

PLANNING PANEL

MINUTES OF MEETING HELD ON 28 APRIL 2010 at 2:00pm

Present: Councillors W Southward (Chairman); G Blackwell; Mrs E Eastwood; G Garrity; Mrs J Hully; J Jackson; Mrs J Williams; D Wilson and Mrs M Woodburn.

Apologies for absence: Councillor Mrs M Docherty and A Jacob.

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

PP76/09 Minutes

The Minutes of the meeting held on 31 March 2010 were signed by the Chairman as a correct record.

PP77/09 Declarations of Interest

Councillor G Garrity declared a personal interest in application **4/10/2068/OF1** – Application For Redevelopment of Existing Hospital Complex Involving Partial Demolition, Refurbishment of Existing buildings, the Erection of Replacement Buildings and the Provision of Additional Car Parking and Associated Landscaping at West Cumberland Hospital, Homewood Road, Whitehaven, Cumbria, CA28 8JG, due to being a Copeland Member of the Joint County Scrutiny Group on the Hospital New Build and Services. Councillor Mrs M Woodburn declared a personal interest in application **4/10/2169/OF1** – Application For Construction of an Attenuation Pond and Associated Landscaping to aid the Sustainable Drainage System at Wastwater Road, Whitehaven, Cumbria due to being a Home Group Board Member and left the room during discussion of this item.

PP78/09 Planning Applications

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

4/10/2068/OF1 – Application For Redevelopment of Existing Hospital Complex Involving Partial Demolition, Refurbishment of Existing buildings, the Erection of Replacement Buildings and the Provision of Additional Car Parking and Associated Landscaping at West Cumberland Hospital, Homewood Road, Whitehaven, Cumbria, CA28 8JG.

RESOLVED – That the authority to grant planning permission be delegated to the Development Control Manager, subject to the resolution of issues relating to biodiversity, highways, contamination and disability.

4/10/2066/0F1 – Application For The Reuse of Previously Developed Site for a Holiday Development Comprising 19 Holiday Units, a Leisure Facility, Managers Accommodation, Formation of Access Way and Bridge over Dub Beck and a Wildlife Habitat Management Plan at Weddicar Hall, Cleator Moor, Cumbria.

RESOLVED – That the application be Approved subject to the amendment of the following conditions:-

Condition 2, bullet point 15 – “Landscaping drawing proposed, reference 01, scale 1:250, received on 02 February 2010 as amended by the letters from Margaret Hardy of Taylor & Hardy Ltd reference MEH/J/CO7/216 dated 19 and 22 April 2010”

Condition 2, additional bullet point – “Letter from Margaret Hardy of Taylor & Hardy Ltd reference MEH/J/CO7/216 dated 19 April 2010 relating to disability issues.

Condition 18 – “The premises shall not be used at any time as sole and principle residences by any occupants with the exclusion of the manager’s accommodation hereby approved.

Reason for the amended condition:-

“The site is not considered appropriate for permanent residential use.”

Condition 20 – “The Owners/Operators shall maintain an up-to-date register of the names of all the Owners/Occupiers of individual holiday units on the site, and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

Reason for the amended condition:-

“The site is not considered appropriate for permanent residential use.”

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

RESOLVED – That applications for planning permission be determined as shown on the schedule hereto, subject to conditions of approval and reasons for refusal as set out in the report of the Development Control Manager dated 28 April 2010 and subject to:

4/10/2083/OF1 New Housing Development for 11 No Units Bungalows at Wastwater Road, Whitehaven, Cumbria.

RESOLVED – That the application be Approved subject to the addition of the following condition:-

“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 for the additional condition:-

“To ensure the provision of a satisfactory drainage scheme.”

4/10/2146/OF1 Revised Plans for Garden Timber Summerhouse at 72 Hill Top Road, Kells, Whitehaven, Cumbria.

RESOLVED – That the application be Approved subject to the amendment of the following condition:-

“1. The works hereby approved shall be carried out in full within six months from the date of this decision notice and shall be so maintained thereafter.”

Reason for the amended condition:-

“To safeguard the amenity interests of the neighbouring residential properties.”

4/10/2155/OF1 Change of Use from Nightclub to Licensed Indian and Bangla Food Restaurant and Takeaway at Former Jonny B's Nightclub, Market Square, Millom, Cumbria.

RESOLVED – That the application be Approved subject to the addition of the following condition:-

“4. Notwithstanding the submitted details received by the Local Planning Authority on 22 March 2010 the use hereby permitted shall not commence until full details of the proposed bin storage have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.”

Reason for the additional condition:-

“In the interests of general amenity.”

4/10/2169/OF1 Construction of an Attenuation Pond and Associated Landscaping to aid the Sustainable Drainage System at Wastwater Road, Whitehaven, Cumbria.

