

PLANNING PANEL

MINUTES OF MEETINGS HELD ON 22 AUGUST AND 5 SEPTEMBER 2007

Councillors M McVeigh (Chairman); W Southward; A Carroll; Mrs M Docherty; G Garrity; Mrs J Hully; J Jackson; A Jacob; D Wilson; H Wormstrup

An apology for absence was received from Councillor E Brenan

Also Present: Councillor R Salkeld

Officers: T Pomfret, Development Services Manager; H Morrison, Senior Planning Officer; M Jepson, Head of Legal and Democratic Services; N White, Scrutiny Support Officer; L Taylor, Member Services Technical Support Officer.

PP13 Minutes

The Minutes of the meeting held on 25 July 2007 were signed by the Chairman as a correct record subject to the following amendments

1. The addition of Councillor A Jacob to the list of attendees; and
2. That application 4/07/2199/0 decision on the attached schedule be minded to refuse and site visit

PP14 Schedule of Planning Applications

Due to members of the public being present (some of whom exercised their right to speak) the following applications were dealt with at this point of the meeting

4/07/2238/0 – Four Bedroomed Detached House with Garage Plot 7, Land adjacent to Railway Cottages, Moresby, Whitehaven, Cumbria – Refuse Reserved Matters

4/07/2359/0 – Single Storey Extension to Provide Garage and Erection of Rear Dormer Extensions 26 Church Street Egremont, Cumbria – Approve

(Note: Councillor M McVeigh declared a personal interest due to knowing the applicant. Councillor W Southward took the Chair)

4/07/2459/0 – To Install 1 20M High Multi-User Lattice Tower with 3 Antenna & 1 No 200mm Dish Antenna, Equipment Cabinet &

Associated Equipment Mayson Bros Yard, Chapel Street, Egremont, Cumbria – Refuse

(Note: Councillor J Jackson declared a personal interest due to knowing the objector)

4/07/2446/0 – New Conservatory at Rear of Property 32 Thornton Road, High Meadows, Whitehaven – Approve

4/07/2199/0 – 4 Detached Dormer Bungalows with Integral Garages Land Adjacent to Cross House Farm, Millom considered at the previous meeting when the Panel were minded to refuse the application, and which was brought back to the Panel for final determination in accordance with paragraph 9.2 of the Council's Planning Code of Conduct. The Chief Legal Officer advised Members on the legal and financial implications.

Prior to the vote being taken it was requested that it be recorded. The voting was as follows :-

For the Development Services Manager's recommendation to approve the application: - Councillors McVeigh, W Southward, Mrs M Docherty, H Wormstrup

Against the Development Services Manager's recommendation for the application to be approved: - Councillors G Garrity Mrs J Hully, J Jackson, A Carroll, D Wilson

RESOLVED that the application be Refused contrary to officer recommendation on grounds that

The development, as substantially constructed, fails to meet the separation distances and general amenity standards required by policies HSG 8 and DEV 6 of the adopted Copeland Local Plan 2001-2016 and, as such is deemed to be an unacceptable form of development resulting in a lowering of residential amenity standards for neighbouring residents.

(Note: Prior to consideration of this item it was noted that during the site visit on the 8 August 2007 Councillor A Jacob expressed an opinion on the outcome of the planning application contrary to paragraph 10.14 of the Council's Planning Code of Conduct. Councillor Jacob left the room during consideration of this application).

4/07/2476/0 – Listed Building Consent for Removal of Existing Greenhouse/Store and Erect Conservatory Moresby Hall, Moresby, Whitehaven, Cumbria – Approve Listed Building Consent

4/07/2477/0 – Remove Existing Greenhouse/Store and Erect Conservatory Moresby Hall, Moresby, Whitehaven, Cumbria - Approve

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 22 August 2007 and subject to

4/07/2396/0 – Erection of Two New Covered Stands with Raked Seating and Ground Improvements Whitehaven Rugby League Football Club, Coach Road, Whitehaven, Cumbria - Approve subject to Section 106 Agreement

4/07/2400/0 – Timber Framed Dormer Bungalow, Arlecdon Howe Farm, Arlecdon, Cumbria – Approve

(Note: Councillors G Garrity; J Hully; M McVeigh; W Southward; H Wormstrup declared personal interests due to knowing the applicant).

