

SCHEDULE A: Applications with Recommendation

21/0374

Item No: 07

Date of Committee: 23/07/2021

Appn Ref No:
21/0374

Applicant:
Mr Steven Tomkin & Ms
Mary Thorne

Parish:
Hayton

Agent:
Abacus Building Design

Ward:
Brampton & Fellside

Location: Castle Hill, Hayton, Brampton, CA8 9JA

Proposal: Change Of Use Of Redundant Agricultural Barn To Provide 1no. New Dwelling & Extension To Accommodation To Adjoining Gin Case; Construction Of New Entrance And 2no. Car Parking Spaces To Rear Within Existing Garden Area To Serve New Dwelling And Gin Case

Date of Receipt:
27/04/2021

Statutory Expiry Date
22/06/2021

26 Week Determination

REPORT

Case Officer: Stephen Daniel

1. Recommendation

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

2. Main Issues

- 2.1 Whether The Proposal Would Be Acceptable In Principle
- 2.2 Impact Of The Proposal On Listed Buildings
- 2.3 Impact Of The Proposal On Landscape Character
- 2.4 Highway Matters
- 2.5 Drainage Issues
- 2.6 Impact On Biodiversity
- 2.7 Impact On Trees
- 2.8 Impact On Common Land

3. Application Details

The Site

- 3.1 Castle Hill consists of a farmhouse, a former gin case (which has been converted to a dwelling), a bank barn, a cart shed, pig hulls and a detached hay barn all of which are Grade 2 Listed Buildings. The buildings are generally red sandstone buildings with traditional slate roofs. They are arranged around a cobbled farmyard and originally formed the former agricultural holding of Castle Hill.
- 3.2 The site is served by an existing access that links to the road that leads from Hayton to Hayton Lane End and the junction with the A69. The property is also served by a field gate and a pedestrian gate which are accessed from Beck Lane, which lies to the south of the property, along with Patten Beck. A garden area slopes downhill from the buildings to Beck Lane and Patten Beck and a stone wall forms the boundary of the applicant's garden and Beck Lane.
- 3.3 Walnut Field/ Village Green lies to the south Castle Hill. Nook Farm lies to the east, with the Scheduled Monument of Hayton Castle Hill lying to the west, together with residential properties on Beck Lane. An unmade track goes from Castle Hill to Hayton Castle Hill and trees along the track are subject to a Tree Preservation Order.
- 3.4 The land at the southern end of the garden (adjacent to Patten Beck) is registered as Common Land. This land is located to the east of the field gate at the bottom of Beck Lane and is in the applicant's ownership.

The Proposal

- 3.5 The proposal is seeking to convert the bank barn into a new two-bedroom dwelling and to provide additional accommodation for the gin case, which is adjoined to the western side of the bank barn.
- 3.6 The ground floor of the gin case is equivalent to the first floor of the bank barn. The proposals are to create a doorway at ground floor level from the gin case to the bank barn. A lounge would be created on part of the first floor of the bank barn and this would have a circular staircase which would provide access to the ground floor where a bedroom would be created and to the second floor where a mezzanine seating area would be created. An office would be created in the cart shed that is attached to the north side of the bank barn.
- 3.7 The southern end of the bank barn would be converted to a new two-bedroom dwelling. Two bedrooms (one en-suite) and a bathroom would be provided on the ground floor, with an open plan lounge/ dining area/ kitchen being provided on the first floor and a mezzanine seating area being provided on the second floor.
- 3.8 The east elevation of the bank barn, which faces into the courtyard, currently has four doors and a window at ground floor level, a door at first floor level and a number of ventilation slits. New full height glazing would be installed within the door openings, with the existing timber boarded doors, including ironmongery, being retained as shutters. One new opening would

be added at first floor level in the east elevation and this would match the existing openings in this elevation. The majority of the existing ventilation slits would be retained and these would be glazed internally without frames.

- 3.9 A new timber window would be added to the west elevation of the bank barn and this would have a full sandstone surround to match the existing windows. There would be no external changes to the south and north elevations of the bank barn.
- 3.10 The existing large opening in the east elevation of the cart shed would be fully glazed. The existing timber doors, including ironmongery, would be retained as shutters.
- 3.11 Externally the proposal involves the use of stained timber window frames and doors; aluminium rainwater goods; sandstone surrounds; the interior glazing of ventilation slits; and the re-roofing of the store building in slate. Two new flues would also be added to the building.
- 3.12 The proposal also involves the construction of a new gated access from Beck Lane which would link to a new parking area which would be created to the south of the gin case. A gravel parking area would be formed by limited excavation and grading of the existing garden, with new landscaping proposed to reduce the visual impact of the parking area.
- 3.13 A new access would be formed in the existing stone wall that adjoins Beck Lane, to the east of the existing pedestrian gate. This would be adjoined by new stone piers. The access road would be constructed of rough ridged tamped concrete to enable vehicles to gain traction and hold onto the road surface.
- 3.14 Aco drains on the new access would collect surface water and divert it to a deep gravel infiltration trench. The applicant is also proposing to open up an existing section of culverted watercourse on their land, to increase the storage capacity of the watercourse.

4. Summary of Representations

- 4.1 This application has been advertised by means of site and press notices as well as notification letters sent to twelve neighbouring properties. In response, four letters of objection have been received which raise the following issues:

Highway Matters

- the proposed parking area is not located in a practical location particularly when there are currently two existing drives in the area both of which provide direct access to the proposed new dwelling and the Gin Case from the public highway;
- Castle Hill already has access onto the road from Hayton Village to Hayton Lane End Inn on the A69. This driveway has an exit with good visibility and the road to the A69 is wide. Surely provision could be made for the new

occupants of the proposed development to use this. There is also a large courtyard area in front of the barns which could easily be used for parking;

- the proposed parking area is approximately 4m lower and 18m away from the front doors of the proposed properties. The Gin Case already has its own access and parking area. This raises the question is this a forerunner to a further application for a new house adjacent to the new parking area if this application is approved?;

- Beck Bottom already has access issues from its quantity of use and parking. Aside from the residents it is in twice daily use by parents from the school and delivery vehicles struggle to navigate it, often having to reversing its length. This proposal will aggravate this issue;

- whilst the access road to the proposed new entrance is a dead end this road (including the area behind the village green) is in constant use by vehicles and particularly by children playing;

- should not a visibility splay be included?;

- the drawings show that the level area behind the gates, within the site, is minimal and therefore to open and close the gates a car would need to be parked on the slope. This relates to the visibility issue at the entrance that it is a further distraction in an already busy area;

- as the additional access will be 90 degrees onto the existing lane they will require yet more space in which to negotiate through the access. This will take yet more land which does not belong to their property;

- ask that the unauthorised access that was made be put back to how it was

- should permission be approved then it most certainly should be reinstated as one could argue it would be redundant and no longer required;

- Beck Bottom is a cul-de-sac and drivers coming down this lane have to be able turn round at the end and this is very close to the proposed exit of the new driveway from this development;

- turning is already an issue because there is no turning place and drivers use the area with slight widening at the exit of the footpath which passes beside the Village Green (the Walnut Field). Turning can be extremely difficult at times due to parked cars adjacent to this area and leaving little room for manoeuvre;

- in adverse weather conditions, parents commonly park their cars on Beck Bottom to drop off or collect their children from the village school. They use the footpath beside the Walnut Field and so park at the far end of Beck Bottom. This is where the proposed exit of the new driveway will be.

