The Ward Councillor has also reiterated the aforementioned concerns raised by his constituents - see attached copy of letter.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

In 1972 and 1973, under application reference numbers BA7542 and BA7541, planning permission was given for improvements and alterations to existing dwellings.

In 1975, application number 75/1275, permission was refused for the erection of a dwelling.

In 1977, application number 77/0431, permission was given for the conversion of existing buildings to a dwelling.

Permission has subsequently been granted in 1985 and 1991 (application numbers 85/011 and 91/0567) to further alterations and extensions to the existing dwellings.

In 1991 and 1996, under application numbers 90/1246 and 96/0031, planning permission was given for the conversion of a range of outbuildings into 13 dwellings at Stonehouse Farm.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0573 /

Members will also recall that last year, under application number 00/0846, authority was given to issue an outline approval for the erection of five detached dwellings on parkland land adjoining the former driveway which led to Hayton House/Stonehouse Farm.

DETAILS OF PROPOSAL

The application site lies to the immediate west of Stonehouse Farm. It was originally the garden of the Hayton House estate. In the 1950's Hayton House was demolished with the garden becoming a nursery. The land is currently not in use and in an overgrown state. The site is bounded by development on the northern side in the form of the properties known as Hayton Gardens and Bothy Cottage. To the west and east are Stone House Farm and the White House. The land lying to the immediate south is subject to application number 00/0846. Vehicular access to the site is currently achieved via the lane serving Bothy Cottage and Hayton Gardens.

The amended layout plan received on the 18th September shows the erection of six detached dwellings with vehicular access achieved by the construction of a link to the upgraded road which will serve the houses to be formed and erected under application numbers 96/0031 and 00/0846. The proposed link is across land which is to be subject to the Section 106 Agreement associated with application number 00/0846 upon and under which no development is to take place.

The intention would be for improvements to be carried out at the re-aligned access and junction with the main village road. Unit 6 would be served by its own septic tank with the remaining units connected to a foul treatment plant until such time as the Hayton public sewers were able to accommodate the additional discharge. The surface water would collect in a "hydrobrake" before flowing to an existing watercourse.

The application is accompanied by correspondence from the agents stating, amongst other things, that:

- The application site will in due course be enclosed on all sides by residential properties and, as such, lends itself to residential development.
- The proposal is to create a quality development of six dwellings arranged around a courtyard. The design would reproduce existing vernacular features from within the village and, in more particular, from the adjacent farm steading at Stonehouse.
- The site is enclosed to the south by the original walled garden which it is intended to retain and incorporate into the design. The boundaries of the remainder of the site are a mixture of hedges and fences which will be incorporated into any subsequent landscaping scheme.
- The use of the proposed access enables the development to be

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0573 /

connected to the public sewer linking Townhead to Hayton and thus avoids placing an additional load on the sewerage branch serving the northern section of the village. Surface water drainage would be to a separate system disposing to a combination of soakaways and a nearby watercourse.

- The road junction with the Hayton to Townhead road will be upgraded in line with the details submitted as part of application reference number 00/0846 i.e. the visibility splays will be 2.4 metres x 70 metres in each direction. To achieve this in an easterly direction requires the re-alignment of the existing stone boundary wall. Th wall would be set back outside the visibility splay and re-built using the salvaged stone from the existing structure. Associated with the re-building works the various areas of scrub overhanging the wall would be cut back and a grass verge formed on the roadside.
- The surface water drainage system would be a combination of soakaways and a link with an existing water course. The connection to the water course would be in accordance with the Environment Agency design criteria and the level of discharge would be controlled so as not to exceed the capacity which the receiving water course could accommodate without causing flooding either at the discharge point or down stream. Depending upon the requirements for temporary storage over and above oversized pipes a hydro-brake would be installed into the drainage system. This would provide a reservoir facility whereby the storm waters would be held and released gradually to the water course as the storm water subsided.

On the basis of the policies of the Development Plan and the issues raised by interested parties it is felt that the relevant issues are either to do with the principle of development and/or technical and design details of the scheme albeit in outline, in terms of such matters as scale, highway safety, foul and surface water drainage etc.

In terms of the principle, it is felt the following points need to be kept in mind:

- a) In response to the comments from the Friends of the Lake District (FLD). Members will need to be aware that the assumption all dwellings with permission will be built by 2006 is not correct. Approximately 5% of permissions expire whilst others are started but take a long time to be completed and/or are subject to revisions. For example, it is becoming increasingly likely that RAF 14MU site 4 and Ladyseat sites will be completed in the plan period. The annual average build rate of 389 dwelling per year over the last 10 years if maintained will result in a total of only 5835 dwellings during the plan period. In effect, any oversupply will not be as great as indicated by FLD and it is considered reasonable to ensure an adequate supply of new dwellings are provided whilst new

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0573 /

allocations or changes to housing policies are undertaken through a review of the Local Plan.

- b) The review of the Local Plan will commence next year when all policies will be subject of review not just housing policies, to ensure the long-term strategy for Carlisle District is right. The review suggested by FLD of greenfield allocations for Carlisle has specific implications for Morton which is the subject of a call-in by the Secretary of State where PPG3 "Housing" will be taken into account.
- c) In considering the definition of previously developed land in Annex C of PPG3, it could be argued that the property's previous use as a garden nursery falls within the definition of a brownfield site. This aside, and in specific relation to paragraphs 35 and 36 of PPG3, whilst no allowance should be made for greenfield windfall sites, PPG3 does not stop greenfield development. The Panel's Report into draft Regional Planning Guidance confirms that a lower rate of brownfield development is anticipated in Cumbria and the development rate will be less than the 60% average national target. This means that at least 40% will be greenfield housing and it is reasonable to assume some of these will be in rural areas. Paragraph 69 of PPG3 also recognises that in rural areas most proposals for additional housing will involve infill development or peripheral expansion.
- d) On the basis of the decision concerning application number 00/0846, it is readily apparent that the application site is wholly surrounded by existing development or by development that is likely to take place in the near future.

When considering matters of detail the following should be kept in mind:

- a) The County Highways Authority have not raised any objections to the proposal. The implementation of the improvements to the junction and the closure of the existing access can be covered by the imposition of appropriate conditions.
- b) The Head of Design and United Utilities have not raised any objections to the revised drainage arrangements.
- c) At this outline stage the precise design of the dwellings, if permission was to be granted, has yet to be clarified. It is therefore considered difficult to argue that the six dwellings in themselves would be detrimental to the amenities of neighbouring residents. At a time when the nature of the dwellings has yet to be resolved and it is unclear when, if approved, they would be built it is also considered difficult to sustain an objection on the basis of the pressures

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0573 /

generated on the local school.

The remaining issues involving the alleged tipping of waste and need to clear it up and the need to clear the site of existing structures can also be subject of conditions.

NB On this basis, the proposal is recommended for approval subject to the completion of a Section 106 Agreement concerning connection to Hayton public sewers once the necessary improvements have been carried out.

RECOMMENDATION:-

✓ APPROVE WITH CONDITIONS

1. Standard time limits - outline

2. Before any development is commenced, there shall be submitted to and approved by the local planning authority:-

(i) A fully detailed layout plan of the site showing: the means of access; improvements to adoptable standards of the existing adopted highway from the proposed estate road junction to the main Hayton village road; a shared drive which for its adoptable length shall be a minimum width of 4.8 metres; the individual plots; and, the siting of each dwelling within each plot.

ii) Details of the design and external appearance of each dwelling and associated garage(s).

iii) A detailed Site Development Brief for the proposed future development, which shall be prepared in consultation with Officers of the Carlisle City Council and shall set out the aims, objectives and required standards of development to be obtained and the proposed measures for the successful implementation of the development and subsequent future maintenance of the landscaped areas of the site.

v) Details of the proposed means of foul and surface water drainage.

3. The shared driveway shall be designed, constructed, drained and lit to a standard suitable for adoption and in this respect further details, including longitudinal/cross sections, shall be submitted to the local planning authority for approval before any work commences on site. No work shall be commenced until a full specification has been approved. These details shall be in accordance with the standards laid down in the current Cumbria Design Guide.

4. No development shall commence until visibility splays providing clear visibility of 70 metres x 2.4 metres x 70 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

issued by Geog? see by HMA

P152 →

Supp pages 20-21
Plan

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0573 /

the visibility splay which obstruct the visibility splays.

5. This permission relates to the erection of six dwellings, the construction of which needs to be undertaken in a co-ordinated manner. As such the highway improvement works to the site access, the creation of a shared drive, and, foul and surface water drainage shall be carried out according to the following phasing:
 - i) The site access to serve each plot shall be completed, and, the carriageway at least made up to base course level, prior to the completion of any unit on the site in accordance with the details to be submitted to and approved by the local planning authority.
 - ii) Immediately following completion (by the plastering out) of the final unit the highway works shall be completed to adoptable standards.
 - iii) No dwelling shall be occupied until its means of foul and surface water drainage have been completed in accordance with the details to be submitted to and approved by the local planning authority.
6. The detailed plans of the development shall incorporate the provision and retention within the curtilage of each dwelling for a garage or space for a garage or a parking space and such a facility shall be constructed and made available concurrently with the development.
7. Before the commencement of development the existing vehicular access shall be permanently closed and the boundary reinstated in accordance with details which have been submitted to and approved beforehand by the local planning authority.
8. Parking during construction works
9. Hard surface details
10. Materials - submission of samples
11. Sub. of landscape scheme inc exstg trees
12. Scheme to be implemented and maintained
13. Details of screen fencing/walling
14. Before any dwelling is occupied adequate underground ducts shall be installed by the developers, in accordance with details to be submitted and approved beforehand by the local planning authority, to enable telephone services, electricity services and communal television services to be connected to any premises within the application site, without recourse to the erection of distribution poles and overhead lines, and in providing such ducts the developers shall co-ordinate the provision of such services with the respective undertakers; notwithstanding the provisions of Article 3(1) and the Schedule 2 Part 17 Class G (B) of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), no distribution pole or overhead lines within the area shall be erected, save with the express consent of the local planning authority.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0573 /

15. Manhole covers to be satisfactory
16. Details of the relative heights of the existing and proposed ground levels and the height of the proposed finished floor levels of the dwellings and garages shall be submitted to and approved in writing by the local planning authority before any site works commence.
17. No development shall commence until the site subject of the proposal has been subjected to a detailed scheme for the investigation and recording of contamination and its potential to pollute the environment and a subsequent report submitted to and approved by the local planning authority.
18. No development shall be commenced until detailed proposals to prevent pollution of groundwater and surface waters in line with current best practice for the contaminant monitoring protocols, remediation of such contamination and the confirmatory testing have been submitted to and approved by the local planning authority.
19. For each part of the development contamination remediation proposals relevant to that part (or any part that would be affected by the development) shall be fully carried out during such development as appropriate.
20. The existing structures within the application site shall be demolished and trace of their existence removed prior to the commencement of development.

Mr. Mitchell

- Utility system unable to attend.
- Soil views still in isolation - refers to 2 other approval given, total of 24 days
- refer to traffic movements at junction of increased congestion that will occur.
- traffic survey done during school holidays
- implications for Hayton School + non Howard

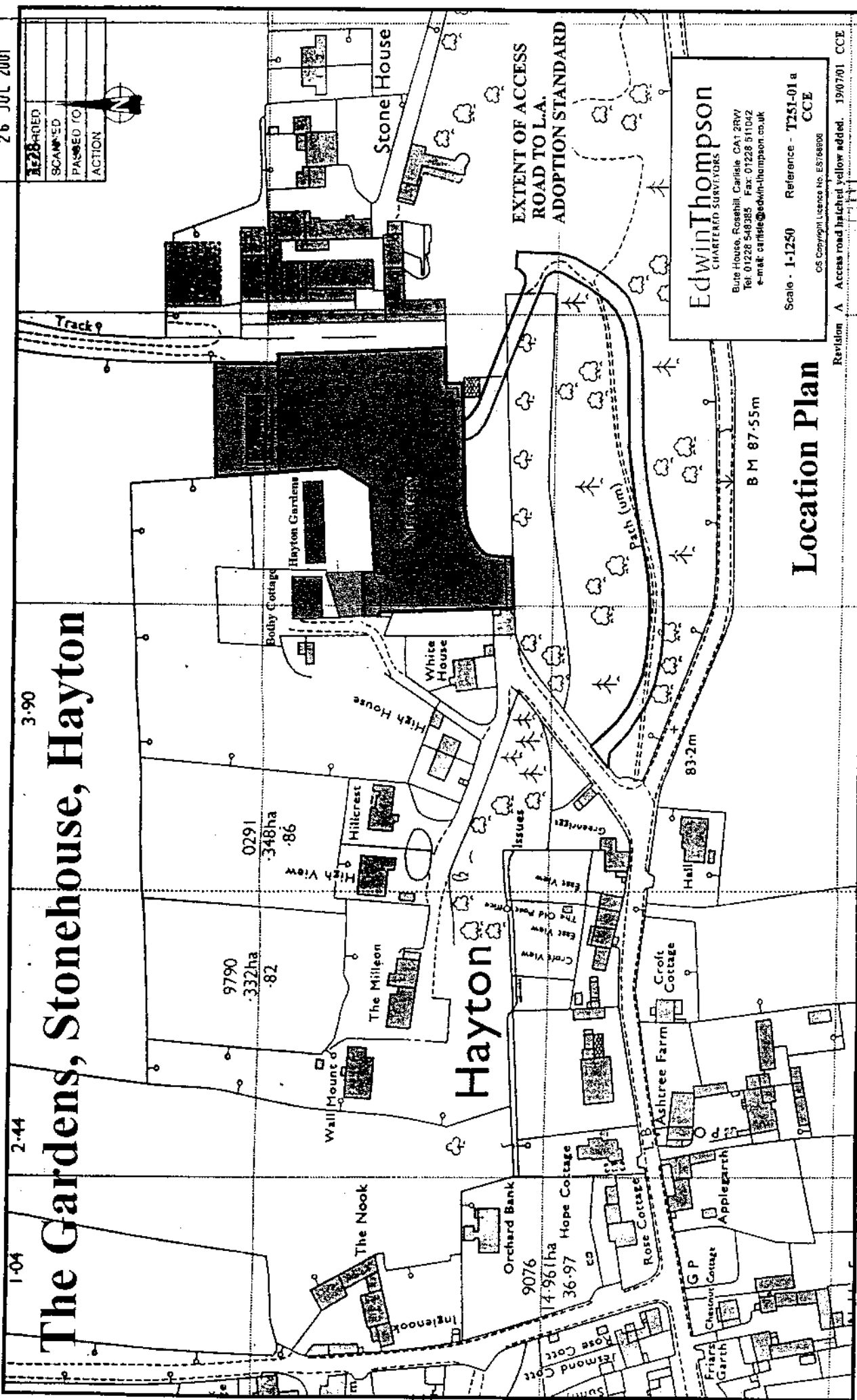
Mr. Anderson

- Supports Mr. Mitchell
- lived in village for 25 years
- road is hazardous

Dr. Bell

- not necessary
- school must guard
- shall not walk
- this approval reduces kids by car

PLANNING SERVICES	
REF	26 JUL 2001
2E2B-00ED	
SCANNED	
PASSED TO	
ACTION	



EdwinThompson
 CHARTERED SURVIVORS
 Bute House, Rosehill, Carlisle, CA1 2RW
 Tel: 01228 540385 Fax: 01228 511042
 e-mail: carlisle@edwin-thompson.co.uk

Scale - 1:1250 Reference - T251-01 a
 CCE
 OS Copyright Licence No. E5766808

Location Plan

B M 87.55m

Revision A Access road hatched yellow added. 19/07/01 CCE

The Gardens, Stonehouse, Hayton

1-04

2-44

3-90

9790
332ha
'82

0291
348ha
'86

Hayton

2001/0577

**CARLISLE
CITY COUNCIL**



Mr. Alan Taylor,
Chief Development Control Officer
Planning Department,
Carlisle City Council.

PLANNING SERVICES	
REF	01/0573
20 SEP 2001	
RECORDED	al
SCANNED	
PASSED TO	ARY
ACTION	SADP

18th September, 2001

From Councillor:
William Graham
16 Cairn Crescent
Corby Hill
Carlisle
CA4 8QH
Telephone: 01228 561513

City Councillor for:
Hayton Ward

01/0573 SCHEDULE A PAGE 46 ITEM 3
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Dear Mr. Taylor,

Application No. 01/0573

I have been contacted by a number of constituents who have expressed concerns about the above proposed development. They have asked me to bring their comments to the attention of the Planning Committee.

The following matters have been raised:

1. There is concern about the capacity of the sewerage system in the area. Without the addition of these proposed houses, Beck Bottom already overflows during heavy rain and sewage is released through the manhole covers.
2. The local opinion appears to be that the presently approved application for five houses is the total amount of newbuild which should be allowed.
3. Any further development represents over-intensification in the area.
4. Local residents find it strange that development of this site is being undertaken via two planning applications. They wonder whether planning permission would have been given if a single application had been brought forward for the total number of houses now proposed (i.e. the original five plus the latest proposal).
5. Local people appear to feel misled by the applicant who had originally told people that five houses would be the total number for which planning permission was sought.

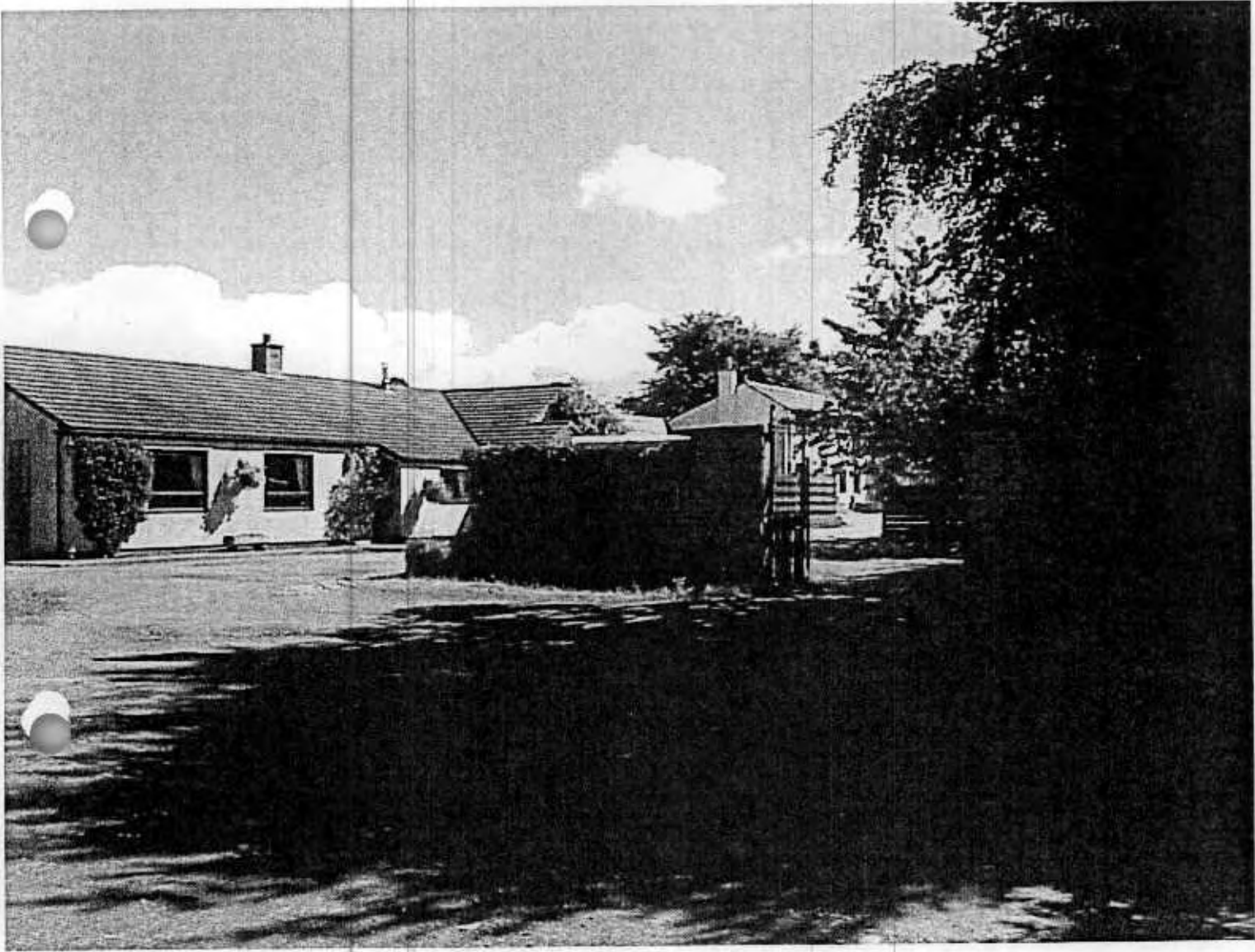
As ward councillor, I share the concerns outlined above. I confirm that there are problems with the sewerage system which have led to complaints in the past. I am further concerned that the applications have been put forward in this way, rather than as a single development. My own impression gained through discussions with the developer was that there would be only one application for five houses.

I should be grateful if you would bring the points raised to the attention of the committee. I hope that the committee will give due consideration to the concerns of the local residents.

Yours sincerely,

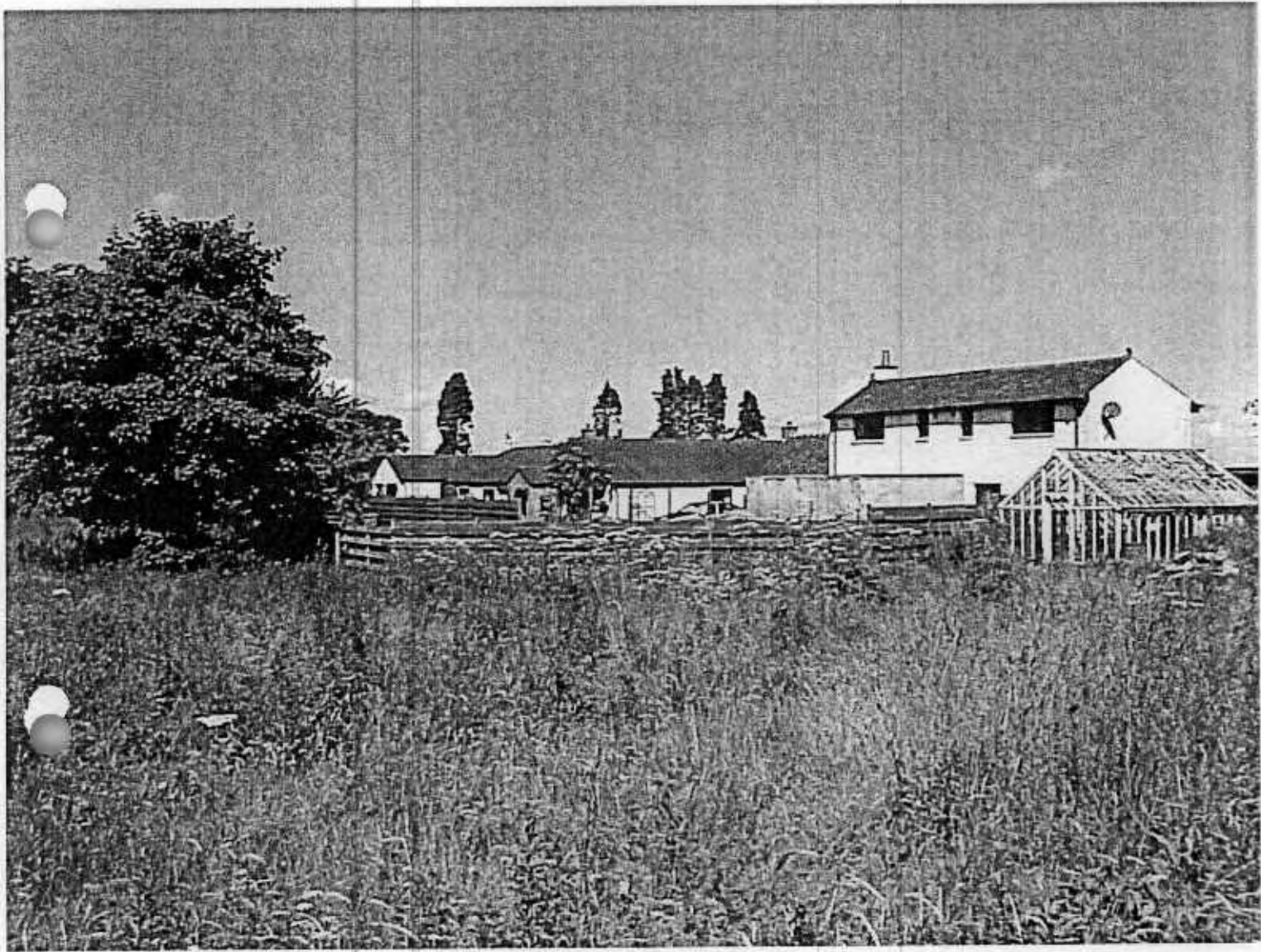
Councillor W. Graham.

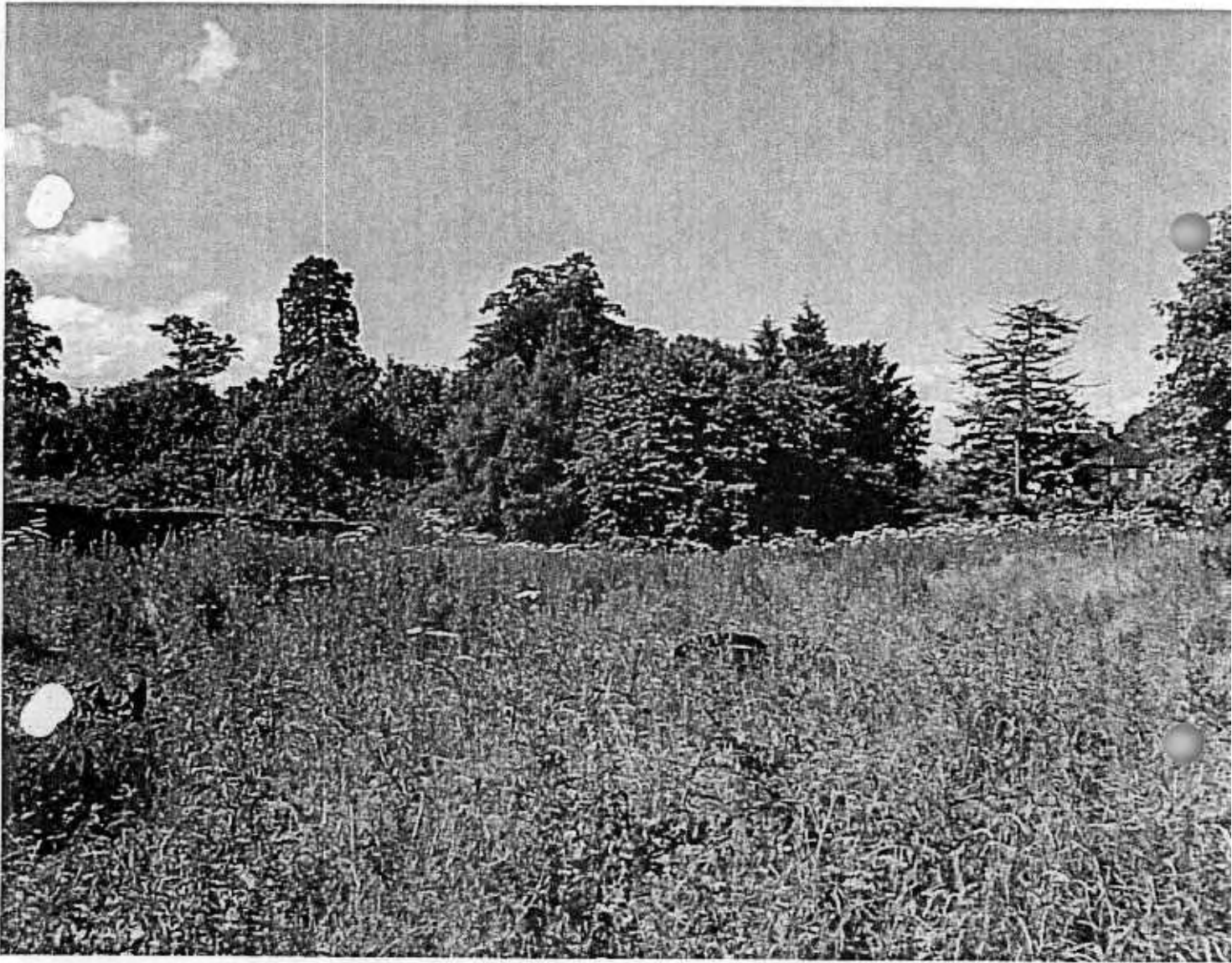
2001/0573



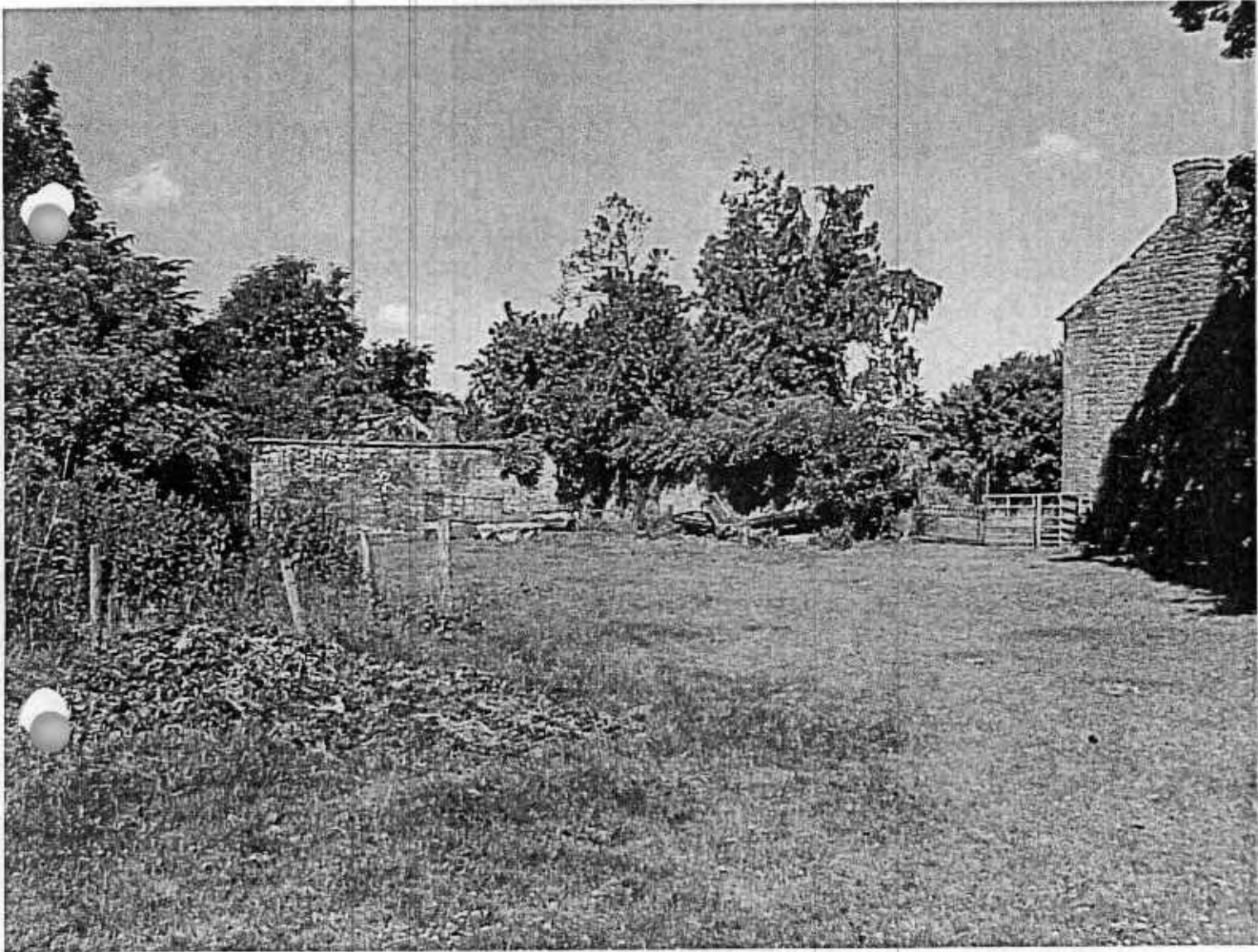


2001/0573





2001/0573



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25th July 2001

A Hutchinson Esq
Carlisle City Council
Department of Environment
Planning Services Division
Civic Centre
Carlisle CA3 8QG

PLANNING SERVICES	
REF	010573
26 JUL 2001	
RECORDED	
SCANNED	
PASSED TO	AKM
ACTION	SAR

JM/FJW/

Dear Mr Hutchinson

Residential Development of the former gardens adjacent to Stone House, Hayton

Following our recent discussions I am enclosing two further drawings clarifying the access arrangements.

The site plan illustrates, shaded yellow, the extent of the access drive which would be to adoption standard and proposed for future adoption by the local authority. The plan also shows the extent of the application edged in red and a further area of land within the applicant's ownership shaded blue.

The second drawing illustrates the proposed access in greater detail and also how the road junction with the Hayton to Hayton Town Head Road will be upgraded. In line with previous planning approval for the access the visible splays will be 2.4m x 70m in each direction. To achieve this in an easterly direction requires the re-alignment of the existing stone boundary wall. The wall would be set back outside of the visible splay and rebuilt using the salvage stone from the existing structure. The bonding style and construction fashion would be in keeping with the remainder of the existing wall. Associated with the rebuilding works the various areas of scrub overhanging the wall would be cut back and a grass verge formed on the roadside.

Incorporated within the access road will be a service strip to accommodate a foul and a separate surface water drainage system. It is proposed that the foul drain system would connect to the public sewer linking Hayton Town Head to Hayton. The surface water drainage system would be a combination of soak aways and a link with an existing water course. The connection to the water course would be in accordance with the Environment Agency design criteria and the level of discharge would be controlled so as not to exceed the capacity which the receiving water course could accommodate without causing flooding

JM/FJW/

25th July 2001

2

either at the discharge point or down stream. The discharge to the water course would be controlled by means of in-built storage capacity within the drainage pipes. Taking into consideration the distance between the proposed dwellings and the final discharge point this would give a substantial natural reservoir within the pipe.

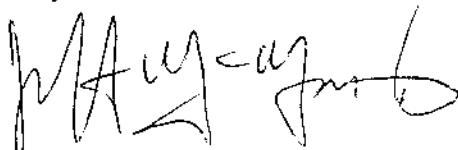
Based upon the standard storm frequency and rainfall intensity design criteria the surface water drains would be designed to meet the standard and take into account the capacity of the receiving water course. Depending upon the requirements for temporary storage over and above oversized pipes a hydro-brake would be installed into the drainage system. This would provide a reservoir facility whereby the storm waters would be held and released gradually to the water course as the storm waters subsided.

Taking into consideration the extent of existing buildings and hard surface areas upon the land which presently drains successfully to soak aways, it is probable that the majority of the development would drain to soak aways rather than to the water course.

We would be happy for any forthcoming planning consent to be subject to conditions requiring the surface water drainage system to be a separate system designed in consultation and to the approval of the Environment Agency or similar appropriate body.

Once you have studied the enclosed drawings if you require any further information, or I can be of assistance, please do not hesitate to contact me.

Yours sincerely



Jeff McMaster
Edwin Thompson

42 St. John's Street Keswick
Cumbria CA12 5AF
Tel: 017687 72988 Fax: 017687 74690
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25th July 2001

A Hutchinson Esq
Carlisle City Council
Department of Environment
Planning Services Division
Civic Centre
Carlisle CA3 8QG

PLANNING SERVICES	
REF	0410573
26 JUL 2001	
RECORDED	
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JM/FJW/

Dear Mr Hutchinson

Residential Development of the former gardens adjacent to Stone House, Hayton

Following our recent discussions I am enclosing two further drawings clarifying the access arrangements.

The site plan illustrates, shaded yellow, the extent of the access drive which would be to adoption standard and proposed for future adoption by the local authority. The plan also shows the extent of the application edged in red and a further area of land within the applicant's ownership shaded blue.

The second drawing illustrates the proposed access in greater detail and also how the road junction with the Hayton to Hayton Town Head Road will be upgraded. In line with previous planning approval for the access the visible splays will be 2.4m x 70m in each direction. To achieve this in an easterly direction requires the re-alignment of the existing stone boundary wall. The wall would be set back outside of the visible splay and rebuilt using the salvage stone from the existing structure. The bonding style and construction fashion would be in keeping with the remainder of the existing wall. Associated with the rebuilding works the various areas of scrub overhanging the wall would be cut back and a grass verge formed on the roadside.

Incorporated within the access road will be a service strip to accommodate a foul and a separate surface water drainage system. It is proposed that the foul drain system would connect to the public sewer linking Hayton Town Head to Hayton. The surface water drainage system would be a combination of soak aways and a link with an existing water course. The connection to the water course would be in accordance with the Environment Agency design criteria and the level of discharge would be controlled so as not to exceed the capacity which the receiving water course could accommodate without causing flooding

JM/FJW/

25th July 2001

2

either at the discharge point or down stream. The discharge to the water course would be controlled by means of in-built storage capacity within the drainage pipes. Taking into consideration the distance between the proposed dwellings and the final discharge point this would give a substantial natural reservoir within the pipe.

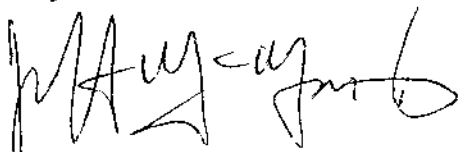
Based upon the standard storm frequency and rainfall intensity design criteria the surface water drains would be designed to meet the standard and take into account the capacity of the receiving water course. Depending upon the requirements for temporary storage over and above oversized pipes a hydro-brake would be installed into the drainage system. This would provide a reservoir facility whereby the storm waters would be held and released gradually to the water course as the storm waters subsided.

Taking into consideration the extent of existing buildings and hard surface areas upon the land which presently drains successfully to soak aways, it is probable that the majority of the development would drain to soak aways rather than to the water course.

We would be happy for any forthcoming planning consent to be subject to conditions requiring the surface water drainage system to be a separate system designed in consultation and to the approval of the Environment Agency or similar appropriate body.

Once you have studied the enclosed drawings if you require any further information, or I can be of assistance, please do not hesitate to contact me.

Yours sincerely



Jeff McMaster
Edwin Thompson

Head Teacher:
Mrs J. Corlett



Telephone: (01228) 670491
Fax: (01228) 670081
Email: info@haytonschool.co.uk

Hayton Church of England Primary School

Hayton, Brampton, Cumbria CA8 9HR

24th July 2001

FAO Mr A R Hutchinson
Dept of Environment and Development, Planning Division
Dear Mr Hutchinson,

Proposed development – Land adjacent to Hayton Gardens. Ref 01/0573.

I feel that I must write to express my grave concerns over the above-mentioned development.

We already have enormous difficulty with parking in the village during the school terms. Parents are asked not to turn around at the bottom of the school hill, but to drive on right out of the village before turning their vehicles. This is for the safety of the small children walking up the hill to school. Many of these vehicles presently use the small turning opposite the Reading Rooms as a turning point. Imagine the potential for disaster if this becomes first a building site, and then a comparatively large residential area.

The Reading Rooms are now used as a crèche for pre-school age children, and we are all anxious to ensure their safety in a village with narrow roads and fairly heavy traffic at some points during the day.

Finally may I also express my concern over the capacity of the school to accommodate children from a possible 24 families? We are currently full in the infant classes, and this is the situation for the foreseeable future. It would be a real shame to attract families to the village, only for them to find that children of school age would have to be educated outside the area.

Thank you for your consideration.

Yours sincerely

Jan Corlett
Headteacher, Hayton CE Primary School

PLANNING SERVICES	
REF	
	24 JUL 2001
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friends OF THE LAKE DISTRICT

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

FAO Mr A R Hutchinson

Dear Sir

Town and Country Planning Act 1990
Planning Application 01/0573
L/A Hayton Gardens, Hayton, Carlisle, Cumbria
Residential development (outline).

We refer to the above planning application, and wish to make the following comments.

Summary: FLD contends that the proposal would be contrary to the terms of PPG3, and would add to the over-provision of housing supply in the District up until the end of the Plan period 2006. There is no evidence of housing need over and above the existing housing supply. The development would also cause harm to the visual amenities, setting and character of Hayton village and the surrounding countryside. FLD recommends *refusal*.

1) Local Plan Housing Supply Context.

We note that the *Joint Structure Plan Requirement* for the District was 6,000 dwellings for the Plan period up until 2006. As at September 1997, the *residual requirement* made provision for 4,664 dwellings up until 2006. Of this amount, 30% would be provided within the *Rural Areas* (ie 1,348). Table 3 of the Local Plan indicates that as at April 1994, there was provision for a total of 3,376 dwellings with planning permission plus windfalls. The number of sites allocated in the Local Plan amounted to some 2,146 dwellings, and therefore it was calculated that there would be a total oversupply of 858 dwellings for the Plan period. Within the *Rural Areas*, there would be an oversupply of 325 dwellings.

Up to date statistical data indicate that the *total completions* between April 1991-April 2001 are 3,891 dwelling units (which includes an assumption on the potential for small-scale windfall sites up until 2006 @ say 50 units per annum). As at April 2001 there are *outstanding planning permissions* for 1,958 dwelling

PLANNING SERVICES	
REF	01/0573
27 JUL 2001	
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PASSED TO	AEH
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President:
Sir John Johnson KCMG

Vice Presidents:
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Jan Darrall
Mark Ellison

Planning Officer:
Graham Hale

Membership Secretary:
Jane Walton

Assistant Policy Officer:
Martin Varley

CPRE



ALLENSTON
CUMBERLAND

units, which assumes a 5% lapse rate. FLD would therefore transfer these figures updated into a revised *Table 2a and 3a* as shown below and taking the format from the current Local Plan as follows:

Table 2a

LOCAL PLAN HOUSING REQUIREMENT

Structure Plan Requirement 1991	6,000
Completions 1991-April 2001, which includes an assumed future development potential for small scale windfall sites of less than 5 du up until 2006 @ say 50 dupa	3,801
Residual Requirement	2,199

Table 3a

HOUSING LAND AVAILABILITY – April 2001

1) No. Dwellings currently with p.p.	1,958
Minus remaining Local Plan Requirement (Table 2a above)	2,109
Undersupply in Plan period 2006	1,151 du
2) Allocated sites still remaining undeveloped (Morton, Carlisle)	881
(Ladyseat, Dongtown)	22
(RAF 14 MU Site No. 4)	90
Oversupply in Plan period 2006	892 du
Assume 70/30 split between urban and rural areas =oversupply in rural area	253 du

Note for Tables: FLD has not seen sight of the current Housing Land Availability Study (HLAS) to determine exact figures for completions, numbers of dwellings with p.p., and likely potential for windfalls.

It is clear that the City Council still has the benefit of an *oversupply of housing* over and above the housing requirement set by the JSP up until the end of the Plan period 2006. This figure is despite the fact that two of the allocated sites have yet to attract any significant interest from potential developers for various reasons (ie

Ladyseat and RAF 14 Mu). In terms of meeting that housing need established by the JSP, FLD would strongly argue that there is *no demonstrable planning need to provide for significant additional housing within the District* other than that already committed by the Planning Authority. The proposed application site at Hayton would *add* to the apparent oversupply of housing in the Rural Area, where there is already sufficient *over-provision* in the Local Plan of around 253 dwelling units, assuming previous rates of windfall development. This *over-provision must be considered in the context of national policy* as embodied in *PPG3 (March 2000)*, which establishes the new *Plan, Monitor and Manage (PMM)* approach to housing development.

2) National Policy Context – PPG3 Housing (March 2000).

Our grounds of objection to the current planning application at Hayton Gardens is based on the principle that the development would be *inconsistent* with the aims of *PPG3 – Housing (March 2000)*, given the significant oversupply of housing within the District for the remainder of the Plan period.

The *key principles* underlying the new *Plan, Monitor & Manage (PMM)* approach now required by *PPG3* are as follows:

- *housing levels should be determined by policy objectives rather than past trends.*
- *the annual rate of house building should be adjusted through annual adjustments to the rate at which land is released for housing development. This needs to be done outside of the full development plan review process.*
- *land for housing development should be released only in response to needs identified for the medium term (ie needs predicted to arise no more than 5 years ahead).*
- *the allocation and release of land should follow the sequential approach (ie that previously developed sites should be prioritised ahead of greenfield sites).*
- *existing greenfield allocations should be reviewed annually and, where they are incompatible with the new approach, withdrawn.*

Paragraph 22 of PPG3 confirms the Government's commitment to *maximising* the re-use of *previously-developed land* and empty properties and the conversion of non-residential buildings for housing, in order to both promote regeneration and *minimise* the amount of *greenfield land* being taken for development. The National target is that by 2008, *60%* of additional housing should be provided on *previously developed* land and through conversions.

Paragraphs 24-27 of PPG3 state that land is a *finite resource*, and in order to establish how much *additional* housing can be accommodated *within* urban areas, and therefore how much *greenfield land* may be needed for development, all Local Planning Authorities should undertake *Urban Capacity Studies*, in association with the *National Land-Use Database (NLUD)*.

PPG3 *requires* Local Planning Authorities to *reassess their land allocations* in accordance with the *sequential approach*. Paragraph 29 of this document clearly states that:

“Local Planning Authorities in preparing development plans should adopt a systematic approach to assessing the development potential of sites, and the redevelopment potential of existing buildings, deciding which are the most suitable for housing development and the sequence in which development should take place.”

Paragraph 30 states:

“In identifying sites to be allocated for housing in local plans and UDPs, local planning authorities should follow a search sequence, starting with the re-use of previously-developed land and buildings within urban areas identified by the urban housing capacity study, then urban extensions, and finally new development around nodes in good public transport corridors.” (our underlining and italics).

Paragraph 31 of the PPG3 sets out *five criteria* against which local planning authorities should assess the *potential and suitability* of sites for development. In addition, the Planning Authority should *allocate and release land* in accordance with *paragraphs 32-34* of PPG3. In this regard it states that the presumption will be that *previously developed sites* (or buildings for re-use or conversion) should be developed *before greenfield sites*.

Of particular *importance* to the current planning application at *Hayton Gardens* is that *Paragraphs 35 and 36* deal with *windfalls*. Paragraph 35 states:

“They [windfalls] comprise previously-developed sites that have unexpectedly become available.” (our underlining and italics).

PPG3 states in *paragraph 36*:

“No allowance should be made for greenfield windfalls (refer to Annex D for good practice advice on capacity studies).” (our underlining and italics).

It would seem that in the current planning climate, *Carlisle City Council* should *not* therefore be granting planning permission for *windfall development on greenfield sites*, since windfalls should *only* comprise *previously-developed sites* as required by PPG3. Furthermore, planning applications for housing development should be considered *not only* in accordance with the *five tests* set out in *paragraph 31* of PPG3, but *also* the *sequential approach*, and in the light of the results of the Planning Authority's *Urban Capacity Study* in order to assess the full picture.

On a separate *Local Plan matter*, FLD considers that *Carlisle City Council* is also obliged to carry out an up-to-date review of the *existing* housing allocations in the Local Plan. PPG3 is explicit when states the following in *paragraph 37*:

“Development plans form the framework within which decisions on proposals for development are taken. It is important that plans are kept up to date and properly reflect national policy guidance. Local planning authorities should revise their plans to take account of the guidance set out in this PPG: they should seek to do so as quickly as possible by incorporating revised policies and proposals either in replacement plans or by alteration of existing housing policies.” (our underlining and italics).

In terms of *determining* planning applications for *allocated sites*, *Paragraph 38* specifically states:

“In considering planning applications for housing development in the interim, before development plans can be reviewed, local authorities should have regard to the policy contained in this PPG as material considerations which may supersede the policies in their plan (see paragraph 54 of PPG1). Where the planning application relates to development of a greenfield site allocated for housing in an adopted local plan or UDP, it should be assessed, and a decision made on the application, in the light of the policies set out in this guidance.” (our underlining and italics).

Paragraph 40 of PPG3 indicates that even *outstanding planning permissions* may no longer meet the requirements of current policy guidance and *should not be renewed*. Alternatively, where permissions for housing development are renewed, they should be revised to take account, for example of the *need* for *higher quality development* which makes more *efficient use* of the available land (ie a *higher density*).

In our judgement, the aforementioned paragraphs in PPG3 are relevant to the consideration of the current planning application, as it indicates that PPG3 must

be *implemented immediately* and is a *material consideration* that *supersedes* current *Local Plan policy*. Carlisle City Council is also *required* to reassess all of its housing land allocations in the light of the guidance contained in PPG3, and it *must* do so as quickly as possible. It is worth pointing out that on *page 4 of PPG3* in the *Introduction*, it states:

"This guidance introduces a new approach to planning for housing which, for most authorities, will mean that their development plan will require early review and alteration in respect of housing." (our underlining and italics).

It should also be borne in mind that PPG3 advises Planning Authorities to avoid developments of less than *30 dwellings per hectare net*, and *encourages* housing development which makes more efficient use of land; ie between *30-50 dwellings per hectare*. Were this to be the case in Carlisle District, then the *amount* of housing land required to satisfy the housing numbers would *fall* accordingly. In our judgement there is even *less justification* to support the development of the site at Hayton Gardens. A *higher density* would enable more dwellings to be provided on *existing housing allocations*, and there would be even *less justification* to provide for development on greenfield sites.

3) Planning Inspector's Decisions and Ministerial Statements.

It is also notable that *Planning Inspectors* are now willing to *dismiss* planning appeals for housing development that are contrary to the terms of the revised PPG3. In the case of a 100 acre site at *Bedworth Woodlands* in Warwickshire, the Secretary of State recently commented that the Borough Council *ought to have the opportunity to review the location of new housing in the light of current and emerging Government guidance*.

FLD would also refer to the recently published *Urban White Paper*. Chapter 4 (page 44, 2nd column) states:

"We [The Government] want to see local councils and house builders implementing the new policy now – not when all greenfield allocations made under a previous policy are exhausted."

Similarly the then Planning Minister *Nick Raynsford* said in his speech to the *Town and Country Planning Association (TCPA)* on the 6th July 2000 the following:

“PPG3 policies are not to be shelved prior to authorities getting around to revising their plans. We are not going to sit back and wait. We will intervene if necessary.” (our underlining and italics).

The *requirement* for all local planning authorities to undertake an *immediate review* of their *housing allocations and policies* is highlighted by the fact that *Lewes District Council in East Sussex* has made last minute changes to its plan in the light of PPG3. The Council *responded promptly* to the publication of PPG3, even though the plan was in a *late stage* of preparation. The public inquiry had been held and the Inspector’s report received. Proposed Modifications to the plan were presented to the Council for ratification in March last year when PPG3 arrived. The Council’s *consideration of the proposed modifications was as a result adjourned* and an *immediate review of housing sites began*. *Following the sequential approach, all previously developed sites were considered for allocation prior to greenfield sites, and densities were increased*. Consequently, *all but one of the sites are located on previously-developed land*, and even the one exception has a past permission for chalk extraction. Housing sites for the next five years have been allocated, but beyond that date officers propose a ‘pool’ of sites whose suitability will be *reviewed as the need arises* – some of these may never be allocated. This approach had been adopted to demonstrate that *enough sites are available for consideration and to avoid challenges of lack of conformity with the Structure Plan that runs to 2001*. The ‘pool’ includes both previously developed and greenfield sites.

The example of Lewes District Council illustrates that there can be *no justifiable planning reason* for any local authority *not* to undertake an immediate full review of its current housing allocations *and policies*.

4) Visual and Landscape Impact.

The site lies within landscape *Sub-Types 5c – Rolling Lowland of the County Council Landscape Classification*. The Classification describes *Sub-Type 5c* as a *lowland agricultural landscape*, mostly *open in character* and dominated by undulating or rolling topography with some steep sided dissecting valleys and some low summits. Some villages are of *vernacular character built in local stone*, but others are more recent with some new development. *Detracting elements* are described as including *new housing developments*. Under the section ‘*Vulnerability to Change*’, *urban development pressures* are particularly *highlighted*, which include some *large-scale commuter development* in the villages (which also *spoil their character*), new roads and the exploitation of minerals. The Classification concludes that this open landscape is *sensitive* to agricultural change and any *large-scale developments*.

The application site lies at the eastern *edge* of this *linear village*, where built development becomes much more *dispersed*. In contrast, the remainder of Hayton to the west is *compact, with a dense traditional built form*. We would argue that the application site is *not well-related* to the main part of the village envelope, and indeed is *distinct* from it. Stone House itself lies to the east, outside the village envelope, and is separated by the application site – the former nursery. The site is also bounded by an enclosed area of *woodland* to the south, which effectively *screens* the application site from the roadside leading to *Townhead*. We understand that planning permission had been granted for a residential scheme on the land due south of the application site, and has yet to be implemented. This includes part of the well-screened wooded area.

The *cumulative effect* of both development proposals would be to open up this part of the village to views from the roadside. The development would *extend the village* further out *northwards* into the surrounding *countryside*, and *eastwards* towards *Townhead*. This would lead to a degree of *coalescence* between the two settlements. The *visual amenities* and the *relatively undeveloped rural character* of this part of the village would be *demonstrably harmed*. We note the advice contained in the preamble to Policy H5 in paragraph 4.43. This states:

“many villages have open areas such as village greens, orchards or mature gardens which make a significant contribution to the character of the settlement. These open areas are often an integral part of the village, providing important views within the settlement, or out into open countryside. The development of such areas will not normally be permitted.” (our underlining and italics).

FLD would contend that the proposed development would be in *direct conflict* with this policy statement.

FLD would also argue that the proposed *design and layout* of the scheme would not reflect the *traditional form, relationship of buildings and pattern of development in the village*, which is essentially linear. The indicative layout would comprise a *modern, urban, regular, cul-de-sac development*, which would not be sympathetic to the *character* of the village. The descriptions of the *surface materials* illustrated on the drawings used to justify the scheme are *superficial*, and would *not* guarantee a *form of development* appropriate to the *character* of the village. The *siting of the development and proposed layout* would therefore be contrary to the specific advice contained in Carlisle City Council's *Supplementary Planning Guidance – 'Countryside Design Summary for Carlisle District.'* The scheme is also dependent upon the development of the other application site, as the two share a single *vehicular access*. This would

result in a *poorly related, piecemeal* form of development, which would not create a *cohesive* form or *integrated* scheme with the rest of the village.

FLD would maintain that the development of the site for housing would be *harmful to the character and setting of the village in this sensitive rural landscape*. The cumulative effect of both schemes would also result in a significant amount of *additional* housing provision in this small village. The *scale* of the cumulative development would lead to *increased usage* of the narrow road system, to the detriment of local amenities. It is also questionable as to whether or not existing *local facilities* would be capable of accommodating this level of growth. We would query whether or not the Planning Authority has satisfied itself on this point alone, under the five tests set out in paragraph 31 of PPG3.

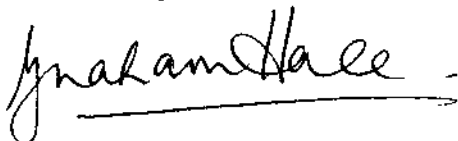
In terms of the Local Plan *Policy H5*, FLD would argue that *criterion 1), 2), 3), 4), 5), and 6)* of that Policy would *not be satisfied*.

5) Conclusions.

FLD would be *opposed* to the grant of outline planning permission, as it would increase the level of *over-provision of housing* within the District, when there is *no demonstrable need*. The development would *undermine* the *Plan, Monitor, and Manage* approach established by *PPG3 (March 2000)*, and would be *contrary* to existing *Policies E8, and H5 of the Local Plan* and *Policies 1, 2, 4, 13, 14, and 40 of the Joint Structure Plan*. For these reasons, we consider there are sufficient planning reasons to recommend *refusal* accordingly. We would be grateful if the contents of this representation are drawn to the attention of Council Members.

Please record these comments as those of the *Council for the Protection of Rural England (Cumbria association)*. We would be grateful to receive a copy of the decision notice.

Yours faithfully

A handwritten signature in black ink that reads "Graham Hale". The signature is written in a cursive style and is underlined with a horizontal line.

Graham Hale BA (Hons) MSc MRTPI
Planning Officer

Stonechats
Hayton
Brampton
CA8 9HT

19th July 2001

Director of Environment and Development
Civic Centre
Carlisle
CA3 8QG

PLANNING SERVICES	
REF	01/0573
19 JUL 2001 13	
RECORDED BY	on
SCANNED	
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Dear Sirs,

ARH/DC/01/0573 – Land Adj Hayton Gardens

I would like to make the following points in relation to this application.

1. The land at Hayton Gardens (the site for units 1 to 5 on the plan) is presently served by the private road from White House past Bothy Cottage. This is a narrow, winding, steep, unsurfaced, unadopted lane. I am concerned that access for the development of the site should **only** be via the proposed new road and that none of the properties should be constructed or subsequently serviced in any way by the private lane. In other words the new road must be constructed and the site boundaries closed before construction commences and remain closed after completion.
2. I believe that the new road through the woodland was originally intended to serve the planned converted barns at Stone House Farm which has outline permission for 13 units. The outline permission for 5 properties in the wood has already added to the potential traffic on the road and I query whether a further 6 units will overload the already dangerous junction at the Reading Room. Had the original proposal been for 24 units would you have considered the highway arrangement to be satisfactory? Will the specification for this junction be upgraded to ensure safe passage of the anticipated traffic? Should some of the traffic be obliged to use the existing access to Stone House Farm further towards Townhead?

Has any study been undertaken of the capacity of this junction? The Reading Room is frequently used for Brownies, Mother and Toddlers etc and at such times the car parking and movement of children around the junction is already dangerous. Further traffic movement will increase that danger and requires careful consideration.

3. I am concerned about the capacity of the foul water drainage from this site. I understand that the spare capacity in Hayton is extremely limited and has already caused problems— no doubt the statutory consultees will comment on this.
4. You should also be aware of the surface water drainage problems in this area. Some years ago (1982?) a flash flood washed away the bridge at Orchard Bank on the road to Lane End, down stream of this site. Increased hard surface in this area will, I imagine, lead to faster run off and an increased risk of repeated flash flooding down stream.
5. Similarly the adopted road between Greenriggs and White House frequently floods in heavy rain. The run off from this new development will exacerbate this problem unless there is adequate surface water drainage away from the site.

No doubt you will bear these points in mind in determining the application.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Euan Cartwright', with a long horizontal flourish extending to the right.

Euan Cartwright

Cobblers Cottage
2 Beck Cottages
Hayton
Brampton
Cumbria CA8 9HP

Tel: 01228 670618

PLANNING SERVICES	
REF	01/0573
13 JUL 2001	
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SCANNED	
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Mr. Angus Hutchinson
Dept of Environment & Development
Planning Services Division
The Civic Centre
Carlisle CA3 8QG

11th July 2001

Your ref: ARH/DC/01/0573



Dear Mr Hutchinson,

Residential Development (outline), L/Adj Hayton Gardens

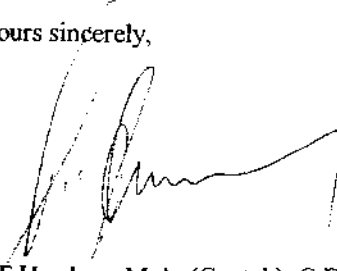
Appn Ref: 01/0573/

I have received the notification concerning the above development.
I understand that the proposed development is likely to discharge it's sewage into the general Hayton Sewage system.

If this is so, I would voice the strongest objection to this development , unless the hydraulic overload, which United Utilities and your office accept as a proven fact is eliminated.

Please let me know whether my assumption is correct. If so I will inform OFWAT of this proposal. If permission is granted, the council will bear a heavy responsibility if there are any further flooding or health problems arising from this project.

Yours sincerely,



C.F. Herzberg M.A. (Cantab), C.Eng.
F.I.Mech E..M.I. Gas E.

P.S. Please note the altered postal address and code

2001/0573

High House
Hayton
Brampton
Cumbria
CA8 9HT

27 July 2001

To: The Planning Department
Carlisle City Council
Civic Centre
Carlisle
Cumbria

ACKNOWLEDGED		PLANNING SERVICES	
09 AUG 2001		REF	01/0573
B87		- 9 AUG 2001	
REC		B8	
SCA		AEH	
PASS			
ACTION			

Dear Sir / Madam

PLANNING FOR DEVELOPMENT AT: Land at Hayton Gardens

We write with reference to the above proposed development. We have some concerns regarding the access into this site.


We were aware that plans have been passed for a 5 house development in the land adjoining Stonehouse Farm, which we supported although we did have concerns regarding access at that time which were raised. We did not realise, however, that the previous plans regarding the development of the buildings around Stonehouse Farm would be using the same access. We were not in the country at the time these plans were passed and assumed that the access to the original buildings development would be through the drive into the farm. We have recently found out that this is not the case.

As residents along the lane from the proposed access point, we already have great difficulty in safe exit from this lane, due to the parking of the cars from the owners of the houses immediately to the right of the exit. We feel, that with the additional 18 properties already passed that this exit/access point is not safe. We would, obviously, have hesitation in accepting the further proposed development if they are to use the same access/exit point.

Would it not be possible to consider other (safer) access/exit point for the total of developments that are now involved. As we would have to have access to our own homes passed this point, we feel that perhaps a safety issue is raised.

We trust that you will take our views onboard.

Yours faithfully



Mr David Scott & Mrs Fiona Scott

Bothy Cottage,
Hayton,
Brampton,
CA8 9HT
July 24th 2001

Department of Environment & Development
Planning Service Division
The Civic Centre,
Carlisle.
CA3 8QG

PLANNING SERVICES	
REF	01/0573
25 JUL 2001 5	
RECEIVED	CN
APPROVED	AR27
ACTION	Supp

Dear Mr. Taylor

ARD/01/0573/ - Land Adj. Hayton Gardens

We wish to register our objections to the proposed Planning Application for the following reasons;

We wish to point out that in 1975 planning permission for 4 Bungalows on the site adj. to Stonehouse Farm was refused on the grounds of the access and poor visibility. What has changed?

The Hayton Garden development represents only six houses, but combined with the five dwellings from the Stonchouse Farm development and the thirteen barn conversions which has already gained outline permission this creates a development of twenty-four properties in total all of which appear to be using the same access. The access as shown on the plan is somewhat ambiguous, is the entrance via the white gates or further along the road opposite the reading room? Whichever a possible total of fifty to sixty vehicles could be using this dangerous corner of the village. (Are we to expect our first roundabout with traffic lights?)

In the twenty five years of living in Hayton the number of cars has increased dramatically, the village school has doubled in size, causing severe congestion during peak times, most of the parents have to drive to school and use this junction to turn their vehicles. The Reading room that is situated directly opposite this junction is used for many children's activities this is a very dangerous area for pedestrians and drivers, and has poor footpaths.

During periods of heavy rain it is quite obvious that the existing drainage through the village cannot cope with the surface water. Would this development not exacerbate the problem?

We understand that problems exist within the sewerage network due to its limitations would the present system be inadequate and could we expect a major upheaval throughout the village in order to build a new system.

Yours Sincerely,

K.F. Anderson

Mr. & Mrs. K.F. Anderson.

Mr & Mrs Brownson
East View
Hayton
Brampton
Cumbria

22 July 2001

Dear A.M.Taylor

PLANNING SERVICES	
REF:	01/0573
26 JUL 2001	
APPROVED:	ON
DATE:	ARH
BY:	Supp

REF: 01/0573/ RESIDENTIAL DEVELOPMENT. HAYTON GARDENS, HAYTON, CUMBRIA

With reference to the above proposal, we wish to offer comments regarding the outline development:

1. Our overriding concern relates to the unsatisfactory vehicular access (in our opinion) and the possibility of an overwhelming increase in traffic. Given, that from the plans, we are informed there may be upwards of 24 dwellings - and many, if not most, of these could have ownership of two vehicles. That would mean an additional 30 - 40 vehicles coming on to the village road at it's most difficult junction. Imagine that at Hayton rush hour.

2. We use this junction ourselves, as do our neighbours, to avoid doing three point turns in the middle of the road. Look at the plans again and notice how close to the road the front of our property is. We have no 'off road' parking and rely on parking our single vehicle immediately outside our front door. This in turn serves to narrow the road and restricts visibility to cars approaching the junction. We also have a young child to control getting in and out of the house and car. What impact is this going to have on our lives?

3. The junction (locally known as 'the turning corner') is used by parents when delivering and collecting their children from Hayton School. They drive to this point in order to turn because the area around the school becomes grid-locked. The junction is also used by parents delivering and collecting their children from the 'Reading Rooms' for various events. The Reading Rooms offer a venue for many organisations throughout the week and again the only parking available is on and around this junction.

4. The approach to the junction from Town Head is long and straight but suddenly turns into a blind bend immediately before the junction. Vehicles travelling in this direction often take advantage of the straight road to increase speed and come through the bend well over the speed limit.

5. We had perhaps wrongly assumed when the initial proposals for the development were made that any traffic would access the site through the existing farm road, which has far better visibility. Can we propose to the Planning Services Division that if residents of the development wish to travel through Hayton Village, then they use the existing lane through Stone House Farm. In addition residents could make a direct route to the A69 using the 'Lodge Road' clearly marked on the map as 'Track' which heads north.

Notification of the planning proposal was brought to our attention by neighbours and we request that any future; notification, discussion, correspondence could include ourselves.

yours sincerely

Mr C Brownson
Mrs G Brownson (Foundation Governor Hayton School)

10 Acre Close,
Hayton
Brampton
CA8 9HW

July 17/01

PLANNING SERVICES	
REF	010573
25 JUL 2001 15	
RECORDED	ON
SCANNED	
PASSED TO	ART
ACTION	ISAP

Dear Sir or Madam,

I am writing to you concerning the planning proposal for a residential development adjacent to Hayton Gardens, Hayton.

I have recently started a business in the Reading Rooms, Hayton, which is directly opposite the access to the proposed development. I run a crèche, which means that I look after children aged from 2 years upwards. I walk these children from the pre-school which runs in Hayton School up to the Reading Rooms, and I have serious concerns about the increased volume in traffic in the area that this development will create.

I also have parents parking in the area of the proposed access to drop off and collect their children. This means that they will be crossing the street outside the development with small children, and getting them in and out of cars in a potentially high traffic area.

There are also some small community groups, which run from the Reading Rooms - Brownies, the local Mother and Toddler group. All of these involve people crossing the road with small children. This is a dangerous stretch of road to begin with, as people tend to come very fast from Hayton Townhead towards the village of Hayton itself. With this development comes the potential of about 50 cars going in and out, not to mention visitors to the development. I believe this will become a very congested area of traffic, and therefore presents serious safety issues which must be addressed when considering the planning proposal.

Sincerely,

Sheona Feltham

Sheona Feltham

Your ref. ARH/DC/01/0573

The Chief Development Control Officer,
Department of Environmental Development,
The Civic Centre,
Carlisle CA3 8Q9.

South View Cottage,
Townhead,
Hayton,
Brampton CA8 9TQ.
24th July 2001.

Dear Sir,

Proposed Residential Development (out line) Hayton Gardens, Hayton
Ref. 01/0573

With reference to the above planning application I wish to object on the following grounds:-

1. In 1980 a Townhead Appraisal plan was prepared & approved laying down the limit of development of Hayton Village, these proposals being incorporated in the Carlisle District Local Plan. The above proposal is outside this limit of development & is therefore contrary to the Local Plan.
2. The drainage system in the area is already inadequate, this development would only worsen the situation.
3. The suggested site would generate more traffic at a very sub-standard junction on the road between Hayton & Townhead & could become an accident black spot.
4. Planning approval already exists for 13 residential units to be created in existing buildings at Storehouse Farm & a further 5 No. 4 bedroom dwellings on land adjoining, why should any further be required? as these have not yet been developed.

Yours faithfully

AJ Smith

PLANNING SERVICES	
REF	01/0573
26 JUL 2001 11	
RECORDED	CN
SCANNED	
PASSED TO	ALG
ACTION	SJG

Carlisle City Council.

D.O.E / Planning Services Division

Your Ref ARH/DC/01/0573

01/0573	Hill Crest
2001/5	Hayton
CN	Brampton
ARH	COMSRIA
Supp	22 nd July 2001

Dear Mr Hutchinson,

My wife and I wish to lodge an objection to the Residential Planning Proposal on land adjacent to Hayton Gardens. Our reasons for this objection are -

- 1) There is already a nine house development in this area, including our house, which generates an unexpectedly large amount of traffic, as most of the houses have two cars. Exit onto the main road at the village Reading Room - can be dangerous because of a blind corner. It is also very busy with residents cars plus other visiting cars, vans and lorries - many using it at its widest point as a turning circle. This road is too narrow to accept any more traffic.
- 2) We understood there was to be no more development in this part of Hayton because it would make the mains water pressure even worse than it is at present.
- 3) Complimentary to 2) above, is the sewerage system able to cope with another 24 maximum additional houses?

In conclusion we are very worried about the safety factor for children and the elderly. Incidentally the Village Reading Room is also used for a Play Group, which as stated earlier, is poorly sited for safety as more and more cars park along it.

We trust you will find this letter of use when deciding whether or not to approve the Planning Proposal. Yours Sincerely

R. R. Gilbert

Mr & Mrs J D Maddison
4 Stonehouse Cottages
Hayton
Brampton
CA8 9HT

17th July 2001

PLANNING SERVICES
01/0573
23 JUL 2001
3
CN
APPL
Supp

Dear Mr Taylor

Ref: 01/0573/ Residential development (outline)
Land adjacent to Hayton Gardens, Hayton, Brampton, Cumbria

We wish to object to the proposed planning application for the following reasons:-

1. The access to the development would quite possibly have an extra 30 plus vehicles using the entrance. This we feel will cause severe traffic problems at the junction from the access road to the village road, which at best is not the easiest of gets outs due to vehicles parked on the road heading through the village.
2. The lane where the access road is, at best, is not maintained to any high standard by the highways, with the added amount of extra traffic the development will cause we feel the lane will not be able to withstand the extra vehicles (the lane is a cobbled road which has had tarmac spread over).
3. The road through Hayton quite often is congested with traffic. The Reading Rooms, which are used every week for different organisations, use the lane for parking as well as the road, making it a hazard for local traffic getting out of the lane.
4. Also what should be considered if Mr. Watsons outline planning for 2 different developments goes ahead and the same access road is used, what impact would that have on the lane and its current users.
5. Should all these happen, and are filled with young families, there will be further problems for the village as the school is so popular (and nearly to capacity) there could be a chance that no child would be entitled to a place. Also the traffic caused by the school makes it very hazardous between school opening and closing times.
6. We would like some assurance that the present rear access to the proposed development is not used by any developers to start work if access road is not put into place for the current 5 house development on Stonehouse Farm land.
7. As we live off the main road through our village in a peaceful and quiet area, this will have a considerable effect on us, if this development should be allowed.

8. If all the developments do happen can the access to them not be moved to the entrance at Stonehouse Farm which is surely much safer (with a much better view onto the road for driving into and out of).
9. We are also aware that some years ago the site was used for dumping building waste, of which some contained asbestos. Added to this glass bottles from a closed brewery where buried in the ground.
10. Finally if planning permission is given, what is to stop the whole site along the access road from being developed.

Yours sincerely

D Maddison . A Maddison

Dennis & Anne Maddison

MAJOR P MITCHELL MBE QGM
HAYTON GARDENS
HAYTON BRAMPTON
CARLISLE
CA4 9HT

④

PLANNING DEPT
CARLISLE CITY COUNCIL



July 01

Your Ref: 01/573

Dear Sir/Madam

PLANNING SERVICES	
REF	01/0573
24 JUL 2001	
RECORDED	MM.
SCANNED	
PASSED TO	AKH
ACTION	Sup.

I write to register my objections to the request for outline planning permission on the land adjacent to Hayton Gardens.

My objections are based on safety grounds and are as follows:

- a. Whilst the Hayton Gardens planning request represents only six houses, this request forms part of what must be regarded as a substantial development of approximately 24 dwellings. Access for all of these dwellings is via a narrow lane then onto the main village street using a junction that must be negotiated with extreme caution even with only the current volume of traffic.
- b. The village Reading Rooms are located directly on the above junction. These Reading Rooms are used by groups such as the Brownies and a newly formed playgroup, any increase in traffic will mean an increase in the likelihood of an accident.
- c. The village can barely cope with the current volume of traffic especially at peak times. Farm vehicles and parents delivering and collecting children from school invariably mean that a journey through the village will involve stopping and reversing ones car. This problem is exacerbated by the necessary on street parking of vehicles as many homes, in particular those at the Reading Room junction, do not have garages, Any permanent increase in traffic will mean a permanent decrease in road safety.
- d. The village bus stop is located just around the bend from the Reading Rooms, young people are collected and deposited here by school buses. This is certainly not an area where the volume of traffic should be increased.

To put into perspective the likely increase in traffic, the seven dwellings surrounding the proposed development currently have twenty vehicles between them making an average of 2.8 vehicles per household. The Hayton Gardens proposal, using these figures, will mean an additional 17 vehicles, however, when viewed with the Stone House Farm developments this figure leaps to 67 vehicles, an increase in volume of traffic which the village infrastructure cannot safely support.

Whilst I know that the Hayton Gardens proposal concerns only 6 dwellings, as these are linked directly to two other developments, the three development proposals must be viewed as one as only then does the true picture become revealed. I also feel that both the Parish Council and local residents have been deceived by the piecemeal approach of the recent planning applications regarding both Stone House Farm and Hayton Gardens.

In addition to the above it is noted that both local schools, Hayton Primary and William Howard, are full and turning people away.

In summary the infrastructure of the village cannot cope with additional traffic that the Hayton Gardens development will bring, furthermore the rise in traffic volume at the Reading Room junction will create an increased and unnecessary risk to both pedestrians and road users.

Yours faithfully

A handwritten signature in black ink, appearing to read "P Mitchell".

PLANNING SERVICES	
REF	01/0573
25 SEP 2001 9	
RECORDED	AN
SCANNED	
PASSED TO	ARH
ACTION	

2 Beck Cottages
Hayton
Carlisle
Cumbria CA4 9HP

	NOLLOV
	PASSED TO
	SCANNED
	RECORDED
25 SEP 2001	
	REF
Tel: 01293 830610	

Mr.M.Taylor
Dept Of Environment & Development
The Civic Centre
Carlisle CA3 8QG



Your ref: ARH/DC/01/0573

22nd September 2001

DEPT. ENV & DEV.	
DESIGN DIVISION	
FILE	2/43/1
25 SEP 2001	
PASSED TO	MTA
ANSD	

Dear Mr. Taylor,

Proposed Residential Development at Hayton

Appn.Ref: 01/0573

Thank you for your further letter, dated 19th September 2001 on the above subject.

I would like to refer you to my previous letter of 24th October 2000. I made it clear in this letter, that I object most strongly to this proposal, if the proposed development discharges it's foul water into the existing system. This is acknowledged by everyone to be overloaded.

If a further load is imposed, without the system being strengthened, then the "hydraulic inadequacy" will be even further stretched. More flooding and possible health hazards will result.

If the Council allows this proposal to go ahead, it will bear a heavy responsibility and could be liable to damage claims.

If however the drainage authorities reinforce the system, I would withdraw my objections.

Yours sincerely,

C.F.Herzberg M.A.(Cantab), C.E.
F.I.MechE., M.I.Gas E.

CARLISLE
CITY COUNCIL



From Councillor:
William Graham
16 Calm Crescent
Corby Hill
Carlisle
CA4 8QH
Telephone: 01228 561513

City Councillor for:
Hayton Ward

RECEIVED	PLANNING
01/0573	
20 SEP 2001	
	AW
	AWH
	SMC

Mr. Alan Taylor,
Chief Development Control Officer,
Planning Department,
Carlisle City Council.

18th September, 2001

Dear Mr. Taylor,

Application No. 01/0573

I have been contacted by a number of constituents who have expressed concerns about the above proposed development. They have asked me to bring their comments to the attention of the Planning Committee.

The following matters have been raised:

1. There is concern about the capacity of the sewerage system in the area. Without the addition of these proposed houses, Beck Bottom already overflows during heavy rain and sewage is released through the manhole covers.
2. The local opinion appears to be that the presently approved application for five houses is the total amount of newbuild which should be allowed.
3. Any further development represents over-intensification in the area.
4. Local residents find it strange that development of this site is being undertaken via two planning applications. They wonder whether planning permission would have been given if a single application had been brought forward for the total number of houses now proposed (i.e. the original five plus the latest proposal).
5. Local people appear to feel misled by the applicant who had originally told people that five houses would be the total number for which planning permission was sought.

As ward councillor, I share the concerns outlined above. I confirm that there are problems with the sewerage system which have led to complaints in the past. I am further concerned that the applications have been put forward in this way, rather than as a single development. My own impression gained through discussions with the developer was that there would be only one application for five houses.

I should be grateful if you would bring the points raised to the attention of the committee. I hope that the committee will give due consideration to the concerns of the local residents.

Yours sincerely,

Councillor W. Graham.

SCHEDULE A: Applications with Recommendation

ITEM NO. 5

Date of Committee: 02/11/2001

APPN REF NO:
01/0626 /

APPLICANT:
Cairn Bridge Ltd

PARISH:
Hayton

DATE OF RECEIPT:
16/07/2001

AGENT:
Carrock Construction-Malcolm Iredale

WARD:
Hayton

LOCATION:

L/A Field 3644 adj Cairn Bridge, Heads Nook, Carlisle, Cumbri 350300 554450

GRID REF:

PROPOSAL: Siting of steel storage container (retrospective)

REPORT

PLANNING POLICIES:-

CUMBRIA & LAKE DISTRICT JOINT STRUCTURE PLAN
POLICY 3

The diversification of the rural economy and the maintenance of the vitality of rural life will be assisted through a favourable response to developments which provide local benefits and are sensitive to the local environment.

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 E2

Proposals for new farm buildings and extensions to existing agricultural buildings and other farm structures will be permitted, providing that:

1. the building or structure is sited where practical to integrate with existing farm buildings and/or take advantage of the contours of the land and any existing natural screening; and
2. the scale and form of the proposed building or structure relates to the existing group of farm buildings; and
3. within AONBs and Conservation Areas, the design and materials used reflect the overall character of the area; and
4. the proposal would not have an unacceptable adverse effect on any adjacent properties.

CARLISLE DISTRICT PLAN
ENVIRONMENT - POLICY E8

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0626 /

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.

SUMMARY OF CONSULTATION RESPONSES:-

COUNTY LAND AGENT: The steel container does provide useful secure storage for hand tools and general items. However, because it only has doors at one end it has limited use for storage purposes in connection with a farming enterprise. Such a restriction means a clear passage has to be maintained through the length of the container to move items further from the doors. It is also inappropriate for the storage of hay or straw as most bales of hay or straw are now large round bales, which can only be handled mechanically. The traditional small bales, which can be handled by hand, are increasingly difficult to source as modern machinery deals only with the larger bales.

The lack of internal electric lighting will make it difficult to use, such difficulties being exaggerated in the winter months.

The proposal to sink the container into the ground is in my view inappropriate as despite the addition of damp proofing material, the inside of the container will be damp and not conducive to the successful storage of animal feedstuffs or work tools.

In addition, I would have reservations about the siting of a storage facility in this location, due to possible flooding from Cairn Beck.

The area of existing land at 2.5 hectares with around 1.25 hectares of unstable agricultural land is extremely small with the capacity to carry only a few head of sheep or cattle. It is appreciated the applicant intends to take additional land on a license basis but there is no security of tenure on land taken on this basis.

In conclusion, I would advise that:

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0626 /

1. The steel container is an inappropriate structure to store bulky feedstuffs e.g. straw/hay in modern big bale format because of the difficulty in getting the material into and out of store.
2. If sunk into the ground, storage will be inappropriate for farm feedstuffs and work tools due to dampness.
3. The incidence of flooding of Cairn Beck should be investigated.

I can confirm that due to the very small area of land held on a secure basis, the ability to carry stock will be very limited and as a result the proposed enterprise will not be financially viable and will have a very low labour requirement.

HAYTON PARISH COUNCIL: Would wish to know if this is to become a permanent feature and if so what measures will be put in place regarding maintenance and also screening from the road.

The Council is concerned by the planning application being retrospective and that any conditions imposed therefore, should be enforced within a very short time span as letters of concern have been received and the local Councillor for Heads Nook has also been made aware verbally of the unease of local residents. Inevitably concerns are being expressed about the long-term plans for this site and what impact there may be on an otherwise unspoiled wildlife habitat.

COUNTY HIGHWAY AUTHORITY: No objections.

CUMBRIA WILDLIFE TRUST: The Trust has no information to show that the site is of particular importance for wildlife, and therefore has no comment to make.

FRIENDS OF THE LAKE DISTRICT (CPRE): The site is located in an attractive landscape setting beside Cairn Bridge. There is no substantial development in the immediate vicinity. Views into this undeveloped site can be clearly obtained from the roadside, with the rising ground to the north and south.

With regard to application 01/0626, we would raise concerns about its intended use, and question the logic of using an isolated building for the storage of tools and materials. Its location may make it vulnerable to theft so defeating the object for the building. Furthermore, we do not consider that it is appropriate to locate a steel storage container in such an isolated rural location. It is not well-related to any existing agricultural use or other buildings. In our judgement, the siting of the structure is contrary to the aims of maintaining the undeveloped character of the countryside. It results in further unwarranted sporadic development to the detriment of the landscape, where no agricultural need has been demonstrated. There do not appear to be any other extenuating circumstances to warrant the siting of the steel container in such an isolated location. We therefore recommend refusal accordingly.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0626 /

ENVIRONMENT AGENCY: The Agency has no knowledge of any flooding in the vicinity of the proposed siting of the steel storage container. As long as the container is sited well away from Cairn Beck the Agency have no comments to make.

SUMMARY OF REPRESENTATIONS:-

This application has been advertised in the form of a site notice and the direct notification of the occupiers of an adjoining property. In response five letters of objection have been received. The issues raised being;

- The purpose for which the developer intends to use the land appears very different from the plans actually submitted;
- The area provides a natural habitat for deer and red squirrel. Clearance of this site endangers the future of both animals;
- Access to the site is very poor, being located on a severe bend to a T-junction on the incline of Cairn Bridge;
- The introduction of casual residents with no interest in preserving the environmental and community interests of the area will reduce the sense of security permanent residents currently live with;
- Cairn Bridge is most definitely an area of natural beauty and every effort should be made to protect this fact;
- The applicant had been extracting stone from the site;
- The applicant appears to hope to eventually get a building site of some sort on the land. Any building on this site could open the way to building in-fill applications for ribbon development from Faugh to Heads Nook.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

The site has not previously been subject of a planning application.

In August of this year the City Council was consulted by the Camping and Caravanning Club because it had received an application from Mr R M Wilson for the issue of a 5 Caravan Certificate of Exemption under the Caravan Sites and Control of Development Act 1960. In response to the consultation misgivings were raised because the applicant, who resides in Wigton, has no apparent on site supervision of the property; the existing access is considered poor whilst the proposed access, for which the necessary permission has not been granted, would be detrimental to the safety of other road users; and, in such a sensitive site the proposal is likely to be detrimental to the character of the area.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0626 /

The Environment Agency also raised concerns on the basis that potential flooding cannot be ruled out due to the proximity of Cairn Beck.

DETAILS OF PROPOSAL

This application, and the following item (reference number 01/0638) were deferred at the applicant's request in order to submit additional information. At the time of writing the report, receipt of the additional information is still awaited. Both applications relate to approximately 2.5 hectares of land to the immediate west of the Cairn Bridge junction with the Heads Nook/Faugh road. In the north-western corner there is a redundant quarry.

The application site has been owned by Cairn Bridge Ltd since April/May 2001. The surface of the track shown on the location plan has been resurfaced with hardcore and most of the area between the track and Cairn Beck, which flows through the site, has been cleared of growth and sown with grass. There is a very steep slope between the track and the public road, which retains the existing shrub vegetation.

The land to the south of Cairn Beck appears to be part of the adjacent field with an undefined boundary.

It has been intimated by Mr R Wilson, on behalf of Cairn Bridge Ltd, that:

- The area available for grazing livestock would be around 1.25 hectares (3 acres);
- That 2 hectares (5 acres) of agricultural land was also owned at Wigton (about 16 miles from Cairn Bridge);
- About 12 hectares (30 acres) was taken each year on seasonal grazing lets;
- His family farmed at Allonby and Cumwhitton and he had access to fell grazing rights at Ulldale;
- The intention would be to rent further seasonal grazing in the vicinity of Cairn Bridge;
- Mr Wilson has no livestock at the present time, these having been sold prior to the current Foot and Mouth restrictions. In the past, about 20 Limousin cross bullocks were kept, which were sold as strong store cattle. Twenty breeding ewes had also been kept. He currently has no ewe quota or suckler cow quota allocated to him;
- No crop was taken off the land with all feedstuffs bought in. This included big round bales of hay and concentrates. The hay was stored in a building on the land at Wigton;
- There is a block built general purpose building measuring

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0626 /

18 metres x 6 metres (60' x 20') on the land at Wigton; and,

- Mr Wilson advised that he worked about 40 hours/week on his agricultural holdings. His son, who works full time off the holdings, also helped at weekends. Mr Wilson lives off the holdings at 53 High Street, Wigton.

Application number 01/0626 seeks permission for the siting of a rectangular steel former shipping container measuring approximately 12.5 metres long x 2.5 metres wide. Preliminary work has commenced in forming a hole with the storage container on the land and in use. This container has a timber floor and a set of double doors at one end. A small number of fence posts, water piping and general hand tools were stored in the container at the time of the site visit. It has no form of lighting.

The second application, number 01/0638, is for the erection of an agricultural building which on the ground floor would be for housing water treatment plant, provide storage, house two existing water troughs, and, an area for treating and attending to cattle and sheep. The first floor of the proposed building would be a further store room and a water storage and treatment plant.

Mr Wilson has explained that the steel container is needed for storage purposes for animal feedstuffs including hay/straw, and, for the secure storage of manual and powered hand tools. The intention is to sink the container into the ground to the immediate south of the former quarry face so only the end containing the doors would be visible. The outside of the container would be treated with damp proofing material and there would be a void under the container to allow for drainage.

There is also an intention to erect a building in the future subject to the granting of permission, at the western end of the site near to the storage container, to house up to around 30 pedigree breeding ewes and this is the building the pure water supply would serve. The good quality animals would be displayed at local agricultural shows and sold as pedigree tups. These sheep would be housed in the winter months in the proposed building and graze rented pastures in the vicinity of Cairn Bridge in the summer.

In considering this application it is felt that the following points need to be kept in mind:

- a) Members will be aware that Class B of Part 6 of the (General Permitted Development) Order 1995 permits certain development to take place on agricultural land comprised in an agricultural unit of not less than 0.4 but less than 5 hectares where the development is reasonably necessary for the purposes of agriculture within the unit. Part 6 makes it clear that the term "agricultural land" means land which, before the development permitted by this Part is carried out, is

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0626 /

used for agriculture for the purpose of a trade or business. Prior to the purchase of the land by Cairn Bridge Ltd and the subsequent clearance of growth it appears that the land was at various times used for the grazing of a pony, and as such, there was no significant agricultural use of the land for a trade or business purpose. If the land is subject to a MAFF/DEFRA holding number it is not felt to have any greater significance than as a source of administrative reference.

- b) Ministerial advice contained in PPG7 "The Countryside - Environmental Quality and Economic and Social Development" points out in paragraph 2.1 that the aim of the planning system is to reconcile the needs of development and conservation, and secure economy, efficiency and amenity in the use of land. Paragraph 2.3 of PPG7 goes on to say that the guiding principle in the countryside is that development should both benefit economic activity and maintain or enhance the environment. "New development should be sensitively related to existing settlement patterns and to historic, wildlife and landscape resources. Building in the open countryside, away from existing settlements or from areas allocated for development in development plans, should be strictly controlled".

Paragraph 2.8 of PPG7 also states that local planning authorities should weigh the need to: encourage rural enterprise; protect landscape, wildlife and historic features; safeguard best agricultural land; have regard to the quality and versatility of land for forestry and other rural enterprises; protect non-renewable resources; strengthen rural communities; achieve good quality development which respects the character of the countryside; and, secure safe development by taking account of the stability of the land.

The Government's policy is "that the countryside should be safeguarded for its own sake and non-renewable and natural resources should be afforded protection" (paragraph 2.14).

- c) The development plan comprises the Cumbria and Lake District Joint Structure Plan (SP) and the Carlisle District Local Plan (CDLP). SP Policy 13 and CDLP Policy E8 establish that in the undeveloped open countryside, development will not normally be permitted. CDLP Policy E2 relates to agricultural buildings, and makes it clear that they will be permitted, but only if certain criteria are met.
- d) The County Land Agent has commented that the very small area of land held on a secure basis and its limited stock carrying capacity makes the proposed agricultural enterprise unviable. The County Land Agent also feels

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0626 /

that the steel container is an inappropriate structure to store bulky feedstuffs and, if sunk into the ground, storage would be inappropriate for farm feedstuffs and work tools due to dampness.

- e) Whilst Mr Wilson has said that the holding may be enlarged by taking additional land on a license basis, there is no security of tenure. It is recognised that because of where Mr Wilson lives, there could be particular problems in establishing an enterprise in the absence of any building. The County Land Agent has highlighted that the proposed agricultural enterprise is not viable, the actual area of land is extremely small with the capacity to carry only a few head of sheep or cattle, and, that the container is an inappropriate structure.

In the absence of the awaited information it is concluded that there does not appear to be a reason to justify making an exception to SP Policy 13 and CDLP Policy E8 which, in line with PPG7, seeks to restrict development in the open countryside. It is also held that if an exception was to be made in this particular case, then it would make it hard for the Council to resist similar applications elsewhere in the countryside. This would lead to the gradual erosion of the openness of the rural area. The applicant's rights are respected but it is concluded that the agricultural considerations do not out-weigh the harm to the objectives of SP Policy 13 and CDLP Policy E8.

ADVISORY NOTES TO COMMITTEE:-

1. Since the development or use to which the above application refers has been commenced without the necessary planning approval having been obtained, enforcement action may be necessary in order to remedy the breach of planning control which has occurred. Members are therefore requested to give authority for such 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.

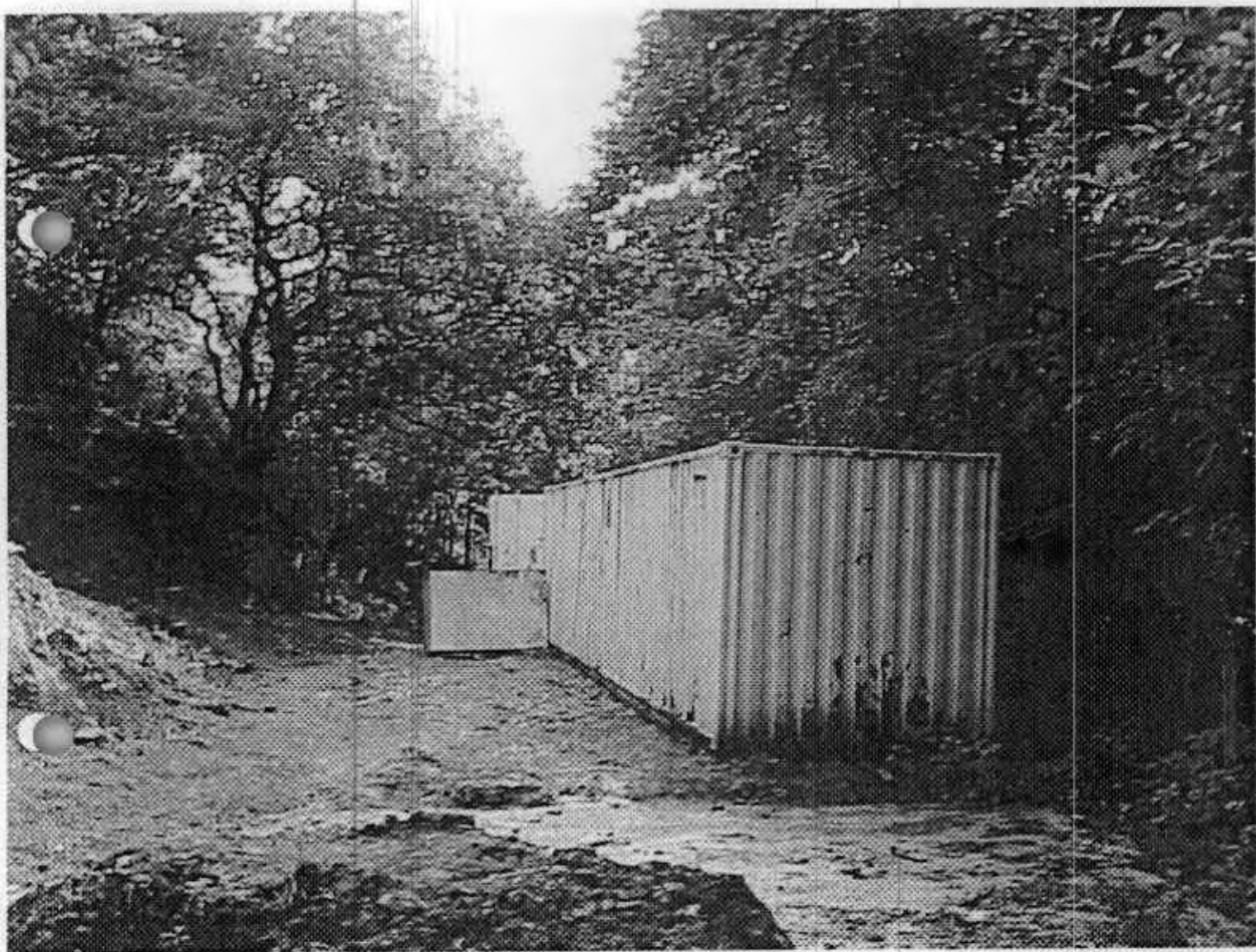
RECOMMENDATION:-

REFUSE

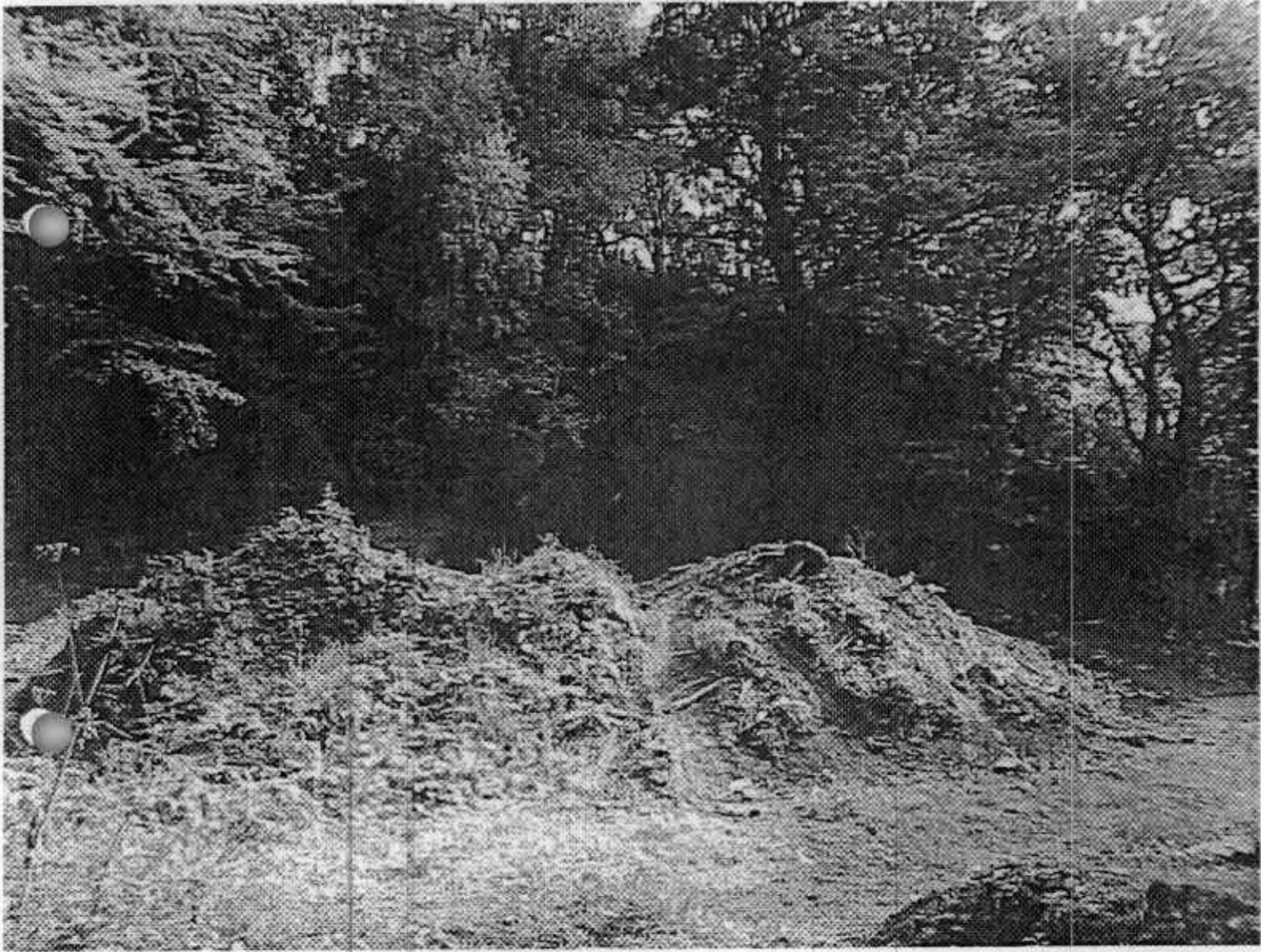
1. REASON: The site of the proposed development is in a prominent and attractive open area of countryside unrelated to any existing settlement or group of farm buildings. In such a sensitive location the proposal involves the siting of a steel storage container which is considered inappropriate for its stated purpose and for a proposed agricultural enterprise which is not viable. The proposal is therefore considered contrary to the objectives of Policy 13 of the Cumbria and Lake District Joint Structure Plan and Policy E8 of the Carlisle and District Local Plan.

01/0626

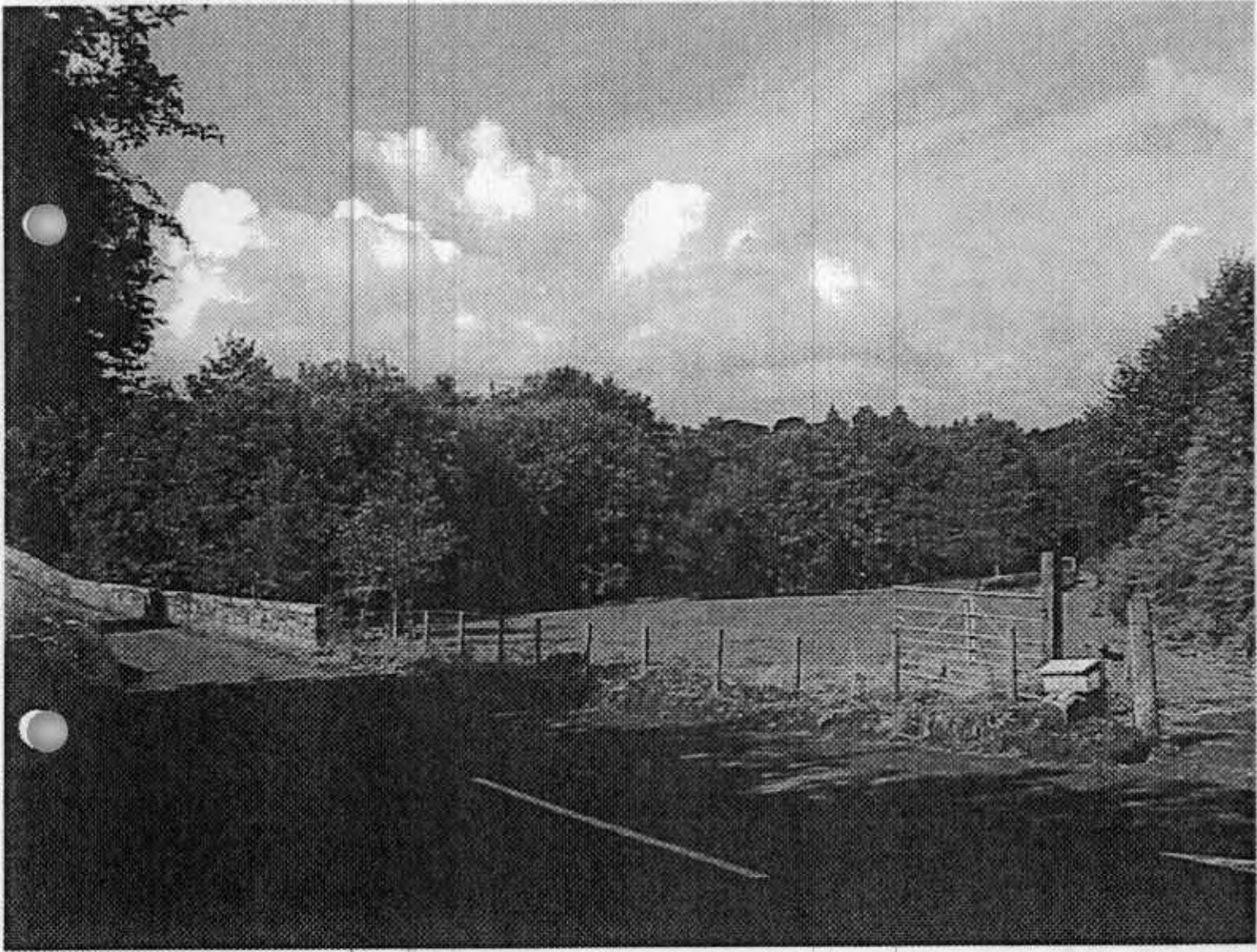


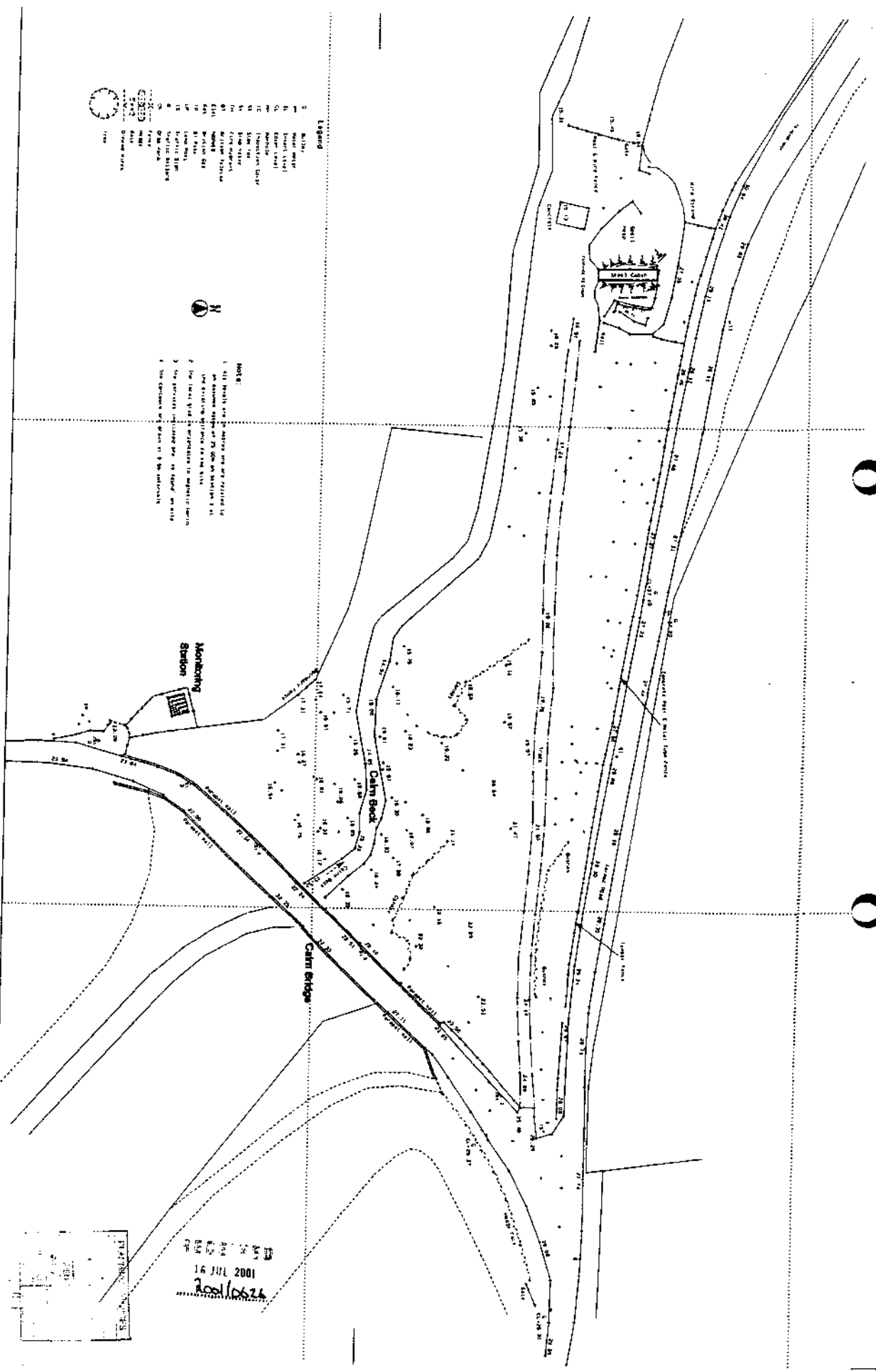












- Legend**
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 - 2. 1:20 Scale
 - 3. 1:50 Scale
 - 4. 1:100 Scale
 - 5. 1:200 Scale
 - 6. 1:500 Scale
 - 7. 1:1000 Scale
 - 8. 1:2000 Scale
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 - 97. 1:100 Scale
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 - 99. 1:500 Scale
 - 100. 1:100 Scale

NOTES:

1. All levels are in meters and are related to an assumed datum of 79.00m on station 101.
2. The level of the topography is indicated by 1:10 scale contours.
3. The proposed 'Monitoring Station' is shown on the plan.
4. The dimensions of the plan are in meters.

CARROCK CONSTRUCTION

Carrock House, Bow Hill, Buxton Road
 Penrith, Cumbria, CA11 0XY
 Tel: 01768 484 484 Fax: 017684 88850
 YH: carrock.co.uk Email: mail@carrock.co.uk

Proposed change of use for land adjacent Cairn Bridge, Heada Nook, Carlisle for Mr R. KILSON

Proposed Site Plan

Scale: 1:500

Date: 05/07/2001

Sheet: 1/1

M2533/3

16 JUL 2001
 2001/0222



Mr A. Hutchinson
Planning Services
Civic Centre
Carlisle
CA3 8QG

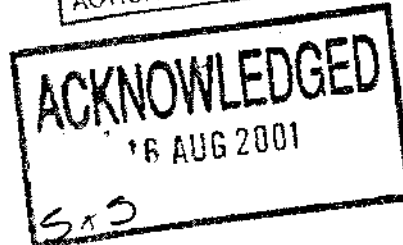
PLANNING SERVICES	
REF	01/0626 + 0438
16 AUG 2001	
RECORDED	EB
SCANNED	
PASSED TO	ARH
ACTION	SXS

Cairnbridge Barn
Heads Nook
Brampton
CA8 9EH.

6th August 2001

Tel: 01228 561457

Dear Mr. Hutchinson



Re: Objection to Plans in relation to Cairnbridge.

I write to show concern over planning applications for Cairnbridge. The plans refer to use of the site for storage of water for farm animals. To my knowledge, the developer only owns the land to which the plans refer and has no animals in surrounding fields which are owned and used by local farmers. It would be interesting to see how the developer could possibly accommodate livestock on his own land given the level of road building and landscaping currently under way.

In addition, I had a conversation with a man who claimed to be employed by the developer to provide gardening services to the caravan park that was being built. When I asked him exactly where this was, he confirmed the site to be at Cairnbridge. Having discussed this with you, it appears that no plans have been submitted for a caravan park.

P.T.O.

My objections are as follows:-

1. The purpose for which the developer intends to use the land appears very different from the plans actually submitted.
2. The area provides a natural habitat for Deer and Red Squirrel. Clearance of this site endangers the future of both animals.
3. Access to the site is very poor, being located on a severe bend to a T-junction on the incline of Cairnbridge. Visibility for site and highway traffic is impaired by the position of the entrance, which will present an increased risk of accident or injury to an already dangerous section of highway.
4. The site is positioned on a section of highway used largely by local people who understand and respect the hazards present. An increase of traffic comprising of vehicles unfamiliar with this road will:-
 - accelerate wear and tear of the road and bridge.
 - increase the risk of other road users
 - place demands on the council to provide a higher level of highway maintenance, including regular gritting, which is not currently available.
5. Although small in population, Cairnbridge thrives on a strong spirit of community. The introduction of casual residents with no interest in preserving the environment and community interests of the area will reduce the sense of security permanent residents currently live with.

6. Finally, Cairnbridge is most definitely an area of natural beauty and every effort should be made to protect this fact.

Whilst I appreciate that not all of my objections refer directly to the plans you have, in view of the conversation had regarding a caravan site, a full investigation of the developers proposal would be greatly appreciated.

Should you wish to discuss any element of this letter in greater detail please do not hesitate to contact me.

Yours sincerely



Jayne Ford

PLANNING SERVICES	
REF	01/0626 +
	01/0638
	2001

Heads Noo
Brampton
CAS

RE: Appn. No 01/0626
Appn No. 01/0638

ACKNOWLEDG
08 AUG 2001
342

Dear Sir,

We would like to bring to your attention our concerns and the possible intentions of the owner of the land concerned with these applications.

Although he has applied for planning permission for a barn to store water for animals & a steel tower car we do not believe these are his true intentions. Caravan site, water bottling business and a site for travellers could be possible uses for the land which have been brought to our attention. We also believe someone has been staying on the land in the container and has been referring to it as a caravan park already.

We also know the gentleman who owns the plot has said he is now going to build a 'chale' on the land for himself to live in. When questioned as to what planning permission he requires his answer was he wouldn't need any once

he got these 2 applications through!

Our main opposition to any of the uses for this land, either applied for or not are as follows:-

- 1/ Access - the junction of the Caunbridge Road w/ the Heads Nook. road is extremley dangerous. It would be impossible to get a large vehicle out of this land and then get it to turn left towards Heads Nook, especially if one vehicle was towing another.
- 2/ If it does become a caravan site there aren't any provisions for sanitary conditions.
- 3/ If these applications are genuine what animals will be wanting water - he hasn't got any and Foot + Mouth Disease wiped out the entire sheep population for about a 4 mile radius.
- 4/ Why has he had this land landscaped? Impact on wildlife - especially the deer.

We and all our neighbours are extremley concer that both of these applications could go along way to affecting the general area.

relevant to these applications. If one thing
can be sure this gentleman ~~is~~ ^{has} some kind of
hidden agenda.

We hope you will take our concerns into
account when processing these applications

Yours sincerely,

John and Amanda Hill

very dangerous bend on the road between Heads Nook and Faugh. Despite attempting a right hand turn with extreme caution, I was recently nearly involved in a serious accident when a car travelled around the bend at speed. In the winter the road is treacherous because there is a steep incline from Cairnbridge onto the Heads Nook road. I am aware that planning permission is not required for up to five mobile caravans. If the developer is planning this then the frequency of mobile caravans accessing the site will undoubtedly increase the risk of a tragic accident, particularly if the developer is proposing this site for "travelers" who move sites frequently.

I have been informed by the local community that there used to be a quarry there many years ago and that there has previously been an access point here. However, as we are all aware the amount of traffic on the road has greatly increased since this entrance was last in use.

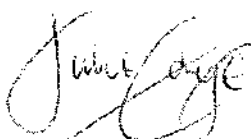
From an environmental perspective, the developer has shown no respect for the land he has purchased and has stripped it of its natural cover in advance of getting planning approval. There were deer and other wildlife in this woodland area and their habitat is being largely destroyed. There is also a small river/ stream that runs along Cairnbridge. If a caravan park is planned for here, pollution may become an issue with further deleterious effects on wildlife.

I contacted the planning department today and spoke to Richard Mansell, as the developer has now made another entrance site next to the water pumping station on the south side of the bridge and is cutting down trees to clear a road down to the river, this is also in a dangerous spot on a bend on a narrow road. I do feel that the planning department should monitor this developer closely, because even if he does not get permission, he is destroying the countryside and he will not easily be able to restore the land to its original state.

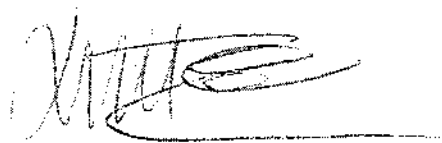
We have a young family and moved to this house less than two years ago because the quiet and anticipated safe rural location attracted us. Because we are unsure of the developers intentions and rumours that a caravan site is proposed, we feel our security and the value of our property is threatened.

In summary our chief concern is that the developer is not being honest about his intentions and we hope that the planning committee will seriously oppose this application, which is not, I fear in the best interests of the local community.

Yours sincerely



Mrs. J.A.B. Edge



Dr. J.M.H. Edge

PLANNING SERVICES	
REF	01/626
31 JUL 2001 2	
RECORDED	CN
SCANNED	
PASSED TO	ARCH
ACTION	

I Rosebank
Heads Nook
Brampton
Cumbria
CA8 9EW

27th July 2001

Carlisle City Council
Environmental & Planning Services Division
Civic Centre
Carlisle
CA3 8QG

Dear Sirs

**Steel Container & Erection of Agricultural Building L/A field 3644
Cairn Bridge Heads Nook**

I write to express my concerns relating to the requests for permission to site a steel container on the above land, together with the proposed agricultural building, in what until recently was an unspoiled natural habitat for a variety of wild life.

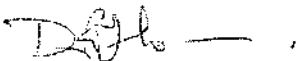
Please will you ascertain whether the steel container is to become a permanent feature & if so can covenants be put in place regarding up keep & screening of the container from the roads?

Please will you ascertain / consider where are the cattle & sheep troughs that require water, & why will there be a need to treat & store the water on a site where beast could have direct access to the Cairn beck. If it is proposed to transport the water from the site, access to the land is restricted & any traffic entering the site will pose a hazard.

I trust that the directors of Cairn Bridge Limited will co-operate with you fully to establish the longer-term plans for the land & if permissions were to be granted are they consistent with those plans. In particular please will you pose questions as to further development of the site & whether it is proposed to park caravans on the land.

In summary, I have concerns that the true purpose of the planning applications may be at odds with what may become the reality.

Yours faithfully



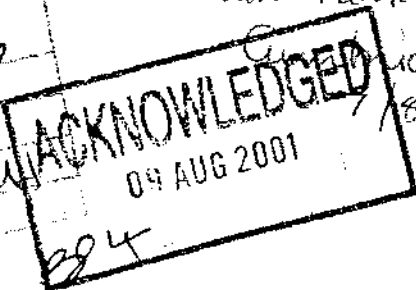
D R Thompson

Cc Hayton Parish Council

Mr. A. R. Hutchinson
~~Head of Planning Services~~
Civic Centre
CARHISHT

PLANNING SERVICES	
REF: 01/0638	
- 9 AUG 2001	
SEC. OFFICER: D. WILSON	BF
PASSED TO: AEW	
ACTION:	

Eden Holme,
Heads Hook,



Dear Sir,

Applic. L/A Field 3644 adj. Cairn Bridge, Heads Hook.

Ref. 01/0638

I wish to object to this application on the following grounds.

① A previous (retrospective) application was made for a storage container on the site (Cumb. News July 20th). I had also phoned the City Council and then Kendal as the applicant had been extracting stone at the site.

② This further application would seem rather extraordinary as cattle and sheep do not need a building to be watered or treated water. The land is bordered by the Cairn Beck.

③ I have heard that the applicant has said he hopes to sit a caravan site on the land. As the site has been enlarged by the stone extraction, it would appear that the applicant hopes to eventually get a building site of some sort on the land. Any building on this site could open the way to building in-fill applications for ribbon development from Trough to Heads Hook.

④ Apart from any other consideration the entrance to the site is at an extremely hazardous road junction. I have lived in Heads Hook since 1952 and know of numerous "near squeaks" at this place.

Yours sincerely,

Rosemary Dias (Mrs)

SCHEDULE A: Applications with Recommendation

ITEM NO. 6

Date of Committee: 02/11/2001

APPN REF NO: 01/0638 /
APPLICANT: Cairn Bridge Ltd
PARISH: Hayton

DATE OF RECEIPT: 20/07/2001
AGENT: Carrock Construction-Malcolm Iredale
WARD: Hayton

LOCATION: L/A Field 3644 adj Cairn Bridge, Heads Nook, Carlisle, Cumbri
GRID REF: 350300 554450

PROPOSAL: Erection of agricultural building to water cattle,
water treatment and storage piped to sheep troughs.

REPORT

PLANNING POLICIES:-

CUMBRIA & LAKE DISTRICT JOINT STRUCTURE PLAN POLICY 3

The diversification of the rural economy and the maintenance of the vitality of rural life will be assisted through a favourable response to developments which provide local benefits and are sensitive to the local environment.

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 E2

Proposals for new farm buildings and extensions to existing agricultural buildings and other farm structures will be permitted, providing that:

1. the building or structure is sited where practical to integrate with existing farm buildings and/or take advantage of the contours of the land and any existing natural screening; and
2. the scale and form of the proposed building or structure relates to the existing group of farm buildings; and
3. within AONBs and Conservation Areas, the design and materials used reflect the overall character of the area; and
4. the proposal would not have an unacceptable adverse effect on any adjacent properties.

CARLISLE DISTRICT PLAN

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0638 /

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.

SUMMARY OF CONSULTATION RESPONSES:-

COUNTY LAND AGENT: Apart from the further storage, the purpose of this building is mainly to provide a pure supply of continually running water to a proposed building to house pedigree sheep.

No details have yet been provided for the proposed sheep housing building other than it would be at a lower level than the water treatment plant and near to the western boundary of the site.

The majority of sheep housing is provided with mains water feed troughs. I am aware of a view that sheep are reluctant to drink from troughs where water can stand for some time and become stagnant. They prefer to drink from running water. Some installations involve tapping a supply from a spring or stream and piping that supply through a channel through the sheep housing thereby providing a continuous supply of fresh water. However, this is the first time I have seen a proposal to purify the water prior to channeling it through the sheep housing.

It is important to be aware that of the sheep housed in this county, the majority are only housed probably from around Christmas until they have lambed in March/April or perhaps only for a few weeks during lambing. The rest of the year they are at grass.

Turning to the capacity of the plant, the drinking water requirement of a breeding ewe whilst housed varies between 2.4 and 4.5 litres per day. If an average of 3.5 litres per day is taken for the proposed 30 breeding ewes, this gives a daily requirement of 105 litres. I note the combined storage capacity of the tanks within the proposed building is 2700 litres, which is sufficient for around 770 ewes if the existing

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0638 /

spring supply is continuous. Clearly this is far in excess of what is actually required.

The applicant puts considerable emphasis on the need for pure water but I am not convinced this is necessary. Many sheep housing enterprises, on a considerably bigger scale than that proposed, successfully use mains water or water from a watercourse.

I have checked the requirements for water housed in sheep in DEFRA's (formerly MAFF) "Codes of recommendations for the welfare of livestock - sheep" revised in March 2001. The guidance there states:

"Water bowls and troughs should be constructed and sited so as to avoid fouling and to minimise the risk of water freezing in cold weather. They should be designed and installed in a way that will ensure small lambs cannot get into them and drown. They should be kept thoroughly clean and should be checked at least once daily and more frequently in extreme conditions to ensure that they are in working order".

I have also checked the guidance given in ADAS publication P3128 published in 1987 which states:

"Water is best provided in small troughs or self-filling water bowls. Insulate the water supply well against frost damage, fix the troughs at a height to avoid sheep fouling the water and ensure trough size or the number of bowls is sufficient for the ewes in the pen".

In conclusion therefore, I advise:

1. The capacity of the treatment plant considerably exceeds the daily requirement of the livestock proposed and which the owned land can carry.
2. I am of the view that the purification of water proposed is not essential for the enterprise proposed.

I can confirm that due to the very small area of land held on a secure basis, the ability to carry stock will be very limited and as a result the proposed enterprise will not be financially viable and will have a very low labour requirement.

