

## **PLANNING PANEL**

**2 APRIL 2008**

### **AGENDA**

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## 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 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.

### **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.

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1 4/07/2728/0

THREE DETACHED DWELLINGS

FLEATHAM HOUSE, ST BEES, CUMBRIA.

FLEATHAM HOUSE

Parish St Bees

- Have strong objections.

Fleatham House is situated within the St Bees conservation area and is a key part of the landscape of the area. It contains the only wooded area of its type in St Bees and this is greatly valued by the local community. The Copeland Local Plan contains a number of Policies (ENV 10, 26, and 27) which are designed to protect conservation areas from inappropriate development and the Parish Council believes that this application should be refused in accordance with these policies.

The proposed development will cause damage to the trees on the site both during construction and in the longer term and will fundamentally change the character and appearance of the area. It cannot be said that the development will enhance the area in any way. Some trees will be affected during construction and previous experience suggests that there would be a series of applications for pruning/felling of trees as their growth becomes inconvenient for the new property owners. The damage to the trees will be permanent and replanting some trees in other places will not compensate for the loss of long-established woodland. When an application was made in 2006 for development on this site it was refused because of the unacceptable impact on the trees as recommended by Copeland's Landscape Officer. The Parish Council believes that little has changed since then and Mr Mellor's advice in his memo of 11 December 2007 suggests that he has not changed his view.

The Parish Council is also very concerned about the effect which further development will have on the surface water drainage system. In the last two or three years there have been serious flooding problems in the village during periods of heavy rain. Cumbria Highways has recently carried out a full drainage survey to identify the cause of the problems and the Parish Council received a detailed report from the Highways Engineer on the results of the survey. The conclusion of the survey report is that the drainage system is unable to cope with the demands now being placed upon it. It was constructed many years ago when the village was much smaller and new developments over the years mean that the capacity of the drains is no longer sufficient. The cost of the remedial work will be very substantial and it is unlikely that all the work required can be funded in the near future. In the circumstances it seems entirely inappropriate to allow further development which will only

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add to the demands placed on the drainage system.

The Parish Council understands that our Ward Councillor is calling for a further site visit to look at the situation in the light of the amended plans. The Parish Council supports this request and would welcome a further opportunity to discuss the plans with members of the Planning Panel before a decision is made.

This application was withdrawn from the Planning Panel agenda on 6th February 2008 at the request of the applicant to afford the opportunity to submit amended plans. An amended plan has since been submitted for consideration which deletes one house (Plot 1) from the scheme. The proposal is now for the erection of three detached dwellings on the site.

The application was brought before Members at the last meeting on 5 March 2008 for determination but was deferred for a further site visit. It was agreed that the position of the dwellings would be pegged out on site and the applicants arboriculturist, Mr Bruce Hatton, and Richard Mellor, the Council's Landscape Officer, be in attendance to advise Members on the issues relating to trees. It transpired that neither could be present so instead they have been requested to attend this Planning Panel meeting to answer any questions Members wish to raise following the site visit which took place on Wednesday 19 March 2008.

Members will have now had the benefit of two site visits in relation to this proposal, the first of which was agreed at the 9 January 2008 meeting and took place on Wednesday 22 January 2008. These will have provided the opportunity for Members to fully appraise all the relevant issues the application raises, particularly in terms of the potential impact on the protected trees and the Conservation Area.

Full permission is now sought, via the amended scheme, for the erection of three detached dwellings on the existing tree lined and sloping lawned area which forms part of the grand entrance to this country hotel/restuarant in St Bees. The site is within St Bees Conservation Area and is substantially wooded, the trees being the subject of a Tree Preservation Order (TPO).

The three plots are located in a linear form on the north side of the drive with the individual houses fronting onto the driveway and vehicular access to each taken from it. Each detached property comprises a large four bedroomed two storey dwelling incorporating traditional elements of design in keeping with Fleatham House, which is Victorian. These include sandstone clad walls and features with natural slate roofs, timber doors and windows.

Previous planning history relating to this site is relevant. A full application to erect seven detached dwellings within the grounds, which was amended to four, was withdrawn in December 2005 (4/04/2223/0F1 refers). Individual applications for four detached

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dwellings were then refused, contrary to officer recommendation, in 2006 (4/05/2906/OF1, 4/05/2907/OF1, 4/05/2908/OF1 and 4/05/2909/OF1 refer) for the following reason:-

"The proposed development would adversely impact on the existing and future well being of trees protected by a Tree Preservation Order and the St Bees Conservation Area generally, at variance with Policies ENV 10, ENV 26 and ENV 27 of the adopted Copeland Local Plan 2001-2016."

Fourteen letters of objection have been received from local residents who express concern on the following collective grounds:-

1. Impact on village in terms of infrastructure and drainage. The existing system is already struggling to cope with the current level of surface water run off. The proposed development will increase this.
2. Question the need and demand for large executive type dwellings.
3. Development of the grounds would destroy the character of this impressive house.
4. Further development will only detract from the current desirability of the area and put undue stress on local facilities, especially the school.
5. Will add to the traffic problem in the area and the existing access is dangerous.
6. Adverse affect of building on the protected trees, particularly ground works.
7. Building of houses should only take place where it preserves or enhances the area - neither apply. If permission were granted it would open the floodgates to other applications.
8. Will affect the habitat of the local red squirrel.
9. Lead to the loss of the last wooded area in the village.
10. Proposal will not allow for the future growth of the trees.
11. In addition the resident of the dwelling opposite the former plot 1, whilst they view the amended scheme with relief, they do still wish to raise the following concerns:-
  - the dwelling on plot 2, particularly due to its elevated position and little ground cover, will affect their privacy
  - the road runs a few feet from their back wall and the extra influx of vehicles, especially during construction, may lead to

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severe damage

- the road is in poor repair affected by root growth of adjacent protected trees; any improvement to the road is therefore likely to damage the trees

- will remove the habitat for rooks and crows

A letter of objection has also been received from the local Ward Councillor, a copy of which is appended to this report.

The objections raised in respect of infrastructure are matters which have been addressed already via the local plan process. The question of need is also not a material planning consideration.

As regards access the Highway Authority raise concerns that the layout shows no improvement to the existing access arrangements which they consider could be detrimental to highway safety causing manoeuvring difficulties. It is considered improvements here, however, would have a detrimental affect on the character and appearance of the Conservation Area and would not be sanctioned.

The concerns raised by the immediate neighbour are relevant in respect of Plot 2 as it is inevitable there will be some affect on neighbouring privacy by the presence of a house opposite. However, the required separation distance of 21 metres minimum between facing elevations of dwellings which contain habitable windows required by Policy HSG 8 of the adopted Copeland Local Plan 2001-2016 is satisfied here with the nearest distance measuring 21 metres from the front elevation to the site boundary where it adjoins neighbouring plots on The Crofts.

In addition to the above, the key issues this application raises is the potential impact of the proposal on the existing protected trees and the Conservation Area generally. The amended scheme with the removal of plot 1 does represent a considerable improvement over the original submission reducing the intrusive visual impact from hard development on the conservation area and, in particular, the open sweeping character of the historic entrance to this country house. Previously any development here has been resisted because of its potential adverse impact on the character and appearance of the Conservation Area.