Parental parking already causes congestion and problems with turning of cars and this will only be made worse if parking becomes restricted;

- the proposed parking for this development is for four cars which will hopefully be adequate for the occupants. However, there is no provision for visitors to park. This will mean that visitors or additional cars belonging to the occupants will be parked along Beck Bottom adding to the existing difficulties already stated;

- the proposed driveway has a very steep gradient of 20% - concerned that in icy weather the occupants of the development will be unable to drive their cars up into their car park and consequently will have to park on Beck Bottom exacerbating the issues. If we have snow, Beck Bottom becomes ice bound for days with persistent caked snow and ice because the sun does not penetrate into the low set road;

- the wet road freezes in winter and is extremely hazardous and this ice

extends beyond the exit of the footpath adjacent to the Walnut Field. The ice persists because of the lack of sunlight on Beck Bottom;

- there are a number of young children living on Beck Bottom. They use the road outside their houses for play and this use will increase as they get older. Additional traffic, both during construction in the short term and from residents and their visitors of this new development in the long term, will be potentially hazardous;

- the exit from Beck Bottom onto Brier Lonning is difficult for drivers. The view up the hill to the left is often obscured due to cars being parked for service at Hayton Garage. Brier Lonning itself is very narrow in places leading to the A69. Drivers already use the pavement to dodge on coming vehicles and also have to pull in to Acre Close, Castle View and field gateways. Further traffic will only exacerbate this issue;

- the proposed access would impact on the many residents of Beck Bottom and on the villagers living on and using Brier Lonning;

Drainage Issues

- there is a serious risk of water and sewerage discharge affecting properties along the Beck Bottom from the existing services already being at maximum capacity - feel that the planning proposal for the property at Castle Hill will add to an already stressed drainage and sewerage system;

- the old properties along the Beck Bottom already have grandfather rights for surface water to enter the sewer network and any additional excess water from this proposed site will undoubtedly find its way down into the Beck and potentially overflow into the sewer via the existing culverts;

- the reason for the access is to accommodate a parking area which is on such a steep incline that surface water will gather and flow down the hill of the proposed drive and enter the existing beck increasing its capacity yet further;

- from local knowledge and personal observation can say with certainty that the culvert which runs long the lane at beck bottom is in excess of 80% volume when there are any heavy showers. The recent flash flood events have seen the culvert unable to cope with any additional volume;

- the land drainage survey that took place has not taken into consideration any effect it may have downstream of the site;

Beck Bottom already floods regularly all the way along its length in severe wet weather when the water entering the culvert at the end of Beck Bottom, adjacent to the proposed driveway exit, exceeds the capacity of the culvert;

- over the past 2 years, the water draining from the bottom of the Walnut Field, directly opposite the proposed driveway exit, has increased in volume so that there is standing water in the grassy areas and the road end is constantly wet;

- the proposed steep driveway has drainage provision in the plans.

Concerned that in heavy rain it's capacity will be exceeded and water will flow onto Beck Bottom increasing the probability of flooding;

- flooding of the houses, gardens and garages is already of concern for residents with vulnerable properties;

- flooding of Beck Bottom has significantly contributed to more widespread flooding of other houses within Hayton Village in the past;

- the proposed location of the entrance and driveway on to the lane below would cause serious issues. The lane (from Blacksmith's cottage to the

bottom of the village green) flooded in 2016 under 3 feet of water, causing all the houses on the lane to flood and thousands of pounds of water damage. A paved driveway replacing the current grass and trees on the bank below Castle Hill would only exacerbate risk of further flooding;

Common Land/ Land Ownership

- the applicants have a perfectly good access of their own onto the highway so I see no need for them to make a claim on parish land/public amenity;
- understand that the classification and ownership of the section of land outside the proposed entrance is unclear. The application does not appear to have addressed this (Certificate A has been included). Some of the land in this area is registered common land. As such what rights are relevant to this land, eg access?;
- the proposed access onto the common land, the applicants have already made an unofficial access onto their property from this public space. The proposal they are submitting will take yet more of the parish's recreational ground for their transit in and out of their property;

Other Matters

- application 94/0659 'Formation of Vehicle Access from Beck Lane to serve dwelling to be formed from Barn Conversion' was refused in 1994;
- the application drawings are not consistent. The proposed site drawing does not match the engineer's drainage plan;
- several of the existing trees, included on the application plan are protected. Why has an Arboricultural Report not been included? The section shows that extensive excavation, on the north side, will be needed to accommodate the parking area. This needs to be outside of the root protection area which it does not currently appear to be;
- it is also noted that no provision for refuse/recycling appears to have been included. Currently bins on Beck Bottom are taken to the end of the road next to the garage and this will be particularly relevant if the occupants have to traverse up and down the proposed drive way just to reach Beck Bottom;
- the property sits on an ancient monument, a Saxon fortification and rampart. I have not been able to ascertain if an archaeological survey has been carried out or indeed if any permission has been sought to excavate which includes the test holes excavated by the drainage specialist;

5. Summary of Consultation Responses

Cumbria County Council - (Highways & Lead Local Flood Authority): - no objections subject to conditions (construction parking; Construction Traffic Management Plan; Construction Surface Water Management Plan);

Hayton Parish Council: - objects to the proposal for the following reasons:
1. The area between the end of the public highway (end of surface dressed road) and the existing access to the developer's land is Common Land. In the 1814 Hayton Enclosure Act the "Beck Bottom" was shown as one of several watering holes. It was subsequently registered as Common Land in 1968. As such no excavation can be carried out on this area without express permission from the Planning Inspectorate. Without this permission it will be difficult for vehicles to have sufficient turning space to gain entry into the

proposed new access.

2. Does not believe that at times of intense rainfall (only predicted to increase with climate change) the proposed ACO drainage systems can deal satisfactorily with the run off from a concrete track which has a gradient in excess of 1 in 5. There is a history of flooding in Beck Lane and the residents are very sensitive about a potential increase in discharge created by this development. The lack of any highway gullies on Beck Lane does not help.

3. Local residents also think that most drivers will be reluctant to use the steep access track especially in wintry conditions. On these occasions cars will highly likely park on either the turning area at the end of Beck Lane (preventing vehicles turning) or on the Common Land which is an offence.

4. Pleased to note that the developer proposes to replace the culvert on his land with an open ditch. This will be of great benefit in acting as a storage area at times of maximum discharge from the catchment area.

