

RELEVANT INFORMATION

The planning applications referred to in this agenda together with responses from consultations and all other representations received are available for inspection with the exception of certain matters relating to the personal circumstances of the applicant or objector or otherwise considered confidential in accordance with Local Government (Access to Information) Act 1985.

In considering the applications the following policy documents will, where relevant, be taken into account:-

Town and Country Planning Act 1990

Planning and Compulsory Purchase Act 2004

Cumbria and Lake District Joint Structure Plan

Copeland Local Plan 2001-2016 – Adopted June 2006

Lake District National Park Local Plan – Adopted May 1998

Cumbria Car Parking Guidelines

Department for Communities and Local Government (DCLG) Circulars:-

In particular:

22/80	Development Control, Policy and Practice
15/88	Environmental Assessment
15/92	Publicity for Planning Applications
11/95	The Use of Conditions in Planning Permissions
01/06	Guidance on Changes to the Development Control System

Department for Communities and Local Government (DCLG):-

Planning Policy Guidance Notes and Planning Policy Statements

Development Control Policy Notes

Design Bulletins

STANDARD CONDITIONS

In order to save space standard conditions applied to all outline, full and reserved matters consents have been omitted, although the numbering of the conditions takes them into account. The standard conditions are as follows:-

Outline Consent

1. The layout, scale, appearance, means of access thereto and landscaping shall be as may be approved by the Local Planning Authority.

2. Detailed plans and drawings with respect to the matters reserved for subsequent approval shall be submitted to the Local Planning Authority within three years of the date of this permission and the development hereby permitted shall be commenced not later than the later of the following dates:-
 - a. The expiration of THREE years from the date of this permissionOr
 - b. The expiration of TWO years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reserved Matters Consent

The development shall be carried out in accordance with the plans submitted and in accordance with the conditions attached to the outline planning permission.

Full Consent

The development hereby permitted shall be commenced within THREE years from the date hereof.

ITEM NO: 1.



To: PLANNING PANEL

Development Control Section

Date of Meeting: 24/04/2013

Application Number:	4/12/2530/0F1
Application Type:	Full : CBC
Applicant:	James Hall & Co Ltd
Application Address:	FORMER G & M SUPPLIES, IVY MILL, MAIN STREET, HENSINGHAM, WHITEHAVEN
Proposal	DEMOLITION OF EXISTING BUILDING TO FACILITATE REDEVELOPMENT OF THE SITE TO FORM A FUEL FORECOURT WITH AN ASSOCIATED CONVENIENCE STORE AND PARKING; ERECTION OF A LINK TO REAR OF EXISTING SHOP; EXISTING SHOP TO BE CONVERTED INTO TWO SMALL RETAIL UNITS WITH A FURTHER PART USED FOR SHOP STORAGE
Parish:	Whitehaven
Recommendation Summary:	Approve (commence within 3 years)



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INTRODUCTION

This application relates primarily to the site of the former G & M Supplies unit at Ivy Mill, Main Street, Hensingham, Whitehaven. The site is occupied by the single storey building which currently houses a catering and kitchen supplies business, with access to the front of the site onto Hensingham Main Street. Also included within the development site is the single storey Spar retail unit to the south of Ivy Mill, fronting onto Richmond Hill Road.

At the meeting on 05 December 2013 Members resolved to carry out a site visit before determining the application. The site visit took place on Wednesday 16 January 2013. The application was withdrawn from the agenda on 30 January 2013 to allow further discussions

regarding the proposed 24 hour usage to clarify whether it would have adverse impacts on the residential amenity of the occupiers of the nearby houses which flank the site.

PROPOSAL

Planning permission is sought for the redevelopment of the site to provide a petrol filling station with an associated convenience store and parking on the site. The proposed new convenience store would replace the existing Spar retail unit, which would subsequently be converted into two smaller retail units available for let. An additional section is also to be retained for use as storage and deliveries for the new store. This would then be connected into the new store by a link building at first floor level due to the difference in levels across this part of the site. The existing parking and access arrangements to Richmond Hill Road would remain as existing.

The new convenience store would be a single storey building located to the rear of the site, providing a retail area of 232sqm. 23 parking spaces, including 2 disabled spaces, would be located to the side and front of the building. Externally the building will be finished with dark grey powder coated aluminium with a light grey colour on the window frames.

The petrol forecourt would be located 15m from the front elevation of the building, in the middle of the site. This would consist of 4 pump units, allowing 8 cars to refuel at any one point. Further to the north west the existing access onto Main Street will then be widened to allow a two way access with improved visibility.

The petrol forecourt are would be covered by a canopy 16.0m x 14.3m in size with a total height of 6.0m.

The application seeks permission to operate the site on a 24 hour basis.

The following information has been submitted with the application:-

- Detailed layout and elevation plans to illustrate the proposed development

- A design and access statement
- A noise impact assessment
- A transport assessment
- A desktop study report
- A site investigation report

PLANNING POLICY

National Planning Policy

The National Planning Policy Framework (NPPF) which came into effect in March 2012, sets out the Government's current planning policies and how these are to be applied. It introduces a presumption in favour of sustainable development and emphasises that the purpose of the planning system is to contribute to the achievement of this. Paragraph 17 of the NPPF covers 12 key principles of the planning framework, one of which states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

In terms of delivering sustainable development paragraphs 18, 19 and 20 are relevant and advocate this. They emphasise the commitment towards building a strong, competitive economy.

The NPPF also recognises that planning has a social role in supporting strong, vibrant and healthy communities. This is emphasised in Section 8 and paragraph 69. Paragraph 70 identifies what planning should do to deliver the facilities communities need including ensuring that there is an integrated approach to considering the location of economic uses, community facilities and services.

Paragraph 123 clarifies that planning decisions should aim to avoid noise giving rise to significant adverse impacts on health and quality of life as a result of new development but does recognise that it is appropriate to secure mitigation through the use of planning conditions to overcome these impacts.

The NPPF is a material consideration in determining planning applications and requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.

It allows full weight to be given to relevant local plan policies until March 2013. The Copeland Local Plan 2001-2016, adopted in 2006, falls into this category. In respect of this application key policies of the adopted Copeland Local Plan identified below remain relevant to the assessment of this application.

Adopted Copeland Local Plan 2001 - 2016

Whitehaven is defined as a Key Service centre under Policy DEV 2 of the adopted Copeland Local Plan 2001-2016. The site lies within the designated development boundary for Whitehaven as set out in Policy DEV 4. This policy gives priority to the development of previously developed land rather than Greenfield land.

Policy DEV 6 of the Local Plan encourages a high standard of design and the provision of a safe and convenient access, egress and internal circulation for all users.

Policy EMP 5 permits proposals for appropriately scaled employment development within key service centres.

Policy TCN 2 sets out a sequential test for retail development with out of centre locations given the least priority. Any out of centre locations will be required to demonstrate a need for the development and the potential impacts on nearby service centres and accessibility will be taken into consideration.

Policy TCN 14 encourages small scale retail development in suburban areas to meet the needs of the local community.

Emerging Local Planning Policies

The Core Strategy and Development Management Policies DPD which will replace most of the Policies in the Local Plan 2001-16 is now at an advanced stage of production. Consultation on the Pre-Submission Draft took place over the summer. A public Examination took place in April 2013.

The Policies in the Core Strategy and Development Management Policies DPD are a material consideration when determining planning applications. Once the Inspector has issued his

report following the examination then greater weight can be attached to these policies, particularly given the limited scale of objection to the strategy and its consistency with up to date national policy guidance. The document is currently due to be adopted in August 2013.

Policy ST1 of the Core strategy sets out the fundamental principles that will achieve sustainable development.

Policy ST2 sets a spatial development strategy whereby development should be guided to the principle settlement and other centres and sustain rural services and facilities.

Policy DM10 requires new development to be of a high standard of design to enable the fostering of 'quality places'. In doing so development should respond positively to the character of the site and it's immediate and wider setting, paying careful attention to scale, massing and arrangement. Likewise, development should create and maintain reasonable standards of general amenity.

Policy DM11 seeks to ensure that development proposals reach high standards of sustainability.

CONSULTATION RESPONSES

Cumbria Highways

Raise no objections subject to conditions.

Crime Prevention Design Advisor

Commented that no mention of crime prevention issues was made in the design and access statement. In addition a proposed pedestrian link between the higher level proposed garage site and the existing retail unit would likely be a crime generator. In response the applicant has now amended the design and access statement and has removed the proposed pedestrian link, which now raises no objections from the Crime Prevention Design Advisor.

Health and Safety Executive

Doesn't advise against this form of development on this site.

Environmental Health

An objection was originally received from the Environmental Health Officer on the basis that the noise assessment did not adequately detail acceptable noise levels for a 24 hour use in a residential area. However following further discussions and the submission of an addendum to original noise report he is now satisfied that a 24 hours use, controlled by appropriate conditions, will be acceptable on the site.

Environment Agency

No objections subject to conditions.

In addition 9 letters of objection have been received from local residents. Their concerns can be summarised as follows:-

- Traffic concerns relating to the increased use of the access to the site which may cause accidents and congestion problems.
- Children from the schools will congregate at the new spar/petrol station.
- Lighting from the retail unit and petrol forecourt will cause light pollution.
- The location of the retail use will cause a loss of privacy to the surrounding residents.
- The 24 hour usage will adversely affect residential properties in terms of noise and general disturbance.

ASSESSMENT

The proposed site occupies a prominent location within the residential area of Hensingham and includes the redevelopment of an existing commercial site. The main issues to consider with this application relate to noise nuisance, opening hours, potential impact on residential amenity, highways issues and contamination. These issues are considered below:-

Impact on residential amenity:

Noise nuisance

As detailed above, local residents have raised concerns regarding a potential noise increase due to the location and nature of the proposed use in a residential area. However within the submission the applicants have included a noise impact assessment. This concludes that the dwellings to the rear of the site on Muncaster Road are likely to be less affected from noise nuisance than the existing situation due to the relocation of the plant associated with the retail unit.

24 hour use

The proposed 24 hour opening of the petrol station and retail unit is also of concern to the local residents due to noise and increased activity levels. However following the submission of the additional noise information, the Environmental Health Officer is now satisfied that a 24 hour use on the site will be acceptable, subject to suitable conditions being included on any grant of planning permission.

Proximity to residential properties

While the proposed development will result in the retail unit being sited closer to the rear boundary of the site than the existing G & M Supplies building, it is a single storey structure which has been designed with a very low roof level to reduce any impact on residential amenity to the properties on Muncaster Road. The other main impact on residents is the proposed lighting of the site, due to the proximity of the residential properties. As originally submitted the proposed included 4m high lighting column around the site, included to the parking area near to the boundary with the properties on Muncaster Road. Following negotiation however this has been amended to low level bollard lighting around the site.

Traffic issue

Concerns have also been raised regarding the increased traffic that the development would create, due to its location off the main road through Hensingham. The Highway Authority has indicated that the details included in the Transport Assessment are acceptable in terms of improved access into the site to accommodate the likely volumes of traffic associated with the development. The Highway Authority is satisfied that highway issues can be adequately dealt with by appropriately worded planning conditions.

Contamination

The report submitted does not identify any contaminants but identifies a number of potentially contaminative historical activities which have occurred on or close to the site including a previous petrol filling station. In light of this the Environment Agency are satisfied that the matter can be adequately dealt with by condition.

CONCLUSION

This scheme is considered to represent an acceptable proposal for the redevelopment of an existing commercial site within the settlement boundary of Whitehaven which will also provides two new retail units in the existing building. The proposal will provide a useful service and retail facility within a suburban area and will also enable the existing business to relocate to a local industrial site which will be better suited to its needs as a large showroom space is no longer required. It is therefore considered to comply with the policies of the adopted Copeland Local Plan 2001 – 2016 and the provision of the National Planning Policy Framework.

Recommendation:-

Approve

Conditions

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason

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

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 Scale 1:1250 received by the Local Planning Authority on 16 November 2012.
 - Sketch scheme 6 Scale 1:200 drawing no PL-01 Rev C received by the Local Planning Authority on 21 January 2013.
 - Elevations Scale 1:100 drawing no PL-02 received by the Local Planning Authority on 16 November 2012.
 - Existing site survey 1:200 drawing no TRI-0709-01 received by the Local Planning Authority on 16 November 2012.
 - Site sections Scale 1:100 drawing no PL-03 received by the Local Planning Authority on 16 November 2012.
 - Lighting scheme Scale 1:100 drawing no PL-04 Rev B received by the Local Planning Authority on 14 January 2013.
 - Site sections C-C Scale 1:100 drawing no PL-05 received by the Local Planning Authority on 15 February 2013.
 - Transport Assessment T1636 October 2012 received by the Local Planning Authority on 16 November 2012.
 - Desk Study 11/0305 September 2011 received by the Local Planning Authority on 16 November 2012.
 - Environmental Site Investigation 11/0305 October 2011 received by the Local Planning Authority on 16 November 2012.
 - Noise Impact Assessment P2272/R1AGB November 2012 received by the Local Planning Authority on 16 November 2012.
 - Noise Impact Assessment Report Addendum RefE2627/L01/AGB received by the Local Planning Authority on 26 March 2013.
 - Design and access statement received by the Local Planning Authority on 16 November 2012.

Reason

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.

3. The access drive shall be surfaced in bituminous or cement bound materials, or otherwise bound, and shall be constructed and completed before the development is brought into use. The access shall be so maintained thereafter.

Reason

In the interests of highway safety.

4. Full details of the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to development being commenced. Any approved works shall be implemented prior to the development being completed and shall be maintained thereafter.

Reason

In the interests of highway safety.

5. The footway (shown on drawing no PL-01 Rev C) shall be constructed prior to the first use of the site as a petrol filling station and shall remain usable thereafter to provide a continuous and convenient link to the nearest existing footway.

Reason

In the interests of highway safety.

6. The use of the site as a petrol filling station shall not commence until the access and parking requirements have been constructed in accordance with the approved plan. Any such access and parking provision shall be retained and be capable of use when the development is completed and shall not be removed or altered without the prior written consent of the Local Planning Authority.

Reason

In the interests of highway safety.

7. Details of the proposed access and parking/turning construction on site shall be submitted to and agreed in writing with the Local Planning Authority prior to development commencing. This shall include work schedule details to ensure the access and parking/turning area is substantially constructed before any building work commences on site so that the construction traffic can park and turn clear of the highway.

Reason

In the interests of highway safety.

8. The development hereby permitted shall not be commenced until such time as a scheme to install underground storage tanks (UST's) has been submitted to, and approved in writing, the Local Planning Authority. The scheme shall include the full structural details of the installation, including details of excavation, the tank(s), tank surround, and associated pipework and monitoring system. The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme, or any changes as may subsequently agree, in writing by the Local Planning Authority.

Reason

To protect groundwater from contamination

9. No development approved by this permission shall take place until a scheme that includes the following components 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.
- a) 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.
 - b) A site investigation scheme based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - c) The results of the site investigation and detailed risk assessment referred to in (b) and based these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (c) are complete and identifying any requirements for longer term monitoring of pollution linkages, maintenance and arrangements for contingencies.
- Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason

To ensure the development does not increase the risk of pollution to controlled waters.

10. Details of the proposed lighting, including lux levels, shall be submitted to and approved in writing by the Local Planning Authority before they are brought into use. Development shall be carried out in accordance with the approved details and so maintained thereafter. No other external lighting shall be erected within the site without the prior written approval of the Local Planning Authority.

Reason

To minimise the risk of light pollution.

11. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: the parking of vehicles of site operatives and visitors loading and unloading of plant and materials; storage of plant and materials used in constructing the development; the erection and maintenance of security hoarding; wheel washing facilities; measures to control the emission of dust and dirt during construction; a scheme for recycling/disposing of waste resulting from demolition and construction works; phasing of the development works, including timing of the demolition works and commencement of the building work and implementation of the access and parking areas during construction.

Reason

To protect the amenity of residents and the appearance of the site during construction.

12. No work for the construction of this development, including demolition, shall take place on site outside of the hours of 8am to 6pm on Monday to Friday and 8am to 1pm on Saturday. In particular no work shall be carried out on Sundays or officially recognised public holidays without the prior written agreement of the Local Planning Authority.

Reason

To protect the amenity of residents during construction.

13. In accordance with AEC's Noise Impact Assessment Addendum deliveries, apart from newspapers and fuel, shall not take place outside the following hours:

- 1) 7am to 8pm Monday to Friday
- 2) 7am to 6pm Saturday and Bank Holidays
- 3) 7am to 2pm Sunday

Reason

To protect the amenity of residents.

14. In accordance with AEC's Noise Impact Assessment Addendum, the delivery of fuel, the collection of waste and the operation of air/water facilities for vehicles shall not take place outside the hours of 7am to 10pm.

Reason

In the interests of residential amenity.