FRIENDS OF THE LAKE DISTRICT: With regard to application 01/0638, the proposed two-storey agricultural building would measure 10.5 metres in length, 5.65 metres in width, and 6.5 metres to the top of the ridge line. We consider this to be a substantial new building in such a rural location. We would therefore question whether or not such a large building is necessary for the intended agricultural use. The application fails to provide details of the agricultural holding that the building is proposed to service. The red lined drawing only

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0638 /

shows a small area of land as part of the application. We would therefore raise concern that this elaborate development maybe required as part of a commercial bottling plant operation, rather than simply to provide water for livestock. Furthermore, the proposed building has an appearance more akin to a private residential dwelling rather than agricultural use. We would therefore express concern about the scale and bulk of the building, and the proposed end use. We do not consider that there are any justifiable planning reasons for the development, and consider that it would result in a substantial new building in the open countryside. If the reason for the building were essentially for safe secure storage, then its isolated location may make the building more vulnerable to theft. Furthermore, if it were to be used for commercial bottling plant purposes, the use would generate an increase in traffic movements in and out of the site and along narrow country lanes. This would be detrimental to the general amenities of the area, which is located in a quiet rural part of the District. We would recommend refusal accordingly.

COUNTY HIGHWAYS AUTHORITY: Extremely concerned with regard to works on the embankment within the applicants site area. The removal of trees, undergrowth etc will cause instability to the embankment could also lead to the subsidence of the existing public highway which would be dangerous for road users. From a highway point of view, no development should be allowed within the site which would involve any works taking place that would affect the stability of the embankment.

ENVIRONMENT AGENCY: Under the Water Resources Act 1991, for agricultural purposes, abstraction from a surface contiguous source of less than 20 cubic metres per day, does not require an abstraction licence. However, the plans submitted and the proposed treatment facilities shown, indicated an intention to use the water for human consumption such as water bottling, which would require an application for an abstraction licence. Please be aware that to abstract water without a licence or in breach of a licence is a criminal offence and may lead to prosecution.

Any effluent discharged to a river from a bottling plant would be classed as trade effluent and would require a consent under the terms of the Water Resources Act 1991. Such Consents must comply with the requirements of the Groundwater Regulations 1998 including prior investigation, technical precautions and requisite surveillance and may be withheld. (Controlled waters include rivers, streams, groundwater, reservoirs, estuaries and coastal waters).

The developer should be advised that the granting of permission does not remove the need to obtain the relevant statutory Agency licence/consent. Permission should be gained prior to any work commencing.

HAYTON PARISH COUNCIL: Given the extent of the proposal, the Council would wish to know where all the sheep and cattle that would necessitate such provision going to graze as the area is

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0638 /

not much larger than a lawn.

We would also query the need for stock to have "treated" water at all and wonder whether the long-term use of this site might be for a different purpose all together. For example, are caravans to be sited here or could it be converted into a water bottling plant, perhaps even a residential dwelling?

In conclusion expressions of concern centre upon the future plans for the site. Residents would like to be reassured that any such possibilities could be uncovered before any development proceeds.

HEAD OF ENVIRONMENTAL SERVICES: It is noted that the above application has been made and wish to make you aware this division has recently sent information regarding bottle water for human consumption, at the request of a Mr Wilson. The proposed site was detailed as Cairn Bridge; Heads Nook.

It is very unusual to have UV filtration on a supply, which is only to supply cattle.

CUMBRIA WILDLIFE TRUST: The Trust has no information to show that the site is of particular importance for wildlife, and therefore has no comment to make.

SUMMARY OF REPRESENTATIONS:-

As per application number 01/0626, this application has been advertised in the form of a site notice and the direct notification of the occupiers of an adjoining property. In response five letters of objection have been received. The issues raised being:

- The purpose for which the developer intends to use the land appears very different from the plans actually submitted;
- The area provides a natural habitat for deer and red squirrel. Clearance of this site endangers the future of both animals;
- Access to the site is very poor, being located on a severe bend to a T-junction on the incline of Cairn Bridge;
- The introduction of casual residents with no interest in preserving the environmental and community interests of the area will reduce the sense of security permanent residents currently live with;
- Cairn Bridge is most definitely an area of natural beauty and every effort should be made to protect this fact;
- The applicant has been extracting stone from the site;
- The applicant appears to hope to eventually get a building site of some sort on the land. Any building on this site could open the way to building in-fill applications for

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0638 /

ribbon development from Faugh to Heads Nook.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

The site has not previously been subject of a planning application.

In August of this year this Section was consulted by the Camping and Caravanning Club because it had received an application from Mr R M Wilson for the issue of a 5 Caravan Certificate of Exemption under the Caravan Sites and Control of Development Act 1960. In response to the consultation misgivings were raised because the applicant, who resides in Wigton, has no apparent on site supervision of the property; the existing access is considered poor whilst the proposed access, for which the necessary permission has not been granted, would be detrimental to the safety of other road users; and, in such a sensitive site the proposal is likely to be detrimental to the character of the area.

The Environment Agency also raised concerns on the basis that potential flooding cannot be ruled out due to the proximity of Cairn Beck.

DETAILS OF PROPOSAL

Further to the report concerning application number 01/0626, this second proposal on the site is for a building not only to house water treatment plant but also provide at ground level two storage rooms for general items, house the two existing water troughs and provide an area for treating and attending to cattle and sheep. On the first floor would be a further store room, water storage, and, the treatment plant.

Mr Wilson, on behalf of Cairn Bridge Ltd, advised that the existing natural spring, which empties into the water troughs that would be part of the ground floor, was the original supply to the nearby Heads Nook Hall. The intention is to collect and purify this supply and then pipe it to a proposed sheep shed yet to have permission towards the western end of the site. The applicant believes it essential to provide a pure supply of running water to this proposed sheep housing rather than a mains fed supply to water troughs.

The proposed building measures 10.5 metres by 5.7 metres with an eaves height of just below 5 metres and an overall ridge height of 6.6 metres. The building would have rough cast rendered walls and a green profile steel roof. Mr Wilson has intimated that the cost of providing the building would be approximately £15,000 of which £3,000 would be for the water treatment plant.

In considering this application it is felt that the issues concerning the previous item (number 01/0626) are also relevant.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0638 /

The County Land Agent has pointed out that the very small area of land held on a secure basis and its limited stock carrying capacity makes the proposed agricultural enterprise not viable. In addition, the County Land Agent has concluded that the purification of water as proposed, not only exceeds the daily requirement of the livestock, but is also not essential for the enterprise.

Based on the available information there does not therefore appear to be a reason to justify making an exception to SP Policy 13 and CDLP Policy E8 which, in accordance with the advice contained in PPG7, seek to restrict development in the open countryside.

Whilst the proposed building has the immediate backdrop of the embankment leading to the main road, it is also considered that the building's size and isolated location would make it look incongruous.

In such circumstances, if an exception was to be made in this particular case, then it would make it hard for the Council to resist similar applications elsewhere in the countryside. This would lead to the gradual erosion of the openness of this rural area.

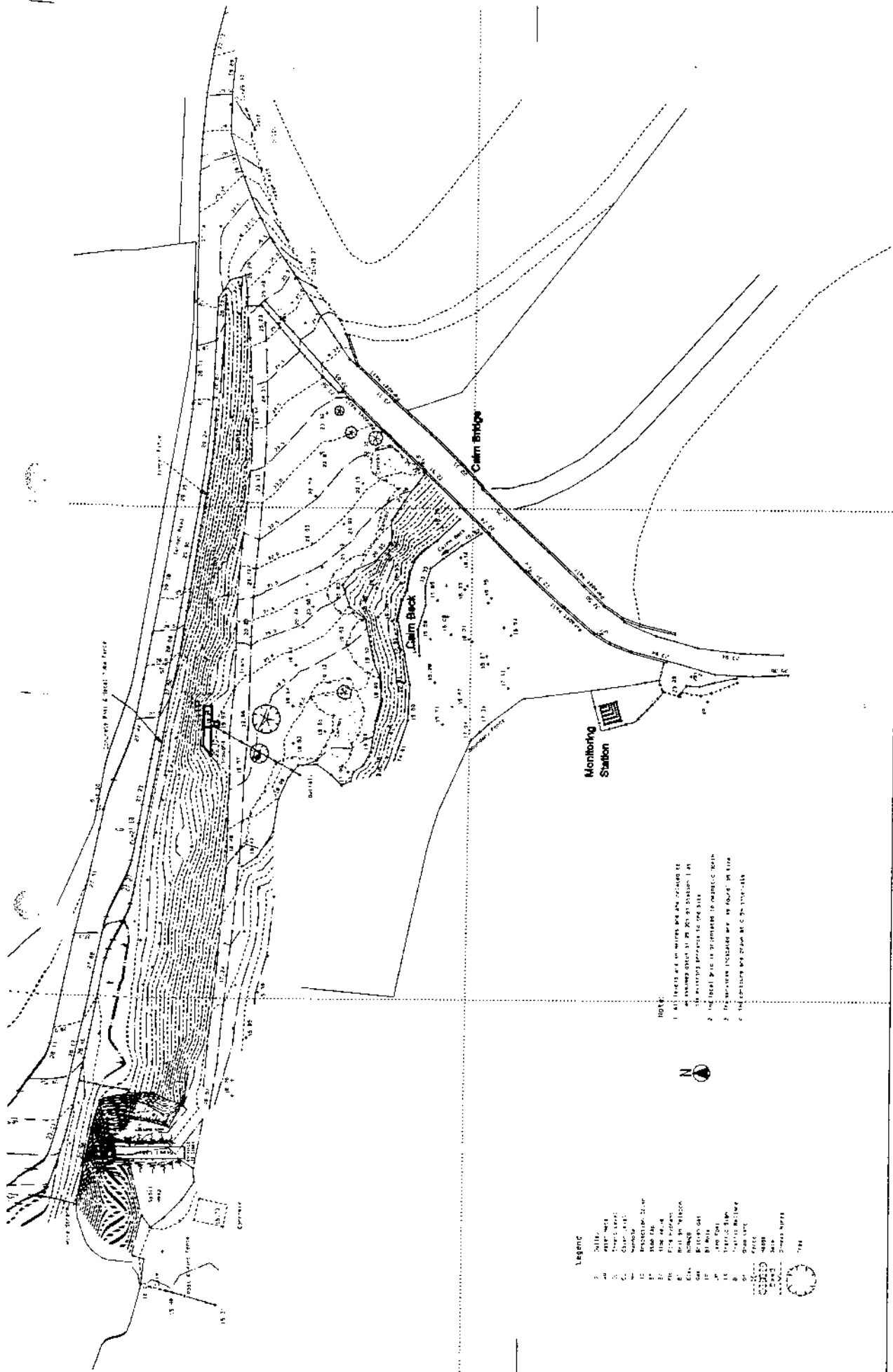
The applicant's rights are respected but in light of the above, and the current absence of any further information, it is considered that the the agricultural considerations do not out-weigh the harmful effect on the character and appearance of the surrounding area contrary to the objectives of Policy 13 of the SP and Policy E8 of the CDLP.

RECOMMENDATION:-

REFUSE

Deferred ✓

1. REASON: The site of the proposed development is in a prominent and attractive open area of countryside unrelated to any existing settlement or group of farm buildings. In such a sensitive location the proposed agricultural building which includes the housing of water treatment plant is not only in excess of what is required but also for a proposed agricultural enterprise which is not viable. The proposal is therefore considered contrary to the objectives of Policy 13 of the Cumbria and Lake District Joint Structure Plan and Policy E8 of the Carlisle and District Local Plan.



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1. All levels are in meters and are related to the datum of the 1984 datum.
2. The existing ground levels are shown in the plan.
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REVISIONS

A 16 08 2001 Existing site survey complete. Existing levels indicated.

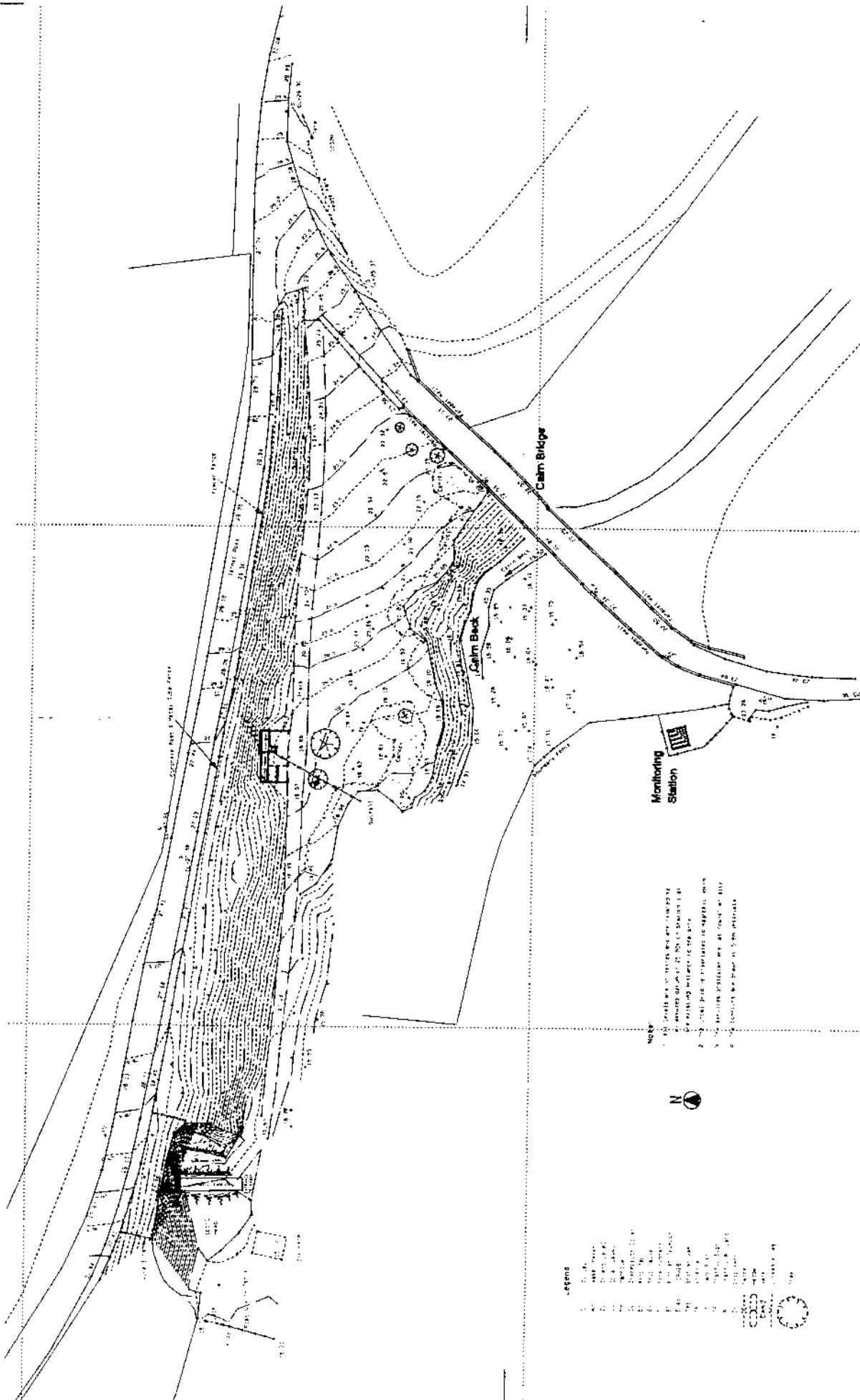
CARROCK CONSTRUCTION
 Carrock House, How Hill, Hutton Roof
 Penrith, Cumbria, CAlI OXY.
 Tel: 01768 484 484 Fax: 017684 88650
 WWW.carrock.co.uk Email: mail@carrock.co.uk

Proposed change of use for land adjacent Cairn Bridge, Heads Nook, Carlisle for Mr R. Wilson

Existing Site Plan

Scale 1:500 Date 16 08 2001 Sheet 1/1

Drawn by M2533/2A



Legend

- 1. Contour Interval 5 Feet
- 2. Proposed Cairn Back
- 3. Proposed Cairn Bridge
- 4. Proposed Monitoring Station
- 5. Proposed Concrete Dam & Weir
- 6. Proposed 110 Ft High
- 7. Proposed 100 Ft Long
- 8. Proposed 100 Ft High
- 9. Proposed 100 Ft High
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REVISIONS

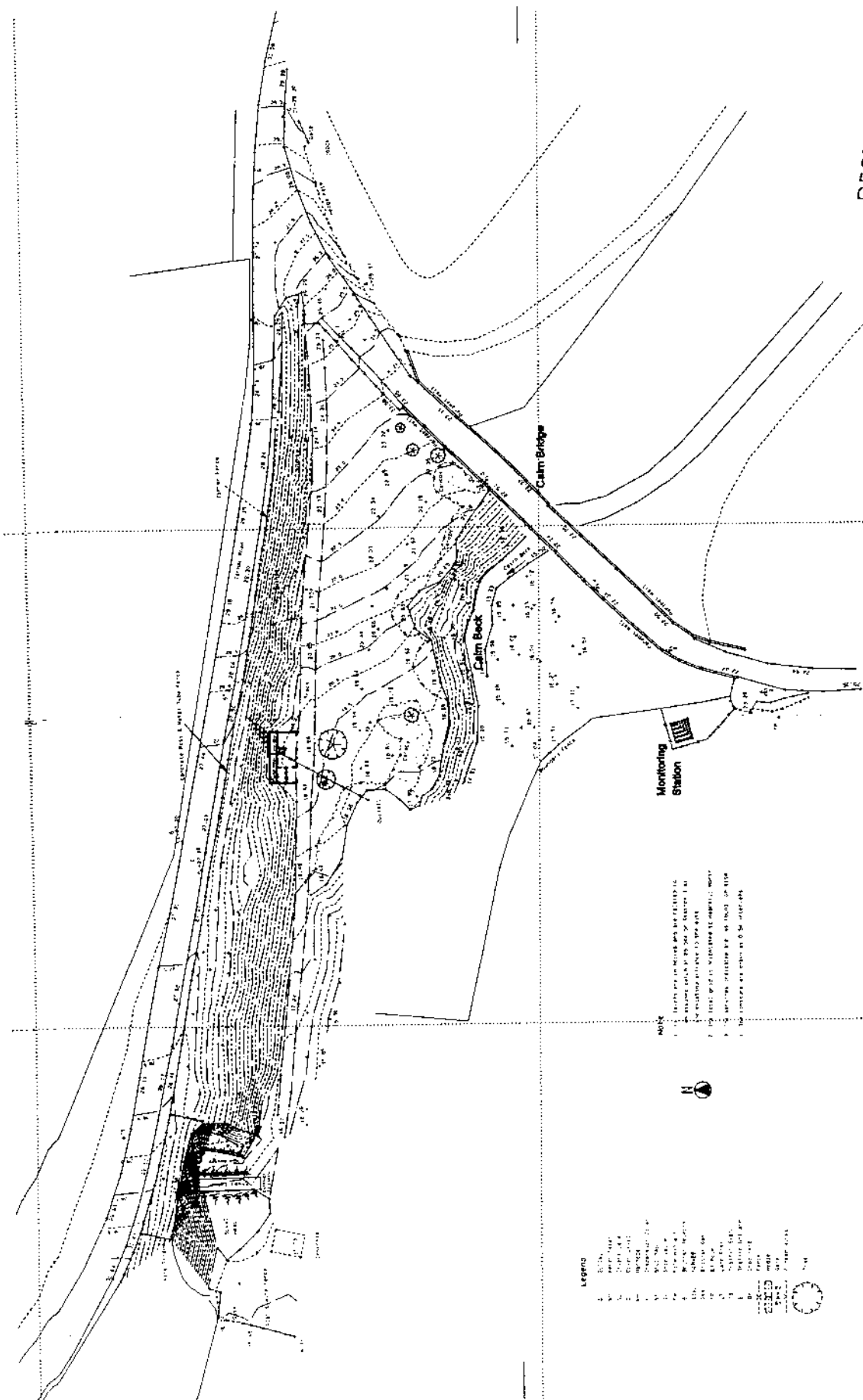
- A 10.06.001 Generally updated errors & omissions indicated.

CARROCK CONSTRUCTION Proposed change of use for land adjacent Cairn Bridge, Heags Moor,

Carriale for Mr. R. Wilson

Carrock House, Bow Hill, Hutton Roof

17th Nov 1901



- Legend**
- 1. EXISTING BECK CHANNEL
 - 2. PROPOSED BECK CHANNEL
 - 3. EXISTING BRIDGE
 - 4. PROPOSED BRIDGE
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RECEIVED
13 AUG 2001

Proposed change of use for land adjacent Calm Bridge, Heads Nook, Carlisle for Mr. R. Milson

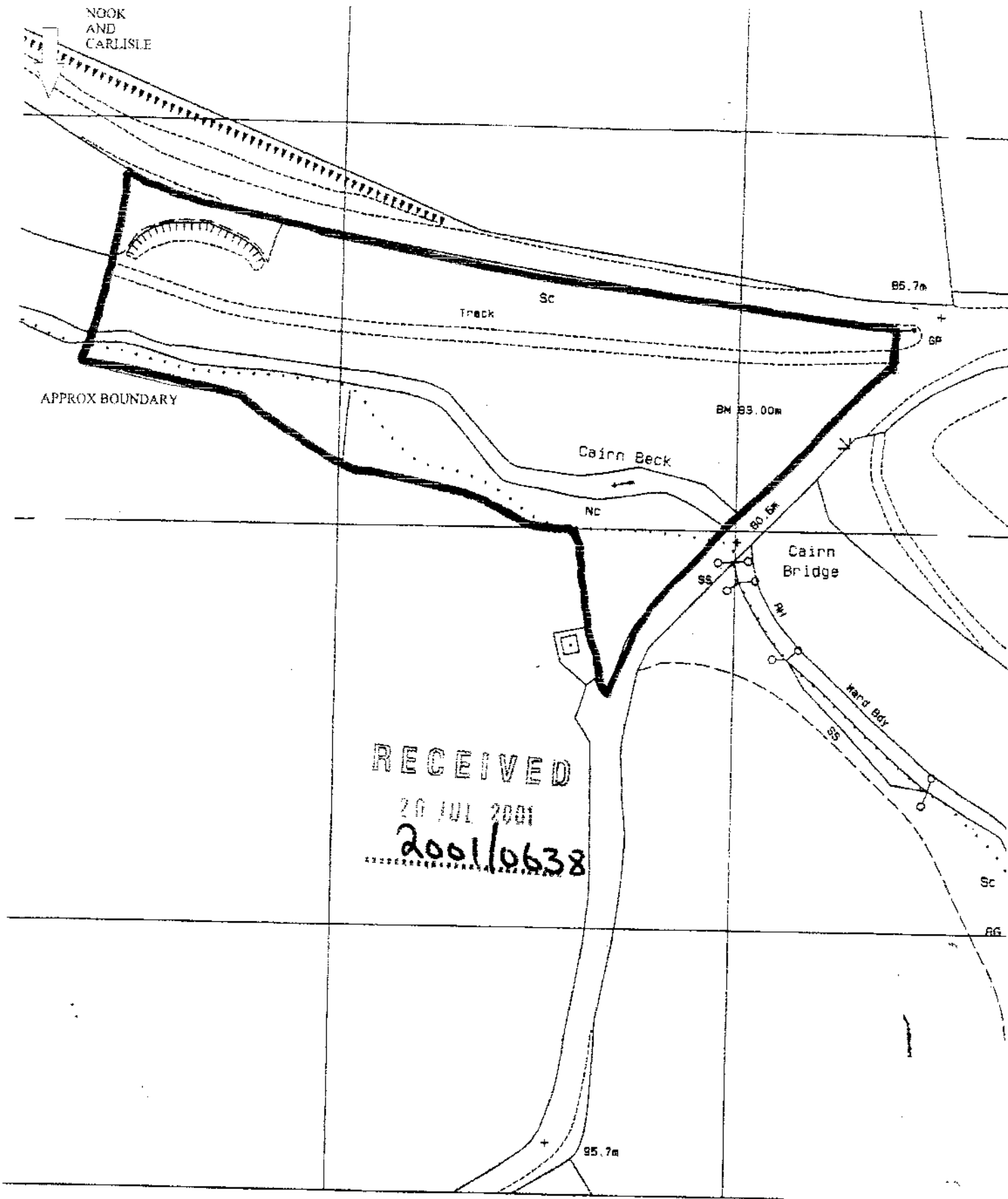
CARROCK CONSTRUCTION

Carrock House, How Hill, Hutton Roof
Penrith, Cumbria, CA11 0XY
Tel: 01768 484 484 Fax: 017684 88850
WWW.carrock.co.uk Email: mail@carrock.co.uk

M2533/3B

REVISIONS

- A 16/08/2001 Generally updated Levels & Contours etc.
- B 16/08/2001 Generally updated Levels & Contours etc.



CARROCK CONSTRUCTION SERVICES
 CARROCK HOUSE, HOW HILL, HUTTON ROOF, PENRITH CUMBRIA, CA11 0XY.

Proposed change of use for land adjacent
 Cairn Bridge, Heads Nook, Carlisle
 for Mr R. Wilson.

WEB: WWW.CARROCK.CO.UK
 E-Mail: MALCOLM@CARROCK.CO.UK
 TEL: 01768 484 484 or 0771 5011 309

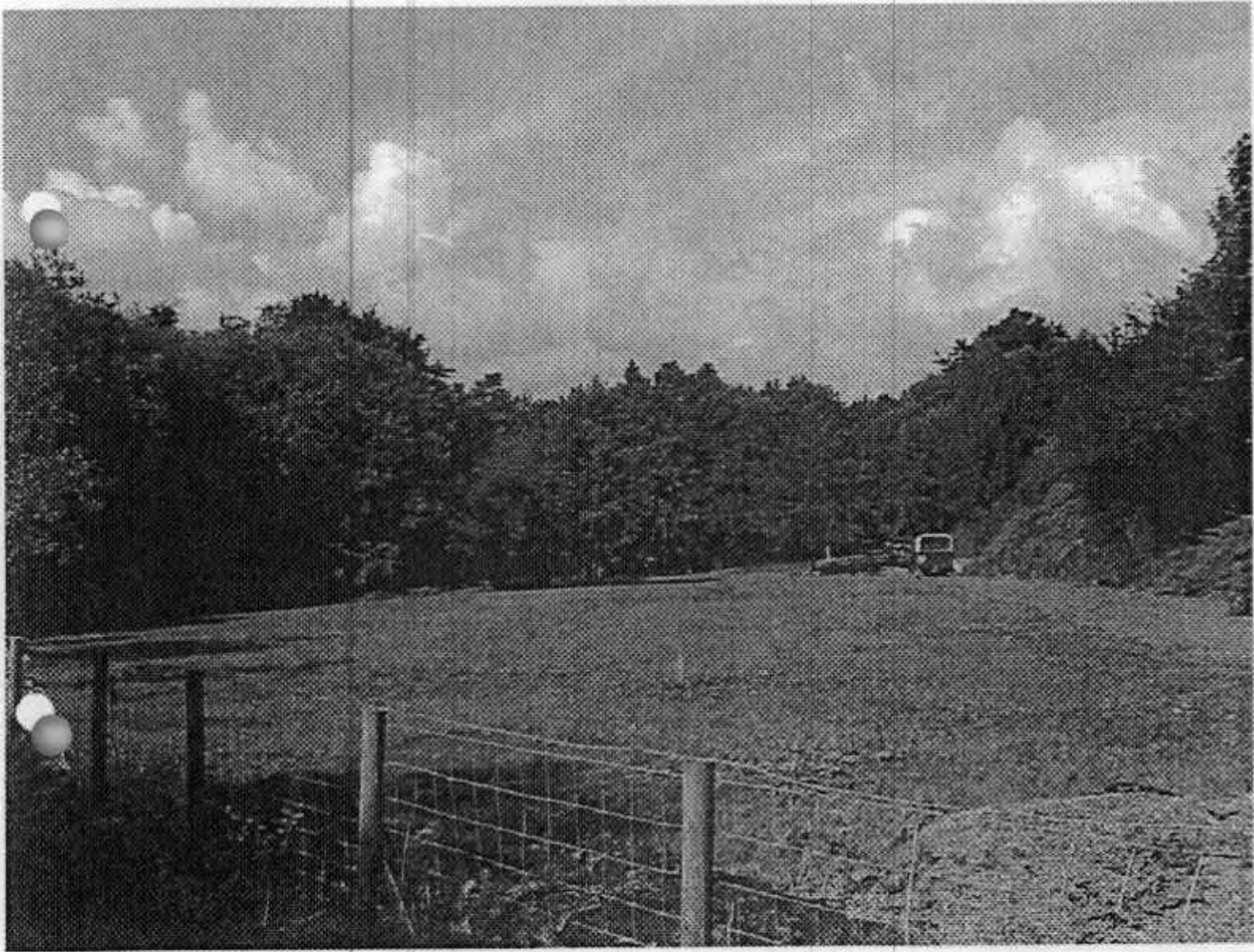
Location plan

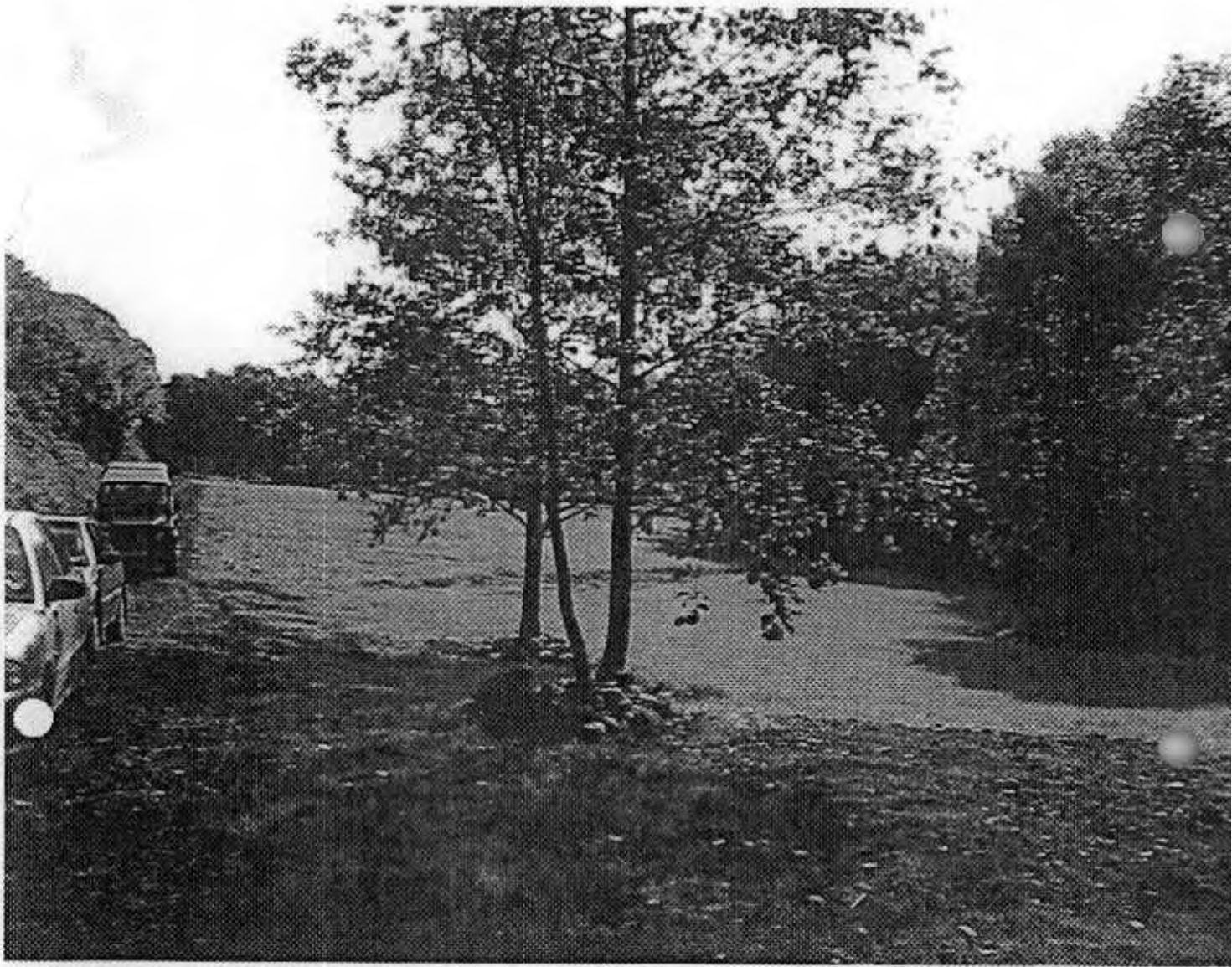
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01/0638









SCHEDULE B: Reports Requiring Further Information

ITEM NO. 7

Date of Committee: 02/11/2001

APPN REF NO: 01/0654 /	APPLICANT: ECM Vehicle Delivery Services	PARISH: Irthington
DATE OF RECEIPT: 24/07/2001	AGENT: HTGL Architects	WARD: Stanwix Rural
LOCATION: L/Adj ECM, Carlisle Airport, Crosby-on-Eden Carlisle, Cumbria	GRID REF: 348400 561400	
PROPOSAL: Hard standing for vehicle parking		<i>Jha</i>

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 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.

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0654 /

SUMMARY OF CONSULTATION RESPONSES:-

HIGHWAY AUTHORITY: The highway authority objects to this application because it is considered that the proposal is likely to lead to additional HGV movements along the approach road to the site which is inadequate in terms of width, horizontal alignment and structural stability.

STANWIX RURAL PARISH COUNCIL: No observations.

ENGLISH HERITAGE (HADRIAN'S WALL UNIT): Comments awaited.

ARCHAEOLOGY: No objection.

CIVIL AVIATION AUTHORITY: Any landscaping scheme should not increase the risk of bird strikes.

SUMMARY OF REPRESENTATIONS:-

This application has been advertised by means of a site notice. One letter has been received from the agricultural tenant, indicating that he wishes to retain the land.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

These premises have been in their present use since the late 1980's and there have been a series of applications over the years for new buildings and/or redevelopment. Among the most significant of these was application 94/0778, approved in December 1994, for an extension to the area of the depot. Since then, there have been five further applications for new buildings or extensions, although these have not involved extensions of the site.

DETAILS OF PROPOSAL

This application was deferred at the last meeting of the Committee, so that Officers could pursue negotiations regarding an amended scheme. It will be recalled that permission is sought for the extension the the East Cumbria Motors transport depot at Carlisle Airport into adjacent agricultural land. The site lies to the north of the airport itself, on the road leading from the A689 to Laversdale village. Members will be aware that ECM operate a car transport system on a current site of 1.5ha., with extensive repair/maintenance buildings as well as external parking areas. The proposal is to extend the site, by taking in an area of 0.38ha. to the west of the existing site to be used as an additional hardstanding for the parking of vehicles.

Members will recall that the application raises two principal issues. The first of these relate to the location of the site within the Hadrian's Wall Buffer, where Local Plan Policy E26 applies. The landscape in this area is flat and open, and the ECM complex is conspicuous particularly when approached from

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0654 /

the west. Officers considered that an extension on the east side of the site would be less obtrusive. The applicants have examined this option, and have put forward a number of problems. Firstly, land slopes down from east to west and from north to south which means that an extension on the east would require a significant excavation and removal of material to achieve a level surface. Secondly, as a result of the natural fall of the land from north to south towards to road, surface water falls this way also and the drainage of the large hard surfaced area on the east side of the site would be difficult. Thirdly, the organisation of the site is such that an extension on the west side relates better to the existing use of the site, because the additional area is required for trailer and vehicle parking which is currently located on the west side of the site. Having considered these points, Officers consider that an extension to the west of the site is acceptable, provided the existing landscaping on the western margin of the site is relocated and reinforced. This view is shared by English Heritage.

The other issue arises from an objection to the application from the highway authority. The reason for this is that the road leading to the site is regarded as inadequate in terms of width, horizontal alignment and structural stability. The highway authority's view is that there has been a significant increase in HGV traffic over the years along an access which is a rural road unsuitable for this level and type of traffic. This issue has been discussed in detail with the applicant and their response is included in the Schedule. the principal points made by the applicants are that this proposal will not lead to an increase in either in the number of vehicles operated, or the number of vehicle movements.

The submission explains that ECM is now a national company, and the site at the airport is primarily the Company Headquarters and servicing centre, with only 18 vehicles operating from ther permanently.

The additional parking area which the application seeks will provide more parking to ease existing congestion which occurs when vehicles are parking following servicing.

The option of attaching a condition to any permission granted applying a limit to vehicles movements at their present level has been discussed, but the applicant have declined to accept this, because no such restrictions have been placed on other operators of heavy goods vehicles based along this road.

The current position is therefore that the highway issue remains unresolved, in that the highway authority's observations on the applicant's further submission are not available, and Officers are not in a position to make a firm recommendation on the application until this has been received. It will be apparent, however, that the proposal is regarded as acceptable from the landscape impact point of view, and that only the highways issue is seen as a potential reason to oppose the application.

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0654 /

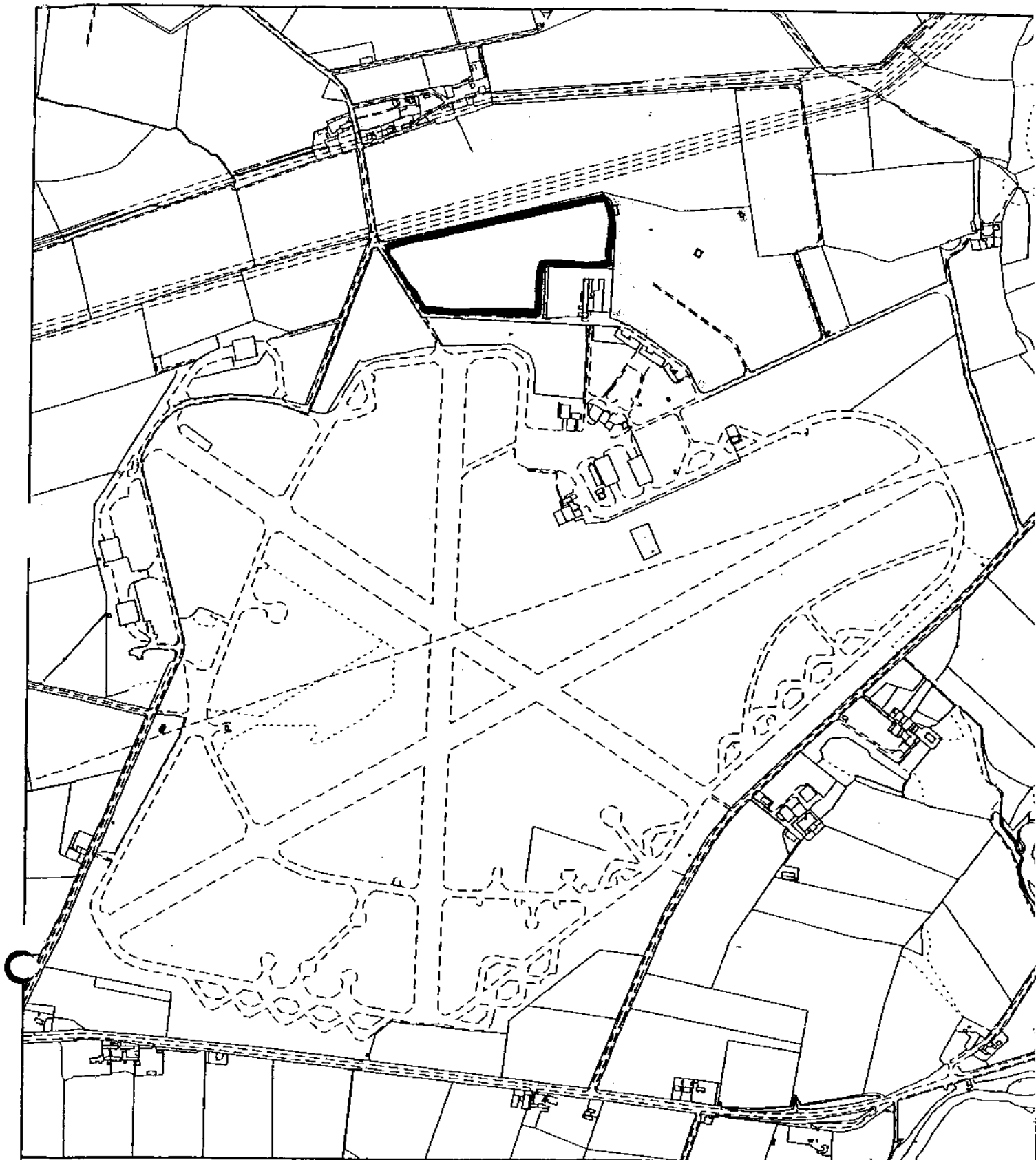
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RECOMMENDATION:-

The Director will report further on the issues raised by the application, particularly the views of English Heritage.

Rec Appraisal

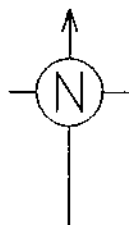
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Cumbria County Council
The Map Room

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O.S.:NY4759 N:559730 Operator:DF

Building & Design
15 Portland Square
Carlisle
CA1 100
Tel: 01228 60618
Fax: 01228 606066



Carlisle Airport

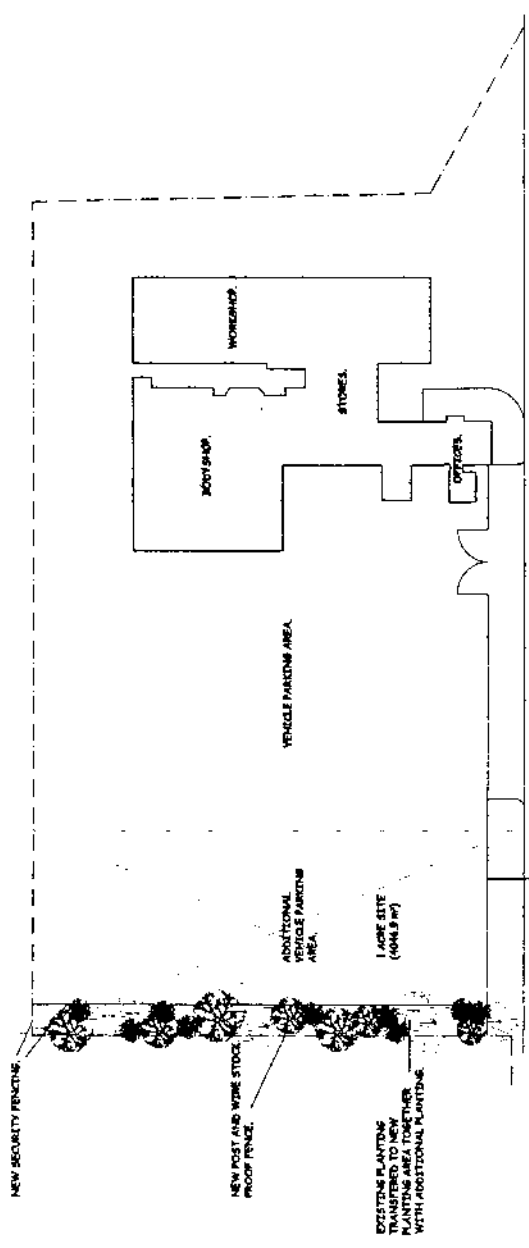
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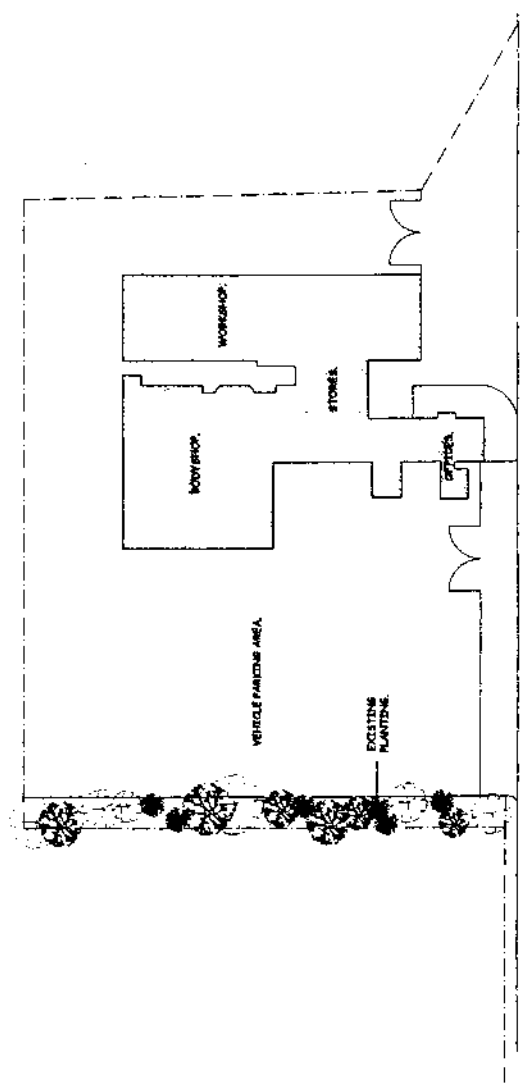
~~01/0654
SCHEDULE B
PAGE 173
ITEM 8~~





NEW FRONT BOUNDARY BRICK WALL TO MATCH EXISTING.

PLAN AS PROPOSED.



PLAN AS EXISTING

HTGL

l i m i t e d

25 Brunsvick Street
 Carlisle CA1 17B
 Telf: 01228 521887
 Fax: 01228 856882
 mail@htgl.london.co.uk



Client: SCM - VEHICLE DELIVERY SERVICE LTD

Project: EXTENSION OF VEHICLE AREA.

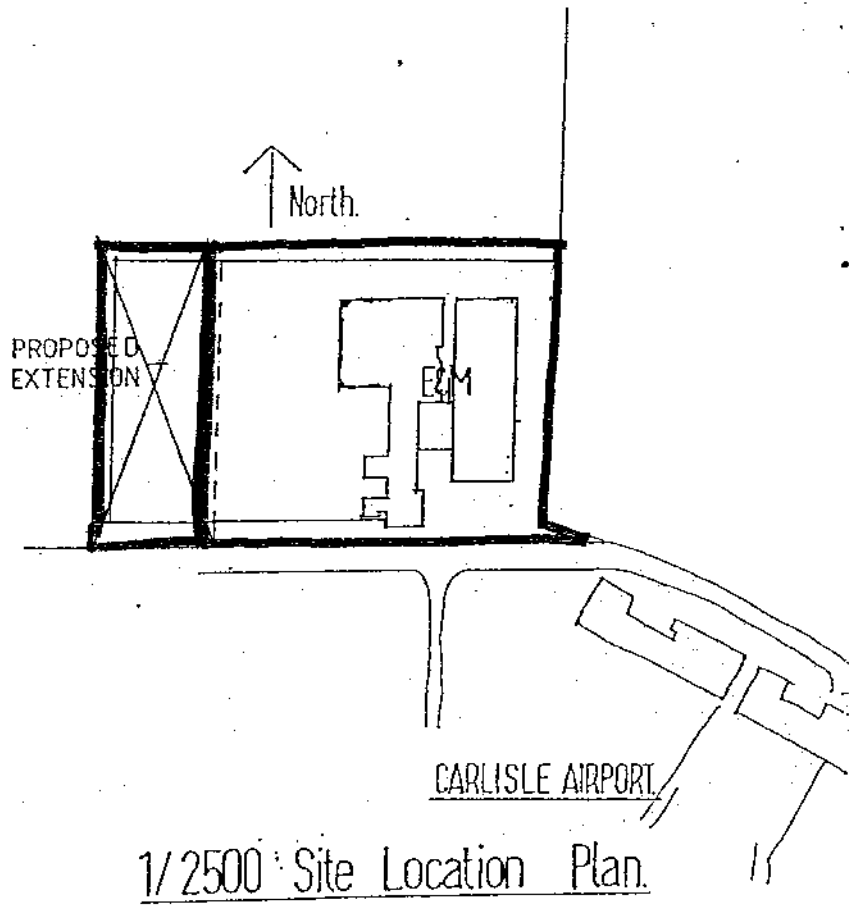
Title: LAYOUT AS EXISTING & PROPOSED

Drawn: SC RECEIVED
 15 JUN 2001

Date: 07/01
 HTGL/HTGL

Scale: 1:500

DRAWING No. 1697 / 01



RECEIVED
24 JUL 2001
...2001/0654

The Planning Department
Carlisle City Council
Civic Centre
Carlisle
CA3 8QG

PLANNING SERVICES	
REF	01/0654
31 AUG 2001	
RECORDED	PB
SCANNED	
PASSED TO	CJH
ACTION	

Old Wall
Irthington
Carlisle
Cumbria
CA6 4PP
01228 573449

For the attention of John Hamer

Dear Mr Hamer

I enclose a copy of the letter we received from HTGL Architects Ltd re ECM(Vehicle Delivery Service) Ltd Notice indicating that planning approval has been made for extending the existing vehicle parking compound onto land rented by us from Carlisle City Council.

I am writing to say that my father holds a full agricultural tenancy on this land and does not want to give any land up at all.

Would it be possible for you to send me a copy of the plan for ECM's vehicle parking extension.

Yours sincerely

G Clubbs (Miss)

Gillian Clubbs

Notice for service on Individuals

TOWN AND COUNTRY PLANNING ACT 1971

Notice under Section 27 of Application for Planning Permission


Proposed Development at... CARLISLE AIRPORT

TAKE NOTICE that application is being made to the Carlisle City Council
by... E.C.M. (Vehicle Delivery Services) Ltd. for Planning Permission to
AGENT. - H.T.G.L. ARCHITECTS Ltd.

..... EXTEND VEHICLE PARKING AREA

If you should wish to make representations about the application you should
make them in writing not later than (a) 17 SEPTEMBER

to the Clerk and Chief Executive, Civic Centre, Carlisle

Signed..... 

* On behalf of E.C.M.

.....
Date 24/08/01

* Delete where appropriate

(a) Insert date not less than 21 days later than the date on which the notice
is served.



06 August 2001
 Your reference:
 Our reference: A2/3/1/SF6/AJ/PP/13109
 Enquiries to: Alan Jackson

The Planning Department
 Carlisle City Council
 Civic Centre
 Carlisle
 CA3 8QG

PLANNING SERVICES	
REF	
10 AUG 2001	
RECORDED	
SCANNED	
PASSED TO	JM
ACTION	

Clint Mill Commarket Penrith CA11 7H
 tel 01768 242322 fax 01768 24232
 e-mail enquiries penrith@capitadbs.co.uk

For the attention of John Hamer

Dear Mr Hamer

CARLISLE AIRPORT – EAST CUMBRIA MOTORS

I act as the land agent for Carlisle City Council in the management of their agricultural land at Carlisle Airport. I have recently received a telephone call from the agricultural tenant of some land adjacent to East Cumbria Motors, stating that a planning application has been made for an extension to East Cumbria Motors.

The tenant of the land is Mr E W Clubbs of East Old Wall, Laversdale, Irthington and he tells me he has not received a notice from ECM, as required under planning legislation.

I have also spoken with Mr Simmons in the City Council's Property Department and he has asked if I will write to you and notify you of the extent of Mr Clubb's tenancy. I therefore enclose a plan showing the land adjacent to East Cumbria Motors, edged red, which forms part of Mr Clubb's full agricultural tenancy. I also indicate on the plan, edged green, an area of land also owned by Carlisle City Council, which is let on licence and has the benefit of vacant possession on short notice.

Yours sincerely

Alan Jackson
 Senior Associate

Enc

2001/0654
Schedule A
Item 8
Page 173

HTGL
ARCHITECTS
Limited
100 Broad Street
Carlisle CA1 1PD
Tel: 01274 401457
Fax: 01274 401460
mailto:htgl@btinternet.com

Our Ref: DJL/AL/1697

10th September 2001

John Hamer
Carlisle City Council
Department of Environment & Development
Planning Services Division
The Civic Centre
CARLISLE
CA3 8QG

PLAN	
REF	01/0654
	12 SEP 2001
REF	
SCALE	
PASSN TO	CJH
ACTION	1-1

Dear John,

RE: ECM - THE AIRPORT

Further to our telephone conversation of today's date, I have had the opportunity to speak with my client and can inform you accordingly.

The intended use for the additional hard standing is for storage of new cars in transit and for parking of transporter fleet out of use at the time. It is not the intention of my client to increase the number of vehicles operating from the site.

I have been instructed by my client to express my interest to speak at the planning meeting and reserve the right to withdraw on the day if it is felt not necessary.

In the meantime, it would be appreciated if you could contact the Highways Department and inform them of the facts relating to the unchanged road usage.

I look forward to hearing from you in due course.

Yours sincerely



David J Little
H.T.G.L Architects Ltd.

c.c. Mr R G Macdowall @ ECM (Vehicle Delivery Service) Ltd



ENGLISH HERITAGE



The Chief Development Control Officer
Carlisle City Council
Civic Centre
Carlisle
CA3 8QG

Your Reference CJH/DC/01/0654

Our Reference AA200146/1

Monday, 17 September 2001

Dear Sir,

**HARD STANDING FOR VEHICLE PARKING ON LAND ADJACENT ECM,
CARLISLE AIRPORT, CROSBY ON EDEN, CARLISLE**

Thank you for your letter of 15th August 2001 consulting us on the above application for planning permission.

The proposal does not affect any archaeological remains of the Hadrian's Wall World Heritage Site. It does lie within the agreed Setting of the WHS. By the nature of the proposal we do not consider that it will have an unduly detrimental effect on the Setting of the World Heritage Site. However we do consider that its effect could be better mitigated by re-siting the hard-standing parking area, possibly to the east of the existing ECM depot.

Yours Sincerely

PAUL S AUSTEN
Hadrian's Wall Management Plan Co-ordinator

PLANNING SERVICES	
REF	01/0654
18 SEP 2001	
REPLY	en
SLA/MS	
FORW/	CJH
ACT/	SUPA

ECM (Vehicle Delivery Service) Ltd

PLANNING REF: 01/0654

ECM (Vehicle Delivery Service) Ltd are a National Company having in excess of 220 vehicles transporting cars throughout the country.

Of the 14 depots strategically placed Carlisle is the smallest holding ground and 18 transporters operate from this base which is the headquarters for the family run business and employs some 60 local people which include mechanics, engineers and administration staff.

H.T.G.L Architects Ltd. are currently involved in the development of another maintenance depot and holding ground in Coventry which will relieve the pressure currently felt at Carlisle.

Contrary to the Highways assumption that the requirement for improved parking must mean more vehicles, the proposed increase in parking area is to enable the existing No of large vehicles to manoeuvre in safety and to be parked in an orderly manner.

Although vehicle licensing has changed, the industry still has busy and quieter times when vehicles are parked up or in for general maintenance. These vehicles will be parked up awaiting a service and once serviced will again be parked up ready to be put into operation. The vehicles will also be parked up at time of driver's holidays. The parking up of these vehicles restricts the manoeuvrability within the existing compound and it is emphasised that the extension to the site is not for additional vehicles, but to improve operations on site.

Carlisle City Council have offered 3 options for this extension, option 1 being the 1 submitted.

Option 2 is clear to the Vallum and is much higher than the existing yard level.

Option 3 is not so desirably from a sub strata point of view – in that the land presently floods onto the highway and the land is also at a much higher level and the creation of a hard standing on this location is not viable.

From a security stand, option 1 is preferred in that it is overlooked at all times by the offices, whereas option 2 and 3 is without surveillance and have other problems as previously described.

Approval has been given for the industrial units elsewhere at the airport: -

Farrers - 40 ton trucks, Building Aggregate

Cones Cumbria Traffic Management

Laversdale Timbers

Dundee Tyres

System Driver Training, HGV Training

(The visibility splays from this site cannot comply with Highway requirement and yet approval in this instance has been given).

Approvals have been given to these developments without restriction to numbers of vehicles and it is considered inappropriate to restrict numbers of vehicles to a business such as ECM that has operated from these premises for over 30 years long before the other companies existed.

As a gesture my client has suggested that the main entrance road i.e. the Irthington Road can be used if the Planning Authority so wish in order to allow permission to be given to this application. However, this operation may not be a realistic proposal in the light of rights of use of roadways etc. In reality it would also be very difficult to administer.

To summarise the proposals seeks to extend the existing secure compound to improve the manoeuvrability capabilities of large vehicles used. This in turn will improve health and safety measures for site operatives and staff. The proposal does not seek to increase the number of vehicles presently using the site.

SCHEDULE A: Applications with Recommendation

ITEM NO. 8

Date of Committee: 02/11/2001

APPN REF NO:
01/0735 /

APPLICANT:
Mr W Francis

PARISH:
Rockcliffe

DATE OF RECEIPT:
17/08/2001

AGENT:

WARD:
Longtown & Rockcl

LOCATION:
Ghyll Bank, Harker, Carlisle Cumbria

GRID REF:
338457 560799

PROPOSAL: Alterations to existing consent to allow permission for 12no.
static caravans and 18no. tourers (resubmission)

John

REPORT

PLANNING POLICIES:-

~~RURAL AREA LOCAL PLAN
HOUSING - PROPOSAL H7~~

District Plan - H6

~~Within the remainder of the Plan area, outside settlements covered by
Proposals H1 - H6, permission will not normally be given for
development, except where applications are supported by a proven
agricultural or forestry need.~~

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 H20

Where there is an identified need the City Council will consider the
provision of Gypsy Caravan Sites. Proposals for Gypsy sites will be
acceptable providing that:

1. the proposal is not within an Area of Outstanding Natural Beauty or
County Landscape; and

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0735 /

2. there would be no adverse impact on the local landscape; and
3. appropriate access and parking can be achieved; and
4. the proposed site is reasonably accessible to community services; and
5. the proposal would not adversely affect the amenities of adjacent occupiers by way of noise, vehicle or other activities on site.

CARLISLE DISTRICT PLAN
EMPLOYMENT - POLICY EM13

Within the Plan area, proposals for the development of caravan sites will be acceptable provided that:

1. the siting and scale of the proposal does not have an unacceptable adverse effect on the character of the local landscape; and
2. the site is adequately landscaped; and
3. the site is contained within existing landscape features; and
4. adequate access and appropriate car parking can be provided.

In addition, the Council will consider the need to impose seasonal restrictions through the use of planning conditions to safeguard the environment and landscape through the winter months.

SUMMARY OF CONSULTATION RESPONSES:-

HIGHWAY AUTHORITY: No objection.

ENVIRONMENTAL SERVICES: No objection.

ROCKCLIFFE PARISH COUNCIL: The Parish Council objects to this application for the same reason as the previous proposal i.e.:

- i. intrusion into open countryside/landscape impact
- ii. the land is not allocated for development, and approval of the application could create a precedent
- iii. all year round occupancy could lead to problems with drainage
- iv. year round occupancy may bring traffic problems

SUMMARY OF REPRESENTATIONS:-

This application has been advertised by means of a site notice and neighbour notification. In response, 8 letters of objection have been received. These raise concerns relating to the impact of the proposed change on residential amenity, increased traffic, the presence of potentially noisy commercial uses nearby and the fact that the past development in this area has generally been resisted.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0735 /

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

This site has a planning history which goes back to 1975, when permission was refused for the erection of two dwellings on the site. Another outline application for residential development was refused in 1980. In 1994, under application 94/0863m permission was granted for the use of the site as a touring caravan site and caravan storage area, subject to conditions which limited the number of touring caravans to 30, and occupation to 14 days. Further conditions prohibited static caravans, and limited the use of the site to March - October.

In June this year, application 01/0091, identical to the current application, was refused for the following reason:

The proposed alterations to the pattern of use of the caravan site would result in the establishment of a separate, permanent residential development in a location distinct from any recognised settlement and contrary to Policies H6 and EM13 of the Carlisle District Plan.

DETAILS OF PROPOSAL

This application is a resubmission of application 01/0091. It will be noted that that application was refused.

It will be recalled that the application proposes the siting of 12 static caravans, together with the siting of up to 18 touring caravans. Permission for the latter would be unrestricted, with occupation throughout the year. This compares with the existing permission, which is for up to 30 touring caravans with conditions restricting the maximum length of stay to 14 days and limiting the use to March - October inclusive.

In requesting that the application is reconsidered, the applicant has submitted a statement which makes the following points apart from confirming the nature of the proposal as stated above:

1. The applicant would manage the site personally, providing 24 hour supervision.
2. Landscaping can be provided, to be agreed.
3. A site visit by Members would be welcomed.
4. Willingness to accept a temporary approval, after which a further application would have to be submitted.

A further factor to be taken into account in this revised application, is that the applicant no longer controls the adjacent caravan storage area, or the adjacent dwellings. The application intends to live in one of the static caravans, and

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0735 /

manage the site from there.

In considering this application, Members should take into account the issues regarded as relevant in the context of the previous permission, as well as those now raised by the applicant.

The relevant local plan policies are policies E8, EM13 and H20. Policy EM13 deals with caravan sites generally and identifies landscape impact as an important criterion. The site is not in an area of protected landscape and Policy E8 therefore applies, whereby there is a lower standard of protected than in protected areas. Landscape impact was a concern related to the previous application, arising principally from the fact that caravans would be present on the site all year round. Further mounding and landscaping would significantly reduce the landscape impact of the site, and it will be noted that the applicant has agreed to carry this out.

Policy H20 which refers to the housing needs of the traveling community, also refers to landscape impact, but also includes two further criteria relating to access to services and impact on residential amenity. National guidance in the form of Circular 1/94, also refers to access to services and states that sites within a reasonable distance of local services and facilities should be considered. Authorities are also advised that applications should not be refused on grounds that existing provision is adequate.

The previous application was refused because the location was considered inappropriate in terms of access to services. This point remains relevant, and it should be acknowledged that the site is some 1.6km from Cargo and 2km from Rockcliffe, where the nearest school is, on the opposite side of the A74 and 1.5km from the northern edge of the urban area. Members should take this into account but should also consider whether for a site of this size (i.e. thirty units in all), this should be regarded as a reason for the refusal of the application.

The remaining criterion of Policy H20 refers to impact on residential amenity. In this regard, it will be noted that there is one dwelling close to the site entrance, plus the two dwellings to the rear, which are no longer in the applicant's control. Some of the objectors refer to impact on residential amenity from activities which might be likely to take place on the site, and from additional traffic. In relation to the latter, the difference between the present situation, where the use is limited to March - October, and year round operation is not likely to be significant. In relation to the former, the applicant has agreed that further landscaping/mounding could include the creation of a compound. Some objectors also refer to the location of the site close to a transport depot and the Harker electricity switching station. It is not considered that these factors make the site unsuitable, and in fact the landscape impact of these developments as compared with the proposal may be viewed as an argument favouring the application.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0735 /

In summary therefore it is considered that the arguments in this case are finely balanced. If Members are minded to approve the principle of the proposal, two options may be considered. Firstly, it would be possible to grant a permanent approval, but subject to conditions relating to further landscaping, mounding and creation of a compound etc. It would be advisable to ensure that these details were submitted and approved before the use commenced, and implemented within a specific time period. The second option would be to give permission for a limited period of say two years, during which the impact of the use could be assessed. After the expiry of this period, the issue of a permanent approval would then be considered in the context of a further application.

RECOMMENDATION:-

APPROVE

P243 →

Defered

Supp Schedule
Pages 26-33

Si

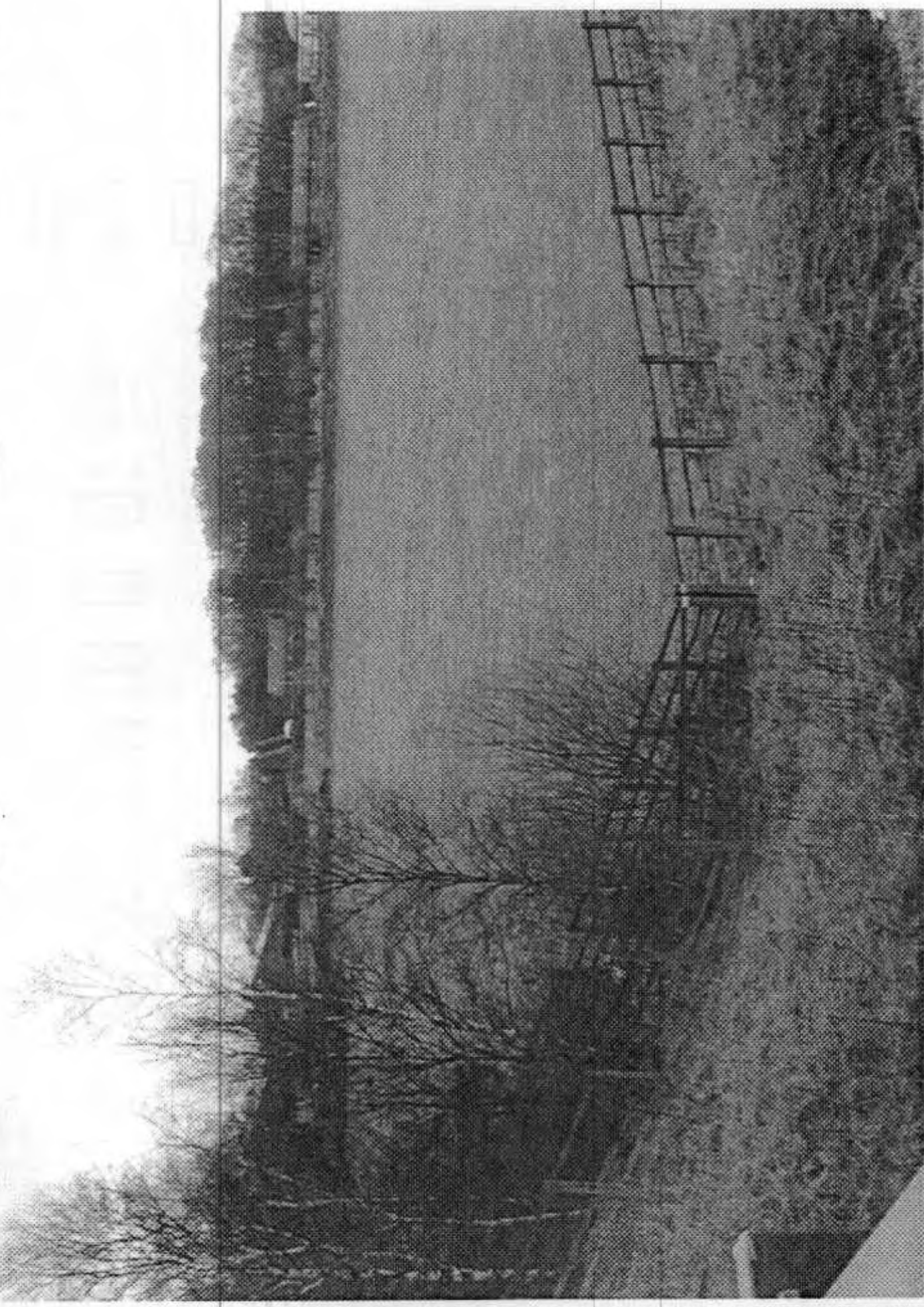
2001/01/35



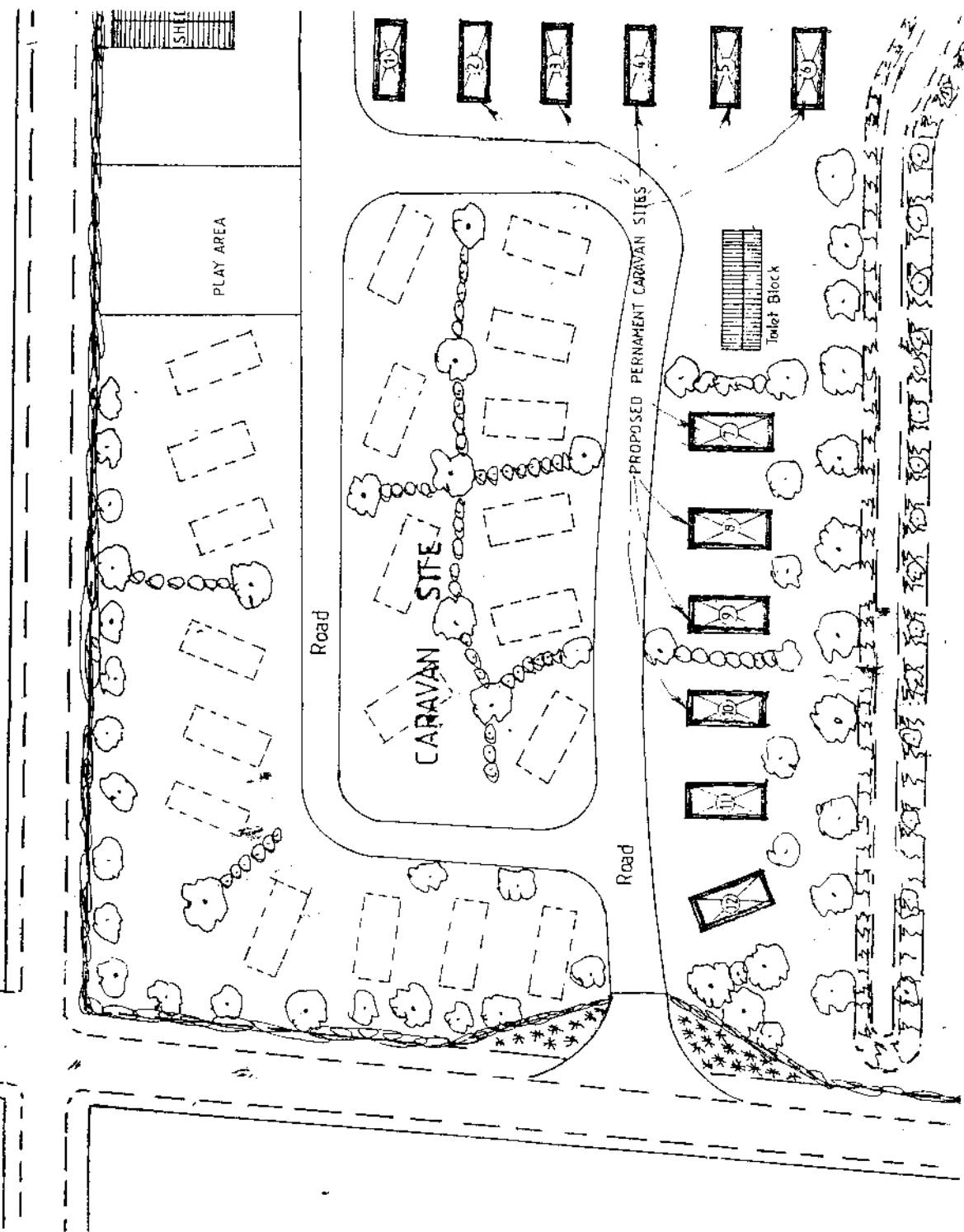
2001/0735



2001/0735



PLAN OF GHYLL BANK CARAVAN SITE, HARKER, Nr. CARLISLE



Mr W FRANCIS
Ghyll Bank Park
Low Harker
Carlisle CA6 4DG

Tel: 07979877792

Ref: CJH|BP|DC|01|0735.

Dear Sir,

In answer to your letter of 12th September, 2001, I enclose herewith the amended site plans with the proper ownership boundaries marked on. I would also like a permanent unit of wardens accommodated on my own site.

Yours faithfully,
W W Francis

PLANNING SERVICES	
REF	01/0735
24 SEP 2001	
RECORDED	
SCANNED	
PASSED TO	CJH
ACTION	

Mr W Francis
Ghyll Bank
Caravan Park
Low Harker
CARLISLE

9th August 2001

Mr A C Eales
Head of PLanning Services
Planning Services Division
Carlisle City Council
The Civic Centre
CARLISLE
CA3 8QG

Dear Mr Eales,

GHYLL BANK CARAVAN PARK, LOW HARKER, CARLISLE

Following a meeting on 31st July the above site between myself, Mr Martin Tickner and Mr Alan Taylor of your Council, and my receipt of Mr Tickner's letter dated 1st August, I have now had the opportunity to consider my options in respect of my site, and have decided to resubmit a planning application (the original of which was turned down on 22nd June) in consultation with Hughie Smith of the Gypsy Council.

I understand that a number of different issues will need to be considered in the light of my resubmitted application, including proposed management of the site, the numbers of static/touring caravans for which planning permission is being applied for and how long I expect them to remain on site, and landscaping/fencing details. I set out below my proposals as follows:

- (a) Site Management - it is my intention, as site owner, to manage the site personally, together with the assistance of my family, in order to provide 24-hour supervision.
- (b) It is proposed that 12 number static caravans will be accommodated on the site, on a permanent basis.
- (c) It is proposed to accommodate 18 number touring caravans on the site, which will be open for use by both Gypsies and housedwellers. I do not intend to impose restrictions on the length of stay on the touring portion of the site, but leave this to the circumstances of the families themselves; some may only require a period of a couple of weeks' residence, whilst some may require longer. However, that portion of the site will be used for touring caravans only, and no permanent residence will be allowed.
- (d) Any landscaping work at the site entrance which may be necessary can form the subject of discussion and agreement between myself and your Planning officers.
- (e) Similarly, any landscaping/fencing involved with the creation of a compound for travellers' transit vans and equipment can also be agreed upon through discussion - for instance, a fence and hedge planting may be found to suffice.

Prior to their making a decision on my resubmitted application, I would positively welcome a visit by members of the Council's Planning Committee, in order that I can answer in person any questions which they might like to put to me regarding my proposal and they in turn can see my site at first hand.

(Contd...

RECEIVED
16 AUG 2001
2001/0735

...contd)

Page 2

I should, if possible, also like the President of the Gypsy Council, Mr Hughie Smith, to speak on my behalf at the Committee Meeting at which my application is considered. The Gypsy Council do in fact fully support my application, and Mr Smith's experience in dealing with planning issues on behalf of Gypsies like myself will I feel prove a great asset.

I am aware that the current planning permission on my site only allows for the stationing of 30 touring caravans between the dates 1st March - 31st October inclusive, but would ask that this be revised to allow all-year opening, in order to cater for both the static caravans which I intend to accommodate and those transient families who may wish to be accommodated on my site out of season. Additionally, I would also request that the conditions on my site be varied in order to allow families there to remain on site for longer than the period of 14 consecutive nights which applies at the present time. This will be necessary in order to accommodate those families occupying the static units, and also to allow families who may need extra time in the area to be accommodated.

Finally, I am more than willing to accept a temporary approval on my site, in order that the City Council can monitor its usage over a period of time, and would suggest that if such a permission was to be granted, the Council would find it beneficial; given that the Hopesyke Wood official Gypsy site was closed and disposed of by the Cumbria County Council some years ago, the Hespian Wood emergency site is no longer usable and the Hadrians Camp site at Longtown is permanently full with a lengthy waiting list, the provision of my site as proposed would mean that it could be used by Gypsy families who would otherwise be forced to camp illegally within the area, thus benefitting all concerned - the Council, the Gypsies, and the settled community alike - by the reduction in incidents of unauthorised camping in the Carlisle area.

I hope that the above information is sufficient, and that the Planning Committee will favourably consider my resubmitted planning application.

Yours sincerely

Mr William Francis

RECEIVED
16 AUG 2001
2001/0735

PLANNING	01/0735
REP	6 - 2 OCT 2001
DATE	ON
APPROVED	
RECEIVED	

Shadow View
 Low Harker
 Carlisle
 1-9-01

ACKNOWLEDGED
 03 OCT 2001

Mr Hamer

Dear Sir,

Re. caravans at "Shell Bank"
 Harker, Carlisle.

I do not see the need for this site as I have mentioned in earlier letters we already have plenty of these sites in this area.

I am quite sure the land can be put to better purposes.

Yours faithfully,
 O.S. Swedale

Shiddlow View
Low Harker
Carlisle

Dear Sir

Re Appn ref. 010435

Regarding land at Ghyll Bank
I am still very much opposed
to this land being used for this purpose
as I feel there is no need as they
seems to be quite plenty of such sites
near by.

PLANNING SERVICES	
REF	01/0735
DATE	3 SEP 1961
RECEIVED BY	CN
REMARKS	
APPROVED BY	CJH
ACTION	

yours faithfully
O. S. Swedale.

PLANNING SERVICES	
REF	01/0735
- 8 OCT 2001 8	
RECORDED	CN
SCANNED	
PASSED TO	GJH
ACTION	

Low Warke Farm,
 Low Warke,
 Ca.isle. CAG 4DP.
 3-10-2001.

Dear Mr. Warner.

Re: Gyll Bank, Warke, Ca.isle.

Appn/ref:- 01/0735/

Further to Mr. Taylor's letter dated 24th September 2001 we still oppose the use of the above land as proposed, which will result in another Madrian's Camp.

Our feelings remain the same as pointed out in our previous 2 letters. There would appear to be sufficient caravan facilities in the area already. This land could be put to better use as a nature reserve which would blend in well with the copse that surrounds the electric sub-station at Warke or used for agricultural/horticultural business.

Yours sincerely
 B + M. Tweedale.

KINGMOOR
P A R K

Kingmoor Park Properties Ltd. Baron Way Kingmoor Business Park Carlisle CA6 4SJ
Telephone 01228 674 114 Fax 01228 674 117 email:info@kingmoorpark.co.uk

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

24th August 2001

ACKNOWLEDGED
29 AUG 2001

REF	01/00940/135
DATE	28 AUG 2001
BY	en
BY	
PREPARED BY	CSH
ACTION	

Dear Sir

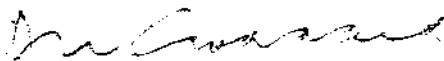
RE: APPLICATION FOR 12 STATIC AND 18 TOURER CARAVANS ALL YEAR ROUND APPLICATION NO 2001/0091

I refer to the above application and write to register a formal objection on behalf of Alard Properties Ltd, owners of Kingmoor Park Harker Estate.

One of the main advantages for our on site tenants is the provision of a 24 hour security service which we believe would be seriously affected by the closeness of this encampment. This would also have an aesthetic effect on potential lettings for the site with the risk that such use may encourage other caravan tourers to come to the area.

There is, as you know a problem with such caravan occupants on the Parkhouse Road site, which I am sure you would not like repeated elsewhere.

Yours sincerely



A W Goddard

DEPT ENV & DEV
PLANNING
FILE
28 AUG 2001
CSH
1000

Haulage Express Ltd.

Directors: B.C. Proudfoot : W.J. Proudfoot (Sec.)

TELEPHONE: 01228 74797
FAX: 01228 74451

F.P.L. BUILDINGS
LOW HARKER : CARLISLE : CA6 4DP

Department of Environment & Development
Planning Services Division
The Civic Centre
Carlisle
CA3 8QG

21st August 2001

Your Ref: CJH/DC/01/0735

Dear Sir

Re: Application Ref: 01/0735 Planning Proposal at Ghyll Bank, Harker, Carlisle.

My concerns with regard to static caravans and tourers on the site adjacent to ours have not changed since the original application on the 30th April.

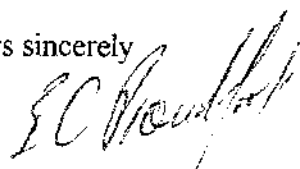
We have a business that has been in existence for sixty years. In that time we have had to move a number of times because of problems

1. The need for 24 hour 7 day's a week operation in our business created noise and nuisance. We moved to Harker to avoid these problems. This application is creating the potential for this to re-occur in the future from the residents of the caravan park.
2. The problem of security of our site and danger to children playing next to a transport depot must be considered. This area with the massive Harker sub station and our site is more industrial than residential.

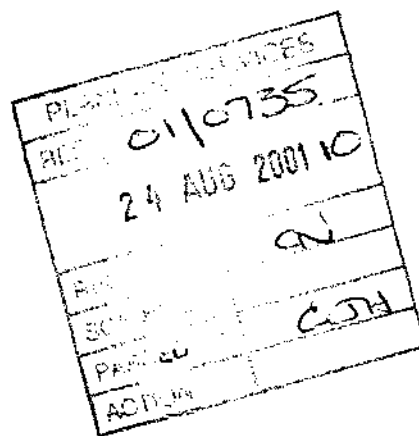
If necessary we think the entrance should be moved from the main road to the side entrance next to the house so that children would not have access to the main road.

The concerns may appear to be petty but we feel they have to be aired before these problems occur.

Yours sincerely



B.C.Proudfoot.



Mr. J. Hamer,
 Dept. of Environment,
 Civic Centre,
 Carlisle, CA3 8QG
 CSH/DC/01/00355

01/07355, Old Harker,
 2001, 2 Low Harker,
 Carlisle CA6 4DR

CSH

PLANNING DEPARTMENT
 REF: 01/07355
 2001, 2
 CN

ACTION

ACKNOWLEDGED
 09 OCT 2001

Dear Mr. Hamer,
 Re- Proposal for planning
 consent for caravans at Glull Bore.

Thank you for your letter of 24th September about submission of revised plans for the above.

I note your comments about only objections relating to the actual land being considered.

I wish to object on Public Health grounds, based on the footprints and other litter left by Travellers with caravans. Last winter outside Asda after they had been there were hordes of rat prints (feet + tails) in the snow where the Travellers had left litter. We have had a

problem with rats here in Harker only
2 weeks ago. I fear if Travellers
become resident on the proposed site
the rat problem will be exacerbated.

Yours sincerely,

Cora L. Pearson

(MRS. C. PEARSON)

P.S. My worry relates to the land as that is
where rats have their holes.

Head of Planning,
Civic Centre
Carlisle.

PLANNING REFERENCE	01 / 735
DATE	28 AUG 2001
PREPARED BY	CN
APPROVED BY	
FORWARDED TO	CJA
ACTION	

Old Harker,
Low Harker,
Carlisle.

CA6 & DR

24th August 2001.

Dear Sir,

As a resident of Old Harker adjacent to Ghyll Bank I wish to object in the strongest possible terms to the granting of Planning Permission for additional caravans (static) ~~to~~ to be granted for Ghyll Bank.

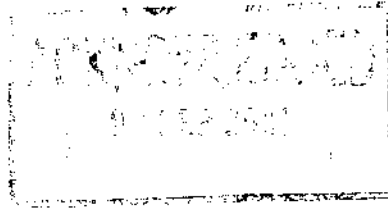
My objections are:-

1. Threat to security of my property and brand new car garaged opposite.
2. Litter as found outside Asda from caravans (Harrist).
3. Additional traffic, noise and pollution on the road opposite.
4. Possible reduction in the value of my property.

Please could you bear these points in mind when considering Planning Permission.
Yours faithfully,

(Mrs C. PEARSON) Cecil L. Pearson

Mr & Mrs T Grubb
Old Swinford
Harker
Carlisle
Cumbria
CA6 4DS



5th Sept 2001

Mr J Hamer
Case Officer
Dept. of Environment & Development
Planning Services Division
Civic Centre
Carlisle
CA3 8QG

PLANNING SERVICES	
REF	01/0091
- 6 SEP 2001 12	
RECEIVED	ON
ASSIGNED	COT
ACTION	

Dear Mr Hamer,

RE : Planning Application for alteration to existing consent for caravans at Ghyll Bank , Harker - Appn Ref: 01 / 0091

We cannot see how the original application has changed and therefore again wish to raise an objection to this application and any further development in this area for the specific reasons previously stated , namely:

An inevitable increase in traffic would result .The B road through Low Harker already has a weight restriction as it is deemed unsuitable for heavy traffic .The bridge over the old railway track is very narrow . The turning into this road from the A7 is hazardous .I experience this every day and have witnessed several near accidents .

This is an area of rich wildlife . Deer and many birds can still be seen here unlike many more urban areas . Increased numbers of people would disturb the wildlife and thus ruin the area for local residents.

Finally the close proximity of the electricity station causes me great concern for any people , children in particular ,living there .Many scientific papers have raised issues of power lines and fast moving traffic combining to have adverse effects on health. We feel it would be shortsighted of the council to grant any further development in this area .

Sincerely

Thomas Grubb
B.J. Grubb

Mr T.W. and Mrs B.J.Grubb

2

see at the moment these would be Transit Vans, (Red ones).

This is an area surrounded by Farm and I should think that in the present climate, (Foot & mouth) the last thing farmers need is people coming from all over Great Britain and Ireland into a farming community, this can only be a recipe for disaster, now or in the future.

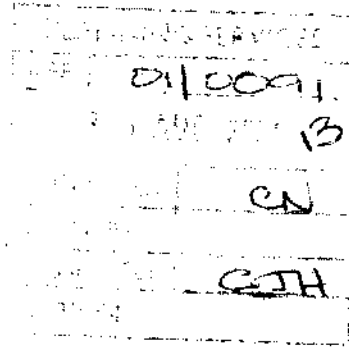
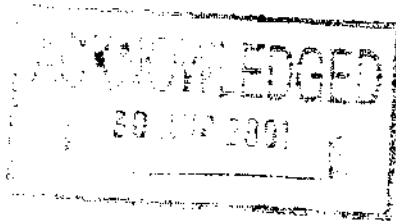
Whenever you have up to 30 families living it is inevitable that there will be children, this site could under no circumstances be considered a suitable environment for children to live. The A914 runs parallel to the site, across the road is a massive complex belonging to the National Grid where equipment carrying many 1000's of volts are kept. This area is fenced but fences are an adventure to children. These massive electric fields have long been thought to emit type of radiation & mobile homes offer no protection from this.

I have seen for myself on many occasions vans pulling heavy caravans turning right onto the Harker road, the first thing they come to is a hump back

Bridge where they have to drive into
 the path of oncoming traffic to
 cross this bridge, this I would
 take be one of the reasons earlier
 applications have been refused,
 that Bridge is still there.
 Finally I would like to ask
 why the true purpose of this
 caravan site was not revealed
 in the application, I know from
 people I have spoken to that
 there would have a lot more
 protests if it was known that
 the intention is to create a
 Gypsy camp. I feel that before
 any decisions are made then the
 rate payers of this area should be
 fully informed of what is planned.
 We suffered the last time we had
 a Gypsy camp at Kingstown, with
 endless door knocking & tipping of
 rubbish. I hope my comments are
 noted.

yours sincerely

T. McCall
 T. McCall



6 Old Harker
Low Harker
Carlisle
CA6 4DR

24 August 2001

Dear Mr Hamer

**PLANNING APPLICATION NO 01/0091
GHYLL BANK, HARKER.**

I wish to strongly object to the above Planning Application on the following grounds

- There is a considerable litter problem in this area, which can be evidenced from the bags, cartons etc generated due to people leaving McDonalds and depositing their litter here.
- The road leading past our houses at Low Harker is designated a minor road, and any increased usage would not only have a detrimental effect on the surface, but would also endanger the wide selection of wildlife in the area. If, indeed, the road required to be upgraded, this would put even more pressure on the wildlife.
- It would appear that this site is being considered due to the fact that Hadrians Camp is full to capacity. This is definitely not the case. I have passes Hadrians Camp on numerous occasions and the transit section is constantly virtually empty.
- Travellers have already been using the slip road that used to link up with the A74 and the accumulation of litter and other refuse is a disgrace. If this site is to go ahead, this is a sign of what would happen.
- Notwithstanding the above, we currently live in a quiet, peaceful area, having worked extremely hard to keep our homes and the surrounding areas in good order, and the imposition of this site would almost certainly result in a drop in value of our properties.

Please accept this correspondence as an official objection for the application.

Yours faithfully

Miss Dawn Hynes

PLANNING SERVICES
REF: 01/0735
28 AUG 2001 13
RECV: ON
SCRIN: ON
PASSED TO: ON
ACTION: ON

Mr. Monagle
1 OLD HARBER COTT
LOW HARBER
CANTON, ONT.
48R.
28 2001

ACKNOWLEDGED
28 AUG 2001

Dear Sir/ Madam,
I have been informed by my neighbour that GAYL WOOD CARAVAN SITE has applied for permission for 12 Residential Sites. I would like to object to this in the strongest terms. This is just a back door route to a permanent Gypsy Camp. Gypsies recently camped on the site for two weeks and we were plagued with

them knocking on the door to either buy anything from Sunday to furniture, or to fix my roof that does not need fixing. Also they use the old slip road to the A74 to dump what they cannot sell. I feel that the people of Harber should be consulted before any permission are made. Yours sincerely,
M Monagle.

PLANNING SERVICES	
REF	01/0735
31 AUG 2001/14	
RECORDED	CN
SEARCHED	ESM
Deceased Mr Turner	
ACTION	

THE WILLOWS
 HARKER ROADEND
 CARLISLE
 CA64HQ

I am writing
 this letter of objection to the
 proposed static caravan site
 at Ghyll Beck, Harker. I feel this
 site is not in keeping with the
 area, also there is already a
 static site at Hadrian's Camp or
 an overspill site at Heepin
 Wood, so there is no need
 for any other sites

Yours faithfully

Wren
 M. J. J. J.

The Willows
Harkes Road Ends
Carlisle
010735
001 2001
CSX

Dear SW 14

I write to you objecting to the proposal of a transit site at Ghyll Bank, Harkes, well I am objecting again now the revised plans have been submitted

A number of years ago we applied for planning permission to build a house further along the Harkes road, we were turned down on the grounds there would be too much of an increase in traffic, We are one family whereas Mr Francis is applying for permission for 12 permanent dwellings & 18

Temporary dwellings, in effect
creating a village with a lot of
extra traffic.

As Hesperin Wood is now
closed it is my belief that the
Council now don't have anywhere
to "house" these travellers, so
if they go to Ghyll Bank it
solves a council problem especially
as no council members live in
the area.

yours sincerely
D McFarlane

Craig & Susan Bowers,
Sylvan, 6 Meadowfield, Harker Road Ends, Carlisle, Cumbria. CA6 4HE
Tel: 01228 672129

Department of Environment & Development,
Planning Services Division,
The Civic Centre,
Carlisle. CA3 8QG



PLANNING SERVICES	
REF	01/0091
06 SEP 2001 14	
RECEIVED	CT
SCANNED	
PASSED TO	CSH
ACTION	

4th September 2001

Dear Sirs,

Re: Planning Application by Mr. Francis, Ghyll Bank, Low Harker,
Carlisle

I note that the above named has made application for planning permission in respect of 12 static and 18 touring caravans at the above address.

I am concerned that the site may become used by itinerant travellers rather than conventional caravaners.

In these circumstances I wish to register an objection to the proposed application.

Yours faithfully,

A handwritten signature in cursive script, appearing to read "S. Bowers".

Mrs. S. Bowers and
Mr. C. Bowers

PLANNING	
REF	01/0735
	07 SEP 2001 15 IS
RECEIVED	W
SEARCHED	
INDEXED	CCH
ACTION	

THE WILLOWS
HARKER ROAD ENDS
CARLISLE
CUMBRIA
CA6 4HQ

DEAR SIR,

It has come, to my attention that there is planning application for a static caravan site at harker. In my view there is no need for this site as there is already one at broughton and one at hespin wood. I would just like to give my opposal as i feel that it will affect the area and spoil the neighborhood.

Yours Sincerely
C. M. *[Signature]*

PLANNING REF: 01/0735	
07 SEP 2001/16	
RECEIVED	CW
SEARCHED	
INDEXED	
FILED TO	CSH
ACTION	

CRINDLE BANK
HARKER ROAD ENDS
CARLISLE
CA6 4DF

Department of Environment & Development
Planning Service Department
Civic Centre
Carlisle CA3 8QG

6th September 2001.

Dear Sir,

We wish to lodge an objection to the planning application reference No. 01- 0735 for a static and touring caravan park at Ghyll Bank, Low Harker, Carlisle.

To allow such a site would be undesirable as the area is already well served by sufficient and adequate facilities, there being numbered at least three such sites within a few miles distance.

The area surrounding the proposed site has been aesthetically challenged several times over the past years :-

- electric substation extensively enlarged
- expansion of haulage business
- development of Kingmoor Park
- upgrade of A74 (under consideration)

No matter how carefully the site is landscaped to conceal, there will still a degree of unsightliness, adding to the problem already experienced. It would add further traffic congestion to a country road which has very poor visibility in parts (humpback bridge and cross roads near proposed site entrance) and could endanger lives.

The surrounding countryside has been continually eroded away. Conservation of the environment should be recognised in the modern world and everything done to preserve it from further degradation. The land in question could be utilised and developed into an interesting, environmentally friendly area of natural beauty for future generations to enjoy.

Yours faithfully,

David Jones
Sheila Jones

Mr D. and Mrs S. Jones.

SCHEDULE A: Applications with Recommendation

ITEM NO. 9

Date of Committee: 02/11/20.

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,
GRID REF: 339457 558815

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 A: Applications with Recommendation

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: Comments awaited.

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 two letters have been received raising the following concerns: the additional noise which will be created by the proposed 60 lorries which will be 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?; and, the proposed lighting could be obtrusive.

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 A: Applications with Recommendation

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 proposal to involve 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 will be erected on the southern and south-west boundaries of the site.
- 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 commence works in the City on the 1st November 2001.

The employer is a Company called Omni who wish to establish a digital network in competition with BT. The services provided include telecommunications, domestic cable television and internet access.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0800 /

In considering this application it is felt that the main issue is the potential impact on the amenities of neighbouring properties. The site obviously has a history of industrial purposes and is located within a designated primary employment area. The applicants have, nevertheless, sought to address all the concerns raised by interested parties.

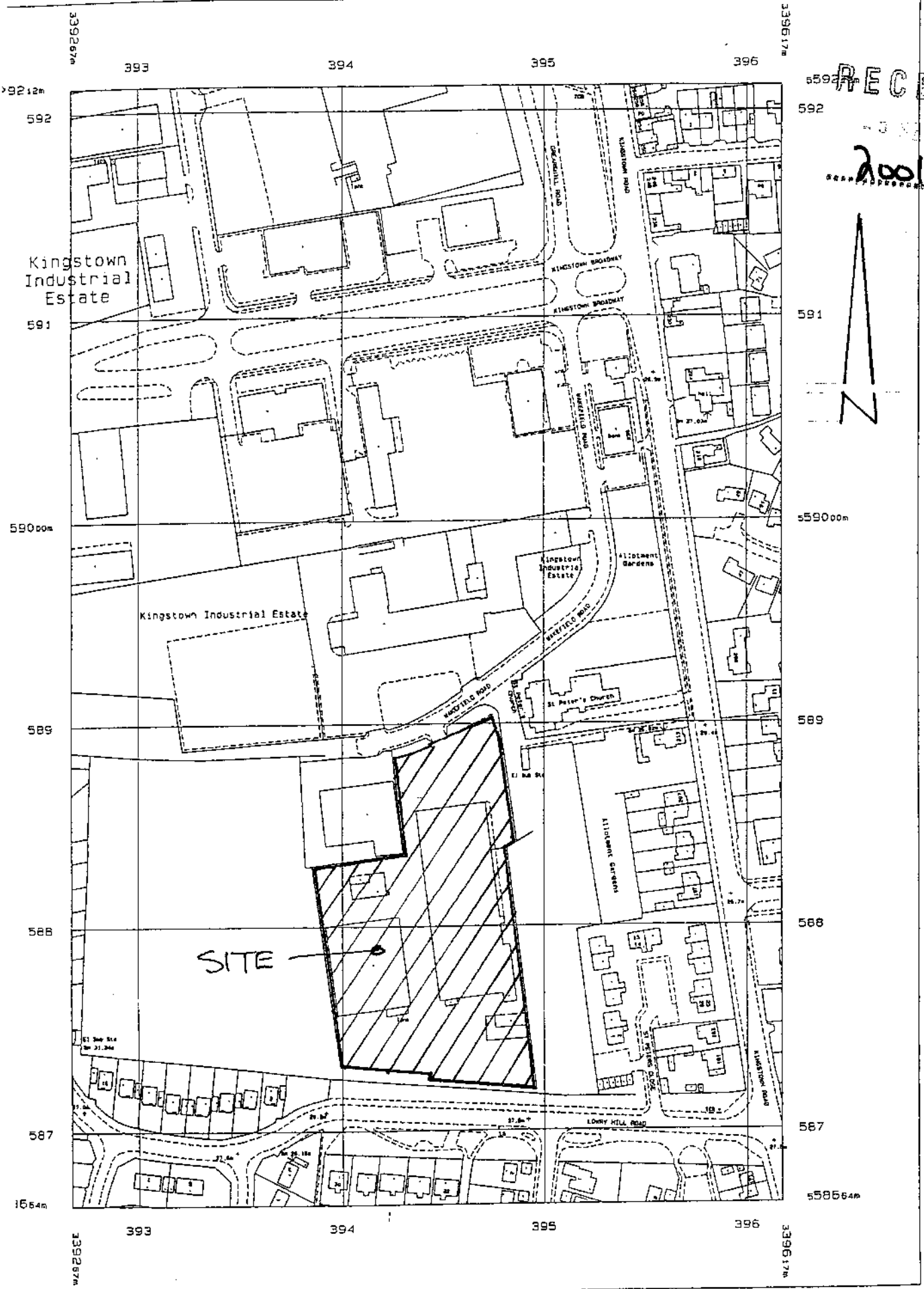
The rights of the neighbouring residents are respected. However, on the basis that the Head of Environmental Services does not raise any objections, the proposal is recommended for approval.

RECOMMENDATION:-

APPROVE WITH CONDITIONS

1. The use hereby permitted shall be discontinued not later than the 30th day of November 2004 unless in the meantime a further application has been submitted to and approved by the local planning authority.
2. There shall be no vehicular movements before 07.00 hours weekdays and on Saturdays nor after 19.00 hours on weekdays and 15.00 hours on Saturdays (nor at any time on Sundays or Statutory Holidays).
3. Material shall not be stacked or deposited to a height exceeding 2 metres above the adjacent ground level of the proposed site.
4. Prior to installation details of the proposed security lighting, including lighting levels, shall be submitted to and approved in writing by the local planning authority.
5. Within one month of the commencement of use a 2.4 metre high solid timber fence shall be erected along the western and eastern boundaries of the site to the satisfaction of the local planning authority and shall be maintained at that height.
6. Prior to installation details of all the proposed portakabins shall be submitted to and approved in writing by the local planning authority.
7. Storage tanks to be bunded
8. Surface water from all areas of hardstanding upon which vehicles are parked, washed or take access shall be drained through a suitable interceptor into the proposed foul sewer.
9. Safeguarding watercourses/drainage (ii)

*Deferred - EHC'S
to undertake noise
readings*



1:2500. 0033/2
 McNICHOLAS CONSTRUCTION

Aug 2001 from Ordnance Survey digital
 incorporating surveyed revision
 this data © Crown Copyright 2001

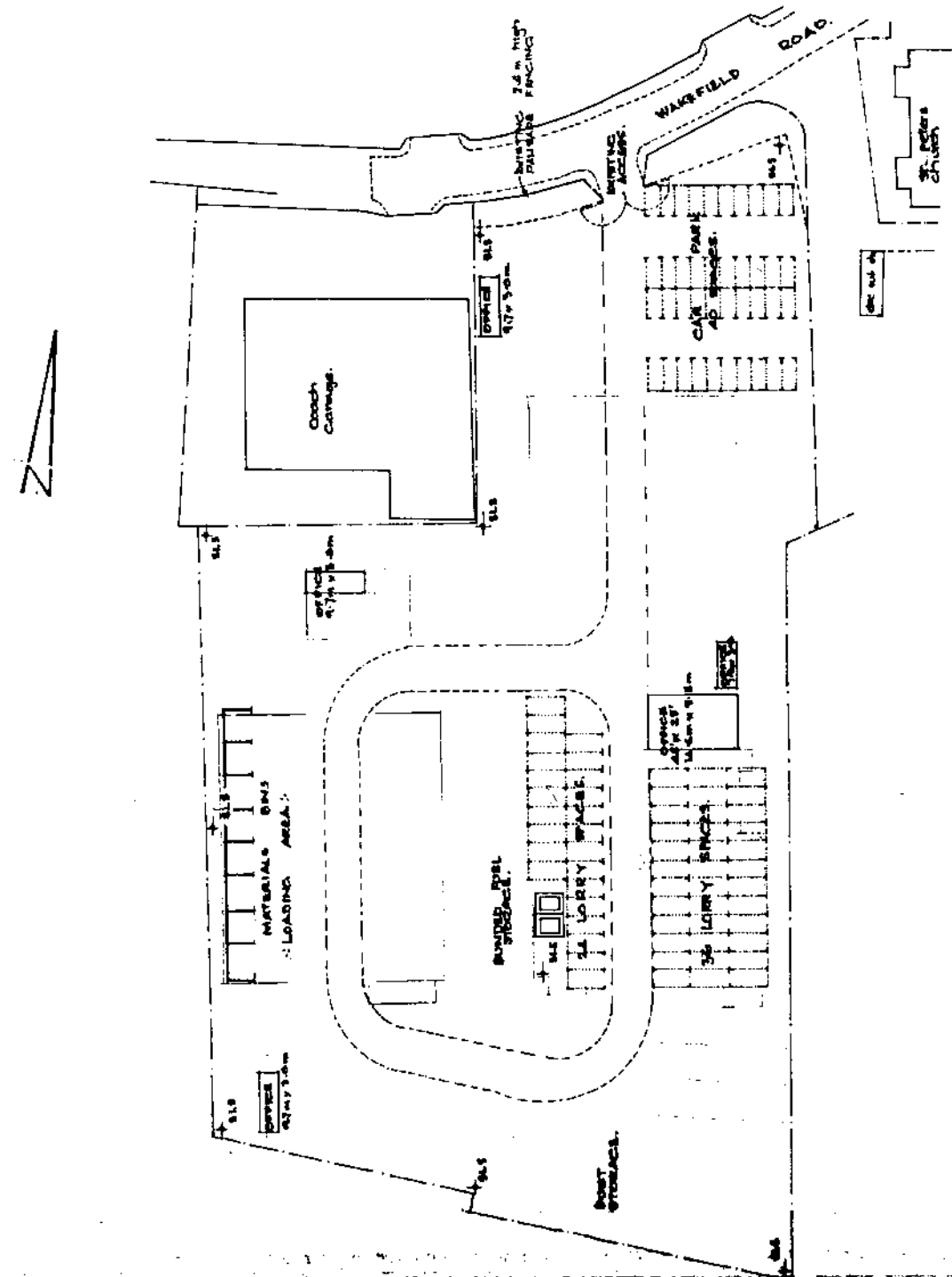
NOTES

1. Offices to be partition type temporary structure units placed only on
2. Security light standards to be limited to 6 m, temporary and to have shades to direct light downwards and prevent glare.

± 0.5 m higher security light standards

MICHOULAS CONSTRUCTION SERVICES LTD Lisimnane Park, Elahra Rd Elahra Harb WDC SEA.	
Proposed Depot at Wakefield Rd, Kingsdown Industrial Estate for EON Communications Installation.	
Proposed layout of depot.	
Scale	1:500
Date	Aug 2001.
By	0095/1

REVISIONS
2001/08/00



ACKNOWLEDGED
10 OCT 2001
25/26

0110800

2001
SR
ACH
2

20 Sanderson Close
Lowry Hill
Carlisle CA3 0QA.

5th October 2001.

Mr. A. Hutchinson
Planning Services
Civic Centre
Carlisle.

ACKNOWLEDGED
10 OCT 2001
25/26

Dear Mr. Hutchinson

Proposed Contractors Depot on land formerly Eddie Stobart Transport Depot
Kingstown Industrial Estate – Appln. by McNicholas Construction Services Ltd.

I am writing to express our concerns at the above^{ve} planning application.

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 as well as causing a nuisance to residents. The application states that 60 lorries will be leaving between 07.00 – 09.00 Monday to Saturday and returning 16.30 – 18.00 (15.00 Saturdays). This means that a lorry will be leaving the depot every two minutes and trying to access the main road. There will, presumably, also be additional traffic to and from the site with regard to the delivery of materials. If lorries are leaving from 07.00 then there will also be staff arriving prior to this time to commence work.

This leads me to ask the question as to when they will be loaded, will it be during the night; what mechanical aids will be used to load the lorries; what inherent noise will be generated by these implements? I am concerned at the noise nuisance this is likely to cause. I am also not convinced that the proposed lighting will be unobtrusive. The lighting that will be required to effect safe working practices will be substantial.

I do hope that when consideration is given to this application, due attention is given to the close proximity of the site to a residential area.

Yours sincerely,

N.R. and L. Stanley

N.R. and L. Stanley.

N.R. Stanley
G. Sloan 22 Sanderson Close
A.J. Sloan

26, Sanderson Close,
Carlisle. CA3 0QA

28th September, 2001.

Mr. M. Battersby,
Director of Environment Development,
Civic Centre,
Carlisle.

Ref. 01/0800

Dear Sir,

Site 25 Wakefield Road, Kingstown Trading Estate.

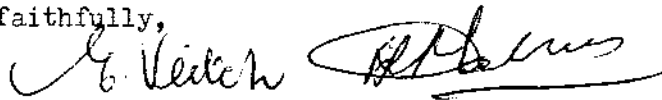
We have seen the application from McNicholas Construction Services Ltd., Elstree, for permission to use the above site on a temporary basis for a period of three years, and as residents of five bungalows in Sanderson Close, which back on to Lowry Hill Road and also the boundary of Site 25 less than 50 yards away, we are concerned by the additional noise which will be created by the proposed 60 lorries which will be loading up on site.

We are doubtful whether the loading and departure of the lorries between 0700 and 0900 can be maintained, or the return limited to 1630 until 1800.

The five bungalows' common hedge is hawthorn, and most of the southern hedge of Site 25 is deciduous and, therefore, for five or six months of each year the site will be visible as well as producing additional noise.

If planning permission is given we would like one of the conditions to be that the south east and west boundaries of the site be marked by a solid fence, with a view to limiting the noise created.

Yours faithfully,


a. J. Sloan
H.S. Sewell

c.c. Councillor D. Morton.

PLANNING SERVICES	
REF	01/0800
- 2 OCT 2001 24	
	en
PLANNING	ARH

SCHEDULE A: Applications with Recommendation

ITEM NO. 10

Date of Committee: 02/11/20.

APEN REF NO:
01/0257 /

APPLICANT:
Mr A & Mrs S Frizzell

PARISH:
Arthuret

DATE OF RECEIPT:
02/04/2001

AGENT:
Tsada Building Design Services

WARD:
Longtown & Rockcl

LOCATION:
Beechwood, Broomhills, Longtown, Carlisle Cumbria

GRID REF:
343050 568100

PROPOSAL: Construction of new access and lane and erection of
agricultural shed and workshop

John

REPORT

PLANNING POLICIES:-

NRA CONSULTION AREA

The proposal relates to land or premises in which the National Rivers Authority has an interest and which may be liable to flooding.

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 ENVIRONMENT - POLICY E16

Development which is detrimental to the character or nature conservation value of ancient woodlands will not be permitted unless:

1. the harm caused to the value of those interests is clearly outweighed by the need for the development; and
2. where practical any environmental feature lost is replaced with an equivalent feature.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0257 /

SUMMARY OF CONSULTATION RESPONSES:-

HIGHWAYS : no objection
ARTHURET PARISH COUNCIL : no objection

SUMMARY OF REPRESENTATIONS:-

This application has been advertised by means of a site notice and neighbour notification. A letter has been received from the neighbouring resident indicating no objection to the application

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

There is no planning history relating to this site.

DETAILS OF PROPOSAL

This application was deferred at the last meeting of the Committee to enable members to visit the site. It will be recalled that permission is sought for the erection of an agricultural shed/workshop on land at Broomhills, Longtown. The site is located on the road running parallel to the River Lyne from the A6071 at the Cliff towards Easton, and comprises a bungalow with garden and other agricultural land and woodland adjoining. A further bungalow adjoins the site.

The proposal is to erect a shed 18 metres x 6 metres x 4.8 metres high on land which lies at the lower level next to the River Lyne. An existing much smaller shed would be removed. The shed would be used partly for in connection with the applicant's agricultural land, amounting to 1.8ha., and partly as a workshop to be used in connection with the applicant's contracting business. The proposal also includes the construction of a new access and access road through woodland down to the level of the site of the new building. A gap has been created through the trees along the route of the proposed track, involving the felling of a small number of trees. Proposed materials of the shed are profiled sheeting with wooden doors.

The application raises a number of issues. Firstly, although the site of the new building appears in plan form to be well related to the buildings on the road frontage, in fact the site of the proposed building is at a lower level, in an area of undisturbed open countryside. This intrusion into undisturbed open countryside is regarded as unacceptable, and contrary to Policy E8 of the District Plan particularly because the proposal would involve an industrial use, and the erection of a yard twice the size of the building itself.

Secondly, the access track leading down to the site traverses a steep slope through an area of woodland. This is identified an area of ancient woodland, subject to Policy E16 of the Carlisle District Local Plan, and it is considered that the construction

SCHEDULE A: Applications with Recommendation

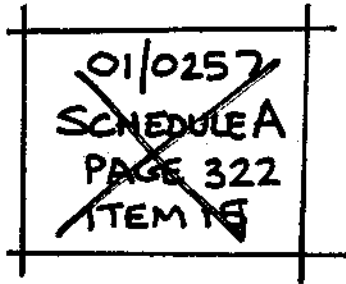
Schedule continued for 01/0257 /

of this access track would create a significant scar across the slope and would be likely to lead to the loss of several trees, although the applicants do not accept this. Officers consider that there is a clear conflict with Policy E16 and the application is therefore recommended for refusal on two grounds.

RECOMMENDATION: -

REFUSE

1. REASON: The application proposes the erection of a substantial building and create an extensive yard area on an area of undisturbed open countryside, unrelated to other development. The proposal would therefore be detrimental to the rural character of the area and contrary to Policy E8 of the Carlisle District Local Plan.
2. REASON: The application proposes the construction of an access through an area of designated Ancient Woodland. This would create an unacceptable intrusion into the landscape and be detrimental of the character of the woodland, contrary to Policy E16 of the Carlisle District Local Plan.



01/0257	
18 SEP 1990	
REX	
SCANNED	
PASSED TO	CJH
ACTION	Supp

For the attention of Planning Committee

Beechwood Broomhills Longtown Carlisle ref 01/0257

Further to another site visit with Mr Hamer we have considered the comments made and discussions as to the siting of the proposed workshop, the site suggested by Mr Hamer in our opinion is unsatisfactory for the following reason:-

- Land not suitable
- Too near the road
- Not enough room
- Will not be able to build on to the Bungalow, will be limited for space for what we would like to do.
- Danger to our son Robbie, only 14 months
- Block out light to our Bungalow
- Block our view of our lovely Countryside
- Block our neighbours view
- Risk of break in so near the road
- Risk of accident so near the road
- Foundations to the building could prove very difficult because the bank has just been made up over the years
- Only access to shed would be from the ends and not on to the road, which would be unsuitable
- Cars would have to reverse out on to the road, which would be dangerous
- Property would be devalued
- Letter of objection from adjoining property

We feel that the siting of the Workshop on the lower paddock would be more suitable the shed already on the lower paddock would be removed and moved further along to the wider part of the paddock.

We do realize that the wood is ancient woodland, and we wish to take the shortest route possible, which is next to the vegetable garden. We have had levels taken to prove that it is possible to do this with no loss of any trees, we intend to plant more trees and wild flowers to preserve the lovely Rural Countryside that we live in.

The Rural Countryside is going through a very difficult time at the moment with our County been very hard hit by Foot and Mouth and we do not wish to spoil the beautiful Countryside by siting a workshop on the top next to the bungalow.

We rely on the local farmers for our work, and they support us at our busy time with their sons help which in an income to the farm. A local Young Farmer has helped us all summer this lad was unemployed because the farm that he worked on got Foot & Mouth.

Our reason for the workshop to go on the lower paddock:-

- Not blocking anyone views
- No one objected to the proposed site
- More secure and out of everyones view
- No houses look on to the site
- More room round the workshop
- Will be able to spend more time with my family
- Less traveling
- Shed already on lower paddock
- Have taken levels and size of shed
- Have waited 10 years to buy a house with some land
- Will be able to graze paddock on top with some sheep
- Shed just down the road which is 3 miles from the farm and in a Greenfield site
- Will have to do away with the vegetable garden
- Road already goes down to the lower paddock, which we will use if we can not get the shorter route
- Will plant more trees and beech hedge and wild flowers

We hope that the Committee will take all our points into consideration and help use to stay in a Rural Community where we have lived all our lives, because if we can not build a workshop in the lower paddock we will have to move and this all costs money which is in short supply with the Foot and Mouth Crisis. We need to stay in the Rural Community to do what we can to help it recover from this Crisis.

We have no family life because at the moment the workshop is 4 miles away and we spend a lot of time running the roads and missing out on family life, we are not a family unit, we need to spend more time together.

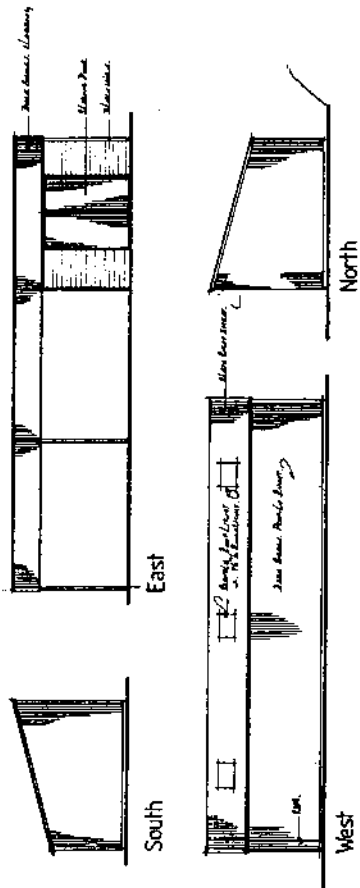
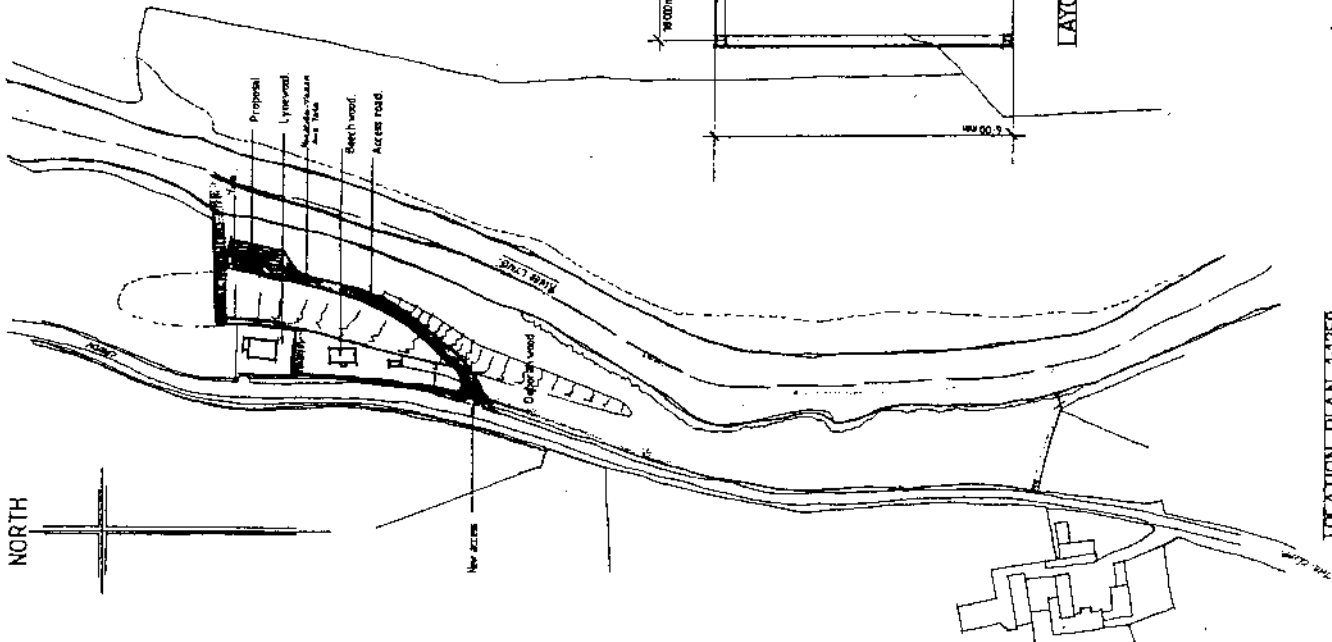
Yours faithfully

Sheena Frizell

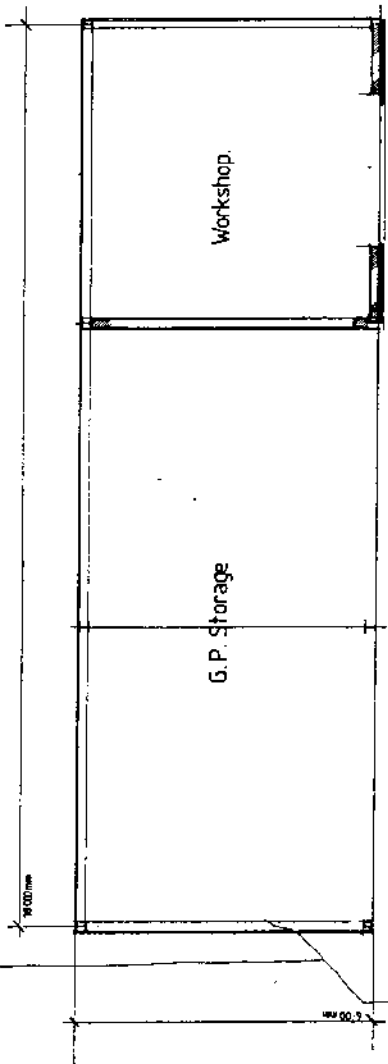
A.H. Frizell

Andrew & Sheena Frizell

NORTH



ELEVATIONS 1:100



LAYOUT PLANS 1:50

PLANNING PERMITS	
REF	10/2001
DATE	10/2001
SCALE	1:100
PROJECT	
CLIENT	
LOCATION	
DATE	
SCALE	
PROJECT	
CLIENT	
LOCATION	
DATE	
SCALE	
PROJECT	
CLIENT	
LOCATION	
DATE	
SCALE	

RECEIVED
10/2001

TSADA BUILDING DESIGN SERVICES

Trade College, Liphook, Cambs, Cambs, CB28 3RN
Tel: 01354 871111 Fax: 01354 871112

Job No
Proposed G.P. Storage & Workshop +
New access & Layout
Beechwood, Broomhills.

Drawing by W.R. Faulder	Amendments	Client Mr S. Frizzell Beechwood, Broomhills	Job No 10/2001/1
Date 7/3/2001			Scale AS SHOWN

LOCATION PLAN 1:250

TSADA BUILDING DESIGN SERVICES

Carlisle City Council
Planning Dept
Civic Centre
Carlisle
Cumbria.
For The attention of Mr J Hamer

Beachwood ,BroomhillsLongtown,Carlisle,Cumbria.
Ref 01/0257

Further to our site visit my clients have consider the comments made and discussions as to the siting of the proposed building.

The site suggested by yourself is in my clients opinion unsatisfactory, in that it would be difficult to develop the design, and type of building required to me my clients needs, with only end access being provide.

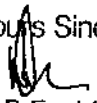
The land adjacent to the bank side is not good, and has been made up over the years, therefore the foundations to the building could prove difficult, if not impossible .

The Proposed siting of the building is within the small paddock area of land ,and it is my client intention, post foot and mouth ,to restock the land with sheep. and the building is better close to the grazing land,

The exsiting shed in the lower paddock will be removed .

My clients have taken levels along the proposed access route ,and in our opinion will not lead to the lose of any mature tree now, or in the future , indeed my clients are happy to carry out an element of landscape improvement to reinforce with hardwood species, the tree line along the bank side, which at the present time is mostly rubbish timbers sychemore and silver berch

I also enclose a letter from the adjioning property owner, which is self explanatory.

Yours Sincerely

W.R.Faulder.

PLANNING SERVICES	
REF	01/0257
13 AUG 2001	
RECEIVED	
BY	
DATE	2001
TIME	

Director:
W. R. FAULDER

TSADA COTTAGE, LONGTOWN
CARLISLE, CUMBRIA CA6 5N/
Telephone & Fax: (01228) 79180
Mobile: 07957-85871

John Armstrong
Lynwood
Lyneside
Nr. Longtown
CA6 5TS

Mr J Hamer
Planning Office
Carlisle City Council
Civic Centre
Carlisle
Cumbria

For the attention of Mr J Hamer

10th July 2001

Dear Sirs

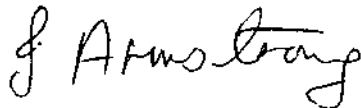
The Proposed Building Planned for Beechwood On Lyne.

