

## PLANNING APPEAL DECISIONS

Lead Officer: Tony Pomfret – Development Services Manager

**To inform Members of recent appeal decisions in respect of an advertisement at Corkickle Service Station, Whitehaven and two cattle sheds on land at Jacktrees Road, Cleator Moor**

**Recommendation:** That the decisions be noted in the context of the Council's Local Plan Policies and also in relation to performance monitoring.

**Resource Implications:** Nil

### 1.0 SUPPORTING INFORMATION

#### 1.1 Double Sided Pole display Unit (retrospective) at Esso Corkickle Service Station, Back Corkickle, Whitehaven for Primesight Ltd.

1.1.1 Express consent for this sign situated on the forecourt of the garage was refused in August 2007 for the following reason:-

“By virtue of its location in close proximity to a heavily trafficked signalled junction which forms part of the main arterial route into Whitehaven town centre, the signage as erected is likely to cause a distraction to passing motorists to the detriment of road safety. Furthermore, the proposal constitutes unnecessary additional commercialism at variance with Policy ENV 40 of the adopted Copeland Local Plan 2001-2016 and Planning Policy Guidance Note 19 “Outdoor Advertisement Control.”

1.1.2 A subsequent appeal has been DISMISSED. The Inspector was of the view that whilst the sign did not distract drivers and therefore was not detrimental to road safety interests, it was prominent and incongruous and consequently detrimental to the interests of amenity.

1.1.3 A copy of the Inspector's decision letter is appended to this report.

#### 1.2 Two Cattle Sheds (retrospective), Land at Jacktrees Road, Cleator Moor for Mr C Mossop

1.2.1 Planning permission for the two cattle sheds was refused in May last year for the following reason:-

“In the absence of adequate access, visibility and onsite vehicle parking and turning facilities the proposed cattle sheds, one of which is built, would result in vehicles reversing onto or manoeuvring on the highway with consequent risk of additional danger to all users of the road and, as such, the proposal is at variance with Policy DEV 7 of the adopted Copeland Local Plan 2001-2016.”

- 1.2.2 Enforcement action was authorised and a subsequent Enforcement Notice served on 31 August 2007 to secure the removal of the shed which had already been erected on site.
- 1.2.3 An appeal against the Enforcement Notice has been ALLOWED and the Enforcement Notice quashed. The Inspector considered that the use of the building would only result in a minimal increase in traffic movements at the access and that this, even with substandard visibility in one direction, would not be detrimental to highway safety.
- 1.2.4 A copy of the decision notice is appended to this report.

**Contact Officer:** Heather Morrison, Senior Planning Officer

**Background Papers:** Development Services Files 4/07/2217/0 and 4/07/2445/0

**Appendices:** Copy of Inspector's decision letters