5. What would also be of great benefit would be to rebuild the wall at the existing field gate. It is worth remembering that in 1982 the runoff from the catchment area for the beck caused the bridge parapet walls and road to collapse on the Hayton Lane End Road. This resulted in that road being closed for 6 weeks and the gas main to be severed over the same period

Following the receipt of revised plans:

Does not see any substantive differences that address the concerns raised when objecting to the original planning applications. They therefore continue to object on the same basis as they did in response to the original planning applications.

The Parish Council has submitted an application to the County Council to ask that the mistaken registration of the common land CL190 which includes Beck Bottom be amended to reflect the Parish Council's application to register that area at Beck Bottom as submitted by the PC back in 1968.

6. Officer's Report

Assessment

6.1 Section 70(2) of the Town and Country Planning Act 1990/Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that an application for planning permission is determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.

6.2 The relevant planning policies against which the application is required to be assessed are the National Planning Policy Framework (NPPF), the Planning Practice Guidance (PPG), Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 and Policies SP2, SP6, SP7, HO2, HE3, IP2, IP3, IP6, CC4, CC5, GI3 and GI6 of the Carlisle District Local Plan 2015-2030. The SPD Trees and Development is also a material consideration.

6.3 The proposal raises the following planning issues.

1. Whether The Proposal Would Be Acceptable In Principle

- 6.4 The proposal is seeking to convert a disused listed barn into additional accommodation for the gin case and a new two-bedroom dwelling. The barn is located in Hayton which contains a range of services. Furthermore, the proposal would bring a listed building back into use which would help to ensure its future maintenance. In light of the above, the proposal would be acceptable in principle.

2. Impact Of The Proposals On Listed Buildings

- 6.5 The bank barn, gin case, cartshed, pig hulls and walls are all listed Grade II. The listing for these is copied below.

Bank barn, gincase and cart shed to the northwest of the farmhouse. Early C19. The bank barn in squared rubble with ashlar lintels and jambs, asbestos sheet roof. Entrance to barn from field on west elevation through sandstone porch with catslide roof. Entrances on ground floor of building from the yard to the east. This eastern elevation has a stable door with window and three byre doorways with two ventilation slits. Over one byre door is a winnowing door and to the right of this are two rows of ventilation slits. Gincase, attached to the west side of the bank barn and abutting the left return of the cartshed: two storeys, with two-window range to west face and north return, and one window to the south. Variety of openings to ground floor, several with sashes of an original design. Sandstone in squared rubble with ashlar corners; pyramidal roof of slate. Dated 1830 with initials A and FB for Abraham Bird. Also contains inserted date stone of 1683 with the initials ID:ID. Stone finial at roofs apex. Single-storey, sandstone cartshed with slate roof attached to the north of the bank barn. Also included in this listing are the single-storey pig hulls and brew house to the north of the bank barn and forming the northwest corner of the farmyard, as well as the sandstone walls enclosing a sheltered yard to the north.

- 6.6 Castle Hill Farmhouse, which lies to the south of the bank barn and gin case is also Grade II Listed. The list entry for this dwelling is reproduced below.

Farmhouse. Early C19. Sandstone ashlar and quoins. Welsh slate roof. Two storeys. Three-window range to the front, single stairwell window to the rear. Single-storey wings of one window each to either side; to the right a covered seat. Axial stacks to gable returns of main block and wings. Flat-arched entrance in centre chamfered quoins and keystone. Entrance hall with moulded round arch to stairwell at rear. Mouldings and stair of original design. Low sandstone walls to the road with ashlar gate piers. Immediately to the northeast a long, narrow, single-storey shed of rubble sandstone with slate to the roof.

- 6.7 The hay barn that lies within the group of buildings at Castle Hill is also Grade II Listed. The list description for the hay barn is copied below.

Hay barn. Late C19. Sandstone with welsh slate roof. Two storeys, five bays. First-floor divided by stone pillars with squared capitals, the ground

floor originally with carved kneelers, only one of which remains. Forms a group with the farmhouse and nearby bank barn.

- 6.8 Section 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 highlights the statutory duties of Local Planning Authorities whilst exercising of their powers in respect of listed buildings. The aforementioned section states that:

"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".

- 6.9 Paragraph 195 of the NPPF states that Local Planning Authorities should refuse consent for any development which would lead to substantial harm to or total loss of significance of designated heritage assets. However, in paragraph 196, the NPPF goes on to say that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 6.10 Policy HE3 of the Carlisle District Local Plan 2015-2030 highlights that listed buildings and their settings will be preserved and enhanced. Any harm to the significance of a listed building will only be justified where the public benefits of the proposal clearly outweighs the significance.
- 6.11 The ground floor of the gin case is equivalent to the first floor of the bank barn. The proposals are to create a doorway at ground floor level from the gin case to the bank barn. A lounge would be created on part of the first floor of the bank barn and this would have a circular staircase which would provide access to the ground floor where a bedroom would be created and the second floor where a mezzanine seating area would be created. An office would be created in the cart shed that is attached to the north side of the bank barn.
- 6.12 The southern end of the bank barn would be converted to a new two-bedroom dwelling. Two bedrooms (one en-suite) and a bathroom would be provided on the ground floor, with an open plan lounge/ dining area/ kitchen being provided on the first floor and a mezzanine seating area being provided on the second floor.
- 6.13 The east elevation of the bank barn, which faces into the courtyard, currently has four doors and a window at ground floor level, a door at first floor level and a number of ventilation slits. New full height glazing would be installed within the door openings, with the existing timber boarded doors, including ironmongery, being retained as shutters. One new opening would be added at first floor level in the east elevation and this would match the existing openings in this elevation. The majority of the existing ventilation slits would be retained and these would be glazed internally without frames.

- 6.14 A new timber window would be added to the west elevation of the bank barn and this would have a full sandstone surround to match the existing windows. There would be no external changes to the south and north elevations of the bank barn.
- 6.15 The existing large opening in the east elevation of the cart shed would be fully glazed. The existing timber doors, including ironmongery, would be retained as shutters.
- 6.16 Externally the proposal involves the use of stained timber window frames and doors; aluminium rainwater goods; sandstone surrounds; the interior glazing of ventilation slits; and the re-roofing of the store building in slate. Two new flues would also be added to the building.
- 6.17 A new access would be created from Beck Lane and this would involve the removal of a section of the existing stone wall that adjoins Beck Lane, to the east of the existing pedestrian gate. The access road would be constructed of concrete and would provide access to a gravel parking area. New landscaping is proposed to reduce the visual impact of the access and parking area. The access and parking area would not have an adverse impact on the setting of the listed buildings, which are set around a courtyard to the north.
- 6.18 Following concerns from the Heritage Officer, the Ancient Monuments Society and the Council of British Archaeology, the plans have been amended to remove two new openings on first floor level in the east elevation of the bank barn; two new windows in the north elevation at eaves level; and one new window in the west elevation. The revised plans are now acceptable to both of the amenity groups.
- 6.19 The Council's Heritage Officer has been consulted on the application and he has raised no objections to the proposals, following the submission of amended plans. The alterations entirely satisfy the points raised by the Heritage Officer in his initial response and he considers that the application is now compliant with the considerations set out in sections 16 and 66 of the 1990 Planning (Listed Buildings and Conservation Areas) Act and Local Plan policies HE3 and SP6. Conditions should be attached to the listed building consent application which require all joinery details of proposed doors and windows to be submitted for approval by the LPA and details of the proposed pointing, including the mortar to be used, to be agreed with the LPA. A photographic survey of the completed building showing all elevations and interior spaces should also be submitted to the LPA prior to occupation of the proposed dwelling.
- 6.20 The proposals, which would bring the building back into use with sympathetic alterations are considered to be acceptable and they would not have an adverse impact on the listed bank barn or on the setting of any of the adjacent listed buildings.

