

PLANNING PANEL

MINUTES OF MEETING HELD ON 10 NOVEMBER 2010 at 2:00pm IN THE BAINBRIDGE ROOM, THE COPELAND CENTRE.

Present: Councillors; W Southward (Chairman); Mrs M Docherty (Deputy Chairman); Mrs E Eastwood; G Garrity; Mrs J Hully; A Jacob; J Park and P Tyson.
Substitute Members: Councillors R Salkeld and Mrs J Williams.

Apologies for absence: Councillors G Blackwell, J Jackson and D Wilson

Officers: T Pomfret, Development Control Manager; H Morrison, Senior Development Control Officer; M Jepson, Head of Legal & Democratic Services (For Item 6 only); C Boyce, Legal Services Manager (For Items 9-13) and C Willoughby, Member Services Technical Support Officer.

PP50/10 Minutes

The Minutes of the meeting held on 13 October 2010 were signed by the Chairman as a correct record.

PP51/10 Declarations of Interest

Councillor J Park declared a personal interest in Applications 4/10/2387/OF1 Proposed Extension of Existing Holiday Village at Port Haverigg Holiday Village, Steel Green, Millom, Cumbria, and 4/10/2426/OF1 Application to replace an Extant Permission to Expand the Time Limit for Implementation (4/07/2735) for 81 dwellings at Poolside, Port Haverigg, Millom, Cumbria, due to being a member of the Duddon Estuary Partnership.

Councillors P Tyson and G Garrity declared a personal interest in Agenda Item 10 Revocation of Hazardous Substances Consent at the former Albright & Wilson Ltd Whitehaven Works, due to receiving a pension from Albright & Wilson Ltd.

PP52/10 Planning Applications

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

4/10/2447/OF1 – Application For Change of Use from Sweet Shop to Taxi Booking Office at 27 Market Place, Egremont, Cumbria.

During discussion of this item Mrs E Quayle spoke in objection to the application.

The Applicant, Mr G Merrett, exercised his right to respond.

RESOLVED – That the application be Approved.

The Planning Applications were dealt with at this point of the meeting.

(Note: Councillors R Salkeld and Mrs J Williams took no part in the consideration of applications 4/10/2387/OF1 Proposed extension of Existing Holiday Village at Port Haverigg Holiday Village, Steel Green, Millom, Cumbria, and 4/10/2426/OF1 Application to replace an Extant Permission to Expand the Time Limit for Implementation (4/07/2735) for 81 dwellings at Poolside, Port Haverigg, Millom, Cumbria, due to having not attended the site visits on 29 September 2010)

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 Control Manager dated 10 November 2010 and subject to:

4/10/2387/OF1 – Proposed extension of Existing Holiday Village at Port Haverigg Holiday Village, Steel Green, Millom, Cumbria,

RESOLVED – That the application be Approved subject to the amendment of condition 2, the addition of a further condition and renumbering of conditions 3 to 10:-

2. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them:-

- Location Plan, 1:2500 scale, received 17 August 2010.
- Landscape Assessment Port Haverigg Holiday Village, tba landscape architects, ref NF/June2010/3833, received 17 August 2010.
- Design and Access Statement, by Frank Whittle Partnership, July 2010, received on 17 August 2010.
- Planning Statement Port Haverigg Holiday Village, by De Pol Associates, August 2010, received 17 August 2010.
- Flood Risk Assessment, Hamilton Technical Services, 6 August 2010, received 17 August 2010.
- Utility Services Assessment, Hamilton Technical Services, 6 August 2010, received 17 August 2010.
- Transport Assessment, TTHC, ref MAW/M09014-01B, 7 July 2010, received 17 August 2010.

- Extended phase 1 Habitat Survey & Baseline Ecological Assessment, Cameron Crook, July 2010, received 17 August 2010.
- Geo Environmental Desk Top Report, TSP for Frank Whittle Partnership, Volume 1, Revision 53, May 2010, received 17 August 2010.
- Amended Proposed Site Plan, 1:1500 scale, dwg no. 4244-02 Rev B, received 4 November 2010.
- Amended Proposed Site Sections, dwg no. 4244-07, received 6 October 2010.
- Topographical Survey, 1:1500, dwg no. 4244-01, received 17 August 2010.
- Amended Proposed Toilet Block Layout, scale 1:100, dgw no. 4244-05 Rev A, received 6 October 2010.
- Proposed Tourist Information Centre & Café, dwg no. 4244-03, received 17 August 2010.
- Location Plan, 1:2500 scale, dwg no.4244-00, received 17 August 2010.
- Proposed Park Maintenance Compound, scale 1:1200, dwg no. 4244-04, received 17 August 2010.
- Proposed Communal Site Facility, dwg no. 4244-06, received 17 August 2010.
- Landscape Mitigation, scale 1:750, dwg no. 3833.01, Revision A, received 4 November 2010.
- Static Caravan Details: The Highgrove, The Melrose, The Ridgeway and The Rosedale by Carnaby Caravans Ltd, received 17 August 2010.

Reason for the amended condition:-

To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

New Condition

3. That the development be carried out in accordance with the recommendations to protect natterjack toads as set out in the letter from Natural England dated 4 November 2010.

Reason for the condition:-

To minimise the risk to the protected natterjack toad population from the proposed development.

Conditions 3 to 10 detailed in the report are renumbered Conditions 4 to 11.