We are quite happy for the building to be put on the original site but regret we object to an Agricultural Building being built on the top reset to the roadside, as this will be an ugly building which will spoil the outlook for both properties.

There seemed to be no planning for the disposal site at **Hallburn** and a double entrance and it is just a total eyesore to the surrounding area.

Please consider our objection and preserve our beautiful rural landscape.

Yours faithfully,



John Armstrong

PLANNING SERVICES	
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13 AUG 2001	
RECEIVED	
SCHEM	
PAT	CSH
ACTION	

SCHEDULE A: Applications with Recommendation

ITEM NO. 11

Date of Committee: 02/11/200

APPN REF NO:
01/0334 /

APPLICANT:
Mr M Field

PARISH:
Askerton

DATE OF RECEIPT:
01/05/2001

AGENT:
H2R Design

WARD:
Irthing

LOCATION:
L/A Rigghead, Bewcastle, Carlisle Cumbria

GRID REF:
357730 574620

PROPOSAL: Restoration of existing farmhouse and conversion of adjoining
barn to form a single house and re-laying of access drive

Alan

REPORT

PLANNING POLICIES:-

ANCIENT MONUMENT

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:

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 E28

Development will not be permitted where there is an unacceptable adverse effect on scheduled and other nationally important ancient monuments and their settings.

SUMMARY OF CONSULTATION RESPONSES:-

HIGHWAY AUTHORITY: no objections;

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0334 /

ASKERTON PARISH COUNCIL: no comments received;

ENVIRONMENT AGENCY: no objections but one planning condition is recommended. It relates to the provision of a suitable form of foul drainage. The applicant has subsequently provided further information to the Agency and that has been accepted.

SUMMARY OF REPRESENTATIONS:-

The application has been publicised by means of a Site Notice. One letter of objection has been received from Friends of the Lake District. That letter is reproduced in full following this Report but its salient points are that the barn and former farmhouse are isolated and although the restoration of the farmhouse is regarded as acceptable, the adaptation of the barn is opposed, it being contended that it would require substantial rebuilding.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

There have been no previous planning applications affecting this property.

DETAILS OF THE PROPOSALS

consideration of a Report on this application was deferred at the last meeting, held on 21st September, so that Members could visit the site.

The application seeks Full Planning Permission to bring back into domestic use a former farmhouse and attached long stone barn attached to it which lie to the north-east of the applicants farmsteading at The Bush, Bewcastle (see location plan).

The buildings are derelict and the farmhouse has not been occupied for many years. It retains most of its' roof but a section is exposed whilst the roof of the barn is missing in its' entirety. The masonry walls are essentially intact but there are exposed openings which contained doors and windows that have been removed.

The proposal is to restore the farmhouse and convert/re-roof the barn, with a modest (2.2m by 3.8m) extension to one end, to form a 3 bedroomed dwelling. The stone walls would be retained and repaired where necessary using surplus stone in the locality with the roof of the whole group being reclaimed grey/black welsh slates and stone gabled copings. Hardwood windows and doors would be fixed within all openings and windows/doors would have stone mullions and surrounds. Existing openings would be used or adapted and new openings would be limited to the minimum necessary for suitable light and ventilation as can be confirmed from examination of the proposed elevations.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0334 /

The application is brought before Members as a result of the representations received from Friends of the Lake District. It will be noted that they object due to the buildings' isolation, the degree of dilapidation of the barn and concern about the perceived "residential paraphernalia" that would be derived from residential use. Paradoxically, however, the letter of objection appears to accept the reinstatement of the farmhouse but not the barn which is physically attached to it, despite the fact that the whole group would be a single dwelling and, arguably, the same concerns of "residential paraphernalia" that have been expressed could equally apply to just the farmhouse.

It is, therefore, difficult to comprehend the distinction that is offered between the acceptability of residential use of one section of the building group but not all of the traditional buildings.

Policy H12 of the District Local Plan deals specifically with conversions of buildings in the rural area but is directed at buildings that have not been in residential use. In this instance the application relates to the restoration of a former farmhouse plus the adaptation of an attached "non-residential" redundant farm building to augment the domestic accommodation. It is, therefore, not wholly apposite.

Nonetheless, there is no issue of the building not being of permanent construction it being built of a robust stone walls with the farmhouse dating from the late 19th century. Similarly, the adaptation of the non-residential building can be undertaken without extensions or major alterations that would destroy its character but the applicant proposes a small front projection at one end to allow a car to be garaged. That extension is considered modest and reasonable whilst the manner of execution of the work is also considered compatible with criterion 3 of Policy H12. Finally, criterion 4 is satisfied by the works described already.

Members should note that the application has been supplemented by the submission of a Structural Report commissioned by the applicants from consulting engineers. It is printed following this report but Members will observe that it supports the proposal subject to remedial work to certainly one area and possibly a small second section of a gable peak.

Reference is also made in the letter of objection to proximity to an Ancient Monument. However, the buildings are actually 400 metres from that feature.

RECOMMENDATION:-

APPROVE WITH CONDITIONS ✓

1. Standard time limit
2. Roofing materials
3. Notwithstanding the provisions of the Town and Country Planning (General

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0334 /

Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) there shall be no enlargement or external alterations to the dwelling unit to be formed in accordance with this permission, within the meaning of Schedule 2 Part (1) of these Orders, without the written approval of the local planning authority.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking or re-enacting that Order), no building, garage, shed or other structure be erected within the curtilage of the dwelling hereby permitted without the prior permission of the local planning authority and the approval by them of the design, siting and external appearance of such structure.

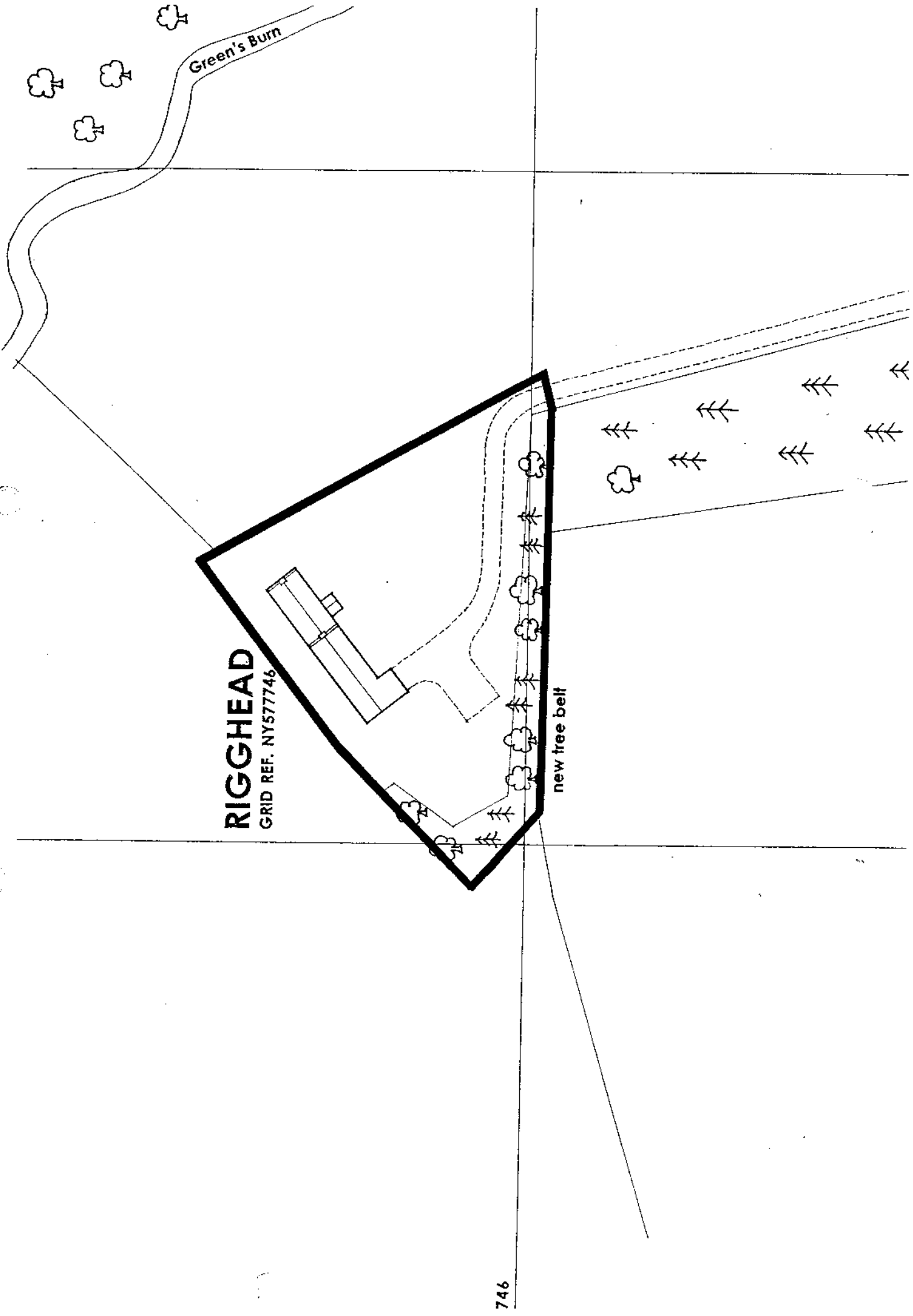
E. Barn Owl condition.

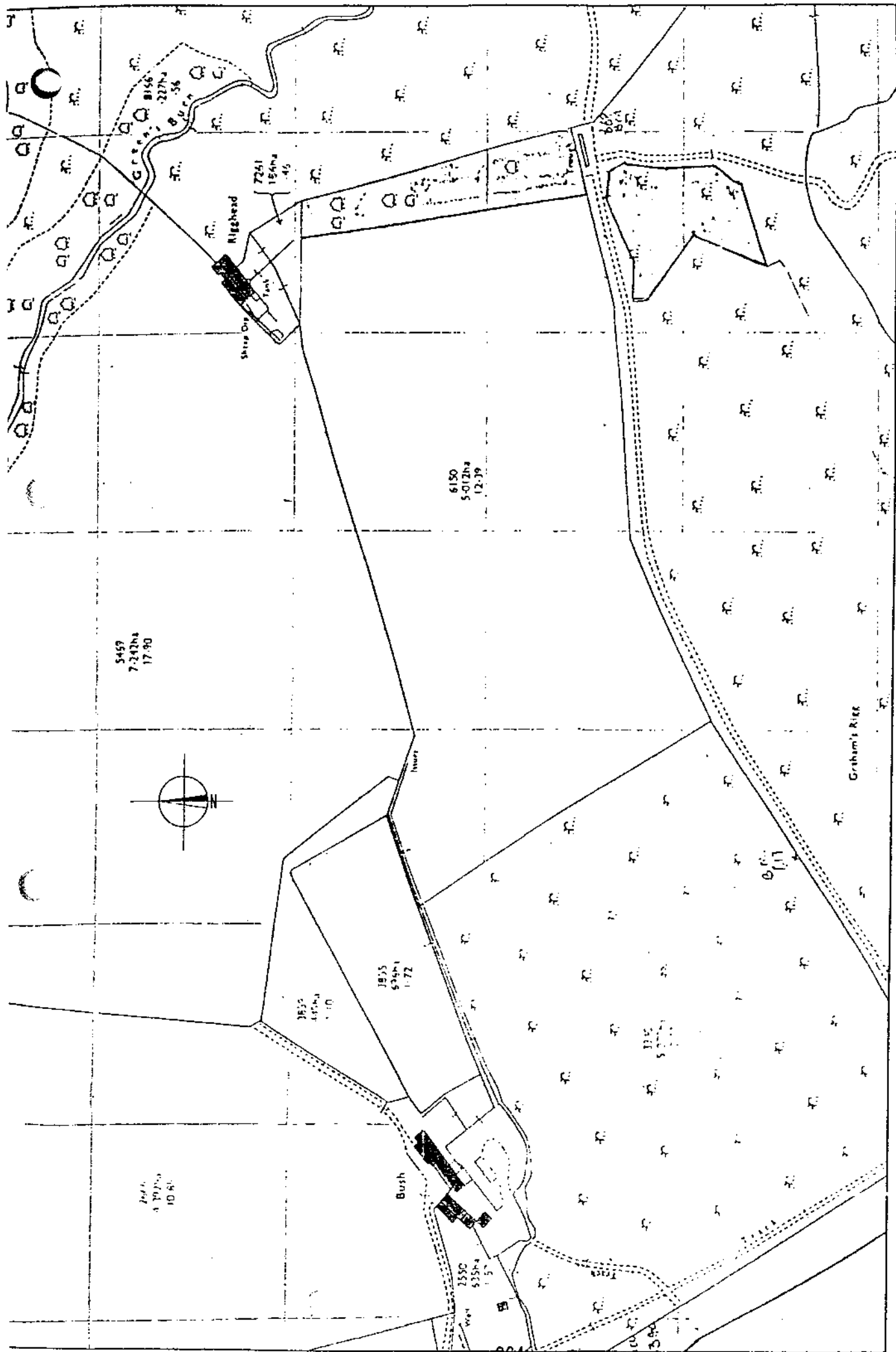
Green's Burn

RIGGHEAD
GRID REF. NY57746

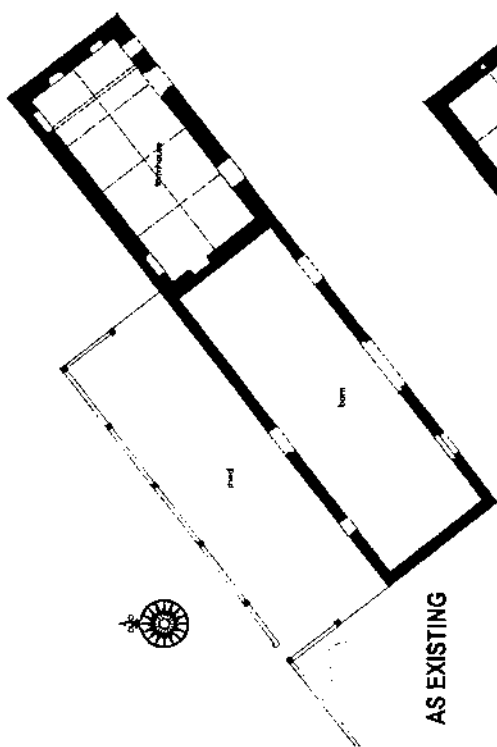
new tree belt

746

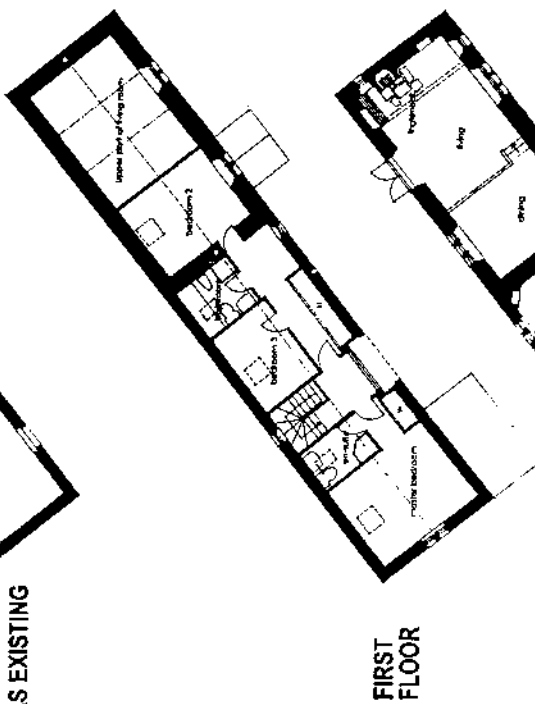




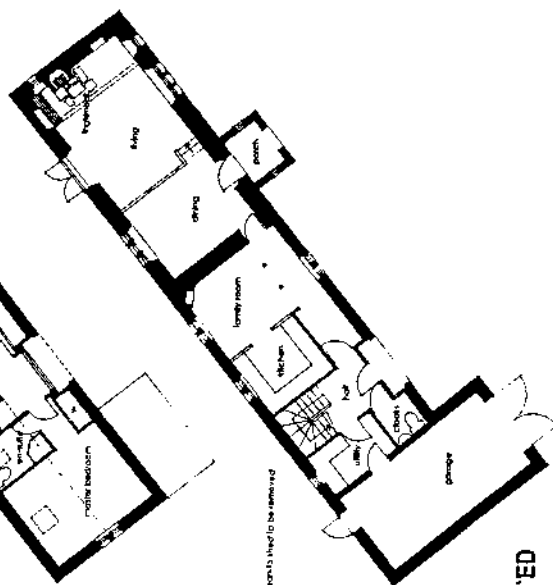
LOCATION PLAN



AS EXISTING



FIRST FLOOR

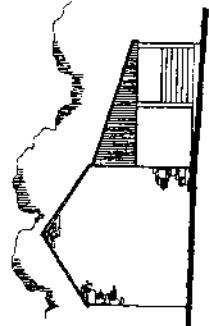


GROUND FLOOR

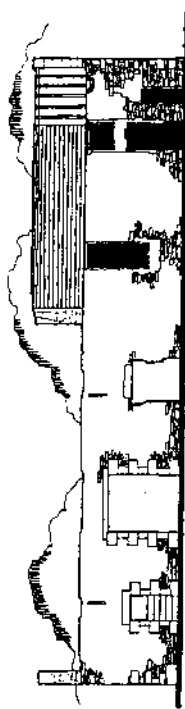
AS PROPOSED



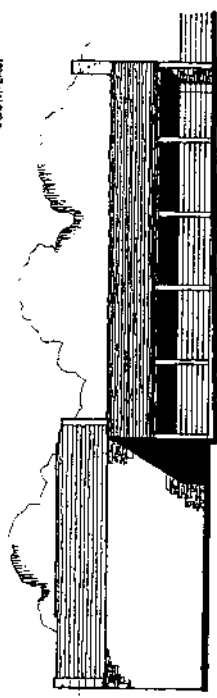
SOUTH-WEST



NORTH-EAST

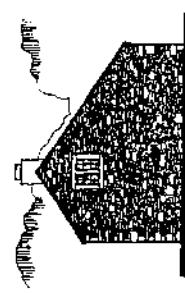


SOUTH-EAST



NORTH-WEST

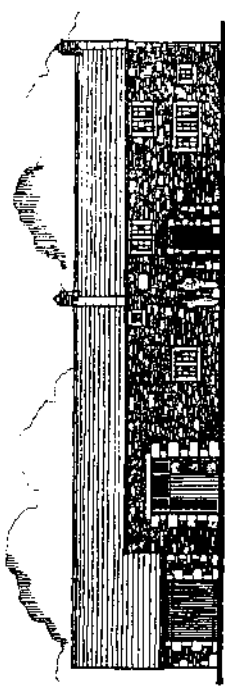
AS EXISTING



SOUTH-WEST



NORTH-EAST



SOUTH-EAST



NORTH-WEST

AS PROPOSED

MATERIALS
 Walls: Existing stone work to be repaired using materials reclaimed during alterations where possible.
 Roofs: Slate or grey/black Welsh slates with stone laid as usual.
 Windows: Hardwood with leaded lights.
 External doors: Hardwood.
 Garage doors: Hardwood with 2m, side-hung leaves.



M. J. HARRIS
 ARCHITECT
 2004/03/24

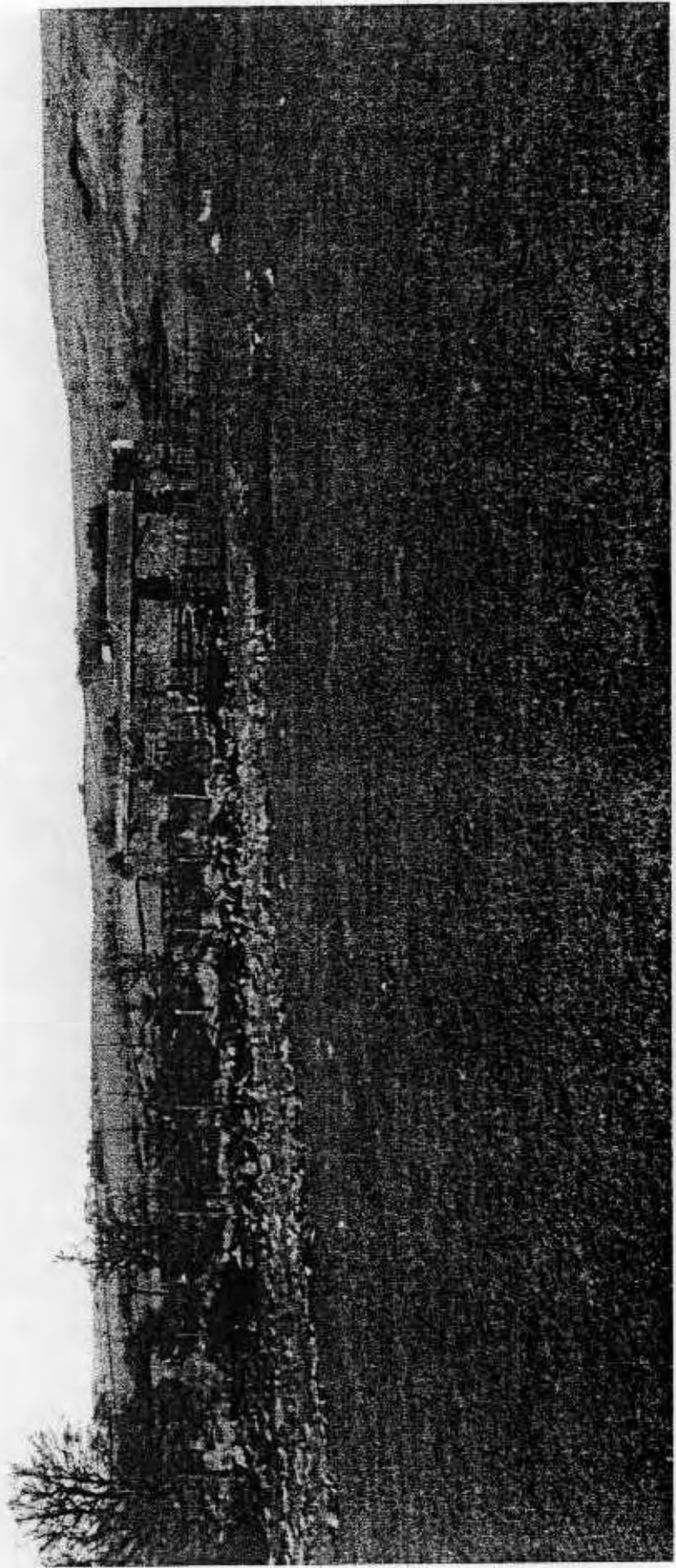
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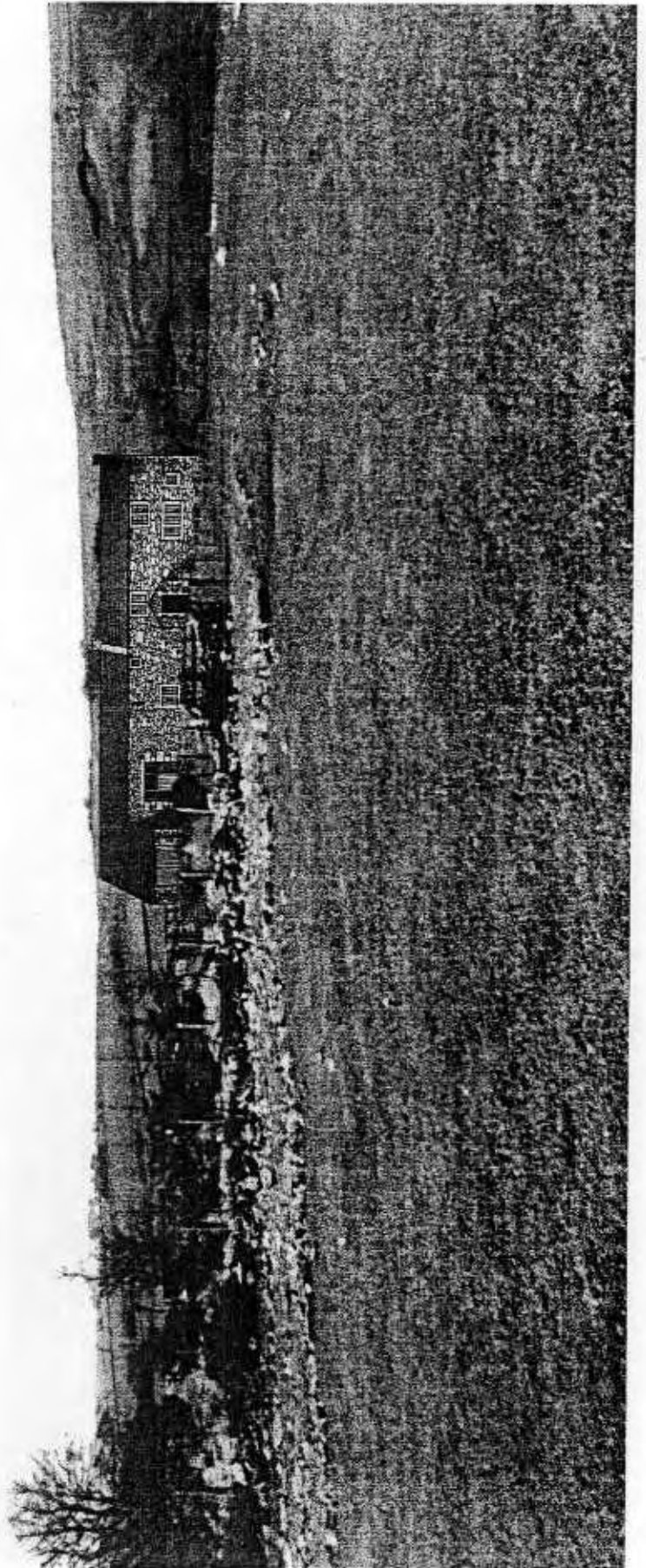
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 2001/0334
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RECEIVED
- 1 MAY 2001
2001/0334
File
APC

PLANNING SERVICES	
REF	
	- 1 MAY 2001
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EXAMINED	
PASSED TO	
ACTION	



friends OF THE LAKE DISTRICT

Carlisle City Council
Department of Environment & Development
Planning Services Division
The Civic Centre
Carlisle
Cumbria CA3 8QG FAO Mr A M Taylor

RECEIVED	21st May 2001
AMT	

Murley Moss
Oxenholme Road
KENDAL
Cumbria
LA9 7SS

Tel: 01539 720788

Fax: 01539 730355

E-mail: info@fld.org.uk
www.fld.org.uk

Dear Sir

**Town and Country Planning Act 1990
Planning Application 01/0334.**

L/A Rigghead, Bewcastle, Carlisle.

Restoration of existing farmhouse and conversion of adjoining barn to form a single house and re-laying of access drive.

We refer to the above planning application, and wish to make the following comments.

The site lies on an isolated site, within the designated remote rural areas, and near to a Scheduled Ancient Monument as shown by the Local Plan Proposals Map. The existing buildings appear to be derelict, with the bulk of the attached barn without a substantial part of its walls and roof. The farmhouse appears to be more intact.

The restoration of the house would appear to be acceptable, given the apparent state of the external structure, and the principle of the former residential use. However, the restoration and conversion of the barn would not be acceptable, as it would involve substantial rebuilding, contrary to the terms of the five tests contained in paragraphs 3.14-3.17 of PPG7. In this regard criteria (e) in paragraph 3.14 in PPG7 requires that if the buildings are in the open countryside, they must be capable of conversion without major or complete reconstruction. In this case it is clear that there would be a significant amount of re-building to make it habitable. This issue is dealt with in the explanatory text paragraphs 4.75-4.78 of the Local Plan.

The proposed conversion would also involve new window and door insertions as well as other external alterations. We are not convinced that the conversion of this building in such a remote location would be appropriate, since it would introduce additional associated residential paraphernalia and activities such as garden area and car parking, which would fundamentally change the character of the building in this very remote rural setting. In our opinion the proposal would result in the creation of another isolated dwelling in the open countryside. For these reasons,

President:

Sir John Johnson KCMG

Vice Presidents:

Sir Chris Bonington CBE
K S Himsworth CBE
Lord Chorley
Graham Watson MBE

Chairman:

Robin Barratt

Hon. Treasurer:

Ken Andrews

Director:

Ian Brodie

Policy Officers:

Jan Darrall
Mark Ellison

Planning Officer:

Graham Hale

Membership Secretary:

Jane Walton

Assistant Policy Officer:

Martin Varley

CPRE

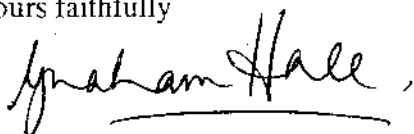


REPRESENTING
CPRE IN CUMBRIA

we consider the proposal would also be contrary to criteria 1, 2 and 3 of Policy H12.

Please record these comments as those of the Council for the Protection of Rural England (Cumbria association). We would be grateful to receive a copy of the decision notice.

Yours faithfully

A handwritten signature in black ink that reads "Graham Hale". The signature is written in a cursive style and is underlined with a single horizontal line.

Graham Hale BA (Hons) MSc MRTPI
Planning Officer



CONSULTING CIVIL & STRUCTURAL ENGINEERS

REPORT ON STRUCTURAL INSPECTION AT
RIGGHEAD, BEWCASTLE

BRIEF

We are instructed by the client Mr & Mrs Field, to carry out a structural inspection at Rigghead, Bewcastle, in order to assess the capacity of the structure to withstand the rigours of conversion.

The inspection took place on 28 August 2001.

GENERAL DESCRIPTION

The property comprises a former farmhouse and attached barn. Construction comprises buff sandstone walling under a slated roof. Large sections of the roof are now missing and the property has evidently not been occupied for many years (photograph 1).

OBSERVATIONS

The condition of the barn is, in essence, visually evident without any underlying defects.

Apart from the obvious dilapidations around the former door/window openings, the walls are effectively in good condition and, for the most part, acceptably true. There is a small element

of settlement to the north-east corner with associated cracks to the gable and side wall (photographs 2 – 5). The gable verge has a slight outward cant at high level.

It is evident that the “farmhouse” side of the building was raised in height at some stage as indicated by the vertical butt-joint at high level. There is a slight settlement crack at this juncture on the south-east elevation (photograph 6).

There is some slight disturbance and several open joints to the left hand end of the north-west elevation (photograph 7).

The general condition of the remaining structure is illustrated on the accompanying photographs 8 – 17.

LIMITATIONS

We have not inspected woodwork or other parts of the structure which are covered, unexposed or inaccessible and we are therefore unable to report that any such part of the property is free from defect.

CONCLUSIONS

Despite the long history of neglect the majority of the structural walls are in good condition and remain acceptably plumb. All defective areas of stonework associated with collapsed openings will naturally be made good in the course of refurbishment.

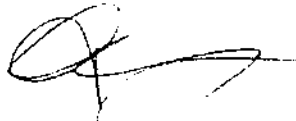
The only area of concern relates to the north-east corner. We would recommend that the

corner be taken down and rebuilt off new foundations. The reconstruction should extend a minimum 4.5 m along the south-east elevation (taking in the new window openings) and 1.5 m along the gable elevation.

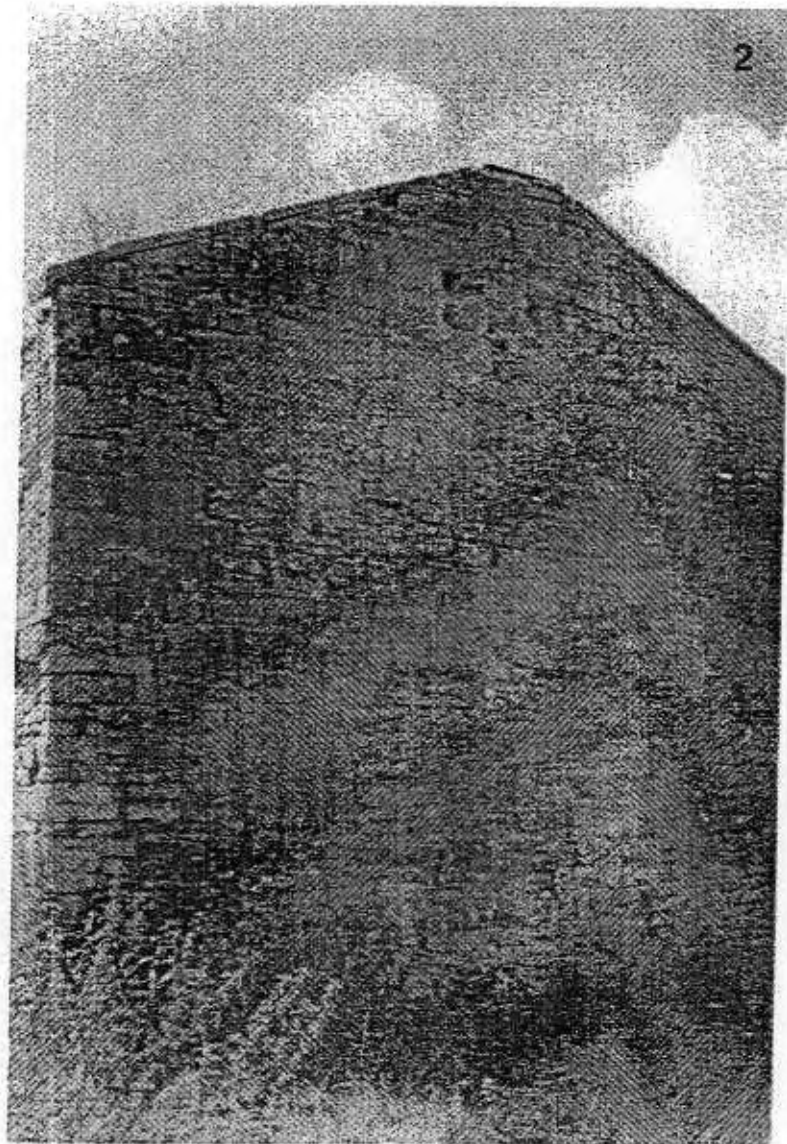
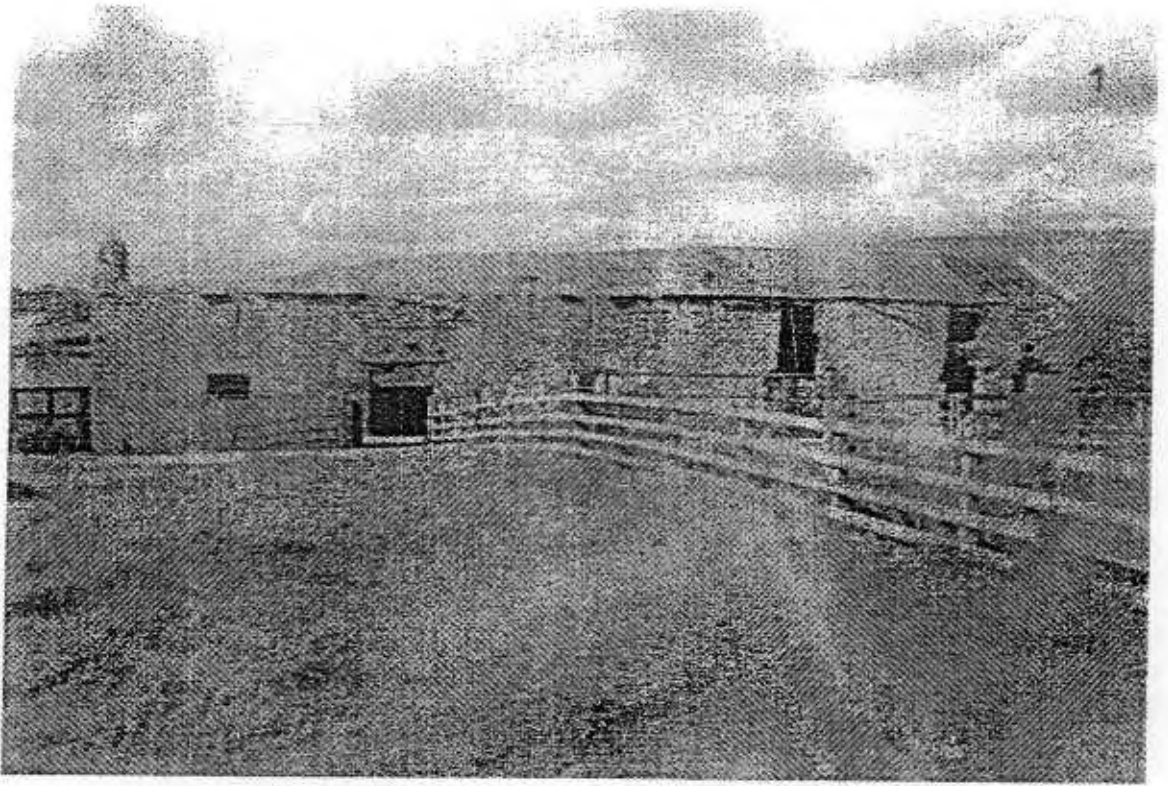
Consideration should also be given to rebuilding the gable peak of the north-east gable in order to rectify the deviant stonework.

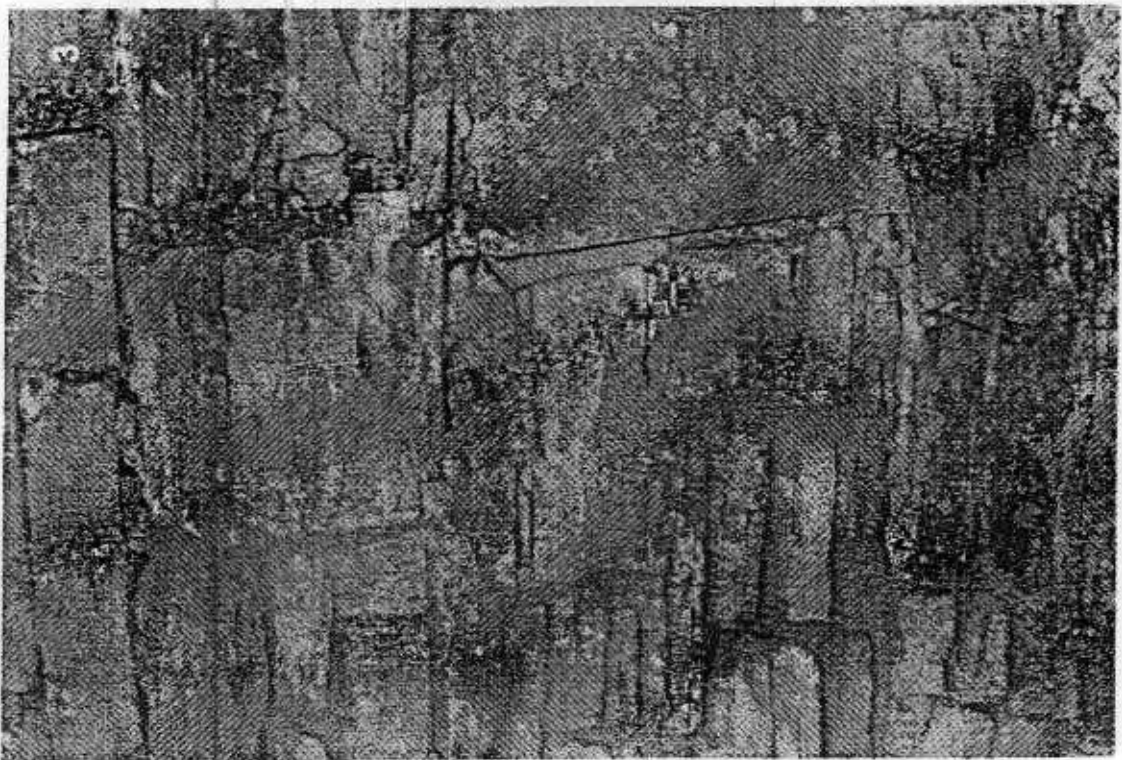
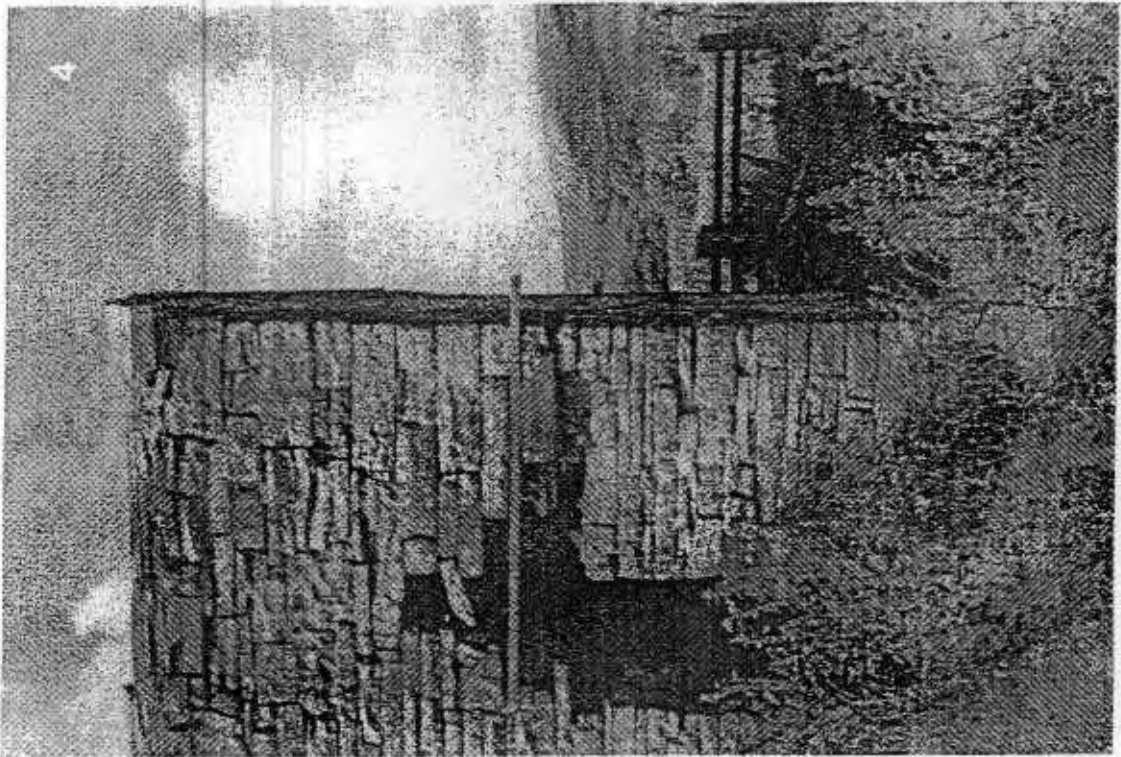
It is presumed that the roof structure is to be completely renewed.

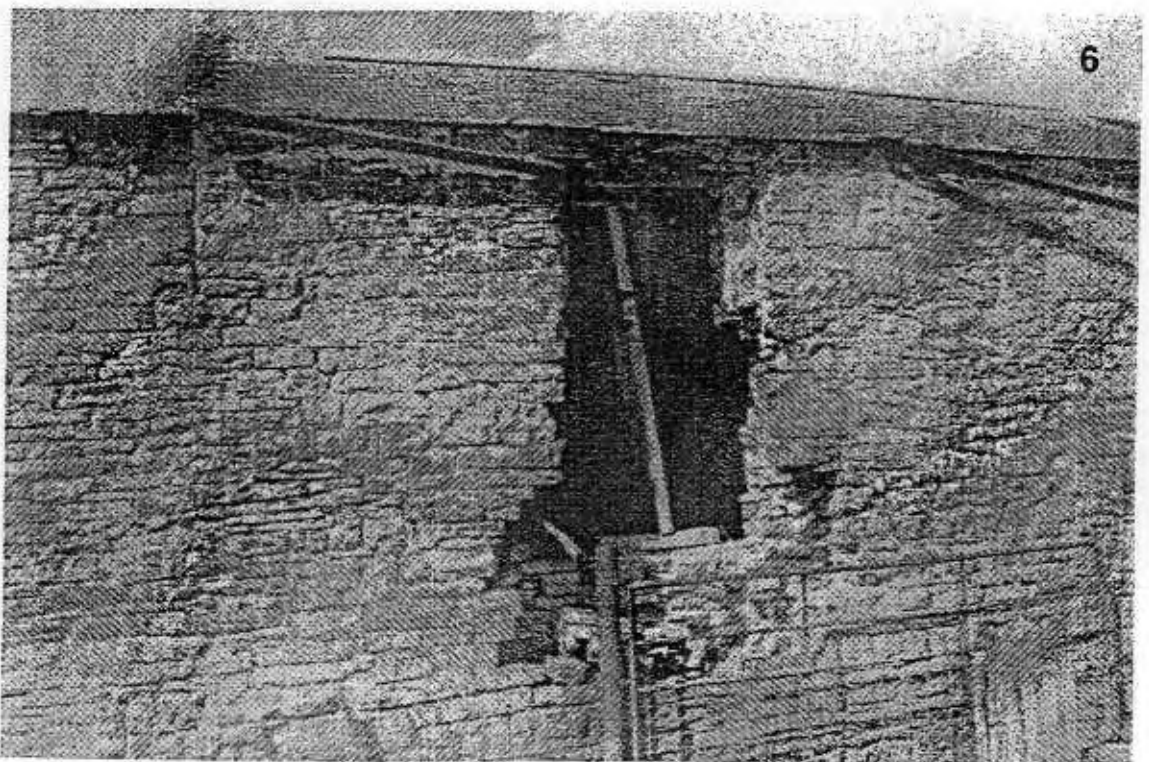
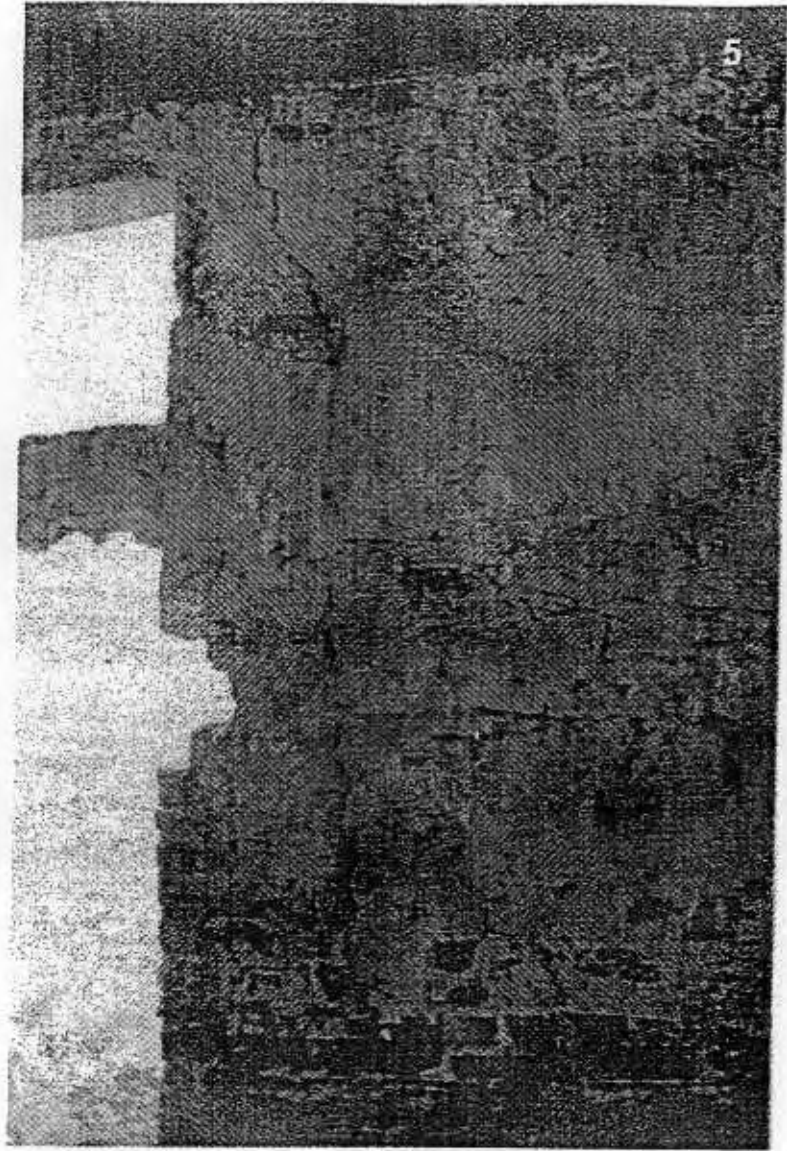
SIGNED

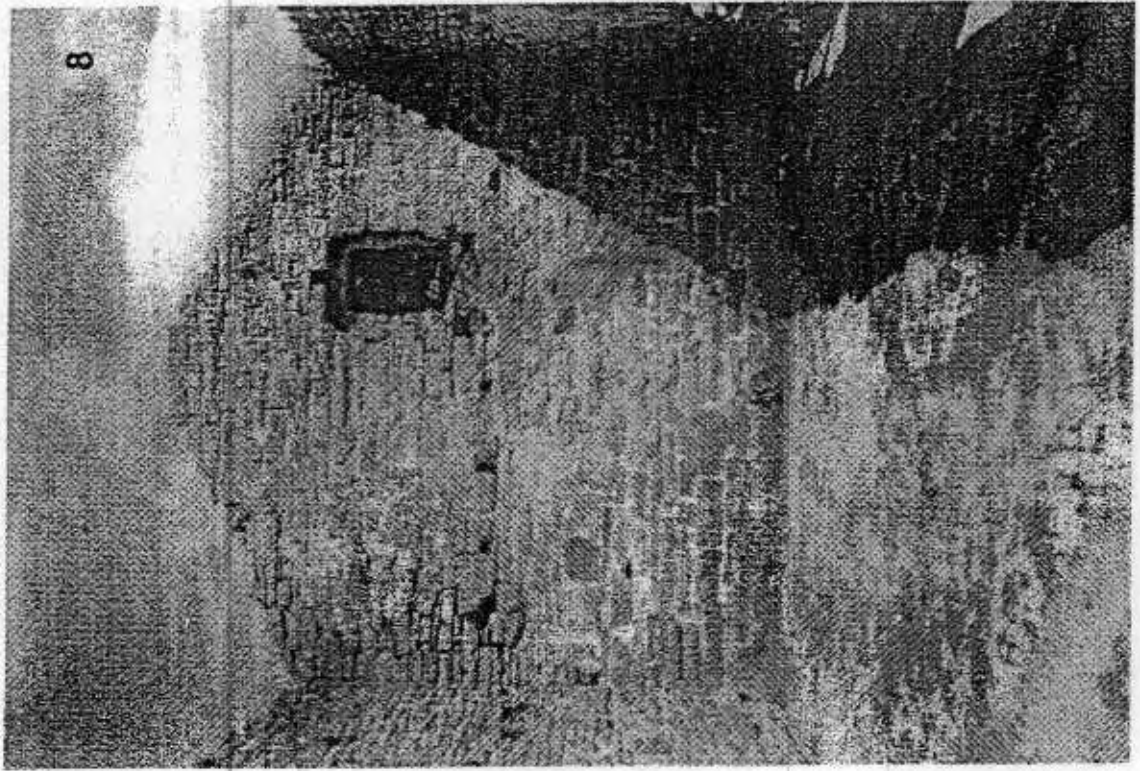


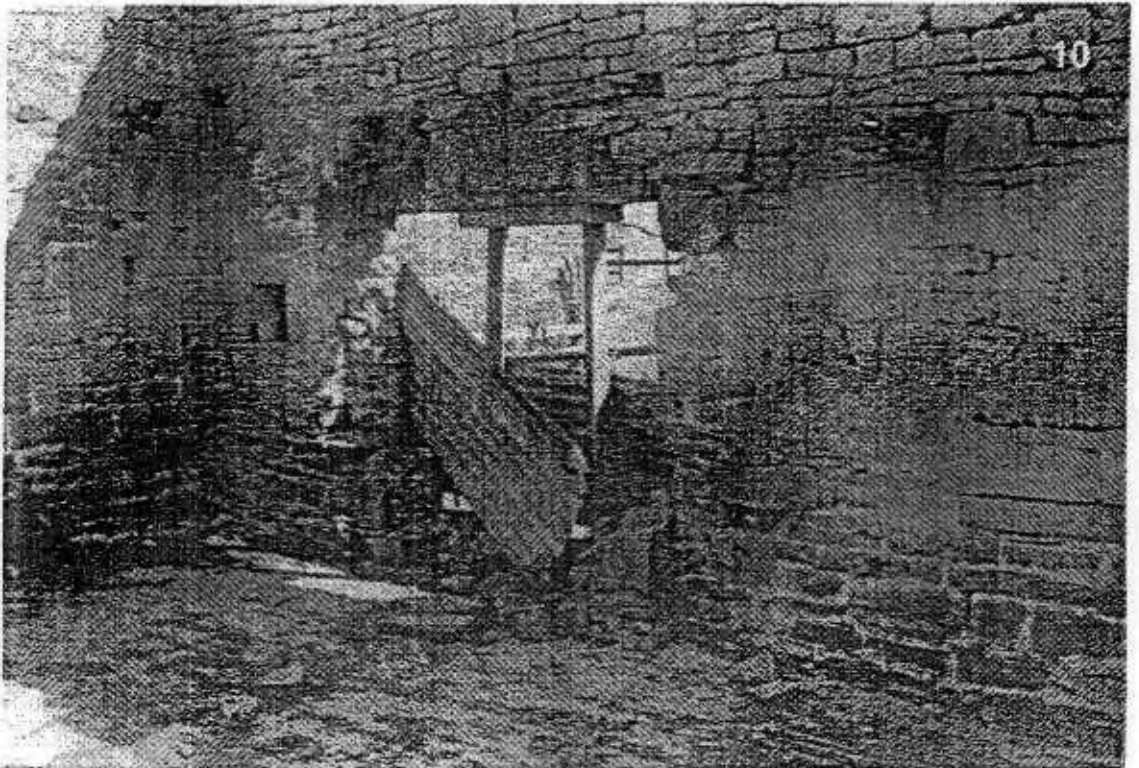
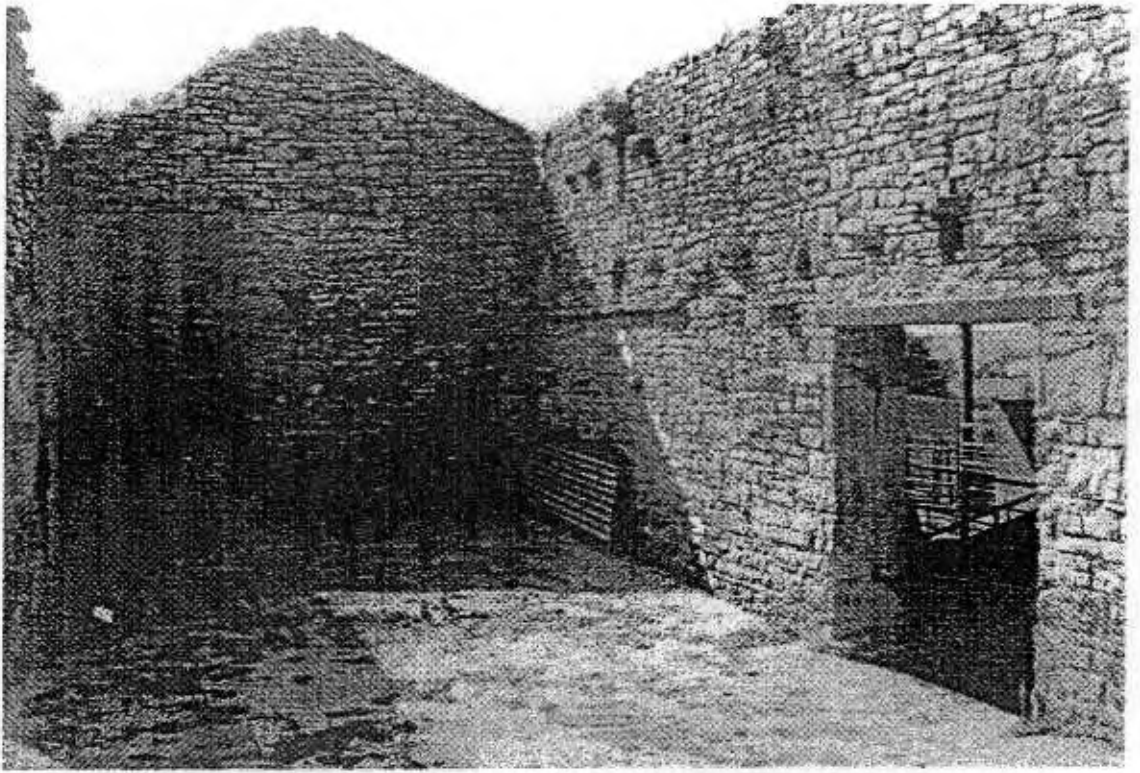
N R PERRY M.A. C.Eng. M.I.C.E

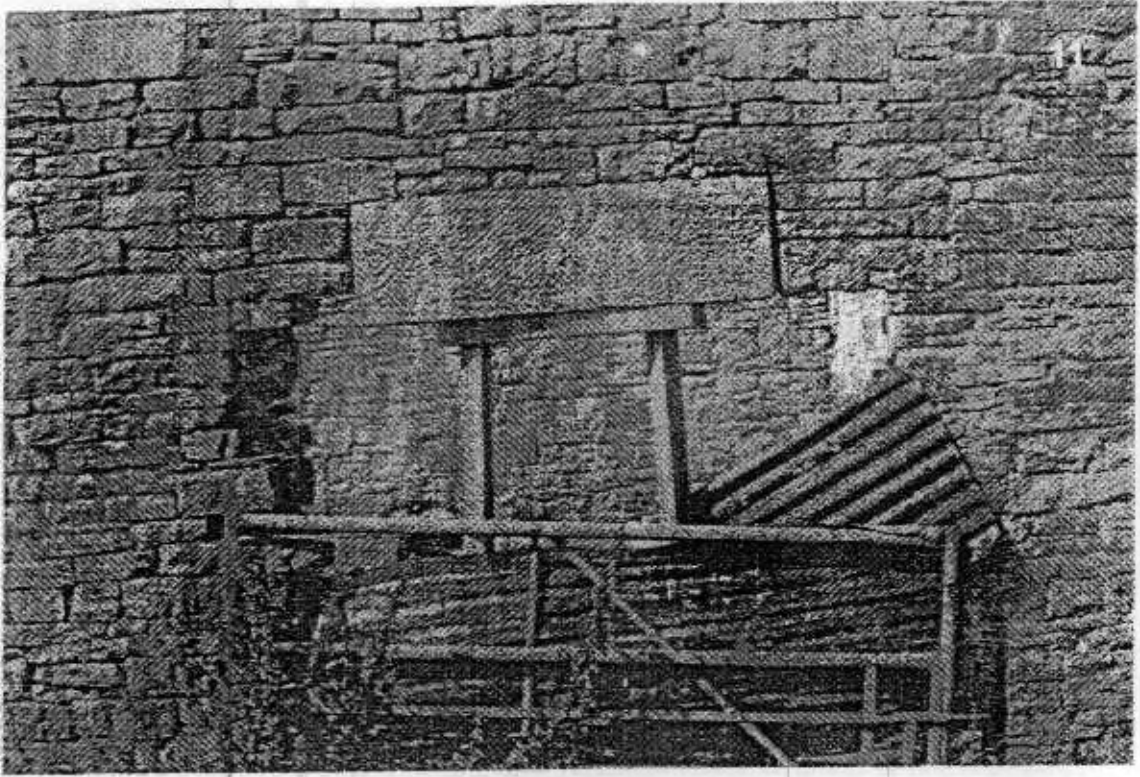


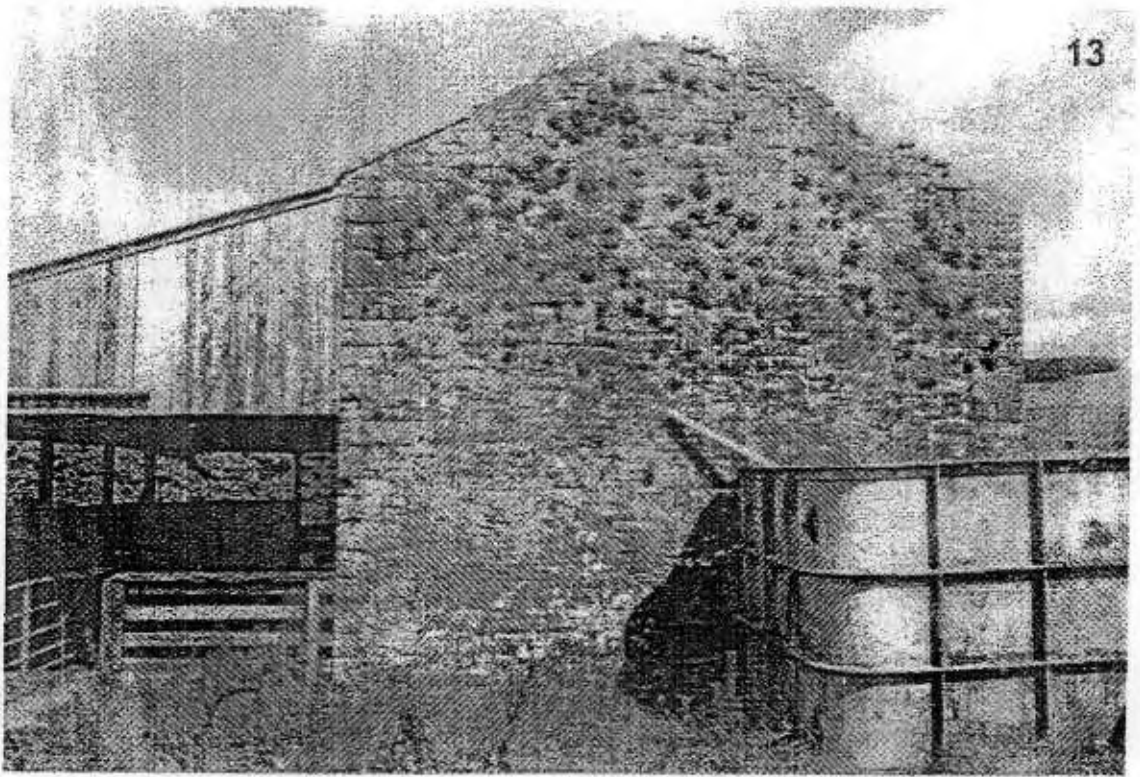


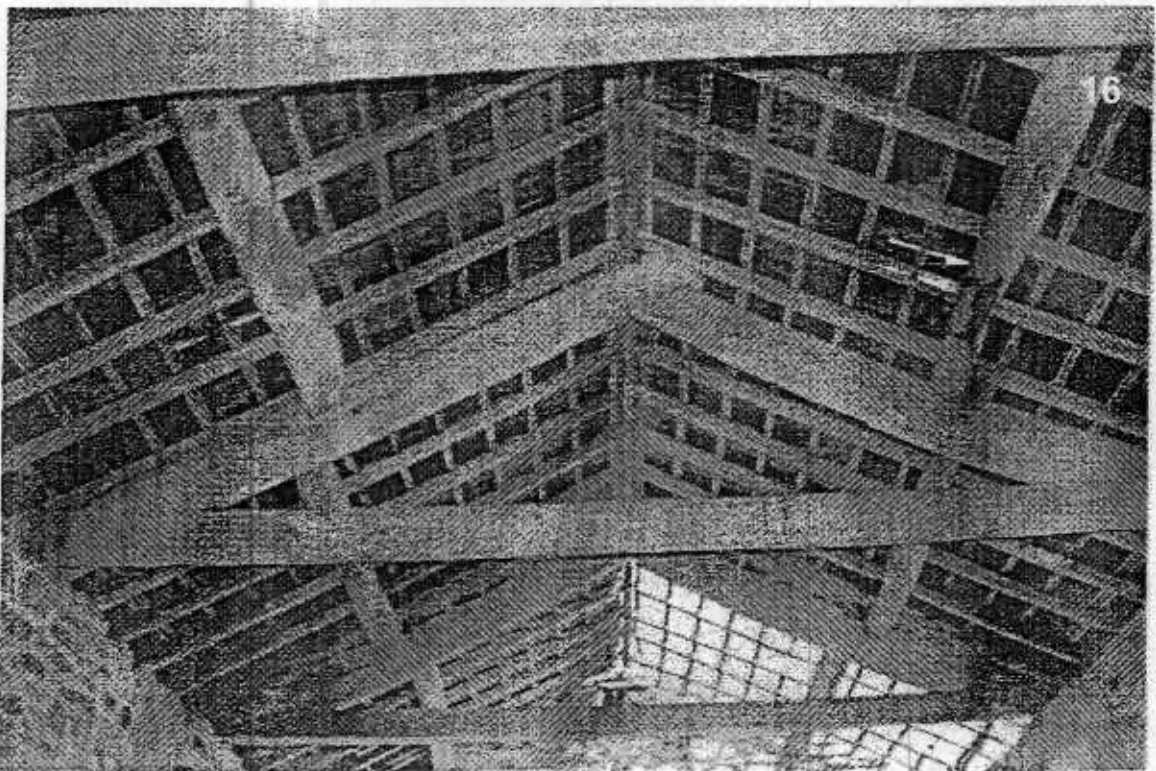
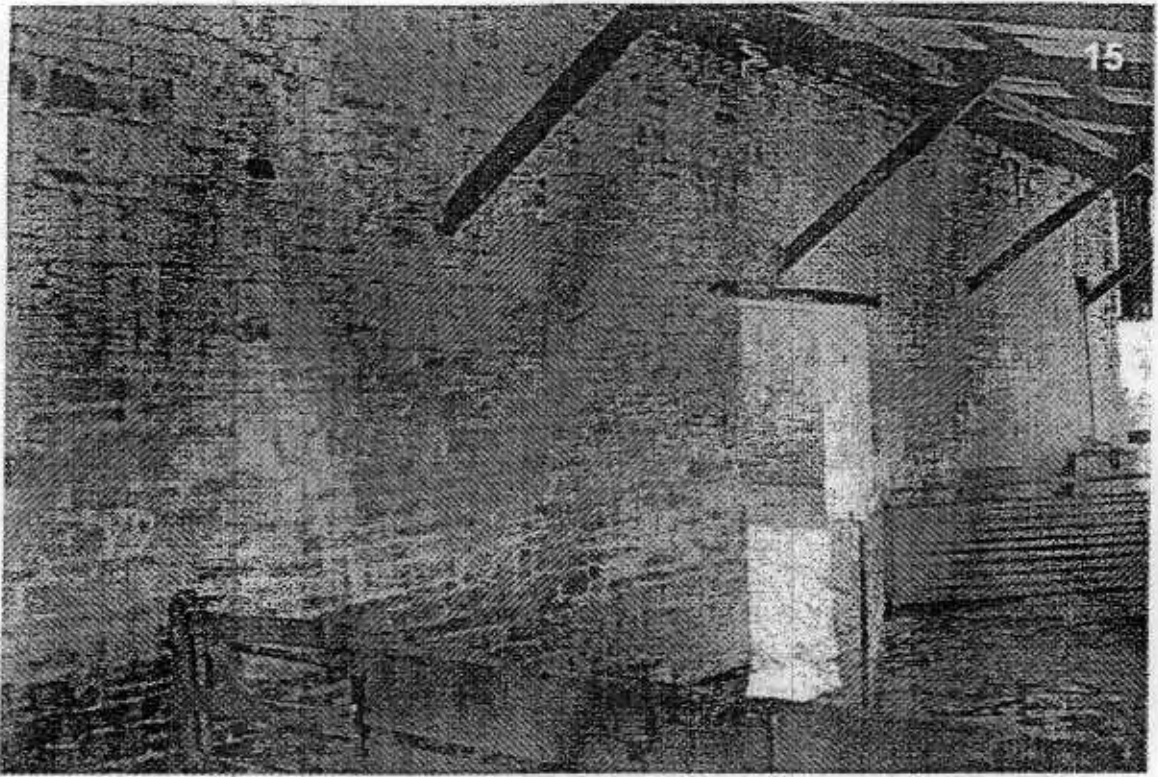


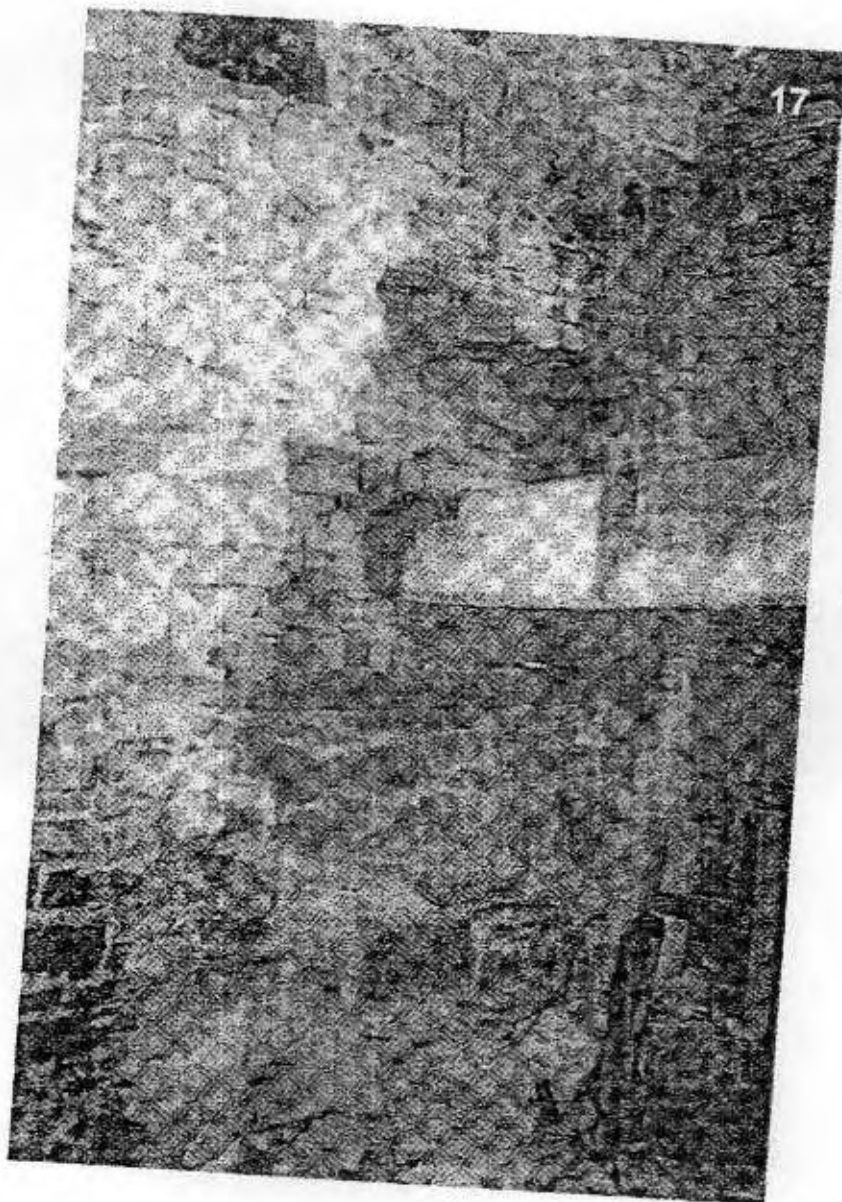












SCHEDULE A: Applications with Recommendation

ITEM NO. 12

Date of Committee: 02/11/2001

APPN REF NO:
01/0579 /

APPLICANT:
G Cashmore

PARISH:
Brampton

DATE OF RECEIPT:
05/07/2001

AGENT:
Mr Brian Halliburton

WARD:
Brampton

LOCATION:

L/A The Sands House Hotel, The Sands, Brampton Cumbria

GRID REF:

353485 561151

PROPOSAL: Erection of 2no. dwellings (revised application)

REPORT

PLANNING POLICIES:-

CONSERVATION AREA

The proposal relates to land or premises situated within the Brampton 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.

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

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0579 /

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 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:-

HIGHWAY AUTHORITY: subject to the closure of the hotel and its conversion to dwellings there is no objection to this revised application;

BRAMPTON PARISH COUNCIL: the application should be refused on the grounds of:

1. overdevelopment of the site
2. road safety considerations because of access at the junction with the main road
3. loss of parking spaces and consequent parking on the highway
4. proposal would not reflect form of surrounding development and relate well to current use of the remainder of the site;

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0579 /

DESIGN DIVISION (Drainage): the public sewer in the adjacent highway is capable of accepting foul and surface water from the proposed development;

ENVIRONMENT AGENCY: no objections but one condition is recommended;

CONSERVATION AREA ADVISORY COMMITTEE: the proposal is over-intensive development of the site. External amenity space to the proposed dwellings is limited. It is agreed that natural materials such as slate for the roof and local stone for walling is more appropriate in the Conservation Area. Concrete roof tiles are not appropriate.

SUMMARY OF REPRESENTATIONS:-

The proposals affect a site within the Brampton Conservation Area and have been advertised on Site and in the Press. The adjacent occupiers of 12 properties at The Sands, and Wilson Memorial homes, have also been notified of the application by letter. No comments were received from adjacent occupiers but representations were received in relation to the loss of the licensed premises as a social amenity in Brampton. The same overall consultees were consulted again following the receipt of revised drawings but to date there have been no further representations.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

There have been a number of planning applications submitted and considered relating to these premises and adjoining buildings since the mid-1970's. The most significant of these concerns a proposal to convert existing outbuildings to form motel accommodation (approved in August 1981); the proposed conversion of outbuildings to form five bedroom units, three self-catering units and a re-positioned dining area with related car park (approved November 1982); an extension to the function room and internal alterations (approved March 1989); and further alterations and extensions to provide a porch extension, rear conservatory/games room, store room and laundry, extend the bar (approvals in 1991, 1994, 1995 and 2000).

In January of this year planning permission was granted to convert part of the hotel annex to form a single dwelling. A separate application to erect two dwellings within part of the car park area was refused at the same time.

DETAILS OF THE PROPOSALS

This is one of two related applications which the owner and proprietor of the Sands House Hotel has submitted. The other application relates to a proposal to convert the whole of the existing hotel accommodation to residential use (Reference 01/0581). A Report on that submission follows in the Schedule.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0579 /

Members will recall that Reports on both submissions were included in this last Schedule but consideration was deferred to enable members to visit the site and to allow time for re-consultation on amended proposals.

Members will note from the site history that a previous application to build two houses in the corner of the car park was refused in January of this year. A copy of the Notice of Refusal is printed as an Appendix to this report. Members will see that two grounds of refusal were identified, both of these essentially relating to the incompatibility of two isolated dwellings within what was intended to otherwise remain as the car park to the hotel, and the poor relationship between the proposed residential dwellings and the subsisting hotel use of the site.

The current application is a re-submission of the proposal for two semi-detached 2 bed houses within the south-east corner of the car park serving the hotel. It differs from the previous application in that it is twinned with a new application that proposes the cessation of the hotel use and the adaptation of the hotel buildings to wholly residential use. In effect if both applications are accepted, the entire site would be devoted to residential use and the earlier reasons of refusal would no longer be applicable since residential use of the entire site is unlikely to generate the same level or frequency of traffic movements that an hotel with function facilities produces.

As lodged the proposed two dwellings are two-storeyed, with wet-dash cement render walls under concrete roof tiles. Their twinned entrance doors would be through a stone faced porch-like structure and windows would be stained timber. The upper floor windows to the front elevation would have false gabled dormers. The dwellings would be site to face onto the rear of the adjacent converted warehouse (now 2 dwellings in separate ownership) with the eastern gable facing the gable of the adjacent property in the Wilson Homes.

Members will observe that the Conservation Area Advisory Committee is critical of the finishes proposed and has commented upon lack of external space to the dwellings. These matters have been discussed with the applicant and his agent and revisions to the scale, design and finishes of the dwellings have been received.

Objections have also been made by the Parish Council but it is unclear whether they have taken into account the intention to cease the use of the hotel and, consequently, given thought to how the whole site would work as a residential development. For example, the issue of loss of car parking and problems of cars parked on the road would seem unlikely to apply if the licensed premises ceased to exist as there would be sufficient car parking for the 7 overall dwelling units being formed. Members will also note the Parish Council's worries relating to the junction with the main road, but it seems to follow that there

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0579 /

would far less road safety issues with these two proposals than would occur with many cars leaving licensed premises. In that regard, it should be noted that the Highway Authority has no objections to the overall proposals.

Members will also note the objections made from "locals" on the grounds of the loss of the licensed premises to the area.

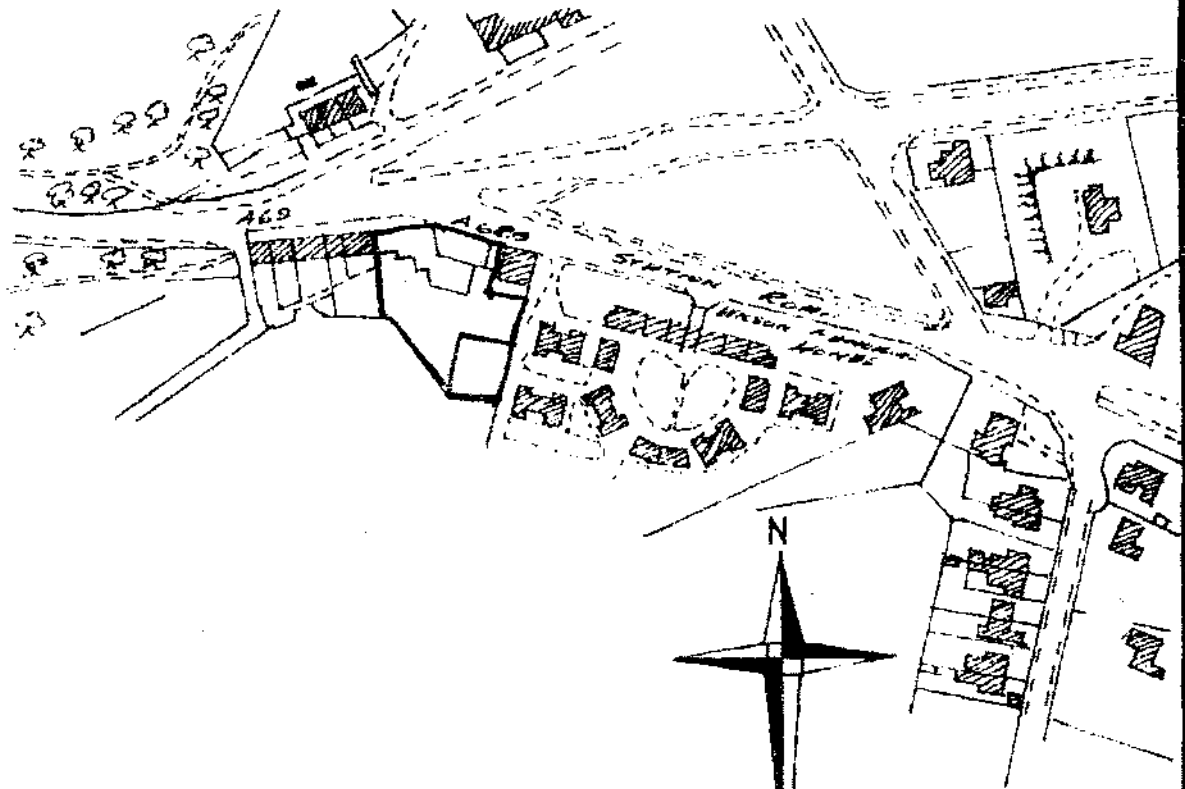
The revised drawings seek to take account of the comments of the Conservation Area Advisory Committee in respect of the design of the roofline and roof finish. It is considered that the substitution of concrete tile with the proposed Redland Cambrian roof finish, used in Conservation Area developments elsewhere, is acceptable.

The proposals are considered acceptable provided they are implemented in association with the related application for the hotel buildings.

RECOMMENDATION:-

APPROVE WITH CONDITIONS ✓

1. Standard time limit
2. Samples required notwithstanding
3. No development approved by this permission shall be commenced until a scheme for the disposal of foul and surfaces has been approved by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans.
4. The parking area to serve the proposed two dwellings shall be constructed in accordance with the approved plans before either of the proposed dwellings is occupied and that area shall not be used except for the parking of vehicles in connection with the development hereby approved.
5. Notwithstanding the provisions of Condition 1 above, no development shall be commenced in relation to the implementation of this planning permission until and unless the associated scheme of conversion of the existing hotel premises to 4 dwelling units (planning application reference 01/0581) has been commenced and has reached the stage of plastering out of the proposed dwellings.



*WIND BUILDING
 UNDER
 2 WINDS UNDER
 1000' OVER
 BY P. S. CONL*

LOCATION PLAN

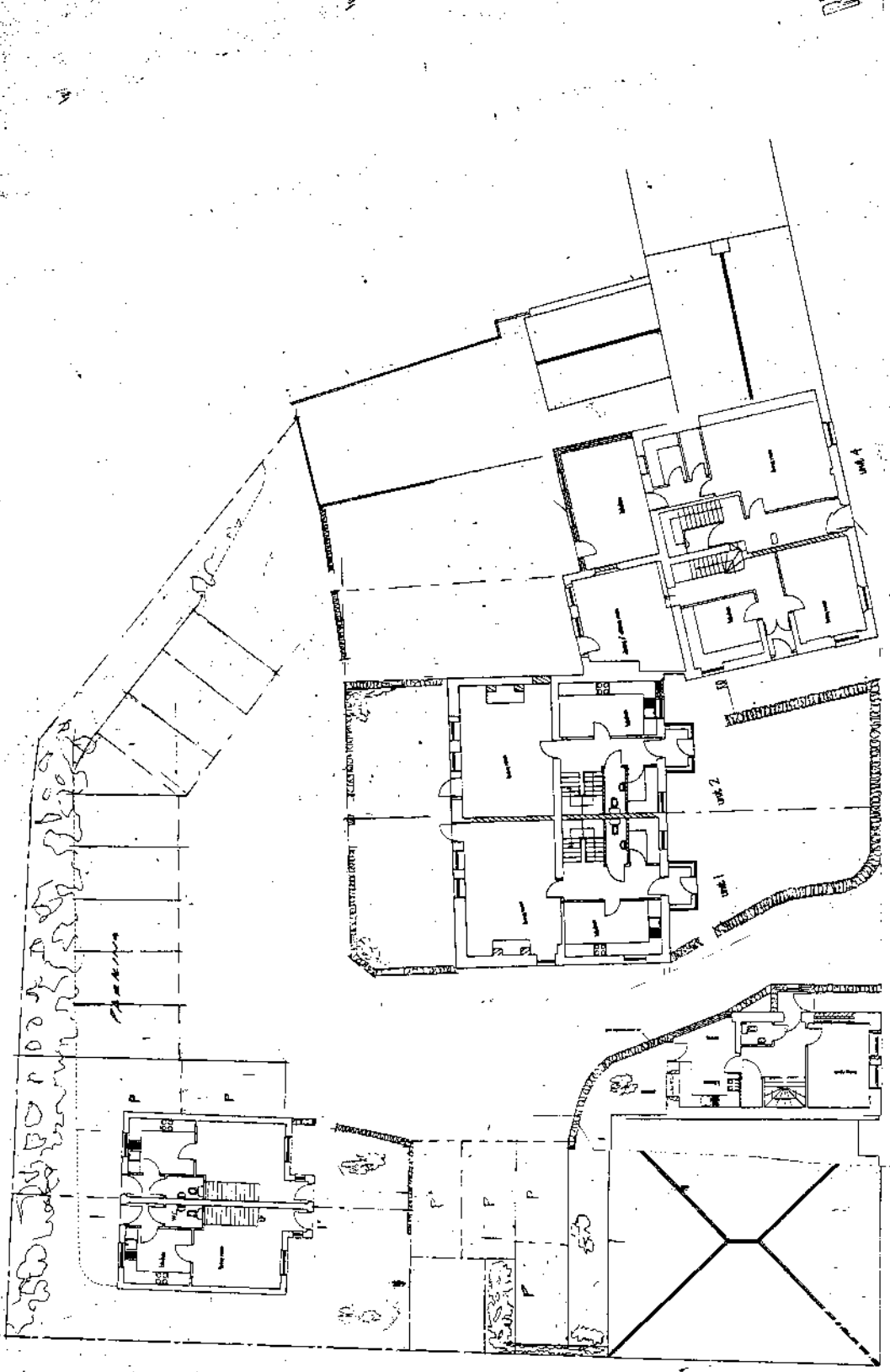
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ACTION	

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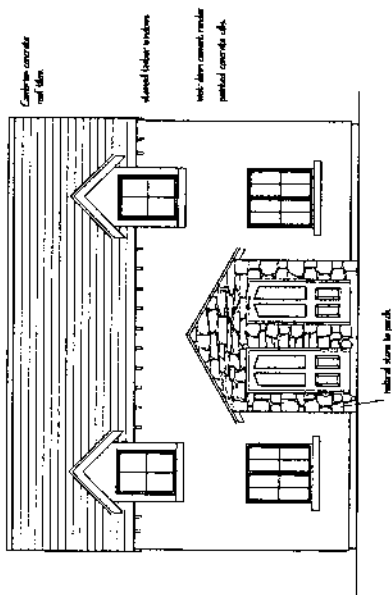
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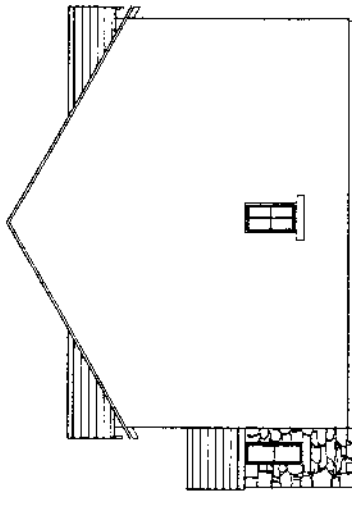
THE SANDS HOTEL,
THE SANDS, BRAMPTON.
SITE LAYOUT
Scale 1:100
Draw No. HM/744/2A
Dec 2000



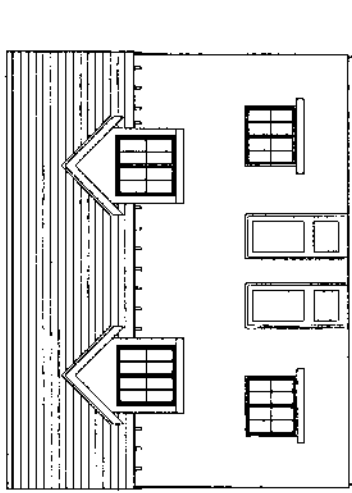
Part 1A	Part 1B
Part 2A	Part 2B
Part 3A	Part 3B
Part 4A	Part 4B
Part 5A	Part 5B



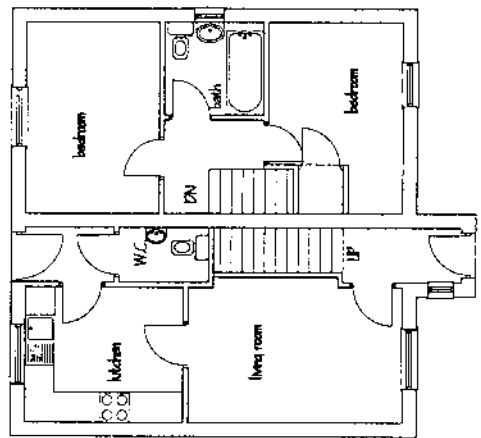
front elevation



side elevation



rear elevation



ground floor

first floor

AS SET OUT LOWER,
 PROPOSED DWELLINGS,
 10/1 SANDS HOUSE HOTEL,
 THE SANDS, BRAMPTON,
 scale 1:50
 drawing No. NAW/750/1/A
 Dec 2000

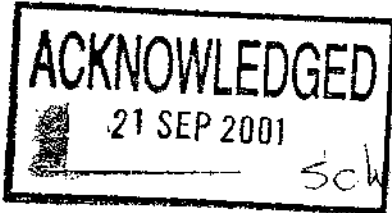


PLANNING SERVICES
 01/0579/01/098
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We, the undersigned, wish to object to the Planning Application to convert The SANDS HOUSE HOTEL, BRAMPTON, into residential dwellings.

These premises have been the focus of community life over many years, for a wide variety of local organisations and many individuals, albeit in recent times the facility has deteriorated drastically in standards, serving the purposes of the current management only.

We object to the loss of a key local amenity which should remain to cater for the increased population at the eastern end of Brampton.



SIGNATURE

ADDRESS

OCCUPATION.

X. Nelson	School House	Housewife
Ely Jackson	Station Rd. Brampton	Housewife
M. Bradley	2 Little Corby Rd	Barmaid
M. Armstrong	3 The Orchard Tansford.	Nags
R. Armstrong	6, CAPON HILL	landlady
J. Steynhorst	Hulmeist, Trees	Nags.
J. Brown	3 Solway view Brampton.	RETIRED
P. Crane	Cannall Brampton	Drinker
M. Reed	Giltland	Retail Assistant
J. Jancett	Cannhall Brampton	Retail Assistant
M. Taylor	Wilson Homes	Retail Assistant
J. S. W. Jones	Tovusekem	Retired
M. R. Jones	Carlisle road	Student
H. Sims		Hotelier

HENNINGSON

D. HANSEN.

S. MCMAHON

Sarah Nelson

L. O. Hansen

Jan Hart

A. Ashmore.

41 MAIN STREET.

TAURIN. VILLAGE.

36 MILLEFIELD

SCHOOL HOUSE

119. Dacre ROAD

4 Ashmore

Crem Hall.

RETIRED.

WORLDWIDE SAFE
EXECUTIVE.

BARMAID
BLACKSMITHS
DEUG + REHCOB
FOREMAN

Machine
operator.

CARTMELL SHEPHERD SOLUTIONS

Gill Place Brampton Cumbria CA8 1SQ

Telephone: 016977 2378

Fax: 016977 41023. E-mail: cartmell.brampton@dial.pipex.com

Mr Alan Taylor,
Planning Department,
Carlisle City Council, 10 SEP 2001
DX 63037,
CARLISLE.

PLANNING SERVICES	
REF	01/0579/01/0581
DATE	10 SEP 2001
BY	a
FOR	AMT
APPROVED	Self

Our ref

MGB/AH

Date

13 September 2001

Dear Sir,

Proposed Development - Sands House Hotel
Sands, Brampton - Mr & Mrs G. Cashmore

We act for Mr & Mrs G. Cashmore who have made an application to convert Sands House Hotel into private dwelling accommodation.

We regret we do not have the actual application number but we are aware that you attended a site meeting with our clients on 10th September and we trust therefore you will have no difficulty in locating the actual application.

Our clients are concerned as it has been reported to them both in the local press and in Brampton Parish Council's newsletter that the Parish Council have raised objections to the application apparently stressing "loss of amenity and support to local economy" as the grounds for their objection.

Our clients fully appreciate the Parish Council's interest in this development but in fairness think the stated objections are unfair and unfounded and we felt it might be appropriate to comment on the Parish Council's objections and to stress the very considerable considerations our clients have taken into account prior to submitting the present applications.

An article in the Cumberland News dated 10th August 2001 indicates that the Parish Councillors objections are based on the grounds that the town would lose a valuable asset if the proposed development of the hotel went ahead and County Council Chairman Connie Ridley is quoted as saying "I am sure someone would make a go of it" which presumably is an implication that the present applicants situation at the hotel and the lack of business at the hotel is attributable to them and their failure to meet the demands of the business. It may well be that Ms Ridley is misquoted and that she didn't in fact make the remark attributed to her.

Michael G. Barnes
Andrew L. Thorneley
Robert L. Good
Timothy H. Cartmell

Michael J. Kewish
A. H. Boyd Holmes
Timothy V. Sykes
Diana F. Armstrong

Julian M. R. Nelson
Michael J. Fisher
Nicholas Richards
Carol Fish

Joanna M. H. Jeeves
Matthew J. L. Bibbs
Susan E. Duff
Hilary P. Holland

Associates
Catherine E. Forrester
Jonathan M. Richardson
Rasheeda Jabbar

However, we think it fair to point out that Mr & Mrs Cashmore purchased Sands House Hotel some 10 years ago and have run the business throughout the past 10 years having spent many thousands of pounds in altering, improving and extending the hotel to enable them to cater for tourists and functions as well as for local people. The Cashmores have increased the bedroom accommodation again in an effort to bring in more business.

The Cashmores have worked long and hard at Sands House Hotel and have done everything they possibly could to try to succeed and indeed nothing would have given them greater pleasure than to have increased the business at the hotel and on their retirement to have sold at a price which gave them something back for the 10 years hard work invested.

During the last 5 years of trading there has been a noticeable deterioration year on year and that we believe is attributable to the location of the hotel and changing circumstances in and around Brampton. When the Cashmores purchased the main A69 road with all its traffic passed the front door and was of great benefit. The opening of the Brampton Bypass has ensured that the vast bulk of passing traffic now avoids the town and the hotel. It is perhaps no coincidence that Hayton Lane End Hotel which is situate on the Carlisle end of the Bypass has recently been acquired by Jennings and we believe has applied for planning permission for an extra 30 bedrooms.

The Travel Inn on the A69 has recently applied for 50 additional bedrooms.

Carrow House at junction 42 has recently applied for 50 additional bedrooms.

These prime sites will continue to be developed whilst those a little off the beaten track, the Abbey Bridge at Lanercost, the Barley Stack at Brampton and Sands House Hotel at Brampton have either closed or are closing or giving consideration to such arrangements.

Both the White Lion and Nags Head in Brampton have had a number of changes of occupants with we believe financial problems being at the forefront of the changes on almost each occasion.

Behaviour patterns in Brampton are also changing and will continue to change; when the Cashmores first moved to the Sands House Hotel Brampton had one fish & chip shop. The town is now able to boast two fish & chip shops, two chinese takeaways, one indian takeaway, one pizzeria and one wine bar as well as a number of public houses and hotels.

When they purchased our clients went to considerable expense to build on and improve a function room to cater for weddings and the like and since that time both Brampton and Eden Golf Clubs have opened up function rooms catering for similar activities at considerable loss to Sands House Hotel.

The final nail in the straw has been the onset of Foot & Mouth disease coupled with the closure of Naworth Castle. The Foot & Mouth disease has virtually single handedly closed the residue of the hotel business and whilst doubtless that will recover as and when the disease is finally eliminated that together with all the other changes in and around Brampton have made the present business totally unviable.

Naworth Castle was sending guests to Sands House Hotel on a regular basis but that business too has closed down with the resultant loss to Sands House.

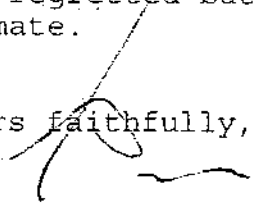
Our clients have tried to advertise the hotel for sale on a private basis but without success and a valuation of the business now shows it to be half what it was when it was purchased 10 years ago.

With great respect to the Parish Councillors our clients are in no doubt that there is within Brampton and its surrounding district more than enough outlets for tourists and the development of Sands House Hotel into an attractive residential development surrounded by other houses and residential developments and situate as it is close to the village green can really only enhance the approach to Brampton and the village itself.

Nothing would in fact be worse than to leave in place an hotel which was failing to make money and as a result might begin to deteriorate with the kind of effect that would have visually as well as environmentally on the town and the approach to the town.

We hope therefore that these matters will be considered by the Councillors when considering the planning applications.

The applications have not been made lightly and indeed to a degree are regretted but they are unavoidable in the present economic climate.

Yours faithfully,


SCHEDULE A: Applications with Recommendation

ITEM NO. 13

Date of Committee: 02/11/20

APPN REF NO:
01/0581 /

APPLICANT:
G Cashmore

PARISH:
Brampton

DATE OF RECEIPT:
06/07/2001

AGENT:
Mr Brian Halliburton

WARD:
Brampton

LOCATION:
The Sands House Hotel, The Sands, Brampton Cumbria

GRID REF:
353485 561151

PROPOSAL: Conversion of hotel to 4no. dwellings

REPORT

PLANNING POLICIES:-

CONSERVATION AREA

The proposal relates to land or premises situated within the Brampton Conservation Area.

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 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 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

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0581 /

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:-

HIGHWAY AUTHORITY: no objections subject to 3 conditions being imposed;

BRAMPTON PARISH COUNCIL: application should be refused as Brampton is a tourist town relying on tourism to generate a major part of its income. The conversion of the hotel to housing would result in the loss of tourist accommodation, a commercial/economic asset and an amenity in the east of the town;

ENVIRONMENT AGENCY: no comments on this proposal;

DESIGN SERVICES (Drainage): no objections;

HEAD OF ENVIRONMENTAL SERVICES: no observations to make;

CONSERVATION AREA ADVISORY COMMITTEE: agree with the principle of conversion but feel that a better ordered pattern of fenestration should be sought. It was also felt that more detailed thought was needed to the rear elevation of the proposed units 3 and 4.

SUMMARY OF REPRESENTATIONS:-

Since the site is within the Brampton Conservation Area, Site and Press Notices have been placed. Additionally, 17 local residents have been consulted by letter. Just prior to the last meeting of the Sub-Committee one letter of objection together with a petition signed by 22 persons were received opposing closure of the premises. Since that meeting 2 further letters expressing the same sentiments have also been received.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0581 /

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

See the preceding report on application 01/0579.

DETAILS OF THE PROPOSALS

This is the second of two current applications submitted by the owner of the Sands House Hotel. It relates to the original range of sandstone and slate roofed buildings situated at the eastern fringe of Brampton Town Centre as indicated on the location plan. Like the previous application a Report on this proposal was deferred at the last meeting to enable the site to be visited by Members and to allow further neighbour notification following receipt of revised drawings.

The proposal is to cease the use of the premises as an hotel and to extend and convert the buildings to form 4 residential units, each with 3 bedroomed accommodation.

Two of the proposed units would be formed by the conversion of the function room block at the eastern end of the range and it would additionally entail an extension into the rear roofspace to form the proposed third bedroom. As lodged that extension was proposed as two large timber boarded dormers, the scale, design and detailing of which is considered clumsy. The applicant and his agent have been asked to give further thought to that element of the proposals to produce a more suitable building form and employ more appropriate finishes. Revised proposals are awaited.

The other two units, closest to the terraced Sands Cottages rely largely on existing accommodation but a single storey lean-to addition is proposed at Unit 4 to form a kitchen. It would be finished in painted cement render under a natural slate roof. That extension is considered generally acceptable.

The existing car park would be re-modelled to enable the provision of external garden areas to the rear of all units whilst the forecourt parking at the eastern end of the site frontage would be walled and divided to give garden areas to Units 1 and 2. The garden areas would be enclosed in low stone walling. The remaining areas of parking would be allocated to the proposed dwellings whilst vehicle access to the adjacent cottage would also be safeguarded.

Members will note that objections have been lodged by the Parish Council due to the cessation of the existing hotel use. The applicant is aware of these objections and has indicated his wish to supply further information on the economic factors that have led to this application in order to support his proposals.

There is no local plan policy which assists Members in dealing with an application of this nature i.e. to cease use of an existing "public or community" type of facility in favour of

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0581 /

an alternative development. The issue of the importance of licensed premises to community life has been recognised in certain circumstances as a "material planning consideration" but the presence of other similar premises in the locality is clearly a factor in this case. It is, perhaps, also significant that there is not a single objection from users of the existing premises, unlike other situations where the loss of licensed premises in a small community has been fiercely resisted by locals on the grounds of deprivation of a major local amenity.

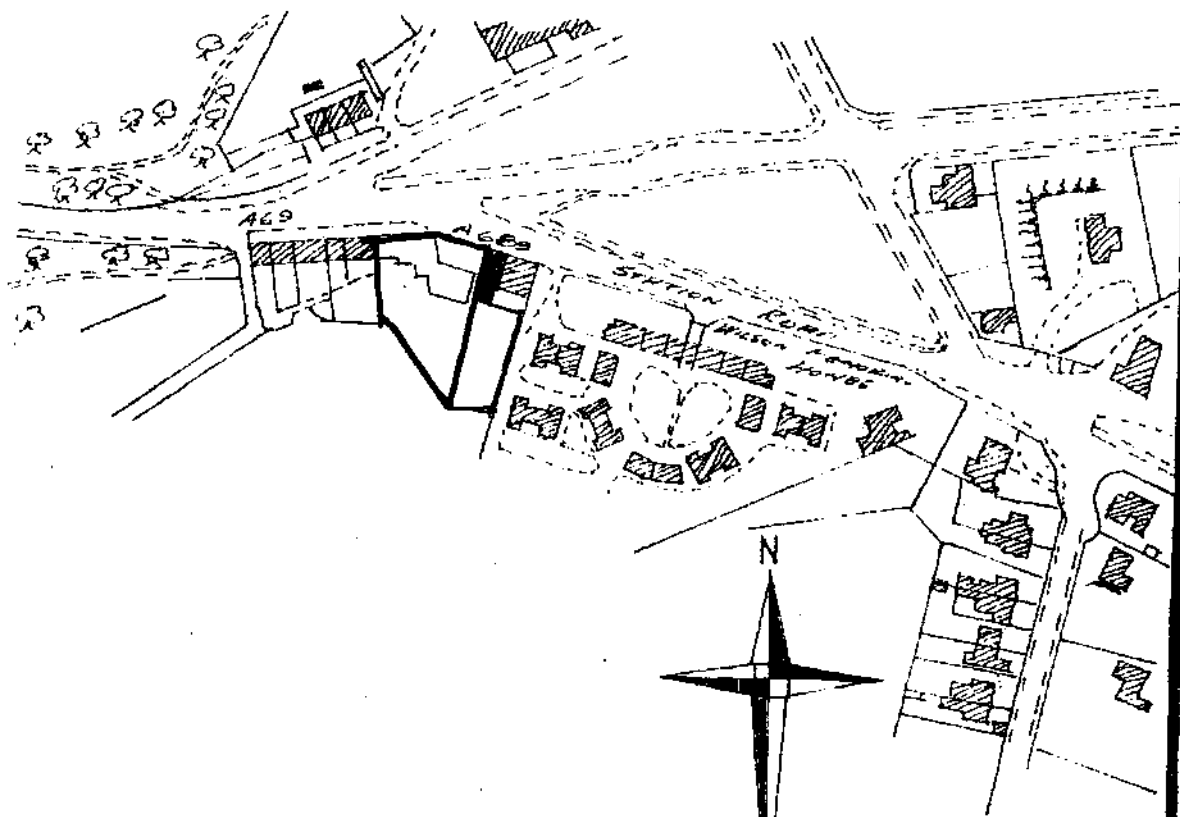
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Prior to the last meeting revised drawings relating to the design and finishes of the alterations and extensions were received that sought to address concerns expressed by the Conservation Area Advisory Committee. They are considered to have significantly improved the overall proposals for conversion and approval is recommended.

RECOMMENDATION: -

APPROVE WITH CONDITIONS ✓

1. Standard time limit
2. Samples required notwithstanding
3. The parking area to serve the proposed dwellings shall be constructed in accordance with the approved plans before any of the dwellings is occupied and those parking facilities shall not be used except for the parking of vehicles in connection with the development hereby approved.
4. Windows abutting the Highway
5. The proposed highway boundary wall shall not exceed a height of 1 metre above the carriageway level of the adjacent highway and shall be maintained at that height following the implementation of this permission and occupation of the proposed dwellings. The siting of that wall shall be entirely clear of the public highway limits.



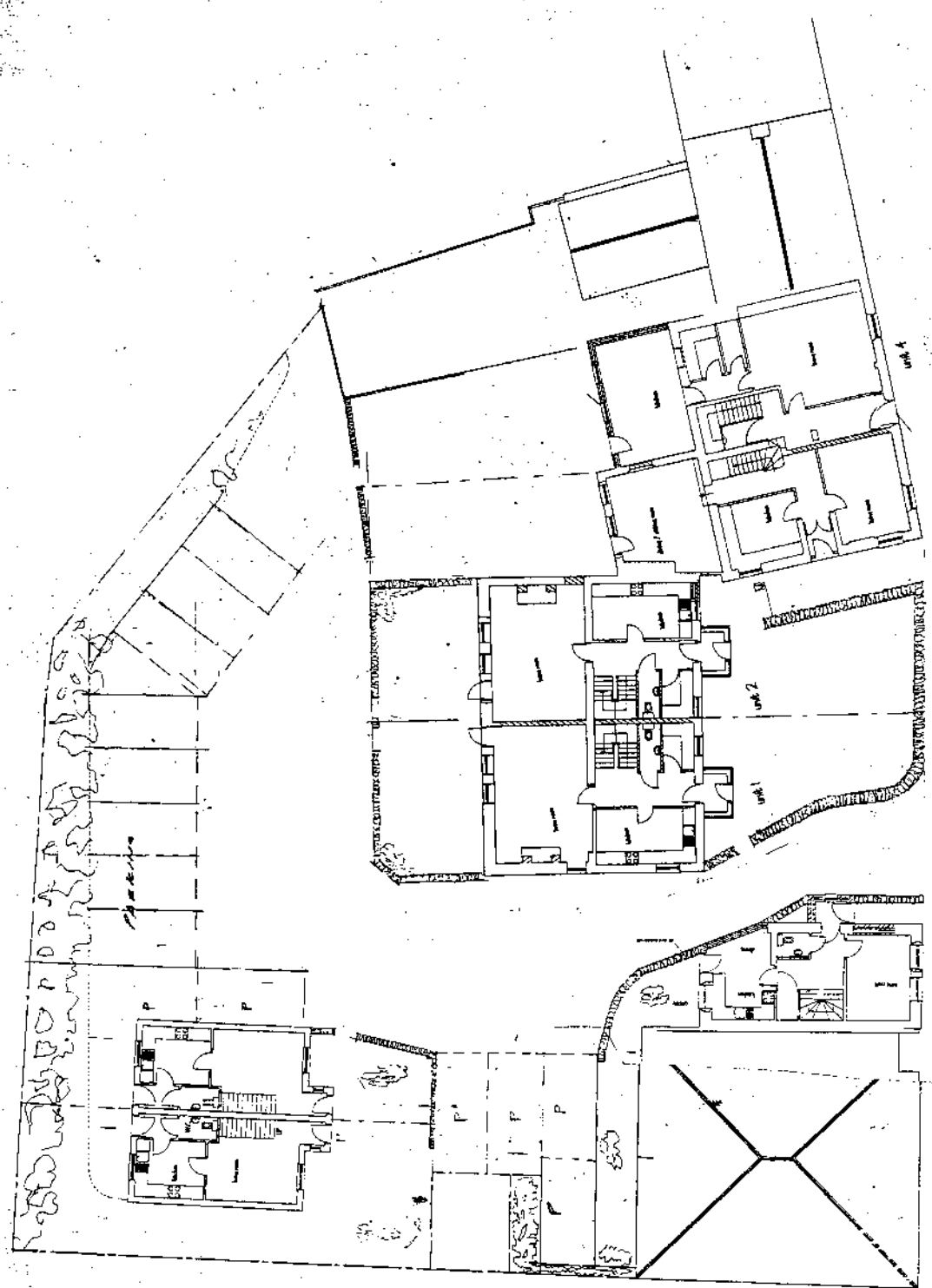
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LOCATION PLAN

PLANNING SERVICES	
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- 6 JUL 2001	
RECORDED	
SEARCHED	
PASSED TO	
ACTION	

RECEIVED
 - 6 JUL 2001
 2001/0581

THE SANDS HOTEL
SHE LAYOUT
scale 1:100
plan No MM/744/5A
dec 2000



Scale	1:100
Plan No	MM/744/5A
Date	dec 2000

7445



front elevation



side elevation



rear elevation

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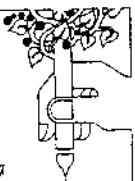
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 - 6 JUL 2001
 Real Estate

PROPOSED CONVERSION OF
 SANDS HOTEL, BRAMPTON, INTO
 4 NO DWELLINGS.

ELEVATIONS - AS EXISTING.

scale 1:100
 dwg No MM/2/88/2
 march 2000 Halliburton.

Barncroft,
 Plumpton,
 Penrith,
 Cumbria. ca11 9pa
 tel. 01768-894307



CARTMELL SHEPHERD
SOLICITORS

Gill Place Brampton Cumbria CA8 1SQ

Telephone: 016977 2378

Fax: 016977 41023. E-mail: cartmell.brampton@dial.pipex.com

Mr Alan Taylor,
Planning Department,
Carlisle City Council,
DX 63037,
CARLISLE.

PLANNING SERVICES	
REF	01/0579/01/0581
RECD	18 SEP 2001
RECEIVED	a
SEARCHED	
POSTED	AMT
ACTION	Self

Our ref

MGB/AH

Date

13 September 2001

Dear Sir,

Proposed Development - Sands House Hotel
Sands, Brampton - Mr & Mrs G. Cashmore

We act for Mr & Mrs G. Cashmore who have made an application to convert Sands House Hotel into private dwelling accommodation.

We regret we do not have the actual application number but we are aware that you attended a site meeting with our clients on 10th September and we trust therefore you will have no difficulty in locating the actual application.

Our clients are concerned as it has been reported to them both in the local press and in Brampton Parish Council's newsletter that the Parish Council have raised objections to the application apparently stressing "loss of amenity and support to local economy" as the grounds for their objection.

Our clients fully appreciate the Parish Council's interest in this development but in fairness think the stated objections are unfair and unfounded and we felt it might be appropriate to comment on the Parish Council's objections and to stress the very considerable considerations our clients have taken into account prior to submitting the present applications.

An article in the Cumberland News dated 10th August 2001 indicates that the Parish Councillors objections are based on the grounds that the town would lose a valuable asset if the proposed development of the hotel went ahead and County Council Chairman Connie Ridley is quoted as saying "I am sure someone would make a go of it" which presumably is an implication that the present applicants situation at the hotel and the lack of business at the hotel is attributable to them and their failure to meet the demands of the business. It may well be that Ms Ridley is misquoted and that she didn't in fact make the remark attributed to her.

Michael G. Barnes
Andrew L. Thorneley
Robert L. Good
Timothy H. Cartmell

Michael J. Kewish
A. H. Boyd Holmes
Timothy V. Sykes
Diana F. Armstrong

Julian M. R. Nelson
Michael J. Fisher
Nicholas Richards
Carol Fish

Joanna M. H. Jeeves
Matthew J. L. Bibby
Susan E. Duff
Hilary P. Holland

Associates
Catherin E. Forrester
Jonathan M. Richardson
Rasheeda Jabbar

However, we think it fair to point out that Mr & Mrs Cashmore purchased Sands House Hotel some 10 years ago and have run the business throughout the past 10 years having spent many thousands of pounds in altering, improving and extending the hotel to enable them to cater for tourists and functions as well as for local people. The Cashmores have increased the bedroom accommodation again in an effort to bring in more business.

The Cashmores have worked long and hard at Sands House Hotel and have done everything they possibly could to try to succeed and indeed nothing would have given them greater pleasure than to have increased the business at the hotel and on their retirement to have sold at a price which gave them something back for the 10 years hard work invested.

During the last 5 years of trading there has been a noticeable deterioration year on year and that we believe is attributable to the location of the hotel and changing circumstances in and around Brampton. When the Cashmores purchased the main A69 road with all its traffic passed the front door and was of great benefit. The opening of the Brampton Bypass has ensured that the vast bulk of passing traffic now avoids the town and the hotel. It is perhaps no coincidence that Hayton Lane End Hotel which is situate on the Carlisle end of the Bypass has recently been acquired by Jennings and we believe has applied for planning permission for an extra 30 bedrooms.

The Travel Inn on the A69 has recently applied for 50 additional bedrooms.

Carrow House at junction 42 has recently applied for 50 additional bedrooms.

These prime sites will continue to be developed whilst those a little off the beaten track, the Abbey Bridge at Lanercost, the Barley Stack at Brampton and Sands House Hotel at Brampton have either closed or are closing or giving consideration to such arrangements.

Both the White Lion and Nags Head in Brampton have had a number of changes of occupants with we believe financial problems being at the forefront of the changes on almost each occasion.

Behaviour patterns in Brampton are also changing and will continue to change; when the Cashmores first moved to the Sands House Hotel Brampton had one fish & chip shop. The town is now able to boast two fish & chip shops, two chinese takeaways, one indian takeaway, one pizzeria and one wine bar as well as a number of public houses and hotels.

When they purchased our clients went to considerable expense to build on and improve a function room to cater for weddings and the like and since that time both Brampton and Eden Golf Clubs have opened up function rooms catering for similar activities at considerable loss to Sands House Hotel.

The final nail in the straw has been the onset of Foot & Mouth disease coupled with the closure of Naworth Castle. The Foot & Mouth disease has virtually single handedly closed the residue of the hotel business and whilst doubtless that will recover as and when the disease is finally eliminated that together with all the other changes in and around Brampton have made the present business totally unviable.

Naworth Castle was sending guests to Sands House Hotel on a regular basis but that business too has closed down with the resultant loss to Sands House.

Our clients have tried to advertise the hotel for sale on a private basis but without success and a valuation of the business now shows it to be half what it was when it was purchased 10 years ago.

With great respect to the Parish Councillors our clients are in no doubt that there is within Brampton and its surrounding district more than enough outlets for tourists and the development of Sands House Hotel into an attractive residential development surrounded by other houses and residential developments and situate as it is close to the village green can really only enhance the approach to Brampton and the village itself.

Nothing would in fact be worse than to leave in place an hotel which was failing to make money and as a result might begin to deteriorate with the kind of effect that would have visually as well as environmentally on the town and the approach to the town.

We hope therefore that these matters will be considered by the Councillors when considering the planning applications.

The applications have not been made lightly and indeed to a degree are regretted but they are unavoidable in the present economic climate.

Yours faithfully,


~~01/0581~~
01/0581
SCHEDULE B
PAGE 602
ITEM 41

PLANNING SERVICES	
REF	01/0581
20 SEP 2001 19	
RECORDED	on
SCANNED	
PASSED TO	AMT
ACTION	5100

R. T. Nelson
School House
Low Row
Orampton
Carlisle
CA8 2LN
19.9.2001

Planning Office
Department of Environment & Development.

Re: Ref. 01/0581.

Jands House Hotel.

With regard to planning application which I understand has been submitted for the above property.

I would wish to object to that which has been proposed.

Myself, & many others, both local, & people passing thro. Orampton from all parts of the world have used the facilities of this old, & well established hostelry, for many years.

It occupies a unique position on the outskirts of town with ample parking facility, which in no way affects the traffic of the town, & yet enjoys the beauty of the County of Cumbria.

to deny access to the public to this amenity would, surely be a retrograde step in the future of the community.

We all of us realize that none of this touches the present incumbent, whom by his own ineptitude is not willing or able

It would seem that, rather than place
his admirable property on the market at a
realistic price, that it may continue in its
present role as a country hotel. Mr Cashmore
intends to convert it into yet more houses,
thus extracting the last possible penny, &
picking the bones of the place clean, before
he returns to his properties in Birmingham.

Yours faithfully,
R. T. Nelson.

Captain. R. T. M. Nelson.
Trinity House. River
Thames. Pilot
(retired)

01/0579 & 01/0581
 Items 40 RE: 41
 Schedule B
 Pages 602 & 609

PLANNING APPLICATION - THE SANDS HOUSE HOTEL BRAMPTON

PLANNING SERVICE
 REF 01/0579
 20 SE, 2001
 RESIDENTIAL
 SCANNED
 PASSED TO ACTION
 life over many
 ADMIT. CIVIC

We, the undersigned, wish to object to the Planning Application to convert The SANDS HOUSE HOTEL, BRAMPTON, into residential dwellings.

These premises have been the focus of community life for many years, for a wide variety of local organisations and individuals, albeit in recent times the facility has deteriorated drastically in standards, serving the purposes of the current management only.

We object to the loss of a key local amenity which should remain to cater for the increased population at the eastern end of Brampton.

SIGNATURE	ADDRESS	OCCUPATION.
X. Nelson	School House	Housewife
Eliz Pecked	Station Rd. Brampton	Housewife
M. Bradley	2 Little Corby Rd	Barmaid
M. Armstrong	3 The Orchard Tansfoot.	Nurse
R. Armstrong	6, CAPON HILL	RETIRED
J. Sleight Horn	Hillcrest, Tree Rd.	Driver
Adrian	3 Solway view Brampton	Retail Ass
Preerna	Cranhall Brampton	Retail Assi
Wendy	Giltland	Retail Assi
I. Jancett	Cranhall Brampton	Retail Assi
M. Taylor	Wilson Homes	Retired
A. S. Watson	Jerusalem	Retired
M. R. Hoyle	Carlisle road	Student
[Signature]	H. Adams	Hotelier

J. KENNINGTON
D. MANON.
S. MCMANON
Sarah Nelson
W. O'Connell
Jan Hill
4 Ashmore.

41 MAIN STREET.
TACKIN. VILLAGE.
36 MILLEFIELD
SCHOOL HOUSE
119. Dacre ROAD
4 Ashmore
Cran Hall.

RETIRED.
WORLDWIDE SAFE
EXECUTIVE.
BARMAID
BLACKSMITH:
DEUG + REHOB-
FOREMAN
Machine
operator.

===

MR DAVID HILL
23 ST MARTINS DRIVE
BRAMPTON
CUMBRIA
CA8 1TQ

Ref: 01/0581 Sands.

Dear Mr Taylor

I personally for over 6 years have been a regular customer at the Sands House Hotel for drinking, dinning, & (accommodation whilst my flat was being rewired). Using it to meet friends and relations I have even used the Sands for a funeral tea. As you can tell it is an important building to me as is to the town of Brampton to see its use as a Hotel know longer to be will be a loss to me as it will to other people who have walked through its doors. Historically it has been in existence as a Hotel for Centuries and the first Hotel in Brampton any one travelling from the Northeast sees. I feel it is Important to Brampton to keep its use.

Sincerely yours,

D Hill

PLANNING SERVICES	
REF	01/0581
- 4 OCT 2001	
APPROVED BY	CN
SUBMITTED BY	
PASSED TO	AMT
ACTION	

PLANNING SERVICES	
REF	0110581
- 8 OCT 2001	
IN OFFICE	on
ROUTINE	
PASSED TO	AMT
ACTION	

Mr HJ FAIRBROTHER,
 4 HATTON LANE
 STRETTON
 WARRINGTON CHESH
 WA4 4NG
 5th OCT 2001

Dear Sir

This is a letter of objection to the proposals put forward to you. Dept for the change of use to the SANDS HOUSE HOTEL, BRAMPTON,

I was a resident in Brampton for 12 yrs and left the area about 6 years ago.

I am however a frequent visitor to the area and look forward to seeing old friends and neighbours at the afore mention establishment.

It would for ~~me~~ any many others be a major upset if the proposals get your approval.

Yours Sincerely
 A Marshall

SCHEDULE A: Applications with Recommendation

ITEM NO. 14

Date of Committee: 02/11/20

APPN REF NO:
01/0322 /

APPLICANT:
Aga-Rayburn

PARISH:
Carlisle

DATE OF RECEIPT:
22/05/2001

AGENT:

WARD:
Castle

LOCATION:
2A Lowther Street, Carlisle Cumbria

GRID REF:
340270 555729

PROPOSAL: Erection of window and door shutters

Revised

REPORT

PLANNING POLICIES:-

AFFECTING THE SETTING OF A LISTED BUILDING

CONSERVATION AREA

The proposal relates to land or premises situated within the City Centre 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 ENVIRONMENT - POLICY E45

Well designed and appropriate shopfronts whether original or reproduction should be retained wherever practicable and if necessary restored when the opportunity arises. New shop fronts should relate in scale, proportions, materials and decorative treatment to the relevant facade of the building, and, where appropriate, to adjacent buildings and/or shopfronts.

SUMMARY OF CONSULTATION RESPONSES:-

HIGHWAY AUTHORITY: No objection.

CONSERVATION AREA ADVISORY COMMITTEE: Members commented that

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0322 /

there is a policy to restrict the use of external roller shutters on buildings in sensitive locations and this should be implemented in respect of this particular application.

Further comments were received on 6 September 2001 and read as follows:

Members were not satisfied with the revised details. Concern was expressed that shutters of this type are not acceptable at this sensitive location and confirmed that the previous comment of this Committee still stand.

SUMMARY OF REPRESENTATIONS:-

This application has been advertised by way of a site notice and at the time of writing this report no representations have been received.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

There are a number of planning applications relating to the site. These mainly involve the change of use of the premises and various alterations. Of relevance to this application, was an advertisement application for the erection of an illuminated projecting sign which was refused on 11 August 1987 under reference 89/0389. Applications for non illuminated fascia and projecting signs were approved on 9 September 1995, under reference 95/0711 and again on 4 February 1999, under reference 98/0885.