3. Impact Of The Proposals On The Character Of The Area

- 6.21 In September 1994, planning permission was refused for the formation of a vehicular access from Beck Lane to serve the dwelling being formed by the conversion of the gin case (94/0659). The application was refused for the following reason:

The proposed access and car parking area would extend into land which is contiguous with and makes an important contribution to an extensive area of amenity land between the main village street and Castle Hill and which together is a significant townscape feature of Hayton. Development encroaching into that land, which contributes to the high environmental quality and setting of the village, would be visually intrusive and harmful to its character, contrary to the objectives of Proposal E39 of the adopted Carlisle Rural Area Local Plan and Policy 27 of the Replacement Cumbria and Lake District Joint Structure Plan which together establish a firm presumption against development of such areas of significant public and private open spaces within settlements.

- 6.22 The land forms part of the curtilage to Castle Hill and is in the applicant's ownership. The access road would not have a significant adverse impact on the landscape character. The parking area has been reduced from four parking spaces to two. Whilst cars parked on the parking area would be visible from the Walnut Field/ village green, which lies immediately to the south of the application site, the provision of landscaping (once it becomes established) would largely screen the cars and parking area in long distance views.
- 6.23 In light of the above, the proposal would not have an adverse impact on the character of the area.

4. Highway Matters

- 6.24 Objectors have raised concerns about the proposed new access, which would be via the U1202 in Hayton which is an access road which serves nine dwellings and has a single farm access at the end. The Highways Authority has assessed the proposals and determined that the proposals would not affect the users of the U1202 post construction.
- 6.25 However, the Highways Authority has concerns with regards to the impact of the development during the construction phase. The Highways Authority is content that further information relating to the construction phase of the development can be considered at a later stage of the planning process and secured through the use of planning conditions.
- 6.26 In light of the above, the Highways Authority has no objections with regards to the proposal subject to the imposition of conditions (construction parking; submission of Construction Traffic Management Plan).

5. Drainage Issues

- 6.27 Two Aco channel drains (one half way down the access and one adjacent to Beck Lane) would be installed on the new access. These would take the

water from the driveway to a deep gravel infiltration trench, which would run parallel to the culvert along the southern boundary. The trench would be positioned a minimum of 6m from the watercourse and would not discharge directly into it. Micro drainage calculations have been provided to show the volume of infiltration required and to prove the adequacy of the trench at storm events up to and including 1:100 year + 40% climate change.

- 6.28 The parking area would be constructed of permeable gravel, which would allow water to infiltrate into the ground below. This would maintain the existing flow pathways and avoids the need for a purpose made soakaway structure in this area.
- 6.29 The applicant is also proposing to open up an existing section of culverted watercourse on their land, to form an open channel. This would increase the the volume of storage in the watercourse and further reduce the risk of isolated surface water flooding this and adjoining sites. The Parish Council has indicated that is supportive of this element of the proposals.
- 6.30 The drainage proposals have been produced by A L Daines (consulting and civil structural engineers) who have extensive experience of designing drainage systems and are considered to be acceptable.

6. Impact On Biodiversity

- 6.31 The application is accompanied by a Bat Survey. The bank barn has recently been re-roofed and the same bat survey was submitted with this application. This identified that the bank barn was being used as a summer roost for non-breeding whiskered bats. The re-roofing works had the potential to impact on the roost and mitigation measures were put in place (no works when the bats are present; works to be overseen by experienced ecologist; roost retained or recreated). The current proposal would not have an adverse impact on bats.

7. Impact On Trees

- 6.32 A row of protected trees (13 sycamore - TPO109) lies to the north of the proposed parking area. The location of the parking area has been revised to ensure that it lies outside the root protection area (RPA) of these trees. A condition has been added to the permission to ensure that tree protection fencing is erected on site prior to the commencement of development.

8. Impact On Common Land

- 6.33 The land adjacent to Patten Beck that is within the applicant's ownership (to the east of the field gate at the end of Beck Lane) is designated as Common Land (since 1968). This land is outside the application site.
- 6.34 The Parish Council has recently applied to have the land between the field gate and the path that runs up the western side of the Walnut Field registered as Common Land. The Parish Council thought that this land was registered as Common Land in 1968 but it has recently come to light

(following the submission of this planning application) that this land is not registered as Common Land. The applicant needs to drive over this land to gain access to the new driveway and would need to check that they are legally permitted to do this.

Conclusion

- 6.35 The proposal would be acceptable in principle. It would not have an adverse impact on listed buildings, landscape character, existing trees or biodiversity. The proposed access and drainage arrangements would be acceptable. In all aspects, the proposals are considered to be compliant with the relevant policies in the adopted Local Plan.

7. Planning History

- 7.1 In April 1994, planning permission and Listed Building Consent were granted for the change of use of agricultural building to dwelling (94/0155 & 94/0156).
- 7.2 In August 1994, planning permission and Listed Building Consent were granted for the change of use from agricultural building (gin case) to dwelling and associated alterations (94/0483 & 94/0484).
- 7.3 In September 1994, planning permission was refused for the formation of vehicular access from Beck Lane to serve dwelling to be formed from barn conversion (94/0659).
- 7.4 In April 2003, Listed Building Consent was granted for the conversion of dairy to provide ground floor WC & utility, addition of 2no. windows at first floor level, north elevation and alterations to bathroom to accommodate window (03/0190)
- 7.5 In July 2004, Listed Building Consent was refused for conversion of loft space to provide additional bedrooms (04/0762).
- 7.6 In November 2004, Listed Building Consent was granted for conversion of loft space to provide additional bedrooms and alteration to external wall (04/1237).
- 7.7 In February 2020, an application for Listed Building Consent for replacement of roof and guttering on the bank barn with galvanised sheeting was withdrawn prior to determination (20/0045).
- 7.8 In April 2020, an application for Listed Building Consent was approved for replacement of roof with Welsh slate and installation of 8no. conservation rooflights; replace existing guttering and downpipes together with replacement of window in south gable (20/0154).