15. Before the retail store and/or petrol filling station are first brought into use a Noise Management Plan for the site will be submitted for approval to the Local Planning Authority. The Noise Management Plan should include the details the fixed plant (including air conditioning) to be used, noise levels of the plant, predicted external noise levels, design and construction of the sound barriers, and any installation and maintenance schedules.

Reason

To protect the amenity of nearby residents.

16. Any fixed items of plant (including air conditioning units) and sound barriers shall be installed in accordance with the details supplied in relation to the Noise Management Plan for the site and maintained in accordance with those details thereafter to ensure that the noise level from the plant does not exceed 22dB L_{Aeq} , the limit agreed in AEC's Noise Impact Assessment Addendum, at the nearest noise sensitive receptor. If this noise level cannot be met the plant in question shall not be used outside the hours of 7am to 10am.

Reason

To protect the amenity of nearby residents.

17. Notwithstanding the details shown on the approved plan, before the retail store and/or petrol filling station hereby approved are first brought into use, boundary walls around the site, shall be erected in accordance with a detailed scheme which has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall include cross sections and details with regard to the finished height and position of walls and retaining walls and sound barriers in relation to the boundaries. The boundary walls and sound barriers shall be maintained in accordance with the approved scheme at all times thereafter.

Reason

To ensure that the boundary walls and sound barriers are appropriately finished in the interests of the appearance of the site and the amenity of nearby residents.

Informative:

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining.

Further information is also available on The Coal Authority website at www.coal.decc.gov.uk

Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com <<http://www.groundstability.com>>

The applicant / developer should ensure that measures are taken to prevent surface water discharging onto or off the highway to the satisfaction of the Highway Authority.

Details of the proposed crossing should be agreed with the Highway Authority and work should not commence until the crossing has been constructed in accordance with the agreed details.

Reason for Decision

The proposal represents an acceptable scheme for the redevelopment of an existing commercial site providing a service and retail facility within a residential area considered in accordance with Policies DEV 6, EMP 5, TCN 2 and TCN 14 of the adopted Copeland Local Plan 2001 – 2016 and the provision of the National Planning Policy Framework.

ITEM NO: 2.



To: PLANNING PANEL

Development Control Section

Date of Meeting: 24/04/2013

Application Number:	4/13/2018/001
Application Type:	Outline : CBC
Applicant:	Mr and Mrs N Douglas
Application Address:	PLOT OF LAND AT CROSSGATES, LAMPLUGH
Proposal	OUTLINE APPLICATION FOR ERECTION OF A FOUR BEDROOMED HOUSE (LOCAL NEED)
Parish:	Lamplugh
Recommendation Summary:	Approve in Outline (subject to a Section 106 Agreement)



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INTRODUCTION

This application relates to a plot of land at Crossgates in Lamplugh. The site is a rectangular area of land covering an area of 0.12 hectares and is currently grassed agricultural land. It adjoins the residential curtilage of the dwelling Wood Beck Rise to the northwest and agricultural land to the south west, with the curtilage to Cogra Ghyll further to the west separated by Wood Beck. It adjoins further agricultural land to the south and the unclassified road between Crossgates and Inglenook to the east boundary.

The A5086 road which links Egremont and Cockermouth lie further to the west, adjoining the west boundary of Cogra Ghyll.

There is a group of 11 more modern dwellings in a group at Crossgates, 6 of which are accessed from an access off the A5086 and 5 from the unclassified road to the east. The dwelling curtilages are generally separated by Wood Beck running north to south. Further to the north is another detached dwelling and 12 terraced dwellings which predate the adjacent residences.

At the meeting on 27 February 2013 Members resolved to carry out a site visit before determining the application. The site visit took place on Wednesday 13 March 2013.

PROPOSAL

Planning permission is sought for the erection of a single dwelling on the site which is to be occupied by the applicants. As the proposal is in outline with all matters reserved at this stage, only an indicative site layout has been submitted with the application. Access to the site would be achieved from the unclassified road between Crossgates and Inglenook which adjoins its eastern boundary.

The layout plan details a similar dwelling footprint and plot of land size to the adjacent detached dwellings at Crossgates.

The application is accompanied by a supporting statement which sets out the justification for the dwelling in terms of local and affordable housing needs. In summary this statement makes the following points:-

1. The applicants are established residents of Lamplugh, one of whom was born in the village and has lived there the majority of her life following time at University in Newcastle. They currently live in rented accommodation in the area which does not offer any degree of certainty or permanence. A four bedroom dwelling is necessary for them and their two children, in addition to visiting parents for one of the applicants.
2. The applicant's parents have farmed at Streetgate Farm, Lamplugh since the mid 1970's which is located approximately 1.2km to the north of the Crossgates site. This is a tenanted farm which they have resided at since the start of the tenancy, and is the home the applicant has grown up in. They are a close knit family and the

applicants currently provide assistance to their parents and also receive support from their parents including help with child minding.

3. The applicants have tried to find a larger house within the area in the recent past but there are none currently available within their budget. Details have been provided with the application which illustrate that there are currently some properties for sale within the Lamplugh and surrounding Kirkland/Dean areas. This evidence suggests that the lowest price for a house of sufficient size to accommodate the family would be in excess of £215,000.
4. The applicant's young children attend the local school and nursery group and one of the applicants, Mrs Douglas, is a district nurse. Mr Douglas has a physiotherapy practice in Workington.
5. The land covered by the application is within the ownership of one of the applicants parents for farming purposes. As this land would be donated to the applicants this would eliminate any relevant land costs and consequently enable a house to be constructed to meet their needs within their limited budget. They claim that this is the only affordable option available to them which would allow them to reside in the village.
6. They would be happy to accept an approval subject to an agreement relating to occupancy on any permission forthcoming.

In addition, a petition with 40 signatures has been submitted which supports the applicant case for local need. It is however noted that this does not specifically state the location of any dwelling and predates the application.

Planning applications have previously been submitted on this particular area of land. The group of 11 dwellings at Crossgates were granted full planning permission over a number of separate applications between 1986 and 1990. Planning application 4/95/0323/0 was refused in 1995 and dismissed on appeal for an outline application for a detached dwelling on the site. In 2003 a further outline planning application for a dwelling was submitted and subsequently withdrawn (4/03/0031/0 refers).

CONSULTATION RESPONSES

15 letters have been received from 7 local residents, 6 of whom live in the existing group of 11 detached dwellings at Crossgates.

Their objections to the application are as follows:-

- The road is not suitable for any additional development;
- The application site was refused planning permission and dismissed on appeal for a dwelling in 1995;
- The sequential test of DEV 4 is not met;
- The site is visible from the A5086;
- Overlooking into and out of the site are matters of considerable concern;
- Drainage issues (highway and sewerage) remain unresolved at this stage;
- The unclassified road is suffers from flooding;
- The location is not sustainable;
- The applicants are currently residing in a dwelling owned by one of their parents;
- Landscape and sustainability objections do not outweigh the local need case;
- The application site is in a Landscape of County Importance.

In addition 10 letters/emails have been received in support of the application, which generally state that the applicants have a genuine case for a local need and that younger families are needed and should be retained in the area to support the school, church and village organisations.

Parish Council

Lamplugh Parish Council hosted a Parish meeting to discuss the application. Prior to this meeting the Parish had received 4 letters/emails in opposition and 11 letters/emails in support. In addition a petition in support was handed to the parish council with about 40 signatures but did not refer specifically to the site. Two of the particular signatories sent letters commenting that they agreed to the principal but not to the specific location.

Members of the public presented their views both in support and in opposition of the application. The main reason in opposition was based on the location as it would overlook other dwellings and be in an open landscape, and the main reason in support was based on local need for local inhabitants. The parish council thought that this was not the best location available to the applicant based on previous history.

In summary, the resolution was passed that Lamplugh Parish Council were in favour of the application.

Highways Control Officer

No objections from a highway point of view subject to a condition which reserves all matters relating to the layout of the site, the means of access, parking and turning are reserved for approval at the detailed planning stage.

PLANNING POLICY

National Planning Policies

The Governments Planning Policies are set out in the National Planning Policy Framework (NPPF) which was introduced in March 2012.

The NPPF outlines that the purpose of the planning system is to contribute to the achievement of sustainable development. It identifies a social role as one of the three dimensions to sustainable development. It defines a social role as supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of the present and future generations.

Paragraph 54 encourages Local Planning Authorities to be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing, including through rural exception sites where appropriate.

Paragraph 55 does stress that Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances which would justify them.

The NPPF confirms that development should be approved that accords with the development plan.

Adopted Local Planning Policies

Policy DEV4 states that all development will have to satisfy a sequential test that prioritises “brownfield” or previously used land or buildings over greenfield land options.

Policy DEV 5 only permits development outside the defined development boundaries as an exception to meet local needs.

Policy ENV 6 states that the Council will seek to protect the areas designated as Landscapes of County Importance (LOCI) from inappropriate change. Where development is permitted special regard will be paid to the design, scale, siting and choice of materials for building which should be sympathetic to the particular character of these areas.

Policy HSG 5 only permits housing outside settlement boundaries where they are required to meet exceptional circumstances arising from local social and economic conditions and will be subject to occupancy restrictions.

Policy HSG 11 permits affordable housing to meet a proven local need in rural areas. It does require any dwelling to be on a site within or immediately adjoining a village and well related to its physical form and specifies that the applicants would have local ties to the village and have genuine difficulty in finding an otherwise acceptable site.

Emerging planning policy

The Core Strategy and Development Management Policies DPD which will replace most of the Policies in the Local Plan 2001-16 is now at an advanced stage of production. Consultation on the Pre-Submission Draft took place over the summer. A public Examination took place in April 2013.

The Policies in the Core Strategy and Development Management Policies DPD are a material consideration when determining planning applications. Once the Inspector has issued his report following the examination then greater weight can be attached to these policies, particularly given the limited scale of objection to the strategy and its consistency with up to date national policy guidance. The document is currently due to be adopted in August 2013.

Policy ST1 of the Core strategy sets out the fundamental principles that will achieve sustainable development. Among other things it seeks to ensure that development creates a residential offer which meets the needs and aspirations of the Boroughs housing markets.

Policy ST2 sets a spatial development strategy whereby development should be guided to the principle settlement and other centres and sustain rural services and facilities. With

specific regard to development outside of settlement boundaries, this states that in the countryside and small villages which do not have their own defined settlement limits, development will generally be resisted in principle, in accordance with national planning policy and the Council's intention to promote sustainable development in the most accessible settlements. Exceptions would be considered where housing is required to respond to proven specific and local needs that may arise in settlement with non-defined boundaries.

Policy DM10 requires new development to be of a high standard of design to enable the fostering of 'quality places'. In doing so development should respond positively to the character of the site and its immediate and wider setting, paying careful attention to scale, massing and arrangement. Likewise, development should create and maintain reasonable standards of general amenity.

The text following Policy SS3 covers rural exceptions. This states that the Council will consider favourably proposals for affordable housing in villages to meet the needs of the local community and fulfil the following requirements:

- A site that is within or immediately adjoins the village and is well related to its built form in terms of scale and character.
- Supported by evidence to show need for the development in the local community (usually parish and adjoining parishes) or that an individual applicant has genuine local ties to the village and genuine affordability needs.
- Subject to a planning obligation that requires occupation of the dwelling in perpetuity only by households with these same local connections and affordability issues.

ASSESSMENT

This site falls outside the defined development boundaries specified within the adopted Copeland Local Plan 2001 – 2016. Local Plan policies seek to protect the open countryside and consequently new dwellings are only permitted outside village boundaries as an exception where there is a clear justification.

While it is noted that an application for a dwelling on this particular site has been refused in the past and was subsequently dismissed on appeal, this decision was made under previous Local and National Planning Policy, some 18 years ago for a different applicant.

The new NPPF takes a positive view and encourages Local Planning Authorities to be responsive to local circumstances, especially where they will enhance or maintain the vitality of rural communities.

The applicants have close family ties to the village and community and the submitted documentation clarifies that they are unlikely to be able to purchase a house within or near to the village which meets their requirements to house their family within a reasonable budget. The proposal will ensure that the family remain in Lamplugh. This is consistent with the aims of the NPPF which seeks to support strong, vibrant and healthy communities.

In terms of its site specific location the site is also well related to the physical form of the settlement at Crossgates. While other sites within the larger triangular area of agricultural land were suggested by the applicants at the pre-application stage, this site is considered the most appropriate that is available as it adjoins the largest group of dwellings in the vicinity and faces other residential curtilages on two sides (Wood Beck Rise to the northeast and Cogra Ghyll further to the southwest across Wood Beck). The site also has the advantage of a road frontage directly onto a highway, which the Highway Control Officer has raised no objections to.

With regards to Policy DEV 4 and the sequential test, within the area of land under the applicant's ownership in this area, there are no buildings that could be considered acceptable for conversion, nor is there any brownfield land to be considered, as agricultural development including buildings does not fall within the definition of previously developed land. Therefore in terms of the land available the test set out in the policy is considered to be met.

In terms of Policy ENV 6, while this is aimed at being a restrictive policy, it does not act as a barrier to all forms of development. On this particular site in the wider context of the LOCI, it is felt that with an appropriate level of consideration of design, scale, siting and choice of materials a dwelling could be viewed acceptably on the site in line with guidance set out in this policy. All of the existing dwellings at Crossgates are within the LOCI.

A site visit was undertaken by Members to ensure that they are aware of the nature of the site and the potential impact of the proposal not only when viewed from the unclassified

road that will provide the access to the site, but also from the A5086 where it has a wider landscape impact.

It is noted that the objectors have commented that this application could encourage further development within the Crossgates area. However each application would need to be determined on its own merits and any subsequent application near the site would need adequate justification and consideration in line with current policy.

Overall the applicant's case is considered to have some merit. The local need for an affordable home has been clearly evidenced and is on balance worthy of support in this case in terms of both national and local planning policies. Their case is also supported by the Parish Council which provides an indication of the genuine nature of the proposal and their ties to the local area. It would also help sustain local community facilities.

If Members accept the recommendation then it is appropriate to control the occupancy of the dwelling to reflect the local need by way of a Section 106 Agreement.

Recommendation:-

Approve in outline subject to a Section 106 Agreement and the following conditions:-

Conditions

1. The layout scale, appearance, means of access thereto and landscaping shall be as may be approved by the Local Planning Authority.

Reason

To comply with Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. Detailed plans and drawings with respect to the matters reserved for subsequent approval shall be submitted to the Local Planning Authority within three years of the date of this permission and the development hereby permitted shall be commenced not later than the later of the following dates:-

- a) The expiration of THREE years from the date of this permission

Or

- b) The expiration of TWO years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason

To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

Reason for Decision

The erection of a dwelling on this site to meet a local and affordable housing need within the locality is in accordance with Paragraphs 54 and 55 of the National Planning Policy Framework and Policies DEV 5, HSG 5 and HSG 11 of the adopted Copeland Local Plan 2001-2016.

ITEM NO: 3.



To: PLANNING PANEL

Development Control Section

Date of Meeting: 24/04/2013

Application Number:	4/13/2044/OL1
Application Type:	Listed Building Consent : CBC
Applicant:	The Whitehaven Foyer
Application Address:	FORMER YMCA, 44-45 IRISH STREET, WHITEHAVEN
Proposal	LISTED BUILDING CONSENT FOR THE DEMOLITION, ALTERATION AND CONVERSION OF THE EXISTING BUILDING & ADDITION OF REAR EXTENSIONS
Parish:	Whitehaven
Recommendation Summary:	Approve Listed Building Consent (start within 3yr)



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INTRODUCTION

This application relates to the former YMCA building, which occupies a prominent location at the junction of Irish Street and New Road. The existing building is Grade II Listed and lies within the Whitehaven Conservation Area.

Members deferred this application at the Planning Panel on 27 March 2013 to enable them to visit the site. The site visit took place on 03 April 2013.

PROPOSAL

Listed Building Consent is sought for the redevelopment of the site to form a foyer development which is to be provided jointly by Impact Housing Association and the Howgill Centre. A separate planning application for this development is also included on the agenda (application reference 4/13/2045/0F1 refers).

It is proposed to alter and extend the listed building to allow its conversion to house the main support facilities, including a reception area, training room, meeting room and managers office. The upper floor is to be converted to form a large first floor meeting room which will be available as a venue for community events and activities. The additional first floor office space will be let to agencies allied to the foyer on long term leases.

The existing entrance off Irish Street is to be retained to provide public access to the main support services.

It is proposed to demolish a former sports hall building which lies to the rear of the listed building to enable the erection of a new three storey building comprising 17 flats. A glazed link is to be created between the residential block and the listed building to provide a simple break between the two buildings and also to establish a separate private entrance to the residential units.

Externally the listed building will be refurbished using materials to match the existing. The new residential block is to be of a contemporary design and will be clad with coloured panels which will sit on a brick plinth.