DETAILS OF PROPOSAL

This application seeks full planning permission for the installation of four roller shutters with associated housing boxes to the windows and entrance door at 2A Lowther Street, Carlisle.

The site is located on the corner of Warwick Road and Lowther Street and the premises are currently occupied by the 'Aga Shop'. The site lies within a Conservation Area and adjacent to several listed buildings.

The metal shutters would be perforated in appearance and painted green with the housing box sited externally over the fascia board. The box would be coloured green to match the shutters and that of the company colours. Two shutters would be sited on Lowther Street and one on the Warwick Road elevation. The entrance door is angled between the two elevations.

The building occupies a corner site and this development would form a continuous perforated screen around the building. The protruding housing boxes would be detrimental to the character of the building. The building is designated in the Local Plan as being a Key Townscape Frontage Building. There is a strong presumption in favour of the retention and improvement of key

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0322 /

townscape frontage buildings. Policy E40 includes a number of buildings which contribute to the character of the conservation area, by reason of their inclusion in the group. The unsympathetic alteration of an individual building would, in this instance, have an adverse impact on the character of the area as a whole, contrary to the Policy.

Guidance on the merits of the application has been gained from the Carlisle District Local Plan and the Shopfronts Design Guide, which has been written as supplementary planning guidance but as yet, has not been formally adopted. Both these documents seek to resist security shutters with external housing boxes in the city centre and particularly in the conservation areas. Policy E45 seeks to retain well designed and appropriate shopfronts and to protect such shopfronts, particularly where the shopfront is of significant feature and detail which enhances the appearance of the area. Roller shutters, on the other hand, are generally seen as oppressive, intrusive and unattractive. Although this proposal involves the use of perforated shutters which allow the shopfront to be seen when the store is closed, the appearance of the frontage would be adversely affected due to the ancillary equipment required to operate the roller shutters.

Whilst it is true to say that there are examples of premises in the city centre which have roller shutters with external housing boxes, these have been installed on the buildings for a number of years and prior to current planning policies and the publication of the supplementary planning guidance. The existing shutters only serve to highlight the detrimental effect which would result if these shutters are approved under one application.

Policy E43 provides guidance on development within Conservation Areas. The primary consideration is that any new development or alterations to existing buildings should be sympathetic to the setting and physical characteristics of the conservation area. This proposal does not preserve or enhance the character of the conservation area but instead, consent on this prominent site may also set a precedent for other buildings in the Conservation Area, which the Council may find difficult to resist.

It was suggested by Officers that an investigation be undertaken by the applicant to evaluate whether the proposed housing boxes could be sited behind the existing fascia boards. The response was that it would be 'impractical, expensive and gain nothing' from this suggestion.

The scheme has been amended by the applicant's agent in an attempt to take account of Officers original concerns. A copy of the accompanying letter is attached to this report for information. Members will note from this correspondence that the justification for this application is additional security and to combat vandalism. Whilst the amendment has served to reduce the protrusion of the housing boxes it has not eradicated it. The housing boxes, which are of a slimmer design

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0322 /

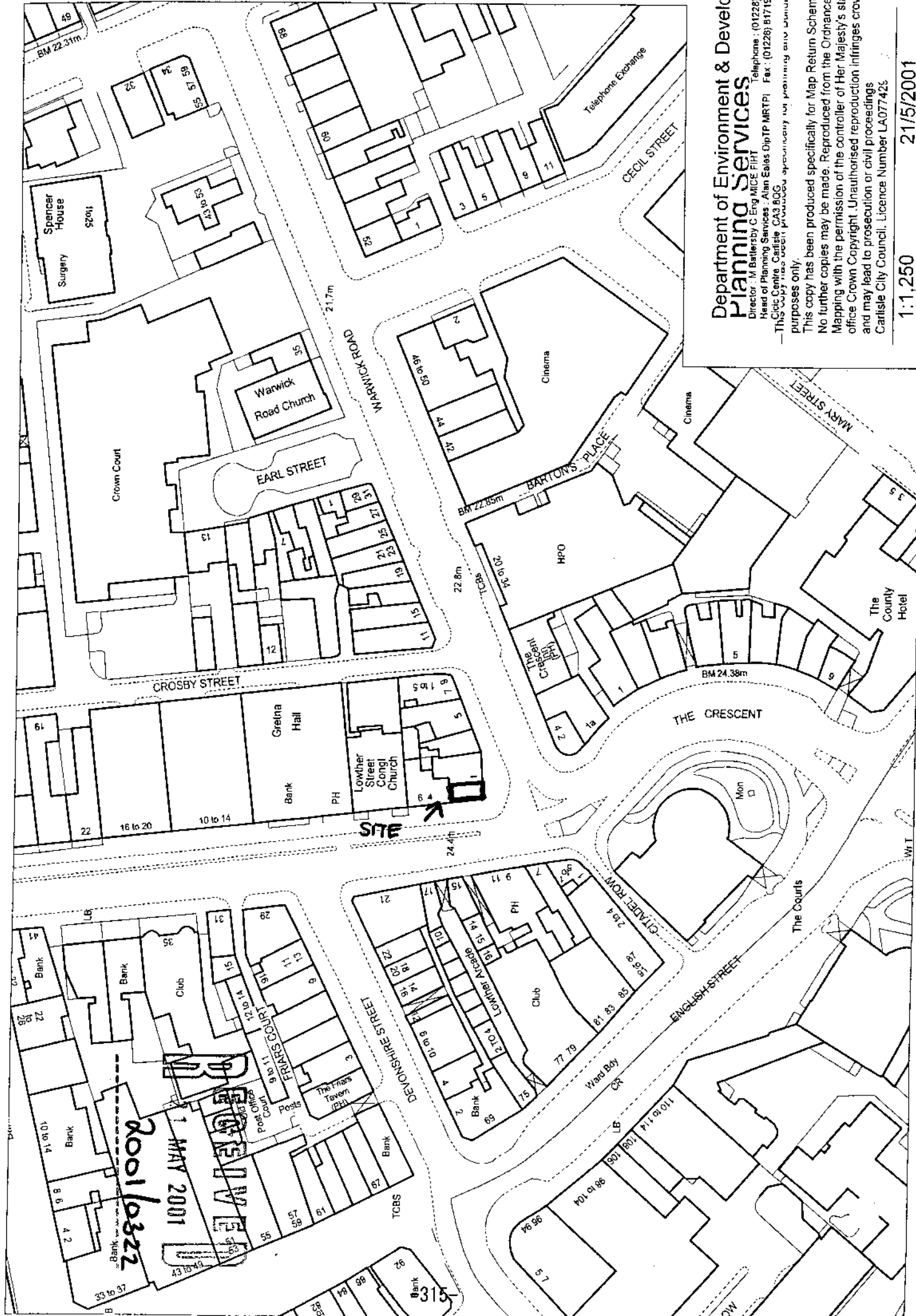
would protrude from the pillars of the shopfront by approximately 55mm. This also has implications insofar that the housing box would be visually prominent when viewed against the existing fascia boards.

This proposed scheme would be detrimental to the Conservation Area due to the amount of roller shutters and associated housing boxes which are proposed, would be visually unacceptable.

RECOMMENDATION: -

REFUSE ✓

1. REASON: The type of shutters are considered to be inappropriate and unattractive, detrimental to the character of the buildings and the street scene generally. As such, the shutters are considered to be contrary to Policy E45 (Shopfronts) of the Carlisle District Local Plan.
2. REASON: The installation of such shutters presents a continuous, uniform appearance, and is likely to be a precedent for other similarly unattractive shutters with a potentially cumulative and detrimental effect on the character of the Conservation Area, contrary to Policy E43 (Improvement and Enhancement of Conservation Areas) of the Carlisle District Local Plan.
3. REASON: The proposed development would be detrimental to the character of the group of buildings within the City Centre Conservation Area and detrimental to a Key Townscape Frontage Building, contrary to Policy E40 (Key Townscape Frontage Buildings) of the Carlisle District Local Plan.



**Department of Environment & Development
Planning Services**

Director: M Battersby C Eng MICE FIHT Telephone: (01228) 817000
 Head of Planning Services: Alan Eales DipTP MRTPI Fax: (01228) 817199
 Civic Centre, Carlisle CA3 8QC

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1:1,250 21/5/2001

2001/0322



2001/0322



2001/0322



2001/0322



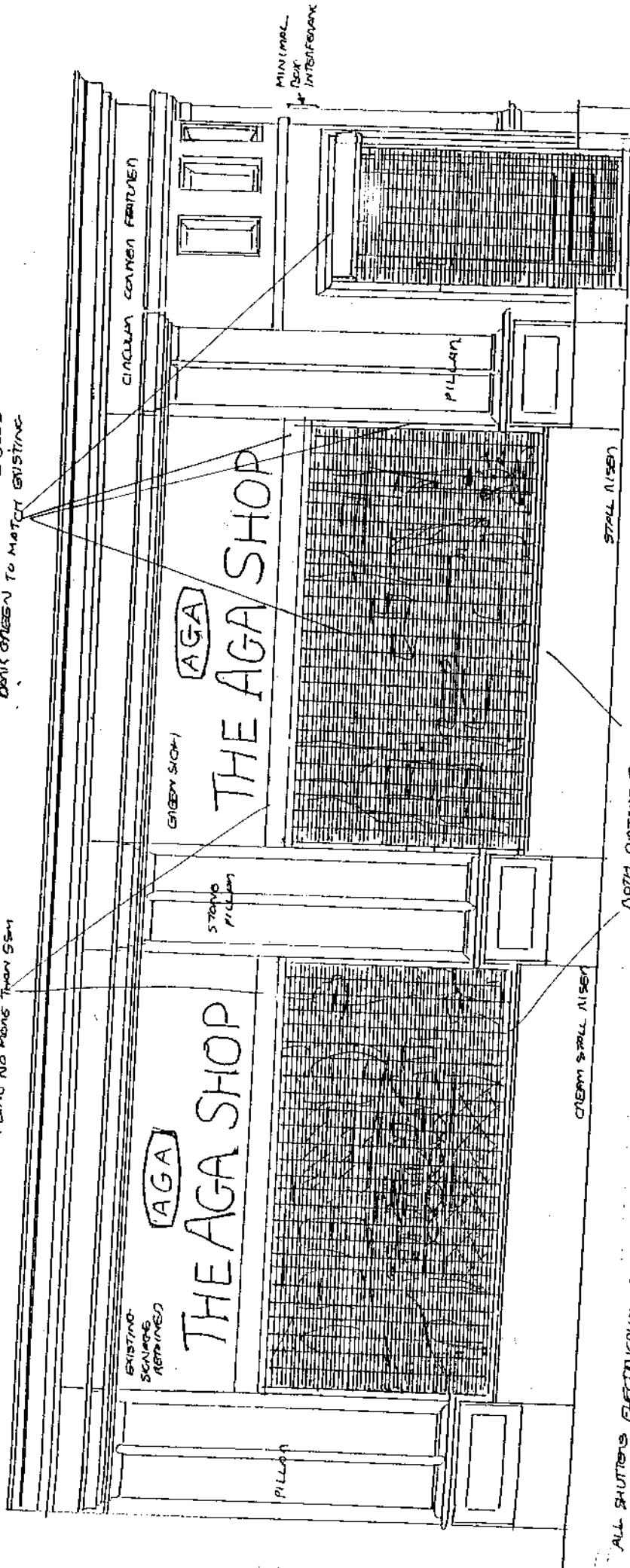
IRON ELEVATION SCALE 1:30
FROM LOWTHER STREET

DOOR SHUTTER

NOW TO USE SECURITYVISION 3800
INCREASES VISIBILITY THROUGH
PUNCHED AND GRATED LATH IN
ALL CONDITIONS UNLIKE METAL IN
THE SMALL WP38 SECTIONS

SMALL LIGHTWEIGHT ALUMINIUM BOX
105mm SQUARE WITH TRUNCATED CORNERS
STICKS BEYOND PILLAR LINE NO MORE THAN 55mm

ALL BOXES FINISHES & CLUTAINS
TO BE POWDERCOATED RAL 6003
DARK GREEN TO MATCH EXISTING



ALL SHUTTERS ELECTRICALLY OPERATED TO
FIT WITHIN RECESSES AND UNDERNEATH SIGNS
TO RECESSES IMPACT VISUALLY TO MINIMUM POSSIBLE
LATH AND TO RETAIN EXISTING ARCHITECTURAL
LINES OF STONEWORKS

DOOR CLUTAINS TO BE CONSTRUCTED FROM
SMALL ALUMINIUM SLATS TO TAKE UP
MINIMAL SPACE. SHUTTER CLUTAINS TO BE
100% PUNCHED TO ALLOW VISION AND TO HAVE
RECYCLABLE BACK GLAZING TO PREVENT
WINDOWS BEING SMASHED OR VANDALISED

DOOR SHUTTER FITS BACK INSIDE
DOOR REVEAL FITTING DIRECTLY TO
THE DOOR FRAME. SHUTTER GUIDES
DO NOT INTERFERE WITH LINES OF
STONEWORK & HOOP IS ALMOST
COMPLETELY HIDDEN

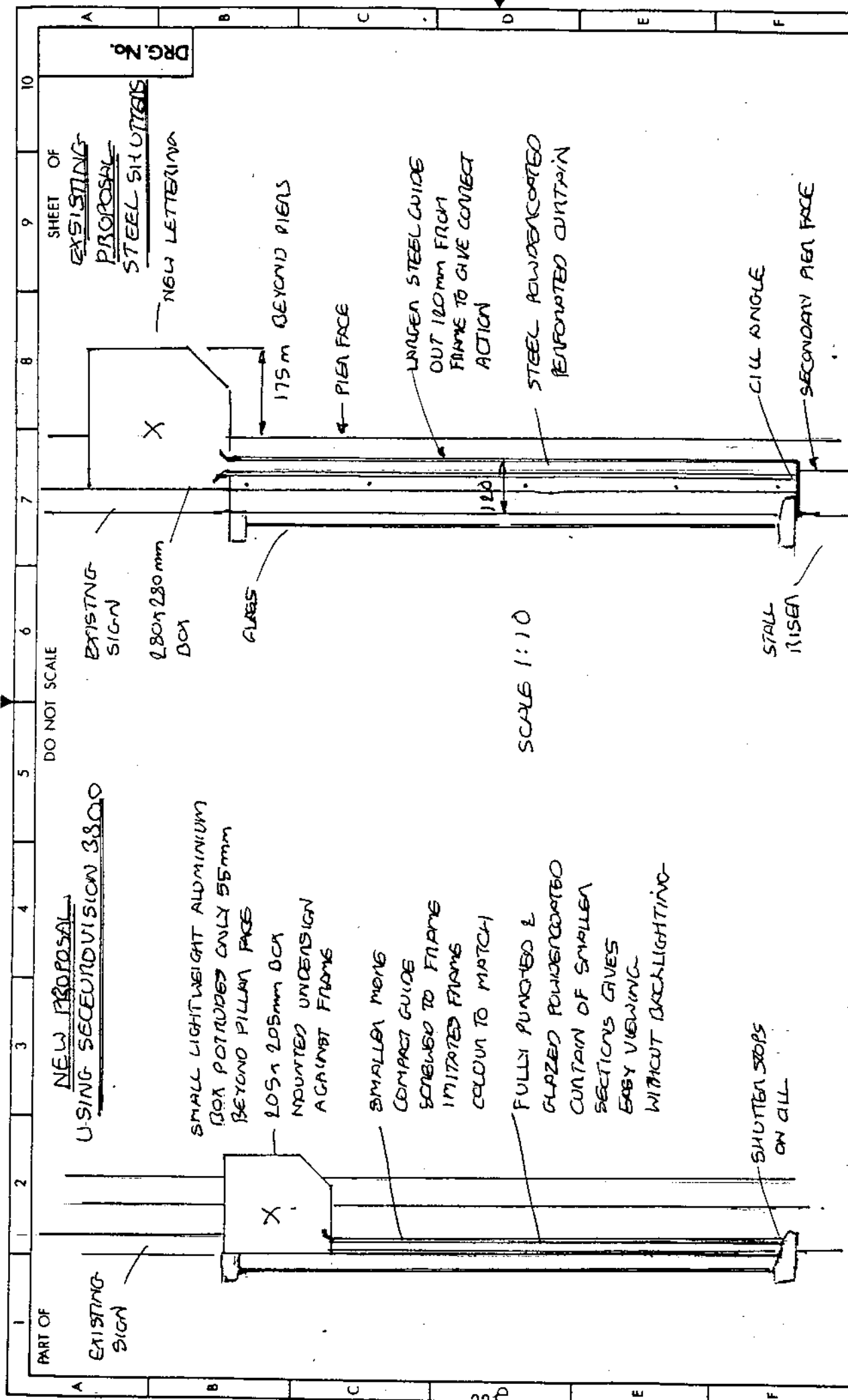
RECEIVED
9 APR 2001

20010327
3-5-01
D.H. HOLMES
D.H. No. 07-00 - 5017 E

TITLE THE AGA SHOP
2/2A LOWTHER STREET
CANLISLE
CA 3 8 ES

Briton
SMUTTERS & GRILLS
Bellisle Street, Stafford ST16 3DD
Tel: Stafford (01785) 228081

DESCRIPTION
LIGHTWEIGHT ALUMINIUM
SHUTTERS
DATE
6-8-01

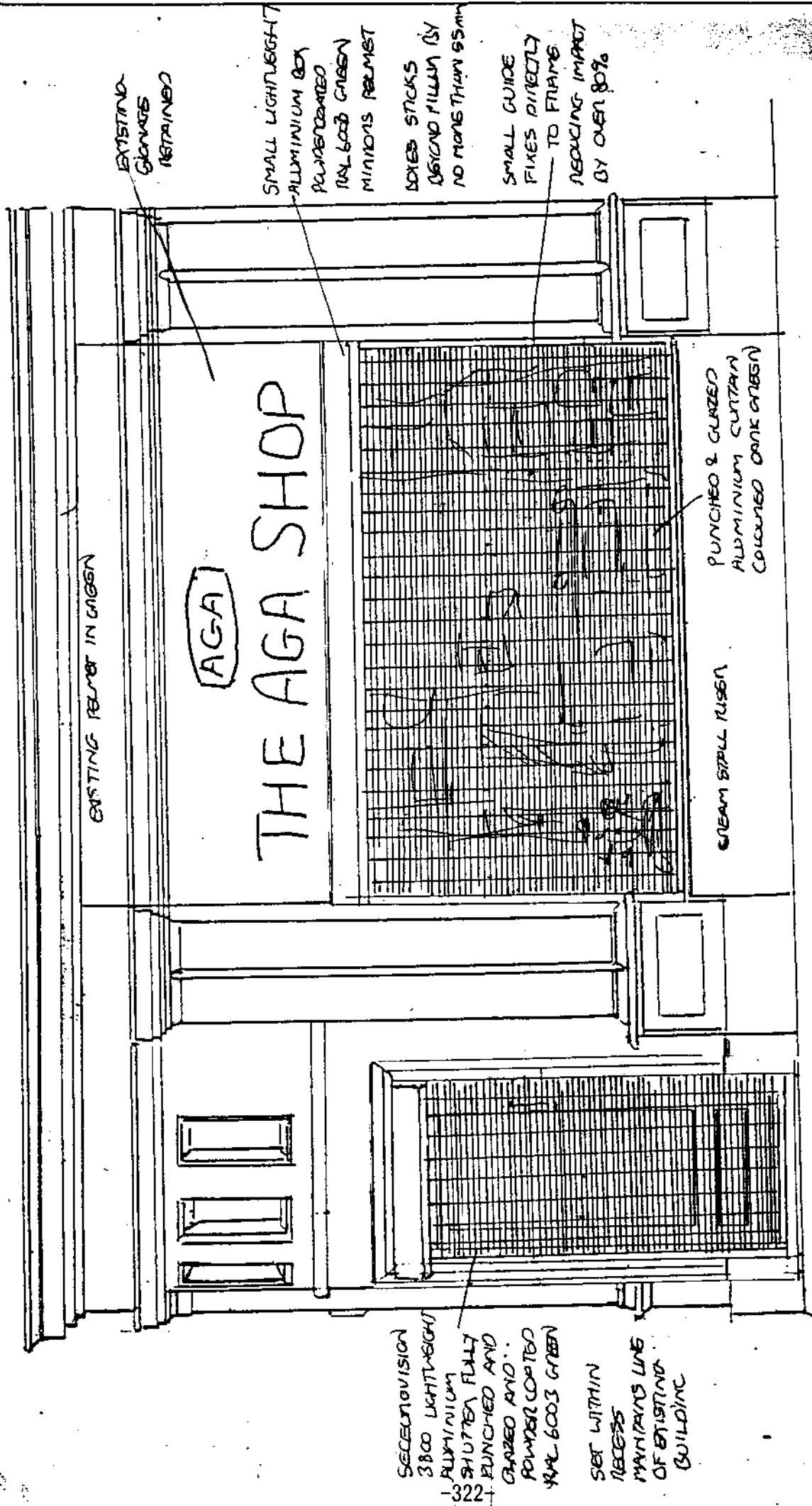


ISSUE	DESCRIPTION	APP'D BY	DATE	APPROVED	DATE
1	PROPOSED ALUMINIUM SHUTTERS				
2					
3					
4					
5					
6					
7					
8					
9					
10					

TITLE AGA SHOP 24 DA LOWTHER STREET CURTISLE CA3 8 5S		DRAWN DSM	TRACED	CHECKED	APPROVED	DATE 6-8-04
DRAWING No. QT-00-SC-47 F						

 BRITON SHUTTERS & CURTAINS Blithis Tel: Stafford 01785 228081 Tel: Stafford 01785 228081	SCALE 1:10
---	------------

SIDE ELEVATION SCALES 1:20



DATE 8-5-01
 DRAWN O. HOLMES
 DWG NO. CAT-00-SC47F

TITLE THE AGA SHOP
 21/24, LOWTHER STREET
 CHALLISLE
 CA3 8FS

Briton
 SHUTTERS & CURTAINS
 Bellis Street, Stafford ST16 3DD
 Tel: 01902 400001

DESCRIPTION NEW ALUMINIUM SHUTTERS 6-8-01
 DATE



Briton

SHUTTERS & GRILLES

Ref: QT-01-SC47

20 Carter Road, Coventry CV3 1BX
Telephone: 024 7645 6909

Bellasis Street, Stafford ST16 3DD
Telephone: 01785 228081

7th August 2001

Attn Richard Maunsell
Dept on Planning
Carlisle City Council
The Civic Centre
CARLISLE
CA3 8QQ

PLANNING SERVICES	
REF	01/0322
- 8 AUG 2001	
REFUSED	4
REVISED	
ISSUED TO	RSU
ACTION	17

Dear Richard

Re: Aqa Shop, 2 Lowther Street, Application No 2001 0322

Thank you for your recent communication in respect of the above application forwarded to me by my client.

I understand your concerns as outlined in your letters and wish to make the following answers and amendments to our proposal.

- 1) I should like to draw your attention firstly to the fact that we are tackling a vandalism problem and not a security problem. The client have experienced several expensive and disruptive incidences involving broken windows and therefore some form of external security shutter must be used.
- 2) I propose to change the type of security shutter installed as new amended plans. This gives many advantages:-
 - * **Size** - The new compact guide is a mere 18% of the original proposal while the shutter box is a little more than half the size.
 - * **Location** - The new shutter may fit directly to the frame, the guide appearing as one with the frame is only 24mm thick while the shutter box sits forward of the pillar line by only 55mm and is dwarfed by the upper pelmet feature.
 - * **Vision** - The new punched shutter offers greater visibility at all times of day and night with clear through vision, white polycarbonate glazing prevents vandalism. This has also been extended to the front door.
 - * **Sill** - The new shutter curtain hugs the window frame obviating the need for an additional security sill.
- 3) I would suggest without hesitation that it would be impractical, expensive and gain nothing to recess the roller shutters within the existing signs. The signs would have to be moved forward to allow the shutter to descend in front of the windows. This would ruin the current building lines much worse than a sensitively fitted min. case on the bottom edge. Altering the signs would tend to "swallow" the effect of the stone pillars and pelmet, whereas the small box would mirror and magnify the pelmet and retain the feature of the pillars with minimal interruption. We have often found structural alterations of this nature to deteriorate the fabric of the building which is better preserved with a sensitive installation.

OVER/



Continued

4) It would be impossible to build a shutter into the front doorway without seriously losing height and the door frame appearing bulkier than at present. The current option offers by far the least impact and the most room with new added vision.

We trust that the above preposals and amended plans are acceptable and we await your response. Should you require further information please contact **Dan Holmes on 01785 228081.**

Yours sincerely

A handwritten signature in black ink, appearing to read 'D. S. Holmes', written over a horizontal line.

Daniel S Holmes
Partner

Enc

SCHEDULE A: Applications with Recommendation

ITEM NO. 15

Date of Committee: 02/11/200

APPN REF NO:
01/0447 /

APPLICANT:
Mr R J Van Lierop

PARISH:
Carlisle

DATE OF RECEIPT:
06/06/2001

AGENT:

WARD:
Castle

LOCATION:
48 Abbey Street, Carlisle Cumbria

GRID REF:
339790 555956

PROPOSAL: Variation of condition 2 of approval 87/0021 to enable use of the premises as a wine bar, including internal alterations, and variation of condition 3 of approval 99/0815, to enable the premises to close at 11.30pm

John

REPORT

PLANNING POLICIES:-

LISTED BUILDING

The proposal relates to a building which has been listed as being of Special Architectural or Historic Interest.

CONSERVATION AREA

The proposal relates to land or premises situated within the City Centre Conservation Area.

LISTED BUILDING IN A CONSERVATION AREA

The proposal relates to a building listed as being of Special Architectural or Historic Interest and which is situated within the City Centre Conservation Area.

SUMMARY OF CONSULTATION RESPONSES:-

HEAD OF ENVIRONMENTAL SERVICES: No objection. An amended plan showing sanitary facilities as required has been submitted.

HIGHWAY AUTHORITY: No objection.

CUMBRIA CONSTABULARY: No objection. The Police are aware that the premises are trading primarily as a wine bar, and a prosecution is pending for serving alcohol outside permitted hours.

CONSERVATION AREA ADVISORY COMMITTEE : The committee objects to this application on the grounds that the proposed change would lead to unacceptable noise and disturbance

SUMMARY OF REPRESENTATIONS:-

This application has been advertised by means of press and site notices and neighbour notification. In response, three letters of objection have been received to date. These all relate to noise and disturbance to nearby residents. The objections argue that the premises give rise to unacceptable levels of

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0447 /

noise and disturbance, that circumstances have not changed since an application in 1999 was amended so that only a small part of the premises became a wine bar, and that a wine bar is inappropriate in this location. Any further representations relating to the proposed change of opening hours will be reported at the meeting.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

Application 87/0021 was approved in February 1987, giving approval for the use of the premises as restaurant and dwelling, with a condition limiting the use to a restaurant for up to 58 customers Listed Building Consent and advertisement applications were approved at the same time. Since then, a number of listed building applications for minor alterations have been approved.

In 1997, by which time the premises had been taken over by the present applicant, advertisement consent and listed building consent were refused for a wall mounted sign board.

In 1999, planning permission (application 99/0815) and listed building consent were granted for alterations which resulted in the conversion of a small part of the premises to a wine bar, with the appropriate amendment to the condition of the 1987 approval. A further condition imposed a closure time of 12.30am.

DETAILS OF PROPOSAL

This application was deferred at the last meeting of the Committee, so that it could be considered together with 01/0447. This application was deferred at the meeting on 21st September, so that consultation could take place regarding a proposed change to the hours of opening.

It will be recalled that the application relates to the "Fat Fingers" premises at 48 Abbey Street. The premises are located at the southern end of Abbey Street, next to Prior Slee's gateway into the cathedral grounds, and Paternoster Row. 48 Abbey Street is a Grade II Listed Building.

Retrospective permission is sought to vary condition 2 of approval 87/0021 to enable the premises to operate as a wine bar. Various alterations are required to facilitate this change, and these are the subject of application 01/0446 for listed building consent which follows in the schedule.

The application has been amended so that it now also proposes to amend the closure time of the premises to 11.30pm from 12.30am. Approval 87/0021 gave permission for the use of the premises as a restaurant, with a condition limiting the use and restricting the number of customers to 58. The current application is therefore necessary to use the premises as a wine bar, even though both uses fall within Use Class A3.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0447 /

Approval 99/0815 included a condition imposing a closure time of 12.30am.

In determining this application, the following issues are relevant:

i. LOCAL PLAN POLICY

Policy S15 relates to A3 uses generally. The policy recognises that such uses are appropriate in a variety of different contexts, including, as in this case, town centres. It is also recognised however that A3 uses have the potential to cause noise and disturbance to nearby residents and that this aspect needs to be carefully examined. In this case of course, the application is for a change of use within Use Class A3 and therefore the policy is of limited applicability.

ii. NOISE AND DISTURBANCE TO ADJOINING RESIDENTS

This is considered to be the determining issue related to this application. It will be noted that a number of objections have been received, particularly from residents in the cathedral grounds. These objections raise in particular noise and disturbance late at night, after the specified closure time of 00.30. In considering this point, Members will note that the Head of Environmental Services has no objection to the application. The consultation response from the Police is also relevant, and it will be noted that in indicating that they have no objection, it has been recognised that in implementing a de facto change of use to a wine bar, the terms of the existing restaurant licence, allowing an extension of opening hours to midnight, has been breached.

Members will also be aware that a significant number of other A3/D2 uses with late opening hours exist in this vicinity and a plan showing the location of these premises is included in the schedule.

In terms of specific points related to the nature of activity related to change from restaurant to wine bar, it will be noted that there is a significant increase in the number of occupants from 58 diners at the restaurant, plus a relatively small number in the area which already has permission for a wine bar use, to 150. Nevertheless, it must be recognised that circumstances have changed since 1987 when the original permission for a restaurant was granted. The University has resulted in a major increase in evening activity in the area, with the creation of the Student's Guild in Abbey Street and other A3 uses in the area. All these uses create an element of noise and disturbance, and Officers consider that in the absence of specific objections from the Police and Environmental Services, a refusal on the grounds of noise and disturbance to nearby residents would be difficult to sustain.

iii. HOURS OF OPERATION

The current permitted hours of operation for the restaurant are

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0447 /

11am to 00.30am. This reflects the extended licensed hours to which restaurants are entitled. As noted in the Police response, the premises are in breach of this aspect of the licence. It is therefore reasonable to argue that if the premises operate as a wine bar, normal licensing hours should apply, and a closure time of 11.30 would be appropriate. It is therefore considered that if Members are minded to amend the condition specifying the use, it would also be appropriate to amend the opening hours condition. Members will also appreciate that such a change will have benefits in terms of any noise and disturbance to nearby residents.

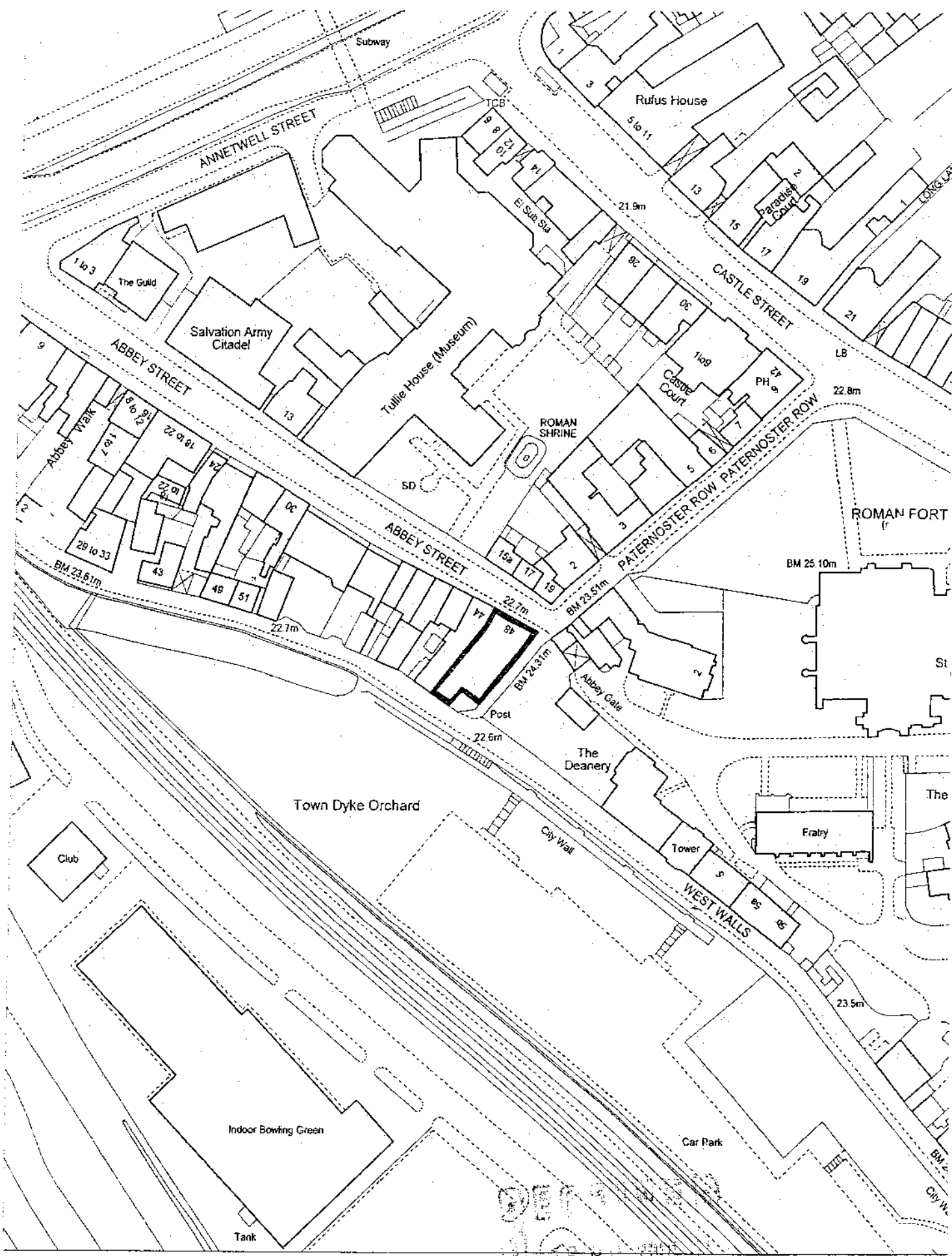
Insofar as breaches of permitted hours may have taken place, this is a matter for enforcement action, and also action in relation to the licence. The issue has been raised of a possible future change in licensing laws to allow public houses and wine bars to open until 12 or 12.30. Such a change would leave these premises requiring an amendment to the condition relating to opening hours. Any such application would have to be considered on its merits at the time, and the decision on the current application be considered on the basis of the current situation.

RECOMMENDATION: -

APPROVE WITH CONDITIONS ✓

1. The premises shall be used for wine bar and for no other purpose including any other purpose in Class A3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order.
2. Notwithstanding the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1992 no advertisement shall be displayed on the building without prior consent in writing of the local planning authority.
3. No persons other than staff shall be permitted to be on part of the premises between the hours of 11.30pm and 11.00am.

Supp Schedule
Page 34 - plan



CARLISLE CITY COUNCIL

Department of Environment & Development : Planning Services
 Head of Planning : Alan Eales DipTP MRTPI

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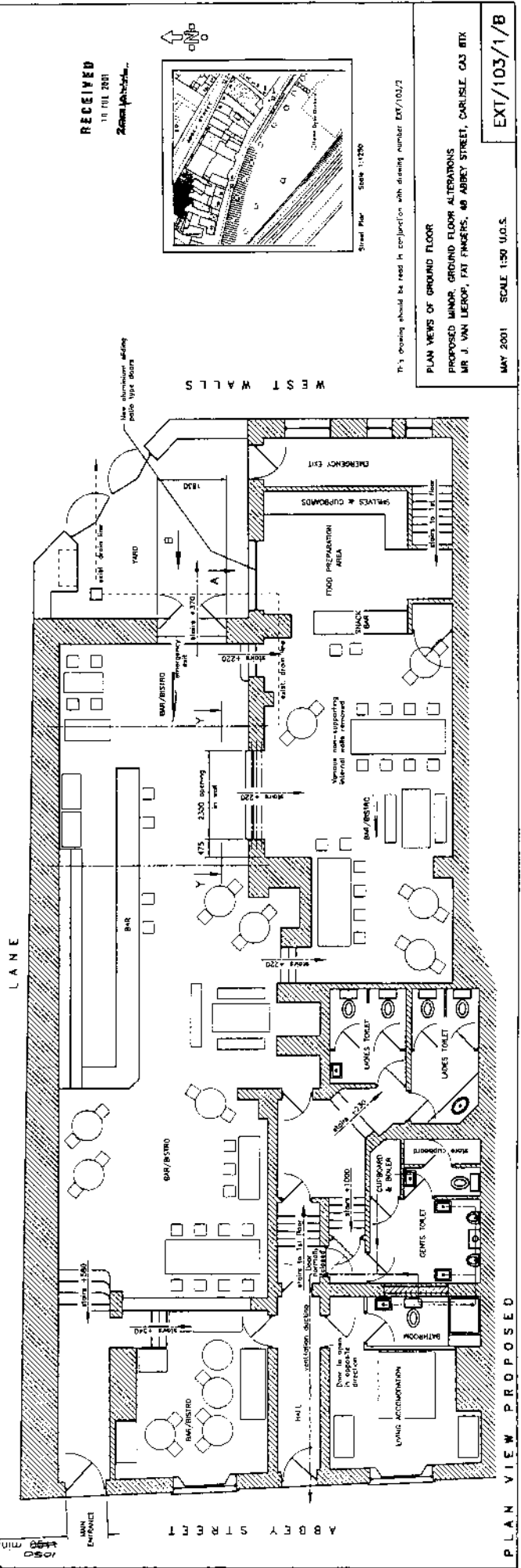
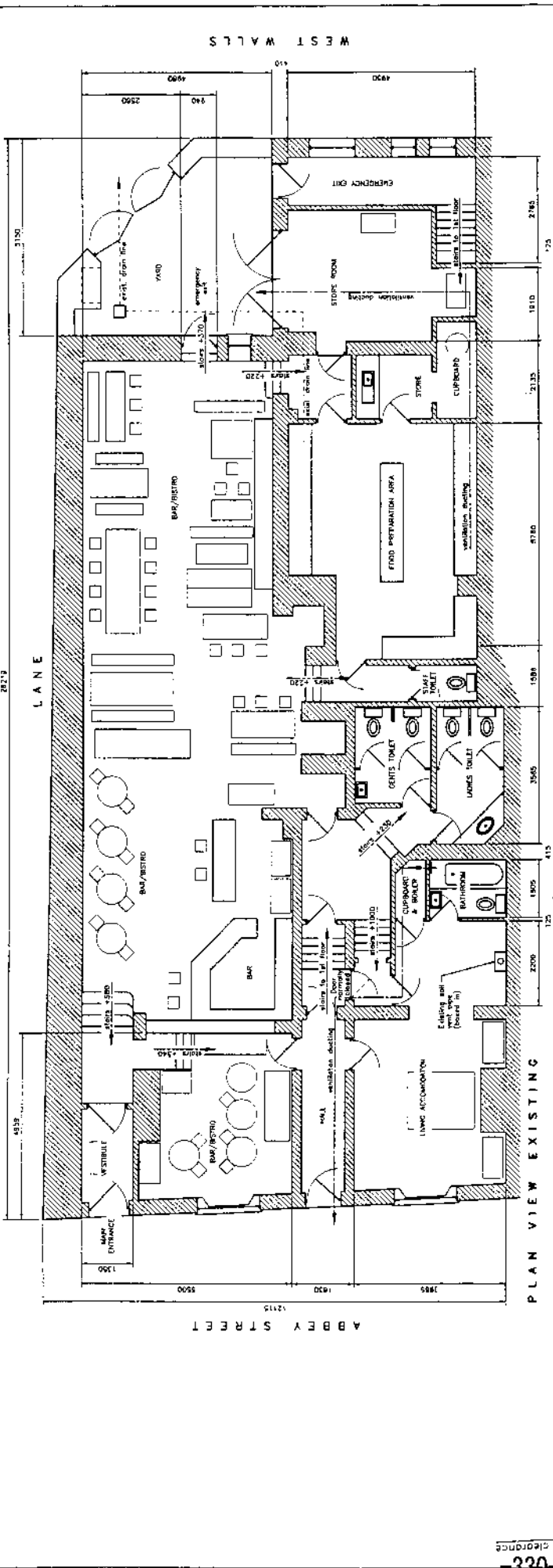
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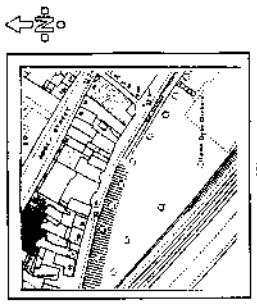
2001/0447

1:1,250

29/5/2001



RECEIVED
11 JUL 2011
2011/07/11



This drawing should be read in conjunction with drawing number EX/103/2

PLAN VIEWS OF GROUND FLOOR
PROPOSED MINOR GROUND FLOOR ALTERATIONS
MR. J. VAN LEROP, FAT FINGERS, 40 ABBEY STREET, CARLISLE, OAS BT7
MAY 2001 SCALE 1:50 U.O.S. EXT/103/1/B

CUMBRIA CONSTABULARY

ASU Facsimile: 01768 218400
Telephone: 01228 528191
Please ask for: Sgt Mark Pannone
My Reference:
Your Reference: CJH/DC/01/0447

Area Commander
North Cumbria Area
Superintendent G Horlacher
County Police Station
Rickergate
Carlisle
Cumbria CA3 8QW



Mr J. Hamer
Department of Environment and Planning
Planning Services Division
Carlisle City Council
Civic Centre
Carlisle CA3 8QG

22 August, 2001

Dear Mr Hamer

Fat Fingers, 48 Abbey Street, Carlisle

Cumbria Constabulary has no objections to the planning application, reference 01/0447.

We are aware that the premises are currently trading primarily as a wine bar, with food playing a significantly smaller part of the licensee's trade than previously proposed.

It may be worth noting that there is a prosecution pending against Mr Van Lierop for serving alcohol outside permitted hours and for allowing dancing and entertainment without a Public Entertainment Licence. We are not however applying to have Mr Van Lierop's liquor licence revoked.

Please do not hesitate to contact me if further information is required,

Mark Pannone
Licensing Officer

PLANNING SERVICES	
REF	01/0447
24 AUG 2001	
REC'D BY	ca
SCANNED	
PASSED TO	CJH
ACTION	

PLANNING SERVICES	
REF	01/447
29 JUN 2001 13	
RECORDED	ON
SCANNED	
PASSED TO	CTI
ACTION	

Prior Slee House
Paternoster Row
Carlisle
Cumbria
CA3 8TT

26th June 2001

Dear Sir / Madam,

Fat Fingers (48 Abbey Street) Application by J Van Lierop

I live in the gatehouse directly adjacent to Fat Fingers, and have done for almost three years now. During this time the level of noise pollution from Fat Fingers has been consistently appalling. Especially on Wednesday, Thursday, Friday, and Saturday, between 9:00pm and 1:30am. The music is played increasingly loudly as the evenings progress usually ending anywhere between 12:30am and 3:30am. Even after the door is closed, the music often continues well into the night. There is also the problem of people waiting for taxis when they leave. Taxis don't often arrive for half an hour or so which means large crowds of people hang around outside for quite some time making much noise. They often pass this time playing with the gates beneath my house which makes considerable noise inside my house. They habitually urinate against my house and even vomit around it. On several occasions fights have broken out with the associated shouting and jeering. On one occasion an object was thrown which broke one of the gatehouse windows. The matter is made worse because, as a listed building (Grade 1 I believe), double-glazed windows cannot be fitted to my house. The single glazed windows eliminate little of the noise made by the Fat Fingers establishment.

On Wednesdays, Thursdays, Fridays, and Saturdays, I simply cannot go to bed before 2:30 am, often much later because I will be inevitably awakened and will be unable to fall asleep again. This makes it difficult for me to work. (I work as a multimedia consultant to companies including BBC Worldwide, Standard Life, Scottish Enterprise, and many others.)

Half a year ago, I decided to begin recording the more appalling episodes regarding Fat Fingers. For your reference, they are summarised below:

- 21/12/2000 : Fat Fingers still open at 2:45am
- 23/12/2000 : Still open at 1:30am
- 29/12/2000 : Still making a racket at 2:30am. Became quiet at 2:35am
- 31/12/2000 : Exceedingly loud music and noise between 3:15am and 4:10am.
Three clearly new arrivals were allowed in at 4:10am
- 1/1/2001 : Fat Fingers burglar alarm goes off five times.
Fat Fingers burglar alarms goes off *twice a day, almost every day*, and has done for around a year now.
- 13/1/2001 : Loud music at 3:10am
- 17/1/2001 : *Extremely* loud music at 2:00am

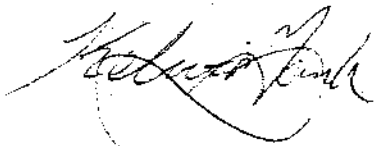
Continues overleaf...

- 31/3/2001 : My house was attacked by people who came out of and returned into Fat Fingers. At first the 500 year old gates were banged/rattled very violently indeed. After this had gone on for quite some time, I decided to open the window to see what was happening. I decided the best approach was to have an amicable chat with the people below (most standing with pint glasses in their hands). I asked them if they were having a good night and other pleasant enough things to distract them from attacking the gates. After a few minutes I closed the window and left the room. I then heard a very loud clatter. I immediately returned to the room to find one of the windows had been smashed. This is a 500 year old Grade 1 listed building.
- 7/4/2001 : Extremely loud music until 2:30am
Two fights in the street outside my house with associated shouting and jeering. All involved came out of Fat Fingers and were ushered back into Fat Fingers when the fights were broken up. The first occurred at 12:30am, the second at 1:40am. Those involved were very unlikely to be staff which draws attention to the fact drinking members of the public were on the premises at this time.
- 9/6/2001 : Extremely loud music between 2:30am and 3:30am. I was unable to go to bed until 4:00am.

These documented cases should not be considered exhaustive. They're simply the ones I decided to write down at the time.

If you would like any further information, please don't hesitate to contact me.

Yours faithfully,



Kelwin York



CATHEDRAL OFFICE 7 The Abbey Carlisle CA3 8TZ Tel: 01228 548151 Fax: 01228 547049
Email: office@carlislecathedral.org.uk

Canon C Hill BSc PhD
Canon Treasurer

E T Amos LLB MBA
Bursar and Chapter Clerk

Mrs C E Baines MISM
Administrative Officer

Your Ref

Our Ref **ETA/RS**

Date **June 22nd, 2001**

The Development Control Officer,
Department of Environment and Development,
Carlisle City Council,
Civic Centre,
Carlisle,
CA3 8QG.

PLANNING SERVICES	
REF	01/0446 + 01/0447
26 JUN 2001	
REC'D	en
SERIALIZED	
INDEXED	en
ACT.	

Dear Sirs,

Re: Fat Fingers, 48 Abbey Street – Applications Reference: 01/0446/0447

I would wish to register the strong objections of the Dean and the Cathedral Chapter to the planning applications that have been submitted in respect of the above premises. This matter was extensively considered about a year ago when a planning permission was granted to Mr Van Lierop subject to specific conditions to safeguard the amenities of the area and the local residents. It is submitted that there has been no material change in the circumstances since that time that would justify any further relaxation on the use of the property.

It remains basically an inappropriate user in this location. The property is situated within a Conservation Area. Under proposal E38 of the District Local Plan it is provided that the Council will seek to preserve or enhance the character within the conservation areas and also recognises the special landscape, character and atmosphere of the adjoining Cathedral precinct which it would wish to protect and enhance. This is not achieved, for example, by the 16th century Prior Slee Gateway being used as a urinal late at night.

48 Abbey Street is a listed building. It is a fine example of a town house situated at the junction of Abbey Street and Paternoster Row, adjacent to the Prior Slee Gatehouse and, therefore, in a highly significant townscape position. The building is of considerable historical interest which will not be enhanced by further internal alterations.

Cont./....

Cont./....

Abbey Street is already a significant thoroughfare for pedestrians from the west of the City to the City Centre via the Abbey grounds. Pedestrian use of the street has been facilitated with the opening of the Irish Gate footbridge and may be expected to increase further with the completion of the new Millennium Gallery and underpass beneath Castle Way. Abbey Street, therefore, provides a major tourist route between the Cathedral and the Castle and downgrading its character will be of considerable detriment to the City. Abbey Street has substantial potential for improvement that would benefit the City as a whole and it is submitted that any development or possible changes of use need to be dealt with with particular care and sensitivity.

48 Abbey Street is in an area where there are a number of domestic properties, not only in Abbey Street, but also within the Abbey grounds where there are sixteen separate residential properties. The local residents are already materially affected by the noise and general nuisance resulting from large numbers of young people attracted to the premises.

For these reasons the Dean and the Cathedral Chapter would request the Planning Committee not to permit any further relaxation upon the use of these premises.

Yours faithfully,

R. Shingler.

E T AMOS
Bursar and Chapter Clerk

(Dictated but not signed personally due to absence)

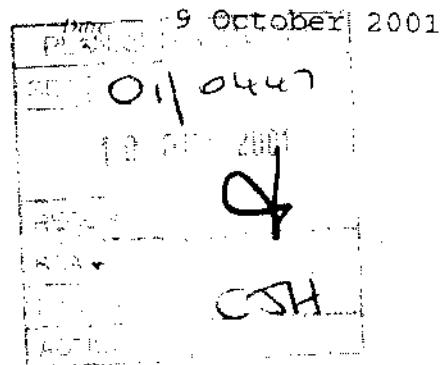
CARTMELL SHEPHERD
SOLICITORS

611 Place Brampton Cambria CA8 1SQ
Telephone: 016977 2378
Fax: 016977 41033 E-mail: cartmell.brampton@dial.papex.com

Department of Environment &
Development,
Planning Services Division,
Carlisle City Council,
DX 63037,
CARLISLE.

Your ref: CJH/CN/DC/01/0447

Our ref: MGB/AH



Dear Sirs,

Application 00/0447
48 Abbey Street, Carlisle

We act for Mr Van Lierop and are aware of his application with regard to 48 Abbey Street.

We have your letter of 24th September.

Mr Van Lierop is presently allowed to operate to midnight under his Restaurant Licence. He has a full Justices Licence which permits drinks to non-diners as well as diners.

Mr Van Lierop would like if possible to operate as a bar rather than as a restaurant because that would cater for the demand which he seeks to supply in the area of his premises.

He would however be reluctant to agree a condition which required him to close at 11.30 pm but would be happy to tie in with a condition which required him to close half an hour after normal permitted hours.

Such a condition would of course require his premises to close at 11.30 pm as the law presently stands but would have sufficient flexibility to ensure that if legislation is changed with regard to permitted hours (and there is a feeling that licensing laws are to be relaxed to allow opening to midnight) then he wouldn't be unduly prejudiced.

You will appreciate that if he agreed an hour of 11.30 pm at this stage and the law changed in 12 months' time to allow permitted hours to midnight then Mr Van Lierop's business would to all intents and purposes have to close as he would be the only licensed premises in Carlisle closing earlier than permitted hours.

Michael A. Banks
Andrew L. Dismore
Robert J. Coart
Doreen H. Cairns

Michael J. Keenan
A. H. Boyd-Burns
Teresa J. Cross
Doreen J. Anderson

William M. E. Nelson
Michael J. Fisher
Neville R. Hall
Clare J. Job

Emma M. H. Lewis
Matthew J. Johns
James J. Day
Brian P. Johnson

Associates
Colin F. Lawrence
Jonathan M. Richards
Kathleen Gibson

If the law does not change then of course 11.30 pm would for all practical purposes apply.

We hope the Council would agree to the suggested flexibility.

Yours faithfully,

A handwritten signature, possibly 'A', written in dark ink. It consists of a large, stylized letter 'A' with a long, thin vertical stroke extending downwards from the center of the letter.

PLANNING SERVICES	
REF	01 0446
- 2 JUL 2001 ₁₃	
RECORDED	ON
SCANNED	
PASSED TO	CSH
ACTION	

2B The Abbey
Carlisle
CA3 8TZ-

Dear Sir

With reference to the letter received on 22nd June I am writing to voice my opinions about the removal of internal walls in ~~no~~ 48 Abbey St. It is already terribly noisy and I donot want any more noise. I strongly disapprove of the applications for the above.

Yours sincerely

Arthur Thompson



SCHEDULE A: Applications with Recommendation

ITEM NO. 16

Date of Committee: 02/11/200

APPN REF NO:
01/0446 /

APPLICANT:
Mr R J Van Lierop

PARISH:
Carlisle

DATE OF RECEIPT:
06/06/2001

AGENT:

WARD:
Castle

LOCATION:
48 Abbey Street, Carlisle Cumbria

GRID REF:
339790 555956

PROPOSAL: Removal of internal walls and replacement of rear door (LBC)

REPORT

PLANNING POLICIES:-

LISTED BUILDING

The proposal relates to a building which has been listed as being of Special Architectural or Historic Interest.

CONSERVATION AREA

The proposal relates to land or premises situated within the City Centre Conservation Area.

LISTED BUILDING IN A CONSERVATION AREA

The proposal relates to a building listed as being of Special Architectural or Historic Interest and which is situated within the City Centre Conservation Area.

SUMMARY OF CONSULTATION RESPONSES:-

See application 01/0447.

SUMMARY OF REPRESENTATIONS:-

The objections received to application 01/0447 also apply to this application, although it should be noted that these relate to the change of use rather than the alterations to the building.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

See application 01/0447.

DETAILS OF PROPOSAL

This application for a listed building consent relates to the Fat Fingers premises at 48 Abbey Street, and is linked to application 01/0447 which precedes it in the schedule. The application a number of minor alterations arising from the proposed change to a wine bar. The proposed changes to the building are as follows:

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0446 /

- i. widening the front door to provide width of 1.05 metres within the existing door opening.
- ii. provision of additional ladies and gents toilets, involving conversion of a small part of the living accommodation to become the gents toilet.
- iii. conversion of part of the living accommodation to provide bathroom/toilet facilities consequent on ii. above.
- iv. conversion of part of the food preparation area to become additional bar/seating space.
- v. provision of enlarged rear exit door, 1.381 metres wide. This involves the removal of one small window.

These changes are considered acceptable in terms of their impact on the character of the listed building, and approval is recommended.

RECOMMENDATION:-

APPROVE WITH CONDITIONS ✓

1. Listed Building Consent - 5 years

SCHEDULE A: Applications with Recommendation

ITEM NO. 17

Date of Committee: 02/11/2001

APPN REF NO: 01/0518 /
APPLICANT: Mr & Mrs Black
PARISH: Dalston

DATE OF RECEIPT: 19/06/2001
AGENT: Alan Fox
WARD: Dalston

LOCATION: Hempsgillhow, Stockdalewath, Carlisle Cumbria
GRID REF: 339122 544282

PROPOSAL: Demolition of existing extension and erection of replacement two storey extension to provide lounge, dining room, bedrooms and family room

John

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.

SUMMARY OF CONSULTATION RESPONSES:-

HIGHWAYS AUTHORITY: No objection.

ENVIRONMENT AGENCY: No observations.

DALSTON PARISH COUNCIL: The Parish Council is concerned that the proposal would change the character of the original building, and pays little regard to its rural location. These views are reiterated in respect of the amended scheme.

SUMMARY OF REPRESENTATIONS:-

This application has been advertised by means of a site notice. No representations have been received.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

In 1993, permission was given for the provision of a road bridge over the bank, erection of a detached garage, and conversion of a barn to a dwelling, with a revised application approved later that year, involving the reconstruction of the barn.

DETAILS OF PROPOSAL

Permission is sought for the erection of a substantial two

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0518 /

storey extension at Hempsgillhow, Stockdalewath. This detached property is located on the southern margin of Stockdalewath and is approached by a bridge across the Roe Beck. It is substantially screened by trees along the beckside. The property comprises a substantial detached house with rendered walls and tiled roof with a detached converted barn and detached garages.

The proposal involves the demolition of an existing two storey extension and its replacement by a more substantial two storey extension in approximately the same location. The new extension will provide a lounge and dining room on the ground floor, and three bedrooms on the first floor. The ground floor will also include a lean-to extension at the rear to provide an extended family room. The front elevation of the extension would be finished in stone, with the remaining walls rendered. The extension will have a gable on the front elevation, and its span is such that the overall height is some 0.5 metres higher than the existing ridgeline. The applicant therefore proposes to reconstruct the existing roof with a marginally steeper roofpitch, so that all the roof will be at the same height. The reconstructed roof has the additional benefit of providing improved internal circulation.

Members will note that Dalston Parish Council still have reservations about this application. In considering this issue, Members should be aware that the proposal has been substantially amended.

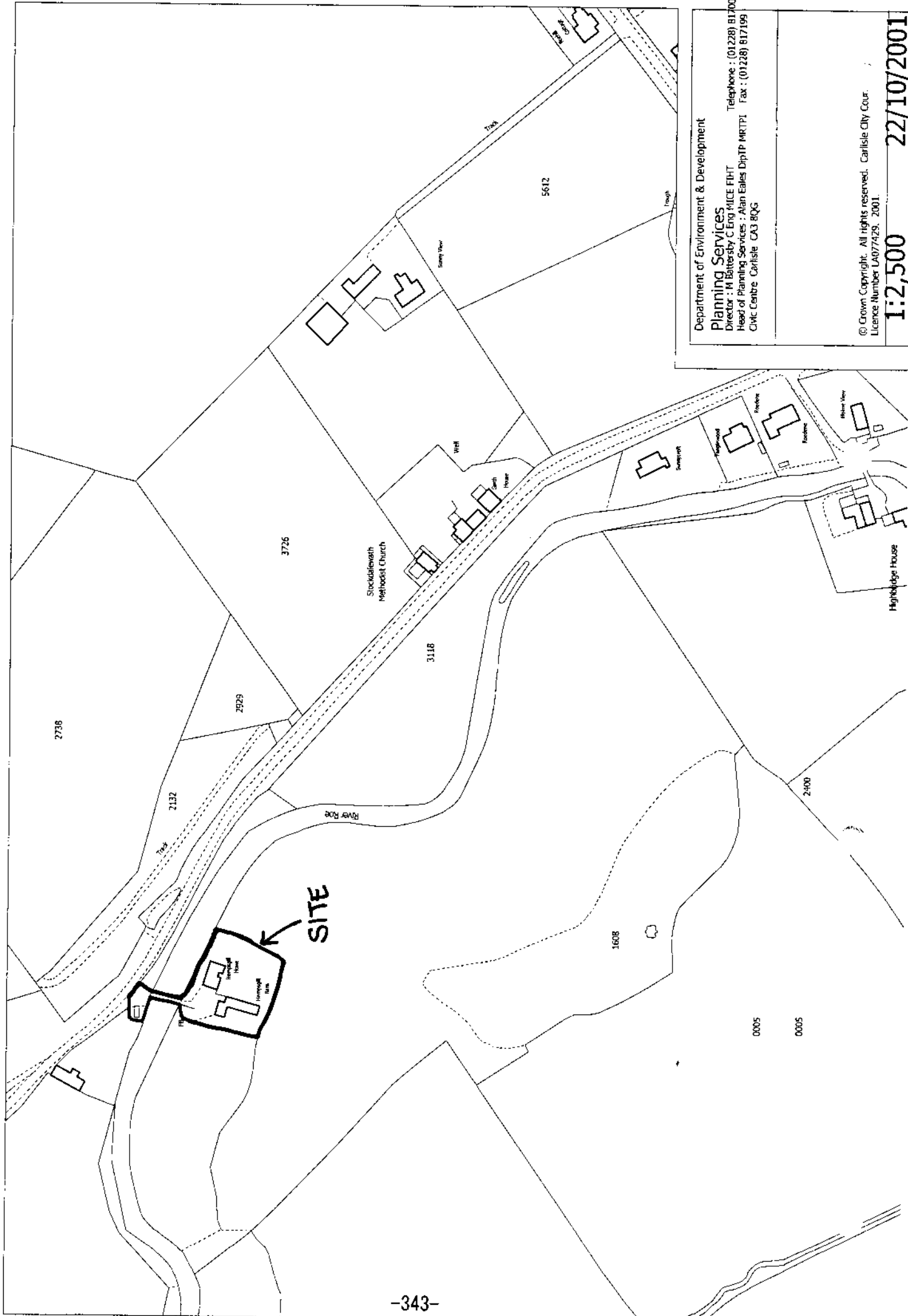
As originally submitted, the extension had an even bigger span, so that exceeded the ridge of the existing roof, which was to be retained, by over 1 metre. Whilst Officers shared the Parish Council's objection to this proposal, the amended proposal as outlined above is considered to overcome this objection. The amended scheme is therefore considered acceptable and is recommended for approval.

RECOMMENDATION: -

APPROVE WITH CONDITIONS

A L I

1. Standard time limit
2. Materials - submission of samples
3. Preventing sub-division



Department of Environment & Development

Planning Services

Director : M Battersby C Eng MICE FIHT

Head of Planning Services : Alan Eales DipTP MRTPI

Civic Centre Carlisle CA3 8QG

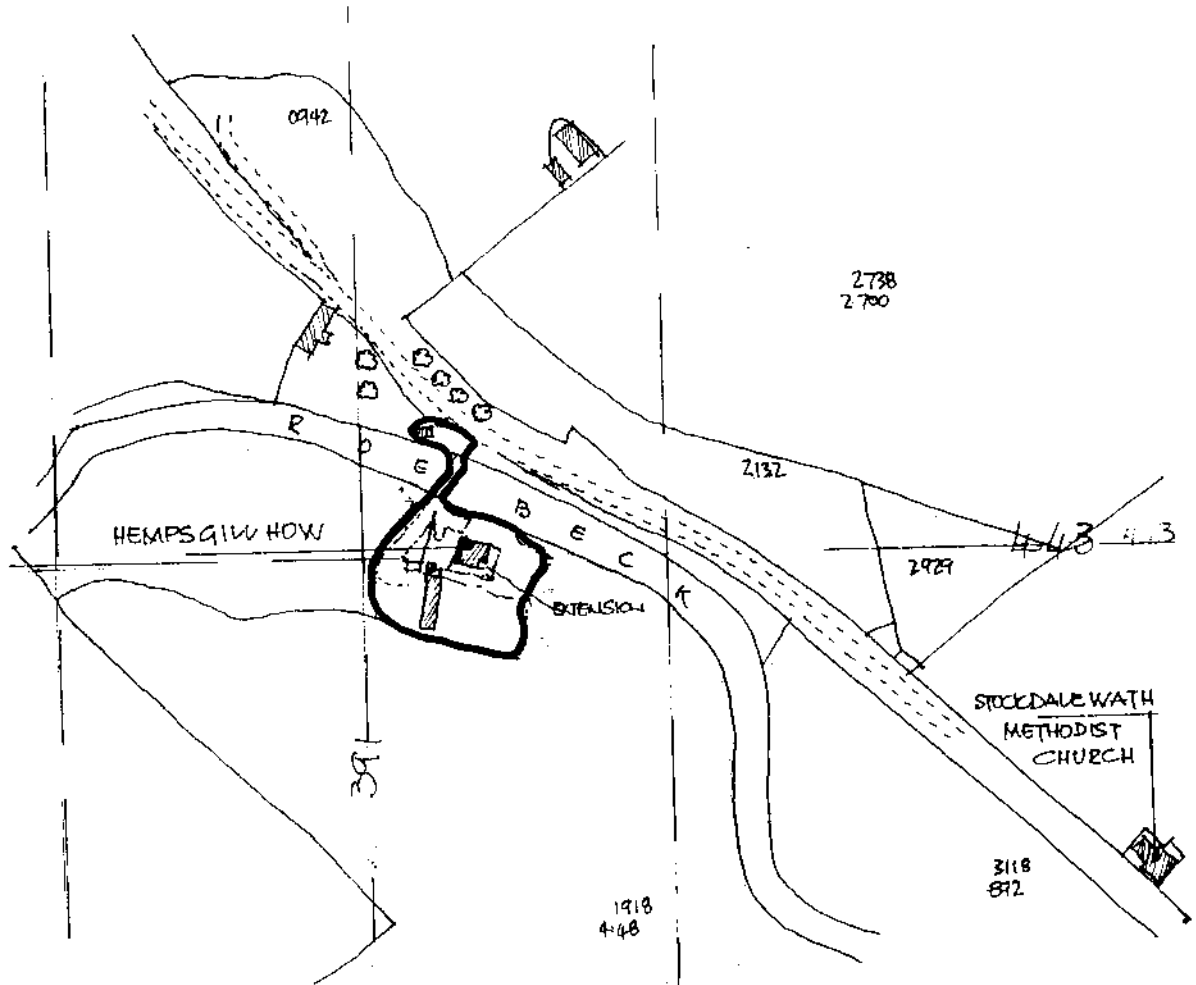
Telephone : (01228) 817000

Fax : (01228) 817199

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22/10/2001



19 JUN 2001
2001/0518

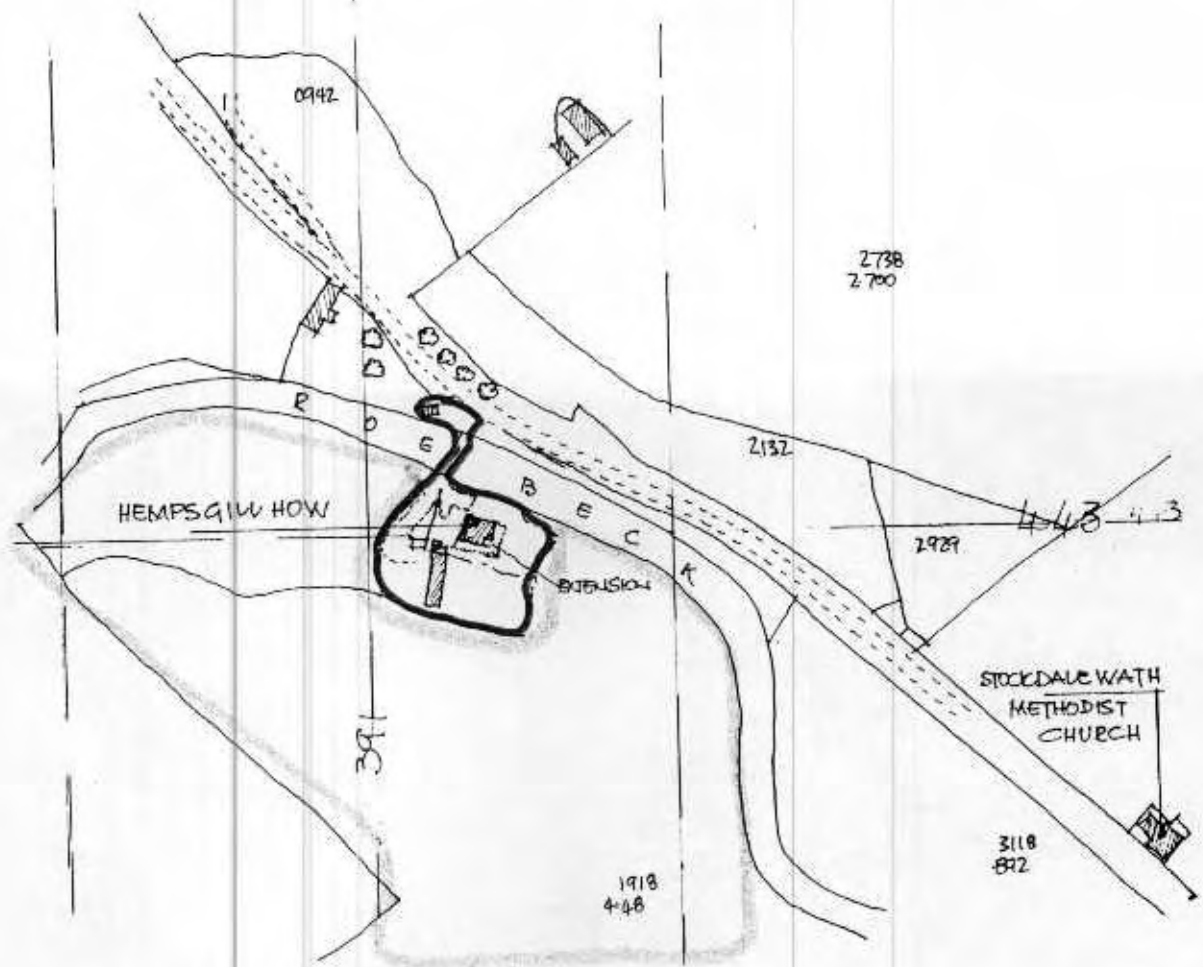
PLANNING SERVICES	
REF	
19 JUN 2001	
RECORDED	
SEARCHED	
PASSED TO	
ACTION	

Client
Mr. and Mrs. Black

Project
Alterations to Hempsgillhow,
Stockdalewath, Dalston.

Drawing
01/485/06
Location and site
plan.
Scale as shown

Alan Fox Design, Penrith.
Tel/fax 01768 899381



RECEIVED

19 JUN 2001

2001/0518

PLANNING SERVICES	
REF	
19 JUN 2001	
RECORDED	
SEARCHED	
INDEXED TO	
ACTION	

Client

Mr. and Mrs. Black

Project

Alterations to Hempsgillhow,
Stockdalewath, Dalston.

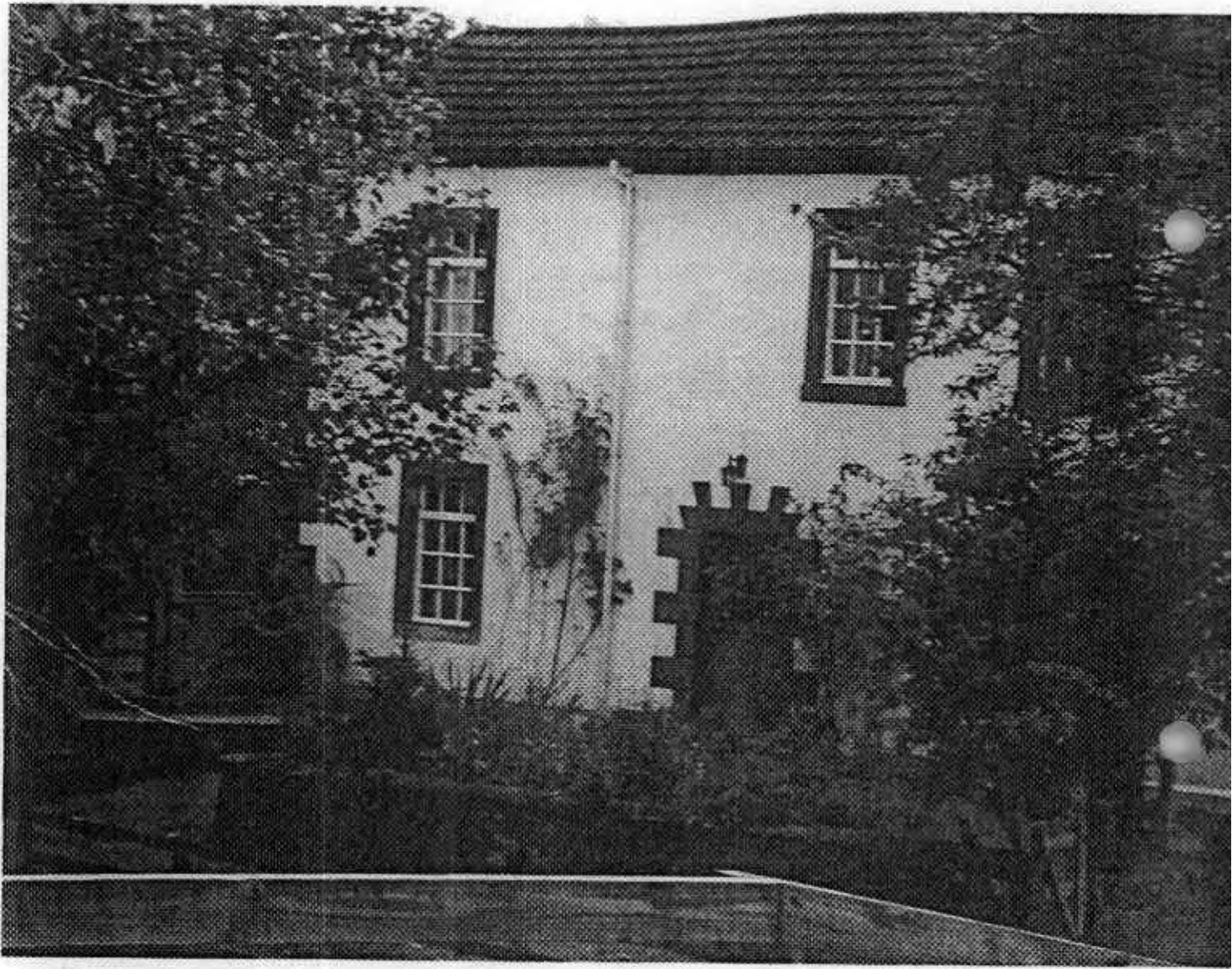
Drawing

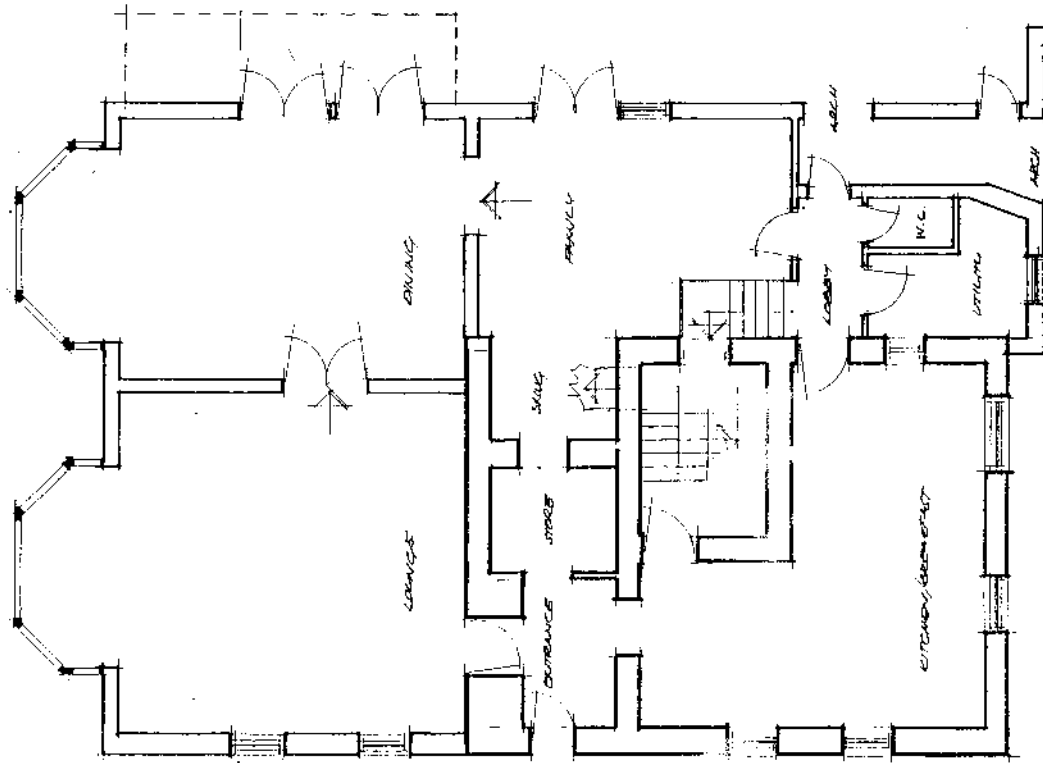
01/485/06

Location and site
plan.

Scale as shown

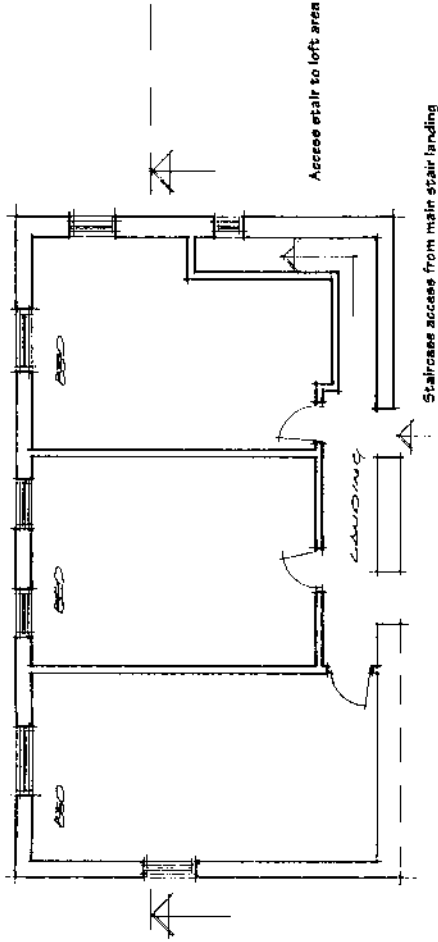
Alan Fox Design, Penrith.
Tel/Fax 01768 899331



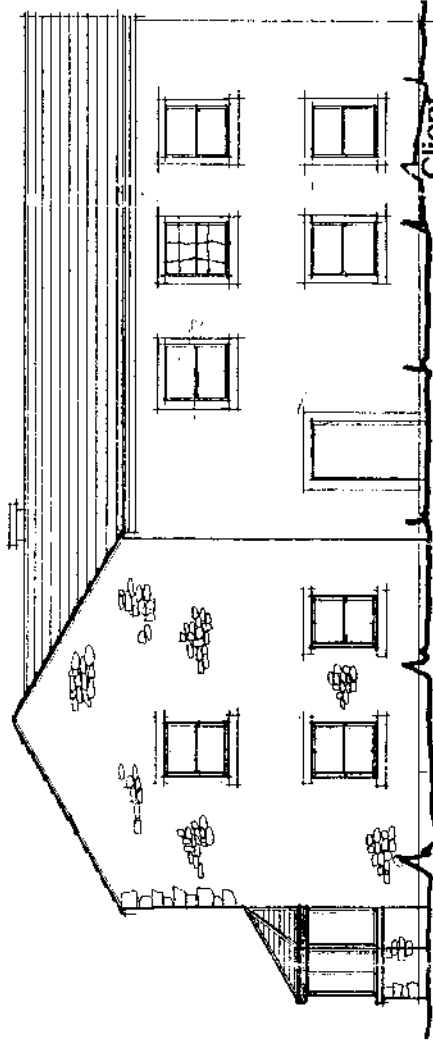


Extension to form utility and toilet, rear entrance passage to house and barn and leading through arches into rear garden.
 Secondary staircase leading to first floor in the extension and the main section of house.

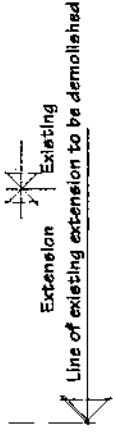
Ground floor plan



First floor plan



Proposed Front Elevation (part)



Client
 Mr. and Mrs. Black

Project
 Alterations to Hempsgillhow,
 Stockdalewaith, Gales, W.V.

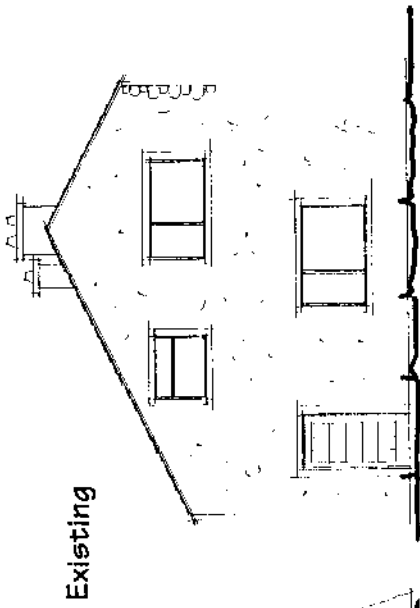
Drawing
 01/485/04
 Proposed floor plans
 and front elevation.
 Scale 1:100

SEP 2011

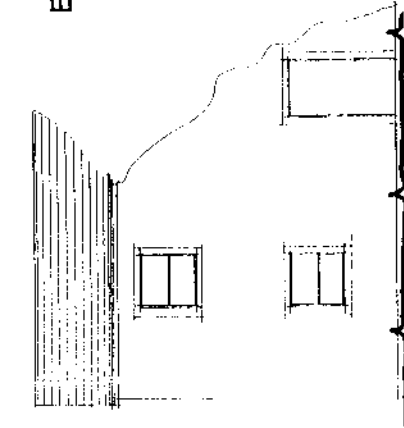
Alan Fox Design, Penrith
 TEL: 01768 899551

Existing extension to be demolished
 Extension

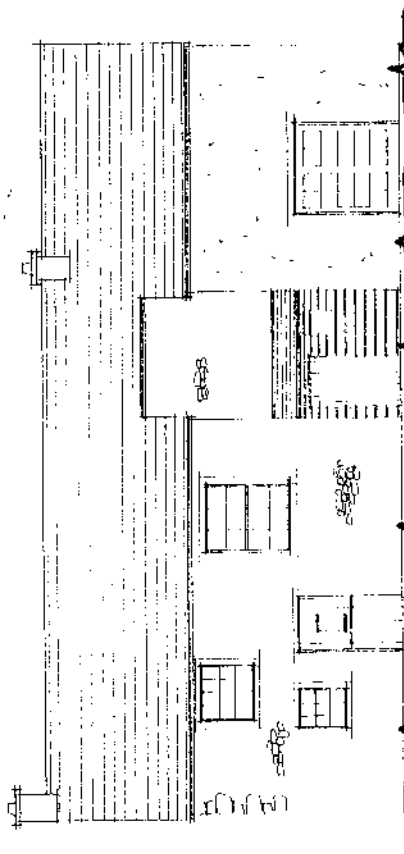




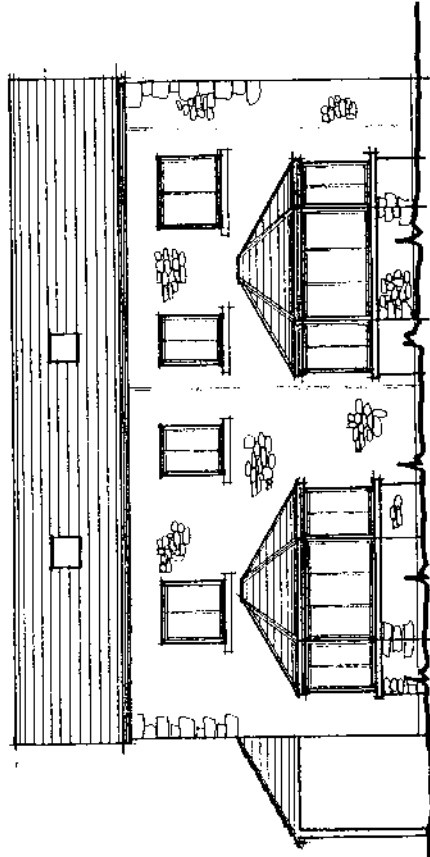
Existing



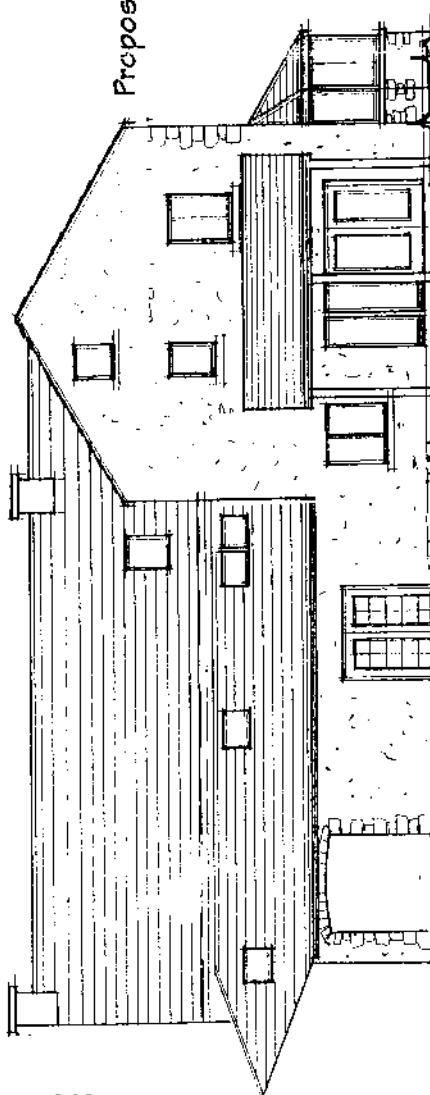
Part Front Elevation



Rear Elevation



Gable Elevation



Rear Elevation

Gable (South) Elevation

Client
Mr. and Mrs. Black

Project
Alterations to Hempsall
Stockdalewath, Devon

Drawing
01/485403

Proposed and existing
elevations
Scale 1:100m

HEMPSELL
DESIGN
LTD

SEP 2001

Alan Fox Design, Plymouth
Tel/Fax 01752 895561

The existing two storey extension to the original house is to be demolished and the new extension will replace this. The rear of the dwelling is to be extended to make additional family and service space with a lean to roof taken from the existing eaves line on the rear elevation. A small veranda is to be added in front of the dining room windows to provide shade to that area and provide a sheltered seating area on a small patio. The new gable elevation will be faced in stone to match the front and opposite gable on the main house. The rear of the house will be rendered as shown with a return stone quoil on the corner of the gable.

SCHEDULE A: Applications with Recommendation

ITEM NO. 18

Date of Committee: 02/11/200

APPN REF NO: 01/0586 / APPLICANT: Making Space PARISH: Carlisle

DATE OF RECEIPT: 12/07/2001 AGENT: Capita dbs WARD: Castle

LOCATION: 1 Aglionby Street, Carlisle Cumbria GRID REF: 340569 555613

PROPOSAL: Erection of rear extension to provide WC, store and entrance *Dach*

REPORT

PLANNING POLICIES:-

CONSERVATION AREA

The proposal relates to land or premises situated within the Portland Square/Chatsworth Square 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 EMPLOYMENT - POLICY EM6

Within the Primary Office Area proposals for office development will be acceptable providing that:

1. the general scale and design of the development are compatible with the surrounding area;
2. appropriate access and vehicle parking can be achieved.

SUMMARY OF REPRESENTATIONS:-

This application has been advertised by way of site notice and four letters to occupiers of neighbouring properties.

One letter of objection has been received and the main issues raised are summarised as follows:

1. There is definitely an increased security risk to my premises brought about by the proposal which may or may not have financial consequences.
2. The present proposal is shown incorrectly with openings in

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0586 /

different positions where they are now, and the drawing is deficient in information relating to details of how the building affects my yard wall and also my main building.

3. There is no elevation showing the roof level relating to my wall and yard level.

4. The proposal reduces the existing yard to an almost unusable space.

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 single storey extension to number 1 Aglionby Street, Carlisle. The property is a three storey brick built terrace house under a slate roof. The property is located within the Portland Place/ Chatsworth Square Conservation Area.

The proposal involves the erection of a single storey extension within the rear yard area of the property. The building would be constructed from facing brick to match the existing building and would have a flat roof. The building would measure 2.05 metres wide at one end and taper to 1 metre as the extension adjoins the main building. The height of the extension would measure 3 metres.

The yard area is currently enclosed by a brick built boundary wall which measures approximately 3 metres in height. Currently a pedestrian access exists from the lane into the yard.

Policy E43 of the Carlisle District Local Plan requires that new development in conservation areas should preserve or enhance the character of the environment. The proposed extension would be sited to the rear of the property and would not be visible from either Aglionby Street or Brunswick Street.

The only external building works would be a portion of brickwork and a doorway from the main building to the boundary wall and the installation of a flat roof.

With regard to the first point, the brick work would match that of the existing building.

In this instance, due to the orientation and position of the existing window openings on the first floor, and the proximity of the boundary wall, the use of pitch roof will not be possible. As already mentioned, this will not be a prominent feature in this location.

A number of issues have been raised by the occupier of the adjoining building. The possible increase risk of security

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0586 /

problems is a matter of opinion which cannot be concurred with with any great certainty. It is, therefore, not a consideration as part of this application.

Following a telephone conversation with the applicant, Officers have been assured that the current plans which are under consideration are correct. Should any revisions be necessary, the relevant consultations will be undertaken.

The use of the yard area is the preference of the applicant and the merits of which should be evaluated in land use planning terms.

It is not considered appropriate to request additional drawings showing the proposal in relation to the boundary wall. The applicant has served notice on the occupier of the adjacent property under the Party Wall etc. Act 1996. This issue is not a consideration as part of this application and will be dealt with separately under this legislation.

Policy EM6 requires that development proposals within Primary Office Areas should be of a scale and design which is compatible with the surrounding area. The overall scale and design are appropriate to the building and the development would not have a detrimental effect on the character or appearance of the Conservation Area. It is proposed to use materials to match the existing building which can be controlled through an appropriate condition.

RECOMMENDATION:-

APPROVE WITH CONDITIONS

1. Standard time limit ✓
2. The external walling materials to be used in the building works hereby permitted shall be identical to those in the existing building. If any other material is proposed no development shall take place until such has been approved, in writing, by the local planning authority.

PORTLAND SQUARE

ALFRED STREET SOUTH

BM 20.03m

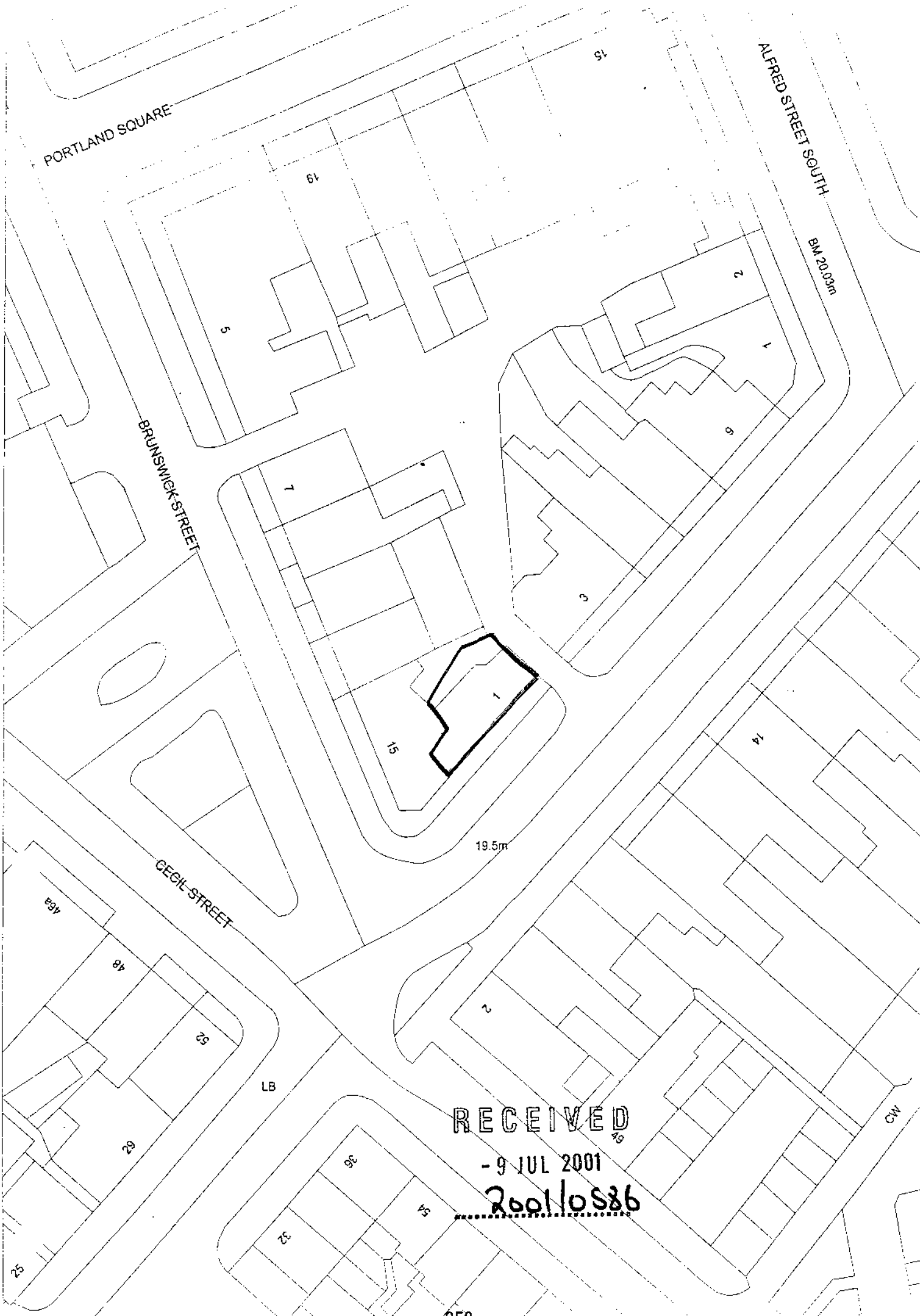
BRUNSWICK STREET

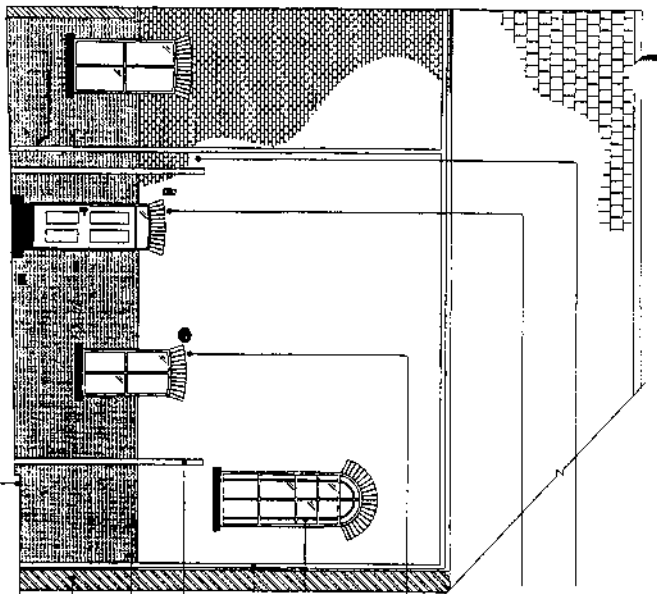
CECIL STREET

RECEIVED

- 9 JUL 2001

2001/0586





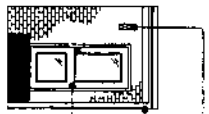
EXISTING ELEVATION

Existing window, 1.8m x 1.8m, to be removed, replaced by a new window, 1.8m x 1.8m, with a height of 2170 mm.

Existing window, 1.8m x 1.8m, to be removed, replaced by a new window, 1.8m x 1.8m, with a height of 2170 mm.

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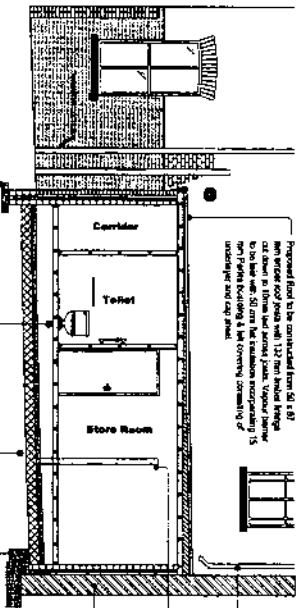
PROPOSED ELEVATION

Existing window, 1.8m x 1.8m, to be removed, replaced by a new window, 1.8m x 1.8m, with a height of 2170 mm.

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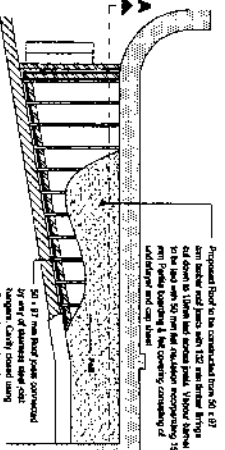
PROPOSED SECTION A-A

Proposed floor to be constructed from 120 mm concrete on 150 mm gravel.

Proposed floor to be constructed from 120 mm concrete on 150 mm gravel.

Proposed floor to be constructed from 120 mm concrete on 150 mm gravel.

Proposed floor to be constructed from 120 mm concrete on 150 mm gravel.



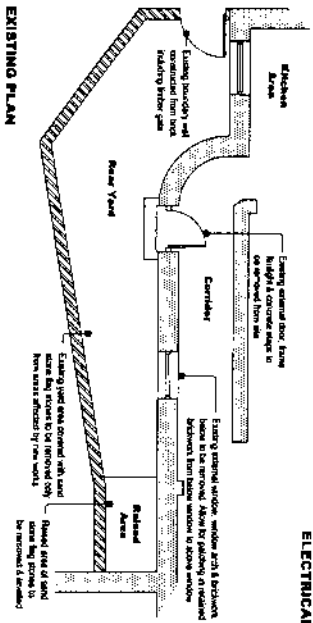
PROPOSED ROOF PLAN

Proposed floor to be constructed from 120 mm concrete on 150 mm gravel.

Proposed floor to be constructed from 120 mm concrete on 150 mm gravel.

Proposed floor to be constructed from 120 mm concrete on 150 mm gravel.

Proposed floor to be constructed from 120 mm concrete on 150 mm gravel.



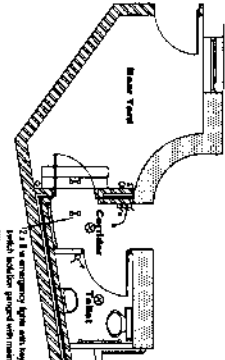
EXISTING PLAN

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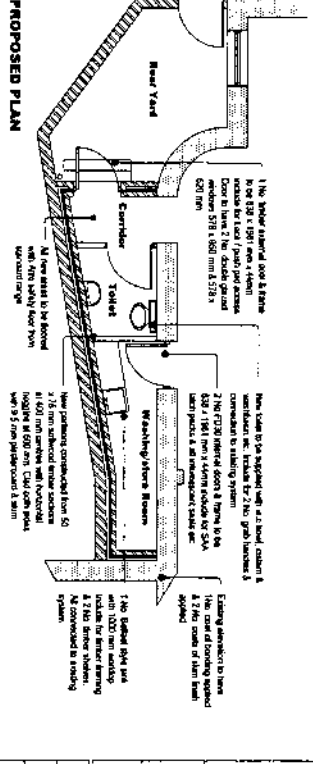
ELECTRICAL PLAN

Existing window, 1.8m x 1.8m, to be removed, replaced by a new window, 1.8m x 1.8m, with a height of 2170 mm.

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PROPOSED PLAN

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Existing window, 1.8m x 1.8m, to be removed, replaced by a new window, 1.8m x 1.8m, with a height of 2170 mm.

CAPITAL

3 Alfred Street North, CAULFIELD, VIC 3162
 CAULFIELD, CA1 1PX
 Tel: 01226 880701 Fax: 01226 880112
 Email: enquiries@capital.co.uk

PROPOSED

15 JUL 2011

ACKNOWLEDGED
 06 AUG 2001
 883

Our Ref: DJL/AL/M21

Your Ref: RJM/DC/01/0586

2nd August 2001

Attn: Mr R J Maunsell
 Carlisle City Council
 Department of Environment & Development
 Planning Services Division
 Building Control Services
 The Civic Centre
 CARLISLE
 CA3 8QG

PLANNING SERVICES	
REF	01/0586
- 8 AUG 2001	
RECORDED	88
FILED	RJM
ACTION	3

Dear Sir,

RE: APPN REF: 01/0586/ MAKING SPACE

I am in receipt of your notification dated 13th July and can comment as follows: -

Mr Crellin forwarded Party Wall Act etc notification and a copy of drawing No. 38007/3/1 Rev O and I responded indicating that the drawings did not represent the true situation in respect of the size of the proposal or the boundary.

Mr Crellin came in to see me and I explained the numerous discrepancies and also expressed my objection to the extension making use of my building together with the added security risk the flat roof building creates.

I have now received Revision No. 1 and have to say that the drawing still portrays inaccurate information and in some cases no information.

The incorrect positioning of doors and drainage may not be a planning issue but matters regarding the right to make use of a structure owned by A.N other, namely me, is presumably an issue that I have a right to object to.

The purpose of this letter is to formally express my objections to the proposal on the following points: -

1. There is definitely an increased security risk to my premises brought about by the proposal which may or may not have financial consequences.
2. The present proposal is shown incorrectly with openings in different positions where they are now, and the drawing is deficient in information relating to details of how the building affects my yard wall and also my main building.
3. There is no elevation showing the roof level relating to my wall and yard level.

4. The proposal reduces the existing yard to an almost unusable space.

Could you please acknowledge receipt of this objection prior to any decision being made.

I thank you in anticipation.

Yours faithfully

A handwritten signature in black ink, appearing to read "David Little". The signature is fluid and cursive, with a large initial "D" and a long horizontal flourish at the end.

David J Little
H.T.G.L Architects Ltd.

SCHEDULE A: Applications with Recommendation

ITEM NO. 19

Date of Committee: 02/11/2001

APPN REF NO:
01/0629 /

APPLICANT:
Mr R Jamieson

PARISH:
St Cuthberts Wit

DATE OF RECEIPT:
27/07/2001

AGENT:

WARD:
Dalston

LOCATION:
Croft House, Carleton, Carlisle Cumbria

GRID REF:
342892 552783

PROPOSAL: Erection of timber doors to existing archway (LBC)

Adn

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.

SUMMARY OF CONSULTATION RESPONSES:-

COUNTY HIGHWAYS - no objections
St CUTHBERTS WITHOUT PARISH COUNCIL - no objections

SUMMARY OF REPRESENTATIONS:-

Publicity has been given to this application by means of press and site notices to which there has been no response.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

Listed building consent was granted in 1998 for window alterations.

DETAILS OF PROPOSAL

Listed building consent is sought for the re-instatement of the timber cart entrance doors to the front archway of this grade II listed building.

The application is being referred to Committee because the applicant is related to a Member of the Council.

The proposed doors are of a traditional style and finish and

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0629 /

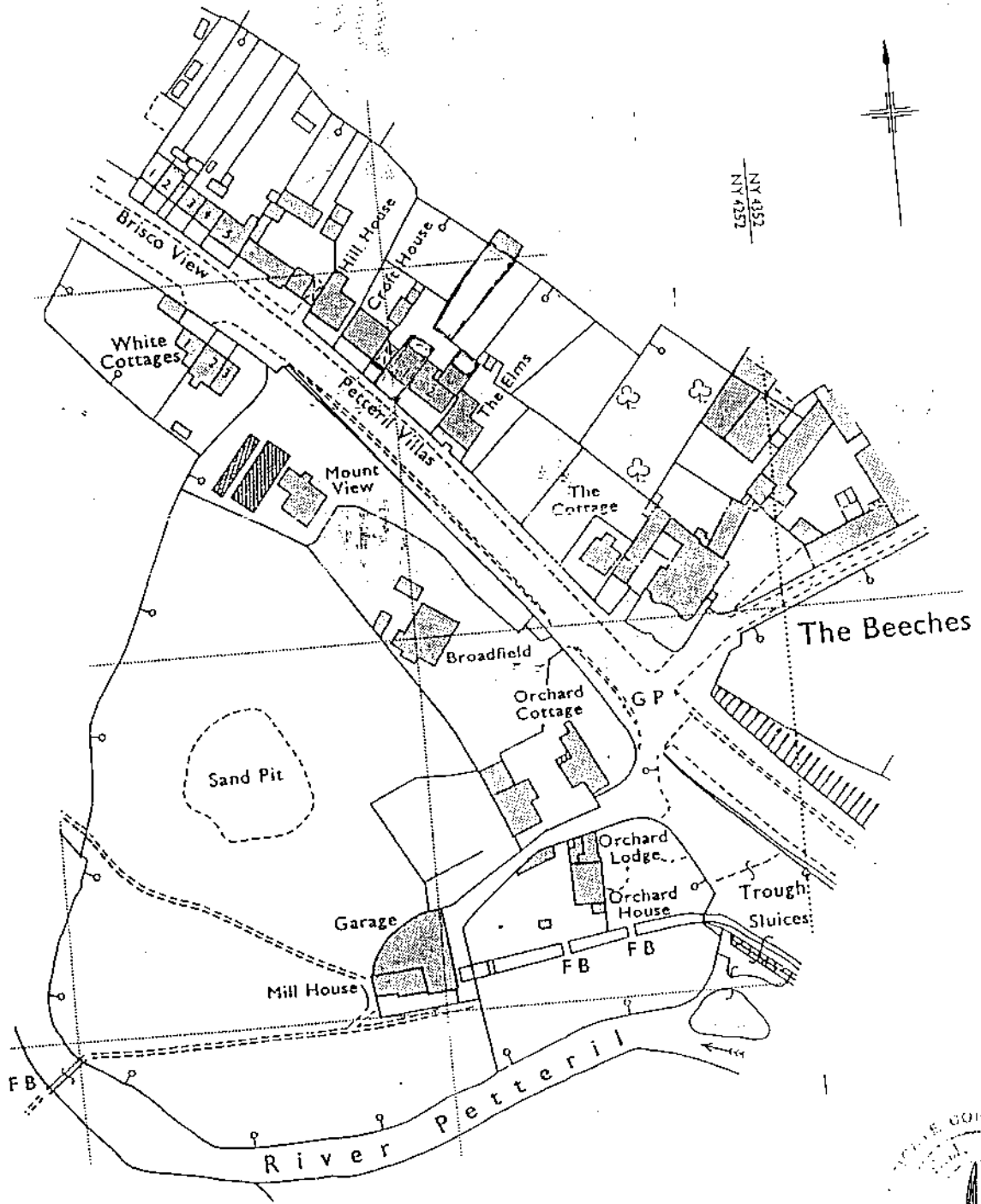
will enhance the appearance of the front elevation of the building. The application is therefore recommended for approval.

RECOMMENDATION:-

APPROVE WITH CONDITIONS ✓

1. Listed Building Consent - 5 years

H.M. LAND REGISTRY		TITLE NUMBER	
		CU 28143	
ORDNANCE SURVEY PLAN REFERENCE	NY 4252	SECTION A	Scale 1/1250 Enlarged from 1/2500
COUNTY CUMBRIA	DISTRICT CAILLISLE		© Crown copyright 1980



No. 13 Applications for Office Copies

Form 360A
(See over)



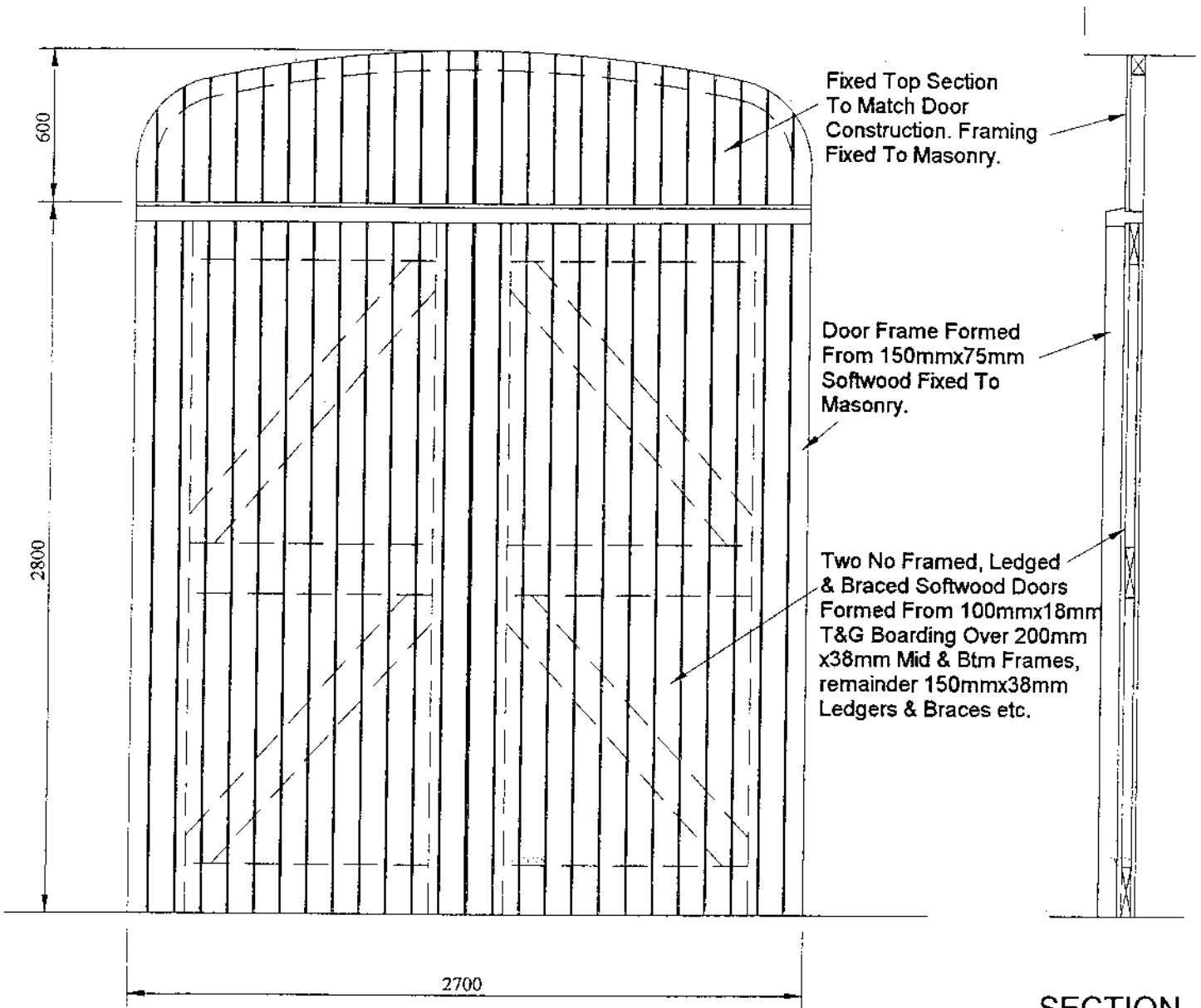
RECEIVED
27 JUL 2001
2001/0629



CROFT HOUSE
CARLETON
2001 / 0629

RECEIVED
27 IIII 2001
.....2001/0629

PATTERSON HEGGIE Consulting Engineers Unit M, Kingmoor Park Road Kingmoor Park Central CARLISLE CA6 4SD Telephone: (01228) 674129	Job Croft House, Carleton, Carlisle	Job ref. C/01/4268
	Part of Structure Proposed Doors To Existing Archway	Sheet No. SK1
		Date Feb 2001



EXTERNAL ELEVATION
 ON ARCHED DOORWAY
 RECEIVED

17 JUL 2001

2001/0629

PLANNING SERVICE	
REF	
17 JUL 2001	
RECEIVED	
DATE	
BY	
ACTION	

SCHEDULE A: Applications with Recommendation

ITEM NO. 20

Date of Committee: 02/11/20

APPN REF NO: 01/0687 /
APPLICANT: Neil Patterson
PARISH: Carlisle

DATE OF RECEIPT: 31/07/2001
AGENT:
WARD: Yewdale

LOCATION: 204 Chesterholm, Sandsfield Park Carlisle, Cumbria
GRID REF: 337160 555440

PROPOSAL: Change of use of open space to form garden within curtilage of a dwellinghouse, together with erection of 1m and 2m high boundary fences

Andrew

REPORT

PLANNING POLICIES:-

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
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:-

HIGHWAYS AUTHORITY: No objections.

HEAD OF LEISURE SERVICES: Confirm that they have no interest in this application as it is the responsibility of the current owner.

SUMMARY OF REPRESENTATIONS:-

This application has been advertised by means of a site notice and the direct notification of ten neighbouring properties. Two

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0687 /

responses have been received, both objecting to the proposal. The issues raised are: the loss of open space; the visual impact of the proposed fence; and that the development would be contrary to the contents of a covenant.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

The site was subject to the initial applications for the development of the Sandsfield Park estate.

DETAILS OF PROPOSAL

This application was deferred at the last meeting, to allow Members to undertake a site visit.

The proposal relates to the 164 square metre strip of land between the front of 206 Chesterholm and the side of 204 Chesterholm. The application site is a leftover section of turfed land from the construction of the estate which has been maintained by the occupants of the adjacent houses.

When the Sandsfield Park estate was built the site was left as open space by the housebuilder, Leech Homes Ltd. (Newcastle). The land, although open space, was never subject to a dedication agreement. It remained in the ownership of Leech Homes. Leech Homes later became part of Beazer Homes. There are dedication agreements for the Sandsfield Park Estate, but they do not include this site. The documentation for the transfer in ownership of the site, between Beazer Homes and Mr & Mrs Paterson, is reproduced following this report.

The occupants of nos. 204 and 206 Chesterholm intended to buy the land from the housebuilder, and split it between the properties. This deal fell through, and the occupants of 204 Chesterholm have now bought the land.

The application site does not have any play equipment, footpaths or seating on it. It does not provide access to the rest of the estate, and is not subject to any right of way.

This application is for the change of use of the land from open space to a garden together with the erection of 1m and 2m high boundary fences. The fence will be 2 metres high from the back of 204 Chesterholm, before dropping down to 1m high along the side of the driveway.

In considering this application the fundamental question is whether the loss of the open space would be detrimental to either the character of the area or the amenities enjoyed by the neighbouring residents. As such it is felt that the following points should be kept in mind:

- A) The land to the front of 204 Chesterholm (in front of the building line) will still be in keeping with the rest of the estate, in that it is not fenced off.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0687 /

- B) The design of the proposed fence will be to match the existing fence that runs along the rear of 204 Chesterholm. The height of the proposed fences is in accordance with the existing permitted development rights.
- C) The worries over loss of land can be dealt with by the removal of permitted development rights for buildings on the site. It can be seen on the Land Registry Transfer document that there is a covenant preventing permanent buildings being sited on it due to a sewer running under the land.

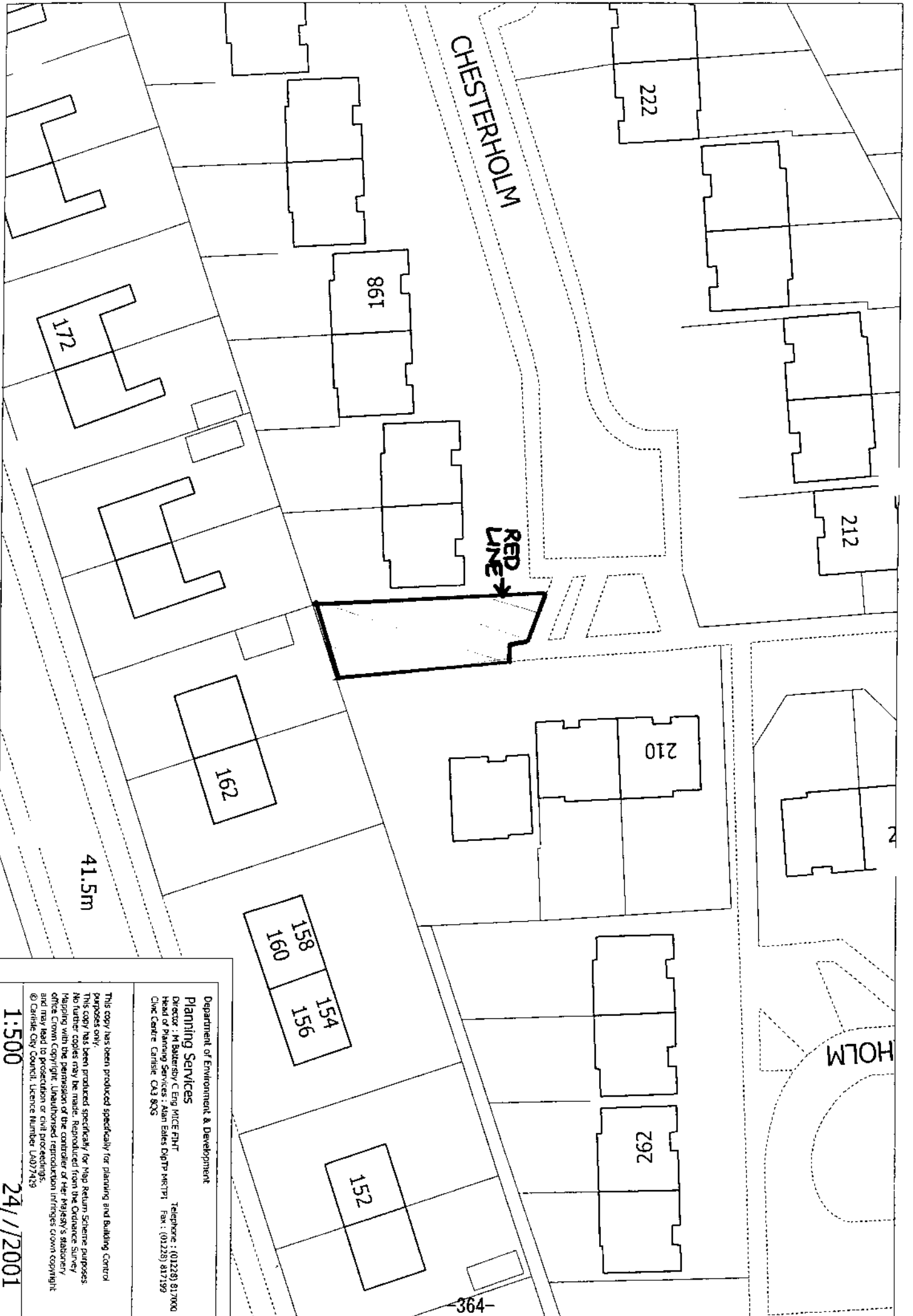
Members attention is also drawn to the concern expressed by the occupants of the neighbouring house, with regard to the erection of a fence in front of their house. In response it should be noted that the elevation submitted with the application shows the view that 206 Chesterholm will have from their front window. It is evident that the fence will drop down to a height of 1m, 9 1/2 metres along its length from the rear of 204 Chesterholm. In effect the view is considered no worse than the one they already enjoy. The supervision of the Highway could still be undertaken. The contents of any covenant attached to the deeds of a property are also a civil matter, distinct from the planning process.

In conclusion, the objectors rights are respected, however the proposal is considered acceptable and therefore recommended for approval subject to the following conditions.

RECOMMENDATION: -

APPROVE WITH CONDITIONS ✓

1. Standard time limit
2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order), no gates, fences, walls or other means of enclosure shall be erected or constructed in front of the forwardmost part of the front of the garden other than those expressly authorised by this permission, without the permission of the local planning authority.
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking or re-enacting that Order), no building, garage, shed or other structure be erected within the curtilage of the garden hereby permitted without the prior permission of the local planning authority and the approval by them of the design, siting and external appearance of such structure.



Department of Environment & Development
Planning Services
 Director: M BAKERSON, C. Eng. MRICE FIHT
 Head of Planning Services: Alan Bates DEPT MRCTPI Fax: (01228) 817199
 Civic Centre, Carlisle, CA3 8QS

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1:500
 24//2001

PROPOSED FENCE TO BE ERECTED AT 204 CHESTERHOLM.



LEGEND:

BLUE LINE SHOWS THE POSITION OF THE FENCE NO MORE THAN ONE METRE HIGH

RED LINE SHOWS THE POSITION OF THE FENCE NO MORE THAN TWO METRES HIGH

BLACK LINE DEFINES THE BOUNDARY LINE.

THE FENCE WILL BE CONSTRUCTED OF CONCRETE POSTS AND WOODEN PANELS.

RECEIVED
31 JUL 2001
.....2001.10687



Edition Date : 15 May 2001

PLANNING SERVICES	
REF	
12 OCT 2001	
RECEIVED	
SCANNED	
PASSED TO	AE
ACTION	17

A: Property Register

containing the description of the registered land and the estate comprised in the Title.

CUMBRIA : CARLISLE

- (14 June 1972) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being Land adjoining 204 Chesterholm, Carlisle, (CA2 7XY).
- There are excluded from this registration the mines and minerals and the ancillary rights excepted and reserved to the Lord of the Manor by the Carlisle and Cummersdale Moor Enclosure Act 1767 and the Award of the Commissioners thereunder.

B: Proprietorship Register

stating nature of the title, name and address of the proprietor of the land and any entries affecting the right of disposal

Title Absolute

- (15 May 2001) PROPRIETOR: NEIL KENNETH PATTERSON and ALISON JANE PATTERSON of 204 Chesterholm, Carlisle CA2 7XY.
- (15 May 2001) The price stated to have been paid on 11 May 2001 was £500.