PP53/10 Planning Appeal Decision

Members were informed of the outcome of a recent Appeal decision in respect of Rose Cottage, High Street, Whitehaven, Cumbria.

RESOLVED – That the decision to DISMISS the appeal be noted in the context of the Council’s Local Plan Policies and also in relation to performance monitoring.

PP54/10 Development Control Performance Monitoring

Members were informed of the Development Control Performance for the first half of 2010/11 (1 April – 30 September) against Best Value Performance Indicators.

The Panel were delighted that top quartile performance had again been achieved in respect of all three categories of planning applications.

Members requested that their thanks be passed on to the Development Control Department for making Copeland one of the best performing authorities in the country

RESOLVED – That

- a) the report be noted, and
- b) the Development Control Department be thanked for their hard work.

PP55/10 Whitehaven Town Centre And High Street Conservation Areas- Review Of Conservation Area Boundary

Members considered recommendations made by Executive in respect of the review of the boundaries of the Whitehaven Town Centre and High Street Conservation Areas.

RESOLVED – That

- a) the three areas described in paragraphs 2.2, 2.3 and 2.4 of the Executive report dated 10 February 2010 and being Castle Park/Crowpark Wood, Wellington Row/Hilton Terrace/Solway View and Brackenthwaite/Bransty together with the sites of the former Bus Station and Bus Depot as described in the Executive report dated 18 May 2010 be designated as Conservation Areas for the purposes of Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- b) the areas in a) above together with the existing Whitehaven Town Centre and High Street Whitehaven conservation areas be known as the Whitehaven Town Centre Conservation area and as shown edged red on the plan titled “Appendix A: Proposed Whitehaven Town Centre Conservation Area Boundary” and dated 1 October 2010.

- c) the Secretary of State and the Historic Buildings and Monuments Commission for England (English Heritage) be notified of such designation and that notice of the designation be published in accordance with the statutory requirements.

PP56/10 **Revocation of Hazardous Substances Consent At The Former Albright And Wilson Ltd Whitehaven Works**

The Panel considered a report and recommendations regarding a redundant hazardous substances consent at the former Albright and Wilson Ltd Whitehaven works.

During discussion of this item members requested further information including a statement on environmental issues. It was proposed by Councillor Garrity, seconded and duly **AGREED**, that the item be deferred to a future meeting to allow for further information and an environmental statement to be obtained.

PP57/10 **Diversion of Public Footpath No.431056 (Former Haig Colliery Coastline)**

A report was received informing the Panel of a Temporary Closure Order in respect of Public Footpath No 431056 which was made because of danger to the public as a result of unstable cliffs and visual subsidence and a recommendation of a permanent diversion of the footpath.

RESOLVED – that

- a) the Public Path Diversion order in respect of Public Footpath No 431056 under section 119 of the Highways Act 1980 be made, and
- b) the determination of the exact line of the diversion route be delegated to the Head of Legal and Democratic Services together with the determination of any issues that may be raised by the Land Trust or the Cumbria County Council relating to the footpath diversion order.

PP58/10 **Diversion of Public Footpath No.431001 (Land At The Rear Of Bransty Road)**

A report was received informing the Panel of a Temporary Closure Order in respect of Public Footpath No 431001 which was made because of danger to the public due to land slippage and a recommendation of a permanent diversion of the footpath.

RESOLVED – that

- a) the Public Path Diversion order in respect of Public Footpath No 431001 under section 119 of the Highways Act 1980 be made, and

- b) the determination of the exact line of the diversion route be delegated to the Head of Legal and Democratic Services together with the determination of any issues that may be raised by the Land Trust or the Cumbria County Council relating to the footpath diversion order.

PP59/10 Diversion of Part of Public Footpath No.413012 Under Section 257 of the Town & Country Planning Act 1990

The Panel considered a request to make a Public Footpath Diversion Order under Section 257 of the Town & Country Planning Act 1990 at Swallow Barn, Lowca, Whitehaven.

RESOLVED – that the Public Path Diversion Order under Section 257 of the Town & Country Planning Act 1990 be made in respect of Public Footpath No 413012 from points A-B-C to points A-D-C on the plan attached to the Agenda Report, subject to the Applicant being responsible for payment of the Council’s costs of making the Order and the provision of an access gate.

PP60/10 Planning Panel Site Visits

It was noted that there was one Site Visit resulting from the meeting, being at Haig Enterprise Park, Whitehaven, Cumbria.

RESOLVED – that the Site Visit be arranged for Wednesday 24 November 2010, meeting at the site at 10:00am.

The meeting closed at 3:25 pm

Chairman.....

Date.....

PLANNING APPLICATIONS CONSIDERED BY THE PLANNING PANEL ON 10 NOVEMBER 2010

App. No	Applicant	Location	Proposal	Decision
4/10/2387/0F1	Port Haverigg Holiday Village	Port Haverigg Holiday Village, Steel Green, Millom	Proposed extension of existing Holiday Village	Approved
4/10/2426/0F1	Graisley Properties	Poolside, Port Haverigg, Millom	Application to replace an extant permission to extend the time limit for implementation (4/07/2735) for 81 dwellings	Approved
4/10/2447/0F1	Merretts Taxis	27 Market Place, Egremont	Change of use from sweet shop to taxi booking office	Approved, for temporary period of 12 months
4/10/2466/0F1	Waterside Investments Ltd	Haig Enterprise Park, Kells, Whitehaven	Erection of three 15m Wind Turbines	Site Visit