

18th November 2009

To: **Jackie Ratcliffe
Planning Case Officer
Lake District National Park Authority
Murley Moss
Oxenholme Road
KENDAL
Cumbria
LA9 7RL**

Dear Ms. Ratcliffe,

**Objection to Planning Application No. 7/ 2009/3115
Proposed garage at Station House, Troutbeck, Penrith, CA11 0SJ**

We have just become aware of this application from the list "New Planning Applications within the Lake District National Park Week Ending: 24 October 2009" which we received by e-mail only yesterday (16th November 2009). I hope it is not too late to comment.

We object to the application in its present form because the proposed location of the building is on the alignment of the trackbed of the Keswick to Penrith Railway, which we are working to re-open.

Allowing this building would conflict with the Transport policy in the Authority's Local Development Framework (LDF).
Fuller details are provided below.

Below is a copy of relevant drawings submitted with the application (taken from the LDNPA planning website), highlighted to show the Railway alignment.

ALIGNMENT OF TRACKBED OF KESWICK TO PENRITH RAILWAY HIGHLIGHTED IN YELLOW

C. MARTINOWSKI
CKP RAILWAYS PLC NOV 2009



Ian Carrick
(Designs)©2009
Barn Cottage, 3 Howgate
Newbiggin, Penrith, CA11 0HT
017684 63176

Title Detached double garage
Client Mr P Jackson
Station House
Troutbeck
Penrith CA11 0SJ
Sheet 1 Of 2
Scale 1:200, 1:1250
Date 23/9/2009

Information contained within this drawing relates to the visual & special impact only. All works must be carried out in full compliance with current regulations and standards. Dimensions to be measured & checked on site. All drainage to be of Local Authority approval.

It is the responsibility of the client to thoroughly check all drawings. Any amendments must be brought to the attention of Ian Carrick (Designs). Ian Carrick (Designs) accepts no responsibility or liability for loss or damage arising from mistakes within drawing.

Building on the Railway alignment would either require the garage to subsequently be re-located to allow the Railway line to be re-instated, or for the Railway to be re-routed around the site.

Given the restrictions on curvature allowable for such a Railway and the other features in the area which constrain the alignment (including water courses, other existing buildings, ground levels and roads), re-routing the Railway would not be a viable alternative. The re-routing would need to extend for a considerable distance (possibly up to a kilometre in each direction) beyond the property boundaries and would add disproportionately to the construction costs of the Railway.

That would adversely affect the viability of the Railway re-instatement.

The draft Local Development Framework (LDF) for the Lake District National Park Authority (LDNPA) issued in June 2009 includes the following commitment: “

“Disused railway lines will be protected from development that would compromise future reuse as viable transport routes”
in the Policy section “Traffic and Transport”

Allowing the garage to be built as shown in the present plans for application number 7/2009/3115 would therefore be in conflict with the policies in the LDF and should not be permitted.

The diagram below shows the standards that we will be expected to work to when reinstating the Railway. For a double track with no station platforms, the minimum width required free of any non-railway construction, would be 8.75 metres.

Uncontrolled When Printed

Railway Group Guidance Note
 GE/GN8573
 Issue One
 Date October 2004
 Page 31 of 104

Guidance on Gauging

Part J Development of a structure gauge

J1 A possible structure gauge for Britain

The following model allows the development of a standard structure gauge based upon the parameters discussed in sections J2 and J3.

The structure gauge model is based upon the traditional BR structure gauge defined in BR Handbook 4 and further described in withdrawn Railway Group Standard GC/RT5204.

The terms 'vertical' and 'lateral' are used to describe dimensions perpendicular to, and parallel with, the plane of the rails respectively, irrespective of track cant.

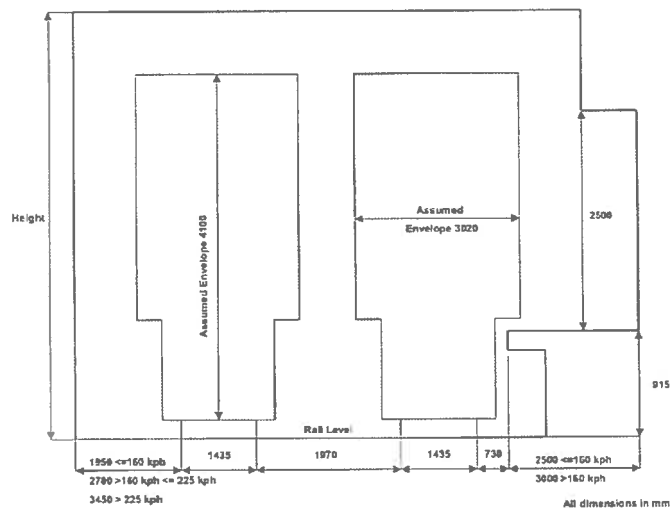


Figure 4: Model structure gauge requiring minimum associated control measures (applicable only to straight and level track)

The 3 metres gap shown between the southern wall of the garage and the property boundary (the former Railway southerly fence line) would not be sufficient even to allow a single track of standard gauge railway to be laid.

Given that this section of the Keswick to Penrith route (between Threlkeld and Penruddock) was double track, and reinstatement of double track may be necessary to cater for full rail traffic demands, the proposed location of the garage is unacceptable.

We provided a full explanation and calculations for a similar situation when we commented on planning application number 7/2007/3113.

Suggested re-location of the proposed garage

We suggest that the proposed garage could be located further to the north, within the property boundaries (marked in red) but off the trackbed alignment (yellow) so that the garage is closer to the station house, with the building lines (north side) more closely aligned.

Such an arrangement would, we suggest, also reduce the visual impact of the proposed garage by creating a single cluster rather than two separate areas of buildings.

Being located closer to the house would, we suggest, also provide benefits in terms of security as the garage would be less isolated and more easily observed from the house.

We will be happy to provide any further advice and guidance on this and related matters as necessary.

Yours sincerely,

Cedric Martindale
Director