

# CARLISLE CITY COUNCIL

**Report to:-** Development Control Committee

**Date of Meeting:-** 7 March 2008

**Agenda Item No:-**

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**Public**

**Policy**

**Delegated: Yes**

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**Accompanying Comments and Statements**

**Required**

**Included**

Environmental Impact Statement:

No

No

Corporate Management Team Comments:

No

No

Financial Comments:

No

No

Legal Comments:

No

No

Personnel Comments:

No

No

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**Title:-** Planning Application 06/1275 The Walled Garden, Holme Eden, Warwick Bridge, Carlisle

**Report of:-** Director of Development Services

**Report reference:-** DS.27/08

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## **Summary:-**

This Report refers to a retrospective application considered by the Development Control Committee on 26 January 2007, which sought permission for modifications to a previously approved scheme, for the residential development of the walled garden at Holme Eden Abbey. Members granted approval, subject to the imposition of a condition requiring details of the collapsible plates to be installed to be submitted to and agreed by the Local Planning Authority. The applicant's agent submitted these details, which were agreed by Members at the September 2007 meeting of the Development Control Committee. The applicant now wishes to vary the agreed scheme through the omission of a single speed hump.

## **Recommendation:-**

That Members resolve that for the reasons identified the proposed variation from the previously agreed scheme, consisting of the omission of the speed hump, is acceptable.

**Catherine Elliot**

Director of Development Services

**Contact Officer:** Sam Greig

**Ext:** 7176

**Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers: None**

## **1.0 Introduction**

- 1.1 This Agenda item relates to application 06/1275, which sought permission for the modification of a previously approved scheme to erect 16 no. dwellings within the walled garden associated with Holme Eden Abbey, Warwick Bridge. The walled garden, which is a Grade II Listed Building, is located on the north side of the A69, to the east of Holme Eden Abbey. It is opposite Warwick Bridge School, and adjacent to a courtyard of sandstone cottages, known as Holme Eden Cottages.
- 1.2 Members may recall that the application, which was presented to the Development Control Committee in January 2007, sought retrospective permission for the regularisation of modifications to the house design to Plots 1, 3, 4, 6, 7, 9, 10, 12 and 16, together with the installation of 3 no. collapsible plates and associated speed humps in order to ensure compliance with the one way road system. Members granted approval of the application subject to the imposition of a condition that required details of the collapsible plates to be installed, to be submitted to and agreed by the Local Planning Authority.
- 1.3 Details of the siting and design of the proposed collapsible plates and speed humps were presented to the Development Control Committee in September 2007 where Members agreed that the details were acceptable.
- 1.4 The approved details have now been installed, with the exception of one speed hump that was to be positioned in front of the collapsible plate at the entrance to the walled garden development. The purpose of the speed humps is to slow traffic down before hitting the collapsible plate. In this particular situation, however, traffic speed is already slow due to the entrance to the site and the bend in the road that leads into the walled garden development, which is where the collapsible plate is situated. For these reasons, the developer decided not to install the speed hump. It is this variation to the approved scheme that Members are being asked to consider. A drawing illustrating the revised scheme is reproduced.

## **2.0 Background Information**

- 2.1 Members may recall that when planning permission was sought in 2001 and 2003 the principal concerns related to the access and egress arrangements from both the walled garden and the Abbey. After lengthy consideration by the Development Control Committee a one way system was agreed whereby vehicles would enter the site via the eastern entrance and exit the site adjacent the Lodge, 60 metres to the east of Warwick Bridge. Any person entering the site would have to comply with the one way system, with the exception of the residents of Holme Eden Cottages who had an existing right to exit the site via the eastern entrance.

- 2.2 In respect of the 2001 and 2003 applications the Highways Agency provided an indicative scheme illustrating how the proposed one way system would work, which involved the installation of a series of 'no entry'/directional signs and four sets of collapsible plates to ensure that there was no means of abusing the one way system.
- 2.3 Following the occupation of the dwellings the City Council received complaints that the one way system was not being adhered to. Upon closer investigation it was evident that whilst the 'no entry'/directional signs had been erected the collapsible plates had not been installed.
- 2.4 The applicants had opted not to install collapsible plates for two reasons. Firstly, they had concerns that they may inhibit access by emergency vehicles. Secondly, they were concerned that if the exit road were to become obstructed by either a fallen tree or localised flooding, the collapsible plates would prevent the occupants of either the Abbey or the walled garden exiting the site.
- 2.5 Whilst the concerns of the applicants were noted, the Highways Agency took the view that the safe use of the A69 was paramount and that the collapsible plates were required to ensure this. In light of the strength of objection expressed by the Highways Agency the applicants agreed to install three collapsible plates, the locations of which were identified by the amended plans received 11th January 2007. The report to the Development Control Committee suggested that to overcome the applicants concern that the plates may inhibit access in the event of an emergency, the prospective design details of the plates could include an override system should such a need occur.
- 2.6 When the application was presented to the Development Control Committee the Highways Agency had confirmed, verbally, that these details were acceptable to them. On the basis of this Members approved the application subject to the imposition of the following condition.

*"Within 3 months from the date of this permission, details of the siting and design of the collapsible plates and speed humps to be installed shall be submitted to and approved, in writing, by the Local Planning Authority. The collapsible plates and speed humps shall be installed in accordance with the approved details within 2 months of those details having been approved by the Local Planning Authority.*

**Reason:** *In the interests of highway safety and to ensure compliance with Policy H16 of the Carlisle District Local Plan".*

**3.0 Whether The Amended Details Are Acceptable**

- 3.1 The previously agreed scheme was acceptable to the Highways Agency as it ensured compliance with the one way system, which was the original traffic management objective of the 2001 and 2003 applications. The omission of the speed hump in question does not endanger that objective or prejudice highway safety. As the road on the approach to the collapsible plate bends sharply, its' geometry slows traffic down and, therefore, achieves the purpose of the speed hump. For this reason Members are advised that the variation to the previously agreed scheme is acceptable and that the requirements of Condition 1 have been adhered to.

**4.0 Recommendation**

- 4.1 That Members resolve that for the reasons identified the proposed variation from the previously agreed scheme, consisting of the omission of the speed hump, is acceptable.

**Catherine Elliot**  
Director of Development Services

**Contact Officer:** Sam Greig

**Ext:** 7176

**Drawing Illustrating the Revised Scheme**



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Client: CUMBRIAN HOMES Ltd

Project: HOLME EDEN, WARWICK BRIDGE, CARLISLE

Title: Road and car parking layout as proposed

Drawn: R. KING

Date: 1/00G

Scale: 1:500

RECEIVED  
31 JAN 2008  
06.12.15

Amendment A : Speed humps & collapsible plates added. 10/1/07

For details of site access refer to drawing 1722005b (drawing produced for 5276 agreement).