

PLANNING PANEL

MINUTES OF MEETING HELD ON 5 MARCH 2008

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

Apologies for absence: Councillor E Brenan; A Carroll and J Jackson;

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

PP50 Minutes

The Minutes of the meeting held on 6 February 2008 were signed by the Chairman as a correct record, subject to the addition to PP49 that Councillor H Wormstrup had raised the issue of 'Homes for Life'.

PP51 Order of Agenda Items

The Chairman agreed to consider an additional item – Non-Operation of Turbine No.6, Lowca Windfarm, Parkhouse Farm, Lowca, due to the need to rectify the breach of condition without delay.

PP52 Schedule of Planning Applications

(Note: Personal Interests in application 4/08/2032/0 – Outline application for Proposed Premium Walled and Gated residential Development for Pre and Active Retirement Units . Land to west of Cartgate, Cartgate Road, Hensingham, Whitehaven were declared by Councillor Mrs M Docherty due to knowing the applicant, Councillor G Garrity due to being Ward Councillor and Councillor H Wormstrup due to family connections. Councillor Wormstrup left the room for this item.

Mr C Willoughby declared a Personal Interest in application 4/08/2018/0 – Erection of 17 Dwellings (Reserved Matters) Land Adjacent to Seascale Primary School, Croft Head Road, Seascale due to being a Seascale Parish Councillor. The Head of Legal and Democratic Services requested, and it was agreed, that Mr Willoughby remain in the room for the purposes of taking minutes)

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

4/07/2761/0 – Four Detached Dormer Bungalows with Integral Garages. Land Adjacent to Cross House Farm, Millom, Cumbria – a vote by Members resulted in 4 votes to approve and 4 to refuse the application.

The Chairman then exercised his right to a casting vote to Approve the application subject to the detailed conditions of approval set out in the schedule of the Development Services Manager dated 5 March 2008.

(It was then requested that the Members' votes be recorded.
The voting was as follows:-

For the Development Services Manager's recommendation to approve the application:- Councillors M McVeigh, W Southward, Mrs M Docherty and H Wormstrup – 4 votes.

Against the Development Services Manager's recommendation to approve the application:- Councillors G Garrity, Mrs J Hully, A Jacob and D Wilson – 4 votes)

4/07/2728/0 – Three Detached Dwellings. Fleatham House, St Bees, Cumbria – RESOLVED to Defer in order to allow for a further Site Visit accompanied by the Landscape Officer and the Applicant's Arboricultural Consultant. Dwelling footprints also to be pegged out.

4/08/2018/0 – Erection of 17 Dwellings (Reserved Matters) Land Adjacent to Seascale Primary School, Croft Head Road, Seascale – Approve, subject to the detailed conditions of approval set out in the schedule of the Development Services Manager dated 5 March 2008.

During consideration of this application, Members requested an update of the Homes for Life policy and it was RESOLVED that the Panel be updated on the Homes for Life policy at a future meeting.

4/08/2032/0 – Outline application for Proposed Premium Walled and Gated residential Development for Pre and Active Retirement Units. Land to West of Cartgate, Cartgate Road, Hensingham, Whitehaven, Cumbria - Approve, subject to the detailed conditions of approval set out in the schedule of the Development Services Manager dated 5 March 2008.

The Panel considered the report of the Development Services Manager on the remainder of the applications for planning permission.

RESOLVED – that applications for planning permission be determined as shown on the schedule hereto subject to the detailed conditions of approval and reasons for refusal set out in the schedule of the Development Services Manager dated 5 March 2008 and subject to:

4/07/2751/0 – Reserved Matters for Dwelling. Plot 2, Winston Court, Moresby Parks, Whitehaven, Cumbria – Defer Reserved Matters, delegated to Development Services Manager.

4/07/2759/0 – Erection of New Clubhouse, Community Facility & Wind Turbine; Demolition of Existing Clubhouse. The County Ground, Coach Road, Whitehaven, Cumbria – Defer awaiting further information regarding Flood Risk.

(Note: Councillor H Wormstrup declared a personal interest due to receiving a pre-determined opinion and left the room during consideration of this application)

(Note: Councillor M McVeigh declared a personal interest in application number **4/07/2763/0** (Delegated Matters) Prune and Crown Lift Oak Tree protected by a Tree Preservation Order. 2 Park View, Castle Croft, Egremont , Cumbria due to being related to the Applicant)

PP 53 **Planning Appeal Decisions.**

Members were informed of the outcome of recent Planning Appeals in respect of an advertisement at Corckickle Service Station, Whitehaven and two Cattle Sheds on land at Jacktrees Road, Cleator Moor.

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

PP 54 **Street Naming and Numbering, New Housing Development – Former Kangol factory, Frizington.**

Consideration was given to the Naming and Numbering of a New Housing Development – Former Kangol factory, Frizington.

RESOLVED – that the street name Weavers Avenue be adopted for the housing development and all the relevant bodies be notified.

PP 55

Street Naming and Numbering, New Housing Development – Land Adjacent to Lingla Bank, Frizington.

Consideration was given to the Naming and Numbering of a New Housing Development – Site adjacent to Lingla Bank, Frizington.

RESOLVED – that the street name Lingla Gardens be adopted for the housing development and all the relevant bodies be notified.

PP 56

Non-Operation of Turbine No 6, Lowca Windfarm, Parkhouse Farm, Lowca.

(Note: Councillor Mrs J Hully declared a personal interest in this item due to having climbed the Wind Turbine during her Mayoral year)

Consideration was given to a report updating Members on concerns raised at the meetings of the Panel held on 9 January 2008 (PP41 refers) and 6 February 2008 (PP48 refers). The concerns identified a breach in a planning condition applied to application 4/98/0486/F01- Erection of 7 Wind Turbines at Lowca Windfarm, Parkhouse Farm, Lowca which stated that

“if any turbine ceases to be operational for a continuous period of 6 month 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”.

It was noted that one turbine had been inactive for in excess of the six month period and the anticipated date for the turbine to be in operation had passed. It was noted that a site inspection on 21 February had revealed that the turbine was still inactive.

The panel were further advised that communication from operator E-On UK has stated that the turbine will be fully operational by the early part of week commencing 10 March 2008.

Members considered whether a Breach of Condition Notice should be served in view of the information provided.

RESOLVED – That if Turbine No 6, Lowca Findfarm, Parkhouse Farm, Lowca is not fully operational by 12 March 2008, a Breach of Condition Notice be issued, on terms to be determined by the Development Services Manager.

The Meeting Closed at 4:00pm

Chairman