C: Charges Register

containing charges, incumbrances etc. adversely affecting the land

- The land is subject to rights of drainage and rights in respect of water gas and electricity supply services.
- The land (in so far as it is affected thereby) is subject to rights of entry for the purpose of inspecting cleansing repairing or renewing any party structure or thing erected on or near the boundaries of adjoining land.
- The land in this title falls in an area covered by a building scheme constituted under the provisions of Transfers by William Leech (Builders)

C: Charges Register continued

Limited. The first of such transfers was dated 28 June 1974 in favour of Cumbria County Council and was of the 6 Chesterhom, Carlisle.

NOTE: Copies of the Transfer dated 28 June 1974 and of the Deed Poll dated 23 November 1973 referred to in that Transfer are in the Certificate and copies are filed under CU503.

4. (15 May 2001) A Transfer of the land in this title dated 11 May 2001 made between (1) Beazer Homes Limited (Transferor) and (2) Neil Kenneth Patterson and Alison Jane Patterson (Transferees) contains covenants details of which are set out in the schedule of restrictive covenants hereto.
5. (15 May 2001) A Transfer of the land in this title dated 11 May 2001 made between (1) Beazer Homes Limited (Transferor) and (2) Neil Kenneth Patterson and Alison Jane Patterson (Transferees) contains the following covenants:-

"The Transferee covenants with the Transferor that neither they nor their successors in title will build or cause to be built on the Property any permanent extension save for the usual domestic greenhouse, wooden shed, kennel, etc. and shall keep the land as a garden only so as not to hinder the appropriate Authority if access is required to the sewer running under the Property"

Schedule of Restrictive Covenants

1. The following are details of the covenants contained in the Transfer dated 11 May 2001 referred to in the Charges Register:-

"The Transferee covenants with the Transferor that neither they nor their successors in title will build or cause to be built on the Property any permanent extension save for the usual domestic greenhouse, wooden shed, kennel etc. and shall keep the land as a garden only so as not to hinder the appropriate Authority if access is required to the sewer running under the Property"

END OF REGISTER

NOTE A: A date at the beginning of an entry is the date on which the entry was made in the Register.
NOTE B: This is a copy of the register on 15 May 2001 at 09:31:00.



CU16500B

CUMBRIA : CARLISLE

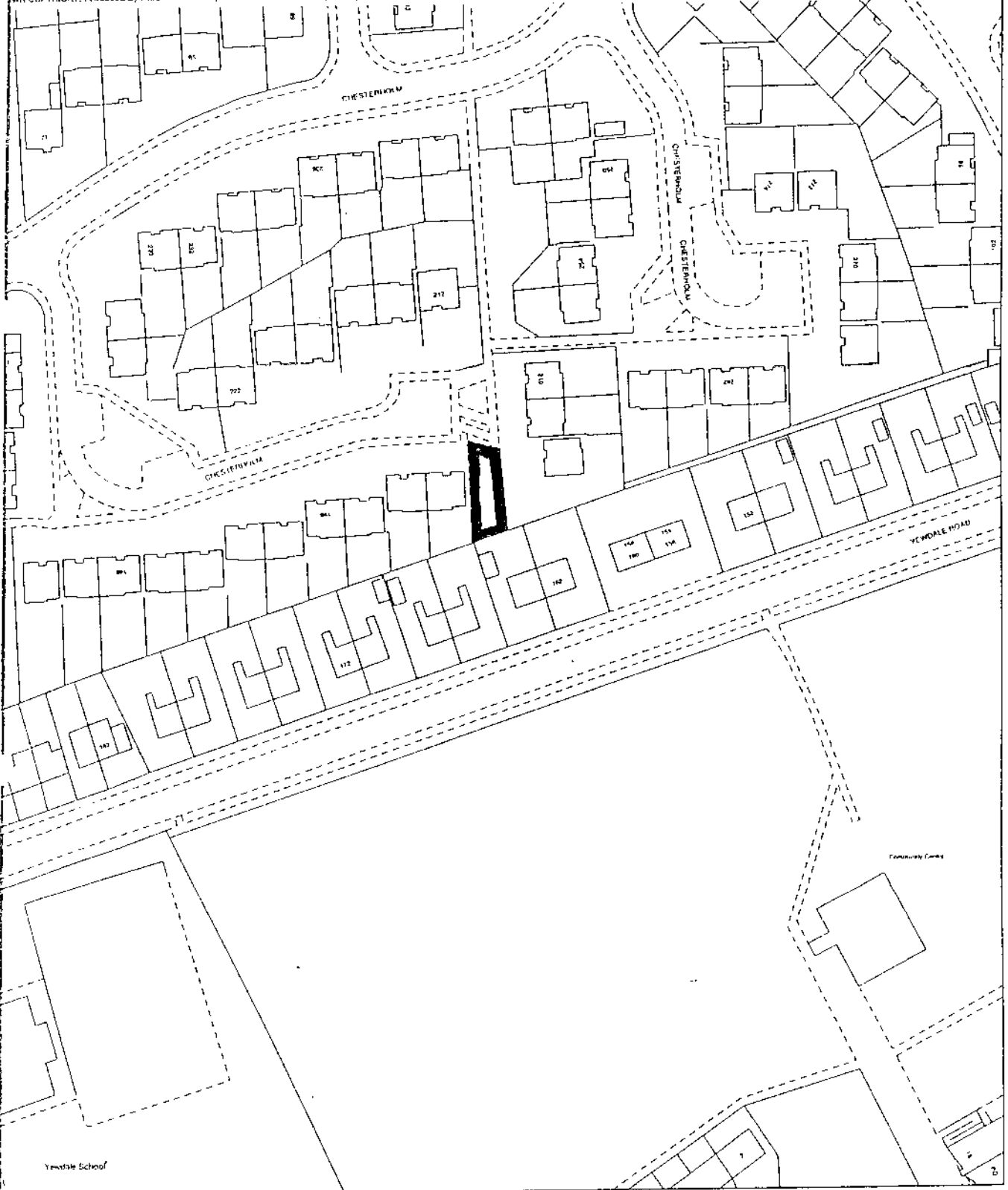


PLANNING SURVEY MAP REFERENCE:

NY3755SW

SCALE 1:1250

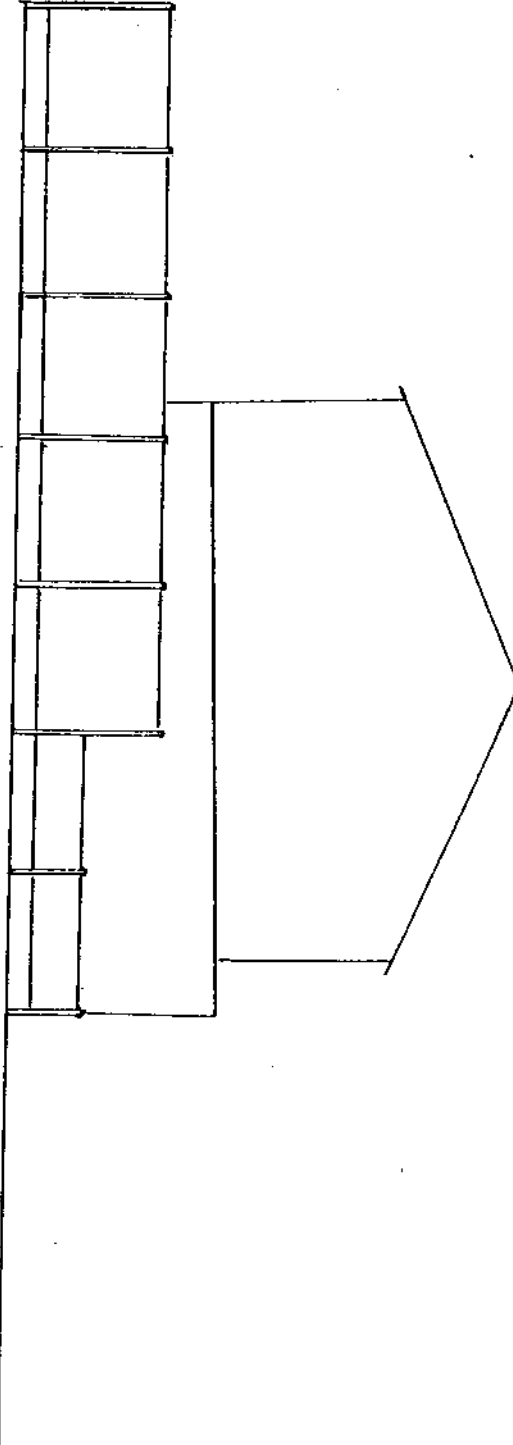
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31 JUL 2001
2001/0687



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2/8/01



01/0687
2/8/01



PLANNING SERVICES	
REF	01/0687
21 AUG 2001/62	
REPLY	EN
STATUS	
APPROVAL	AE
REVISION	

Yewdale Rd
 Carlisle
 18/09/2001

Dear Sir

In reply to your letter
 Ref A/E/DC/01/0687

Proposal to erect a
 2m high fence at 204 Chestersholm
 we object strongly as the estate
 has been open plan, we are sure
 there is a by-law saying the
 estate should be kept that way,
 We hope you will not allow
 this proposal to go ahead.

Yours sincerely

Mr & Mrs G. Milne

The Director Of Enviroment & Development
Carlisle City Council
Civic Centre
Carlisle

Mr C.Haughan
206 Chesterholm
Sandsfield Park
Carlisle
CA2 7XY.

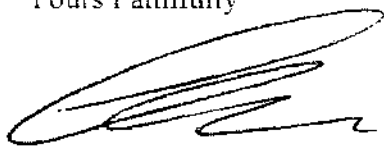
Dear Sir,

Re: Land Between Nos.204 and 206 Chesterholm Sandsfield Park,Carlisle

I would refer to the application for planning permission by the owner of No.204 Chesterholm.Sandsfield Park for a change of use from open space to garden land.I would wish to object to the proposal.My reasons are as follows:-

1. I have seen the plans which accompany the application which show a 2m fence being erected some 12ft from my front window.A fence of this size will be an eyesore and will impact adversely on my amenity.I will be unable to see my children playing in the cul-de-sac and the fence itself would be outkeeping with the general open plan nature of the cul-de-sac.
2. As I understand it the land the subject of the application was originally dedicated as open space when the estate was laid out,indeed the land has been used as an open space/recreation area from the outset.It is used by many children within the cul-de-sac and provides a safe haven where parents can keep a ready eye on their children.I do query whether the council by granting planning permission simply remove the original status of the land.The open space was a major factor on the purchase we made.
3. While it is not necessarily a planning consideration you should be aware that all the properties within the cul-de-sac are subject to a covenant to the effect that no wall or fence is to be erected in or on the boundaries of the front gardens.In reality the proposed fence would abut my front garden contravening this covenant.
4. Before a decision is taken by the planning Committee,I would ask that members of the committee actually inspect the site.Would you please confirm that a site inspection will be carried out.I would also ask that the contents of this letter be placed before the Planning Committee.

Yours Faithfully



Mr Charles Haughan

PLANNING SERVICES	
REF	200110687
17 AUG 2001	
RECORDED	MH
SCANNED	
PASSED TO	AE
ACTION	

10

Mr & Mrs N Patterson,
204 Chesterholm,
Sandsfield Park,
Carlisle,
Cumbria,
CA2 7XY.

Dear Sir / Madam

On the 31/07/01 we submitted a planning application, for change of use of public open space to garden together with erection of 1m and 2m high boundary fences, at the above address, Application Reference No 01/0687.

My wife and I moved to this address in 1995 and discovered the former owners had made inquiries about purchasing the land in question. We contacted Mr S Crabtree, head of Parks and Countryside, to ask about buying the land, he informed us that the land had no formal dedication agreement with the builder Leach Builders Ltd and the City Council, so therefore the Council have no interest in the land, and we had to deal direct with Leach Builders Ltd...

We then traced Leach Builders Ltd to Newcastle and made inquiries about the land, and they forwarded us the relevant paperwork of the purchase procedure. We employed a local solicitor to deal with the legalities, and we waited.

Meanwhile we discovered why the former owners were keen to buy the land and incorporate it into their garden, as it was being used for such purposes as Tipping, Dog fouling, youths making a nuisance of themselves by congregating on it and getting drunk etc, we even had youths attempting to put a house for sale sign through our car window during one drinking session.

At this time we had the backing of Mr & Mrs Kirkwood (206 Chesterholm), Mr & Mrs Joblin (212 Chesterholm), and Mr & Mrs Lowery (210 Chesterholm) who all supported us with the purchase not only to tidy up the cul-de-sac but also stop the area from being misused.

For some reason the land purchase was not moving as quickly as expected, and in the meantime Mr & Mrs Haughan moved into 206 Chesterholm. They asked about the land and I informed them we were attempting to buy the area, Mr Haughan indicated an interest in building a garage in his garden but would require 6ft of land for this to be possible. I had no problems with this request and we agreed that my solicitor would buy the land and divide it up after purchase.

In June 1999 a letter arrived from the council informing me Mr & Mrs Haughan wished to purchase the land. As Leach Builders Ltd were already aware of our interest in the area they felt the land should be divided in a 50% split, which we both agreed too. Leach Builders Ltd wrote to both parties requesting the use of one solicitor to deal with the transfer. Mr Haughan approached us asking that we continue to use our solicitor as they had already made considerable progress in completing searches etc.

Mr Haughan and myself measured the land and a drawing was submitted to Leach Builders Ltd showing the division of the area. During one of the many searches it was highlighted that no permanent building could be erected on the land due to a sewerage pipe. This was of no concern to us but would obviously affect Mr & Mrs Haughans plans.

In the coming months our solicitor wrote to Mr & Mrs Haughan 3 times without reply. On receipt of the 4th letter Mrs Haughan approached me outside my house, where she proceeded to verbally threaten me and inform me that she did not want our solicitor to act on her behalf, she also contacted our solicitor to advise her of her intentions.

Our solicitor then informed Leach Builders that Mr & Mrs Haughan no longer wished her to act on their behalf. Subsequently Leach Builders Ltd wrote to our solicitor asking if we would be willing to purchase the whole area, as they were keen to complete the sale.

We finally purchased and registered the land in May 2001. We were advised by the council that planning permission was not required to erect a fence, letter dated 25th June 2001, and this was followed by a subsequent letter dated 05th July 2001, informing us that we would require planning permission for change of use. Our application for change of use not only took into consideration our neighbours but also to be in keeping with the surrounding properties.

As you can see from the contents of this letter we have endeavoured to be open and honest with our intentions and feel disappointed at the current situation.

Thank you for taking the time to read this and we only hope that common sense will prevail and we are able to change the use of an open space to a garden.

Over the last 6yrs we have retained copies of correspondence relating to the above and these can be made available to any committee member on request.

Yours faithfully



N K & A J Patterson.

SCHEDULE A: Applications with Recommendation

ITEM NO. 21

Date of Committee: 02/11/2001

APPN REF NO:
01/0702 /

APPLICANT:
Mr J Robinson

PARISH:
Carlisle

DATE OF RECEIPT:
07/08/2001

AGENT:
Mr Brian Halliburton

WARD:
Stanwix Urban

LOCATION:

L/Adj White House & 29, Eden Place, Stanwix Carlisle, Cumbria 339604 557168

GRID REF:

PROPOSAL: Erection of dwelling

AMENDMENT: i) Revised elevational, floor and layout plans received
08/10/01.

Angus

REPORT

PLANNING POLICIES:-

CONSERVATION AREA

The proposal relates to land or premises situated within the Stanwix Conservation Area.

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E5

Within Areas of Local Landscape Significance, permission will not be given for development which adversely affects the open character of the areas. Development of open space recreational uses such as golf courses and playing fields which retain the essential open nature will be acceptable. In addition, small scale development within or adjacent to established farmsteads and other groups of buildings, together with buildings associated with and required for the use of the area for open recreational areas will be acceptable 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 amenity of neighbouring property; and
3. there is no unacceptable adverse effect on the character and appearance of the surrounding area; and
4. where appropriate satisfactory access and car parking can be achieved.

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E12

Development which would adversely affect the nature conservation interests of wildlife sites and other sites of nature conservation significance will not be permitted unless:

1. the harm caused to the value of those interests is clearly outweighed by the need for the development; and

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0702 /

2. where practical any environmental feature lost is replaced with an equivalent feature.

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 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.

SUMMARY OF CONSULTATION RESPONSES:-

HIGHWAY AUTHORITY: No objection subject to the imposition of four conditions.

THE RAMBLERS ASSOCIATION: No observations to make so long as access along the Cumbria Coastal Way footpath is maintained at all times.

ENGLISH NATURE: Feel that the application will not be likely to have a significant effect on the candidate Special Area of Conservation.

ENVIRONMENT AGENCY: No wish to make any comments.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0702 /

SUMMARY OF REPRESENTATIONS:-

This application has been advertised in the form of a site notice because the proposal is located within The Stanwix Conservation Area, and, the direct notification of the occupiers of four properties. In response no formal observations have been received although a neighbouring resident has informally raised concerns over a loss of view and the relationship of the proposed dwelling to neighbouring properties. A letter of objection is anticipated at the time of writing the report.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

In 1991, under application reference number 91/0083, planning permission was given for the erection of two bungalows.

In 1999, application number 99/0709, outline permission was given for the erection of a dwelling.

DETAILS OF PROPOSAL

This application relates to land lying between the property known as The White House and the end terraced house at 29 Eden Place. The site backs onto a footpath which runs parallel to the River Eden. The White House has rendered walls with a slated roof. The terraced houses adjoining the site have tiles roofs, and, hung tiled and brick walls with upvc cladding.

The revised proposal comprises the erection of a two storey house with a tiled roof, a combination of brick and rendered walls, and, artstone cills, quoins and lintels - see attached copies of plans.

When considering the informal comments made by the neighbouring resident, Members will already be conscious that the loss of a private view is not a material planning consideration. The submitted section also shows the graduation from the White House to the proposed dwelling and existing terraced houses in line with the topography of the area.

In the existing context the proposal is considered acceptable although further details are being sought from the applicant's agent because the proposed side elevation does not tie in with submitted floor plan. On the basis that this matter can be resolved the proposal is recommended for approval.

RECOMMENDATION:-

APPROVE WITH CONDITIONS ✓

1. Standard time limit
2. Before the dwelling is occupied the parking/turning area shall be

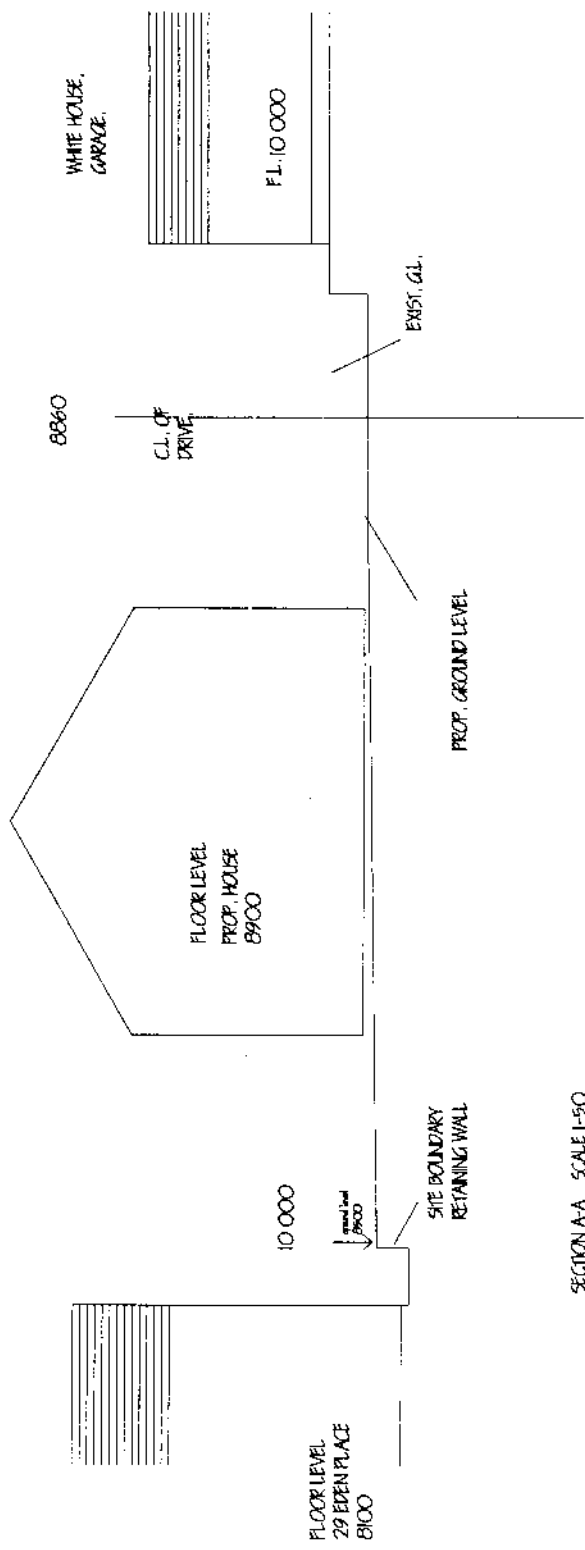
Supp Schedule
Plans 3

SCHEDULE A: Applications with Recommendation

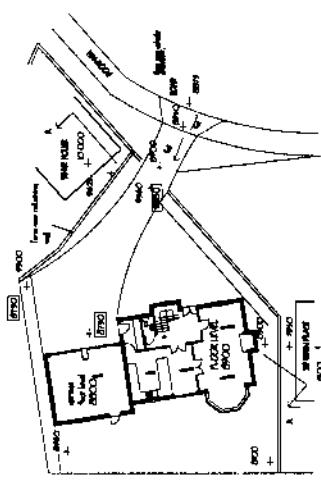
Schedule continued for 01/0702 /

provided together with vehicular access thereto in accordance with the approved plans. The access and parking/turning area shall be used for no other purpose without the prior approval of the local planning authority.

3. The dwelling shall not be occupied until a means of vehicular access has been constructed in accordance with plans to be approved beforehand by the local planning authority.
4. Hard surface details
5. Materials - submission of samples
6. Details of screen fencing/walling
7. Before development is started details shall be submitted to and approved by the local planning authority showing the proposed measures for the retention of the existing hedgerow along the western boundary, specifying the stage in the development by which these measures are to be completed.

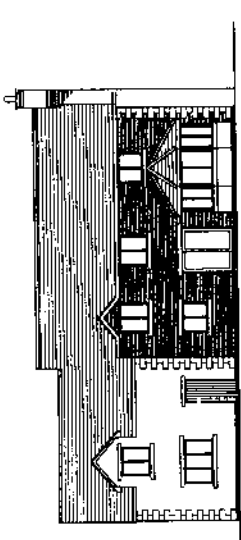


SECTION A-A SCALE 1:50

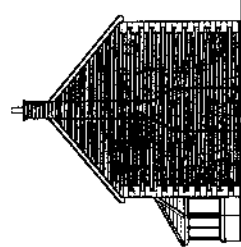


A) SITE ORIENTED FLOOR PLAN
 PROPOSED DWELLING,
 ADJ. WHITE HOUSE, EDEN PLACE
 SYDNEY, CABLE.
 J. ROBINSON ARCH.
 SITE LAYOUT.
 scale 1:200
 sheet No. HW/809/2 A
 may 2001

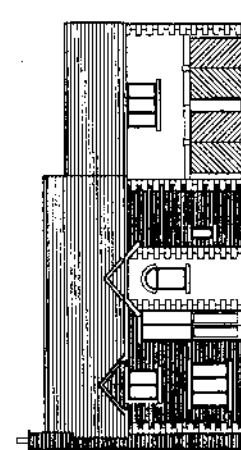
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 2001/1/02



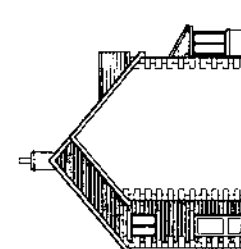
rear elevation



side elevation.

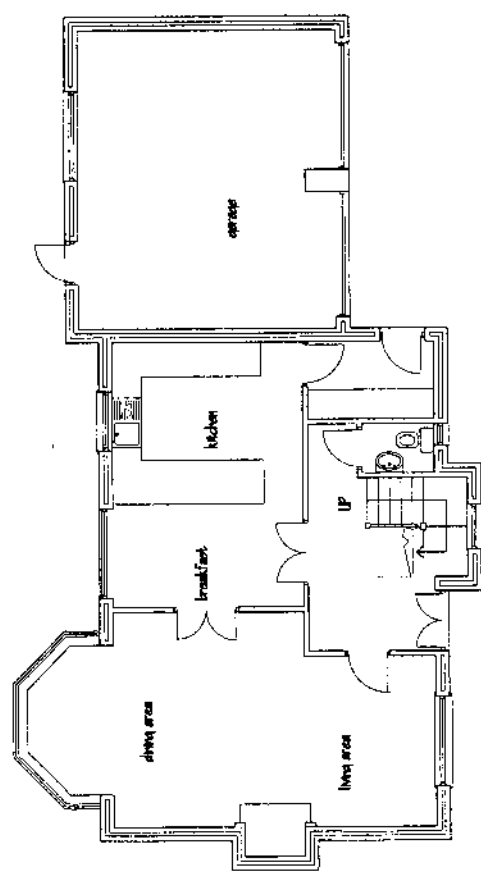


front elevation.

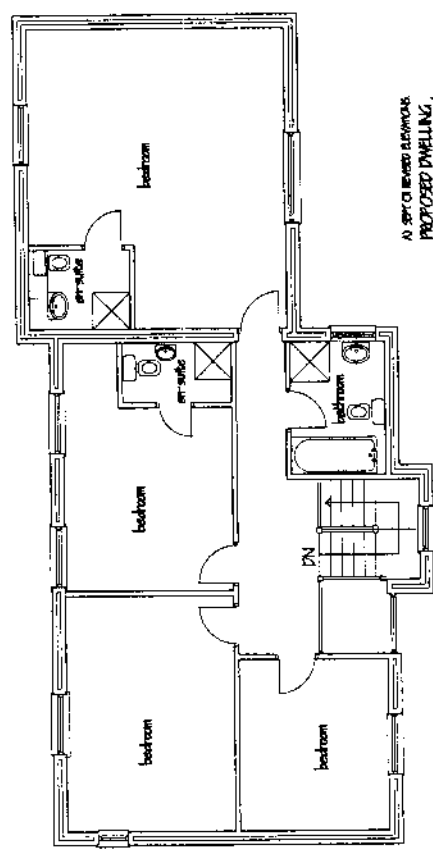


side elevation.

Redwood Shakes concrete roof tiles
 UPVC double glazed windows
 smooth painted concrete exterior
 grey stone ch. & spere
 red / brown facing
 brickwork.



ground floor plan

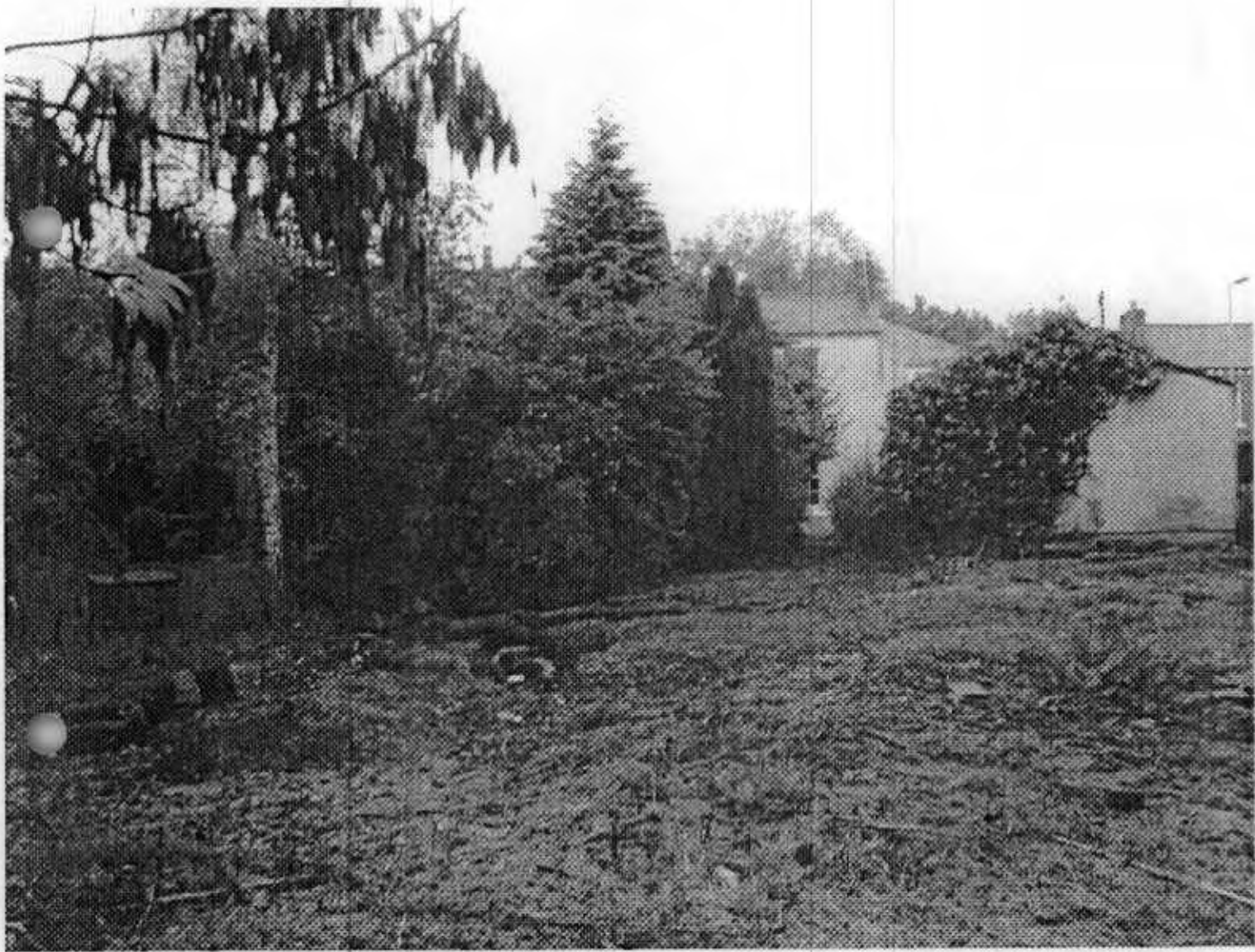


first floor plan

AN OFFICE DRAWING BY
 PROPOSED DWELLING,
 1021 WHITE HOUSE, EDEN PLACE,
 STANBOL, CARLEILE.
 J. ROBINSON ARCH.
 10881118
 scale 1:50, 1:100
 drawing No. MM/ 809/1/A
 26.05.1974
 MAY 2001









SCHEDULE A: Applications with Recommendation

ITEM NO. 22

Date of Committee: 02/11/2001

APPN REF NO: 01/0724 /
APPLICANT: Wm Morrison Supermarkets PLC
PARISH: Carlisle
DATE OF RECEIPT: 13/08/2001
AGENT:
WARD: Stanwix Urban
LOCATION: Morrisons, Kingstown Road, Kingstown Carlisle, Cumbria
GRID REF: 339900 558200
PROPOSAL: Amendment to allow deliveries to the store between 12.00 midnight and 7.00am

Alan

REPORT

PLANNING POLICIES:-

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;

HEAD OF ENVIRONMENTAL SERVICES: this Division raises extreme concern regarding this application as unlike other similar sized supermarkets in Carlisle the store is surrounded by domestic premises. The existing constraints limiting deliveries were put in place to prevent disturbance to local residents at unsociable hours. Complaints regarding disturbance have only occurred when the applicants have breached the restrictions on delivery times. It can, therefore, be assumed that current restrictions are working to prevent nuisance. After consulting with other local authorities who have similar premises in close proximity to residential properties it would appear that complaints of noise frequently occur when deliveries are not limited and noise proofing such as sound proof overhanging have limited success. The result is that local residents are subjected to unreasonable nuisance. The application should not be approved.

SUMMARY OF REPRESENTATIONS:-

Extensive publicity has been afforded these proposals through

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0724 /

the use of Site Notice display and neighbour notification by letters sent to 37 properties. In response 9 letters of objection have been received including one letter with a petition signed by 68 persons. The objections relate to increased noise nuisance to nearby homes through vehicle movements and off-loading activities during the night. Some writers also note, correctly, that the application seeks approval for all deliveries to be able to be made, not merely those relating to fresh foods/dairy produce where the existing approval permits up to 4 deliveries per day to be made commencing at 0700 hours but all general deliveries to be made between 0800 hours and midnight.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

Members will know that planning consent to develop a superstore at the Kingstown Meadows housing site at Moorville was approved following a Public Inquiry, in May 1986. Wm Morrisons' obtained detailed planning permission to develop the site for their purposes in May 1987. The store and filling station have subsequently been altered through approvals obtained in 1994, 1996 and 1999.

In 1996 the Company applied to vary a planning condition restricting the hours that deliveries may be made to the store but that application was withdrawn in January 1997. A re-submission of that proposal, specifically to allow up to 4 deliveries of fresh food and dairy produce commencing at 0700 hours but otherwise retaining the existing restriction that prevents deliveries between 1200 midnight and 0800 hours, was approved in September 1999.

DETAILS OF THE PROPOSALS

The planning approval under which Morrisons trade includes a number of conditions including a condition which limits the times that the store may receive service deliveries. That condition, imposed by the City Council in 1987, specifically is intended to minimise the risk of disturbance to residents bordering the south and eastern site boundaries (nearest the service yard) from vehicle movements at unsociable hours i.e. after 12 midnight and before 0800 hours.

In September 1999 the Company applied to vary that condition. The submission initially sought approval to deliver all goods to the store between 0700 hours and midnight. Through negotiation, and in response to local residents' concerns, that was later amended in order that only some limited deliveries could take place one hour earlier in the morning i.e. 0700 hours.

The Company's case in support of that application (as amended) was that deliveries of fresh foods were required so that they could be on the shelves prior to the store opening for trade and that the number of such deliveries e.g. milk, dairy produce was limited. Accordingly the condition was modified to allow up

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0724 /

to 4 deliveries of such produce from 0700 hours.

The current now application seeks the wholesale removal of the relevant planning condition in order to allow unrestricted deliveries of all produce to the store at all times. The application is supported by a letter from the applicants that seeks to justify the proposal on the grounds that customers of the store are disadvantaged by "poor availability of products on offer but also having to cope with the inconvenience of numerous pallets on the sales floor".

The letter supporting the submission concludes by stating that if the proposal was not thought to be appropriate the Company are prepared to amend the application to allow vehicles to deliver from 0600 hours in order to alleviate some of the pressure.

Further clarification of the proposal has revealed, however, that it is not merely earlier delivery of fresh food and dairy products that is sought but unrestricted delivery of all goods and produce at all times, or in the alternative from 0600 hours. In simple terms the Company are asking that the approval they initially pursued in 1999 is not only re-visited but that all deliveries are permitted on an unrestricted basis or, if that is not acceptable to the LPA, all deliveries are permitted from one hour earlier than the 1999 amended condition allows.

Members will note that local residents and the Head of Environmental Services have expressed concern about the proposal and its potential to lead to increased noise nuisance to adjacent occupiers. That is clearly an issue that warrants careful evaluation in view of the very close proximity of housing to the delivery area. Members should therefore have regard to Policy H17 of the District Local Plan which provides guidance to assist in the consideration of proposals which affect Primary Residential Areas, within which the adjacent dwellings are situated. Whilst the application site is not within a PEA it is clearly logical that the criteria set out under H17 are applied when judging this application since the impacts are on the PEA and not the application site itself.

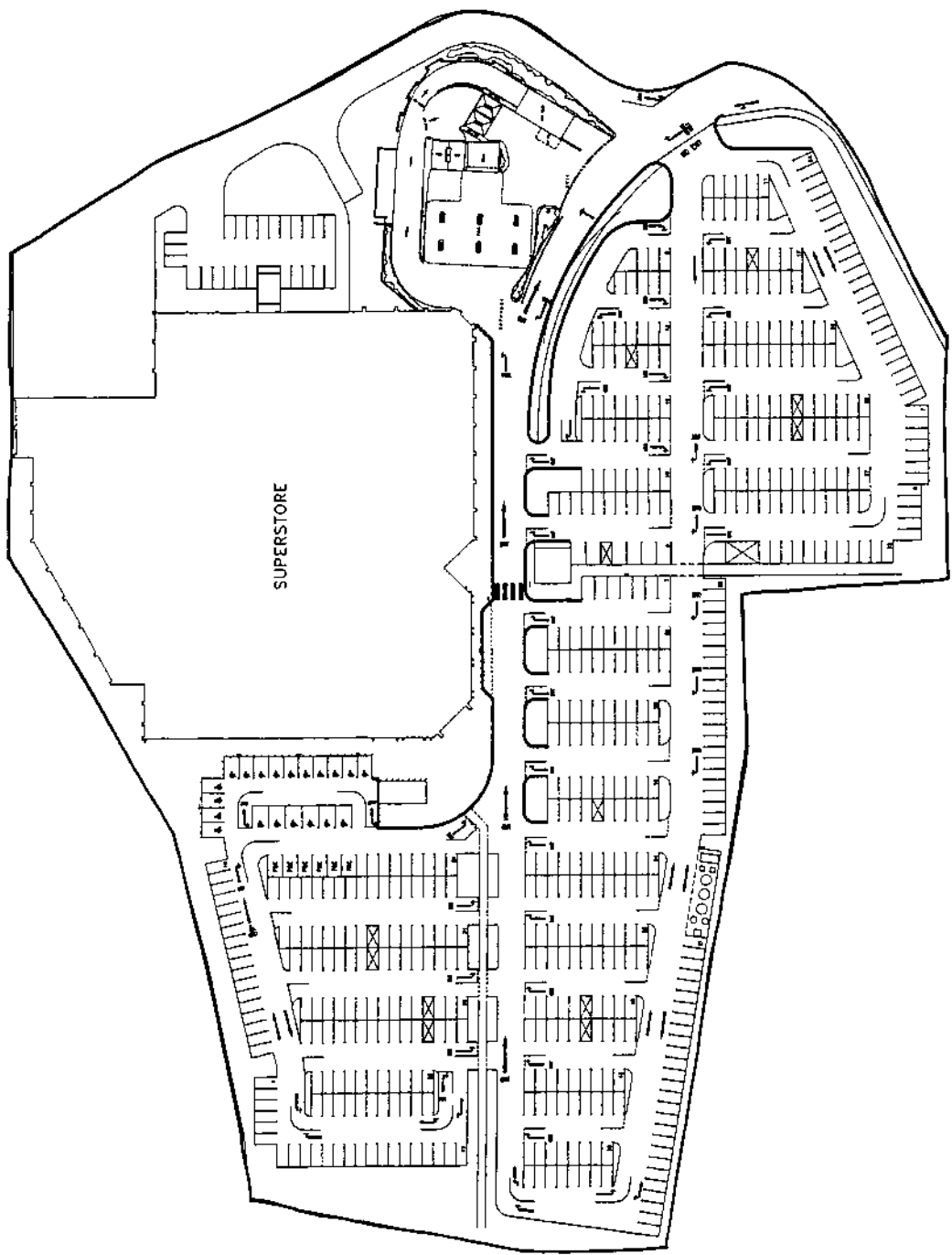
Having regard to the provisions of Policy H17 and the views expressed by the Head of Environmental Services in relation to complaints of disturbance it is recommended that the application be rejected.

RECOMMENDATION: -

REFUSE ✓

1. REASON: The proposed extended hours of delivery would result in a serious and unacceptable increase in noise and disturbance at unsocial hours to the severe detriment of the amenity of adjacent and nearby occupiers of neighbouring residential properties. The proposal would therefore conflict with the provisions of Policy H17 of the Carlisle District Local Plan.

All work to be carried out in accordance with the requirements of the Building Regulations 1981. The Contractor must verify all dimensions of the site and any existing structures before commencing any work on the site. The Contractor must ensure that all work is carried out in accordance with the Building Regulations 1981.



Site Area =
CAR PARKING
 579 Spaces
 + 20 Disabled
 + 6 Parent & Child
 + 12 Trolley Bays

REVISIONS
 No. Date Description
 1 1/100 Junctions added to PPS
 2 1/100

LOCATION **CARLISLE**
 PROJECT Existing
 DRAWING TITLE **Site Plan**

Scale 1:500 Date 21.3.00 Drawn by J.F.

WIN. MORRISON SUPERMARKETS PLC
 PROPERTY & DEVELOPMENT DIVISION
 HILMORE HOUSE
 10 BDR 9AX
 27A 494140



DRAWING No. 04A/rel/01 Revision A

RECEIVED
 11 JUL 2000
 ...



Wm MORRISON SUPERMARKETS PLC
Property and Development Division

HILMORE HOUSE • THORNTON ROAD • BRADFORD • WEST YORKSHIRE BD8 9AX
Telephone BRADFORD (01274) 494140 • Fax (01274) 498395

Sir Kenneth D. Morrison - Chairman • J. Dowd - Managing Director
M. Ackroyd FCT • M. Gunter • M.M. Meinyk • R.A. Owen FRICS MCI Arb • R.W. Stott

Our Ref: *JBC/CG*

Your Ref:

Date: 8 August 2001

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

For the attention of the Planning Office

Dear Sirs

**CARLISLE STORE – REMOVAL OF EXISTING CONDITION TO ALLOW DELIVERIES
BETWEEN THE HOURS OF 12.00 MIDNIGHT & 7.00 AM**

We are currently suffering severe problems with not being able to make deliveries between the hours of 12.00 midnight and 7.00 am. The customers who shop with us during the morning are becoming increasingly despondent, not only with the poor availability of products on offer but also having to cope with the inconvenience of numerous pallets on the sales floor. As a Company we pride ourselves on our very high standards of shopkeeping which unfortunately, due to the current delivery restrictions, we are unable to maintain at this particular store.

We therefore wish to apply to remove this condition from our current Approval, and enclose four copies of the relevant drawings, your statutory Planning Application forms duly completed and signed, and a cheque in the sum of £95.00. We trust the enclosed are satisfactory for a formal Planning Application.

We appreciate the sensitivity of this issue and would confirm that if our initial request is deemed unacceptable then we would be prepared to amend our application to allow vehicles to commence deliveries from 6.00 am, as this would still alleviate some of the pressure.

Should further discussions be required on this matter please contact John Clegg at the above address.

Yours faithfully

Wm Morrison Supermarkets PLC

Wm Morrison Supermarkets PLC
Property and Development Division

Enc

PLANNING SERVICES	
REF	2001/0724
13 AUG 2001	
RECORDED	MMJ
SCANNED	
PASSED TO	AMT
ACTION	



Wm MORRISON SUPERMARKETS PLC
Property and Development Division

HILMORE HOUSE • THORNTON ROAD • BRADFORD • WEST YORKSHIRE BD8 9AX
Telephone BRADFORD (01274) 494140 • Fax (01274) 498395

Sir Kenneth D. Morrison - Chairman • J. Dowd - Managing Director
M. Ackroyd FCT • M. Gunter • M.M. Melnyk • R.A. Owen FRICS MCI Arb • R.W. Stott

PLANNING SERVICES	
REF	0110724
06 SEP 2001	
RECEIVED	
ASSIGNED TO	AT
ACTION	

Our Ref: *JBC/MT*

Your Ref:

Date: 4 September 2001

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

For the attention of A M Taylor Esq

Dear Sirs

CARLISLE STORE - REMOVAL OF EXISTING CONDITION TO ALLOW DELIVERIES BETWEEN THE HOURS OF 12.00 MIDNIGHT AND 7.00AM - APPLICATION REF.01/0724

Further to your recent telephone conversation with John Clegg we confirm that our application is to amend the current delivery restriction to allow deliveries of both perishable and non-perishable goods.

Should further discussions be required on this matter please contact John Clegg at the above address

Yours faithfully

Wm Morrison Supermarkets PLC
Property and Development Division

s:\09c.030901.jbc

Registered in England No. 358949

Carlisle City Council
Environmental Services

INTERNAL MEMORANDUM

PLANNING SERVICES
REF: 01/0724
23 AUG 2001
RECORDED EN
SCANNED
PASSED TO AMT
ACTION

From: HEAD OF ENVIRONMENTAL SERVICES
To: HEAD OF PLANNING
FAO: Alan Taylor

Please ask for: Janet Evans
Extension: 7335
E-mail: Janet Evans
Your ref:
Our ref: 5/017/1/JE/LM
21 August 2001

CONSULTATION ON PLANNING APPLICATION
APPLICATION NUMBER 01/0724

AMENDMENT TO ALLOW DELIVERIES TO STORE BETWEEN 12.00 AND 7AM

This Division raises extreme concern regarding this application.

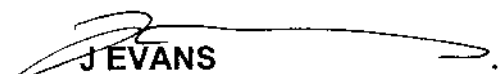
Unlike other similar sized supermarkets within Carlisle the premises is surrounded by domestic premises.

The existing constraints limiting deliveries were put in place to prevent disturbance to local residents at unsociable hours.

Complaints regarding disturbance have only occurred when Morrisons have breached the restrictions in delivery times, it can therefore be assumed that current restrictions are working to prevent nuisance.

After consulting with other Local authorities who have similar properties in close proximity to residential properties it would appear complaints of noise occur frequently when deliveries are not limited and noise proofing such as soundproof overhanging have limited success resulting in local residents being subjected to unreasonable nuisance.

I would not wish to see this application approved.


J. EVANS
Environmental Health Officer

PLANNING SERVICES	
REF	01/0724
05 SEP 2001	
FOR	AMT
PASSED TO	AMT
ACTION	PASS TO

BRIAN CARRUTHERS
 67 GOSLING DRIVE
 KINGSTOWN ROAD
 CARLISLE
 CA3 0QC
 2/9/01
 App. REF 01/0724

Dear Sir,

I wish to express my objection to the above application by Morrisons to allow unloading between 12.00pm - 7.00am.

We currently suffer enough noise due to Morrisons, this week alone we have had to complain to Morrisons and the Police twice because we have been woken up at 04.30am on 28/8/01 and 02.10am on 29/8/01 by people screaming around the car park (this happens very often) but both Morrisons and the Police say they can do nothing to stop it?

P.T.O

On top of this, often H.G.V's perk
up on the corports, and either start
up and rev engine early in the morning
or have refrigerator motors running all
night. We have had enough of all this
and do not need any more noise
generated by Morrisons

Yours sincerely
Bina Carver

81 Lansdowne Cres.
Carlisle.

30. 08. 01

PLANNING SERVICES	
REF	01/0724
3	ADD 200140
RECORDED	EN
SEARCHED	
INDEXED	AMT
ACTION	

Dear Mr Taylor,

Re Planning proposed
Morrisons, Rufford Rd.

We are writing to register our opposition to the proposal that delivery hours should be extended at the above premises between the hours of 12.00 midnight and 7.00 am.

Morrisons loading bays are within approx. 100 meters of our property and the inevitable noises associated with delivery are already a factor in the quality of life.

We would certainly not wish
that this should be extended
to include the hours between
midnight and 7.00 am.

Mormons should have
foreseen, we feel, the conflict
of interests when they decided
to site their premises so close
to a residential area.

Yours faithfully

J. Greenwood

2nd Greenwood.

83 Lansdowne Crescent.

Your ref AMT/DC/01/0724

Carlisle. CA3 9ER

30 August 2001.

Dept of Environment & Development.

Planning Service Div.

Civic Centre. Carlisle.

PLANNING SERVICES	
REF	01/0724
30 AUG 2001 16	
RECORDED	en
SCANNED	
PASSED TO	AMT
ACTION	

Dear Sir.

Planning Ref 01/0724 Horriant.

Reference your letter dated 13 August 2001
I object most strongly to the current application
to amend the current restrictions to allow
deliveries to the store between 12.00 midnight & 7.00

My home immediately abuts the service area
& noise disturbance is a constant problem.

The present amended permission for the delivery
of fresh goods by up to four vehicles between
the hours 0.700 & 12.00 midnight has added to the
problem.

For the Planning Authority to consent to a further
amendment, which in effect would allow unrestrict-
ed delivery at any time, & in any quantity
is frightening.

Would you please acknowledge receipt of this
letter of objection.

Yours faithfully
Mary Merritt.

77 Lansdowne Crescent.

Carlisle. CA3 9ER

29. 08. 01.

PLANNING SERVICES	
REF	01/0724
	13 AUG 2001 13
RECORDED	an
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Dept. of Environment & Development.

Planning Services Division
Civic Centre. Carlisle.

Dear Sir.

Motion Ref. 01/0724.

Reference Your letter dated 13.08.01.

Whilst the application document did not give a reason for the proposal, I understood that it is associated with a move to amend considerably the original planning conditions regarding delivery times.

The applicant elected to build the store abutting existing residential development. They were not forced to do so, ^{and} at the time accepted the conditions imposed upon them seeking to protect the interests of the existing development.

My objection to any further amendment is ongoing and equating to the following possible situations.

Amendment to deliveries between 08.00 and 12.00 midnight

The current permission allows a relaxation for the delivery of fresh goods by up to 4 vehicles between the hours of 07.00 and 12.00 midnight. Noise nuisance is still a problem and a proposal to move to an earlier start would be most objectionable, representing a further affront on the "quiet hours" by the applicant.

Amendment to allow deliveries between 12.00 midnight and 07.00 am.

This is a far reaching amendment and would permit unrestricted delivery at any time, and in any quantity, between 08.00 am one day until 08.00 the next. An extreme situation could develop when the applicant delivered all its goods between 12.00 midnight and 08.00 if commercial advantage dictated, with no regard to the effect on residents.

The applicant's plea since the store opened has been one of seeking to reduce the original conditions on delivery times, imposed by the Planning Authority, to the detriment of residents through noise and disturbance.

I trust that the Planning Authority will accept this objection to the current proposal and I would be obliged if you would acknowledge receipt of this letter.

Yours faithfully.

J. S. Bowman

J. S. Bowman

Department of Environment &
Development Planning Services Division
The Civic Centre
Carlisle

Your ref: AMT/DC/01/0724

Dear Sirs

RE: Proposed amendment to extend delivery times at Morrisons Superstore

I refer to your letter of 13th August and wish to make a formal objection to the above proposal.

If I recall correctly one of the provisos for Morrisons receiving planning permission in the first instance was that no deliveries were to be made between the hours of 11pm & 7am.

My concerns are the extra traffic & the noise that extended delivery times will result in. The lane for the delivery trucks runs right along the side of our garden. At present wagons come at all times and park up until they can deliver when they should not even be in a built up area. I have already had to phone the police on occasion to attend to wagons sitting with their engines running and waking my household up.

I trust that my objection will be noted accordingly and await the outcome of the proposal with interest.

Yours faithfully

S Thompson

Mrs S Thompson

REF	01/0724
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168 Scotland Road
Carlisle

24/8/01

Date 24th August 01

Department of environment and Development
Planning Services Division
The Civic Centre
Carlisle
CA3 8QG

Mrs. D B Thompson
170 Scotland Road
Stanwix
Carlisle
CA3 9HA

Dear Sir,

Proposal: Amendment to allow deliveries to the store between 12.00
Midnight and 7.00am

Location: Morrisons, Kingstown road, Kingstown, Carlisle, Cumbria
Appn ref: 01/0724

I write to complain with regard to the above proposal. I object to the proposal due to the rear of my house overlooking the goods inward entrance in question. I currently find it extremely noisy during the day, with vehicles coming and going, raised voices, banging and clashing during the unloading process.

I Feel that by allowing deliveries to take place during the night I would be subjected to sleepless nights and as I have lived at my current address for the last 25 years and pay a considerable amount in council tax. I would like to see this area protected as a quiet residential area.

I have adjusted to the noise from Morrison during the day but I do not feel I should have to make this adjustment during the evening.

I look forward to your comments

Yours faithfully

D B Thompson

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PLANNING SERVICES	
REF	01/0724
28 AUG 2001 36	
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PASSED	AMT
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Major (Retired) RW Ball MBE
 42 Woodlands Close
 Carlisle
 CUMBRIA CA3 9BS

Mr AM Taylor
 Department of Environment & Development
 Planning Services Division
 The Civic Centre
 Carlisle
 CA3 8QG

Tel: 01228 402643

22 Aug 2001

Dear Sir,

Thank you for your letter of the 13th Aug regarding the application by Morrison's of Kingstown Road to unload their goods extending to 0001 hrs to 0700 hrs.

I object most strongly to this proposal on the following grounds:

- a. The noise levels emanating from the premises during the daytime result in disturbance within my property even with the windows closed. To allow this to happen at night will result in complete degradation of home life for myself, my wife (who is severely disabled with Multiple Sclerosis). She requires uninterrupted rest in order to contend with her illness.
- b. There have been representations in the past by myself and other residents to challenge the applications to alter and amend the operation, the last adjustment being in late 1999 when the case put forward was "to meet the customers requirements", this change brought about unloading from 0800 to 0700 hours. Only this morning (22 Aug 01) the agreed time was again broken as activity within the unloading area commenced at 0645 hours. It is apparent that unless the position is reinforced to comply with the regulations laid down, that abuse will continue. This latest request now appears to be a case of Oliver Twist, once more, they want more. To grant this application would make living in the area untenable and will reduce the quality of life to an unacceptably low level. Delivery vehicles park in the area overnight which I believe is against the city ordinance and when the vehicles are allowed in the yard they reverse using the warble or single note reversing warning. This is exactly like alarm clocks! Reversing is followed by shouted directions and every pallet removed from the vehicle can be heard rattling along the bed of the vehicle - bad enough in the day - horrific at night.
- c. The neighbourhood consists in the main of retired people who are trying to enjoy their final years, to inflict this kind of pressure at this time of life is totally inhuman, and contravenes article 25 of the declaration of human rights in that the application is based on commercial aspects and does not appear to bear a thought for the residents. The alternative proposal to

accept 0600hours instead of all night for offloading appears to be the real reason for the application and is tantamount to blackmail. If the Managers of Morrisons would accept 1 hour instead of an all night trade off to achieve, what they say, is service to the customer, the application in the present or amended form, should be refused. The unloading and repacking aspects should be revisited to identify a more efficient method whilst considering the rights of the neighbours.

The store is a great asset to the area but the penalties of it being so close are starting to far outweigh the benefits. The delivery cycle need not be in the evening/night time as all commodities including the dairy products appear on the shelves for 2-3 days.


I invite the environment department to make available to the Council the results of the noise survey previously carried out and which proved to be far in excess of that allowed, even when measured from inside my bedrooms. I also invite them to check the output from the cookers which have been relocated and which contaminate the general area with chicken smells and encourage the presence of gulls who consistently flog and foul the area.

In summary, I respectfully request the Council to refuse the application in full, on this occasion and ensure that the store management is made to maintain the standards already designed to support the needs of the people who have made their home in this area.

I am copying this letter to the local representatives of the Council and request them to represent the views expressed at the hearing for the application.

I am Sir

Yours truly


RW BALL

Major (Retired) RW Ball MBE
42 Woodlands Close
Carlisle
CUMBRIA CA3 9BS

Mr AM Taylor
Department of Environment & Development
Planning Services Division
The Civic Centre
Carlisle
CA3 8QG

Tel: 01228 402643

26 Aug 2001

Dear Sir,

In response to your letter of the 13th Aug regarding the application by Morrison's of Kingstown Road to unload their goods extending to 0001 hrs to 0700 hrs.

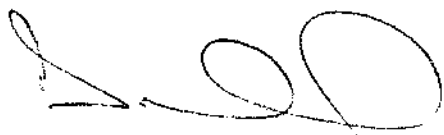
I have ascertained the views and feelings of the residents closest to the area of the unloading yard and attach a petition of objection to the application.

Would you please accept this petition for appropriate action

Again, I am copying this letter to the local representatives of the Council and request them to represent the petition at the hearing for the application.

I am Sir

Yours truly


RW BALL

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INDEXED	01/0724
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PETITION TO THE CARLISLE CITY COUNCIL

1. The undersigned residents in Woodlands Close and Lansdowne Crescent object most strongly to the application by Morrisons to be allowed to unload or load vehicles during the hours of 12 midnight and 0700hrs.

Date	Name	Woodlands House Number	Lansdowne House Number	Signature
23.8.01	R. SOU.	42	-	R. Sou.
24.8.01	J. K. WATERS	17		J. K. Waters
"	B. Shepherd	15		B. Shepherd
"	H. James	13		H. James
"	V. L. WATERS	17		V. L. Waters
"	B. A. JAMES	13		B. A. James
"	M. B. JAMES	11		M. B. James
"	T. E. BRUCE	5		T. E. Bruce
"	T. E. JAMES	7		T. E. James
"	M. OSHIP	3		M. Oship
"	J. M. HINDLEY	1		J. M. Hindley
"	D. M. MARSHALL	2		D. M. Marshall
"	M. E. ROSS	4		M. E. Ross
"	V. EDHUNTER	8		V. Edhunter
"	G. BLACKBURN	16		G. Blackburn
"	M. THOLSON	18		M. Tholson
"	R. OWEN	22		R. Owen
"	J. A. HUTCHINSON	24		J. A. Hutchinson
"	J. BUNTING	36		J. Bunting
"	A. BUNTING	36		A. Bunting
"	M. JAPIRIC	32		M. Japiric
"	J. HAWES		110	J. Hawes
"	J. BURT		112	J. Burt
"	E. DOBSON		124	E. Dobson
"	D. M. BOWEN		130	D. M. Bowen
"	M. NICHOLSON		136	M. Nicholson
"	S. LATERDA		148	S. Laterda
"			139	E. HINDSON
"	D. ROBSON			D. Robson
"	M. MARKIE		135	M. Markie
"	J. GIBSON		140	J. Gibson

PETITION TO THE CARLISLE CITY COUNCIL

1. The undersigned residents in Woodlands Close and Lansdowne Crescent object most strongly to the application by Morrisons to be allowed to unload or load vehicles during the hours of 12 midnight and 0700hrs.

Date	Name	Woodlands House Number	Lansdowne House Number	Signature
	D. HULLINGTON		133	D. Hullington
	R. HULLINGTON		126	R. HULLINGTON
	E.S. LAMB		119	E.S. Lamb
	C. SELF			C. Self
	J. HOPE		144	J. Hope
	M. MERCER		83	M. Mercer
	L. HUNTER		75	L. Hunter
	P. SCOTTES		75	P. Scottes
	J. TAYLOR		73	J. Taylor
	S. THOMASON		71	S. Thomason
	D. THOMPSON		170	D. Thompson
	V. Tweedle		174 Scotland Rd	V. Tweedle
	M. Aldron		116 Scotland Rd	M. Aldron
	A. Aldron		106 Trill Rd	A. Aldron
	A. Johnson			Johnson A
	V. Hodgson		106 Lansdowne Cres	V. Hodgson
	J. NAPIER	38		J. Napier
	E. J. CAPE	9	WOODLANDS	E. J. Cape
	R. CAPE	9	Woodlands Close	R. Cape
	T. B. STUBBS	3		T. B. Stubbs
	T. MCSTAY	12		T. McStay
	G. A. McILROY	14		G. A. McIlroy
	MAY BOYLE	20		May Boyle
	C. M. JOHNSON	26		C. M. Johnson
	J. TILKNER	30		J. Tilkner
	C. M. GREENWOOD	31	81	C. M. Greenwood
	J. P. GREENWOOD		81	J. P. Greenwood
	C. HODGSON			C. Hodgson
	M. ROBSON			M. Robson
	B. ROBSON		108	B. Robson
	J. KILGINT		120	J. Kilgint
	D. FRAME		132	D. Frame

PETITION TO THE CARLISLE CITY COUNCIL

1. The undersigned residents in Woodlands Close and Lansdowne Crescent object most strongly to the application by Morrisons to be allowed to unload or load vehicles during the hours of 12 midnight and 0700hrs.

Date	Name	Woodlands House Number	Lansdowne House Number	Signature
	KAREN CLARKE <i>[Signature]</i>		4	<i>[Signature]</i>
	KAREN ATHERTON <i>[Signature]</i>		5	<i>[Signature]</i>
	FJ. ROBSON <i>[Signature]</i>		3	<i>[Signature]</i>
	J. TIMMINS <i>[Signature]</i>		1	<i>[Signature]</i>

CARLISLE CITY COUNCIL
CIVIC CENTRE
CARLISLE

1 Woodlands Close
Stanwix
Carlisle
Cumbria
CA2 9BS

20 AUGUST 01

RE- PLANNING APPLICATION FOR MORRISONS

Dear Sir

I must strongly object to any alteration in the planning application for loading or unloading any goods at Morrisons Kingstown Road.

The noise at anytime day or night, is more than enough to have to endure, with banging doors and the sound of reversing alarms on H.G.V. vehicles.

There are already some vehicles coming in the night and parking waiting to unload the next morning, May I ask if the Council have done any monitoring of the situation in recent years?

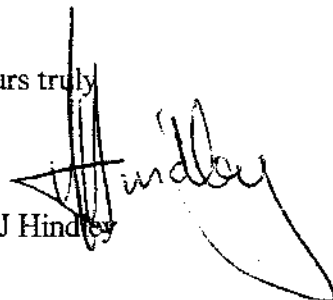
I would like to add that this store should not have built there in the first place so close to residential homes.

May I also add that there has been a huge increase in seagulls in the past few years, probably because of rubbish lying about, and the floodlights are encouraging birds much later into the night, disturbing sleep and rest.

Would you please pass a copy of this letter to your environmental department? They may take action to improve the environmental standard.

Yours truly

Mr J Hindley



PLANNING SERVICES	
REF	01/0724
22 AUG 2001 38	
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SCHEDULE A: Applications with Recommendation

ITEM NO. 23

Date of Committee: 02/11/2001

APPN REF NO:
01/0785 /

APPLICANT:
Susan Hutton

PARISH:
Carlisle

DATE OF RECEIPT:
29/08/2001

AGENT:

WARD:
Belle Vue

LOCATION:
24 Berkeley Grange, Carlisle Cumbria

GRID REF:
337850 556000

PROPOSAL: Election of fence

Angus

REPORT

PLANNING POLICIES:-

CARLISLE DISTRICT PLAN
ENVIRONMENT - POLICY E50

The loss to built development of significant public and private open spaces within settlements 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 in the form of the direct notification of the occupiers of four neighbouring properties. In response two letters of objection have been received. The issues raised are: the applicant should not be erecting fencing because Berkeley Grange is an open plan estate; no one else has violated the terms of residence within Berkeley Grange and further action will be taken to enforce the removal of the fencing; the erection of the fencing commenced before applying for planning permission; the fencing is at least 2.5 metres in height; and, the fence spoils the whole outlook of the place.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0785 /

In 1987, under application reference numbers 87/0636 and 87/0637, planning permission was given for residential development.

In the intervening years permission has been granted for the development of the various plots. In the case of the current application site, permission was given for a bungalow in 1989, under application number 89/0751. The aforementioned permission did not contain any conditions withdrawing permitted development rights concerning the subsequent erection of any fences etc at the "front" of the property.

DETAILS OF PROPOSAL

24 Berkeley Grange is a detached bungalow with brick walls and tiled roof located on the northern side of the estate road to the immediate west of a cul-de-sac serving 8-22 Berkeley Grange. The application relates to the sloping side garden area lying between the bungalow and the highway serving the cul-de-sac.

The proposal involves the replacement and re-positioning of a fence to incorporate the side garden. The reasons given are a combination of security, privacy, and, also for the concrete sections to act as a retaining wall.

From the outset, and with specific reference to the Code of Conduct, Members need to be aware that the applicant is employed in the City Council's Housing Department. Needless to say, Mrs Hutton has not been involved in the determination of the application outside of her role as applicant.

When considering such applications there are potentially two main issues. Namely, the impact of the proposal on traffic safety and the character of the area.

In relation to traffic safety, the County Highways Authority have not raised any objections.

With regard to the character of the area it should be noted that timber fences already exist along the side gardens of the properties at 22, 23, 77, 83 and 99 Berkeley Grange. The style of the proposed fencing is also already in use at 17 and 19 Berkeley Grange.

A distinctive characteristic of the estate, however, is the way the fences are generally in line or set back from the front walls of the dwellings. In order to maintain the character of area the applicant has agreed to amend the scheme by deleting four panels which would have followed the road splay and projected beyond the front wall of the bungalow. The applicant has also agreed to stain the proposed fence the same colour as the fence at 22 Berkeley Grange. Revised details have yet to be received at the time of writing the report.

In response to the comments by third parties on the alleged

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0785 /

content of any covenants attached to the deeds of the property, this is a civil matter which is distinct from the relevant planning legislation.

The rights of the objectors are respected, however, on the basis of the receipt of satisfactory amended details the proposal is recommended for approval.

RECOMMENDATION:-

APPROVE WITH CONDITIONS ✓

1. Standard time limit

A to I
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Page 37 - plan



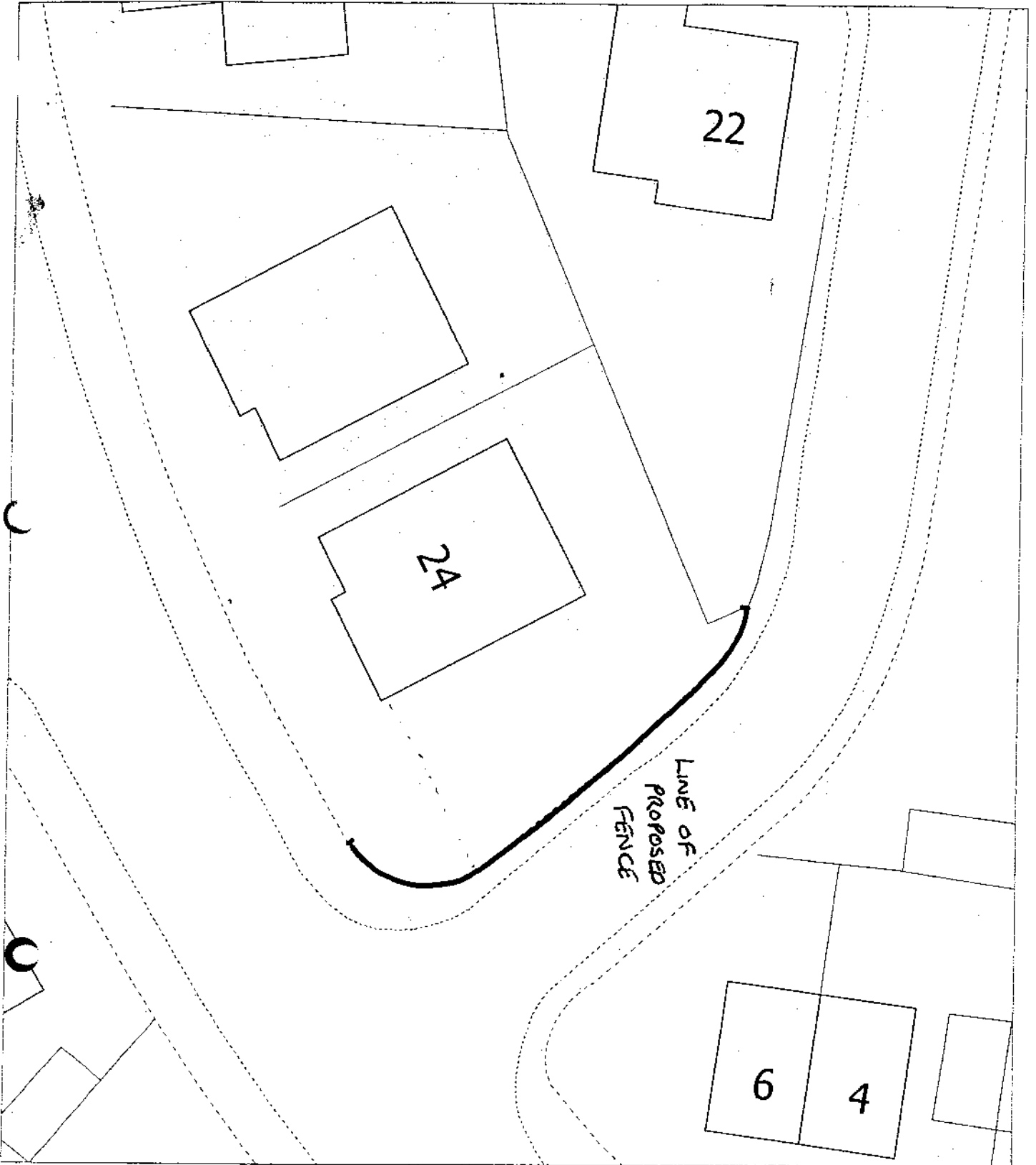
Carlisle City Council
 Department of Environment & Development
 Planning Services Division

RECEIVED
 29 AUG 2001
 2001/0785

1:1,250 30/8/2001

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Head of Planning : Alan Eales DipTP MRTP
 Civic Centre Carlisle CA3 8QG
 Tel (01228) 817000 Fax (01228) 817199



Carlisle City Council

Department of Environment & Development
 Planning Services Division

RECEIVED

29 AUG 2001

2001/0785

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30/8/2001

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Head of Planning : Alan Eales DipTP MRTP
 Civic Centre Carlisle CA 90G
 Tel (01228) 812000 Fax (01228) 812199













Appn No: 01/0785
817173

25 Berkeley Grange,
Belle Vue
Carlisle
Cumbria CA2 7PN
07 September 2001
Delivered by hand.

PLANNING SERVICES	
REF	01/0785
07 SEP 2001	
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For the attention of:-
Mr. Angus Hutchinson
Case officer
Carlisle City Council
Planning Services

Dear Mr. Hutchinson, Re: Susan Mutton, 24 Berkeley Grange.

I am writing on behalf of myself and other neighbours about the above property, and I enclosed a photograph for your attention.

Initially, I would like to inform you that Susan Mutton is well aware that she is in breach of the terms residence within Berkeley Grange. To use her own words after moving into No 24 "We've never heard so many rules and regulations read to us, but we are not going to take any notice"; March 1999. She and her late husband have already kept a caravan for five months before it was forcibly removed, and to continue, she is well aware that she should be keeping the garden in a neat and tidy condition and she should NOT be erecting fencing, as it is an open plan estate.

No one else has violated the terms of residence within Berkeley Grange and further action will be taken to enforce the removal of the fencing, so was the caravan.

Further for your attention, the erection of fencing took place BEFORE planning permission was applied for, in fact the construction was brought to an abrupt halt when a gentleman called with measuring rod, authorisation and a large white envelope on Monday 20th August 2001. It is also observed that no notice of intention has been erected for the residents of Berkeley Grange to object to, and finally the fencing is at least two and half metres in height, which is one and a half higher than permissible by planning permission.

In conclusion, I would appreciate it if you would let me know if planning permission is to be permitted in order that I can instigate further action, which as residentially, is our right to pursue.

Yours sincerely,

Christie I. Williams (Mrs)

c.c. copy retained for further legal action.
encl. photograph taken on 20th August 2001.

NO. 10000	NO. 10000
REF. 01/0785	
19 SEP 2001	2
	CN

8 Berkeley Grange
Carlisle.
CA2 7PW.

Dear Sir,

With regard to the
Planning Permission for 24 Berkeley
Grange Ref. 01/0785. In the Paper
it says Restoration and Replacement
of Boundary Fence. There has
never been a fence there before.
I understood we open plan.
Mrs Hutton has all ready put a fence
up last year when there was none
before. I suppose it is a
Waste of time writing the letter
as the fence is already up. all
7 ft of it. It spoils the whole
out-look of the place.

Mrs. B. Purdham

SCHEDULE A: Applications with Recommendation

ITEM NO. 24

Date of Committee: 02/11/2001

APPN REF NO:
01/0819 /

APPLICANT:
Mr P Drinkall

PARISH:
Wetheral

DATE OF RECEIPT:
11/09/2001

AGENT:
Green Design Group

WARD:
Wetheral

LOCATION:

L/A former Builder Yard (Fld 2872), Cumwhinton, Carlisle, Cum 346300 551700

GRID REF:

PROPOSAL: Siting of 6no. residential caravans and formation of pond

John

REPORT

PLANNING POLICIES:-

COCKLAKES SAFEGUARDING AREA

The proposal relates to land or premises situated within the Cocklakes Safeguarding Area.

GAS PIPELINE SAFEGUARDING AREA

The proposal relates to land or premises situated within or adjacent to the Gas Pipeline Safeguarding Area.

WASTE DISPOSAL SITE

The proposal site is within or adjacent to a Waste Disposal Site.

SUMMARY OF CONSULTATION RESPONSES:-

HIGHWAY AUTHORITY: No objection, subject to condition safeguarding public footpath and bridleway.

RAILTRACK: No objection.

UNITED UTILITIES: Comments awaited.

ENGLISH NATURE: No objection.

ENVIRONMENT AGENCY: Drainage recommended.

WETHERAL PARISH COUNCIL: Wetheral Parish Council do not raise any objection to the principle of the development, but are concerned about landscape impact, and suggest that log cabins would be preferable to caravans, and that landscaping should be improved. The footpath adjoining the site should be safeguarded. Permission should be limited to five years. It is also pointed out that the further development of the fishing puts more pressure on the two access lanes.

SUMMARY OF REPRESENTATIONS:-

This application has been advertised by means of press and site notices, and neighbour notification. One letter of objection has been refused, which raises the issues of the increased use

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0819 /

of the accesses to the site, and water supply.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

In 1959 the use of the land as a tyre depot was approved. Between 1978 and 1980, two applications for use as a scrapyard were refused. In 1985, an application for change of use to builder's yard, with a further approval in 1994 for use for the storage of building materials. Planning history related to the Fishery itself is set out under application 01/0838.

DETAILS OF PROPOSAL

Application 01/0819 is the first of two applications which relate to the Lonsdale Fishery site, and associated land. The Fishery is located adjacent to the Carlisle - Settle railway line, based on the flooded clay pits the former Lonsdale Brick Works. The area is a site of Special Scientific Interest, although the application site is outside the boundary. The site is operated as a commercial fishery, with a warden's dwelling, office and range of holiday lodges. The principal access to the site is from the Cotehill - Cumwhinton Road, and passes a number of residential properties before going under the railway line.

Application 01/0819 relates to an area of 0.73 hectares on the west side of the railway line with a separate access down a track from the road which also provides a link under the railway line to the rest of the site. The site was formerly used as a tyre depot, and following a fire, it remained derelict for some years before being used as a builders yard. It has since been restored, and now appears as a small field with a number of small trees and a hedge along the frontage to the track.

The application proposes that the site be used as an extension to the fishery, with a new pond created, and six static caravans sited around the western and southern margins of the site. A bund would be created along the eastern and part southern boundaries. All the existing boundaries would be reinforced with additional planting.

The application raises a number of issues, related primarily to the location of the site. Policy EM13 of the District Plan deals specifically with Caravan Sites. This identifies landscape impact as a principal consideration. In this regard, the site is already well screened, and this screening will be further improved by the proposals. The historical use of the site as a tyre depot is regarded as a further justification for the proposal, which is considered to comply with the requirements of Policy EM13. It will be noted that the Parish Council have indicated that they would have preferred to have seen log cabins rather than caravans. Officers advise that whilst this might be seen as preferable, caravans are regarded as acceptable.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0819 /

The second issue is the access to the site. As explained above, this is along a track from the main road, which is also a public footpath. The intention is to use this route rather than the existing main access to the fishery, thus avoiding further traffic passing the houses along this route, and a double crossing of the railway line. It will be noted that the one letter of comment received, and the Parish Council's comments raise this issue. The highway authority and the Ramblers Association have no objection to this arrangement which is considered to be acceptable. Likewise, English Nature have no objection from the nature conservation perspective.

The other issues raised by the Parish Council are the occupation of the caravans and the duration of any permission granted. Although it is legitimate to impose a condition limiting occupancy to prevent permanent occupation, a condition limiting occupancy to users of the fishery would not be reasonable. Likewise, it would not be reasonable to limit permission to five years.

The other issue raised in the letter of objection is the water supply. Whilst at the time of writing, no observations have been received from United Utilities, Members will be aware that it is the developer's responsibility to secure a water supply for the proposal. This issue is not therefore seen as a significant one.

RECOMMENDATION:-

SV

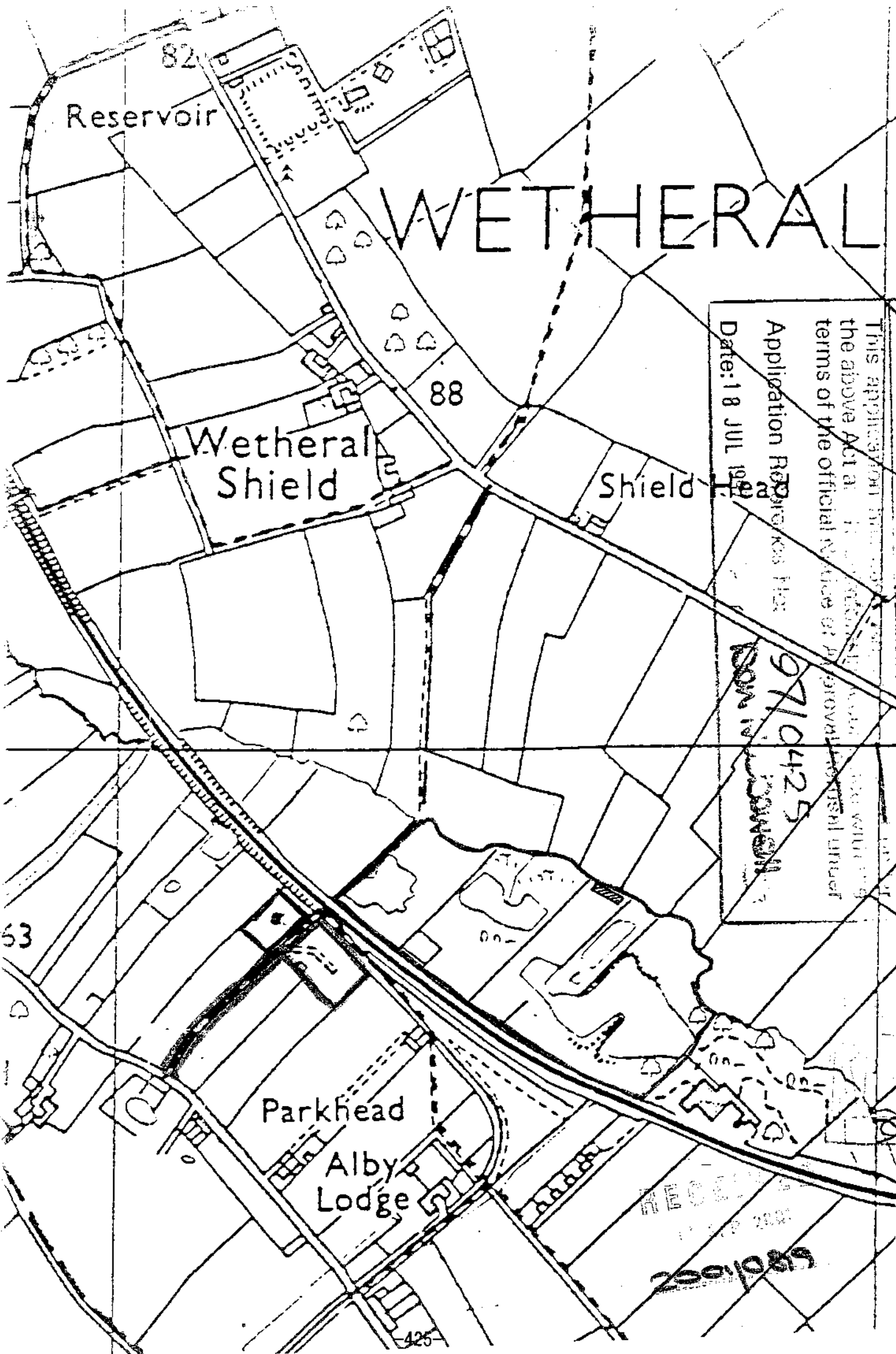
APPROVE WITH CONDITIONS

1. Standard time limit
2. This permission shall be in respect of the creation of a pond and the siting of ~~five~~^{Six} residential caravans, the siting of which shall adhere to the plans submitted with the application.
3. ~~This permission relates solely to the development of 6 number of caravans which should be used solely for short term holiday letting for not more than 21 days at anytime. These properties shall subsequently not be sold, let or otherwise be allowed to be occupied as permanent accommodation.~~
^{The proposed}
shall
4. Scheme to include species
5. Scheme to be implemented and maintained
6. There shall be no interference with the public's right of way over Public Footpath No 138039 and bridleway No 138048.
7. The occupation of the six static holiday caravans shall be restricted to the period from 1st February to 30th November, with no occupation within the period all of December and all of January each subsequent year.
8. No development shall be commenced until a scheme for the disposal of foul and surface water has been approved in writing by the local planning

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0819 /

authority. The approved scheme shall be completed before any of the caravans are occupied.



Reservoir

82

WETHERAL

88

Wetheral
Shield

Shield

This application for...
the above Act a...
terms of the official Notice of Approval...
Application Ref: 0710425
Date: 18 JUL 1992

0710425
DOWN IN...

63

Parkhead

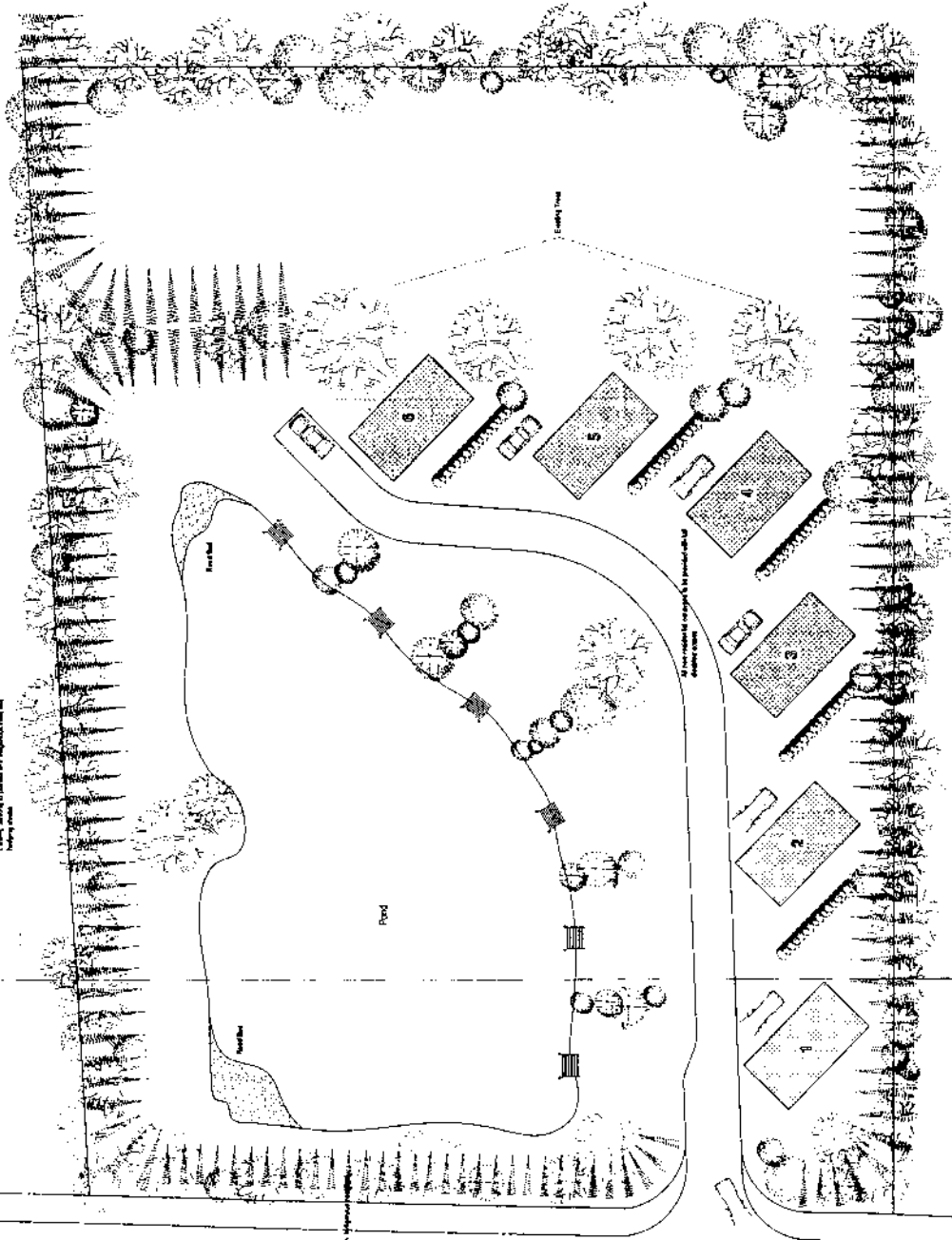
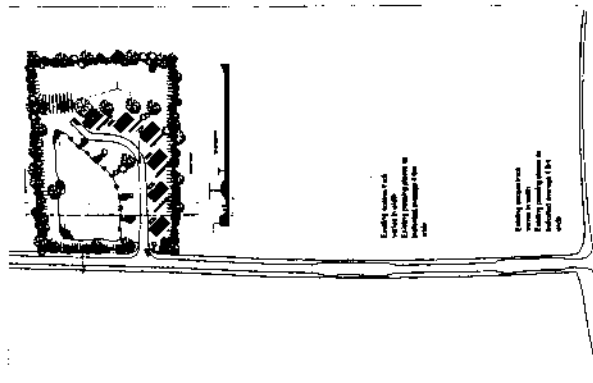
Alby
Lodge

RECEIVED
200/085

425

REC. CLARENCE BUCKLEWELL, ARCHITECT
 11700 15th St. N.E. Seattle, WA 98105
 TEL: 206.325.1111 FAX: 206.325.1112
 09/12/2007 09/12/2007
 1:200 Sept 2007
 Green Part 2
 Green Site Layout
 DISBURSED

GREEN DESIGN GROUP



Site Plan 1:200



Site Section

PLANNING SERVICES	
REF	01/0819 r 01/0838
12 OCT 2001	
RECORDED	PCW
SCANNED	
PASSED TO	CSH
SECTION	

Old Lonsdale Works,
 Cumwhinton,
 Carlisle.
 CA4 0AX.
 Tel: 01228 530301.

11th October 2001.

Dear Mr H

Re: Planning Applications 01/0819 & 01/ 0838.

I refer to the above planning applications, made by Paul Drinkall, I wish to object to the proposed developments.

1/ ACCESS.

Ref: 01/0838, this development is adjacent to my premises, as you are aware, I have full planning permission to re-develop my own premises, from the old brickworks and sawmill to agricultural and residential. I feel that any further development at Lonsdale Park would be an infringement of my privacy and also that of the residents of Lonsdale Terrace.

I own the access at Lonsdale Terrace (in front of the houses) Railtrack and I own the land under the bridge and directly in front of Lonsdale Park and my premises. All the residents of Lonsdale Terrace have a privileged right of way to their houses, going back to previous plans for Lonsdale Park, I believe Mr Drinkall has privileged agricultural access to his property. Railtrack in Manchester were not aware of Mr Drinkalls development until early this year when one of their agents came to see me about another matter.

The residents of Lonsdale Terrace bought their houses for the peace, Quiet and isolation of the area. During the fishing/holiday season there is an excess of vehicles using the lonning and Lonsdale Terrace to get to Lonsdale Park, we know Mr Drinkall is not responsible for the driving of these vehicles, but some of the drivers have no consideration for the people on Lonsdale Terrace or myself, eg: driving at excess speed, and not taking into consideration the signs the residents have put up regarding speed and children playing, I have the problem of vehicles turning round and parking on the land in front of my property.

During the FMD restrictions, Mr Drinkall put a sign at the entrance of the lonning, asking visitors to use alternative entrance to his premises, the majority of them did, but those that didn't see the sign still used the lonning and Lonsdale Terrace, having to turn round on my land to go to the other entrance, this sign was also put up when the Cocklakes railway line was being removed.

If the alternative entrance can be used when it suits Mr Drinkall, why can it not be used permanently, saving the residents and me the hassle and inconvenience of the extra traffic, If this alternative entrance could be used permanently and the existing one used in emergencies only, the problem with the traffic would be resolved.

2/ UPKEEP

Last year the residents and I decided to re-surface the access

roads to our premises, it was agreed that the residents would pay £50 each towards the cost, Mr Drinkall agreed with one of the residents that he would pay £500 towards the cost, the balance and the labour to be met by me. When the day of reckoning came, the residents all paid their share. Mr Drinkall decided he wasn't going to pay what he called the lions share, and eventually paid £400 which was £350 from him and £50 for one of the residents whose partner was working for him at this time, I ended paying the lions share £700 plus my labour.

The basis of this is Mr Drinkall wants to use the access but does not want to contribute to its upkeep. Cumbria and Carlisle Council are not interested in this planing so it is up to us the residents to maintain it.

3/WATER

Finally this covers both applications 0819 / 0838, I have no objection to plan 0819 in as much as the access to this site does not concern me. But where Mr Drinkall is getting the water from is another issue, some years ago my Father allowed one of the previous owners of Lonsdale Park to take a water line off our mains pipe. The main was put in and paid for by the brickworks, to supply Lonsdale Terrace and the brickworks. At the time of the previous owner taking water from our main it was for one house, this was not a problem.

When Mr Drinkall took over and development started my Father was annoyed with him for presuming he could take all the water from this same main. My Father was ill at the time and could not be bothered arguing anymore with Mr Drinkall, so the development went on.

I have checked with United Utilites, who say all the water for the chalets, caravans, toilet block and the house is been drawn from this main.

I object to Mr Drinkall taking any more water from this main for his new venture, a Tea Room, as I have problems now with the water pressure, and I havn't as yet started to build my house and obviously would be using a lot more water myself. I also object to him using this same main for his proposed development plan 0819, another six caravans using more water. United Utilites have checked with planning liason, there has been no indication of a new main being requested for this development, so presumably he would be using our main again. United Utilites are liasing with planning liason and if the question of the water supply is raised, they will suggest a new main be fitted for the new developments.

I hope you will take my concerns into consideration when making your decisions on both these applications.

Yours Sincerely

D. H. Bewley

PP D.H. BEWLEY.

SCHEDULE A: Applications with Recommendation

ITEM NO. 25

Date of Committee: 02/11/2001

APPN REF NO:
01/0838 /

APPLICANT:
Mr P Drinkall

PARISH:
Wetheral

DATE OF RECEIPT:
17/09/2001

AGENT:
Green Design Group

WARD:
Wetheral

LOCATION:
Lonsdale Fisheries, Cumwhinton, Carlisle Cumbria

GRID REF:
346799 551531

PROPOSAL: Extension to shop to provide anglers tea room, office and reception area

REPORT

PLANNING POLICIES:-

SITE OF SPECIAL SCIENTIFIC INTEREST

The proposal relates to land or premises situated within or adjacent to a Site of Special Scientific Interest.

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 Settle Conservation Area.

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E11

Development which would adversely affect the nature conservation (including the geological) interest of Sites of Specific Scientific Interest will be subject to special scrutiny and will not be permitted unless:

1. the reasons for the development clearly outweigh the nature conservation value of the site as part of the national series of SSSIs; or
2. the nature conservation interest of the site can be fully protected and enhanced by the appropriate use of planning conditions or obligations.

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

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0838 /

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.

SUMMARY OF CONSULTATION RESPONSES:-

WETHERAL PARISH COUNCIL: No observations.

RAILTRACK: Observations awaited.

UNITED UTILITIES: No objection.

HIGHWAY AUTHORITY: No objection.

ENGLISH NATURE: Observations awaited.

SUMMARY OF REPRESENTATIONS:-

This application has been advertised by means of site and press notices and neighbour notification. One letter of objection has been received, raising the issues of the use of the access track and water supply.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

In 1984, permission was given for the use of the site as a fishery with related car park and office. Since then, permission has been granted for a warden's dwelling (1984), six static caravans (1993), six self catering holiday units (1997) and a noise barrier fence (1999).

DETAILS OF PROPOSAL

This is the second of two applications relating to the Lonsdale Fishery. Application 01/0838 proposes the erection of an extension to an existing building, used as a shop. The extension would be some 8 metres x 5 metres and would provide a tea room, office and reception area. It extends the building towards another building on the site used as a games room and information room. Proposed materials would be brick to match to existing building.

The application is reported to Committee as a result of an objection from an adjoining landowner, on the grounds of the increased use of the access and increased pressure on the water supply.

With regard to these two issues, it will be apparent that the proposal provides an additional facility at the site, but does not increase the scale of the operation or the accommodation available. It is not likely to generate additional traffic therefore. As far as the water supply is concerned, Members will be aware that it is the developer's responsibility to provide an adequate water supply to serve the development. It

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0838 /

will be noted that United Utilities have no objection to the application.

The application is recommended for approval.

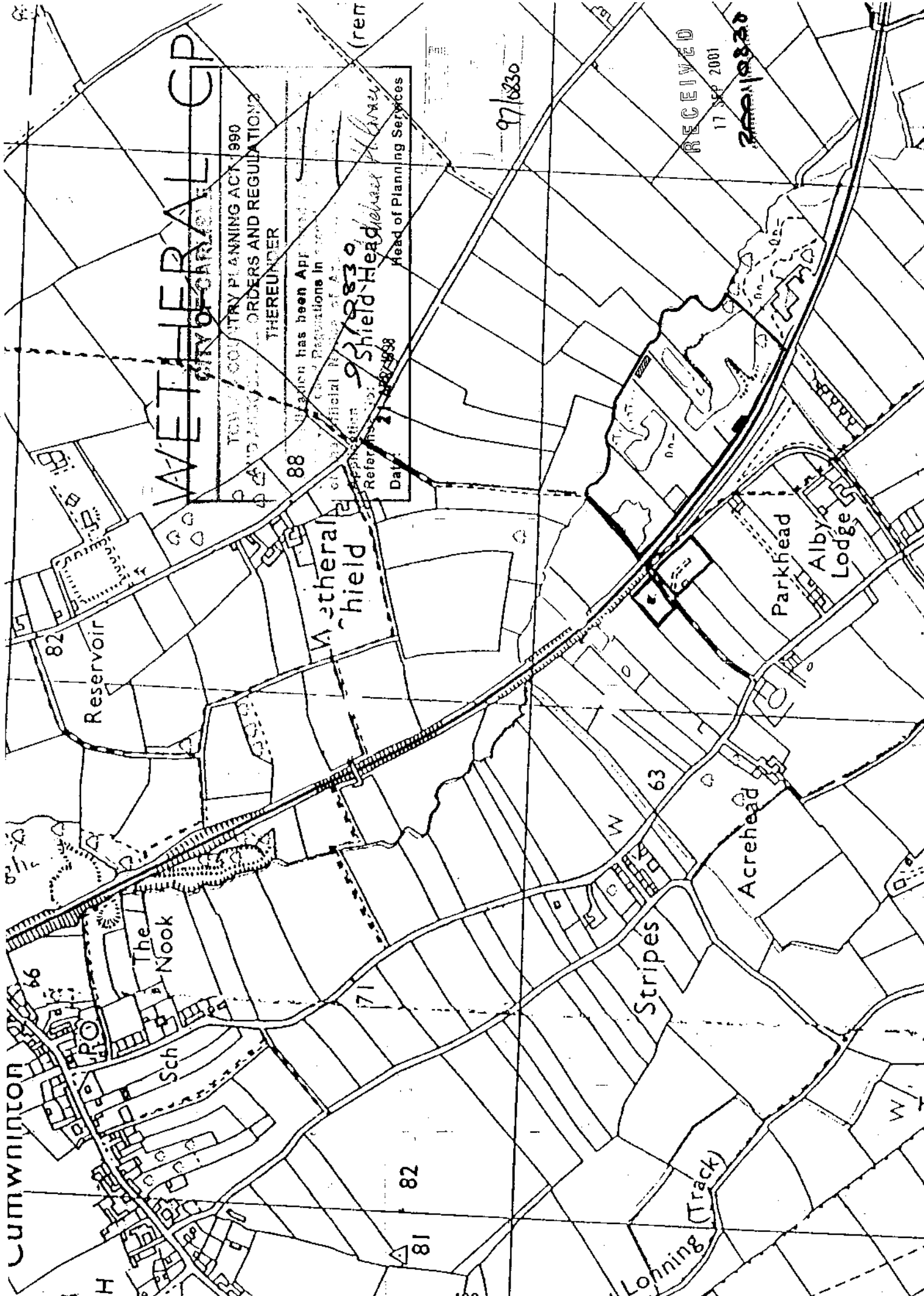
RECOMMENDATION:-

APPROVE WITH CONDITIONS

1. Standard time limit
2. Materials to match existing

(5)

Supp Schedule
Pages 38-39



AVETHRAL CP
CITY OF CAROL CP

TOWN AND COUNTRY PLANNING ACT 1990
ORDERS AND REGULATIONS
THEREUNDER

88 Application has been approved in accordance with the Regulations in force at the date of the application.
Official Ref: 97/2830
Reference: 97/2830
Date: 21/08/98
Head of Planning Services

97/2830

RECEIVED

17 SEP 2001

97/2830

CUMMINGTON

PH

Sch

The Nook

Reservoir

Aetheral
Shield

Stripes

Acreehead

Parkhead

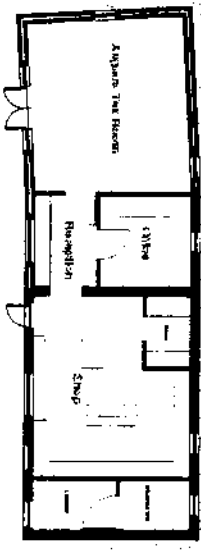
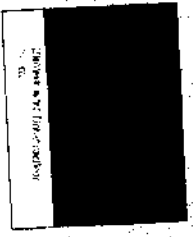
Alby Lodge

Miry Lohning (Track)

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Part Site Layout

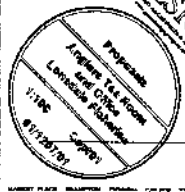


North East Elevation



South East Elevation

GREEN DESIGN GROUP



RECEIVED
11 SEP 2001
20010923

PLANNING SERVICES	
REF	01/0819 r 01/0838
12 OCT 2001	
RECOMMENDED	Ben
SCANNED	
PASSED TO	CSA
ACTION	

Old Lonsdale Works,
Cumwhinton,
Carlisle.
CA4 0AX.
Tel: 01228 530301.

11th October 2001.

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Yours Sincerely

D. A. Bewley

PP D.H. BEWLEY.

SCHEDULE A: Applications with Recommendation

ITEM NO. 26

Date of Committee: 02/11/2001

APPN REF NO:
01/0871 /

APPLICANT:
GSK Sofa Galleries

PARISH:
Carlisle

DATE OF RECEIPT:
25/09/2001

AGENT:
Associates and Clifford Long Ltd

WARD:
Denton Holme

LOCATION:
Byron House, Shaddongate, Carlisle Cumbria

GRID REF:
339520 555840

PROPOSAL: Display of 3no. internally illuminated box signs

Richard

REPORT

PLANNING POLICIES:-

CARLISLE DISTRICT PLAN
ENVIRONMENT - POLICY E47

Proposals for advertisements in Carlisle, Brampton and Longtown will be permitted providing that:

1. it is an appropriate location for advertising given the character and appearance of the surrounding area; and
2. the general siting, size and dominance of the advertisement will not have an adverse impact on the amenity of adjacent property; and
3. any relevant road safety issues are taken into consideration; and
4. within Conservation Areas particular attention must be given to the design, siting and illumination of the advertisements to ensure the preservation and enhancement of the special character and appearance of the area.

SUMMARY OF CONSULTATION RESPONSES:-

HIGHWAY AUTHORITY: No objection.

SUMMARY OF REPRESENTATIONS:-

This application has been advertised by way of a site notice and at the time of writing this report, no objections have been received.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

Full planning permission was granted for the erection of a non-illuminated sign on the front and rear of the building and 4 flag poles on 15 June 1994, under application reference 94/0350.

Planning permission was granted for the removal of a wall and fit windows to match the existing, the removal of a door and fit new glass doors to match existing was granted on 16 June

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0871 /

1994, under application reference 94/0351.

Planning permission was granted for a change of use of a warehouse to a retail showroom on 21 August 1997, under application reference 97/0550.

Advertisement consent was refused for the display of illuminated signage on 22 June 2001 under application reference 01/0222 for the following reason:

1. The advertisements, by virtue of the scale, design and number proposed, would be excessively dominant and incongruous to the building and its surroundings. The signage does not positively contribute to the appearance of the environment and would adversely affect the character and amenity of the area, contrary to Policy E47 (Advertisements) of the Carlisle District Local Plan.

DETAILS OF PROPOSAL

This application seeks advertisement consent for the erection of illuminated signage for GSK Sofa Centre, Byron House, Shaddongate, Carlisle.

The site is located on Shaddongate, adjacent to a busy traffic junction with Castle Way and Caldewgate. The area is characterised by small businesses which occupy the surrounding buildings near to the site.

The building which is the subject of this application, is two storey in height. The ground floor is constructed from brown facing brick. The first floor consists of cream cladding with a continuous band of brown framed windows which occupy the length of the building. The building is under a flat roof.

The proposal involves the erection of three advertisements, two on the front elevation and one to the rear of the building. The proposed signage on the end of the building nearest Castle Way would have the wording 'GSK Sofa Galleries' in purple lettering on a white background. This would occupy the area between the top of the first floor window frame and the eaves, and would measure approximately 6 metres by 1.6 metres.

The second proposed advertisement would have the same wording to the same scale and beneath would be an 'bill board' visually depicting an example of the furniture available. The signage would also be illuminated by way of a blue trough uplighter.

This signage would be replicated on the rear elevation of the building and would be situated approximately half way along the length of the building. However, no 'bill board' is proposed and the scheme includes only one sign on this location.

Members may recall a similar scheme being refused advertisement consent at the June meeting of the Planning and Land Use Sub Committee. Copies of these drawings are attached to this report for reference.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0871 /

The revised scheme shows only minor alterations. The overall height of the signage measures 1.6 metres, a reduction of 300 mm from the previous application. Consequently, they would now not protrude above the eaves level of the roof but they would still, however, be positioned above the first floor windows.

The other alteration to note between the two applications, is that the 'graphic image' has been replaced with a 'bill board' on the west elevation and has been deleted altogether from the east elevation of the building. This board replicates the measurements of the signage.

Applications for advertisement consent can only be controlled in the interests of 'amenity' and 'public safety'. The Highway Authority have no objection. Whilst the signs may attract attention they would probably not be sufficient to cause a distraction and therefore pose a threat to users of the highway.

The merits of the application must therefore be assessed under 'amenity' grounds.

Advertisement proposals should have regard to the environment and the visual amenity of the area, as defined in Planning Policy Guidance Note 19 (Outdoor Advertisement Control). The signage, as proposed, would appear over-dominant and incongruous to the building and its surroundings.

The adjoining building, currently occupied by Durham Pine, has the wording of the company in individual letters on the front elevation of the building. These are located at first floor level but are parallel with the windows at this height.

A material consideration of advertisement applications is the affect on the appearance of the building. Whilst the architectural merits of the building appear somewhat dated, paragraph 4 of PPG19 states:

"...the appearance of a good building can be easily spoiled by a poorly designed or insensitively placed sign or advertisement, or by choice of advertisement materials, colour, proportion or illumination which is alien to the building's design or fabric. Too often, outdoor advertisements see, to have been added to a building as an afterthought, so that they appear brash, over-dominant or incongruous."

Although the present scheme under consideration has been amended from that which was refused, there have been no significant alterations to overcome original concerns.

Officers were granted authority to initiate enforcement action at the June meeting against the signage which has already been installed on the building. ✓

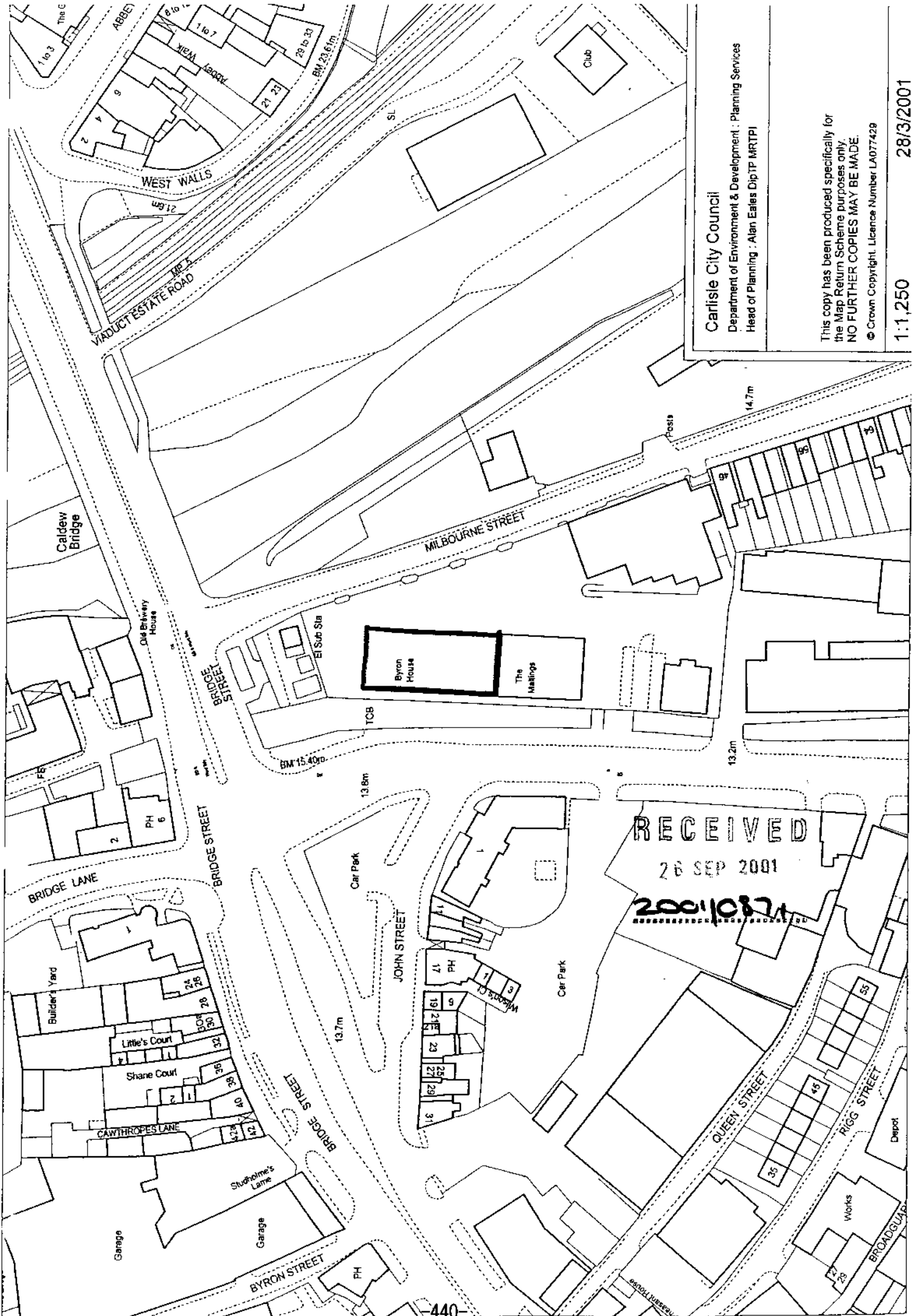
SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0871 /

RECOMMENDATION:-

REFUSE ✓

1. REASON: The advertisements, by virtue of the scale, design and number proposed, would be excessively dominant and incongruous to the building and its surroundings. The signage does not positively contribute to the appearance of the area, contrary to Policy E47 (Advertisements) of the Carlisle District Local Plan.



Carlisle City Council

Department of Environment & Development : Planning Services

Head of Planning : Alan Eales Dip TP MRTPI

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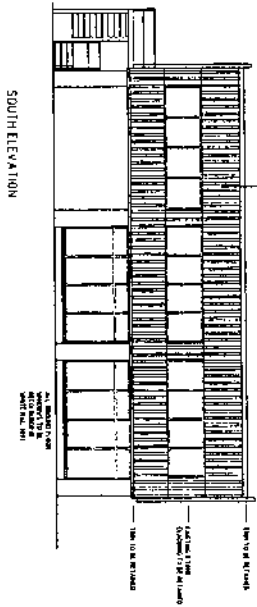
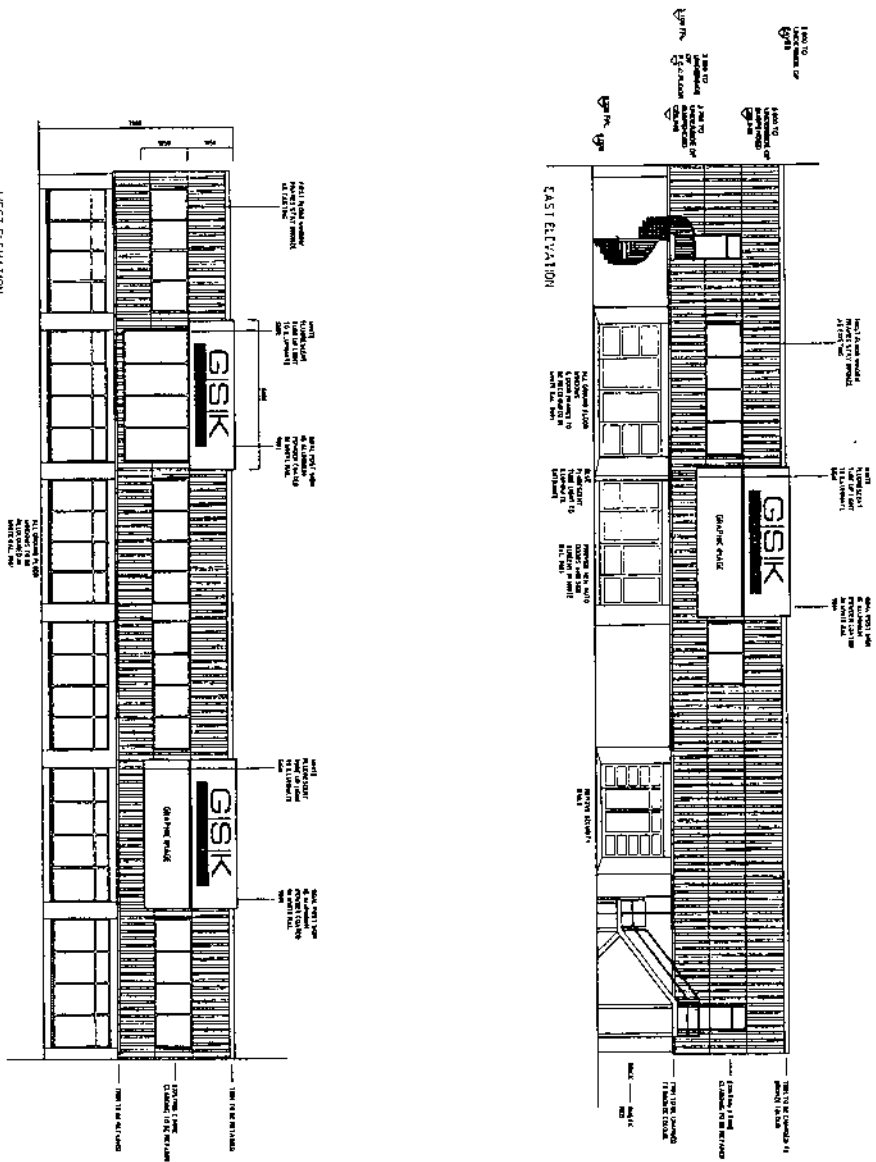
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28/3/2001

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26 SEP 2001

20010871



CITY OF CARLSLE
TOWNSHIP & COUNTY PLANNING ACT 1990
AND ASSOCIATED ORDERS AND REGULATIONS
THE TENDER

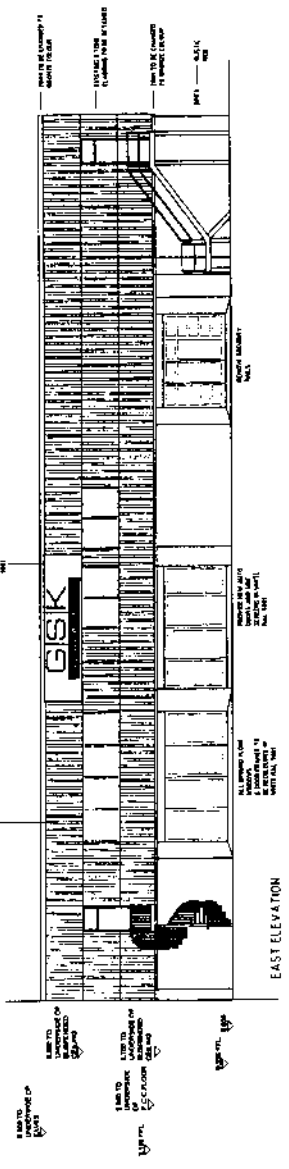
This application has been Accepted / Refused under the above Act and Regulations in accordance with the terms of the official Notice of Agreement / Refusal under:
 Application Reference No: **2001/0221**
 Date: **22 MAR 2001**

Heidi
 Head of Planning Services

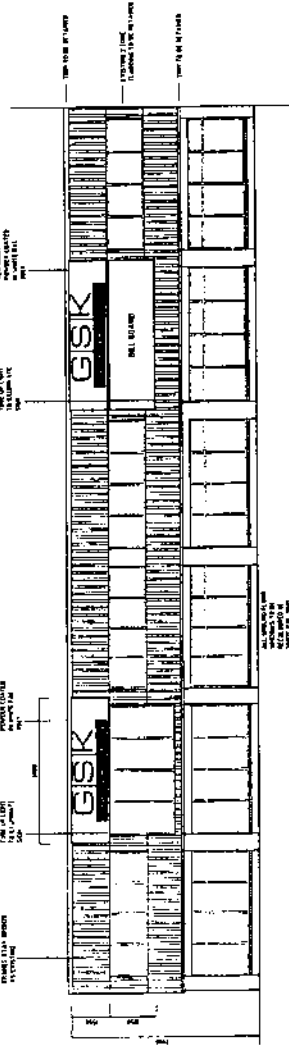
PROJECT NAME: **...**
 ADDRESS: **...**
 DATE: **...**

RECEIVED
9 APR 2001
2001/0221

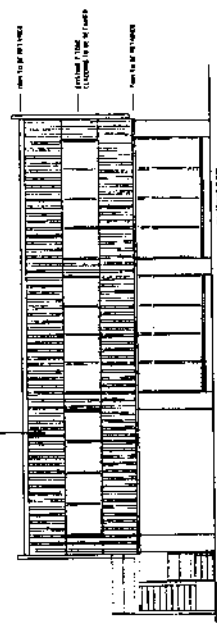
PROJECT NAME: ...
ADDRESS: ...
DATE: ...



EAST ELEVATION



WEST ELEVATION



SOUTH ELEVATION

NOTE:
 1. ALL WINDOW AND DOOR FINISHES TO BE IDENTICAL TO EAST ELEVATION.
 2. ALL WINDOW AND DOOR FINISHES TO BE IDENTICAL TO EAST ELEVATION.
 3. ALL WINDOW AND DOOR FINISHES TO BE IDENTICAL TO EAST ELEVATION.
 4. ALL WINDOW AND DOOR FINISHES TO BE IDENTICAL TO EAST ELEVATION.
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 8. ALL WINDOW AND DOOR FINISHES TO BE IDENTICAL TO EAST ELEVATION.
 9. ALL WINDOW AND DOOR FINISHES TO BE IDENTICAL TO EAST ELEVATION.
 10. ALL WINDOW AND DOOR FINISHES TO BE IDENTICAL TO EAST ELEVATION.



ARCHITECTURAL GROUP INC.
 11111 17th Ave S.
 Suite 100
 Greenwood, CO 80040
 Phone: 303.791.1111
 Fax: 303.791.1112
 Website: www.agi.com

SCALE:
 1/8" = 1'-0"
 1/4" = 1'-0"
 1/2" = 1'-0"
 3/4" = 1'-0"
 1" = 1'-0"

DESIGNED BY: C. LONG
 DRAWN BY: D. BUCKNER
 PROJECT NO.: 11111
 SHEET NO.: 11111
 DATE: 11/11/2011
 PROJECT LOCATION: 11111 17th Ave S.
 PROJECT TYPE: COMMERCIAL

REVISIONS:
 NO. DESCRIPTION
 1. 11/11/2011
 2. 11/11/2011
 3. 11/11/2011
 4. 11/11/2011
 5. 11/11/2011
 6. 11/11/2011
 7. 11/11/2011
 8. 11/11/2011
 9. 11/11/2011
 10. 11/11/2011

RECEIVED
 11/11/2011
 11111 17th Ave S.







SCHEDULE A: Applications with Recommendation

ITEM NO. 27

Date of Committee: 02/11/2001

APPN REF NO: 01/0876 / APPLICANT: Hutchison 3G PARISH: Stanwix Rural

DATE OF RECEIPT: 26/09/2001 AGENT: Nathaniel Lichfield & Partners Ltd WARD: Stanwix Rural

LOCATION: L/A Pt Fld 0872 (opp. St Johns Church), Houghton, Cumbria GRID REF: 340900 559820

PROPOSAL: Erection of 20 metre telecommunications tower, 3no. antenna,
2no. 0.6 metre diameter dishes and associated compound

John

REPORT

PLANNING POLICIES:-

TRUNK ROAD/MOTORWAY AFFECTED

The proposal relates to development which affect a trunk road or motorway.

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.

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.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0876 /

SUMMARY OF CONSULTATION RESPONSES:-

HIGHWAYS: No objection;

STANWIX RURAL PARISH COUNCIL: The Parish Council objects to this application although no specific grounds of objection are cited.

SUMMARY OF REPRESENTATIONS:-

This application has been advertised by means of a site notice and neighbour notification. To date, no representations have been received.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

There is no planning history related to this site.

DETAILS OF PROPOSAL

Permission is sought for the erection of a 20 metre high lattice telecommunications mast, with 3 antenna, 2 0.6 metre dishes and associated equipment compound, next to the M6, north of Brunstock Lane, Houghton. This location is opposite St John's Church.

A belt of trees runs north-south, at right angles to the motorway, providing a screen between the Church and the location of the mast. At this point, the motorway is in a shallow cutting, which will restrict the view of the mast. The mast would therefore be well screened from these two viewpoints. Views from the north east, across the motorway from the A689 will be screened by trees, although the mast will be visible from there.

From Brunstock Lane, there is an unobstructed view across the field towards the site, but this is the only viewpoint from which the mast would be conspicuous. There is a single bungalow in Brunstock Lane at the junction opposite the Church, but the belt of trees would screen the mast from this direction. This dwelling is some 80 metres from the site of the mast. The applicants have confirmed that the level of emissions at this location will be 500 times less than the Internal Commission of Non-Ionizing Radiation Protection (ICNIRP) guidelines.

It will be noted that the Parish Council have objected to this application, although no specific grounds are cited. Members will be aware that the two most important issues in such cases are landscape impact and impact on residential amenity. As explained above, on these two criteria, the proposal is considered to be acceptable, and the application is therefore recommended for approval.

