

PLANNING PANEL

MINUTES OF MEETING HELD ON 17 SEPTEMBER 2008

Present: Councillors M McVeigh (Chairman); W Southward (Deputy Chairman); J Bowman; Mrs M Docherty; G Garrity; J Jackson; A Jacob and Mrs J Williams.

Apologies for absence: Councillors A Carroll; Mrs J Hully and D Wilson.

Officers: T Pomfret, Development Services Manager; H Morrison, Senior Planning Officer; M Jepson, Head of Legal and Democratic Services and C Willoughby, Member Services Technical Support Officer.

Also present: N White, Scrutiny Support Officer (Items 8 & 9 only)

PP22 Minutes

The Minutes of the meeting held on 20 August 2008 were signed by the Chairman as a correct record.

PP23 Order of Agenda Items

Due to a Member of the Public and the Scrutiny Officer being Present, it was AGREED to take Item 5, Planning Application No 4 first, followed by Items 8 and 9.

PP24 Declarations of Interest

A Personal Interest in application **4/08/2385/0** – Application for Living and Bedroom extension & Detached Garage at 10 Fern Way, The Highlands, Whitehaven, Cumbria - was declared by Councillor M McVeigh due to him being related to the applicant and he vacated the Chair. Councillor W Southward took the Chair for this item.

A Personal Interest in application **4/08/2376/0** – Outline Application for Detached Four Bedroomed 2 Storey Dwelling – Garden to Dalelands, Sandwith, Whitehaven, Cumbria - was declared by Councillor W Southward due to him knowing the applicant.

A Personal Interest in application **4/08/2395/0** – Construction of 20 Flats & 11 Bungalows for the Elderly & Demolition of existing Walkmill Court. – Walkmill Court, Red Lonning, Whitehaven, Cumbria - was declared by Councillor G Garrity due to the application being in his area.

PP25 **Planning Applications**

Due to members of the public being present the following application was dealt with at this point of the meeting.

4/08/2385/0 – Application for Living and Bedroom extension & Detached Garage at 10 Fern Way, The Highlands, Whitehaven, Cumbria

RESOLVED that the application be Approved.

PP26 **Planning and Building Control Enforcement.**

The Panel considered the recommendations of the Overview and Scrutiny Economic Development and Enterprise Committee's Task & Finish Group. The sub-group had been established to look at how the Planning and Building Control enforcement service was dealt with by the Council.

During discussion of this item, the Panel were advised that Corporate Team had approved a Full Time Enforcement Officer (subject to the Job Evaluation process).

It was also suggested that a letter be issued with the Planning Decision notice asking the applicant to advise the Council when building work commenced.

Members thanked the Task & Finish Group and Scrutiny Support Officer for their work.

RESOLVED – that

- a) the recommendations be accepted.
- b) The Planning Manual be reviewed and, if appropriate, referred to Full Council.

PP27 **Planning Appeals.**

The Panel considered the recommendations of the Overview and Scrutiny Economic Development and Enterprise Committee's Task & Finish Group. The sub-group had been established to look at how Appeals against planning decisions were dealt with by the Council.

During consideration of this item, Members discussed Delegated Matters, Training and which planning applications are put to the Committee.

Members thanked the Task & Finish Group and Scrutiny Support Officer for their work.

RESOLVED – that

- a) the recommendations be accepted
- b) consideration be given by Full Council to substitute Planning Panel Members being identified and trained accordingly.

PP28 **Planning Appeal Decisions**

Members were informed of the Planning Inspector's decisions to DISMISS an appeal in respect of an application at Plot 2 Blythe Place Gardens, Seamill Lane, St Bees, Cumbria and to ALLOW an appeal in respect of an application at 2 Bransty Villas, Bransty Row, Whitehaven, Cumbria.

RESOLVED – that the Planning Appeal decisions be noted in the context of the Council's Local Plan Policies and also in relation to performance monitoring.

PP29 **Proposed Diversion of Public Footpath No 431021, Whitehaven.**

A report was received informing Members of the proposed diversion of Public Footpath No 431021, Moresby Parks, Whitehaven.

RESOLVED – that no objection be raised to the proposed diversion.

PP30 **Planning Applications**

The remaining applications were dealt with at this point of the meeting.

RESOLVED – That applications for planning permission be determined as shown on the schedule hereto, subject to conditions of approval and reasons for refusal as set out in the report of the Development Services Manager dated 17 September 2008 and subject to

4/08/2403/0 – Erection of New Clubhouse, Community Facility & Wind Turbine, Demolition of Existing Clubhouse, Widening of Existing Access Road to Accommodate New Cycle Lane. The County Ground, Coach Road, Whitehaven, Cumbria – Approve subject to the amendment of condition 10 and the addition of a further condition as follows:

“10. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified:
 - All previous uses
 - Potential contaminants associated with those uses
 - A conceptual model of the site indicating sources, pathways and receptors
 - Potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.”

Additional Condition:

“11. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.”

PP31 Planning Panel Site Visits

Members were advised that two applications had been deferred to allow for site visits.

RESOLVED – that Site Visits be arranged for Monday 29 September 2008 departing The Copeland Centre at 9:30am.

The meeting Closed at 3:20pm

Chairman.....

Date.....