As regards the trees the arboricultural report submitted with the application submits that the general quality of the trees within the site is average to poor, that the sycamores have become invasive and elm disease is present and proposes a long term management plan which is included with the submission to ensure future tree cover. However, it does identify that the trees do have some amenity value and states that proposals for development should consider carefully any potential impact on the trees and that removal and replacement is phased to ensure continuity of cover. The root protection areas of

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the existing trees on the site, which are considered of critical importance when assessing proximity and impact of development on trees, have been depicted on the layout and demonstrate that the development could be accommodated with minimal impact. The trees that have been identified for removal are ones that could be justified on the grounds of good arboricultural management and these have been kept to a minimum. A total of fourteen replacement trees are recommended to replace those likely to be lost. The tree survey and management plan has been assessed by the Council's Landscape Officer. His view, taking into account the amendment, is that the overall tree cover still remains an integral part of the tree population and landscape amenity value of St Bees and considers that the development on this site will inevitably lead to the loss of further trees and should be refused. He is also concerned that any remaining trees will be affected by post development tree works applications and enquires how this can be mitigated against.

It is considered that the amended submission represents an acceptable form of development that can be achieved with minimal adverse impact in the conservation area and incorporates generally a good standard of local vernacular house design and layout. The accompanying arboricultural report demonstrates that whilst it is inevitable there will be some tree loss this will be minimal and will only affect already identified poor specimens. Furthermore, it is argued that the application would provide the opportunity to enhance the tree cover here by securing and encouraging the proper long term management of the trees within the grounds as well as strengthening and improving planting elsewhere in the grounds. Notwithstanding the Landscape Officer's comments I am of the opinion, therefore, that this proposal accords with Policies ENV 26 and ENV 10 of the adopted Copeland Local Plan 2001-2016 which support small scale housing development in such a sensitive location where the protection of trees is paramount.

## Recommendation

Approve (commence within 3 years)

2. The layout and number of dwellings shall be strictly in accordance with the amended plan, (drawing number 06/12/550-01a), received by the Local Planning Authority on 4 February 2008.
3. The setting out of each house shall be agreed with the Local Planning Authority on site before development commences.
4. A minimum separation distance of 1.0 metre shall be provided between the root protection area of any tree and any hard development, including vehicular access drives/parking areas, walkways and walls.



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5. Notwithstanding the submitted plan, a scheme incorporating additional planting to improve and strengthen the Tree Preservation Order within the grounds of Fleatham House along with a schedule of maintenance shall be submitted to and approved in writing by the Local Planning Authority before development commences. Planting shall be implemented in accordance with the approved scheme.
6. If within a period of two years from the completion of the development any retained or newly planted tree is uprooted, destroyed, or dies, another tree shall be planted at the same place. That tree shall be of a size, species and be planted at such a time as agreed in writing by the Local Planning Authority.
7. 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 extension shall be carried out to the dwellings, nor shall any building, enclosure, domestic fuel container, pool or hardstanding be constructed within the curtilage of the dwelling without the prior written consent of the Local Planning Authority.
8. Adequate protection measures for the retained trees during the course of development, including the erection of fencing and the installation of weight bearing root barrier membranes and appropriate ventilation/irrigation systems shall be undertaken in accordance with British Standard BS 5837, details of which shall be submitted to and approved in writing by the Local Planning Authority before development commences.
9. The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought onto the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
10. The passing places created shall be surfaced in bituminous or cement bound materials, or otherwise bound, and shall be constructed and completed before construction of the dwellings commences.
11. The access drives and parking areas shall be surfaced in bituminous or cement bound materials, or otherwise bound, and shall be constructed and completed before the dwellings are occupied.

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12. Public Footpath No 423004 which runs along the southern boundary of the site shall remain unobstructed at all times.

The reasons for the above conditions are:-

In compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

For the avoidance of doubt

To ensure adequate protection is afforded to the trees on the site which are subject to a Tree Preservation Order

To strengthen and improve the Tree Preservation Order at Fleatham

In the interests of highway safety

To ensure public footpath 423004 remains unobstructed at all times

Reason for decision:-

The proposal represents a satisfactory form of housing development for this sensitive wooded site, which is subject to a Tree Preservation Order and within the St Bees Conservation Area, in accordance with Policies HSG 4, ENV 10 and ENV 25 of the adopted Copeland Local Plan 2001-2016

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2 4/08/2020/0

CONVERSION OF PART BUILDING TO ESSENTIAL WORKERS  
DWELLING  
FARM BUILDING ADJACENT TO,  
TARNFLATT HALL FARM FARMHOUSE, LIGHTHOUSE ROAD,  
SANDWICH, WHITEHAVEN, CUMBRIA.  
MR F TELFER

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Parish

St Bees

- No objections.

Planning permission is sought to convert part of an existing farm building at Tarnflatt Hall Farm to the west of Sandwith village into an essential worker's dwelling. Vehicular access to the farm is via the lighthouse road which also serves several other dwellings.

The subject building, which is now redundant, is attached to the existing farmhouse occupied by the applicant. The building itself is situated within an existing group of buildings made up of the Tarnflatt Hall farmstead and two adjacent dwellings. Opposite lie a number of small, single storey buildings which have been converted to provide tourist accommodation as a means of farm diversification.

In terms of the conversion scheme it is proposed to create a two bedroomed dwelling offering accommodation over three floors with a private garden area to the front. On-site parking would be provided within the farm yard. The design scheme itself retains the overall character of the building, utilising existing door and window openings where possible and retaining the natural sandstone elevations and slate roof. The scheme also incorporates a small terrace within the roof, together with the addition of a solar panel.

A structural inspection of the building has been carried out concluding that the building is generally in a good structural condition and capable of accepting conversion.

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

The site itself is located outside any settlement boundary defined by the adopted Copeland Local Plan 2001-2016 and, as such, Policy HSG 17 "Conversion to Dwellings in Rural Areas" is considered relevant to the determination of this application.

Policy HSG 17 states:-

"In rural areas proposals for the conversion of a building to residential use will be permitted so long as:-

1. applicants can demonstrate that alternative employment, community or mixed uses are not viable
2. where the subject building is currently or last used for agriculture applicants can also demonstrate that there is no alternative site or premises available in the locality which better accords with the search sequence set out in Policy DEV 4
3. the building is structurally sound and capable of accepting conversion works without significant rebuilding, modifications

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or extensions

4. the building in its existing form is of a traditional construction and appearance and the proposed conversion works retain the essential character of the building and its surroundings. In this regard existing features of interest and external facing materials should so far as possible be retained
5. the building is located within or adjacent to a village or an existing group of buildings
6. the building is served by a satisfactory access from the public highway network without the requirement for extensive private roads or tracks and domestic services such as a water supply and electricity must be readily available to the site
7. the conversion works incorporate reasonable standards of accommodation and amenity which should involve compliance with the requirements of Policy DEV 6 and other plan policies
8. the number of dwellings proposed is appropriate to the scale of adjoining development and will not substantially increase the number of dwellings in the countryside."