8. Recommendation: Grant Permission

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

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

2. The development shall be undertaken in strict accordance with the approved documents for this Planning Permission which comprise:

1. the submitted planning application form, received 20th April 2021;
2. Location Plan/ Existing & Proposed Block Plan (Dwg 2020_830_CH_000_A), received 6th July 2021;
3. Site Plan as Proposed (Dwg 2020/MT/830/03A), received 6th July 2021;
4. Floor Plans as Proposed (Dwg 2021/MT/685/03A), received 10th June 2021;
5. Elevations as Proposed (Dwg 2021/MT/685/04A), received 10th June 2021;
6. Elevations & Sections as Proposed (Access/Parking Area) (Dwg 2020/MT/830/04A), received 10th June 2021;
7. New Access Drainage Details (Dwg 21-C-16046/01 Rev B), received 10th June 2021;
8. Topographical Survey with Long Sections (Dwg 27120-CASTLEHILL-HAYTON-TOPO-001), received 20th April 2021;
9. Heritage, Design & Access Statement, received 10th June 2021;
10. Drainage Statement, received 20th April 2021;
11. Bat Survey, received 20th April 2021;
12. the Notice of Decision;
13. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

3. The proposed car parking area shall be in strict accordance with the details shown on the Site Plan as Proposed (Dwg 2020/MT/830/03A), received 6th July 2021.

Reason: For the avoidance of doubt.

4. Prior to their use as part of the development hereby approved, full details of all materials to be used in the construction of the access and parking area shall be submitted to and approved in writing by the local planning authority.

The development shall then be undertaken in strict accordance with the approved details.

Reason: To ensure the development is acceptable visually and harmonises with existing development, in accordance with Policies HE3 and SP6 of the Carlisle District Local Plan 2015-2030.

5. No development shall take place until full details of soft landscape works, including a phased programme of works, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved prior to the occupation of any part of the development or in accordance with the programme agreed by the Local Planning Authority. Any trees or other plants which die or are removed within the first five years following the implementation of the landscaping scheme shall be replaced during the next planting season.

Reason: To ensure that a satisfactory landscaping scheme is prepared and to ensure compliance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

6. Before any development is commenced on the site, including site works of any description, a protective fence in accordance with Fig. 2 in B.S. 5837:2012 shall be erected around the trees and hedges to be retained at the extent of the Root Protection Area as calculated using the formula set out in B.S. 5837. Within the areas fenced off no fires shall be lit, the existing ground level shall be neither raised nor lowered, and no materials, temporary buildings or surplus soil of any kind shall be placed or stored thereon. The fence shall thereafter be retained at all times during construction works on the site.

Reason: In order to ensure that adequate protection is afforded to all trees/hedges to be retained on site in support of Policies SP6 and GI6 of the Carlisle District Local Plan 2015-2030.

7. Details showing the provision within the site for the parking, turning and loading and unloading of vehicles visiting the site, including the provision of parking spaces for staff and visitors, shall be submitted to the Local Planning Authority for approval. The development shall not be brought into use until any such details have been approved and the parking, loading, unloading and manoeuvring facilities constructed. The approved parking, loading, unloading and manoeuvring areas shall be kept available for those purposes at all times and shall not be used for any other purpose.

Reason: To ensure that vehicles can be properly and safely accommodated clear of the highway and to support Local Transport Plan Policies LD7, & LD8.

8. Development shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning

authority. The CTMP shall include details of:

- pre-construction road condition established by a detailed survey for accommodation works within the highways boundary conducted with a Highway Authority representative, with all post repairs carried out to the satisfaction of the Local Highway Authority at the applicants expense;
- details of proposed crossings of the highway verge;
- retained areas for vehicle parking, maneuvering, loading and unloading for their specific purpose during the development;
- cleaning of site entrances and the adjacent public highway;
- details of proposed wheel washing facilities;
- the sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway;
- construction vehicle routing;
- the management of junctions to and crossings of the public highway and other public rights of way/footway;
- details of any proposed temporary access points (vehicular / pedestrian)

Reason: To ensure the undertaking of the development does not adversely impact upon the fabric or operation of the local highway network and in the interests of highway and pedestrian safety and to support Local Transport Plan Policies WS3 and LD4.

9. No development shall commence until a construction surface water management plan has been agreed in writing with the local planning authority.

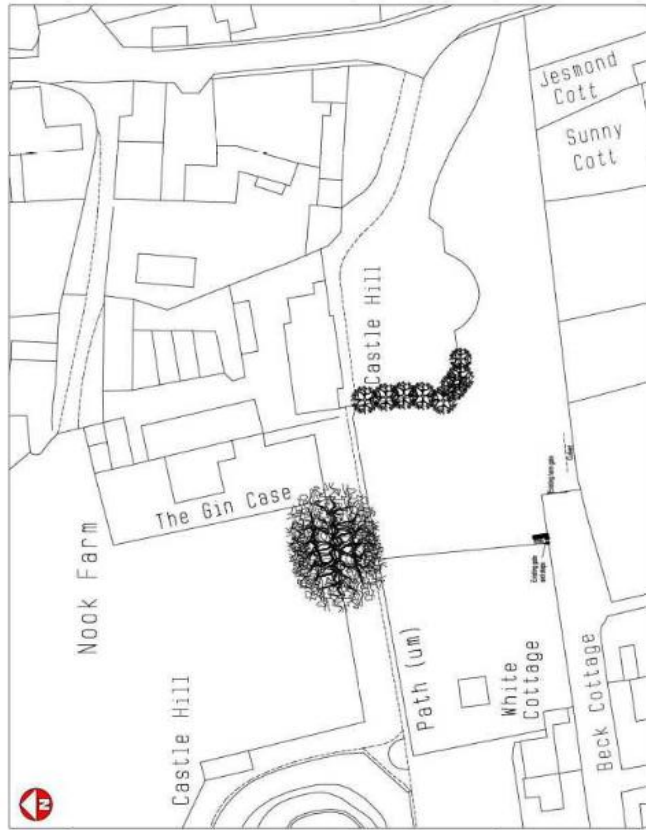
Reason: To safeguard against flooding to surrounding sites and to safeguard against pollution of surrounding watercourses and drainage systems.