4/07/2427/0 – Conversion of Bidy Mulligans to Provide 3 New Flats Bidy Mulligans, Church Street, Whitehaven, Cumbria – Approve

(Note: Councillor H Wormstrup declared a personal interest due to knowing a resident and left the room during consideration of this application)

4/07/9011/0 – Extension of Height Area and duration of Existing Landscaping Storage Operations Sellafield, Seascale, Cumbria – That Copeland Council raise no objection to the proposal

(Note: Councillors A Carroll, J Hully, J Jackson, M McVeigh and H Wormstrup declared personal interests due to them or a member of their family being employed by BNG, Councillor J Hully left the room during consideration of this application).

PP15

Dwelling on Plot 3 Tarn Bank Braystones

Consideration was given to a report on amendments to the plans for the above development as originally approved and whether or not Members would have approved the amendments had the matter been referred to the Panel for determination.

(Note: Councillor J Jackson declared a prejudicial interest due to being consulted on the application and after exercising his right to speak left the room during consideration of this item)

RESOLVED – that had the matter been referred to the Planning Panel for determination, the revision to incorporate 6 additional window openings would have been approved.

PP16 **Planning Appeals**

Consideration was given to a report on recommendations from the Overview and Scrutiny Economic Development and Enterprise Committee on changes to procedures for appeals against planning decisions. During consideration of this item Members were informed that 3 hour time limit on meetings was about to be reached.

RESOLVED – that in accordance with Standing Order 13(b), consideration of Items 6 Planning Appeals and 7 Review of Planning Code of Conduct be deferred to 2.00pm on the 5 September 2007.

The Meeting Closed at 5:30pm and was reconvened at 2:00pm on Wednesday 5 September 2007

Present: Councillors M McVeigh (Chairman); W Southward; A Carroll; Mrs M Docherty; G Garrity; J Jackson; A Jacob; H Wormstrup

Also Present: Councillor R Salkeld

Apologies for absence were received from Councillors E Brenan; Mrs J Hully; D Wilson.

Officers: T Pomfret, Development Services Manager; M Jepson, Head of Legal and Democratic Services; N White, Scrutiny Support Officer; L Taylor, Member Services Technical Support Officer

PP17 **Planning Appeals**

Consideration was given to the report of the Development and Enterprise Overview and Scrutiny Committee Planning Appeals Task and Finish Group. The report outlined recommendations from the task group following a review on how appeals against planning decisions are dealt with by the Council

RESOLVED – that the Panel recommend to Council that

- a) Panel Members should be advised that the use of pre prepared written statements is not good practice and encourage them not to use such statements in the future.
- b) That the Chairman of the Planning Panel be involved in the process to ensure that a Planning Panel's reason for refusal/approval of planning permission, where decisions have been made contrary to Officer recommendation, are correctly recorded;
- c) That the Panel recommend to the Executive that greater priority and resources should be given to ensuring that the publication of the final version of the Copeland Local Plan 2001 – 2016 is achieved in the near future;
- d) That the Panel recommend to the Member Training and Development Panel that training sessions on the role of Councillors in Planning take place every year and be for all Members of the Council;
- e) That a report is submitted to the Development and Enterprise Overview and Scrutiny Committee in six months time detailing the changes that the Panel has made to its procedures as a result of Task and Finish Group Review and the effect of those changes.

PP18 Review of Planning Code of Conduct

The Panel considered a report reviewing the current procedures for allowing public and Members to speak at Planning Panel Meetings.