SCHEDULE A: Applications with Recommendation

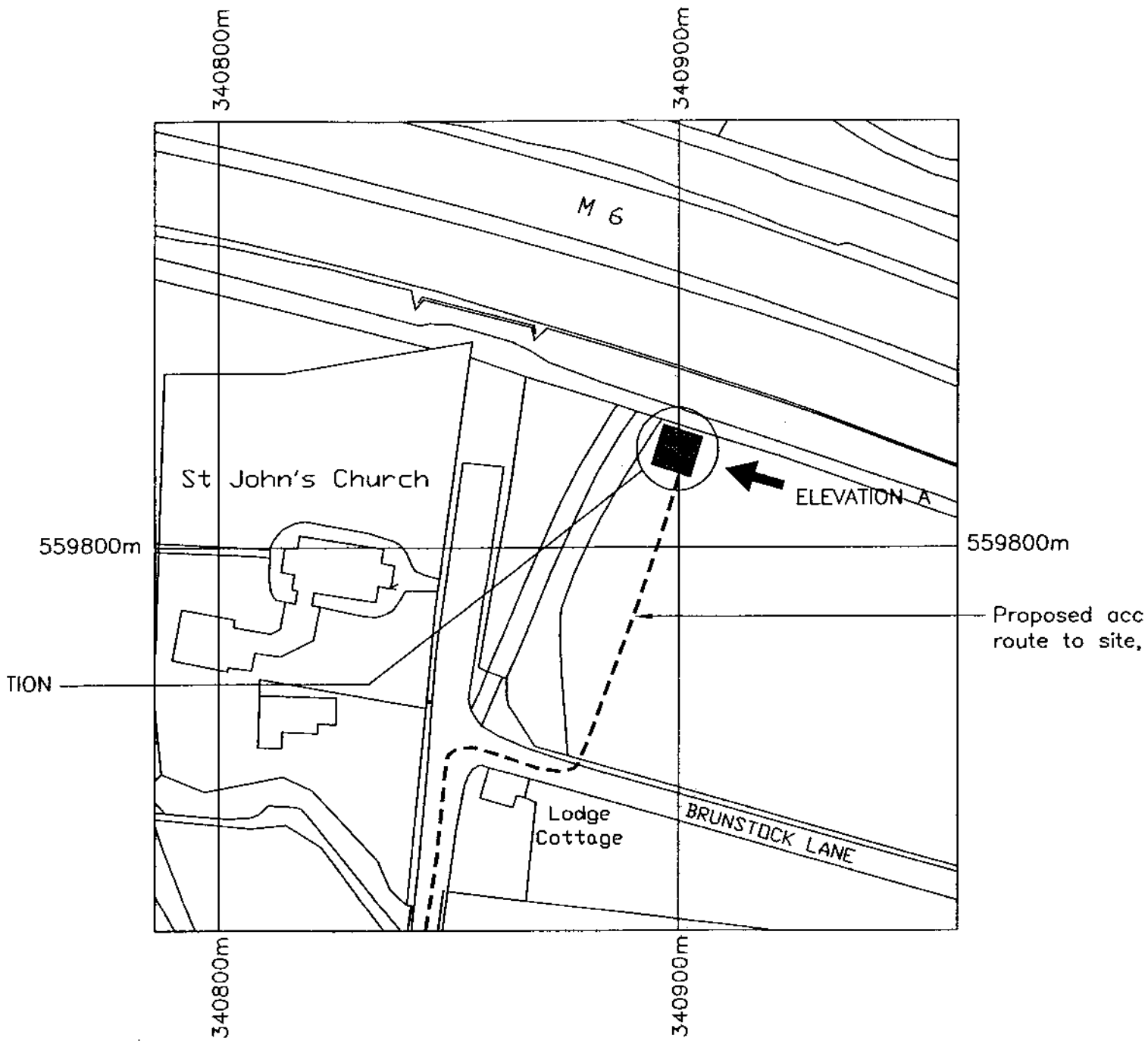
Schedule continued for 01/0876 /

RECOMMENDATION:-

APPROVE WITH CONDITIONS ✓

1. Standard time limit

See Schedule
Pages 40-43



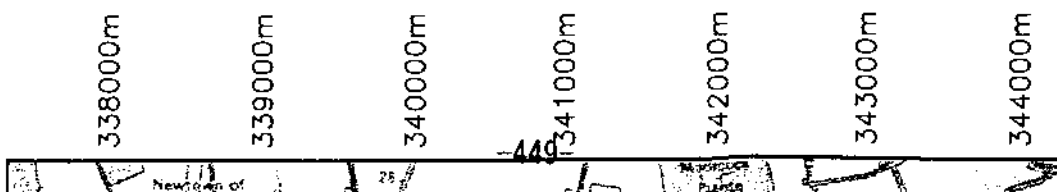
SITE LOCATION

Ordnance Survey map extract.

O.S. co-ordinates 340902E 559824N

Based upon Ordnance Survey at 1:1250
with the permission of the Controller of
Her Majesty's Stationary Office.

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NOTES

- 1.1 Use metric units.
- 1.2 All dimensions are in mm unless otherwise specified.
- 1.3 Assume all site details are existing unless otherwise indicated.

PROPOSED HUTCHISON 3G EQUIPMENT

Equipment Details
 Manufacturer: NEC
 Model: NEC 1000
 Dimensions: 1800 x 850 x 1300 mm
 Weight: 200 kg
 Power: 200W
 Cooling: System 001

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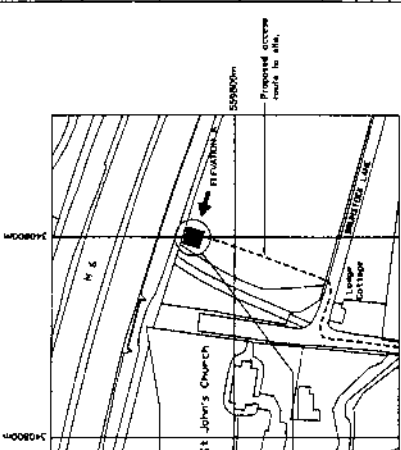
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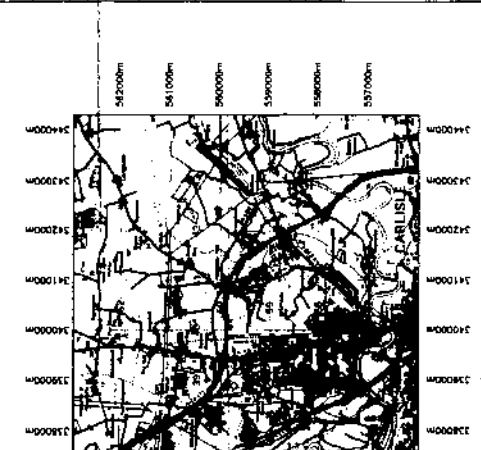
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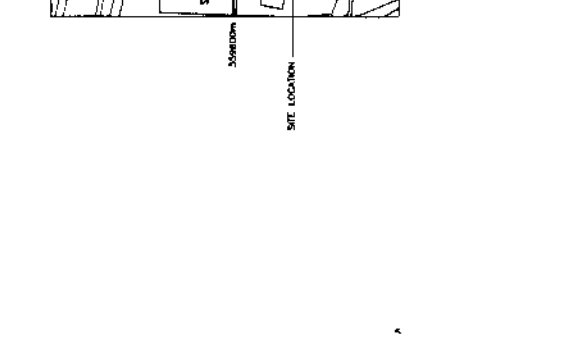


SITE LOCATION
 U.S. CO-ORDINATES 349032E 559824N
 UTM Zone 18Q UTM
 Datum: WGS 84
 Projection: UTM
 Spheroid: WGS 84
 Datum Shift: 0
 Units: Meter

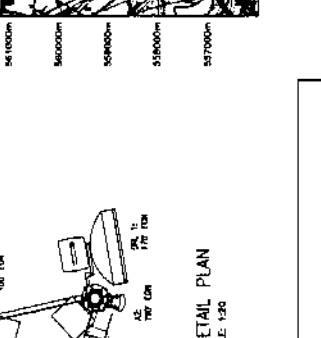


GENERAL LOCATION PLAN
 SCALE: 1:50,000

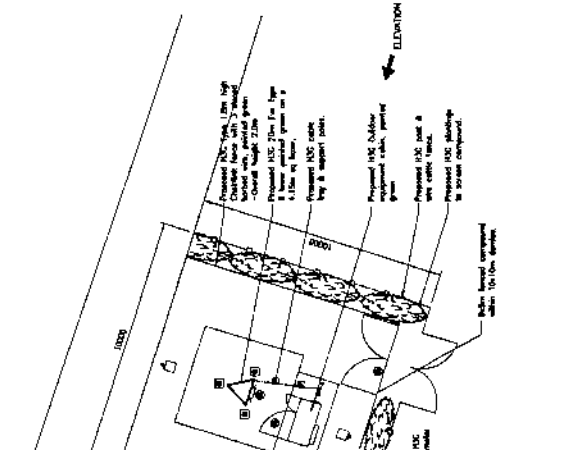
SYMBOL	DESCRIPTION
(Symbol)	Proposed Tower Type
(Symbol)	Proposed Tower Base
(Symbol)	Proposed Tower Foundation
(Symbol)	Existing Tower
(Symbol)	Existing Tower Foundation
(Symbol)	Existing Tower Base
(Symbol)	Proposed Access Road
(Symbol)	Proposed Access Lane
(Symbol)	Proposed Access Path



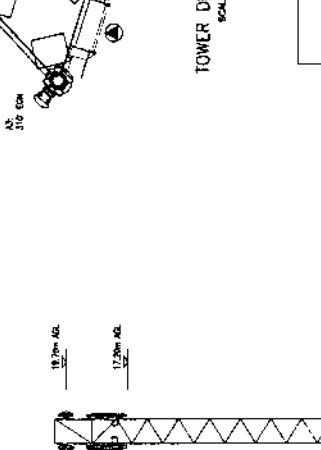
SITE PLAN
 SCALE: 1:100



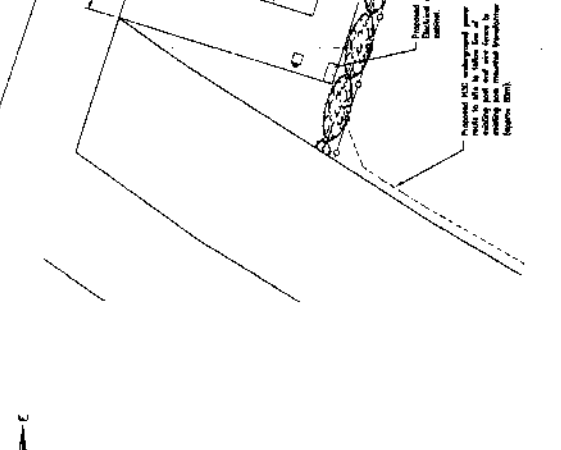
TOWER DETAIL PLAN
 SCALE: 1:50



ELEVATION A
 SCALE: 1:100



ELEVATION B
 SCALE: 1:100



SITE PHOTOGRAPH - ELEVATION A



SCHEDULE A: Applications with Recommendation

ITEM NO. 28

Date of Committee: 02/11/2001

APPN REF NO:
01/0884 /

APPLICANT:
Mr T Noble

PARISH:
Arthuret

DATE OF RECEIPT:
27/09/2001

AGENT:

WARD:
Longtown & Rockcl

LOCATION:
14 High Street, Longtown Carlisle, Cumbria

GRID REF:
337915 568700

PROPOSAL: Permanent use of premises for the sale of hot food takeaways together with variation of opening hours to allow trading until 2.00am Fridays and Saturdays

REPORT

PLANNING POLICIES:-

ANCIENT MONUMENT

EXPLOSIVES SAFEGUARDING AREA

The proposal relates to land or premises situated within or adjacent to an Explosives Safeguarding Area.

CONSERVATION AREA

The proposal relates to land or premises situated within the Longtown Conservation Area.

CARLISLE DISTRICT PLAN HOUSING - PROPOSAL H10

Proposals for the residential use of upper floors over shops will be encouraged and permitted provided that:

1. where appropriate access and car parking provision can be achieved; and
2. the proposal does not result in the creation of substandard units; and
3. adequate internal and external space is provided.

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

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0884 /

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
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 E46

The City Council will encourage the active re-use of upper floors, and proposals which would prejudice the active use of vacant and underused buildings will be refused.

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
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:-

ARTHURET PARISH COUNCIL: Comments awaited.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0884 /

HIGHWAY AGENCY (DETR): Comments awaited.

CUMBRIA CONSTABULARY: Comments awaited.

HEAD OF ENVIRONMENTAL SERVICES: This Division has reservations about this application as it is likely to cause noise nuisances to residents in adjoining properties.

SUMMARY OF REPRESENTATIONS:-

This application has been advertised in the form of a site notice and the direct notification of the occupiers of nine properties. At the time of writing the report one letter of objection has been received on the basis that every Friday and Saturday between 2.00am and 4.00am sleep is disturbed by people under the influence of alcohol; the added inducement of the takeaway will not only make the situation worse but also increase problems associated with litter.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

In 1961, under application reference number BA2676, planning permission was given for the use of the upper floors as a betting office.

In October of last year, application number 00/0583, temporary planning permission for one year was given to use the ground floor as a hot food/pizza takeaway. The aforementioned permission was subject to a number of conditions one of which restricted the operating hours until 22.00 hours.

In May of this year, application number 01/0290, permission was given to allow trading until 23.30 hours.

DETAILS OF PROPOSAL

The application relates to a three storey terraced building located on the western side of the High Street. Prior to last year the property appears to have been vacant for a least a decade when it was formerly used as a taxi office on the ground floor with a self-contained flat on the first and second floors. 12 and 16 High Street are both houses although the terrace is part of a designated shopping frontage.

The proposal seeks to renew permission on a permanent basis for a hot food/pizza take-away, and, to further extend the operating hours on Fridays and Saturdays until 2.00am.

The application is accompanied by a letter from the applicant explaining:

- As The Tavern (PH) in Longtown has recently been given an extension to 1.00am it has come to his attention that from time to time customers of the public house have been asking

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0884 /

for the take-away to stay open late.

- The cameras in the premises are working 24 hours.
- Since the take-away opened there has been no trouble whatsoever.
- The applicant has a good business relationship with the customers, police and the neighbouring public in the area.

In considering this application, the comments made by interested parties, and, the policies of the Development Plan, there are felt to be two main issues:

a) LITTER

Whilst this may be a concern it is considered that the Environmental Health Protection Act 1990 is more relevant to the matter than the current planning legislation. The provision of litter bins by the applicant is thought to be inappropriate because he does not have any control over the footway or clients once they have left the premises. Litter bins may in themselves be seen as an invitation to loiter.

b) NOISE AND CONGREGATION

From the outset Members need to be aware that planning permission should not be denied on the basis of a perceived threat of public disorder at a particular property. This is because acts of disorder are not necessarily inevitable and, anyway, would fall under the remit of the Constabulary.

The aside, the close proximity of the takeaway to neighbouring residential properties has to be acknowledged as a major concern. In considering this matter it is felt that the following points should be kept in mind:

It is appreciated that the previous use of the premises was a taxi office which is located within a designated shopping frontage along a busy main road. However the proposal is also set within a context in which the commercial properties along English Street, High Street and Bridge Street are regularly broken up by residential properties. When looking at other hot food takeaways in Longtown it is evident that the Kingsland Chinese Takeaway (33 Bridge Street) is open until midnight on Fridays, Saturdays and Sundays whilst the Esk Cafe (4 English Street) stays open until 21.00 hours on Monday to Saturday and upto 20.00 hours on Sundays.

In the case to The Globe Tavern (PH) it has a public entertainments licence until 1.00am on Friday and Saturday. The Bush Hotel and Graham Arms do not have public entertainment licences. Meanwhile, Longtown Social Club has an entertainments licence for Saturday only until 12.30pm.

This Section is therefore not aware of other commercial uses in the area which stay open until 02.00 hours.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0884 /

It is also apparent that the immediately neighbouring commercial uses to the application site (in the form of Picture Framing, Longtown Gallery, Eskdale Saddles, and the John Graham Hardware Store) are not associated with opening in the evening.

- In such a context the proposed later operating hours will mean that the takeaway is likely to act as a focus for late night/early morning activity with consequent noise nuisance for nearby residents.
- When considering the original application (number 00/0583) Members were conscious that it led to the re-use and retention of a Key Townscape Frontage Building within Longtown Conservation Area. The concern now with the current proposal is to ensure that uses are not allowed which so lower living conditions as to lead to abandonment.
- It is considered that the later hours permitted under 01/0290 already represent a compromise and therefore it is not unreasonable to expect the applicant to keep to the already permitted hours which could legitimately still be viewed as being on trial.

Further information is awaited from the applicant on who occupies the neighbouring residential units and their relationship to the pizza takeaway. A further report will thus be presented to Members following receipt of the additional information and the comments of the Constabulary.

In conclusion, one can appreciate the applicants desire to maximise his return and successfully run a business but this has to be compromised by the need to also protect the amenities of local residents. Based on the foregoing the application is provisionally recommended for refusal.

RECOMMENDATION: -

REFUSE

1. REASON: 14 High Street is in a prominent and sensitive location within a designated Primary Retail Area and Longtown Conservation Area. The High Street and associated side roads, although located within a Primary Retail Area, are characterised by its mixture of commercial and residential properties. In such a location the proposed opening hours until 02.00 hours on Fridays and Saturdays will act as a focus for late night/early morning movement and congregation of people which would not only cause disturbance and nuisance to existing residents but also discourage future residential occupation of neighbouring properties to the detriment of the amenities and character of the Conservation Area contrary to the objectives of Policies E43, S15, H10 and H17 of the Carlisle District Local Plan.

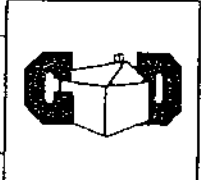
See Schedule
Page 44

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14 HIGH STREET, LONGTOWN
LOCATION PLAN



01/0884

10

ACKNOWLEDGED
22 OCT 2001

ENVIRONMENTAL SERVICES DIVISION
RECEIVED
19 OCT 2001
PASS TO: [Signature]

13, Esk Street
Longtown
Carlisle
CA6 5PU

Carlisle City Council
7th Floor, Civic Centre
Carlisle
CA3 8QG

16th October, 2001

Attention of Environmental & Development Dept..

Dear Sirs,

RE: Application No 01/0884
14, High St, Longtown. Pizza takeaway.
Hours extension to 2am Friday & Saturday.

I refer to the above application, a copy of which I found bound to the railings by the traffic lights in Longtown.

My wife and I moved to Longtown from Seaton, Workington on July 19th and are presently residing at 27 Swan St, Longtown. We will be moving to the above address on the 19th October.

Every Friday & Saturday, without fail, between the hours of 2am and 4am we are rudely awoken by drunken yobs (both boys and girls) going home to the estates via Swan Street, singing extremely loudly, banging on doors, screaming through letter boxes. Little point in remonstrating with them as you,d probably get abuse or more than likely assaulted. Police powerless as usual, so we have to grim and bear it. The added inducement of the Pizzas being available, will not only add fuel to this rabble of people but increase the deluge of litter that seems to plague Longtown.

It would appear that this application can only be aimed at the people already described to you who are coming home from Carlisle or other public houses more than likely the worse for drink.

Perhaps some kind soul might tell me why it is that I see school children and adults alike throw litter on the ground as if it is the right and natural thing to do. Can parents show any discipline at all? Likewise do the local schools teach any self-discipline and show children the use of dustbins and their purpose.

Maybe Carlisle City Council and Arthuret Parish Council could show some leadership and try and stop this avalanche of litter everywhere one walks in Longtown. An initiative via the schools? Posters? involvement of the local shops? Fines? Anything is better than nothing!

Continued/2

continued/2

Or do we continue as we are at present and employ people to collect the rubbish of others, probably at tax payers expense?

Accordingly, my wife and I oppose the application of Pizza takeaway to extend their hours.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Reg Thompson', written in a cursive style.

Reg Thompson.

c.c. Arthuret Parish Council/Chairman.

SCHEDULE A: Applications with Recommendation

ITEM NO. 29

Date of Committee: 02/11/2001

APPN REF NO:
01/0625 /

APPLICANT:
Kam Wong

PARISH:
Carlisle

DATE OF RECEIPT:
19/07/2001

AGENT:

WARD:
Harraby

LOCATION:
Woodlands Hotel, London Road, Carlisle Cumbria

GRID REF:
341643 554262

PROPOSAL: Change of use from 4no. guest house bedrooms to 4no. bedrooms for use as 4no. bedrooms to be occupied as shared accommodation.

REPORT

PLANNING POLICIES:-

CARLISLE DISTRICT PLAN
HOUSING - POLICY H18

Proposals for the subdivision of houses into smaller units, or for change of use to a house in multiple occupation will be acceptable provided that:

1. there is no loss of amenity to surrounding residential properties; and
2. appropriate access and car parking provision can be achieved; and
3. the proposal does not result in the creation of substandard units; and
4. adequate internal and external space is provided.

SUMMARY OF CONSULTATION RESPONSES:-

HIGHWAY AUTHORITY: No objection.

ENVIRONMENTAL HEALTH OFFICER: The accommodation proposed by Mr Wong would consist of 4 bedrooms with en-suite bathroom facilities, shared lounge, kitchen and laundry room.

It is intended that the accommodation would operate as a shared unit by 4 students occupying it as a single household not a 4 individual bedsits.

Due to the layout of the building it is not anticipated that there would be any noise implications from the different uses in the building.

SUMMARY OF REPRESENTATIONS:-

This application has been advertised by way of a site notice. At the time of writing this report no representations had been received.

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0625 /

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

There are numerous planning applications pertaining to the development on this site. Notably, on 21 June 1985, planning permission was granted for an extension to provide 4no. guest rooms and kitchen and private accommodation (revised application), under reference 85/0495.

DETAILS OF PROPOSAL

Members will recall that this application was presented at the September meeting of this Committee and was the subject of a Members site visit.

This application seeks full planning permission for the change of use of bedrooms which are currently used as part of the hotel, to four bedrooms for occupation as private leasable rooms.

The rooms are on the first floor of an extension to the hotel which was granted planning permission in 1985. This 'wing' of the hotel is located adjacent to the boundary with the Pinegrove Hotel and to the rear of the main building. Below the four rooms, are storage rooms and living accommodation for staff.

The description of the proposed development originally included the word 'bedsit'. However, following a meeting with the applicant, the Environmental Health Officer and the Planning Officer, the proposed use of the rooms does not conform to the definition of the word 'bedsit'. The description has been amended accordingly.

A separate lounge, kitchen and laundry facilities are also being provided for the occupants of this accommodation. It is understood from discussions with the applicant, that it is his intention to make the rooms available for students from a local college.

There are four primary issues in the consideration of this application which are outlined in Policy H18 of the local plan and each aspect will be considered.

The first is the effect on the amenity of the occupiers of any adjacent properties. Adjacent to the site is the Pinegrove Hotel and residential dwellings adjoin the site leading to Carliol Close. On the east side of London Road is the Harraby Inn public house and immediately opposite the site is an open area of land which is used as allotments.

There are no additional rooms being provided as part of this proposal and as a consequence, there would be no intensification of use on the site.

The second consideration is highway issues. There is an

SCHEDULE A: Applications with Recommendation

Schedule continued for 01/0625 /

existing car parking facility to the rear of the site and it is considered that this would be sufficient to accommodate any residents, bearing in mind that there would be no increase in the number of residents in the building. The Highway Authority have no objection to this proposal.

The third issue is the consideration of the mixture of occupants within the building, should planning permission be forthcoming. Residents of the bedrooms would access the building through the main entrance at the front of the building, along with residents of the guest house. However, the area which is the subject of this application is separated to a degree by virtue of the extension which was built to the rear of the main building.

The accommodation is considered to be of satisfactory size and standard for the use proposed. Each room has separate bathroom facilities and no physical alterations are proposed.

This application is being presented before Members at this meeting at the request of a Committee Member.

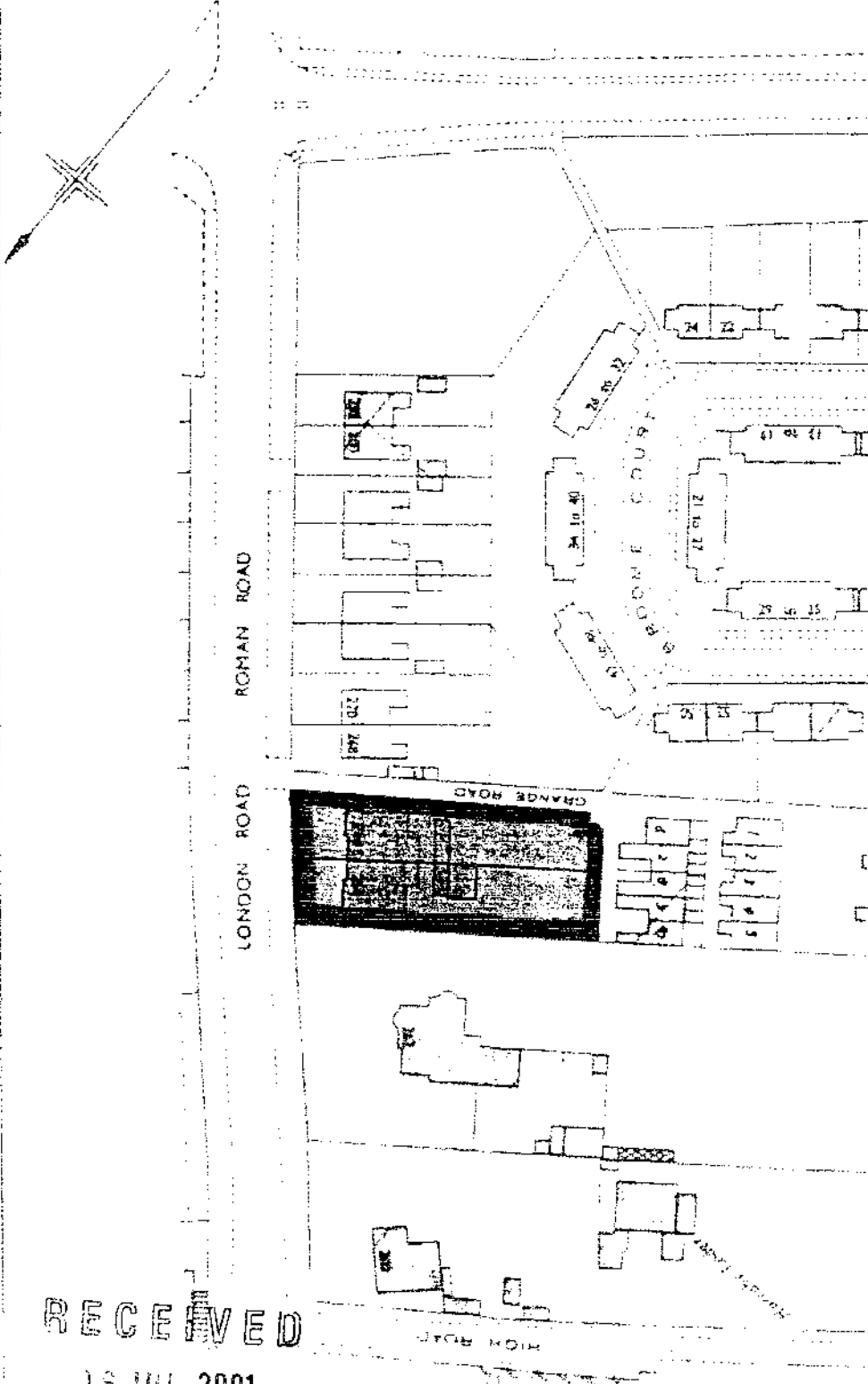
RECOMMENDATION:-

APPROVE WITH CONDITIONS ✓

1. Standard time limit
2. The accommodation hereby approved, shall be used solely for occupation collectively as a shared living unit for up to four persons and for no other purpose and shall be confined to the rooms specified in this application.

THIS IS A TRUE COPY OF THE DRAWING AS
 REFERED TO IN THE PLANNING APPLICATION
 DATE 14-7-01
 SIGNED *Paul Chen Wong*

H.M. LAND REGISTRY		TITLE NUMBER	
CU22339		CU22339	
ORDNANCE SURVEY PLAN REFERENCE	NY 4154	SECTION	D
COUNTY CUMBRIA	DISTRICT CARLISLE	Scale	1/1250
		© Crown copyright 1980	



RECEIVED

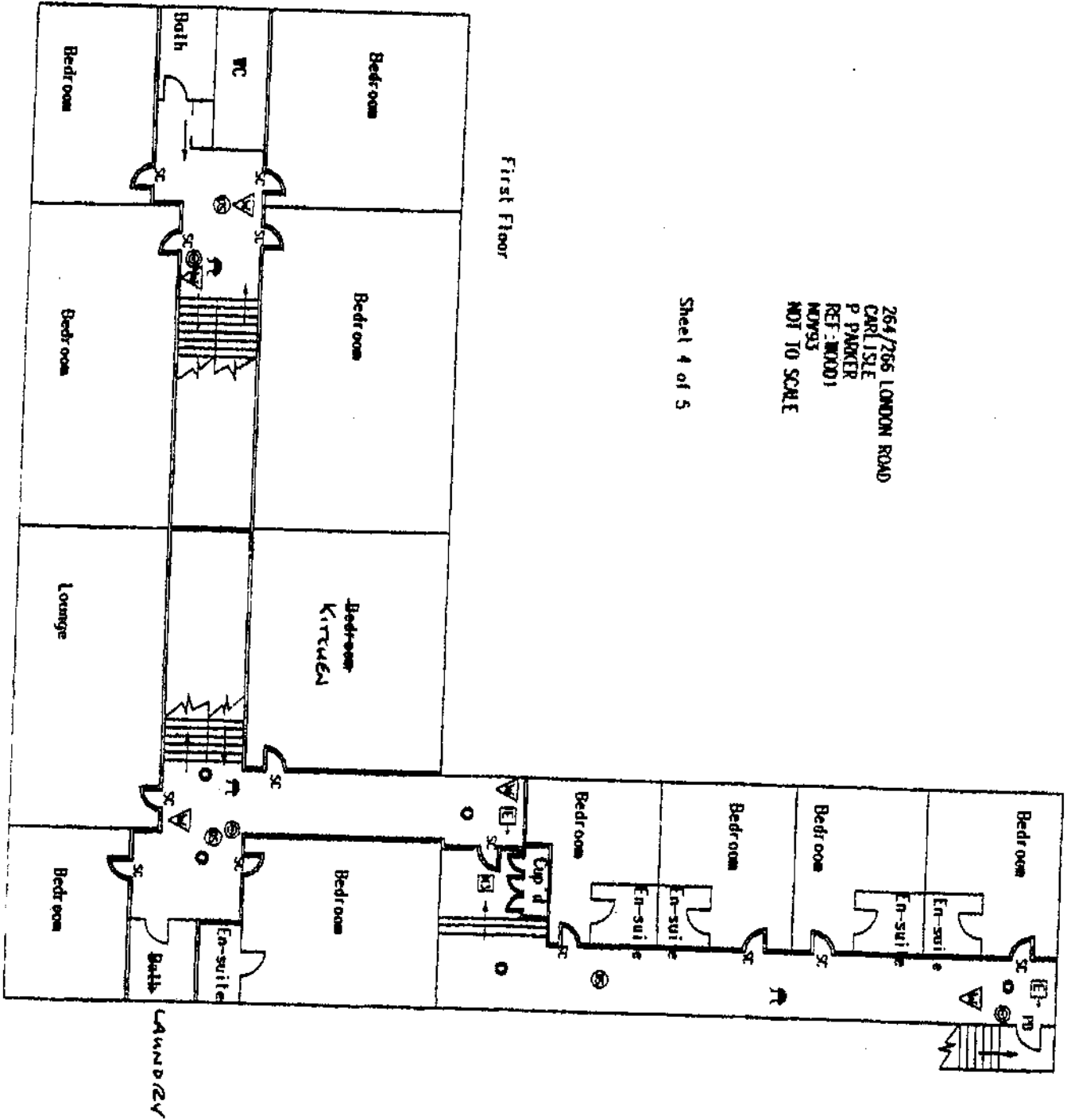
15 JUL 2001

2001/0625

THIS IS A TRUE COPY OF THE DRAWING AS REFERRED TO IN THE PLANNING APPLICATION

DATE 14-7-01

SIGNED *Pauline Day*



First Floor

Sheet 4 of 5

264/266 LONDON ROAD
CARLISLE
P PARKER
REF: M0001
M0933
NOT TO SCALE

RECEIVED

16 JUL 2001

2001/0625

Kam Wong
3 Ridley Road
Carlisle
CA2 4LB
(01228) 594328

14th July 2001

Department of Environment & Development
Civic Centre
Carlisle
CA3 8QG

Dear Sir/Madam

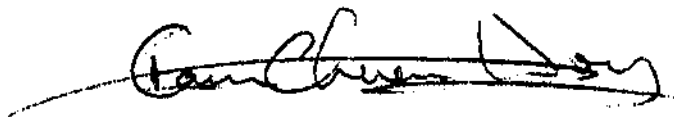
PART CHANGE OF USE TO WOODLANDS HOTEL, 264-266 LONDON ROAD, CARLISLE

In addition to the completed application forms and the required fee for £190.00, I have enclosed a brief outline letter for my proposals in letting out four rooms from the hotel to students.

As the above mentioned property has an existing guest/hotel licence which I wish to keep in process. I have proposed to undertake the four rooms situated in the existing semi-detached extension for use as a student lodgings. The reason for my proposal is because for the moment, the outlook for the hotel business is generally very poor and the business has been deteriorating. Fundamentally, for my business to continue, I would have to let out the four rooms to students.

I hope that my proposal and application will not affect the guest/hotel licence that I currently have. If this is the case where the licence will have to be revoked because of my application, I would be grateful if I could be informed as soon as possible so that I can review and revise my plans accordingly.

Yours Faithfully



Kam Wong

RECEIVED

16 JUL 2001

2001/0625

Kam Wong
3 Ridley Road
Carlisle CA2 4LB
01228-594328

3rd September 2001

Department of Environment & Development
Planning Services Division
Civic Centre
Carlisle
CA3 8QG

PLANNING SERVICES	
REF	
= 6 SEP 2001	
RECORDED	
SCANNED	
PASS D. UC	
ACTION	JH

Dear Sir/Madam

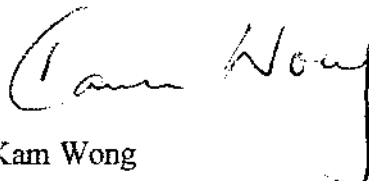
PART CHANGE OF USE TO WOODLANDS HOTEL, 264-266 LONDON ROAD, CARLISLE

Proposal: Change of use from 4no.guest house bedrooms to 4no. a family share Unit accommodation

As the above mentioned property has an existing guest/hotel licence which I wish to keep in process. I have proposed to undertake the four rooms situated in the existing semi-detached extension for use as A FAMILY SHARE UNIT BY FOUR STUDENTS. The reason for my proposal is because for the moment, the outlook for the hotel business is generally very poor and the business has been deteriorating. Fundamentally, for my business to continue, I would have to let out the four rooms to students.

I hope that my proposal and application will not affect the guest/hotel licence that I currently have. If this is the case where the licence will have to be revoked because of my application, I would be grateful if I could be informed as soon as possible so that I can review and revise my plans accordingly.

Yours Faithfully


Kam Wong

SCHEDULE B

SCHEDULE B

SCHEDULE B

SCHEDULE B

SCHEDULE B

SCHEDULE B

SCHEDULE B: Reports Requiring Further Information

ITEM NO. 30

Date of Committee: 02/11/2001

APPN REF NO:
01/0366 /

APPLICANT:
Mrs M Moualem

PARISH:
Carlisle

DATE OF RECEIPT:
10/05/2001

AGENT:

WARD:
Castle

LOCATION:
L/A buildings at Heads Lane, Carlisle Cumbria

GRID REF:
339988 555784

PROPOSAL: Demolition of disused commercial and residential buildings
(CAC)

CHANGE DESCRIPTION FOR

REPORT

CLARIFY.

PLANNING POLICIES:-

ANCIENT MONUMENT

CONSERVATION AREA

The proposal relates to land or premises situated within the City Centre Conservation Area.

CARLISLE DISTRICT PLAN
ENVIRONMENT - POLICY E39

There will be a general presumption in favour of the retention of buildings which make a positive contribution to the character or appearance of a Conservation Area. Applications for Conservation Area Consent for the demolition of unlisted buildings in Conservation Areas will be critically assessed against the following criteria:

1. the contribution of the building to the landscape/townscape; and
2. the structural condition of the building; and
3. the suitability of the building for its existing, proposed or any other use; and
4. the cost of repair; and
5. the contribution which the demolition/redevelopment would make to broader conservation objectives.

All proposals for demolition must be accompanied by details of redevelopment, which will normally be secured by means of a legal agreement.

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.

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0366 /

SUMMARY OF CONSULTATION RESPONSES:-

COUNTY ARCHAEOLOGIST: The ground beneath these buildings is a Scheduled Ancient Monument and this area has a high archaeological potential. The County Archaeologist recommends that an archaeological evaluation (trial trenching) of the site be undertaken if demolition is allowed. This work would require Scheduled Monument Consent. It is advised that the evaluation be secured by attaching conditions to the Conservation Area Consent. In addition the buildings at Heads Lane are considered to be of interest and that they should be recorded before any demolition work is begun.

ANCIENT MONUMENTS SOCIETY: The Society object to this proposal on a number of grounds. Firstly it would be contrary to Government policy to accept such an application without a concurrent application for permission to redevelop the site. Secondly the buildings concerned have their own architectural character, particularly the elaborate 19th century building with its dormers and the Dutch gable onto West Walls. Thirdly this area is covered by a HERS scheme and some of these buildings would clearly merit consideration under this scheme.

ENGLISH HERITAGE: An English Heritage Building Surveyor has investigated the site and his conclusions are that most of these buildings are suffering from general maintenance problems which could be rectified fairly easily. The only individual building to give immediate cause for concern is the two storey building on the corner of Heads Lane and West Walls, Although even here there does not appear to be any imminent danger of collapse. English Heritage suggest that the condition of the buildings be monitored by Building Control. They conclude that a case for demolition on public safety grounds cannot be sustained and would not be justified. They suggest that remedial works be undertaken and the buildings history and archaeology be examined. Only when such a study has been completed should plans for the site be drawn up, as it may be felt that some of the buildings should be retained rather than presuming a cleared site.

HIGHWAY AUTHORITY: No objections to the proposal.

BUILDING CONTROL: The Building Control Manager has inspected this group of buildings. He considers that the majority of the buildings are not in a dangerous condition however he is concerned about the building at the corner of Heads Lane and West Walls (Unit 4). He considers that even making this building safe is likely to be a dangerous procedure. He is continuing to monitor the buildings.

CONSERVATION AREA ADVISORY COMMITTEE: The original proposal was put before the Committee in June when members felt that the application should be refused unless an acceptable scheme for the redevelopment of the site is brought forward. A revised proposal consisting of the demolition of Units 1 and 4, with the creation of a 7 foot high brick wall along the boundary of the site, was put to the Committee on the 17th October. The

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0366 /

members agreed with the report from English Heritage that the buildings do not need to be demolished. However if permission is granted to remove these buildings it should be a requirement that they are recorded beforehand.

SUMMARY OF REPRESENTATIONS:-

This application has been advertised by means of a site notice and in the local newspaper. Three letters have been received objecting to this proposal. The Civic Trust consider that the application should be accompanied by proposals for the redevelopment of the site. The occupant of 3 Heads Lane also objects to the demolition of these buildings. The vicar of St Cuthbert's Church has objected against this proposal which he feels will create an open unattractive area which presumably will continue to be used as a car park. There are also no details as to how the boundaries will be dealt with, wire mesh fencing or hoardings would be unacceptable. The present buildings do have some historic and architectural merit, once demolished they are gone forever.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

The properties which are the subject of this application have been vacant and dilapidated for many years. The Council has taken the view in the past that they have some architectural and historic merit which should be retained if possible. Previous owners have carried out repairs to ensure that the buildings do not become a danger and the City Council's HERS scheme highlights these premises as being eligible for grant aid towards the cost of their repair.

In recent years the condition of the structures has deteriorated and no maintenance has been carried out. The owners have obtained planning permission to redevelop the site and convert and extend some of the existing buildings to A1/A3 uses. The proposal included a new pub/restaurant. (Ref No 98/0530). Conservation Area Consent for the demolition works was also approved however no demolition may be carried out until a contract has been let for the main development. Although it is understood that negotiations are still ongoing no date can be given as to when a scheme of development may start. The current application for Conservation Area Consent has been made following a surveyor's report which makes it virtually impossible to obtain insurance cover for the buildings.

DETAILS OF THE PROPOSAL

The original proposal was for the demolition of all of the building marked as Units 1 to 5 within the site. This was accompanied by a Surveyor's report indicating the condition of the structures. Consultations were immediately carried out and these included a request for advice from English Heritage.

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0366 /

The initial responses received from consultees objected strongly to the demolition of these buildings without any development proposals in place and ready to be implemented. In addition the advice from English Heritage suggested that only Unit 1, which is the building on the corner of Heads Lane and West Walls, gave direct cause for concern and that it should be closely monitored by Building Control. The conclusion drawn by English Heritage was that none of the buildings were in any imminent danger of collapse. A copy of this letter is attached to this report.

The applicant has obtained a further Engineers report on the structure's stability. It's conclusions are that Units 1 and 4 are considered unstable and should be demolished immediately and that, although the other Units could be retained at a high cost, demolition is considered to be more practical. Walter Davidson, Building Control Manager has examined the buildings and considers that Units 1, 2, 3 and 5 are not dangerous but that Unit 4 does need attention.

The deterioration of these structures has been through vandalism and the lack of any maintenance work. Public liability is clearly an important issue and the safety of the general public is a City Council responsibility. The applicant does not wish to enter into the City Council's Heritage Economic Regeneration Scheme which had indicated that funding could be made available for the repair and restoration of these buildings.

Discussions have recently been held with the applicant's agent and surveyor to try and identify any possible compromise that might be acceptable. The removal of all of these building would expose a site which is currently used for parking. The original proposal did not indicate any details for fencing or screening and the result could be a largely derelict site which would create an unsightly view for all those who use Heads Lane as a route into the City Centre. It is to avoid this possibility that the Council has resisted the removal of these properties. The applicant has now put forward an amended proposal which would see the retention of Units 2, 3 and 5, the demolition of Units 1 and 4, and the construction of two large stretches of wall 7 feet high in the gaps created.

The demolition of these two buildings will require some strengthening of the remaining structures to ensure their stability and some remedial work to the exposed gables of the same. Any work which will involve excavation for footings, etc will require Scheduled Monument Consent and the County Archaeologist has recommended conditions to ensure that a proper record of the buildings and archaeology is made. The proposed walls would be brick faced and would help to keep a reasonably attractive street scene along Heads Lane and West Walls.

These amended proposals have been sent to all consultees and those who have made representations. The expiry date for the receipt of their comments is the 2nd November 2001.

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0366 /

RECOMMENDATION: -

A recommendation is not able to be made until the completion of the re-consultation period on the amended proposal and responses are still awaited.

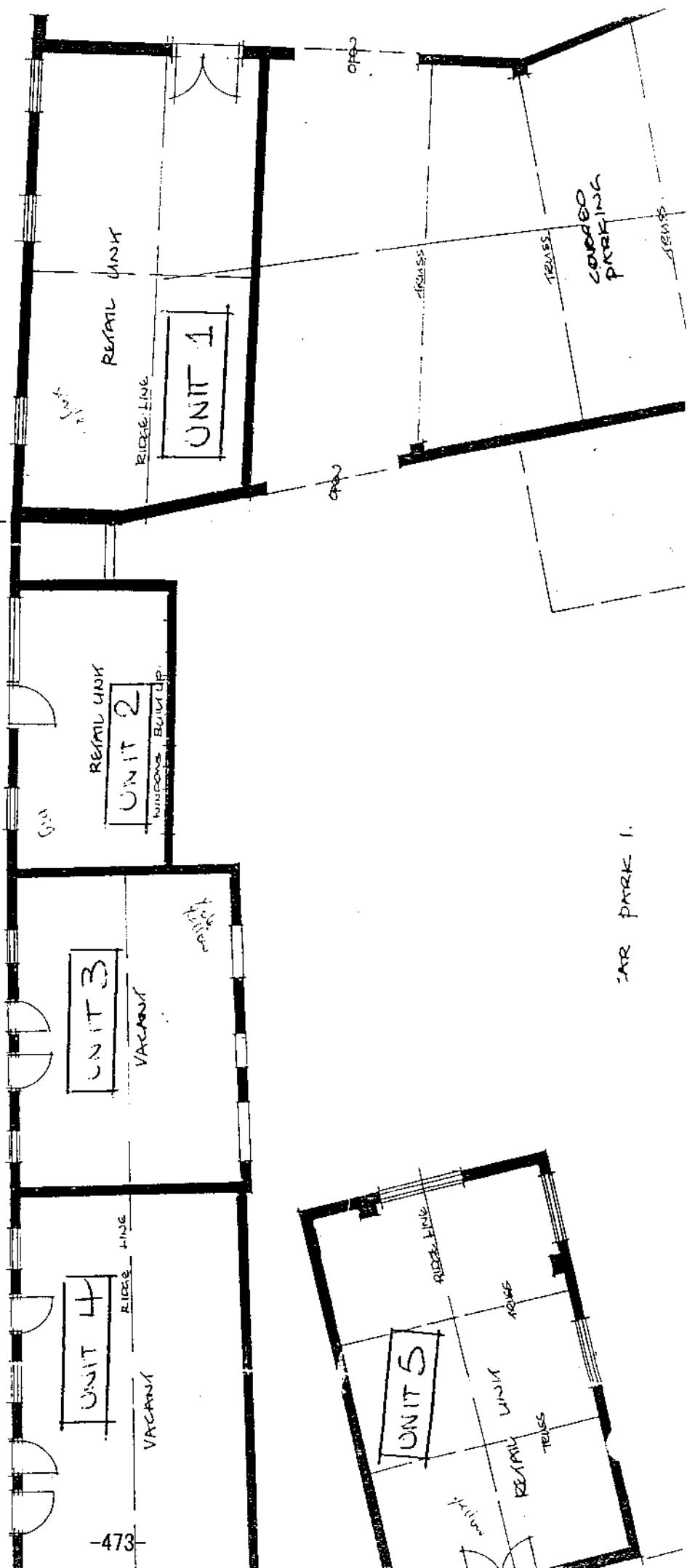
Helena's Land (1st June) ✓

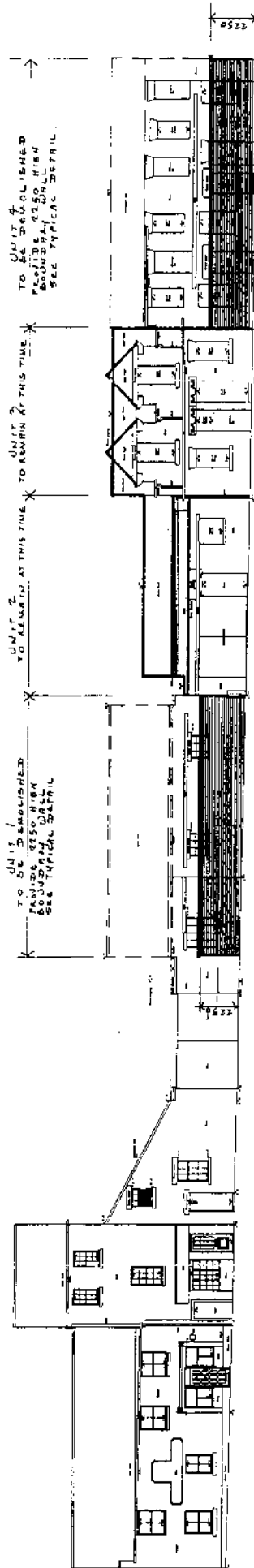
Sub Schedule
Pages 45-46

Desired to investigate in the ground and for a site visit.

HEADS LANE ELEVATION

HEADS LANE

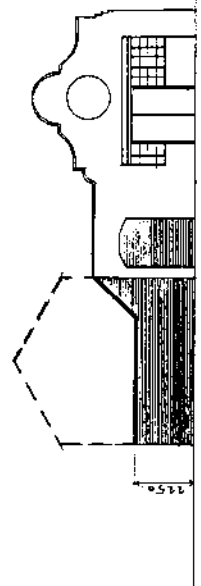
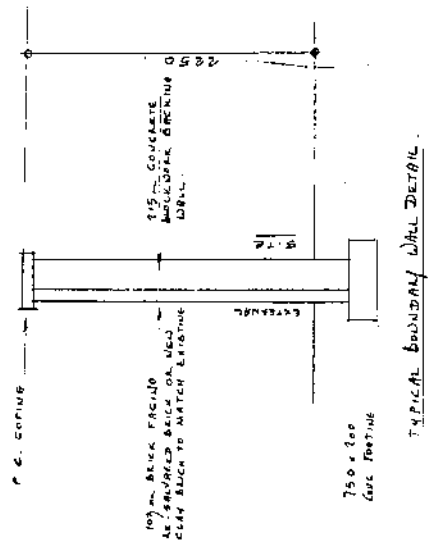




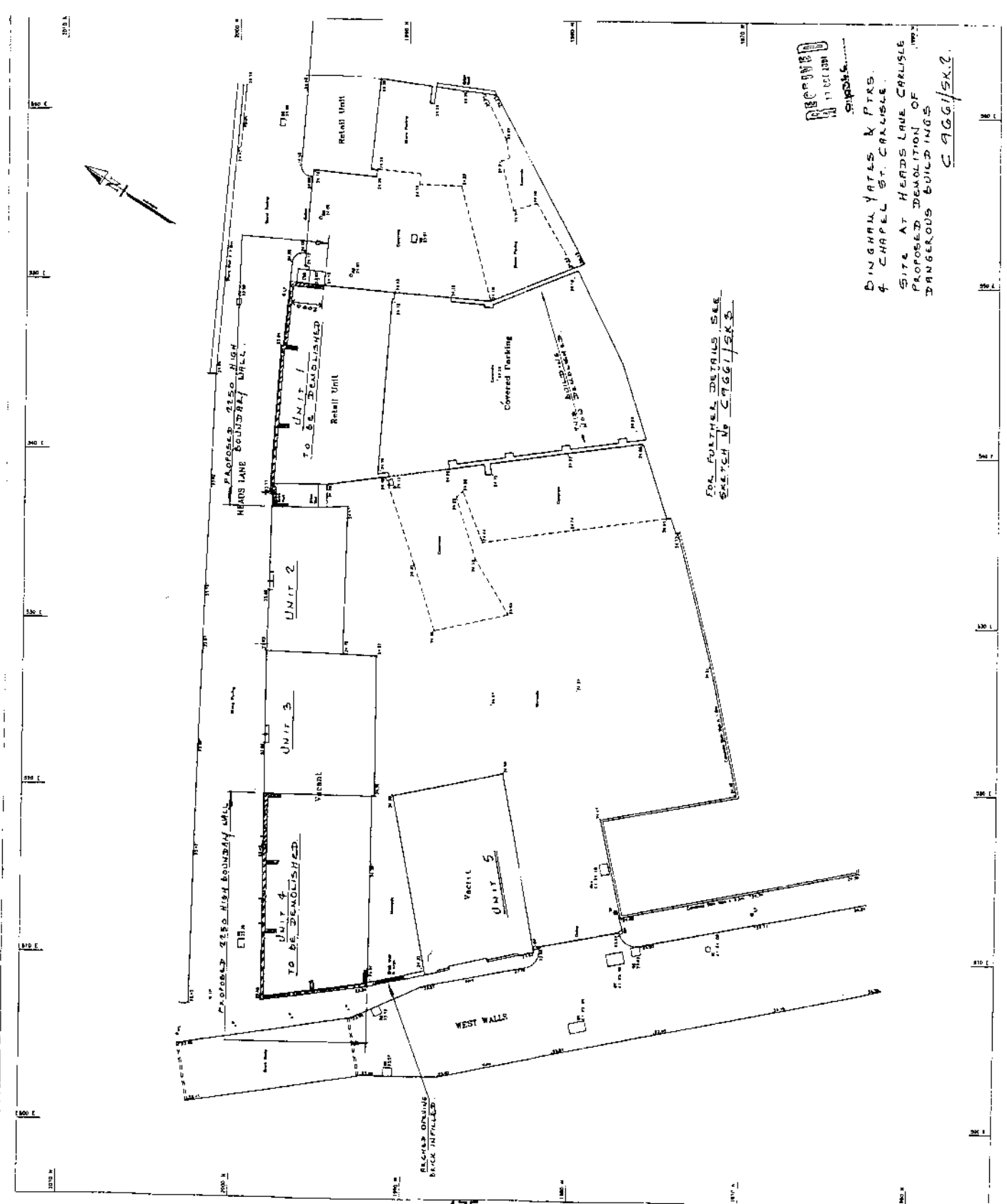
ELEVATION AT PROPOSED - HEADS LANE

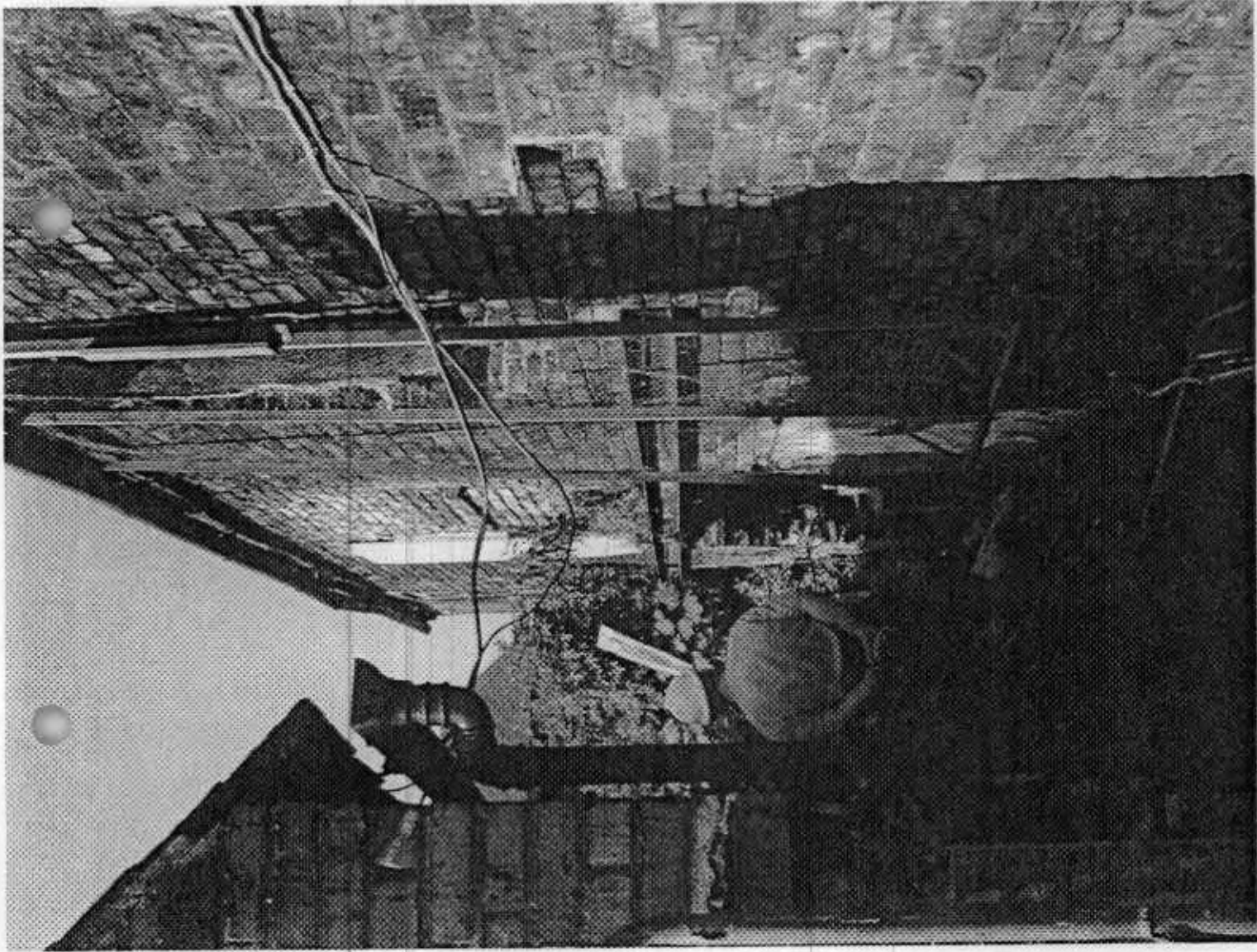
FOR FURTHER DETAILS SEE
SECTION No. C9661/SK.1

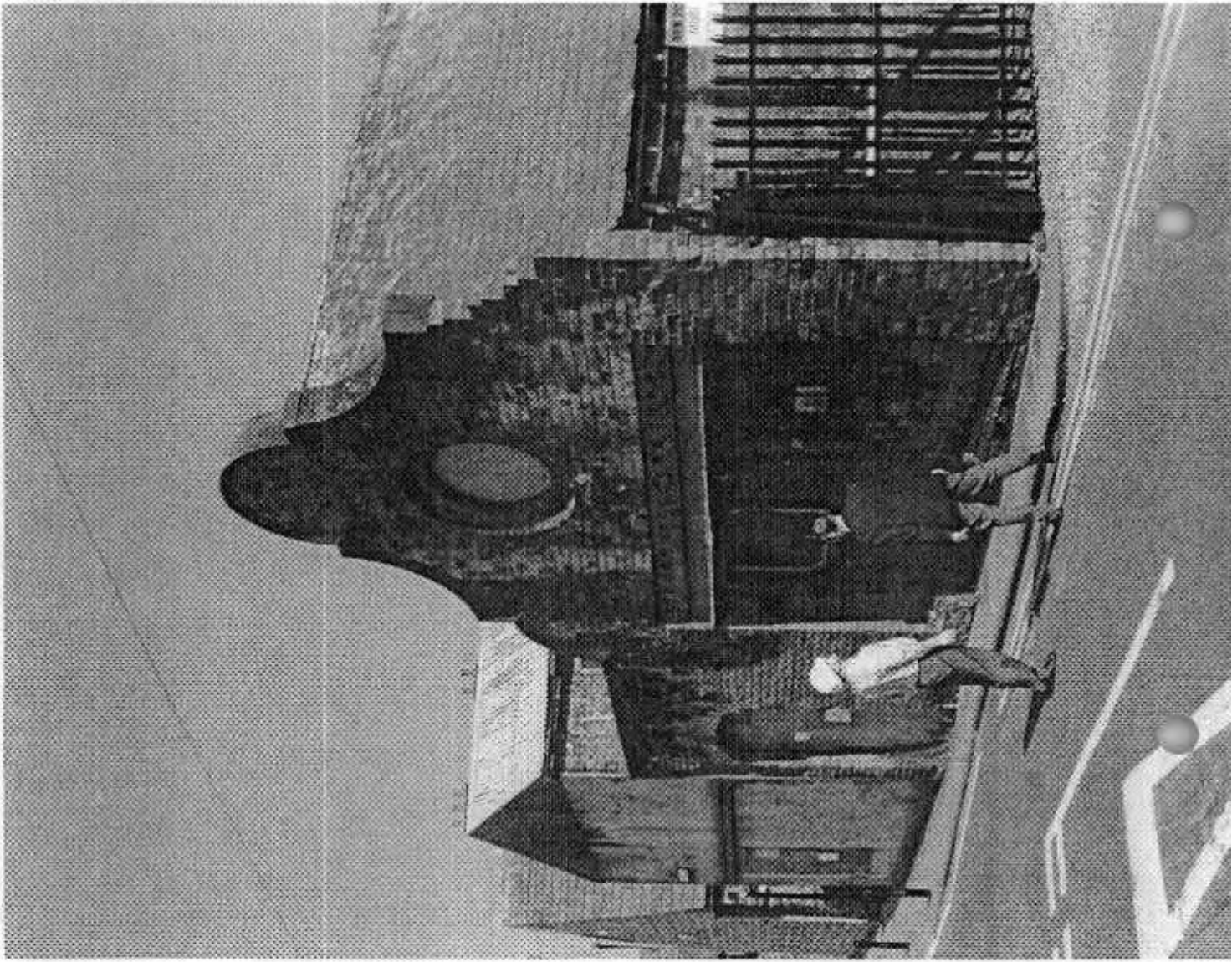
HEADS LANE ELEVATION AS EXISTING



6 INGHAM YATES & PTAS
4 CHAPEL ST. CARLISLE
SITE AT HEADS LANE, CARLISLE
PROPOSED DEMOLITION OF
DANGEROUS BUILDINGS
C9661/SK.3



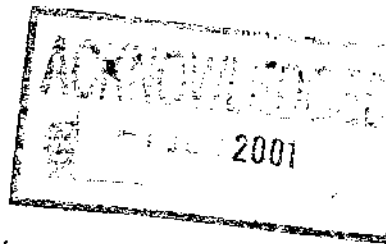




Salon Panache

3 Heads Lane
Carlisle
CA3 8AQ
Tel. Carlisle 526211

Hair by Ian



PLANNING SERVICES	
REF:	01/0366
- 1 JUN 2001	
REPLY:	9/2
SCANNED:	
REPLY TO:	PM.
ACTION:	

REF PM/dc/01/0366
CASE OFFICER MR P MESSENGER

I would like to object to the
Demolition of the buildings at
Heads Lane Carlisle. ~~APAS~~ APAS REF.
01/0366/

Ian Hall.

With Compliments

EDENWOOD : LINSTOCK : CARLISLE
CUMBRIA : CA6 4PY

Tel: 01228 526234
Mobile: 07710 603 426

8th May 2001

The Planning Officer
Carlisle City Council
Civic Centre
Carlisle
CA3 8QG

Dear Sir

PLANNING SERVICES	
REF	2001/0531
10 MAY 2001	
RECORDED	MM
SCANNED	
PASSED TO	PM
ACTION	

Re: Development, Heads Lane, Carlisle. Ref: 98/0531

I refer to the planning consent granted in March 1999 in respect of the above property and in particular to condition 3 of that consent.


You are no doubt aware that since the granting of planning permission, a number of prospective developers have endeavoured to put together viable commercial schemes without success. I am therefore now in the position of having to return to the market in a further effort to find a developer.

In the meantime, the structural condition of the existing buildings continues to deteriorate and I am extremely concerned that these may now constitute a potential danger to the public using Heads Lane. Messrs A.L. Daines & Partners report dated 28th January 1999, a copy of which was submitted to the Planning Authority, indicated that Units 1 & 4 were structurally unsafe and that the remaining units required considerable renovation work if the buildings were to be retained.

I accept that the Planning Authority are concerned to ensure that any re-development of the site shall reflect the scale and character of the existing buildings within the Conservation Area and that the number of detailed stone features shall be incorporated within the design of the new development.

I am however faced with the probability that it may be some time before a new developer can be found and that I therefore have to make this application to demolish the buildings on the site prior to a Contract for Re-development being agreed.

Yours faithfully



Mary Moualem



CONSULTING CIVIL & STRUCTURAL ENGINEERS

OUR REF: NRP/WD/99-C-7909

28 January 1999

Mr K Moualem
Edenwood
Linstock
Carlisle
Cumbria

PLANNING SERVICES	
REF:	
10 MAY 2001	
DEVELOPER:	
SCHEME:	
PASSENGER:	
ACTION:	

RECEIVED
10 MAY 2001
2001/0366

Dear Mr Moualem

STRUCTURAL INSPECTION OF PROPERTIES TO HEADS LANE, CARLISLE

I confirm having carried out a structural assessment of the properties as identified on the attached plan. I have summarised my assessment of each unit, as numbered on plan:

Unit 1

The Heads Lane elevation has an outward deflection at eaves level in excess of 150 mm. It has been restrained by the addition of a 152 x 89 RSC member at eaves level, with tie rods through to a similar member on the opposing elevation.

The brickwork is open-jointed and in poor condition. The wall construction changes to rubble stonework near ground level and it is most unlikely that this wall will have any spread footings.

The north gable wall is out-of-plumb and is a patchwork of differing building materials.

The roof is sheeted with corrugated cladding. It is likely that the bearings to the roof trusses will be minimal owing to the outward deflection at eaves level.

It is my opinion that this building would be uneconomic to retain.

Unit 2

There is a stepped settlement crack to the brickwork wall connecting units 1 and 2.

Very little of the front elevation remains, having been replaced by a shop frontage with sliding door. What structural walls remain appear to be reasonably plumb and free from significant distress.

The slated roof, however has a severe dip to the southern half and would require total renewal.

It is my opinion that the walls to this unit could be retained if strictly necessary but there is little of merit to recommend this.

Unit 3

This unit has retained more of its original "domestic" character and the walls are reasonably plumb and true, although in need of repointing.

The roof line is acceptably true but would benefit from a total overhaul.

It is my opinion that the walls to this unit are again salvageable from a purely structural point of view.

Unit 4

There has been considerable structural movement to this unit with a severe outward bow to the front elevation. This has been restrained by a steel channel tied back to a similar member on the rear elevation. However, the rear elevation is in a state of total dilapidation and is in my opinion, unsafe. I did not enter this property.

In my opinion this unit should be pulled down as soon as possible to ensure the safety of the public.

Unit 5

This detached unit has a fine arched detail to the West Walls elevation beneath which is a large door opening. Steel beams have been utilised as lintels to the opening but have severely corroded at their bearings. The subsequent expansion of the metal has caused the brickwork to burst outwards with cracking in all directions.

The remaining elevations appear to be in acceptable order.

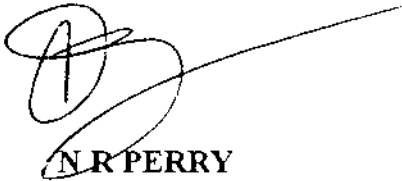
It is my opinion that the majority of the walls are structurally sound but local rebuilding of the front elevation would be required with the installation of new lintels over the opening.

Conclusions

As stated above it is my opinion that units 1 and 4 should be demolished, whereas units 2, 3 and 5 could be retained if necessary. It would also be necessary to totally gut the remaining three units as the majority of the timberwork and plaster is suspect.

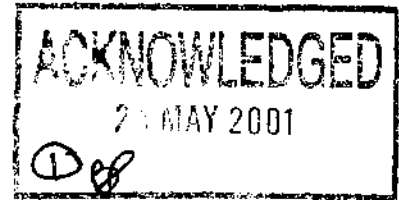
However, as these remaining walls are all of solid brickwork construction with little, or no foundation it would be my strong recommendation to consider total rebuild whilst retaining desirable existing features where possible.

Yours sincerely

A handwritten signature in black ink, appearing to be 'N R PERRY', with a long horizontal line extending to the right.

N R PERRY
A L DAINES & PARTNERS

St Cuthbert's Vicarage
West Walls
Carlisle CA3 8UF
01228 521982
pratt@primex.co.uk



24 May, 2001

To the Chief Development Officer
Re Demolition at Heads Lane Ref 01/0366/

PLANNING SERVICES	
REF	
24 MAY 2001	
RECORDED	BP
SCANNED	
PASSED TO	PM ①
ACTION	

Dear Alan

Thank you for your letter and the opportunity to comment on the above proposal. I would like to make the following points:

- ◆ Heads Lane is a sensitive part of the City, on the main pedestrian route from the main City Centre Car Parks to the City Centre, past two of the most significant buildings in the City - the Tithe Barn and St Cuthbert's Church. This proposal seems to have nothing positive in it for this important area. It will merely create an unattractive open area which we must presume will continue to be used as a car park.
- ◆ There seem to be no details about how the boundaries of this area will be maintained. Wire mesh fencing or hoardings would be highly unacceptable.
- ◆ The present buildings have some historic and architectural value. They are indeed in a dilapidated state but could, from their present state, be restored. However, once demolished they are gone for ever.
- ◆ There seems to me to be an element of irresponsibility about the current ownership of this site. As the owners of St Cuthbert's and the Tithe Barn we put huge efforts into maintaining and improving them, and are rightly expected to do so. There seems to have been no investment, minimal maintenance, and a cavalier attitude to this site and its buildings from its current owners.

We therefore oppose this planning application.

Yours cordially

Richard Pratt

Richard Pratt
Vicar, St Cuthbert's Church.

DANGEROUS STRUCTURE REPORT No. DO1 0022 HEADS LANE CARLISLE

The group of buildings was inspected by Walter Davidson, John Hill and Peter Messenger on 24th May 2001.

The findings were as follows :-

Unit 1

The front wall is significantly out of plumb, but is restrained by a steel channel and tie rods through to the rear wall.

The bearing of the centre roof truss is affected by the outward movement of the wall, and is also suffering from decay.

The remainder of the structure of this unit is in quite good condition.

Because of the ties, it is not considered that this building is dangerous.

Units 2 & 3

Apart from a sagging section of roof to unit 2, these two units are considered to be in a reasonable condition.

Unit 4

This unit is in the worst condition of all of the buildings on the site.

The front wall is tied back to the rear wall in a similar manner to Unit 1, but in this case, the rear wall is in a very poor state of repair and it is questionable as to how much restraint is being afforded by the system of ties.

To make the building safe, it would be necessary to rebuild the rear wall, but this would be a very difficult and costly operation, and would involve the shoring of the front wall and the temporary closure of Heads Lane to allow this work to be carried out.

There would also be serious concerns about the safety of workers carrying out the rebuilding work on such a dilapidated building, and on such a tight site with a distinct lack of working space.

Unit 5

With the exception of the West Walls facade, this building is in a good condition.

Some local repair work is required to the facade, particularly in the vicinity of the RSJ bearings.

Walter Davidson

24 May 2001



COUNTY COUNCIL

Community Economy and Environment

Your ref: PM/DC/01/0366
Our ref: HS/S1521 (5058)

01 June 2001

Mr A M Taylor
Chief Development Control Officer
Carlisle City Council
The Civic Centre
Carlisle
CA3 8QG

PLANNING SERVICES	
REF	01/0366
- 6 JUN 2001	
RECORDED	
SEARCHED	
PASSED TO	PM
ACTION	

County Offices, Kendal
Cumbria LA9 4RQ
Fax: (01539) 773439
Telephone: (01539) 773431

FAO Peter Messenger

Dear Mr Taylor

DEMOLITION OF DISUSED COMMERCIAL AND RESIDENTIAL BUILDINGS LAND AT HEADS LANE, CARLISLE ARCHAEOLOGICAL CONSULTATION

Thank you for referring this application to me.

I have checked with the County Sites and Monuments Record and this site lies within an area of archaeological interest (ref. 5058). The site lies within the area of the Blackfriars Friary. An archaeological sequence dating from the Roman through to medieval periods was demonstrated to survive on the adjacent site.

The site is protected as a Scheduled Ancient Monument. English Heritage should also therefore be consulted in this instance.

The area on which the buildings stand has a very high archaeological potential. The depth of deposits identified on the adjacent site suggests that archaeology could survive even if deeply truncated by cellars, footings and services. I recommend therefore that an archaeological evaluation (trial trenching) of the site be undertaken following demolition. This work would also need to be discussed with English Heritage to ensure that the appropriate permissions were granted.

I advise that the evaluation be secured by attaching a negative condition to any planning consent you may otherwise be minded to grant, but should be undertaken prior to the consideration of any subsequent reserved matters or detailed application. As a guide, I suggest the following form of words based on the model given in PPG16 (para 30).

"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."

(Reasons: 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 or recording of such remains)

In addition to the above, the buildings at Heads Lane are of some archaeological interest. Although not of any great antiquity, they form a good group of urban buildings. I advise that a record should therefore be made of these buildings (photographic and drawn) prior to any demolition.

I trust this recommendation is acceptable. If you have any queries, please do not hesitate to contact me.

Yours sincerely



Helena Smith
Assistant Archaeologist

Email: helena.smith_ee@cumbriacc.gov.uk

Bingham Yates & Partners

Consulting Engineers 4 Chapel Street Carlisle Cumbria CA1 1JA
Tel: (01228) 521436 Fax: (01228) 515579
e.mail bingham.yates@msn.com



Your ref

Our ref.

Date

C9661/DJT/MLH

15 June 2001

PLANNING SERVICES	
REF	01/0366
20 JUN 2001	
RECORDED	CA
SCANNED	
PASSED TO	PM/WD
ACTION	

STRUCTURAL REPORT

PROPERTIES TO HEADS LANE, CARLISLE

This report was requested by Mrs M Moualem, Edenwood, Linstock, Carlisle, Cumbria and follows a structural survey of the above properties which was completed on 13 June 2001.

The purpose of the survey was to inspect the five properties on the site in order to determine their structural condition and to confirm whether that condition was such that the buildings had become unstable and unsafe.

As stated above there are five properties, each will be described and discussed separately as below. Sketch No C9661/Sk.1 attached to this report confirms the location of each.

Unit 1

- General Description : Two storey detached building of traditional pitched roof design.
- Roof : Single skin corrugated galvanised metal roof supported by timber purlins which span between gable walls and three number collared timber trusses.
- First Floor : Chipboard flooring laid on timber joists supported by timber cross beams. Access to the floor is via a removable vertical ladder.
- Ground Floor : Concrete/brick setts.

/Contd ...



- Internal Walls : None
- External Walls : Wall thickness and exact construction not known but assumed to be solid brickwork with some rubble stone walling at ground level.
- Foundations : Unknown but assumed to be of traditional strip footings. Ground conditions in the area are known to be poor.

The North elevation has an outward lean at its head of some 150mm and 152 x 89 RSC walings and transverse ties rods have been installed at some time in the past in an attempt to tie the front and rear walls together and arrest further outward movement.

As a consequence of the outward movement the bearing length of the roof trusses and floor beams have been minimised and at one location is non-existent. The West gable wall which is out of plumb is cracked vertically above first floor and the brickwork is severely spalled. The crack and spalling appears to be more recent in parts suggesting that further movement of the front wall has occurred or recommenced.

The general appearance of the brickwork is one of weathered open jointed brickwork particularly on the front elevation which is also built off the remains of a rubble wall suggesting that foundations may be a minimum or again non-existent.

It is thought that an outward movement of the front elevation may still be occurring and that further reduction to the bearing of cross members resting on the wall could lead to their sudden collapse. Such an event and the resulting impact on the front wall could lead to its outward collapse which could also pull the rear wall with it.

It is our opinion that this building is now in a dangerous condition and that immediate action is required to address the situation. Propping and improved lateral strength in the form of scaffolding could be inserted but this should only be seen as a temporary measure until the building can be safely demolished.

/Contd ...

Apart from a short length of wall at the North East corner it is unlikely that the front wall can be reduced in height during demolition and left to form a stable boundary wall to Heads Lane.

Unit 2

It is quite obvious from an external inspection of this building that the roof is close to collapse. This fact has been recognised by the owner in that all openings are boarded and nailed up and internal access is not possible.

General Description : Single storey end terraced building of traditional pitched roof design.

Roof : Slates on battens and rafters supported presumably by timber purlins and possible trusses.

First Floor : None.

Ground Floor : Construction not known.

Internal Walls : Assumed none.

External Walls : Wall thickness and exact construction not known but assumed to be solid brick.

Foundations : Unknown but assumed to be of traditional strip footings on poor ground.

As stated above the roof of this building is close to collapse and renewal is required.

The condition of the brick and pointing varies from reasonable to extremely poor and the East gable is not bonded to the rear wall.

/Contd ...

Whilst the walls of the building could be retained in any refurbishment the plan area of the property is small. As a consequence the cost of re-roofing, the provision of internal lining walls, and a new damp proof membrane/ground floor would in our view be uneconomic. Demolition would allow the installation of adequate foundations, and eliminate any future structural problems and is strongly recommended.

Should demolition be carried out it is confirmed that, provided all openings including that with the large sliding door are built up, the front elevation could be left to form a boundary wall to Heads Lane.

Unit 3

General Description : Mid-terraced two storey building with traditional pitched roof incorporating brick feature dormers.

Roof : Slates on battens and rafters supported by timber purlins and an intermediate truss. The ceilings are combed and the truss which is infilled with studding is visible. The smallness of the roof access prevented an inspection of the roof space at its peak.

First Floor : Timber boarding on joists.

Ground Floor : Concrete.

Internal Walls : Stud partitioning at first floor and brick at ground.

External Walls : Wall thickness and exact construction known but assumed to be of solid brick.

Foundations : Unknown but assumed to be of traditional strip footings on poor ground.

/Contd ...

The inspection of this property was limited in that most structural members are hidden. The dormered roof and its associated valleys, flashings etc and the inaccessibility of the roof spaces all suggest that the roof has not been maintained in the past. As a consequence it is our opinion that renewal will soon be required or would be essential in any refurbishment. The same may be true of the first floor timbers particularly if affected by wet rot where they are built into external walls.

Again it would be possible to retain the walls of the building in any refurbishment but the cost of re-roofing, flooring, lining out and the provision of a tanked ground floor slab is considered uneconomic. It should also be noted that the party wall between Unit 3 and 4 belongs to Unit 4 and supports its steelwork strengthening and tie rods. As stated later Unit 4 is considered to be in a dangerous condition and as a result of the above its demolition will greatly affect the stability of Unit 3 and leave it without a gable.

Demolition of the property is again recommended. Should demolition be carried out it is confirmed that, provided the end abutting Unit 4 can be stabilised following the demolition of that unit, the wall could form a stable boundary wall to Heads Lane.

Unit 4

- General Description : Two storey end terraced of traditional pitched design.
- Roof : Single skin corrugated galvanised metal roof supported by newish purlins and trusses. The remains of the original trusses are still visible.
- First Floor : Boarding on timber joists over a partial area, elsewhere floor is missing or has collapsed.
- Ground Floor : Thought to be stone flagged.
- Internal Walls : Stud partitioning at first floor and brick at ground.

/Contd ...

External Walls : Brick.

Foundations : Not known.

The condition of this building is approaching dereliction and steel strengthening has been inserted in an attempt to prevent collapse.

Irrespective of the past strengthening this building is considered dangerous and should be demolished immediately.

Unit 5

General Description : Detached single storey building of traditional pitched roof design. The pitch of the roof is in excess of 45° and the height to eaves some 3.5 metres.

Roof : Slates, battens and rafters supported by timber purlins which span between gable walls and two number king post trusses.

First Floor : None.

Ground Floor : Stone flag generally with some concrete infill.

Internal Walls : None.

External Walls : Between 215/330 thick solid brick incorporating a featured elevation to the West gable wall which is supported by steel beams over a large opening.

The steel beams above the large opening have corroded severely at their bearings, the resultant large expansive forces having then caused considerable damage to the brickwork. It will be necessary to demolish this wall at least to beam level in order to renew the beams.

/Contd ...

It should also be noted that demolition of Unit 4 will remove the buttressing to the large arched openings and as a consequence it will require demolishing and rebuilding.

The steepness of the roof pitch and the height to eaves is such that this building is considered to possess little lateral strength and could not, in our opinion, prove to be stable under wind loadings specified in current Codes of Practice. The demolition of most of the West gable will exacerbate the situation even further over the period of demolition/rebuilding.

It is thought that should this building remain in its present form, steelwork strengthening will be required to provide lateral strength. When considered with the provision of lining walls and a new floor refurbishment will again become uneconomic.

Summary

Units 1 & 4 are considered unstable and should be demolished immediately.

Units 2, 3 & 5 could be retained at a high cost of refurbishment and demolition is considered to be more practical and is strongly recommended.



.....
D. J. TERRY C. Eng., M. I. Struct., M. Cons. E.
for
BINGHAM YATES & PARTNERS

Bingham Yates & Partners

Consulting Engineers

Project No. 09661	Drg. No. SK1	Re
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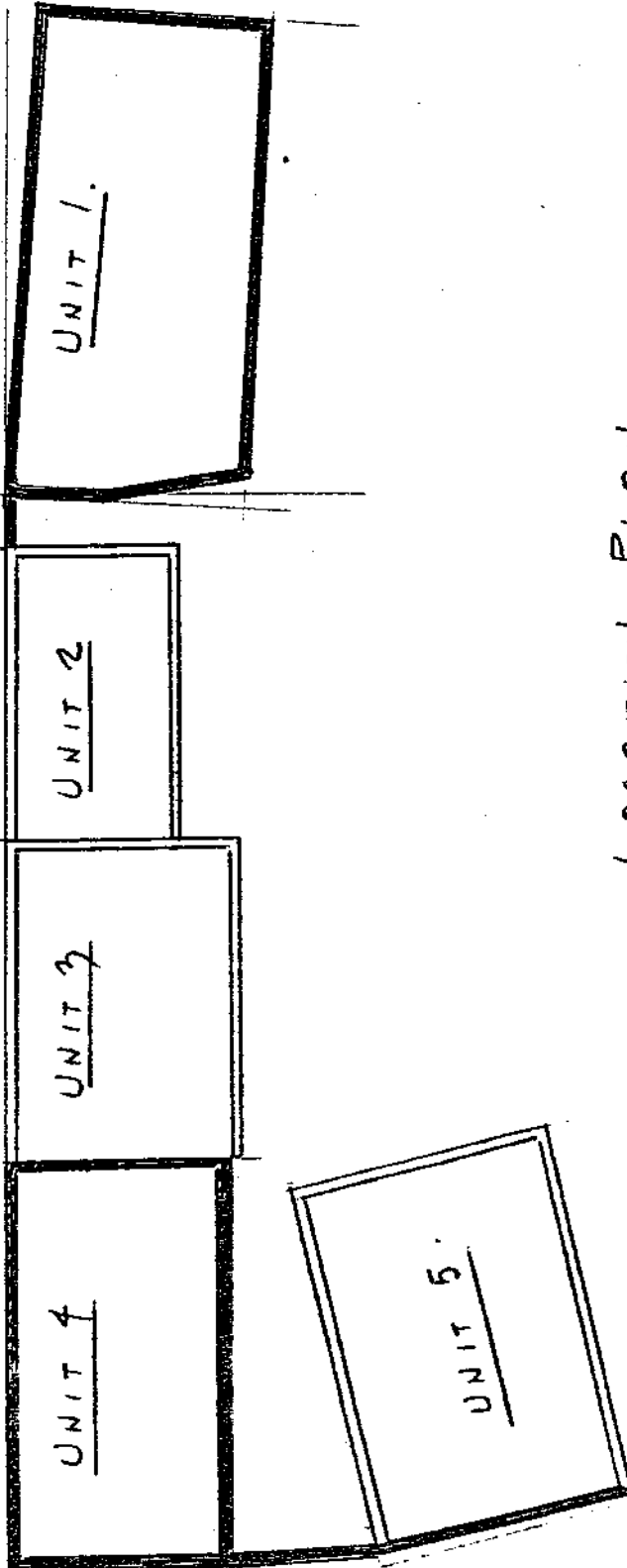
PROJECT TITLE
**STRUCTURAL SURVEY OF
 PROPERTIES IN HEADS LANE
 CARLISLE**
 19.6.01

This detail sheet to be read in conjunction
 with drg no _____ /

THIS DRAWING NOT TO SCALE

ORIGINAL Date	DRAWING		DRAWING AMENDMENTS	
	Made	Checked	Date	Revision
.6.01	D	T		
			A	
			B	
			C	

HEADS LANE



LOCATION PLAN

- DENOTES ESSENTIAL DEMOLITION FOR SAFETY REASONS
- =====** DENOTES RECOMMENDED DEMOLITION FOR PRACTICAL REASONS

WEST WALLS

Our Ref: WD/BC
Your Ref:

Contact: Walter Davidson
Direct Line: (01228) 817189
E-Mail: walterd@carlisle-city.gov.uk
Date: 21 September 2001

Mrs. M. Moualem
Edenwood
Linstock
Carlisle CA6 4PY

Dear Mrs. Moualem,

BUILDINGS AT HEADS LANE, CARLISLE

Following receipt of your letter dated 20 September 2001, I carried out a further inspection of the front elevations of the buildings, with particular reference to the area where a brick had recently been dislodged.

In overall terms, I could not detect any change in the condition of the facades from my last visit. The dislodged brick came from a non-structural panel of infill brickwork situated below a window and, in my opinion, has no bearing on the stability of the buildings in Heads Lane.

The condition of the buildings will continue to be monitored, and action to remove any danger will be taken if considered appropriate.

I note your comments about the Planning Application to demolish the buildings but I would advise that this is outside my remit. Mr. McCoy, the Council's Assistant Conservation Officer, has asked me to point out that the demolition of buildings in a Conservation Area is normally only permitted in cases where a contract has been signed for the redevelopment of the site. This matter is of course being dealt with as part of the current application and a decision is expected by the time of the next Development Control Committee meeting on 2nd November 2001.

Yours sincerely,

Walter Davidson
Building Control Manager

EDENWOOD : LINSTOCK : CARLISLE

CUMBRIA : CA6 4PY

Tel: 01228 526234
Mobile: 07710 603 426



PLANNING SERVICES	
REF	01/0366
20 SEP 2001	
RECORDED	SM
SCANNED	
PASSED TO	PM
ACTION	

20th September 2001

The Chief Planning Officer
Carlisle City Council
Civic Centre
Carlisle CA3 8QG

Dear Sir

Re: Demolition of Buildings at Heads Lane, Carlisle.
Application Ref: 01/0366

I wish to reiterate my extreme concern for public safety, due to the deteriorating state of my buildings in Heads Lane, Carlisle. As advised, I obtained two structural engineers reports, both confirming the dangerous state of the buildings and advising demolition. This week, I find that masonry has fallen into Heads Lane.

For various reasons, my planning application submitted in May has not yet been heard. Although I can accept this delay if necessary, I am sure you will appreciate that I cannot be held responsible for any third party claim arising from the dangerous state of the buildings, especially as my insurers declined cover of the buildings due to the structural engineers reports and with winter approaching, the situation can only worsen. I again advise you to take every step to safeguard the public until a decision is reached.

I hope therefore that the application will be approved, otherwise the onus of responsibility must rest with the Council in the event of any member of the public being injured by any collapse of the buildings, as insurance is not available.

Yours sincerely

Mary Moualem

c.c. Chief Executive
Conservation Officer
Building Control



ENGLISH HERITAGE

NORTH WEST REGION

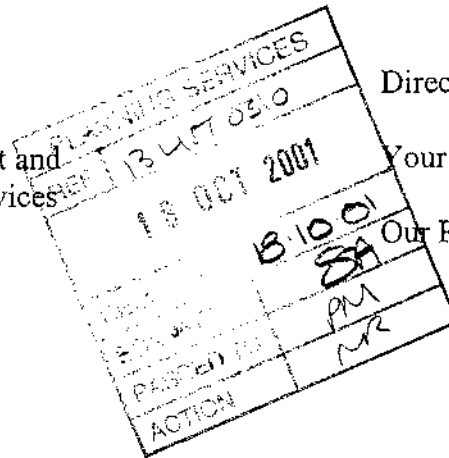
Mr P Messenger
Carlisle City Council
Department of Environment and
Development/Planning Services
The Civic Centre
Carlisle
CA3 8QG

Direct Dial: 0161 242 2430

Your Ref:

Our Ref: Heads Lane

17 October 2001



Dear Peter

HEADS LANE, CARLISLE

I write following our recent telephone conversation regarding the above, in which we discussed the Heads Lane proposals in the light of the report produced by Stuart Ellis.

Stuart's report does identify some general problems with the group of buildings, which are fairly easy and inexpensive to rectify, such as the raising of the ground level which has led to some moisture ingress. Similarly, adequate rain water goods are absent in places.

The only individual building identified by Stuart which gives immediate cause for concern is the two storey building on the corner of Heads Lane and West Walls, although even here there does not appear to be any imminent danger of collapse. The condition of all the buildings should be monitored by Building Control, but with particular emphasis on this building. As it stands, a case for demolition on public safety grounds cannot be sustained, and would not be justified.

Remedial works should be undertaken as necessary, as outlined in the report, so that any potential danger to the public is avoided. In the meantime, the history and archaeology of the group needs to be examined so that their context and role are better understood. Only when this study has been completed should plans for the site be drawn up, as it may be felt that some of the buildings should be retained rather than presuming a cleared site.

If you require further information or clarification, please do not hesitate to contact me.

Yours sincerely,

Rob Burns
Historic Areas Advisor

SCHEDULE B: Reports Requiring Further Information

ITEM NO. 31

Date of Committee: 02/11/2001

APPN REF NO:
01/0505 /

APPLICANT:
Barratt Manchester

PARISH:
St Cuthberts Wit

DATE OF RECEIPT:
14/06/2001

AGENT:

WARD:
Dalston

LOCATION:
L/A Carleton Grange, Carlisle Cumbria

GRID REF:
342800 554000

PROPOSAL: Substitution of house types on plots 1-70, 252-359, 351A, 352A,
353A, 354A, 355A, 356A, 357A, 358A, 359A, omission of plots
71-76 (187no.plots)



REPORT

SUMMARY OF CONSULTATION RESPONSES:-

UNITED UTILITIES (North-West Water): no objections;

ST. CUTHBERT WITHOUT PARISH COUNCIL: no representations;

HIGHWAY AUTHORITY: no objections but 3 conditions are recommended.

SUMMARY OF REPRESENTATIONS:-

The proposals have been advertised using Site and Press Notices and neighbour notification to the occupiers of 34 properties. There have been no representations.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

Outline Consent for the residential development of land to the north of Garlands Hospital was initially secured by the Regional Health Authority in December 1989.

Following disposal of the land, detailed planning permission for the development of that surplus land for housing purposes, comprising 443 dwellings, was approved in October 1997 and the site's development has subsequently been proceeding accordingly

Several variations to the layout and house types have been accepted as amendments in 1998, 1999, and 2000. In March of this year approval was also given to further substitutions of house types within the development that resulted in the overall "approved" dwelling numbers increasing to 462 units.

DETAILS OF THE PROPOSALS

The current proposals seek a further variation to the layout and dwelling mix coupled with a re-disposition of the intended "low cost housing plots" that were originally approved. That latter change arises from the requirements of Two Castles Housing Association who propose to undertake a development of

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0505 /

17 bungalows for the elderly.

These proposals result in the development increasing to 465 units overall since the bungalows are proposed as pairs of semi-detached or terraces of 3 units. Further house type changes in the homes for sale are also proposed to reflect customer demand but the design and finishes of these follows the styles and features already being built.

NB

The observations of the Housing Dept. on the social housing aspect are awaited. Additionally, since the whole site is subject to a S106 Agreement, relating to the original dwelling mix, a Deed of Variation to that agreement is necessary.

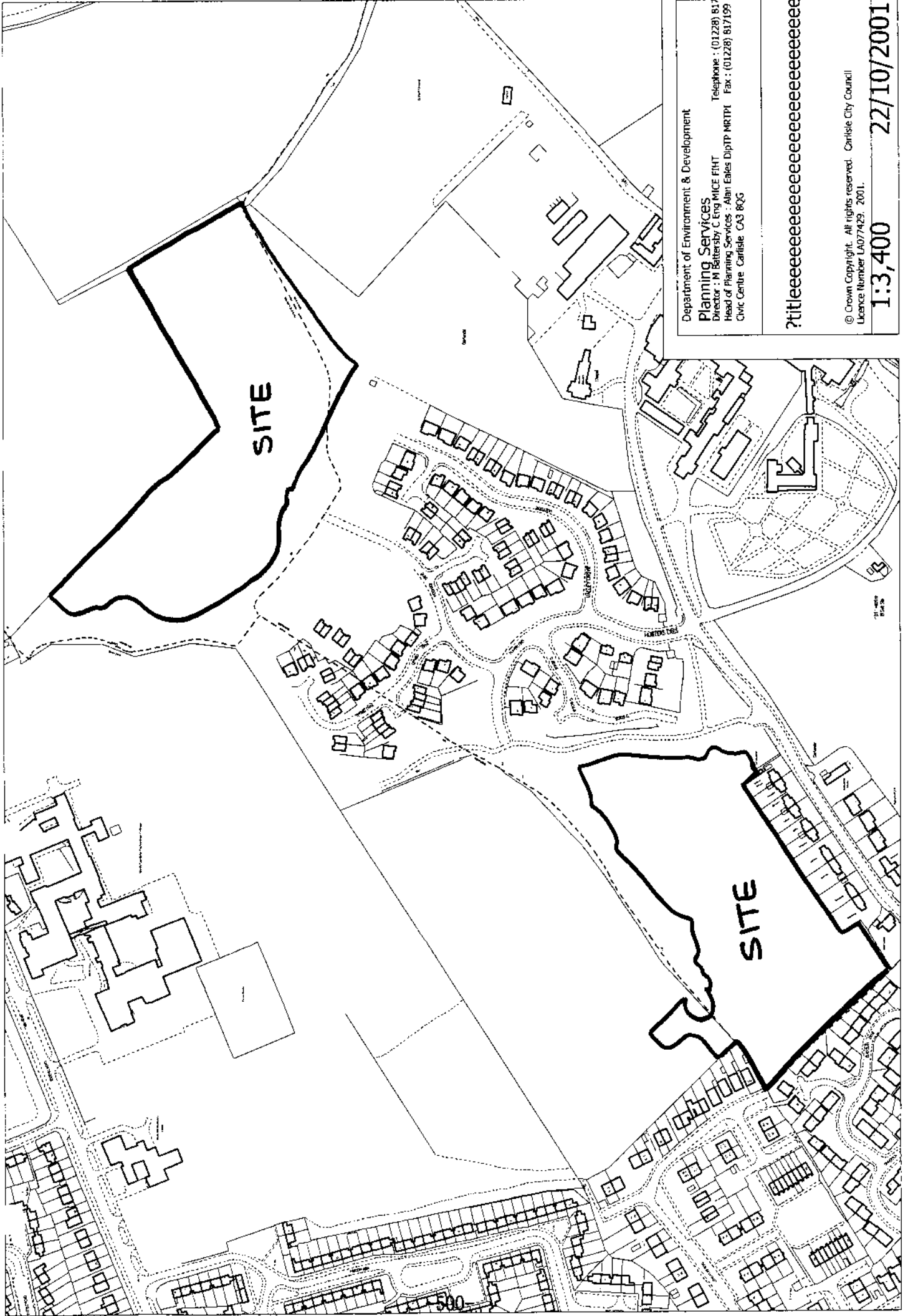
The proposals are, nonetheless, considered acceptable and provided the Director of Housing has no adverse comments the application will be recommended for approval.

RECOMMENDATION:-

A full Report and recommendation is not able to be made as the observations of consultees are still outstanding.

Supp Schedule
pages 47

A to I



Department of Environment & Development
Planning Services
Telephone : (01228) 817000
Director : M Batterby C Eng MICE FHT
Head of Planning Services : Alan Eales DipTP MRTP1 Fax : (01228) 817199
Civic Centre Carlisle CA3 8QG

?titleeeeeeeeeeeeeeeeeeeeeeeeeeeeeeeee

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1:3,400 **22/10/2001**

Garlands

- 1. All lots shown have been approved.
- 2. All lots shown have been approved.
- 3. All lots shown have been approved.
- 4. All lots shown have been approved.
- 5. All lots shown have been approved.
- 6. All lots shown have been approved.
- 7. All lots shown have been approved.
- 8. All lots shown have been approved.
- 9. All lots shown have been approved.
- 10. All lots shown have been approved.

Lot No.	Area (sq. ft.)	Area (sq. m.)	Bedrooms	Bathrooms
1001	1,200	110	2	1
1002	1,200	110	2	1
1003	1,200	110	2	1
1004	1,200	110	2	1
1005	1,200	110	2	1
1006	1,200	110	2	1
1007	1,200	110	2	1
1008	1,200	110	2	1
1009	1,200	110	2	1
1010	1,200	110	2	1

The area is 100 Acres
 4.7 Acres are 100% Residential
 2.4 Acres are 200% Residential
 3.0 Acres are 100% Office



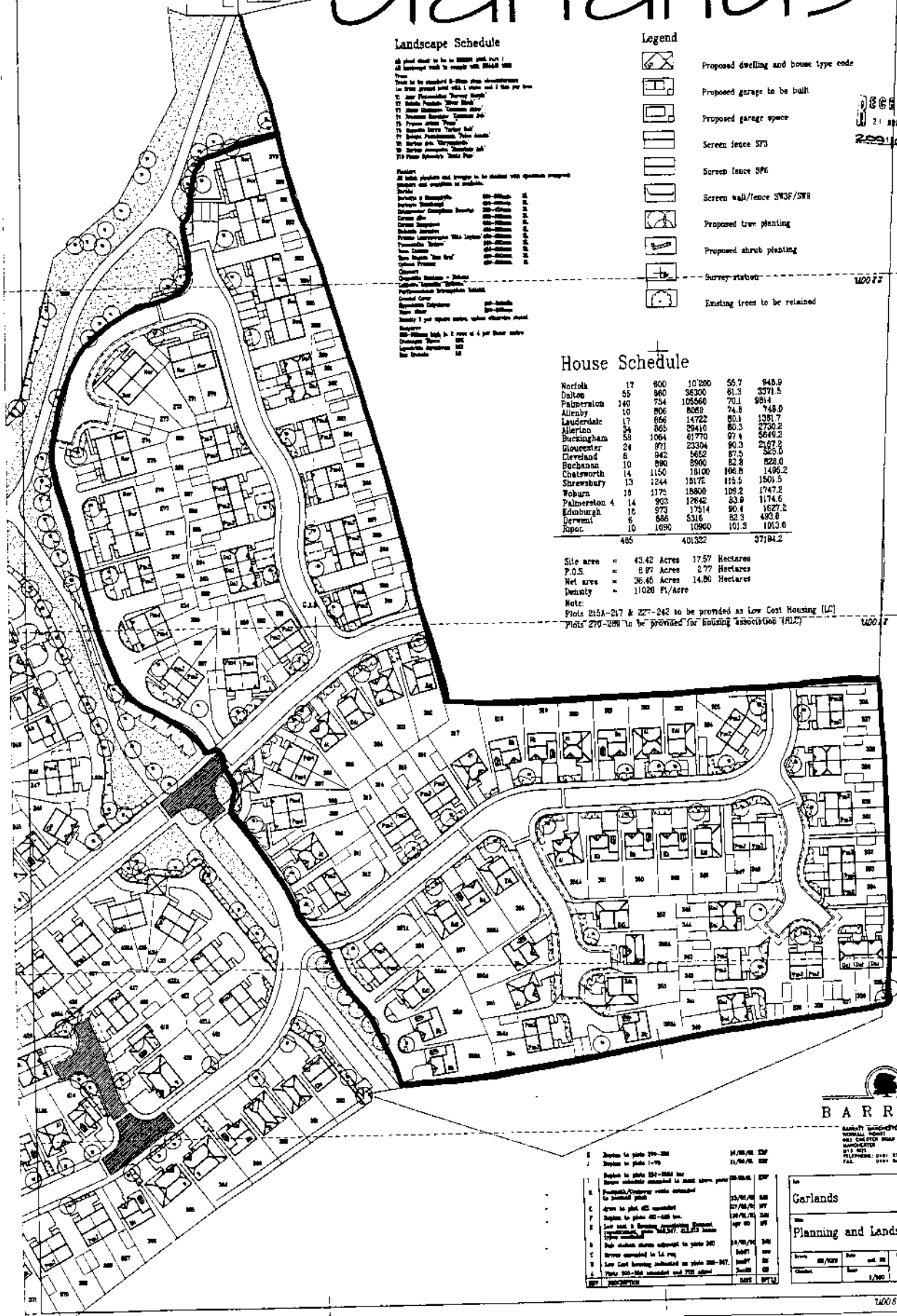
BARRATT
 Architects, Planners & Engineers
 1111 West 4th Street
 Suite 1000
 Denver, Colorado 80202
 Phone: 303-455-0100

NO.	REVISION	DATE
1	Initial Design	1/10/00
2	Final Design	2/10/00
3	Construction Documents	3/10/00
4	As-Built	4/10/00

Garlands

120077

PLANNING TO HOUSE - PURCHASERS
 Property Information at 1999



Landscape Schedule

- All plant shown to be in 1999 and 2000
 All landscape work to be completed by 2000
- Items to be included in this schedule are:
 1. All trees and shrubs to be planted
 2. All screening walls to be built
 3. All screening fences to be built
 4. All screening gates to be built
 5. All screening posts to be built
 6. All screening rails to be built
 7. All screening panels to be built
 8. All screening panels to be built
 9. All screening panels to be built
 10. All screening panels to be built
 11. All screening panels to be built
 12. All screening panels to be built
 13. All screening panels to be built
 14. All screening panels to be built
 15. All screening panels to be built
 16. All screening panels to be built
 17. All screening panels to be built
 18. All screening panels to be built
 19. All screening panels to be built
 20. All screening panels to be built

Legend

- Proposed dwelling and house type code
- Proposed garage to be built
- Proposed garage space
- Screen fence SFS
- Screen fence SFG
- Screen wall/fence SWGF/SWF
- Proposed tree planting
- Proposed shrub planting
- Survey station
- Existing trees to be retained

RECEIVED
 21 DEC 2001
 2001/055

House Schedule

House	17	800	10 200	55.7	645.9
Dalton	55	860	38200	81.3	3371.5
Palmerston	140	754	105560	70.1	9814
Albury	10	806	8069	74.9	748.9
Lauderdale	17	866	14722	80.1	1381.7
Alderino	54	865	25410	80.3	2738.2
Buckingham	59	1094	81770	97.1	5648.2
Gloucester	24	871	23304	80.3	2167.9
Cleveland	6	842	3652	87.5	325.0
Buchanan	10	890	8900	82.8	828.0
Chalkworth	14	1150	18100	108.8	1496.2
Shrewsbury	13	1244	18172	115.5	1501.5
Woburn	18	1175	18800	109.2	1747.2
Palmerston 4	14	903	12842	83.9	1174.6
Edinburgh	16	873	17514	90.4	1627.2
Lerwell	6	886	5316	82.3	493.8
Rapor.	10	1080	10800	101.3	1013.0
Total	485	401322		37184.2	

Site area = 43.42 Acres 17.57 Hectares
 P.O.S. = 8.97 Acres 2.77 Hectares
 Net area = 36.45 Acres 14.80 Hectares
 Density = 11020 P/Acre

Plots 215A-217 & 227-242 to be provided as Low Cost Housing (LC)
 Plots 270-288 to be provided for Housing Association (HLZ)

BARRATT

Item	Description	11/01/00	12/01/00
1	Design to plots 270-288	11/01/00	12/01/00
2	Design to plots 215-217	11/01/00	12/01/00
3	Design to plots 227-242	11/01/00	12/01/00
4	Design to plots 270-288	11/01/00	12/01/00
5	Design to plots 215-217	11/01/00	12/01/00
6	Design to plots 227-242	11/01/00	12/01/00
7	Design to plots 270-288	11/01/00	12/01/00
8	Design to plots 215-217	11/01/00	12/01/00
9	Design to plots 227-242	11/01/00	12/01/00
10	Design to plots 270-288	11/01/00	12/01/00
11	Design to plots 215-217	11/01/00	12/01/00
12	Design to plots 227-242	11/01/00	12/01/00
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40	Design to plots 270-288	11/01/00	12/01/00
41	Design to plots 215-217	11/01/00	12/01/00
42	Design to plots 227-242	11/01/00	12/01/00
43	Design to plots 270-288	11/01/00	12/01/00
44	Design to plots 215-217	11/01/00	12/01/00
45	Design to plots 227-242	11/01/00	12/01/00
46	Design to plots 270-288	11/01/00	12/01/00
47	Design to plots 215-217	11/01/00	12/01/00
48	Design to plots 227-242	11/01/00	12/01/00
49	Design to plots 270-288	11/01/00	12/01/00
50	Design to plots 215-217	11/01/00	12/01/00

Garlands

Planning and Landscape Layout

1/00

249/02

SCHEDULE B: Reports Requiring Further Information

ITEM NO. 32

Date of Committee: 02/11/20

APPN REF NO: 01/0596 /
APPLICANT: Cumbria Constabulary
PARISH: Wetheral

DATE OF RECEIPT: 10/07/2001
AGENT: Taylor & Hardy
WARD: Wetheral

LOCATION: L/A Scotby House, Park Road, Scotby Carlisle, Cumbria
GRID REF: 343728 555634

PROPOSAL: Residential development (outline) (revised proposal)

REPORT

PLANNING POLICIES:-

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 27

Areas of public and private open space or other amenity land which contribute to the quality of the built environment will normally be protected from development.

CUMBRIA & LAKE DISTRICT JOINT STRUCTURE PLAN POLICY 31

Sufficient housing land should be provided to ensure that, at any one time, there exists at least a five year's supply of readily available land capable of accommodating building at a rate which will keep the supply of dwellings in line with the housing requirement for each District as set out in Policy 30.

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.

CUMBRIA & LAKE DISTRICT JOINT STRUCTURE PLAN POLICY 40

In rural settlements outside the National Parks and AONBs, housing

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0596 /

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 E18

Trees which contribute to amenity, and are under threat, will, in appropriate cases, be protected by means of Tree Preservation Orders, or conditions attached to planning permissions.

CARLISLE DISTRICT PLAN
ENVIRONMENT - POLICY E50

The loss to built development of significant public and private open spaces within settlements will not be permitted.

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,

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0596 /

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:-

UNITED UTILITIES (North West Water): No objection to the proposal;

HIGHWAY AUTHORITY: No objections subject to the inclusion of 9 conditions on any Notice of Consent which may be issued;

ENVIRONMENT AGENCY: No further comment to add to response NO/2000/002525 (ref.00/0605);

CUMBRIA COUNTY COUNCIL (as Strategic Planning Authority): the application does not raise issues of material importance to the Structure Plan and it is therefore not intended to report the application to Members;

HEAD OF ENVIRONMENTAL SERVICES: No objections;

CARLISLE & DISTRICT CIVIC TRUST: the number of dwellings should be restricted, and located on a brownfield site. Also think boundary wall at Park Road should be removed, and a footpath constructed here to link existing paths;

WETHERAL PARISH COUNCIL: 8 objections are listed and these are printed as part of the Report;

HEAD OF DESIGN SERVICES (Drainage): no objections.

SUMMARY OF REPRESENTATIONS:-

The proposals have been advertised using Site and Press Notices and direct neighbour notification letters to the occupiers of 45 properties within the village. In response, 20 letters of objection have been received. These follow this Report.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

Planning consent was granted by Cumbria County Council in April 1985 for the change of use of Scotby House to the Northern Divisional HQ for Cumbria Constabulary. That use operated within the building until about a year ago although it seems that some limited storage takes place within the building at present.

In December 2000 outline planning consent was refused for the demolition of the house and its associated caretaker's cottage and outbuildings, and re-development of the whole site for housing purposes. A copy of the Officers's Report to Committee in relation to that proposal is appended.

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0596 /

An Appeal against that refusal was considered at a Public Inquiry on 16th October and the Inspector has indicated a decision is hoped to be made by 9th November.

DETAILS OF THE PROPOSALS

The previous application was supported by documentation and plans which indicated a development of up to 40 dwellings was able to be accommodated on the site. At the Inquiry Counsel for the appellants sought to have the application modified to a "simple" outline application with no specific dwelling numbers under consideration. The Inspector ruled that she was prepared to consider the application on the basis of "up to 30 dwellings".

The current proposal is also in "outline" form but the agents have stated on the application form that this proposal seeks approval for 19 dwellings. Non indication is given in accompanying correspondence why that figure has been selected. Members will wish to note, however, that Policy H5 of the District Local Plan states in the reasons/explanations that "developments of 20 dwellings or more will be considered "large- scale". The basic tenet of Policy H5 is, of course, that "large-scale" development will be resisted within the villages to which that policy applies, including Scotby.

Common to the earlier application, the plans submitted with this second application indicate a proposed new access from Park Road, positioned slightly off-centre on the road frontage and with a 6.1 metre kerb to kerb width. That access is proposed to be formed through the main belt of roadside trees which are included within the Scotby House Tree Preservation Order. The plan indicates that 4 trees will be lost, although at the Inquiry Expert Witness for the appellants had indicated that access in that location could result in the loss of 8 trees.

Unlike the previous application, a layout plan has been submitted that shows a developmednt of 19 detached dwellings served off two culs-de-sac, each seemingly a shared surface road. The existing permissive footpath that runs within the site, parallel to park Road and in lieu of a footway to that road, is retained. That layout plan indicates potential supplementary planting to the northern and north-western site boundaries.

Members should note that the layout plan is intended to be illustrative and that all matters, including access, are "reserved".

The accompanying letter from the agent acting for the applicants is reproduced for information. It contends that the site is within the village boundary, is well related to the landscape of the area, is capable of being well related to the scale, form and character of the settlement which is, in the agents' assessment, "predominantly suburban in the vicinity of

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0596 /

this site". It concludes by stating that the proposal is in conformity with Policy H5 and should therefore secure planning approval.

Evidence presented on the appellants' behalf at the Inquiry stated that an alternative access, utilising the existing access at the western end of the road frontage, could result in a lesser impact on roadside trees and the character of the site frontage, including roadside walls. No such proposal has been advanced with this revised application although, clearly, the appellants had thought it a sufficiently important issue to engage expert evidence and place it before the Inspector.

That aspect is being investigated with the applicants in view of the weight that they gave to this matter at the Inquiry and so that Members may judge whether that represents a significant improvement over the earlier proposals.

In terms of the wider planning merits of the proposals Members will wish to consider whether the proposals, which remove a substantial, albeit unlisted Victorian house set in attractive and extensively landscaped grounds, comply with the policy provisions of Policy H5 and related Policy E50 which seeks to protect significant amenity open space within settlements. As stated in the Report on the original planning application, the Countryside Design Summary, adopted as Supplementary Planning Guidance, and the related SPG on Trees in Development Sites recognise the amenity value of major trees and groups of trees in relation to village form, character and amenity and seek to prevent development that would destroy these qualities.

The applicants have been asked to clarify the position in relation to the western access and Officers will Report further.

RECOMMENDATION: -

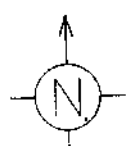
PLANNING SERVICES	
REF	
10 JUL 2001	
RECORDED	
INDEXED	
FORWARDED TO	
ACTION	

RECEIVED
 10 JUL 2001
 2001/0596

Cumbria County Council
 The Map Room

Scale 1:2500 E:343550 Date:22-11-1994
 O.S.:NY4355 N:555470 Operator:DF

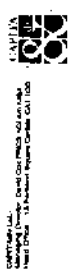
Building & Design
 15 Portland Square
 Carlisle
 CA1 10Q
 Tel: 0228 812199
 Fax: 0228 512370



Area Police HQ, Scotby House
 & 116 Scotby Road

PLANNING REF	10 JUL 2001
RECOMMENDED	
SCHEMATIC	
FINAL	
AS	

Revision Status
 Date: Arrangements
 Ref: 01



CAPITA
*db*s

3 Alfred Street North, Carlisle,
 Cumbria CA1 1PX
 Tel: 01228 608161 Fax: 01228 608112
 www.capitaldb.com

Division of Council, Cumbria Council, Market
 Street, Lancaster, LA1 1YJ

CUMBRIA CONSTABULARY

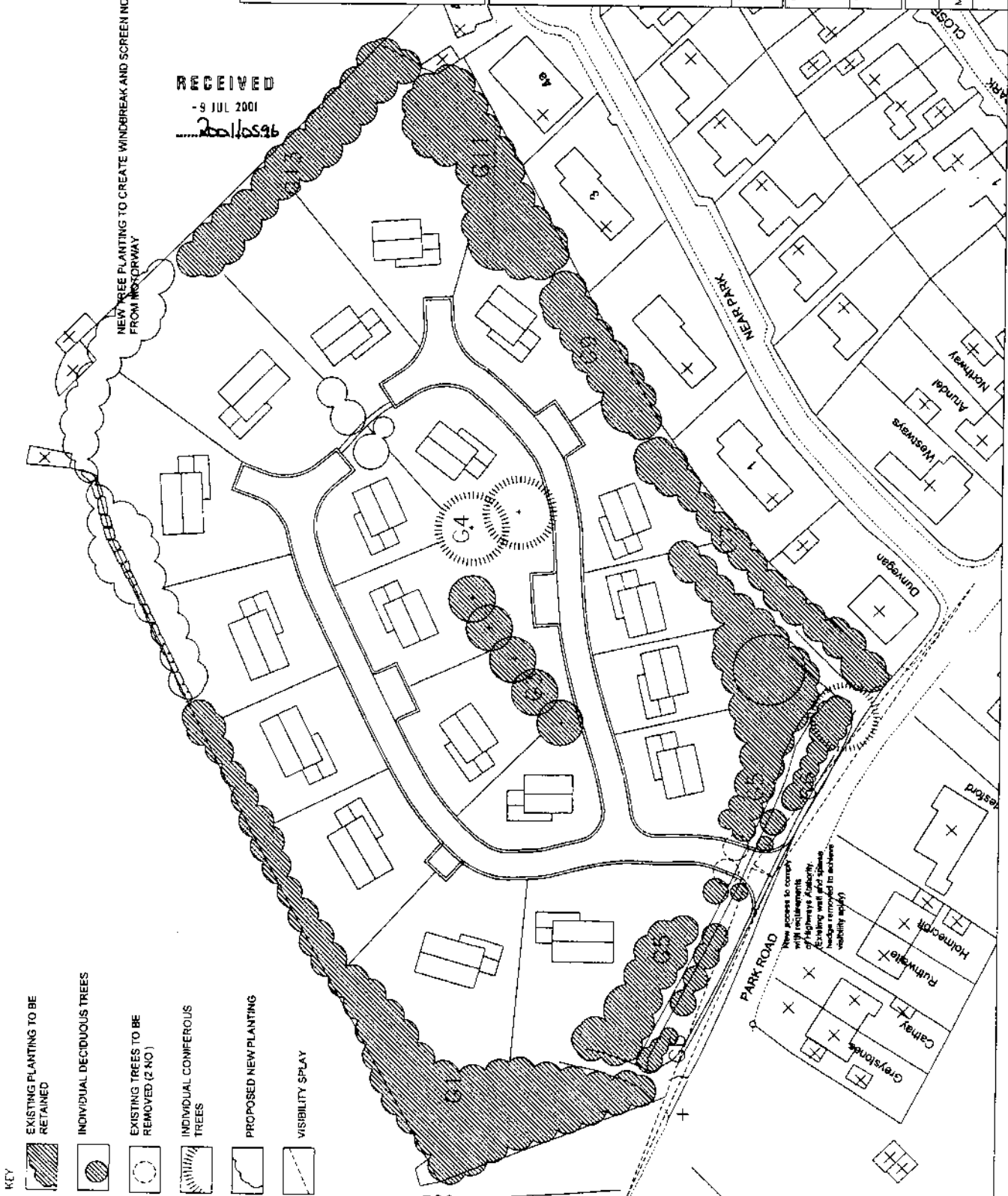
SCOTBY HOUSE
 PROPOSED RESIDENTIAL
 DEVELOPMENT

INDICATIVE SITE LAYOUT

SCALE	1:500	DATE	10 JUL 2001
DRAWN	RSB	REVISED	
CHECKED		DATE	
PROJECT NO.	28100/A	DWG NO.	01
DATE	May 01	SCALE	D1

RECEIVED
 - 9 JUL 2001
 2001/0596

NEW TREE PLANTING TO CREATE WINDBREAK AND SCREEN NOISE
 FROM MOTORWAY



- KEY
- EXISTING PLANTING TO BE RETAINED
 - INDIVIDUAL DECIDUOUS TREES
 - EXISTING TREES TO BE REMOVED (2 NO)
 - INDIVIDUAL CONIFEROUS TREES
 - PROPOSED NEW PLANTING
 - VISIBILITY SPLAY

9 Finkle Street
Carlisle
Cumbria, CA3 8QJ

TAYLOR & HARDY

Tel: (01228) 258880
Fax: (01228) 810362
Email: thplan@globalnet.co.uk

Taylor & Hardy Limited, Registered in England No. 1877503
Registered Office: 9 Finkle Street, Carlisle, Cumbria, CA3 8QJ

Chartered Town Planners

Our Ref: RT/J/C01/056

9th July, 2001

Chief Development Control Officer,
Planning Services Division,
Department of Environment
and Development,
Carlisle City Council,
Civic Centre,
CARLISLE
CA3 8QG

PLANNING SERVICES	
REF	2001/0596
10 JUL 2001	
PREPARED BY	MM
SCOTBY	
PLANNING	AMT
ACTION	

Dear Sir,

SCOTBY HOUSE, SCOTBY, CARLISLE

I enclose an application for outline planning permission for the residential development of the above site. As a repeat application no fee is necessary.

The premises are now redundant from the Policy Authority point of view and, as you know, various possible uses have been discussed for some time.

My Clients have considered various proposals but feel that the most appropriate use is as residential development for the whole of the site. They intend to demolish the existing premises which are neither listed, nor within a Conservation Area, nor in residential usage. In other words the demolition of the existing properties would not require any formal consent of the Local Planning Authority.

The application site is clearly within the existing village boundary and is adjoined on the south and south-west by other residential development.

The application falls to be considered under the terms of Policy H5. My clients' have prepared an illustrative layout showing how 19 individual properties could be provided. I confirm that they will accept a planning condition limiting the number of dwellings to 19 in order to comply with the overall thrust of policy H5.

In terms of the criteria in Policy H5 the site is clearly well related to the landscape of the area and separated from open countryside (criterion1).

There is clearly scope to augment the existing landscape features with further material which could be achieved by means of an appropriate planning condition. The detailed access arrangements as shown on the attached

drawing and described in the enclosed note dated 6th December 2000 involve the loss of only 3 yew trees that are the subject of the Tree Preservation Area.

The proposed development is capable of being well related to the scale, form and character of the existing settlement (criterion 2). Contrary to the assertion in the reason for refusal of the previous proposal I consider that the proposal accords with the character of Scotby which is predominantly suburban in the vicinity of this site.

Matters of layout and design under criteria 3 and 4 would be dealt with as Reserved Matters.

My Clients are satisfied that the access arrangements will be satisfactory. I note the previous advice of the highway authority in respect of the previous proposal which was envisaged to be in the order of 40 units. Accordingly I do not believe it is necessary to provide a Supplementary Form on Traffic Impact in this case. I confirm that the existing access points would be permanently closed on the commencement of development.

Criteria 6 and 7 do not apply.

I consider that this proposal conforms with Local Plan Policy H5 and, as such, planning permission should be forthcoming as PPG1 acknowledges unless there are other material considerations.

If there is any matter arising that you wish to discuss or clarify please let me know.

Yours faithfully,


for BOB TAYLOR

Head of Planning Carlisle City Council

Mr. W.J. Robinson
66 Scotby Road
Scotby
NR. Carlisle
CA4 8BD

Dear Sir

Many people in Scotby have signed the enclosed petition, although many also feel that our council will not act until after a serious accident takes place. We hope that this will not be the case and request that action is taken immediately.

Clearly this petition has received massive support and all residents want Scotby to be a safer place.

We hope that you will support the people of Scotby by lobbying appropriate persons and councils on our behalf.

We look forward to receiving your comments which will be fed back to the village residents who signed this petition.

Yours sincerely

W.J. Robinson S.Kelly E.Little K.Brown

WJ Robinson

PLANNING SERVICES	
REF	01/0596
DATE	NOV 2001 48
BY	CN
INITIALS	AMJ
	I-L

Save Scotby
66 Scotby Road
Scotby
CARLISLE
CA4 8BD

Letters to:-
David McLean MP
Planning Inspectorate
Mr T Blair, PM
Cumbria Police
C.C.C.
Wetheral Parish Council
Carlisle City Council
Planning Authority

Dear Sir/Madam

This petition relates to village residents of Scotby Road, Scotby Village and neighbouring roads of their serious and grave concern for the safety of children and adults who have to use Scotby Road.

Approximately 18 months ago this road became a 30 mph limit and this has made little, if any difference. Cumbria Police share our concerns and have spent considerable time in Scotby this year tracking traffic up to 75 mph, heavy vehicles from Rosehill and developments nearby. The volume of traffic has increased with many new developments in and close to Scotby.

Many people have expressed their concerns about Scotby Road with little success, an example being that no money has been made available – “what price a child’s safety” – most children must now be escorted to school adding to the problems on Park Road.

As residents we are against further developments specifically to boundaries of Scotby as this has compromised everybody’s safety. We believe our rural lifestyle is being destroyed by developers. We request that all boundaries in Scotby become greenfield sites with no future developments allowed.

As residents we request urgent action to restrict traffic to 20mph on Scotby Road, traffic calming measures put in place as a matter of urgency and heavy vehicles restricted to all roads in Scotby. We also believe crossings should be considered along with cycle paths at allow children to cycle to school safely.

As residents we formally request a response to this petition.