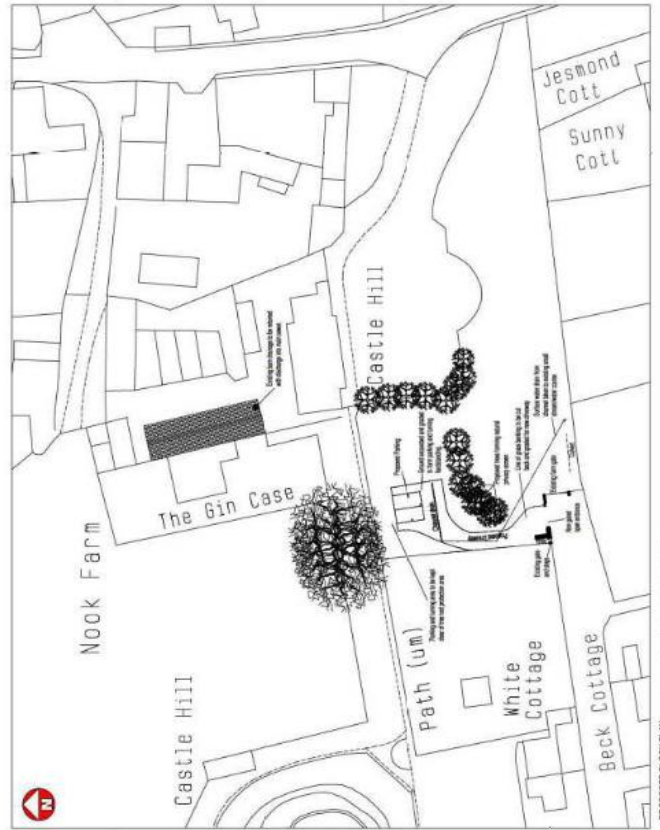
AERIAL VIEW (Back)
Not to scale



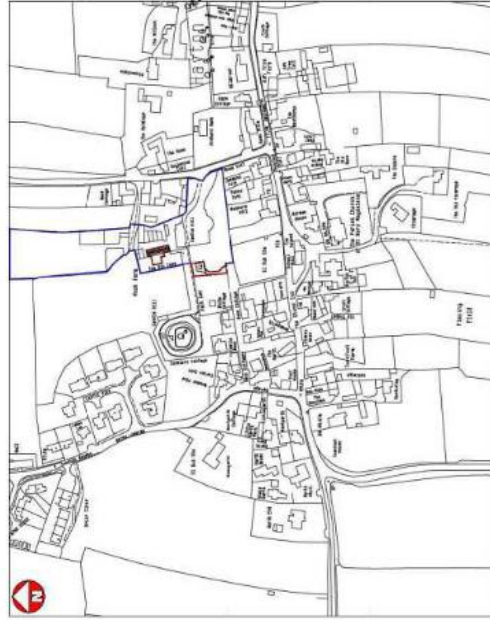
AERIAL VIEW (Location)
Not to scale



EXISTING BLOCK PLAN
Scale 1:500



PROPOSED BLOCK PLAN
Scale 1:500

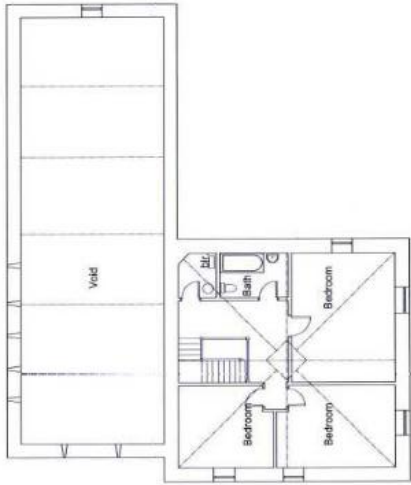


LOCATION PLAN
Scale 1:2500

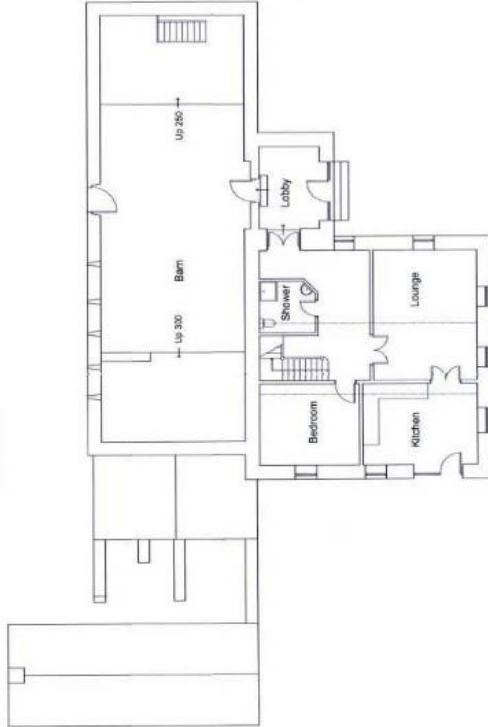
Title Proposed Car parking for Castle Hill Farm, Hyson C&A 9/A		Client Mrs M Thorne Castle Hill Hyson Barnet C&A 9/A		Date 2020.03.01.00.0.A	
Drawing by J.A. SANDBERSON		Check A		Scale As Marked	
Date (5/7/2021)		Description Re-surfacing and new asphalt areas			



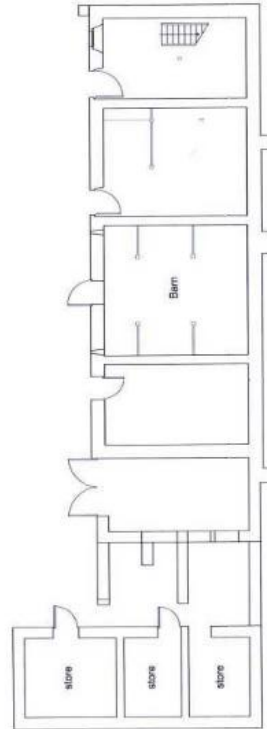
Plan As Existing ±.50



LEVEL 3



LEVEL 2



LEVEL 1

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Heads Nook, Nr. Carlisle
Cumbria, CA8 9EG

REVISIONS

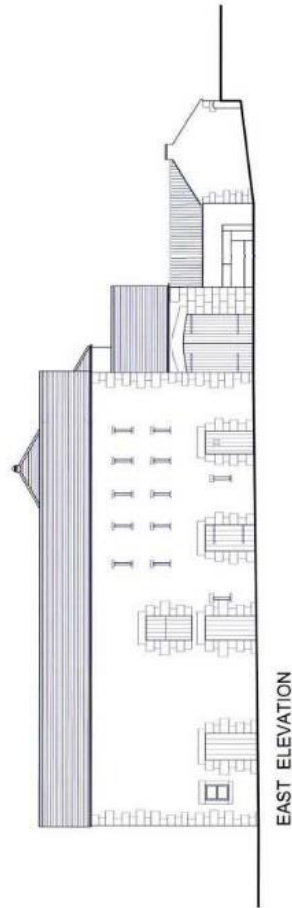
Job title

Conversion of The Gln Case, Hayton and adjoining barn into two dwellings.