RESOLVED – That the application be Approved subject to the addition of the following condition:-

“Suitable Life Saving equipment shall be installed adjacent to the attenuation pond in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. The approved life saving equipment shall be installed and available for use prior to first use of the attenuation pond and shall be maintained and available for use at all times thereafter.”

Reason for the additional condition:-

“In the interests of public safety.”

PP79/09 **Section 106 Agreement – Land at Gilgarran Park, Gilgarran.**

Members considered a request to vary the Section 106 Agreement dated 30 September 2005 relating to the above site by amending clauses 1 and 2 of the Third Schedule to allow occupation of one of the properties on the basis that the required road works are completed by 30 July 2010.

RESOLVED – That the request to vary the Section 106 Agreement dated 30 September 2005 relating to the above site by amending clauses 1 and 2 of the Third Schedule to allow occupation of one of the properties on the basis that the required road works are completed by 30 July 2010, be approved.

PP80/09 **Development Brief For The Development Of The Former White School Site at Kells, Whitehaven.**

Members considered the development brief for the development of the former White School site at Kells, Whitehaven.

RESOLVED – that the development brief be Approved.

PP81/09 **Footpath Stopping Up/Diversion Order At Lowca**

Members were advised of a request to make a Stopping Up order at Lowca, under Section 257 of the Town and Country Planning Act 1990.

RESOLVED – that a Stopping Up Order be made under Section 257 in respect of Bridleway Number 413012 and that the Applicant be responsible for the costs of making the order.

PP82/09 **Development Control Performance Monitoring**

Members were informed of the Development Control Performance 2009/10 against Best Value Performance Indicators.

During discussion of this item, Members requested that their thanks be passed on to the Development Control Department.

RESOLVED – That

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

PP83/09 **Proposed Diversion of Public Footpath No 431021, Parish of Whitehaven**

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

RESOLVED – that the proposed Public Footpath diversion be supported.

PP84/09 Planning Appeal Decision

Members were informed of the outcome of a recent Advertisement Appeal decision in respect of a site at Pelican Service Station, Loop Road North, Whitehaven.

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

PP85/09 Planning Panel Site Visits

It was noted that there were two Site Visits resulting from the meeting, being at 44 Kings Drive, Egremont, Cumbria and Former White School, South Row, Whitehaven, Cumbria.

RESOLVED – that the Site Visits be arranged for Wednesday 12 May 2010. Departing The Copeland Centre at 10:00am.

The meeting closed at 3:25 pm

Chairman.....

Date.....

PLANNING APPLICATIONS CONSIDERED BY THE PLANNING PANEL ON 28 APRIL 2010

App no	Applicant	Location	Proposal	Decision
4/10/2066/0F1	Weddicar Hall Developments	Weddicar Hall, Cleator Moor	The reuse of previously developed site for a holiday development comprising 19 holiday units, a leisure facility, managers accommodation, formation of access way & bridge over dub beck and a wildlife habitat management plan	Approved
4/10/2068/0F1	North Cumbria University Hospital NHS Trust	West Cumberland Hospital, Homewood Road, Whitehaven	Redevelopment of existing hospital complex involving partial demolition, refurbishment of existing buildings and the provision of additional car parking and associated landscaping	That delegated authority be given to Development Control Manager to grant permission subject to the resolution of issues relating to biodiversity, highways, contamination & disability
4/10/2083/0F1	Story Homes	Land at Waswater Road, Whitehaven	New Housing Development of 11 No. Units (Bungalows)	Approved
4/10/2110/0F1	Miss H Whittam	44 Kings Drive, Egremont	Decking to rear (Retrospective)	Site Visit
4/10/2127/0O1	Kells Development Co Ltd	Former White School, South Row, Whitehaven	Erection of 74 dwellings comprising 31 self build plots, 21 dwellings for sale, 22 dwellings for rent or shared ownership	Site visit
4/10/2146/0F1	Mr W Smith	72 Hill Top Road, Kells	Revised plans for garden timber summerhouse	Approved
4/10/2155/0F1	Mr Sattar Miah	Former Johnny B's Nightclub, Market Square, Millom	Change of Use from Nightclub to Licensed Indian and Bangla Food Restaurant & Takeaway	Approved
4/10/2169/0f1	Home Group Ltd	Wastwater Road, Whitehaven	Construction of an attenuation pond and landscaping to aid the sustainable drainage system	Approved
CUMBRIA COUNTY COUNCIL APPLICATION				
4/10/9008/0F2	Mr C Ridell	Land adjacent to Landfill Site, Pitwood Road, Lillyhall Industrial Estate	Waste Transfer & Materials Recycling Facilities	Recommend approval subject to presentation to all Members