The following information has been submitted with the application:-

- detailed layout and elevation plans to illustrate the proposed development
- a design and access statement
- a heritage statement
- a historic buildings survey

CONSULTATION RESPONSES

Planning Policy Team

This project represents an opportunity to restore and reuse an important historic landmark building within the Whitehaven Town Centre Conservation Area. Overall the development is to be supported and pays due respect to the YMCA building and its setting. The modernity of the extension design is appropriate and well linked to the original building, and in general succeeds in its efforts to respect it.

There should be an indication of the extent to which the roof would be visible behind the listed building when viewed from Market Place. The use of materials should also be carefully controlled to ensure an appropriate form of development. The introduction of contrast by the use of blue cladding is a legitimate representation of the contrast between old and new. The window fenestration in the extension should relate more to the massing and proportions of the original building.

English Heritage

The former YMCA is a mid 18th Century Grade II Listed Building, located on the south eastern corner of the Georgian grid street pattern of Whitehaven. The repair and reuse of this heritage asset will be a considerable achievement and will make a highly positive contribution to the Whitehaven Conservation Area. The building would make a more significant contribution to the Whitehaven roofscape if the tall chimney stacks could be reinstated. Currently the proposals involve the removal of a chimney stack to the northern range. The potential to increase the width of the entrance to the rear accommodation could be considered to allow the rear of the historic building to be more cleanly distinguished from the new build element and to further articulate the connection between the two buildings.

We recommend that this application be determined in accordance with national and local policy guidance, and on the basis of your Conservation Officers advice.

County Historic Environment Officer

The applicant has helpfully commissioned an historic building survey that provides useful information on which to base decisions regarding the significance of the various elements of the structure. It also has an assessment of the historic map evidence.

The building has been recorded to an acceptable level but there are elements of the existing structure that have been masked by later alterations. For instance, the render on part of the street elevation has been recently removed revealing a very interesting sequence of building development that was previously unknown. I therefore consider that the building should be subject to additional recording to supplement the existing record. I consider that this programme of recording be undertaken during the course of the development and can be secured by attaching a condition to any planning consent.

Conservation Officer

I have no objection, in principle, to the proposals to change the use of the building, and to alter and extend it to suit that new use. However the Heritage Statement contains less than robust reasons for removing the existing stair, in particular, and the demolition of the more recent rear extension which contains the former kitchen, toilets and shower areas.

The existing plans and elevations should have indicated the condition of the building, the architectural features (mouldings, panelling etc), type of flooring and joint directions to inform the Historic Building Survey.

A condition survey of the building will be required once it is considered accessible and before any of the existing finishes are removed.

Details with regards to new windows, doors, wall finishes and wall panelling, new ceilings, repairs and strengthening of timber structures will be required. These details can all be secured by condition.

In terms of flooding details of any flood barrier or measures which affect the original fabric of the listed building need to be agreed. Measures which will minimise damage or harm to the listed building fabric should be investigated.

POLICY

National Planning Policy framework (NPPF)

The Governments Planning Policies are set out in the National Planning Policy Framework (NPPF) which was introduced in March 2012.

The NPPF outlines that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 7 defines a social role as one of the three dimensions to sustainable development. Sustainable development involves supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations. In this context, the reuse of a historic building within the Town Centre for residential accommodation is considered appropriate.

With regards to the historic environment the NPPF states:-

‘Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.’

It also states ‘When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting’.

The NPPF requires proposals to be determined in accordance with the development plan unless material considerations determine otherwise.

Local Planning Policy

Policy ENV 26 of the Local Plan states that development within Conservation Areas or that which impacts upon the setting of a Conservation Area will only be permitted where it preserves or enhances the character or appearance of the Area and, if appropriate, views in and out of the Area. In particular it should:

1. respect the character of existing architecture and any historical associations by having due regard to positioning and grouping of buildings, form, scale, detailing and use of traditional materials
2. respect existing hard and soft landscape features including open space, trees, walls and surfacing
3. respect traditional street patterns, plot boundaries and frontage widths
4. improve the quality of the townscape

Whitehaven Town Centre and Harbourside Supplementary Planning Document (SPD)

The SPD was adopted on 6th September 2012 and is a material consideration in determining planning applications within this geographical area. It provides specific design guidance for new development in the historic town centre. It specifically identifies the YMCA as a development opportunity site and sets out some guidelines including the retention of the historic building, the redevelopment of the rear of the site, the provision of a suitable use for the building, the use of appropriate materials, the retention of public access from the street etc..

Emerging Local Planning Policy

The Core Strategy and Development Management Policies DPD which will replace most of the Policies in the Local Plan 2001-16 is now at an advanced stage of production. A Public Examination took place in April 2013.

The Policies in the Core Strategy and Development Management Policies DPD are a material consideration when determining planning applications. Once the Inspector has issued his report the policies can be afforded increased weight. The document is currently due to be adopted in August 2013.

Within the policies section of this emerging strategy document, Policy ENV 4 will be the Council's policy regarding heritage assets. This states:-

The Council's policy is to maximize the value of the Borough's heritage assets by:

- A Protecting Listed Buildings, conservation areas, and other townscape and rural features considered to be of historic, archeological or cultural value.
- B Supporting proposals for heritage led regeneration, ensuring that any listed building or other heritage assets are put to an appropriate, viable and sustainable use.
- C Strengthening the distinctive character of the Borough's settlement, through the application of high quality urban design and architecture that respects this character and enhances the setting of listed buildings

Policy DM27 supports this policy, setting out the Council's approach to development which affects built heritage and archaeology.

Policy ER8 encourages high standards of design which is consistent with the setting of the Conservation Area

Policy ENV4 seeks to protect Conservation Areas and strengthen the distinctive character of the settlements through the application of high quality urban design and architecture that respects this character and enhances the settings of listed buildings

ASSESSMENT

This building is in a poor structural condition and currently detracts from the character and appearance of this part of the Whitehaven Conservation Area. Its importance is acknowledged by its status as the key project in the Council's Townscape Heritage Initiative bid for funding from the Heritage Lottery Fund.

This proposal represents an opportunity to restore and reuse the Listed Building and provide it with a sustainable future.

The submitted scheme has been designed to retain the important historical elements of the existing building fabric. The sections of the building which are to be demolished or removed are newer additions to the original historic building and are not considered to have any significant architectural or historic merit. Their removal and replacement with newer additions are considered to be justified as these alterations will help to secure a sustainable and beneficial use which is essential towards retaining the historic building in the long term.

Both English Heritage and the Councils Conservation Officer have requested the reinstatement of the chimneys to their original height in order to ensure that the building would make a more significant contribution to the roofscape in this part of the Conservation Area. The applicants agent has been asked to respond to this request although it is likely that the reinstatement of the chimneys would be a requirement of any grant funding should the THI bid be successful.

The only other outstanding issues relate to matters of detail which are deemed necessary to ensure that the building is properly surveyed, recorded and refurbished in an appropriate manner. The current structural condition of the building prohibits any detailed surveys at the present time. On this basis it is considered appropriate to attach conditions to any Listed Building Consent to secure the necessary information and details once the building is made accessible.

Although the proposed rear extension is of a modern “contemporary” design it is considered to respect the scale and form of the existing building. It will provide a distinct contrast to the original building which is considered to be an appropriate approach in this instance. A glazed entrance will provide an appropriate link between the original building and the new extension to highlight this change.

CONCLUSION

The proposed refurbishment and reuse of this important Listed Building is welcome and will result in a very positive enhancement to this part of the Conservation Area.

Recommendation:-

Approve subject to the following conditions:-

Conditions

1. The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

Reason

To comply with Sections 18 and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

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, scale 1:1250, drawing number 3451/04, received on 07 February 2013
Block and roof plan, scale 1:500, drawing number 3451/06A, received on 07 February 2013

- Proposed block and roof plan, scale 1:500, drawing number 3451/05A, received on 07 February 2013
- Proposed elevations, scale 1:100, drawing number 3451/12, received on 07 February 2013
- Proposed ground floor, scale 1:100, drawing number 3451/10, received on 07 February 2013
- Proposed first and second floor plans, scale 1:100, drawing reference 3451/11, received on 07 February 2013
- Proposed roof plan, scale 1:100, drawing number 3451/13, received on 07 February 2013
- Historic Building Survey prepared by NP Archaeology, reference 01072/12, dated 21 March 2012
- Heritage Statement prepared by Day Cummins Limited, reference 3451-HIS Rev A, received on 07 February 2013
- Design and Access Statement prepared by Day Cummins Limited, dated 29 January 2013

Reason

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.

3. The roof of the Listed Building shall be finished in natural slate, a representative sample of which shall be submitted to and approved in writing by the Local Planning Authority before development commences. The slate roof shall be retained thereafter.

Reason

To safeguard the traditional appearance of the Listed Building in the interests of visual amenity

4. Before development commences representative samples of the materials to be used on the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and so maintained thereafter.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity.

5. A sample panel of the proposed external facing materials shall be erected on the site for the further written approval of the Local Planning Authority and this approval shall be obtained before any of the superstructure is erected. This panel shall be of sufficient size to indicate the method of jointing and coursing to be used.

Reason

For the avoidance of doubt and to ensure that the proposed materials will not adversely affect the character and appearance of this Listed Building.

6. Prior to the removal or alteration of any part of the Listed Building a condition survey of the existing building shall be completed and submitted to and approved in writing by the Local Planning Authority. The survey shall contain details of the condition of the building, all architectural features including any moulding and panelling, types of flooring and details of the joists.

Reason

For the avoidance of doubt and to ensure that the condition of the heritage asset is properly recorded

7. No development shall commence within the site until the applicant has secured the implementation of a programme of archaeological building recording in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

Reason

To ensure that a permanent record is made of the building of architectural and historical interest prior to its alteration as part of the proposed development.

8. Prior to the commencement of development details of the design and construction of the replacement windows and doors, including both horizontal and vertical sections through a typical window, shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the replacement windows shall be of a timber construction, a painted finish and open as traditional sliding sash windows. Development shall be carried out in accordance with the approved details and shall be maintained as such at all times thereafter.

Reason

For the avoidance of doubt and to ensure that any replacement windows will not adversely affect the character and appearance of the Listed Building.

9. Prior to the commencement of any works on the Listed Building details of the following shall be submitted to and approved in writing by the Local Planning Authority:-
 - Details of any fire protection and sound insulation measures that are to be installed within the building
 - Details of all internal wall finishes and wall panelling
 - Details of the suspended ceiling/window head junctions
 - Details of any repairs or strengthening to the timber structure where affected by rot
 - Details of any applied or sprayed timber treatments

Development shall be carried out in accordance with the approved details and shall be maintained as such at all times thereafter.

Reason

For the avoidance of doubt and to ensure that the proposed internal alterations will not adversely affect the character and appearance of the Listed Building.

10. Prior to the commencement of development on site details of any flood barrier which is physically attached to the Listed Building shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and shall be maintained as such at all times thereafter.

Reason

For the avoidance of doubt and to ensure that any flood defence measures do not adversely affect the character or appearance of the Listed Building.

Reason for Decision

The proposed alterations, refurbishment, extension and reuse of this prominent Listed Building is an acceptable form of development which will enhance the appearance of this part of the Whitehaven Conservation Area in accordance with Policy ENV 26 of the Copeland Local Plan 2001-2016 (Saved Policies 2009), the guidance set out in the adopted Whitehaven Town Centre and Harbourside Supplementary Document (2012) and the provisions of the National Planning Policy Framework.

ITEM NO: 4.

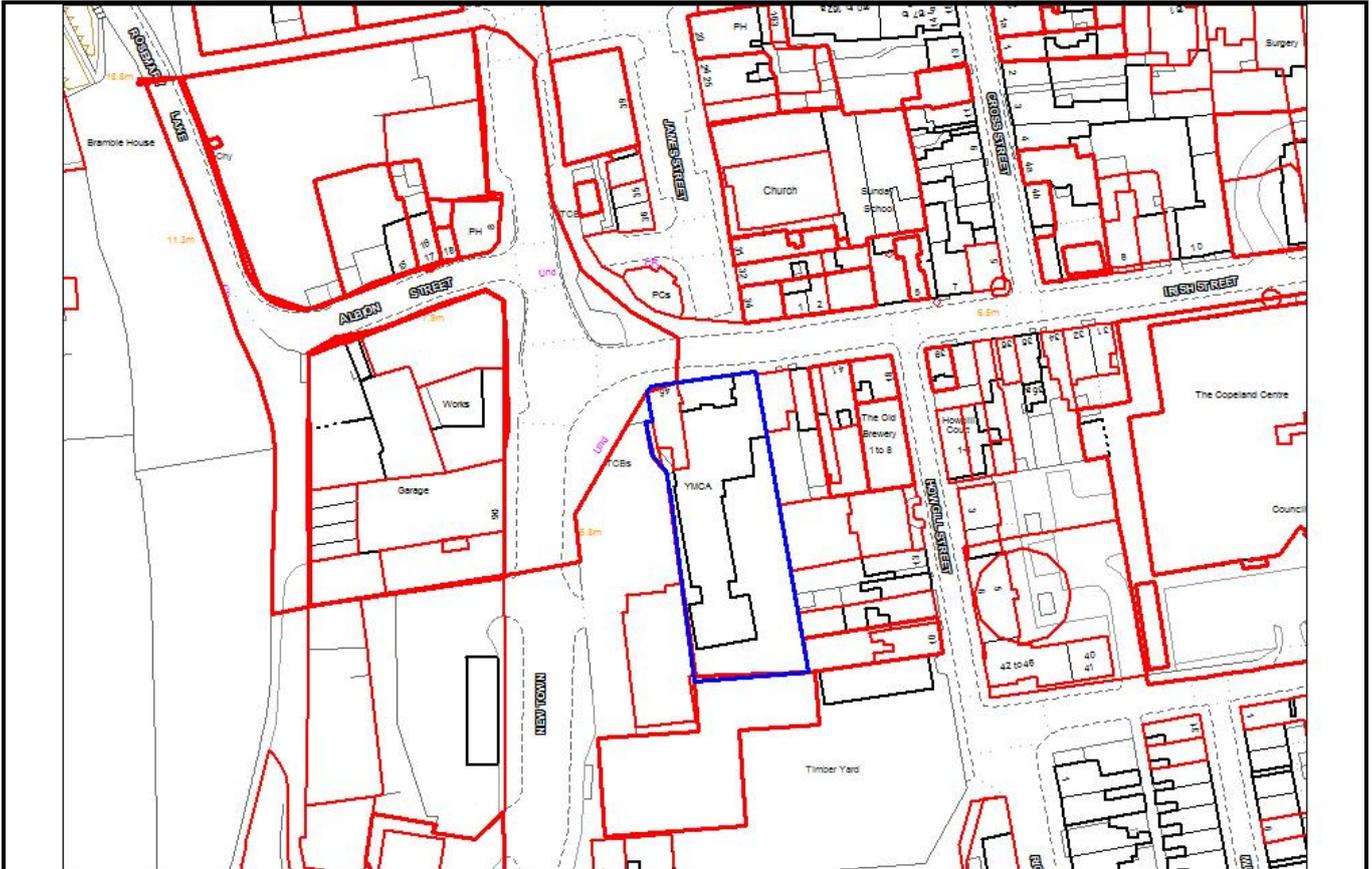


To: PLANNING PANEL

Development Control Section

Date of Meeting: 24/04/2013

Application Number:	4/13/2045/0F1
Application Type:	Full : CBC
Applicant:	The Whitehaven Foyer
Application Address:	FORMER YMCA, 44-45 IRISH STREET, WHITEHAVEN
Proposal	PARTIAL DEMOLITION, ALTERATION & CONVERSION OF EXISTING BUILDING & DEMOLITION & REPLACEMENT OF REAR SPORTS HALL WITH A THREE STOREY REAR EXTENSION TO PROVIDE A FOYER DEVELOPMENT COMPRISING 17 RESIDENTIAL FLATS & ASSOCIATED SUPPORT FACILITIES INCLUDING A RECEPTION AREA, OFFICES & MEETING/TRAINING ROOMS
Parish:	Whitehaven
Recommendation Summary:	Approve (commence within 3 years)



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INTRODUCTION

This application relates to the former YMCA building, which occupies a prominent location at the junction of Irish Street and New Road. The existing building is Listed and lies within the Whitehaven Conservation Area.

Members deferred this application at the Planning Panel on 27 March 2013 to enable them to visit the site. The site visit took place on 03 April 2013.

PROPOSAL

Planning permission is sought for the redevelopment of the site to form a foyer development which is to be provided jointly by Impact Housing Association and the Howgill Centre. A separate application for Listed Building Consent is also included on the agenda for this proposal (application reference 4/13/2044/0L1 refers).

The foyer is designed to provide a springboard to independent living, training and work. It comprises residential units and a range of support facilities on one site. The flats would be occupied by young people aged between 16 and 25 years old who have been homeless, who are vulnerable, lacking in life skills and who have left school with few qualifications. In exchange for the accommodation and services offered the occupants have to sign a formal contract which requires them to actively engage in education, employment and training where they address their own development and make a positive contribution to their local community.

