

UNDERSKIDDAW PARISH COUNCIL PLANNING COMMITTEE

MINUTES OF A MEETING HELD IN THE VILLAGE HALL MILLBECK ON Tuesday 2 June 2009 AT 4.00 pm

PRESENT : Mr J Wilson (Chairman) Mrs J Boniface Mrs B Bulman, Mrs E Helme, Mr T Gibbs, Mr D Roberts, Mr J Wood

In attendance : Clerk

Members of public present Dr T Donaldson Mr M Bulman Mr C Corder

P2009.04 Apologies for absence

P2009.05 Minutes of the meeting held on 7 May 2009

P2009.06 Declarations of Interest No member declared an interest in any item on the Agenda.

P2009.07 Planning Application Re Wideways Millbeck CA12 4PS for “Demolition of existing garage and car port and construction of new garage/car port and associated works” (7/2009/2109).

The existing garage and car port were parallel to the road and had pitched roofs. The new proposed buildings would face the road and be set back to the fence line. They would extend into the garden and be built up below to take account of the slope of the hill. They would have flat roofs.

A question was raised as to why the bin store shown on the plan of the existing building should not also be included on the new plan, to maintain the appearance of the frontage.

Councillors agreed to support this application and asked that a comment about the bin store should be included in the letter, and the Clerk was instructed to write accordingly.

P2009.08 Planning Application relating to a Shed near Crosthwaite Church known as Crosthwaite Meadow smallholding, Church Lane Keswick. This was a retrospective application for approval to a shed which had been erected without notification such shed being for smallholding purposes to provide storage of feed, equipment, tools, rest and office area 7/2009/2066.

Councillors inspected the application form, plans and photographs supplied. They also considered previous correspondence which had been entered into between the Council and the Planning Authority, and also representations made to councillors by members of the public. A number of points was made : that no specific farming activity had been observed on the land; that activities consistent with residential use had been observed; that approval could constitute a precedent and alter the look of the landscape; that it was a way of getting round planning rules relating to residential development; that there were concern about the sanitary arrangements; that the holding should have an Agricultural Holdings number.

The Clerk was instructed to write expressing the Council’s strong objections to this proposal, incorporating the comments made by councillors, and to suggest the matter should be considered in Committee and not delegated and that there should be a site meeting

The next meeting would be as required by the timing of applications received.

Attached to the Minutes copies of letters written.

UNDERSKIDDAW PARISH COUNCIL

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**The Chief Planning Officer
Lake District National Park Authority
Murley Moss
Oxenholme Road
KENDAL
LA9 7RL**

Your Ref : 7/2009/2109

Date : 4 June 2009

Dear Sir

**APPLICATION NO : 7/2009/2109
LOCATION : Wideways Millbeck Keswick CA12 4PS
PROPOSAL : Demolition of existing garage and car port and construction of new
garage/car port and associated works**

Thank you for your letter of 14 May.

The Council instructs me to say that they support this proposal.

They ask me to raise one point – in connection with bin storage. The drawing of the existing garage arrangements shows a bin store recessed into the bank. The application states that the plans incorporate areas to store and aid the collection of waste, but this appears to have been omitted from the proposed plan. Given the additional space which will become available under the proposals the Parish Council would like to see the bin store re-instated, or an adequate alternative provided.

Yours faithfully

Pauline Soulsby
Parish clerk

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**The Chief Planning Officer
Lake District National Park Authority
Murley Moss
Oxenholme Road
KENDAL
LA9 7RL**

Your Ref : DMST/7/2009/2066

Date : 11 June 2009

Dear Sir

**APPLICATION NO : 7/2009/2066
LOCATION : Crosthwaite Meadow Smallholding, Church Lane Keswick
PROPOSAL : Agricultural Shed for smallholding purposes to provide storage of
feed, equipment, tools, rest and office area.**

Dear Sir

Crosthwaite Meadow Church Lane Keswick

The Parish Council instructs to me to say that it objects in the strongest terms to this application being approved.

The grounds for the objection are of two main kinds : the first ground for the objection relates to the use of this particular field, and the second relates to wider considerations of the landscape of the National Park.

First – use of this site. The Parish council has been monitoring the use of this site for the last two years, at first on a fairly casual basis and for the last six months with close interest. The field is next to the A66 and therefore what is happening on the field is immediately obvious to passers-by. The field is also highly visible to a number of properties in the Parish. (I should mention that I have received more adverse comment on this structure than on any other issue in the past eight years, and this has been both from residents in this parish, and also from people living in Above Derwent.)