In my opinion the proposal represents a sympathetic conversion scheme making efficient use of an existing building to provide accommodation for an agricultural worker compliant with Policy HSG 17.

Recommendation

Approve (commence within 3 years)

2. The occupation of the dwelling hereby approved shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, or any resident dependents.
3. Prior to development commencing full details of the proposed windows and doors shall be submitted to and approved in writing by the Local Planning Authority. Works shall be carried out strictly in accordance with the approved details.
4. 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 shall be carried out to the dwelling, nor shall any building, enclosure, domestic fuel container, pool or hardstanding be constructed within the curtilage of the dwelling without the prior written consent of the Local Planning Authority.

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5. No development approved by this permission shall be commenced until a desk study has been undertaken and agreed in writing by the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on-site contamination. If the desk study identifies potential contamination a detailed site investigation should be carried out to establish the degree and nature of the contamination and its potential for on-site contamination. If the desk study identifies potential contamination a detailed site investigation should be carried out to establish the degree and nature of the contamination and its potential to pollute the environment or cause harm to human health. If remediation measures are necessary they shall be implemented in accordance with the assessment and to the satisfaction of the Local Planning Authority.

Reasons for the above conditions:-

In compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

In recognition of the need to provide an additional farm worker's dwelling.

To retain control over the appearance of the building in the interests of amenity.

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

To ensure a safe form of development that poses no unacceptable risk of pollution.

Reason for decision:-

An acceptable conversion scheme making efficient use of this redundant farm building to provide accommodation for an agricultural worker in accordance with Policy HSG 17 of the adopted Copeland local Plan 2001-2017

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3 4/08/2030/0

RESIDENTIAL DEVELOPMENT CONSISTING OF ELEVEN  
DWELLINGS AFTER DEMOLITION OF FARM BUILDINGS  
SALTHOUSE FARM, SALTHOUSE ROAD, MILLOM, CUMBRIA.  
NEIL PRICE LIMITED

Parish Millom

- No objections.

Planning permission is sought for a residential development of eleven dwellings following the demolition of farm buildings at Salthouse Farm, Salthouse Road, Millom.

A previous application for the same proposal was withdrawn in November 2007 (4/07/2614/0 refers), as a stage 1 road safety audit requested by the Highways Authority, had not been provided. This has now been submitted with this application. The site previously received outline planning consent for eight houses in August 2006 (4/06/2477/0 refers).

At present the application site is partly a paddock area and part covered by farm buildings which would be demolished. These have become redundant in farming terms as the farm has recently constructed new agricultural buildings in order to meet modern farming standards.

It should be noted that two previous applications have been made on the larger area of land on the opposite side of Salthouse Road to this proposal. Both applications were refused due, to amongst other issues, potential flood risk. This problem does not apply to this current application as it is in a low risk flood zone.

The proposed development consists of 10 semi-detached dwellings and one detached dwelling. Seven of the houses would front onto Salthouse Road with the access and remaining four houses to the rear. All the dwellings are proposed to be finished in a grey rough cast render with stone elevations to the porches and a natural grey slate on the roof.

Two letters of objection have been received to the proposal from nearby residents whose concerns can be summarised as:-

- 1 The density of the development will impact on car parking and traffic safety in the area.
- 2 The main water supply for the adjacent dwelling crosses the application site.
- 3 The development will lead to overlooking issues.
- 4 Further development under permitted development will affect

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existing the existing residence.

- 5 The development will increase potential flood risk.

In response to these concerns I would comment that the issue of road safety has been greatly considered by submission of the road safety audit and subsequently the inclusion of a crossing point, pavement within the site and a rumble strip. Also, the necessary visibility splays have been met. For each dwelling two parking spaces have been provided. The issue of parking to the rear of the site on a private access lane would have to be dealt with by the owner, should this occur.

The site is located within a flood zone 1 and therefore is considered to be in the lowest category of flood risk. However, the proposal includes a 600mm containing pipe, which will store and limit the water flow to the outlet point in a nearby watercourse. The Council's Flood Engineer has been consulted on the application and has no objection in principle, subject to further details being submitted.

In terms of overlooking the nearest dwelling to the objectors' is 2.4 metres from the boundary and has a blank elevation. The dwelling is also located out of the sightline of the existing dwelling. Permitted development would not be possible to the rear as it fronts onto Salthouse Road and, therefore, further development would be controlled by the Local Planning Authority.

The issue of water supply to the adjacent dwelling is not a material planning consideration, and United Utilities have raised no objections. However, the issue has been brought to the attention of the developer.

In policy terms the site is situated within the settlement boundary for Millom as defined by Policy DEV 4 of the adopted Copeland Local Plan 2001-2016. However, although the land has been used for farming purposes it must be regarded as a greenfield site under the definition provided in Planning Policy Statement (PPS) 3 on Housing which identifies agricultural land as "greenfield".

Under the terms of Policy HSG 4 of the adopted Copeland Local Plan 2001-2016 housing proposals will generally only be permitted when involving existing building or previously developed land. However, it should be noted that the outline was granted in accordance with the 2nd Deposit Version. Also, the proposal now is considered more suitable as the density is around 39 dwellings per hectare, which is in accordance with the 30-50 dwellings per hectare stated in the Local Plan whilst retaining acceptable standards of development. As such, the proposal is recommended for approval in accordance with Policies HSG 4 and HSG 8 of the adopted Copeland Local Plan 2001-2016.

Recommendation

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Approve (commence within 3 years)

2. Access gates, if provided, shall be erected to open inwards only away from the highway.
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.
4. Details of all measures to be taken by the applicant to prevent surface water discharging onto or off the highway shall be submitted to the Local Planning Authority for approval prior to the development being commenced. Any approved works shall be implemented prior to the development being completed and shall be maintained operational thereafter.
5. No development shall commence within the site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.
6. Before development is commenced the barns shall be surveyed for the presence of bats by an expert approved by Natural England. The finding of the survey shall be confirmed in writing to the Local Planning Authority and appropriate measures undertaken to protect and relocate any species present in the buildings.
7. The site shall be drained on a separate system, with only foul drainage connected into the foul sewer.
8. Further details of the proposed surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority before development commences.

The reasons for the above conditions are:-

In compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

In the interests of Highway Safety.

To afford reasonable opportunity for an examination to be made to determine the existence of any remains of archaeological interest within the site and for the preservation, examination or recording of such remains.

To ascertain the presence of protected species prior to works commencing in the interests of the protection and conservation of existing wildlife on the site.



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To ensure a satisfactory drainage system.

Reason for decision:

The proposal represents an acceptable residential development within Millom settlement boundary in accordance with Policies HSG 4 and HSG 8 of the adopted Copeland Local Plan 2001-2016.