It is proposed to alter and extend the listed building to allow its conversion to house the main support facilities, including a reception area, training room, meeting room and managers office. The upper floor is to be converted to form a large first floor meeting room which will be available as a venue for community events and activities. The additional first floor office space will be let to agencies allied to the foyer on long term leases.

The existing entrance off Irish Street is to be retained to provide public access to the main support services.

It is proposed to demolish a former sports hall building which lies to the rear of the listed building to enable the erection of a new three storey building comprising 17 flats. A glazed link is to be created between the residential block and the listed building to provide a simple break between the two buildings and also to establish a separate private entrance to the residential units.

Externally the listed building will be refurbished using materials to match the existing. The new residential block is to be of a contemporary design and will be clad with coloured panels which will sit on a brick plinth.

The open space to the rear of the building is to be used to create a direct link between the foyer and the adjoining Howgill Centre. This will create a campus for children and young people services.

The following information has been submitted with the application:-

- detailed layout and elevation plans to illustrate the proposed development
- a design and access statement
- a heritage statement
- a historic buildings survey
- a flood risk assessment
- a phase 1 desk study
- an ecology statement on bats

CONSULTATION RESPONSES

Environment Agency

As the site falls within flood zone 3 which is classed as being of high probability of flooding with a 1 in 100 or greater annual probability of river flooding, both the sequential and exception tests as set out in the NPPF should be passed. If they meet this requirement then we have no objections, in principle, to the development as proposed provided that conditions with regards to minimum floor levels, the use of flood resistant measures, the identification of safe evacuation routes, surface water drainage, and the location and alignment of Pow Beck culvert has been established.

Planning Policy Team

This project represents an opportunity to restore and reuse an important historic landmark building within the Whitehaven Town Centre Conservation Area. Overall the development is to be supported and pays due respect to the YMCA building and its setting. The modernity of the extension design is appropriate and well linked to the original building, and in general succeeds in its efforts to respect it.

There should be an indication of the extent to which the roof would be visible behind the listed building when viewed from Market Place. The use of materials should also be carefully controlled to ensure an appropriate form of development. The introduction of contrast by the use of blue cladding is a legitimate representation of the change between the old and new buildings. The window fenestration in the extension should relate more to the massing and proportions of the original building.

United Utilities

No objections subject to a condition which requires the provision of a surface water and foul drainage strategy.

Natural England

Standing advice recommends mitigation measures are provided to minimise any impact on bats. This application may provide opportunities to incorporate features into the design which are beneficial to wildlife such as the incorporation of roosting opportunities for bats. The Local Planning Authority should consider securing measures to enhance the biodiversity of the site.

Flood and Coastal Defence Engineer

The development falls within an area that is considered to be susceptible to an intermediate extent of surface water flooding. The submitted Flood Risk Assessment outlines a number of measures which should help to reduce the residual risk of provide some mitigation where the risk cannot be reduced to an acceptable level. These measures should be implemented as part of the development.

It should be noted that some properties in and around Market Place have had their cellars flooded in recent times. As the building has a cellar this matter needs further consideration.

Housing Services Manager

I fully support the scheme. The Council has encouraged this development since 2009 and ensured that it was identified as a future strategic priority in the 2010/11 Cumbria Local Investment Plan agreed with the HCA. It is also among the priorities in Copeland's Housing Strategy 2011-2015. In the Strategy we commit to supporting the proposed Whitehaven foyer in its combination of housing for young people with onsite support, employment, training and the development of life skills. This combination will enable them to seek, find, and sustain independent living and jobs within the Copeland area.

Highways Control Officer

Considering the historic use and the town centre location of the site I can confirm that I have no objection to this application. A condition should be attached to any permission which requires a Traffic Management Plan and Construction Management Plan to be submitted and agreed prior to works commencing on site.

English Heritage

The former YMCA is a mid 18th Century Grade II Listed Building, located on the south eastern corner of the Georgian grid street pattern of Whitehaven. The repair and reuse of this heritage asset will be a considerable achievement and will make a highly positive contribution to the Whitehaven Conservation Area. The building would make a more significant contribution to the Whitehaven roofscape if the tall chimney stacks could be reinstated. Currently the proposals involve the removal of a chimney stack to the northern range. The potential to increase the width of the entrance to the rear accommodation could be considered to allow the rear of the historic building to be more cleanly distinguished from the new build element and to further articulate the connection between the two buildings.

We recommend that this application be determined in accordance with national and local policy guidance, and on the basis of your Conservation Officers advice.

County Historic Environment Officer

The applicant has helpfully commissioned an historic building survey that provides useful information on which to base decisions regarding the significance of the various elements of the structure. It also has an assessment of the historic map evidence.

The building has been recorded to an acceptable level but there are elements of the existing structure that have been masked by later alterations. For instance, the render on part of the street elevation has been recently removed revealing a very interesting sequence of building development that was previously unknown. I therefore consider that the building should be subject to additional recording to supplement the existing record. I consider that this programme of recording be undertaken during the course of the development and can be secured by attaching a condition to any planning consent.

Conservation Officer

I have no objection, in principle, to the proposals to change the use of the building, and to alter and extend it to suit the new use subject to my detailed comments with regards to the listed building consent application.

The extension pays homage to the plot width and gabled architecture of the old town but in a modern idiom, and also reflects, in different architectural guise, the gabled elevations of the Albion Square development on the opposite side of Newtown Road. Subject to detailing and the use of appropriate colour, the extension should help to enliven what is currently a street frontage which lacks any redeeming architectural character or features.

PLANNING POLICY

National Planning Policy

The National Planning Policy Framework (NPPF), which came into effect (March 2012), sets out the Government's new planning policies and how these are to be applied. It introduces a presumption in favour of sustainable development and emphasises that the purpose of the planning system is to contribute to the achievement of this.

Paragraph 7 identifies a social role as one of the three dimensions to sustainable development. It defines a social role as supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of the present and future generations. Good design and high standards of residential amenity are also advocated.

Paragraph 47 encourages Local Planning Authorities to provide market and affordable housing to meet evidenced needs. Paragraph 50 requires Local Planning Authorities to deliver a wide choice of high quality homes to meet the needs and demands of the community.

Paragraph 56 attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, indivisible from good planning, and should contribute positively to making places better for people.

Paragraph 58 clarifies that planning decisions should aim to ensure that developments will function well and add to the overall quality of the area; establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live and respond to local character and reflect the identity of local surroundings and materials.

Paragraph 60 recognises that it is proper to promote or reinforce local distinctiveness.

Paragraph 61 requires planning decisions to address the connections between people and places and the integration of new development into the natural, built and historic environment.

Paragraph 64 clarifies that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

The NPPF requires proposals to be determined in accordance with the development plan unless material considerations determine otherwise.

Local Planning Policy

The Copeland Local Plan 2001-2016 was adopted in June 2006. The following policies are relevant to this application:-

Policy DEV 2 defines Whitehaven as a Key Service Centre which will be the focus for the majority of development within the Borough. Policy DEV 4 defines a development boundary for the town.

Policy DEV 6 seeks to secure high quality sustainable forms of design.

Policy HSG 4 supports the construction of housing within defined settlement boundaries. Policy HSG 8 sets out the design standards for all new housing.

Policy TCN 4 requires new development within town centres to be of a high standard and also to take into account the relationship of the development with the surrounding area and properties in terms of scale and character, including the requirements set out in the Conservation Area/Listed Building policies in the Local Plan.

ENV 5 seeks to ensure that development does not adversely affect Protected Species.

ENV 25 permits demolition within the Conservation Area provided that any redevelopment scheme enhances the Conservation Area.

ENV 26 requires development within the Conservation Area to enhance or preserve the character of the Area.

Whitehaven Town Centre and Harbourside Supplementary Planning Document (SPD)

The SPD was adopted on 6th September 2012 and is a material consideration in determining planning applications within this geographical area. It provides specific design guidance for new development in the historic town centre. It specifically identifies the YMCA as a development opportunity site and sets out some guidelines including the retention of the historic building, the redevelopment of the rear of the site, the provision of a suitable use for the building, the use of appropriate materials, the retention of public access from the street etc.

Emerging Local Planning Policies

The Core Strategy and Development Management Policies DPD which will replace most of the Policies in the Local Plan 2001-16 is now at an advanced stage of production. A Public Examination took place in April 2013.

The Policies in the Core Strategy and Development Management Policies DPD are a material consideration when determining planning applications. Once the Inspector has issued his report the policies can be afforded increased weight. The document is currently due to be adopted in August 2013.

The following policies are considered relevant to this application:-

ST2 supports housing in Whitehaven

ER8 encourages high standards of design which is consistent with the setting of the Conservation Area

SS3 demonstrate a balanced mix of housing

ENV4 seeks to protect Conservation Areas and strengthen the distinctive character of the settlements through the application of high quality urban design and architecture that respects this character and enhances the settings of listed buildings

Development Management Policies DM10, DM 11 and DM 12 set out detailed design requirements.

ASSESSMENT

This building occupies a prominent location on the edge of Market Place. It is in a poor structural condition and currently detracts from the character and appearance of this part of the Conservation Area. Its importance is acknowledged by its status as the key project in the Councils Townscape Heritage Initiative bid for funding from the Heritage Lottery Fund. It is also identified as a key development site within the Local Plan and the Whitehaven Town Centre and Harbourside SPD.

This proposal represents an opportunity to restore this Listed Building and reuse it for a beneficial purpose. The proposed foyer project should provide a sustainable and much needed new facility for young people within a town centre location close to transport and local facilities.

The existing building to the rear of the site which is to be demolished is a modern addition to the Listed Building and has little architectural merit. Its demolition will allow a modern “contemporary” extension to be added. The modernity of the extension is considered to be appropriate design solution in this location and it has been designed so that it has variety in terms of scale and massing. The use of a glazed link provides a successful link between the old and new buildings whilst respecting its form and setting. Although the extension will extend above the ridge height of the Listed Building this increase in height is minor and it will only be visible from parts of Market Place/James Street. These views would be over some distance which would diminish its overall impact within the locality.

The other main issue raised by this application relates to potential flood risk. The site lies within flood zone 3 and the residential elements of the scheme are considered to fall within the vulnerable category. Additional information has been submitted to the Environment Agency to justify that this proposal meets the sequential and exceptional tests in terms of the residential elements of the scheme. To reduce the flood risk it is proposed to raise the floor level of the residential block and also incorporate flood resistance and resilience measures within the building design. Additionally the construction of a low level wall on the western boundary is proposed together with flood barriers. Safe evacuation routes would also need to be identified into and out of the site to a safe location in the event of flooding. The Environment Agency has suggested a set of conditions to cover these points.

CONCLUSION

This is considered to be an acceptable scheme which will secure the sustainability of an important building and provide a beneficial community use.

Recommendation:-

Approve subject to the following conditions:-

Conditions

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason

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

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, scale 1:1250, drawing number 3451/04, received on 07 February 2013
Block and roof plan, scale 1:500, drawing number 3451/06A, received on 07 February 2013

- Proposed block and roof plan, scale 1:500, drawing number 3451/05A, received on 07 February 2013
- Proposed elevations, scale 1:100, drawing number 3451/12, received on 07 February 2013
- Proposed ground floor, scale 1:100, drawing number 3451/10, received on 07 February 2013
- Proposed first and second floor plans, scale 1:100, drawing reference 3451/11, received on 07 February 2013
- Proposed roof plan, scale 1:100, drawing number 3451/13, received on 07 February 2013
- Design and Access Statement prepared by Day Cummins Limited, dated 29 January 2013
- Flood Risk Assessment
- Details relating to bats set out in the e mail from Stuart Woodall of Day Cummins Limited dated 01 February 2013
- Phase 1 Desk Study prepared by Meridian Geoscience, reference Rev A dated July 2012

Reason

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.

3. Before development commences representative samples of the materials to be used on the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and so maintained thereafter.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity.

4. A sample panel of the proposed external facing materials shall be erected on the site for the further written approval of the Local Planning Authority and this approval shall be obtained before any of the superstructure is erected. This panel shall be of sufficient size to indicate the method of jointing and coursing to be used.

Reason

For the avoidance of doubt and to ensure that the proposed materials will not adversely affect the character and appearance of this Listed Building.

5. The roof of the YMCA building shall be finished in natural slate, a representative sample of which shall be submitted to and approved in writing by the Local Planning Authority before development commences. The slate roof shall be retained thereafter.

Reason

To safeguard the traditional appearance of the building in the interests of visual amenity

6. The applicant shall submit a Traffic Management Plan (TMP) and Construction Management Plan (CMP) for approval by the Local planning Authority in consultation with the Highway authority prior to the works commencing on site. The TMP and CMP shall be carried out as approved.

The above plans should as a minimum contain the following elements:

- The construction of the site access and the creation, positioning and maintenance of associated visibility splays;
- Retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development;
- Construction vehicle routing;
- The management of junctions to and crossings of the public highway and other public rights of way/footway;
- The scheduling and timing of movements, details of temporary warning signs (if any) and banksman.
- Cleaning of site entrances and the adjacent public highway
- Dust management

Reason

For the avoidance of doubt and to ensure that the proposed development of the site is managed to avoid disturbance and inconvenience to local residents and road users.

7. Before development commences full details of the foul and surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall become operational before the development is brought into use and shall be so maintained thereafter.

Reason

To ensure the provision of a satisfactory drainage scheme.

8. Lowest habitable finished floor levels within the development shall not be set lower than the following:-
 - i) 6.35m AOD for the Foyer with the exception of Flat 16
 - ii) 6.60m AOD for Flat 16
 - iii) 6.65m AOD for the new accommodation block.

Reason

To reduce the risk of flooding to the proposed development and future occupants.

9. The flood resistance / resilience measures set out in section 2.8 and 2.9 of the submitted Flood Risk Assessment should be implemented in full prior to the first occupation of the building. Development shall be carried out in accordance with the approved details and these measures shall be retained at all times thereafter.

Reason

To reduce the risk of flooding to the proposed development and future users.

10. No development shall be carried out on the site until safe route(s) into and out of the site to an appropriate safe haven have been identified and submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and shall be maintained at all times thereafter.

Reason

To ensure safe access and egress from and to the site.

11. No works shall commence on site until the location and alignment of Pow Beck Culvert has been established. Details of the route, once established, shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency.

Reason

To ensure that there is no damage to the structural integrity of a Main River culvert and that future maintenance / replacement of the culvert is not compromised.

12. A surface water drainage strategy for the development should be submitted to and agreed in writing by the Local Planning Authority prior to commencement of development on site. The drainage scheme should demonstrate that surface water discharge rates do not exceed and where practicable are reduced when compared to pre-development discharge rates for a range of return periods up to and including a 1in 100 year critical storm event.

Reason

To prevent flooding by ensuring satisfactory storage of / disposal of surface water from the site.

13. Notwithstanding the details illustrated on the approved plans a scheme shall be submitted to and approved in writing by the Local Planning Authority which details

the boundary treatment to all sides of the of the site. The approved boundary treatment shall be maintained and retained at all times thereafter.

Reason

To ensure a satisfactory boundary treatment in the interests of the visual amenity of the Conservation Area.

14. Notwithstanding the details illustrated on the approved plans full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. These works shall include hard surfacing, means of enclosure, finished levels or contours etc. Landscaping shall be carried out in accordance with the approved details thereafter.

Reason

To enhance the appearance of the development in the interest of visual amenities of the area and to ensure a satisfactory landscaping scheme.

15. Prior to the commencement of development details of all mitigation and compensation measures that are to be implemented to protect any bats which are present within the site shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and shall be maintained at all times thereafter.

Reasons

To protect the ecological interests evident on the site.

16. No development shall commence within the site until the applicant has secured the implementation of a programme of archaeological building recording in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

Reason

To ensure that a permanent record is made of the building of architectural and historical interest prior to its alteration as part of the proposed development.

INFORMATIVES

1. The Environment Agency does not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users covered by our flood warning network.

The Technical Guide to the National Planning Policy Framework (paragraph 9) states that those proposing developments should take advice from the emergency services when producing an evacuation plan for the development as part of the flood risk assessment.

2. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining.

Further information is also available on The Coal Authority website at www.coal.decc.gov.uk

Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com <<http://www.groundstability.com>>

3. United Utilities have advised that a public sewer crosses the corner of the site and no building will be permitted over it. An access strip width of 10 metres, 5 metres either side of the centre line of the sewer which is in accordance with the minimum distances specified in the current issue of "Sewers for Adoption", for maintenance or replacement. Deep rooted shrubs and trees should not be planted in the vicinity of the public sewer and overflow systems.