Scotby Village Action Save Scotby

1)

SCOTBY VILLAGE ACTION SAVE SCOTBY
PROTECT OUR CHILDREN

NAME	ADDRESS	SIGNATURE
MRS. E.A. BROUGH	3 HOLMEFAULD SCOTBY	Ea Brough
MRS J F TEASDALE	4 HOLMEFAULD	Jt Teasdale
MRS M.E. BAKER	6 HOLMEFAULD	M. E. Baker
Mrs T. Lewis	17 HOLMEFAULD	Tracey Lewis
Mr J. SANDS	19 HOLME FAULD	Scott J. Sands
MRS J. SANDS	19 HOLME FAULD	J. Sands
Mr. J.W. Shepherd	21 Holme Fauld	J. W. Shepherd
Mrs A FISHER	25 HOLME FAULD	A. Fisher
MR G FISHER	25 HOLME FAULD	G. Fisher
M. T. Dewar	27. Holme Fauld,	M. T. Dewar
D. L. Couthwood	30 27 Holme Fauld	D. L. Couthwood
A. Norman	26 Holme Fauld	A. Norman
E WARD	26	E. Ward
S. Proud.	1. Holme Close	S. Proud.
A. Proud	1. Holme Close	A. Proud
K Hollis	4 Holme Close	K Hollis
K Hollis	4 Holme Close	Keith Hollis
? K. Graham	8 Holme Close	G. Graham
J. Adams	Hedley Cross	J. Adams
J. Hedley	Hedley Cross	J. Hedley

SCOTBY VILLAGE ACTION SAVE SCOTBY

PROTECT OUR CHILDREN

<u>NAME</u>	<u>ADDRESS</u>	<u>SIGNATURE</u>
G. SAUTER	WHEELBARROW Ct. SCOTBY	G. Sauter
C. IVENSON	" " "	C. Iverson
J. Edmunds	" " "	J. Edmunds
K Brown	" " "	K Brown
K KENDALL	119 SCOTBY RD SCOTBY	K Kendall
J. J. J. J.	CU SCOTBY "	J. J. J. J.
D HUNTINGTON	87 " Rd.	D Huntington
# Huntington	87 Scotby rd	# Huntington
J. Kethers	85 Scotby Rd.	J. Kethers
W. VANDER BYL	45 SCOTBY RD	W. Vander Byl
S. Vander Byl	" " "	S. Vander Byl

SCOTBY VILLAGE ACTION SAVE SCOTBY

PROTECT OUR CHILDREN

<u>NAME</u>	<u>ADDRESS</u>	<u>SIGNATURE</u>
B. JOHNSTON	99. SCOTBY ROAD	B. Johnston
C. JOHNSTON	— — —	C. Johnston
E. GYHAM	101 SCOTBY ROAD	E. Gyham
M. GRIFFITHS	103 SCOTBY RD.	M. Griffiths
G. PROVEDENT	109 Scotby Rd	G. Provedent
PROVEDENT	109 Scotby Rd	I.C. Provedent
J. ELIAMS	111 Scotby Road.	J. Eliams
S. RISTON	115 Scotby Road	S. Riston
A. PRESTON	" "	A. Preston
b. Nanson	117, Scotby Rd	b. Nanson
P. NANSON	117. Scotby Road.	P. Nanson.
A. PARKER	123 SCOTBY RD	A. Parker
D. PARKER	123, SCOTBY RD,	D. Parker
F. J. TAYLOR	125, Scotby Rd.,	F. Taylor
J.P. BUTLER	131 Scotby Rd	J. Butler
B. DINE	135 Scotby rd	B. Dine
F. PRINPLE	22 Holme Fould	F. Pringle
J. PRINPLE	22 Holme Fould	J. Pringle
F. WALKER	18. Holme Fould	F. S. Walker
E. BARKER	10 Holme Fould	E. Barker
M. FORBES	5, HOLME FAULD	M. Forbes
C. SECULAR	7 HOLME FAULD	C. Secular

SCOTBY VILLAGE ACTION SAVE SCOTBY

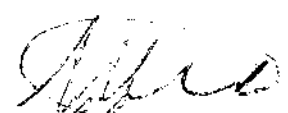
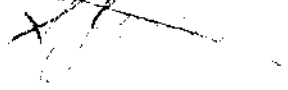

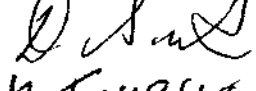





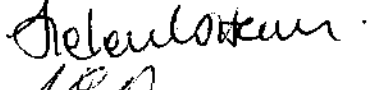

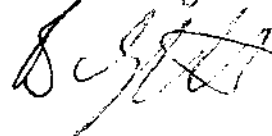
PROTECT OUR CHILDREN

<u>NAME</u>	<u>ADDRESS</u>	<u>SIGNATURE</u>
K. E. BEATTIE	3 HOLME FARM, Scotby	<i>[Signature]</i>
B. A. MOLE	5 HOLME CLOSE Scotby	<i>[Signature]</i>
M. L. MOLE	6 Holme Close Scotby	M. L. Mole
Alan James	9 Holme Close, Scotby.	Alan James
T. JACKSON	10 HOLME CLOSE SCOTBY	T. Jackson
Alan James	1 Holme farm Scotby	<i>[Signature]</i>
GLADYS HIGGINS	1 Holme farm Scotby	Gladys Higgins
Lisa Forrester	Scotby	<i>[Signature]</i>
Treacy Taylor	Scotby	Treacy Taylor

388

SCOTBY VILLAGE ACTION SAVE SCOTBY

PROTECT OUR CHILDREN

<u>NAME</u>	<u>ADDRESS</u>	<u>SIGNATURE</u>
MR. DEVAATH	114, SCOTBY RD	
& J. Joscelyn	118 SCOTBY RD	
C Hundle	7 Holme Fould	C Hundle
S. SMITH	120 SCOTBY ROAD.	
D SMITH	" " "	
M. JEFFERIES	122 " "	M. JEFFERIES
J. JEFFERIES	" "	J. JEFFERIES
J. DUNN	124 " "	
J. DUNN	124 SCOTBY RD	
Chowes	126 SCOTBY RD	
Mr + Mrs Rhodes	128, SCOTBY RD	MR + MRS P. RHODES
Mr. W.A. Ritchie	132 SCOTBY RD	W.A. RITCHIE
MRS E.A. RITCHIE	" "	E.A. RITCHIE
MRS. REID.	134 SCOTBY RD	
D. COHAM	136 SCOTBY ROAD	
H. COHAM.	136 SCOTBY RD.	
N.E. ROY	140 SCOTBY RD	N.E. ROY
	137 SCOTBY RD	
J. ALIGHTOWER	137 SCOTBY RD	CA HUNTER

6
~~85~~ 85
 91 87 95

SCOTBY VILLAGE ACTION SAVE SCOTBY

PROTECT OUR CHILDREN

<u>NAME</u>	<u>ADDRESS</u>	<u>SIGNATURE</u>
Elaine Little	Faldo, Scotby Rd.	Elaine Little
Tom Little	— " —	Tom Little
Stan Hilling	78 Scotby Road	Stan Hilling
Jean Hilling	" " "	J Hilling
William Robinson	66 Scotby Road	W Robinson
Jocelyn Robinson	— " —	J. Robin
Sue Grimes	69, Scotby Road	Sue Grimes
Mike Grimes	— " —	Mike Grimes
Mike Knight	75 " "	Mike Knight
Helen Lambert	H. Lambert	H Lambert
77 Scotby Road	" "	77 Scotby Road
Sue Rowntree	81, Scotby Rd	SARowntree
Sue Rowntree	" "	C. Rowntree
Mrs V Graham	83 Scotby Rd.	V Graham
Mr B. Graham	" "	B Graham
Mrs T. Nixon	89 Scotby Rd	T. Nixon
Mr. C. Nixon	" "	C R Nixon
Margaret Carr	93 " "	Margaret M. Carr
R. W Atkinson	98 " "	R W Atkins.
L. L. Atkinson	98 " "	L. L. Atkinson
B. Scott	96	B Scott
J. Scott	96	J Scott
J. J. Stephenson	87-519 —	Margaret V

97 7

Woodhurst

SCOTBY VILLAGE ACTION SAVE SCOTBY

PROTECT OUR CHILDREN

<u>NAME</u>	<u>ADDRESS</u>	<u>SIGNATURE</u>
J. GRAHAM	79 SCOTBY RD SCOTBY.	J. Graham
S North	86 Scotby Rd	S North
E. Robinsan	84 SCOTBY RD	E. ROBINSON
D. ROBINSON	84 SCOTBY RD	D. Robinsan
J. Thompson	90 SCOTBY Rd	J. Thompson
M. REED	91 SCOTBY Rd	M. Reed
J Reed	" "	J Reed
E.P. Beary	106 Scotby Rd	E.P. Beary
Bh Fox	104 Scotby Rd	Bh Fox
A White	102 Scotby Rd.	A White
S. Fitton	108 Scotby Rd	S. Fitton
Fitton	108 Scotby Rd.	Fitton
Fitton P.J. FITTON.	108 Scotby Road.	Fitton
CARL FITTON	108 Scotby Road	C. Fitton
KATE FITTON	108 Scotby Road.	K. Fitton
GILL BURNS	110 Scotby Rd	G. Burns
Rob. Burns	" "	Rob. Burns
Helen Irving	112 Scotby Road	H. M. Irving
ALAN IRVING.	112 SCOTBY ROAD	Alan Irving

SCOTBY VILLAGE ACTION SAVE SCOTBYPROTECT OUR CHILDREN

<u>NAME</u>	<u>ADDRESS</u>	<u>SIGNATURE</u>
Margaret Campbell	53, SCOTBY RD	M Campbell
Jean & Roy Goddard	60 SCOTBY Road.	A.R & JEI Goddard
MARY KIDD	48, SCOTBY ROAD	M. Kidd,
F. Iney & Bill Hall	33 Scotby Road	Audrey Hall
Anne Bradley	31 Scotby Road	A. Bradley
J. BRADLEY	31 Scotby Road.	J. Bradley
Jennie Boulton	23 Scotby Rd	J Boulton
Bonnie		
Christine	Maplewood, Scotby Road	CERISE
ROBERT ROSE	MAPLEWOOD SCOTBY RD.	R. ROSE
John R. Leach	Russat Rigg Scotby	
DOUGIE WATSON CRAIK	2 OAK BANK SCOTBY	J. Watson Craik
J. R. Watson Craik	Oakbank Scotby	J. R. Watson Craik
G. WATSON - Craik	" " CRAIK	G. Watson Craik
S. M. Alawi	50 Scotby Rd Scotby	S. Alawi
F. AL-AZZAWI	46 Scotby Road. Scotby.	
E. Bradler		

SCOTBY VILLAGE ACTION SAVE SCOTBY

PROTECT OUR CHILDREN

<u>NAME</u>	<u>ADDRESS</u>	<u>SIGNATURE</u>
K Black	22 HILL HEAD	K Black
C. BLACK	22 HILL HEAD	C Black
P Brown	26 Hill Head	P Brown
G. Brown	26 HILL HEAD	G Brown
-Brown	26 HILL HEAD	G Brown
J. Johnston	24 Hill Head	J. Johnston
B. JOHNSTONE	24 Hill Head	B. John Stone
DW. BRENNAN	11 HILL HEAD	D Brennan
C. BRENNAN	11 HILL HEAD	C. Brennan
J. Preston	8 Hill Head	J. Preston
G. Woodman	6 Hill Head	G. Woodman
P. Hall	4 Hill Head	P. Hall
A. Kelly	25 Hillhead	A. Kelly
M. Jones	21 Hillhead	M. Jones
A. Balch	13 Hill head	A. Balch
J. H. Balch	15	J. H. Balch
D. Baird	17 HILLHEAD	D. A. Baird
P. Sanderson	15 Hillhead	P. Sanderson
R. R. NICHOL	9 Hill Head	R. R. Nichol
J. Phillips	55 Scotby Road	J. Phillips
K. PHILLIPS	55 Scotby Road	K. Phillips
A. BRADLEY	31 SCOTBY 522-RD	A. Bradley

SCOTBY VILLAGE ACTION SAVE SCOTBY

PROTECT OUR CHILDREN

<u>NAME</u>	<u>ADDRESS</u>	<u>SIGNATURE</u>
JB ROBINSON	64 SCOTBY ROAD SCOTBY.	<i>J.B. Robinson</i>
J.H. Park	cowanside How Mill CARLISLE	<i>J.H. Park</i>
D. RIFE	54 SCOTBY ROAD	<i>D. Rife</i>
D. Cathcart	52 Scotby Road	<i>D. Cathcart</i>
D. Cathcart	52 Scotby Rd.	<i>D. Cathcart</i>
N. Thomson	44 " "	<i>N. Thomson</i>
M. Thomson	44 Scotby Rd.	<i>M. Thomson</i>
	40 Scotby Rd.	<i>A. Waugh</i>
C HOLLIDAY	STYEND, OAK BAK	<i>C Holliday</i>
S R. TORC	2 Park Close	<i>S R. Torc</i>
D M ^c COLLOCH	WOOD STOCN	<i>D M^c Colloch</i>
E. Kay	Daisy Cottage Scotby Road	<i>E. Kay</i>
E. F. Smith	21 Scotby Road.	<i>E. F. Smith</i>
M. SMITH	21, SCOTBY ROAD	<i>M. Smith</i>
N. Smith	21 SCOTBY ROAD	<i>N. Smith</i>
J. Todd	35 " "	
J. Atkinson	37 " "	<i>J. Atkinson</i>
H. E. Batey	39 " "	<i>H. E. Batey</i>
L. R. A. BARNES.	58 SCOTBY ROAD.	<i>L. R. A. Barnes</i>
B. S. BARNES.	11	<i>B. S. Barnes</i>
F. Anderson.	63 SCOTBY RD	<i>F. Anderson</i>
H. E. Anderson	" "	<i>H. E. Anderson</i>

47 45 11

SCOTBY VILLAGE ACTION SAVE SCOTBY

PROTECT OUR CHILDREN

<u>NAME</u>	<u>ADDRESS</u>	<u>SIGNATURE</u>
NEIL McESSIE	61 SCOTBY ROAD	Neil McEddie
ELMIE POSTLETHWAITE	59 " "	E Postlethwaite
Craig Postlethwaite	" " "	CRAIG POSTLETHWAITE
MIKE WELDEN	51 " "	Mike Welden
Mia Welden	51 " "	Mia Welden
MARK BIRK	49 " "	Mark Birk
Lyn Birk	49 " "	L Birk
Anne Gibson	43 " "	A. Gibson
William Gibson	43 " "	W Gibson
K. WATON	45 " "	K Well
NICOLA COOPER	62 " "	Nicola Cooper
JOHN COOPER	62 " "	J Cooper
DAVID FITZPATRICK	68 " "	D Fitzpatrick
Lindsay Fitzpatrick	68 Scottby Road	L Fitzpatrick
FRANK BRENNAN.	70, Scottby Rd.	F. Brennan.
JAN BRENNAN	" " "	J. J. Brennan.
Beccy Brennan	" " "	R. J. Brennan.
Chris James.	57 Scottby Road.	S. James
Shelagh James	" "	C.F. MILBURN
Catherine Milburn.	72 Scottby Road.	Catherine Milburn
TOM MILBURN	" " "	
MARTIN WHITE	74 SCOTBY	Martin White
DAVID BELL	80 SCOTBY ROAD	David Bell

Feedback from Petition

Comments Received between 30th July 01 - 13th Aug 01

Everybody - is demanding action on the speed of vehicles with massive demands for action.

Scotty Rd is a RaceTrack!

Test Driving of vehicles from Roschill speeds are ridiculous!
Personal experiences of Residents near messes also sword - accidents where vehicles written off! and injury to passengers.

Why does the Council not value Scotty Rd children in the same way as children in Carlisle? The Council receives a lot of money from people in Scotty. Bring the speed limit down now! They will only do something after an accident.

The speed limit should be 20 mph.

We need traffic calming, some said we definitely need bumps and some said other measures should be considered first.

We need a painted cycle path for children to cycle to school safely.

Road side parking is a problem.

Crossings should be put on road.

Why only do work on Park Rd when Scotty Rd has as many problems!

30 mph has made little difference

Building in Scotty

Everybody wants restrictions to building to boundaries (without exception)
100% of people are against Scotty House being demolished

More consultation on Scotty Plan - more restrictions included or supported by W.P.C. for Scotty Rd - Holme fald Hill Head 'Boundaries' edged. Greenfield areas on Scotty Rd Hill Head Holme fald etc highlighted as Green areas - 52% to match Building a Common Comment



The Planning Officer
Planning Department
City Council
Civic Centre
Carlisle

Scotby Church of England Primary School

(Foundation Status)

Park Road, Scotby, Carlisle CA4 8AT

Tel: 01228 513 270, Fax: 01228 513 049

E-Mail: admin@scotby.cumbria.sch.uk

or head@scotby.cumbria.sch.uk

Headteacher: Ian Mackay

4 September 2001

Dear Sir,

Old Police Premises on Park Road, Scotby – Planning Number 01/0596

I write on behalf of the School Governing Body to object to the proposed development plan at the above premises for the following reasons:-

- Increased traffic during site development will pose a danger to our pupils.
- Increased traffic created by new residents on completion of the project will exacerbate the already difficult traffic conditions outside school.
- More families in the village will put pressure on school's Admission Policy.
- Proposed access to the development will be incompatible with access to school.

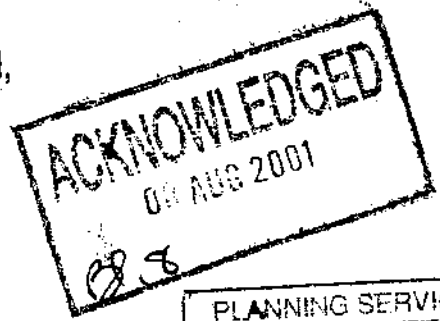
If you require any further details from school or the Governing Body, then please let me know.

Yours faithfully

Mary Johnson
Clerk to the Governors

REF	01/0596
DATE	06 SEP 2001
BY	CN
FOR	AMT
ACT BY	

Ardvreck, Park Road,
Scotby, Carlisle,
Cumbria. CA4 8AT



4th August 2001

Mr A M Taylor
Department of Environment & Development
Planning Services Division
The Civic Centre
Carlisle
CA3 8QG

PLANNING SERVICES	
REF	01/0596
-7- AUG 2001	
BS	
AMT	
18	

Dear Mr Taylor

Proposal : Residential development (outline) (revised proposal)
Location : L/A Scotby House, Park Road, Scotby, Carlisle, Cumbria
Appn Ref : 01/0596

With reference to the above application we would like to register our opposition to the above development.

Park Road is already a very busy road into and out of the village. It is a "rat run" into Carlisle and the nearby Rosehill Industrial Estate, with the traffic from the school run, makes the road a dangerous place to be at peak times. At rush hour cars, vans and buses frequently mount the pavement to pass each other and it is virtually impossible for us to leave our drive at this time due to the volume of traffic. A further increase in the volume of traffic along our road would be intolerable and make a serious accident inevitable at some point.

Scotby House itself is part of the village and it's character and we feel that an investigation into alternative uses for the building should be sought before proceeding to demolish it.

We hope that you take the above points into serious consideration before deciding upon the future of Scotby House.

Yours faithfully

A handwritten signature in cursive script, appearing to read "Tracey Fleming".

Tracey Fleming

A handwritten signature in cursive script, appearing to read "Peter Fleming".

Peter Fleming

Broomacre
Park Road
SCOTBY
Carlisle
CA4 8AT



6 August 2001

Dept of Environment & Development
Planning Services Div

Carlisle City Council
The Civic Centre
CARLISLE
CA3 8QG

PLANNING SERVICES	
REF	01/0596
- 7 AUG 2001	
REG	BZ
REP	
DEV	AMJ
AC	22

Dear Sir

LAND AT SCOTBY HOUSE, PARK ROAD, SCOTBY
APPLICATION NUMBER 01/0596

I refer to the planning application in relation to land at Scotby House. I have already written to you in relation to the previous application number 00/0605 and I repeat the objection that I raised in that letter.

Although the new proposed development is for a smaller number of houses I understand that it is 19 the initial parts of my objection remain.

While in principle the development of Scotby House, as opposed to land is not being objected to for example office accommodation, hotel accommodation, residential accommodation or flats/apartments within the present structure and fabric of the building the removal of the land would be a substantial change to the existing character of the edge of the village. In addition although the number of houses that are proposed are reduced there would still be a substantial increase in the amount of traffic to an already busy road.

Yours faithfully

A handwritten signature in black ink, appearing to be 'I Ward'. Below the signature, the name 'I Ward' is printed in a small, sans-serif font.

Mr and Mrs P.W. Walker
18 Holmefauld
Scotby
Carlisle
CA4 8BL

30 July 2001

Planning Department
Carlisle City Council
Civic Centre
Carlisle
CA3 8QG



Dear Sir

L/a Scotby House Park Road Scotby Carlisle

Demolition of existing building and redevelopment of site for housing (outline)

We would be grateful if the written comments below could be taken into consideration.

OBJECTION

1. A large scale development on the Scotby House site will remove the village identity and status. A development of this size is in contravention to Policy H5 of the Carlisle Local Plan.
2. The trees on the site are scheduled and must not be disturbed or destroyed if any development work proceeds.
3. Another large scale development in Scotby will stretch village services particularly the School which is already at capacity and this development would only exacerbate an already serious problem.
4. There is already excessive traffic on Park Road Scotby generated by the school, Rosehill Trading Estate and people using the road as a 'ratrun'. A weight limit and speed limit have been imposed but appear to have had little or no impact, heavy vehicles still use this road to get to commercial premises. The danger to children increases weekly, last year **our son was knocked down** by a car that was reversing to avoid another snarl up of traffic. Thankfully he was not physically injured just shaken up by the ordeal. I feel that it will only be a matter of time before someone is seriously hurt in a traffic accident along this stretch of road and allowing another development with access onto it will only aggravate this extremely dangerous situation.

Mr and Mrs P.W. Walker

A handwritten signature in black ink, appearing to be "P.W. Walker".

PLANNING SERVICES	
REF	01/0596
- 6 AUG 2001	
REC'D	B
SCA #	
AMJ	
43	

**Sunningdale
4a Near Park
Scotby
Carlisle
CA4 8AU**

Home Phone No 513 855

Work Phone No (01228) 528191



22 August 2000

Dear Sir/Madam

**PROPOSED DEVELOPMENT OF SCOTBY HOUSE APPLICATION REF.
00/0605**

I wish to lodge the following objections to the above proposed scheme.

1. The density of the development will be detrimental to the surrounding area and not in keeping with Scotby village.
2. The increase in population as a result of the development will add to the congestion already experienced in Park Road.
3. The effect of the increase in population on Scotby School will be a problem as it is already up to its full capacity.
4. There is already inadequate footpaths on Park Road and I feel that this is an 'accident waiting to happen.'
5. I am concerned that a development allowing the provision of 'little boxes' will be approved.

I hope you will consider these points when making your decision.

Yours faithfully

A handwritten signature in cursive script that reads 'M Ingledow'.

(Mrs) Margaret Ingledow

PLANNING SERVICES	
REF	01/0596
- 6 AUG 2001	
RECEIVED	B
SEARCHED	
PASSED	AMH
ACTION	4

2. Park Close
 Scottby
 Carlisle

ACKNOWLEDGED
 06 AUG 2001

0824

FILE	01/05/06	Aug 2nd
SEARCHED		
SERIALIZED		
INDEXED		
FILED		
		AM
ACTION		24

Planning Department
 Carlisle City Council
 Civic Centre
 Carlisle
 CB3 8QB

Re Scottby House, Scottby.

Dear Sir

I wish to object to the proposal to demolish Scottby House and redevelop the site for housing, on the following grounds

1. The excessive amount of traffic already using Park Road and the danger it puts school children in.
2. The School is already full to capacity. There are thirty nine children in my grandsons class already.
3. Scottby House is a pleasant area in the village with many beautiful trees which are scheduled and a housing development would contravene Policy HS of the Carlisle local Plan.

Mr G. R. More

Carlisle City Council,
Planning Department,
Civic Centre,
Carlisle,

PLANNING SERVICES	
REF	01/0596
- 3 July 2001	
RECORDED	cn
SCANNED	
PASSED TO	AMT
ACTION	

5 Park Close,
Scotby,
Carlisle,
CA4 8AX

1 July, 2001

Dear Sir, Planning Proposal for Scotby House.

At a village meeting on 25 July, 2001, called by the Wetheral Parish Council, we were informed of your proposed meeting to discuss a Planning Application for the above.

It was stated that the applicant had asked for permission to build nineteen houses having demolished Scotby House. Even nineteen houses with the removal of Scotby House would still involve the destruction of a pleasant green area at the edge of the village and add to the creation of housing which would be totally incompatible with the existing village. The recently approved development at the Old Tannery is visual evidence of this kind of thing.

There are traffic problems in Park Road now and additional traffic from new houses will only increase this. At school times Park Road is extremely dangerous and it is only a matter of time before there is a serious accident. At present the two access points from Scotby House lie between two blind bends. A central main access road would allow even less safety for drivers going in any direction to avoid oncoming traffic. Reduced speed limits have been indicated but these are frequently ignored. Cars come from other villages heading for Carlisle and there are heavy vehicles coming round to the depot further along Park Road. There is also traffic from the Auction Market and from the regularly-held Car Auction.

We chose to live in a village and are deeply concerned to witness the new developments of small estates which change it into a growing area of suburbia. This can only result in Scotby being eventually absorbed into the city of Carlisle. If we are serious about the preservation of the countryside then we must call a halt to this process.

We ask you to bear our very real concerns in mind when making your decision.

Yours faithfully,

1 a an-532 - Sanna Dutton,

DAVID A. B. McNAY A.R.I.B.A.
CHARTERED ARCHITECT
TELEPHONE ~~SCOTBY 285~~ 01228 513285

ARUNDEL,
PARK ROAD,
SCOTBY, CARLISLE.
CA4 8AT.

The Department of Environment
& Development,
Planning Services Division,
The Civic Centre,
Carlisle. CA3 8QG.

PLANNING August 2001	
REF	01/0596
- 3 AUG 2001 15	
RECORDED	
SCANNED	
PASSED TO	AMJ
ACTION	

Dear Sir

Scotby House, Park Road, Scotby, Carlisle: Objection
regarding planning applications 00/0605 and 01/0596
(revised)

I enclose a copy of my objections to the proposed
demolition of Scotby House and development of the
site for housing.

A copy has been sent to The Planning Inspectorate,
Bristol, whose deadline for receipt is the 7th August
2001.

Yours faithfully,

David A.B. McNay

Re: Outline planning applications for the demolition of
Scotby House, Park Road, Scotby, Cumbria and
redevelopment of the site for housing - Appln. 00/0605
and 01/0596 (revised)

OBJECTION

1. A public meeting was held in Scotby Village Hall on the 21st August 2000 attended by more than 80 people all of whom voted against the proposal outlined in application 00/0605
2. My wife and I agree with all the specific matters mentioned in the "Letters of Objection to 25 Aug (2000) and we wholeheartedly approve of and support the reasons for the Planning Refusal as stated in the Carlisle City Council letter A MT/DC/00/0605 dated 8th December 2000.
3. When the housing scheme at Eden Gate (off Park Road) is completed it will create more traffic on Park Road which is already seriously affected particularly between the hours of 8 and 9 each weekday morning by many cars using Park Road and the 20 mph roads through Batchesby instead of the main road into Carlisle city centre to avoid delays caused by traffic queues tailing back (sometimes as far as Wheelbarrow) from the traffic lights at the Montgomery Way / Warwick Road junction.
In addition the west side of Park Road is obstructed twice every school day by as many as 45 parked cars belonging to parents of children attending the school causing congestion and a danger to children.
4. Housing development on the site would greatly increase

The amount of traffic entering a high risk part of Park Road, via a new central access road which we think is completely unnecessary and potentially dangerous, and add to the danger for children walking or cycling to / from school and depending upon the number of houses actually built will create further problems at the school itself which is already full.

5. All the trees within Scotby House grounds are said to be covered by a preservation order except for seven although the plan submitted with the revised application 01/0596 shows only two trees to be removed; the plan is not clear regarding property boundaries and we fear that if many of the retained trees are within the curtilage of individual houses a large number will be cut down by owners who neither know nor care about preservation orders.
6. Granting permission for the demolition of a house which is 100 years old and very much part of Scotby and for the use of a "greenfield site" for any number of houses will encourage others to sell their agricultural land (with planning permission of course) for development e.g. between Scotby House and the M6 motorway and between Park Road and the motorway creating a precedent not acceptable under item 4.4.2 of the Carlisle District Local Plan.
7. The outline applications state that surface water will be discharged into Wash Beck - is this permissible as all sorts of liquids can be poured into surface water gullies.
8. My wife and I have lived at Scotby for 44 years and

during that time have seen good agricultural land between Park Road and Scotby Road built up and elsewhere in the village a number of farm houses sold and converted and houses built on the adjacent land. Developers seem determined to build on every square metre of land and we sincerely hope that Scotby House grounds will be left alone.

Several small businesses which occupied part of the Eden Gate site have ceased to exist in Scotby. Any suburban style extension to the village is not wanted on this site and could no doubt be considered outside the "village envelope" and would encroach upon the "green corridor" that clearly defines the village from urban Batchesley and Rosehill Industrial Estate.

9. It is well known that Cumbria Constabulary is short of money but surely they should seek extra funds from the Treasury not by selling the site for a greatly enhanced sum, after obtaining planning consent, to destroy a visually important space on the edge of the village contrary to item 4.46 of Carlisle District Local Plan.
10. Those of us who live near Scotby House are very concerned about the future of the house if the appeal and/or the new outline application are turned down and hope that it will be sold to a responsible corporate or private buyer who will put it to a good, sensible use, approved by the people of Scotby.
11. Concerning the revised outline application Hf: 01/0596 which has been submitted to Carlisle City Council is it right that this attempt at what can only be described as

"pressure" — an article in the local press suggests that the Police may withdraw the appeal if the revised application is approved — should be considered at all before the appeal which is pending has been dealt with and the Inspector's decision is known.

David A.B. McNay ^{Lilyan McNay}
 DAVID A.B. and LILYAN McNay
 'ARUNDEL', PARK ROAD, SCOTBY,
 CARLISLE. CA4 8AT.

18th July 2001

Copy to: The Planning Inspectorate, Bristol.
 Carlisle City Council.
 Cllr Don Josselyn

PLANNING SERVICES	
REF	O1/0596
- 2 AUG 2001	
REVISION TO	ON
DATE	
PASSED TO	AMT
ACTION	

TREES

8 NEW PARK

SCOTBY

CARLISLE

CA4 8AU

30/7/01

A M Taylor
 Chief Development Control Officer
 Dept. of Env. & Dep. M. Ser. Div.
 Civic Centre
 Carlisle
 CA3 8GF

AMN REF O1/0596

11A Scotby House, Park Road, Scotby, Carlisle

I wish to object to the above.

Scotby House is the first building on the left hand side as you enter the village of Scotby from Rossett.

A large scale development on this land would totally spoil the village look/status.

I live in the cul-de-sac next to Scotby House & already have difficulty coming into & leaving the cul-de-sac for work etc. due to severe traffic problems. Park Road can not cope with the volume of traffic now.

Additional housing would just add to the congestion.

There is presently an abundance of flats & garages on the site which should also be taken into consideration.

2.
Numerous trees (which I believe now have a preservation order on them) are used as homes by all sorts of birds & animals.

We were unable to stop the unsightly development of houses & (joints - not originally planned) which will add to the congestion at Scotby.

The one school is overcrowded already.

There is a waiting list now. There are children of the village of Scotby who are not guaranteed a place even though they were born here & actually live opposite the school. One class I know has 39 children in it.

I strongly object to the demolition of existing buildings & redevelopment of site for housing.

Yours sincerely

(Mrs) C. M. Samuel.

Crumham

Park Rd

Scotby

Carlisle CA4 8AT

Cumbria

1-8-01

PLANNING SERVICES	
REF	01/0596
- 2 AUG 2001	
RECORDED	en
SCANNED	
PASSED TO	AMT
ACTION	

Your Ref AMT/DC/01/0596

Dear Sirs

Re Scotby House, Park Rd Scotby
Application Ref 01/0596

We would like to record our objections to the above application.

1) We are in complete support with any objections and points raised by the Parish Council

2) We do not feel that a reduction in the number of houses has made any difference to any objections so far raised. The road at this part of Scotby is already over used by cars, commercial vehicles using this as a cut through for the Rumball Estate and when back to normality the traffic queues leaving and arriving at the village. The road here is extremely narrow and with a steep corner at each side of the proposed site. We object to the demolition of 'Scotby House' as this is a focal point on the approach to the village and the green area at provides is necessary to stop the approach of 'Suburbia' and lead to the eventual joining up of a village to a town. The wonderful development at the other end of Park Rd is totally out of keeping with the village and none of this must be prevented in order to preserve some rural landscape. We chose to 'live out of town' our chosen way of life being taken away.

Yours faithfully

John Inghs

3 Wellgate, Scotby, Carlisle CA4 8BA

Mr M Battersby C Eng MICE FIHT
Director
Department of Environment & Development
CARLISLE CITY COUNCIL
Civic Centre
Carlisle CA3 8QG

31 July 2001

PLANNING SERVICES	
REF	01/0596
- 1 AUG 2001 HJ	
RECORDED	2
SCANNED	
PASSED TO	AMT
ACTION	

Dear Mr Battersby

Proposal: Residential development (outline) (revised proposal)
Location: L/A Scotby House, Park Road, Scotby, Carlisle Cumbria
Appn Ref: 01/0596

I am not in agreement with the revised proposals for the above.

It remains a far too ambitious scheme for this location. The principal objection must be the problem of transport. Park Road is already heavily congested with traffic moving between the village and the city and this is aggravated by steady growth in traffic at the Rosehill Trading Estate using Park Road as an alternative route avoiding Warwick Road.

The village school creates its own problems with parents delivering and collecting their children from Park Road. Congestion is at its peak in this respect before 9am and after 3pm during term times and is a hazard to other road users.

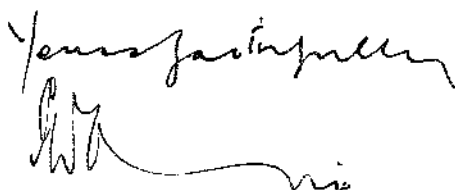
The proposal to alter the access to the Scotby House site does not alleviate congestion. I still maintain the site is suitable for no more than three/four superior dwellings set in an appropriate landscaped environment.

That said, the ideal solution would be to use Scotby House for educational purposes and transfer Scotby School to this site. It would allow the school much needed additional space and thus retain the site in public ownership and avoid the problem of 'best value' syndrome. The existing school buildings could then be demolished and the land sold off for a development of three/four dwellings as previously outlined.

The Scotby House site with its separate entrance and exit would be suitable for school traffic and avoid the need for mass parking in Park Road as at present. In any event the site has many features to commend it for school use.

There seems no way to lessen traffic impact in Park Road. Calming measures are not the answer as these are likely to slow down the traffic even more than at present and the weight restrictions of modest consequence have only recently been introduced. Again villagers have not seen the full impact of the Eden Gate development.

I trust these comments will help to indicate some local feeling in this matter.

Yours faithfully


3 New Park

The Head of Planning Services,
Dept. of Environment - Development
Planning Services Division,
Civic Centre,
Carlisle. CA2 8BQ.

Scotby

PLANNING SERVICES	
REF	0110590
31 JUL 2003	
RECORDED	on
SCANNED	
PASSED TO	AMT
ACTION	

Carlisle

CA4 8AU.

22 July 01

Dear Sir

Re the redevelopment of site for housing (outline) at
Scotby House Park Rd. Scotby Carlisle.

The application for the development of the above site for outline planning permission to build a number of houses, was first made last year. That application was refused, and I fail to see that the reasons for that refusal have changed.

Regarding the traffic situation in Park Rd, - since the school is situated in this road - it can at times be quite dangerous. I can only imagine, and I'd ask your Planning Committee to bear in mind that a housing estate is in the process of being built in Park Rd, - that a housing estate at Scotby House would exacerbate this even more.

I do feel that if you allow this site to

be developed, Scotty will lose its status as a village and become an urban sprawl. I find the thought quite disturbing, I'm happy to live in a village - even without street lighting!

Scotty House site is a beautiful well-wooded area, an asset to the village. I feel it would be almost a sacrifice to disturb the vast variety of bird and other wild life.

Pheasant, fox, and red squirrel are regularly seen. The wooded area becomes a wonderful carpet of bluebells in the Spring, and the public foot path a flow of crocus.

I ask the Planning Committee to note how our Cornish villages are losing their character because of over-development and please refuse this application for housing development.

Yours sincerely
Wynne Fisher (Mrs)

RefAMT/DC/01/0596.

July 29th/01

Cathay,
Park Road,
Scotby,
Carlisle, CA4 8AR.

Dear Sir,

In answer to your letter 11th July re the proposal to demolish Scotby House and Build houses on the land. I am against this because-

- 1.) There is far to much traffic on Park Road as it is, especially at School time
- 2.) To bring anymore traffic out on to the road will increase the danger.
- 3.) Quite a number of the trees cannot be cut down,
- 4.) Scotby House itself is over 100 years old and such a building is part of Scotby as a village To destroy these old buildings is taking away the rural life and the wild life that goes with it, before long Scotby will no longer be a village
- 5.) When I came to live here we were informed the drains could not take any more. Some are still on Septic tanks

I feel sure there must be an alternative Scotby house could be used for

Sincerely,

Dorothy M Strathern,

PLANNING SERVICES	
REF	01/0596
31 JUL 2001	
RECORDED	an
SCANNED	
PASSED TO	AMT
ACTION	

PLANNING SERVICES	
REF	0596
DATE	31 JUL 2001
BY	AMT
PASSED TO	AMT
ACTION	

MR DD ROBINSON
 66 SCOTBY RD.
 SCOTBY VILLAGE
 CV CARNSLE
 CV4 5BD.

Dear Sir

I am writing to you to appeal for your intervention to preserve our village status and to fight with us to save a much loved house in our village.

CAMBRIDGESHIRE POLICE AUTHORITY are asking for permission to build up to 40 houses on the Scotby House site and demolish the large Victorian House and when they gain permission they will sell the site off to a Developer regardless of the safety of our village.

Cambridgeshire Police claim to adhere to Best Value yet despite several matters they have attended no public meetings, or consulted with any of our village and so people attended a meeting on the 25th July 01 some people were very shocked that they chose not to attend knowing one of the Core Principles of Best Value is Consultation.

Interestingly our Police have spent considerable time in Scotby monitoring traffic speeds up to 75 in 30 mph zones.

Sadly Scotby has seen much development over recent yrs. Clearly there will be always small scale building and our village has accepted that 4 or 5 houses could be possible on the Scotby House site and the retention of the House.

People in Scotby - want no further extension to Borders - Postlethorpe Park Rd - & Scotby Rd and also

14 Ghyll Road,
Scotby,
Carlisle. CA4 8BT.

29th July, 2001.

Your Ref. AMT/DC/01/0596.

A. M. Taylor Esq.,
Chief Development Control Officer,
Dept. of Environment & Development,
Planning Services Division,
The Civic Centre,
Carlisle.

PLANNING SERVICES	
REF	01/0596
31 JUL 2001 37	
RECORDED	CN
SCANNED	
PASSED TO	AMT
ACTION	

Dear Sir,

Notification of Planning Proposal.

Proposal : Residential development (outline) (revised proposal)

Location : L/A Scotby House, Park Road, Scotby, Carlisle, Cumbria

Appn Ref. 01/0596/

I note that an appeal has been lodged against the refusal of the above application, and that the appeal will be decided following a Public Inquiry.

You have already received many letters objecting to the original proposal and just because the number of dwellings proposed has been reduced to 19 I still see no reason for reconsideration. I object to the proposal to demolish Scotby House - it would be an act of vandalism and I am sure the Police would agree with this. Have the police tried to sell Scotby House. It would make an ideal Convelescent Home or Old Peoples Home and the tenants could enjoy the lawns and trees.

Scotby is a village and should remain one. At the other end of Park Road there is a development which I cannot understand having obtained permission. The houses are small, badly designed and over-priced. There appears to be a block of flats being crammed into the centre of the development of about the same size as Scotby House. Could not Scotby House be converted into say 5 flats and the gardens be left as they are. Already the school is full and Park Rd is an accident waiting to happen.

I hope you will continue to support us in preventing the destruction of this beautiful site.

Yours faithfully.

Em Jackson

Mr J Duncan
1 Nightingale Court
Scotby
CARLISLE
CA4 8AY

The Samaritans

JULY 29 TH 2001

UR REF
MT/DC/01/0596

EAR MR TAYLOR.

20P- RESIDENTIAL DEVELOPMENT (OUTLINE) REVISED

IPPN REF 01/0596

PLANNING SERVICES	
REF	01/0596
DATE	31 JUL 2001
STATUS	REVISED
APPROVED BY	AMT
ACTION	

HAVE READ WITH INTEREST THE REVISED PROPOSAL WITH REGARDS TO SCOTBY HOUSE AND AM NOT IN AGREEMENT.

REMAIN IN TOTAL AGREEMENT WITH YOUR LETTER MT/DC/00/0605 OF 8-12-2000 AND HOPE YOU DISAGREE WITH THEIR REVISED PLAN FOR 19 HOUSES (WHAT IS TO STOP THEM FROM REVISING UP AGAIN)

BEFORE ANOTHER HOUSE IS BUILT ON PARK RD THE TRAFFIC PROBLEM SHOULD BE ADDRESSED

PARK RD IS HEAVILY CONGESTED EVEN BEFORE THE TRAFFIC FROM THE EDEN GATE DEVELOPMENT HAS EVEN STARTED. THE RECENT WEIGHT RESTRICTIONS HAVE NOT MADE ANY DIFFERENCE

THE PROPOSAL TO ALTER THE ACCESS TO SCOTBY HOUSE WILL NOT STOP THIS CONGESTION

BELIEVE THE ANSWER TO THE PROBLEM IS STARING US IN THE FACE. THE SCHOOL SHOULD BE TRANSFERRED TO SCOTBY ^{HOUSE} WITH ITS EXIT AND ENTRANCE THE PROBLEM WOULD BE SOLVED AT A STROKE. THE SITE HAS MUCH TO COMMEND IT FOR SCHOOL USE, AND STILL REMAIN IN THE PUBLIC SECTOR

IF IT IS NOT THE PROBLEM OF TOO MUCH TRAFFIC WILL CONTINUE.

MU JB ROBINSON
64 SCOTBY RD.
SCOTBY
CA4 8BD.

Dear Sir

A while with disgust at council price proposed
to build 19 houses, at Scotby House.

They are fully aware of the problems in Scotby of
Traffic and Safety, particularly Park Rd.

Scotby House is a fine house that can be used
in many ways, ie - Home - Flats etc.

Scotby is losing its village status. It's becoming
a suburb of Colchester; Scotby is full - the Roadside
full - the school is full, and Safety is being compromised by
financial greed and lack of consultation with those that make
decisions - lack of care and understanding of village life of communities.

I ask that Colchester City Council Turn Down this Application
for 19 houses immediately, and ask the Authority to preserve
this house forthwith.

Agreed

[Signature]

PLANNING SERVICES	
REF	0110546
27 JUL 2001	
RECORDED	en
SCANNED	
PASSED TO	AMT
ACTION	

114 + Mrs WJ Robinson
 66 Scotby Rd
 Scotby
 TD Carlisle
 CA4 8BD.

PLANNING SERVICES	
REF	0110596
27 JUL 2001 45	
RECORDED	en
SCANNED	
PASSED TO	AMJ
ACTION	

Dear Sir

We are writing to formally object to the Planning Application by Cumbria Police Authority for 19 Houses on the Scotby House Site

1 OBJECTION. There is a need for Greenbelts throughout the boundaries of Scotby - to defend its identity, its locale and village status.

2 Scotby House is a village landmark that has considerable history it was a World War 1 Hospital. It had a School - Home, Childrens Home - etc - It provides a home to protected rare species of Bats - owls etc and should be preserved to protect them but also studie that a woodland hadn't been done to preserve this fine House.

3 Scotby Village is already stretched to breaking point The School is full - Park Road has continual problems of Traffic - generated by - Rosehill - The School. Broughton - Acker The Road is Very Dangerous and despite continual work by believe it or not Cumbria Police - Heavy Vehicles - Traff speeding up to 75 miles per hr in 30 mph Zones have been recorded recently.

4 No consultation has taken place by the Police Authority despite indications claims that they work to Best Value

400's
 WJ + JA Robinson

PLANNING SEC	
REF ID	5916
DATE	11/11/15
RECORD	45
SEARCHED	CW
INDEXED	
ACTION	AMT

66 Scotby Rd
 Scotby
 N Corston
 LAH SPD

Dear Sir,

I write to formally object to the Planning Application by Cambria Police for 19 homes on the Scotby House Site Park Rd Scotby

Scotby is a village that struggles with traffic, child safety, and is slowly losing its identity and character.

The constant demand for land in Scotby is distressing for residents particularly on Park Rd and Scotby Rd where traffic + child safety are being compromised for the gain of home owners and Builders.

I Ask that this planning request dated 10th July is rejected.

Yours Sincerely

WJ Robinson

SCHEDULE A: Applications with Recommendation

ITEM NO. 10

Date of Committee: 08/12/2006

APPN REF NO:
00/0605 /

APPLICANT:
Cumbria Constabulary

PARISH:
Wetheral

DATE OF RECEIPT:
18/07/2000

AGENT:
Taylor & Hardy

WARD:
Wetheral

LOCATION:

L/A Scotby House, Park Road, Scotby Carlisle, Cumbria

GRID REF:

343728 555634

PROPOSAL: Demolition of existing buildings and redevelopment of site
for housing (outline)

REPORT

PLANNING POLICIES:-

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 27

Areas of public and private open space or other amenity land which contribute to the quality of the built environment will normally be protected from development.

CUMBRIA & LAKE DISTRICT JOINT STRUCTURE PLAN
POLICY 31

Sufficient housing land should be provided to ensure that, at any one time, there exists at least a five year's supply of readily available land capable of accommodating building at a rate which will keep the supply of dwellings in line with the housing requirement for each District as set out in Policy 30.

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.

CUMBRIA & LAKE DISTRICT JOINT STRUCTURE PLAN
POLICY 40

SCHEDULE A: Applications with Recommendation

Schedule continued for 00/0605 /

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 E18

Trees which contribute to amenity, and are under threat, will, in appropriate cases, be protected by means of Tree Preservation Orders, or conditions attached to planning permissions.

CARLISLE DISTRICT PLAN
ENVIRONMENT - POLICY E50

The loss to built development of significant public and private open spaces within settlements will not be permitted.

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

SCHEDULE A: Applications with Recommendation

Schedule continued for 00/0605 /

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:-

WETHERAL PARISH COUNCIL: the Parish Council has set out 7 detailed objections to the proposals and these are reproduced in full in the Schedule;

HIGHWAY AUTHORITY: no objections subject to the imposition of 10 planning conditions relating to access;

HEAD OF ENVIRONMENTAL SERVICES: there are no objections in principle but consideration would need to be given to building design to ensure that noise from the motorway is not intrusive i.e. the bedroom noise standard of not less than 35dBA is achieved;

NORTH WEST WATER: confirm that there is no constraint on the provision of a water supply. Further advice regarding the capacity of the waste water treatment works is awaited;

ENVIRONMENT AGENCY: no objection in principle subject to the imposition of one planning condition. The Agency further advises, however, that flood storage or attenuation may be required in relation to Wash Beck;

CUMBRIA COUNTY COUNCIL (as Strategic Planning Authority): comments awaited;

LEISURE SERVICES (Landscape): the "Site Survey and Appraisal of Existing Landscape" prepared by the applicants is generally satisfactory. However, the proposed access would result in the removal of a large section of mature trees (including Copper Beech and Horse Chestnut) which are of high amenity value for screening and ornamental purposes. It is recommended that the possibility of using the access to the west of the site, causing the loss of fewer of the high value specimens, is explored;

HEAD OF DESIGN (DRAINAGE): the public foul sewer in open fields to the north of the development is the preferred point of connection for foul drainage whilst, subject to the consent of the Environment Agency, surface water should be discharged to Wash Beck. Sustainable Urban Drainage Systems should be employed within the development;

SUMMARY OF REPRESENTATIONS:-

The application was advertised on receipt using a Site Notice, Press Notice and written notification to occupiers of 11 properties adjacent to the site. Arising from these measures and from a Public Meeting held in the village on 21st August, a

SCHEDULE A: Applications with Recommendation

Schedule continued for 00/0605 /

total of 42 letters have been received about this application, 39 of these being objection letters.

The other three writers comment upon the application. The author of one letter has identified that Cumbria County Council have approached her with a view to her purchase of land associated with Scotby House which adjoins her property. The writer is concerned that if planning permission is granted there will be a planning condition requiring the retention of trees, except those that are diseased.

One letter has been received from the Carlisle & District Civic Trust in which the Trust believes the number of dwellings should be severely restricted; that they should be sited in the area of the existing buildings leaving the open grassed area intact; the stone boundary wall on Park Road removed and a new public footpath constructed on Park Road to link the present footpaths on either side of the site so as to preserve the character of the site and provide for public safety.

The primary issues raised in the majority of objection letters concern road safety/congestion on Park Road; lack of adequate capacity within the village school; loss of the house and attractive grounds that are a village amenity; destruction of trees to provide access; effects on wild life; removal of part of the village's built heritage; the proposed suburban "estate" would be out of scale and keeping with the village and intrusion into the rural edge to the settlement.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

Planning consent was granted by Cumbria County Council in April 1985 for the change of use of Scotby House to the Northern Divisional HQ for Cumbria Constabulary. That use has operated from the building since that time.

DETAILS OF THE PROPOSALS

The proposal relates to the 1.97 hectares comprising the house, related caretaker's cottage, car park and associated grounds attached to Scotby House and seeks outline consent for the wholesale redevelopment (including demolition of the existing buildings) of the site for residential purposes. The proposed site was subject of a Site Visit on 25th October.

Although in "Outline", the application is accompanied by a site plan identifying the proposed formation of a single vehicular access point broadly placed within the centre of the frontage onto Scotby Road. That aspect is, consequentially, not "Reserved" for subsequent approval (if planning permission is granted) but is to be considered at this stage.

The application is accompanied by a Supporting Statement that has been prepared by the agent, Taylor & Hardy, together with a "Site Survey and Appraisal of the Existing Landscape" that has

SCHEDULE A: Applications with Recommendation

Schedule continued for 00/0605 /

been prepared by the County Council's Design Services unit. The report advises that its' purpose is as "a concept plan for initial development proposals". The plan of the initial tree survey notes, however, that the proposed access point "requires removal of many trees". That is a matter of concern in view of the presence of a number of fine, mature trees within the grounds and along the road frontage.

The agents' Statement is reproduced in full. It identifies that the premises are now redundant for the Police Authority's needs and that it is considered the most appropriate use of the site is for residential development. It is indicated that the site could support approximately 40 dwellings and the agent contends that this is, in the context of Scotby, "small scale".

The Supporting Statement does not indicate whether any marketing exercise has been undertaken to establish if there is any demand for the building and site as it stands. This is unfortunate in that, while not "Listed" Scotby House is certainly of local interest in terms of the village's form, historical growth and character.

At the Sub-Committee meeting held on 27th October consideration of the proposal was deferred in order to await further information in relation to service availability and the capacity of the local school. Subsequent to that deferral the issue of drainage has been clarified by the Head of Design whose comments appear under the Summary of Consultation Responses. It will be noted that there is no drainage constraint identified.

Cumbria County Council, as Education Authority, has also been consulted in view of a number of concerns expressed by local residents about the impact of the development upon Scotby School. Members will note that the response received, which is copied in full in the Schedule, notes that while the school is popular with all available spaces for the reception intake generally taken up each year, a significant proportion of the school's pupils live outside the catchment area. The Education Authority's stance in relation to development proposals in villages is reiterated i.e. the existing number of school places in an area should not materially influence decisions regarding planning approval since it is part of the LEA's role in relation to the supply of school places to respond to population growth and movement. Accordingly, the result of there being more children in Scotby village arising from the development would be likely to be that no or fewer places will be available in the future for those living some distance away whose parents would like them to attend Scotby School.

Additionally, since the October meeting of the Sub-Committee, Officers have surveyed the site with a view to ensuring the protection of its character and amenity by the imposition of a Tree Preservation Order. Consequently an Order covering 7 trees which are individually significant together with 4 Groups of trees embracing a total of 116 trees has been drafted and will be served prior to the meeting.

SCHEDULE A: Applications with Recommendation

Schedule continued for 00/0605 /

In policy terms Members should have particular regard to guidance contained in Policy 40 of the Structure Plan and Policy H5 of the adopted Carlisle District Local Plan, both of which require (amongst other considerations) that development proposals for housing in rural settlements are appropriate in terms of the scale, form and character of the settlement.

Although the agent acting for the applicants describes the proposal as being small-scale this is clearly at odds with the Reasons/Explanations to be read with Policy H5 which advises that "in all cases...development of 20 dwellings or more will be considered large scale". Consequently, even in the largest of the villages grouped under Policy H5 proposals for more than 20 housing units are "large scale".

Members will also be aware that a Village Design Statement for Scotby is in the course of preparation. That will supplement the Countryside Design Summary for Carlisle District that was approved with minor modifications by the Environment Committee at its meeting on 8th June this year and has subsequently been adopted as Supplementary Planning Guidance. The Countryside Design Summary acknowledges the importance of ensuring that "new development appears to belong to the village and not be a suburban style extension to it....(it) should be sited to integrate with the form of the village and should not interrupt the established or historic appearance of the many elements which make up the overall character...when considering applications for new development within or at the edge of a village the form and character of the village must be carefully assessed." A number of design issues are noted including "the presence of any natural features such as trees, hedges, ponds and streams" and "the relationship between the edge of the settlement and the countryside beyond".

Members will recall from the Site Visit held on 25th October that the site comprises a substantial Victorian house set well back from Park Road within extensive landscaped grounds containing significant tree cover notably to the south-west, north-west and south-east boundaries. In terms of the village character, the house and its grounds perform a transitional role between the built up form of Scotby and the open countryside leading to the urban area margins of Carlisle. The site is therefore, in landscape terms, significant to the character and setting of the village. Development of it would, therefore, significantly and adversely impact upon the rural attractiveness and character of the western edge of the village contrary to the objectives of Policy H5 and the Countryside Design Summary. It is accordingly recommended that planning permission be refused.

RECOMMENDATION:-

REFUSE

1. REASON: The proposal represents an inappropriate large-scale development of the grounds of Scotby House which forms an important landscaped

SCHEDULE A: Applications with Recommendation

Schedule continued for 00/0605 /

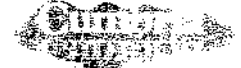
feature at the western margins of Scotby. As such, the development would be harmful to the attractive rural margins and to the form, character and setting of the village in general, contrary to the objectives of Policies 25 and 40 of the Cumbria and Lake District Joint Structure Plan, Policy H5 of the Carlisle District Local Plan and to the adopted Supplementary Planning Guidance contained in the Countryside Design Summary.

2. REASON: The proposal would result in an inappropriate estate-type development the scale and appearance of which, including the adverse landscape impact resulting from the loss of mature trees within the Tree Preservation Order, would result in an inappropriate and unsuitable form of suburban development at the village edge.

Scotby House

30 November 2000
Your ref:
Our ref: CSPU/MJT
Enq to: Mike Tuer
Direct Line: 01228 606038

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ITEM 10



COUNTY COUNCIL

Client Services
& Property Unit

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01228 606016/606017
municom- 01228 606336

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

PLANNING SERVICES	
REF	00/0605
30 NOV 2000	
RECEIVED	
SCHEDULE	A
PAID	
ACTION	

Dear Mr Taylor

PLANNING CONSULTATION: DEVELOPMENT IN SCOTBY

I refer to your telephone conversation with me concerning the proposed development in Scotby and its possible effect on education provision at Scotby School.

Scotby Primary School is a 'Foundation' School and as such has its own admission policy which does not follow the traditional 'catchment area' policy. I have attached a copy of their current admissions policy for your information. You will note that the statement that my colleague Jim Mitchell made in his earlier letter with reference to distance from Scotby village rather than within the catchment area is more accurate in most situations. Please note in this school the School Governors are the admissions authority and are responsible for applying their policy should there be more applicants than places.

I hope this information is of help to you.

Yours sincerely

Mike Tuer

Mike Tuer
School Organisation/Research Officer



ADMISSION POLICY

1. Children from within catchment with siblings at school at time of admission.
2. All other children from Scotby and Wetheral.
3. Children outside catchment with brothers and sisters at school at time of admission.
4. Children of staff who are out of catchment.
5. Children from outside the catchment area with one or both parents on the Electoral Roll of Scotby or Wetheral churches.
6. Children who live in the Ecclesiastical Parish of Warwick – on – Eden giving priority to those who live nearest the school door (measured in a straight line).
7. Children with exceptional Social, Medical or Educational needs (see a).
8. Children from outside the catchment area, giving priority to those who live closest to the school, measured in a straight line on a map.

Notes

- a. Where parents feel that there are exceptional social, medical or educational grounds they must provide full details at the time of applying. The governors may seek further verification such as a medical, Educational Welfare Officer or Social Worker's report. To be given priority for admission the governors would have to be satisfied that the child's need could only be met at Scotby School.
- b. Where parents believe they qualify under the criteria on that they have their names on the Electoral Roll of Scotby or Wetheral C of E parish, they must have been on the roll in question for a period of two years.
- c. Catchment: The Ecclesiastical Parishes of Scotby and Wetheral on the west of the River Eden.
- d. The number in any year group shall not exceed 33.
- e. In the event of a tiebreak situation in any of the above categories 1 – 7, priority will be given as in category 8.
- f. The catchment area map is available for inspection in the school office on request.

Countryside

Design Summary for Carlisle District



Countryside Design Summary for Carlisle District

This document was adopted as Supplementary Planning Guidance by the City Council's Environment committee on 8 June 2000. This followed a period of public consultation in April and May 2000.



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Introduction

This design guide gives advice on the design of new development in the countryside, and identifies those features which give different areas of the District their special character. It will be used, together with policies in Carlisle District Local Plan and other supplementary planning guidance, to assess planning applications for new development or conversions of buildings in the rural area.

A dynamic and diverse countryside inevitably involves changes and new buildings. Well designed new development can be built within or on the periphery of many villages. New development is needed to provide places in which to live and work, maintain productive and efficient farming methods, boost local services and facilities and bring new life and business into the countryside.

The City Council believes that new development should help safeguard the distinct character and natural beauty of the landscape and villages which make up the countryside. However, achieving this poses special challenges, and the design summary is therefore intended to aid discussions between planners and developers prior to planning applications being submitted.

To achieve high quality design in new development requires a three tiered approach. It is important to consider not only the design of individual buildings, but also how new development will relate to the village or group of buildings in which it is to be located, and how it will relate to the wider landscape setting. Therefore all new development will be assessed against the relationship between:

- the patterns of the landscape, and the settings of buildings and villages within it;
- the shape of settlements, their built forms and their relationship with the wider countryside;
- the nature of the buildings themselves, their commonality or diversity, scale and massing, materials, colour, texture and detailing.

The guidance in this design summary will encourage developers, to conceive schemes for development with a positive response to the landscape setting/building analysis provided. This guide will complement the skills of the architect and designer and brief those not previously familiar with the locality. In this way, new development in the countryside should positively enhance the environment.

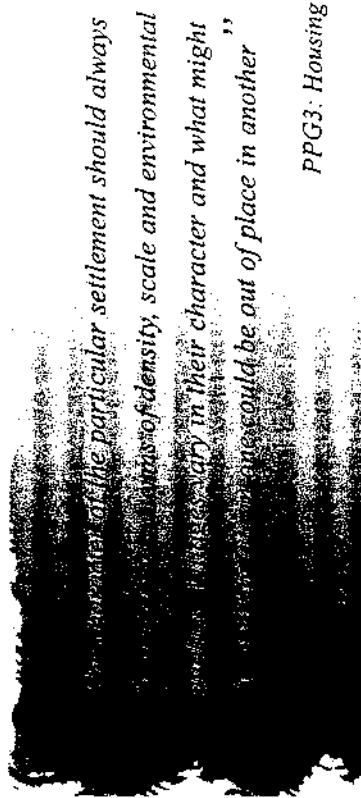
Current Government Guidance on design

Government guidance on the treatment of design issues in the planning system is set out in Planning Policy Guidance notes, (PPGs). These notes set out the Government's policies on different aspects of planning. Local planning authorities must take their content in to account in preparing their development plans. The guidance may also be relevant to decisions on individual planning applications and appeals.

PPG 1 states that the appearance of proposed development and its relationship to its surroundings are material considerations in determining planning applications. The PPG emphasises that good design should be the aim of all involved in the development process, and should be encouraged everywhere.

Annex A of PPG 1 provides more detailed guidance. It states that applicants for planning permission should, as a minimum, **provide a short written statement setting out the design principles adopted**, as well as illustrative material in plan and elevation. This material should show the wider context and not just the development site and its immediately adjacent buildings.

PPG 3: *Housing*, requires developers to strive for good design, which is defined as having respect for the qualities of the local environment. With reference to rural areas the PPG states:



...of the particular settlement should always
...of density, scale and environmental
... vary in their character and what might
... could be out of place in another

PPG3: *Housing*

PPG 7: *The Countryside, Environmental Quality and Economic and Social Development*, states that new buildings in rural areas should contribute to a sense of local identity and regional diversity, and be of an appropriate design and scale for the location.

On the question of more modern designs, they should have proper regard to their surroundings in relation to both the immediate setting, and the defining characteristics of the wider local area, including local or traditional building materials and styles.

Local Plan Policy

Carlisle District Local Plan contains a number of policies which relate to development in the rural area. Policy H5, makes provision for new housing within the majority of villages excluding very small hamlets which are subject to Policy H7. Policy H5 states the need to take account of the effect of new development on:

- the landscape of the area;
- the scale, form and character of the village;
- the layout of the site and design of the individual buildings.

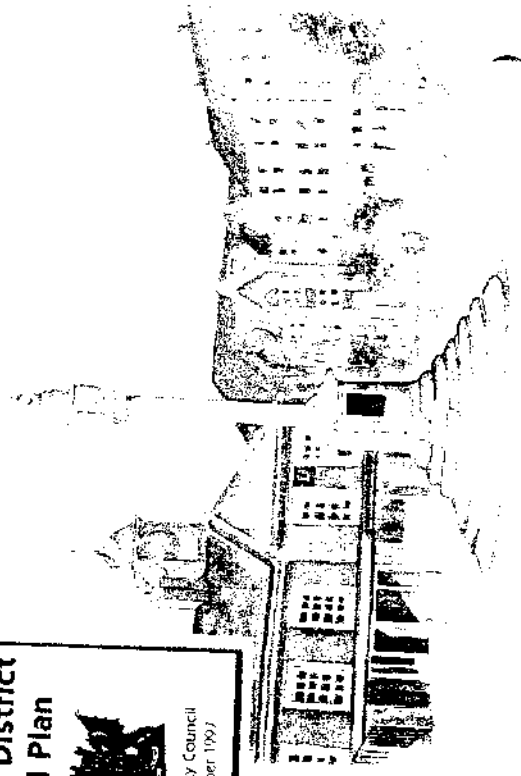
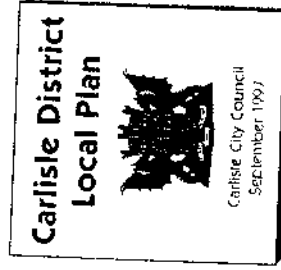
The importance of this three dimensional approach is reflected throughout this design summary.

Policy H7 makes provision for housing development in the remote rural area, defined on the Local Plan Proposals Map. This policy echoes the criteria in Policy H5, and recognises that the setting of new dwellings in relation to existing development and the landscape will be crucial factors in determining whether permission will be granted.

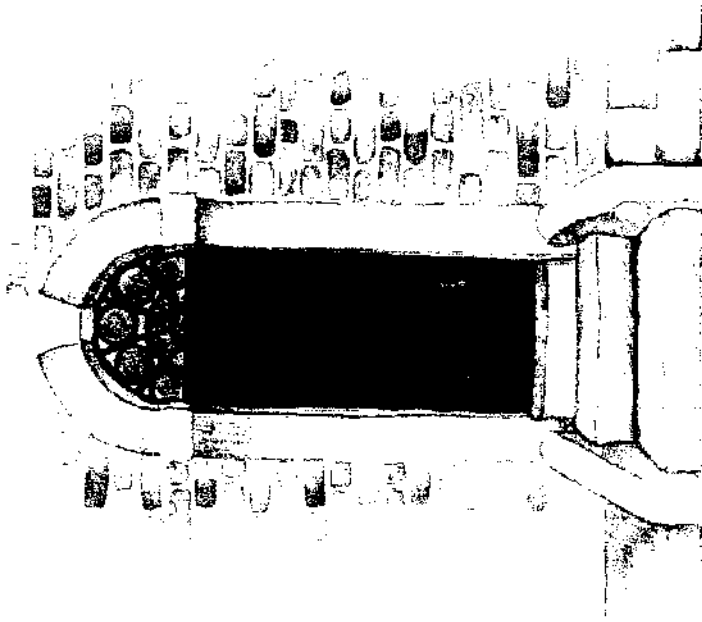
Policy H16, *Design Considerations*, is concerned with the design of new housing sites and dwellings, and notes the particular problems in the rural area of ensuring that new

development integrates both with the landscape and the village. It also reproduces the advice from PPG1 that applicants for planning permission should be able to demonstrate how they have taken account of the need for good design in their development proposals.

Policies EM10 and EM11 make provision for employment development in the rural area, including rural diversification schemes. Both policies contain measures which seek to ensure that new buildings for commercial, industrial or recreational uses respect local building styles and materials, and integrate with the surrounding settlement and landscape. The guidance in this SPG gives a more detailed explanation of how to reflect local distinctiveness in new development.



Pre – application advice

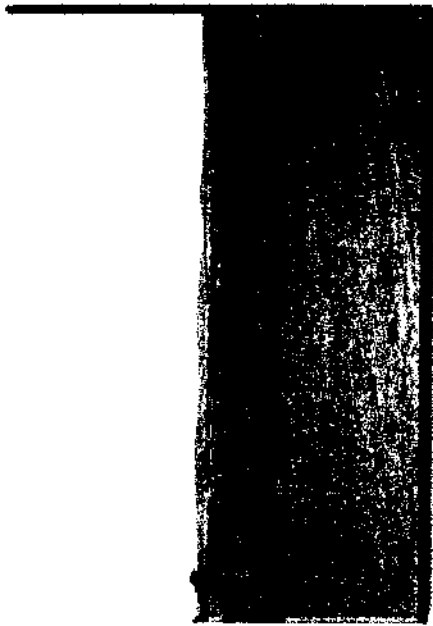


Applicants should consult at an early stage with the City Council on design aspects of their development proposal. In return, the Council will respond constructively, giving clear indications of our design expectations. Careful and early consideration of design issues can speed up the planning process by helping to make development proposals acceptable both in Local Plan policy terms, and to local communities.

There are many specialists within the City Council who are able to help and give advice to applicants. These include planning officers, conservation officers and those who can give advice on landscaping of new development. Their names and contact numbers are given on the back of this leaflet. With their help, and also advice from your own architect or professional adviser, you should be able to design a development which will make a positive contribution to the landscape, both now and in the future. The selection of an architect and builder with experience of working on schemes in the local area which are sympathetic to the environment is important.



The following pages set out the three main aspects against which proposals for new development will be assessed.



The character of the landscape itself.

1 Landscape

Apart from a few unmanaged and unenclosed areas of moorland and the coastal marshes, agricultural practices have been the biggest influence on shaping the landscape of the District. The countryside in made up of a variety of different elements including villages, farms, agricultural buildings, hedges, walls, roads, fields, woodlands, hills and valleys.

In the countryside, a building, farmstead or village seen from a distance has an impact on a broad landscape setting. The scale of many villages within the district is small enough for their overall shape and patterns to be seen within the wider landscape. By adding to and adapting these patterns, through the addition of new buildings, the relationship of the village with the landscape changes.

The relationship between a village and the surrounding landscape requires close examination when considering development proposals. Aspects to consider include:

- **topography**, i.e. is the village hidden within the folds of the landscape or visible from a wide surrounding area;
- **natural features** in the landscape such as trees and hedges which could be reflected within the landscaping of the development site;



Landscape which determines the form of settlements



Impact of settlements on the landscape

2 Settlement

Villages have evolved in response to the landscape, climate, available building materials, development of communications and economic and social factors. An awareness and understanding of these elements needs to be reflected in the development process. Each village has its own

character which requires individual design solutions to ensure that new development appears to belong to the village, and not be a suburban style extension to it.



Settlements dispersed around open green areas

New development should be sited to integrate with the form of the village, and should not interrupt the established or historic appearance of the many elements which make up the overall character.

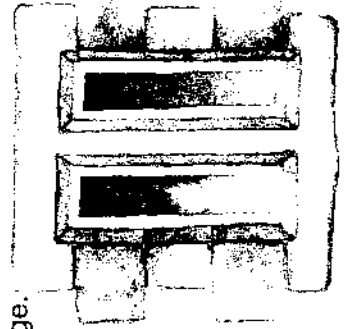
When considering applications for new development within or at the edge of a village, the form and character of the village must be carefully assessed, taking particular note of the following:

- the overall form of the village, i.e. is it strongly linear, clustered around a village green, centered on a cross roads, or does it lack cohesive form?



Impact of settlements on the landscape

- man made features in the landscape such as stone walls, sandstone gate posts, field barns etc, the materials of which could be reflected in any new development;
- when considering edge of village development, account should be taken of **short and long distance views** of the settlement from the surrounding area, taking particular account of the impact on the landscape, and whether the development is likely to integrate well with the edge of the village.



- the width and layout of roads and footpaths;
- the layout of the existing buildings and the spaces between them, looking in particular for any repeated patterns such as orientation of ridge lines, terracing or front gardens;
- the relationship between the edge of the settlement and the countryside beyond;
- ground levels, taking account of the impact of buildings on prominent slopes from a wider area.
- the form, colour and materials of surrounding roofscape.

.....the shape and form of settlements ... "linear"



..... the shape and form of settlements "grouped around a village green"



- where a village has a definite form, avoid layouts which would have a jarring effect such as a cul de sac in a village which has a strongly linear form;
- the visual effect of new roads and pavements necessary for larger developments. Avoid an unnecessary urban appearance which will have little in common with traditional housing layouts.
- the quality of public and private open spaces within the village, and views to and from these spaces;
- the presence of any natural features such as trees, hedges, ponds and streams;

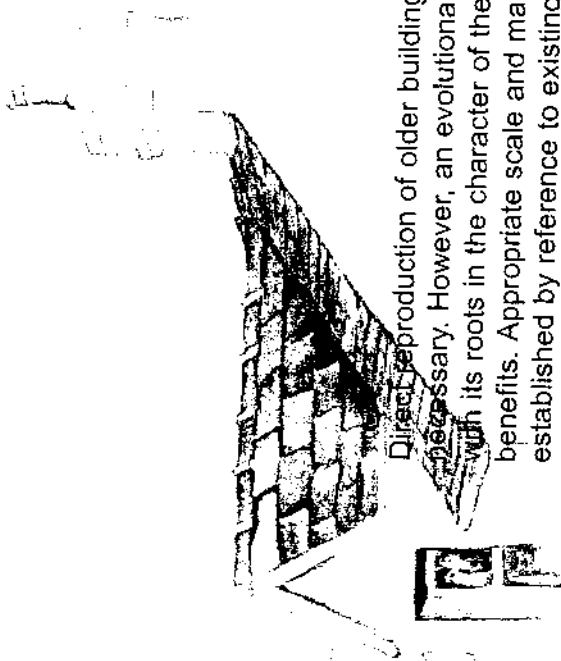
3 Buildings



River cobbles, red sandstone and render in the Solway area (1890).

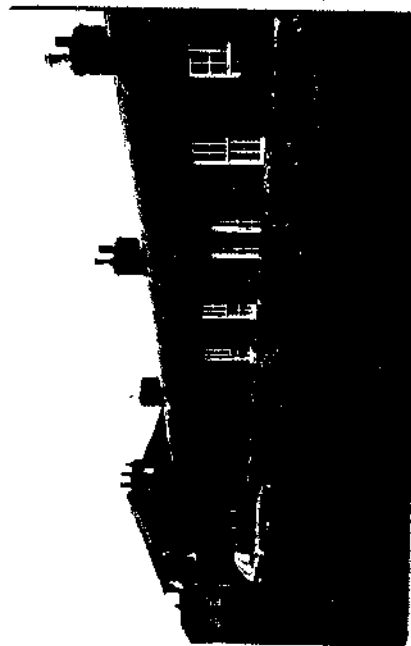
The older buildings in many villages often reflect local materials and cultures. Before transport became widely available, building materials were quarried locally, hence red sandstone in the Eden valley, cobbles obtained from rivers and the boulder clay across the District, the use of clay for walls and render in both the Eden valley and the Solway, and the use of sandstone and slate for roofing materials. In addition, there are a number of cruck framed buildings.

Today, there is a huge range of building materials and styles readily available for use. This is resulting in the gradual erosion of local identity, as standardised building styles are repeated across the whole country.



Direct reproduction of older building styles is not necessary. However, an evolutionary approach to design with its roots in the character of the area will yield positive benefits. Appropriate scale and massing can often be established by reference to existing buildings, as can the proportions and positioning of window and door openings.

There will be a presumption in favour of natural materials that will mellow with ageing. In many instances, man made materials such as plastics will be inappropriate.



Red sandstone and red brick in the Eden Valley

There may be many natural features within and around a development site, such as mature trees and hedges, which should be retained. Such features can provide instant landscaping, and help to integrate the site with the surrounding area. For more advice on the protection of trees on development sites, the adopted supplementary planning guidance, "Trees on Development Sites" should be referred to.



Development site boundary with new tree planting



River cobbles, red sandstone and render in the Solway area (1990s).

The quality of space around buildings is equally important. Development site boundaries can have a significant impact on a village and also (for edge of village developments) the surrounding countryside. Boundaries are often defined by hedges, although stone walls become more common towards the North Pennines. Well designed boundaries can help to integrate new development both with the village and the wider area. Such boundaries are also important in terms of privacy and security for new and existing development.

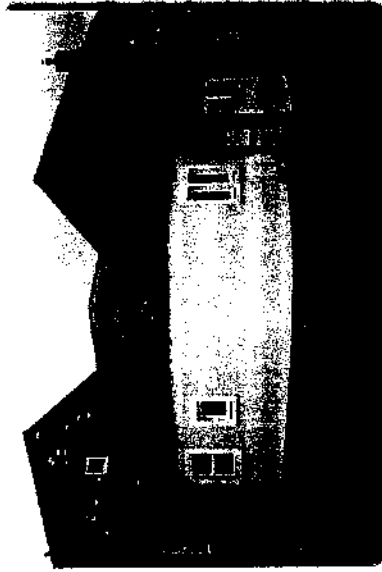


...other features which give a village its character, such as front gardens, boundary walls

It is important that local characteristics are reflected in new buildings. The following aspects should therefore be carefully thought about when considering or drawing up proposals for new development:

- the impact of development site boundaries on the village or the surrounding countryside;
- the use of existing and new landscaping to help integrate new development with the surrounding environment;
- the colour and type of materials used and whether they reflect those used in existing buildings;
- good examples of the simple use of natural paving materials that can be found in many villages. Whilst cost will often preclude extensive use of natural paving or walling materials, a careful mix of traditional and modern will often be effective.
- the roof pitch, orientation of ridge lines, use of chimneys and type of roofing materials on adjacent buildings;

- the contribution made by window and door styles, and the use of porches, to local character, in particular whether windows have a vertical or horizontal emphasis;
- the predominance of other features which give a village its character, such as front gardens, boundary walls, repeated use of certain materials etc;
- the provision of garages, either for existing development or as part of new development, has the potential to blend in if built of matching materials. It is important that such garages are built of sufficient size to include some storage space. Garages provide a good opportunity to reduce the visual impact of parked cars on the rural scene;
- landscaping schemes which include the planting of native trees and hedgerows. These will help with the integration of new development and generally improve the surrounding environment. The adopted SPG 'Trees on Development Sites' should be referred to for more detailed advice.



Garagesreduce the impact of parked cars on the rural scene.

Contacts

PLANNING APPLICATION ADVICE

Alan Taylor
 Chief Development Control Officer01228 817171

John Hamer
 Principal Development Control Officer01228 817172

Angus Hutchinson
 Assistant Development Control Officer01228 817173

Sharon Gray
 Assistant Development Control Officer01228 817174

HISTORIC BUILDINGS ADVICE

Peter Messenger
 Conservation Officer01228 817195

Richard McCoy
 Assistant Conservation Officer01228 817196

ADVICE ON LANDSCAPING OF NEW DEVELOPMENT

Chris Wright01228 817364

LOCAL PLAN POLICY ADVICE

Christopher Hardman
 Chief Local Plans Officer01228 817190

Elizabeth Jackson
 Assistant Local Plans Officer01228 817192

SCHEDULE B: Reports Requiring Further Information

ITEM NO. 33

Date of Committee: 02/11/2001

APPN REF NO: 01/0676 /
APPLICANT: Peregrine Properties (Northern) Ltd
PARISH: Carlisle

DATE OF RECEIPT: 30/07/2001
AGENT: Hills Erwin Ltd
WARD: Castle

LOCATION: 07-09 Fisher Street, Carlisle Cumbria
GRID REF: 339937 556122

PROPOSAL: Renovation and refurbishment of No. 9 Fisher Street, to provide 19no. residential units and 4no. work units, involving redevelopment of the site of No. 7 Fisher Street, the mill building to the rear of No. 9 and annexe to No. 9

John

REPORT

PLANNING POLICIES:-

LISTED BUILDING

The proposal relates to a building which has been listed as being of Special Architectural or Historic Interest.

CONSERVATION AREA

The proposal relates to land or premises situated within the City Centre Conservation Area.

LISTED BUILDING IN A CONSERVATION AREA

The proposal relates to a building listed as being of Special Architectural or Historic Interest and which is situated within the City Centre Conservation Area.

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E29

Elsewhere in the Plan area, on other known sites and monuments of archaeological significance, permission for development will be granted, provided the applicant can demonstrate that the site will be either satisfactorily preserved or appropriate arrangements for excavation and recording have been made. These cases will be judged against the following:

1. the importance of the archaeological features;
2. the effects of the proposal on the archaeological features;
3. the need to retain and where possible enhance the features which have a particular archaeological and/or landscape significance;
4. the applicant's arrangements for in situ preservation of the features.

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E33

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0676 /

There will be a presumption in favour of the preservation of listed buildings. Permission will not be given for the demolition or partial demolition of listed buildings. Applications for listed building consent will be assessed against the following criteria:

1. the intrinsic quality of the building and its contribution to the landscape/townscape; and
2. the structural condition of the building; and
3. the suitability of the building for its existing, proposed or any other use; and
4. the cost of repair; and
5. the contribution which the demolition/redevelopment would make to broader conservation objectives.

All proposals for demolition must be accompanied by details of redevelopment, which will normally be secured by means of a legal agreement.

CARLISLE DISTRICT PLAN
ENVIRONMENT - POLICY E39

There will be a general presumption in favour of the retention of buildings which make a positive contribution to the character or appearance of a Conservation Area. Applications for Conservation Area Consent for the demolition of unlisted buildings in Conservation Areas will be critically assessed against the following criteria:

1. the contribution of the building to the landscape/townscape; and
2. the structural condition of the building; and
3. the suitability of the building for its existing, proposed or any other use; and
4. the cost of repair; and
5. the contribution which the demolition/redevelopment would make to broader conservation objectives.

All proposals for demolition must be accompanied by details of redevelopment, which will normally be secured by means of a legal agreement.

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
HOUSING - POLICY H4

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0676 /

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
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.

SUMMARY OF CONSULTATION RESPONSES:-

ENGLISH HERITAGE: English Heritage have objected to the demolition of the listed building. The buildings have now been inspected by a structural engineer employed by English Heritage. His recommendation, that the listed building could be retained and repaired, has been followed by the applicant. English Heritage have commented on the revised scheme, that No. 7 should also be retained within the scheme.

ARCHAEOLOGY: This site lies at the core of historic Carlisle within an area where Roman and Medieval remains have been demonstrated to survive. An archaeological assessment and evaluation is therefore recommended, before the application is determined.

HIGHWAY AUTHORITY: No objection, subject to conditions.

DRAINAGE AUTHORITY: No objection.

ANCIENT MONUMENTS SOCIETY: In a response written before the scheme was amended, the demolition of the listed building is identified as a critical concern. In addition, there is criticism of the detailing of the replacement infill blocks, on the grounds that these are insufficiently varied.

CONSERVATION AREA ADVISORY COMMITTEE: The Committee initially objected to the loss of the listed building. On the basis of the amended scheme however, the Committee support the

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0676 /

application.

SUMMARY OF REPRESENTATIONS:-

The application has been advertised by means of press and site notices and neighbour notification. No responses have been received. Any representations in respect of the amended scheme will be reported at the meeting.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

In 1990, an application (90/1239) was received for office use on the site, involving a combination of refurbishment and redevelopment. This application was withdrawn. Conservation Area Consent was given for the demolition of the United Reform Church which formerly stood next to No 7.

DETAILS OF PROPOSAL

This application, and 01/0677 and 01/0678 which follow in the schedule, all relate to 7-9 Fisher Street. The site is within the City Centre Conservation Area, and is close to many important listed buildings. Number 9 Fisher Street is a substantial three storey double fronted building, with rendered frontage and tiled roof. The building is in a poor state of repair, having been empty for many years, but is listed grade II. There is a modern addition which is of no interest. Number 7 is a smaller brick building. The site also includes land to the rear currently occupied by a substantial former mill building and a currently vacant site on the Fisher Street frontage.

The proposal is to refurbish the listed building and extend it to provide a total of nineteen flats and four living/workspace units. The various elements of the development are as follows:

1. The listed building (No. 9) is retained, with the existing entrance through to the rear blocked off to form a window. An existing rear extension is demolished and reconstructed to provide additional accommodation and stair access.
2. The single storey annexe to No. 9 is demolished and the site redeveloped to provide a three storey block, with a further storey in the roofspace, linking to the adjacent Working Men's Club.
3. No. 7 is demolished and the site redeveloped together with the adjacent vacant site to provide a three storey block, with a further storey in the roofspace, linking with No. 5 which is a two storey building.
4. An archway is formed between the listed building and No. 3 above, with a link between the two buildings above. This is one floor only and is therefore lower

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0676 /

than the buildings to either side.

5. To the rear, on the site of the former mill, is a three storey free standing building, which links to another former mill building to the rear.

The balance of the rear of the site is to be used as a car park providing a total of 18 spaces.

The materials proposed are smooth lime render for the walls of the listed building and the rear of No. 9A (the link block to the Working Men's Club), and facing brick elsewhere, and slate roofs.

This proposal raises a number of issues, as follows:

1. LAND USE POLICY

This site occupies an important location within the City Centre Conservation Area. As such, there is no specific land use allocation in the city centre inset of the District Plan, but policies S7 and EM8 indicate that shopping and employment uses are acceptable in principle. In addition, Policy H4 indicates that housing use is acceptable. In this location, a mixed use scheme with housing and employment uses, particularly combined together as workspace/housing units as proposed is considered to be appropriate.

2. CONSERVATION ISSUES

Since it has been empty, the condition of this site and buildings has deteriorated significantly. The listed building is on the City Council's Buildings at Risk Register, and recent surveys have confirmed that all the buildings are in a poor structural condition. Nevertheless, there is a clear presumption in favour of the retention of the listed building, and this together with No. 7 are identified as Key Townscape Frontages in the District Plan under Policy E40. The annexe to No. 9 on the other hand is identified as a Frontage Improvement Area under Policy E41. In applying these policies to the proposal, it is considered that the most important consideration is to ensure the retention and refurbishment of the listed building. Its condition has deteriorated to the point where substantial input of funds will be required from the Heritage Economic Regeneration Scheme budget if it is to be saved. This scheme provides the means whereby this can be achieved. It was originally submitted on the basis on the demolition of all the existing buildings on the site and redevelopment of the entire site. It has been amended to the current proposal following discussions with Council Officers and a detailed inspection of the buildings by an English Heritage representative. This confirmed that the listed building was in poor condition, but could be saved. Policy E40 of the Local Plan identifies No. 7 as a Key Townscape Frontage Building, as well as the listed building, but this building is not of the same quality, and Officers do not consider there is an objection to the principle of demolition of this and the

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0676 /

other buildings on the site, on the basis of the scheme for the whole site, in the light of the criteria on Policy E39.

In terms of the quality of the new buildings proposed to replace those to be demolished, there are of a similar scale and character to the existing street scene using appropriate traditional materials and are considered to be acceptable.

3. ARCHAEOLOGY

This site is partly vacant. Furthermore, apart from the listed building, the existing buildings are to be demolished. Given the location in the city centre, the site is clearly of archaeological interest, and the Council's adviser has requested that an evaluation be carried out prior to determination of the application. Depending on the results of this, an appropriate condition would be attached to any permission granted, which would set out the requirement for further work.

4. TRAFFIC/PARKING

The proposal makes provision for 18 car parking spaces for 19 units. Although this standard of provision is less than that recommended in the Cumbria Design Guide, it is considered acceptable in this city centre location. There is a small off-street car park on the cleared part of the site, which will be lost if the development proceeds, but in this location it is considered more appropriate to achieve an appropriate development on the street frontage.

To summarise the issues relating to this proposal, Officers consider that the revised proposal which retains the listed building has merit and should be supported. It should be noted, however, that the views of English Heritage are still awaited.

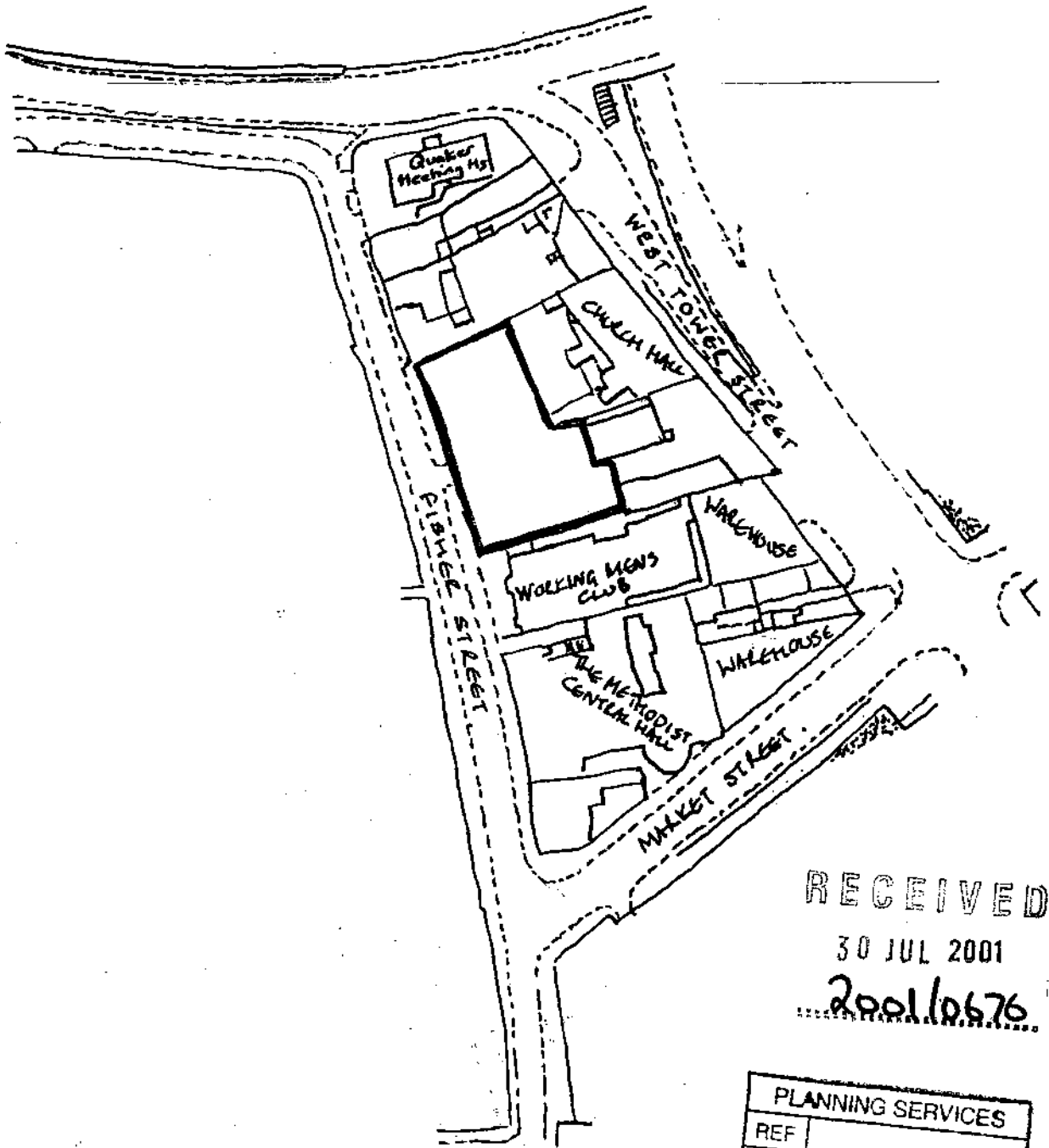
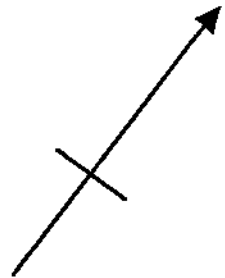
It will also be noted that the issue of any approval would have to be delayed until the applicant had completed an archaeological evaluation.

RECOMMENDATION:-

The Director will report further on the issues raised by the application, with particular reference to the views of English Heritage on the revised proposal.

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Supp Schedule
Pages 48-55

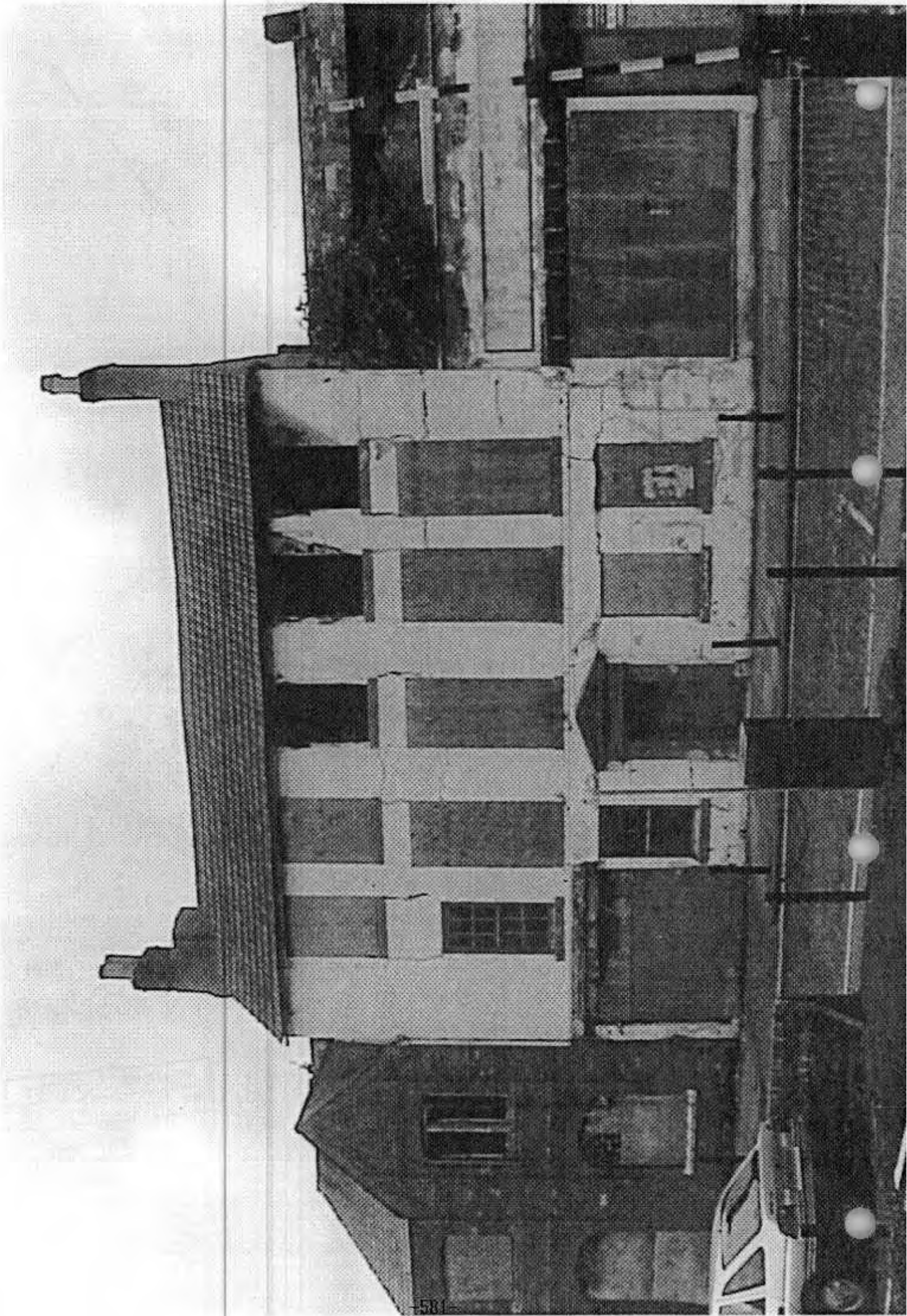


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30 JUL 2001
2001/0676

FISHER STREET, CARLISLE

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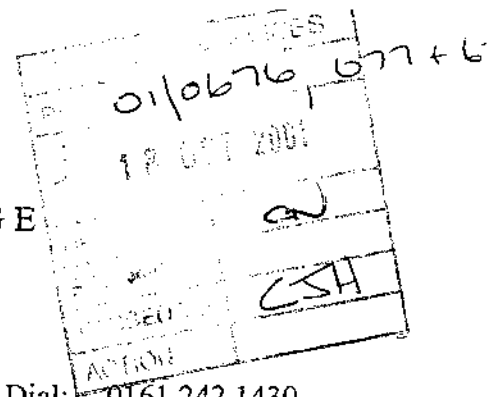
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30 JUL 2001	
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PASSED TO	
ACTION	





ENGLISH HERITAGE

NORTH WEST REGION



Mr J Hamer
Carlisle City Council
Department of Environment and
Development/Planning Services
The Civic Centre
Carlisle
CA3 8QG

Direct Dial: 0161 242 1430
Your Ref: 01/0676-0677-0678
Our Ref: CU/36874-75-76
17 October 2001

Dear Mr Hamer

7-9 FISHER STREET, CARLISLE

Thankyou for notifying English Heritage of the three amended applications on the above site. On the basis of the submitted plans, I would like to make the following comments.

The buildings are generally in poor condition, and the previous scheme proposed their demolition. It is gratifying that at least the grade II listed no.9 Fisher Street is to be retained. Following the visit of the English Heritage structural engineer, and his subsequent report, it appears that the neighbouring property at no.7 Fisher Street is equally salvageable, and is probably in better condition than no.9. On this basis, English Heritage would like to see the retention and re-use of no.7, rather than its demolition, for which there appears to be little justification.

The former Mill building to the rear of the group seems to have suffered from several historic adaptations which have led to some structural compromises. This coupled with the poor condition of the fabric means that any scheme for retention would be complex and expensive. On balance English Heritage would be prepared to see the loss of this building, and its replacement with new build if this results in the adaptive re-use of nos 7-9 Fisher Street.

If you require further advice or clarification, please do not hesitate to contact me.

Yours sincerely,

Rob Burns
Historic Areas Advisor



ENGLISH HERITAGE

NORTH WEST REGION

Mr J Hamer
Department of Environment and Development
Planning Services Division
The Civic Centre
Carlisle
CA3 8QG

Direct Dial: 0161 242 1430
Your Ref: 01/0676-01/0677-
01/0678
Our Ref: CU/FishCa

24 August 2001

Dear Mr Hamer

7-9 FISHER STREET, CARLISLE

Thankyou for notifying English Heritage of the three applications on the above site. On the basis of the submitted plans, I would like to make the following comments.

Although the buildings are in poor condition, they are capable of repair and adaptive re-use, and the structural report submitted falls far short of a PPG15 justification for demolition. The group of buildings is within the boundaries of the Heritage Economic Regeneration Scheme, and funding is available to aid this process. I understand that the frontage buildings at least are on the target list, and the conservation section of the City Council have started discussions with the owners.

I have instructed the English Heritage engineer to look at the buildings, and a site visit has been arranged for 6 September with the Conservation Officer. In the meantime, English Heritage objects to the demolition proposal.

If you require further advice or clarification, please do not hesitate to contact me.

Yours sincerely,

Rob Burns
Historic Areas Advisor

PLANNING SERVICES	
REF	01/0678
28 AUG 2001	
RECORDED	ca
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PASSED TO	CJH
ACTION	

ANCIENT MONUMENTS SOCIETY

*Founded in 1924 for the study and conservation of ancient monuments,
historic buildings, and fine old craftsmanship*

ST. ANN'S VESTRY HALL, 2 CHURCH ENTRY, LONDON EC4V 5HB

Tel: 020-7236-3934 Fax: 020-7329-3677 e-mail: office@ancientmonumentsociety.org.uk

website: www.ancientmonumentsociety.org.uk

Patron: HIS ROYAL HIGHNESS THE PRINCE OF WALES,

Chief Development Control Officer
Carlisle City Council
Civic Centre
Carlisle CA3 8QG

Your ref: CJH/DC/01/0676

Dear Sir

7-9 Fisher Street, Carlisle

Thank you for your two consultations on the proposed redevelopment of the above site which is well known to the writer. There are two distinct matters to be considered in this case: firstly the treatment of the listed building and, secondly, the quality of any redevelopment on the broader site.

On the first point, we understand that English Heritage is to send an engineer to assess the condition of No. 9. We are quite prepared to defer to them on this critical matter, particularly as the boarded up state of the property makes it very difficult to carry out any independent inspection. No doubt that survey will assess not only the capacity of the structure to be repaired in whole or part but the survival or otherwise of internal features of interest.

As we understand the proposal, the applicants' intention is to rebuild the front elevation of No. 9 in approximate replica (including the reintroduction of a render) but with a wholly new build behind. The annotation implies that the existing door and door surround, which are clearly original to the 18th century, are to be replicated rather than retained. This seems unnecessarily destructive.

The second matter is the projected reinstatement of the townscape. Alongside a self-styled replica on the site of No. 9 the applicants propose a four-storey terrace on the adjacent "gap site". The design is shown on Drawing 00119/P/005. Frankly we find it disappointing. It lacks individuality and animation, with its rather turgid echoes of late Georgian/early Victorian design. The dormers make the design top heavy. We do fear too that the seven three-storey bays of facing brickwork will appear monotonous unless there is an appropriate variegation in colour. And certainly a boring Stretcher Bond should be avoided. There is some greater echo of the local vernacular in the use of banded architraves surrounding the windows on the infill at No. 9A.

Indeed, we would prefer much greater disparity between the "gap site" and No. 9A. Both buildings use identical dormers and identical door surrounds. This runs counter to a townscape which is at present an excellent example of the homogeneity based on variety. It shows well how buildings of different height, proportions, age and colour can still meld into an harmonious whole. Might there in fact be an argument for treating the "gap site" not as a single new building but as a site for two differing ones? No doubt in any proposal details, at least at 1:50, would be provided of the doors and door surrounds (which presumably will be in timber or natural stone) and of the sashes which, again, we presume will be double hung timber and operated on sash cords, and not spring balances.

Any further comment must await EH's verdict on No. 9 and I look forward to hearing from you in that connection.

Yours faithfully


President: DAME JENNIFER JENKINS, M.A., Hon.F.R.I.B.A., Hon.R.I.C.S.

Chairman: GILES QUARME, R.I.B.A., F.R.S.A., B.A.Hons., Dip.Cons.A.A.

Hon. Secretary: CHRISTOPHER F. STELL, O.B.E., M.A., B.Arch., A.R.I.B.A., F.S.A.

Hon. Editor: CHARLOTTE BRADBEER, B.A.

Secretary: MATTHEW SAUNDERS, M.B.E., M.A., F.S.A.

Hon. Treasurer: LESLIE DU CANE, B.Sc., A.C.A.

Assistant Secretary: CAROLINE WELCH, B.A.Hons.

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Reg. Charity No. 209605

PLANNING SERVICES	
REF	01/0676
23 AUG 2001	
RECORDED	CN
SCANNED	
PASSED TO	CJH
ACTION	21 August 2001



2001/0676



SCHEDULE B: Reports Requiring Further Information

ITEM NO. 34

Date of Committee: 02/11/2001

APPN REF NO: 01/0677 /
APPLICANT: Peregrine Properties (Northern) Ltd
PARISH: Carlisle

DATE OF RECEIPT: 30/07/2001
AGENT: Hills Erwin Ltd
WARD: Castle

LOCATION: 07-09 Fisher Street, Carlisle Cumbria
GRID REF: 339937 556122

PROPOSAL: Demolition of former mill building to rear of 7 Fisher Street
and No.7 Fisher Street

REPORT

PLANNING POLICIES:-

LISTED BUILDING

The proposal relates to a building which has been listed as being of Special Architectural or Historic Interest.

CONSERVATION AREA

The proposal relates to land or premises situated within the City Centre Conservation Area.

LISTED BUILDING IN A CONSERVATION AREA

The proposal relates to a building listed as being of Special Architectural or Historic Interest and which is situated within the City Centre Conservation Area.

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E29

Elsewhere in the Plan area, on other known sites and monuments of archaeological significance, permission for development will be granted, provided the applicant can demonstrate that the site will be either satisfactorily preserved or appropriate arrangements for excavation and recording have been made. These cases will be judged against the following:

1. the importance of the archaeological features;
2. the effects of the proposal on the archaeological features;
3. the need to retain and where possible enhance the features which have a particular archaeological and/or landscape significance;
4. the applicant's arrangements for in situ preservation of the features.

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E33

There will be a presumption in favour of the preservation of listed

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0677 /

buildings. Permission will not be given for the demolition or partial demolition of listed buildings. Applications for listed building consent will be assessed against the following criteria:

1. the intrinsic quality of the building and its contribution to the landscape/townscape; and
2. the structural condition of the building; and
3. the suitability of the building for its existing, proposed or any other use; and
4. the cost of repair; and
5. the contribution which the demolition/redevelopment would make to broader conservation objectives.

All proposals for demolition must be accompanied by details of redevelopment, which will normally be secured by means of a legal agreement.

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E39

There will be a general presumption in favour of the retention of buildings which make a positive contribution to the character or appearance of a Conservation Area. Applications for Conservation Area Consent for the demolition of unlisted buildings in Conservation Areas will be critically assessed against the following criteria:

1. the contribution of the building to the landscape/townscape; and
2. the structural condition of the building; and
3. the suitability of the building for its existing, proposed or any other use; and
4. the cost of repair; and
5. the contribution which the demolition/redevelopment would make to broader conservation objectives.

All proposals for demolition must be accompanied by details of redevelopment, which will normally be secured by means of a legal agreement.

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 HOUSING - POLICY H4

Within Carlisle, Brampton, Longtown and Dalston, outside the Primary

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0677 /

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
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.

SUMMARY OF CONSULTATION RESPONSES:-

See application 01/0676 preceding.

SUMMARY OF REPRESENTATIONS:-

See application 01/0676 preceding.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

See application 01/0676

DETAILS OF PROPOSAL

This application is linked to 01/0676 which precedes it in the schedule. 01/0677 relates to the demolition of the unlisted buildings on the site as part of the redevelopment proposals. Those buildings are No. 7 Fisher Street and the mill building to the rear. No. 7 is a two storey brick building formerly used as a caretaker's house for the adjacent church (now demolished). The mill building is a substantial brick building.

As detailed in the report on 01/0676, the demolition of these buildings is considered acceptable, in the context of the scheme which retains No. 9, the listed building.

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0677 /

RECOMMENDATION: - ✓

The Director will report further on the issues raised by the application, with particular reference to the views of English Heritage on the revised proposal.

SCHEDULE B: Reports Requiring Further Information

ITEM NO. 35

Date of Committee: 02/11/2001

APPN REF NO: 01/0678 /
APPLICANT: Peregrine Properties (Northern) Ltd
PARISH: Carlisle

DATE OF RECEIPT: 30/07/2001
AGENT: Hills Erwin Ltd
WARD: Castle

LOCATION: 07-09 Fisher Street, Carlisle Cumbria
GRID REF: 339937 556122

PROPOSAL: Renovation and refurbishment of 9 Fisher Street to provide 19no. residential units and 4no. work units involving the demolition and redevelopment of the annexe to number 9 (LBC)

REPORT

PLANNING POLICIES:-

LISTED BUILDING

The proposal relates to a building which has been listed as being of Special Architectural or Historic Interest.

CONSERVATION AREA

The proposal relates to land or premises situated within the City Centre Conservation Area.

LISTED BUILDING IN A CONSERVATION AREA

The proposal relates to a building listed as being of Special Architectural or Historic Interest and which is situated within the City Centre Conservation Area.

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E29

Elsewhere in the Plan area, on other known sites and monuments of archaeological significance, permission for development will be granted, provided the applicant can demonstrate that the site will be either satisfactorily preserved or appropriate arrangements for excavation and recording have been made. These cases will be judged against the following:

1. the importance of the archaeological features;
2. the effects of the proposal on the archaeological features;
3. the need to retain and where possible enhance the features which have a particular archaeological and/or landscape significance;
4. the applicant's arrangements for in situ preservation of the features.

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E33

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0678 /

There will be a presumption in favour of the preservation of listed buildings. Permission will not be given for the demolition or partial demolition of listed buildings. Applications for listed building consent will be assessed against the following criteria:

1. the intrinsic quality of the building and its contribution to the landscape/townscape; and
2. the structural condition of the building; and
3. the suitability of the building for its existing, proposed or any other use; and
4. the cost of repair; and
5. the contribution which the demolition/redevelopment would make to broader conservation objectives.

All proposals for demolition must be accompanied by details of redevelopment, which will normally be secured by means of a legal agreement.

CARLISLE DISTRICT PLAN ENVIRONMENT - POLICY E39

There will be a general presumption in favour of the retention of buildings which make a positive contribution to the character or appearance of a Conservation Area. Applications for Conservation Area Consent for the demolition of unlisted buildings in Conservation Areas will be critically assessed against the following criteria:

1. the contribution of the building to the landscape/townscape; and
2. the structural condition of the building; and
3. the suitability of the building for its existing, proposed or any other use; and
4. the cost of repair; and
5. the contribution which the demolition/redevelopment would make to broader conservation objectives.

All proposals for demolition must be accompanied by details of redevelopment, which will normally be secured by means of a legal agreement.

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 HOUSING - POLICY H4

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0678 /

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
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.

SUMMARY OF CONSULTATION RESPONSES:-

See application 01/0676 preceding.

SUMMARY OF REPRESENTATIONS:-

See application 01/0676 preceding.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

See application 01/0676.

DETAILS OF PROPOSAL

This application is linked to applications 01/0676 and 0677 which precede it in the schedule. 01/0678 is for listed building consent for the alterations to the listed building No. 9, as detailed in the report on 01/0676, and the demolition of the annexe to No. 9.

As detailed in the report on 01/0676, the proposals are considered acceptable, in the context of the scheme which retains No. 9, the listed building.

RECOMMENDATION:-

The Director will report further on the issues raised by the application, with particular reference to the views of English

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0678 /

Heritage on the revised proposal.

SCHEDULE B: Reports Requiring Further Information

ITEM NO. 36

Date of Committee: 02/11/2001

APPN REF NO: 01/0691 /
APPLICANT: David Hesketh
PARISH: Wetheral

DATE OF RECEIPT: 13/08/2001
AGENT: G S Design Service
WARD: Wetheral

LOCATION: L/A plots 11-16 The Limes, Durrannahill Road, Durrannahil Carlisle
GRID REF: 342800 555100

PROPOSAL: Erection of place of worship with associated vehicular access and car parking

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:-

WETHERAL PARISH COUNCIL: the response to initial consultation indicated concerns about additional traffic the development would generate; its road safety implications and the design of the building;

HIGHWAY AUTHORITY: no objections subject to the imposition of 4 planning conditions. Concern also expressed about the layout and efficacy of the car parking areas and the overall level of car parking provision since this may cause vehicles to be parked on the estate road;

ENVIRONMENT AGENCY: no objections subject to the imposition of a planning condition relating to car park drainage;

UNITED UTILITIES: no objections subject to the site being drained to separate systems;

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0691 /

TRANSCO: comments awaited.

SUMMARY OF REPRESENTATIONS:-

The proposal has been advertised through Site and Press Notices. One letter has been received, albeit not from an immediate resident of the area, which raises matters that are not "proper planning considerations" and objects to planning permission being granted. Members will recognise that the issues identified fall outside the ambit of the planning authority's consideration of the proposal.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

Planning Consent was granted in April 1998 for the development of 82 dwellings on a 2.9 hectare site on the south east side of Durranhill Road that was allocated for housing purposes in the Carlisle District Local Plan.

Approvals for the substitution of house types on some plots within the development were issued in June 1999 and November 2000.

DETAILS OF THE PROPOSALS

This application relates to a group of unbuilt plots within the overall housing development site at Durranhill Road. It is broadly triangular in shape and is bounded on two sides by roads constructed by the developers (Crowther Homes) as part of the approved layout with the southern boundary being the Carlisle-Newcastle railway line. Running parallel with that southern boundary is the route of the 18inch medium pressure gas pipeline feeding from Wetheral to Rome Street.

The application before Members seeks full planning permission to develop a single storey Church with a floor area of approx. 250 square metres. It is proposed to be site with its rear wall parallel to the rear boundary so that the main facade faces towards Durranhill Road.

The proposed building would contain a main hall with a raised platform at one end, two class rooms, lobby utility and chair store rooms and W.C. facilities including one designed specifically for disabled persons. The development provides for 33 parking spaces within the site, albeit that some of these spaces appear to have limited accessibility/manoeuvring space. It is intended that the whole perimeter is enclosed by a painted panelled fence.

When initially submitted the building was proposed to be finished in red pitch faced concrete blocks with spar dashed rendered panels under a concrete tile roof with all paint finished in "blueberry". Concerns as to the design and finishes were raised by Wetheral Parish Council in their consultation response.

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0691 /

The Parish Council's misgivings relating to design and finishes are understandable and have been discussed with the applicants. In response they have supplied revised elevations which show a brown rustic brick built building with yellow facing brick detailing. The Parish Council has been provided with these amended details and have been asked to comment upon them. Their reply is awaited.

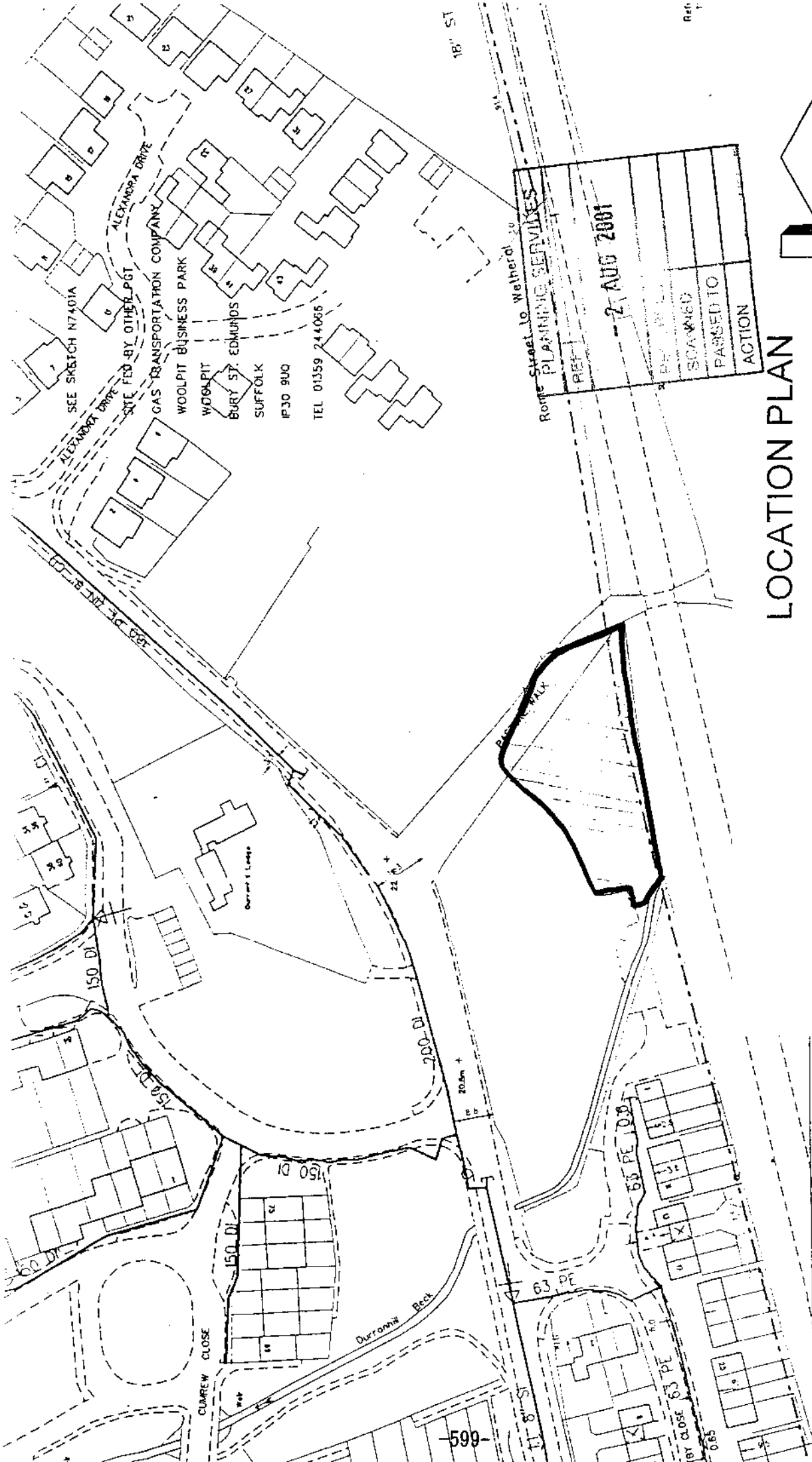
The applicants were also made aware of the Highway Authority's concern at the level and layout of car parking that is proposed. They have responded with correspondence from their "planning" solicitor who cites the changed parking expectations within PPG 13 that now advocates less parking provision; the characteristics of the congregation and frequency of use of the premises that is expected. The Highway Authority has been asked to comment upon that information.

The proposed site is within an allocated housing site in the District Plan. Notwithstanding, although there is no District Plan policy dealing specifically with them, it is reasonable to expect a Place of Worship to be located within a residential area. Policy H17 gives broad guidance in relation to non-residential uses within residential areas. Subject to the parking issue being resolved, it is considered that the relevant criteria of H17 can be met.

RECOMMENDATION: -

A full Report and recommendation is not able to be met as the views of the Parish Council and Highway Authority, on material supplied as revisions/additional information to enable the proposals to be fully considered, are still awaited.

Dee Reed

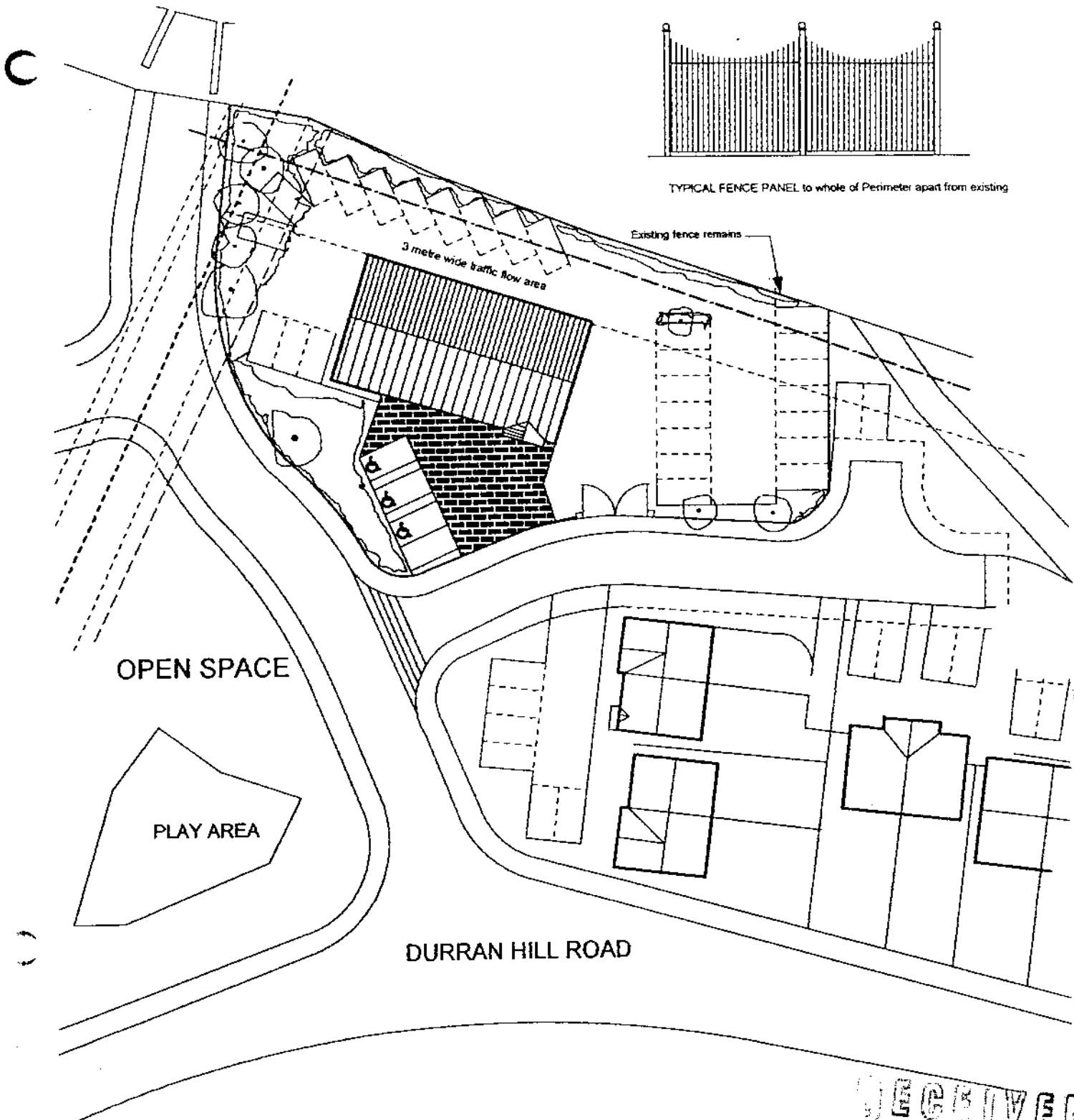


LOCATION PLAN

PROPOSED PLACE OF WORSHIP
 at THE LIMES, DURRAN HILL ROAD, CARLISLE.

SCALE: 1:250 | JULY 2001 | DRAWING NO. 66916

GS Design Service
 Riverside House,
 1 Beech Street,
 Padilla B12 7EE
 Daytime Tel. 01756 794881
 Evening Tel. 01282 774635



SITE PLAN

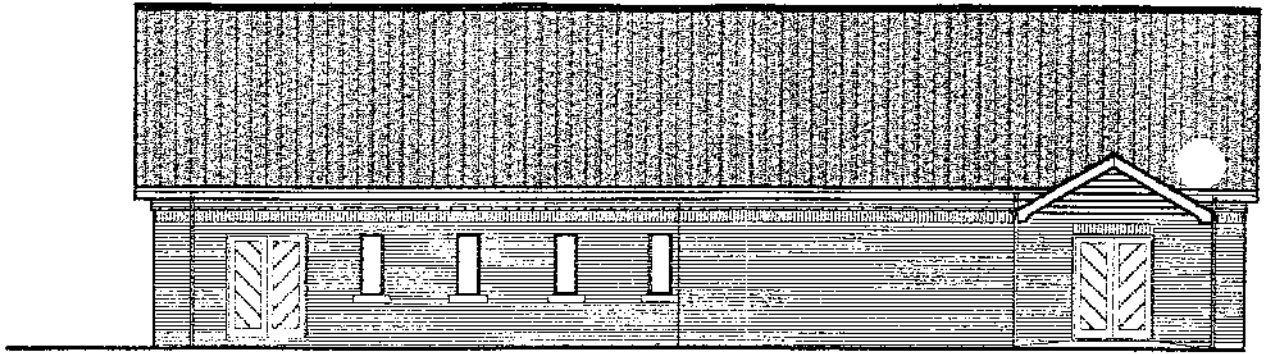
PROPOSED PLACE OF WORSHIP
 at THE LIMES, DURRAN HILL ROAD, CARLISLE.