Plans as Existing

Drawing by	Amendments	Client	Dig No.
R.B.		Ms. Mary Thorne & Mr. Steven Tonkin	2021/NT/685/01
Date		Scale	
20/01/2021		1:100	

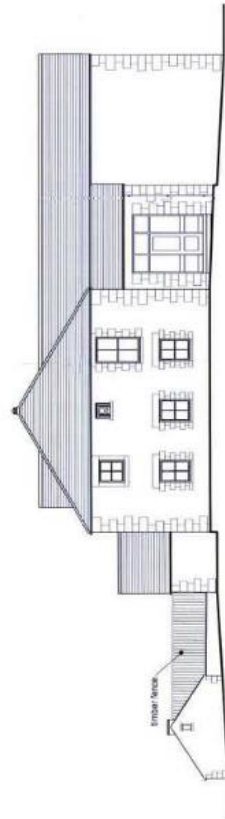
CAS 9JA



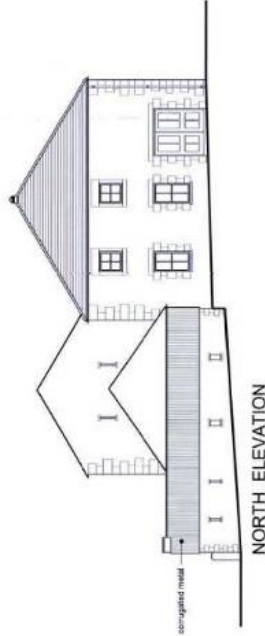
EAST ELEVATION



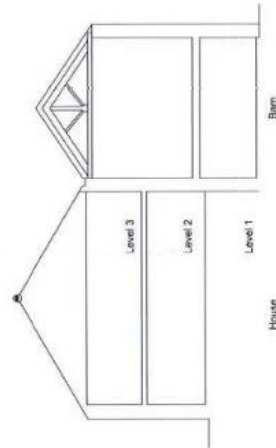
SOUTH ELEVATION



WEST ELEVATION



NORTH ELEVATION



SECTION

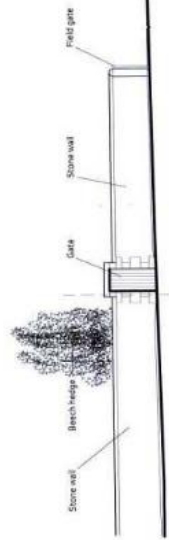
Abacus Building Design

Sandy Hill
Heads Nook, Nr. Carlisle
Cumbria, CA8 9EG

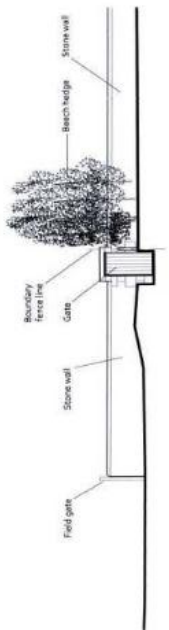
Conversion of The Gin Case, Hayton and
adjoining barn into two dwellings.

Elevations as Existing

Drawing by		Client		Dwg No.	
R.B.		Ms. Mary Thorne & Mr. Steven Tonkin		2021/MT/685/02	
Date		Amendments		Scale	
20/01/2021				1:100	
				CA8 9JA	