Reason for Decision

The proposed refurbishment, extension and reuse of this prominent building is an appropriate form of development which will enhance the appearance of this part of the Whitehaven Conservation Area in accordance with Policies DEV 2, DEV 4, DEV 6, HSG 4, TCN

4 and ENV 26 of the adopted Copeland Local Plan 2001-2016 (Saved Policies 2009), the adopted Whitehaven Town Centre and Harbourside Supplementary Planning Document and the provisions of the National Planning Policy Framework.

ITEM NO: 5.

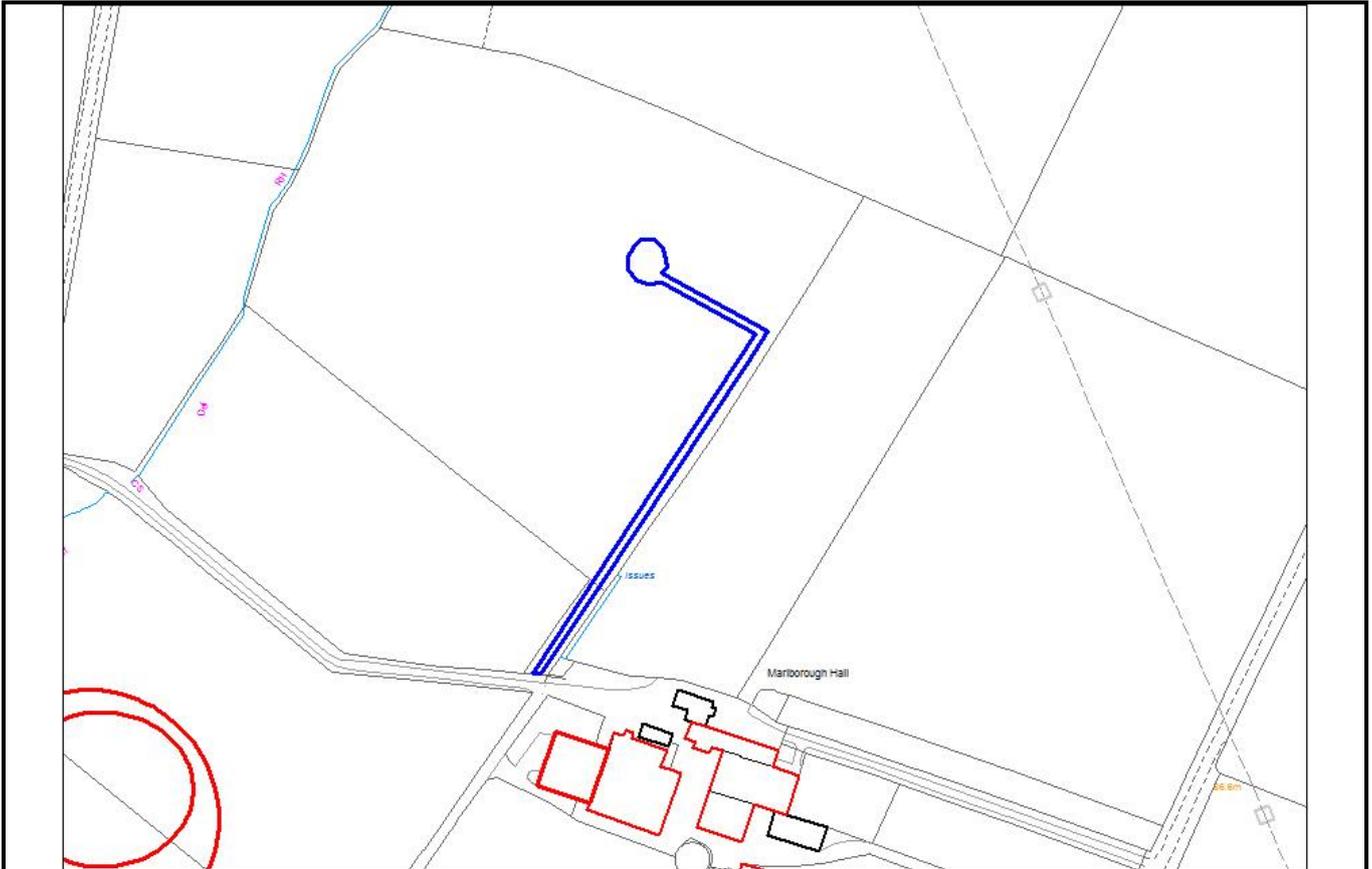


To: PLANNING PANEL

Development Control Section

Date of Meeting: 24/04/2013

Application Number:	4/13/2071/0F1
Application Type:	Full : CBC
Applicant:	Mr A Walker
Application Address:	MARLBOROUGH HALL FARM, EGREMONT
Proposal	INSTALLATION OF SINGLE ENDURANCE TURBINE ON 24M MAST (34.2M TO BLADE TIP)
Parish:	Egremont
Recommendation Summary:	Approve (commence within 3 years)



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INTRODUCTION

This application relates to an area of elevated agricultural land which lies approximately 1km west of Egremont. The site sits 290 metres south of the B5345 which runs between Egremont and St Bees and approximately 190 metres north of the main farmstead at Marlborough Hall Farm.

There are a line of substantial electricity pylons to the immediate east of the site running in a north to southeast direction. To the northeast is Whangs Farm where two 34 metre high wind turbines are in operation (4/11/2534/OF1 refers).

THE PROPOSAL

Planning permission is sought to erect a single 50kw wind turbine towards the north-eastern corner of the field. The turbine is to have three blades which will be supported on a 24

metre high monopole tower. The blades will have a diameter of 19.2 metres, giving an overall height to blade tip of 34.6 metres. Externally the turbine will be finished in an off white matt colour.

The turbine will be positioned on a 6 metre square concrete base which will also house a small equipment cabinet measuring 1.36m in width by 2.25m in height. The turbine is to be connected to the Grid by a cable which will run underground to the farm.

A new cable run would extend underground to the farm steading to connect to the Grid.

For the most part access to the turbine can be achieved via the existing road network and existing farm tracks. The final 150 metres will require a new crushed stone track to be laid across the field.

The application is accompanied by:

- A Design & Access Statement
- A Noise Analysis
- A Landscape and Visual Impact Assessment
- A Planning Support Statement which covers biodiversity, radar and communications, shadow flicker, noise, grid connection and EIA.

The site location is justified in the applicants supporting case on the basis that residential amenity, as a result of shadow flicker and noise, biodiversity and radar and communications are likely to be unaffected. It is also suggested that the turbine is unlikely to significantly change the landscape character as the site is not unduly prominent in the wider landscape and is already disrupted somewhat by pylons and turbines. They consider that any limited landscape impact would be outweighed by the economic and environmental benefits of producing clean renewable energy.

Furthermore it is stated that the turbine would be sited some 350 metres away from the nearest non-associated residential property 'Moorleys' which in itself sits within a natural depression in the land and has a main outlook away from the turbine's position.

CONSULTATION RESPONSES

The Highways Authority

Raise no objections subject to standard conditions relating to construction and traffic management being attached to any subsequent grant of planning permission.

Environmental Health Officer

Confirms that as the nearest property is approximately 350m away the development would meet the ETSU-R-97 guidelines regarding noise. Therefore he has no objection to the turbine on noise grounds, subject to a suitable noise condition. He also confirms that shadow flicker is unlikely to be an issue as all properties are over 10 blade diameters from the proposed site.

Egremont Town Council
No objections.

Other

A single letter of support has been received from the occupier of a nearby residential property (Moorclose).

PLANNING POLICY

National Planning Policy Framework

The National Planning Policy Framework (NPPF), which came into effect (March 2012), sets out the Government's new planning policies and how these are to be applied. It introduces a presumption in favour of sustainable development and emphasises that the purpose of the planning system is to contribute to the achievement of this.

The NPPF is ground breaking in that it revokes the majority of the current Planning Policy Statements / National Documents including PPS 22 'Renewable Energy', though it should be noted that the Companion Guide to PPS 22 is still in force and is relevant in so far that it advises how to evaluate renewable energy applications in order to arrive at an objective view and that landscape and visual effects should be assessed on a case by case basis.

The NPPF constitutes guidance for local planning authorities and in respect of development control is a material consideration in determining planning applications. It does not change the status of the development plan and the planning system remains plan led - requiring that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

All of the policies quoted in the NPPF taken as a whole constituent the Governments view of what sustainable development means in practice for the planning system. The NPPF identifies three dimensions to sustainable development, namely economic, social and environmental.

The environmental role is defined in paragraph 7 as contributing to protecting and enhancing our natural built and historic environment; and as part of this, helping to improve

biodiversity, use natural resources prudently, minimise waste and pollution and mitigate and adapt to climate change including moving to a low carbon economy.

Paragraph 8 confirms that these three roles should not be taken in isolation because they are mutually dependent.

Paragraph 14 outlines that a presumption in favour of sustainable development is at the heart of the NPPF and this should be taken as a golden thread running through both plan making and decision taking. For decision taking this means, unless material considerations indicate otherwise, approving development proposals that accord with the development plan without delay.

Paragraph 17 defines a list of 12 core land use planning principles that should underpin decision taking. Core Principle 10 of this approach `Meeting the Challenge of Climate Change, flooding & Coastal Change` requires planning to support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change and encourages the reuse of existing resources, including the conversion of existing buildings, and encourage the use of renewable resources for example by the development of renewable energy.

Paragraph 97 encourages the increased use and supply of renewable and low carbon energy and requires all communities to recognise their responsibilities to contribute to energy generation from renewable and low carbon sources. Local Planning Authorities are required to design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts.

Paragraph 98 clarifies that applicants are not required to demonstrate the overall need for renewable energy and that even small scale projects can provide a valuable contribution to the cutting of greenhouse gas emissions. It also advises Local Planning Authorities to approve planning applications if its impacts are or can be made acceptable.

Paragraph 109 relates to the conservation of the natural environment. It requires the planning system to enhance the natural and local environment by protecting and enhancing valued landscape and minimise the impacts on biodiversity. Net gains in biodiversity should be provided where possible.

Paragraph 123 clarifies that planning decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development but does recognise that it is appropriate to secure mitigation through the use of planning conditions to overcome these impacts. It also seeks to afford protection of areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

Cumbria Wind Energy Supplementary Planning Document (SPD)

The SPD which was adopted in 2008 was developed jointly by the Cumbrian local planning authorities to support policy implementation and provide consistent guidance for wind energy development. It provides locational guidance for wind farm development, acknowledges that Cumbria has a high quality environment and advocates that future decisions are made against a robust assessment of landscape capacity based on landscape character, sensitivity and value.

Copeland Local Plan 2001-2016 (Saved Policies June 2009)

Policy DEV 1 'Sustainable Development and Regeneration' only permits proposals for development if they accord with the local plans aims and objectives and expects all development to contribute to achieving sustainable regeneration of the Borough.

Policy DEV 5 'Development in the Countryside' seeks to protect and enhance the countryside outside settlement boundaries by restricting development to certain categories including energy related development providing it accords with other plan policies.

Policy DEV 6 'Sustainability in Design' advocates high quality sustainable design in all new development in the Borough.

Key Policies EGY 1 and EGY 2 are specifically relevant. The former supports renewable energy developments and sets out the criteria against which all proposals for renewable energy are to be considered. This is set out in full below:

Proposals for any form of renewable energy development must satisfy the following criteria:

1. That there would be no significant adverse visual effects.
2. That there would be no significant adverse effects on landscape or townscape character and distinctiveness.
3. That there would be no adverse impact on biodiversity.
4. That proposals would not cause unacceptable harm to features of local, national and international importance for nature or heritage conservation.
5. That measures are taken to mitigate any noise, smell, dust, fumes or other nuisance likely to affect nearby residents or other adjoining land users.

6. That adequate provision can be made for access, parking and any potentially adverse impacts on the highway network.
7. That any waste arising as a result of the development would be minimised and dealt with using a suitable means of disposal.
8. There would be no adverse unacceptable conflict with any existing recreational facilities and their access routes.
9. That they would not give rise to any unacceptable cumulative effects when considered against any previous extant planning approvals for renewable energy development or other existing/ approved utility infrastructure in the vicinity.

Policy EGY 2 refers specifically to wind energy and requires that such proposals meet the criteria set out in EGY 1 above as well as providing for the removal of the turbines when they cease to be operational and site restoration.

Emerging Local Planning Policies

The Core Strategy and Development Management Policies DPD which will replace most of the Policies in the Local Plan 2001-16 is now at an advanced stage of production, following a Public Examination in April.

The Policies in the Core Strategy and Development Management Policies DPD are a material consideration when determining planning applications. Once the Inspector has issued his report following the Examination then greater weight can be attached to these policies, particularly given the limited scale of objection to the Strategy and its consistency with up to date national policy guidance. The document is currently due to be adopted in August 2013.

Policy ER 2 of the Core Strategy relates to Planning for the Energy Coast. It states that “the Council will seek to support and facilitate new renewable energy generating at locations which best maximise renewable resources and minimise environmental and amenity impacts. The criteria on renewable energy development/generation are set out in Development Management Policy DM 2. This broadly duplicates the criteria contained in the current Local Plan but adds an additional requirement whereby mitigation measures and significant benefits for the community should be taken into account in considering the balance on renewable energy developments.

ASSESSMENT

This proposal raises certain key issues which are addressed as follows:

Noise

As stated earlier in this report the Environmental Health Officer raises no objections given that the nearest non-associated residential property is approximately 350 metres away. That said, it is proposed to ensure that any potential adverse noise arising in the vicinity is controlled by a suitably worded condition.

Shadow Flicker

Given the distance of the nearest non-associated residential property there is little prospect of any property being affected by shadow flicker. This is consistent with the guidance contained in the PPS22 Companion Guide which states that flicker effects have been proven to only occur within ten rotor diameters of a turbine. The rotor diameter in this case is 19.2 metres. There are no immediately close residential properties within the 192 metre distance, as the nearest residential property is 'Moorleys' which is approximately 350 metres away. This is confirmed by the Environmental Health Officer in his consultation response.

Radar and communications

It is not anticipated there will be any issues in this respect and this is borne out in the Supporting Statement.

Biodiversity

The proposed site comprises improved farmland and is not located close to any protected sites so it is unlikely that this will be an issue. The Supporting Statement concludes that the turbine is unlikely to have an impact on valuable habitat and as a mitigation measure for bats it will be sited in excess of 50 metres from the nearest hedgerow or woodland as advocated by Natural England.

Heritage

There are no conservation areas within the vicinity of the site. Mooreleys, the closest non-associated residential property is Grade II Listed. However, this sits within a significant dip in the land and will be largely screened from the turbine by the rising land and dense tree coverage. Likewise, given that the installation will have limited material impact on the ground it is unlikely to affect any archaeological remains.

Access

Access to the site already exists and the Highway Authority raise no objections to the proposal. Whilst construction would increase traffic movements to the site this would only be for a temporary period. A condition can be attached to any permission to ensure that traffic can be adequately managed to minimise any impact on the local highway network.

Landscape and visual

The wider landscape comprises intensely farmed agricultural land, dissected by groups of farm buildings and the odd isolated dwelling and network of minor roads.

The wind energy SPD identifies the site as being within the wider “Lowland” landscape type. It describes this type of landscape as having a moderate capacity to accommodate wind turbines.

Cumbria Landscape Guidance and Toolkit, March 2011, identifies the area as Low Farmland (Character Area 5b), an intensely agricultural farmed landscape with a predominant land cover of pasture which comprises undulating and rolling topography, where views can be wide and long distance to the fells and sea. It recognises in this landscape that the continued need to support renewable energy could result in large scale wind energy schemes which could change its character and advocates that this should be carefully controlled to prevent it becoming an energy landscape, with prominent locations avoided and appropriate mitigation to minimise any adverse effects.

The application site comprises part of the inland farmed plateau and is not in itself a prominent coastal location or the subject of any specific landscape designations. There are large vertical structures of comparable significance already present in the immediate landscape adjacent to the site in the form of a number of electricity pylons carrying overhead lines and two wind turbines each at Whangs Farm and Fairladies Farms respectively.

Whilst the presence of a single 34.2 metre high turbine will undoubtedly have an impact on the landscape and be seen from wide and immediate views it would not be overly significant taking into account the presence of these structures and the fact that there are no notable landscape designations or sensitive views in the area which are likely to be adversely affected.

CONCLUSION

Taking into account the policy context this application should be assessed under including the Copeland Local Plan and the NPPF, the latter of which emphasises support for the delivery of renewable development where its impacts can be made acceptable, it is accepted that on balance the erection of a single 34.2 metre high turbine in this location would not have an overly significant adverse visual impact or cause demonstrable significant material harm to the character and appearance of the landscape and as such would be in compliance with Policies EGY 1 and EGY 2 of the Copeland Local Plan and those contained in the NPPF.

