

Notice of Decision



To: Placed Town Planning Limited - Mr C HARRIS Mansion House, Penrith, Cumbria CA11 7YG
The Brambles Tel: 01768 817817
Stainton
St Johns Road
Penrith
CA11 0EY

*Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) Order 2015*

Application No: 21/0575
On Behalf Of: Mr C Benn

In pursuance of their powers under the above Act and Order, Eden District Council, as local planning authority, hereby REFUSE full planning permission for the development described in your application and on the plans and drawings attached thereto, viz:

Application Type: Full Application
Proposal: Change of use of agricultural land to domestic garden and erection of detached garden building.
Location: BANK HOUSE NEWBIGGIN PENRITH CA11 0HS

The application is REFUSED for the following reason:-

1) The proposed change of use applies to a parcel of land which is distinctly agricultural in character and forms an important visual break between the settlement of Newbiggin and the surrounding rural landscape. The proposed use could result in a significant tract of land being used in a domestic context, including the domestic paraphernalia one would normally expect in a garden, which would be inappropriate in the context of the site, would result in encroachment of the settlement of Newbiggin into the surrounding countryside, and would be damaging to the local landscape character. To grant permission would be contrary to DEV5 of the Eden Local Plan 2014-2032.

Where necessary the local planning authority has worked with the applicant in a positive and proactive manner seeking solutions to problems arising in relation to dealing with the planning application and to implement the requirements of the NPPF and the adopted development plan.

Date of Decision: 1 April 2022

Signed:

A handwritten signature in black ink, appearing to read "Fergus McMorro", is written over a horizontal line.

Fergus McMorrow BA (Hons)
Assistant Director Planning and Economic Development

Notice of Decision

The logo for Eden District Council features the word "Eden" in a large, elegant, serif font. A stylized, wavy line representing a river or landscape element is positioned behind the letter 'E'.

District Council

Mansion House, Penrith, Cumbria CA11 7YG
Tel: 01768 817817

To: Mr Mark Southerton
Springfield
Gawtersyke Lane
Kirkbymoorside
YO62 6DR

*Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) Order 2015*

Application No: 22/0090
On Behalf Of: G Miller

In pursuance of their powers under the above Act and Order, Eden District Council, as local planning authority, hereby REFUSE full planning permission for the development described in your application and on the plans and drawings attached thereto, viz:

Application Type: Full Application

Proposal: Variation of conditions 3 (occupation period), 5 (holiday letting) and 7 (second residence) to allow for a longer open season for up to 34 static caravans, attached to approval 08/0180. Re-submission of 21/0376.

Location: HORSE AND WAGON CARAVAN PARK NENTSBURY ALSTON
CA9 3LH

The reason(s) for this decision are:

That the application is REFUSED for the following reasons:

- 1) The application fails to accord with Policies DEV5, EC4, ENV2 and ENV3 of the Eden Local Plan 2014-32 for an increased opening period each year by virtue of its physical presence and the amount of human activity associated with it. The winter break from visitors gives the village a chance to return to a more traditional peaceful rural character. As such, it is considered that the increased use period of the caravan park proposed by the application would prolong any disturbance and nuisance caused by the operation of the site, and would have an adverse impact upon the amenity of local residents for an additional 7.5 week block in any calendar year, detracting from the quiet character of the settlement and this part of the North Pennines AONB.4
- 2) Furthermore, the removal of the second home restriction on the site could lead to the occupation of the static caravans for most of the year, making it difficult for the Council to demonstrate and enforce that the site was not the primary place of residence.

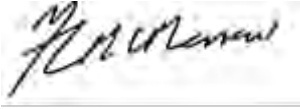
Where necessary the local planning authority has worked with the applicant in a positive and proactive manner seeking solutions to problems arising in relation to dealing with the planning application and to implement the requirements of the NPPF and the adopted development plan.

www.eden.gov.uk **Fergus McMorro BA (Hons)**
Assistant Director Planning and Economic



Date of Decision: 1 April 2022

Signed:

A handwritten signature in black ink, appearing to read 'Fergus McMorrow', is written over a horizontal line.

Fergus McMorrow BA (Hons)
Assistant Director Planning and Economic Development

Notice of Decision



To: PFK Planning & Development
Agricultural Hall
Skirsgill
Penrith
CA11 0DN

Mansion House, Penrith, Cumbria CA11 7YG
Tel: 01768 817817

*Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) Order 2015*

Application No: 21/0802
On Behalf Of: Mr & Mrs M Robinson

In pursuance of their powers under the above Act and Order, Eden District Council, as local planning authority, hereby REFUSE outline planning permission for the development described in your application and on the plans and drawings attached thereto, viz:

Application Type: Outline Application
Proposal: Outline application for residential development with all matters reserved. Re-submission of 20/0837.
Location: LAND AT MATTINSON HOUSE GREAT SALKELD PENRITH CA11 9NA

The reasons for this decision are:

That the application is refused for the following reasons:

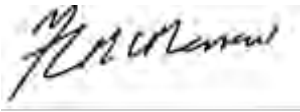
1. The proposal has failed to demonstrate that it would not have a detrimental impact on employment land provision; that the benefits arising from the new use for the locality outweigh the disadvantages caused by the loss of the employment site, or that that an employment use is not viable, as there has been no market testing. Consequently, the proposal is considered contrary to Policy EC2 of the Eden Local Plan 2014-2032.
2. The proposed development over the southern part of the site, including plots 2, 3 and 4 as shown on the indicative layout plan, which is set back behind properties, is considered to be backland development and cannot be considered as infill or rounding off. Consequently, the proposal is considered to be contrary to Policy's LS1 and HS2 of the Eden Local Plan 2014-2032.
3. The proposed development, particularly over the southern part of the site, while made in outline, has failed to demonstrate that it could positively respond to the character and function of the rural landscape contrary to Policy's DEV5 and ENV2 of the Eden Local Plan 2014 – 2032.
4. While the application is in outline only, it is supported with a indicative layout plan and planning statement that proposes the loss of Mattinson House which is a non-designated heritage asset. Without clear justification ie a structural assessment demonstrating that its retention is unviable or demonstration of clear public benefits from redevelopment sufficient to outweigh the loss of the asset and consequent harm to the

character of the conservation area, the proposed development is contrary to Policy ENV10 of the Eden Local Plan 2014-2032.

Where necessary the local planning authority has worked with the applicant in a positive and proactive manner seeking solutions to problems arising in relation to dealing with the planning application and to implement the requirements of the NPPF and the adopted development plan.

Date of Decision: 4 April 2022

Signed:

A handwritten signature in black ink, appearing to read 'Fergus McMorrow', is written over a horizontal line.

**Fergus McMorrow BA (Hons)
Assistant Director Planning and Economic Development**