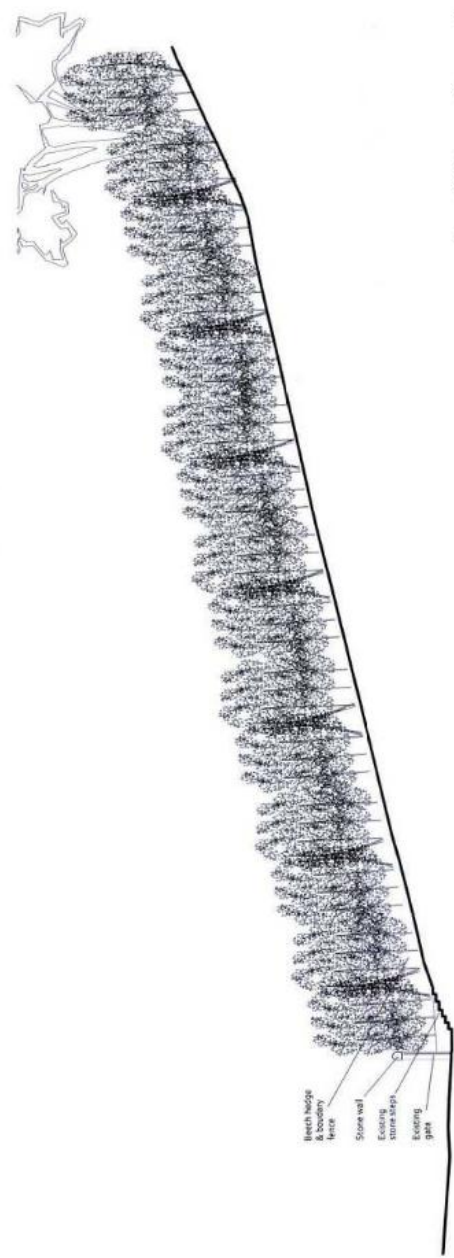
Elevation A 1:100



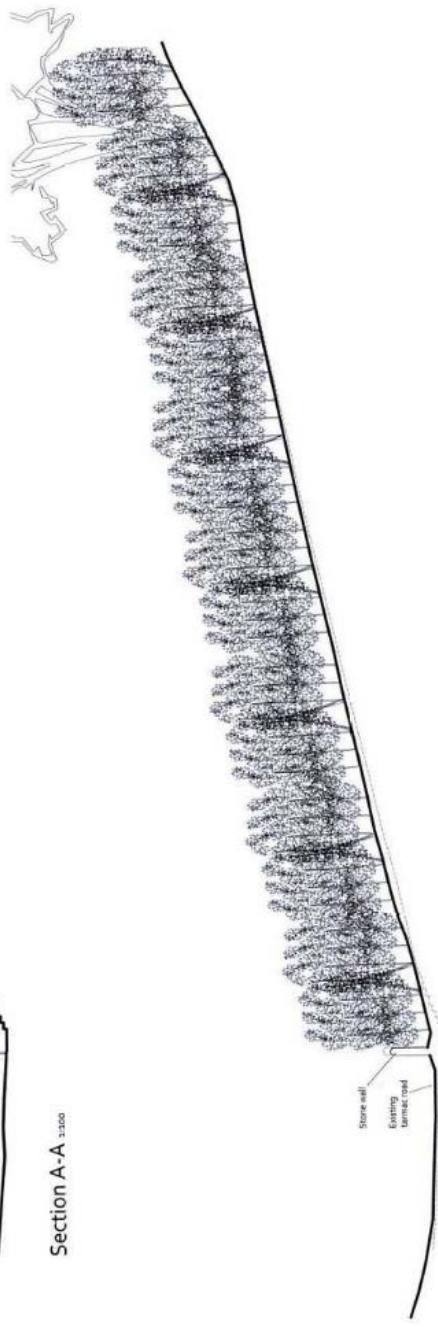
Elevation B 1:100



Elevation C 1:100



Section A-A 1:100

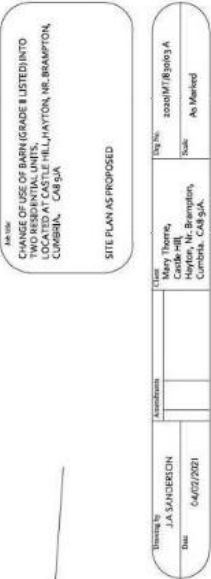


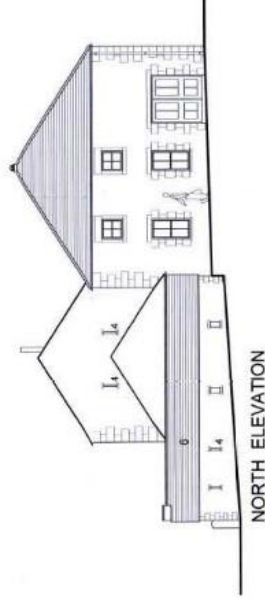
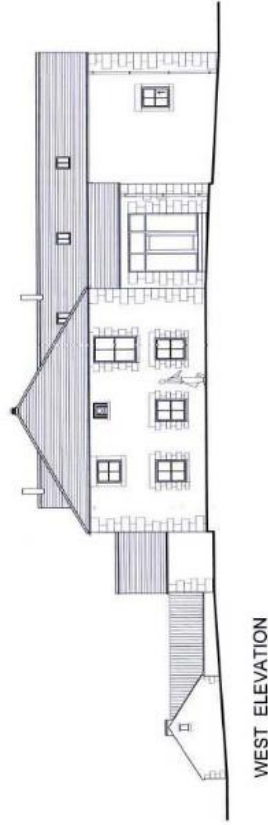
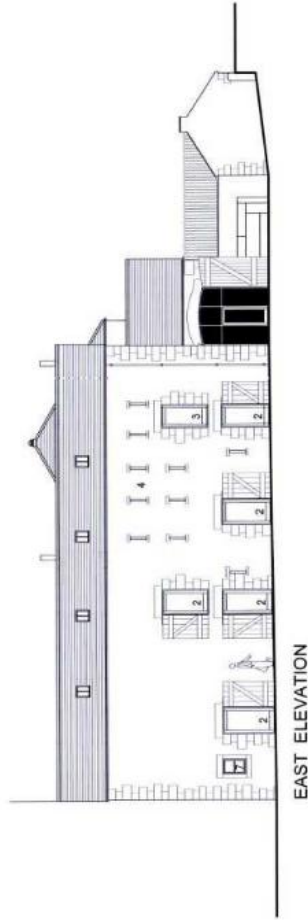
Section B-B 1:100

ALL WORK
 CHANGING USE OF BARN GRACE LISTED INTO
 TWO RESIDENTIAL UNITS
 LOCATED AT CASTLE HILL HAYTON, NR BRAMPTON,
 COMBRIA CA8 9JA

ELEVATION & SECTIONS AS EXISTING

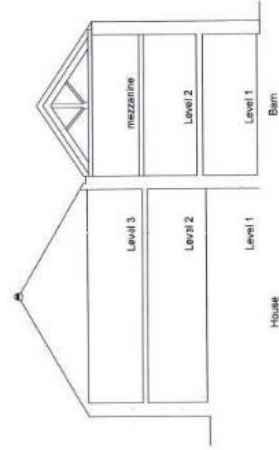
Drawn by:	J.A. SANDERSON	Checked by:	Mark Thomas	Scale:	as per MF/10/05
Date:	04/02/2021	Project:	Castle Hill, Hayton, nr Brampton, COMBRIA CA8 9JA	Year:	As Marked





- MATERIALS**
- Roofs**
- Grey slate to match existing.
- Walls**
- New walls to be constructed in accordance with the existing walls, using the same materials and construction.
 - Replacement windows to be retained and repaired as necessary.
- Windows**
- Replacement windows to be double glazed with triple panes, but with the appearance of existing sashes.
- Doors**
- External doors to be in timber, stain finish.
- Rooflights**
- Steel "Conservation" type rooflights.
- Porch**
- Rainwater goods to be stainless aluminium.

1. New window in new opening with full sandstone surround to match existing openings.
2. Existing timbered doors, including cornicing, to be retained as far as possible. New doors to be constructed in the same materials and construction as the existing doors. New doors to be double glazed with triple panes, but with the appearance of existing sashes.
3. New window and opening introduced to match those in 2 above, but without outer timber door.
4. All existing ventilation slots glazed at interior side without frames.
5. Existing timber double doors, including cornicing, to be retained as far as possible. New doors to be constructed in the same materials and construction as the existing doors. New doors to be double glazed with triple panes, but with the appearance of existing sashes.
6. Stone building work to be in situ.
7. Existing porch to be retained as far as possible, or replaced with a new porch.



Abacus Building Design
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Heads Nook, Nr. Carlisle
Cumbria, CA8 9EG

Conversion of The Gin Case, Hayton and adjoining barn into two dwellings.
Elevations as Proposed

REVISIONS: A. General revisions in response to comments. 20.02.2021

Job title

SECTION

Drawing by: R.B.
Date: 20/01/2021

Amendments

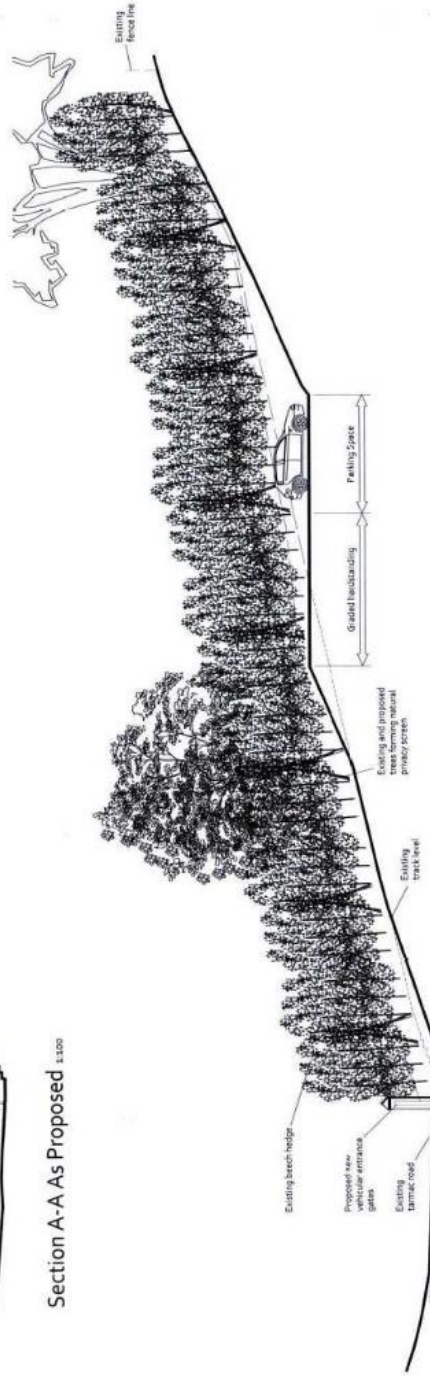
Client: Ms. Mary Thorne & Mr. Steven Tonkin
Castle Hill
Hayton, Nr. Brampton
CA8 9JA

Dwg No: 2021/MT/69504 A

Scale: 1:100



Elevation C As Proposed 1:100



Section B-B As Proposed 1:100

ELEVATIONS & SECTIONS AS PROPOSED

Driving by J.A. SANDERSON	Used/Leased	Client Mary Thorne, Castle Hill, Haydon, Nr Brampton, Cornwall, C.A. 9.6.01.	Log No 2020/M7/Regula A
Date 04/02/2021			Time As Marked