Recommendation:-

Approve

Conditions

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason

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

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:-
 - General Location Plan, drawing no. 3, received on 27 February 2013.
 - Location Plan, drawing no. 4, received on 27 February 2013.
 - Block Plan, drawing no. 5, received on 27 February 2013.
 - Turbine Elevations, drawing no. E-3120-50kw Monopole Rev A, received on 27 February 2013.
 - Design & Access Statement, prepared by Neil Henderson, H & H Land and Property Ltd, dated February 2013, received on 27 February 2013.
 - Planning Support Statement, prepared by Neil Henderson, H & H Land and Property Ltd, dated February 2013, received on 27 February 2013.
 - Endurance E3120 wind turbine generalised noise predications, prepared by Seth Roberts, Hayes McKenzie Partnerships Ltd Ref: HM2438_1_SJR, dated 26 July 2011, received on 27 February 2013.
 - Landscape and Visual Impact Assessment, prepared by H & H Land and Property Ltd, dated February 2013, received on 27 February 2013.
 - Photomontages prepared by H & H Land and Property Ltd, received on 18 March 2013.

Reason

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.

3. This permission is for a period not exceeding 20 years from the date that electricity from the development is first connected into the National Grid. Within 12 months of the cessation of electricity generation at the site (or the expiry of this permission, whichever is the sooner), all development shall be removed from the site and the land restored in accordance with a scheme which shall have the prior written approval of the Local Planning Authority.

Reason

To ensure that possible dereliction and unsightliness is avoided.

4. If any turbine ceases to be operational for a continuous period of 6 months it shall be dismantled and removed from the site and that part of the site restored in accordance with a scheme which shall have the prior written approval of the Local Planning Authority.

Reason

To ensure that possible dereliction and unsightliness is avoided.

5. The noise emissions from the wind turbine shall not exceed a sound pressure level of 35dB $L_{A90,10min}$ at the curtilage of any dwelling lawfully existing at the time of this permission at wind speeds up to and including $10ms^{-1}$ at 10m height. Any measurement shall be made at a height of 1.2m and at a minimum distance of 3.5m from any façade or acoustically reflective surface. For the purpose of this condition, curtilage is defined as “the boundary of a lawfully existing domestic garden area”.

Following notification from the Local Planning Authority (LPA) that a justified noise complaint has been received, the wind turbine operator shall, at their own expense, employ a suitably competent and qualified person to measure and assess, by a method to be approved in writing by the Local Planning Authority, whether the noise from the turbine meets the specified level. The assessment shall be commenced within 21 days of the notification, or such longer time as approved by the Local Planning Authority. A copy of the assessment report, together with all recorded data and audio files obtained as part of the assessment, shall be provided to the Local Planning Authority (in electronic form) within 60 days of the notification. The operation of the turbine shall cease if the specified level is confirmed as being exceeded.

Reason

In the interests of residential amenity.

6. Before development commences a Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved details.

Reason

In the interests of highway safety.

Informative

- During the construction phase no vehicle shall leave the site in a condition that would give rise to the deposit of mud, dust or other debris on the public highway.

Reason for Decision

The siting of one 34.2m high wind turbine in this location is, on balance, considered to represent an acceptable form of wind energy development in accordance with Policies EGY 1 and EGY 2 of the adopted Copeland Local Plan (Saved Policies June 2009) and the National Planning Policy Framework.

ITEM NO: 6.



To: PLANNING PANEL

Development Control Section

Date of Meeting: 24/04/2013

Application Number:	4/13/2073/0F1
Application Type:	Full : CBC
Applicant:	Mr S Richardson
Application Address:	MELLBREAK HOUSE, MAIN STREET, HENSINGHAM
Proposal	DEVELOPMENT OF 22 DWELLINGS AND ASSOCIATED ACCESS ROAD AND COMMUNAL AREAS
Parish:	Whitehaven
Recommendation Summary:	Approve (commence within 3 years)



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INTRODUCTION

This application relates to a prominent site along Hensingham Main Street. The site covers an area of 0.46 hectares and, until recently, was occupied by a large vacant building. This building was previously in use as Hensingham Infant School and more recently as offices by Cumbria County Council.

The building has now been demolished and the site is in the process of being cleared.

This application was deferred at the last Planning Panel to enable Members to visit the site. The site visit took place on Wednesday 3 April 2013.

PROPOSAL

Planning permission is sought to redevelop the site to provide a residential development comprising 22 units, associated access, on-site parking and landscaping. A mix of 2, 3 and 4 bed houses are proposed.

The following information has been submitted with the application:-

- detailed layout and elevation plans to illustrate the proposed development
- a Design and Access Statement
- a Tree and Energy Statement
- a desk top environmental report which includes details of ground conditions, ecology and hydrology
- a drainage layout plan

The proposed layout includes a mix of terraced and semi-detached houses arranged around a central road accessed off Winston Drive. The existing vehicular access off Main Street is to be blocked up although a pedestrian access onto Main Street will be retained.

Each house will have two dedicated parking spaces, giving an overall total of 44 spaces to serve the 22 dwellings.

Most notably, the submitted layout includes the provision of a terrace of seven, two storey houses along the site frontage onto Main Street which will vary in height to follow the fall in the land, a characteristic of the locality.

The largest of the properties will be three storey semi-detached houses located to the east of the site. These houses will incorporate dormer windows to the front elevations, providing for a fourth bedroom in the roofspace.

The smallest of the units, a link of three houses will be located to the north of the site, angled away from the rear elevations of properties on Winston Drive. This link of two storey houses has been designed to incorporate hipped roofs. A cross sectional drawing has been provided to illustrate the relationship of these houses with no. 20 Winston Drive, the closest dwelling to the development.

Externally the development will be finished with a mixture of smooth render and facing brick to the walls, tiled roof coverings and upvc double glazed windows and doors.

The existing boundary treatments that enclose the site and include an attractive sandstone wall along the eastern and southern site boundaries are to be retained. Within the site a mixture of brick walls and timber fencing is proposed.

The development includes the provision of several planted/landscaped areas, most notably to the entrance of the site and along the boundary with Winston Drive to create a buffer between the two sites. Whilst a detailed planting specification has yet to be provided, the applicant anticipates that small shrubs and trees not exceeding 3.5m in height will be planted.

CONSULTATION RESPONSES

Highways Authority

Overall they raise no objections subject to standard conditions being imposed. They are however, aware of some concerns about inappropriate parking at this location and would therefore recommend that the applicant is required to fund the advertisement and potential implementation of waiting restrictions in the area. The cost of these would be in the region of £5500.

United Utilities

Have no objection to the proposed development providing specific conditions are included in any planning permission granted.

Environment Agency

Confirm that they have no comments to make.

Other

Six letters have been received from residents on Winston Drive, one of which is signed by 17 residents. Whilst two of the letters are not opposed to the development per say, and consider it to have been sympathetically designed, they, together with the others do raise the following concerns:-

1. Concerns relating to the creation of a new access onto Winston Drive given that the junction is quite narrow and often congested by cars serving people on Main Street; parents picking up children from the school opposite and by church goers. Suggest measures be put in place to prevent this such as double yellow lines, cross hatching and/ or traffic bollards.
2. The development will lead to an increase in traffic using Winston Drive which is already in a poor condition having deteriorated over the years.
3. Drainage. How will this impact on Winston Drive?
4. Concern regarding the close proximity of development to 22 Winston Drive.
5. Questions over the future maintenance of the planted areas within the site.
6. Do not wish to see large trees planted along the boundary with Winston Drive as this could block light to gardens.
7. Impact on property values

PLANNING POLICY

National Planning Policy

The National Planning Policy Framework (NPPF) sets out the planning guidelines at a national level and includes a presumption in favour of sustainable development. The NPPF outlines that the purpose of the planning system is to contribute to the achievement of sustainable development. It identifies a social role as one of the three dimensions to sustainable development. It defines a social role as supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of the present and future generations. Good design and high standards of residential amenity are also advocated.

Paragraph 47 encourages Local Planning Authorities to provide market and affordable housing to meet evidenced needs. Paragraph 50 requires Local Planning Authorities to deliver a wide choice of high quality homes to meet the needs and demands of the community.

Paragraph 56 attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, indivisible from good planning, and should contribute positively to making places better for people.

Paragraph 58 clarifies that planning decisions should aim to ensure that developments will function well and add to the overall quality of the area; establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live and respond to local character and reflect the identify of local surroundings and materials.

Paragraph 60 recognises that it is proper to promote or reinforce local distinctiveness.

Paragraph 61 requires planning decisions to address the connections between people and places and the integration of new development into the natural, built and historic environment.

Paragraph 64 clarifies that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

The NPPF requires proposals to be determined in accordance with the development plan unless material considerations determine otherwise. It allows full weight to be given to relevant local plan policies until March 2013.

Copeland Local Plan 2001-2016

The adopted Copeland Local Plan 2001-2016 seeks to achieve sustainable forms of development, as required under the overarching policy of the Plan, Policy DEV 1. Policy DEV 2 designates Whitehaven as being one of the four key service centres where development should be focussed. Policy DEV 4 sets a preference for the development of brown field sites within the development boundary.

Policy DEV 6 sets out the sustainable design principles which all new development should adopt.

Policy HSG 4 permits housing redevelopment within settlement boundaries.

Policy HSG 8 sets out the design criteria for all new housing within the Borough. Amongst other things, it advocates certain separation distances between dwellings, including a minimum of 21.0m between face elevations containing habitable room windows.

Policy ENV 12 seeks to secure landscaping within new developments.

Emerging Local Planning Policies

The Core Strategy and Development Management Policies DPD which will replace most of the Policies in the Local Plan 2001-16 is now at an advanced stage of production, following a Public Examination in April.

The Policies in the Core Strategy and Development Management Policies DPD are a material consideration when determining planning applications. Once the Inspector has issued his report following the Examination then greater weight can be attached to these policies, particularly given the limited scale of objection to the Strategy and its consistency with up to date national policy guidance. The document is currently due to be adopted in August 2013.

Policy ST1 of the Core strategy sets out the fundamental principles that will achieve sustainable development. Among other things it seeks to ensure that development creates a residential offer which meets the needs and aspirations of the Boroughs housing markets and is focused on previously developed land away from greenfield sites.

Policy ST2 sets a spatial development strategy whereby development should be guided to the principle settlement and other centres and sustain rural services and facilities.

Policy SS1 seeks to improve the housing offer across the Borough.

Policy SS2 seeks to achieve sustainable housing growth by focussing new housing development within accessible locations to meet the needs of the community.

Policy SS3 requires developers to demonstrate the provision of a balanced mix of housing types.

Policy DM10 requires new development to be of a high standard of design to enable the fostering of 'quality places'. In doing so development should respond positively to the character of the site and its immediate and wider setting, paying careful attention to scale, massing and arrangement. Likewise, development should create and maintain reasonable standards of general amenity.

Policy DM11 seeks to ensure that development proposals reach high standards of sustainability.

Policy DM12 sets out specific design standards for new residential development, including the need to retain appropriate separations distances.

ASSESSMENT

This site comprises brownfield land located within the development boundary for Whitehaven, which is designated as a Key Service Centre where new development should be focussed.

The site occupies a prominent location along Hensingham Main Street and the development has been specifically designed to reinforce this frontage and to follow the natural fall of the site westwards.

This scheme has been the subject of detailed discussions with the applicant which have resulted in significant improvements to the layout and design of this proposal.

The proposed development comprises a mix of simple two and three storey houses which will be available for sale on the open market. The layout has been sensitively designed to limit any impact on existing properties including the provision of a landscaped buffer along the boundary with Winston Drive.

The submitted layout is considered to be acceptable and would generally meet the requirements set out in Policy HSG 8 of the adopted Copeland Local Plan. A slightly lesser distance than the suggested 21 metres would be achieved between the new terrace and the existing terrace on the opposite side of Main Street. This distance is often unachievable with frontage developments due to the established street layouts and, in this particular case, maintaining a strong frontage is considered important to the street scene of this part of Hensingham.

The main issue that the application raises locally relates to the new access that is to be created onto Winston Drive. It is clear that concerns have previously been raised with the Highways Authority regarding parking along the entrance of Winston Drive by residents. Whilst acknowledging that this is a cause for concern, it would seem unreasonable to make

the applicant pay for measures to alleviate this longstanding issue, particularly when the new development provides sufficient onsite parking and the creation of an new access point will, in itself, reduce the opportunity for parking.

The applicant's agent has confirmed that they are not in a position to contribute financially due to the infrastructure costs already associated with the development which will include the provision of an adopted access road, public sewer diversions and surface water attenuation. To keep the scheme viable and affordable to the target market the applicant has indicated that he needs to avoid any unforeseen expenses.

CONCLUSION

Overall, although this land is not allocated in the adopted Copeland Local Plan it is a brownfield site and falls within the designated development boundary for Whitehaven. Its redevelopment for housing is considered to be appropriate and constitutes a sustainable form of development compliant with the Policies set out in the report.

Recommendation:-

Approve

Conditions

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason

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

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:-
 - Units 5-11, drawing no. 12-35/04 A, received on 15 April 2013.
 - Units 20, 21 & 22, drawing no. 12-35/05 A, received on 15 April 2013.
 - Section through site at plots 20, 21, 22 & 20 Winston Drive, drawing no. SK03,

received on 9 April 2013.

- Proposed site layout, drawing no. 12-35/02, received on 5 March 2013.
- Units 1-4 & 12-19, drawing no. 12-35/03, received on 5 March 2013.
- Proposed drainage layout, drawing no. B7033/06, received on 5 March 2013.
- Topographic survey, drawing no. 13.35/01, received on 5 March 2013.
- Design & Access Statement dated 27 February 2013, received on 5 March 2013.
- Tree and Energy Statement dated 27 February 2013, received on 5 March 2013.
- Phase 1 Desk Top Study, prepared by Andrew Hampson, Arc Environmental, dated 29 January 2013, received on 5 March 2013.

Reason

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.

3. Before any of the dwellings are erected full details of all materials to be used on the external surfaces of the development, including parking surfaces and details of quoins, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and so maintained thereafter.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity.

4. A sample panel of the proposed external facing materials shall be erected on the site for the further written approval of the Local Planning Authority and this approval shall be obtained before any of the superstructure is erected. This panel shall be of sufficient size to indicate the method of jointing and coursing to be used.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity.

5. Notwithstanding the details illustrated on the layout plan received on 9 April 2013

full details of the proposed boundary treatments to be erected within the site shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any of the dwellings hereby approved the boundary treatments shall be constructed in accordance with the approved details and so maintained thereafter.

Reason

To ensure the provision of a satisfactory boundary treatment.

6. The existing sandstone wall which runs along the southern and eastern boundaries of the site shall be retained in situ as part of this development and shall be retained at all times thereafter.

Reason

For the avoidance of doubt and in the interest of visual amenity

7. Full details of the landscaping works including planting plans and written specifications of plants, species, sizes and future maintenance shall be submitted to and approved in writing by the Local Planning Authority. Landscaping shall be carried out prior to any dwelling being occupied and shall be maintained in accordance with the approved details.

Reason

To enhance the appearance of the development in the interests of visual amenities and to ensure a satisfactory landscaping scheme.

8. The carriageway, footways, footpaths, cycleways etc shall be designed, constructed, drained and lit to a standard suitable for adoption and in this respect further details, including longitudinal / cross sections, shall be submitted to and approved in writing by the Local Planning Authority before development commences on site. No work shall be commenced until a full specification has been approved. Any works so approved shall be constructed before the development is complete.

Reason

To ensure a minimum standard of construction in the interests of highway safety.

9. Prior to the commencement of any construction works on site the visibility splays shall be provided in accordance with the details shown on drawing no. 12-35/02 are provided. Notwithstanding the provisions of the Town and Country Planning

(General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splay which obstruct the visibility splays. The visibility splays shall be constructed before general development of the site commences so that construction traffic is safeguarded.

Reason

In the interests of highway safety.

10. No dwellings shall be occupied until the estate road including footways and cycleways to serve such dwellings has been constructed in all respects to base course level and street lighting where it is to form part of the estate road has been provided and brought into full operational use.

Reason

In the interests of highway safety.

11. Before any development takes place, a plan shall be submitted for the prior approval of the local planning authority reserving adequate land for the parking of vehicles engaged in construction operations associated with the development hereby approved, and that land, including vehicular access thereto, shall be used for or be kept available for these purposes at all times until completion of the construction works.

Reason

The carrying out of this development without the provision of these facilities during the construction work is likely to lead to inconvenience and danger to road users.

12. Notwithstanding any indication on the approved plans, no development approved by this permission shall commence until a scheme for the disposal of foul and surface water has been submitted to and approved in writing by the Local Planning Authority. Surface water must drain separately from foul water. Surface water runoff from the site should discharge to SUDS or/and the private watercourse located at the north of the site that may require the consent of the Local Authority. For the avoidance of doubt, neither surface water, land drainage, nor highway drainage shall connect into the public sewerage system (directly or indirectly). This development shall be completed, maintained and managed in accordance with the approved details.