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4 4/08/2033/0

REDEVELOPMENT OF OBSOLETE CHURCH HALL INTO 3  
RESIDENTIAL UNITS WITH INTEGRAL GARAGES AND  
ASSOCIATED WORKS TO WIDEN FOOTWAY  
CHURCH HALL, PENZANCE STREET, MOOR ROW, CUMBRIA.  
EGREMONT TEAM MINISTRY

Parish                      Egremont

- Request a site visit to take account of the following:-

1. Access for garage and allotment holders to the rear of the development - though not owned by anyone it has been used over a long period of years
2. The area allocated for drying facilities and bin storage is restricted for 3 dwellings
3. The windows in the roof appear to overlook the playground of the adjacent Primary School
4. It is necessary to inform the school, residents of No. 47 Penzance Street and possibly garage and allotment holders
5. The Town Council have no objection to this development but they feel two properties as opposed to three would be more suitable

At the last meeting Members resolved to carry out a site visit before determining this application. The site visit took place on Wednesday 19th March 2008.

Planning permission is sought to convert this obsolete church hall at Moor Row into three dwellings. The hall has stood unused for a considerable period of time and previous efforts to reuse the building for community usage have been without success.

An existing lean-to structure to the rear of the hall which currently

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accommodates toilet facilities is to be demolished to make way for a shared external community space.

In terms of accommodation the three dwellings will each comprise an integral garage, living room and kitchen facilities at ground floor level with two bedrooms and a bathroom above.

In terms of external finishes the existing rendered walls are to be retained and re-painted. The existing tiled roof will also remain. New white UPVC windows and doors are proposed.

The shared access lane adjacent to the church hall will be hard surfaced for a width of 2.5m from the side elevation of the hall, as recommended by the Highways Authority.

No objections have been received from the Highways Authority or United Utilities. Nor have any comments been received in response to neighbour notification procedures.

Policy HSG 15 of the adopted Copeland Local Plan 2001-2016 states that in urban areas proposals for the conversion of suitable non-residential buildings to provide new residential accommodation will be permitted so long as:-

1. adequate internal space standards and exclusive use of kitchen and bathroom facilities can be achieved without extensive alterations or additions to the property
2. off-street car parking is provided in accordance with the parking guidelines in Appendix 1
3. adequate external amenity space is provided
4. the conversion works retain the character of the building
5. no alterations or associated works create amenity problems for residents of adjacent properties

On balance, it is considered that the proposed redevelopment scheme to provide three residential units would result in the reinstatement of this obsolete church hall in accordance with Policy HSG 15, and, as such, is favourably recommended.

Recommendation

Approve (commence within 3 years)

2. New ground floor windows and doors abutting the highway shall be of a type which cannot open outwards into the highway.

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3. The garage doors shall be of a style that do not open out over the footway.
4. The frontage footway shall be designed, constructed and drained to the satisfaction of the Local Planning Authority and in this respect further details, including longitudinal/cross sections, shall be submitted to the Local Planning Authority for approval before work 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.

The reasons for the above conditions are:-

To minimise possible danger to other highway users.

To protect public safety.

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

Reason for decision:

An acceptable redevelopment scheme of an obsolete church hall for residential purposes in accordance with Policy HSG 15 of the adopted Copeland Local Plan 2001-2016.

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5 4/08/2051/0

CREATION OF TWO ADDITIONAL RESIDENTIAL UNITS  
WITHIN EXISTING BARN CONVERSION  
2/3 THE BARNS, WHITEHOW HEAD, HAILE, EGREMONT,  
CUMBRIA.  
CPMS UK LTD.

Parish                      Haile

- No comments received

Planning permission is sought for two additional units in an existing barn conversion at 2/3 The Barns, Whitehow Head, Haile, Egremont. The barn was subject to a previous planning approval in 2003 for a conversion to 4 dwellings (4/03/0884/0 refers).

The large barn is situated outside of the main village of Haile, on the road between Haile and the Blackbeck roundabout on the A595. It is attached at the north end to the former farmhouse at Whitehow

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Head, and to the south is a large garage block to provide parking for the dwellings. Further south of the garage is a detached bungalow.

The conversion works have been implemented to the extent that the two outer units of the building have now been sold and occupied. No changes are to be made to the exterior of the building from the already approved conversion with the exception of an approved opening being changed from a window to door on the two units. The finishes for the building are as previously approved, which are a slate roof, sandstone and painted render walls and timber windows and doors.

This application would amend the number of units in the ongoing conversion of the barn to 6 units. This change would see the two significantly larger central units, as they have three floors, sub-divided into 4 units. On the original planning application these units contained 5/6 bedrooms and two living rooms, whereas now they are proposed to be a three bedroomed unit on the upper two floors, and a two bedroomed ground floor flat. The accommodation would be identical within both conversions.

Four letters of objection have been received from the adjoining residents whose concerns can be summarised as:-

- 1 The parking and access is not suitable for the number of units.
- 2 The water supply is not sufficient.
- 3 The sewage treatment plant as previously approved as installed is not sufficient for this development.
- 4 The population mix will not be suitable.
- 5 An offer had already been accepted on one of the properties.
- 6 There would be changes to the openings and have been on many previous occasions during the 2003 application.
- 7 There would need to be a means of escape.
- 8 The proposal would not meet national planning policy.

In response to these objections I would comment firstly that a layout and parking plan has been submitted to which Cumbria Highways have raised no objections. The conditions regarding the site frontage and visibility could again be included on any notice of consent.

With regard to the water supply and sewage disposal, the applicant has stated this is as previously approved and as the accommodation does not differ greatly from the former application it is not considered to be an issue. The applicant has stated the capacity of the installed system to be for 35 people but is including a secondary

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reed bed filtration system to cover any additional increase. Again, the details of this can be a condition to be approved following consultation with the Environmental Agency and the Council's Environmental Health section. The consent to discharge to a nearby watercourse has already been granted by the Environment Agency.

The issue that the units may be occupied by 'young single party people' is not a material consideration. However, the new proposal would give a better mix of sizes of accommodation on site. The smaller units would increase the diversity of housing stock in this rural area and would also provide some disabled accommodation, being on one floor and with a level access. Again, any offer received on the properties is not a material planning consideration.

There is only one external change to the properties which exchanges two windows for doors. Whilst this would be near to the units on either side, with the properties effectively creating a terrace, a different opening could not be utilised that would have less effect. This also provides the upper units with a secondary access and means of escape. However, Building Regulations would cover this point as well. The number of changes to the proposal under the previous consent is not a consideration when determining this application.

In terms of planning policy, additional units being created should be balanced against providing a more suitable type and mixture of housing. Overall, the proposal is considered to comply with Policy HSG 17 of the adopted Copeland Local Plan 2001-2016. Mindful of the previous consent, the additional two units are not considered to cause a significant increase in the number of dwellings in the countryside but would increase the stock of smaller units in rural areas.

Recommendation

Approve

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls, shall be erected within the curtilage of any dwelling forward of any wall of that dwelling house which fronts onto the C4016 road.
3. Visibility splays measuring 60m x 2.0m x 60m shall be provided at the access within which nothing shall exceed the carriageway surface level of the adjoining C4016 road.
4. On-site parking shall be provided strictly in accordance with the additional plan received by the Local Planning Authority on 7 March 2008.