SCALE 1:500	MARCH 2001	DRAWING NO. 669/5
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RECEIVED
 2001

2001/0691

GS Design Service
 Riverside House,
 1 Beech Street,
 Padiham BB12 7EE
 Daytime Tel. 01756 794881
 Evening Tel. 01282 774635



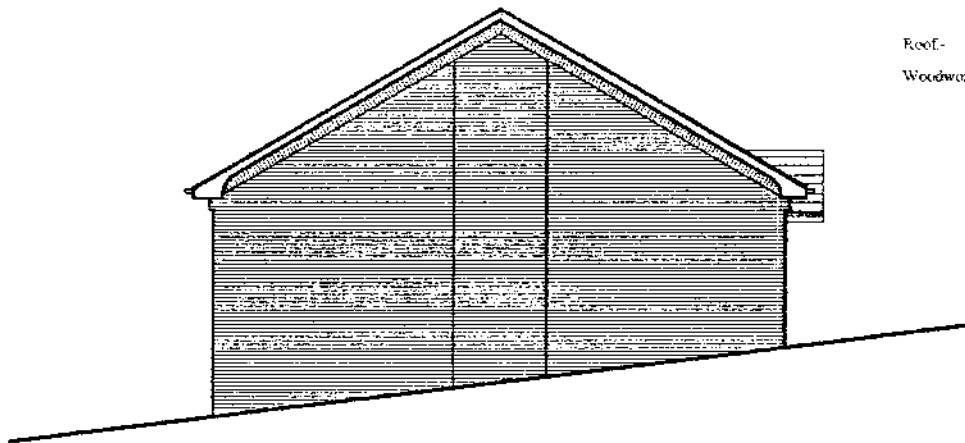
SOUTH ELEVATION

MATERIALS

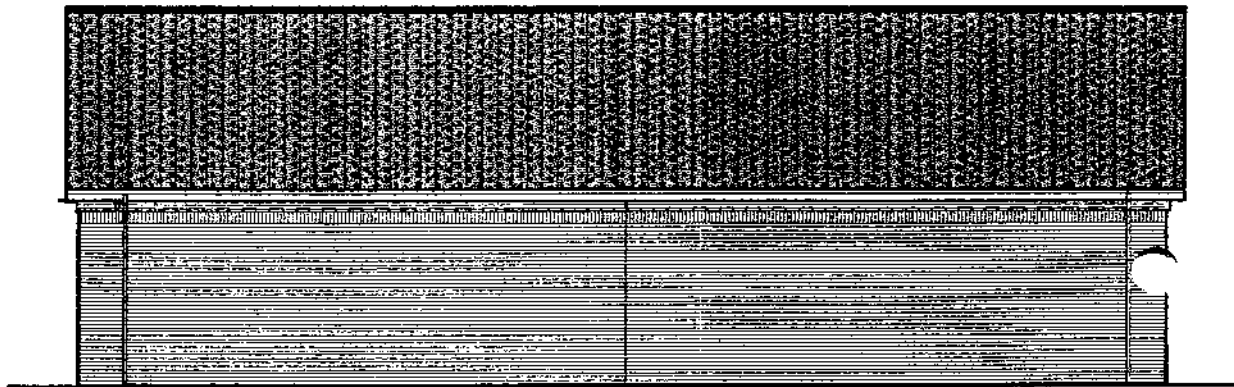
Walls: Brown multi rustic facing brick with yellow features

Roof: Grey concrete tiles.

Woodwork: Blueberry



GABLE ELEVATION



NORTH ELEVATION

ELEVATIONS

PROPOSED PLACE OF WORSHIP
at THE LIMES, DURRAN HILL ROAD, CARLISLE.

SCALE 1:150

MARCH 2001

DRAWING NO. 669/4


GS Design Service
 Riverside House,
 1 Beech Street,
 Padiham BB12 7EE
 Daytime Tel. 01756 79488
 Evening Tel. 01282 7746

33 Mallyclose Drive
Carlisle
CA1 3HH

PLANNING SERVICES	
REF	01 ENDS 0311
20 AUG 2001	
20.2010	
10	
JEE	
MR	

01/691
16th August 2001



The Chief Executive
Carlisle City Council
Civic Centre
Carlisle

AMT

Dear Sir,

Please find enclosed a copy of a letter submitted to the News & Star in response to an article run by them today. In this piece, Mr House of the Jehovah's Witnesses labels those who might oppose a new meeting hall at Durranhill Road as 'cranks'.

As my letter contends, there are a great many people with profound unease at the activities and practices of the JW's. Councils are often felt obliged to grant planning applications for new buildings for fear of being labelled 'intolerant'. However, as negative reports of the JW's circulate now in their *thousands*, I am writing to you to ask that some positive action be taken on the council's behalf to research these reports. On the surface the JW's appear to be very similar to other churches promising community input and service. However, there are continuous reports of psychological duress placed on members in many parts of the world.

My principle concern is that the council is fully aware of the allegations made and court cases proven concerning the Jehovah's Witnesses. Although the local group may appear innocent and harmless, they are required to follow dictates from the Watchtower Organisation in Brooklyn, USA. Many of the web reports are detailed and disturbing involving split families, custody cases and child abuse. Most of the non-religious issues concern manipulation of members and forms of life-control. Although we must be cautious of basing research on 'the web', I feel there is enough established material to allow for instructive reading. One site I found was www.freeminds.org, although I don't necessarily condone everything on that site.

I therefore wish to register my concern and opposition to a new Jehovah's Witness building on Durranhill Road. I would welcome further local investigations as to the suitability of this local group and their activities.

From Saturday August 18th I am away for 2 weeks, but I would welcome further correspondence on this issue.

Yours sincerely,

David Price

Copy to Head of Planning

Letter to The Editor of the News & Star

'Cranks' concerns over Jehovah's Witnesses

Dear Sir,

In an article in the News & Star of 16th August Mr Derek House representing the Jehovah's Witnesses in Carlisle claimed that those who would oppose a new meeting hall in Durranhill Road, were 'cranks'.

Although it is likely the building project will go ahead, it is unwise to ignore widespread concerns about the methods and practice of the Jehovah's Witnesses. Over recent years the Witnesses have successfully re-packaged themselves as 'just another Christian Church'. The reality is that the JW's are still classed as a cult by informed investigators, researchers and governments. This is not 'name calling' but a way of defining an organisation that practices exclusiveness and control over it's members. Apart from very clear doctrinal issues which separate them in belief from the mainstream Christian churches, perhaps the most alarming aspect of their practice is in recruiting and maintaining membership of the organisation.

The Jehovah's Witnesses reputation of attempting to foretell the end of the world is accompanied by the firm insistence that to be saved from the impending apocalypse requires membership of their church. Unfortunately, membership of any other church does not count and one can only assume that they believe only 140 Carlisle people (their congregation) will survive to be given a second chance on 'paradise earth'. Membership also includes a regimented obedience to the organisation in many aspects of life not normally required in other churches. Their insistence on members not having blood transfusions is the most high-profile of these beliefs.

Most of us shrug this off and say, well, that's fine for them – after all we do practice freedom of religion. However, our concern must be directed towards well documented reports of emotional and psychological damage at the hands of the Jehovah's Witnesses. Most of this coercion appears to occur when a member expresses dissatisfaction or attempts to leave the movement. The form of persuasion and indoctrination that leads to control of most aspects of life is perhaps not immediately evident on the doorstep. In 1990, Exit-counsellor Steven Hassan, concluded in a report, that the Jehovah's Witnesses "exerted behaviour, information, thought and emotional control to maintain their membership". These are very serious allegations that none of us can afford to ignore even in our quiet Carlisle neighbourhood.

No doubt, Mr House would like to label all these concerns as the work of 'cranks' in his quest for acceptance. I would encourage him take account of the complete lack of endorsement from any of the Carlisle Churches in these plans to construct a new building.

**David Price
33 Malliclose Drive
Carlisle CA1 3HH**

**Copies to: The Chief Executive, Carlisle City Council
Head of Planning, Carlisle City Council**

PETER F. WYLES M.A. (Oxon)

JEI. C. HAMBLETON B.A.
Solicitor (Consultant)

PHILIP A. J. HODGKINS
Executive

WYLES & CO.
SOLICITORS

STANTON HOUSE
STANTON ST BERNARD
MARLBOROUGH
WILTSHIRE SN8 4LP

Tel: (01672) 851898
Fax: (01672) 851742

Mr G Townsend
G S Design Services
Riverside House
1 Beech Street
PADIHAM
Lancashire
BB12 7EE

Please ask for : **Philip Hodgkins**
Direct Tel: **01380 860930**
Fax: **01380 860875**

Your Ref:

Our Ref: PH/MH/Carlisle

9th October 2001
dictated 8th October 2001

Dear Mr Townsend

Proposed Place of Worship at Durranhill Road Carlisle

I thank you for your note by fax on 4th October enclosing copies of the letters you have received from the Council's Planning and Highway Departments.

With regard to the issue of onsite parking provision, when I enquired of the Council's Planning Department I was not really very surprised to learn that the document entitled 'The Parking Guidelines for Cumbria' was adopted prior to the issue of a revised Planning Policy Guidance Note 13 'Transport' in March this year. This new note reflects the Government's concern for the principle of 'sustainability' in connection with all new development and the Note effectively requires local planning authorities to revise their development control policies on all transport matters, including Parking Provision. For example, revised PPG13 contains the following statements:

Paragraph 49

The availability of car parking has a major influence on the means of transport people choose for their journeys.

Car parking also takes up a large amount of space in development, is costly ... and reduces densities.

Reducing the amount of parking in new development ... is essential, as part of a package of planning and transport measures, to promote sustainable travel choices.

Paragraph 51

In developing and implementing policies on parking, local authorities should:

ensure that, as part of a package of planning and transport measures, levels of parking provided in association with development will promote sustainable transport choices;

not require developers to provide more spaces than they themselves wish, other than in **exceptional** circumstances which might include for example where there are **significant** implications for road safety

/ Continued

In Association with Wood Awdry & Ford Solicitors Chippenham and Marlborough

Proposed Place of Worship at Durranshill Road Carlisle (Continued ...)

Paragraph 52

There should be no minimum standards for development, other than parking for disabled people.

I think you will see from this, and especially on the basis of the experience both of us have had in connection with new places of worship for Jehovah's Witnesses, the requirement for 48 onsite parking spaces is excessive to say the least.

Naturally, the Council cannot perhaps be expected to fully understand why the amount of onsite parking facilities proposed in this case is considered to be adequate, and so I suggest you draw attention to the following points:

1. The Congregation concerned has a very settled membership involving a considerable number of families with children and/or otherwise extended relationships. Therefore, as might be expected, this leads to a significant measure of car sharing.
2. Not all members of the Congregation attend every service, and indeed one of the midweek meetings for Bible study is only likely to be attended by about 20 persons.
3. The nature of the use, involving as it does services attended by worshipers throughout a fixed period of time means that if on any particular occasion the number of onsite parking spaces should prove to be inadequate, a significant amount of double parking would be possible and would not cause any difficulty whatsoever.
4. As Christian people, members of the Congregation are acutely aware of the importance of not upsetting local residents by causing problems with parked vehicles. As a result, quite a few places of worship used by Jehovah's Witnesses operate entirely acceptably even in very tightly knit residential areas where onsite parking facilities are very limited, or in fact nonexistent. As an example, I enclose a copy of the Planning Appeal Decision in respect of a meeting place for Jehovah's Witnesses just down the road here in Devizes where there was a proposal to extend an existing place of worship on a site that already suffered a theoretical shortfall in onsite parking provision. Nevertheless, you will see the Inspector accepted the evidence of 'a responsible and disciplined attitude' on the part of the Congregation concerned. I suggest you send a copy of the enclosed Appeal Decision to the Council in this case so that they can be reassured in that respect.

/ Continued

Proposed Place of Worship at Durranshill Road Carlisle (Continued ...)

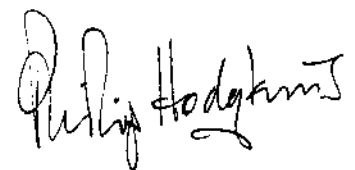
5. It is of course also the case that the Congregation Trustees in Carlisle have made their own assessment of onsite parking requirements for the above site and are quite satisfied with the provision proposed in the scheme you have prepared. Given the overall cost of the scheme which naturally has to be met out of the charitable funds to hand, the Trustees would hardly have committed themselves to this scheme if they had not been satisfied that it is in all respects entirely satisfactory.

I trust that upon careful consideration of all the above matters the Council's Planning and Highway Departments will accept that adequate onsite parking provision is to be made in this case, but if this is still questioned, please ask the Officer(s) concerned to telephone me direct and I shall be more than happy to respond to any outstanding concerns.

I shall leave it to you to deal with the detailed layout and other design matters raised in the Council's letters.

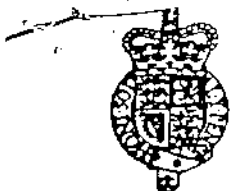
However, with regard to the gas pipeline, whether or not you have been in touch with TRANSCO, the terms of the legal easement for construction of the pipeline will not in any way be contravened by any aspect of the scheme you have submitted.

Yours sincerely



for Wyles & Co

cfio: Trustees of Carlisle East Congregation
of Jehovah's Witnesses (fta: Mr D Hesketh)



The Planning Inspectorate

An Executive Agency in the Department of the Environment and the Welsh Office

Room 1404
Tollgate House
Houlton Street
Bristol BS2 9DJ

Direct Line 0117-987 8927
Switchboard 0117-987 8000
Fax No 0117-987 8769
GTN 1374

Messrs Wyles & Co. Solicitors
40 Market Place
DEVIZES
Wiltshire
SN10 1JG

Your Ref:
PH (MR HODGKINS)
Our Ref:
T/APP/E3905/A/96/274082/P5
Date:

27 JAN 1997

Dear Sirs

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY MR S JOHNSON
APPLICATION NO: K/033204

1. I have been appointed by the Secretary of State for the Environment to determine this appeal against the decision of the Kennet District Council to refuse an application for planning permission for the construction of a small ante-room at the Meeting Room, Avon Terrace, Devizes. I have considered the written representations made by you and by the Council. I have also considered those representations made directly to the Council which have been forwarded to me. I inspected the site on Tuesday 14 January 1997.
2. From my inspection of the site and its surroundings, and the representations made, I consider that the main issue is whether the addition of the proposed ante-room would result in on-street parking in the locality to an extent which would adversely affect highway safety.
3. These premises were constructed as a Christian Meeting Room under a planning permission granted in 1991 for the benefit of the Down Trust only. In August 1996, planning permission was given for the continued use of the Christian Meeting Room for the benefit of the present appellant only, the group concerned being the Jehovah's Witnesses.
4. You say that the buildings is used only for 6 to 7 hours per week by families belonging to the group, which has a very settled membership. Since taking over the building, a dais has been constructed within the main room, displacing part of the seating area. The ante-room would not bring more people into the building, but would allow children to be cared for outside the main room during meetings, and provide a suitable space for small gatherings. There are well established car-sharing arrangements for meetings at the premises, and Inspectors have accepted elsewhere that this type of use is low level and intermittent, so that a reduced car parking demand can be expected (Department Ref. Nos. APP/K1745/A/88/83893 and APP/K1555/A/90/166229).
5. The highway authority says that the original permission was granted despite their objection on the ground that there was then a shortfall of 9 parking spaces, based on the floor area of the building. The additional 20 sq m now proposed would require 4 more spaces to be provided, and in

addition the ante-room would be so located that 2 existing spaces would not be independently accessible. The authority therefore considers that the total shortfall would be 15 car parking spaces.

6. There is no evidence that, since the Meeting Room was first constructed, its use has caused any parking problems in the vicinity. In general, I accept that facilities for public gatherings have a need for parking provision to recognised standards, as the highway authority has pointed out. However, the planning permission for the use of the building is restricted to a specified occupier, and your view that this group has a limited membership and a responsible and disciplined attitude towards its neighbours has not been contested. Such a group of people should be able to manage the use of the 2 less accessible spaces in an effective manner. The position of the ante-room, provided that access is only off the main space, would not enable it to be used separately from the remainder of the building, and I therefore conclude that the construction of the ante-room would be unlikely to generate a significant extra need for parking.

7. You have suggested that the car parking spaces should be marked out; I agree that this would be a sensible requirement. Provided also that conditions are attached to ensure that the ante-room can be reached only from the main area, is constructed in materials to match the existing, and is used only in accordance with the planning consent given by the local planning authority in August 1996, I am of the view that planning permission can be granted. I have considered all the other matters raised, including the width and alignment of the streets in the area, the amount of on and off-street parking space available to local residents, and the provision of the dais in the main meeting room, but find them insufficient to outweigh the considerations which have led me to my decision.

8. For the above reasons and in exercise of the powers transferred to me, I hereby allow this appeal and grant planning permission for the construction of a small ante-room at the Meeting Room, Avon Terrace, Devizes in accordance with the terms of the application No. K/033204 dated 23 July 1996 and the plans submitted therewith, subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this letter.
2. The ante-room shall be used only in conjunction with the rest of the premises as a Christian Meeting Room in accordance with the terms of planning permission no. K/033205 dated 29 August 1996.
3. The materials to be used in the construction of the external surfaces of the ante-room hereby permitted shall match those used in the existing building.
4. No external door opening shall be formed from the ante-room to the car parking area without prior consent being obtained in writing from the local planning authority.
5. The development hereby permitted shall not be occupied until the parking spaces have been marked out in accordance with the

layout shown on drawing no. D/1, or as otherwise agreed with the local planning authority in writing.

9. An applicant for any consent, agreement or approval required by a condition of this permission has a statutory right of appeal to the Secretary of State if consent, agreement or approval is refused or granted conditionally or if the authority fail to give notice of their decision within the prescribed period.

10. The developer's attention is drawn to the enclosed note relating to the requirements of the Building Regulations 1991 with respect to access for disabled people.

11. This letter does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

Yours faithfully

Jean Brushfield.

Mrs Jean Brushfield LLB PhD FRICS FCI Arb
Inspector

SCHEDULE B: Reports Requiring Further Information

ITEM NO. 37

Date of Committee: 02/11/2001

APPN REF NO:
01/0728 /

APPLICANT:
Fitness First PLC

PARISH:
Carlisle

DATE OF RECEIPT:
14/08/2001

AGENT:
Colliers CRE - Jonathan Best

WARD:
Castle

LOCATION:

L/A site 1A Cumberland Infirmary, Newtown Road, Carlisle, Cum 338752 556100

GRID REF:

PROPOSAL: Erection of two storey health and fitness centre with
access and car parking

REPORT

PLANNING POLICIES:-

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
LEISURE - PROPOSAL L14

In order to meet future health needs, the remainder of the site at the Cumberland Infirmary without planning permission is allocated for the continuing development of the new District General Hospital.

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

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0728 /

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;

ENVIRONMENT AGENCY: no objections but two planning conditions are recommended;

UNITED UTILITIES: no objections to the proposals;

ARCHAEOLOGICAL SERVICES: the site has been subject to an archaeological evaluation but no finds or features were identified within the application area. There are no further comments required on this application.

SUMMARY OF REPRESENTATIONS:-

The proposals have been advertised using a Site Notice and notification letters to 40 adjacent properties. No responses have been received.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

Members will be generally familiar with the overall history of the development, and recent re-development of the Cumberland Infirmary site.

DETAILS OF THE PROPOSALS

This application seeks full planning permission to redevelop the land on the existing frontage to Newtown Road between the main access road to the Infirmary and the Children's Day Nursery (Jack and Jills) at No. 8 Newtown Road.

The site extends to 0.7 hectares in area and is presently occupied by the vacant and semi-derelict buildings formerly used for elderly persons.

The proposed scheme seeks approval for the construction of a new Health and Fitness Club and related car park which would contain just over 18,700 square feet floorspace and employ approximately 30 persons.

The application is accompanied by a letter setting out the nature and operational features of the proposed use and its relationship to planning policy. It is reproduced for Members' information. The salient features is that the Club would provide two gymnasiums, aerobics studio, sauna, steam rooms, etc. plus a members' lounge. It would be operated by Fitness

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0728 /

First which operates over 165 similar establishments within Europe, more than 90 of these being in the UK.

The building is proposed to be sited close to the western site boundary with its access to a 142 space car park being from the Infirmary access road. Existing landscaping along the Newtown Road frontage is retained and will be augmented. It is proposed to be finished with 2.1 metre high facing brick walling to the lower facades with horizontal profiled metal cladding to 5.54 metres above the finished floor level. No colour finish or cladding type has been identified.

Additionally, whilst the height of the building has been reduced at the western end, where it abuts the rear of housing at Clift Street and the rear of No. 8 Newtown Road, the siting of the building is closer to the site boundary than is desirable. The applicants have, therefore, been asked to re-site the building eastwards, resulting in some loss of parking, which would not in itself be detrimental to the proposals. Revised site layout plans and clarification of finishes is awaited.

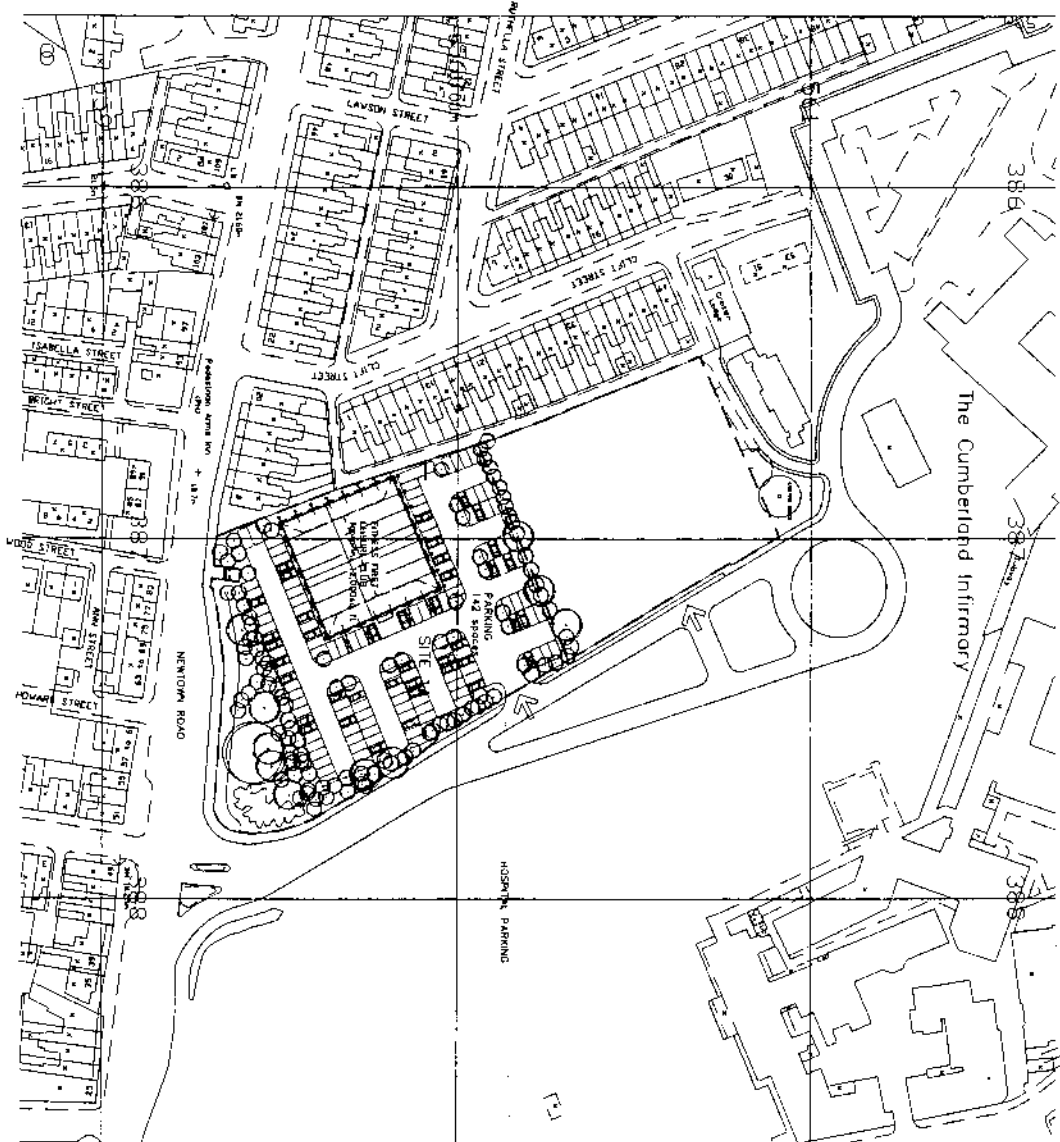
In policy terms, the site is within the area "reserved" within the District Local Plan's Inset map for "community" uses related to the hospital (Policy L14). However, it should be noted that these proposals have been submitted with the support and agreement of the Hospital Trust since the land is surplus to the Infirmary's needs. The Local Plan otherwise encourages further leisure development under the provisions of Policy L4 subject to 6 criteria being met.

RECOMMENDATION:-

A full Report and recommendation has not been made as further information is awaited from the applicants.

A to I when
revised layout plan is
received.

Subs Page 62
Plan



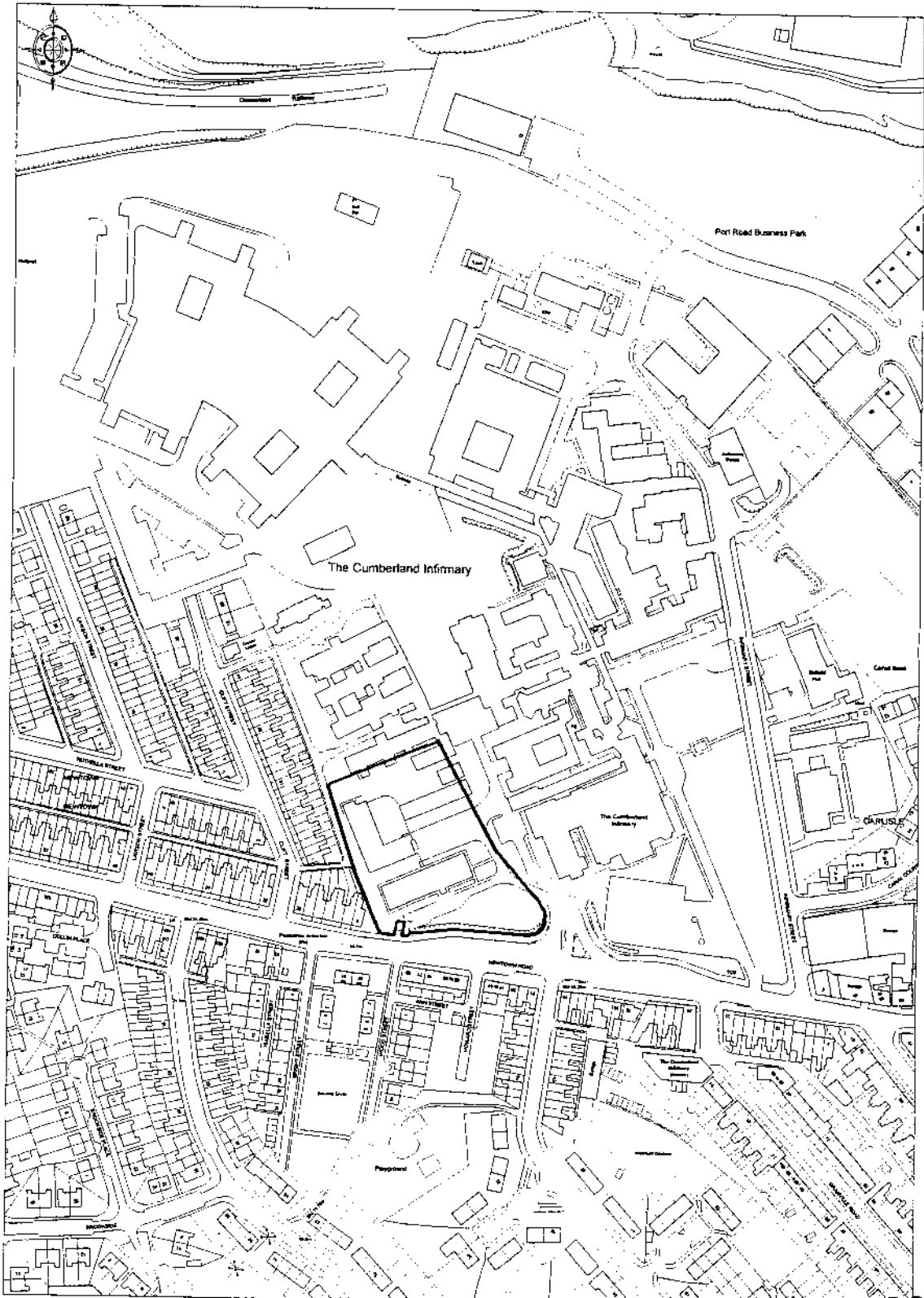
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ARCHITECT: J.M. BOWEN

J.M. BOWEN ARCHITECTS 1000	
PROJECT NAME -	DATE
DRAWN BY	DATE

Cumberland Infirmary, Infirmary Street, Carlisle



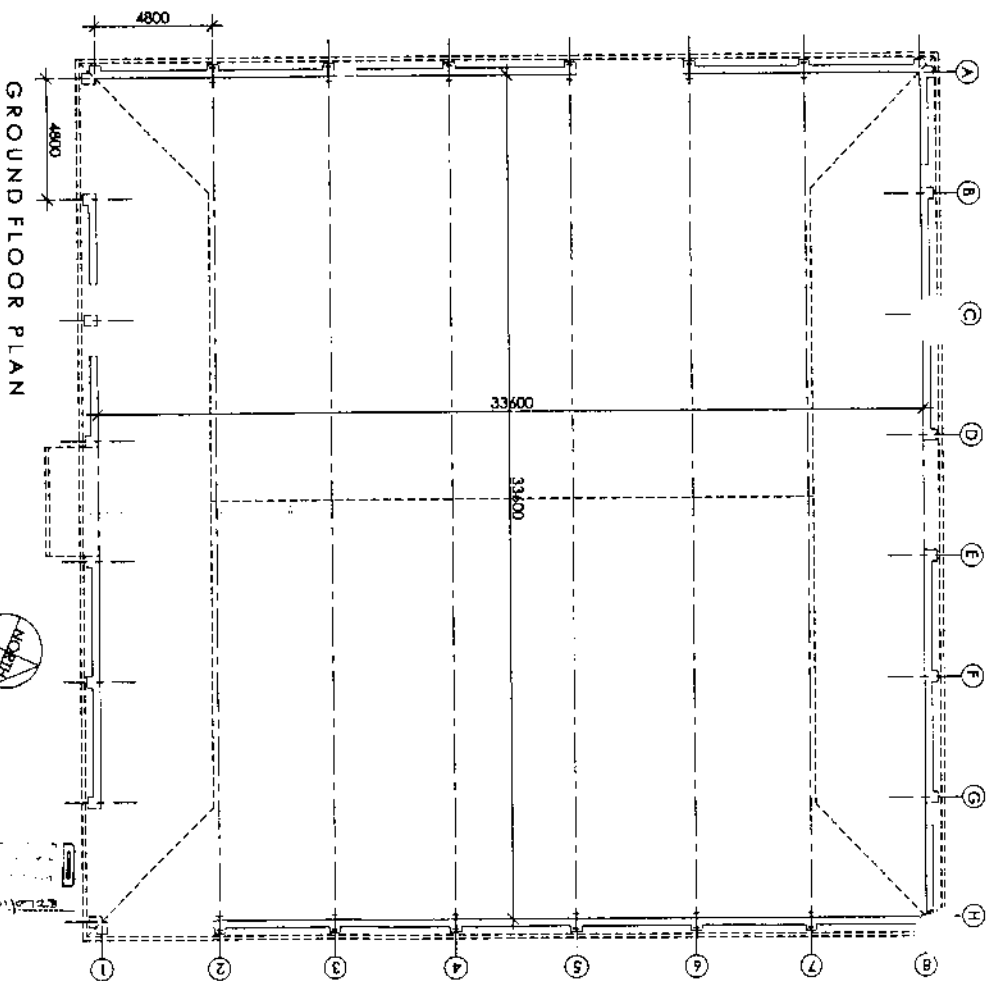
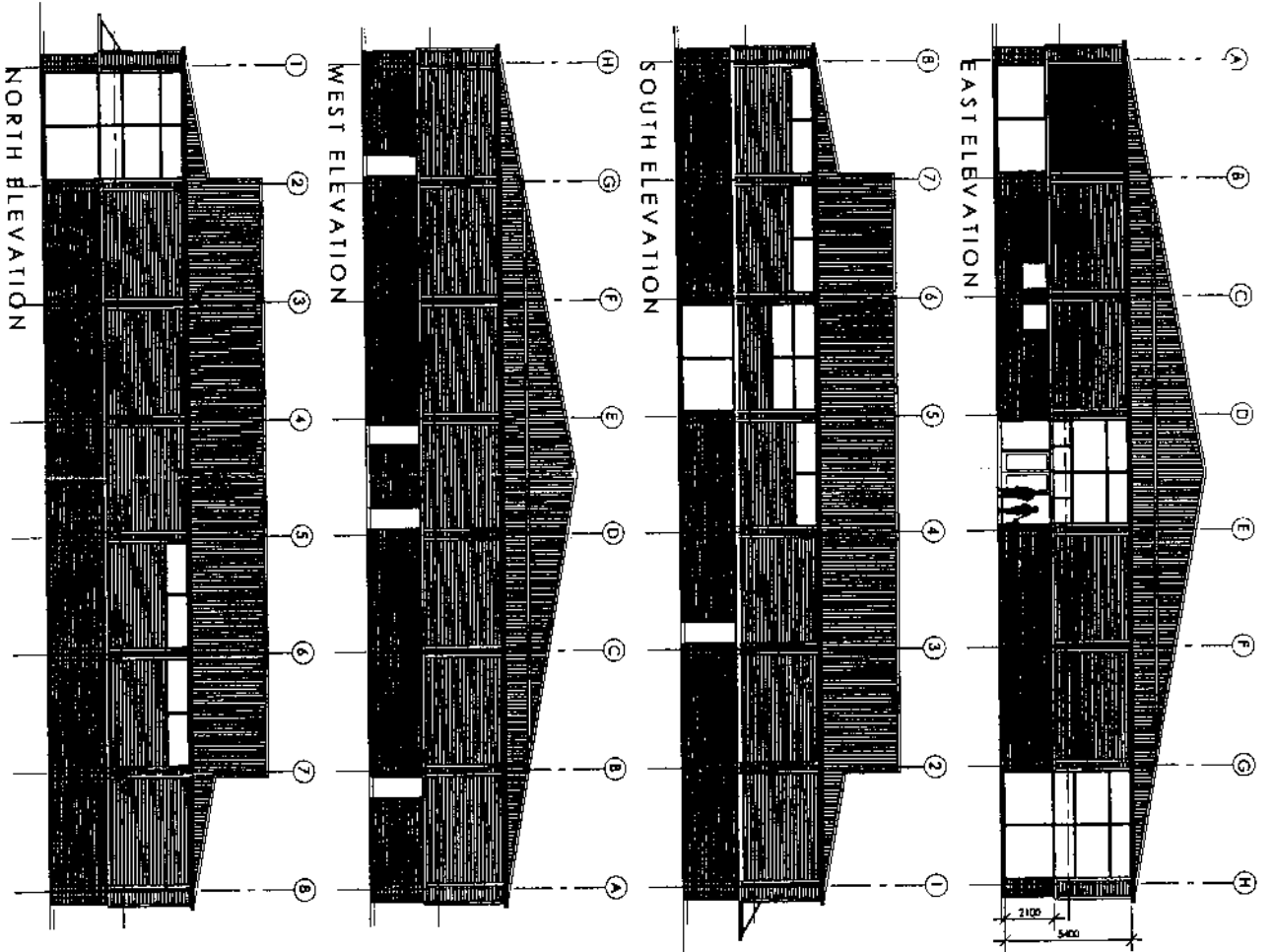
Ordnance Survey

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RECEIVED
7 MAR 2001

COLLIERS

CONRAD
RITBLAT
ERDMAN



MATERIALS
 FACING BRICK PLINTH TO 2.1M ABOVE FFL
 BRICK PROJECTIONS AROUND STEEL COLUMNS
 HORIZONTAL PROFILED METAL CLADDING TO 5.4M ABOVE FFL
 FLAT METAL FLASHINGS TO CORNERS/DRIPL/BAY DIVISIONS
 PROFILED METAL SHEETING TO ROOF AT 10DEG PITCH
 VERTICAL PROFILED METAL CLADDING TO ROOF GABLES
 EXTERNAL METAL BOX GUTTERS/RVP
 BOX SECTION ALUMINIUM WINDOWS/ENTRANCE DOORS
 TIMBER FIRE ESCAPE DOORS
 METAL LINEAR GRILLES TO PLANT AREAS

Project:
CUMBERLAND INFIRMARY SITE 1A
 MCP / FITNESS FIRST
 ELEVATIONS / PLAN

ARCHITECTS

100 Queen Victoria Road, Suite 100, Cumberbund, Victoria, BC V8W 2G8
 Tel: 250.681.1111 Fax: 250.681.1112
 www.architects.com

Date: 10/2000 Rev: 05
 Scale: 1/100
 Project No: 00026-05
 Drawn by: [Name]
 Checked by: [Name]
 Approved by: [Name]

Your ref
Our Ref PAD/EE/msl/aug03
Date 13 August 2001



Head of Department
Environment and Development
Carlisle City Council
Civic Centre
Carlisle
CA3 0UG

Direct Line 020 7487 1936
Direct Fax 020 7344 6558

eledwidge@collierscre.co.uk

Milner House
14 Manchester Square
London W1U 3PP
Telephone
020 7935 4499
Fax
020 7487 1800
www.collierscre.com

Dear Sir/Madam

**CARLISLE - SITE 1A ON LAND AT THE CUMBERLAND INFIRMARY SITE, OFF
NEWTON ROAD**

We act on behalf of Fitness First Plc, who are developers and operators of affordable health and fitness centres. We are instructed to submit an application to you seeking permission for the following:-

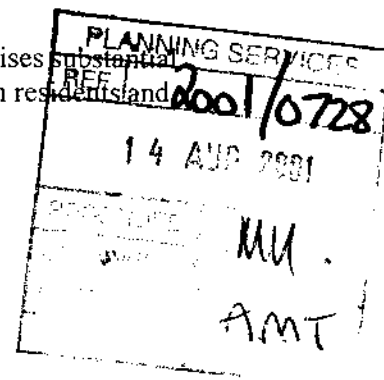
“Erection of a two-storey health and fitness centre within Class D2 (Assembly and Leisure) Use, together with access and car parking.”

The application comprises the following documentation:

1. Application Fee
2. Four copies of the application forms, signed and dated.
3. Certificate B/Agricultural Holdings Certificate, signed and dated.
4. Four copies of site location plan, with the application site edged in red
5. Four copies of the site layout plan CARL-10
6. Four copies of the proposed elevations/plan 00026-05
7. Four copies of the proposed ground floor layout, CAD-100, and
8. Four copies of the proposed first floor layout, CAD-101

The application site is the front approx. 0.7 ha of a larger cleared site which totals approx. 1.1 ha in size and is accessed by a service road off Newton Road. It represents a small part of land formerly used by the Cumberland Infirmary. It formerly accommodated pre-fabricated buildings in association with that health use. It is well related to Newtown Road, which allows easy access for both the private car and public transport. It is therefore a prominent brownfield, accessible development site.

The surrounding area, in addition to the remaining Infirmary operation, comprises substantial residential and employment areas, including the United Biscuits Factory. Both residential employees will form the catchment population for the proposed club.



City of London	Glasgow	Leeds	Birmingham	Ashford, Kent	Belfast
Tel 020 7935 4499	Tel 0141 226 3971	Tel 0113 200 1800	Tel 0121 265 7500	Tel 01233 664800	Tel 02890 241500
Fax 020 7487 1894	Fax 0141 221 7858	Fax 0113 200 1840	Fax 0121 212 3010	Fax 01233 664899	Fax 02890 237278

The Proposals

Fitness First Plc are the leading provider of dedicated health and fitness centres in Europe, with over 165 clubs of which in excess of 90 are in the UK. The closest clubs to Carlisle are in Preston and Newcastle.

The Company focuses on the provision of cardio-vascular exercise, it provides a wide range of gymnasium facilities with associated advice and aerobic studios, which tend to be used regularly for relatively short periods by members of the club. Other recreational facilities such as swimming pools and squash courts, which are more expensive to run and used on a more occasional basis, are not provided.

Accordingly, whilst Fitness First Clubs are comparable in quality to the top end of the market, its membership remains affordable to the wider population.

In order to provide a full range of gymnasium and associated facilities, the proposal incorporates 1,556sqm of floorspace at two levels. The ground floor and first floor internal layout plans are provided to show how its intended to layout the facility. In particular, this incorporates:

1. Two large gymnasiums; the principal one is at ground floor 115sqm, with a second of approx. 623sqm on the first floor;
2. A first floor aerobic studio of approx. 182sqm;
3. Spacious changing rooms at 150sqm each;
4. Associated facilities, including sauna, steam, ice and aromatherapy rooms; and
5. Other member facilities, including a lounge and free member video library.

Due to the nature of the use, with regular relatively short trips, it is most important to the club to be easily accessible to potential members. In this respect, the Newtown Road site is an excellent opportunity for the Company. It is well related to surrounding residential and employment uses fronting on to a principal road in the town, thereby accessible by private car and public transport, as well as being large enough to accommodate associated car parking.

The building will be located close to the central position on the western boundary of the site. This enables the car parking to be provided around the building without creating unduly large areas of spaces. A strong band of landscaping is proposed along the Newton Road frontage, and this has been subject to extensive discussions with Officers.

The site will be assessed from the new service road off Newton Road, and directly into the site. 142 car parking spaces in total are proposed.

The proposed building will be an appropriate scale for the site, being two-storey high and slightly set back from the road. The entrance will face east. Due to the nature of the use, there is no requirement for rear servicing and accordingly, the property can have a perfectly acceptable relationship to adjoining residential properties.

Historical Use Of The Property

The site and adjoining land to the north of it formerly accommodated pre-fabricated buildings associated with the use of the hospital. Following a review of the needs and requirements of the hospital, this land has been sold and other parts of the Infirmary refurbished to better meet the modern needs of patients. This re-configuration of the health facilities has also provided an opportunity to accommodate new uses on this site.

Notwithstanding this, we understand that no planning applications have been submitted to date concerning the future of this site.

Planning Policy

The Carlisle Local Plan, adopted in September 1998, identifies the site subject to this application, along with adjoining hospital land, for continued hospital use.

The supporting text confirms that the Council was supportive of changes to the hospital to meet future health needs. However, it also recognises (Para 7.57) that there may be surplus land, which should be developed in accordance with general policies of the plan. Our discussion with Alan Taylor confirm officer intentions that this should be sympathetic to the remaining hospital use including, for example, health and fitness facilities.

Policy L4 concerns leisure development, including recreational leisure development. It supports development of such facilities subject to criteria relating to:

1. Amenity consideration;
2. Car parking and access being suitable;
3. Scale of the development;
4. Public transport availability;
5. Tourism potential; and
6. Urban location on a brownfield site, preferably with a mixed use scheme.

Planning Considerations

It is considered that the proposed development is acceptable and appropriate for a health and fitness centre in light of the following considerations.

First, there is a need to provide a facility of the nature proposed. This is not simply a market need identified by Fitness First, but relates to the health benefits for undertaking regular exercise, as promoted by the Government, the growth in the number of health and fitness centres that has occurred since the mid 1990's and need for such clubs to serve the growth in the number of potential members, and finally the benefits in providing a range of choice of different types of facility within a town.

The location of this site is considered suitable to meet the identified need. It is well related to both adjoining residential areas and local jobs, including both traditional "employment" uses, as well as the hospital and other local businesses. The existing facilities in Carlisle are

located within the town centre, and north of River Eden. There is no health club serving the western part of Carlisle nor are there any proposed facilities.

Finally, the location is accessible by both private car and public transport, as well as on foot/cycle.

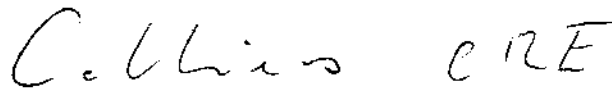
Access to the facility via a new road off Newton Road and with a direct link into the site is ideal for the club, and sufficient car parking spaces are shown well related to the building.

The proposed development will re-develop a vacant site in a prominent urban location. The remaining part would be likely to come forward for other uses, and therefore secure a mixed use scheme over this vacant land. Furthermore, the use of it for a health and fitness club is in compliance with the allocation of the site/supporting text and aspirations of officers as outlined above.

Accordingly, the proposed development will provide the beneficial development of this prominent site for an attractive use that will be well used, consistent with the nature of the adjoining hospital and surrounding area and meet the wide ranging needs of the town for improved health facilities. Accordingly, we consider that the planning permission should be granted.

If you require any further clarification, please contact Jonathan Best or Edward Ledwidge of this office in the first instance.

Yours faithfully



COLLIERS CONRAD RIBLAT ERDMAN

c.c.:	Sally Griffiths	-	Fitness First Plc
	Chris Bevan	-	Fitness First Plc
	Steve Carrick	-	Dickenson Dees
	Henry McKeown	-	Preston & Redman

SCHEDULE B: Reports Requiring Further Information

ITEM NO. 38

Date of Committee: 02/11/2001

APPN REF NO:
01/0767 /

APPLICANT:
Dr M A Briggs

PARISH:
Stanwix Rural

DATE OF RECEIPT:
24/08/2001

AGENT:

WARD:
Stanwix Rural

LOCATION:

L/Adj Brunstock Cottage, Brunstock, Carlisle Cumbria

GRID REF:
341770 559400

PROPOSAL: Erection of 2no. houses (outline)

Angus

REPORT

PLANNING POLICIES:-

AFFECTING THE SETTING OF A LISTED BUILDING

CARLISLE DISTRICT PLAN
ENVIRONMENT - POLICY E18

Trees which contribute to amenity, and are under threat, will, in appropriate cases, be protected by means of Tree Preservation Orders, or conditions attached to planning permissions.

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
ENVIRONMENT - POLICY E50

The loss to built development of significant public and private open spaces within settlements will not be permitted.

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

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0767 /

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 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.

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 B: Reports Requiring Further Information

Schedule continued for 01/0767 /

SUMMARY OF CONSULTATION RESPONSES:-

FRIENDS OF THE LAKE DISTRICT (CPRE): The site is located in the village envelope of Brunstock where infill development is acceptable in principle under Policy H5. However, we note that the site is well planted with mature trees, including oak and beech. The site is therefore an attractive part of the village, which enhances its character. Criterion 6 of Policy H5 requires that infill residential development should not lead to the loss of amenity open space within or at the edge of the settlement.

In our judgement, the existing block of trees within the application site positively contribute to the amenity of the area, and provides a welcome visual break in built development. We note from the Council's Countryside Design Summary for the District that reference is made on page 7 to the need to consider and carefully assess the quality of public and private open spaces within the village. Views to and from these spaces, together with the presence of any natural features such as trees, hedges, ponds and streams are therefore considered by the Planning Authority to be important considerations as to the appropriateness of any development. The Design Summary then goes on to state on page 9 and there may be any natural features within and around a development site, such as mature trees and hedges, which should be retained. Such features can provide instant landscaping, and help to integrate the site with the surrounding area.

We have estimated that perhaps as many as 6 medium/large oak and at least 1 beech would be felled, in order to get the footings of the dwelling in situ. This is likely to be a conservative estimate, given the density of trees within the site and the need for vehicular access plus open garden space around the proposed dwelling. It is most likely that any potential occupier would wish to fell additional trees in proximity to the dwelling in order to gain natural light, and because of long-term concerns about potential damage to the property as well.

We therefore wish to express concern that in view of the number of trees likely to be felled as a result of development within the site, that the quality and visual amenities of this part of the village would be unduly impaired. In those circumstances, the criteria to Policy H5 and the advice given in the Countryside Design Summary would not be satisfied.

STANWIX RURAL PARISH COUNCIL: No wish to make any representations on the proposal.

HIGHWAY AUTHORITY: The applicant has stated on the application form that no new access is required in connection with the proposed development. It is therefore assumed that he wishes to use the existing vehicular access serving Brunstock Cottage.

Visibility from this access is however totally restricted in a

SCHEDULE B: Reports Requiring Further Information

Schedule continued for 01/0767 /

south-easterly direction and I would not be in favour of an increase in vehicular use unless a substantial length of hedge was removed in order to improve the sight line.

I would, however, raise no highway objections to the formation of a new access which complied with the imposition of six conditions.

NORWEB: Comments awaited.

SUMMARY OF REPRESENTATIONS:-

This application has been advertised in the form of a site notice and the direct notification of the occupiers of seven neighbouring properties. No objections have been received at the time of writing the report.

DETAILS OF PROPOSAL/OFFICER APPRAISAL:-

PLANNING HISTORY

In 1977, under application reference number 76/0994, outline planning permission was refused for the erection of a single house. The two stated reasons related to the proposal detracting from the rural character of the village and because it would necessitate the felling of a number of mature hardwood trees.

DETAILS OF PROPOSAL

This application relates to a wooded area lying between the properties known as Brunstock Cottage and Whisperings. The site is overgrown with brambles, nettles, rhododendrons and saplings amongst which there are a series of mature trees. The site has a frontage of approximately 36 metres delineated by a mature hedgerow. The western boundary with Whisperings is marked by a row of coniferous trees; the southern boundary has a timber fence.

Overhead telephone lines cross the site and a Norweb sub-station is located in the south-eastern corner.

Brunstock Cottage and Whisperings are relatively substantial houses whilst there are four bungalows on the opposite side of the road. To the north of the site is a series of converted residential units based around Brunstock Farm.

The current outline application seeks permission to erect two houses. The submitted plans include an index of existing trees.

In considering this application and the comments of third parties, the main issue revolves around the potential impact on the existing mature trees and thus the character of the area.

At the time of writing the report a plan is awaited from the applicant showing the location of the proposed houses in

SCHEDULE B: Reports Requiring Further Information

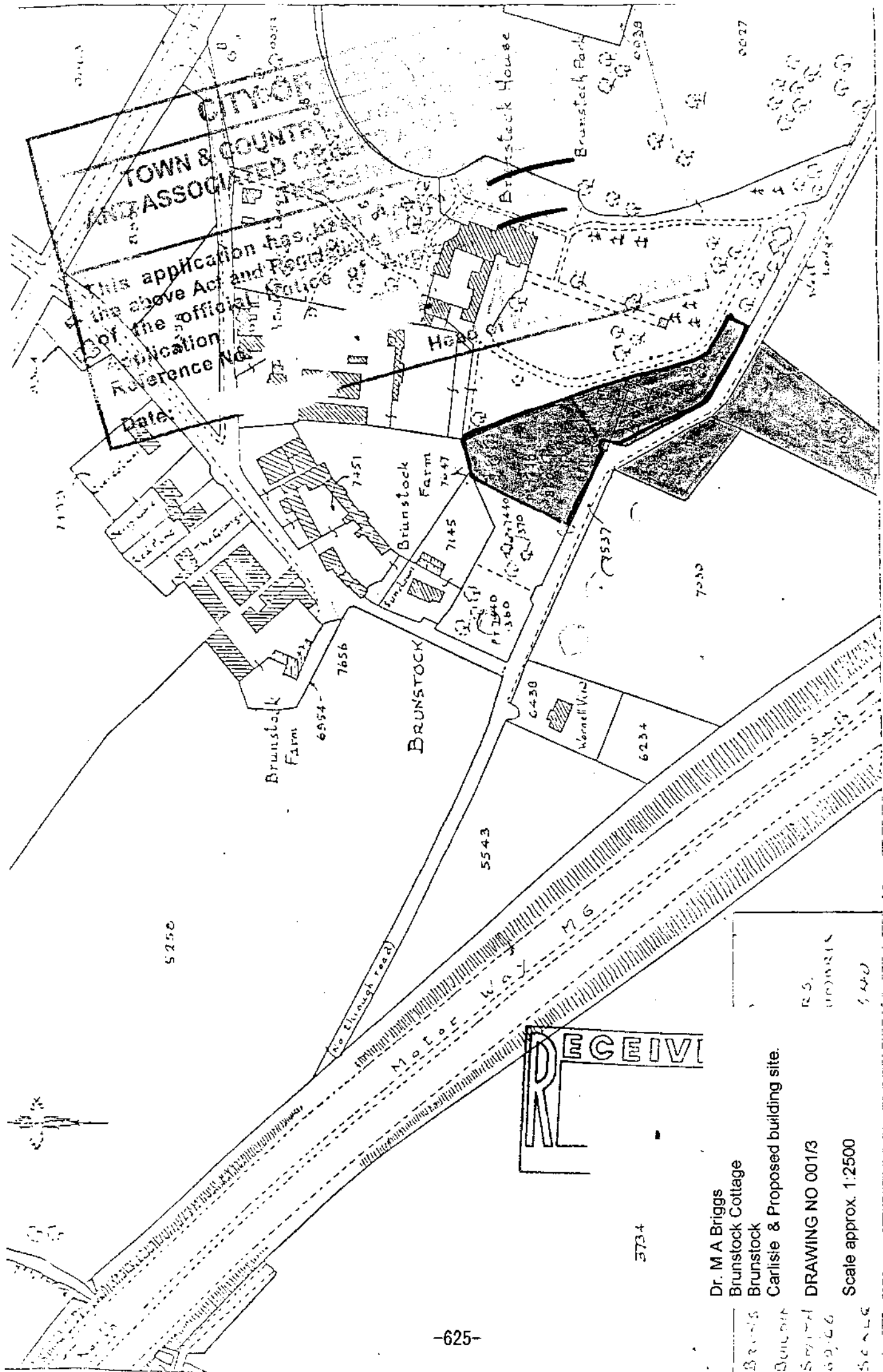
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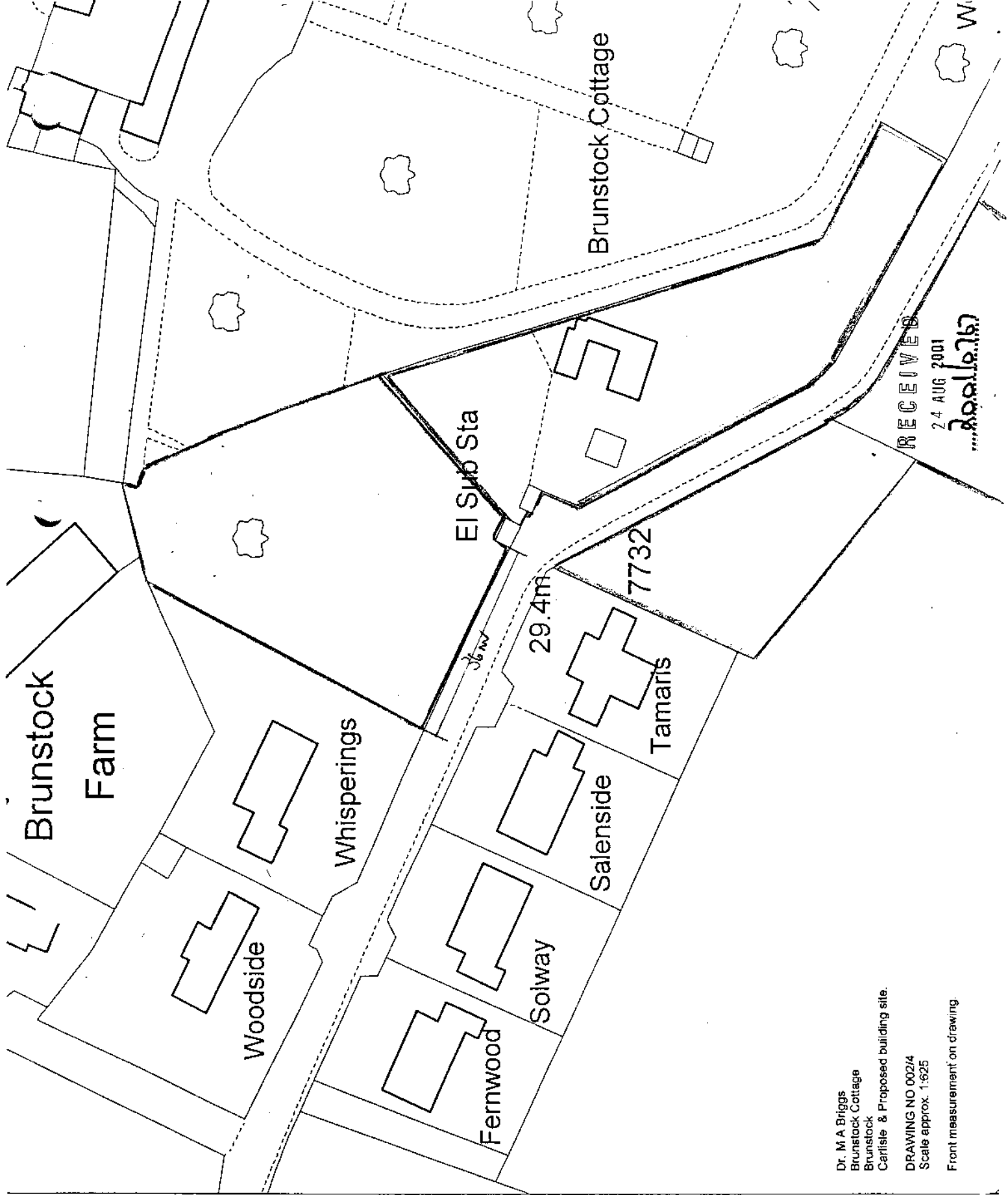
relation to the position of the trees.

RECOMMENDATION: -

The Director will report further when additional information is received from the applicant.

Deferred



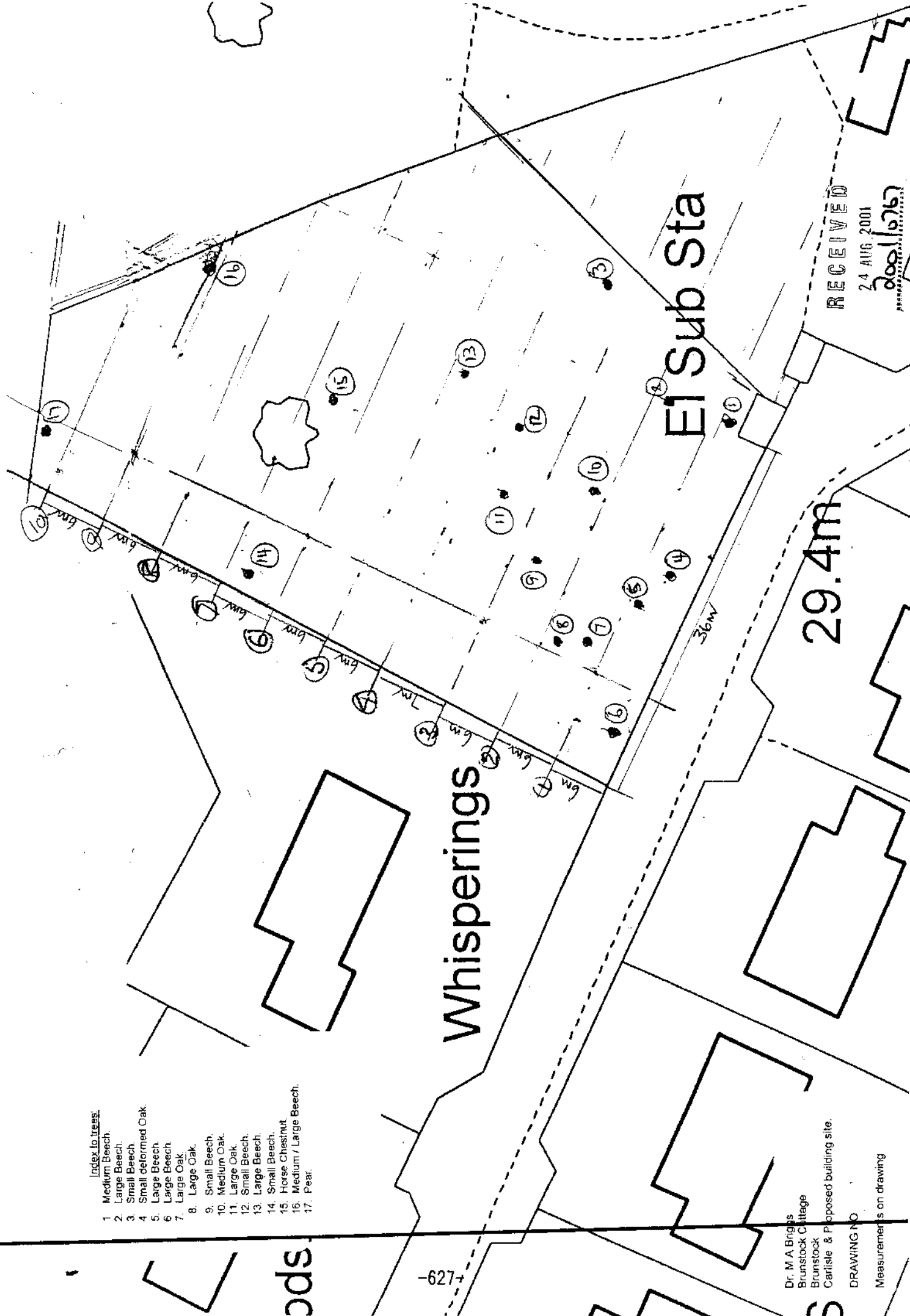


Dr. M A Briggs
 Brunstock Cottage
 Brunstock
 Carlisle & Proposed building site.
 DRAWING NO 002/4
 Scale approx. 1:625
 Front measurement on drawing.

RECEIVED
 24 AUG 2001
 2001.08.26

Index to trees:

1. Medium Beech.
2. Large Beech.
3. Small Beech.
4. Small deformed Oak.
5. Large Beech.
6. Large Beech.
7. Large Oak.
8. Large Oak.
9. Small Beech.
10. Medium Oak.
11. Large Oak.
12. Small Beech.
13. Large Beech.
14. Small Beech.
15. Horse Chestnut.
16. Medium / Large Beech.
17. Pear.



Dr. M A Briggs
 Brunstock Cottage
 Brunstock
 Cartisle & Proposed building site.

DRAWING NO

Measurements on drawing

RECEIVED

24 AUG 2001

2001/0767

-627-

SCHEDULE C

SCHEDULE C

SCHEDULE C

SCHEDULE C

SCHEDULE C

SCHEDULE C

SCHEDULE C: Applns Determined by Other Authorities

ITEM NO. 39

Between 03/09/2001 and 24/10/2001

APPN REF NO:
01/9004 /

APPLICANT:
Mr W Roper

PARISH:
Cumwhitton

DATE OF RECEIPT:
06/07/2001

AGENT:
Cumbria County Council

WARD:
Great Corby & Gel

LOCATION:
L/A Brocklewath Farm, Great Corby, Carlisle, Cumbria

GRID REF:
349134 551644

PROPOSAL: Renewal of permission for the extraction of sand and gravel
for a further 5no. years

REPORT

CITY COUNCIL OBSERVATIONS ON THE PROPOSAL:

DECISION: Raise No Objection

DECISION OF: Cumbria County Council

DECISION: Grant Permission

DATE: 03/09/2001

A COPY OF THE NOTICE OF THE DECISION OF THE DETERMINING AUTHORITY IS PRINTED
FOLLOWING THIS REPORT.

CUMBRIA COUNTY COUNCIL

TOWN AND COUNTRY PLANNING ACT, 1990
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER, 1995

NOTICE OF PLANNING CONSENT

To: Mr W Roper
17 Cairnwood
Heads Nook
Carlisle

In pursuance of the powers under the above Act and Order the Cumbria County Council as local planning authority hereby permit the development described in your application received on the 2nd July, 2001;

viz: **Section 73 application for amendment of condition 2 of permission no. 1/88/0302 (as previously amended) to extend existing expiry date for sand and gravel extraction for a further five years to 31st July, 2006;**
Brocklewath Farm, Great Corby, Carlisle

subject to due compliance with the following additional condition:

13. By 31 July 2004, or within three months of the cessation of sand and gravel extraction on the site, whichever is the earlier, a scheme for the restoration of the site to agricultural use and its subsequent aftercare for a period of five years shall be submitted for the written approval of the county planning authority. The site shall be subsequently restored and maintained in accordance with the approved scheme which shall provide for:-

Restoration:-

- i. the replacement of overburden, regrading of the site and the provision of appropriate drainage;
- ii. the replacement of sub soil and top soil and any necessary regrading to address ponding and/or settlement;
- iii. the protection of the existing drainage system via the beck to the south of the site;

Aftercare:-

- iv. soil cultivation, seeding, cropping, weed control measures, soil analyses and fertiliser application as appropriate;
- v. replacement of walls and hedges;
- vi. appropriate aftercare meetings to be held at the request of the county planning authority to monitor and review the aftercare requirements.

Notice:-

The county planning authority shall be notified in writing of the date when mineral extraction has ceased and given seven days' notice of the:-

- a. commencement of restoration;
- b. commencement of soil replacement; and
- c. completion of restoration.

Reason: To ensure the site is satisfactorily restored in accordance with Policy 22 of the Cumbria Minerals and Waste Local Plan.

The remaining conditions of the permission now read as follows:

1. This permission shall enure solely for the benefit of the applicant for the extraction of sand and gravel.
2. This permission shall be for a limited time only, expiring on 31 July 2006, by which date the site shall be fully restored to agricultural use, in accordance with the provisions of condition 13, and all plant and machinery removed therefrom.
3. The extraction of sand and gravel shall be confined to the area shown outlined green on the approved plan No. A87/19/P Min 1(A).
4. No excavations shall take place at a level below that of the surrounding field immediately adjacent to the ridge.
5. Screening on site is permitted under application 1/93/9020 approved on 3rd September 1993. Material shall only be screened for a maximum of one hour per day between the hours of 8.00am to 4.00pm Monday to Friday. No screening of material shall take place at Weekends and Public Holidays.
6. The winning, working and transport of sand and gravel shall be restricted to the hours between 0800 hours and 1600 hours on Mondays to Fridays.
7. The maximum rate of extraction shall be limited to 100 tonnes per day and the maximum size of lorry used to transport the material shall be 10 tonnes.
8. The topsoil shall only be stripped from the ground in dry conditions and stored within the area as shown on the approved plan A87/19/P Min 1(A).
9. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order, 1995 (or any Order revoking and re-enacting that Order) application shall be made and permission obtained from the county planning authority before any building, plant or machinery is erected on site.
10. The site shall be kept in a clean and tidy condition at all times.
11. All lorries leaving the site shall be adequately sheeted so that no dust shall be emitted and no part of the load shall be deposited upon the public highway.
12. No sand and gravel shall be removed from the site until the applicant has carried out the specific highway improvement to the U.1118 as required and permitted by the Director of Engineering in his letter and plans dated 9th June 1988 reference 4914/5155/F.DA/BEP.

The reasons for the Council's decision to grant permission for the development subject to compliance with the conditions hereinbefore specified are:

- a. To minimise the environmental impact of the site.
- b. To meet the requirements of highway safety.
- c. To ensure the restoration to agricultural use at the end of the extraction period.

Dated the 3rd day of September, 2001



.....
Signed: Shaun Gorman,
Assistant Director (Development Control),
Community, Economy and Environment,
on behalf of the Council.

NOTE

- 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. 44

Between 13/09/2001 and 24/10/2001

APPN REF NO: 98/0649 /
APPLICANT: Raymond Potter Associates
PARISH: Burgh-by-Sands
DATE OF RECEIPT: 12/08/1998
AGENT:
WARD: Burgh
LOCATION: L/A Thurstonfield Lough, Thurstonfield Carlisle, Cumbria
GRID REF: 332049 556440
PROPOSAL: Renewal of application 91/0681 for modifications to the lake bed.

REPORT

DETAILS OF DEFERRAL:

Members resolved to defer the application at the meeting held on 25th September 1998 but to give authority to the Director of Environment and Development to issue approval for the proposal subject to completion of a Deed of Variation to an existing agreement under Section 106 of the Town and Country Planning Act 1990.

DECISION: **Withdrawn**

DATE: 19/09/2001

ITEM NO. 45

Between 13/09/2001 and 24/10/2001

APPN REF NO: 98/0650 /
APPLICANT: Raymond Potter & Associates
PARISH: Burgh-by-Sands
DATE OF RECEIPT: 12/08/1998
AGENT:
WARD: Burgh
LOCATION: L/A Thurstonfield Lough, Thurstonfield Carlisle, Cumbria
GRID REF: 332049 556440
PROPOSAL: Renewal of application 91/0594 for erection of 9no. Lakeside Holiday Homes

REPORT

DETAILS OF DEFERRAL:

Members resolved to defer the application at the meeting held on 25 September 1998 but to give authority to the Director of Environment and Development to issue approval for the proposal subject to completion of a Deed of Variation to an existing agreement under Section 106 of the Town and Country Planning Act 1990.

DECISION: **Withdrawn**

DATE: 19/09/2001

SCHEDULE D: Reports on Previously Deferred Decisions

ITEM NO. 40

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0493 /

APPLICANT:
P & H Drinkall & Watson

PARISH:
Brampton

DATE OF RECEIPT:
12/06/2001

AGENT:
Green Design Group

WARD:
Brampton

LOCATION:

L/A Capon Tree House, Capon Tree Road, Brampton Cumbria

GRID REF:

353065 560145

PROPOSAL: Erection of new dwelling

REPORT

DETAILS OF DEFERRAL:

Members will recall at Committee meeting held on 21 September 2001 that authority was given to the Director of Environment and Development to issue approval subject to no new issues being raised before the expiry of the consultation period. Approval was issued on 26 September 2001.

DECISION: Grant Permission

DATE: 26/09/2001

1. Standard time limit
 2. Materials - submission of samples
 3. Hard surface details
 4. 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.
 5. Access/Turning Area Provision - Domestic
 6. Temporary Crossing Required
 7. Any new highway boundary wall/fence shall not exceed a height of 1m above carriageway level of the adjoining highway, and shall be sited entirely outside highway limits.
 8. The portion of the access lying within highway limits shall be constructed and drained to the satisfaction of the local planning authority.
 9. The existing Ledge on the Capon Tree Road frontage shall be retained at a height not less than 2m.
 10. No dwelling shall be occupied until its foul drainage system is connected to a public sewer.
-

SCHEDULE D: Reports on Previously Deferred Decisions

ITEM NO. 41

Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0555 /
APPLICANT: Mr D Robley
PARISH: Cumwhitton

DATE OF RECEIPT: 06/07/2001
AGENT: Mr Brian Halliburton
WARD: Great Corby & Gel

LOCATION: L/ADJ Scarrowhill Farm, Cumwhitton, Carlisle, Cumbria
GRID REF: 351280 550550

PROPOSAL: Erection of a bungalow (outline)

REPORT

DETAILS OF DEFERRAL:

Members resolved to defer consideration of the proposal in order that further information may be submitted in support of the application and to await a further report on the application at a future meeting of the Committee.

DECISION: **Withdrawn**

DATE: 10/10/2001

ITEM NO. 42

Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0623 /
APPLICANT: Mr & Mrs A Lillington
PARISH: Farlam

DATE OF RECEIPT: 16/07/2001
AGENT: H2R Design
WARD: Irthing

LOCATION: L/A Barns Farlam Farm, Farlam, Brampton Cumbria
GRID REF: 355535 558790

PROPOSAL: New vehicular access to proposed residential barn conversion

REPORT

DETAILS OF DEFERRAL:

Members resolved to defer consideration of the proposal at the applicant's request and to await a further report on the application at a future meeting of the Committee.

DECISION: **Withdrawn**

DATE: 17/10/2001

SCHEDULE D: Reports on Previously Deferred Decisions

ITEM NO. 43

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0736 /

APPLICANT:
Gordon Stewart

PARISH:
Carlisle

DATE OF RECEIPT:
17/08/2001

AGENT:

WARD:
Stanwix Urban

LOCATION:

1 Eden Mount, Stanwix Carlisle, Cumbria

GRID REF:

339963 556875

PROPOSAL: Erection of a single (double sided) freestanding sign
AMENDMENT: i) Scheme originally submitted for two signs reduced to a
single double sided sign by plans received 10.09.01.

ii) Confirmation from applicant that sign is to be constructed
from painted timber 12.09.01

REPORT

DETAILS OF DEFERRAL:

Members will recall at Committee meeting held on 21 September 2001 that authority was given to the Director of Environment and Development to issue approval subject to no new issues being raised before expiry of the consultation period. Approval was issued on 29 September 2001.

DECISION: Grant Permission

DATE: 28/09/2001

1. Standard advertisement - time limit
 2. Standard advertisement conditions (i)
 3. Standard advertisement conditions (ii)
 4. Standard advertisement conditions (iii)
 5. Standard advertisement conditions (iv)
 6. Standard advertisement conditions (v)
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SCHEDULE E

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SCHEDULE E: Decisions Issued Under Delegated Powers

ITEM NO. 0 Between 13/09/2001 and 24/10/2001

APPN REF NO: 00/0424 /
APPLICANT: Mr & Mrs P Cosimini
PARISH: Hethersgill

DATE OF RECEIPT: 24/05/2000
AGENT: Green Design Group
WARD: Lyne

LOCATION: The Ash, Hethersgill, Carlisle, Cumbria
GRID REF: 347200 567000

PROPOSAL: Creation of new vehicular access to highway

DECISION: Grant Permission DATE: 20/09/2001

ITEM NO. 0 Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0379 /
APPLICANT: Toscana & Co
PARISH: Carlisle

DATE OF RECEIPT: 15/05/2001
AGENT:
WARD: Castle

LOCATION: 6 The Crescent, Carlisle Cumbria
GRID REF: 340307 555654

PROPOSAL: Change of use from retail unit to cafe and take-away

DECISION: Grant Permission DATE: 03/10/2001

ITEM NO. 0 Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0417 /
APPLICANT: Whitbread PLC
PARISH: St Cuthberts Wit

DATE OF RECEIPT: 22/05/2001
AGENT: Robert Turley Associates
WARD: Dalston

LOCATION: Carrow House Hotel, Carleton, Carlisle Cumbria
GRID REF: 343635 551930

PROPOSAL: Erection of signage

DECISION: Grant Permission DATE: 26/09/2001

SCHEDULE E: Decisions Issued Under Delegated Powers

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0443 /

APPLICANT:
G H Mounsey-Heysham

PARISH:
Rockcliffe

DATE OF RECEIPT:

AGENT:

WARD:
Longtown & Rockcl

LOCATION:

Heathlands Farm, Harker Road Ends, Harker Carlisle, Cumbria

GRID REF:
337535 561390

DECISION: Never made valid

DATE: 24/09/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0511 /

APPLICANT:
Paul Noel

PARISH:
Brampton

DATE OF RECEIPT:
15/06/2001

AGENT:

WARD:
Brampton

LOCATION:

2 Townfoot Orchard, Brampton Cumbria

GRID REF:
352500 561019

PROPOSAL: Change of use of highways verge to form extension to domestic garden

DECISION: Grant Permission

DATE: 13/09/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0556 /

APPLICANT:
Cumbria Industrials Ltd

PARISH:
Carlisle

DATE OF RECEIPT:
02/07/2001

AGENT:
Architects Plus

WARD:
Castle

LOCATION:

L/A Units 1F, 1G, 1H, 2C, 2D & 2E Port Road Estate, Cumbria

GRID REF:
339058 556087

PROPOSAL: Erection of industrial and warehouse units (Use Class B1, B2 and B8)

DECISION: Grant Permission

DATE: 27/09/2001

SCHEDULE E: Decisions Issued Under Delegated Powers

ITEM NO. 0 Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0627 / APPLICANT: S Sahib PARISH: Carlisle

DATE OF RECEIPT: 16/07/2001 AGENT: WARD: Castle

LOCATION: 6 The Crescent, Carlisle Cumbria GRID REF: 340307 555654

PROPOSAL: Building up of boundary wall linking with flat roof (LBC)

DECISION: Grant Permission DATE: 03/10/2001

ITEM NO. 0 Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0632 / APPLICANT: Mr & Mrs Simon Mellor PARISH: Stapleton

DATE OF RECEIPT: 18/07/2001 AGENT: Architects Plus WARD: Lyne

LOCATION: Dancing Beck, Lyneholmford, Stapleton Cumbria GRID REF: 351730 572400

PROPOSAL: Erection of extension to form living room over garage and dining area over balcony

DECISION: Grant Permission DATE: 28/09/2001

ITEM NO. 0 Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0635 / APPLICANT: Mr J Appleton & Miss J Ransen PARISH: Stanwix Rural

DATE OF RECEIPT: 20/07/2001 AGENT: John Lyon Associates WARD: Stanwix Rural

LOCATION: Little Bobbington, The Knells, Houghton, Carlisle Cumbria GRID REF: 341120 560300

PROPOSAL: Erection of two storey extension and roof dormer

DECISION: Grant Permission DATE: 27/09/2001

SCHEDULE E: Decisions Issued Under Delegated Powers

ITEM NO. 0 Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0640 /	APPLICANT: Mrs Sandra McCamish	PARISH: Kirkandrews
DATE OF RECEIPT: 24/07/2001	AGENT:	WARD: Longtown & Rockcl
LOCATION: 1 High Moat Cottages, Longtown Carlisle		GRID REF: 339700 573730

PROPOSAL: Erection of a conservatory

DECISION: Grant Permission DATE: 14/09/2001

ITEM NO. 0 Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0645 /	APPLICANT: Mrs E Sewell	PARISH: Hayton
DATE OF RECEIPT: 23/07/2001	AGENT: Green Design Group	WARD: Hayton
LOCATION: L/A Barn-Fenton Croft, Fenton, Carlisle Cumbria		GRID REF: 350270 555945

PROPOSAL: Conversion of barn to dwelling

DECISION: Grant Permission DATE: 19/10/2001

ITEM NO. 0 Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0658 /	APPLICANT: Mr & Mrs Parkin	PARISH: Waterhead
DATE OF RECEIPT: 25/07/2001	AGENT: Roderick I K Ogilvy	WARD: Irthing
LOCATION: Brookside Villa, Gilsland, Cumbria		GRID REF: 362920 566583

PROPOSAL: Erection of single storey extension to form WC/shower and kitchen

DECISION: Grant Permission DATE: 04/10/2001

SCHEDULE E: Decisions Issued Under Delegated Powers

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0660 /
APPLICANT: Eon Communications Ltd
PARISH: Carlisle

DATE OF RECEIPT: 26/07/2001
AGENT: Weston Architects Ltd
WARD: Belah

LOCATION: Unit 10 Brunthill Road, Kingstown Industrial Estate Carlisle,
GRID REF: 338719 558992

PROPOSAL: Telecommunications centre with associated offices and stores
external plant room and additional windows to Eastern
elevation. Satellite dishes and antenna and security
fence to front yard

DECISION: Grant Permission

DATE: 18/09/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0666 /
APPLICANT: Carlisle City Council
PARISH: Carlisle

DATE OF RECEIPT: 27/07/2001
AGENT: Carlisle Design - Helen Winfield
WARD: Morton

LOCATION: Morton Community Centre, Wigton Road, Carlisle Cumbria
GRID REF: 338275 554991

PROPOSAL: Installation of extractor fan to wall in coffee bar (LBC)

DECISION: Grant Permission

DATE: 12/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0669 /
APPLICANT: Mrs J Bell
PARISH: Westlinton

DATE OF RECEIPT: 27/07/2001
AGENT: Andrew Nash Associates
WARD: Longtown & Rockcl

LOCATION: L/A Barn at Jerriestown, Blackford, Carlisle Cumbria
GRID REF: 339801 563329

SCHEDULE E: Decisions Issued Under Delegated Powers

Schedule continued for 01/0669 /

PROPOSAL: Conversion of barn into 3no. dwellings

DECISION: Grant Permission

DATE: 18/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0670 /

APPLICANT:
Jennings Brothers PLC

PARISH:
Brampton

DATE OF RECEIPT:
27/07/2001

AGENT:

WARD:
Brampton

LOCATION:

The Howard Arms, Front Street, Brampton Cumbria

GRID REF:
352962 561033

PROPOSAL: Replacement signage (LBC)

DECISION: Grant Permission

DATE: 22/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0671 /

APPLICANT:
Jennings Brothers PLC

PARISH:
Brampton

DATE OF RECEIPT:
27/07/2001

AGENT:

WARD:
Brampton

LOCATION:

The Howard Arms, Front Street, Brampton Cumbria

GRID REF:
352962 561033

PROPOSAL: Erection of replacement signage

DECISION: Grant Permission

DATE: 22/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0675 /

APPLICANT:
B N & J Thomlinson

PARISH:
Dalston

DATE OF RECEIPT:
30/07/2001

AGENT:
Hopes of Wigton - David Hetherington

WARD:
Dalston

LOCATION:

Temperance Farm, Raughton Head, Carlisle Cumbria

GRID REF:
338068 545500

SCHEDULE E: Decisions Issued Under Delegated Powers

Schedule continued for 01/0675 /

PROPOSAL: Erection of portal frame cattle shed

DECISION: Grant Permission

DATE: 12/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0679 /

APPLICANT:
Mr J Noon

PARISH:
Wetheral

DATE OF RECEIPT:
30/07/2001

AGENT:
V F Mullineux

WARD:
Wetheral

LOCATION:

Lowlands, Wragmire Moss, Cotehill, Carlisle Cumbria

GRID REF:
346300 549700

PROPOSAL: Erection of double garage and workshop/store

DECISION: Grant Permission

DATE: 20/09/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0688 /

APPLICANT:
Charles Foster

PARISH:
Carlisle

DATE OF RECEIPT:
31/07/2001

AGENT:

WARD:
Belah

LOCATION:

213 Kingstown Road, Kingstown Carlisle, Cumbria

GRID REF:
339535 558895

PROPOSAL: Change of use from residential to veterinary clinic with living accommodation above and car parking facility to rear

DECISION: Grant Permission

DATE: 18/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0696 /

APPLICANT:
Mr B Parker

PARISH:
Hethersgill

DATE OF RECEIPT:
03/09/2001

AGENT:

WARD:
Lyne

LOCATION:

Prior Rigg, Kirkclinton, Hethersgill Carlisle

GRID REF:
346300 568200

SCHEDULE E: Decisions Issued Under Delegated Powers

Schedule continued for 01/0696 /

PROPOSAL: Incorporation of agricultural building into domestic accommodation

DECISION: Grant Permission

DATE: 01/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0698 /

APPLICANT:
HGBP Ltd

PARISH:
Carlisle

DATE OF RECEIPT:
09/08/2001

AGENT:
H2R Design

WARD:
Castle

LOCATION:
Bellgarth Square, Bellgarth Road, Carlisle Cumbria

GRID REF:
338425 556073

PROPOSAL: Provision of secure car park of 22 spaces

DECISION: Grant Permission

DATE: 20/09/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0704 /

APPLICANT:
Mr & Mrs S M Dixon

PARISH:
Stanwix Rural

DATE OF RECEIPT:
07/08/2001

AGENT:
Tsada Building Design Services

WARD:
Stanwix Rural

LOCATION:
1 Vestaneum, Crosby-on-Eden Carlisle, Cumbria

GRID REF:
344600 559600

PROPOSAL: Conversion of garage to study and dayroom and erection of double garage and utility room

DECISION: Grant Permission

DATE: 13/09/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0708 /

APPLICANT:
B Horn & A Thompson

PARISH:
Stanwix Rural

DATE OF RECEIPT:
08/08/2001

AGENT:

WARD:
Stanwix Rural

LOCATION:
The Thorn, Tarraby, Carlisle Cumbria

GRID REF:
340900 558146

SCHEDULE E: Decisions Issued Under Delegated Powers

Schedule continued for 01/0708 /

PROPOSAL: Erection of timber access door to gas and electricity supply meters on eastern gable wall (LBC)

DECISION: Grant Permission

DATE: 12/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0709 /

APPLICANT:
Carlisle Hospitals

PARISH:
Carlisle

DATE OF RECEIPT:
13/08/2001

AGENT:
HTGL Architects

WARD:
Castle

LOCATION:
Cumberland Infirmary, Newtown Road, Carlisle Cumbria

GRID REF:
338752 556100

PROPOSAL: Removal of internal wall between existing offices and removal of laboratory fittings and carrying out repairs and general refurbishment to provide offices for purchasing department (retention of works already carried out) (LBC)

DECISION: Grant Permission

DATE: 17/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0710 /

APPLICANT:
Mr & Mrs Bloomfield

PARISH:
Carlisle

DATE OF RECEIPT:
08/08/2001

AGENT:
Tsada Building Design Services

WARD:
Yewdale

LOCATION:
130 Chesterholm, Sandsfield Park Carlisle, Cumbria

GRID REF:
336925 555465

PROPOSAL: Erection of music room and formation of pitched roof to garage and front bay

DECISION: Grant Permission

DATE: 14/09/2001

SCHEDULE E: Decisions Issued Under Delegated Powers

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0714 /

APPLICANT:
Mrs J Wharton

PARISH:
Beaumont

DATE OF RECEIPT:
20/08/2001

AGENT:

WARD:
Burgh

LOCATION:
Eden Vale, Grinsdale, Cumbria

GRID REF:
336800 557870

PROPOSAL: Creation of new vehicular access and drive

DECISION: Grant Permission

DATE: 04/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0715 /

APPLICANT:
Mr E Armstrong

PARISH:
Dalston

DATE OF RECEIPT:
08/08/2001

AGENT:

WARD:
Dalston

LOCATION:
2 The Forge, Dalston Carlisle, Cumbria

GRID REF:
337178 549005

PROPOSAL: First floor extension over existing garage to provide bedroom with en suite shower room and external balcony

DECISION: Grant Permission

DATE: 27/09/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0721 /

APPLICANT:
Mr & Mrs Thompson

PARISH:
Carlisle

DATE OF RECEIPT:
13/08/2001

AGENT:
Johnston & Wright

WARD:
Denton Holme

LOCATION:
09-10 Goschen Road, Carlisle Cumbria

GRID REF:
339147 554995

PROPOSAL: Erection of single storey extension to existing residential care home.

DECISION: Grant Permission

DATE: 04/10/2001

SCHEDULE E: Decisions Issued Under Delegated Powers

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0722 / APPLICANT: Kevin Richardson PARISH: Nether Denton

DATE OF RECEIPT: 13/08/2001 AGENT: WARD: Irthing

LOCATION: Dairy House, Low Row, Brampton Cumbria GRID REF: 358475 563025

PROPOSAL: Demolition of single storey side extension, creation of vehicular access, and off street parking area.

DECISION: Grant Permission

DATE: 08/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0723 / APPLICANT: M A Barnes PARISH: Farlam

DATE OF RECEIPT: 13/08/2001 AGENT: WARD: Irthing

LOCATION: Tarnside, Farlam, Brampton Cumbria GRID REF: 355224 558514

PROPOSAL: Creation of all weather gallop

DECISION: Grant Permission

DATE: 20/09/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0726 / APPLICANT: Dr Peter Lefley PARISH: Hayton

DATE OF RECEIPT: 13/08/2001 AGENT: F J Elliott WARD: Hayton

LOCATION: Townfoot Barn, Townfoot Farm, Hayton, Carlisle Cumbria GRID REF: 350678 557700

PROPOSAL: Erection of external chimney/flue on North Gable

DECISION: Grant Permission

DATE: 24/09/2001

SCHEDULE E: Decisions Issued Under Delegated Powers

ITEM NO. 0 Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0727 / APPLICANT: Mr & Mrs Kirkham PARISH: St Cuthberts Wit

DATE OF RECEIPT: 13/08/2001 AGENT: Architects Plus WARD: Dalston

LOCATION: Newbiggin House, Carleton, Carlisle Cumbria GRID REF: 343310 550868

PROPOSAL: Extensions to form garden room, study and utility room

DECISION: Grant Permission DATE: 27/09/2001

ITEM NO. 0 Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/9008 / APPLICANT: Michael Thompson Ltd PARISH: Carlisle

DATE OF RECEIPT: 14/08/2001 AGENT: Cumbria County Council WARD: Upperby

LOCATION: Michael Thompson Ltd, St Ninians Road, Upperby Carlisle, Cumb GRID REF: 341371 553564

PROPOSAL: Proposed vehicle maintenance workshop and offices

DECISION: Raise No Objection DATE: 13/09/2001

ITEM NO. 0 Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0729 / APPLICANT: Mr I Cropley PARISH: Carlisle

DATE OF RECEIPT: 14/08/2001 AGENT: WARD: Stanwix Urban

LOCATION: 42 Eden Street, Stanwix Carlisle, Cumbria GRID REF: 339570 557415

PROPOSAL: Creation of dormer windows

DECISION: Grant Permission DATE: 22/10/2001

SCHEDULE E: Decisions Issued Under Delegated Powers

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0731 /
APPLICANT: Next Retail Ltd
PARISH: Carlisle

DATE OF RECEIPT: 16/08/2001
AGENT: Next Shopfitting-Mr R Crane
WARD: Castle

LOCATION: Next, 25 English Street, Carlisle Cumbria
GRID REF: 340125 555877

PROPOSAL: Formation of a new doorway between staff area and stockroom
(LBC)

DECISION: Grant Permission

DATE: 20/09/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0733 /
APPLICANT: Mr J E Eccles
PARISH: Carlisle

DATE OF RECEIPT: 16/08/2001
AGENT:
WARD: Belah

LOCATION: 111 Lowry Hill Road, Lowry Hill Carlisle, Cumbria
GRID REF: 338970 558230

PROPOSAL: Erection of extension to form dining area

DECISION: Grant Permission

DATE: 17/09/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0732 /
APPLICANT: Mr & Mrs Fisher
PARISH: Walton

DATE OF RECEIPT: 16/08/2001
AGENT:
WARD: Irthing

LOCATION: The Beeches, Walton, Brampton Cumbria
GRID REF: 352270 564399

PROPOSAL: Erection of conservatory

DECISION: Grant Permission

DATE: 17/09/2001

SCHEDULE E: Decisions Issued Under Delegated Powers

ITEM NO. 0 Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0739 / APPLICANT: D Pape PARISH: Carlisle

DATE OF RECEIPT: 20/08/2001 AGENT: J Cowper WARD: Yewdale

LOCATION: 188 Wigton Road, Carlisle Cumbria GRID REF: 338230 555090

PROPOSAL: Erection of single storey extension and porch

DECISION: Grant Permission DATE: 17/09/2001

ITEM NO. 0 Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0742 / APPLICANT: Story Construction Ltd PARISH: St Cuthberts Wit

DATE OF RECEIPT: 20/08/2001 AGENT: Architects Plus WARD: Dalston

LOCATION: Former Garlands Hospital, Carlisle Cumbria GRID REF: 343249 553870

PROPOSAL: Erection of electricity sub station

DECISION: Grant Permission DATE: 17/09/2001

ITEM NO. 0 Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0737 / APPLICANT: Mr & Mrs Hunter PARISH: Carlisle

DATE OF RECEIPT: 21/08/2001 AGENT: WARD: Currock

LOCATION: 120 Beaumont Road, Currock Carlisle, Cumbria GRID REF: 340138 553520

PROPOSAL: Two storey extension to provide lounge, utility room and bedroom at first floor

DECISION: Grant Permission DATE: 08/10/2001

SCHEDULE E: Decisions Issued Under Delegated Powers

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0743 / APPLICANT: Mr S A Richardson PARISH: Carlisle

DATE OF RECEIPT: 21/08/2001 AGENT: WARD: Yewdale

LOCATION: 39 Rudchester Close, Sandsfield Park Carlisle, Cumbria GRID REF: 337307 555610

PROPOSAL: Erection of detached double garage with pitched roof

DECISION: Grant Permission

DATE: 27/09/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0744 / APPLICANT: Mrs D Hepworth PARISH: Carlisle

DATE OF RECEIPT: 21/08/2001 AGENT: Patterson Heggie WARD: Belah

LOCATION: 168 Lowry Hill Road, Lowry Hill Carlisle, Cumbria GRID REF: 338936 558228

PROPOSAL: Conversion of flat roof of garage to pitched roof

DECISION: Grant Permission

DATE: 17/09/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0745 / APPLICANT: K Collier PARISH: Dalston

DATE OF RECEIPT: 21/08/2001 AGENT: Mr Brian Halliburton WARD: Dalston

LOCATION: 6 Bishops Mill, Dalston Carlisle, Cumbria GRID REF: 337070 549095

PROPOSAL: Extension to dwelling to provide sun lounge, utility and WC

DECISION: Grant Permission

DATE: 17/09/2001

SCHEDULE E: Decisions Issued Under Delegated Powers

ITEM NO. 0 Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0748 /
APPLICANT: Hutchison 3G UK Ltd
PARISH: Carlisle

DATE OF RECEIPT: 21/08/2001
AGENT: Matahaniel Lichfield & Partners Ltd
WARD: Castle

LOCATION: Broadacre House, Lowther Street, Carlisle Cumbria
GRID REF: 340270 555818

PROPOSAL: Erection of telecommunications equipment on roof

DECISION: Grant Permission DATE: 17/09/2001

ITEM NO. 0 Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0749 /
APPLICANT: Gary Archibald
PARISH: Carlisle

DATE OF RECEIPT: 21/08/2001
AGENT:
WARD: Yewdale

LOCATION: 1 Atholl Grove, Morton West Carlisle, Cumbria
GRID REF: 337822 554855

PROPOSAL: Erection of detached additional garage

DECISION: Grant Permission DATE: 27/09/2001

ITEM NO. 0 Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0750 /
APPLICANT: Mr & Mrs Shaw
PARISH: Rockcliffe

DATE OF RECEIPT: 22/08/2001
AGENT: Tsada Building Design Services
WARD: Longtown & Rockcl

LOCATION: Crookdyke Farm, Rockcliffe, Carlisle Cumbria
GRID REF: 336742 561200

PROPOSAL: Erection of parlour and collecting yard

DECISION: Grant Permission DATE: 20/09/2001

SCHEDULE E: Decisions Issued Under Delegated Powers

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0751 /
APPLICANT: Mr & Mrs Shaw
PARISH: Rockcliffe
DATE OF RECEIPT: 22/08/2001
AGENT: Tsada Building Design Services
WARD: Longtown & Rockcl
LOCATION: Crookdyke Farm, Rockcliffe, Carlisle Cumbria
GRID REF: 336742 561200
PROPOSAL: Creation of feed yard

DECISION: Grant Permission

DATE: 20/09/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0752 /
APPLICANT: Royal Mail House-Dave Graham
PARISH: Carlisle
DATE OF RECEIPT: 29/08/2001
AGENT:
WARD: Stanwix Urban
LOCATION: L/A junction of Rosebery Road and Scotland Road, Stanwix, Car
GRID REF: 339978 557310
PROPOSAL: Installation of postal pouch box

DECISION: Grant Permission

DATE: 01/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0753 /
APPLICANT: Royal Mail House-Dave Graham
PARISH: Arthuret
DATE OF RECEIPT: 29/08/2001
AGENT:
WARD: Longtown & Rockcl
LOCATION: L/A Lochinvar Close, Longtown Carlisle, Cumbria
GRID REF: 338470 568810
PROPOSAL: Installation of postal pouch box

DECISION: Grant Permission

DATE: 01/10/2001

SCHEDULE E: Decisions Issued Under Delegated Powers

ITEM NO. 0 Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0754 / APPLICANT: Alard Properties Ltd PARISH: Kingmoor

DATE OF RECEIPT: 22/08/2001 AGENT: Patterson Heggie WARD: Stanwix Rural

LOCATION: Unit D, Kingmoor Park Road, Kingmoor Park Central Kingmoor, C 338100 GRID REF: 559400

PROPOSAL: Addition of roller shutter door

DECISION: Grant Permission

DATE: 17/09/2001

ITEM NO. 0 Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0755 / APPLICANT: Alard Properties Ltd PARISH: Kingmoor

DATE OF RECEIPT: 22/08/2001 AGENT: Patterson Heggie WARD: Stanwix Rural

LOCATION: Unit C, Kings Drive, Kingmoor Park South Kingmoor, Carlisle GRID REF: 338300 560300

PROPOSAL: Creation of additional roller door

DECISION: Grant Permission

DATE: 17/09/2001

ITEM NO. 0 Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0756 / APPLICANT: Alard Properties Ltd PARISH: Kingmoor

DATE OF RECEIPT: 22/08/2001 AGENT: Patterson Heggie WARD: Stanwix Rural

LOCATION: Unit D Kings Drive, Kingmoor Park South Kingmoor, Carlisle GRID REF: 338300 560300

PROPOSAL: Creation of additional roller door

DECISION: Grant Permission

DATE: 17/09/2001

SCHEDULE E: Decisions Issued Under Delegated Powers

ITEM NO. 0 Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0757 / APPLICANT: Alard Properties Ltd PARISH: Kingmoor

DATE OF RECEIPT: 22/08/2001 AGENT: Patterson Heggie WARD: Stanwix Rural

LOCATION: Unit E Kingmoor Park Road, Kingmoor Park Central Kingmoor, Ca 338100 GRID REF: 559400

PROPOSAL: Creation of additional roller door

DECISION: Grant Permission DATE: 17/09/2001

ITEM NO. 0 Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0758 / APPLICANT: A & D Kennedy PARISH: Nicholforest

DATE OF RECEIPT: 22/08/2001 AGENT: Ian Ward Architects WARD: Lyne

LOCATION: West Hollands, Penton, Carlisle Cumbria GRID REF: 344690 575640

PROPOSAL: Erection of conservatory and utility room

DECISION: Grant Permission DATE: 17/10/2001

ITEM NO. 0 Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0760 / APPLICANT: Home Entertainment Corporation PLC PARISH: Carlisle

DATE OF RECEIPT: 23/08/2001 AGENT: FPD Savills WARD: Harraby

LOCATION: National Tyre, London Road, Carlisle Cumbria GRID REF: 340930 555036

PROPOSAL: Change of use and conversion for A1 home video unit

DECISION: Grant Permission DATE: 27/09/2001

SCHEDULE E: Decisions Issued Under Delegated Powers

ITEM NO. 0 Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0761 / APPLICANT: Mr G Gibson PARISH: Carlisle

DATE OF RECEIPT: 29/08/2001 AGENT: J Cowper WARD: Harraby

LOCATION: 49 Hopes Hill Drive, Carlisle Cumbria GRID REF: 342460 553690

PROPOSAL: Two storey extension to provide study, utility, w.c. with 2no. bedrooms above together with widening of vehicle crossover to 6 metres

DECISION: Grant Permission

DATE: 12/10/2001

ITEM NO. 0 Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0762 / APPLICANT: N A Bowers PARISH: Cummersdale

DATE OF RECEIPT: 28/08/2001 AGENT: WARD: Dalston

LOCATION: 11 Gilbert Road, Cummersdale Carlisle, Cumbria GRID REF: 338970 553100

PROPOSAL: Extension to provide extra living room/sun room area and extension to bathroom

DECISION: Grant Permission

DATE: 12/10/2001

ITEM NO. 0 Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0763 / APPLICANT: Mr G Richardson PARISH: Carlisle

DATE OF RECEIPT: 23/08/2001 AGENT: WARD: Belah

LOCATION: 76 Pine Croft, Newfield Carlisle, Cumbria GRID REF: 339750 558850

SCHEDULE E: Decisions Issued Under Delegated Powers

Schedule continued for 01/0763 /

PROPOSAL: Erection of first floor extension

DECISION: Grant Permission

DATE: 24/09/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0764 /

APPLICANT:
Mr T Noble

PARISH:
Brampton

DATE OF RECEIPT:
24/08/2001

AGENT:
Andrew Nash Associates

WARD:
Brampton

LOCATION:

L/A part field 0197, Capon Tree Road, Brampton Cumbria

GRID REF:

352980 559995

PROPOSAL: Erection of detached dwelling (revised house type)

DECISION: Grant Permission

DATE: 27/09/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0765 /

APPLICANT:
Client Services & Property Unit

PARISH:
Carlisle

DATE OF RECEIPT:
24/08/2001

AGENT:
Capita Property & Consultancy

WARD:
Castle

LOCATION:

Trinity School, Strand Road, Carlisle Cumbria

GRID REF:

340568 556300

PROPOSAL: Installation of external flue to school plant room

DECISION: Grant Permission

DATE: 24/09/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0768 /

APPLICANT:
Nicholas Hill

PARISH:
Irthington

DATE OF RECEIPT:
28/08/2001

AGENT:

WARD:
Stanwix Rural

LOCATION:

L/Adj Bankfoot, Laversdale, Cumbria

GRID REF:

347550 562470

SCHEDULE E: Decisions Issued Under Delegated Powers

Schedule continued for 01/0768 /

PROPOSAL: Erection of dormer style dwelling

DECISION: Grant Permission

DATE: 19/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0769 /

APPLICANT:
Mr G Robinson

PARISH:
Bewcastle

DATE OF RECEIPT:
28/08/2001

AGENT:
Mr Rodney Jeremiah

WARD:
Lyne

LOCATION:
L/A Barn-Cleughside Farm, Bailey, Cumbria

GRID REF:
351840 579200

PROPOSAL: Conversion of existing barn to form holiday dwelling

DECISION: Grant Permission

DATE: 24/09/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0773 /

APPLICANT:
Messrs Coulthard

PARISH:
Westlinton

DATE OF RECEIPT:
28/08/2001

AGENT:
Tsada Building Design Services

WARD:
Longtown & Rockcl

LOCATION:
Youngs Close, Westlinton, Cumbria

GRID REF:
337430 564280

PROPOSAL: Erection of beef unit

DECISION: Grant Permission

DATE: 20/09/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0774 /

APPLICANT:
Messrs Coulthard

PARISH:
Westlinton

DATE OF RECEIPT:
28/08/2001

AGENT:
Tsada Building Design Services

WARD:
Longtown & Rockcl

LOCATION:
Youngs Close, Westlinton, Cumbria

GRID REF:
337430 564280

SCHEDULE E: Decisions Issued Under Delegated Powers

Schedule continued for 01/0774 /

PROPOSAL: Erection of cubicle shed and slatted tanks

DECISION: Grant Permission

DATE: 20/09/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0777 /

APPLICANT:
Mr M P Brennan

PARISH:
Carlisle

DATE OF RECEIPT:
29/08/2001

AGENT:

WARD:
Stanwix Urban

LOCATION:
22 Eden Place, Stanwix Carlisle, Cumbria

GRID REF:
339610 557240

PROPOSAL: Erection of satellite dish on front of dwelling

DECISION: Grant Permission

DATE: 12/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0778 /

APPLICANT:
Mr & Mrs A Kemp

PARISH:
Cumwhitton

DATE OF RECEIPT:
05/09/2001

AGENT:

WARD:
Great Corby & Gel

LOCATION:
Nunfield Cottage, Cumwhitton, Carlisle Cumbria

GRID REF:
350325 551770

PROPOSAL: Extension and pitched tiled roof to replace existing flat roof
and alterations

DECISION: Grant Permission

DATE: 12/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0780 /

APPLICANT:
J A Robinson

PARISH:
Carlisle

DATE OF RECEIPT:
29/08/2001

AGENT:

WARD:
Castle

LOCATION:
6 Howard Place, Carlisle Cumbria

GRID REF:
340743 555957

SCHEDULE E: Decisions Issued Under Delegated Powers

Schedule continued for 01/0780 /

PROPOSAL: Use of 6no. bedrooms in house for bed & breakfast
accommodation

DECISION: Grant Permission

DATE: 02/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0781 /

APPLICANT:
CGNU Assurance Ltd

PARISH:
Carlisle

DATE OF RECEIPT:
29/08/2001

AGENT:
Robt. Galbraith & Lawson

WARD:
Castle

LOCATION:
Unit 10 East Tower Lane, The Lanes Carlisle, Cumbria

GRID REF:
340160 556115

PROPOSAL: Installation of shop front and internal fitting out

DECISION: Grant Permission

DATE: 01/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0782 /

APPLICANT:
CGNU Life Assurance Ltd

PARISH:
Carlisle

DATE OF RECEIPT:
29/08/2001

AGENT:
Robert Galbraith & Lawson

WARD:
Castle

LOCATION:
Unit 20 East Tower Lane, The Lanes Carlisle, Cumbria

GRID REF:
340160 556115

PROPOSAL: Installation of shop front and internal fitting out

DECISION: Grant Permission

DATE: 01/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0783 /

APPLICANT:
Mr C Thompson

PARISH:
Carlisle

DATE OF RECEIPT:
29/08/2001

AGENT:

WARD:
Castle

LOCATION:
8 Aglionby Street, Carlisle Cumbria

GRID REF:
340600 555575

SCHEDULE E: Decisions Issued Under Delegated Powers

Schedule continued for 01/0783 /

PROPOSAL: Demolition of existing kitchen and bathroom and erection of replacement with utility room and bathroom

DECISION: Grant Permission

DATE: 23/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0784 /

APPLICANT:
Mr S Morton

PARISH:
Carlisle

DATE OF RECEIPT:
29/08/2001

AGENT:

WARD:
Stanwix Urban

LOCATION:
13 Etterby Lea Grove, Stanwix Carlisle, Cumbria

GRID REF:
339690 557450

PROPOSAL: Erection of first floor bedroom extension

DECISION: Grant Permission

DATE: 24/09/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0790 /

APPLICANT:
Dr C D J Vever

PARISH:
Carlisle

DATE OF RECEIPT:
03/09/2001

AGENT:

WARD:
Castle

LOCATION:
50 Cecil Street, Carlisle Cumbria

GRID REF:
340539 555568

PROPOSAL: Change of use from offices (B1) to medical/health clinic (D1)

DECISION: Grant Permission

DATE: 01/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0791 /

APPLICANT:
Mr Park

PARISH:
Carlisle

DATE OF RECEIPT:
03/09/2001

AGENT:
Care & Repair

WARD:
Belle Vue

LOCATION:
67 Green Lane, Carlisle Cumbria

GRID REF:
337550 555735

SCHEDULE E: Decisions Issued Under Delegated Powers

Schedule continued for 01/0791 /

PROPOSAL: Extension to form bedroom/shower facility and kitchen

DECISION: Grant Permission

DATE: 27/09/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0794 /

APPLICANT:
Mr D Scott

PARISH:
Carlisle

DATE OF RECEIPT:
04/09/2001

AGENT:
S & H Construction

WARD:
Yewdale

LOCATION:
24 Gosforth Road, Sandsfield Park Carlisle, Cumbria

GRID REF:
336800 555100

PROPOSAL: First floor extension over garage with tiled roof to provide
2no. bedrooms

DECISION: Grant Permission

DATE: 28/09/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

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

DECISION: Raise No Objection

DATE: 20/09/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0798 /

APPLICANT:
Mr R D Humpleby

PARISH:
Carlisle

DATE OF RECEIPT:
05/09/2001

AGENT:

WARD:
Yewdale

LOCATION:
30 Crosshill Drive, Morton West Carlisle, Cumbria

GRID REF:
338080 555260

SCHEDULE E: Decisions Issued Under Delegated Powers

Schedule continued for 01/0798 /

PROPOSAL: Erection of brick boundary wall (2.5m in height)

DECISION: Grant Permission

DATE: 27/09/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0799 /

APPLICANT:
Mr P P Nana

PARISH:
Brampton

DATE OF RECEIPT:
10/09/2001

AGENT:

WARD:
Brampton

LOCATION:
Milton Hall Nursing Home, Milton, Cumbria

GRID REF:
354949 560128

PROPOSAL: Erection of external fire escape from first floor of nursing home to ground east wing

DECISION: Grant Permission

DATE: 08/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0801 /

APPLICANT:
BSW Timber PLC

PARISH:
Kingmoor

DATE OF RECEIPT:
06/09/2001

AGENT:
Ian Munro Planning & Development Consulta Stanwix Rural

WARD:

LOCATION:
Cargo Beck House, Cargo, Carlisle

GRID REF:
339300 559290

PROPOSAL: Change of use of dwellinghouse to offices, improvement of vehicular access and formation of car parking spaces

DECISION: Grant Permission

DATE: 09/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0804 /

APPLICANT:
Mr & Mrs W Smith

PARISH:
Stanwix Rural

DATE OF RECEIPT:
07/09/2001

AGENT:
W M Horley

WARD:
Stanwix Rural

LOCATION:
Westwinds, 15 The Green, Houghton Carlisle, Cumbria

GRID REF:
340812 559313

SCHEDULE E: Decisions Issued Under Delegated Powers

Schedule continued for 01/0804 /

PROPOSAL: Extension to existing garage and formation of pitched roof

DECISION: Grant Permission

DATE: 15/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0805 /

APPLICANT:
Mr & Mrs B Evans

PARISH:
Carlisle

DATE OF RECEIPT:
10/09/2001

AGENT:

WARD:
Denton Holme

LOCATION:

17 Norfolk Road, Denton Holme Carlisle, Cumbria

GRID REF:
339200 554850

PROPOSAL: Demolition of existing utility outbuilding and extension to provide kitchen

DECISION: Grant Permission

DATE: 04/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0806 /

APPLICANT:
Jennifer Carruthers

PARISH:
Wetheral

DATE OF RECEIPT:
14/09/2001

AGENT:

WARD:
Great Corby & Gel

LOCATION:

2 Allenwood Cottages, Heads Nook Wetheral, Carlisle

GRID REF:
348980 555850

PROPOSAL: Erection of conservatory

DECISION: Grant Permission

DATE: 15/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0809 /

APPLICANT:
Stuart Hemingway

PARISH:
Carlisle

DATE OF RECEIPT:
10/09/2001

AGENT:

WARD:
Castle

LOCATION:

23 Clift Street, Carlisle Cumbria

GRID REF:
338651 556012

SCHEDULE E: Decisions Issued Under Delegated Powers

Schedule continued for 01/0809 /

PROPOSAL: Erection of garage

DECISION: Grant Permission

DATE: 05/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0810 /

APPLICANT:
Mr F Bowman

PARISH:
Stanwix Rural

DATE OF RECEIPT:
10/09/2001

AGENT:
Mr David L B Reeder

WARD:
Stanwix Rural

LOCATION:

Hadrians Park Caravan Site, Brampton Old Road, Carlisle Cumbri 341300 558619

GRID REF:

PROPOSAL: Erection of shower block

DECISION: Grant Permission

DATE: 12/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0814 /

APPLICANT:
Royal Mail-Dave Graham

PARISH:
Carlisle

DATE OF RECEIPT:
11/09/2001

AGENT:

WARD:
Denton Holme

LOCATION:

L/A junction St James Road & Norfolk Street, Carlisle, Cumbri 339314 554903

GRID REF:

PROPOSAL: Installation of postal pouch box

DECISION: Grant Permission

DATE: 12/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0815 /

APPLICANT:
Royal Mail-Dave Graham

PARISH:
Carlisle

DATE OF RECEIPT:
11/09/2001

AGENT:

WARD:
Denton Holme

LOCATION:

L/A junction of Talbot Road and Dalston Road, Carlisle Cumbri 339215 555175

GRID REF:

SCHEDULE E: Decisions Issued Under Delegated Powers

Schedule continued for 01/0815 /

PROPOSAL: Installation of postal pouch box

DECISION: Grant Permission

DATE: 12/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0816 /

APPLICANT:
Royal Mail-Dave Graham

PARISH:
Carlisle

DATE OF RECEIPT:
11/09/2001

AGENT:

WARD:
Stanwix Urban

LOCATION:

L/A Beech Grove & opp. Beechwood Avenue, Stanwix Carlisle, Cu 340213 557743

GRID REF:

PROPOSAL: Installation of postal pouch box

DECISION: Grant Permission

DATE: 23/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0818 /

APPLICANT:
Ms S Bell

PARISH:
St Cuthberts Wit

DATE OF RECEIPT:

AGENT:

WARD:
Dalston

LOCATION:

Oakland House, Brisco, Carlisle Cumbria

GRID REF:
0 0

PROPOSAL: Formation of new vehicular access

DECISION: Never made valid

DATE: 14/09/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0820 /

APPLICANT:
Mr Jock Gordon

PARISH:
Wetheral

DATE OF RECEIPT:

AGENT:

WARD:
Wetheral

LOCATION:

L/ADJ Low Cotehill Farm, Low Cotehill, Carlisle, Cumbria

GRID REF:
0 0

SCHEDULE E: Decisions Issued Under Delegated Powers

Schedule continued for 01/0820 /

PROPOSAL: Erection of one detached dwelling

DECISION: Never made valid

DATE: 18/09/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0826 /

APPLICANT:
Mr & Mrs S R Swailes

PARISH:
Wetheral

DATE OF RECEIPT:
14/09/2001

AGENT:
Acorn Associates

WARD:
Wetheral

LOCATION:

L/A former Tennis Courts, The Glebe, Wetheral Carlisle, Cumbr

GRID REF:
346680 554180

PROPOSAL: Erection of dormer bungalow (revised application)

DECISION: Grant Permission

DATE: 15/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0827 /

APPLICANT:
Ken Hope Ltd

PARISH:
Rockcliffe

DATE OF RECEIPT:
14/09/2001

AGENT:
Taylor & Hardy

WARD:
Longtown & Rockcl

LOCATION:

L/A 2646-Garriestown, Rockcliffe, Carlisle Cumbria

GRID REF:
335250 564500

PROPOSAL: Renewal of temporary consent for use of land for the training
of operatives in the construction industry

DECISION: Grant Permission

DATE: 22/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0829 /

APPLICANT:
R & K M Batey

PARISH:
Stanwix Rural

DATE OF RECEIPT:
14/09/2001

AGENT:
HTGL Architects

WARD:
Stanwix Rural

LOCATION:

Knells Farm, Houghton, Carlisle Cumbria

GRID REF:
341380 560780

SCHEDULE E: Decisions Issued Under Delegated Powers

Schedule continued for 01/0829 /

PROPOSAL: Demolition of open housing/machinery building and replacement
with steel framed cubicle building

DECISION: Grant Permission

DATE: 18/10/2001

ITEM NO. 0 Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0839 / APPLICANT: Mr C Wheatley PARISH: Carlisle

DATE OF RECEIPT: 17/09/2001 AGENT: Mr Brian Halliburton WARD: Harraby

LOCATION: 6 Edgehill Road, Harraby Carlisle, Cumbria GRID REF: 342280 553920

PROPOSAL: Two storey extension to provide kitchen, store and garage with
2no. bedrooms above

DECISION: Grant Permission

DATE: 23/10/2001

ITEM NO. 0 Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0841 / APPLICANT: Carlisle City Council - Housing PARISH: Carlisle

DATE OF RECEIPT: 17/09/2001 AGENT: Head Of Design WARD: Belle Vue

LOCATION: 54 Shadygrove Road, Raffles Carlisle, Cumbria GRID REF: 338110 555715

PROPOSAL: Single storey extension to provide bathroom and bedroom for
disabled person

DECISION: Grant Permission

DATE: 23/10/2001

ITEM NO. 0 Between 13/09/2001 and 24/10/2001

APPN REF NO: 01/0846 / APPLICANT: Scotby Primary School PARISH: Wetheral

DATE OF RECEIPT: 18/09/2001 AGENT: WARD: Wetheral

LOCATION: Scotby Primary School, Park Road, Scotby Carlisle, Cumbria GRID REF: 343740 555373

SCHEDULE E: Decisions Issued Under Delegated Powers

Schedule continued for 01/0846 /

PROPOSAL: Renewal of temporary consent for use of portacabins as
temporary classroom

DECISION: Grant Permission

DATE: 23/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0850 /

APPLICANT:
Mr J Armstrong

PARISH:
Arthuret

DATE OF RECEIPT:
19/09/2001

AGENT:
Mr Rodney Jeremiah

WARD:
Longtown & Rockcl

LOCATION:
Hazelcroft, Moat, Longtown Carlisle, Cumbria

GRID REF:
341100 574130

PROPOSAL: Erection of garage and store

DECISION: Grant Permission

DATE: 15/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0851 /

APPLICANT:
Sir JFS & Lady Graham

PARISH:
Arthuret

DATE OF RECEIPT:
19/09/2001

AGENT:
Edwin Thompson

WARD:
Longtown & Rockcl

LOCATION:
The Kennels, Netherby Estate, Longtown Carlisle, Cumbria

GRID REF:
340400 570700

PROPOSAL: Renovations together with a two storey extension to provide
porch, conservatory, study and snug with 1no. en-suite bedroom
and 2no. bedrooms above

DECISION: Grant Permission

DATE: 23/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0853 /

APPLICANT:
Mr S Bryant

PARISH:
Kirklington Midd

DATE OF RECEIPT:
19/09/2001

AGENT:
Mr Jock Gordon

WARD:
Lyne

LOCATION:
L/A Becklands, Blackford, Carlisle Cumbria

GRID REF:
341015 564620

SCHEDULE E: Decisions Issued Under Delegated Powers

Schedule continued for 01/0853 /

PROPOSAL: Erection of a detached dwelling (outline)

DECISION: Refuse Planning Permission

DATE: 23/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0861 /

APPLICANT:
Mr C D Thompson

PARISH:
Carlisle

DATE OF RECEIPT:
21/09/2001

AGENT:

WARD:
Castle

LOCATION:
8 Aglionby Street, Carlisle Cumbria

GRID REF:
340600 555575

PROPOSAL: Demolition of existing kitchen (CAC)

DECISION: Grant Permission

DATE: 23/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0864 /

APPLICANT:
Mr & Mrs English

PARISH:
Cummersdale

DATE OF RECEIPT:
21/09/2001

AGENT:
Mr J Stephens

WARD:
Dalston

LOCATION:
Thirlestane, Newby West, Carlisle Cumbria

GRID REF:
337410 553789

PROPOSAL: Erection of detached building to provide 1no. en-suite bedroom
(revised proposal)

DECISION: Grant Permission

DATE: 24/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0865 /

APPLICANT:
Mr R Pedrosa

PARISH:
Dalston

DATE OF RECEIPT:

AGENT:

WARD:
Dalston

LOCATION:
Casa Pedrosa, Cardewless, Dalston Carlisle, Cumbria

GRID REF:
334567 551427

SCHEDULE E: Decisions Issued Under Delegated Powers

Schedule continued for 01/0865 /

PROPOSAL: Two storey extension to create 10no. bedrooms together with pitched roof to existing flat roofed extension

DECISION: Never made valid

DATE: 19/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0866 /

APPLICANT:
Dewsbury Ltd

PARISH:
Carlisle

DATE OF RECEIPT:
24/09/2001

AGENT:
Eddisons Commercial

WARD:
Currock

LOCATION:

Former Charlie Browns Autocentre, Crown Street, Carlisle, Cum 340300 555175

GRID REF:

PROPOSAL: Replacement of 3no. roller shutter doors with 3no. glazed units for use of premises as a furniture showroom.

DECISION: Grant Permission

DATE: 23/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0868 /

APPLICANT:
Mr S Sanderson

PARISH:
Wetheral

DATE OF RECEIPT:
25/09/2001

AGENT:

WARD:
Wetheral

LOCATION:

L/A garden of Inglenook, Lambley Bank, Scotby Carlisle, Cumbr 343723 554871

GRID REF:

PROPOSAL: Erection of detached dwelling

DECISION: Refuse Planning Permission

DATE: 22/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0872 /

APPLICANT:
N H Chapman & Co Ltd

PARISH:
Carlisle

DATE OF RECEIPT:
25/09/2001

AGENT:
Coulson Swinburne Moses

WARD:
Castle

LOCATION:

Chapmans - Siesta House, Victoria Viaduct, Carlisle Cumbria

GRID REF:
340108 555725

SCHEDULE E: Decisions Issued Under Delegated Powers

Schedule continued for 01/0872 /

PROPOSAL: Alterations to shop front to provide fire exit door

DECISION: Grant Permission

DATE: 22/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0873 /

APPLICANT:
N H Chapman & Co Ltd

PARISH:
Carlisle

DATE OF RECEIPT:
25/09/2001

AGENT:
Coulson Swinburne Moses

WARD:
Castle

LOCATION:

Chapmans - Siesta House, Victoria Viaduct, Carlisle Cumbria

GRID REF:
340108 555725

PROPOSAL: Display of 4no. illuminated projecting signs together with
externally illuminated replacement fascia signs

DECISION: Grant Permission

DATE: 22/10/2001

ITEM NO. 0

Between 13/09/2001 and 24/10/2001

APPN REF NO:
01/0955 /

APPLICANT:
Uma Buddhist Centre

PARISH:
Carlisle

DATE OF RECEIPT:

AGENT:
Mrs D Steele

WARD:
Castle

LOCATION:

2 Warwick Square, Carlisle Cumbria

GRID REF:
0 0

PROPOSAL: Change of use to Buddhist Centre including residential
accommodation

DECISION: Never made valid

DATE: 22/10/2001