Reason

To ensure the provision of a satisfactory drainage scheme.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification) no external alterations (including replacement windows and doors) or extensions, conservatories, dormer, or enlargement shall be carried out to the dwellings / buildings, nor shall any detached building, enclosure, domestic fuel containers, pool or hardstandings be constructed within the curtilage other than those expressly authorised by this permission.

Reason

To safeguard the character and appearance of the development in the interests of visual amenity.

Informatives

- The developer should ensure that measures are taken to prevent surface water discharging onto or off the highway to the satisfaction of the Highway Authority.
- Details of the proposed crossing should be agreed with the Highway Authority and work should not commence until the crossing has been constructed in accordance with the agreed details.
- The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining.

Further information is also available on The Coal Authority website at www.coal.decc.gov.uk

Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com <<http://www.groundstability.com>>

- A public sewer crosses this site and United Utilities will not permit building over it. They will require an access strip width of 6 metres, 3 metres either side of the centre line of the sewer which is in accordance with the minimum distances specified in the current issue of "Sewers for Adoption", for maintenance or replacement. Deep rooted shrubs and trees should not be planted in the vicinity of the public sewer and

overflow systems. Therefore a modification of the site layout, or a diversion of the affected public sewer at the applicant's expense, may be necessary. To establish if a sewer diversion is feasible, the applicant must discuss this at an early stage with Josephine Wong by email, planning.liaison@uuplc.co.uk as a lengthy lead in period may be required if a sewer diversion proves to be acceptable.

Reason for Decision

An acceptable scheme to redevelop this prominent site within the Key Service Centre to provide 22 dwellings in accordance with Policies DEV 1, DEV 2, DEV 4, DEV 6, HSG 4, HSG 8 and ENV12 of the adopted Copeland Local Plan 2001-2016 and the National Planning Policy Framework.

ITEM NO: 7.



To: PLANNING PANEL

Development Control Section

Date of Meeting: 24/04/2013

Application Number:	4/13/2079/0F1
Application Type:	Full : CBC
Applicant:	Mr G Chapman
Application Address:	STABLE YARD JOINERY & FENCING, FRIZINGTON ROAD, FRIZINGTON
Proposal	RELOCATION OF SHED FOR B2 COMMERCIAL USE AND CHANGE OF USE OF PORTAKABIN TO OFFICE AND STORE
Parish:	Arlecdon and Frizington
Recommendation Summary:	Approve (commence within 3 years)



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INTRODUCTION

The site is located in the Frizington settlement along Frizington Road (A5086) to the south of the village. It is located to the rear of a terrace of 3 dwellings, adjoining a scrapyard to the north and also a car garage. Located further to the north is a modern development of rural workshops.

Planning permission was granted on the site in 1995 (4/95/0098/0F1 refers) for a joinery workshop and storage building, measuring 6.0m x 9.9m, with a height of 6.0m to the ridge of the roof and it was located in a similar position to the current building. This approval was granted on the basis that the workshop was to be used for the applicant's hobby and not for any business use.

Planning permission was sought in retrospect for the change of use and erection of a joiner's workshop on this area of land to the rear of 127 Frizington Road, Frizington. The application was reported to the Planning Panel meeting in October 2010 with a recommendation that the application was approved on a temporary 12 month basis in order for the applicant to find suitable alternative premises for the business, due to the proximity of the main building on site in relation to a terrace of three dwellings fronting onto Frizington Road. It was felt that due to the relationship between the domestic residences, the commercial building on the site would have an adverse impact on residential amenity within the locality.

PROPOSAL

This application now seeks planning permission for the change of use of an existing portakabin on the site to provide an office and a store, and the relocation of a building used for a B2 commercial use. This application effectively seeks to regularise the on-going breach of planning permission on the site, while addressing the issue of the proximity of the business to the dwellings on Frizington Road. The building is 9.6m x 8.0, with a height of 3.5m to the eaves and a height of 5.0m to the ridge. It is a timber frame clad with green box profile sheeting, with a grey box profile sheeting roof. It is currently located only 10.0m from the rear elevation of the dwellings.

This application would amend the siting of this building so it is relocated to the north east corner of the site, whereas it is now to the south east of the site nearest to the dwellings. This would increase the separation distance between the building and the rear elevation of the properties to 17.0 metres. The building would also be offset to improve this relationship. In addition, the reorganisation of the site would allow for some on-site parking in the current building location which would help to alleviate the current congestion problems on the lane which provides access to the site from the main road.

CONSULTATION RESPONSES

A letter of objection has been received regarding the proposal. The concerns raised are as follows: -

- The applicant has not received permission for the building on site.
- The building blocks light from the properties.
- The business does not have suitable access and parking.
- The business devalues properties.
- The site is a fire risk.

Cumbria Highways have raised no objections to the proposal.

PLANNING POLICY

National Planning Policy

The Government has recently published the National Planning Policy Framework which sets out the new planning guidelines at a national level. The NPPF includes a presumption in favour of sustainable development. Building a strong, competitive economy and supporting a prosperous rural economy are encouraged as part of the goal of securing sustainable development.

The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Therefore significant weight should be placed on the need to support economic growth through the planning system (para. 19). Investment in business should not be over-burdened by the requirements of planning policy expectations and local planning authorities should support existing business sectors and allow a rapid response to change in economic circumstances (para. 21).

To deliver a prosperous rural economy local planning authorities should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. Plans should support the sustainable growth and expansion of all types of business enterprise in rural areas, both through conversion of existing buildings and well designed new buildings and support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors.

In terms of retail development the NPPF recognises that town centres are the heart of their communities and their vitality and viability should be supported. Paragraph 24 requires a sequential approach to main town centre uses to be applied. Main town centre uses should be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered.

The NPPF requires proposals to be determined in accordance with the development plan unless material considerations determine otherwise. It allows full weight to be given to relevant local plan policies until March 2013. The adopted Copeland Local Plan 2001-2016, falls into this category.

Local Plan Policies

In respect of this application, the key policies of the adopted Local Plan identified below remain relevant to its assessment.

DEV 1 'Sustainable Development and Regeneration' expects all development to contribute to achieving a sustainable regeneration of the Borough.

DEV 4 'Development Boundaries' advocates a sequential approach to development, firstly through the reuse of existing buildings; secondly on previously developed sites, and only then on previously undeveloped land.

DEV 6 'Sustainability in Design' sets out the sustainable design principles which all new development should adopt.

EMP 4 'Extension of an existing employment use' permits the extension of an existing employment use which meets the requirements of other plan policies.

RUR 1 'Economic Regeneration in Rural Areas' supports small scale, ancillary development for employment purposes in rural areas subject to criteria. This policy is included due to the semi-rural nature of the application site, although it is within the Frizington settlement boundary.

Emerging Planning Policy

The Core Strategy and Development Management Policies DPD which will replace most of the Policies in the Local Plan 2001-16 is now at an advanced stage of production. A Public Examination took place in April 2013.

The Policies in the Core Strategy and Development Management Policies DPD are a material consideration when determining planning applications. Once the Inspector has issued his report the policies can be afforded increased weight. The document is currently due to be adopted in August 2013.

Policy ST 2 sets out a spatial development strategy which encourages growth in the local economy and appropriately scaled development in Local Centres.

Policy ER 6 supports employment development in appropriate locations subject to transport issues and minimising impact on residential amenity.

ASSESSMENT

There is a policy presumption at both National and Local levels in favour of allowing business expansion and diversification which will ultimately help to meet the goal of achieving sustainable development.

In addition this particular site is located within the Local Services Centre of Frizington, as defined by Policy DEV 4 of the Copeland Local Plan 2001 - 2016, it sits adjacent to one of only two 'A' roads within the borough and is associated with an established business. It is clear from the submission that applicants have attempted to address the outstanding matters from the previous submission, with particular reference to the previous unacceptable impact on the residential amenity of the terraced dwellings by relocating the main building within the site.

Overall, the proposal is now considered to represent an acceptable business use on the site and, on this basis, approval is recommended. Any approval however would be conditioned so that the relocation of the building is undertaken within 6 months from the date of the permission to ensure that the improvements can be secured and adequately enforced.

Recommendation:-

Approve

Conditions

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason

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

2. Within 6 months from the date of this permission, the workshop shed building shall be relocated in accordance with the proposed site plan, reference GC/3/13 received by the Local Planning Authority on 06 March 2013. The site layout shall be strictly in accordance with the approved details and shall be so maintained thereafter.

Reason

In the interests of residential amenity.

3. The loading and vehicle parking area as detailed on the proposed site plan (Ref GC/3/13) shall be available for use prior to the relocated workshop being brought into use.

Reason

In the interests of highway safety.

4. There shall be no operational use of the premises between the hours of 08.00am and 18.00pm Monday – Friday inclusive.

Reason

To minimise potential disturbance to nearby residents as a result of noise.

Reason for Decision

An acceptable proposal for the business use on the site, subject to the relocation of the workshop building, in accordance with Policies DEV 1, DEV 4, DEV 6, EMP 4 and RUR1 of the adopted Copeland Local Plan 2001 – 0216 and the provisions of the National Planning Policy Framework.

ITEM NO: 8.



To: PLANNING PANEL

Development Control Section

Date of Meeting: 24/04/2013

Application Number:	4/13/2086/0F1
Application Type:	Full : CBC
Applicant:	North Cumbria University Hospitals NHS Trust
Application Address:	WEST CUMBERLAND HOSPITAL, HENSINGHAM, WHITEHAVEN
Proposal	ALTERATION TO SITE ACCESS TO VEHICULAR AND PEDESTRIAN TRAFFIC; ON SITE ALTERATIONS TO ROADWAYS, PARKING SPACE LOCATIONS AND HARD & SOFT LANDSCAPING TO SPECIFIC LIMITED AREAS
Parish:	Whitehaven
Recommendation Summary:	Approve (commence within 3 years)



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INTRODUCTION

Planning permission was granted for the comprehensive redevelopment of the West Cumberland hospital site in 2011 (4/11/2265/0F1 refers).

PROPOSAL

This application seeks planning permission for revised access details and also changes to the parking layout, service roads and landscaping on various sections of the hospital site. Most

of the changes are focussed on the land adjacent to the main entrance into the hospital along the road frontage of the site.

The vehicular access into the site is to be provided off Homewood Road at the same point as the existing entrance. The access is to be widened and redesigned to provide a singular entrance point into the site rather than a dual access as previously proposed. This change is to accommodate detailed concerns raised by the Highways Authority and would provide a simpler junction at the site entrance and also better circulation across the whole hospital complex.

The proposed changes to the access will necessitate a revision to the landscaped areas adjacent to the entrance and also within the main car parking area proposed. The planting will provide landscaped gardens which are designed to break up and soften the appearance of the parking areas and provide an enhanced entrance into the site.

It is proposed to change the road and parking arrangements to the south of the site to enable 4 disabled parking bays to be located in close proximity to the future location of the relocated Renal unit. This change would also have the benefit of moving the road way away from the mental health building (block J).

Minor alterations to the A and E unit have enabled the drop off and parking areas on the eastern side of the site to be revised. A roundabout is also to be created off the service road to provide a dedicated entrance into the A and E unit

Minor changes are also proposed on the northern section of the site to provide better access to the service yard at the energy centre.

The applicants agent has confirmed that all public entrance points into the building are to be served by a level access and both the main entrance and the entrance to the A and E unit are to be fitted with automatic opening sliding doors. It is intended that the new buildings and all of the external spaces including the car parks will be fully DDA compliant.

The submitted application is accompanied by full hard and soft landscaping details.

CONSULTATION RESPONSES

Highways Control Officer

The layout details shown on the submitted plan are considered satisfactory from a highway perspective. I can confirm that the Highway Authority has no objection to the proposed development. I would however recommend that an advisory note is incorporated into any consent which notifies the applicant that an appropriate permit or legal agreement has been obtained for works to the highway.

Copeland Disability Forum

The retention of the total number of disabled parking spaces previously approved and also the introduction of a roundabout next to the A and E unit are positive aspects to the revised proposals. The only issue that we wish to raise is whether the bollards adjacent to the main entrance are sufficiently spaced to allow two people to walk side by side and also coloured to provide sufficient contrast for the partially sighted. These details can be secured by a condition on any planning permission.

PLANNING POLICY

National Planning Policy

The National Planning Policy Framework (NPPF) which came into effect in March 2012, sets out the Government's current planning policies and how these are to be applied. It introduces a presumption in favour of sustainable development and emphasises that the purpose of the planning system is to contribute to the achievement of this. Paragraph 17 of the NPPF covers 12 key principles of the planning framework, one of which states that planning should take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

The NPPF also recognises that planning has a social role in supporting strong, vibrant and healthy communities. This is emphasised in Section 8 and paragraph 69. Paragraph 70 identifies what planning should do to deliver the facilities communities need including ensuring that there is an integrated approach to considering the location of economic uses, community facilities and services.

The NPPF is a material consideration in determining planning applications and requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.

It allows full weight to be given to relevant local plan policies until March 2013. The Copeland Local Plan 2001-2016, adopted in 2006, falls into this category. In respect of this application key policies of the adopted Copeland Local Plan identified below remain relevant to the assessment of this application.

Local Plan Policy

Policy DEV 6 of the adopted Copeland Local Plan 2001-2016 seeks to achieve high standards of sustainable design, including the provision of safe and convenient access, egress and internal circulation for all users.

Policy TSP 6 requires all new development to have safe and appropriate access to all users.

Policy SVC 11 supports proposals for new or extended facilities for medical services provided that the site is related to the needs of the local community and is served by a range of transport modes.

Emerging Policy

The Core Strategy and Development Management Policies DPD which will replace most of the Policies in the Local Plan 2001-16 is now at an advanced stage of production. Consultation on the Pre-Submission Draft took place over the summer. A public Examination took place in April 2013.

The Policies in the Core Strategy and Development Management Policies DPD are a material consideration when determining planning applications. Once the Inspector has issued his report following the examination then greater weight can be attached to these policies, particularly given the limited scale of objection to the strategy and its consistency with up to date national policy guidance. The document is currently due to be adopted in August 2013.

Policy ST1 of the Core strategy sets out the fundamental principles that will achieve sustainable development.

Policy ST2 sets a spatial development strategy whereby development should be guided to the principle settlement and other centres and sustain rural services and facilities.

Policy DM10 requires new development to be of a high standard of design to enable the fostering of 'quality places'. In doing so development should respond positively to the character of the site and it's immediate and wider setting, paying careful attention to scale, massing and arrangement. Likewise, development should create and maintain reasonable standards of general amenity.

Policy DM11 seeks to ensure that development proposals reach high standards of sustainability.

Policy DM 22 requires all developments to be accessible to all users by securing layouts which respond positively to existing movement patterns and provide permeable and legible environments.

ASSESSMENT

The proposed revisions to the access and layout of the service roads and parking areas to serve the hospital complex have resulted from a review of safety assessments and are specifically designed to overcome detailed issues that have been identified by the Highways Authority.

Although this proposal will result in the relocation of several parking spaces within the site the overall total number of car parking spaces remains unchanged from the previously approved scheme.

Overall the proposed revisions are considered to represent an improvement to the access arrangements and site layout which will help to contribute towards the provision of an enhanced health facility on the site.

Recommendation:-

Approve subject to the following conditions

Conditions

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason

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

2. The proposed improvement works to the vehicular entrance into the site off Homewood Road hereby approved shall be fully implemented prior to the occupation of the new hospital building and shall be maintained as such at all times thereafter.

Reason

For the avoidance of doubt and in the interests of highway safety.

3. The landscaping proposals hereby permitted shall be fully implemented prior to the first occupation of the new hospital building hereby permitted. The landscaping shall be maintained at all times thereafter in accordance with the agreed management and maintenance plan.

Reason

To ensure a satisfactory form of development in the interests of visual amenity.

4. All the external hard landscaped areas hereby approved shall be surfaced and available for use prior to the first occupation of the new hospital building. Development shall be carried out in full accordance with the approved details and shall be maintained as such at all times thereafter.

Reason

To ensure a satisfactory form of development in the interests of visual amenity.

5. The car parking areas hereby approved shall be constructed and available for use prior to the first occupation of the new hospital building. Development shall be carried out in full accordance with the approved details and shall be maintained as such at all times thereafter.

Reason

To ensure that adequate car parking is available to serve the hospital in the interests of highway safety.

6. Prior to the first occupation of the new hospital building bollards shall be installed adjacent to the pedestrian crossing leading from the car park into the main entrance into the hospital in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and shall be maintained at all times thereafter.

Reason

For the avoidance of doubt and in the interests of highway safety.

INFORMATIVES

1. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining.

Further information is also available on The Coal Authority website at www.coal.decc.gov.uk

Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com <<http://www.groundstability.com>>

2. No works shall be undertaken on any part of the highway until the appropriate permit/legal agreement has been obtained from Cumbria County Council Highways Authority which permits these works.