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5. Notwithstanding the submitted plans, further details of the sewage treatment plant system shall be submitted to and approved in writing by the Local Planning Authority before development is completed.
  6. 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, doors and roof covering) or extensions shall be carried out to the dwellings, nor shall any building, enclosure, domestic fuel container, pool or hard standing be constructed within the curtilage of the converted barns without the prior written consent of the Local Planning Authority.

The reasons for the above conditions are:-

In compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

In the interests of highway safety.

For the avoidance of doubt.

To ensure a satisfactory drainage system.

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

The reason for decision:-

The proposal represents an acceptable conversion of a rural building to residential use providing a mix of accommodation in accordance with Policy HSG 17 of the adopted Copeland Local Plan 2001-2016.

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6 4/08/2054/0

CHANGE OF USE FROM GIFT SHOP TO GIFT SHOP/FLORIST  
AND LICENSED CAFE/BISTRO  
THE BEES KNEES, 24, MAIN STREET, ST BEES,  
CUMBRIA.  
MISS K J BENNET

Parish St Bees

- The Parish Council sees the establishment of new businesses in the village as a positive step and has no objections to the change of use. However, the Parish Council would wish to comment on the license application in due course.

Planning permission is sought to change the use of this existing mid terraced property to a florist, gift shop and cafe at ground floor level with a licensed bistro at first floor level. At present a gift shop occupies the ground floor with living accommodation above.

In terms of external alterations it is proposed to cover an existing area between the rear of the property and a lean-to extension with a translucent cover measuring 1.67m in width by 1.8m in length. In addition to this it is intended to erect a new sign on the front elevation which would be subject of a separate application for advertisement consent.

It is proposed to open the premises between the hours of 9.00am until 12.00pm Sunday to Thursday and from 9.00am until 1.00am Friday and Saturday.

No objections have been received from the Highway Authority.

The Council's Environmental Health department have raised objections and recommend the application be refused on the basis that any discharges of extract air at first floor level would be an odour risk to neighbouring residential properties. Any high level discharge above ridge level would also result in odour problems occurring to properties at The Crofts residential estate to the rear of the premises. In addition to this they raise concerns regarding noise that would be produced from the operation of any odour control equipment and also from occupants of the bistro.

Four letters of objection have been received from neighbouring property owners. The grounds for objection can be summarised as follows:-

1. The present parking situation is already unacceptable and dangerous with the Seacroft Drive estate taking the overflow when residents are not at work. Another evening opening licensed premises would exacerbate this problem.

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2. The village does not need another licensed premise. There is already Platform 9, The Queens, Manor, The Albert, Fairladies Barn and The Oddfellows Arms all on Main Street. Residents have already experienced broken windows and damage to cars from drunken yobs.
3. This is a residential area with young families. A late opening licensed premises could result in great disruption and disturbance, street noise, taxi pick ups and merry revellers at late hours of the evening.
4. The area around the shop is not well lit and has a narrow pavement. If it was to become an area for smokers it would cause congestion and could be intimidating for passers by.
5. The bistro would be next to an objector's bedroom creating late night noise and problems associated with cooking.
6. The fitting of a canopy over the rear yard means this area is more than likely to be used as a smoking area creating problems with privacy, noise and security.
7. Concerns regarding water supply and drains and their ability to cope with the extra WCs. The potential adverse effect on Nos 22 and 23 Main Street should be checked by an appropriate engineer.
8. The upstairs bistro looks directly into bedroom windows opposite resulting in overlooking and intrusion of privacy.
9. Additional deliveries would cause even more congestion. Deliveries to the florist have been late at night with lorries pulling up outside residents' windows and hazard lights flashing and engines running.

Both national and local planning policies presume in favour of new businesses which can play an important role in sustaining and enhancing village community and vitality.

Policy TCN 7 of the adopted Copeland Local Plan 2001-2016 sets out the Council's criteria for determining applications for food and drink uses within the town centres. In particular the preamble to this states that the Council will not usually grant permission for such uses where they adjoin residential property, including residential accommodation unconnected to the business on the upper floors of the premises as is the case with this particular proposal.

In addition to this the Local Plan states that extra activity associated with such uses does sometimes present problems such as additional noise, litter and smell and casual parking. Planning Policy Guidance Note 24 "Planning and Noise" in particular encourages Local Planning Authorities to bear in mind not only the noise that is generated within the premises but also the attendant problems of



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noise that may be made by customers in the vicinity and disturbance that can be caused by traffic and associated car parking.

Whilst the applicant must be commended in her efforts to introduce a new business to the area, the proposed licensed bistro at first floor level within this mid-terraced property bounded by residential properties on either side is considered inappropriate and at variance with local and national policy insofar as it would have an adverse impact on the amenity of the area and cause undue nuisance to occupiers of both adjoining residential properties and those situated to the rear of the premises in terms of the generation of both odour and noise nuisances.

Recommendation

Refuse

By virtue of its mid terraced location the proposed use would cause demonstrable harm to the occupiers of both neighbouring residential properties and the wider amenity interests of the area generally as a result of odour and noise nuisance associated with the proposed first floor licensed bistro use in particular, at variance with policies of the adopted Copeland Local Plan 2001-2016 together with Planning Policy Guidance Note 24 "Planning and Noise."

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7 4/08/2066/0

DEMOLISH EXISTING DWELLING & BUILD NEW  
BARN COTTAGE, THE HILL, MILLOM, CUMBRIA.  
MR T OVERFIELD

Parish                      Millom Without

- No comments received.

Planning permission is sought for the demolition of a dwelling and the rebuilding of a new dwelling on the same site at Barn Cottage, The Hill, Millom.

The cottage is situated within a small cluster of houses known as Underhill and is attached to a group of three other dwellings created by way of barn conversions. The cottage, however, is not part of the original barn.

The dwelling currently provides modest accommodation comprising a lounge, kitchen and a sleeping mazzanine and a further building, which is the entrance hall and bathroom. In terms of finishes, the

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dwelling is part random slate walling and part rough cast render with a natural slate roof and timber windows and doors.

The proposed dwelling would be based on the footprint of the existing, only slightly enlarging the smaller extension part. The main difference would be the roof height with the roof of the main part increased by 0.8m and the smaller element increased to two storey to match the adjoining accommodation. Internally this will provide three small bedrooms, bathroom and entrance hall on the ground floor, and a kitchen/diner and a lounge at first floor level. The external finishes will be as the previous dwelling.

No objections have been received to the proposal.