In the Spring and Summer of 2008 a small tent appeared frequently in the field, and it was obvious that this was being used for overnight camping on a fairly intermittent basis. In November or

December 2008 a large hut was built on the field, first of a bright yellow colour, which was then softened by being painted green. Ancillary structures were placed round the hut, and have now been moved behind it. There is a toilet hut, another small hut believed to house a generator, a wood store, an area of hard standing and a blue van has for the last two months been parked regularly on the field, day and night.

Occupation of the hut has been increasing – in the late Winter and early Spring the signs of occupation were present for an estimated 25% of the time, more recently the occupation is approaching 100%. The signs of occupation are lighted windows in the hut at night, smoke coming from the chimney, a couple walking round the field or sitting in deck chairs, mowing of the grass with a lawn mower, planting of ornamental trees, sawing wood, hanging out washing, including sheets, cooking and washing up. A post box has appeared on the gate, and the Council understands a post code has been allocated, and the field has been given the name “Crosthwaite Meadow”.

This Council raised concerns with the Planning Officer about the use of this field in January 2009. Since then a number of letters has been exchanged, first with Kevin Richards, then with Duncan Mackay and most recently with Bill Murray. The general inclination of the officers seems to be give the owners of the field the benefit of the doubt as they were asserting an agricultural use. Copies of previous correspondence are attached.

The Council’s view is that none of the activities observed on the land have related to agriculture. They are **domestic** activities. There has been no stock on the field at any time over the last 18 months or more, nor any cultivation of an agricultural nature. The Council does not believe that an office is necessary to administer mowing the grass or planting a few trees, nor indeed for domestic washing and cooking. The Council believes therefore that whilst there may be an aspiration to lead a pastoral life on this plot, the reality is that this is not happening and also that it is not feasible. Since the owners of the field do not live locally any longer, the only way they can carry on farming operations is by living on the field. If they live on the field then eventually they will want a house to live in, and if their occupation has been tolerated it become difficult for the Planning Authority to deny them this. There are therefore significant implications for the National Park’s housing policies if the current situation on this field is given official tolerance.

The current use of the land is agricultural, but the development which has been going on is not agricultural, and therefore is not in conformity with Policy NE1 which requires development in the open countryside to be integrated with existing uses (farming not residential), to respect the character of the area in which it is situated, and not to cause harm to the landscape. The Council does not believe the development conforms to any of these requirements. The Council believes that there is a danger of “planning creep” in relation to this site, and believes that the National Park Authority should be similarly concerned, if it is to fulfil its mission of protecting the countryside.

Even if it were considered that the current use is agricultural it should not cause demonstrable harm to the landscape. This leads to the council’s **second ground for objection**. This field was originally part of a larger agricultural unit, and the whole unit therefore benefited from the permitted development rules for agricultural land. There are many other fields like this being sold throughout the country, and particularly in the National Parks. These are advertised through Estate Agents, such as Woodlands, and also sold privately. There is indeed a field immediately opposite this for sale by that company just across the A66. If each time a field is sold off it is permitted to develop into a pseudo farm, with huts and lawns and pretty trees, or even with the usual accoutrements of a small –holding – hen huts, pig sties and various huts, then the landscape character of the area will be changed. This field used to be occupied by a flock of Herdwick Sheep when the farming routine required it. It contributed to the sheep farming appearance of this part of

the National Park. The field is no longer doing this. The use of individual fields that were once agricultural should be a matter of serious concern to the NPA.

Particular questions the council considers should be looked into are :

1. Does this plot have an Agricultural Holdings number?
2. What arrangements are there for the disposal of human sewage on this site – particularly given that this is in the Bassenthwaite catchment area and very close to the Lake.
3. Given requirements for chickens to be protected at night, and for pig manure to be kept under cover, what implications for further structures on the land does this proposal raise?

The Parish Council would urge the National Park to look ahead, to see the points of principle, and the precedents which could be set and make sure that the decision of to-day does not undermine the Authority's own plans for tomorrow.

Because of the implications of this case the Council would urge that this matter should be considered by the Development Committee and that there should be a site visit.

Yours faithfully

Pauline Soulsby
Parish Clerk