Reason for Decision

The revised access, layout and parking proposals are acceptable and will contribute towards the provision of enhanced health facilities on the site in accordance with Policies DEV 6, TSP 6 and SVC 11 of the adopted Copeland Local Plan 2001-2016 (Saved Policies 2009) and the provisions of the National Planning Policy Framework (2012).

ITEM NO: 9.

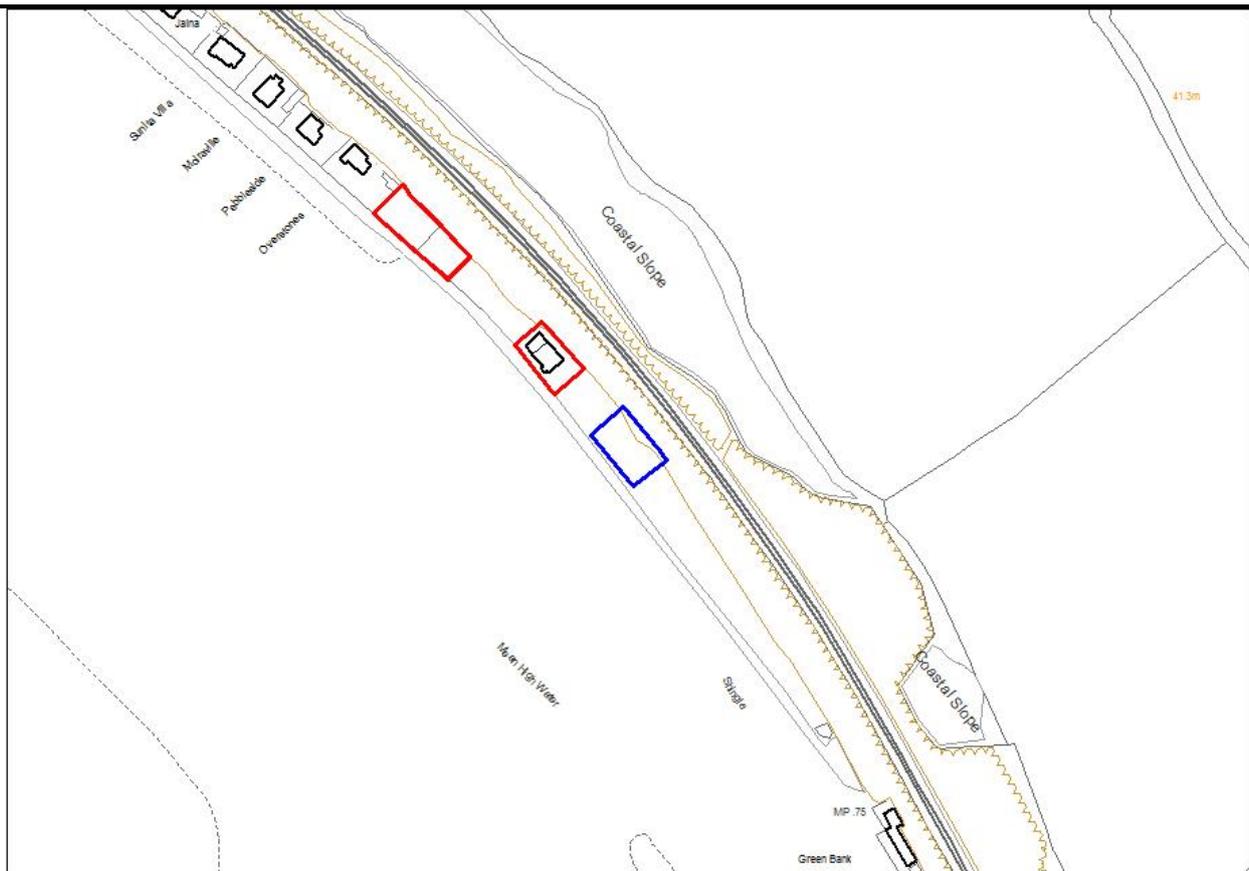


To: PLANNING PANEL

Development Control Section

Date of Meeting: 24/04/2013

Application Number:	4/13/2096/001
Application Type:	Outline : CBC
Applicant:	Mr D Pickthall
Application Address:	LAND AT FORMER SEACREST SITE, COULDERTON BEACH, COULDERTON, EGREMONT
Proposal	OUTLINE APPLICATION FOR NEW RESIDENTIAL BUILDING ON SITE OF FORMER SEACREST BUNGALOW
Parish:	Lowside Quarter
Recommendation Summary:	Approve subject to S106



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INTRODUCTION

This application relates to a vacant plot immediately adjoining the end of an established line of chalets along Couderton foreshore. The plot is bounded by a post and wire fence and is flanked to the east by the railway line.

PROPOSAL

Planning permission is sought, in outline, to construct a replacement residential building to be used for holiday purposes. The former bungalow known as 'Seacrest' which comprised a

modest single storey building of timber construction, was demolished in 1990 following extensive fire damage.

The original concrete base and path are still present within the site.

The application is accompanied by a Design and Access Statement within which it states that the new bungalow will be rebuilt on similar lines to the original, located centrally within the plot and in keeping with other bungalows along the foreshore.

CONSULTATION RESPONSES

The Highways Authority

Taking into account the past use of the property and the information submitted it is considered that the proposal is unlikely to have a material effect on existing highway conditions. On this basis, they have no objection to the proposal.

United Utilities

Raise no objections to the proposed development.

Lowside Quarter Parish Council

Following confirmation that the proposal is for a holiday unit, they raise no objections.

No comments have been received in response to neighbour notification and statutory publicity procedures.

PLANNING POLICY

The National Planning Policy Framework

The National Planning Policy Framework (NPPF) sets out the planning guidelines at a national level. The NPPF includes a presumption in favour of sustainable development. Supporting a prosperous rural economy, promoting healthy communities and meeting the challenge of coastal change are encouraged as part of the goal of securing sustainable development.

To deliver a prosperous rural economy local planning authorities should support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations (paragraph 28).

It is recognised that access to high quality open spaces and opportunities for recreation can make an important contribution to the health and well-being of communities (paragraph 73)

As regards coastal change, Local planning authorities should reduce risk by avoiding inappropriate development in vulnerable areas or adding to the impacts of physical changes to the coast. In doing so they should be clear as to what development will be appropriate in such areas and in what circumstances (paragraph 106).

Local planning authorities should also encourage the effective use of land by reusing land that has been previously development (Brownfield), provided that it is not of high environmental value.

The NPPF requires proposals to be determined in accordance with the development plan unless material considerations determine otherwise. It allows full weight to be given to relevant local plan policies until March 2013.

Copeland Local Plan 2001-2016

In respect of this application, given that the site is located outside of any of the defined settlement development boundaries for the Borough the key policies of the adopted Local Plan identified below remain relevant to its assessment.

DEV 1 'Sustainable Development and Regeneration' expects all development to contribute to achieving a sustainable regeneration of the Borough.

DEV 4 'Development Boundaries' advocates a sequential approach to development, firstly through the reuse of existing buildings; secondly on previously developed sites, and only then on previously undeveloped land.

DEV 5 'Development in the Countryside' seeks to protect the quality and character of the wider countryside and sets out the types of development that will be permitted outside the defined Key Service and Local Centres. Amongst other things, this includes leisure or tourism development.

DEV 6 'Sustainability in Design' sets out the sustainable design principles which all new development should adopt. Amongst other things, DEV 6 requires all new development to maintain reasonable standards of general amenity and show a high standard of design.

TSM 6 'Beach Chalets' permits the replacement of holiday chalets on a like for like basis without substantial additions, underpinned by a legal agreement to prevent future use of the property as a permanent dwelling.

Emerging Local Plan

The Core Strategy and Development Management Policies DPD which will replace most of the Policies in the Local Plan 2001-16 is now at an advanced stage of production, following a Public Examination in April.

The Policies in the Core Strategy and Development Management Policies DPD are a material consideration when determining planning applications. Once the Inspector has issued his report following the Examination then greater weight can be attached to these policies, particularly given the limited scale of objection to the Strategy and its consistency with up to date national policy guidance. The document is currently due to be adopted in August 2013.

Policy ST1 of the Core strategy sets out the fundamental principles that will achieve sustainable development.

Policy ST2 sets a spatial development strategy whereby development should be guided to the principle settlement and other centres and sustain rural services and facilities.

The criteria on beach bungalows are set out in Development Management Policy DM 19. This states that the Council will not permit any new beach bungalows for residential use, except where the repair or rebuilding of such bungalows is of a scale and character matching the existing structure, and occupancy is restricted solely for holiday purposes.

ASSESSMENT

This proposal involves the construction of a replacement holiday home on a brownfield site situated along Coulderton foreshore. As an outline planning application, only the 'principle' of development is being sought with matters relating to layout and design being reserved for future approval.

In terms of planning policy, it is clear at both a national and local level that efforts should be made to encourage rural tourism and increase opportunities for recreation. That said, such development must be sustainable and the approach taken by the Council, as set out in Policy TSM 6 of the Local Plan, has been to allow the repair or replacement of beach bungalows as opposed to the erection of new ones. This approach remains the same within the emerging Core Strategy and Development Management Policies DPD which continues to recognise that the existing groups of beach bungalows between St Bees and Braystones are a feature of the coast.

Whilst the plot is currently vacant it is clearly evident that a chalet was present on the site for over 45 years and there remains sufficient space to accommodate a modest replacement building.

On the basis of the above it is recommended that this proposal therefore be supported subject to a Section 106 agreement which will preclude use as a main or permanent residence.

Recommendation:-

That planning permission be granted in outline subject to the applicant entering into a Section 106 Agreement to restrict future occupancy of the beach bungalow to holiday use only and subject to the following conditions:-

Conditions

1. The layout scale, appearance, means of access thereto and landscaping shall be as may be approved by the Local Planning Authority.

Reason

To comply with Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. Detailed plans and drawings with respect to the matters reserved for subsequent approval shall be submitted to the Local Planning Authority within three years of the date of this permission and the development hereby permitted shall be commenced not later than the later of the following dates:-

- a) The expiration of THREE years from the date of this permission

Or

- b) The expiration of TWO years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason

To enable the Local Planning Authority to control the development in detail and to

comply with Section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

3. 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:-
- Site location plan, received on 12 March 2013.
 - Historical location plan, received on 12 March 2013.
 - General rate charge 1987/88, reference no. 150022109, received on 12 March 2013.
 - Letter from Brocklehursts Chartered Loss Adjusters dated 22 February 1991, received on 12 March 2013.
 - Design and Access Statement, received on 12 March 2013.

Reason

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.

Reason for Decision

An acceptable proposal for a replacement beach chalet for holiday use along Coulderton foreshore in accordance with Policies DEV 5, DEV 6 and TSM 6 of the adopted Copeland Local Plan 2001-2016 and the National Planning Policy Framework.

ITEM NO: 10.

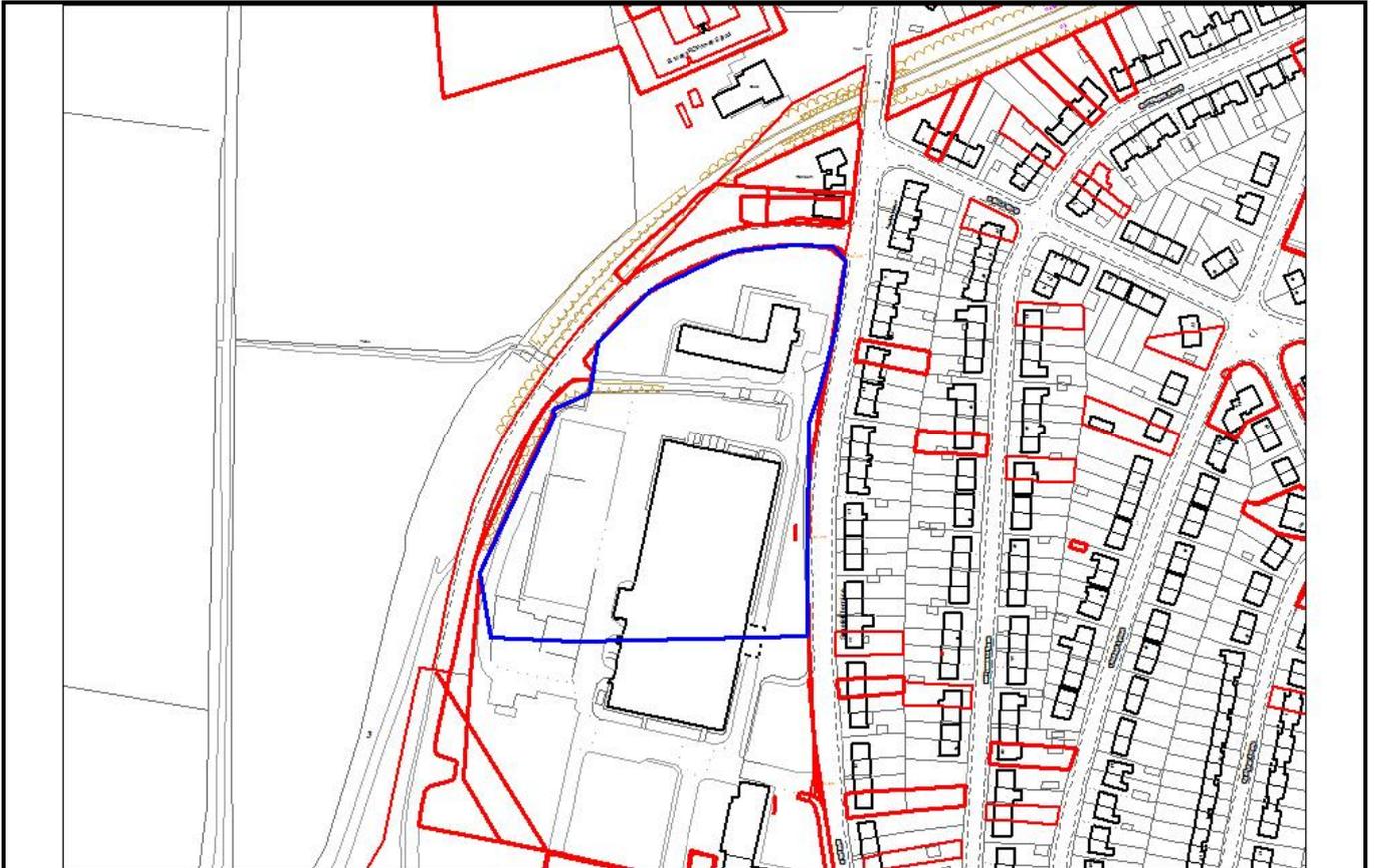


To: PLANNING PANEL

Development Control Section

Date of Meeting: 24/04/2013

Application Number:	4/13/2103/0F1
Application Type:	Full : CBC
Applicant:	Story Homes
Application Address:	LAND AT SITE OF FORMER RHODIA OFFICES, HIGH ROAD, WHITEHAVEN
Proposal	ERECTION OF 40 No. DWELLINGS AND ASSOCIATED INFRASTRUCTURE
Parish:	Whitehaven
Recommendation Summary:	Site Visit



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INTRODUCTION

This application relates to a prominent site along Snaefell Terrace, opposite the Woodhouse Estate in South Whitehaven. The site covers an area of 1.8 hectares and was previously occupied by offices serving the former Marchon Chemical Works.

The former offices have now been demolished and the site cleared and secured by fencing.

PROPOSAL

Planning permission is sought to redevelop the site to provide a residential development comprising 40 units, associated access, on-site parking and landscaping. A mix of 2, 3 and 4 bed properties are proposed.

The proposed layout includes a mix of detached and semi-detached houses and bungalows together with two blocks of apartments. A continuous frontage of bungalows is shown along Snaefell Terrace with the larger detached houses and apartment blocks situated to the west on the lower portion of the site to benefit from views over the Irish Sea. An area of public open space is also to be created along this edge of the site.

Access into the site is to be achieved by a new single entrance point off Snaefell Terrace. The layout has been designed so that each of the detached and semi-detached dwellings has an individual driveway and a dedicated parking area within each plot. A communal parking area would be provided to serve the apartments.

Externally the development will be finished with a mixture of render and facing brick to the walls, tiled roof coverings and upvc double glazed windows.

The following information has been submitted with the application:-

- detailed layout and elevation plans to illustrate the proposed development
- a design and access statement
- a planning statement
- a Phase 1 ground investigation report which includes a coal mining report
- a landscape and visual impact assessment
- a flood risk assessment
- a Phase 1 habitat survey
- a confidential viability report.

CONSULTATIONS

A number of technical agencies and local residents have been consulted on the application and responses are awaited.

RECOMMENDATION

Although this brownfield site falls within the designated development boundary for Whitehaven it was last in use for employment purposes and is not allocated for housing within the adopted Copeland Local Plan. As this is a major planning application it is recommended that Members visit the site prior to the application being determined.

Recommendation:-

Site visit