In planning terms the site is situated outside any settlement boundary defined by the adopted Copeland Local Plan 2001-2016. Accordingly, Policy HSG 14 is applied for the replacement of a dwelling. This states:-

"The replacement of existing dwellings will be permitted subject to Policy HSG 4, except where the dwelling is:-

1. listed as a Building of Special Architectural or Historic Interest, or is in a Conservation Area (see Policies ENV 28 and 34) or is
2. in the countryside (i.e. all areas outside defined development boundaries prescribed by Policy DEV 4), and
  - (a) is the result of a temporary or series of temporary permissions, or
  - (b) its replacement would be in serious conflict with public health or safety, the economy of public services, or the appearance or potential for improvement of the countryside, or
  - (c) is derelict (i.e. incapable of being re-inhabited without carrying out works requiring planning permission), or
  - (d) is no longer in existence (unless the dwelling has been accidentally destroyed in the recent past, for example by fire or flood, and was occupied at the time of the accident)
  - (e) is the habitat of wildlife species protected by law when expert advice must be sought to establish an appropriate course of action

so long as the scale and character of the replacement dwelling matches that which it is proposed to replace."

So, although the dwelling is within the countryside, as it is not the

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result of temporary permissions, would not affect public health, is not derelict, is still in existence and does not affect wildlife habitats, the proposed replacement dwelling is acceptable in planning policy terms. It is further considered that the scale and character of the proposed replacement dwelling is acceptable.

Recommendation

Approve (commence within 3 years)

2. Access gates, if provided, shall be erected to open inwards only away from the highway.
3. The access drive shall be surfaced in bituminous or cement bound materials, or otherwise bound, and shall be constructed and completed before the dwelling is brought into use.
4. Details of all measures to be taken by the applicant to prevent surface water discharging onto or off the highway shall be submitted to the Local Planning Authority for approval prior to the development being commenced. Any approved works shall be implemented prior to the development being completed and shall be maintained operational thereafter.

Reasons for conditions:-

In compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

In the interests of highway safety

Reason for decision:-

The proposal represents an acceptable replacement dwelling in the countryside in accordance with Policy HSG 14 of the adopted Copeland Local Plan 2001-2016

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8 4/08/2071/0

CHANGE OF USE FROM EMPTY STORAGE UNIT TO SALE OF  
BAKERY PRODUCTS AT FRONT & STOREROOM AT REAR  
UNIT 3E, SNECKYEAT ROAD INDUSTRIAL ESTATE,  
HENSINGHAM, WHITEHAVEN, CUMBRIA.  
MR J BARWISE

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Parish

Whitehaven

Planning permission is sought to change the use of this vacant unit within the Sneckyeat Industrial Estate, Hensingham to allow for the sale of bakery products at the front and storage at the rear.

The applicants existing catering business is based on units 3a and 3b to the rear of the subject unit. The retail element of the unit will occupy 50% of the floor area to the front of the unit. It is intended to provide a service to the occupants and visitors of other business units within the industrial estate as well as passing trade such as people working at the hospital.

Proposed opening hours are from 8.00am until 2.00pm Monday to Friday and 8.00am until 1.00pm on Saturdays.

No objections have been received in response to statutory consultation and neighbour notification procedures.

Policy EMP 4 of the adopted Copeland Local Plan 2001-2016 supports proposals for the expansion of existing employment uses.

In my opinion the alternative use of this vacant unit within an established industrial estate will help facilitate the expansion of an existing business compliant with Policy EMP 4 and, as such, is favourably recommended.

Recommendation

Approve (commence within 3 years)

2. The premises shall not be open to the public outside the hours of 8.00am until 6.00pm on any day.
3. The retail element of the unit shall not exceed 50% of the unit floorspace as confirmed by the applicant in his e-mail to the Local Planning Authority dated 14th March 2008.
4. Detailed plans of any proposed external alterations to the premises shall be submitted to and approved in writing by the Local Planning Authority before such development is commenced. Works shall be carried out in accordance with the approved details.

Reason for condition

To ensure that non-conforming uses are not introduced into the area.

To retain control over the appearance of the building in the interests of amenity.

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Reason for decision:-

An alternative use for this vacant industrial unit to facilitate the expansion of an existing business in accordance with Policy EMP 4 of the adopted Copeland Local Plan 2001-2016.

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9 4/08/2072/0

SINGLE STOREY EXTENSION TO THE FRONT FOR KITCHEN  
& W.C, TWO STOREY EXTENSION TO REAR FOR DINING  
ROOM & BEDROOM, DETACHED GARAGE  
TORA LEE, BIRKS ROAD, CLEATOR MOOR, CUMBRIA.  
MR P MCGONAGLE

Parish Cleator Moor

- No objections.

A proposal to extend this modern end of link property, one of a group of three two storey terraced dwellings, fronting onto Birks Road. Originally constructed on an infill plot in the mid eighties, these link houses are flanked either side by older traditional terraces and have the benefit of rear access from Heathcote Park residential estate.

There are three elements to this application to consider comprising:

1. A single storey extension with a mono pitched tiled roof to the front of the dwelling which would serve to increase the size of the existing kitchen, provide a new entrance and a ground floor w.c. Projecting out from the front wall of the property by some 1.8 metres it will extend 5.1 metres along virtually the entire frontage of this property to within 0.75 metres of the side boundary of the adjoining link house and 0.7 metres to the front garden boundary adjacent to Birks Road. A window and door are proposed on the front elevation with a narrow window on the west elevation. In terms of materials it is intended to use a red/brown facing brick to the walls.
2. A two storey rear extension, under a hipped tiled roof with rendered walls, measuring 3.9 metres in depth by 3.9 metres in width. This will provide a dining room on the ground floor with a bedroom above. The existing conservatory at the rear is to be demolished. Two windows are proposed, one to the first floor bedroom and one to the dining room. Both are situated on the gable end looking out onto Heathcote Park. In addition, patio doors are

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to be installed on the east elevation serving the ground floor dining room. These will be situated 1.9 metres from the neighbouring boundary with the adjoining link house and will directly face onto that property's rear garden.

3. Erection of a detached garage with a pitched tiled roof and rendered walls. Measuring 6.5 metres in length by 3.2 metres in width it would be sited at the bottom end of the rear garden on an existing parking area serving the dwelling.

A letter has been received from residents of the neighbouring dwelling who object on the following grounds:

1. The extension will block natural light to their rear garden, particularly if they were to build a rear conservatory.
2. Affect on views and devaluation of their property.
3. Will affect their privacy in their rear garden, particularly if any windows overlook.

In response, concerns regarding value and views are not material planning considerations and should be disregarded. The issues, however, raised in respect of light and privacy are relevant. Whilst there will be an effect on light this is not considered to be significant. There are no side windows to the rear extension which would create overlooking issues with the exception of the patio doors leading from the dining room which would open out onto the adjoining garden which it is considered would have an adverse impact on neighbouring amenity.

Policy HSG 20 of the adopted Copeland Local Plan 2001-2016 is the relevant policy against which this application should be assessed. This only permits householder extensions where certain criteria are met. The key ones in considering this proposal are:

Criterion 1 the scale, design and choice of materials involved respect the character of the parent property.

Criterion 3 they would not create potential noise nuisance, security, or privacy or overlooking problems for residents of either the parent property or adjacent dwellings.