RESOLVED that

- a) The length of time given to members of the public to speak should be no longer than five minutes other than with the permission of the Chairman.
- b) That any additional material concerning the application should be circulated in advance of the meeting
- c) Ward Members to give at least seven days notice in writing should they wish to speak as an objector or supporter of an application
- d) That the length of time that Ward Members are allowed to speak should be no longer than five minutes other than with the permission of the Chairman.
- e) That in the event of a “minded to” decision both parties will be allowed to readdress the Panel
- f) Where a site visit is arranged both parties will have a right to readdress the Panel

The Meeting Closed at 3:25pm

Chairman

PLANNING APPLICATIONS CONSIDERED BY THE PLANNING PANEL ON 22 AUGUST 2007

App no	Applicant	Location	Proposal	Decision
4/07/2147/0	Mr D Heath	Site adjacent to The Lowther Arms, Main Street, Parton, Whitehaven	2 No. New Dwellings	Approve
4/07/2199/0	Mr D Simpson	Land adjacent to Cross House Farm, Millom	4 Detached Dormer Bungalows with Integral Garages	Refuse
4/07/2238/0	Mr & Mrs G Ross	Plot 7, Railway Cottages, Moresby, Whitehaven	Four Bedroomed Detached House with Garage	Refuse Reserved Matters
4/07/2346/0	Thomas Milburn (Property) Ltd	Land adjacent to Seacote Hotel, St Bees	Demolition of Existing Bungalow, Erection of 1 No. Two Storey House, 1 No. Two Storey Block of 4 Flats, Replace Single Storey Apartments with a Block of 6 No. Two Storey Terrace Houses	Approve
4/07/2359/0	Mr & Mrs McFarland	26 Church Street, Egremont	Single Storey Extension to Provide Garage and Erection of Rear Dormer Extensions	Approve
4/07/2383/0	Home Housing Association Ltd	44-52 Greenmoor Road, Egremont	Replacement of 9 No. Bungalows with 8 No. Semi Detached Bungalows	Approve
4/07/2396/0	Whitehaven Rugby League Football Club	Whitehaven Rugby League Football Club, Coach Road, Whitehaven	Erection of Two New Covered Stands with Raked Seating and Ground Improvements	Approve subject to Section 106 Agreement

4/07/2400/0	Mr & Mrs Leyton	Arlecdon How Farm, Arlecdon	Timber Framed Dormer Bungalow	Approve
4/07/2412/0	Mrs C Kearney	Sea View (Island View), Nethertown, Egremont	Demolish Old Dwelling and Erect new Beach Bungalow	Approve subject to Section 106 Agreement
4/07/2427/0	Me Me Me Brighton Ltd	Biddy Mulligans, Chapel Street, Whitehaven	Conversion of Biddy Mulligans to Provide 3 New Flats	Approve
4/07/2445/0	Primesight Ltd	Esso, Corkickle Service Station, Back Corkickle, Whitehaven	Double Sided Pole Display Unit (Retrospective)	Refuse Advertisement Consent
4/07/2446/0	P Wigham	32 Thornton Road, High Meadows, Whitehaven	New Conservatory at Rear of Property	Approve
4/07/2459/0	Hutchison 3G	Mayson Bros Yard, Chapel Street, Egremont	To install 1 20m High Multi-User lattice Tower with 3 Antenna & 1 No. 200mm Dish Antenna, Equipment Cabinet & Associated Equipment	Refuse
4/07/2476/0	Mr D & Mrs J Saxon	Moresby Hall, Moresby, Whitehaven	Listed Building Consent for Removal of Existing Greenhouse/Store and Erect Conservatory	Approve Listed Building Consent
4/07/2477/0	Mr D & Mrs J Saxon	Moresby Hall, Moresby, Whitehaven	Remove Existing Greenhouse/Store and Erect Conservatory	Approve
4/07/2486/0	Tesco Stores Ltd	Land at Bransty Row, North	Erection of Retail Superstore (Use	Site Visit

Shore Road, Whitehaven

Class A1) & Associated Parking,
Access, Petrol Filling Station &
Ancillary Works

CCC Application

4/07/9011/0 Sellafield Limited

Sellafield, Seascale

Extension of Height Area and
Duration of Existing Landscaping
Storage Operations

Recommend Permission
be granted