Front extensions, with the exception of small porches, of the scale and nature proposed are not normally deemed acceptable in accordance with the above policy. The sheer scale and design of this front extension is considered to represent the introduction of an incongruous alien feature on the front elevation which does not accord with criterion 1 of Policy HSG 20. In addition the position of the patio doors on the east side of the rear extension is considered contrary to criterion 3 of this Policy in view of the likely adverse affect on neighbouring amenity from overlooking.

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Recommendation

Refuse

By virtue of its scale, location and design the proposed single storey front extension to this end link terraced house would constitute an incongruous design feature. Furthermore, the patio doors on the east elevation of the two storey rear extension would result in the loss of privacy for residents of the adjoining terraced house whose private rear garden would be directly overlooked, contrary to Policy HSG 20 of the adopted Copeland Local Plan 2001-2016.

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10 4/08/2085/0

DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION  
OF 6 No FLATS  
THE READING ROOM, MAIN STREET, DISTINGTON,  
CUMBRIA.  
DGN PROPERTIES

Parish                      Distington

- During the discussion several Members expressed disappointment at the proposal to demolish the Reading Room, which is in keeping and adds to the character of the Main Street but it was resolved that if the building could not be utilised there should be no objections to these proposals. It was generally felt that this development was better than the one previously agreed to for the site.

In December 2006 an application (4/06/2730/0F1 refers) to change the use of this property into two residential units and erect a terrace of 4 dwelling to the rear was refused for the following reason:-

"The proposal represents an unsuitable form of tandem development served by a joint vehicular access from Main Street which would result in a reduction in residential amenity and does not reflect the existing form of development in the area and, as such, is at variance with Policy HSG 4 of the adopted Copeland Local Plan 2001-2016."

Consent was then sought to convert the existing vacant property into 2 flats and erect a 16.7m x 10.1m extension to the rear of the building to form 4 flats (4/07/2271/0F1 refers). At the 30th May 2007 meeting Members agreed to delegate authority to the Development Service Manager to grant planning permission subject to no adverse comments being received from the Highways Authority. After lengthy correspondence between the developer and the Highways Authority and

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the carrying out of a speed survey it was determined that the required access visibility onto Main Street could not be achieved and, as such, this application was withdrawn in February 2008.

Planning permission is now sought to demolish this vacant property, formerly occupied by Distington Parish Council, and to construct a two storey development comprising 6 flats. The scheme is similar to that of the previous application which was withdrawn, but will be sited to the southern end of the site in order to achieve adequate road visibility. To the site frontage the proposed front elevation is of traditional design emulating that of the existing Reading Rooms. This section of the development will accommodate two flats with a further four to the rear.

Internally each flat would provide two bedrooms, kitchen, living room and bathroom. Proposed external finishes comprise painted wet dash rendered walls with painted window surrounds, a grey slate effect tiled roof and black plastic rainwater goods.

Existing boundary treatments and planting which offer natural screening to neighbouring properties are to be retained. Additional screen planting is also to be implemented along the northern boundary.

In terms of siting the development will be set back 1.2m from the footway edge in order to achieve adequate visibility. The development will be sited a minimum 1.6m from the boundary to the south and a minimum of 6.8m from the boundary to the north.

The proposed development would be served by a new vehicular access directly off Main Street running between the gable end of the adjoining property, Ulpha Glebe, and the proposed development finishing in a car parking and turning area to the rear. A communal garden is also proposed to the rear of the site which backs onto the A595 Trunk Road.

Four letters of objection have been received from local residents, the grounds of which can be summarised as follows:-

1. The developers have no regard for the village of Distington and are intent on demolishing an old character building suited to the Main Street.
2. What is to stop the developer demolishing the Reading Room and submitting another application in the future for an even bigger project, i.e. eight to ten flats.
3. Copeland Council now run a policy of conservation in Whitehaven Town Centre. We do not see why this policy is not extended to the entire Copeland Borough area jurisdiction where old buildings are concerned.



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4. Some buildings in Distington date back to the 16th century. Too many old buildings have been demolished in the name of progress. It seems a shame that the Reading Room is destined to go the same way leaving the village with even less heritage.
5. Main Street is a very busy road, carrying not only cars and buses but large lorries, tractors and car transporters. There are regular traffic jams and many near misses when vehicles try to squeeze past each other. The development will add to the existing traffic problem.
6. Concerns regarding safety aspects of vehicles entering and exiting the site.
7. National policy prohibits building past existing building lines. One of the objectors submitted a planning application in 2004 based on officer's advice which was then rejected causing unnecessary expense.
8. One of the objectors was interested in developing this site by demolishing the building and constructing 2 pairs of semi-detached houses but was informed that it was not an allocated housing site.

Policy HSG 4 of the adopted Copeland Local Plan 2001-2016 generally supports proposals for housing redevelopment involving existing buildings or previously developed land, subject to other plan policies, in particular HSG 8 relating to design.

The site is situated within the settlement boundary for Distington as designated by the Local Plan. Although not specifically designated for housing in the local plan, Policy HSG 4 does allow for small scale windfall sites in appropriate locations. The proposal adequately achieves the required separation distances, general standards of amenity and car parking as required by Policy HSG 8.

In my opinion this revised scheme materially addresses the previous grounds for refusal by providing a site frontage development that can now accommodate adequate highway visibility and, as such, is favourably recommended.

## Recommendation

Approve (commence within 3 years)

2. Prior to development commencing full details of the proposed windows and doors shall be submitted to and approved in writing by the Local Planning Authority. The windows and doors shall be installed strictly in accordance with the approved details.
3. The site shall be drained on a separate system, with only foul drainage connected into the foul sewer.

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The reasons for the above conditions:-

To retain control over the appearance of the building in the interests of amenity.

To ensure a satisfactory drainage system.

Reason for decision:-

An acceptable form of site redevelopment within the settlement boundary for Distington in accordance with Policies HSG 4 and HSG 8 of the adopted Copeland Local Plan 2001-2016.

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11 4/08/2086/0

ERECTION OF WOODEN FENCE 14M LONG AND 1.5M HIGH  
AT REAR OF PROPERTY (RETROSPECTIVE)  
3, WINSTON CLOSE, MORESBY PARKS, WHITEHAVEN,  
CUMBRIA.  
MR M HAY

Parish

Moresby

- No comments received.

Retrospective planning permission is sought for the close boarded timber fence erected along the rear boundary of this recently constructed detached house on the ongoing Winston Close housing development at Moresby Parks.

The fence abutts the Moresby Parks road frontage and measures some 14 m in length, its height ranging between 1.5m and 1.6m, above the level of the highway verge.

The fence affords privacy to the rear of the house, the ground floor of which is at a significantly lower level than the Moresby Parks road.

Whilst the consultation response from Cumbria Highways is still awaited, the Highways Control Officer has previously confirmed that the fence is outwith the visibility splays to the estate road and also the school brow junction with the Moresby Parks road to the north.

As yet undeveloped residential plots bound the site to the north and south with existing residential development being on the opposite

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side of the Moresby Parks road.

The fence needs planning permission because it exceeds 1m in height and is adjacent to a highway. Whilst the applicant's desire to secure privacy to the rear of his house is understood, the fence is deemed to represent a visually intrusive feature along this prominent road frontage to the detriment of residential amenity for existing and future residents of dwellings opposite and on neighbouring plots.

A more sympathetic design solution should be secured in such a sensitive location and the determination of this application should not be influenced by its retrospective nature.

Policy DEV 6 of the adopted Copeland Local Plan 2001-2016 addresses "Sustainability in Design" and states that planning permission will only be granted for development which meets certain criteria, including a high standard of design and choice of materials in contributing to creating or maintaining a strong sense of place and reasonable standards of general amenity. It is considered that the fence as erected fails to achieve these criteria

## Recommendation

## Refuse

By virtue of its scale, siting and appearance the close boarded timber fence constitutes a visually intrusive feature along this prominent road frontage to the detriment of surrounding residential amenity in general and that of existing and future residents living adjacent and opposite in particular, at variance with Policy DEV 6 of the adopted Copeland Local Plan 2001-2016.

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12 4/08/2093/0

ERECTION OF 4 NO TERRACED HOUSES  
MAIN STREET, DISTINGTON, CUMBRIA.  
MRS P MAGUIRE

Parish                      Distington

- express concerns with regards to the size of this development on what appears to be a very small plot of land and also to the fact that it is very close to the main entrance to the village from the North. Members felt that it would be advantageous for a site meeting to be held in order that scope of the development could be fully understood before a final decision is taken.

Outline planning permission to demolish an existing barn and

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construct a pair of semi-detached properties on this site fronting Main Street, Distington was approved in November 1996 (4/96/0545/001 refers). Detailed planning permission for the erection of a pair of semi-detached houses was then approved in June 2004 (4/04/2376/0F1 refers). A subsequent detailed application for a terrace of three dwellings was then approved in April 2007 (4/07/2114/0F1 refers). Following this last approval the site has been cleared and a retaining wall constructed to the rear of the site.

Having acquired additional land to the west of the site planning permission is now sought to erect a terrace of four, two bedroomed dwellings with associated car parking on this now vacant site.

The dwellings are of a simple design offering accommodation over two storeys with small porches to the front elevation. The terrace will be set back between 1.0m and 3.6m from the carriageway edge allowing for a private area to the front of each dwelling.

A car parking and associated turning area is proposed to the west of the site providing off-street parking for a total of eight vehicles. Access to the parking area is directly off Main Street.

External finishes comprise painted rendered walls with smooth cement surrounds, slate roof coverings, white UPVC mock sash windows and painted hardwood doors.

Statutory consultations are ongoing.

A single letter of objection has been received from a neighbouring property owner to the rear who thinks the applicants should repair the damage they have already done before applying to do more and suggests that the area should be filled in and put back to what it was before as it has been an eyesore for long enough.

The principle for developing this site for residential purposes has already been established by previous approval in 1996, 2004 and 2007 respectively.

At the request of the Parish Council and in order to fully address the issues raised it is recommended that Members visit the site prior to the application being determined.

## Recommendation

Site Visit

Schedule of Applications - DELEGATED MATTERS

4/08/2007/0	Millom Without	APPLICATION TO FELL 13 TREES (4 PINE, 3 CEDAR, OAK, 1 ELM, 1 SYCAMORE AND 1 WILLOW) AND CROWN BROCKWOOD HALL, CHAPPELS, NR. MILLOM, CUMBRIA. BROCKWOOD HALL
4/08/2024/0	Seascale	DRIVE TO INCLUDE ACCESS ACROSS FOOTPATH  23, GOSFORTH ROAD, SEASCALE, CUMBRIA. MR R GATE
4/08/2027/0	Cleator Moor	ERECTION OF TWO STOREY EXTENSION  96, ENNERDALE ROAD, CLEATOR MOOR, CUMBRIA. MR G McLAUGHLIN
4/08/2028/0	Distington	DETACHED DOUBLE GARAGE WITH DOG KENNEL  86, MAIN STREET, DISTINGTON, CUMBRIA. MR AND MRS G COID
4/08/2036/0	Egremont	PROPOSED ALTERATIONS TO EXISTING SHOP FRONT  3, MARKET PLACE, EGREMONT, CUMBRIA. J D & L A LACE
4/08/2041/0	Cleator Moor	DEMOLITION OF EXISTING SINGLE STOREY EXTENSION, ERECTION OF NEW TWO STOREY EXTENSION TO REAR OF 61, MAIN STREET, CLEATOR, CUMBRIA. MISS J RAWLING
4/08/2042/0	Arlecdon and Frizington	ERECTION OF SINGLE STOREY REAR EXTENSION  3, WOOD DALE, RHEDA PARK, FRIZINGTON, CUMBRIA. MR J CAMPBELL
4/08/2043/0	Seascale	ERECTION OF GARAGE AT REAR OF PROPERTY  20, LINGMELL CRESCENT, SEASCALE, CUMBRIA. MR J SLATER
4/08/2048/0	Cleator Moor	DOUBLE STOREY EXTENSION, DORMER TO SECOND FLOOR BEDROOM & INTERNAL ALTERATIONS 33, TRUMPET ROAD, CLEATOR, CUMBRIA. MR K A YOUNG
4/08/2055/0	Whitehaven	UPVC FRONT PORCH  73, GLENRIDDDING WALK, RICHMOND, WHITEHAVEN, CUMBRIA. MR A PARR
4/08/2056/0	Whitehaven	TWO OUTDOOR AIR CONDITIONING UNITS ON WALL ADJACENT TO FIRE ESCAPE (RETROSPECTIVE) 71-73, MARKET PLACE, WHITEHAVEN, CUMBRIA. MR I GRAHAM

Schedule of Applications - DELEGATED MATTERS

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4/08/2057/0	St Bees	TO FELL ONE ASH TREE WITHIN ST BEES CONSERVATIO AREA HIGH HOUSE, HIGH HOUSE ROAD, ST BEES, CUMBRIA. MR A FOX
4/08/2061/0	Whitehaven	APPLICATION TO FELL 1 ELM TREE & 1 COMMON SYCAMORE WITHIN WHITEHAVEN CONSERVATION AREA TRINITY GARDENS, WHITEHAVEN, CUMBRIA. OPEN SPACE SECTION
4/08/2010/0	Milloom	ERECTION OF KITCHEN/CONSERVATORY EXTENSION TO REAR ELEVATION AND PARTY WALLS TO NORTH EAST AN 66, LOWTHER ROAD, MILLOM, CUMBRIA. MR KEVIN WALKER
4/08/2022/0	Haile	REPLACEMENT SILAGE BARN WITH ATTACHED LEAN-TO  LOW MEADOWS, LOW BROAD LEYS FARM, CALDERBRIDGE, CUMBRIA. MESSRS J KNIGHT
4/08/2040/0	St Bridgets Beckermeth	RENEWAL OF TEMPORARY PLANNING PERMISSION FOR A TWO STOREY PORTAKABIN OFFICE ACCOMMODATION SELLAFIELD, SEASCALE, CUMBRIA. SELLAFIELD LIMITED